

**FINAL - MINUTES  
OF THE NEW BRAUNFELS CITY COUNCIL  
REGULAR MEETING OF MONDAY, JULY 22, 2024**

**AGENDA**

**CALL TO ORDER**

Mayor Pro Tem Campos called the meeting to order at 6:00 p.m.

**CALL OF ROLL: CITY SECRETARY**

**Present:** 6 - Mayor Pro Tem Andres Campos, Councilmember Christopher Willis, Councilmember D. Lee Edwards, Councilmember Lawrence Spradley, Councilmember Mary Ann Labowski, and Councilmember April Ryan

**Absent:** 1 - 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 Pro Tem Campos led the Pledge of Allegiance and the Salute to the Texas Flag.

**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, Michael Murphy, 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.

*Resolutions & Action Items*

- A) Approval of the July 8, 2024 executive and regular City Council meeting minutes, the July 11, 2024 special City Council meeting minutes, and the July 15, 2024 special City Council meeting minutes.
- B) Approval of an annual contract with Flasher Equipment Co for pavement marking services on an as-needed basis for the City.
- C) Approval of an Amendment to an Interlocal Agreement with Comal County related to the City's responsibilities to enforce the City's adopted fire code regulations, conduct inspections, and issue permits for commercial properties located within the Mayfair and Veramendi water districts.
- E) Approval of the submission of the Community Development Block Grant Annual Action Plan, and its associated funding recommendations, for Program Year 2024 to the U.S. Department of Housing and Urban Development.
- D) Approval of a ratification for the submission of a grant application to the U.S. Department of Energy for their Energy Efficiency and Conservation Block Grant Program; authorization for the City Manager to accept funds and execute all contract documents associated with the grant; and approval of a contract with Yates Company, LLC for the replacement of boilers located at the City's Main Public Library and Civic/Convention Center.
- E) Approval of a resolution authorizing the waiver of certain provisions in the First Amended and Restated Development Agreement with Southstar At Mayfair, LP for the Mayfair Development dated May 6, 2024.

**This item was pulled for individual consideration by David Warmke.**

- G) Approval of a resolution of the governing body of the City of New Braunfels approving the terms and conditions of an interlocal agreement between the employer and education service center region 10 which sponsors the retirement asset management services program

("RAMS") authorizing the establishment or takeover as plan fiduciary for the City's 457B retirement plan and 401(a) defined contribution plan.

#### *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 first 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.
- I) Approval of the first reading of an ordinance amending the New Braunfels Code of Ordinances, Chapter 2, Section 2-127, repealing an ordinance establishing a \$50.00 reward for tips leading to the arrest and conviction of persons who damage city property.
- J) Approval of the first reading of an ordinance amending the New Braunfels Code of Ordinances, Chapter 1, Section 1-12, to update the official map reflecting the city's current boundaries and designating that a copy be kept by the Offices of the City Secretary and City Engineer, and other city offices authorized by the City Manager.
- K) Approval of the second and final reading of an ordinance amending the New Braunfels Code of Ordinances, Chapter 1, Section 1-8, to update the maximum fine for illegal dumping and to specify the culpable mental state for ordinance violations that carry a fine above \$500.00.
- L) Approval of the second and final reading of an ordinance to rezone 0.12 acres out of City Block 2016, North 56 feet of Lot 38, from C-2 (General Business District) to C-2 SUP (General Business District with a Special Use Permit for Short-Term Rental of a Residence), currently addressed at 444 North Market Avenue.
- M) Approval of the second and final reading of an ordinance to amend Section 126-346 and Section 86-7 of the Code of Ordinances of the City of New Braunfels to revise no parking zones in Cypress Bend Park.

Approval of the Consent Agenda

Mayor Pro Tem Campos read the aforementioned consent agenda ordinances and indicated item E was pulled for individual consideration.

Councilmember Spradley motioned to approve the consent agenda excluding item E. Councilmember Willis seconded the motion which passed unanimously.

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

F) Approval of a resolution authorizing the waiver of certain provisions in the First Amended and Restated Development Agreement with Southstar At Mayfair, LP for the Mayfair Development dated May 6, 2024.

**David Warmke pulled this item for individual consideration.**

**Mayor Pro Tem Campos read the aforementioned item.**

**David Warmke asked questions regarding the item.**

**Valeria Acevedo provided clarity on this item.**

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

A) Discuss and consider the appointment of three Councilmembers to an Ad Hoc Committee concerning the Boards and Commissions.

**Mayor Pro Tem Campos read the aforementioned item.**

**Gayle Wilkinson presented the item.**

**The following individuals spoke at this time: Michael Murphy, Jim Holster, Martin Isles.**

**Councilmember Spradley motioned to nominate Councilmembers Ryan, Labowski, and Willis to the Ad Hoc Committee. Councilmember Labowski seconded the motion which passed unanimously.**

B) Public hearing and first reading of an ordinance to rezone approximately 0.21 of an acre out of the Highland Park Addition Subdivision Block 14, Lot 9, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit for Short-Term Rental),

currently addressed at 1622 Cross Street  
**Mayor Pro Tem Campos read the aforementioned item.**

**Christopher Looney presented this item using a powerpoint.**

**Applicant Aaron Roggensack presented this item using a powerpoint and answered questions.**

**Councilmember Spradley motioned to approve the item. Councilmember Ryan seconded the motion which passed unanimously.**

**Absent:**  
Mayor Linnartz

### **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 pending or 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:

· NBISD

**The aforementioned executive session items took place during executive session.**

### **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 Pro Tem Campos adjourned at 6:38 p.m.

By: \_\_\_\_\_  
ANDRÉS CAMPOS, MAYOR PRO TEM

**Attest:**

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