

**REVISED AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
JANUARY 14, 2025 – 6:00 PM**

A quorum of the City Council will be present during the meeting at: 447 N Main, Boerne, TX 78006.

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. [2024-655](#) CONSIDER APPROVAL OF THE MINUTES FROM THE REGULAR CALLED CITY COUNCIL MEETING OF DECEMBER 10, 2024.

Attachments: [Minutes.24.1210](#)

- B. [2025-005](#) CONSIDER ON SECOND READING ORDINANCE NO. 2024-22; AN ORDINANCE ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE CHARGED FOR WATER SERVICE PROVIDED BY THE CITY OF BOERNE UTILITIES, AND REPEALING AND REPLACING ORDINANCE NO. 2018-30 DATED SEPTEMBER 11, 2018, AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH. (Water Service)

Attachments: [AIS Water Rate Ordinance Jan 14 2nd reading Ordinance No. 2024-22](#)

- C. [2025-006](#) CONSIDER ON SECOND READING ORDINANCE NO. 2024-24; AN ORDINANCE ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE CHARGED FOR RECLAIMED WATER SERVICE PROVIDED BY THE CITY OF BOERNE UTILITIES, AND REPEALING AND REPLACING ORDINANCE NO. 2021-23 DATED JULY 27, 2021, AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH. (Reclaimed Water Service)

Attachments: [AIS Reclaimed Water Rate Ordinance-Jan 14 2nd Reading Ordinance No. 2024-24](#)

- D. [2024-650](#) CONSIDER ON SECOND READING ORDINANCE NO. 2024-26; 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 (SUP) TO ALLOW A MINI WAREHOUSE FACILITY IN THE C4 ZONING DISTRICT WITHIN THE SCENIC INTERSTATE OVERLAY DISTRICT GENERALLY LOCATED SOUTH EAST OF INTERSTATE 10 W AND N MAIN STREET (KAD: 35973); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (At the request of Barry Sanditen, Sanditen & Associates, Inc., on behalf of Boerne Medical Center, LTD)

Attachments:

[AIS - Cibolo Vista Storage Unit SUP](#)

[Ordinance No. 2024-26](#)

[Att 1 - Aerial Map](#)

[Att 2 - Zoning Map](#)

[Att 3 - Future Land Use Map](#)

[Att 4 - Project Narrative](#)

[Att 5 - Site Plan and Elevations](#)

[Att 6 - Conceptual Landscape Plan](#)

[Att 7 - Floor Plan](#)

[Att 8 - Project Renderings](#)

[Att 9 - Lighting Plan](#)

[Att 10 - Parking Study](#)

[Att 11 - UDC Sec. 2-5.D.4 Special Use Permit Approval Criteria](#)

[Att 12 - Responses to Mailings](#)

- E. [2024-651](#) CONSIDER ON SECOND READING ORDINANCE NO. 2024-27; 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 2-11.B.9 - HISTORIC PRESERVATION TAX EXEMPTION, AND SECTION 3-11.G.1.A - HISTORIC DISTRICT PROHIBITED SIGN TYPES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A PENALTY FOR VIOLATION; AND CONTAINING A SEVERANCE CLAUSE. (Amendments to Unified Development Code, Historic Preservation and Historic Districts)

Attachments: [AIS - 2024 UDC Historic District Amendments Final Ordinance No. 2024-27](#)
[Att 1 - Proposed UDC Updates - Historic District and Historic Landmark](#)

- F. [2024-652](#) CONSIDER ON SECOND READING ORDINANCE NO. 2024-28; 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 CHAPTER 3, ZONING SECTION 3-6. PERMITTED USES OF BUILDINGS AND LAND, E. ACCESSORY USES; SECTION 3-7 PERMITTED USE TABLES; SECTION 3-11 HISTORIC DISTRICT C. USES; SECTION 3-13 RIVER ROAD OVERLAY DISTRICT C. USES; CHAPTER 5. NONRESIDENTIAL SITES, SECTION 5-6 ON-SITE PARKING FOR NONRESIDENTIAL PROPERTIES; APPENDIX A. DEFINITIONS CHAPTER 5 - ON-SITE PARKING FOR NONRESIDENTIAL PROPERTIES, APPENDIX A - DEFINITIONS RELATED TO MOBILE FOOD UNITS AND MOBILE FOOD PARKS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A PENALTY FOR VIOLATION; AND CONTAINING A SEVERANCE CLAUSE (Amendment to Unified Development Code, Mobile Food Unit)

Attachments: [AIS - Food Truck UDC Amendments Ordinance No. 2024-28](#)
[Att 1 - Proposed UDC Amendments - Mobile Food Trucks](#)

- G. [2024-653](#) CONSIDER ON SECOND READING ORDINANCE NO. 2024-29; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, AMENDING THE CODE OF ORDINANCES, BOERNE, TEXAS, CHAPTER 15. OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE III. PEDDLERS, CANVASSERS AND SOLICITORS, SECTION 15-56. DEFINITIONS, SECTION. 15-60. USE OF STATE HIGHWAYS PROHIBITED, SECTION 15-65. RESTRICTIONS APPLICABLE TO ALL PEDDLERS, SOLICITORS AND VENDORS, AND SECTION 15-66. PERMIT, WRITTEN APPLICATION REQUIRED; ARTICLE VII. REGULATION OF FOOD ESTABLISHMENTS, SECTION 15-147. DEFINITIONS, ADDING SECTION 15-149. MOBILE FOOD UNITS AND RENUMBERING THE REMAINING SECTIONS; PROVIDING FOR A PENALTY FOR VIOLATION OF ANY PROVISION OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE. (Amendments to Code of Ordinance, Peddlers, Canvassers, Solicitors and Mobile Food Units)

Attachments: [AIS - Food Truck Code of Ordinances Amendments Final Ordinance No. 2024-29](#)
[Att 1 - Proposed Code of Ordinance Amendments](#)

- H. [2024-654](#) CONSIDER ON SECOND READING ORDINANCE NO. 2024-30; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, AMENDING THE CODE OF ORDINANCES, BOERNE, TEXAS ARTICLE V. NOISE AND SOUND REGULATION, CHAPTER 14, SECTION 14-139. AMPLIFIED SOUND AND CHAPTER 14, SECTION 14-142. METHOD OF SOUND MEASUREMENT. PROVIDING FOR A PENALTY FOR VIOLATION OF ANY PROVISION OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE. (Amendments to Code of Ordinance, Noise and Sound)

Attachments: [AIS - Code of Ordinances Noise Ordinance Amendments Ordinance No. 2024-30](#)
[Att 1 - Proposed Code of Ordinance Amendments](#)

- I. [2024-604](#) CONSIDER RESOLUTION NO. 2025-R01; 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 A PORTION OF CASCADE CAVERNS ROAD (0.927 ACRES), BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING. (Set Public Hearing for February 11, 2025, at the request of Kendall County)

Attachments: [20250114-AIS-CascadeAnnexation](#)
[Resolution No. 2025-R01](#)
[Letter - County to City-Cascade Caverns Road](#)
[Letter - Oct - City to County-Cascade Caverns Road](#)
[202410-CascadeCavernsRoadAnnexation-LegalDoc](#)

- J. [2024-602](#) CONSIDER RESOLUTION NO. 2025-R02; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND FEDERAL HIGHWAY ADMINISTRATION (FHWA), FOR THE BRIDGE INVESTMENT PROGRAM (BIP) GRANT PROGRAM.

Attachments: [20250114-AIS-BIP Agreement](#)
[Resolution No. 2025-R02](#)
[BIP.FY 2022 -2025 GS Grant Agreement Schedules A to K. Revised FINAL.1](#)

- K. [2024-664](#) CONSIDER RESOLUTION NO. 2025-R03, A RESOLUTION OF THE CITY OF BOERNE AUTHORIZING THE CITY MANAGER TO EXECUTE AN ABANDONMENT AND TERMINATION OF UTILITY EASEMENT GRANTED TO THE CITY BY SETH FRITCHER, EXECUTED JUNE 13, 2023, RECORDED AS DOCUMENT NO. 381048 OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.

Attachments: [AIS Fabra Utility Easement Abandonment](#)
[Resolution No. 2025-R03](#)
[266 Fabra Easement to be Abandoned 001](#)

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2024-646](#) CONSIDER THE PROPOSED CHARTER AMENDMENTS AS PRESENTED BY THE CHARTER REVIEW COMMISSION.

Attachments: [AIS charter amendments 2025](#)
[Propositions 2025](#)
[Measures](#)

- B. [2024-600](#) RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION, HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2025-01; 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, ZONING 71.12 ACRE TRACT FROM A HOL-INTERIM HOLDING ZONING DISTRICT TO R2-M MODERATE DENSITY RESIDENTIAL ZONING DISTRICT, LOCATED AT WEST STATE HIGHWAY 46 (KAD NO. 307605 AND 316184; A10360 - SURVEY 179 NEWTON & TAYLOR 71.12 ACRES) TO ALLOW FOR A SINGLE FAMILY SUBDIVISION. (FORESTAR (USA) REAL ESTATE GROUP INC. AND CONTINENTAL HOMES OF TEXAS, LP)

Attachments: [AIS -Spencer Ranch Rezone Continue CC 1-14-24](#)

6. RESOLUTIONS:

- A. [2025-023](#) RECEIVE PROPOSALS AND CONSIDER RESOLUTION NO 2025-R04; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACT BETWEEN THE CITY OF BOERNE AND _____ AS CONSTRUCTION MANAGER AT RISK FOR NORTHSIDE COMMUNITY PARK BOND IMPROVEMENTS.

Attachments: [AIS NCP CMAR 1.14.25](#)
[Resolution No. 2025-R04](#)
[CMAR Proposal Matrix](#)

7. CITY MANAGER'S REPORT:

- A. [2025-009](#) CITY PARK PLAYGROUND EXPANSION UPDATE.
- B. [2025-010](#) WEATHER RESPONSE UPDATE.

8. COMMENTS FROM COUNCIL – No discussion or action may take place.
9. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:
- A. [2025-025](#) SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY REGARDING CITY POWERS AND DUTIES WITH REGARD TO PUBLIC HEALTH CONCERNS. (Cascade Cavern Road)
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 10 day of January, 2025 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.