



CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING



CITY HALL - COUNCIL CHAMBERS
550 LANDA STREET

MONDAY, MARCH 8, 2021 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

To participate via Zoom, use the following 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 - AMENDED 3.5.21

CALL TO ORDER

CALL OF ROLL: CITY SECRETARY

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

INVOCATION: COUNCILMEMBER BLAKEY

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

PRESENTATIONS:

- A) Presentation, discussion and possible direction to staff [21-254](#) regarding whether to require the use of face coverings by the public while at city facilities, and whether to place a limit on the building occupancy of certain city facilities.
Robert Camareno, City Manager
- B) Presentation of “New Braunfels at Work” web application [21-108](#) and dashboard
Neil Rose, GIS Manager
- C) Presentation and update on the 2013 Bond, 2019 Bond [21-236](#) and other various ongoing Capital projects.

Jennifer Cain, Capital Programs Manager

1. MINUTES

- A) Discuss and consider approval of the minutes of the [21-233](#) February 22, 2021 City Council meeting.

Caitlin Krobot, 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, ratification of the submission of [21-185](#) an application for funding to purchase forensic data collection equipment utilizing a U.S. Department of Justice, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant Program grant for Program Year 2022, and authorization for the City Manager to act on behalf of the City in all matters related to this grant.

Keith Lane, Interim Police Chief

- B) Approval of a contract with Ultimate Roof Systems for [21-227](#) roof repairs at the New Braunfels Public Library and roof replacement at Fire Station 1 and the appropriate budget amendment.

Matthew Eckmann, Facilities and Real Estate Manager

- C) Approval of a contract modification to J3 Company as [21-168](#) part of the 2013 Bond Klein Road Reconstruction project in the amount of \$108,291 for Change Order #9 and an additional \$75,000 for contingency that is needed for unforeseen conditions associated with the TXDOT FM1044 intersection alignment and the appropriate budget amendment.

Jennifer Cain, Capital Programs Manager

- D) Approval of a resolution authorizing the City Manager to execute a deed accepting two acres of park property as prescribed in a development agreement with August Fields, LP. [21-186](#)
Stacey Dicke, Parks and Recreation Director
- F) Approval to authorize the City Manager to execute a Memorandum of Understanding with the New Braunfels Parks Foundation allowing the Foundation to accept 46 acres of land to hold in trust for the City of New Braunfels for a future park. [21-187](#)
Stacey Dicke, Parks and Recreation Director
- E) Approval of a resolution authorizing the City Manager to enter into an Agreement to Contribute Right-of-way Funds with the Texas Department of Transportation for highway improvements on FM 725 from Zipp Road to County Line Road. [21-130](#)
Garry Ford, City Engineer
- G) Approval to authorize the City Manager to enter into a five-year software maintenance contract with Presidio Networked Solutions Group in the amount of \$86,400 (\$17,280 annually) for the City's phone system utilizing a Texas Department of Information Resources contract [21-199](#)
Tony Gonzalez, Director of Information Technology
- H) Approval of the City of New Braunfels FY 2021 First Quarter Investment Report. [21-175](#)
Sandy Paulos, Assistant Chief Financial Officer
- I) Approval to authorize the City Manager to enter into a joint election agreement between the City of New Braunfels, the New Braunfels Independent School District, the Comal Independent School District, the City of Garden Ridge, and the City of Bulverde regarding the May 1, 2021 election. [21-122](#)
Caitlin Krobot, City Secretary
- J) Approval to authorize the City Manager to enter into an agreement between the City of New Braunfels and Comal County regarding election services for the May 1, 2021 elections. [21-123](#)
Caitlin Krobot, City Secretary

- K) Approval of an expenditure with Fun Abounds of [21-178](#) Southern Texas for the purchase of a shade structure for the Fischer Park Archeology Dig for \$42,000 utilizing a Buyboard contract 529-19.
Stacey Dicke, Parks and Recreation Director
- L) Approval to authorize the City Manager to execute an amendment to the contract with the Law Offices of Ryan Henry, PLLC for legal representation in matters involving an administrative ADA complaint, and for review and analysis of related City policies and procedures. [21-190](#)
Valeria Acevedo, City Attorney
- M) Approval of a contract amendment with Doucet and Associates for engineering design and bid support services for a stormwater treatment basin to be included as part of the Elizabeth Ave Realignment project. [21-203](#)
Mark Enders, Watershed Program Manager
- N) Approval to authorize the City Manager to execute an Interlocal Cooperative Purchasing Agreement with Michigan Collegiate Telecommunications Association in accordance with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code and Chapter 271, Texas Local Government Code for telecommunication products and services. [21-217](#)
Barbara Coleman, Purchasing Manager
- O) Approval to purchase a Commercial Paver for the City's Public Works Streets & Drainage Division staff, from Cooper Equipment Co. through a BuyBoard Cooperative contract and approval of the appropriate budget amendment. [21-221](#)
John Cox, Streets & Drainage Manager/Public Works
- P) Approval of a resolution in support of Comal County urging the Texas Legislature to amend Section 502.402, Texas Transportation Code during the 87th legislative session. [21-249](#)
Greg Malatek, Public Works 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.)

- Q) First reading on an ordinance regarding a request from [21-237](#) the Humane Society of New Braunfels Area (HSNBA) to waive development related fees for their new spay and neuter building.
Bryan Ruiz, Neighborhood Services Manager
- R) Approval of the second and final reading of an ordinance [21-207](#) to designate the property currently addressed as 210 South Castell Avenue as a historic landmark to be known as the Producer's Co-Op.
Caleb Gasparek, Historic Preservation Officer
- S) Approval of the second and final reading of an ordinance [21-214](#) regarding the proposed rezoning of approximately 14.608 acres out of the H. Foster Survey No. 34, Abstract No. 154, Comal County, Texas, located at the northwest corner of the intersection of IH 35 and FM 306, from "M-1" Light Industrial District to "MU-B" High Intensity Mixed Use District.
Christopher J. Looney, AICP, Planning and Development Services Director

4. **INDIVIDUAL ITEMS FOR CONSIDERATION**

- A) Discuss and consider an ordinance authorizing the [21-215](#) issuance of short term obligations in the aggregate principal amount not to exceed \$100,000,000 to pay project costs for eligible projects for the City's utility systems, authorizing the execution of agreements to be entered into on connection therewith, approving and authorizing certain authorized officers and employees to act on behalf of the City and New Braunfels Utilities in the sale and delivery of such short term obligations and resolving other matters incident and related thereto and providing an effective date.
Dawn Schriewer, NBU Chief Financial Officer
- B) Discuss and consider approval of an ordinance [21-234](#) regarding the ratification of a waiver of certain permit fees and solid waste management fees related to the 2021 winter storm.
Robert Camareno, City Manager
- C) Discuss and consider approval of a construction contract [21-218](#) with Stoddard Construction Management Inc., a

materials testing contract with Raba Kistner, payment to New Braunfels Utilities (NBU) for water and sewer impact fees, a contract with Hill International for on-site Owner's Representative services and authorize the City Manager to execute any change orders up to the contingency amount as part of the 2019 Bond Westside Library Branch Project.

Jennifer Cain, Capital Programs Manager

- D) Discuss and consider the reconsideration of a proposed [21-231](#) ordinance to rezone approximately 68.05 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northern corner of the intersection of Goodwin Lane and Orion Drive, from "APD" Agricultural/Pre-Development District to "R-1A-4" Single-Family Small Lot Residential and "R3-H" Multifamily High Density District.

Jason Hurta, Councilmember

- E) Public hearing and first reading of proposed [21-213](#) amendments to Chapter 6, Animals, related to tethering, keeping of rabbits, general standards of pet care, and penalties, as recommended by the Animal Services Advisory Board.

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

- F) Public hearing and first reading of an ordinance [21-209](#) regarding a proposed amendment to Chapter 66 Historic Preservation for the protection and preservation of trees within historic districts and historic properties.

Christopher Looney, AICP, Planning and Development Services Director

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 issues regarding economic development [21-194](#) negotiations in accordance with section 551.087 of the Texas Government Code.
- Project Broadband
 - Project Locked
 - CGT
- B) Deliberate the purchase, exchange, lease or value of [21-241](#)

real estate in accordance with Section 551.072 of the Texas Government Code; and, Deliberate pending/contemplated litigation, settlement offers, and matters related to 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

- Tolle Street ROW Abandonment

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.

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.