

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, JULY 8, 2024**

AGENDA

CALL TO ORDER

Mayor Linnartz called the meeting to order at 6:00 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 led 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) Parks and Recreation Month

Mayor Linnartz read the aforementioned proclamation.

Employees with the Parks and Recreation Department 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, Alexander

Strenger, Ron Schmidt, Jim Holster, Marty Isles, Joeylynn Mesaros, Devon Brightlich, Clarissa De Santo, 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.

Items G, H, and I were pulled for individual consideration by David Warmke.

Resolutions & Action Items

- A) Approval of the June 24th regular agenda minutes.
- B) Approval of a Memorandum of Agreement between the City and New Braunfels Utilities for the exchange of operational control of two properties, an access easement, utility easement and a drainage easement and providing City Manager authority to execute agreement, easements, and related documents.
- C) Approval of a budget amendment to the FY 2024 Budget - CDBG Fund.
- D) Approval of the Interlocal Agreement with Comal County Emergency Services District No. 7 for the allocation of supporting vehicles and equipment.
- E) Approval of an amendment to the FY 2024 Budget - Grant Fund to incorporate expenditures and revenue as awarded by the Motor Vehicle Crime Prevention Authority, Fiscal Year 2024 SB 224 Catalytic Converter Grant Program for the New Braunfels Police Department; and approval for the purchase of two grant-funded vehicles from Caldwell Country Chevrolet, including auxiliary expenditures for upfitting of the vehicles.

Ordinances

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

- F) Approval of the first 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.

- G) Approval of a second and final reading of an ordinance approving an amendment to the project plan and reinvestment zone finance plan for the Reinvestment Zone Number One, City of New Braunfels, Texas; and other matters therewith.
- H) Approval of a Reimbursement Agreement between TIRZ No. 1 and A-L 95 Creekside Town Center, L.P.
- I) Approval of an Economic Development Incentive Agreement between TIRZ No. 1 and Topgolf USA NBR, LLC
- J) Approval of the second and final reading of an ordinance to rezone approximately 0.22 acres out of Kuehler Addition Subdivision, Lot 6R from C-3 (Commercial District) to C-3 SUP (Commercial District with Special Use Permit for Short-Term Rental of a Residence), currently addressed at 374 & 384 E Faust St.
- K) Approval of the second and final reading of an ordinance regarding amendments to Chapter 66 Historic Preservation, Section 66-60, Certificate of alteration for demolition.
- L) Approval of the second and final reading of an ordinance to rezone approximately 0.13 acres out of City Block 1038, Lot 2, 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 168 Hampe St.

Approval of the Consent Agenda

Mayor Linnartz read the aforementioned consent agenda excluding items G, H, and I.

Councilmember Spradley made a motion to approve the consent agenda excluding items G, H, and I. Mayor Pro Tem Campos seconded the motion which passed unanimously.

2. INDIVIDUAL ITEMS FOR CONSIDERATION

- G-1) Approval of a second and final reading of an ordinance approving an amendment to the project plan and reinvestment zone finance plan for the Reinvestment Zone Number One, City of New Braunfels, Texas; and other matters therewith.

Mayor Linnartz introduced the aforementioned item.

David Warmke spoke regarding the item.

Jared Werner addressed council.

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

A roll call vote was completed after Item I.

H-1) Approval of a Reimbursement Agreement between TIRZ No. 1 and A-L 95 Creekside Town Center, L.P.

Mayor Linnartz introduced the aforementioned item.

David Warmke spoke regarding the item.

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

I-1) Approval of an Economic Development Incentive Agreement between TIRZ No. 1 and Topgolf USA NBR, LLC

Mayor Linnartz introduced the aforementioned item.

David Warmke spoke regarding the item.

The following individuals spoke at this time: Linda Caldwell

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

A) Public hearing regarding the U.S. Department of Housing and Urban Development Community Development Block Grant Annual Action Plan and its associated funding recommendations for Program Year 2024.

Mayor Linnartz read the aforementioned item.

Jennifer Gates presented the item using a powerpoint and answered questions.

The following individuals spoke at this time: Jim Holster, Nicole Douglass

No action was taken on this item.

- B) Discuss and consider the first reading of an ordinance to amend Section 126-346 of the Code of Ordinances of the City of New Braunfels to extend a no parking zone on both sides of Springs Nursery.

Mayor Linnartz read the aforementioned item.

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

Council asked questions of Town Creek POA President Julie King.

The following individuals spoke at this time: Don Lamaster, Kathy Sinclair

This item died for lack of motion.

- C) Discuss and consider approval of the first reading of an ordinance amending Chapter 110 of the Code of Ordinances relating to Solid Waste commercial rates and proposed operational changes.

Mayor Linnartz read the aforementioned item.

Matthew Eckmann presented the item using a powerpoint and answered questions.

The following individuals spoke at this time: Jim Holster

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

- D) Approval of the first 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.

Mayor Linnartz read the aforementioned item.

Valeria Acevedo presented the aforementioned item and answered questions.

Mayor Pro Tem Campos motioned to approve this item. Councilmember Ryan 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 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:

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

The aforementioned items took place during executive session.

No action was taken at this time.

ADJOURNMENT

Mayor Linnartz adjourned at 8:12 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY