

**MINUTES - FINAL
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, APRIL 25, 2022**

AGENDA

CALL TO ORDER

Mayor Brockman called the meeting to order at 6:00 p.m.

CALL OF ROLL: CITY SECRETARY

Present: 6 - Mayor Rusty Brockman, Councilmember Shane Hines, Mayor Pro Tem Justin Meadows, Councilmember Harry Bowers, Councilmember Lawrence Spradley, and Councilmember Jason Hurta

Absent: 1 - Councilmember James E. Blakey

REQUEST ALL PHONES AND OTHER DEVICES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL.

INVOCATION: COUNCILMEMBER SHANE HINES

Councilmember Hines provided Invocation.

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

Mayor Brockman led the Pledge of Allegiance and the Salute to the Texas Flag.

PROCLAMATIONS:

A) Sexual Assault Awareness Month.

Mayor Brockman read the proclamation.

B) Child Abuse Prevention Awareness Month

Mayor Brockman read the proclamation.

C) Room Redux Day - During National Child Abuse Prevention Month

Mayor Brockman read 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.

The following individuals spoke at this time: David Warmke, Lori Schrank, Lisa Jackson, Steve Warde, Kellie Stallings, Ripp Hardaway, Jim Holster, David Feltman and Timothy Davis.

PRESENTATIONS:

- A) Presentation and update from the Comal Appraisal District regarding 2022 property values and appeals process.

Mayor Brockman read the aforementioned item.

Eric Couch and Jeffrey Booker presented this item and answered questions from Council

- B) Presentation and update on the City's American Rescue Plan Act allocation and next steps.

Mayor Brockman read the aforementioned item.

Jared Werner presented this item.

1. MINUTES

- A) Approval of the minutes for Special Council Meeting April 6, 2022, Executive Session April 11, 2022 and Regular Session April 11, 2022

Mayor Brockman read the aforementioned item.

Councilmember Hurta moved to approved this item. Councilmember Bowers seconded the motion which passed unanimously.

Absent:

Councilmember Blakey

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. Citizens must be present to pull an item.

Resolutions & Action Items

- A) Approval of a resolution to enter into an Advanced Funding Agreement with the Texas Department of Transportation for the project development and construction of intersection improvements on Barbarosa Road at FM 1101.
- B) Approval of a settlement agreement related to that lawsuit styled J3 Company, LLC v. City of New Braunfels, Cause No. 21581, pending in

the 198th District Court, Kerr County, Texas; and authorizing the City Manager to execute the agreement.

- C) Approval of a purchase from Vanguard Truck Center for a heavy equipment Grapple Truck for the Solid Waste Division and to declare the replaced vehicle as surplus.
- D) Approval of an MOU with the Houston High Intensity Drug Trafficking Area (HHIDTA) to facilitate sharing data in an effort to promote and improve the data sharing capabilities of the respective Member Agencies and the HHIDTA License Plate Reader (LPR) Database.

Ordinances

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

- E) Approval of the second and final reading of an ordinance regarding Youth Program Standards of Care for the Parks and Recreation Department.
- F) Approval of the second and final reading of an ordinance granting rehabilitation tax relief for a five-year period for the property at 1072 Church Hill Dr., a locally designated historic landmark known as the Eickenroht House.

Approval of the Consent Agenda

Mayor Brockman read the aforementioned Consent Agenda items A-F.

Councilmember Spradley moved to approve Consent Agenda items A-F. Councilmember Bowers seconded the motion which passed unanimously.

Absent:

Councilmember Blakey

G) Approval of the second and final reading of an ordinance amending Chapter 86, Section 86-94 Landa Park Swimming Pool Fees, to adjust seasonal pass rates.

This item was pulled from Consent Items to Individual items by Citizen, Timothy Davis.

Mayor Brockman read the aforementioned item.

Stacey Dicke presented the item.

The following individuals spoke at this time: Timothy Davis, Wayne Rudolph and Jim Holster.

Councilmember Hines moved to approve item 2G. Mayor Pro-Tem Meadows seconded the motion, which passed unanimously.

Absent:

Councilmember Blakey

Mayor Brockman took a break at 8:03 p.m.

Mayor Brockman reconvened from the break at 8:15 p.m.

3. INDIVIDUAL ITEMS FOR CONSIDERATION

A) Discuss and consider amending the Interlocal Agreement with the Alamo Area Council of Governments for demand response transit services, and authorize the City Manager to execute all contract documents associated with this agreement.

Mayor Brockman read the aforementioned item.

Garry Ford made preliminary remarks and introduced speakers Thomas Logan and Diane Rath with AACOG/ART.

Diane Rath and Thomas Logan presented this item.

Mayor Pro-Tem Meadows moved to approve amending the inter local agreement. Councilmember Bowers seconded the motion which passed unanimously.

- B) Discuss and consider the first reading of an ordinance establishing the initial membership of the City of New Braunfels Tax Increment Reinvestment Zone Number Three (TIRZ Number Three) Board, establishing terms, and naming a chairperson.

Agenda Item 3B pulled by Staff.

- C) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 19.96 acres of Ingram Acres Subdivision, Lot 2B, currently addressed at 1251 Sleepy Hollow Lane, from "R-2" Single-family and Two-family District to "C-4A" Resort Commercial District.

**Mayor Brockman asked for Council's approval for Agenda item 3C to be moved up and read first on Individual Items,
Mayor read the aforementioned item.**

Councilmember Hurta moved for Agenda item 3C to be addressed first on Individual Items. Councilmember Bowers seconded the motion which passed unanimously.

Chris Looney presented the item.

Applicant, TJ Grosse, requested to postpone this item to the May 9th Meeting.

Councilmember Spradley moved to postpone this item to May 9, 2022 Council Meeting. Councilmember Hurta seconded the motion which passed unanimously.

Absent:

Councilmember Blakey

- D) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 10.57 acres out of the A.M. Esnaurizar League Grant from "R-2" Single-Family and Two-Family District to "C-1A" Neighborhood Business District located at the northeast corner of the intersection of the future extension of Alves Lane at Barbarosa Road.

Agenda Item 3D pulled by applicant.

E) 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 residential structure in the "C-1" Local Business District addressed at 534 Nowotny Lane.

Mayor Brockman read the aforementioned item.

Christopher Looney presented the item.

Applicant, Jana Faber, made comments.

The following individual spoke at this time: Wayne Peters

Councilmember Hines moved to approve this items with staff recommendations. Councilmember Hurta seconded the motion which passed unanimously.

Absent:

Councilmember Blakey

F) 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 residential structure in the C-3 Commercial District addressed at 240 W Merriweather Street.

Mayor Brockman read the aforementioned item.

Jean Drew presented the item.

Applicant, Tara Stewart, made comments.

Councilmember Bowers moved to approved this item with staff recommendations. Councilmember Spradley seconded the motion which passed unanimously.

Absent:

Councilmember Blakey

G) 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 duplex in the "C-2" General Business District, addressed at 123 S. Academy Avenue.

Mayor Brockman read the aforementioned item.

Jean Drew presented the item.

Applicant, Sarah McDaniel, made comments

Councilmember Hurta moved to approve this item. Councilmember Spradley seconded the motion which passed unanimously.

Absent:

Councilmember Blakey

H) 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 duplex in the "R-3" Multifamily District, addressed at 1123 West Coll Street.

Mayor Brockman read the aforementioned item.

Jean Drew presented the item.

Applicant, Peter Flores, made comments

The following individuals spoke at this time: Cynthia Slaughter

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

Absent:

Councilmember Blakey

4. EXECUTIVE SESSIONS

Adjourned at 9:04p.m.

The City Council reserves the right to convene in closed session concerning any item posted on the agenda whenever it is considered necessary and legally authorized by the Texas Open Meetings Act, Government Code, Ch. 551. Any final action or vote on any executive session item will be taken in open session. In accordance with the Open Meetings Act, the City Council may convene in a closed session to discuss any of the items listed below:

- A) Deliberate Issues Regarding Economic Development Negotiations in accordance with Section 551.087 of the Texas Government Code:

PNC Bank

No action taken at this time.

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

ADJOURNMENT

Mayor Brockman adjourned at 9:04 p.m.

By: _____
RUSTY BROCKMAN, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY