REGULAR CITY COUNCIL MEETING NEW BRAUNFELS MUNICIPAL BUILDING - CITY COUNCIL CHAMBERS 424 S. CASTELL AVENUE OCTOBER 27, 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.

REVISED AGENDA

CALL TO ORDER: OCTOBER 27, 2008 @ 6:00 P.M.

CALL OF ROLL: CITY SECRETARY

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: MAYOR BRUCE BOYER

RECOGNITIONS: "TAAF LOCAL ATHLETE OF THE YEAR"

"2008 CITY GOLF CHAMPION"

"DONATIONS RAISED FOR SOLMS PARK PLAYGROUND"

"SERVICE OF MONROE MILLER AND MATT HARRISON ON NBIDC"

PROCLAMATIONS: "LIVING LEGENDS"

"MUNICIPAL COURT WEEK"
"NATIONAL HOSPICE MONTH"

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

1. MINUTES

CONSIDER APPROVING THE MINUTES OF (A) THE SPECIAL MEETING OF OCTOBER 13, 2008, AND (B) THE REGULAR MEETING OF OCTOBER 13, 2008.

M. Resendez, City Secretary

2. <u>CITIZENS' COMMUNICATIONS</u> – 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 A SPEED ZONE ON FM 482 FROM SOLMS ROAD (MP 6.567) TO THE IH 35 FRONTAGE ROAD (MP 7.568); REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

S. Ramsey, Public Works Director

- (B) APPROVAL OF THE FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 75-10 DATED APRIL 28, 1975 TO APPROVE INSTALLATION OF TRAFFIC CONTROL DEVICES AT THE INTERSECTION OF CASTELL AVENUE AND GARDEN STREET AND S. HICKORY AVENUE AND STONEWALL STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW BRAUNFELS.

 S. Ramsey, Public Works Director
- (C) APPROVAL OF THE FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS, TEXAS BY ADDING SECTION 126-346 (F)(78)&(79) TO DESIGNATE A SPECIFIC NO PARKING ZONE ALONG THE 400 BLOCK OF S. CASTELL AVENUE AND E. TORREY STREET; REPEALING ALL ORDINANCES IN CONFLICT; ADDING A SAVINGS CLAUSE; AND GIVING AN EFFECTIVE DATE. S. Ramsey, Public Works Director
- (D) APPROVAL OF INTERLOCAL AGREEMENTS BETWEEN THE CITY OF NEW BRAUNFELS WITH HAYS AND GUADALUPE COUNTY DISTRICT ATTORNEY'S OFFICES ALLOWING THE CITY TO SHARE IN THE PROCEEDS OF ASSETS SEIZED/FORFEITED, AND AUTHORIZE THE CITY MANAGER TO EXECUTE SAID AGREEMENTS.

 D. Vogel, Acting Fire Marshal
- (E) APPROVAL OF A MODIFICATION OF THE CONTRACT WITH TRU-CUT LANDSCAPE FOR LANDSCAPE AND MAINTENANCE SERVICES.

 M. Quinones, Purchasing Manager
- (F) CONSIDER ACCEPTING THE RECOMMENDATION ON THE WATER AND WASTEWATER IMPACT FEE ADVISORY COMMITTEE CONCERNING ACCEPTANCE OF THE SEMIANNUAL WATER AND WASTEWATER IMPACT FEES REPORT FOR THE PERIOD OF JANUARY 1, 2008, THROUGH JUNE 30, 2008.

 S. Mattingly, Planning and Community Development Director
- (G) AUTHORIZATION FOR CITY MANAGER TO APPROVE CHANGE ORDERS 1 AND 2 TO THE CONTRACT WITH RODMAN LLC FOR CONSTRUCTION SERVICES ON THE WALNUT AVENUE EXTENSION PROJECT.
 S. Ramsey, Public Works Director
- (H) AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH COMAL COUNTY TO SHARE THE EXPENSES OF A JUVENILE CASE MANAGER.

 S. Hartin, Municipal Court Judge
- (I) APPROVAL OF THE APPOINTMENT OF THREE MEMBERS TO THE BUILDING STANDARDS COMMISSION REPRESENTING THE DEVELOPMENT, HOME BUILDING AND REAL ESTATE PROFESSIONS FOR TERMS ENDING OCTOBER 26, 2010 AND ONE MEMBER FROM THE NEW BRAUNFELS INDUSTRIAL DEVELOPMENT CORPORATION TO SERVE ON THE CENTRAL TEXAS TECHNOLOGY CENTER ADVISORY BOARD FOR A TERM ENDING APRIL 26, 2011. M. Resendez, City Secretary
- (J) APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ECONOMIC DEVELOPMENT INCENTIVE SPECIAL PROJECT GRANT, B-08-SP-TX-0131, IN THE AMOUNT OF \$98,000; AND 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 THE AWARD. V. Brown, Intergovernmental Services Manager

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) PRESENTATION, DISCUSSION AND ACTION REGARDING ESTABLISHMENT OF RAILROAD QUIET ZONES IN THE CITY OF NEW BRAUNFELS INCLUDING FILING A NOTICE OF INTENT TO CREATE QUIET ZONE(S), AND CREATION OF A DIAGNOSTIC REVIEW TEAM.

 S. Ramsey, Public Works Director
- (B) DISCUSS AND CONSIDER APPROVAL OF A CONTRACT WITH HVJ ASSOCIATES TO PROVIDE A STREET ASSESSMENT AND PAVEMENT MANAGEMENT SYSTEM.

 M. Quinones, Purchasing Manager
- (C) DISCUSS AND CONSIDER AUTHORIZATION AND FUNDING OF ONE NEW SAFETY AND EMERGENCY MANAGEMENT COORDINATOR POSITION IN THE FY 2008-09 ADOPTED BUDGET AND THE APPROPRIATE BUDGETARY TRANSFER.

 J. O'Connell, Human Resources Director
- (D) PUBLIC HEARING AND CONSIDER APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM YEAR 2009 BUDGET AND ONE YEAR ACTION PLAN.

 N. Davison, Housing and Community Development Coordinator
- (E) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE REZONING 2.749
 ACRES LOCATED AT 1227 AND 1241 ERVENDBERG AVENUE FROM "R-2 SINGLE
 AND TWO-FAMILY DISTRICT" TO "M-UA LOW INTENSITY MIXED USE DISTRICT."
 S. Mattingly, Planning and Community Development Director
- (F) CONSIDERATION AND APPROVAL OF THE CITY OF NEW BRAUNFELS' INTENT TO CREATE A TAX INCREMENT REINVESTMENT ZONE TO FINANCE PUBLIC IMPROVEMENTS IN SUPPORT OF THE TOWN CREEK DEVELOPMENT AND CENTRAL BUSINESS DISTRICT IMPROVEMENTS; AUTHORIZING AND DIRECTING DISTRIBUTION OF A WRITTEN NOTICE OF THE CITY'S INTENTION TO CREATE THE PROPOSED REINVESTMENT ZONE TO EACH TAXING UNIT THAT LEVIES A TAX IN THE PROPOSED ZONE; AUTHORIZING THE CITY MANAGER TO SCHEDULE A PUBLIC HEARING FOR THE CREATION OF THE REINVESTMENT ZONE; AUTHORIZING A REQUEST TO MAKE PRESENTATIONS BEFORE CERTAIN TAXING UNITS; DELEGATING AUTHORITY TO MAKE PRESENTATIONS AND GIVE NOTICE TO TAXING UNITS OF FORMAL PRESENTATIONS TO THE COUNTY AND SCHOOL DISTRICT; AUTHORIZING A REQUEST TO EACH TAXING UNIT FOR THE APPOINTMENT OF A REPRESENTATIVE TO MEET WITH THE CITY TO DISCUSS THE PROJECT; DELEGATING AUTHORITY TO CALL AND HOLD MEETINGS WITH REPRESENTATIVES OF EACH TAXING UNIT: AND AUTHORIZING OTHER ACTIONS RELATED THERETO.
 - M. Morrison, City Manager
- (G) PRESENTATION, DISCUSSION AND POSSIBLE ACTION ON THE PROPOSED 2009
 BUDGET FOR THE CONVENTION AND VISITORS BUREAU.
 M. Meek, President of The Greater New Braunfels Chamber of Commerce
- (H) DISCUSS AND CONSIDER ACTION ON A RESOLUTION REQUESTING THE STATE OF TEXAS, ACTING BY AND THROUGH ITS TEXAS TRANSPORTATION COMMISSION, TO DECLARE A 7.142 ACRE TRACT OF LAND SURPLUS AND SOLD TO THE CITY OF NEW BRAUNFELS AND AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO COMPLETE THE SALE.

 R. Camareno, Assistant City Manager

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 Attomey

6. REPORTS

- a) CITY COUNCIL'S REPORT
- b) STAFF REPORTS
 - City Attorney Update on Attorney General's Opinion #GA-0668 (2008)

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 on October 24, 2008 at 2:30 p.m Braunfels Municipa

Michael A. Resendez, City Secreta

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.