

MINUTES
CITY COUNCIL WORKSHOP
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
April 12, 2016 – 4:00 p.m.

Minutes of the City Council Workshop of April 12, 2016 at 4:00 p.m.

Present: Mayor Pro Tem Ron Cisneros, Council Member Charlie Boyd IV, and Council Member Jeff Haberstroh. Council Member Christina Bergmann arrived at 4:01 p.m., Council Member Nina Woolard arrived at 4:03 p.m., and Mayor Mike Schultz arrived at 4:45 p.m.

Staff Present: Ron Bowman, Siria Arreola, Paul Barwick, Pam Bransford, Lori Carroll, Kirsten Cohoon, Mark Mattick, Sandy Mattick, Mike Raute, Kelly Skovbjerg, Jeanette Teague, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke. Randall and Preston Scott of Randall Scott Architects, Inc.

Recognized / Registered Guests: Richard Chapman and Joe Anzollitto

1. CALL TO ORDER – 4:00 PM

Mayor Pro Tem Cisneros called the City Council to order at 4:00 p.m.

2. WORKSHOP DISCUSSION:

2A. [2016-570](#) Discussion on Lohmann St. Parking Lot with Proposed Convention and Visitors Bureau Location

Mayor Pro Tem Cisneros called on Ms Linda Zartler, Assistant City Manager. Ms. Zartler introduced Mr. Paul Barwick, Special Projects Director and Mr. Larry Woods, Boerne Convention and Visitors Bureau Director to review the proposed updates to the Lohmann Street parking lot. Mr. Barwick displayed the existing Lohmann Street parking lot and reviewed the history of the location. He discussed the details and reviewed the 2011 Downtown Parking Study Findings and Recommendations. Mr. Barwick reviewed two options for the parking lot improvement project with an estimated cost. Option 1 is to add landscaping, lighting, add new curbing, adding asphalt, remove current

sidewalk, and add new walkway. This option will increase parking spaces from the current 81 spaces to 97. He displayed a diagram of the proposed plan. Option 2 includes making improvements to the existing parking lot and adding a new Convention and Visitors Bureau (CVB) structure. Parking spaces will increase from the current 81 to 89. Mr. Woods discussed the current CVB location, CVB needs assessment, benefits to moving the CVB downtown, costs, and funding sources. City staff contacted Judy Edmondson, representative of Keep Boerne Beautiful and she is in favor of exploring the possibility of applying the KTB Governor's Community Achievement Award grant of \$160,000 to the Lohmann Street parking lot project. Mr. Ron Bowman, City Manager stated that by doing this project, a downtown garage will not be needed. This will enable the City to sell the existing CVB. Discussion ensued regarding RV parking, and the rationale for not including the CVB offices in the proposed new City Hall, hours of operation, size of building, availability of public restroom facilities, suggestion of kiosk outside of proposed new building to contain flyers when the facility is closed, and providing additional parking for downtown.

2B. [2016-563](#) Discussion On Space Needs Assessment And Conceptual Design For A New City Hall by Randall Scott Architects, Inc.

Mayor Pro Tem Cisneros called on Ms. Linda Zartler, Assistant City Manager. Ms. Zartler introduced Mr. Randall Scott of Randall Scott Architects, Inc. to present a conceptual design of the proposed new City Hall. Ms. Zartler stated that City Staff continues to work on the floor plans to best fit the needs of their departments. The proposed building will be three stories and approximately 44,500 sq. ft. Mr. Scott displayed his contextual inspiration for the architecture. The stone used will be very similar to that of the library to serve as continuity of the two buildings. The detention pond will make availability for a park like area between the Library and City Hall. He displayed conceptual design drawings of the proposed site plan and the proposed exterior and interior of the building. Ms. Zartler stated that the current Zoning Ordinance will preclude parking in front of building but could possibly make it a fire lane. There are archeological features located in the area that we will try to work around. Mr. Ron Bowman, City Manager stated that although the building looks tall, it is the same height as the Courthouse and City Center building downtown.

3. ADJOURNMENT

Mayor Schultz adjourned the City Council Workshop at 5:00 p.m.

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
April 12, 2016 – 6:00 PM

Minutes of the Regular City Council meeting of April 12, 2016 at 6:00 p.m.

Present: Mayor Mike Schultz, Mayor Pro Tem Ron Cisneros, Council Member Christina Bergmann, Council Member Charlie Boyd IV, Council Member Jeff Haberstroh, and Council Member Nina Woolard.

