



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



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

MONDAY, NOVEMBER 25, 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, 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 25, 2013 @ 6:00 P.M.

CALL OF ROLL: City Secretary

INVOCATION: Councilmember Sandy Nolte

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

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

PROCLAMATIONS: Wassailfest Day
Everybody Active2Day

1. MINUTES

Consider approving the minutes of the special meetings of November 7, November 11, and November 12, 2013, and the regular meeting of November 11, 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 two individuals to the Landa Park Golf Course Advisory Board for terms ending December 31, 2016.
(P. Aten, City Secretary)
- B. Approval of the appointment of an additional associate municipal court judge.
(R. Zamora, Municipal Court Judge)
- C. Approval to authorize the City Manager to execute the 2013 Program Year Community Development Block Grant contract in the amount of \$25,000 with CASA of Central Texas for the court advocacy program.
(D. Korinchock, Support Services Director)
- D. Approval to authorize the City Manager to execute the 2013 Program Year Community Development Block Grant contract in the amount of \$149,364 with Comal County Senior Citizen's Foundation for minor home repairs.
(D. Korinchock, Support Services Director)
- E. Approval to authorize the City Manager to execute the 2013 Program Year Community Development Block Grant contract in the amount of \$30,000 with The Institute of Public Health and Education Research (TIPHER) for the Family Promise Day Center program.
(D. Korinchock, Support Services Director)
- F. Approval of the construction contract with Thomas N Thomas Inc. for the construction of a public parking lot for the County Line Memorial Trail.
(M. Quinones, Purchasing Manager)
- G. Approval of the purchase of large truck and equipment tires from Hesselbein Tire Southwest based on best value and recap service from Beasley Tire Service through the Texas Multiple Award Schedule contract.
(M. Quinones, Purchasing Manager)
- H. Approval of the purchase of professional services for 9-1-1 addressing through an existing interlocal agreement with Comal County.
(M. Quinones, Purchasing Manager)
- I. Approval of the purchase of a generator and transfer switch from Waukesha-Pearce Industries, Inc. for the TRG Customer Solutions, Inc. d/b/a IBEX Global economic development project and authorization for the City Manager to approve the contract.
(M. Quinones, Purchasing Manager)
- J. Approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide an additional \$100,000 to the City of New Braunfels to fund the City's share of extending runway 13 and associated

improvements at the New Braunfels Regional Airport and authorizing the City Manager to amend an existing contract.
(J. Jewell, Development Coordinator)

- K. Approval of a resolution authorizing the City Manager to execute an agreement for the temporary closure of State Highway 46 Business (Seguin Avenue), East and West San Antonio Street, and North and South Castell Avenue for the December 5, 2013 Wassailfest Celebration.
(M. Vernon, Downtown 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.)

- L. Approval of the second and final reading of an ordinance amending the Code of Ordinances Chapter 62, Health and Sanitation, Mobile Homes, House Cars (Recreational Vehicles) and Tourist Courts, Section 62-233 and 62-238, amending operational requirements and fees.
(J. Lara, Environmental Health Manager)
- M. Approval of the second and final reading of an ordinance amending the Code of Ordinances Chapter 50, Sections 50-57 and 50-58, related to the prohibitions and notice requirements of public nuisances.
(J. Lara, Environmental Health Manager)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A. Discuss and consider approval of the appointment of three individuals to the Community Development Advisory Committee for terms ending December 13, 2016.
(P. Aten, City Secretary)
- B. Discuss and consider approval of the appointment of two individuals to the Downtown Board for terms ending May 31, 2014 and May 31, 2015.
(P. Aten, City Secretary)
- C. Discuss and consider direction to staff regarding the street banner program, which may include the approval of the second and final reading of an ordinance amending Chapter 106, Signs, by repealing existing Section 106-17, Temporary Street Banners, and approving a new Section 106-17 of the Code of Ordinances.
(R. Camareno, City Manager & V. Acevedo, City Attorney)
- D. Discuss and consider approval of contracts with:
- (1) Luck Design Team for preliminary/conceptual design phase services in an amount not to exceed \$26,000 for the Morningside Park Bond Project;

- (2) Pawelek & Moy, Inc. in the amount of \$235,150 to provide preliminary engineering and design services for the Live Oak Ave/Katy Street Improvements Bond Project;
- (3) River City Engineering in the amount of \$475,642 to provide preliminary engineering and design services for the Klein Road Reconstruction Bond Project;
- (4) HMT Engineering & Surveying in the amount of \$612,873 to provide preliminary engineering and design services for the Blieders Creek/German Creek Watershed Improvements Bond Project; and
- (5) The Schultz Group, Inc. in the amount of \$618,440 to provide Part 1- Conceptual Engineering for the Wood Road/Landa Street Drainage Improvements Preliminary Design Bond Project.
(O. Garza, Capital Programs Manager)

E. Discuss and consider the first reading of an ordinance amending the Code of Ordinances, Chapter 62, Health and Sanitation, establishing Article VIII, Swimming Pools and Spas, providing for regulations, inspections and fees associated therewith.
(J. Lara, Environmental Health Manager)

F. Discuss and consider approval of the first reading of an ordinance amending the Code of Ordinances, Appendix B - Mobile Home Communities, Part I, Section 105 Licenses, establishing a new fee structure.
(J. Lara, Environmental Health Manager)

G. Discuss and consider approval of a resolution supporting a City of New Braunfels recommendation for roadway improvement projects to the Texas Department of Transportation for the San Antonio-Bexar County Metropolitan Planning Organization FY 2015-2018 Transportation Improvement Program.
(G. Ford, Assistant City Engineer)

H. Public hearing and first reading of an ordinance rezoning 4.8 acres located at the northwest intersection of Orion Drive and Goodwin Lane from "APD" Agricultural/Pre-Development District to "MU-B" High Intensity Mixed Use District with a Type 1 Special Use Permit to allow the development of single or two-family dwellings within the first 150 feet of depth of the property adjacent Orion Drive.
(S. Mattingly, Planning and Community Development Director)

I. Public hearing and first reading of an ordinance approving a Type II Special Use Permit for a Bed and Breakfast in the "R-2" Single and Two Family District located at 887 Cross Street.
The applicant has requested to postpone this case to a future undetermined date.
(S. Mattingly, Planning and Community Development Director)

J. Discuss and consider approval of the Edwards Aquifer Habitat Conservation Plan year two (2014) work plan and authorizing the City Manager to execute contract extensions with scope modifications to continue contracts: Old Channel Restoration, Aquatic Vegetation Restoration and Gill Parasite Control with Bio

West; Non-native Animal Species Control and Decaying Vegetation Removal with SWCA; Riparian Improvement – Riffle Beetle with RPS Espey; and Incentive Program for LID/BMP Stormwater Management with Design Workshop.
(S. Ramsey, Public Works Director)

K. Discuss and consider authorizing the City Manager to execute an amendment to the Interlocal Cooperation Contract with the Edwards Aquifer Authority for funding of the Edwards Aquifer Habitat Conservation Plan Program.
(S. Ramsey, Public Works 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 City Manager, City Attorney, and 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 21, 2013, at 9:00 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.