

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
January 23, 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

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. [2024-052](#) CONSIDER APPROVAL OF THE MINUTES OF THE CITY COUNCIL

MEETING OF JANUARY 9, 2024.

Presenter:

City Secretary Lori Carroll

B. [2024-040](#)

CONSIDER ON SECOND 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. (Consider on second 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

C. [2024-053](#)

CONSIDER ON SECOND READING ORDINANCE NO. 2024-02; 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". (Consider on second reading an ordinance to amend FY 23-24 Budget for emergency W. Theissen Culvert repair)

Presenter:

Finance Director Sarah Buckelew

REGULAR AGENDA:

5. RESOLUTIONS:

A. [2023-837](#)

CONSIDER RESOLUTION NO. 2024-R06; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HALFF, INC. FOR A CONCEPTUAL CORRIDOR STUDY OF OLD SAN

ANTONIO ROAD FOR AN AMOUNT NOT TO EXCEED \$60,000.00.

Presenter:

Director of Engineering & Mobility Jeff Carroll

- B. [2023-838](#) CONSIDER RESOLUTION NO. 2024-R07; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HALFF, INC. FOR A CONCEPTUAL CORRIDOR STUDY OF SCHOOL STREET FOR AN AMOUNT NOT TO EXCEED \$90,000.00.

Presenter:

Director of Engineering & Mobility Jeff Carroll

- C. [2024-015](#) CONSIDER RESOLUTION NO. 2023-R08; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND KIMLEY-HORN FOR AN ADA TRANSITION PLAN PHASE 3 FOR AN AMOUNT NOT TO EXCEED \$75,000.00.

Presenter:

Director of Engineering & Mobility Jeff Carroll

6. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2024-051](#) CONSIDER ON FIRST READING ORDINANCE NO. 2024-03; 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 Budget for fiscal year 2023-2024 to include two donations: \$50,000.00 to the animal control shelter and \$48,038.00 to Parks & Recreation Department for playground equipment)

Presenter:

Finance Director Sarah Buckelew

7. OTHER:

- A. [2024-044](#) RECEIVE AND APPROVE THE FIRST QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FISCAL YEAR 2023-2024.

Presenter:

Finance Director Sarah Buckelew

- B. [2024-042](#) RECEIVE AND CONSIDER AMENDMENTS TO THE UTILITIES RULES AND REGULATIONS REGARDING CHANGES IN

PROCEDURES, PROGRAMS AND SERVICES AVAILABLE.

Presenter:

Finance Director Sarah Buckelew and Utilities Director Michael Mann

- C. [2023-800](#) PUBLIC HEARING AND CONSIDER AN APPEAL OF A VESTED RIGHTS DETERMINATION OF THE CITY MANAGER FOR THE PROPERTY AT 227 WANDA STREET. (Public hearing and consideration postponed at the request of the property owner until a future meeting date.)

Presenter:

Planning Director Nathan Crane

8. CITY MANAGER'S REPORT:

- A. [2024-045](#) RECOGNITION OF CITY SECRETARY LORI CARROLL AND DEPUTY CITY SECRETARY SIRIA ARREOLA RECEIVING RE-CERTIFICATION OF TEXAS MUNICIPAL CLERKS CERTIFICATION PROGRAM.

Presenter:

City Manager Ben Thatcher

- B. [2024-050](#) WINTER WEATHER RESPONSE.

Presenter:

City Manager Ben Thatcher

- C. [2024-002](#) PROJECTS UPDATE.

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. [2024-048](#) SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY TO DISCUSS THE INTERLOCAL AGREEMENT FOR REGULATION OF SUBDIVISION PLATS IN THE ETJ BETWEEN THE CITY OF BOERNE AND KENDALL COUNTY.

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

12. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 19th day of
January, 2024 at 4:00 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.