

REGULAR CITY COUNCIL MEETING
NEW BRAUNFELS MUNICIPAL BUILDING - CITY COUNCIL CHAMBERS
424 S. CASTELL AVENUE
JUNE 22, 2009 – 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: JUNE 22, 2009 @ 6:00 P.M.

CALL OF ROLL: CITY SECRETARY

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: COUNCILMEMBER RICHARD ZAPATA

PROCLAMATIONS: RECOGNITION OF ATHLETIC ACHEIVEMENT FOR LOCAL STUDENTS

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

1. MINUTES

CONSIDER APPROVING THE MINUTES OF THE REGULAR MEETING OF JUNE 8, 2009.
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 SECOND AND FINAL READING OF AN ORDINANCE ESTABLISHING NEW SPEED LIMITS ON FM 306 FROM THE NORTHWEST CITY LIMITS SOUTHEASTERLY TO THE FRONTAGE ROAD FOR SOUTHBOUND IH35 FOR A DISTANCE OF 3.814 MILES; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

S. Mattingly, Planning and Community Development Director

(B) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 75-10 DATED APRIL 28, 1975 TO APPROVE INSTALLATION OF THE TRAFFIC CONTROL DEVICES (STOP SIGNS) AT LEE STREET AND S. LIVE OAK WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW BRAUNFELS.

S. Ramsey, Public Works Director

- (C) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 75-10 DATED APRIL 28, 1975 TO APPROVE INSTALLATION OF THE TRAFFIC CONTROL DEVICES (NO THROUGH TRUCKS) ON S. ACADEMY AVENUE BETWEEN W. NACOGDOCHES AND W. SAN ANTONIO STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW BRAUNFELS.
S. Ramsey, Public Works Director
- (D) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING BYLAWS OF THE NEW BRAUNFELS MAIN STREET ADVISORY BOARD AND DECLARING AN EFFECTIVE DATE.
S. Mattingly, Planning and Community Development Director
- (E) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE DETAIL PLAN FOR GRUENE LEAF SUBDIVISION, PLANNED DEVELOPMENT DISTRICT, PHASE II; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.
S. Mattingly, Planning and Community Development Director
- (F) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE DETAIL PLAN FOR AVERY PARK SUBDIVISION PLANNED DEVELOPMENT DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.
S. Mattingly, Planning and Community Development Director
- (G) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS, TEXAS BY AMENDING SECTION 126-354 TO MODIFY THE PERMIT PARKING ORDINANCE; REPEALING ALL ORDINANCES IN CONFLICT, ADDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.
S. Mattingly, Planning and Community Development Director
- (H) APPROVAL OF A LEASE BETWEEN THE CITY OF NEW BRAUNFELS AND TROOP 133, BOY SCOUTS OF AMERICA, A NON-PROFIT ORGANIZATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS.
S. Laird, Parks and Recreation Director
- (I) APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING UNDER THE RECOVERY ACT: DEPARTMENT OF ENERGY – ENERGY EFFICIENCY CONSERVATION BLOCK GRANT FORMULA PROGRAM IN THE AMOUNT OF \$498,200 (CITY OF NEW BRAUNFELS ALLOCATION); AND AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF NEW BRAUNFELS IN ALL MATTERS RELATED TO THIS GRANT, INCLUDING EXECUTION OF ALL REQUIRED DOCUMENTATION ASSOCIATED WITH ANY RESULTING AWARD.
N. Davison, Housing & Community Development Coordinator
- (J) 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 (STOP SIGNS) ON RUSCH LANE AT THE MKT RAILROAD TRACKS, HOUSTON AVENUE AT NORTH STREET AND VERAMENDI AVENUE AT NORTH STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW BRAUNFELS.
S. Ramsey, Public Works Director

- (K) APPROVAL OF BUDGET TRANSFERS AND ADJUSTMENTS IN THE CIVIC CENTER FUND, THE GENERAL FUND AND RIVER ACTIVITIES FUND, AND CAPITAL IMPROVEMENT PROJECT FUNDS.
D. Korinchock, Support Services Director
- (L) APPROVAL OF THE RENEWAL OF THE ANNUAL CONTRACT WITH BOUND TREE MEDICAL, LLC FOR MEDICAL SUPPLIES FOR THE FIRE DEPARTMENT.
J. Robinson, Fire Chief/M. Quinones, Purchasing Manager
- (M) APPROVAL OF THE PURCHASE OF SWIFT WATER RESCUE GEAR FROM SAFETY SUPPLY, INC. FOR THE FIRE DEPARTMENT.
J. Robinson, Fire Chief /M. Quinones, Purchasing Manager
- (N) APPROVAL OF THE RENEWAL OF ANNUAL CONTRACTS WITH TERRACON CONSULTANTS, INC. AND ARIAS & ASSOCIATES, INC. FOR CONSTRUCTION MATERIAL TESTING.
S. Ramsey, Public Works Director/M. Quinones, Purchasing Manager
- (O) APPROVAL OF THE PURCHASE OF A VIDEO AND CONTROL SYSTEM WITH FORD AUDIO-VIDEO FOR THE CIVIC CENTER UNDER TXMAS-8-581030 CONTRACT.
M. Scott, Civic Center Manager/M. Quinones, Purchasing Manager
- (P) APPROVAL TO DONATE RETIRED AND SALVAGABLE LAPTOPS AND OTHER COMPUTER EQUIPMENT TO VARIOUS NONPROFIT AGENCIES.
M. Quinones, Purchasing Manager
- (Q) APPROVAL OF THE PURCHASE OF CONSTRUCTION SERVICES FROM LISK CONSTRUCTION, INC. FOR REMODEL OF THE LANDA PARK CLUB HOUSE BATHROOM AND APPROVAL OF A BUDGET ADJUSTMENT.
S. Laird, Parks and Recreation Director/M. Quinones, Purchasing Manager
- (R) 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
- (S) APPROVAL OF TRANSITIONING A TEMPORARY, CONTRACT POSITION TO A FULL-TIME, REGULAR ADMINISTRATIVE SECRETARY POSITION AT THE AIRPORT.
L. Llerena, Airport Director
- (T) APPROVAL OF REALLOCATING PROGRAM YEAR 2009 COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") FUNDS TO REFLECT INCREASE IN ANNUAL ALLOCATION FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD").
N. Davison, Housing & Community Development Coordinator
- (U) APPROVAL OF A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER OR HIS/HER DESIGNEE(S) TO ACCEPT A PAYMENT BY CREDIT CARD OR ELECTRONIC MEANS FOR THE PAYMENT OF A FEE, CHARGE, FINE, COURT COST, OR OTHER CHARGE DUE THE CITY.
D. Korinchock, Support Services Director

- (V) APPOINT OR REAPPOINT BOARD MEMBERS AND THE CHAIR TO THE BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE, CITY OF NEW BRAUNFELS, TEXAS.

M. Resendez, City Secretary

- (W) APPROVAL OF THE TERMINATION OF THE CONTRACT WITH KEGLEY, INC. FOR INSTALLATION SERVICES AND THE APPROVAL OF A CONTRACT WITH G.CREEK CONSTRUCTION FOR INSTALLATION SERVICES FOR THE CIVIC/CONVENTION CENTER.

M. Scott, Civic Center Manager/M. Quinones, Purchasing Manager

4. PRESENTATIONS

- (A) PRESENTATION AND DISCUSSION ON THE CITY'S PAVEMENT MANAGEMENT SYSTEM.

O. Garza, Assistant City Engineer/ M. Youngblood, Engineer in Training

5. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) DISCUSS AND CONSIDER A CONDITIONAL SIGN PERMIT FOR A PROPOSED SIGN TO BE LOCATED AT 2629 EAST COMMON STREET FOR THE GRUENE UNITED METHODIST CHURCH.

S. Mattingly, Planning and Community Development Director

- (B) DISCUSS AND CONSIDER APPROVAL OF A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; AND PROVIDING AN EFFECTIVE DATE.

D. Korinchock, Support Services Director

- (C) DISCUSS AND CONSIDER APPROVAL FOR THE CITY MANAGER TO EXECUTE A CONTRACT WITH RPGA DESIGN GROUP INC. FOR DESIGN SERVICES OF FIRE STATION #2 AND #4.

J. Robinson, Fire Chief /M. Quinones, Purchasing Manager

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) 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

- (B) EXECUTIVE SESSION TO DELIBERATE ISSUES REGARDING ECONOMIC DEVELOPMENT NEGOTIATION IN ACCORDANCE WITH SECTION 551.087, 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.
A. *Wayland, City Attorney*

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).

ADJOURNMENT

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the New Braunfels Municipal Building on June 19, 2009 at 2:00 p.m.



Danny S. Batts

Danny S. Batts II, City Secretary

NOTE: Persons with disabilities 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.