



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



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

MONDAY, MAY 13, 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: May 13, 2013 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Bryan Miranda

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

PROCLAMATIONS: Public Service Recognition Week
National Public Works Week
Small Business Week

PRESENTATIONS: Retiree Recognition
(G. Pospisil, Mayor)

Emergency Alert System
(B. Miranda, Councilmember, District 5)
(This item placed on the agenda at the request of Councilmember
Miranda)

Mosquito Control in the City of New Braunfels by the Streets and
Drainage Division
(S. Digges, Councilmember, District 6)
(This item placed on the agenda at the request of Councilmember
Digges)

Transit funding for demand bus service and the impact of the 2010 Census in relation to the urbanized area
(S. Mattingly, Planning and Community Development Director)

1. **MINUTES**

Consider approving the minutes of the regular meeting of April 22, 2013, and the special meetings of April 15 and April 22, 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 the appointment of Stevie Talley to the Heritage Commission for a term ending March 11, 2016.
(P. Aten, City Secretary)
- (B) Approval of a Memorandum of Understanding between the City of New Braunfels and the New Braunfels Regional Airport in accordance with Federal Aviation Administration Regulations to lease 4.5 acres of land to be utilized by the New Braunfels Public Works Department for materials storage.
(L. Llerena, Airport Director)
- (C) Approval of the conveyance of 4.7720 acres of land in fee simple from Harold Burris and James Tubbs in the amount of \$119,300 plus closing and relocation expenses for the New Braunfels Regional Airport Runway Protection Zone Acquisition Project.
(L. Llerena, Airport Director)
- (D) Approval of a resolution setting a public hearing to be held during the City Council Meeting on Monday, June 24, 2013, to consider amendments to the New Braunfels Roadway Impact Fees land use assumptions, capital improvements program and impact fee policy.
(G. Ford, Assistant City Engineer)
- (E) Approval of a resolution authorizing the Interim City Manager to enter into an Interlocal Agreement with Comal County to provide a Household Hazardous Waste Collection event for the City of New Braunfels and Comal County.

- (M. Mundell, Solid Waste Manager)*
- (F) Approval of the purchase of demolition services from JR Ramon (current contract) for structures at Fischer Park.
(M. Quinones, Purchasing Manager)
- (G) Approval of the purchase of services from PMAM Corporation for alarm management for the Police Department.
(M. Quinones, Purchasing Manager)
- (H) Approval of the submission of a grant application to the U.S. Department of Justice FY 2013 Bulletproof Vest Partnership program for \$26,240 and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant if awarded.
(T. Wibert, Chief of Police)
- (I) Approval of the submission of a grant application to the Texas Department of State Health Services FY 2014 EMS Local Projects program for \$30,000 and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant if awarded.
(J. Robinson, Fire Chief)
- (J) Approval of the purchase of six ambulance stretchers from Stryker EMS Equipment for the Fire Department and the appropriate budget adjustment.
(J. Robinson, Fire Chief)
- (K) Approval of the purchase of four refurbished dispatch consoles and one new console with new recording equipment to support the 700 MHz P25 Migration for New Braunfels Fire and Police Departments.
(D. Wrenn, Assistant Fire Chief)
- (L) Approval of the City of New Braunfels FY 2012-13 second quarter investment report.
(D. Korinchock, Support Services Director)

Ordinances

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

- (M) Approval of the first reading of an ordinance amending the Chapter 78 of the Code of Ordinances, Section 78-32 (Library) to include the City of New Braunfels extraterritorial jurisdiction in the definition of qualifying schools for a non-resident student discount.
(G. Pruett, Library Director)

- (N) Approval of the second and final reading of an ordinance amending Section 126-346 of the Code of Ordinances to establish a no parking zone in the cul-de-sac on Commercial Circle.
(G. Ford, Assistant City Engineer)
- (O) Approval of the second and final 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)
- (P) Approval of the second and final reading of an ordinance amending the Code of Ordinances, Chapter 118, Section 118-49 (e) 2. Sidewalks, to clarify the placement of where the sidewalks are located.
(S. Mattingly, Planning and Community Development Director)
- (Q) Approval of the second and final reading of an ordinance amending the Code of Ordinances, Chapter 138, Vehicles For Hire, by defining and allowing Pedicabs (human propelled wheel devices) to operate within specific delineated areas of the city.
(J. Lara, Environmental Health Manager)
- (R) Approval of the second and final reading of an ordinance amending the Code of Ordinances, Chapter 62, Article III, Division 3, 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)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider the appointment of three individuals to the Airport Advisory Board for terms ending May 12, 2016.
(P. Aten, City Secretary)
- (B) Discuss and consider the approval of the submission of a grant application to the U.S. Department of Justice FY 2013 Community Oriented Policing Services Hiring program for \$747,056.66.
(T. Wibert, Chief of Police)
- (C) Discuss and consider approval of a resolution authorizing the City Manager to execute an agreement with the State of Texas, represented by the Texas Department of Transportation, to accept funding available under the Aviation Capital Improvement Program for Hangar Access Apron and Widening of Hangar Access Taxiway at the New Braunfels Regional Airport.
(L. Llerena, Airport Director)
- (D) Discuss and consider approval of a resolution authorizing the City Manager to execute an agreement with the State of Texas, represented by the Texas Department of Transportation, to accept funding available under the Aviation

Capital Improvement Program for land acquisition in the Runway Protection Zones at the New Braunfels Regional Airport and the appropriate budget adjustment.
(L. Llerena, Airport Director)

- (E) Discuss and consider approval of the second and final reading of an ordinance amending Section 126-132 of the Code of Ordinances to establish speed limits in Landa Park.
(G. Ford, Assistant City Engineer)
- (F) Discuss and consider approval of a conditional sign permit for the Legend Pond Amenities Center, 3829 Legend Pond, located in the "PD" Legend Pond Planned Development District.
(S. Mattingly, Planning and Community Development Director)
- (G) Discuss and consider request from Pecan Way Mobile Home Park located at 1649 North IH 35 for exemption from payment of Roadway Impact Fees.
(S. Mattingly, Planning and Community Development Director)
- (H) Discuss and consider approval of a resolution approving the inclusion of the City of New Braunfels in the San Antonio/Bexar County Metropolitan Planning Organization (SAMPO) contingent upon New Braunfels receiving one of the nineteen seats on the SAMPO Transportation Policy Board.
(S. Mattingly, Planning and Community Development Director)
- (I) Discuss and consider land use requirements and annexation in relation to intense, heavy industrial and manufacturing uses within the City and extra territorial jurisdiction.
(M. Goodner, Mayor Pro Tem, Councilmember, District 2)
(This item placed on the agenda at the request of Mayor Pro Tem Goodner)

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 May 9, 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.