

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
AUGUST 27, 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. [2024-441](#) UPDATE ON DAS GREENHAUS, PROVIDED BY JUSTIN MCKENZIE.

Presenter: City Manager Ben Thatcher

5. [2024-426](#) RECOGNITION OF NATURAL GAS UTILITY FOR TEXAS GAS
ASSOCIATION (TGA) AND AMERICAN PUBLIC GAS ASSOCIATION
(APGA) SAFETY AWARDS.

Presenter: Utilities Director Michael Mann

6. 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. [2024-443](#) CONSIDER MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF AUGUST 13, 2024.

Presenter: City Secretary Lori Carroll

- B. [2024-440](#) CONSIDER THE MAYORAL APPOINTMENT OF KAY MOON TO THE BOERNE PUBLIC LIBRARY ADVISORY BOARD AND NICOLE CHAPMAN TO THE VISIT BOERNE ADVISORY BOARD.

Presenter: City Secretary Lori Carroll

- C. [2024-378](#) CONSIDER ON SECOND READING ORDINANCE NO. 2024-10; AN ORDINANCE OF THE CITY OF BOERNE, TX, AMENDING THE UNIFIED DEVELOPMENT CODE ADOPTED BY ORDINANCE NO. 2020-29 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; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A PENALTY FOR VIOLATION; AND CONTAINING A SEVERANCE CLAUSE. (Amendments to Unified Development Code)

Presenter: Planning Director Nathan Crane

- D. [2024-421](#) CONSIDER ON SECOND READING ORDINANCE NO. 2024-15; AN ORDINANCE REGARDING THE CITY OF BOERNE'S TEXAS MUNICIPAL RETIREMENT SYSTEM BENEFITS: (1) ADOPTING NON-RETROACTIVE REPEATING COLAS, FOR RETIREES AND THEIR BENEFICIARIES UNDER TEXAS MUNICIPAL RETIREMENT SYSTEM ACT §853.404(f) and (f-1), AND (2) AUTHORIZING ANNUALLY ACCRUING UPDATED SERVICE CREDITS AND TRANSFER UPDATED SERVICE CREDITS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Presenter: Human Resources Director Susan Finch

- E. [2024-436](#) CONSIDER RESOLUTION NO. 2024-R60; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACT BETWEEN THE CITY OF BOERNE AND LONESTAR SITEWORK, LLC FOR THE 2024 INFILL SIDEWALK IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$49,000.00.

Presenter: Director of Engineering & Mobility Jeff Carroll

- F. [2024-435](#) CONSIDER RESOLUTION NO. 2024-R61; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE 0.0148 ACRES, 0.0975 ACRES DRAINAGE EASEMENT, AND 0.0297 ACRES TEMPORARY CONSTRUCTION EASEMENT, ALL LOCATED IN THE MARIA LEAL SURVEY 180, ABSTRACT 298, IN THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND ALL BEING A PORTION OF THAT CALLED 1.519 ACRE TRACT OF LAND AS DESCRIBED BY DEED RECORDS IN DOCUMENT NUMBER 365770, OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS. (Tracts required for the Adler Road drainage project)

Presenter: Director of Engineering & Mobility Jeff Carroll

- G. [2024-428](#) CONSIDER RESOLUTION NO. 2024-R62; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND FAIR OAKS RANCH FOR THE USE OF THE CITY OF BOERNE ANIMAL CONTROL FACILITY.

Presenter: Police Chief Steve Perez

REGULAR AGENDA:

7. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2024-362](#) PRESENTATION, PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2024-16; AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE CITY OF BOERNE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025, IN ACCORDANCE WITH CHAPTER 102, LOCAL GOVERNMENT CODE; AND APPROPRIATING THE VARIOUS AMOUNTS THEREOF. (Ordinance adopting the budget)

Presenter: Finance Director Sarah Buckelew

- B. [2024-358](#) PRESENTATION AND CONSIDER ON FIRST READING ORDINANCE NO. 2024-17; AN ORDINANCE SETTING THE AD VALOREM PROPERTY TAX RATE FOR THE 2024 TAX YEAR AT 47.16 CENTS PER EACH \$100 OF TAXABLE VALUE. (Ordinance adopting tax rate)

Presenter: Finance Director Sarah Buckelew

8. RESOLUTIONS:

- A. [2024-427](#) CONSIDER RESOLUTION NO. 2024-R63; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, RECEIVING BIDS AND AWARDING THE CONTRACT FOR CONSTRUCTION OF THE EAST LOOP NATURAL GAS MAIN - PHASE 1 TO _____ FOR AN AMOUNT NOT TO EXCEED \$_____; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT WITH A NOT TO EXCEED TOTAL CONSTRUCTION COST OF \$_____.

Presenter: Utilities Director Michael Mann

9. CITY MANAGER'S REPORT:

- A. [2024-403](#) ANNUAL UPDATE ON SHORT-TERM RENTAL PROGRAM.

Presenter: Assistant City Manager Kristy Stark

- B. [2024-439](#) UPDATE ON HOMEOWNERS ASSOCIATION AND PROPERTY MANAGEMENT ASSOCIATION PUBLIC MEETINGS.

Presenter: Operations Manager Nick Montagno and Communications Director Chris Shadrock

- C. [2024-438](#) MONTHLY PROJECTS REPORT.

Presenter: City Manager Ben Thatcher

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

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

- A. [2024-444](#) SECTION 551.071 - CONSULTATION WITH ATTORNEY REGARDING PENDING LITIGATION: HCAEH REAL ESTATE LLC.

Presenter: City Attorney Mick McKamie

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

13. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 23 day of
August, 2024 at 3:00 p.m.
and amended at 4:30 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.