

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
May 12, 2020 – 6:00 PM

Due to the COVID-19 pandemic, this meeting is being held telephonically only as allowed by the Governor of Texas during this public health emergency. Please do not attend the meeting in person.

You may join the City Council Meeting:

Join Zoom Meeting

<https://us02web.zoom.us/j/81445579981>

Dial in by phone toll free:

888 788 0099 US Toll-free

877 853 5247 US Toll-free

Meeting ID: 814 4557 9981

1. CALL TO ORDER – 6:00 PM

ROLL CALL

MOMENT OF SILENCE

2. CONFLICTS OF INTEREST

3. [2020-335](#) 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)

The City Council will allot a maximum of 30 minutes for Public Comments. Presentations will be limited to 3 minutes per speaker.

Attachments: [Instructions](#)

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.

- 4.A. [2020-324](#) CONSIDER THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 28, 2020.

Attachments: [Minutes 20.0428](#)

5. [2020-332](#) ADMINISTER OATHS OF OFFICE - COUNCIL MEMBERS DISTRICT 1 AND DISTRICT 5.

Attachments: [AIS Oaths](#)

6. [2020-325](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2020-13; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A. (As described below)

7. [2020-328](#) CONSIDER ORDINANCE NO. 2020-13; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ENDING THE SUSPENSION OF DISCONNECTION OF UTILITIES FOR NON-PAYMENT; AND APPROVING AND LIMITING THE WAIVER OF LATE PENALTIES FOR DELINQUENT PAYMENT OF UTILITIES DUE TO THE COVID-19 PANDEMIC; REPEALING SECTION TWO OF ORDINANCE NO. 2020-11 TO THE EXTENT IT CONFLICTS HERewith; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [AIS - Waiver of penalties and disconnects for COVID-19 event Ordinance No. 2020-13](#)

8. [2020-329](#) DISCUSSION AND UPDATE OF THE BOERNE STRONG STIMULUS PROGRAM.

Attachments: [AIS Update on Boerne Strong Stimulus Program](#)
[Updated Submission Statistics as of May 07](#)
[Boerne Strong Stimulus Program](#)
[Boerne Strong Stimulus Program Printable App](#)

9. [2020-326](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2020-14; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A. (As described below)

10. [2020-321](#) CONSIDER ORDINANCE NO. 2020-14; AN ORDINANCE OF THE

CITY OF BOERNE, TEXAS, ESTABLISHING THE BOERNE STRONG STIMULUS PROGRAM UNDER CHAPTER 380 OF THE LOCAL GOVERNMENT CODE; MAKING FINDINGS RELATED TO THE ECONOMIC DEVELOPMENT PURPOSE OF THE PROGRAM; AND AUTHORIZING THE CITY MANAGER TO ADMINISTER THE PROGRAM.

Attachments: [AIS Establish Boerne 380 Stimulus Program Ordinance No. 2020-14](#)
[Exhibit 1. Boerne Strong Stimulus Application](#)

11. [2020-327](#) CONSIDER RESOLUTION NO. 2020-R32; A RESOLUTION OF THE CITY OF BOERNE, TEXAS ESTABLISHING AND AUTHORIZING AN ADVISORY TASK FORCE FOR THE BOERNE STRONG STIMULUS PROGRAM UNDER CHAPTER 380 OF THE LOCAL GOVERNMENT CODE.

Attachments: [AIS Boerne 380 Stimulus Program Task Force Resolution No. 2020-R32](#)

12. [2020-320](#) RECEIVE BIDS AND AWARD CONTRACT FOR THE SCHOOL LIFT STATION AND CONSIDER RESOLUTION NO. 2020-R33; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND _____ FOR THE SCHOOL LIFT STATION EXPANSION PROJECT. (Cascade Caverns Road)

Attachments: [AIS School LS Contract Award.2019 Resolution No. 2020-R33](#)
[Boerne School Lift Station_Bid Award Recommendation Ltr 4-27-2020 School Lift Station Map](#)

13. [2020-330](#) CONSIDER ON FIRST READING ORDINANCE NO. 2020-15; AN ORDINANCE AMENDING ORDINANCE NO. 2019-37, CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2019-2020, BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020."

Attachments: [AIS May 2020 Budget amendment Ordinance No. 2020-15](#)
[Attachment I. Budget Amendments](#)

14. RECEIVE RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR JUNE 9, 2020:

- 14.A.** [2020-322](#) PROPOSED REZONING OF 0.341 ACRES LOCATED AT 602 FREY STREET (KAD NO. 18988) FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, TO O, OFFICE DISTRICT. (Burton and Joyce Sponhaltz)

Attachments: [AIS 602 Fret St.](#)
[Att 1 - Location Map](#)
[Att 2 - Future Land Use](#)
[Att 3 - Current Zoning](#)
[Att 4 - Proposed Zoning](#)
[Att 5 - R-1 Uses](#)
[Att 6 - O uses](#)

- 14.B.** [2020-323](#) PROPOSED ZONING OF 5.155 ACRES OF TXDOT RIGHT-OF-WAY TO B-2, HIGHWAY COMMERCIAL (IH-10 "SURPLUS NORTH" TRACT THAT ADJOINS THE FUTURE BUC-EES DEVELOPMENT LOCATED AT 33375 IH-10 WEST). (Stan Beard, Buc-ees for State of Texas, TxDOT)

Attachments: [Recommendations Summary - TxDOT](#)
[Att 1 - Location Map](#)
[Att 2 - TxDOT ROW Zoning Map](#)
[Att 3 - Future Land Use Map](#)
[Att 4 - Current Zoning Map](#)
[Att 5 - Proposed Zoning Map](#)
[Att 6 - B-2 Uses](#)

- 15.** [2020-331](#) CITY MANAGER'S REPORT:
- A. COVID-19 UPDATE
 - GOVERNOR'S OPEN TEXAS GUIDANCE
 - AACOG \$3M GRANT
 - MARCH SALES TAX COLLECTION
 - B. PARKS FACILITIES UPDATE
 - C. JOHNS ROAD PROJECT UPDATE
 - D. CVB ACTIVITIES UPDATE
 - E. OLD CITY HALL DISPOSITION UPDATE
 - F. NEW CITY HALL COMPLETION/DEDICATION

G. BISD GRADUATION - JUNE 4th AND JUNE 5th

H. CITY FACILITIES RE-OPENING UPDATE

Attachments: [CM Report AIS 5.12.20](#)

16. COMMENTS FROM COUNCIL/STAFF – No discussion or action may take place.

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

17.A. [2020-333](#) SECTION 551.074 - PERSONNEL MATTERS- TO DELIBERATE THE
SELECTION, APPOINTMENT, DUTIES, SALARY AND BENEFITS,
AND OTHER TERMS OF EMPLOYMENT OF A CITY MANAGER.

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

18.A. [2020-334](#) CONSIDER APPOINTMENT TO THE POSITION OF CITY MANAGER,
AFFIX COMPENSATION AS PER CITY OF BOERNE CHARTER
SECTION 5.01, AND CONSIDER RESOLUTION NO. 2020-R34; A
RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND
EXECUTE A CONTRACT BETWEEN THE CITY OF BOERNE AND
_____ FOR THE POSITION OF CITY MANAGER.

19. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE: CITY
COUNCIL MAY, AS PERMITTED BY LAW, ADJOURN INTO EXECUTIVE SESSION AT ANY
TIME TO DISCUSS ANY MATTER LISTED ABOVE INCLUDING IF THEY MEET THE
QUALIFICATIONS IN 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) OF CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.
(If needed)

20. ADJOURNMENT

s/s Ronald C. Bowman
City Manager

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 8th day of May,
2020 at 4:00 p.m.**

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

**Requests for 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.

Instructions to join the City Council Meeting for May 12, 2020 by phone:

Join meeting by phone:

Call one of the numbers provided. **888-788-0099 US Toll-free or 877- 853-5247 US Toll-**

free Then enter your meeting ID followed by #. **814 4557 9981**

You will hear “enter your participant ID followed by #”. There is not an ID so just press #

How can I participate in Public Comments? **Using the phone keypad: press *9 to toggle the raise/lower hand**

PLEASE KEEP MICROPHONES MUTED DURING THE MEETING unless you have raised you hand during the public comment portion and then lowered it after speaking.

Instructions to join the City Council Meeting for May 12, 2020 with computer:

Join a meeting by clicking on a **Zoom link** provided by the meeting **<https://us02web.zoom.us/j/81445579981>**

follow the prompts to download and run Zoom => **then enter the meeting ID if prompted => 814 4557 9981**

Then click to join the audio conference.

How can I raise my hand to participate in Public Comments?

During the public comments portion of the meeting, you can

- 1. click on the icon labeled "Participants" at the bottom center of your PC or Mac screen.**
- 2. At the bottom of the window on the right side of the screen, click the button labeled "Raise Hand." Your digital hand is now raised. Make your comments, then lower the hand by clicking that button again.**

PLEASE KEEP MICROPHONES MUTED DURING THE MEETING unless you have raised you hand during the public comment portion.

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
April 28, 2020 – 6:00 PM

Minutes of the April 28, 2020 City Council meeting at 6:00 p.m.

Mayor Handren asked for a verbal roll call of Council Members.

Present: **6 -** Mayor Tim Handren, Council Member Ty Wolosin, Mayor Pro Tem Nina Woolard, Council Member Quinten Scott, Council Member Brian Fowler, and Council Member Joseph Macaluso

Mayor and all Council Members were present telephonically.

Staff Present: Ron Bowman, Jeff Carroll, Lori Carroll, Jim Kohler, Mike Mann, Sandy Mattick, Doug Meckel, Steve Perez, Barbara Quirk, Mike Raute, Kelly Skovbjerg, Laura Talley, Jeanette Teague, Jeff Thompson, Larry Woods, Mary Woods, and Danny Zincke.

Pam Bransford, Angie Rios, Tori Bellos, and Robin Stauber were present telephonically.

Recognized Guests Telephonically: Christina Ryholm, Patrick, Crystal Henry, Alan, Chelsy Houy, Rachel Roberts, Ryan, Dallin, Eben Muir, Amy Story, A. Hubbard, Chris Weis, Chris Hammock, and JB.

1. CALL TO ORDER – 6:00 PM

Mayor Handren called the City Council meeting to order at 6:00 p.m.

MOMENT OF SILENCE

Mayor Handren asked for a Moment of Silence.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. [2020-287](#) **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)

The City Council will allot a maximum of 30 minutes for Public Comments. Presentations will be limited to 3 minutes per speaker.

Brian representing Hunt Properties called in to the meeting. He spoke regarding the proposed retirement community located on 6.479 acres on Old San Antonio Road in the area of SoBo. He stated that despite this being a retirement community, it will be an active adult community for residents 55 years old and older.

4. CONSENT AGENDA:

- 4.A. [2020-283](#) **CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 14, 2020.**

THE MINUTES WERE APPROVED.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

5. [2020-286](#) **PRESENTATION OF PROCLAMATION TO CARLA HEATH IN RECOGNITION OF 39 YEARS OF SERVICE ON THE BOERNE PUBLIC HOUSING AUTHORITY BOARD.**

Mayor Handren acknowledged Ms. Carla Heath for her service to the Boerne community. Patrick and Carla Heath are moving to the Dallas area to be near family. Mayor Handren declared April 28, 2020 as Carla Heath Day.

6. [2020-284](#) **CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2020-11; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A. (As described below)**

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE A ONE-TIME READING OF ORDINANCE NO. 2020-11; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A. (AS DESCRIBED BELOW). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

7. [2020-295](#) **DISCUSSION OF ANY MATTERS RELATED TO COVID-19 STATE OF DISASTER AND PUBLIC HEALTH EMERGENCY AND CONSIDER ORDINANCE NO. 2020-11; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS CONTINUING DECLARATION OF STATE OF LOCAL DISASTER AND PUBLIC HEALTH EMERGENCY; ADOPTING THE PREVIOUS DECLARATIONS AND PROCLAMATIONS OF MAYOR HANDREN; PROVIDING PROMPT AND GENERAL PUBLICITY; GRANTING THE MAYOR THE POWER AND AUTHORITY TO REVIEW, ADOPT, RATIFY, AND EXECUTE SUBSEQUENT EMERGENCY ORDERS ON BEHALF OF THE CITY COUNCIL; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Handren called on Mr. Ron Bowman to discuss the re-opening of City Hall and other city facilities. Mayor Handren discussed the recent Governor's orders. Discussion ensued regard the Animal Shelter, signs at the Skate Park, COVID-19 testing locations, and antibody testing.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE ORDINANCE NO. 2020-11; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS CONTINUING DECLARATION OF STATE OF LOCAL DISASTER AND EMERGENCY; AMENDING AND ADOPTING THE PREVIOUS PROCLAMATION OF MAYOR HANDREN; PROVIDING PROMPT AND GENERAL PUBLICITY; GRANTING THE MAYOR THE POWER AND AUTHORITY TO REVIEW, ADOPT, RATIFY, AND EXECUTE SUBSEQUENT EMERGENCY ORDERS ON BEHALF OF THE CITY COUNCIL; AND PROVIDING AN EFFECTIVE DATE TO BE CONSISTENT WITH THE GOVERNOR'S ORDERS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

8. [2020-288](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2020-12; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A (As described below)

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE A ONE-TIME READING OF ORDINANCE NO. 2020-12; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A (AS DESCRIBED BELOW). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

9. [2020-290](#) CONSIDER ORDINANCE NO. 2020-12; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS TEMPORARILY WAIVING THE PENALTIES AND INTEREST FOR DELINQUENT PAYMENT OF HOTEL OCCUPANCY TAXES UNDER SECTION 21-107(a) OF THE BOERNE CITY CODE OF ORDINANCES DUE TO THE COVID-19 PANDEMIC AND PROVIDING AN EFFECTIVE DATE.

Mayor Handren called on Ms. Sandy Mattick, Finance Director. Ms. Mattick discussed the proposed temporary waiver of late payment penalties for delinquent payments of hotel occupancy taxes for payments due in March, April, May and June as long as full payment of taxes is made within 90 days of

its original due date.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE ORDINANCE NO. 2020-12; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS TEMPORARILY WAIVING THE PENALTIES AND INTEREST FOR DELINQUENT PAYMENT OF HOTEL OCCUPANCY TAXES UNDER SECTION 21-107(A) OF THE BOERNE CITY CODE OF ORDINANCES DUE TO THE COVID-19 PANDEMIC AND PROVIDING AN EFFECTIVE DATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

10. [2020-294](#) CONSIDER THE UNTABLING OF ORDINANCE NO. 2020-08; AS DESCRIBED BELOW. (Tabled on March 10, 2020)

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE THE UNTABLING OF ORDINANCE NO. 2020-08; AS DESCRIBED BELOW. (TABLED ON MARCH 10, 2020). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

11. [2020-293](#) CONSIDER ON FIRST READING ORDINANCE NO. 2020-08; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64 CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, ARTICLE 5, SECTION 3 PERMITTED USES, TABLE 5-1, AUTHORIZING THE USE OF A RETIREMENT COMMUNITY IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED ON OLD SAN ANTONIO ROAD (KAD NO. 300529- SURVEY 183 J SMALL), A TOTAL OF 6.479 ACRES. (Hunt Propriety)

Mayor Handren called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley reminded the City Council Members of the March 10, 2020 City Council discussion regarding the proposed retirement community in a B-2, Highway Commercial District located on Old San Antonio

Road. Several concerns were voiced regarding the proposed retirement community being located in the SoBo area. There were also concerns regarding noise, fencing, LID, pavement, and the size of the structure.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER FOWLER, TO DENY ORDINANCE NO. 2020-08; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64 CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, ARTICLE 5, SECTION 3 PERMITTED USES, TABLE 5-1, AUTHORIZING THE USE OF A RETIREMENT COMMUNITY IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED ON OLD SAN ANTONIO ROAD (KAD NO. 300529- SURVEY 183 J SMALL), A TOTAL OF 6.479 ACRES. (HUNT PROPRIETY). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Fowler, and Council Member Macaluso

Nay: 1 - Council Member Scott

12. [2020-291](#) RECEIVE THE SECOND QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FISCAL YEAR 2020 AND PROVIDE AN UPDATE ON THE FINANCIAL STABILITY OF THE CITY AND POSSIBLE ACTION RELATED TO POTENTIAL BUSINESS RETENTION PROGRAMS.

Mayor Handren called on Ms. Sandy Mattick, Finance Director to discuss the second quarter financial and investment reports. Ms. Mattick stated that the numbers reflected in the report are updated to reflect our actual March revenues which were very close to budget and did not show negative impact of the economic shut down.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER MACALUSO, TO RECEIVE AND APPROVE THE SECOND QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FISCAL YEAR 2020. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

Deputy City Manager Jeff Thompson asked Kelly Skovbjerg, Library Director and

Mary Woods, Special Projects Manager to discuss the programs they have been researching to assist the citizens of Boerne as well as local businesses. Mr. Thompson stated there is \$200,000 in the Economic Development Fund as well as \$150,000 in Utility Funds available. \$45,000 of the \$150,000 has been designated to Hill Country Family Services, Hill Country Daily Bread, and the Rainbow Senior Center (\$15,000 each). Ms. Woods discussed the proposed Boerne Strong Stimulus Program. Discussion ensued regarding holding back \$45,000 in the event additional funds are needed. City Manager Ron Bowman stated that another fund could be designated for an additional \$45,000.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER MACALUSO TO MOVE FORWARD WITH A TASK FORCE CONTROLLED BY THE CITY USING \$200,000 FROM THE ECONOMIC DEVELOPMENT FUND AND \$105,000 FROM THE ELECTRIC FUND TO ASSIST BOERNE CITIZENS AND LOCAL BUSINESSES DURING THE COVID-19 PANDEMIC.

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

13. [2020-296](#) CONSIDER RESOLUTION NO. 2020-R28; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND THE RAINBOW SENIOR CENTER. (Kronkosky Place)

A MOTION WAS MADE BY COUNCIL MEMBER WOLOSIN, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE RESOLUTION NO. 2020-R28; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND THE RAINBOW SENIOR CENTER (KRONKOSKY PLACE) FOR A ONE TIME PAYMENT OF \$15,000 IN MAY, 2020. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

14. [2020-297](#) CONSIDER RESOLUTION NO. 2020-R29; A RESOLUTION

AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND HILL COUNTRY FAMILY SERVICES.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE RESOLUTION NO. 2020-R29; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND HILL COUNTRY FAMILY SERVICES FOR A ONE TIME PAYMENT OF \$15,000 IN MAY, 2020. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

15. [2020-298](#) CONSIDER RESOLUTION NO. 2020-R30; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND HILL COUNTRY DAILY BREAD MINISTRIES.

Mayor Handren called on Deputy City Manager Jeff Thompson. Mr. Thompson stated modifications to the Delegate Agency Agreement are needed: Page 1, removing the second Whereas because there is not an existing budget for the expenditure; Page 2 #3 the funds will be expended from the Electric Power Cost Reserves Fund not the General Fund; and on Page 3, adding section D.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE RESOLUTION NO. 2020-R30; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND HILL COUNTRY DAILY BREAD MINISTRIES FOR A ONE TIME PAYMENT OF \$15,000 IN MAY, 2020 WITH THE FOLLOWING MODIFICATIONS: PAGE 1, REMOVING THE SECOND WHEREAS BECAUSE THERE IS NOT AN EXISTING BUDGET FOR THE EXPENDITURE; PAGE 2 #3 THE FUNDS WILL BE EXPENDED FROM THE ELECTRIC POWER COST RESERVES FUND NOT THE GENERAL FUND; AND ON PAGE 3, ADDING SECTION D. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

16. [2020-301](#) CONSIDER RESOLUTION NO. 2020-R31; A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO MESSER FORT MCDONALD FOR LEGAL SERVICES TO DATE ON THE UDC PROJECT AND FOR UP TO \$20,000 IN ADDITIONAL FEES TO COMPLETE THE LEGAL REVIEW OF THE UDC.

Mayor Handren called on Ms. Barbara Quick, City Attorney to discuss expenditures of funds to Messer Fort McDonald for legal review of the UDC project. The current bill will exceed the City Manager's authority of \$15,000. Ms. Quick stated that she is aware of the project and will be able to assist in the future. The total expenditure expected is \$35,000. Discussion ensued regarding not spending more than the \$35,000 and that the City Council should be aware of any unpredicted costs in advance.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE RESOLUTION NO. 2020-R31; A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO MESSER FORT MCDONALD FOR LEGAL SERVICES TO DATE ON THE UDC PROJECT AND FOR UP TO \$20,000.00 IN ADDITIONAL FEES TO COMPLETE THE LEGAL REVIEW OF THE UDC NOT TO EXCEED A TOTAL OF \$35,000.00. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

17. [2020-285](#) UPDATE FROM THE BOERNE CONVENTION AND VISITORS BUREAU ON TOURISM AND UPDATED MARKETING PLAN FOR RE-OPEN BOERNE PROGRAM.

Mayor Handren called on Mr. Larry Woods, Convention and Visitors Bureau Director to provide an update on tourism and the market plan for re-open Boerne program. Mr. Woods stated he anticipates it will probably be nine months to get back to where they were before the pandemic. Discussion ensued regarding hotel cancellations and working with hoteliers on packages. Staff was requested to provide the City Council with occupancy rates for all the hotels.

18. [2020-289](#) DISCUSSION OF POTENTIAL HOME RULE CHARTER AMENDMENTS AND PROCESS PRIOR TO ELECTION.

Mayor Handren reminded the City Council on their previous discussion on potential Home Rule Charter amendments. He suggested that a committee be assigned to the project. A Charter amendment requires a public notice period, each change would be a separate ballot item and each item will have to be itemized on why the change. Mayor Handren has identified six to a dozen items to be addressed. It was the consensus of the City Council to move forward with the discussion.

19. COMMENTS FROM COUNCIL/STAFF – No discussion or action may take place.

City Manager Ron Bowman congratulated the City Council on their leadership, moving forward with a stimulus plan and delegate agreements. Staff has continued working on the UDC and Ms. Laura Talley, Planning and Community Development Director will send a summary to the City Council tomorrow. Staff has began the budget process.

Council Member Wolosin expressed his appreciation to Staff working efficiently to assist citizens during a vehicle accident.

Mayor Handren expressed appreciation to City Manager Ron Bowman and City Council for their leadership roles in the assistance with stimulus plan. He also expressed appreciation to Captain Steve Perez for doing an incredible job leading the City's COVID-19 Task Force and to Council Member Fowler for putting together a task force to establish a plan if there is a significant increase in positive COVID-19 cases.

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

Mayor Handren convened the City Council into Executive Session at 9:14 p.m. A five minute break will be taken before the Session begins.

20.A. [2020-292](#) SECTION 551.074 - PERSONNEL MATTERS TO DISCUSS AND CONSIDER THE FUTURE CITY MANAGER POSITION AND POTENTIAL CANDIDATES FOR THAT POSITION, QUALIFICATIONS, DUTIES AND RESPONSIBILITIES; TRANSITIONAL STEPS AND TIMELINE; PROCESS FOR RECRUITMENT IF NECESSARY.

No action was taken.

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

Mayor Handren reconvened the City Council into Open Session at 10:28 p.m.

No action was taken.

22. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE: CITY COUNCIL MAY, AS PERMITTED BY LAW, ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY MATTER LISTED ABOVE INCLUDING IF THEY MEET THE QUALIFICATIONS IN 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) OF CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. (If needed)

It was not necessary to reconvene into Executive Session.

23. ADJOURNMENT


Mayor Handren adjourned the City Council at 10:29 p.m.

APPROVED::


Mayor

ATTEST:

City Secretary

	<div data-bbox="1235 216 1476 457" style="border: 1px dashed purple; padding: 5px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Fowler <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div> <h2 style="text-align: center;">AGENDA ITEM SUMMARY</h2>
AGENDA DATE	<i>May 12, 2020</i>
DESCRIPTION	ADMINISTER OATHS OF OFFICE - COUNCIL MEMBERS DISTRICT 1 AND DISTRICT 5.
STAFF'S RECOMMENDED ACTION (be specific)	No action required.
CONTACT PERSON	Lori A. Carroll, City Secretary
SUMMARY	<p>At the February 25, 2020 City Council meeting, the City Council approved cancelling the election for District 1 and 5 since there was no opposition in the races.</p> <p>Because we did cancel the election for District 1 and 5, we are able to administer the Oaths of Office to District 1 Council Member Ty Wolosin and District 5 Council Member Joseph Macaluso declaring them duly elected.</p> <p>At the March 24, 2020 City Council meeting, the City Council approved postponing the General Election for District 3 until the next uniform election date of November 3, 2020 due to the COVID-19 Pandemic.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

This summary is not meant to be all inclusive. Supporting documentation is attached.

	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Fowler <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div>
AGENDA DATE	<i>May 12, 2020</i>
DESCRIPTION	CONSIDER ORDINANCE NO. 2020-13; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ENDING THE SUSPENSION OF DISCONNECTION OF UTILITIES FOR NON-PAYMENT; AND APPROVING AND LIMITING THE WAIVER OF LATE PENALTIES FOR DELINQUENT PAYMENT OF UTILITIES DUE TO THE COVID-19 PANDEMIC; REPEALING SECTION TWO OF ORDINANCE NO. 2020-11 TO THE EXTENT IT CONFLICTS HEREWITH; AND PROVIDING AN EFFECTIVE DATE.
STAFF'S RECOMMENDED ACTION (be specific)	Approve Ordinance No. 2020-13; Approve Or Deny Ordinance No. 2020-13; Ending The Suspension Of Disconnection Of Utilities For Non-Payment; And Approving And Limiting The Waiver Of Late Penalties For Delinquent Payment Of Utilities Due To The COVID-19 Pandemic; Repealing Section Two Of Ordinance No. 2020-11 To The Extent It Conflicts Herewith; And Providing An Effective Date.
CONTACT PERSON	Sandy Mattick, Finance Director; Jeff Thompson, Deputy City Manager & General Manager of Utilities
SUMMARY	<p>Staff has been contacting customers that have past due utility bills to let them know we understand that they may be having difficulty paying their utility bill at this time, but we will need to establish a repayment plan with them at some point. Many of the customers we are contacting are those that we routinely deal with during the collection process.</p> <p>We have reviewed the results of a survey done by TPPA and most cities are still in discussion on when to start re-engaging penalties and disconnections into their operations.</p> <p>Staff is proposing the continuation of the waiver of late penalties and suspension of disconnections for non-payment until July 1, 2020. Customers must have a repayment plan in place by June 30, 2020. Beginning with the June bills that become due in July 2020, customers will need to make their July payments on time and have a repayment plan in place for all outstanding balances to avoid late penalties and possible disconnection. Staff will propose a payment plan based on the outstanding balance but will have some flexibility to work with customers based on their individual situation. Our overall goal will be</p>

	<p>to have most customers up to date on their utility payments by the end of calendar year 2020.</p> <p>We will also begin letting customers know about this goal and potential repercussions to gain some emphasis on creating a payment plan and setting an end date. The lack of these today has moved payment of utility bills far down the list of priorities for all customers including those that can and should be making payments.</p>
COST	N/A
SOURCE OF FUNDS	N/A
ADDITIONAL INFORMATION	

ORDINANCE NO. 2020-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ENDING THE SUSPENSION OF DISCONNECTION OF UTILITIES FOR NON-PAYMENT; AND APPROVING AND LIMITING THE WAIVER OF LATE PENALTIES FOR DELINQUENT PAYMENT OF UTILITIES DUE TO THE COVID-19 PANDEMIC; REPEALING SECTION TWO OF ORDINANCE NO. 2020-11 TO THE EXTENT IT CONFLICTS HERewith; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on March 16, 2020, Tim Handren, Mayor of the City of Boerne declared a state of public health emergency for the City of Boerne related to the COVID-19 pandemic and directed utility personnel to suspend disconnection of utility services for non-payment during the state of emergency; and

WHEREAS, City Council has approved and extended the declaration of public health emergency and disaster, and

WHEREAS, on April 28, 2020, City Council passed Ordinance No. 2020-11, Section 2 of which extended the suspension of disconnection of utilities for non-payment for the duration of the COVID-19 disaster; and

WHEREAS, the Governor of the State of Texas has since issued orders for the gradual reopening of the economy and lifting of restrictions related to the COVID-19 pandemic; and

WHEREAS, City Council now finds that it is in the interest of the public health and welfare and the financial stability of the City to provide a plan for ending the suspension of disconnection of utilities and waiver of late penalties for delinquent payment;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

SECTION 1. City of Boerne utility services shall not be disconnected for the reason of the customer's non-payment of a utility bill due during the months of March, April, May, and June of 2020, provided that the customer has a payment plan in place with the City of Boerne on or before June 30, 2020, and timely makes payments under that plan. The previous orders suspending disconnection of utility services shall terminate and no longer be in effect for utility bills due on or after July 1, 2020.

SECTION 2. Late penalties that would otherwise accrue and be assessed due to the failure to timely remit payment for utility service from the City of Boerne are hereby waived for monthly payments that become due in March, April, May, or June, 2020. For utility bills due on or after July 1, 2020, the standard City of Boerne late fees and disconnection policy will apply.

SECTION 3. Nothing in this ordinance shall be construed as a waiver of the obligation of any person to pay for utility services provided in the City of Boerne.

SECTION 4. Section 2 of Ordinance No. 2020-11, passed on April 28, 2020, is repealed to the extent it is in conflict with this Ordinance. Any other ordinance in conflict herewith is hereby repealed to the extent of the conflict.

PASSED and APPROVED on this the ____ day of May, 2020.

APPROVED:


ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:

City Attorney

	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Fowler <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div>
AGENDA DATE	MAY 12, 2020
DESCRIPTION	DISCUSSION AND UPDATE OF THE BOERNE STRONG STIMULUS PROGRAM.
STAFF'S RECOMMENDED ACTION (be specific)	No action necessary.
CONTACT PERSON	Jeff Thompson, Deputy City Manager & General Manager of Utilities
SUMMARY	<p>The Boerne Strong Stimulus Program went live at 10:00 am Monday May 4th and in the first few hours over 30 applications were received. The next day saw over 20 more arrive and as of this writing on Friday morning, May 8th, 70 applications have been received (see attached chart). Those applications total requested funds amount to \$237,500 so it is highly likely with one week remaining to submit applications that the funding total of \$305,000 will be exceeded.</p> <p>The Task Force has met twice along with attendance by advisors Amy Story of the BKCEDC, Kim Blohm of the Greater Boerne Chamber of Commerce and Commissioner Richard Chapman. Today we will distribute a summary sheet to the Task Force of applicants to date and information submitted regarding impacts of COVID-19 on the businesses as submitted in response to the Program Grants Application. This will allow an opportunity for the members to begin the review process. Once application submissions end next Friday, the Task Force will have six days to complete their reviews and make recommendations in order to meet the deadline for the City Council packet.</p> <p>Our biggest challenge so far has been the number of applications that were submitted in an incomplete status (about 85%) which technically makes them ineligible. We have three staff members working closely to assist the applicants in curing the deficiencies. We have modified the application in an attempt to clarify certain aspects of the requested information such as changing reference to "AV Tax" to "Property Tax" for example.</p> <p>I will provide updated information to the City Council on Tuesday.</p>

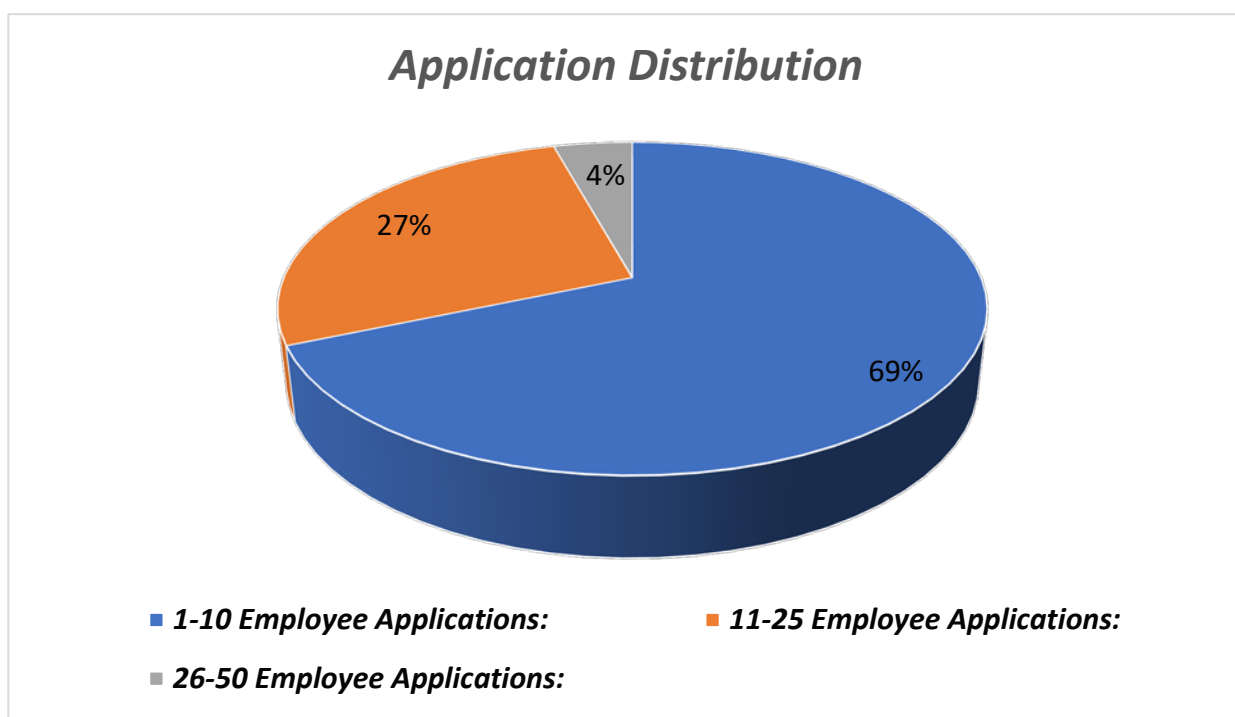
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	Chart, Program Outline & Application

This summary is not meant to be all inclusive. Supporting documentation is attached.

Updated Submission Statistics as of May 07, 2020

Overall Statistics:

Summary of Applications:	#	% of Total	Day 1 Total:	Day 2 Total:	Day 3 Total:	Day 4 Total:
1-10 Employee Applications:	48	69%	21	16	7	4
11-25 Employee Applications:	19	27%	9	5	2	3
26-50 Employee Applications:	3	4%	1	1	1	0
Total Applications:	70	100%	31	22	10	7



Applicant list by employment level:

Up to 10 Employees:

- | | | |
|--|---|---|
| 1) BW Baker Builder | 17) Two Trick Pony | 34) Lee's Massage |
| 2) Paramount Taekwondo Center | 18) Sew it Fabulous | 35) Mike's Vapor Shop |
| 3) Salvador Dobbs | 19) Boerne Paradise Tan | 36) Morrell Jewelry |
| 4) Cutie Patootie | 20) Chilitos Express LLC | 37) Pearl Salon and Boutique |
| 5) Trinity Eye Center | 21) Dang Sassy Boutiques LLC | 38) Valeria Ristorante Italiano |
| 6) Tootie Pie Co | 22) Connections Speech-Language Therapy | 39) Boerne Farmhouse |
| 7) Supercuts | 23) WhereToStay.com, Inc. | 40) Hearts Home Acoustics |
| 8) Nails by Tom | 24) La Vraie Beaute, LLC | 41) Medical Center West |
| 9) KBRN Boerne Radio | 25) Premier Dental Boerne | 42) Massage Matters |
| 10) Tres Bella Salon LLC | 26) 259 Brantley's Bistro | 43) The Hair Company |
| 11) Anytime Fitness | 27) Holcomb Pediatrics | 44) Hastings Chiropractic & Wellness Center |
| 12) CRU Vintage Rentals | 28) CellTeks | 45) Sealy BnB |
| 13) Pixie/La Te Da | 29) Hill Country Plumbing | 46) Gallery 195 of Boerne, LLC |
| 14) Liberty Tax/It Figures Bookkeeping | 30) Drink Texas Biergarten | 47) 259 Home Market |
| 15) Nature's Presence | 31) Boerne Family Dentistry | 48) Lemon Tree Cleaners |
| 16) Loaded Threads Ink & Stitch Co. | 32) Celeste | |
| | 33) Calamity Janes | |

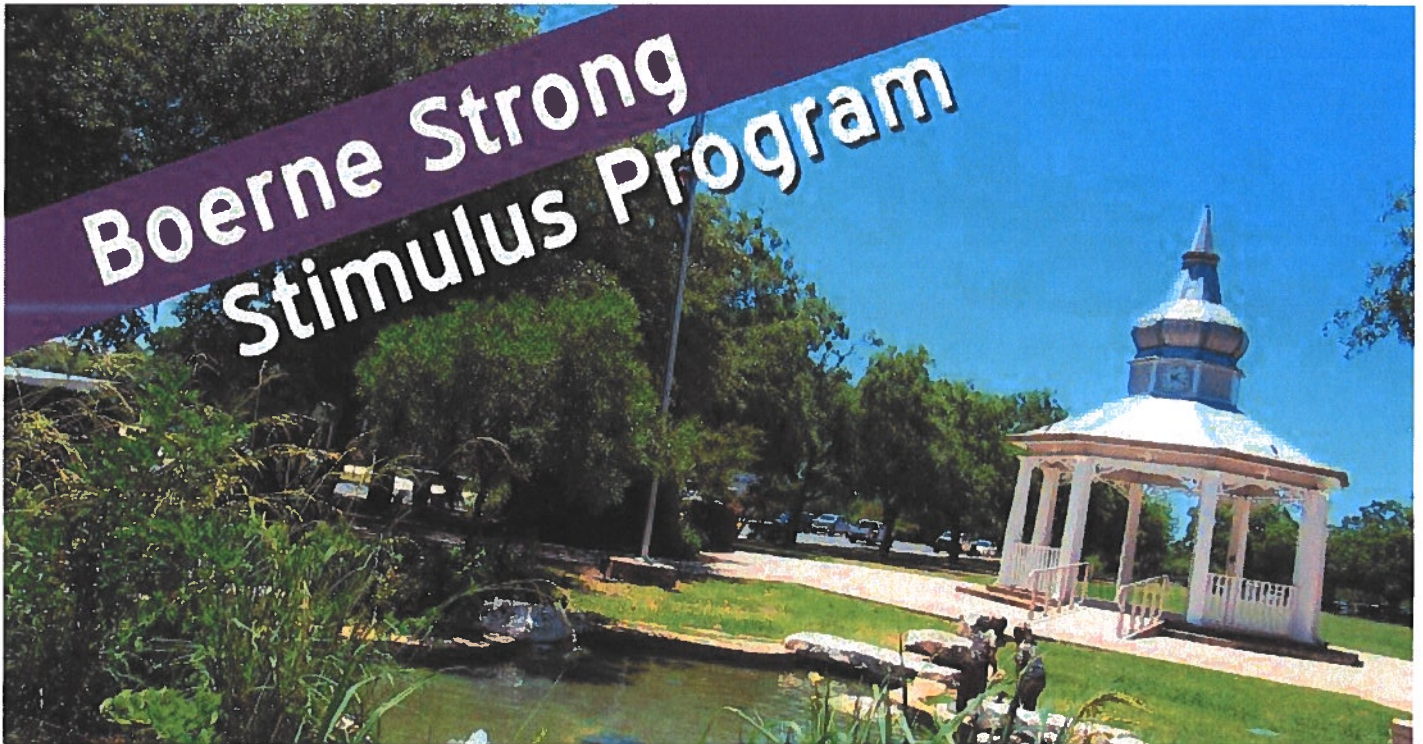
11-25 Employees:

- | | | |
|------------------------------|--------------------------------------|------------------------------------|
| 1) Fairfield Inn & Suites | 8) Ye Kendall Inn | 14) Lester's Automotive Care |
| 2) Cibolo Creek Brewing | 9) Jackson Analytics | 15) Lovorn & Ogle |
| 3) Little Gretel | 10) Simply Serene Salon and Spa, LLC | 16) Boerne Family Medicine |
| 4) Comfort Inn & Suites | 11) Coyote Power Sports | 17) Lil Explorers School of Boerne |
| 5) My Urgent Care Clinic | 12) China Bowl | 18) J. Groomed |
| 6) El Rio Mexican Restaurant | 13) Bear Moon Bakery Café | 19) Planet Kids Learning Center |
| 7) Maid in Texas | | |

26-50 Employees:

- 1) Carl's Cleaners Inc
- 2) Cypress Grill
- 3) The Dienger Trading Company

Boerne Strong Stimulus Program



Overview

The City of Boerne ("City") has developed the Boerne Strong Stimulus Program ("BSSP") to assist small businesses with 0-50 employees operating within Boerne city limits during the COVID-19 pandemic. The program provides limited financial assistance to businesses severely impacted as a result of the Orders implemented by the City and the State of Texas ("State") to reduce the spread and impact of COVID-19. The program is established for purposes of economic development, business retention, and employment per Chapter 380 of the Local Government Code.

The City is subject to the Freedom of Information Act; all documents submitted will be subject to the Freedom of Information Act.

Background

On April 28, 2020, the Boerne City Council approved the creation and funding of the BSSP and the creation of a Task Force to review all applications and to recommend grants from the program.

The Task Force includes representation from City Council, City Management, and the business community at large. The City Attorney will review applications for legal compliance only.

The BSSP will provide up to \$305,000 in grants to qualified applicants through the City. Further, the City is seeking additional funding from the private sector and community.

Timeline

Date(s)	Description
05/04/2020	BSSP Application activated
05/15/2020, 5 PM CST	Submission Deadline
05/16/2020 – 05/22/2020	Task Force Review and Selection
05/26/2020	City Council Awards Grants
05/27/2020 – 05/30/2020	Grant Recipients Notified Grant Recipients Complete Required Documentation City Processes Grant Payments

Application Information and Process

- The City and Task Force do not discriminate on the basis of race, color, religion, sex, age, national origin, veteran status, sexual orientation, gender identity, disability, or any other basis of discrimination prohibited by law.
- Applications may be submitted
 - The City will confirm receipt of each application.
 - On-line (preferred method)
 - Paper documents may be downloaded. Completed applications and required documents must be emailed to BSSP@boerne-tx.gov or deposited in the Utilities drop box outside City Hall's front door, Monday - Friday, 8:00 AM to 5:00 PM.
 - Click **Download Now** Button below for a printable application
- Applications submitted through other means will not be accepted.
- Applications submitted after the deadline will be disqualified and will not be reviewed.

Review Process

- Upon receipt, the application will be reviewed to determine completeness and eligibility.
 - If incomplete, the Applicant will be notified of missing or incomplete information or documentation. All information must be returned prior to the deadline, Fri, 05/15/2020, 5:00 PM.
- Qualified applications and supporting documentation will be reviewed by the Task Force.
- Based on review, the Task Force will make recommendations for approval by the City Council and, if approved, the City will notify successful grant recipients.

Grant Process

- Grant recipients will be required to sign the **Boerne Strong Stimulus Program ("BSSP") Agreement** ("Agreement") and must have the authority to bind the grant recipient to the obligations set forth in the Agreement.
- Each grant recipient must agree that all monies received from the BSSP will be used on eligible expenses as outlined in the BSSP and the Ordinance.
- The City, at its sole discretion, reserves the right to audit the expenditure of funds to verify appropriate uses per the program requirements.
- Once notified of grant approval, the grant recipient must complete the following prior to payment of the grant funds.
 - Sign Boerne Strong Stimulus Program ("BSSP") Agreement provided by the City.
 - Submit signed W-9

Eligibility and Qualifications

ELIGIBLE BUSINESS TYPES

Eligible business types include but are not limited to, retail (storefront), food and beverage, personal care (barbershop, nail salons, spas, etc.), automobile maintenance, education/training, health/wellness, art galleries, gyms, and small manufacturing businesses.

INELIGIBLE BUSINESS TYPES

Financial institutions, RV parks, apartment complexes, home-based businesses, permanently closed businesses, and non-profit organizations.

MAXIMUM GRANT

The maximum grant available is based on the number of employees you employ within Boerne city limits.

- Level 1: Applicants employing 0-10 Employees are eligible for grants up to a maximum of \$2,500
- Level 2: Applicants employing 11-25 Employees are eligible for grants up to a maximum of \$5,000
- Level 3: Applicants employing 26-50 Employees are eligible for grants up to a maximum of \$7,500

QUALIFICATIONS

Applicants must meet the following requirements:

- Physical and publicly accessible location within Boerne city limits (no home-based businesses).
- Must own a business that operates in a brick and mortar commercial business location within the Boerne city limits;
- Must lease or own the building where business is located. *NOTE: Individuals who rent space or otherwise operate within the location do not qualify for this program or as "employees" with regard to grant level eligibility.*
- Businesses may employ 0-50 employees within Boerne city limits
- Must have been in business within Boerne city limits for at least two years as of March 1, 2020. If the business is operating under the same name as a previous business, but the ownership has changed in the two years preceding March 1, 2020, the business does not qualify for a grant.

- Experienced a decline in revenue and/or employees after March 1, 2020.
- Must have been in good standing with the City regarding licensing and permits, utility payments, sales tax, ad valorem tax (real estate property tax and/or personal property tax), and Hotel Occupancy Tax, if applicable as of March 1, 2020. NOTE: If a business has a current payment arrangement in place with the City for past due balances, they are considered to be in good standing.
- If a business has become delinquent after March 1, 2020, and is approved for a grant, the business must enter into a payment arrangement with the City in order to receive the grant.
- Engaged in activities that are legal under City, State, and Federal law.
- Must provide certification of account status with the State of Texas, if applicable.

