

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
August 11, 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 by computer:

<https://us02web.zoom.us/j/87043871857>

or by phone:

877 853 5247 US Toll-free

888 788 0099 US Toll-free

Meeting ID: 870 4387 1857

1. CALL TO ORDER – 6:00 PM

ROLL CALL

2. CONFLICTS OF INTEREST

3. [2020-477](#) 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)

Presenter: Tim Handren

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. [2020-482](#) CONSIDER THE MINUTES OF THE REGULAR CITY COUNCIL

MEETING OF JULY 28, 2020.

Presenter: City Secretary Lori Carroll

- B. [2020-474](#) CONSIDER RESOLUTION NO. 2020-R54; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (City Hall Holiday décor)

Presenter: Special Projects Director Paul Barwick

- C. [2020-469](#) CONSIDER RESOLUTION NO. 2020-R55; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND ABIP, PC FOR AUDITING THE CITY OF BOERNE'S FINANCIAL STATEMENTS FOR THE YEAR ENDING SEPTEMBER 30, 2020. (Agreement for the Annual Audit of the City's Financial Statements)

Presenter: Finance Director Sandy Mattick

- D. [2020-472](#) CONSIDER RESOLUTION NO. 2020-R56; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, RESCINDING RESOLUTION NO. 2020-R13 AND AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Purchase a Ford Truck from Patterson Equipment instead of Chevrolet approved on 3/10/2020)

Presenter: Utilities Director Michael Mann

- E. [2020-485](#) CONSIDER THE PROPOSED CHARTER AMENDMENTS AS PRESENTED BY THE CHARTER REVIEW COMMISSION.

Presenter: City Secretary Lori Carroll

- F. [2020-471](#) CONSIDER RESOLUTION NO. 2020-R57; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE PURCHASE OF A MOTORIZED RESCUE BOAT FROM TRIAD MARINE & INDUSTRIAL SUPPLY, INC. TO BE USED DURING FLOODING EMERGENCIES FOR THE FIRE DEPARTMENT. (Purchase a replacement rescue boat for the Fire Department)

Presenter: Ray Hacker

REGULAR AGENDA:

5. ORDINANCES:

- A. [2020-470](#) CONSIDER ORDINANCE NO. 2020-20; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES OF THE CITY OF BOERNE, TEXAS ENTITLED "FLOOD DAMAGE PREVENTION"; SECTION 9-5. DEFINITIONS, SECTION 9-6. LANDS TO WHICH THIS ORDINANCE APPLIES, SECTION 9-7. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD AND LOCAL FLOODPLAIN; ARTICLE II. ADMINISTRATION, SECTION 9-42. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR, SECTION 9-44. VARIANCE PROCEDURES; ARTICLE III. PROVISIONS FOR FLOOD HAZARD REDUCTION, SECTION 9-66. GENERAL STANDARDS, SECTION 9-67. SPECIFIC STANDARDS FOR A & AE ZONES, SECTION 9-68. STANDARDS FOR SUBDIVISION PROPOSALS, SECTION. 9-69. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES), SECTION 9-70. LOCAL FLOODPLAIN, 9-71. FLOODWAYS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR A PENALTY OF NOT MORE THAN \$1,000.00 FOR EACH VIOLATION. (Update to the Flood Damage Prevention Ordinance)

Presenter: Development Director Jeff Carroll

6. RESOLUTIONS:

- A. [2020-483](#) CONSIDER RESOLUTION NO. 2020-R58; A RESOLUTION OF THE CITY OF BOERNE, TEXAS AMENDING PROCEDURES FOR THE GENERAL MUNICIPAL ELECTION OF MAY 2020 TO BE HELD ON NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING A COUNCIL MEMBER FOR DISTRICT 3; AND PROVIDING AN EFFECTIVE DATE. (Una resolución de la ciudad de Boerne, Texas que enmienda los procedimientos para la elección municipal general de Mayo de 2020 a celebrarse el 3 de Noviembre de 2020 con el fin de elegir un Miembro Del Consejo para el Distrito 3; y proporcionando una fecha efectiva)

Presenter: City Secretary Lori Carroll

- B. [2020-484](#) CONSIDER RESOLUTION NO. 2020-R59; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, CALLING FOR A SPECIAL ELECTION ON NOVEMBER 3, 2020 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY PROPOSED AMENDMENTS TO THE EXISTING BOERNE HOME RULE CHARTER, STATING THE SUBJECT MATTER OF THE PROPOSED AMENDMENTS TO THE CITY CHARTER TO BE VOTED UPON AT SAID ELECTION, PROVIDING THE FORM OF THE BALLOT FOR SUCH ELECTION, DESIGNATING THE POLLING PLACES, DIRECTING AND GIVING NOTICE OF SUCH ELECTION, AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION. (Una resolución de la ciudad de Boerne, Texas, llamando para una elección especial el 3 de Noviembre de 2020 para el propósito de enviar a los votantes calificados de la ciudad enmiendas propuestas a la carta de la regla del hogar de la ciudad, declarando el asunto de las enmiendas propuestas a la carta de la ciudad para ser votado en esta dicha elección, proporcionando la forma de la boleta dicha elección, designando los lugares de votación, dirigiendo y dando aviso de dicha elección, y proporcionando detalles relacionados con la realización de dicha elección.)

Presenter: City Secretary Lori Carroll

- C. [2020-476](#) RECEIVE BIDS AND AWARD CONTRACT FOR BANKING SERVICES AND CONSIDER RESOLUTION NO. 2020-R60; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND FROST BANK FOR CITY DEPOSITORY BANKING SERVICES.

Presenter: Finance Director Sandy Mattick

7. OTHER ITEMS:

- A. [2020-468](#) RECEIVE THE CITY OF BOERNE'S 2020 CERTIFIED APPRAISAL ROLL VALUES.

Presenter: Finance Director Sandy Mattick

- B. [2020-475](#) DISCUSSION ON DELEGATE AGENCY AGREEMENTS.

Presenter: Deputy City Manager Jeff Thompson

8. CITY MANAGER'S REPORT:

- A. [2020-473](#) JULY WATER PRODUCTION AND CONSERVATION EFFORTS.

Presenter: City Manager Ben Thatcher

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

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

- A. [2020-478](#) SECTION 551.071 - CONSULTATIONS WITH CITY'S ATTORNEY TO SEEK LEGAL ADVICE ON THE LAW RELATED TO PUBLIC IMPROVEMENT DISTRICTS (PIDS) AND PID POLICIES.

Presenter: City Attorney Barbara Quirk

- B. [2020-479](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS, INCLUDING: 1) COMMERCIAL OR FINANCIAL INFORMATION THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THE CITY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE CITY; AND 2) THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO THE BUSINESS PROSPECT (RANCHES AT CREEKSIDE).

Presenter: Deputy City Manager Jeff Thompson, Development & Process Improvement Director Nick Montagno and Utilities Director Michael Mann

- C. [2020-480](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; BOERNEBAK LLC.

Presenter: Deputy City Manager Jeff Thompson

- D. [2020-481](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; POTENTIAL DEVELOPER FOR A PROPERTY LOCATED ON HWY 46 E.

Presenter: Deputy City Manager Jeff Thompson

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

12. 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)

13. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 7th day of August, 2020 at 4:00 p.m.

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall Complex is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. 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.