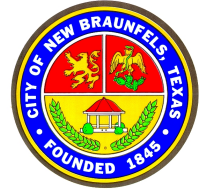




**CITY OF NEW BRAUNFELS, TEXAS  
CITY COUNCIL MEETING**

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



**MONDAY, JUNE 11, 2012 at 6:00 P.M.**

Gale Pospisil, Mayor  
Richard Zapata, Councilmember (District 1)  
Mark Goodner, Mayor Pro Tem (District 2)  
Ron Reaves, 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:** June 11, 2012 @ 6:00 P.M.

**CALL OF ROLL:** City Secretary

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

**INVOCATION:** Councilmember Bryan Miranda

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

**PRESENTATION:** Rush Enterprises Bus Donation to the New Braunfels Police  
Department  
(*T. Wibert, Police Chief*)

**1. MINUTES**

Consider approving the minutes of the regular meeting of May 29, 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 renewal of the annual contract with Bound Tree Medical, LLC for medical supplies for the Fire Department.  
*(M. Quinones, Purchasing Manager)*
- B. Approval of the renewal of the annual contracts with Terracon Consultants, Inc. and Arias and Associates, Inc. for construction testing.  
*(M. Quinones, Purchasing Manager)*
- C. Approval of a resolution authorizing the City Manager to enter in a Grant Funding Approval Agreement with the U.S. Department of Housing and Urban Development for the Community Development Block Grant (“CDBG”) Program Year 2012 One-Year Action Plan.  
*(D. Korinchock, Support Services 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.)*

- D. Approval of the second and final reading of an ordinance amending Chapter 10 “Aviation,” Section 10-101 “Airport Uses” of the Code of Ordinances to amend the Commercial Activity Fees.  
*(J. Jewell, Development Coordinator)*
- E. Approval of the first reading of an ordinance amending Ordinance Number 75-10 to approve the installation of stop signs on southbound Elizabeth Avenue at Hinman Island Drive and removal of a stop sign on Hinman Island Drive at Elizabeth Avenue.  
*(G. Ford, Assistant City Engineer)*
- F. Approval of the second and final 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)*
- G. Approval of the second and final 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. Approval of the second and final 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)*

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- A. Presentation and discussion on the proposed Municipal Drainage (Stormwater) Utility.  
*(R. Camareno, Assistant City Manager)*
- B. Public hearing and consideration of a resolution amending the 2006 Future Land Use Plan from "Commercial" to "Low Density Residential" and the second and final 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)*
- C. Public hearing and consideration of a resolution amending the 2006 Future Land Use Plan from "Low Density Residential" to "Commercial" and the second and final 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 consideration of a resolution amending the 2006 Future Land Use Plan from "Commercial" to "Low Density Residential" and the second and final 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)*
- E. Discuss and consider approval of a conditional sign permit in the "M-1r35" Light Industrial District located at 1575 N. IH 35.  
*(S. Mattingly, Planning and Community Development Director)*
- F. Discuss and consider approval of a conditional sign permit in the "C-1B" General Business District located at 948 Gruene Road.  
*(S. Mattingly, Planning and Community Development Director)*
- G. Discuss and consider the first reading of an ordinance amending the City of New Braunfels Code of Ordinances Chapter 130 "Utilities," Article IV "Water Service," Divisions 5, 6, and 7 on Water Conservation and Drought Management to include providing additional and revised definitions, clarifications of certain presumptions, changes to regulated activities, increasing surcharges for water waste, and adding changes to the drought management plan.  
*(P. DiFonzo, New Braunfels Utilities Chief Executive Officer)*

- H. Discuss and consider authorizing the City Manager to enter into a revised Animal Control Services Contract with the New Braunfels Humane Society.  
(*R. Camareno, Assistant City 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, 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 June 6, 2012, at 11:00 a.m.

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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.