ELIGIBLE EXPENSES

- Grant monies must be used for expenses for a business within Boerne city limits. A business with multiple locations can use monies only for qualified Boerne locations.
- Eligible expenses are limited under the BSSP program to the following. If an expense is not listed, it is not eligible.
 - Rent/Mortgage
 - Employee support (salaries, insurance, paid leave, etc.)
 - Utilities (electricity, phone/internet, etc.)
 - Purchase of supplies or technology to offer alternative business access (on-line shopping/ordering, curbside pickup, delivery, shipping)
 - Purchase of COVID-19 supplies for business/customer protection/cleaning
 - Supplies for critical business operations (raw materials, food for restaurants, etc.)

Application Checklist

Please review this checklist to ensure that all required documents, if applicable, are included in your submission. Incomplete applications will not be reviewed by the City.

- Application (See link below)
- Copy of Form 941 for two quarters ending 12/31/2019 and 03/31/2020
- Evidence of application for assistance through the CARES Act, SBA, or other public or private resources. NOTE: Applicants who have sought or received assistance through the CARES Act, SBA, or other public or private resources qualify for BSSP grant consideration.
- Evidence that business is in good standing with City of Boerne as of 03/01/2020 regarding
 - Sales Tax
 - Ad Valorem Tax (Real Estate Property Tax and/or Personal Property Tax)
 - Hotel Occupancy Tax
 - Commercial Utility Service Payments

Get Started

Before submitting the application online or a printed copy, you will be required to certify that you have read the **Boerne Strong Stimulus Program ("BSSP") Agreement** and must have the authority to bind the grant recipient to the obligations set forth in the Agreement. This Agreement is for review only; do not submit it with your application. If approved for a grant, the City of Boerne will provide the required Agreement to the grant recipient.

Please note that THIS APPLICATION CANNOT BE SAVED AND MUST BE FULLY COMPLETED BEFORE SUBMISSION and requires support documentation to be uploaded. You will need all of the items in the checklist above for the application to be considered complete and to be able to select submit at the end.



Boerne Strong Stimulus Program

Small Business Grants Application

Applicant Information

* Required Field

Legal Business Name (As it appears on your income tax return)*: _____

DBA*: _____ EIN/TIN*: _____

Business Type*: ☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☐ Other (Specify below) _____

Owner/Partners/President (list all)*: _____

Business Street Address*: _____

Business Mailing Address (if different): _____

Contact Email*: _____ Phone*: _____

Years operating within Boerne city limits under current ownership*: _____

Number of business locations within Boerne city limits*: _____

Business Category*: ☐ Retail ☐ Food & Beverage ☐ Hotel/Motel ☐ Manufacturing

☐ Personal Services (Salons, Parlors, Studios, Gyms)

☐ Other (Specify) _____

Are you a Boerne Utility Service Commercial customer?* ☐ Yes ☐ No

Do you have Business Disaster/Interruption Insurance?* ☐ Yes ☐ No

Which grant level does your business qualify for based on number of employees employed within Boerne city limits?*

☐ Level 1: Applicants employing 0-10 Employees are eligible for grants up to a maximum of \$2,500

☐ Level 2: Applicants employing 11-25 Employees are eligible for grants up to a maximum of \$5,000

☐ Level 3: Applicants employing 26-50 Employees are eligible for grants up to a maximum of \$7,500

Grant amount requested*: \$ _____

Business Impacts

Employees

Provide employee detail in table. NOTE: A sole proprietor may not count himself/herself as an employee for this purpose.

Have you furloughed or laid-off employees due to COVID-19? * ☐ Yes ☐ No

Have you had to reduce weekly employee hours as due to COVID-19?* Yes No

Employees within Boerne City Limits		
	Full Time Employees*	Part Time Employees*
How many did you have on 02/01/2020?*		
How many did you have on 04/01/2020?*		
How many do you have as of application date?*		
How many do you anticipate in 30 days from application date?*		
Provide a copy of Form 941 for the last two quarters if you have employees.		

Business Revenue Current and anticipated percentage revenue decline related to COVID-19 impacts.

Show gross revenue for quarters ending 12/31/2019 and 03/31/2020:

- QE 12/31/2019 \$_____
- QE 03/31/2020 \$_____

Have you experienced a decline in revenue since 03/01/2020?* ☐ Yes ☐ No

If yes, what is the percentage of the decline?* ☐ < 5% ☐ 6-10% ☐ 11-25% ☐ >26-50% ☐ >50%

In the next 30 days, do you expect revenue to increase or decline?* ☐ Increase ☐ Decline

Amount of increase or decline:* ☐ < 5% ☐ 6-10% ☐ 11-25% ☐ >26-50% ☐ >50%

Overall Business Impact*

Select 1*

- ☐ I have had to permanently close my business.
- ☐ I have had to temporarily close my business due to being deemed “non-essential” by declaration of the Mayor.
- ☐ I had to temporarily close my business to change my business model to comply with new declarations/guidelines but was able to re-open under a modified business model.
- ☐ Business operations have continued with no closure.
- ☐ Other. Please explain. _____

Business Operation Impact*

Select 1*

- ☐ My operations have been suspended/stopped due to “non-essential” declaration or supply line issues.
- ☐ Business had to adjust business hours/operations to meet declarations/guidelines.
- ☐ No change to business operation as a result of declarations/guidelines.
- ☐ Other. Provide description. _____

Grants, Loans, or Other Assistance

Have you sought financial assistance for your business through the CARES ACT, SBA Loans or other public or private source relative to COVID-19?* ☐ Yes ☐ No

If Yes, describe type of assistance and amount requested. Include evidence of the request with this application. _____

Were you approved? ☐ Yes ☐ No

If yes, what amount was approved? \$_____ Have you received the funding? ☐ Yes ☐ No

If no, why was your request denied? _____

If you have not applied for financial assistance, why have you not applied? Be specific.

BSSP Grant Usage

Indicate below how you will utilize the grant if approved. Select all that apply.*

- ☐ Rent/Mortgage
- ☐ Employee support (salaries, insurance, paid leave, etc.)
- ☐ Utilities (electricity, phone/internet, etc.)
- ☐ Purchase of supplies or technology to offer alternative business access (on-line shopping/ordering, curbside pickup, delivery, shipping)
- ☐ Purchase of COVID-19 supplies for business/customer protection/cleaning
- ☐ Supplies for critical business operations (raw materials, food for restaurants, etc.)

Additional Information

Provide any additional information that will assist the Task Force in a decision regarding your application. Be specific about the benefits to your business if a grant is approved.

I certify that:

Check all and sign.*

- ☐ I understand that the City is subject to the Freedom of Information Act ("FOIA") and that all materials submitted will be subject to FOIA.
- ☐ I am eligible to apply for the program and meet all criteria as outlined.
- ☐ I understand the City will not accept and/or evaluate incomplete applications and that if additional supporting documentation is requested, I must submit within timeframe required or my application may be disqualified.
- ☐ All the information provided is true and accurate to the best of my knowledge and that financial information has not been manipulated to exaggerate the financial duress to my business.
- ☐ I have read the Boerne Strong Stimulus Program ("BSSP") Agreement and have the authority to bind the grant recipient to the obligations set forth in the Agreement, if chosen for a grant
- ☐ My business is located in the incorporated city limits of Boerne
- ☐ I understand that my business is not entitled to a grant.
- ☐ **I understand that the Task Force has full discretion to make decisions for this program, that their decisions are final and that there is no appeals process.**

Applicant Signature

Date

Application Checklist & Support Documents

Please review this checklist to ensure that all required documents, if applicable, are included in your submission. Incomplete applications will not be reviewed by the City.

- ☐ Completed Application
- ☐ Evidence that business is in good standing with City as of 03/01/2020 regarding
 - ☐ Sales Tax

Are you required to pay Sales Tax?* ☐ Y ☐ N

If Yes, you are required to attach evidence of tax payments for the two most recent periods (monthly or quarterly) prior to 03/01/2020

- ☐ Ad Valorem Tax (Real Estate Property Tax and/or Personal Property Tax)

Are you required to pay Real Estate Property or Personal Property Tax?* ☐ Y ☐ N

If Yes, you are required to attach evidence of tax payment for the 2019 tax year for either or both, as appropriate

- ☐ Hotel Occupancy Tax

Are you required to pay Hotel Occupancy Tax?* ☐ Y ☐ N


If Yes, you are required to attach evidence of tax payments for the two most recent periods (monthly or quarterly) prior to 03/01/2020

- ☐ Utility Service

Are you a Boerne Utility Service Commercial Customer?* ☐ Y ☐ N

If Yes, you are required to attach evidence of current amount due or current payment arrangement with City

- ☐ Copy of Form 941 for two quarters ending 12/31/2019 and 03/31/2020
- ☐ Evidence of application for assistance through the CARES Act, SBA, or other public or private resources

	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Fowler <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div>
AGENDA DATE	<i>May 12, 2020</i>
DESCRIPTION	CONSIDER ORDINANCE NO. 2020-14; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, ESTABLISHING THE BOERNE STRONG STIMULUS PROGRAM UNDER CHAPTER 380 OF THE LOCAL GOVERNMENT CODE; MAKING FINDINGS RELATED TO THE ECONOMIC DEVELOPMENT PURPOSE OF THE PROGRAM; AND AUTHORIZING THE CITY MANAGER TO ADMINISTER THE PROGRAM.
STAFF'S RECOMMENDED ACTION (be specific)	Approve Ordinance No. 2020-14; Establishing The Boerne Strong Stimulus Program Under Chapter 380 Of The Local Government Code; Making Findings Related To The Economic Development Purpose Of The Program; And Authorizing The City Manager To Administer The Program.
CONTACT PERSON	Jeff Thompson, Deputy City Manager & General Manager of Utilities; Barbara Quirk, City Attorney
SUMMARY	<p>During the presentation on the Boerne Strong Stimulus Program (BSSP) at the last City Council meeting, it was mentioned that further review by the City Attorney would be forthcoming regarding creation and implementation of the Program. Barbara has determined that the Program does need to be created under Chapter 380 of the Local Government Code, and this ordinance will accomplish what is needed for creation and implementation.</p> <p>As you are aware, the Program was launched to begin accepting applications on Monday, May 4, 2020 and continues as planned with a deadline for submissions of Friday May 15 at 5:00 CST. Creation under Chapter 380 allows for the ability for the city to distribute the \$305,000 that is earmarked from the Economic Development and Utility Reserve Funds for community outreach to small businesses. The Chapter 380 Program will provide the authority for the city, based on recommendations and advice from the Task Force, to grant public funds for the purposes of economic development including business and employee retention and preservation of sales, ad-valorem and hotel/motel taxes as well as utility revenues.</p> <p>Chapter 380 of the Local Government Code provides: PROGRAMS. (a) The governing body of a municipality may establish and provide for the administration of one or more programs, including programs for making loans and grants of public money and providing personnel and services of the municipality, to promote state</p>

	or local economic development and to stimulate business and commercial activity in the municipality.
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	Ordinance

This summary is not meant to be all inclusive. Supporting documentation is attached.

ORDINANCE NO. 2020-14

AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, ESTABLISHING THE BOERNE STRONG STIMULUS PROGRAM UNDER CHAPTER 380 OF THE LOCAL GOVERNMENT CODE; MAKING FINDINGS RELATED TO THE ECONOMIC DEVELOPMENT PURPOSE OF THE PROGRAM; AND AUTHORIZING THE CITY MANAGER TO ADMINISTER THE PROGRAM

WHEREAS, in December 2019, a novel coronavirus, now designated COVID-19, was detected in Wuhan, China and is contagious and spreads through person-to-person contact, especially in group settings; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") recommends an "All of Community" approach focused on slowing the transmission of COVID-19 through social distancing to reduce illness and death, while minimizing social and economic impacts; and

WHEREAS, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

WHEREAS, on March 16, 2020, the Mayor of the City of Boerne, Texas, first declared a local state of disaster within the City of Boerne; and

WHEREAS, the COVID-19 pandemic has caused closures of and limitations on local businesses, which has had a tremendous economic impact on these businesses and the community; and

WHEREAS, on April 28, 2020, City Council unanimously voted to form a Task Force to assist Boerne citizens and local businesses during the COVID-19 Pandemic; and

WHEREAS, Chapter 380 of the Texas Local Government Code allows municipalities to establish economic development programs for the administration of loans or grants of public money to promote local businesses and stimulate commercial activity in the municipality; and

WHEREAS, the City Council of the City of Boerne, Texas recognizes the economic strain the COVID-19 pandemic is causing its local businesses, and desires to establish a stimulus program to provide limited financial assistance to business located within the city limits;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

SECTION 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2: FINDINGS

The City Council finds:

- (1) Chapter 380 of the Texas Local Government Code authorizes the City to establish local economic development programs.
- (2) Providing small businesses in the City of Boerne with stimulus funds during the COVID-19 pandemic will assist small businesses with job retention, business retention and business development.
- (3) Not providing small business in the City of Boerne, Texas with emergency stimulus relief, assistance to establish an on-line presence could result in permanent closures of small businesses when emergency orders are lifted and a dwindling of employment opportunities within the City of Boerne, Texas for its citizens.

SECTION 3. ECONOMIC DEVELOPMENT PROGRAM

An economic development program for projects related to business development in certain small municipalities is created under Section 380 of the Texas Local Government Code. The Program will be entitled the “Boerne Strong Stimulus Program” (the “Program”). The Program provides grants to eligible and qualifying small businesses located within the city limits, based on the availability of funds over the next one hundred twenty (120) days for the purposes of paying rent and expenses to keep the business operating and to retain and pay employees.

SECTION 4. BOERNE STRONG STIMULUS PROGRAM: This program will assist small businesses within the City of Boerne during the COVID-19 pandemic by providing limited financial assistance to businesses severely impacted as a result of the stay at home, work safe orders implemented by Governor Abbott, Kendall County and the City of Boerne. The Application for the Boerne Strong Stimulus Program and any grant thereunder is attached as Exhibit 1. The Application provides the qualifications and eligibility requirements for each grant created under the Boerne Strong Stimulus Program. The criteria include that the business: contributes to and is in good standing with the City with regard to sales tax, ad valorem tax, hotel-motel tax and/or utility payments; is located within the Boerne City limits and has been in operation (with same ownership) for 2 or more years; has suffered a significant impact from COVID-19 on business operations and revenue, and/or ability to retain and pay employees; and has not received other grants or assistance sufficient to cover its losses due to COVID-19.

- A. **BOERNE STRONG STIMULUS GRANT** will assist small businesses within the City of Boerne during the COVID-19 pandemic pay for business and payroll expenses during the state of disaster.

SECTION 5. DISTRIBUTION OF GRANTS

- (1) The Task Force shall review applications for the Boerne Strong Stimulus Grant submitted for completeness and eligibility. The Task Force, the City Manager, and/or the City Manager's designee will advise City Council on recommendations for the distribution of grant funds.
- (2) All allocations shall be based on funds availability over the next one hundred twenty (120) days.

SECTION 6. CITY MANAGER AUTHORITY

The City Manager of the City of Boerne, Texas is directed to implement guidelines for the Boerne Strong Stimulus Program and to administer the Program.

