

**REGULAR CITY COUNCIL MEETING**  
**NEW BRAUNFELS MUNICIPAL BUILDING - CITY COUNCIL CHAMBERS**  
**424 S. CASTELL AVENUE**  
**AUGUST 25, 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:**       AUGUST 25, 2008 @ 6:00 P.M.

**CALL OF ROLL:**        CITY SECRETARY

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

**INVOCATION:**         MAYOR PRO-TEM GALE POSPISIL

**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 11, 2008 AND (B) THE REGULAR MEETING OF AUGUST 11, 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 SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 75-10, DATED APRIL 28, 1975 TO MODIFY STREET NAME LOCATION FOR TRAFFIC CONTROL DEVICES WITHIN BROWN ROCK SPRINGS SUBDIVISION WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW BRAUNFELS.

*S. Ramsey, Public Works Director*

(B)    APPROVAL OF THE SECOND AND FINAL 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 RESOLUTION ACCEPTING DONATION OF 1.802 ACRES OF LAND FROM I.H. 35 – NEW BRAUNFELS 1, LTD.  
*A. Wayland, City Attorney*
- (D) APPROVAL OF SUBLEASING CONTRACTS FOR USE OF THE ARTS AND CRAFTS BUILDING AT THE COMAL COUNTY FAIRGROUNDS.  
*A. Wayland, City Attorney*
- (E) AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A CONTRACT MODIFICATION FOR CHANGES IN THE PROFESSIONAL SERVICES CONTRACT WITH KLOTZ ASSOCIATES, INC. REGARDING THE WALNUT AVENUE EXTENSION PROJECT.  
*S. Ramsey, Public Works Director*
- (F) APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS EXTENDING A MORATORIUM ON ELECTRONIC VIDEO DISPLAY SIGNS.  
*S. Mattingly, Director of Planning and Community Development*
- (G) APPROVAL OF THE CURRENT INVESTMENT POLICY FOR THE CITY OF NEW BRAUNFELS INCLUDING THE REVISED BROKER/DEALER LIST.  
*D. Korinchock, Support Services Director*
- (H) APPROVAL OF THE FOLLOWING CITY OF NEW BRAUNFELS BOARD AND COMMISSION APPOINTMENTS:
  - 1) ONE AT-LARGE MEMBER TO THE HISTORIC LANDMARK COMMISSION FOR AN UNEXPIRED TERM ENDING APRIL 7, 2010.
  - 2) ONE AT-LARGE, ALTERNATE MEMBER TO THE BUILDING STANDARDS COMMISSION FOR AN UNEXPIRED TERM ENDING OCTOBER 26, 2009.  
*M. Resendez, City Secretary*
- (I) APPROVAL OF A RESOLUTION AUTHORIZING THE TRANSFER OF 0.134 ACRES OF PLUM STREET RIGHT-OF-WAY AT THE INTERSECTION OF MICHIGAN STREET, NEW BRAUNFELS, COMAL COUNTY, TEXAS, TO COMAL COUNTY HABITAT FOR HUMANITY, IN ACCORDANCE WITH SECTION 253.011 AND SECTION 272.001 OF THE TEXAS LOCAL GOVERNMENT CODE; AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE ALL DOCUMENTS NECESSARY TO TRANSFER OWNERSHIP; THE TRANSFER OF THIS PROPERTY IS NOT SUBJECT TO THE NOTICE, BIDDING, AND OBTAINING FAIR MARKET VALUE REQUIREMENTS OF STATE LAW.  
*S. Mattingly, Director of Planning and Community Development*

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- (A) PUBLIC HEARING ON THE CITY OF NEW BRAUNFELS FY 2008-09 OPERATING BUDGET; THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$2,083,971 OR 15.5 PERCENT, AND OF THAT AMOUNT \$755,064 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE ROLL THIS YEAR.  
*D. Korinchock, Support Services Director*
- (B) DISCUSS AND CONSIDER ACTION ON FORMING A CEMETERY COMMITTEE.  
*S. Laird, Parks and Recreation Director*

- (C) 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*
- (D) DISCUSS AND CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, ADOPTING MODIFICATIONS AND AMENDMENTS TO THE "2006 INTERNATIONAL FIRE CODE".  
*R. Kinsey, Building Official*

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. (*New Braunfels I.H. 35 Retail Associates, L.P. vs. City of New Braunfels*)  
*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*

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 August 21, 2008 at 3:00 p.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.