

MINUTES
SPECIAL CALLED CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
November 13, 2018 – 4:00 p.m.

Minutes of the Special Called City Council Meeting of November 13, 2018 at 4:00 p.m.

Present: 5 - Mayor Michael Schultz, Council Member Joe Anzollitto, Mayor Pro Tem Nina Woolard, Council Member Ron Cisneros, and Council Member Tim Handren

Absent: 1 - Council Member Steven Tye

1. CALL TO ORDER – 4:00 PM

Mayor Schultz called the City Council to order at 4:00 p.m.

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

Mayor Schultz convened the City Council Members into Executive Session at 4:01 p.m.

Present: 4 - Mayor Michael Schultz, Mayor Pro Tem Nina Woolard, Council Member Ron Cisneros, and Council Member Tim Handren

Excused: 1 - Council Member Joe Anzollitto

Absent: 1 - Council Member Steven Tye

2.A. [2018-749](#) SECTION 551.071 (1) (A) - CONSULTATION WITH ATTORNEY: PENDING OR CONTEMPLATED LITIGATION AND TO DELIBERATE AND DISCUSS RESIDENCY REQUIREMENTS, FORFEITURE PROVISIONS, AND VACANCIES UNDER SECTION 3.08 OF THE BOERNE HOME RULE CHARTER.

No action was taken.

2.B. [2018-750](#) SECTION 551.074 - PERSONNEL MATTERS: TO DELIBERATE THE

**APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT,
DUTIES, DISCIPLINE OF A PUBLIC OFFICER OR EMPLOYEE
(DISTRICT 1).**

No action was taken.

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

Mayor Schultz reconvened the City Council Members into open session at 4:29 p.m.

**3.A. [2018-751](#) CONSIDER MOTION TO DETERMINE RESIDENCY REQUIREMENTS,
FORFEITURE PROVISIONS, AND QUALIFICATIONS OF THE DISTRICT
1 ELECTED OFFICIAL.**

Mayor Schultz called on Ms. Kirsten Cohoon, City Attorney. Ms. Cohoon briefed the City Council Members on the history and notification by Council Member Joe Anzollitto to move his homestead from District 1 to District 2 and did not have an intention to return to District 1. Council Member Anzollitto informed Ms. Cohoon that he will be renting a room from the home of a friend in District 1 in an attempt to maintain residency requirements as per the City of Boerne Home Rule Charter, but will be spending his time at the new District 2 address. His furniture and clothing will be at the District 2 address and he will be spending his time and sleeping at the District 2 address. Ms. Cohoon reviewed the qualifications as stated in the Home Rule Charter. It is the opinion of outside counsel and the City Attorney's office, that these factors establish residency at the new address which is outside District 1. Discussion ensued regarding calling for a Special Election to fill the vacancy. Ms. Cohoon stated that the Home Rule Charter 3.08 states that there cannot be two appointed qualified persons on the City Council without having an election. To fill one vacancy, the City Council will appoint a qualified person within 30 days of the vacancy who will serve the remainder of the term, until May 2020. Discussion also ensued regarding abiding by and interpreting the Home Rule Charter written in the 1990's and that the decision isn't about Council Member Anzollitto personally.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE MOTION FINDING THAT AS OF NOVEMBER 13, 2018, THE COUNCIL MEMBER FOR DISTRICT 1 HAS CEASED BEING A RESIDENT OF DISTRICT 1 WHICH IS A REQUIRED QUALIFICATION UNDER SECTION 3.03 OF THE BOERNE HOME RULE CHARTER AND AS THE FINAL JUDGE OF ALL QUALIFICATIONS OF ITS MEMBERS UNDER SECTION 3.04 OF THE HOME RULE CHARTER, THE CITY COUNCIL HEREBY DECLARES THAT COUNCIL MEMBER FOR DISTRICT 1 HAS FORFEITED HIS SEAT AS A COUNCIL MEMBER FOR DISTRICT 1 UNDER SECTION 3.08 OF THE HOME RULE CHARTER. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 2 - Mayor Pro Tem Woolard, and Council Member Cisneros

Excused: 1 - Council Member Anzollitto

Absent: 1 - Council Member Tye

Abstain: 1 - Council Member Handren

Council Member Anzollitto left the meeting at approximately 4:40 p.m.

Mayor Schultz stated that Council Member Anzollitto will remain on the City Council until the Council Meeting of December 11, 2018, at which time a qualified person will be appointed to fill the vacancy of District 1. Mayor Schultz stated that a press release will go out to the public. City Manager Ron Bowman stated a special meeting will be held to review any applicants in advance of the December 11, 2018 meeting.

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

Mayor Schultz called the City Council into Executive Session at 4:45 p.m.

Present: 4 - Mayor Michael Schultz, Mayor Pro Tem Nina Woolard, Council Member Ron Cisneros, and Council Member Tim Handren

Absent: 2 - Council Member Joe Anzollitto, and Council Member Steven Tye

4.A. [2018-752](#) SECTION 551.074 - PERSONNEL MATTERS: TO INTERVIEW AND DELIBERATE THE APPOINTMENT AND DUTIES OF A CITY

ATTORNEY.

No action was taken.

5. 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 6:10 p.m.

No action was taken.

6. ADJOURNMENT

The Special Called City Council meeting was adjourned at 6:10 p.m.

MINUTES**REGULAR CITY COUNCIL MEETING****CITY COUNCIL CHAMBERS****124 Old San Antonio Road****Boerne, TX 78006****November 13, 2018 – 6:30 PM**

Minutes of the Regular Called City Council Meeting of November 13, 2018 at 6:30 p.m.

Present: **4 -** Mayor Michael Schultz, Mayor Pro Tem Nina Woolard, Council Member Ron Cisneros, and Council Member Tim Handren

Absent: **2 -** Council Member Joe Anzollitto, and Council Member Steven Tye

Staff Present: Ron Bowman, Siria Arreola, Dan Blankenship, Pam Bransford, Lori Carroll, Kirsten Cohoon, Ray Hacker, Lissette Jimenez, Jim Kohler, Mike Mann, Sandy Mattick, Mike Raute, Jeanette Teague, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke.

Recognized / Registered Guests: Robert Imler, Mike Luckey, Denise Dever, William Dever, Lance Kyle, Carol Bass Westermeier, James T. Westermeier, Sharon and Ashley Clingman, and Jennifer McCall.

1. CALL TO ORDER – 6:30 PM

Mayor Schultz called the City Council meeting to order at 6:30 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:

Denise Dever, 53 Silent Spring presented to Council Members a copy of the resolution which was passed and signed by the Kendall County Commissioners regarding the Kendall Gateway Study. She hoped that the city would work with the county and the citizens to solve the communities transportation issues.

4. CONSENT AGENDA:

- 4.A. [2018-727](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD OCTOBER 23, 2018 AND SPECIAL CALLED MEETING HELD NOVEMBER 5, 2018.**

THE MINUTES WERE APPROVED.

- 4.B. [2018-736](#) CONSIDER ON SECOND READING ORDINANCE NO. 2018-40; 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, BY AMENDING ARTICLE 3, SECTION 14, REZONING 10 ACRES OUT OF 60.673 ACRES LOCATED AT 33 HERFF ROAD (KAD NOS. 63558,**

12531, 12530, AND 15831) FROM R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL 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. (Carolyn Chipman Evans- Friends of the Cibolo Wilderness)

THE ORDINANCE WAS APPROVED.

4.C. [2018-721](#) CONSIDER RESOLUTION NO. 2018-R104; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT WITH SAMCO LEAK DETECTION FOR PHASE 2 OF WATER SYSTEM LEAK DETECTION SERVICES.

THE RESOLUTION WAS APPROVED.

4.D. [2018-744](#) CONSIDER RESOLUTION NO. 2018-R105; 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 the Gas Department)

THE RESOLUTION WAS APPROVED.

4.E. [2018-745](#) CONSIDER RESOLUTION NO. 2018-R106; 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 the Water Department)

THE RESOLUTION WAS APPROVED.

4.F. [2018-725](#) CONSIDER RESOLUTION NO. 2018-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. (Clarifier skirting replacement at Wastewater Treatment Plant at Esser Rd.)

THE RESOLUTION WAS APPROVED.

4.G. [2018-738](#) CONSIDER RESOLUTION NO. 2018-R108; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN MANAGE AND AGREEMENT WITH BERNHARD BROTHERS CONCRETE CONTRACTORS, INC. TO REMOVE AND REPLACE THE SIDEWALK

AT NORTHRUP PARK COMPLEX # 3.

THE RESOLUTION WAS APPROVED.

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

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

Absent: 2 - Council Member Anzollitto, and Council Member Tye

5. [2018-735](#) RECOGNITION OF THE TEXAS AMATEUR ATHLETIC FEDERATION LOCAL AND REGIONAL ATHLETE OF THE YEAR.

Mayor Schultz called on Mr. Danny Zincke, Community Services Director. Mr. Zincke stated that annually the City has the opportunity to nominate one male and one female athlete for the Texas Amateur Athletic Federation (TAAF) Local Athlete of the Year. Once local athletes have been chosen, they compete for Regional Athlete of the Year. This year, both Ashley Clingman and Noah Blomqvist have been selected for Local and Regional Athlete of the Year. Both have excelled in the sport of track. Noah was also named State Athlete of Year and will be recognized at the TAAF Hall of Fame in February.

Mayor Schultz congratulated both athletes and acknowledged that they are Ambassadors and represent the City of Boerne.

6. [2018-733](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2018-41; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER CISNEROS, TO APPROVE A ONE-TIME READING OF ORDINANCE NO. 2018-41; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 2 - Council Member Anzollitto, and Council Member Tye

7. [2018-748](#) **CONSIDER ORDINANCE NO. 2018-41; AN ORDINANCE AMENDING ORDINANCE NO. 2017-74 CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2017-2018, BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018.**

Mayor Schultz called on Ms. Sandy Mattick, Finance Director. She reviewed the proposed budget amendments for fiscal year 2017-2018 budget. The adjustments include the General Fund: \$115,169 for expenditures related to the Convention and Visitors Bureau building; \$1,350,000 to record the transfer to establish the Capital Projects Construction Fund; \$10,850 for the Animal Shelter and facility improvement expenditures; Park Fund: \$1,400,000 for TxDOT grant projects; Library Fund: \$72,150 revenues and expenditures related to salaries and operations of the Library; Economic Development: \$484,000 for payments made during fiscal year 2018; Capital Projects Fund: \$1,350,254 to record transfer establishing fund; Electric Fund: \$1,555,000 for trail grant expenditures; and Water Fund: \$90,000 to increase budget for water sales and additional operating expenditures. Staff recommended approval of Ordinance No. 2018-41.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL MEMBER HANDREN, TO APPROVE ORDINANCE NO. 2018-41; AN ORDINANCE AMENDING ORDINANCE NO. 2017-74 CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2017-2018, BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 2 - Council Member Anzollitto, and Council Member Tye

8. [2018-759](#) **RECEIVE THE FOURTH QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FY 2017-2018.**

Ms. Mattick continued with the Fourth Quarter Financial Report for FY 2017-2018. She stated that the budget amendments for FY 2017-2018 were considered when creating the financial report. The revenues (excluding budgeted and fund balance) were above projection at 100.92% and

expenditures were below projections at 92.50%. Sales Tax collections were up 5.73% from this period last year. Ad valorem tax collections were at 99.27%. Electric revenues were at 100.55% of budget and expenses were below projections at 98.61%; Water revenues were at 110.50% of budget and expenses were below projections at 95.21%; Wastewater revenues were at 102.65% of budget and expenses were below projections at 98.61%; and Gas revenues were at 92.67% of budget and expenses were below projections at 99.41%. Ms. Mattick reported on Tax Collection of \$7,711,247.17 which is the first time it has reached over \$7,000,000.00. Ms. Mattick continued with the Quarterly Investment Report. The Public Funds Act requires that a written report be provided to the governing body at least quarterly. During the quarter, the City of Boerne invested in TexPool, MBIA, Texas TERM, TexStar, Government Agencies, municipal bonds, commercial paper, treasury notes and several Certificates of Deposit (CD's). Interest earned for the quarter totaled \$335,765.00. Staff will continue to monitor interest rate activity and act accordingly when opportunities arise.

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

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

Absent: 2 - Council Member Anzollitto, and Council Member Tye

9. [2018-747](#) **CONSIDER ON FIRST READING ORDINANCE NO. 2018-42; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2017-82 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."**

Ms. Mattick continued with modifications to the City's Fee Ordinance. She stated that Department Heads were consulted and were given the opportunity to review the Fee Ordinance and make any suggestions for changes. Ms.

Mattick reviewed the proposed changes. Discussion ensued regarding the reduced scanning fees at the library and the reduced re-zoning application fee. Concerns were expressed regarding the new fee established for the Historic Landmark Commission Processing Fee and the Drip Irrigation Fee.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL MEMBER HANDREN, TO APPROVE ON FIRST READING ORDINANCE NO. 2018-42; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2017-82 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 Handren

Absent: 2 - Council Member Anzollitto, and Council Member Tye

10. [2018-758](#) PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION FOR FISCAL YEAR 2016-2017.

Mayor Schultz presented Ms. Sandy Mattick, Finance Director and Ms. Angie Rios, Assistant Finance Director with the Government Finance Officers Association (GFOA) award for excellence in financial reporting. Mayor Schultz noted this is the 31st consecutive year that the City of Boerne has received the award.

11. [2018-724](#) CONSIDER ON FIRST READING ORDINANCE NO. 2018-43; AN ORDINANCE ESTABLISHING A FOUR-WAY STOP AT THE INTERSECTION OF CASCADE CAVERNS ROAD, RANCH DRIVE, AND SOUTHGLEN PARKWAY AND THE INSTALLATION OF A YIELD SIGN AT CASCADE CAVERNS ROAD; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE. (Intersection of Cascade Caverns Road by Southglen Subdivision)

Mayor Schultz called on Mr. Mike Mann, Utilities Director. Mr. Mann displayed

a map of the area of Cascade Caverns Road, Ranch Drive, and Southglen Parkway. He stated that traffic control devices were erected and maintained by Kendall County prior to the annexation. Staff has been watching traffic patterns in the area and feels it necessary to add an additional stop sign, causing a four-way stop, due to increased traffic and to improve traffic safety.

A MOTION WAS MADE BY COUNCIL MEMBER HANDREN, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE ON FIRST READING ORDINANCE NO. 2018-43; AN ORDINANCE ESTABLISHING A FOUR-WAY STOP AT THE INTERSECTION OF CASCADE CAVERNS ROAD, RANCH DRIVE, AND SOUTHGLEN PARKWAY AND THE INSTALLATION OF A YIELD SIGN AT CASCADE CAVERNS ROAD; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE. (INTERSECTION OF CASCADE CAVERNS ROAD BY SOUTHGLEN SUBDIVISION). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 2 - Council Member Anzollitto, and Council Member Tye

12. [2018-757](#) CONSIDER AN AMENDMENT TO THE UTILITIES RULES AND REGULATIONS. (Prohibit installation of private water wells within the City's potable water service territory)

Mr. Mann continued with the proposed amendment to the Boerne Utilities Rules and Regulations. Over the past few years, private water supply wells have been drilled within the City limits. Some of the installations have occurred where the City has or has the physical and/or regulatory ability to install public water services to the property from our distribution system. It is Staff's recommendation that language be added to the City of Boerne Utilities Rules and Regulations to require an application directed to the Mayor which will be presented to the City Council for consideration before a well will be permitted to be drilled in the City limits.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER HANDREN, TO APPROVE AN AMENDMENT TO THE UTILITIES RULES AND REGULATIONS. (PROHIBIT INSTALLATION OF PRIVATE WATER WELLS WITHIN THE CITY'S POTABLE WATER SERVICE TERRITORY). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 2 - Council Member Anzollitto, and Council Member Tye

13. [2018-754](#) CONSIDER RESOLUTION NO. 2018-R109; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND SMITH PUMP COMPANY, INC. FOR REPAIRS TO A MAGNA DRIVE UNIT AT THE BUCKSKIN WATER TANK SITE.

Mr. Mann continued with a photo of a Magna Drive pump assembly that was installed approximately 14 years ago at the Buckskin Water Tank Site, which is the GBRA water delivery point. This pump allows the City to alter the flow rates on discharge at the site. The Magna Drive is in need of a complete rebuild due to bearing failure. Because this equipment is vital, Staff recommended approval of the expenditure.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL MEMBER HANDREN, TO APPROVE RESOLUTION NO. 2018-R109; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND SMITH PUMP COMPANY, INC. FOR REPAIRS TO A MAGNA DRIVE UNIT AT THE BUCKSKIN WATER TANK SITE IN AN AMOUNT NOT TO EXCEED \$30,261.00. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 2 - Council Member Anzollitto, and Council Member Tye

14. [2018-755](#) **CONSIDER RESOLUTION NO. 2018-R110; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND MAESTAS & ASSOCIATES, INC. FOR THE DESIGN OF A RIGHT TURN LANE ON OLD SAN ANTONIO ROAD AT HERFF ROAD.**

Mr. Mann presented a map of the intersection of Old San Antonio Road and Herff Road. Mr. Mann explained that when Kendall County constructed Herff Road, the intersection was made with extra width. Observations of traffic movements have made it clear that the addition of a turn lane from Old San Antonio Road onto eastbound Herff Road would improve operations. Staff recommended that the City Manager contract with Maestas & Associates, Inc. for professional design services for the intersection improvements.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER HANDREN, TO APPROVE RESOLUTION NO. 2018-R110; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND MAESTAS & ASSOCIATES, INC. FOR THE DESIGN OF A RIGHT TURN LANE ON OLD SAN ANTONIO ROAD AT HERFF ROAD, IN AN AMOUNT NOT TO EXCEED \$15,192.00. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 2 - Council Member Anzollitto, and Council Member Tye

15. [2018-709](#) **CONSIDER RESOLUTION NO. 2018-R111; A RESOLUTION APPROVING CHANGES TO THE PERSONNEL POLICIES MANUAL FOR THE CITY OF BOERNE, TEXAS. (Changes to Retiree Insurance, Coverage and Subsidy; Post 65 Retiree; Supplemental Injury Pay; and Meals Reimbursement)**

Mayor Schultz called on Ms. Linda Zartler, Assistant City Manager. Ms. Zartler stated that Staff reviews the Personnel Policies annually. Modifications are proposed regarding the sections concerning retiree insurance, clarification on the details of total deductions made from injury pay, and reimbursement of meals for employees traveling for work.

A MOTION WAS MADE BY COUNCIL MEMBER HANDREN, SECONDED BY COUNCIL MEMBER CISNEROS, TO APPROVE RESOLUTION NO. 2018-R111; A RESOLUTION APPROVING CHANGES TO THE PERSONNEL POLICIES MANUAL FOR THE CITY OF BOERNE, TEXAS. (CHANGES TO RETIREE INSURANCE, COVERAGE AND SUBSIDY; POST 65 RETIREE; SUPPLEMENTAL INJURY PAY; AND MEALS REIMBURSEMENT). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 2 - Council Member Anzollitto, and Council Member Tye

16. [2018-708](#) CONSIDER RESOLUTION NO. 2018-R112; A RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURES TO THE AGREEMENT WITH RANDALL SCOTT ARCHITECTS FOR ARCHITECTURAL AND ENGINEERING SERVICES OF A NEW CITY HALL.

Ms. Zartler continued with the explanation of additional expenditures for the new city hall. She explained the 2016 agreement with Randall Scott Architects, Inc. states that the fees are based on the preliminary drawings and estimated construction costs of \$15,000,000.00. Since the time the agreement was approved, there have been three add-ons that have caused the fees to increase by roughly \$200,000.00. It is Staff's recommendation to approve the additional fees to remain compliant with the approved resolution. Staff is hopeful that the cost of construction will be lower than the GMP and the City will be able to receive credit for a portion of the architectural fees.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE RESOLUTION NO. 2018-R112; A RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURES TO THE AGREEMENT WITH RANDALL SCOTT ARCHITECTS FOR ARCHITECTURAL AND ENGINEERING SERVICES OF A NEW CITY HALL. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 2 - Council Member Anzollitto, and Council Member Tye

17. COMMENTS FROM COUNCIL/ STAFF – No discussion or action may take place.

Larry Woods, Convention and Visitors Bureau Director distributed the Society Magazine and the USA Today Travel to the City Council Members. The articles in both magazines were free to the City. Mr. Woods also mentioned that the Country Living Magazine has listed Boerne in the top 25 places to visit.

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

CITY COUNCIL MAY, AS PERMITTED BY LAW, ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY MATTER LISTED ABOVE INCLUDING IF THEY MEET THE QUALIFICATIONS IN SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION REGARDING REAL PROPERTY), 551.073 (DELIBERATION REGARDING GIFTS), 551.074 (PERSONNEL/OFFICERS), 551.076 (DELIBERATION REGARDING SECURITY DEVICES), AND SECTION 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS) OF CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.

City Council did not convene into Executive Session.

19. ADJOURNMENT

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER CISNEROS, TO ADJOURN THE CITY COUNCIL MEETING AT 7:25 P.M. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 2 - Council Member Anzollitto, and Council Member Tye

Approved:

Mayor

Attest:

City Secretary