

MINUTES
CITY COUNCIL WORKSHOP
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
March 12, 2019 – 4:30 p.m.

Minutes of the City Council Workshop of March 12, 2019 at 4:30 p.m.

Present: 5 - Mayor Mike Schultz, Council Member Ty Wolosin, Mayor Pro Tem Woolard, Council Member Ron Cisneros, and Council Member Tim Handren.

Vacant: City Council District 3

Staff Present: Ron Bowman, Siria Arreola, Dan Blankenship, Pam Bransford, Kim Brietzke, Lori Carroll, Jill Christian, Jim Kohler, Sandy Mattick, Terry Nolan, Mike Raute, Angie Rios, Jeff Thompson, Linda Zartler, and Danny Zincke.

Recognized/Registered Guests: Robert Imler, Brian Fowler, and Joe Anzollitto.

1. CALL TO ORDER – 4:30 PM

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

2. [2019-252](#) DISCUSSION ON STORMWATER UTILITY

Mayor Schultz called on Mr. Jeff Thompson, Deputy City Manager to discuss the creation of a new Stormwater Utility that the City Council gave the go-ahead last summer. Staff along with consultants Steve Galloway from Kimley Horn and Matthew Garrett from Newgen Strategies have been working to refine the impervious cover data which will be used for billing and identifying the costs associated with stormwater operations, as well as the capital projects that were identified in 2017, which staff believes addresses some of the worst drainage issues. It was determined that an average residential impervious surface is 4,700 sf. Mr. Galloway provided a definition of Stormwater Utility and reviewed a list of what the funds from the utility can be used for. He stated that if the City chooses, properties owned by the city, the school, the county, and churches can be exempted from the stormwater utility fee. It is

staff's recommendation that the these entities not be exempt, but allow a phase-in with the exception of the city. The City will be fully billed at the time of implementation. Mr. Galloway discussed the timeline and the process for establishing the Stormwater Utility Fee. Mr. Thompson stated that the impact on an average residential customer is \$4.00 per month. Discussion ensued regarding the Equivalent Residential Units (ERU) varies per city; reason for drainage issues; incentivizing or providing a credit to those businesses enacting LID and for residential customers who install rainwater catchment. Mr. Garrett stated that any type of catchment systems incentives should be included in the water utility not the stormwater utility. Discussion continued with surveying other cities who have implemented the utility to see what they would do differently; using utility revenues for TxDOT projects in the City; considering duplexes as commercial property; and using a Certificate of Obligation to pay for these projects.

3. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER HANDREN, SECONDED BY MAYOR PRO TEM WOOLARD TO ADJOURN THE CITY COUNCIL WORKSHOP AT 5:15 P.M. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 4 - COUNCIL MEMBER WOLOSIN, MAYOR PRO TEM WOOLARD, COUNCIL MEMBER CISNEROS, AND COUNCIL MEMBER HANDREN.

MINUTES

REGULAR CITY COUNCIL MEETING

CITY COUNCIL CHAMBERS

124 Old San Antonio Road

Boerne, TX 78006

March 12, 2019 – 6:00 PM

Minutes of the Regular Called City Council Meeting of March 12, 2019 at 6:00 p.m.

Present: 5 - Mayor Mike Schultz, Council Member Ty Wolosin, Mayor Pro Tem Woolard, Council Member Ron Cisneros, and Council Member Tim Handren.

Vacant: City Council District 3

Staff Present: Ron Bowman, Siria Arreola, Dan Blankenship, Pam Bransford, Kim Brietzke, Lori Carroll, Jill Christian, Nick Colonna Lissette Jimenez, Jim Kohler, Sandy Mattick, Doug Meckel, Terry Nolan, Mike Raute, Angie Rios, Molly Solis, Laura Talley, Jeff Thompson, Linda Zartler, and Danny Zincke.

Recognized/Registered Guests: Robert Imler, Brian Fowler, Dan Weis, Peggy Brimhall, Janet Key, Quinten Scott, J J Blackson, Clay Smoot, Denise Dever, William Dever, R. Mosely, Joe Anzollitto, Travis Roberson, and Bonnie Clanin.

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:

Joe Anzollitto, 102 Dry Creek spoke on the Stormwater Utility. He stated that he feels the new utility is a great idea and he is glad the city is moving forward. He suggested that the City Council table the item until the Unified Development Code is complete. He read excerpts from the National Oceanic and Atmospheric Administration (NOAA) report. He stated that six of the top 12 projects listed in the report from the workshop, are government owned facilities which doesn't show a good example.

JJ Blackson, 220 Shadywood spoke on the proposed rezoning of 1025 E. Blanco Road. She stated that she does not want 28 houses behind her home. She expressed a concern with drainage.

Bonnie Clanin, 108 Lone Star stated that the City Council should take into

consideration the people affected by rezoning property.

Pegy Brimhall, representative of Figurd who is the developer of 1025 E. Blanco Road. She dispersed information to the City Council regarding the proposed development which includes 28 units: 11 singles, 2 duplexes, and 3 triplexes. The project includes a community lawn and garden and social area with a stormwater management area.

4. CONSENT AGENDA:

4.A. [2019-233](#) CONSIDER MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 26, 2019 AND SPECIAL CALLED MEETING HELD MARCH 4, 2019.

THE MINUTES WERE APPROVED.

4.B. [2019-248](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-05; AN ORDINANCE AMENDING ORDINANCE NO. 2007-63, AMENDING THE REQUIREMENTS FOR THE COMPLETION OF A TRAFFIC IMPACT ANALYSIS PRIOR TO THE APPROVAL OF DEVELOPMENT RELATED PROCESSES; SETTING DEFINITIONS; PROVIDING CRITERIA FOR TYPES OF ANALYSIS; SETTING FORTH MITIGATION PARAMETERS AND LIMITATIONS ON MITIGATION; SETTING MINIMUM VALUES FOR LEVEL OF SERVICE; PROVIDING FOR EXEMPTIONS; PROVIDING FOR A VARIANCE; AND ESTABLISHING A PROCESS FOR DETERMINING ROUGH PROPORTIONALITY.

THE ORDINANCE WAS APPROVED.

4.C. [2018-688](#) CONSIDER RESOLUTION NO. 2019-R20; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONSULTING SERVICES CONTRACT BETWEEN THE CITY OF BOERNE AND MIKE PIETSCH, P.E. CONSULTING SERVICES, INC. TO PREPARE A GRADING SUMMARY AND CREATE LIST OF SUGGESTED IMPROVEMENTS (PHASE I) FOR THE CITY OF BOERNE'S ISO RATING.

THE RESOLUTION WS APPROVED.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE THE CONSENT AGENDA AS PRESENTED WITH THE EXCEPTION OF ITEM NUMBER 4.D. TO BE CONSIDERED SEPARATE FROM THE CONSENT AGENDA. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 4 - COUNCIL MEMBER WOLOSIN, MAYOR PRO TEM WOOLARD, COUNCIL MEMBER CISNEROS, AND COUNCIL MEMBER HANDREN.

4.D. [2019-232](#) CONSIDER RESOLUTION NO. 2019-R21; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND RAY ASSOCIATES, INC. FOR A COMPENSATION AND BENEFITS STUDY.

Mayor Schultz called on Council Member Cisneros. Council Member Cisneros questioned why the city continued to use Ray Associates, Inc. for a compensation and benefits study. Assistant City Manager Linda Zartler addressed the concern. Ms. Zartler stated that Ray Associates allows city staff to do some of the work which in turn saves the city money. Discussion ensued regarding the process, the expectations from the study and the percentile the city falls within.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE RESOLUTION NO. 2019-R21; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND RAY ASSOCIATES, INC. FOR A COMPENSATION AND BENEFITS STUDY. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Handren

5. [2019-237](#) CONTINUE STORMWATER UTILITY WORKSHOP DISCUSSION IF NECESSARY.

Discussion did not continue from the Stormwater Utility Workshop.

6. [2019-251](#) PRESENTATION ON STORMWATER UTILITY AND CONSIDER RESOLUTION NO. 2019-R22; A RESOLUTION OF THE CITY COUNCIL

OF THE CITY OF BOERNE, TEXAS, DECLARING STORMWATER DRAINAGE OF THE CITY TO BE A PUBLIC UTILITY, AUTHORIZING PUBLICATION OF PROPOSED MUNICIPAL STORMWATER DRAINAGE UTILITY SYSTEM ORDINANCE; CALLING FOR A PUBLIC HEARING TO ADOPT THE ORDINANCE, SETTING A DATE FOR THE PUBLIC HEARING, AUTHORIZING PUBLICATION OF THE PROPOSED ORDINANCE AND OF THE NOTICE OF THE PUBLIC HEARING.

Mayor Schultz called on Mr. Jeff Thompson, Deputy City Manager. Mr. Thompson referred to the earlier workshop regarding Stormwater Utility. He introduced the consultants in the audience, Steve Galloway of Kimley Horn and Matthew Garrett of Newgen Strategies. City Staff is proposing a \$4.00 Equivalent Residential Units (ERU) to be implemented in January. Staff also recommends delaying the fee charged to properties owned by the county, BISD, and churches for one year. The revenues from the utility would help complete a drainage study for the entire city. He reviewed the timeline required for implementing the new Stormwater Utility fee.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER HANDREN, TO APPROVE RESOLUTION NO. 2019-R22; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, DECLARING STORMWATER DRAINAGE OF THE CITY TO BE A PUBLIC UTILITY, AUTHORIZING PUBLICATION OF PROPOSED MUNICIPAL STORMWATER DRAINAGE UTILITY SYSTEM ORDINANCE; CALLING FOR A PUBLIC HEARING TO ADOPT THE ORDINANCE, SETTING A DATE FOR THE PUBLIC HEARING, AUTHORIZING PUBLICATION OF THE PROPOSED ORDINANCE AND OF THE NOTICE OF THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Handren

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

7.A. [2019-238](#) PROPOSED PERMANENT ZONING OF 11.219 ACRES AT 35 CASCADE CAVERNS ROAD (KAD NO. 12245) AND 45 CASCADE CAVERNS ROAD (KAD NO. 24328) FROM R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL DISTRICT, TO B-1, HIGH-DENSITY

RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT. (One of one Hearing, Currey Creek Baptist Church of Boerne)

Mayor Schultz opened the Public Hearing at 6:26 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:27 p.m.

7.B. [2019-239](#) PROPOSED PERMANENT ZONING OF 9.865 ACRES AT 38 CASCADE CAVERNS ROAD (KAD NO. 46739) FROM R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL DISTRICT, TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT. (One of one hearing, Hill Country Daily Bread Ministries)

Mayor Schultz opened the Public Hearing at 6:27 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:27 p.m.

7.C. [2019-240](#) PROPOSED REZONING OF 2.992 ACRES AT 1025 E. BLANCO ROAD (KAD NO. 18967) FROM O, OFFICE DISTRICT, AND R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT. (One of one hearing, Tommy and Julie Pfeiffer)

Mayor Schultz opened the Public Hearing at 6:28 p.m.

Pegy Brimhall, representative for the developer of 1025 E. Blanco Road spoke on the quality of aspects of the proposed development. She stated that the Old No. 9 is close to the property under consideration and could be a connector to the trail creating walkability to Main Street. She also stated that the development will have a small town feel. They want to be good neighbors.

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

7.D. [2019-241](#) PROPOSED ANNEXATION OF 8.352 ACRES OF LAND LOCATED AT 15A UPPER BALCONES ROAD, KAD NOS. 15841 AND 290201, TO INCLUDE A PORTION OF UPPER BALCONES ROAD AT THE REQUEST OF MORNINGSIDE MINISTRIES. (One of two hearings)

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

Travis Roberson, 313 Frey Street, representing Robert S. Thornton LP. Mr. Roberson introduced Jordan Lovelady Chief Financial Officer for Morningside Ministries. Mr. Roberson distributed a rendering of the proposed development to the Council Members. He stated that the extension of the property is to construct 29 cottages on the property and will be contiguous to the current Morningside campus. His company is assisting with the design and product development of the facility.

Mayor Schultz closed the Public Hearing at 6:34 p.m.

8. TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARING:

8.A. [2019-242](#) CONSIDER ON FIRST READING ORDINANCE NO. 2019-08; 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 11.219 ACRES LOCATED AT 35 CASCADE CAVERNS ROAD (KAD NO. 12245) AND 45 CASCADE CAVERNS ROAD (KAD NO. 24328) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Currey Creek Baptist Church of Boerne)

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley displayed a map of the property located at

35 Cascade Caverns Road. When the property was annexed, it was assigned a temporary zoning of R-A, Single-Family Residential-Agricultural District. The City must assign a permanent zoning designation to the property. The City is proposing the B-1, High Density Residential and Neighborhood Commercial District designation due to the existing use on the site and in adherence to the City's Future Land use plan. The Planning and Zoning Commission voted 5-0 in favor of the permanent zoning. It is also Staff's recommendation to zone the property B-1.

A MOTION WAS MADE BY COUNCIL MEMBER HANDREN, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE ON FIRST READING ORDINANCE NO. 2019-08; 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 11.219 ACRES LOCATED AT 35 CASCADE CAVERNS ROAD (KAD NO. 12245) AND 45 CASCADE CAVERNS ROAD (KAD NO. 24328) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (CURREY CREEK BAPTIST CHURCH OF BOERNE). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Handren

8.B. [2019-243](#) CONSIDER ON FIRST READING ORDINANCE NO. 2019-09; 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 9.865 ACRES LOCATED AT 38 CASCADE CAVERNS ROAD (KAD NO. 46739) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Hill Country Daily Bread Ministries)

Ms. Talley continued with the permanent zoning of 38 Cascade Caverns Road. Ms. Talley displayed a map of the location of the property. She stated that the property was recently annexed and was assigned a temporary zoning of R-A, Single-Family Rural Residential-Agricultural District. The City must assign a permanent zoning designation to the property. Staff is proposing at B-1, High-Density residential and Neighborhood Commercial District due to the existing use on the site and in adherence to the City's Future Land Use plan. The Planning and Zoning Commission voted 7-0 in favor of the permanent zoning. It is also Staff's recommendation to permanently zone the property as B-1.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE ON FIRST READING ORDINANCE NO. 2019-09; 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 9.865 ACRES LOCATED AT 38 CASCADE CAVERNS ROAD (KAD NO. 46739) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (HILL COUNTRY DAILY BREAD MINISTRIES). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Handren

8.C. [2019-244](#) CONSIDER ON FIRST READING ORDINANCE NO. 2019-10; 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 2.992 ACRES LOCATED AT 1025 E. BLANCO ROAD (KAD NO. 18967) FROM 0, OFFICE DISTRICT TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Tommy and Julie Pfeiffer)

Ms. Talley continued with the rezoning of the property located at 1025 East Blanco Road. She displayed a map of the property location as well as a zoning map for the area. Ms. Talley stated that the property owner has requested the 2.992 acres be rezoned from O, Office District and R-1, Medium-Density Single Family Residential District to R-3, High Density Residential District. The developer has provided a draft site plan, but also is considering a Planned Unit Development. The plan has not yet been approved by the City as it does require further detailed review through the platting process. Ms. Talley stated that the required notifications were sent to property owners within 200' of the property. Three responses indicated in favor of the development and one response was in opposition. The Planning and Zoning Commission voted 6-1 in favor of the rezoning and staff is also supportive of the rezoning as requested. Discussion ensued regarding drainage. Ms. Talley stated that drainage will be addressed during the platting process. This area is identified on the Future Land Use map as "Transitional Residential". This is a higher-density residential use that allows this type of development that transitions between commercial and lower density residential areas. The proposed R-3 district is both appropriate for the location and fills the communities desire for walkable infill development in Boerne. The Planning and Zoning Commission voted 6-1 in favor of the proposed rezoning and Staff is also supportive of the request. Discussion continued regarding the platting process, concerns with density, and traffic.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS TO APPROVE ON FIRST READING ORDINANCE NO. 2019-10; 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 2.992 ACRES LOCATED AT 1025 E. BLANCO ROAD (KAD NO. 18967) FROM O, OFFICE DISTRICT AND R-1 MEDIUM-DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (TOMMY AND JULIE PFEIFFER). THE MOTION DIED FOR A LACK OF A SECOND.

A MOTION WAS MADE BY COUNCIL MEMBER HANDREN, SECONDED BY COUNCIL MEMBER WOLOSIN TO TABLE ON FIRST READING ORDINANCE NO. 2019-10; 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 2.992 ACRES LOCATED AT 1025 E. BLANCO ROAD (KAD NO. 18967) FROM O, OFFICE DISTRICT AND R-1 MEDIUM-DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (TOMMY AND JULIE PFEIFFER). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 3 - Council Member Wolosin, Mayor Pro Tem Woolard, and Council Member Handren

Nay: 1 - Council Member Cisneros

9. [2019-231](#) RECOGNITION OF THE PARKS AND RECREATION DEPARTMENT FOR RECEIVING THE TEXAS RECREATION AND PARK SOCIETY 2019 PROMOTIONS AND MARKETING EXCELLENCE AWARD, CLASS IV.

Mayor Schultz called on Mr. Jeff Thompson, Deputy City Manager to recognize Ms. Lissette Jimenez, Recreation Supervisor and Mr. Danny Zincke, Community Services Director in receiving the 2019 Promotions and Marketing Excellence Award from Texas Recreation and Park Society (TRAPS) for the 2018 City of Boerne Parks and Recreation Guide Book.

10. [2019-249](#) CONSIDER MAYORAL APPOINTMENTS TO THE CONVENTION AND VISITORS BUREAU ADVISORY BOARD AND TO THE UNIFIED DEVELOPMENT CODE STEERING COMMITTEE.

Mayor Schultz made a recommendation to appoint Ms. Jacqueline Bailey-Vasquez to fill the vacancy on the Convention and Visitors Bureau Advisory Board. Mr. Arnoldo Rodriguez who was the representative of Limited Service Hotels recently resigned from the Board. Mayor Schultz also made recommendations of appointments to the newly established Unified Development Code Steering Committee: Tim Handren (City Council), Ben Adam (Historic Landmark Commission Chairman), Chesney Dunning (Planning and Zoning Commissioner), Travis Roberson, Jeff Carroll, Ross Partlow, Ben Eldredge, Guy Sanders, Brian Fowler; and with City staff support: Nick Colonna, Dan Blankenship, Laura Talley, Mike Mann, Jeff Thompson, Ron Bowman and Molly Solis.

A MOTION WAS MADE BY COUNCIL MEMBER HANDREN, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE THE MAYORAL APPOINTMENTS TO THE CONVENTION AND VISITORS BUREAU ADVISORY BOARD AND TO THE UNIFIED DEVELOPMENT CODE STEERING COMMITTEE AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Handren

11. [2019-246](#) PRESENTATION BY DUANE WESTERMAN OF SAMCO CAPITAL MARKETS, INC. FOR FUNDING SOURCES FOR MAJOR EQUIPMENT AND CAPITAL IMPROVEMENTS AND CONSIDER APPROVAL OF ORDINANCE NO. 2019-11; AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS AUTHORIZING THE ISSUANCE OF "CITY OF BOERNE, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2019", LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS,

AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE AND INVESTMENT LETTER, AND AN ESCROW DEPOSIT LETTER; COMPLYING WITH THE LETTER OF REPRESENTATIONS ON FILE WITH THE DEPOSITORY TRUST COMPANY; AUTHORIZING THE EXECUTION OF ANY NECESSARY ENGAGEMENT AGREEMENTS WITH THE CITY'S FINANCIAL ADVISORS AND/OR BOND COUNSEL; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE CITY COUNCIL AND CITY STAFF TO APPROVE AND EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Schultz called on Ms. Sandy Mattick, Finance Director. Ms. Mattick introduced Duane and Nick Westerman of SAMCO Capital Markets, Inc. Duane explained debt issuance limitations and types of debt issuance. Ms. Mattick discussed Municipal Lease option for short term financing. Mr. Westerman continued with the discussion on debt issuance noting that all debt issuance must be approved by the Attorney General. He reviewed the city's debt and analysis for refunding and the outstanding debt issues for the city. Mr. Westerman presented a scenario to refund the GO Refunding Bonds, Series 2011 and realize a potential net present value of savings of \$88,310. These bonds were a reissue of previous debt for street improvements and extensions, purchase of a fire truck and purchase of the city campus land. The reissued debt will be for the balance of the current debt and paid off within the same terms of the bonds being refunded. Mr. Westerman stated that the agenda item tonight is for the City Council to consider authorization and issuance of General Obligation Refunding Bonds for the purpose of achieving debt service savings. The terms for the refunding: principal amount of Refunding issue not to exceed \$2,720,000; maximum maturity will be March 1, 2027; the true interest cost on the issue will not exceed 4%; the savings will be a minimum of 2.5% net present value savings. Discussion ensued regarding the fee structure associated with the refunding. Mr. Westerman estimated the cost to be approximately \$30,000 to \$35,000.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER HANDREN, TO APPROVE ORDINANCE NO. 2019-11; AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS AUTHORIZING THE ISSUANCE OF "CITY OF BOERNE, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2019", LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE AND INVESTMENT LETTER, AND AN ESCROW DEPOSIT LETTER; COMPLYING WITH THE LETTER OF REPRESENTATIONS ON FILE WITH THE DEPOSITORY TRUST COMPANY; AUTHORIZING THE EXECUTION OF ANY NECESSARY ENGAGEMENT AGREEMENTS WITH THE CITY'S FINANCIAL ADVISORS AND/OR BOND COUNSEL; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE CITY COUNCIL AND CITY STAFF TO APPROVE AND EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AND PROVIDING AN EFFECTIVE DATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Handren

12. [2019-203](#) RECEIVE AND CONSIDER ANNEXATION STRATEGY.

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director to discuss the City's Annexation Strategy. Ms. Talley displayed a map identifying potential areas to consider for future annexations. After multiple discussions during city council meetings, staff has determined a priority list of properties to be annexed. She discussed the criteria used for ranking the properties. It will take a few years to complete the annexations as presented. Ms. Talley stated she anticipates the Annexation Strategy will be brought to City Council annually for updates. Discussion ensued regarding changing the priority list, moving more quickly on the annexation process, and protecting the City's entrance corridor. There was also discussion on development agreements for those properties with Ag exemptions.

A MOTION WAS MADE BY COUNCIL MEMBER HANDREN, SECONDED BY COUNCIL MEMBER WOLOSIN, TO RECEIVE AND APPROVE THE ANNEXATION STRATEGY. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Handren

- 13. [2019-234](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-06; AN ORDINANCE ESTABLISHING A 35 MILE PER HOUR SPEED LIMIT ON HERFF ROAD BETWEEN RIVER ROAD (SH-46) TO MAIN STREET (US-87); AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE.**

Mayor Schultz called on Mr. Jeff Thompson to discuss the proposed speed limit on Herff Road from River Road to Main Street. Mr. Thompson stated at the last City Council meeting, there was mention of conducting a speed study to measure how safe drivers feel in a stretch of roadway. Since that meeting, Staff measured the speed for a week in four locations. The 85th percentile were between 39.9 and 43.5 mph. The average speeds were between 35.6 and 38.02 mph. Based on the geometry of the roadway as designed/constructed, Staff's recommendation is that the speed limit be set to 35 mph in the interest of long-term safety. This speed would be consistent with other City streets with the exception of Main Street.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL MEMBER HANDREN, TO APPROVE ON SECOND READING ORDINANCE NO. 2019-06; AN ORDINANCE ESTABLISHING A 40 MILE PER HOUR SPEED LIMIT ON HERFF ROAD BETWEEN RIVER ROAD (SH-46) TO MAIN STREET (US-87); AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE. THE MOTION FAILED BY THE FOLLOWING VOTE:

YEAH: 2 - COUNCIL MEMBER CISNEROS AND COUNCIL MEMBER HANDREN

NAY: 3 - MAYOR SCHULTZ, COUNCIL MEMBER WOLOSIN, AND MAYOR PRO TEM WOOLARD

A MOTION WAS MADE BY COUNCIL MEMBER WOLOSIN, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE ON SECOND READING ORDINANCE NO. 2019-06; AN ORDINANCE ESTABLISHING A 35 MILE PER HOUR SPEED LIMIT ON HERFF ROAD BETWEEN RIVER ROAD (SH-46) TO MAIN STREET (US-87); AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 3 - MAYOR SCHULTZ, COUNCIL MEMBER WOLOSIN, AND MAYOR PRO TEM WOOLARD

NAY: 2 - COUNCIL MEMBER CISNEROS AND COUNCIL MEMBER HANDREN

14. [2019-245](#) LEGISLATIVE UPDATE.

Mayor Schultz called on Ms. Molly Solis, City Attorney. Ms. Solis stated that currently there are a total of 8546 bills filed this session; 5676 House Bills and 2870 Senate Bills. She reviewed city related bills in the legislature and the current status of the bills.

15. COMMENTS FROM COUNCIL/ STAFF – No discussion or action may take place.

No comments were received.

16. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE: CITY COUNCIL MAY, AS PERMITTED BY LAW, ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY MATTER LISTED ABOVE INCLUDING IF THEY MEET THE QUALIFICATIONS IN SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION REGARDING REAL PROPERTY), 551.073 (DELIBERATION REGARDING GIFTS), 551.074 (PERSONNEL/OFFICERS), 551.076 (DELIBERATION REGARDING SECURITY DEVICES), AND SECTION 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS) OF CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. (If needed)

City Council did not convene into Executive Session.

17. ADJOURNMENT

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TO ADJOURN THE CITY COUNCIL MEETING AT 7:57 P.M. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Cisneros, and Council Member Handren

Approved:

Mayor

Attest:

City Secretary