



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

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



MONDAY, SEPTEMBER 24, 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 24, 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.

PROCLAMATIONS: Gruene Music & Wine Fest Weekend
Domestic Violence Awareness Month

1. MINUTES

Consider approving the minutes of the regular meeting of September 10, 2012.
(P. Aten, City Secretary) Page 5

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) Page 11*

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 a budget amendment in the FY 2011-12 Adopted Budget for the City Attorney's Office, City Council, and the Library.
(D. Korinchock, Support Services Director) Page 13
- (B) Approval of the appointment of Sarah Blake to the Library Advisory Board for a term ending September 26, 2015.
(P. Aten, City Secretary) Page 15
- (C) Approval of a contract with Myers Concrete Construction for the San Antonio Street Bridge Repair Project.
(M. Quinones, Purchasing Manager) Page 17
- (D) Approval of the renewal of the annual contract with Verizon Wireless for cellular phone service through the State of Texas D.I.R. contract.
(M. Quinones, Purchasing Manager) Page 19
- (E) Approval of the renewal of lease for portable buildings from Nortex Modular Space under TXMAS contract #4-56060.
(M. Quinones, Purchasing Manager) Page 21

Ordinances

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

- (F) Approval of the second and final 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) Page 23

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Public hearing and first reading of an ordinance rezoning 77.491 acres out of the A-485 SUR-2 O Russell Survey, located at 2838 Goodwin Lane from "APD" Agricultural/Pre-Development District to "ACMUSD" Alligator Creek Mixed Use Special District.
(S. Mattingly, Planning and Community Development Director) Page 27
- (B) Second 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) Page 89
- (C) Discuss and consider the renewal of the annual contracts with Pawelek & Moy, Inc., River City Engineering, Hanz Thornhill, Inc., Moeller Ingalls, LLC dba Moeller

- and Associates and The Schultz Group, Inc. for engineering services for small streets and drainage projects.
(M. Quinones, Purchasing Manager) Page 97
- (D) Discuss and consider approval of annual contracts with Maldonado Nursery & Landscaping, Inc. and Green Grass, Inc. for landscape and maintenance services.
(M. Quinones, Purchasing Manager) Page 99
- (E) Discuss and consider authorizing the City Manager to enter into a contract with New Braunfels Utilities for underground conversion of utilities located in Prince Solms Park.
(S. Dicke, Parks and Recreation Director) Page 101
- (F) Discuss and consider the appointment of individuals to the Bond Advisory Committee.
(P. Aten, City Secretary) Page 105
- (G) Public hearing on the draft Community Development Block Grant (“CDBG”) Program Year 2013 One Year Action Plan.
(D. Korinchock, Support Services Director) Page 107
- (H) Public hearing and first reading of an ordinance rezoning approximately 0.76 acres at the terminus of Advantage Drive, from “M-1” Light Industrial District to “ARMSD” Advantage Residential Mixed Special District.
(S. Mattingly, Planning and Community Development Director) Page 111
- (I) Public hearing and first reading of an ordinance rezoning Lot 5, Oma’s Commercial 2, located at 532 Advantage Drive, from “C-3” Commercial District to “AMSD” Advantage Mixed Special District.
(S. Mattingly, Planning and Community Development Director) Page 147
- (J) Public hearing and first reading of an ordinance rezoning Lot 1 Block 1, Cypress Rapids at Gruene Unit 8, located at 1606 Sunnybrook Drive, from “C-1” Local Business District and “R-2” Single-family and Two-family District to “C-1A” Neighborhood Business District.
(S. Mattingly, Planning and Community Development Director) Page 183
- (K) Public hearing and consideration of a resolution amending the 2012 Thoroughfare Plan by removing a proposed Minor Collector between Hoffmann Lane and FM 306.
(S. Mattingly, Planning and Community Development Director) Page 205
- (L) Public hearing and first reading of an ordinance rezoning lots 1-6, Blocks 1&2, Advantage 1, from “C-3” Commercial District and “M-1” Light Industrial District to “R-1A6.6” Single-Family District.
(S. Mattingly, Planning and Community Development Director) Page 213

- (M) Public hearing and first reading of an ordinance rezoning the Freiheit Acres Subdivision, Unit One, Blocks 1-3, from "C-3" Commercial District to "TH-A" Townhouse Residential District.
(S. Mattingly, Planning and Community Development Director) Page 231
- (N) 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) Page 249

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 19, 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.