



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

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



MONDAY, DECEMBER 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: December 10, 2012 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Ron Reaves

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

PROCLAMATIONS: New Braunfels High School State Championship Tennis Team
Arbor Day

1. MINUTES

Consider approving the minutes of the regular meeting of November 26, 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 to cancel the December 24, 2012 Regular City Council Meeting.
(P. Aten, City Secretary)
- (B) Approval of the Mayoral re-appointment of Mark Goodner to serve as Chairman of the Board of Directors of Reinvestment Zone No. 1 until December 31, 2013.
(P. Aten, City Secretary)
- (C) Approval of a resolution authorizing the City Manager to enter into an Agreement with Richard J. Leidl, P.C. for federal legislative services on behalf of the City of New Braunfels.
(M. Morrison, City Manager)
- (D) Approval of the purchase of maintenance, monthly airtime and radio services for radios for the New Braunfels Police, Fire and Parks and Recreation Departments from the Lower Colorado River Authority (LCRA).
(M. Quinones, Purchasing Manager)
- (E) Approval of the purchase of seven public safety vehicles from Bluebonnet Motors on the Lower Colorado River Authority (LCRA) contract and Caldwell Country Chevy on a State contract.
(M. Quinones, Purchasing Manager)
- (F) Approval of the submission of a grant application to the FY 2013 Urban Area Security Initiative grant program for \$78,750 under the Texas Department of Public Safety DHS/FEMA grant program; and authorizing the City Manager to accept funds if awarded and to execute all contract documents associated with the grant awarded.
(J. Robinson, Fire Chief)
- (G) Approval to authorize the City Manager to execute an agreement for roadway impact fee offsets and construction of public improvements with ALVES 421-5, LTD, a Texas limited partnership, and ARROYO NB DEVELOPMENT, INC., a Texas corporation, for Alves Lane roadway improvements as part of the Creekside Crossing Development.
(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 a stop sign on Westpointe Drive at Oak Run Parkway.
(G. Ford, Assistant City Engineer)

- (I) Approval of the second and final reading of an ordinance amending Ordinance 75-10 to approve the installation of a stop sign on Oak Cascade at Oak Run Parkway.
(G. Ford, Assistant City Engineer)
- (J) Approval of the second and final reading of an ordinance amending Chapter 78 of the Code of Ordinances Article II, Section 78-27 pertaining to Library Advisory Board membership qualifications.
(P. Aten, City Secretary)
- (K) Approval of the second and final reading of an ordinance rezoning approximately 2.12 acres, located at 1437 & 1441 S. State HWY 46, from "C-1" Local Business District to "C-1 B" General Business District.
(S. Mattingly, Planning and Community Development Director)
- (L) Approval of the second and final reading of an ordinance granting approval of a Special Use Permit to allow the short term rental of a one family dwelling in the "C-1" Local Business District, located at 504 E. San Antonio Street.
(S. Mattingly, Planning and Community Development Director)
- (M) Approval of the second and final reading of an ordinance rezoning 2.112 acres located at the northwest intersection of Marigold Way and the IH 35 S access road, from "APD" Agricultural/Pre-Development District to "C-1 B" General Business District.
(S. Mattingly, Planning and Community Development Director)
- (N) Approval of the second and final reading of an ordinance rezoning 1.0 acre located at the northeast intersection of Marigold Way and the IH 35 S access road, from "APD" Agricultural/Pre-Development District to "C-1 B" General Business District.
(S. Mattingly, Planning and Community Development Director)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Presentation by the New Braunfels Downtown Board regarding 2012 accomplishments and possible action regarding a new tagline to accompany the adopted Downtown logo.
(S. Mattingly, Planning and Community Development Director)
- (B) Discuss and consider approval of the proposed environmental stewardship marketing campaign for the 2013 river tourism season, and authorization for the City Manager to enter into a contract with The Greater New Braunfels Chamber of Commerce to implement the proposed campaign
(R. Camareno, Assistant City Manager)

- (C) Discuss and consider authorizing the City Manager to execute contracts implementing the Edwards Aquifer Recovery Implementation Program Habitat Conservation Plan Year One:
 - Old Channel Restoration – Bio-West
 - Aquatic Vegetation – Bio-West
 - Non-native Animal Control - SWCA
 - Gill Parasite – Bio-West
 - Low Impact Development (LID) – Design Workshop

(S. Ramsey, Public Works Director)
- (D) Discuss and consider recommendations from the River Ad Hoc Committee regarding the 2013 summer season.

(M. Morrison, City Manager)
- (E) Discuss and consider action to authorize the City Manager to execute contract(s) for non-consent towing services for the Police Department.

(T. Wibert, Police Chief)
- (F) Public hearing and first reading of an ordinance rezoning 2.981 acres, located at 1327 FM 758 and 1683 Highway 46 South, from "C-1" Local Business District and "APD" Agricultural/Pre-Development to "MU-B" High Intensity Mixed Use District.

(S. Mattingly, Planning and Community Development Director)
- (G) Public hearing and first reading of an ordinance rezoning of 0.689 acres, located on the south side of FM 758 approximately 850 feet east of the intersection of State Highway 46, from "MU-B" High Intensity Mixed Use District to "R-2A" Single and Two-Family District.

(S. Mattingly, Planning and Community Development Director)
- (H) 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 2.167 acres located at the terminus of Advantage Drive, from "C-3" Commercial District and "M-1" Light Industrial District to "ADSD" Advantage Drive Special District.

(S. Mattingly, Planning and Community Development Director)
- (I) Discuss and consider approval of a conditional sign permit at 3522, 3526, 3530, 3534, 3538 and 3542 Loop 337 in the "M-1" Light Industrial District.

(S. Mattingly, Planning and Community Development Director)
- (J) Discuss and consider the ratification of the City Manager's approval of Change Order 12 to the contract with Yantis Company for construction services on the North Tributary Regional Flood Control Project.

(S. Ramsey, Public Works 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 December 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.