

**SPECIAL CITY COUNCIL MEETING**  
**NEW BRAUNFELS MUNICIPAL BUILDING – CONFERENCE ROOM B**  
**424 S. CASTELL AVENUE**  
**OCTOBER 25, 2010 @ 5:30 P.M.**

*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:** OCTOBER 25, 2010 @ 5:30 P.M.

**CALL OF ROLL:** CITY SECRETARY

1. **INTERVIEWS**

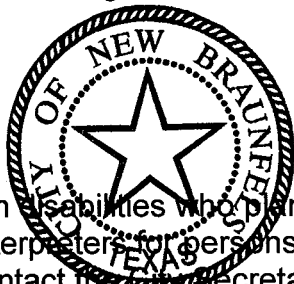
- (A) Interview applicants for the appointment of one member to the New Braunfels Utilities Board of Trustees for a term ending October 13, 2015.

**ADJOURNMENT**

***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 October 15, 2010, at 12:00 p.m.



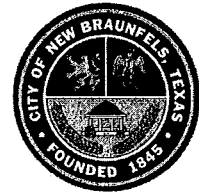
  
\_\_\_\_\_  
Danny S. Batts II, Deputy City Secretary

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 (2) work days prior to the meeting so that appropriate arrangements can be made.



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

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



**MONDAY, OCTOBER 25, 2010 at 6:00 P.M.**

R. Bruce Boyer, Mayor	Sandy Nolte, Councilmember (District 4)
Richard Zapata, Councilmember (District 1)	Kathleen Krueger, Mayor Pro Tem (District 5)
Mark Goodner, Councilmember (District 2)	Steven Digges, Councilmember (District 6)
Mike Ybarra, Councilmember (District 3)	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:**           OCTOBER 25, 2010 @ 6:00 P.M.

**CALL OF ROLL:**           City Secretary

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

**INVOCATION:**           Councilmember Mike Ybarra

**PROCLAMATION:**       Braunfels-New Braunfels Sister Cities Week  
Human Trafficking

**PRESENTATIONS:**       Texas Amateur Athletic Federation Local Athletes of the Year  
Update Downtown Development Board Activities

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

**1.    MINUTES**

Consider approving the minutes of the special meetings of October 4, 2010, special meeting of October 11, 2010, and the regular meeting of October 11, 2010.  
(A. Smith, Interim 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.*

**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 authorizing the City Manager to accept a FY-2010 Homeland Security Grant in the amount of \$130,670 from the Texas Division of Emergency Management, Department of Public Safety.  
*(V. Brown, Intergovernmental Div. and Bobby Whitmire, Interim Chief of Police)*
- (B) Approval of the renewal of the annual contract with Ameripride Linen & Apparel Services for uniform services.  
*(M. Quinones, Purchasing Mgr.)*
- (C) Approval of the renewal of the annual contract with Matera Paper Company for janitorial supplies.  
*(M. Quinones, Purchasing Mgr.)*
- (D) Approval of the renewal of the annual contract with Verizon Wireless for air cards for MDT units.  
*(M. Quinones, Purchasing Mgr.)*
- (E) Approval of the renewal of the annual contract with Texas Fleet Fuel for City wide fuel services.  
*(M. Quinones, Purchasing Mgr.)*
- (F) Appointment of Robert Gray, J. Wesley Stamps, and Jennifer Malatek to the New Braunfels Industrial Development Corporation Board of Directors for terms ending October 9, 2012.  
*(A. Smith, Interim City Secretary)*
- (G) Approval of the recommendation of the New Braunfels Public Library Advisory Board regarding amendment to the plan of action for the Loan Star Libraries Grant Award to the New Braunfels Public Library.  
*(G. Pruett, Library Director)*
- (H) Approval of year-end budget transfers for FY 2009-10 in the General Fund and a budget adjustment in the 2011 Certificates of Obligation Capital Improvement Fund for FY 2010-11.  
*(D. Korinchock, Support Services Director)*

- (I) Approval of the appointment of Mary Ann Carter to the Building Standards Commission for a term ending October 26, 2012, and the appointment of Susie Barrett to the Building Standards Commission as an alternate member for a term ending October 26, 2012.  
(A. Smith, Interim City Secretary)
- (J) Approval of the appointment of Terry Hikel to the Construction Board of Appeals as an alternate member for a term ending February 24, 2013.  
(A. Smith, Interim City Secretary)
- (K) Approval of the appointment of Nancy Ford to the Heritage Commission for an unexpired term ending March 11, 2013.  
(A. Smith, Interim City Secretary)
- (L) Approval of a resolution authorizing the signing of the Official Sister City Agreement between the City of New Braunfels, Texas and Braunfels, Germany.  
(V. Brown, Intergovernmental Services Mgr.)

Ordinances

*(In accordance with Section 3.10 of the City's Charter, a descriptive caption of each ordinance shall be read on two separate days.)*

- (M) Approval of the second and final reading of an ordinance amending Ordinance No. 75-10 dated April 28, 1975 to approve installation of the traffic control devices (stop signs) on Avery Parkway at Dorman Drive.  
(J. Klein, City Engineer)
- (N) Approval of the second and final reading of an ordinance amending Ordinance No. 75-10 dated April 28, 1975 to approve installation of the traffic control devices associated with the Walnut Street widening project (stop signs) at the following locations:
  - NW & SE corners of W. Coll Street at S. Sycamore Avenue
  - SE corner of N. Sycamore Avenue at W. Bridge Street
  - SW & NE corners of W. Bridge Street at N. Sycamore Avenue
  - SW & NE corners of W. Mill Street at N. Hickory Avenue(J. Klein, City Engineer)
- (O) Approval of the second and final reading of an Ordinance granting to Centerpoint Energy Resources Corp., DBA Centerpoint Energy Texas Gas Operations, the right, privilege and franchise to construct, install, extend, remove, replace, abandon, operate and maintain its facilities with the public rights-of-way of the City of New Braunfels, Texas for the transportation, delivery, sale, and distribution of natural gas; containing other provisions relating to the foregoing subject; providing for severability and providing an effective date.  
(A. Wayland, City Attorney)

- (P) Approval of the second and final reading of an ordinance amending the Code of Ordinances by modifying Section 126-136 to establish a school speed zone on IH 35 Business and designate specific times.  
*(J. Klein, City Engineer)*
- (Q) Approval of the second and final reading of an ordinance of the City of New Braunfels, Texas, amending Chapter 14 "Building and Building Regulations", Article IV. "Plumbing Code," by amending Section 14-92 "Regulation and Insurance, Quality of Work;" providing a severability clause; providing a savings clause; and declaring an effective date.  
*(S. Mattingly, Planning and Community Development Director)*
- (R) Approval of the second and final reading of an ordinance to amend Chapter 14, Building and Building Regulations, Article II, Sec. 14-27 (u) Table 1019.2 of the New Braunfels Code of Ordinances, and declaring an effective date.  
*(S. Mattingly, Planning and Community Development Director)*
- (S) Approval of the second and final reading of an ordinance to amend the 2006 International Plumbing Code, Section 410.1 Drinking Fountains, of the New Braunfels Code of Ordinances and declaring an effective date.  
*(S. Mattingly, Planning and Community Development Director)*
- (T) Approval of the second and final reading of an ordinance granting a tax relief to the owner of the designated landmark located at 148 Ferguson Avenue, known as the Beinhauer-Forres House.  
*(S. Mattingly, Planning and Community Development Director)*
- (U) Approval of the second and final reading of an ordinance to amend Chapter 54, Fire Prevention and Protection; Emergency Medical Services, Article III, Sec. 54-87, Fire prevention and protection fees, of the New Braunfels Code of Ordinances.  
*(P. O'Connell, Fire Marshall)*
- (V) Approval of the second and final reading of an ordinance to repeal Chapter 54, Fire Prevention and Protection; Emergency Medical Services, Article III, Sec. 54-86, International Fire Code; and amendments, in its entirety and adopting a new Sec. 54-86 International Fire Code; and amendments of the New Braunfels Code of Ordinances.  
*(P. O'Connell, Fire Marshall)*

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

- (A) Discuss and consider the appointment of one member to the New Braunfels Utilities Board of Directors for a term ending October 31, 2015.  
*(A. Smith, Interim City Secretary)*

- (B) Discuss and consider the appointment of two members to the Parks and Recreation Advisory Board for terms ending October 13, 2013.  
(A. Smith, Interim City Secretary)
- (C) Discuss and consider the appointment of one alternate member to the Zoning Board of Adjustments for unexpired term ending May 31, 2012.  
(A. Smith, Interim City Secretary)
- (D) Public Hearing and consider approval of the first reading of an ordinance rezoning 47.97 acres located on the west side of Oak Run Parkway, approximately 2,000 feet north of Loop 337, from "R-1A-8(r83)" Single Family District with Restrictions to "Enclave at Westpointe Village Planned Development District" with Concept Plan.  
(S. Mattingly, Planning and Community Development Director)
- (E) Discuss and consider an appeal to the non-residential and multi-family design standards exterior building materials requirement for a proposed commercial building to be located at 241 Hunter's Village.  
(S. Mattingly, Planning & Community Development Director)
- (F) Approval of the second and final reading of an ordinance amending Section 5.16, Short Term Rental or Occupancy in one and two unit dwellings, Chapter 144, Zoning Ordinance.  
(S. Mattingly, Planning and Community Development Director)
- (G) Discuss and consider approval authorization the City Manager to enter into a contract with Halff Associates for additional services for design of South Tributary Trail Amenities.  
(S. Laird Dicke, Parks and Recreation Director)
- (H) Discuss and consider approving a contract to develop standards for a federally mandated storm water quality program and to review and potentially amend the existing drainage criteria.  
(S. Mattingly, Planning and Community Development 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.  
(A. Wayland, City Attorney)

- (B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code.  
(A. Wayland, City Attorney)
  
- (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.  
(A. Wayland, City Attorney)

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**ADJOURNMENT**

**CERTIFICATION**

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Danny S. Batts II, Deputy City Secretary

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