

**MINUTES  
OF THE NEW BRAUNFELS CITY COUNCIL  
REGULAR MEETING OF MONDAY, JULY 27, 2020**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on July 27, 2020 at 6:00 p.m.

City Councilmembers present were:

**Present: 7** - Mayor Rusty Brockman, Councilmember Shane Hines, Mayor Pro Tem Justin Meadows, Councilmember Harry Bowers, Councilmember Matthew E. Hoyt, Councilmember Jason Hurta, and Councilmember James Blakey

**The meeting was called to order by Mayor Brockman via Zoom at 6:00 p.m. Councilmember Hoyt gave the invocation and Mayor Brockman led the Pledge of Allegiance and Salute to the Texas Flag.**

**PRESENTATIONS:**

A) Update from the City Manager on the City's Response to COVID-19

**Mayor Brockman read the aforementioned caption.**

**Robert Camareno presented the item and spoke about the July 29th Covid Q&A panel.**

**No action was taken.**

**1. MINUTES**

A) Discuss and consider approval of the minutes of the regular and special City Council meetings of July 13, 2020.

**Mayor Brockman read the aforementioned caption.**

**Councilmember Blakey moved to approve the item. Councilmember Hoyt seconded the motion which passed unanimously via roll call vote.**

**2. \*\*IN-PERSON CITIZENS' COMMUNICATIONS IS TEMPORARILY  
SUSPENDED\*\***

**Monday, July 27, 2020 New Braunfels City Council Regular Meeting**

Citizens may email their comments to [CitizenComments@nbtexas.org](mailto:CitizenComments@nbtexas.org) or call 830-221-4299 and leave a voicemail or submit the form at [www.nbtexas.org/comment](http://www.nbtexas.org/comment). Comments will be distributed to the City Council.

### **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 Mayoral appointment of five individuals to the New Braunfels Partnership Committee for terms ending August 1, 2023.
- B) Confirmation of the reappointment of one individual to the Civil Service Commission for a term ending August 10, 2023.
- C) Approval of a professional services agreement with Jacobs Engineering, in the amount of \$47,125 for the design of the intersection and traffic signal improvements at Common Street and Old FM 306.
- D) Approval of a professional services agreement for engineering services by Consor Engineers, LLC for the completion of topographic surveying, traffic signal design, intersection re-design and project manual for the intersection of Farm to Market 1044 and Klein Road.
- E) Approval of an agreement between the City of New Braunfels and the Greater New Braunfels Chamber of Commerce concerning marketing New Braunfels tourism activities operating under enhanced health and safety protocols during the declared state of disaster due to COVID-19
- F) Approval of a budget amendment in the FY 2020 Grant Fund and Recreation Center Improvements and Fee Assistance Fund
- G) Approval of a contract with Eagle Airport Marking, Inc. for runway striping at the New Braunfels Regional Airport at a cost of \$37,405.
- H) Approval of a contract with Southwest Public Safety for the equipment installation on police vehicles at a cost of \$49,200.

- I) Approval of a professional services agreement with Pape-Dawson Engineers, Inc. to complete a preliminary engineering report on SH-46 at the intersection of Mary Boulevard and Saengerhalle Road.

*Ordinances*

*(In accordance with Section 3.10 of the City Charter, a descriptive caption of each ordinance shall be read on two separate days.)*

- K) Approval of second and final reading of an ordinance amending Chapter 144, Zoning Section 5.21, General Provisions and Exceptions; use, height and area regulations, to include Screen Enclosure standards.
- L) Approval of second and final reading of an ordinance amending Section 126-354 of the City of New Braunfels Code of Ordinances to revise Parking by Permit Area K.

**Mayor Brockman read the aforementioned captions except, items J and M.**

**Councilmember Bowers moved to approve the Consent Agenda.**

**Councilmember Hurta seconded the motion which passed unanimously via roll call vote.**

- J) Approval of a purchase with EZ-Go RXV for (64) golf carts, EZ-Go RXV Passenger golf cart (1), EZ-Go Utility Hauler (1) for the Landa Park Golf Course through Buy Board Contract and the appropriate budget amendment.

**Mayor Brockman read the aforementioned caption.**

**Stacey Dicke introduced Chad Donegan, who presented the item.**

**Councilmember Hines moved to approve the item. Councilmember Blakey seconded the motion which passed unanimously via roll call vote.**

- M) Approval of a first reading of an ordinance amending the Code of Ordinances, Ch. 2, by repealing Section 2-5, relating to employees, and amending Section 2-7(d) and (e), relating to political activities and social media guidelines for City Council.

**Mayor Brockman read the aforementioned caption.**

**Councilmember Bowers presented the item, requesting a change to the amendment of section 2-7 (e) from "should immediately" to "may".**

**Councilmember Bowers moved to approve the item. Councilmember Hoyt seconded the motion which was approved unanimously via roll call vote.**

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- A) Presentation, discussion and possible staff direction to postpone the Special Election on proposed amendments to the City Charter originally scheduled for May 2, 2020.

**Mayor Brockman read the aforementioned caption.**

**Jordan Matney presented the item.**

**Valeria Acevedo, Robert Camareno, and Wayne Peters spoke on the item.**

**Council gave staff direction to proceed with the Special Election in November.**

- B) Discussion, possible direction to staff, and approval regarding the U.S. Department of Housing and Urban Development Community Development Block Grant 2020-2024 Consolidated Plan, Citizen Participation Plan, Fair Housing Plan, and Annual Action Plan, including funding recommendations for Program Year 2020.

**Mayor Brockman read the aforementioned Caption.**

**Mayor Brockman recused himself from the item because he is a board member of one of the organizations.**

**Jennifer Gates and Jared Werner presented the item.**

**Marc Hamilton spoke on the item.**

**Councilmember Bowers moved to approve the item with staff recommendations. Councilmember Hoyt seconded the motion which passed unanimously (6-0) via roll call vote.**

- C) Discuss and consider a recommendation to reduce the speed limit within the Oak Run subdivision.

**Mayor Brockman read the aforementioned caption.**

**Greg Malatek presented the item.**

**Tom Wibert and Gary Kirkham spoke on the item.**

**The Council gave staff guidance on finding alternate educational ways to inform Oak Run residents on how to reduce vehicular speed in their neighborhood.**

**No further action was taken by Council.**

- D) Public hearing and first reading of an ordinance regarding the proposed rezoning of Lots 1 & 5, Block 1, Freiheit Subdivision, addressed at 672 & 690 South Kowald Lane, from "M-1A" Light Industrial to "C-1B" General Business District.

**Mayor Brockman read the aforementioned caption.**

**Chris Looney presented the item.**

**Caroline McDonald and Mark Hampton spoke during the public hearing.**

**Councilmember Bowers moved to approve the item. Councilmember Hoyt seconded the motion which passed unanimously via roll call vote.**

- E) Public hearing and first reading of an ordinance regarding the proposed rezoning of Lots 1 and 2 Solms Subdivision, located in the 4400 block of IH-35 South, from "APD" Agricultural/Pre-Development to "C-1B" General Business District.

**Mayor Brockman read the aforementioned caption.**

**Chris Looney presented the item.**

**Spencer Marston and Casey Genovese spoke during the public hearing.**

**Councilmember Hines moved to approve the item. Councilmember**

**Bowers seconded the motion which passed 6-1, with Mayor Pro Tem Meadows dissenting.**

- F) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 8.0 acres, Lots 1 & 2 Soefje Subdivision (3.9 acres) addressed at 1998 IH 35 North and 4.0 acres out of A-1 SUR-1AM Esnaurizar addressed at 2050 IH 35 North, from "C-3" Commercial District and "APD" Agricultural/Pre-Development District to "MU-B" High Intensity Mixed-Use District.

**Mayor Brockman read the aforementioned caption.**

**Chris Looney presented the item.**

**No one spoke during the public hearing.**

**Mayor Pro Tem Meadows moved to approve the item. Councilmember Hoyt seconded the motion which passed unanimously.**

## **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:
- ADA Complaint #20-DRS-06-15, 3TX1206, Thompson v. DAS Rec
  - Solms/Morningside/Rueckle Utility and Road Reconstruction Project
  - Klein Rd. Reconstruction Project
- B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code, specifically:
- Mosaic Development

*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*

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*necessary and legally justified under the Open Meetings Act (Chapter 551 of the Texas Government Code).*

**Mayor Brockman read the aforementioned captions.**

**City Council recessed into Executive Session from 8:33 p.m. - 10:10 p.m.**

**No vote or action was taken.**

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

**City Council reconvened into Open Session at 10:12 p.m. No vote or action was taken.**

- 7. ADJOURNMENT**

**The meeting adjourned at 10:12 p.m.**

Date Approved: August 10, 2020

\_\_\_\_\_  
Rusty Brockman, Mayor

Attest:

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Andrew A. Lyons III, Assistant City Secretary