



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

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



**MONDAY, SEPTEMBER 9, 2013 at 6:00 P.M.**

Gale Pospisil, Mayor  
George Green, Councilmember (District 1)  
Aja Edwards Patino, Councilmember (District 2)  
Ron Reaves, Councilmember (District 3)

Sandy Nolte, Councilmember (District 4)  
Bryan Miranda, Mayor Pro Tem (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:** September 9, 2013 @ 6:00 P.M.

**CALL OF ROLL:** City Secretary

**INVOCATION:** Councilmember Steven Digges

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

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

**PROCLAMATION:** National Preparedness Month

**1. MINUTES**

Consider approving the minutes of the special meetings of August 19, 20, 26, and 29, 2013, and the regular meeting of August 26, 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 annual contracts with Maldonado Nursery & Landscaping, Inc. and Green Grass, Inc. for City-wide landscape and maintenance services.  
*(M. Quinones, Purchasing Manager)*
- (B) Approval of the renewal of the annual contracts with Pawelek & Moy, Inc., River City Engineering, Hanz Thornhill, Inc., Moeller and Associates and The Schultz Group, Inc., and approval of a contract with M&S Engineering for engineering services for smaller street and drainage projects.  
*(M. Quinones, Purchasing Manager)*
- (C) Approval of the renewal of a lease for portable buildings from Nortex Modular Space under TXMAS contract #4-56060.  
*(M. Quinones, Purchasing Manager)*
- (D) Approval of a resolution approving the exercise of an option to renew for a two year term an existing lease agreement between the City Of New Braunfels and Ruma Ltd. for the Fire Training Division at an annual cost of \$54,600 plus electric utilities.  
*(J. Robinson, Fire Chief)*
- (E) Approval of the submission of a grant application to the Federal Emergency Management Agency (FEMA) for up to \$722,250 through the Texas Water Development Board's Flood Mitigation Assistance grant program to be used for acquisition and demolition of floodplain properties.  
*(C. Keenum, Grants Coordinator)*
- (F) Approval of the submission of a grant application to the Texas State Library and Archives Commission for a Library Mobile Project – Round 2 Grant for an amount not to exceed \$4,500 and authorize the City Manager to accept funds and to execute all contract documents associated with the grant if awarded.  
*(G. Pruett, Library Director)*
- (G) Approval of a five percent lease escalation in accordance with the escalation clause of an Airport Ground Lease between the City of New Braunfels and Melvin J. Hinson.  
*(L. Llerena, Airport Director)*

Ordinances

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

- (H) Approval of the second and final reading of an ordinance amending Section 126-136 of the City of New Braunfels Code of Ordinances to establish a school speed zone on Hanz Drive adjacent to Cross Lutheran School.  
*(G. Ford, Assistant City Engineer)*
- (I) Approval of the second and final reading of an ordinance amending Section 126-136(e) of the City of New Braunfels Code of Ordinances to amend the school speed zones adjacent to Seele Elementary School.  
*(G. Ford, Assistant City Engineer)*
- (J) Approval of the second and final reading of an ordinance amending Chapter 6, Animals, Article IV, of the Code of Ordinances creating an Animal Services Advisory Board, pursuant to Texas Health and Safety Code, Section 823.005, to advise and recommend programs and services to the City on issues concerning animal shelter standards, animal care and welfare requirements, animal rescue, and zoonotic disease prevention.  
*(J. Lara, Environmental Health Manager)*
- (K) Approval of the second and final reading of an ordinance approving a Type I Special Use Permit to allow a pet grooming and kennel boarding business in the "APD" Agricultural Pre-Development District at 485 Ron Road.  
*(S. Mattingly, Planning and Community Development Director)*
- (L) Approval of the second and final reading of an ordinance regarding an amendment to the Legend Pond Planned Development District Concept Plan, located on the south side of West Klein Road between Legend Pond and Klein Meadows.  
*(S. Mattingly, Planning and Community Development Director)*
- (M) Approval of the first reading of an ordinance annexing 16.324 acres of land on Loop 337, adjacent to the existing city limits.  
*(S. Mattingly, Planning and Community Development Director)*

#### **4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- (A) Discuss and consider approval of the second and final reading of an ordinance of the City of New Braunfels adopting the FY 2013-14 Operating Budget and Plan of Municipal Services.  
*(D. Korinchock, Support Services Director)*
- (B) Discuss and consider approval of the second and final reading of an ordinance of the City of New Braunfels adopting the 2013 ad valorem tax rates.  
*(D. Korinchock, Support Services Director)*
- (C) Discuss and consider approval of the second and final reading of an ordinance establishing the number of positions in each classification in the New Braunfels

Police and Fire Departments pursuant to Local Government Code Chapter 143 as part of the annual budget process.

*(J. O'Connell, Human Resources 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 28.082 acres out of a 96.264 acre tract from "APD" Agricultural/Pre-Development District to "MU-B" High Intensity Mixed Use District, and granting a Type I Special Use Permit to allow a High Intensity Mixed Use development in the "APD" Agricultural/Pre-Development District for the remaining 66.182 acres, located at 2827 and 2939 FM 1101.  
*(S. Mattingly, Planning and Community Development Director)*
- (E) Discuss and consider approval of the submission of a grant application to the Texas Historical Commission for the Certified Local Government Grant Program for \$23,666 and authorize the City Manager to accept funds and to execute all contract documents associated with the grant if awarded.  
*(S. Mattingly, Planning and Community Development Director)*
- (F) Discuss and consider the first reading of an ordinance amending Ordinance 75-10 of the City of New Braunfels Code of Ordinances to authorize a No Left Turn sign on northbound Gruene Road at Rock Street as part of the Railroad Quiet Zone Project.  
*(G. Ford, Assistant City Engineer)*
- (G) Discuss and consider approval of a resolution nominating candidate(s) to the Guadalupe Appraisal District Board of Directors.  
*(P. Aten, City Secretary)*
- (H) Discuss and consider approval of a resolution nominating candidate(s) to the Comal Appraisal District Board of Directors.  
*(P. Aten, City Secretary)*

## 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 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 4, 2013, at 3:00 p.m.

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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.