Staff Present: Ron Bowman, Siria Arreola, Paul Barwick, Pam Bransford, Lori Carroll, Kirsten Cohoon, Mike Mann, Mark Mattick, Sandy Mattick, Mike Raute, Kelly Skovbjerg, Laura Talley, Jeanette Teague, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke. Randall and Preston Scott of Randall Scott Architects.

Recognized / Registered Guests: Richard Chapman, Joe Anzollitto, Chris Christian, Debbie DeLoach, Jim Westermeier, Carol Westermeier, Jeff Carroll, Jeannette MacDougall, Craig Colvin, James R. Day, and Cynthia Day.

1. CALL TO ORDER – 6:00 PM

Mayor Schultz called the City Council to order at 6:00 p.m.

Mayor Schultz asked for a Moment of Silence and led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS:

Jeannette MacDougall, 933 North School Street expressed her opposition to a motorcycle shop at the proposed location of 941 North Main Street. She stated that she was also representing the family of Coleman Simms. She said she spoke at the Planning and Zoning Commission meeting regarding this issue. She has lived at the same location for 30 years and has watched businesses come and go from that location. She stated that she currently has a motorcycle license and supports this type of business in Boerne but not at this location. The location is a prime area for a meeting place for group rides after hours. She would like to see a family oriented business at that location.

4. CONSENT AGENDA:

4A. [2016-544](#) Approval of the City Council meeting minutes of March 22, 2016

THE MINUTES WERE APPROVED.

4B. [2016-557](#) Consider On Second Reading Ordinance No. 2016-18; An Ordinance Annexing The Hereinafter Described Territory Into The City Of Boerne, Kendall County, Texas And Extending The Boundary Limits Of Said City So As To Include Said Hereinafter Described Property Within The City Limits, And Granting To Said Territory And To All Future Inhabitants Of Said Property All Of The Rights And Privileges Of Other Citizens And Binding Said Future Inhabitants By All Of The Acts And Ordinances Of Said City. (0.670 Acres Of Land Being Part Of Scenic Loop Road - At The Request Of City Of Boerne)

THE ORDINANCE WAS APPROVED.

4C. [2016-558](#) Consider On Second Reading Ordinance No. 2016-19; An Ordinance Annexing The Hereinafter Described Territory Into The City Of Boerne, Kendall County, Texas And Extending The Boundary Limits Of Said City So As To Include Said Hereinafter Described Property Within The City Limits, And Granting To Said

Territory And To All Future Inhabitants Of Said Property All Of The Rights And Privileges Of Other Citizens And Binding Said Future Inhabitants By All Of The Acts And Ordinances Of Said City. (0.464 Acres Of Land Being Part Of Upper Balcones Road - At The Request Of City Of Boerne)

THE ORDINANCE WAS APPROVED.

- 4D. [2016-569](#) Consider Resolution No. 2016-R34; A Resolution Authorizing The City Manager To Enter Into An Interlocal Agreement Between The City Of Boerne And Kendall County For The Herff Road Project

THE RESOLUTION WAS APPROVED.

APPROVAL OF THE CONSENT AGENDA.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER BOYD IV TO APPROVE THE CONSENT AGENDA. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH 5: COUNCIL MEMBER HABERSTROH, COUNCIL MEMBER WOOLARD, COUNCIL MEMBER BOYD IV, MAYOR PRO TEM CISNEROS, AND COUNCIL MEMBER BERGMANN

PUBLIC HEARING – To Hear Comments On The Following:

5. [2016-559](#) A. Proposed Use Of Automobile Sales (Motorcycle Sales) In A B-2, Highway-Commercial District For 941 North Main, A Total Of 0.088 Acres, KAD No. 24699 (James Day)

Mayor Schultz opened the Public Hearing at 6:08 p.m.

James Russell Day, 1050 Water Stone Parkway introduced himself as the owner of Boerne Motorcycle Company. It is a small operation with approximately 15 motorcycles in inventory and he does his own repairs. He stated that this location will be a repair facility for only the motorcycles he sales and there will not be any motorcycles stored outside at night. The hours of operation will be 10:00 a.m. - 6:00 p.m. Monday thru Friday and 9:00 a.m. - 4:00 p.m. on Saturday. The business will not be open on Sundays. He will post the City's

Noise Ordinance on the property and uses recycle containers. Test rides will be conducted on North Main to Sisterdale Road or to IH-10. He uses sound damping exhaust. At his current location next to Ingram Ready Mix, he stated he never had a complaint from his neighbors.

Mayor Schultz closed the Public Hearing at 6:15 p.m.

