

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
July 26, 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

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. 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. [2022-594](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON JULY 12, 2022.

Presenter: City Secretary Lori Carroll

- B. [2022-581](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-22; AN ORDINANCE AMENDING THE CITY OF BOERNE, TEXAS, CODE OF ORDINANCES, CHAPTER 22, UTILITIES, BY REPEALING AND REPLACING DIVISION 3. CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION PROGRAM, SECTIONS 22-62 THROUGH SECTION 22-84, AND ESTABLISHING A CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION PROGRAM FOR THE CITY OF BOERNE POTABLE WATER AND RECLAIMED WATER DISTRIBUTION SYSTEM; PROVIDING FOR A MAXIMUM PENALTY OF \$2,000 FOR EACH VIOLATION OF THIS ORDINANCE.

Presenter: Utilities Director Michael Mann

- C. [2022-582](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-23; AN ORDINANCE AMENDING THE CITY OF BOERNE, TEXAS, CODE OF ORDINANCES, CHAPTER 22, UTILITIES, AMENDING ARTICLE II. WATER SYSTEM, SEC. 22-31. WATER FOR CONSTRUCTION GENERALLY; SEC. 22-40. YEAR-ROUND WATER CONSERVATION MEASURES; SEC. 22-51. GENERALLY; SEC. 22-55. CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES (EXCEPT WHEN A CRITICAL WATER SHORTAGE EXISTS); SEC. 22-56. DROUGHT RESPONSES STAGES; SEC. 22-57. DESIGNATED OUTSIDE WATER USE DAYS; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$1,000 FOR VIOLATIONS OF THE ORDINANCE (Update water conservation Stage I, II, and III)

Presenter: Utilities Director Michael Mann

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2022-592](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-24; AN ORDINANCE AMENDING THE CITY OF BOERNE, TEXAS, CODE OF ORDINANCES, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, CONSTRUCTION STANDARDS, SECTION 5-36, ADOPTING THE INTERNATIONAL BUILDING CODE 2021 EDITION; ARTICLE III, MECHANICAL CODE, SECTIONS 5-61, ADOPTING THE INTERNATIONAL MECHANICAL CODE 2021 EDITION; ARTICLE IV GAS, SECTION 5-86 ADOPTING THE

INTERNATIONAL FUEL GAS CODE 2021 EDITION; ARTICLE V, PLUMBING, SECTIONS 5-111, ADOPTING THE INTERNATIONAL PLUMBING CODE 2021 EDITION; ARTICLE VI, EXISTING BUILDING CODE, SECTION 5-136, ADOPTING THE INTERNATIONAL EXISTING BUILDINGS CODE 2021 EDITION; ARTICLE VII, ELECTRICAL CODE, SECTION 5-232, ADOPTING THE NATIONAL ELECTRIC CODE 2020 EDITION; ARTICLE VIII, LIFE SAFETY CODE, SECTION 5-326, ADOPTING THE LIFE SAFETY CODE 2021 EDITION; ARTICLE X, HOUSING CODE, SECTION 5-266, ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2021 EDITION; AND CHAPTER 8, FIRE PREVENTION AND PROTECTION, ARTICLE II, FIRE PREVENTION CODE, SECTION 8-36, ADOPTING THE INTERNATIONAL FIRE CODE 2021 EDITION; PROVIDING FOR A PENALTY OF NOT MORE THAN \$2,000 FOR EACH VIOLATION OF THE FIRE PREVENTION CODE. (Amend the building code sections and fire code from the 2009 Edition to current editions)

Presenter:

Planning & Community Development Director Laura Haning

6. RESOLUTIONS

- A. [2022-588](#) RECEIVE BIDS FOR FULLY INSURED MEDICAL AND CONSIDER RESOLUTION NO. 2022-R30; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDING THE CONTRACT FOR CITY EMPLOYEE MEDICAL HEALTH INSURANCE BENEFITS TO _____; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT AND DOCUMENTS. (Medical benefits for City employees)

Presenter:

Human Resources Director Susan Finch

- B. [2022-589](#) CONSIDER RESOLUTION NO. 2022-R31; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND GUARDIAN FOR CITY EMPLOYEES' ANCILLARY INSURANCE PRODUCTS. (Vision, dental, life, disability, and mental health benefits for employees)

Presenter:

Human Resources Director Susan Finch

- C. [2022-593](#) CONSIDER RESOLUTION NO. 2022-R32; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HALFF ASSOCIATES, INC. FOR THE ENGINEERING DESIGN AND CONSTRUCTION PHASE SERVICES FOR THE MENDER CREEK AT OLD SAN ANTONIO ROAD BRIDGE PROJECT FOR AN AMOUNT NOT TO EXCEED \$1,018,691.00.
- Presenter:** Development Director Jeff Carroll
- D. [2022-580](#) CONSIDER RESOLUTION NO. 2022-R33; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR WATER AND WASTEWATER IMPACT FEE UPDATE FOR AN AMOUNT NOT TO EXCEED \$32,340.00. (Update of the land use assumptions and Capital Improvements Plan for water, wastewater, and reclaimed water impact fees)
- Presenter:** Utilities Director Michael Mann
- E. [2022-587](#) CONSIDER RESOLUTION NO. 2022-R34; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CITY OF BOERNE, TEXAS DEPOSIT AGREEMENT FOR THE RANCHES AT CREEKSIDE PUBLIC IMPROVEMENT DISTRICT; AND RESOLVING OTHER MATTERS RELATED THERETO. (Green Land Ventures, Ltd.)
- Presenter:** Assistant to the City Manager Nick Montagno
- F. [2022-590](#) CONSIDER RESOLUTION NO. 2022-R35; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS; APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CITY OF BOERNE, TEXAS PROFESSIONAL SERVICES AGREEMENT FOR PUBLIC IMPROVEMENT DISTRICT ADMINISTRATION SERVICES; AND RESOLVING OTHER MATTERS RELATED THERETO. (Administration Services Agreement with P3Works, LLC)
- Presenter:** Assistant to the City Manager Nick Montagno

7. OTHER ITEMS:

- A. [2022-586](#) DISCUSSION ON UTILITY CONSERVATION INCENTIVES.

Presenter: Utilities Director Michael Mann

8. PRESENTATION

- A. [2022-591](#) MONTHLY PROJECTS REPORT.

Presenter: City Manager Ben Thatcher

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

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

- A. [2022-583](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY, DISCUSSION ON VALUE OF LAND, IMPROVEMENTS, AND POSSIBLE SALE OF FORMER CITY HALL BUILDING. (402 E Blanco Rd.)

Presenter: Assistant to the City Manager Nick Montagno

- B. [2022-584](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: CONSIDERATION OF OFFER OF FINANCIAL INCENTIVES TO A COMMERCIAL ENTITY CONSIDERING DEVELOPMENT WITHIN THE CITY LIMITS. (Brazos de Santos)

Presenter: Assistant to the City Manager Nick Montagno

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

- A. [2022-585](#) CONSIDER RESOLUTION NO. 2022-R36; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND BRAZOS DE SANTOS PARTNERS.

Presenter: Assistant to the City Manager Nick Montagno

12. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 22nd day of July, 2022 at 4:20 p.m.

s/s Siria Arreola
Deputy 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.