

CITY OF NEW BRAUNFELS, TEXAS REGULAR CITY COUNCIL MEETING

CITY HALL - COUNCIL CHAMBERS 424 S. CASTELL AVENUE



MONDAY, JANUARY 10, 2011 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.

AGENDA

CALL TO ORDER:

January 10, 2011 @ 6:00 P.M.

CALL OF ROLL:

City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION:

Mayor Boyer

PROCLAMATION:

Sanctity of Life Day

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

1. MINUTES

Consider approving the minutes of the special meeting of November 30, 2010 and the special and regular meetings of December 13, 2010. (*A. Smith, Interim City Secretary*)

2. <u>CITIZENS' COMMUNICATIONS</u>

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

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 Wayne Clark to the Landa Park Municipal Golf Course Advisory Board for a term ending December 31, 2013.

 (A. Smith, Interim City Secretary)
- (B) Approval of the purchase of accessories for police vehicles from GT Distributors, Inc and police video systems from Coban through the Buyboard Cooperative.

 (T. Wibert, Chief of Police / M. Quinones, Purchasing Manager)
- (C) Approval of an interlocal agreement with the City of Fort Worth, Texas in accordance with Texas Government Code Chapter 791, Texas Interlocal Cooperation Act, initially for credit card processing services.

 (M. Quinones, Purchasing Manager)
- (D) Approval of purchase of supplies for City-wide use from Office Depot through the Texas Cooperative Purchasing Network (TCPN) contract.

 (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.)

- (E) Approval of the second and final reading of an ordinance abandoning 0.379 acres of public right-of-way, known as Jean Avenue and Fritz Koepp Street, located near the northeast terminus of McGar Street.

 (S. Mattingly, Planning and Community Development Director)
- (F) Approval of the second and final reading of an ordinance rezoning 1.977 acres located at 1720 Gruene Road, from "R-2" Single and Two-Family District to "C-1A" Neighborhood Business District.

(S. Mattingly, Planning and Community Development Director)

- (G) Approval of the second and final reading of an ordinance amending Section 5.21-10(b), Non-Residential and Multifamily Design Standards Appeal Procedures, Chapter 144, Zoning Ordinance, establishing an application fee. (S. Mattingly, Planning and Community Development Director)
- (H) Approval of the first reading of an ordinance amending Ordinance Number 75-10 to approve installation of four way stop signs at the intersection of Hollyhock Lane at Larkspur and all way stop signs at Pahmeyer Road and Anna Lee Drive. (J. Klein, City Engineer)
- (I) Approval of the first reading of an ordinance amending the code of ordinances of the City of New Braunfels, Texas by amending section 126-346 (f) to add no parking zones along the northeast side of Stone Gate Drive in the 200 block and providing an effective date.

 (J. Klein, City Engineer)
- (J) Approval of the first reading of an ordinance amending the Code of Ordinances of the City of New Braunfels, Texas by modifying Section 126 to establish speed limits on SH 46 from Alves Lane to the New Braunfels city limits.

 (J. Klein, City Engineer)
- (K) Authorization for the City Manager to approve change order 4 to the contract with DNT Construction, LLC for construction services on Goodwin Lane as part of the Goodwin Lane Improvements Project.

 (J. Klein, City Engineer)
- (L) Approval of the second and final reading of an ordinance amending Ordinance Number 75-10 to approve installation of four way stop signs at the intersection of Divine Way and Angelina/Gaines Drive (J. Klein, City Engineer)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider approval of a resolution supporting Guadalupe County Judge Mike Wiggins as representative on the South Central Texas (Region L) Regional Water Planning Group.

 (S. Ramsey, Public Works Director)
- (B) Discuss and consider approval of a resolution authorizing the City Manager to support the Guadalupe-Blanco River Authority's application for flood protection planning grant assistance filed with the Texas Water Development Board. (Nathan Pence, Watershed Program Manager & Tommy Hill, Guadalupe Blanco River Authority)
- (C) Discuss and consider the approval of locating a statue of Prince Carl Solms in front of the Civic/Convention Center.

