

City of New Braunfels, Texas

City Hall - Council Chambers

Minutes

Monday, January 11, 2021

6:00 PM

City Council

Rusty Brockman, Mayor - Present

Shane Hines, Councilmember (District 1) - Present

Justin Meadows, Mayor Pro Tem (District 2) - Present

Harry Bowers, Councilmember (District 3) - Present

Matthew E. Hoyt (District 4) - Present

Jason E. Hurta (District 5) - Present

James Blakey (District 6) – Present, attended via Zoom

The meeting was called to order by Mayor Brockman at 6:00 p.m. Michael Novak 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.

City Manager, Robert Camareno, presented the item.

No action was taken.

1. MINUTES

A) Discuss and consider approval of the minutes of the regular City Council meeting of December 14, 2020.

Mayor Brockman read the aforementioned caption.

Mayor Pro Tem Meadows moved to approve the item. Councilmember Hurta seconded the motion which passed unanimously via roll call vote.

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.

Mayor Brockman read the aforementioned caption.

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Wayne Rudolph and George Green spoke during Citizens Communications.

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 issuance of an invitation for competitive sealed proposals for construction of a fiber optic network to connect new City buildings as a part of the May 2019 Bond Election since the City Council finds that this delivery method will provide the best value to the City.
- B) Approval of a contract with GTS Technology Solutions to support the replacement of the City's network infrastructure and associated equipment
- C) Approval of master professional services contract with Cleary Zimmermann Engineers to provide commissioning services for construction oversight, inspections, and coordination for future projects, including but not limited to upcoming new build of Fire Stations 2 and 3 and Westside Library Branch.
- D) Approval to renew the following annual contracts, as allowed for by their contract language: Collection of Household Hazardous Waste, Financial Advisory Services, Firefighter Physical Exams, Bond Counsel Services and Hotel Occupancy Tax Collection and Compliance Services.
- E) Approval of the City of New Braunfels FY 2020 Fourth Quarter Investment Report.
- F) Approval of modification to professional services contract with Pape-Dawson Engineers, Inc. to complete Phase 2 of the City's Accessibility ADA Transition Plan.
- G) Approval of a ratification for a contract price increase with M&S

Engineering for design changes to Alves Lane Improvements Project engineering contract.

- H) Approval of the purchase of dump trucks from Freightliner of Austin and a street sweeper truck from Heil of Texas utilizing funding awarded by the Texas Commission on Environmental Quality (TCEQ) FY 2020 Texas Volkswagen Environmental Mitigation Program.
- I) Approval of the appointment of two individuals to the Arts Commission for terms ending January 31, 2024.

Ordinances

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

- J) Approval of the second and final reading of an ordinance to amend Section 126-346 to establish no parking zones on E San Antonio Street at Comal Avenue and S Gilbert Avenue.
- K) Approval of the second and final reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow a single family residential use in the "M-1" Light Industrial District on 0.22 acres out of Lots 240 and 241 NCB 2014, addressed at 394 N. Market Avenue.
- L) Approval of the second and final reading of an ordinance regarding a proposed amendment to an existing Special Use Permit for an animal shelter to allow an additional building and parking lot for the purpose of spaying and neutering dogs and cats at 3353 Morningside Drive.
- M) Approval of the second and final reading of an ordinance establishing a credit card processing reimbursement fee for the use of credit and debit cards as a form of payment for fees, fines, court costs and other charges; repealing all ordinances in conflict, containing a savings clause; and declaring an effective date.

Mayor Brockman read the aforementioned captions.

**Councilmember Bowers moved to approve the consent agenda.
Councilmember Hurta seconded the motion which passed
unanimously via roll call.**

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of the appointment of one individual to

the River Advisory Committee for a term ending December 8, 2023.
Mayor Brockman read the aforementioned caption.

Caitlin Krobot presented the item.

Ben Buchanan was selected via a 5-2 vote with Mayor Brockman and Mayor Pro Tem Meadows in favor of Dick Hillyer.

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

- B) Discussion and possible action regarding an update to the 2010 Citywide Hike and Bike Trail plan.

Mayor Brockman read the aforementioned caption.

Ylda Capriccioso presented the item.

Mayor Pro Tem Meadows moved to approve the item. Councilmember Hoyt seconded the motion which passed 6-1 with Councilmember Bowers opposing via roll call vote.

- C) Discuss and consider approval of the purchase of all-ability playground equipment/swings for Fischer Park with Park & Play Structures through Buy Board Contract 592-19.

Mayor Brockman read the aforementioned caption.

Stacey Dicke presented the item.

Mayor Pro Tem Meadows moved to approve the item. Councilmember Bowers seconded the motion which was approved unanimously via roll call vote.

- D) Public hearing and possible direction to staff regarding funding recommendations for the CDBG-CV Grant Program utilizing an additional allocation of funds from the U.S. Department of Housing and Urban Development, and the associated CARES Act Substantial Amendment to the approved CDBG Program Year 2019 Annual Action Plan to incorporate CDBV-CV Round 3 funding.

Mayor Brockman read the aforementioned caption.

Jennifer Gates presented the item.

Dick Hillyer spoke on the item during the Public Hearing.

**Mayor Pro Tem Meadows motioned to approve the item.
Councilmember Hurta seconded the motion which passed
unanimously via roll call vote.**

- E) Public hearing and first reading of an ordinance amending Chapter 126, Division 2 of the City of New Braunfels Code of Ordinances for parking restrictions on Loma Vista Street between Heynis South and Becker Street.

Item 4E was considered in advance of Item 4A at the request of Councilmember Hines.

Mayor Brockman read the aforementioned caption.

Greg Malatek presented the item.

No one spoke during the Public Hearing.

Councilmember Hines motioned to approve the item. Mayor Pro Tem Meadows seconded the motion which passed unanimously via roll call vote.

- F) Public hearing and first reading of an ordinance amending Section 126-354 of the City of New Braunfels Code of Ordinances to revise Parking by Permit Area G.

Mayor Brockman read the aforementioned caption.

Greg Malatek presented the item.

No one spoke during the Public Hearing.

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

- G) Public hearing and first reading of an ordinance amending Section 126-186 of the Code of Ordinances to prohibit through truck traffic on West Mill Street between Academy Avenue and Walnut Avenue.

Mayor Brockman read the aforementioned caption.

Greg Malatek presented the item.

No one spoke during the Public Hearing.

The item died due to a lack of motion.

- H) Public hearing and first reading of an ordinance regarding a proposed rezoning of approximately 38 acres out of Subdivision No. 112 of the A.M. Esnaurizar Eleven League Grant, located on SH 46 South, adjacent to Stonegate Subdivision, from “APD” Agricultural/Pre-Development District and “PD” Planned Development District to “ZH-A” Zero Lot Line Home District.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented the item.

Taylor Allen and Shawn Smith spoke during the Public Hearing.

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

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 the appointment, evaluation, duties, discipline, or removal of the City Manager and the City Attorney 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).

Mayor Brockman read the aforementioned caption.

City Council recessed into Executive Session from 7:57 p.m. to 9:51 p.m.

6. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY

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**ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED
ABOVE.**

City Council reconvened into Open Session at 9:52 p.m.

No vote or action was taken.

7. ADJOURNMENT

The meeting adjourned at 9:52 p.m.

Date Approved: January 25, 2020

Rusty Brockman, Mayor

Attest:

Caitlin Krobot, City Secretary