



**CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING**



**CITY HALL - COUNCIL CHAMBERS
550 LANDA STREET**

MONDAY, OCTOBER 27, 2025 at 6:00 PM

Neal Linnartz, Mayor	Lawrence Spradley, Mayor Pro Tem (District 4)
Toni L. Carter, Councilmember (District 1)	Mary Ann Labowski, Councilmember (District 5)
Michael Capizzi, Councilmember (District 2)	April Ryan, Councilmember (District 6)
D. Lee Edwards, Councilmember (District 3)	Robert Camareno, City Manager

OUR MISSION

The City of New Braunfels serves the community by planning for the future, responding to community needs, and preserving our natural beauty and unique heritage.

AGENDA

CALL TO ORDER

CALL OF ROLL: CITY SECRETARY

REQUEST ALL PHONES AND OTHER DEVICES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL.

INVOCATION: COUNCILMEMBER EDWARDS

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

PROCLAMATIONS:

- | | |
|---------------------------------------|--------------------------------|
| A) Wurstfest | <u>25-1115</u> |
| B) National Chiropractic Health Month | <u>25-1224</u> |
| C) Flocktober | <u>25-1131</u> |

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. Individuals desiring to speak at citizen's communications should line up behind the podium and be ready to speak.

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 October 13, 2025 city council regular and [25-1323](#) executive session meeting minutes and the October 20, 2025 city council special meeting minutes.
Natalie Baker, Deputy City Secretary
- B) Approval of annual routine recurring expenditures for FY [25-1270](#) 2026 in accordance with City Charter Section 9.17.
Julie Gohlke, Assistant Purchasing Manager
- C) Approval of annual routine recurring expenditures with [25-1272](#) Siddons Martin Fire Apparatus for FY 2025 close-out in accordance with City Charter Section 9.17.
Barbara Coleman Purchasing Manager
- D) Approval of a recommendation by the New Braunfels [25-1246](#) Economic Development Corporation (NBEDC) approving an administrative support and professional services contract, not to exceed \$455,386, with the City of New Braunfels for FY 2026.
Jeff Jewell, Economic and Community Development Director
- E) Approval of a contract modification with Pape Dawson [25-1296](#) Engineers Inc. for the completion of a schematic design and roadway summary for Conrads Lane from FM 1102 to the Union Pacific Railroad tracks.
Scott McClelland, Assistant Director Transportation & Construction Services
- F) Approval to amend the number of Park & Recreation [25-1310](#) full-time equivalent (FTE's) as adopted in the FY 2026 Budget from 157.0 to 157.75 by changing the classification of the Zipp Family Sports Park Maintenance Workers (3 positions) from part-time regular to full-time.
Ken Wilson, Parks & Recreation Director
- G) Approval of the City of New Braunfels Transit Asset [25-1298](#) Management Plan.
Julie Sitton, Transit Manager

- H) Approval of the acceptance of a 0.11-acre tract of land [25-1340](#) described as Lot 904, Block 26, Town Creek Subdivision Phase 3 PDD, from the Town Creek Texas Property Owners Association.

Matthew Eckmann, Assistant Director of Public Works

Resolutions

- I) Approval of a resolution and ratification for submission of [25-1354](#) a grant application to the Alamo Area Council of Governments' FY 2026 & FY 2027 Regional Solid Waste Management Grants Program, and authorization for the City Manager to accept funds and to execute all contract documents associated with the grant, if awarded.

Matthew Eckmann, Assistant Director of Public Works

- J) Approval of a resolution adopting the Investment Policy [25-1181](#) for the City of New Braunfels including the Authorized Broker/Dealer list.

Carren Ridge, Accounting & Treasury Manager

- K) Approval of a resolution recommended by the New [25-1258](#) Braunfels Economic Development Corporation to approve an economic development agreement with Worth & Associates, for the transfer of electrical infrastructure equipment, pursuant to Section 505.155 of the Texas Local Government Code.

Jeff Jewell, Economic and Community Development Director

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 second and final reading of an [25-1273](#) ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lot 1, Block 115, Mayfair - Parcel E-15 Subdivision, consisting of 19.99 acres

Christopher J. Looney, AICP, Planning Director

- M) Approval of the second and final reading of an ordinance [25-1179](#) designating a geographic area within the City of New Braunfels as a reinvestment zone for tax increment financing purposes pursuant to Chapter 311 of the Texas

Tax Code to be known as Tax Increment Reinvestment Zone Number Five - West End ("TIRZ 5: West End"), City of New Braunfels, describing the property parcels included in the zone, containing findings and provisions related to the creation of the zone, providing a termination date, providing the zone take effect immediately upon passage of the ordinance, providing a severability clause, providing for publication, and declaring an effective date.

Jeff Jewell, Economic and Community Development Director

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) Public hearing, discussion, and possible action [25-1162](#) approving the first reading of an ordinance designating a geographic area within the City of New Braunfels as a reinvestment zone for tax increment financing purposes pursuant to Chapter 311 of the Texas Tax Code to be known as Tax Increment Reinvestment Zone Number Four - Zipp Park ("TIRZ 4: Zipp Park"), City of New Braunfels, describing the property parcels included in the zone, containing findings and provisions related to the creation of the zone, providing a termination date, providing the zone take effect immediately upon passage of the ordinance, providing a severability clause, providing for publication, and declaring an effective date.

Jeff Jewell, Economic and Community Development Director

- B) Public hearing and first reading of an ordinance [25-1271](#) requested by Beverly Davidek, on behalf of Richard L. and JoAnn Rothfelder, to rezone approximately 0.4 of an acre out of the John Thompson Survey No. 21, Abstract 608, from R-3 (Multifamily District) to R-3 SUP (Multifamily District with a Special Use Permit to allow a Short Term Rental), currently addressed at 1731 Kuehler Avenue

Matthew Simmont, AICP Planning Manager

Applicant: Beverly Davidek

Owner: JoAnn and Richard Rothfelder

- C) Public hearing and first reading of an ordinance [25-1274](#) regarding a proposed rezoning requested by James Ingalls of INK Civil, on behalf of Audrey Raley of HAW Properties 1863, LLC, of approximately 0.75 of an acre out of the L. Salinas Survey No. 458 Abstract No. 531, from APD (Agricultural Predevelopment District) to C-1A (Neighborhood Commercial District), currently addressed as 160 FM 1863

Christopher J. Looney, AICP, Planning Director

Applicant: James Ingalls, P.E.

Owner: HAW Properties 1863, LLC (Audrey Raley)

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 the appointment, evaluation, duties, discipline, [25-1342](#) or removal of the Municipal Court Judge and the City Attorney in accordance with Section 551.074 of the Texas Government Code.

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

ADJOURNMENT

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall.

Gayle Wilkinson, City Secretary

NOTE: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (830) 221-4010 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

10/27/2025

Agenda Item No. A)



Proclamation

THE STATE OF TEXAS §
COUNTY OF COMAL §
CITY OF NEW BRAUNFELS §

WHEREAS, Wurstfest humbly began as a one-day festival but is now celebrated as a “Ten Day Salute to Sausage;” and

WHEREAS, Wurstfest has been celebrating the rich German culture of New Braunfels for 64 years; and

WHEREAS, the festival features great food, music, dancing, beer, carnival rides, special events, and the finest in German style entertainment; and

WHEREAS, as President of Wurstfest, Keith Wersterfer chairs all meetings of the board and provides leadership and guidance to the organization; and

WHEREAS, as Festival General Chairman and President-Elect, Marc Allen works closely with festival committee chairmen and assists in planning and executing duties assigned to each committee during the festival; and

WHEREAS, as Grosse Opa, Randy Rust was selected in honor of his many years of loyal and dedicated participation since 2005, and will attend special functions and demonstrate Gemuetlichkeit – fun and fellowship in the German tradition; and

WHEREAS, the mission of Wurstfest is to promote the economy through tourism and promote and preserve the community’s rich German heritage.

NOW THEREFORE, be it resolved, that I, Neal Linnartz, Mayor of the City of New Braunfels, Texas, hereby proclaim November 7 – 16, 2025, as

"Wurstfest"

in New Braunfels, and I encourage all citizens to participate in and enjoy the fun activities planned for the occasion and extend our appreciation to all who have worked so hard to make this festival one of the highlights of New Braunfels.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 27th day of October 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

10/27/2025

Agenda Item No. B)



Proclamation

THE STATE OF TEXAS §
COUNTY OF COMAL §
CITY OF NEW BRAUNFELS §

WHEREAS, chronic musculoskeletal pain is a widespread problem in the United States and around the world due to factors such as the aging population, an increase in obesity, and sedentary lifestyles; and

WHEREAS, worldwide, back pain is the single leading cause of disability and historically one of the most common reasons why people are prescribed opioid pain medications; and

WHEREAS, the number of people worldwide living with back pain is projected to increase by 36% to more than 800 million over the next 30 years; and

WHEREAS, pain medications have for years been the go-to treatment for musculoskeletal conditions; however, research today shows that opioid pain medications are not a good strategy for managing chronic low back pain long term and many people prefer better, safer options to manage their pain; and

WHEREAS, clinical guidelines from leading healthcare organizations such as the CDC and the American College of Physicians now encourage patients with common musculoskeletal pain to try non-drug treatments first; and

WHEREAS, research studies demonstrate that patients who receive chiropractic services first may be able to significantly reduce or eliminate their reliance on prescription opioids; and

WHEREAS, doctors of chiropractic are experts in musculoskeletal health and offer a variety of non-drug approaches to treat musculoskeletal conditions such as back pain, neck pain, joint pain and tension headaches, along with advice on nutrition, injury prevention, ergonomics, and lifestyle modifications for optimal health and wellness; and

WHEREAS, with the theme “Get Started with Chiropractic,” National Chiropractic Health Month 2025 reminds citizens of New Braunfels that chiropractors can help them maintain and improve their musculoskeletal health throughout their lifetime and may also help them to reduce their need for prescription pain medications for common musculoskeletal conditions.

NOW THEREFORE, be it resolved, that I, Neal Linnartz, Mayor of the City of New Braunfels, Texas, hereby proclaim October 2025 as

"National Chiropractic Health Month"

in New Braunfels and officially join with the American Chiropractic Association (ACA) and Texas Chiropractic Association (TCA).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 27th day of October 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

10/27/2025

Agenda Item No. C)



Proclamation

THE STATE OF TEXAS §
COUNTY OF COMAL §
CITY OF NEW BRAUNFELS §

WHEREAS, breast cancer affects thousands of women and families each year, and organizations such as Pink Warrior Advocates provide critical support, advocacy, and hope to those facing this disease; and

WHEREAS, Pink Warrior Advocates empowers individuals in our community through education, emotional support, and financial resources, ensuring that no one fights breast cancer alone; and

WHEREAS, the City of New Braunfels recognizes the importance of raising awareness about breast cancer prevention, early detection, and treatment, as well as celebrating the strength and courage of survivors; and

WHEREAS, in a spirit of unity, support, and joyful awareness, the month of October will be embraced by the community as “Flocktober,” a phrase created from Pink Warrior Advocates’ slogan Flock Breast Cancer and inspired by their unofficial mascot, the pink flamingo. During this time, flamingos and pink displays across the city will symbolize hope, resilience, and solidarity in the fight against breast cancer; and

WHEREAS, the City of New Braunfels wishes to honor the tireless efforts of Pink Warrior Advocates and encourage residents, businesses, and organizations to participate in activities that promote awareness and raise funds that directly support those fighting this disease in our community.

NOW THEREFORE, be it resolved, that I, Neal Linnartz, Mayor of the City of New Braunfels, Texas, do hereby proclaim the month of October 2025 as

"Flocktober"

in New Braunfels, and I encourage all citizens to unite in support of Pink Warrior Advocates and the ongoing fight against breast cancer.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 27th day of October 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

10/27/2025

Agenda Item No. A)

PRESENTER:

Natalie Baker, Deputy City Secretary

SUBJECT:

Approval of the October 13, 2025 city council regular and executive session meeting minutes and the October 20, 2025 city council special meeting minutes.

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL - EXECUTIVE SESSION
REGULAR MEETING OF MONDAY, OCTOBER 13, 2025**

CALL TO ORDER

Mayor Linnartz called the meeting to order at 5:01 p.m.

CALL OF ROLL: CITY SECRETARY

Present 7 - Councilmember D. Lee Edwards, Mayor Pro Tem Lawrence Spradley, Councilmember April Ryan, Councilmember Michael Capizzi, Mayor Neal Linnartz, Councilmember Toni Carter, and Councilmember Mary Ann Labowski

1. EXECUTIVE SESSIONS

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 below. 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 Municipal Court Judge in accordance with Section 551.074 of the Texas Government Code.
- B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code:
 - 1. The Neue
 - 2. Project Maiden
- C) 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:
 - a. Discuss Legal Options Relating to the Status of Real Estate Negotiations to Secure Necessary Right-of-Way for the Kohlenberg Road Improvements Project:
 - i. a 2.309 Acre (100,568 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas and being out of the called 239.708 acre tract conveyed to Frederick Frueholz Jr., recorded in Document No. 201306045302 of the Official Public

Records of Comal County, Texas; and being more specifically out of the called 49.64 acre 1st Parcel of said 239.708 acres recorded as Volume 78, Page 399 - Tr. 2, Official Public Records of Comal County, Texas. (Comal County Parcel No. 71628)

Mayor Linnartz read the aforementioned executive session items.

Mayor Linnartz adjourned into closed session at 5:03 p.m.

2. **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 5:55 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, OCTOBER 13, 2025**

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, 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 CARTER

Councilmember Carter 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) Hill Country Night Sky Month

Mayor read the aforementioned proclamation.

Michelle Molina accepted the proclamation and addressed council.

B) Native Plant Week

Mayor read the aforementioned proclamation.

Members of the New Braunfels Chapter of the Native Plant Society of Texas accepted the proclamation and addressed council.

C) Unplug Texas Day

Mayor Linnartz read the aforementioned proclamation.

Members of the Texas Recreation and Parks Society accepted the proclamation and addressed council.

PRESENTATIONS

- A) Presentation by the Texas State Fire Marshals Office recognizing the New Braunfels Fire Department for maintaining an Insurance Services Office (ISO) Class 1 rating.

Mayor Linnartz read the aforementioned item.

Chief Lozano introduced this item to council along with State Fire Marshal Debra Knight, who presented the Insurance Services Office Class 1 rating to the New Braunfels Fire Department,

CITIZENS COMMUNICATIONS

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The following individuals spoke at this time: Rick Myrick, 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.

Action Items

- A) Approval of the September 22, 2025 regular and executive session meeting minutes.
- B) Approval of transitioning the TIRZ 1 Advisory Board from Spring-appointed to Fall-appointed and extending all existing members' terms from May 31 to November 30 of each respective year.
- C) Approval of transitioning the TIRZ 3 Advisory Board from Spring-appointed to Fall-appointed and extending all existing members' terms from May 31 to November 30 of each respective year.
- D) Approval of a recommendation by the Tax Increment Reinvestment Zone #1 Board nominating a Chair and Vice Chair for the remainder of

the term ending December 31, 2025.

- E) Approval of a recommendation by the Tax Increment Reinvestment Zone #3 Board nominating a Chair and Vice Chair for a one-year term to begin January 1, 2026
- F) Approval of the Second Amendment to the Chapter 380 Economic Development Agreement between the City of New Braunfels and Continental Autonomous Mobility US, LLC. (Aumovio).

This item was pulled by Richard Kelsheimer.

- G) Approval of the issuance of an invitation for competitive sealed proposals for construction of the Golf Course Road Parking Area and Biofiltration System, and the Landa Park Recreation Parking Lot and Biofiltration System and the Gruene Road / Post Road intersection improvements.
- H) Approval of an expenditure to Ford Audio-Video Systems, LLC to complete audio and visual upgrades at the New Braunfels Civic and Convention Center
- I) Approval of an amendment to an Interlocal Agreement with Comal County Emergency Services District No. 7 regarding the use of fire trucks purchased by Comal County Emergency Services District No. 7.
- J) Approval of the acceptance of a 15.03-acre tract of land described as Lot 901, Block 1, Arroyo Verde Subdivision Unit 4, from the New Braunfels Parks Foundation.
- K) Approval of the acceptance of a 46-acre tract of land described as Lot 908, Block K, Oak Creek Subdivision Unit 4, from the New Braunfels Parks Foundation.
- L) Approval of a lease agreement between the City of New Braunfels and Skyler and Kameron Koepp, for farming on approximately 62.6 acres out of the O Russell Survey No. 2, Abstract 485, Comal County, Texas.

Resolutions

- M) Approval of a resolution recommended by the New Braunfels Economic Development Corporation approving a Second Amendment to the contract with Continental Autonomous Mobility US, LLC., to modify the employment condition, eliminate the “two-year rolling

average” methodology, and provide alternate methods for measuring compliance.

This item was pulled by Richard Kelsheimer.

- N) Approval of a resolution recommended by the New Braunfels Economic Development Corporation approving an economic development agreement with Continental Autonomous Mobility US, LLC., for a project expenditure, of up to \$300,000, pursuant to Section 501.101 of the Texas Local Government Code.
- O) 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, 2027.

Ordinances

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

- P) Approval of the first reading of an ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lot 1, Block 115, Mayfair - Parcel E-15 Subdivision, consisting of 19.99 acres
- Q) Approval of the second and final reading of an ordinance amending Ordinance No. 2024-90 that designated Reinvestment Zone No. 2024-01 for tax abatement purposes, by correcting the property description in Exhibit A.
- R) Approval of the second and final reading of an ordinance requested by Evelyn Orr Westfahl, on behalf of June Orr, to rezone approximately 0.2 of an acre out of City Block 2013, part of Lots 234 and 235, from C-2 (General Business District) to C-2 SUP (General Business District with a Special Use Permit to allow Short Term Rental of a residence), currently addressed as 341 North Market Avenue.
- S) Approval of the second and final reading of an ordinance requested by Alba Henriquez, on behalf of Luciano Henriquez, to rezone approximately 0.3 of an acre out of the A. M. Esnaurizar Survey 1, Abstract 1, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit to allow Short Term Rental of a residence), currently addressed as 1160 Dunlap Drive.

- T) Approval of the second and final reading of an ordinance amending Chapter 110, Appendix X of the Code of Ordinances relating to the implementation of the next phase of Solid Waste commercial rate adjustments.

Approval of the Consent Agenda

Mayor Linnartz read the aforementioned ordinances and resolutions of the consent agenda with the exception of items F and M. Items F and M were pulled for individual consideration.

Councilmember Edwards made a motion to approve the consent agenda with the exception of items F and M. Councilmember Labowski 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.

- F-1) Approval of the Second Amendment to the Chapter 380 Economic Development Agreement between the City of New Braunfels and Continental Autonomous Mobility US, LLC. (Aumovio).

This item was pulled off consent by Richard Kelsheimer.

Mayor Linnartz read the aforementioned item.

Richard Kelsheimer addressed council and asked questions.

Jeff Jewell spoke on this item and answered questions.

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

- M-1) Approval of a resolution recommended by the New Braunfels Economic Development Corporation approving a Second Amendment to the contract with Continental Autonomous Mobility US, LLC., to modify the employment condition, eliminate the “two-year rolling average” methodology, and provide alternate methods for measuring compliance.

This item was pulled by Richard Kelsheimer.

Mayor Linnartz read the aforementioned item.

The discussion regarding this item took place during item F-1.

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

- A) 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 San Antonio / Water Lane Project as part of the 2023 Bond Citywide Streets Program, along with authorization for the City Manager to execute change orders up to the contingency amount, and authorization of a contract for construction materials testing with ECS Southwest, LLP for construction materials testing.

Mayor Linnartz read the aforementioned item.

Scott McClelland presented this item to council using a powerpoint presentation.

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

- B) Discuss and consider approval of a contract with River North Transit, LLC a wholly owned subsidiary of Via Transportation, Inc. for microtransit services to the New Braunfels Urban Transit District.

Mayor Linnartz read the aforementioned item.

Julie Sitton presented this item to council using a powerpoint presentation and answered questions.

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

- C) Public hearing, discussion, and possible action approving a tax abatement agreement with applicant and property owner Continental Autonomous Mobility US, LLC.

Mayor Linnartz read the aforementioned item.

Jeff Jewell presented this item to council using a powerpoint

presentation.

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

- D) Public hearing, discussion, and possible action approving the first reading of an ordinance designating a geographic area within the City of New Braunfels as a reinvestment zone for tax increment financing purposes pursuant to Chapter 311 of the Texas Tax Code to be known as Tax Increment Reinvestment Zone Number Five - West End ("TIRZ 5: West End"), City of New Braunfels, describing the property parcels included in the zone, containing findings and provisions related to the creation of the zone, providing a termination date, providing the zone take effect immediately upon passage of the ordinance, providing a severability clause, providing for publication, and declaring an effective date.

Mayor Linnartz read the aforementioned item.

Jeff Jewell presented this item to council using a powerpoint presentation and answered questions.

Councilmember Labowski motioned to approve this item with staff recommendations. Councilmember Ryan seconded the motion which passed unanimously.

- E) Discuss and consider approval of a resolution for nomination(s) to the Guadalupe County Appraisal District Board of Directors for a four (4) year term ending 2029.

Mayor Linnartz read the aforementioned item.

Gayle Wilkinson presented this item to council and answered questions.

No nominations were made.

- F) Discuss and consider approval of a resolution for nomination(s) to the Comal County Appraisal District Board of Directors.

Mayor Linnartz read the aforementioned item.

Gayle Wilkinson presented this item to council and answered questions.

No nominations were made.

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- B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code:
 - 1. The Neue
 - 2. Project Maiden
- C) 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:
 - a. Discuss Legal Options Relating to the Status of Real Estate Negotiations to Secure Necessary Right-of-Way for the Kohlenberg Road Improvements Project:
 - i. a 2.309 Acre (100,568 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas and being out of the called 239.708 acre tract conveyed to Frederick Frueholz Jr., recorded in Document No. 201306045302 of the Official Public Records of Comal County, Texas; and being more specifically out of the called 49.64 acre 1st Parcel of said 239.708 acres recorded as Volume 78, Page 399 - Tr. 2, Official Public Records of Comal County, Texas. (Comal County Parcel No. 71628)

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

The aforementioned items took place in executive session at 5:00 p.m.

No action was taken at this time.

ADJOURNMENT

Mayor Linnartz adjourned the meeting at 7:34 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL - SPECIAL
REGULAR MEETING OF MONDAY, OCTOBER 20, 2025**

CALL TO ORDER

Mayor Pro Tem Spradley called the meeting to order at 5:01 p.m.

CALL OF ROLL: CITY SECRETARY

Present 5 - Councilmember D. Lee Edwards, Mayor Pro Tem Lawrence Spradley, Councilmember Mary Ann Labowski, Councilmember Toni Carter, and Councilmember Michael Capizzi

Absent 2 - Councilmember April Ryan, and Mayor Neal Linnartz

INVOCATION: COUNCILMEMBER CAPPIZI

Councilmember Capizzi provided the invocation.

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

Mayor Pro Tem Spradley led the Pledge of Allegiance and the Salute to the Texas Flag.

PROCAMATIONS:

A) Manufacturing Month

Mayor Pro Tem Spradley read the aforementioned proclamation.

Members from the New Braunfels Manufacturing Association and the New Braunfels Chamber of Commerce accepted the proclamation at addressed council.

B) Domestic Violence Awareness Month

Mayor Pro Tem Spradley read the aforementioned proclamation.

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

C) Chamber of Commerce Week

Mayor Pro Tem Spradley read the aforementioned proclamation.

Johnathan Packer of the New Braunfels Chamber of Commerce accepted the proclamation and addressed council.

1. PRESENTATIONS:

A) Presentation on a Downtown Parking Update

Mayor Pro Tem read the aforementioned item.

Jeff Jewell presented this item to council using a powerpoint presentation and answered questions. Jeff introduced Tony Janoweic who also presented to council using a powerpoint presentation.

Mayor Pro Tem Spradley called for a recess at 6:19 p.m.

Mayor Pro Tem Spradley reconvened City Council at 6:26 p.m.

The following individuals spoke at this time: Chip Lions, David Russo, John Mayorel, Austin Towner, Rebecca Gaudina, Eva Pepitone, Terry Jennings, Andrew Clasen, Johnathan Packer, Thor Thornhill, Jenny Jakely, Mary Heimer, Cameron Corzine, Peter Leiderman, Lark Mason, Jennifer Wilson, David Ozuna, Clarisa DeSanto.

No action was taken at this time.

B) Presentation on the One Water New Braunfels Annual Report

Mayor Pro Tem Spradley read the aforementioned item.

Christopher Looney presented this item to council and introduced Robin Gary, who presented this item to council using a powerpoint presentation.

No action was taken at this time.

C) Presentation and update on the Transportation & Construction Services Department reorganization and proposed amendments to the Code of Ordinances of the City of New Braunfels to streamline fence permits and allow a new plumbing code concept.

Mayor Pro Tem Spradley read the aforementioned item.

Jordan Matney introduced this item to council and Garry Ford who presented this item to council using a powerpoint presentation and answered questions.

No action was taken at this time.

2. 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, including but not limited to:
- City of New Braunfels v. Stoddard Construction Management, Inc. and Swiss Re Corporate Solutions America Insurance Corp.; C2024-1777D

Mayor Pro Tem Spradley read the aforementioned executive session item.

Mayor Pro Tem Spradley adjourned into closed session at 8:02 p.m.

3. **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.

4. **ADJOURNMENT**

Mayor Pro Tem Spradley adjourned at 8:23 p.m.

By: _____
LAWRENCE SPRADLEY, MAYOR PRO TEM

Attest:

GAYLE WILKINSON, CITY SECRETARY

10/27/2025

Agenda Item No. B)

PRESENTER:

Julie Gohlke, Assistant Purchasing Manager

SUBJECT:

Approval of annual routine recurring expenditures for FY 2026 in accordance with City Charter Section 9.17.

DEPARTMENT: Finance**COUNCIL DISTRICTS IMPACTED:** NA**BACKGROUND INFORMATION:**

Per section 9.17 of the City Charter, City Council approval is required for annual purchases that exceed \$100,000. There are various routine expenditures that occur every year that have traditionally been approved collectively to more efficiently manage staff resources as well as ensure compliance with the charter. This will eliminate the need for these expenditure requests to be brought to City Council individually throughout the year.

This action will allow purchases to be made as needed throughout the year. As indicated below, the purchases are competitively vetted by cooperative agreements, quote or justified as a single source. Funding has been allocated for all of the expenditures detailed below.

As additional vendors that are anticipated to exceed the \$100,000 threshold are identified, they would still be brought for City Council at that time. Moreover, any purchases that warrant individual consideration and approval will be brought to City Council in that manner.

The following purchases and estimated annual expenditures are recommended for City Council consideration:

Vendor Source	Service	Not to Exceed	Contract Source
Acushnet Company Titleist	Commercial Golf supplies for resale inventory. Funding is incorporated into the Stock-inventory budget for Golf.	\$130,000	Exempt
Angel Armor	Body Armor for Police Department. Funding is incorporated into the Police Department Operating budget.	\$130,000	BuyBoard/Sole Source
Baker & Taylor Books	Library books, supplies and other catalog services. Funding is incorporated into the Library Department operating budget.	\$240,000	TXMAS

Baker & Taylor Entertainment	Audio books, music and movies. Funding is incorporated into the Library Department operating budget.	\$110,000	TXMAS
Data Projections	Multiple contracts for audio visual Solutions. Funding is incorporated into the IT and appropriate department budgets.	\$110,000	TIPS
Ergon Asphalt & Emulsions Inc.	Custom blended emulsions. Funding is incorporated into the Streets and Drainage Budget.	\$105,000	Sole Source
Farrwest Specialty Vehicles	Vehicle upfitting services which include Equipment from the Buyboard Cooperative And installation from a city contract. Annual spend varies based on number of vehicles purchased. Funding is incorporated into the appropriate operating budget.	\$300,000	BuyBoard City Contract
Galls, Inc. Angel/miller	Fire and Police Department / uniforms, Bullet proof vest and other accessories. Funding is incorporated into the appropriate operating budgets.	\$250,000	BuyBoard
Goodyear Tire (Formerly: The Goodyear Tire & Rubber Company)	Tires & services for fleet vehicles. including Recap tire service for City wide fleet vehicles Funding is incorporated into the appropriate budgets.	\$ 170,000	BuyBoard NASPO
GT Distributors	Public Safety equipment, supplies Parts and uniforms. Funding is incorporated into the appropriate operating budget.	\$130,000	BuyBoard
GTS Technology Solutions Inc	Email security, computer replacements and on-demand purchases. Funding is incorporated in the IT operating budget.	\$1,000,000	DIR/ BuyBoard
Harrell's Inc.	Landscape fertilizers for Parks Dept. Funding is incorporated into the Golf Course Enterprise Fund budget.	\$200,000	BuyBoard
Heil of Texas	Mechanical services and parts for fleet Vehicles (solid waste collection bodies). Funding is incorporated into the Solid Waste Management Enterprise Fund budget.	\$110,000	BuyBoard
Hesselbein Tire Southwest	Tires and services for large trucks and equipment. Funding is incorporated into the Solid Waste Management Enterprise Fund budget.	\$125,000	BuyBoard
Ingram Library Services	Library books, materials, and supplies. Funding is incorporated into the Library budget.	\$110,000	Texas Smart Buy
Langely & Banack Inc	Legal Support related to construction Support. Funding is incorporated into the Legal Department budget.	\$110,000	Exempt

NAFECO	Safety uniforms, equipment and supplies. Funding is incorporated into the Fire Department operating budget.	\$250,000	BuyBoard
Precision Delta Corp	Ammunition for Police Department Funding is incorporated into the Police Department operating budget.	\$110,000	TXMAS
Progressive Commercial Aquatics Inc.	Pool chemicals for City pools Funding is incorporated into the Parks Department operating budget.	\$110,000	BuyBoard
Siddons Martin Fire Apparatus	Service work for Fire engine repairs Funding is incorporated into the Fire Department operating budget.	\$600,000	BuyBoard
Wastequip	Waste Management containers Commercial dumpsters and residential trash and recycling carts. Funding is incorporated into the Solid Waste Management Enterprise Fund budget.	\$200,000	HGAC/NIPA Omnia Partner

ISSUE:

Maintain fiscal stability of City Operations

STRATEGIC PLAN REFERENCE:

☐ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity
☐ Organizational Excellence ☒ Community Well-Being ☐ N/A
 [Enter Objectives/Performance Measures Supported]

FISCAL IMPACT:

Funding for all initiatives and expenditures above were incorporated into the appropriate FY 2026 departmental budgets. However, the amounts above are estimates; actual costs are dependent upon needs. If the actual costs above exceed what was allocated in the budget for those services, departments are required to make that difference up elsewhere within their operating budget.

RECOMMENDATION:

Staff recommends approval of annual recurring expenditures for FY 2026 in accordance with City Charter section 9.17.

10/27/2025

Agenda Item No. C)

PRESENTER:

Barbara Coleman Purchasing Manager

SUBJECT:

Approval of annual routine recurring expenditures with Siddons Martin Fire Apparatus for FY 2025 close-out in accordance with City Charter Section 9.17.

DEPARTMENT: Finance**COUNCIL DISTRICTS IMPACTED:** NA**BACKGROUND INFORMATION:**

Per section 9.17 of the City Charter, City Council approval is required for annual purchases that exceed \$100,000. There are various routine expenditures that occur every year and staff recommend that these expenditures be approved all at once, to more efficiently manage staff resources as well as ensure compliance with the charter. The City Council approved an annual expenditure for Siddons Martin Fire Apparatus for FY 2025 of \$500,000. Staff is requesting a spend limit of \$600,000 to complete authorized repairs. The City Fleet Division uses Siddons Martin for routine and emergency repairs to the City's fire engines. Siddons Martins support all parts and labor for the fleet. The City utilizes a BuyBoard Cooperative agreement that has been compactivity bid for parts and labor. This request will complete authorized repairs for the FY 2025.

ISSUE:

Maintain fiscal stability of City Operations

STRATEGIC PLAN REFERENCE:

☐ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity
☐ Organizational Excellence ☒ Community Well-Being ☐ N/A

FISCAL IMPACT:

The FY 2025 General Fund budget has sufficient allocation to support the increased costs as described above.

RECOMMENDATION:

Staff recommends approval of annual routine recurring expenditures with Siddons Martin Fire Apparatus for FY 2025 close-out in accordance with City Charter Section 9.17.

10/27/2025

Agenda Item No. D)

PRESENTER:

Jeff Jewell, Economic and Community Development Director

SUBJECT:

Approval of a recommendation by the New Braunfels Economic Development Corporation (NBEDC) approving an administrative support and professional services contract, not to exceed \$455,386, with the City of New Braunfels for FY 2026.

DEPARTMENT: Economic and Community Development**COUNCIL DISTRICTS IMPACTED:** Citywide**BACKGROUND INFORMATION:**

The New Braunfels Economic Development Corporation (NBEDC) maintains an annual contract with the City of New Braunfels for administrative support and professional services in support of the NBEDC's mission and business. The contracted amount proposed is \$455,386, which is the same as FY 2025. Specifically, the contract requires the City to perform administrative and professional service tasks such as contract development and management, pay applications, company and incentive auditing services, fiscal impact analysis, financial auditing, board-directed and required reporting and record keeping. The contract also requires the city to provide for all legal services and facilities needed by the corporation in the normal course of its business. Additionally, the city manages feasibility, engineering, design and construction activities for all NBEDC-initiated projects. Services rendered are provided by a wide array of City departments that include Economic and Community Development, City Attorney's Office, Transportation and Capital Improvements, Planning and Development Services, Finance, and the City Manager's Office.

In 2025, the City received the Texas Comptroller's Transparency Star Award for Economic Development <<https://newbraunfels.gov/3813/Economic-Development-Transparency-Star>>. The program recognizes local governments in economic development for going above and beyond in their transparency efforts and that accomplish the following:

- Open their books in the areas of economic development and compliance.
- Provide clear and meaningful financial information by posting financial documents, as well as thorough summaries, visualizations, downloadable data and other relevant information.

The effort requires the City to quantify and report on values of economic development contracts, as well as the status of any active agreements. The City completed contract audits of all companies with active economic development agreements. All NBEDC agreements represent approximately 1,361 full time equivalent employees and approximately \$276 million in ad valorem and business personal property.

Last year, the following modifications were proposed for the FY 2025 contract: \$50,000 increase earmarked to address operating and property management costs for NBEDC-owned properties and costs associated with additional planning and feasibility studies for future NBEDC-affiliated projects. This will provide some level of pre-approved funding for initiatives not specifically identified but that staff can undertake at the direction of the NBEDC as approved in the services agreement and adopted with the budget.

Two fiscal years ago, the City presented a contract expansion that fully funded an Assistant Project Manager (APM) in the City's Transportation and Capital Improvements (TCI) department and the marginal cost of moving the ECD's administrative assistant to full-time. These two position additions increased the amount of the contract by \$115,413. Since that time, the TCI department has managed the design and completed construction on three major projects - West Alligator Creek Trail, Common Street Pedestrian Improvements and Last Public Exit Improvement Project - with another (Landa Lake Dam Improvement Project) expected to begin in the fall. The following chart represents all the projects completed, under final design or anticipating construction that the NBEDC has provided funding for (except for the Air Traffic Control Tower, which is funded through an FAA grant but being managed by TCI):

NBEDC Project Timeline



Two additional items will be added to the FY 2026 Scope of Services to include:

- (16) Reviewing annual capacity and evaluating the adjustment of sales tax rebates/contribution to TIRZ, if needed; and
- (17) Capital improvement planning, design, and construction management for NBEDC-funded initiatives.

The NBEDC received an initial presentation on this matter at its August 14, 2025 regular meeting and unanimously approved the FY 2026 contract at its September 30, 2025 special-called meeting.

ISSUE:

Renewal of the FY 2026 NBEDC contract with the City of New Braunfels for administrative support, professional services, and asset management.

STRATEGIC PLAN REFERENCE:

☒ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity
☐ Organizational Excellence ☐ Community Well-Being ☐ N/A

FISCAL IMPACT:

The cost of the FY 2026 contract is \$455,386 - there is no change to the cost from the FY 2025 contract.

RECOMMENDATION:

Staff recommends the approval of the contract, as recommended by the NBEDC.

**CONTRACT BETWEEN THE NEW BRAUNFELS ECONOMIC DEVELOPMENT
CORPORATION AND THE CITY OF NEW BRAUNFELS, TEXAS**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF COMAL §

THIS CONTRACTUAL AGREEMENT (the "Agreement") is made and entered into by and between the New Braunfels Economic Development Corporation, a Non-Profit Corporation of the State of Texas, hereinafter called "EDC", acting by and through its duly authorized officers, and the City of New Braunfels, Texas, a Texas municipal corporation, hereinafter called "CITY," acting by and through its officers:

W I T N E S S E T H:

WHEREAS, Texas Local Government Code §501.054 provides the EDC with the powers of non-profit corporations incorporated under the Texas Non-Profit Corporation Act, as amended, and Section Seven of the Bylaws of the EDC allows for the President and Secretary of the EDC to execute any contract which the Board has approved and authorized to be executed; and

WHEREAS, §501.007 allows the EDC to reimburse the City for all expenses incurred in providing the EDC with administrative, financial, and legal services; and

WHEREAS, upon the recommendation and approval by the Board on September **DATE**, 2025, and the City Council on **MONTH DATE**, 2025, the EDC agreed to pay to the City \$455,386 annually for administrative support and professional and asset management services.

I.

All funds received by CITY from EDC as herein provided shall be expended solely for the purposes stated herein and in accordance with the following terms:

The EDC shall pay a total of \$455,386 to the City on a monthly pro rata basis.

II.

Administrative, professional and asset management services the CITY shall perform for the EDC include:

- (1) Preparing and filing all reports required by the Texas Non-Profit Corporation Act, the Texas Non-Profit Corporation Law (Business Organizations Code, §1.008), the Development Corporation Act;
- (2) Keeping all books and records required by the EDC's Bylaws;
- (3) Providing necessary staff to perform miscellaneous administrative services including preparation of forms, applications, public notices for projects, agendas, agenda reports, resolutions, and other necessary documents;
- (4) Preparing and timely processing of EDC's project applications, approval action by the Board and the City Council, execution of agreements;
- (5) Regularly attending Board meetings and making occasional Board or City Council presentations, as needed;
- (6) Negotiating and drafting project term sheets and performance agreements;
- (7) Preparing and presenting a budget for the EDC for the forthcoming year for review and approval by the Board and City Council;
- (8) Providing all necessary budgeting, auditing, accounting, analysis, professional support services and financial management, through the City Manager's Office, Economic and Community Development, and Finance Departments which may include consultants hired as necessary to complete EDC related tasks;
- (9) Auditing services by Finance Department and City Manager's Office to ensure contract compliance;
- (10) Providing for legal services through the City Attorney's Office, including outside legal consultants, to assist city staff in negotiating and drafting performance agreements, and provide legal guidance and opinions; and

- (11) Providing facilities for repository of records, office and conference space for meetings which includes a proportional charge for electricity, water, sewer, gas, heating and air conditioning, telephone, internet service, repair and maintenance for such facilities; and
- (12) Preparing and completing appropriate feasibility studies, preliminary designs, and other professional services as necessary to advance the goals, strategies and actions as outlined in the Economic Development Strategic Plan, Envision New Braunfels, Downtown Implementation Plan, Workforce Housing Study and other relevant plans and documents as determined and directed by the EDC; and
- (13) Up to \$25,000 annually shall be provided for the maintenance of EDC-owned assets to include real property. Such funds shall be used for services to maintain them in good and acceptable condition; and
- (14) Consulting services rendered by an appropriate economic and community development organization as determined appropriate and necessary by the City to assist with the completion of the administrative and professional services outlined herein; and
- (15) Providing for a City employee to facilitate, manage, and regularly update the Board and the City Council on EDC-funded projects; and
- (16) Reviewing annual capacity and evaluating the adjustment of sales tax rebates/contribution to TIRZ, if needed; and
- (17) Capital improvement planning, design, and construction management for NBEDC-funded initiatives.

III.

This agreement shall be renewed annually with the approval of the City's annual budget unless specific action is taken by the EDC and the City to change the terms of this agreement.

IV.

In the performance of this contract, CITY shall not discriminate against any tenant or customer because of his/her race, color, religion, national origin, sex, disability or ancestry. Breach of this covenant may be regarded as a material breach of the contract causing its termination.

V.

It is expressed and understood and agreed by both parties hereto that each acts independently of each other, and neither has the authority to bind the other or to hold out to a third party that it is the authority for the other. The parties hereto understand and agree that the City shall not be liable for any claims, which may be asserted by any third party occurring in connection with the performance of the EDC.

VI.

Nothing contained herein shall be deemed or construed by the parties hereto or by any third party as creating the relationship of employer-employee, principal agent, joint ventures or any other similar such relationships, between the parties hereto.

VII.

All communications between EDC and CITY shall be addressed to the President of the New Braunfels Economic Development Corporation, c/o City of New Braunfels, 550 Landa Street, New Braunfels, Texas 78130. Any communication to the CITY shall be addressed to the City Manager, 550 Landa Street, New Braunfels, Texas 78130.

VIII.

It is understood and agreed that in the event any provision of this contract is inconsistent with requirements of law, the requirements of law will control and the parties shall revert to their respective positions, which would otherwise be enjoyed or occupied by the respective parties for the terms of this contract.

IX.

The foregoing instrument in writing between the parties herein, constitutes the entire agreement between the parties relative to the funds made the basis hereof, and any other written or oral agreement with the EDC being expressly waived by CITY.

IN WITNESS WHEREOF, the parties hereto execute this agreement in duplicate originals on this ____ day of _____, 2025.

**NEW BRAUNFELS ECONOMIC
DEVELOPMENT CORPORATION**

By: _____
Shane Hines, *President*

Date: _____

Larry Hammonds, *Corporate Secretary*

Date: _____

CITY OF NEW BRAUNFELS

By: _____
Robert Camareno, *City Manager*

Date: _____

ATTEST:

Gayle Wilkinson, *City Secretary*

APPROVED AS TO FORM:

Valeria Acevedo, *City Attorney*

10/27/2025

Agenda Item No. E)

PRESENTER:

Scott McClelland, Assistant Director Transportation & Construction Services

SUBJECT:

Approval of a contract modification with Pape Dawson Engineers Inc. for the completion of a schematic design and roadway summary for Conrads Lane from FM 1102 to the Union Pacific Railroad tracks.

DEPARTMENT: Transportation and Construction Services**COUNCIL DISTRICTS IMPACTED:** 4**BACKGROUND INFORMATION:**

As part of the 2023 Bond Program, Pape Dawson Engineers was retained to complete the final plans, schematic, and estimates for Conrads Lane Phase 1 from Goodwin Lane to the Union Pacific Railroad tracks. Phase 2 will be the completion of a schematic design and roadway summary for Conrads Lane from FM 1102 to the end of Phase 1 and the intersection of Hunter Road and FM 1102. The cost of the contract modification for schematic design and roadway summary is \$153,942.50 making the total contract value \$1,171,208.

The current intersection of Hunter Road, Conrads Lane, and FM 1102 is off set which creates an intersection with operational and safety challenges. The effort for the proposed realignment will complete preliminary engineering analysis to realign Conrads Lane to Hunter Road for a four-way standard intersection. Pape Dawson will provide conceptual geometric exhibits, collect FEMA models, Atlas 14 data, provide roadway engineering summary, along with geotechnical information & typical sections, and present opinion of probable construction costs. Any environmental constraints and design constraints will also be provided to inform future project development. The project will involve coordination with Comal County, TxDOT, and Union Pacific due to overlapping jurisdictions, and determine the final alignment and potential cost participation.

ISSUE:

Continue and ongoing program of infrastructure construction and maintenance

STRATEGIC PLAN REFERENCE:☐ Economic Mobility ☒ Enhanced Connectivity ☐ Community Identity☐ Organizational Excellence ☐ Community Well-Being ☐ N/A

Provide safer intersections for the continued growth in this area

FISCAL IMPACT:

Sufficient funds are available in the 2023 Bond Program Fund to cover the additional \$153,942.50 cost of the contract modification for schematic design and roadway summary.

RECOMMENDATION:

Approval of a contract modification with Pape Dawson Engineers Inc. for the completion of a schematic design and roadway summary for Conrads Lane from FM 1102 to the Union Pacific Railroad tracks in the amount of \$153,942.50.

10/27/2025

Agenda Item No. F)

PRESENTER:

Ken Wilson, Parks & Recreation Director

SUBJECT:

Approval to amend the number of Park & Recreation full-time equivalent (FTE's) as adopted in the FY 2026 Budget from 157.0 to 157.75 by changing the classification of the Zipp Family Sports Park Maintenance Workers (3 positions) from part-time regular to full-time.

DEPARTMENT: Parks & Recreation**COUNCIL DISTRICTS IMPACTED:** All**BACKGROUND INFORMATION:**

The FY 2026 Adopted Budget includes three PTR Maintenance Workers (0.75 FTE) dedicated to the soon to be completed Zipp Family Sports Park. Per the original operating plan for the sports complex, these positions were always intended to be authorized as full-time employees. To make this adjustment, the total authorized FTE needs to be increased by 0.75 to provide the capacity for these positions to be hired in a full-time status.

ISSUE:

Adjust the authorized FTE within the Parks and Recreation Department in accordance with the operating plan for the Zipp Family Sports Complex.

STRATEGIC PLAN REFERENCE:

☐Economic Mobility ☐Enhanced Connectivity ☒Community Identity
☐Organizational Excellence ☐Community Well-Being ☐N/A

FISCAL IMPACT:

Sufficient funding is available within the Parks & Recreation budget to support the requested change in FTE count.

RECOMMENDATION:

Staff recommends approval of the proposal to amend the Parks & Recreation FTE count for Zipp Family Sports Park Maintenance Workers.

10/27/2025

Agenda Item No. G)

PRESENTER:

Julie Sitton, Transit Manager

SUBJECT:

Approval of the City of New Braunfels Transit Asset Management Plan.

DEPARTMENT: Transportation & Construction Services

COUNCIL DISTRICTS IMPACTED: Citywide

BACKGROUND INFORMATION:

The City of New Braunfels Transit Asset Management (TAM) Plan is being established to define the condition, safety, and resources for safe and reliable transit service. Every transit agency must develop a TAM Plan if it owns, operates, or manages capital assets used to provide public transportation and receives federal financial assistance under 49 U.S.C. Chapter 53 as a recipient or subrecipient. The City of New Braunfels currently contracts turnkey transit service and does not have any vehicles, facilities, or other property purchased with Federal Transit Administration funds.

ISSUE:

Ensure compliance with grant requirements.

STRATEGIC PLAN REFERENCE:

☐ Economic Mobility ☒ Enhanced Connectivity ☐ Community Identity
☐ Organizational Excellence ☐ Community Well-Being ☐ N/A

FISCAL IMPACT:

None

RECOMMENDATION:

Approval of the City of New Braunfels Transit Asset Management Plan.



Transit Asset Management Plan

City of New Braunfels, Texas

October 2025

The Transit Asset and Management Plan (TAM) is approved and signed.

Robert Camareno, City Manager

Date

Summary

The City of New Braunfels Transit Asset Management Plan (TAM) is being established to define the condition, safety and needed resources for a safe & reliable transportation service. The plan is also in alignment with federal regulations 49 CFR 625. At this time, the City of New Braunfels does not have any vehicles, facilities or other property purchased with Federal Transit Administration funding.

City of New Braunfels is defined by Federal legislation as a Tier II provider with less than 100 vehicles in both the fixed-route revenue service and the general demand response service during peak hours.

The goal for the City of New Braunfels assets covered under this plan:

- Achieve an average of State of Good Repair (SGR) of 85% for rolling stock and ensure they are operating within their Useful Life Benchmark (ULB).
- Maintain the parking & passenger facility condition of adequate (3.0+ on the TERM scale).
- Investigate future investments to prioritize assets that have exceeded or will soon exceed their useful life.

Over the total 4-year horizon, it is planned that the on-demand transit service will be contracted out and the contractor will be required to provide their own rolling stock.

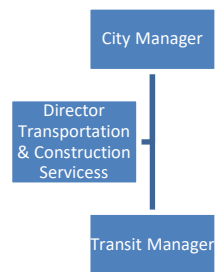
TAM Plan Period

The TAM plan will be updated every four years, with the next update to be completed by October 2029.

Roles and Responsibilities

The Accountable Executive who will ensure the necessary planning and coordination of resources and safety is the Director of Transportation and Construction Services for the City of New Braunfels. The Director of Transportation and Construction Services reports to the Deputy City Manager and ultimately to Council who can direct resources to implement the TAM plan. The Transit Manager provides input on the conditions and any required resources to the Director.

TAM Organizational Chart



About the TAM Plan

The TAM Plan contains five major components:

- ▶ TAM Targets and Goals
- ▶ Inventory of Capital Assets
- ▶ Condition & Ranking
- ▶ Management Approach
- ▶ Investment Prioritization

The TAM Targets and Goals section specifies the desired outcomes necessary to maintain an SGR. The Inventory of Assets section provides details on capital assets supporting the delivery of public transportation services, and the Condition Assessment component includes the current condition of the capital assets compared to the targets set for each asset category. The Management Approach breaks out the information supporting the decision-making process, investment prioritization, funding mechanisms and strategies for maintenance and disposal.

TAM Targets & Goals

Vehicles

The following provides the useful life benchmarks (ULB) for rolling stock assets based on the Altoona bus standards for age and mileage. In some cases, the vehicles could achieve more vehicle life than the Altoona standards, depending on the condition of each individual vehicle.

Vehicle Type	Altoona Age
Heavy Duty Large Bus (35' to 40' and articulated buses)	12 years or 500,000 miles
Heavy-Duty Small Bus (30' to 35')	10 years or 350,000 miles
Medium-Duty and Purpose-Built Bus (25' to 35')	7 years or 200,000 miles
Light-Duty Small Bus and Cutaways (20' to 25')	5 years or 150,000 miles

Light-Duty Van, Modified Van, Automobiles (16' to 20')	4 years or 100,000 miles
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If a vehicle is no longer used for public transportation, it will be disposed of immediately and in accordance with FTA Circular 5010.IE which provides the guidance for disposal.

Transit Facility

Transit facility conditions will be assessed using the FTA Transit Economic Requirement (TERM) Scale. A TERM chart follows below with a description for each rating. To be considered in a State of Good Repair (SGR), a facility must have a rating of 3.0 or higher. A facility with a rating of 2.0 (marginal) or lower is deemed not to be in an SGR

Transit Facility	Rating	Condition
No visible defects, new or near new condition, may still be under warranty if applicable	5	Excellent
Good condition, but no longer new, may be slightly defective, but is overall functional	4	Good
Moderately deteriorated or defective; but has not exceeded useful life	3	Adequate
Defective or deteriorated, in need of replacement; exceeded useful life	2	Marginal
Critically damaged or in need of immediate repair; well past useful life	1	Poor

TAM Targets

The target for rolling stock is less than or equal to 15% of fleet assets operating beyond their ULB for age as established by TxDOT.

The target for facilities is less than or equal to 15% of facilities operating in a condition lower than 3.0 on the TERM scale.

Goals

Goal 1: Achieve an average SGR of 85% (15% or less of assets are past their ULB) for all rolling stock assets across the 4-year planning horizon.

Goal 2: Maintain the state-wide facility condition of adequate (3.0+ on the TERM scale).

Goal 3: Leverage future investments to prioritize those assets that have exceeded or will soon exceed their useful life.

Goal 4: Refine and update the asset inventory list through a comprehensive review.

Goal 5: Perform inspections depending on the asset type.

Inventory & Condition of Capital Assets

Vehicles					
Description	I.D. Number	Acquisition Date	Years	Miles	Condition

Facilities					
Description	Address	Usage	Year Built	Sq. Ft.	Condition

Ranking by Asset Category

Asset Type	Quality	Consideration*
Marginal	0	1
Adequate	0	2
Good	0	3
Excellent	0	4

Using a Likert scale of 1-4, with 1 being the highest priority and 4 being the lowest, assets are grouped according to the priority of replacement.

Management Approach

The City of New Braunfels will assess the asset inventory based on condition data at the asset class level to prioritize those assets most in need of replacement or repair.

Proposed Investment and Resources

The City of New Braunfels utilizes 5307 funding primarily for operations and will seek out additional funding such as 5399(a) and other competitive program funds to purchase buses or to construct bus-related facilities in the future.

TAM Plan Amendments & Future Updates

TAM Plans are required to be updated every four years. The next major update will be completed in 2029.

10/27/2025

Agenda Item No. H)

PRESENTER:

Matthew Eckmann, Assistant Director of Public Works

SUBJECT:

Approval of the acceptance of a 0.11-acre tract of land described as Lot 904, Block 26, Town Creek Subdivision Phase 3 PDD, from the Town Creek Texas Property Owners Association.

DEPARTMENT: All

COUNCIL DISTRICTS IMPACTED: All

BACKGROUND INFORMATION:

In 2014, the City of New Braunfels approved the Concept Plan and Development Standards for the Town Creek Planned Development District. In the plan, there was a requirement for certain parkland to be dedicated to the City to be developed for the Dry Comal Creek Trail. The Trail is currently in final design and preparing for construction and a request was received to provide for a trail connection into the Town Creek Subdivision

ISSUE:

In order to facilitate the trail connection, the City has requested the conveyance of this lot, which was originally designated as a pocket park to be maintained by the property owners' association.

FISCAL IMPACT:

There will be no funds exchanged for the conveyance of this property; therefore, there is no fiscal impact.

RECOMMENDATION:

Staff recommends the approval of this conveyance.

41c



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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

GIFT DEED

STATE OF TEXAS
COUNTY OF COMAL

§

KNOW ALL BY THESE
PRESENTS:

That CONTINENTAL HOMES OF TEXAS, L.P., a Texas limited partnership, whose mailing address is 5419 N. Loop 1604 E., San Antonio, Texas 78247, ("Grantor"), has GIFTED, GRANTED and CONVEYED, and by these presents does GIFT, GRANT and CONVEY unto NEW BRAUNFELS PARKS FOUNDATION, a Texas non-profit corporation ("Grantee"), whose mailing address is P.O. Box 312634, New Braunfels, Texas 78131, the following described tract of land (the "Property") in Comal County, Texas:

All that certain approximately 46.00 acre tract of land situated in the City of New Braunfels, Comal County, Texas, legally described as Lot 908 Block K on the final plat of Oak Creek Unit 4, filed under Document No. 202106006911, in the Official Public Records of Comal County, Texas.

TO HAVE AND TO HOLD, subject to the reservations and exceptions herein, the Property, together with all improvements located thereon and all rights, titles and interests appurtenant thereto unto the said Grantee, its successors and assigns forever, without express or implied warranty. All warranties that might arise by common law as well as warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded. This Gift Deed and the conveyance of the Property are executed and made by Grantor and accepted by Grantee subject to any and all validly existing restrictions, easements, mineral reservations, and other matters of record in Comal County, Texas.

As a material inducement to Grantor to convey the Property to Grantee, the Property is conveyed to Grantee subject to the following restriction: the Property shall be used solely and exclusively for public purposes including but not limited to drainage and recreation uses (the "Restriction"). Grantor, as the fee simple owner of the Property, establishes the Restriction to regulate the use of the Property. Grantor and Grantee stipulate that (a) the Restriction touches and concerns the Property; (b) privity of estate exists by reason of the ownership of the Property; (c) notice is given by filing this instrument in the real property records of the county in which the Property is situated; and (d) the Restriction is reasonable, its purposes being for the common benefit of Grantor, Grantee and all owners of land in the Oak Creek Subdivision (the "Affected Owners"), a subdivision in Comal County,

Texas, as per plats of Oak Creek Unit 5A, recorded under Document No. 201806036880, and Oak Creek Unit 5B, recorded under Document No. 201806042698, of the Official Public Records of Comal County, Texas, and all future tracts of land that may be annexed into the Oak Creek Subdivision in Comal County, Texas, who are affected by the use of the Property. The Restriction runs with the land making up the Property, is binding on Grantee and Grantee's successors and assigns forever, and inures to the benefit of Grantor, Grantee, the Affected Owners, and their successors and assigns forever.

The term Grantor as referenced in this Gift Deed shall include Grantor's successors and assigns unless expressly excluded. The term Grantee as referenced in this Gift Deed shall include Grantee's successors and assigns unless expressly excluded.

GRANTOR HEREBY SPECIFICALLY DISCLAIMS ANY WARRANTY, GUARANTY, PROMISE, OR REPRESENTATION OF ANY KIND OR CHARACTER, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, OR CONCERNING: (I) THE NATURE AND CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, (A) THE WATER, SOIL AND GEOLOGY, THE SUITABILITY THEREOF AND/OR OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY ELECT TO CONDUCT, (B) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY AND/OR THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY OR ANY IMPROVEMENTS THEREON OR RELATED THERETO (INCLUDING WITHOUT LIMITATION OFFSITE IMPROVEMENTS), AND (C) THE EXISTENCE OF ANY ENVIRONMENTAL HAZARDS OR CONDITIONS (INCLUDING BUT NOT LIMITED TO THE PRESENCE OF HAZARDOUS MATERIALS, HAZARDOUS SUBSTANCES, POLLUTANTS, AND/OR ASBESTOS AND/OR ABOVE OR BELOW GROUND STORAGE TANKS) OR COMPLIANCE WITH ANY APPLICABLE ENVIRONMENTAL LAWS, RULES, OR REGULATIONS OF ANY GOVERNMENTAL OR QUASI-GOVERNMENTAL AUTHORITY; (II) THE NATURE AND EXTENT OF ANY RIGHT-OF-WAY, LEASE, POSSESSION, LIEN, ENCUMBRANCE, LICENSE, RESERVATION, CONDITION OR OTHERWISE; (III) THE VALUE OF THE PROPERTY AND/OR THE INCOME OR PROFITS WHICH MAY OR MAY NOT BE DERIVED FROM THE PROPERTY; (IV) THE EXISTENCE OR AVAILABILITY OF UTILITIES OR OTHER SERVICES, OR THE RIGHT TO OBTAIN UTILITIES OR OTHER SERVICES, (V) THE EXISTENCE, APPLICABILITY, AVAILABILITY, VALIDITY, OR ENFORCEABILITY OF ANY ENTITLEMENTS OR DEVELOPMENT RIGHTS RELATED TO OR APPURTENANT TO THE PROPERTY; AND (VI) THE COMPLIANCE OF THE PROPERTY OR ITS OPERATION WITH ANY LAWS, ORDINANCES OR REGULATIONS OF ANY GOVERNMENTAL ENTITY OR BODY, INCLUDING WITHOUT LIMITATION ANY LAWS RELATING TO THE ENVIRONMENT, HEALTH, AND PUBLIC SAFETY AND/OR ANY LAND USE LAWS. THE CONVEYANCE OF THE PROPERTY IS MADE ON AN "AS IS", "WHERE IS" AND "WITH ALL FAULTS" BASIS, AND GRANTEE EXPRESSLY ACKNOWLEDGES THAT GRANTOR MAKES NO WARRANTY OR REPRESENTATION, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTY OF CONDITION, TITLE, HABITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE WITH RESPECT TO THE PROPERTY OR ANY PORTION THEREOF. This disclaimer shall survive the execution and delivery of this Gift Deed.

Grantee agrees that Grantor shall not be responsible or liable to Grantee for any defect, errors, or omissions in or relating to the development and/or entitlement of, or construction of improvements on, the Property, latent or otherwise, or on account of any other conditions affecting the Property, as Grantee is being gifted the Property **AS IS, WHERE IS, AND WITH ALL FAULTS**. GRANTEE, ON ITS OWN BEHALF AND ON BEHALF OF ANYONE CLAIMING BY, THROUGH, OR UNDER GRANTEE, TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, HEREBY FULLY RELEASES GRANTOR, ITS SUBSIDIARIES, AFFILIATES, EMPLOYEES, OFFICERS, DIRECTORS, REPRESENTATIVES, ATTORNEYS, PARTNERS, AND AGENTS (COLLECTIVELY, THE "GRANTOR PARTIES") FROM ANY AND ALL CLAIMS OF ANY NATURE WHATSOEVER KNOWN OR UNKNOWN, SUSPECTED OR UNSUSPECTED,

FIXED OR CONTINGENT, WHICH GRANTEE MAY NOW OR HEREAFTER HAVE, OWN, HOLD OR CLAIM TO HAVE, OWN OR HOLD, OR AT ANY TIME HERETOFORE MAY HAVE HAD, OWNED, HELD OR CLAIMED TO HAVE, OWN OR HOLD, AGAINST GRANTOR OR ANY OF THE GRANTOR PARTIES, RELATING TO THIS CONVEYANCE AND/OR THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE PHYSICAL CONDITION OF THE PROPERTY, THE ENVIRONMENTAL CONDITION OF THE PROPERTY, THE ENTITLEMENTS FOR THE PROPERTY, ANY HAZARDOUS MATERIALS THAT MAY BE ON OR WITHIN THE PROPERTY AND ANY OTHER CONDITIONS EXISTING, CIRCUMSTANCES OR EVENTS OCCURRING ON, IN, ABOUT OR NEAR THE PROPERTY WHETHER OCCURRING BEFORE, AFTER OR AT THE DATE OF THIS GIFT DEED. GRANTEE AGREES THAT THE WAIVERS AND RELEASES SET FORTH ABOVE EXTEND TO ALL CLAIMS OF ANY NATURE AND KIND WHATSOEVER, KNOWN OR UNKNOWN, SUSPECTED OR NOT SUSPECTED, AND SHALL BE EFFECTIVE UPON THE DATE OF THIS GIFT DEED. As used herein, the term "Hazardous Materials" means any materials, substances or wastes identified or regulated in any way under applicable environmental laws, including, without limitation (i) those materials identified or defined as toxic or hazardous materials or substances under applicable environmental laws, (ii) any materials, substances or wastes that are toxic, ignitable, corrosive or reactive and that are regulated by any local governmental authority, any agency of the State of Texas or any agency of the United States government, (iii) asbestos, (iv) petroleum and petroleum based products, (v) urea formaldehyde foam insulation, (vi) polychlorinated biphenyls (pcbs), and (vii) freon and other chlorofluorocarbons. To the maximum extent permitted by applicable law, these covenants releasing Grantor shall be covenants running with the Property and shall be binding upon Grantee and all subsequent owners of the Property or any part thereof and upon any and all persons claiming by, through, or under Grantee. This waiver and release of claims shall survive the execution and delivery of this Gift Deed.

Witness my hand and seal of office effective this the 23rd day of May, 2022.

CONTINENTAL HOMES OF TEXAS, L.P.
A Texas limited partnership

BY: CHTEX OF TEXAS, INC.
A Delaware Corporation
The General Partner of
Continental Homes of Texas, L.P.

By: [Signature]
Name: Bill W. Wheat
Title: Chief Financial Officer

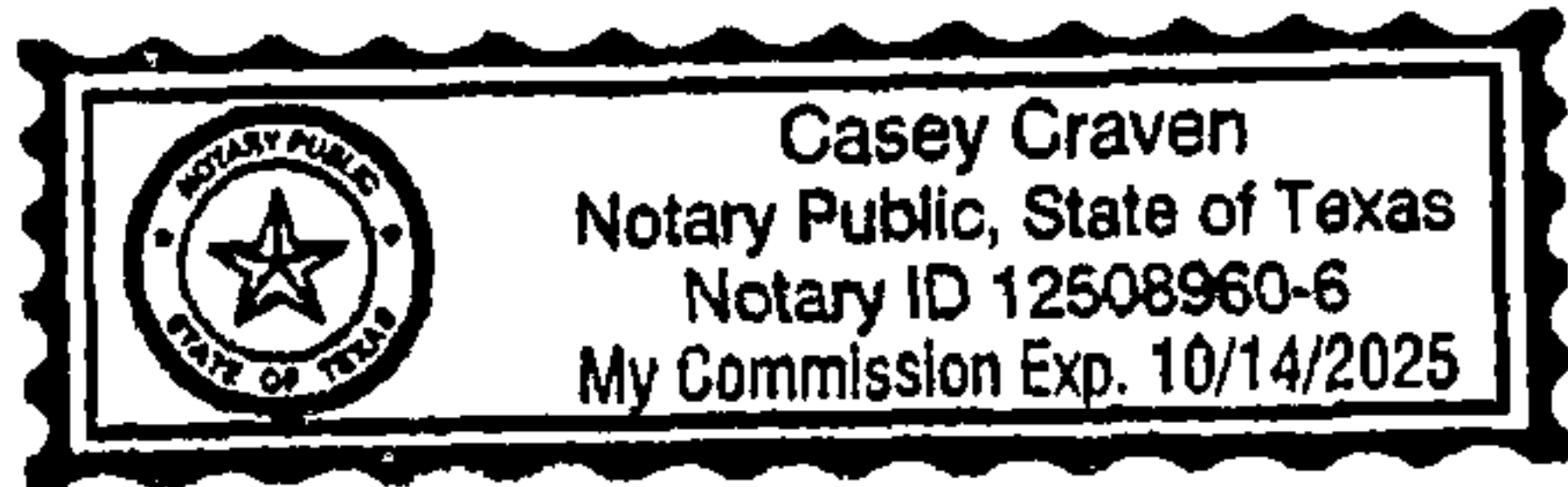
Accepted by Grantee:

NEW BRAUNFELS PARKS FOUNDATION,
a Texas non-profit corporation

By: [Signature]
Name: Joyce Compton
Title: Chair

COUNTY OF Tarrant §

This instrument was acknowledged before me, the undersigned authority, on the 23rd
day of May, 2022 by Bill W. Wheat as
CFO of CHTEX OF TEXAS, INC., a Delaware Corporation, the General
Partner of CONTINENTAL HOMES OF TEXAS, L.P., on behalf of such entities.

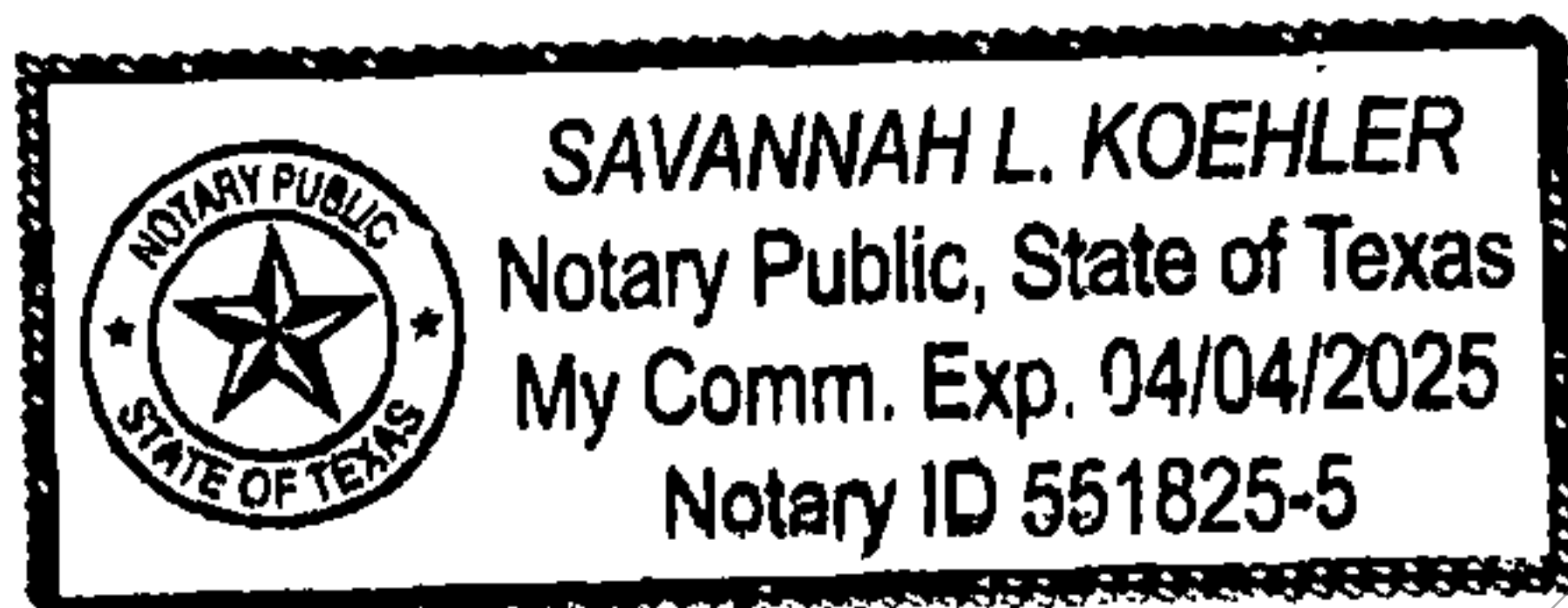


Casey Craven
NOTARY PUBLIC

My Commission Expires: 10-14-2025

STATE OF Texas §
COUNTY OF Comal §

This instrument was acknowledged before me, the undersigned authority, on the 1st
day of June, 2022 by Joyce Compton as
Chair of NEW BRAUNFELS PARKS FOUNDATION, a Texas non-profit
corporation, on behalf of said non-profit corporation.



Savannah L. Koehler
NOTARY PUBLIC

My Commission Expires: 4-4-25

AFTER RECORDING, PLEASE RETURN TO:

City Attorney's Office
550 Landa Street
New Braunfels, TX
78130

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
06/06/2022 01:12:43 PM
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Bobbie Koepf

10/27/2025

Agenda Item No. I)

PRESENTER:

Matthew Eckmann, Assistant Director of Public Works

SUBJECT:

Approval of a resolution and ratification for submission of a grant application to the Alamo Area Council of Governments' FY 2026 & FY 2027 Regional Solid Waste Management Grants Program, and authorization for the City Manager to accept funds and to execute all contract documents associated with the grant, if awarded.

DEPARTMENT: Public Works

COUNCIL DISTRICTS IMPACTED: All

BACKGROUND INFORMATION:

Strategic priorities for the New Braunfels City Council include using a variety of funding sources for operational and capital needs. On October 21, Staff submitted a grant application for the Solid Waste and Recycling Division to the Alamo Area Council of Governments (AACOG), FY 2026 & FY 2027 Regional Solid Waste Management Grants Program. The referenced program is administered by AACOG as directed by the Texas Commission on Environmental Quality (TCEQ). The granting agency's Request for Application provided funding opportunities for two separate fiscal years.

FY 2026/FY 2027 Application: The City has requested grant funding in the amount of \$60,000 in TCEQ pass-through grant funds, combined with a proposed \$200,000 match, and \$20,000 for in-kind costs that will be utilized to host the six Household Hazardous Waste Collection events over the two fiscal years of this grant cycle. These events are open to both City of New Braunfels Residents as well as the Residents of Comal County. In-kind costs are the calculated wages of the City employees who staff these events.

Staff is requesting City Council approval for ratification of the submission of the applications, approval of the associated resolution, and authorization for the City Manager to accept funds and to execute all contract documents associated with the grant, if awarded.

ISSUE:

Submission of the grant applications for the Alamo Area Council of Governments' FY 2026 & FY 2027 Regional Solid Waste Management Grants Program

STRATEGIC PLAN REFERENCE:

☐ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity
☒ Organizational Excellence ☐ Community Well-Being ☐ N/A

Use a variety of funding sources for operational and capital needs.

FISCAL IMPACT:

Total cost of the events over the two fiscal year period is estimated at \$400,000. Currently, the City receives \$45,000 in annual funding from Comal County and \$40,385 annually from the Habitat Conservation Plan to offset the cost of these events. The remainder of the funding is budgeted in the Solid Waste Fund.

RECOMMENDATION:

Staff recommends approval of a resolution, ratification for submission of a grant application to the Alamo Area Council of Governments' FY 2026 & FY 2027 Regional Solid Waste Management Grants Program, and authorization for the City Manager to accept funds and to execute all contract documents associated with the grant, if awarded.

RESOLUTION NO. 2026-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT; AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF NEW BRAUNFELS IN ALL MATTERS RELATED TO THE APPLICATIONS; AND PLEDGING THAT IF A GRANT IS RECEIVED, THE CITY OF NEW BRAUNFELS WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE ALAMO AREA COUNCIL OF GOVERNMENTS, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, AND THE STATE OF TEXAS.

WHEREAS, the Alamo Area Council of Governments (AACOG) is directed by the Texas Commission on Environmental Quality (TCEQ) to administer solid waste grant funds for implementation of the COG's adopted regional solid waste management plan; and

WHEREAS, the City of New Braunfels in the State of Texas is qualified to apply for grant funds under the Request for Applications.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

THAT, the City Manager is authorized to request grant funding under AACOG's Request for Applications of the Regional Solid Waste Grants Program and act on behalf of the City of New Braunfels in all matters related to the grant application and any subsequent grant contract and grant project that may result.

THAT, if the project(s) is funded, the City of New Braunfels will comply with the grant requirements of AACOG, Texas Commission on Environmental Quality, and the State of Texas.

THAT, the grant funds and any grant-funded equipment or facilities will be used only for the purposes for which they are intended under the grant.

THAT, activities will comply with and support the adopted regional and local solid waste management plans adopted for the geographical area in which the activities are performed.

PASSED AND APPROVED on this ____ day of _____, 2025.

City of New Braunfels, Texas

Neal Linnartz, Mayor

Attest:

Gayle Wilkinson, City Secretary

10/27/2025

Agenda Item No. J)

PRESENTER:

Carren Ridge, Accounting & Treasury Manager

SUBJECT:

Approval of a resolution adopting the Investment Policy for the City of New Braunfels including the Authorized Broker/Dealer list.

DEPARTMENT: Finance

COUNCIL DISTRICTS IMPACTED: N/A

BACKGROUND INFORMATION:

The Investment Policy of the City of New Braunfels, Texas, is presented in accordance with Chapter 2256, Texas Local Government Code, the Public Funds Investment Act. This policy establishes guidelines for the Investment Officers regarding how City funds will be invested. The policy also establishes guidelines for periodic review and reporting of investments. The City last amended its policy in September 2024. Attached for City Council consideration is the Investment Policy to meet the statutory requirements.

The Authorized Broker/Dealer List has been updated to include the addition of one broker/dealer.

STRATEGIC PLAN REFERENCE:

Strategic Priority: Organizational Excellence

FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of the resolution adopting the attached Investment Policy for the City of New Braunfels and Authorized Broker/Dealer List.

INVESTMENT POLICY

1.0 POLICY

It is the policy of the City of New Braunfels to invest public funds in a manner which will provide the highest reasonable investment return with the maximum security while meeting the daily cash flow demands of the City and conforming to all state and local statutes governing the investment of public funds. The Policy complies with and incorporates the Public Funds Investment Act, (the “Act”), Chapter 2256, Texas Government Code and the Public Funds Collateral Act, Chapter 2257, Texas Government Code.

2.0 SCOPE

This Investment Policy applies to all financial assets of the City of New Braunfels. These funds are accounted for in the City’s Annual Comprehensive Financial Report and include:

Funds

- General Fund
- Special Revenue Funds
- Debt Service Funds
- Capital Project Funds
- Enterprise Funds
- Trust and Agency Funds
- Internal Service Funds

Any new funds created by the City will be incorporated under this Policy unless specifically exempted by Council action. All funds may be combined as pooled funds unless specifically prohibited by State law or statute or City ordinance.

3.0 PRUDENCE

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. The standard states:

Investments shall be made with judgment and care – under circumstances then prevailing – which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal liability for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

In determining whether the investment officers have exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the investment of all funds over which the officer had responsibility rather than a consideration as to the prudence of a single investment, and whether the investment decision was consistent with the written investment policy.

4.0 OBJECTIVES

The primary objectives, in priority order, of the City of New Braunfels' investment activities shall be:

4.1 Safety

Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio. The City shall seek to control the risk of loss due to the failure of a security issuer or guarantor by investing in high credit quality securities, by qualifying and monitoring financial counterparties, through adequate collateralization, through diversification, and by establishing maximum maturities and weighted average maturities.

4.2 Liquidity

The City of New Braunfels' investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated.

4.3 Diversification

Whenever practical, assets held in the portfolio(s) shall be diversified to minimize the risk of loss resulting from the concentration of assets in a specific maturity, a specific issuer, or a specific market sector.

4.4 Yield –

The City of New Braunfels' investment portfolio shall be designed with the objective of attaining a reasonable market yield throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio.

5.0 INVESTMENT STRATEGY

The City maintains one commingled portfolio for investment purposes which incorporates the specific investment strategy considerations and the unique characteristics of the fund groups represented in the portfolio:

- A. The investment strategy for operating, enterprise and special revenue funds has as its primary objective assurance that anticipated liabilities are matched and adequate investment liquidity provided. The secondary objective is to create a portfolio structure which will experience minimal volatility. This may be accomplished by purchasing high quality, short- to medium-term maturity securities which will complement each other in a laddered maturity structure permitting some extension for yield enhancement.
- B. The investment strategy for debt service funds shall have as its primary objective the assurance of available funds adequate to fund the debt service obligations on a timely basis. Successive debt service dates will be fully funded before extension.

- C. The investment strategy for debt service reserve funds shall have as its primary objective the ability to generate a revenue stream to the debt service funds from high quality securities with a low degree of volatility. Securities should be high credit quality and, except as may be required by the bond ordinance specific to an individual issue, be limited to short to intermediate-term maturities.
- D. The investment strategy for capital projects or capital project funds will have as its primary objective assurance that anticipated cash flows are match funded and that adequate liquidity is provided for unanticipated draws. The stated final maturity dates of securities held may not exceed the estimated project completion date.

The City shall pursue an active versus a passive portfolio management strategy. That is, securities may be sold before they mature if market conditions present an opportunity for the City to benefit from the trade.

6.0 DELEGATION OF AUTHORITY AND RESPONSIBILITIES

Management responsibility for the investment program has been delegated by City Council primarily to the Finance Director, the Assistant Finance Director, and the Accounting & Treasury Manager, who are designated by resolution as Investment Officers.

The Investment Officers shall establish written procedures for the operation of the investment program consistent with this Investment Policy. Procedures should include safekeeping controls, documentation, internal controls, repurchase agreements, wire transfers, banking service contracts and collateral/depository agreements. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Finance Director. The Finance Director shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

The City shall ensure that periodic training in investments is completed by the designated Investment Officers through courses and seminars offered by professional organizations, associations, and other independent sources in order to ensure the quality and capability of investment management in compliance with the Act. Each Investment Officer shall attend 10 hours of training in the responsibilities of the position within 12 months of assuming those duties. In addition, Investment Officers shall attend an investment training session not less than once in a two-year period that begins on the first day of the fiscal year and consists of the two consecutive fiscal years after that date and receive not less than eight hours of instruction relating to investment responsibilities from an independent source approved by the City.

The City may contract with an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.) or with the State Securities Board to provide for the investment and management of its public funds or other funds under its control. A contract may not be for a term longer than two years. A renewal or extension of the contract must be made by the City Council by order, ordinance, or resolution.

7.0 ETHICS AND CONFLICT OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Manager any material financial interests in financial institutions that conduct business within their jurisdiction, and they shall further disclose any personal financial/investment relationships that could impact the performance of the City of New Braunfels' investment portfolio. If an Investment Officer has a personal relationship as defined in the Act with a business organization engaging in investment transactions with the City, the Investment Officer must disclose the relationship and file a disclosure with the City Secretary, City Council, and the Texas Ethics Commission. In addition, an Investment Officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the City Council.

8.0 AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

The Investment Officer(s) or adviser will maintain a list of authorized broker/dealers, financial institutions, money market mutual funds and local government investment pools offering to engage in an investment transaction with the City (Appendix B). An annual review of the services provided, financial condition and registrations of these firms will be conducted by the Finance Director and a list of firms submitted to Council for approval at least once a year. [2256.005]

Broker/dealers may include "primary" dealers as defined by the New York Federal Reserve or regional dealers.

All firms desiring to provide investment recommendations to or conduct transactions with the City must complete and execute a Policy Certification (Appendix A) before any transaction. A current audited financial statement is required to be on file for each firm. Should the City contract with an external investment advisor to execute the City's investment strategy, including the negotiation and execution of investment transactions, the advisor shall be responsible for conducting appropriate due diligence and providing a list of its approved broker/dealers not less than annually. In addition, a managing officer of the investment advisory firm shall sign the City's written certification, which shall be included as part of the investment advisory contract.

9.0 SUITABLE AND AUTHORIZED INVESTMENTS

Authorized investments shall be limited to the following, as further defined by the Act:

- 9.1** Obligations of the United States or its agencies and instrumentalities excluding mortgage-backed securities;
- 9.2** Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States or their respective agencies and instrumentalities;
- 9.3** Interest bearing bank deposits or Certificates of deposit issued by banks doing business in Texas that are guaranteed or insured by the Federal Deposit Insurance

Corporation, or its successor; or, secured by an FHLB Letter of Credit, or collateralized with eligible securities in accordance with Texas Government Code Chapter 2257;

- 9.4 Fully collateralized repurchase agreements having a defined termination date, placed through a primary government securities dealer or a bank doing business in Texas, and secured in accordance with this Policy, purchased under a master repurchase agreement which specifies the rights and obligations of both parties and requires that the securities involved in the transaction be held in a safekeeping account subject to the control of the City with a stated final maturity of one year, except flex repurchase agreements used for bond funds which may extend to match the expenditure plan of the bond proceeds.
- 9.5 AAA-rated SEC-registered money market mutual funds with a dollar-weighted average portfolio maturity of 60 days or fewer whose investment objectives include seeking to maintain a stable net asset value of \$1 per share.
- 9.6 Constant-dollar, AAA-rated Texas local government investment pools as defined by the Act.
- 9.7 Collateralized or insured demand deposit accounts in approved depositories approved by City Council under an executed depository agreement.
- 9.8 An SEC registered, no-load mutual fund with a weighted average maturity of less than two years, invested exclusively in obligations approved by the Policy, and continuously rated as to investment quality by at least one nationally recognized investment rating firm of not less than AAA or its equivalent.
- 9.9 Obligations of any US state or political subdivision rated AA or better by a nationally recognized rating agency not to exceed two years to maturity.
- 9.10 A certificate of deposit (CD), share certificate, or other interest bearing deposit is an authorized investment if issued by a depository institution that has its main office or a branch office in Texas and is 1) guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor, or; (2) collateralized with eligible securities in accordance with Texas Government Code Chapter 2257, or (3) secured by an FHLB letter of credit.

In addition, an investment in CDs or interest bearing deposits made in accordance with the following conditions is an authorized investment: (1) the funds are invested through: a broker that has its main office or a branch office in Texas and selected from a list adopted by the City, or a depository institution that has its main office or a branch office in Texas and is selected by the City; (2) the selected broker or the depository institution arranges for the deposit of the funds in CDs in one or more federally insured depository institutions, wherever located, for the account of the City; (3) the full amount of the principal and accrued interest of each deposit is insured by the United States or an instrumentality of the United States; and the City appoints the selected depository, any institution described in Section 2257.041(d) of the Public Funds Collateral Act or a clearing broker-dealer registered with the SEC and operating pursuant to SEC Rule 15c3-

3 (17 C.F.R. Section 240.15c3-3) as custodian with respect to the deposits issued for the account of the City.

- 9.11 Commercial paper that has a stated maturity of 270 days or less from the date of issuance and is rated A-1 or P-1 or an equivalent rating by at least two nationally recognized credit rating agencies, or one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit.

Competitive Bidding Requirement

It is the policy of the City to require competitive bidding for all individual security purchases except for those transactions with money market mutual funds and local government investment pools which are deemed to be made at prevailing market rates. At least three bids/offers must be obtained. Bids may be solicited in any manner provided by law. For those situations where it may be impractical or unreasonable to receive three bids for a transaction due to a rapidly changing market environment or to secondary market availability, documentation of a competitive market survey of comparable securities or an explanation of the specific circumstance must be included with the bid document and retained for auditing purposes.

Safekeeping

All marketable securities purchased by the City shall be held in third party safekeeping by an institution designated as primary agent. All securities will be delivered to the third-party institution by seller. Personnel in the third-party institution will verify the correct security was delivered by the seller ("delivery vs payment"). The third-party institution shall issue a safekeeping receipt to the City listing the specific instrument, rate/yield, maturity, CUSIP, and other pertinent information. Collateral on deposit type securities which exceed the FDIC coverage shall be held in a third-party safekeeping institution. In the event a third-party safekeeping institution is used, a collateral agreement shall be executed between the City Council, depository which pledged the collateral, and the third party custodian of the collateral. The City will retain possession of all original safekeeping receipts and the receipts will state the security is pledged to the City.

Delivery versus Payment

Transactions must be settled on a delivery versus payment (DVP) basis to a City approved depository except for transactions involving mutual funds or investment pools. This assures City control of all its funds and assets. No securities shall be held by the transaction counterparty.

Change of Authorization or Rating

The City will not be required to liquidate investments that were authorized investments at the time of purchase. The Investment Officer or investment adviser shall monitor, on no less than a weekly basis, the credit rating on all authorized investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by Policy, the Investment Officer or adviser shall notify the Finance Director of ratings change, conditions affecting the rating and possible loss of principal with liquidation options available, within two weeks after the ratings change. The Investment Officer shall take all prudent measures that are consistent with the City's investment policy to liquidate the investment(s) that does not have the minimum rating (2256.021).

