

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, APRIL 13, 2020**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on April 13, 2020, 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 via Zoom videoconferencing at 6:02 p.m. Councilmember Bowers gave the invocation and Mayor Casteel led the Pledge of Allegiance and Salute to the Texas Flag.

PRESENTATIONS:

A) Update from the City Manager on the City's Response to COVID-19

Mayor Casteel read the aforementioned caption.

Robert Camareno presented the item.

Aaron Farris, Amanda Pina, and Manny Gagliardi spoke on the item.

1. MINUTES

A) Discuss and consider approval of the minutes of the regular City Council meeting of March 23, 2020.

Mayor Casteel read the aforementioned caption.

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

2. **IN-PERSON CITIZENS' COMMUNICATIONS IS TEMPORARILY SUSPENDED**

Citizens may email their comments to CitizenComments@nbtexas.org or call 221-4299 and leave a voicemail or submit the form at www.nbtexas.org/comment. Comments will be distributed to the City Council.

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 as an alternate to the Construction Board of Appeals for a term ending February 24, 2023.
- B) Approval of the appointment of Councilmember Shane Hines as the regular member to the Alamo Area Metropolitan Planning Organization's Transportation Policy Board.
- C) Approval of a resolution; a ratification of the submission of an application for funding offered by the Texas Department of Transportation, Texas Traffic Safety Program's Selective Traffic Enforcement Program - Commercial Motor Vehicle FY 2021 grant; and authorization for the City Manager to act on behalf of the City in matters as required by the grant.
- D) Approval of a resolution; a ratification of the submission of an application for funding offered by the Texas Department of Transportation, Texas Traffic Safety Program's Selective Traffic Enforcement Program - Comprehensive FY 2021 grant; and authorization for the City Manager to act on behalf of the City in matters as required by the grant.
- E) Approval of a resolution; a ratification of the submission of an application for funding of the purchase of emergency response and rescue equipment utilizing a U.S. Department of Homeland Security, Urban Area Security Initiative - Regular Projects grant for Program Year 2021; and authorization for the City Manager to act on behalf of the City in all matters related to this grant.

Ordinances

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

- F) Approval of the second and final reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit to allow the short term rental of a single-family dwelling in the "C-3" Commercial District on Lot 7 and the eastern 10 feet of Lot 8, City Block 1049, currently addressed at 191 East Faust Street.
- G) Approval of the second and final reading of an ordinance amending Chapter 144, Zoning, Section 3.4 Zoning districts and regulations for property zoned subsequent to June 22, 1987, and Section 4.2, Land Use Matrix, with the creation of an additional zoning district, R-1A-5.5, Single Family Residential District.
- I) Approval of the second and final reading of an ordinance amending Chapter 144, Zoning, to establish Section 3.8-8, Wurstfest Special District; and the proposed rezoning of approximately 16 acres from M-2, Heavy Industrial, and R-2, Single Family and Two-Family District to Wurstfest Special District (WSD), located on the north side of Landa Street and extending along Landa Park Drive to Elizabeth Avenue, and currently addressed as 120 and 176 Landa Street, 192, 164, 180, and 178 Landa Park Drive, and 124 Elizabeth Avenue.
- J) Approval of the second and final reading of an ordinance amending the existing freight loading zones on Castell Avenue.
- K) Approval of the first reading of an ordinance to restrict parking on Comal Avenue near Lindheimer Plaza.

Mayor Casteel read the aforementioned captions. Item 3H was pulled for further discussion.

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

- H) Approval of the second and final reading of an ordinance amending Chapter 144, Zoning, Section 3.4 Zoning districts and regulations for property zoned subsequent to June 22, 1987, and Section 4.2, Land Use Matrix, with the creation of an additional zoning district, R-1A-4, Small Lot Single Family Residential District.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Mayor Pro Tem Peters moved to approve the item without Option 2. Councilmember Garcia seconded the motion which passed 5-2 via roll call vote with Councilmembers Hines and Hoyt opposed.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

A) Discuss and consider approval of an ordinance to order the postponement of the Special Election on proposed amendments to the City Charter from May 2, 2020, to November 3, 2020; and declaring an emergency.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

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

B) Discuss and consider approval of the second and final reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit to allow the short-term rental of a single-family dwelling and accessory dwelling unit in the "C-3" Commercial District, addressed at 676 S. Santa Clara Avenue.

Mayor Casteel read the aforementioned caption.

Councilmember Garcia moved to postpone the item to May 11. Councilmember Hines seconded the motion which passed unanimously via roll call vote.

C) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 49 acres out of the William H. Pate Survey No. 22, A-259, addressed at 2272 FM 1044, from "APD" Agricultural/Pre-Development to "R-1A-4" Single-family Small Lot Residential District, previously proposed to be "ZH-A" Zero Lot Line Home District.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

James Ingalls spoke during the public hearing.

Councilmember Meadows moved to approve the item with 45 foot lots. Mayor Pro Tem Peters seconded the motion which passed unanimously via roll call vote.

D) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 80.16 acres out of the A.M Esnaurizar Eleven League Grant, Abstract No. 20, located southeast of the 700 block of Saengerhalle Road, from "APD" Agricultural/Pre-Development District to "R-1A-4" Single-family Small Lot Residential District, previously proposed to be "ZH-A" Zero Lot Line Home District.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Nick Reynolds spoke during the public hearing.

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

E) Public hearing and first reading of an ordinance amending Chapter 144, Zoning, Section 3.6, Special Use Permits.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

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

F) Public hearing and first reading of an ordinance amending Chapter

144, Zoning, Section 5.3 Landscaping, tree preservation, public trees and screening.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

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

- G) Discuss and consider approval of an ordinance authorizing the issuance of "City of New Braunfels, Texas, Utility System Revenue Refunding and Improvement Bonds, Series 2020," pledging the net revenues of the City's Waterworks, Sanitary Sewer and Electric Light and Power Systems to the payment of the principal of and interest on said bonds; enacting provisions incident and related to the issuance, payment, security, sale and delivery of said bonds; establishing procedures for the sale and delivery of said Bonds; delegating matters relating to the sale and issuance of said Bonds to authorized City and Systems officials and providing an effective date.

Mayor Casteel read the aforementioned caption.

Ian Taylor, Dawn Schriewer, and Duane Westerman presented the item.

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

- H) Discuss and consider approval of a resolution by the New Braunfels Economic Development Corporation amending the contract with the Spark Small Business Center to provide up to \$60,000 in additional funding for augmented business counseling services necessary due to the State of Local Disaster during the COVID-19 pandemic.

Mayor Casteel read the aforementioned caption.

Jeff Jewell presented the item.

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

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 pending/contemplated litigation, settlement offers, and matters related to privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071 of the Texas Government Code, specifically:

- Rafael Marfil, et al. v. City of New Braunfels

Mayor Casteel read the aforementioned caption.

City Council recessed into Executive Session from 7:55 p.m. - 8:10 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.

City Council reconvened into Open Session at 8:10 p.m. via Zoom videoconference. No vote or action was taken.

7. ADJOURNMENT

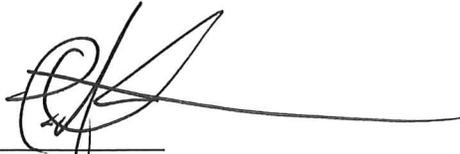
The meeting adjourned at 8:10 p.m.

Date Approved: April 27, 2020



Barron Casteel, Mayor

Attest:



Patrick Aten, City Secretary

