



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

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



**MONDAY, APRIL 8, 2013 at 6:00 P.M.**

Gale Pospisil, Mayor  
Richard Zapata, Councilmember (District 1)  
Mark Goodner, Mayor Pro Tem (District 2)  
Ron Reaves, Councilmember (District 3)

Sandy Nolte, Councilmember (District 4)  
Bryan Miranda, Councilmember (District 5)  
Steven Digges, Councilmember (District 6)  
Robert Camareno, Interim 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:** April 8, 2013 @ 6:00 P.M.

**CALL OF ROLL:** City Secretary

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

**INVOCATION:** Councilmember Ron Reaves

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

**PROCLAMATIONS:** Child Abuse Prevention Month  
World Parkinson's Disease Awareness Day  
Barbershop Harmony Week

**1. MINUTES**

Consider approving the minutes of the regular meeting of March 25, 2013, and the special meeting of March 18, 2013.  
(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 Gale 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 purchase of ammunition in the amount of \$29,072 from GT Distributors through the Texas Smart Buy Program for the Police Department.  
*(T. Wibert, Police Chief)*
- (B) Approval of the renewal of annual contracts with Brauntex Materials, Inc., Century Asphalt, Ltd. and Colorado Materials, Ltd. for road construction materials for the Public Works Department.  
*(M. Quinones, Purchasing Manager)*
- (C) Approval of the reappointments of Frank Dietz, Stephen Hanz, and Bill Kotylo to the Watershed Advisory Committee for terms ending April 18, 2016.  
*(P. Aten, City Secretary)*
- (D) Approval of the submission of a grant application to the FY 2013 Homeland Security Grant Program (HSGP) for portable radios in the amount of \$96,240 and authorizing the Interim City Manager to accept funds and to execute all contract documents associated with the grant if awarded.  
*(C. Keenum, Grants Coordinator)*
- (E) Approval of the submission of a grant application submitted to the Texas Commission on Environmental Quality (TCEQ) for a Rebate Grants program; and authorizing the Interim City Manager to accept funds and to execute all contract documents associated with the grant if awarded.  
*(M. Mundell, Solid Waste Manager)*
- (F) Approval of the conveyance of Lots 10 and 11, Block 1, Summerwood Subdivision, Unit 7 in fee simple to the City from Scot Hrcirik for the amount up to \$449,800 of which 75 percent will be reimbursed by FEMA through the Pre-Disaster Mitigation Grant program previously approved by City Council.  
*(C. Real, Real Estate Manager)*
- (G) Approval of the conveyance of Lot 65, River Acres Subdivision, in fee simple to the City from Randall L. Kasberg and Shari K. Kasberg for the amount up to \$239,050 of which 75 percent will be reimbursed by FEMA through the Pre-Disaster Mitigation Grant program previously approved by City Council.  
*(C. Real, Real Estate Manager)*
- (H) Approval of a resolution recommended by the New Braunfels Industrial Development Corporation authorizing a project expenditure of up to \$72,000 for a contract with the National Development Council to assist with the development and operation of an economic development program and related objectives.  
*(J. Jewell, Development Coordinator)*

Ordinances

*(In accordance with Section 3.10 of the City 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 Section 126-132 of the City of New Braunfels Code of Ordinances to establish speed limits in Landa Park.  
*(G. Ford, Assistant City Engineer)*
- (J) Approval of the second and final reading of an ordinance amending Ordinance 75-10 of the City of New Braunfels Code of Ordinances to approve the installation of traffic control devices (Stop and Yield signs) in Landa Park.  
*(G. Ford, Assistant City Engineer)*
- (K) Approval of the second and final reading of an ordinance approving a Type II Special Use Permit to allow a commercial plumbing business in the "APD" Agricultural/Pre-Development District on 0.473 acres located at 166 Prairie View Lane.  
*(S. Mattingly, Planning and Community Development Director)*
- (L) Approval of the second and final reading of an ordinance rezoning approximately three acres located on FM 483 in the New Braunfels Town Center at Creekside Subdivision, from "APD" Agricultural/Pre-Development to "MU-B" High Intensity Mixed Use District.  
*(S. Mattingly, Planning and Community Development Director)*
- (M) Approval of the second and final reading of an ordinance rezoning 336 Landa Street from "C-1" Local Business District to "C-1 A" Neighborhood Business District.  
*(S. Mattingly, Planning and Community Development Director)*
- (N) Approval of the second and final reading of an ordinance rezoning 35.359 acres, located on Orion Drive and FM 1102, from "APD" Agricultural/Pre-Development District to "M-2A" Heavy Industrial District.  
*(S. Mattingly, Planning and Community Development Director)*
- (O) Approval of the second and final reading of an ordinance approving an amendment to a Type II Special Use Permit to allow the erection of professional offices and/or related parking in an "R-2" Single and Two-Family District located at 617 N. Walnut Ave and 12 Cane Street.  
*(S. Mattingly, Planning and Community Development Director)*
- (P) Approval of the second and final reading of an ordinance annexing 37.96 acres of land on FM 1101, adjacent to the existing city limits.  
*(S. Mattingly, Planning and Community Development Director)*

- (Q) Approval of the second and final reading of an ordinance annexing 47.436 acres of land on Westmeyer Road including Westmeyer right-of-way, adjacent to the existing city limits.  
*(S. Mattingly, Planning and Community Development Director)*

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- (A) Discuss and consider the creation of a Task Force to develop a strategic plan for arts and culture in New Braunfels.  
*(G. Pruett, Library Director)*
- (B) Discuss and consider approval of a contract with Halff Associates for Construction Administration on the Landa Park Riverfront Rehabilitation project.  
*(S. Dicke, Parks and Recreation Director)*
- (C) Public hearing and approval of a resolution amending the 2006 Future Land Use Plan and approval of the second and final reading of an ordinance granting a Type I Special Use Permit to allow a High Intensity Mixed Use development in the "APD" Agricultural/Pre-Development District on 37.96 acres located on FM 1101.  
*(S. Mattingly, Planning and Community Development Director)*
- (D) Public hearing and approval of a resolution amending the 2006 Future Land Use Plan and approval of the second and final reading of an ordinance rezoning 30.99 acres out of the 20 SUR AM Esnaurizar Survey, located at 1545 and 1583 South State Highway 46, from "APD" Agricultural/Pre-Development District and "C-1 " Local Business District to "MU-B" Mixed Use High Intensity District.  
*(S. Mattingly, Planning and Community Development Director)*
- (E) Public hearing and approval of a resolution amending the 2006 Future Land Use Plan and approval of the second and final reading of an ordinance rezoning 4.987 acres out of the A-154 Sur-34 H Foster Survey located at 2137 IH 35 N from "C-3" Commercial District and "M-1 " Light Industrial District to "M-1A" Light Industrial District.  
*(S. Mattingly, Planning and 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 and Community Development Director)*
- (G) Discuss and consider approval of a conditional sign permit to allow a proposed sign to be located at 1105 West San Antonio Street.  
*(S. Mattingly, Planning and Community Development Director)*
- (H) Discuss and consider approval of the first reading of an ordinance amending Chapter 14 Building and Building Regulations, Article II. Building Code, Sec 14-28. Building Code Fees; Sec 14-31. Construction work hours; making various

amendments, deletions and modifications to the building code; establishing related permit fees and penalties.

*(R. Kinsey, Building Official/Floodplain Administrator)*

**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.
- (B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code.
- (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.
- (D) Deliberate the appointment, employment, evaluation, reassignment, or duties of the Municipal Court Judge and City Manager, in accordance with Section of 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 April 4, 2013, at 9:15 p.m.

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Amanda Williams, Deputy 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.