



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

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



MONDAY, SEPTEMBER 10, 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: September 10, 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: National Preparedness Month
National Hispanic Heritage Month
Constitution Week

1. MINUTES

Consider approving the minutes of the special meetings of August 27 and September 4, 2012, and the regular meeting of August 27, 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 Pro Tem Goodner)

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 budget amendments in the FY 2011-12 Adopted Budget Airport Fund and in the FY 2011-12 General Fund for the City Attorney's Office.
(D. Korinchock, Support Services Director)
- (B) Approval of the appointment of Renee Martinez to the Central Texas Technology Center Board for a term ending April 26, 2015.
(P. Aten, City Secretary)
- (C) Approval of a contract between The Institute of Public Health and Research and Education Research (TIPHER) awarding the New Braunfels Police Department \$30,000 for the purpose of performing quarterly compliance checks on retail tobacco stores in the City of New Braunfels.
(T. Wibert, Police Chief)
- (D) Approval to authorize the City Manager to execute a Commercial Lease for 473 S. Castell Avenue.
(R. Camareno, Assistant City Manager)

Ordinances

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

- (E) Approval of the second and final reading of an ordinance amending Ordinance 75-10 to approve the installation of a stop sign on Sungate Drive at W. County Line Road.
(G. Ford, Assistant City Engineer)
- (F) Approval of the second and final reading of an ordinance amending Ordinance 75-10 to approve the installation of stop signs on Dunlap Drive at Lake Front Avenue.
(G. Ford, Assistant City Engineer)
- (G) Approval of the second and final reading of an ordinance amending Ordinance 75-10 to approve the installation of stop signs on Hazelwood Drive at Jerad Street.
(G. Ford, Assistant City Engineer)
- (H) Approval of the second and final reading of an ordinance amending Ordinance 75-10 to approve the installation of no thru truck traffic signs on Live Oak Avenue from Landa Street to Michigan Street.
(G. Ford, Assistant City Engineer)
- (I) Approval of the second and final reading of an ordinance rezoning 14.778 acres, located at 1656 Gruene Road, from "R-2" Single-family and Two-family District to

"C-4A" Resort Commercial District.

(S. Mattingly, Planning and Community Development Director)

- (J) Approval of the second and final reading of an ordinance approving a Type II Special Use Permit to allow a mobile food court in the "C-1B" General Business District on 1.65 acres out of the A-20 SUR-1 AM Esnaurizar Survey, located at 1112 East Highway 46.
(S. Mattingly, Planning and Community Development Director)
- (K) Approval of the first reading of a staffing ordinance establishing the number of positions in each classification in the Police and Fire Departments pursuant to Civil Service Chapter 143 as part of the annual budget process.
(J. O'Connell, Human Resources Director)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider the second and final reading of an ordinance granting a Special Use Permit to allow a commercial tuber entrance and takeout in the "C-4" Resort Commercial District, located at 444 East San Antonio Street.
(S. Mattingly, Planning and Community Development Director)
- (B) Discuss and consider the second reading of an ordinance of the City of New Braunfels adopting the FY 2012-13 Operating Budget and Work Plan.
(D. Korinchock, Support Services Director)
- (C) Discuss and consider the second reading of an ordinance of the City of New Braunfels adopting the 2012 ad valorem tax rates.
(D. Korinchock, Support Services Director)
- (D) Public Hearing Regarding a Proposed Strategic Partnership Agreement Between the City of New Braunfels, Texas, and Comal County Water Improvement District No. 1.
(M. Morrison, City Manager)
- (E) Discuss and consider the second and final reading of an ordinance amending the New Braunfels Code of Ordinances by repealing Chapter 144; and adopting a new Chapter 144.
(S. Mattingly, Planning and Community Development Director)
- (F) Discuss and consider approval of an appeal of the Non-Residential and Multifamily Design Standards Articulation and Exterior Building Materials requirements for a proposed metal building located at 1386 Industrial Drive.
(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.
- (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 September 5, 2012, at 5:00 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.