Monitoring FDIC Status

The Investment Officer or Investment Adviser shall regularly monitor the status and ownership of all banks issuing brokered CDs owned by the City based upon information from the FDIC. If any bank has been acquired or merged with another bank in which brokered CDs are held, the

Investment Officer or Adviser shall immediately liquidate any brokered CD which places the City above the FDIC insurance level.

10.0 COLLATERALIZATION

10.1 Pledged Collateral

The City of New Braunfels requires all time and demand deposits to be insured or collateralized at a minimum of 102%. City depositories will be required to execute tri-party depository agreements to include safekeeping agents. If the Federal Reserve acts as custodian, the Pledge Agreement of Circular 7 will be executed in lieu of the tri-party FRB signature. The agreement shall define the City's rights to collateral and shall establish a perfected security interest in compliance with federal and state regulations, including:

- A. The agreement shall be in writing;
- B. The agreement shall be executed by the Depository and the City contemporaneously with the acquisition of the asset;
- C. The agreement will include no listing of pledged collateral.
- D. The agreement must be approved by the Board of Directors, or the Loan Committee of the Depository and a copy of the meeting minutes must be delivered to the City.

If the City's depository offers a collateral pooling program as defined by State Law (Local Government Code 2257) the investment officers will evaluate the program for cost efficiencies and risk before participation. Participation in a collateral pool will require Council approval.

10.2 Owned Repurchase Agreement Collateral

Each counterparty to a repurchase transaction is required to execute the Securities Industry and Financial Markets Association (SIFMA) Master Repurchase Agreement. An executed copy of this Agreement must be on file before any transaction is initiated. Collateral will be evidenced by safekeeping receipts clearly denoting City ownership from the safekeeping agent.

10.3 Authorized Collateral

A. Time and Demand Deposits

Deposits must be secured by FDIC deposit insurance, an FHLB Letter of Credit or any combination of cash and obligations in accordance with Texas Government Code Chapter 2257 that have a market value of not less than 102% of the principal amount of the deposits.

B. Repurchase Agreements

Securities bought and sold as part of a repurchase agreement are limited to:

- U.S. Government, Agencies and Instrumentalities obligations including mortgage-backed securities

The eligibility of specific issues may at times be restricted or prohibited by the City because of current market conditions.

10.4 Collateral Substitution or Reduction

Pledged collateral for deposits and repurchase agreements may be substituted or reduced at any time provided that the total market value of the collateral, plus FDIC insurance, remains equal to or greater than 102% of the deposit amount. The custodian, who shall be independent of the pledging bank, will be liable for monitoring and always maintaining the collateral and collateral margins.

10.5 Monitoring Collateral Adequacy for Certain Investments

Monthly reports of the pledged securities with the full descriptions and market values are required to be sent directly to the City from the custodian for all time and demand deposits. The Investment Officers will review the adequacy of the collateral.

The Investment Officers will monitor the adequacy of all collateral underlying repurchase agreements on at least a weekly basis.

10.6 Margin Calls

If any collateral falls below 102%, the counterparty will be required to pledge additional securities no later than the end of the next business day.

11.0 DIVERSIFICATION

The City of New Braunfels shall diversify its portfolio by security type and institution. Risk of principal loss in the portfolio shall be minimized by diversifying investment types according to the following limitations.

<u>Investment Type</u>	<u>% of Portfolio</u>
U.S. Treasury Notes/Bonds/Bills	90%
U.S. Government Agencies	80%
Certificates of Deposit	50%
Limit per financial institution	25%
Repurchase Agreements	20%
Flex repurchase agreements by bond issue	100%
Money Market Mutual Funds	25%
Local Government Investment Pools	100%
Commercial Paper	20%
Limit per issuer	5%

12.0 MAXIMUM MATURITIES

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, investment maturities beyond two (2) years from the date of purchase are limited to those with call options.

13.0 PERFORMANCE STANDARDS

The investment portfolio shall be designed with the objective of obtaining a reasonable yield throughout budgetary and economic cycles, commensurate with the investment risk constraint and the cash flow requirements. The benchmarks established for the portfolio in keeping with the cash flow requirements of the City shall be the six-month U.S. Treasury bill or the six-month Constant Maturity Treasury (CMT) index.

14.0 REPORTING

The Investment Officers shall provide a report on investment activity and returns to the City Council on a quarterly basis. Investment performance will be monitored and evaluated by the Investment Officers monthly. This investment report shall be signed and in compliance with the Act and include, at a minimum:

- 1) detail on each investment position of the portfolio,
- 2) the beginning and ending amortized book and market value,
- 3) the change to market value during the period for each portfolio,
- 4) the beginning and ending amortized book and market value for each investment security by asset type and fund type,
- 5) the final stated maturity date of each investment security,
- 6) the dollar weighted average maturity of the portfolio,
- 7) a comparison of the portfolio's yield or return to an accepted benchmark, and
- 8) a statement of compliance of the investment portfolio with the Authority's Investment Policy and Strategy and the Act.

Prices used for the calculation of market values will be obtained from independent sources.

An independent auditor will be provided with the quarterly reports as a part of the annual financial audit.

15.0 INVESTMENT POLICY ADOPTION

The Investment Policy shall be adopted by resolution of the City Council on no less than an annual basis. Any changes to the Policy shall be reflected in the approving resolution of Council.



APPENDIX A:

**CITY OF NEW BRAUNFELS
INVESTMENT POLICY CERTIFICATION**

Name of Firm: _____

Address: _____

Telephone: _____ Email: _____

This certification is executed on behalf of the City of New Braunfels (the “City”) and the “Firm” pursuant to the Public Funds Investment Act, Chapter 2256, Texas Government Code in relation to investment transactions conducted between the City and the Firm.

As the authorized representative of the Firm, I hereby acknowledge that I have received and reviewed the attached Investment Policy of the City of New Braunfels.

I hereby further acknowledge that the Firm has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the Firm not authorized by the Investment Policy, except to the extent that this authorization is dependent on analysis of the makeup of the City’s entire portfolio or requires an interpretation of subjective investment standards.

Signature of Registered Principal

Name (Print)

Title

Date

APPENDIX B:

AUTHORIZED BROKER/DEALERS AND COUNTERPARTIES

In accordance with the Texas Public Funds Investment Act, 2256.025 Selection of Authorized Brokers,

The governing body of an entity subject to this subchapter or the designated investment committee of the entity shall, at least annually, review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions with the entity.

Authorized broker/dealers and counterparties:

BofA Securities

BOK Financial

Daiwa Capital Markets

Frost Capital Markets

*Great Pacific Securities ***

Hilltop Securities

*Mischler Financial ***

*Multi-Bank Securities ***

*Rice Financial ***

Wells Fargo Securities

* **Bold face font indicates firm is a Primary Dealer.**

** *Dark blue italics font indicates firm is an Historically Underutilized Business (HUB) or Minority/Women Owned Business (MWOB).*

Texpool Local Government Pool

TexStar Local Government Pool

Texas CLASS Local Government Investment Pool

Texas FIT – Fixed Income Trust

APPENDIX C:

Glossary of Cash Management Terms

Accretion – common investment accounting entry in which the book value of securities purchased at a discount are gradually written up to the par value. The process has the effect of recording the discount as income over time.

Accrued Interest – Interest earned, but not yet paid, on a bond.

Agency – See Federal Agency

Amortization – common investment accounting entry in which the book value of securities purchased at a premium are gradually written down to the par value.

Basis Point - A unit of measurement used in the valuation of fixed-income securities equal to 1/100 of 1 percent of yield, e.g., "1/4" of 1 percent is equal to 25 basis points.

Benchmark – Index used to compare risk and performance to a managed portfolio.

Bid - The indicated price at which a buyer is willing to purchase a security or commodity.

Book Value – The original acquisition cost of an investment plus or minus the accrued amortization or accretion.

Broker – A financial firm that brings securities buyers and sellers together in return for a fee. The term “broker” is often used interchangeably with “dealer” to refer to a seller of investment securities.

Callable Bond - A bond issue in which all or part of its outstanding principal amount may be redeemed before maturity by the issuer under specified conditions.

Cash Settlement - A transaction which calls for delivery and payment of securities on the same day that the transaction is initiated.

Collateralization - Process by which a borrower pledges securities, property, or other deposits for the purpose of securing the repayment of a loan and/or security.

Collateralized Mortgage Obligation (CMO) – A derivative mortgage-backed security (MBS) created from pools of home mortgage loans. A single MBS is divided into multiple classes, each class containing a unique risk profile and security characteristics. A number of CMO classes are expressly prohibited by Texas State law.

Commercial Paper - An unsecured short-term promissory note issued by corporations, with maturities ranging from 1 to 270 days. Commercial paper must carry a minimum rating of A1P1 in order to be eligible under the Texas Public Funds Investment Act.

Constant Maturity Treasury (CMT) – A calculated average released by the Federal Reserve of all Treasury yields along a specific maturity point. This calculation is frequently used as a benchmark for conservative government portfolios.

Coupon Rate - The annual rate of interest received by an investor from the issuer of certain types of fixed-income securities. Also known as the "interest rate."

Credit Risk - The risk to an investor that an issuer will default in the payment of interest and/or principal on a security.

Derivative – Financial instruments whose value is derived from the movement of an underlying index or security.

Dealer – A dealer, as opposed to a broker, acts as a principal in all securities transactions, buying and selling for their own account. Often times, the terms "broker" and "dealer" are used interchangeably to refer to a seller of investment securities.

Delivery Versus Payment (DVP) - A type of securities transaction in which the purchaser pays for securities at the time of delivery either to the purchaser or his/her custodian.

Derivative Security - Financial instrument created from, or whose value depends upon, one or more underlying assets or indexes of asset values.

Discount - The amount by which the par value of a security exceeds the price paid for the security.

Diversification - A process of investing assets among a range of security types by sector, maturity, and quality rating.

Dollar Weighted Average Maturity (WAM) - The average maturity of all the securities that comprise a portfolio.

Fair Market Rate – A documented and verifiable rate of interest which approximates the average rate which could have been earned on similar investments at the time of the transaction.

Federal Agency – A debt instrument, either fully guaranteed or sponsored by the U.S. government. The typical definition of agency includes the government sponsored enterprises of Fannie Mae, Freddie Mac, the Federal Farm Credit Bank (FFCB) and the Federal Home Loan Bank (FHLB).

Federal Deposit Insurance Corporation (FDIC) - A federal agency that insures bank deposits, currently up to \$250,000 per account. Public deposits that exceed this amount must be properly collateralized with investment securities or insured through a surety bond.

Interest Rate - See "Coupon Rate."

Internal Controls - An internal control structure designed to ensure that the assets of the entity are protected from loss, theft, or misuse. The internal control structure is designed to provide reasonable assurance that these objectives are met.

Interlocal Cooperation Act –Law permitting joint participation by local governments providing one or more government functions within the State. This law (Section 791.001 et seq. of the Texas Government Code ("the Act")) has allowed for the creation of investment pools in Texas.

Investment Advisors Act of 1940- Law which requires all Investment Advisors to be registered with the SEC in order to protect the public from fraud.

Investment Policy - A concise and clear statement of the objectives and parameters formulated by an investor or investment manager for a portfolio of investment securities. The Texas Public Funds Investment Act requires that public entities have a written and approved investment policy.

Investment Pool – An entity created under the Interlocal Cooperation Act to invest public funds jointly on behalf of the entities that participate in the pool.

Liquidity – A liquid investment is one that can be easily and quickly converted to cash without substantial loss of value. Investment pools and money market funds, which allow for same day withdrawal of cash, are considered extremely liquid.

Local Government Investment Pool (LGIP) - An investment by local governments in which their money is pooled as a method for managing local funds.

Market Risk - The risk that the value of a security will rise or decline as a result of changes in market conditions.

Market Value - A security's par amount multiplied by its market price.

Master Repurchase Agreement – A written contract covering all future transactions between the two parties to a repurchase agreement.

Maturity - The date on which payment of a financial obligation is due. The final stated maturity is the date on which the issuer must retire a bond and pay the face value to the bondholder. See "Weighted Average Maturity."

Money Market Mutual Fund - Mutual funds that invest solely in money market instruments (short-term debt instruments, such as Treasury bills, commercial paper, bankers' acceptances, repos and federal funds).

Mortgage-Backed Security (MBS) – Security backed by pools of home loan mortgages.

Financial Industry Regulatory Authority (FINRA) - formerly the National Association of Securities Dealers (NASD) - A self-regulatory organization (SRO) of brokers and dealers in the over-the-counter securities business. Its regulatory mandate includes authority over firms that distribute mutual fund shares as well as other securities.

Net Asset Value (NAV) – The value of a mutual fund or investment pool at the end of the business day. NAV is calculated by adding the market value of all securities in a fund or pool, deducting expenses, and dividing by the number of shares in the fund or pool.

Offer - An indicated price at which market participants are willing to sell a security. Also referred to as the "Ask price."

Par - Face value or principal value of a bond, typically \$1,000 per bond. A security's par value is multiplied by its coupon rate to determine coupon payment amount.

Premium - The amount by which the price paid for a security exceeds the security's par value.

Primary Government Securities Dealer (Primary Dealer) – a pre-approved bank, broker-dealer, or other financial institution that is able to make business deals with the U.S. Federal Reserve, such as underwriting new government debt. These dealers must meet certain liquidity and quality requirements as well as provide a valuable flow of information to the Fed about the state of the worldwide markets.

Principal - The face value or par value of a debt instrument. Also may refer to the amount of capital invested in a given security.

Prudent Person Rule - An investment standard outlining the fiduciary responsibilities of public funds investors relating to investment practices.

Regular Settlement – The date that ownership of a security changes from seller to buyer. It also refers to the date that the buyer must pay for and the seller must deliver the securities to the broker-dealer. For U.S. Government securities have a regular settlement one business day following the trade date (T+1). Mutual funds are settled on a same day basis.

Repurchase Agreement (repo or RP) - An agreement by one party to sell securities at a specified price to a second party and a simultaneous agreement of the first party to repurchase the securities at a specified price or at a specified later date.

Reverse Repurchase Agreement (Reverse Repo) - An agreement of one party to purchase securities at a specified price from a second party and a simultaneous agreement by the first party to resell the securities at a specified price to the second party on demand or at a specified date.

Safekeeping - Holding of assets (e.g., securities) by a financial institution.

Swap - Trading one asset for another.

Total Return - The sum of all investment income plus changes in the capital value of the portfolio. For mutual funds, return on an investment is composed of share price appreciation plus any realized dividends or capital gains. This is calculated by taking the following components during a certain time period. $(\text{Price Appreciation}) + (\text{Dividends paid}) + (\text{Capital gains}) = \text{Total Return}$

Treasury Bills - Short-term U.S. government non-interest bearing debt securities with maturities of no longer than one year and issued in minimum denominations of \$10,000. Auctions of three- and six-month bills are weekly, while auctions of one-year bills are monthly. The yields on these bills are monitored closely in the money markets for signs of interest rate trends.

Treasury Notes - Intermediate U.S. government debt securities with maturities of two- to 10-years and issued in denominations ranging from \$1,000 to \$1 million or more.

Uniform Net Capital Rule - SEC Rule 15C3-1- a rule created by the U.S. Securities and Exchange Commission ("SEC") in 1975 to regulate directly the ability of broker-dealers to meet their financial obligations to customers and other creditors.

Volatility - A degree of fluctuation in the price and valuation of securities.

Yield - The current rate of return on an investment security generally expressed as a percentage of the security's current price.

Yield-to-call (YTC) - The rate of return an investor earns from a bond assuming the bond is redeemed (called) prior to its nominal maturity date.

Yield Curve - A graphic representation that depicts the relationship at a given point in time between yields and maturity for bonds that are identical in every way except maturity. A normal yield curve may be alternatively referred to as a positive yield curve.

Yield-to-maturity - The rate of return yielded by a debt security held to maturity when both interest payments and the investor's potential capital gain or loss are included in the calculation of return.

Zero-coupon Securities – Securities issued at a discount which make no periodic interest payment. The rate of return consists of a gradual accretion of the principal of the security and is payable at par upon maturity.

RESOLUTION NO. 2025-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW
BRAUNFELS, TEXAS, ADOPTING THE INVESTMENT POLICY FOR
THE CITY OF NEW BRAUNFELS.**

WHEREAS, the Public Funds Investment Act codified in Government Code Chapter 2256 governs local government investment; and

WHEREAS, the Public Funds Investment Act (Section 2256.005(a)) requires the City to adopt an investment policy and investment strategies by rule, order, ordinance or resolution governing the investment of funds under its control; and

WHEREAS, the City Council has chosen to make certain changes to the Policy as included in the attached Exhibit (Investment Policy) and summarized below:

- a) Added the following to Authorized Broker/Dealer and Counterparties list:
 - 1. BOK Financial

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

THAT, the City has complied with the requirements of the Public Funds Investment Act and the Investment Policy and Strategy, as amended, attached hereto as Exhibit A, is hereby adopted as the Investment Policy of the City.

PASSED, APPROVED AND ADOPTED this 27th day of October, 2025.

CITY OF NEW BRAUNFELS, TEXAS

BY: _____
Neil Linnartz, Mayor

ATTEST:

Gayle Wilkinson, City Secretary

10/27/2025

Agenda Item No. K)

PRESENTER:

Jeff Jewell, Economic and Community Development Director

SUBJECT:

Approval of a resolution recommended by the New Braunfels Economic Development Corporation to approve an economic development agreement with Worth & Associates, for the transfer of electrical infrastructure equipment, pursuant to Section 505.155 of the Texas Local Government Code.

DEPARTMENT: Economic and Community Development**COUNCIL DISTRICTS IMPACTED:** 3**BACKGROUND INFORMATION:**

In September 2013, the New Braunfels Industrial Development Corporation (former name of the current New Braunfels Economic Development Corporation), approved a project expenditure of financial incentives and electrical infrastructure to IBEX Global Solutions. Expenditure details include a \$450,000 electrical generator to ensure an uninterrupted power supply to the building and \$600,000 in funding, over three years, for the creation and retention of 600 jobs.

An agreement between IBEX and the property owner indicated that the New Braunfels Industrial Development Corporation would retain ownership of the generator; however, IBEX is no longer a tenant at this location and the generator is still connected to the building at 1672 Independence Drive, New Braunfels, TX 78132. The NBIDC agreement with IBEX ended in 2019. After discussing the item, the NBEDC determined it was in the community's interest to allow the generator to continue providing a backup power supply for future tenants of the facility and that removing the 10+ year old generator for salvage value was not practical.

A new tenant is planning to occupy the suite formerly leased by IBEX and intends to use the electrical generator. The agreement is between the property owner, Worth & Associates, and the NBEDC. The Company will guarantee employment of 10 positions in the facility as of April 1, 2026.

The New Braunfels Economic Development Corporation held a public hearing and unanimously approved this agreement at its September 30, 2025 special-called meeting.

ISSUE:

Transferring the ownership of an electrical generator, purchased by the NBIDC in late 2013 to support job creation/retention, to the property owner for a new tenant's use.

STRATEGIC PLAN REFERENCE:

☒ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity
☐ Organizational Excellence ☐ Community Well-Being ☐ N/A

FISCAL IMPACT:

There is no additional expense for this item as the generator was purchased in 2013 and has been paid in full.

RECOMMENDATION:

Staff recommends approval of the resolution.

RESOLUTION 2025 – RXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS APPROVING A RECOMMENDATION OF THE NEW BRAUNFELS ECONOMIC DEVELOPMENT CORPORATION FOR AN ECONOMIC DEVELOPMENT AGREEMENT WITH WORTH & ASSOCIATES, FOR THE TRANSFER OF ELECTRICAL INFRASTRUCTURE EQUIPMENT, PURSUANT TO SECTION 505.155 OF THE TEXAS LOCAL GOVERNMENT CODE.

WHEREAS, in September 2013, the New Braunfels Economic Development Corporation (then known as the New Braunfels Industrial Development Corporation) approved a project expenditure of financial incentives and electrical infrastructure to IBEX Global Solutions – addressed at 1672 Independence Drive, New Braunfels, TX 78132; and

WHEREAS, said incentive provided IBEX Global Solutions with an electrical generator, an uninterruptible power supply to the building, and additional funding for the employment of 600 jobs; and

WHEREAS, the agreement with IBEX Global Solutions and the property owner indicated that the New Braunfels Industrial Development Corporation would retain ownership of the generator; however, IBEX Global Solutions is no longer a tenant at this location; and

WHEREAS, the generator and uninterruptible power supply is still connected to the building, and a new tenant is planning to lease the suite and intends to use the electrical equipment; and

WHEREAS, the proposed new agreement will be between the property owner, Worth & Associates, and the New Braunfels Economic Development Corporation (NBEDC); and

WHEREAS, said agreement will transfer ownership of the generator and the uninterruptible power supply for the guarantee of 10 employees in the facility by April 1, 2026; and

WHEREAS, the NBEDC held a public hearing and unanimously approved this agreement at its September 30, 2025 special-called meeting; and

WHEREAS, the transfer of electrical infrastructure equipment is an eligible project under Section 505.155 of the Texas Local Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1: That the recommendation of the NBEDC to transfer electrical infrastructure equipment to Worth & Associates is hereby approved.

SECTION 2: That a contract between the NBEDC and Worth & Associates will be executed to fulfill the terms and conditions of the project and the NBEDC President and Secretary are authorized to execute the agreement.

SECTION 3: That this Resolution shall become effective from and after the date of its passage.

PASSED, APPROVED, AND ADOPTED this 27th day of October, 2025

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

**CONTRACT BETWEEN THE NEW BRAUNFELS ECONOMIC DEVELOPMENT
CORPORATION AND _____**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF COMAL §

THIS CONTRACTUAL AGREEMENT, is made and entered into by and between the New Braunfels Economic Development Corporation, a Non-Profit Corporation of the State of Texas, hereinafter referred to as "EDC", acting by and through its duly authorized officers, and Worth and Associates, hereinafter referred to as "Company", acting by and through its officers.

W I T N E S S E T H:

I.

WHEREAS, Company is a regional commercial real estate development, investment and brokerage firm that owns a facility located at 1672 Independence Drive, New Braunfels, Texas, 78132 ("Building"); and

WHEREAS, Company intends to enter into a lease agreement with the Alamo Group ("Tenant") for use of the Building as a regional headquarters for said Tenant;

WHEREAS, EDC intends to transfer ownership of electrical infrastructure to Company as an inducement for Tenant to occupy the Building; and

WHEREAS, under the authority granted to the EDC by Texas Local Government Code §505.155 and upon the recommendation of the EDC, which was approved by the EDC on September 30, 2025, the City Council of New Braunfels on _____2025, authorized the transfer of electrical infrastructure (identified specifically in item 3(a) below) as an incentive to Company for the creation or retention of 10 full-time employees at its Building. The conditions of said allocation being as follows:

AGREEMENT

- (1) Company shall lease to Tenant that will employ no fewer than 10 full-time employees at its facility in New Braunfels by April 1, 2026.
- (2) Tenant shall maintain no fewer than 10 full-time employees at its facility in New Braunfels on April 1, 2026.
- (3) EDC shall grant Company the amount as follows:
 - a) Transfer of ownership of generator (specifics below) to Company upon EDC's determination that Company has satisfied Section (1), above.
 - **Generator Brand:** Generac strn; **Model:** MPSD 1000; **Serial Numbers:** 8694894 & 8694895
 - **Uninterruptible Power Supply Brand:** MGE Galaxy PW; **Model:** 200kVA/180kW UPS Module; **Serial Number:** 50XH3800A
 - **Battery Cabinet Serial Number:** IP 1400116-1A
 - **UPS Maintenance Bypass Serial Number:** G14-10045
 - b) Company agrees to provide EDC employment records as needed to verify compliance with the requirements of this Agreement within five business days of EDC's request.
 - c) If EDC or the City of New Braunfels determine that Company is employing fewer than 10 full-time employees at its facility in New Braunfels, then EDC has the right to have generator appraised and request in writing that Company pay EDC the appraised value of the generator within 90 days of EDC's demand for repayment.

II.

Any breach of the terms and conditions of this Agreement by Company will result in the termination of this Agreement and payment for the value of the generator unless EDC and Company agree, in writing, to modify the terms of the grant.

III.

In the performance of this contract, Company shall not discriminate against any person because of his/her race, color, religion, national origin, sex, disability or ancestry. Proven breach of this covenant may be regarded as a material breach of the contract causing its termination.

IV.

All communications between EDC and Company shall be addressed to the President of the New Braunfels Economic Development Corporation, c/o City of New Braunfels, 550 Landa Street, New Braunfels, Texas 78130. Any communication to Company shall be addressed to Shawn Gulley, Senior Vice President, Leasing & Acquisitions at 7373 Broadway, Ste. 201, San Antonio, TX 78209.

If a party's designated person or office for receiving communications changes, it is the duty of that party to notify the other party in writing of the new person or office designated for receiving communications pursuant to this Agreement.

V.

It is understood and agreed that in the event any provision of this contract is inconsistent with requirements of law, the requirements of law will control and the parties shall revert to their respective positions, which would otherwise be enjoyed or occupied by the respective parties for the terms of this contract.

VI.

The foregoing instrument in writing between the parties herein, constitutes the entire agreement between the parties, relative to the funds made the basis hereof, and any other written or oral agreement with the EDC being expressly waived by Company, Inc.

IN WITNESS WHEREOF, the parties hereto execute this agreement in duplicate originals on this ____ day of _____.

NEW BRAUNELS ECONOMIC
DEVELOPMENT CORPORATION

Shane Hines, *President*

Larry Hammonds, *Secretary*

COMPANY, INC.

By: _____
Shawn Gulley, *Senior VP*
Leasing & Acquisitions

STATE OF TEXAS §
COUNTY OF _____ §

Before me, _____, on this day personally
appeared _____, known to me to be the person whose name is subscribed to the
foregoing instrument and acknowledged to me that _____ executed the same as the
act of Company as its _____, for the purposes and consideration therein
expressed.

Subscribed and sworn to before me this _____ day of _____, 2025.

Notary Public, _____

My commission expires:

10/27/2025

Agenda Item No. L)

PRESENTER:

Christopher J. Looney, AICP, Planning Director

SUBJECT:

Approval of the second and final reading of an ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lot 1, Block 115, Mayfair - Parcel E-15 Subdivision, consisting of 19.99 acres

DEPARTMENT: Neighborhood and Community Planning**COUNCIL DISTRICTS IMPACTED:** District 4**BACKGROUND INFORMATION:**

Petitioner: Comal County Water Improvement District No. 3 (Mayfair)
c/o Allen Boone Humphries
Attn: Ryan Harper
919 Congress Ave., Suite 1500
Austin, TX 78701

Owner: Costco Wholesale Corp.
999 Lake Dr.
Issaquah, WA 98027

Staff Contact: Matt Greene
(830) 221-4053 | mgreene@newbraunfels.gov

The City Council unanimously approved the first reading of this ordinance at their October 13, 2025, regular meeting.

As part of the Mayfair Development Agreement adopted in 2022, the City of New Braunfels and Comal County Water Improvement District No. 3 negotiated a Strategic Partnership Agreement (SPA) for limited purpose annexation of certain properties within Mayfair. Under the Agreement, once properties designated for commercial or “mixed commercial and residential” development (per the Sector Plan) are platted they shall be annexed into the City for the limited purpose of sales tax collection. The City will not collect property taxes in these areas and will provide only limited municipal services as specified in Article VI of the SPA. Residents of areas annexed for limited purposes may vote in elections for City Council and City Charter amendments but may not vote in bond elections.

ISSUE:

Per the SPA, limited purpose annexations must take place within 180 days after a plat for such property is recorded. The Mayfair - Parcel E-15 Subdivision plat (attached) was recorded with Comal County on July 1, 2025. Final action on the limited purpose annexation of Lot 1 (second reading) must occur before December 28, 2025.

Lot 2 of the Mayfair - Parcel E-15 Subdivision includes 1.7 acres that is not yet part of Comal County Water Improvement District 3, nor is it included in the Development Agreement nor identified as “Eligible Property” in the SPA. Limited purpose annexation of Lot 2 will not occur until after the 1.7 acres is annexed into the District, included in the Development Agreement, and included as “Eligible Property” in the SPA.

Lot 900 of the Mayfair - Parcel E-15 Subdivision is designated as a landscape, pedestrian and access easement and is not subject to limited purpose annexation.

STRATEGIC PLAN REFERENCE:

☐ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity
☒ Organizational Excellence ☐ Community Well-Being ☐ N/A

- Objective: Considering statutory and market-based factors, continue to diversify revenue streams to support long-term fiscal sustainability of the organization.

FISCAL IMPACT:

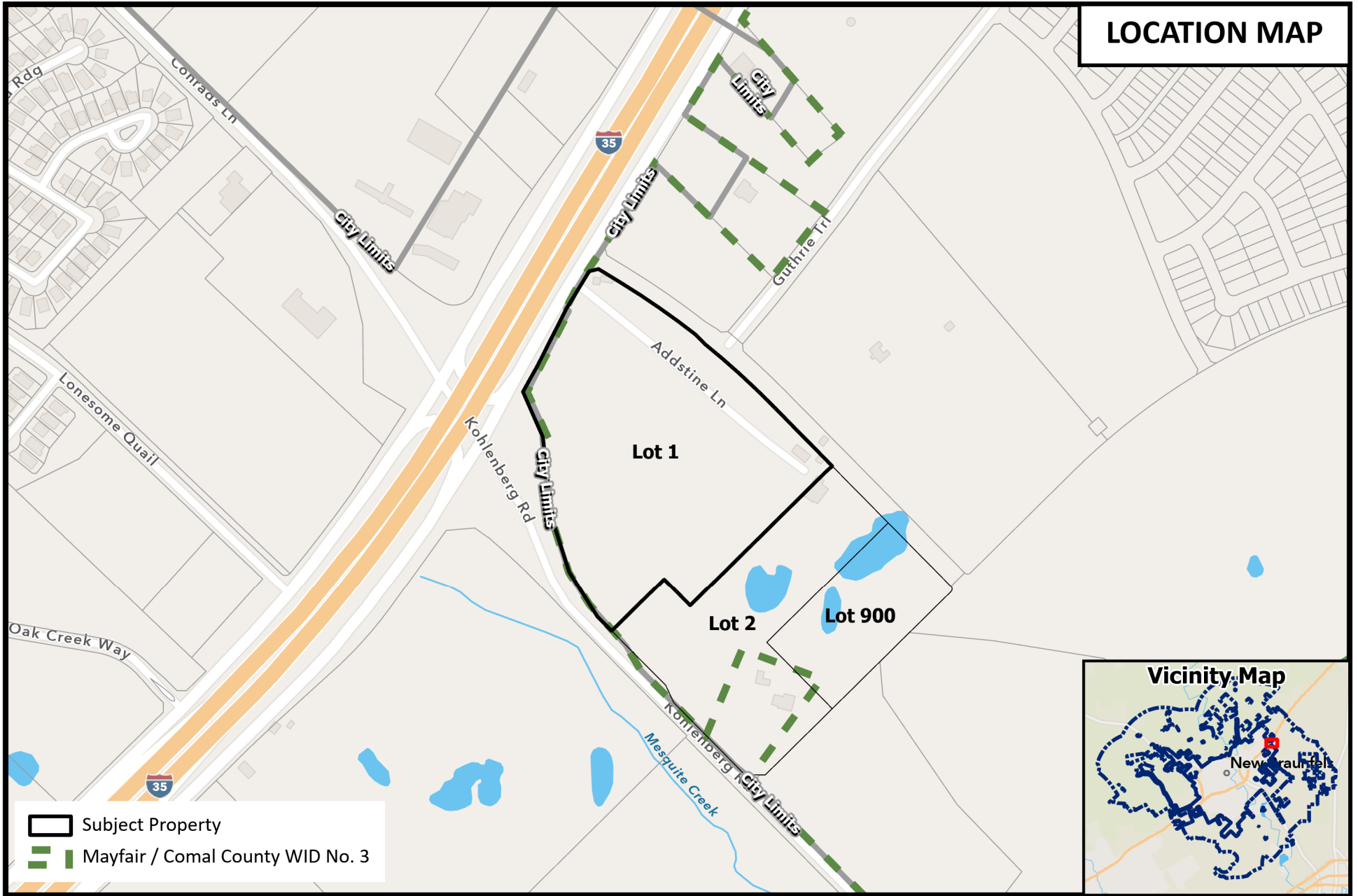
In accordance with the negotiated and adopted SPA, limited purpose annexation of the subject tract is required and will allow the city to share in sales tax collection in order to provide the requisite limited scope of corresponding municipal services.

RECOMMENDATION:

Approval

Resource Links:

- Mayfair Strategic Partnership Agreement (SPA):
newbraunfels.gov/DocumentCenter/View/26106/Mayfair-Partnership-Agreement?bidId=<https://newbraunfels.gov/DocumentCenter/View/26106/Mayfair-Partnership-Agreement?bidId=>



CS25-0353
Limited Purpose Annexation
Lot 1, Block 115, Mayfair - Parcel E-15

Source: City of New Braunfels Planning
 Date: 9/30/2025

0 280 560
 Feet



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of New Braunfels officials or employees for any discrepancies, errors, or variances which may exist.

AERIAL MAP



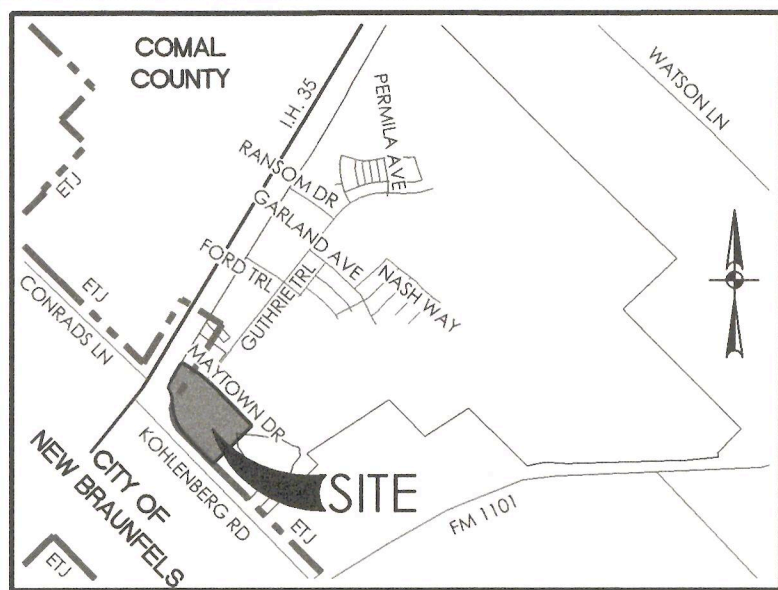
CS25-0353 Limited Purpose Annexation Lot 1, Block 115, Mayfair - Parcel E-15

Source: City of New Braunfels Planning
Date: 9/30/2025

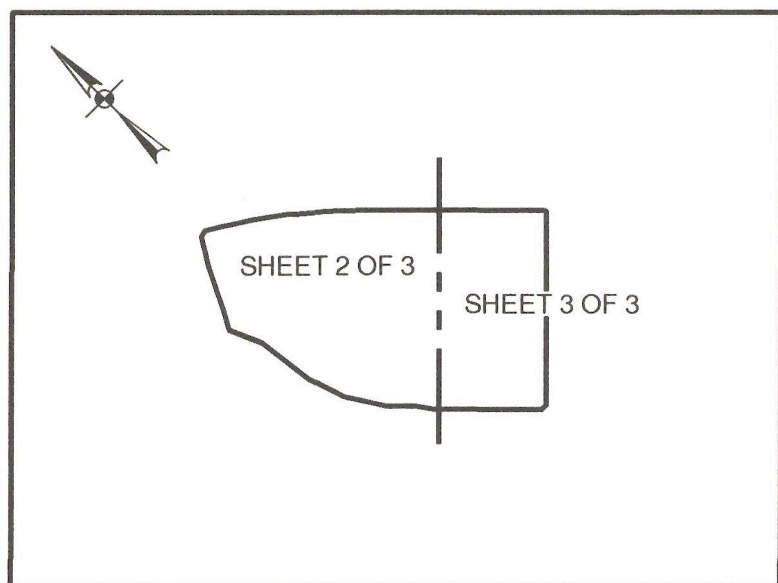
0 280 560
Feet



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LOCATION MAP

MAPSCO MAP GRID: 123X1
NOT-TO-SCALE

INDEX MAP

SCALE: 1"= 1000'

NBU NOTES:

1. MAINTENANCE OF DEDICATED UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. ANY USE OF AN EASEMENT, OR ANY PORTION OF IT, INCLUDING LANDSCAPING OF DRAINAGE FEATURES, IS SUBJECT TO AND SHALL NOT CONFLICT WITH THE TERMS AND CONDITIONS IN THE EASEMENT. MUST NOT ENDANGER OR INTERFERE WITH THE RIGHTS GRANTED BY THE EASEMENT TO NEW BRAUNFELS UTILITIES, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE SUBJECT TO APPLICABLE PERMIT REQUIREMENTS OF THE CITY OF NEW BRAUNFELS OR ANY OTHER GOVERNING BODY. THE PROPERTY OWNER MUST OBTAIN, IN ADVANCE, WRITTEN AGREEMENT WITH THE UTILITIES TO UTILIZE THE EASEMENT, OR ANY PART OF IT.
2. UTILITIES WILL POSSESS A 5' WIDE SERVICE EASEMENT TO THE BUILDING STRUCTURE ALONG THE SERVICE LINE TO THE SERVICE ENTRANCE. THIS EASEMENT WILL VARY DEPENDING UPON LOCATION OF DWELLING AND SERVICE.
3. UTILITIES SHALL HAVE ACCESS TO THE METER LOCATIONS FROM THE FRONT YARD AND METER LOCATIONS SHALL NOT BE LOCATED WITHIN A FENCED AREA.
4. EACH LOT MUST HAVE ITS OWN WATER AND SEWER SERVICE AT THE OWNER/DEVELOPERS EXPENSE.
5. DO NOT COMBINE ANY NEW UTILITY EASEMENTS (UE) WITH DRAINAGE EASEMENTS (DE) OR MAKE CHANGES IN GRADE WITHIN THE UTILITY EASEMENTS (UE) WITHOUT WRITTEN APPROVAL FROM NEW BRAUNFELS UTILITIES.
6. NBU IS NOT RESPONSIBLE FOR LANDSCAPING OR IRRIGATION IN UE/LE.

FLOOD ZONE NOTE:

NO PORTION OF ANY LOT ON THIS PLAT IS WITHIN AN INDICATED SPECIAL FLOOD HAZARD ZONE ACCORDING TO THE FEMA FIRM MAP NO. 48091C0460F EFFECTIVE DATE 9/2/2009.

UTILITY PROVIDER NOTE:

THE PROPERTY WILL BE SERVED BY THE FOLLOWING:
NEW BRAUNFELS UTILITIES (WATER, SEWER, ELECTRIC)
CENTRIC (TELECOMMUNICATIONS, GAS)

SUBDIVISION PLAT
OF
MAYFAIR - PARCEL E-15

BEING 36.230 ACRES OF LAND, SITUATED IN THE ANTONIO MARIA ESNAURIZAR SURVEY NUMBER 1, ABSTRACT NUMBER 1, COMAL COUNTY, TEXAS AND BEING COMPRISED OF A PORTION OF 1.735 ACRES, DESCRIBED IN A DEED FROM JOHN DENMAN SMITH TO SOUTHSTAR AT MAYFAIR KOHLENBERG, LLC, AS RECORDED IN DOCUMENT NUMBER 202406017875 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, A PORTION OF 20.900 ACRES, DESCRIBED IN A DEED FROM STATE OF TEXAS TO BEAVERHEAD NB, LLC, AS RECORDED IN DOCUMENT NUMBER 202106037785 OF THE SAID OFFICIAL PUBLIC RECORDS AND A PORTION OF 778.313 ACRES, DESCRIBED IN A DEED FROM SOUTHSTAR AT MAYFAIR, LLC, TO SOUTHSTAR AS MAYFAIR, LLC, TO SOUTHSTAR AT MAYFAIR DEVELOPER, LLC, OF THE SAID OFFICIAL PUBLIC RECORDS.

PLAT NOTES:

1. THIS SUBDIVISION IS NOT WITHIN THE EDWARDS AQUIFER JURISDICTIONAL ZONES.
2. THIS SUBDIVISION IS WITHIN THE ETJ OF THE CITY OF NEW BRAUNFELS, TEXAS.
3. FUTURE DEVELOPMENT IS SUBJECT TO CHAPTER 114 (STREETS, SIDEWALKS AND OTHER PUBLIC SPACES) OF THE NEW BRAUNFELS CODE OF ORDINANCES.
4. THE ELEVATION OF THE LOWEST FLOOR OF A STRUCTURE SHALL BE AT LEAST 10 INCHES ABOVE THE FINISHED GRADE OF THE SURROUNDING GROUND, WHICH SHALL BE SLOPED IN A FASHION SO AS TO DIRECT STORMWATER AWAY FROM THE STRUCTURE. PROPERTIES ADJACENT TO STORMWATER CONVEYANCE STRUCTURES MUST HAVE A FLOOR SLAB ELEVATION OR BOTTOM OF FLOOR JOIST A MINIMUM OF ONE FOOT ABOVE THE 100-YEAR WATER FLOW ELEVATION IN THE STRUCTURE. DRIVEWAYS SERVING HOUSES ON THE DOWNHILL SIDE OF THE STREET SHALL HAVE A PROPERLY SIZED CROSS SWALE PREVENTING RUNOFF FROM ENTERING THE GARAGE AND SHALL PREVENT WATER FROM LEAVING THE STREET.
5. THIS UNIT CONTAINS 2 BUILDABLE LOTS.
6. ANY DRIVEWAY CONSTRUCTION ON COUNTY ROADS WITHIN THE UNINCORPORATED AREAS OF COMAL COUNTY MUST BE PERMITTED BY THE COMAL COUNTY ROAD DEPARTMENT.
7. STREET TREE PLANTING WILL OCCUR WITH BUILDING PERMIT IN COMPLIANCE WITH THE MAYFAIR DDOD.
8. THIS PLAT IS SUBJECT TO THE REQUIREMENTS AND REGULATIONS OF THE MAYFAIR DEVELOPMENT AGREEMENT, RECORDED AS DOCUMENT NO. 202206006377 AND AS AMENDED.
9. THIS PLAT IS SUBJECT TO THE TERMS OF A UTILITY COST SHARING AGREEMENT SOUTHSTAR AT MAYFAIR, LLC. A COPY OF THE UTILITY COST SHARING AGREEMENT IS RECORDED AS DOCUMENT NO. 202206006599 IN THE OFFICIAL RECORDS OF COMAL COUNTY, TEXAS.
10. NBU WILL ONLY SERVE WATER OR WASTEWATER TO A PLATTED LOT ONLY IF THE DEVELOPER AND LANDOWNERS COMPLY WITH THEIR OBLIGATIONS OUTLINED WITHIN THE UTILITY COST SHARING AGREEMENT SOUTHSTAR AT MAYFAIR, LLC.

TXDOT NOTES:

1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.
2. THE OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY, OUTFALLS FOR WATER QUALITY AND/OR DETENTION PONDS TREATING IMPERVIOUS COVER RELATED TO THE DEVELOPMENT AND STRUCTURES FOR REDUCTION OF DISCHARGE VELOCITY WILL NOT ENCROACH BY STRUCTURE OR GRADING INTO STATE ROW OR INTO AREAS OF ROW RESERVATION OR DEDICATION. FOR PROJECTS IN THE EDWARDS AQUIFER RECHARGE, TRANSITION OR CONTRIBUTING ZONES, PLACEMENT OF PERMANENT STRUCTURAL BEST MANAGEMENT PRACTICE DEVICES OR VEGETATIVE FILTER STRIPS WITHIN STATE ROW OR INTO AREAS OF ROW RESERVATION OR DEDICATION WILL NOT BE ALLOWED. NO NEW EASEMENTS OF ANY TYPE SHOULD BE LOCATED IN AREAS OF ROW RESERVATION OR DEDICATION.
3. MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY TXDOTS, "ACCESS MANAGEMENT MANUAL", WHERE TOPOGRAPHY OR OTHER EXISTING CONDITIONS MAKE IT INAPPROPRIATE OR NOT FEASIBLE TO CONFORM TO THE CONNECTION SPACING INTERVALS. THE LOCATION OF REASONABLE ACCESS WILL BE DETERMINED WITH CONSIDERATION GIVEN TO TOPOGRAPHY, ESTABLISHED PROPERTY OWNERSHIPS, UNIQUE PHYSICAL LIMITATIONS, AND/OR PHYSICAL DESIGN CONSTRAINTS. THE SELECTED LOCATION SHOULD SERVE AS MANY PROPERTIES AND INTERESTS AS POSSIBLE TO REDUCE THE NEED FOR ADDITIONAL DIRECT ACCESS TO THE HIGHWAY. IN SELECTING LOCATIONS FOR FULL MOVEMENT INTERSECTIONS, PREFERENCE WILL BE GIVEN TO PUBLIC ROADWAYS THAT ARE ON LOCAL THOROUGHFARE PLANS.
4. IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE, A SIDEWALK PERMIT MUST BE APPROVED BY TXDOT. PRIOR TO CONSTRUCTION WITHIN STATE RIGHT-OF-WAY. LOCATIONS OF SIDEWALKS WITHIN STATE RIGHT OF WAY SHALL BE AS DIRECTED BY TXDOT.
5. ANY TRAFFIC CONTROL MEASURES (LEFT-TURN LANE, RIGHT-TURN LANE SIGNAL, ETC.) FOR ANY ACCESS FRONTING A STATE MAINTAINED ROADWAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/OWNER.

SCHOOL DISTRICT NOTE:

REFERENCED PROPERTY LIES WITHIN THE COMAL INDEPENDENT SCHOOL DISTRICT.

COMMON SPACE NOTE:

LOT 900 BLOCK 115 IS A LANDSCAPE, PEDESTRIAN AND ACCESS EASEMENT. AFOREMENTIONED LOT TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION OR PROPERTY OWNER AND NOT THE CITY OF NEW BRAUNFELS.

SIDEWALK AND ACCESSWAY NOTE:

1. SIX (6) FOOT WIDE SIDEWALKS WILL BE CONSTRUCTED BY THE DEVELOPER PER CITY STANDARDS AT THE TIME OF STREET CONSTRUCTION ALONG:
 - MAYTOWN DRIVE (IH-35 TO GUTHRIE TR)
 - PROMENADE TRAIL
2. TWELVE (12) FOOT WIDE SIDEWALKS WILL BE CONSTRUCTED BY THE DEVELOPER PER CITY STANDARDS AT THE TIME OF STREET CONSTRUCTION ALONG MAYTOWN DRIVE (GUTHRIE TR TO PROMENADE TR)
3. SIX (6) FOOT WIDE SIDEWALKS WILL BE CONSTRUCTED BY THE BUILDER PER CITY STANDARDS AT THE TIME OF BUILDING PERMIT ALONG:
 - KOHLENBERG ROAD
 - IH-35

STATE OF TEXAS
COUNTY OF COMAL

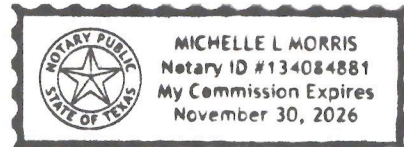
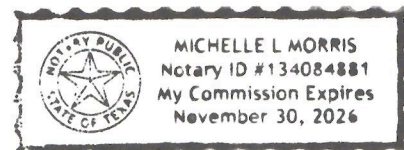
I (WE), THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE MAYFAIR - PARCEL E-15 SUBDIVISION TO THE CITY OF NEW BRAUNFELS, COUNTY OF COMAL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER: JIM VATER
SOUTHSTAR AT MAYFAIR KOHLENBERG, LLC
A TEXAS LIMITED LIABILITY COMPANY
2055 CENTRAL PLAZA, SUITE 110, BOX 195,
NEW BRAUNFELS, TX 78130

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 25th DAY
OF June, 2025, BY Jim Vater

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: Nov. 30, 2026

PAPE-DAWSON
ENGINEERS

1672 INDEPENDENCE DR, STE 102 | NEW BRAUNFELS, TX 78132 | 830.632.5553
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

DATE OF PREPARATION: June 24, 2025

STATE OF TEXAS
COUNTY OF COMAL

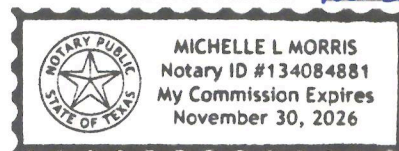
I (WE), THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE MAYFAIR - PARCEL E-15 SUBDIVISION TO THE CITY OF NEW BRAUNFELS, COUNTY OF COMAL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER: JIM VATER
SOUTHSTAR AT MAYFAIR DEVELOPER, LLC
A TEXAS LIMITED LIABILITY COMPANY
2055 CENTRAL PLAZA, SUITE 110, BOX 195,
NEW BRAUNFELS, TX 78130

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 25th DAY
OF June, 2025, BY Jim Vater

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: Nov. 30, 2026



STATE OF TEXAS
COUNTY OF COMAL

I (WE), THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE MAYFAIR - PARCEL E-15 SUBDIVISION TO THE CITY OF NEW BRAUNFELS, COUNTY OF COMAL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER: JIM VATER
BEAVERHEAD NB, LLC
A TEXAS LIMITED LIABILITY COMPANY
2055 CENTRAL PLAZA, SUITE 110, BOX 195,
NEW BRAUNFELS, TX 78130

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 25th DAY
OF June, 2025, BY Jim Vater

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: Nov. 30, 2026

CERTIFICATE OF APPROVAL

APPROVED THIS THE 7th DAY OF March, 2025, BY THE CITY
OF NEW BRAUNFELS, TEXAS.

APPROVED FOR ACCEPTANCE

6/26/2025 Matthew Linnert
DATE for DIRECTOR OF PLANNING
Chris Barr Chris Barr
DATE CITY ENGINEER

STATE OF TEXAS

COUNTY OF COMAL

I, Bobbie Koeppe, DO HEREBY CERTIFY THAT THE FOREGOING

INSTRUMENT WAS FILED FOR RECORD IN THE MAP AND PLAT RECORDS.

DOC. # 202506020320 OF COMAL COUNTY ON THE 1st

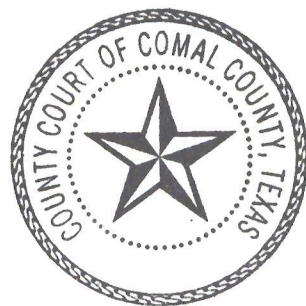
DAY OF July, 2025 AT 1:27 P.M.

WITNESS MY HAND OFFICIAL SEAL, THIS THE

1st DAY OF July, 2025

COUNTY CLERK, COMAL, COUNTY, TEXAS

BY: Jessica Hester, DEPUTY



PLAT NOTES APPLY TO EVERY PAGE
OF THIS MULTIPLE PAGE PLAT

CURVE AND LINE
DATA ON SHEET 1 OF 3

SHEET 1 OF 3

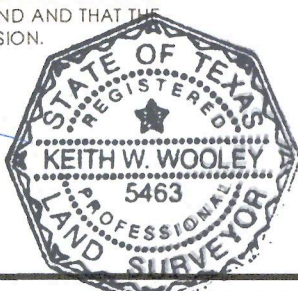
SURVEYOR'S NOTES:

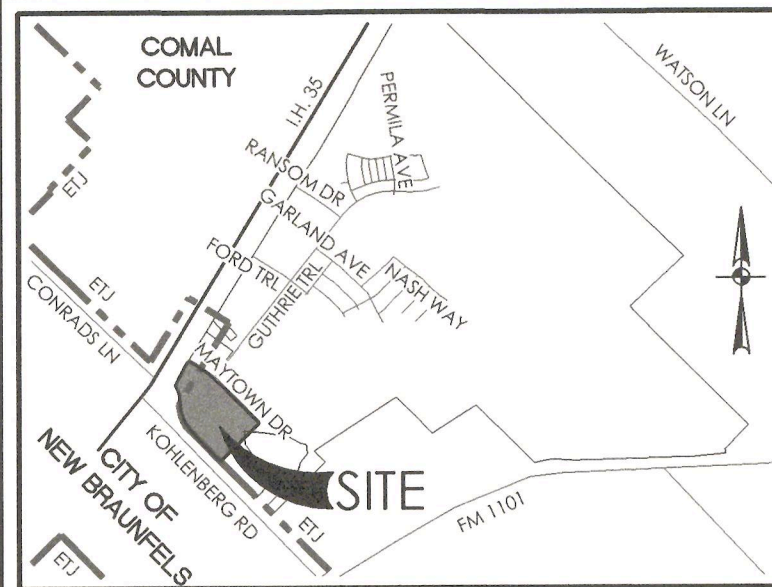
1. MONUMENTS WERE FOUND OR SET AT EACH CORNER OF THE SURVEY BOUNDARY OF THE SUBDIVISION AS NOTED. MONUMENTS AND LOT MARKERS WILL BE SET WITH $\frac{1}{2}$ " IRON ROD WITH CAP MARKED "PAPE-DAWSON" OR MAG NAIL WITH DISK MARKED "PAPE-DAWSON" AFTER THE COMPLETION OF UTILITY INSTALLATION AND STREET CONSTRUCTION UNLESS NOTED OTHERWISE.
2. COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00 FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.
3. DIMENSIONS SHOWN ARE SCALED TO SURFACE WITH A SURFACE ADJUSTMENT OF 1.00017 APPLIED.
4. BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.

KNOW ALL MEN BY THESE PRESENTS

I, THE UNDERSIGNED KEITH W. WOOLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE UNDER MY SUPERVISION AND IN COMPLIANCE WITH CITY AND STATE SURVEY REGULATIONS AND LAWS AND MADE ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

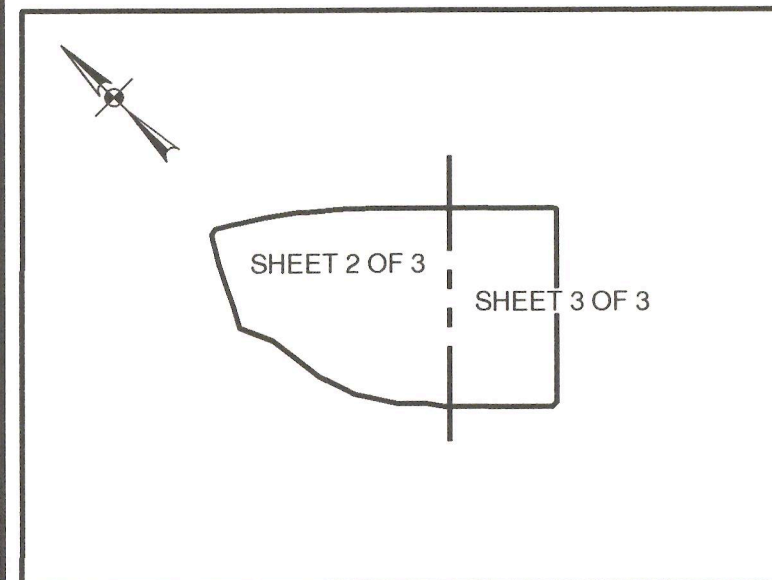
KEITH W. WOOLEY
REGISTERED PROFESSIONAL LAND SURVEYOR #5463
PAPE-DAWSON ENGINEERS, INC.
1672 INDEPENDENCE DR, STE 102
NEW BRAUNFELS, TEXAS 78132





LOCATION MAP

MARSCO MAP GRID: 123X1
NOT-TO-SCALE



INDEX MAP

SCALE: 1"= 1000'

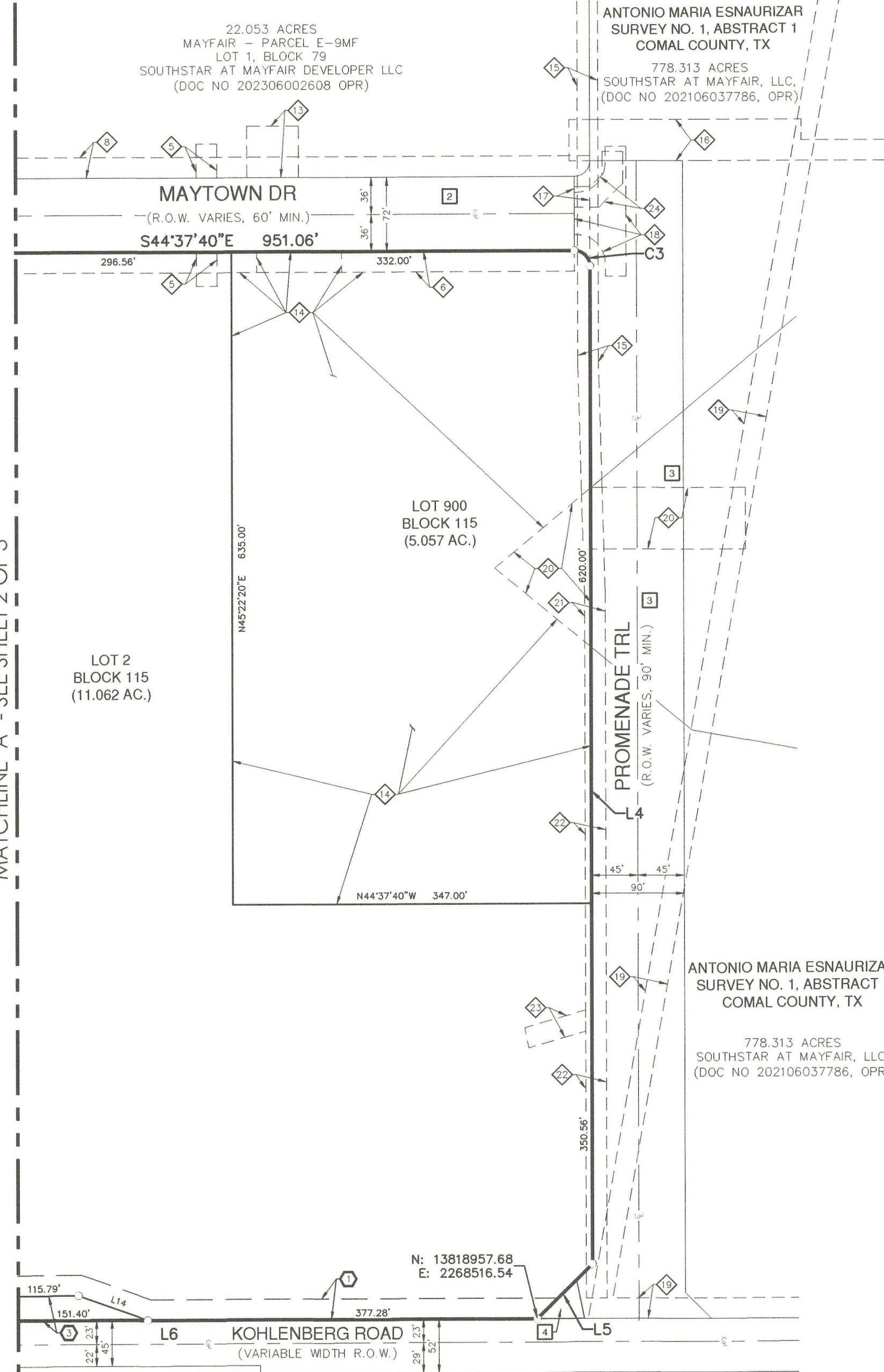
SUBDIVISION PLAT OF MAYFAIR - PARCEL E-15

BEING 36.230 ACRES OF LAND, SITUATED IN THE ANTONIO MARIA ESNAURIZAR SURVEY NUMBER 1, ABSTRACT NUMBER 1, COMAL COUNTY, TEXAS AND BEING COMPRISED OF A PORTION OF 1.735 ACRES, DESCRIBED IN A DEED FROM JOHN DENMAN SMITH TO SOUTHSTAR AT MAYFAIR, LLC, AS RECORDED IN DOCUMENT NUMBER 202406017875 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, A PORTION OF 20.900 ACRES, DESCRIBED IN A DEED FROM STATE OF TEXAS TO BEAVERHEAD NB, LLC, AS RECORDED IN DOCUMENT NUMBER 202106037785 OF THE SAID OFFICIAL PUBLIC RECORDS AND A PORTION OF 778.313 ACRES, DESCRIBES IN A DEED FROM SOUTHSTAR AT MAYFAIR, LLC, TO SOUTHSTAR AS MAYFAIR, LLC, TO SOUTHSTAR AT MAYFAIR DEVELOPER, LLC, OF THE SAID OFFICIAL PUBLIC RECORDS.

22.053 ACRES
MAYFAIR - PARCEL E-9MF
LOT 1, BLOCK 79
SOUTHSTAR AT MAYFAIR DEVELOPER LLC
(DOC NO 202306002608 OPR)

ANTONIO MARIA ESNAURIZAR
SURVEY NO. 1, ABSTRACT 1
COMAL COUNTY, TX

778.313 ACRES
SOUTHSTAR AT MAYFAIR, LLC,
(DOC NO 202106037786, OPR)

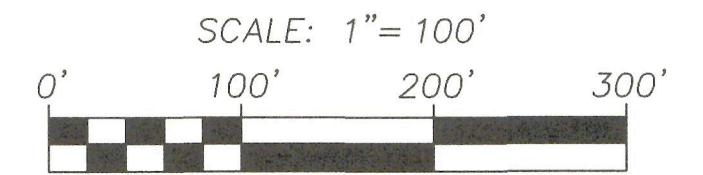
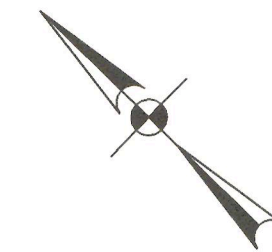


MATCHLINE "A" - SEE SHEET 2 OF 3

PLAT NOTES APPLY TO EVERY PAGE
OF THIS MULTIPLE PAGE PLAT

CURVE AND LINE
DATA ON SHEET 1 OF 3

SHEET 3 OF 3



**PAPE-DAWSON
ENGINEERS**

1672 INDEPENDENCE DR, STE 102 | NEW BRAUNFELS, TX 78132 | 830.632.5633
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

DATE OF PREPARATION: June 24, 2025

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, APPROVING THE LIMITED PURPOSE ANNEXATION OF LOT 1, BLOCK 115, MAYFAIR – PARCEL E-15 SUBDIVISION, CONSISTING OF 19.99 ACRES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; CONTAINING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City is authorized to annex territory for limited purposes in accordance with Chapter 43 of the Texas Local Government Code, and the City of New Braunfels, Texas home-rule charter, and by statute; and

WHEREAS, the City of New Braunfels and the Comal County Water Improvement District No. 3A (“District”) negotiated a Strategic Partnership Agreement (“Agreement”), adopted and effective April 22, 2024, and recorded in the Comal County Official Public Records as Document No. 202506028248, specifying the terms of a limited purpose annexation of certain properties within the District designated for commercial or “mixed commercial and residential” development; and

WHEREAS, the City published notice of public hearings regarding the Agreement and held public hearings as required by state law on April 8, 2024, and April 22, 2024;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT That the following described territory, depicted in Exhibit “A” attached, is hereby annexed into the city for the limited purpose of the collection of sales tax pursuant to the terms set forth in the Agreement, and that the boundary limits of the city are hereby extended to include said territory within the city limits and the same shall hereafter be included within the territorial limits of said city with the explanation that said territory is annexed into the city for limited purposes:

Being all of Lot 1, Block 115, Mayfair – Parcel E-15 Subdivision, as depicted in Exhibit “A” attached.

SECTION 2

THAT The City shall provide to the herein annexed territory only those municipal services in accordance with Article VI of the Agreement.

SECTION 3

THAT the qualified voters residing within the Limited Purpose Tract may vote in City elections, as voters in Council District 4, pursuant to Local Government Code Sections 43.0751(q) and 43.130.

SECTION 4

THAT the city secretary is hereby directed to file with the county clerk and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, a certified copy of this ordinance.

SECTION 5

THAT all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

SECTION 6

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 7

THAT in accordance with the provisions of the City Charter, this Ordinance may be read and published by descriptive caption only. This Ordinance has been publicly available in the office of the City Secretary prior to its adoption.

SECTION 8

THAT ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 13th day of October 2025.

PASSED AND APPROVED: Second reading this 27th day of October 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

#202506020320



10/27/2025

Agenda Item No. M)

PRESENTER:

Jeff Jewell, Economic and Community Development Director

SUBJECT:

Approval of the second and final reading of an ordinance designating a geographic area within the City of New Braunfels as a reinvestment zone for tax increment financing purposes pursuant to Chapter 311 of the Texas Tax Code to be known as Tax Increment Reinvestment Zone Number Five - West End ("TIRZ 5: West End"), City of New Braunfels, describing the property parcels included in the zone, containing findings and provisions related to the creation of the zone, providing a termination date, providing the zone take effect immediately upon passage of the ordinance, providing a severability clause, providing for publication, and declaring an effective date.

DEPARTMENT: Economic and Community Development**COUNCIL DISTRICTS IMPACTED:** 1**BACKGROUND INFORMATION:**

The City Council held a public hearing on October 13, 2025 and unanimously approved the first reading of the ordinance (7-0).

The proposed ordinance would create a Tax Increment Reinvestment Zone (TIRZ) Number 5 in the West End area for a 25-year period. The TIRZ would allow the City to use the incremental increase in property taxes above the base (2025) year collections for designated improvements in the zone area. A TIRZ works to capture a portion of the new tax revenue occurring within the defined zone and making this "Tax Increment Fund" available to assist in financing identified projects. The project categories are identified in the Preliminary Project and Financing Plan (Exhibit C on attached Ordinance). The proposed TIRZ #5 will cover approximately 156.45 acres (including right of way). The 2025 baseline taxable property value of the TIRZ #5 footprint is approximately \$91,970,582 and a map is included in the Preliminary Project and Financing Plan (Exhibit B on attached Ordinance). The Plan fulfills the legal requirements of designating a TIRZ as identified in Chapter 311 of the Texas Tax Code. Notice of the public hearing was published on October 4-5, 2025 in the Herald-Zeitung - at least seven days prior to today's public hearing.

The recently completed West End Area Plan focused on pedestrian connectivity, public improvements, placemaking, infrastructure upgrades, and the implementation of goals/action items identified in the City's 2024-2029 Strategic Plan. The TIRZ #5 revenue would be used to address the items identified in the Area Plan like: parks & streetscape enhancements, public infrastructure improvements, parking improvements, and economic development incentives and grants.

The Preliminary Project and Financing Plan calls for 85% of the City's property tax to be directed into the Tax Increment Fund for a period of 25-years. No other taxing entities are contributing a portion of their tax increment into the fund and no sales tax is proposed to be directed into the fund.

The TIRZ #5 boundaries, increment percentages, and Plan details can be amended with action by the (soon to be created) TIRZ #5 Board and City Council. The City Council, after adopting the Preliminary Project and

Financing Plan (detailed in the attached Ordinance as Exhibit C), will consider the adoption of a Final Project and Financing Plan and appoint seven (7) members to the mandated TIRZ #5 Board.

ISSUE:

Second and final reading of an ordinance establishing TIRZ #5 - West End.

STRATEGIC PLAN REFERENCE:

☒ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity
☐ Organizational Excellence ☐ Community Well-Being ☐ N/A

FISCAL IMPACT:

Over a 25-year term, TIRZ #5 is anticipated to generate approximately \$4,181,265 in increment for the fund; providing funding to projects as specified in the Preliminary Project and Financing Plan.

RECOMMENDATION:

Staff recommends approval of the second and final reading of the ordinance to establish TIRZ #5.

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY OF NEW BRAUNFELS AS A REINVESTMENT ZONE FOR TAX INCREMENT FINANCING PURPOSES PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE TO BE KNOWN AS TAX INCREMENT REINVESTMENT ZONE NUMBER FIVE – WEST END (TIRZ 5: WEST END), CITY OF NEW BRAUNFELS; DESCRIBING THE PROPERTY PARCELS INCLUDED IN THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE, ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels, Texas (the “City”), pursuant to the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code (the “Act”), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a geographic area that is in the corporate limits or extra-territorial jurisdiction of the municipality to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, the City Council desires to promote the development of a certain geographic area in the City, which is more specifically described as being a +/- 156.45 acre tracts of land and right-of-way, more or less, and including the properties assigned a Parcel ID by the Comal County Appraisal District as presented in “Exhibit A” and as depicted on the map attached hereto as “Exhibit B” and incorporated herein, through the creation of a new reinvestment zone as authorized by and in accordance with the Act (the “Zone”); and

WHEREAS, pursuant to and required by the Act, the City has prepared a Preliminary Project & Financing Plan for Tax Increment Reinvestment Zone Number Five – West End, New Braunfels, Texas, attached as “Exhibit C” (hereinafter referred to as the “Preliminary Project & Financing Plan”); and

WHEREAS, notice of the public hearing on the creation of the Zone was published on October 4-5, 2025 (Weekend Edition) in the New Braunfels Herald-Zeitung, a newspaper of general circulation in the city of New Braunfels, the publication date occurred before the seventh (7th) day before the public hearing held on October 13, 2025 (First Reading); and

WHEREAS, at the public hearing on October 13, 2025, interested persons were allowed to speak for or against the creation of the Zone, its boundaries, and the concept of tax increment financing, and owners of the property in the Zone were given a reasonable opportunity to protest

the inclusion of the property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and

WHEREAS, after all comments and evidence were received by the City Council, the public hearing was closed on October 13, 2025; and

WHEREAS, the City has taken all actions required to create the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act, and all other laws applicable to the creation of the Zone; and

WHEREAS, the percentage of property in the Zone, excluding property that is publicly owned, currently used for residential purposes is less than thirty (30) percent.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

Section 1: RECITALS INCORPORATED

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

Section 2: FINDINGS

The City Council, after conducting the above-described hearings and have heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

- (a) That the public hearings on creation of the Zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law.
- (b) That the proposed improvements in the Zone will significantly enhance the value of all the taxable real property in the Zone and will be of general benefit to the City.
- (c) That the Zone meets the criteria and requirements of the Act because due to the size, location, drainage issues, and physical characteristics, new development and redevelopment in the area will not likely occur due to:
 - a. Substandard, slum, or deteriorated, or deteriorating structures;
 - b. Defective or inadequate sidewalk layout;
 - c. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
 - d. Unsanitary or unsafe conditions;
 - e. The deterioration of site or other improvements;
 - f. Tax or special assessment delinquency exceeding the fair value of the land;
 - g. Defective or unusual conditions of title;
 - h. Conditions that endanger life or property by fire or other cause
- (d) That the Zone is a geographic area located wholly within the corporate limits of the City of New Braunfels;
- (e) That less than thirty percent (30%) of the property in the Zone, excluding property that is publicly owned, is used for residential purposes; and

- (f) That the total appraised value of taxable real property in the Zone, and in existing reinvestment zones of the City, does not exceed fifty percent (50%) of the total appraised value of taxable real property in the City and in industrial districts created by the City.

Section 3: DESIGNATION AND NAME OF THE ZONE

That the City, acting under the provisions of the Act, does hereby designate as a reinvestment zone, and create and designate a reinvestment zone over the area more specifically described as being +/- 156.45 acre tracts of land and right-of-way, more or less, and including the properties as assigned a Parcel ID by the Comal County Appraisal District as presented in "Exhibit A" and as depicted on the map attached hereto as "Exhibit B" and incorporated herein to promote the development of the area. The reinvestment zone shall hereafter be named for identification as Tax Increment Reinvestment Zone Number Five – West End, City of New Braunfels, Texas (the "Zone").

Section 4: BOARD OF DIRECTORS

That there is hereby created a Board of Directors for the Zone, which shall consist of seven (7) members, including any members appointed by the participating taxing jurisdictions. Members One through Four shall be reserved for City of New Braunfels appointees and members Five, Six, and Seven shall be reserved for participating taxing jurisdictions within the Zone, each of whom may appoint one Director.

Outside of the City of New Braunfels, the taxing jurisdictions within the Zone include: Comal County, Comal County Lateral Road, and New Braunfels Independent School District. Participating taxing jurisdictions are entitled to appoint a director and shall be assigned a Board position number in the order the appointment is received by the City. Failure of any taxing unit to appoint a director as provided herein, shall be deemed a waiver of the right to appoint a director, and the City Council as a whole, shall be entitled to appoint persons to the position.

The initial directors to the Board of Directors of the Zone shall be appointed by ordinance of the City. An increase in the number of Board of Directors shall be accomplished by resolution or Ordinance of the City but shall not exceed a total of fifteen (15) members. All members of the Board of Directors shall meet eligibility requirements set forth in Chapter 311 of the Act to include:

- (a) Individuals must be at least 18 years of age; and
 - a. **Either:**
 - i. be a resident of the county in which the Zone is located or in an adjacent county – or –
 - ii. Own real property in the Zone

All members will serve two-year terms beginning when assigned and appointed by the City Council. A vacancy on the Board of Directors is filled for the unexpired term by appointment of the City Council. Each year the City Council shall annually designate one (1) member of the Board of Directors to serve as Chair for a one (1) year term that begins on January 1st of the following year. The Board of Directors shall elect from its members a Vice Chair to preside in the absence

of the Chair or when there is a vacancy in the role. The Board of Directors may elect other officers as it considers appropriate.

Board of Directors Roles/Responsibilities

The Board of Directors shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. The Board of Directors shall prepare or cause to be prepared and adopt a Project and Financing Plan for the Zone and shall submit such plans to the City Council for its approval. The City hereby authorizes the Board of Directors to exercise all of the City's powers necessary to administer, manage, or operate the Zone and prepare the Project and Financing Plan, including the power to employ consultants, legal counsel, financial advisors, or enter into any reimbursement agreements with consultants, legal counsel, and financial advisors payable solely from the Tax Increment Fund established by this Ordinance, subject to the approval of the City Manager or his designee, that may be reasonably necessary or convenient to assist the Board of Directors in the administration, management, or operation of the Zone and the preparation of the Project and Financing Plan. Notwithstanding the foregoing, the Board of Directors shall not be authorized to issue bonds, impose taxes or fees, exercise the power of eminent domain, or give final approval to the Project and Financing Plan. The Board of Directors of the Zone may not exercise any power granted to the City by Section 311.008 of the Act without additional authorization from the City.

Section 5. DURATION OF THE ZONE

That the Zone shall take effect immediately upon the passage and approval of this Ordinance, and termination of the operation of the Zone shall occur on December 31, 2050 (duration of 25 years), or at an earlier time designated by subsequent ordinance, or at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, and the interest on the bonds, have been paid in full.

Section 6. TAX INCREMENT BASE

That the Tax Increment Base of the City or any other taxing unit participating in the Zone is the total appraised value of all real property taxable by the City or other taxing unit participating in the Zone and located in the Zone, determined as of January 1, 2025, the year in which the Zone is designated as a reinvestment zone (the "Tax Increment Base").

Section 7. TAX INCREMENT FUND

That there is hereby created and established a Tax Increment Fund for the Zone which may be divided into subaccounts as authorized by subsequent ordinances. All Tax Increments, as defined below, shall be deposited in the Tax Increment Fund. The Tax Increment Fund and any subaccount shall be maintained at the depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. The annual Tax Increment shall equal the percentage of the tax increment, as defined by Section 311.012(a) shall equal eighty-five percent (85%) of the City's portion of property tax increment as defined by Section 311.012(a) of the Act, less any amounts that are to be collected from the Tax Increment pursuant to the Act. All revenues from the sale of any tax increment bonds, notes, or other obligations hereinafter issued by the City for the benefit of the Zone, if any; revenues from the sale of property acquire as part of the Project

and Financing Plan, if any; and other revenues to be used in the Zone shall be deposited into the Tax Increment Fund. Prior to termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Act, for the Zone, to satisfy the claims of holders of tax increment bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the Project and Financing Plan and achieve their purposes pursuant to Section 311.010(b) of the Act.

Section 8. SEVERABILITY

That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the City as a whole or any part thereof, other than the part so declared invalid.

Section 9. OPEN MEETINGS

It is hereby found, determined, and declared that a sufficient written notice of the date, hour, place, and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at City Hall for the time required by law preceding the meetings, as required by the Open Meetings Act, Texas Government Code, Chapter 551, and that these meetings have been open to the public as required by law at all times during which this Ordinance and the subject matter hereof have been discussed, considered, and formally acted upon. The City Council further ratifies, approves, and confirms such a written notice and the content and posting thereof.

Section 10. EFFECT

This Ordinance shall take effect immediately upon the second and final reading of the same in accordance with and as provided by Section 311.004(a)(3) of the Act and the City's Charter.

PASSED AND APPROVED: First Reading on **October 13, 2025**

PASSED AND APPROVED: Second and Final Reading on **October 27, 2025**

NEAL LINNARTZ, *MAYOR*

ATTEST:

GAYLE WILKINSON, *CITY SECRETARY*

APPROVED AS TO FORM:

VALERIA ACEVEDO, *CITY ATTORNEY*

Exhibit A
Included Property Parcels; Metes & Bounds Description

Parcel ID/Property ID					
1101	1553	5508	31220	36561	68610
1102	1966	5509	31221	36562	68611
1103	1968	5510	31222	36563	68612
1104	1969	5511	31223	36564	68615
1105	1973	5512	31224	36565	70848
1106	1974	5513	31225	36566	70860
1113	1975	5514	31226	36567	70861
1114	1983	5515	31228	36568	70874
1115	1988	5516	31229	36569	70875
1116	3333	5517	31230	36570	70876
1117	3334	5518	31231	36571	70889
1126	3335	5519	31232	36572	70890
1128	3336	5520	31233	68278	70894
1129	5477	5521	31234	68279	386998
1130	5478	5522	31235	68280	399418
1150	5479	31064	31236	68281	399419
1151	5481	31065	31476	68282	445986
1152	5482	31066	31477	68283	462390
1153	5483	31067	31478	68588	470032
1498	5484	31068	31479	68589	
1499	5485	31070	31480	68590	
1500	5486	31071	31482	68591	
1501	5487	31072	31483	68592	
1502	5488	31073	31484	68593	
1509	5489	31074	31485	68594	
1510	5490	31075	31486	68595	
1512	5491	31076	31487	68596	
1524	5492	31077	31488	68597	
1525	5493	31080	31489	68598	
1526	5494	31081	31490	68599	
1527	5495	31082	31491	68600	
1528	5496	31083	31492	68601	
1529	5497	31085	31493	68602	
1539	5498	31087	31494	68603	
1540	5499	31088	31495	68604	
1541	5500	31090	31496	68605	
1542	5503	31091	31497	68606	
1543	5505	31092	31498	68607	
1544	5506	31206	36559	68608	
1551	5507	31219	36560	68609	

Source: Comal County Appraisal District; City of New Braunfels

Metes & Bounds Description

COMMENCING at a point and proceeding along the boundary of the proposed Tax Increment Reinvestment Zone, located in Comal County, Texas, the limits of said zone being more particularly described by metes and bounds as follows:

THENCE from the point of intersection of the southerly right-of-way line of Walnut Avenue and the westerly service road right-of-way line of Interstate Highway 35, and following the right-of-way line of Interstate Highway 35 the following courses and distances:

S 75° 22' 50" W, a distance of 416.69 feet;
S 77° 29' 18" W, a distance of 281.39 feet;
S 78° 40' 58" W, a distance of 761.14 feet;
S 77° 57' 52" W, a distance of 778.10 feet;
S 78° 27' 43" W, a distance of 1538.59 feet;
S 75° 09' 36" W, a distance of 645.26 feet;
S 72° 56' 17" W, a distance of 719.95 feet;
S 70° 07' 59" W, a distance of 157.76 feet;
S 67° 10' 22" W, a distance of 185.94 feet;
S 61° 39' 39" W, a distance of 101.12 feet;
S 57° 03' 57" W, a distance of 82.09 feet;

THENCE continuing along the outer right-of-way line of South Lone Star Avenue the following courses and distances:

S 60° 48' 25" W, a distance of 25.40 feet;
N 35° 55' 14" W, a distance of 87.69 feet;
N 36° 45' 21" W, a distance of 229.68 feet;
N 36° 32' 37" W, a distance of 302.58 feet;
N 35° 50' 16" W, a distance of 370.50 feet;
N 32° 44' 21" W, a distance of 70.04 feet;

THENCE continuing along the outer right-of-way line of West San Antonio Street the following courses and distances:

N 55° 14' 18" E, a distance of 34.23 feet;
N 55° 14' 16" E, a distance of 568.78 feet;
N 55° 07' 21" E, a distance of 63.48 feet;
N 54° 10' 01" E, a distance of 615.67 feet;
N 53° 04' 13" E, a distance of 167.84 feet;
N 53° 10' 08" E, a distance of 52.34 feet;
N 53° 39' 43" E, a distance of 301.24 feet;
N 54° 59' 37" E, a distance of 81.60 feet;
N 53° 17' 36" E, a distance of 195.78 feet;
N 54° 00' 20" E, a distance of 104.10 feet;
N 54° 05' 43" E, a distance of 203.47 feet;
N 51° 04' 07" E, a distance of 63.39 feet;

N 54° 05' 43" E, a distance of 206.15 feet;
N 54° 01' 35" E, a distance of 52.61 feet;
N 54° 07' 48" E, a distance of 105.23 feet;
N 54° 05' 44" E, a distance of 52.32 feet;
N 53° 53' 17" E, a distance of 104.68 feet;

THENCE continuing along the outer right-of-way line of North Live Oak Avenue, a direction and distance of N 53° 37' 30" W, 176.48 feet;

THENCE departing said right-of-way and following a course along the approximate midpoint of a block, following parcel boundaries:

N 42° 40' 13" E, a distance of 33.53 feet;
N 37° 48' 02" E, a distance of 29.32 feet;
N 41° 03' 49" E, a distance of 297.75 feet;

THENCE continuing across North Hackberry Avenue, following a course along the approximate midpoint of a block, following parcel boundaries:

N 40° 20' 10" E, a distance of 60.00 feet;
N 41° 20' 06" E, a distance of 59.28 feet;
N 41° 20' 03" E, a distance of 110.00 feet;
N 41° 19' 49" E, a distance of 10.00 feet;
N 41° 20' 04" E, a distance of 51.00 feet;
N 41° 19' 59" E, a distance of 8.98 feet;
N 41° 20' 03" E, a distance of 119.27 feet;
N 43° 53' 15" E, a distance of 30.95 feet;

THENCE departing said course to the approximate centerline of North Mesquite Avenue, a direction and distance of S 49° 40' 32" E, 77.11 feet;

THENCE continuing through parcels along the following courses and distances:

N 35° 56' 42" E, a distance of 28.36 feet;
N 41° 20' 06" E, a distance of 83.81 feet;
N 41° 19' 58" E, a distance of 5.11 feet;
N 48° 39' 55" W, a distance of 78.04 feet;
N 48° 34' 35" W, a distance of 0.01 feet;
N 41° 20' 11" E, a distance of 30.00 feet;
N 41° 20' 18" E, a distance of 60.00 feet;
N 41° 20' 07" E, a distance of 120.00 feet;
N 41° 20' 11" E, a distance of 61.50 feet;

THENCE crossing North Chestnut Avenue to continue through the approximate midblock, following parcel boundaries:

N 38° 29' 22" E, a distance of 60.57 feet;
N 41° 20' 04" E, a distance of 60.00 feet;

N 41° 20' 02" E, a distance of 180.00 feet;

N 41° 20' 07" E, a distance of 60.00 feet;

N 41° 20' 03" E, a distance of 59.95 feet;

THENCE crossing North Hickory Avenue to continue through the approximate midblock, following parcel boundaries:

N 36° 04' 31" E, a distance of 60.22 feet;

N 41° 19' 56" E, a distance of 295.42 feet;

N 41° 19' 50" E, a distance of 1.64 feet;

N 41° 19' 56" E, a distance of 58.36 feet;

N 41° 20' 00" E, a distance of 1.18 feet;

THENCE to the approximate southbound centerline of North Walnut Avenue, following said centerline the following courses and distances:

N 31° 45' 07" E, a distance of 29.25 feet;

S 48° 37' 11" E, a distance of 66.38 feet;

S 48° 59' 48" E, a distance of 318.54 feet;

THENCE departing said centerline of South Walnut Avenue to follow parcel boundaries the following courses and distances:

S 44° 43' 50" W, a distance of 26.00 feet;

S 41° 20' 01" W, a distance of 164.12 feet;

S 47° 44' 11" E, a distance of 0.63 feet;

S 47° 45' 02" E, a distance of 67.82 feet;

S 41° 20' 06" W, a distance of 195.10 feet;

THENCE crossing South Hickory Avenue to continue through the approximate midblock, following parcel boundaries:

S 37° 14' 34" W, a distance of 60.12 feet;

S 41° 19' 56" W, a distance of 123.12 feet;

S 41° 19' 52" W, a distance of 119.99 feet;

S 41° 19' 56" W, a distance of 117.52 feet;

THENCE crossing South Chestnut Avenue to continue through the approximate midblock, following parcel boundaries:

S 40° 01' 51" W, a distance of 60.00 feet;

S 40° 43' 02" W, a distance of 58.31 feet;

S 40° 43' 16" W, a distance of 2.69 feet;

S 40° 43' 02" W, a distance of 298.77 feet;

THENCE crossing South Mesquite Avenue to continue through the approximate midblock, following parcel boundaries:

S 39° 18' 14" W, a distance of 60.00 feet;

S 41° 20' 01" W, a distance of 359.17 feet;

THENCE continuing across South Hackberry Avenue, following a course along the approximate midpoint of a block, following parcel boundaries:

S 39° 24' 13" W, a distance of 60.00 feet;
S 41° 05' 15" W, a distance of 179.80 feet;
S 41° 05' 12" W, a distance of 26.85 feet;
S 41° 05' 15" W, a distance of 54.87 feet;

THENCE following the inner right-of-way line along South Live Oak Avenue, a direction and distance of N 53° 28' 25" W, 65.96 feet;

THENCE crossing South Live Oak Avenue to follow a course of parcel boundaries:

S 46° 25' 58" W, a distance of 60.90 feet;
S 53° 50' 46" W, a distance of 5.27 feet;
S 53° 50' 34" W, a distance of 83.23 feet;
S 36° 09' 19" E, a distance of 61.84 feet;
S 53° 35' 39" W, a distance of 297.3 feet;

THENCE following the inner right-of-way line along South Plum Avenue, a direction and distance of S 36° 21' 54" E, 58.05 feet;

THENCE departing said right-of-way and crossing South Plum Avenue to follow a course of parcel boundaries:

S 57° 35' 23" W, a distance of 26.35 feet;
S 54° 51' 48" W, a distance of 33.72 feet;
S 53° 50' 33" W, a distance of 100.00 feet;
S 36° 09' 26" E, a distance of 15.27 feet;
S 36° 11' 44" E, a distance of 0.33 feet;
S 53° 50' 33" W, a distance of 100.00 feet;
S 36° 09' 27" E, a distance of 109.67 feet;
S 36° 09' 31" E, a distance of 6.08 feet;

THENCE coming to the inner right-of-way line for Cross Street and following said right-of-way a direction and distance of S 53° 36' 55" W, 148.70 feet;

THENCE crossing Magnolia Avenue to follow a course of parcel boundaries:

S 56° 24' 52" W, a distance of 60.06 feet;
S 54° 19' 00" W, a distance of 300.00 feet;

THENCE crossing South Peach Avenue to the outer right-of-way line of said street a direction and distance of S 51° 02' 00" W, 60.91 feet;

THENCE following the outer right-of-way line of South Peach Avenue the following courses and distances:

S 36° 20' 42" E, a distance of 89.91 feet;

S 36° 25' 30" E, a distance of 55.00 feet;
S 36° 22' 31" E, a distance of 50.00 feet;
S 36° 21' 53" E, a distance of 50.04 feet;
S 36° 19' 02" E, a distance of 612.83 feet;

THENCE departing said right-of-way and crossing South Peach Avenue, following the inner right-of-way line of Stonewall Street the following courses and distances:

N 54° 44' 43" E, a distance of 60.01 feet;
N 53° 49' 19" E, a distance of 200.00 feet;

THENCE departing said inner right-of-way line to the approximate centerline of Stonewall Street, a direction and distance of N 66° 56' 46" E, 137.11 feet;

THENCE following the approximate centerline of Stonewall Street, a direction and distance of N 53° 21' 44" E, 407.20 feet;

THENCE to the point of intersection of the approximate centerline of Stonewall Street and the approximate centerline of South Plum Avenue, departing said centerline of Stonewall Street and following the approximate centerline of South Plum Avenue; a direction and distance of S 37° 43' 18" E, 179.17 feet;

THENCE departing said centerline of South Plum Avenue and following a course of parcel boundaries at approximate midblock the following courses and distances:

N 57° 47' 37" E, a distance of 28.33 feet;
N 54° 40' 03" E, a distance of 5.84 feet;
N 54° 40' 01" E, a distance of 238.12 feet;
N 54° 40' 04" E, a distance of 42.19 feet;
N 54° 39' 56" E, a distance of 9.74 feet;
N 54° 40' 04" E, a distance of 50.14 feet;

THENCE departing said parcel boundaries and following the inner right-of-way line along Orange Avenue, a direction and distance of S 35° 54' 36" E, 170.00 feet;

THENCE departing said inner right-of-way line to cross Orange Avenue and follow the inner right-of-way line along South Business 35 the following courses and distances:

N 65° 50' 22" E, a distance of 61.28 feet;
N 65° 27' 03" E, a distance of 150.12 feet;
N 63° 50' 54" E, a distance of 73.97 feet;

THENCE departing the South Business 35 right-of-way line, through parcel boundaries:

N 29° 21' 40" W, a distance of 205.35 feet;
N 54° 42' 30" E, a distance of 151.85 feet;
N 54° 42' 39" E, a distance of 4.28 feet;
S 53° 53' 26" E, a distance of 157.34 feet;

THENCE departing said parcel boundary to cross South Live Oak Avenue and follow the approximate centerline of Jackson Street with the following courses and distances:

N 41° 00' 25" E, a distance of 33.07 feet;

N 39° 00' 05" E, a distance of 202.99 feet;

THENCE to the point of intersection of the approximate centerline of South Hackberry Avenue and the approximate centerline of Jackson Street, departing said centerline of Jackson Street to follow the approximate centerline of South Hackberry Avenue a direction and distance of S 48° 46' 07" E, 175.51 feet;

THENCE departing said centerline of South Hackberry Avenue to follow the inner right-of-way line of South Business 35 a distance of:

N 57° 21' 47" E, a distance of 29.26 feet;

N 57° 08' 04" E, a distance of 188.29 feet;

N 56° 00' 41" E, a distance of 56.86 feet;

N 55° 49' 47" E, a distance of 127.45 feet;

THENCE departing the South Business 35 right-of-way line and crossing South Mesquite Avenue to follow the West Coll Street inner right-of-way line:

N 36° 39' 03" E, a distance of 60.17 feet;

N 29° 10' 47" E, a distance of 372.13 feet;

THENCE continuing along the West Coll Street right-of-way line and crossing South Chestnut Avenue a direction and distance of N 29° 10' 47" E, 216.64 feet;

THENCE departing the West Coll Street right-of-way line to cross West Coll Street and follow parcel boundaries the following courses and distances:

S 51° 59' 05" E, a distance of 60.72 feet;

S 48° 39' 58" E, a distance of 22.80 feet;

S 48° 39' 59" E, a distance of 91.27 feet;

N 41° 14' 15" E, a distance of 58.76 feet;

N 41° 14' 14" E, a distance of 70.79 feet;

N 41° 14' 17" E, a distance of 19.24 feet;

N 41° 14' 02" E, a distance of 1.22 feet;

N 41° 14' 13" E, a distance of 48.78 feet;

N 41° 14' 34" E, a distance of 1.56 feet;

THENCE continuing across South Hickory Avenue, still following parcel boundaries:

N 58° 24' 16" E, a distance of 62.73 feet;

N 41° 56' 59" E, a distance of 181.60 feet;

N 48° 39' 59" W, a distance of 26.87 feet;

N 48° 39' 57" W, a distance of 28.68 feet;

N 48° 39' 54" W, a distance of 24.23 feet;

N 41° 28' 42" E, a distance of 107.00 feet;
N 41° 28' 43" E, a distance of 72.19 feet;

THENCE departing said course of parcels to the approximate southbound South Walnut Avenue centerline and following said centerline the following courses and distances:

N 42° 21' 28" E, a distance of 31.30 feet;
S 48° 42' 03" E, a distance of 206.11 feet;
S 53° 22' 15" E, a distance of 128.51 feet;
S 64° 05' 54" E, a distance of 92.69 feet;

THENCE continuing across the intersection of South Business 35 and South Walnut Avenue, following the approximate centerline of South Walnut Avenue the following courses and distances:

S 26° 29' 05" E, a distance of 756.02 feet;
S 23° 35' 54" E, a distance of 224.54 feet;
S 18° 44' 01" E, a distance of 30.36 feet;
S 13° 26' 05" E, a distance of 109.75 feet;
S 09° 52' 39" E, a distance of 158.85 feet;

THENCE to the **POINT OF BEGINNING**, containing approximately a total of 156.45 acres, more or less.

Exhibit B Geographic Boundary of Zone



Source: City of New Braunfels GIS

Exhibit C:
Preliminary Project & Financing Plan
(Following Page)



**New Braunfels Tax Increment Reinvestment Zone #5: West End
Preliminary Project & Financing Plan**

City of New Braunfels, Texas

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Section 1 – Project Plan

Overview

The City of New Braunfels, Texas plans to implement a tax increment reinvestment zone (TIRZ) to fund a portion of the public infrastructure, landscaping and streetscaping, façade and exterior improvements, parking, and other public enhancement costs for projects located in the West End. The proposed new zone would be named Tax Increment Reinvestment Zone #5 – West End (“TIRZ #5”).

This document is designed to meet the legal requirements of designating a TIRZ. The statutes governing tax increment financing are included in Chapter 311 of the State of Texas Tax Code. This preliminary feasibility study and project plan is required by state law.

Existing City of New Braunfels Tax Increment Reinvestment Zones

There are three existing TIRZs in New Braunfels with an additional Zone in preliminary development. The first is the Creekside TIRZ (“TIRZ #1”), the second is the River Mill TIRZ (“TIRZ #2”), the third is the Downtown TIRZ (“TIRZ 3”), and the fourth is in development near the Zipp Sports Complex.

Under Chapter 311 of the Texas Tax Code, cities with more than 100,000 residents may not create a new TIRZ if the total appraised value of taxable real property in the proposed reinvestment zone and in the existing reinvestment zones would exceed twenty-five percent (25%) of the total appraised value of taxable real property within the city and its industrial districts. In addition, a TIRZ may not be created if more than thirty percent (30%) of the property in the proposed new TIRZ (excluding publicly owned property) is used for residential purposes at the time of designation. The proposed TIRZ #5 complies with these state rules:

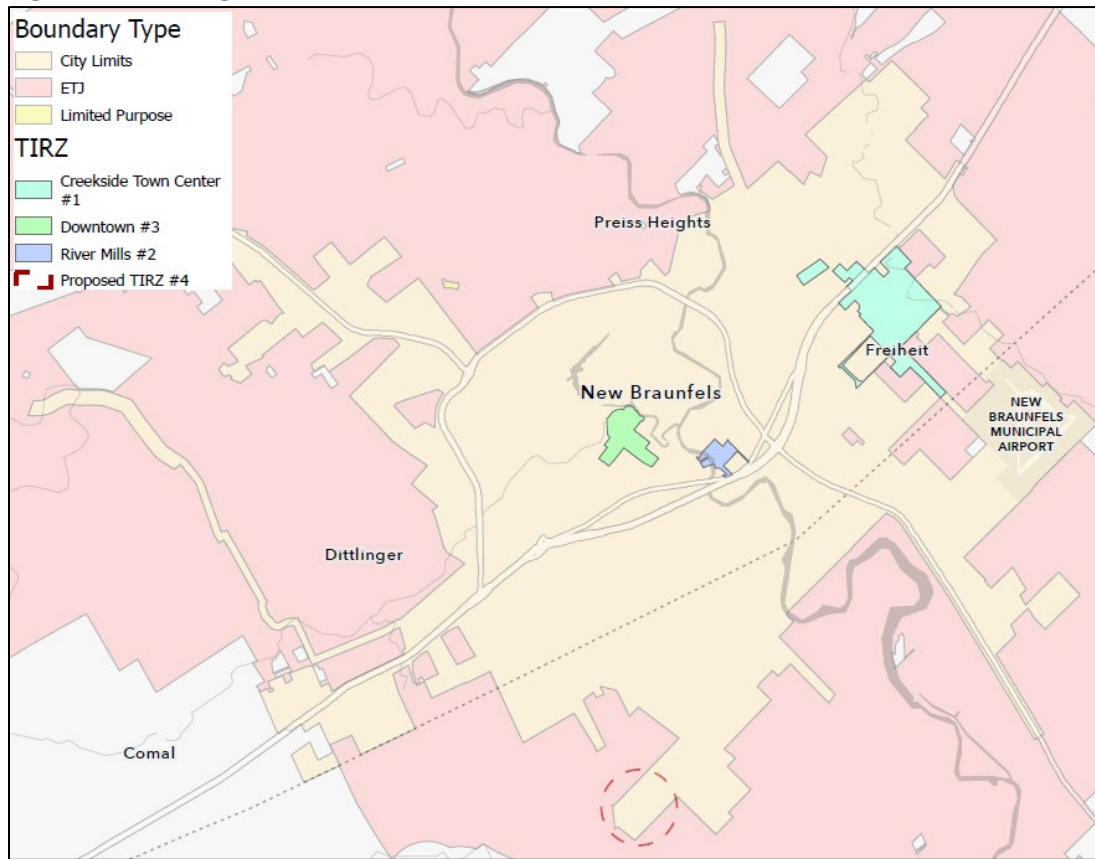
Table 1: Existing New Braunfels TIRZs (2025)

Land Use	Taxable Value
TIRZ 1 – Creekside	\$755,420,464
TIRZ 2 – River Mill	\$30,403,695
TIRZ 3 – Downtown	\$177,912,825
<i>Pending: TIRZ 4 – Zipp Park</i>	<i>\$1,050,000</i>
TOTAL TIRZ	\$964,786,984
City of New Braunfels	\$15,769,960,560
TIRZ 5 – West End	\$91,970,582
TIRZ 5 as % of Total	0.583%
ALL TIRZs Value	\$1,056,757,566
ALL TIRZs % of Total City	6.701%

Source: Comal Appraisal District; Guadalupe Appraisal District; City of New Braunfels

*Note: Data is reflective of Certified Values received July 2025; includes parcels under protest

Figure 1: Existing New Braunfels TIRZs



Description of the Tax Increment Reinvestment Zone #5

The proposed TIRZ #5 will cover approximately 156.45 acres including right of way in the West End of New Braunfels. The 2025 baseline taxable property value of the proposed TIRZ #5 is approximately \$114,600,192.

Table 2: Existing Land Use of Proposed TIRZ #5 (2025)

Land Use	Parcel Count	Acreage
Commercial	91	58.60
Gov. Owned Commercial	2	8.66
ROW	1	51.75
Single Family Residential	87	17.39
Vacant Lots and Tracts	38	15.20
Gov. Owned Vacant Lots and Tracts	2	4.86
TOTAL	221	156.45

Source: City of New Braunfels; Comal Appraisal District

Table 3: Non-Public Land Use of Proposed TIRZ #5 (2025)

Land Use	Parcel Count	Acres	Percent of Area
Commercial	91	58.60	64.26%
Single Family Residential	87	17.39	19.07%
Vacant Lots and Tracts	38	15.20	16.67%
TOTAL			100.00%

Source: City of New Braunfels; Comal Appraisal District

Figure 2: Proposed TIRZ #5 Land Uses



[illegible]

Properties within TIRZ #5

TIRZ #5 parcels and a Metes & Bounds study are provided in the appendix.

Existing Zoning and Land Use Guidelines Applicable to TIRZ #5

Existing City of New Braunfels land use, zoning guidelines, and policies apply to all parcels within the TIRZ #5 boundary.

Taxing Jurisdictions Applicable to TIRZ #5

Properties within TIRZ #5

TIRZ #5 parcels and a Metes & Bounds study are provided in the appendix.

Existing Zoning and Land Use Guidelines Applicable to TIRZ #5

Existing City of New Braunfels land use, zoning guidelines, and policies apply to all parcels within the TIRZ #5 boundary.

Taxing Jurisdictions Applicable to TIRZ #5

The proposed TIRZ #5 is located within the following taxing jurisdictions:

- City of New Braunfels
- Comal County
- Comal County Lateral Road
- New Braunfels Independent School District

Proposed Changes in Master Plans, Zoning Ordinances, and Building Codes

There are no anticipated changes to the master development and zoning ordinances.

Relocation of Displaced Persons

This plan currently does not call for nor anticipate the displacement and relocation of persons for the proposed projects.

Governing Board Composition

The TIRZ #5 Board shall be comprised of seven (7) members appointed by the New Braunfels City Council. Participating taxing jurisdictions (Comal County, Comal County Lateral Road, and New Braunfels ISD) are entitled to appoint a director; however, failure of any taxing unit to appoint a director shall be deemed a waiver of the right to appoint, and the City Council will appoint persons in these places. All members of the Board shall meet eligibility requirements set forth in Chapter 311 of the Act to include:

- (a) Individuals must be at least 18 years of age; and
 - i. **Either:**
 - a. Be a resident of the county in which the Zone is located or in an adjacent county
 - or-
 - b. Own real property in the Zone.

All members will serve two-year terms beginning when assigned and appointed by the City Council. A vacancy on the Board is filled for the unexpired term by appointment of the City Council. Each year the City Council shall annually designate one (1) member of the Board to serve as Chair for a one (1) year term that begins on January 1st of the following year.

The duties of the TIRZ #5 Board will include making recommendations to the City Council concerning the administration, management, and operation of the Zone. The Board shall perform all duties imposed upon it by Chapter 311 of the Texas Tax Code and all other applicable laws.

Section 2 – Project Plan Improvements

TIRZ #5 will provide support for catalytic infrastructure and economic development projects that will facilitate the development of other properties within this area of New Braunfels. The West End area faces barriers to continued redevelopment as much of the pedestrian infrastructure of the zone is inefficient and inconsistent. Additionally, new development in the zone has been stifled due to a lack of convenient and adequate parking, sufficient drainage solutions, a lack of outdoor community space, and property-ownership/title issues.

Public infrastructure investments including new and refurbished utilities, streets, right-of-way, drainage, streetscapes, open spaces, additional parking, and additional enhancements are necessary to successfully redevelop the West End area. In addition, other projects may be added to the list as future development projects and related opportunities present themselves.

Eligible Projects and Costs

The following categories generally describe what might be included in the final project and finance plan:

1. Parks & Streetscape Enhancements - *\$1,000,000 estimated*
This category includes gateway features, place-making strategies, linear parks, landscaping, public plazas, etc.
2. Public Infrastructure Improvements - *\$3,500,000 estimated*
This category includes water, sanitary sewer and storm water improvements, roadway and street intersection enhancements, parking, relocation of aboveground utilities, sidewalks, public buildings, enhancing pedestrian infrastructure, roadway restriping, roadway reconfiguration, and other right-of-way improvements with direct community benefits, etc.
3. Parking Improvements - *\$1,000,000 estimated*
Land assembly, leases, and other projects that subsidize or otherwise provide public parking in strategic areas, etc.
4. Economic Development Grants - *\$2,500,000 estimated*
It is anticipated that economic development loans or grants might be made to assist in creating the tax base that facilitates implementing the project plan. The City, with advisement from the TIRZ #5 Board, shall have the authority to establish and administer economic development programs, including but not limited to grants and loans, authorized under Chapter 380 of the Texas Local Government Code. Should such loans or grants be made, it will be done with the intent to fulfill the public purposes of developing and diversifying the economy, eliminating unemployment or underemployment, and developing or expanding transportation, business, and commercial activity in the TIRZ #5 boundary. Economic Development Grants issued could support environmental remediation, interior/exterior demolition, historical façade restoration improvements, easements and fire safety improvements, land and construction costs, etc.

5. Non-Project Costs – N/A

The private sector will develop and redevelop properties within TIRZ #5. Non-project costs are those project costs that will be funded by others (ex. Private developer) and are necessary for the development of the TIRZ. TIRZ #5 will not fund non-project costs.

6. Administration and Implementation - *\$500,000 estimated*

Administration costs, including reasonable charges for time spent by City of New Braunfels staff, will be eligible for reimbursement as project costs. Administration costs are estimated at \$20,000 per year.

Summary of Anticipated Project Costs

The maximum total estimated costs of TIRZ #5 public infrastructure investment in the zone is estimated at approximately \$8,500,000.

Section 3 – Financing Plan

Tax increment financing is a tool used by local governments to publicly finance needed infrastructure and other improvements within a defined area. These improvements are usually undertaken to promote the viability of existing businesses and to attract new commercial enterprises to the area. The statutes governing tax increment financing are in Chapter 311 of the State of Texas Tax Code.

The costs of improvements in the defined zone are repaid by the contribution of future property tax revenues by each taxing unit that levies taxes against the property. Specifically, each taxing unit can choose to dedicate all, a portion, or none of the tax revenue that is attributable to the increase in property values due to the improvements within the reinvestment zone. The additional tax revenue that is received from the affected properties is referred to as the tax increment. Each taxing unit determines what percent of its tax increment, if any, it will commit to the repayment of the cost of financing the public improvements.

Compliance and Reporting

The TIRZ #5 Board policies shall comply with all federal, state, and local laws, rules and regulations. The TIRZ #5 Board will submit project status reports and financial reports as required by state law.

Public Sector Entities Participating in TIRZ #5

All project costs will be paid through the contribution of incremental property tax collections. This preliminary plan assumes that the City of New Braunfels will contribute a portion of their total tax rate maintenance and operations (“M&O”) and interest and sinking (“I&S”) ad valorem tax rate for twenty-five (25) years.

Table 4: Taxing Jurisdictions within Proposed TIRZ #5

Entity	Property Tax Rate per \$100 (2025)	Participating Entity
City of New Braunfels	\$0.408936	Yes
Comal County	\$0.305015	No
Comal County Lateral Roads	\$0.049515	No
New Braunfels ISD	\$1.0377	N/A

Source: City of New Braunfels; Comal Tax Office

Financial Forecast Assumptions

- TIRZ #5 Duration: The TIRZ will have a 25-year lifespan.
- TIRZ Allocation: The City of New Braunfels will contribute 85.0 percent (85%) of its total incremental tax collections.

- Tax Rate: While tax rates do change over time, the 2025 tax rates were held constant for the duration of the TIRZ
- Existing Properties: The 2025 baseline assessed value of TIRZ #5 is \$91,970,582
- Real Property: Only taxable real property values are included in the tax increment calculations; known fully tax-exempted properties are not included. By law, business personal property values are excluded from the TIRZ.
- Inflation and Appreciation Rate: The inflation rate used for construction costs and the value of improvements is 3.0 percent (3%) per year.
- Future Development Patterns: The assumptions do not include adjustments for future development. It is anticipated that TIRZ #5 improvements will induce an organic growth in property values through development. These developments are currently undefined, unidentified, and their value is not known. It is noted that the values shown in this plan are a conservative estimate and it is somewhat likely that revenues will exceed those presented in this forecast.

Financial Forecast Summary Results

The following tables depict the anticipated revenue generated over 25 years. The revenue forecast assumes TIRZ #5 is established in 2025 (baseline year). The first TIRZ increment will occur in 2026 (2026 value less 2025 baseline value). Note: 2026 taxes are not due until January 2027.

Table 5: Proposed TIRZ #5 Financial Forecast

Year	Period	Valuation	City's TIRZ Contribution
2025	0	\$ 91,970,582	\$ -
2026	1	\$ 94,269,847	\$ 7,992
2027	2	\$ 98,626,593	\$ 30,008
2028	3	\$ 101,092,258	\$ 31,707
2029	4	\$ 103,619,564	\$ 40,491
2030	5	\$ 108,210,053	\$ 63,400
2031	6	\$ 110,915,304	\$ 65,581
2032	7	\$ 113,688,187	\$ 75,489
2033	8	\$ 118,530,392	\$ 99,273
2034	9	\$ 121,493,651	\$ 102,621
2035	10	\$ 124,530,993	\$ 113,179
2036	11	\$ 129,644,268	\$ 137,904
2037	12	\$ 132,885,374	\$ 142,218
2038	13	\$ 136,207,509	\$ 153,766
2039	14	\$ 141,612,696	\$ 179,506
2040	15	\$ 145,153,014	\$ 184,860
2041	16	\$ 148,781,839	\$ 197,473
2042	17	\$ 154,501,385	\$ 224,306

Year	Period	Valuation	Total TIRZ Contribution
2043	18	\$ 158,363,920	\$ 230,780
2044	19	\$ 162,323,018	\$ 244,542
2045	20	\$ 168,381,093	\$ 272,551
2046	21	\$ 172,590,620	\$ 280,232
2047	22	\$ 176,905,386	\$ 295,230
2048	23	\$ 183,328,021	\$ 324,506
2049	24	\$ 187,911,221	\$ 333,485
2050	25	\$ 192,609,002	\$ 349,815
			\$ 4,181,265

Source: City of New Braunfels

Summary

Based on the preliminary development plans for this area and anticipated tax revenue, a TIRZ is economically and financially feasible. With current forecasting assumptions, the TIRZ could generate moderate revenue to pay for infrastructure and redevelopment costs in this area. Over the next twenty-five (25) years, the TIRZ could generate \$4,181,265 in TIRZ revenue. This fund estimate would likely increase as redevelopment occurs in the area.

These projections are based on the best available datasets and information related to market conditions in the region. The substantial commitment of a few large developers could have a significantly positive impact on both the level and timing of future growth. Moreover, the financial projections make no allowance for positive spillover to the value of other properties in the area due to new development (beyond inflation), which could occur. At the same time, a slowdown in development as a result of a weaker national economy, negative changes in key drivers of the regional economy, or other unforeseen issues could materially reduce the volume of construction put in place, and resulting tax revenue, over the next twenty-five (25) years.

Appendix: Properties within TIRZ #5

Table 6: Parcels within Proposed TIRZ #5 (Listed by Comal Co. Property IDs)

1101	1553	5508	31220	36561	68610
1102	1966	5509	31221	36562	68611
1103	1968	5510	31222	36563	68612
1104	1969	5511	31223	36564	68615
1105	1973	5512	31224	36565	70848
1106	1974	5513	31225	36566	70860
1113	1975	5514	31226	36567	70861
1114	1983	5515	31228	36568	70874
1115	1988	5516	31229	36569	70875
1116	3333	5517	31230	36570	70876
1117	3334	5518	31231	36571	70889
1126	3335	5519	31232	36572	70890
1128	3336	5520	31233	68278	70894
1129	5477	5521	31234	68279	386998
1130	5478	5522	31235	68280	399418
1150	5479	31064	31236	68281	399419
1151	5481	31065	31476	68282	445986
1152	5482	31066	31477	68283	462390
1153	5483	31067	31478	68588	470032
1498	5484	31068	31479	68589	
1499	5485	31070	31480	68590	
1500	5486	31071	31482	68591	
1501	5487	31072	31483	68592	
1502	5488	31073	31484	68593	
1509	5489	31074	31485	68594	
1510	5490	31075	31486	68595	
1512	5491	31076	31487	68596	
1524	5492	31077	31488	68597	
1525	5493	31080	31489	68598	
1526	5494	31081	31490	68599	
1527	5495	31082	31491	68600	
1528	5496	31083	31492	68601	
1529	5497	31085	31493	68602	
1539	5498	31087	31494	68603	
1540	5499	31088	31495	68604	
1541	5500	31090	31496	68605	
1542	5503	31091	31497	68606	
1543	5505	31092	31498	68607	
1544	5506	31206	36559	68608	
1551	5507	31219	36560	68609	

Source: Comal Appraisal District; City of New Braunfels

Appendix: Metes and Bounds Description

COMMENCING at a point and proceeding along the boundary of the proposed Tax Increment Reinvestment Zone, located in Comal County, Texas, the limits of said zone being more particularly described by metes and bounds as follows:

THENCE from the point of intersection of the southerly right-of-way line of Walnut Avenue and the westerly service road right-of-way line of Interstate Highway 35, and following the right-of-way line of Interstate Highway 35 the following courses and distances:

S 75° 22' 50" W, a distance of 416.69 feet;
S 77° 29' 18" W, a distance of 281.39 feet;
S 78° 40' 58" W, a distance of 761.14 feet;
S 77° 57' 52" W, a distance of 778.10 feet;
S 78° 27' 43" W, a distance of 1538.59 feet;
S 75° 09' 36" W, a distance of 645.26 feet;
S 72° 56' 17" W, a distance of 719.95 feet;
S 70° 07' 59" W, a distance of 157.76 feet;
S 67° 10' 22" W, a distance of 185.94 feet;
S 61° 39' 39" W, a distance of 101.12 feet;
S 57° 03' 57" W, a distance of 82.09 feet;

THENCE continuing along the outer right-of-way line of South Lone Star Avenue the following courses and distances:

S 60° 48' 25" W, a distance of 25.40 feet;
N 35° 55' 14" W, a distance of 87.69 feet;
N 36° 45' 21" W, a distance of 229.68 feet;
N 36° 32' 37" W, a distance of 302.58 feet;
N 35° 50' 16" W, a distance of 370.50 feet;
N 32° 44' 21" W, a distance of 70.04 feet;

THENCE continuing along the outer right-of-way line of West San Antonio Street the following courses and distances:

N 55° 14' 18" E, a distance of 34.23 feet;
N 55° 14' 16" E, a distance of 568.78 feet;
N 55° 07' 21" E, a distance of 63.48 feet;
N 54° 10' 01" E, a distance of 615.67 feet;
N 53° 04' 13" E, a distance of 167.84 feet;
N 53° 10' 08" E, a distance of 52.34 feet;
N 53° 39' 43" E, a distance of 301.24 feet;
N 54° 59' 37" E, a distance of 81.60 feet;
N 53° 17' 36" E, a distance of 195.78 feet;
N 54° 00' 20" E, a distance of 104.10 feet;
N 54° 05' 43" E, a distance of 203.47 feet;
N 51° 04' 07" E, a distance of 63.39 feet;
N 54° 05' 43" E, a distance of 206.15 feet;
N 54° 01' 35" E, a distance of 52.61 feet;

N 54° 07' 48" E, a distance of 105.23 feet;
N 54° 05' 44" E, a distance of 52.32 feet;
N 53° 53' 17" E, a distance of 104.68 feet;

THENCE continuing along the outer right-of-way line of North Live Oak Avenue, a direction and distance of N 53° 37' 30" W, 176.48 feet;

THENCE departing said right-of-way and following a course along the approximate midpoint of a block, following parcel boundaries:

N 42° 40' 13" E, a distance of 33.53 feet;
N 37° 48' 02" E, a distance of 29.32 feet;
N 41° 03' 49" E, a distance of 297.75 feet;

THENCE continuing across North Hackberry Avenue, following a course along the approximate midpoint of a block, following parcel boundaries:

N 40° 20' 10" E, a distance of 60.00 feet;
N 41° 20' 06" E, a distance of 59.28 feet;
N 41° 20' 03" E, a distance of 110.00 feet;
N 41° 19' 49" E, a distance of 10.00 feet;
N 41° 20' 04" E, a distance of 51.00 feet;
N 41° 19' 59" E, a distance of 8.98 feet;
N 41° 20' 03" E, a distance of 119.27 feet;
N 43° 53' 15" E, a distance of 30.95 feet;

THENCE departing said course to the approximate centerline of North Mesquite Avenue, a direction and distance of S 49° 40' 32" E, 77.11 feet;

THENCE continuing through parcels along the following courses and distances:

N 35° 56' 42" E, a distance of 28.36 feet;
N 41° 20' 06" E, a distance of 83.81 feet;
N 41° 19' 58" E, a distance of 5.11 feet;
N 48° 39' 55" W, a distance of 78.04 feet;
N 48° 34' 35" W, a distance of 0.01 feet;
N 41° 20' 11" E, a distance of 30.00 feet;
N 41° 20' 18" E, a distance of 60.00 feet;
N 41° 20' 07" E, a distance of 120.00 feet;
N 41° 20' 11" E, a distance of 61.50 feet;

THENCE crossing North Chestnut Avenue to continue through the approximate midblock, following parcel boundaries:

N 38° 29' 22" E, a distance of 60.57 feet;
N 41° 20' 04" E, a distance of 60.00 feet;
N 41° 20' 02" E, a distance of 180.00 feet;
N 41° 20' 07" E, a distance of 60.00 feet;
N 41° 20' 03" E, a distance of 59.95 feet;

THENCE crossing North Hickory Avenue to continue through the approximate midblock, following parcel boundaries:

N 36° 04' 31" E, a distance of 60.22 feet;
N 41° 19' 56" E, a distance of 295.42 feet;
N 41° 19' 50" E, a distance of 1.64 feet;
N 41° 19' 56" E, a distance of 58.36 feet;
N 41° 20' 00" E, a distance of 1.18 feet;

THENCE to the approximate southbound centerline of North Walnut Avenue, following said centerline the following courses and distances:

N 31° 45' 07" E, a distance of 29.25 feet;
S 48° 37' 11" E, a distance of 66.38 feet;
S 48° 59' 48" E, a distance of 318.54 feet;

THENCE departing said centerline of South Walnut Avenue to follow parcel boundaries the following courses and distances:

S 44° 43' 50" W, a distance of 26.00 feet;
S 41° 20' 01" W, a distance of 164.12 feet;
S 47° 44' 11" E, a distance of 0.63 feet;
S 47° 45' 02" E, a distance of 67.82 feet;
S 41° 20' 06" W, a distance of 195.10 feet;

THENCE crossing South Hickory Avenue to continue through the approximate midblock, following parcel boundaries:

S 37° 14' 34" W, a distance of 60.12 feet;
S 41° 19' 56" W, a distance of 123.12 feet;
S 41° 19' 52" W, a distance of 119.99 feet;
S 41° 19' 56" W, a distance of 117.52 feet;

THENCE crossing South Chestnut Avenue to continue through the approximate midblock, following parcel boundaries:

S 40° 01' 51" W, a distance of 60.00 feet;
S 40° 43' 02" W, a distance of 58.31 feet;
S 40° 43' 16" W, a distance of 2.69 feet;
S 40° 43' 02" W, a distance of 298.77 feet;

THENCE crossing South Mesquite Avenue to continue through the approximate midblock, following parcel boundaries:

S 39° 18' 14" W, a distance of 60.00 feet;
S 41° 20' 01" W, a distance of 359.17 feet;

THENCE continuing across South Hackberry Avenue, following a course along the approximate midpoint of a block, following parcel boundaries:

S 39° 24' 13" W, a distance of 60.00 feet;
S 41° 05' 15" W, a distance of 179.80 feet;
S 41° 05' 12" W, a distance of 26.85 feet;

S 41° 05' 15" W, a distance of 54.87 feet;

THENCE following the inner right-of-way line along South Live Oak Avenue, a direction and distance of N 53° 28' 25" W, 65.96 feet;

THENCE crossing South Live Oak Avenue to follow a course of parcel boundaries:

S 46° 25' 58" W, a distance of 60.90 feet;

S 53° 50' 46" W, a distance of 5.27 feet;

S 53° 50' 34" W, a distance of 83.23 feet;

S 36° 09' 19" E, a distance of 61.84 feet;

S 53° 35' 39" W, a distance of 297.3 feet;

THENCE following the inner right-of-way line along South Plum Avenue, a direction and distance of S 36° 21' 54" E, 58.05 feet;

THENCE departing said right-of-way and crossing South Plum Avenue to follow a course of parcel boundaries:

S 57° 35' 23" W, a distance of 26.35 feet;

S 54° 51' 48" W, a distance of 33.72 feet;

S 53° 50' 33" W, a distance of 100.00 feet;

S 36° 09' 26" E, a distance of 15.27 feet;

S 36° 11' 44" E, a distance of 0.33 feet;

S 53° 50' 33" W, a distance of 100.00 feet;

S 36° 09' 27" E, a distance of 109.67 feet;

S 36° 09' 31" E, a distance of 6.08 feet;

THENCE coming to the inner right-of-way line for Cross Street and following said right-of-way a direction and distance of S 53° 36' 55" W, 148.70 feet;

THENCE crossing Magnolia Avenue to follow a course of parcel boundaries:

S 56° 24' 52" W, a distance of 60.06 feet;

S 54° 19' 00" W, a distance of 300.00 feet;

THENCE crossing South Peach Avenue to the outer right-of-way line of said street a direction and distance of S 51° 02' 00" W, 60.91 feet;

THENCE following the outer right-of-way line of South Peach Avenue the following courses and distances:

S 36° 20' 42" E, a distance of 89.91 feet;

S 36° 25' 30" E, a distance of 55.00 feet;

S 36° 22' 31" E, a distance of 50.00 feet;

S 36° 21' 53" E, a distance of 50.04 feet;

S 36° 19' 02" E, a distance of 612.83 feet;

THENCE departing said right-of-way and crossing South Peach Avenue, following the inner right-of-way line of Stonewall Street the following courses and distances:

N 54° 44' 43" E, a distance of 60.01 feet;
N 53° 49' 19" E, a distance of 200.00 feet;

THENCE departing said inner right-of-way line to the approximate centerline of Stonewall Street, a direction and distance of N 66° 56' 46" E, 137.11 feet;

THENCE following the approximate centerline of Stonewall Street, a direction and distance of N 53° 21' 44" E, 407.20 feet;

THENCE to the point of intersection of the approximate centerline of Stonewall Street and the approximate centerline of South Plum Avenue, departing said centerline of Stonewall Street and following the approximate centerline of South Plum Avenue; a direction and distance of S 37° 43' 18" E, 179.17 feet;

THENCE departing said centerline of South Plum Avenue and following a course of parcel boundaries at approximate midblock the following courses and distances:

N 57° 47' 37" E, a distance of 28.33 feet;
N 54° 40' 03" E, a distance of 5.84 feet;
N 54° 40' 01" E, a distance of 238.12 feet;
N 54° 40' 04" E, a distance of 42.19 feet;
N 54° 39' 56" E, a distance of 9.74 feet;
N 54° 40' 04" E, a distance of 50.14 feet;

THENCE departing said parcel boundaries and following the inner right-of-way line along Orange Avenue, a direction and distance of S 35° 54' 36" E, 170.00 feet;

THENCE departing said inner right-of-way line to cross Orange Avenue and follow the inner right-of-way line along South Business 35 the following courses and distances:

N 65° 50' 22" E, a distance of 61.28 feet;
N 65° 27' 03" E, a distance of 150.12 feet;
N 63° 50' 54" E, a distance of 73.97 feet;

THENCE departing the South Business 35 right-of-way line, through parcel boundaries:

N 29° 21' 40" W, a distance of 205.35 feet;
N 54° 42' 30" E, a distance of 151.85 feet;
N 54° 42' 39" E, a distance of 4.28 feet;
S 53° 53' 26" E, a distance of 157.34 feet;

THENCE departing said parcel boundary to cross South Live Oak Avenue and follow the approximate centerline of Jackson Street with the following courses and distances:

N 41° 00' 25" E, a distance of 33.07 feet;
N 39° 00' 05" E, a distance of 202.99 feet;

THENCE to the point of intersection of the approximate centerline of South Hackberry Avenue and the approximate centerline of Jackson Street, departing said centerline of Jackson Street to

follow the approximate centerline of South Hackberry Avenue a direction and distance of S 48° 46' 07" E, 175.51 feet;

THENCE departing said centerline of South Hackberry Avenue to follow the inner right-of-way line of South Business 35 a distance of:

N 57° 21' 47" E, a distance of 29.26 feet;
N 57° 08' 04" E, a distance of 188.29 feet;
N 56° 00' 41" E, a distance of 56.86 feet;
N 55° 49' 47" E, a distance of 127.45 feet;

THENCE departing the South Business 35 right-of-way line and crossing South Mesquite Avenue to follow the West Coll Street inner right-of-way line:

N 36° 39' 03" E, a distance of 60.17 feet;
N 29° 10' 47" E, a distance of 372.13 feet;

THENCE continuing along the West Coll Street right-of-way line and crossing South Chestnut Avenue a direction and distance of N 29° 10' 47" E, 216.64 feet;

THENCE departing the West Coll Street right-of-way line to cross West Coll Street and follow parcel boundaries the following courses and distances:

S 51° 59' 05" E, a distance of 60.72 feet;
S 48° 39' 58" E, a distance of 22.80 feet;
S 48° 39' 59" E, a distance of 91.27 feet;
N 41° 14' 15" E, a distance of 58.76 feet;
N 41° 14' 14" E, a distance of 70.79 feet;
N 41° 14' 17" E, a distance of 19.24 feet;
N 41° 14' 02" E, a distance of 1.22 feet;
N 41° 14' 13" E, a distance of 48.78 feet;
N 41° 14' 34" E, a distance of 1.56 feet;

THENCE continuing across South Hickory Avenue, still following parcel boundaries:

N 58° 24' 16" E, a distance of 62.73 feet;
N 41° 56' 59" E, a distance of 181.60 feet;
N 48° 39' 59" W, a distance of 26.87 feet;
N 48° 39' 57" W, a distance of 28.68 feet;
N 48° 39' 54" W, a distance of 24.23 feet;
N 41° 28' 42" E, a distance of 107.00 feet;
N 41° 28' 43" E, a distance of 72.19 feet;

THENCE departing said course of parcels to the approximate southbound South Walnut Avenue centerline and following said centerline the following courses and distances:

N 42° 21' 28" E, a distance of 31.30 feet;
S 48° 42' 03" E, a distance of 206.11 feet;
S 53° 22' 15" E, a distance of 128.51 feet;
S 64° 05' 54" E, a distance of 92.69 feet;

THENCE continuing across the intersection of South Business 35 and South Walnut Avenue, following the approximate centerline of South Walnut Avenue the following courses and distances:

S 26° 29' 05" E, a distance of 756.02 feet;

S 23° 35' 54" E, a distance of 224.54 feet;

S 18° 44' 01" E, a distance of 30.36 feet;

S 13° 26' 05" E, a distance of 109.75 feet;

S 09° 52' 39" E, a distance of 158.85 feet;

THENCE to the **POINT OF BEGINNING**, containing approximately a total of 156.45 acres, more or less.

10/27/2025

Agenda Item No. A)

PRESENTER:

Jeff Jewell, Economic and Community Development Director

SUBJECT:

Public hearing, discussion, and possible action approving the first reading of an ordinance designating a geographic area within the City of New Braunfels as a reinvestment zone for tax increment financing purposes pursuant to Chapter 311 of the Texas Tax Code to be known as Tax Increment Reinvestment Zone Number Four - Zipp Park ("TIRZ 4: Zipp Park"), City of New Braunfels, describing the property parcels included in the zone, containing findings and provisions related to the creation of the zone, providing a termination date, providing the zone take effect immediately upon passage of the ordinance, providing a severability clause, providing for publication, and declaring an effective date.

DEPARTMENT: Economic and Community Development**COUNCIL DISTRICTS IMPACTED:** 2**BACKGROUND INFORMATION:**

The proposed ordinance would create a Tax Increment Reinvestment Zone (TIRZ) Number 4 around the Zipp Sports Park area for a 25-year period. The TIRZ would allow the City to use the incremental increase in property taxes above the base (2025) year collections for designated improvements within the zone area. A TIRZ works to capture a portion of the new tax revenue occurring within the defined zone and making this "Tax Increment Fund" available to assist in financing identified projects. The project categories are identified in the Preliminary Project and Financing Plan (Exhibit C on attached Ordinance). The proposed TIRZ #4 will cover approximately 195.9 acres including right of way. The 2025 baseline taxable property value of the TIRZ #4 footprint is approximately \$1,050,000 and a map is included in the Preliminary Project and Financing Plan (and on Exhibit B on the attached Ordinance). The Plan fulfills the legal requirements of designating a TIRZ as identified in Chapter 311 of the Texas Tax Code. Notice of the public hearing was published on October 18-19, 2025 in the Herald-Zeitung - at least seven days prior to today's public hearing.

The Preliminary Project and Financing Plan calls for 85% of the City's property tax to be directed into the Tax Increment Fund for a period of 25-years. No other taxing entities are contributing a portion of their tax increment into the fund and no sales tax is proposed to be directed into the fund. The TIRZ #4 revenue would be used to fund projects like: parks & streetscape enhancements, public infrastructure improvements, and economic development incentives and grants.

The TIRZ #4 boundaries, increment percentages, and Plan details can be amended with action by the (soon to be created) TIRZ #4 Board and City Council. The City Council, after adopting the Preliminary Project and Financing Plan (detailed in the attached Ordinance as Exhibit C), will consider the adoption of a Final Project and Financing Plan and appoint seven (7) members to the mandated TIRZ #4 Board.

Action tonight will establish the TIRZ #4 boundaries, establish the initial incremental percentage to the fund, and forecast the anticipated revenues and project expenditures. No commitment or obligations to expend funding or address projects/initiatives are being considered with tonight's first reading.

ISSUE:

Public hearing and first reading of an ordinance establishing TIRZ #4 - Zipp Park

STRATEGIC PLAN REFERENCE:

☒ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity
☐ Organizational Excellence ☐ Community Well-Being ☐ N/A

FISCAL IMPACT:

Over a 25-year term, TIRZ #4 is anticipated to generate approximately \$5,106,016 in increment for the fund; providing funding to projects as specified in the Preliminary Project and Financing Plan.

RECOMMENDATION:

Staff recommends approval of the first reading of the ordinance to establish TIRZ #4.

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY OF NEW BRAUNFELS AS A REINVESTMENT ZONE FOR TAX INCREMENT FINANCING PURPOSES PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE TO BE KNOWN AS TAX INCREMENT REINVESTMENT ZONE NUMBER FOUR – ZIPP PARK (TIRZ 4: ZIPP PARK), CITY OF NEW BRAUNFELS; DESCRIBING THE PROPERTY PARCELS INCLUDED IN THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE, ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels, Texas (the “City”), pursuant to the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code (the “Act”), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a geographic area that is in the corporate limits or extra-territorial jurisdiction of the municipality to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, the City Council desires to promote the development of a certain geographic area in the City, which is more specifically described as being a +/- 195.9 acre tracts of land and right-of-way, more or less, and including the properties assigned a Parcel ID by the Guadalupe County Appraisal District as presented in “Exhibit A” and as depicted on the map attached hereto as “Exhibit B” and incorporated herein, through the creation of a new reinvestment zone as authorized by and in accordance with the Act (the “Zone”); and

WHEREAS, pursuant to and required by the Act, the City has prepared a Preliminary Project & Financing Plan for Tax Increment Reinvestment Zone Number Four – Zipp Park, New Braunfels, Texas, attached as “Exhibit C” (hereinafter referred to as the “Preliminary Project & Financing Plan”); and

WHEREAS, notice of the public hearing on the creation of the Zone was published on October 18-19, 2025 (Weekend Edition) in the New Braunfels Herald-Zeitung, a newspaper of general circulation in the City of New Braunfels, the publication date occurred before the seventh (7th) day before the public hearing held on October 27, 2025 (first reading); and

WHEREAS, at the public hearing on October 27, 2025, interested persons were allowed to speak for or against the creation of the Zone, its boundaries, and the concept of tax increment financing, and owners of the property in the Zone were given a reasonable opportunity to protest

the inclusion of the property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and

WHEREAS, after all comments and evidence were received by the City Council, the public hearing was closed on October 27, 2025; and

WHEREAS, the City has taken all actions required to create the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act, and all other laws applicable to the creation of the Zone; and

WHEREAS, the percentage of property in the Zone, excluding property that is publicly owned, currently used for residential purposes is less than thirty (30) percent.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

Section 1: RECITALS INCORPORATED

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

Section 2: FINDINGS

The City Council, after conducting the above-described hearings and have heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

- (a) That the public hearings on creation of the Zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law.
- (b) That the proposed improvements in the Zone will significantly enhance the value of all the taxable real property in the Zone and will be of general benefit to the City.
- (c) That the Zone meets the criteria and requirements of the Act because due to the size, location, drainage issues, and physical characteristics, new development and redevelopment in the area will not likely occur due to:
 - a. Defective or inadequate sidewalk layout;
 - b. The deterioration of site or other improvements;
- (d) That the Zone contains predominantly open or undeveloped land
- (e) That the Zone is a geographic area located wholly within the corporate limits of the City of New Braunfels;
- (f) That less than thirty percent (30%) of the property in the Zone, excluding property that is publicly owned, is used for residential purposes; and
- (g) That the total appraised value of taxable real property in the Zone, and in existing reinvestment zones of the City, does not exceed fifty percent (50%) of the total appraised value of taxable real property in the City and in industrial districts created by the City.

Section 3: DESIGNATION AND NAME OF THE ZONE

That the City, acting under the provisions of the Act, does hereby designate as a reinvestment zone, and create and designate a reinvestment zone over the area more specifically described as being +/- 195.9 acre tracts of land and right-of-way, more or less, and including the properties as assigned a Parcel ID by the Guadalupe County Appraisal District as presented in "Exhibit A" and as depicted on the map attached hereto as "Exhibit B" and incorporated herein to promote the development of the area. The reinvestment zone shall hereafter be named for identification as Tax Increment Reinvestment Zone Number Four – Zipp Park, City of New Braunfels, Texas (the "Zone").

Section 4: BOARD OF DIRECTORS

That there is hereby created a Board of Directors for the Zone, which shall consist of seven (7) members, including any members appointed by the participating taxing jurisdictions. Members One through Four shall be reserved for City of New Braunfels appointees and members Five, Six, and Seven shall be reserved for participating taxing jurisdictions within the Zone, each of whom may appoint one Director.

Outside of the City of New Braunfels, the taxing jurisdictions within the Zone include: Guadalupe County, Guadalupe County Lateral Road, and Marion Independent School District. Participating taxing jurisdictions entitled to appoint a director shall be assigned a Board position number in the order the appointment is received by the City. Failure of any taxing unit to appoint a director as provided herein, shall be deemed a waiver of the right to appoint a director, and the City Council as a whole, shall be entitled to appoint persons to the position.

The initial directors to the Board of Directors of the Zone shall be appointed by ordinance of the City. An increase in the number of Board of Directors shall be accomplished by resolution or Ordinance of the City but shall not exceed a total of fifteen (15) members. All members of the Board of Directors shall meet eligibility requirements set forth in Chapter 311 of the Act to include:

- (a) Individuals must be at least 18 years of age; and
 - a. **Either:**
 - i. be a resident of the county in which the Zone is located or in an adjacent county – or –
 - ii. Own real property in the Zone

All members will serve two-year terms beginning when assigned and appointed by the City Council. A vacancy on the Board of Directors is filled for the unexpired term by appointment of the City Council. Each year the City Council shall annually designate one (1) member of the Board of Directors to serve as Chair for a one (1) year term that begins on January 1st of the following year. The Board of Directors shall elect from its members a Vice Chair to preside in the absence of the Chair or when there is a vacancy in the role. The Board of Directors may elect other officers as it considers appropriate.

Board of Directors Roles/Responsibilities

The Board of Directors shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. The Board of Directors shall prepare or cause to be prepared and adopt a Project and Financing Plan for the Zone and shall submit such plans to the City Council for its approval. The City hereby authorizes the Board of Directors to exercise all of the City's powers necessary to administer, manage, or operate the Zone and prepare the Project and Financing Plan, including the power to employ consultants, legal counsel, financial advisors, or enter into any reimbursement agreements with consultants, legal counsel, and financial advisors payable solely from the Tax Increment Fund established by this Ordinance, subject to the approval of the City Manager or his designee, that may be reasonably necessary or convenient to assist the Board of Directors in the administration, management, or operation of the Zone and the preparation of the Project and Financing Plan. Notwithstanding the foregoing, the Board of Directors shall not be authorized to issue bonds, impose taxes or fees, exercise the power of eminent domain, or give final approval to the Project and Financing Plan. The Board of Directors of the Zone may not exercise any power granted to the City by Section 311.008 of the Act without additional authorization from the City.

Section 5. DURATION OF THE ZONE

That the Zone shall take effect immediately upon the passage and approval of this Ordinance, and termination of the operation of the Zone shall occur on December 31, 2045 (duration of 20 years), or at an earlier time designated by subsequent ordinance, or at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, and the interest on the bonds, have been paid in full.

Section 6. TAX INCREMENT BASE

That the Tax Increment Base of the City or any other taxing unit participating in the Zone is the total appraised value of all real property taxable by the City or other taxing unit participating in the Zone and located in the Zone, determined as of January 1, 2025, the year in which the Zone is designated as a reinvestment zone (the "Tax Increment Base").

Section 7. TAX INCREMENT FUND

That there is hereby created and established a Tax Increment Fund for the Zone which may be divided into subaccounts as authorized by subsequent ordinances. All TAX Increments, as defined below, shall be deposited in the Tax Increment Fund. The Tax Increment Fund and any subaccount shall be maintained at the depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. The annual Tax Increment shall equal the percentage of the tax increment, as defined by Section 311.012(a) shall equal eighty-five percent (85%) of the City's portion of property tax increment as defined by Section 311.012(a) of the Act, less any amounts that are to be collected from the Tax Increment pursuant to the Act. All revenues from the sale of any tax increment bonds, notes, or other obligations hereinafter issued by the City for the benefit of the Zone, if any; revenues from the sale of property acquire as part of the Project and Financing Plan, if any; and other revenues to be used in the Zone shall be deposited into the Tax Increment Fund. Prior to termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Act, for the Zone, to satisfy the claims

of holders of tax increment bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the Project and Financing Plan and achieve their purposes pursuant to Section 311.010(b) of the Act.

Section 8. SEVERABILITY

That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the City as a whole or any part thereof, other than the part so declared invalid.

Section 9. OPEN MEETINGS

It is hereby found, determined, and declared that a sufficient written notice of the date, hour, place, and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at City Hall for the time required by law preceding the meetings, as required by the Open Meetings Act, Texas Government Code, Chapter 551, and that these meetings have been open to the public as required by law at all times during which this Ordinance and the subject matter hereof have been discussed, considered, and formally acted upon. The City Council further ratifies, approves, and confirms such a written notice and the content and posting thereof.

Section 10. EFFECT

This Ordinance shall take effect immediately upon the second and final reading of the same in accordance with and as provided by Section 311.004(a)(3) of the Act and the City's Charter.

PASSED AND APPROVED: First Reading on October 27, 2025

PASSED AND APPROVED: Second and Final Reading on November 10, 2025

NEAL LINNARTZ, *MAYOR*

ATTEST:

GAYLE WILKINSON, *CITY SECRETARY*

APPROVED AS TO FORM:

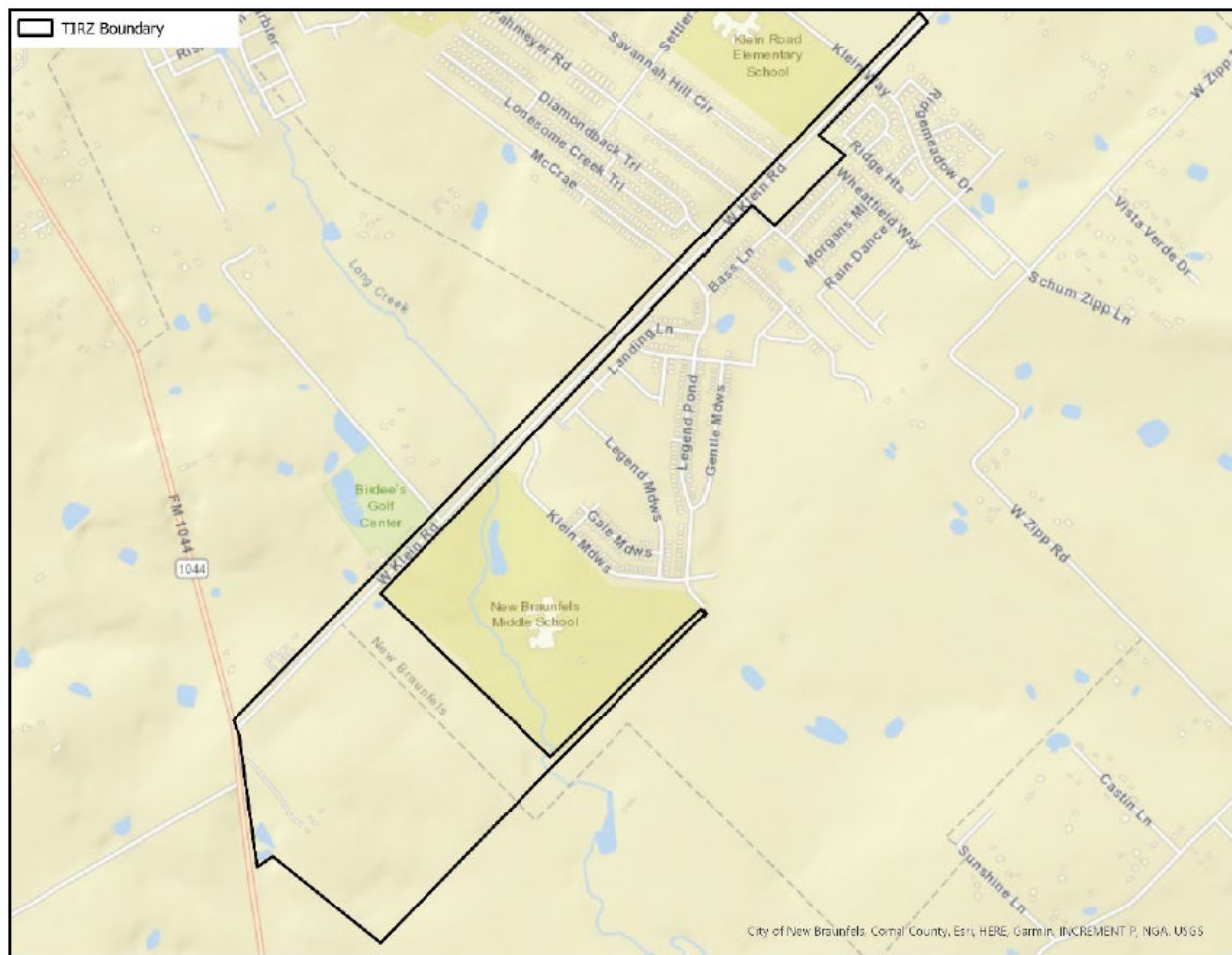
VALERIA ACEVEDO, *CITY ATTORNEY*

Exhibit A
Included Property Parcels

Parcel ID/Property ID	Owner	Land Use Code
187540	CITY OF NEW BRAUNFELS	City
187541	CITY OF NEW BRAUNFELS	City
187542	CITY OF NEW BRAUNFELS	City
199295	DRAGO DEVELOPMENT LLC	Commercial/Multi-Family

Source: Guadalupe Appraisal District

Exhibit B
Geographic Boundary of Zone



Source: Guadalupe Appraisal District; TXP, Inc.

Exhibit C:
Preliminary Project & Financing Plan
(Following Pages)

New Braunfels Tax Increment Reinvestment Zone #4
Preliminary Project & Financing Plan

City of New Braunfels, Texas
September 15, 2025



Prepared by



TXP, Inc.

1310 South 1st Street, Suite 105

Austin, Texas 78704

(512) 328-8300 phone

www.txp.com

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Section 1 – Project Plan

Overview

The City of New Braunfels, Texas is considering implementing a tax increment reinvestment zone (TIRZ) to fund a portion of the infrastructure and development costs associated property near the Zipp Family Sports Park. In addition, the City would like to encourage new commercial activity in south New Braunfels. The proposed new zone would be named TIRZ #4 – Zipp Park TIRZ (TIRZ #4).

This document is designed to meet the legal requirements of designating a TIRZ. The statutes governing tax increment financing are in Chapter 311 of the State of Texas Tax Code. This preliminary feasibility study and project plan is required by state law.

Existing Tax Increment Financing Districts in the City of New Braunfels

There are three existing TIRZ in New Braunfels. According to state law, cities with more than 100,000 residents may not create a new TIRZ if the total appraised value of taxable real property in the proposed reinvestment zone and in the existing reinvestment zones would exceed 25.0 percent of the total appraised value of taxable real property within the city and its industrial districts. In addition, a TIRZ may not be created if more than 30.0 percent of the property in the proposed new TIRZ (excluding publicly-owned property) is used for residential purposes at the time of designation. The proposed TIRZ #4 complies with these state rules.

Table 1: Existing New Braunfels TIRZ (2025)

Land Use	Taxable Value
TIRZ #1 - Creekside	\$755,420,464
TIRZ #2 - River Mill	\$30,403,695
TIRZ #3 - Downtown	\$177,912,825
Total TIRZ	\$963,736,984
City of New Braunfels	\$15,769,960,560
TIRZ as % of Total	6.1%

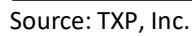
Source: Comal Appraisal District; City of New Braunfels; TXP, Inc.

Description of the Tax Increment Reinvestment Zone #4

The proposed TIRZ #4 will cover approximately 195.9 acres (including roads and right of way). The 2025 baseline taxable property value of the proposed TIRZ is approximately \$1,050,000. See the appendix for the list of properties within the TIRZ.

Land Use	Parcel Count	Acreage	Taxable Value
City of New Braunfels	3	146.7	\$0
Commercial/Multi-family	1	7.5	\$1,050,000
Roads & Right of Way	N.A.	41.7	\$0
Total	4	195.9	\$1,050,000

Figure 1: Existing New Braunfels TIRZ



Map of the City of New Braunfels, Texas, showing the TIRZ Boundary. The map includes major roads like FM 1044, US 90, and various local streets. Key locations marked include New Braunfels Middle School, Birdee's Golf Center, and several residential areas. The TIRZ Boundary is highlighted in yellow.

Land Use

- TIRZ Boundary
- City Owned
- Commercial/Multi-family

Map labels include: Klein Road Elementary School, Klein Road, Riddle Hts, Wheatfield Way, Morgan's Mill, Rain Dance Way, Schum Zipp Ln, W Zipp Rd, Vista Verde Dr, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810,

149

Properties within the TIRZ

The parcels identified in the appendix and the boundary map (Figure 3) provide sufficient detail to identify with ordinary and reasonable certainty the territory included in the zone.

Existing Zoning and Land Use Guidelines Applicable to TIRZ #4

Existing New Braunfels land use, zoning guidelines, and policies would apply to all properties.

Taxing Jurisdictions Applicable to TIRZ

The proposed TIRZ #4 is located within the following taxing jurisdictions:

- City of New Braunfels
- Guadalupe County
- Guadalupe County Lateral Road
- Marion Independent School District
- New Braunfels Independent School District

Proposed Changes in Master Plans, Zoning Ordinances, and Building Codes

There are no anticipated changes to the master development and zoning ordinances.

Relocation of Displaced Persons

This plan currently does not call for nor anticipate the displacement and relocation of persons for the proposed projects.

Section 2 – Project Plan Improvements

TIRZ #4 will provide support for catalytic infrastructure and economic development projects that will facilitate the development of properties within this area of south New Braunfels. Due to its size, location, drainage issues, and physical characteristics, new private sector development and redevelopment in TIRZ #4 will not likely occur solely through private investment. Proposed public improvements would likely include new and refurbished utilities, streets and drainage, streetscapes, open spaces, and parking facilities.

Eligible Project Costs

The following categories generally describe what might be included in the final project and finance plan:

1. Parks & Streetscape Enhancements

This category includes gateway features, linear parks, corridor landscaping, public plazas, etc. Sports facilities and complexes would be included in this category.

2. Public Infrastructure Improvements

This category includes water, sanitary sewer and storm water improvements, roadway and street intersection enhancements, parking, public transportation, relocation of aboveground utilities, public sidewalks, public buildings, etc.

3. Economic Development Grants

It is anticipated that economic development loans or grants might be made to assist in creating the tax base that facilitates implementing the project plan. The City, with advisement from the TIRZ Board shall have the authority to establish and administer economic development programs, including but not limited to grants and loans, authorized under Chapter 380 of the Texas Local Government Code. Should such loans or grants be made, it will be done with the intent to fulfill the public purposes of developing and diversifying the economy, eliminating unemployment or underemployment, and developing or expanding transportation, business, and commercial activity in the TIRZ.

4. Non-Project Costs

The private sector will develop and redevelop properties within the TIRZ. Non-project costs are those project costs that will be funded by others (ex. private developer) and are necessary for the development of the TIRZ. The TIRZ will not fund non-project costs.

5. Administration & Implementation

Administration costs, including reasonable charges for time spent by City of New Braunfels employees, will be eligible for reimbursement as project costs.

Section 3 – Financing Plan

Tax increment financing is a tool used by local governments to publicly finance needed infrastructure and other improvements within a defined area. These improvements are usually undertaken to promote the viability of existing businesses and to attract new commercial enterprises to the area. The statutes governing tax increment financing are located in Chapter 311 of the State of Texas Tax Code.

The costs of improvements in the defined zone are repaid by the contribution of future property tax revenues by each taxing unit that levies taxes against the property. Specifically, each taxing unit can choose to dedicate all, a portion, or none of the tax revenue that is attributable to the increase in property values due to the improvements within the reinvestment zone. The additional tax revenue that is received from the affected properties is referred to as the tax increment. Each taxing unit determines what percentage of its tax increment, if any, it will commit to repayment of the cost of financing the public improvements.

Compliance & Reporting

The TIRZ Board policies shall comply with all federal, state, and local laws, rules and regulations. The TIRZ Board will submit project status reports and financial reports as required by state law.

Public Sector Entities Participating in TIRZ #4

All project costs will be paid through the contribution of incremental property taxes collections. This preliminary plan assumes that the City of New Braunfels will contribute a portion of its total tax rate (maintenance and operations (M&O) and interest and sinking (I&S) ad valorem tax rate for 25 years.

Table 3: Taxing Jurisdictions Participating in TIRZ #4

Entity	Property Tax Rate per \$100 (2025)	% Contribution
City of New Braunfels	\$0.408936	85.0%

Source: TXP, Inc.

Financial Forecast Assumptions

- **TIRZ Duration** – The TIRZ will have a 25-year lifespan.
- **TIRZ Allocation** – The City of New Braunfels will contribute 85.0 percent of its total incremental tax collections.
- **Tax Rate** – While tax rates do change over time, the 2025 tax rate was held constant for the duration of the TIRZ.
- **Existing Properties** – The 2025 baseline property value of the TIRZ is approximately \$1,050,000.
- **Real Property** – Only taxable real property values are included in the tax increment calculations. By law, business personal property values are excluded from TIRZ.
- **Future Development Patterns** – To provide an order of magnitude estimate, TXP has incorporated the build out of the New Braunfels Economic Development Corporation property.
- **Inflation & Appreciation Rate** – The inflation rate used for construction costs and the value of improvements is 3.0 percent per year.

Financial Forecast Summary Results

The following tables depicts the anticipated revenue generated over 25 years. The revenue forecast assumes the TIRZ is established in 2025 (baseline year). The first TIRZ increment will occur in 2026 (2026 value less 2025 baseline value). Note, 2026 taxes are not due until January 2027.

Table 4: Preliminary TIRZ #4 Buildout and Revenue Forecast

Year	Period	Total Taxable Value	Incremental Value	City Revenue @ 85% Contribution
2025	0	\$1,050,000	\$0	\$0
2026	1	\$1,081,500	\$31,500	\$109
2027	2	\$1,113,945	\$63,945	\$222
2028	3	\$1,147,363	\$97,363	\$338
2029	4	\$3,713,468	\$2,663,468	\$9,258
2030	5	\$31,547,206	\$30,497,206	\$106,007
2031	6	\$40,086,126	\$39,036,126	\$135,688
2032	7	\$49,033,064	\$47,983,064	\$166,787
2033	8	\$58,403,297	\$57,353,297	\$199,358
2034	9	\$60,155,396	\$59,105,396	\$205,448
2035	10	\$61,960,058	\$60,910,058	\$211,721
2036	11	\$63,818,859	\$62,768,859	\$218,182
2037	12	\$65,733,425	\$64,683,425	\$224,837
2038	13	\$67,705,428	\$66,655,428	\$231,691
2039	14	\$69,736,591	\$68,686,591	\$238,752
2040	15	\$71,828,688	\$70,778,688	\$246,024
2041	16	\$73,983,549	\$72,933,549	\$253,514
2042	17	\$76,203,055	\$75,153,055	\$261,229
2043	18	\$78,489,147	\$77,439,147	\$269,175
2044	19	\$80,843,821	\$79,793,821	\$277,360
2045	20	\$83,269,136	\$82,219,136	\$285,790
2046	21	\$85,767,210	\$84,717,210	\$294,473
2047	22	\$88,340,227	\$87,290,227	\$303,417
2048	23	\$90,990,433	\$89,940,433	\$312,629
2049	24	\$93,720,146	\$92,670,146	\$322,117
2050	25	\$96,531,751	\$95,481,751	\$331,890
				\$5,106,016

Source: TXP, Inc.

Conclusion

Based on the preliminary development concepts and activity zones within this area, anticipated tax revenue, and market demand projections, TIRZ #4 is economically and financially feasible. The TIRZ could generate substantial revenue to pay for infrastructure and redevelopment costs. Over the next 25 years, the TIRZ could generate \$5.1 million in nominal TIRZ revenue.

These projections are based on the best available datasets and information related to market conditions in the region. The substantial commitment of a few large developers could have a significantly positive impact on both the level and timing of future growth. Moreover, the financial projections make no allowance for positive spillover to the value of other properties in area as a result of new development (beyond inflation), could occur. At the same time, a slowdown in development as a result of a weaker national economy, negative changes in key drivers of regional economy, or other unforeseen issues could materially reduce the volume of construction put in place, and resulting tax revenue, over the next 25 years.

Appendix: Properties within the Proposed TIRZ #4

Table 5: Properties within the Proposed TIRZ #4

Parcel	Property ID	Owner	Land Use Code
1	187540	CITY OF NEW BRAUNFELS	City
2	187541	CITY OF NEW BRAUNFELS	City
3	187542	CITY OF NEW BRAUNFELS	City
4	199295	DRAGO DEVELOPMENT LLC	Commercial/Multi-family

Source: Gudalupe Appraisal District; TXP, Inc



Legal Disclaimer

TXP, Inc. (TXP) reserves the right to make changes, corrections, and/or improvements at any time and without notice. In addition, TXP disclaims any and all liability for damages incurred directly or indirectly as a result of errors, omissions, or discrepancies. TXP disclaims any liability due to errors, omissions, or discrepancies made by third parties whose material TXP relied on in good faith to produce the report.

Any statements involving matters of opinion or estimates, whether or not so expressly stated, are set forth as such and not as representations of fact, and no representation is made that such opinions or estimates will be realized. The information and expressions of opinion contained herein are subject to change without notice, and shall not, under any circumstances, create any implications that there has been no change or updates.

10/27/2025

Agenda Item No. B)

PRESENTER:

Matthew Simmont, AICP Planning Manager

Applicant: Beverly Davidek**Owner:** JoAnn and Richard Rothfelder**SUBJECT:**

Public hearing and first reading of an ordinance requested by Beverly Davidek, on behalf of Richard L. and JoAnn Rothfelder, to rezone approximately 0.4 of an acre out of the John Thompson Survey No. 21, Abstract 608, from R-3 (Multifamily District) to R-3 SUP (Multifamily District with a Special Use Permit to allow a Short Term Rental), currently addressed at 1731 Kuehler Avenue

DEPARTMENT: Neighborhood and Community Planning**COUNCIL DISTRICTS IMPACTED:** 6**BACKGROUND INFORMATION:****Case No:** SUP25-315**Applicant:**

Beverly Davidek | 830-515-5854 | beverly@davideklaw.com

Owner:

JoAnn Rothfelder | jaroethfelder@gmail.com

Richard L. Rothfelder | 713-962-6300 | rrothfelder@rothfelderfalick.com

Staff Contact:

Amanda Mushinski, AICP, CNU-A

(830) 221-4056 | amushinski@newbraunfels.gov

The ~0.4-acre property is located on the northeast side of Kuehler Avenue, approximately 1000 feet southwest of the intersection of Kuehler Spur and South Seguin Avenue and is situated along the Guadalupe River. It is bordered by R-3 and R-2 zoning. Adjacent land uses are residential.

The 1970s residence is roughly 1947 square feet with 4 bedrooms and 3 bathrooms. Per the Zoning Ordinance, the maximum occupancy of an STR with 4 bedrooms and 3 bathrooms is 10 occupants, and the minimum off-street parking is 4 spaces. There is sufficient room to accommodate the minimum parking requirements.

ISSUE:

Short-term rental standards in the Zoning Ordinance help to ensure proper measures are in place to protect public health, safety, and neighboring properties. If this rezoning request is approved, the registration of the short-term rental and online payment of hotel occupancy taxes are required. Also, the project must comply with all other City Code standards.

There are currently 7 approved short term rental SUPs within one-half mile of the subject property, 4 of which

are active.

COMPREHENSIVE PLAN REFERENCE:

The applicant's request is consistent with the following actions from Envision New Braunfels:

- **Action 1.3:** Encourage balanced and fiscally responsible land-use patterns.
- **Action 1.14:** Ensure regulations do not unintentionally inhibit the provisions of a variety of flexible and innovative lodging options and attractions.

Future Land Use Plan: The subject property is located within the Oak Creek Sub Area, along the Recreational River Corridor, near existing Market, Outdoor Recreation, Civic, and Employment Centers.

STRATEGIC PLAN REFERENCE:

☒ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity
☐ Organizational Excellence ☐ Community Well-Being ☐ N/A

- Incentivize mixed-use developments and redevelopments in targeted locations to create a built environment with integrated housing, commercial centers, and opportunities for improved connectivity.

FISCAL IMPACT:

The rezoning request is in alignment with the following recommendations and strategies of the Land Use Fiscal Analysis:

- Provide a mix of uses and building types, heights, and sizes in a more walkable context to produce more value and fiscal productivity.
- Mix of uses (residential and short-term rental) developed on a single parcel of land increases revenue to cover costs of services.

If approved, the property will be subject to local and state hotel occupancy tax (HOT).

RECOMMENDATION:

Staff recommends approval with the following conditions:

1. The residential character of the property must be maintained.
2. The property will remain in compliance with the approved site plan and floor plan. Any significant changes to the site plan or floor plan will require a revision to the SUP.

The Planning Commission held a public hearing on October 8, 2025, and unanimously recommended approval (8-0-0).

Code of Ordinances Sec. 144-2.1 *Changes and Zoning Amendments:*

(b) *Considerations for approving or denying a zoning change.* In making a determination regarding a requested zoning change, the planning commission and the city council shall consider the following factors:

- (1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole;
- (2) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;
- (3) How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved;
- (4) Any other factors that will substantially affect the public health, safety, morals, or general welfare; and
- (5) Whether the request is consistent with the comprehensive plan.

Mailed notification as required by state statute:

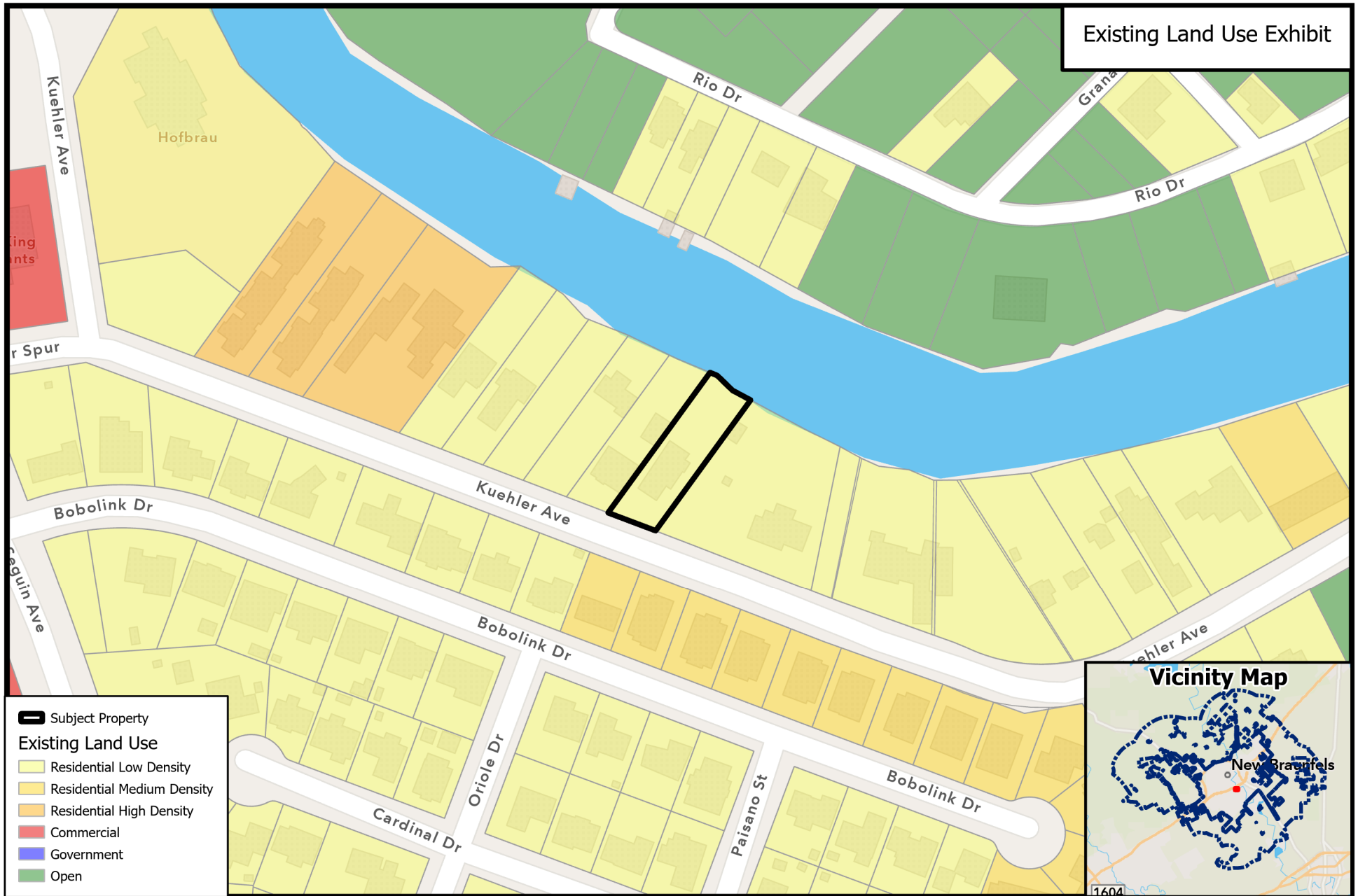
Public hearing notices were sent to owners of 18 properties within 200 feet of the request. As of the date this

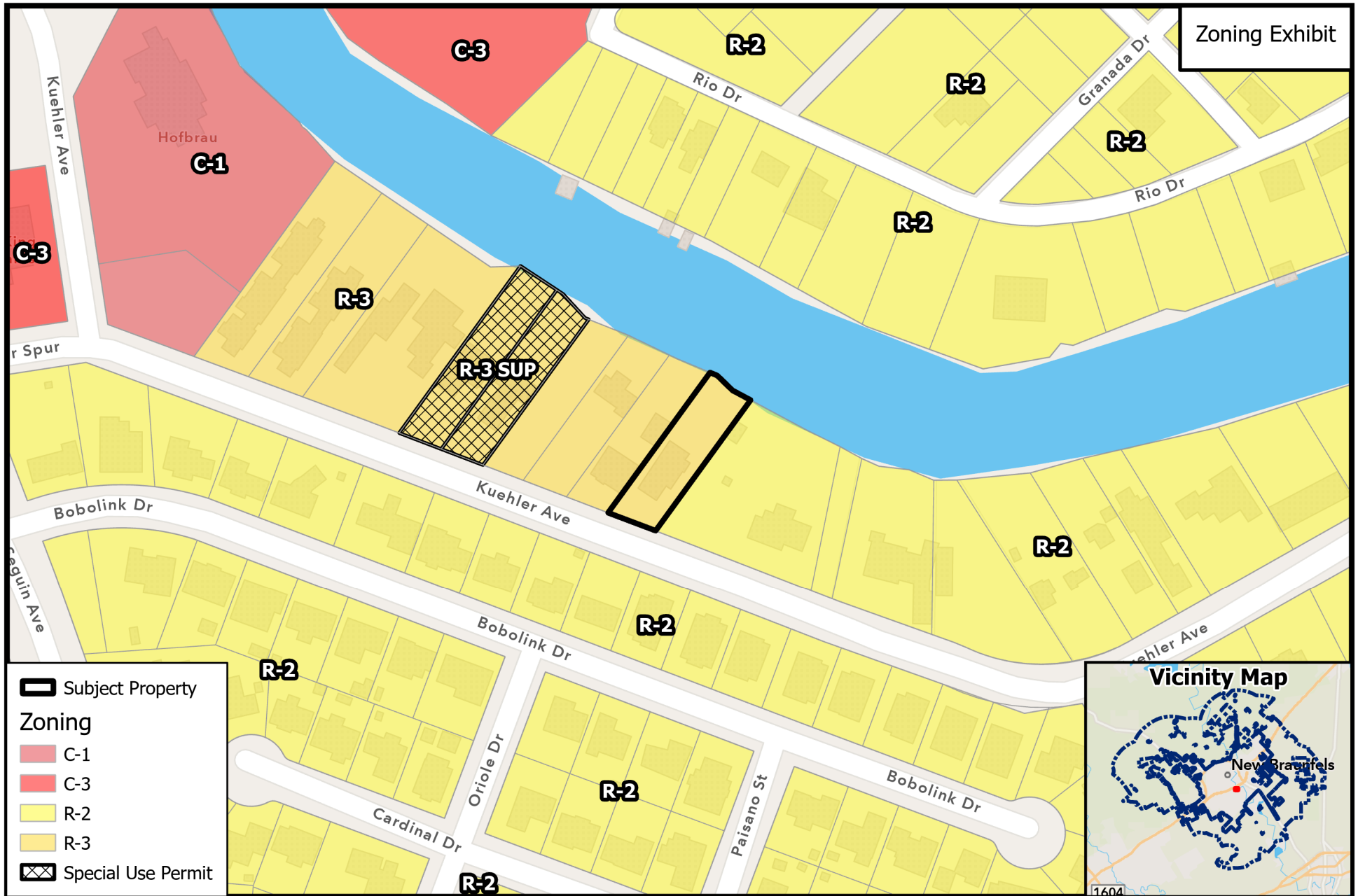
agenda was posted, the city has received responses representing 7% in opposition.

