

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
December 13, 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. 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. [2022-954](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING ON NOVEMBER 8, 2022 AND SPECIAL CALLED MEETING ON NOVEMBER 15, 2022 (CANVASS

ELECTION RETURNS).

Presenter:

City Secretary Lori Carroll

- B. [2022-935](#) CONSIDER RESOLUTION NO. 2022-R75; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A SCOPE OF SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND KIMLEY-HORN AND ASSOCIATES, INC. FOR AN ADA TRANSITION PLAN PHASE 2 FOR AN AMOUNT NOT TO EXCEED \$75,000.00. (ADA Accessibility Plan)

Presenter:

Development Director Jeff Carroll

- C. [2022-896](#) CONSIDER RESOLUTION NO. 2022-R76; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, RESCINDING RESOLUTION NO. 2021-R77 AND AMENDING AUTHORIZED REPRESENTATIVES FOR THE INVESTMENT OF FUNDS IN TEXPOOL. (Designate authorized representatives of the City to transmit funds for investment in TexPool)

Presenter:

Finance Director Sarah Buckelew

- D. [2022-897](#) CONSIDER RESOLUTION NO. 2022-R77; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AMENDING AUTHORIZED REPRESENTATIVES FOR THE INVESTMENT OF FUNDS IN TEXSTAR. (Designate authorized representatives of the City to transmit funds for investment in TexStar)

Presenter:

Finance Director Sarah Buckelew

- E. [2022-939](#) CONSIDER RESOLUTION NO. 2022-R78; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE REQUEST AND SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF 37 CASCADE CAVERNS ROAD AND A PORTION OF CASCADE CAVERNS ROAD (KAD NOS. 12244 AND 12246) BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING; AND CONSIDER APPROVAL OF A MUNICIPAL SERVICE PLAN AGREEMENT. (Set public hearing for January 10, 2023, At the request of Greg Plummer for Currey Creek Church)

Presenter:

Planning & Community Development Director Laura Haning

- F. [2022-928](#) CONSIDER RESOLUTION NO. 2022-R79; A RESOLUTION TO AMEND THE AMOUNT APPROVED FOR THE AGREEMENTS BETWEEN THE CITY OF BOERNE AND JONES & CARTER, INC. FOR DESIGN, BIDDING AND CONSTRUCTION PHASE SERVICES OF A NEW SEWER MAIN ALONG SCENIC LOOP ROAD TO AN AMOUNT NOT TO EXCEED \$278,930.00.

Presenter: Utilities Director Michael Mann

- G. [2022-929](#) CONSIDER RESOLUTION NO. 2022-R80; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AGREEMENTS BETWEEN THE CITY OF BOERNE AND STRATEGIC GOVERNMENT RESOURCES, INC. (SGR) FOR RECRUITMENT OF A FIRE CHIEF AND SERVICES OF INTERIM FIRE CHIEF FOR AN AMOUNT NOT TO EXCEED \$100,000.00.

Presenter: Assistant City Manager Danny Zincke

- H. [2022-907](#) CONSIDER RESOLUTION NO. 2022-R81; A RESOLUTION APPROVING CHANGES TO THE PERSONNEL POLICIES MANUAL FOR THE CITY OF BOERNE, TEXAS.

Presenter: Human Resources Director Susan Finch

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2022-951](#) PRESENTATION FOR THE ADA ACCESSIBILITY PLAN, PHASE 1.

Presenter: Development Director Jeff Carroll

- B. [2022-930](#) PRESENTATION ON POTENTIAL GAS RATES AND HEDGING OPPORTUNITIES.

Presenter: Finance Director Sarah Buckelew

- C. [2022-938](#) RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION AND HOLD A PUBLIC HEARING TO RECEIVE COMMENTS FOR THE PROPOSED CHANGE IN ZONING FOR A TOTAL OF 15.16 ACRES, LOCATED AT 35 CASCADE CAVERNS ROAD (J AND J ACRES LOT 1A, 3.229 ACRES, KAD NO. 12245), FROM C-3, COMMUNITY COMMERCIAL DISTRICT, 37 CASCADE CAVERNS ROAD (J AND J ACRES LOT 2A, 3.94 ACRES, KAD NO.

12244) FROM HOL, INTERIM HOLDING DISTRICT, AND 45 CASCADE CAVERNS ROAD (MILLER'S SUBDIVISION LOT 7A, 7.99 ACRES, KAD NO. 24328 AND 12246) FROM C-1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO CIV, CIVIC AND INSTITUTIONAL DISTRICT. (Currey Creek Baptist Church of Boerne, one of one public hearing)

Presenter:

Planning & Community Development Director Laura Haning

D. [2022-932](#)

RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION AND HOLD A PUBLIC HEARING TO RECEIVE COMMENTS FOR OR AGAINST ORDINANCE NO. 2022-36; 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 0.191 ACRES, LOCATED AT 335 EBNER ROAD (TRINIDAD ADDITION LOT 5, KAD NO. 33729) FROM R2-M DT, MODERATE-DENSITY RESIDENTIAL, DOWNTOWN COMMUNITY OVERLAY DISTRICT TO R3-D DT, DUPLEX RESIDENTIAL, DOWNTOWN COMMUNITY OVERLAY DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE, AND CONSIDER APPROVAL OF ORDINANCE NO. 2022-36, ON THE FIRST OF TWO READINGS. (Ronald Mitar, one of one public hearing)

Presenter:

Planning & Community Development Director Laura Haning

E. [2022-952](#)

RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION AND HOLD A PUBLIC HEARING TO CONSIDER A PROPOSED SPECIAL USE PERMIT FOR AN ACCESSORY DWELLING, TO 0.378 ACRES LOCATED AT 415 JOHNS ROAD (CIBOLO CROSSING BLK 1, LOT 2, KAD NO. 20402) IN AN R1-M EC, MEDIUM-DENSITY RESIDENTIAL ENTRANCE CORRIDOR OVERLAY DISTRICT. (Curtis and Deborah Wheeler, REQUEST WITHDRAWN)

Presenter:

Planning & Community Development Director Laura Haning

6. RESOLUTIONS

A. [2022-927](#)

CONSIDER RESOLUTION NO. 2022-R82; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT BETWEEN THE CITY OF BOERNE

AND THE FRIENDS OF THE CIBOLO WILDERNESS, INC.

Presenter:

Assistant City Manager Danny Zincke

B. [2022-934](#)

CONSIDER RESOLUTION NO. 2022-R83; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AMENDMENT #2021-1 TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND KIMLEY-HORN AND ASSOCIATES, INC. FOR THE MOBILITY MASTER PLAN FOR AN AMOUNT NOT TO EXCEED \$15,000.00.

Presenter:

Development Director Jeff Carroll

C. [2022-933](#)

RECEIVE BIDS FOR 2023 SIDEWALK PROJECTS AND CONSIDER RESOLUTION NO. 2022-R84; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDED THE CONTRACT FOR 2023 SIDEWALK PROJECTS TO _____ FOR AN AMOUNT NOT TO EXCEED \$ _____; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT. (Oak Park, Frey Street, E Bandera with Oak Park water main relocation.)

Presenter:

Development Director Jeff Carroll

D. [2022-936](#)

RECEIVE BIDS FOR THE SCENIC LOOP SEWER IMPROVEMENTS AND CONSIDER RESOLUTION NO. 2022-R85; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDED THE CONTRACT FOR THE SCENIC LOOP SEWER IMPROVEMENTS TO _____ FOR AN AMOUNT NOT TO EXCEED \$ _____; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT.

Presenter:

Utilities Director Michael Mann

E. [2022-931](#)

RECEIVE BIDS FOR COMMERCIAL REAL ESTATE BROKERAGE SERVICES AND CONSIDER RESOLUTION NO. 2022-R86; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDED THE CONTRACT FOR COMMERCIAL REAL ESTATE BROKERAGE SERVICES TO _____ FOR AN AMOUNT NOT TO EXCEED \$ _____; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT. (Sale of the former City Hall Offices, 402 E. Blanco)

Presenter: Assistant to the City Manager Nick Montagno

7. OTHER ITEMS:

- A. [2022-953](#) MAYORAL APPOINTMENT TO THE BOERNE PUBLIC LIBRARY
ADVISORY BOARD AND THE PLANNING AND ZONING
COMMISSION.

Presenter: City Secretary Lori Carroll

8. CITY MANAGER'S REPORT:

- A. [2022-937](#) MONTHLY PROJECTS REPORT.

Presenter: City Manager Ben Thatcher

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

10. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 9th day of
December, 2022 at 5:20 p.m.**

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.

