



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

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



MONDAY, OCTOBER 22, 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: October 22, 2012 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Mayor Gale Pospisil

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

PROCLAMATIONS: Municipal Court Week
Living Legends of New Braunfels

PRESENTATIONS: Wurstfest
(Herb Skoog)

End of Season River Report
(T. Wibert, Police Chief)

1. MINUTES

Consider approving the minutes of the special and regular meetings of October 8, 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 Gale 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 appointment of Ryan Palmer to the Building Standards Commission for a term ending October 26, 2014.
(P. Aten, City Secretary)
- (B) Approval to authorize the City Manager to enter into a one year contract renewal with Waste Management of Texas, Inc. for the disposal of municipal solid waste.
(M. Mundell, Solid Waste Manager)
- (C) Approval of a resolution authorizing the City Manager to enter into an Interlocal Agreement with Comal County to provide a Household Hazardous Waste Collection event for the City of New Braunfels and Comal County.
(M. Mundell, Solid Waste Manager)
- (D) Approval of a contract with Masters Electrical Services, Ltd. for the San Antonio Street Bridge lights and authorization for the City Manager to approve change orders up to the contingency amount.
(M. Quinones, Purchasing Manager)
- (E) Approval of a resolution adopting the Community Development Block Grant ("CDBG") Program Year 2013 One Year Action Plan.
(D. Korinchock, Support Services Director)
- (F) Approval of the annual lease payment for CRIMES Law Enforcement Computer Software including the license, system maintenance and related services for the period of October 1, 2012 to September 30, 2013 from Sam Houston State University in the amount of \$55,000.
(T. Wibert, Police Chief)
- (G) Approval of a resolution accepting streets in the Gardens of Ranch Estates Subdivision, Unit 1.
(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.)

- (H) Approval of the second and final reading of an ordinance amending Ordinance 75-10 to approve the installation of stop signs on Cardinal Drive at Oriole Drive.

(G. Ford, Assistant City Engineer)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider the appointment of two individuals to the Parks and Recreation Advisory Board for terms expiring October 13, 2015.
(P. Aten, City Secretary)
- (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.
(J. Jewell, Development Coordinator)
- (C) Presentation, discussion and possible action adopting the Economic Development Strategic Plan.
(J. Jewell, Development Coordinator)
- (D) Discuss and consider approval of a resolution supporting a recommendation of the City of New Braunfels for the Texas Department of Transportation 2012 Transportation Improvement Program.
(S. Mattingly, Planning and Community Development Director)
- (E) Public hearing and first reading of an ordinance rezoning 31.31 acres, located on FM 1863 near the intersection of Mission Valley Road, from "APD" Agricultural/Pre-Development District to "R-1A6.6" Single-family District.
(S. Mattingly, Planning and Community Development Director)
- (F) Public hearing and first reading of an ordinance rezoning 1.68 acres, located at 1126 Loop 337, 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)
- (G) Discuss and consider approval of a conditional sign permit at 1122 IH 35 South, located in the "C-3" Commercial District.
(S. Mattingly, Planning and Community Development Director)
- (H) 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. *[The applicant has requested this item to be postponed until the November 12th City Council meeting.]*
(S. Mattingly, Planning and Community Development Director)
- (I) Public hearing and first reading of an ordinance rezoning 8.493 acres, located at 1401 Cypress Bend Cove, from "R-1" Single-family District to "West Gruene Planned Development District" with Concept Plan. *[The applicant has withdrawn their application.]*

(S. Mattingly, Planning and Community Development Director)

- (J) Discuss and consider acceptance of a grant award from the Federal Emergency Management Agency (FEMA) of \$700,100 through the Repetitive Flood Claim grant program to be used for acquisition and demolition of floodplain properties; and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant award.
(C. Keenum, Grants Coordinator)
- (K) Discuss and consider acceptance of a grant award from the Federal Emergency Management Agency (FEMA) of \$497,700 through the Pre-Disaster Mitigation grant program to be used for acquisition and demolition of floodplain properties; and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant award.
(C. Keenum, Grants Coordinator)
- (L) Discuss and consider acceptance of a grant award from the Federal Emergency Management Agency (FEMA) of \$357,818.50 through the Pre-Disaster Mitigation grant program to be used for acquisition and demolition of floodplain properties; and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant award.
(C. Keenum, Grants Coordinator)
- (M) Discuss and consider approval of an ordinance repealing Chapter 138, Article V, Section 138-122 which governs incident management tows and implementing a new selection process.
(T. Wibert, Police Chief)

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 October 17, 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.