



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



**CITY HALL - COUNCIL CHAMBERS
550 LANDA STREET**

MONDAY, SEPTEMBER 11, 2017 at 6:00 PM

Barron Casteel, Mayor
George Green, Councilmember (District 1)
Justin Meadows, Councilmember (District 2)
Ron Reaves, Councilmember (District 3)
Chris Monceballez, Councilmember (District 4)
Wayne Peters, Mayor Pro Tem (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.***

AGENDA

CALL TO ORDER

CALL OF ROLL: City Secretary

INVOCATION: Mayor Barron Casteel

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

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

PROCLAMATIONS:

- A) National Preparedness Month

PRESENTATIONS:

- A) Update on the New Braunfels Industrial Development Corporation's strategic priorities.
Robert Camareno, City Manager

1. MINUTES

- A) Discuss and consider approval of the minutes of the special City Council meetings of August 21, 22, and 24, and the regular City Council meeting of August 28, 2017.
Patrick Aten, City Secretary

2. CITIZENS' COMMUNICATIONS

This time is for citizens to address the City Council on issues and items of concerns not on this agenda. There will be no City Council action at this time.

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 the appointment of one individual to the Building Standards Commission for a term ending October 26, 2019.
Patrick Aten, City Secretary
- B) Approval of acquisition funds for purchasing right of way from Veramendi Partners, L.P., Parcel 91 on the Solms/Morningside/Reuckle Road Improvements Project.
Matthew Eckmann, Real Estate Manager
- C) Approval of the City of New Braunfels FY 2016-17 third quarter investment report.
Martie Simpson, Finance Director
- D) Approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide up to \$114,661 to the Center for Entrepreneurship for operation of the Small Business Development Center in 2017-2018.
Jeff Jewell, Economic Development Manager
- E) Approval to authorize the City Manager to execute a Utility Cooperative Agreement with Green Valley Special Utility District (GVSUD) for the reimbursement water utility relocation costs necessitated by the Klein Road Reconstruction Project.
Bryan Woods, Assistant City Manager
- F) Approval to authorize the City Manager to execute a Utility Cooperative Agreement with Guadalupe Valley Electric Cooperative (GVEC) for the reimbursement of utility relocation costs necessitated by the Klein Road Reconstruction Project.
Bryan Woods, Assistant City Manager
- G) Approval of acquisition funds for purchasing Right of Way from Parcels 1, 2A, 2B, 35, 90 and 110 on the Solms/Morningside/Reuckle Road Improvements Project.
Matthew Eckmann, Real Estate Manager

- H) Approval of the issuances of invitations for competitive sealed proposals on the Post Road, Klein Road, Solms Road/Morningside Drive, and Rueckle Road Projects since the City Council finds that this delivery method will provide the best value to the City.
Bryan Woods, Assistant City Manager
- I) Approval of a resolution for the realignment of Watson Lane West, identified as a minor arterial in the City of New Braunfels Regional Transportation Plan, between FM 1102 and IH 35.
Garry Ford, City Engineer
- J) Approval of the submission of the Humanities Texas Major Grants Community Project to Humanities Texas in the amount of \$10,000 to fund the New Braunfels Cemetery Adelsverein Unmarked Graves Memorial Project and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant, if awarded.
Ylida Capriccioso, Park Development Manager
- K) Approval of a contract with e-merge EMS to support the City's Emergency Medical Services Program with medical direction and pre-hospital provider services.
Kenneth Jacks, Fire Chief

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 first reading of an ordinance amending Chapter 126-104 of the Code of Ordinances to conform to House Bill 62 adopted by the Texas Legislature in the 85th regular session that allows an operator of a motor vehicle to read, write, or send an electronic message on a wireless communication device while stopped, and provides affirmative defenses to prosecution.
Valeria Acevedo, City Attorney
- M) Approval of the first reading of an ordinance amending Section 114-92 of the City of New Braunfels Code of Ordinances to provide requirements for access near public highway-rail grade crossings.
Garry Ford, City Engineer
- N) Approval of the first reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking on Golf Course Road.
Garry Ford, City Engineer
- O) Approval of the first reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking on both sides of Loop 337

from State Highway 46 to 1,320 feet east of the intersection with Oakwood Boulevard.

Garry Ford, City Engineer

- P) Approval of the second and final reading of an ordinance amending the City of New Braunfels Code of Ordinances, Chapter 118, Platting, Article IV, Design Standards, Section 118-46 Streets.

Garry Ford, P.E., City Engineer

- Q) Approval of the second and final reading of an ordinance amending the City of New Braunfels Code of Ordinances, Chapter 118, Platting, Article III, General Platting Procedures.

Garry Ford, P.E., City Engineer

- R) Approval of the second and final reading of an ordinance regarding a proposed amendment to Section 2.2 of Ordinance No. 2016-77, a Type 1 Special Use Permit allowing a commercial tuber entrance and takeout in the "C-4" Resort Commercial District, being 0.2289 acres addressed at 444 East San Antonio Street, to allow the business a postponement of the requirement to comply with the Americans with Disabilities Act for its public/commercial river access point, until December 31, 2018, or until postponement is revoked by the Texas Department of Licensing and Regulation based on a formal complaint being filed, whichever occurs first.

Christopher J. Looney, Planning and Community Development Director

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of the second and final reading of an ordinance of the City of New Braunfels adopting the FY 2017-18 Operating Budget and Plan of Municipal Services.

Robert Camareno, City Manager

- B) Discuss and consider approval of a resolution of the City of New Braunfels ratifying the increase in revenue generated by the 2017 property tax rate included in the FY 2017-18 Annual Budget.

Robert Camareno, City Manager

- C) Discuss and consider approval of the second and final reading of an ordinance of the City of New Braunfels adopting the 2017 ad valorem tax rates.

Robert Camareno, City Manager

- D) Discuss and consider approval of the first reading of an ordinance authorizing the number of positions in each classification in the New Braunfels Fire Department and New Braunfels Police Department

pursuant to Local Government Code Chapter 143 as part of the annual budget process.

Jared Werner, Director of Human Resources

- E) Discuss and consider providing direction to the City Manager on a plan to implement rules related to the disposable container and cooler size ordinance.

Robert Camareno, City Manager

- F) Discuss and consider approval of the installation of speed humps on Gruene Road between Glenbrook Drive and Post Road.

Garry Ford, City Engineer

- G) Discuss and consider approval of the first reading of an ordinance amending portions of the Code of Ordinances, Section 126-354 Parking by Permit Only, regarding the administration of parking permits.

Patrick Aten, City Secretary

- H) Discuss and consider possible action on the creation of a Bond Advisory Committee.

Robert Camareno, City Manager

- I) Discuss and consider approval of a resolution authorizing the use of Eminent Domain Proceedings under Chapter 251 of the Texas Local Government Code and Section 2.03 of the City of New Braunfels Municipal Charter, on the following parcels as part of the Solms/Morningside/Rueckle Road Reconstruction Project:

Parcel 7 described as 0.007 acres and 0.061 acres along with 10,044 Sq. Ft. of Temporary Construction Easement, being a portion of Lot 1A, Block 1, The Meadows of Morningside, Unit One, as recorded in Volume 14, Page 88 of the Map and Plat Records of Comal County, Texas owned by Morningside (New Braunfels) Homeowner's Association, Inc., a Texas not-for-profit corporation.

Parcel 8 described as 0.007 acres and 1,892 Sq. Ft of Temporary Construction Easement, being a portion of Lot 1A, Block 2, The Meadows of Morningside, Unit One, as recorded in Volume 14, Page 88 and 0.010 acres and 2,934 Sq. Ft of Temporary Construction Easement, being a portion of Lot 1A, Block 2, The Meadows of Morningside, Unit Two, as recorded in Volume 14, Page 117 of the Map and Plat Records of Comal County, Texas owned by Morningside (New Braunfels) Homeowner's Association, Inc., a Texas not-for-profit corporation.

Parcel 13 described as 0.007 acres and 823 Sq. Ft of Temporary

Construction Easement, being a portion of Lot 1A, Block 12, The Meadows of Morningside, Unit Five, as recorded in Volume 14, Page 130 of the Map and Plat Records of Comal County, Texas owned by Morningside (New Braunfels) Homeowner's Association, Inc., a Texas not-for-profit corporation.

Parcel 24 described as 0.007 acres and 353 Sq. Ft of Temporary Construction Easement, being a portion of Lot 1A, Block 15, The Meadows of Morningside, Unit Five, as recorded in Volume 14, Page 130 of the Map and Plat Records of Comal County, Texas owned by Morningside (New Braunfels) Homeowner's Association, Inc., a Texas not-for-profit corporation.

Parcel 25 described as 0.050 acres, being a portion of Lot 1A, Block 15, The Meadows of Morningside, Unit Six, as recorded in Volume 14, Page 206 of the Map and Plat Records of Comal County, Texas owned by Morningside (New Braunfels) Homeowner's Association, Inc., a Texas not-for-profit corporation.

Parcel 41 described as 0.025 acres, being a portion of Lot 915, Block 3, Highland Grove, Unit One, as recorded in Document Number 201306002020 of the Map and Plat Records of Comal County, Texas owned by Highland Grove Homeowners Association, Inc.

Matthew Eckmann, Real Estate 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 of, exchange, lease or value of real property, in accordance with Section 551.072, of the Texas Government Code, including but not limited to:
 - acquisition of land for city facilities
 - public right-of-way

- B) Deliberate the appointment, evaluation, duties, or removal of the 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).

6. **RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.**

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall on August 7, 2017, at 12:00 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.