6. [2016-560](#) **A. Consider On First Reading Ordinance No. 2016-20; 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 Automobile Sales In A B-2, Highway Commercial District Located At 941 North Main, A Total Of 0.088 Acres, KAD No. 24699. (James Day)**

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley displayed a map of the proposed location for the request of Motorcycle Sales. She stated that a repair shop is permitted in the B-2 zone but indoors only. Motorcycles will be stored inside during night and under the awning during the day. Ms. Talley reminded the City Council that the area behind the building is Old No. 9 which is City property and no public parking is permitted. She stated that a number of people spoke at the Planning and Zoning Commission meeting expressing their concern with noise and trash. After the meeting, Mr. Day spoke to the neighbors about their concerns and the following day staff received favorable comments from the neighbors. The Planning and Zoning Commission voted 6-1 to approve the use for Motorcycle Sales in a B-2 zone. Staff is supportive of the use at this location.

A MOTION WAS MADE BY COUNCIL MEMBER HABERSTROH, SECONDED BY MAYOR PRO TEM CISNEROS, TO APPROVE ON FIRST READING ORDINANCE NO. 2016-20; 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 AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 941 NORTH MAIN, A TOTAL OF 0.088 ACRES, KAD NO. 24699. (JAMES DAY). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

7. [2016-572](#) CONSIDER MAYORAL APPOINTMENTS TO THE KENDALL COUNTY LIBRARY ADVISORY BOARD

Mayor Schultz stated that Ms. Nancy Schuchardt recently resigned from her position on the Kendall County Library Advisory Board. He recommended the appointment of Mr. Kevin Henning as Ms. Schuchardt's replacement and also recommended the reappointment of Sharon Mazurek to the Board.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY MAYOR PRO TEM CISNEROS, TO APPROVE THE MAYORAL APPOINTMENTS TO THE KENDALL COUNTY LIBRARY ADVISORY BOARD. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

8. [2016-571](#) CONSIDER LOHMANN STREET PARKING LOT AS PROPOSED LOCATION FOR NEW CONVENTION AND VISITORS BUREAU FACILITY

Mayor Schultz called on Mr. Paul Barwick, Special Projects Director and Mr. Larry Woods, Boerne Convention and Visitors Bureau Director to discuss the Lohmann Street parking lot as a proposed location for a new Convention and Visitors Bureau (CVB) facility. Mr. Barwick referred to the Workshop held earlier in the evening. He reviewed two options for the Lohmann Street

parking lot. Option 1 to include repairing and landscaping the parking lot and Option 2 is to make improvements to the parking lot and building a new CVB on the property and selling the facility located near Wal-Mart. The details will need to be worked out with Wal-Mart.

A MOTION WAS MADE BY COUNCIL MEMBER HABERSTROH, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE LOHMANN STREET PARKING LOT AS PROPOSED LOCATION FOR NEW CONVENTION AND VISITORS BUREAU FACILITY. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Haberstroh, Council Member Woolard, Mayor Pro Tem Cisneros, and Council Member Bergmann

Nay: 1 - Council Member Boyd IV

9. [2016-561](#) RECEIVE AND CONSIDER A REQUEST FROM MR. MIKE GONZALES FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 10 RESTRICTIONS ON CERTAIN TYPES OF SIGNS. FF. WALL SIGNS. (Boerne Sign Shop 32826 IH 10 West)

Mayor Schultz called on Ms. Laura Talley. Ms. Talley presented the request from the owner of the Boerne Sign Shop for a variance for the size of a wall sign. She displayed the property location and a photo of the sign. She stated that the phone number has been removed from the sign but the sign is still too large. The Sign Variance Committee recommended that the request be denied. Discussion ensued regarding the length of time the sign has been on the building. Ms. Linda Zartler, Assistant City Manager stated that last year the owner was notified by Code Enforcement that the sign was too large and if he wanted to keep it up, he would have to get a sign variance. After numerous reminders, Mr. Gonzales was given a fine by the judge and was told to remove the sign.

A MOTION WAS MADE BY COUNCIL MEMBER HABERSTROH, SECONDED BY MAYOR PRO TEM CISNEROS, TO DENY THE REQUEST FROM MR. MIKE GONZALES FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 10 RESTRICTIONS ON CERTAIN TYPES OF SIGNS. FF. WALL SIGNS. (BOERNE SIGN SHOP 32826 IH 10 WEST). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Haberstroh, Council Member Woolard, Mayor Pro Tem Cisneros, and Council Member Bergmann

Nay: 1 - Council Member Boyd IV

10. [2016-564](#) RECEIVE NEEDS ASSESSMENT AND CONCEPTUAL DESIGN FOR A NEW CITY HALL BY RANDALL SCOTT ARCHITECTS, INC.

Mayor Schultz called on Ms. Linda Zartler, Assistant City Manager. Ms. Zartler referred to the discussion in the previous Workshop and reminded Council Members that the design is a work in progress and staff continues to work to perfect the best design for their departments. This property is located on North Main Street next to the Patrick Heath Public Library. She introduced Mr. Randall Scott and Mr. Preston Scott of Randall Scott Architects, Inc. Mr. Randall Scott reviewed the conceptual design of the interior and exterior of the proposed new City Hall. Discussion ensued regarding the Building Grossing Factors and Total Project Cost (TPC). Mr. Ron Bowman, City Manager stated that Staff plans to have a charrette in the near future to discuss the conceptual design.

A MOTION WAS MADE BY COUNCIL MEMBER HABERSTROH, SECONDED BY COUNCIL MEMBER WOOLARD, TO RECEIVE AND APPROVE THE NEEDS ASSESSMENT AND CONCEPTUAL DESIGN FOR A NEW CITY HALL BY RANDALL SCOTT ARCHITECTS, INC. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

11. [2016-568](#) CONSIDER RESOLUTION NO. 2016-R35; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT WITH FOUR B PAVING, INC. FOR ANNUAL PAVEMENT CRACK SEALING

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann stated that annually the City performs pavement crack sealing work on existing streets. Four B Paving, Inc. has performed this work for the City for several years. Although not required due to the amount, Staff sought pricing from multiple firms. As expected, Four B Paving's response was the most attractive.

Staff recommended approval of Resolution No. 2016-R35 in the amount of \$44,999.50.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER HABERSTROH, TO APPROVE RESOLUTION NO. 2016-R35; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT WITH FOUR B PAVING, INC. FOR ANNUAL PAVEMENT CRACK SEALING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

12. [2016-566](#) RECEIVE BIDS AND AWARD CONTRACT FOR CONSTRUCTION OF TEXAS STAR NUT SEWER MAIN AND CONSIDER RESOLUTION NO. 2016-R36; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT FOR CONSTRUCTION OF THE TEXAS STAR NUT SEWER MAIN WITH

_____.

Mr. Mann stated that as part of the grant funding contract with the Texas Department of Agriculture, the City is required to design and install natural gas and sewer mains to the Texas Star Nut facility. He displayed the design of the project and noted that the project was publicly bid in accordance with State Law. The available grant funding is approximately \$609,000.00. The engineer's estimate of cost for the work following completion of the design was \$442,000.00. The low bidder was Black Castle General Contractor. The City's consultant engineer reviewed the low bidder's qualifications and supporting information and recommended awarding the contract to Black Castle General Contractor. The price for the alternates from the low bidder was also attractive compared to the engineer's estimate. The base bid will be reimbursed by the grant, but the \$22,993.00 for the alternates will be funded entirely by the City. Staff recommended that Council award the bid and the alternates to Black Castle General Contractor in the amount of \$387,270.00.

A MOTION WAS MADE BY COUNCIL MEMBER HABERSTROH, SECONDED BY COUNCIL MEMBER WOOLARD, TO RECEIVE BIDS AND AWARD CONTRACT FOR CONSTRUCTION OF TEXAS STAR NUT SEWER MAIN AND APPROVE RESOLUTION NO. 2016-R36; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT FOR CONSTRUCTION OF THE TEXAS STAR NUT SEWER MAIN WITH BLACK CASTLE GENERAL CONTRACTOR. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

13. [2016-562](#) **CONSIDER RESOLUTION NO. 2016-R37; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (88.967 Acres Of Land Being A Portion Of Cascade Caverns Rd And A Portion of Ranch Drive - At The Request Of ML&E Landquest Cascade Caverns LLC, Pulte Homes, Meritage Homes, Kendall West Utility, Terry and Sylvia Adams- Southglen Subdivision)**

Ms. Talley displayed the location of proposed annexation of Southglen Subdivision. She explained that in 2014, the City entered into a Development Agreement with ML&E Landquest Cascade Caverns LLC in which the City agreed to extend water, sewer, and gas to the development prior to annexation into the City. The Development Agreement stated that once the property was contiguous to the City limits, they would request annexation. At this time Council needs to only set date, time, and place for two public hearings.

