

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

CALL OF ROLL: CITY SECRETARY

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: DISTRICT 5 COUNCILMEMBER KATHLEEN KRUEGER

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 JUNE 25, 2007, AND (B) THE REGULAR MEETING OF JUNE 25, 2007. Pages 1 - 18
M. Resendez, City Secretary

2. PRESENTATION

- RECOGNITION OF CITY CREWS THAT HELPED WITH THE CITY OF SEGUIN'S CLEAN UP AFTER SEVERE STORMS IN THAT AREA. Page 19

3. 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 20

Mayor Bruce Boyer

4. CONSENT AGENDA Pages 21 - 118

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 ABANDONING 0.405 ACRES OF STREET RIGHT-OF-WAY OFF ALTGELT LANE NEAR LOOP 337. Pages 22 - 24
F. Robbins, Planning Director

(B) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE ANNEXING 149.575 ACRES ON THE NORTHWEST SIDE OF LOOP 337, APPROXIMATELY 3,000 FEET NORTH OF THE INTERSECTION OF LANDA AND LOOP 337, AND ADOPTING A SERVICE PLAN. Pages 25 - 32
F. Robbins, Planning Director

- (C) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING LOT 2, BLOCK 9, GREEN VALLEY SUBDIVISION, LOCATED AT 104 MELODY LANE, FROM "B-1 CONVENTIONAL AND MOBILE HOME DISTRICT" TO "C-O COMMERCIAL OFFICE DISTRICT". Pages 33 - 34
F. Robbins, Planning Director
- (D) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING LOT 18, BLOCK 4050, LOCATED AT 541 S. WALNUT AVENUE, FROM "R-3 MULTIFAMILY DISTRICT" TO "C-1B GENERAL BUSINESS DISTRICT". Pages 35 - 36
F. Robbins, Planning Director
- (E) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE APPROVING THE AMENDED DETAIL PLAN FOR THE AVERY PARK SUBDIVISION. Pages 37 - 41
F. Robbins, Planning Director
- (F) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING APPROXIMATELY 37 ACRES BOUNDED BY SOUTH UNION ST., LINCOLN ST., SOUTH GRANT ST., AND MATHER ST., KNOWN AS AREA 6, FROM "R-2 SINGLE AND TWO FAMILY DISTRICT" TO "R-1A-6.6 SINGLE FAMILY DISTRICT". Pages 42 - 44
F. Robbins, Planning Director
- (G) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE REZONING AN 85.25 ACRE TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF FM 725 AND EAST COUNTY LINE ROAD, FROM "APD AGRICULTURAL PRE-DEVELOPMENT DISTRICT", AND "R-1 SINGLE-FAMILY DISTRICT" TO "C-1B GENERAL BUSINESS DISTRICT", "ZH-A ZERO LOT LINE HOME DISTRICT", AND "R-1A-6.6 SINGLE FAMILY DISTRICT, WITH ADDITIONAL RESTRICTIONS. Pages 45 - 71
F. Robbins, Planning Director
- (H) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE APPROVING THE PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR REINVESTMENT ZONE NUMBER ONE, CITY OF NEW BRAUNFELS, TEXAS AS RECOMMENDED BY THE REINVESTMENT ZONE NUMBER ONE BOARD OF DIRECTORS. Pages 72 - 104
M. Morrison, City Manager
- (I) APPROVAL OF APPOINTMENTS OF A LAY REPRESENTATIVE AND ALTERNATE LAY REPRESENTATIVE TO THE ALAMO AREA LIBRARY SYSTEM FOR TERMS ENDING AUGUST 31, 2008. Pages 105 - 106
L. Foster, Library Director
- (J) APPROVAL OF THE FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 75-10 DATED APRIL 28, 1975 TO APPROVE THE INSTALLATION OF THE STOP SIGNS WITHIN SHEPHERDS GLENN SUBDIVISION AND QUAIL VALLEY SUBDIVISION, WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW BRAUNFELS. Pages 107 - 110
J. Ballowe, Interim Public Works Director
- (K) APPROVAL OF THE PURCHASE OF ONE ROLL-OFF VEHICLE FOR THE PUBLIC WORKS DEPARTMENT/SOLID WASTE RECYCLING DIVISION THROUGH THE HOUSTON-GALVESTON COUNCIL OF GOVERNMENTS PURCHASING PROGRAM. Pages 111 - 113
J. Ballowe, Interim Public Works Director

