

**MINUTES  
CITY COUNCIL WORKSHOP  
CITY COUNCIL CHAMBERS  
124 Old San Antonio Road  
Boerne, TX 78006  
December 15, 2015 – 5:00 p.m.**

Minutes of the City Council Workshop of December 15, 2015 at 5:00 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, Ovidio Flores, Jim Kohler, Mike Mann, Mark Mattick, Sandy Mattick, Antony Moy, Mike Raute, Laura Talley, Jeff Thompson, Chris Turk, Siria Vargas, and Danny Zincke.

**Recognized / Registered Guests:** No guests registered.

**1. CALL TO ORDER – 5:00 PM**

Mayor Schultz called the City Council Workshop to order at 5:00 p.m.

**2. WORKSHOP DISCUSSION:**

**2A. Briefing On Preliminary Design And Proposed Renovations For Optimist Park**

Mayor Schultz called on Mr. Danny Zincke, Parks and Recreation Director. Mr. Zincke displayed a map of the location of Optimist Park. He stated that renovations to the Park was a top priority in the 2012-2022 Parks, Recreation, and Open Space Master Plan. It is Staff's intent to renovate the Park to compliment the unique landscape while meeting ADA requirements. He displayed the proposed plan for the Park, the cost estimate with bid alternatives, and the time schedule. Discussion ensued regarding the pavilion, cost and scope of work, naming rights, fencing, and the possibility of completing the renovations by June for school age children to enjoy.

**3. ADJOURNMENT**

Mayor Schultz adjourned the City Council Workshop at 5:19 p.m.

**AGENDA  
REGULAR CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
124 Old San Antonio Road  
Boerne, TX 78006  
December 15, 2015 – 6:00 PM**

Minutes of the Regular City Council meeting of December 15, 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, Ovidio Flores, Jim Kohler, Mike Mann, Mark Mattick, Sandy Mattick, Antony Moy, Mike Raute, Laura Talley, Jeff Thompson, Chris Turk, Siria Vargas, and Danny Zincke.

**Recognized / Registered Guests:** Gail Yovanovich, Debbie DeLoach, Sally Pena, Paul Giguere, and Sylvia Bailiff

**1. CALL TO ORDER – 6:00 PM**

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

Mayor Schultz asked for a Moment of Silence and led the Pledge of Allegiance to United States Flag and the Texas Flag.

Mayor Schultz stated that agenda item #17 will be taken before agenda item #15.

**2. CONFLICTS OF INTEREST**

No conflicts were declared.

**3. PUBLIC COMMENTS:**

No comments were received.

**4. CONSENT AGENDA:**

**4A. Approval of Minutes from the November 24, 2015 Regular City Council Meeting**

THE MINUTES WERE APPROVED.

**4B. Consider On Second Reading Ordinance No. 2015-44; 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. (3.915 Acres Located 35 Cascade Caverns Road - PID 12245 - At The Request Of Currey Creek Baptist Church Of Boerne)**

THE ORDINANCE WAS APPROVED.

**4C. Receive And Consider Amendments To The City Of Boerne's Investment Policy.**

THE AMENDMENTS TO THE INVESTMENT POLICY WERE APPROVED.

APPROVAL OF THE CONSENT AGENDA:

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY MAYOR PRO TEM CISNEROS 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. CONSIDER ON SECOND READING ORDINANCE NO. 2015-43; AN ORDINANCE OF THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, CHAPTER 22, UTILITIES, AMENDING ARTICLE II. WATER SYSTEM, SEC. 22-41. PROHIBITED USES OF WATER - YEAR ROUND RESTRICTIONS; SEC. 22-51. GENERALLY; SEC. 22-52. WATER SOURCES; SEC. 22-53. EMERGENCY ACTION BY CITY MANAGER; SEC. 22-54. APPLICATION; SEC. 22-55. CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES (EXCEPT WHEN A CRITICAL WATER SHORTAGE EXISTS; SEC. 22-56. DROUGHT RESPONSE STAGES; (A) STAGE I; (B) *STAGE II.* ; (C) *STAGE III.*; (D) *STAGE IV*; SEC. 22-57. DESIGNATED OUTSIDE WATER USE DAYS; SEC. 22-59. ENFORCEMENT; AND ESTABLISHING A PENALTY NOT TO EXCEED \$1,000 FOR VIOLATIONS OF THE ORDINANCE.**

Mayor Schultz called on Mr. Jeff Thompson, Deputy City Manager. Mr. Thompson reviewed the modifications to the Drought Ordinance since the first reading of the Ordinance which included reclaimed water restrictions, authorization by the City Manager to make drought stage decisions, determination of Stage III watering restrictions, and the fine based on offenses.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER BOYD IV, THAT THIS ORDINANCE BE APPROVED ON SECOND READING ORDINANCE NO. 2015-43; AN ORDINANCE OF THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, CHAPTER 22, UTILITIES, AMENDING ARTICLE II. WATER SYSTEM, SEC. 22-41. PROHIBITED USES OF WATER - YEAR ROUND RESTRICTIONS; SEC. 22-51. GENERALLY; SEC. 22-52. WATER SOURCES; SEC. 22-53.

EMERGENCY ACTION BY CITY MANAGER; SEC. 22-54. APPLICATION; SEC. 22-55. CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES (EXCEPT WHEN A CRITICAL WATER SHORTAGE EXISTS; SEC. 22-56. DROUGHT RESPONSE STAGES; (A) STAGE I; (B) STAGE II. ; (C) STAGE III.; (D) STAGE IV; SEC. 22-57. DESIGNATED OUTSIDE WATER USE DAYS; SEC. 22-59. ENFORCEMENT; AND ESTABLISHING A PENALTY NOT TO EXCEED \$1,000 FOR VIOLATIONS OF THE ORDINANCE. 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

**6. CONSIDER ON FIRST READING ORDINANCE NO. 2015-45; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 5, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II CONSTRUCTION STANDARDS, SECTION 5-36, ARTICLE III, MECHANICAL CODE, SECTIONS 5-61, ARTICLE IV, GAS, SECTION 5-86, ARTICLE V, PLUMBING, SECTIONS 5-111, ARTICLE VI, EXISTING BUILDING CODE, SECTION 5-136, ARTICLE VII, ELECTRICAL CODE, SECTION 5-232, SECTION 5-236, AND ARTICLE X, HOUSING CODE, SECTION 5-266.**

Mayor Schultz called on Mr. Chris Turk, Planning and Community Development Director. Mr. Turk stated that the various building regulations are periodically updated. Staff recommended that the City adopt the various building codes to the 2015 Codes and that the National Electric Code be updated to the 2014 Codes which is most recent. Discussion ensued regarding the update in the Codes which may cause an increase in construction costs to the developers and contractors.

A MOTION WAS MADE BY COUNCIL MEMBER HABERSTROH, SECONDED BY COUNCIL MEMBER WOOLARD, THAT THIS ORDINANCE BE TABLED UNTIL THE JANUARY 26, 2016 MEETING ORDINANCE NO. 2015-45; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 5, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II CONSTRUCTION STANDARDS, SECTION 5-36, ARTICLE III, MECHANICAL CODE, SECTIONS 5-61, ARTICLE IV, GAS, SECTION 5-86, ARTICLE V, PLUMBING, SECTIONS 5-111, ARTICLE VI, EXISTING BUILDING CODE, SECTION 5-136, ARTICLE VII, ELECTRICAL CODE, SECTION 5-232, SECTION 5-236, AND ARTICLE X, HOUSING CODE, SECTION 5-266.. 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 ON FIRST READING ORDINANCE NO. 2015-46; AN ORDINANCE REPEALING AND REPLACING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 16 PARKS AND RECREATION; AND PROVIDING FOR A PENALTY OF NOT MORE THAN \$200 FOR VIOLATION OF ANY PROVISION OF THIS ORDINANCE.**

Mayor Schultz called on Mr. Danny Zincke, Parks and Recreation Director. Mr. Zincke reviewed the modifications to the Parks and Recreation Ordinance to include length and frequency of facility rentals, removal of restrictions on City Park Road, cancellation of scheduled events during times of inclement weather, adding the Amphitheater to the list of facilities, and eligibility for rental requirements. Discussion ensued regarding the five day permit time which effects events such as Dickens On Main and Berges Fest.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER BOYD IV, TO APPROVE ON FIRST READING ORDINANCE NO. 2015-46; AN ORDINANCE REPEALING AND REPLACING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 16 PARKS AND RECREATION; AND PROVIDING FOR A PENALTY OF NOT MORE THAN \$200 FOR VIOLATION OF ANY PROVISION OF THIS ORDINANCE. 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-R120; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (10.598 acres located at 38 Cascade Caverns Road - KAD 46739 - at the request of Hill Country Daily Bread)**

Mr. Chris Turk stated that staff has received a petition from the property owner to annex 10.598 acres located at 38 Cascade Caverns Road. He reminded the City Council of the Development Agreement currently in place with Hill Country Daily Bread to annex the property once it becomes contiguous to the city limits. He displayed a map of the property location. Staff recommended approval of Resolution No. 2015-R120 setting the time and place of the two required public hearings.

A MOTION WAS MADE BY COUNCIL MEMBER BERGMANN, SECONDED BY COUNCIL MEMBER BOYD IV, TO APPROVE RESOLUTION NO. 2015-R120; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (10.598 ACRES LOCATED AT 38 CASCADE CAVERNS ROAD – KAD 46739 - AT THE REQUEST OF HILL COUNTRY DAILY BREAD). 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-R121; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (2.288 Acres of land being part of Old San Antonio Road and 1.249 Acres of land being part of Herff Road, at the request of Judge Lux for Kendall County.)**

Mr. Chris Turk continued with the explanation of the proposed annexation of the right of way of Herff Road and Old San Antonio Road at the request of the Kendall County Judge. He displayed a map of the property location. Staff recommended approval of Resolution NO. 2015-R121 setting the date and time for the required two public hearings.

A MOTION WAS MADE BY COUNCIL MEMBER BERGMANN, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE RESOLUTION NO. 2015-R121; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (2.288 ACRES OF LAND BEING PART OF OLD SAN ANTONIO ROAD AND 1.249 ACRES OF LAND BEING PART OF HERFF ROAD, AT THE REQUEST OF JUDGE LUX FOR KENDALL COUNTY). 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-R122; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Electric Distribution materials for Woods of Boerne Unit 3 and Unit 4)**

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann explained that the City will provide material and installation of the electric distribution materials for Woods of Boerne Unit 3 and 4 and the developer will reimburse the City. The materials will be purchased through the LCRA/Techline Cooperative Purchasing Program. Staff recommended approval of Resolution No. 2015-R122 in the amount of \$115,615.25.

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE RESOLUTION NO. 2015-R122; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER NOT TO EXCEED \$115,615.25. (ELECTRIC DISTRIBUTION MATERIALS FOR WOODS OF BOERNE UNIT 3 AND UNIT 4). 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-R123; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT WITH THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF GREATER SAN ANTONIO (YMCA).**

Mayor Schultz called on Ms. Kirsten Cohoon, City Attorney. Ms. Cohoon introduced the YMCA directors in the audience. She briefly reviewed the lease agreement between the City of Boerne and YMCA. She stated that the YMCA Board has approved the agreement. Staff recommended approval of Resolution No. 2015-R123.

A MOTION WAS MADE BY COUNCIL MEMBER HABERSTROH, SECONDED BY COUNCIL MEMBER BOYD IV, TO APPROVE RESOLUTION NO. 2015-R123; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT WITH THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF GREATER SAN ANTONIO (YMCA). 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-R124; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONSULTING AND RETAINER AGREEMENT WITH VERIFI LABORATORY, INC. (Digital forensic services.)**

Mayor Schultz called on Police Chief Jim Kohler. Chief Kohler explained how the digital forensic services are used. He noted to date, VeriFi Labs has examined over 25 electronic devices that have assisted with the prosecution of several offenders at no cost to the City. The Boerne Police Department currently does not have the equipment, training, or manpower to extract data from cell phones, tablets, and computers for criminal investigation purposes. Staff recommended approval of Resolution No. 2015-R124 to enter into an agreement with VeriFi Laboratory, Inc.

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER BERGMANN, TO APPROVE RESOLUTION NO. 2015-R124; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONSULTING AND RETAINER AGREEMENT WITH VERIFI LABORATORY, INC. (DIGITAL FORENSIC SERVICES). 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. RECEIVE AND CONSIDER A REQUEST FROM AETNA SIGN GROUP FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 10 RESTRICTIONS ON CERTAIN TYPES OF SIGNS. X.3. PROJECTING SIGNS. (Texas Meat Company 1101 S Main St.)**

Mayor Schultz called on Mr. Chris Turk, Planning and Community Development Director. Mr. Turk displayed a photo of the proposed sign and explained that the owners requested a variance to raise the sign an additional four feet from what is permitted due to the cables on the new facade of the building. Mr. Turk stated that the Sign Variance Committee recommended approval of the request. Discussion ensued regarding the effects of approval of this request when other requests have been denied for other businesses and that the owner has given up the right to a pole sign on the property.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY MAYOR PRO TEM CISNEROS, TO APPROVE THE REQUEST FROM AETNA SIGN GROUP FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 10 RESTRICTIONS ON CERTAIN TYPES OF SIGNS. X.3. PROJECTING SIGNS WITH THE PROVISION THAT THE OWNER WAIVE THE RIGHT TO A POLE SIGN ON THE PROPERTY (TEXAS MEAT COMPANY, 1101 S. MAIN ST.) 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

