



**CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING**



**CITY HALL - COUNCIL CHAMBERS
550 LANDA STREET**

MONDAY, AUGUST 28, 2017 at 6:00 PM

Barron Casteel, Mayor
George Green, Councilmember (District 1)
Justin Meadows, Councilmember (District 2)
Ron Reaves, Councilmember (District 3)

Chris Monceballez, Councilmember (District 4)
Wayne Peters, Mayor Pro Tem (District 5)
Leah A. García, Councilmember (District 6)
Robert Camareno, City Manager

MISSION STATEMENT

***The City of New Braunfels will add value to our community
by planning for the future, providing quality services, encouraging
community involvement and being responsive to those we serve.***

AGENDA

CALL TO ORDER

CALL OF ROLL: City Secretary

INVOCATION: Mayor Pro Tem Wayne Peters

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

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

PROCLAMATIONS:

A) National Payroll Week

1. MINUTES

A) Discuss and consider approval of the minutes of the regular City Council meeting of August 14, 2017, and the special City Council meetings of August 14, 15, and 16, 2017.

Patrick Aten, City Secretary

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.

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 a Memorandum of Understanding with New Braunfels Utilities for the joint solicitation and administration of roadway and utilities projects.
Bryan Woods, Assistant City Manager
- B) Approval of a resolution authorizing the submission of a grant application to the Rifle-Resistant Body Armor Grant Program through the Criminal Justice Division of the Office of the Governor for \$4,499.70 to purchase eligible body armor and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant, if awarded.
Tom Scheuermann, Police Sergeant
- C) Approval and ratification of the submission of the Helping Heroes Grant to the Flint Hills Resources and Koch Pipeline Company in the amount of \$4,078 to purchase MultiRAE Lite gas monitors and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant, if awarded.
Patrick O'Connell, Fire Captain
- D) Approval of the submission of the Edward Byrne Memorial Justice Assistance Grant Program application to the US Department of Justice, Bureau of Justice Assistance for \$12,939, to purchase two pole cameras and authorizing the City Manager to accept funds and to execute all contract documents associated with grant, if awarded.
Craig Christopherson, Detective Lieutenant
- E) Authorization to enter into a contract with Host Compliance, LLC, for short term rental compliance monitoring and associated services.
Christopher J. Looney, Planning and Community Development Director
- F) Approval of a contract with E-Z Bel Construction and Raba Kistner Consultants for construction on Landa Street.
Bryan Woods, Assistant City Manager
- G) Approval of acquisition funds for purchasing Right of Way from Milestone Crest Investments, LTD, Parcels 36, 37, and 38 on the Klein Road Improvements Project.
Matthew Eckmann, Real Estate Manager
- H) Approval of acquisition funds for purchasing Right of Way from Select

Stop 2 Holding, LLC, Parcel 35-3 on the Klein Road Improvements Project.

Matthew Eckmann, Real Estate Manager

- I) Approval of acquisition funds for purchasing Right of Way from Laubach Partners, LLC, Parcel 16 on the Klein Road Improvements Project.

Matthew Eckmann, Real Estate Manager

Ordinances

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

- J) Approval of an ordinance regarding the ratification and continuation of the Emergency Declaration of Local Disaster for the City of New Braunfels, Texas, ordered August 25, 2017.

Barron Casteel, Mayor

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of the Landa Park Master Plan.

Stacey Dicke, Parks and Recreation Director

- B) Public hearing and first reading of an ordinance regarding a proposed amendment to Section 2.2 of Ordinance No. 2016-77, a Type 1 Special Use Permit allowing a commercial tuber entrance and takeout in the "C-4" Resort Commercial District, to allow a two year postponement to the requirement for the business to comply with Federal Law ADA requirements for a public/commercial river access point on 0.2289 acres addressed at 444 East San Antonio Street.

Christopher J. Looney, Planning and Community Development Director

- C) Discuss and consider approval of the first reading of an ordinance granting the extension of rehabilitation tax relief for a second five year period to the property addressed as 193 W. San Antonio Street, a Local Historic Landmark known as the Jacob Schmidt Building.

Christopher J. Looney, Planning and Community Development Director

- D) Discuss and consider an appeal of the Non-Residential and Multifamily Design Standards for property addressed at 1287 Gruene Road.

Christopher J. Looney, Planning and Community Development Director

- E) Discuss and consider an appeal of the Non-Residential and Multifamily Design Standards and articulation requirements for a proposed diesel mechanic shop addressed at 556 Danken Lane in the "C-3" Commercial District.

Christopher J. Looney, Planning and Community Development Director

- F) Discuss and consider approval of the second and final reading of an

ordinance amending Ordinance 75-10 of the City of New Braunfels Code of Ordinances to prohibit through truck traffic on California Boulevard and Lakeview Boulevard.

Garry Ford, City Engineer

- G) Discuss and consider approval of the second and final reading of an ordinance amending Ordinance 75-10 of the City of New Braunfels Code of Ordinances to install an all-way stop at the intersection of Gruene Road and Gruene Lake Drive (private street) and a private driveway.

Garry Ford, City Engineer

- H) Discuss and consider approval of a Development Agreement and Settlement and Release Agreement authorizing offsets against roadway impact fees for The Silos Subdivision, and authorizing the City Manager to execute the agreements.

Garry Ford, City Engineer

- I) Discuss and consider approval of the first reading of an ordinance amending the City of New Braunfels Code of Ordinances, Chapter 118, Platting, Article III, General Platting Procedures.

Garry Ford, P.E., City Engineer

- J) Discuss and consider approval of the first reading of an ordinance amending the City of New Braunfels Code of Ordinances, Chapter 118, Platting, Article IV, Design Standards, Section 118-46 Streets.

Garry Ford, P.E., City Engineer

- K) Discuss and consider approval of proposed amendments to the City of New Braunfels Drainage and Erosion Control Design Manual.

Garry Ford, P.E., City Engineer

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 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:
- Alta Towers, LLC v. City of New Braunfels and City of New Braunfels Zoning Board of Adjustment
 - Carowest Land, Ltd. v. Yantis Company and the City of New Braunfels, (2010, 2015, and 2017 cases)

- Yantis Company vs. City of New Braunfels, et. al. (2014 case)
 - Condemnation of parcels related to Solms/Morningside/Rueckle Road Improvement Project.
- B) Deliberate the appointment, evaluation, duties, discipline, or removal of the Municipal Court Judge in accordance with Section 551.074 of the Texas Government Code.

NOTE: The City Council reserves the right to retire into executive session concerning any of the items listed on this Agenda whenever it is considered necessary and legally justified under the Open Meetings Act (Chapter 551 of the Texas Government Code).

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

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall on August 25, 2017, at 4:00 p.m.

Patrick Aten, City Secretary

NOTE: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 221-4010 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.