

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, NOVEMBER 13, 2023**

AGENDA

CALL TO ORDER

Mayor Linnartz called the meeting to order at 6:21 p.m.

CALL OF ROLL: CITY SECRETARY

Councilmember Willis arrived at 7:33 p.m.

Present: 7 - Mayor Neal Linnartz, Councilmember Andres Campos, Councilmember Christopher Willis, Mayor Pro Tem Harry Bowers, Councilmember Lawrence Spradley, Councilmember Mary Ann Labowski, and Councilmember April Ryan

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:

C) Veterans Day Proclamation

Mayor Linnartz read the aforementioned proclamation.

Veterans from around the community accepted the proclamation.

A) Hill Country Night Sky Proclamation

Mayor Linnartz read the aforementioned proclamation.

Comal County Friends of the Night Sky accepted the proclamation.

B) Hospice & Palliative Care Proclamation

Mayor Linnartz read the aforementioned proclamation.

Community hospice professionals accepted 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. 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.

The following individuals spoke at this time: David Warmke, Loree Schrank, David Gonzales, Marty Isles, George Green, Nicole Lawson, Richard Myrick, Easton Smith, Michael Murphy

Jordan Matney provided a library related update.

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.

David Warmke pulled items E and I for individual consideration.

Resolutions & Action Items

- A) Approval of the October 23rd, 2023, Regular and Executive Session Meeting Minutes and the October 25th, 2023 Special Meeting Minutes.
- B) Approval of FY 2023 budget amendments for the General Fund, Airport Fund, Golf Fund, Federal Court Awards, Court Security, Special Revenue Fund, Development Services, and the Fleet Fund.
- C) Approval of a resolution for the City Manager to execute the Comal River Watershed Supplemental Watershed Plan Agreement as a sponsor for the Rehabilitation of Floodwater Retarding Structure No. 4 of the Comal River Watershed, Comal County
- D) Approval to renew the following annual contracts, as allowed for by their contract language and in accordance with City Charter Section 9.17: Westnet, CINTAS Uniforms, Non-Scheduled Pharmaceuticals, Pristine Texas Rivers, Resnick, Louis PC, The Chapman Firm, Denton, Navarro, Rocha, Bernal and Zech, Law Offices of Ryan Henry.

- E) Approval for the City Manager to enter into a Non-Standard Service Agreement with Green Valley Special Utility District for the design and construction of a reclaimed water supply system for the Zipp Family Sports Park.

David Warmke pulled this item for individual consideration.

- F) Approval of the amended bylaws for the New Braunfels Arts Commission.
- G) Approval of the issuance of an invitation for competitive sealed proposal for the West Alligator Creek Trail since the City Council finds that these delivery methods will provide the best value to the City.
- H) Approval of a purchase with Bluebonnet Motors, Inc., for fleet vehicles to support Police CID operations and approval to declare the replaced units as surplus.
- I) Approval of a contract with Trimbuilt Construction, Inc. for Construction Manager at Risk services for the Fire Station #5 Renovation Project.

David Warmke pulled this item for individual consideration.

- J) Approval of a contract with Siddons-Martin Emergency Group for Preventive Maintenance of Pierce emergency apparatus equipment and repairs as needed to support the Fire Department.
- K) Approval of project expenditures to New Braunfels Utilities for water and wastewater impact and connection fees for Fire Station 7 and the Fire Training Site Infrastructure Improvements.
- L) Approval of a contract with Alliance Transportation Group for professional services and technical assistance in implementing the Transit Development Plan.
- M) Approval of purchases with Chastang Autocar, Bluebonnet Motors, Inc, and Holt CAT for heavy equipment to support the Public Works Department-Streets Division to declare the replaced units as surplus.
- N) Approval of a resolution, ratification for submission of two applications to the Alamo Area Council of Governments' FY2024 & FY2025 Regional Solid Waste Management Grants Program, and authorization for the City Manager to accept funds and to execute all contract documents associated with the grant, if awarded.

Ordinances

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

- O) Approval of the first reading of an ordinance authorizing assignment pay for certain qualified civil service employees in the New Braunfels Fire Department who perform specialized functions as assigned by the Fire Chief or designee.
- P) Approval of the first reading of an ordinance to amend Section 126-346 of the Code of Ordinances of the City of New Braunfels to establish a no parking zone on the north side of Fair Lane adjacent to River Acres Park.
- Q) Approval of the first reading of an amendment to the Code of Ordinances, Section 91-2, Special Events, Definition.
- R) Approval of the second and final reading of an ordinance to rezone 0.255 acres out of Walnut Hills Subdivision, Lot 1, from R-2 (Single-Family and Two-Family District) to C-1A (Neighborhood Business District), currently addressed at 1417 North Walnut Avenue.
- S) Approval of the second and final reading of an ordinance changing street names in Sunset Ridge and Vista Hills Unit 2 from "Vista Vw" to "Blue Cloud Way", in Sunset Ridge from "S Water Ln" to "N Gleaming Trl", and in Highland Grove Unit 2 from "S Water Ln" to "S Gleaming Trl".

Approval of the Consent Agenda

Mayor Linnartz read the aforementioned consent agenda with the exception of items E and I.

Mayor Pro Tem Bowers motioned to approve the consent agenda with the exception of items E and I. Councilmember Spradley seconded the motion which passed unanimously.

Absent:

Councilmember Willis

2. INDIVIDUAL ITEMS FOR CONSIDERATION

- C) Discuss and consider a resolution to cast 424 votes toward the election of a member of the Comal Appraisal District Board of Directors.

Mayor Linnartz read the aforementioned item and indicated this item was moved to the first item to be considerate to Comal Appraisal District members present.

Gayle Wilkinson presented the item to council and explained that we were the nominating entity for Eric Couch.

The following individuals spoke at this time: Eric Couch, Jonathan Alorda

Councilmember Campos motioned to approve a resolution casting 424 votes for Eric Couch. Councilmember Labowski seconded the motion which passed unanimously.

Absent:

Councilmember Willis

E-1) Approval for the City Manager to enter into a Non-Standard Service Agreement with Green Valley Special Utility District for the design and construction of a reclaimed water supply system for the Zipp Family Sports Park.

David Warmke pulled this item for individual consideration.

Mayor Linnartz read the aforementioned item.

David Warmke asked questions regarding the item which Scott McClelland answered.

Mayor Pro Tem Bowers motioned to approve this item. Councilmember Ryan seconded the motion which passed unanimously.

I-1) Approval of a contract with Trimbuilt Construction, Inc. for Construction Manager at Risk services for the Fire Station #5 Renovation Project.

David Warmke pulled this item for individual consideration.

Mayor Linnartz read the aforementioned item.

David Warmke asked questions regarding the item which were answered by Scott McClelland.

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

unanimously.

- A) Discuss and consider approval of a resolution adopting the New Braunfels Transit Development Plan.

Mayor Linnartz read the aforementioned item.

Garry Ford presented the item to council using a powerpoint and answered questions.

The following individuals spoke at this time: Jim Holster, Loree Shrank, David Warmke, Jonathan Alorda

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

- B) Discuss and consider the first reading of an ordinance to create Section 126-153 of the Code of Ordinances of the City of New Braunfels to set the speed limit on Goodwin Lane and Conrads Lane.

Mayor Linnartz read the aforementioned item.

Garry Ford presented the item using a powerpoint and answered questions.

The following individuals spoke at this time: David Gonzales, Jonathan Alorda, Loree Shrank

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

- D) Discuss and consider the approval of the first 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.

Mayor Linnartz read the aforementioned item.

Gayle Wilkinson presented the item to council.

Mayor Pro Tem Bowers motioned to approve this item. Councilmember Ryan seconded the motion which passed unanimously.

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 appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public officers or employees in accordance with Section 551.074 of the Texas Government Code:
 - Municipal Court Judge
 - City Attorney
- B) Deliberate the 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:
 - Project Lion
 - City of New Braunfels v. River Ranch RV Park Resort
- C) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code:
 - Project Lion

Mayor Linnartz read the aforementioned executive session item A.

Mayor Linnartz recessed into closed session at 8:05 p.m.

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

Mayor Linnartz reconvened into open session at 9:47 p.m.

Mayor Pro Tem Bowers motioned to increase Municipal Court Judge Zamora's salary 8% to \$147,180.24 and instill a vote of confidence. Councilmember Labowski seconded the motion which passed unanimously.

ADJOURNMENT

Mayor Linnartz adjourned at 9:49 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY