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

The City Council of the City of New Braunfels, Texas, met in a Regular Session on July 23, 2018, 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

City Staff present were: City Manager Robert Camareno, City Attorney Valeria Acevedo, Assistant City Manager Kristi Aday, Assistant City Manager Bryan Woods, City Secretary Patrick Aten, Assistant City Secretary Drew Lyons, Planning and Community Development Assistant Director Stacy Snell, City Engineer Garry Ford, and Interim Finance Director Jared Werner.

The meeting was called to order by Mayor Casteel in the New Braunfels City Hall Council Chambers at 6:05 p.m. Councilmember Hoyt gave the invocation and Mayor Casteel led the Pledge of Allegiance and Salute to the Texas Flag.

1. MINUTES

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

Mayor Casteel read the aforementioned caption.

Councilmember Garcia moved to approve the minutes. 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.

Colton Read spoke about an all abilities park.

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 Mayoral appointment of five individuals to the New Braunfels Partnership Committee for terms ending August 1, 2021.

B) Approval of the Mayoral appointment of two individuals to the Reinvestment Zone No. 1 (TIRZ) Board of Directors and the New Braunfels Development Authority for terms ending May 29, 2020.

C) Approval of a budget amendment in the 2013 Certificates of Obligation Fund, General Fund and a budget transfer in the Golf Fund.

D) Approval of the renewal of annual contracts with multiple vendors for professional services (IDIQ), purchase of several types of vehicles, cemetery maintenance, landscape maintenance for underdeveloped flood properties and rights-of-way, landscape maintenance for City facilities and parks, road construction work, on-call traffic engineering consulting services, and auditing services.

E) Approval of a change order for E-Z Bel Construction on the Landa Street Project as part of the 2013 Bond Citywide Streets Program.

F) Approval of a professional service agreement with LNV, Inc. for engineering design on Union Avenue from Common Street to Austin Street.

G) Approval of a professional services agreement with MWM Design Group for design on Common Street from Gruene Road to Hanz Drive as part of the 2013 Bond Citywide Streets Program.

H) Approval of a contract increase with K Friese and Associates Inc. for professional engineering services to provide third party assistance for development plan review for the City.

Ordinances

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

I) Approval of the second and final reading of an ordinance amending Section 126-185 of the City of New Braunfels Code of Ordinances to prohibit through truck traffic, establishing one-way traffic, and amending Section 126-346 of the City of New Braunfels Code of Ordinances to restrict parking on one side on Ferguson Street.

J) 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 N and revise the parking restriction on the 500 block of S. Hill Avenue.

Mayor Casteel read the aforementioned captions.

Councilmember Meadows moved to approve the Consent Agenda. Mayor Pro Tem Peters seconded the motion which passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

A) Public hearing and first reading of an ordinance amending Chapter 130, Article VI, of the Code of Ordinances, relating to the amendment of land use assumptions and a capital improvements plan and the imposition of water and wastewater impact fees.

Mayor Casteel read the aforementioned caption.

Ian Taylor and Stephanie Neises presented the item.

No one spoke during the public hearing.

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

B) Discuss and consider approval of the Community Development Block Grant Annual Action Plan for Program Year 2018.

Mayor Casteel read the aforementioned caption.

Jared Werner presented the item.

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

C) Discuss and consider approval of a resolution for the determination of right-of-way of Schmidt Avenue, identified as a minor arterial in the City of New Braunfels Regional Transportation Plan, between Morningside Drive and IH 35.

Mayor Casteel read the aforementioned caption.

Garry Ford presented the item.

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

D) Public hearing and first reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit to allow a dance hall with outdoor music in the "C-1" Local Business District on 4.43 acres, Lot 1D-R, Block 1, Walnut Heights Subdivision, Unit 1, which surrounds but does not include the property addressed as 731 N. Walnut Avenue.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

During the public hearing, Brad McMurray and Michael Lloyd spoke against the item.

The item failed due to lack of a motion.

E) Public hearing and first reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit to allow a bed and breakfast facility in the "R-2" Single-Family and Two-Family District on 0.21 acres, on property addressed at 286 S. Market Avenue.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

No one spoke during the public hearing.

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

F) Public hearing and first reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit to allow the short-term rental of a single-family dwelling in the "C-1" Local Business District, for property addressed at 508 E. San Antonio Street.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

During the public hearing, Matt Kyle spoke in favor of the item.

Mayor Pro Tem Peters moved to approve the item with staff recommendations and that the rental agreement and occupant information shall include a statement that occupants are not to back out onto E. San Antonio Street. Councilmember Hines 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 issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code, including but not limited to:
- Project Rethread
- Project Connect

B) Deliberate the purchase, exchange, lease or value of real estate in accordance with Section 551.072 of the Texas Government Code
- Flood Mitigation Properties

C) 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:
- Gruene Texas 90, LLC

Mayor Casteel read the aforementioned captions.

City Council recessed into Executive Session from 7:30 p.m. - 9:05 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 9:06 p.m.

No vote or action was taken.

7. **ADJOURNMENT**

The meeting adjourned at 9:06 p.m.

Date Approved: August 13, 2018

_____
Barron Casteel, Mayor

Attest:

_____
Patrick Aten, City Secretary