

**REGULAR CITY COUNCIL MEETING**  
**NEW BRAUNFELS MUNICIPAL BUILDING - CITY COUNCIL CHAMBERS**  
**424 S. CASTELL AVENUE**  
**JANUARY 22, 2007 – 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:** JANUARY 22, 2007 @ 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 PAGES 1-14)**

CONSIDER APPROVING THE MINUTES OF THE REGULAR MEETING ON JANUARY 8, 2007.  
*M. Resendez, City Secretary*

**2. PRESENTATIONS (PAGE 15)**

- OFFICER OF THE QUARTER.  
*Presented by the SAFE CITY COMMISSION*
- NEW BRAUNFELS YMCA FAMILY HEALTH PROGRAM.  
*Presented by Phillip Ott*

**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. (PAGE 16)**

*Mayor Boyer*

**4. CONSENT AGENDA (PAGES 17-18)**

**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 CORRECTING ORDINANCE NO. 2004-87 WHICH ESTABLISHED MAXIMUM WEIGHT LIMITS ON A PORTION OF E. COUNTY LINE ROAD. **(PAGES 19-20)**  
*P. Isham, City Attorney*

(B) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 75-10 DATED APRIL 28, 1975 TO APPROVE THE INSTALLATION OF STOP SIGNS ON SAENGERHALLE ROAD & SAUR LANE, WHISPERWIND SUBDIVISION AND OEKLEERS ACRES WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW BRAUNFELS. **(PAGES 21-22)**

*M. Short, Public Works Director*

- (C) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING A 65.919 ACRE TRACT NEAR N. WALNUT AVENUE AND THE DRY COMAL CREEK FROM "R-3 MULTIFAMILY DISTRICT", "C-1 LOCAL BUSINESS DISTRICT" AND "M-1 LIGHT INDUSTRIAL DISTRICT" TO "PD PLANNED DEVELOPMENT DISTRICT" AND ADOPTING A CONCEPT PLAN. **(PAGES 23-58)**  
*F. Robbins, Planning Director*
- (D) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING LOT 16, NCB 4050, LOCATED AT 565 S. WALNUT AVENUE, FROM "R-3 MULTIFAMILY DISTRICT" TO "C-1A NEIGHBORHOOD BUSINESS DISTRICT. **(PAGES 59-60)**  
*F. Robbins, Planning Director*
- (E) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING LOT 17, NCB 4049, LOCATED AT 542 S. WALNUT AVENUE, FROM "R-3 MULTIFAMILY DISTRICT" TO "C-1A NEIGHBORHOOD BUSINESS DISTRICT. **(PAGES 61-62)**  
*F. Robbins, Planning Director*
- (F) APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, CALLING AN ELECTION AND ESTABLISHING PROCEDURE FOR REGULAR CITY OFFICERS' ELECTION TO BE HELD ON MAY 12, 2007. **(PAGES 63-65)**  
*M. Resendez, City Secretary*
- (G) APPROVAL OF A MODIFICATION TO THE VULCAN CONSTRUCTION MATERIALS BID AWARD (NB07-012) FOR ROAD CONSTRUCTION BUILDING MATERIALS. **(PAGE 66)**  
*M. Quinones, Purchasing Manager*
- (H) APPROVAL OF THE PURCHASE OF UNIFORM SERVICES FROM AMERIPRIDE SERVICES. **(PAGE 67)**  
*M. Quinones, Purchasing Manager*
- (I) APPROVAL OF THE FIRST READING OF AN ORDINANCE AMENDING SECTION 114-99 OF THE CODE OF ORDINANCES REVISING THE REQUIREMENTS FOR GRANTING ACCESS TO ROADWAYS. **(PAGES 68-77)**  
*M. Short, Public Works Director*
- (J) APPROVAL OF THE FIRST READING OF AN ORDINANCE AMENDING SECTION 86-10 "PROHIBITION OF ALCOHOLIC BEVERAGES IN PORTIONS OF CITY PARKS" TO MODIFY AND CHANGE WHERE CONSUMPTION OF ALCOHOL MAY TAKE PLACE OR CONTAINERS OF ALCOHOL MAY BE POSSESSED; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE. **(PAGES 78-81)**  
*P. Isham, City Attorney*

**5. INDIVIDUAL ITEMS FOR CONSIDERATION (PAGE 82)**

- (A) PRESENTATION, DISCUSSION, AND CONSIDER ACTION REGARDING THE WAYFINDING PROGRAM. **(PAGES 83-85)**  
*F. Robbins, Planning Director*

- (B) PRESENTATION AND DISCUSSION REGARDING THE 2006-2007 1ST QUARTER CAPITAL IMPROVEMENT PROJECTS. **(PAGES 86-100)**  
*M. Short, Public Works Director*
- (C) DISCUSS AND CONSIDER ACTION REGARDING AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JP MORGAN CHASE BANK FOR BANKING SERVICES. **(PAGES 100-102)**  
*D. Korinchock, Chief Financial Officer*
- (D) DISCUSS AND CONSIDER ACTION REGARDING THE NAMING OF PARKLAND IN HONOR OF LOCAL RESIDENTS AND LIFELONG VOLUNTEERS. **(PAGE 103)**  
*Tommy Allen/S. Laird, Parks & Recreation Director*
- (E) SECOND AND FINAL READING OF AN ORDINANCE REZONING A 24.856 ACRE TRACT OF LAND LOCATED BETWEEN GRUENE ROAD AND EAST COMMON ST. FROM "R-2 SINGLE AND TWO FAMILY DISTRICT" TO "ZHA ZERO LOT LINE HOME DISTRICT AND "C-1B GENERAL BUSINESS DISTRICT" AND "C-1B GENERAL BUSINESS DISTRICT" WITH AN ADDITIONAL RESTRICTION. **(PAGE 104-118)**  
*F. Robbins, Planning Director*
- (F) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO 1607 HWY 46 SOUTH, TO ALLOW A MINI-STORAGE FACILITY AND AN AUTO SALES BUSINESS IN AN "APD AGRICULTURAL / PRE-DEVELOPMENT DISTRICT" AND "C-1 LOCAL BUSINESS DISTRICT". **(PAGES 119-132)**  
*F. Robbins, Planning Director*
- (G) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE REZONING LOTS 2A AND 2B, THOMAS FINK SUBDIVISION, LOCATED AT 1215 ERVENDBERG AVENUE, FROM "R-2 SINGLE AND TWO FAMILY DISTRICT" TO "MU-A LOW INTENSITY MIXED USE DISTRICT", WITH A RESTRICTION. **(PAGES 133-141)**  
*F. Robbins, Planning Director*
- (H) FIRST READING OF AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 82, OFFENSES AND MISCELLANEOUS PROVISIONS, PROVIDING FOR REGULATIONS FOR THE PARKING OR STORAGE OF MOTOR VEHICLES AND RECREATIONAL VEHICLES, DEFINING CERTAIN TERMS USED HEREIN, AND PROVIDING FOR ENFORCEMENT AND EXCEPTION. **(PAGES 142-146)**  
*F. Robbins, Planning Director*
- (I) FIRST READING OF AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 126 ARTICLE VII, SECTION 126-334 OF THE CODE OF ORDINANCES TO INCREASE THE TIME LIMIT FOR PARKING TRAILERS AND RESTRICTING THE PARKING OF OTHER LARGE VEHICLES ON PUBLIC STREETS BY AMENDING THE DEFINITIONS. **(PAGES 147-149)**  
*M. Short, Public Works Director*
- (J) FIRST READING OF AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 82, OFFENSES AND MISCELLANEOUS PROVISIONS, PROVIDING FOR THE PREVENTION AND CONTROL OF DUST, DEFINING CERTAIN TERMS USED HEREIN, AND PROVIDING FOR REGULATIONS AND EXCEPTION. **(PAGES 150-153)**  
*F. Robbins, Planning Director*

- (K) DISCUSS AND CONSIDER ACTION ON TERM LIMITS FOR THE VARIOUS BOARDS AND COMMISSIONS OF THE CITY OF NEW BRAUNFELS. **(PAGES 154-187)**  
*K. Valentine, Councilmember, District 6*
- (L) DISCUSS AND CONSIDER ACTION REGARDING THE FOLLOWING CITY OF NEW BRAUNFELS BOARD & COMMISSION APPOINTMENTS: **(PAGES 188-229)**
- a) THREE MEMBERS TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE FOR THREE-YEAR TERMS ENDING DECEMBER 13, 2009. **(PAGES 190-199)**
  - b) THREE MEMBERS TO THE DESIGN/SIDEWALK COMMITTEE FOR TWO-YEAR TERMS ENDING DECEMBER 31, 2008. TWO APPOINTMENTS MUST BE OWNERS OR OCCUPANTS OF PROPERTY WITHIN THE DOWNTOWN BUSINESS CORRIDOR. **(PAGES 200-206)**
  - c) TWO MEMBERS TO THE LANDA PARK GOLF COURSE ADVISORY BOARD FOR THREE-YEAR TERMS ENDING DECEMBER 31, 2009. (THESE ARE AT-LARGE POSITIONS) **(PAGES 207-217)**
  - d) THREE MEMBERS TO THE MAIN STREET ADVISORY BOARD FOR THREE-YEAR TERMS ENDING DECEMBER 31, 2009. **(PAGES 218-226)**
  - e) ONE REGULAR MEMBER TO THE ZONING BOARD OF ADJUSTMENTS FOR AN UNEXPIRED TERM ENDING MAY 31, 2008.  
*M. Resendez, City Secretary (PAGES 227-229)*
- (M) FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS; AMENDING CHAPTER 86 OF THE CITY OF NEW BRAUNFELS CODE OF ORDINANCES BY AMENDING SECTION 86-14 PROHIBITING CERTAIN CONTAINERS OR COOLERS ON CERTAIN PUBLIC WATERWAYS; ESTABLISHING A PENALTY; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE. **(PAGES 230-234)**  
*P. Isham, City Attorney*
- (N) FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS; AMENDING CHAPTER 86 OF THE CITY OF NEW BRAUNFELS CODE OF ORDINANCES BY ADDING A NEW SECTION 86-15 REQUIRING LIFE JACKETS ON CERTAIN PUBLIC WATERWAYS; AND A NEW SECTION 86-16 RESTRICTING CERTAIN TYPES OF FLOTATION DEVICES ON THE RIVERS; ESTABLISHING A PENALTY; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE. **(PAGES 235-240)**  
*P. Isham, City Attorney*
6. **EXECUTIVE SESSION:** 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. (PAGE 241)**
- (A) DISCUSS THE CITY ATTORNEY POSITION, IN ACCORDANCE WITH SECTION 551.074, OF THE TEXAS GOVERNMENT CODE, PERSONNEL MATTERS.
  - (B) ONE YEAR EVALUATION OF APPOINTED OFFICIAL, IN ACCORDANCE WITH SECTION 551.074, OF THE TEXAS GOVERNMENT CODE, PERSONNEL MATTERS.

**7. REPORTS (PAGE 242)**

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

**ADJOURNMENT**

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.

**CERTIFICATION**

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the New Braunfels Municipal Building on January 18, 2007 at 10:00 a.m.



  
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Ann Smith, Deputy City Secretary

NOTE: Persons who plan to attend this meeting and who may need auxiliary aids or services such as interpreters, 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.