

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
April 13, 2021 – 6:00 PM

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. [2021-364](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MARCH 23, 2021.

Presenter: City Secretary Lori Carroll

- B. [2021-356](#) CONSIDER RESOLUTION NO. 2021-R12; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE IN SUPPORT OF HB NO.

3883 RELATING TO DEVELOPMENT REGULATIONS FOR CERTAIN UNINCORPORATED AREAS LOCATED WITHIN THE HILL COUNTRY PRIORITY GROUNDWATER MANAGEMENT AREA; AND HB NO. 3884 RELATING TO THE AUTHORITY OF A COUNTY TO REGULATE LOT FRONTAGES ON CERTAIN ROADS.

C. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR MAY 11, 2021:

- I. [2021-359](#) PROPOSED PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR 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). (Jay Parker/Trophy Properties)

Presenter: Planning & Community Development Director Laura Haning

- II. [2021-360](#) PROPOSED PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT FOR 6.479 ACRES LOCATED IN THE COMMONS AT MENDER CREEK ON OLD SAN ANTONIO (KAD NO. 300529). (Alan Naul/ J-B Boerne Realty, LP)

Presenter: Planning & Community Development Director Laura Haning

REGULAR AGENDA:

5. RESOLUTIONS:

- A. [2021-357](#) CONSIDER RESOLUTION NO. 2021-R13; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT FOR ADDITIONAL SERVICES TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND MOSAIC PLANNING AND DEVELOPMENT SERVICES, INC. FOR THE BOERNE UNIFIED DEVELOPMENT CODE FOR AN AMOUNT NOT TO EXCEED \$26,400.00. (Additional coordination, outreach, mapping and meetings for the Unified Development Code)

Presenter: Planning & Community Development Director Laura Haning

- B. [2021-355](#) CONSIDER RESOLUTION NO. 2021-R14; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHANGE ORDER TO THE AGREEMENT DATED FEBRUARY 25, 2020 BETWEEN THE CITY OF BOERNE AND

PAWELEK & MOY FOR ADDITIONAL SERVICES TO THE JOHNS ROAD RECONSTRUCTION PROJECT FOR AN AMOUNT NOT TO EXCEED \$28,900.00. (Subsurface drainage system, detention pond modifications and necessary field survey work)

Presenter: Development Director Jeff Carroll

- C. [2021-352](#) CONSIDER RESOLUTION NO. 2021-R15; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND ECOSYSTEM PLANNING & RESTORATION, LLC FOR RIVER ROAD PARK BANK STABILIZATION PROJECT FOR AN AMOUNT NOT TO EXCEED \$177,397.00. (Design and construction plan to address bank erosion along River Road Park)

Presenter: Special Projects Director Paul Barwick

- D. [2021-353](#) CONSIDER RESOLUTION NO. 2021-R16; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND LUCK DESIGN TEAM, LLC FOR WATERWORKS TERRACE PARK AND SPLASH PAD IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$86,700.00.

Presenter: Special Projects Director Paul Barwick

6. ORDINANCES:

- A. [2021-354](#) CONSIDER ON FIRST READING ORDINANCE NO. 2021-15; AN ORDINANCE AMENDING ORDINANCE NO. 2020-21, CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2020-2021, BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2021"; AND AUTHORIZING THE CITY MANAGER TO TRANSFER PART OR ALL OF ANY ENCUMBERED APPROPRIATION BALANCE AMONG PROGRAMS, WITHIN A FUND DEPARTMENT, OFFICE, OR AGENCY AT ANY TIME DURING THE FISCAL YEAR. (Budget amendments)

Presenter: Finance Director Sandy Mattick

7. OTHER ITEMS:

- A. [2021-284](#) RECEIVE BRIEFING ON THE BOERNE POLICE DEPARTMENT 2020 ANNUAL REPORT TO INCLUDE THE ANNUAL REPORT ON RACIAL PROFILING.

Presenter: Police Chief James Kohler

- B. [2021-358](#) DISCUSSION ON UNIFIED DEVELOPMENT CODE EFFECTIVE DATE AND TIMELINE.

Presenter: Planning & Community Development Director Laura Haning

8. CITY MANAGER'S REPORT:

- A. [2021-361](#) COVID-19 VACCINE UPDATE (Thatcher)

Presenter: City Manager Ben Thatcher

- B. [2021-362](#) IH-10 TxDOT PROJECT UPDATE (J Carroll/Kohler)

Presenter: Development Director Jeff Carroll and Police Chief James Kohler

- C. [2021-363](#) YARD WASTE COLLECTION (Thompson)

Presenter: Deputy City Manager Jeff Thompson

- D. [2021-291](#) LEGISLATIVE UPDATE (Quirk)

Presenter: City Attorney Barbara Quirk

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

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

- A. [2021-292](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS WITH SPENCER RANCH AND SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY REGARDING SAME.

Presenter: City Attorney Barbara Quirk, Development & Process Improvement Director Nick Montagno and Deputy City Manager Jeff Thompson

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

12. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 9th day of April,
2021 at 4:30 p.m.

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.