

**MINUTES - FINAL
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, JULY 11, 2022**

AGENDA

CALL TO ORDER

Mayor Brockman called the meeting to order at 6:04 p.m.

CALL OF ROLL: CITY SECRETARY

Present: 5 - Mayor Rusty Brockman, Councilmember Andres Campos, Councilmember Christopher Willis, Mayor Pro Tem Harry Bowers, and Councilmember James E. Blakey

Absent: 2 - Councilmember Lawrence Spradley, and Councilmember Jason Hurta

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

INVOCATION: COUNCILMEMBER WILLIS

Councilmember Willis provided the 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) Hidden Heroes

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: Tomas Caballero, Easton Smith, Chase Cochran, Matthew Milligan, and Jim Holster.

PRESENTATIONS:

A) Retiree Recognition - Michael Mundell

Mayor Brockman read the aforementioned item.

Greg Malatek presented this item.

Michael Mundell made additional comments.

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

Mayor Brockman read the aforementioned item.

Jenna Vinson made preliminary remarks and introduce speaker, Jade Arocha.

Jade Arocha presented this item.

C) Update of the 2023-2027 Economic Development Strategic Plan.

Mayor Brockman read the aforementioned item.

Jonathan Packer presented this item.

D) Notice of July 18th meeting for Public Outreach for development of the FY 2023 Street Maintenance Plan.

Mayor Brockman read the aforementioned item.

Greg Malatek presented this item.

1. MINUTES

A) Approval of the minutes for the Special Agenda June 29, 2022.

Mayor Brockman read the aforementioned item.

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

Absent:

Councilmember Spradley, and Councilmember Hurta

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 District 1 Councilmember's appointment of Arthur Brinkkoeter to the Transportation & Traffic Advisory Board for a term ending May 31, 2025 and the Mayor's appointment of Michael Yoder for an unexpired term for the At Large term ending May 31, 2023.
- B) Approval for the submission of the Community Development Block Grant Annual Action Plan, and its associated funding recommendations, for Program Year 2022 to the U.S. Department of Housing and Urban Development.
- C) Approval of annual routine recurring expenditures for FY 2022 in accordance with City Charter Section 9.17.
- D) Approval of a purchase with Library Interiors of Texas for library furniture and installation for the main library teen room renovation and to add authorization for the City Manager to execute any change orders up to the contingency amount.
- E) Approval of a contract/purchase with SPEC Inc for purchase of Whole Trees nature play equipment to be located at Fischer Park.
- F) Approval of a Professional Services Agreement with Freese & Nichols, Inc. for professional services to develop the Drainage Area Master Plan and authorization for the City Manager to execute contract modifications in accordance with the purchasing policy and the appropriate budget amendment.

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 second and final 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.
- H) Approval of the second and final 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.

- I) Approval of the second and final 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.
- J) Approval of the second and final 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.
- K) Approval of the second and final 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.
- L) Approval of the second and final 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.
- M) Approval of the second and final 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.
- N) Approval of the second and final 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.
- O) Approval of the second and final 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.
- P) Approval of the second and final 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-P.

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

Absent:

Councilmember Spradley, and Councilmember Hurta

3. INDIVIDUAL ITEMS FOR CONSIDERATION

A) Discuss and consider approval of the appointment of a Councilmember to the City Council Finance and Audit Committee.

Mayor Brockman read the aforementioned item.

Sandy Paulos presented this item.

Mayor Pro Tem Bowers moved to appoint Councilmember Jason Hurta to the Finance and Audit Committee. Councilmember Blakey seconded the motion, which passed unanimously.

Absent:

Councilmember Spradley, and Councilmember Hurta

B) 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, Greg Burkett, presented additional information.

The following individual spoke at this time: Barbara Harrell.

Councilmember Campos made the motion to approve this item. Councilmember Blakey seconded the motion, which passed.

Opposed:

Councilmember Willis, and Mayor Pro Tem Bowers

Absent:

Councilmember Spradley, and Councilmember Hurta

- C) Discuss and Consider approval of and Authorization for the City Manager to execute an Interlocal Agreement between the City of New Braunfels and New Braunfels Independent School District for the purchase of approximately five acres out of a 31.972-acre tract of land described as Lot 1, Block 3, NBISD Subdivision, Guadalupe County, Texas.

Mayor Brockman read the aforementioned item.

Robert Camareno presented this item.

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

Absent:

Councilmember Spradley, and Councilmember Hurta

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
 - Gannon Agreement regarding billboards on Loop 337 and Alves Lane
- B) Deliberate Issues Regarding Economic Development Negotiations in accordance with Section 551.087 of the Texas Government Code.
- Project Locked
- C) Deliberate the purchase, exchange, lease or value of real estate in accordance with Section 551.072 of the Texas Government Code,

specifically

- Gannon Agreement regarding billboards on Loop 337 and Alves Lane
- Land for City Facilities
- NBPD Headquarters Building

D) 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 Executive Items C and D.

Mayor Brockman recessed into Executive Session at 7:53 p.m.

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

Mayor Brockman reconvened into open session at 8:58. p.m.

No action taken at this time.

ADJOURNMENT

Mayor Brockman adjourned at 8:59 p.m.

By: _____
RUSTY BROCKMAN, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY