

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
August 8, 2023 – 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. [2023-604](#) PRESENTATION ON STATE LAW REQUIREMENTS OF MORATORIUMS.

Presenter: City Attorney Mick McKamie and Frank Ritchie

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. [2023-592](#) CONSIDER APPROVAL OF THE MINUTES OF THE SPECIAL CALLED CITY COUNCIL MEETING OF JULY 18, 2023 (ETHICS TRAINING) AND THE REGULAR CALLED CITY COUNCIL MEETING OF JULY 25, 2023.

Presenter: City Secretary Lori Carroll

- B. [2023-585](#) CONSIDER RESOLUTION NO. 2023-R56; A RESOLUTION APPROVING A CONTRACT RENEWAL WITH BLUE CROSS BLUE SHIELD OF TEXAS (BCBS) TO PROVIDE MEDICAL BENEFITS FOR PLAN YEAR OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024.

Presenter: Human Resources Director Susan Finch

- C. [2023-586](#) CONSIDER RESOLUTION NO. 2023-R57; A RESOLUTION APPROVING A CONTRACT RENEWAL WITH GUARDIAN TO PROVIDE DENTAL, VISION, AND ANCILLARY PRODUCTS FOR PLAN YEAR OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024.

Presenter: Human Resources Director Susan Finch

- D. [2023-615](#) CONSIDER RESOLUTION NO. 2023-R58; A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND ALAMO AREA COUNCIL OF GOVERNMENTS FOR E9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES.

Presenter: Police Chief James Kohler

- E. [2023-588](#) CONSIDER MAYORAL APPOINTMENT TO THE VISIT BOERNE ADVISORY BOARD.

Presenter: Frank Ritchie and City Secretary Lori Carroll

6. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2023-589](#) PRESENTATION AND CONSIDER ON SECOND READING ORDINANCE NO. 2023-09; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, REPEALING AND REPLACING CHAPTER 23 OF THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, TO GOVERN SHORT-TERM RENTALS; PROVIDING REGULATIONS AND PERMITTING FOR THE OPERATION AND USE OF SHORT-TERM RENTALS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY

FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; PROVIDING AN EFFECTIVE DATE; AND ACKNOWLEDGING COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT. (Regulation of short-term rental properties)

Presenter: Assistant Planning Director Nathan Crane and Assistant City Manager Kristy Stark

- B. [2023-606](#) CONSIDER A ONE-TIME READING OF ORDINANCE 2023-22; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER SECTION 3.11.A. (As described below)

Presenter: Frank Ritchie

- C. [2023-587](#) CONSIDER ORDINANCE NO. 2023-22; ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF BOERNE, TEXAS GENERAL OBLIGATION BONDS, SERIES 2023"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; AUTHORIZING THE EXECUTION OF ANY NECESSARY ENGAGEMENT AGREEMENT WITH THE CITY'S FINANCIAL ADVISORS; AND PROVIDING FOR AN EFFECTIVE DATE.

Presenter: Finance Director Sarah Buckelew

7. RESOLUTIONS:

- A. [2023-422](#) CONSIDER RESOLUTION NO. 2023-R59; 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 A PORTION OF RIGHT-OF-WAY ON INTERSTATE HIGHWAY 10, 12 SPENCER ROAD (KAD. NO. 37948), 2B SPENCER ROAD (KAD. NO. 37947), 2 SPENCER ROAD (KAD NO. 14354), 8 SPENCER ROAD (KAD. NO. 36891), A PORTION OF RIGHT-OF-WAY ALSO KNOWN AS SPENCER ROAD, A PORTION OF 10 SPENCER ROAD (KAD NO. 14916) AND A PORTION OF WEST STATE HIGHWAY 46 (KAD. NO. 14918) 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 September 12, 2023,

at 6:00 p.m. for the proposed annexation of a portion of Spencer Ranch)

Presenter: Assistant Planning Director Nathan Crane

- B. [2023-609](#) RECEIVE BIDS AND CONSIDER RESOLUTION NO. 2023-R60; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDING THE CONTRACT FOR THE RIVER ROAD BANK PARK STABILIZATION PROJECT TO _____ FOR AN AMOUNT NOT TO EXCEED \$ _____; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT.

Presenter: Parks & Recreation Director Lissette Jimenez

- C. [2023-611](#) CONSIDER RESOLUTION NO. 2023-R61; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND ECOSYSTEM PLANNING & RESTORATION FOR THE RIVER ROAD PARK BANK STABILIZATION PROJECT CONSTRUCTION ADMINISTRATION AND OVERSIGHT FOR AN AMOUNT NOT TO EXCEED \$75,770.00.

Presenter: Parks & Recreation Director Lissette Jimenez

- D. [2023-596](#) CONSIDER RESOLUTION NO. 2023-R62; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A SHARED SERVICES AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE HILL COUNTRY FAMILY SERVICES.

Presenter: Police Chief Steve Perez

8. OTHER:

- A. [2023-555](#) RECEIVE THE CITY OF BOERNE'S 2023 CERTIFIED APPRAISAL ROLL VALUES, TAX RATE CALCULATION, CERTIFICATION OF ADDITIONAL SALES TAX FORM AND CERTIFY ANTICIPATED COLLECTION RATE AND EXCESS DEBT COLLECTIONS.

Presenter: Finance Director Sarah Buckelew

- B. [2023-603](#) RECEIVE AND APPROVE THE THIRD QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FISCAL YEAR 2023.

Presenter: Finance Director Sarah Buckelew

9. CITY MANAGER'S REPORT:

- A. [2023-595](#) WATER CONSERVATION - CONSUMPTION AND ENFORCEMENT UPDATE.

Presenter: City Manager Ben Thatcher

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

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

- A. [2023-571](#) SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY TO RECEIVE AND DISCUSS LEGAL ISSUES RELATED TO ESTABLISHMENT, IMPLEMENTATION AND ENFORCEMENT OF FLOODPLAIN REGULATIONS.

Presenter: Director of Engineering & Mobility Jeff Carroll and City Attorney Mick McKamie

- B. [2023-593](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY, DISCUSSION ON VALUE OF LAND, IMPROVEMENTS, AND POSSIBLE SALE OF THE FORMER PUBLIC WORKS BUILDING LOCATED AT 400 EAST BLANCO ROAD.

Presenter: Assistant to the City Manager Nick Montagno

- C. [2023-594](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY, DISCUSSION ON VALUE OF LAND, IMPROVEMENTS, AND POSSIBLE SALE OF THE FORMER CITY HALL BUILDING LOCATED AT 402 EAST BLANCO ROAD.

Presenter: City Manager Ben Thatcher

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

- A. [2023-607](#) CONSIDER A ONE-TIME READING OF ORDINANCE 2023-23; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER SECTION 3.11.A. (As described below)

Presenter: Frank Ritchie

- B. [2023-572](#) CONSIDER ORDINANCE NO. 2023-23; AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY AND IMPROVEMENTS LOCATED AT 400 E. BLANCO ROAD, BOERNE,

KENDALL COUNTY, TEXAS (THE "PROPERTY") TO _____,
IN THE AMOUNT OF \$_____ PLUS TITLE AND OTHER
CLOSING COSTS; DECLARING THAT THE PROPERTY IS NO LONGER
NEEDED FOR MUNICIPAL PURPOSES; AUTHORIZING THE CITY
MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND
SPECIAL WARRANTY DEED; PROVIDING A SEVERABILITY CLAUSE;
AND PROVIDING AN EFFECTIVE DATE.

Presenter:

Assistant to the City Manager Nick Montagno

- C. [2023-608](#) CONSIDER A ONE-TIME READING OF ORDINANCE 2023-24; AS
PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER
SECTION 3.11.A. (As described below)

Presenter:

Frank Ritchie

- D. [2023-573](#) CONSIDER ORDINANCE NO. 2023-24; AN ORDINANCE
AUTHORIZING THE SALE OF REAL PROPERTY AND
IMPROVEMENTS LOCATED AT 402 E. BLANCO ROAD, BOERNE,
KENDALL COUNTY, TEXAS (THE "PROPERTY") TO _____,
IN THE AMOUNT OF \$_____ PLUS TITLE, BROKER'S FEES,
AND OTHER CLOSING COSTS; DECLARING THAT THE PROPERTY IS
NO LONGER NEEDED FOR MUNICIPAL PURPOSES; AUTHORIZING
THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE
AGREEMENT AND SPECIAL WARRANTY DEED; PROVIDING A
SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Presenter:

City Manager Ben Thatcher

13. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 4th day of
August, 2023 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.