



CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING



CITY HALL - COUNCIL CHAMBERS
550 LANDA STREET

MONDAY, NOVEMBER 22, 2021 at 6:00 PM

Rusty Brockman, Mayor	Lawrence Spradley, 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: CITY SECRETARY

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

INVOCATION: COUNCILMEMBER HURTA

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

PROCLAMATIONS:

- A) GIS Day Proclamation [21-1168](#)
- B) National Hospice Month [21-1183](#)

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.

1. MINUTES

- A) Approval of the minutes for executive session November [21-1251](#) 8, 2021 and regular session November 8, 2021.
Caitlin Krobot, City Secretary

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 to authorize the City Manager to execute two [21-1262](#) Change Orders for the Fire Station #2 and Fire Station #3 projects associated with the previously approved contracts with Knight Security.
Tony Gonzalez, Director of Information Technology
- B) Approval of a budget amendment for Guadalupe [21-1247](#) Appraisal District which will end the 2021 fiscal year with a budget surplus of approximately \$200,000.00 requesting any unspent budget funds to be transferred to the District's reserve fund for their Master Facility Plan.
Gayle Wilkinson, Assistant City Secretary
- C) Approval of a ratification of the submission of an [21-1189](#) application to the National Recreation and Park Association's 2021 Niagara 'Perk Your Park' Contest; authorization for the City Manager to accept funds and execute all contract documents associated with the grant; and the appropriate budget amendment.
Jennifer Gates, Grants Coordinator
- D) Approval of a contract and authorizing the City Manager [21-1249](#) to execute a professional services agreement with the law firm of Resnick & Louis, P.C., to represent the City in litigation involving the North Tributary Project, and authorizing the retention of outside experts as needed.
Valeria Acevedo, City Attorney
- E) Approval of a ratification of the submission of a grant [21-1104](#) application to the U.S. Department of Justice FY 2021 Bulletproof Vest Partnership program; authorization for the City Manager to accept funds and execute all contract documents associated with the grant; and approval of a purchase with Angel Armor, LLC for bulletproof vests for the New Braunfels Police Department.

Jennifer Gates, Grants Coordinator

- F) Approval of contracts for oils, lubricants and disposal services with Avery Oil Company and Midtex Oil, LP. [21-1185](#)
Greg Malatek, Public Works Director
- G) Approval of a contract with Arcadis, U.S., Inc for professional services associated with the implementation of the Dry Comal Creek and Comal River Watershed Protection Plan. [21-1212](#)
Mark Enders, Watershed Program Manager
- H) Approval of contracts to support the City's 2022 Edwards Aquifer Habitat Conservation Plan work plan and authorization for the City Manger to execute contracts with BIO-WEST, Inc, Atlas Environmental, EBR Enterprises, and Environmental Survey Consulting. [21-1213](#)
Mark Enders, Watershed Program Manager
- I) Approval of a purchase with Chastang Enterprises-Houston, LLC for one automated side load collection vehicle for the Solid Waste Division, approval to declare the replaced unit as surplus, ant the appropriate budget amendment in the FY 2022 Enterprise Maintenance and Equipment Replacement Fund. [21-1219](#)
Michael Mundell, Solid Waste Manager
- J) Approval of the purchase of furniture and equipment for the new Police Station with Staples and to declare the replaced furniture equipment as surplus. [21-1240](#)
Garry Ford, Transportation and Capital Improvements Director
- K) Approval of a budget amendment within the FY 2021 Golf Course Fund [21-1243](#)
Greg Gutierrez, Budget Supervisor
- L) Approval of a waiver from Section 118-49(a) of the Subdivision Platting Ordinance to not require the construction of a 6-foot wide public sidewalk along the Interstate 35 Access Road adjacent to Lot 1, Block 1 of the proposed Herber Estates Subdivision. [21-1197](#)
Jean Drew, AICP, CNU-A; Planning and Development Services Assistant Director
- M) Approval of a professional services agreement with [21-1250](#)

Studio Steinbomer Architecture & Interiors for facilities and space planning assessment services.

Matthew Eckmann, Facilities & Real Estate Manager

- N) Approval to authorize the City Manager to execute a [21-1272](#) development agreement with the Arroyo Verde subdivision and a Memorandum of Understanding with the New Braunfels Parks Foundation allowing the Foundation to accept 15.03 acres of land to hold in trust for the City of New Braunfels for a future park.

Stacey Dicke, Parks and Recreation 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.)

- O) Approval of the first reading of an ordinance amending [21-1201](#) Ordinance No. 2021-55, authorizing the abandonment of 0.366 of an acre of public street right-of-way at the terminus of Tolle Street, by extending the deadline to execute a Deed Without Warranty by an additional 180 days.

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

- P) Approval of the first reading of an ordinance regarding a [21-1230](#) request for rehabilitation tax credit from the property owner of 123 S. Academy Ave., located within the Downtown Historic District.

Caleb Gasparek, Historic Preservation Officer & Assistant Planner

- Q) Approval of the second and final reading of an ordinance [21-1264](#) amending the number of positions in the classification for Sergeant and Detective in the New Braunfels Police Department.

Becca Miears, Human Resources Director

3. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Consider the appointment of 22 members to the Bond [21-1271](#) Advisory Committee

Caitlin Krobot, City Secretary

- B) Public hearing and consideration of the first reading of [21-1227](#) an ordinance to revise sections of the Code of Ordinances regarding the approval and/or appeals

authority in: Chapter 144, Zoning, Section 5.1, Parking, loading, stacking and vehicular circulation, Section 5.22, Nonresidential and Multi-family Design Standards, Section 5.23, Temporary vending operations, and, Section 5.24, Temporary mobile storage units; Chapter 118, Subdivision Platting, Section 118-11, Waiver, Section 118-44, Blocks, and, Section 118-49, Sidewalks; and, amendments to Appendix D, Fee Schedule, Section A schedule of development fees.

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

- C) Public hearing and first reading of an ordinance [21-1166](#) regarding a proposed rezoning to apply a Special Use Permit to allow 75 dwelling units where lot area allows a maximum of 64, through the conversion of existing hotel guestrooms into studio apartments in the "C-3 AH" Commercial District Airport Hazard Overlay, on Lots 3C and 3D, JM Subdivision, addressed at 1533 IH-35 North.

Jean Drew, AICP, CNU-A; Planning and Development Services Assistant Director

4. 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:
- River floodway regulation and enforcement
- B) Deliberate issues regarding economic development [21-1263](#) negotiations in accordance with section 551.087 of the Texas Government Code.
- Project Barro
 - Project Salero

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).

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

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.