

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, FEBRUARY 10, 2025**

CALL TO ORDER

Mayor Linnartz called the meeting to order at 6:06 p.m.

CALL OF ROLL: CITY SECRETARY

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

Absent: 1 - 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:

A) Career and Technical Education Month

Mayor Linnartz read the aforementioned proclamation.

Members from the New Braunfels Chamber of Commerce, Comal Independent School District, and New Braunfels Independent School District accepted the proclamation and addressed council.

B) Engineers Week

Mayor Linnartz read the aforementioned proclamation.

Members from the City of New Braunfels Transportation and Capital Improvements Department accepted the proclamation and addressed council.

C) National LULAC Week

Mayor Linnartz read the aforementioned proclamation.

Members from LULAC 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

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 January 27, 2025 minutes to the regular and executive session council meeting.
- B) Approval of a FY 2025 budget amendment for the General Fund and the 2013 Bond Fund to reallocate the purchase of heavy equipment.
- C) Approval of an Option and Lease Agreement between the City and The Towers, LLC for the installation of a cellular communications tower located on approximately 2,180 square feet out of the 2.327 acre parcel addressed as 2210 Alyssa Way.
- D) Approval of an Option and Lease Agreement between the City and The Towers, LLC for the installation of a cellular communications tower located on approximately 2,500 square feet out of the 4.99-acre parcel addressed as 155 South Water Lane.
- E) Approval of a purchase with EZ-Go RXV for (64) Golf Carts, EZ-Go RXV Passenger golf cart (1), EZ-Go Utility Hauler (1) for the Landa Park Golf Course through a Buy Board Contract and the associated budget amendment, and to declare the equipment being traded in as

surplus.

- F) Approval of a purchase with SHI, Inc for new for time-keeping software, timeclock hardware (including one year of warranty and support services), as well as integration and implementation services with the City's new ERP software, to include a SaaS contract with ZKT for the timeclock software, and to declare the trade-in equipment as surplus.
- G) Approval of the issuance of an invitation for competitive sealed proposals for a perimeter fence at the New Braunfels National Airport.
- H) Approval of a FY 2025 Budget Amendment totaling \$160,000 for the River Activities Fund to support projects in preparation for the 2025 River Season.

Resolutions

- I) Approval of a resolution authorizing the City Manager to enter into an Advance Funding Agreement between the City of New Braunfels and the Texas Department of Transportation for the North Solms Road improvements project.

Ordinances

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

- J) Approval of the first and final reading of an ordinance ordering a Regular Election to be held in the City of New Braunfels on May 3, 2025, for the Regular City Officers; and establishing Early Voting Locations and Election Day Polling Places for this Election; and making provisions for the conduct of the Election.
- K) Approval of the second and final reading of an ordinance regarding an amendment to Chapter 118 Subdivision Platting, Section 118-30. - Certificates and statements.
- L) Approval of the second and final reading of an ordinance to rezone approximately 17 acres out of the Freiheit 2 Subdivision, Block 4, Lots 2, 3, and 4, from R-2 AH (Single Family and Two-Family Airport Hazard Overlay District) to MU-B AH SUP (High-Intensity Mixed Use Airport Hazard Overlay District with a Special Use Permit to allow Industrial and Commercial Uses), currently addressed at 622 South Kowald Lane.

- M) Approval of the second and final reading of an ordinance to rezone approximately 10.43 acres out of the Orilla Russell Survey, Abstract No. 485, from APD AH (Agricultural/Pre-development Airport Hazard Overlay District) to M-1A AH (Light Industrial Airport Hazard Overlay District), currently addressed at 3137 FM 1102.
- N) Approval of the second and final reading of an ordinance to rezone 0.55 acres out of the Unicorn Heights Subdivision, Extension 4, Lot 13, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit for Auto Body Repair), currently addressed at 950 IH 35 South.

Approval of the Consent Agenda

Mayor Linnartz read the aforementioned consent agenda.

Councilmember Edwards made a motion to approve the consent agenda. Councilmember Spradley seconded the motion which passed unanimously.

Absent:

Councilmember Ryan

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 the first reading of an ordinance to amend Section 126-354 of the Code of Ordinances of the City of New Braunfels to establish a new parking by permit area on a portion of South Academy Avenue and West Cross Street.

