

MINUTES
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
October 24, 2023 – 6:00 PM

Minutes of the Regular Called City Council Meeting of October 24, 2023.

Present: 6 - Mayor Frank Ritchie, Mayor Pro Tem Ty Wolosin, Council Member Sharon D. Wright, Council Member Quinten Scott, Council Member Bret A. Bunker, and Council Member Joseph Macaluso

Staff Present: Ben Thatcher, Siria Arreola, Sarah Buckelew, Jeff Carroll, Lori Carroll, Nathan Crane, Steve Perez, Mike Raute, Chris Shadrock, Kristy Stark, Jeanette Teague, and Larry Woods. Mick McKamie was present via Zoom.

Registered / Recognized Guests: Ben Eldredge, Mason Fly, and Cori Meredith.

1. CALL TO ORDER – 6:00 PM

Mayor Ritchie called the City Council meeting to order at 6:00 p.m.

Mayor Ritchie provided the Invocation and led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS:

Ben Eldredge, 205 Shane Lane, Director of Cow Creek Groundwater Conservation District and Director of Cibolo Center for Conservation spoke on water conservation, the Hill Country Alliance One Water Conference to be held

Thursday, October 26, and recommended the passage of a resolution supporting One Water strategies.

4. CONSENT AGENDA:

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY COUNCIL MEMBER SCOTT, TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

A. CONSIDER APPROVAL OF THE MINUTES OF THE CITY COUNCIL MEETING OF OCTOBER 10, 2023 AND THE SPECIAL CALLED CITY COUNCIL MEETING OF OCTOBER 19, 2023 (STATE OF THE CITY).

THE MINUTES WERE APPROVED.

B. CONSIDER ON SECOND READING ORDINANCE NO. 2023-34; AN ORDINANCE AMENDING THE 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 TO ALLOW AN ACCESSORY DWELLING UNIT AT 605 GRAHAM STREET (KAD NO. 23565) IN AN R2-M, MODERATE-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (At the request of K & C Holding LLC)

THE ORDINANCE WAS APPROVED.

C. CONSIDER RESOLUTION NO. 2023-R77; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PAY REGULAR INVOICES AND BILLS FROM SPECIFIC PROVIDERS OF GOODS AND SERVICES, IN ACCORDANCE WITH THE APPROVED ANNUAL BUDGET, IN ACCORDANCE WITH SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER, AND IN ACCORDANCE WITH TEXAS MUNICIPAL PROCUREMENT LAWS. (Payment of regular invoices and bills that exceed \$50,000.00)

THE RESOLUTION WAS APPROVED.

- D. **CONSIDER RESOLUTION NO. 2023-R78; A RESOLUTION RESCINDING RESOLUTION NO. 2022-R49 AND ESTABLISHING THE NUMBER OF TERMS, RESIDENCY REQUIREMENTS, AND ATTENDANCE OF THE VARIOUS BOARDS, COMMITTEES AND COMMISSIONS WHERE THE MAYOR AND CITY COUNCIL OF THE CITY OF BOERNE, TEXAS APPOINT THE MEMBERS, AND THE VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS ARE ESTABLISHED BY STATE LAW, CITY ORDINANCE, AND BY LAWS OF OTHER ENTITIES. (Update Visit Boerne Advisory Board meeting dates)**

THE RESOLUTION WAS APPROVED.

- E. **CONSIDER RESOLUTION NO. 2023-R79; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN KENDALL COUNTY AND THE CITY OF BOERNE FOR HEALTH SANITARIAN SERVICES.**

THE RESOLUTION WAS APPROVED.

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. **CONSIDER ON FIRST READING ORDINANCE NO. 2023-35; AN ORDINANCE VACATING AND ABANDONING A RIGHT OF WAY PREVIOUSLY GRANTED TO THE CITY OF BOERNE, TEXAS BY ROSEWOOD RETREAT LLC, AS RECORDED IN DOCUMENT NO. 2021-354598 OF THE DEED RECORDS OF KENDALL COUNTY; DECLARING THAT SUCH RIGHT OF WAY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED RELEASING AND ASSIGNING THIS RIGHT OF WAY TO THE OWNERS OF THE FEE ESTATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Abandon right of way on Rosewood)**

There was no discussion or consideration on this agenda item.

- B. PRESENTATION, PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2023-36; AN ORDINANCE ANNEXING 3.877 ACRES LOCATED AT 36432 INTERSTATE HIGHWAY 10 (KAD NO. 222994) AND A 6.676 ACRE PORTION OF INTERSTATE HIGHWAY 10 RIGHT-OF-WAY 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. (One of one public hearing and consider the first reading of an ordinance annexing 36432 IH 10 and a portion of IH 10 right-of-way, at the request of Alejandro Gutierrez)

Mayor Ritchie called on Nathan Crane, Planning Director. Mr. Crane displayed a map of the property location. He stated that the proposed annexation is at the request of the property owner. If annexed, the city will provide all utility services. The proposed use is a retail center.

Mayor Ritchie opened the Public Hearing at 6:08 p.m.

No comments were received.

Mayor Ritchie closed the Public Hearing at 6:08 p.m.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE ON FIRST READING ORDINANCE NO. 2023-36; AN ORDINANCE ANNEXING 3.877 ACRES LOCATED AT 36432 INTERSTATE HIGHWAY 10 (KAD NO. 222994) AND A 6.676 ACRE PORTION OF INTERSTATE HIGHWAY 10 RIGHT-OF-WAY 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. (ONE OF ONE PUBLIC HEARING AND CONSIDER THE FIRST READING OF AN ORDINANCE ANNEXING 36432 IH 10 AND A PORTION OF IH 10 RIGHT-OF-WAY, AT THE REQUEST OF ALEJANDRO GUTIERREZ). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

6. RESOLUTIONS:

- A. CONSIDER RESOLUTION NO. 2023-R80; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING 1.18 ACRES OF LAND IN THE COMMONS OF MENDER CREEK UNIT 7, DONATED BY BOERNE COMMONS, LTD.; DEDICATING PROPERTY AS PARKLAND; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS.**

Mr. Crane continued with the dedication of parkland. A map of the property location was displayed. Mr. Crane stated that a Development Agreement with the property owner was approved in February of 2006 which includes dedication of parkland along Menger Creek. This dedication will allow the City to construct a trail as future capital improvement.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE RESOLUTION NO. 2023-R80; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING 1.18 ACRES OF LAND IN THE COMMONS OF MENGER CREEK UNIT 7, DONATED BY BOERNE COMMONS, LTD.; DEDICATING PROPERTY AS PARKLAND; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

7. CITY MANAGER’S REPORT:

Mayor Ritchie called on City Manager Ben Thatcher.

A. POST ECLIPSE EVENT UPDATE.

City Manager Thatcher asked Police Chief Steve Perez to provide an update on the October 14th Eclipse. Chief Perez provided statistics, noting that state and local agencies were involved in the event. Last week's Eclipse has helped prepare for the full eclipse which will take place in April 2024.

B. MONTHLY PROJECTS REPORT.

City Manager Thatcher provided an update on various city related projects.

City Manager Thatcher expressed appreciation to Mayor Pro Tem Wolosin, Council Member Macaluso and Mayor Ritchie for their participation in the BKCEDC Economic Summit.

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

Council Member Macaluso recognized the Boerne Greyhounds Football who are rated number one in the State. Champion Chargers Football are in the playoffs and the Water Polo Team is going to State. He also mentioned that he is proud that the City of Boerne was asked to host the One Water Conference.

Mayor Ritchie stated that the State of the City event was successful. He received good reports from the audience and expressed appreciation to city staff for the work they do.

9. ADJOURNMENT

Mayor Ritchie adjourned the City Council Meeting at 6:35 p.m.

Approved:

Mayor

Attest:

City Secretary