



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

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



**MONDAY, APRIL 28, 2014 at 6:00 P.M.**

Gale Pospisil, Mayor  
George Green, Councilmember (District 1)  
Aja Edwards, 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, 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 28, 2014 @ 6:00 P.M.

**CALL OF ROLL:** City Secretary

**INVOCATION:** Councilmember Steven Digges

**PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG**

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

**PROCLAMATIONS:** National Music Week in New Braunfels  
National Historic Preservation Month

**PRESENTATIONS:** National Flood Insurance Program's (NFIP) Community Rating  
System (CRS) for the City of New Braunfels  
(*R. Kinsey, Building Official*)

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

**1. MINUTES**

Discuss and consider approval of the minutes of the special and regular meetings of  
April 14, 2014, and the special meeting of April 21, 2014.  
(*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 City 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 the appointment of two individuals to the New Braunfels Airport Advisory Board with terms ending May 12, 2016.  
*(P. Aten, City Secretary)*
- (B) Approval of the reappointment of three individuals to the Tax Increment Reinvestment Zone (TIRZ) No. 1 Board of Directors with terms ending May 29, 2016.  
*(P. Aten, City Secretary)*
- (C) Approval of the City of New Braunfels Arts Commission recommendations for allocating grant awards from hotel occupancy tax to various arts organizations of the City and authorizing the City Manager to execute contracts with the aforementioned organizations for the purpose of disbursement and use of funding.  
*(P. Aten, City Secretary)*
- (D) Approval of the City of New Braunfels Heritage Commission recommendations for allocating grant awards from hotel occupancy tax to various heritage organizations of the City and authorizing the City Manager to execute contracts with the aforementioned organizations for the purpose of disbursement and use of funding.  
*(P. Aten, City Secretary)*
- (E) Approval of a budget amendment in the Judicial Efficiency Fund FY 2013-14 Adopted Budget.  
*(J. Werner, Management & Budget Coordinator)*
- (F) Approval of the City of New Braunfels FY 2013-14 second quarter investment report.  
*(D. Korinchock, Support Services Director)*

- (G) Approval of annual contracts for road construction materials with Century Asphalt, Ltd., Lhoist North America, Brauntex Materials, Inc., Colorado Materials, Ltd. and Cemex.  
*(M. Quinones, Purchasing Manager)*
- (H) Approval of the ratification of the submission of a grant application to the FY 2014 Urban Area Security Initiative grant program in the amount of \$40,000 and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant if awarded.  
*(T. Wibert, Police Chief)*

Ordinances

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

- (I) Approval of the second and final reading of an ordinance amending the Code of Ordinances Sections 86-101 and 86-119 regarding river management fees, non-paying customers, and the effective dates of wristbands.  
*(K. Wilson, Assistant Parks and Recreation Director)*
- (J) Approval of the second and final reading of an ordinance amending Chapter 138 of the Code of Ordinances by repealing and replacing Chapter 138 Section 138-1 through Section 138-15 regarding Vehicles for Hire.  
*(P. Aten, City Secretary)*

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- (A) Discuss and consider approval of the appointment of four individuals to the Downtown Board with terms ending May 31, 2017, and one individual with a term ending May 31, 2015.  
*(P. Aten, City Secretary)*
- (B) Discuss and consider approval of the second and final reading of an ordinance amending the Code of Ordinances Section 86-7 Operation of Vehicles in Parks revising Subsection (d) by allowing Resident Tennis Pass to be valid seven days per week.  
*(K. Wilson, Assistant Parks and Recreation Director)*
- (C) Public hearing and first reading of an ordinance amending Section 126-354 to establish Parking by Permit Area K in the Faust Street Bridge Area.  
*(G. Ford, Assistant City Engineer)*
- (D) Public hearing and first reading of an ordinance approving a Type II Special Use Permit for an administrative office and the storage of flatbed trailers on a gravel parking pad in the "APD" Agricultural/Pre-Development District located at 452 FM 1863.  
*(S. Mattingly, Planning and Community Development Director)*

- (E) Discuss and consider approval of a conditional sign permit in the “C-1” Local Business District at 1709 State Highway 46.  
*(S. Mattingly, Planning and Community Development Director)*
- (F) Discuss and consider approval to authorize the City Manager to approve Change Order #5 to the contract with Austin Filter Systems Inc. for construction services on the Landa Park Riverfront Rehabilitation Project.  
*(S. Ramsey, Public Works Director)*
- (G) Discuss and consider authorization for the City Manager to execute a contract with J.P Morgan Chase for a capital lease/purchase of a fire engine apparatus, the golf cart fleet, and the golf course maintenance equipment.  
*(J. Werner, Management & Budget Coordinator)*
- (H) Discuss and consider approval of a resolution by the City Council of the City of New Braunfels, Texas authorizing and approving publication of notice of intention to issue certificates of obligation (Airport Improvements) – Alternative Minimum Tax debt; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.  
*(D. Korinchock, Support Services Director)*
- (I) Discuss and consider approval of Asset Purchase Agreement with New Braunfels Aero Service, Inc. and related Noncompetition and Nonsolicitation Agreement, and Mutual Release and Settlement Agreement, and authorize the City Manager to finalize and execute these agreements.  
*(L. Llerena, Airport Director)*
- (J) Discuss and consider approval of a resolution relating to establishing the City’s intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various City improvements (Airport) from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes.  
*(D. Korinchock, Support Services Director)*
- (K) Discuss and consider approval of a resolution by the City Council of the City of New Braunfels, Texas authorizing and approving publication of notice of intention to issue certificates of obligation (golf course/clubhouse improvements); complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date; approval of the underwriting team and authorizing staff to proceed with the issuance of general obligation bonds.  
*(D. Korinchock, Support Services 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 employee(s), City Manager, City Attorney, and/or Municipal Court Judge 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 April 24, 2014, at 11:00 a.m.

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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.