Mayor Linnartz read the aforementioned item.

Garry Ford presented this item using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Carol Wheeler, Rob Snow, Brent Lyon, Susan Lyon, David Black, Don Forbes, Timothy White, Susie Russell, Matt Gandrud, and Melissa Snow.

Mayor Linnartz expressed concerns over approving this small area for a parking by permit zone and pushing traffic to other areas of downtown New Braunfels.

Mayor Pro Tem Campos and Councilmember Spradley expressed concerns over considering the public roads as private parking spaces for the residents within this area.

Councilmember Labowski recused herself from the vote.

Councilmember Edwards motioned to deny this item. Councilmember Campos seconded the motion which passed unanimously.

Absent:

Councilmember Ryan

Recused:

Councilmember Labowski

- B) Discuss and consider the approval of a resolution requesting financial assistance from the Texas Water Development Board in an amount not to exceed \$25,000,000 to provide costs related to the Lead Service Line Replacement Program and resolving other matters incident and related thereto.

Mayor Linnartz read the aforementioned item.

Jessica Coleman from NBU presented this item to council using a powerpoint presentation and answered questions. Brent L. from NBU also answered questions from council.

The following individuals spoke at this time: David Warmke

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

Absent:

Councilmember Ryan

- C) Public hearing and first reading of an ordinance amendment adding childcare allowances to Chapter 144 Zoning, Sec. 144-3.4-17, C-O commercial office district and Sec. 144-4.2, Land Use Matrix.

Mayor Linnartz read the aforementioned item.

Mary Lovell presented this item to council using a powerpoint presentation.

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

Absent:

Councilmember Ryan

- D) Discuss and consider the approval of an Interlocal Agreement between the City of New Braunfels and Comal County Water Improvement District No. 3 relating to the District's Waiver of an amount equal to a portion of its sales tax receipts.

Mayor Linnartz read the aforementioned item.

Jordan Matney presented this item using a powerpoint presentation.

The following individuals spoke at this time: David Warke, Jim Holster

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

Absent:

Councilmember Ryan

- E) Discuss and consider the approval of a Chapter 380 Economic Development Agreement between the City of New Braunfels, Texas and Costco Wholesale Corporation in an amount up to \$1.5 million of the City's share of the sales tax generated from the Costco property over a term not to exceed 8 years.

Mayor Linnartz read the aforementioned item.

Jordan Matney presented this item to council using a powerpoint presentation.

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

Absent:

Councilmember Ryan

- F) Discuss and consider the approval of a Chapter 380 Economic Development Agreement between the City of New Braunfels, Texas and Costco Wholesale Corporation in an amount equal to up to \$6.3

million of the Comal County Water Improvement District No. 3's share of the sales tax generated from the Costco property over a term not to exceed 20 years.

Mayor Linnartz read the aforementioned item.

Jordan Matney presented this item using a powerpoint presentation.

The following individuals spoke at this time: David Warmke

Councilmember Willis was not present at the dais during the time of the vote.

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

Absent:

Councilmember Willis, and Councilmember Ryan

3. PRESENTATIONS

A) Presentation and discussion on potential transportation projects for federal and state funding opportunities.

Mayor Linnartz read the aforementioned item.

Garry Ford presented this item using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Johnathan Alorda, Courtney Lyons-Garcia, Eric Reed, David Warmke

B) Presentation regarding amending the city's ordinance for dangerous dogs and rabies control.

Mayor Linnartz read the aforementioned item.

Bryan Ruiz presented this item using a powerpoint presentation and answered questions.

C) Presentation, update and possible direction on the Land Development Ordinance.

Mayor Linnartz read the aforementioned item.

Christopher Looney presented this item using a powerpoint

presentation and answered questions.

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.

A) Deliberate and consider the purchase, exchange, lease, or value of real property, in accordance with Section 551.072 of the Texas Government Code:

- Recreational Facilities
- A-154 SUR-34 H FOSTER - ACRES: 0.942, 1.169, 1.14, 1.0, and 2.437

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:

- Federal Telecommunications Act

Mayor Linnartz only read aforementioned item B.

Mayor Linnartz adjourned into closed session at 8:44 p.m.

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

City Council did not reconvene into open session.

There was no action taken at this time.

ADJOURNMENT

Mayor Linnartz adjourned at 9:13 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY