

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
August 9, 2022 – 6:00 PM

A quorum of the City Council will be present during the meeting at: 447 N Main, Boerne, TX 78006.

During the meeting, the City Council may meet in executive session, as to the posted subject matter of this City Council meeting, under these exceptions of Chapter 551 of the Texas Government Code; sections 551.071 (Consultation with Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Gifts), 551.074 (Personnel/Officers), 551.076 (Deliberation Regarding Security Devices), and Section 551.087 (Deliberation Regarding Economic Development Negotiations).

1. CALL TO ORDER – 6:00 PM

INVOCATION

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and indivisible.)

2. CONFLICTS OF INTEREST

3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue, in compliance with LGC Section 551.007. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

4. CONSENT AGENDA: All items listed below within the Consent Agenda are considered to be routine by the City Council and may be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence.

- A. [2022-627](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON JULY 26, 2022.

Attachments: [Minutes.220726](#)

- B. [2022-628](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-24; AN ORDINANCE AMENDING THE CITY OF BOERNE, TEXAS, CODE OF ORDINANCES, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, CONSTRUCTION STANDARDS, SECTION 5-36, ADOPTING THE INTERNATIONAL BUILDING CODE 2021 EDITION; ARTICLE III, MECHANICAL CODE, SECTIONS 5-61, ADOPTING THE INTERNATIONAL MECHANICAL CODE 2021 EDITION; ARTICLE IV GAS, SECTION 5-86 ADOPTING THE INTERNATIONAL FUEL GAS CODE 2021 EDITION; ARTICLE V, PLUMBING, SECTIONS 5-111, ADOPTING THE INTERNATIONAL PLUMBING CODE 2021 EDITION; ARTICLE VI, EXISTING BUILDING CODE, SECTION 5-136, ADOPTING THE INTERNATIONAL EXISTING BUILDINGS CODE 2021 EDITION; ARTICLE VII, ELECTRICAL CODE, SECTION 5-232, ADOPTING THE NATIONAL ELECTRIC CODE 2020 EDITION; ARTICLE VIII, LIFE SAFETY CODE, SECTION 5-326, ADOPTING THE LIFE SAFETY CODE 2021 EDITION; ARTICLE X, HOUSING CODE, SECTION 5-266, ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2021 EDITION; AND CHAPTER 8, FIRE PREVENTION AND PROTECTION, ARTICLE II, FIRE PREVENTION CODE, SECTION 8-36, ADOPTING THE INTERNATIONAL FIRE CODE 2021 EDITION; PROVIDING FOR A PENALTY OF NOT MORE THAN \$2,000 FOR EACH VIOLATION OF THE FIRE PREVENTION CODE. (Amend the building code sections and fire code from the 2009 Edition to current editions)

Attachments: [IBC - IFC AIS](#)
 [Att 2 - 2021 PROPOSED FIRE CODE AMENDMENTS AND JUSTIFICATIONS](#)
 [Ordinance No. 2022-24](#)

- C. [2022-625](#) CONSIDER RESOLUTION NO. 2022-R37; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A MUNICIPAL EQUIPMENT LEASE/PURCHASE AGREEMENT BETWEEN THE CITY OF BOERNE AND FROST BANK FOR AN ASPHALT ZIPPER FOR AN AMOUNT FINANCED NOT TO EXCEED \$264,424.00. (Street Department)

Attachments: [20220803-AIS-Zipper
Resolution No. 2022-R37
Zipper Product Information
Proposal
Purchase Agreement](#)

- D. [2022-626](#) CONSIDER RESOLUTION NO. 2022-R38; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND KIMLEY-HORN AND ASSOCIATES, INC. FOR TASK ORDER NO. 2, WORK AUTHORIZATION NO. 1, FOR THE SCHEMATIC DESIGN FOR CASCADE CAVERNS CAPITAL IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$1,499,828.00. (MPO Roadway Project)

Attachments: [AIS-Cascade MPO Engineering
Resolution No. 2022-R38
Cascade-MPO schematic
Cascade-Kimley-Horn Work Schedule
Kimley-Horn Fee Proposal](#)

- E. [2022-624](#) CONSIDER RESOLUTION NO. 2022-R39; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND BOERNE ISD FOR SCHOOL RESOURCE OFFICER PROGRAM.

Attachments: [AIS SRO Inter Local 2022
Resolution No. 2022-R39
SRO Contract BOERNE 2022 2023 Final](#)

- F. [2022-638](#) CONSIDER RESOLUTION NO. 2022-R40; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO OPEN AND MANAGE A BANK ACCOUNT FOR THE RANCHES AT CREEKSIDE PUBLIC IMPROVEMENT DISTRICT (PID) ADMINISTRATION, AND DESIGNATING SIGNATORIES FOR THE DEPOSITORY FINANCIAL INSTITUTION FOR THE FUNDS. (Frost Bank)

Attachments: [AIS for PID depository account 8.9.22
Resolution No. 2022-R40](#)

- G. [2022-635](#) CONSIDER RESOLUTION NO. 2022-R41; 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 RAINBOW SENIOR CENTER. (Kronkosky Place)

Attachments: [Kronkosky Place Delegate Agency Agreement AIS 8.9.22](#)
 [Resolution No. 2022-R41](#)
 [Attachment A. Quarterly Operations Report](#)
 [Attachment B. Delegate Agency Agreement](#)

- H. [2022-636](#) CONSIDER RESOLUTION NO. 2022-R42; 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 BOERNE HOUSING AUTHORITY.

