

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
June 25, 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. [2024-316](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR
CALLED CITY COUNCIL MEETING OF JUNE 11, 2024

Attachments: [Minutes.24.0611](#)

- B. [2024-297](#) CONSIDER ON SECOND READING ORDINANCE NO. 2024-08; AN
ORDINANCE ANNEXING APPROXIMATELY 71.474 ACRES BEING A
PORTION OF RIGHT-OF-WAY ON WEST STATE HIGHWAY 46 AND
A PORTION OF WEST STATE HIGHWAY 46 (KAD NO. 307605)
INTO 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.

Attachments: [AIS - Spencer Ranch Area 5 Second Reading](#)
[Ordinance No. 2024-08](#)
[Public Hearing 24.0611 annexation area 5 Spencer Ranch](#)
[Area5 - Exhibit A - Annexation 0.354 of one acre](#)
[Area5 - Exhibit B](#)
[Area5 - Exhibit B Legal - 71.12 Acres](#)
[Spencer Ranch Area 5 and ROW](#)
[Exhibit C. Spencer Ranch Agreement Executed Jun1621](#)

- C. [2024-307](#) CONSIDER ON SECOND READING ORDINANCE NO. 2024-09; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS DIS-ANNEXING .082 +/- ACRE TRACT OF LAND LOCATED AT 33565 IH 10 WEST FROM THE CORPORATE LIMITS OF THE CITY; AUTHORIZING NECESSARY ACTIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (at the request of property owners Chad and Kerri Properties LP)

Attachments: [AIS Carpenter Deannexation Second Reading Final Ordinance No 2024-09](#)
 [Aerial Map no City Limits](#)
 [Disannexation Petition Chad and Kerri Properties](#)
 [Annexation Ordinance No 2019-28](#)

- D. [2024-308](#) CONSIDER RESOLUTION NO. 2024-R44; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE REQUEST AND SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF APPROXIMATELY 16.612 +/- ACRES OF LAND LOCATED NORTH OF THE INTERSECTION OF DAISY LANE AND IH-10 (KAD NO. 15889, 15846, 17398, 13723, 17397, 17405), BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING. (SET PUBLIC HEARING FOR JULY 23, 2024, AT 6:00 P.M. FOR A PROPOSED ANNEXATION, AT THE REQUEST OF PROPERTY OWNERS BALOUS & JULIE MILLER)

Attachments: [AIS - Resolution Accepting Petition Final Resolution No. 2024-R44](#)
 [Annexation Petition Signed- with Exhibits](#)
 [Annexation Area Map](#)

- E. [2024-290](#) CONSIDER RESOLUTION NO. 2024-R45; A RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW THE AGREEMENT BETWEEN THE CITY OF BOERNE AND RECON INFOSEC, FOR MANAGE, DETECTION & RESPONSE SERVICE FOR AN AMOUNT NOT TO EXCEED \$64,772.00. (IT SECURITY)

Attachments: [AIS RECON June 25 2024](#)
 [Resolution No. 2024-R45](#)
 [City of Boerne - 2024 MDR Renewal](#)

REGULAR AGENDA:

5. RESOLUTIONS:

- A. [2024-285](#) CONSIDER RESOLUTION NO. 2024-R46; A REQUEST FOR A RENEWAL FOR A SPECIAL USE PERMIT FOR WOODMONT ACADEMY LLC (KIDDIE ACADEMY PRE-SCHOOL, A10441 - SURVEY 183 J SMALL, KAD NO. 15815) GENERALLY LOCATED AT 12 HERFF ROAD AND WEST OF LEGACY OAK LANE.

Attachments: [AIS - 12 Herff Road - Kiddie Academy - SUP Extension NC TC 6.18.24 124](#)
 [Resolution No. 2024-R46](#)
 [Att 1- Location Map](#)
 [Att 2 - Zoning Map](#)
 [Att 3 - 2024 Overall Site Plan Dimensions and Parking](#)
 [Att 4 - Schematic Elevations](#)
 [Att 5 - Special Use Permit Approval Criterial 2.5.D](#)
 [Att 6 - SUP Renewal Request Letter](#)

- B. [2024-293](#) CONSIDER RESOLUTION NO. 2024-R47; A RESOLUTION AUTHORIZING THE SUBMITTAL OF GRANTS TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT UNDER THE LOCAL PARK GRANT PROGRAM AND DESIGNATING THE CITY'S PARKS & RECREATION DIRECTOR AS THE AUTHORIZED REPRESENTATIVE FOR THE GRANT PROGRAMS.

Attachments: [AIS TPWD Grant Updated](#)
 [Resolution No. 2024-R47](#)
 [TPWD Grant Official Authorization](#)

- C. [2024-256](#) CONSIDER RESOLUTION NO. 2024-R48; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, RECEIVING BIDS AND AWARDING THE CONSTRUCTION CONTRACT FOR ESPERANZA SITE A, POTABLE WATER TANK MIXER PROJECT TO MGC CONTRACTORS, INC. FOR AN AMOUNT NOT TO EXCEED \$195,000; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT.

Attachments: [AIS Esperanza Tank Mixer Construction Award](#)
 [Resolution No. 2024-R48](#)
 [Esperanza Site A Tank Map](#)
 [Bid Recommendation Letter Esperanza Mixer](#)

- D. [2024-304](#) CONSIDER RESOLUTION NO. 2024-R49; A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH SCHNEIDER ENGINEERING FOR DESIGN OF NATURAL GAS AND ELECTRIC PRIMARY DISTRIBUTION LINES ALONG IH-10 AND BUC-EE'S WAY FOR AN AMOUNT NOT TO EXCEED \$65,000.

Attachments: [AIS Schneider IH-10 Utilities Relocation Design](#)
 [Resolution No. 2024-R49](#)
 [Buc-ee's Appendix B - Revised Utility Agreement](#)
 [Schneider Buc-ee's Proposal 6.11.24- Signed](#)

6. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2024-288](#) PUBLIC HEARING AND CONSIDER ON FIRST READING
ORDINANCE NO. 2024-10; AN ORDINANCE OF THE CITY OF
BOERNE, TX, AMENDING THE UNIFIED DEVELOPMENT CODE
ADOPTED ON NOVEMBER 24, 2020, INCLUDING BUT NOT
LIMITED TO SECTION 2.1.E. - POSTED NOTICE, SECTION 2.6.7 -
ETJ PLAT EXEMPTIONS, SECTION 3.5 - DIMENSIONAL
STANDARDS FOR BASE ZONING DISTRICTS, SECTION 3.7 -
PERMITTED USE TABLES, CHAPTER 3 - OVERLAY DISTRICTS
RELATED TO PYLON SIGNS, CHAPTER 5.6.B.3 - ONSITE PARKING
FOR NON-RESIDENTIAL PROPERTIES, SECTION 7.5 - ROADWAY
ACCESS DESIGN STANDARDS, SECTION 8.2 - ENVIRONMENTAL
DESIGN - WATERSHED PROTECTION RELATED TO LOW IMPACT
DEVELOPMENT REQUIREMENTS, CHAPTER 9 - SIGNS RELATED TO
POLE AND PYLON SIGNS. (Postponement of the public hearing
and consideration of ordinance)

Attachments: [AIS UDC Amendments Postponement.](#)
[Ordinance No. 2024-10](#)

- B. [2024-303](#) DISCUSSION ON BUDGET CONSIDERATIONS, PROCESS, AND
CALENDAR

Attachments: [AIS -Discussion on Budget](#)

- C. [2024-317](#) DISCUSSION ON POTENTIAL HOME RULE CHARTER REVIEW

Attachments: [AIS charter review](#)
[2020 Home Rule Charter-Final](#)

7. OTHER:

8. CITY MANAGER'S REPORT:

- A. [2024-008](#) MONTHLY PROJECTS REPORT.

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

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

- A. [2024-314](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY:
DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF
REAL PROPERTY. (HIGHWAY 46)
- B. [2024-315](#) SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY AND
SECTION 551.087 - DELIBERATION REGARDING ECONOMIC
DEVELOPMENT NEGOTIATIONS REGARDING THE FIFTH
AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE
CITY OF BOERNE, BOERNEBAK, LLC, AND BOERNEBAK II, LLC AND
PULTE HOMES OF TEXAS LP.

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

12. ADJOURNMENT

Approved:

Mayor

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 21 day of June,
2024 at 4:00 p.m.

Attest:

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.