

**MINUTES
CITY COUNCIL WORKSHOP
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
November 10, 2015 – 4:30 p.m.**

Minutes of the City Council Workshop of November 10, 2015 at 4:30 p.m.

Present: Mayor Mike Schultz, Mayor Pro Tem Ron Cisneros, Council Member Christina Bergmann, Council Member Charlie Boyd IV, Council Member Jeff Haberstroh, and Council Member Nina Woolard.

Staff Present: Ron Bowman, Paul Barwick, Pam Bransford, Lori Carroll, Kirsten Cohoon, Melissa Grace, Mike Mann, Antony Moy, Mike Raute, Mark Mattick, Sandy Mattick, Doug Meckel, Laura Talley, Jeff Thompson, Chris Turk, Linda Zartler, and Danny Zincke.

Recognized / Registered Guests: No guests were present.

1. CALL TO ORDER – 4:30 PM

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

2.A. WORKSHOP DISCUSSION:

A. Discussion On Proposed Senior Living Rental Housing

Mayor Schultz called on Mr. Chris Turk, Planning and Community Development Director. Mr. Turk introduced Mr. Brett Johnson of the Overland Property Group (OPG). Mr. Johnson displayed the rental units they have developed in five states including six communities in Texas. They currently do not have a property location in Boerne but are focusing North of Adler Street. Mr. Johnson explained that the proposed Resolution does not commit the City to the project but affirms the City's support for an application to the Texas Department of Housing and Community Affairs for 2016 Low Income Housing Tax Credit Program.

2.B. WORKSHOP DISCUSSION:

B. Discussion On Space Needs Assessment

Mayor Schultz called on Ms. Linda Zartler, Assistant City Manager to discuss the Space Needs Assessment for the City Council Chambers and the Executive Session area for the proposed new City Hall facilities. Ms. Zartler introduced Randall Scott, Preston Scott, and Greg Conaway of Randall Scott Architects. She asked for City Council input on how the Council Chambers and

Executive Session room should look and operate. Ms. Zartler asked Mr. Mike Raute, Information Technology Director to discuss the technology available for a new City Council Chambers. Discussion ensued regarding whether the Boards and Commissions will also be using the new Chambers or remain in the current facility; angle of the dais and additional seating for future growth; seating for senior staff; seating for audience to accommodate growth and overflow; security, improve acoustics; types of seating for the audience; using the room as a multi-function space; private office area of Council Members; additional isles for the audience to access seating; finances; take into consideration ever-changing technology; and have a round table in the Executive Session room with a kitchen area and restrooms. Mr. Scott reviewed his experience with other city's facilities and stated that cities are putting a monitor in the podium as well as built-in monitors at the dais and projection at the back of the room only. Staff typically is seated at one side of the room. He stated that his firm met with City Staff today and provided a questionnaire to the department heads to help his firm determine department needs.

ADJOURNMENT

Mayor Schultz adjourned the City Council Workshop at 5:20 p.m.

**MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
November 10, 2015 – 6:00 PM**

Minutes of the City Council meeting of November 10, 2015 at 6:00 p.m.

Present: Mayor Mike Schultz, Mayor Pro Tem Ron Cisneros, Council Member Christina Bergmann, Council Member Charlie Boyd IV, Council Member Jeff Haberstroh, and Council Member Nina Woolard.

Staff Present: Ron Bowman, Paul Barwick, Pam Bransford, Lori Carroll, Kirsten Cohoon, Melissa Grace, Mike Mann, Antony Moy, Mike Raute, Mark Mattick, Sandy Mattick, Doug Meckel, Laura Talley, Jeff Thompson, Chris Turk, Linda Zartler, and Danny Zincke.

Recognized / Registered Guests: Karl Gramm, Jody Daniel, Conner Darnell, Debbie DeLoach, Joshua Valenta, Ranee Campbell, and Jim Campbell.

1. CALL TO ORDER – 6:00 PM

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

Mayor Schultz asked Conner Darnell to lead the Pledge of Allegiance to the United States Flag and the Texas Flag.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. PUBLIC COMMENTS:

Karl Gramm, 125 Well Springs stated he has been with United Parcel Service (UPS) for 36 years. With holidays fast approaching, it is anticipated that package delivery will double after November 15, 2015. He spoke to Agenda Item 14, permitting golf carts on certain public streets. He stated that seven golf carts can eliminate five UPS trucks and improves pickup and delivery for residents and local businesses. The golf cart drivers would be dressed in brown color uniforms, would not exceed 20 mph and are trained seasonal employees and are Boerne residents. The operating hours would be from 10:00 a.m. to 4:00 p.m. daily. There have not been any accidents in the last four years UPS has used golf carts.

Jody Daniel, 208 Yoalana Street stated that his wife has Multiple Sclerosis and allowing golf carts would be a benefit to her to get around Boerne. After much research, he found that the biggest safety issue with golf carts is people falling out of the golf carts because they are not using seat belts. With certain restrictions, he feels that golf carts would improve the quality of life.

4. CONSENT AGENDA:

4.A. Approval of Minutes of the Special Called City Council meeting of October 20, 2015 (Quarterly Round Table), Special Called City Council meeting of October 20, 2015 (Catalyst Commercial & Gateway Planning), and the Regular Called City Council meeting of October 27, 2015.

THE MINUTES WERE APPROVED.

4.B. Consider On Second Reading Ordinance No. 2015-39; An Ordinance Repealing And Replacing Ordinance Nos. 2015-28, 2015-11, 2015-02 And 2014-52: 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 ORDINANCE WAS APPROVED.

4.C. Consider Resolution No. 2015-R108; A Resolution Authorizing The City Manager To Proceed With Purchases As Per Section 6.08 Of The City Of Boerne's Home Rule Charter (*Upgrade to phone system*).

THE RESOLUTION WAS APPROVED.

4.D. Consider Resolution No. 2015-R109; A Resolution Casting The City's Votes In The Election To The Kendall County Appraisal District Board Of Directors.

THE RESOLUTION WAS APPROVED.

Approval of the Consent Agenda

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

Yeah - 5: Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

5.A. PUBLIC HEARING - To Hear Comments On The Following:

A. Proposed Annexation of 3.915 acres located at 35 Cascade Caverns Road - PID 12245 - at the request of Currey Creek Baptist Church of Boerne (*Second of Two Hearings*)

Mayor Schultz opened the Public Hearing at 6:13 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:13 p.m.

5.B. PUBLIC HEARING - To Hear Comments On The Following:

B. Proposed use of an automobile gas station in a B-2, Highway Commercial District for 1381 South Main Street (PID: 46995 and 46966), a total of .6008 acres (*Murphy Oil USA Inc. #6822*)

Mayor Schultz opened the Public Hearing at 6:14 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:14 p.m.

6.A. TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARING:

A. CONSIDER ON FIRST READING ORDINANCE NO. 2015-40; 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, ARTICLE 5, SECTION 3 PERMITTED USES, TABLE 5-1, AUTHORIZING THE USE OF AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 1381 SOUTH MAIN STREET. (PID: 46995 and 46966), a total of .6008 acres (Murphy Oil USA Inc. #6822)

Mayor Schultz called on Mr. Chris Turk, Planning and Community Development Director. Mr. Turk displayed the location of the existing Murphy Oil USA Inc. gas station which is located in front of WalMart. He explained that the owners plan to demolish the existing building and construct a new building on the same site as well as add additional gas pumps. The Planning and Zoning Commission made the recommendation that the City Council approve the use of an automobile gas station in a B-2, Highway Commercial District for 1381 South Main Street with the caveat that the canopy be comprised of a textured surface and not an aluminum wrap, that the illuminated sign be white and not red, the facade be rock, and increase landscaping to shield visibility of the gas station. Staff recommended approval of Ordinance No. 2015-40 with the Planning and Zoning recommendations. Discussion ensued regarding the signage, pricing, and number of pump islands.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER BOYD IV, THAT THIS ORDINANCE BE APPROVED ON FIRST READING ORDINANCE NO. 2015-40; 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, ARTICLE 5, SECTION 3 PERMITTED USES, TABLE 5-1, AUTHORIZING THE USE OF AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 1381 SOUTH MAIN STREET. (PID: 46995 AND 46966), A TOTAL OF .6008 ACRES (MURPHY OIL USA INC. #6822). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5- Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

7. CONSIDER RESOLUTION NO. 2015-R110; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACTUAL AGREEMENT WITH _____ FOR BRUSH CLEARING AT DAM SITE LOCATIONS AT BOERNE CITY LAKE.

Mayor Schultz called on Mr. Mark Mattick, Fire Marshal. Mr. Mattick stated that when the City Lake Dam was built, the City of Boerne signed an agreement with Natural Resource Conservation Service (NRCS) stating that the City would be responsible for the maintenance of the City Lake Dam which includes brush removal. The City secured a 90/10 grant up to \$30,000 through NRCS to remove the brush off of the dam site. The City received three bids with Langeberg Specialty Services being the low bidder at \$27,000. NRCS will reimburse the City after the work is complete. Staff recommended entering into an agreement with Langeberg Specialty Services for brush clearing at the Boerne City Lake Dam site.

A MOTION WAS MADE BY COUNCIL MEMBER BERGMANN, SECONDED BY COUNCIL MEMBER WOOLARD TO APPROVE RESOLUTION NO. 2015-R110; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACTUAL AGREEMENT WITH LANGE BERG SPECIALTY SERVICES FOR BRUSH CLEARING AT DAM SITE LOCATIONS AT BOERNE CITY LAKE, NOT TO EXCEED \$27,000.00. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5-Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

8. CONSIDER RESOLUTION NO. 2015-R111; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SUPPORTING OVERLAND PROPERTY GROUP'S HOUSING TAX CREDIT APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS. (*Relating to Proposed Senior Living Rental Housing*)

Mr. Turk referred to the briefing by Brett Johnson of Overland Property Group during the Workshop. Staff recommended approval of Resolution No. 2015-R111 supporting Overland Property Group's housing tax credit application to the Texas Department of Housing and Community Affairs.

A MOTION WAS MADE BY COUNCIL MEMBER HABERSTROH, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE RESOLUTION NO. 2015-R111; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SUPPORTING OVERLAND PROPERTY GROUP'S HOUSING TAX CREDIT APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS. (RELATING TO PROPOSED SENIOR LIVING RENTAL HOUSING). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5- Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

9. CONSIDER RESOLUTION NO. 2015-R112; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR A DRAINAGE STUDY FOR MENDER AND SUGGS CREEK.

Mr. Turk stated that in a previous meeting with Catalyst, a discussion ensued regarding the importance of conducting a drainage study to determine the 100 year flood plain in the area of SoBo. Mr. Turk discussed the scope of the study with the two property owners who both agreed to share the cost of the study. Discussion ensued regarding the consequence of current businesses in the 100 year flood plain. Staff recommended approval of Resolution No. 2015-R112 entering into an agreement with Kimley-Horn and Associates in the amount of \$51,500.00.

A MOTION WAS MADE BY COUNCIL MEMBER HABERSTROH, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE RESOLUTION NO. 2015-R112; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR A DRAINAGE STUDY FOR MENDER AND SUGGS CREEK, NOT TO EXCEED \$51,500.00 WITH THE CITY'S PORTION BEING \$17,167.00. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5- Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

10. CONSIDER RESOLUTION NO. 2015-R113; A RESOLUTION APPROVING CHANGES TO THE PERSONNEL POLICIES MANUAL FOR THE CITY OF BOERNE, TEXAS.

Mayor Schultz called on Ms. Linda Zartler, Assistant City Manager. Ms. Zartler reviewed the proposed Personnel Policies modifications. As most of the changes are minor, there are some sections that require updating. Section 7.10 regarding "on call" or "standby" - each department has specific needs and will establish rules based on the department. Effective September 1, 2015, House Bill 786 requires public employers to have a written policy on the expression of breast milk by employees and Section 18 pertains to Travel and Subsistence. Staff recommended approval of the proposed Personnel Policies changes.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY MAYOR PRO TEM CISNEROS, TO APPROVE RESOLUTION NO. 2015-R113; A RESOLUTION APPROVING CHANGES TO THE PERSONNEL POLICIES MANUAL FOR THE CITY OF BOERNE, TEXAS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5- Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

11. CONSIDER RESOLUTION NO. 2015-R114; A RESOLUTION DESIGNATING THE CITY'S ALLOCATION OF GROUNDWATER PRODUCTION AS IT PERTAINS TO THE CITY'S WITHDRAWAL PERMIT FROM COW CREEK GROUNDWATER CONSERVATION DISTRICT TO RETAIN THE CURRENT QUARTERLY ALLOCATION FOR CALENDAR YEAR 2016.

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann explained that the City has operated its water supply wells under a permit from the Cow Creek Groundwater Conservation District (CCGCD) since 2007. The permit allows a maximum withdrawal amount of 1,850 acre-feet from any combined production from the various City wells. The Permit requires that the City submit a proposed Quarterly Scheduled Withdrawal Amount every year. Staff recommends that the City Council retain the current quarterly percentage allocation of groundwater of 370, 555, 555, 370 acre-feet for 1st through 4th quarter for calendar year 2016.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER BOYD IV, TO APPROVE RESOLUTION NO. 2015-R114; A RESOLUTION DESIGNATING THE CITY'S ALLOCATION OF GROUNDWATER PRODUCTION AS IT PERTAINS TO THE CITY'S WITHDRAWAL PERMIT FROM COW CREEK GROUNDWATER CONSERVATION DISTRICT TO RETAIN THE CURRENT QUARTERLY ALLOCATION FOR CALENDAR YEAR 2016. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5- Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

12. CONSIDER RESOLUTION NO. 2015-R115; A RESOLUTION DESIGNATING THE CITY COMMITMENT FOR WATER FROM THE GUADALUPE-BLANCO RIVER AUTHORITY AS PART OF THE WESTERN CANYON REGIONAL WATER SUPPLY PROJECT TO RETAIN THE CURRENT ANNUAL COMMITMENT OF WATER FOR CALENDAR YEAR 2016.

Mr. Mann continued with the explanation of the City's agreement with GBRA which requires that the City declare an annual commitment for treated water prior to the end of each calendar year. Staff recommended that the City retain the current annual commitment of 975 acre-feet per year from GBRA for calendar year 2016.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER BERGMANN, TO RESOLUTION NO. 2015-R115; A RESOLUTION DESIGNATING THE CITY COMMITMENT FOR WATER FROM THE GUADALUPE-BLANCO RIVER AUTHORITY AS PART OF THE WESTERN CANYON REGIONAL WATER SUPPLY PROJECT TO RETAIN THE CURRENT ANNUAL COMMITMENT OF WATER FOR CALENDAR YEAR 2016. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5- Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

13. UPDATE ON THE BOERNE AMPHITHEATER AT THE LIBRARY.

Mayor Schultz called on Mr. Paul Barwick, Special Projects Director. Mr. Barwick stated that Amphitheater project's initial completion date was June 5, 2015 but due to rain days the completion date was extended to September 15, 2015. During a welding inspection, it was determined that the field welds had failed. The Contractor spoke with several fabrication shops and secured a fabricator for the replacement structure. The estimated Project substantial completion date was to be October 26, 2015. Currently, it is expected that the Project will be completed by the end of November 2015. Mr. Barwick displayed a photo of the current status of the amphitheater, bathroom and indicated the placement location of the two sculptures donated by the Majestic Ranch Arts Foundation.

14. CONSIDER ON SECOND READING ORDINANCE NO. 2015-38; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS AMENDING CHAPTER 12, MOTOR VEHICLES AND TRAFFIC ADDING ARTICLE VI OPERATION OF VEHICLES SECTION 186 TO PERMIT THE USE OF GOLF CARTS IN THE CITY ON CERTAIN PUBLIC STREETS DURING THE HOLIDAY SEASON AND SUBJECT TO COMPLIANCE WITH PERMIT REGISTRATION, HAVING SPECIFIED SAFETY EQUIPMENT AND MOTOR VEHICLE INSURANCE; PROVIDING FOR DEFINITIONS; PROVIDING FOR A PENALTY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR A FINE OF UP TO \$500.00 PER VIOLATION.

Mayor Schultz called on Ms. Kirsten Cohoon, City Attorney and Police Chief Jim Kohler to discuss the proposed modifications made to Ordinance No. 2015-38 since the First Reading on October 27, 2015. Discussion ensued whether PODs and/or garages would be used for storage; open up to other parcel delivery entities; golf cart storage areas; hours of operation and enforcement; concerns with business operation in a residential area; and how complaints will be investigated.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER BOYD IV, TO APPROVE ON SECOND READING ORDINANCE NO. 2015-38; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS AMENDING CHAPTER 12, MOTOR VEHICLES AND TRAFFIC ADDING ARTICLE VI OPERATION OF VEHICLES SECTION 186 TO PERMIT THE USE OF GOLF CARTS IN THE CITY ON CERTAIN PUBLIC STREETS DURING THE HOLIDAY SEASON AND SUBJECT TO COMPLIANCE WITH PERMIT REGISTRATION, HAVING SPECIFIED SAFETY EQUIPMENT AND MOTOR VEHICLE INSURANCE; PROVIDING FOR DEFINITIONS; PROVIDING FOR A PENALTY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR A FINE OF UP TO \$500.00 PER VIOLATION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 3- Council Member Haberstroh, Council Member Woolard, and Council Member Boyd IV

Nay: 2- Mayor Pro Tem Cisneros and Council Member Bergmann

15. CONSIDER ON FIRST READING ORDINANCE NO. 2015-41; AN ORDINANCE PROHIBITING THE USE OF A PORTABLE ELECTRONIC DEVICE WHILE OPERATING A MOTOR VEHICLE AND CREATING AN OFFENSE AND PROVIDING FOR A FINE OF UP TO \$200.00 PER VIOLATION.

