

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, NOVEMBER 9, 2020**

The City Council of The City of New Braunfels, Texas, met in a Regular Session on November 9, 2020, at 6:00 p.m.

City Councilmembers present were:

Present: 7 – Mayor Rusty Brockman, Councilmember Shane Hines, Mayor Pro Tem Meadows, Councilmember Harry Bowers, Councilmember Matthew E. Hoyt, Councilmember Jason Hurta, and Councilmember James Blakey

The meeting was called to order by Mayor Brockman at 6:00 p.m. Councilmember Hurta gave the invocation and Mayor Brockman led the Pledge of Allegiance and Salute to the Texas Flag.

PRESENTATIONS:

A) Update from the City Manager on the City’s Response to COVID-19

Mayor Brockman read the aforementioned caption.

Robert Camareno presented the item.

No action was taken.

B) Presentation of the American Academy of Park and Recreation Administrators and the National Recreation and Park Society Gold Medal Finalist plaque.

Mayor Brockman read the aforementioned caption.

Joe Turner presented Stacey Dicke and representatives from the Parks and Recreation Department with the American Academy of Park and Recreation Administrators and the National Recreation and Park Society Gold Medal Finalist plaque.

C) Presentation and possible direction to staff for the permanent installation of reverse angle parking on Playground Drive in Landa

Park.

Mayor Brockman read the aforementioned caption.

The item was introduced by Garry Ford and presented by Carly Farmer.

Council gave direction to continue implementing reverse angle parking in Landa Park.

- D) Presentation, discussion and possible direction to staff regarding the implementation of a credit card convenience fee

Mayor Brockman read the aforementioned caption.

Councilmember Hoyt abstained from the item.

Jared Werner presented the item.

Harry Phillips spoke on the item.

Council gave guidance to continue with the implementation timeline for the credit card fee.

- E) Presentation and possible direction to staff around the establishment of a Tax Increment and Reinvestment Zone in downtown New Braunfels.

Mayor Brockman read the aforementioned caption.

Jeff Jewell presented the item.

Jared Werner spoke on the item.

Council directed staff to continue with establishing a Tax and Increment and Reinvestment Zone in Downtown New Braunfels.

- F) Presentation and update regarding the Solms Landing Public Improvement District.

Mayor Brockman read the aforementioned caption.

Jared Werner introduced the item.

Bart Fowler presented the item.

James Mahan spoke on the item.

No action was taken.

1. MINUTES

- A) Discuss and consider approval of the minutes of the regular City Council meeting of October 26, 2020.

Mayor Brockman read the aforementioned caption.

Councilmember Hurta moved to approve the item. Councilmember Bowers seconded the motion which passed unanimously via roll call vote.

-----Council took a short break -----

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.

Mayor Brockman read the aforementioned caption.

Tex Hall spoke on the Veteran's Memorial location.

Jim Holster spoke on the Veteran's Memorial location and the City Manager's COVID update.

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 resolution adopting the Investment Policy for the City of

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New Braunfels including the Broker/Dealer and Counterparties List.

- B) Approval of awarding annual contracts to American Abatement, Flash Demolition, Hansco, Inc. and JR Ramon & Sons, Inc. to provide demolition services for City-designated structures, on an as-needed basis.
- C) Approval of a contract with Flash Demolition for asbestos abatement and demolition of the existing church adjacent to the Westside Community Center as part of the 2019 Bond Westside Library Branch Project.
- D) Approval of contract expenditure for \$65,000 with Strategic Government Resources Inc. for the placement of the Interim Police Chief.
- E) Approval of a purchase from Brabandt Equipment LLC for a wood chipper for the Public Works Department, Solid Waste and Recycling Division utilizing Alamo Area Council of Governments (AACOG) FY 2021 Regional Solid Waste Grants Program grant funding.
- F) Approval to renew the following annual contracts, as allowed for by their contract language: Litter Removal Services from City Parks; ESO Solutions Software Renewal and Litter and Floating Vegetation Removal from Rivers; and, Employee Benefits Consulting Services.
- G) Approval of a ratification of the submission of a grant application to the U.S. Department of Justice FY 2020 Bulletproof Vest Partnership program; authorization for the City Manager to accept funds and execute all contract documents associated with the grant; and approval of a purchase with Angel Armor, LLC for bulletproof vests for the New Braunfels Police Department.
- H) Approval of issuance of contract modification with Kimley-Horn and Associates, Inc. to continue work on the City's Street Design Guide and Roadway Construction Standard Details; and authority for the City Manager to approve any change orders up to a 10 percent contingency amount for project expenditures.
- I) Approval of a purchase with Harrells Inc. for fertilizers, chemicals, and over seed for the Landa Park Golf Course through a Buy Board Contract.

- J) Approval of maintenance agreement with Stryker Sales Corporation on durable medical equipment used by the New Braunfels Fire Department.
- K) Approval of a resolution of the City Council of the City of New Braunfels, Texas, approving a recommendation of the New Braunfels Economic Development Corporation to enter a professional services contract with ALK Development Services; and declaring an effective date.
- L) Approval of a resolution authorizing the City Manager to enter into an Agreement with Richard J. Leidl, P.C. for federal legislative services on behalf of the City of New Braunfels.
- M) Approval of a contract with Diamond X Contracting, Inc. for construction of Citywide Streets Projects: S. Grant Ave., E. South St., S. Central Ave., and Lamar Area Streets and authority for the City Manager to approved change orders up to a twenty percent contingency as part of the 2019 Bond Citywide Street Program.

Mayor Brockman read the aforementioned captions.

Councilmember Hurta moved to approve the Consent Agenda.

Councilmember Bowers seconded the motion which passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of the installation of speed humps on Rivercrest Drive between Loop 337 and Gruene Road.

Mayor Brockman read the aforementioned caption.

Garry Ford presented the item.

Roy Haag spoke on the item.

Councilmember Hoyt moved to approve the item. Councilmember Bowers seconded the motion which passed unanimously via roll call vote.

- B) Public hearing and first reading of an ordinance amending Section

126-354 of the City of New Braunfels Code of Ordinances to revise
Parking by Permit Area H.

Mayor Brockman read the aforementioned caption.

Greg Malatek presented the item.

**Leslie Lammers, Mark Morales, Scott Duplechain, and Harry Phillips
spoke on the item.**

**Mayor Pro Tem Meadows moved to approve the item. Councilmember
Hoyt seconded the motion which passed unanimously via roll call
vote.**

- C) Discuss and consider approval of a resolution recommended by the Board of Directors of the City of New Braunfels Economic Development Corporation approving a project expenditure of up to \$320,000 to Aviation Academy of America for construction of certain infrastructure improvements at the New Braunfels Regional Airport, an eligible project expenditure; and declaring an effective date.

Mayor Brockman read the aforementioned caption.

Jeff Jewell presented the item.

**Councilmember Hoyt moved to approve the item. Mayor Pro Tem
Meadows seconded the motion which passed unanimously.**

- D) Discuss and Consider Approval of an Ordinance Authorizing the Issuance of City of New Braunfels, Texas General Obligation Refunding Bond, Series 2020; Levying an Ad Valorem Tax In Support of the Bond; Awarding the Sale of the Bond; Approving An Official Statement, A Paying Agent/Registrar Agreement and An Escrow Agreement; Calling Certain Obligations For Redemption; and Authorizing Other Matters Related to the Issuance of the Bond.

Mayor Brockman read the aforementioned caption.

Jared Werner presented item D and E together.

**Councilmember Blakey moved to approve item D. Councilmember
Hines seconded the motion which passed unanimously via roll call**

vote.

- E) Discuss and Consider approval of an Ordinance Authorizing the Issuance of City of New Braunfels, Texas Tax Notes, Series 2020; Approval of An Official Statement and A Paying Agent/Registrar Agreement; Prescribing the Form of the Note; Levying An Ad Valorem Tax to Pay the Note; Awarding the Sale Thereof; and Enacting Other Provisions Relating and the appropriate budget amendment.

Mayor Brockman read the aforementioned caption.

Councilmember Hines moved to approve item E. Councilmember Blakey seconded the motion which passed unanimously via roll call vote.

- F) Public hearing and first reading of an ordinance regarding a proposed rezoning of approximately 0.876 of an acre out of the A.M. Esnaurizar Eleven League Grant, Survey No. 1, Abstract No. 1, currently addressed at 548, 556, 560 & 564 Rusk Street, from "M-2" Heavy Industrial District to "C-O" Commercial Office District.

Mayor Brockman read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

Councilmember Hoyt moved to approve the item. Councilmember Hurta seconded the motion which passed unanimously via roll call vote.

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 the purchase, exchange, lease or value of real estate in accordance with Section 551.072 of the Texas Government Code.
- Union Pacific Railroad
 - Perfect Game
- B) Deliberate pending/contemplated litigation, settlement offer(s), and

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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:

- TMLIRP Claim No. LB123354; Crawford, C.
- C) Deliberate the appointment, evaluation, duties, discipline, or removal of the City Manager in accordance with Section 551.074 of the Texas Government Code.

Mayor Brockman read the aforementioned caption.

City Council recessed into Executive Session from 9:17 p.m. to 11:35 p.m.

No vote or action was taken.

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.

City Council reconvened into Open Session at 11:35 p.m. Mayor Brockman said that Council has total faith and confidence in Robert Camareno's abilities as City Manager.

7. ADJOURNMENT

The meeting adjourned at 11:37 p.m.

Date Approved: November 23, 2020

Rusty Brockman, Mayor

Attest:

Andrew A. Lyons III, Assistant City Secretary