



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



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

MONDAY, NOVEMBER 27, 2023 at 6:00 PM

Neal Linnartz, Mayor
Andres Campos, Councilmember (District 1)
Christopher Willis, Councilmember (District 2)
Harry Bowers, Mayor Pro Tem (District 3)
Lawrence Spradley, Councilmember (District 4)
Mary Ann Labowski, Councilmember (District 5)
April Ryan, 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 - AMENDED AGENDA 11-22-2023

CALL TO ORDER

CALL OF ROLL: CITY SECRETARY

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

INVOCATION: COUNCILMEMBER WILLIS

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

PROCLAMATIONS:

- A) Nurse Practitioners Week Proclamation [23-1485](#)
- B) Tree of Angels Day Proclamation [23-1508](#)
- C) GIS Awareness Week [23-1572](#)

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. In the interest of protecting the City's network and data, the City is not accepting flash drives or electronic files for use during Citizens Communications. Please use hard copies, the overhead projector or access the City's online digital form to upload electronic files you would like the Mayor and Council to view. The digital form would need to be uploaded two (2) hours prior to the City Council meeting. A link to this form can be accessed on the City Secretary's website.

1. 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 the November 13, 2023 Regular and [23-1579](#)
Executive Session minutes, the November 16, 2023
Special Meeting minutes, and the November 20, 2023
Special Meeting minutes
Matthew Schwarz, Assistant City Secretary
- B) Approval of a resolution giving consent to the issuance of [23-1463](#)
contract revenue bonds (water, sewer, and drainage
facilities), Series 2023, by Comal County Water
Improvement District (Veramendi), a Water Improvement
District located within the Extraterritorial Jurisdiction of
the City.
Jeff Jewell, Economic and Community Development Director
- C) Approval of a resolution of the City Council of New [23-1487](#)
Braunfels, Texas, approving a recommendation of the
New Braunfels Economic Development Corporation for a
project expenditure of up to \$250,000 to the SPARK
Small Business Center to assist with the operation of an
economic development program, a project authorized
under 505.102 of the Texas Local Government Code.
Jeff Jewell, Economic and Community Development Director
- D) Approval of a resolution nominating CEMEX Construction [23-1509](#)
Materials South, LLC for designation as an Enterprise
Zone Project under the State of Texas Enterprise Zone
Program under the Texas Enterprise Zone Act, Chapter
2303, Texas Government Code
Jeff Jewell, Director of Economic and Community Development
- E) Approval of a resolution that supports the denial of an [23-1556](#)
increase in revenue and a change in rates proposed by
CenterPoint Energy Resources Corporation, D/B/A,
CenterPoint Energy Entex and CenterPoint Energy
Texas Gas (“CenterPoint”); authorizes continued
participation in the Alliance of CenterPoint

Municipalities-South Texas Division; representation of the City by special counsel intervention in proceedings related to CenterPoint's Statement of Intent; and requires the reimbursement of municipal rate case expenses by CenterPoint.

Valeria M. Acevedo, City Attorney

- F) Approval of a Guaranteed Maximum Price with [23-1518](#) SpawGlass Civil Construction, Inc. for the Zipp Family Sports Park, a contract with Terracon Consultants, Inc. for construction materials testing, and authorization for the City Manager to execute any change orders up to the contingency amount.

Scott McClelland, Transportation and Capital Improvements Assistant Director

- G) Approval of a Non-Exclusive License Agreement with [23-1521](#) Universal Natural Gas, Inc. for use of Public Right of Way.

Valeria M. Acevedo, City Attorney

- H) Approval of the Roadway Impact Fee Report for April 1, [23-1540](#) 2023, through September 30, 2023.

Garry Ford, Transportation and Capital Improvements Director

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 [23-1567](#) to amend Section 126-346 of the Code of Ordinances of the City of New Braunfels to establish a no parking zone on the north side of Fair Lane adjacent to River Acres Park.

Carly Farmer, Engineer

- J) Approval of the second and final reading of an ordinance [23-1568](#) to create Section 126-153 of the Code of Ordinances of the City of New Braunfels to set the speed limit on Goodwin Lane and Conrads Lane.

Carly Farmer, Engineer

- K) Approval of the second and final reading of an ordinance [23-1576](#) authorizing assignment pay for certain qualified civil service employees in the New Braunfels Fire Department who perform specialized functions as assigned by the

Fire Chief or designee.

Ruy Lozano, Fire Chief

- L) Approval of the second and final reading of an ordinance [23-1517](#) granting to Universal Natural Gas, LLC d/b/a Universal Natural Gas, Inc., its successors and assigns for a period of 15 years, a non-exclusive franchise and right to enter public way to install, operate and maintain a natural gas distribution system within, along, across, over and under the public ways of the City of New Braunfels, Texas for the transportation, distribution and/or sale of natural gas to customers and the public in the City; providing for publication and an effective date.

Valeria M. Acevedo, City Attorney

- M) Approval of the second and final reading of an ordinance [23-1593](#) to amend the Code of Ordinances, Section 91-2, Special Events, Definition.

Christopher J. Looney, AICP, Planning & Development Services Director

2. **INDIVIDUAL ITEMS FOR CONSIDERATION**

- A) Discuss and consider approval of the sale of 2.5 acres of [23-1560](#) real property by the City of New Braunfels to the San Antonio Food Bank and the authorization for the City Manager to execute the deed and related closing documents including an Amended Development Agreement for the property which is legally described as Lot 2, Block 1, NB Housing Partners Resource Center, a subdivision in Comal County, addressed as 1530 South Seguin Avenue.

Robert Camareno, City Manager

- B) Public hearing regarding the Program Year 2022 [23-1585](#) Consolidated Annual Performance and Evaluation Report for the U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG) and CDBG-CV Grant programs.

Jennifer Gates, Grants Coordinator

- C) Public hearing and approval of a resolution to amend the [23-1588](#) Parkway thoroughfare between FM 1863 and SH 46 in the City of New Braunfels Regional Transportation Plan.

Garry Ford, Transportation and Capital Improvements Director

- D) Public hearing and first reading of an ordinance to [23-1587](#)
amend Chapter 118 Subdivision Platting, Section 46
Streets, Subsection (y), Traffic Impact Analysis.
Garry Ford, Transportation and Capital Improvements Director
- E) Public hearing and approval of a resolution to amend [23-1493](#)
Seminole Drive as a Minor Collector between Alves Lane
and FM 1101 in the City of New Braunfels Regional
Transportation Plan.
Garry Ford, Transportation and Capital Improvements Director
- F) Public hearing and first reading of an ordinance to [23-1336](#)
rezone 0.38 acres out of New City Block 4071,
Schneider Addition, Lots 7 & 8, from SND-1 (Special
Neighborhood District-1) to R-3L (Multifamily
Low-Density District) currently addressed at 605 South
Santa Clara Avenue.
Jean Drew, AICP, CNU-A, Planning and Development Services Assistant Director
- G) Public hearing and first reading of an ordinance [23-1573](#)
regarding the proposed rezoning of 3.058 acres out of
the A.P. Fuquay Survey No. 35, Abstract No. 155 from
C-1Br37 AH (General Business District with Restrictions,
Airport Overlay) to C-1Br37 SUP AH (General Business
District with Restrictions, Airport Overlay, with a Special
Use Permit for an Assembly Hall/Area with Outside
Music), located northwest of Hunter Road, between Old
FM 306 and FM 306.
Matthew Simmont, AICP, Planning Manager
- H) Public hearing and first reading of an ordinance to [23-1548](#)
rezone 0.153 acres out of City Block 1001, South 70 feet
of Lot 124 (B) from C-2 HD (General Business District
with Historic District Overlay) to C-2 HD SUP (General
Business District with Historic District Overlay and a
Special Use Permit for Short-Term Rental of a
Residence), currently addressed as 147 South Academy
Avenue.
Jean Drew, AICP, CNU-A, Planning and Development Services Assistant Director
- I) Public hearing and first reading of an ordinance [23-1564](#)
regarding the proposed rezoning of approximately 10.094
acres out of Orilla Russell Survey, Section 2, Abstract

485 from APD (Agricultural/Pre-Development District with Airport Overlay) to C-1B (General Business District with Airport Overlay), located east of the intersection of FM 1102 and Orion Drive.

Matthew Simmont, AICP, Planning Manager

- J) Public hearing and first reading of an ordinance to [23-1555](#) rezone approximately 13 acres out of A. M. Esnaurizar Survey, Abstract 20, from APD AH (Agricultural/Predevelopment District with Airport Overlay) to C-1A AH (Neighborhood Business District with Airport Overlay), currently addressed at 1807 FM 758.

Matthew Simmont, AICP, Planning Manager

- K) Public hearing and first reading of an ordinance [23-1586](#) regarding amendments to Chapter 106, Signs, Chapter 98, Planning, Chapter 144, Zoning, and Appendix D, fees, all regarding the duties and name of the Zoning Board of Adjustment

Christopher J. Looney, AICP, Planning and Development Services Director

3. 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.

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).

- A) Deliberate the appointment, employment, evaluation, [23-1409](#) reassignment, duties, discipline, or dismissal of the City Attorney and the City Manager in accordance with Section 551.074 of the Texas Government Code.

- City Attorney
- City Manager

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

ADJOURNMENT

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall.

Gayle Wilkinson, 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.