

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, APRIL 23, 2018**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on April 23, 2018, at 6:00 p.m.

City Councilmembers present were:

Present: 6 - Mayor Barron Casteel, Councilmember Justin Meadows, Councilmember Ron Reaves, Councilmember Chris Moncebaldez, Mayor Pro Tem Wayne Peters, and Councilmember Shane Hines

Absent: 1 - Councilmember Leah García

City staff present were: City Manager Robert Camareno, City Attorney Valeria Acevedo, Assistant City Manager Bryan Woods, Assistant City Manager Kristi Aday, City Secretary Patrick Aten, Assistant City Secretary Drew Lyons, Library Director Gretchen Pruett, Planning and Community Development Director Chris Looney, Assistant Planning and Community Development Director Stacy Snell, Public Works Director Greg Malatek, and Parks and Recreation Director Stacey Dicke.

The meeting was called to order by Mayor Casteel in the New Braunfels City Hall Council Chambers at 6:01 p.m. Councilmember Meadows gave the invocation and Mayor Casteel led the Pledge of Allegiance and Salute to the Texas Flag.

PROCLAMATIONS:

A) Historic Preservation Month

Mayor Casteel proclaimed May 2018 as Historic Preservation Month.

B) Councilmember Ron Reaves, EdD

Mayor Casteel recognized Ron Reaves for his work with the Comprehensive Plan.

C) Cory Elrod

Mayor Casteel recognized Cory Elrod for his service on the Planning Commission.

PRESENTATIONS:

A) Presentation regarding a request from the City of Seguin to release properties within the New Braunfels ETJ to allow them to be annexed into the City of Seguin.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No action was taken.

1. MINUTES

- A) Discuss and consider approval of the minutes of the regular City Council meeting of April 9, 2018.

Mayor Casteel read the aforementioned caption.

Mayor Pro Tem Peters moved to approve the minutes. Councilmember Meadows 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.

Gretchen Pruett spoke about the benefits of the trap-neuter-release program.

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 four individuals to the Historic Landmark Commission for terms ending April 7, 2022.
- B) Approval of the Heritage Commission recommendations for allocating grant awards from hotel occupancy tax to various heritage organizations of the City and authorizing the City Manager to execute

contracts with the aforementioned organizations for the purpose of disbursement and use of funding.

- C) Approval of the Arts Commission recommendations for allocating grant awards from hotel occupancy tax to various arts organizations of the City and authorizing the City Manager to execute contracts with the aforementioned organizations for the purpose of disbursement and use of funding.
- D) Approval of a Buyboard contract for the purchase of Audio/Visual Equipment from Ford Audio-Video Systems, LLC for the Exhibit Hall of the Civic/Convention Center for \$146,568.52.
- E) Approval of a purchase for camera kits for Solid Waste and Recycling collection vehicles from Texan Waste Equipment, Inc. dba Heil of Texas through a Buyboard Cooperative contract for \$167,958.
- F) Approval of a Fire Department rescue truck to be declared as surplus to allow unit to be utilized as a trade-in vehicle for a new multi-purpose fire engine from Siddons-Martin Emergency Group, LLC.
- G) Approval of the purchase of a new multi-purpose frontline fire engine from Siddons-Martin Emergency Group, LLC., utilizing a BuyBoard cooperative purchasing contract, and approval of a resolution with Government Capital Corporation for short term financing.
- H) Approval of a temporary road closure for the third annual Dia de los Muertos Festival on October 27, 2018.
- I) Approval of an Aerial Electric Line Easement between the City of New Braunfels and LCRA Transmission Services Corporation for upgrades to an existing electric line easement on a property identified as a 1.02 acre tract out of Landa Park Highlands No. 2, Block 5, City of New Braunfels, Comal County, Texas.
- J) Approval of a resolution setting a public hearing to amend the water and wastewater impact fees.
- K) Approval of a contract with T.F. Harper & Associates for construction services on Airport Terminal Repairs and authorization for the City Manager to approve any change orders up to a ten percent contingency as well as all other necessary project expenditures.
- L) Approval of a contract with Curran Contracting Company for the New

Braunfels Regional Airport Taxilane Extension and Access Road Project and a contract with KSA Engineers, Inc. for Construction Administration Services and approval for the City Manager to authorize any project expenditures up to a 10 percent contingency.

- M) Approval of the renewal of annual contracts for the purchase of road construction materials, purchase of green waste collection bags, and services provided by an investment advisor.
- N) Approval of a contract with Lee Engineering, LLC to conduct a signal timing study on the SH 46 West corridor for the Engineering Division.

Ordinances

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

- O) Approval of the first reading of an ordinance amending Article V Section 86-7(d) of the Code of Ordinances to define revenue collected from paid parking at Prince Solms Park to go to the River Activities Fund.
- P) 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 D.
- Q) Approval of the second and final reading of an ordinance amending Section 126-354 of the City of New Braunfels Code of Ordinances to create a new Parking by Permit Area M.

Mayor Casteel read the aforementioned captions, except items 3I and 3J which were pulled from the agenda by NBU. There was no action for items 3I and 3J.

Councilmember Monceballez moved to approve the Consent Agenda except items 3I and 3J. Mayor Pro Tem Peters seconded the motion which passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider possible action for a proposed response to the Environmental Protection Agency on its proposed Ozone National Ambient Air Quality Standard designation.

Mayor Casteel read the aforementioned caption.

Mayor Pro Tem Peters presented the item.

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

- B) Discuss and consider approval of a resolution approving a settlement agreement between the City and Centerpoint Energy Entex with regard to Centerpoint's statement of intent to increase rates which was filed on November 16, 2017.

Mayor Casteel read the aforementioned caption.

Valeria Acevedo and Alfred Herrera presented the item.

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

- C) Discuss and consider approval of the first reading of an ordinance amending Chapter 114 of the City's Code of Ordinances to add regulations regarding the use of public right-of-way in a portion of Downtown New Braunfels for sidewalk cafes, and amending Appendix D to include associated fees.

Mayor Casteel read the aforementioned caption.

Amy McWhorter presented the item.

Councilmember Hines moved to approve the item as proposed. Councilmember Reaves seconded the motion which passed 5-1, with Mayor Pro Tem Peters opposed.

- D) Discuss and consider approval of the first reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking on both sides of the 500 block of Hill Avenue.

Mayor Casteel read the aforementioned caption.

Greg Malatek presented the item.

Bonnie Leitch spoke in favor of the item.

Councilmember Meadows moved to approve the item. Councilmember Reaves seconded the item which passed 5-1, with Councilmember Monceballez opposed.

- E) Public hearing and first reading of an ordinance amending Section 126-354 of the City of New Braunfels Code of Ordinances to create a new Parking by Permit Area N.

Mayor Casteel read the aforementioned caption.

Greg Malatek presented the item.

No one spoke during the public hearing.

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

- F) Public hearing and first reading of an ordinance regarding the proposed rezoning of 0.873 acres out of the J. M. Veramendi A-22 Survey, addressed at 2420 Katy Street, from "M-1" Light Industrial District to "ZH-A" Zero Lot Line Home District.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Brenda Chapman, Santos Rodriguez, Jim Hawkins, Ralph Martinez, Paul Williams, and Robert Rosales spoke during the public hearing.

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

After item 4K, Councilmember Reaves moved to untable the item. Councilmember Meadows seconded the motion, which passed unanimously.

Councilmember Reaves moved to approve item 4F. Councilmember Meadows seconded the motion which passed unanimously.

- G) Public hearing and first reading of an ordinance regarding the proposed rezoning request to apply a Special Use Permit to allow the

short-term rental of a single family dwelling in the "C-2" Central Business District, on a portion of Lot 5, City Block 2017, addressed at 162 Meusebach Street.

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 with staff recommendations. Councilmember Hines seconded the motion, which passed unanimously.

- H) Public hearing and first reading of an ordinance regarding the proposed rezoning request to apply a Special Use Permit to allow the bulk storage of up to 80,000 gallons of fuel in belowground storage tanks on approximately 2.43 acres in the "C-3" Commercial District, on Lot 1R, Johnson Commercial Subdivision, addressed at 4340 South IH 35.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Nathan Dolle and Doug Payne spoke during the public hearing.

Councilmember Hines moved to approve the item with the additional requirement that drainage affecting adjacent properties be improved with the project. Councilmember Reaves seconded the motion, which passed unanimously.

- I) Public hearing and consideration of the first reading of an ordinance regarding the proposed amendment to Ordinance No. 2011-97, adding "Boutique Hotel" as a permitted use in the "Gruene Lake Village" Special District.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

No one spoke during the public hearing.

Councilmember Reaves moved to approve the item with staff recommendations. Councilmember Hines seconded the motion, which passed unanimously.

- J) Discuss and consider a waiver from the requirement to construct sidewalks along Safari Drive for the proposed final plat of Lots 4R and 5, Engel Road Industrial Park.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Councilmember Hines moved to approve the item. Councilmember Meadows seconded the motion, which passed 5-1, with Councilmember Reaves opposed.

- K) Discuss and consider approval of a resolution of the City Council of the City of New Braunfels, Texas, granting recognition to the New Braunfels Police Officers Association as the sole and exclusive bargaining agent for city police officers, and determining that the City may meet and confer with the Association without an election by the voters in the City.

Mayor Casteel read the aforementioned caption.

Robert Camareno and Valeria Acevedo presented the item.

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

- L) Public hearing and first reading of an ordinance regarding Youth Programs Standards of Care for the Parks and Recreation Department.

Mayor Casteel read the aforementioned caption.

Stacey Dicke presented the item.

No one spoke during the public hearing.

Councilmember Monceballez moved to approve the item.

Councilmember Meadows seconded the motion, which passed unanimously.

M) Discuss and consider approval of a resolution authorizing the City Manager to enter into an agreement for the replacement of a concrete box culvert located west of Highway 46 (Texas Loop 337) between Church Hill Drive and Manhattan Street.

Mayor Casteel read the aforementioned caption.

Bryan Woods presented the item.

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

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.

The City Council did not have an Executive Session.

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

7. ADJOURNMENT

The meeting adjourned at 8:42 p.m.

Date Approved: May 14, 2018

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary