



CITY OF NEW BRAUNFELS, TEXAS  
CITY COUNCIL MEETING



CITY HALL - COUNCIL CHAMBERS  
424 S. CASTELL AVENUE

MONDAY, NOVEMBER 9, 2015 at 6:00 P.M.

Barron Casteel, Mayor  
George Green, Councilmember (District 1)  
Aja Edwards, Councilmember (District 2)  
Ron Reaves, Mayor Pro Tem (District 3)

Chris Monceballez, Councilmember (District 4)  
Wayne Peters, Councilmember (District 5)  
Leah A. García, 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:** November 9, 2015 @ 6:00 P.M.

**CALL OF ROLL:** City Secretary

**INVOCATION:** Mayor Barron Casteel

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

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

**PROCLAMATION:** Community Arbor Day Celebration

**PRESENTATION:** Walnut Avenue Update  
(B. Woods, Capital Programs Manager)

**1. MINUTES**

Discuss and consider approval of the minutes of the regular meeting of October 26, 2015.  
(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 Barron Casteel)

**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 rescheduling of the March 14, 2016 Regular City Council Meeting to March 7, 2016.  
*(P. Aten, City Secretary)*
- (B) Approval of an interlocal agreement with the City of San Marcos to allow use of their competitively bid contracts.  
*(M. Quinones, Purchasing Manager)*
- (C) Approval of the renewal of contracts with Contract Land Staff, HDR Inc., Lockwood, Andrews and Newmand, Inc., Integra Realty, Paul Hornsby, Alterra Design Group and Menn and Associates for Right-of-Way Services on the 2013 Bond Projects.  
*(M. Quinones, Purchasing Manager)*
- (D) Approval of a task order with Contract Land Staff for right-of-way services for the Alves Lane project.  
*(M. Quinones, Purchasing Manager)*
- (E) Approval of a purchase with C&M Golf and Grounds Equipment of a slope mower for the Parks Department through Buy Board Contract 447-14.  
*(M. Quinones, Purchasing Manager)*
- (F) Approval of the purchase of a jet refueling vehicle from SkyMark Refuelers for the New Braunfels Regional Airport and the appropriate budget amendment.  
*(M. Quinones, Purchasing Manager)*
- (G) Approval of a budget transfer to the City Attorney's Office in the FY 2014-15 General Fund Adopted Budget.  
*(J. Werner, Assistant Finance Director)*
- (H) Approval for the City Manager to enter into a contract modification for changes in professional services with HDR regarding engineering, construction administration and project closeout services related to the Walnut Avenue Reconstruction Project.  
*(B. Woods, Capital Programs 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.)*

- (I) Approval and consider approval of the second and final reading of an ordinance amending Section 54-86 of the Code of Ordinances, International Fire Code and

amendments, by adopting the 2015 Edition of the International Fire Code; and repealing the existing local amendments and replacing it with corrected amendments.

*(P. O'Connell, Fire Marshal)*

- (J) Approval of the second and final reading of an ordinance revising the Code of Ordinances, Chapter 2-8 regarding Ethics complaint procedures.  
*(V. Acevedo, City Attorney)*
- (K) Approval of the first reading of an ordinance for the proposed abandonment and sale of approximately 0.23 acres of street right-of-way located at the terminus of Merriweather Street.  
*(C. Looney, Planning and Community Development Director)*
- (L) Approval of the second and final reading of an ordinance regarding a Type 1 Special Use Permit to allow the short term rental of a house at the rear of the property in the "C-2" Central Business District, addressed at 968, 972 and 974 W. San Antonio Street, more specifically described as Lot 11 & the north 12 feet of Lot 12, City Block 3004.  
*(C. Looney, Planning and Community Development Director)*

#### **4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- (A) Discuss and consider approval of the appointment of two individuals to the River Advisory Committee for terms ending December 8, 2018.  
*(P. Aten, City Secretary)*
- (B) Discuss and consider approval of a resolution to cast 444 votes toward the election of a member of the Comal Appraisal District Board of Directors.  
*(P. Aten, City Secretary)*
- (C) Discuss and consider approval of a resolution to cast 84 votes toward the election of a member of the Guadalupe Appraisal District Board of Directors.  
*(P. Aten, City Secretary)*
- (D) Discuss and consider options for truck traffic control on Rueckle Road, South Solms Road, Morningside Drive, Ron Road, South Water Lane, Loma Vista Street, Schmidt Avenue, and Armory Drive.  
*(G. Ford, City Engineer)*
- (E) Discuss and consider the removal of a Minor Collector identified in the City of New Braunfels Regional Transportation Plan that is located north of Klein Road, from Diamond Back Trail to the future Klein Meadows Minor Collector Extension.  
*(G. Ford, City Engineer)*

