

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, JUNE 24, 2019**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on June 24, 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 Hines gave the invocation and Mayor Casteel led the Pledge of Allegiance and Salute to the Texas Flag.

PROCLAMATIONS:

A) Pride Month

Mayor Casteel proclaimed June as Pride Month.

PRESENTATIONS:

A) Presentation and update on the Bond and TIRZ Capital Projects.

Mayor Casteel read the aforementioned caption.

Jennifer Cain presented the item.

David Warmke spoke on the item.

1. MINUTES

A) Discuss and consider approval of the minutes of the regular City Council meeting of June 10, 2019.

Mayor Casteel read the aforementioned caption.

Councilmember Garcia moved to approve the item. Mayor Pro Tem Peters 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.

David Warmke and Craig O'Shea 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 a contract amendment for Pape Dawson Engineers, Inc in the amount of \$41,000 regarding the re-bid and construction services of San Antonio Street from Krueger Lane to Spur as part of the 2019 City Wide Streets Bond Program.
- B) Approval of a contract modification with Brown, Reynolds, and Watford Architects to provide final design, bid phase, and construction phase services under the existing Fire Stations #2 and #3 design contracts and approval of the issuance of an invitation for competitive sealed proposals since the City Council finds that this delivery method will provide the best value to the City.
- C) Approval of a contract with Brown, Reynolds, and Watford Architects to provide final design, bid phase, and construction phase services for Fire Station #7, including a Fire Training Facility; approval of an issuance of an invitation for competitive sealed proposals as the procurement method for construction of this project; and approval of a purchase of an ambulance from Frazer, and the purchase of an aerial ladder truck from Siddons Martin to be housed at Fire Station #7.
- D) Approval of a contract with Freese & Nichols, Inc. for final design, bidding, and construction phase services for the Comal Cemetery Guadalupe River bank stabilization project and as part of the 2019 Bond Program and approval of the issuance of an invitation for competitive sealed proposals since the City Council finds that this delivery method will provide the best value to the City.

- E) Approval of the issuance of an invitation for competitive sealed proposals as the project delivery method and approval for a contract modification with Pape-Dawson Engineers, Inc. for final design, bidding and construction administration for Klein Road Phase II as part of the 2019 Bond Program.
- F) Approval of the issuance of an invitation for competitive sealed proposal as the project delivery method and approval of a contract amendment with Norris Design for final design services, bidding and construction administration for the Sports Complex as part of the 2019 Bond Program.
- G) Approval of the issuance of an invitation for competitive sealed proposals for Kerlick Lane, California Boulevard, and Oak Run Sidewalk Projects since the City Council finds that this delivery method will provide the best value to the City.
- I) Approval of the issuance of an invitation for competitive sealed proposals for San Antonio Street from Academy Street to Walnut Avenue as part of the 2013 Bond Program since the City Council finds that this delivery method will provide the best value to the City.
- J) Approval of the Mayoral appointment of four individuals to the New Braunfels Partnership Committee for terms ending August 1, 2022.
- K) Approval of the appointment of one individual to the Animal Services Advisory Board.
- L) Approval of a resolution recommended by the New Braunfels Economic Development Corporation to approve a project expenditure for engineering work and closing costs associated to acquire an approximate 60-acre tract of land located at Kohlenberg Lane, said land being acquired for an economic development project authorized by Local Government Code, Chapters 501 and 505, as amended.
- M) Approval of an amendment to the authorized position listing in the FY 2018-19 Development Services Fund.
- N) Approval of multiple professional services contracts with pre-qualified firms to provide construction material testing and inspection services, on an as-needed basis.
- O) Approval of a professional services contract with Pape-Dawson

Engineers, Inc. for the evaluation and development of an Accessibility Transition Plan on the City's programs, buildings, parks and public right-of-way facilities, resulting in a report of deficiencies and needed improvements for compliance with Americans with Disabilities Act.

- P) Approval of a contract with Pape-Dawson Engineers, Inc. to provide civil engineering services to develop a workplan for an update to the City's Drainage Area Master Plan.
- Q) Approval of a contract with the National Development Council and authorize the City Manager to execute all necessary documents.
- R) Approval of a five-year renewal of the current agreement beginning October 1, 2019 until September 30, 2024, between the City of New Braunfels and the Greater New Braunfels Chamber of Commerce Inc. concerning the use of Hotel Occupancy Tax.
- S) Approval of a purchase with Austin Turf and Tractor for a John Deere 2500B Precision Cut Diesel Greens Mower for the Landa Park Golf Course through Buy Board Contract at a cost of \$38,675 and the appropriate budget amendment.