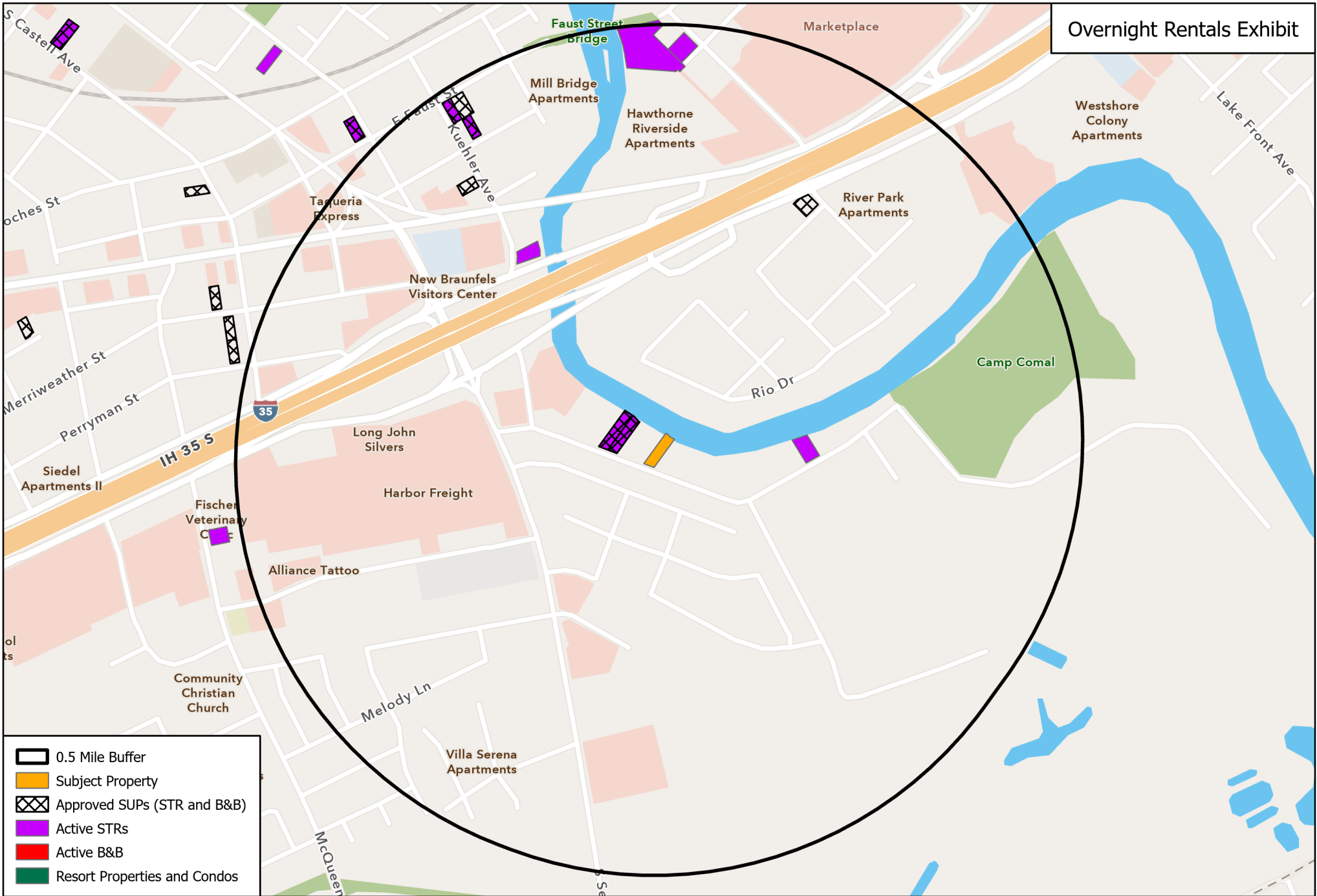
Resource Links:

- Chapter 144, Sec. 3.3-3 (R-3) of the City's Code of Ordinances:
[https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)
- Chapter 144, Sec. 3.6 (SUP) of the City's Code of Ordinances:
[https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)
- Chapter 144, Sec. 5.17 (Short-term Rental) of the City's Code of Ordinances:
[https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)

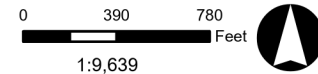


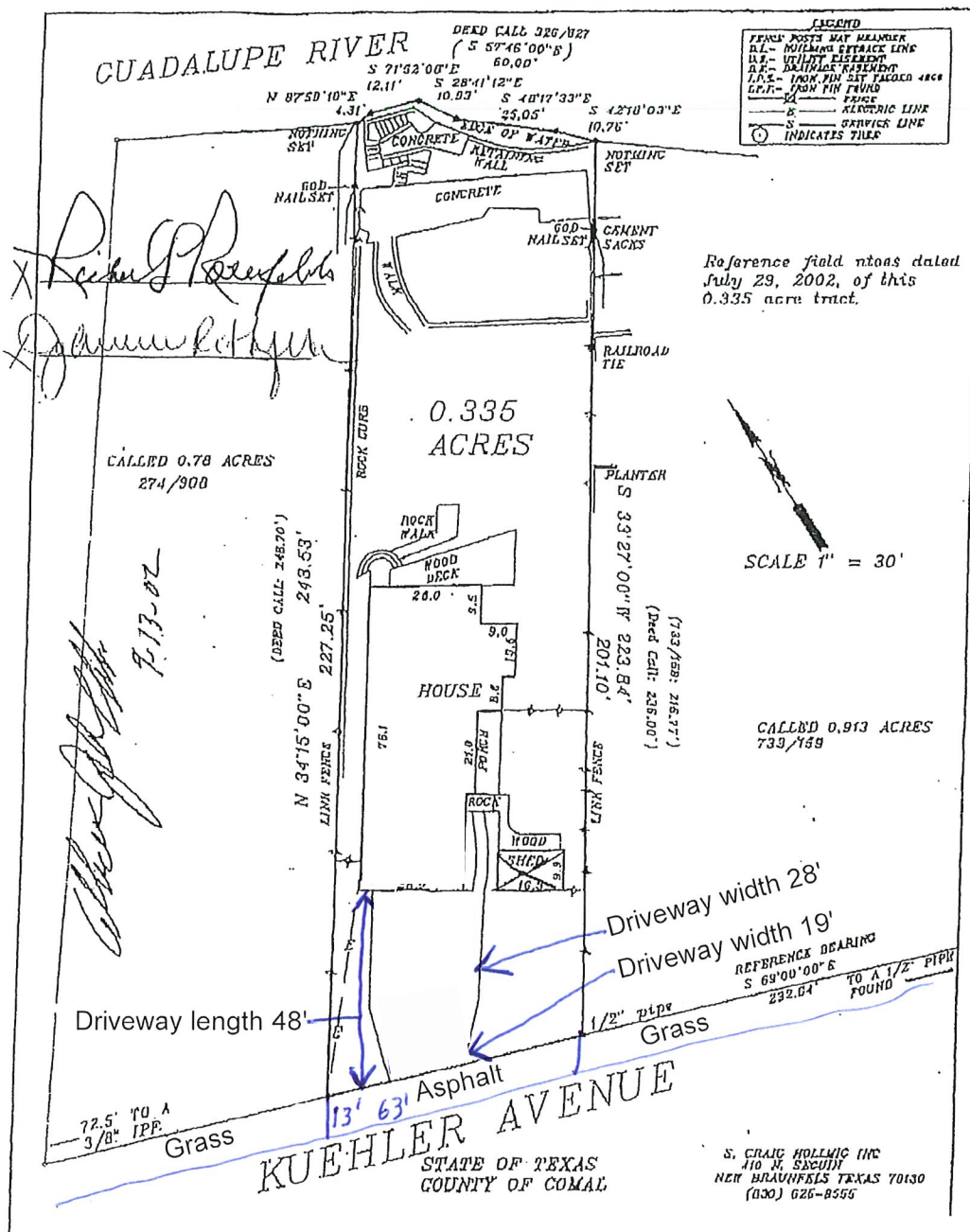






SUP25-315 1731 Kuehler Ave - SUP for STR

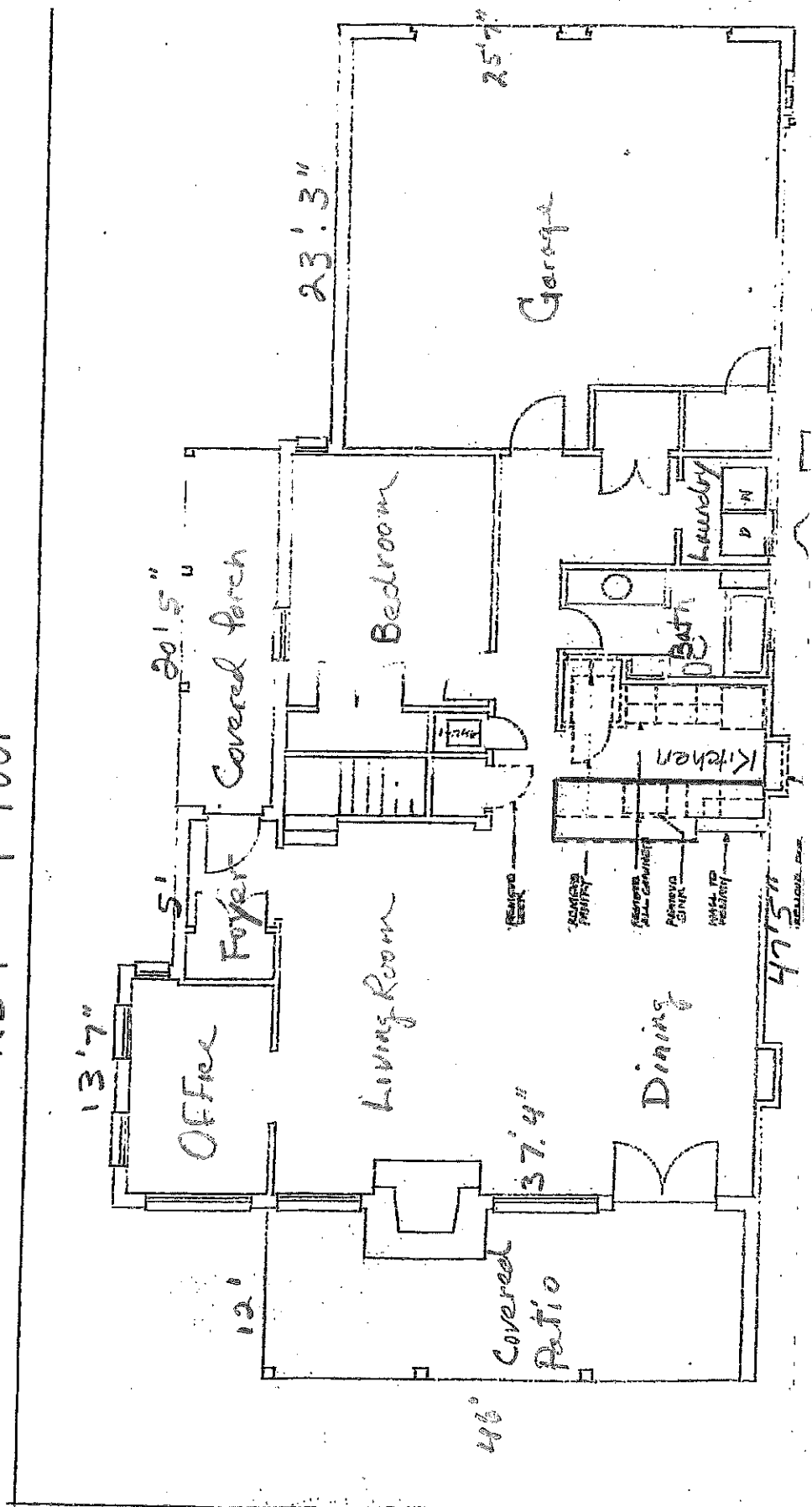




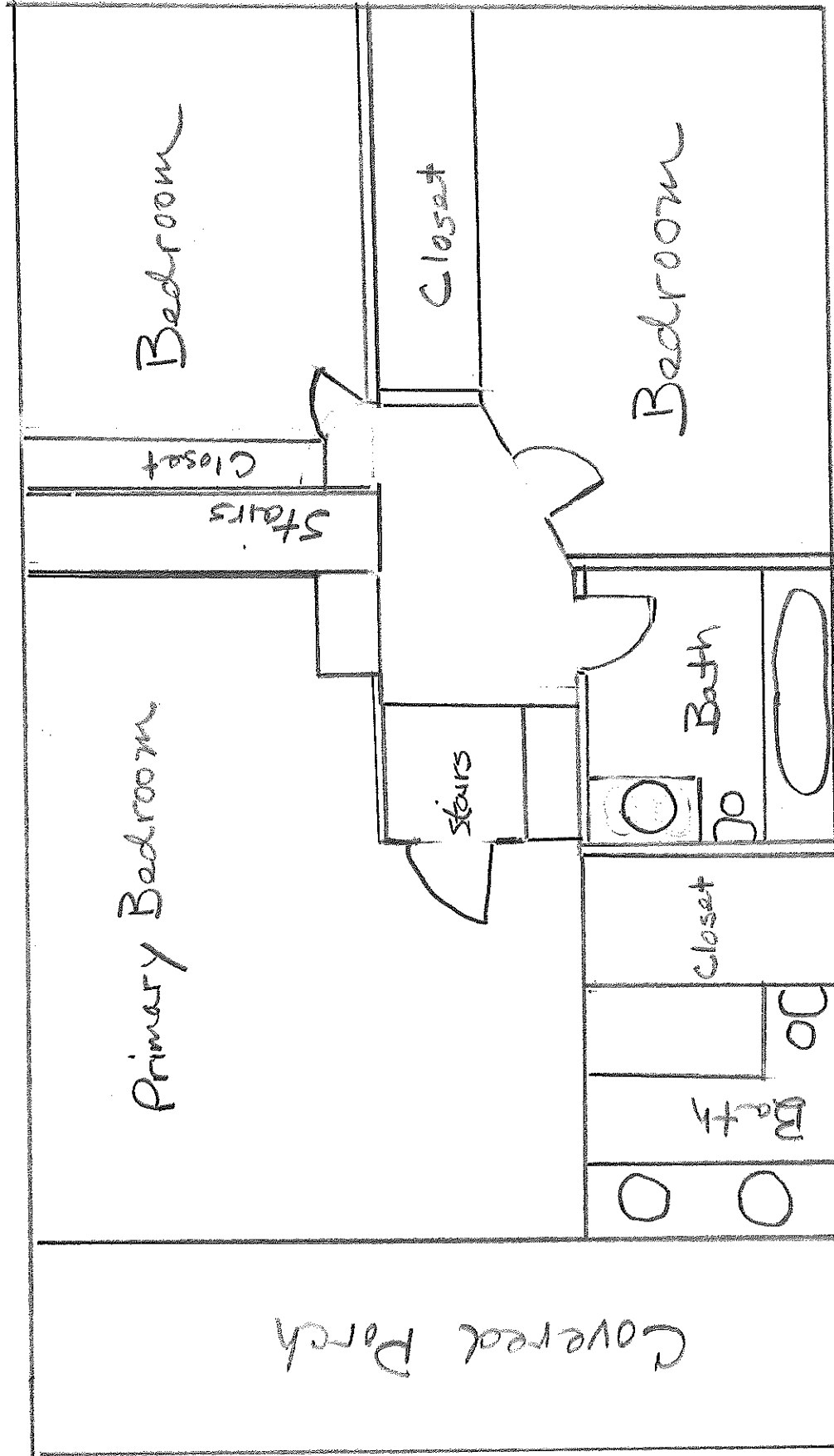
I, Richard L. Rothfelder, the property owner, acknowledge that this site plan submitted for the purposes of rezoning this property is in accordance with all applicable provisions of the Zoning Ordinance. Additionally, I understand that City Council approval of this site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes/Ordinances at the time of plan submittal for building permits. Nor does it relieve me from adherence to any/all state or federal rules and regulations.

There are 7 off-street 9'x20' parking spaces, 2 in the garage and 5 in the driveway. In addition, there is space for 2 additional vehicles to park on the asphalt between the driveway and Kuehler Avenue (or 3 if you block the mailbox). The length of the driveway is 48'. The width of the driveway close to the garage is 28'. The width of the driveway close to the street is 19'. The asphalt between the driveway and the street is 63'x13'.

FIRST Floor

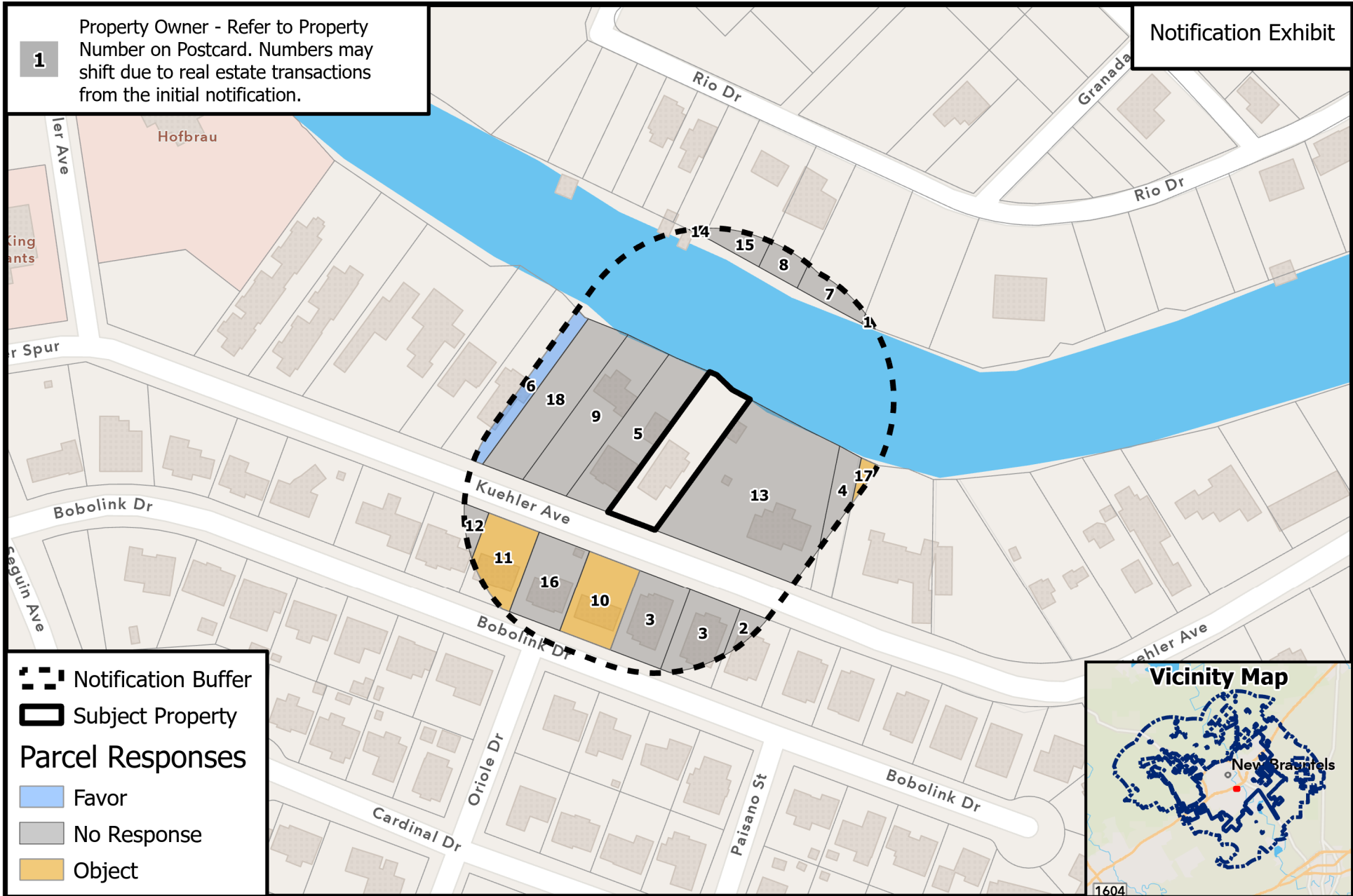


SECOND FLOOR





1731 Kuehler Ave



PLANNING COMMISSION – October 8, 2025 – 6:00PM

City Hall Council Chambers

Applicant: Beverly Davidek

Address/Location: 1731 Kuehler Ave

SUP25-315

The numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- | | |
|----------------------------------|---------------------------------------|
| 1. NCC FINANCIAL LLC | 11. SAWYER THERESA A & LEMAN P |
| 2. CALTE PROPERTIES LLC | 12. TUCH JAMES RAY & PAT |
| 3. BRAZLE MARGARET L | 13. STIPANOVICH WILLIAM & TERRY RVCBL |
| 4. NEW BRAUNFELS CITY OF | TRST |
| 5. ADAMS JENNIFER A | 14. MELSHA JAMES |
| 6. BEAH LLC | 15. LAY ENTERPRISE LLC |
| 7. OLD FOSSIL JOINT VENTURE LLC | 16. FOERSTER BARBARA L |
| 8. BARTOLO DEBORAH K | 17. KING RONALD B & CYNTHIA S |
| 9. HILDEBRAND EDWARD E & JOYCE E | 18. COLE RICHARD P & CATHERINE F |
| 10. MORALES ANDREW & ASHLEY | |

SEE MAP

MORALES ANDREW & ASHLEY

203 BOBOLINK DR

NEW BRAUNFELS TX 78130

Property #: 10

SUP25-315

Case Manager: AM

COMMENTS

FAVOR ☐

OPPOSE ☒



KING RONALD B & CYNTHIA S

104 VILLAGE CIRCLE

SAN ANTONIO TX 78232

Property #: 17

SUP25-315

Case Manager: AM



FAVOR ☐

OPPOSE ☒

COMMENTS

WE OPPOSE THE REZONING
AND SPECIAL USE PERMIT
SOUGHT FOR 1731 KUEHLER
AVENUE BY THE ROTHFELDERS.
WE OWN THE HOUSE 2
HOMES AWAY AT 1779
KUEHLER. WE DO NOT WANT
THE TRAFFIC, NOISE, AND
PARTYING AT NIGHT THAT
SHORT TERM RENTALS BRING.
WE ARE NOT ALLOWED TO
RENT 1779 SHORT TERM.
Ronald B. King

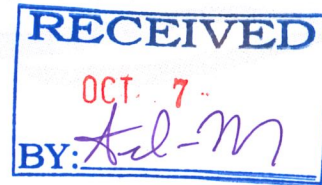
BRAZLE MARGARET L
405 CANTERBERRY DR
NEW BRAUNFELS TX 78132
Property #: 3
SUP25-315
Case Manager: AM

FAVOR ☐

COMMENTS

OPPOSE ☐

No problem with
request



BEAH LLC

1111 N WALNUT AVE

NEW BRAUNFELS TX 78130

Property #: 6

SUP25-315

Case Manager: AM

FAVOR



OPPOSE



COMMENTS

It's An Appropriate
Use! We support
this Request.



SAWYER THERESA A & LEMAN P

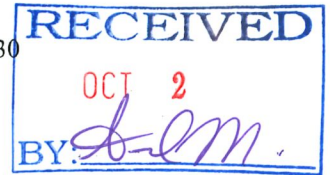
1218 BLUFF CREEK CIR

NEW BRAUNFELS TX 78130

Property #: 11

SUP25-315

Case Manager: AM



FAVOR ☐

COMMENTS

OPPOSE ☒

WE CURRENTLY HAVE A HOUSE
BEHIND US THATS A RENTAL
AND IT IS AN ISSUE WITH
LOUD PARTIES + VEHICLES
PARKED UP + DOWN THE
STREET WHICH OFTEN
REQUIRES POLICE PRESENCE.
WE STRONGLY OPPOSE.

Draft Minutes for the October 8, 2025, Planning Commission Regular Meeting

- A) SUP25-315 Public hearing and recommendation to City Council on an ordinance requested by Beverly Davidek, on behalf of Richard L. and JoAnn Rothfelder, to rezone approximately 0.4 of an acre out of the John Thompson Survey No. 21, Abstract 608, from R-3 (Multifamily District) to R-3 SUP (Multifamily District with a Special Use Permit to allow a Short Term Rental), currently addressed at 1731 Kuehler Avenue. (Applicant: Beverly Davidek; Owner: JoAnn and Richard Rothfelder; Case Manager: Amanda Mushinski, Planner, AICP, CNU-A)**

Amanda Mushinski introduced the aforementioned item.

Chair Sonier asked if there were any questions for staff.

Discussion followed on short-term rental use in the area.

Chair Sonier invited the applicant to speak on the item.

Beverly Davidek elaborated on the item by providing a brief history of the property and discussing the intent of the request.

Brief discussion followed on management of the short-term rental.

Chair Sonier opened the public hearing and asked if anybody present wished to speak on the item.

No one spoke.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further discussion or motion to be made.

Motion by Commissioner Nolte, seconded by Commissioner Allsup, to recommend approval of the item with staff recommended conditions of the item to City Council. Motion carried unanimously (8-0-0).

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.4 ACRES, BEING OUT OF THE JOHN THOMPSON SURVEY NO. 21, ABSTRACT 608, CURRENTLY ADDRESSED AT 1731 KUEHLER AVENUE, FROM R-3 (MULTIFAMILY DISTRICT) TO R-3 SUP (MULTIFAMILY DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW A SHORT TERM RENTAL); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of a Special Use Permit, the City Council has given due consideration to all components of said permit; and

WHEREAS, the City recognizes that granting such a permit is possible while promoting the health, safety and general welfare of the public, by providing harmony between existing zoning districts and land uses; and

WHEREAS, it is the intent of the City to ensure for the health, safety and general welfare of the public by providing compatible and orderly development, which may be suitable only in certain locations in a zoning district through the implementation of a Special Use Permit meeting those requirements cited in Sections 3.6-2 and 3.6-3, Chapter 144 of the New Braunfels Code of Ordinances; and

WHEREAS, the property is located in an area suitable for short term rental use; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City's Comprehensive Plan; and

WHEREAS, the requested rezoning is in accordance with the City's Strategic Plan; and

WHEREAS, the City Council desires to grant a Special Use Permit at 1731 Kuehler Avenue, to allow short term rental of a residence in the R-3 (Multifamily District); **now, therefore;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by adding the following tract of land as a "Special Use Permit" for the uses and conditions herein described:

Being out of the John Thompson Survey No. 21, Abstract 608, being as described on Exhibit "A" and depicted on Exhibit "B" attached.

SECTION 2

THAT the Special Use Permit be subject to the following additional conditions:

1. The residential character of the property must be maintained.
2. The property will remain in compliance with the approved site plan Exhibit "C" and floor plan Exhibit "D". Any significant changes to the site plan will require a revision to the SUP.

SECTION 3

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 4

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 5

THIS ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 27th day of October 2025.

PASSED AND APPROVED: Second reading this 10th day of November 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

FIELD NOTES FOR A 0.335 ACRE TRACT

Being a 0.335 acre tract of land out of the John Thompson Survey No. 21, Abstract 608, Comal County, Texas, being the same tract of land called 0.343 acres described in Volume 326, Page 627 of the Deed Records of Comal County, Texas, and all bearings referred to in this description are related to and referenced to a bearing of N 69° 00' W between monumentation found along the Northeast line of Kuehler Avenue, said 0.335 acre tract of land surveyed under the supervision of Richard A. Goodwin, RPLS #4069, S. Craig Hollmig, Inc., and being more particularly described as follows:

BEGINNING: At a 1/2" pipe found on the Northeast line of Kuehler Avenue, for the West corner of that certain tract called 0.913 acres described in Volume 733, Page 159 of the Official Public Records of Comal County, Texas, for the South corner of the above referenced 0.343 acre tract, for the South corner of this tract;

THENCE: With the Northeast line of Kuehler Avenue, N 69° 00' 00" W 65.0 feet to a 1/4" iron pin set in same, for the South corner of that certain tract called 0.78 acres recorded in Volume 274, Page 908 of the Deed Records of Comal County, Texas, for the West corner of the above referenced 0.343 acre tract, for the West corner of this tract;

THENCE: With the Southeast line of said 0.78 acre tract, the Northwest line of the above referenced 0.343 acre tract, N 34° 15' 00" E (record call in Volume 326, Page 627: 248.70 feet) 227.25 feet to a 60 D nail set and continuing to the water's edge a total distance of 243.53 feet for the North corner of this tract;

THENCE: With the water's edge of the Guadalupe River, as follows:

N 87° 59' 10" E	4.31 feet
S 71° 52' 08" E	12.11 feet
S 28° 41' 12" E	10.93 feet
S 48° 17' 33" E	25.05 feet
S 42° 18' 03" E	10.76 feet to the East corner of this tract, situated on the

Northeasterly line of said 0.913 acre tract;
THENCE: With the Northwest line of said 0.913 acre tract, the Southeast line of the above referenced 0.343 acre tract, S 33° 27' 00" W at 22.74 feet a 60 D nail set and continuing a total distance of 223.84 feet (record call in Volume 326, Page 627: 236.0 feet) (record call in Volume 733, Page 159: 216.77 feet) to the Point of Beginning and containing 0.335 acres of land, more or less.

Recorder's Memorandum- Comal County
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility

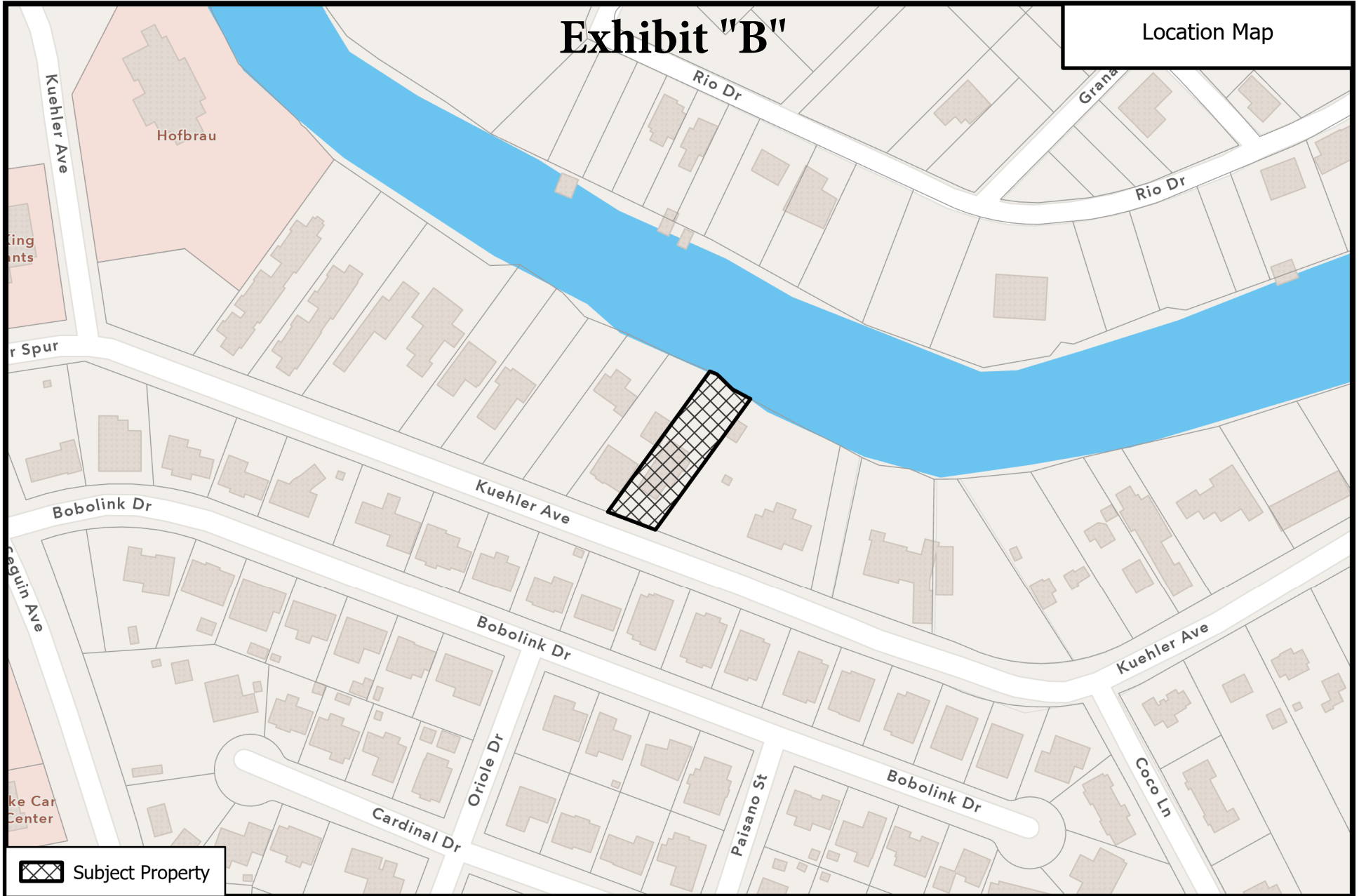
Filed and Recorded
Official Public Records
Joy Streater, County Clerk
Comal County, Texas
09/30/2011 08:07:06 AM
JASHTW0
201106033544



Joy Streater

Exhibit "B"

Location Map



SUP25-315 1731 Kuehler Ave - SUP for STR

0 100 200
Feet

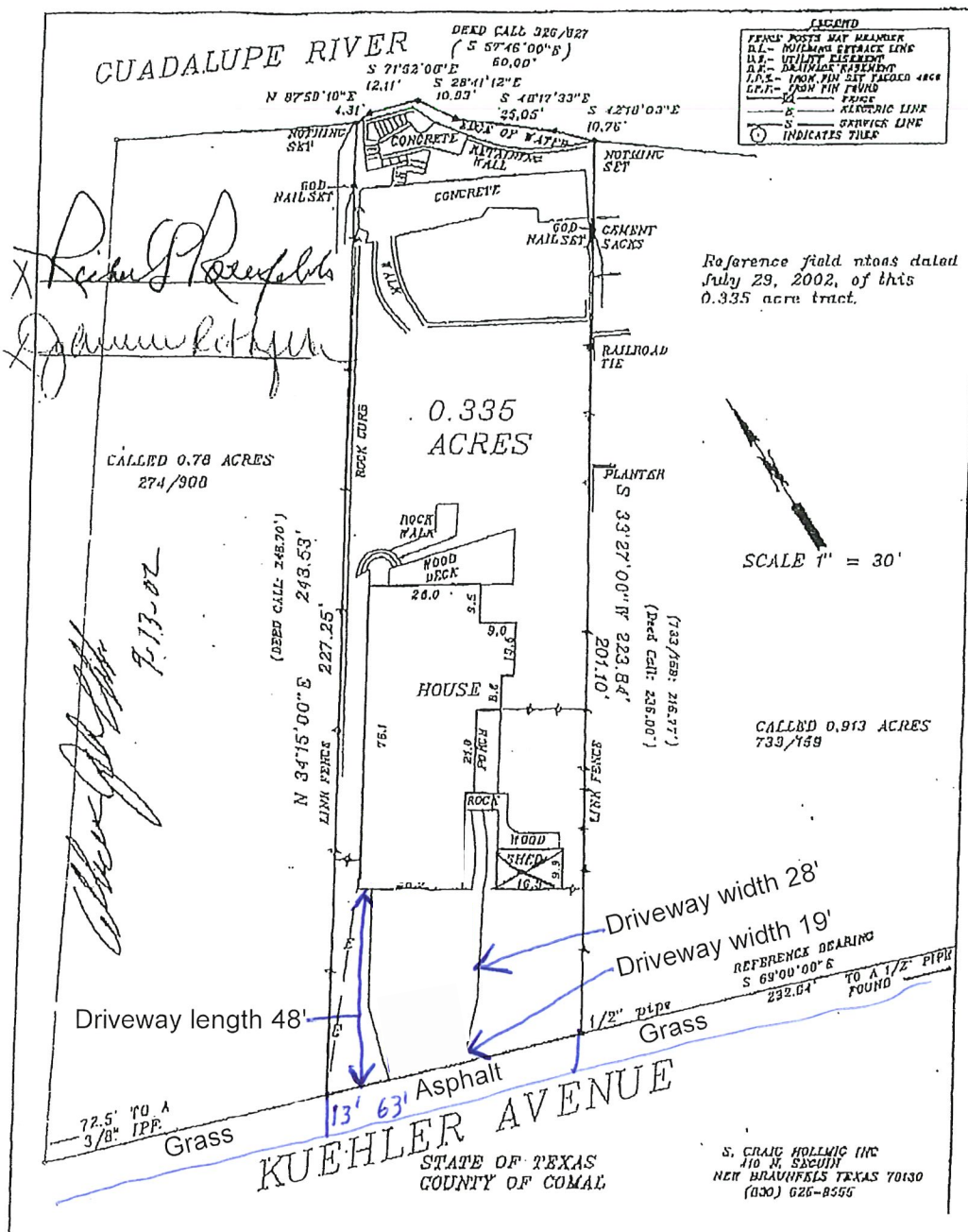


Path:
\\chfs-1\Departments\Planning\ZoneChange & SUPs\2025\SUP25-315 - 1731 Kuehler Ave -

Source: City of New Braunfels Planning
Date: 10/7/2025

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by else is at that party's risk and without liability to the City of New Braunfels officials or employees for any discrepancies, errors, or variances which may

Exhibit "C"

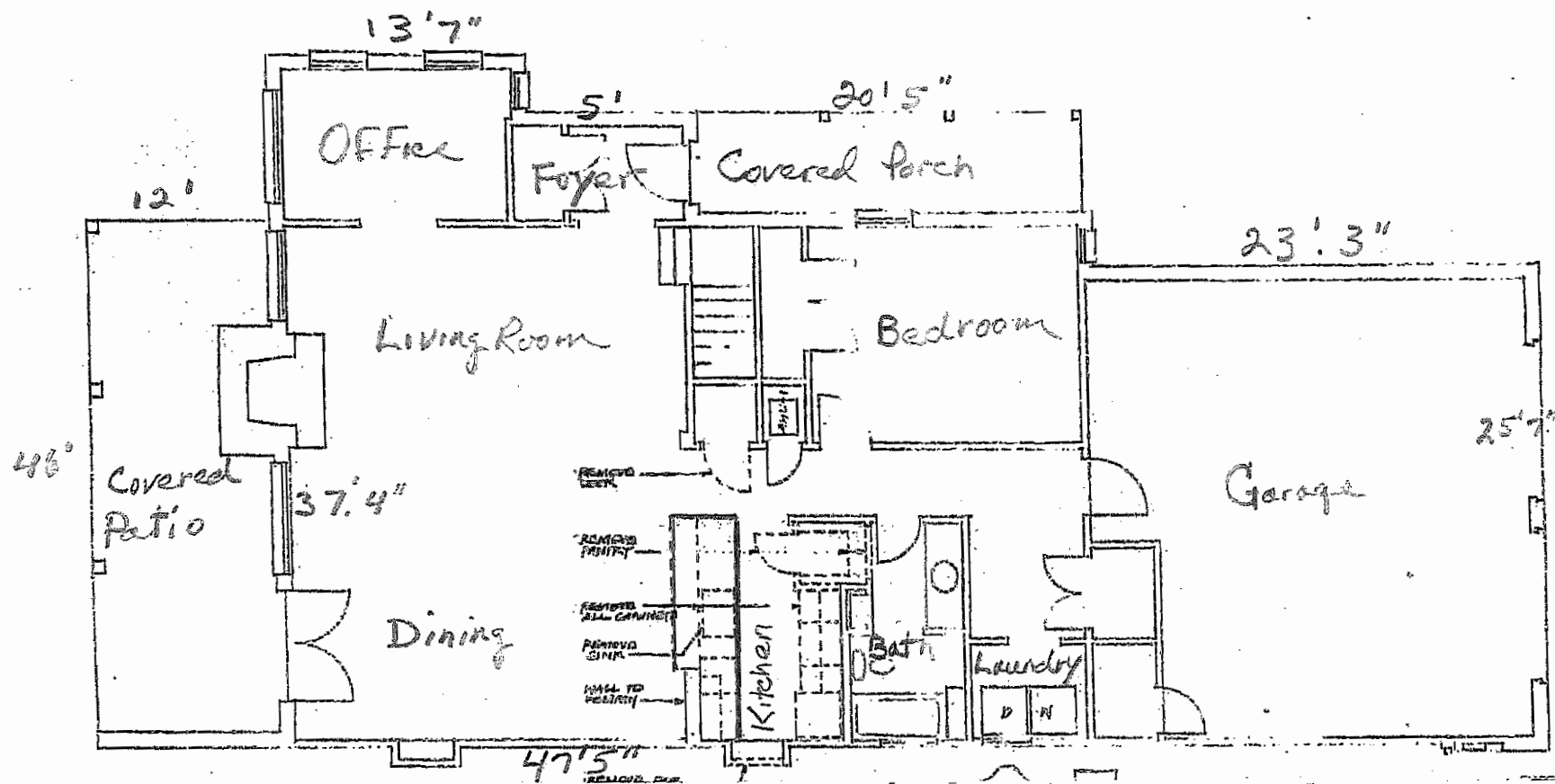


I, Richard L. Rothfelder, the property owner, acknowledge that this site plan submitted for the purposes of rezoning this property is in accordance with all applicable provisions of the Zoning Ordinance. Additionally, I understand that City Council approval of this site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes/Ordinances at the time of plan submittal for building permits. Nor does it relieve me from adherence to any/all state or federal rules and regulations.

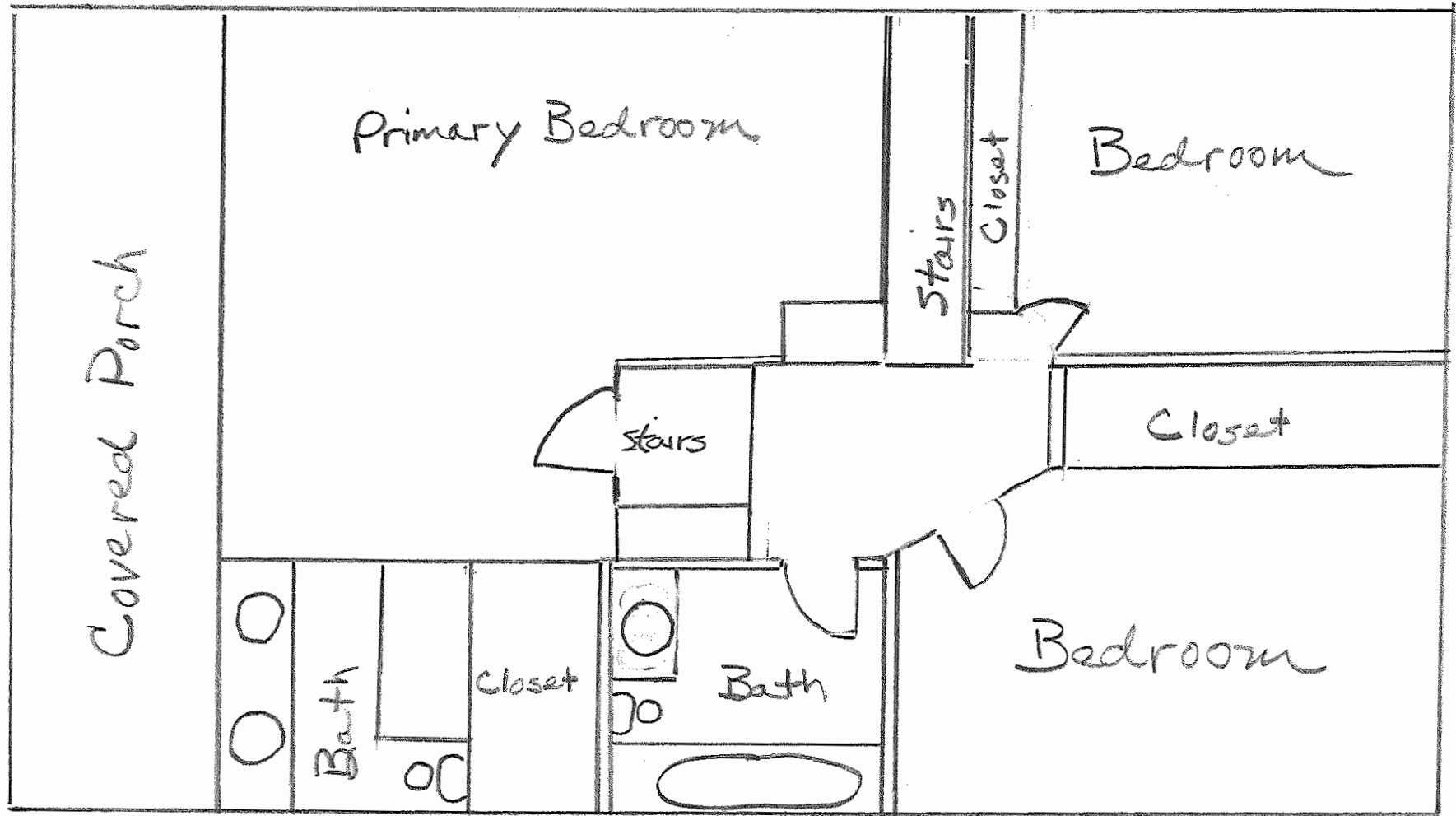
There are 7 off-street 9'x20' parking spaces, 2 in the garage and 5 in the driveway. In addition, there is space for 2 additional vehicles to park on the asphalt between the driveway and Kuehler Avenue (or 3 if you block the mailbox). The length of the driveway is 48'. The width of the driveway close to the garage is 28'. The width of the driveway close to the street is 19'. The asphalt between the driveway and the street is 63'x13'.

