



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

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



MONDAY, MAY 14, 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: May 14, 2012 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Mike Ybarra

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

PROCLAMATIONS: National Public Works Week
Lyme Disease Awareness Month
National Preservation Month
Small Business Week
National Police Appreciation Week
Youth Week

1. MINUTES

Consider approving the minutes of the regular meeting of April 23, 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 reappointment of Acie McAda and David Dean to the Airport Advisory Board for terms ending May 12, 2015.
(P. Aten, City Secretary)
- (B) Approval of the City of New Braunfels Arts Commission recommendations for allocating grant awards from hotel occupancy tax to various arts organizations of the City and authorizing the City Manager to execute contracts with the aforementioned organizations for the purpose of disbursement and use of funding.
(P. Aten, City Secretary)
- (C) Approval of the City of New Braunfels Heritage Commission recommendations for allocating grant awards from hotel occupancy tax to various heritage organizations of the City and authorizing the City Manager to execute contracts with the aforementioned organizations for the purpose of disbursement and use of funding.
(P. Aten, City Secretary)
- (D) Approval of the purchase of an automated, fuel efficient side-load garbage collection vehicle for the Solid Waste Division from Chastang's Bayou City Autocar through the Buyboard Cooperative.
(M. Quinones, Purchasing Manager)
- (E) Approval of the renewal of an annual contract with Colorado Materials, Ltd for road construction materials.
(M. Quinones, Purchasing Manager)
- (F) Approval of the City of New Braunfels FY 2011-12 second quarter investment report.
(D. Korinchock, Support Services Director)
- (G) Approval of a resolution to adopt Amendment 2 to the Community Development Block grant (CDBG) Program Year 2012 One-Year Action Plan.
(D. Korinchock, Support Services Director)
- (H) Approval to authorize the City Manager to execute a development agreement with Emmert Fifth Limited Partnership regarding 29.337 acres located at 2468 FM 1101, New Braunfels, Comal County, Texas, pursuant to Chapter 212 of the Texas Local Government Code.

(S. Mattingly, Planning and Community Development 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.)

- (I) Approval of the first reading of an ordinance amending Chapter 126 and Ordinance Number 75-10 of the City of New Braunfels Code of Ordinances to establish multiple traffic control measures as a part of the Railroad Quiet Zone Project.
(G. Ford, Assistant City Engineer)
- (J) Approval of the first reading of an ordinance amending Ordinance Number 75-10 to approve installation of stop signs on Ridgewood Avenue at Oasis Street.
(G. Ford, Assistant City Engineer)
- (K) Approval of Transportation and Traffic Advisory Board's recommendation to deny a request for installation of stop signs on Small Town Drive at Sugar Land Drive.
(G. Ford, Assistant City Engineer)
- (L) Approval of Transportation and Traffic Advisory Board's recommendation to deny a request for installation of a stop sign on Small Town Drive at Jerad Street
(G. Ford, Assistant City Engineer)
- (M) Approval of the first reading of an ordinance amending Ordinance Number 75-10 to approve installation of a stop sign on Cotton Boulevard at Hanz Drive
(G. Ford, Assistant City Engineer)
- (N) Approval of the first reading of an ordinance amending Ordinance Number 75-10 to approve installation of a stop sign and a yield sign at the intersection of Elizabeth Avenue at Hinman Island Drive and to remove a stop sign on Hinman Island Drive at Elizabeth Avenue.
(G. Ford, Assistant City Engineer)
- (O) Approval of the first reading of an ordinance granting a tax relief to the owner of the designated landmark located at 195 W. Coli Street, known as the Carl and Maria Stock Haus.
(S. Mattingly, Planning and Community Development Director)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discussion and possible action approving a resolution recommended by the NBIDC approving a grant of up to \$100,000 and a loan of up to \$300,000 for a project to relocate National Flight Services, Inc. to the New Braunfels Regional Airport.
(L. Llerena, Airport Director)

- (B) Discuss and consider approval of a conditional sign permit to allow the addition of an electronic message board to the existing monument sign at 801 W. San Antonio Street.
(S. Mattingly, Planning and Community Development Director)
- (C) Discuss and consider the second and final reading of an ordinance designating a portion of downtown to be known as the Downtown Historic District.
(S. Mattingly, Planning and Community Development Director)
- (D) 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" Single-Family District to "SUA-SO" South Union Avenue-Special District.
(S. Mattingly, Planning and Community Development Director)
- (E) 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.
(S. Mattingly, Planning and Community Development Director)
- (F) Public hearing and second and final 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)
- (G) Public hearing and second and final 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)
- (H) Discuss and consider authorizing the City Manager to execute a professional services agreement with CgM and Associates, Inc. for the design and engineering of a Vehicle Service Center, Public Works Operations and Fire Training Building, and Fire Training Field on city property located at FM 1102 and Orion Drive.
(R. Camareno, Assistant City Manager)
- (I) Discuss and consider approval to change in the City Attorney's Office, the current independent contract attorney to an authorized, full-time employee holding the position of Assistant City Attorney/Prosecutor, and the appropriate budget transfer.
(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 an Assistant City Attorney in accordance with Section 551.074 of the Texas Government Code.
- (E) 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 May 9, 2012, at 4:45 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.