

Minutes of the City Council Workshop of May 22, 2018 at 4:30 p.m.

Absent: 2 - Mayor Michael Schultz, and Council Member Tim Handren

Mayor Schultz arrived at 4:59 p.m.

Staff Present: Ron Bowman, Siria Arreola, Pam Bransford, Lori Carroll, Jim Kohler, Doug Meckel, Mike Raute, Angie Rios, Kelly Skovbjerg, Laura Talley, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke.

Recognized/Registered Guests: Jason Repak, Nicholas Repak, Jacob Repak, and Alison Church.

1. CALL TO ORDER – 4:30 PM

Mayor Pro Tem Woolard called the City Council to order at 4:30 p.m.

2. WORKSHOP DISCUSSION:

2.A. 2018-398 Boerne Master Plan Update.

Mayor Pro Tem Woolard called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley reminded the City Council that Burditt Consultants were initially hired to update the City's Master Plan. Burditt had a change in staff and no longer able to satisfactorily proceed with the City's project. Halff Associates, took over the process and continued with the information Burditt supplied. With the change in consultants, the timeline had to be adjusted. The process continued with 13 focus group meetings, multiple City Staff committee meetings, 11 Master Plan Steering Committee meetings,

and an online survey that brought over 1,700 responses. There were three open houses and two joint meetings (Master Plan Steering Committee, City Council, and Planning and Zoning Commission). City Staff is currently editing the document and will provide City Council one chapter at a time. The community will also have an opportunity to add additional comments. Ms. Talley reminded the City Council that this is a document of guidance. Staff will review it annually and make adjustments every five years. Discussion ensued regarding the number of responses from individuals outside the City, expansion of our gateways with the growth of the City, funding and challenges related to the Parks Master Plan, drainage and the impact on developments. Ms. Talley stated that the National Oceanic and Atmospheric Administration (NOAA) is in the process of being updated to coincide with the Federal Emergency Management Agency (FEMA). City Manager Ron Bowman stated that there are always challenges when going through the budget process with funding for items in the Master Plan. The City Council and Staff will continue to make decisions that don't over burden the taxpayers. More can be achieved if the City has willing partners. Staff will schedule meetings with the City Council to review the Master Plan document.

3. ADJOURNMENT

The City Council Workshop was adjourned at 5:18 p.m.

MINUTES

REGULAR CITY COUNCIL MEETING

CITY COUNCIL CHAMBERS

124 Old San Antonio Road

Boerne, TX 78006

May 22, 2018 – 6:00 PM

Minutes of the Regular Called City Council meeting of May 22, 2018 at 6:00 p.m.

Present: 5 - Mayor Michael Schultz, Council Member Joe Anzollitto, Mayor Pro Tem Nina Woolard, Council Member Ron Cisneros, and Council Member Steven Tye

Absent: 1 - Council Member Tim Handren

Staff Present: Ron Bowman, Siria Arreola, Pam Bransford, Lori Carroll, Jim Kohler, Doug Meckel, Mike Raute, Angie Rios, Kelly Skovbjerg, Laura Talley, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke.

Recognized/Registered Guests: Jason Repak, Nicholas Repak, Jacob Repak, Alison Church, Trista Fugate, and Jeff Carroll.

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:

Trista Fugate, Community Engagement Director with Pedernales Electric Cooperative (PEC), invited the City Council to PEC's annual meeting, June 23, 2018 at Smithson Valley High School in Spring Branch. The meeting will begin at 10:30 a.m. to include voting for District 1 at the meeting. Ms. Fugate stated that election materials will be mailed this week. In celebration of PEC's 80th anniversary, there will be activities for adults as well as children from 11:30 a.m. to 1:30 p.m. Ms. Fugate distributed cards with information regarding the event to the City Council Members.

4. CONSENT AGENDA:

4.A. [2018-385](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 8, 2018 AND THE SPECIAL CALLED CITY COUNCIL MEETING OF MAY 10, 2018 (City Hall Groundbreaking).

THE MINUTES WERE APPROVED.

4.B. [2018-386](#) **CONSIDER RESOLUTION NO. 2018-R38; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Thermal Imaging Cameras for Fire Department)**

THE RESOLUTION WAS APPROVED.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY MAYOR PRO TEM WOOLARD 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 Cisneros, and Council Member Tye

Absent: 1 - Council Member Handren

5. [2018-394](#) **CONSIDER ANNUAL MAYORAL APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.**

Mayor Schultz reviewed the list of recommended appointments to the various Boards and Commissions: Official Appointments - reappoint Municipal Court Judge Ed Phillips, Alternate Municipal Court Judge Lawrence Morales, Municipal Court Prosecutor Dana Jacobson, Alternate Municipal Court Prosecutor Michael Latimer, Cemetery Sextons Dusty Fisher and William Holt; Public Housing Authority - appoint Vice Chair Mary Jelley, and appoint Member Allen Taha; Planning and Zoning Commission - Appoint Member Bob Cates to Place 9, appoint Joe Davis as Chairman, reappoint Secretary Patrick Cohoon, and appoint Chesney Dunning to replace Tres Paxton, III at Place 7; Zoning Board of Adjustments - reappoint Bill Kessler as Chairman, appoint Cayman Gentry to Member replacing Chris Taylor, appoint Rich McCormick as Member replacing Jim Terrian, and appoint Alan Thompson as an Alternate; Boerne Public Library - reappoint Greg "Woody" Woodard as Vice Chairman and reappoint Karen Hill as a Member; Convention and Visitors Bureau Advisory Board - reappoint Jennifer Rabb Faz as a Member, appoint Mary Kanafani (Venue) as a Member replacing Nancy Winchester, appoint Taylor Covington (Full Service Hotel) as a Member replacing Ed McClure, and appoint Cristal Bitar (Limited Service Hotel) as a Member replacing Hilary Harper; Utility Group - reappoint Mike Schultz and appoint Nina Woolard; Governmental Round Table - reappoint Mike Schultz.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE THE ANNUAL MAYORAL APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Handren

6. [2018-395](#) CONSIDER THE UNTABLING OF ORDINANCE NO. 2018-16 AS DESCRIBED BELOW. (Tabled on 5/8/2018)

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE THE UNTABLING OF ORDINANCE NO. 2018-16 AS DESCRIBED BELOW. (TABLED ON 5/8/2018). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Handren

7. [2018-393](#) CONSIDER ON FIRST READING ORDINANCE NO. 2018-16; 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 4.349 ACRES LOCATED AT 12 HERFF ROAD (KAD NO. 15815) FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT (+/- .8 ACRES) AND B-2, HIGHWAY COMMERCIAL DISTRICT (+/- 3.5 ACRES); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (ProCore Developments)

Mayor Schultz stated that the request to rezone 12 Herff Road has been withdrawn. No action will be taken.

8. [2018-392](#) CONSIDER ON FIRST READING ORDINANCE NO. 2018-17; 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. (5.032 acres located at 5 Coughran Road, KAD Nos. 14889 and 14890, to include a portion of Coughran Road at the request of Alejandro Gutierrez)

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director to discuss the proposed annexation of 5 Coughran Road. Ms. Talley displayed a map of the property location. She stated the annexation also includes a portion of Coughran Road. The developer would like to construct an office complex on the property.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE ON FIRST READING ORDINANCE NO. 2018-17; 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. (5.032 ACRES LOCATED AT 5 COUGHRAN ROAD, KAD NOS. 14889 AND 14890, TO INCLUDE A PORTION OF COUGHRAN ROAD AT THE REQUEST OF ALEJANDRO GUTIERREZ). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Handren

9. [2018-400](#) CONSIDER RESOLUTION NO. 2018-R39; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE

A LEASE AGREEMENT BETWEEN THE CITY OF BOERNE AND CENTERPOINT ENERGY FOR A COMPRESSED NATURAL GAS TANK. (Backup supply for the natural gas system during an upcoming transmission main outage)

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann stated that in 2008, the City was notified by the natural gas supplier West Texas Gas that the natural gas transmission lines that feed the City of Boerne would be shut down for maintenance. At that time, the City was able to work with Grey Forest Utilities to back-feed the City's entire system. On May 9, 2018 West Texas Gas contacted City Staff with a 30 day notice that the natural gas transmission line that serves both the City's substations will experience a planned outage of up to 18 days for mandatory maintenance of the pipeline for regulatory reasons. Grey Forest Utilities was contacted and they feel certain they can back-feed Boerne's entire system. It is likely that Boerne would see no interruption of service. However, Staff feels a back-up plan needs to be in place. It is Staff's recommendation to contract with Center Point Energy for use of a mobile compressed natural gas tanker. Discussion ensued regarding increasing the amount from \$25,000 to \$43,000 to cover any worst-case scenario. Mr. Mann stated that the public will be notified and the City Council will be notified when a decision is made on the project.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE RESOLUTION NO. 2018-R39; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT BETWEEN THE CITY OF BOERNE AND CENTERPOINT ENERGY FOR A COMPRESSED NATURAL GAS TANK IN AN AMOUNT NOT TO EXCEED \$43,000. (BACKUP SUPPLY FOR THE NATURAL GAS SYSTEM DURING AN UPCOMING TRANSMISSION MAIN OUTAGE). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Handren