 (S. Mattingly, Planning and Community Development Director)

- (D) Discuss and consider the first reading of an ordinance amending Ordinance No. 2009-50, continuing the enforcement of the Two Hour Parking Zone in Downtown New Braunfels.
 - (S. Mattingly, Planning and Community Development Director)
- (E) Discuss and consider an appeal to the Non-Residential and Multi-Family Design Standards Exterior Building Materials requirement for themed lodging and an additional outbuilding to be located within the Schlitterbahn Water Park.

 (S. Mattingly, Planning and Community Development Director)
- (F) Public Hearing and first reading of an ordinance rezoning of 16.589 acres, located at 631 Lakeview Boulevard, from "R-3" Multifamily District to "PDD" Eden Hill Planned Development District.

 (S. Mattingly, Planning and Community Development Director)
- (G) Public Hearing and first reading of an ordinance rezoning a portion of Rivercrest Heights Subdivision, from "C-1" Local Business District to "R-2A" Single and Two Family District.

 (S. Mattingly, Planning and Community Development Director)
- (H) Discuss and consider a resolution of the City of New Braunfels, Texas requesting that State Highway 46 from Interstate Highway 35 to the East City Limit of New Braunfels in Guadalupe County be designated as the "Representative Edmund Kuempel Memorial Highway".

 (S. Mattingly, Planning and Community Development Director)
- (I) Discuss and consider the second and final reading of an ordinance amending Chapter 106, Signs, of the Code of Ordinances, by amending Section 106-3 to define mobile billboards, parking and twenty-four hour period, amending Section 106-11 to prohibit mobile billboards as off premise signs.

 (S. Mattingly, Planning and Community Development Director)
- (J) Discuss and consider the second and final reading of an ordinance rezoning 47.97 acres located on the west side of Oak Run Parkway, approximately 2,000 feet north of Loop 337, from "R-1A-8" Single Family District with Restrictions to "Enclave at Westpointe Village Planned Development District" with Concept Plan.
 - (S. Mattingly, Planning and Community Development Director)
- (K) Public Hearing and first reading of an ordinance rezoning a portion of Mission Forest Subdivision from "R-3" Multi-Family District to "R-1A-6.6" Single Family District.
 - (S. Mattingly, Planning and Community Development Director)

- (L) Public Hearing and first reading of an ordinance rezoning a portion of Gruene Road Subdivision, from "R-3" Multi-Family District, to "R-1A-8" Single Family District and "R-2A" Single-Family and Two-Family District.

 (S. Mattingly, Planning and Community Development Director)
- (M) Public Hearing and first reading of an ordinance rezoning a portion of the Gruene Courtyard Subdivision, from "R-3" Multifamily District, to "R-1A-6.6" Single Family District and "R-2A" Single and Two Family District. (S. Mattingly, Planning and Community Development Director)
- (N) Public Hearing and first reading of an ordinance rezoning a portion of the Garden Park Subdivision, from "R-1" Single Family District, "R-3" Multi-Family District, and "C-1" Local Business District to "R-2A" Single Family and Two Family District.

 (S. Mattingly, Planning and Community Development Director)
- (O) First public hearing regarding the annexation of 1984.098 acres of land on IH 35 North between FM 1101 and FM 1102 adjacent to the existing City Limits.

 (S. Mattingly, Planning and Community Development Director)
- (P) First public hearing regarding the annexation of a 100.007 acre tract of land out of Subdivision No. 33 and Subdivision No.58 of the A.M. Esnaurizar Eleven League Grant Survey, and being a portion of Tract Three, a 112 acre tract of land, all of Tract Four, a 1.93 acre tract of land and all of Tract Five, an 88.5 acre tract of land located east of FM 1101 and west of Westmeyer Road adjacent to the existing City Limits.

 (S. Mattingly, Planning and Community Development Director)
- (Q) Discuss and consider repealing the moratorium on Short Term Rental Specific Use Permits and registration of non-conforming uses. (Councilmember Steven Digges, District 6)

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. (A. Wayland, City Attorney)
- (B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code.

 (A. Wayland, City Attorney)
- (C) Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential

City Council Agenda January 10, 2011 Page 6 of 6

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)

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

above Notice of Meeting was posted on the Bulletin Board at the New Braunfels y 5, 2011 at 2:00 p.m.

Ann Smith, Interim 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.