

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
September 28, 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

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. [2021-818](#) BOERNE HIGH SCHOOL STUDENT RECOGNITION.

Attachments: [AIS - BHS recognition](#)

4. 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)

5. 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. [2021-811](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR
CALLED CITY COUNCIL MEETING OF SEPTEMBER 14, 2021.

Attachments: [Minutes.210914](#)

- B. [2021-807](#) CONSIDER ON SECOND READING OF ORDINANCE NO. 2021-29;
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, REZONING
0.794 ACRES LOCATED AT 32884 INTERSTATE HIGHWAY 10
WEST (KAD NO. 26872) FROM I-2, LIGHT INDUSTRIAL, TO C-4,
REGIONAL COMMERCIAL DISTRICT; REPEALING ALL
ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE;
AND DECLARING AN EFFECTIVE DATE. (Rezoning 0.794 acres -
32884 IH-10 from I-2 to C-4 at the request of property owners)

Attachments: [Summary - Rezone 32884 IH10W](#)
 [Ordinance No. 2021-29](#)
 [Att 1 - Location Map](#)
 [Att 2 - Current Zoning](#)
 [Att 3 - Proposed Zoning](#)
 [Att 4 - Future Land Use](#)
 [Att 5 - Elevation](#)
 [Att 6 - Aerial](#)

- C. [2021-808](#) CONSIDER ON SECOND READING OF ORDINANCE NO. 2021-30;
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, APPLYING A
PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT TO
1.27 ACRES LOCATED BETWEEN STAHL AND NORTH PLANT
STREETS (BETWEEN 115 STAHL STREET AND 400 ROSEWOOD - A
PORTION OF KAD NO. 20028 AND ALL OF KAD NO. 63697);
REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A
SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.
(applying a PUD to 1.27 acres - between 115 Stahl and 400
Rosewood)

Attachments: [Summary - Stahl-Plant PUD Overlay](#)
 [Ordinance No. 2021-30](#)
 [Att 1 - Location Map](#)
 [Att 2 - Aerial Map](#)
 [Att 3 - The Elevate Revised Land Plan Exhibit](#)
 [Att 4 - Perspectives - The Elevate Townhome Devt 20.0724](#)

- D. [2021-809](#) CONSIDER ON SECOND READING ORDINANCE NO. 2021-31; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY. (Annexing 2.967 acres located at 6 North Star Road KAD 24324 and 0.651 acre of right of way on North Star Road at the request of property owner)

Attachments: [Summary - Annexation](#)
 [Ordinance No. 2021-31](#)
 [Annexation Petition](#)
 [Exhibit A. 2.967 Acres - Survey](#)
 [Exhibit A. 2.967 Acre - Field Notes](#)
 [Exhibit A. of 0.651 Acre Tract](#)
 [Exhibit A. 0.651 Acre - Field Notes](#)
 [Exhibit B. 6 North Star MSP](#)
 [Location Map](#)
 [North Star Rd Tracts](#)
 [Draft Master Plan Rendering](#)

- E. [2021-810](#) CONSIDER RESOLUTION NO. 2021-R43; A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED CONVEYING PROPERTY TO ALBANY INTERNATIONAL CORPORATION PREVIOUSLY LEASED FROM THE CITY OF BOERNE BY TEXAS COMPOSITES, INC. FOR LOT 1, PFEIFFER HERITAGE SUBDIVISION, IN THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 3, PAGE 128, PLAT RECORDS OF KENDALL COUNTY, TEXAS. (Convey

property to Albany)

Attachments: [AIS - Albany Property Transfer](#)
[Resolution No. 2021-R43](#)
[Notice of Exercise of Option to Purchase](#)
[September 8, 2021 Letter from Lovorn & Ogle](#)
[General Warranty Deed](#)
[Amended Ground Lease](#)

REGULAR AGENDA

6. OTHER ITEMS:

- A. [2021-817](#) DISCUSSION OF 2022 CITY OF BOERNE ROLLING TEN YEAR PLAN.

Attachments: [AIS Rolling Ten Year Plan Discussion](#)
[Rolling 10 Year Plan Draft Sep2421](#)

7. CITY MANAGER'S REPORT:

- A. [2021-812](#) RECOGNITION OF LARRY WOODS FOR RECEIVING THE "2021 LIFETIME ACHIEVEMENT AWARD" FROM THE TEXAS TRAVEL ALLIANCE.
- B. [2021-813](#) TRANSPORTATION COMMITTEE UPDATE.
- C. [2021-814](#) MONTHLY PROJECTS UPDATE.

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

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

- A. [2021-802](#) SECTION 551.071 - CONSULTATION WITH CITY'S ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION REGARDING DEVELOPMENT AGREEMENT WITH BOERNEBAK.
- B. [2021-803](#) SECTION 551.071 - CONSULTATION WITH ATTORNEY REGARDING CREATION OF THE RANCHES OF CREEKSIDE PUBLIC IMPROVEMENT DISTRICT.
- C. [2021-804](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS WITH CHUCKSON, LTD.
- D. [2021-805](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS WITH DSL HOLDINGS, LLC.

- E. [2021-806](#) SECTION 551.074 - PERSONNEL MATTERS: CITY MANAGER'S ANNUAL EVALUATION AND POTENTIAL AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT.

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

- A. [2021-815](#) CONSIDER RESOLUTION NO. 2021-R44; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF BOERNE AND CHUCKSON, LTD.

Attachments: [Resolution No. 2021-R44](#)

- B. [2021-816](#) CONSIDER RESOLUTION NO. 2021-R45; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF BOERNE AND DSL HOLDINGS, LLC.

Attachments: [Resolution No. 2021-R45](#)

- C. [2021-819](#) CONSIDER RESOLUTION NO. 2021-R46; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE CITY MANAGER'S PROFESSIONAL SERVICES AGREEMENT.

Attachments: [Resolution No. 2021-R46](#)

11. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 24th day of
September, 2021 at 4:00 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.