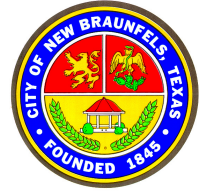




**CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING**

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



MONDAY, JUNE 27, 2011 at 6:00 P.M.

Gale Pospisil, Mayor
Richard Zapata, Councilmember (District 1)
Mark Goodner, Mayor Pro Tem (District 2)
Mike Ybarra, 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: June 27, 2011 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Sandy Nolte

PRESENTATION: Update on public safety issues concerning river activities.
(*T. Wibert, Chief of Police, and J. Robinson, Fire Chief*)

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

1. MINUTES

Consider approving the minutes of the special and regular meetings of June 13, 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 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 appointment of Julie Martinez and Jeff Jewell to the Central Texas Technology Center Advisory Board for terms ending April 26, 2014.
(P. Aten, City Secretary)
- (B) Confirmation of the appointment of Mr. Pat O. Clifton to the City of New Braunfels Civil Service Commission for a term ending August 10, 2013.
(P. Aten, City Secretary)
- (C) Approval of a purchase from MMS-A Medical Supply Company for intravenous infusion pumps.
(J. Robinson, Fire Chief)
- (D) Approval of recommended funding revisions to the Community Development Block Grant ("CDBG") Program Year 2011 allocations.
(D. Korinchock, Support Services Director)
- (E) Approval of a resolution accepting the conveyance(s) of an easement area from Lillian Kramer, as Trustee of the Lillian F. Kramer Revocable Trust, and other property owners with regard to the North Tributary Regional Flood Control Project.
(S. Ramsey, Public Works Director)
- (F) Authorization for the City Manager to modify contract with Moeller & Associates for engineering services approved by Council on March 7, 2011 to add additional services and authorization to add Moeller & Associates to the list of approved local engineering firms for small street and drainage projects.
(J. Klein, City Engineer)
- (G) Approval of a development agreement regarding the subdivision and development of a 188.584 tract located off of Coyote Run within the ETJ and owned by Leroy and Dorthlin Wilson.
(S. Mattingly, Planning & Community Development Director)
- (H) Approval to authorize the City Manager to execute a professional services agreement with CgM and Associates, Inc. for engineering and design services of a Municipal Services Complex that includes a Public Works Operations and Fire Training Building, a Vehicle Service Center, and a Fire Training Field on city property located at FM 1102 and Orion Drive.
(R. Camareno, Assistant City 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.)

- (I) Approval of the second and final reading of an ordinance amending the Code of Ordinances by modifying Sections 126-141 to delete the school zone on State Highway 46 West near FM 1863.
(J. Klein, City Engineer)
- (J) Approval of the first reading of an ordinance amending Ordinance Number 75-10 to approve installation of a stop sign at the intersection of Duval Drive at Divine Way.
(J. Klein, City Engineer)
- (K) Approval of the first reading of an ordinance modifying the Code of Ordinances, Chapter 126-355 to designate a modified downtown on-street parking zone.
(S. Mattingly, Planning & Community Development Director)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider the appointment of two regular members and one alternate member to the Zoning Board of Adjustment for terms ending May 31, 2013.
(P. Aten, City Secretary)
- (B) Discuss and consider approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide funds up to the amount of \$41,000 for funding a downtown public parking lease to the City for a period of two years, and approval of the lease with First Protestant Church.
(J. Jewell, Development Coordinator)
- (C) Public hearing on the Community Development Block Grant ("CDBG") Program Year 2012 One-Year Action Plan.
(D. Korinchock, Support Services Director)
- (D) Public hearing and first reading of an ordinance rezoning 1.431 acres, located at 1042 Highway 46 South, from "R-2" Single-Family and Two-Family District to "C-1B" General Business District.
(S. Mattingly, Planning & Community Development Director)
- (E) Public hearing and first reading of an ordinance granting a Special Use Permit to allow short term rental of a one-family dwelling in the "C-2" General Business District, located at 260 N. Castell Avenue.
(S. Mattingly, Planning & Community Development Director)
- (F) Public hearing and first reading of an ordinance rezoning 8.125 acres out of the Broadway Estates Subdivision, located adjacent to Loop 337 and Broadway

Street, from "ZH-A" Zero Lot Line Home District to Broadway Estates Planned Development District.

(S. Mattingly, Planning & Community Development Director)

- (G) Discuss and consider the second and final reading of an ordinance amending Chapter 58, Floods, by adopting a new flood damage prevention ordinance.
(S. Mattingly, Planning & Community Development Director)
- (H) Public hearing and first reading of an ordinance adding Section 144-5.1-4, Parking and Storage of Certain Vehicles, Chapter 144, Zoning, establishing prohibitions for the parking and storing of oversized vehicles in residential districts.
(S. Mattingly, Planning & Community Development Director)
- (I) Discuss and consider approval of the first reading of an ordinance amending Chapter 126 Traffic and Vehicles of the Code of Ordinances, to prohibit the parking and storage of certain vehicles on public streets, alleys, parkways and other public right-of-way within residentially zoned districts.
(J. Klein, City Engineer)
- (J) Discuss and consider 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 S. Live Oak Avenue and Lee Street.
(J. Klein, City Engineer)

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 City Attorney 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 June 23, 2011, at 2:30 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.