



**CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING**



**CITY HALL - COUNCIL CHAMBERS
550 LANDA STREET**

MONDAY, SEPTEMBER 23, 2019 at 6:00 PM

Barron Casteel, Mayor
Shane Hines, Councilmember (District 1)
Justin Meadows, Councilmember (District 2)
Harry Bowers, Councilmember (District 3)

Matthew E. Hoyt, Councilmember (District 4)
Wayne Peters, Mayor Pro Tem (District 5)
Leah A. García, Councilmember (District 6)
Robert Camareno, City Manager

MISSION STATEMENT

***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

CALL OF ROLL: City Secretary

INVOCATION: Councilmember Shane Hines

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

**REQUEST ALL PHONES AND OTHER DEVICES BE TURNED OFF, EXCEPT
EMERGENCY ON-CALL PERSONNEL.**

PROCLAMATIONS:

- A) Living Legends
- B) Gruene Music & Wine Fest Weekend
- C) World Habitat Day

PRESENTATIONS:

- A) Discuss and consider the confirmation of Patrick O'Connell as Fire Chief of the New Braunfels Fire Department.
Robert Camareno, City Manager
- B) Administration of the Oath of Office for Patrick O'Connell, New Braunfels Fire Chief.
Barron Casteel, Mayor
- C) Presentation on Comal County's Facilities Master Plan.
Sherman Krause, Comal County Judge

1. **MINUTES**

- A) Discuss and consider approval of the minutes of the regular City Council meeting of September 9, 2019.

Patrick Aten, City Secretary

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.

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 to renew the following annual contracts, as allowed for by their contract language: Stop Loss Insurance; Litter Removal Services from City Parks; ESO Solutions Software Renewal and Litter and Floating Vegetation Removal - River Services.

Debbie Kimball, Buyer

- B) Approval of a contract with D & S Concrete Contractors LLC for repairs to be made to the Fischer Park Dam No. 1 Spillway; authority for the City Manager to approve any change orders up to a ten percent contingency amount for project expenditures; and additional engineering with Freese and Nichols for the construction phase services.

Mark Enders, Watershed Program Manager

- C) Approval of a waiver from the requirement to construct sidewalks along Saur Lane for the proposed New Braunfels Utilities Saur Lane Subdivision.

Christopher Looney, Planning and Community Development Director

- D) Approval of the Termination of Restrictive Covenants in the Seidel Subdivision and authorizing the City Manager to execute the document.

Jordan Matney, Assistant City Manager

- E) Approval of a resolution recommended by the New Braunfels Economic Development Corporation to approve a project expenditure for direct incentives not to exceed \$55,000 for Calendar Holdings, LLC for a project found to promote or develop new or expanded business

enterprises that create or retain primary jobs

Jordan Matney, Assistant City Manager

- F) Approval of a recommendation of the New Braunfels Economic Development Corporation to renew the professional services agreement between the City and the NBEDC for administrative, financial, and legal services, and authorizing the annual expenditure of \$167,500.

Jordan Matney, Assistant City Manager

- G) Approval of a construction contract amendment with J3 Company, LLC in the amount of \$186,480 to increase the project contingency as part of the Klein Road Reconstruction Project; and approval of a contract amendment in the amount of \$225,000 for the installation of fiber-optic communication conduit within the Klein Road right-of-way to the Sports Complex funded in the 2019 Bond Program.

Garry Ford, City Engineer

Ordinances

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

- H) Approval of the second and final reading of an ordinance establishing the number of positions in each classification in the New Braunfels Fire Department and Police Department pursuant to Local Government Code, Chapter 143.

Nokihomis Willis, Director of Human Resources

- I) Approval of the second and final reading of an ordinance increasing certification and education pay for Fire Officers possessing certain Texas Commission on Fire Protection and Police Officers possessing certain Texas Commission on Law Enforcement Standards and Education pursuant to Local Government Code, Chapter 143.

Nokihomis Willis, Human Resources Director

- J) Approval of the second and final reading of an ordinance to raise the speed limit on Walnut Avenue between Landa Street and Business IH-35 to 35 mph.

Garry Ford, City Engineer

- K) 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 B.

Garry Ford, City Engineer

4. **INDIVIDUAL ITEMS FOR CONSIDERATION**

A) Discuss and consider approval of a resolution recommended by the New Braunfels Economic Development Corporation to approve a project expenditure for direct incentives not to exceed \$800,000 for PNC Bank, N.A. for a project found to promote or develop new or expanded business enterprises that create or retain primary jobs.

Jordan Matney, Assistant City Manager

B) Discuss and consider approval of a resolution of the City Council of the City of New Braunfels, Texas, consenting to the creation of the Lake Dunlap Water Control and Improvement District.

Valeria M. Acevedo, City Attorney

C) Discuss and consider approval of a resolution of the City Council of the City of New Braunfels, Texas, approving a Meet and Confer Agreement between the City and the New Braunfels Professional Fire Fighters Association, Local 3845 of the International Association of Fire Fighters, and providing an effective date.

Valeria Acevedo, City Attorney

D) Discuss and consider approval of the appointment of 15 individuals to the Workforce Housing Advisory Committee, and accompanying bylaws.

Patrick Aten, City Secretary

E) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit on 45 acres out of the Orilla Russell League Survey, No. 2, Abstract No. 485, located on the south side of Orion Drive and east of the Union Pacific Rail Road, to allow a manufactured home community in the "M-1A" Light Industrial District.

Christopher J. Looney, Planning and Community Development Director

F) Public hearing and first reading of an ordinance amending the Code of Ordinances, Chapter 144, Zoning, Section 4.2, Land Use Matrix, to correct inadvertent typographical errors.

Christopher Looney, Planning and Community Development Director

G) Public hearing and first reading of an ordinance regarding the proposed rezoning of 7.2 acres addressed at 144 Rueckle Road, from "C-1B" General Business District to "M-2A" Heavy Industrial District.

Christopher Looney, Planning and Community Development Director

H) Discuss and consider a waiver from the requirement to construct sidewalks along Granada Hills for the proposed Red Hawk Trail Subdivision.

Christopher J. Looney, Planning and Community Development Director

- l) Discuss and consider approval of the first reading of an ordinance amending Chapter 90, Peddlers and Solicitors, to prohibit the placement of commercial handbills or flyers on private property that has a posted sign prohibiting solicitation.

Valeria M. Acevedo, City Attorney

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, specifically related to:
 - Project Nautilus
 - Project 2x4
- 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
- C) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Attorney in accordance with Section 551.074 of the Texas Government Code.

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.

7. ADJOURNMENT

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall on September 18, 2019, at 5:00 p.m.

Patrick Aten, 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.