



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

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



MONDAY, JANUARY 12, 2026 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

AGENDA AMENDED 01-06-2026

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

PRESENTATIONS:

A) Recognition of Dr. Fred Willard. [25-1588](#)
Jordan Matney, Deputy City Manager

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 December 8, 2025 regular and executive [25-1549](#)
session minutes.
Natalie Baker, Deputy City Secretary
- B) Approval of a Professional Services Agreement with [25-1528](#)
Arcadis for the design of a biofiltration system to be
located adjacent to Landa Park Drive and authorizing the
City Manager to execute the Agreement.
Phillip Quast, Watershed Supervisor
- C) Approval of Interlocal Agreement between Comal County [25-1534](#)
Emergency Services District 7 (ESD 7) and the City of
New Braunfels for the funding of LCRA Radio
Communications Project.
Ruy Lozano, Fire Chief
- D) Approval of a contract with Consolidated Traffic Control, [25-1538](#)
Inc. for the installation of Opticom emergency preemption
equipment to support the City of New Braunfels Fire
Department.
Scott McClelland, Assistant Transportation and Construction Services Director
- E) Approval of a professional service agreement with Pape [25-1547](#)
Dawson Engineers, Inc. to develop and implement a
citywide traffic signal optimization plan as part of the
Alamo Area Metropolitan Planning Organization Carbon
Reduction Program.
Scott McClelland, Assistant Transportation and Construction Services Director
- F) Approval to renew the following annual contracts, as [25-1516](#)
allowed for by their contract language and in accordance
with City Charter Section 9.17: National CineMedia,
Insight Public Sector-Avolve, Landscape Commander,
Bio-West, FleetCor Technologies-Fuel Cards, Cingl
Telecommunications, Pristine Rivers, Spillman
Technologies/Motorola
Julie Gohlke, Assistant Purchasing Manager

G) Approval of an FY 2025 budget amendment for the Debt [25-1581](#)
Service Fund.
Karrie Cook, Budget Manager

H) Approval of the appointment of Raika Rowe as Assistant [26-07](#)
City Attorney/Municipal Court Prosecutor.
Valeria M. Acevedo, City Attorney

I) Approval of an Interlocal Agreement between Comal [25-1535](#)
County Emergency Services District 7 (ESD 7) and the
City of New Braunfels for the funding of the final phase
additions to the fire training facility.
Ruy Lozano, Fire Chief

J) Approval of a contract award for the construction of the [25-1454](#)
Golf Course Road Parking Area and Biofiltration System
to Jerdon Enterprise, LP and authorization for the City
Manager to execute any change orders and project
expenditures up to the contingency amount.
Scott McClelland, Assistant Transportation and Construction Services Director

Resolutions

K) Approval of a resolution of participation in the Guadalupe [25-1539](#)
County Master Drainage Plan under the Texas Water
Development Board Flood Infrastructure Fund.
Carly Farmer, Assistant City Engineer

L) Approval of the resolutions for the Heritage [25-1540](#)
Commission's recommendations for allocating hotel
occupancy tax grant funds to community heritage
organizations and authorizing the City Manager to
execute related grant award contracts.
Natalie Baker, Deputy City Secretary

M) Approval of the resolutions for the Arts Commission's [25-1570](#)
recommendations for allocating hotel occupancy tax
grant funds to community art organizations and
authorizing the City Manager to execute related grant
award contracts.
Natalie Baker, Deputy City Secretary

N) Approval of a resolution of the New Braunfels City [25-1579](#)
Council to ratify the submission of an application for
funding provided by the Office of the Governor, Public

Safety Office Bullet Resistant Door Panels for Law Enforcement Vehicles, FY 2026, and authorizing the City Manager to act on behalf of the City in all matters related to the grant if awarded.

Christopher Greenwell, Grants Coordinator

O) Approval of a resolution; approval for the submission of a grant application to the U.S. Department of Homeland Security, State Homeland Security Program - Regular Projects grant for Program Year 2026 to request funding towards security enhancements at Fire Stations #1, #4, #5, and #6, and authorization for the City Manager to act on behalf of the City in all matters related to the grant if awarded.

Christopher Greenwell, Grants Coordinator

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 second and final reading of an ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lots 1-9, and Lot 900, Block 1, Veramendi Precinct 11A Subdivision, and Lot 109, Block 19, Veramendi Precinct 11B Subdivision, consisting of approximately 45 acres.

Christopher J. Looney, AICP, Planning Director

Q) Approval of the second and final reading of an ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lots 1, 2, 3, and 4, Block 1, Mayfair - North Ransom Commercial Subdivision, consisting of approximately 25 acres.

Christopher J. Looney, AICP, Planning 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) Discuss and consider approval of a resolution supporting the City of New Braunfels' application to the Texas Department of Transportation's 2025 Off-System Rail Grade Separation State Fund Program.

Garry Ford, Transportation and Construction Services Director

B) Public hearing and first reading of an ordinance, at the [25-1530](#) request of Ashley Farrimond of Killen, Griffin & Farrimond, PLLC, on behalf of Brandy Worley, to rezone approximately 6 acres out of Billie and Ed Miles Subdivision Unit 2, Block 1, Lots 1A, 1B, and 2, from C-1A (Neighborhood Commercial District) and R-3 SUP (Multifamily District with a Special Use Permit to allow bed and breakfast and retail) to C-4A (Resort Commercial District), currently addressed at 830, 832, and 870 Gruene Road.

Christopher J. Looney, AICP, Planning Director
Applicant: Killen, Griffin & Farrimond, PLLC
Owner: Brandy Worley

C) Public hearing and first reading of an ordinance, at the [25-1520](#) request of Simms Samonte, on behalf of RBHP Texas, LLC, to rezone approximately 0.18 of an acre out of City Block 5103, West portion of Lot 23, from R-2 (Single-Family and Two-Family District) to C-O SUP (Commercial Office District with a Special Use Permit to allow Short Term Rental of a residence), currently addressed at 160 East Klingemann Street.

Christopher J. Looney, AICP, Planning Director
Applicant: Simms Samonte
Owner: RBHP Texas, LLC

D) Public hearing and first reading of an ordinance, at the [25-1541](#) request of Phong Tien Nguyen, to rezone approximately 0.7 of an acre out of the A M Esnaurizar Survey, Abstract 1, from C-3 AH (Commercial, Airport Hazard Overlay District) to C-3 AH SUP (Commercial, Airport Hazard Overlay District with a Special Use Permit to allow Short Term Rental of a residence), currently addressed at 1092 State Highway 46 South.

Matthew Simmont, AICP, Planning Manager
Applicant/Owner: Phong Tien Nguyen

E) Public hearing and first reading of an ordinance, at the [25-1542](#) request of Chad Fletcher, to rezone approximately 0.2 of an acre out of the Baus Addition Subdivision, Block D, East part of Lots 1 & 2, 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 at 385 West Faust Street.

Matthew Simmont, AICP, Planning Manager

Applicant/Owner: Chad Fletcher

PRESENTATIONS:

A) Presentation and discussion of modifications to the City's [25-1546](#)
Chapter 380 Economic Development Program Policy
Jeff Jewell, Economic and Community Development Director

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 issues regarding economic development [25-1548](#)
negotiations in accordance with Section 551.087 of the
Texas Government Code:
1. Project Maiden

B) Deliberate pending/contemplated litigation, settlement [26-11](#)
offer(s), and matters concerning privileged and
unprivileged client information deemed confidential by
Rule 1.05 of the Texas Disciplinary Rules of Professional
Conduct in accordance with Section 551.071, of the
Texas Government Code, specifically:
· Cause No. 2014-0522A; Y.C. Partners Ltd. dba Yantis
Company v. City of New Braunfels v. Halff Associates,
Inc.

**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

1/12/2026

Agenda Item No. A)

PRESENTER:

Jordan Matney, Deputy City Manager

SUBJECT:

Recognition of Dr. Fred Willard.



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

1/12/2026

Agenda Item No. A)

PRESENTER:

Natalie Baker, Deputy City Secretary

SUBJECT:

Approval of the December 8, 2025 regular and executive session minutes.

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, DECEMBER 8, 2025**

AGENDA

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 CAPIZZI

Councilmember Capizzi 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) David Schoenvogel

Mayor Linnartz read the aforementioned proclamation.

David Schoenvogel accepted the proclamation and addressed council. Chad Donegan also addressed council and presented David Schoenvogel with a commemorative street sign.

CITIZENS COMMUNICATIONS

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The following individuals spoke at this time: Bob King, Jim Holster, Shawn Metz, Joey Lynn Mesaros, Dick Bogart, Richard Kelshimer

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 regular and executive session minutes for the November 24, 2025 council meeting.
- B) Approval of the City of New Braunfels FY 2025 Fourth Quarter Investment Report.
- C) Approval of one (1) Mayoral appointment of Serena Morris, with a term ending 11-30-2028 to the Partnership Committee.
- D) Approval of the first amended and restated development agreement between Lamar Advantage Holding Company and the City of New Braunfels related to the conversion of an existing static billboard (off-premises sign) to a digital billboard, on property on the south-bound side of IH 35 south of Alligator Creek, currently addressed at 4041 - 4029 S. IH 35
- E) Approval for purchases of vehicles with Chastang Autocar and Doggett Freightliner of South Texas for the Solid Waste Division and approval to declare replaced units as surplus.

- F) Approval of recommended changes to the New Braunfels Downtown Board Bylaws, including the creation of a Standing Committee and a recommendation for City Council to appoint applicants
- G) Approval of a Professional Services Agreement with Freese and Nichols, Inc. for the final plans, specifications, and estimates of the Alligator Creek Trail East Phase 1 Project.
- H) Approval of an amendment to the Interlocal Cooperation Agreement between the City of New Braunfels and the New Braunfels Independent School district (NBISD) for the provision of School Resource Officers by the New Braunfels Police Department at NBISD locations.
- I) Approval of a Memorandum of Understanding with New Braunfels Utilities for the coordination of capital projects.

Ordinances

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

- J) Approval of the first reading of an ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lots 1, 2, 3, and 4, Block 1, Mayfair - North Ransom Commercial Subdivision, consisting of approximately 25 acres.
- K) Approval of the first reading of an ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lots 1-9, and Lot 900, Block 1, Veramendi Precinct 11A Subdivision, and Lot 109, Block 19, Veramendi Precinct 11B Subdivision, consisting of approximately 45 acres.
- L) Approval of the second and final reading of an ordinance to revise Section 126 Article IV Division 3 of the Code of Ordinances of the City of New Braunfels to restructure speed limits and school speed zones and remove the school zone associated with the previous New Braunfels ISD Ninth Grade Center.
- M) Approval of the second and final reading of an ordinance to amend Section 126-133 of the Code of Ordinances of the City of New Braunfels to establish a school zone for Legend Point Elementary School.
- N) Approval of the second and final reading of an ordinance to amend

Section 126-132 of the Code of Ordinances of the City of New Braunfels to lower the speed limit in the residential area bounded by Wood Road, Walnut Avenue, and Loop 337.

- O) Approval of the second and final reading of an ordinance, at the request of Toni and Joe Rios, to rezone approximately 0.2 of an acre out of the Buena Vista Addition Subdivision, Block 3, Greater Part of Lot 8, from C-3 (Commercial District) to C-3 SUP (Commercial District with Special Use Permit to allow Short Term Rental of a residence), currently addressed at 265 School Avenue
- P) Approval of the second and final reading of an ordinance, at the request of Walmart Stores East, LP (Joe Frederick) on behalf of Frederick Frueholz, Jr. Estate (Joe H. Tays), regarding the proposed rezoning of approximately 72.097 acres out of the A.M. Esnaurizar Grant, Abstract No. 1, from APD AH (Agricultural/Pre-development, Airport Hazard Overlay District) to M-1A AH (Light Industrial, Airport Hazard Overlay District), generally located south of Kohlenberg Road and west of FM 1101
- Q) Approval of the second and final reading of an ordinance to amend Chapter 144 Zoning, Subsection 2.1, to align rezoning public notices, protests, and sign requirements with state House Bill (HB) 24
- R) Approval of the second and final reading of an ordinance amending the City's Code of Ordinances, Sec. 6-109, relating to home quarantine of animals
- S) Approval of the second and final reading of an ordinance amending the New Braunfels Code of Ordinances, Chapter 2, Sections 2-101 and 2-102, and Chapter 130-406, changing the membership criteria and composition of the Water/Wastewater Impact Fee Advisory Committee to comply with S.B. 1883.
- T) Approval of the second and final reading of an ordinance amending the New Braunfels Code of Ordinances, Chapter 100-20, changing the membership criteria and composition of the Roadway Impact Fee Advisory Committee to comply with S.B. 1883.

APPROVAL OF THE CONSENT AGENDA

Mayor Linnartz read the aforementioned ordinances of the Consent Agenda.

Councilmember Ryan motioned to the approve the consent agenda. Councilmember Capizzi seconded the motion which passed unanimously.

2. INDIVIDUAL ITEMS FOR CONSIDERATION

Individuals desiring to speak to any individual item should line up behind the podium and be ready to speak when public comment is recognized.

Mayor Linnartz asked council if Item B can be taken up prior to Item A. There was no opposition for the item moving up. See item B.

- A) Discuss and consider approval of a resolution of the City of New Braunfels, Texas, authorizing the use of eminent domain proceedings for the acquisition of right-of-way that is necessary to advance and achieve the public use of improving Kohlenberg Road to meet the existing and future needs of the City, in the event negotiations are unsuccessful:
 - a. Property owned by The Estate of Frederick Frueholz, Jr.: 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 called for a five minute break at 8:45 p.m.

Mayor Linnartz reconvened the meeting at 8:51 p.m.

Mayor Linnartz read the aforementioned item.

Matt Eckmann presented this item to council using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Joe Tays

Mayor Pro Tem Spradley motioned to approve this item.

Councilmember Labowski seconded the motion which passed unanimously.

B) Discuss and consider a resolution to approve the City of New Braunfels 2025 Thoroughfare Plan Update.

Mayor Linnartz asked council if Item B can be taken up prior to Item A. There was no opposition for the item moving up.

Mayor Linnartz read the aforementioned item.

Jordan Matney, Garry Ford, and Chief Ruy Lozano presented this item using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Kari Isaac, Martin Nealeigh, Beverly Fisher, Sara Vasquez, Angela Allen, Susan Collins, Joey Lynn Mesaros, Andrew Claussen, Jonathan Packer, Jodi Smith, Nate Crippen, Kristen Carden, Mark Gibson, Courtney Lyons-Garcia, Robert Boyd, Kevin Webb, Todd Blackman, Randall Allsup, Mike Scholze, Haley Furlough, Casey Lee

Councilmember Labowski motioned to approve this item with the exception of Seminole Drive in the Thoroughfare Plan. Mayor Pro Tem Spradley seconded the motion which failed with a 3/4 vote.

Opposed: Councilmember Capizzi, Councilmember Edwards, Councilmember Ryan, and Mayor Linnartz

Councilmember Capizzi motioned to approve this item as recommended by staff. Councilmember Ryan seconded the motion which passed.

Opposed:

Councilmember Carter, and Councilmember Labowski

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.

Mayor Linnartz convened back into executive session at 9:10 p.m.

A) Deliberate the appointment, evaluation, duties, discipline, or removal

of the City Manager in accordance with Section 551.074 of the Texas Government Code.

B) Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, including but not limited to:

- City of New Braunfels v. Stoddard Construction Management, Inc. and Swiss Re Corporate Solutions America Insurance Corp.; C2024-1777D

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

Mayor Linnartz reconvened into open session at 9:22 p.m.

Mayor Pro Tem Spradley made a motion stating Mayor, I would like to make a motion and a vote of confidence in favor of our City Manager, Robert Camareno, by approving a 3% salary increase, bringing his annual salary to \$322,680.00. Councilmember Labowski seconded the motion which passed unanimously.

ADJOURNMENT

Mayor Linnartz adjourned the meeting at 9:30 p.m.

Neal Linnartz, Mayor

Gayle Wilkinson, City Secretary

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL - EXECUTIVE SESSION
REGULAR MEETING OF MONDAY, DECEMBER 8, 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 City Manager in accordance with Section 551.074 of the Texas Government Code.
- B) Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, including but not limited to:
 - City of New Braunfels v. Stoddard Construction Management, Inc. and Swiss Re Corporate Solutions America Insurance Corp.; C2024-1777D

Mayor Linnartz read the aforementioned executive session items.

Mayor Linnartz adjourned into closed session at 5:02 p.m.

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

Mayor Linnartz reconvened into open session at 6:02 p.m.

City Council did not complete all of the executive session items at this time. They will reconvene into executive session following the regular meeting.

No action was taken at this time.

ADJOURNMENT

Mayor Linnartz adjourned at 6:02 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY

1/12/2026

Agenda Item No. B)

PRESENTER:

Phillip Quast, Watershed Supervisor

SUBJECT:

Approval of a Professional Services Agreement with Arcadis for the design of a biofiltration system to be located adjacent to Landa Park Drive and authorizing the City Manager to execute the Agreement.

DISCUSSION:

The City of New Braunfels (City) is a partner in the Edwards Aquifer Habitat Conservation Plan (EAHCP). The EAHCP, managed by the Edwards Aquifer Authority (EAA), protects endangered species that live in the San Marcos and Comal Springs fed by the Edwards Aquifer by managing groundwater use, implementing proactive programs to protect habitat and improve water quality (e.g., green infrastructure and habitat restoration), and supporting measures (e.g., monitoring, research and refugia). Each year, the City participates in the EAHCP in a variety of ways, including by implementing new capital projects in New Braunfels to protect the Comal Springs.

This project includes reconstruction of a new 15 - 17 slot parking lot along Landa Park Drive (See attached Scope of Work for location details). To capture and treat stormwater from this parking lot, the City is also constructing a biofiltration system. The biofiltration system will reduce non-point source pollution to the Comal River by collecting and infiltrating stormwater that would otherwise discharge into the river. The parking lot will be reconfigured to optimize traffic flow, maximize the number of parking spaces, and potentially regrade the lot to improve water flow. The biofiltration basin will be designed along the boundary with Landa Park Drive to capture flow from the parking lot and the prior recreational center and Parks and Recreation Department maintenance building roofs draining to the parking lot. A new outfall will be designed underneath Landa Park Drive to convey water from the biofiltration basin underdrain to an outfall on the opposite side of Landa Park Drive.

On July 11, 2025, Statements of Qualifications (SOQ) were released to pre-qualified firms in the Stormwater Engineering category, utilizing the New Braunfels Indefinite Delivery Indefinite Quantity (IDIQ) for Professional Services. On July 25, 2025, the City received five responses to the SOQ. City staff evaluated the responses received based on identified criteria requirements, understanding of the project approach, experience, proposed personnel, and timeline of project and tasks. Based on staff's evaluation, Arcadis was selected as the most qualified proposer for this project. The fee for design of this project will be \$275,000 and will be funded by the EAHCP grant.

ISSUE:

Continue an ongoing program of infrastructure, construction, and maintenance.
Seek alternative funding sources and partnerships that extend city tax dollars.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

This project is funded 100% by the EAHCP, therefore sufficient funding is available.

RECOMMENDATION:

Staff recommends approval of a Professional Services Agreement with Arcadis for the design of a biofiltration system to be located adjacent to Landa Park Drive.

City of New Braunfels, TX

Scope of Work for the Landa Park Drive Parking and Biofiltration System

December 4, 2025

EXHIBIT A: SCOPE

The City of New Braunfels (City) is a partner in the Edwards Aquifer Habitat Conservation Plan (EAHCP). The EAHCP, managed by the Edwards Aquifer Authority (EAA), protects endangered species that live in the San Marcos and Comal Springs fed by the Edwards Aquifer by managing groundwater use, implementing proactive programs to protect habitat and improve water quality (e.g., green infrastructure and habitat restoration), and supporting measures (e.g., monitoring, research and refugia). Each year, the City participates in the EAHCP in a variety of ways, including by implementing new capital projects in New Braunfels to protect the Comal Springs.

This project includes reconstruction of a new 15 – 17 slot parking lot along Landa Park Drive with boundaries as shown in Figure 1. To capture and treat stormwater from this parking lot, the City is also constructing a biofiltration system. The biofiltration system will reduce non-point source pollution to the Comal River by collecting and infiltrating stormwater that would otherwise discharge into the river. The parking lot will be reconfigured to optimize traffic flow, maximize the number of parking spaces, and potentially regrade the lot to improve water flow. The biofiltration basin will be designed along the boundary with Landa Park Drive to capture flow from the parking lot and the prior recreational center and Parks Department maintenance building roofs draining to the parking lot. A new outfall will be designed underneath Landa Park Drive to convey water from the biofiltration basin underdrain to an outfall on the opposite side of Landa Park Drive.

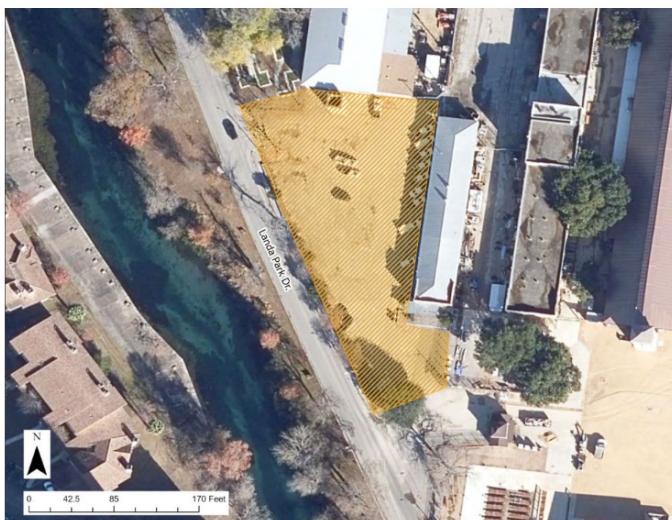


Figure 1: Project Boundaries for the Parking Lot and Biofiltration Basin

Scope of Work for FY 26 Landa Park Drive Parking and Biofiltration System Activities

The City requires Arcadis U.S., Inc. (Arcadis) to provide the design and construction administration services outlined in Tasks 1 through 8 below.

Task 1 – Project Management

Arcadis will practice effective and efficient communication to enable the City to make prompt and informed decisions and keep the project focused on meeting targeted goals. Arcadis will conduct project management and administration activities for the project including planning work activities, maintaining the project schedule, invoicing, coordinating with the City's representatives, facilitating communications to team members, and providing routine monitoring and control for effective facilitation and implementation of the project.

Task 1 Meetings

- Monthly virtual progress meetings with City staff, up to six total
- Attendance at one in-person stakeholder meeting or public meeting

Task 1 Deliverables

- Monthly invoicing and progress updates
- Project schedule within 10 calendar days of award, updated monthly
- Monthly (as applicable) invoices with progress report.

Task 1 Assumptions

- This Scope of Work (SOW) may be modified in writing, as necessary, to meet the needs of the City and the Project as implementation progresses.
- Arcadis (Engineer) may perform the Services through a combination of its own employees and employees of its affiliates and any use of such affiliate labor shall not be deemed a subcontract for purposes of this Agreement. Engineer shall be entitled to invoice for any affiliated labor in the same manner as it invoices its own employees.
- Monthly virtual progress meetings begin in the second month; the final meeting may be delayed until after responses are received from permitting agency(ies)

Task 2 – Summary of Needs Study

Arcadis will develop and address the requirements, goals and the constraints for the project. This effort includes a civil assessment of the site, site survey, geotechnical analysis, environmental studies reviewing known environmental issues and identifying potential environment concerns and identifying and reviewing known or potential permitting issues. The study will include reviews of City, State, and Federal guidelines, standards, ordinances, and codes. An executive summary and an Opinion of Probable Construction Cost following AACE guidelines will be provided.

Task 2 Meetings

- Virtual project kickoff call; will include maintenance staff to capture lessons learned from maintenance/performance of other parking lot and biofiltration projects and feedback on the previously developed Operations and Maintenance Manuals
- Virtual draft Summary of Needs Study review workshop

Scope of Work for FY 26 Landa Park Drive Parking and Biofiltration System Activities

Task 2 Deliverables

- Draft and final executive summary of project needs (Summary of Needs Study)
- AACE Level 5 Opinion of Probable Construction Cost (OPCC)
- Site survey
- Geotechnical analysis including soil boring(s) and infiltration test(s) as a part of geotechnical report.
- Response log for review comments

Task 2 Assumptions

- City provides requested data for existing conditions, drawings and any other related information for the project in a timely manner.
- Review of environmental and permitting requirements will be done at a desktop level. No field investigations except for the site survey and geotechnical investigation are included.
- Survey needs are anticipated to remain within the City Right-of-Way or other City-owned property. Survey needs outside of these limits would need to be coordinated through the City.
- The site survey will include a Boundary verification survey, Topographic survey, and an optional Easement survey. Survey scope of services is included as an Exhibit to this document.
- The geotechnical investigation will be limited to investigating subsurface conditions and characterize soil and rock, a total of three (3) borings will be drilled. Two (2) borings will be drilled to a depth of 20 feet each for the pond in the parking lot area and one (1) boring will be drilled to a depth of 30 feet for the outfall structure. Geotechnical scope of services is included as an Exhibit to this document.
- No technology review is included in this SOW.

Task 3 – Schematic Design

Arcadis will define the site and structure relationships, and layout and establish the project scope and design criteria. Arcadis will provide a schematic set of plans and specifications which illustrate all components of the Project, including the use of the site corridor survey to establish the northing/easting coordinates and elevations of existing drainage infrastructure within the survey limits for use in producing unit hydrographs within Autodesk Civil 3D Storm and Sanitary Sewer Analysis (SSA) software. Arcadis will delineate the tributary drainage area, develop hydrologic input data for stormwater runoff, establish hydraulic inputs based on survey data and reasonable assumptions, and establish appropriate boundary conditions for hydrologic and hydraulic (H&H) analysis of the project area. The size, extents, and level of resolution in the H&H model will be determined based on the configuration of the local drainage area. Arcadis will review and define the extent of parking lot upgrades required, and also define the type of landscaping that will best fit the site and have minimal maintenance. The 30% design schematics will include:

- Cover Sheet with Overall Location Plan
- Large-scale site plan
- Preliminary layout of stormwater features in plan view on site plan
- Concept drainage area map on site plan

Task 3 Meetings

- Virtual schematic design review workshop

Scope of Work for FY 26 Landa Park Drive Parking and Biofiltration System Activities

Task 3 Deliverables

- Report including, but not limited to:
 - Design criteria with calculations that includes contributing drainage areas (impervious and pervious), storage volume, loading ratio, calculations of release rates, and storm size managed
 - Hydrologic and hydraulic model results
 - Site survey, utility conflict matrix and site plan
 - Schematic drawings and specifications
 - Description of all materials, components, and systems
 - Summary of permitting and code requirements
- Response log for review comments
- AACE Level 3 OPCC

Task 3 Assumptions

- Arcadis will design the site civil requirements, traffic control considerations, and permitting considerations for Final Design.
- The City will provide review comments within one week of the Review Workshop.
- The City will coordinate internally to provide the City's latest standard contracting documents and templates.
- The stormwater model will be developed for a single drainage catchment area, utilizing the unit hydrograph method for rainfall-runoff analysis to estimate runoff volumes and peak flows.
- Model will assume the following:
 - All runoff within the project boundary will be modeled as draining to a single outfall point.
 - Standard design rainfall events and catchment characteristics will be based on available data or typical published values.
 - Model outputs will include hydrographs, summary tables of peak flows and runoff volumes for each design event.
- An easement may be required for the biofiltration underdrain and new outfall located between Landa Park Drive and the Comal River.
- Design will assume the following:
 - An open-cut excavation will be required to lay a new outfall pipe under Landa Park Drive; the trench will be repatched and a traffic plan will be included in the construction documents.
 - Vegetation for the biofiltration basin will be drought-tolerant, native and low-maintenance; the variety of plants will be limited to ease future maintenance.
 - The parking lot surface will be removed and reconstructed, with possible changes made to select areas to enhance drainage; permeable pavement will not be used as the City does not own the equipment required to maintain.
 - A single or series of linear biofiltration basins will be constructed along the parking lot boundary with Landa Park Drive.
 - No Total Maximum Daily Loads (TMDLs) are in place for the Comal River that need to be addressed by the biofiltration basin design; however, the City does have a TCEQ-approved Watershed Protection Plan.
 - No historical or archaeological permits will be required as the site has been previously developed.
 - No species impacts are assumed. If any species impacts are identified, contingency services would be used to address additional requirements.

Scope of Work for FY 26 Landa Park Drive Parking and Biofiltration System Activities

- No floodplain study will be required by the City as the percentage of impervious cover at the site will be slightly reduced.
- A biofilter underdrain will be required; based on other biofiltration designs in the area, geotechnical infiltration testing is anticipated to demonstrate the site soil conditions will not allow for significant infiltration.
- No roadway redesign is included, with the exception of patching the location that is cut for the new outfall.
- No more than 25% of the parking lot will require redesign to improve drainage.
- No new utility work or rework is included.

Task 4 – Final Design

Arcadis will incorporate feedback from the schematic design workshop and develop detailed design and bidding documents for construction. This includes parking lot design, pipe crossing the roadway, outfall design, biofiltration system design, landscaping, completing permitting applications with identified authorities having jurisdiction (USACE, City (TCP)), resolving any utility conflicts, determining any temporary or permanent easements and editing the City's standard contract documents and bid tabs. Final (100%) design drawings are anticipated to include:

- Title Sheet
- Index and Legend
- General Notes
- Existing
- Demolition
- Site Layout
- Grading Plan (Parking Lot)
- Erosion Control
- Plan and Profiles
- Civil and Erosion Control Details
- Biofiltration Basin Design
- Planting Plan
- Planting Details
- Special Details

Task 4 Meetings

- 90% design review workshop
- Project closeout meeting, including next steps

Task 4 Deliverables

- 90% and 100% construction drawings and specifications
- Bid documents, including edits to the City's standard contract documents and bid tab
- Record of permit applications and recommended temporary/permanent easements
- Final design calculations and H&H model results
- Response log for review comments
- AACE Level 1 OPCC

Scope of Work for FY 26 Landa Park Drive Parking and Biofiltration System Activities

Task 4 Assumptions

- The City will provide review comments within one week after Final Design Review Workshop.
- The City will pay any required permitting fees.
- The City will acquire any permanent easements
- No permits are assumed to be needed from TCEQ or EAA.
- The Contractor will be required to prepare and obtain the Traffic Control Plan and permit.
- No floodplain study is required.
- Only one recommended site layout will be provided; no alternatives are included.

Task 5 – O&M Manual for the Biofiltration Basin

- No services are included for 2026.

Task 6 – Construction Administration

- No services are included for 2026.

Task 7 – Post Construction Activities

- No services are included for 2026.

Task 8 – Contingency

Arcadis will seek prior written approval from the City's Project Manager before commencing work on any contingency services described in this task. Contingency services for this project may include, but are not limited to:

- Attendance at additional stakeholder meetings and/or public meetings
- Assistance in obtaining an easement survey for the new outfall
- Assistance in obtaining USACE permit for the new outfall and/or addressing requirements if any species impacts are identified.
- Additional permitting not outlined in Tasks 1 – 6
- Graphical design
- Coordination or reporting with Edwards Aquifer Authority
- Value engineering reviews or design updates
- Design updates to accommodate code or permitting changes
- Design updates and project extension to accommodate unknown site conditions discovered during site investigations or during construction
- Completion of a floodplain study
- Additional inspections of plantings during establishment/warranty period
- Construction duration extension

Scope of Work for FY 26 Landa Park Drive Parking and Biofiltration System Activities

EXHIBIT B: PAYMENT SCHEDULE

The total compensation for the work described in this SOW is not to exceed \$275,000, as shown in Table 1. Monthly invoices shall be submitted on a time and materials basis per task.

Table 1. Time & Materials Compensation

Contract Task No.	Task Title	Fee
1	Project Management	\$ 15,000
2	Summary of Needs Study	\$ 40,000
3	Schematic Design	\$ 85,000
4	Final Design	\$ 110,000
5	O&M Manual	\$ 0
6	Construction Administration	\$ 0
7	Post Construction Activities	\$ 0
8	Contingency	\$ 25,000
		\$ 275,000

EXHIBIT C: COMPLETION SCHEDULE

The tasks described herein will be completed between January 1, 2026 and December 31, 2026.

EXHIBIT D: SUBCONSULTANTS' SCOPE OF SERVICES

The exhibit contains the scope of services provided by the survey, and geotechnical subconsultants.

1/12/2026

Agenda Item No. C)

PRESENTER:

Ruy Lozano, Fire Chief

SUBJECT:

Approval of Interlocal Agreement between Comal County Emergency Services District 7 (ESD 7) and the City of New Braunfels for the funding of LCRA Radio Communications Project.

DEPARTMENT: Fire**COUNCIL DISTRICTS IMPACTED:** All**BACKGROUND INFORMATION:**

The New Braunfels Fire Department (NBFD) provides fire protection and emergency medical services to Emergency Services District No. 7 (ESD7). NBFD currently utilizes a Lower Colorado River Authority (LCRA) radio system supported by a single primary communication tower. Following a recent analysis, opportunities were identified to improve radio communications coverage in various portions of the ESD.

In response, NBFD, ESD7, and LCRA collaboratively developed a plan to enhance system coverage and upgrade tower equipment where needed. The total cost of the proposed improvements is approximately \$2.5 million and is expected to be fully funded by ESD7. The attached interlocal agreement outlines the respective responsibilities of the City and the District related to project management, coordination, and oversight with LCRA.

ISSUE:

To improve radio communications throughout the City of New Braunfels and ESD 7

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

The project is being funded by the ESD 7, therefore there is no fiscal impact to the City.

RECOMMENDATION:

Staff recommends approval.

**INTERLOCAL AGREEMENT
FOR FUNDING OF LCRA RADIO COMMUNICATIONS PROJECT
BETWEEN COMAL COUNTY EMERGENCY SERVICES DISTRICT NO.7 AND
THE CITY OF NEW BRAUNFELS**

This Interlocal Agreement (“Agreement”) is between Comal County Emergency Services District No. 7 (the “District”), a political subdivision of the State of Texas, and the City of New Braunfels (the “City”), a Texas home rule municipality, (each a “Party” and collectively, the “Parties”) which has been approved by each Party’s governing body prior to the execution by the District’s President and the City Manager.

RECITALS

WHEREAS, the City is contracting with the Lower Colorado River Authority (“LCRA”) to install and operate radio communications systems (the “Project”);

WHEREAS, the Project will consist of two 10-Channel, P25, Phase 2 Simulcast Sites. Site 1 of the Project includes an equipment upgrade at the elevated water storage facility located at Kerlick Lane. Site 2 of the Project includes the installation of new equipment at the water storage facility located at Conrads Lane; The Project will improve and enhance the existing radio communication capability with emergency vehicles while responding to service calls throughout the District.

WHEREAS, the District desires to provide funding to the Project in an amount not to exceed \$2,500,000;

WHEREAS, the Project is mutually beneficial by enhancing the emergency response for the residents of the City and the District; and

WHEREAS, the District and the City are authorized to enter into this Agreement in all respects by TEX. GOV'T. CODE ANN., Ch. 791.

AGREEMENT

1. **Purpose.** The purpose of this Agreement is to provide funding for the LCRA radio communications system project. The recitals set forth above are incorporated in and made a part of this Agreement for all purposes.
2. **Term of Agreement.** This Agreement is effective upon the signing of the Parties and continues through the date on which the Project is fully operational.
3. **Responsibilities of the City.**
 - 3.1. The City shall enter into an agreement with the LCRA to carry out the completion of the Project as described in the recitals.
 - 3.2. The City is solely responsible for the oversight of the Project's construction.
 - 3.3. The City shall promptly submit invoices to the District for payment.
 - 3.4. The City shall, upon receipt of District funds, promptly pay each invoice in full.

- 3.5. The City shall provide regular updates to the District regarding the construction of the Project and promptly inform the District of any critical matters related to the Project.
- 3.6. The City shall comply with all applicable laws, rules and regulations in the performance of this Agreement.

4. Responsibilities of the District.

- 4.1. The District shall fund the Project in an amount not to exceed \$2,500,000.
- 4.2. The District shall remit funds to the City, within 15 days from receipt of invoice, so that the City pays the invoice in full. If necessary, the District shall provide thirty percent of the Project estimate as an initial payment within three business days upon final approval of construction agreement for the Project, which notice will be provided by the City.
- 4.3. The District shall comply with all applicable laws, rules and regulations in the performance of this Agreement.

5. **Liability.** Pursuant to Subsection (a-1) of Section 791.006 of the Government Code, the Parties agree to assign liability in a manner that is intended to be different than the liability otherwise assigned under Subsection (a) of Section 791.006 of the Government Code; specifically, the Parties agree that, to the extent allowed by Texas law, each entity is responsible for its own proportionate share of any liability for its negligent acts or omissions, and that no Party shall be liable in monetary damages to the other Party or any other person for any breach of this Agreement, any performance or failure to perform any obligation imposed by this Agreement, or any other cause of action arising from this Agreement.

6. **Amendment of Agreement.** The only modification concerning this Agreement that has any force or effect is a subsequent amendment in writing signed by authorized representatives of both Parties. No official, representative, agent, or employee of the District or the City has any authority to modify this Agreement except pursuant to specific authority to do so expressly granted by the respective governing body.

7. **Entire Agreement.** This Agreement supersedes any and all other agreements, either oral or in writing, between the Parties to it with respect to the subject matter of it and contains all of the covenants and agreements between the Parties with respect to this subject matter. Each Party to this Agreement acknowledges that no representations, inducements, promises, or agreements, oral or otherwise, have been made by any Party or anyone acting on behalf of any Party that are not embodied in this Agreement and that any agreements, statements, or promises not contained in this Agreement are not valid or binding.

8. **Breach.**

- 8.1. The failure of either Party to comply with the terms and conditions of this Agreement is a breach of this Agreement.

9. Dispute Resolution.

9.1. When mediation is acceptable to both parties in resolving a dispute arising under this agreement, the Parties will use the Central Texas Dispute Resolution Center, located in New Braunfels, Texas, as the provider of mediators for mediation as described in the TEX. CIV. PRAC. AND REM. CODE ANN., § 154.073. Unless both parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation are confidential as described in TEX. CIV. PRAC. AND REM. CODE ANN., § 154.073, unless both parties agree, in writing, to waive the confidentiality.

10. Waiver and Reservation of Rights.

10.1. Waiver. The waiver by either Party of a breach of this Agreement does not constitute a continuing waiver of that breach or of a subsequent breach of the same or a different provision, unless the Party not in breach agrees to a waiver in writing.

10.2. Reservation of Rights and Remedies. All rights of both Parties under this Agreement are specifically reserved. Any reimbursement, installment, payment, act, or omission by a Party does not impair or prejudice any remedy or right of that Party under this Agreement. Any right or remedy stated in this Agreement does not preclude the exercise of any other right or remedy under this agreement, the law or in equity, and any action taken in the exercise of any right or remedy shall not be deemed a waiver of any other rights or remedies.

11. Termination.

11.1. Termination for Breach. Either Party may terminate this Agreement if it is found that the other Party has breached this Agreement. Prior to termination, the terminating Party shall provide written notice to the other Party of any breaches. Upon receipt of this notice, the breaching Party has 30 calendar days to correct the breaches or explain why the actions do not breach this Agreement to the satisfaction of the terminating Party. Failure to correct the breaches or give a satisfactory explanation within 30 calendar days results in automatic termination of this Agreement at the end of the 30-day period, unless the Parties agree in writing to extend the time to cure the breaches.

11.2. Mutual Termination. The District and the City may terminate this Agreement if both the District and the City agree in writing.

11.3. Termination on Dissolution of the District. If the District is dissolved or merged, this Agreement is automatically terminated effective on the date of dissolution or merger.

12. Notice. Written Notice. All notices sent pursuant to this Agreement shall be in writing and sent by registered or certified mail, postage prepaid, return receipt requested to the following addresses:

The District:

Board President
Comal County Emergency Services District No. 7
P.O. Box 311975
New Braunfels, Texas 78131

With a copy to:
John J. Carlton
The Carlton Law Firm, P.L.L.C.
4301 Westbank Dr., Suite B-130
Austin, Texas 78746

The City:

City Manager
City of New Braunfels
550 Landa Street
New Braunfels, Texas 78130

With a copy to:
Fire Chief
City of New Braunfels
550 Landa Street
New Braunfels, Texas 78130

- 12.1. **Time of Delivery.** Notice shall be deemed effective two business days after deposit in a U.S. mailbox or at a U.S. post office.
- 12.2. **Change of Address.** Either Party may change its address for notice under this Agreement by providing a prompt notice of the change to all Parties in compliance with this paragraph.
13. **Parties Bound.** This Agreement shall be binding upon and inure to the benefit of the parties to it and to their respective legal representatives and successors where permitted by this Agreement. This Agreement is not assignable without consent of the other Party which shall not be unreasonably withheld.
14. **Assignment.** Neither Party may assign any of its rights or responsibilities under this Agreement without the prior written consent of the other. It is acknowledged by each Party that no officer, agent, employee or representative of the other Party has any authority to grant that assignment unless expressly granted that specific authority by the Party's governing body.
15. **Third Party Rights Not Created.** This Agreement is not intended and shall not be construed to create any rights or remedies in any person or legal entity that is not a party to it and neither the City nor the District is waiving any defense or immunity to which it is entitled against any person or legal entity that is not a party to it.

16. **Independent Contractor, No Agency.** The Parties expressly acknowledge and agree that the City and the District are independent entities, and each assumes all the rights, obligations, and liabilities applicable to it as an independent entity. It is the intention of the Parties that the City and the District act as independent contractors under this Agreement and no other relationship be created. An officer or employee of one party shall not be construed to be the agent or employee of the other party. Nothing in this Agreement is intended, or shall be construed, to create a joint venture or partnership, or to render either party hereto liable for any obligation of the other. Neither party may represent the other for any purpose not expressly authorized in this Agreement without the prior consent of the other party.
17. **Indemnification.** The City shall indemnify to the fullest extent permitted by law and hold the District, as well as its commissioners, officials, agents, volunteers, and employees, harmless from any and all claims arising out of or in connection to this Agreement, including any claims related to the installation or use of the Project, including negligence, and all attorney's fees and related costs, made on account of any loss through personal injuries, deaths, or property damages, arising directly or indirectly out of the sole or concurrent negligence, or the sole or concurrent intentional acts or omissions of the City or its contractors, officials, agents, employees, volunteers, subcontractors, or representatives, except where the District is concurrently negligent or has committed concurrent intentional acts or omissions.
18. **Applicable Law and Venue.** This Agreement shall be construed under and in accordance with the laws of the State of Texas, and venue for any dispute arising out of this Agreement will lie in the appropriate court of Comal County, Texas.
19. **Severability.** If any provision of this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, to the extent reasonably feasible, the remainder of this Agreement shall remain valid and binding.
20. **Gender and Number.** Words of gender used in this Agreement shall be construed to include any other gender and words in the singular number shall be construed to include the plural and vice versa unless this agreement requires otherwise.
21. **Duplicate Originals.** This Agreement may be executed in duplicate originals.

[Signature Page Follows]

IN WITNESS THEREOF, this Agreement is hereby effective upon the date of the second signatory set forth below .

Comal County Emergency Services District No. 7

By: _____
James Frye
Board President

Date: _____

City of New Braunfels

By: _____
Robert Camareno
City Manager

Date: _____

1/12/2026

Agenda Item No. D)

PRESENTER:

Scott McClelland, Assistant Transportation and Construction Services Director

SUBJECT:

Approval of a contract with Consolidated Traffic Control, Inc. for the installation of Opticom emergency preemption equipment to support the City of New Braunfels Fire Department.

DEPARTMENT: Transportation and Construction Services, Fire, Public Works

COUNCIL DISTRICTS IMPACTED: City Wide

BACKGROUND INFORMATION:

On May 13, 2024, the City Council approved a pilot agreement with Consolidated Traffic Control, Inc. for the installation of the Opticom traffic signal preemption in conjunction with the construction of Fire Station 7. The Opticom emergency preemption equipment helps to ensure safe travel through controlled intersections by providing priority signal operation. With the success of the pilot intersection, the city will implement traffic signal preemption upgrades at key intersections throughout the City as planned, utilizing 2023 Bond Funds through the Citywide Intersection Improvement Project.

The contract will provide for the necessary equipment and installation for \$374,310.

The City will use a Houston-Galveston Area Council cooperative contract, which meets the City's competitive bidding requirements.

ISSUE:

Continue an ongoing program of infrastructure, construction, and maintenance.

Improve emergency response times and safety at controlled intersections.

STRATEGIC PLAN REFERENCE:

Economic Mobility Enhanced Connectivity Community Identity

Organizational Excellence Community Well-Being N/A

Improving safe travel and response times for emergency vehicles throughout the city.

FISCAL IMPACT:

Traffic signal preemption was identified in the Cityside Intersection Improvements Project of the 2023 Bond. Therefore, funds are available in the Citywide Intersection Improvement Project.

RECOMMENDATION:

Staff recommends Approval of a contract with Consolidated Traffic Control, Inc. for the installation of Opticom emergency preemption equipment to support the City of New Braunfels Fire Department and authorization for the City Manager to execute contract modifications in accordance with the established purchasing policy.

1/12/2026

Agenda Item No. E)

PRESENTER:

Scott McClelland, Assistant Transportation and Construction Services Director

SUBJECT:

Approval of a professional service agreement with Pape Dawson Engineers, Inc. to develop and implement a citywide traffic signal optimization plan as part of the Alamo Area Metropolitan Planning Organization Carbon Reduction Program.

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

The City of New Braunfels was awarded federal funding through the Alamo Area Metropolitan Planning Organization Carbon Reduction Program to collect data and implement updated traffic signal timing plans at all the City's signalized intersections, including six coordinated corridors. The data collected by Pape Dawson will be used to evaluate and optimize existing signal timings and to identify short-term improvements, such as lane assignment changes or signal head changes. This data can also be used to identify longer-term improvements for other programs, such as future bond programs.

The City issued a Request for Qualifications and September 12, 2025 fourteen (14) responses were received. Staff evaluated responses based on qualifications and experience. Pape Dawson was selected as the most qualified. Pape Dawson will be responsible for all necessary data collection and analysis to develop a traffic signal timing plan and to implement new software and/or systems at the signalized intersections with the greatest need. A summary report will also be submitted, including the final travel time data generated by the optimization plan.

All analysis and deliverables will be due no later than November 20, 2026, amended from the previous date of September 1, 2026. Pape Dawson has submitted a proposal for \$449,985.00 to complete all phases of the non-construction Professional Services Agreement.

ISSUE:

Provide a system of convenient and safe transportation facilities through comprehensive, cooperative, and continuing transportation system planning and development.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

Reimbursable funding

Total Project: \$450,000

Federal Participation: \$360,000
Indirect Costs - State Participation: \$133

City Participation: \$90,000
Direct State Costs - City Participation: \$2,520

City participation totals \$92,520 and was funded in the FY2025 Budget; sufficient funding is available.

RECOMMENDATION:

Staff recommends approval of a professional service agreement with Pape Dawson Engineers, Inc., to develop and implement a traffic signal optimization plan as part of the Alamo Area Metropolitan Planning Organization Carbon Reduction Program.

1/12/2026

Agenda Item No. F)

PRESENTER:

Julie Gohlke, Assistant Purchasing Manager

SUBJECT:

Approval to renew the following annual contracts, as allowed for by their contract language and in accordance with City Charter Section 9.17: National CineMedia, Insight Public Sector-Avolve, Landscape Commander, Bio-West, FleetCor Technologies-Fuel Cards, Cingl Telecommunications, Pristine Rivers, Spillman Technologies/Motorola

DEPARTMENT: Citywide**COUNCIL DISTRICTS IMPACTED:** All**BACKGROUND INFORMATION:**

On November 14, 2016, the City Council provided consent for a quarterly review and approval of renewals for various annual contracts that occur throughout the course of a fiscal year which are routine in nature and in accordance with the terms and conditions of the associated awarded contracts (which were originally approved by City Council).

Quarterly approvals manage staff resources more efficiently as well as ensure compliance with the contracts' terms and conditions. Contract renewals that have any requested modifications, such as a significant increase or decrease in services or costs, will continue to be presented to City Council for individual consideration as needed.

The City Council has previously reviewed and approved the following annual contracts for various goods and services utilized for City operations; the contracts described below require Council authorization for contract renewal. All goods and services have been competitively vetted, and contracts have subsequently been executed on various dates in previous years. All awarded contractors have provided satisfactory performance during the term of their associated contracts.

Renewal of Annual Contract NB 23-022 for Advertising at local movie theaters

City Department: Citywide

Awarded Contractor: National CineMedia, LLC

Contract Term: November 21, 2025, renewed annually

Modified Contract Expiration Date: November 20, 2026

Approximate Annual Cost of Services During Renewal Period: \$25,000.00 but the contract has a total Not To Exceed Value of \$150,000.00 over 5 years.

Renewal of Annual Contract NB 23-006 for electronic plan review software

City Department: Building

Awarded Contractor: Insight Public Sector/Avolve Project Dox

Contract Term: December 6, 2025, renewed annually

Modified Contract Expiration Date: December 5, 2026

Approximate Annual Cost of Services During Renewal Period: \$250,000.00

Renewal of Annual Contract NB 25-142 for Landscape Maintenance Services

City Department: Parks

Awarded Contractor: Landscape Commander

Contract Term: October 1, 2025, renewed annually

Modified Contract Expiration Date: September 30, 2026

Approximate Annual Cost of Services During Renewal Period: \$150,000.00

Renewal of Annual Contract NB 20-040 for Comal River/Landa Lake Aquatic Vegetation Restoration & Maintenance

City Department: Public Works-Watershed

Awarded Contractor: Bio-West

Contract Term: January 1, 2026, renewed annually

Modified Contract Expiration Date: December 31, 2026

Approximate Annual Cost of Services During Renewal Period: \$100,000.00

Renewal of Annual Contract NB 22-138 for Fleet Fuel Card Services

City Department: Citywide

Awarded Contractor: FleetCor Technologies

Contract Term: January 1, 2026, renewed annually

Modified Contract Expiration Date: December 31, 2026

Approximate Annual Cost of Services During Renewal Period: \$1,700,000.00

Renewal of Annual Contract NB 23-047 for Structured Cabling Services

City Department: Information Technology (IT)

Awarded Contractor: Cingl Telecommunications LLC

Contract Term: January 26, 2026, renewed annually

Modified Contract Expiration Date: January 25, 2027

Approximate Annual Cost of Services During Renewal Period: \$150,000.00

Renewal of Annual Contract NB 22-060 for Litter Removal Services

City Department: Public Works-River

Awarded Contractor: Pristine Rivers

Contract Term: January 1, 2026, renewed annually

Modified Contract Expiration Date: December 31, 2027

Approximate Annual Cost of Services During Renewal Period: \$150,000.00

Renewal of Annual Contract NB 13-048 for Maintenance CAD/RMS Spillman

City Department: Police

Awarded Contractor: Spillman Technologies/Motorola

Contract Term: November 1, 2025, renewed annually

Modified Contract Expiration Date: October 31, 2026

Approximate Annual Cost of Services During Renewal Period: \$190,000.00

ISSUE:

Strategic Priorities: Maintain fiscal stability of City operations.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

Funding for all expenditures and contracts described above have been incorporated into the appropriate departmental/fund budgets. Therefore, sufficient funds are available.

RECOMMENDATION:

- Staff recommends approval to renew the following annual contracts, as allowed for by their contract language and in accordance with City Charter Section 9.17: National CineMedia, Insight Public Sector-Avolve, Landscape Commander, Bio-West, FleetCor Technologies-Fuel Cards, Cingl Telecommunications, Pristine Rivers, Spillman Technologies/Motorola

1/12/2026

Agenda Item No. G)

PRESENTER:

Karrie Cook, Budget Manager

SUBJECT:

Approval of an FY 2025 budget amendment for the Debt Service Fund.

DEPARTMENT: Finance**COUNCIL DISTRICTS IMPACTED:** N/A**BACKGROUND INFORMATION:**

At the July 14, 2025, City Council meeting, Council approved the issuance of refunding bonds which were issued on September 10, 2025. The bonds refunded the remaining principal on the 2014 General Obligation Bonds (GO Bonds), 2015 Certificates of Obligation (CO's), 2015 GO and Refunding Bonds, and 2016 GO and Refunding Bonds for a total refunding of \$22,650,000.

A budget amendment for the Debt Service Fund is required due to the approved bond refunding. The fund contains offsetting revenue in Bond Issuance Revenue and Premium on Debt Sold Revenue related to the same issuance, resulting in a net-zero impact on the fund balance; therefore, sufficient funds are available to support this amendment.

Debt Service Fund Amendment

Increase Revenues: \$22,650,000

Increase Expenditures: \$22,650,000

Net Fund Balance Impact: \$0

ISSUE:

N/A

FISCAL IMPACT:

The proposed budget amendment has a net-zero impact on the Debt Service Fund.

RECOMMENDATION:

Staff recommends approval of the proposed FY 2025 budget amendment for the Debt Service Fund.



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

1/12/2026

Agenda Item No. H)

PRESENTER:

Valeria M. Acevedo, City Attorney

SUBJECT:

Approval of the appointment of Raika Rowe as Assistant City Attorney/Municipal Court Prosecutor.

DEPARTMENT: City Attorney's Office

COUNCIL DISTRICTS IMPACTED: Citywide

BACKGROUND INFORMATION:

Due to the vacancy in the position as of December, this position was advertised by the Human Resources Department. After reviewing applications and conducting interviews, the City Attorney has selected attorney Raika Rowe as the successful, qualified candidate for this position due to her extensive legal experience with municipal court prosecution, open records, and many other areas of municipal and government law over the past 25 years that make her a valuable candidate.

ISSUE:

The City Charter, Section 8.04, delegates the hiring of attorneys to the city attorney with final approval of the appointment resting with the City Council. A replacement prosecutor is needed to assist with court dockets.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

The filling of this vacancy is covered by the City Attorney's Office FY 2026 budget.

RECOMMENDATION:

Staff recommends appointment of Mrs. Rowe as Assistant City Attorney/Municipal Court Prosecutor.

1/12/2026

Agenda Item No. I)

PRESENTER:

Ruy Lozano, Fire Chief

SUBJECT:

Approval of an Interlocal Agreement between Comal County Emergency Services District 7 (ESD 7) and the City of New Braunfels for the funding of the final phase additions to the fire training facility.

DEPARTMENT: Fire**COUNCIL DISTRICTS IMPACTED:** All**BACKGROUND INFORMATION:**

The New Braunfels Fire Department provides fire protection and EMS services to ESD 7. ESD 7 benefits from a well-trained fire department and wants to contribute to our efforts to have a completed training facility. The City of New Braunfels has completed the preliminary phases of construction of a new fire training facility. The purpose of the facility is to allow for firefighting training to occur that mimics all occupancy types located within the city and CCESD 7 that firefighters may encounter during responses.

Final phase additions include two burn buildings (one residential configuration and one tower or commercial configuration) that incorporate all occupancy types within the city and CCESD 7. A multi-bay building for storage of training apparatus and associated training gear will also be included.

The total cost of the proposed improvements is approximately \$4 million and is expected to be fully funded by ESD7. The attached interlocal agreement outlines the respective responsibilities of the City and the District related to project management, coordination, and oversight of the project.

ISSUE:

Continuing the development of the fire training facility through a partnership with ESD7

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

The project is being funded by ESD 7, therefore there is no fiscal impact to the City.

RECOMMENDATION:

Staff recommends approval

**INTERLOCAL AGREEMENT
FOR FUNDING OF THE NEW BRAUNFELS FIRE DEPARTMENT TRAINING
FACILITY FINAL PHASE ADDITIONS
BETWEEN COMAL COUNTY EMERGENCY SERVICES DISTRICT NO.7 AND
THE CITY OF NEW BRAUNFELS**

This Interlocal Agreement (“Agreement”) is between Comal County Emergency Services District No. 7 (the “District”), a political subdivision of the State of Texas, and the City of New Braunfels (the “City”), a Texas home rule municipality, (each a “Party” and collectively, the “Parties”).

RECITALS

WHEREAS, the City owns a four-acre property on which a training facility for the City’s firefighters is located (“Training Facility”);

WHEREAS, the Training Facility currently has utilities, concrete, a retention pond, a driving course, security, fencing, and a modular classroom with a restroom;

WHEREAS, the Training Facility requires additions in order to fully achieve its intended purpose, which includes the final design and construction of a standalone tower with live burn capabilities, a residential structure with live burn capabilities, and a four-bay apparatus building to store training units and equipment (“Final Phase” or the “Project”);

WHEREAS, construction and completion of the Final Phase will enable the Training Facility to meet Insurance Services Office (ISO) requirements, allowing the City’s firefighters to complete the eighteen required annual hours of training;

WHEREAS, the cost of the Final Phase is estimated to be approximately Four Million Dollars (\$4,000,000);

WHEREAS, the District desires to provide funding to the Training Facility’s Final Phase in an amount not to exceed Four Million Dollars (\$4,000,000);

WHEREAS, the Project is mutually beneficial by enhancing the emergency response for the residents of the City and the District; and

WHEREAS, any funds required hereunder to be expended by either party shall be from current revenues; and

WHEREAS, the District and the City are authorized to enter into this Agreement in all respects by Chapter 791, Texas Government Code.

AGREEMENT

1. **Purpose.** The purpose of this Agreement is to provide funding to the Final Phase project. The recitals set forth above are incorporated in and made a part of this Agreement for all purposes.
2. **Term of Agreement.** This Agreement is effective upon the signing of the Parties and continues through the date on which the District's financial obligation is fully paid.
3. **Responsibilities of the City.**
 - 3.1. The City shall oversee the construction of the Final Phase in all respects, including retaining the necessary and appropriate vendors or firms to carry out the Project.
 - 3.2. The City shall maintain and keep in good order, condition, and repair the Final Phase structures of the Training Facility, and any ongoing related costs are the sole responsibility of the City.
 - 3.3. The City shall promptly submit invoices related to the construction of the Project and received from the contractor to the District for payment.
 - 3.4. The City shall, upon receipt of District funds, promptly pay each invoice in full.
 - 3.5. The City shall address all complaints or questions from private citizens and commercial businesses that concern the maintenance and operations of the Training Facility.
 - 3.6. The City shall comply with all applicable laws, rules and regulations in the performance of this Agreement.
4. **Responsibilities of the District.**
 - 4.1. The District shall fund the Project in an amount not to exceed \$4,000,000.
 - 4.2. The District shall remit funds to the City, within 15 days from receipt of invoice, so that the City pays the invoice in full.
 - 4.3. The District shall comply with all applicable laws, rules and regulations in the performance of this Agreement.
5. **Transfer of Ownership.** The City may sell or transfer its ownership of the Training Facility but shall provide to the District prior written notice of the City's intent to sell or transfer and shall reimburse the District for all contributed funding. The City shall reimburse the amount of funding contributed by the District within 30 days of sale or transfer of the Training Facility.
6. **Liability.** Pursuant to Subsection (a-1) of Section 791.006 of the Government Code, the Parties agree to assign liability in a manner that is intended to be different than the liability otherwise assigned under Subsection (a) of Section 791.006 of the Government Code; specifically, the Parties agree that, to the extent allowed by Texas law, each entity is responsible for its own proportionate share of any liability for its negligent acts or omissions, and that no Party shall be liable in monetary damages to the other Party or any other person for any breach of this Agreement, any performance or failure to perform any obligation imposed by this Agreement, or any other cause of action arising from this Agreement.

7. **Amendment of Agreement.** The only modification concerning this Agreement that has any force or effect is a subsequent amendment in writing signed by authorized representatives of both Parties. No official, representative, agent, or employee of the District or the City has any authority to modify this Agreement except pursuant to specific authority to do so expressly granted by the respective governing body.
8. **Entire Agreement.** This Agreement supersedes any and all other agreements, either oral or in writing, between the Parties to it with respect to the subject matter of it and contains all of the covenants and agreements between the Parties with respect to this subject matter. Each Party to this Agreement acknowledges that no representations, inducements, promises, or agreements, oral or otherwise, have been made by any Party or anyone acting on behalf of any Party that are not embodied in this agreement and that any agreements, statements, or promises not contained in this Agreement are not valid or binding.

9. **Breach.**

- 9.1. The failure of either Party to comply with the terms and conditions of this Agreement is a breach of this Agreement.

10. **Dispute Resolution.**

- 10.1. When mediation is acceptable to both parties in resolving a dispute arising under this Agreement, the Parties will use the Central Texas Dispute Resolution Center, located in New Braunfels, Texas, as the provider of mediators for mediation as described in the TEX. CIV. PRAC. AND REM. CODE ANN., § 154.073. Unless both parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation are confidential as described in TEX. CIV. PRAC. AND REM. CODE ANN., § 154.073, unless both parties agree, in writing, to waive the confidentiality.

11. **Waiver and Reservation of Rights.**

- 11.1. Waiver. The waiver by either Party of a breach of this Agreement does not constitute a continuing waiver of that breach or of a subsequent breach of the same or a different provision, unless the Party not in breach agrees to a waiver in writing.
 - 11.2. Reservation of Rights and Remedies. All rights of both Parties under this Agreement are specifically reserved. Any reimbursement, installment, payment, act, or omission by a Party does not impair or prejudice any remedy or right of that Party under this Agreement. Any right or remedy stated in this Agreement does not preclude the exercise of any other right or remedy under this Agreement, the law or in equity, and any action taken in the exercise of any right or remedy shall not be deemed a waiver of any other rights or remedies.

12. Termination.

- 12.1. Termination for Breach. Either Party may terminate this Agreement if it is found that the other Party has breached this Agreement. Prior to termination, the terminating party shall provide written notice to the other party of any breaches. Upon receipt of this notice, the breaching party has 30 calendar days to correct the breaches or explain why the actions do not breach this Agreement to the satisfaction of the terminating party. Failure to correct the breaches or give a satisfactory explanation within 30 calendar days results in automatic termination of this Agreement at the end of the 30-day period, unless the Parties agree in writing to extend the time to cure the breaches.
- 12.2. Mutual Termination. The District and the City may terminate this Agreement if both the District and the City agree in writing.
- 12.3. Termination on Dissolution of the District. If the District is dissolved or merged, this Agreement is automatically terminated effective on the date of dissolution or merger.

13. **Notice. Written Notice.** All notices sent pursuant to this Agreement shall be in writing and sent by registered or certified mail, postage prepaid, return receipt requested to the following addresses:

The District:

Board President
Comal County Emergency Services District No. 7
P.O. Box 311975
New Braunfels, Texas 78131

With a copy to:

John J. Carlton
The Carlton Law Firm, P.L.L.C.
4301 Westbank Dr., Suite B-130
Austin, Texas 78746

The City:

City Manager
City of New Braunfels
550 Landa Street
New Braunfels, Texas 78130

With a copy to:

Fire Chief
City of New Braunfels
550 Landa Street
New Braunfels, Texas 78130

- 13.1. Time of Delivery. Notice shall be deemed effective two business days after deposit in a U.S. mailbox or at a U.S. post office.

13.2. **Change of Address.** Either Party may change its address for notice under this Agreement by providing a prompt notice of the change to all Parties in compliance with this paragraph.

14. **Parties Bound.** This Agreement shall be binding upon and inure to the benefit of the parties to it and to their respective legal representatives and successors where permitted by this Agreement. This Agreement is not assignable without consent of the other Party which shall not be unreasonably withheld.

15. **Assignment.** Neither Party may assign any of its rights or responsibilities under this Agreement without the prior written consent of the other. It is acknowledged by each Party that no officer, agent, employee or representative of the other Party has any authority to grant that assignment unless expressly granted that specific authority by the Party's governing body.

16. **Third Party Rights Not Created.** This Agreement is not intended and shall not be construed to create any rights or remedies in any person or legal entity that is not a party to it and neither the City nor the District is waiving any defense or immunity to which it is entitled against any person or legal entity that is not a party to it.

17. **Independent Contractor, No Agency.** The Parties expressly acknowledge and agree that the City and the District are independent entities, and each assumes all the rights, obligations, and liabilities applicable to it as an independent entity. It is the intention of the Parties that the City and the District act as independent contractors under this Agreement and no other relationship be created. An officer or employee of one party shall not be construed to be the agent or employee of the other party. Nothing in this Agreement is intended, or shall be construed, to create a joint venture or partnership, or to render either party hereto liable for any obligation of the other. Neither party may represent the other for any purpose not expressly authorized in this Agreement without the prior consent of the other party.

18. **Indemnification.** The City shall indemnify to the fullest extent permitted by law and hold the District, as well as its commissioners, officials, agents, volunteers, and employees, harmless from any and all claims arising out of or in connection to this Agreement, including any claims related to the construction or use of the Project, including negligence, and all attorney's fees and related costs, made on account of any loss through personal injuries, deaths, or property damages, arising directly or indirectly out of the sole or concurrent negligence, or the sole or concurrent intentional acts or omissions of the City or its contractors, officials, agents, employees, volunteers, subcontractors, or representatives, except where the District is concurrently negligent or has committed concurrent intentional acts or omissions.

19. **Applicable Law and Venue.** This Agreement shall be construed under and in accordance with the laws of the State of Texas, and venue for any dispute arising out of this Agreement will lie in the appropriate court of Comal County, Texas.

20. **Severability.** If any provision of this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, to the extent reasonably feasible, the remainder of this Agreement shall remain valid and binding.

21. Gender and Number. Words of gender used in this Agreement shall be construed to include any other gender and words in the singular number shall be construed to include the plural and vice versa unless this agreement requires otherwise.

22. Duplicate Originals. This Agreement may be executed in duplicate originals.

[Signature Page Follows]

IN WITNESS THEREOF, this Agreement is hereby executed as of the date first above set forth to be effective as set forth herein.

Comal County Emergency Services District No. 7

By: _____
James Frye
Board President

Date: _____

City of New Braunfels

By: _____
Robert Camarenlo
City Manager

Date: _____

1/12/2026

Agenda Item No. J)

PRESENTER:

Scott McClelland, Assistant Transportation and Construction Services Director

SUBJECT:

Approval of a contract award for the construction of the Golf Course Road Parking Area and Biofiltration System to Jerdon Enterprise, LP and authorization for the City Manager to execute any change orders and project expenditures up to the contingency amount.

DEPARTMENT: Transportation and Construction Services**COUNCIL DISTRICTS IMPACTED:** 3**BACKGROUND INFORMATION:**

The city receives funding through the Edwards Aquifer Authority for projects that meet the objectives of the Edwards Aquifer Habitat Conservation Plan (EAHCP). As part of the EAHCP, city staff identified the Golf Course Road parking area and the biofiltration system as a construction project to meet the plan objectives.

On October 13, 2025, the City Council approved the issuance of an invitation for a Competitive Sealed Proposal (CSP) for the construction of the project, and a solicitation was issued on November 6, 2025.

On December 9, 2025, the city received six qualified CSPs for the project. After scoring and evaluation, Jerdon Enterprise, LP was found to be the most qualified competitive bid. Jerdon Enterprise, LP submitted a bid of \$287,000, and city staff recommends an additional 10 percent owner's contingency of \$28,700, for a total approval of \$315,700.

ISSUE:

Continue an ongoing program of infrastructure construction and maintenance. Use a variety of funding sources to accomplish the city's objectives.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

This project will be funded by the EAHCP, therefore sufficient funds are available to award this contract as described above.

RECOMMENDATION:

Staff recommends approval of a contract award to Jerdon Enterprise, LP for the Golf Course Road Parking Area and Biofiltration System project and authorization for the City Manager to execute any change orders and project expenditures up to the contingency amount.

1/12/2026**Agenda Item No. K)****PRESENTER:**

Carly Farmer, Assistant City Engineer

SUBJECT:

Approval of a resolution of participation in the Guadalupe County Master Drainage Plan under the Texas Water Development Board Flood Infrastructure Fund.

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

Guadalupe County is moving forward with the development of a Countywide Master Drainage Plan under the Texas Water Development Board's (TWDB) Flood Infrastructure Fund (FIF) program, Flood Management Evaluation (FME) category. The Master Drainage Plan will evaluate countywide flood risks, identify priority mitigation improvements, update hydrologic and hydraulic data, and develop a unified strategy for long-term resilience across the county and its incorporated communities. The plan study area includes the City of New Braunfels.

TWDB requires a demonstration that all affected political subdivisions have been allowed to participate in the planning process. As part of the application and project development requirements under 31 TAC §361.10 and the SFY 2024-2025 FIF Intended Use Plan (IUP), Guadalupe County must notify and coordinate with all eligible political subdivisions within the project watershed area, including cities, water districts, river authorities, and other units of local government. Participating entities must formally acknowledge involvement in the planning effort by adopting a resolution.

Participating entities will gain involvement in data collection, model development, project identification, and stakeholder coordination. With the City of New Braunfels Drainage Area Master Plan nearing completion, sharing data and coordinating project identification with Guadalupe County will be invaluable.

ISSUE:

Guadalupe County requests a resolution of participation from stakeholders for their Countywide Master Drainage Plan.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

No funding obligations are included in participation in the plan.

RECOMMENDATION:

Approval of a resolution of participation in the Guadalupe County Master Drainage Plan.

RESOLUTION NO. 2026-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, TO PARTICIPATE IN THE GUADALUPE COUNTY MASTER DRAINAGE PLAN UNDER THE TEXAS WATER DEVELOPMENT BOARD FLOOD INFRASTRUCTURE FUND, FLOOD MANAGEMENT EVALUATION PROGRAM.

WHEREAS, Guadalupe County is preparing an application to the Texas Water Development Board (TWDB) under the Flood Infrastructure Fund (FIF), Flood Management Evaluation (FME) category, for the development of a Countywide Master Drainage Plan; and

WHEREAS, TWDB rules (31 TAC §361.10) and the State Fiscal Year 2024–2025 FIF Intended Use Plan require applicants to coordinate with all eligible political subdivisions within the watershed area and allow those entities the opportunity to participate in the planning process; and

WHEREAS, the City of New Braunfels recognizes that a coordinated, countywide drainage and flood mitigation plan is essential for protecting public safety, reducing flood risk, improving infrastructure resilience, and supporting long-term community planning; and

WHEREAS, participation in this planning effort does not obligate the City of New Braunfels to provide funding, but ensures that its drainage concerns, data, and priorities are incorporated into the County-led evaluation.

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

THAT, the City of New Braunfels hereby expresses its support for, and formal participation in, the Guadalupe County Master Drainage Plan to be funded through the TWDB FIF–FME program; and

THAT, the City Engineer or their designee is authorized to coordinate with Guadalupe County and its consultants, provide relevant drainage data, and participate in meetings associated with the development of the Master Drainage Plan; and

THAT, a copy of this resolution shall be provided to Guadalupe County for inclusion in its official project file and TWDB-required documentation.

PASSED, ADOPTED AND APPROVED this 12th day of January, 2026.

City of New Braunfels, Texas

NEAL LINNARTZ, Mayor

Attest:

GAYLE WILKINSON, City Secretary



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

1/12/2026

Agenda Item No. L)

PRESENTER:

Natalie Baker, Deputy City Secretary

SUBJECT:

Approval of the resolutions for the Heritage Commission's recommendations for allocating hotel occupancy tax grant funds to community heritage organizations and authorizing the City Manager to execute related grant award contracts.

DEPARTMENT: City Secretary's Office

COUNCIL DISTRICTS IMPACTED: City-wide

BACKGROUND INFORMATION:

From October 1, 2025, through October 31, 2025, the City Secretary's Office made available, via the City's website, the application, guidelines, and instructions for hotel occupancy tax (HOT) grants.

The commissioners reviewed and scored all applicants for funding. Once the commission scores the application, those scores are averaged together. That average is then applied to the requested amount. Finally, the new calculated amount is proportionately applied to the available amount of HOT funds per organization in order to create a starting budget.

The Heritage Commission met on December 10, 2025, to review qualified applications and, after careful deliberations, the commission has made the following recommendation for 2026 funding awards.

Organization	2025 Request	2025 Council Award	2026 Request	Recommended 2026 Award
NB Conservation Society	\$ 121,000	\$ 92,711.00	\$ 121,000	\$ 66,802
Heritage Society	\$ 98,371	\$ 72,106.00	\$ 98,371	\$ 81,672
NB Historic Railroad & Modelers Society	\$ 137,000	\$ 96,377.00	\$ 137,000	\$ 56,384
Sophienburg Museum & Archives	\$ 128,089	\$ 96,567.00	\$ 128,089	\$ 94,857
Wurstfest Association	-	-	\$ 85,000	\$ 51,821
Total				\$ 351,537

ISSUE:

Allocations require City Council approval.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

City ordinance requires that 15% of Hotel Occupancy Tax (HOT) previous fiscal year collections be allocated to the “enhancement of arts and cultural organizations and programs”. Customarily these proceeds are divided equally between Arts and Heritage Commissions, who then make recommendations to City Council on the disbursement of their respective halves of the funding. This year, \$351,537 was made available to the Heritage Commission based on the 2025 HOT collections.

RECOMMENDATION:

Approval of the awards as recommended by the Heritage Commission.

Resolution No. 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING THAT \$66,802.00 BE AWARDED TO THE NEW
BRAUNFELS CONSERVATION SOCIETY FROM THE CITY'S HOTEL
OCCUPANCY TAX COLLECTIONS FOR THE PURPOSE OF PROMOTING
TOURISM AND THE CONVENTION & HOTEL INDUSTRY WITHIN THE CITY
OF NEW BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Heritage Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the New Braunfels Conservation Society is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the New Braunfels Conservation Society, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the New Braunfels Conservation Society and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the New Braunfels Conservation Society \$66,802.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS,

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS RECOMMENDING THAT \$81,672.00 BE AWARDED TO THE HERITAGE SOCIETY OF NEW BRAUNFELS FROM THE CITY'S HOTEL OCCUPANCY TAX COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND THE CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW BRAUNFELS.

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Heritage Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the Heritage Society of New Braunfels is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4)&(5); and

WHEREAS, the activities of the Heritage Society of New Braunfels, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the Heritage Society of New Braunfels, and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the Heritage Society of New Braunfels \$81,672.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS RECOMMENDING THAT \$56,384.00 BE AWARDED TO THE NEW BRAUNFELS HISTORIC RAILROAD & MODELERS SOCIETY FROM THE CITY'S HOTEL OCCUPANCY TAX COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND THE CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW BRAUNFELS.

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Heritage Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the New Braunfels Historic Railroad & Modelers Society is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the New Braunfels Historic Railroad & Modelers Society, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the New Braunfels Historic Railroad & Modelers Society and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the New Braunfels Historic Railroad & Modelers Society \$56,384.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING THAT \$94,857.00 BE AWARDED TO THE SOPHIENBURG
ARCHIVES & MUSEUM FROM THE CITY'S HOTEL OCCUPANCY TAX
COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND THE
CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW
BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Heritage Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the Sophienburg Archives & Museum is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the Sophienburg Archives & Museum, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the Sophienburg Archives & Museum and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the Sophienburg Archives & Museum \$94,857.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING THAT \$51,821.00 BE AWARDED TO THE
WURSTFEST ASSOCIATION FROM THE CITY'S HOTEL OCCUPANCY TAX
COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND THE
CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW
BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Heritage Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the Wurstfest Association is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the Wurstfest Association, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the Wurstfest Association and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of New Braunfels, Texas hereby awards the Wurstfest Association \$51,821 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED, AND APPROVED this 12th day of January, 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

1/12/2026

Agenda Item No. M)

PRESENTER:

Natalie Baker, Deputy City Secretary

SUBJECT:

Approval of the resolutions for the Arts Commission's recommendations for allocating hotel occupancy tax grant funds to community art organizations and authorizing the City Manager to execute related grant award contracts.

DEPARTMENT: City Secretary's Office

COUNCIL DISTRICTS IMPACTED: City-Wide

BACKGROUND INFORMATION:

From October 1, 2025, through October 31, 2025, the City Secretary's Office made available, via the City's website, the application, guidelines, and instructions for hotel occupancy tax (HOT) grants.

The commissioners reviewed and scored all applicants for funding. Once the commission scores the application, those scores are averaged together. That average is then applied to the requested amount. Finally, the new calculated amount is proportionately applied to the available amount of HOT funds per organization in order to create a starting budget.

The Arts Commission met on December 15, 2025, to review qualified applications and, after careful deliberations, the commission has made the following recommendation for 2026 funding awards.

Organization	2025 Request	2025 Council Award	2026 Request	Recommended 2026 Award
Ballet Texas	\$ 130,000	\$ 49,942	\$ 135,928	\$ 46,563
Brauntex Theatre	\$ 259,449	\$ 113,585	\$ 294,295	\$ 108,274
Christian Youth Theatre San Antonio	\$ 140,190.00	\$ 41,856	\$ 144,105	\$ 41,590
Circle Arts Theatre	\$ 71,766	\$ 24,930	\$ 81,075	\$ 26,111
Coll Street Players	\$ 36,258	\$ 12,927	\$ 66,851	\$ 20,556
Givin Tree	-	-	\$ 5,000	\$ 763
Greater New Braunfels Arts Council	\$ 37,325	\$ 14,704	\$ 28,050	\$ 9,215
Historic Outdoor Art Museum	-	-	\$ 8,699	\$ 3,050
Mid-Texas Symphony	\$ 133,386	\$ 55,853	\$ 123,503	\$ 43,173
New Braunfels Area Quilt Guild	-	-	\$ 13,700	\$ 4,360
New Braunfels Art League	\$ 26,120	\$ 10,310	\$ 15,000	\$ 5,365
Performing Arts Academy	\$ 107,010	\$ 38,218	\$ 131,350	\$ 42,515
Total			\$ 1,047,556	\$ 351,537

ISSUE:

Allocations require City Council approval.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

City ordinance requires that 15% of Hotel Occupancy Tax (HOT) previous fiscal year collections be allocated to the “enhancement of arts and cultural organizations and programs”. Customarily these proceeds are divided equally between Arts and Heritage Commissions, who then make recommendations to City Council on the disbursement of their respective halves of the funding. This year, \$351,537 was made available to the Arts Commission based on the 2025 HOT collections.

RECOMMENDATION:

Approval of the awards as recommended by the Arts Commission.

Resolution No. 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING THAT \$46,563.00 BE AWARDED TO BALLET TEXAS
FROM THE CITY'S HOTEL OCCUPANCY TAX COLLECTIONS FOR THE
PURPOSE OF PROMOTING TOURISM AND THE CONVENTION & HOTEL
INDUSTRY WITHIN THE CITY OF NEW BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, Ballet Texas is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of Ballet Texas, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of Ballet Texas and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards Ballet Texas \$46,563.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS,

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING THAT \$108,274.00 BE AWARDED TO THE
BRAUNTEX PERFORMING ARTS THEATRE ASSOCIATION, INC. FROM
THE CITY'S HOTEL OCCUPANCY TAX COLLECTIONS FOR THE
PURPOSE OF PROMOTING TOURISM AND THE CONVENTION &
HOTEL INDUSTRY WITHIN THE CITY OF NEW BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the Brauntex Performing Arts Theatre Association, Inc. is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4)&(5); and

WHEREAS, the activities of the Brauntex Performing Arts Theatre Association, Inc., when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the Brauntex Performing Arts Theatre Association, Inc., and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the Brauntex Performing Arts Theatre Association, Inc. \$108,274.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING THAT \$41,590.00 BE AWARDED TO THE CHRISTIAN
YOUTH THEATRE SAN ANTONIO FROM THE CITY'S HOTEL OCCUPANCY
TAX COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND
THE CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW
BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the Christian Youth Theatre San Antonio is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the Christian Youth Theatre San Antonio, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the Christian Youth Theater San Antonio and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the Christian Youth Theatre San Antonio \$41,590.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING THAT \$26,111.00 BE AWARDED TO THE CIRCLE
ARTS THEATRE FROM THE CITY'S HOTEL OCCUPANCY TAX
COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND THE
CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW
BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the Circle Arts Theatre is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the Circle Arts Theatre, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the Circle Arts Theatre and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the Circle Arts Theatre \$26,111.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING \$20,556.00 TO THE COLL STREET PLAYERS FROM THE
CITY'S HOTEL OCCUPANCY TAX COLLECTIONS FOR THE PURPOSE OF
PROMOTING TOURISM AND THE CONVENTION & HOTEL INDUSTRY
WITHIN THE CITY OF NEW BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, Coll Street Players is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the Coll Street Players, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the Coll Street Players, and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the Coll Street Players, \$20,556.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Associationâ€™s application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest: CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING THAT \$763.00 BE AWARDED TO THE GIVIN
TREE FROM THE CITY'S HOTEL OCCUPANCY TAX
COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND
THE CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF
NEW BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the Givin Tree is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the Givin Tree, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the Givin Tree and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the Givin Tree \$763.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING THAT \$9,215.00 BE AWARDED TO THE GREATER NEW
BRAUNFELS ARTS COUNCIL FROM THE CITY'S HOTEL OCCUPANCY TAX
COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND THE
CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW
BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the Greater New Braunfels Arts Council is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the Greater New Braunfels Arts Council, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the Greater New Braunfels Arts Council and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels hereby awards the Greater New Braunfels Arts Council \$9,215.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING THAT \$3,050.00 BE AWARDED TO THE HISTORIC
OUTDOOR ART MUSEUM FROM THE CITY'S HOTEL OCCUPANCY TAX
COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND THE
CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW
BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the Historic Outdoor Art Museum is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the Historic Outdoor Art Museum, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the Historic Outdoor Art Museum and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the Historic Outdoor Art Museum \$3,050.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS RECOMMENDING THAT \$43,173.00 BE AWARDED TO THE MID-TEXAS SYMPHONY SOCIETY, INC. FROM THE CITY'S HOTEL OCCUPANCY TAX COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND THE CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW BRAUNFELS.

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the Mid-Texas Symphony Society, Inc. is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the Mid-Texas Symphony Society, Inc., when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the Mid-Texas Symphony Society, Inc. and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the Mid-Texas Symphony Society, Inc. \$43,173.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

**A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS
RECOMMENDING THAT \$4,360.00 BE AWARDED TO THE NEW
BRAUNFELS AREA QUILT GUILD FROM THE CITY'S HOTEL OCCUPANCY
TAX COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND
THE CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW
BRAUNFELS.**

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the New Braunfels Area Quilt Guild is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the New Braunfels Area Quilt Guild, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the New Braunfels Area Quilt Guild and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the New Braunfels Area Quilt Guild \$4,360.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS RECOMMENDING \$5,365.00 BE AWARDED TO THE NEW BRAUNFELS ART LEAGUE FROM THE CITY'S HOTEL OCCUPANCY TAX COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND THE CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW BRAUNFELS.

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the New Braunfels Art League is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the New Braunfels Art League, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the New Braunfels Art League and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the New Braunfels Art League \$5,365.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

Resolution No. 2026-R

A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS, TEXAS RECOMMENDING THAT \$42,515.00 BE AWARDED TO THE NEW BRAUNFELS PERFORMING ARTS ACADEMY FROM THE CITY'S HOTEL OCCUPANCY TAX COLLECTIONS FOR THE PURPOSE OF PROMOTING TOURISM AND THE CONVENTION & HOTEL INDUSTRY WITHIN THE CITY OF NEW BRAUNFELS.

WHEREAS, the City of New Braunfels is authorized by Chapter 351 of the Texas Tax Code to collect Hotel Occupancy Taxes for the purpose of promoting tourism and the convention & hotel industry; and

WHEREAS, the Arts Commission recommends to the City Council of New Braunfels, Texas to award Hotel Occupancy Taxes annually; and

WHEREAS, the New Braunfels Performing Arts Academy is an organization directly involved in the encouragement, promotion, improvement, and application of activities eligible to be funded by the Hotel Occupancy Tax in accordance with Sec. 351.101(a)(4) & (5); and

WHEREAS, the activities of the New Braunfels Performing Arts Academy, when combined with the activities of other arts organizations within the City, constitute a significant attraction for visitors and tourists to the City of New Braunfels; and

WHEREAS, the visitors and tourists attracted to the City of New Braunfels through the activities of the New Braunfels Performing Arts Academy and similar organizations constitute a significant contribution to the tourism, convention, and hotel industries within the City;

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

That the City Council of the City of New Braunfels, Texas hereby awards the New Braunfels Performing Arts Academy \$42,515.00 from the proceeds of the Hotel Occupancy Tax dedicated to the promotion of Arts & Heritage activities within the City, and that said award be conditioned on the performance of all activities and programs outlined in the Association's application for funds.

PASSED, ADOPTED AND APPROVED this 12th day of January 2026.

Attest:

CITY OF NEW BRAUNFELS, TEXAS

Gayle Wilkinson, City Secretary

Neal Linnartz, Mayor

1/12/2026

Agenda Item No. N)

PRESENTER:

Christopher Greenwell, Grants Coordinator

SUBJECT:

Approval of a resolution of the New Braunfels City Council to ratify the submission of an application for funding provided by the Office of the Governor, Public Safety Office Bullet Resistant Door Panels for Law Enforcement Vehicles, FY 2026, and authorizing the City Manager to act on behalf of the City in all matters related to the grant if awarded.

DEPARTMENT: Police**COUNCIL DISTRICTS IMPACTED:** Citywide**BACKGROUND INFORMATION:**

The City of New Braunfels has recently requested funding for the purchase and installation of bullet-resistant vehicle door panels for use by the New Braunfels Police Department (NBPD), aiming to enhance officer safety and operational readiness. If awarded, these panels would better support NBPD during critical incidents and active-threat situations. Currently, ballistic protection for officers is limited to personal body armor and specialized SWAT vehicles, which may have an extended response time depending on the location and nature of the incident. Upfitting the Police Department's marked vehicle fleet with these bullet-resistant components will help reduce response times, enhance tactical safety, and expand the Police Department's capabilities to protect officers and those they serve.

City staff recently submitted a grant application for a total amount of \$256,394, consisting of \$5,000 allocated for the installation of the bullet-resistant door panels and \$251,394 for the bullet-resistant door panels themselves. This funding allocation represents the purchase and installation of these door panels on 143 vehicles in the New Braunfels Police Department's marked vehicle fleet. The granting agency will provide funds for 100% of the total amount; therefore, there is no City-match requirement.

ISSUE:

Submission of the grant application supports the City's Strategic Priorities as follows: Use a variety of funding sources for operational and capital needs.

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:

The granting agency will provide reimbursement of all awarded costs; there is no City-match requirement.

RECOMMENDATION:

City staff recommends approval of a resolution of the New Braunfels City Council to ratify the submission of an application for funding provided by the Office of the Governor, Public Safety Office Bullet Resistant Door Panels for Law Enforcement Vehicles, FY 2026, and authorizing the City Manager to act on behalf of the City in all matters related to the grant if awarded.

RESOLUTION 2026-R

A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS TO RATIFY THE SUBMISSION OF AN APPLICATION FOR FUNDING PROVIDED BY THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE BULLET-RESISTANT DOOR PANELS FOR LAW ENFORCEMENT VEHICLES, FY2026, AND AUTHORIZING THE CITY MANAGER, OR THEIR DESIGNEE, TO ACT ON BEHALF OF THE CITY OF NEW BRAUNFELS IN ALL MATTERS RELATED TO THIS GRANT, INCLUDING EXECUTION OF ALL REQUIRED DOCUMENTATION ASSOCIATED WITH ANY RESULTING AWARD.

WHEREAS, the City of New Braunfels finds it in the best interest of the citizens of Comal County that the “New Braunfels Police Department - Bullet-Resistant Door Panels for Law Enforcement Vehicles” project be operated for the 2026 Fiscal Year; and

WHEREAS, the City of New Braunfels agrees to provide applicable matching funds for said project as required by the Office of the Governor, Public Safety Office, Bullet-Resistant Components for Law Enforcement Vehicles Grant Program grant application; and

WHEREAS, the City of New Braunfels agrees that in the event of loss or misuse of the Office of the Governor funds, the City of New Braunfels assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, the City of New Braunfels designates the City Manager, or their designee, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

THAT, the City of New Braunfels’ City Council approves submission of the grant application for the “New Braunfels Police Department - Bullet-Resistant Door Panels for Law Enforcement Vehicles” to the Office of the Governor.

ADOPTED AND APPROVED on this the 12th day of January 2026.

Grant Number: 5670901

City of New Braunfels, Texas

NEAL LINNARTZ, Mayor

Attest:

GAYLE WILKINSON, City Secretary

1/12/2026

Agenda Item No. O)

PRESENTER:

Christopher Greenwell, Grants Coordinator

SUBJECT:

Approval of a resolution; approval for the submission of a grant application to the U.S. Department of Homeland Security, State Homeland Security Program - Regular Projects grant for Program Year 2026 to request funding towards security enhancements at Fire Stations #1, #4, #5, and #6, and authorization for the City Manager to act on behalf of the City in all matters related to the grant if awarded.

DEPARTMENT: Fire Department**COUNCIL DISTRICTS IMPACTED:** Citywide**BACKGROUND INFORMATION:**

The City's adopted 2024-2029 Strategic Plan includes objectives pertaining to public safety and fiscal sustainability. As such, Staff is applying to the U.S. Department of Homeland Security, State Homeland Security Program - Regular Projects grant program as administered by the Office of the Governor, Public Safety Office, Homeland Security Grants Division's State Homeland Security Program (SHSP) grant for Program Year 2026 to request additional funding on behalf of the New Braunfels Fire Department (NBFD) for the purchase and installation of various security enhancements at fire stations across the City of New Braunfels.

If awarded, this grant will provide funding to support comprehensive security upgrades at multiple City of New Braunfels fire stations to enhance facility security, access control, and situational awareness for first responders. Fire stations serve as critical infrastructure and are essential to the City's ability to prevent, respond to, and recover from natural disasters, major accidents, and potential man-made or terroristic incidents. Ensuring that these facilities remain secure and operational at all times is vital to maintaining uninterrupted emergency response services for the community.

The proposed project will improve security at Fire Stations #1, #4, #5, and #6 through the installation of modern access control systems, building-mounted surveillance cameras, and vehicle access credential readers. Additional site work will include extending fencing and installing new gates at Fire Stations #4 and #6 to fully secure vehicle bays. These upgrades will replace or enhance existing, limited security measures by restricting unauthorized access to station facilities, monitoring exterior areas and apparatus bays, and improving the ability to document and respond to suspicious or criminal activity. The improvements will also help protect critical emergency response equipment, vehicles, and personnel housed at each station.

By strengthening security at these fire stations, the city will reduce vulnerabilities to theft, vandalism, and unauthorized access, while also improving overall operational readiness during emergency events. These enhancements will directly support emergency prevention and response efforts by allowing firefighters and emergency personnel to operate from secure facilities and deploy resources more efficiently when incidents occur.

City staff will be submitting a grant application for a total amount of \$321,604. The granting agency will

provide funds for 100% of the total amount therefore, there is no City-match requirement.

Staff is also requesting City Council approval of a resolution, as required by the granting agency, that will authorize our City Manager to act as the authorized official on behalf of the City in all matters related to this grant. The designated authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

ISSUE:

The City's adopted 2024-2029 Strategic Plan includes objectives pertaining to public safety and fiscal sustainability, both of which will be supported by the grant application, its associated resolution, and requested equipment for the New Braunfels Fire Department.

STRATEGIC PLAN REFERENCE:

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

Organizational Excellence - Considering statutory and market-based factors, continue to diversify revenue streams to support long-term fiscal sustainability of the Organization.

Community Well-Being - Continue to develop alternative public safety deployment strategies that align to call type and statutory requirements to allow for efficient use of current and future staff resources.

FISCAL IMPACT:

The granting agency will provide reimbursement of all awarded costs; there is no City-match requirement.

RECOMMENDATION:

Staff recommends approval of a resolution; approving the submission of a grant application to the U.S. Department of Homeland Security, State Homeland Security Program - Regular Projects grant for Program Year 2026 to request funding towards security enhancements at New Braunfels Fire Department Fire Stations #1, #4, #5, and #6, and authorization for the City Manager to act on behalf of the City in all matters related to the grant if awarded.

RESOLUTION 2026-R

A RESOLUTION OF THE CITY COUNCIL OF NEW BRAUNFELS TO APPROVE THE SUBMISSION OF AN APPLICATION FOR FUNDING UNDER THE U.S. DEPARTMENT OF HOMELAND SECURITY, STATE HOMELAND SECURITY PROGRAM - REGULAR PROJECTS GRANT FOR PROGRAM YEAR 2026, AND AUTHORIZING THE CITY MANAGER, OR THEIR DESIGNEE, TO ACT ON BEHALF OF THE CITY OF NEW BRAUNFELS IN ALL MATTERS RELATED TO THIS GRANT, INCLUDING EXECUTION OF ALL REQUIRED DOCUMENTATION ASSOCIATED WITH ANY RESULTING AWARD.

WHEREAS, the City of New Braunfels finds it in the best interest of the citizens of Comal County that the “New Braunfels Fire Department - Fire Station Security Enhancements” project be operated for the 2026 Fiscal Year; and

WHEREAS, the City of New Braunfels agrees to provide applicable matching funds for said project as required by the Office of the Governor, Public Safety Office, State Homeland Security Program grant application; and

WHEREAS, the City of New Braunfels agrees that in the event of loss or misuse of the Office of the Governor funds, the City of New Braunfels assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, the City of New Braunfels designates the City Manager, or their designee, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

THAT, the City of New Braunfels’ City Council approves submission of the grant application for the “New Braunfels Fire Department – Fire Station Security Enhancements” to the Office of the Governor.

ADOPTED AND APPROVED on this the 12th day of January 2026.

City of New Braunfels, Texas

NEAL LINNARTZ, Mayor

Attest:

GAYLE WILKINSON, City Secretary

1/12/2026

Agenda Item No. P)

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 Lots 1-9, and Lot 900, Block 1, Veramendi Precinct 11A Subdivision, and Lot 109, Block 19, Veramendi Precinct 11B Subdivision, consisting of approximately 45 acres.

DEPARTMENT: Neighborhood and Community Planning**COUNCIL DISTRICTS IMPACTED:** District 3**BACKGROUND INFORMATION:**

Petitioner: Comal County Water Improvement District No. 1 (Veramendi)
c/o Coats Rose Yale Ryman & Lee
Attn: Timothy Green
3 East Greenway Plaza, Suite 2000
Houston, TX 77046

Owner: Veramendi PE-Cairns, LLC
P.O. Box 310699
New Braunfels, TX 78131

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

The City Council unanimously approved the first reading of this ordinance at their December 8, 2025, regular meeting.

As part of the Veramendi Development Agreement adopted in 2015, the City of New Braunfels and Comal County Water Improvement District No. 1 negotiated a Strategic Partnership Agreement (SPA) for limited purpose annexation of certain properties within Veramendi. 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:

In accordance with the SPA, limited purpose annexations are to occur following the recording of a plat for the respective property. The final plats for Veramendi Precinct 11A and Veramendi Precinct 11B have been recorded. City staff is now proceeding with the Limited Purpose Annexation as stipulated by the SPA.

COMPREHENSIVE PLAN REFERENCE:

Regional Planning: Annexation

- Balance resources in an equitable manner that does not lead to disinvestment in existing New Braunfels.
- Ensure annexation supports the community's desired form, design and pattern.
- Assure the long-term fiscal health of New Braunfels and that policy decisions do not create an undue fiscal burden on the City or others.

Future Land Use Plan: The subject property is located within the Veramendi Sub Area, along a Transitional Mixed-Use Corridor, within an existing Education Center, and within a future Market Center.

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.

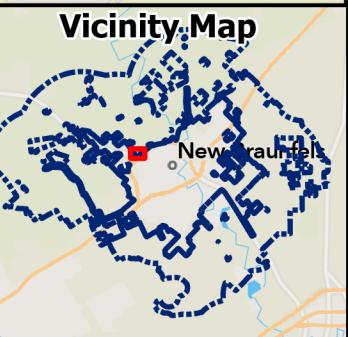
RECOMMENDATION:

Approval.

RESOURCE LINKS:

[<https://newbraunfels.gov/1385/Veramendi>](https://newbraunfels.gov/1385/Veramendi)

LOCATION MAP



Path:
P:\Annexations\Limited Purpose Annexations\Veramendi\2025 LPA

CS25-0417
Limited Purpose Annexation
Veramendi Precinct 11A
Lots 109, Block 19, Veramendi Precinct 11B
Source: City of New Braunfels Planning
Date: 11/13/2025

0 260 520 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.





LOCATION MAP

NOT-TO-SCALE

NBU NOTES:

- Maintenance of dedicated utility easements is the responsibility of the property owner. Any use of an easement, or any portion of it, including landscaping or 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.
- 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.
- Utilities shall have access to the meter locations from the front yard and meter locations shall not be located within a fenced area.
- Each lot must have its own water and sewer service at the owner/developer's expense.
- 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.
- NBU is not responsible for landscaping or irrigation in UE/LE.
- NBU will not be responsible for restoration of sidewalks or landscaping damaged from utility work in areas where utility easements are combined with sidewalk easements or landscape easements.

FLOOD ZONE NOTE:

No portion of the subdivision is located within any special flood hazard area (100 yr. flood), as defined by the Comal County, Texas, Flood Insurance Rate Map No. 48091CD435G effective date 5/8/2024 as prepared by the Federal Emergency Management Agency.

UTILITY PROVIDER NOTE:

The property will be served by the following:
 NEW BRAUNFELS UTILITIES (WATER, SEWER, ELECTRIC)
 AT&T (TELECOMMUNICATIONS)
 SPECTRUM (TELECOMMUNICATIONS)

DRAINAGE EASEMENT NOTES:

- Drainage easements shall "remain free of all obstructions."
- Maintenance of drainage easement shown outside of lot lines shall be the responsibility of the property owners, or the property owner's association, or its successors or assigns and not the responsibility of the City of New Braunfels or Comal County.
- No structures, walls or other obstructions of any kind shall be placed within the limits of drainage easements shown on this plat, no landscaping, fences, or other type of modifications which alter the cross sections of the drainage easements or decreases the hydraulic capacity of the easement, as approved, shall be allowed without the approval of the City Engineer. The City of New Braunfels and Comal County shall have the right of ingress and egress over grantors adjacent property to remove any obstructions placed within the limits of said drainage easements and to make any modifications or improvements within said drainage easements.

SIDEWALK AND ACCESS WAY NOTES:

- Six (6) foot wide sidewalks will be constructed by site builder per city standards at the time of building construction along Borchers Blvd.
- Six (6) foot wide sidewalks will be constructed during the latter of building permit or street construction along:
 - a. Future roadway
- Ten (10) foot wide multi-use trail will be constructed by the site builder per city standards at the time of building construction within the landscape and ~~utility~~ easement, **ALONG LOOP 337**.

CROSS ACCESS:

LOT OWNERS shall provide shared common cross access for lot(s) 1-6, BLOCK 1.

COMMON SPACE NOTE:

LOT 900 BLOCK 1 is a landscape, pedestrian, & access easement.

The aforementioned lot is to be maintained by the developer and not the City of New Braunfels.

SUBDIVISION PLAT
OF
VERAMENDI PRECINCT 11A

BEING 34.171 ACRES OF LAND SITUATED IN THE JUAN MARTIN DE VERAMENDI SURVEY NO. 2, ABSTRACT 3, COMAL COUNTY, TEXAS; COMPRISED OF A PORTION OF A 48.237 ACRE TRACT DESCRIBED IN A DEED TO VERAMENDI PE-CAIRNS, LLC, AS RECORDED IN DOCUMENT NO. 201906036476 AND A 255.715 ACRE TRACT DESCRIBED IN A DEED TO VERAMENDI PE-BRISBANE, LLC, AS RECORDED IN DOCUMENT NO. 201706013192, BOTH OF WHICH RECORDED IN THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

TXDOT NOTES:

- 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.
- 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. New easements of any type should be located in areas of row reservation or dedication.
- Maximum access points to state highway from this property will be regulated as directed by TxDOT's "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.
- 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.
- 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.

13. TOTAL NUMBER OF LOTS = 9.

14. Roads, facilities, structures and improvements such as sidewalks, paths, trails, trailheads, park identification and way finding signage, seating, picnic tables, drinking fountains, pet drinking fountains, trash receptacles, pet waste receptacles, shade structures, outlooks, retaining wall, public utilities, stormwater management facilities, water quality measures and signage are permitted within the green ribbon, all other development shall be prohibited within the green ribbon.

PLAT NOTES:

- This plat is subject to the requirements and regulations of the Veramendi Development Agreement, recorded as document no. 201604029547 and as amended.
- This plat is located within the Large Format Retail Planning Sub Area.
- Standards for plant materials shall conform to the standards of the latest edition of the American National Standard A300 Planting and Transplanting Nursery Stock published by the American Association of Nurserymen.
- Tree replacement shall occur within 12 months of removal of the high value tree unless deferred to an adjacent unit, where a replacement tree does not survive for a period of at least 24 months, the original applicant or current landowner shall replace the tree, preferably during October - February, until the tree survives a 12-month period.
- Should any tree designated for retention in an approved tree protection plan die prior to, or within 12 months of the completion of construction works, the applicant shall replace the dead tree with a replacement tree/s equal to the total caliper inches of the dead tree. No grading, trenching or equipment shall be conducted in the area identified in the root protection zone. All work shall be performed by hand or under the supervision of a certified arborist. No attachments or wires of any kind, other than those of a protective nature, shall be attached to any high value tree.
- During construction, the cleaning of equipment or materials and/or the disposal of any waste material, including, but not limited to paint, oil, solvents, asphalt, concrete, mortar, etc., under the canopy or drip line of any high value tree shall be prohibited. No grading, trenching or equipment shall be conducted or used in the area identified in the root protection zone. All work shall be performed by hand or under the supervision of a certified arborist. No attachments or wires of any kind, other than those of a protective nature, shall be attached to any high value tree.
- Lots to be held in common property by a homeowners' or property owners' association shall be shown on the plat as a separate lot.
- No building shall be sited within the extent of a sensitive feature and associated buffer, for any lot which contains a high value tree, and a building envelope was not approved as part of a final plat, the location of a building envelope shall be approved by the planning director prior to a building permit being issued.
- Future development is subject to chapter 114 (streets, sidewalks and other public spaces) of the New Braunfels Code of Ordinances.
- Impervious cover: the maximum cumulative impervious cover percentage for the property as a whole and for each sector plan shall not exceed sixty-five percent (65%).
- Amendments to the park programming schedule, including but not limited to the provision of additional improvements or substituting improvements, shall be administratively approved by the parks director.
- This plat will comply with location and amenity standards for trails as shown in the sector plan.

15. OWNER/DEVELOPER SIGNATURE:

PAPE-DAWSON

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

DATE OF PREPARATION: September 30, 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 VERAMENDI PRECINCT 11A 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.

Garrett Mechler 10/10/2025
OWNER/DEVELOPER GARRETT MECHLER
VERAMENDI PE-CAIRNS, LLC
2168 OAK RUN PKWY
NEW BRAUNFELS, TEXAS 78132

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 10 DAY OF October, 2025, BY ALEX HARDEMAN,
Notary Public, State of Texas
Comm. Expires 05-20-2028
Notary ID 130670969

STATE OF Texas
MY COMMISSION EXPIRES: 5/20/2028

I (WE), THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE VERAMENDI PRECINCT 11A 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.

Alex Hardeman 10/10/2025
OWNER/DEVELOPER GARRETT MECHLER
VERAMENDI PE-BRISBANE, LLC
2168 OAK RUN PKWY
NEW BRAUNFELS, TEXAS 78132

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 10 DAY OF October, 2025, BY ALEX HARDEMAN,
Notary Public, State of Texas
Comm. Expires 05-20-2028
Notary ID 130670969

STATE OF Texas
MY COMMISSION EXPIRES: 5/20/2028

I (WE), THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE VERAMENDI PRECINCT 11A 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.

Alex Hardeman 10/10/2025
OWNER/DEVELOPER COMAL COUNTY WCD 1A
1108 LAVACA, SUITE 510
AUSTIN, TX 78701

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 3 DAY OF October, 2025, BY Donald Shaw,
Notary Public, State of Texas
Comm. Expires 05-20-2028
Notary ID 130670969

STATE OF Texas
MY COMMISSION EXPIRES: 5/20/2028

I, Bobbie Koepf, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WAS FILED FOR RECORD IN THE MAP AND PLAT RECORDS,
DOC # 202501031829 OF COMAL COUNTY ON THE
30th DAY OF October, 2025, AT 1037am

WITNESS MY HAND OFFICIAL SEAL THIS THE 30th DAY OF October, 2025

Bobbie Koepf
COUNTY CLERK, COMAL COUNTY, TEXAS
DEPUTY

J. M.

APPROVED FOR ACCEPTANCE

10/30/2025
DATE

Matthew Siment
DIRECTOR OF PLANNING

10/21/2025
DATE

CM
CITY ENGINEER

SURVEYOR'S NOTES:

- 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 $\frac{1}{4}$ iron rod with cap marked "PAPE-DAWSON" or mag nail with disk marked "PAPE-DAWSON" after completion of utility installation and street construction unless noted otherwise.
- Coordinates shown are based on the North American Datum of 1983 NAD83 (NA2011) from the Texas Coordinate System established for the South Central Zone displayed in grid values derived from the NGS Cooperative CORS Network.
- Dimensions shown are surface (scale factor = 1.00014).
- 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, CHANCE T. SRP, 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.

CHANCE T. SRP
REGISTERED PROFESSIONAL LAND SURVEYOR #6916
1672 INDEPENDENCE DRIVE, SUITE 102
NEW BRAUNFELS, TX 78132

PLAT NOTES APPLY TO EVERY PAGE
OF THIS MULTIPLE PAGE PLATCURVE AND LINE
DATA ON SHEET 2 OF 2

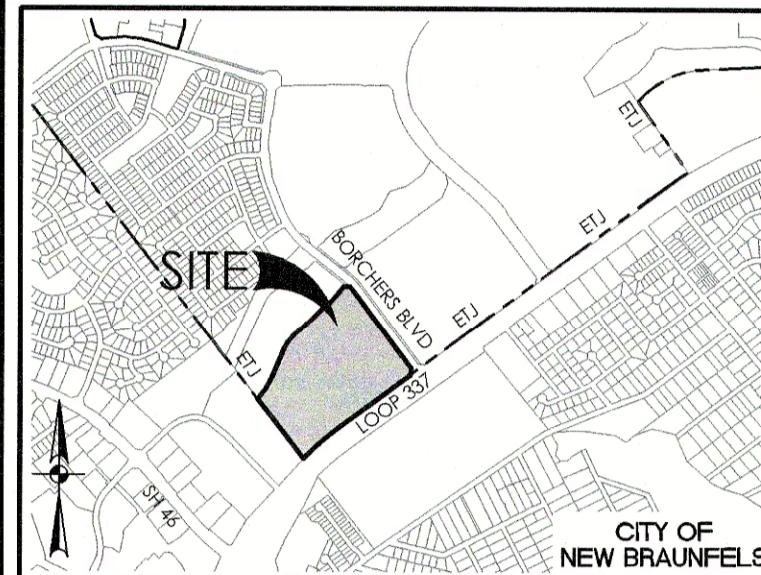
SHEET 1 OF 2



**SUBDIVISION PLAT
OF
VERAMENDI PRECINCT 11A**

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

DATE OF PREPARATION: September 30, 2025



LOCATION MAP

NOT-TO-SCALE
LEGEND

AC	ACRE(S)	VOL	VOLUME
BLK	BLOCK	PG	PAGE(S)
DOC	DOCUMENT NUMBER	ROW	RIGHT-OF-WAY
DRCC	DEED RECORDS OF	VAR WID	VARIED WIDTH
ELEC	COMAL COUNTY, TEXAS	(SURVEYOR)	FOUND 1/2" IRON ROD (UNLESS
ESMT			NOTED OTHERWISE)
ETJ	EXTRATERRITORIAL JURISDICTION		SET 1/2" IRON ROD (PD)
MPR	MAP AND PLAT RECORDS OF		SET 1/2" IRON ROD (PD)-ROW
OPR	COMAL COUNTY, TEXAS		
	OFFICIAL PUBLIC RECORDS		
	OF COMAL COUNTY, TEXAS		

1% ANNUAL CHANCE (100-YR) FUTURE CONDITIONS FLOODPLAIN
CENTERLINE

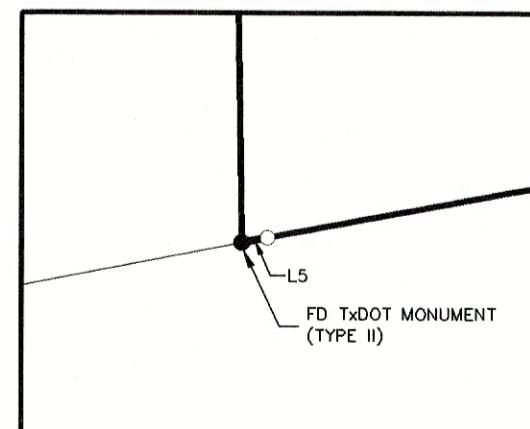
- ① 20' UTILITY EASEMENT ⑨ 0.037 AC. 10' SANITARY SEWER ESMT (DOC 202506033813, OPR)
- ② 1' VEHICULAR NON-ACCESS EASEMENT ⑩ 2.492 AC. VAR WID DRAINAGE & ACCESS ESMT (DOC 202506033520, OPR)
- ③ 30' LANDSCAPE & BUFFER EASEMENT ⑪ 0.359 AC. 20' ACCESS EASEMENT (DOC 202506033519, OPR)
- ④ 40' UTILITY & DRAINAGE ESMT ⑫ 0.183 AC. 10' ACCESS EASEMENT (DOC 202506033536, OPR)
- ⑤ 30' UTILITY AND DRAINAGE ESMT ⑬ 0.674 AC. VAR WID SANITARY SEWER ESMT (DOC 202506033813, OPR)
- ⑥ UTILITY & ACCESS EASEMENT ⑭ 20' UTILITY EASEMENT (DOC 202006033623, MPR)
- ⑦ 20' UTILITY EASEMENT ⑮ NBU OAKBROOK (DOC 202006059261, MPR)
- ⑧ 3.24 AC. SEWER EASEMENT ⑯ VERAMENDI 1A-1 (DOC 201806043757, OPR)
- ⑨ 0.303 AC. NBU ELEC UTILITY ESMT ⑰ LOT 3 BLOCK 3, OAK RUN COMMERCIAL RESERVE UNIT 8 (DOC 202306023863, MPR)
- ⑩ 0.674 AC. VAR WID WATER ESMT ⑱ A REMAINDER OF A 255.715 AC. TRACT VERAMENDI PE-BRISBANE, LLC. (DOC 201806013192, OPR)
- ⑪ ⑯ A REMAINDER OF A 48.237 AC. TRACT VERAMENDI PE-CAIRNS, LLC. (DOC 201906036476, OPR)

CURVE TABLE

CURVE #	RADIUS	DELTA	CHORD	BEARING	CHORD	LENGTH
C1	643.00'	23°46'30"		N34°15'10"E	264.90'	266.81'
C2	557.00	25°56'16"		N35°20'03"E	250.01'	252.15'
C3	2043.00'	2°08'23"		N47°13'59"E	76.29'	76.30'
C4	2055.00'	5°43'59"		N41°53'20"E	205.54'	205.62'
C5	757.00	6°28'04"		S39°47'32"E	85.41'	85.45'
C6	2412.00'	10°40'47"		S48°06'07"W	448.94'	449.59'

LINE TABLE

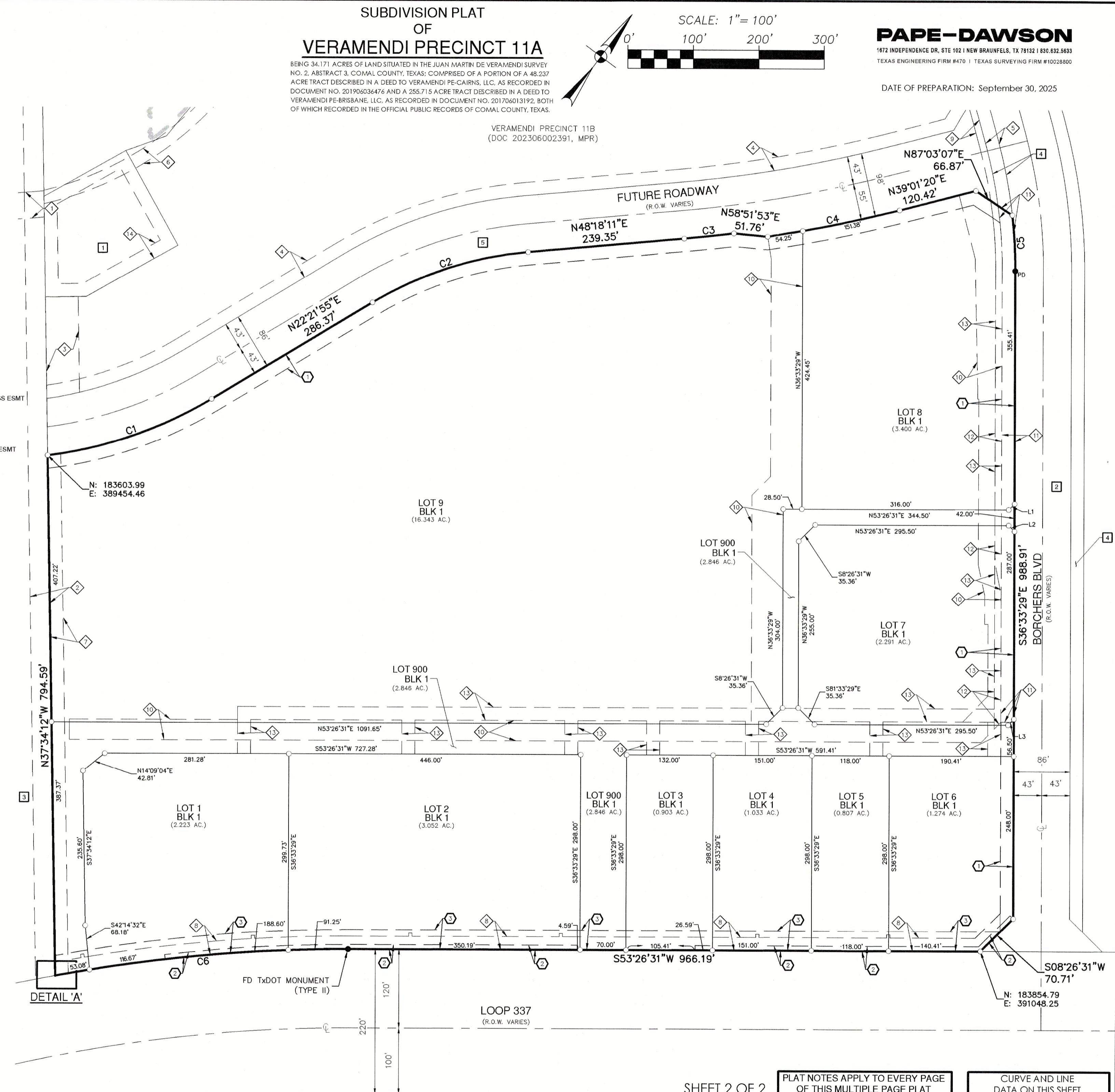
LINE #	BEARING	LENGTH
L1	S8°26'31"W	12.73'
L2	N81°33'29"W	12.73'
L3	S8°26'31"W	12.73'
L4	N53°26'31"E	295.50'
L5	N42°27'10"E	0.14'



DETAIL 'A'
SCALE: 1" = 1'

SCALE: 1" = 100'
0' 100' 200' 300'

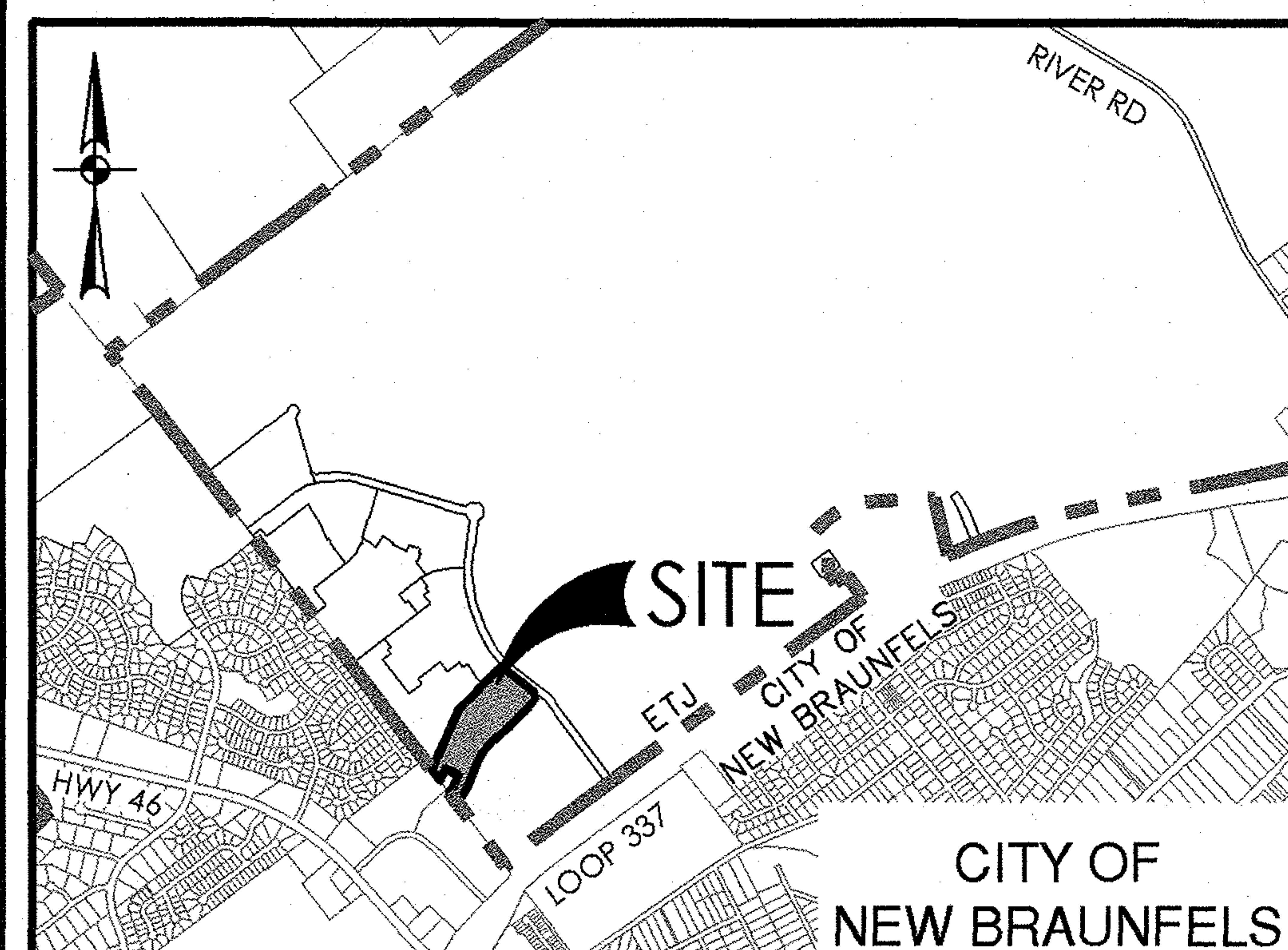
VERAMENDI PRECINCT 11B
(DOC 202306002391, MPR)



SHEET 2 OF 2

PLAT NOTES APPLY TO EVERY PAGE
OF THIS MULTIPLE PAGE PLAT

CURVE AND LINE
DATA ON THIS SHEET



LOCATION MAP
NOT-TO-SCALE

NBU NOTES:

- 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.
- 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.
- Utilities shall have access to the meter locations from the front yard and meter locations shall not be located within a fenced area.
- Each lot must have its own water and sewer service at the owner/developer's expense.
- 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.
- 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 48091C0435F effective date 9/2/2009.

UTILITY PROVIDER NOTE:

The property will be served by the following:
NEW BRAUNFELS UTILITIES (WATER, SEWER, ELECTRIC)
AT&T (TELECOMMUNICATIONS)
SPECTRUM (TELECOMMUNICATIONS)

DRAINAGE EASEMENT NOTES:

- Drainage easements shall "remain free of all obstructions."
- Maintenance of drainage easement shown outside of lot lines shall be the responsibility of the property owners, or the property owner's association, or its successors or assigns and not the responsibility of the City of New Braunfels or Comal County.
- No structures, walls or other obstructions of any kind shall be placed within the limits of drainage easements shown on this plat. No landscaping, fences, or other type of modifications which alter the cross sections of the drainage easements or decreases the hydraulic capacity of the easement, as approved, shall be allowed without the approval of the City Engineer. The City of New Braunfels and Comal County shall have the right of ingress and egress over grantors adjacent property to remove any obstructions placed within the limits of said drainage easements and to make any modifications or improvements within said drainage easements.

SIDEWALK NOTES:

- Six (6) foot wide sidewalks will be constructed by the site builder per city standards at the time of building construction along:
 - Borchers Blvd - Lot 109, Block 19
- Six (6) foot wide sidewalk will be constructed during the latter of building permit or street construction along:
 - Future roadway

CERTIFICATE OF APPROVAL

APPROVED THIS THE 7th DAY OF September 2022 BY THE PLANNING COMMISSION OF THE CITY OF NEW BRAUNFELS, TEXAS.

Peter James
FOR PLANNING COMMISSION CHAIRPERSON

APPROVED FOR ACCEPTANCE

1/23/2023 Chad M Snell
DATE DIRECTOR OF PLANNING
1/20/2023 Chad M Snell
DATE CITY ENGINEER
1/20/2023 Chad M Snell
DATE CITY ENGINEER

**SUBDIVISION
PLAT OF
VERAMENDI PRECINCT 11B**

BEING 15.759 ACRES OF LAND, COMPRISED OF A PORTION OF THE 48.237 ACRE TRACT DESCRIBED IN DOCUMENT NO. 20190603476 IN THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS AND A PORTION OF THE 255.715 ACRE TRACT DESCRIBED IN DOCUMENT NO. 201706013192 IN SAID OFFICIAL PUBLIC RECORDS, IN THE JUAN MARTIN DE VERAMENDI SURVEY NO. 2, ABSTRACT 3, COMAL COUNTY, TEXAS.

PLAT NOTES:

- This plat is subject to the requirements and regulations of the Word-Borchers Ranch Joint Venture Development Agreement (Veramendi), recorded as document no 20150402947 and as amended.
- This plat is located within the Mixed Use Employment Planning Sub Area.
- Standards for plant materials shall conform to the standards of the latest edition of the American National Standard A300 Planting and Transplanting Nursery Stock published by the American Association of Nurserymen.
- Tree replacement shall occur within 12 months of removal of the high value tree unless deferred to an adjacent unit, where a replacement tree does not survive for a period of at least 24 months. The original applicant or current landowner shall replace the tree, preferably during October - February, until the tree survives a 12-month period.
- Should any tree designated for retention in an approved tree protection plan die prior to, or within 12 months of the completion of construction works, the applicant shall replace the dead tree with a replacement tree/s equal to the total caliper inches of the dead tree. No grading, trenching or equipment shall be conducted in the area identified in the root protection zone. All work shall be performed by hand or under the supervision of a certified arborist.
- During construction, the cleaning of equipment or materials and/or the disposal of any waste material, including, but not limited to paint, oil, solvents, asphalt, concrete, mortar, etc., under the canopy or drip line of any high value tree shall be prohibited. No grading, trenching or equipment shall be conducted or used in the area identified in the root protection zone. All work shall be performed by hand or under the supervision of a certified arborist. No attachments or wires of any kind, other than those of a protective nature, shall be attached to any high value tree.
- Roads, facilities, structures and improvements such as sidewalks, paths, trails, trailheads, park identification and way finding signage, seating, picnic tables, drinking fountains, pet drinking fountains, trash receptacles, pet waste receptacles, shade structures, outlooks, retaining walls, public utilities, stormwater management facilities, water quality measures and signage are permitted within lot 901, block 35. All other development shall be prohibited within lot 901, block 35.
- Lots to be held in common property by a homeowner's or property owners' association shall be shown on the plat as a separate lot.
- No building shall be sited within the extent of a sensitive feature and associated buffer, for an area which contains a high value tree and a building envelope was not approved as part of a final plat, the location of a building envelope shall be approved by the planning director prior to a building permit being issued.
- Future development is subject to chapter 114 (streets, sidewalks and other public spaces) of the New Braunfels Code of Ordinances.
- Impervious cover per section 3.4 of the development agreement, the maximum cumulative impervious cover percentage for the property as a whole and for each sector plan shall not exceed sixty-five percent (65%).
- Amendments to the park programming schedule, including but not limited to the provision of additional improvements or substituting improvements, shall be administratively approved by the parks director.
- This plat will comply with location and amenity standards for trails as shown in the sector plan.
- Total number of lots = 2.

SCHOOL DISTRICT NOTE:

Referenced property lies within the New Braunfels Independent School District.

COMMON SPACE NOTE:

Lot 901, block 19 is a variable width drainage, landscape, pedestrian and private sanitary sewer easement to the benefit of lot 109, block 19.

STATE OF TEXAS
COUNTY OF COMAL

I (WE), THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE VERAMENDI PRECINCT 11B 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.

Peter James 12/9/22
OWNER/DEVELOPER PETER JAMES
VERAMENDI PE - BRISBANE, LLC
384W. MILL STREET, SUITE 200
NEW BRAUNFELS, TEXAS 78130

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 9 DAY OF December 2022 BY Peter James

ALEX RUE 12/9/22
NOTARY PUBLIC
State of Texas
ID # 13057096-9
My Comm. Expires 05-20-2024

MY COMMISSION EXPIRES: 5/20/2024

**PJ PAPE-DAWSON
ENGINEERS**

NEW BRAUNFELS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TBPE FIRM REGISTRATION #470 | TPLS FIRM REGISTRATION #10028800

DATE OF PREPARATION: November 28, 2022

STATE OF TEXAS
COUNTY OF COMAL

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Peter James 12/9/22
OWNER/DEVELOPER PETER JAMES
VERAMENDI PE - CAIRNS, LLC
387 W. MILL STREET, SUITE 200
NEW BRAUNFELS, TEXAS 78130

STATE OF TEXAS
COUNTY OF COMAL

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NOTARY PUBLIC
State of Texas
ID # 13057096-9
My Comm. Expires 05-20-2024

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COUNTY OF COMAL

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Peter James 12/7/22
OWNER/DEVELOPER PETER JAMES
COMAL COUNTY WCID 1A
1108 LAVACA, SUITE 510
AUSTIN, TX 78701

STATE OF TEXAS
COUNTY OF COMAL

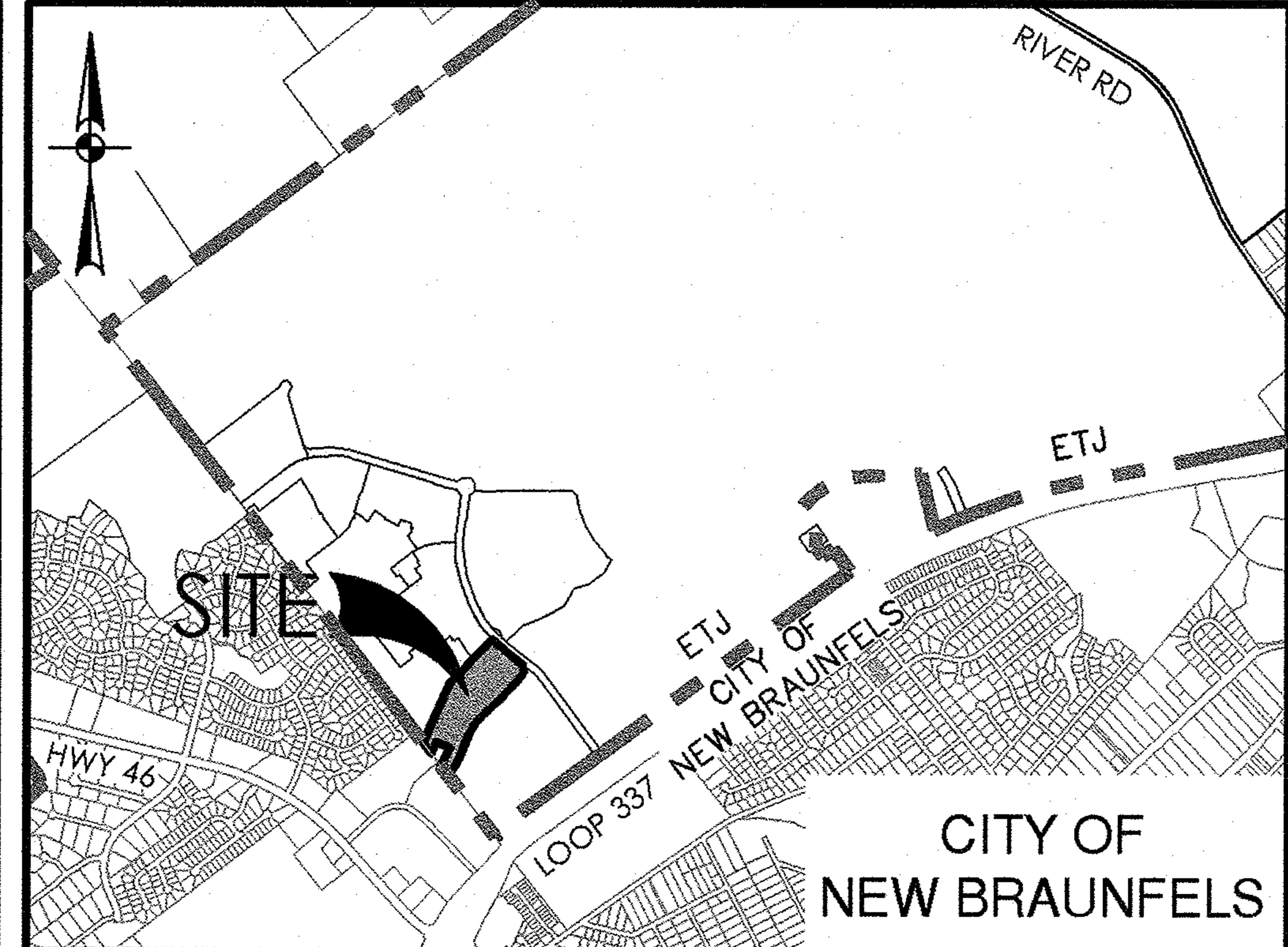
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 7 DAY OF December 2022 BY Peter James

Susan Mary Blanchard 12/7/22
NOTARY PUBLIC
State of Texas
Comm. Expires 07-23-2024

Susan Mary Blanchard 07/23/2024
NOTARY PUBLIC
State of Texas
Comm. Expires 07-23-2024

**SUBDIVISION
PLAT OF
VERAMENDI PRECINCT 11B**

BEING 15.759 ACRES OF LAND, COMPRISED OF A PORTION OF THE 48.237 ACRE TRACT DESCRIBED IN DOCUMENT NO. 201906036476 IN THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS AND A PORTION OF THE 255.715 ACRE TRACT DESCRIBED IN DOCUMENT NO. 201706013192 IN SAID OFFICIAL PUBLIC RECORDS, IN THE JUAN MARTIN DE VERAMENDI SURVEY NO. 2, ABSTRACT 3, COMAL COUNTY, TEXAS.



LINE TABLE

LINE #	BEARING	LENGTH
L1	N52°25'48"E	62.57'

NEW BRAUNFELS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
1000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
BPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028800

DATE OF PREPARATION: November 28, 2022

LOCATION MAP

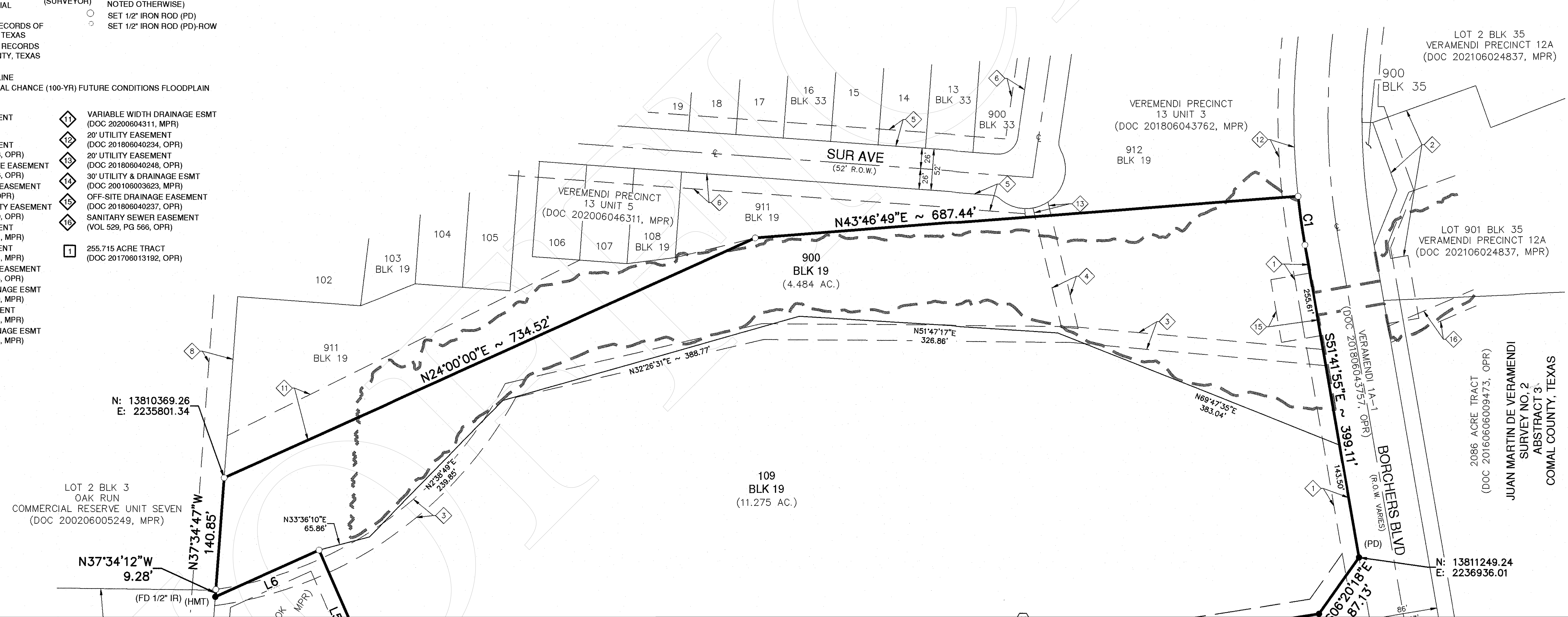
NOT-TO-SCALE LEGEND

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	943.00'	3°45'23"	S49°49'14"E	61.81'	61.83'
C2	1957.00'	9°16'50"	S43°39'46"W	316.65'	316.99'
C3	643.00'	25°56'16"	S35°20'03"W	288.61'	291.09'
C4	557.00'	22°47'56"	S33°45'53"W	220.18'	221.64'

AC	ACRE(S)	VOL	VOLUME
BLK	BLOCK	PG	PAGE(S)
DED	DEDICATION	ROW	RIGHT-OF-WAY
DOC	DOCUMENT NUMBER	SD	STORM DRAINAGE
DR	DEED RECORDS OF COMAL COUNTY, TEXAS	SS	SANITARY SEWER
ESMT	EASEMENT	VAR WID	VARIABLE WIDTH
ETJ	EXTRATERRITORIAL JURISDICTION	(SURVEYOR)	● FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
MPR	MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS	○	○ SET 1/2" IRON ROD (PD)
OPR	OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS	○	○ SET 1/2" IRON ROD (PD)-ROW

— — — — — CENTERLINE
— — — — — 1% ANNUAL CHANCE (100-YR) FUTURE CONDITIONS FLOODPLAIN

<p>(11) 20' UTILITY EASEMENT</p> <p>(1) 20' UTILITY EASEMENT (DOC 201806040233, OPR)</p> <p>(2) OFF-SITE DRAINAGE EASEMENT (DOC 201806040236, OPR)</p> <p>(3) 3.24 ACRE SEWER EASEMENT (VOL 529, PG 566, OPR)</p> <p>(4) 20' OFF-SITE UTILITY EASEMENT (DOC 201806040249, OPR)</p> <p>(5) 20' UTILITY EASEMENT (DOC 202006046311, MPR)</p> <p>(6) 15' UTILITY EASEMENT (DOC 202006046311, MPR)</p> <p>(7) UTILITY & ACCESS EASEMENT (DOC 202006023866, OPR)</p> <p>(8) 30' UTILITY & DRAINAGE ESMT (DOC 200206005249, MPR)</p> <p>(9) 20' UTILITY EASEMENT (DOC 202006059261, MPR)</p> <p>(10) 40' UTILITY & DRAINAGE ESMT (DOC 200106003623, MPR)</p>	<p>(11) VARIABLE WIDTH DRAINAGE ESMT (DOC 20200604311, MPR)</p> <p>(12) 20' UTILITY EASEMENT (DOC 201806040234, OPR)</p> <p>(13) 20' UTILITY EASEMENT (DOC 201806040248, OPR)</p> <p>(14) 30' UTILITY & DRAINAGE ESMT (DOC 200106003623, MPR)</p> <p>(15) OFF-SITE DRAINAGE EASEMENT (DOC 201806040237, OPR)</p> <p>(16) SANITARY SEWER EASEMENT (VOL 529, PG 566, OPR)</p> <p>1 255.715 ACRE TRACT (DOC 201706013192, OPR)</p>
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32941
C

STRATEGIC PARTNERSHIP AGREEMENT

between the

CITY OF NEW BRAUNFELS, TEXAS

and the

COMAL COUNTY WATER IMPROVEMENT DISTRICT NO. 1

STATE OF TEXAS
COUNTY OF COMAL

This Strategic Partnership Agreement (this “**Agreement**”) is between THE CITY OF NEW BRAUNFELS, TEXAS, a Home Rule municipal corporation (“**City**”), acting by and through its duly authorized Mayor, and the COMAL COUNTY WATER IMPROVEMENT DISTRICT NO. 1, a Texas water control and improvement district (“**District**”), acting by and through its duly authorized Board of Directors, under the authority of Article XVI, Section 59 of the Texas Constitution and Chapters 49 and 51 of the Texas Water Code, as amended.

RECITALS:

- A. Texas Local Government Code, Section 43.0751 authorizes the City and the District to negotiate and enter into a strategic partnership agreement by mutual consent.
- B. The District and the City desire that effective, efficient, and responsible local government be provided to citizens of the District and the City before, during, and after the City annexes the District for full purposes. To that end, the District and the City also desire to avoid any unnecessary duplication of services and taxes, and to provide for the orderly and seamless succession of the District.
- C. By this Agreement, the Parties desire to establish, among other things, (i) terms and conditions of the City's limited purpose annexation of certain lands comprising the commercial portion of the District, as described in this Agreement and in accordance with the Act and (ii) provisions regarding the City's delivery of City Services (hereinafter defined) prior to full purpose annexation of the District, in accordance with the Texas Interlocal Cooperation Act, Chapter 791 of the Texas Government Code.
- D. The District and the City acknowledge that this Agreement does not require the District to provide revenue to the City solely for the purpose of obtaining an agreement with the City to forego annexation of the District.

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TX:4022387
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Execution Version: 15 February 2013

NOW, THEREFORE, for and in consideration of the mutual agreements, covenants, and conditions contained in this Agreement, and other good and valuable consideration, the District and the City agree as follows:

ARTICLE I FINDINGS

- 1.1 The District is a water control and improvement district created pursuant to Article XVI, Section 59 of the Texas Constitution, and Chapters 49 and 51 of the Texas Water Code.
- 1.2 The District's boundaries include the approximately 2400 acres of land in Comal County shown in the map attached as Exhibit A, that is located outside of the corporate limits of the City and within the extra-territorial jurisdiction ("ETJ") of the City.
- 1.3 The land subject to this Agreement consists of approximately 2400 acres all of which are located within the District and within the ETJ of the City as shown on Exhibit A and described in Exhibit B attached to this Agreement.
- 1.4 The land initially subject to limited purpose annexation includes approximately 200.5 acres of property designated for commercial development as shown in Exhibit C and described in Exhibit D and attached to this Agreement.
- 1.5 The District and the City acknowledge and agree that, in accordance with the requirements of Subsection (p)(2) of the Act, this Agreement provides benefits to the City and the District, including revenue, services, and regulatory benefits which are reasonable and equitable to both the District and the City.
- 1.6 The City and the District desire to enter into this Agreement providing for limited purpose annexation of the Limited Purposes Tract for the purpose of collecting Sales and Use Tax Revenues within the annexed areas in accordance with Subsection (k) of the Act.
- 1.7 The District provided notice of two public hearings concerning the adoption of this Agreement and the proposed limited purpose annexation of the Limited Purposes Tract, in accordance with the procedural requirements of the Act.
- 1.8 The Board of Directors of the District conducted two public hearings regarding this Agreement and the proposed limited purpose annexation of the Limited Purposes Tract on August 17, 2012, at 12:00 p.m. within the District 750 feet east of intersection River Road and Heuco Springs Loop Road, New Braunfels, Texas and on September 7, 2012, at 12:00 p.m. at 177 W. Mill Street, Suite 200, New Braunfels, Texas, at which members of the public who wished to present testimony or evidence regarding this Agreement and the proposed limited

purpose annexation were given the opportunity to do so in accordance with the procedural requirements of the Act.

- 1.9 The Board of Directors of the District approved this Agreement on April 3, 2013, in open session at a meeting held in accordance with Chapter 551 of the Texas Government Code.
- 1.10 The City provided notice of two public hearings concerning the adoption of this Agreement and the proposed limited purpose annexation of the Limited Purposes Tract, in accordance with the procedural requirements of the Act.
- 1.11 The City Council conducted two public hearings regarding this Agreement and the proposed limited purpose annexation of the Limited Purposes Tract on September 10, 2012, at 6:00 p.m. at City Hall, 424 S. Castell Avenue, New Braunfels, Texas and on October 22, 2012, at 6:00 p.m. at City Hall, 424 S. Castell Avenue, New Braunfels, Texas, at which members of the public who wished to present testimony or evidence regarding this Agreement and the proposed limited purpose annexation were given the opportunity to do so in accordance with the procedural requirements of the Act.
- 1.12 The City Council approved this Agreement on 02/25, 2013, in open session at a meeting held in accordance with Chapter 551 of the Texas Government Code, which approval occurred after the Board of Directors of the District approved this Agreement.
- 1.13 All procedural requirements imposed by law for the execution and adoption of this Agreement have been met.

ARTICLE II DEFINITIONS

- 2.1 "Act" means Texas Local Government Code § 43.0751.
- 2.2 "Agreement" means this Strategic Partnership Agreement between the City and the District.
- 2.3 "Board" means the Board of Directors of the District.
- 2.4 "City" means the City of New Braunfels, a Texas Home Rule Municipal Corporation, located in Comal and Guadalupe Counties, Texas.
- 2.5 "City Council" means the elected body of the City of New Braunfels, as such term is defined in Section 1.02 of the Charter.
- 2.6 "City Manager" means the chief administrative officer of the City.
- 2.7 "City Services" shall have the meaning described in Section 6.2 hereof.

2.8 "Comptroller" means the Comptroller of Public Accounts of the State of Texas.

2.9 "Development Agreement" means the means the Development Agreement between the City and Word-Borchers Joint Venture for Proposed Mixed Use Development, including any assignments as authorized therein and future amendments thereto.

2.10 "District" means the Comal County Water Improvement District No. 1.

2.11 "District Type B Revenues" has the meaning set forth in the definition of "Sales and Use Tax Revenues".

2.12 "Effective Date" means the date on which the City adopts this Agreement, as provided in Section 3.3.

2.13 "Eligible Property" means all real property within the borders of the District.

2.14 "ETJ" means the extraterritorial jurisdiction of the City.

2.15 "ESD No. 7" shall have the meaning described in Section 6.1 hereof.

2.16 "Fire and EMS Contract" shall have the meaning described in Section 6.1 hereof.

2.17 "Fire and EMS Services" shall have the meaning described in Section 6.1 hereof.

2.18 "Full Purpose Annexation" means full purpose annexation as provided for in the Act.

2.19 "Initial Tract" means all of that certain approximately 200.5 acre tract located within the District and in Comal County, Texas as shown in **Exhibit C** and described in **Exhibit D**.

2.20 "Landowner" means Word-Borchers Ranch Real Estate Limited Partnership, a Texas limited partnership, and their successors and assigns.

2.21 "Limited Purpose Annexation" means annexation for the limited purpose of collecting Sales and Use Tax as provided for in the Act.

2.22 "Limited Purpose Tract" means the Initial Tract and all or any portion(s) of the Eligible Property after it has been annexed for limited purposes pursuant to Section 3.9 of this Agreement.

2.23 "Notice" means notice as defined in Section 8.3 of this Agreement.

2.24 "Party" means, individually, the City or the District, their successors and assigns.

2.25 "Parties" means, together, the City and the District.

2.26 "Sales and Use Tax Revenues" means those revenues (a) received by the City from the sales and use tax authorized to be imposed by the City on sales consummated at locations within the Limited Purpose Tract pursuant to the Act and Chapter 321 of the Tax Code, and to the extent not otherwise controlled or regulated, in whole or in part, by another governmental entity, authority, or applicable law, ordinance, rule, or regulation less (b) any portion of such sales and use tax dedicated to the purposes described in Chapters 501-505 of the Texas Local Government Code (such portion being referred to as the "District Type B Revenues").

2.27 "Sector Plan" shall have the meaning described in the Development Agreement.

2.28 "Services Expert" shall mean a person who has served as a City Manager, Deputy City Manager, or Assistant City Manager, or similarly titled position, of a Texas municipality in the prior fifteen (15) years and who, in serving in that capacity, had administrative oversight regarding the specific city service in question, as described in Section 6.2 hereof.

2.29 "Tax Code" means the Texas Tax Code, as amended.

2.30 "TIA" means the Project Transportation Plan dated August 2012, prepared by Pape Dawson-Engineers and referred to in the Development Agreement, as may be amended from time to time.

2.31 "Trigger Date" shall mean the earlier to occur of (a) the date on which the City has issued certificates of occupancy for residential and non-residential units to which the TIA attributes fifty percent (50%) of the traffic contemplated by the TIA and (b) the date that a certificate of occupancy has been issued pursuant to the terms of the Development Agreement for the two thousandth (2,000th) single family residence in the Eligible Property.

ARTICLE III LIMITED-PURPOSE ANNEXATION

3.1 Generally. Subject to the terms of this Agreement and the Development Agreement, the District and the City agree that the City, from time to time, shall annex certain property included in approved plats within the City for the limited purpose of collecting Sales and Use Tax Revenues within such annexed property pursuant to Subsection (k) of the Act. The District and the City further agree that the City shall annex such properties for limited purposes in accordance with Section 3.9 of this Agreement within one hundred eighty (180) days following the recording in the Comal County Real Property Records of a final plat of such property within the Eligible Property.

3.2 Limited Purpose Annexation Procedures. The City Council shall adopt a Limited Purpose Annexation ordinance consistent with this Agreement at a meeting

conducted in accordance with Chapter 551 of the Texas Government Code, and the District acknowledges that no additional notices, hearings, or other procedures are required by law in order to approve such Limited Purpose Annexation of all or any portion of the Eligible Property.

- 3.3 Effective Date. Pursuant to Subsection (c) of the Act, this Agreement is effective on July 24, 2015, 2013, the date of adoption of this Agreement by the City.
- 3.4 Filing in Property Records. Concurrently with the filing of the Development Agreement in the Real Property Records of Comal County, the City or the District shall file this Agreement in the Real Property Records of Comal County, Texas. **As provided in § 43.0751(c) of the Act, this Agreement binds each owner as of the Effective Date and each future owner of land included within the District's boundaries. Landowner has executed this Agreement to evidence its consent to the Agreement and the recording of the Agreement.**
- 3.5 Property Taxes and District Liability for Debts of the City. During the term of this Agreement, except as provided in Article IV regarding Sales and Use Tax, (a) owners of taxable property within the District (by reason of mere ownership of that land) shall not be liable for any present or future debts of the City until Full Purpose Annexation takes effect in accordance with the Development Agreement, and (b) current and future ad valorem taxes levied by the City will not be levied on taxable property within the District until Full Purpose Annexation takes effect in accordance with the Development Agreement, or as otherwise authorized by future statutory amendments.
- 3.6 Powers and Functions Retained by the District. After Limited Purpose Annexation under this Agreement, the District shall continue to be authorized to exercise all powers and functions of the District, and to provide the services authorized by those powers within its boundaries, pursuant to existing law or any amendments or additions thereto. The District's assets, liabilities, indebtedness and obligations will remain the responsibility of the District. Except as provided by law, upon Full Purpose Annexation, neither the City nor any owners of taxable property within the City (by reason of mere ownership of that land) shall be liable for any present or future debts of the District.
- 3.7 Continuing Right. The City's rights under Section 3.1 herein to annex all or any portion of the Eligible Property for the limited purpose of collecting Sales and Use Tax Revenues within the Limited Purpose Tract are continuing and may be exercised through the adoption of multiple annexation ordinances for portions of the Limited Purpose Tract.
- 3.8 District Consents to Non-Contiguous Limited Purposes Annexation. The District consents to the annexation of non-contiguous portions of the Eligible Property as authorized by Subsection (r) of the Act.

3.9 Additional Land Annexed for Limited Purposes. The City's approval of a Sector Plan in the Eligible Property that contains property designated for commercial or "mixed commercial and residential" development that is not yet included in the Limited Purposes Tract shall serve as the City's agreement to annex such additional property into the City for limited purposes (whether or not contiguous to the then-existing Limited Purpose Tract). For purposes of clarity, it is agreed that only that portion of the Eligible Property that is designated as "commercial" or "mixed commercial and residential" development on an approved Sector Plan will be annexed into the City and made a part of the Limited Purpose Tract. The City shall take all necessary steps under this Agreement to complete the limited purpose annexation of such commercial or "mixed commercial and residential" property approved in such Sector Plan upon the recording of a Final Plat containing such property and upon annexation such additional land shall be considered part of the Limited Purpose Tract.

ARTICLE IV VOTING RIGHTS IN THE DISTRICT

4.1 Qualified Voters. The qualified voters residing within the Limited Purpose Tract may vote in City elections pursuant to Local Government Code Sections 43.0751 (q) and 43.130. Voting rights are subject to all federal and state laws and regulations.

4.2 Eligibility to Vote. On or after the fifteenth (15th) day but before the fifth (5th) day before the date of the first election held in which the residents of the Limited Purpose Tract are entitled to vote as set out in Section 4.1 herein, the City, at its own expense, shall publish a quarter page advertisement in a newspaper of general circulation in the City notifying residents of the Limited Purpose Tract of their eligibility to vote in the election and stating the location of all polling places for the residents. The District, at its own expense, may provide for similar notice in a newspaper of general circulation in the District or otherwise.

ARTICLE V SALES AND USE TAX

5.1 Imposition of Sales and Use Tax. The City shall impose a sales and use tax within the Limited Purpose Tract pursuant to Subsection (k) of the Act. The sales and use tax shall be imposed on all eligible commercial activities at the rate of 1.5%, or such other maximum rate allowed under Chapter 321 of the Tax Code or otherwise permitted under the laws of the State of Texas and imposed by the City. Collection of the Sales and Use Tax Revenues shall take effect on the date described in Tax Code Section 321.102.

5.2 Payment of Sales and Use Tax to the District. In return for the benefits received by the City pursuant to this Agreement, the City shall pay to the District an amount equal to forty percent (40%) of the Sales and Use Tax Revenues

reported on the “Confidential Local Tax Information Report” for the Limited Purpose Tract provided by the Comptroller and received by the City from the Comptroller (less the adjustment for the District Type B Revenues) for the first five (5) years after a certificate of occupancy is issued for the initial sales tax producing property within any portion of the Limited Purpose Tract designated as “commercial” or “mixed commercial and residential” on the applicable Sector Plan. The District and the City acknowledge and understand that the Comptroller may not issue its first Confidential Local Tax Information Report reflecting Sales and Use Tax Revenues from the Limited Purpose Tract until a minimum of four (4) businesses within the Limited Purpose Tract are collecting Sales and Use Tax and that no payment will be due from the City to the District until such a report is received, provided that when the first such report is received, the City will make any retroactive payments due to the District in accordance with this Agreement to reflect any previously received but not reported Sales and Use Taxes from businesses within the Limited Purpose Tract. The City, beginning in the sixth (6th) year, shall pay to the District an amount equal to fifty percent (50%) of the Sales and Use Tax Revenues reported on the “Confidential Local Tax Information Report” for the Limited Purpose Tract provided by the Comptroller and received by the City from the Comptroller (less the adjustment for the District Type B Revenues). The City shall deliver the District’s portion of the Sales and Use Tax revenues to the District within thirty (30) days of the City’s receipt of that Report from the Comptroller, by regular U.S. Mail or other method of delivery mutually acceptable to the Parties. Government Code Chapter 2251 shall govern and provide the penalty if the City fails to deliver the District’s portion in a timely manner. For the purposes of determining the applicable overdue date under Chapter 2251, the City is deemed to have received an invoice from the District on the date the City receives the Sales and Use Tax Revenues from the Comptroller without further action from the District.

- 5.3 Amended and Supplemental Reports. If and when the Comptroller adjusts its calculations of Sales and Use Tax Revenues generated within the boundaries of the Limited Purpose Tract or issues supplemental tax reports, then any revenues reflected in such adjusted calculations or supplemental reports will be divided and paid as provided above, and the District and the City agree to pay the other any sums necessary to correct any prior over or under distributions. The City and the District agree that, for purposes of Section 321.3022 of the Tax Code, this Agreement qualifies also as a revenue sharing agreement.
- 5.4 Reporting. Within thirty (30) days of the City’s receipt of each sales tax report provided by the Comptroller, the City shall deliver to the District a condensed version of the report, containing only the contents relating to retail sales tax collected and retailers in the Limited Purpose Tract.
- 5.5 Notification of Comptroller. The City shall send notice of this Agreement, together with other required documentation, to the Comptroller in the manner provided by Tax Code, Section 321.102, within ten (10) days after the City

Council annexes any portion of the Eligible Property for limited purposes. The City shall send to the District a copy of any notice from the Comptroller delaying the effectiveness of the Sales and Use Tax Revenues in the Eligible Property.

- 5.6 District Use of Sales and Use Tax Revenue. The District may use the Sales and Use Tax Revenues received by the District pursuant to this Agreement for any lawful purpose.
- 5.7 City Use of Sales and Use Tax Revenue. Without limiting the terms of Section 5.11 below, the Sales and Use Tax Revenues received and retained by the City pursuant to this Agreement may be used by the City for any lawful purpose.
- 5.8 No District Audit Rights. During the term of this Agreement, the District shall not have the right to audit the City's books, records, documents or other evidence of accounting procedures or practices. The City and its auditors, on an annual basis, will provide the District with records representing those Sales and Use Tax Revenues derived from the District as a result of the Limited Purpose Annexation and this Agreement.
- 5.9 City Audit Rights. The District is required by law in certain circumstances to prepare an annual audit within one hundred and thirty-five (135) days after the close of the District's fiscal year. The District shall provide a copy of its annual audit to the City within fifteen (15) days after the audit is completed and approved and accepted by the District's board of directors. The District shall not unreasonably delay the approval of its annual audit.
- 5.10 Termination. Unless agreed, ordered or specifically provided otherwise, all Sales and Use Tax Revenues collected by the City from the Limited Purpose Tract after the date of termination of this Agreement and satisfaction of obligations described in Section 5.2 shall be retained by the City and may be used for any lawful purpose.
- 5.11 District Type B Revenues. During the term of this Agreement, the City shall collect a portion of the sales and use tax from the Limited Purpose Tract in the form of District Type B Revenues, which are not included within the term "Sales and Use Tax Revenues." During the term of this Agreement, a portion of the District Type B Revenues (such portion to be determined in accordance with the following sentence) shall be devoted to approved projects (a) within the Eligible Property and (b) that comply with the terms of Chapters 501-505 of the Texas Local Government Code, all in accordance with the procedures outlined in Chapters 501-505 of the Texas Local Government Code. The applicable portion of the District Type B Revenues that are subject to the preceding sentence shall match the District's percentage for any applicable year as described in Section 5.2 above (either 40% or 50%, depending on the year in question). The City and the New Braunfels Industrial Development Corporation shall enter into a written agreement reflecting the foregoing and the City shall provide a copy of the

agreement to the District. Nothing in this Agreement is intended to limit the expenditure of additional District Type B Revenues within the District, pursuant and subject to compliance with the terms and procedures outlined in Chapters 501-505 of the Texas Local Government Code and upon application therefore and agreement by the City to do so.

5.12 Notice of Breach and Opportunity to Cure. In no event will the City or the District be in breach of this Agreement unless it receives written notice of the breach from the other Party and fails to cure or remedy such breach within the time period described in Section 8.1 below.

ARTICLE VI SERVICES

6.1 Fire and EMS Services. Pursuant to Chapter 791 of the Texas Local Government Code, the Interlocal Cooperation Act, the District and the City agree that fire and emergency services shall be provided to the District by Comal County Emergency Services District No. 7 ("ESD No. 7") pursuant to the same terms and conditions as set forth in that certain Service Provider Contract by and between the City and ESD No. 7, dated August 14, 2009, as such Contract may be amended from time to time (such services shall be herein referred to as the "Fire and EMS Services", and such Contract shall be herein referred to as the "Fire and EMS Contract"). The City currently provides all Fire and EMS Services to ESD No. 7, in which the District is currently located, in return for payment from ESD No. 7 under the Fire and EMS Contract. The District and the City further agree that the term Fire and EMS Services shall include all services provided to the City pursuant to the Fire and EMS Contract, including Fire Protection and Suppression, Hazardous Materials and Control, Emergency Rescue, Emergency Medical Services, and other emergency assistance as described in Section 1.01 of the Fire and EMS Contract. Notwithstanding the foregoing, in the event the Fire and EMS Contract is terminated or amended, which would have the effect of the City no longer providing the District Fire and EMS Services under the Fire and EMS Contract, the City and the District shall cooperate and enter into an Interlocal Agreement, whereby the City shall provide Fire and EMS Services in the District on the same basis of payment and on similar terms as provided for in the Fire and EMS Contract dated August 14, 2009, or such amended version thereof as was in effect on the date of termination of the Fire and EMS Contract; provided, however, such Interlocal Agreement shall provide for potential modification of payment terms over time as would be customary for agreements of such type and as may be agreed upon by the Parties.

6.2 Police Services. The City and the District acknowledge that (a) the District may contract with the City for the City to provide police services to the District in accordance with Chapter 791 of the Texas Government Code, the Interlocal Cooperation Act, and pursuant to Section 49.216 of the Water Code and other

applicable state laws and (b) at this time, no agreement has been reached for the City to provide such police services to the District.

- (a) In the event that the District does not contract with the City to provide one or more police services, from and after the Trigger Date the City shall have the right to provide police services to the District upon compliance with the terms and procedures described in this Section 6.2.
 - (i) In the event that the City elects to provide police services to the District after the Trigger Date, the City shall so notify the District in writing, and such notice shall contain the rate or fee that the City proposes that the District pay for such police services, and the interval at which time such payments shall be made.
 - (ii) Within sixty (60) days of the District's receipt of the written notice from the City specified in Section 6.2.(a)(i) above, the District shall provide written notice to the City of District's decision to accept or reject the rate or fee and payment interval stated in the City's notice. If the District accepts the rate or fee and the payment interval stated in the City's notice, the City shall provide, or begin to provide, said City Services to the District upon the latter to occur of (i) the expiration of sixty (60) days after the District's written acceptance is received by the City or (ii) the expiration of the current term of the District's contract for such police services, unless otherwise agreed to in writing by the City and the District.
 - (iii) If the District fails to provide timely written notice to the City of the District's decision to accept or reject the rate or fee or payment interval stated in the City's notice, then it shall be deemed that the District has accepted such rate or fee and payment interval, and the City shall provide, or begin to provide, said police services to the District upon the later to occur of (i) sixty (60) days of the District's deemed acceptance of the rate or fee and payment terms or (ii) the expiration of the current term of the District's contract for such police services, unless otherwise agreed to in writing by the City and the District.
 - (iv) If the District rejects the rate or fee or payment interval specified in the City's notice, the District shall provide written notice to the City of the City's decision to reject the rate or fee or payment interval. The sole reason that the District may reject the terms reflected in the City notice shall be the economic terms quoted in such City notice, but the District may not reject the City's election to provide such police services. Within sixty (60) days after providing such notice to the City, the District shall provide to City an alternative rate or fee or payment interval for such police services, as verified

by a Services Expert, together with written information demonstrating the qualifications of the Services Expert. The District shall solely bear any and all costs associated with the Services Expert.

- (v) Within sixty (60) days of the City receiving the alternative rate or fee or payment interval from the District, the City shall provide written notice to the District of the City's acceptance or rejection of the alternative rate or fee or payment interval.
- (vi) If the City accepts the alternative rate or fee or payment interval as proposed by the District, the City shall provide, or begin to provide, said police services to the District upon the later to occur of (i) sixty (60) days of the City's acceptance of the rate or fee and payment interval proposed by the District or (ii) the expiration of the current term of the District's contract for such police services, unless otherwise agreed to in writing by the City and the District.
- (vii) If the City rejects the alternative rate or fee or payment interval proposed by the District, then within sixty (60) days of the City's notice to the District regarding such rejection, the City and the District, with the District's Services Expert, shall meet to mutually agree on the selection of a third party Services Expert to provide an appropriate rate or fee or payment terms. The decision of the third party Services Expert shall be final as to the rate or fee or payment interval for the police services, and the cost for the services for the third party Services Expert shall be equally paid for by the City and the District. If the District can demonstrate it can provide substantially the same level of police services at a lower cost, the Services Expert may require the City to match that lower cost if the City elects to provide the services. Once the third party Services Expert determines the applicable rate or fee or payment interval, the City shall begin to provide the City Services within (i) sixty (60) days of the third party Services Expert determination of the applicable rate or fee or payment interval or (ii) the expiration of the current term of the District's contract for such police services, unless otherwise agreed to in writing by the City and the District.

(b) In the event that hereafter the City and the District reach an agreement whereby the City shall provide police services to the District as described above, or in the event that the City elects to exercise its right to provide police services to the District as provided above, such agreement shall be reflected in a written amendment to this Agreement executed by duly authorized signatories of the District and the City.

- (c) If and until such time as (a) the City and the District reach an agreement whereby the City shall provide police services to the District or (b) the City exercises its right to provide police services to the District as provided above, the District may provide or contract for the police services in any manner permitted by law.
- (d) City Training Obligations Regarding Police Services. The City will be responsible for training its police officers on the different jurisdiction and powers of police officers when they exercise police powers within the District as compared to within the corporate limits of the City.

6.3 City Services. The City and the District acknowledge that as of the Effective Date, the District may not have the lawful authority to provide code enforcement services, animal control services, or health inspection services (collectively, whether one or more, the "City Services") within the District. In the event there is a change in or clarification to applicable state law and the City and District agree the District is authorized to perform such City Services, then for purposes of establishing the Parties' rights and obligations with respect to City Services, Section 6.2. is deemed to be copied below in its entirety with each reference to "police services" revised to read "City Services" and each reference to "police officers" revised to read "City Services inspectors or agents," provided that the "Trigger Date" for police services shall not apply to City Services. The District agrees not to oppose any attempt by the City to clarify the District's legislative authority to perform the City Services and contract with the City to perform those City Services, whether by amendment to applicable law or an Attorney General's opinion, provided that, in order to better assess whether the enforcement of certain of the City Services by means of private deed restrictions imposed pursuant to the Development Agreement is adequate, the City agrees not to seek such clarification or require the District to contract with the City for City Services until ten (10) years after the Effective Date of the Development Agreement.

6.4 Solid Waste Disposal. The City shall provide Solid Waste Disposal services to all residents within the District in the same manner and on the same terms as provided to residents of the City, except that until Full Purpose Annexation, the residential rate for District residents shall be equal to one hundred five percent (105%) of the rate charged to City residents for Solid Waste Disposal services.

ARTICLE VII FULL PURPOSE ANNEXATION

7.1 No Full Purpose Annexation. The timing, procedures, and restrictions on Full Purpose Annexation shall continue to be governed by the terms set forth in the Development Agreement.

7.2 Strip Annexation of Portions of Limited Purposes Tract. The District agrees to cooperate with and assist the City in strip annexing one or more areas in the Eligible Property in the manner prescribed by law and subject to any limits prescribed by applicable law, which does not result in the dissolution of the District, none of which may exceed five hundred twenty-five (525) feet in width at its widest point or such other width limitation subsequently imposed by law, as reasonably necessary for the City to connect areas within the Limited Purposes Tract to the City that the City intends to annex for limited purposes. The City agrees that such areas shall be located within right-of-way areas or along lot lines whenever possible. Notwithstanding the zoning designation approved for the annexed area, such area may be developed and used in accordance with the Development Agreement.

ARTICLE VIII DEFAULT/REMEDIES

8.1 Default. In the event of a default under or violation of this Agreement, the non-defaulting party shall send the defaulting party written notice describing the breach in reasonable detail. Except as otherwise specifically provided in this Agreement, the defaulting party shall have thirty (30) days following receipt of the notice of default or violation to initiate steps to cure the default or violation. The defaulting party shall thereafter have sixty (60) days to cure the default or violation. If the defaulting party fails to timely initiate steps to cure or to thereafter diligently proceed to cure, the non-defaulting party may bring suit to enforce this Agreement and seek any remedy provided at law or in equity. In the event such a suit is filed, the prevailing party shall be entitled, in addition to any other remedies to which it is entitled, to receive its attorneys' fees and court costs.

8.2 Waiver of Sovereign Immunity; Chapter 271, Texas Local Government Code. The Parties hereby agree that this Agreement constitutes an agreement for providing goods and/or services to the District and the City, which is subject to the provisions of Subchapter I of Chapter 271 of the Texas Local Government Code and any successor statutes. In accordance with Sections 271.152 and 271.153 of the Texas Local Government Code, the District and the City hereby waive, to the maximum extent allowed by law, any constitutional, statutory or common law right to sovereign or governmental immunity from liability or suit and expressly consent to be sued and held liable with respect to their performance and/or failure to fully and timely perform each and every obligation under this Agreement, but only to the extent such liability or suit arises from or relates to this Agreement or a claim brought under this Agreement.

ARTICLE IX MISCELLANEOUS

9.1 Approval. This Agreement shall not be effective until it is approved and executed by the respective governing bodies of the City and the District and recorded in

the Real Property Records of Comal County pursuant to Section 3.4 of this Agreement.

9.2 Term. Except as provided below, the term of this Agreement shall commence on the Effective Date and continue thereafter until 12:01 a.m. on the day immediately following the date the City annexes the District for full purposes in accordance with this Agreement and the Development Agreement; provided, however, in the event the District and City mutually agree for purposes allowed under Section 43.0751(g) of the Act, as may be amended, to extend the term hereof until the tenth (10th) anniversary of the date the City annexes the District for full purposes in accordance with this Agreement and the Development Agreement, such later date shall be the date of termination of this Agreement. The provisions of this Agreement relating to the collection of Sales and Use Tax Revenues will automatically terminate with regard to any portion of the Limited Purpose Tract upon disannexation or Full Purpose Annexation of the Limited Purposes Tract.

9.3 Notices. Any notice required by this Agreement shall be void and of no effect unless given in accordance with the provisions of this Section 9.3. All notices shall be in writing and delivered, either by personal delivery or commercial delivery service to the office of the person to whom the notice is directed, or by United States Mail, postage prepaid, as a registered or certified item, return receipt requested. Notices delivered by personal delivery or commercial delivery service shall be deemed to have been given upon receipt at the office of the person to whom the notice is directed. Notices delivered by mail shall be deemed to have been given on the third (3rd) day after the date such notice is deposited in a Post Office or other depository under the care or custody of the United States Postal Service, enclosed in a wrapper with proper postage affixed and addressed, as provided below. Notice may also be provided by facsimile transmission. Facsimile notice shall be deemed to have been given upon the sender's receipt of electronic confirmation of delivery to the facsimile station indicated below.

The proper address and facsimile number for the District is as follows:

Comal County Water Improvement District, No. 1
c/o Coats Rose Yale Ryman & Lee
Attention: Timothy Green
3 East Greenway Plaza, Suite 2000
Houston, Texas 77046
Phone: 855.291.0282
Fax: 713.651.0220

with copies to:

Coats Rose Yale Ryman & Lee
Attention: Timothy Green
1020 Northeast Loop 410, Suite 800
San Antonio, Texas 78209
Phone: 855.739.7515
Fax: 210.212.5698

The proper address and facsimile number for the City is as follows:

City of New Braunfels
Attn: City Manager
424 S. Castell Avenue
New Braunfels, Texas 78130
Fax: (830) 626-5578

with copies to:

City Attorney
424 S. Castell Avenue
New Braunfels, Texas 78130
Fax: (830) 626-5578

Any Party may change the address or facsimile number for notices specified above by giving the other party ten (10) days' advance written notice of such change of address or facsimile number.

- 9.4 Assignment. This Agreement may not be assigned or partially assigned by either party without the prior written consent of the non-assigning party, which shall not be unreasonably withheld.
- 9.5 Sub-Districts. If any sub-districts are created by or within the District, the City may not agree with any such sub-district to amend or otherwise alter the terms of this Agreement, but the City may continue to negotiate amendments to this Agreement with the District. The City and the District intend that any sub-district will be bound to and governed by this Agreement, as it may be amended from time to time, and the City and the District each agrees to take steps reasonably necessary to ensure all of the sub-districts are governed by this single Agreement, as amended from time to time, including ratifying this Agreement or its amendments by the sub-districts or entering into a separate agreement between the sub-district and the City confirming the sub-district's and City's agreement to be bound by all of the terms of this Agreement, as amended, with respect to the area contained in any sub-district.

9.6 Governing Law. THIS AGREEMENT MUST BE GOVERNED BY AND CONSTRUED AND ENFORCED IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, WITHOUT REGARD TO ANY CHOICE OF LAW RULES OR PRINCIPLES TO THE CONTRARY, AND THE OBLIGATIONS OF THE PARTIES HERETO ARE AND SHALL BE PERFORMABLE IN COMAL COUNTY, TEXAS.

9.7 No Oral Modification. This Agreement may not be supplemented, modified or amended, except by written agreement with approval of the governing bodies of the District and the City.

9.8 No Oral Waiver. The parties may waive any of the conditions or obligations of the other party under this Agreement, but any such waiver shall be effective only if in writing and signed by the waiving party.

9.9 Headings, Gender, etc. The headings used in this Agreement have been inserted for convenience and do not constitute matter to be construed or interpreted in connection with this Agreement. Unless the context of this Agreement otherwise requires (a) words of any gender are deemed to include each other gender, (b) words using the singular or plural number also include the plural or singular number, respectively.

9.10 Partial Invalidity. If any clause or provision of this Agreement is or should ever be held to be illegal, invalid, or unenforceable under any present or future law applicable to the terms hereof, then and in that event, it is the intention of the Parties that the remainder of this Agreement shall not be affected thereby, and that in lieu of each such clause or provision of this Agreement that is illegal, invalid, or unenforceable, there be added as a part of this Agreement a clause or provision as similar in terms to such illegal, invalid, or unenforceable clause or provision as may be possible and be legal, valid, and enforceable.

