

Minutes of the Regular Called City Council meeting of February 13, 2018.

No conflicts were declared.

### **3. PUBLIC COMMENTS:**

Andrew Camplen, Commander of Veterans of Foreign Wars (VFW) Post 688 spoke on the history of VFW Post 688. He stated that VFW Post 688 is the second oldest VFW Post in the Texas dating back to 1936 and currently has over 200 members. They hold numerous events during the year to honor, serve, and educate the community. Currently monthly business meetings are held at Kronkosky Place. They do not have a place to meet with veterans outside of the monthly meetings. They asked for the City's help in finding a location. Each VFW Post 688 member spoke asking for the City's assistance.

### **4. CONSENT AGENDA:**

**4.A. [2018-172](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JANUARY 23, 2018, THE SPECIAL CALLED CITY COUNCIL MEETING HELD JANUARY 29, 2018 (HOTEL/CONFERENCE CENTER GROUND BREAKING), AND THE SPECIAL CALLED CITY COUNCIL MEETING HELD JANUARY 29, 2018 (MASTER PLAN JOINT MEETING).**

THE MINUTES WERE APPROVED.

**4.B. [2018-151](#) CONSIDER RESOLUTION NO. 2018-R08; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND PANACHE LANDSCAPE AND DESIGN TO REPLACE MULCH AT ONE BED IN THE WASTEWATER TREATMENT & RECYCLE CENTER.**

THE RESOLUTION WAS APPROVED.

**4.C. [2018-176](#) CONSIDER RESOLUTION NO. 2018-R09; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND FOUR B PAVING, INC. FOR ANNUAL PAVEMENT CRACK SEALING.**

THE RESOLUTION WAS APPROVED.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER COLVIN TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

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

**5.A. [2018-179](#) PROPOSED ACCESSORY DWELLING IN AN R-3, HIGH DENSITY RESIDENTIAL DISTRICT LOCATED AT 402 YOALANA STREET, KAD NO. 23531. (Jack Hearn - One of one hearing)**

Mayor Schultz opened the public hearing at 6:20 p.m.

No comments were received.

Mayor Schultz closed the public hearing at 6:21 p.m.

**5.B. [2018-180](#) PROPOSED AMENDMENTS TO THE CITY OF BOERNE SUBDIVISION ORDINANCE NO. 2007-56, DATED NOVEMBER 13, 2007, ARTICLE 1. GENERAL PROVISIONS, SECTION 04. DEFINITIONS, ARTICLE 2. PROCEDURES, SECTION 02. PROCEDURES FOR PRELIMINARY PLAT, SECTION 03. DESIGN AND CONSTRUCTION PLANS, SECTION 05. PROCEDURES FOR FINAL PLAT, ARTICLE 3. PLANNING AND COMMUNITY DESIGN STANDARDS, SECTION 03. OPEN SPACE SYSTEMS. AND ADDING SECTION 06. LOW IMPACT DEVELOPMENT FACILITIES. (One of one hearing)**

Mayor Schultz opened the public hearing at 6:21 p.m.

No comments were received.

Mayor Schultz closed the public hearing at 6:21 p.m.

**5.C. [2018-181](#) PROPOSED AMENDMENTS TO THE CITY OF BOERNE ZONING**

ORDINANCE NO. 2007-64, DATED DECEMBER 18, 2007, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 02. OUTDOOR LIGHTING, ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, SECTION 03. PERMITTED USES, SECTION 20. B-3 - CENTRAL BUSINESS DISTRICT, AND ADDING SECTION 33. NH - NORTH HERFF ROAD OVERLAY DISTRICT. (One of one hearing)

Mayor Schultz opened the public hearing at 6:22 p.m.

No comments were received.

Mayor Schultz closed the public hearing at 6:22 p.m.

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

6.A. [2018-182](#) CONSIDER ON FIRST READING ORDINANCE NO. 2018-03; 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 3, SECTION 6, ACCESSORY DWELLING, AUTHORIZING AN ACCESSORY DWELLING IN AN R-3, HIGH DENSITY RESIDENTIAL DISTRICT LOCATED AT 402 YOALANA STREET (KAD NO. 23531). (Jack Hearn)

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley displayed a map of the property located at 402 Yoalana. She explained that the original home will be remodel and will be rented as a Bread and Breakfast. The property owner plans to build a new home on the back of the property.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE ON FIRST READING ORDINANCE NO. 2018-03; 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 3, SECTION 6, ACCESSORY DWELLING, AUTHORIZING AN ACCESSORY DWELLING IN AN R-3, HIGH DENSITY RESIDENTIAL DISTRICT LOCATED AT 402 YOALANA STREET (KAD NO. 23531). (JACK HEARN). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

**6.B. [2018-183](#) CONSIDER ON FIRST READING ORDINANCE NO. 2018-04; AN ORDINANCE AMENDING THE CITY OF BOERNE SUBDIVISION ORDINANCE NO. 2007-56, DATED NOVEMBER 13, 2007, ARTICLE 1. GENERAL PROVISIONS, SECTION 04. DEFINITIONS, ARTICLE 2. PROCEDURES, SECTION 02. PROCEDURES FOR PRELIMINARY PLAT, SECTION 03. DESIGN AND CONSTRUCTION PLANS, SECTION 05. PROCEDURES FOR FINAL PLAT, ARTICLE 3. PLANNING AND COMMUNITY DESIGN STANDARDS, SECTION 03. OPEN SPACE SYSTEMS. AND ADDING SECTION 06. LOW IMPACT DEVELOPMENT FACILITIES.**

Ms. Talley continued with proposed amendments to the City's Subdivision Ordinance. Staff has met with Tetra Tech Engineering, San Antonio River Authority (SARA) and has researched other city's regarding the inclusion of Low Impact Development (LID) into city standards. Ms. Talley stated that the LID Manual is an exact copy of the SARA's manual. The Planning and Zoning Commission voted 7-0 in favor of the amendments to the Subdivision Ordinance. Discussion ensued regarding Section 3.06.005 Waiver to LID Requirements to add "with City Council approval". Discussion ensued regarding including the requirement of a certification to ensure developers understand the criteria. Mr. Mike Mann, Public Works Director explained that State law states that when the plat is sealed, the engineer is ethically responsible for the plans. Discussion ensued adding reference to the Subdivision Ordinance in the Zoning Ordinance. Mayor Schultz added that it has taken a great deal of sensativity by the community and City Council to

begin the LID process. Mentioned also was a meeting with Council Member Anzollitto, Council Member Cisneros and stormwater management folks that if the development is done correctly, it is possible that additional building space can be added with LID.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER COLVIN, TO APPROVE ON FIRST READING ORDINANCE NO. 2018-04; AN ORDINANCE AMENDING THE CITY OF BOERNE SUBDIVISION ORDINANCE NO. 2007-56, DATED NOVEMBER 13, 2007, ARTICLE 1. GENERAL PROVISIONS, SECTION 04. DEFINITIONS, ARTICLE 2. PROCEDURES, SECTION 02. PROCEDURES FOR PRELIMINARY PLAT, SECTION 03. DESIGN AND CONSTRUCTION PLANS, SECTION 05. PROCEDURES FOR FINAL PLAT, ARTICLE 3. PLANNING AND COMMUNITY DESIGN STANDARDS, SECTION 03. OPEN SPACE SYSTEMS AND ADDING SECTION 06. LOW IMPACT DEVELOPMENT FACILITIES, ADDING THE WORDING "WITH CITY COUNCIL APPROVAL" UNDER SECTION 3.06.005, AND REFERENCING THE SUBDIVISION ORDINANCE IN THE ZONING ORDINANCE SECTIONS PERTAINING TO LID. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

**Nay:** 1 - Council Member Anzollitto

**Absent:** 1 - Council Member Boyd IV

**6.C. [2018-184](#) CONSIDER ON FIRST READING ORDINANCE NO. 2018-05; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, DATED DECEMBER 18, 2007, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 02. OUTDOOR LIGHTING, ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, SECTION 03. PERMITTED USES, SECTION 20. B-3 - CENTRAL BUSINESS DISTRICT, AND ADDING SECTION 33. NH - NORTH HERFF ROAD OVERLAY DISTRICT.**

Ms. Talley continued with proposed modifications to the City's Zoning Ordinance. She discussed the proposed amendments adding LED lighting criteria and updating the section regulating B-3 (Central Business District). It is Staff's recommendation that no new offices be permitted directly on Main

Street. Offices would be permitted above retail areas on Main Street or secondary/side streets. Also the Ordinance includes the addition of an overlay district that addresses design standards and landscape screening for the remaining undeveloped properties along Herff Road. Currently the Ordinance is written to apply the overlay only to lots on either side of Herff Road. Ms. Talley displayed a map of the area and asked the City Council for their thoughts if the Ordinance should only apply to the lots on either side of Herff Road or consider a certain distance from Herff Road. Discussion ensued regarding Character Districts, creating a buffer on Herff Road, and applying the overlay to only commercial zoned properties.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE ON FIRST READING ORDINANCE NO. 2018-05; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, DATED DECEMBER 18, 2007, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 02. OUTDOOR LIGHTING, ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, SECTION 03. PERMITTED USES, SECTION 20. B-3 - CENTRAL BUSINESS DISTRICT, AND ADDING SECTION 33. NH - NORTH HERFF ROAD OVERLAY DISTRICT APPLYING A 350 FEET BUFFER IN THE NH-NORTH HERFF ROAD OVERLAY DISTRICT. THE MOTION DIED FOR A LACK OF SECOND.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE ON FIRST READING ORDINANCE NO. 2018-05; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, DATED DECEMBER 18, 2007, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, ARTICLE 3, GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 02. OUTDOOR LIGHTING, ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, SECTION 03. PERMITTED USES, SECTION 20. B-3 - CENTRAL BUSINESS DISTRICT, AND ADDING SECTION 33. NH - NORTH HERFF ROAD OVERLAY DISTRICT STRIKING REFERENCE TO RESIDENTIAL IN THE NH - NORTH HERFF ROAD OVERLAY DISTRICT. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

7. [2018-175](#) RECEIVE RECOMMENDATION FOR PURCHASE OF SCULPTURE FROM THE 2017-2018 ART AL FRESCO COMPETITION AND CONSIDER RESOLUTION NO. 2018-R10; 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 art pieces; Bull, Solar Wind, and Foundation of the Doo Dah)

Mayor Schultz called on Mr. Paul Barwick, Special Projects Director. Mr. Barwick recognized Ms. Mary Woods, Project Manager Events/Programs in the audience who assisted with the Arts Al Fresco Competition. The sculpture receiving the most votes from City residents was "Bull". It is Staff's recommendation that three sculptures be purchased, "Bull" (\$10,000), "Solar Wind" (\$9,600), and "Foundation of the Doo Dah" (\$8,500). The City's Staff Art Assessment Committee has reviewed these public art sculptures and concurs with Staff's recommendation. The full exhibit will remain in place until April 2018.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER CISNEROS, TO RECEIVE RECOMMENDATION FOR PURCHASE OF SCULPTURE FROM THE 2017-2018 ART AL FRESCO COMPETITION AND APPROVE RESOLUTION NO. 2018-R10; 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 ART PIECES; BULL, SOLAR WIND, AND FOUNDATION OF THE DOO DAH). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

8. [2018-174](#) **FY 2018-2019 PUBLIC ART COMPETITION PRESENTATION.**

Mr. Barwick continued with the FY 2018-2019 Public Art Competition Presentation. The program was developed so that at the end of each year's competition, the City would have the option to purchase a least one sculpture depending on the City's budget for the program. This year, during the call for artists, 42 were received. The Public Art Competition Committee is charged with selecting the sculptures for the annual exhibit. 10 sculptures were chosen



with three alternates. Mr. Barwick displayed photos of the sculptures. The sculptuers will be installed by April 7, 2018. Additionally, this program gives the City an opportunity to commission pieces of art specific to our history and/or culture.

**9. [2018-173](#) RECEIVE THE FIRST QUARTER FINANCIAL AND INVESTMENT REPORT FOR FY 2017-2018.**

Mayor Schultz called on Ms. Sandy Mattick, Finance Director. Mr. Mattick reported on the First Quarter Financial Report. The revenues before transfers were above projection at 34.71%; expenditures were below projections at 23.07%; sales tax collections were up 2.5%; and ad valorem tax collections were at 83.46%. The Electric revenues were at 24.85% of budget and expenses were below projections at 22.25%. The Water revenues were at 26.89% of budget and expenses were below projections at 20.92%. The Wastewater revenues were at 25.26% of budget and expenses were above projections at 30.68%. The Gas revenues were at 20.95% of budget and expenses were below projections at 22.37%. Ms. Mattick continued with the Quarterly Investment Report. During this quarter, the City of Boerne invested in TexPool, MBIA, Texas TERM, TexStar, Government Agencies, municipal bonds, commercial paper and several Certificates of Deposits. The interest earned for this quarter totaled \$217,304. Ms. Mattick stated that Staff will continue to monitor interest rate activity and act accordingly when opportunities arise.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO RECEIVE AND APPROVE THE FIRST QUARTER FINANCIAL AND INVESTMENT REPORT FOR FY 2017-2018. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

**10. [2018-189](#) CONSIDER MAYORAL RE-APPOINTMENTS TO THE KENDALL COUNTY LIBRARY SYSTEM ADVISORY BOARD AND BOERNE KENDALL COUNTY ECONOMIC DEVELOPMENT BOARD.**

Mayor Schultz recommended that Kevin Henning and Sharon Mazurek be

re-appointed to the Kendall County Library System Advisory Board. He also recommended the re-appointment of Ron Bowman to the Boerne Kendall County Economic Development Board.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY MAYOR PRO TEM WOOLARD, APPROVE THE MAYORAL RE-APPOINTMENTS TO THE KENDALL COUNTY LIBRARY SYSTEM ADVISORY BOARD AND BOERNE KENDALL COUNTY ECONOMIC DEVELOPMENT BOARD AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

11. [2018-185](#) **CONSIDER ON FIRST READING ORDINANCE NO. 2018-06; 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. (13.327 acres located at 41 Old San Antonio Rd., KAD No. 38976, Wastewater Treatment and Recycling Center at the request of the City of Boerne.)**

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley displayed a map of the property located at 41 Old San Antonio Road. The Wastewater Treatment and Recycling Center is located on the property. Ms. Talley stated that annexing the property into the city limits and taking in the section of Old San Antonio Road will provide clear city limit boundaries in the area.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER CISNEROS, TO APPROVE ON FIRST READING ORDINANCE NO. 2018-06; 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. (13.327 ACRES LOCATED AT 41 OLD SAN ANTONIO RD., KAD NO. 38976, WASTEWATER TREATMENT AND RECYCLING CENTER AT THE REQUEST OF THE CITY OF BOERNE). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

**12. [2018-178](#) RECEIVE BIDS AND AWARD CONTRACT FOR THE UPPER BALCONES WATERLINE IMPROVEMENT PROJECT AND CONSIDER RESOLUTION NO. 2018-R11; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE AWARD OF A BID FOR THE UPPER BALCONES WATERLINE IMPROVEMENT PROJECT.**

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann displayed a map of the area of the Upper Balcones Waterline Improvement Project. He explained that the water main extension along Upper Balcones between Morningside Ministries and Menger Springs is needed prior to adjustment to an existing main located in the IH-10 right of way. TxDOT is to reimburse the City for all of our design and construction efforts associated with this work. The project was put out to public bid as required by the Local Government Code. Only one construction bid was received, and it is in the amount of \$147,555.50. TxDOT confirmed that the bid amount received is 100% reimbursable despite it being a single bid. It is Staff's recommendation to award the bid to JBS Underground, LLC in the amount not to exceed \$147,555.50.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY MAYOR PRO TEM WOOLARD, TO RECEIVE BID AND AWARD CONTRACT FOR THE UPPER BALCONES WATERLINE IMPROVEMENT PROJECT AND APPROVE RESOLUTION NO. 2018-R11; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE AWARD OF A BID FOR THE UPPER BALCONES WATERLINE IMPROVEMENT PROJECT. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

**13. [2018-177](#) CONSIDER RESOLUTION NO. 2018-R12; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Wood utility poles for the SH-46 widening utilities relocation project)**

Mr. Mann continued with the TxDOT project to widen State Highway 46 East from Esser Road to Ammann Road. TxDOT has advised the City that the electric utility poles have to be relocated for the project. The City's original plan was to move the utility poles six feet back from the highway. Due to easements and a creek, the plan had to be reevaluated. The City's personnel will install the new poles. Once the design of the electric distribution improvements are completed, Staff will make a determination whether to bid the electric conductor installation on the poles or to purchase and install it in-house. It is Staff's recommendation to approve the purchase of 29 wood utility poles from Techline, Inc. at a cost of \$22,051.00.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER CISNEROS, TO APPROVE RESOLUTION NO. 2018-R12; AUTHORIZING THE PURCHASE OF 29 WOOD UTILITY POLES FROM TECHLINE, INC. AT A COST NOT TO EXCEED \$22,051.00. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

**14. PLANNING AND ZONING COMMISSION RECOMMENDATION TO SET A PUBLIC HEARING FOR MARCH 13, 2018****14.A.[2018-188](#) PROPOSED USE OF A PARKING LOT IN A B-2, HIGHWAY COMMERCIAL DISTRICT FOR A PROPOSED LOT LOCATED AT 1434 SOUTH MAIN STREET. (Fronting the proposed Herff Road extension - KAD No. 49470, Larry Lester)**

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, TO RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR MARCH 13, 2018 FOR THE PROPOSED USE OF A PARKING LOT IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 1434 SOUTH MAIN STREET. (FRONTING THE PROPOSED HERFF ROAD EXTENSION - KAD NO. 49470, LARRY LESTER). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

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

City Manager reported that he and Mayor Schultz spoke at the Chamber's State of the City Luncheon. There was a record attendance for the luncheon according to Chamber Staff. Land EDU, an entity that loans money to college students and small businesses rated 1000 cities for small businesses to do business and Boerne was rated #2.

Assistant City Manager Linda Zartler reported that a meeting with Lee Lewis, Construction Manager at Risk and architect Randall Scott was held today and 99% of the design documents were completed for the new City Hall. They are working on the construction documents which will be at 50% on February 16, 2018 and they will be turning over the documents to the City and will then be putting out to sub contractors to start gathering the guaranteed maximum price.

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

Mayor Schultz convened the City Council into Executive Session at 7:40 p.m. and asked those individuals requested to participate to adjourn to the Executive Session Conference Room.

**16.A.[2018-192](#) 551.071 (1) (A) - CONSULTATION WITH ATTORNEY AND SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION.**

NO ACTION WAS TAKEN.

**16.B.[2018-205](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION.**

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 8:24 p.m.

**17.A.[2018-191](#) CONSIDER RESOLUTION NO. 2018-R13; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INFRASTRUCTURE AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE AND \_\_\_\_\_.**

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER CISNEROS, TO APPROVE RESOLUTION NO. 2018-R13; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INFRASTRUCTURE AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE AND CT 17 HERFF LAND, LP. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

**18. ADJOURNMENT**

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

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Colvin

**Absent:** 1 - Council Member Boyd IV

Approved:

\_\_\_\_\_  
Mayor Pro Tem

Attest:

\_\_\_\_\_  
City Secretary