

REGULAR CITY COUNCIL MEETING
NEW BRAUNFELS MUNICIPAL BUILDING - CITY COUNCIL CHAMBERS
424 S. CASTELL AVENUE
SEPTEMBER 22, 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: SEPTEMBER 22, 2008 @ 6:00 P.M.

CALL OF ROLL: CITY SECRETARY

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: COUNCILMEMBER KATHLEEN KRUEGER

PROCLAMATIONS: "GRUENE MUSIC AND WINE FEST WEEKEND"
 "DOMESTIC VIOLENCE AWARENESS MONTH"

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 SEPTEMBER 2, 2008, (B) THE SPECIAL MEETING OF SEPTEMBER 4, 2008, (C) THE SPECIAL MEETING OF SEPTEMBER 8, 2008, AND (D) THE REGULAR MEETING OF SEPTEMBER 8, 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 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 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 THE SECOND AND FINAL 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" AND 1.246 ACRES FROM "R-2 SINGLE AND TWO FAMILY DISTRICT" WITH A SPECIAL USE PERMIT TO "C-4A RESORT COMMERCIAL DISTRICT" WITH A SPECIAL USE PERMIT; AND AMENDING THE EXISTING SPECIAL USE PERMIT BETWEEN HANZ DRIVE AND RIVER TERRACE DRIVE.
S. Mattingly, Director of Planning and Community Development
- (D) AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GREAT WEST HEALTH CARE FOR STOP LOSS INSURANCE COVERAGE FOR THE CITY'S HEALTH PLAN, EFFECTIVE OCTOBER 1, 2008.
J. O'Connell, Human Resources Director
- (E) AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A CONTRACT RENEWAL WITH TEXAS MUNICIPAL LEAGUE (TML) FOR PROPERTY, LIABILITY, AND WORKER'S COMPENSATION INSURANCE COVERAGE, EFFECTIVE OCTOBER 1, 2008.
J. O'Connell, Human Resources Director
- (F) APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF NEW BRAUNFELS AND THE STATE OF TEXAS, REPRESENTED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, TO ACCEPT FUNDING AVAILABLE UNDER THE AVIATION CAPITAL IMPROVEMENT PROGRAM FOR IMPROVEMENTS TO THE NEW BRAUNFELS MUNICIPAL AIRPORT; AND AN AMENDMENT TO THE FY2008-09 ADOPTED BUDGET.
D. Korinchock, Support Services Director
- (G) APPROVAL OF A RESOLUTION APPROVING A RECOMMENDATION FROM THE NEW BRAUNFELS INDUSTRIAL DEVELOPMENT CORPORATION TO ENTER INTO A NEW CONTRACT WITH KOONTZ-MCCOMBS WITH REGARD TO PROVIDING IT WITH A GRANT IN THE AMOUNT OF \$1,040,553 FOR THE IMPROVEMENT OF GOODWIN LANE.
M. Harrison, NBIDC President

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) SECOND AND FINAL 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
- (B) A RESOLUTION APPROVING A RECOMMENDATION FROM THE NEW BRAUNFELS INDUSTRIAL DEVELOPMENT CORPORATION TO FUND THE NEW BRAUNFELS TALENT PROJECT DEVELOPED BY TIP STRATEGIES IN THE AMOUNT OF \$20,000 AND DECLARING AN EFFECTIVE DATE.
M. Harrison, NBIDC President

- (C) SECOND AND FINAL 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
- (D) PUBLIC HEARING AND A RESOLUTION TO AMEND THE 2005 THOROUGHFARE PLAN BY REMOVING FREDERICKSBURG ROAD FROM LANDA PARK TO OHIO AVENUE.
S. Mattingly, Director of Planning and Community Development
- (E) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE REZONING 31.85 ACRES LOCATED BETWEEN GRUENE ROAD AND EAST COMMON STREET, ADJACENT TO THE CYPRESS RAPIDS SUBDIVISION, FROM "ZH-A ZERO LOT LINE HOME DISTRICT", "C-1BR(62) GENERAL BUSINESS DISTRICT" AND "C-1BR(73) GENERAL BUSINESS DISTRICT" TO "ZH-A ZERO LOT LINE HOME DISTRICT", "TH-A TOWNHOUSE RESIDENTIAL DISTRICT" AND "C-1A NEIGHBORHOOD BUSINESS DISTRICT".
S. Mattingly, Director of Planning and Community Development
- (F) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE REZONING 7.159 ACRES LOCATED AT 1554 GRUENE ROAD FROM "R-2 SINGLE AND TWO-FAMILY DISTRICT" TO "R-3L MULTI-FAMILY LOW DENSITY DISTRICT".
S. Mattingly, Director of Planning and Community Development
- (G) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE REZONING 25.011 ACRES OUT OF A 149.5 ACRE TRACT OF LAND, LOCATED ON THE WEST SIDE OF LOOP 337 AND NORTH OF MADELINE STREET, FROM "R-1A-6.6 SINGLE FAMILY DISTRICT" TO "R-3L MULTIFAMILY LOW DENSITY DISTRICT".
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) 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) DISCUSSIONS OR DELIBERATIONS REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT OF THE SORT DESCRIBED IN THIS PROVISION, IN ACCORDANCE WITH SECTION 551.087, OF THE TEXAS GOVERNMENT CODE.
A. Wayland, City Attorney

6. **REPORTS**

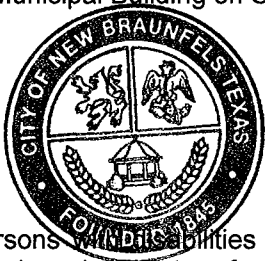
- a) CITY COUNCIL'S REPORT
- b) STAFF REPORTS

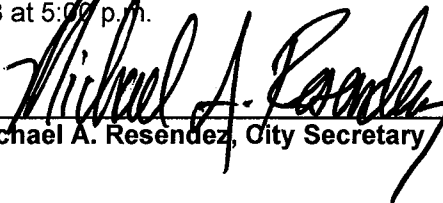
City Council reserves the right to hear any of the above described agenda items that qualify for an executive session in an executive session by publicly announcing the applicable section number of the Open Meetings Act (Chapter 551 of the Texas Government Code) that justifies executive session treatment.

ADJOURNMENT

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the New Braunfels Municipal Building on September 17, 2008 at 5:00 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.