

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, JUNE 26, 2017**

The City Council of the City of New Braunfels, Texas, convened in a Regular Session on June 26, 2017, at 6:00 p.m.

City Councilmembers present were:

Present: 6 - Mayor Barron Casteel, Councilmember Justin Meadows, Councilmember Ron Reaves, Councilmember Chris Monceballez, Mayor Pro Tem Wayne Peters, and Councilmember Leah García

Absent: 1 - Councilmember George Green

City Staff present were:

City Manager Robert Camareno, Assistant City Manager Kristi Aday, City Attorney Valeria Acevedo, City Secretary Patrick Aten, Assistant City Secretary Andrea Cunningham, Public Works Director Greg Malatek, Planning and Community Development Director Christopher Looney, and Planning Manager Stacy Snell.

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

PROCLAMATIONS:

A) Pat's Place

Mayor Casteel recognized the 40th Anniversary of Pat's Place.

1. MINUTES

A) Discuss and consider approval of the minutes of the special City Council meeting of June 1, 2017, and the regular City Council meeting of June 12, 2017.

Mayor Casteel read the aforementioned caption.

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

passed unanimously.

2. CITIZENS' COMMUNICATIONS

Chandler Gray spoke regarding children and river safety.

3. CONSENT AGENDA

- A) Approval of the appointment of one individual to the Airport Advisory Board for a term ending May 12, 2019.
- B) Approval of a budget transfer in the Enterprise Maintenance and Equipment Replacement Fund.
- C) Approval of a Memorandum of Understanding between the City of New Braunfels and the Comal County Integrated Response Committee regarding inter-agency cooperation and response to active threats.
- D) Approval of the ratification of a grant application to the FY2016 Fire Prevention and Safety Grant under the Federal Emergency Management Agency in the amount of \$132,560 for the purchase of a fire demonstration trailer with educational equipment, and authorizing the City Manager to accept funds and execute all contract documents associated with the grant if awarded.
- E) Approval of the submission of a grant application to the U.S. Department of Justice FY 2017 Bulletproof Vest Partnership program for \$52,507.50 and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant, if awarded.
- F) Approval to apply for a sub-award of the Grants to States Program from the Texas State Library and Archives Commission's federal funder, Institute of Museum and Library Services to be applied to Interlibrary Loan Lends program costs incurred during State Fiscal Year 2017, and authorizing the City Manager to execute all contract documents associated with the grant and accept funds if awarded.
- G) Approval of a resolution supporting a request from Guadalupe-Blanco River Authority (GBRA) to the Public Utility Commission (PUC) to expand GBRA's Certificate of Convenience and Necessity (CCN) into areas of New Braunfels' city limits and extraterritorial jurisdiction (ETJ).
- H) Approval of a grant application to the National Park Service for

technical assistance with community trail planning and authorizing the City Manager to execute all contract documents associated with the grant if awarded.

- I) Approval to authorize City Staff and SAMCO Capital Markets, Inc to proceed with the potential issuance of General Obligation Refunding Bonds, Series 2017 for debt service savings.
- J) Approval of the issuance of an invitation for competitive sealed proposals for the Alves Lane Project since the City Council finds that this delivery method will provide the best value to the City.
- K) Approval of the first reading of an ordinance amending Section 126-346 of the Code of Ordinances to amend the no parking zone on East Faust Street near the intersection with Comal Avenue.
- L) Approval of the first reading of an ordinance amending Ordinance 75-10 of the City of New Braunfels Code of Ordinances to amend the locations of traffic control devices in the Quail Valley Subdivision.
- M) Approval of the second and final reading of an ordinance to create a regulatory construction speed zone on portions of Loop 337.

Approval of the Consent Agenda

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

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Presentation, discussion, and possible action on the 2018 Comal Appraisal District Budget.

Mayor Casteel read the aforementioned caption.

Mayor Pro Tem Peters introduced the item, and Comal Appraisal District Chief Appraiser Hector Lozano presented the item.

No action was taken.

- B) Discuss and consider the appointment of one individual to the Community Development Advisory Committee for a term ending December 13, 2017.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

A motion was made by Councilmember Monceballez, seconded by Mayor Pro Tem Peters, to appoint John Goodwin to the Community Development Advisory Committee for a term ending December 13, 2017. The motion passed unanimously.

- C) Discuss and consider possible direction to city staff on amending Section 126-354 of the City of New Braunfels Code of Ordinances to remove a portion of Parking by Permit Area I and create a loading zone on East Coll Street.

Mayor Casteel read the aforementioned caption.

Greg Malatek presented the item.

No direction was given. No action was taken.

- D) Discuss and consider approval of the second and final reading of an ordinance prohibiting parking along both sides of a portion of Saengerhalle Road.

Mayor Casteel read the aforementioned caption.

Greg Malatek presented the item.

A motion was made by Councilmember Meadows, seconded by Councilmember Reaves, that this item be approved. The motion passed via the following roll call vote:

In Favor:

Mayor Casteel, Councilmember Meadows, Councilmember Reaves, Councilmember Monceballez, and Mayor Pro Tem Peters

Opposed:

Councilmember García

- E) Discuss and consider possible action regarding an amendment to the authorized position listing for the the Parks and Recreation Department for the addition of a full time Recreation Center Manager.

Mayor Casteel read the aforementioned caption and stated that this item was pulled from consideration. No discussion or action was taken.

<City Council took a break.>

- F) Discuss and consider approval of a resolution authorizing an expenditure of up to \$250,000 to the New Braunfels Independent School District for a project to make qualified improvements to Oak Run Middle School and New Braunfels Middle School sports fields.

Mayor Casteel read the aforementioned caption.

Robert Camareno presented the item.

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

- G) 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 spoke during the public hearing.

A motion was made by Councilmember Reaves, seconded by Councilmember Meadows, that this item be postponed to the Regular City Council meeting of July 10, 2017. The motion passed unanimously.

- H) Public hearing and consideration of the first 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.

No one spoke during the public hearing.

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

- I) Public hearing and consideration of the first 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.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

No one spoke during the public hearing.

A motion was made by Councilmember Reaves, seconded by Councilmember Meadows, that this item be approved with staff recommendations. The motion passed unanimously.

- J) Public hearing and consideration of a resolution amending the 2006 Future Land Use Plan, and consideration of the second and final reading of an ordinance regarding an amendment to Ordinance No. 2017-29, the "Highland Grove" Planned Development District Concept Plan, to remove 11.64 acres from "Highland Grove" Planned Development District (HGPD) and rezone the 11.64 acres and 38.1 acres out of the William H. Pate Survey, Abstract No. 259 and R. Ximenez Survey, Abstract No. 347, Guadalupe County, Texas, from "R-1A-6.6" Single Family District to "Highland Gardens" Planned Development District (HGARDPD), adopting a Concept Plan and associated Development Standards, located on FM 1044.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

Tony Wisdom and James Ingalls spoke during the public hearing.

A motion was made by Councilmember Monceballez, seconded by Councilmember García, that this item be approved with staff recommendations, and the condition that the Highland Gardens detention pond closest to FM 1044 will be designed to reduce the peak storm water discharge flow rate for the two year, five year, ten year, twenty five year, fifty year, and one hundred year storm events by greater than, or equal to, ten percent below the calculated existing peak storm water flow rate, based on the rainfall intensities in the current City of New Braunfels Drainage and Erosion Control Design Manual at the time of the approval of this Planned Development District. The motion passed unanimously.

- K) Discuss and consider approval of a resolution authorizing the use of Eminent Domain Proceedings under Chapter 251 of the Texas Local Government Code and Section 2.03 and Section 11.08 of the City of New Braunfels Municipal Charter, on that Parcel owned by Joyce T. Weltner Living Trust, being a 3.564-acre tract situated in the A.M. Esnaurizar Eleven League Grant, Guadalupe County, Texas out of that certain 65 acre tract (tract two) described in Volume 1315, page 280 of the Official Real Property Records of Guadalupe County, Texas as part of New Braunfels Utilities electric system's substation and related appurtenances expansion.

Mayor Casteel read the aforementioned caption.

Before considering this item, City Council recessed into Executive Session.

5. EXECUTIVE SESSIONS

- B) 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:
- Condemnation of an approximate 3.564 acres along Weltner Road related to the expansion of NBU's electric system.

Mayor Casteel read the aforementioned caption.

City Council recessed into Executive Session from 7:48 p.m. - 7:59 p.m.

No action or vote 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 7:59 p.m.

- K) Discuss and consider approval of a resolution authorizing the use of Eminent Domain Proceedings under Chapter 251 of the Texas Local Government Code and Section 2.03 and Section 11.08 of the City of New Braunfels Municipal Charter, on that Parcel owned by Joyce T. Weltner Living Trust, being a 3.564-acre tract situated in the A.M. Esnaurizar Eleven League Grant, Guadalupe County, Texas out of that certain 65 acre tract (tract two) described in Volume 1315, page 280 of the Official Real Property Records of Guadalupe County, Texas as part of New Braunfels Utilities electric system's substation and related appurtenances expansion.

Mayor Casteel read the aforementioned caption.

New Braunfels Utilities Chief Executive Officer Ian Taylor presented the item.

Andrew Turek spoke regarding the item.

A motion was made by Mayor Pro Tem Peters, seconded by Councilmember García, to approve the resolution authorizing the use of the power of eminent domain to acquire:

- 3.564 acre tract of land situated in the A.M. Esnaurizar Eleven League Grant, Guadalupe County, Texas, out of that certain 65 acre tract (tract two) conveyed to Joyce T. Weltner, sole trustee, of the Joyce T. Weltner Living Trust, Recorded in Volume 1315, Page 280, Official Public Records, Guadalupe County, Texas.

To be acquired to locate, construct, utilize, and maintain an electric substation to advance and achieve the public use of expanding the

New Braunfels Utilities' electric system to serve additional load growth.

The motion passed unanimously.

This regular meeting adjourned at 8:08 p.m.

Date Approved: July 10, 2017

BARRON CASTEEL, MAYOR

Attest:

PATRICK ATEN, CITY SECRETARY