

**REGULAR CITY COUNCIL MEETING**  
**NEW BRAUNFELS MUNICIPAL BUILDING - CITY COUNCIL CHAMBERS**  
**424 S. CASTELL AVENUE**  
**APRIL 9, 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:**      APRIL 9, 2007 @ 6:00 P.M.

**CALL OF ROLL:**      CITY SECRETARY

**PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**

**INVOCATION:**      COUNCILMEMBER KATHLEEN KRUEGER

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

**1.      MINUTES (PAGES 1-20)**

CONSIDER APPROVING THE MINUTES OF (A) THE SPECIAL MEETING OF MARCH 19, 2007, (B) THE REGULAR MEETING OF MARCH 26, 2007 AND (C) THE SPECIAL MEETING OF MARCH 27, 2007.

*M. Resendez, City Secretary*

**2.      PROCLAMATIONS: (PAGES 21-27)**

- CHILD ABUSE PREVENTION MONTH
- SEXUAL ASSAULT AWARENESS MONTH
- ARBOR DAY
- 25<sup>TH</sup> ANNIVERSARY OF THE NEW BRAUNFELS AREA QUILT GUILD
- NATIONAL LIBRARY WEEK
- WEEK OF THE YOUNG CHILD

*Mayor Bruce Boyer*

**3.      PRESENTATION - PRESENTATION OF A NEW LOGO DESIGN FOR THE CITY OF NEW BRAUNFELS TO BEGIN A BRANDING CAMPAIGN TO PROMOTE THE CITY AND ITS ACTIVITIES. (PAGES 28-29)**

*S. Laird, Chairperson of the Community Relations Committee*

**4.      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 30)**

*Mayor Bruce Boyer*

**5.      CONSENT AGENDA (PAGES 31-32)**

**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 REZONING LOT 28A AND A 0.247 ACRE PORTION OF LOT 28B, MOUNTAIN VIEW ADDITION, LOCATED ON THE EAST SIDE OF WATER LANE SOUTH OF IH 35, FROM "R-2 SINGLE AND TWO FAMILY DISTRICT" TO "R-3L MULTIFAMILY DISTRICT WITH AN ADDITIONAL RESTRICTION. **(PAGES 33-37)**  
*F. Robbins, Planning Director*
- (B) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE DESIGNATING THE STRUCTURE LOCATED AT 451 S. CASTELL AVE., TO BE KNOWN AS "THE DOWNTOWN TIETZE HAUS", AS A HISTORIC LANDMARK. **(PAGES 38-39)**  
*F. Robbins, Planning Director*
- (C) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING A TOTAL OF 12.54 ACRES, INCLUDING LOTS 3R AND 4R OF THE FRED SOEFJE SUBDIVISION AND LOTS 1A, 1B, AND 1C OF THE GEORGE SOEFJE SUBDIVISION , LOCATED ON FM 483 BETWEEN IH 35 NORTH AND FM 1101, FROM "APD AGRICULTURAL/PRE-DEVELOPMENT DISTRICT" TO "M-1A LIGHT INDUSTRIAL DISTRICT", RESTRICTED TO THE PERMITTED USES IN "C-1A NEIGHBORHOOD BUSINESS DISTRICT", "C-1B GENERAL BUSINESS DISTRICT", "C-2A CENTRAL BUSINESS DISTRICT", "C-4B RESORT FACILITIES DISTRICT", AND "C-O COMMERCIAL OFFICE DISTRICT". **(PAGES 40-44)**  
*F. Robbins, Planning Director*
- (D) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING 3.22 ACRES LOCATED AT 1704 GRUENE ROAD, FROM "R-2 SINGLE AND TWO FAMILY DISTRICT" TO "R-3L MULTIFAMILY LOW DENSITY DISTRICT" AND GRANTING A SPECIAL USE PERMIT FOR SHORT TERM OCCUPANCY OR RENTAL". **(PAGES 45-49)**  
*F. Robbins, Planning Director*
- (E) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING LOTS 2 AND 3, UNIT 3, HIGH POINT SUBDIVISION LOCATED AT 1529 FM 306, FROM "APD AGRICULTURE PRE DEVELOPMENT DISTRICT-INTERIM" TO "APD AGRICULTURE PRE DEVELOPMENT DISTRICT", TO BE RESTRICTED TO THE SINGLE FAMILY AND RELATED AGRICULTURAL ACCESSORY USES. **(PAGES 50-52)**  
*F. Robbins, Planning Director*
- (F) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE AMENDING CHAPTER 126 OF THE CODE OF ORDINANCES BY ADDING A NEW SECTION 126-41 AUTHORIZING THE TEMPORARY CLOSING OF PUBLIC STREETS FOR EVENTS AND THE TOWING OF VEHICLES LEFT IN THE CLOSED AREAS AFTER AT LEAST FOUR HOURS OF NOTICE TO REMOVE SAME. **(PAGES 53-56)**  
*F. Robbins, Planning Director*
- (G) AUTHORIZATION FOR CITY MANAGER TO ENTER INTO A CONTRACT WITH HALFF ASSOCIATES FOR DESIGN SPECIFICATIONS FOR PARK IMPROVEMENTS AT HINMAN ISLAND AND PRINCE SOLMS PARK, INCLUDING FENCING AND GATEWAY ENTRIES. **(PAGE 57)**  
*S. Laird, Parks and Recreation Director*
- (H) APPROVAL OF THE PURCHASE OF GREEN WASTE BAGS FOR RECYCLING FROM DUROBAG MANUFACTURING COMPANY. **(PAGE 58)**  
*M. Quinones, Purchasing Manager*

- (I) APPROVAL OF THE PURCHASE OF A FORKLIFT FROM TEXAN MACHINERY UNDER THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENT CONTRACT. **(PAGE 59)**  
*M. Quinones, Purchasing Manager*
- (J) CONSIDER APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, APPROVING PRESIDING JUDGES AND ALTERNATE JUDGES FOR THE REGULAR AND SPECIAL CITY ELECTIONS TO BE HELD ON MAY 12, 2007, IN ACCORDANCE WITH THE PROVISIONS OF THE TEXAS ELECTION CODE. **(PAGE 60-62)**  
*M. Resendez, City Secretary*
- (K) CONSIDER APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, CANCELLING THE GENERAL ELECTION TO BE HELD ON MAY 12, 2007 FOR DISTRICT ONE COUNCILMEMBER AND DECLARING RICHARD ZAPATA AN UNOPPOSED CANDIDATE. **(PAGES 63-65)**  
*M. Resendez, City Secretary*
- (L) CONSIDER APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS ESTABLISHING FEES FOR PROCESSING REQUESTS FOR ECONOMIC DEVELOPMENT INCENTIVES. **(PAGES 66-68)**  
*P. Isham, Interim City Attorney*

**6. INDIVIDUAL ITEMS FOR CONSIDERATION**

- (A) CONSIDERATION AND APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING 10.348 ACRES ON SH 46 WEST, NORTH OF MISSION VALLEY ROAD, FROM "APD AGRICULTURAL/PRE-DEVELOPMENT DISTRICT" AND "R-1 SINGLE FAMILY DISTRICT" TO "C-O COMMERCIAL OFFICE DISTRICT". **(PAGES 69-73)**  
*F. Robbins, Planning Director*
- (B) CONSIDERATION AND APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING LOT 1C, GREENWAY PLAZA, LOCATED ON IH 35 SOUTH, AND SOUTH OF RUECKLE ROAD, FROM "APD AGRICULTURAL/PRE-DEVELOPMENT DISTRICT" AND "C-3 COMMERCIAL DISTRICT" TO "M-1A LIGHT INDUSTRIAL DISTRICT". **(PAGES 74-77)**  
*F. Robbins, Planning Director*
- (C) DISCUSS AND CONSIDER APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS APPROVING A RECOMMENDATION OF THE NEW BRAUNFELS INDUSTRIAL DEVELOPMENT CORPORATION TO FUND PARKS PROJECTS WITH A \$2.5 MILLION CERTIFICATE OF OBLIGATION AND CONSIDERATION AND APPROVAL OF A RESOLUTION RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS FROM THE PROCEEDS OF OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE. **(PAGES 78-88)**  
*M. Harrison, Chairman NBIDC/D. Korinchock, Chief Financial Officer*

- (D) DISCUSS AND CONSIDER APPROVAL TO PURCHASE: FIFTEEN (15) AUTOMATIC EXTERNAL DEFIBRILATORS (AEDs) TO BE LOCATED THROUGHOUT DIFFERENT CITY FACILITIES AS WELL AS REPLACEMENT OF OUTDATED AEDs ON FIRE DEPARTMENT VEHICLES AND IN SOME CITY FACILITIES. **(PAGES 89-90)**  
*J. Herber, Fire Chief*

- (E) DISCUSS AND CONSIDER APPROVAL OF THE PURCHASE OF CONSTRUCTION SERVICES TO BUILD FIRE STATION #6 FROM STOKES CONSTRUCTION COMPANY. **(PAGES 91-92)**  
*M. Quinones, Purchasing Manager*

- (F) DISCUSS AND CONSIDER ACTION ON AN AGREEMENT BY AND BETWEEN THE CITY OF NEW BRAUNFELS AND HAWES HILL CALDERON LLP. **(PAGES 93-100)**  
*P. Isham, Interim City Attorney*

**7. REPORTS (PAGE 101)**

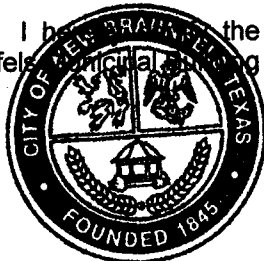
- a) CITY COUNCIL'S REPORT  
b) STAFF REPORTS

**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 that the above Notice of Meeting was posted on the Bulletin Board at the New Braunfels Municipal Building on April 5, 2007 at 8:00 a.m.



*Michael A. Resendez*  
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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.