

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
October 24, 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

MOMENT OF SILENCE

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. 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)

4. 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. [2023-760](#) CONSIDER APPROVAL OF THE MINUTES OF THE CITY COUNCIL MEETING OF OCTOBER 10, 2023 AND THE SPECIAL CALLED CITY COUNCIL MEETING OF OCTOBER 19, 2023 (STATE OF THE CITY).

Presenter: City Secretary Lori Carroll

- B. [2023-758](#) CONSIDER ON SECOND READING ORDINANCE NO. 2023-34; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT TO ALLOW AN ACCESSORY DWELLING UNIT AT 605 GRAHAM STREET (KAD NO. 23565) IN AN R2-M, MODERATE-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (At the request of K & C Holding LLC)

Presenter: Assistant Planning Director Nathan Crane

- C. [2023-750](#) CONSIDER RESOLUTION NO. 2023-R77; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PAY REGULAR INVOICES AND BILLS FROM SPECIFIC PROVIDERS OF GOODS AND SERVICES, IN ACCORDANCE WITH THE APPROVED ANNUAL BUDGET, IN ACCORDANCE WITH SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER, AND IN ACCORDANCE WITH TEXAS MUNICIPAL PROCUREMENT LAWS. (Payment of regular invoices and bills that exceed \$50,000.00)

Presenter: Finance Director Sarah Buckelew

- D. [2023-759](#) CONSIDER RESOLUTION NO. 2023-R78; A RESOLUTION RESCINDING RESOLUTION NO. 2022-R49 AND ESTABLISHING THE NUMBER OF TERMS, RESIDENCY REQUIREMENTS, AND ATTENDANCE OF THE VARIOUS BOARDS, COMMITTEES AND COMMISSIONS WHERE THE MAYOR AND CITY COUNCIL OF THE CITY OF BOERNE, TEXAS APPOINT THE MEMBERS, AND THE VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS ARE ESTABLISHED BY STATE LAW, CITY ORDINANCE, AND BY LAWS OF OTHER ENTITIES. (Update Visit Boerne Advisory Board meeting dates)

Presenter: Convention & Visitors Bureau Director Larry Woods

- E. [2023-699](#) CONSIDER RESOLUTION NO. 2023-R79; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN KENDALL

COUNTY AND THE CITY OF BOERNE FOR HEALTH SANITARIAN SERVICES.

Presenter: Assistant Planning Director Nathan Crane

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2023-617](#) CONSIDER ON FIRST READING ORDINANCE NO. 2023-35; AN ORDINANCE VACATING AND ABANDONING A RIGHT OF WAY PREVIOUSLY GRANTED TO THE CITY OF BOERNE, TEXAS BY ROSEWOOD RETREAT LLC, AS RECORDED IN DOCUMENT NO. 2021-354598 OF THE DEED RECORDS OF KENDALL COUNTY; DECLARING THAT SUCH RIGHT OF WAY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED RELEASING AND ASSIGNING THIS RIGHT OF WAY TO THE OWNERS OF THE FEE ESTATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Abandon right of way on Rosewood)

Presenter: Director of Engineering & Mobility Jeff Carroll

- B. [2023-753](#) PRESENTATION, PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2023-36; AN ORDINANCE ANNEXING 3.877 ACRES LOCATED AT 36432 INTERSTATE HIGHWAY 10 (KAD NO. 222994) AND A 6.676 ACRE PORTION OF INTERSTATE HIGHWAY 10 RIGHT-OF-WAY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY. (One of one public hearing and consider the first reading of an ordinance annexing 36432 IH 10 and a portion of IH 10 right-of-way, at the request of Alejandro Gutierrez)

Presenter: Assistant Planning Director Nathan Crane

6. RESOLUTIONS:

- A. [2023-754](#) CONSIDER RESOLUTION NO. 2023-R80; A RESOLUTION OF THE

CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING 1.18 ACRES OF LAND IN THE COMMONS OF MENDER CREEK UNIT 7, DONATED BY BOERNE COMMONS, LTD.; DEDICATING PROPERTY AS PARKLAND; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS.

Presenter: Assistant Planning Director Nathan Crane

7. CITY MANAGER'S REPORT:

- A. [2023-761](#) POST ECLIPSE EVENT UPDATE.
- B. [2023-294](#) MONTHLY PROJECTS REPORT.

Presenter: City Manager Ben Thatcher

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

9. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 20th day of
October, 2023 at 2:00 p.m.**

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.

