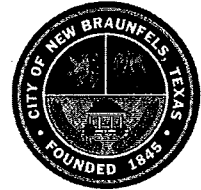




**CITY OF NEW BRAUNFELS, TEXAS
REGULAR CITY COUNCIL MEETING**



**CITY HALL - COUNCIL CHAMBERS
424 S. CASTELL AVENUE**

MONDAY, AUGUST 10, 2009 at 6:00 P.M.

R. Bruce Boyer, Mayor
Richard Zapata, Councilmember (District 1)
Mark Goodner, Councilmember (District 2)
Mike Ybarra, Councilmember (District 3)

Sandy Nolte, Councilmember (District 4)
Kathleen Krueger, Mayor Pro Tem (District 5)
Steven Digges, Councilmember (District 6)
Michael Morrison, City Manager

MISSION STATEMENT

*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: August 10, 2009 @ 6:00 P.M.

CALL OF ROLL: City Secretary

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: Councilmember Mike Ybarra

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

1. MINUTES

Consider approving the minutes of the special meeting of July 20, 2009 and the regular meeting of July 27, 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 to authorize the City Manager to enter into a contract modification with Half Associates regarding the South Tributary Regional Flood Control Project and the appropriate budget adjustment.
(S. Ramsey, Public Works Director)
- (B) Approval of the second and final reading of an ordinance granting a special use permit to allow temporary storage of water and sewer pipe, appurtenances, construction equipment and pipe trench backfill on vacant property at E. Dallas Street at N. Union Avenue, located in an "R-2 single and two family district".
(S. Mattingly, Planning and Community Development Director)
- (C) Approval of the second and final reading of an ordinance designating the 500 block of Hill Avenue as an expansion of the Sophienburg Hill Historic District, according to Chapter 66, Article III and amending the zoning map.
(S. Mattingly, Planning and Community Development Director)
- (D) Approval of the second and final reading of an ordinance amending Chapter 58, Floods, Code of Ordinances, by adopting a new FEMA Flood Study and Flood Insurance Rate Maps.
(S. Mattingly, Planning and Community Development Director)
- (E) Approval of the second and final reading of an ordinance amending section 126-354 of the permit parking ordinance.
(S. Mattingly, Planning and Community Development Director)
- (F) Approval to authorize the City Manager to enter into a contract modification with Carter-Burgess regarding the Phase 3-05 Street Reconstruction Project (Gruene Road from Post Road to Business 35 and a segment of Glenbrook Drive).
(S. Ramsey, Public Works Director)
- (G) Approval of the City of New Braunfels FY 2008-09 Third Quarter Investment Report.
(D. Korinchock, Support Services Director)

- (H) Approval to amend the City's current holiday schedule for 2009 to include the designation of September 11 as a holiday for all uniformed employees in the Fire Department, replacing the Comal County Fair Day holiday for these employees.
(J. O'Connell, Human Resources Director)
- (I) Approval of the second reading of an Ordinance amending chapter 30, Civic and Cultural Facilities and Affairs, by creating a new article IV, New Braunfels Partnership Committee, Sections 30-60 through 30-63, purpose; members, terms appointments; officers; and powers and duties.
(V. Brown, Intergovernmental Services Manager)
- (J) Approval of the Mayor's nominations to the New Braunfels Partnership Committee.
(V. Brown, Intergovernmental Services Manager)
- (K) Approval of a Resolution approving the Bylaws of the New Braunfels Partnership Committee.
V. Brown, Intergovernmental Services Manager

4. PRESENTATIONS

- (A) Presentation regarding an update of the Downtown Implementation Plan.
(M. Vernon, Downtown Development Coordinator)
- (B) Presentation, discussion, and action to authorize the City Manager to enter into a contract modification with HDR/Claunch & Miller regarding the final design of Walnut Avenue Segments 2 and 3 Reconstruction Projects and establish Utility Agreements for underground utility conversion and appropriate budget transfer
(O. Garza, Assistant City Engineer)
- (C) Presentation, discussion and possible action regarding a review of the Landa Park Golf Course Master Plan financial proforma by a work group assembled by the City Manager.
(S. Laird Dicke, Parks and Recreation Director)

5. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) Discuss and consider the second and final reading of an ordinance granting a special use permit at 1581 SH 46 South to allow pre-owned auto sales in the "C-1 local business district" and "APD agricultural/pre-development district".
(H. Mullins, Planner)
- (B) Discuss and consider approval of the purchase of construction services for the Main Plaza Electrical Improvements Project.
(S. Laird Dicke, Parks and Recreation Director)

- (C) Discuss and Consider approval of an Interlocal Agreement with Comal County with regard to the Comal County Justice Center
(M. Morrison, City Manager)

6. EXECUTIVE SESSIONS

In accordance with Texas Government Code, Subchapter D, the City Council may convene in a closed session to discuss any of the following items; any final action or vote taken will be in public.

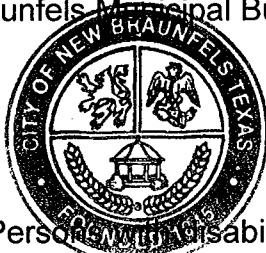
- (A) Deliberate and consider the purchase, exchange, lease or value of real property, in accordance with Section 551.072, of the Texas Government Code.
(A. Wayland, City Attorney)
- (B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government 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)
- (D) Annual evaluation of the City Attorney, in accordance with Section 551.074, of the Texas Government Code, personnel matters.
(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 August 5, 2009 at 4:30 p.m.



Michael A. Resendez
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.