



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

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



**MONDAY, MARCH 11, 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:** March 11, 2013 @ 6:00 P.M.

**CALL OF ROLL:** City Secretary

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

**INVOCATION:** Councilmember Richard Zapata

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

**PROCLAMATIONS:** Purchasing Professionals Month  
MS Awareness Week

**PRESENTATION:** Arts and Humanities Award from Texas Recreation and Parks  
Society  
(S. Dicke, Parks and Recreation Director)

**1. MINUTES**

Consider approving the minutes of the regular meeting of February 25, 2013, and the special meetings of February 19, and February 25, 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 resolution appointing election officers for the May 11, 2013 General and Special Elections.  
*(P. Aten, City Secretary)*
- (B) Approval of the appointment of Brad Bechtol to the Construction Board of Appeals for a term ending February 24, 2018.  
*(P. Aten, City Secretary)*
- (C) Approval of the appointment of Nancy Cronen and the reappointment of Nancy Ford to the Heritage Commission for terms ending March 11, 2016.  
*(P. Aten, City Secretary)*
- (D) Approval of a budget amendment in the Facilities Maintenance Fund FY 2012-13 Adopted Budget.  
*(J. Werner, management and Budget Coordinator)*
- (E) 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)*
- (F) Approval of a modification to a contract with Weigelt Enterprises, LLC for Phase II of installation of backflow preventers.  
*(M. Quinones, Purchasing Manager)*
- (G) Approval of the conveyance of Lot 64, River Acres Subdivision, in fee simple to the City from Sharon Peters Real Estate Inc. for the amount up to \$197,508 of which \$116,467.50 will be reimbursed by FEMA through the Pre-Disaster Mitigation Grant program previously approved by City Council.  
*(C. Real, Purchasing Manager)*
- (H) Approval to authorize the City Manager to increase funding in the 2012 Program Year Community Development Block Grant (CDBG) contract with Comal County Senior Citizen's Foundation for minor home repairs from \$82,536.00 to \$140,350.31.  
*(D. Korinchock, Support Services Director)*
- (I) Approval of the purchase of commercial refuse and recycling containers from Wastequip for the Public Works Department through the Houston Galveston Area Council (HGAC) contract and declaring the old containers surplus.  
*(M. Quinones, Purchasing Manager)*

- (J) Approval of a payment to the Texas Department of Transportation for extension of a New Braunfels Regional Airport runway and associated project costs, and the appropriate budget adjustment.  
*(L. Llerena, Airport 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.)*

- (K) Approval of the second and final reading of an ordinance repealing Chapter 42, Article II, Division 2, Section 42-58, that appoints the City Attorney as the interim Municipal Court Judge during the absence or temporary disability of the presiding Municipal Court Judge, of the Code of Ordinances in its entirety.  
*(V. Acevedo, City Attorney)*
- (L) Approval of the first reading of an ordinance amending Section 126-354 to modify the permit parking ordinance in Area I.  
*(P. Aten, City Secretary)*

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- (A) Discuss and consider authorizing the City Manager to enter into a one year contract for the continuation of an employee wellness program.  
*(J. O'Connell, Human Resources Director)*
- (B) Public hearing on the 2012 Community Development Block Grant Consolidated Annual Performance and Evaluation Report.  
*(D. Korinchock, Support Services Director)*
- (C) Second public hearing regarding the proposed annexation of 37.96 acres of land on FM 1101, adjacent to the existing city limits.  
*(S. Snell, Planning Manager)*
- (D) Second public hearing regarding the proposed annexation of approximately 48 acres of land on Westmeyer Road including Westmeyer right-of-way adjacent to the existing city limits.  
*(S. Snell, Planning Manager)*

**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 Attorney, Municipal Court Judge, and City Manager, 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 6, 2013, at 4:30 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.