



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

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



MONDAY, FEBRUARY 27, 2012 at 6:00 P.M.

Gale Pospisil, Mayor
Richard Zapata, Councilmember (District 1)
Mark Goodner, Mayor Pro Tem (District 2)
Mike Ybarra, Councilmember (District 3)

Sandy Nolte, Councilmember (District 4)
Bryan Miranda, Councilmember (District 5)
Steven Digges, Councilmember (District 6)
Michael Morrison, 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 27, 2012 @ 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.**

PROCLAMATION: President George Washington Day

1. MINUTES

Consider approving the minutes of the special and regular meetings of February 13, 2012, and the special meeting of February 15, 2012.
(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 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 purchase of vehicles for various City departments from Bluebonnet Motors on the Lower Colorado River Authority (LCRA) contract and Caldwell Country Chevy on a State contract.
(M. Quinones, Purchasing Manager)
- (B) Approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide up to \$32,261 to Boracay New Braunfels, LLC. for costs associated with utility infrastructure improvements at its manufacturing facility.
(J. Jewell, Development Coordinator)
- (C) Approval of a resolution authorizing an application for Home Funds and supporting a Tax Credit application to TDHCA for the proposed The Residences of Solms Village multifamily housing development.
(S. Mattingly, Planning and Community Development Director)
- (D) Approval of a resolution supporting a Community Revitalization and Redevelopment Plan for Lot 4B, Block 1, USA Office & Industrial Park.
(S. Mattingly, Planning and Community Development Director)
- (E) Authorization of the purchase of golf equipment from Austin Turf & Tractor under the Texas Multiple Award Schedule (TXMAS) contract.
(S. Dicke, Parks and Recreation Director)
- (F) Approval of an interlocal agreement between the City of New Braunfels and New Braunfels Independent School District and authorize City Manager to execute the agreement.
(M. Morrison, City Manager)
- (G) Approval of a resolution authorizing the City Manager or his designee to be the representative to the Edwards Aquifer Recovery Implementation Program's Implementing Committee.
(M. Morrison, City 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.)

- (H) Approval of the first reading of an ordinance amending City of New Braunfels, Texas Code of Ordinances Chapter 2, Article III, Division 5, Section 2-112, in order to increase the required number of members necessary for a quorum of the Transportation and Traffic Advisory Board.
(P. Aten, City Secretary)

- (I) Approval of the second and final reading of an ordinance deleting Chapter 2, Article III, Division 6 of the Code of Ordinances in its entirety in order to abolish the River Activities Committee established in 2001. *(not the River Ad Hoc Committee)*
(P. Aten, City Secretary)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Public Hearing on an amendment to Chapter 82 Offenses and Miscellaneous Provisions of the Code of Ordinances, by changing the time of day when the use of amplified sound devices is prohibited.
(T. Wibert, Chief of Police)
- (B) Discuss and consider authorizing and funding positions, an amended FY 2011-12 River Activities Fund Budget and budget transfers in the FY 2011-12 Adopted Budget for the General Fund relating to implementation of the Sustainable Tourism and Environmental Stewardship Plan and River Ad Hoc Committee recommendations.
(D. Korinchock, Support Services Director)
- (C) Discuss and consider approval of the second and final reading of an ordinance amending Chapter 86-16(B) of the City of New Braunfels Code of Ordinances by restricting certain sized flotation devices on the Comal River.
(V. Acevedo, City Attorney)
- (D) Public Hearing on the Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CAPER).
(D. Korinchock, Support Services Director)
- (E) Discussion and consider approval of a Resolution recommended by the New Braunfels Industrial Development Corporation to provide up to \$500,000 for professional services and construction costs to provide utility infrastructure at the New Braunfels Regional Airport and authorizing the City Manager to approve a professional services agreement with Moeller & Associates concerning same.
(J. Jewell, Development Coordinator)
- (F) Presentation and update on the status of the implementation of the Stormwater Utility.
(R. Camareno, Assistant City Manager)
- (G) Discuss and consider authorizing the City Manager to enter into a three year contract with Nortex for the installation and lease of a modular building for Park Operations offices under the Texas Multiple Award Schedule (TXMAS) contract.
(S. Dicke, Parks and Recreation 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.
(V. Acevedo, City Attorney)
- (B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code.
(V. Acevedo, City Attorney)
- (C) Deliberate matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct as authorized by Section 551.071(2), of the Texas Government Code.
(V. Acevedo, City Attorney)
- (D) 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.
(V. Acevedo, City Attorney)

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 23, 2012, at 4:00 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.