

**MINUTES - FINAL
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, JUNE 27, 2022**

AGENDA

CALL TO ORDER

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

CALL OF ROLL: CITY SECRETARY

Present: 8 - Mayor Rusty Brockman, Councilmember Andres Campos, Councilmember Christopher Willis, Mayor Pro Tem Harry Bowers, Councilmember Lawrence Spradley, Councilmember Jason Hurta, Councilmember James E. Blakey, and Shane Hines

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

INVOCATION: COUNCILMEMBER BLAKEY

Councilmember Blakey provided Invocation.

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

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

ANNUAL ELECTION ACTIONS

A) Complete and issue Certificate of election to the Councilmember - elect Andres Campos-Delgado for District 1.

Mayor Brockman read the aforementioned item.

Gayle Wilkinson presented this item.

B) Administer the oath of office to District 1 Councilmember-elect Andres Campos-Delgado.

Mayor Brockman read the aforementioned item.

Judge Zamora administered the Oath of Office to Andres Campos as District One Councilmember of New Braunfels, Texas.

Councilmember Campos made additional comments.

Councilmember Campos is included in the Roll Call for votes on Items listed on this Agenda.

C) Presentation and recognition of the public service rendered by Councilmember Hines as District One Councilmember.

Mayor Brockman read the aforementioned item.

Mayor Brockman presented this item. Shane Hines made additional comments.

Council made additional comments.

PROCLAMATIONS:

A) Recognizing the Inclusion of the Main Plaza in the National Register of Historic Places.

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. In the interest of protecting the City's network and data, we are not accepting flash drives or electronic files to be used during Citizens Communications. Please use hard copies or the overhead projector for any documents you would like Mayor/Council to view. There will be no City Council action at this time.

The following individuals spoke at this time: David Warmke, Darlene Griffin, Clay Forester, Ryan Garcia, Ron Savage, Joe Tovar, Kyle McLain, and Crystal Moore.

PRESENTATIONS:

A) Update and possible direction to bring forward for consideration an application/filing fee for Municipal Utility District (MUD) petitions.

Mayor Brockman read the aforementioned item.

Christopher Looney presented this item.

Council made comments and recommendations.

- B) Update and possible direction to staff regarding the Avery Parkway Traffic Study.

Mayor Brockman read the aforementioned item.

Garry Ford presented this item.

- C) Update on the results of the 2022 New Braunfels Community Survey.

Mayor Brockman read the aforementioned item.

Item C presentation is postponed for future council meeting date.

- D) Update on the New Braunfels Housing Authority.

Mayor Brockman read the aforementioned item.

Henry Alvarez presented this item.

The following individual spoke at this time: Jim Holster

1. MINUTES

- A) Approval of the minutes for Executive Session June 13, 2022, and Regular Session June 13, 2022

Mayor Brockman read the aforementioned item.

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

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 an expenditure and associated budget amendment with Texas Traditions Roofing for the replacement of the roof at the New Braunfels Public Library and approval for the City Manager to execute all contracts and modifications in accordance with purchasing policy.
- B) Approval of a contract modification with Knight Security Systems for

the purchase of video surveillance equipment, video management services and access controls equipment and service for the Fire Station #7 and to authorize the City Manager to execute any change orders up to the contingency amount.

- C) Approval of a budget amendment in the 2007, 2012, 2015, 2018 Certificates of Obligation Funds and the 2019 Bond Fund.
- D) Approval of the City of New Braunfels FY 2022 Second Quarter Investment Report
- E) Approval of a preliminary design contract for the Faust Street / Nacogdoches Avenue Drainage Improvements project under consideration for the proposed 2023 Bond.
- F) Approval of annual routine recurring expenditures for FY 2022 in accordance with City Charter Section 9.17.

Ordinances

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

- G) Approval of the first reading of an ordinance amending Chapter 2, Article V-Records Management, of the Code of Ordinances of the City of New Braunfels redesignating the Records Management Officer, eliminating the Records Management Committee, and assigning committee duties to the Records Management Officer.

Approval of the Consent Agenda

Mayor Brockman read the aforementioned Consent Agenda Items A-G.

Mayor Pro Tem Bowers moved to approve Consent Agenda Items A-G. Councilmember Hurta seconded the motion which passed unanimously.

3. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Public hearing 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 2022.

Mayor Brockman read the aforementioned item.

Jennifer Gates presented this item.

The following individuals spoke at this time: Trisha Snider, Mario Obledo Jr., and Crystal Moore.

- B) Public hearing and first reading of an ordinance regarding the proposed rezoning from “R-2” Single and Two-Family District to “M-2A” Heavy Industrial District with a Special Use to allow outdoor music adjacent to residential zoning and land uses on approximately 7.74 acres out of the J M Veramendi Survey No. 1, Abstract No. 2, addressed at 624 Krueger Canyon.

Mayor Brockman read the aforementioned item.

Jean Drew presented this item.

Applicant, Walter Golden, made additional comments.

The following individuals spoke at this time: John Holland, Patricia Holland and Walter Goldman

Councilmember Hurta moved to approve with staff recommendations. Mayor Pro Tem Bowers seconded the motion, which passed unanimously.

- C) Public hearing and first reading of an ordinance amending Ordinance No. 2017-26, that abandoned 0.23 of an acre at the terminus of W. Merriweather Street, to close the pedestrian access that was an original condition of the abandonment.

Mayor Brockman read the aforementioned item.

Christopher Looney presented this item.

The applicant, Kathy Strimple, made additional comments.

The following individuals spoke at this time: Christina Smith and Polly Molina.

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

- D) Discuss and consider a request for a conditional sign permit to allow a proposed multi-tenant sign to exceed the maximum allowed height and

area standards in the 'C-1B' General Business District, addressed at 1913 Post Road.

Mayor Brockman read the aforementioned item.

Christopher Looney presented this item.

The applicants, Bill Vick and Kaden Park, made additional comments.

Mayor Pro Tem Bowers moved to approve this item. Councilmember Hurta seconded the motion, which passed unanimously.

E) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow a martial arts school in the C-O Commercial Office District on Lot 9, Block 2, Green Valley Estates, addressed at 104 Melody Lane.

Mayor Brockman read the aforementioned item.

Jean Drew presented this item.

The applicant, James Inglas and Michael Heinz, made additional comments.

Councilmember Blakey moved to approve this item with staff recommendations. Councilmember Hurta seconded the motion, which passed unanimously.

F) Public hearing and first reading of an ordinance regarding the proposed rezoning from "APD" Agricultural Predevelopment District to "C-O" Commercial Office District of approximately 25.097 acres out of the R. Ximinez Survey, Abstract No. 347, addressed at 409 Franks Road.

Mayor Brockman read the aforementioned item.

Jean Drew presented this item.

The applicant, Coy Armstrong, made additional comments.

The following individual spoke at this time: Timothy Davis

No motion made.

- G) Discuss and consider a request for a conditional sign permit to allow a proposed multi-tenant sign to exceed the maximum allowed height and sign face area standards and two proposed low profile monument signs to exceed the maximum allowed sign face area in the 'M-1' Light Industrial District for a multi-lot property located behind the QuikTrip northwest of the intersection of FM 306 and FM 1102.

Mayor Brockman read the aforementioned item.

Jean Drew presented this item.

Applicant requested to postpone.

Councilmember Blakey moved to postpone this item to the July 11th City Council Meeting. Councilmember Hurta seconded the motion which passed unanimously.

- H) Public hearing and first reading of an ordinance regarding a proposed rezoning from "R-1 AH" Single-family Residential Airport Hazard Overlay District to "C-1B AH" General Business Airport Hazard Overlay District on approximately 6.2 acres out of the Francis Fry Survey No. 5, Abstract No. 164 and the Orilla Russell Survey No. 2, Abstract No. 485, addressed at 3642 FM 306.

Mayor Brockman read the aforementioned item.

Jean Drew presented this item.

The applicant, Gary Granzin, made additional comments.

Councilmember Spradley moved to approve this item. Mayor Pro Tem Bowers seconded the motion, which passed unanimously.

- I) 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 residence in the "C-1" Local Business District addressed at 188 S. Union Avenue.

Mayor Brockman read the aforementioned item.

Jean Drew presented this item.

Councilmember Hurta moved to approve this item with staff recommendations. Councilmember Willis seconded the motion, which

passed unanimously.

- J) 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 R-3L Multifamily Low-Density District on approximately 1.7 acres, addressed at 586 Granada Drive.

Mayor Brockman read the aforementioned item.

Christopher Looney presented this item.

The following individual spoke at this time: Mark Sacco

Councilmember Willis moved to approve this item. Mayor Pro Tem Bowers seconded the motion, which passed unanimously

- K) Public hearing and first reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit to allow short-term rental of a single-family residence in the "C-3" Commercial District addressed at 730 S. Mesquite Avenue.

Mayor Brockman read the aforementioned item.

Christopher Looney presented this item.

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

- L) 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 residence in the "C-3" Commercial District addressed at 229 W. Merriweather Street.

Mayor Brockman read the aforementioned item.

Christopher Looney presented this item.

Councilmember Spradley moved to approve this item. Mayor Pro Tem Bowers seconded the motion, which passed unanimously.

- M) Public hearing and first reading of an ordinance regarding a proposed rezoning from “M-1” Light Industrial District to “R-2A” Single-Family and Two-Family District on approximately 0.44 of an acre being a portion of Lots 8, 9 & 10, New City Block 5102, addressed at 243 E. Torrey Street.

Mayor Brockman read the aforementioned item.

Jean Drew presented this item.

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

4. EXECUTIVE SESSIONS

In accordance with the Open Meetings Act, Texas Government Code, Ch. 551, the City Council may convene in a closed session to discuss any of the items listed below. Any final action or vote on any executive session item will be taken in open session.

- A) 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:
- Interlocal Agreement with the New Braunfels Housing Authority
- 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:
- Chapter 242 of the Texas Local Government Code and proposed replacement of the current Interlocal Agreement with Guadalupe County on subdivision development regulations

Mayor Brockman read Item 4B.

Mayor Brockman recessed into Executive Session at 11:00 p.m.

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

Mayor Brockman reconvened back into Open Session at 11:38 p.m. with no action to be taken.

ADJOURNMENT

Mayor Brockman adjourned the meeting at 11:38 p.m.

By: _____
RUSTY BROCKMAN, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY