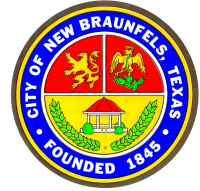




**CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING**

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



TUESDAY, MAY 29, 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 29, 2012 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Sandy Nolte

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

PROCLAMATION: Click It or Ticket

1. MINUTES

Consider approving the minutes of the special meetings of May 7 and May 21, 2012, and the regular meeting of May 14, 2012.
(P. Aten, City Secretary)

2. CITY COUNCIL ACTIONS

- (A) Complete and issue Certificates of Election to the Councilmembers-elect.
- (B) Administer oath-of-office to District Three Councilmember-elect Ron Reaves.
- (C) Administer oath-of-office to District Four Councilmember-elect Sandy Nolte.
- (D) Consideration and approval of a resolution and recognition of the public service rendered by Mike Ybarra as District Three Councilmember (2009-2012), of the City of New Braunfels, Texas.
- (E) Election of a Mayor Pro-Tem.

3. 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)*

4. 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 Mayoral reappointments of Mark Squires and Jan Kennady as members to the Board of Directors of Reinvestment Zone No. 1 for terms ending May 29, 2014.
(P. Aten, City Secretary)
- B. Approval of the appointment of Kay Scott to the New Braunfels Housing Authority Board of Commissioners for a term ending January 22, 2014.
(P. Aten, City Secretary)
- C. Approval of the appointment of Councilmember Sandy Nolte to the Lone Star Rail District Board of Directors for a term ending February 1, 2013.
(P. Aten, City Secretary)
- D. Authorization for the City Manager to enter into a contract renewal through March 31, 2013 with McGriff, Seibels and Williams of Texas, Inc., for Employee Benefit Management Services.
(J. O'Connell, Human Resources Director)
- E. Approval of a budget adjustment in the FY 2011-12 Adopted Budget for Airport Fund revenue, operating expenditures and capital expenditures.
(D. Korinchock, Support Services Director)
- F. Approval of a contract with Towns Land Services for landscape installation services on the Walnut Avenue Extension Project for the Parks Department.
(M. Quinones, Purchasing Manager)
- G. Approval of the renewal of annual contracts with D&D Contractors, Inc., D&M Construction, Myers Concrete Construction, LP and Double S Paving, Inc. for road construction work.
(M. Quinones, Purchasing Manager)
- H. Approval of the renewal of the annual contract with Compass Group USA, Inc. through its Canteen Vending Services Division for vending services.

(M. Quinones, Purchasing Manager)

- I. Approval to authorize the City Manager to enter into a 40 year Ground Lease with National Flight Services, Inc. at the New Braunfels Regional Airport.
(L. Llerena, Airport Director)
- J. Ratification and approval of a change of the New Braunfels Industrial Development Corporation's Registered Agent to be the current City Secretary
(J. Jewell, Development Coordinator)
- K. Approval of a Resolution recommended by the New Braunfels Industrial Development Corporation to provide up to \$275,000 for professional services and construction costs to provide additional utility infrastructure at the New Braunfels Regional Airport and authorizing the City Manager to amend a professional services agreement with Moeller & Associates concerning same.
(J. Jewell, Development Coordinator)
- L. Approval of a resolution recommended by the New Braunfels Industrial Development Corporation Board of Directors to extend and modify a previously approved project and the terms of an existing loan agreement with Leisure Pools USA Holdings, Ltd. and its successors in interest.
(J. Jewell, Development Coordinator)

Ordinances

(In accordance with Section 3.10 of the City 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 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)
- N. Approval of the second and final 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)
- O. Approval of the second and final 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)
- P. Approval of the second and final reading of an ordinance granting a tax relief renewal to the owner of the designated landmark located at 195 E. Coli Street, known as the Carl and Maria Stock Haus.
(S. Mattingly, Planning and Community Development Director)

- Q. Approval of the first reading of an ordinance amending Chapter 10 "Aviation," Section 10-101 "Airport Uses" of the Code of Ordinances to amend the Commercial Activity Fees.
(L. Llerena, Airport Director)

5. INDIVIDUAL ITEMS FOR CONSIDERATION

- A. Status of the proposed Municipal Drainage (Stormwater) Utility.
(R. Camareno, Assistant City Manager)
- B. The public hearing and first reading of an ordinance amending Chapter 144, Zoning Ordinance will be postponed to a future Council agenda.
(S. Mattingly, Planning and Community Development Director)
- C. Public hearing and first reading of an ordinance rezoning approximately 1.5 acres, located at 274 E. Garza Street, from "R-2" Single-Family and Two-Family District to "C-1A" Neighborhood Business District.
(S. Mattingly, Planning and Community Development Director)
- D. Public hearing and first reading of an ordinance rezoning 37.237 acres, consisting of Lot 1, Ebert Unit 2 and Lot 1, Ebert Unit 3 Subdivisions and located at 715 and 891 Alves Lane, from "APD" Agricultural/Pre-Development to "R-2A" Single-Family and Two-Family District.
(S. Mattingly, Planning and Community Development Director)
- E. Public hearing and first reading of an ordinance rezoning 60.97 acres, located near the southeast intersection of Highway 46 South and FM 758, from "C-1" Local Business District, "C-3" Commercial District, and "APD" Agricultural/Pre-Development to "R-2A" Single-Family and Two-Family District and "MU-B" High Intensity Mixed Use District.
(S. Mattingly, Planning and Community Development Director)
- F. Public hearing and first reading of an ordinance rezoning 9.30 acres, located east of Highway 46 South near the intersection of Avery Parkway, from "APD" Agricultural/Pre-Development to "R-2A" Single-Family and Two-Family District.
(S. Mattingly, Planning and Community Development Director)
- G. Public hearing and first reading of an ordinance granting a Special Use Permit to allow an accessory building to be constructed prior to construction of a primary structure in an "R-2" Single & Two-Family District, located at 698 South Washington Avenue.
(S. Mattingly, Planning and Community Development Director)
- H. Discuss and consider approval of an appeal of the Non-Residential and Multifamily Design Standards Articulation and Exterior Building Materials requirements for a proposed classroom building at 2002 Spur Street.

(S. Mattingly, Planning and Community Development Director)

- I. Discuss and consider approval of an appeal of the Non-Residential and Multifamily Design Standards landscape requirements for a new industrial building located at 2400 Longhorn Industrial Drive.
(S. Mattingly, Planning and Community Development Director)
- J. Discuss and consider approval of a conditional sign permit for two subdivision entry monument signs located on the east side of Morningside Drive between Rueckle Road and Vista Parkway in the Highland Grove Planned Development District.
(S. Mattingly, Planning and Community Development Director)
- K. Discuss and consider a proposed License Agreement between Velma Development, LLC, The Highland Grove Home Owner's Association and the City of New Braunfels.
(S. Mattingly, Planning and Community Development Director)
- L. Discuss and consider the first reading of an ordinance amending Article III, Historic Landmark Preservation Ordinance Section 66-59 Alteration certificate application procedure to remove the \$25.00 filing fee.
(S. Mattingly, Planning and Community Development Director)

6. 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.

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 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.