A MOTION WAS MADE BY COUNCIL MEMBER BERGMANN, SECONDED BY COUNCIL MEMBER HABERSTROH, TO APPROVE RESOLUTION NO. 2016-R37; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (88.967 ACRES OF LAND BEING A PORTION OF CASCADE CAVERNS RD AND A PORTION OF RANCH DRIVE - AT THE REQUEST OF ML&E LANDQUEST CASCADE CAVERNS LLC, PULTE HOMES, MERITAGE HOMES, KENDALL WEST UTILITY, TERRY AND SYLVIA ADAMS - SOUTHGLEN SUBDIVISION). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

14. COMMENTS FROM COUNCIL/LEGAL COUNSEL/STAFF – No discussion or action may take place.

Council Member Jeff Haberstroh presented an update on the Alamo Area Metropolitan Planning Organization (MPO). The MPO met at the end of March. Discussion on the Transportation Funds will come before the MPO in April. The current concerns are with Balcones Creek, Dietz Elkhorn, and IH-10 to San Antonio. The MPO discussion is moving forward with Managed Lanes, adding two additional lanes in both directions, to ultimately six lanes. Mayor Schultz expressed his appreciation to Council Member Haberstroh for representing the City on the MPO.

Mayor Schultz stated that a Subcommittee made up of Planning and Zoning Commission Members, City Staff and Council Members whose job would be to interview the companies who have responded to the RFQ's for a 10 year Master Plan and to make recommendations of what should be included in the next 10 year Master Plan.

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

Mayor Schultz convened the City Council into Executive Session at 7:32 p.m. and requested those individuals directed to participate to adjourn to the

Executive Session Conference Room.

- [2016-565](#) A. Section 551.071 (1) (a) - Consultation with Attorney and Section 551.072 Deliberation Regarding Real Property.
B. Section 551.071 (1) (a) - Consultation With Attorney and Section 551.087 Deliberation Regarding Economic Development Negotiation.

No action was taken.

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

Mayor Schultz reconvened the City Council into Open Session at 8:16 p.m.

- [2016-573](#) A. CONSIDER RESOLUTION NO. 2016-R38; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE USE OF EMINENT DOMAIN TO ACQUIRE FEE SIMPLE TITLE TO 0.213 ACRE OF LAND OUT OF A 6.06 ACRE TRACT LOCATED IN THE JOHN SMALL SURVEY NO. 183, ABSTRACT NO. 441, CITY OF BOERNE, KENDALL COUNTY, TEXAS, BEING A PORTION OF LOT 5, RE-PLAT OF MENDER PLACE SUBDIVISION AS RECORDED IN VOLUME 6, PAGES 152-154, PLAT RECORDS OF KENDALL COUNTY, TEXAS, DEPICTED AND DESCRIBED IN EXHIBIT "A" THERETO, ALONG WITH TEMPORARY CONSTRUCTION EASEMENTS, AS PART OF THE CHRISTUS PARKWAY CONNECTOR PROJECT, TO ADVANCE AND ACHIEVE THE PUBLIC USES OF INTERCONNECTIVITY OF HERFF ROAD, IH 10 EAST AND WEST, IH 10 FRONTAGE, AND MAIN STREET, AND THE SAFE AND EFFICIENT MOBILITY OF THE PUBLIC, EMERGENCY AND LAW ENFORCEMENT VEHICLES AND CITY SUPPORT PERSONNEL, AND TO ADVANCE THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC.

A MOTION WAS MADE BY COUNCIL MEMBER HABERSTROH: I MOVE THAT THE CITY OF BOERNE APPROVE RESOLUTION NO. 2016-R38, SECONDED BY COUNCIL MEMBER WOOLARD, AUTHORIZING THE USE OF EMINENT DOMAIN TO ACQUIRE FEE SIMPLE TITLE TO 0.213 ACRE OF LAND OUT OF A 6.06 ACRE TRACT LOCATED IN THE JOHN SMALL SURVEY NO. 183, ABSTRACT NO. 441, CITY OF BOERNE, KENDALL COUNTY, TEXAS, BEING A PORTION OF LOT 5, RE-PLAT OF MENDER PLACE SUBDIVISION AS RECORDED IN VOLUME 6, PAGES 152-154, PLAT RECORDS OF KENDALL COUNTY, TEXAS, DEPICTED AND DESCRIBED IN EXHIBIT "A" THERETO, ALONG WITH TEMPORARY CONSTRUCTION EASEMENTS, AS PART OF THE CHRISTUS PARKWAY CONNECTOR PROJECT, TO ADVANCE AND ACHIEVE THE PUBLIC USES OF INTERCONNECTIVITY OF HERFF ROAD, IH 10 EAST AND WEST, IH 10 FRONTAGE, AND MAIN STREET, AND THE SAFE AND EFFICIENT MOBILITY OF THE PUBLIC, EMERGENCY AND LAW ENFORCEMENT VEHICLES AND CITY SUPPORT PERSONNEL, AND TO ADVANCE THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

17. ADJOURNMENT

Mayor Schultz adjourned the City Council meeting at 8:20 p.m.

APPROVED:

Mayor

ATTEST:

City Secretary