



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

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



**MONDAY, AUGUST 26, 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 26, 2013 @ 6:00 P.M.

**CALL OF ROLL:** City Secretary

**INVOCATION:** Mayor Pro Tem Bryan Miranda

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

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

**PROCLAMATION:** National Payroll Week

**1. MINUTES**

Consider approving the minutes of the special meetings of August 12, 13, and 14, 2013, and the regular meeting of August 12, 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 to the Community Development Advisory Committee for a term ending December 13, 2014.  
*(P. Aten, City Secretary)*
- (B) Approval of a resolution adopting the investment policy for the City of New Braunfels including the broker/dealer list.  
*(D. Korinchock, Support Services Director)*
- (C) Approval of the City of New Braunfels FY 2012-13 third quarter investment report.  
*(D. Korinchock, Support Services Director)*
- (D) Approval of the renewal of the annual contract with Verizon Wireless for cellular phone service through the State of Texas Department of Information Resources (D.I.R.) contract.  
*(M. Quinones, Purchasing Manager)*
- (E) Approval of the renewal of the annual contract with EPIC Aviation, LLC for fuel services at the New Braunfels Regional Airport.  
*(M. Quinones, Purchasing Manager)*
- (F) Approval of the renewal of the annual contract with Pollock Companies for city-wide printing services.  
*(M. Quinones, Purchasing Manager)*
- (G) Approval of the recommended appointees to the River Stakeholder/Steering Committee.  
*(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.)*

- (H) Approval of the first 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 first 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)*

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- (A) Discuss and consider approval of the second and final 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)*
- (B) Discuss and consider approval of a resolution and the submission of a grant application to the U.S. Economic Development Administration's FY 2013 Assistance Program in the amount of \$1,499,777 and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant if awarded.  
*(C. Keenum, Grants Coordinator and J. Jewell, Development Coordinator)*
- (C) Discuss and consider approval of the first 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)*
- (D) Public hearing and first 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)*
- (E) Public hearing and first 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)*
- (F) Public hearing and first 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)*
- (G) Discuss and consider approval of an appeal of the Non-Residential and Multifamily Design Standards requirements to utilize a temporary trailer and two storage containers without masonry materials at 3100 West San Antonio Street.  
*(S. Mattingly, Planning and Community Development Director)*

- (H) Discuss and consider a request to relinquish plat review authority to Comal County for the Vintage Oaks Subdivision.  
*(S. Mattingly, Planning and Community Development Director)*
- (I) Discuss and consider approval of an appeal of the Non-Residential and Multifamily Design Standards Articulation and Exterior Building Materials requirements in order to utilize a portable building for a supplementary classroom without masonry materials at 210 West Klein Road.  
*(S. Mattingly, Planning and Community Development 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 21, 2013, at 4:45 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.