

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, APRIL 13, 2026**

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, Councilmember Toni Carter, Councilmember Michael Capizzi, Councilmember D. Lee Edwards, Mayor Pro Tem 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) Apraxia Awareness

Mayor Linnartz read the aforementioned proclamation.

Volunteers from the Apraxia Kids Organization accepted the proclamation and addresses council.

B) Child Abuse Awareness & Prevention Month

Mayor Linnartz read the aforementioned proclamation.

Members from CASA of Central Texas accepted the proclamation and addressed council.

C) Sexual Assault Awareness Month

Mayor Linnartz read the aforementioned proclamation.

Members from Crisis Center of Comal County accepted the proclamation and addresses council.

CITIZENS COMMUNICATIONS

This time is for citizens to address the City Council on issues and items of concern 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. Individuals desiring to speak at citizen's communications should line up behind the podium and be ready to speak.

No one spoke at this time.

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 city council March 9, 2026 regular and executive session meeting minutes, and the March 23, regular and executive session meeting minutes.
- B) Approval of an FY 2026 budget amendment for the General Fund-Communications and Non-Departmental Departments.
- C) Approval of an FY 2026 budget amendment for the General Fund-Parks Department.
- D) Approval of a contract award for the Landa Park Golf Course Bunker Renovation Project to Landscapes Unlimited, LLC.
- E) Approval of an expenditure of up to \$1,300,000 for the acquisition of the necessary right-of-way and easements as part of the Common Street Project and authorization for the City Manager to execute all necessary conveyance documents.
- F) Approval of an amendment to the lease agreement between the City of New Braunfels and New Braunfels Waterpark, LLC.
- G) Approval of the second amendment between the City of New Braunfels and CEMEX Construction Materials South, LLC, a Delaware limited

liability company, and CEMEX Construction Materials Pacific, LLC, a Delaware limited liability company to include additional properties in the Industrial District Agreement.

- H) Approval of the purchase of vehicles and Equipment with Bluebonnet Motors Ford, United Ag & Turf, Hill Country Outdoor Power, Ewald Kubota, Doggett Freightliner of Austin, and North Texas Trailers for the Drainage Division in the Public Works Department.
- I) Approval of an expenditure of up to \$600,000 for the acquisition of the necessary right-of-way and easements as part of the Kohlenberg Road Project and authorization for the City Manager to execute all necessary conveyance documents.

This item was pulled by staff and moved to executive session.

- J) Approval of a recommendation by the Tax Increment Reinvestment Zone #3 Board awarding Business Improvement and Preservation Grants to Bootleggers Pizza Parlor in an amount up to \$2,767.66 and to Red Stag in an amount up to \$17,000.

Resolutions

- K) Approval of a resolution supporting a collaborative effort between the City of New Braunfels, the City of Seguin, and Texas State University for a Workforce Study in Comal and Guadalupe Counties.
- L) Approval of a resolution suspending for 45 days the effective date of the gas utility rate increase under the Gas Reliability Infrastructure Program proposed by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas - South Texas Division; and authorizing the City's continued participation in the Alliance of CenterPoint Municipalities.
- M) 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 Police Officers' Association (NBPOA) for a term ending on September 30, 2028.
- N) Approval of a resolution authorizing the reallocation of \$202,500 in funding from the U.S. Department of the Treasury's Coronavirus State and Local Fiscal Recovery Funds Program under the American Rescue Plan Act to support existing Public Transportation and Pedestrian Mobility projects, due to a nonprofit grantee's requested withdrawal, and authorizing the City Manager to act on behalf of the

City in all related matters

- O) Approval of a resolution of the City Council of the City of New Braunfels, Texas approving participation in a settlement agreement between the State of Texas and six regional distributors/dispenser defendants (Remnant Defendants Settlement): Associated Pharmacies, Inc. (and American Associated Pharmacies); J M Smith Corporation; Louisiana Wholesale Drug Company, Inc.; Morris and Dickson Co.; North Carolina Mutual Wholesale Drug Company, Inc.; and United Natural Foods, Inc. (including its subsidiaries SuperValu and Advantage Logistics); and authorizing the city manager to execute the Combined Subdivision Participation and Release Form.
- P) Approval of a resolution authorizing the City Manager to enter into an amended Advanced Funding Agreement between the City of New Braunfels and Texas Department of Transportation for the Barbarosa Road/Saur Lane Improvement project funded by the Alamo Area Metropolitan Planning Organization Surface Transportation Block Grant fund.

Ordinances

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

- Q) Approval of the first reading of an ordinance updating Section 86-3, "Rules and Regulations for Control of Park and Recreation Areas" of the New Braunfels Code of Ordinances authorizing the city manager to set operating hours for city parks facilities and park concessions.
- R) Approval of the first reading of an ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lots 1, 2, and 900, Block 2, Mayfair - South Ransom Commercial Subdivision, consisting of approximately 10 acres.
- S) Approval of the second and final reading of an ordinance requested by Henry Espinoza, to rezone approximately 2.3 acres out of the AM Esnaurizar Survey, Abstract 20, from APD AH (Agricultural/Pre-Development, Airport Hazard Overlay District) to M-1A AH (Light Industrial, Airport Hazard Overlay District), currently addressed at 1752 and 1756 Saur Lane.
- T) Approval of the second and final reading of an ordinance establishing the number of positions in each classification and allowing over hires in the Police Department pursuant to Local Government Code,

Chapter 143.

- U) Approval of the second and final reading of an ordinance abandoning a 0.302-acre portion of right-of-way for a water lane, located between West San Antonio Street and Loop 337.
- V) Approval of the second and final reading of an ordinance in consideration of the Tourism Public Improvement District (TPID) assessment; approving the service plan for the district; authorizing an agreement between the City , The Greater New Braunfels Chamber of Commerce, Inc., and the New Braunfels Tourism Public Improvement District Corporation regarding the management of the district; and appropriating \$320,000 in revenue to the district for 2026; and amending the FY 2026 Adopted Budget to create the new Tourism Public Improvement District Special Revenue Fund.
- W) Approval of the second and final reading of an ordinance repealing Section 2-121, of Chapter 2 of the New Braunfels Code of Ordinances, eliminating references to the Downtown Development Board.
- X) Approval of the second and final reading of an ordinance amending the Code of Ordinances, Chapter 126, Sec. 126-381(b), related to the river area parking zones by adding exceptions to enforcement for disabled parking plates and placards.
- Y) Approval of the second and final reading of an ordinance amending the Code of Ordinances, Chapter 86, Section 86-4 to prohibit public entry to the Comal River Old Channel from City owned property.

Approval of the Consent Agenda

Mayor Linnartz read the aforementioned resolutions and ordinances of the consent agenda.

Mayor Pro Tem Spradley made a motion to approve the consent agenda with the exception of Item I. Councilmember Capizzi seconded the motion which passed unanimously.

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 a resolution declaring expectation to reimburse expenditures with proceeds of future debt for the acquisition,

construction, and equipping of the new headquarter buildings and facilities to be occupied and used by New Braunfels Utilities. The maximum principal amount of obligations expected to be issued for the project is \$190,000,000.

Mayor Linnartz read the aforementioned item.

Jessica Williams from New Braunfels Utilities presented this item to council using a powerpoint presentation and answered questions.

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

PRESENTATIONS

A) Presentation and Recommended Revisions to the Towing Ordinance.

Mayor Linnartz read the aforementioned item.

Chief Flores presented this item to council using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Javier Hernandez, Jocelyn McClellan

Staff was given additional direction to research adjustable fuel rates or potential surcharges, adding an electric vehicle tow section, and implementing a two year review of the ordinance.

No action was taken at this time.

TAXPAYER IMPACT STATEMENT

House Bill 1522, passed by the Texas Legislature in 2025, amends section 551.043 of the Texas Government Code to require that the notice of a meeting required to be posted under section 551.043(a) of the Texas Open Meetings Act, at which a governmental body will discuss or adopt a budget for the governmental body, must include a taxpayer impact statement showing, for the median-valued homestead property, a comparison of the property tax bill in dollars pertaining to the property for the current fiscal year to an estimate of the property tax bill in dollars for the same property for the upcoming fiscal year.

The City of New Braunfels has adopted a budget for FY 2026.

2024 Value of Median-Valued Homestead Property in Comal County.....\$ 349,106
2024 Property Tax Bill for the Current Fiscal Year (\$0.0408936).....\$ 1,428
2025 Value of Median-Valued Homestead Property in Comal County.....\$ 354,783
Estimated 2025 Property Tax Bill for the Upcoming Fiscal Year if the City Adopts the Proposed Budget and Tax Rate (\$0.408936 per \$100 of value)...\$ 1,451
Estimated 2025 Property Tax Bill for the Upcoming Fiscal Year if the City Adopts a Balanced Budget Funded at the No-New-Revenue Tax Rate (\$0.409475 per \$100 of value).....\$ 1,453

2024 Value of Median-Valued Homestead Property in Guadalupe County.....\$ 331,133
2024 Property Tax Bill for the Current Fiscal Year (\$0.0408936).....\$ 1,354
2025 Value of Median-Valued Homestead Property in Guadalupe County.....\$ 311,795
Estimated 2025 Property Tax Bill for the Upcoming Fiscal Year if the City Adopts the Proposed Budget and Tax Rate (\$0.408936 per \$100 of value).....\$ 1,275
Estimated 2025 Property Tax Bill for the Upcoming Fiscal Year if the City Adopts a Balanced Budget Funded at the No-New-Revenue Tax Rate (\$0.409475 per \$100 of value).....\$ 1,277

The estimates in this Impact Statement are valid only for the FY 2026 adopted budget and tax rate.

3. 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 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, specifically:
 - Cause No. 2025CV0719; City of New Braunfels v. Joe Henry Tays, Individually and as Independent Executor of the Estate of Frederick Frueholz, Jr. (Deceased)
- B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code:
 - 1. Project Casa
- C) Deliberate the appointment, evaluation, duties, discipline, or removal of the City Attorney in accordance with Section 551.074 of the Texas Government Code.
 - I-1) Approval of an expenditure of up to \$600,000 for the acquisition of the necessary right-of-way and easements as part of the Kohlenberg Road Project and authorization for the City Manager to execute all necessary conveyance documents.

Mayor Linnartz read Item A and Item I-1 of the aforementioned executive session agenda.

Mayor Linnartz adjourned in executive session at 7:07 p.m.

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

City Council did not reconvene back into open session.

No action was taken at this time.

ADJOURNMENT

Mayor Linnartz adjourned at 7:23 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY