

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
November 14, 2017 – 6:00 PM

Minutes of the Regular Called City Council meeting of November 14, 2017 at 6:00 p.m.

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

Staff Present: Ron Bowman, Siria Arreola, Pam Bransford, Lori Carroll, Kirsten Cohoon, Ray Hacker, Mike Mann, Sandy Mattick, Jeff Page, Mike Raute, Angie Rios, Laura Talley, Jeanette Teague, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke.

Recognized/Registered Guests: Ross Partlow, Ed McClure, and Taylor Covington.

1. CALL TO ORDER – 6:00 PM

Mayor Schultz called the City Council meeting 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

Council Member Colvin stated he had a conflict of interest on agenda item #8 and will recuse himself from the discussion and will step away from the dais.

3. PUBLIC COMMENTS:

No comments were received.

4. CONSENT AGENDA:

- 4.A. [2017-842](#) CONSIDER APPROVAL OF THE MINUTES OF THE OCTOBER 24, 2017 CITY COUNCIL MEETING.

THE MINUTES WERE APPROVED.

- 4.B. [2017-814](#) CONSIDER ON SECOND READING ORDINANCE NO. 2017-80; 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 MULTI-DWELLING STRUCTURES IN A B-2, HIGHWAY COMMERCIAL DISTRICT DESCRIBED AS 6.089 ACRES OUT OF 65.011 ACRES FOR A SITE LOCATED WITHIN THE COMMONS AT MENDER CREEK MASTER DEVELOPMENT PLAN LOCATED AT 20 OLD SAN ANTONIO ROAD (KAD NO. 39338).

THE ORDINANCE WAS APPROVED.

- 4.C. [2017-815](#) CONSIDER ON SECOND READING ORDINANCE NO. 2017-81; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, ARTICLE 3. GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 08. COMMERCIAL CENTER DESIGN STANDARDS, SECTION 09. COMBINED COMMERCIAL DESIGN STANDARDS.

THE ORDINANCE WAS APPROVED.

- 4.D. [2017-813](#) CONSIDER ON SECOND READING ORDINANCE NO. 2017-82; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2016-43 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."

THIS AGENDA ITEM WAS CONSIDERED SEPARATE FROM THE CONSENT AGENDA.

- 4.E. [2017-818](#) CONSIDER RESOLUTION NO. 2017-R107; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Three computer servers for the IT Department for use in the Police Department)

THE RESOLUTION WAS APPROVED.

- 4.F. [2017-822](#) CONSIDER RESOLUTION NO. 2017-R108; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Two network firewalls for the IT Department for use at the Police Department and City Hall)

THE RESOLUTION WAS APPROVED.

- 4.G. [2017-829](#) CONSIDER RESOLUTION NO. 2017-R109; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE BG18 RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM TO THE OFFICE OF THE GOVERNOR.

THE RESOLUTION WAS APPROVED.

- 4.H. [2017-859](#) CONSIDER RESOLUTION NO. 2017-R110; A RESOLUTION CASTING THE CITY'S VOTES IN THE ELECTION TO THE KENDALL APPRAISAL DISTRICT BOARD OF DIRECTORS.

THE RESOLUTION WAS APPROVED.

- 4.I. [2017-844](#) CONSIDER RESOLUTION NO. 2017-R111; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Vehicle for Customer Service and Billing Department)

THE RESOLUTION WAS APPROVED.

- 4.J. [2017-862](#) CONSIDER RESOLUTION NO. 2017-R112; 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 SoBo medical

building site)

THE RESOLUTION WAS APPROVED.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER CISNEROS TO APPROVE THE CONSENT AGENDA AS PRESENTED WITH THE EXCEPTION OF CONSENT AGENDA ITEM #4D WHICH WILL BE CONSIDERED SEPARATELY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

4.D. [2017-813](#) CONSIDER ON SECOND READING ORDINANCE NO. 2017-82; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2016-43 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."

Mayor Schultz called on Council Member Anzollitto. Council Member Anzollitto asked that the rates for non-city residents in regards to park fees be modified. Mr. Danny Zincke, Community Services Director discussed the purpose of the proposed recommended fees that are listed in the Fee Ordinance in regards to the Boerne City Lake access rates. The rates are monitored by the Texas Parks and Wildlife since the City receives grant funding. The City has to justify the rate difference in the resident v. non-resident rate. Discussion ensued regarding the City's rates for lake access as compared to the Guadalupe State Park rates, structuring the rates as per person rather than per vehicle, charging the non-residents more because the County does not contribute to the City parks, and revenues received from the lake fees.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER BOYD IV TO APPROVE ON SECOND READING ORDINANCE NO. 2017-82; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2016-43 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" WITH THE FOLLOWING MODIFICATIONS: TO INCREASE THE NON-RESIDENT RATE FOR SWIMMING LESSONS TO \$75.00, INCREASE THE NON-RESIDENT RATE FOR DAILY POOL ADMISSION FEE TO \$4.00, INCREASE THE NON-RESIDENT POOL SEASON PASS PUNCH CARD TO \$70.00, INCREASE THE NON-RESIDENT BOERNE CITY LAKE ACCESS WEEKEND FEE TO \$20.00 AND THE HOLIDAY RATE TO \$25.00. THE MOTION FAILED BY THE FOLLOWING VOTE:

Yeah: 2 - Council Member Anzollitto, and Council Member Boyd IV

Nay: 3 - Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER CISNEROS TO APPROVE ON SECOND READING ORDINANCE NO. 2017-82; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2016-43 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 MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 3 - Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

Nay: 2 - Council Member Anzollitto, and Council Member Boyd IV

5. [2017-855](#) **CONSIDER A ONE TIME READING OF ORDINANCE NO. 2017-83; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A.**

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE A ONE TIME READING OF ORDINANCE NO. 2017-83; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

6. [2017-846](#) **CONSIDER ORDINANCE NO. 2017-83; AN ORDINANCE AMENDING ORDINANCE NO. 2016-33 CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2016-2017, BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017."**

Mayor Schultz called on Ms. Sandy Mattick, Finance Director. Ms. Mattick reviewed proposed amendments to the fiscal year 2016-2017 budget which include: General Fund \$655,000 additional revenues and transfers from the 2017 tax note; Hotel/Motel Fund \$2,500 from fund balance for advertising; Library Fund \$17,000 donations; 2017 Tax Notes Construction Fund \$22,332,567 issuance of 2017 Tax Notes; and Electric Fund \$717,000 additional revenues from Quality of Life reserve. Staff recommended approval of the Ordinance No. 2017-83.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE ORDINANCE NO. 2017-83; AN ORDINANCE AMENDING ORDINANCE NO. 2016-33 CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2016-2017, BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017". THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

7. [2017-847](#) **RECEIVE THE FOURTH QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FY 2016-2017.**

Ms. Mattick continued with the Fourth Quarter Financial Report. In the General Fund, the revenues before transfers were above projection at 104.69%, expenditures were below projections at 92.05%, and ad valorem tax collections were at 99.35%. In the Electric Fund, the revenues were at 101.61% of budget and expenditures were below projections at 96.07%. In the Water Fund, revenues were at 109.30% of budget and expenses were below projections at 84.30%. In the Wastewater Fund, revenues were at 102.47% of budget and expenses were below projections at 89.17%. In the Gas Fund, revenues were at 93.09% of budget and expenses were below projections at 94.32%. Ms. Mattick reported on the Quarterly Investment Report. She stated that the Public Funds Investment Act requires a written report for all funds at least quarterly. The City of Boerne invested in TexPool, MBIA, Texas TERM, TexStar, Government Agencies, Municipal Bonds, commercial paper and several Certificates of Deposit (CD'S). Interest earned for the quarter totaled \$163,703. Staff feels the City is in a strong financial position. Mayor Schultz expressed his appreciation to Staff for their work on the report.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY MAYOR PRO TEM WOOLARD, TO RECEIVE AND APPROVE THE FOURTH QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FY 2016-2017. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

8. [2017-852](#) **CONSIDER ON FIRST READING ORDINANCE NO. 2017-84; 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. (4.987 Acres located at 140 Enterprise Pkwy at the request of Bill Bird, KAD Nos. 12255 and 12259)**

Council Member Colvin recused himself from the discussion and stepped away from the dais.

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley referred to the development agreement the City entered into with Bill Bird in August 2016. The agreement allowed Mr. Bird to develop the property in the county with the provision that he voluntarily annex the property once City utilities were extended to the site. Mr. Bird is now asking for annexation of the 4.987 acres located at 140 Enterprise Parkway as per the agreement.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE ON FIRST READING ORDINANCE NO. 2017-84; 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. (4.987 ACRES LOCATED AT 140 ENTERPRISE PKWY AT THE REQUEST OF BILL BIRD, KAD NOS. 12255 AND 12259). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Recused: 1 - Council Member Colvin

9. [2017-854](#) RECEIVE AND CONSIDER A REQUEST FROM ALAMO SIGN SOLUTIONS, LLC FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 10. RESTRICTIONS ON CERTAIN TYPES OF SIGNS. BB. SELF-SUPPORTED SIGNS. 2A. AREA SHALL NOT EXCEED THIRTY-TWO SQUARE FEET. (Albany Engineered Composites, 1281 North Main)

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley displayed a map of the location of Albany Engineered Composites, 1281 North Main. Staff originally received a sign variance request for a 62 square feet sign. Visibility is the reason for the larger

sign. The delivery trucks don't see the current sign and are having to turn around. The sign ordinance allows a 32 square foot sign. The Sign Variance Committee met to review the request. It was the committee's recommendation that the bottom panel of the sign that reads Boerne Operations be removed which will reduce the sign to 51 square feet. Ms. Talley displayed a diagram of the proposed sign and the location. The requestor agreed to the committee's recommendation and revised the request. Ms. Talley stated that the current sign will be removed if this request is approved. Discussion ensued regarding visibility and the location of the sign.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER CISNEROS, TO RECEIVE AND APPROVE A REQUEST FROM ALAMO SIGN SOLUTIONS, LLC FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 10. RESTRICTIONS ON CERTAIN TYPES OF SIGNS. BB. SELF-SUPPORTED SIGNS. 2A. AREA SHALL NOT EXCEED FIFTY ONE SQUARE FEET. (ALBANY ENGINEERED COMPOSITES, 1281 NORTH MAIN). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

10. [2017-863](#) CONSIDER RESOLUTION NO. 2017-R113; A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS BY THE CITY OF BOERNE FOR THE PURCHASE OF A PUMP. (Replace pump in the influent lift station at the Old San Antonio Road Wastewater Treatment and Recycling Center)

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann explained the need for a new pump at the Wastewater Treatment and Recycling Center. He displayed a photo of the current pump. Mr. Mann stated that the original three pumps have not performed well. It is staff's recommendation not to expend the funds on a diagnosis on the bad pump. Discussion ensued whether to replace the fourth pump at this time or wait until it goes bad, the age and life expectancy of the pumps. It is staff's recommendation to approve Resolution No. 2017-R113 in the amount not to

exceed \$35,128.68.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER CISNEROS, APPROVE RESOLUTION NO. 2017-R113; A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS BY THE CITY OF BOERNE FOR THE PURCHASE OF A PUMP IN THE AMOUNT, NOT TO EXCEED \$35,128.68. (REPLACE PUMP IN THE INFLUENT LIFT STATION AT THE OLD SAN ANTONIO ROAD WASTEWATER TREATMENT AND RECYCLING CENTER). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

11. [2017-861](#) CONSIDER RESOLUTION NO. 2017-R114; A RESOLUTION DESIGNATING THE CITY'S ANNUAL 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 2018.

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann stated that the City has operated its water supply wells under a permit from the Cow Creek Groundwater Conservation District (CCGCD) since 2007. This permit allows a maximum withdrawal amount of 1,850 acre-feet from any combined production from the various City wells and is allocated on a quarterly basis, which the City can assign. Staff recommended that the Council retain the current quarterly percentage allocation of our groundwater withdrawal permit for calendar year 2018.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER CISNEROS, TO APPROVE RESOLUTION NO. 2017-R114; A RESOLUTION DESIGNATING THE CITY'S ANNUAL 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 2018. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

12. [2017-860](#) **CONSIDER RESOLUTION NO. 2017-R115; A RESOLUTION DESIGNATING THE CITY'S ANNUAL 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 2018.**

Mr. Mann continued with the Guadalupe-Blanco River Authority (GBRA) agreement that requires the City to declare an annual commitment for treated water prior to the end of each calendar year. The water that is received from GBRA comes at a constant flow rate, and the City has retained the 975 acre-foot (AF) annual commitment since 2008. Water available from other resources has enabled the City to meet system wide peak demands. The water from GBRA is significantly more expensive to purchase than that which the City can produce from the City Lake or groundwater wells. The City will continue customer education regarding water conservation during the peak demand periods which will help curtail total production requirements. It is Staff's recommendation to retain the current annual commitment of 975 AF from GBRA for calendar year 2018.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, THAT THIS RESOLUTION BE APPROVED CONSIDER RESOLUTION NO. 2017-R115; A RESOLUTION DESIGNATING THE CITY'S ANNUAL 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 2018. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

13. [2017-845](#) **CONSIDER RESOLUTION NO. 2017-R116; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE**

**AN AGREEMENT BETWEEN THE CITY OF BOERNE AND
AUTOMATED ENERGY, INC. (Online meter data and customer
Portal for AMI)**

Mayor Schultz called on Ms. Sandy Mattick, Finance Director. Ms. Mattick reminded the City Council that since 2014 the City has been using Advanced Metering Infrastructure (AMI) for electric, water, reclaimed water, and gas utilities. Staff has been working towards expanding the capability to transmit readings directly to the billing system in the areas we do not provide electric service. Those meters that are not transmitted automatically are read monthly using a drive-by system. With Automated Energy, Inc., Boerne residential and commercial customers will have access to a web portal and an Android/iPhone app to access data on their utility accounts. Ms. Mattick displayed an example of the app. The plan is to roll out to the customer service representatives first so they can become familiar with the app and then to the customers in late spring. Analytics will be provided so Staff will know how many people are using the app. Discussion ensued regarding meter reading and ability for customers to access the app while they are out of town.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER CISNEROS, TO APPROVE RESOLUTION NO. 2017-R116; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND AUTOMATED ENERGY, INC. (ONLINE METER DATA AND CUSTOMER PORTAL FOR AMI). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

14. [2017-841](#) CONSIDER RESOLUTION NO. 2017-R117; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE THE FIRST AMENDMENT TO THE ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND BOERNE HOTEL, LTD. FOR A HOTEL CONFERENCE CENTER.

Mayor Schultz called on Mr. Jeff Thompson, Deputy City Manager. Mr. Thompson spoke on a meeting held with Ed McClure of Phoenix Hospitality

Group and Ross Partlow with Partlow Properties regarding the current Economic Development Incentive Agreement for the Hotel Conference Center which the City Council approved in January 2017. The purpose of the meeting was to gauge support in modifying the Development Agreement to recover approximately \$1M of \$5M in additional costs to make the hotel conference center a truly unique and extraordinary development. Mr. Larry Woods, Convention and Visitors Bureau Director stated that this will be a high-end hotel and the end product will be something for the City to be proud of. The amenities of the hotel such as a restaurant and spa will benefit more than just the hotel guests. The ballroom will hold approximately 400 people depending on the setup. Guests will not only stay at the hotel and use the amenities but also visit restaurants and shopping venues in Boerne. Discussion ensued regarding hotel motel taxes, ad valorem taxes, sales tax and the Convention and Visitors Bureau funding by the hotel motel taxes. Staff recommended approval of Resolution No. 2017-R117.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE RESOLUTION NO. 2017-R117; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE THE FIRST AMENDMENT TO THE ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND BOERNE HOTEL, LTD. FOR A HOTEL CONFERENCE CENTER. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

Ms. Laura Talley, Planning and Community Development Director provided an update on the Kendall Gateway Study. There were approximately 140 people in attendance at the November 8, 2017 meeting. She stated that there were positive comments and a healthy conversation with everyone recognizing the transportation needs. She will be sending out a TxDOT link with slides for

everyone to view. She mentioned that a couple of concrete batch plants are looking at building on Highway 46 East and have requested permitting with TCEQ. One of the plants will be in the City's ETJ which will comply with the subdivision ordinance. She displayed a map of each location. Ms. Talley also mentioned the Master Plan Steering Committee met and are working towards a vision statement. She provided an update on the old Valero Station location, corner of Main Street and Bandera Rd. She has a meeting scheduled with the owner to review the requirements for improvements to the parking lot.

Ms. Linda Zartler, Assistant City Manager spoke on Dickens on Main and distributed a flyer to the City Council with the schedule for the weekend. Mr. Paul Barwick, Special Projects Director will provide an update on the festivities for Dickens on Main as well as the Weihnachts Parade at the December 12, 2017 City Council meeting.

Mr. Ron Bowman, City Manager stated that the new street striping machine should arrive in December. Staff is preparing for discussion on LID and the sign ordinance for the December 12, 2017 meeting. He met with the City's executive team on Monday, November 13, 2017 and had 66 items on his list to discuss. He also reported that the new City Hall project is moving forward.

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

Mayor Schultz convened the City Council into Executive Session at 7:41 p.m. and asked those individuals requested to participate to adjourn to the Executive Session Conference Room.

16.A.[2017-848](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY.

No action was taken.

16.B.[2017-849](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY.

No action was taken.

16.C.[2017-864](#) SECTION 551.071 - CONSULTATION WITH ATTORNEY (a) PENDING OR CONTEMPLATED LITIGATION.

No action was taken.

16.D.[2017-850](#) SECTION 551.074 - PERSONNEL MATTERS: CITY ATTORNEY'S ANNUAL EVALUATION.

No action was taken.

17. 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 8:43 p.m.

No action was taken.

18. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY MAYOR PRO TEM WOOLARD, TO ADJOURN THE CITY COUNCIL MEETING AT 8:43 P.M. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Approved:

Mayor

Attest:

City Secretary