**14. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION  
AND SET UP PUBLIC HEARINGS FOR JANUARY 12, 2016:**

**14A. Proposed Permanent Zoning Of 1 Acre Located At 125 Old San Antonio Road And 1 Acre Located At 127 Old San Antonio Rd From R-A, Single Family Rural Residential- Agricultural District To I, Industrial District, KAD No. 62674 and 62675. (Wiley And Kathy Cloud)**

**14B. Proposed Permanent Zoning Of 1 Acre Located At 129 Old San Antonio Road From R-A, Single Family Rural Residential- Agricultural District To I, Industrial District, KAD No. 62676. (SDG 129 LLC)**

**14C. Proposed Permanent Zoning Of 6.41 Acres Located At 131 Old San Antonio Road From R-A, Single Family Rural Residential- Agricultural District To I, Industrial District, KAD No. 48169 and 152323. (Texas Ten Oaks Storage LLC) and KAD No. 17387 (Thomas Drought Trustee).**

**14D. Proposed Permanent Zoning Of 3.895 Acres Located At 137 Old San Antonio Road From R-A, Single Family Rural Residential- Agricultural District To R-2, Moderate-Density Residential District, KAD No. 41140, 46196, and 290279. (Patricia Long)**

**14E. Proposed Use Of A Trailer Court In A B-2, Highway Commercial District For 48 and 48A Old San Antonio Road (KAD: 39194 and 39193), A Total Of 5.378 Acres. (Roy Faz)**

**14F. Proposed Application Of An Entrance Corridor Overlay District To 48 And 48A Old San Antonio Road (KAD: 39194 and 39193). (Roy Faz)**

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER BERGMANN, TO RECEIVE THE RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION AND SET THE PUBLIC HEARINGS FOR JANUARY 12, 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

## **17. COMMENTS FROM COUNCIL/LEGAL COUNSEL/STAFF**

Ron Bowman, City Manager stated that the Open Carry Law goes into effect January 1, 2016. Staff is working on signage and the details of the new law.

Council Member Haberstroh gave an update on the MPO. He stated the MPO took action to modify the TIP plan that will start the progress of the trail project. The Open House was well attended. Toll roads on IH-10 will not happen. Scenic Loop overpass will start the second week in January.

Jeff Thompson, Deputy City Manager stated this was the last meeting that Chris Turk will be presenting for the Planning Department. Laura Talley will be his replacement effective January 1, 2016 in advance of his retirement in March at which time Mr. Turk will be providing assistance in Economic Development.

## **15. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:**

Mayor Schultz convened the City Council into Executive Session at 7:05 p.m. and requested those individuals directed to participate to adjourn to the Executive Session Conference Room.

**A. Section 551.086: Municipal Owned Utility - Competitive Matter- Wholesale Power – Electric**

**B. CONSIDER RESOLUTION NO. 2015-R125; A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AND MANAGE A POWER PURCHASE AGREEMENT FOR THE CITY OF BOERNE TO PURCHASE SOLAR ENERGY AND ASSOCIATED ENVIRONMENTAL ATTRIBUTES.**

B. A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER BERGMANN, TO APPROVE CONSIDER RESOLUTION NO. 2015-R125; A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AND MANAGE A POWER PURCHASE AGREEMENT FOR THE CITY OF BOERNE TO PURCHASE SOLAR ENERGY AND ASSOCIATED ENVIRONMENTAL ATTRIBUTES CONTINGENT ON LANGUAGE ON SECTION 12.1.2. 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

**C. CONSIDER RESOLUTION NO. 2015-R126; A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AND MANAGE A POWER PURCHASE AGREEMENT FOR THE CITY OF BOERNE TO PURCHASE WIND ENERGY.**

C. A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER BERGMANN, TO APPROVE RESOLUTION NO. 2015-R126; A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AND MANAGE A POWER PURCHASE AGREEMENT FOR THE CITY OF BOERNE TO PURCHASE WIND ENERGY. 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

**16. 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 7:24 p.m.

No action was taken in Open Session.

## **ADJOURNMENT**

A MOTION WAS MADE BY COUNCIL MEMBER BERGMANN, SECONDED BY COUNCIL MEMBER BOYD IV, TO ADJOURN THE CITY COUNCIL MEETING. 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