



Kendall County, Texas Commissioners Court

Shane Stolarczyk, County Judge

Christina Bergmann
Commissioner, Precinct 1

Andra M. Wisian
Commissioner, Precinct 2

Richard Chapman
Commissioner, Precinct 3

Chad Carpenter
Commissioner, Precinct 4

AGENDA

REGULAR SESSION · MONDAY, NOVEMBER 13, 2023 · 9:00 AM

201 EAST SAN ANTONIO AVENUE, BOERNE, TX 78006

3RD FLOOR COMMISSIONERS COURTROOM

NOTICE is hereby given that a regular meeting of the Kendall County Commissioners Court will be held in person and via Zoom at which time the following will be discussed and appropriate action taken; pursuant to V.T.C.A. Government Code Chapter 551, Open Meetings Act, including all Subchapters and Sections.** The quorum of the court will be present at the Kendall County Commissioners Courtroom.

The public may join this meeting while in progress by calling 1-346-248-7799 and entering the meeting ID **565 651 9107** followed by #. Or by going to <https://txcourts.zoom.us/j/5656519107>

An electronic copy of the agenda and agenda backup documents can be found at:
<https://www.co.kendall.tx.us/page/Agendas>

PLEASE SILENCE CELL PHONES

1. Call to Order - 9:00 a.m.
2. Pledge of allegiance to the United States Flag / Texas Flag
 - Introduction of youth presenter by Commissioner Andra M. Wisian
3. Comments from the bench to share items of community interest as allowed under and limited by Texas Government Code Section 551.0415.
 - Commissioner Christina Bergmann, Precinct 1
 - Commissioner Andra M. Wisian, Precinct 2
 - Commissioner Richard Chapman, Precinct 3
 - Commissioner Chad Carpenter, Precinct 4
 - Shane Stolarczyk, County Judge
4. Declarations of Conflict of Interest – This is an opportunity for members of the Court to identify and disclose actual or perceived conflicts of interest.
5. Consent Agenda:
Items on the Consent Agenda are considered to be of a routine nature and may require only limited discussion. All items under the Consent Agenda are heard and acted upon collectively unless opposition is presented. Any member of the Commissioners Court may request that an item be removed from the Consent Agenda and considered separately for the purpose of discussion and voting.

- a. Consideration and action to approve Commissioner Court Minutes for the October 23, 2023 Regular: Paula Pfeiffer, County Clerk's Office;
 - b. Consideration and action to approve September Fee Office Reports: Corinna Speer, County Auditor;
 - c. Consideration and action on accepting the list of donations received in October 2023, on behalf of Kendall County per Local Government Code 81.032: Corinna Speer, County Auditor;
 - d. Ratify letter request to Texas Alcoholic Beverage Commission ("TABC") authorizing Hill Country Cider House to sell alcohol at Christmas in Comfort parade under its current TABC permit: Shane Stolarczyk, County Judge.
6. **Public Hearing (9:15 a.m.)** - Pursuant to Texas Local Government Code Chapter 111.007, the Commissioners Court will hold a public hearing on the proposed area to be designated as Reinvestment Zone No. 2 in the area of unincorporated Kendall County located at 830 FM 289 Boerne, Texas 78006 and 837 FM 289 Boerne, Texas 78006, described as approximately 4.566 acres out of the A10606 – Survey 61 Waco MFG Co and 12.81 Acres out of the A10606 – Survey 61 Waco MFG Co, for a total of approximately 17.376 acres.
 7. PUBLIC COMMENTS – Opportunity for the general public to address the Court on any matter. The Court may not discuss any presented issue, nor may any action be taken on any issue at this time. Pursuant to the Commissioners Court's rules of procedure and decorum, each person who appears before the court shall be limited to a maximum of three (3) minutes to make their remarks.
 8. Consideration and action on the burn ban pursuant to Texas Local Government Code § 352.081: Shane Stolarczyk, County Judge / Jeffery Fincke, Fire Marshal
 9. Presentation and possible action on applying for a Flood Mitigation Assistance Grant: Richard Chapman, Commissioner Precinct 3 / Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer / Eric Scheibe, Scheibe Consulting
 10. Consideration and action to approve the accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
 11. Consideration and action to solicit bids for road materials for the Road and Bridge Department for FY2024: Corinna Speer, County Auditor
 12. Consideration and action to solicit bids for surface pavement repair for the Road and Bridge Department for FY2024: Corinna Speer, County Auditor
 13. Consideration and action on a license agreement for use of the Kendall County Courthouse grounds for Dickens on Main 2023: Matthew Grove, General Counsel
 14. Consideration and action on a license agreement with the Greater Boerne Chamber of Commerce to dedicate parking spaces to Kendall County within the Chamber's parking lot: Shane Stolarczyk, County Judge / Christina Bergmann, Commissioner Precinct 1 / Kim Blohm, Greater Boerne Chamber of Commerce
 15. Consideration and action on adopting an order regulating parking on property owned or leased by Kendall County: Christina Bergmann, Commissioner Precinct 1 / Matthew Grove, General Counsel

