

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, MARCH 12, 2018**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on March 12, 2018, at 6:00 p.m.

City Councilmembers present were:

Present: 7 - Mayor Barron Casteel, Councilmember Justin Meadows, Councilmember Ron Reaves, Councilmember Chris Monceballez, Mayor Pro Tem Wayne Peters, Councilmember Leah García, and Councilmember Shane Hines

City Staff present were: City Manager Robert Camareno, Assistant City Attorney Frank Onion, Assistant City Manager Kristi Aday, Assistant City Manager Bryan Woods, City Secretary Patrick Aten, Assistant City Secretary Drew Lyons, Park Development Manager Ylida Capriccioso, Assistant Parks and Recreation Director Ken Wilson, Planning and Community Development Director Chris Looney, Real Estate Manager Matt Eckmann, Capital Programs Manager Jennifer Cain, and Economic Development Manager Victor Garza.

The meeting was called to order by Mayor Casteel in the New Braunfels City Hall Council Chambers at 6:05 p.m. Mayor Pro Tem Peters gave the invocation and Mayor Casteel led the Pledge of Allegiance and Salute to the Texas Flag.

PRESENTATIONS:

- A) Presentation and possible action on the recommendation of the Bond Advisory Committee.

Mayor Casteel read the aforementioned caption.

Ray Still and Robert Camareno presented the item.

No action was taken.

1. MINUTES

- A) Discuss and consider approval of the minutes of the special City Council meeting of February 21, 2018, and the regular City Council meeting of February 26, 2018.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Garcia moved to approve the item. Mayor Pro Tem Peters seconded the item, which was approved unanimously.

2. CITIZENS' COMMUNICATIONS

This time is for citizens to address the City Council on issues and items of concerns not on this agenda. There will be no City Council action at this time.

Mayor Casteel read the aforementioned caption.

No one spoke.

3. CONSENT AGENDA

All items listed below are considered to be routine and non-controversial by the City 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.

Resolutions & Action Items

- A) Approval of an Additional Service Request in the amount of \$93,145 from Trihydro Corporation regarding additional design, right-of-way and easement mapping, and survey required for the final design and plan submittal for the Klein Road Reconstruction Project.
- B) Approval of a contract with SCS Engineers for the development of a Comprehensive Solid Waste Management Plan for the City's Solid Waste and Recycling Division.
- C) Approval of a modification to the Service Provider Agreement between the City of New Braunfels and the Comal County Emergency Services District No. 7.
- D) Approval of a resolution and the ratification of the submission of an application for funding under the U.S. Department of Justice, Victims of Crime Act Formula Grant Program through the Office of the Governor to continue funding for two years for one full-time liaison position and authorizing the City Manager 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 any resulting award.

- E) Approval of a resolution and the ratification of the submission of an application for funding under the U.S. Department of Justice, Violence Against Women Formula Grant Program through the Office of the Governor - Criminal Justice Division to continue funding one full-time investigator position and authorizing the City Manager to accept funds and act on behalf of the City of New Braunfels in all matters related to this grant, including execution of all required documentation associated with any resulting award.
- F) Approval of a resolution and the ratification of the submission of an application for funding under the Federal Homeland Security Grant Program through the State Homeland Security Program to fund a Mobile GIS Response Unit.
- G) Approval of a Professional Service Agreement with Douchet and Associates for an amount of \$31,450, for engineering design and project support for a stormwater quality treatment facility at North Houston Avenue.
- H) Approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide up to \$150,000 to the City of New Braunfels for downtown parking improvement projects.
- I) Approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide up to \$32,522 to the Central Texas Technology Center for use in a primary job training facility.

Ordinances

(In accordance with Section 3.10 of the City Charter, a descriptive caption of each ordinance shall be read on two separate days.)

- J) Approval of the second and final reading of an ordinance amending Chapter 110 of the Code of Ordinances relating to Solid Waste commercial rates and proposed operational changes.
- K) Approval of the second and final reading of an ordinance amending Section 126-354 of the Code of Ordinances to revise Parking by Permit Area H.
- L) Approval of the second and final reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking in front

of the Fire Department Connection (FDC) on North Seguin Avenue at the Comal County Courthouse.

