

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, DECEMBER 9, 2024**

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 LABOWSKI

Councilmember Labowski 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) Wreaths Across America Day

Mayor Linnartz read the aforementioned proclamation.

Members from Wreaths Across America 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, Brittany Trevino, Joseph Knotts, Mark Rahe, Lester Stockhorst, 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 November 18, 2024 special meeting minutes and the November 25, 2024 regular and executive session minutes.
- B) Approval of a contract modification with Poznecki-Camarillo Engineering for the completion of the plans, specifications, cost estimates, and construction administration of the South Kowald Lane Project.
- C) Approval of a contract with RVi Planning + Landscape Architecture for the Master Plan and Schematic Design of the Northwest Park Project.
- D) Approval of a resolution designating the investment officers for the City of New Braunfels.
- E) Approval of annual routine recurring expenditures for FY 2025 in accordance with City Charter Section 9.17.
- F) Approval of a resolution issuing a statement of eligibility for the City of New Braunfels to participate in a tax abatement, pursuant to Texas Tax Code Chapter 312.
- G) Approval of a resolution of the City Council of the City of New Braunfels, Texas, renewing and amending the Meet and Confer Agreement between the City and the New Braunfels Professional Fire Fighters Association, Local 3845 of the International Association of Fire Fighters, for a term ending on September 30, 2026.
- H) Approval of a resolution authorizing the City Manager to enter into an Advance Funding Agreement between the City of New Braunfels and Texas Department of Transportation for the Citywide Pedestrian Improvements Project.
- I) Approval of the purchase of vehicles and equipment from Bluebonnet Motors Ford, Silsbee Ford, North Texas Trailers, Ewald Kubota Inc, H Barber and Son Inc, Pathmark Traffic Products and Hill Country Outdoor Power for the Right of Way Beautification Team.

- J) Approval of the purchase of a solid waste collection vehicle with Chastang Enterprises Inc., approval to declare the replaced unit as surplus, and approval of an FY 2025 Budget Amendment in the Solid Waste Fund.
- K) Approval for submission of the Program Year 2023 Consolidated Annual Performance and Evaluation Report for the U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG) and CDBG-CV Grant programs.

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 first reading of an ordinance to amend Section 126-149 of the Code of Ordinances of the City of New Braunfels to revise the bounds of a school zone on FM 1863.
- M) Approval of the second and final reading of an ordinance to rezone approximately 0.3 acres out of the Villa Rio Subdivision, Block 1, Lot 1, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit for Short Term Rental of a Residence), currently addressed as 475 & 479 Barcelona Dr.
- N) Approval of the second and final reading of an ordinance to rezone approximately 12 acres out of the J. Thompson Survey 21, Abstract 608, from M-1 (Light Industrial District) and APD (Agricultural/Pre-development District) to M-1A (Light Industrial District), currently addressed as 5309 IH 35 S.
- O) Approval of the second and final reading of an ordinance to rezone 0.11 acres out of New City Block 1007, southeast portion of Lot 142, 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 as 381 Tolle St.
- P) Approval of the second and final reading of an ordinance amending Chapter 144 regarding parking requirements
- Q) Approval of the second and final reading of an ordinance regarding the proposed rezoning of approximately 2.7 acres out of the Sarah Dewitt Survey No. 48, Abstract No. 103, Guadalupe County, from APD SUP (Agricultural/Pre-development District with a Type 1 Special Use

Permit) to C-1A (Neighborhood Business District), located at the southwest corner of West Klein Road and Klein Meadows.

- R) Approval of the second and final reading of an ordinance regarding the proposed rezoning of approximately 9.4 acres out of the J.M. Veramendi Survey, Abstract No. 2, Comal County, from C-2 (General Business District), C-4 (Resort Commercial District) and M-1 (Light Industrial District) to MU-B SUP (High Intensity Mixed Use District with a Type 1 Special Use Permit), currently addressed at 373 & 403 E. Bridge St., 312, 340 & 373 E. Mill St., and 385 & 401 E. San Antonio St.

This item was pulled by David Warmke.

- S) Approval of the second and final reading of an ordinance to amend Article IV, Section 30-61 of the Code of Ordinances of the City of New Braunfels to align it with the recently updated ordinance that changed the Partnership Committee membership from 15 to 11, by removing the verbiage stating five (5) members shall be appointed each year.

Approval of the Consent Agenda

Mayor Linnartz read the aforementioned consent agenda and noted that Item R was pulled for individual consideration.

Councilmember Spradley motioned to approve the consent agenda with the exception of Item R. Mayor Pro Tem Campos seconded the motion which passed unanimously.

2. INDIVIDUAL ITEMS FOR CONSIDERATION

- R-1) Approval of the second and final reading of an ordinance regarding the proposed rezoning of approximately 9.4 acres out of the J.M. Veramendi Survey, Abstract No. 2, Comal County, from C-2 (General Business District), C-4 (Resort Commercial District) and M-1 (Light Industrial District) to MU-B SUP (High Intensity Mixed Use District with a Type 1 Special Use Permit), currently addressed at 373 & 403 E. Bridge St., 312, 340 & 373 E. Mill St., and 385 & 401 E. San Antonio St.

This item was pulled by David Warmke.

Mayor Linnartz read the aforementioned item.

David Warmke presented a powerpoint to council.

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

- A) Discuss and consider the approval of a Memorandum of Understanding (MOU) between the City of New Braunfels and NB Mainzer, LLC for development discussions for property located at 263 Main Plaza, New Braunfels, Texas.

Mayor Linnartz read the aforementioned item.

Jeff Jewell presented this item using a powerpoint presentation.

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

- B) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 66 acres out of the Edwardo Hernandez Survey No.454, Abstract 263, from R-1A-6.6 (Single-Family District) to Hueco Springs Ranch Planned Development District (HSRPD), currently addressed as 392 Hueco Springs Loop Rd.

Mayor Linnartz read the aforementioned item.

Matthew Simmont presented this item using a powerpoint presentation and answered questions.

Applicant Drake Thompson presented to council.

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

- C) Discuss and consider approval of a traffic calming plan on Wood Road.

Mayor Linnartz read the aforementioned item.

Carly Farmer presented this item using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Kelly Jackson, Ema Lopez, Sue Calvert, TJ Sheriden, Ashley Buchanan, Tommy Daum, June Hightower, Cody Jackson, Al Powers, Ryan Stangel.

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

D) Discuss and consider approval of a contract amendment establishing the Guaranteed Maximum Price with T.F. Harper & Associates, LP for the Mission Hill Park Phase 2 Project, and approval of a contract for construction materials testing with Raba Kistner Consultants, Inc.

Mayor Linnartz read the aforementioned item.

Scott McClelland presented this item using a powerpoint presentation and answered questions.

The following individuals spoke at this time: David Warmke

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

E) Discuss and consider approval of a joint-bid contract between the City of New Braunfels and New Braunfels Utilities, with Capital Excavation Company for the construction of the Goodwin / Conrads Lane Project, along with authorization for the City Manager to execute change orders up to the contingency amount, and construction materials testing with Raba Kistner Consultants, Inc. for construction materials testing.

Mayor Linnartz read the aforementioned item.

Scott McClelland presented this item using a powerpoint presentation.

Councilmember Spradley motioned to approve this item. Councilmember Labowski 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 the appointment, evaluation, duties, discipline, or removal of the City Manager in accordance with Section 551.074 of the Texas Government Code.

The aforementioned item took place in executive session during the special meeting that took place on December 9, 2024 at 4:00 p.m.

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

No action was taken at this time.