

Minutes of the Regular Called City Council meeting of February 27, 2018.

elevation of property, flood plain, storm water, and the potential road going through to Cascade Caverns Road which currently has cattle guards. He expressed concerns on the connectivity of the road with the proposed Gateway Study road and the issue with a cave in the area.

Rod Fowler, 131 Ranch Drive spoke on the proposed annexation of 214 Cascade Caverns Road. He stated that several years ago, he was on a transportation committee for Kendall County, which the results from that study were ignored. He felt with the new study there needs to be more coordination between Kendall County, TxDOT, and the City. The City did not consider the study when this subdivision was approved. He stated that TCEQ has issued citations to the developer for compaction and the two recharge features were covered. It appears that there is no juridical oversight on the development.

4. CONSENT AGENDA:

4.A. [2018-212](#) CONSIDER APPROVAL OF THE MINUTES OF THE SPECIAL CALLED CITY COUNCIL MEETING HELD FEBRUARY 13, 2018 (STATE OF THE CITY) AND THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 13, 2018.

THE MINUTES WERE APPROVED.

4.B. [2018-209](#) CONSIDER ON SECOND 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 ORDINANCE WAS APPROVED.

4.C. [2018-210](#) CONSIDER ON SECOND 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.

THE ORDINANCE WAS APPROVED.

4.D. [2018-211](#) CONSIDER ON SECOND 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, and the adjacent right-of-way on Old San Antonio Road, Wastewater Treatment and Recycling Center at the request of the City of Boerne.)

THE ORDINANCE WAS APPROVED.

4.E. [2018-206](#) CONSIDER RESOLUTION NO. 2018-R14; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASE'S AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Lucas 3.0 Chest Compression System and service agreement)

THE RESOLUTION WAS APPROVED.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER CISNEROS 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 Boyd IV, and Council Member Cisneros

Absent: 1 - Council Member Colvin

5. [2018-207](#) **CONSIDER RESOLUTION NO. 2018-R15; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, ACCEPTING A GRANT FOR THE BG18 RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM FROM THE OFFICE OF THE GOVERNOR**

Mayor Pro Tem Woolard called on Police Chief Kohler. Chief Kohler stated that City Council approved the submission of a grant application for rifle-resistant body armor in November of 2017. Staff was notified that the City was awarded the grant from the Governor's Criminal Justice Division. Staff will be purchasing the body armor in the amount of \$18,359.69 from Overwatch Group which was approved by the Governor's Office prior to the grant award. The City will be reimbursed for the full amount of the cost.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE RESOLUTION NO. 2018-R15; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, ACCEPTING A GRANT FOR THE BG18 RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM FROM THE OFFICE OF THE GOVERNOR. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Colvin

6. [2018-213](#) **CONSIDER RESOLUTION NO. 2018-R16; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (8.491 acres located at 45 Cascade Caverns Rd. at the request of Currey Creek Baptist Church)**

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE RESOLUTION NO. 2018-R16; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (8.491 ACRES LOCATED AT 45 CASCADE CAVERNS ROAD AT THE REQUEST OF CURREY CREEK BAPTIST CHURCH). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Colvin

7. [2018-186](#) **CONSIDER RESOLUTION NO. 2018-R17; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE PETITION AND SETTING THE DATE, TIME, AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (7.89 acres located at 214 Cascade Caverns Road at the request of Landquest Acquisitions, LLC)**

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE RESOLUTION NO. 2018-R17; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE PETITION AND SETTING THE DATE, TIME, AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING. (7.89 ACRES LOCATED AT 214 CASCADE CAVERNS ROAD AT THE REQUEST OF LANDQUEST ACQUISITIONS, LLC). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Colvin

8. **RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR MARCH 27, 2018:**

8.A. [2018-214](#) PROPOSED REZONING OF 946 ADLER STREET (1.519 ACRES- KAD NO. 14178) FROM R-E, SINGLE-FAMILY RESIDENTIAL-ESTATE DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT. (Linda Lira)

8.B. [2018-215](#) PROPOSED REZONING OF A PORTION OF 34 SHOOTING CLUB ROAD (4.2 ACRES FRONTING NORTH MAIN STREET- KAD NO. 14943) FROM I, INDUSTRIAL DISTRICT TO B-2R, HIGHWAY COMMERCIAL-RESTRICTED DISTRICT. (Urfan Dar)

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER CISNEROS, TO RECEIVE THE RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION AND SET PUBLIC HEARINGS FOR MARCH 27, 2018. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Colvin

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

Council Member Cisneros announced the Alamo Area Metropolitan Planning Organization is holding a meeting at the Kronkosky Place which started at 6:00 p.m. The purpose of the meeting is to review the list of projects that they are looking to fund. The Cascade Caverns Project is on the list. Public attendance is a large part of the decision making process and he encouraged attendance.

Deputy City Manager Jeff Thompson stated that Danny Zincke, Parks and Recreation Director is featured in the Texas Parks and Wildlife Magazine. He provided a copy of the magazine to the City Council Members.

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

Mayor Pro Tem Woolard convened the City Council into Executive Session at 6:21 p.m. and asked those individuals requested to participate to adjourn to

the Executive Session Conference Room.

2018-218 **SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY**

NO ACTION WAS TAKEN.

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

Mayor Pro Tem Woolard reconvened the City Council into open session at 6:37 p.m.

2018-217 **CONSIDER RESOLUTION NO. 2018-R18; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT FOR THE SALE OF THE BOERNE CONVENTION AND VISITORS BUREAU BUILDING LOCATED AT 1407 SOUTH MAIN STREET, BOERNE TEXAS.**

NO ACTION WAS TAKEN.

12. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER ANZOLLITTO TO ADJOURN THE CITY COUNCIL MEETING AT 6:37 P.M. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Colvin

Approved:

Mayor

Attest:

City Secretary