

# CITY OF NEW BRAUNFELS, TEXAS SPECIAL CITY COUNCIL MEETING

## CITY HALL – CONFERENCE ROOM B 424 S. CASTELL AVENUE



MONDAY, JANUARY 24, 2011 at 5:00 P.M.

# AGENDA

**CALL TO ORDER:** 

JANUARY 24, 2011 @ 5:00 P.M.

CALL OF ROLL:

**City Secretary** 

In accordance with Texas Government Code, Subchapter D, the City Council will convene in a closed session to discuss the following items; any final action or vote taken will be in public.

- 1. 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)
- 2. Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code.

  (A. Wayland, City Attorney)
- 3. 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)
- 4. Deliberate and consider Certain Information Relating to Security Systems, in accordance with Sections 418.182, 418.183, and Section 551.076 of the <u>Texas Government Code</u>. (M. Morrison, City Manager)

#### **ADJOURNMENT**

#### CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the New Braunfels Municipal Building on January 18, 2011 at 11:45 a.m.

Ann Smith, Interim City Secretary

NOTE: Parsen's with disabilities with plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons with disabilities with plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons with disabilities with plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons with disabilities with plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons with disabilities with plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons with disabilities with plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons with disabilities with plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons with disabilities with plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons with a service property and the property of the



# CITY OF NEW BRAUNFELS, TEXAS REGULAR CITY COUNCIL MEETING

# CITY HALL - COUNCIL CHAMBERS 424 S. CASTELL AVENUE



#### MONDAY, JANUARY 24, 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 24, 2011 @ 6:00 P.M.

CALL OF ROLL:

**City Secretary** 

#### PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION:

Councilmember Richard Zapata

PRESENTATION:

Presentation on the Federal Emergency Management Agency

National Flood Program, Community Rating System.

(Robert Kinsey, Building Official)

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

#### 1. MINUTES

Consider approving the minutes of the regular meeting of January 10, 2011. (A. Smith, Interim 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 Appointing Councilmember Mike Ybarra to the Lone Star Rail Board of Directors.
   (S. Mattingly, Planning and Community Development Director)
- (B) Approval of a resolution setting a public hearing to amend the water and wastewater impact fees.

  (S. Mattingly, Director of Planning and Community Development)
- (C) Approval of a contract with Terra Design Group for construction drawings for Fischer Park development.

  (S. Laird-Dicke, Parks and Recreation Director)
- (D) Approval of the schedule of fees for Emergency Medical Services as required by City of New Braunfels Ordinance No. 2003-31.

  (J. Robinson, Fire Chief)
- (E) Approval of a resolution of the City Council of the City of New Braunfels, Texas lifting the moratorium on Short Term Rental Specific Use Permits and registration of non-conforming uses.

  (A. Wayland, City Attorney)
- (F) Approval of the appointment of an additional associate municipal court judge. (S. Hartin, Municipal Court Judge)

#### **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.)

(G) 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 Hollyhock Lane at Larkspur and all way stop signs at Pahmeyer Road and Anna Lee Drive.

(J. Klein, City Engineer)

- (H) Approval of the second and final 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)
- (I) Approval of the second and final 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)
- (J) Approval of the second and final 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)
- (K) Approval of the second and final 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)
- (L) Approval of the second and final 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)
- (M) Approval of the second and final 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)
- (N) Approval of the second and final reading of an ordinance rezoning a portion of the Gruene Courtyard Subdivision, from "R-3" Multi-family District, to "R-1A-6.6" Single Family District and "R-2A" Single and Two Family District.

  (S. Mattingly, Planning and Community Development Director)
- (O) Approval of the first reading of an ordinance amending Section 126 to approve installation of a "HAWK" traffic signal on S. Walnut Avenue at the South Tributary.

  (J. Klein, City Engineer)

### 4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider the second and final 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)
- (B) Second 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)
- (C) Second 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)
- (D) Public hearing and first reading of an ordinance rezoning 27.172 acres out of Abstract 531, L. Salinas Survey No. 458, located at 220 FM 1863, from "R-2A" Single and Two-Family District to "C-1B" General Business District.

  (S. Mattingly, Planning and Community Development Director
- (E) Public hearing and first reading of an ordinance rezoning Lot 3, Block 1 Moeller Addition, located at 191 W. Klein Road, from "C-3" Commercial District and "APD" Agricultural/Pre-Development District to "C-1A" Neighborhood Business District.
  - (S. Mattingly, Planning and Community Development Director)
- (F) Public hearing and first reading of an ordinance granting a Special Use Permit to allow a bed & breakfast facility in the "R-2" Single and Two-Family District, located at 832 Albert Street.
  - (S. Mattingly, Planning and Community Development Director)
- (G) Public hearing and first reading of an ordinance designating the structure at 1072 Church Hill Drive as a local historic landmark to be known as the Eickenroht House.
  - (S. Mattingly, Planning and Community Development Director)
- (H) Discuss amendments to Chapter 106, Signs, Section 106-10, Signs exempt from regulation and permits and Section 106-11 Prohibited Signs. (Requested by Councilmember Steven Digges)
- (I) Public hearing and consideration of a resolution amending the 2006 Future Land Use Map from "Residential medium/high density" to "Residential low density" and the second and final reading of an ordinance rezoning a portion of

City Council Agenda January 24, 2011 Page 5 of 5

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)

- (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. (Tabled on January 10, 2011) (S. Mattingly, Planning and Community Development Director)
- (K) Discuss and consider direction to staff on the installation of speed humps on California Boulevard and Elizabeth Drive through Landa Park.

  (Requested by Councilmember Ybarra)
- (L) Update on Quiet Zone Program and authorization to implement Quiet Zone No. 1 and 2. (O. Garza, Asst. City Engr.)

**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**

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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 secretarily office at 221-4010 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.