STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
OCTOBER 5, 2015
6:00 PM

On this the 5th day of October, 2015, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
JERRY LUCKENBACH - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: BOBBY WATSON - COUNCIL MEMBER

ALSO PRESENT:
KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
PAT McGOWAN - CITY ATTORNEY
CLINTON BAILEY - D.P.W.U.
BRIAN JORDAN -
LAURA HOLLENBEAK – DIR OF FINANCE
RUSSELL IMMEL – IT MANAGER
STEVE WETZ – POLICE CHIEF

The meeting was called to order at 6:00 PM., followed by the Pledge of Allegiance.

RESOLUTION AUTHORIZING LEASE PURCHASE FINANCING FOR ACQUISITION OF EQUIPMENT – It was moved by Council Member Pearson, seconded by Council Member Luckenbach, to adopt the Resolution Authorizing the Lease Purchase Financing for the Acquisition of Equipment as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Pearson, and Luckenbach. Nay: None. Motion carried.

RESOLUTION
DECLARATION OF OFFICIAL INTENT RESOLUTION

Lessee: City of Fredericksburg
Principal Amount Expected To Be Financed: $827,709.00

WHEREAS, the above Lessee is a political subdivision of the State in which Lessee is located (the "State") and is duly organized and existing pursuant to the constitution and laws of the State.

WHEREAS, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee.

WHEREAS, the Governing Body hereby finds and determines that the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding the amount stated above ("Principal Amount") for the purpose of acquiring the property generally described below ("Property") and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee.

Brief Description of Property: Dump Truck and Bobcat for the Street Department
Leaf Loader and Side Load Garbage Truck for the Solid Waste Department
Four (4) Heart Monitors and an Ambulance Remount for the EMS

WHEREAS, the Lessee may pay certain capital expenditures in connection with the Property prior to its receipt of proceeds of the Equipment Leases ("Lease Purchase Proceeds") for such expenditures and such expenditures are not expected to exceed the Principal Amount.

WHEREAS, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

NOW, THEREFORE, Be It Resolved by the Governing Body of the Lessee:

SECTION 1. Either one of the City Manager OR the Director of Finance (each an "Authorized Representative") acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

SECTION 2. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

SECTION 3. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

SECTION 4. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute a general obligations of the Lessee or indebtedness under the Constitution or laws of the State.

SECTION 5. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

SECTION 6. As to each Equipment Lease, Lessee hereby designates each Equipment Lease as a "qualified tax-exempt obligation" for the purposes of and within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended ("Code") and Lessee reasonably anticipates that the total amount of Section 265 Tax-Exempt Obligations to be issued during the current calendar year by Lessee, or by an entity controlled by Lessee or by another entity the proceeds of which are loaned to or allocated to Lessee for purposes of Section 265(b) of the Code will not exceed $10,000,000. "Section 265 Tax-Exempt Obligations" are obligations the interest on which is excludable from gross income of the owners thereof under Section 103 of the Code, except for private activity bonds other than qualified 501(c)(3) bonds, both as defined in Section 141 of the Code.

SECTION 7. This Resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED on this October 5, 2015.

The undersigned Secretary/Clerk of the above-named Lessee hereby certifies and attests that the undersigned has access to the official records of the Governing Body of the Lessee, that the foregoing resolutions were duly adopted by said Governing Body of the Lessee at a meeting of said Governing Body and that such resolutions have not been amended or altered and are in full force and effect on the date stated below.

Signature of Secretary/Clerk of Lessee
Print Name: Shelley Britton
Official Title: City Secretary
Date: October 5, 2015

CONTRACT FOR UPPER PRESSURE PLANE PIPELINE CONSTRUCTION – It was moved by Council Member Pearson, seconded by Council Member Luckenbach, to award the Contract for the Upper Pressure Plane Pipeline Project to Skyblue Utilities in the amount of $453,681.62 as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Pearson, and Luckenbach. Nay: None. Motion carried.

REPORT ON ARUNDO DONAX – Council received an update on the Arundo Donax project.