Mayor Casteel read the aforementioned captions, except item 3A. No action was taken on item 3A.

Councilmember Garcia moved to approve Consent Agenda items B through L. Mayor Pro Tem Peters seconded the motion which passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

Councilmember Reaves moved to move up Individual Items 4M and 4N to the beginning of Individual Items. Mayor Pro Tem Peters seconded the motion which passed unanimously.

- M) Discuss and consider approval of a resolution recommended by the New Braunfels Industrial Development Corporation authorizing an expenditure of up to \$183,000 to TaskUs Inc. for a project to create 450 new jobs.

Mayor Casteel read the aforementioned caption.

Victor Garza presented the item.

Councilmember Reaves moved to approve the item. Mayor Pro Tem Peters seconded the motion which passed unanimously.

- N) Discuss and consider approval of a Chapter 380 Agreement with TaskUs Inc. a for-profit corporation.

Mayor Casteel read the aforementioned caption.

Victor Garza presented the item.

Councilmember Monceballez moved to approve the item. Mayor Pro Tem Peters seconded the motion which passed unanimously.

- A) Discuss and consider approval of a resolution concerning air quality permit number 147392L001, which if approved would authorize construction and operation of a rock crushing plant located at the intersection of State Highway 46 and Farm to Market 3009.

Mayor Casteel read the aforementioned caption and presented the item.

Councilmember Reaves moved to approve the item. Councilmember Meadows seconded the motion which passed unanimously.

- B) Discuss and consider approval of an ordinance authorizing the issuance of the City of New Braunfels, Texas Utility System Revenue Bonds, Series 2018, pledging the Net Revenues of the City's Waterworks, Sanitary Sewer and Electric Light and Power Systems to the Payment of said Bonds and resolving other matters incident and related thereto.

Mayor Casteel read the aforementioned caption.

Dawn Butrym presented the item.

Mayor Pro Tem Peters moved to approve the item. Councilmember Garcia seconded the motion which passed unanimously via roll call vote.

- C) Discuss and consider approval of the appointment of one individual to the New Braunfels Housing Authority for a term ending January 22, 2020.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Reaves moved to appoint Jerry Major to the Housing Authority Board of Commissioners. Mayor Pro Tem Peters seconded the motion which passed unanimously.

<City Council took a break.>

- D) Discuss and consider approval of the first reading of an ordinance amending the Code of Ordinances Chapter 118, Article V, Parkland.

Mayor Casteel read the aforementioned caption.

Ylida Capriccioso presented the item.

Penelope Speier, David Strauss, Mark Hampton, Thor Thornhill, John Mathis, Mike Lancaster, and Bonnie Leitch spoke on the item.

Councilmember Reaves moved to approve the item with 60 percent implementation of fees for the first year then staff will report back to City Council after the first year of implementation for review. Councilmember Garcia seconded the motion. Councilmember Meadows moved to amend the motion for the maximum fee to be \$1,400. The motion to amend was seconded by Councilmember Hines.

Mayor Casteel moved to table the main motion and the amendment. Councilmember Garcia seconded the motion which passed unanimously.

Councilmember Reaves moved to approve the Parkland Dedication study and the formulas within the study. Councilmember Garcia seconded the motion, which passed 6 to 1, with Councilmember Hines opposed.

Mayor Casteel moved to untable the main motion and the amendment. Councilmember Monceballez seconded the motion, which passed unanimously.

The motion to amend failed 3 to 4 with Councilmembers Reaves, Monceballez, Garcia, and Mayor Casteel opposed. The main motion was withdrawn.

Ultimately, Councilmember Garcia moved to postpone the item to the March 26 City Council meeting. Councilmember Reaves seconded the motion to postpone, which passed unanimously.

E) Public hearing and consideration of the first reading of an ordinance regarding proposed amendments to the Code of Ordinances regarding development-related fees.

Mayor Casteel read the aforementioned caption.

Bryan Woods presented the item.

Thor Thornhill and Dick Hillyer spoke during the public hearing.

Councilmember Meadows moved to approve the item with the recommendations of: deleting the predevelopment meeting fee, having a six-month evaluation with a one-year evaluation every year, and including turnaround and cycle time metrics to include members of the development community. Councilmember Reaves seconded the motion. Mayor Pro Tem Peters moved to amend the motion to include: the discretion of the City Manager in regards to the third and fourth review meeting fees, and the implementation of the ordinance 30 days after final passage. Councilmember Monceballez seconded the motion to amend, which passed unanimously. The amended main motion passed unanimously.

<City Council took a break.>

- F) Discuss and consider approval of the first reading of an ordinance modifying Chapter 86-7 "Operation of Vehicles in Parks", Subsection (d) (2) "Exceptions" regarding resident tennis pass to include disc golf and basketball.

Mayor Casteel read the aforementioned caption.

Ken Wilson presented the item.

Mike Meyer spoke in favor of the item.

Councilmember Garcia moved to approve the item. Councilmember Monceballez seconded the motion which passed unanimously.

- G) Discuss and consider approval of the second and final reading of an ordinance amending Chapter 86, Section 86-2 regarding reserved picnic areas and individual picnic table usage fees in city parks, Section 86-94 regarding swimming pool fees at the Landa Park Aquatic Complex and Section 86-98 Landa Haus rental and use fees.

Mayor Casteel read the aforementioned caption.

Ken Wilson presented the item.

Mayor Pro Tem Peters moved to approve the item. Councilmember Monceballez seconded the motion which passed unanimously via roll call vote.

- H) Public hearing and consideration of the first reading of an ordinance regarding a rezoning of approximately 52 acres out of the A.M. Esnaurizar Survey, Abstract 20, located on the north side of State Highway 46 and approximately 1,100 feet southeast of the intersection of State Highway 46 and Prairie View Lane from "APD" Agricultural / Pre-Development District and "C-1" Local Business District to "Rippen Ranch" Planned Development District, with a Concept Plan.
The applicant has withdrawn this application.

Mayor Casteel read the aforementioned caption.

Chris Looney stated that the applicant had withdrawn the application.

No action was taken.

- I) Discuss and consider a waiver of platting, zoning, and parkland dedication and development fees, requested by Comal County Habitat for Humanity, Inc. for the development of six new single-family residential lots presently addressed at 2420 Katy Street.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Councilmember Monceballez moved to approve the item. Councilmember Hines seconded the motion which passed unanimously.

- J) Discuss and consider approval of a preliminary development agreement between the City of New Braunfels and Chesmar Homes, Ltd for improvements to be made at Goodwin Lane and Alligator Creek.

Mayor Casteel read the aforementioned caption.

Matt Eckmann presented the item and stated that the amended agreement was at the dais.

Councilmember Monceballez moved to approve the item. Councilmember Garcia seconded the motion which passed unanimously.

- K) Discuss and consider approval of a contract with Capital Excavation Company for roadway and drainage construction services; a onetime cost sharing payment to New Braunfels Utilities for utility construction services with Capital Excavation Company; authority for the City Manager to approve any changes up to seven percent for contingency expenditures; a contract with Raba-Kistner Consultants for materials testing services; and approval of additional design services with Moeller & Associates for the Solms Road/Morningside Drive/Rueckle Road & Utility Reconstruction Project as part of the 2013 Bond Program.

Mayor Casteel read the aforementioned caption.

Jennifer Cain presented the item.

Councilmember Garcia moved to approve the item. Councilmember Hines seconded the motion which passed unanimously.

- L) Discuss and consider approval of a contract with J3 Company, LLC for roadway and drainage construction services; authority for the City Manager to approve any changes up to seven percent for contingency expenditures; a contract with Raba Kistner Consultants for materials testing services; and an approval for additional design and ROW services with Trihydro Corporation for the Klein Road Reconstruction Project as part of the 2013 Bond Program.

Mayor Casteel read the aforementioned caption.

Councilmember Garcia moved to approve the item. Councilmember Meadows seconded the motion which was approved unanimously.

The meeting adjourned at 10:45 p.m.

Date Approved: March 26, 2018

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary