

**MINUTES - DRAFT  
OF THE NEW BRAUNFELS CITY COUNCIL  
REGULAR MEETING OF MONDAY, AUGUST 22, 2022**

**AGENDA**

**CALL TO ORDER**

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

**CALL OF ROLL: CITY SECRETARY**

**Present:** 6 - Mayor Rusty Brockman, Councilmember Andres Campos, Mayor Pro Tem Harry Bowers, Councilmember Lawrence Spradley, Councilmember Jason Hurta, and Councilmember James E. Blakey

**Absent:** 1 - Councilmember Christopher Willis

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

**INVOCATION: COUNCILMEMBER WILLIS**

**Mayor Pro Tem Bowers 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.**

**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, Jackie Christ, Naomi Narvaiz, Marcos Campos Torres and Makenna Baseda,**

**PRESENTATIONS:**

A) Presentation and direction to staff regarding the Roadway Impact Fee Program collected fee.

**Mayor Brockman read the aforementioned item.**

**Garry Ford presented this item.**

**The following individuals spoke at this time: David Warmke, Timothy Davis and Donald Featherston.**

**Council asked questions and made recommendations.**

**1. MINUTES**

A) Approval of the minutes for Special Council Meeting July 25, 2022, Special Council Meeting August 8, 2022, Special Council Meeting August 9, 2022, Special Council Meeting August 11, 2022, and Special Council Meeting August 15, 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 contracts with Southwest Public Safety and Farrwest Specialty Vehicles for vehicle upfitting services.
- B) Approval of contracts for third-party cost estimating services for capital improvement projects being considered in the proposed 2023 Bond Program.
- C) Approval of the acceptance of approximately 12.09 acres known as Lot 909, Block 2, Phase 1, August Fields Subdivision as prescribed in a development agreement between the City of New Braunfels and with August Fields, LP and authorization for the City Manager to enter into an Operating Agreement with the August Fields Homeowners association for the ongoing Maintenance of the City Owned properties.
- D) Approval of the City of New Braunfels FY 2022 Third Quarter Investment Report

- E) Approval of a task order with BRW Architects to provide final design, and construction phase services for the Live Fire Training Facility under the existing Fire Station 7 and Fire Training design contracts, approval of a construction-manager-at-risk (CMAR) solicitation as the procurement method for the New Braunfels Live Fire Training Facility, and approval to issue a competitive sealed proposal (CSP) solicitation as the procurement method for the necessary civil work and utility improvements associated with the training complex and overall site.
- F) Approval to renew the following annual contracts, as allowed for by their contract language: EMS Medical Billing Cost Recovery Services, Auditing Services, Litter Removal Services, Administrative Support for Community Development Block Grants, EMS Medical Supplies, Landscape Services - Undeveloped Flood Properties & ROW, Landscape Services - Parks & Facilities, Administrative Services for Healthcare - Dental, Administrative Services for Healthcare - Medical and Pharmacy, Stop Loss Insurance, Healthcare Consulting Services, Road Construction Work, Third Party Assistance with Permit Application Review, Third Party Building Permit Application Plan Reviews, Third Party Engineering Development Permit Reviews
- G) Approval of a purchase with Chastang Ford and Bluebonnet Motors, Inc. for nine light duty vehicles for various city operations and approval to declare the replaced units as surplus.
- H) Approval to purchase supplemental furniture and equipment for the new Police Station with Southwest Solutions Group, Inc.

#### *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 first and final reading of an ordinance, of the City Council of the City of New Braunfels, Texas, accepting and approving an Annual Service Plan Update to the Service and Assessment Plan and updated Assessment Roll for the Solms Landing Public Improvement District; making and adopting findings; providing a cumulative repealer clause; and providing an effective date.
- J) Approval of the second and final reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit in "R-2" Single-family and Two-family District to allow a resort property with related development standards on approximately 19.96 acres out of the

Ingram Acres Subdivision, Lot 2B addressed at 1251 Sleepy Hollow Lane.

- K) Approval of the second and final reading of an ordinance amending Section 126-354 of the Code of Ordinances of the City of New Braunfels to amend Parking by Permit Area B.

### **Approval of the Consent Agenda**

**Mayor Brockman read the aforementioned Consent Agenda Items A-K.**

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

**Mayor Brockman recessed at 7:15 p.m.**

**Mayor Brockman reconvened at 7:32 p.m.**

**Absent:**

Councilmember Willis

### **3. INDIVIDUAL ITEMS FOR CONSIDERATION**

- A) Discuss and consider approval of an ordinance authorizing the issuance of “City of New Braunfels, Texas, utility system revenue bonds, series 2022A, pledging the net revenues of the City’s waterworks, sanitary sewer and electric light and power systems to the payment of the principal of and interest on said bonds; specifying the terms and conditions of such bonds; resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a paying agent/registrar agreement and an escrow agreement; and providing an effective date.

**Mayor Brockman read the aforementioned item.**

**Dawn Schroeder presented this item.**

**The following individual spoke at this time: Timothy Davis**

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

**Absent:**

Councilmember Willis

- B) Discuss and consider approval of a resolution for the determination of right-of-way width of W. San Antonio Street, identified as a Minor Arterial in the City of New Braunfels Regional Transportation Plan, from S. Guenther Avenue to Main Plaza.

**Mayor Brockman read the aforementioned item.**

**Garry Ford presented this item**

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

**Absent:**

Councilmember Willis

- C) Public hearing and first reading of an ordinance regarding a proposed rezoning of approximately 59.83 acres out of the A M Esnaurizar Survey, Abstract No. 20, from "C-3 AH" Commercial District Airport Hazard Overlay and "APD" Agricultural Pre-Development District Airport Hazard Overlay to "MU-A AH" Low Intensity Mixed-Use District Airport Hazard Overlay, addressed at 1983 State Highway 46 South.

**Mayor Brockman read the aforementioned item.**

**Christopher Looney presented this item.**

**The following individual spoke at this time: Timothy Davis**

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

**Absent:**

Councilmember Willis

- D) Public hearing and first reading of an ordinance regarding a proposed rezoning from "SND-1" Special Neighborhood District to "C-O" Commercial Office District with a Special Use Permit to allow short-term rental of a residential structure on approximately 8,080 square feet, Lots 6-7-S of New City Block 1064 of the Highway Addition Subdivision, addressed at 930 S. Castell Avenue.

**Mayor Brockman read the aforementioned item.**

**Christopher Looney presented this item.**

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

**Absent:**

Councilmember Willis

- E) 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, Lot A North 70' of Lots 1 and 2 of City Block 5067, addressed at 296 N. Union Avenue.

**Mayor Brockman read the aforementioned item.**

**Jean Drew presented this item.**

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

**Absent:**

Councilmember Willis

- F) 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, Lot B South 70 feet of Lots 1 & 2 of City Block 5067, addressed at 262 N. Union Avenue.

**Mayor Brockman read the aforementioned item.**

**Jean Drew presented this item.**

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

**Absent:**

Councilmember Willis

- G) Discussion and appointment of three Councilmembers to an Ad Hoc Committee concerning the Boards and Commissions.

**Mayor Brockman read the aforementioned item.**

**Gayle Wilkinson presented this item.**

**Mayor Pro Tem Bowers moved to appoint Councilmember Hurta, Councilmember Willis, and Councilmember Campos to the Ad Hoc**

**Committee to serve Fall 2022 and Spring 2023. Councilmember Spradley seconded the motion, which passed unanimously.**

**Absent:**

Councilmember Willis

**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:
- Chapter 242 of the Texas Local Government Code and proposed replacement of the current Interlocal Agreement with Guadalupe County on subdivision development regulations.

**No action to be taken.**

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

**ADJOURNMENT**

Mayor Brockman adjourned at 8:03 p.m

**By:** \_\_\_\_\_  
RUSTY BROCKMAN, MAYOR

**Attest:**

\_\_\_\_\_  
GAYLE WILKINSON, CITY SECRETARY