

REGULAR CITY COUNCIL MEETING
NEW BRAUNFELS MUNICIPAL BUILDING - CITY COUNCIL CHAMBERS
424 S. CASTELL AVENUE
SEPTEMBER 8, 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.*

A G E N D A

CALL TO ORDER: SEPTEMBER 8, 2008 @ 6:00 P.M.

CALL OF ROLL: CITY SECRETARY

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: COUNCILMEMBER PAT WIGGINS

PROCLAMATIONS: "CONSTITUTION WEEK"
 "BLUE STAR MOTHERS DAY"

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

1. MINUTES

CONSIDER APPROVING THE MINUTES OF (A) THE SPECIAL MEETING OF AUGUST 18, 2008, (B) THE SPECIAL MEETING OF AUGUST 19, 2008, AND (C) THE REGULAR MEETING OF AUGUST 25, 2008.

M. Resendez, 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 Bruce Boyer

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.

(A) 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 INTERSECTION OF FAIR LANE AND SUMMERWOOD DRIVE AND WITHIN QUAIL VALLEY SUBDIVISION WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW BRAUNFELS.

S. Ramsey, Public Works Director

- (B) APPROVAL OF THE FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS, TEXAS BY MODIFYING SECTIONS 126-136 THROUGH SECTION 126-138 TO DESIGNATE A SPECIFIC TIME FOR AREA SCHOOL SPEED ZONES; REPEALING ALL ORDINANCES IN CONFLICT.
S. Ramsey, Public Works Director
- (C) APPROVAL OF A CONTRACT WITH J.D. RAMMING PAVING COMPANY, LTD. FOR CONSTRUCTION SERVICES ON THE PHASE 1-06 STREET IMPROVEMENT PROJECT.
S. Ramsey, Public Works Director/M. Quinones, Purchasing Manager
- (D) APPROVAL OF THE PURCHASE OF PRINTING SERVICES FROM AMERICAN PRINTING INDUSTRIES AND POLLOCK COMPANIES.
M. Quinones, Purchasing Manager
- (E) APPROVAL OF THE RENEWAL OF LANDSCAPE AND MAINTENANCE SERVICES WITH TRU-CUT LANDSCAPE AND GREEN GRASS, INC.
S. Laird, Parks and Recreation Director/M. Quinones, Purchasing Manager

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE REZONING 0.297 ACRES ADJACENT TO 1337 RIVER TERRACE DRIVE FROM "R-2 SINGLE AND TWO FAMILY DISTRICT" WITH A SPECIAL USE PERMIT TO "C-4A RESORT COMMERCIAL DISTRICT".
S. Mattingly, Director of Planning and Community Development
- (B) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE REZONING 1.246 ACRES ADJACENT TO 1337 RIVER TERRACE DRIVE FROM "R-2 SINGLE AND TWO FAMILY DISTRICT" WITH A SPECIAL USE PERMIT TO "C-4A RESORT COMMERCIAL DISTRICT" WITH A SPECIAL USE PERMIT.
S. Mattingly, Director of Planning and Community Development
- (C) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE BOUNDARIES OF AN EXISTING SPECIAL USE PERMIT AT HANZ DRIVE AND RIVER TERRACE DRIVE.
S. Mattingly, Director of Planning and Community Development
- (D) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE GRANTING A SPECIAL USE PERMIT ON A 17.33 ACRE TRACT OF LAND LOCATED ON SH 46 SOUTH BETWEEN MISTY ACRES DRIVE AND DUNLAP DRIVE, TO ALLOW A CONDOMINIUM RESORT IN A "R-2 SINGLE AND TWO FAMILY DISTRICT".
S. Mattingly, Director of Planning and Community Development
- (E) PUBLIC HEARING AND A RESOLUTION TO AMEND THE 2005 THOROUGHFARE MASTER PLAN BY EXTENDING INDEPENDENCE DRIVE ACROSS SH 46 TO THE WEST, CONNECTING WITH THE PROPOSED EXTENSION OF OAK RUN PARKWAY, AND CLASSIFYING THIS SECTION OF ROAD AS A 60 FOOT COLLECTOR.
S. Mattingly, Director of Planning and Community Development
- (F) DISCUSS AND CONSIDER A CONDITIONAL SIGN PERMIT FOR THE CANYON CROSSING DEVELOPMENT LOCATED AT THE INTERSECTION OF IH 35 AND FM 306.
S. Mattingly, Director of Planning and Community Development

5. **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) 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. (*City of New Braunfels vs. Gruene Investment Co., Inc. a/k/a Gruene Road Bridge Project-Parcel 1*)
A. Wayland, City Attorney
- (B) DISCUSS AND CONSIDER THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY, IF THE DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON, IN ACCORDANCE WITH SECTION 551.072, OF THE TEXAS GOVERNMENT CODE.
A. Wayland, City Attorney
- (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. (*Greater New Braunfels Home Builders Association, et al vs. City of New Braunfels / Forestar (USA) Real Estate Group vs. City of New Braunfels / Oakwood Estates Development Company vs. City of New Braunfels, et al*)
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 September 4, 2008 at 4:00 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.