



CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING

CITY HALL - COUNCIL CHAMBERS
424 S. CASTELL AVENUE



MONDAY, FEBRUARY 22, 2016 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: February 22, 2016 @ 6:00 P.M.

CALL OF ROLL: City Secretary

INVOCATION: Councilmember Leah A. García

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

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

PROCLAMATION: President George Washington Day

PRESENTATION: New Braunfels 175th Anniversary in 2020
(J. Young, CVB Director)

1. MINUTES

Discuss and consider approval of the minutes of the special meeting of February 1, 2016, and the regular meeting of February 8, 2016.
(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 appointment of one individual to the Heritage Commission for a term ending March 11, 2019.
(P. Aten, City Secretary)
- (B) Approval of a resolution and submission of a grant application to FY 2016 U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$22,546 for the purchase of a computer forensic system and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant if awarded.
(T. Wibert, Police Chief)
- (C) Approval of a resolution and submission of a grant application to the FY 2016 U.S. Department of Justice, Violence Against Women Formula Grant Program in the amount of \$90,901.94 to continue funding one (1) full-time investigator position and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant if awarded.
(M. Valadez, Grants Coordinator)
- (D) Approval of the renewal of an annual contract with Lower Colorado River Authority for radio service airtime and annual maintenance as well as the purchase of eight new radios.
(H. Purvis, Police Lieutenant)
- (E) Approval of a contract with Luck Design Team and Pro's Consulting for an Athletic Fields Master Plan and the appropriate budget amendment.
(K. Wilson, Assistant Parks and Recreation Director)
- (F) Approval of a contract with Rockin Q Construction, LLC for the Water and Sewer Improvements Project at the New Braunfels Regional Airport.
(J. Jewell, Development Coordinator)
- (G) Approval of a purchase with Vermont Systems of software system for the Parks and Recreation Department for program registration and facility reservations including online services.
(S. Dicke, Parks and Recreation Director)
- (H) Approval of the revised Edwards Aquifer Habitat Conservation Plan Year Four (2016) Work Plan and associated contract renewals and authorize the City Manager to execute adjustments and extensions, with applicable scope modifications, of existing contracts: Gill Parasite Control with Bio West, Inc. and Non-native Animal Species Control with SWCA and the appropriate budget amendment.

(S. Ramsey)

- (I) Approval of a construction contract with Austin Filter Systems, approval of a modification to the existing contract with Freese and Nichols for construction phase services, approval for testing services, and authorizing the City Manager to execute mentioned contracts and changes not to exceed the amount of the project contingency.

(S. Ramsey)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider approval of a resolution recommended by the New Braunfels Industrial Development Corporation for a project expenditure of up to \$1.6 million to ASA Properties for the construction of a portion of a street in the Comal County Water Improvement District No. 1 (Veramendi Project).

(R. Camareno, City Manager)

Information for this item will be included in the agenda packet on Friday, February 19th following the February 18th New Braunfels Industrial Development Corporation meeting.

- (B) Public hearing and consideration of a resolution regarding the proposed Veramendi School Sector Plan within the Veramendi Water Improvement District encompassing approximately 19.78 acres out of the Juan Martin de Veramendi Survey No. 2 Abstract 3, located at the terminus of Oak Run Parkway, upon the conditions that a temporary construction/haul road and an additional public roadway be designed and constructed.

(C. Looney, Planning and Community Development Director)

- (C) Discuss and consider approval of the appointment of two individuals to the Arts Commission for a term ending January 31, 2019.

(P. Aten, City Secretary)

- (D) Discuss and consider approval of a resolution approving the City's 2016 Plan of Finance pertaining to the contemplated issuance of obligations to be designated as "City of New Braunfels, Texas General Obligation and Refunding Bonds, Series 2016"; authorizing City staff and the City's financial advisors and bond counsel to proceed with the 2016 Plan of Finance.

(M. Simpson, Finance Director)

- (E) Discuss and consider all matters incident and related to the issuance and sale of City of New Braunfels, Texas, Utility System Revenue and Refunding Bonds, Series 2016, including the adoption of an ordinance authorizing the issuance of such bonds, establishing parameters for the sale and issuance of such bonds and delegating certain matters to authorized officials of the City and the City's Waterworks, Sanitary Sewer and Electric Light and Power Systems.

(R. Tobias, NBU CFO)

- (F) Discuss and consider approval of a resolution of the City Council of the City of New Braunfels, Texas, authorizing the City Manager to enter into a Local Project Advance Funding Agreement with the Texas Department of Transportation for the development, design and construction of sidewalk improvements, pedestrian ramps, crosswalks and signing in various locations in New Braunfels near Lone Star Elementary School in accordance with the Alamo Area Metropolitan Planning Organization Transportation Alternatives Program.
(G. Ford, City Engineer)
- (G) Discuss and consider approval of the first reading of an ordinance amending Section 126-346(f) to prohibit parking in the vicinity of 1438 Hanz Drive.
(C. Monceballez, Councilmember – District 4)
(This item has been placed on the agenda at the request of Councilmember Monceballez.)
- (H) Public hearing and consideration of the first reading of an ordinance regarding a proposed Type 2 Special Use Permit to allow a retail development in the "APD" Agricultural/Pre-Development District on approximately 2.6 acres out of Abstract 259, William H Pate Survey, located in the 2000 block of S. Walnut Avenue.
(C. Looney, Planning and Community Development Director)
- (I) Public hearing and consideration of the first reading of an ordinance regarding the rezoning of Lot 2, Tri Acres Subdivision, addressed at 1182 Old FM 306, from "R-3" Multifamily District to "C-1 B" General Business District.
(C. Looney, Planning and Community Development Director)
- (J) Discuss and consider approval of a Resolution of Support and a commitment of local funding to Oak Creek Senior, LP, a proposed senior housing development.
(J. Jewell, Development Coordinator)
- (K) Discuss and consider approval of a resolution recommended by the New Braunfels Industrial Development Corporation approving a project expenditure of up to \$500,000 to USRLP I-35 Logistics, LLC., a Texas limited liability company for the creation of at least 50 primary jobs.
(J. Jewell, Development Coordinator)
- (L) Public hearing and consideration of the first reading of an ordinance regarding the rezoning of approximately 5.68 acres consisting of Lots 5A and 58, Country Meadows Subdivision, addressed at 2416 and 2432 FM 725, from "APD" Agricultural/Pre-Development District and "R-1" Single Family District to "C-1 B" General Business District.
(C. Looney, Planning and Community Development Director)
- (M) Discuss and consider an appeal of the Non-Residential and Multifamily Design Standards Exterior Building Material requirements for a proposed temporary modular building at Real Life Community Church, addressed at 1615 FM 1044.

- (C. Looney, Planning and Community Development Director)
- (N) Discuss and consider an appeal of the Non-Residential and Multifamily Design Standards Articulation requirements for a proposed office and manufacturing facility located at 2939 FM 1101 in the "MU-8" High Intensity Mixed Use District and "APD" Agricultural/Pre-Development District.
(C. Looney, Planning and Community Development Director)
- (O) Discuss and consider a waiver to not require the construction of sidewalks along FM 1102 for The Crossings at Havenwood Subdivision.
(C. Looney, Planning and Community Development Director)
- (P) Discuss and consider a waiver to not require the construction of sidewalks along S. Academy Avenue for the Academy Hill Subdivision.
(C. Looney, Planning and Community Development Director)
- (Q) Discuss and consider approval of a mutual release and settlement agreement relating to Garrison Maurer d/b/a Comal Towing et al vs. New Braunfels Wrecker Service LLC, City of New Braunfels, et al; Cause No C2013-0517D in the Comal County District Court.
(V. Acevedo, City Attorney)

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 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:
- Garrison Maurer d/b/a Comal Towing et al vs. New Braunfels Wrecker Service LLC, City of New Braunfels, et al; Cause No C2013-0517D in the Comal County District Court
 - Carowest Land, Ltd. v. Yantis Company and the City of New Braunfels, (2010 and 2015 cases)
 - Yantis Company v. The City of New Braunfels, et al.
 - Shepherd's Glen Subdivision Impact Fees Appeal
- (B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code, including but not limited to:
- Project Goose
- (C) Deliberate regarding the deployment, or specific occasions for implementation of security personnel or devices in accordance with Section 551.076, of the Texas Government Code, specifically as it relates to the new city hall building.

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).*

6. **RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.**

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels Municipal Building on February 17, 2016, at 5:00 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.