



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

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



**MONDAY, JANUARY 14, 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)  
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:** January 14, 2013 @ 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.**

**PRESENTATION:** 2012 Wassail-Meister & People's Choice Winners

**1. MINUTES**

Consider approving the minutes of the regular meeting of December 10, 2012.  
(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 Pauline Elias to the Community Development Advisory Committee for a term ending December 13, 2015.  
*(P. Aten, City Secretary)*
- (B) Approval of the appointment of Laurie Steves to the at large position on the Building Standards Commission for a term ending October 26, 2013.  
*(P. Aten, City Secretary)*
- (C) Approval of the reappointment of Councilmember Sandy Nolte to the Lone Star Rail District Board of Directors for a term ending February 1, 2015.  
*(P. Aten, City Secretary)*
- (D) Authorization for the City Manager to enter into a contract with the current Community Development Block Grant (CDBG) grant administration and management consultant for CDBG program management services.  
*(D. Korinchock, Support Services Director)*
- (E) Approval of the submission of a grant application to the FY 2013 Assistance To Firefighters Fire Prevention and Safety grant program for \$104,000 under the Federal Emergency Management Agency and authorizing the City Manager to accept funds if awarded and to execute all contract documents associated with the grant awarded.  
*(J. Robinson, Fire Chief)*
- (F) Approval of the purchase from General Dynamic Itronix of mobile data terminals (MDTs) for the Fire Department.  
*(J. Robinson, Fire Chief)*
- (G) Approval of the renewal of the annual contract with Texas Fleet Fuel for City-wide fuel services.  
*(M. Quinones, Purchasing Manager)*
- (H) Approval of annual contracts for uniform rental services with Prudential Overall Supply and direct purchases with Allied Advertising.  
*(M. Quinones, Purchasing Manager)*
- (I) Approval of the renewal of the annual contract with Verizon Wireless for air card services through the General Services Administration – Federal Supply Contract.  
*(M. Quinones, Purchasing Manager)*
- (J) Approval of a contract with Fuquay, Inc. for water and sewer extensions at the New Braunfels Regional Airport.  
*(M. Quinones, Purchasing Manager)*

- (K) Approval of a resolution authorizing the City Manager to enter into an Interlocal Agreement with Comal County to provide for delivery of green waste by the City of New Braunfels to the Comal County Rural Recycling Facility.  
*(M. Mundell, Solid Waste Manager)*
- (L) Approval of the submission of a grant application to the StoryCorps @ your Library grant program under the American Library Association Public Programs Office for up to \$2,500 and authorizing the City Manager to accept funds if awarded and to execute all contract documents associated with the grant awarded.  
*(G. Pruett, Library Director)*
- (M) Approval to waive fees for a Conditional Sign Permit application fee for San Marcos Women Infants and Children (WIC) I Larry Lehr for property located at 645 North Walnut Avenue.  
*(S. Mattingly, Planning and Community Development 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.)*

- (N) Approval of the first reading of an ordinance deleting Chapter 2, Article III, Division 2 of the Code of Ordinances in its entirety in order to abolish the Board of Literary Review established in 1956.  
*(P. Aten, City Secretary)*
- (O) Approval of the second and final reading of an ordinance rezoning 2.981 acres, located at 1327 FM 758 and 1683 Highway 46 South, from "C-1" Local Business District and "APD" Agricultural/Pre-Development to "MU-B" High Intensity Mixed Use District.  
*(S. Mattingly, Planning and Community Development Director)*
- (P) Approval of the second and final reading of an ordinance rezoning of 0.689 acres, located on the south side of FM 758 approximately 850 feet east of the intersection of State Highway 46, from "MU-B" High Intensity Mixed Use District to "R-2A" Single and Two-Family District.  
*(S. Mattingly, Planning and Community Development Director)*
- (Q) Approval of the first reading of an ordinance amending Ordinance 75-10 to approve the installation of a stop sign on Lee Street at Peach Avenue.  
*(G. Ford, Assistant City Engineer)*
- (R) Approval of the first reading of an ordinance amending Ordinance 75-10 to approve the installation of a stop sign on Divine Way at Walnut Avenue.  
*(G. Ford, Assistant City Engineer)*

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- (A) Discuss and consider approval of accepting a Type 6 Engine (Brush truck) from Texas Intrastate Fire Mutual Aid System (TIFMAS) Grant Assistance Program.  
*(D. Wrenn, Assistant Fire Chief)*
- (B) Discuss and consider approval of a resolution supporting the Guadalupe-Blanco River Authority's application for flood protection planning grant assistance filed with the Texas Water Development Board for the study of a regional flood detention dam on Bear Creek, a tributary to the Guadalupe River, upstream of New Braunfels.  
*(S. Ramsey, Public Works Director)*
- (C) Discuss and consider the appointment of two individuals to the New Braunfels Housing Authority for terms ending January 22, 2015.  
*(P. Aten, City Secretary)*
- (D) Discuss and consider the appointment of two individuals to the Landa Park Golf Course Advisory Board for terms ending December 31, 2015.  
*(P. Aten, City Secretary)*
- (E) Discuss and consider approval of the first reading of an ordinance amending Ordinance Section 6-77 (d) and repealing Section 144-5.21 (c) to approve the keeping of chickens within the city limits on lots less than 40,000 square feet in size.  
*(S. Mattingly, Planning and Community Development Director)*
- (F) Public hearing and first reading of an ordinance moving updated regulations from Articles III and IV of Chapter 10 Aviation as an amendment of Chapter 144, Zoning, by replacing in its entirety Section 5.19 Airport Zoning and establishing Airport Overlay Zones on approximately 3,832 acres that extend 10,000 feet from the terminus of each end of both runways at the New Braunfels Regional Airport.  
*(S. Mattingly, Planning and Community Development Director)*
- (G) Discuss and consider a resolution setting a schedule for public hearings regarding the annexation of 37.96 acres of land on FM 1101, adjacent to the existing city limits.  
*(S. Mattingly, Planning and Community Development Director)*
- (H) Discuss and consider accepting the conveyance of 30.212 and 13.906 acres of land in fee simple from Wayman and Nancy Krueger for the amount of \$1,010,029 plus expenses for the New Braunfels Regional Airport Runway Expansion Project. TxDOT Aviation pays \$683,453; the City of New Braunfels pays \$337,069 and relocation expenses; and the appropriate budget adjustments.  
*(L. Llerena, Airport 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 Municipal Court Judge, in accordance with Section of 551.074 of the Texas Government Code.  
*(G. Pospisil, Mayor)*  
*(This item placed on the agenda at the request of Mayor Pospisil)*

**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 January 9, 2013, at 4:00 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.