

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
November 8, 2016 – 6:00 PM

Minutes of the Regular Called City Council meeting of November 8, 2016 at 6:00 p.m.

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

Staff Present: Ron Bowman, Siria Arreola, Pam Bransford, Lori Carroll, Kirsten Cohoon, Jim Kohler, Mike Mann, Mark Mattick, Sandy Mattick, Doug Meckel, Mike Raute, Laura Talley, Jeanette Teague, Jeff Thompson, Larry Woods, and Linda Zartler

Recognized / Registered Guests: James McKnight, Caroline Brown, Tyler Bradford, Kimberly Meyer, Randy Schmidt, Corey Haas, and Michael Haas

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.

Mayor Schultz 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:

No public comments were received.

4. CONSENT AGENDA:

- A. [2016-101](#) MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF
[2](#) OCTOBER 25, 2016

THE MINUTES WERE APPROVED.

- B. [2016-102](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-39; AN
[2](#) ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2006-39 CAPTIONED, "GRANTING THE RIGHT, PRIVILEGE AND FRANCHISE TO BANDERA ELECTRIC COOPERATIVE, INC., AND ITS SUCCESSORS AND ASSIGNS, TO USE THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF BOERNE, TEXAS FOR THE DISTRIBUTION OF ELECTRIC POWER AND BROADBAND SERVICES; PROVIDING FOR PERIOD OF GRANT; FOR METHOD OF ACCEPTANCE; FOR CONSIDERATION; FOR CONSTRUCTION AND RELOCATION OF SYSTEM FACILITIES; FOR ASSIGNMENT; AND FOR REPEAL OF CONFLICTING ORDINANCES."

THE ORDINANCE WAS APPROVED.

- C. [2016-102](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-40; AN
[3](#) ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 13, PERMANENT ZONING OF 40.892 ACRES LOCATED AT SHOOTING CLUB ROAD (KAD NOS. 153712, 153713, 153714, 153715, AND 153716) FROM R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO RN-1, NEIGHBORHOOD RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (William E. Canavan Jr., Durango Development)

THE ORDINANCE WAS APPROVED.

- D. [2016-102](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-41; AN
[4](#) ORDINANCE AMENDING THE CITY OF BOERNE ZONING

ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 14, REZONING 4.83 ACRES LOCATED AT 502 SCHOOL STREET (KAD NO. 14412), FROM R-1, MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Original request was for B-2R, Highway Commercial-Restricted District, Genevieve Jones)

THE ORDINANCE WAS APPROVED.

- E. [2016-102](#) [5](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-43; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2015-39 CAPTIONED "AN ORDINANCE ESTABLISHING AND REESTABLISHING FEES AND CHARGES FOR ACTIVITIES, GOODS AND SERVICES PROVIDED BY THE CITY; CONTAINING A PROVISION TO AUTHORIZE THE CITY MANAGER TO ESTABLISH FEES AND CHARGES IN CERTAIN CIRCUMSTANCES, CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT."

THE ORDINANCE WAS APPROVED.

- F. [2016-102](#) [9](#) CONSIDER RESOLUTION NO. 2016-R114; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Electric Transformer for Franklin Park)

THE RESOLUTION WAS APPROVED.

- G. [2016-102](#) [8](#) CONSIDER RESOLUTION NO. 2016-R115; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Wipers For Sludge Press at Old San Antonio Road Wastewater Treatment and Recycling Center)

THE RESOLUTION WAS APPROVED.

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER ANZOLLITTO TO APPROVE THE CONSENT AGENDA. 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

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

- A. [2016-101](#) [5](#) PROPOSED ANNEXATION OF 21.688 ACRES OF LAND LOCATED AT 1700 RIVER ROAD - KAD NOS. 15024 AND 15025 AT THE REQUEST OF THE CITY OF BOERNE. (Property Owner Shirley Rittimann-Second of Two Hearings)

Mayor Schultz opened the Public Hearing at 6:05 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:06 p.m.

- B. [2016-101](#) [6](#) PROPOSED ANNEXATION OF 22.558 ACRES OF LAND LOCATED AT 128 AND 214 CASCADE CAVERNS ROAD - KAD NOS. 11567 AND 11567 AT THE REQUEST OF ML&E LANDQUEST CASCADE CAVERNS, LLC. (Southglen Subdivision Phase 1- First of Two Hearings)

Mayor Schultz opened the Public Hearing at 6:06 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:07 p.m.

- C. [2016-101](#) [7](#) PROPOSED USE OF AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT AT 146 OLD SAN ANTONIO ROAD AND 32120 INTERSTATE 10, KAD NO. 22678 AND 22676. (Continental Cars - First of One Hearing)

James McKnight, representative of Barrett Jaguar Land Rover Dealership introduced himself and stated he was available for questions or concerns regarding the dealership.

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

**D. [2016-101](#) PROPOSED USE OF ANY CONTRACTOR IN A B-2, HIGHWAY
[8](#) COMMERCIAL DISTRICT AT 110 OLD SAN ANTONIO ROAD, KAD
NO. 41136. (TBRQ, LLC- First of One Hearing)**

Mike Haas, 144 Ernst Road stated that he is representing his mother's property located next to 110 Old San Antonio Road. He has concerns with Port-O-Potties on the property and doesn't appear that there is enforcement regarding outside storage. He also has concerns with the category "any contractor" use for the property. The fence is deteriorating and trash is appearing on his mother's property. He is in agreement with the plan and the overall use of the property.

Mayor Schultz closed the Public Hearing at 6:10 p.m.

6. TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARING:

**A. [2016-101](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-44; AN
[9](#) 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 146 OLD SAN ANTONIO
ROAD AND 32120 INTERSTATE 10 (KAD NO. 22678 AND 22676).
(6.028 Acres, Continental Cars)**

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley stated that the Planning and Zoning Commission voted 5-0 in favor of the use of an automobile sales in a B-2, Highway Commercial District for the property located at 32120 Interstate 10 and 146 Old San Antonio Road. She displayed a map of the property location.

The entrance corridor overlay requirements will apply to both the Old San Antonio Road side and the Interstate side of the property. The property owners have offered dedicated right of way and will meet the tree preservation requirements. Staff is working the developer on the design of the building. Staff is in support of the use. Discussion ensued regarding site plan drainage.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER COLVIN, TO APPROVE ON FIRST READING ORDINANCE NO. 2016-44; 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 146 OLD SAN ANTONIO ROAD AND 32120 INTERSTATE 10 (KAD NO. 22678 AND 22676). (6.028 ACRES, CONTINENTAL CARS). 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

B. [2016-102](#) [0](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-45; 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 ANY CONTRACTORS IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 110 OLD SAN ANTONIO ROAD. (KAD NO. 41136) (TBRQ, LLC)

Ms. Talley continued with the explanation of the proposed ordinance which designates the use of any contractor in a B-2 District located at 110 Old San Antonio Road. She displayed a map of the location. The property was zoned B-2 in 2002 and the use of a fence contractor was approved in 2011. If approved, the existing use will remain in addition to the proposed new development to allow other contractors which would include a mix of offices and warehouse office space. The Planning and Zoning Commission voted 4-1 in favor of the proposed use with the caveat that there be no outside storage of materials, that there be motion sensor lighting in compliance with the city code

especially on buildings in the rear that face the fence, that asphalt be used past the 275 ft. mark coming into the property from the front, that a six foot fence starting at the 275 ft. mark be built as development commences back or forwards, have a five ft. porch on the buildings toward the street and for the first building facing Old San Antonio Road to have rock fencing. Staff supports the proposed use. Discussion ensued regarding types of contractors, equipment, materials used on the warehouses, entrance corridor, monitoring of outside storage, outside storage of material while under construction.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY MAYOR PRO TEM CISNEROS, TO APPROVE ON FIRST READING ORDINANCE NO. 2016-45; 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 ANY CONTRACTORS IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 110 OLD SAN ANTONIO ROAD. (KAD NO. 41136) (TBRQ, LLC) WITH THE CAVEAT THAT THERE BE NO OUTSIDE STORAGE OF MATERIALS, THAT THERE BE MOTION SENSOR LIGHTING IN COMPLIANCE WITH THE CITY CODE ESPECIALLY ON BUILDING IN THE REAR THAT FACE THE FENCE, THAT ASPHALT BE USED PAST THE 275 FT. MARK COMING INTO THE PROPERTY FROM THE FRONT, THAT A SIX FOOT FENCE STARTING AT THE 275 FT. MARK BE BUILT AS DEVELOPMENT COMMENCES BACK OR FORWARD, HAVE A FIVE FT. PORCH ON THE BUILDINGS TOWARD THE STREET AND FOR THE FIRST BUILDING FACING OLD SAN ANTONIO ROAD TO HAVE ROCK FENCING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Anzollitto, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

Nay: 1 - Council Member Woolard

**7. [2016-102](#) RECEIVE QUARTERLY UPDATE ON THE BOERNE CONVENTION
[6](#) AND VISITORS BUREAU.**

Mayor Schultz called on Mr. Larry Woods, Boerne Convention and Visitors Bureau (CVB) Director. Ms. Jeanette Teague, CVB Administrative Assistant provided to Council Members a folder with various CVB brochures. Mr. Woods presented the CVB quarterly update to include social media and email

marketing statistics, hotel performance for the 2nd and 3rd quarter. He discussed various print and internet campaigns. He noted that hotel performance increased partially due to the movie starring Pierce Brosnan which was filmed in the Boerne area that brought in additional hotel rooms in October. Boerne was also featured on the Daytripper with Chet Garner. This is a television show that airs on KLRN.

8. [2016-980](#) **CONSIDER ON FIRST READING ORDINANCE NO. 2016-46; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, CHAPTER 15 - 65 RESTRICTIONS APPLICABLE TO ALL PEDDLERS, SOLICITORS AND VENDORS; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$500.**

Mayor Schultz called on Ms. Linda Zartler, Assistant City Manager. Ms. Zartler stated that the Code Enforcement Department is responsible for the Peddler's ordinance. Following research of the ordinance, a scribners error was discovered regarding the length of vehicles which should have been removed from the ordinance.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE ON FIRST READING ORDINANCE NO. 2016-46; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, CHAPTER 15 - 65 RESTRICTIONS APPLICABLE TO ALL PEDDLERS, SOLICITORS AND VENDORS; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$500. 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. [2016-103](#) **CONSIDER RESOLUTION NO. 2016-R116; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND FREESE AND NICHOLS, INC. FOR DESIGN, BIDDING AND CONSTRUCTION SERVICES RELATED TO THE RICHTER**

**AVENUE WATER MAIN REPLACEMENT AND OAK PARK DRIVE
SEWER MAIN REPLACEMENT PROJECTS.**

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann stated that the current budget includes replacement of an existing water main on Richter Avenue and an existing sewer main on Oak Park Drive. The replacements are necessary due to age and condition. He displayed location maps of both areas. The engineering firm of Freese and Nichols, Inc. was selected for design, bidding, and construction phase of professional services based on qualifications and prior experience with Public Works projects.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY MAYOR PRO TEM CISNEROS, TO APPROVE RESOLUTION NO. 2016-R116; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND FREESE AND NICHOLS, INC. FOR DESIGN, BIDDING AND CONSTRUCTION SERVICES RELATED TO THE RICHTER AVENUE WATER MAIN REPLACEMENT AND OAK PARK DRIVE SEWER MAIN REPLACEMENT PROJECTS NOT TO EXCEED \$50,166.00. 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. [2016-103](#) **CONSIDER RESOLUTION NO. 2016-R117; A RESOLUTION
3 DESIGNATING THE CITY'S ALLOCATION OF GROUNDWATER
PRODUCTION AS IT PERTAINS TO THE CITY'S WITHDRAWAL
PERMIT FROM COW CREEK GROUNDWATER CONSERVATION
DISTRICT TO RETAIN THE CURRENT QUARTERLY ALLOCATION FOR
CALENDAR YEAR 2017.**

Mr. Mann continued with an explanation of the City's withdrawal permit from Cow Creek Groundwater Conservation District (CCGCD). The permit requires that the City submit a proposed Quarterly Scheduled Withdrawal Amount every year. Since 2007, consumption demands have been met using the current 1,850 acre feet despite drought restrictions imposed by the CCGCD over the past years. Staff recommends that the Council retain the current quarterly percentage allocation of groundwater withdrawal permit for calendar year 2017.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE RESOLUTION NO. 2016-R117; A RESOLUTION DESIGNATING THE CITY'S ALLOCATION OF GROUNDWATER PRODUCTION AS IT PERTAINS TO THE CITY'S WITHDRAWAL PERMIT FROM COW CREEK GROUNDWATER CONSERVATION DISTRICT TO RETAIN THE CURRENT QUARTERLY ALLOCATION FOR CALENDAR YEAR 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

11. [2016-103](#) **CONSIDER RESOLUTION NO. 2016-R118; A RESOLUTION DESIGNATING THE CITY'S COMMITMENT FOR WATER FROM THE GUADALUPE-BLANCO RIVER AUTHORITY AS PART OF THE WESTERN CANYON REGIONAL WATER SUPPLY PROJECT TO RETAIN THE CURRENT ANNUAL COMMITMENT OF WATER FOR CALENDAR YEAR 2017.**
- [2](#)

Mr. Mann continued with the designation of the City's commitment for water from the Guadalupe-Blanco River Authority (GBRA). The agreement with GBRA requires the City to declare the annual commitment for treated water prior to the end of each calendar year. The City receives water from GBRA on a constant flow basis throughout the year. Mr. Mann stated that the City has retained the current 975 acre feet annual commitment since 2008. He displayed a graph of peak water production from year 2000 to present. Mr. Mann explained that once the commitment is increased, it can't be moved back down. GBRA water is significantly more expensive than that which can be produced from the lake or groundwater wells. It is Staff's recommendation to retain the current annual commitment from GBRA as long as possible. Discussion ensued regarding increasing the commitment in the middle of the year if necessary and increasing size of water treatment plant.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE RESOLUTION NO. 2016-R118; A RESOLUTION DESIGNATING THE CITY'S COMMITMENT FOR WATER FROM THE GUADALUPE-BLANCO RIVER AUTHORITY AS PART OF THE WESTERN CANYON REGIONAL WATER SUPPLY PROJECT TO RETAIN THE CURRENT ANNUAL COMMITMENT OF WATER FOR CALENDAR YEAR 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

12. [2016-102](#) **CONSIDER RESOLUTION NO. 2016-R119; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE PETITION AND 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. (17 Herff Road at the request of James and Deborah Roerig)**

Mayor Schultz called on Ms. Talley, Planning and Community Development Director. Ms. Talley explained that Staff has received an annexation petition for property located at 17 Herff Road from the property owners James and Deborah Roerig. She displayed a map of the location. As part of the annexation process, City Council needs to receive the petition and set the date and time for two public hearings.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER BOYD IV, TO APPROVE RESOLUTION NO. 2016-R119; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE PETITION AND 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. (17 HERFF ROAD AT THE REQUEST OF JAMES AND DEBORAH ROERIG). 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. [2016-989](#) CONSIDER RESOLUTION NO. 2016-R120; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT FOR PROJECT MANAGEMENT CONSULTING SERVICES BETWEEN THE CITY OF BOERNE AND MICHAEL DEAN CONSULTING GROUP PLLC FOR THE PROPOSED NEW CITY HALL PROJECT.**

Mayor Schultz called on Ms. Linda Zartler, Assistant City Manager to discuss the proposed agreement for Project Management Services for the new City Hall project. She reminded the City Council that the City Manager was given approval to negotiate a contract with Dean Consulting Group, PLLC at the September 27, 2016 meeting. The City Attorney has reviewed the agreement. The agreement defines the services between the design phase and the construction phase and the amount of \$246,000 will be expensed with the total budget of the project. Mr. Dean will assist the City in preparing the Construction Manager At Risk documents and reviewing the qualifications with Randall Scott Architects for the actual construction of the building.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE RESOLUTION NO. 2016-R120; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT FOR PROJECT MANAGEMENT CONSULTING SERVICES BETWEEN THE CITY OF BOERNE AND MICHAEL DEAN CONSULTING GROUP PLLC FOR THE PROPOSED NEW CITY HALL PROJECT. 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

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

Council Member Boyd IV recognized and congratulated City Attorney Kirsten Cohoon for completing the New York Marathon.

Mike Mann, Public Works Director noted the successful partnership with Esperanza and Ranches at Creekside developments for the use of reclaimed water. Usage varies from 100,000 to 200,000 gallons a day.

Linda Zartler, Assistant City Manager stated that benchmarking tours of Lewisville, Southlake, and Grandbury City Halls took place yesterday, November 7, 2016 and results of the tours will be presented at the next City Council meeting. Randall Scott has issued a new schedule based on the contract with Mr. Dean. The release for Request for Proposals will be next week. A recommendation will come before the City Council in January.

Ron Bowman, City Manager stated that the Fire Department's annual Holiday party will take place on December 2, 2016 and the City's Employee party will be held on December 9, 2016.

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

A. [2016-103](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY.

[4](#)

Mayor Schultz convened the City Council into Executive Session at 7:05 p.m. and requested those individuals directed to participate to adjourn to the Executive Session room.

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 7:28 p.m.

No action was taken.

17. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO ADJOURN THE MEETING AT 7:28 P.M.

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

APPROVED:

Mayor

ATTEST:

City Secretary