

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, JULY 22, 2019**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on July 22, 2019, at 6:00 p.m.

City Councilmembers present were:

Present: 7 - Mayor Barron Casteel, Councilmember Shane Hines, Councilmember Justin Meadows, Councilmember Harry Bowers, Councilmember Matthew E. Hoyt, Mayor Pro Tem Wayne Peters, and Councilmember Leah García

The meeting was called to order by Mayor Casteel in the New Braunfels City Hall Council Chambers at 6:00 p.m. Councilmember Bowers gave the invocation and Mayor Casteel led the Pledge of Allegiance and Salute to the Texas Flag.

PRESENTATIONS:

A) Presentation on 2019 Bond Project for all ability inclusive play equipment.

Mayor Casteel read the aforementioned caption.

Stacey Dicke presented the item.

B) Presentation on Library Without Fines: An Equitable Approach to Removing Barriers

Mayor Casteel read the aforementioned caption.

Gretchen Prueett presented the item.

1. MINUTES

A) Discuss and consider approval of the minutes of the regular City Council meeting of July 8, 2019.

Mayor Casteel read the aforementioned caption.

**Councilmember Garcia moved to approve the minutes.
Councilmember Bowers seconded the motion which passed**

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.

George Green 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 the appointment of one individual to the Airport Advisory Board for a term ending May 12, 2022.
- B) Approval of the appointment of one individual to the Building Standards Commission for a term ending October 26, 2020.
- C) Approval of the issuance of invitations for Competitive Sealed Proposals for Fischer Park Dam No. 1 Spillway Repair.
- D) Approval of a ratification for the submission of a grant application to the Firehouse Subs Public Safety Foundation for safety equipment valued up to \$32,850, and authorization for the City Manager to execute all contract documents associated with the grant, including formal acceptance of the equipment.
- E) Approval for the submission of the Community Development Block Grant Annual Action Plan, and associated funding recommendations, for Program Year 2019 to the U.S. Department of Housing and Urban Development.
- F) Approval of an Interlocal Agreement between the City of New Braunfels and Comal County for the utilization and improvement of County owned properties located at 340 North Seguin Avenue, 155 East Bridge Street and 396 North Seguin Avenue for use as public

parking.

- G) Approval of a contract with Sterling McCall Ford for the purchase of an ambulance to be housed at Fire Station #7.
- H) Approval of a contract modification to Cobb Fendley Engineering for the proposed 2019 Bond Citywide Street project at Lamar School area.
- I) Approval of a contract with PGAL Architects to provide final design, bid phase, and construction phase services for a new Police Department facility which includes the Veterans Memorial.
- J) Approval of a purchase from EnvisionWare, Inc. for a Radio Frequency Identification system for the New Braunfels Public Library at a cost of \$39,203.

Ordinances

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

- K) Approval of the second and final reading of an ordinance amending Chapter 130-26 of the Code of Ordinances to change the criteria for members of the Board of Trustees of New Braunfels Utilities.
- L) Approval of the second and final reading of an ordinance amending Chapter 126-355 of the City's Code of Ordinances to remove the prohibition of overnight parking in the Downtown Parking Zone and extend the limits of the Downtown Parking Zone to include both sides of East San Antonio Street from Market Avenue to Gilbert Avenue, and the southwest side of North Market Avenue from East Mill Street to East San Antonio Street.
- M) Approval of the second and final reading of an ordinance amending the Code of Ordinances Chapter 86-2 regarding refunds of reserved picnic area and individual picnic table usage fees in city parks.
- N) Approval of the second and final reading of an ordinance Chapter 86-122 regarding fees for Das Rec Family Membership-Additional Family members.
- O) Approval of the second and final reading of an ordinance amending Section 126-354 of the City of New Braunfels Code of Ordinances to revise Parking by Permit Area K.

- P) Approval of the second and final reading of an ordinance amending Sections 114-98, 114-99, and 118-46 of the Code of Ordinances regarding access on collector or major thoroughfare streets, turn lane and traffic impact analysis requirements, and removal of references to the sub-collector street section.

Mayor Casteel read the aforementioned captions.

Councilmember Hines moved to approve the Consent Agenda. Councilmember Bowers seconded the motion which passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- I) Public hearing and first reading of an ordinance regarding the proposed rezoning of a 0.25 acre tract out of the J Noyes Survey 259, Abstract 430, addressed at 471 Engel Road and a 2.0 acre tract out of the J Noyes Survey 259, Abstract 430 and a 3.0 acre tract out of the J Thompson Survey 21, Abstract 608, addressed at 491 Engel Road, from "APD" Agricultural/Pre-Development District to "C-1B" General Business District.

Councilmember Hines moved to take up item 4I out of order. Mayor Pro Tem seconded the motion which passed unanimously.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

Loretta Burk, Janice Schwab, Edgar Schwab, and Rene De La Cruz spoke on the item.

Councilmember Hines moved to postpone the item to August 26. Councilmember Meadows seconded the motion which passed unanimously.

- A) Discuss and consider approval of the appointment of two individuals to the Animal Services Advisory Board for terms ending November 1, 2022.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Mayor Pro Tem Peters moved to appoint Eric Trager and Tanya Palmer to the Animal Services Advisory Board. Councilmember Meadows seconded the motion which passed unanimously.

- B) Presentation on the FY 2018-19 Debt Issuance Strategy and consideration of the approval of a resolution authorizing proceeding with the issuance of Certificates of Obligation; Directing Publication of Notice of Intention to Issue Certificates of Obligation; and other related matters.

Mayor Casteel read the aforementioned caption.

Jared Werner and Andrew Friedman presented the item.

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

- C) Public hearing and consideration of the second and final reading of an ordinance disannexing approximately 62.4 acres of land out of the J. M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas, located along the northwest right-of-way line of Loop 337 in the corporate limits of the City.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

No one spoke during the public hearing.

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

- D) Public hearing and consideration of the second and final reading of an ordinance rezoning approximately six acres out of the William Mockford Survey 285, addressed at 2850 Loop 337, from "R-2" Single and Two-family District to "C-1B" General Business District.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

No one spoke during the public hearing.

Councilmember Meadows moved to approve the item. Councilmember Hines seconded the motion which passed unanimously via roll call vote.

E) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 0.80 acres out of the A M Esnaurizar Survey, addressed at 947 State Highway 46 South, from "R-2" Single and Two-family District to "MU-B" High Intensity Mixed Use District.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

No one spoke during the public hearing.

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

<City Council took a break.>

F) Public hearing and first reading of an ordinance regarding the proposed rezoning to amend an existing Special Use Permit to allow a commercial tuber entrance and takeout in the "C-4" Commercial Resort District on property presently addressed as 444 East San Antonio Street.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

Rob Killen, Steve Meyer, and Monique Weston spoke during the public hearing.

Councilmember Meadows moved to approve the item with staff recommendations. Mayor Pro Tem Peters seconded the motion. Councilmember Hoyt moved to amend the motion by removing staff

recommendation #4. The motion to amend failed due to lack of a second. The main motion passed unanimously.

- G) Public hearing and first reading of an ordinance regarding the proposed rezoning to amend a Special Use Permit to allow a mixed-use development in the "C-3" Commercial District and the "R-2" Single-Family and Two-Family District, addressed at 1260 S. Business 35.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

Carolyn Lehmann and Phil Newberry spoke during the public hearing.

The item failed due to lack of a motion.

- H) Public hearing and first reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit to allow the short-term rental of a single-family residence in the "C-3" Commercial District, addressed at 358 East Nacogdoches Street.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

No one spoke during the public hearing.

The item failed due to lack of a motion.

5. 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 issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code, including but not limited to:
- Project Nautilus
 - Project Maintenance
- B) Deliberate the purchase, exchange, lease or value of real estate in

- accordance with Section 551.072 of the Texas Government Code
- Property for city facilities

Mayor Casteel read the aforementioned captions.

City Council recessed into Executive Session from 9:02 p.m. - 9:41 p.m.

No vote or action was taken.

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).

6. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

The City Council reconvened into Open Session at 9:42 p.m. No vote or action was taken.

7. ADJOURNMENT

The meeting adjourned at 9:42 p.m.

Date Approved: August 12, 2019

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary