



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



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

MONDAY, APRIL 26, 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

**Please click the link below to join the webinar:
<https://us02web.zoom.us/j/89332004990> or call
(833) 926-2300 Webinar ID: 893 3200 4990**

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.***

AMENDED AGENDA

CALL TO ORDER

CALL OF ROLL: 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) Sexual Assault Awareness Month Proclamation [21-303](#)
- B) National Bike Month [21-396](#)
- C) Child Abuse Prevention and Awareness Month [21-418](#)

PRESENTATIONS:

- A) Presentation of an Arts and Humanities Award from the [21-332](#)
Texas Recreation and Park Society recognizing "Recipes
for the Soul" Cookbook.
Stacey Dicke, Parks and Recreation Director
- B) Presentation of a Planning Excellence Award from the [21-333](#)

Texas Recreation and Park Society honoring the Dry
Comal Creek Greenway Master Plan.

Stacey Dicke, Parks and Recreation Director

1. **MINUTES**

- A) Discuss and consider approval of the minutes of the April [21-422](#)
12, 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 the appointment of Mason Standley to the [21-392](#)
Landa Park Golf Course Advisory Board for a term
ending December 31, 2022.

Caitlin Krobot, City Secretary

- B) Approval of a resolution consenting to the issuance of [21-313](#)
unlimited tax bonds by Comal County Water
Improvement District Number 1a (Veramendi), a water
improvement district located with the extraterritorial
jurisdiction of the City.

Jeff Jewell, Director of Economic and Community Development

- C) Approval to authorize the City Manager to execute an [21-378](#)
Interlocal Cooperative Purchasing Agreement with the
City of Frisco in accordance with the Interlocal
Cooperation Act, Chapter 791 of the Texas Government
Code for goods and services.

Barbara Coleman, Purchasing Manager

- D) Approval of a purchase with August Industries Inc. for [21-381](#)
three Bauer Unicus Breathing Air Compressor Systems
(BACS) for Fire Stations 2, 3, and 7.

Patrick O'Connell, Fire Chief

- E) Approval of a Change Order with Acme Bridge Co. for [21-382](#) the relocation of an NBU waterline in conjunction with the reconstruction and realignment of Elizabeth Avenue from Landa Park Drive to approximately Hinman Island Drive.
Jennifer Cain, Capital Programs Manager
- F) Approval to issue professional services agreement with K [21-385](#) Friese & Associates for 3rd party review for engineering development permit reviews as needed by the Engineering Division of the Public Works Department.
Garry Ford, Assistant Director, Public Works Department
- G) Approval of a Budget Amendment in the FY 2020 [21-424](#) General Fund
Jared Werner, Chief Financial Officer
- H) Approval of the issuance of Competitive Sealed [21-388](#) Proposals (CSP) for a stormwater treatment basin adjacent to the Elizabeth Ave Realignment project since the City Council finds that this delivery method will provide the best value to the City.
Jennifer Cain, Capital Programs Manager

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 the second and final reading of an ordinance [21-363](#) regarding a request from the Sophienburg Memorial Association to waive development related fees for platting and expansions to the Sophienburg Museum & Archives addressed at 401 West Coll Street.
Christopher J. Looney, AICP, Planning and Development Services Director
- J) Approval of the second and final reading of an ordinance [21-371](#) regarding a proposed rezoning of approximately 47 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northeastern corner of the intersection of Orion Drive and the Union Pacific Railroad tracks, from “APD” Agricultural/Pre-Development District to “R-1A-4” Single-Family Small Lot Residential.
Christopher J. Looney, AICP, Planning and Development Services Director
- K) Approval of the second and final reading of an ordinance [21-406](#)

amending Chapter 2 of the Code of Ordinances of the City of New Braunfels, Texas establishing the rules and order of business of the New Braunfels City Council.

Caitlin Krobot, City Secretary

- L) Approval of the second and final reading of an ordinance [21-436](#) regarding the creation of Child Safety Zones which would provide residency restrictions for Registered Sex Offenders residing within the city limits of New Braunfels.
Mike Penshorn, Captain and Greg Walker, Sergeant, Police Department

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider the second and final reading of an ordinance [21-372](#) regarding a proposed rezoning of approximately 21 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 "ZH-A" Zero Lot Line Home District.
Christopher J. Looney, AICP, Planning and Development Services Director
- B) Discuss and consider acceptance of the FY 2020 Audit and Comprehensive Annual Financial Report performed by Belt Harris Pechacek, LLLP. [21-409](#)
Sandy Paulos, Assistant Chief Financial Officer
- C) Discuss and consider approval of the appointment of two individuals to the Airport Advisory Board for a term ending 5/12/2024. [21-414](#)
Caitlin Krobot, City Secretary
- D) Discuss and consider approval of the appointment of one individual for a term ending 12/08/2023 to the River Advisory Committee. [21-421](#)
Amy Niles, River Operations Manager
- E) Discuss and consider approval of a resolution [21-419](#) recommended by the New Braunfels Economic Development Corporation approving a project expenditure of up to \$400,000 to Frantic Holdings, LLC for a project that will promote or develop new or expanded businesses by delivering high speed broadband infrastructure and services to commercial customers in downtown and other areas of New

Braunfels, an eligible project expenditure; and declaring an effective date.

Jeff Jewell, Director of Economic and Community Development

- F) Public hearing and first reading of an ordinance [21-365](#) regarding a proposed rezoning to apply a Special Use Permit to allow multifamily residential use - up to 24 units per acre - in the "C-1A" Neighborhood Business District on approximately 10 acres out of the A. P. Fuquay Survey No. 35, Abstract No. 155, Comal County, Texas, located at the northwest corner of the intersection of E. Common Street and Old FM 306.

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

- G) Public hearing and first reading of an ordinance [21-369](#) regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family residence in the C-2 Central Business District at 307 W. Bridge Street.

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

- H) Public hearing and first reading of an ordinance [21-373](#) regarding a proposed rezoning of approximately 2.3 acres out of the H. Foster Survey No. 34, Abstract No. 154, Comal County, Texas, addressed at 948 Broadway from "M-2" Heavy Industrial District to "MU-A" Low Intensity Mixed Use District.

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

- I) Public hearing and first reading of an ordinance [21-394](#) regarding the proposed rezoning of approximately 4.3 acres out of the J.M. Veramendi Survey No. 1, Abstract 2, Comal County, Texas, located at the southeast corner of the intersection of Gruene Road and Ewelling Lane from "R-2" Single and Two-Family District to "C-O" Commercial Office District.

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

- J) Public hearing and first reading of an ordinance [21-361](#) regarding a proposed rezoning to amend an existing Special Use Permit to allow an addition to a non-conforming single-family residence in the "M-1" Light Industrial District, addressed at 394 North Market

Avenue.

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

- K) Public hearing and first reading of an ordinance [21-362](#) regarding a proposed rezoning of approximately 48 acres out of the O. Russell A-485 Survey 2, located in the 2200 block of FM 1102, from "M-1A" Light Industrial District to "MU-B" High Intensity Mixed Use District.

Christopher J. 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 pending/contemplated litigation, settlement [21-412](#) 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:
- Carowest Land, Ltd. v. Yantis Company and City of New Braunfels (all cases, including appeal)
 - Yantis Company v. City of New Braunfels et. al. (2014 case)
- B) Deliberate issues regarding economic development [21-427](#) negotiations in accordance with section 551.087 of the Texas Government Code.
- Project Reshore Icon
- C) Deliberate the appointment, employment, evaluation, [21-423](#) reassignment, duties, discipline, or dismissal of the City Manager, City Attorney, and/or the Municipal Court Judge 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.

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.