CITY MANAGER'S REPORT – City Manager Kent Myers reported on (1) Fire Chief Recruitment, (2) RFP Response – Golf Course Grill, (3) City Council Retreat, (4) City Council/CVB Board Meeting and (5) Employee Recognitions

PUBLIC COMMENTS – Mo Saiide thanked Council for all their work on the budget.

COUNCIL COMMENTS – Graham Pearson reported on various meetings attended.

EXECUTIVE SESSION - It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to recess the regular session and go into Executive Session at 7:00 PM. All voted in favor and the motion carried. At 7:38 PM, it was moved by Council Member Luckenbach, seconded by Council Member Pearson, to adjourn the Executive Session and reconvene the regular session. All voted in favor and the motion carried.

The following items were discussed in Executive Session:

CONSULTATION WITH ATTORNEY RE CHARTER AMENDMENT - No action was taken.

PROPOSED TERMS OF ECONOMIC DEVELOPMENT AGREEMENT FOR UFER STREET HOTEL PROJECT – No action taken.

With no further discussion, Council Member Pearson made a motion to adjourn the meeting at 7:38 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of December, 2015.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

*   *   *   *   *   *   *   *   *   *   *   *   *

STATE OF TEXAS	**SPECIAL CITY COUNCIL MEETING**
COUNTY OF GILLESPIE	**OCTOBER 14, 2015**
CITY OF FREDERICKSBURG	**11:30 AM**

On this the 14th day of October, 2015, the City Council of the CITY OF FREDERICKSBURG convened in special session at City Hall, with the following members present to constitute a quorum:

GRAHAM PEARSON - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: LINDA LANGERHANS – MAYOR

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON – CITY SECRETARY

INSTITUTION OF ANNEXATION PROCEEDINGS OF APPROXIMATELY 18.156 ACRES OUT OF THE WILLIAM H. ANDERSON SURVEY NO 197, ABSTRACT NO. 2, OTHERWISE KNOWN AS STONE RIDGE UNIT 9 – It was moved by Council Member Watson, seconded by Council Member Luckenbach, to approve the Institution of Annexation Proceedings of Approximately 18.156 Acres out of the William H. Anderson Survey No 197, Abstract No. 2, otherwise known as Stone Ridge Unit 9. All voted in favor and the motion carried.

With no further discussion, Council Member Pearson made a motion to adjourn the meeting at 11:38 AM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of December, 2015.

____________________________	____________________________
SHELLEY BRITTON, CITY SECRETARY	LINDA LANGERHANS, MAYOR

*   *   *   *   *   *   *   *   *   *   *   *   *

STATE OF TEXAS	**REGULAR CITY COUNCIL MEETING**
COUNTY OF GILLESPIE	**OCTOBER 19, 2015**
CITY OF FREDERICKSBURG	**7:00 PM**

On this the 19th day of October, 2015, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
BOBBY WATSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER
GRAHAM PEARSON – COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT:
KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
LAURA HOLLENBEAK – DIR OF FINANCE
PAT McGOWAN - CITY ATTORNEY
CLINTON BAILEY - D.P.W.U.
BRIAN JORDAN – DIR OF DEVELOPMENT SERVICES
BRIAN HALEY – LIEUTENANT

The meeting was convened at 7:00 PM following the Pledge of Allegiance.

PUBLIC HEARING ON Z-1516 FOR A CONDITIONAL USE PERMIT ON THE STANDARDIZED BUSINESS (Spice & Tea Exchange) IN THE HISTORIC DISTRICT OVERLAY AT 401 E. MAIN STREET– It was moved by Council Member Luckenbach, seconded by Council Member Watson, to recess the regular session and open the public hearing on Z-1516 for a Conditional Use Permit on the Standardized Business (Spice & Tea Exchange) in the Historic District Overlay at 401 E Main Street. All voted in favor and the motion carried.

Comments were received by Joel Marshall, Stewart Behrends, Daryl Whitworth, and Judy Vordenbaum.

It was moved by Council Member Luckenbach, seconded by Council Member Watson, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

RECOMMENDATION RE: Z-1516 – Based on the recommendation of the Planning & Zoning Commission and staff, it was moved by Council Member Neffendorf, seconded by Council Member Pearson, to deny Z-1516 for a Conditional Use Permit on the Standardized Business (Spice & Tea Exchange) in the Historic District Overlay at 401 E Main Street. The vote was as follows: Aye: Neffendorf, Luckenbach, Watson, and Pearson. NAY: Langerhans. Motion carried.

EXTENSION OF SIDEWALK CONTRACT WITH HAZELETT CONSTRUCTION – It was moved by Council Member Luckenbach, seconded by Council Member Pearson, to approve the extension of the sidewalk contract with Hazelett Construction through September 30, 2016. The vote was as follows: Aye: Langerhans, Neffendorf, Luckenbach, Watson, and Pearson. NAY: None. Motion carried.

COMMUNICATIONS PLAN – Communications Manager Juli Bahlinger presented the plan formalized by the Communications Committee for the 2015-2016 Fiscal Year.

CITY MANAGER'S REPORT - City Manager's Report included (1) Golf Course Grill, (2) Fire Chief Interview Process, (3) City Council Retreat, (4) City Council/CVB Board Meeting, and (5) AACOG Regional Transportation Meeting.

PUBLIC COMMENTS – Tom Musselman commented on Formula Businesses.

COUNCIL COMMENTS – Council Members commented on various board meetings attended.

EXECUTIVE SESSION - It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to recess the regular session and go into Executive Session at 8:30 PM. All voted in favor and the motion carried. At 9:24 PM, it was moved by Council Member Luckenbach, seconded by Council Member Watson, to adjourn the Executive Session and reconvene the regular session. All voted in favor and the motion carried.

The following items were discussed in Executive Session:

REAL ESTATE – DISCUSS ADDITIONAL POTENTIAL SITES FOR VARIOUS CITY OFFICES - No action was taken.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 9:25 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of December, 2015.

* * * * * * * * * * * * *

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
OCTOBER 21, 2015
9:30 AM

On this the 21st day of October, 2015, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Hill Country University Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
GRAHAM PEARSON - COUNCIL MEMBER

GARY NEFFENDORF - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER (arrived at 11:00 am)

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - D.P.W.U.

REGIONAL TRANSPORTATION PLANNING WORKSHOP – Council attended a workshop of the Alamo Regional Rural Planning Organization (ARRPO). No action was taken.

PASSED AND APPROVED this the 7th day of December, 2015.

______________________________ ______________________________

SHELLEY BRITTON, CITY SECRETARY LINDA LANGERHANS, MAYOR

* * * * * * * * * * * * *

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

CITY COUNCIL RETREAT
OCTOBER 22, 2015
8:30 AM

On this the 22nd day of October, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Hill Country University Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
GARY NEFFENDORF - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER

CITY COUNCIL RETREAT – Council held a quarterly retreat to discuss a variety of issues, including: (1) Report and Discussion on Large Single Family Structures, (2) Report and Discussion on City Noise Regulations, (3) Report and Discussion on Costs for City Support of Special Events and Possible New Event Fees, (4) Discussion on Plans for Financing and Construction of New Animal Shelter, and (5) Process for Requesting, Approving and Reporting on Use of HOT Funds. (The final topic was postponed until the November 2nd 2015 City Council meeting due to lack of time.)

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 1:00 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of December, 2015.

SHELLEY BRITTON, CITY SECRETARY	LINDA LANGERHANS, MAYOR

* * * * * * * * * * * * * *

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
OCTOBER 27, 2015
5:15 PM

On this the 27th day of October, 2015, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Hill Country University Center, with the following members present to constitute a quorum:

GARY NEFFENDORF - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER

ABSENT: LINDA LANGERHANS - MAYOR

ALSO PRESENT: KENT MYERS - CITY MANAGER

WORKSHOP WITH FCVB BOARD TO DISCUSS CONFERENCE CENTER FEASIBILITY STUDY – Council attended a workshop with the FCVB Board to discuss the Conference Center Feasibility Study; no action was taken.

PASSED AND APPROVED this the 7th day of December, 2015.

SHELLEY BRITTON, CITY SECRETARY	LINDA LANGERHANS, MAYOR