

CITY OF NEW BRAUNFELS, TEXAS CITY COUNCIL MEETING

CITY HALL - COUNCIL CHAMBERS 424 S. CASTELL AVENUE



MONDAY, SEPTEMBER 12, 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.

AGENDA

CALL TO ORDER: September 12, 2011 @ 6:00 P.M.

<u>CALL OF ROLL</u>: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Richard Zapata

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

PROCLAMATIONS: National Preparedness Month

National Hispanic Heritage Month

PRESENTATIONS: Update on current park projects.

(S. Laird-Dicke, Parks and Recreation Director)

1. MINUTES

Consider approving the minutes of the special meetings of August 16, August 17, August 18, August 25, and September 1, 2011, and the regular meeting of August 22, 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 for the New Braunfels Police Department to incorporate two vehicles seized and forfeited as the result of a narcotics case into the Police Fleet. (T. Wibert, Police Chief)
- (B) Approval for the New Braunfels Police Department to accept police equipment (web gear, stream-lights and holsters) in the amount of \$34,126 purchased from GT Distributors with narcotics forfeiture funds.

 (T. Wibert, Police Chief)
- (C) Authorization for the City Manager to renew the contract with CIGNA for administrative services for the City's self-funded medical, prescription, dental, and vision employee benefit plan.

 (J. O'Connell. Human Resources Director)
- (D) Approval of the renewal of the annual contracts with Pawelek & Moy, Inc., River City Engineering, HMT Engineering & Surveying, Inc., Moeller and Associates and The Schultz Group, Inc. for engineering services for small street and drainage projects.

 (M. Quinones, Purchasing Manager)
- (E) Approval of the renewal of the annual contract with Davis, Kinard & Co., P.C. for auditing services.

 (M. Quinones, Purchasing Manager)
- (F) Approval of the renewal of the annual contract with Bluebonnet Motors, Inc. for city wide oil change services.
 (M. Quinones, Purchasing Manager)
- (G) Approval of the renewal of the annual contract with Osirus, Inc. for litter pickup on park grounds.
 (M. Quinones, Purchasing Manager)
- (H) Approval of a contract with Maintenance Management for cemetery maintenance, full time sexton services, record keeping and customer service for the New Braunfels Cemetery and the Comal Cemetery.

 (M. Quinones, Purchasing Manager)

- (I) Approval of the renewal of a lease with Nortex Modular Space for rental of the portable buildings under TXMAS contract #4-56060.

 (M. Quinones, Purchasing Manager)
- (J) Approval of a contract with Centurion/ A-Lert Building Systems for Hangar 2317 Renovation as a sole source award.

 (M. Quinones, Purchasing Manager)
- (K) Approval of budget transfers in the FY 2010-11 Adopted Budget. (D. Korinchock, Support Services Director)
- (L) Approval of a resolution to continue using JP Morgan Chase Bank for safekeeping services.
 - (D. Korinchock, Support Services Director)

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.)

- (M) Approval of the first reading of an ordinance revising the purpose of the Parks and Recreation Advisory Board.
 (S. Laird-Dicke, Parks and Recreation Director)
- (N) Approval of the second and final reading of an ordinance rezoning portions of Rolling Valley Subdivision, from "R-3" Multi Family District to "R-1A6-6" Single-Family District.
 - (S. Mattingly, Planning & Community Development Director)
- (O) Approval of the second and final reading of an ordinance rezoning portions of Park Ridge Subdivision, from "R-3" Multi Family District to "R-1A6-6" Single-Family District.
 - (S. Mattingly, Planning & Community Development Director)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider the appointment of one member to the Redistricting Committee.
 - (P. Isham, Interim City Attorney)
- (B) Presentation, discussion and consideration of approval to adopt the Airport Business Plan.
 - (L. Llerena, Airport Director)
- (C) First public hearing regarding the proposed annexation of approximately 99 acres of land on Engel Road, including Engel Road right-of-way, south of the

intersection of Engel Road and Schmucks Road, adjacent to the existing City Limits.

- (S. Mattingly, Planning & Community Development Director)
- (D) Public hearing and first reading of an ordinance granting a Special Use Permit to allow the short term rental of three single family residences that includes meeting space in conjunction with their occupancy in the "APD" Agricultural/Pre-Development District, located at 1150, 1154 and 1156 SH 46 South. (S. Mattingly, Planning & Community Development Director)
- (E) Public hearing and first reading of an ordinance granting a Special Use Permit to allow a parking lot in the "R-2" Single-Family and Two-Family District at 470 Union Street.
 - (S. Mattingly, Planning & Community Development Director)
- (F) Discuss and consider an appeal to the non-residential and multifamily design standards exterior building materials requirement for two proposed modular classrooms to be located at 2240 FM 725.

 (S. Mattingly, Planning & Community Development Director)
- (G) Discuss and consider approval of a conditional sign permit at 3674 Loop 337 located in the "M-1" Light Industrial District.

 (S. Mattingly, Planning & Community Development Director)
- (H) Discuss and consider the second and final reading of an ordinance rezoning 167.91 acres out of the Legend Pond Subdivision, located 3,800 feet east of FM 1044 on the east side of West Klein Road, from "APD" Agricultural/Pre-Development District to Legend Pond Planned Development District. (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) Deliberate the appointment, employment, evaluation, reassignment, or duties of a Charter officer, including the city attorney and municipal court judges, in accordance with Section 551.074 of the Texas Government Code.

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 September 8, 2011, at 3:30 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.



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