

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
June 8, 2021 – 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. [2021-535](#) CONSIDER THE MINUTES OF THE MAY 25, 2021 REGULAR CITY COUNCIL MEETING.

Attachments: [Minutes.21.0525](#)

- B. [2021-528](#) CONSIDER ON SECOND READING ORDINANCE NO. 2021-18; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, ENACTING GUIDELINES FOR FILMING WITHIN THE CITY LIMITS; ESTABLISHING PERMIT REQUIREMENTS AND FEES FOR THE USE OF AND/OR CLOSURE OF CITY RIGHTS-OF-WAY, STRUCTURES AND SERVICES; REQUIRING NEIGHBOR NOTIFICATION AND LIABILITY INSURANCE; CONTAINING A PENALTY PROVISION; CONTAINING A SEVERANCE CLAUSE; AND SETTING AN EFFECTIVE DATE. (Film Friendly Texas Program)

Attachments: [AIS - 05-25-2021 Texas Film Friendly Certification.doc](#)
 [Ordinance No. 2021-18](#)
 [Exhibit A. City of Boerne Film Friendly Guidelines 05-19-2021.docx](#)

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2021-532](#) PROPOSED REZONING OF 0.996 ACRES LOCATED BETWEEN 115 STAHL AND 400 ROSEWOOD (KAD NO. 63697) FROM B-2, HIGHWAY COMMERCIAL DISTRICT, TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT. (Jay Parker, Trophy Properties)

I. PRESENTATION

II. PUBLIC HEARING

III. CONSIDER ON FIRST READING ORDINANCE NO. 2021-19; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 14, REZONING 0.996 ACRES LOCATED BETWEEN 115 STAHL AND 400 ROSEWOOD (KAD NO. 63697) FROM B-2, HIGHWAY COMMERCIAL DISTRICT, TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Attachments: [AIS - Stahl-Plant PUD Plan](#)
 [Public Hearing Notice](#)
 [Att 1 - Location Map](#)
 [Att 2 - Aerial Map](#)
 [Att 3 - Current Zoning](#)
 [Att 4 - Proposed Zoning](#)
 [Att 5 - Perspectives - The Elevate Townhome Devt_ 20.0724](#)
 [Att 6 - Site PUD Plan-The Elevate Townhome Development REV-210330](#)
 [Ordinance No. 2021-19](#)

- B. [2021-531](#) PROPOSED REZONING OF 0.302 ACRES LOCATED AT 606 FREY STREET (KAD NO. 18989) FROM R-1, MEDIUM-DENSITY RESIDENTIAL DISTRICT, TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT. (James S. Schuepback)

I. PRESENTATION

II. PUBLIC HEARING

III. CONSIDER ON FIRST READING ORDINANCE NO. 2021-20; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 14, REZONING 0.302 ACRES LOCATED AT 606 FREY STREET (KAD NO. 18989) FROM R-1, MEDIUM-DENSITY RESIDENTIAL DISTRICT, TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Attachments: [Summary - 606 Frey Street](#)
[Public Hearing Notice](#)
[Att 1 - Location Map](#)
[Att 2 - Current Zoning](#)
[Att 3 - Proposed Zoning](#)
[Att 4 - Survey](#)
[Att 5 - Street View](#)
[Ordinance No. 2021-20](#)

6. RESOLUTIONS:

- A. [2021-479](#) CONSIDER RESOLUTION NO. 2021-R20; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, APPROVING THE SUBMITTAL OF AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S 2021 TRANSPORTATION ALTERNATIVES PROGRAM SET-ASIDE (TA) CALL FOR PROJECTS.

Attachments: [AIS - 06-08-2021 TxDOT 2021 TA detailed application](#)
[Resolution No. 2021-R20](#)
[TxDot detailed application estimate](#)
[Trail Grant Constraints Map](#)

7. OTHER ITEMS:

- A. [2021-529](#) CONSIDER ANNUAL MAYORAL APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.

Attachments: [AIS - mayoral appt 2021](#)
[FY 2020-2021 Appointments 6.8.21](#)

8. CITY MANAGER'S REPORT:

- A. [2021-533](#) STORMWATER MANAGEMENT UPDATE. (J Carroll)
- B. [2021-534](#) LEGISLATIVE UPDATE. (Quirk)

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

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

- A. [2021-541](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS WITH SPENCER RANCH AND SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY

REGARDING SAME.

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

- A. [2021-542](#) CONSIDER RESOLUTION NO. 2021-R21; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE SPENCER RANCH DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE AND FORESTAR (USA) REAL ESTATE GROUP, INC., MATKIN PROPERTIES, L.P., EQUITY TRUST COMPANY CUSTODIAN FBO HAROLD T. DUPERIER III IRA, AND EQUITY TRUST COMPANY CUSTODIAN FBO JOHN-MARK MATKIN IRA.

Attachments: [Resolution No. 2021-R21](#)

12. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 4th day of June, 2021 at 5:00 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.