Ms. Cohoon and Chief Kohler continued with a review of the Ordinance prohibiting the use of portable electronic devices while operating a motor vehicle or bicycle. Discussion ensued regarding the use of a phone on a bicycle; educating the public as soon as the Ordinance passes.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE ON FIRST READING ORDINANCE NO. 2015-41; AN ORDINANCE PROHIBITING THE USE OF A PORTABLE ELECTRONIC DEVICE WHILE OPERATING A MOTOR

VEHICLE OR BICYCLE, AND CREATING AN OFFENSE AND PROVIDING FOR A FINE OF UP TO \$200.00 PER VIOLATION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Nay: 2- Council Member Haberstroh and Council Member Boyd IV

16. CONSIDER ON SECOND READING ORDINANCE NO. 2015-36; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, TO CONSIDER THE PROPOSED REVISIONS TO THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, SECTION 07. CATEGORIES AND DESCRIPTION OF USES, ARTICLE 3. GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 06. ACCESSORY DWELLINGS, SECTION 09. COMBINED COMMERCIAL DESIGN STANDARDS, SECTION 10. ON-SITE PARKING REQUIREMENTS, ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, SECTION 03. PERMITTED USES, SECTION 04. RESIDENTIAL LOT TYPES AND STANDARDS, SECTION 21. OFFICE DISTRICT, ADDING SECTION 31. COTTAGE HOUSING DEVELOPMENT OVERLAY DISTRICT, ARTICLE 6. PLANNING AND ZONING COMMISSION, SECTION 03. RULES AND PROCEDURES OF THE COMMISSION.

Mr. Turk reviewed the proposed modifications recommended by the City Council at the October 13, 2015 meeting to include the addition of the definition of Low Impact Development (LID) throughout the Ordinance, adding Section 3.09008 Design Standards specific for Development of Property with Street and Creek Frontage, adding clarification to the definition of Travel Trailer, and clarified definition of Short Term Basis. Staff recommended approval of Ordinance No. 2015-36.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER HABERSTROH, TO APPROVE ON SECOND READING ORDINANCE NO. 2015-36; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, TO CONSIDER THE PROPOSED REVISIONS TO THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, SECTION 07. CATEGORIES AND DESCRIPTION OF USES, ARTICLE 3. GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 06. ACCESSORY DWELLINGS, SECTION 09. COMBINED COMMERCIAL DESIGN STANDARDS, SECTION 10. ON-SITE PARKING REQUIREMENTS, ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS, SECTION 03. PERMITTED USES, SECTION 04. RESIDENTIAL LOT TYPES AND STANDARDS, SECTION 21. OFFICE DISTRICT, ADDING SECTION 31. COTTAGE HOUSING DEVELOPMENT OVERLAY DISTRICT, ARTICLE 6. PLANNING AND ZONING COMMISSION, SECTION 03. RULES AND PROCEDURES OF THE COMMISSION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5- Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

17. CONSIDER ON SECOND READING ORDINANCE NO. 2015-42; AN ORDINANCE AMENDING ORDINANCE NO. 2014-35 CAPTIONED “AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2014-2015, BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015.”

Mayor Schultz called on Ms. Sandy Mattick, Finance Director. Ms. Mattick reviewed the amendments to the 2014-2015 budget for the General Fund, Hotel/Motel Fund, Parks Fund, Cemetery Fund, Electric Fund, Wastewater Fund, and Solid Waste Fund. Staff recommended approval of Ordinance No. 2015-42.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER BOYD IV, TO APPROVE ON FIRST READING ORDINANCE NO. 2015-42; AN ORDINANCE AMENDING ORDINANCE NO. 2014-35 CAPTIONED “AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2014-2015, BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015”. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5- Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

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

Mr. Mann notified the City Council that the water in the standpipes gets stale if not used and is necessary to drain the standpipes periodically. The City will drain the Highland Standpipe tonight which is a controlled drain and Staff is planning to do same with Menger Standpipe later in the week.

Mr. Barwick updated the City Council on Dickens on Main which is two weeks away. He distributed a brochure to the Council Members with the information.

19.A. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:

A. Section 551.071 (1) (a) - Consultation with Attorney

Mayor Schultz convened the City Council into Executive Session at 7:24 p.m. and requested those individuals directed to participate to adjourn to the Executive Session Conference Room. No action was taken.

20. 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 7:38 p.m.

No action was taken.

ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER BERGMANN, SECONDED BY COUNCIL MEMBER BOYD IV THAT THIS MEETING BE ADJOURNED AT 7:38 PM. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5- Council Member Haberstroh, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Bergmann

Approved:

Mayor

Attest:

City Secretary