

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
August 9, 2016 – 6:00 PM

Minutes of the Regular Called City Council meeting of August 9, 2016 at 6:00 p.m.

Present: 5 - Mayor Michael Schultz, Council Member Nina Woolard, Council Member Charlie Boyd IV, Mayor Pro Tem Ron Cisneros, and Council Member Craig Colvin

Absent: 1 - Council Member Joe Anzollitto

Council Member Joe Anzollitto arrived at 6:02 p.m.

Staff Present: Ron Bowman, Siria Arreola, Paul Barwick, Pam Bransford, Lori Carroll, Kirsten Cohoon, Jim Kohler, Mike Mann, Mark Mattick, Sandy Mattick, Doug Meckel, Mike Raute, Angio Rios, Laura Talley, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke.

Recognized / Registered Guests: Vicki Moore, Dub Smothers, Stephanie Lau, Glenn Cummings, Phil Hunke, Alison Church, Chad Carpenter, Misty Mayo, and Lance Kye.

1. CALL TO ORDER – 6:00 PM

Mayor Schultz called the City Council to order at 6:00 p.m.

2. CONFLICTS OF INTEREST

Mayor Schultz stated he has a conflict with agenda item #6 and will recuse himself from the discussion.

3. PUBLIC COMMENTS:

Stephanie Lau, 214 Cascade Caverns Road stated she learned of a Municipal

Utility District that was recently annexed into the city that will pump a lot of water to other residents from the same aquifer that she and her neighbors use. She asked that the City Manager help organize a public forum to provide a dialog with the public in a manner different from a city council meeting. The forum should include City Council, Kendall West Utility, and Cow Creek. She feels that by annexing the surrounding properties, the city is attempting to circumvent Local Government Code 43.052.

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

4. CONSENT AGENDA: All items listed below within the Consent Agenda are considered to be routine by the City Council and may be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence.

4A. [2016-775](#) APPROVAL OF MINUTES OF THE JULY 26, 2016 REGULAR CALLED CITY COUNCIL MEETING.

THE MINUTES WERE APPROVED.

4B. [2016-767](#) CONSIDER RESOLUTION NO. 2016-R70; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT WITH KENDALL COUNTY FOR HEALTH SANITARIAN SERVICES. (Annual agreement for health inspection services.)

THE RESOLUTION WAS APPROVED.

4C. [2016-790](#) CONSIDER RESOLUTION NO. 2016-R71; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Appraisals for the SoBo project)

THE RESOLUTION WAS APPROVED.

MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY MAYOR PRO TEM CISNEROS TO APPROVE THE CONSENT AGENDA. THE MOTION WAS 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. [2016-789](#) RECOGNITION OF RON BOWMAN, CITY MANAGER RECEIVING THE TEXAS PUBLIC POWER ASSOCIATION (TPPA) GARY BROWN SERVICE AWARD.

Mayor Schultz recognized Mr. Ron Bowman, City Manager for receiving the Texas Public Power Association (TPPA) Gary Brown City Service Award. The award recognizes outstanding leadership and dedication by a municipal official in a city served by TPPA. Mr. Bowman has represented the City of Boerne and has been on the TPPA Board for over 20 years.

6. [2016-774](#) PRESENTATION ON THE HILL COUNTRY MILE AND THE HISTORIC DISTRICT RESTORATION PROGRAM.

Mayor Schultz recused himself from the discussion.

Mayor Pro Tem Cisneros called on Mr. Paul Barwick, Special Projects Director. Mr. Woods expressed his appreciation to Mary Woods, Project Manager Events/Program and CE Group for their assistance with the Hill Country Mile (HCM) marketing, advertising and promotion activities. He stated that the promotion rolled out in May with the HCM rebranding and tagline. The marketing and advertising was done through the Boerne Convention and Visitors Bureau (CVB). He displayed cooperative advertising which some downtown businesses contributed. He reviewed social media and media coverage calendaring events of "More Than Just A Mile" month which was held May 5, 2016 through May 12, 2016. Mr. Barwick stated that Texas Monthly is currently doing a survey on their website for the public to vote for their favorite Main Street. The survey ends September 30, 2016. He urged the public to participate in the survey. Mr. Barwick also discussed the Historic District Restoration Program (HDRP). The Program has been in place since 2013 and has approved to date 19 projects with 17 completed. The projects go

before the Historic Landmark Commission for approval. Discussion ensued regarding a waiting period for HDRP requests and comment on the "More Than Just A Mile" logo.

7. [2016-776](#) RECEIVE CITY OF BOERNE'S 2016 CERTIFIED APPRAISAL ROLL VALUE.

Mayor Schultz called on Ms. Sandy Mattick, Finance Director. Ms. Mattick reviewed the 2016 Certified Appraisal Roll Value summary received from the Kendall Appraisal District. She explained the Homestead Cap Adjustment, the Absolute Exemptions, and the Freeze Taxable Amount. The anticipated collection rate for the 2016 tax year is 98%.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER WOOLARD, TO RECEIVE THE CITY OF BOERNE'S 2016 CERTIFIED APPRAISAL ROLL VALUE. 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

8. [2016-780](#) CALL FOR AND CONSIDER TWO PUBLIC HEARINGS, AUGUST 23, 2016 AT 6:00 P.M. AND AUGUST 30, 2016 AT 5:15 PM ON THE PROPOSED TAX RATE OF \$0.4720/\$100.

Ms. Mattick explained that since the proposed tax rate of \$0.4720/\$100 for FY 2016-2017 is in excess of the effective rate of \$0.4547/\$100 valuation, the City Council must call for two public hearings. The first public hearing will be held on August 23, 2016 at 6:00 p.m. and the second public hearing will be held at a special called City Council meeting on August 30, 2016 at 5:15 p.m. The vote on the proposed tax rate is scheduled for September 13, 2016 at 6:00 p.m.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER BOYD IV, TO CALL FOR TWO PUBLIC HEARINGS, AUGUST 23, 2016 AT 6:00 P.M. AND AUGUST 30, 2016 AT 5:15 PM ON THE PROPOSED TAX RATE OF \$0.4720/\$100. 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. [2016-777](#) CALL FOR AND CONSIDER A PUBLIC HEARING ON AUGUST 30, 2016 AT 5:15 P.M. ON THE PROPOSED BUDGET.

Ms. Mattick explained the process to approve the proposed budget of \$63,600,016.00 which includes the proposed tax rate of \$0.4720/\$100 valuation. It is a requirement that the City Council call for one public hearing. Staff recommended the date of the public hearing to be on August 30, 2016, a special called City Council meeting. The first reading of the ordinance to adopt the budget will take place following the public hearing. The second reading of the ordinance will be held at the regular City Council meeting of September 13, 2016.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY MAYOR PRO TEM CISNEROS, TO CALL FOR A PUBLIC HEARING ON AUGUST 30, 2016 AT 5:15 P.M. ON THE PROPOSED BUDGET. 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. [2016-785](#) RECEIVE AND CONSIDER A REQUEST FROM PERRY HOMES FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 12 PROHIBITED SIGN LOCATIONS. C. OFF-SITE SIGNAGE. (112 Coletto Creek)

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley explained that staff received a request from Perry Homes, a developer at Ranches at Creekside to place a model home sign on the property next to the property where the model home is located. The City's ordinance requires the signage to be placed on the property of the model home. Code Enforcement discovered the sign already in place without a permit. Ms. Talley displayed a map of the property location and photos of the sign and placement. The sign variance met and recommended the sign variance request be denied.

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY MAYOR PRO TEM CISNEROS, TO DENY A REQUEST FROM PERRY HOMES FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 12 PROHIBITED SIGN LOCATIONS. C. OFF-SITE SIGNAGE. (112 COLETTO CREEK). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Nay: 2 - Council Member Anzollitto, and Council Member Colvin

11. [2016-784](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-29; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NOS. 2009-41, 2010-27, 2011-12, 2011-25, 2012-18, 2012-31, 2015-19, AND 2015-27, ESTABLISHING THE DESIGNATION OF NO PARKING AREAS WITHIN THE CITY OF BOERNE; AND PROVIDING FOR A PENALTY OF NOT MORE THAN \$200 FOR VIOLATION. (Removal Of No Parking On South Side Of Johns Road In Front Of Old Fabra Elementary And No Parking On Lohmann St.)

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann explained that with the re-location of the Fabra Elementary School, the Boerne Independent School District requested that all parking restrictions be removed from the north side of Lohmann Street and the south side of Johns Road. Staff has no objection to the removal of the parking restrictions.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER BOYD IV, TO APPROVE ON FIRST READING ORDINANCE NO. 2016-29; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NOS. 2009-41, 2010-27, 2011-12, 2011-25, 2012-18, 2012-31, 2015-19, AND 2015-27, ESTABLISHING THE DESIGNATION OF NO PARKING AREAS WITHIN THE CITY OF BOERNE; AND PROVIDING FOR A PENALTY OF NOT MORE THAN \$200 FOR VIOLATION. (REMOVAL OF NO PARKING ON SOUTH SIDE OF JOHNS ROAD IN FRONT OF OLD FABRA ELEMENTARY AND NO PARKING ON LOHMANN ST.) 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. [2016-781](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-30; AN ORDINANCE AMENDING ORDINANCE NO. 2008-18 ESTABLISHING A SCHOOL ZONE IN THE AREA OF 121 OLD SAN ANTONIO ROAD AT MEADOWLANDS CAMPUS AND REDUCING THE SPEED LIMIT DURING THE DESIGNATED HOURS AND ORDINANCE NO. 2009-42 ESTABLISHING A SCHOOL ZONE AT NORTH MAIN STREET FROM THE 200 BLOCK TO THE 400 BLOCK. (Remove school zones on Main Street by old Fabra Elementary School and Old San Antonio Road by Meadowlands.)

Mr. Mann continued with a discussion on school zones. He feels that traffic control measures can be overused and can lead to more dangerous behavior at other possibly more important areas. School zones are intended to enhance pedestrian safety. With the new stop light at Johns Road and Main Street, staff feels the school zone is no longer needed. It is also Staff's recommendation that the school zone on Old San Antonio Road near Meadowlands campus also be eliminated. Discussion ensued regarding students from Meadowlands that also attend Boerne Independent School District or may walk to the Burdick Community Center which may cause pedestrian concerns.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE ON FIRST READING ORDINANCE NO. 2016-30; AN ORDINANCE AMENDING ORDINANCE NO. 2008-18 ESTABLISHING A SCHOOL ZONE IN THE AREA OF 121 OLD SAN ANTONIO ROAD AT MEADOWLANDS CAMPUS AND REDUCING THE SPEED LIMIT DURING THE DESIGNATED HOURS AND ORDINANCE NO. 2009-42 ESTABLISHING A SCHOOL ZONE AT NORTH MAIN STREET FROM THE 200 BLOCK TO THE 400 BLOCK WITH THE MODIFICATION TO REMOVE 121 OLD SAN ANTONIO ROAD AT MEADOWLANDS CAMPUS FROM THE ORDINANCE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Nay: 1 - Council Member Boyd IV

13. [2016-786](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-31; 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. (40.892 Acres Being Part Of Shooting Club Road- KAD Nos. 153712, 153713, 153714, 153715, and 153716- At The Request of William E. Canavan Jr.- Durango Development)

Mayor Schultz called on Ms. Laura Talley, Planning and Development Director. She displayed a map of the property located on Shooting Club Road. The owners would like to annex the property and subdivide into smaller residential lots. She explained that Bandera Electric will serve electric service, Kendall West Utility can serve water and City of Boerne can serve sewer and gas. The topography is not favorable to continue industrial zoning to the area. Staff feels that a residential development will help to draw additional commercial and revitalize North Main Street. Therefore, staff recommended approval of the annexation. Discussion ensued regarding the various utilities to serve the location, advantages for the property to be annexed, and zoning concerns for the area.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE ON FIRST READING ORDINANCE NO. 2016-31; 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. (40.892 ACRES BEING PART OF SHOOTING CLUB ROAD- KAD NOS. 153712, 153713, 153714, 153715, AND 153716- AT THE REQUEST OF WILLIAM E. CANAVAN JR.- DURANGO DEVELOPMENT). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Nay: 1 - Council Member Boyd IV

14. [2016-773](#) **CONSIDER A ONE TIME READING OF ORDINANCE NO. 2016-32; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A.**

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER COLVIN, TO APPROVE A ONE TIME READING OF ORDINANCE NO. 2016-32; 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, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

15. [2016-768](#) **CONSIDER ORDINANCE NO. 2016-32; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 16 PARKS AND RECREATION; AND PROVIDING FOR A PENALTY OF NOT MORE THAN \$200 FOR VIOLATION OF ANY PROVISION OF THIS ORDINANCE. (No parking at Cibolo Nature Center)**

Mayor Schultz called on Mr. Danny Zincke, Parks and Recreation Director. Mr. Zincke reviewed the proposed modifications to the Parks Ordinance. In June, the City Council approved changing the name of the Optimist Park to Kinderpark. The section of the ordinance corresponds to the name change. Also, the Cibolo Nature Center (CNC) has asked that parking located within the CNC be restricted to park use only. In the past, students from Champion High School have been using the CNC parking lot to avoid parking in the school parking lot. Staff recommended approval of the modifications to the ordinance.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE ORDINANCE NO. 2016-32; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 16 PARKS AND RECREATION; AND PROVIDING FOR A PENALTY OF NOT MORE THAN \$200 FOR VIOLATION OF ANY PROVISION OF THIS ORDINANCE. (NO PARKING AT CIBOLO NATURE CENTER). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

16. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET PUBLIC HEARINGS FOR SEPTEMBER 13, 2016.

16A. [2016-787](#) PROPOSED PERMANENT ZONING OF SOUTHGLEN SUBDIVISION, A TOTAL OF 88.967 ACRES, FROM R-A, SINGLE-FAMILY RURAL RESIDENTIAL - AGRICULTURAL DISTRICT TO R-2, MODERATE-DENSITY SINGLE-FAMILY DISTRICT AND R-E, SINGLE FAMILY RESIDENTIAL ESTATE DISTRICT, KAD NOS. 11502, 11539, 11540, A PORTION OF 11567, A PORTION OF 11593, 38723, AND A PORTION OF 42662. (ML&E Landquest Cascade Caverns, L.L.C., Pulte Homes Of Texas, L.P., Meritage Homes Of Texas, L.L.C., And Kendall West Utility, L.L.C.)

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley stated that this property known as Southglen was recently annexed into the City limits. The property must now be permanently zoned. Staff recommended a zoning of R-2, Moderate Density Residential for the Southglen Subdivision development and R-E, Residential Estate for the Kendall West Utility substation. The Planning and Zoning Commission voted 7-0 in favor of the permanent zoning as suggested by staff. At this time, the City Council needs to only set a public hearing.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR SEPTEMBER 13, 2016 FOR THE PROPOSED PERMANENT ZONING OF SOUTHGLEN SUBDIVISION, A TOTAL OF 88.967 ACRES, FROM R-A, SINGLE-FAMILY RURAL RESIDENTIAL - AGRICULTURAL DISTRICT TO R-2, MODERATE-DENSITY SINGLE-FAMILY DISTRICT AND R-E, SINGLE FAMILY RESIDENTIAL ESTATE DISTRICT, KAD NOS. 11502, 11539, 11540, A PORTION OF 11567, A PORTION OF 11593, 38723, AND A PORTION OF 42662. (ML&E LANDQUEST CASCADE CAVERNS, L.L.C., PULTE HOMES OF TEXAS, L.P., MERITAGE HOMES OF TEXAS, L.L.C., AND KENDALL WEST UTILITY, L.L.C.). 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

16B. [2016-788](#) PROPOSED REZONING OF 44 AND 46 OLD SAN ANTONIO ROAD, A TOTAL OF 2.811 ACRES, FROM R-E, SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT TO B-2, HIGHWAY COMMERCIAL DISTRICT, KAD NOS. 42070, 15863, 14796, AND 42069. (Howard R Moore, Michelle L Moore, Vicki Reid Moore, Leon Grivell III)

Ms. Talley displayed map of the property located at 44 and 46 Old San Antonio Road. The property owner is requesting that the property be rezoned from RE, Residential Estate to B-2, Highway Commercial District. The Planning and Zoning Commission voted 6-1 in favor of the rezoning. At this time, the City Council needs to only set a public hearing.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY MAYOR PRO TEM CISNEROS, TO RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING ON SEPTEMBER 13, 2016 FOR THE PROPOSED REZONING OF 44 AND 46 OLD SAN ANTONIO ROAD, A TOTAL OF 2.811 ACRES, FROM R-E, SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT TO B-2, HIGHWAY COMMERCIAL DISTRICT, KAD NOS. 42070, 15863, 14796, AND 42069. (HOWARD R MOORE, MICHELLE L MOORE, VICKI REID MOORE, LEON GRIVELL III). 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

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

Council Member Boyd IV expressed his appreciation to the public safety departments for their team work, communication with neighbors, and expertise during a recent house fire in his neighborhood.

Council Member Anzollitto stated that he recently attended an AACOG Air Quality meeting. He learned that Bexar County has not been in compliance for almost three years. The EPA is requiring corrections by October 2017. AACOG is asking neighboring communities to participate by passing an ordinance limiting vehicle idling time. Kendall County and Boerne do not have air quality issues, but do have commuters traveling to San Antonio sitting in traffic on IH-10.

Police Chief Jim Kohler stated the police was able to receive a confession from the individual who painted grafitti around town. The key was a business owner who had a camera on his property and knew how to use it. A parks department employee found a spray paint can and the police was able to trace it.

Deputy City Manager Jeff Thompson stated that water production in Boerne has broke records multiple times this year. He asked for volunteer watering compliance.

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

- [2016-769](#) A. SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION.
B. SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION.
C. SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION.
D. SECTION 551.074 - PERSONNEL MATTERS: CITY MANAGER'S

ANNUAL EVALUATION.

Mayor Schultz convened the City Council into Executive Session at 7:13 p.m. and requested those individuals directed to participate to adjourn to the Executive Session conference room.

No action was taken.

19. 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 8:56 p.m.

19A. [2016-770](#) CONSIDER RESOLUTION NO. 2016-R72; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACTUAL AGREEMENT FOR FINANCIAL INCENTIVES WITH _____.

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY MAYOR PRO TEM CISNEROS, TO APPROVE RESOLUTION NO. 2016-R72; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACTUAL AGREEMENT FOR FINANCIAL INCENTIVES WITH BUC-EE'S, LTD. 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

19B. [2016-771](#) CONSIDER RESOLUTION NO. 2016-R73; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACTUAL AGREEMENT FOR FINANCIAL INCENTIVES WITH _____.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE RESOLUTION NO. 2016-R73; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACTUAL AGREEMENT FOR FINANCIAL INCENTIVES WITH MARK MOTORS. 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

19C. [2016-772](#) CONSIDER RESOLUTION NO. 2016-R74; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACTUAL AGREEMENT FOR FINANCIAL INCENTIVES WITH _____.

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE RESOLUTION NO. 2016-R74; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACTUAL AGREEMENT FOR FINANCIAL INCENTIVES WITH REATA REAL ESTATE GROUP. 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

20. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO ADJOURN THE CITY COUNCIL MEETING AT 8:59 P.M. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

APPROVED:

Mayor

ATTEST:

City Secretary