



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



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

MONDAY, APRIL 14, 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: April 14, 2014 @ 6:00 P.M.

CALL OF ROLL: City Secretary

INVOCATION: Mayor Pro Tem Bryan Miranda

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

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

PROCLAMATIONS: Sexual Assault Awareness Month
Child Abuse Prevention Month
National Community Development Week

PRESENTATION: Recognition of Fleet Services Division personnel for receiving the
Blue Seal of Excellence from the National Institute for Automotive
Service Excellence.

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.)

1. MINUTES

Discuss and consider approval of the minutes of the regular meeting of March 24, 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 the ratification of the submission of a grant application to the FY 2014 Homeland Security Grant Program (HSGP) in the amount of \$55,500 and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant if awarded.
(D. Wrenn, Interim Fire Chief)
- (B) Approval to authorize the City Manager to contract with University of Texas Health Science Center at San Antonio to direct a paramedic completion program for twelve New Braunfels Firefighters.
(D. Wrenn, Interim Fire Chief)
- (C) Approval of a resolution to close sections of State Highway 46 and close portions of San Antonio Street and Castell Avenue for a portion of the day on May 3, 2014, for Wein & Saengerfest and authorizing the City Manager to execute an agreement with TxDOT related to the closures.
(A. McWhorter, Interim Downtown Development Coordinator)
- (D) Approval to reject all proposals for the Police Department Improvements project.
(M. Quinones, Purchasing Manager)
- (E) Approval of the renewal of the annual contract with Graphic Packaging International, Inc. for green waste bags
(M. Quinones, Purchasing Manager)
- (F) Approval of the renewal of a contract for underwater and above water river litter removal services with Pristine Texas Rivers, Inc.
(M. Quinones, Purchasing Manager)
- (G) Approval of the purchase of Spring Fed Pool sidewalk deck repairs from D&M Owens, Inc through an existing City contract.
(M. Quinones, Purchasing Manager)

- (H) Approval of the establishment of the right-of-way width of State Highway 46, identified as a Principal Arterial in the City of New Braunfels Regional Transportation Plan, from Loop 337 to FM 1863, to 150 feet.
(G. Ford, Assistant City Engineer)
- (I) Approval of the Water and Wastewater Impact Fee Advisory Committee's recommendation to City Council concerning the semiannual water and wastewater impact fee report for the period of June 30, 2013 through December 31, 2013.
(S. Mattingly, Planning and Community Development 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.)

- (J) Approval of the second and final reading of an ordinance amending Ordinance 90-1 to establish a construction speed zone on FM 1101.
(G. Ford, Assistant City Engineer)
- (K) Approval of the second and final reading of an ordinance granting tax relief to the owner of the designated Historic Landmark, the Froelich-Stein House, located at 586 W. Mill Street, which is located in the Mill Street Historic District.
(S. Mattingly, Planning and Community Development Director)
- (L) Approval of the first reading of an ordinance amending the Code of Ordinances Sections 86-101 and 86-119 regarding river management fees, non-paying customers, and the effective dates of wristbands.
(S. Dicke, Parks and Recreation Director)
- (M) Approval of the first of an ordinance amending the Code of Ordinances Section 86-7 Operation of Vehicles in Parks revising Subsection (d) by allowing Resident Tennis Pass to be valid seven days per week.
(S. Dicke, Parks and Recreation Director)
- (N) Approval of the second and final reading of an ordinance establishing the number of positions in each classification in the New Braunfels Police and Fire Departments pursuant to Local Government Code Chapter 143 to reclassify a position.
(G. Wuest, Human Resources Director)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider acceptance of a report from City and NBU staff regarding water reuse options. **This item will be postponed until May 5, 2014.**
(R. Camareno, City Manager)

- (B) Discuss and consider approval of the second and final reading of an ordinance amending Chapter 106 of the Code of Ordinances by amending Section 106-6.2, Permit Fees, and amending Section 106-17, Temporary Street Banners, with language that defines essential terms including but not limited to local qualifying non-profit organizations and governmental entities, events, and continuous fundraisers; changing permitting authority to the City with New Braunfels Utilities continuing to remain responsible for the installation and removal.
(V. Acevedo, City Attorney)
- (C) Discuss and consider approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide \$100,000 to the New Braunfels Parks Foundation for a project expenditure, authorization for the City Manager to enter into a contract with the New Braunfels Parks Foundation for project management services, and approval of construction for Phase 1 at West Loop Dog Park.
(S. Dicke, Parks and Recreation Director)
- (D) Discuss and consider approval of the first reading of an ordinance amending the Chapter 138 of the Code of Ordinances by repealing and replacing Chapter 138 Section 138-1 through Section 138-15 regarding Vehicles for Hire.
(P. Aten, City Secretary)
- (E) Public hearing and approval of a resolution amending the 2006 future Land Use Plan and approval of the second and final reading of an ordinance zoning 29.337 acres, located at 2446 FM 1101, to "MU-B" High Intensity Mixed Use District.
(S. Mattingly, Planning and Community Development Director)
- (F) Discuss and consider approval of Asset Purchase Agreement with New Braunfels Aero Service, Inc. and related Non-Competition and Nonsolicitation Agreement, and Mutual Release and Settlement Agreement, and authorize the City Manager to finalize and execute these agreements.
(L. Llerena, Airport Director)
- (G) Discuss and consider approval of a resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various City improvements (Airport) from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes.
(D. Korinchock, Support Services 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 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 April 9, 2014, 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.