Exhibit "D"

FIRST Floor



SECOND FLOOR



10/27/2025

Agenda Item No. C)

PRESENTER:

Christopher J. Looney, AICP, Planning Director

Applicant: James Ingalls, P.E.**Owner:** HAW Properties 1863, LLC (Audrey Raley)**SUBJECT:**

Public hearing and first reading of an ordinance regarding a proposed rezoning requested by James Ingalls of INK Civil, on behalf of Audrey Raley of HAW Properties 1863, LLC, of approximately 0.75 of an acre out of the L. Salinas Survey No. 458 Abstract No. 531, from APD (Agricultural Predevelopment District) to C-1A (Neighborhood Commercial District), currently addressed as 160 FM 1863

DEPARTMENT: Neighborhood and Community Planning**COUNCIL DISTRICTS IMPACTED:** 3**BACKGROUND INFORMATION:****Case Number:** PZ25-0333**Applicant:** James Ingalls, P.E, plats@ink-civil.com**Owner:** HAW Properties 1863, LLC, Audrey Raley, audreyraley@gmail.com**Staff Contact:** Mary Lovell, (830) 221-4051, mlovell@newbraunfels.gov

The subject property is approximately 700 feet southwest of the intersection of SH 46 West and FM 1863. The immediate surrounding zoning is APD (Agricultural Predevelopment District) with R-1 (Single-Family District) across FM 1863, and various different commercial zoning districts surrounding, including at the aforementioned highway intersection. Nearby land uses include residences, undeveloped land, a school to the west, and the Mission Valley Bowling Club to the northeast.

ISSUE:

The applicant requests a zoning change to allow for the proposed development of an optometry office that is currently operating in the nearby Oak Run Point Shopping Center on State Highway 46. Currently, the subject property is developed with a house.

Traffic Impact Analysis (TIA): Per adopted ordinance, if a TIA is required, it will be conducted at the Subdivision Platting and/or Building Permit stage, as applicable.

Drainage: Per adopted ordinance, if a drainage study is required, it will be conducted with the Public Infrastructure Construction Plan approval process and/or Building Permit stage, as applicable.

Utilities: As part of the routine intake review process, the water provider for the subject site, NBU (New Braunfels Utilities), reviewed the proposed zoning change request and has responded with no comments.

COMPREHENSIVE PLAN REFERENCE:

C-1A at this location is consistent with the following actions from Envision New Braunfels:

- **Action 1.3:** Encourage balanced and fiscally responsible land use patterns.
- **Action 1.6:** Incentivize infill development and redevelopment to take advantage of existing infrastructure.
- **Action 2.33:** Encourage vertical growth and development of key areas to take advantage of infrastructure capacity, maintain the core, and discourage sprawl.
- **Action 3.1:** Plan for a healthy jobs/ housing balance.
- **Action 3.3:** Balance commercial centers with stable neighborhoods.

Future Land Use Plan: The subject property is located within Hoffman Lane Sub Area, near an existing Education Center, as well as a Future Market Center expected at the corner of State Highway 46 and FM 1863.

STRATEGIC PLAN REFERENCE:

☒ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity

☐ Organizational Excellence ☐ Community Well-Being ☐ N/A

- **Economic Mobility:** Incentivize mixed-use developments and redevelopments in targeted locations to create a built environment with integrated housing, commercial centers, and opportunities for improved connectivity.
- **Economic Mobility:** Develop a cohesive framework for economic development incentives that encourage a built environment that results in enhanced walkability, mixed housing types, and the co-location of commercial and residential uses.
- **Economic Mobility:** Support Confluence, the New Braunfels Chamber of Commerce Economic Development Strategic Plan, by helping to ensure a community that supports the targeted industries and increases the diversity of job opportunities in the community.

FISCAL IMPACT:

The proposed rezoning request is in alignment with the following recommendations and strategies of the Land Use Fiscal Analysis:

- Provide a mix of uses and building types, heights, and sizes in a more walkable context to produce more value and fiscal productivity.
- Prioritize infill projects that add people and buildings in areas with existing infrastructure. This will increase revenue to provide service delivery without significant impacts on infrastructure costs and distribute cost burdens across more home/business owners.

RECOMMENDATION:

C-1A at this location aligns with Envision New Braunfels, the Strategic Plan, and the Land Use Fiscal Analysis, therefore staff recommends approval.

The Planning Commission held a public hearing on October 8, 2025 and unanimously recommended approval of the applicant's request (8-0-0).

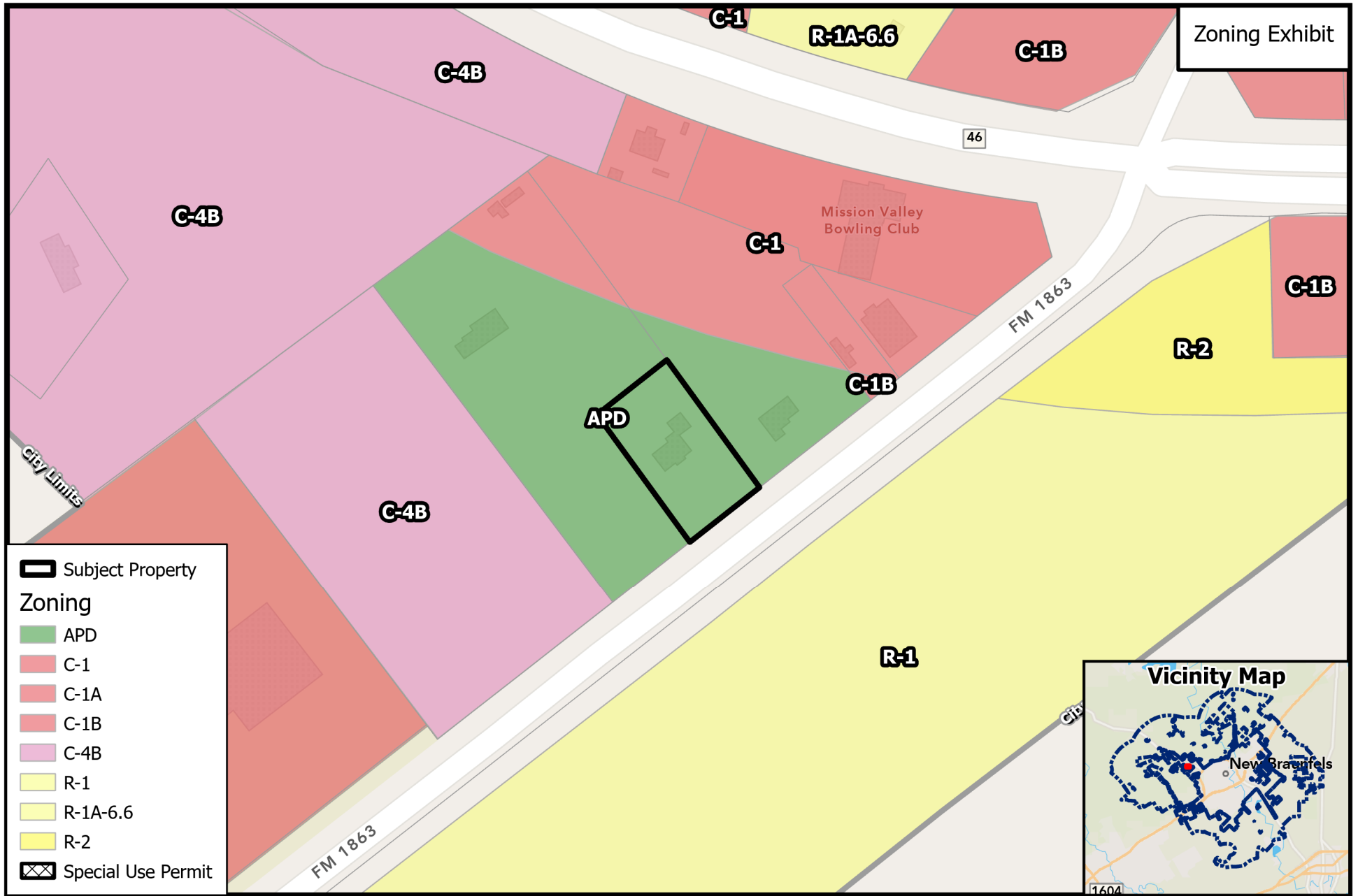
Mailed notification as required by state statute:

Public hearing notices were sent to owners of 4 properties within 200 feet of the request. To date, staff has received no responses in opposition.

Resource Links:

-
- Chapter 144, Sec. 3.4-1 (APD) of the City's Code of Ordinances:
[https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)
 - Chapter 144, Sec. 3.4-12 (C-1A) of the City's Code of Ordinances:
[https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)

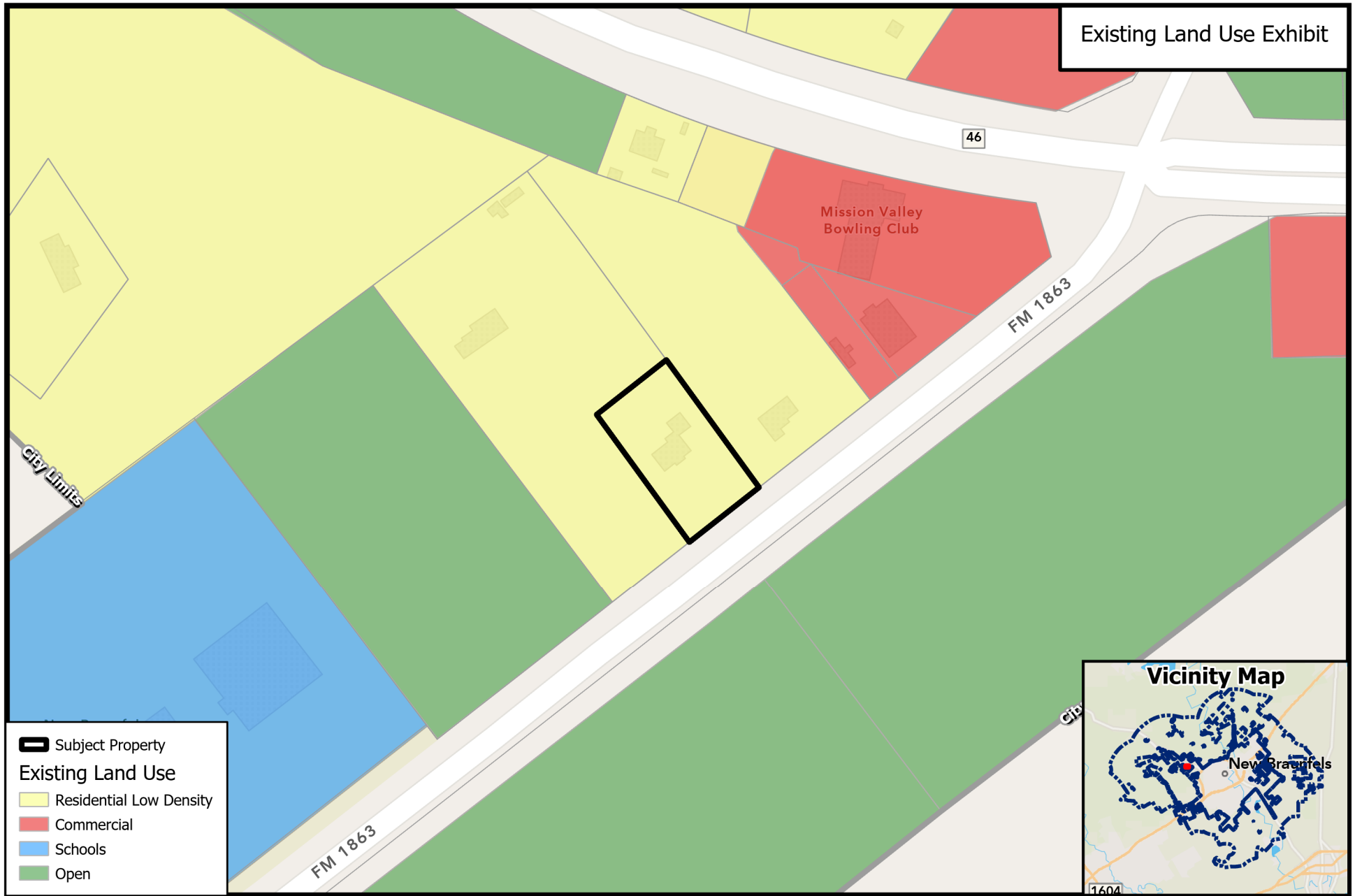


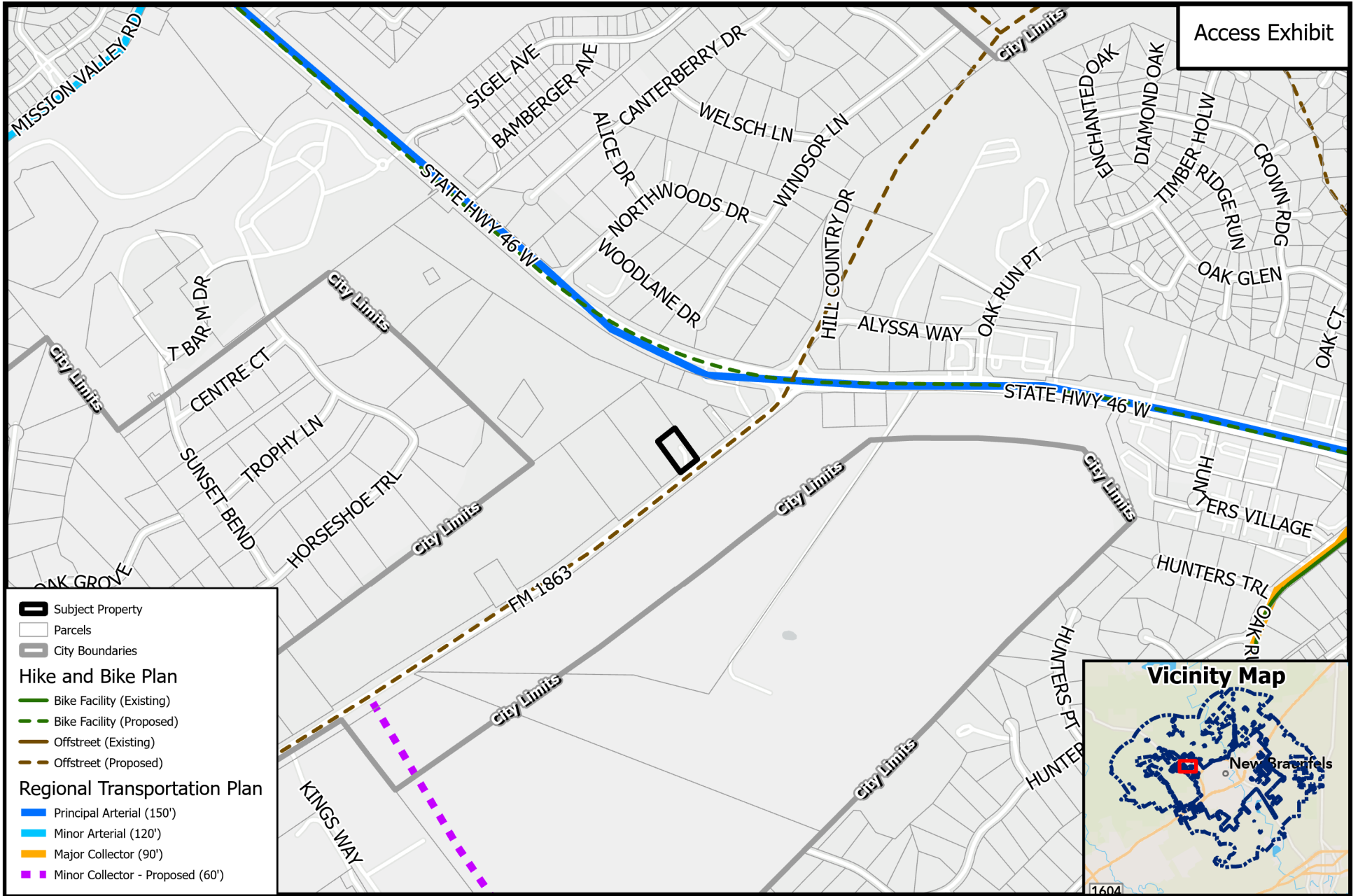


PZ25-0333
APD to C-1A

Source: City of New Braunfels Planning
 Date: 9/15/2025

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Land Use	Existing	Proposed
	APD	C-1A
Accessory building/structure (see section 144-5.4)	P	P
Accessory dwelling (one accessory dwelling per lot)	P	
Accounting, auditing, bookkeeping, and tax preparations		P
Acid manufacture		
Adult day care (no overnight stay)		P
Adult day care (with overnight stay)		P
Aircraft support and related services		
Airport		
All-terrain vehicle (ATV) dealer/sales		
Ambulance service (private)		
Amphitheaters (outdoor live performances)		
Amusement devices/arcade (four or more devices)		P
Amusement services or venues (indoors) (see section 144-5.13)		
Amusement services or venues (outdoors)		
Animal grooming shop		P
Answering and message services		P
Antique shop		P
Appliance repair		P
Archery range		
Armed services recruiting center		P
Art dealer/gallery		P
Artist or artisans studio		P
Assembly/exhibition hall or areas		
Assisted living facility/retirement home		P
Athletic fields		
Auction sales (non-vehicle)		
Auto body repair, garages (see section 144-5.11)		
Auto glass repair/tinting (see section 144-5.11)		
Auto interior shop/upholstery (see section 144-5.11)		
Auto leasing		P
Auto muffler shop (see section 144-5.11)		
Auto or trailer sales rooms or yards (see section 144-5.12)		
Auto or truck sales rooms or yards—Primarily new (see section 144-5.12)		
Auto paint shop		
Auto repair as an accessory use to retail sales		
Auto repair garage (general) (see section 144-5.11)		
Auto supply store for new and factory rebuilt parts		P
Auto tire repair/sales (indoor)		P
Auto wrecking yards		
Automobile driving school (including defensive driving)		
Bakery (retail)		P
Bank, savings and loan, or credit union		P
Bar/tavern (no outdoor music)		P
Bar/tavern		
Barber/beauty college (barber or cosmetology school or college)		
Barns and farm equipment storage (related to agricultural uses)	P	P
Battery charging station		P
Bed and breakfast inn (see section 144-5.6)		P

Land Use	Existing	Proposed
	APD	C-1A
Bicycle sales and/or repair		P
Billiard/pool facility		
Bingo facility		P
Bio-medical facilities		
Blacksmith or wagon shops		
Blooming or rolling mills		
Boarding house/lodging house		
Book binding		P
Book store		P
Bottling or distribution plants (milk)		
Bottling works		
Bowling alley/center (see section 144-5.13)		
Breweries/distilleries and manufacture of alcohol and alcoholic beverages		
Broadcast station (with tower) (see section 144-5.7)		
Bulk storage of gasoline, petroleum products, liquefied petroleum and flammable liquids (see section 5.27)		
Bus barns or lots		
Bus passenger stations		
Cabin or cottage (rental)		
Cabin or cottage (rental for more than 30 days)		
Cafeteria/cafe/delicatessen		P
Campers' supplies		P
Campgrounds		
Canning/preserving factories		
Car wash (self-service; automated)		
Car wash, full service (detail shop)		
Carpenter, cabinet, or pattern shops		
Carpet cleaning establishments		
Caterer		P
Cement, lime, gypsum or plaster of Paris manufacture		
Cemetery and/or mausoleum	P	P
Check cashing service		P
Chemical laboratories (e.g., ammonia, bleaching powder)		
Chemical laboratories (not producing noxious fumes or odors)		
Child day care/children's nursery (business)		P
Church/place of religious assembly	P	P
Cider mills		
Civic/conference center and facilities		
Cleaning, pressing and dyeing (non-explosive fluids used)		P
Clinic (dental)		P
Clinic (emergency care)		P
Clinic (medical)		P
Club (private)		
Coffee shop		P
Cold storage plant		
Commercial amusement concessions and facilities		
Communication equipment—Installation and/or repair		P
Community building (associated with residential uses)		

Land Use	Existing	Proposed
	APD	C-1A
Community home (see definition)	P	P
Computer and electronic sales		P
Computer repair		P
Concrete or asphalt mixing plants—Permanent		
Concrete or asphalt mixing plants—Temporary		
Confectionery store (retail)		P
Consignment shop		P
Contractor's office/sales, with outside storage including vehicles		
Contractor's temporary on-site construction office	P	P
Convenience store with gas sales		
Convenience store without gas sales		P
Cotton ginning or baling works		
Country club (private)	P	
Credit agency		P
Crematorium		
Curio shops		P
Custom work shops		P
Dance hall/dancing facility (see section 144-5.13)		
Day camp		
Department store		P
Distillation of bones		
Dormitory (in which individual rooms are for rental)		
Drapery shop/blind shop		P
Driving range		
Drug store/pharmacy		P
Duplex/two-family/duplex condominiums		
Electrical generating plant		
Electrical repair shop		P
Electrical substation		P
Electronic assembly/high tech manufacturing		
Electroplating works		
Enameling works		
Engine repair/motor manufacturing re-manufacturing and/or repair		
Explosives manufacture or storage		
Exterminator service		
Fairground		
Family home adult care	P	
Family home child care	P	
Farmers market (produce market—wholesale)	P	
Farms, general (crops) (see chapter 6 and section 144-5.9)	P	P
Farms, general (livestock/ranch) (see chapter 6 and section 144-5.9)	P	P
Feed and grain store		
Fertilizer manufacture and storage		
Filling station (gasoline tanks must be below the ground)		
Florist		P
Flour mills, feed mills, and grain processing	P	
Food or grocery store with gasoline sales		
Food or grocery store without gasoline sales		P

Land Use	Existing	Proposed
	APD	C-1A
Food processing (no outside public consumption)		
Forge (hand)		
Forge (power)		
Fraternal organization/civic club (private club)		
Freight terminal, rail/truck (when any storage of freight is wholly outside an enclosed building)		
Freight terminal, truck (all storage of freight in an enclosed building)		
Frozen food storage for individual or family use		P
Funeral home/mortuary		
Furniture manufacture		
Furniture sales (indoor)		
Galvanizing works		
Garbage, offal or dead animal reduction or dumping		
Garden shops and greenhouses		P
Gas manufacture		
Gas or oil wells		
Golf course (public or private)	P	P
Golf course (miniature)		
Government building or use with no outside storage (outside storage allowed in M-2 and M-2A)	P	P
Grain elevator	P	
Greenhouse (commercial)		P
Handicraft shop		P
Hardware store		P
Hay, grain, and/or feed sales (wholesale)	P	
Health club (physical fitness; indoors only)		P
Heating and air-conditioning sales/services		P
Heavy load (farm) vehicle sales/repair (see section 144-5.14)		
Heavy manufacturing		
Heliport		
Hides/skins (tanning)		
Home occupation (see section 144-5.5)	P	
Home repair and yard equipment retail and rental outlets		
Hospice		P
Hospital, general (acute care/chronic care)		
Hospital, rehabilitation		P
Hotel/motel		
Hotels/motels—Extended stay (residence hotels)		
Ice delivery stations (for storage and sale of ice at retail only)		
Ice plants		
Indoor or covered sports facility		
Industrial laundries		
Iron and steel manufacture		
Junkyards, including storage, sorting, baling or processing of rags		
Kiosk (providing a retail service)		P
Laboratory equipment manufacturing		
Laundromat and laundry pickup stations		P
Laundry, commercial (without self-serve)		
Laundry/dry cleaning (drop off/pick up)		P
Laundry/washateria (self-serve)		P

Land Use	Existing	Proposed
	APD	C-1A
Lawnmower sales and/or repair		P
Leather products manufacturing		
Light manufacturing		
Limousine/taxi service		
Livestock sales/auction	P	
Locksmith		P
Lumber mill		
Lumberyard (see section 144-5.15)		
Lumberyard or building material sales (see section 144-5.15)		
Machine shop		
Maintenance/janitorial service		
Major appliance sales (indoor)		
Manufacture of carbon batteries		
Manufacture of paint, lacquer, oil, turpentine, varnish, enamel, etc.		
Manufacture of rubber, glucose, or dextrin		
Manufactured home—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home park—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home subdivision—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home sales		
Manufacturing and processes		
Manufacturing processes not listed		
Market (public, flea)		
Martial arts school		P
Meat or fish packing/storage plants		
Medical supplies and equipment		
Metal fabrication shop		
Micro brewery (onsite mfg. and/or sales)		
Micro distillery (onsite mfg. and/or sales)		P
Mini-warehouse/self-storage units (no boat and RV storage permitted)		
Mini-warehouse/self-storage units with outside boat and RV storage		
Monument, gravestone, or marble works (manufacture)		
Motion picture studio, commercial film		
Motion picture theater (indoors)		
Motion picture theater (outdoors, drive-in)		
Motorcycle dealer (primarily new/repair)		
Moving storage company		
Moving, transfer, or storage plant		
Multifamily (apartments/condominiums)		
Museum		P
Natural resource extraction and mining		
Needlework shop		P
Nonbulk storage of gasoline, petroleum products and liquefied petroleum		
Nursing/convalescent home/sanitarium		P
Offices, brokerage services		P
Offices, business or professional		P
Offices, computer programming and data processing		P
Offices, consulting		P
Offices, engineering, architecture, surveying or similar		P

Land Use	Existing	Proposed
	APD	C-1A
Offices, health services		P
Offices, insurance agency		P
Offices, legal services, including court reporting		P
Offices, medical offices		P
Offices, real estate		P
Offices, security/commodity brokers, dealers, exchanges and financial services		P
Oil compounding and barreling plants		
One-family dwelling, detached	P	
Outside storage (as primary use)		
Paint manufacturing		
Paper or pulp manufacture		
Park and/or playground (private and public)	P	P
Parking lots (for passenger car only) (not as incidental to the main use)		P
Parking structure/public garage		P
Pawn shop		P
Personal services		P
Personal watercraft sales (primarily new/repair)		
Pet shop/supplies (less than 10,000 sq. ft.)		P
Pet store (over 10,000 sq. ft.)		
Petroleum or its products (refining of)		
Photo engraving plant		
Photographic printing/duplicating/copy shop or printing shop		P
Photographic studio (no sale of cameras or supplies)		P
Photographic supply		P
Plant nursery (no retail sales on site)	P	P
Plant nursery (retail sales/outdoor storage)		P
Plastic products molding/reshaping		
Plumbing shop		
Portable building sales		
Poultry killing or dressing for commercial purposes		
Propane sales (retail)		
Public recreation/services building for public park/playground areas		P
Publishing/printing company (e.g., newspaper)		
Quick lube/oil change/minor inspection		P
Radio/television shop, electronics, computer repair		P
Railroad roundhouses or shops		
Rappelling facilities		
Recreation buildings (private)		P
Recreation buildings (public)	P	P
Recycling kiosk		P
Refreshment/beverage stand		P
Rental or occupancy for less than one month (see section 144-5.17)		
Research lab (non-hazardous)		
Residential use in buildings with non-residential uses permitted in the district		
Restaurant/prepared food sales		P
Restaurant with drive-through service		P
Retail store and shopping center without drive-through service (50,000 sq. ft. bldg. or less)		P
Retail store and shopping center with drive-through service (50,000 sq. ft. bldg. or less)		P

Land Use	Existing	Proposed
	APD	C-1A
Retail store and shopping center (more than 50,000 sq. ft. bldg.)		
Retirement home/home for the aged		P
Rock crushers and rock quarries		
Rodeo grounds	P	
RV park		
RV/travel trailer sales		
Sand/gravel sales (storage or sales)		
School, K-12 public or private	P	P
School, vocational (business/commercial trade)		P
Security monitoring company (no outside storage or installation)		P
Security systems installation company		P
Sexually oriented business (see chapter 18)		
Sheet metal shop		
Shoe repair shops		P
Shooting gallery—Indoor (see section 144-5.13)		
Shooting range—Outdoor (see section 144-5.13)		
Shopping center		P
Sign manufacturing/painting plant		
Single-family industrialized home (see section 144-5.8)	P	
Smelting of tin, copper, zinc or iron ores		
Specialty shops in support of project guests and tourists		P
Stables (as a business) (see chapter 6)	P	
Stables (private, accessory use) (see chapter 6)	P	
Steel furnaces		
Stockyards or slaughtering		
Stone/clay/glass manufacturing		
Storage—Exterior storage for boats and recreational vehicles		
Storage in bulk		
Structural iron or pipe works		
Studio for radio or television, without tower (see zoning district for tower authorization)		
Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)		P
Sugar refineries		
Tailor shop (see home occupation)		P
Tar distillation or manufacture		
Tattoo or body piercing studio		
Taxidermist		
Telecommunications towers/antennas (see section 144-5.7)		
Telemarketing agency		P
Telephone exchange buildings (office only)		P
Tennis court (commercial)		
Theater (non-motion picture; live drama)		P
Tire sales (outdoors)		
Tool rental		P
Townhouse (attached)		
Transfer station (refuse/pick-up)		
Travel agency		P
Truck or transit terminal		
Truck stop		

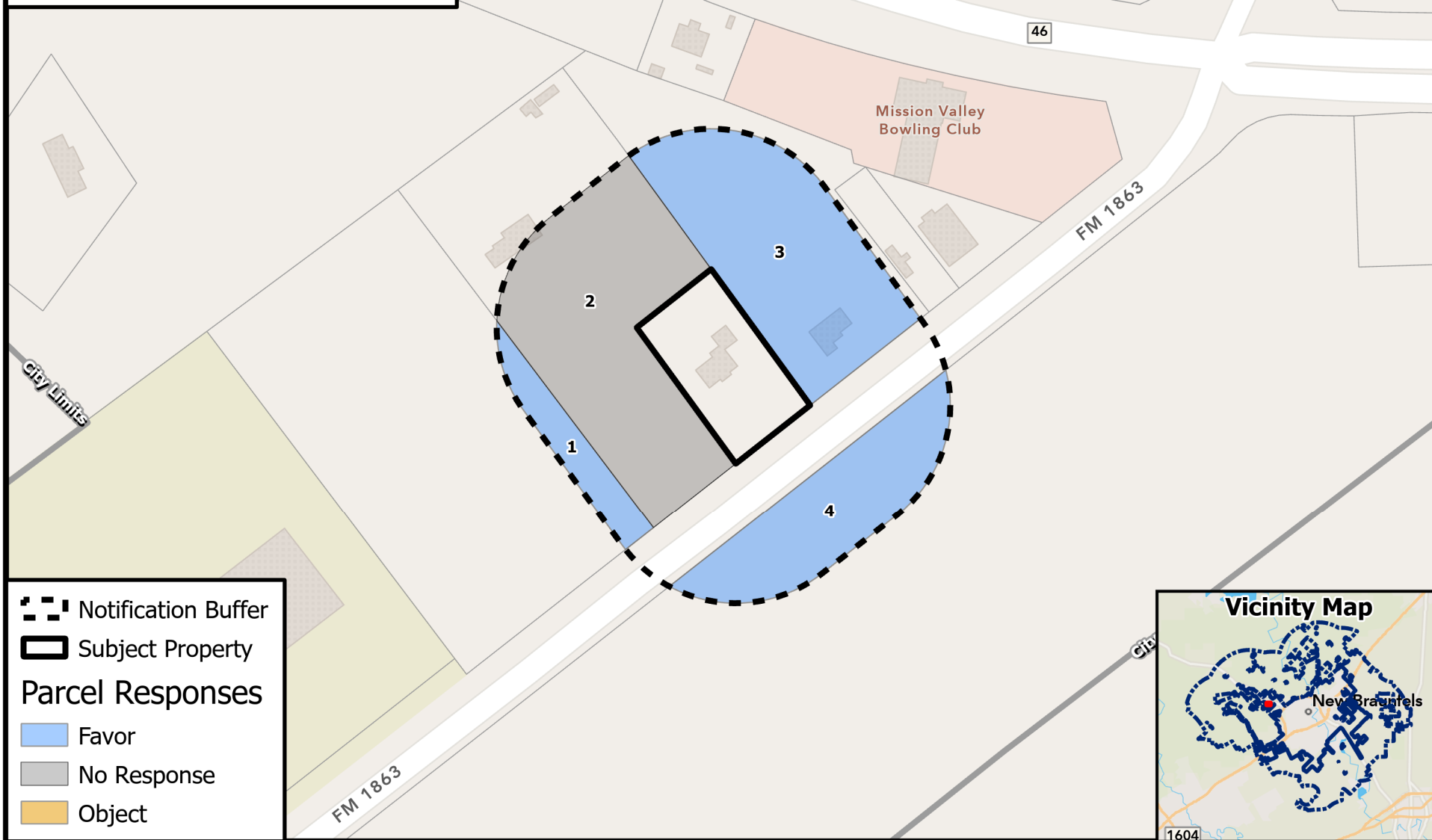
Land Use	Existing	Proposed
	APD	C-1A
Tuber entrance and takeout facilities (see section 144-5.13)		
University or college (public or private)		P
Upholstery shop (non-auto)		
Used or second hand merchandise/furniture store		
Vacuum cleaner sales and repair		P
Vehicle storage facility		
Veterinary hospital (no outside animal runs or kennels)		P
Veterinary hospital (with outdoor animal runs or kennels that may not be used between the hours of 9:00 p.m. and 7:00 a.m.)		
Video rental/sales		P
Warehouse/office and storage/distribution center		
Waterfront amusement facilities—Berthing facilities sales and rentals		
Waterfront amusement facilities—Boat fuel storage/dispensing facilities		
Waterfront amusement facilities—Boat landing piers/launching ramps		
Waterfront amusement facilities—Swimming/wading pools/bathhouses		
Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system	P	P
Welding shop		
Wholesale sales offices and sample rooms		
Wire or rod mills		
Wood distillation plants (charcoal, tar, turpentine, etc.)		
Woodworking shop (ornamental)		P
Wool scouring		
Zero lot line/patio homes		



160 FM 1863

1

Property Owner - Refer to Property Number on Postcard. Numbers may shift due to real estate transactions from the initial notification.



PLANNING COMMISSION – October 8, 2025– 6:00PM

City Hall Council Chambers

Applicant: James Ingalls, P.E.

Address/Location: 160 FM 1863

Case # PZ25-0333

The numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- | | |
|------------------------------------|--|
| 1. CENTER FOR CHRISTIAN GROWTH INC | 3. TRAILBLAZER MANAGEMENT LTD |
| 2. PARKER HELEN K A | 4. SINGLETON SANDRA D & DWAYNE G
DISCHINGER |

SEE MAP

TRAILBLAZER MANAGEMENT LTD
45 RIDGE DRIVE
NEW BRAUNFELS TX 78130
Property #: 3
PZ25-0333
Case Manager: ML

FAVOR



COMMENTS

~~OPPOSE~~



I'm opposing because I do not know the intended use of the property and I do not want the change in zoning to affect my property taxes.

Withdraw opposed -
change to in favor

8:25am
10/13/25

Rachel Kensing

SINGLETON SANDRA D & DWAYNE G DISCHINGER
2000 CR 459
DELEON TX 76444
Property #: 4
PZ25-0333
Case Manager: ML

FAVOR



COMMENTS

OPPOSE



COMMENTS

CENTER FOR CHRISTIAN GROWTH INC
2549 W STATE HIGHWAY 46
NEW BRAUNFELS TX 78132
Property #: 1
PZ25-0333
Case Manager: ML

FAVOR



OPPOSE



Draft Minutes for the October 8, 2025, Planning Commission Regular Meeting

- A) PZ25-0333 Public hearing and recommendation to City Council for a proposed rezoning requested by James Ingalls of INK Civil, on behalf of Audrey Raley of HAW Properties 1863, LLC, of approximately 0.75 acres out of the L. Salinas Survey No. 458 Abstract No. 531, from APD (Agricultural Predevelopment District) to C-1A (Neighborhood Commercial District), currently addressed as 160 FM 1863. (Applicant: James Ingalls, P.E.; Owner: HAW Properties 1863, LLC (Audrey Raley); Case Manager: Mary Lovell, Senior Planner, MPA, AICP, CNU-A)**

Mary Lovell introduced the aforementioned item.

Chair Sonier asked if there were any questions for staff.

Discussion followed on responses received from neighboring property owners and the intent of the request.

Chair Sonier invited the applicant to speak on the item.

James Ingalls elaborated on the item discussing local land use, the intended use of the property, and communication efforts with neighbors.

Brief discussion followed on height standards.

Chair Sonier opened the public hearing and asked if anybody present wished to speak on the item.

No one spoke.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further discussion or motion to be made.

Motion by Vice-Chair Taylor, seconded by Commissioner Nolte, to recommend approval of the item to City Council. Motion carried unanimously (8-0-0).

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.75 ACRES, BEING OUT OF THE L. SALINAS SURVEY NO. 458 ABSTRACT NO. 531, CURRENTLY ADDRESSED AT 160 FM 1863, FROM APD (AGRICULTURAL PREDEVELOPMENT DISTRICT) TO C-1A (NEIGHBORHOOD COMMERCIAL DISTRICT); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the C-1A (Neighborhood Commercial District), the City Council has given due consideration to all components of said district; and

WHEREAS, the rezoning is in compliance with the Future Land Use Plan; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City's Comprehensive Plan;

WHEREAS, the requested rezoning is in accordance with the City's Strategic Plan;

WHEREAS, the requested rezoning is in support of the recommendations in the Land Use Fiscal Analysis;

WHEREAS, the City Council desires to amend the Zoning Map by changing the zoning of approximately 0.75 acres being out of the L. Salinas Survey No. 458 Abstract No. 531, currently addressed at 160 FM 1863 from APD (Agricultural Predevelopment District) to C-1A (Neighborhood Commercial District); and

now, therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by rezoning the following tract of land from APD (Agricultural Predevelopment District) to C-1A (Neighborhood Commercial District):

Approximately 0.75 acres, being out of the L. Salinas Survey No. 458 Abstract No. 531, as delineated on Exhibit "A" and described in Exhibit "B", attached.

SECTION 2

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 3

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 4

THIS ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 27th day of October, 2025.

PASSED AND APPROVED: Second reading this 10th day of November, 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

CELCO SURVEYING

REG. # 10193975

TEL: 830-214-5109

SURVEY PLAT

18018 OVERLOOK LOOP, SUITE 105

UNIT 239

SAN ANTONIO, TEXAS 78259

eddie@celcosurveying.com

www.celcosurveying.com

SCALE
1" = 40'

HELEN K PARKER
DOC. # 2013-PCA-0215

SCOTT K ANDERSON
DOC. # 9806006234
0.743 ACRES

TRAILBLAZER MANAGEMENT LTD
DOC. # 200206027646

- LEGEND**
- = IRON ROD FOUND
 - = IRON ROD SET
 - x— = WIRE FENCE
 - PUE = PUBLIC UTILITY EASEMENT
 - DE = DRAINAGE EASEMENT
 - BL = BUILDING LINE
 - E/M = ELECTRIC METER
 - ☒ = AIR CONDITIONER
 - ☆ = LIGHT POLE
 - ⊙ = WASTEWATER MANHOLE
 - ⋈ = WATER VALVE
 - ⚡ = POWER POLE
 - +— = O/H POWERLINE

A EASEMENT TO COMAL POWER COMPANY AS
RECORDED IN VOLUME 52, PAGE 524, DEED
RECORDS, COMAL COUNTY, TEXAS.
(BLANKET EASEMENT--DOES AFFECT THIS
TRACT)

BEARING BASIS DERIVED FROM TEXAS STATE
PLANE COORDINATE SYSTEM, TEXAS SOUTH
CENTRAL ZONE, NAD 83 DATUM.

ADDRESS: 160 FM 1863, NEW BRAUNFELS, TEXAS

LEGAL DESCRIPTION: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

CATEGORY 1A CERTIFICATION

THE UNDERSIGNED DOES HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS SURVEY
SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS
MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1A, TSPS LAND TITLE SURVEY.

BUYER: HAW PROPERTIES 1863, LLC, A TEXAS LIMITED LIABILITY COMPANY

TITLE CO: FIRST AMERICAN TITLE

G.F.#: 25-0563-C

LENDER: TBD

PLAN No.: 2025-5007

SURVEY DATE: FEBRUARY 20, 2025

GEORGE E. LUCAS R.P.L.S. 4180

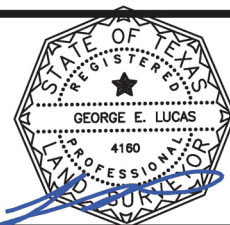


EXHIBIT "B"

FIELD NOTE DESCRIPTION TRACT FOR A 0.743 ACRE TRACT OF LAND:

BEING A 0.743 ACRE TRACT OR PARCEL OF LAND SITUATED IN COMAL COUNTY, TEXAS, BEING OUT AND A PART OF THE L. SALINAS SURVEY NO. 458, ABSTRACT NO. 531, COMAL COUNTY, TEXAS, AND BEING ALL OF THAT SAME TRACT OF LAND CONVEYED TO SCOTT K. ANDERSON IN A DEED RECORDED IN DOCUMENT NO. 9806006234, OFFICIAL RECORDS, ANDERSON COUNTY, TEXAS, (HEREINAFTER REFERRED TO AS THE "ANDERSON TRACT"), SAID 0.743 ACRES OF LAND, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod set on the northwest right-of-way line of Farm-to-Market Road 1863, for the south corner of a tract of land conveyed to Trailblazer Management, Ltd., in a deed recorded in Document No. 200206027646, Official Public Records, Comal County, Texas, (hereinafter referred to as the "Trailblazer Tract"), being the east corner and POINT OF BEGINNING of herein described tract:

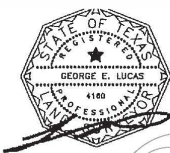
THENC with the southeast line of this tract and the northwest right-of-way line of Farm-to-Market Road 1863, South 52°08'24" West a distance of 135.00 feet to an iron rod set for the southeast corner of a tract of land conveyed to Helen K. Parker in a deed recorded in Document No. 2013-PCA-0215, Official Public Records, Comal County, Texas, (hereinafter referred to as the "Parker Tract"), being the south corner of this tract;

THENCE with the southwest line of this tract and the northeast line of the Parker Tract, the following two (2) calls:

1. North 37°07'51" West a distance of 239.98 feet to an iron rod set;
2. North 52°08'24" East a distance of 135.00 feet to an iron rod set on the southwest line of the Trailblazer Tract, being the north corner of this tract;

THENCE with the northeast line of this tract and the southwest line of the Trailblazer Tract, South 37°07'51" East a distance of 239.98 feet to the POINT OF BEGINNING, containing 0.743 acres of land, more or less.

CELCO Surveying
P.O. Box 701267
San Antonio, Texas, 78270
Firm Registration No. 10193975
PHONE: 830-214-5109
e-mail: eddie@celcosurveying.com



BY: GEORGE E. LUCAS
R.P.L.S. No. 4160
State of Texas
February 20, 2025
2025-5007

Bearing basis is the Texas State Plane Coordinate system, NAD 83 Datum, Texas South Central Zone

Page 1 of 1

Filed and Recorded
Official Public Records
Bobbie Koepp, County Clerk
Comal County, Texas
06/17/2025 03:37:27 PM
TERRI 3 Pages(s)
202506018435



Bobbie Koepp



City Council - Executive Session Agenda Item Report

550 Landa Street
New Braunfels, TX

10/27/2025

Agenda Item No. A)
