

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**July 25, 2023, 2023 – 6:00 PM**

A quorum of the City Council will be present during the meeting at: 447 N Main, Boerne, TX 78006.

During the meeting, the City Council may meet in executive session, as to the posted subject matter of this City Council meeting, under these exceptions of Chapter 551 of the Texas Government Code; sections 551.071 (Consultation with Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Gifts), 551.074 (Personnel/Officers), 551.076 (Deliberation Regarding Security Devices), and Section 551.087 (Deliberation Regarding Economic Development Negotiations).

1. CALL TO ORDER – 6:00 PM

INVOCATION

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and indivisible.)

2. CONFLICTS OF INTEREST

3. PROCLAMATIONS:

- A.     [2023-554](#)     PRESENT PROCLAMATION TO “DAY 1 BAGS” FOR EFFORTS IN THE LEGISLATIVE PASSAGE OF HB NO. 3765 - LUGGAGE FOR FOSTER CHILDREN.

**Presenter:**     Frank Ritchie

4. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue, in compliance with LGC Section 551.007. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

5. CONSENT AGENDA: All items listed below within the Consent Agenda are considered to be routine by the City Council and may be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence.

- A.     [2023-570](#)         CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON JUNE 27, 2023.

**Presenter:**         City Secretary Lori Carroll

- B.     [2023-553](#)         CONSIDER RESOLUTION NO. 2023-R51; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN UPPER CIBOLO CREEK WATERSHED SUPPLEMENTAL WATERSHED AGREEMENT NO. 1 BETWEEN KENDALL COUNTY SOIL AND WATER CONSERVATION DISTRICT # 216 (SWCD), KENDALL COUNTY COMMISSIONERS COURT, CITY OF BOERNE, AND THE UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE (NRCS). (NRCS design agreement for Dam #2)

**Presenter:**         Director of Engineering & Mobility Jeff Carroll

- C.     [2023-492](#)         CONSIDER RESOLUTION NO. 2023-R52; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DEVELOPER PARTICIPATION CONTRACT BETWEEN THE CITY OF BOERNE AND GREEN LAND VENTURES, LTD, FOR THE OVERSIZING OF A WATER MAIN IN RANCHES AT CREEKSIDE UNIT 2B FOR A TOTAL NOT TO EXCEED \$23,173.00.

**Presenter:**         Utilities Director Michael Mann

6. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A.     [2023-565](#)         CONSIDER THE UN-TABLING OF ORDINANCE NO. 2023-09, AS DESCRIBED BELOW. (Tabled on June 27, 2023)

**Presenter:**         Frank Ritchie

- B.     [2023-564](#)         PRESENTATION AND CONSIDER ON FIRST READING ORDINANCE NO. 2023-09; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, REPEALING AND REPLACING CHAPTER 23 OF THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, TO GOVERN SHORT-TERM RENTALS; PROVIDING REGULATIONS AND

PERMITTING FOR THE OPERATION AND USE OF SHORT-TERM RENTALS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; PROVIDING AN EFFECTIVE DATE; AND ACKNOWLEDGING COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT. (Regulation of short-term rental properties)

**Presenter:**

Assistant Planning Director Nathan Crane and Assistant City Manager Kristy Stark

7. RESOLUTIONS:

A. [2023-561](#)

CONSIDER RESOLUTION NO. 2023-R53; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING 2.79 ACRES OF LAND IN THE BLUFFVIEW MULTI-FAMILY MAJOR PLAT SUBDIVISION, DONATED BY ROERS COMPANIES; DEDICATING THE PROPERTY AS PARKLAND; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS.

**Presenter:**

Assistant Planning Director Nathan Crane

B. [2023-562](#)

CONSIDER RESOLUTION NO. 2023-R54; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING 6.06 ACRES OF LAND IN THE COLLECTION AT BOERNE MAJOR SUBDIVISION PLAT, DONATED BY RIVER ROAD BOERNE - TX-BTR, LP; DEDICATING THE PROPERTY AS PARKLAND; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS. (Parkland Dedication to the City by the Collection at Boerne)

**Presenter:**

Assistant Planning Director Nathan Crane

8. CITY MANAGER'S REPORT:

A. [2023-421](#)

TRAFFIC AND SAFETY TASK FORCE UPDATE.

**Presenter:**

Assistant City Manager Danny Zincke

B. [2023-569](#)

WATER CONSERVATION UPDATE.

**Presenter:**

Utilities Director Michael Mann

- C. [2023-291](#) MONTHLY PROJECTS REPORT.

**Presenter:** City Manager Ben Thatcher

9. COMMENTS FROM COUNCIL – No discussion or action may take place.

10. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:

- A. [2023-547](#) SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY REGARDING ANNEXATION AND DISANNEXATION PROCESSES.

**Presenter:** City Manager Ben Thatcher

- B. [2023-560](#) SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY REGARDING AN ACQUISITION OF A UTILITY EASEMENT.

**Presenter:** Utilities Director Michael Mann

- C. [2023-549](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY, DISCUSSION ON VALUE OF LAND, IMPROVEMENTS, AND POSSIBLE SALE OF THE FORMER CITY HALL BUILDING. (402 E Blanco Rd.)

**Presenter:** Assistant to the City Manager Nick Montagno

- D. [2023-548](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY, DISCUSSION ON VALUE OF LAND, IMPROVEMENTS, AND POSSIBLE SALE OF THE FORMER PUBLIC WORKS BUILDING. (400 E Blanco Rd.)

**Presenter:** City Manager Ben Thatcher

- E. [2023-568](#) SECTION 551.071 - CONSULTATION WITH ATTORNEY AND SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS REGARDING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE, BOERNEBAK, LLC, BOERNEBAK II, LLC AND PULTE HOMES OF TEXAS, L.P. (WCID NO. 3A).

**Presenter:** Assistant City Manager Kristy Stark

- F. [2023-567](#) SECTION 551.071 - CONSULTATION WITH CITY'S ATTORNEY REGARDING DEVELOPMENT MORATORIUM.

**Presenter:** Assistant City Manager Kristy Stark

11. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

- A. [2023-480](#) CONSIDER RESOLUTION NO. 2023-R55; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A FOURTH AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE, BOERNEBAK, LLC, BOERNEBAK II, LLC AND PULTE HOMES OF TEXAS, L.P. (WCID NO. 3A).

**Presenter:** Assistant City Manager Kristy Stark

12. ADJOURNMENT

**CERTIFICATION**

I hereby certify that the above notice of meeting was posted on the 21st day of July, 2023 at 4:00 p.m.

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s/s Lori A. Carroll  
City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS**

**The City Hall is wheelchair accessible. Access to the building and special parking is available at the northeast entrance of the building. Requests for auxiliary aides and special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 830-249-9511.**

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.