



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

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



**MONDAY, AUGUST 12, 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:** August 12, 2013 @ 6:00 P.M.

**CALL OF ROLL:** City Secretary

**INVOCATION:** Councilmember Sandy Nolte

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

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

**1. MINUTES**

Consider approving the minutes of the special meeting of July 22, 2013, and the regular meeting of July 22, 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 a budget transfer in the Library's FY 2012-13 General Fund Adopted Budget.  
*(J. Werner, Management and Budget Coordinator)*
- (B) Approval of an annual contract for the purchase of road materials spoilage disposal services from Brauntex Materials, Inc. for the Public Works Department.  
*(M. Quinones, Purchasing Manager)*
- (C) Approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide funds up to \$53,236 to the City of New Braunfels for a project to construct a parking lot on County Line Memorial Trail, and declaring an effective date.  
*(S. Dicke, Parks and Recreation Director)*
- (D) Approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide a grant in an amount not to exceed \$111,000 to the Center for Entrepreneurship for operation of the Small Business Development Center in 2013-2014.  
*(J. Jewell, Development Coordinator)*
- (E) Approval of a resolution recommended by the New Braunfels Industrial Development Corporation to redirect funds up to \$30,000 to the City of New Braunfels to provide road infrastructure at the New Braunfels Regional Airport; and providing an effective date.  
*(J. Jewell, Development Coordinator)*
- (F) Approval of the ratification of a grant application submitted to the McKenna Foundation for \$70,000 and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant if awarded.  
*(R. Camareno, Interim City 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.)*

- (G) Approval of the second and final reading of an ordinance granting a Type II Special Use Permit to allow two single-family dwellings in the "APD" Agricultural/Pre-Development District, located at 1922 Lou Ann Drive.  
*(S. Snell, Planning Manager)*
- (H) Approval of the second and final reading of an ordinance approving the abandonment and sale of Mulberry Avenue right-of-way between W. Torrey Street and W. Austin Street, and a portion of W. Austin Street right-of-way between Mulberry Avenue and N. Liberty Avenue.  
*(S. Snell, Planning Manager)*

- (I) Approval of the second and final reading of an ordinance annexing 120.7 acres of land on FM 1101, adjacent to the existing city limits.  
(*S. Snell, Planning Manager*)

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- (A) Presentation, discussion and possible action regarding the Fiscal Year 2013-14 operating and capital budgets.  
(*R. Camareno, Interim City Manager*)
- (B) Presentation and discussion regarding the 2013 effective and rollback tax rates.  
(*D. Korinchock, Support Services Director*)
- (C) Presentation, discussion and action regarding the proposed 2013 tax rate.  
(*D. Korinchock, Support Services Director*)
- (D) Discussion and action regarding scheduling the public hearings on the 2013 tax rate and the FY 2013-14 Proposed Budget.  
(*D. Korinchock, Support Services Director*)
- (E) Public hearing and first reading of an ordinance amending and replacing chapter 130, Article V, Section 130-257, Sewer Rates, of the Code of Ordinances relating to rates for the New Braunfels Utilities sewer service.  
(*P. DiFonzo, New Braunfels Utilities*)
- (F) Discuss and consider an appeal to the Parkland Dedication and Development Fees Ordinance for Creekside Villas Subdivision.  
(*R. Camareno, Interim City Manager*)
- (G) Discuss and consider the second and final reading of an ordinance rezoning approximately 8.2 acres located on State Highway 46 West between Oak Run Parkway and Oak Run Point from "C-1A" Neighborhood Business District to "C-1B" General Business District.  
(*S. Snell, Planning Manager*)
- (H) First public hearing regarding the annexation of 16.324 acres of land on Loop 337, adjacent to the existing city limits.  
(*S. Snell, Planning Manager*)
- (I) Discuss and consider the first reading of an ordinance regarding the closure of 3.284 acres of Westmeyer Road located between Airport Road and Saur Lane.  
(*L. Llerena, Airport Director*)
- (J) 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 2.677

acres located at the southwest intersection of Klein Road and Legend Pond from "APD" Agricultural/Pre-Development District to "C-1A" Neighborhood Business District with a Special Use Permit to allow: (1) a convenience store with fuel sales, with or without an automated car wash; and (2) a full service car wash (detail shop).

*(S. Snell, Planning Manager)*

- (K) 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 2.398 acres located at the southeast intersection of Klein Road and Legend Pond from "APD" Agricultural/Pre-Development District to "C-1 A" Neighborhood Business District with a Special Use Permit to allow: (1) a convenience store with fuel sales, with or without an automated car wash; and (2) a full service car wash (detail shop).

*(S. Snell, Planning Manager)*

- (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 0.696 acres located at the southeast intersection of Klein Road and Klein Meadows from "APD" Agricultural/Pre-Development District to "C-1A" Neighborhood Business District.

*(S. Snell, Planning Manager)*

- (M) Discuss and consider authorization for the City Manager to approve a contract with Aetna Inc. for administrative services for the City's self-funded medical, prescription, dental and vision employee benefit plan.

*(J. O'Connell, Human Resources Director)*

- (N) Discuss and consider authorization for the City Manager to approve a contract with Aetna Inc., for Stop Loss (reinsurance) coverage for the City's self-funded medical and prescription plan.

*(J. O'Connell, Human Resources 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 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 August 8, 2013, at 10:00 a.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.