Ordinances

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

- T) Approval of the second and final reading of an ordinance amending Appendix D-Fee Schedule in the City's Code of Ordinances to change residential fees from valuation-based calculations to per square-foot calculations and flat fees.

Mayor Casteel read the aforementioned captions, except Item H which was pulled from the Consent Agenda by a citizen for discussion.

Councilmember Garcia moved to approve the Consent Agenda except Item H. Councilmember Hoyt seconded the motion which passed unanimously via roll call vote.

- H) Approval of a resolution recommended by the New Braunfels Economic Development Corporation to approve a project expenditure of \$15,000,000 to the City for the construction of the Sports Field Complex, an economic development project authorized by Local Government Code, Chapters 501 and 505, as amended.

Mayor Casteel read the aforementioned caption.

Jordan Matney presented the item.

No one spoke on the item.

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

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of the appointment of two individuals to the Downtown Board for terms ending May 31, 2021, and May 31, 2022.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Hoyt moved to appoint Pat Butler and Jenny Wilson to the Downtown Board. Councilmember Meadows seconded the motion which passed unanimously.

- B) Discuss and consider approval of a resolution in support of a countywide polling place program within Comal County.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

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

- C) Discuss and consider approval of a contract with BFI Waste Services of Texas, LP dba Republic Services of San Antonio to provide processing services for the City of New Braunfels' Recycling Program.

Mayor Casteel read the aforementioned caption.

Mike Mundell presented the item.

David Warmke and Wilton Warnecke spoke on the item.

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

- D) Public hearing and possible direction to staff regarding the U.S. Department of Housing and Urban Development Community Development Block Grant Annual Action Plan and funding recommendations for Program Year 2019.

Mayor Casteel read the aforementioned caption.

Jennifer Gates presented the item.

Tricia Schneider, David Warmke, Mario Obledo, and Kay Scott spoke during the public hearing.

No action was taken.

<City Council took a break.>

- E) Public hearing and first reading of an ordinance regarding the proposed rezoning to apply a Type 2 Special Use Permit to allow a bed and breakfast in the "R-2" Single-Family and Two-Family District on Lot 4, City Block 5021, addressed at 555 South Union Avenue.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

The item failed due to a lack of a motion.

- F) 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.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Brandon Boyd and Rene de la Cruz spoke on the item.

Councilmember Hines moved to postpone the item to July 22. Councilmember Meadows seconded the motion which passed unanimously.

- G) Public hearing and consideration of a proposed amendment to the Veramendi Development Design & Control Document (DDCD).

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Chris O'Conner spoke on the item.

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

- H) Discuss and reconsider approval of the second and final reading of an ordinance regarding a proposed rezoning to amend a Special Use Permit to include a utility shed in the "C-2" Central Business District on Lot 32R, New City Block 2016, addressed at 468, 476, and 486 N. Market Avenue.

This item was pulled from consideration.

- I) Discuss and consider approval of the creation of the Affordable Housing Advisory Taskforce.

Mayor Casteel read the aforementioned caption.

Robert Camareno presented the item.

David Warmke and Kandace Tornquist spoke on the item.

Mayor Pro Tem Peters moved to create the Workforce Housing Advisory Committee to be comprised of 15 members with representatives from Community Development Advisory Committee, Four Rivers Association of Realtors, GNB Home Builders Association, local banking or mortgage lending industry, McKenna Foundation, GNB Chamber of Commerce, NBEDC, NB Housing Authority, NBU, Planning

Commission, NB Housing Partnership, Habitat for Humanity, and three at-large members. Councilmember Hines seconded the motion which passed unanimously.

- J) Discuss and consider approval to authorize the City Manager to enter into a license agreement between the City of New Braunfels and Angel Brothers Enterprises, Ltd for encroachments in the public right-of-way on Krueger Canyon.

Mayor Casteel read the aforementioned caption.

Garry Ford presented the item.

Councilmember Garcia moved to approve the item. Councilmember Bowers 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.

- A) 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
- B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code, including but not limited to:
 - Project Nautilus

Mayor Casteel read the aforementioned captions.

City Council reconvened into Executive Session from 8:07 p.m. - 8:16 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. No vote or action was taken.

7. **ADJOURNMENT**

The meeting adjourned at 8:17 p.m.

Date Approved: July 8, 2019

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary