

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

Minutes of the Regular Called City Council meeting of March 14, 2017.

**Present:**       **5 -** Mayor Michael Schultz, Council Member Joe Anzollitto,  
Council Member Nina Woolard, Mayor Pro Tem Ron Cisneros,  
and Council Member Craig Colvin

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

**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, Angie Rios, Laura Talley, Jeanette Teague, Jeff Thompson, Kris Ujueta, Larry Woods, and Linda Zartler.

**Recognized / Registered Guests:** Cathy Spain, Suzanne Young, Steve Young, Ann Dietert, Ben Bunker, Vin Patel, Jennica Colvin, Sara Baird, Rick Schroder, Rich McCormick, Linda Plevak, Karen Tabo, Lance Kyle, Cristal Bitar, Emily Weiner, Martha Dani Vollmer, Bob Vollmer, James Griffin, Bob Patel, and Melissa Delagarza.

**1. CALL TO ORDER – 6:00 PM**

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

Mayor Schultz asked for a Moment of Silence.

Mayor Schultz led the Pledge of Allegiance to the United States Flag and the Texas Flag.

**2. CONFLICTS OF INTEREST**

No conflicts were declared.

**3. PUBLIC COMMENTS:**

Vin Patel asked that agenda #11 be postponed so other hoteliers could attend and hear the presentation by Convention and Visitors Bureau Director Larry Woods.

Emily Weiner of District 4, spoke against the proposed permanent zoning of the property located at 17 Herff Road. She feels the development would be harmful to Boerne's charm and the quality of life. She stated that she will present a petition at the April 11, 2017 City Council meeting.

Susanne Young, 216 Oak Knoll spoke against the proposed permanent zoning of 17 Herff Road. She feels that a three storey apartment building would damage the hill country character of the tree lined creek.

Ann Dietert, 106 Green Meadows spoke against the proposed permanent zoning of 17 Herff Road. She feels the location is a long established residential area and the volume of traffic coming from an apartment complex is a concern.

Danny Volmer, 504 School Street spoke against the proposed permanent zoning of 17 Herff Road. She stated she attended the Planning and Zoning Commission meeting. She has lived in Boerne almost 40 years. The City should follow the Master Plan. City staff should present other options. Things should slow down to provide for more citizen input.

Bob Volmer, 504 School Street suggested that Agenda Item 7C, Subdivision Ordinance be tabled or put on hold until a decision on 17 Herff Road is made. Public perception may be that the changes to the Subdivision Ordinance were made to benefit 17 Herff Road.

James Griffin stated that he is representing the developer of 17 Herff Road. The annexation for the 27 acres was petitioned by property owner. Care has been taken to minimize the impact on the creek and citizens of Boerne. The developer is working with the Cibolo Nature Center (CNC) on an agreement to include storm water protection for the creek. This project is the only San Antonio River Authority (SARA) recognized low impact development in Boerne. He stated that there will be more details regarding the development at future

meetings. He is available for discussion with the neighbors and citizens.

Bob Patel with Best Western expressed concern with the Convention and Visitors Bureau (CVB) advertising.

Jon Conrad Wert, 309 Brackenridge, District 4 stated he learned from the Planning and Zoning Commission meeting and Council Member Cisneros on the process. He is a resident of the City and feels it is necessary for voices to be heard. He stated he brought his children because they find it important to be involved. It is the City Official's responsibility to make it clear and communicate to the public.

Linda Plevak, 319 Deer Creek stated she has concerns with Herff Road development and that she does not have children, but is speaking on behalf of the future of children. People move to Boerne because of the Cibolo Nature Center and Herff Ranch. She participated in the Master Plan. She feels that Low Impact Development is an oxymoron. It is important to make a change.

**4. [2017-241](#) INTRODUCE THE POLICE DEPARTMENT'S NEW K-9 "TUCKER".**

Mayor Schultz called on Police Chief Jim Kohler. Chief Kohler introduced Officer Kris Ujueta and K-9 "Tucker". Chief Kohler stated with the funds from an anonymous donor, the Police Department was able to purchase Tucker with training and other necessary miscellaneous equipment. Applications were taken internally from those officers interested in the K-9 Officer position. Kris Ujueta was chosen for the position. Tucker has been trained on narcotics as well as tracking and is not an aggressive dog. Chief Kohler stated that the Donor is very special. Officer Ujueta stated that Tucker is a new member of his family.

