

**MINUTES - DRAFT  
OF THE NEW BRAUNFELS CITY COUNCIL  
REGULAR MEETING OF MONDAY, AUGUST 23, 2021**

**AGENDA**

**CALL TO ORDER**

Mayor Brockman called the meeting to order at 6:00 p.m.

**CALL OF ROLL: CITY SECRETARY**

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

**INVOCATION: COUNCILMEMBER HURTA**

Councilmember Hurta provided the invocation.

**PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG**

Mayor Brockman led the Pledge of Allegiance and the 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.

The following individuals spoke at this time: Lori Shrank and Easton Smith.

**PRESENTATIONS:**

- A) Presentation regarding the New Braunfels Public Library Long Term Master Plan

Mayor Brockman read the aforementioned caption.

Gretchen Pruett presented this item.

**1. MINUTES**

- A) Discussion and or possible action to approve the minutes of the general city council meeting August 9, 2021, the special budget workshop August 9, 2021, the special budget workshop August 10, 2021, the special budget workshop August 12, 2021, and the special budget workshop August 16, 2021.

Mayor Brockman read the aforementioned item.

**Councilmember Hurta moved to approve the item. Seconded by Councilmember Bowers which passed unanimously via roll call vote.**

## **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 of a resolution regarding a request from the Heritage Society of New Braunfels to waive the application fee for a rezoning to apply a Special Use Permit to allow short term rental of a single-family residence in the C-1 Local Business District at 1370 Church Hill Drive.
- B) Approval of amendments to the agreement between the City of New Braunfels, Texas and the Humane Society of the New Braunfels Area, Inc.
- C) Approval of and authorization for the City Manager to execute a contract with the Texas Commission on Environmental Quality to accept grant funding to continue implementation of the Dry Comal Creek and Comal River Watershed Protection Plan
- D) Approval of a purchase from Chastang Autocar, Chastang Ford, and Rush Truck Centers of Texas, LP for heavy equipment collection vehicles and service vehicles for the Solid Waste Division and to declare the replaced vehicles as surplus.
- E) Approval of annual routine recurring expenditures for FY 2021 in accordance with City Charter Section 9.17.
- F) Approval of a Professional Services Agreement with Clarion Associates LLC to create a Unified Development Code for the City of New Braunfels.
- G) Approval to renew the following annual contracts, as allowed for by their contract language: Purchase of Vehicles, Pavement Marking Services, Auditing Services, EMS Medical Supplies, 3rd Party Assistance with Permit Application Review, 3rd Party Building Permit Application Plan Reviews, 3rd Party Engineering Development Permit Reviews and Administrative Support for Community Development Block Grants.

- H) Approval of continuation of golf concessionaire services with River Hofbrau through a new lease agreement for the Landa Park Golf Course.
- I) Approval of a purchase increase with GTS Technology Solutions, Inc. for additional networking equipment at Fire Station #2, Fire Station #3 and Police Station, and a 5% owners' contingency with permission for the City Manager to execute change orders up to the contingency amount.
- J) Approval of a purchase with Chastang Ford for three Fire Department vehicles to support operations and emergency services.

#### *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 the first reading of an ordinance amending Section 126-136 of the City of New Braunfels Code of Ordinances to extend the existing school zone on Avery Parkway.
- L) Approval of the second and final reading of an ordinance amending Section 2-130 of the City of New Braunfels Code of Ordinances to align with the City Charter.
- M) Approval of the second and final reading of an ordinance amending Section 2-56 of the City of New Braunfels Code of Ordinances to align all terms for city board and commissions to begin December 1 or June 1.

Mayor Brockman read the aforementioned Consent items A-M.

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

### 3. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider a resolution consenting to the issuance of unlimited tax bonds by Comal County Water Improvement District No. 1A, a water improvement district located within the Extraterritorial Jurisdiction of the City.

Mayor Brockman read the aforementioned caption.

Jeff Jewell presented this item. Mr. Jewell introduced Julie Peak who spoke on this item.

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

- B) Discuss and consider approval of proposed amendments to the City of New Braunfels Drainage and Erosion Control Manual.

This item was pulled from consideration by City Manager Robert Camareno.

- C) Public hearing and first reading of an ordinance amending Chapter 58, Floods, Article II. - Flood Damage Prevention.

This item was pulled from consideration by City Manager Robert Camareno.

- D) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow a duplex on a lot less than 8,000 square feet in area, in the R-2 Single and Two-family District addressed at 2662 Second Street.

Jean Drew presented this item.

The following individual spoke to this item: Chris VanHerdee.

**Councilmember Hines moved to approved the item. Mayor ProTem Meadows seconded the motion which passed unanimously via roll call vote.**

- E) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family house and garage apartment in the C-1 Local Business District addressed at 556 N. Union Avenue.

Jean Drew presented this item.

The following individual spoke to this item: Cindy Espinosa.

**Councilmember Hurta moved to approved the item, Councilmember Spradley seconded the motion which passed 6-1 via roll call vote.**

**In Favor:** 6 - Mayor Brockman, Councilmember Hines, Mayor Pro Tem Meadows, Councilmember Bowers, Councilmember Spradley, and Councilmember Hurta

**Opposed:** 1 - Councilmember Blakey

- F) Public hearing and first reading of an ordinance regarding a proposed rezoning of approximately 7,406 square feet (0.17-acre) being parts of Lots 6 & 7, Block 46, New City Block 4002, Guenther Addition, addressed at 157 S. Guenther Ave., from "SND-1" Special Neighborhood District - 1 to "C-2A" Central Business District.

Chris Looney presented this item.

The following individuals spoke to this item: John Blythe, Brad Worley, Dan Geisler, Robert Peterman, Mike Morris, Pam Morris, Michael Cardenas, Lark Mason, Jen Pasquali, Timothy Davis, and Kip Legler

**Councilmember Hines moved to approve the item. Mayor Pro Tem Meadows seconded the motion which passed 4-3 via roll call vote.**

**In Favor:** 4 - Mayor Brockman, Councilmember Hines, Mayor Pro Tem Meadows, and Councilmember Blakey

**Opposed:** 3 - Councilmember Bowers, Councilmember Spradley, and Councilmember Hurta

#### **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 issues regarding economic development negotiations in accordance with section 551.087 of the Texas Government Code; and, Deliberate pending/contemplated litigation, settlement 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:
- HD Supply Facilities Maintenance, Ltd.
- B) Deliberate issues regarding economic development negotiations in accordance with section 551.087 of the Texas Government Code.
- Project Origin
  - Project Encore

*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.**

No action was taken at this time.

**ADJOURNMENT**

Mayor Brockman adjourned at 7:33 p.m.

**By:** \_\_\_\_\_  
RUSTY BROCKMAN, MAYOR

**Attest:**

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CAITLIN KROBOT, CITY SECRETARY