



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

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



**MONDAY, FEBRUARY 10, 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:** February 10, 2014 @ 6:00 P.M.

**CALL OF ROLL:** City Secretary

**INVOCATION:** Councilmember George Green

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

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

**PRESENTATION:** Update on the Walnut Avenue Reconstruction Project.  
(S. Digges, Councilmember – District 6)  
(This item has been placed on the agenda at the request of  
Councilmember Digges.)

First quarter financial report.  
(J. Werner, Management & Budget Coordinator)

**1. MINUTES**

Discuss and consider approval of the minutes of the special meetings of January 27 and February 3, 2014, and the regular meeting of January 27, 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 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 a resolution ordering a Regular Election to be held in the City of New Braunfels, Texas on May 10, 2014, for Regular City Officers; and establishing an Early Voting Location and Polling Places for this Election; and making provisions for the conduct of the Election.  
*(P. Aten, City Secretary)*
- (B) Approval of a resolution appointing election officers for the May 10, 2014 General Election.  
*(P. Aten, City Secretary)*
- (C) Approval to authorize the City Manager to enter into a joint election agreement between the City of New Braunfels and the New Braunfels Independent School District and Comal Independent School District.  
*(P. Aten, City Secretary)*
- (D) Approval for the City Manager to enter into a three-year Small Government Enterprise License Agreement (SGELA) with Esri for geographic information system (GIS) software licenses and online GIS training.  
*(G. Brown, GIS Manager)*
- (E) Approval of the purchase of electronic ticket writers for the Police Department from Brazos Technology Corporation.  
*(M. Quinones, Purchasing Manager)*
- (F) Approval of a purchase from Dell of servers and other computer equipment through a State of Texas Department of Information Resources (DIR) contract.  
*(M. Quinones, Purchasing 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.)*

- (G) Approval of the second and final reading of an ordinance amending Ordinance 75-10 of the City of New Braunfels Code of Ordinances to install stop signs in the Whisperwind and Magnolia Springs Subdivisions.  
*(G. Ford, Assistant City Engineer)*

- (H) Approval of the second and final reading of an ordinance approving a Type Special Use Permit for a Bed and Breakfast facility at 487 W. San Antonio Street, a Local Historic Landmark known as the "Karbach House," in the "C-2" Central Business District and the "SND-1" Special Neighborhood District.  
*(S. Mattingly, Planning and Community Development Director)*
- (I) Approval of the second and final reading of an ordinance rezoning 1.647 acres located at 1067 FM 306 from "C-1" Local Business District to "C-1 B" General Business District.  
*(S. Mattingly, Planning and Community Development Director)*
- (J) Approval of the second and final reading of an ordinance rezoning 5.041 acres, located at 3194 IH-35 North, from "APD" Agricultural/Pre-Development District and "M-1" Light Industrial District to "M-1 A" Light Industrial District.  
*(S. Mattingly, Planning and Community Development Director)*
- (K) Approval of the second and final reading of an ordinance amending the "River Bluff at Gruene" Planned Development District Concept Plan and related development standards.  
*(S. Mattingly, Planning and Community Development Director)*
- (L) Approval of the second and final reading of an ordinance rezoning 12.63 acres out of Lot 1, New Braunfels Storage Subdivision, located adjacent 2090 IH 35 North from "C-3" Commercial District and "APD" Agricultural/Pre-Development District to "MU-B" High Intensity Mixed Use District.  
*(S. Mattingly, Planning and Community Development Director)*

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

- (A) Discussion and possible direction to staff regarding possible amendments to Section 114-98 (f) (5) of the Code of Ordinances regarding the maximum width of a one or two family driveway approach.  
*(R. Reaves, Councilmember – District 3)*  
*(This item has been placed on the agenda at the request of Councilmember Reaves.)*
- (B) Discuss and consider possible action regarding changes to the contract with MAC, Inc., for additional restroom options at Fischer Park.  
*(S. Dicke, Parks and Recreation Director)*
- (C) Discuss and consider approval of change orders 7, 8, and 9 to the contract with Heritage Links for construction services at Landa Park Golf Course, and an addendum to the Terra Design Group contract for archeology monitoring as part of the Landa Park Golf Course Reconstruction Project.  
*(S. Dicke, Parks and Recreation Director)*

- (D) Discuss and consider approval of the first reading of an ordinance repealing and replacing the Code of Ordinances Section 86-7 Operation of Vehicles in Parks Subsection (d) by adding new park fees, hours, and exceptions for parking in Prince Solms Park.  
*(S. Dicke, Parks and Recreation Director)*
- (E) Discuss and consider approval the first reading of an ordinance amending the Code of Ordinances Section 86-95 for Prince Solms Park and the City Tube Chute entrance fees; Hinman Island Park entrance fees.  
*(S. Dicke, Parks and Recreation Director)*
- (F) Discuss and consider approval of the first reading of an ordinance to repeal and replace the Code of Ordinances Chapter 138, Article VI, Sections 138-166 through 138-171, regarding Water Recreation Shuttle Services.  
*(P. Aten, City Secretary)*
- (G) Discuss and consider approval of the second and final reading of an ordinance to amend the Code of Ordinances regarding New Braunfels Utilities (NBU) water rate schedules reflected in Chapter 130 – Utilities, Article IV. – Water Service, Division 3 - Service Requests; Rates, Sec.130-167. Water Rates.  
*(P. DiFonzo, NBU CEO)*
- (H) Discuss and consider approval of the second and final reading of an ordinance to amend and replace Chapter 130, Article IV – Water Service, Divisions 5, 6, and 7, Water Conservation, Regulated Activities, and the Drought Management Plan, of the Code of Ordinances relating to Water Conservation and Drought Management for the New Braunfels Utilities Water Service.  
*(P. DiFonzo, NBU CEO)*
- (I) Discuss and consider approval of the establishment of the right-of-way width of River Road, identified as a Minor Arterial in the City of New Braunfels Regional Transportation Plan, from Loop 337 to Lakeview Boulevard to 90 feet.  
*(G. Ford Assistant City Engineer)*
- (J) Discuss and consider a resolution approving the following contracts with regard to the FM 1101 Project and authorizing the City Manager to execute the same on behalf of the City: (1) The Texas Department of Transportation’s Advance Funding Agreement for a preventative maintenance and rehabilitation project; (2) Agreement to contribute right of way funds and (3) Cost Sharing Agreement between CWC 306 Development, Inc, Timbar 306 Ltd, and Resolute Health.  
*(S. Mattingly, Planning and Community Development Director)*
- (K) Discuss and consider approval of the Parks Specialized Area development standards to be included in the Veramendi Development & Design Control Document (DDCD), located on Loop 337 and River Road.  
*(S. Mattingly, Planning and Community Development Director)*

- (L) Discuss and consider approval of a resolution naming a representative and alternate to the AACOG Board of Directors.  
(R. Camareno, City Manager)

**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 February 7, 2014, at 1:00 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.