CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING

CITY HALL - COUNCIL CHAMBERS
424 S. CASTELL AVENUE

MONDAY, OCTOBER 10, 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: October 10, 2011 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Sandy Nolte

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

PROCLAMATIONS: Texas Chamber of Commerce Week
Community Planning Month

PRESENTATION: Presentation and update regarding the Edwards Aquifer Recovery Implementation Program.
(N. Pence, Watershed Program Manager)

1. MINUTES
Consider approving the minutes of the special meetings of September 26 and September 27, 2011, and the regular meeting of September 26, 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 a resolution appointing election officers for the November 8, 2011 Special Election.
(P. Aten, City Secretary)

(B) Approval of the annual renewal of the lease for CRIMES Law Enforcement Computer Software including the license, system maintenance and related services for the period of October 1, 2011 to September 30, 2012 from Sam Houston State University.
(P. Aten, City Secretary)

(C) Approval of budget transfers in the FY 2010-11 General Fund Adopted Budget for the City Attorney's Office, the Library and the Police Department.
(D. Korinchock, Support Services Director)

(D) Approval of a task order with Arias & Associates for construction material testing on North Tributary Regional Flood Control Project.
(J. Klein, City Engineer)

(E) Approval to authorize the City Manager to execute change orders 8 and 10 to the contract with Texas Sterling Construction Company for construction services on Walnut Avenue as part of the Walnut Avenue Reconstruction and Improvements Project.
(O. Garza, Assistant City Engineer)

Ordinances

(In accordance with Section 3.10 of the City Charter, a descriptive caption of each ordinance shall be read on two separate days.)

(F) Approval of the second and final reading of an ordinance amending the Code of Ordinances by modifying Section 126-136 through Section126-138 and 126-146 to designate a specific time and location for area school speed zones as associated with the transfer of school zone responsibilities from the Texas Department of Transportation to the City.
(S. Ramsey, Public Works Director)

(G) Approval of the second and final reading of an ordinance rezoning portions of the Crescent Ridge Subdivision from "C-1" Local Business District to "R-1A6-6" Single-Family District.
(S. Mattingly, Planning & Community Development Director)

(H) Approval of the second and final reading of an ordinance rezoning portions of the Cornerstone Subdivision from “C-1” Local Business District to “R-1A6-6” Single-Family District.
(S. Mattingly, Planning & Community Development Director)

(I) Approval of the second and final reading of an ordinance rezoning portions of the Sungate Subdivision from “C-1” Local Business District to “R-1A6-6” Single-Family District.
(S. Mattingly, Planning & Community Development Director)

(J) Approval of the second and final reading of an ordinance rezoning portions of the Towne View Subdivision, from “C-1” Local Business District to “R-1A6-6” Single-Family District.
(S. Mattingly, Planning & Community Development Director)

(K) Approval of the second and final reading of an ordinance granting a Special Use Permit to allow an animal shelter in the “APD” Agricultural/Pre-Development District, located on the east side of Morningside Drive, approximately 1,000 feet southwest of the intersection of Rueckle Road and Morningside Drive.
(S. Mattingly, Planning & Community Development Director)

(L) Approval of the second and final reading of an ordinance designating 920 W. Mill Street as a local historic landmark to be known as the Heidemeyer-Watson House according to Chapter 66, Article III, and amending the zoning map.
(S. Mattingly, Planning & Community Development Director)

(M) Approval of the second and final reading of an ordinance designating the mile marker at the southwest corner of Post Road and Gruene Road as a local historic landmark to be known as the Mile Marker according to Chapter 66, Article III, and amending the zoning map.
(S. Mattingly, Planning & Community Development Director)

(N) Approval of the second and final reading of an ordinance designating 257 S. Academy Avenue as a local historic landmark to be known as the Jesse and Irene Sippel House according to Chapter 66, Article III, and amending the zoning map.
(S. Mattingly, Planning & Community Development Director)

(O) Approval of the first reading of an ordinance annexing approximately 99.24 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)

(P) Approval of development agreement pursuant to Chapters 43 and 212 of the Local Government Code for 3.992 acres out of the John Noyes Survey, No. 259, Abstract 430, located on Engel Road.
(S. Mattingly, Planning & Community Development Director)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

(A) Receive a recommendation from the Redistricting Committee on a redistricting plan for City Council districts and schedule a public hearing to receive citizen input on the plan.
(A. Campos, Redistricting Committee Chair)

(B) Discuss and consider the appointment of one member to the Redistricting Committee.
(P. Isham, Interim City Attorney)

(C) Discuss and consider the appointment of four members to the New Braunfels Industrial Development Corporation.
(P. Aten, City Secretary)

(D) Discuss and consider a resolution nominating candidate(s) to the Comal Appraisal District Board of Directors.
(P. Aten, City Secretary)

(E) Discuss and consider a resolution nominating candidate(s) to the Guadalupe Appraisal District Board of Directors.
(P. Aten, City Secretary)

(F) Discuss and consider authorizing the City Manager to execute a professional services agreement with CgM and Associates, Inc. for the design and engineering of a Vehicle Service Center, Public Works Operations and Fire Training Building, and Fire Training Field on city property located at FM 1102 and Orion Drive.
(R. Camareno, Assistant City Manager)

(G) Discuss and consider the first reading of ordinances related to Civil Service implementation in the New Braunfels Police Department and associated ordinances in the New Braunfels Fire Department.

(1) An ordinance implementing Chapter 143, Texas Local Government Code for the New Braunfels Police Department.
(2) An ordinance creating assignment pay for certain assignments within the New Braunfels Police Department.
(3) An ordinance creating certification pay for Police Officers possessing certain Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) Certifications.
(4) An ordinance establishing the classifications within the Police and Fire Departments and authorizing the number of employees in each classification.
(5) An ordinance creating education pay for Police Officers and Fire Fighters who earn post-secondary degrees.
(6) An ordinance authorizing the payment of assignment pay for bilingual pay in the New Braunfels Police and Fire Department.

(7) An ordinance amending sections of the City of New Braunfels Personnel Policy Manual by clarifying Civil Service employees' benefits related to sick leave and vacation.
(8) An ordinance authorizing the payment of assignment pay for on-call pay in the New Braunfels Fire Department.
(9) An ordinance authorizing the payment of assignment pay for on-call pay in the New Braunfels Police Department.
(10) An ordinance regarding departmental files of the New Braunfels Police and Fire Department subject to Chapter 143.

(J. O'Connell, Human Resources Director)

(H) Public hearing and first reading of an ordinance granting a Special Use Permit to allow the short term rental of two residential dwellings in the "R-3" Multifamily District, located at 1210 Sleepy Hollow Lane.
(S. Mattingly, Planning & Community Development Director)

(I) Discuss and consider a resolution amending the Future Land Use Map from "Commercial" to "Residential Low Density" and the second and final reading of an ordinance rezoning a portion of the Castle Ridge Subdivision, from "C-1" Local Business District to "R-1A6-6" Single-Family District.
(S. Mattingly, Planning & Community Development Director)

5. <u>EXECUTIVE SESSIONS</u>

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)

***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).*

<u>CERTIFICATION</u>

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the New Braunfels Municipal Building on October 6, 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.