

**FINAL - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF TUESDAY, MAY 26, 2026**

CALL TO ORDER

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

CALL OF ROLL: CITY SECRETARY

Present: 7 - Councilmember Toni Carter, Councilmember Michael Capizzi, Councilmember D. Lee Edwards, Mayor Pro Tem Lawrence Spradley, Councilmember April Ryan, Councilmember Mary Ann Labowski, and Mayor Neal Linnartz

REQUEST ALL PHONES AND OTHER DEVICES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL.

INVOCATION: COUNCILMEMBER EDWARDS

Councilmember Edwards provided the invocation.

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

Mayor Linnartz led the Pledge of Allegiance and the Salute to the Texas Flag.

ANNUAL ELECTION ACTIONS

A) Complete and issue Certificate of election to the Councilmember - elect Mary Ann Labowski for District 5.

Mayor Linnartz read the aforementioned item.

Gayle Wilkinson indicated this has been completed.

B) Administer the oath of office to District 5 Councilmember - elect Mary Ann Labowski.

Mayor Linnartz invited Councilmember-elect Labowski to the front of the dais for her oath to be administered.

Gayle Wilkinson issued the Oath of Office to Councilmember-elect Labowski.

Councilmember Labowski addressed the audience and her peers.

PROCLAMATIONS:

A) Juneteenth

Mayor Linnartz read the aforementioned proclamation.

George Green accepted the proclamation and addressed council.

B) ALS Awareness

Mayor Linnartz read the aforementioned proclamation.

Brian Martelon and family were present to receive the proclamation.

C) Small Business Week and Small Business Person of the Year.

Mayor Linnartz read the aforementioned proclamation.

Representatives from the New Braunfels Chamber and Kevin Carroll accepted the proclamation and addressed council.

CITIZENS COMMUNICATIONS

This time is for citizens to address the City Council on issues and items of concern not on this agenda. There will be no City Council action at this time. In the interest of protecting the City's network and data, the City is not accepting flash drives or electronic files for use during Citizens Communications. Please use hard copies, the overhead projector or access the City's online digital form to upload electronic files you would like the Mayor and Council to view. The digital form would need to be uploaded two (2) hours prior to the City Council meeting. A link to this form can be accessed on the City Secretary's website. Individuals desiring to speak at citizen's communications should line up behind the podium and be ready to speak.

The following people addressed council: Michael French, Thomas Candle, Michael Murphy, Bob King, Richard Zapata, Jim Holster.

1. 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.

Action Items

A) Approval of the May 11, 2026 regular and executive city council meeting minutes, and the May 18, 2026 special city council meeting minutes.

B) Approval of a License Agreement between the City of New Braunfels and 210 S. Castell, LLC for the placement of a dumpster and

enclosure on the City property located at 169 S. Hill Avenue.

- C) Approval of an agreement between the City of New Braunfels and Comal County regarding runoff election services for June 13, 2026, and authorizing the City Manager to execute the agreement.
- D) Approval of a contract between the City of New Braunfels and Guadalupe County regarding the June 13, 2026, runoff election, and authorizing the City Manager to execute the agreement.
- E) Approval to authorize the City Manager to execute and fund a Public Pedestrian Underpass Agreement with Union Pacific Railroad as part of the Dry Comal Trail, Segment 1, for the construction, use, and maintenance of a 10-foot concrete trail and overhead protection canopy within the Union Pacific Railroad right of way at milepost 227.62.
- F) Approval of an adjustment to the authorized Citywide full time equivalent from 902.5 to 907.5 and the appropriate budget amendments.

Ordinances

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

- G) Approval of the first reading of an ordinance, of the City Council of the City of New Braunfels, Texas, accepting and approving the 2026 Amended and Restated Service and Assessment Plan and Updated Assessment Roll for the Solms Landing Public Improvement District; making and adopting findings; providing a cumulative repealer clause; and providing an effective date.
- H) Approval of the second and final reading of an ordinance amending section 86-8 “Glass containers prohibited in park areas and on rivers, lakes and streams”, section 86-10 Prohibition of alcoholic beverages in city parks and city-owned property”, section 86-12 “Prohibition of sale or advertising of goods, wares or services in city parks”, section 86-17 “San Antonio Street bridge safety zone”, and section 86-97 “Landa Park miniature golf and paddle boat fees” of the New Braunfels code of ordinances to match department policy.

Approval of the Consent Agenda

Mayor Linnartz read the aforementioned ordinances of the consent agenda. Mayor Pro Tem Spradley motioned to approve this item.

Councilmember Ryan seconded the motion which passed unanimously.

2. INDIVIDUAL ITEMS FOR CONSIDERATION

Individuals desiring to speak to any individual item should line up behind the podium and be ready to speak when public comment is recognized.

A) Public hearing and first reading of an ordinance requested by Maria Chavez of approximately 0.2 of an acre out of the City Block Subdivision 1072, Lot 10, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit to allow a Short-Term Rental of a Residence), currently addressed at 284 Perryman Street.

Mayor Linnartz read the aforementioned item.

Christopher Looney presented this item with a powerpoint presentation.

A representative for the applicant addressed council, provided documentation, and answered questions.

Councilmember Edwards motioned to approve this item. Councilmember Capizzi seconded the motion which passed.

Opposed:

Councilmember Carter

B) Public hearing and first reading of an ordinance requested by Paul Paniagua of approximately 0.3 of an acre out of the City Block Subdivision 3007, Lot 4, from C-2 (General Business District) to C-2 SUP (General Business District with a Special Use Permit to allow a Short-Term Rental of a Residence), currently addressed at 1258 West San Antonio Street.

Mayor Linnartz read the aforementioned item.

Christopher Looney presented this using a powerpoint.

The following individual spoke at this time: Angela Keller.

Mayor Pro Tem Spradley motioned to approve this item. Councilmember Edwards seconded the motion which passed.

Opposed:

Councilmember Carter, and Labowski

- C) Discuss and consider the possible reconsideration of the City Council's action on May 11th on item 1(b) on the City Council's 5pm executive session meeting and discussion regarding the employment, duties, discipline, and appointment of the City Attorney position and discussion regarding the removal of the City Attorney in accordance with Section 551.074 of the Texas Government Code.

Mayor Linnartz read the aforementioned item.

Mayor Linnartz announced that a motion was needed to begin discussion on this item. No motion was made. The item died for lack of motion.

PRESENTATIONS:

- A) Presentation, discussion and possible direction to staff regarding the creation and composition of a charter review commission, selection process of an outside legal firm to assist with the charter review and amendment process and associated timeline for a potential charter amendment election.

Mayor Linnartz read the aforementioned item.

Robert Camareno presented this item with a powerpoint presentation and answered questions.

City Council advised Robert Camareno to bring back a draft application for potential Charter Review Commission members, including recommendations regarding the size of the commission and the number of alternates. Council also noted that applicants should be informed of the anticipated time commitment and goals of the appointment. Council expressed a desire for an ad hoc committee to select the outside legal counsel that would assist the commission. This item will return as an action item at the next meeting.

No action was taken at this time.

3. EXECUTIVE SESSION

In accordance with the Open Meetings Act, Texas Government Code, Ch. 551.071, the City Council may convene in a closed session to discuss any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

- 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:

1. Lefko USA, Inc.

2. Discuss City Charter, ordinances, Texas Constitution, state statutes and conflict of laws related to majority and plurality voting requirements.

B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code:

1. Generator

C) Deliberate pursuant to Section 551.076, Government Code, Council may convene in closed session to deliberate: (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit.

1. Deliberate the deployment of security personnel or devices and deliberate a security audit.

D) Deliberate the appointment and duties of an Interim City Attorney in accordance with Section 551.074 of the Texas Government Code.

4. IF NECESSARY, RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

Mayor Linnartz adjourned back into open session at 7:47 p.m. and announced City Council would resume executive session on the above items that were read in Executive Session at 5:00 p.m.

City Council reconvened back into open session at 8:26 p.m.

Mayor Pro Tem Spradley motioned to appoint Davidson, Troilo, Ream & Garza as the Interim Attorney Firm. Councilmember Labowski seconded the motion which passed unanimously.

ADJOURNMENT

Mayor Linnartz adjourned at 8:26 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY