

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**November 24, 2020 – 6:00 PM**

FACIAL COVERINGS WILL BE REQUIRED

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. [2020-672](#) ADMINISTER OATH OF OFFICE TO COUNCIL MEMBER DISTRICT 3.

**Attachments:** [AIS Oath District 3 OATH.](#)

3. [2020-673](#) CONSIDER THE ELECTION OF THE OFFICE OF THE MAYOR PRO TEM FOR THE TERM OF NOVEMBER 2020 TO MAY 2021.

**Attachments:** [AIS Mayor Pro Tem 2020](#)

4. CONFLICTS OF INTEREST

5. 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)

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. [2020-665](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 10, 2020.

**Attachments:** [Minutes.20.1110](#)

- B. [2020-667](#) CONSIDER ON SECOND READING ORDINANCE NO. 2020-28; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2019-52, AND ESTABLISHING AND REESTABLISHING FEES AND CHARGES FOR ACTIVITIES, GOODS AND SERVICES PROVIDED BY THE CITY; CONTAINING A PROVISION TO AUTHORIZE THE CITY MANAGER TO ESTABLISH FEES AND CHARGES IN CERTAIN CIRCUMSTANCES, CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT.

**Attachments:** [Fee Ordinance AIS - 11-10-20](#)  
[Ordinance No. 2020-28](#)  
[Exhibit A Proposed Fees](#)

- C. [2020-684](#) CONSIDER RESOLUTION NO. 2020-R98; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, DECLARING 2020 CHARTER AMENDMENTS ADOPTED.

**Attachments:** [AIS Charter Amendments](#)  
[Resolution No. 2020-R98](#)

REGULAR AGENDA:

7. PUBLIC HEARINGS, PRESENTATIONS, AND ORDINANCES:

- A. [2020-679](#) RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION FOR ADOPTION OF THE UNIFIED DEVELOPMENT CODE.

**Attachments:** [UDC AIS 20-1124 A & B](#)  
[Att 1 - Amendments](#)  
[Att 2 - Boerne UDC 11.06](#)

- B. [2020-680](#) CONTINUATION OF PUBLIC HEARING FROM NOVEMBER 10,

2020 CITY COUNCIL MEETING ON PROPOSED ADOPTION OF A UNIFIED DEVELOPMENT CODE, REPEALING AND REPLACING ORDINANCES PERTAINING TO LAND DEVELOPMENT, ZONING AND SIGNAGE.

**Attachments:** [UDC AIS 20-1124 A & B](#)  
[Public Hearing Notice](#)  
[Amendments](#)  
[Draft Boerne Unified Development Code 11.06](#)

C. [2020-674](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2020-29; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A. (As described below)

D. [2020-681](#) CONSIDER ORDINANCE NO. 2020-29; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, ADOPTING A UNIFIED DEVELOPMENT CODE THAT INCORPORATES ZONING, SUBDIVISION, SIGN AND DEVELOPMENT ORDINANCES; REPEALING ORDINANCE NO. 2007-64 (ZONING ORDINANCE), ORDINANCE NO. 2007-56 (SUBDIVISION ORDINANCE), ORDINANCE NO. 2008-21 (SIGN ORDINANCE), AND ORDINANCE NO. 2013-26 (DEVELOPMENT PLAT REGULATIONS); REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR A PENALTY FOR VIOLATION WITH FINES UP TO \$1,000.00 FOR EACH SEPARATE OFFENSE; CONTAINING A SEVERANCE CLAUSE; PROVIDING ENFORCEMENT AND DECLARING AN EFFECTIVE DATE.

**Attachments:** [UDC AIS 20-1124 D](#)  
[Ordinance No. 2020-29](#)  
[Boerne UDC 11.06 clean](#)

## 8. RESOLUTIONS

A. [2020-668](#) CONSIDER RESOLUTION NO. 2020-R99; A RESOLUTION DESIGNATING THE CITY'S ANNUAL ALLOCATION OF GROUNDWATER PRODUCTION AS IT PERTAINS TO THE CITY'S WITHDRAWAL PERMIT FROM COW CREEK GROUNDWATER CONSERVATION DISTRICT TO RETAIN THE CURRENT QUARTERLY ALLOCATION FOR CALENDAR YEAR 2021.

**Attachments:** [AIS Cow Creek Permit Allocation 2021](#)  
[Resolution No. 2020-R99](#)

- B. [2020-671](#) CONSIDER RESOLUTION NO. 2020-R100; A RESOLUTION DESIGNATING THE CITY'S ANNUAL COMMITMENT FOR WATER FROM THE GUADALUPE-BLANCO RIVER AUTHORITY AS PART OF THE WESTERN CANYON REGIONAL WATER SUPPLY PROJECT TO INCREASE THE CURRENT ANNUAL COMMITMENT OF WATER FOR CALENDAR YEAR 2021.

**Attachments:** [AIS GBRA Annual Commitment 2021 Resolution No. 2020-R100 Water. Production](#)

9. OTHER ITEMS:

- A. [2020-683](#) DISCUSSION OF CITY OF BOERNE'S 2021 LEGISLATIVE PLAN FOR THE 87TH SESSION OF THE TEXAS LEGISLATURE.

**Attachments:** [AIS Legislative Plan Discussion City of Boerne 2021 Legislative Agenda Draft4 11.03.20](#)

10. CITY MANAGER'S REPORT:

- A. [2020-677](#) MONTHLY PROJECT UPDATE.
- B. [2020-678](#) HOME FOR THE HOLIDAYS/ BUY LOCAL CAMPAIGN. (Zincke)

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

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

- A. [2020-675](#) SECTION 551.072 - DELIBERATION REGARDING THE PURCHASE OR VALUE OF REAL PROPERTY, AN EASEMENT, LOCATED IN THE JOHN SMALL SURVEY NO. 183, ABSTRACT 441 IN THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND BEING A PORTION OF THAT CALLED 313.40 ACRE TRACT OF LAND AS CONVEYED TO BALOUS MILLER AND RECORDED IN VOLUME 411, PAGE 499 IN THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS. (Bu-cee's)
- B. [2020-676](#) SECTION 551.074 - PERSONNEL MATTERS: RELATED TO THE CITY ATTORNEY'S ANNUAL EVALUATION.

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

- A. [2020-669](#) CONSIDER RESOLUTION NO. 2020-R101; A RESOLUTION

AUTHORIZING THE CITY MANAGER TO PURCHASE A 15-FOOT WIDE SANITARY SEWER EASEMENT LOCATED IN THE JOHN SMALL SURVEY NO. 183, ABSTRACT 441 IN THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND BEING A PORTION OF THAT CALLED 313.40 ACRE TRACT OF LAND AS CONVEYED TO BALOUS MILLER AND RECORDED IN VOLUME 411, PAGE 499 IN THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS. (0.1875 of an acre tract for the Suggs Creek Sewer Main to serve Bu-cee's site)

**Attachments:** [Resolution No. 2020-R101](#)

14. ADJOURNMENT

**CERTIFICATION**

**I hereby certify that the above notice of meeting was posted on the 19th day of November, 2020 at 5:00 p.m.**

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s/s Lori A. Carroll  
City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS**

**The City Hall Complex is wheelchair accessible. Access to the building and special parking is available at the front 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.