

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
April 28, 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://zoom.us/j/93904528936>

Dial in by phone toll free:

888 788 0099 US Toll-free

877 853 5247 US Toll-free

Meeting ID: 939 0452 8936

1. CALL TO ORDER – 6:00 PM

ROLL CALL

MOMENT OF SILENCE

2. CONFLICTS OF INTEREST

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.

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. 2020-283 CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 14, 2020.

Presenter: City Secretary Lori Carroll

5. 2020-286 PRESENTATION OF PROCLAMATION TO CARLA HEATH IN RECOGNITION OF 39 YEARS OF SERVICE ON THE BOERNE PUBLIC HOUSING AUTHORITY BOARD.

Presenter: Tim Handren

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)

Presenter: Tim Handren

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.

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)

Presenter: Tim Handren

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.

Presenter: Finance Director Sandy Mattick and Deputy City Manager Jeff Thompson

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

Presenter: Tim Handren

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)

Presenter: Planning & Community Development Director Laura Talley

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.

Presenter: Finance Director Sandy Mattick, Deputy City Manager Jeff Thompson and City Manager Ron Bowman

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)

Presenter: Deputy City Manager Jeff Thompson

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.

Presenter: Deputy City Manager Jeff Thompson

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.

Presenter: Deputy City Manager Jeff Thompson

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.

Presenter: Planning & Community Development Director Laura Talley

17. **2020-285** UPDATE FROM THE BOERNE CONVENTION AND VISITORS BUREAU ON TOURISM AND UPDATED MARKETING PLAN FOR RE-OPEN BOERNE PROGRAM.

Presenter: Convention & Visitors Bureau Director Larry Woods

18. **2020-289** DISCUSSION OF POTENTIAL HOME RULE CHARTER AMENDMENTS AND PROCESS PRIOR TO ELECTION.

Presenter: Tim Handren

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

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

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

Presenter: Tim Handren

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

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)

23. ADJOURNMENT

s/s Ronald C. Bowman
City Manager

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 24th day of April, 2020 at 5:00 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.