



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

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



MONDAY, NOVEMBER 12, 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: November 12, 2012 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Richard Zapata

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

PROCLAMATION: National Hospice Month
Boy Scouts of America Citizenship Month

PRESENTATIONS: Texas Amateur Athletic Federation & City of New Braunfels Local Athletes of the Year
(*R. Kunkel, Recreation Manager*)

Repair of Landa Park Bridges Project
(*S. Dicke, Parks and Recreation Director*)

1. MINUTES

Consider approving the minutes of the special meeting of October 29, 2012, and the regular meeting of October 22, 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 City of New Braunfels FY 2011-12 fourth quarter investment report.
(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.)

- (B) Approval of the second and final 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)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider the appointment of one individual to the Library Advisory Board for a term ending September 26, 2015.
(P. Aten, City Secretary)
- (B) Public hearing and first reading of an ordinance designating the property at 663 W. Mill Street as a Local Historic Landmark, to be known as the Julius Schwandt House.
(S. Mattingly, Planning and Community Development Director)
- (C) Public hearing and approval of a resolution amending the 2006 Future Land Use Plan and approval of the second and final 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)
- (D) Discuss and consider a resolution relating to establishing the City Council of the City of New Braunfels' intention to reimburse itself for the prior lawful expenditure of funds relating to the acquisition of certain personal property from the proceeds

of tax-exempt obligations to be issued by the City for authorized purposes; authorizing matters incident and related thereto; and providing an effective date.
(D. Korinchock, Support Services Director)

- (E) Discuss and consider authorizing the City Manager to execute contracts with Spillman Technologies for a Computer Aided Dispatch and Records Management software system for the Police and Fire Department.
(T. Wibert, Police Chief)
- (F) Discuss and consider approval of the second and final reading 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)
- (G) Discuss and consider approval of a resolution recommended by the New Braunfels Industrial Development Corporation for an authorized project expenditure of up to \$703,728 to fund a professional services agreement for two (2) years with the Greater New Braunfels Chamber of Commerce, Inc.
(J. Jewell, Development Coordinator)
- (H) Discuss and consider action to authorize the City Manager to execute contracts implementing the Edwards Aquifer Recovery Implementation Program Habitat Conservation Plan Year 1:
 - Flow Split Management – HDR
 - Decaying Vegetation Removal – SWCA Environmental Consultants
 - Riffle Beetle Habitat Restoration – RPS Espey
 - Restoration of Riparian Habitat Design - Freese and Nichols
 - Restoration of Riparian Habitat Sediment Island Removal - D&M Owens*(S. Ramsey, Public Works Director)*
- (I) Discuss and consider approval of a resolution authorizing the submission of two project nominations for awards of cost reimbursement funding in the amount of \$1,761,184 under the Texas Department of Transportation's FY 2012 Transportation Enhancement Program.
(G. Ford, Assistant City Engineer)
- (J) Discuss and consider the consent of the dedication of 10.05 acres of land from Westpointe Residential, Ltd. to the New Braunfels Parks Foundation for future public parkland.
(S. Dicke, Parks and Recreation 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 November 7, 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.