

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
July 26, 2016 – 6:00 PM

Present: 6 - Mayor Michael Schultz, Council Member Joe Anzollitto,
Council Member Nina Woolard, Council Member Charlie Boyd
IV, Mayor Pro Tem Ron Cisneros, and Council Member Craig
Colvin

1. CALL TO ORDER – 6:00 PM

MOMENT OF SILENCE

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:

Linda Flores - lived in boerne over 20 years. boerne lake, problem with loud music and obscene lyrics. People across lagoon to lower music and change music. call police on 3 separate occasions. not appropriate of young minors.

Rich McCormick - new city hall project, asked for business case for best solution for tax payers of Boerne. alternatives 1. stay where we are, 2. build one new building to staff in one location, sell current bldg. 3. keep existing and build smaller building. Request before 23rd of august before architects meeting, include split campas.

4. CONSENT AGENDA:

4A. [2016-753](#) APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF JULY 12, 2016

4B. [2016-747](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-26; 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 AN AUTOMOBILE SERVICE WITH OUTDOOR STORAGE IN A I, INDUSTRIAL DISTRICT LOCATED AT 110 PARKWAY DRIVE, A TOTAL OF 1.183 ACRES. (KAD No. 40586, Randy and Michelle Barnes.)

- 4C. [2016-755](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-27; AN ORDINANCE AMENDING ORDINANCE NO. 2010-40, REMOVING STOP SIGNS ON NORTHBOUND AND SOUTHBOUND LATTIMORE BOULEVARD AT HAMPTON RUN EAST; AND AUTHORIZING THE INSTALLATION OF STOP SIGNS ON NORTHBOUND AND SOUTHBOUND LATTIMORE BOULEVARD AT CHISHOLM DRIVE; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE.
- 4D. [2016-756](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-28; AN ORDINANCE ESTABLISHING A SCHOOL ZONE ON JOHNS ROAD 1,050 FEET WEST OF LATTIMORE BOULEVARD TO 50 FEET EAST OF LATTIMORE BOULEVARD AND ON LATTIMORE BOULEVARD 150 FEET SOUTH OF CHISHOLM DRIVE TO 300 FEET SOUTH OF JOHNS ROAD; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE.
- 4E. [2016-745](#) CONSIDER RESOLUTION NO. 2016-R63; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Purchase Electric Transformer For Franklin Park.)
- 4F. [2016-744](#) CONSIDER RESOLUTION NO. 2016-R64; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND KENDALL COUNTY FOR DETENTION SERVICES.
- 4G. [2016-758](#) CONSIDER RESOLUTION NO. 2016-R65; A RESOLUTION

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE, CITY OF FAIR OAKS RANCH AND KENDALL COUNTY FOR PUBLIC SAFETY AND UTILITIES COMMUNICATION SERVICES.

- 4H. [2016-737](#) CONSIDER RESOLUTION NO. 2016-R66; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT WITH FAIR OAKS RANCH FOR ANIMAL CONTROL SERVICES.

5. PUBLIC HEARING – To Hear Comments On The Following:

6:16

- 5A. [2016-748](#) PROPOSED ANNEXATION OF 40.892 ACRES OF LAND BEING PART OF SHOOTING CLUB ROAD - KAD 53712, 153713, 153714, 153715, AND 153716 AT THE REQUEST OF WILLIAM E. CANAVAN JR. (Durango Development- Second Of Two Hearings)

6. [2016-750](#) CONSIDER MAYORAL APPOINTMENTS TO THE VARIOUS BOARDS AND COMMISSIONS.

Mayor Schultz recommendation

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER ANZOLLITTO, THAT THIS APPOINTMENT BE APPROVED CONSIDER MAYORAL APPOINTMENTS TO THE VARIOUS BOARDS AND COMMISSIONS.. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

7. [2016-757](#) RECEIVE QUARTERLY UPDATE FROM BOERNE KENDALL COUNTY EDC PRESIDENT AND CEO, MISTY MAYO AND DEPUTY CITY MANAGER AND DIRECTOR OF ECONOMIC DEVELOPMENT, JEFF THOMPSON.

Mayor Schultz called on Ms. Misty Mayo, Boerne Kendall County Economic Development Corporation and Mr. Jeff Thompson. Ms. Mayo reviewed the highlights of the number one site selection factors. new website and new brand. BKCEDC.com. Business retention and expansion strategy.

acknowledge IT dept. welcome feedback to phase I, II, and III. listed businesses visited in 3rd quarter. Mr. Thompson, BRE project, will have best sales tax in boerne proving BRE works. Herff rd close to completion. Gateway study completed, initiated co-drainage study, in-fill housing study. IV, office space in demand; BEC bringing a few additional jobs. Highest demand for office is for medical office 2500-3000 sq ft. August 11, executive board discuss process of strategic planning. fiber optics ahead of schedule. city county edc working together. JA - home office seeking shared office space. Misty existing office space is does not exist.

