# REGULAR CITY COUNCIL MEETING NEW BRAUNFELS MUNICIPAL BUILDING - CITY COUNCIL CHAMBERS 424 S. CASTELL AVENUE FEBRUARY 9, 2009 – 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:** 

FEBRUARY 9, 2009 @ 6:00 P.M.

**CALL OF ROLL:** 

CITY SECRETARY

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

INVOCATION:

**COUNCILMEMBER STEVEN DIGGES** 

PROCLAMATIONS:

**GEORGE WASHINGTON DAY** 

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

1. MINUTES

CONSIDER APPROVING THE MINUTES OF THE REGULAR MEETING OF JANUARY 26, 2009.

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 AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS, TEXAS BY AMENDING SECTION 126-368(F) TO MODIFY FIFTEEN MINUTE PARKING WITHIN CYPRESS BEND PARK.
  - N. Pence, River Activities Manager
- (B) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS, TEXAS BY ADDING SECTION 126-346 (F) (81) TO DESIGNATE SPECIFIC NO PARKING ZONE ALONG THE NORTHWEST SIDE OF MORNING QUAIL BETWEEN CONRADS ROAD AND HUMMINGBIRD DRIVE; REPEALING ALL ORDINANCES IN CONFLICT; ADDING A SAVINGS CLAUSE; AND GIVING AN EFFECTIVE DATE.
  - S. Ramsey, Public Works Director

- (C) APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 75-10 DATED APRIL 28, 1975 TO APPROVE THE INSTALLATION OF THE TRAFFIC CONTROL DEVICES AT BENTWOOD DRIVE AND FRANCES STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW BRAUNFELS.

  S. Ramsey, Public Works Director
- (D) APPROVAL OF THE FIRST 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
- (E) CONSIDER A RESOLUTION APPROVING AN AGREEMENT WITH DR. JOHN FLANAGAN FOR MEDICAL DIRECTOR OF EMERGENCY MEDICAL SERVICES.

  J. Robinson, Fire Chief
- (F) APPROVAL OF THE FIRST READING OF AN ORDINANCE ABANDONING A SMALL PORTION OF ROAD RIGHT-OF-WAY ADJACENT TO LOT 2 OF MIDTEX TIMBER HOLLOW UNIT TWO SUBDIVISION TO THE CITY OF NEW BRAUNFELS; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

  A. Wayland, City Attomey
- (G) APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, ORDERING A REGULAR ELECTION TO BE HELD IN THE CITY OF NEW BRAUNFELS, TEXAS, ON MAY 9, 2009, FOR REGULAR CITY OFFICERS (DISTRICTS 3 AND 4) AND ESTABLISHING AN EARLY VOTING LOCATION AND POLLING PLACES FOR THIS ELECTION; AND MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION.

  M. Resendez, City Secretary
- (H) CONSIDER ACCEPTING THE RECOMMENDATION OF THE WATER AND WASTEWATER IMPACT FEE ADVISORY COMMITTEE CONCERNING ACCEPTANCE OF THE SEMIANNUAL WATER AND WASTEWATER IMPACT FEES REPORT FOR THE PERIOD OF JULY 1, 2008 THROUGH DECEMBER 31, 2008.

  S. Mattingly, Planning and Community Development Director
- (I) APPROVAL OF A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF NEW BRAUNFELS AND NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT REFERENCE RIGHT-OF-WAY FOR ALYSSA WAY AND CONVEYANCE OF A FIRE STATION SITE; AND DECLARING AN EFFECTIVE DATE. A. Wayland, City Attomey

## 4. PRESENTATIONS

(A) PRESENTATION BY THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT REGARDING THE DEPARTMENT'S ANNUAL REPORT.

S. Mattingly, Planning and Community Development Director

### 5. INDIVIDUAL ITEMS FOR CONSIDERATION

(A) PUBLIC HEARING AND CONSIDER APPROVAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT ("CAPER").

N. Davison, Housing and Community Development Coordinator

- (B) DISCUSS AND CONSIDER APPROVAL OF A RESOLUTION ADOPTING A LEGISLATIVE PROGRAM FOR THE CITY WITH REGARD TO THE 81<sup>ST</sup> TEXAS LEGISLATIVE SESSION.

  A. Wayland, City Attomey
- (C) DISCUSS AND CONSIDER APPROVING AMENDMENTS TO THE 2009 CONVENTION AND VISITORS BUREAU BUDGET.

  M. Meek, President of Greater New Braunfels Chamber of Commerce
- (D) DISCUSS AND CONSIDER APPROVAL FOR THE CITY MANAGER TO EXECUTE A CONTRACT WITH RPGA DESIGN GROUP, INC. FOR DESIGN SERVICES OF FIRE STATION #2 AND #4, AND APPROVAL OF A BUDGET ADJUSTMENT.

  J. Robinson, Fire Chief/M. Quinones, Purchasing Manager
- (E) DISCUSS AND CONSIDER ACTION REGARDING A PROPOSAL FROM TXP, INC. TO COMPLETE AN ECONOMIC AND FISCAL IMPACT STUDY REGARDING A YOUTH SPORTS COMPLEX.

  D. Korinchock, Support Services Director

### 6. 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

**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 Representation of February 6, 2009 at 11:00 a.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.