Attachments: [Boerne Housing Authority Delegate Agency AIS](#)
 [Resolution No. 2022-R42](#)
 [Attachment A. Report](#)
 [Attachment B. Delegate Agency Agreement](#)

- I. [2022-637](#) CONSIDER RESOLUTION NO. 2022-R43; 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 BOERNE PERFORMING ARTS.

Attachments: [Boerne Performing Arts Delegate Agency AIS](#)
 [Resolution No. 2022-R43](#)
 [Attachment A. Report](#)
 [Attachment B. Delegate Agency Agreement](#)

- J. [2022-639](#) CONSIDER RESOLUTION NO. 2022-R44; 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 CIBOLO CENTER FOR CONSERVATION.

Attachments: [Delegate Agency AIS 8.9.22](#)
 [Resolution No. 2022-R44](#)
 [Cibolo Center for Conservation Agreement](#)

- K. [2022-634](#) CONSIDER RESOLUTION NO. 2022-R45; 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 BOERNE HILL COUNTRY FAMILY SERVICES.

Attachments: [HCFS Delegate Agency AIS 8.9.22](#)
 [Resolution No. 2022-R45](#)
 [Attachment A. Report](#)
 [Attachment B. Delegate Agency Agreement](#)

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2022-641](#) DISCUSS AND RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION FOR THE PROPOSED REZONING OF 4.771 ACRES AND 0.0618 ACRES FOR A TOTAL OF 4.8328 ACRES, LOCATED AT 502 SOUTH SCHOOL STREET, FROM C1, NEIGHBORHOOD COMMERCIAL, TO R1-M, MEDIUM DENSITY RESIDENTIAL DISTRICT (A10310 - SURVEY 178 A LOCKMAR, KAD NO. 14412 AND A PORTION OF KAD NO. 14381). (Patrick Christensen).

Attachments: [AIS - 502 South School Street - Rezone](#)
 [Att 1 - Location Map](#)
 [Att 2 - Aerial Map - Current Zone](#)
 [Att 3 - Aerial Map - Proposed Zone](#)
 [Att 4 - Table of Uses](#)
 [Att 5 - Future Land Use](#)
 [Att 6 - Preliminary Plat 502 S School 20211027](#)
 [Att 7 - 22-0517 B.O.N.D. Report - 502 SS](#)

- B. [2022-642](#) PUBLIC HEARING (One of one hearing)

Attachments: [AIS - 502 South School Street - Rezone](#)
 [Att 1 - Location Map](#)
 [Att 2 - Aerial Map - Current Zone](#)
 [Att 3 - Aerial Map - Proposed Zone](#)
 [Att 4 - Table of Uses](#)
 [Att 5 - Future Land Use](#)
 [Att 6 - Preliminary Plat 502 S School 20211027](#)
 [Att 7 - 22-0517 B.O.N.D. Report - 502 SS](#)

- C. [2022-643](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-25; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, REZONING 4.771 ACRES AND 0.0618 ACRES FOR A TOTAL OF 4.8328 ACRES LOCATED AT 502 SOUTH SCHOOL STREET (A10310 - SURVEY 178 A LOCKMAR, KAD NO. 14412 AND A PORTION OF KAD NO. 14381) FROM C1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO R1-M, MEDIUM DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Attachments: [Ordinance No. 2022-25](#)
 [Att 1 - Location Map](#)
 [Att 2 - Aerial Map - Current Zone](#)
 [Att 3 - Aerial Map - Proposed Zone](#)
 [Att 4 - Table of Uses](#)
 [Att 5 - Future Land Use](#)

6. RESOLUTIONS:

- A. [2022-640](#) CONSIDER RESOLUTION NO. 2022-R46; A RESOLUTION OF THE CITY OF BOERNE RATIFYING A PURCHASE BY CITY STAFF AND AUTHORIZING A PAYMENT TO ERGON ASPHALT & EMULSIONS FOR CHIP SEAL EMULSION FOR A TOTAL AMOUNT NOT TO EXCEED \$57,588.91. (Materials for street repairs)

Attachments: [20220803-AIS-ErgonEmulsion](#)
 [Resolution No. 2022-R46](#)

7. CITY MANAGER'S REPORT:

- A. [2022-629](#) TEXAS PUBLIC POWER ASSOCIATION (TPPA) SYSTEM ACHIEVEMENT AWARD.
 - B. [2022-630](#) AMERICAN PUBLIC GAS ASSOCIATION (APGA) SAFETY AWARD.
 - C. [2022-631](#) PRESENTATION OF CITY'S WATER DASHBOARD.
8. COMMENTS FROM COUNCIL – No discussion or action may take place.
9. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:
10. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.
11. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 5th day of August, 2022 at 4:15 p.m.

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall is wheelchair accessible. Access to the building and special parking is available at the northeast entrance of the building. Requests for auxiliary aides and special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 830-249-9511.

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.