8. [2016-759](#) RECEIVE PROPOSED BUDGET FOR FY 2016-2017.

Mayor Schultz called on Ms. Sandy Mattick, Finance Director. Putting final touches on budget. File with City Secretary for public inspection. Healthy increase in property taxes. Received certified numbers after and will adjust. Total budget 64,600, 016.

She highlighted areas of the budget. no increase in tax rate. Gov states wording and sometimes misleading. calendar. Home Rule charter requires budget be adopted by Sept 20. KAD also needs info. Changes can be made. IV - discussion gen gov budget and general fund budget.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER ANZOLLITTO, THAT THIS PRESENTATION BE APPROVED RECEIVE PROPOSED BUDGET FOR FY 2016-2017.. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

9. [2016-749](#) RECEIVE THIRD QUARTER FINANCIAL/INVESTMENT REPORTS FOR FY 2015-2016.

Ms. Mattick continued with the third quarter financial report - revenues above and expenditures below. reviewed fund balances. She reviewed the investment report which is required to present to cc quarterly.

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER ANZOLLITTO, THAT THIS PRESENTATION BE APPROVED RECEIVE THIRD QUARTER FINANCIAL/INVESTMENT REPORTS FOR FY 2015-2016.. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

10. [2016-752](#) **CONSIDER RESOLUTION NO. 2016-R67; A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE KENDALL APPRAISAL DISTRICT'S PROPOSED 2017 APPRAISAL AND COLLECTION BUDGETS.**

Ms. Mattick, KAD submitted proposed budget, total 1322397. city 92304.
city went down in percentage. is included in city budget

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY MAYOR PRO TEM CISNEROS, THAT THIS RESOLUTION BE APPROVED CONSIDER RESOLUTION NO. 2016-R67; A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE KENDALL APPRAISAL DISTRICT'S PROPOSED 2017 APPRAISAL AND COLLECTION BUDGETS.. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

11. [2016-754](#) **CONSIDER RESOLUTION NO. 2016-R68; AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN KENDALL COUNTY AND THE CITY OF BOERNE FOR CONTRABAND FORFEITURE OF GAMBLING PARAPHERNALIA, DEVICES, EQUIPMENT AND OTHER PROPERTY (GAMBLING PROPERTY) AND PROCEEDS AND CASH (PROCEEDS), AND OTHER CHAPTER 18 CCP FORFEITURES.**

Mayor Schultz called on Police Chief Kohler. Chief Kohler stated that agreement has not been in place.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, THAT THIS RESOLUTION BE APPROVED CONSIDER RESOLUTION NO. 2016-R68; AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN KENDALL COUNTY AND THE CITY OF BOERNE FOR CONTRABAND FORFEITURE OF GAMBLING PARAPHERNALIA, DEVICES, EQUIPMENT AND OTHER PROPERTY (GAMBLING PROPERTY) AND PROCEEDS AND CASH (PROCEEDS), AND OTHER CHAPTER 18 CCP FORFEITURES.. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

12. [2016-746](#) CONSIDER RESOLUTION NO. 2016-R69; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT WITH AZCON PAVING INC. FOR PAVING OF THE CITY PARKING LOT AT THE CIBOLO NATURE CENTER.

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann explained that the parking lot is city property. seeked 3 bids, only 2 responded.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER WOOLARD, THAT THIS RESOLUTION BE APPROVED CONSIDER RESOLUTION NO. 2016-R69; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT WITH AZCON PAVING INC. FOR PAVING OF THE CITY PARKING LOT AT THE CIBOLO NATURE CENTER.. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

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

Kohler - recognized Raute, finance and padilla regarding body worn camera.
Ron B - election crew received national safety award. 3 employees helped gentleman out of garage. encourage employees to be approachable.

Nina - July board meeting tomorrow.

Ron c - MPO next month

Mayor - options for upper cibolo creek road, meeting with county.

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

7:10

Meeting went into Recess

Meeting Reconvened

14A. [2016-751](#) A. SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION.

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

9:08

16. ADJOURNMENT

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS THAT THIS BE APPROVED [FILE_TITLE]. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

APPROVED:

Mayor

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 22nd day of July, 2016 at 11:30 a.m.

ATTEST:

City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The Police / Municipal Court 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.

Rollcall

Present: **6 -** Mayor Michael Schultz, Council Member Joe Anzollitto, Council Member Nina Woolard, Council Member Charlie Boyd IV, Mayor Pro Tem Ron Cisneros, and Council Member Craig Colvin