

**MINUTES - FINAL
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, OCTOBER 25, 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 BOWERS

Councilmember Bowers 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.

PROCLAMATIONS:

A) Domestic Violence Awareness Month

Mayor Brockman read the proclamation

B) Wurstfest Proclamation

Mayor Brockman read the proclamation

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 individual spoke at this time: George Green

1. MINUTES

A) Consideration and approval of the minutes for the Special Session October 11, 2021, Executive Session October 11, 2021, the Regular City Council Session October 11, 2021, and the Special Session October 18, 2021.

Mayor Brockman read the aforementioned item.

Councilmember Bowers moved to approve the item. Councilmember Hurta seconded the item which passed unanimously.

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 an amendment to the number of authorized positions within the General Fund - Public Works Department
- B) Approval of a resolution adopting the Investment Policy for the City of New Braunfels including the Broker/Dealer and Counterparties List.
- C) Approval of a contract modification with Capital Excavation to increase the project contingency in the amount of \$250,000 for completion of roadway and subsidiary items for the 2013 Bond Solms Rd, Morningside Dr, and Rueckle Rd Reconstruction Project.
- D) Approval of a contract with Knight Security Systems for the purchase of video surveillance equipment, video management services and access control equipment and services for Fire Station #3, and to authorize the City Manager to execute any change orders up to the contingency amount.
- E) Approval for the submission of an application for FY 2021 American Rescue Plan Act Travel, Tourism, and Outdoor Recreation Notice of Funding Opportunity grant funding offered by the Economic Development Administration, U.S. Department of Commerce; and authorization for the City Manager to act on behalf of the City in matters as required by the grant.
- F) Approval of a request to relinquish plat review authority to Comal County for approximately 272 acres partially located within the Extraterritorial Jurisdiction (ETJ) of New Braunfels.
- G) Approval of a contract with SHI Government Solutions to purchase Sympro Investment Management Software and Sympro Debt Management Software and to purchase support, implementation, and

training of the software modules for the Finance Department.

- H) Approval of a resolution of the City Council of the City of New Braunfels, Texas, amending Article 5 of the Meet and Confer Agreement between the City and the New Braunfels Professional Fire Fighters Association, Local 3845 of the International Association of Fire Fighters, by extending the term for 120 days; providing for an effective date.
- I) Approval of budget amendments in the FY 2021 General Fund, Special Revenue Fund, Development Services Fund and the Equipment Replacement Fund.

Approval of the Consent Agenda

Mayor Brockman read the aforementioned Consent Agenda.

Councilmember Spradley moved to approve the Consent Agenda. Councilmember Hurta seconded the motion which passed unanimously.

3. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of the first reading of an ordinance to install an all-way stop at the intersection of W. County Line Road and Chartwell Entry.

Mayor Brockman read the aforementioned item.

Greg Malatek presented the item.

The following individual spoke to this item: Linda Schmitt.

The item died for lack of motion.

- B) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 5.35 acres out of the A. M. Esnaurizar Survey, addressed at 850 State Highway 46 South, from "M-1 AH" Light Industrial District - Airport Hazard Overlay to "ZH-A AH" Zero Lot Line Home District - Airport Hazard Overlay.

Mayor Brockman read the aforementioned item.

Jean Drew presented the item.

The following individual spoke to this item: Brittany Beisea.

Councilmember Hines moved to approve the item. Councilmember Hurta seconded the motion which passed unanimously.

- C) Public hearing and first reading of an ordinance regarding a proposed rezoning of approximately 6,600 square feet (0.15 acre) consisting of Lot 36, Block 1, Green Valley Estates Subdivision, addressed at 138 E. Green Valley, from “B-1” Conventional and Mobile Home District to “C-O” Commercial Office District.

Mayor Brockman read the aforementioned item.

Jean Drew presented the item.

The following individuals spoke to this item: Gilbert and Angie Morales.

Councilmember Blakey moved to approve the item. Motion died due to lack of a second.

Mayor Brockman took a break at 7:10 p.m.

Mayor Brockman reconvened at 7:18 p.m.

- D) Public hearing and first reading of an ordinance regarding a proposed rezoning from “M-1” Light Industrial District and “APD” Agricultural/Pre-Development District to “C-1B” General Business District with a Special Use Permit to allow the expansion of an existing zoo on approximately 19.2 acres, consisting of Lots 2, 3, 4, 5 and 6, Collins Estates, Unit 2, addressed at 5562, 5640 and 5686 IH 35 S and 203 and 223 Rusch Ln.

Mayor Brockman read the aforementioned item.

Chris Looney presented the item.

The following individual spoke to this item: Mark Stuart.

Councilmember Hines moved to approve the item. Councilmember Hurta seconded the motion which passed unanimously.

- E) Public hearing and first reading of an ordinance regarding a proposed zone change to apply a Special Use Permit to allow multifamily residential use in the “APD” Agricultural/Pre-Development District, on

approximately 18 acres out of the John Thompson Survey No. 21, Abstract No. 608, Comal County, Texas, addressed at 441 Ron Road.

Mayor Brockman read the aforementioned item.

Chris Looney presented the item.

The following individuals spoke to this item: Tammy and Carlos Caballero, and Jessica Harden.

Councilmember Spradley moved to approve the item with recommended approval of a masonry wall and staff recommendations. Councilmember Hines seconded the motion which passed unanimously.

- F) Public hearing, discussion and consideration of a first reading on an ordinance of The City of New Braunfels approving a service and assessment plan for the Solms Landing Public Improvement District; making a finding of special benefit to the property in the District; levying a special assessment against property within Improvement Area #1 of the District; establishing a lien on such property; approving an assessment roll for the District; providing for payment of the special assessment in accordance with Chapter 372, Texas Local Government Code; providing for the method of assessment and the payment of the special assessment; providing for penalties and interest on delinquent assessments; providing for a severability clause; providing an effective date; and providing for other related matters

Mayor read the aforementioned item.

Jared Werner introduced the item. Bart Fowler presented the item.

Councilmember Hurta moved to approve the item. Councilmember Hines seconded the motion which passed unanimously.

- G) Discuss and consider approval of a resolution of the City Council of the City of New Braunfels, Texas, approving the form and authorizing the distribution of a preliminary limited offering memorandum for "City Of New Braunfels, Texas Special Assessment Revenue Bonds, Series 2021 - Solms Landing Public Improvement District Improvement Area #1 Project "

Mayor Brockman read the aforementioned item.

Jared Werner presented the item.

Councilmember Hines moved to approve the item. Councilmember Hurta seconded the motion which passed unanimously.

- H) Discuss and consider approval of a resolution of the City of New Braunfels, Texas approving and authorizing the Mayor to execute the "Solms Landing Public Improvement District Financing And Reimbursement Agreement" Between Solms Landing Development, LLC, a Texas limited liability company and the City of New Braunfels, Texas

Mayor read the aforementioned item.

Jared Werner presented the item.

Councilmember Bowers moved to approve the item. Councilmember Spradley seconded the motion which passed unanimously.

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 the appointment, evaluation, duties, discipline, or removal of the Municipal Court Judge in accordance with Section 551.074 of the Texas Government Code.
- B) Deliberate issues regarding economic development negotiations in accordance with section 551.087 of the Texas Government Code.
- Project Origin
 - Project Forward
 - Taskus

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 7:53 p.m.

By: _____
RUSTY BROCKMAN, MAYOR

Attest:

CAITLIN KROBOT, CITY SECRETARY