

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
November 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. [2022-860](#) RECOGNITION OF THE 2022 CITIZENS FIRE ACADEMY.

Presenter: Assistant City Manager Danny Zincke

4. [2022-832](#) DISCUSSION ON THE KENDALL COUNTY BOERNE FAIR OAKS TRANSPORTATION COMMITTEE REPORT AND RECEIVE THE 2022 CITIZENS' PLAN FOR TRANSPORTATION IN KENDALL COUNTY.

Presenter: Tim Handren

5. 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)

6. 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. [2022-856](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 25, 2022.

Presenter: City Secretary Lori Carroll

- B. [2022-842](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-33; AN ORDINANCE AMENDING ORDINANCE NO. 2021-27, CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2021-2022, BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; 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." (Amend budget for fiscal year 2021-2022)

Presenter: Finance Director Sarah Buckelew

- C. [2022-843](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-34; AN ORDINANCE AMENDING ORDINANCE NO. 2022-27, CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE CITY OF BOERNE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, and ending September 30, 2023, in accordance WITH chapter 102, local government code; AND appropriating the various amounts thereof." (Amend budget for fiscal year 2022-2023)

Presenter: Finance Director Sarah Buckelew

- D. [2022-844](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-35; 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 14.077 ACRES, LOCATED AT 416 WEST HIGHLAND DRIVE (PART OF KERNAGHAN ADDITION LOT PT 14 & PT 15 AND PT OF WEST HIGHLAND DRIVE, PART OF KAD NO. 19992) FROM R1-M,

MEDIUM DENSITY RESIDENTIAL DISTRICT, TO CIV, CIVIC AND INSTITUTIONAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Presenter:

Planning & Community Development Director Laura Haning

E. [2022-841](#)

CONSIDER RESOLUTION NO. 2022-R69; A RESOLUTION DESIGNATING THE CITY'S ANNUAL ALLOCATION OF GROUNDWATER PRODUCTION AS IT PERTAINS TO THE CITY'S WITHDRAWAL PERMIT FROM COW CREEK GROUNDWATER CONSERVATION DISTRICT TO RETAIN THE CURRENT QUARTERLY ALLOCATION FOR CALENDAR YEAR 2023. (Retain current quarterly allocation of 370, 555, 555, 370 acre-feet)

Presenter:

Utilities Director Michael Mann

F. [2022-857](#)

CONSIDER RESOLUTION NO. 2022-R70; A RESOLUTION AUTHORIZING THE PURCHASE OF A BUCKET TRUCK FROM ALTEC INDUSTRIES, INC. FOR AN AMOUNT NOT TO EXCEED \$203,330.00. (Electric Department)

Presenter:

Utilities Director Michael Mann

G. [2022-858](#)

CONSIDER RESOLUTION NO. 2022-R71; A RESOLUTION AUTHORIZING THE PURCHASE OF A FORKLIFT FROM EQUIPMENT DEPOT TEXAS, INC. FOR AN AMOUNT NOT TO EXCEED \$64,892.71. (Wastewater Treatment and Recycling Center)

Presenter:

Utilities Director Michael Mann

REGULAR AGENDA:

7. RESOLUTIONS:

A. [2022-839](#)

CONSIDER RESOLUTION NO. 2022-R72; A RESOLUTION DESIGNATING THE CITY'S ANNUAL COMMITMENT FOR WATER FROM THE GUADALUPE-BLANCO RIVER AUTHORITY AS PART OF THE WESTERN CANYON REGIONAL WATER SUPPLY PROJECT TO INCREASE THE CURRENT ANNUAL COMMITMENT OF WATER FOR CALENDAR YEAR 2023 TO 1,900 ACRE-FEET. (Increase from 1,600 acre-feet to 1,900 acre-feet)

Presenter: Utilities Director Michael Mann

8. OTHER ITEMS:

- A. [2022-883](#) RECEIVE AND APPROVE THE FOURTH QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FISCAL YEAR 2022.

Presenter: Finance Director Sarah Buckelew

- B. [2022-868](#) CONSIDER MAYORAL APPOINTMENT TO THE IMPACT FEE ADVISORY COMMITTEE.

Presenter: Tim Handren

9. CITY MANAGER'S REPORT:

- A. [2022-863](#) UPDATE ON POLICE DEPARTMENT ACTIVITIES.

Presenter: Police Chief Steve Perez

- B. [2022-864](#) STREET PROJECTS UPDATE.

Presenter: Development Director Jeff Carroll

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

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

- A. [2022-865](#) 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. (Cemetery)

Presenter: Assistant City Manager Danny Zincke

- B. [2022-866](#) SECTION 551.074 - PERSONNEL MATTERS: RELATED TO THE CITY MANAGER'S EVALUATION.

Presenter: Tim Handren

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

13. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 4th day of
November, 2022 at 3:30 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.