



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



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

MONDAY, MAY 9, 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.***

A G E N D A

CALL TO ORDER: May 9, 2011 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Richard Zapata

PROCLAMATIONS: National Public Works Week
National Preservation Month
Small Business Week
Lyme Disease Awareness Month
Veterans of Foreign Wars Buddy Poppies Distribution
Community Action Month

PRESENTATIONS: Semi-annual Economic Development Activities Report
(Michael Meek)

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

1. MINUTES

Consider approving the minutes of the workshop meeting of April 18, 2011.
(P. Aten, City Secretary)

Consider approving the minutes of the special and regular meetings of April 25, 2011.
(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 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 City Of New Braunfels Heritage Commission recommendations for allocating grant awards from hotel occupancy tax to various heritage organizations of the City and authorizing the City Manager to execute contracts with the aforementioned organizations for the purpose of disbursement and use of funding.
(P. Aten, City Secretary)
- (B) Approval of a construction contract with The Lindley Company for remodeling an area of the Municipal Court facility to provide privacy for working with juveniles.
(L. Cudd, Municipal Court Administrator)
- (C) Approval of Transportation and Traffic Advisory Board's recommendation to deny a request for installation of stop signs at the intersection of Perryman Street at Mistletoe Avenue.
(J. Klein, City Engineer)
- (D) Approval of construction contracts with Jonas Construction and Robert Rodriguez for the City of New Braunfels on behalf of participants in the Texas Department of Housing And Community Affairs Housing Trust Fund Grant Program and authorization for the City Manager to execute the contracts.
(S. Mattingly, Planning & Community Development Director)
- (E) Approval of the recommendation of the City of New Braunfels Library Advisory Board regarding the Technology Plan for the E-rate Internet reimbursement grant to the New Braunfels Public Library.
(G. Pruett, Library Director)
- (F) Approval of a resolution recommended by the New Braunfels Industrial Development Corporation to enter into a contract with Hill Country Furniture Partners, L.P. D/B/A Ashley Furniture ("HCFP") with regard to providing it with a grant in an amount up to \$199,000 for a fire main extension.
(J. Jewell, Development Coordinator)

- (G) Approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide funds up to the amount of \$50,000 for renovations and expansion of the Circle Arts Theatre; and declaring an effective date.
(J. Jewell, Development Coordinator)

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.)

- (H) Approval of the second and final reading of an ordinance repealing Sec. 46-3 of the Code of Ordinances relating to the designation of polling places.
(P. Aten, City Secretary)
- (I) Approval of the first reading of an ordinance amending Ordinance Number 75-10 to approve installation of four way stop signs at the intersections of Savannah Hill Circle at Settlers Crossing, Jerad Street at Stonehaven and Jerad Street at Stonecrest Path.
(J. Klein, City Engineer)
- (J) Approval of the second and final reading of an ordinance designating the structure at 185 Ferguson Street as a local historic landmark to be known as the Geue-Milburn House, according to Chapter 66, Article III, and amending the zoning map.
(S. Mattingly, Planning & Community Development Director)
- (K) Approval of the second and final reading of an ordinance designating five lots on W. Coll Street to be known as the Stock Historic District, according to Chapter 66, Article III, and amending the zoning map.
(S. Mattingly, Planning & Community Development Director)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Presentation of a timeline for Prince Solms Park improvements.
(S. Laird Dicke, Parks & Recreation Director)
- (B) Discuss and consider approval of a construction contract with Fischer Construction Company for parking lot improvements at the HEB Soccer Fields.
(S. Laird Dicke, Parks & Recreation Director)
- (C) Discussion and direction about the building permit process.
(M. Goodner, Council Member – District 2)
(This item has been placed on the agenda at the Request of Councilmember Goodner)

- (D) Discuss and consider approval of a contract with Yantis Company for construction services on the North Tributary Regional Flood Control Project, authorization for the City Manager to execute change orders, authorization of additional funding for the Halff Associates contract, and funding for material testing.
(J. Klein, City Engineer)
- (E) Discuss and consider approval of a first reading of an ordinance replacing in its entirety Ordinance Number 2010-14, merging the Downtown Development Board (DDB) with the Main Street Advisory Board (MSAB) to become known as the New Braunfels Downtown Board (NBDB) and adopting Bylaws.
(S. Mattingly, Planning & Community Development Director)
- (F) Discuss and consider approval of an amended conditional sign permit to allow proposed signs to be located at 2760 IH 35 North.
(S. Mattingly, Planning & Community Development Director)
- (G) Discuss and consider an appeal to the non-residential and multifamily design standards exterior building materials requirement for a commercial building located at 120 Landa Street.
(S. Mattingly, Planning & Community Development Director)
- (H) Public hearing and first reading of an ordinance amending Section 126-354 to modify the permit parking ordinance in Area "I".
(S. Mattingly, Planning & Community Development Director)
- (I) Second public hearing for the annexation of 3.211 acres of land consisting of Barbarosa Road right-of-way between FM 1101 and Alves Lane, adjacent to the existing City Limits.
(S. Mattingly, Planning & Community Development Director)
- (J) Second public hearing for the annexation of 65.986 acres of land on Hueco Springs Loop Road adjacent to the existing City Limits.
(S. Mattingly, Planning & Community Development Director)
- (K) Discuss and consider approval of the second reading of an ordinance amending Section 5.16, Short Term Rental or Occupancy in one and two unit dwellings, Chapter 144, Zoning Ordinance.
(S. Mattingly, Planning & Community Development Director)
- (L) Discuss and consider approval of the second and final reading of an ordinance amending Section 17, Authority of City Engineer, Chapter 118, Platting Ordinance.
(S. Mattingly, Planning & Community Development Director)
- (M) Discuss and consider amending the Drainage Criteria Manual.
(S. Mattingly, Planning & Community Development 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.
(P. Isham, Interim City Attorney)
- (B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code.
(P. Isham, Interim City Attorney)
- (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.
(P. Isham, Interim City Attorney)
- (D) Discuss personnel matters in accordance with Section 551.074, of the Texas Government Code.
Review of Municipal Judge's position.

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 May 5, 2011, at 4:00 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.