

**FINAL - MINUTES  
OF THE NEW BRAUNFELS CITY COUNCIL  
REGULAR MEETING OF MONDAY, JUNE 8, 2026**

**CALL TO ORDER**

Mayor Linnartz called the meeting to order at 6:16 p.m.

**CALL OF ROLL: CITY SECRETARY**

**Present:** 4 - Councilmember Michael Capizzi, Councilmember D. Lee Edwards, Mayor Pro Tem Lawrence Spradley, and Councilmember Mary Ann Labowski

**Absent:** 1 - Councilmember Toni Carter

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

**INVOCATION: MAYOR LINNARTZ**

Mayor Linnartz 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.

**PROCLAMATIONS:**

A) Make Music Day

Mayor Linnartz read the aforementioned proclamation.

Members from the New Braunfels Convention & Visitors Bureau accepted the proclamation and addressed council.

B) Responsible Fatherhood Month

Mayor Linnartz read the aforementioned proclamation.

Members from the Solomon's Porch Ministries accepted the proclamation and addressed council.

C) National Safety Month

Mayor Linnartz read the aforementioned proclamation.

Members from the City of New Braunfels Risk and Safety Team 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 individuals spoke at this time: David Warmke, Thomas Campbell, Michael Murphy, Marcie Salinas, Angela Allen, Jim Holster, Jay Ryder, Lynn McCord, Rita McNeal Owens, Danae Delaney, Rosa Hopkins, David Smith, Eva Pepitone**

### **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 26, 2026, city council regular and executive session meeting minutes.
- B) Approval of an agreement with Pape-Dawson Consulting Engineers, LLC to collect, analyze, and prioritize right-of-way data to be used with the City's Americans with Disabilities Act Self-Evaluation and Transition Plan.
- C) Approval of a contract with Denton Navarro Rodriguez Bernal Santee & Zech, P.C., the approval of Justin Plescha as contract municipal prosecutor and the appropriate budget amendment
- D) Approval of the Roadway Impact Fee report for the period April 1, 2025 to September 30, 2025 as recommended by the Roadway Impact Fee Advisory Committee
- E) Approval of a contract with Charter Communications Operating, LLC (Spectrum) for fiber internet and enterprise TV services.

- F) Approval of a license agreement between the City of New Braunfels and the Neue, LLC for encroachments in the public right-of-way of West San Antonio Street.

*Resolutions*

- G) Approval of a resolution granting the authority to New Braunfels Utilities to sell a 1.043 acre tract of land located at 156 Texas Avenue, New Braunfels, Texas, 78130, Comal County Property ID No. 151576 and authorizing the New Braunfels Utilities Board of Trustees or designee of such Board to negotiate and execute all necessary documents in connection therewith

*Ordinances*

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

- H) Approval of the second and final reading of an ordinance, of the City Council of the City of New Braunfels, Texas, accepting and approving an Annual Service Plan Update to the 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.

**Approval of the Consent Agenda**

**Mayor Linnartz read the aforementioned resolution and ordinance of the consent agenda.**

**Councilmember Ryan made a motion to approve the consent agenda. Councilmember Labowski seconded the motion which passed unanimously.**

**Absent:**

Councilmember Carter

**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) Discuss and Consider Approval of an Ordinance Authorizing the Issuance of "City of New Braunfels, Texas, Utility System Revenue Program Notes, Taxable Series" in an Aggregate Principal Amount of Not to Exceed \$25,005,000 to Provide Interim Financing to Pay Project

Costs for Eligible Project for the City's Utility System, Approving and Authorizing the Execution of Agreements to be Entered into in Connection with the Program Notes and Resolving Other Matters Incident and Related Thereto.

**Mayor Linnartz read the aforementioned item.**

**Jessica Williams presented this item to council using a powerpoint presentation and answered questions.**

**The following individuals spoke at this time: Tiffany Kelly, Richard Kelsheimer,**

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

**Absent:**

Councilmember Carter

- B) Discuss and consider approval of a resolution of the City of New Braunfels, Texas, authorizing the use of eminent domain proceedings by New Braunfels Utilities (NBU) for the acquisition of easements that are necessary to advance and achieve the public use of expanding the New Braunfels Utilities' Water System to increase water capacity to meet existing and future needs and ensure reliability, in the event negotiations are unsuccessful:
- a. a permanent utility easement of 0.005 acres and a temporary construction easement of 0.042 acres being situated out of Lot 13, Pleasant View Subdivision in Comal County, Texas according to the plat thereof recorded in Volume 4, Page 54 of the Map and Plat Records of Comal County, Texas, as conveyed to Leonardo Hernandez III, Herman G. Hernandez, Yvette Hernandez Rodriguez, Yvonne Hernandez Garcia and Michael R. Hernandez by Gift Deed recorded in Document No. 201706012849, Official Public Records, Comal County, Texas, as it may have been modified by Affidavit of Correction Concerning Instrument recorded in Document No. 202006016641, Official Public Records, Comal County Texas, also known as Comal County Parcel No. 44948

**Mayor Linnartz read the aforementioned item.**

**Mike Short and Bruce Haby of New Braunfels Utilities presented this item to council using a powerpoint presentation and answered**

questions.

**The following individuals spoke at this time: Angela Keller**

**Councilmember Edwards motioned to approve this item. Councilmember Labowski seconded the motion which passed unanimously.**

**Absent:**

Councilmember Carter

- C) Discuss and consider the second and final reading of an ordinance requested by Paul Paniagua of approximately 0.3 acres 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 Short-Term Rental of a Residence), currently addressed at 1258 West San Antonio Street.

**Mayor Linnartz read the aforementioned item.**

**Christopher Looney presented this item to council using a powerpoint presentation.**

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

**Opposed:**

Mayor Pro Tem Spradley, and Councilmember Labowski

**Absent:**

Councilmember Carter

- D) Discuss and consider the second and final reading of an ordinance requested by Maria Chavez of approximately 0.2 acres 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 to council using a powerpoint presentation. The applicant, Maria Chavez, addressed council and answered questions.**

**Councilmember Labowski motioned to approve this item.**

Councilmember Ryan seconded the motion which passed unanimously.

**Absent:**

Councilmember Carter

E) Discuss and consider approval of the composition and selection process for the proposed Charter Review Commission.

**Mayor Linnartz read the aforementioned item.**

Robert Camareno presented this item to council and answered questions.

Staff was given direction of composing the charter review committee to a max of seven members and to open an application process in which each council member would select their choice. Councilmember Edwards places emphasis on diversity and qualifications on the selection of the committee.

The following individuals spoke at this time: Tiffany Kelly, David Warmke, Richard Kelsheimer

No action was taken at this time.

**3. PRESENTATIONS:**

A) Presentation and update on the Street Safety Action Plan progress and Vision Zero.

**This item was not presented to council.**

**4. 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.

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

There were no executive session items.

No action was taken at this time.

## **ADJOURNMENT**

Mayor Linnartz adjourned at 8:07 p.m.

By: \_\_\_\_\_  
MICHAEL FRENCH, MAYOR

**Attest:**

\_\_\_\_\_  
GAYLE WILKINSON, CITY SECRETARY