**5. CONSENT AGENDA:**

**5A. [2017-252](#) APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 28, 2017.**

THE MINUTES WERE APPROVED.

5B. [2017-246](#) CONSIDER RESOLUTION NO. 2017-R24; 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 distribution materials for the Woods of Boerne Unit 5)

THE RESOLUTION WAS APPROVED.

5C. [2017-253](#) CONSIDER RESOLUTION NO. 2017-R25; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Painting by Jay Hester)

THE RESOLUTION WAS APPROVED.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO TO APPROVE THE CONSENT AGENDA. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

#### 6. PUBLIC HEARING – To Hear Comments On The Following:

6.A. [2017-223](#) PROPOSED ANNEXATION OF 6.883 ACRES LOCATED AT 16 CHAPARRAL HILL ROAD AND A PORTION OF SHOOTING CLUB ROAD, KAD NO. 14932 AT THE REQUEST OF JIM COOK. (Second of two hearings)

Mayor Schultz opened the Public Hearing at 6:31 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:31 p.m.

6.B. [2017-224](#) PROPOSED PERMANENT ZONING OF THE REMAINING SOUTHGLEN SUBDIVISION, A TOTAL OF 22.558 ACRES, FROM R-A, SINGLE-FAMILY RURAL RESIDENTIAL DISTRICT TO R-2, MODERATE-DENSITY SINGLE-FAMILY RESIDENTIAL, KAD NO.

**11567 AND 42662 (128 and 214 Cascade Caverns Road, ML&E Landquest Cascade Caverns, LLC) - (One of one hearing)**

Mayor Schultz opened the Public Hearing at 6:32 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:32 p.m.

**6.C. [2017-225](#) PROPOSED APPLICATION OF THE SOUTH BOERNE (SOBO) OVERLAY DISTRICT TO +/- 160 ACRES KNOWN AS 115 NORRIS LN, 1376 S MAIN ST, 109 WATERVIEW PKWY, 1410 S MAIN ST, 1420 S MAIN ST, 1430 S MAIN ST, 1434 S MAIN ST, 20 OLD SAN ANTONIO RD, MAIN ST, HERFF RD, 1481 S MAIN ST, 1521 S MAIN ST, 30 OLD SAN ANTONIO RD, KAD NOS. 42559, 153703, 153704, 42558, 153705, 48830, 48829, 48828, 62206, 49469, 49470, 39338, 288416, 291873, 33697, 33698, 37636, 33695, AND 15887. (Christus Santa Rosa Health Care, JKRK Limited Partnership, Holly Lily Holdings LLC, Compass Bank, JRR Partners Ltd, Watermark Enterprises Ltd, Larry Lester, Judy Calder Foundation, Willis Jay and Dawn Harpole, LFP Ventures LP - At the Request of the City of Boerne) (One of one hearing)**

Mayor Schultz opened the Public Hearing at 6:32 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:33 p.m.

**6.D. [2017-226](#) PROPOSED REVISIONS TO THE CITY OF BOERNE SUBDIVISION ORDINANCE NO. 2007-56, ARTICLE 1, GENERAL PROVISIONS, SECTION 04. DEFINITIONS, SECTION 05. GENERAL PROHIBITIONS, ARTICLE 2, PROCEDURES, SECTION 02. PROCEDURES FOR PRELIMINARY PLAT, ARTICLE 3, PLANNING AND COMMUNITY DESIGN STANDARDS, SECTION 03. OPEN SPACE SYSTEMS, SECTION 04. BLOCKS AND LOTS, ADDING ARTICLE 4, MASTER PLANNED DEVELOPMENTS/SUBDIVISIONS, SECTION 04. COTTAGE**

SUBDIVISIONS, ARTICLE 5. STREET SPECIFICATIONS AND CONSTRUCTION STANDARDS, ARTICLE 6. DRAINAGE AND FLOOD HAZARDS, ARTICLE 7. WATER AND SEWERS, ARTICLE 8, UTILITY EXTENSIONS AND GENERAL SUBDIVISION REQUIREMENTS, ADDING ARTICLE 10. RECLAIMED WATER, ADDING ARTICLE 11. GAS DISTRIBUTION. (One of one hearing)

Mayor Schultz opened the Public Hearing at 6:33 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:33 p.m.

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

7.A. [2017-227](#) CONSIDER ON FIRST READING ORDINANCE NO. 2017-08; 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 13, PERMANENT ZONING OF 22.558 ACRES LOCATED AT 128 AND 214 CASCADE CAVERNS ROAD (KAD NOS. 11567 AND 42662) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO R-2, MODERATE-DENSITY SINGLE-FAMILY RESIDENTIAL; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Remainder of Southglen Subdivision, ML&E Landquest Cascade Caverns, LLC)

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley displayed a map of the property located at 128 and 214 Cascade Caverns Road. The property was recently annexed into the City limits as part of the Southglen Subdivision. The proposed R-2 zoning adheres to the approved Master Plan for the site. The Planning and Zoning Commission voted 8-0 in favor of the permanent zoning. Staff is also in favor of the permanent zoning.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY MAYOR PRO TEM CISNEROS, TO APPROVE ON FIRST READING ORDINANCE NO. 2017-08; 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 13, PERMANENT ZONING OF 22.558 ACRES LOCATED AT 128 AND 214 CASCADE CAVERNS ROAD (KAD NOS. 11567 AND 42662) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO R-2, MODERATE-DENSITY SINGLE-FAMILY RESIDENTIAL; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (REMAINDER OF SOUTHGLEN SUBDIVISION, ML&E LANDQUEST CASCADE CAVERNS, LLC). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

**7.B. [2017-228](#) CONSIDER ON SECOND READING ORDINANCE NO. 2017-09; AN ORDINANCE AMENDING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 5, SECTION 32, APPLYING THE SOUTH BOERNE (SOBO) OVERLAY DISTRICT DESIGNATION TO +/- 160 ACRES LOCATED AT 115 NORRIS LN, 1376 S MAIN ST, 109 WATERVIEW PKWY, 1410 S MAIN ST, 1420 S MAIN ST, 1430 S MAIN ST, 1434 S MAIN ST, 20 OLD SAN ANTONIO RD, MAIN ST, HERFF RD, 1481 S MAIN ST, 1521 S MAIN ST, 30 OLD SAN ANTONIO RD, (KAD NOS. 42559, 153703, 153704, 42558, 153705, 48830, 48829, 48828, 62206, 49469, 49470, 39338, 288416, 291873, 33697, 33698, 37636, 33695, AND 15887); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Christus Santa Rosa Health Care, JKRC Limited Partnership, Holly Lily Holdings LLC, Compass Bank, JRR Partners Ltd, Watermark Enterprises Ltd, Larry Lester, Judy Calder Foundation, Willis Jay and Dawn Harpole, LFP Ventures LP - At the Request of the City of Boerne)**

Ms. Talley continued with a map indicating the location of approximately 160

acres in the SoBo plan. She stated this is the final step in the process to place the SoBo Overlay District to the area. The overlay district will establish character zones which regulate architectural design, site development, parking, and circulation criteria. The underlying B-2 zoning will not change. The Planning and Zoning Commission voted 8-0 in favor of the overlay district. Staff recommended approval on first reading of Ordinance 2017-09.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY MAYOR PRO TEM CISNEROS, TO APPROVE ON FIRST READING ORDINANCE NO. 2017-09; AN ORDINANCE AMENDING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 5, SECTION 32, APPLYING THE SOUTH BOERNE (SOBO) OVERLAY DISTRICT DESIGNATION TO+/- 160 ACRES LOCATED AT 115 NORRIS LN, 1376 S MAIN ST, 109 WATERVIEW PKWY, 1410 S MAIN ST, 1420 S MAIN ST, 1430 S MAIN ST, 1434 S MAIN ST, 20 OLD SAN ANTONIO RD, MAIN ST, HERFF RD, 1481 S MAIN ST, 1521 S MAIN ST, 30 OLD SAN ANTONIO RD, (KAD NOS. 42559, 153703, 153704, 42558, 153705, 48830, 48829, 48828, 62206, 49469, 49470, 39338, 288416, 291873, 33697, 33698, 37636, 33695, AND 15887); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (CHRISTUS SANTA ROSA HEALTH CARE, JKRK LIMITED PARTNERSHIP, HOLLY LILY HOLDINGS LLC, COMPASS BANK, JRR PARTNERS LTD, WATERMARK ENTERPRISES LTD, LARRY LESTER, JUDY CALDER FOUNDATION, WILLIS JAY AND DAWN HARPOLE, LFP VENTURES LP - AT THE REQUEST OF THE CITY OF BOERNE). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

**7.C. [2017-229](#) CONSIDER ON FIRST READING ORDINANCE NO. 2017-10; 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 01. PRE-APPLICATION CONFERENCE, SECTION 02. PROCEDURES FOR PRELIMINARY PLAT, SECTION 03. DESIGN AND CONSTRUCTION PLANS, SECTION 04. FINAL PLAT**



APPROVAL, SECTION 05. PROCEDURES FOR FINAL PLAT, SECTION 06. PROCEDURES FOR ADMINISTRATIVE PLAT, ARTICLE 3. PLANNING AND COMMUNITY DESIGN STANDARDS, SECTION 03. OPEN SPACE SYSTEMS, SECTION 04. BLOCKS AND LOTS, ARTICLE 4. MASTER PLANNED DEVELOPMENTS/SUBDIVISIONS, ADDING SECTION 04. COTTAGE HOUSING COMMUNITIES, ARTICLE 5. STREET SPECIFICATIONS AND CONSTRUCTION STANDARDS, SECTION 02. REQUIRED STREET IMPROVEMENTS, SECTION 07. SIDEWALKS - TIMING, SECTION 11. PRIVATE STREETS, ARTICLE 6. DRAINAGE AND FLOOD HAZARDS, SECTION 01. GENERAL REQUIREMENTS, SECTION 02. REQUIRED DRAINAGE STUDY, SECTION 04. DRAINAGE SYSTEM DESIGN STANDARDS, ARTICLE 7. WATER AND SEWERS, SECTION 01. GENERAL REQUIREMENTS FOR WATER SYSTEMS, SECTION 03. WATER MAINS, SECTION 06. ON-SITE SEWAGE FACILITIES, ARTICLE 8. UTILITY EXTENSIONS AND GENERAL SUBDIVISION REQUIREMENTS, SECTION 01. GENERAL REQUIREMENTS, SECTION 03. COSTS OF UTILITY EXTENSIONS, SECTION 05. MINIMUM SIZES FOR OVER-SIZING CALCULATIONS, SECTION 06. WATER, RECLAIMED WATER AND SEWER MAIN REIMBURSEMENTS, ADDING ARTICLE 10. RECLAIMED WATER, SECTION 01. GENERAL REQUIREMENTS FOR RECLAIMED WATER SYSTEMS, SECTION 02. RECLAIMED WATER SYSTEM DESIGN STANDARDS, SECTION 03. RECLAIMED WATER SYSTEM COMPLIANCE, ADDING ARTICLE 11. GAS DISTRIBUTION, SECTION 01. GENERAL REQUIREMENTS FOR GAS DISTRIBUTION. SECTION 02. GAS MAIN DESIGN STANDARDS, SECTION 03. GAS SYSTEM COMPLIANCE.

