

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**November 28, 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.     [2023-802](#)             CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF NOVEMBER 14, 2023.

**Presenter:**             City Secretary Lori Carroll

- B.     [2023-815](#)           CONSIDER RESOLUTION NO. 2023-R85; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND KENDALL COUNTY FOR DETENTION SERVICES.

**Presenter:**           Police Chief Steve Perez

- C.     [2023-807](#)           CONSIDER RESOLUTION NO. 2023-R86; A RESOLUTION APPOINTING JOHN WOOLARD TO THE KENDALL APPRAISAL DISTRICT BOARD OF DIRECTORS.

**Presenter:**           City Manager Ben Thatcher

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A.     [2023-771](#)           RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION, HOLD A PUBLIC HEARING, AND CONSIDER ON FIRST READING ORDINANCE NO. 2023-37; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, AMENDING THE BOERNE UNIFIED DEVELOPMENT CODE, ADOPTED BY ORDINANCE NO. 2020-29 ON NOVEMBER 24, 2020, PROVIDING AMENDMENTS TO INCLUDE BUT NOT LIMITED TO CHAPTER 2. PROCEDURES, ADDING SECTION 2.13 EXTRATERRITORIAL JURISDICTION, TO PROVIDE A PROCESS FOR PETITIONS FOR RELEASE FROM THE CITY'S EXTRATERRITORIAL JURISDICTION, AND CHAPTER 8. ENVIRONMENTAL DESIGN, SECTION 8.1 FLOODPLAIN MANAGEMENT, AND APPENDICES, APPENDIX A. DEFINITIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A PENALTY FOR VIOLATION; AND PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE. (One of one public hearing and consider first reading of ordinance creating a process to release properties from the ETJ and amending the floodplain management section.)

**Presenter:**           Director of Engineering & Mobility Jeff Carroll and Planning Director Nathan Crane

## 6. RESOLUTIONS:

- A.     [2023-814](#)           CONSIDER RESOLUTION NO. 2023-R87; A RESOLUTION OF THE CITY OF BOERNE, TEXAS TO HONOR, RECOGNIZE AND RETIRE CITY OF BOERNE K-9 “TUCKER” UPON HER COMPLETION OF SERVICE.
- Presenter:**       Police Chief Steve Perez
- B.     [2023-803](#)           CONSIDER RESOLUTION NO. 2023-R88; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A MUTUAL AID AGREEMENT FOR MULTI-JURISDICTIONAL TACTICAL RESPONSE TEAM BETWEEN THE CITY OF BOERNE, CITY OF KERRVILLE, AND THE CITY OF FREDERICKSBURG, TEXAS.
- Presenter:**       Police Chief Steve Perez
- C.     [2023-756](#)           CONSIDER RESOLUTION NO. 2023-R89; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND KIMLEY-HORN AND ASSOCIATES, INC. FOR THE DESIGN OF THE AMMANN ROAD GBRA WATER MAIN EXTENSION FOR AN AMOUNT NOT TO EXCEED \$365,000.00. (Design of a water main along Ammann Road to a new GBRA Western Canyon Water Supply Project delivery point.)
- Presenter:**       Utilities Director Michael Mann
- D.     [2023-805](#)           CONSIDER RESOLUTION NO. 2023-R90; A RESOLUTION DESIGNATING THE CITY’S QUARTERLY ALLOCATION OF GROUNDWATER PRODUCTION AS IT PERTAINS TO THE CITY’S WITHDRAWAL PERMIT FROM COW CREEK GROUNDWATER CONSERVATION DISTRICT TO 185, 740, 740, AND 185 ACRE-FEET FOR CALENDAR YEAR 2024. (Quarterly allocations of 10, 40, 40, and 10 percent)
- Presenter:**       Utilities Director Michael Mann
- E.     [2023-806](#)           CONSIDER RESOLUTION NO. 2023-R91; A RESOLUTION DESIGNATING THE CITY’S ANNUAL COMMITMENT FOR WATER FROM THE GUADALUPE-BLANCO RIVER AUTHORITY AS PART OF THE WESTERN CANYON REGIONAL WATER SUPPLY PROJECT TO

INCREASE THE CURRENT ANNUAL COMMITMENT OF WATER FOR CALENDAR YEAR 2024 TO 2,125 ACRE-FEET. (Increase commitment of water from 1,900 acre-feet to 2,125 acre-feet)

**Presenter:** Utilities Director Michael Mann

- F. [2023-808](#) CONSIDER RESOLUTION NO. 2023-R92; A RESOLUTION APPROVING THE FINANCING BY THE NEW HOPE CULTURAL EDUCATION FACILITIES FINANCE CORPORATION ON BEHALF OF MORNINGSIDE MINISTRIES FOR A HEALTH FACILITY LOCATED WITHIN THE CITY OF BOERNE, TEXAS.

**Presenter:** City Manager Ben Thatcher

7. CITY MANAGER'S REPORT:

- A. [2023-295](#) MONTHLY PROJECTS REPORT.

**Presenter:** City Manager Ben Thatcher

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

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

- A. [2023-799](#) SECTION 551.701 - CONSULTATION WITH ATTORNEY TO DISCUSS APPEALS TO VESTED RIGHTS DETERMINATIONS.

**Presenter:** Planning Director Nathan Crane

- B. [2023-755](#) SECTION 551.074 - PERSONNEL MATTERS: RELATED TO THE CITY MANAGER'S EVALUATION.

**Presenter:** Frank Ritchie

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

11. ADJOURNMENT

**CERTIFICATION**

I hereby certify that the above notice of meeting was posted on the 22nd day of November, 2023 at 3:30 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.