- (F) Discuss and consider approval of the establishment of the right-of-way width of Landa Street (Business 46), identified as a Minor Arterial in the City of New Braunfels Regional Transportation Plan, from Walnut Avenue to Seguin Avenue.  
*(G. Ford, City Engineer)*
- (G) Discuss and consider the approval of the establishment of the right-of-way width of W. San Antonio Street, identified as a Minor Arterial in the City of New Braunfels Regional Transportation Plan, from Walnut Avenue to Guenther Avenue.  
*(G. Ford, City Engineer)*
- (H) Discuss and consider possible direction to staff to amend the Code of Ordinances regarding vehicles for hire.  
*(P. Aten, City Secretary)*  
*(This item has been placed on the agenda at the request of Mayor Casteel.)*
- (I) Discuss and consider approval of the second and final reading of an ordinance amending and replacing Chapter 130, Article IV, Section 130-167, Water Rates, of the Code of Ordinances relating to rates for the New Braunfels Utilities Water Service.  
*(P. DiFonzo, NBU CEO)*
- (J) Discuss and consider approval of the second and final reading of an ordinance amending and replacing Chapter 130, Article V, Section 130-257, Sewer Rates, of the Code of Ordinances relating to rates for the New Braunfels Utilities Sewer Service.  
*(P. DiFonzo, NBU CEO)*
- (K) Discuss and consider approval of the second and final reading of an ordinance amending and replacing Chapter 130, Article III, Sections 130-56 and 130-57, Electric Rates, of the Code of Ordinances relating to rates for the New Braunfels Utilities Electric Service.  
*(P. DiFonzo, NBU CEO)*
- (L) Discuss and consider approval of an Interlocal Cooperation Agreement between the City of New Braunfels and Lone Star Rail District.  
*(R. Camareno, City Manager)*
- (M) Discuss and consider approval of a resolution recommended by the New Braunfels Industrial Development Corporation authorizing a Professional Services Agreement with Douglas Architects in an amount not to exceed \$303,000 for master planning services for the City Hall property.  
*(J. Jewell, Development Coordinator)*
- (N) Discuss of a resolution recommended by the New Braunfels Industrial Development Corporation to provide funding to Alamo Colleges for the Alamo

Area Academies, Inc. budget for calendar years 2016, 2017 and 2018 in an amount not to exceed \$208,500.

*(J. Jewell, Development Coordinator)*

- (O) Discuss and consider approval of a resolution recommended by the New Braunfels Industrial Development Corporation for an expenditure of up to \$2,400,000 to the City of New Braunfels for a project to provide infrastructure necessary to develop hangars at the New Braunfels Regional Airport and approval of a task order with KSA Engineers, Inc. to design the taxiway extension.  
*(J. Jewell, Development Coordinator)*
- (P) Discuss and consider approval of a resolution recommended by the New Braunfels Industrial Development Corporation authorizing a Professional Services Agreement with Walker Parking Consultants in an amount not to exceed \$50,000 for a downtown parking management study.  
*(J. Jewell, Development Coordinator)*
- (Q) Discuss and consider approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide up to \$85,000 to VBM New Braunfels Acquisition, LLC. for the development of a full service Nissan automotive dealership.  
*(J. Jewell, Development Coordinator)*
- (R) Discuss and consider approval of the first reading of an ordinance amending Chapter 54, Article V, Section 54-146 of the New Braunfels Code of Ordinances to establish and implement a program to charge mitigation rates for the deployment of emergency and non-emergency services provided by the New Braunfels Fire Department.  
*(K. Jacks, Fire Chief)*
- (S) Public hearing and approval of a resolution amending the 2006 Future Land Use Plan from "Institutional" to "Low Density Residential" and approval of the second and final reading of an ordinance regarding the proposed rezoning of approximately 3.03 acres out of Lot 1, Block 1, Dayspring Christian Fellowship Subdivision, addressed at 1895 S. Walnut Avenue, from "R-3" Multifamily District to "ZH-A" Zero Lot Line Home District.  
*(C. Looney, Planning and Community Development Director)*
- (T) Public hearing and approval of a resolution amending the 2006 Future Land Use Plan from "Commercial" and "Mixed Use" to "Residential Low Density" and approval of the second and final reading of an ordinance regarding the proposed rezoning of 9.4 acres out of the F & M Hanz Estate Partition, Block 26, addressed at 1345 and 1353 Hanz Drive, from "R-2" Single and Two-Family District to "Gruene River Place" Planned Development District (GRPPD), with a Concept Plan.  
*(C. Looney, Planning and Community Development Director)*

- (U) Discuss and consider approval of the second and final reading of an ordinance regarding the proposed amendment to the "High Cotton Estates" Planned Development District Detail Plan and related Development Standards, addressed at 1357 and 1365 Hanz Drive.  
*(C. Looney, Planning and Community Development Director)*
- (V) Discuss and consider approval of the first reading of an ordinance amending the Code of Ordinances, Chapter 6, Section 108, Quarantine Procedures, by eliminating non-human exposure incidents from mandatory observation and or testing protocols.  
*(J. Lara, Environmental Services Manager)*
- (W) Discuss, consider possible action, or vote on the employment, evaluation, reassignment, dismissal, duties, or the employment contract of the Municipal Court Judge in accordance with Section 551.102 of the Texas Government Code.  
*(B. Casteel, Mayor)*

## 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 of, exchange, lease or value of real property in accordance with Section 551.072, of the Texas Government Code, specifically:
  - Real property located in the Runway Protection Zone for the New Braunfels Regional Airport owned by A-L 95A-FM 1101, L.P.
  - Real property located in the Runway Protection Zone for the New Braunfels Regional Airport owned by Deering.
  - Real property located in the Runway Protection Zone for the New Braunfels Regional Airport owned by Kraft.
- (B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code, specifically:
  - Project Hamlet
- (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, specifically:
  - Carowest Land, Ltd. v. Yantis Company, and the City of New Braunfels (2010 and 2015 cases) and
  - Yantis Company v. the City of New Braunfels v. Halff Associates, Inc.
- (D) Deliberate the employment, evaluation, reassignment, dismissal, duties, or the employment contract of the 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 November 4, 2015, at 4:00 p.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.