

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, OCTOBER 14, 2024**

AGENDA

CALL TO ORDER

Mayor Linnartz called the meeting to order at 6:03 p.m.

CALL OF ROLL: CITY SECRETARY

Present: 7 - Mayor Neal Linnartz, Mayor Pro Tem Andres Campos, Councilmember Christopher Willis, Councilmember D. Lee Edwards, 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: COUNCILMEMBER SPRADLEY

Councilmember Spradley 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) State Farm Day

Mayor Linnartz read the aforementioned proclamation.

Individuals present for State Farm Day accepted the proclamation and Chief Lozano addressed council.

B) Texas Native Plant Week

Mayor Linnartz read the aforementioned proclamation.

Members of the New Braunfels Chapter of the Native Plant Society of Texas accepted the proclamation and addressed council.

C) Manufacturing Month

Mayor Linnartz read the aforementioned proclamation.

Individuals for Manufacturing Month accepted the proclamation and addressed council.

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, Marcie Salinas, Robert Martin, Michael Murphy, Steve Ceh

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 September 23, 2024 executive session and regular city council meetings.
- B) Approval of an expenditure for repairs of Fire Department Unit 20403 to Siddons-Martin Emergency Group.
- C) Approval of an agreement with RS&H Inc. to develop the Airport Master Drainage Plan and a budget amendment to fund the completion of the Airport Development and Design Standards Manual.
- D) Approval of purchases of vehicles with Bluebonnet Motors Ford, Lake Country Chevrolet, Cooper Equipment Company c/o Doggett Freightliner, Ewald Kubota, Inc. and Siddons Martin Emergency Group for various City Departments and approval to declare replaced units as surplus.
- E) Approval of a contract with Insight Public Sector, Inc. to provide license plate readers and cameras for the New Braunfels Police Department using grant funds awarded by the Motor Vehicle Crime Prevention Authority, Fiscal Year 2024 SB 224 Catalytic Converter Grant Program.

- F) Approval of a maintenance agreement with Stryker Emergency Equipment for specific fire department equipment.
- G) Approval of annual routine recurring expenditures for FY 2025 in accordance with City Charter Section 9.17.
- H) Approval of a contract with Pesado Construction Company for the construction of the Bergfeld Avenue Stormwater Filtration System and authorization for the City Manager to execute change orders up to the contingency amount.
- I) Approval of a purchase with Silsbee Ford for a Ford F-350 pick-up truck for fire department to support operations and emergency services.
- J) Approval of a purchase with Sterling McCall Ford for one Ambulance Chassis and Remount of Fire Department Rescue Unit and to declare the replaced equipment as surplus.
- K) Approval of a joint contract between the City of New Braunfels and New Braunfels Utilities with E-Z Bel Construction for the construction of the Union Avenue Improvements, construction materials testing with Terracon Consultants, Inc., and authorization for the City Manager to execute any change orders and project expenditures up to the contingency amount.

Ordinances

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

- L) Approval of the second and final reading of an ordinance amending the Project Plan and Reinvestment Zone Financing Plan for the New Braunfels Downtown Tax Increment Reinvestment Zone #3; and other matters in connection therewith.

Approval of the Consent Agenda

Mayor Linnartz read the aforementioned consent agenda.

Councilmember Ryan motioned to approve the consent agenda. Councilmember Spradley seconded the motion which passed unanimously.

2. INDIVIDUAL ITEMS FOR CONSIDERATION

A) Discuss and consider the approval of a contract with E-Z Bel Construction for the Citywide Intersection Improvements and authorization for the City Manager to execute change orders up to the contingency amount.

Mayor Linnartz read the aforementioned item.

Scott McClelland presented the item to council using a powerpoint and answered questions.

The following individuals spoke at this time: Michael Murphy

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

B) Discuss and consider approval of a joint contract between the City of New Braunfels and New Braunfels Utilities with Austin Filter Systems, Inc. for the construction of improvements to the Last Tuber's Exit on the Comal River and authorization for the City Manager to execute change orders up to the contingency amount.

Mayor Linnartz read the aforementioned item.

Scott McClelland presented the item to council using a powerpoint and answered questions.

The following individuals spoke at this time: Cheryl Eddins

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

C) Discuss and consider approval of a contract with Dalrymple Gravel & Contracting Company for the construction of the Landa Lake Dam & Spillway Improvements and authorization for the City Manager to execute change orders up to the construction contingency amount.

Mayor Linnartz read the aforementioned item.

Scott McClelland presented the item to council using a powerpoint and answered questions.

Councilmember Edwards motioned to approve this item.

Councilmember Spradley seconded the motion which passed unanimously.

D) Discuss and consider the approval of a resolution recommended by the New Braunfels Economic Development Corporation approving an economic development incentive, not to exceed \$4,500,000, to S. Castell, LLC for open space improvements and possible entertainment and exhibition facilities, pursuant to Section 505.152 of the Texas Local Government Code.

Mayor Linnartz read the aforementioned item.

Jeff Jewell presented the item to council using a powerpoint and answered questions.

The following individuals spoke at this time: Lark Mason, David Warmke, Tom Jones, Tim Cornell, Kyle Setliff, Steven Hanz, David Huddleston

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

E) Public hearing and first reading of an ordinance amending Chapter 122 - Taxation - of the Code of Ordinances by adding an exemption from ad valorem taxes for qualifying childcare facility properties; providing for the repeal of conflicting provisions; providing for a severability clause; and declaring an effective date.

Mayor Linnartz read the aforementioned item.

Jeff Jewell presented the item to council using a powerpoint and answered questions.

The following individuals spoke at this time: Jim Holster

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

3. EXECUTIVE SESSION

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 on this agenda. Any final action or vote on any executive session item will be taken in open session.

- A) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Local Government Code:
1. Project Lark
2. Project Sun
- B) 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, including but not limited to:
· City of New Braunfels v. Stoddard Construction Management, Inc. and Swiss Re Corporate Solutions America Insurance Corp.; C2024-1777D
· Specplay Equipment Co. and A-OK Playgrounds, LLC
- C) Deliberate the appointment, evaluation, duties, discipline, or removal of the Municipal Court Judge in accordance with Section 551.074 of the Texas Government Code.

The aforementioned items took place during executive session prior to this meeting.

4. 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 Linnartz adjourned at 7:35 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY