



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

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



**MONDAY, SEPTEMBER 23, 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 23, 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.**

**PROCLAMATIONS:** Gruene Music & Wine Fest Weekend  
Fire Prevention Week

**OATH OF OFFICE:** Rose Zamora, Municipal Court Judge

**1. MINUTES**

Consider approving the minutes of the special meeting of September 3 and 16, 2013, and the regular meeting of September 9, 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 appointment of Scarlett Richardson as an alternate member to the Building Standards Commission for a term ending October 26, 2014.  
*(P. Aten, City Secretary)*
- (B) Approval of the reappointment of John Mathis to the Parks and Recreation Advisory Board for terms ending October 13, 2016.  
*(P. Aten, City Secretary)*
- (C) Approval of budget transfers in the FY 2012-13 General Fund and River Activities Fund Adopted Budget.  
*(D. Korinchock, Support Services Director)*
- (D) Approval of contracts for road construction work with Ramming Paving Company, D&M Construction, D&D Contractors, Inc. and Pronto Sandblasting, Coating & Oil Field Services Company, Inc. for the Public Works Department.  
*(M. Quinones, Purchasing Manager)*

Ordinances

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

- (E) Approval of the second and final 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 the appointment of two individuals as alternate members to the Zoning Board of Adjustment for terms ending May 31, 2014 and May 31, 2015.  
*(P. Aten, City Secretary)*
- (B) Discuss and consider the appointment of one individual to the New Braunfels Utilities Board of Trustees for a term ending October 31, 2017.  
*(P. Aten, City Secretary)*
- (C) Discuss and consider the appointment of four individuals to the New Braunfels Industrial Development Corporation Board of Directors for terms ending October 9, 2015.  
*(P. Aten, City Secretary)*

- (D) Discuss and consider the appointment of two individuals to the Library Advisory Board for terms ending September 26, 2016.  
*(P. Aten, City Secretary)*
- (E) Discuss and consider a resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various City improvements (golf course) from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date.  
*(D. Korinchock, Support Services Director)*
- (F) Discuss and consider approval of a resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various City improvements (bond projects) from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date.  
*(D. Korinchock, Support Services Director)*
- (G) Discuss and consider a resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various City improvements (airport) from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date.  
*(D. Korinchock, Support Services Director)*
- (H) Discuss and consider the second and final 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)*
- (I) Discuss and consider approval of a resolution approving the inclusion of the City of New Braunfels in the San Antonio/Bexar County Metropolitan Planning Organization (SAMPO) contingent upon New Braunfels receiving one of the twenty-one seats on the SAMPO Transportation Policy Board.  
*(S. Mattingly, Planning and Community Development Director)*
- (J) Discuss and consider approval of the appointment of a member of New Braunfels City Council to the San Antonio Bexar County Metropolitan Planning Organization.  
*(S. Mattingly, Planning and Community Development Director)*
- (K) Discuss and consider 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. The applicant has requested to postpone this item until October 14, 2013.  
*(S. Mattingly, Planning and Community Development Director)*

- (L) 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)*
- (M) Public hearing and first reading of an ordinance regarding the proposed amendment to the "River Bluff at Gruene" Planned Development District Concept Plan and related development standards.  
*(S. Mattingly, Planning and Community Development Director)*
- (N) Public hearing and first reading of an ordinance rezoning 120.70 acres from "APD" Agricultural/Pre-Development District to "West Village at Creekside" Planned Development District (WVCPD) with concept plan, located on FM 1101 at Kowald Lane.  
*(S. Mattingly, Planning and Community Development Director)*
- (O) Public hearing and first reading of an ordinance rezoning of 12.98 acres from "C-1A" Neighborhood Business District and "R-3L" Multifamily Low Density with a Special Use Permit to allow 16 units per acre to "R-3H" Multifamily High Density, located at 1141 State Highway 46 South.  
*(S. Mattingly, Planning and Community Development Director)*
- (P) Public hearing and first reading of an ordinance rezoning 32.173 acres out of the A-608 Sur-21 J. Thompson Survey from "C-1B" General Business District and "APD" Agricultural / Pre-Development District to "R-1A6.6" Single Family District, located approximately 2,414 feet southeast of the intersection of Interstate 35 and Doeppenschmidt Road.  
*(S. Mattingly, Planning and Community Development Director)*
- (Q) Public hearing and first reading of an ordinance rezoning Lots 1 and 2, McKenna Village Subdivision, from "C-3" Commercial District, "R-3" Multifamily District, and "R-3HR41 and "R-3HR46" Multifamily High Density with Restrictions to "ZH-A" Zero Lot Line Home District, located at 910 and 1010 Landa Street.  
*(S. Mattingly, Planning and Community Development Director)*
- (R) Discuss and consider approval of a contract with Heritage Links for the Landa Park Golf Course renovation; approve a seven percent contingency and approve Arias & Associates as the construction material testing contractor and construction administration/field supervision services from Terra Design Group.  
*(S. Dicke, Parks and Recreation Director)*

- (S) Discuss and consider approval of a contract with MAC, Inc. for the Fischer Park Site Work Project, Arais Associates for materials testing, approve a six percent contingency and construction administration services with Terra Design Group.  
*(S. Dicke, Parks and Recreation Director)*
- (T) Discuss and consider approval of a contract with Journeyman Construction for the Fischer Park Buildings Project and approve a six percent contingency.  
*(S. Dicke, Parks and Recreation 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.
- (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 City Manager and City Attorney, 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 19, 2013, at 1:30 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.