



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



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

MONDAY, DECEMBER 13, 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 BLAKEY

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

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.

PRESENTATIONS:

- A) Retiree Recognition - Sandy Ellison [21-1367](#)
- B) Presentation of the proposed FY 2022 Street [21-1344](#)
Maintenance Plan.
Greg Malatek, Public Works Director
- C) Update on the creation of the Unified Development Code [21-1278](#)
Christopher J. Looney, AICP, Planning & Development Services Director

1. MINUTES

- A) Approval of the minutes for executive session November [21-1283](#)
22, 2021, the regular session November 22, 2021, and

the special session November 16, 2021.

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) Appointment of Heather Harrison to the Bond Advisory [21-1311](#)
Committee as the River Advisory Committee
representative.
Caitlin Krobot, City Secretary
- B) Appointment of Brad T. Bechtol to the Bond Advisory [21-1366](#)
Committee as the Watershed Advisory Committee
representative.
Caitlin Krobot, City Secretary
- C) Approval of a resolution adopting City of New Braunfels [21-1281](#)
Tax Increment Reinvestment Zone Number Three (TIRZ
Number Three) Project and Finance Plan and
establishing the composition and qualifications of the
TIRZ Number Three Board.
Jeff Jewell, Director of Economic and Community Development
- D) Approval of a resolution designating the investment [21-1334](#)
officers for the City of New Braunfels.
Sandy Paulos, Director of Finance
- E) Approval of a resolution to enter into an Advanced [21-1314](#)
Funding Agreement with Texas Department of
Transportation for the project development and
construction of traffic safety improvements on County
Line Road and on Hanz Drive.
Garry Ford, Transportation and Capital Improvements Director
- F) Approval of a resolution to enter into an Agreement to [21-1315](#)
Contribute Right of Way Funds with Texas Department
of Transportation for fixed price joint participation in right
of way costs associated with highway improvements at
Loop 337 at River Road.
Garry Ford, Transportation and Capital Improvements Director

- G) Approval for the submission of the Community [21-1280](#)
Development Block Grant Program's Consolidated
Annual Performance and Evaluation Report for Program
Year 2020 to the U.S. Department of Housing and Urban
Development.
Jennifer Gates, Grants Coordinator
- H) Approval of annual routine recurring expenditures for FY [21-1297](#)
2022 in accordance with City Charter Section 9.17.
Barbara Coleman, Purchasing Manager
- I) Approval of a service provider contract renewal with [21-1337](#)
Emergency Services District No. 7 (ESD7) and
authorizing the City Manager to enter into the agreement
Jared Werner, Assistant City Manager
- J) Approval of the City of New Braunfels FY 2021 Fourth [21-1343](#)
Quarter Investment Report.
Sandy Paulos, Director of Finance
- K) Approval of a purchase with Southwest Public Safety, [21-1361](#)
LLC, Motorola Solutions and Lower Colorado River
Authority for ancillary vehicle equipment for the Police
Department and the appropriate budget amendment.
Keith Lane, Chief of Police
- L) Approval of a resolution authorizing the City Manager to [21-1338](#)
enter into an Agreement with Richard J. Leidl, P.C. for
federal legislative services on behalf of the City of New
Braunfels.
Robert Camareno, City Manager
- M) Approval of a contract with Pristine Texas Rivers Inc. for [21-1339](#)
river recreation litter removal and floating vegetation
services from designated riparian zones.
Amy Niles, River Operations Manager
- N) Approval of a budget amendment in the FY 2021 Police [21-1380](#)
Department General Fund Budget.
Greg Gutierrez, Budget Supervisor
- O) Approval of a resolution of the City of New Braunfels, [21-1387](#)
Texas, amending Resolution No. 2021-R-38 by
extending the deadline for New Braunfels Utilities and
Southstar at Mayfair, LP, Developer, to execute a Utility
Agreement as a condition precedent to the creation of

Comal County Water Improvement District No. 3, located in the City's Extraterritorial Jurisdiction.

Jeff Jewell, Economic and Community Development 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.)

- P) Approval of the first reading of an ordinance to restrict [21-1273](#) parking on both sides of Independence Drive west of Oak Run Parkway from Oak Run Parkway to the end of Independence Drive.

Garry Ford, Transportation and Capital Improvements Director

- Q) Approval of the first reading of an ordinance amending [21-1276](#) Section 126-368 to revise the starting date for water recreation loading zones on W. Lincoln St., Liebscher Dr., S. Union Ave., and S. Gilbert St. to March 1.

Greg Malatek, Public Works Director

- R) Approval of the second and final reading of an ordinance [21-1287](#) regarding a request for rehabilitation tax credit from the property owner of 123 S. Academy Ave., located within the Downtown Historic District.

Caleb Gasperek, Historic Preservation Officer & Assistant Planner

- S) Approval of the second and final reading of an ordinance [21-1288](#) 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

- T) Approval of the second and final reading of an ordinance [21-1176](#) 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

guest rooms 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

- U) Approval of the second and final reading of an ordinance [21-1306](#) amending 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

3. **INDIVIDUAL ITEMS FOR CONSIDERATION**

- A) Discuss and consider a request for the City to consent to [21-1328](#) the addition of 19.993 acres into the existing Lone Oak Farm Municipal Utility District (MUD) within the City's ETJ in Guadalupe County, located on the south side of FM 758, approximately 1,400 feet west of the intersection of State Highway 123.

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

- B) Discuss and consider a request to consent to the [21-1313](#) creation of Comal County Municipal Utility District (MUD) No. 4 within the City's ETJ in Comal County, consisting of approximately 349.7 acres located on the north side of FM 1863, across from Krueger Canyon and Word Ranch Roads.

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

- C) Public hearing and first reading of an ordinance [21-1333](#) regarding the proposed rezoning of approximately 28.868 acres from "M-2" Heavy Industrial District to "MU-B" High Intensity Mixed-Use District, consisting of approximately: a 14-acre tract of land, a 12-acre tract of land; a 0.74-acre tract of land out of the A.M. Esnaurizar Eleven League Grant, Survey No. 1, Abstract No. 1, Comal County, Texas; Lots 1-9, Block 1, Milltown Subdivision; Lots 1, 2, 5 and 6, Block 2, Milltown Subdivision; and, Lot 1, River Mill Power House and Dam Subdivision. The approximately 29 acres is addressed as or located at 601 Rusk St., 555 Porter St., 477 E. Faust St., the

northeast corner of Rusk St. and Church Hill Dr., east side of Porter St. between Rusk St. and Consolidated, the southwest corner of Porter St. and Consolidated, and the northeast corner of Porter St. and McKenna Avenue.

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

- D) Public hearing and consideration of an appeal for the [21-1293](#) denial of a Certification of Alteration by the Historic Landmark Commission to construct a new single-family dwelling located on the property currently addressed as 456 Magazine Ave., located within the Sophienburg Hill Historic District.

Jean Drew, AICP, CNU-A, Planning & 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 [21-1370](#) 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 [21-1336](#) negotiations in accordance with Section 551.087, of the Texas Government Code, including but not limited to:
- Ch. 380 Agreement with HD Supply Facilities Maintenance, Ltd.

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.