



CITY OF NEW BRAUNFELS, TEXAS

**CITY COUNCIL MEETING
MINUTES**

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

MONDAY, JUNE 28, 2021 at 6:00 PM

*Rusty Brockman, Mayor – present
Shane Hines, Councilmember (District 1) – present
Justin Meadows, Mayor Pro Tem (District 2) – present
Harry Bowers, Councilmember (District 3) – present
Lawrence Spradley, Councilmember (District 4) – present
Jason Hurta, Councilmember (District 5) – present
James Blakey, Councilmember (District 6) – present*

The meeting was called to order by Mayor Brockman at 6:04 p.m. Councilmember Hines gave the invocation and Mayor Brockman led the Pledge of Allegiance and Salute to the Texas Flag.

PROCLAMATIONS:

- A) The International Year of Caves and Karst

Mayor Brockman presented the proclamation.

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.

Valerie Tolbirt, Timothy Davis, David Gonzalez, Mark Hampton, Wayne Rudolph, Jim Holster, Kevin Robles, Thor Thornhill, and Chase Cochran spoke during Citizens Comments.

PRESENTATIONS:

- A) Notice of July 14th Meeting for Public Outreach for Development of the FY 2022 Street Maintenance Plan.
Greg Malatek, Public Works Director

Greg Malatek spoke to this item.

The following individual spoke to this item: Jim Holster

1. MINUTES

- A) Discuss and consider approval of the minutes of the City Council meeting of June 14, and the Executive Session meeting of June 14.
Caitlin Krobot

Councilmember Hines moved to approve the item. Councilmember Hurta seconded the motion which was approved unanimously via roll call.

2. 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 an amendment to an existing Memorandum of Understanding between the City and New Braunfels Utilities (NBU) for the for the payment of funds to NBU for a temporary, part-time Watershed Educator position at the Headwaters at the Comal.
Mark Enders, Watershed Program Manager
- B) Approval of the City of New Braunfels FY 2021 Second Quarter Investment report.
Sandy Paulos, Assistant Chief Financial Officer
- C) Approval for a purchase through Siddons-Martin Emergency Group, LLC for a new stock fire engine built by Pierce Manufacturing for an amount not to exceed \$725,000 and the appropriate budget amendment.
Patrick O'Connell, Fire Chief

Ordinances

(In accordance with Section 3.10 of the City Charter, a descriptive

caption of each ordinance shall be read on two separate days.)

- D) First reading of an ordinance regarding the requested abandonment of a 0.366-acre portion of Tolle Street Right-of-Way, located between South Gilbert Avenue and the terminus of Tolle Street.
Christopher J. Looney, AICP; Planning and Development Services Director
- E) 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 as well as an increase to FY 2021 Adopted Budget authorized position listing.
Robert Camareno, City Manager
- F) Approval of the second reading of an ordinance providing the right to New Braunfels Utilities Board of Trustees Members to waive annual compensation and to revoke such waiver and reinstate annual compensation at any time.
Ian Taylor, chief Executive Officer, New Braunfels Utilities (NBU)

Mayor Brockman read the aforementioned captions into record.

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

Councilmember Blakey made a motion to move individual item 3H to the beginning of individual items for consideration to accommodate family members present for the item. Councilmember Hines seconded the motion which was passed unanimously via roll call vote.

3. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Public hearing and first reading of an ordinance regarding the proposed rezoning of Lot 15 and a portion of Lot 14, Block A, Guada Coma Subdivision, addressed at 46 Guada Coma Drive, from "R-1A-6.6" Single-family District to "R-2A" Single-family and Two-family District.
Christopher J. Looney, AICP; Planning and Development Services Director

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individuals spoke to this item: J.R. Berry, Penny Snell, Weldon Price, Nancy Ford, Karen Price, Jerry Ford, Kaia Schroeder, Gordon Schroeder, and Timothy Davis.

Councilmember Hines moved to postpone this item indefinitely and waive any fees to the property owner. Seconded by Councilmember

Bowers which passed unanimously via roll call vote.

- B) Public hearing and first reading of an ordinance regarding a proposed rezoning of approximately 60.1 acres out of the J. Thompson Survey, A-608 and William H. Pate Survey, A-259 located east of the intersection of FM 1044 and Michelson Lane, from “APD” Agricultural/Pre-Development District to “ZH-A” Zero Lot Line Home District.
Christopher J. Looney, AICP, Planning and Development Services Director

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individuals spoke to this item: David Ortiz, Sarah Ortiz, Barbara Cooper, William Rogers, Jeffery Martin, Tanner Hague, David Gonzalez, and Thor Thornhill.

Mayor ProTem Meadows moved to approve this item. Councilmember Hines seconded the motion which passed via roll call 6/1 with Councilmember Spradley in opposition.

Mayor Brockman took a break at 8:49 pm and reconvened at 9:00 p.m.

- C) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Type 2 Special Use Permit to adopt a site plan and establish development standards for an RV Resort on approximately 29 acres consisting of Lot 1D-R Walnut Heights Subdivision and approximately 25 acres out of the J. M. Veramendi A-2 Survey, located in the 700 block of N. Walnut Avenue.
Christopher J. Looney, AICP; Planning and Development Services Director

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individuals spoke to this item: James Ingalls and William Rogers.

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

- D) Public hearing and first reading of an ordinance to revise sections 144 -1.3, Definitions, to define efficiency/studio apartments, and 144-5.1-3 Schedule of Required Spaces to identify parking standards for efficiency/studio apartments.

Jean Drew, AICP, CNU-A, Planning and Development Services Assistant Director.

Mayor Brockman read the aforementioned caption.

Jean Drew presented this item.

No individual spoke to this item.

Councilmember Hurta moved to approve this item. Councilmember Blakey seconded the motion which passed unanimously via roll call vote.

- E) Discuss and consider approval of a resolution of the City of New Braunfels, Texas consenting to the creation of Comal County Water Improvement District, Number 3 located in the City's extraterritorial jurisdiction.
Jeff Jewell, Economic and Community Development Director

Mayor Brockman read the aforementioned caption.

Jeff Jewell presented this item.

No individual spoke to this item.

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

- F) Discuss and consider adoption of the Development Agreement and associated exhibits for Comal County Water Improvement District Number 3, which is in the Extraterritorial Jurisdiction of the City.
Jeff Jewell, Economic and Community Development Director

Mayor Brockman read the aforementioned caption.

Jeff Jewell presented this item.

No individual spoke to this item.

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

- G) Discuss and possible action of a sponsorship program for the new Westside

Branch of the New Braunfels Public Library.
Gretchen Pruett, Library Director
Mayor Brockman read the aforementioned caption.

Gretchen Pruett presented this item.

The following individual spoke to this item. William Rogers

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

- H) Second 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 its associated funding recommendations for Program Year 2021.
Jennifer Gates, Grants Coordinator

Mayor Brockman read the aforementioned caption.

Jennifer Gates presented this item.

The following individual spoke to his item: William Rogers

No action needed at this time.

- I) Public Hearing and the first reading of an Ordinance of the City Council of the City of New Braunfels, Texas Amending the Project Plan and Reinvestment Zone Financing Plan for the Reinvestment Zone Number One, City of New Braunfels, Texas; Approving a Second Amendment to the Economic Development Agreement Between the City of New Braunfels, Texas, and A-L 95 Creekside in Town Center, L.P.; and Other Matters Connection Therewith
Jared Werner, Chief Financial Officer

Mayor Brockman read the aforementioned caption.

Jared Werner presented this item.

No individual spoke to this item.

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

- J) Discuss and consider a waiver from Section 118-49(a) of the Subdivision Platting Ordinance to allow an alternative pedestrian access plan adjacent to existing Zipp Road for the Highland Ridge Subdivision.
Christopher J. Looney, AICP; Planning and Development Services Director

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individuals spoke to this item: Chris VanHerdee and William Rogers.

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

- K) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family dwelling in the "C-3" Commercial District, addressed at 218 South Peach Avenue.
Christopher J. Looney, AICP, Planning and Development Services Director

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individual spoke to this item: Senaido Rodriguez Jr.

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

- L) Discuss and consider a resolution to remove a segment of the Minor Arterial identified in the City of New Braunfels Thoroughfare Plan that is the future extension of County Line Road from FM 1044 to Engel Road associated with the proposed 1845 Subdivision located at 1890 FM 1044.
Garry Ford, Assistant Public Works Director/City Engineer

Mayor Brockman read the aforementioned caption.

Garry Ford presented this item.

The following individuals spoke to this item: John McClish and William Rogers.

Item dies for lack of motion.

- M) Appeal hearing for relief from apportionment of municipal infrastructure costs associated with the proposed 1845 Subdivision located at 1890 FM 1044.
Garry Ford, Jr., Assistant Public Works Director/City Engineer

Mayor Brockman read the aforementioned caption.

Garry Ford presented this item.

No individual spoke to this item.

No action needed at this time. City Council shall consider this request after the appeal hearing. City Council shall consider the petition within 30 days of the submission of the study and any additional evidence submitted by Mr. McClish and the applicant. City Council shall make a decision within 30 days of the final submission. The target date is July 26, 2021.

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).

ADJOURNMENT

Mayor Brockman adjourned at 11:14 p.m.

Rusty Brockman, Mayor

Caitlin Krobot, City Manager

DRAFT