

REGULAR CITY COUNCIL MEETING
NEW BRAUNFELS MUNICIPAL BUILDING - CITY COUNCIL CHAMBERS
424 S. CASTELL AVENUE
APRIL 28, 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: APRIL 28, 2008 @ 6:00 P.M.

CALL OF ROLL: CITY SECRETARY

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION: MAYOR PRO-TEM GALE POSPISIL

CITY EMPLOYEE SERVICE RECOGNITIONS

PROCLAMATIONS: "BUILDING SAFETY WEEK"
"NATIONAL MUSIC WEEK"
"LAW DAY"
"WEIN AND SAENGERFEST"
"75TH ANNIVERSARY OF THE NEW BRAUNFELS GARDEN CLUB"
"SMALL BUSINESS WEEK"
"CHILDHOOD OBESITY AWARENESS DAY"

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 APRIL 2, 2008 (SESSION 1), (B) THE SPECIAL MEETING OF APRIL 2, 2008 (SESSION 2), (C) THE SPECIAL MEETING OF APRIL 14, 2008, AND (D) THE REGULAR MEETING OF APRIL 14, 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 CONTRACT RENEWAL WITH INTERMEDIX TECHNOLOGIES, INC. FOR RESCUE AMBULANCE BILLING SERVICES AND ACCOUNTS RECEIVABLE MANAGEMENT SERVICES.

R. Holloway, Interim Fire Chief/M. Quinones, Purchasing Manager

- (B) APPROVAL OF THE PURCHASE AND INSTALLATION OF RADIOS FROM LCRA FOR THE POLICE AND FIRE DEPARTMENTS.
R. Everett, Police Chief/R. Holloway, Interim Fire Chief/M. Quinones, Purchasing Manager
- (C) APPROVAL OF THE PURCHASE FROM CONTRACT LAND STAFF OF LAND ACQUISITION SERVICES FOR THE WALNUT AVENUE WIDENING PROJECT.
S. Ramsey, Public Works Director/M. Quinones, Purchasing Manager
- (D) APPROVAL OF THE PURCHASE OF GREEN WASTE BAGS FOR RECYCLING FROM GRAPHIC PACKAGING INTERNATIONAL, INC.
J. Ballowe, Assistant Public Works Director/M. Quinones, Purchasing Manager
- (E) APPROVAL OF THE FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 75-10 DATED APRIL 28, 1975 TO APPROVE INSTALLATION OF THE TRAFFIC CONTROL DEVICES ALONG BLUEBONNET AVENUE AND WITHIN NORTHWEST CROSSING SUBDIVISION WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW BRAUNFELS.
S. Ramsey, Public Works Director
- (F) APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AND SUBMIT AN APPLICATION TO THE DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR HOUSING TRUST FUNDS TO BE UTILIZED FOR THE HOUSING REHABILITATION ASSISTANCE PROGRAM.
N. Davison, CDBG Coordinator
- (G) APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE TEMPORARY CLOSURE OF SH 46 BUSINESS FOR THE 2008 WEIN & SAENGERFEST CELEBRATION WHICH WILL BE HELD ON MAY 3, 2008 FROM 6:00 A.M. TO 11:30 P.M.
S. Laird, Parks and Recreation Director

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- (A) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE REZONING 154.525 ACRES OUT OF THE SARAH DEWITT SURVEY NO. 48, LOCATED ON THE NORTH SIDE OF KLEIN ROAD AT THE FUTURE EXTENSION OF WALNUT AVENUE, FROM "APD AGRICULTURAL/PRE-DEVELOPMENT DISTRICT" TO "C-1B GENERAL BUSINESS DISTRICT".
R. Kinsey, Interim Planning Director
- (B) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE GRANTING A SPECIAL USE PERMIT ON A PORTION OF 730 HOWARD STREET, DESCRIBED AS 1.170 ACRES OUT OF THE J. M. VERAMENDI TWO LEAGUE GRANT, TO ALLOW CERTAIN USES IN AN "R-3 MULTIFAMILY DISTRICT."
R. Kinsey, Interim Planning Director
- (C) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE DESIGNATING THE STRUCTURE LOCATED AT 532 ROCK STREET, TO BE KNOWN AS "THE ERNST AND ANTOINETTE GRUENE HOUSE", AS A HISTORIC LANDMARK ACCORDING TO CHAPTER 66, ARTICLE III, AND AMENDING THE ZONING MAP.
C. Bell, Historic Preservation Officer

- (D) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE DESIGNATING THE STRUCTURE LOCATED AT 195 E. COLL STREET, TO BE KNOWN AS "THE CARL STOCK HOUSE", AS A HISTORIC LANDMARK ACCORDING TO CHAPTER 66, ARTICLE III, AND AMENDING THE ZONING MAP.
C. Bell, Historic Preservation Officer
- (E) DISCUSS AND CONSIDER ACTION TO APPROVE THE PURCHASE OF SERVICES FOR IMPROVEMENTS TO HOFFMAN PARK WITH D & M CONSTRUCTION.
S. Laird, Parks and Recreation Director/M. Quinones, Purchasing Manager
- (F) DISCUSS AND CONSIDER APPROVAL OF THE PURCHASE OF SERVICES FOR IMPROVEMENTS TO KRAFT PARK WITH MANLEY CONTRACTING.
S. Laird, Parks and Recreation Director/M. Quinones, Purchasing Manager
- (G) PROJECT UPDATE AND RATIFICATION, APPROVAL AND AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A CONTRACT MODIFICATION FOR CHANGE ORDERS 1-5 TO THE CONSTRUCTION CONTRACT WITH RODMAN COMPANIES REGARDING THE CHURCH HILL IMPROVEMENT PROJECT.
S. Ramsey, Public Works Director
- (H) DISCUSS AND CONSIDER ACTION TO AWARD THE PURCHASE OF CONSTRUCTION SERVICES FROM RODMAN, L.L.C. FOR THE WALNUT AVENUE EXTENSION PROJECT AND TO REDUCE THE CONSTRUCTION BUDGET FOR THE PROJECT.
S. Ramsey, Public Works Director/M. Quinones, Purchasing Manager
- (I) DISCUSS AND CONSIDER HIRING ADDITIONAL POLICE CADET OFFICERS TO ENSURE STAFFING DUE TO GROWTH, OFFICER RETENTION, AND THE EXTENSIVE HIRING AND TRAINING PROCESS.
R. Everett, Police Chief
- (J) PRESENTATION ON THE STATUS OF TWO NEW BRAUNFELS CEMETERIES.
S. Laird, Parks and Recreation Director
- (K) DISCUSS AND CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF NEW BRAUNFELS AMENDING CHAPTER 138, VEHICLES FOR HIRE, ARTICLE VI, WATER RECREATION SHUTTLE SERVICES, SECTION 138-67 PERMIT, BY AMENDING SECTION 138-67, MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.
A. Wayland, City Attorney

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.

- (B) DISCUSS AND CONSIDER A PROSPECTIVE GIFT OR DONATION TO THE CITY, 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 551.073, OF THE TEXAS GOVERNMENT CODE.
- (C) DISCUSS AND CONSIDER PERSONNEL MATTERS INVOLVING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE OR TO HEAR A COMPLAINT AGAINST AN OFFICER OR EMPLOYEE – CITY ATTORNEY, IN ACCORDANCE WITH SECTION 551.074, OF THE TEXAS GOVERNMENT CODE.
- (D) DELIBERATE PENDING/CONTEMPLATED LITIGATION, SETTLEMENT OFFER(S), AND MATTERS CONCERNING PRIVILEGED AND UNPRIVILEGED CLIENT INFORMATION DEEMED CONFIDENTIAL BY 1.05 OF THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT, SECTION 551.071, OF THE TEXAS GOVERNMENT CODE. (WWGAF, Inc. d/b/a/ Rockin "R" River Rides, et al vs. City of New Braunfels, Cause No. C2007-0781B)

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 April 25, 2008 at 4:00 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.