



**CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING**

**CITY HALL - COUNCIL CHAMBERS
424 S. CASTELL AVENUE**



MONDAY, APRIL 22, 2013 at 6:00 P.M.

Gale Pospisil, Mayor
Richard Zapata, Councilmember (District 1)
Mark Goodner, Mayor Pro Tem (District 2)
Ron Reaves, Councilmember (District 3)

Sandy Nolte, Councilmember (District 4)
Bryan Miranda, Councilmember (District 5)
Steven Digges, Councilmember (District 6)
Robert Camareno, Interim City Manager

MISSION STATEMENT

***The City of New Braunfels will add value to our community
by planning for the future, providing quality services, encouraging
Community involvement and being responsive to those we serve.***

A G E N D A

CALL TO ORDER: April 22, 2013 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Sandy Nolte

**REQUEST ALL PAGERS AND PHONES BE TURNED OFF, EXCEPT EMERGENCY ON-
CALL PERSONNEL.**

PROCLAMATIONS: New Braunfels Safe Digging Month
National Music Week
Earth Day
Historic Preservation Month

PRESENTATIONS: Recognition of Eagle Scouts' Projects
(*G. Pospisil, Mayor*)

Wein & Saengerfest
(*M. Vernon, Downtown Development Coordinator*)

Presentation of semi-annual report on economic development
activities.
(*M. Meek, Greater New Braunfels Chamber of Commerce*)

1. MINUTES

Consider approving the minutes of the regular meeting of April 8, 2013, and the special meetings of April 1 and April 8, 2013.
(*P. Aten, City Secretary*)

2. CITIZENS' COMMUNICATIONS

*This time is for citizens to address the City Council on issues and items of concern not on this agenda. There will be no City Council action at this time.
(Mayor Gale Pospisil)*

3. CONSENT AGENDA

All items listed below are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a councilmember or citizen so requests, in which case the item will be removed from the consent agenda and considered as part of the normal order of business.

Resolutions & Action Items

- A. Approval of a resolution for the submission of an application to the Texas Department of Transportation for the Auto Theft Task Force program in the amount of \$122,702.50 and authorizing the Interim City Manager to accept funds and execute all contract documents associated with the grant if awarded.
(T. Wibert, Chief of Police)
- B. Approval of a resolution to close sections of Business Highway 46 and close portions of San Antonio Street and Castell Avenue for a portion of the day on May 4, 2013, for Wein & Saengerfest and authorizing the Interim City Manager to execute an agreement with TxDOT related to the closures.
(M. Vernon, Downtown Development Coordinator)
- C. Approval of the reappointment of Mary Ann Carter to the Building Standards Commission for a term ending October 26, 2014.
(P. Aten, City Secretary)
- D. Approval of the reappointments of John Malik, Mark Goodner, Tobin Hoffmann, and Kathy Hanlon to the Reinvestment Zone No. 1 Board of Directors for terms ending May 29, 2015.
(P. Aten, City Secretary)
- E. Approval of the purchase of household hazardous waste collection services from Clean Harbors Environmental Services, Inc. for the Public Works Department.
(M. Quinones, Purchasing Manager)
- F. Approval of the renewal of annual contracts with Myers Concrete Construction, L.P., D & D Contractors, Inc., D & M Construction and Double S Paving, Inc. for road construction work for the Public Works Department.
(M. Quinones, Purchasing Manager)

Ordinances

(In accordance with Section 3.10 of the City Charter, a descriptive

caption of each ordinance shall be read on two separate days.)

- G. Approval of the first reading of an ordinance amending Section 126-346 of the City of New Braunfels Code of Ordinances to establish a No Parking Zone on Commercial Circle.
(G. Ford, Assistant City Engineer)
- H. Approval of the first reading of an ordinance amending Ordinance 75-10 to install a Stop Sign on Avery Ranch Drive at Pieper Road.
(G. Ford, Assistant City Engineer)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A. Discuss and consider approval of the Veramendi Development and Design Control Document (D&DCD).
(S. Mattingly, Planning and Community Development Director)
- B. Discuss and consider approval of an amendment to the Veramendi development agreement.
(S. Mattingly, Planning and Community Development Director)
- C. Discuss and consider the creation of a Task Force to develop a strategic plan for arts and culture in New Braunfels.
(G. Pruett, Library Director)
- D. Discuss and consider a resolution nominating a candidate for the Comal Appraisal District Board of Directors.
(P. Aten, City Secretary)
- E. Discuss and consider action regarding bids for the construction of Fischer Park and authorization to rebid the project.
(S. Dicke, Parks and Recreation Director)
(M. Quinones, Purchasing Manager)
- F. Discuss and consider approval of a resolution supporting a recommendation of the City of New Braunfels for the Metropolitan Planning Organization (MPO) Unified Planning Work Program (UPWP) FY 2014-2015.
(G. Ford, Assistant City Engineer)
- G. Discuss and consider approval of a resolution allowing for the possible creation of either one or more Water Control and Improvement Districts or Municipal Utility Districts in the City's extra-territorial jurisdiction during the 83rd Texas Legislative Session.
(S. Mattingly, Planning and Community Development Director)
- H. Discuss and consider the second and final reading of an ordinance moving updated regulations from Articles III and IV of Chapter 10 Aviation as an

amendment of Chapter 144, Zoning, by replacing in its entirety Section 5.19 Airport Zoning and establishing Airport Overlay Zones on approximately 3,027 acres that extend 10,000 feet from the terminus of each end of both runways at the New Braunfels Regional Airport.

(S. Mattingly, Planning and Community Development Director)

- I. Discuss and consider approval of the first reading of an ordinance amending Chapter 138, Vehicles For Hire, of the City of New Braunfels Code of Ordinances by defining and allowing Pedicabs (human propelled wheel devices) to operate within specific delineated areas of the city.
(J. Lara, Environmental Health Manager)
- J. Discuss and consider approval of the first reading of an ordinance amending Chapter 62, Article III, Division 3, of the City of New Braunfels Code of Ordinances to provide for a variance process for licensed food and drinking establishments seeking to allow dogs onto outdoor eating and drinking areas, establishing fees and governing regulations.
(J. Lara, Environmental Health Manager)
- K. Discuss and consider the first reading of an ordinance amending Chapter 118, Platting Code, Section 118-49 (e) 2. Sidewalks, to clarify the placement of where the sidewalks are located.
(S. Mattingly, Planning and Community Development Director)

5. EXECUTIVE SESSIONS

In accordance with Texas Government Code, Subchapter D, the City Council may convene in a closed session to discuss any of the following items; any final action or vote taken will be in public.

- A. Deliberate and consider the purchase, exchange, lease or value of real property, in accordance with Section 551.072, of the Texas Government Code.
- B. Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code.
- C. Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code.
- D. Deliberate the appointment, employment, evaluation, reassignment, or duties of the Municipal Court Judge and City Manager, in accordance with Section of 551.074 of the Texas Government Code.

NOTE: *The City Council reserves the right to retire into executive session concerning any of the items listed on this Agenda whenever it is considered necessary and legally justified under the Open Meetings Act (Chapter 551 of the Texas Government Code).*

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the New Braunfels Municipal Building on April 18, 2013, at 2:00 p.m.

Patrick Aten, City Secretary

NOTE: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 221-4010 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.