

MINUTES
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006

**NOVEMBER 12, 2024 – 6:30 PM or immediately following Boerne Public Facility
Corporation Meeting**

Minutes of the Regular Called City Council meeting of November 12, 2024.

Present: 6 - Mayor Frank Ritchie, Mayor Pro Tem Ty Wolosin, Council Member Sharon D. Wright, Council Member Quinten Scott, Council Member Bret A. Bunker, and Council Member Joseph Macaluso

Staff Present: Ben Thatcher, Sarah Buckelew, Jeff Carroll, Lori Carroll, Nathan Crane, Lissette Jimenez, Mike Mann, Mick McKamie, Nick Montagno, Mike Raute, Chris Shadrock, Kristy Stark, Chastity Valdes, Mary Woods, and Toby Vicknair and fire department personnel.

Recognized / Registered Guests: Rex and Cindy Jennings, Todd and Jodi Dillmon, Jana and Doug Carmack, Mary Liang-King, Dave and Dianne Fornoff, Leah Garner, Kelly Gosdin, Lori Muhlmann, Shirley, Ray Brigham, Ron and Karen Smith, Whit and Jimi Main, Wendy Bolerjack, Tricia McElligott, Barbara Stevens, Ken Stevens, Barbara Dolda, Jean Muhlberg, Eddie Muhlberg, Sara Hill, Kate Johnson, Sue and Morgan Balcar, Mike Malley, Douglas Eaton, Scott Anderson, Gary Kleist, Clint Simmons, Kandi Malley, David Powell, Todd Nurnberger, Jon Jelle, Drew Oltyan, John and Melissa DeLaGarza, Sam McGee, Eddie Hill, and Rob Brown.

1. CALL TO ORDER – 6:30 PM or immediately following Boerne Public Facility Corporation Meeting

Mayor Ritchie called the City Council meeting to order at 6:22 p.m.

Mayor Ritchie called on Deacon Del Eulberg from St. Peter's Catholic Church to provide the Invocation.

Mayor Ritchie led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

Mayor Ritchie stated that because the Planning and Zoning Commission tabled the zoning request of agenda item 6.A., there will not be a public hearing and city council will not discuss or consider the ordinance.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. RECOGNIZE THE 2024 CITIZENS FIRE ACADEMY GRADUATES

Mayor Ritchie called on Fire Chief Manny Casarez to recognized the 2024 graduates of the Citizens Fire Academy. Lt. Toby Vicknair provided information on the academy which met once a week for nine weeks. Each session was two to three hours long. It is anticipated that the next registration will be in July 2025.

4. PUBLIC COMMENTS:

Sam McGee, 604 South Main Street spoke regarding historic preservation of buildings and provided a handout to the council members.

Eddy Hill, 29080 Old Fredericksburg Road stated that he is representing pickle ball players and provided suggestions on the use of the courts at City Park. He asked that this be on a future agenda.

Mike Malloy, 123 Village Park Drive stated that he played pickle ball in Round Rock with his son and provided information on Round Rock's Recreation Center. He would like changes made to the pickle ball courts at City Park and suggested there be a future agenda item for city council to consider.

Rob Brown with Frontier Waste Solutions stated that he emailed city council members and city staff expressing interest in providing waste services to the Boerne community.

5. CONSENT AGENDA:

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY COUNCIL MEMBER SCOTT, TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

A. CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF OCTOBER 22, 2024 AND SPECIAL CALLED CITY COUNCIL MEETING OF OCTOBER 31, 2024 (STATE OF THE CITY).

THE MINUTES WERE APPROVED.

B. CONSIDER RESOLUTION NO. 2024-R86; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT WITH DELL FINANCIAL SERVICES AMENDING RESOLUTION NO. 2024-R83 INCREASING THE TOTAL FOR AN AMOUNT NOT TO EXCEED \$212,039. (Dell lease)

THE RESOLUTION WAS APPROVED.

C. CONSIDER RESOLUTION NO. 2024-R87; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LAND EXCHANGE BETWEEN THE CITY OF BOERNE AND KENDALL COUNTY.

THE RESOLUTION WAS APPROVED.

D. CONSIDER RESOLUTION NO. 2024-R88; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND KENDALL COUNTY, TEXAS FOR FIRE PROTECTION

SERVICES.

THE RESOLUTION WAS APPROVED.

- E. CONSIDER RESOLUTION NO. 2024-R89; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A SHARED SERVICES AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND DAS GREENHAUS.**

THE RESOLUTION WAS APPROVED.

- F. CONSIDER RESOLUTION NO. 2024-R90: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT BETWEEN THE CITY OF BOERNE AND DÉCOR IQ FOR HOLIDAY LIGHT ENHANCEMENTS, INSTALLATION, MAINTENANCE, AND REMOVAL FOR AN AMOUNT NOT TO EXCEED \$60,723.**

THE RESOLUTION WAS APPROVED.

- G. CONSIDER RESOLUTION NO. 2024-R91; A RESOLUTION SUPPORTING LEGISLATIVE ACTION TO AMEND TEXAS LOCAL GOVERNMENT CODE § 615.003 TO PERMIT COUNTIES WITH POPULATIONS LESS THAN 150,000 TO CONSTRUCT AND OPERATE PARKING STRUCTURES.**

THE RESOLUTION WAS APPROVED.

REGULAR AGENDA:

6. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION, HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE NO. 2024-21; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, ZONING 71.12 ACRE TRACT FROM A HOL-INTERIM ZONING DISTRICT TO R2-M MODERATE DENSITY RESIDENTIAL ZONING DISTRICT, LOCATED AT WEST STATE HIGHWAY 46 TO ALLOW FOR A SINGLE FAMILY**

SUBDIVISION (KAD: 307605). (FORESTAR (USA) REAL ESTATE GROUP INC. AND CONTINENTAL HOMES OF TEXAS, LP)

The public hearing was not held. The ordinance was not discussed.

B. CONSIDER ON FIRST READING ORDINANCE NO. 2024-22; AN ORDINANCE ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE CHARGED FOR WATER SERVICE PROVIDED BY THE CITY OF BOERNE UTILITIES, AND REPEALING AND REPLACING ORDINANCE NO. 2018-30 DATED SEPTEMBER 11, 2018 AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Mayor Ritchie called on Sarah Buckelew, Finance Director. Director Buckelew stated that she will speak on agenda items 6B, 6C, and 6D as they are all related. She displayed graphs reflecting average residential water usage to include irrigation, a volume breakdown by tier usage, and the proposed residential water rates by volume. Director Buckelew provided a comparison of the current and proposed reclaimed water rates, and current and proposed sewer rates. Discussion ensued regarding increasing water rates for commercial businesses, ability for residential customers to put their property in commercial name for a lower rate, continue education on conservation, and incentivize commercial customers to conserve. Director Buckelew stated that staff is proposing a 7% increase across the board for reclaimed water.

A MOTION WAS MADE BY COUNCIL MEMBER BUNKER, SECONDED BY MAYOR PRO TEM WOLOSIN, TO TABLE UNTIL DECEMBER 10, 2024 ON FIRST READING ORDINANCE NO. 2024-22; AN ORDINANCE ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE CHARGED FOR WATER SERVICE PROVIDED BY THE CITY OF BOERNE UTILITIES, AND REPEALING AND REPLACING ORDINANCE NO. 2018-30 DATED SEPTEMBER 11, 2018 AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

C. CONSIDER ON FIRST READING ORDINANCE NO. 2024-23; AN ORDINANCE ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE CHARGED FOR WASTEWATER SERVICE PROVIDED BY THE CITY OF BOERNE UTILITIES, AND REPEALING AND REPLACING ORDINANCE NO. 2015-20 DATED AUGUST 25, 2015 AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE ON FIRST READING ORDINANCE NO. 2024-23; AN ORDINANCE ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE CHARGED FOR WASTEWATER SERVICE PROVIDED BY THE CITY OF BOERNE UTILITIES, AND REPEALING AND REPLACING ORDINANCE NO. 2015-20 DATED AUGUST 25, 2015 AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

D. CONSIDER ON FIRST READING ORDINANCE NO. 2024-24; AN ORDINANCE ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE CHARGED FOR RECLAIMED WATER SERVICE PROVIDED BY THE CITY OF BOERNE UTILITIES, AND REPEALING AND REPLACING ORDINANCE NO. 2021-23 DATED JULY 27, 2021, AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT, SECONDED BY MAYOR PRO TEM WOLOSIN TO TABLE UNTIL DECEMBER 10, 2024 ON FIRST READING ORDINANCE NO. 2024-24; AN ORDINANCE ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE CHARGED FOR RECLAIMED WATER SERVICE PROVIDED BY THE CITY OF BOERNE UTILITIES, AND REPEALING AND REPLACING ORDINANCE NO. 2021-23 DATED JULY 27, 2021, AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

7. RESOLUTIONS:

A. CONSIDER RESOLUTION NO. 2024-R92; A RESOLUTION APPROVING THE TAX LEVY ROLL OF THE CITY OF BOERNE, TEXAS

FOR THE TAX YEAR 2024 (FISCAL YEAR 2024-25).

Director Buckelew continued with an explanation of the tax levy roll from the Kendall Appraisal District. The tax levy roll is required to be approved by the city council for finalization of the property tax roll.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE RESOLUTION NO. 2024-R92; A RESOLUTION APPROVING THE TAX LEVY ROLL OF THE CITY OF BOERNE, TEXAS FOR THE TAX YEAR 2024 (FISCAL YEAR 2024-25). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

B. CONSIDER RESOLUTION NO. 2024-R93; A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A TEMPORARY LABOR SERVICES AGREEMENT WITH ROBERT HALF, INC FOR AN AMOUNT NOT TO EXCEED \$200,000 OVER A THREE-YEAR TERM.

Director Buckelew continued with information related to labor services agreement that is being considered. She explained the benefits of using temporary employees.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE RESOLUTION NO. 2024-R93; A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A TEMPORARY LABOR SERVICES AGREEMENT WITH ROBERT HALF, INC FOR AN AMOUNT NOT TO EXCEED \$200,000 OVER A THREE-YEAR TERM. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

C. CONSIDER RESOLUTION NO. 2024-R94; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, RECEIVING BIDS

AND AWARDING THE CONTRACT FOR CONSTRUCTION OF THE EAST LOOP NATURAL GAS MAIN - PHASE 2 TO _____ FOR AN AMOUNT NOT TO EXCEED \$XXX,XXX.00; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT WITH A NOT TO EXCEED TOTAL CONSTRUCTION COST OF \$XXX,XXX.

Mayor Ritchie called on Mike Mann, Utilities Director. Director Mann discussed the project which is Phase II extending the natural gas loop between the southern and eastern portions of our distribution system to provide more capacity in the highest demand area. It is the recommendation of staff to award the bid to Badeco Boring & Utilities which is the same company doing Phase I.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER SCOTT, TO APPROVE RESOLUTION NO. 2024-R94; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, RECEIVING BIDS AND AWARDING THE CONTRACT FOR CONSTRUCTION OF THE EAST LOOP NATURAL GAS MAIN - PHASE 2 TO BADECO BORING & UTILITIES FOR AN AMOUNT NOT TO EXCEED \$683,567.00; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT WITH A NOT TO EXCEED TOTAL CONSTRUCTION COST OF \$720,000.00. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

8. OTHER:

A. DISCUSSION ON THE CITY'S ONE WATER ROADMAP.

Director Mann continued with the city's One Water Roadmap stating that staff has consulted with HDR for assessment of One Water initiatives. Paula Jo Lemonds with HDR spoke on the importance and the goals of the One Water Roadmap.

B. DISCUSSION ON THE CITY'S SOLID WASTE COLLECTION AND DISPOSAL SERVICE FRANCHISE AGREEMENT.

Mayor Ritchie called on Nick Montagno, Operations Manager. Manager Montagno provided the city's history with Waste Management and information on services they provide to the residents. He reviewed the proposed contract revisions and a comparison of current rates with other cities. Discussion ensued regarding providing a different rate structure for senior citizens and option to provide same day services for recycle and trash.

C. DISCUSSION ON ARTS AND CULTURE STRATEGIC PLAN.

Manager Montagno continued with a discussion on the Arts and Culture Strategy Plan, the goals, expected outcomes, process, and timeline. He stated that the community was presented with a draft of the plan in September. Council members will have the opportunity to consider the plan at the December council meeting. He spoke regarding the implementation of the plan. Discussion ensued regarding promoting and hosting cultural events for the Hill Country Mile to facilitate donations, and possibly partnering with non-profits.

9. CITY MANAGER'S REPORT:

Mayor Ritchie called on City Manager Ben Thatcher.

A. DICKENS ON MAIN UPDATE.

City Manager Thatcher asked Lissette Jimenez, Parks and Recreation Director to provide an update on Dickens on Main. She stated that last year approximately 57,000 visitors attended the two day event. Street closures will begin at 4pm on Friday and Saturday. Director Jimenez spoke on the new features to the event this year.

Mayor Ritchie complimented Director Jimenez on the good job with the Arbor Day celebration at the Boerne Cemetery.

City Manager Thatcher stated that Boerne was recognized in Travel Texas as places to visit for a holiday experience. He also expressed appreciation to those city staff members who are Veterans and thanked staff for their time and efforts contributing to the council agenda and meeting.

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

Mayor Pro Tem Wolosin stated that the Boerne Greyhounds football team plays tomorrow. He also stated that he is creating a Thanksgiving Challenge for those who post on social network, asking that they list five things they like about Boerne. Mayor Pro Tem Wolosin read the five things he is thankful for.

Mayor Ritchie stated there are many things he is thankful for to include being in the Mayor's seat. He said he will be posting 5 things.

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

Mayor Ritchie convened the City Council into Executive Session at 8:24 p.m.

A. SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY: DISCUSSION ON CITY INITIATED ZONING.

No action was taken.

B. SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; POTENTIAL DEVELOPER FOR A PROPERTY LOCATED ON INTERSTATE HIGHWAY 10. (BISD new property / Acquiring ROW's)

No action was taken.

**C. SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY;
PENDING OR CONTEMPLATED LITIGATION.**

No action was taken.

**D. SECTION 551.074 - PERSONNEL MATTERS: RELATED TO THE CITY
MANAGER'S EVALUATION.**

No action was taken.

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

Mayor Ritchie reconvened the City Council into Open Session at 9:24 p.m.

No action was taken.

13. ADJOURNMENT

Mayor Ritchie adjourned the City Council meeting at 9:24 p.m.

Approved:

Mayor

Attest:

City Secretary