Ms. Talley continued with the proposed modifications to the Subdivision Ordinance. She stated that Staff has been working on the revisions for some time. Most of the changes are due to the provisions for Cottage developments added to the Zoning Ordinance. Ms. Talley reviewed the proposed modifications to include preliminary and final plat procedures, street improvements, drainage and flood hazards. Discussion ensued regarding the Subdivision Ordinance reflecting the new cottage design development and also strengthens the tree ordinance.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE ON FIRST READING ORDINANCE NO. 2017-10; 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 01. PRE-APPLICATION CONFERENCE, SECTION 02. PROCEDURES FOR PRELIMINARY PLAT, SECTION 03. DESIGN AND CONSTRUCTION PLANS, SECTION 04. FINAL PLAT APPROVAL, SECTION 05. PROCEDURES FOR FINAL PLAT, SECTION 06. PROCEDURES FOR ADMINISTRATIVE PLAT, ARTICLE 3. PLANNING AND COMMUNITY DESIGN STANDARDS, SECTION 03. OPEN SPACE SYSTEMS, SECTION 04. BLOCKS AND LOTS, ARTICLE 4. MASTER PLANNED DEVELOPMENTS/SUBDIVISIONS, ADDING SECTION 04. COTTAGE HOUSING COMMUNITIES, ARTICLE 5. STREET SPECIFICATIONS AND CONSTRUCTION STANDARDS, SECTION 02. REQUIRED STREET IMPROVEMENTS, SECTION 07. SIDEWALKS - TIMING, SECTION 11. PRIVATE STREETS, ARTICLE 6. DRAINAGE AND FLOOD HAZARDS, SECTION 01. GENERAL REQUIREMENTS, SECTION 02. REQUIRED DRAINAGE STUDY, SECTION 04. DRAINAGE SYSTEM DESIGN STANDARDS, ARTICLE 7. WATER AND SEWERS, SECTION 01. GENERAL REQUIREMENTS FOR WATER SYSTEMS, SECTION 03. WATER MAINS, SECTION 06. ON-SITE SEWAGE FACILITIES, ARTICLE 8. UTILITY EXTENSIONS AND GENERAL SUBDIVISION REQUIREMENTS, SECTION 01. GENERAL REQUIREMENTS, SECTION 03. COSTS OF UTILITY EXTENSIONS, SECTION 05. MINIMUM SIZES FOR OVER-SIZING CALCULATIONS, SECTION 06. WATER, RECLAIMED WATER AND SEWER MAIN REIMBURSEMENTS, ADDING ARTICLE 10. RECLAIMED WATER, SECTION 01. GENERAL REQUIREMENTS FOR RECLAIMED WATER SYSTEMS, SECTION 02. RECLAIMED WATER SYSTEM DESIGN STANDARDS, SECTION 03. RECLAIMED WATER SYSTEM COMPLIANCE, ADDING ARTICLE 11. GAS DISTRIBUTION, SECTION 01. GENERAL REQUIREMENTS FOR GAS DISTRIBUTION. SECTION 02. GAS MAIN DESIGN STANDARDS, SECTION 03. GAS SYSTEM COMPLIANCE.. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

**8. [2017-242](#) PRESENTATION OF THE INTERIOR AND EXTERIOR DESIGNS OF THE NEW CITY HALL PROJECT.**

Mayor Schultz called on Ms. Linda Zartler, Assistant City Manager. Ms. Zartler introduced Randall Scott, architect and Michael Dean, project manager in the audience. Mr. Scott presented interior concepts for the new City Hall for the council chambers, interior lobby, exterior and site plan. Discussion ensued regarding design of exterior windows to hide furniture, additional square footage to allow for growth, accustics in the council chambers, storage room which was once an atrium. City Manager Ron Bowman stated that Staff is working with the Construction Manager at Risk to identify the cost. Ms. Zartler commented that the next step is the design development phase.

**9. [2017-250](#) 2017 LEGISLATIVE UPDATE.**

Mayor Schultz called on Ms. Kirsten Cohoon, City Attorney. Ms. Cohoon presented an update for the 85th Legislature pertaining to City related bills filed. She stated that March 10, 2017 was the deadline to file bills and that more than 6,000 bills had been filed. She discussed the process for the regular session which ends May 29, 2017. June 18, 2017 is the last day the Governor can veto a bill. City Manager Ron Bowman commented that various public safety personnel attended the hearing in Austin today in opposition to SB 2. City Staff is watching bills that have a fiscal impact on the City.

**10. [2017-243](#) RECEIVE THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FROM RSM US L.L.P. AUDITORS FOR FY 2015-2016.**

Mayor Schultz called on Ms. Sandy Mattick, Finance Director to review the Comprehensive Annual Financial Report (CAFR). The CAFR will be posted on City's website and will also be sent to Government Finance Officers Association (GFOA) for consideration for Certificate of Achievement for Excellence in Financial Reporting. Ms. Mattick introduced Joel Perez and Mark Soell of RSM US LLP. Mr. Perez presented the overview and the results of the audit, key financial indicators, Internal Control Over Financial Reporting, and the auditors required communication. City Manager Bowman stated that the audit is a reflection of the good work Staff is doing.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO RECEIVE AND APPROVE THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FROM RSM US L.L.P. AUDITORS FOR FY 2015-2016. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

**11. [2017-251](#) ANNUAL UPDATE OF THE BOERNE CONVENTION AND VISITORS BUREAU.**

Mayor Schultz called on Mr. Larry Woods, Boerne Convention and Visitors Bureau (CVB) to present an update on the CVB. Mr. Woods introduced hoteliers in the audience. During a recent Board meeting, one of hoteliers indicated that information in the report is incorrect. Mayor Schultz asked Mr. Woods to continue his presentation and later report any information that is incorrect. Mr. Woods reviewed the hotel performance for the 4th quarter 2016 which does not include bed and breakfasts. The Fairfield Inn indicated their totals were inaccurate per Marriott reports. A committee will be organized to receive input in reference to advertising. He discussed the success of media, social media, and advertising. He reviewed professional education and boards and/or commissions of which Staff is participating. Mayor Schultz expressed his appreciation to Mr. Woods and his Staff for their participation outside regular hours.

**12. [2017-247](#) CONSIDER ON FIRST READING ORDINANCE NO. 2017-11; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NOS. 2016-30, 2016-28, 2012-46, 2008-23, 2008-18 AND 2006-04, AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS BY AMENDING CHAPTER 12, MOTOR VEHICLES AND TRAFFIC, ARTICLE VII. SCHOOL ZONES, DIVISION 1. GENERALLY, SECTION 12-206. ESTABLISHED, SECTION 12-208. PASSING PROHIBITED, SECTION 12-209. U-TURNS PROHIBITED AND SECTION 12-210. SIGNS; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION. (School zones)**

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann

stated that in a review of the existing School Zone ordinances, there were several inconsistencies in School Zone locations as well as signage. The existing ordinances were combined into one ordinance. He proposed that School Zone times to be made uniform. He suggested that the School Zone on Live Oak Street be removed since the Alternative School will move to Lohmann Street. He also suggested the School Zone speed limit located in the area of Meadowlands on Old San Antonio Road be removed. The Meadowlands School hours differ from BISD. He suggested placing an advisory School Zone sign to make drivers aware a school is in the vicinity. He presented to the City Council cost associated with replacing School Zone signage which will be in next year's budget. Discussion ensued regarding the type of signage on Old San Antonio Road at Meadowlands School.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE ON FIRST READING ORDINANCE NO. 2017-11; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NOS. 2016-30, 2016-28, 2012-46, 2008-23, 2008-18 AND 2006-04, AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS BY AMENDING CHAPTER 12, MOTOR VEHICLES AND TRAFFIC, ARTICLE VII. SCHOOL ZONES, DIVISION 1. GENERALLY, SECTION 12-206. ESTABLISHED, SECTION 12-208. PASSING PROHIBITED, SECTION 12-209. U-TURNS PROHIBITED AND SECTION 12-210. SIGNS; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION. (SCHOOL ZONES). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

**13. [2017-249](#) CONSIDER RESOLUTION NO. 2017-R26; A RESOLUTION AUTHORIZING SUPPLEMENTAL SERVICES NOT TO EXCEED \$34,285.00 TO POZNECKI-CAMARILLO, INC. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE 2015 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) CITY OF BOERNE TRAILS SYSTEM EXPANSION PROJECT. (3 bridge spans, 4 soil borings, and associated geotechnical and survey work)**

Mayor Schultz called on Mr. Paul Barwick, Special Projects Director. Mr. Barwick stated that City Council approved a professional design services agreement for

the trails system expansion in January which included one pedestrian bridge at the Patrick Heath Public Library. During the design process of the trail expansion project, it was determined that three additional pedestrian bridges to cross two delineated wetland areas is needed. Mr. Barwick noted that there are sufficient project funds in the budget to cover these additional services. Staff recommended that City Council approve the additional professional services for the project in the amount not to exceed \$34,285.00.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE RESOLUTION NO. 2017-R26; A RESOLUTION AUTHORIZING SUPPLEMENTAL SERVICES NOT TO EXCEED \$34,285.00 TO POZNECKI-CAMARILLO, INC. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE 2015 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) CITY OF BOERNE TRAILS SYSTEM EXPANSION PROJECT. (3 BRIDGE SPANS, 4 SOIL BORINGS, AND ASSOCIATED GEOTECHNICAL AND SURVEY WORK). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

**14. [2017-244](#) CONSIDER RESOLUTION NO. 2017-R27; A RESOLUTION RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO CONSTRUCTING VARIOUS CITY IMPROVEMENTS FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Schultz called on Ms. Sandy Mattick, Finance Director. Ms Mattick explained the process which allows the City to reimburse the General Fund for expenditures made prior to issuance of the Certificates of Obligation related to the design and construction of the new City Hall. Staff recommended approval of Resolution No. 2017-R27.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY MAYOR PRO TEM CISNEROS, TO APPROVE RESOLUTION NO. 2017-R27; A RESOLUTION RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO CONSTRUCTING VARIOUS CITY IMPROVEMENTS FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

15. [2017-245](#) **CONSIDER RESOLUTION NO. 2017-R28; A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; AND PROVIDING AN EFFECTIVE DATE.**

Ms. Mattick continued with the first step in the issuance of certificates of obligation in the amount of \$19,000,000 to design and construct the new City Hall. She introduced Duane and Allen Westermann from SAMCO Capital Markets, Inc. in the audience. Ms. Mattick noted that the required notice of intention will be published in the local paper on March 17, 2017 and March 24, 2017. A timeline was presented to the City Council for the issuance. Staff recommended approval of Resolution No. 2017-R28.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE RESOLUTION NO. 2017-R28; A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AND PROVIDING AN EFFECTIVE DATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

**16. [2017-254](#) CONSIDER RESOLUTION NO. 2017-R29; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND KENDALL COUNTY TO CONSTRUCT AN ENTRANCE ROADWAY TO THE CITY LAKE PARK.**

Mayor Schultz called on Mr. Jeff Thompson, Deputy City Manager. Mr. Thompson stated that City Staff along with Council Member Anzollitto and County Commissioners Carpenter and Durden have been working together to find a solution for traffic congestion at the Boerne City Lake. Upper Cibolo Creek Road is a County Road. Mr. Thompson displayed a diagram of the proposed new entrance to the City Lake. The County decided to take on the project with their own Road and Bridge crew. The proposed cost estimate for the project is \$140,000 which the City and County will split 50/50. The Kendall County Commissioners approved the interlocal agreement on March 13, 2017 in the amount of \$70,000. Staff recommended approval of the interlocal agreement with Kendall County in an amount not to exceed \$70,000.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE RESOLUTION NO. 2017-R29; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND KENDALL COUNTY TO CONSTRUCT AN ENTRANCE ROADWAY TO THE CITY LAKE PARK AT A COST SHARED EQUALLY AMONGST THE PARTIES, BUT NOT TO EXCEED A COST OF \$70,000.00 TO THE CITY OF BOERNE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

17. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR APRIL 11, 2017:



**17.A.[2017-230](#)** PROPOSED PERMANENT ZONING OF 1700 RIVER ROAD, A TOTAL OF 21.688 ACRES, FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL DISTRICT TO MU-2, MIXED-USE COMMUNITY DISTRICT, KAD NO. 15024 AND 15025. (Shirley Rittimann)

**17.B.[2017-231](#)** PROPOSED MASTER PLAN FOR A COTTAGE HOUSING DEVELOPMENT LOCATED AT 530 OAK PARK, KAD NO. 15836. (Dave Luciani)

**17.C.[2017-232](#)** PROPOSED PERMANENT ZONING OF 17 HERFF ROAD, A TOTAL OF 26.582 ACRES, FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL DISTRICT TO MU-2, MIXED-USE COMMUNITY DISTRICT AND R-4, MULTI-FAMILY RESIDENTIAL DISTRICT, KAD NO. 12536, 15847, 15848, AND 15849. (CT 17 Herff Land LP)

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO RECEIVE THE RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION AND SET PUBLIC HEARINGS FOR APRIL 11, 2017: THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

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

No comments were received.

## **19. ADJOURNMENT**

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER COLVIN, TO ADJOURN THE CITY COUNCIL MEETING AT 8:42 P.M. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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