

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



This meeting will be held in person at  
**CITY HALL – COUNCIL CHAMBERS**  
To participate via Zoom use the link  
<https://us02web.zoom.us/j/82976070721> or call  
(833) 926-2300 with ID # 829 7607 0721



**550 LANDA STREET  
MONDAY, OCTOBER 12, 2020 at 6:00 PM**

Rusty Brockman, Mayor	Matthew E. Hoyt, Councilmember (District 4)
Shane Hines, Councilmember (District 1)	Jason E. 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

***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: Assistant City Secretary**

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

**INVOCATION: Mayor Pro Tem Meadows**

**PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG**

**PROCLAMATIONS:**

- A) Living Legends
- B) Chamber Week
- C) Chiropractic Health Month
- D) Domestic Violence Awareness Month

**PRESENTATIONS:**

- A) Update from the City Manager on the City's Response to COVID-19  
*Robert Camareno, City Manager*
- B) Update on the Dry Comal Creek and Comal River Watershed  
Protection Plan implementation effort.  
*Mark Enders, Watershed Program Manager*
- C) Presentation, discussion and direction to staff regarding the use of the  
City of New Braunfels allocation of CARES act funds.

*Jared Werner, CFO and Jeff Jewell, Economic and Community Development  
Director*

**1. MINUTES**

- A) Discuss and consider approval of the minutes of the regular City Council meeting of September 28, 2020.

*Drew Lyons, Assistant 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 resolution recommended by the City of New Braunfels Economic Development Corporation approving a project expenditure of up to \$1,500,000 for the construction and realignment of Elizabeth Avenue from Landa Park Drive to approximately Hinman Island Drive in Landa Park, an eligible project expenditure and approving the issuance of an invitation for competitive sealed proposals for the construction; and declaring an effective date  
*Jeff Jewell, Director of Economic and Community Development*
- B) Approval of a contract with Dean Word company, Ltd for construction of Lakeview Blvd. Street and Sidewalk Project and authority for the City Manager to approved change orders up to a fifteen percent contingency, and approval of a contract amendment with HMT Engineering for additional services, including construction administration, and approval of a purchase order with Terracon to provide materials testing services, as part of the 2019 Bond Citywide Street Project.  
*Jennifer Cain, Capital Programs Manager*
- C) Approval of an amendment to the Purchasing Policy allowing for the receipt of bids and proposal through electronic transmission, and the City Council to adopt rules to ensure the identification, security, and confidentiality of such bids and proposals and to ensure that such bids

and proposals remain effectively unopened until the proper time, as required by Section 252.0415 of the Texas Local Government Code.

*Barbara Coleman, Purchasing Manager*

- D) Approval of the issuance of an invitation for competitive sealed proposals on the Westside Library Project as part of 2019 Bond Program since the City Council finds that this delivery method will provide the best value to the City.

*Jennifer Cain, Capital Programs Manager*

- E) Approval to authorize the City Manager to negotiate and execute an agreement with McKenna Foundation for the administration of the COVID-19 Nonprofit Business Interruption Grant Program.

*Jared Werner, Chief Financial Officer*

- F) Approval to authorize the City Manager to execute an Interlocal Agreement between the City of New Braunfels and the City of San Marcos, City of Seguin and Texas State University for Mutual Aid with Information Technology Service in response to emergencies.

*Tony Gonzalez, IT 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.)*

- G) Approval of the first reading of an ordinance to amend the City of New Braunfels Code of Ordinances, Sections 126-367 and 126-369 to amend the existing freight loading zone on West San Antonio Street.

*Garry Ford, P.E., City Engineer*

- H) Approval of the first reading of an ordinance to combine a portion of Parking by Permit Area J with Parking by Permit Area B and combine Parking by Permit Area F and a portion of Parking by Permit Area J into existing Parking by Permit Area C.

*Garry Ford, P.E., City Engineer*

- I) Approval of the second and final reading of an ordinance amending the City of New Braunfels Code of Ordinances, Ch. 2, Sections 2-1 to 2-4 by removing references relating to employees.

*Becca Miears, Assistant Human Resources Director*

#### **4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- A) Discuss and consider the confirmation of the City Manager's appointment of the Interim Police Chief of the New Braunfels Police Department.

*Robert Camareno, City Manager*

- B) Administration of the Oath of Office to the Interim Police Chief of the New Braunfels Police Department.

*Rusty Brockman, Mayor*

- C) Discuss and consider the appointment of three individuals to the Building Standards Commission for terms ending October 26, 2022.

*Drew Lyons, Assistant City Secretary*

- D) Discuss and consider approval of the second and final reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow the short term rental of a single-family dwelling in the "C-1" Local Business District addressed at 430 Landa Street.

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

- E) Discuss and consider approval of the second and final reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow the short term rental of a single-family dwelling in the C-2 Central Business District, addressed at 212 E. Zink St.

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

- F) Discuss and consider approval of the second and final reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow an existing residence to operate as a bed and breakfast in the R-2 Single and Two-family District on Lot 6R, City Block 5007, addressed at 522 Cross River Street.

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

- G) Public Hearing and Approval of the First Reading of an Ordinance (i) Amending Chapter 130, Article IV, Section 130-167 of the Code Of Ordinances of the City of New Braunfels Relating to Water Rates and Charges for Fiscal Year 2021; and (ii) Providing for Automatic Upward Adjustments of Water Rates and Charges for Fiscal Year 2022 and Fiscal Year 2023

*Dawn Schriewer, NBU Chief Financial Officer*

- H) Public Hearing and Approval of the First Reading of an Ordinance (i) Amending Chapter 130, Article V, Section 130-257 of the Code of Ordinances of the City of New Braunfels Relating to Sewer Rates and Charges for Fiscal Year 2021; and (ii) Providing for Automatic Upward Adjustments of Sewer Rates and Charges for Fiscal Year 2022 and Fiscal Year 2023

*Dawn Schriewer, NBU Chief Financial Officer*

- I) Public Hearing and Approval of the First Reading of an Ordinance

Amending Chapter 130, Article III, Sections 130-56 and 130-57, Code Of Ordinances of the City of New Braunfels, Texas, Providing for Upward Adjustment of Electric Rates and Charges for Fiscal Year 2022 and Fiscal Year 2023

*Dawn Schriewer, NBU Chief Financial Officer*

**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:
  - TMLIRP Claim No. LB123354; Crawford, C.
- B) Deliberate the appointment, evaluation, duties, discipline, or removal of the City Manager 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.**

**7. ADJOURNMENT**

**CERTIFICATION**

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall on October 8, 2020, at 11:00 a.m.

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Andrew A. Lyons III, Assistant 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.