

AGENDA
CITY COUNCIL WORKSHOP
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
March 8, 2022 – 5:00 p.m.

1. CALL TO ORDER – 5:00 PM
2. 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)
3. DISCUSSION PRIORITIZING PROJECTS FOR A POTENTIAL BOND ELECTION IN NOVEMBER:
 - A. **2022-304** FACILITIES
Presenter: Assistant City Manager Kristy Stark and Community Services
Director Danny Zincke
4. ADJOURNMENT

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
March 8, 2022 – 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. CITY MANAGER'S REPORT:

- A. **2022-297** RECOGNITION OF GILBERT GARCIA FOR 21 YEARS OF SERVICE
 WITH THE CITY OF BOERNE.

Presenter: City Manager Ben Thatcher

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. **2022-301** CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY
 COUNCIL MEETING ON FEBRUARY 22, 2022 AND MINUTES OF
 TWO SPECIAL CALLED CITY COUNCIL MEETINGS HELD ON
 FEBRUARY 25, 2022 (SWEARING IN CEREMONY OF POLICE CHIEF
 STEVE PEREZ AND SWEARING IN CEREMONY OF ASSISTANT
 POLICE CHIEF CODY LACKEY).

Presenter: City Secretary Lori Carroll

- B. **2022-302** RECEIVE AND CONSIDER CERTIFICATION OF UNOPPOSED
 CANDIDATES FOR CITY COUNCIL MEMBER DISTRICTS 1, 3, AND
 5.

Presenter: City Secretary Lori Carroll

- C. **2022-303** CONSIDER AN ORDER OF CANCELLATION FOR THE GENERAL

ELECTION FOR CITY COUNCIL MEMBER DISTRICTS 1, 3, AND 5.

Presenter:

City Secretary Lori Carroll

- D. [2022-289](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-09; AN ORDINANCE ANNEXING 10.054 ACRES LOCATED AT 36025 INTERSTATE HIGHWAY 10 WEST (KAD NO. 14386) AND A CONTIGUOUS 8.621 ACRE TRACT OF LAND BEING A PORTION OF INTERSTATE HIGHWAY 10, 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. (At the request of property owner James L Wyatt, Jr. Property Management Trust by James Leslie Wyatt, III, Trustee and owner, Mildred M. Wyatt, Property Management Trust by Roberta Belanger, Senior Vice President of Frost Bank, Trustee)

Presenter:

Planning & Community Development Director Laura Haning

- E. [2022-292](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-10; 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, ZONING 10.02 ACRES LOCATED AT 36025 INTERSTATE HIGHWAY 10 WEST (A10310 - SURVEY 178 A LOCKMAR, KAD NO. 14386) FROM HOL, HOLDING, TO R4-U, URBAN MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Presenter:

Planning & Community Development Director Laura Haning

- F. [2022-293](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-11; 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, GRANTING A SPECIAL USE PERMIT FOR MULTI-FAMILY DEVELOPMENT

LOCATED AT 36025 INTERSTATE HIGHWAY 10 WEST (A10310 - SURVEY 178 A LOCKMAR, KAD NO. 14386) IN AN R4-U, URBAN MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Presenter:

Planning & Community Development Director Laura Haning

G. 2022-300

CONSIDER RESOLUTION NO. 2022-R13; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, ADOPTING THE BOERNE MASTER DRAINAGE PLAN.

Presenter:

Development Director Jeff Carroll

H. 2022-306

CONSIDER RESOLUTION NO. 2022-R14; A RESOLUTION AMENDING THE CITY OF BOERNE EMPLOYEE HEALTH BENEFITS CAFETERIA PLAN AND FLEXIBLE BENEFIT PLAN FOR THE PREVIOUS PLAN YEAR TO ALLOW EMPLOYEES TO CARRY OVER AMOUNTS CONTRIBUTED TO FLEXIBLE SPENDING ACCOUNTS AND DEPENDENT CARE ACCOUNTS IN THE PREVIOUS PLAN YEAR OF THE PLAN AND TO APPOINT A SUBSTITUTE ADMINISTRATOR FOR PURPOSES OF THESE CARRYOVER FUNDS.

Presenter:

City Attorney Mick McKamie

REGULAR AGENDA:

6. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

A. 2022-305

UPDATE FROM THE BOERNE COMMUNITY WATER PLANNING COMMITTEE.

Presenter:

Tim Handren

7. RESOLUTIONS

A. 2022-270

RECEIVE PROPOSALS FOR TELECOMMUNICATIONS SYSTEM AND CARRIER SERVICES AND CONSIDER RESOLUTION NO. 2022-R15; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDED THE CONTRACT FOR TELECOMMUNICATIONS SYSTEM AND CARRIER SERVICES TO _____ FOR AN AMOUNT NOT TO EXCEED \$_____; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE, MANAGE AND EXECUTE THE

RELATED CONTRACT. (City phone system)

Presenter: IT Director Mike Raute

- B. 2022-295** CONSIDER RESOLUTION NO. 2022-R16; A RESOLUTION OF THE BOERNE CITY COUNCIL, KENDALL COUNTY, TEXAS AMENDING THE 2017-2027 PARKS, RECREATION, AND OPEN SPACE MASTER PLAN AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Presenter: Community Services Director Danny Zincke

8. OTHER ITEMS:

- A. 2022-296** RECEIVE AND APPROVE THE FIRST QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FISCAL YEAR 2022.

Presenter: Finance Director Sarah Buckelew

9. CONTINUE WORKSHOP DISCUSSION, IF NECESSARY.

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

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

- A. 2022-307** SECTION 551.071 - CONSULTATION WITH CITY'S ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION REGARDING DEVELOPMENT AGREEMENT WITH BOERNEBAK.

Presenter: City Attorney Mick McKamie and Assistant City Manager Kristy Stark

- B. 2022-294** SECTION 551.071 – CONSULTATION WITH CITY'S ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION OR A SETTLEMENT OFFER RELATED TO OPIOID LITIGATION BY THE STATE OF TEXAS ON BEHALF OF THE CITY OF BOERNE AND OTHER ENTITIES AGAINST PHARMACEUTICAL COMPANIES KNOWN BY THE NAMES TEVA AND ENDO.

Presenter: City Attorney Mick McKamie

- C. 2022-299** SECTION 551.072 - TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY WHERE DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON

THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON.

Presenter: Utilities Director Michael Mann

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

- A. **2022-298** CONSIDER AUTHORIZING THE EXECUTION OF THE SUBDIVISION SETTLEMENT PARTICIPATION FORMS FOR THE TEVA AND ENDO SETTLEMENTS IN THE STATE'S OPIOID LITIGATION.

Presenter: City Attorney Mick McKamie

13. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 4th day of March, 2022 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.