

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**August 23, 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.     [2022-662](#)             CONSIDER THE MINUTES OF THE AUGUST 16, 2022 SPECIAL CALLED CITY COUNCIL MEETING.

**Presenter:**         Deputy City Secretary Siria Arreola

- B.     [2022-657](#)     CONSIDER ON SECOND READING ORDINANCE NO. 2022-25; 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 4.771 ACRES AND 0.0618 ACRES FOR A TOTAL OF 4.8328 ACRES LOCATED AT 502 SOUTH SCHOOL STREET (A10310 - SURVEY 178 A LOCKMAR, KAD NO. 14412 AND A PORTION OF KAD NO. 14381) FROM C1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO R1-M, MEDIUM DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

**Presenter:**

Planning & Community Development Director Laura Haning

- C.     [2022-648](#)     CONSIDER RESOLUTION NO. 2022-49; A RESOLUTION RESCINDING RESOLUTION NO. 2022-R26 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. (Require the Boerne Public Library Advisory Board and Visit Boerne Advisory Board to be subject to the Ethics Ordinance)

**Presenter:**

Deputy City Secretary Siria Arreola

- D.     [2022-659](#)     CONSIDER RESOLUTION NO. 2022-R50; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND FREESE AND NICHOLS, INC. FOR THE ENGINEERING DESIGN AND CONSTRUCTION PHASE SERVICES FOR THE CURRY AND NO-NAME CREEKS AT ADLER ROAD DRAINAGE CULVERT PROJECT FOR AN AMOUNT NOT TO EXCEED \$509,112.00.

**Presenter:**

Development Director Jeff Carroll

- E.     [2022-658](#)     CONSIDER RESOLUTION NO. 2022-R51; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF

BOERNE AND KENDALL COUNTY FOR HEALTH SANITARIAN SERVICES.

**Presenter:**

Planning & Community Development Director Laura Haning

- F. [2022-668](#) RECEIVE THE PROPOSED BUDGET FOR FISCAL YEAR 2022-2023.

**Presenter:**

Finance Director Sarah Buckelew

- G. [2022-664](#) CALL FOR AND SET A PUBLIC HEARING ON SEPTEMBER 13, 2022, AT 6:00 P.M. ON THE PROPOSED BUDGET FOR FISCAL YEAR 2022-2023.

**Presenter:**

Finance Director Sarah Buckelew

- H. [2022-667](#) CALL FOR AND SET A PUBLIC HEARING ON SEPTEMBER 13, 2022, AT 6:00 P.M. ON THE PROPOSED TAX RATE FOR FISCAL YEAR 2022-2023 AND DETERMINING THE PROPOSED TAX RATE OF \$0.4510/\$100 TO BE INCLUDED IN THE HEARING NOTICE.

**Presenter:**

Finance Director Sarah Buckelew

REGULAR AGENDA

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2022-669](#) PRESENTATION ON NONPROFITS IN KENDALL COUNTY (Staci Almager, CEO Hill Country Family Services)

**Presenter:**

City Manager Ben Thatcher

- B. [2022-649](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-26; AN ORDINANCE AMENDING THE CITY OF BOERNE, TEXAS, CODE OF ORDINANCES, CHAPTER 2. ADMINISTRATION, ARTICLE V. ETHICS, SECTION 2.121. DEFINITIONS, "CITY OFFICIAL", ADDING THE BOERNE PUBLIC LIBRARY ADVISORY BOARD AND UPDATING THE NAME OF THE BOERNE CONVENTION AND VISITORS ADVISORY BOARD TO VISIT BOERNE ADVISORY BOARD.

**Presenter:**

Deputy City Secretary Siria Arreola

6. RESOLUTIONS

- A. [2022-660](#) CONSIDER RESOLUTION NO. 2022-R52; A RESOLUTION OF THE CITY OF BOERNE, TEXAS ADOPTING A TRANSPORTATION SAFETY ACTION PLAN, TO BE MONITORED BY THE CITY COUNCIL, AND

ADOPTING A GOAL ZERO FOR TRAFFIC FATALITIES AND SERIOUS INJURIES ON CITY STREETS IN 20 YEARS.

**Presenter:** Development Director Jeff Carroll

- B. [2022-661](#) RECEIVE BIDS AND CONSIDER RESOLUTION NO. 2022-R53; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDING THE CONTRACT FOR THE CITY OF BOERNE 2022 SLURRY SEAL PROJECT TO \_\_\_\_\_ FOR AN AMOUNT NOT TO EXCEED \$\_\_\_\_\_; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE RELATED CONTRACT. (Approximately 52,360 SY of slurry seal on streets within the city limits)

**Presenter:** Development Director Jeff Carroll

- C. [2022-665](#) CONSIDER RESOLUTION NO. 2022-R54; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR TASK ORDER NO. 29, DUENNENBERG UTILITY IMPROVEMENT OPINION OF PROBABLE CONSTRUCTION COST DEVELOPMENT AND RESPONSES TO DEVELOPER'S IMPROVEMENT ALTERNATIVES FOR AN AMOUNT NOT TO EXCEED \$38,662.00. (Analysis of potential utility system improvements in Esperanza)

**Presenter:** Utilities Director Michael Mann

- D. [2022-663](#) RECEIVE THE RECOMMENDATION FROM THE BOERNE PUBLIC LIBRARY ADVISORY BOARD AND CONSIDER RESOLUTION NO. 2022-R55; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, APPROVING AMENDMENTS TO THE BYLAWS OF THE BOERNE PUBLIC LIBRARY ADVISORY BOARD.

**Presenter:** Library Director Kelly Skovbjerg

7. OTHER ITEMS:

- A. [2022-670](#) RECEIVE AND APPROVE THE THIRD QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FISCAL YEAR 2022.

**Presenter:** Finance Director Sarah Buckelew

8. CITY MANAGER'S REPORT:

- A. [2022-666](#) 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. [2022-671](#) 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. (A 15-acre tract of land near Hwy 46)

**Presenter:** City Manager Ben Thatcher

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

- A. [2022-672](#) CONSIDER RESOLUTION NO. 2022-R56; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE \_\_\_\_ ACRES, MORE OR LESS, LOCATED AT \_\_\_\_\_, BOERNE, TEXAS, 78006, FROM \_\_\_\_\_; AND EXECUTE ALL NECESSARY DOCUMENTATION.

**Presenter:** City Manager Ben Thatcher

12. ADJOURNMENT

#### CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 19th day of  
August, 2022 at 3:30 p.m.

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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.