

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, JULY 10, 2017**

The City Council of the City of New Braunfels, Texas, convened in a Regular Session on July 10, 2017, at 6:00 p.m.

City Councilmembers present were:

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

City Staff present were:

City Manager Robert Camareno, Assistant City Manager Kristi Aday, Assistant City Manager Bryan Woods, City Attorney Valeria Acevedo, City Secretary Patrick Aten, Assistant City Secretary Andrea Cunningham, Economic Development Manager Jeff Jewell, Planning and Community Development Director Christopher Looney, Planner Matthew Simmont, Finance Director Martie Simpson, and Grants Coordinator Michele Valadez.

The meeting was called to order by Mayor Casteel in the New Braunfels City Hall Council Chambers at 6:02 p.m. Councilmember Green gave the invocation; and Mayor Casteel led the Pledge of Allegiance and the Salute to the Texas Flag.

PRESENTATIONS:

B) Presentation and discussion on the New Braunfels Police Department's 2016 racial profiling report.

Dr. Alex Del Carmen of Del Carmen Consulting, LLC, presented the New Braunfels Police Department's 2016 Racial Profiling Report.

A) Recognition of partners for the Loop 337 Project.

Mayor Casteel recognized the various partners involved in the Loop 337 Project.

C) Presentation and direction to staff concerning the formulation of a draft policy for the creation of Public Improvement Districts.

Jeff Jewell introduced the item. Managing Principal at Development Planning and Financing Group Rick Rosenberg presented on the creation of Public Improvement Districts.

1. MINUTES

- A) Discuss and consider approval of the minutes of the regular City Council meeting of June 26, 2017.

Mayor Casteel read the aforementioned caption.

A motion was made by Mayor Pro Tem Peters, seconded by Councilmember García, that this item be approved. The motion passed unanimously.

2. CITIZENS' COMMUNICATIONS

No one spoke during Citizens' Communications.

3. CONSENT AGENDA

- A) Approval of a contract with D&M Owens, Inc., for an amount not to exceed \$44,150, for the construction of back-up flow control gates between Landa Lake and the Old Channel of the Comal River.
- B) Approval of acquisition funds for purchasing Right of Way from Sarah W. Edison, Parcel 112 on the Solms/Morningside/Reuckle Road Improvements Project.
- C) Approval of a ratification for the purchase of a propane-fueled pneumatic tire forklift utilizing a grant from the Texas Commission on Environmental Quality through the Alamo Area Council of Governments from Briggs Equipment using a BuyBoard contract.
- D) Approval for the purchase of a traffic signal bucket truck from Chastang Enterprises - Angleton, LLC utilizing a BuyBoard contract.
- E) Approval of the second and final reading of an ordinance to revise the school speed zone on FM 1863 for the New Braunfels Christian Academy.
- F) Approval of the second and final reading of an ordinance regarding the proposed designation of approximately 0.241 acres, Lots 14 and 16 of City Block 1024, addressed as 564 Hill Avenue, as a local historic landmark to be known as the Kopplin-Leitch House.

- G) Approval of the second and final reading of an ordinance regarding Youth Programs Standards of Care for the Parks and Recreation Department.

Approval of the Consent Agenda

Mayor Casteel read the aforementioned captions. A motion was made by Councilmember García, seconded by Councilmember Reaves, to approve the Consent Agenda. The motion passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider a plan to implement the rules related to the disposable container ordinance.

Mayor Casteel read the aforementioned caption.

Robert Camareno presented the item.

Mike Meek, Shane Wolf, and James Reno spoke regarding the item.

City Council directed staff to prepare and make ready educational materials and signage with consistent messaging, with a goal of compliance. City Council directed staff to also implement a date certain of when enforcement will begin. City Council directed staff to increase education and enforcement of the ordinance in all areas with river access.

- B) Discuss and consider approval of the first reading of an ordinance granting rehabilitation tax relief to the property addressed as 195 Jahn Street, a Local Historic Landmark known as the Brietzke Haus.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

A motion was made by Councilmember García, seconded by Councilmember Meadows, that this item be approved. The motion passed unanimously.

- C) Discuss and consider approval of the second and final reading of an ordinance regarding the proposed designation of approximately 0.158

acre, the northeast parts of Lots 1 and 2 of City Block 4066, addressed as 475 Butcher Street, as a local historic landmark to be known as the Boenig-Hartmann House.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

A motion was made by Councilmember García, seconded by Councilmember Reaves, that this item be approved with the historic landmark to be named the Boenig-Maurer House. The motion passed unanimously via roll call vote.

D) Public hearing and consideration of the first reading of an ordinance regarding the proposed rezoning of approximately 74 acres comprising a 60.579 acre tract out of the A-20, A M Esnaurizar Survey, addressed at 1584 and 1568 Weltner Road, and the 13.421 acre Countryville Subdivision, from “APD” Agricultural/Pre-Development District and “R-1A-6.6” Single-Family District to Weltner Farms Planned Development District (WFPD).

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

James Ingalls and Jack Scanio spoke during the public hearing.

A motion was made by Councilmember Meadows, seconded by Councilmember Reaves, that this item be approved with the condition that lots located in Area 1 have a minimum lot width of fifty feet. The motion passed unanimously.

E) Public hearing on the draft 2017 Community Development Block Grant One-Year Action Plan and Fair Housing Plan.

Mayor Casteel read the aforementioned caption.

Martie Simpson, Michele Valadez, Community Development Block Grant Consultant Paula Harper, and Community Development Advisory Committee Chair Harry Bowers presented the item.

Tricia Schneider, Mario Obledo Jr., and Ken Lowery spoke during the

public hearing.

- F) Discuss and consider approval of an ordinance of the City Council of the City of New Braunfels, Texas authorizing the issuance of "City of New Braunfels, Texas General Obligation Refunding Bonds, Series 2017", levying an annual Ad Valorem Tax, within the limitations prescribed by law, for the payment of the bonds, prescribing the form, terms, conditions and resolving other matters incident and related to the issuance, sale and delivery of the bonds; authorizing the execution of a paying agent/registrars agreement, a purchase and investment letter, and an escrow and trust agreement, complying with the letter of representation on file with the depository trust company, authorizing the execution of any necessary engagement agreements with the City's financial advisors and/or bond counsel; and providing an effective date.

Mayor Casteel read the aforementioned caption.

Martie Simpson and SAMCO Capital Markets Managing Director Andrew Friedman presented the item.

A motion was made by Councilmember Reaves, seconded by Mayor Pro Tem Peters, that this item be approved. The motion passed unanimously via roll call vote.

5. EXECUTIVE SESSIONS

- A) Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning 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:
- Alta Towers, LLC v. City of New Braunfels and City of New Braunfels Zoning Board of Adjustment
 - Carowest Land, Ltd. v. Yantis Company and the City of New Braunfels, (2010, 2015, and 2017 cases)
 - Yantis Company vs. City of New Braunfels, et. al. (2014 case)
 - Stop the Ordinances Please, et. al. v. City of New Braunfels.
- B) Deliberate and consider the purchase of, exchange, lease or value of real property, in accordance with Section 551.072, of the Texas Government Code, including but not limited to:
- acquisition of land for city facilities

Mayor Casteel read the aforementioned captions with the exception of:

- Stop the Ordinances Please, et. al. v. City of New Braunfels.

City Council recessed into Executive Session from 8:42 p.m. - 9:57 p.m.

No vote or action was taken.

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 9:57 p.m.

No vote or action was taken.

This regular meeting adjourned at 9:58 p.m.

Date Approved: July 24, 2017

BARRON CASTEEL, MAYOR

Attest:

PATRICK ATEN, CITY SECRETARY