- (L) APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A LOCAL PROJECT ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE DEVELOPMENT, DESIGN AND CONSTRUCTION OF AN OFF-SYSTEM HES PROGRAM PROJECT FOR THE INSTALLATION OF A CONTINUOUS LEFT TURN LANE ON EAST COMMON STREET FROM GRUENE ROAD TO NORTH OF WATERWAY AND AUTHORIZE A BUDGET TRANSFER FROM THE STREET AND DRAINAGE FUND-CONTINGENCIES TO THE STREET AND DRAINAGE FUND EAST COMMON STREET PROJECT. Pages 114 - 115
J. Ballowe, Interim Public Works Director
- (M) APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A DRAINAGE FACILITY AND WATERWAY AGREEMENT WITH THE UNION PACIFIC RAILROAD COMPANY TO CONSTRUCT A DRAINAGE FACILITY FOR THE CHURCH HILL IMPROVEMENT PROJECT AT MILE POST 224-226 IN THE AUSTIN SUBDIVISION IN NEW BRAUNFELS, COMAL COUNTY, TEXAS. Pages 116 - 117
M. Etelamaki, City Engr.
- (N) APPROVAL OF ACCEPTANCE OF GRANT FUNDING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A FUNDING AGREEMENT WITH LOWER COLORADO RIVER AUTHORITY (LCRA) FOR THE DEVELOPMENT AND CONSTRUCTION OF A SKATE PARK AT EIKEL FIELD. Page 118
S. Laird, Parks & Recreation Director

5. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) DISCUSS AND CONSIDER APPOINTMENTS TO THE CITY OF NEW BRAUNFELS ZONING BOARD OF ADJUSTMENTS FOR TWO REGULAR AND TWO ALTERNATE TERMS EXPIRING MAY 31, 2009. Page 119
M. Resendez, City Secretary
- (B) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR 1719 SH 46 SOUTH FOR THE JOINT USE OF A SINGLE FAMILY RESIDENCE AND RETAIL GUN SHOP IN A "C-1 LOCAL BUSINESS DISTRICT".
F. Robbins, Planning Director Pages 120 - 132
- (C) SECOND AND FINAL READING OF AN ORDINANCE REZONING AN AREA BOUNDED GENERALLY BY CROSS STREET, STONEWALL STREET, GRAPE AVENUE AND LIVE OAK AVENUE, KNOWN AS AREA 4, FROM "R-3 MULTIFAMILY DISTRICT" TO "R-1A-6.6 SINGLE-FAMILY DISTRICT". Pages 133 - 147
F. Robbins, Planning Director
- (D) SECOND AND FINAL READING OF AN ORDINANCE REZONING 1095 W. BRIDGE STREET FROM "R-2 SINGLE AND TWO FAMILY DISTRICT" TO "C-1A NEIGHBORHOOD BUSINESS DISTRICT", WITH AN ADDITIONAL RESTRICTION.
F. Robbins, Planning Director Pages 148 - 150
- (E) DISCUSS AND CONSIDER APPROVAL OF A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; AND PROVIDING AN EFFECTIVE DATE. Pages 151 - 158
D. Korinchock, Chief Financial Officer

- (F) 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 OFFER A \$55,000 GRANT TOWARDS THE CREATION OF A MANUFACTURING TECHNOLOGY ACADEMY FOR JOB TRAINING AT THE CENTRAL TEXAS TECHNOLOGY CENTER TO ASSIST AREA HIGH SCHOOL STUDENTS IN OBTAINING A CERTIFICATION IN A SPECIFIC FIELD AND DUAL CREDIT TOWARDS A COLLEGE DEGREE. Pages 159 - 161

M. Harrison, President of the NBIDC

- (G) 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 MODIFY A PREVIOUS RECOMMENDATION OF THE NEW BRAUNFELS INDUSTRIAL DEVELOPMENT CORPORATION PERTAINING TO IMPROVEMENTS TO GOODWIN LANE FOR THE KOONTZ-MCCOMBS INDUSTRIAL PARK PROJECT BY RAISING THE ALLOWED PROJECT DOLLAR AMOUNT FROM \$965,553 TO \$1,040,553; REDUCING THE GUARANTEED SQUARE FOOTAGE OF THE FIRST BUILDING TO 96,000 SQUARE FEET FROM 105,600 SQUARE FEET; AND, DELAYING THE REQUIRED TIMING TO START ROAD CONSTRUCTION FROM JULY 17, 2007 TO NOVEMBER 17, 2007. Pages 162 - 164

M. Harrison, President of the NBIDC

6. EXECUTIVE SESSION – CONFERENCE ROOM B

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) CONSULTATION WITH CITY'S ATTORNEY IN ACCORDANCE WITH SECTION 551.071 OF THE TEXAS GOVERNMENT CODE, PENDING LITIGATION – STOP THE ORDINANCES PLEASE v. CITY OF NEW BRAUNFELS Page 165

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.

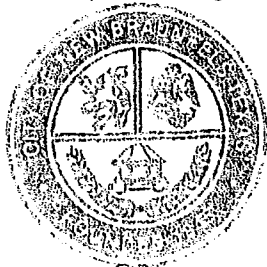
7. REPORTS Pages 166

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

ADJOURNMENT

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the New Braunfels Municipal Building on July 5, 2007 at 11:30 a.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.