



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

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



**MONDAY, MARCH 26, 2012 at 6:00 P.M.**

Gale Pospisil, Mayor  
Richard Zapata, Councilmember (District 1)  
Mark Goodner, Mayor Pro Tem (District 2)  
Mike Ybarra, 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:** March 26, 2012 @ 6:00 P.M.

**CALL OF ROLL:** City Secretary

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

**INVOCATION:** Mayor Pospisil

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

**PROCLAMATIONS:** Fair Housing Month  
Girl Scouts Centennial Month

**1. MINUTES**

Consider approving the minutes of the special and regular meetings of March 12, 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 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 two individuals to the Heritage Commission for terms ending March 11, 2015.  
*(P. Aten, City Secretary)*
- (B) Approval of an amendment to the consulting contract with GovMethods for improvements to the Accela Land Management Software Program.  
*(D. Korinchock, Support Services Director)*
- (C) Approval of the renewal of contracts with Tip Top Cleaners and Dave's Cleaners for uniform cleaning services for the Fire and Police Departments.  
*(M. Quinones, Purchasing Manager)*
- (D) Approval of the purchase of services from Cindy Segovia for project management services related to implementation of the ONESolution financial and human resources software system.  
*(D. Korinchock, Support Services Director)*
- (E) Approval of the extension of a lease agreement for the Downtown Tietze Haus at 451 S. Castell Avenue for a one year period.  
*(C. Real, Real Estate Manager)*
- (F) Discuss and consider an appeal to the non-residential and multifamily design standards exterior building materials requirement for a proposed modular office to be located at 110 Golf Course Drive.  
*(S. Mattingly, Planning and Community Development Director)*
- (G) Approval of a contract with The Levy Company, LP for construction services on the Hawk Traffic Signal Project, authorization for City Manager to execute change orders and appropriate budgetary transfers.  
*(J. Klein, City Engineer)*
- (H) Approval of a resolution supporting the inclusion of the SH 130 connector in the Texas Rural Transportation Plan.  
*(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.)*

- (I) Approval of the second and final reading of an ordinance amending Chapter 10 of the Code of Ordinances regarding charges on commercial activities at the New Braunfels Regional Airport.

*(L. Llerena, Airport Director)*

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- (A) Discuss and consider five appointments to the Historical Landmark Commission for terms expiring April 7, 2016.  
*(P. Aten, City Secretary)*
- (B) Discuss and consider approval of the second and final reading of an ordinance amending Ordinance No. 2011-87 which establishes classifications and the number of employees within the Police and Fire Departments, authorization and funding of three lieutenant positions, six engineer positions, and nine firefighter positions for the staffing of Fire Station 4, and the appropriate budget adjustment.  
*(J. Robinson, Fire Chief)*
- (C) Discuss and consider approval of the second and final reading of an ordinance regarding park rules and park fees.  
*(S. Dicke, Parks and Recreation Director)*
- (D) Presentation, discussion and action regarding the FY 2010-11 audit and Comprehensive Annual Financial Report performed by Davis, Kinard and Company, P.C.  
*(D. Korinchock, Support Services Director)*
- (E) Public hearing and first reading of an ordinance rezoning 0.625 acres out of the A-608 SUR-21 J Thompson Survey, located at 382 IH 35 South, From "C-1A" Neighborhood Business District to "MU-A" Low Intensity Mixed Use District.  
*(S. Mattingly, Planning and Community Development Director)*
- (F) Public hearing and first reading of an ordinance granting a Special Use Permit to allow multifamily structures up to 58 feet in height in the "M-1Ar60" Light Industrial District, near the intersection of Creekside Way and FM 1101.  
*(S. Mattingly, Planning and Community Development Director)*
- (G) Public hearing and first reading of an ordinance approving the abandonment and sale of 0.565 acres of street right-of-way at the intersection of E. Basel Street and S. East Avenue.  
*(S. Mattingly, Planning and Community Development Director)*
- (H) Announcement of Mayor's Citizens Forum.  
*(G. Pospisil, Mayor)*  
*(This item placed on the agenda at the request of Mayor Pospisil)*

**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.

**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 March 21, 2012, at 7:00 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.