

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**January 9, 2024 – 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. 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. 2024-017**                      CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF DECEMBER 12, 2023.

**Presenter:**                      City Secretary Lori Carroll

- B.     [2024-020](#)     CONSIDER ON SECOND READING ORDINANCE NO. 2023-38; AN ORDINANCE AMENDING THE CITY OF BOERNE CODE OF ORDINANCES, CHAPTER 16. PARKS AND RECREATION, SECTION 16-1, GENERAL PROVISIONS AND SECTION 16-2, BOERNE CITY LAKE, TO PROHIBIT THE CONSUMPTION AND POSSESSION OF ALCOHOLIC BEVERAGES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF NOT MORE THAN \$200 FOR VIOLATION OF ANY PROVISION OF THIS ORDINANCE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE. (Prohibit alcohol at Boerne City Lake)

**Presenter:**     Parks & Recreation Director Lissette Jimenez

- C.     [2024-021](#)     CONSIDER ON SECOND READING ORDINANCE NO. 2023-39; AN ORDINANCE AMENDING THE CITY OF BOERNE CODE OF ORDINANCES, CHAPTER 6. CEMETERY, SECTION 6-26. CEMETERY HOURS OF OPERATION AND SECTION 6-27. INTERMENT AND INURNMENT; PROVIDING FOR A PENALTY OF NOT MORE THAN \$200 FOR VIOLATION OF ANY PROVISION OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE. (Amend hours of operations and add double niche)

**Presenter:**     Parks & Recreation Director Lissette Jimenez

- D.     **2023-835**     CONSIDER RESOLUTION NO. 2024-R01; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HALFF ASSOCIATES, INC. FOR MUNICIPAL SEPARATE STORM SEWER (MS4) CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED \$34,000.00.

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

- E.     **2024-014**     CONSIDER RESOLUTION NO. 2024-R02; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HALFF ASSOCIATES, INC. FOR FEMA COMMUNITY RATING SYSTEM (CRS) CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED

\$20,000.00.

**Presenter:**

Director of Engineering & Mobility Jeff Carroll

- F.     **2024-001**     CONSIDER RESOLUTION NO. 2024-R03; A RESOLUTION ESTABLISHING PROCEDURES FOR A GENERAL ELECTION FOR MAY 4, 2024. (Considerar la resolución número 2024-R03; una resolución que establece los procedimientos para la elección general del 4 de mayo, 2024)

**Presenter:**

City Secretary Lori Carroll

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, RESOLUTIONS AND ORDINANCES:

- A.     [2023-839](#)     RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION, PUBLIC HEARING, AND CONSIDER ON FIRST READING ORDINANCE NO. 2024-01; AN ORDINANCE AMENDING THE OFFICIAL 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 FOR AUTOMOBILE SALES TO 10.47 ACRES LOCATED AT 31905 INTERSTATE HIGHWAY 10 WEST (A10097 - SURVEY 170 A CRUZ, KAD NOS. 48805 AND 12233) IN A C3-EC, COMMUNITY COMMERCIAL ENTRANCE CORRIDOR OVERLAY DISTRICT AND A C4-EC, REGIONAL COMMERCIAL ENTRANCE CORRIDOR OVERLAY DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Receive the recommendation from the Planning and Zoning Commission, one of one public hearing, and consider on first reading an ordinance granting a special use permit for automobile sales at 31905 IH 10 W, at the request of K & C Holding LLC)

**Presenter:**

Planning Director Nathan Crane

- B.     **2023-836**     CONSIDER RESOLUTION NO. 2024-R04; A RESOLUTION OF THE CITY OF BOERNE TO RATIFY THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF BOERNE AND LONESTAR SITEWORK, LLC FOR AN EMERGENCY REPAIR OF THE WEST THEISSEN CULVERT FOR AN AMOUNT NOT TO EXCEED \$89,830.00.

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

- C.     **2023-840**     CONSIDER ON FIRST READING ORDINANCE NO. 2024-R02; AN ORDINANCE AMENDING ORDINANCE NO. 2023-25, CAPTIONED “AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE CITY OF BOERNE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, IN ACCORDANCE WITH CHAPTER 102, LOCAL GOVERNMENT CODE; AND APPROPRIATING THE VARIOUS AMOUNTS THEREOF”. (Amend FY 23-24 Budget for emergency W. Theissen Culvert repair)

**Presenter:** Finance Director Sarah Buckelew

- D.     **2023-834**     CONSIDER RESOLUTION NO. 2024-R05; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND MAESTAS & ASSOCIATES, LLC FOR THE DESIGN OF THE SCHWEPPE SIDEWALK PROJECT FOR AN AMOUNT NOT TO EXCEED \$61,855.00. (Sidewalks along E. Hosack and Schweppe Street)

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

6. OTHER:

- A.     **2023-846**     PUBLIC HEARING AND CONSIDER AN APPEAL OF A VESTED RIGHTS DETERMINATION OF THE CITY MANAGER FOR THE PROPERTY AT 678 ROSEWOOD AVENUE. (One of one public hearing)

**Presenter:** Planning Director Nathan Crane

7. CITY MANAGER'S REPORT:

- A.     **2024-023**     RECOGNITION FOR “BEST IN CLASS EMPLOYER AWARD” FROM GALLAGHER.

**Presenter:** Human Resources Director Susan Finch

- B.     **2024-024**     RECOGNITION FOR “CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING” FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION.

**Presenter:** Finance Director Sarah Buckelew

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

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

- A.     **2024-025**           SECTION 551.072 - TO DELIBERATE THE PURCHASE OF REAL  
PROPERTY WHERE DELIBERATION IN AN OPEN MEETING COULD  
AFFECT THE POSITION OF THE CITY IN NEGOTIATIONS WITH A  
THIRD PERSON. (Old San Antonio Rd)

**Presenter:**           City Manager Ben Thatcher

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 5th day of  
January, 2024 at 12:30 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.