



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

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



MONDAY, JANUARY 11, 2010 at 6:00 P.M.

R. Bruce Boyer, Mayor
Richard Zapata, Councilmember (District 1)
Mark Goodner, Councilmember (District 2)
Mike Ybarra, Councilmember (District 3)

Sandy Nolte, Councilmember (District 4)
Kathleen Krueger, Mayor Pro Tem (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: January 11, 2010 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Steven Digges

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

1. MINUTES

Consider approving the minutes of the special meeting of December 8, 2009, the special meeting of December 14, 2009, and the regular meeting of December 14, 2009. Pages 1-14
(M. Resendez, City Secretary)

2. CITIZENS' COMMUNICATIONS Page 15

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 Boyer

3. **CONSENT AGENDA** Pages 17-18

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 purchase of uniforms from Kel-Lac Uniforms for the Fire Department. Page 19
(M. Quinones, Purchasing Manager)
- (B) Approval of the purchase of construction services from Myers Concrete Construction, LP for River Terrace Channel Improvements and authorization for the City Manager to execute contract and change orders. Pages 21-22
(J. Klein, City Engineer / M. Quinones, Purchasing Manager)
- (C) Approval of the purchase of an Electric Tug from Ship It AOG, LLC for the airport, under a sole source justification. Page 23
(L. Llerena, Airport Manager / M. Quinones, Purchasing Manager)

Ordinances

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

- (D) Approval of the second and final reading of an ordinance to amend the Code of Ordinances, Article III. Main Street Advisory Board, Section 38-53, Term; compensation. Pages 25-26
(S. Mattingly, Planning and Community Development Director)
- (E) Approval of the second and final reading of an ordinance amending Ordinance Number 75-10 dated April 28, 1975 to approve installation of the traffic control devices (stop signs) on the northeast and southwest corners of Briarbend Drive at Brockton Drive. Pages 27-28
(S. Digges, Councilmember District 6)
- (F) Approval of the second and final reading of an ordinance rezoning Lot 4, W M L Subdivision, located at 6362 IH 35 South, from "M-1 Light Industry District" and "APD Agricultural/Pre-Development" to "M-1A Light Industrial District".
(S. Mattingly, Director of Planning Community Development) Pages 29-31
- (G) Approval of the second and final reading of an ordinance amending Chapter 58, Floods, of the New Braunfels Code of Ordinances. Pages 33-47
(R. Kinsey, Building Official)

- (H) Approval of the second and final reading of an ordinance to amend Chapter 14, Buildings and Building Regulations, Section 14-29, Contractors, items (a) and (h) of the New Braunfels Code of Ordinances. Pages 49-50
(R. Kinsey, Building Official)
- (I) Approval of the second and final reading of an ordinance amending Chapter 106, signs, New Braunfels Code of Ordinance to permit the relocation of off-premise advertising signs under certain conditions. Pages 51-52
(S. Mattingly, Planning and Community Development Director)
- (J) Approval of first reading of an ordinance amending Ordinance Number 75-10 dated April 28, 1975 to approve installation of the traffic control devices (stop signs) at the intersections of Fredericksburg Road at Grandview Avenue, and Stonehaven at Jerad Street. Pages 53-55
(J. Klein, City Engineer)

4. PRESENTATIONS

- (A) Presentation on the 2010 Convention and Visitors Bureau Media Plan.
(J. Young, New Braunfels Chamber of Commerce) Page 57

5. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider approval of a resolution authorizing the City Manager to enter into a contract or development agreement granting an exemption to the collection of roadway impact fees from Comal County Habitat for Humanity.
(S. Mattingly, Planning and Community Development Director) Pages 59-79
- (B) Discuss and consider approval of a conditional sign permit to allow a proposed sign to be located at the northeast intersection of State Highway 46 West and Oak Sprawl. Pages 81-89
(S. Mattingly, Planning and Community Development Director)
- (C) Discuss and consider approval of a conditional sign permit to allow a proposed sign to be located at 54 Gruene Park Drive. Pages 91-104
(S. Mattingly, Planning and Community Development Director)
- (D) Discuss and consider approval of a conditional sign permit to allow a proposed sign to be located at 1448 E. Common Street. Pages 105-113
(S. Mattingly, Planning and Community Development Director)

6. EXECUTIVE SESSIONS Page 115

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.

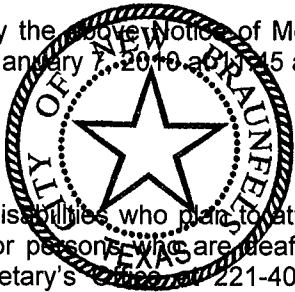
- (A) Deliberate and consider the purchase, exchange, lease or value of real property, in accordance with Section 551.072, of the Texas Government Code.
(A. Wayland, City Attorney) Page 115
- (B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code.
(A. Wayland, City Attorney) Page 115
- (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.
(A. Wayland, City Attorney) Page 115

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).

ADJOURNMENT

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the New Braunfels Municipal Building on January 7, 2010 at 11:15 a.m.



Michael A. Resendez

Michael A Resendez, 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.