

REGULAR CITY COUNCIL MEETING
NEW BRAUNFELS MUNICIPAL BUILDING - CITY COUNCIL CHAMBERS
424 S. CASTELL AVENUE
JULY 14, 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: JULY 14, 2008 @ 6:00 P.M.

CALL OF ROLL: CITY SECRETARY

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: MAYOR BRUCE BOYER

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

1. MINUTES

CONSIDER APPROVING THE MINUTES OF (A) THE REGULAR MEETING OF JUNE 23, 2008 AND (B) THE SPECIAL MEETING OF JUNE 24, 2008.

M. Resendez, City Secretary

2. PRESENTATIONS

(A) PRESENTATION AND UPDATE BY THE PARKS AND RECREATION DEPARTMENT ON CURRENT PLANNING EFFORTS AND PARK PROJECTS.

S. Laird, Parks and Recreation Director

(B) PRESENTATION BY HISTORIC PRESERVATION OFFICER ON CURRENT HISTORIC PRESERVATION PROJECTS.

C. Bell, Historic Preservation Officer

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) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE AMENDING SECTION 118-46-y. 1, PLATTING, NEW BRAUNFELS CODE OF ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

J. Klein, City Engineer

- (B) APPROVAL OF THE FIRST READING OF AN ORDINANCE FOR THE CLOSURE OF SHENANDOAH DRIVE AT THE INTERSECTION OF WALNUT AVENUE.
J. Klein, City Engineer
- (C) APPROVAL OF THE FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 75-10 DATED APRIL 28, 1975 TO APPROVE INSTALLATION OF THE TRAFFIC CONTROL DEVICES AT THE INTERSECTIONS OF MORALES COURT AT ROSA PARKS, CROCKETT COURT AT ROSA PARKS AND BLUEBONNET AVENUE AT BUSINESS 35 WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW BRAUNFELS.
J. Klein, City Engineer
- (D) APPROVAL TO ACCEPT A GRANT FROM THE TEXAS COMPTROLLERS OFFICE TO INCREASE EDUCATION AND COMPLIANCE WITH STATE LAWS PROHIBITING THE SALE, DISTRIBUTION, OR POSSESSION OF TOBACCO TO OR BY MINORS.
R. Everett, Police Chief
- (E) AUTHORIZATION FOR PURCHASE OF PLAYGROUND EQUIPMENT AND INSTALLATION AT SOLMS PARK.
S. Laird, Parks and Recreation Director
- (F) CONSIDER APPOINTING WILLIAM A. KOTYLO, AS AN ALTERNATE MEMBER TO THE CITY OF NEW BRAUNFELS ZONING BOARD OF ADJUSTMENT.
M. Resendez, City Secretary
- (G) APPROVAL OF A BUDGET TRANSFER IN THE FY 2007-08 ADOPTED BUDGET IN THE GENERAL FUND – FIRE DEPARTMENT AND CIVIC CENTER, AND BUDGET ADJUSTMENTS IN THE FIRE MUSEUM AND TRAINING FUND AND THE EMERGENCY PREPAREDNESS FUND.
D. Korinchock, Support Services Director
- (H) CONSIDER AUTHORIZATION TO INCREASE THE REIMBURSEMENT TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF THE BRIDGE ON LANDA PARK DRIVE AT THE COMAL RIVER AND ASSOCIATED BUDGET AMENDMENT.
S. Ramsey, Public Works Director

5. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) FIRST READING OF AN ORDINANCE GRANTING THE RENEWAL OF A TAX RELIEF TO THE OWNER OF THE DESIGNATED HISTORIC LANDMARK LOCATED AT 388 COMAL AVENUE, KNOWN AS THE TOLLE-HAMPE HOUSE, FOR AN ADDITIONAL PERIOD OF FIVE YEARS; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.
C. Bell, Historic Preservation Officer
- (B) DISCUSS AND CONSIDER A CONDITIONAL SIGN PERMIT FOR THE LANDMARK LOFTS LOCATED AT 144 LANDA STREET.
M. Greene, City Planner
- (C) DISCUSS AND CONSIDER AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A CONTRACT MODIFICATION FOR CHANGES IN THE PROFESSIONAL SERVICES CONTRACT WITH HDR/CLAUNCH & MILLER, INC. REGARDING THE WALNUT AVENUE WIDENING PROJECT AND THE APPROPRIATE BUDGET TRANSFER.
S. Ramsey, Public Works Director

- (D) DISCUSS AND CONSIDER THE PROPOSED ABANDONMENT OF 0.570 ACRES OF OLD MCQUEENEY RIGHT-OF-WAY AND THE EXCHANGE OF 0.570 ACRES AND 0.279 ACRES OF CITY PROPERTY AT THE NORTHWEST INTERSECTION OF FM 725 AND W. COUNTY LINE ROAD FOR RIGHT-OF-WAY FOR THE SOUTH TRIBUTARY DRAINAGE PROJECT.
J. Klein, City Engineer
- (E) DISCUSS AND CONSIDER A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, RENEWING AND ADOPTING A TAX ABATEMENT POLICY AND ELECTING TO BE ELIGIBLE TO CONTINUE PARTICIPATING IN TAX ABATEMENT AGREEMENTS.
A. Wayland, City Attorney
- (F) FIRST READING OF AN ORDINANCE ABANDONING 0.134 ACRES OF PLUM STREET RIGHT-OF-WAY AT THE INTERSECTION OF MICHIGAN STREET.
S. Mattingly, Planning Director
- (G) FIRST READING OF AN ORDINANCE ABANDONING 0.1953 ACRES OF RIGHT-OF-WAY LOCATED AT THE TERMINUS OF E. LINCOLN STREET.
S. Mattingly, Planning Director
- (H) FIRST READING OF AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 130, ARTICLE IV, DIVISIONS 5, 6, AND 7, WATER CONSERVATION AND CRITICAL PERIOD MANAGEMENT PLAN-GENERALLY OF THE CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS, TEXAS, PROVIDING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.
P. DiFonzo, NBU Chief Executive Officer

6. EXECUTIVE SESSIONS

In accordance with Texas Government Code, Subchapter D, the City Council may convene in a closed session. **After the Executive Session discussion on any of the following items, any final action or vote taken will be in public.**

- (A) CONSULTATION WITH CITY'S ATTORNEYS ABOUT A SETTLEMENT OFFER WITH REGARD TO CLAIM OF ROCKWALL RANCH SUBDIVISION IN ACCORDANCE WITH SECTION 551.071, OF THE TEXAS GOVERNMENT CODE.
A. Wayland, City Attorney
- (B) 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. (*Green Valley Special Utility District*).
A. Wayland, City Attorney

7. REPORTS

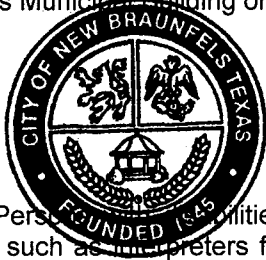
- a) CITY COUNCIL'S REPORT
- b) STAFF REPORTS

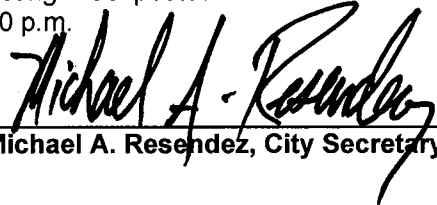
City Council reserves the right to hear any of the above described agenda items that qualify for an executive session in an executive session by publicly announcing the applicable section number of the Open Meetings Act (Chapter 551 of the Texas Government Code) that justifies executive session treatment.

ADJOURNMENT

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the New Braunfels Municipal Building on July 9, 2008 at 1:30 p.m.





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.