



**CITY OF NEW BRAUNFELS, TEXAS  
CITY COUNCIL MEETING**



**CITY HALL - COUNCIL CHAMBERS  
550 LANDA STREET**

**MONDAY, DECEMBER 11, 2023 at 6:00 PM**

Neal Linnartz, Mayor  
Andres Campos, Councilmember (District 1)  
Christopher Willis, Councilmember (District 2)  
Harry Bowers, Mayor Pro Tem (District 3)  
Lawrence Spradley, Councilmember (District 4)  
Mary Ann Labowski, Councilmember (District 5)  
April Ryan, Councilmember (District 6)  
Robert Camareno, City Manager

***MISSION STATEMENT***

***The City of New Braunfels will add value to our community  
by planning for the future, providing quality services, encouraging  
community involvement and being responsive to those we serve.***

**AGENDA**

**CALL TO ORDER**

**CALL OF ROLL: CITY SECRETARY**

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

**INVOCATION: MAYOR PRO TEM BOWERS**

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

**PROCLAMATIONS:**

A) Wreaths Across America Proclamation.

[23-1639](#)

**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. 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.

**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.*

*Resolutions & Action Items*

- A) Approval of the November 27, 2023 Regular and [23-1660](#) Executive Session minutes.  
Gayle Wilkinson, City Secretary
- B) Approval for a purchase from Gaumard Scientific [23-1640](#) Company, Inc. for an EMS Training Mannikin to support the Fire Department.  
Assistant Fire Chief Matt Bushnell
- C) Approval of a purchase with Comm Fit Holdings, LLC for [23-1659](#) fitness equipment for Das Rec and to declare the existing equipment as surplus.  
Chad Donegan, Parks and Recreation Director
- D) Approval for submission of the Program Year 2022 [23-1644](#) Consolidated Annual Performance and Evaluation Report to the U.S. Department of Housing and Urban Development for the Community Development Block Grant (CDBG) and CDBG-CV Grant programs.  
Jennifer Gates, Grants Coordinator
- E) Approval of an expenditure for Paramedic School Tuition [23-1655](#) for the Fire Department.  
Chris Nored, Fire Department Training Captain
- F) Ratification for approval of the annual contract renewal [23-1657](#) with Texas Municipal League for the purpose of providing workers' compensation, liability, and property insurance coverage.  
Rebecca Miers Human Resources & Risk Management Director
- G) Approval of a purchase with Professional Turf Products [23-1674](#) L.P. for four (4) Yanmar 72" Zero turn mowers for the City of New Braunfels Parks Department and to declare the replaced units as surplus.  
Chad Donegan, Parks Director
- H) Approval to authorize the City to enter into a [23-1624](#) Development Agreement with AC3 Ventures, LLC to

allow for tree removal and to require trees to be planted on properties addressed at 2257 SH 46 and 2265 SH 46.

Matthew Simmont, Planning Manager

- I) Approval of a resolution for a Memorandum of Understanding between Comal County and the City of New Braunfels supporting the submission of a grant application to purchase law enforcement equipment for the New Braunfels Police Department using a joint allocation of funding provided by the FY 2023 Edward Byrne Memorial Justice Assistance Grant Program. [23-1645](#)

Jennifer Gates, Grants Coordinator

- J) Approval of the consideration of a request for a waiver of the permit fee associated with the development of the Crisis Center of Comal County not-for-profit, currently addressed at 635 Landa Street, pursuant to relief procedures in Section 100-23 of the City's Code of Ordinances [23-1578](#)

Kevin "KC" Collins, P.E., CFM, Building Official

#### 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 adopting the proposed amendments to Chapter 10, Aviation, of the City of New Braunfels Code of Ordinances, updates to the Airport Minimum Standards, and adoption of new Rules and Regulations. [23-1562](#)

Robert Lee, PhD, AAE, Airport Director

- L) Approval of the second and final reading of an ordinance amending Section 130-26 of the New Braunfels Code of Ordinances, related to NBU Board of Trustees by changing the timing of appointments from October to November with terms beginning December 1st. [23-1646](#)

Gayle Wilkinson, City Secretary

- M) Approval of the second and final reading of an ordinance to rezone 0.153 acres out of City Block 1001, South 70 feet of Lot 124 (B) from C-2 HD (General Business District with Historic District Overlay) to C-2 HD SUP (General Business District with Historic District Overlay) [23-1623](#)

and a Special Use Permit for Short-Term Rental of a Residence), currently addressed as 147 South Academy Avenue.

Jean Drew, AICP, CNU-A, Planning and Development Services Assistant Director

- N) Approval of the second and final reading of an ordinance [23-1625](#) to rezone approximately 13 acres out of A. M. Esnaurizar Survey, Abstract 20, from APD AH (Agricultural/Predevelopment District with Airport Overlay) to C-1A AH (Neighborhood Business District with Airport Overlay), currently addressed at 1807 FM 758.

Matthew Simmont, AICP, Planning Manager

- O) Approval of the second and final reading of an ordinance [23-1622](#) to rezone approximately 2 acres out of J. M. Steiner Survey 279, Abstract 708, from R-2 (Single-Family and Two-Family District) to C-1B (General Business District), currently addressed at 2257 and 2265 State Highway 46 West.

Jean Drew, AICP, CNU-A, Planning and Development Services Assistant Director

- P) Approval of the second and final reading of an ordinance [23-1662](#) regarding amendments to Chapter 106, Signs, Chapter 98, Planning, Chapter 144, Zoning, and Appendix D, fees, all regarding the duties and name of the Zoning Board of Adjustment

Christopher J. Looney, AICP, Planning and Development Services Director

- Q) Approval of the second and final reading of an ordinance [23-1663](#) to amend Chapter 118 Subdivision Platting, Section 46 Streets, Subsection (y), Traffic Impact Analysis.

Garry Ford, Transportation and Capital Improvements Director

## 2. **INDIVIDUAL ITEMS FOR CONSIDERATION**

- A) Public hearing and possible direction to staff regarding [23-1526](#) the submission of an amended CARES Act Substantial Amendment for a reallocation of funding provided by the U.S. Department of Housing and Urban Development's Community Development Block Grant Coronavirus (CDBG-CV) program.

Jennifer Gates, Grants Coordinator

- B) Discuss and consider the first reading of an ordinance to [23-1628](#)

amend Section 126-346 of the Code of Ordinances of the City of New Braunfels to establish a no parking zone on both sides of Comal Creek Trail between Springs Nursery.

Garry Ford, Transportation and Capital Improvements Director

- C) Discuss and consider the first reading of an ordinance to [23-1629](#) create Section 126-154 to reduce the speed limit within the White Wing subdivision.

Garry Ford, Transportation and Capital Improvements Director

- D) Public hearing and first reading of an ordinance to [23-1626](#) rezone 0.38 acres out of New City Block 4071, Schneider Addition, lots 7 & 8, from SND-1 (Special Neighborhood District-1) to R-3L (Multifamily Low-Density District) currently addressed at 605 South Santa Clara Avenue.

Jean Drew, AICP, CNU-A, Planning and Development Services Assistant Director

- E) Discuss and consider approval of the second and final [23-1643](#) reading of an ordinance regarding the proposed rezoning of approximately 10.094 acres out of Orilla Russell Survey, Section 2, Abstract 485 from APD (Agricultural/Pre-Development District with Airport Overlay) to C-1B (General Business District with Airport Overlay), located east of the intersection of FM 1102 and Orion Drive.

Matthew Simmont, AICP, Planning Manager

- F) Public hearing and consideration of proposed [23-1641](#) amendments to the Mayfair Development and Design Control Document (DDCD) and Master Framework Plan.

Jean Drew, AICP, CNU-A, Planning and Development Services Assistant Director

- G) Discuss and consider the first reading of an ordinance [23-1590](#) amending the New Braunfels Code of Ordinances, Appendix D - Fee Schedule by adopting new fees for Traffic Impact Analysis Services.

Sandy Paulos, Director of Finance

- H) Discuss and consider the first reading of an ordinance [23-1591](#) amending the New Braunfels Code of Ordinances, Chapter 62-Health and Sanitation, by adopting new fees for Neighborhood Services - Health and Sanitation

related services and moving all fees to Appendix D-Fee Schedule, and minor editing.

Sandy Paulos, Director of Finance

- I) Discuss and consider the first reading of an ordinance [23-1589](#) amending the New Braunfels Code of Ordinances, Chapter 144-1.4 by adding definitions of Heritage and Protected Trees, amending Section 144-5.3-1 by extending approval authority for tree replacement to include department staff, creating the Tree Mitigation Fund option to tree replacement; and amending Appendix D-Fee Schedule, by adopting new fees for development related services.

Sandy Paulos, Director of Finance

### 3. **EXECUTIVE SESSIONS**

In accordance with the Open Meetings Act, Texas Government Code, Ch. 551, the City Council may convene in a closed session to discuss any of the items listed below. Any final action or vote on any executive session item will be taken in open session.

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).

- A) Deliberate the purchase, exchange, lease or value of [23-1677](#) real estate in accordance with Section 551.072 of the Texas Government Code, specifically:

- Parkland acquisition
- NBU Headquarters

- B) Deliberate pending/contemplated litigation, settlement [23-1656](#) 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:

- City Park on FM1044
- City of New Braunfels v. River Ranch RV Park Resort
- Rafael Marfil, et al. v. City of New Braunfels

- C) Deliberate the appointment, employment, evaluation, [23-1411](#)

reassignment, duties, discipline, or dismissal of the City Manager in accordance with Section 551.074 of the Texas Government Code.

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

#### **ADJOURNMENT**

#### **CERTIFICATION**

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall.

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Gayle Wilkinson, City Secretary

NOTE: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 221-4010 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.