10. [2018-397](#) CALL FOR A PUBLIC HEARING FOR JUNE 12, 2018 TO CONSIDER THE RECOMMENDATION RECEIVED FROM THE PLANNING AND ZONING COMMISSION REGARDING AMENDMENTS TO THE CITY

OF BOERNE'S 2018 COMPREHENSIVE MASTER PLAN.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER TYE, TO CALL FOR A PUBLIC HEARING FOR JULY 10, 2018 TO CONSIDER THE RECOMMENDATION RECEIVED FROM THE PLANNING AND ZONING COMMISSION REGARDING AMENDMENTS TO THE CITY OF BOERNE'S 2018 COMPREHENSIVE MASTER PLAN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Handren

11. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR JUNE 12, 2018:

11.A.[2018-388](#) PROPOSED PERMANENT ZONING OF 140 ENTERPRISE PARKWAY, A TOTAL OF 4.987 ACRES, FROM TEMPORARY ZONING OF R-A, SINGLE-FAMILY RESIDENTIAL - AGRICULTURAL DISTRICT TO I-INDUSTRIAL DISTRICT, KAD NOS. 12259 AND 12255. (Heller- Bird Real Properties LLC)

11.B.[2018-387](#) PROPOSED PERMANENT ZONING OF THE WASTEWATER TREATMENT AND RECYCLING CENTER, KAD NO. 38976, A TOTAL OF 13.327 ACRES LOCATED AT 41 OLD SAN ANTONIO ROAD, FROM TEMPORARY ZONING OF R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL DISTRICT TO B-2R, HIGHWAY COMMERCIAL-RESTRICTED DISTRICT. (City of Boerne)

11.C.[2018-390](#) PROPOSED USE OF AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 30725 AND 30775 INTERSTATE 10 WEST (.382 ACRES, KAD NO. 12202 AND +/- .71 ACRES OUT OF 1.627 ACRES KAD NO. 12288). (Michael Buie, Hovey used car dealership)

11.D.[2018-391](#) PROPOSED USE OF AUTOMOBILE SALES IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 30775 AND 30875 INTERSTATE 10 WEST (+/- .68 ACRES OUT OF 1.627 ACRES, KAD NO. 12288, AND +/- .86 ACRES OUT OF 5.587 ACRES, KAD NO.

63761). (Michael Buie, Polaris ATV dealership)

11.E. [2018-389](#) PROPOSED REZONING OF 5.48 ACRES AT 235 FREY STREET, KAD NO. 15884, FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY DISTRICT TO R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT. (Boerne United Pentecostal Church, Dave Luciani)

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER TYE TO RECEIVE THE RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION AND SET PUBLIC HEARINGS FOR JUNE 12, 2018. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Handren

12. [2018-399](#) DISCUSSION ON ESTABLISHMENT AND IMPLEMENTATION OF A STORM WATER UTILITY.

Mayor Schultz called on Mr. Mann, Public Works Director. Mr. Mann explained with the storm water issues becoming more predominant as the City annexes properties especially those areas with drainage impaired areas and roadways. Staff feels it necessary to consider the implementation of a Storm Water Utility. Staff is working with Kimley-Horn Consultants on the process. Once an agreement has been worked out with the consultants, Staff will bring it to City Council for consideration. Discussion ensued whether the fees would be assessed to the taxpayer or the property owner and how the fee would be determined. It was the consensus of the City Council Members to proceed with discussions with Kimley-Horn Consultants.

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

Deputy City Manager Jeff Thompson distributed information regarding the Southglen Development to the City Council Members. The information included a memo from the developers stating they have taken several actions to remedy erosion controls.

Special Projects Director Paul Barwick updated the City Council on the Boerne

Trail Expansion Project. It is anticipated the project will be completed the end of July, 2018.

Police Chief Jim Kohler discussed recent burglaries in Boerne. He urged everyone to lock their vehicles and don't leave things inside the vehicle. He also urged everyone to notify the police regarding suspicious persons or vehicles.

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

Mayor Schultz convened the City Council into Executive Session at 6:58 p.m. and ask those requested to participate to adjourn to the Executive Session Convergence Room.

14.A.[2018-396](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY

No action was taken.

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

Mayor Schultz reconvened the City Council into Executive Session at 7:11 p.m.

No action was taken.

16. ADJOURNMENT

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER TYE, TO ADJOURN THE CITY COUNCIL MEETING AT 7:12 P.M. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Council Member Handren

Approved:

Mayor

Attest:

City Secretary