SECTION 7: EFFECTIVE DATE

This Ordinance shall take effect immediately after its first and final reading establishing the Boerne Strong Stimulus Program and any publication in accordance with the requirements of the City of Boerne and the laws of the State of Texas.

PASSED and APPROVED on this the ____ day of May, 2020.

APPROVED:

ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:

City Attorney

Boerne Strong Stimulus Program

Small Business Grants Application

Applicant Information

* Required Field

Legal Business Name (As it appears on your income tax return)*: _____

DBA*: _____ EIN/TIN*: _____

Business Type*: ☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☐ Other (Specify below) _____

Owner/Partners/President (list all)*: _____

Business Street Address*: _____

Business Mailing Address (if different): _____

Contact Email*: _____ Phone*: _____

Years operating within Boerne city limits under current ownership*: _____

Number of business locations within Boerne city limits*: _____

Business Category*: ☐ Retail ☐ Food & Beverage ☐ Hotel/Motel ☐ Manufacturing

☐ Personal Services (Salons, Parlors, Studios, Gyms)

☐ Other (Specify) _____

Are you a Boerne Utility Service Commercial customer?* ☐ Yes ☐ No

Do you have Business Disaster/Interruption Insurance?* ☐ Yes ☐ No

Which grant level does your business qualify for based on number of employees employed within Boerne city limits?*

☐ Level 1: Applicants employing 0-10 Employees are eligible for grants up to a maximum of \$2,500

☐ Level 2: Applicants employing 11-25 Employees are eligible for grants up to a maximum of \$5,000

☐ Level 3: Applicants employing 26-50 Employees are eligible for grants up to a maximum of \$7,500

Grant amount requested*: \$ _____

Business Impacts

Employees

Provide employee detail in table. NOTE: A sole proprietor may not count himself/herself as an employee for this purpose.

Have you furloughed or laid-off employees due to COVID-19? * ☐ Yes ☐ No

Have you had to reduce weekly employee hours as due to COVID-19?* Yes No

Employees within Boerne City Limits		
	Full Time Employees*	Part Time Employees*
How many did you have on 02/01/2020?*		
How many did you have on 04/01/2020?*		
How many do you have as of application date?*		
How many do you anticipate in 30 days from application date?*		
Provide a copy of Form 941 for the last two quarters if you have employees.		

Business Revenue Current and anticipated percentage revenue decline related to COVID-19 impacts.

Show gross revenue for quarters ending 12/31/2019 and 03/31/2020:

- QE 12/31/2019 \$_____
- QE 03/31/2020 \$_____

Have you experienced a decline in revenue since 03/01/2020?* ☐ Yes ☐ No

If yes, what is the percentage of the decline?* ☐ < 5% ☐ 6-10% ☐ 11-25% ☐ >26-50% ☐ >50%

In the next 30 days, do you expect revenue to increase or decline?* ☐ Increase ☐ Decline

Amount of increase or decline:* ☐ < 5% ☐ 6-10% ☐ 11-25% ☐ >26-50% ☐ >50%

Overall Business Impact*

Select 1*

- ☐ I have had to permanently close my business.
- ☐ I have had to temporarily close my business due to being deemed “non-essential” by declaration of the Mayor.
- ☐ I had to temporarily close my business to change my business model to comply with new declarations/guidelines but was able to re-open under a modified business model.
- ☐ Business operations have continued with no closure.
- ☐ Other. Please explain. _____

Business Operation Impact*

Select 1*

- ☐ My operations have been suspended/stopped due to “non-essential” declaration or supply line issues.
- ☐ Business had to adjust business hours/operations to meet declarations/guidelines.
- ☐ No change to business operation as a result of declarations/guidelines.
- ☐ Other. Provide description. _____

Grants, Loans, or Other Assistance

Have you sought financial assistance for your business through the CARES ACT, SBA Loans or other public or private source relative to COVID-19?* ☐ Yes ☐ No

If Yes, describe type of assistance and amount requested. Include evidence of the request with this application. _____

Were you approved? ☐ Yes ☐ No

If yes, what amount was approved? \$_____ Have you received the funding? ☐ Yes ☐ No

If no, why was your request denied? _____

If you have not applied for financial assistance, why have you not applied? Be specific.

BSSP Grant Usage

Indicate below how you will utilize the grant if approved. Select all that apply.*

- ☐ Rent/Mortgage
- ☐ Employee support (salaries, insurance, paid leave, etc.)
- ☐ Utilities (electricity, phone/internet, etc.)
- ☐ Purchase of supplies or technology to offer alternative business access (on-line shopping/ordering, curbside pickup, delivery, shipping)
- ☐ Purchase of COVID-19 supplies for business/customer protection/cleaning
- ☐ Supplies for critical business operations (raw materials, food for restaurants, etc.)

Additional Information

Provide any additional information that will assist the Task Force in a decision regarding your application. Be specific about the benefits to your business if a grant is approved.

I certify that:

Check all and sign.*

- ☐ I understand that the City is subject to the Freedom of Information Act ("FOIA") and that all materials submitted will be subject to FOIA.
- ☐ I am eligible to apply for the program and meet all criteria as outlined.
- ☐ I understand the City will not accept and/or evaluate incomplete applications and that if additional supporting documentation is requested, I must submit within timeframe required or my application may be disqualified.
- ☐ All the information provided is true and accurate to the best of my knowledge and that financial information has not been manipulated to exaggerate the financial duress to my business.
- ☐ I have read the Boerne Strong Stimulus Program ("BSSP") Agreement and have the authority to bind the grant recipient to the obligations set forth in the Agreement, if chosen for a grant
- ☐ My business is located in the incorporated city limits of Boerne
- ☐ I understand that my business is not entitled to a grant.
- ☐ **I understand that the Task Force has full discretion to make decisions for this program, that their decisions are final and that there is no appeals process.**

Applicant Signature

Date

Application Checklist & Support Documents

Please review this checklist to ensure that all required documents, if applicable, are included in your submission. Incomplete applications will not be reviewed by the City.

- ☐ Completed Application
- ☐ Evidence that business is in good standing with City as of 03/01/2020 regarding
 - ☐ Sales Tax

Are you required to pay Sales Tax?* ☐ Y ☐ N

If Yes, you are required to attach evidence of tax payments for the two most recent periods (monthly or quarterly) prior to 03/01/2020

- ☐ Ad Valorem Tax (Real Estate Property Tax and/or Personal Property Tax)

Are you required to pay Real Estate Property or Personal Property Tax?* ☐ Y ☐ N

If Yes, you are required to attach evidence of tax payment for the 2019 tax year for either or both, as appropriate

- ☐ Hotel Occupancy Tax

Are you required to pay Hotel Occupancy Tax?* ☐ Y ☐ N


If Yes, you are required to attach evidence of tax payments for the two most recent periods (monthly or quarterly) prior to 03/01/2020

- ☐ Utility Service

Are you a Boerne Utility Service Commercial Customer?* ☐ Y ☐ N

If Yes, you are required to attach evidence of current amount due or current payment arrangement with City

- ☐ Copy of Form 941 for two quarters ending 12/31/2019 and 03/31/2020
- ☐ Evidence of application for assistance through the CARES Act, SBA, or other public or private resources

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AGENDA DATE	MAY 12, 2020
DESCRIPTION	CONSIDER RESOLUTION NO. 2020-R ; A RESOLUTION OF THE CITY OF BOERNE, TEXAS ESTABLISHING AND AUTHORIZING AN ADVISORY TASK FORCE FOR THE BOERNE STRONG STIMULUS PROGRAM UNDER CHAPTER 380 OF THE LOCAL GOVERNMENT CODE.
STAFF'S RECOMMENDED ACTION (be specific)	APPROVE RESOLUTION NO. 2020-R ; A RESOLUTION OF THE CITY OF BOERNE, TEXAS ESTABLISHING AND AUTHORIZING AN ADVISORY TASK FORCE FOR THE BOERNE STRONG STIMULUS PROGRAM UNDER CHAPTER 380 OF THE LOCAL GOVERNMENT CODE.
CONTACT PERSON	RONALD BOWMAN, CITY MANAGER; JEFF THOMPSON, DEPUTY CITY MANAGER & GENERAL MANAGER OF UTILITIES
SUMMARY	As a result of the Boerne Strong Stimulus Program a Task Force was outlined by the Council at the City Council meeting on April 28, 2020. This Resolution will officially establish the group under the Chapter 380 program. The Task Force will review and advise on all administratively complete applications received by the City and make recommendations to City Council related to the grants in accordance with criteria established by City Council in the Ordinance establishing the Program. This Task Force consists of the City Manager, the Deputy City Manager & General Manager of Utilities, the Finance Director/CFO, two City Council members and two members of the business community.
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	RESOLUTION

This summary is not meant to be all inclusive. Supporting documentation is attached.

RESOLUTION NO. 2020-R32

A RESOLUTION OF THE CITY OF BOERNE, TEXAS ESTABLISHING AND AUTHORIZING AN ADVISORY TASK FORCE FOR THE BOERNE STRONG STIMULUS PROGRAM UNDER CHAPTER 380 OF THE LOCAL GOVERNMENT CODE

WHEREAS, in December 2019, a novel coronavirus, now designated COVID-19, was detected in Wuhan, China and is contagious and spreads through person-to-person contact, especially in group settings; and

WHEREAS, the Centers on Disease Control and Prevention ("CDC") recommends an "All of Community" approach focused on slowing the transmission of COVID-19 through social distancing to reduce illness and death, while minimizing social and economic impacts; and

WHEREAS, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

WHEREAS, on March 16, 2020, the Mayor of the City of Boerne, Texas, first declared a local state of disaster within the City of Boerne; and

WHEREAS, the COVID-19 pandemic has caused closures of and limitations on local businesses, which has had a tremendous economic impact on these businesses and the community; and

WHEREAS, on April 28, 2020, City Council unanimously voted to form a Task Force to assist Boerne citizens and local businesses during the COVID-19 Pandemic; and

WHEREAS, Chapter 380 of the Texas Local Government Code allows municipalities to establish economic development programs for the administration of programs making loans or grants of public money to promote local businesses and stimulate commercial activity in the municipality; and

WHEREAS, on May 12, 2020, City Council approved Ordinance No. 2020-14; establishing the Boerne Strong Stimulus Program under Chapter 380 of the Local Government Code; and

WHEREAS, City Council now finds it will serve the economic development purposes of this Program to establish a task force to advise the City on the allocation of the stimulus funds;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

1. The Task Force for the Boerne Strong Stimulus Program is established to review and advise City Council on all administratively complete applications received by the City and to make recommendations related to the grant of funds under the Program.
2. The Task Force consists of the City Manager, the Deputy City Manager & General Manager of Utilities, the Finance Director/CFO, two City Council Members and two members of the business community.

3. The purpose of the Task Force is to advise City Council regarding the provision of stimulus funds to small businesses in the City of Boerne during the COVID-19 pandemic in order to assist with job retention, business retention and business development.


PASSED and APPROVED on this the ____ day of May, 2020.

APPROVED:

Mayor

ATTEST:

City Secretary

	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Fowler <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div>
AGENDA DATE	May 12, 2020
DESCRIPTION	RECEIVE BIDS AND AWARD CONTRACT FOR THE SCHOOL LIFT STATION AND CONSIDER RESOLUTION NO. 2020-R33; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND _____ FOR THE SCHOOL LIFT STATION EXPANSION PROJECT. (<i>Cascade Caverns Road</i>)
STAFF'S RECOMMENDED ACTION (be specific)	Receive the bids and approve Resolution No. 2020-R33; awarding the project to Shannon-Monk, Inc. for the School Lift Station Expansion Project in an amount not to exceed \$879,000.00.
CONTACT PERSON	Michael Mann – Utilities Director
SUMMARY	<p>The City issued debt for wastewater construction improvements in 2010. When the projects that were included in that program were funded, some money remained to be spent. That funding has been awaiting allocation for almost 10 years, which created an accounting concern. In late 2018, a finalized project list was developed to utilize the remaining funds. One of those projects was Expansion of the School Lift Station Wet Well. This project is part of a larger improvement to provide permanent service to a large basin in the southwest portion of the City's service territory. The proposed scope of the work was selected specifically to ensure spending of the remaining bond funds.</p> <p>Council approved the contract for professional service with HDR Engineering, Inc. to facilitate the bidding in August of 2018. The design was initiated but was put on hold for various reasons including contemplation of service (through that station) for WCID #3. Once the pertinent factors were finalized, we completed the design and went out to bid.</p> <p>In the interim, however, it was decided to use the remaining bond funds for debt service in order to adhere to appropriate accounting requirements. However, that allocation to debt service then made an equal amount of wastewater capital reserve funding available for the construction. The project will now be funded out of wastewater capital reserves.</p> <p>When the project was originally scoped in 2018, the engineer's preliminary estimate of probable construction cost was \$660,000.</p>

	<p>When design was completed and the project put out to bid in March of 2020, however, the engineer's cost estimate had risen to \$841,000.</p> <p>We received five bids for the work, ranging between \$879,000 and \$1,440,976.43. Interestingly, the three middle bids were very close and two were exactly the same at \$1,049,000.</p> <p>HDR reviewed the qualifications of the low bidder, Shannon-Monk, Inc., and recommends award to that firm. A copy of the HDR recommendation and the bid tabulation is attached for the Council's review.</p> <p>The required additional funding is available at this time in the wastewater capital reserves. However, this project is also included as part of the work we are being compensated for by WCID #3 going forward. The first of several \$1.25 Million payments we are to receive for capital improvements to provide service is due from WCID #3 in November of 2020.</p> <p>Although the cost would be greater than the engineer's cost estimate, we believe that the low-bidder's proposed cost is appropriate for the scope of work and the current construction market conditions. Staff recommends that the Council award the project to the low bidder and authorize the City Manager to contract for completion of the project.</p>
COST	\$879,000.00
SOURCE OF FUNDS	Wastewater Capital Reserve Fund
ADDITIONAL INFORMATION	

This summary is not meant to be all inclusive. Supporting documentation is attached.

RESOLUTION 2020-R33

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND _____ FOR SCHOOL LIFT STATION EXPANSION PROJECT

WHEREAS, the City of Boerne finds it necessary to authorize the award of a bid for the School Lift Station Expansion Project at Cascade Caverns Road.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

that the City Council hereby authorizes the award of a bid to _____ for School Lift Station Expansion Project in an amount not to exceed \$_____.

PASSED and APPROVED on this the ____ day of May, 2020.

APPROVED:

Mayor

ATTEST:

City Secretary



April 27, 2020

Mr. Mike Mann, P.E.
Director of Public Works and Utilities
447 N. Main St.
Boerne, Texas 78006

RE: City of Boerne School Lift Station Expansion
Recommendation of Award

Dear Mr. Mann,

Bids were received for the City of Boerne School Lift Station Expansion project on Thursday, April 16, 2020. A total of five bids were received, with the apparent low bidder being Shannon-Monk, Inc., of Helotes, Texas. Of the five bidders, Shannon-Monk, Inc. submitted the lowest lump sum bid. Shannon-Monk, Inc.'s lump sum bid is \$879,000.00.

The engineer's opinion of probable construction cost (OPCC) for the project was \$841,000. The five bids received were above the engineer's OPCC. The attached bid tabulation includes a summary of the bids received.

