



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



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

MONDAY, JUNE 24, 2013 at 6:00 P.M.

Gale Pospisil, Mayor
George Green, Councilmember (District 1)
Aja Edwards Patino, Councilmember (District 2)
Ron Reaves, Councilmember (District 3)

Sandy Nolte, Councilmember (District 4)
Bryan Miranda, Mayor Pro Tem (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: June 24, 2013 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember George Green

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

1. MINUTES

Consider approving the minutes of the special and regular meetings of June 10, 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 a resolution recommended by the New Braunfels Industrial Development Corporation (NBIDC) to provide funds to the City of New Braunfels in an amount up to \$41,000 to fund a downtown public parking lease for a period of two years, and approval of the first amendment to the lease.
(J. Jewell, Development Coordinator)
- (B) Approval of the submission of a grant application to the U.P. CARES - Safety Grant Program for \$5,000 and authorize the City Manager to accept funds and to execute all contract documents associated with the grant if awarded.
(C. Keenum, Grants Coordinator)

Ordinances

(In accordance with Section 3.10 of the City Charter, a descriptive caption of each ordinance shall be read on two separate days.)

- (C) Approval of the second and final reading an ordinance amending Section 126-354 (c) 10 modifying Parking by Permit Area I and amending Section 126-368 (k) establishing a Water Recreation Shuttle Loading Zone on South Gilbert Avenue.
(G. Ford, Assistant City Engineer)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss possible amendments to Sections 30-26 (Arts Commission) and 66-26 (Heritage Commission) of the Code of Ordinances.
(A. Patino, Councilmember, District 2)
(This item placed on the agenda at the request of Councilmember Patino)
- (B) Discuss and consider approval of a resolution recommended by the New Braunfels Industrial Development Corporation to contribute \$83,000 in principal payment toward the 2003 Certificates of Obligation refunding.
(D. Korinchock, Support Services Director)
- (C) Discuss and consider approval of an ordinance by the City Council of the City of New Braunfels, Texas authorizing the issuance of "City of New Braunfels, Texas General Obligation Refunding Bonds, Series 2013", 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, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement, a purchase contract, 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; and providing an effective date

- (D. Korinchock, Support Services Director)*
- (D) First public hearing regarding the proposed annexation of approximately 120 acres of land on FM 1101, adjacent to the existing city limits.
(S. Mattingly, Planning and Community Development Director)
- (E) First public hearing on the City of New Braunfels Roadway Impact Fee Study Update.
(G. Ford, Assistant City Engineer)
- (F) Discuss and consider approval of awarding a construction contract to Fuquay, Inc. for the Gruene Apple Channel and Roadway Repair Project, authorization for the City Manager to execute an amendment to the Professional Services Agreement with Civil Engineering Consultants to provide Pre-Construction and Construction Phase Services, authorizing Terracon to provide material testing services, approving a ten percent contingency on construction, and the appropriate budget adjustment.
(S. Ramsey, Public Works Director)
- (G) Discuss and consider approval of Amendment No. 1 to the Edwards Aquifer Habitat Conservation Plan (EAHCP) Funding and Management Agreement (FMA) and confirmation of the City of New Braunfels' representative on the Implementing Committee.
(S. Ramsey, Public Works Director)
- (H) Discuss and consider authorizing the City Manager to issue bid documents for the Landa Park Golf Course Construction Project and clubhouse renovations.
(S. Dicke, Parks and Recreation 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 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 June 19, 2013, at 10:00 a.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.