



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



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

MONDAY, FEBRUARY 8, 2021 at 4:00 PM

Rusty Brockman, Mayor	Matthew E. Hoyt, Councilmember (District 4)
Shane Hines, Councilmember (District 1)	Jason Hurta, Councilmember (District 5)
Justin Meadows, Mayor Pro Tem (District 2)	James Blakey, Councilmember (District 6)
Harry Bowers, Councilmember (District 3)	Robert Camareno, City Manager

**To participate via zoom meeting, use this link:
<https://us02web.zoom.us/j/83369443180> or call (833) 926-2300
Webinar ID: 833 6944 3180**

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: COUNCILMEMBER BOWERS

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

1. WORKSHOP

- A) Presentation and possible direction to staff to amend the [21-150](#) existing golf cart and neighborhood electric vehicles ordinance to include off-highway vehicles.

Greg A. Malatek, Public Works Director

2. EXECUTIVE SESSION

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.

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).

3. **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.

Caitlin Krobot, 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.

2/8/2021

Agenda Item No. A)

Presenter

Greg A. Malatek, Public Works Director
(830) 221-4020 - gmalatek@nbtexas.org

SUBJECT:

Presentation and possible direction to staff to amend the existing golf cart and neighborhood electric vehicles ordinance to include off-highway vehicles.

BACKGROUND / RATIONALE:

City Council District: All

Staff received requests from residents to amend the existing private use golf cart and neighborhood electric vehicles ordinance to include off-highway vehicles. The existing ordinance generally prohibits the operation of off-highway vehicles on a public street in Sec. 126-481, unless allowed by state law. In 2015, when the existing ordinance was adopted by the City of New Braunfels, off-highway vehicles were not allowed to drive on roads or highways per the state Transportation Code. In 2019, the Transportation Code was amended by the Texas legislature to expand the ability of off-highway vehicles to drive on roads or highways, but the statute allows for a city to prohibit their operation on public roads or highways if they find it is in the interest of public safety. Additionally, the Texas Transportation Code was amended in 2019 to update the definition of an off-highway vehicle to provide clarification of different terms that were used to describe these types of vehicles.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

N/A

FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

This request was presented to the Transportation and Traffic Advisory Board at their meeting on November 19, 2020. The board voted 4-2 to not amend the existing ordinance to include off-highway vehicles, citing speed, safety, and the inability to police the new types of vehicles as their justification for this recommendation. Two members in opposition expressed support for adding utility vehicles and recreational off-highway vehicles and prohibiting all-terrain vehicles.

STAFF RECOMMENDATION:

N/A