

MINUTES
CITY COUNCIL WORKSHOP
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
April 24, 2018 – 4:30 p.m.

Minutes of the City Council Workshop of April 24, 2018 at 4:30 p.m.

Present: **6 -** Mayor Michael Schultz, Council Member Joe Anzollitto, Mayor Pro Tem Nina Woolard, Council Member Charlie Boyd IV, Council Member Ron Cisneros, and Council Member Craig Colvin

Mayor Pro Tem Nina Woolard arrived at 4:33 p.m.

Council Member Charlie Boyd IV arrived at 4:35 p.m.

Council Member Ron Cisneros arrived at 5:02 p.m.

Staff Present: Ron Bowman, Siria Arreola, Paul Barwick, Pam Bransford, Lori Carroll, Kirsten Cohoon, Mike Mann, Sandy Mattick, Mike Raute, Jeff Thompson, and Linda Zartler.

Recognized / Registered Guests: Milan J. Michalec, Michael Dean, and Randall Scott.

1. CALL TO ORDER – 4:30 PM

Mayor Schultz called the City Council to order at 4:30 p.m.

2. WORKSHOP DISCUSSION:

2.A. [2018-327](#) PRESENTATION ON THE STATUS OF THE CURRENT DESIGN OF THE NEW CITY HALL.

Mayor Schultz called on Ms. Linda Zartler, Assistant City Manager. Ms. Zartler presented an update on the process of the design of the new City Hall. She stated that the construction documents are due Monday, May 30, 2018. The City Council will receive the Guaranteed Maximum Price (GMP) on May 8, 2018

for consideration. She introduced architect Randall Scott to present the proposed interior and exterior design of the building. Discussion ensued regarding the windows and acoustics in the Council Chambers, the number of conference rooms in the various departments, secured access to offices, and the cost of construction.

3. ADJOURNMENT

Mayor Schultz adjourned the City Council at 5:14 p.m.

**MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
April 24, 2018 – 6:00 PM**

Minutes of the City Council Meeting of April 24, 2018 at 6:00 p.m.

Present: 6 - Mayor Michael Schultz, Council Member Joe Anzollitto, Mayor Pro Tem Nina Woolard, Council Member Charlie Boyd IV, Council Member Ron Cisneros, and Council Member Craig Colvin

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

Recognized / Registered Guests: Milan J. Michalec, Ellen Brennan, Erik Verelk, Douglas Hartzler, Jeff Carroll, Marilyn Berry, Arlene Rudd, Jeff and Joy Stewart, Dr. Joe Macaluso, Misty Mayo, Jan Sing, Tony Trevino, Rene Gonzalez, Sherry Gonzalez, Joe McElyea, Randy Niemeier, Teresa Keenan, Phyllis Baacke, Jacqui Bradley, Kirsten Cohoon, and Wiley Cloud.

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 and 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:

Jeff Carroll stated he was speaking on behalf of Mr. Bill Walters, developer for Commons at Menger Creek who is currently out of the country. Agenda item 6 is the rezoning of the 15.54 acres located at 20 Old San Antonio Road. He stated the new master development plan indicates more multifamily for the area which will drive dense commercial in front of the development. It is anticipated that the utilities will be extended to the property by the end of year and they will begin selling lots at that time. Mr. Carroll stated they have received calls of interest on the property.

Joe McElyea, 139 Bluebonnet Circle spoke against the proposed apartment development on 110 Bluebonnet Circle. He was concerned with home values if the apartments are built, drainage, and traffic.

Randy Niemeier, 908 Adler Road distributed information to the City Council regarding the proposed apartment development at 110 Bluebonnet Circle. He spoke against the development. His concerns were related to conflicting information by the developer in their marketing materials and the proposed 90,000sf of impervious cover. Also included with the information he distributed to the Council Members, were signed requests from various residents in the area of Bluebonnet Circle opposing the rezoning.

Doug Hartzler, 112 Stone Creek spoke in opposition of the proposed rezoning of 110 Bluebonnet Circle. He expressed concerns regarding the potential for flooding, impervious cover, and felt that the proposed apartments are out of character for the neighborhood. Mr. Hartzler also spoke to the proposed

amendments to the Firearms Ordinance, agenda item 8. He questioned the increase in the fine from \$200.00 to \$500.00. He suggested the penalty not change.

Marilyn Berry, 126 Bluebonnet Circle spoke in opposition of the rezoning of 110 Bluebonnet Circle. She stated that she agreed Boerne needed more affordable housing but opposed the apartment development. She referenced the City's Subdivision Ordinance which the developer must follow. Ms. Berry expressed concerns with additional traffic the development would create on the residential street, and the safety of children walking to school since there are a lack of sidewalks and lighting. She suggested the City Council consider the needs of the neighbors in the area.

Jeff Stewart, 228 Leather Leaf expressed opposition to the proposed rezoning of 110 Bluebonnet Circle. He noted that one of the co-owners withdrew from the project. He referenced marketing material from the developer which states the property value will go up in value with the development. He suggested that City Council postpone the vote until it is determined if Mr. Gonzalez owns the property.

Theresa Keenan, 213 English Oaks Circle state she was opposed to the rezoning of 110 Bluebonnet Circle due to the potential traffic increase to the area.

Phyllis Baacke, 238 English Oaks Circle spoke in opposition to the rezoning of 110 Bluebonnet Circle. She stated that English Oaks Subdivision backs up to Stone Creek and her neighbors have experienced flooding in past years. She was also concerned with the proposed three story apartment building blocking the views for Stone Creek and English Oaks Subdivision.

Jacqui Bradley, 159 Bluebonnet Circle expressed concerns with the proposed apartment development. She said the current subdivision has only one way in and one way out and adding 40 cars will cause significant traffic for the area. She also expressed concerns with the mature trees on the property.

Kirsten Cohoon, City Attorney spoke to agenda item 4D. She distributed Lemonade Day backpacks to the City Council. Ms. Cohoon stated that this will

be the fourth year the City of Boerne will host the nation-wide event. The event will be held on May 6, 2018. There are currently 65 youths who have registered.

Jan Sing, 106 Stone Creek Drive spoke in opposition to the proposed apartment development on 110 Bluebonnet Circle. She stated that her home flooded three years ago due to runoff. She asked that the City Council take into consideration those who have experienced flooding in the area.

4. CONSENT AGENDA:

4.A. [2018-331](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 10, 2018.

THE MINUTES WERE APPROVED.

4.B. [2018-322](#) CONSIDER ON SECOND READING ORDINANCE NO. 2018-12; 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. (8.491 acres located at 45 Cascade Caverns Rd., KAD No. 24328, and a portion of Cascade Caverns Rd. at the request of Currey Creek Baptist Church)

THE ORDINANCE WAS APPROVED.

4.C. [2018-323](#) CONSIDER ON SECOND READING ORDINANCE NO. 2018-13; 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. (7.89 acres located at 214 Cascade Caverns Rd., KAD Nos. 11568 and 288671, at the request of Landquest Acquisitions, LLC - Southglen)

THE ORDINANCE WAS APPROVED.

4.D. [2018-336](#) CONSIDER RESOLUTION NO. 2018-R30; A RESOLUTION SUPPORTING BOERNE LEMONADE DAY ON MAY 6, 2018.

THE RESOLUTION WAS APPROVED.

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

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

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

5.A. [2018-324](#) PROPOSED ANNEXATION OF 5.032 ACRES OF LAND LOCATED AT 5 COUGHRAN ROAD, KAD NOS. 14889 AND 14890, TO INCLUDE A PORTION OF COUGHRAN ROAD AT THE REQUEST OF ALEJANDRO GUTIERREZ. (One of two hearings)

Mayor Schultz opened the Public Hearing at 6:29 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:30 p.m.

6. [2018-326](#) CONSIDER ON SECOND READING ORDINANCE NO. 2018-10; 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 15.54 ACRES LOCATED AT 20 OLD SAN ANTONIO ROAD (KAD NOS. 39338 AND

298096) FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT (2.25 ACRES), R-3, HIGH-DENSITY RESIDENTIAL DISTRICT (4.81 ACRES), AND B-2, HIGHWAY COMMERCIAL DISTRICT (8.48 ACRES), TO R-4, MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Bill Walters, Commons at Menger Creek)

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley displayed a map of the 15.54 acres under consideration for rezoning located at 20 Old San Antonio Road. Ms. Talley stated that there is a need for multi-family development. The entire mixed use development will consist of 59 acres. The Planning and Zoning Commission voted 5-2 in support of the rezoning. Staff is also supportive the rezoning.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER CISNEROS, TO APPROVE ON SECOND READING ORDINANCE NO. 2018-10; 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 15.54 ACRES LOCATED AT 20 OLD SAN ANTONIO ROAD (KAD NOS. 39338 AND 298096) FROM R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT (2.25 ACRES), R-3, HIGH-DENSITY RESIDENTIAL DISTRICT (4.81 ACRES), AND B-2, HIGHWAY COMMERCIAL DISTRICT (8.48 ACRES), TO R-4, MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (BILL WALTERS, COMMONS AT MENDER CREEK). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Nay: 1 - Council Member Boyd IV

7. [2018-325](#) CONSIDER ON SECOND READING ORDINANCE NO. 2018-11; 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 2.16 ACRES LOCATED AT 110 BLUEBONNET CIRCLE (KAD NO. 22517) FROM RMO-3, MODULAR RESIDENTIAL DISTRICT TO R-4, MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Rene Gonzalez)

Ms. Talley continued with the rezoning of 110 Bluebonnet Circle. Ms. Talley stated that Mr. Jones, owner of 110 Bluebonnet Circle is requesting rezoning to R-4, Multi-family Residential. Mr. Gonzalez is the developer representing the property owner. The property is currently zoned RMO-3 which allows for manufactured or modular housing, single-family homes, and townhomes. Due to property constraints, the LCRA powerline and the Law Enforcement Center, the property has not been attractive to developers. Staff feels this is a good infill project. It also meets the Economic Development Workplan. Ms. Talley discussed drainage and water retention. The developer must follow State Laws and cannot divert water and cause harm to downstream neighbors. Mr. Gonzales has been involved in several developments and his intention is to provide low impact development (LID) and retention. The City's Zoning Ordinance would apply to this development. The Planning and Zoning Commission recommended approval by a vote of 5-2. Staff is also support of the rezoning request. Discussion ensued regarding what is permitted in the current RMO-3 zone, portion of the apartment units could be four stories, the purpose and spirit of zoning, the potential of flooding and endangering residents downstream, and the majority of neighborhood is RMO-2. Mike Mann, Public Works Director was asked about drainage. Mr. Mann stated that a portion of the property on Adler Road is in the County and not subject to City regulations. City Manager Ron Bowman stated that the Bluebonnet Circle subdivision was developed in 1984. If the property was attractable for single-family homes, they would have been built by now. Mr. Bowman also stated that the property would not be conducive to a park environment.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO DENY ON SECOND READING ORDINANCE NO. 2018-11; 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 2.16 ACRES LOCATED AT 110 BLUEBONNET CIRCLE (KAD NO. 22517) FROM RMO-3, MODULAR RESIDENTIAL DISTRICT TO R-4, MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (RENE GONZALEZ). THE MOTION FAILED BY THE FOLLOWING VOTE:

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

Nay: 3 - Council Member Boyd IV, Council Member Cisneros, and Council Member Colvin

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL MEMBER BOYD IV, TO APPROVE ON SECOND READING ORDINANCE NO. 2018-11; 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 2.16 ACRES LOCATED AT 110 BLUEBONNET CIRCLE (KAD NO. 22517) FROM RMO-3, MODULAR RESIDENTIAL DISTRICT TO R-4, MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (RENE GONZALEZ). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 3 - Council Member Boyd IV, Council Member Cisneros, and Council Member Colvin

Nay: 2 - Council Member Anzollitto, and Mayor Pro Tem Woolard

8. [2018-329](#) **CONSIDER ON FIRST READING ORDINANCE NO. 2018-14; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 15. OFFENSES AND MISCELLANEOUS PROVISIONS, SECTION 15-1. DISCHARGE OF FIREARMS, PELLET GUNS AND EXPLOSIVE CARTRIDGES IN THE CITY OF BOERNE; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 FOR EACH VIOLATION OF THIS ORDINANCE.**

Mayor Schultz called on Ms. Kirsten Cohoon, City Attorney. Ms. Cohoon stated

she was approached by the City's Animal Control Officer (ACO) with the concern that the ACO is not currently able to discharge a firearm in performance of official duties. She explained that if an animal is struck by a vehicle, the ACO must dispatch for a Police Officer to euthanize the animal. The modification to the current ordinance will give the ACO the authority to discharge a firearm in performance of official duties. By increasing the fine for a violation of any provision of the Ordinance to not exceed \$500.00, gives the Judge more of an option on the fine. Discussion ensued regarding how the fine amount was determined and the number of occurrences that the fine has been applied.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL MEMBER BOYD IV, TO APPROVE ON FIRST READING ORDINANCE NO. 2018-14; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 15. OFFENSES AND MISCELLANEOUS PROVISIONS, SECTION 15-1. DISCHARGE OF FIREARMS, PELLET GUNS AND EXPLOSIVE CARTRIDGES IN THE CITY OF BOERNE; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 FOR EACH VIOLATION OF THIS ORDINANCE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

9. [2018-328](#) **CONSIDER ON FIRST READING ORDINANCE NO. 2018-15; AN ORDINANCE REPEALING AND REPLACING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS BY REPEALING AND REPLACING CHAPTER 4, ANIMALS AND FOWL, ARTICLE II. FOWL; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 FOR EACH VIOLATION OF THIS ORDINANCE.**

Ms. Cohoon continued with an Ordinance established in the late 1950's and hasn't been updated since that time. The current Ordinance pertaining to the keeping and raising of chickens, turkeys, geese, guineas, ducks, pigeons or other fowl has no enforcement mechanism. In addition to the modification, Staff is proposing that a violation to any provision of this Ordinance be a Class C

misdemeanor and subject to a fine not to exceed \$500.00 per violation.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE ON FIRST READING ORDINANCE NO. 2018-15; AN ORDINANCE REPEALING AND REPLACING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS BY REPEALING AND REPLACING CHAPTER 4, ANIMALS AND FOWL, ARTICLE II. FOWL; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 FOR EACH VIOLATION OF THIS ORDINANCE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

10. [2018-321](#) **CONSIDER RESOLUTION NO. 2018-R31; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SUPPORTING LIV BOERNE HILLS, LP'S HOUSING TAX CREDIT APPLICATION (# 18418) TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS AND ACKNOWLEDGING MORE THAN TWICE THE STATE AVERAGE PER CAPITA SUPPORTED BY HOUSING TAX CREDITS. (Proposed 162-unit senior community located at 3 Shooting Club Rd.)**

Mayor Schultz called on Mr. Jeff Thompson, Deputy City Manager. Mr. Thompson reminded the City Council of the project the Boerne Public Facility Corporation (PFC) recently approved. This Resolution under consideration, is part of the process of the LIV Boerne application with the Texas Department of Health and Community Affairs (TDHCA). With the approval of this Resolution and the TDHCA Board, it is anticipated that the project could be under construction mid to late summer. Staff recommended approval of Resolution No. 2018-R31.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER CISNEROS, TO APPROVE RESOLUTION NO. 2018-R31; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SUPPORTING LIV BOERNE HILLS, LP'S HOUSING TAX CREDIT APPLICATION (# 18418) TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS AND ACKNOWLEDGING MORE THAN TWICE THE STATE AVERAGE PER CAPITA SUPPORTED BY HOUSING TAX CREDITS. (PROPOSED 162-UNIT SENIOR COMMUNITY LOCATED AT 3 SHOOTING CLUB RD.). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

11. [2018-320](#) **CONSIDER RESOLUTION NO. 2018-R32; A RESOLUTION OF NO OBJECTION BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS SUPPORTING LIV BOERNE HILLS, LP'S HOUSING TAX CREDIT APPLICATION (# 18418) TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS. (Proposed 162-unit senior community located at 3 Shooting Club Rd.)**

Mr. Thompson continued with the Resolution related to the previous agenda item. This Resolution under consideration, is part of the process of the LIV Boerne application with the Texas Department of Health and Community Affairs (TDHCA). Mr. Thompson noted that the City Council has passed similar Resolutions for other projects in recent years. If approval is received from the TDHCA Board, the project could be underway in 4 to 6 months. Staff recommended approval of the Resolution.

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER CISNEROS, TO APPROVE RESOLUTION NO. 2018-R32; A RESOLUTION OF NO OBJECTION BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS SUPPORTING LIV BOERNE HILLS, LP'S HOUSING TAX CREDIT APPLICATION (# 18418) TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS. (PROPOSED 162-UNIT SENIOR COMMUNITY LOCATED AT 3 SHOOTING CLUB RD.). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

City Attorney Kirsten Cohoon reminded the City Council that Lemonade Day is May 6, 2018.

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

Mayor Schultz convened the City Council into Executive Session at 7:14 p.m. and asked those individuals requested to participate to adjourn to the Executive Session Conference Room.

13.A.[2018-330](#) SECTION 551.071 (1) (A) - CONSULTATION WITH ATTORNEY AND SECTION 551.087- DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION.

No action was taken.

14. 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 7:23 p.m.

14.A.[2018-334](#) CONSIDER RESOLUTION NO. 2018-R33; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, APPROVING THE ANNEXATION BY KENDALL COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 3 OF 42.451 ACRES OF LAND.

Resolution No. 2018-R33 died for a lack of motion.

15. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY MAYOR PRO TEM WOOLARD, TO ADJOURN THE CITY COUNCIL MEETING AT 7:24 P.M. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Approved:

Mayor

Attest:

City Secretary