

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
May 9, 2023 – 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. [2023-400](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON APRIL 25, 2023.

Attachments: [Minutes.230425](#)

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2023-401](#) CONSIDER ON SECOND READING ORDINANCE NO. 2023-17; AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BOERNE, TEXAS, CHAPTER 2. ADMINISTRATION, ARTICLE IV. RECORDS MANAGEMENT PROGRAM; AND AMENDING THE RECORDS MANAGEMENT PLAN. (Amendments to Records Management Program and Records Management Plan)

Attachments: [AIS records management 2nd reading Ordinance No. 2023-17 records management plan with exhibits](#)

- B. [2023-302](#) PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2023-18; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, REPEALING AND REPLACING ORDINANCE NO. 2019-56 AND ESTABLISHING IMPACT FEES FOR WATER AND WASTEWATER UTILITIES. (Update to Impact Fees, one of one public hearing)

Attachments: [AIS - 2023 Impact Fees Ordinance Ordinance No. 2023-18 Comments Ordinance No. 2023-18 Clean Boerne Impact Fee Report](#)

- C. [2023-399](#) CONSIDER ON FIRST READING ORDINANCE NO. 2023-19; AN ORDINANCE AMENDING THE CITY OF BOERNE, TEXAS, CODE OF ORDINANCES, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, CONSTRUCTION STANDARDS, SECTION 5-36, ADOPTING THE INTERNATIONAL RESIDENTIAL CODE 2021 EDITION AND THE INTERNATIONAL ENERGY CONSERVATION CODE 2021 EDITION; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION IN THE NEWSPAPER. (Adopt International Residential and Energy Conservation Codes 2021 Edition)

Attachments: [AIS - IBC Final Ordinance No. 2023-19](#)

6. RESOLUTIONS

- A. [2023-397](#) PUBLIC HEARING AND CONSIDER RESOLUTION NO. 2023-R37; A RESOLUTION OF NO OBJECTION BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS SUPPORTING EC OAKS TRAILS, LLC'S APPLICATION FOR HOUSING TAX CREDITS TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TRAILS AT RIVER ROAD (711 RIVER ROAD). (Proposed construction or rehabilitation of a 107 unit complex located at 711 River Road)

Attachments: [AIS - Evolve Tax Credit Request for 711 River Road 5.9.23](#)
[Resolution No. 2023-R37](#)
[Evolve Communities Tax Credits Memo](#)
[Evolve Communities Property Description](#)

- B. [2023-396](#) CONSIDER RESOLUTION NO. 2023-R38; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS SUPPORTING EC OAKS TRAILS, LLC'S APPLICATION FOR HOUSING TAX CREDITS TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TRAILS AT RIVER ROAD (711 RIVER ROAD) AND ACKNOWLEDGING MORE THAN TWICE THE STATE AVERAGE PER CAPITA SUPPORTED BY HOUSING TAX CREDITS. (Proposed construction or rehabilitation of a 107 unit complex located at 711 River Road)

Attachments: [AIS - Evolve Twice the State Average 711 River Road 5.9.23](#)
[Resolution No. 2023-R38](#)
[Evolve Communities Tax Credits Memo](#)
[Evolve Communities Property Description](#)

7. OTHER ITEMS:

- A. [2023-408](#) RECEIVE AND APPROVE THE SECOND QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FISCAL YEAR 2023.

Attachments: [AIS - Mar 2023 Qtrly Report](#)
[Q2 2023 Quarterly Report](#)

- B. [2023-425](#) MAYORAL APPOINTMENT TO THE HISTORIC LANDMARK COMMISSION AND THE PLANNING AND ZONING COMMISSION.

Attachments: [AIS mayoral appt PZ and HLC](#)

8. CITY MANAGER'S REPORT:

- A. [2023-391](#) WEBSITE UPDATE AND LAUNCH OF NEW COMMUNITY CALENDAR.

Attachments: [Website Update and Community Calendar Launch](#)

- B. [2023-420](#) BEAUTIFICATION TASK FORCE UPDATE.

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

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

- A. [2023-415](#) SECTION 551.072 - TO DELIBERATE THE PURCHASE OR VALUE OF REAL PROPERTY WHERE DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON. (Utility easement at the north end of Ranch Drive)

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

- A. [2023-423](#) CONSIDER RESOLUTION NO. 2023-R39; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE ____ ACRES, MORE OR LESS, LOCATED AT _____, BOERNE, TEXAS, 78006, FROM _____; AND EXECUTE ALL NECESSARY DOCUMENTATION. (Utility easement at the north end of Ranch Drive)

Attachments: [Resolution No. 2023-R39](#)

12. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 5th day of May,
2023 at 3:00 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.