The lowest bid of \$879,000.00 was 4.5 percent lower than the engineer's OPCC. The lowest bid of \$879,000.00 was 39 percent lower than the highest bid of \$1,440,976.43. The average bid was \$1,095,595.29, which was 24.6 percent higher than the lowest bid. The average bid was 30.3 percent higher than the engineer's OPCC.

Communication with Shannon-Monk, Inc. confirmed their confidence in the lump sum price as submitted, and their availability to perform the work. There are no noted irregularities in the bid as submitted by Shannon-Monk, Inc. A Bid Bond for five (5) percent of the total amount bid was provided with the bid package. Addendum No. 1 was acknowledged on the Bid Form.

Shannon-Monk, Inc. provided qualification materials with their bid. The qualification materials included:

- Financial statements
- Work currently under contract and work completed, with reference information
- Company profile
- Equipment inventory

HDR also obtained the DNB Risk Management report for Shannon-Monk, Inc., which provides an assessment of if the company could go out of business, become inactive, or file for bankruptcy within the next 12 months. The report indicates Shannon-Monk, Inc. has relatively low to moderate risk viability scores.

HDR attempted to contact seven of the references provided, and spoke with two of the references. The references praised Shannon-Monk, Inc. on the project work they performed. They completed projects on time, on budget, and with minimal change orders. When change orders happened they were due to unforeseen conditions or suggested improvements to the project accepted by the Owner. There was good communication during the projects, and the references indicated they would work with Shannon-Monk, Inc. again.

Based on the information available to us for review, HDR would recommend an award for construction be made to Shannon-Monk, Inc. Based on the City's budget availability, it is recommended to award the total lump sum bid of \$879,000.00.

If you have any questions or need any information, please feel free to contact me at 210-841-2826.

Sincerely,
HDR Engineering, Inc.

A handwritten signature in black ink that reads "Heather Lindner". The signature is fluid and cursive, with the first name "Heather" and last name "Lindner" clearly distinguishable.

Heather Lindner, P.E.
Project Manager

Enclosure – Bid Tabulation

Cc: Andrea Snouffer – City of Boerne
HDR File

CITY OF BOERNE, TEXAS
Boerne School Lift Station
HDR PN: 10132285


City of Boerne - School Lift Station Expansion Project
Bid Opening: April 16, 2020 at 2:00 p.m.
Bid Tabulation


COMPANY NAME:	Associated Construction Partners, Ltd.	Black Castle General Contractor	Keystone Construction	Shannon-Monk, Inc.	Skyblue Utilities, Inc.
ADDRESS:	215 W. Bandera Rd., Ste. 114-461	2115 Stephens Place, Ste. 210	P.O. Box 90398	P.O. Box 1049	P.O. Box 1001
CITY, STATE, ZIP:	Boerne, TX 78006	New Braunfels, TX 78006	Austin, TX 78709	Helotes, TX 78023	Kingsland, TX 78639
REPRESENTATIVE:	Jill Simpson	Rodney Schwarzlose	Austin Adkins	Kevin Monk	Karina Rubio
TELEPHONE NO.:	210.698.8714	830.387.4623	512.288.6437	210.688.9461	325.388.2500
EMAIL ADDRESS:	jill@acpartners.org	info@blackcastlegc.com	austin@keystoneconstruct.com	kmonk@shannon-monk.com	bookkeepingsbui@gmail.com
ADDENDA ACKNOWLEDGED:	Yes	Yes	Yes	Yes	Yes
BID BOND PROVIDED:	Yes	Yes	Yes	Yes	Yes
Lump Sum Base Bid	\$1,060,000.00	\$1,049,000.00	\$1,049,000.00	\$879,000.00	\$1,440,976.43

School Lift Station

Wet Well Expansion Project

Legend

 School Lift Station

 School Lift Station

Antonio Rd

Cascade Cavern

IH 10

Scenic Loop Rd


Clear Sky

Google Earth

© 2020 Google

60
N

500 ft

	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Fowler <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div>
AGENDA DATE	May 12, 2020
DESCRIPTION	CONSIDER ON FIRST READING ORDINANCE NO. 2020-15; AN ORDINANCE AMENDING ORDINANCE NO. 2019-37, CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2019-2020, BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020."
STAFF'S RECOMMENDED ACTION (be specific)	Approve on first reading Ordinance No. 2020-15; amending the budget for FY 2019-2020 as presented.
CONTACT PERSON	Sandy Mattick, Finance Director
SUMMARY	<p>The following budget amendments to the current fiscal year budget are proposed:</p> <p>Electric Fund - \$150,000 To increase the budget \$45,000 for additional delegate agency agreements and \$105,000 transfer to the Economic Development Fund for the Boerne Strong Stimulus Program.</p> <p>Economic Development Fund - \$305,000 To increase the budget for the Boerne Strong Stimulus Program; \$105,000 from Electric Fund and \$200,000 for business retention from the ED Fund.</p> <p>Library Fund - \$60,000 To increase the budget to recognize donations received from the Friends of the Library and the BPLF and associated expenditures.</p> <p>Wastewater Fund - \$600,000 To increase the budget for the school lift station project. Project is expected to cost \$880,000. Anticipated FY '20 expenditures to be \$600,000. Remaining costs to be budgeted in FY 20-21.</p>
COST	As per amended budget
SOURCE OF FUNDS	Various funds
ADDITIONAL INFORMATION	See attached

This summary is not meant to be all inclusive. Supporting documentation is attached.

ORDINANCE NO. 2020-15

AN ORDINANCE AMENDING ORDINANCE NO. 2019-37, CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2019-2020, BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020"

WHEREAS, in accordance with the City Charter, it is necessary to adopt a budget for the Fiscal Year 2019-2020; and

WHEREAS, a Proposed Annual Budget for the period commencing October 1, 2019, and ending September 30, 2020, has been prepared by the City Manager in accordance with Article VI of the City Charter, and the City Council has considered the City Manager's proposals; and

WHEREAS, after public notice, a hearing was held on the Proposed Budget on August 27, 2019, and the City Council has held workshops and considered the overall budget issues and individual items since the budget process began in May;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

SECTION 1. The Proposed Annual Budget as set out in Attachment I hereto, incorporated herein by reference, for the fiscal year commencing October 1, 2019, and ending September 30, 2020, is hereby approved and adopted.

SECTION 2. Any departments, divisions, sections, offices, or programs which have been funded in previous budgets but are not contained in the 2019-2020 Proposed Budget document are hereby abolished.

SECTION 3. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this ordinance are hereby repealed, and are no longer of any force and effect.

SECTION 4. The City Manager shall cause the 2019-2020 budget documents to be revised in accordance with this and subsequent ordinances, and shall file such documents with the City Secretary.

SECTION 5. This ordinance shall take effect on May 26, 2020.

PASSED AND APPROVED on this the first reading the ____ day of May, 2020.

PASSED, APPROVED, and ADOPTED on this the ____ day of May, 2020.

APPROVED:

ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:

City Attorney

**CITY OF BOERNE
BUDGET ADJUSTMENT
FISCAL YEAR 2019-2020**

DATE 5/12/2020FUND ELECTRIC

FROM				
ACCT NO	DESCRIPTION	CURRENT BUDGET	REVISION	REVISED BUDGET
510-598000	BUDGETED FUND BALANCE	\$ -	150,000	\$ 150,000
				-
				-
TOTAL		\$ -	150,000	150,000

TO				
ACCT NO.	DESCRIPTION	CURRENT BUDGET	REVISION	REVISED BUDGET
510-510-681599	MISC CONTRIBUTIONS	\$ 3,600	\$ 45,000	\$ 48,600
510-510-721500	TRANSFER TO ECONOMIC DEVL	300,000	105,000	405,000
				-
				-
				-
				-
TOTAL		\$ 303,600	\$ 150,000	\$ 453,600

PURPOSE:

To increase the budget for items approved by council on April 28, 2020 totaling \$150,000 to be paid from Electric reserves.
\$45,000 for additional delegate agency agreements and \$105,000 for the Boerne Strong Stimulus Program

PREPARED BY: AR

ENTERED BY: AR

DIR. OF FINANCE




DEPUTY CITY MANAGER

CITY MANAGER

**CITY OF BOERNE
BUDGET ADJUSTMENT
FISCAL YEAR 2019-2020**

DATE: 5/12/2020


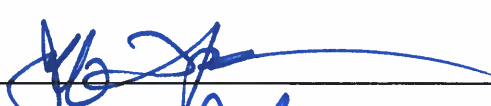

FUND: Economic Development

FROM				
ACCT NO	DESCRIPTION	CURRENT BUDGET	REVISION	REVISED BUDGET
060-597000	Transfer from Other Funds	\$ 704,650	\$ 105,000	\$ 809,650
060-598000	Budgeted Fund Balance	453,455	200,000	653,455
	TOTAL	\$ 1,158,105.00	\$ 305,000	\$ 1,463,105
TO				
ACCT NO.	DESCRIPTION	CURRENT BUDGET	REVISION	REVISED BUDGET
060-240-681605	Boerne Strong Stimulus Program	\$ -	305,000	\$ 305,000
				-
	TOTAL	\$ -	\$ 305,000	\$ 305,000
PURPOSE To increase the budget for the Boerne Strong Stimulus Program approved by council on April 28, 2020, in the amount of \$305,000. \$105,000 from Electric reserves and \$200,000 from Economic Development fund balance.				
PREPARED BY: AR		ENTERED BY: AR		
APPROVED BY:				
DIR. OF FINANCE 				
DEPUTY CITY MANAGER 				
CITY MANAGER 				

**CITY OF BOERNE
BUDGET ADJUSTMENT
FISCAL YEAR 2019-2020**

DATE: 5/12/2020




FUND: Library


FROM				
ACCT NO	DESCRIPTION	CURRENT BUDGET	REVISION	REVISED BUDGET
040-595110	Donations	\$ 5,000	\$ 60,000	\$ 65,000
				.
				.
				.
				.
TOTAL		\$ 5,000.00	\$ 60,000	\$ 65,000
TO				
ACCT NO.	DESCRIPTION	CURRENT BUDGET	REVISION	REVISED BUDGET
040-230-633100	Software Maintenance	\$ 30,000	3,875	\$ 33,875
040-230-650415	Electronic Resources	5,000	7,700	12,700
040-230-650418	New Books	39,000	15,613	54,613
040-230-650422	Programming Costs	32,292	26,900	59,192
040-230-804200	Capital Outlay - Computers	3,000	3,075	6,075
040-230-804200	Capital Outlay - Office Furniture/Equip	-	2,837	2,837
TOTAL		\$ 109,292	\$ 60,000	\$ 169,292
PURPOSE				
To increase the budget to recognize donations received from the Friends of the Library and the BPLF and associated expenditures.				
PREPARED BY: AR		ENTERED BY: AR		
APPROVED BY:				
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>DIR. OF FINANCE </p> </div> <div style="width: 45%;"> <p>DEPUTY CITY MANAGER </p> </div> </div>				
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>CITY MANAGER </p> </div> <div style="width: 45%;"></div> </div>				

**CITY OF BOERNE
BUDGET ADJUSTMENT
FISCAL YEAR 2019-2020**

DATE: 5/12/2020

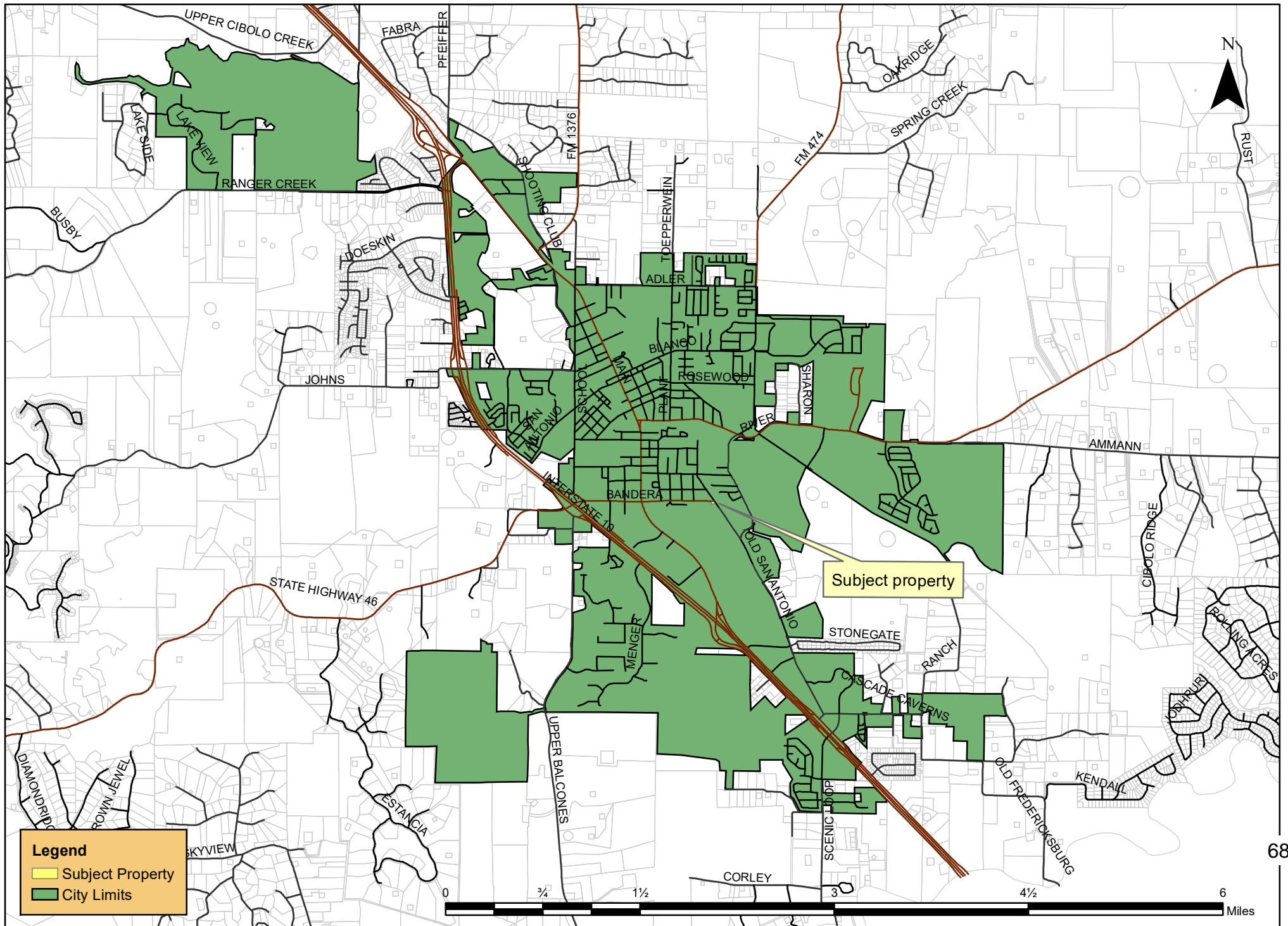
FUND: Wastewater

FROM				
ACCT NO	DESCRIPTION	CURRENT BUDGET	REVISION	REVISED BUDGET
530-598000	BUDGETED FUND BALANCE	-	600,000	600,000
TOTAL		\$ -	\$ 600,000	\$ 600,000
TO				
ACCT NO.	DESCRIPTION	CURRENT BUDGET	REVISION	REVISED BUDGET
530-176100	SERVICE	\$ -	\$ 600,000	\$ 600,000
TOTAL		\$ -	\$ 600,000	\$ 600,000
PURPOSE: To increase the budget for the school lift station project. Total project estimated cost \$880,000. Anticipated FY '20 expenditures to be \$600,000. Remaining project cost of \$280,000 to be budgeted in FY 20-21. Funds for this project are available in the Wastewater Capital Reserve				
PREPARED BY: AR		ENTERED BY: AR		
<div style="display: flex; justify-content: space-between;"> <div>DIR. OF FINANCE</div> <div></div> </div>				
<div style="display: flex; justify-content: space-between;"> <div>DEPUTY CITY MANAGER</div> <div></div> </div>				
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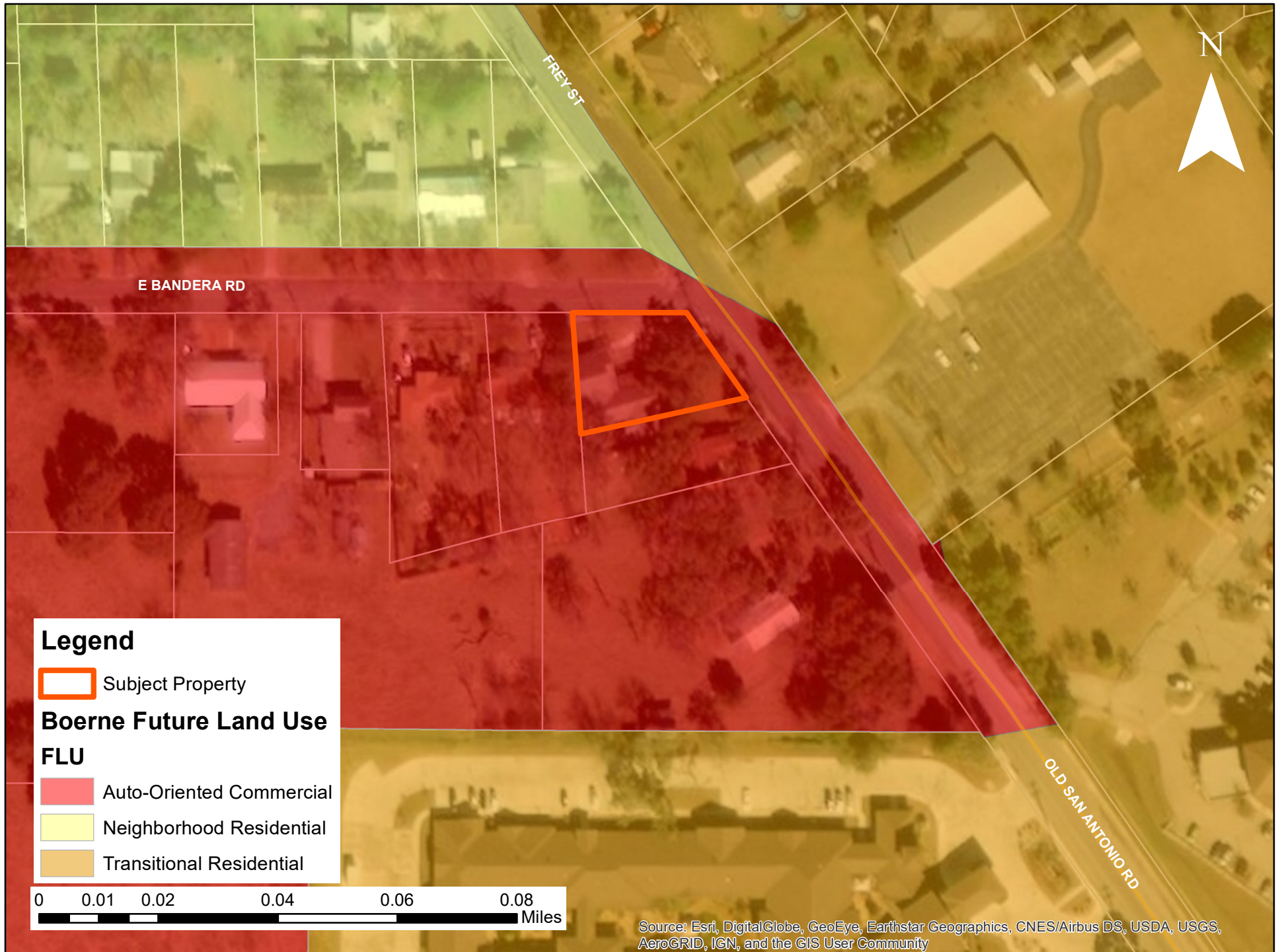
	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Fowler <input checked="" type="checkbox"/> 5 = Macaluso <input type="checkbox"/> All </div>
AGENDA DATE	<i>May 12, 2020</i>
DESCRIPTION	RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR JUNE 9, 2020: A. PROPOSED REZONING OF 0.341 ACRES LOCATED AT 602 FREY STREET (KAD 18988) FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, TO O, OFFICE DISTRICT. (Burton and Joyce Sponhaltz)
STAFF'S RECOMMENDED ACTION (be specific)	Receive recommendation from the Planning and Zoning Commission and set a public hearing for June 9, 2020.
CONTACT PERSON	Laura Talley, Planning and Community Development Director
SUMMARY	<p>The property is located at 602 Frey Street and currently zoned as R-1, Medium-Density Single-Family Residential District. The owner is requesting O, Office District.</p> <p>Staff sent out 13 notification letters to property owners within 200' of the property. We received 5 responses; 3 in favor, 1 neutral and 1 in opposition. The Planning and Zoning Commission recommended approval by a vote of 7-0. Staff is supportive of the rezoning.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

This summary is not meant to be all inclusive. Supporting documentation is attached.

602 FREY STREET



602 FREY STREET - FUTURE LAND USE



602 FREY STREET - CURRENT ZONING



602 FREY STREET - PROPOSED ZONING



R-1 - MEDIUM-DENSITY SINGLE-FAMILY DISTRICT

- A. **Purposes.** These districts are composed of areas of detached dwellings and open land where similar residential development seems likely to occur. Medium density development of land is encouraged by allowing smaller lot areas, with a maximum density of six dwelling units per acre, exclusive of streets and other public land uses.
- B. **Applicability.** The R-1 district is applicable to areas where a more compact neighborhood development pattern is desired, and specifically the Neighborhood Residential designation in the Boerne Master Plan. Typically this district should be used only in areas that are within 1 mile from any existing or planned Neighborhood or Community Center. While this area may be immediately adjacent to a Center, it is most appropriate for the center or edges of neighborhoods where a mix of larger lot types is desired, and so that more critical mass of smaller lots and higher density can be created within walking distance of the Center. The R-1 district is most appropriate with a Modified Grid Transportation Network using the Neighborhood or Parkway Street Design Types indicated in the Subdivision Regulations.
- C. **Eligible Lot Types.** The following lot types and dimensions specified in Table 5-2 are permitted in the R-1 district:
1. Large Lot
 2. Manor Lot
 3. Estate Lot
 4. Low-density Lot
 5. Standard Lot
- D. **Permitted Uses.** The uses permitted in the R-1 district are specified in Table 5-1 as either “permitted” or “conditional” or “restricted”.
- E. **Restrictions on Particular Uses.** The following “Restricted” uses have the additional requirements specified in this section.
1. Accessory Dwellings shall meet the restrictions in Article 3, Section 06.
 2. Home Occupations shall meet the restrictions in Article 3, Section 04.
 3. Bed and Breakfasts shall meet the restrictions in Article 3, Section 04.
- F. **Specific Site and Building Design Standards.** Due to the more compact development pattern and the close relationship of the smaller lots to the public streetscape, the Neighborhood Design Standards in Article 3, Section 07 of the Zoning Ordinance shall apply in the R-1 district.

O - OFFICE DISTRICT

- A. **Purposes.** These districts are composed of structures occupied by or suitable for such uses as offices and studios, usually located between residential areas and business areas. The district regulations are designed to protect and encourage the transitional character of the districts by permitting a limited group of uses of a commercial nature while protecting the abutting and surrounding residential areas by requiring minimum yard areas and setbacks comparable to those called for in the residential districts. (Ord. No. 2008-25, §3, 8-12-2008)
- B. **Applicability.** The O district is applicable to any area where commercial zoning is contiguous to or in close proximity to residential zoning classification and the desirability of residential is impacted by traffic volume or surrounding commercial uses.
- C. **Required Lot and Building Dimensions for Non-Residential Uses.**

MINIMUM LOT AREA	5,000 sqft.
MINIMUM LOT WIDTH	50 feet
MINIMUM FRONT YARD	A lot that adjoins a residential district that is not a reverse corner lot – same as that residential district (Ord. No. 2012-38, §5, 11-13-2012) A lot that adjoins a residential district that is a reverse corner lot – 0'-20' A lot that adjoins a commercial district – 0' – 20'
MINIMUM 1 SIDE / MINIMUM COMBINED FRONT AND REAR YARD*	No improvements shall be allowed within 10' on the residentially zoned side and No party wall or adjoining building are permitted between lots 5' feet if on the commercially zoned side
MINIMUM REAR / MINIMUM COMBINED FRONT AND REAR YARD	10' with appropriate shielding from any adjacent residentially zoned lot.
MAXIMUM BUILDING AREA	Limited to 3,500 sqft. for the office area of the structure (Ord. No. 2015-36, §5, 11-10-2015)
MAXIMUM BUILDING HEIGHT	2 story, up to 30 feet


- D. **Permitted Uses.** The uses permitted in the O district are specified in Table 5-1 as either "permitted" or "conditional" or "restricted".

- E. **Restrictions on Particular Uses.** The following "Restricted" uses have the additional requirements specified in this section. (Ord. No. 2012-04, §5, 4-24-2012)

1. Mixed-use Dwelling Units must meet the following specific site and building design standards:

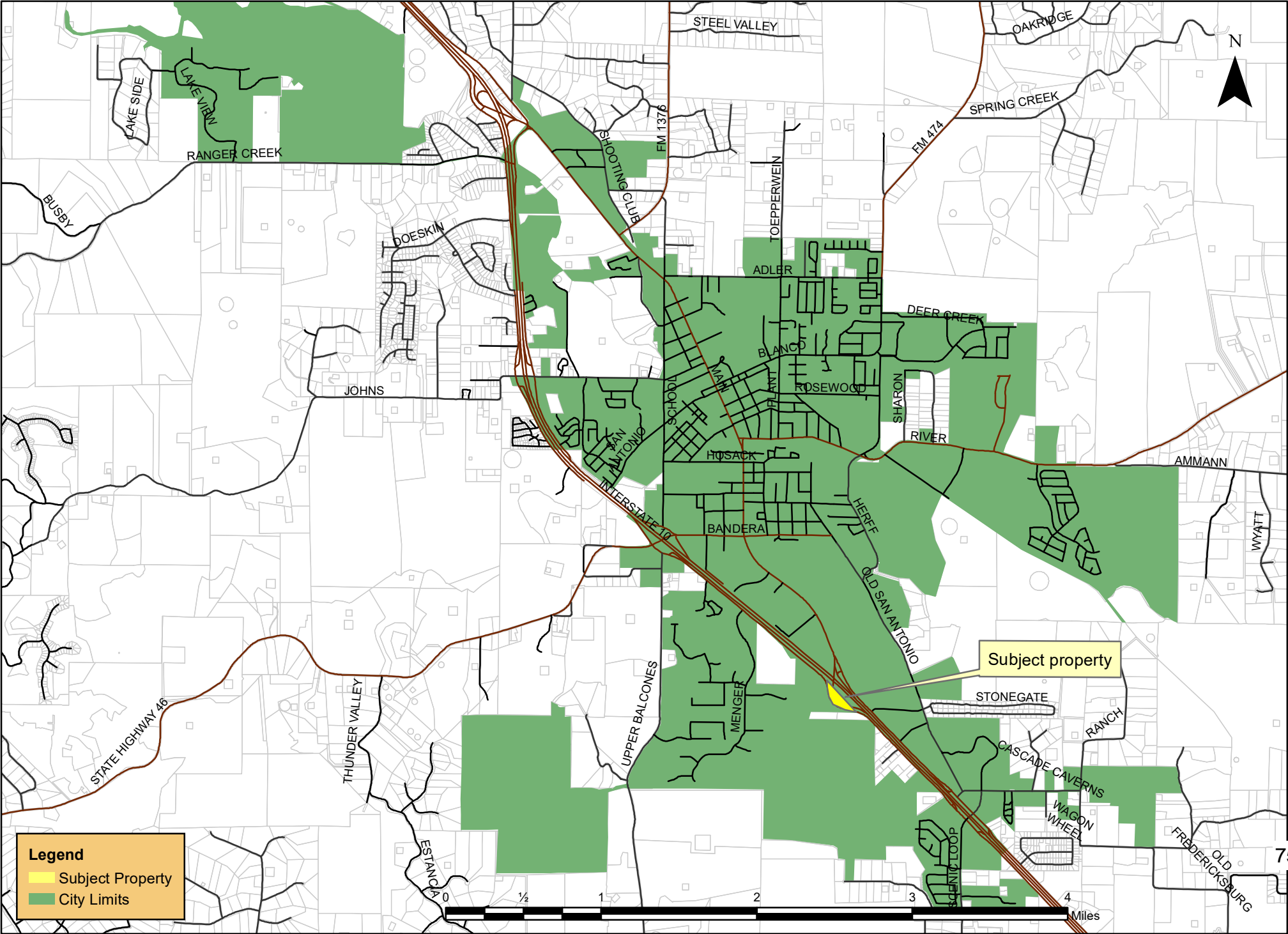
- Each unit, residential and commercial, shall have two clearly distinct areas.
- Each area shall separately and independently meet the required building codes applicable to the intended use for that portion of the building.
- Occupational or vocational uses allowed in the non-living portion may be any non-residential use allowed in the zoning district. The use shall not by reason of noise, odor, or physical operation create any impacts on adjacent lots that are adverse to adjacent uses. Uses with a signs of operation may be further limited in terms

of site design or hours of operation in order to minimize potential impacts.

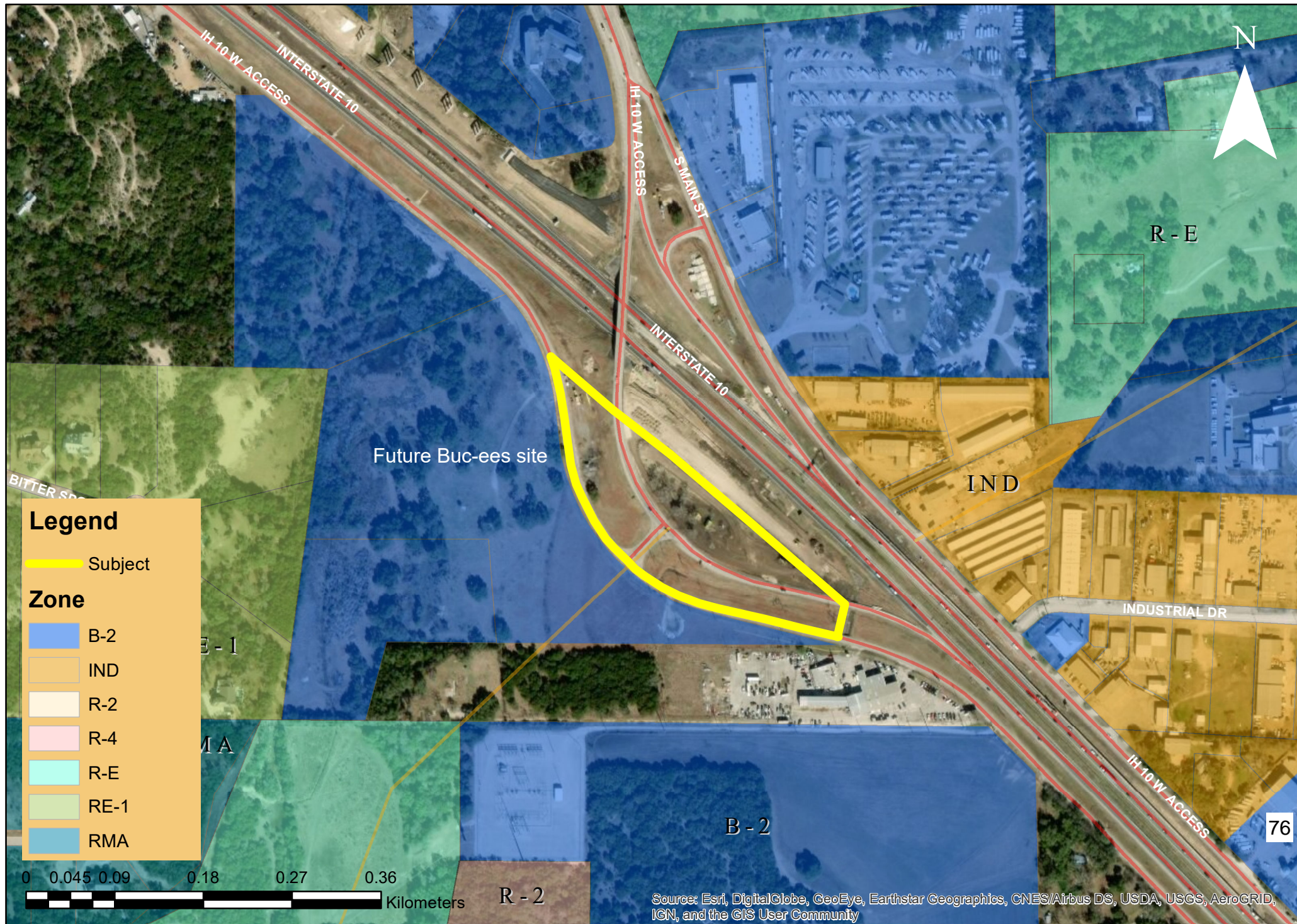
	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Fowler <input checked="" type="checkbox"/> 5 = Macaluso <input type="checkbox"/> All </div>
AGENDA DATE	May 12, 2020
DESCRIPTION	RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR JUNE 9, 2020: B. PROPOSED ZONING OF 5.155 ACRES OF TXDOT RIGHT-OF-WAY TO B-2, HIGHWAY COMMERCIAL (IH-10 "SURPLUS NORTH" TRACT THAT ADJOINS THE FUTURE BUC-EES DEVELOPMENT LOCATED AT 33375 IH-10 WEST). <i>(Stan Beard, Buc-ees for State of Texas, TxDOT)</i>
STAFF'S RECOMMENDED ACTION (be specific)	Receive the recommendation from the Planning and Zoning Commission and set a public hearing for June 9, 2020.
CONTACT PERSON	Laura Talley, Planning and Community Development Director
SUMMARY	<p>The property is currently TxDOT right-of-way that adjoins the Buc-ee's development at 33375 IH-10 West. The property is proposed to eventually be part of the Buc-ee's development once TxDOT has completed the road improvements. Because it is TxDOT right-of-way, they are officially making the request for zoning of B-2, Highway Commercial.</p> <p>Staff sent out 2 notification letters to property owners within 200' of the property. We received 1 response in favor. The Planning and Zoning Commission recommended approval by a vote of 7-0. Staff is supportive of the zoning.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

This summary is not meant to be all inclusive. Supporting documentation is attached.

TXDOT - IH-10



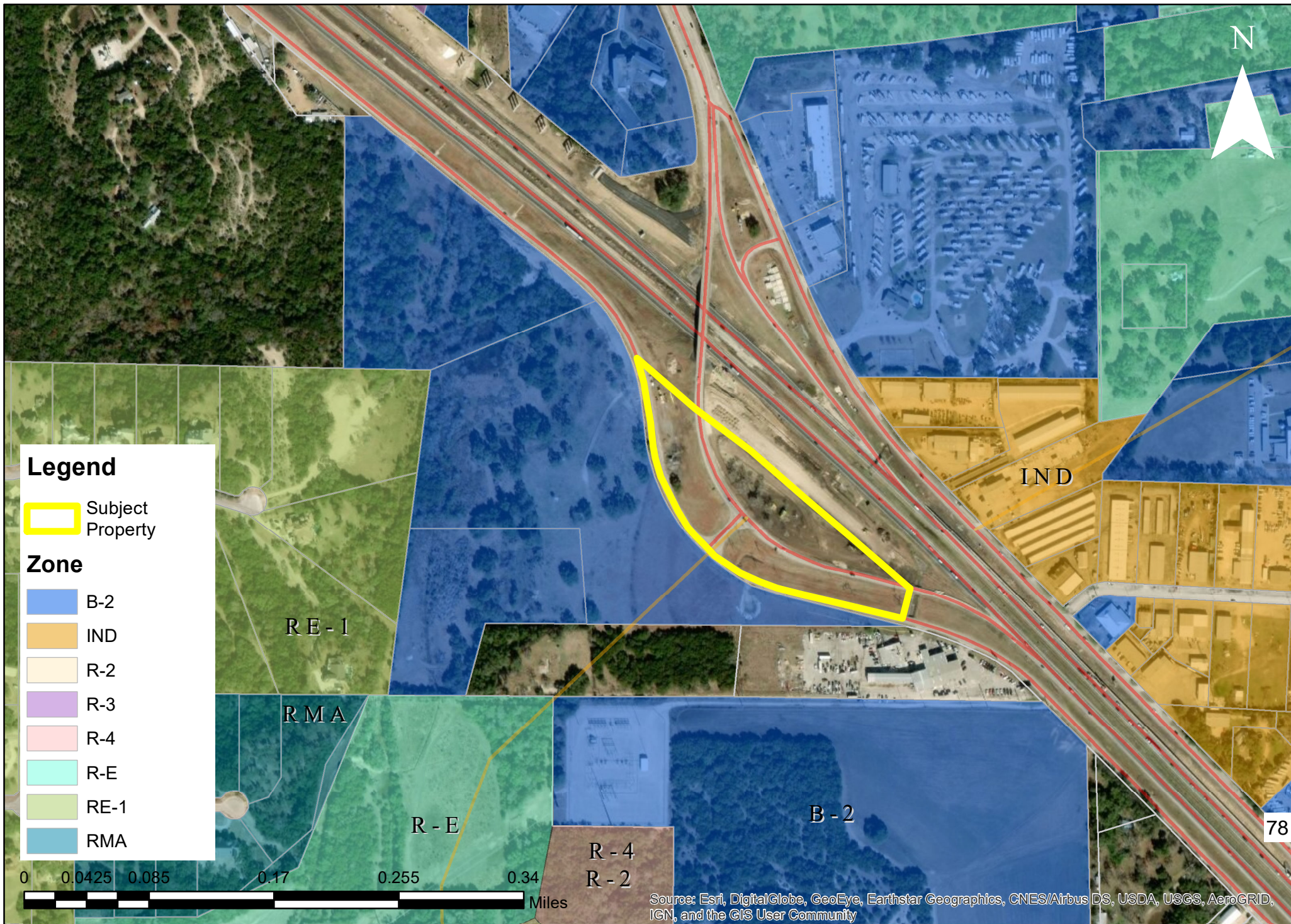
TXDOT - AREA BEING ZONED



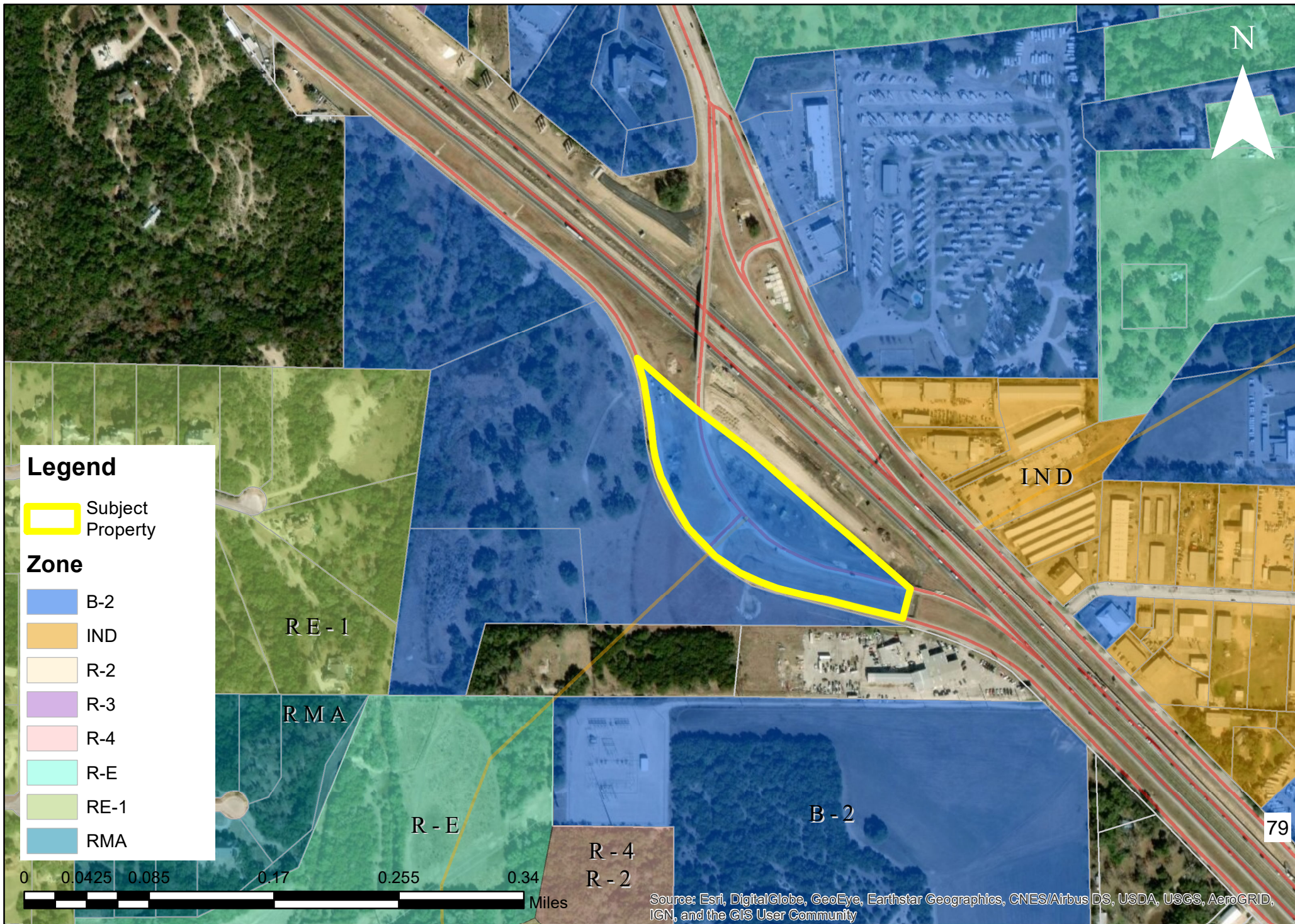
TXDOT AREA - FUTURE LAND USE MAP



TXDOT - CURRENT ZONING



TxDOT - PROPOSED ZONING



B-2 - HIGHWAY COMMERCIAL DISTRICT

- A. **Purposes.** The B-2 districts are located along principal arterial streets, adjacent to other non-residential districts. They are areas suitable for general retail trade and a wide variety of other commercial uses. The district regulations are designed to encourage these uses, while also protecting the abutting and nearby areas.
- B. **Applicability.** This district is applicable in areas where large scale and regional businesses are appropriate, and where the impacts on other more walkable development patterns can be minimized, both in terms of physical design and in terms of uses that have a regional draw. Therefore it should be limited in application to areas with good highway access, and away from areas where smaller-scale, and neighborhood oriented businesses are desired.

MINIMUM LOT AREA	10,000 square feet
MINIMUM LOT WIDTH	60 feet
MINIMUM FRONT YARD	0 - 20 feet
MINIMUM SIDE YARD	0 feet, if party wall; 5' if not
MINIMUM REAR YARD	0' - See Combined Commercial Design Standards for rear/side location parking requirements
MAXIMUM BUILDING HEIGHT	75' - See 3.05.001 for Height exceptions – City Council may approve a height over 75' (Ord. No. 2017-03, §1, 1-24-2017)

C. **Required Lot and Building Dimensions.**


- D. **Permitted Uses.** The uses permitted in the B-2 district are specified in Table 5-1 as either "permitted" or "conditional" or "restricted".

E. **Restrictions on Particular Uses.**

1. A trailer court must provide water and sewer service for each unit.
2. Mixed-use Dwelling Units must meet the following specific site and building design standards:
 - a. Each unit, residential and commercial, shall have two clearly distinct areas.
 - b. Each area shall separately and independently meet the required building codes applicable to the intended use for that portion of the building.
 - c. Occupational or vocational uses allowed in the non-living portion may be any non-residential use allowed in the zoning district. The use shall not by reason of noise, odor, or physical operation create any impacts on adjacent lots that are adverse to adjacent uses. Uses with a tendency to create external impacts or visible signs of operation may be further limited in terms of site design or hours of operation in order to minimize potential impacts.
 - d. Required parking shall be based on the greater of the parking required for the non-living area or the living area.
(Ord. No. 2012-04, §5, 4-24-2012)
3. Bed and Breakfasts shall meet the restrictions in Article 3, Section 04.

F. **Specific Site and Building Design Standards.**

1. Due to the more compact development pattern, and the important relationship between the design of buildings, sites, open spaces and streetscapes in creating a walkable, mixed-use environment integrated into adjacent neighborhoods, the Combined Commercial Design Standards in Article 3, Section 09 of the Zoning Ordinance shall apply to all lots in the B-2 District.
2. All lots in the B-2 District which are located in the Entrance Corridor Overlay as specified in Article 5, Section 25 of the Zoning Ordinance shall meet the standards of that section.

	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Fowler <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div>
AGENDA DATE	May 12, 2020
DESCRIPTION	CITY MANAGER'S REPORT
STAFF'S RECOMMENDED ACTION (be specific)	No action
CONTACT PERSON	Ronald C. Bowman, City Manager
SUMMARY	<p>Below is a listing of items on which I will be updating City Council during the May 12th regular meeting.</p> <ul style="list-style-type: none"> A. COVID-19 Update <ul style="list-style-type: none"> - Governor's Open Texas Guidance - AACOG \$3M Grant - March Sales Tax Collection B. Parks Facilities Update C. Johns Road Project Update D. CVB Activities Update E. Old City Hall Disposition Update F. New City Hall Completion/Dedication G. BISD Graduation – June 4th and 5th H. City Facilities Re-opening Update
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

This summary is not meant to be all inclusive. Supporting documentation is attached.