

REGULAR CITY COUNCIL MEETING
NEW BRAUNFELS MUNICIPAL BUILDING - CITY COUNCIL CHAMBERS
424 S. CASTELL AVENUE
MAY 27, 2008 – 6:00 P.M.

*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.*

AGENDA

CALL TO ORDER: MAY 27, 2008 @ 6:00 P.M.

CALL OF ROLL: CITY SECRETARY

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: COUNCILMEMBER KATHLEEN KRUEGER

ECONOMIC EXCELLENCE AWARD FOR NEW BRAUNFELS INDUSTRIAL DEVELOPMENT CORPORATION

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

1. **MINUTES**
 CONSIDER APPROVING THE MINUTES OF THE REGULAR MEETING OF MAY 12, 2008.
 M. Resendez, City Secretary

2. **CITY COUNCIL ACTIONS**
 - (A) CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, DECLARING THE CANVASS AND RESULT OF AN ELECTION HELD ON MAY 10, 2008, TO ELECT ONE (1) MEMBER OF THE NEW BRAUNFELS CITY COUNCIL; CONTAINING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

 - (B) COMPLETE AND ISSUE CERTIFICATE OF ELECTION TO COUNCILMEMBER-ELECT, KATHLEEN KRUEGER.

 - (C) ADMINISTER OATH-OF-OFFICE TO COUNCILMEMBER-ELECT, DISTRICT FIVE, KATHLEEN KRUEGER.

 - (D) ADMINISTER OATH-OF-OFFICE TO COUNCILMEMBER-ELECT, DISTRICT SIX, STEVEN DIGGES.

 - (E) ADMINISTER OATH-OF-OFFICE TO MAYOR, AT-LARGE, R. BRUCE BOYER.

 - (F) ELECTION OF A MAYOR PRO-TEM.

3. **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 Bruce Boyer

4.

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.

- (A) AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A CONTRACT WITH R. W. BECK FOR THE SOLID WASTE COST OF SERVICES STUDY AND HEAVY EQUIPMENT REPLACEMENT ANALYSIS, THROUGH THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE.
S. Ramsey, Public Works Director/M. Quinones, Purchasing Manager
- (B) APPROVAL TO AUTHORIZE THE CITY MANAGER TO SIGN AN INTERLOCAL AGREEMENT WITH SAM HOUSTON STATE UNIVERSITY TO PROVIDE A STATE-OF-THE-ART COMPREHENSIVE POLICE INFORMATION SYSTEM.
R. Everett, Police Chief
- (C) APPROVAL OF AIRPORT STANDARD RATES AND CHARGES ANNUAL ADJUSTMENTS FOR 2007 AND 2008.
A. Spinks, Airport Director
- (D) APPROVAL OF THE FIRST READING OF AN ORDINANCE GRANTING A TAX RELIEF TO THE OWNER OF THE DESIGNATED HISTORIC LANDMARK LOCATED AT 195 E. COLL STREET, KNOWN AS THE CARL STOCK HOUSE, FOR A PERIOD OF FIVE YEARS; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.
C. Bell, Historic Preservation Officer
- (E) APPROVAL OF THE CITY OF NEW BRAUNFELS ARTS COMMISSION RECOMMENDATIONS FOR ALLOCATING GRANT AWARDS FROM HOTEL OCCUPANCY TAX TO VARIOUS ARTS ORGANIZATIONS OF THE CITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS WITH THE AFOREMENTIONED ORGANIZATIONS FOR THE PURPOSE OF DISBURSEMENT AND USE OF FUNDING.
M. Resendez, City Secretary
- (F) APPROVAL OF A RESOLUTION FOR ACCEPTANCE OF A PROSPECTIVE GIFT OR DONATION TO THE CITY BY THE PAUL LENZEN IRREVOCABLE TRUST, AND AUTHORIZE PAYMENT TO THE NEW BRAUNFELS PUBLIC LIBRARY FOUNDATION.
R. Camareno, Assistant City Manager
- (G) AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A ONE-YEAR EXTENSION OF THE CONTRACT WITH AT&T WIRELESS (FORMERLY CINGULAR WIRELESS LLC) FOR CELLULAR TELEPHONE AND AIRCARD SERVICES UNDER THE STATE OF TEXAS CONTRACT.
D. Korinchock, Support Services Director

5.

INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE REZONING LOTS 1A AND 1C BEATRICE KNOX SUBDIVISION, AND LOTS 1 AND 2, NAZARENE SUBDIVISION, FROM "M-1A(R61) LIGHT INDUSTRIAL DISTRICT (WITH RESTRICTIONS)", "R-2 SINGLE AND TWO FAMILY DISTRICT" AND "C-3 COMMERCIAL DISTRICT" TO "C-1B GENERAL BUSINESS DISTRICT".
R. Kinsey, Interim Planning Director

- (B) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING AN EXISTING SPECIAL USE PERMIT TO ALLOW TWO STRUCTURES TO BE USED FOR SHORT TERM RENTAL OR OCCUPANCY AND ONE STRUCTURE TO BE USED AS A PERSONAL RESIDENCE IN THE "R-3L MULTIFAMILY LOW DENSITY DISTRICT", LOCATED AT 1704 GRUENE ROAD.
R. Kinsey, Interim Planning Director
- (C) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING SECTIONS 118-35, 118-51.3(B) AND (C), AND 118-53, PLATTING, NEW BRAUNFELS CODE OF ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.
R. Kinsey, Interim Planning Director
- (D) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE TO AMEND THE 2005 THOROUGHFARE MASTER PLAN BY CHANGING WALNUT AVENUE BETWEEN KATY STREET AND S. BUSINESS IH 35 FROM A 90' ARTERIAL TO A 120' ARTERIAL.
R. Kinsey, Interim Planning Director
- (E) DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS EXTENDING A MORATORIUM ON ELECTRONIC VIDEO DISPLAY SIGNS.
R. Kinsey, Interim Planning Director
- (F) DISCUSS AND CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES BY ADOPTING THE 2006 EDITIONS OF THE INTERNATIONAL RESIDENTIAL, BUILDING, PLUMBING, MECHANICAL, FUEL GAS, ENERGY CONSERVATION, FIRE, PROPERTY MAINTENANCE AND 2005 NATIONAL ELECTRIC CODES; MAKING VARIOUS AMENDMENTS, DELETIONS, AND MODIFICATIONS TO THE 2006 INTERNATIONAL CODES; ESTABLISHING RELATED PERMIT FEES AND PENALTIES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.
R. Kinsey, Interim Planning Director
- (G) DISCUSS AND CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 54, "FIRE PREVENTION AND PROTECTION; EMERGENCY MEDICAL SERVICES" OF THE CODE OF ORDINANCES CITY OF NEW BRAUNFELS, TEXAS, BY ADOPTING, WITH MODIFICATIONS AND AMENDMENTS, THE "2006 INTERNATIONAL FIRE CODE"; MAKING VARIOUS AMENDMENTS, DELETIONS, AND MODIFICATIONS TO THE "2006 INTERNATIONAL FIRE CODE"; ESTABLISHING RELATED PERMIT FEES AND PENALTIES; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.
R. Edwards, Fire Marshal
- (H) DISCUSS AND CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING SECTION 86-7 "OPERATION OF VEHICLES IN PARKS," SUBSECTION (d) "PARKING FEES IN PRINCE SOLMS PARK EAST" OF THE NEW BRAUNFELS CODE OF ORDINANCES TO USE THE FEES COLLECTED IN 2008 FOR IMPROVEMENT OF THE PARK AND TO REPEAL SUBSECTION (d) EFFECTIVE JANUARY 1, 2009; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.
S. Laird, Parks and Recreation Director

- (I) DISCUSS AND CONSIDER ACTION REGARDING THE FOLLOWING CITY OF NEW BRAUNFELS BOARD & COMMISSION APPOINTMENTS:
- 1) THREE MEMBERS TO THE PLANNING AND ZONING COMMISSION FOR THREE-YEAR TERMS ENDING MAY 31, 2011.
 - 2) FIVE MEMBERS TO THE ZONING BOARD OF ADJUSTMENT FOR TWO-YEAR TERMS ENDING MAY 31, 2010; THREE OF THE MEMBERS TO SERVE IN A REGULAR CAPACITY AND TWO MEMBERS TO SERVE IN AN ALTERNATE CAPACITY.
M. Resendez, City Secretary
- (J) DISCUSS AND CONSIDER APPROVAL OF RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REGARDING FIRE PROTECTION IN THE GREEN VALLEY SPECIAL UTILITY DISTRICT SERVICE AREA.
A. Wayland, City Attorney

6. REPORTS

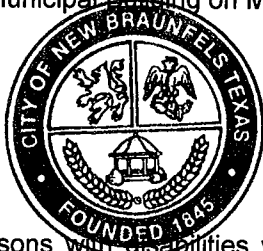
- a) CITY COUNCIL'S REPORT
- b) STAFF REPORTS

City Council reserves the right to hear any of the above described agenda items that qualify for an executive session in an executive session by publicly announcing the applicable section number of the Open Meetings Act (Chapter 551 of the Texas Government Code) that justifies executive session treatment.

ADJOURNMENT

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the New Braunfels Municipal Building on May 23, 2008 at 1:00 p.m.



Michael A. Resendez

Michael A. Resendez, 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.