16. Consideration and action concerning a resolution to authorize the Elections Administrator to enter into a contract with the Republican and Democratic Party Chairs to conduct a Joint Primary and Joint Runoff Election in 2024: Staci L. Decker, Elections Administrator
17. Consideration and action regarding the relocation of the longhorns located at Joshua Springs Park and Preserve: Shane Stolarczyk, County Judge / Joe Reissig, Parks Director
18. Consideration and action on a Re-Accreditation Agreement with Texas Police Chiefs' Association Foundation: Al Auxier, Sheriff / Matthew Grove, General Counsel
19. Consideration and action on a Diagnostic Service Agreement with Cummins Southern Plains, LLC in an amount not to exceed \$6,549.82: Al Auxier, Sheriff / Matthew Grove, General Counsel
20. Consideration and action on a Software License Agreement with Cellebrite Inc. in an amount not to exceed \$6,450.00: Al Auxier, Sheriff / Matthew Grove, General Counsel
21. Consideration and action to upgrade the fiber network on the Kendall County Courthouse property: Richard Chapman, Commissioner Precinct 3 / Brian Stegall, IT Director
22. Consideration and action to approve the proposals to upgrade security at the Courthouse and Annex: Richard Chapman, Commissioner Precinct 3 / Brian Stegall, IT Director
23. Update on the progress of the new website and management modules including agenda and meeting management, development applications, permitting, Texas Public Information Requests, and parks management with Civic Plus, a technology company that is providing the County with a comprehensive suite of digital and on-line solutions helping our county staff collaborate and work more efficiently while better serving our citizens: Andra M. Wisian, Commissioner Precinct 2
24. Consideration and action to allow the Comfort Chamber of Commerce to use the Faltin Field for parking during the Christmas in Comfort event taking place on November 24, 2023 and November 25, 2023: Chad Carpenter, Commissioner Precinct 4
25. Consideration and action to allow the Comfort Chamber of Commerce to close 7th Street between Highway 27 and Main Street; High Street from 6th to 806 8th Street; 8th Street at the north corner of High Street and just past the entrance to Simply Comfort, on the south side of High Street. The closures would begin on November 24th at noon and end November 25th at midnight: Chad Carpenter, Commissioner Precinct 4
26. Consideration and action on a request for relief from the requirement to obtain an approved LOMR from FEMA as part of the platting process as required in Section 2.4b(ii)(r) of the Development Regulations and Article 4 Section D(2) of the Flood Damage Prevention Order (Owner: James Shaw, Comfort Falls Ranch, LLC): Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer
27. Consideration and action on approving an amending plat creating Lot 13A Block C Unit 301B of Cordillera Ranch Subdivision in accordance to the Kendall County Development Rules. The purpose of the amending plat is to combine two lots (Lot 13 and Lot 14) into one Lot 13A. The lots

are served by public water system and public wastewater system. (Tyler and Jennifer Chapman, Owner): Richard Chapman, Commissioner Precinct 3 / Ron Jones, Staff Engineer

BREAK

EXECUTIVE SESSION (Closed to the public)*

- I. Pursuant to Texas Government Code § 551.071 (Attorney Consultation) and Texas Government Code § 551.072 (Real Property) the deliberation of the purchase, exchange, or lease or value of real property. (Note: The deliberation in an open meeting would have a detrimental effect on the position of Kendall County in negotiations with a third person.)
 1. Discussion regarding the purchase of office/ warehouse/ and other space for the county
- II. Pursuant to Texas Government Code § 551.071 (Attorney Consultation) and Texas Government Code § 551.074 (Personnel Matters), consultation with legal counsel to seek the advice of attorney(s) representing the County concerning pending and/or threatened litigation, settlement offers, and/or matters in which the duties of the attorney(s) under the Texas Rules of Professional Conduct of the State Bar of Texas require confidential communications.
 1. Proposition A Committee Update
 2. Legal advice on personnel policies
 3. Updates on pending litigation
 4. ETJ Interlocal Agreement between the City of Boerne and Kendall County
 5. Flood plain violations
 6. Fair Oaks Ranch Transportation Issues
 7. Development Rules and Regulations
 8. Road and Bridge policies and procedures
 9. Interlocal Detention Agreements
 10. Contract for additional services for CivicPlus and the Kendall County website

RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION RESULTING FROM EXECUTIVE SESSION DELIBERATIONS

28. Action resulting from Executive Session deliberations

ADJOURNMENT

**The Court reserves the right to adjourn, by majority vote, into Executive Session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Chapter 551, Open Meetings, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.075, 551.076, 551.087, and 551.089 or to seek the advice of its attorney and/or other attorneys representing Kendall County on any matter in which the duty of the attorney to the Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with chapter 551 of the Texas Government Code or as otherwise may be permitted under chapter 551. Action, if any, will be taken in the open session.*

***This agenda has been reviewed and approved by the Court's legal counsel. This paragraph is intended to constitute a legal opinion of the Court's legal counsel that the presence of any subject in and Executive Session portion of the agenda is properly noticed pursuant to the Texas Open Meetings Act. This constitutes an interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by that attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to that attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.*

Dated this the 9th day of November 2023.


Shane Stolarczyk
Kendall County Judge

I, the undersigned County Clerk, do hereby certify NOTICE of regular meeting of the above-named Commissioners Court is a true and correct copy of said Notice and that I have caused said Notice to be posted on the door at the Courthouse of Kendall County, Texas, located at 201 E. San Antonio Avenue on the 9th day of November 2023.

By: 
Denise Maxwell
County Clerk

Posted at 4:15 pm on the 9th day of November 2023 -mam

NOTE: The Kendall County Commissioners Court complies with A.D.A. requirements. If you have an impairment and wish to appear at a meeting, please call (830)249-9343, 48 hours in advance to make arrangements.