



CITY OF NEW BRAUNFELS, TEXAS  
CITY COUNCIL MEETING



CITY HALL - COUNCIL CHAMBERS  
424 S. CASTELL AVENUE

MONDAY, SEPTEMBER 22, 2014 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)

Sandy Nolte, 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:** September 22, 2014 @ 6:00 P.M.

**CALL OF ROLL:** City Secretary

**INVOCATION:** Councilmember Aja Edwards

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

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

**PROCLAMATIONS:** International Babywearing Week  
Gruene Music & Wine Fest Weekend  
Living Legends

**PRESENTATIONS:** General Fund Street Expenditures by District  
(R. Camareno, City Manager)  
(S. Ramsey, Public Works Director)

River Activities Update  
(S. Dicke, Parks and Recreation Director)  
(M. Mundell, Solid Waste Manager)  
(T. Wibert, Chief of Police)

**1. MINUTES**

Discuss and consider approval of the minutes of the regular meeting of September 8, 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 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 contracts with Kimley-Horn, Lee Engineering, and Parsons Brinckerhoff for on-call traffic engineering.  
*(M. Quinones, Purchasing Manager)*
- B. Approval to renew contracts for road construction work with Ramming Paving Company, D&M Construction, and D&D Contractors, Inc.  
*(M. Quinones, Purchasing Manager)*
- C. Approval to purchase a 2014 Police specification Tahoe from Caldwell Country Chevrolet.  
*(M. Quinones, Purchasing Manager)*
- D. Approval to reject all bids and cancel Invitation for Bids 14-027, Landscape Maintenance for the Parks and City Facilities, and to rebid as a requirements contract.  
*(M. Quinones, Purchasing Manager)*

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- A. Discuss and consider possible action on the creation of a Noise Ordinance Task Force and the appointment of its members.  
*(R. Camareno, City Manager)*
- B. Discuss and consider approval of the appointment of three individuals to the Parks and Recreation Advisory Board for terms ending October 13, 2017.  
*(P. Aten, City Secretary)*
- C. Discuss and consider approval of the appointment of three individuals to the Library Advisory Board for terms ending September 26, 2017.  
*(P. Aten, City Secretary)*

- D. Public Hearing and consideration of requests by Habitat for Humanity to waive the following fees for the construction of a warehouse in the "M-1 " Light Industrial District, located at 1269 Industrial Drive:
1. Application fee for an appeal of the Non-Residential and Multifamily Design Standards.
  2. Application fee for a variance to Chapter 100: Roadway Impact Fees.
  3. Variance to the requirement to collect Roadway Impact Fees.
- (S. Mattingly, Planning and Community Development Director)*
- E. Discuss and consider approval of an appeal of the Non-Residential and Multifamily Design Standards, Articulation and Exterior Building Materials requirements for construction of a warehouse, located at 1269 Industrial Drive.  
*(S. Mattingly, Planning and Community Development Director)*
- F. Public hearing and approval of a resolution amending the 2006 Future Land Use Plan from "Low-Density Residential" and "Commercial" to "Low-Density Residential" and reconsider approval of the second and final reading of an ordinance regarding the proposed amendment to the "Highland Grove" Planned Development District Concept Plan and the related Development Standards, located south and east of the intersection of Rueckle Road and Morningside Drive  
*(S. Mattingly, Planning and Community Development Director)*
- G. Discuss and consider approval of a payment to The Texas Department of Transportation for additional right-of-way costs associated with the Business 46 construction project, from Kerlick Lane to Landa Street.  
*(J. Werner, Assistant Director of Finance)*
- H. Discuss and consider approval of the Agreed Judgment in Cause No. D-1-GV-13-000762, City of New Braunfels, Texas v. Gregg Abbott, Attorney General of Texas, in the 345<sup>th</sup> Judicial District Court of Travis County, Texas which grants the City's motion for summary judgment and provides each party to bear their own costs and fees along with the agreement of the Attorney General's Office to waive their right to appeal the trial court's judgment.  
*(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 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 September 19, 2014, at 9:00 a.m.

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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.