



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

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



MONDAY, APRIL 23, 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: April 23, 2012 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Mayor Pro Tem Mark Goodner

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

PROCLAMATIONS: Public Service Recognition Week
National Letter Carrier Day
National Music Week in New Braunfels
Relay for Life
Wein & Saengerfest Day
Cinco de Mayo Amazing Reading Race

PRESENTATION: Semi-annual Economic Development Activities Report
(Michael Meek)

1. **MINUTES**
Consider approving the minutes of the regular meeting of April 9, 2012, and the special meetings of April 10 and April 16, 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 appointments of Stephanie Ferguson and Jan Kennady to the Central Texas Technology Center Board of Directors for terms ending April 26, 2015.
(P. Aten, City Secretary)
- (B) 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 5, 2012, for Wein & Saengerfest and authorizing the City Manager to execute an agreement with TxDOT related to the closures.
(M. Vernon, Downtown Development Coordinator)
- (C) Approval of the renewal of annual contracts with Brauntex Materials, Inc., Century Asphalt, Ltd., and Ingram Readymix, Inc. for road construction materials.
(M. Quinones, Purchasing Manager)
- (D) Approval of the renewal of the annual contract with Graphic Packaging International, Inc. for green waste bags.
(M. Quinones, Purchasing Manager)
- (E) Approval of the purchase of 96 gallon garbage cans from Toter through the National Intergovernmental Purchasing Alliance (IPA) contract for the Solid Waste Division.
(M. Quinones, Purchasing Manager)
- (F) Approval of the purchase of camera systems and warranties for the Police Department vehicles from Coban Technologies, Inc. through HGAC Contract #EF-04-11.
(M. Quinones, Purchasing Manager)
- (G) Approval of waiving building permit fees in conjunction with the construction of a playhouse to be raffled off in support of "Operation FINALLY HOME".
(S. Mattingly, Planning and Community Development Director)

- (H) Approval of the purchase of a new LIFEPAK 15 monitor/defibrillator from Physio-Control for the Fire Department.
(M. Quinones, Purchasing Manager)
- (I) Authorization for the City Manager to execute a letter agreement with New Braunfels Utilities (NBU) to reimburse NBU for services related to establishing a Municipal Drainage Utility billing system, and payment for yearly billing administration costs if the utility is adopted by City Council
(S. Ramsey, Public Works 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 Number 75-10 to approve installation of stop signs on Pecan Crossing at East County Line Road and at Pecan Bluff.
(S. Ramsey, Public Works Director)
- (K) Approval of the second and final reading of an ordinance amending Ordinance Number 75-10 to approve installation of stop signs on Sunshadow Drive at Broadmoor Drive.
(S. Ramsey, Public Works Director)
- (L) Approval of the second and final reading of an ordinance amending Ordinance Number 75-10 to approve installation of all way stop signs at the intersection of Brentwood Drive and Ohio Avenue.
(S. Ramsey, Public Works Director)
- (M) Approval of the second and final reading of an ordinance amending Ordinance Number 75-10 to approve installation of stop signs on E. Mather Street at S. Veramendi Avenue.
(S. Ramsey, Public Works Director)
- (N) Approval of the second and final reading of an ordinance amending Chapter 126 of the City of New Braunfels Code of Ordinances to establish S Hill Avenue as a one-way street between W Coll Street and Cross Street.
(S. Ramsey, Public Works Director)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Public hearing and first reading of an ordinance rezoning portions of South Union Avenue, from "R-2" Single-Family and Two-Family District and "R-1A-6.6" SingleFamily District to "SUA-SO" South Union Avenue-Special District.
[This item will be postponed until the May 14, 2012 City Council meeting.]
(S. Mattingly, Planning and Community Development Director)

- (B) Public hearing and first reading of an ordinance rezoning portions of the Comal Town Neighborhood, from "R-3" Multi-Family District, "R-2" Single-Family and Two-Family District and "R-1A-6.6" Single-Family District to "OV-SND" Old Veramendi – Special Neighborhood District.
[This item will be postponed until the May 14, 2012 City Council meeting.]
(S. Mattingly, Planning and Community Development Director)
- (C) Presentation, discussion and possible action on authorizing the City Manager to execute a Deed Notice and a Restrictive Covenant (Institutional Controls) requested by LCRA on the former Landa Mills Power Plant.
(S. Ramsey, Public Works Director)
- (D) Presentation and discussion regarding the City of New Braunfels FY 2011-12 second quarter financial status.
(J. Werner, Management and Budget Coordinator)
- (E) Public hearing and first reading of an ordinance amending the City of New Braunfels Code of Ordinances, Chapter 109, by establishing a Municipal Drainage Utility System, and service area; dedicating assets to the utility; providing for exemptions; provide for the continuing effect of other drainage regulations; repealing all ordinances in conflict; and providing for severability and an effective date.
(R. Camareno, Assistant City Manager)
- (F) Public hearing and first reading of an ordinance amending the City of New Braunfels Code of Ordinances, Chapter 109, by adopting rules for the City of New Braunfels Municipal Drainage Utility; levying a schedule of drainage charges; providing for penalties and interest; repealing all ordinances in conflict; and providing for severability and an effective date.
(R. Camareno, Assistant City Manager)
- (G) Discuss the maintenance of municipal drainage easements.
(S. Digges, Councilmember District 6)
(This item placed on the agenda at the request of Councilmember Digges)
- (H) Public hearing and first reading of an ordinance designating a portion of downtown to be known as the Downtown Historic District.
(S. Mattingly, Planning and Community Development Director)
- (I) Public hearing on community needs for development of the Community Development Block Grant ("CDBG") Program Year 2013 One-Year Action Plan
(M. Ryan, Community Development)
- (J) Discuss and consider approval of a budget amendment in the FY 2011-12 Adopted Budget for the City Attorney's Office.
(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 the municipal court judge, in accordance with Section of 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 19, 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.