9.11 Authorization. The District and the City represent that each party executing this Agreement on behalf of the District and the City possesses all requisite authority to execute this Agreement on that such party's behalf.

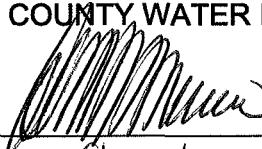
9.12 Holidays. If any deadline, or any date on which any duties or obligations under this Agreement are to be performed falls on a Saturday, Sunday or legal holiday, that date is automatically extended to the next business day.

9.13 Incorporation of Exhibits by Reference. All exhibits attached to this Agreement are incorporated into this Agreement by reference and for the purposes set forth in this Agreement, as follows:

Exhibit A	Map of the District
Exhibit B	Description of the District
Exhibit C	Map of the Initial Tract
Exhibit D	Legal Description of the Initial Tract

EXECUTED and EFFECTIVE as of the Effective Date.

COMAL COUNTY WATER IMPROVEMENT DISTRICT NO. 1:

By: 

Donnie Shaw, President, Board of Directors

THE CITY OF NEW BRAUNFELS:

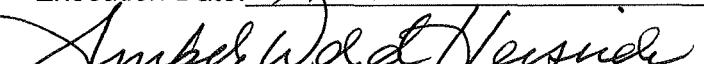
By: 
Name: Robert Camarena
Title: City Manager

**WORD-BORCHERS RANCH REAL ESTATE
LIMITED PARTNERSHIP**, a Texas limited partnership

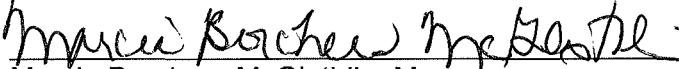
By: **Word-Borchers Ranch Management Company, L.L.C.**,
a Texas limited liability company, its General Partner

By: 
Timothy Dean Word III, Manager

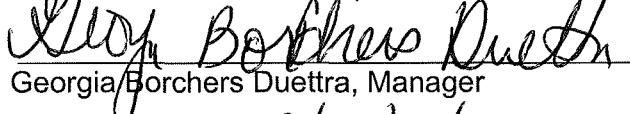
Execution Date: 2/13/2014

By: 
Amber Word-Heisner, Manager

Execution Date: 02-13-2014

By: 
Marcia Borchers McGlothlin, Manager

Execution Date: 2/13/14

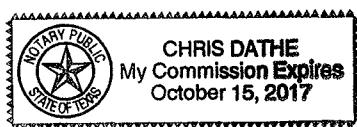
By: 
Georgia Borchers Duetra, Manager

Execution Date: 2/13/14

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

Before me, the undersigned authority, on this day personally appeared Donnie Shaw, President of the Comal County Water Improvement District No. 1, operating pursuant to Chapters 49 and 51 of the Texas Water Code, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of said water control improvement district, for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19th day of November 2014.



Notary Public, State of Texas

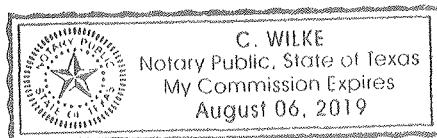
Print Name: Chris Dathe

My Commission Expires: 10-15-17

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

Before me, the undersigned authority, on this day personally appeared Robert Camar, the City Manager of the City of New Braunfels, Texas, a home rule law municipal corporation of the State of Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of said municipal corporation, for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 23 day of July 2014.



Notary Public, State of Texas

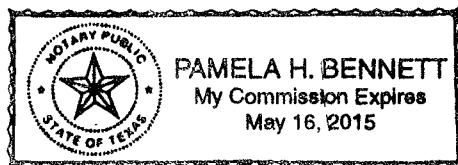
Print Name: C. Wilke

My Commission Expires: 8.6.2019

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

Before me, the undersigned authority, on this day personally appeared Timothy Dean Word III, Manager of Word-Borchers Ranch Real Estate Limited Partnership, a Texas limited partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of said water control improvement district, for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13th day of February, 2014.



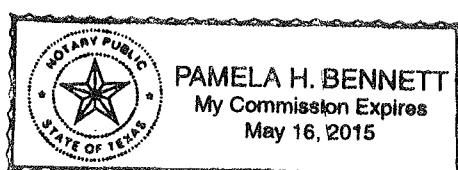
PAMELA H. BENNETT
My Commission Expires
May 16, 2015

Pamela Bennett
Notary Public, State of Texas
Print Name: Pamela Bennett
My Commission Expires: May 16, 2015

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

Before me, the undersigned authority, on this day personally appeared Amber Word-Heisner, Manager of Word-Borchers Ranch Real Estate Limited Partnership, a Texas limited partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of said water control improvement district, for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13th day of February, 2014.



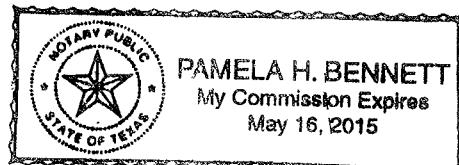
PAMELA H. BENNETT
My Commission Expires
May 16, 2015

Pamela Bennett
Notary Public, State of Texas
Print Name: Pamela Bennett
My Commission Expires: May 16, 2015

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

Before me, the undersigned authority, on this day personally appeared Marcia Borchers McGlothlin, Manager of Word-Borchers Ranch Real Estate Limited Partnership, a Texas limited partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of said water control improvement district, for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13~~st~~ day of February 2014.

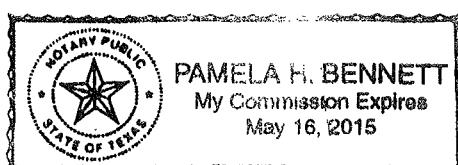


Pamela Bennett
Notary Public, State of Texas
Print Name: PAMELA BENNETT
My Commission Expires: May 16, 2015

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

Before me, the undersigned authority, on this day personally appeared Georgia Borchers Duettra, Manager of Word-Borchers Ranch Real Estate Limited Partnership, a Texas limited partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of said water control improvement district, for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13~~st~~ day of February 2014.



Pamela Bennett
Notary Public, State of Texas
Print Name: PAMELA BENNETT
My Commission Expires: May 16, 2015

EXHIBIT A

(MAP OF THE DISTRICT)

ADDED TO EFFECT SCANNING

PER COMAL COUNTY CLERK

ADDED TO EFFECT SCANNING

PER COMAL COUNTY CLERK

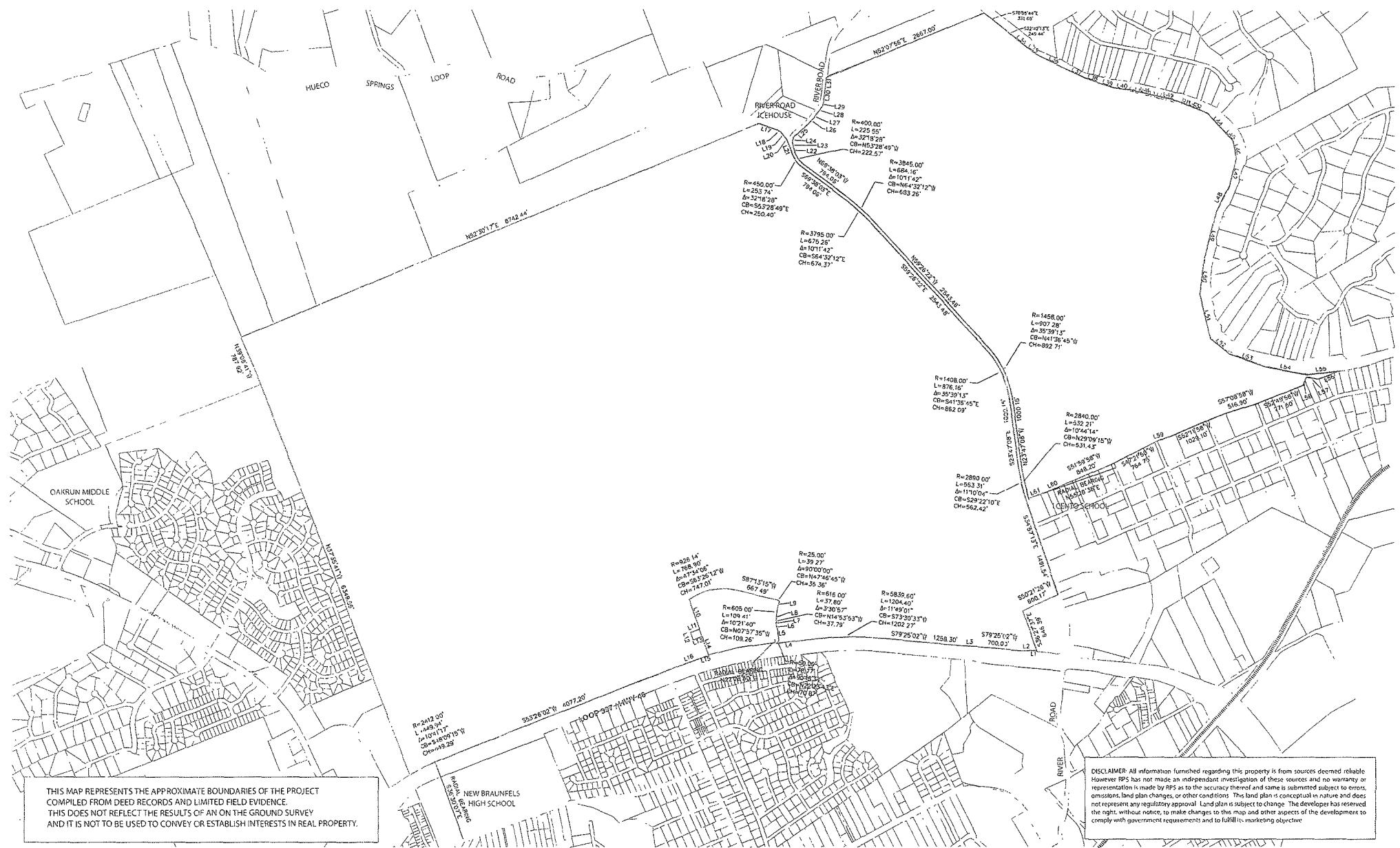


Exhibit A

Description of Water Improvement District

THIS MAP REPRESENTS THE APPROXIMATE BOUNDARIES OF THE PROJECT
COMPILED FROM DEED RECORDS AND LIMITED FIELD EVIDENCE.
THIS DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY
AND IT IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY.

DISCLAIMER: All information furnished regarding this property is from sources deemed reliable. However RPS has not made an independent investigation of these sources and no warranty or representation is made by RPS as to the accuracy thereof and same is submitted subject to errors, omissions, land plan changes, or other conditions. This land plan is conceptual in nature and does not represent any regulatory approval. Land plan is subject to change. The developer has reserved the right, without notice, to make changes to this map and other aspects of the development to comply with government requirements and to fulfill its marketing objective.

February 2013 | Project No 21983-105e



EXHIBIT B
(DESCRIPTION OF THE DISTRICT)

All of the 2445 acres as described in the Act of May 25, 2009, 81st Leg., R.S., ch. 584, §2, 2009 Tex. Sess. Law. Serv. 1317, 1322 (West) relating to the creation of Comal County Water Control & Improvement District No. 1, which is generally comprised of all of the real property included in the metes and bounds description as Tract "A" and the metes and bounds description as Tract "B" attached herein.

**FIELD NOTES
FOR A
POLITICAL SUBDIVISION**

Being 1746.9 acres, more or less, out of the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 1746.9 acres also being a portion of a 2086 acre tract of land described as First Tract in Deed recorded in Volume 167, Pages 80-92 of the Deed Records of Comal County, Texas. Said 1746.9 acre tract being more fully described as follows;

BEGINNING: At a found $\frac{1}{2}$ " iron rod on the southwest right-of-way line of River Road, for an eastern corner of this tract and the north corner of a 9.839 acre tract described in Document Number 200406026508 of the Official Records of Comal County, Texas;

THENCE: Departing said southwest right-of-way line of River Road and along the northwest line of said 9.839 acre tract, South $50^{\circ}21'26''$ West a distance of 600.17 feet to the western corner of said 9.839 acre tract;

THENCE: Along the southwest line of said 9.839 acre tract, South $36^{\circ}27'37''$ East a distance of 646.39 feet to a point on the northwest right-of-way line of State Highway Loop 337;

THENCE: along said northwest right-of-way line of State Highway Loop 337, the following bearings and distances:

South $79^{\circ}25'02''$ West a distance of 43.50 feet to a point,
 South $73^{\circ}42'02''$ West a distance of 201.00 feet to a point,
 South $79^{\circ}25'02''$ West a distance of 700.00 feet to a point,
 South $76^{\circ}33'02''$ West a distance of 200.30 feet to a point,
 South $79^{\circ}25'02''$ West a distance of 1258.30 feet to a point,
 along a tangent curve to the left, said curve having a radius of 5839.60 feet, a central angle of $11^{\circ}49'01''$, a chord bearing and distance of South $73^{\circ}30'33''$ West, 1202.27 feet, for an arc length of 1204.40 feet to a point, and

South $67^{\circ}36'02''$ West a distance of 518.39 feet to a point being the southeast corner of the called 17.089 acre tract of land conveyed to Oakwood Baptist Church of New Braunfels, Texas, by Deed Recorded in Document No. 200706020677, of the Official Records of Comal County, Texas;

THENCE: departing the northwest right-of-way line of State Highway Loop 337 and along the common line between said 17.089 acres and the herein described tract, the following bearings and distances:

along a non-tangent curve to the left, said curve having a radial bearing of North 22°28'30" West, a radius of 50.00 feet, a central angle of 90°15'34", a chord bearing and distance of North 22°23'43" East, 70.87 feet, for an arc length of 78.77 feet to a point,

North 22°44'04" West a distance of 149.65 feet to a point,

North 32°57'24" West a distance of 61.98 feet to a point,

North 16°39'22" West a distance of 43.27 feet to a point,

along a tangent curve to the right, said curve having a radius of 616.00 feet, a central angle of 03°30'57", a chord bearing and distance of North 14°53'53" West, 37.79 feet, for an arc length of 37.80 feet to a point,

North 13°08'25" West a distance of 65.66 feet to a point,

Along a tangent curve to the right, said curve having a radius of 605.00 feet, a central angle of 10°21'40", a chord bearing and distance of North 07°57'35" West, 109.26 feet, for an arc length of 109.41 feet to a point,

North 02°46'45" West a distance of 107.03 feet to a point,

along a tangent curve to the left, said curve having a radius of 25.00 feet, a central angle of 90°00'00", a chord bearing and distance of North 47°46'45" West, 35.36 feet, for an arc length of 39.27 feet to a point,

South 87°13'15" West a distance of 667.49 feet to a point,

along a tangent curve to the left, said curve having a radius of 926.14 feet, a central angle of 47°34'06", a chord bearing and distance of South 63°26'12" West, 747.01 feet, for an arc length of 768.90 feet to a point,

South 35°47'46" East a distance of 479.08 feet to a point

South 54°12'14" West a distance of 150.00 feet to a point;

South 35°47'46" East a distance of 115.00 feet to a point;

North 54°12'14" East a distance of 150.00 feet to a point;

South 35°47'46" East a distance of 311.31 feet to a point on the northwest right-of-way line of State Highway Loop 337, the south corner of said 17.089 acres;

THENCE: along the northwest right-of-way line of State Highway Loop 337, the following bearings and distances:

South 60°43'02" West a distance of 101.06 feet to a point;

South $54^{\circ}19'02''$ West a distance of 391.10 feet to a point;
South $53^{\circ}26'02''$ West a distance of 4077.20 feet to a point;
along a non-tangent curve to the left, said curve having a radial bearing of South $36^{\circ}30'07''$ East, a radius of 2412.00 feet, a central angle of $10^{\circ}41'17''$, a chord bearing and distance of South $48^{\circ}09'15''$ West, 449.29 feet, for an arc length of 449.94 feet to a point for the south corner of the herein described tract;

THENCE: departing the northwest right-of-way line of State Highway Loop 337 and along the south line of said 2086 acre tract, North $37^{\circ}35'41''$ West a distance of 6349.56 feet to a point;

THENCE: North $39^{\circ}08'41''$ West a distance of 787.92 feet to a the southwest corner of said 2086 acre tract;

THENCE: along the west line of said 2086 acre tract, North $52^{\circ}30'17''$ East a distance of 8742.44 feet to a point on the southwest right-of-way line of Hueco Springs Loop Road;

THENCE: along the southwest right-of-way line of said Hueco Springs Loop Road, the following bearings and distances:

South $85^{\circ}40'41''$ East a distance of 308.21 feet to a point;
South $76^{\circ}17'58''$ East a distance of 54.07 feet to a point;
South $54^{\circ}55'14''$ East a distance of 119.87 feet to a point;
South $46^{\circ}52'45''$ East a distance of 55.24 feet to a point;
South $37^{\circ}19'35''$ East a distance of 197.53 feet to a point of curvature on the southern right-of-way line of River Road;

THENCE: along the southern right-of-way line of said River Road, the following bearings and distances:

along a tangent curve to the left, said curve having a radius of 450.00 feet, a central angle of $32^{\circ}18'28''$, a chord bearing and distance of South $53^{\circ}28'49''$ East, 250.40 feet, for an arc length of 253.74 feet to a point;

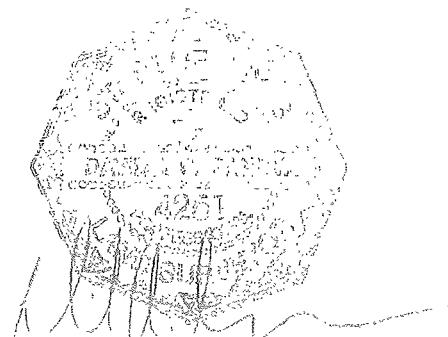
South $69^{\circ}38'03''$ East a distance of 794.06 feet to a point;
along a tangent curve to the right, said curve having a radius of 3795.00 feet, a central angle of $10^{\circ}11'42''$, a chord bearing and distance of South $64^{\circ}32'12''$ East, 674.37 feet, for an arc length of 675.26 feet to a point;

South $59^{\circ}26'22''$ East a distance of 2543.48 feet to a point;
along a tangent curve to the right, said curve having a radius of 1408.00 feet, a central angle of $35^{\circ}39'13''$, a chord bearing and distance of South $41^{\circ}36'45''$ East, 862.09 feet, for an arc length of 876.16 feet to a point;
South $23^{\circ}47'08''$ East a distance of 1000.15 feet to a point;
along a tangent curve to the left, said curve having a radius of 2890.00 feet, a central angle of $11^{\circ}10'04''$, a chord bearing and distance of South $29^{\circ}22'10''$ East, 562.42 feet, for an arc length of 563.31 feet to a point;
South $34^{\circ}57'13''$ East a distance of 1491.54 feet to the POINT OF BEGINNING, and containing 1746.9 acres.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

PREPARED BY: PAPE DAWSON ENGINEERS, INC.

DATE: March 23, 2012
JOB No.: 9127-10
FILE: N:\Survey10\10-9100\9127-10\WORD\1746.9 Ac MBs.doc



**FIELD NOTES
FOR A
POLITICAL SUBDIVISION**

Being 680.0 acres, more or less, out of the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 680.0 acres also being a portion of a 694 acre tract of land described as Fourth Tract in Deed recorded in Volume 167, Pages 80-92 of the Deed Records of Comal County, Texas. Said 680.0 acre tract being more fully described as follows;

BEGINNING: at a found $\frac{1}{2}$ " iron rod on the northeast right-of-way line of River Road, for the south corner of this tract and the south corner of said 694 acre tract;

THENCE: along said northeast right-of-way line of River Road, the following bearings and distances:

Along a curve to the right, said curve having a radial bearing of North $55^{\circ}28'38''$ East, a radius of 2840.00 feet, a central angle of $10^{\circ}44'14''$, a chord bearing and distance of North $29^{\circ}09'15''$ West, 531.43 feet, for an arc length of 532.21 feet to a point,

North $23^{\circ}47'08''$ West a distance of 1000.15 feet to a point,

Along a tangent curve to the left, said curve having a radius of 1458.00 feet, a central angle of $35^{\circ}39'13''$, a chord bearing and distance of North $41^{\circ}36'45''$ West, 892.71 feet, for an arc length of 907.28 feet to a point,

North $59^{\circ}26'22''$ West a distance of 2543.48 feet to a point,

along a tangent curve to the left, said curve having a radius of 3845.00 feet, a central angle of $10^{\circ}11'42''$, a chord bearing and distance of North $64^{\circ}32'12''$ West, 683.26 feet, for an arc length of 684.16 feet to a point,

North $69^{\circ}38'03''$ West a distance of 794.06 feet to a point,

along a tangent curve to the right, said curve having a radius of 400.00 feet, a central angle of $32^{\circ}18'28''$, a chord bearing and distance of North $53^{\circ}28'49''$ West, 222.57 feet, for an arc length of 225.55 feet to a point,

North $37^{\circ}19'35''$ West a distance of 74.92 feet to a point,

North $24^{\circ}39'43''$ West a distance of 84.03 feet to a point,

North $03^{\circ}54'02''$ West a distance of 73.10 feet to a point,

North $32^{\circ}15'55''$ East a distance of 337.26 feet to a point,

North 27°47'36" East a distance of 106.84 feet to a point,
North 23°29'03" East a distance of 58.43 feet to a point,
North 18°42'36" East a distance of 166.96 feet to a point,
North 00°50'37" West a distance of 58.28 feet to a point,
North 08°13'11" West a distance of 191.91 feet to a point,
North 08°36'56" West a distance of 186.83 feet to a point,
THENCE: departing the northeast right-of-way line of River Road and along the northwest line of said 694 acre tract, North 52°07'56" East a distance of 2667.00 feet to a point on the Guadalupe River;
THENCE: along the meanders of the Guadalupe River, the following bearings and distances:
South 70°55'44" East a distance of 361.68 feet to a point,
South 62°42'13" East a distance of 249.44 feet to a point,
South 66°20'58" East a distance of 253.10 feet to a point,
South 72°43'51" East a distance of 223.08 feet to a point,
South 79°52'21" East a distance of 524.56 feet to a point,
South 81°07'29" East a distance of 278.44 feet to a point,
South 88°15'17" East a distance of 278.53 feet to a point,
South 87°39'50" East a distance of 212.64 feet to a point,
North 81°43'30" East a distance of 282.13 feet to a point,
North 86°35'39" East a distance of 414.94 feet to a point,
North 87°24'18" East a distance of 341.41 feet to a point,
South 83°38'12" East a distance of 482.30 feet to a point,
South 58°14'14" East a distance of 405.29 feet to a point,
South 59°04'08" East a distance of 162.27 feet to a point,
South 27°19'15" East a distance of 277.64 feet to a point,
South 01°19'17" East a distance of 431.31 feet to a point,
South 11°28'18" West a distance of 438.24 feet to a point,
South 01°16'05" East a distance of 728.38 feet to a point,
South 08°53'25" East a distance of 554.01 feet to a point,

South 29°52'02" East a distance of 672.19 feet to a point,
South 66°26'35" East a distance of 387.33 feet to a point,
South 86°37'11" East a distance of 582.83 feet to a point,
North 84°48'17" East a distance of 651.28 feet to a point,
North 67°16'02" East a distance of 474.64 feet to a point,
THENCE: departing the Guadalupe River and along the southeast line of said 694 acre
tract the following bearings and distances:

South 52°07'58" West a distance of 331.98 feet to a point,
South 85°07'58" West a distance of 175.30 feet to a point,
South 07°07'58" West a distance of 135.00 feet to a point,
South 52°49'58" West a distance of 771.50 feet to a point,
South 57°08'58" West a distance of 516.90 feet to a point,
South 52°11'58" West a distance of 1029.10 feet to a point,
South 60°36'58" West a distance of 72.70 feet to a point,
South 47°21'58" West a distance of 764.75 feet to a point,
South 51°59'58" West a distance of 848.20 feet to a point,
South 50°16'58" West a distance of 324.40 feet to a point,
South 53°32'58" West a distance of 277.92 feet to the POINT OF
BEGINNING, and containing 680.0 acres.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the
ground survey, and is not to be used to convey or establish interests in real property except those
rights and interests implied or established by the creation or reconfiguration of the boundary of
the political subdivision for which it was prepared.

PREPARED BY: PAPE DAWSON ENGINEERS, INC.
DATE: March 23, 2012
JOB No.: 9127-10
FILE: N:\Survey10\10-9100\9127-10\WORD\680.0 Ac MBs.doc



PAPE-DAWSON
ENGINEERS

EXHIBIT C

(MAP OF THE INITIAL TRACT)

ADDED TO EFFECT SCANNING

PER COMAL COUNTY CLERK

ADDED TO EFFECT SCANNING

PER COMAL COUNTY CLERK



Exhibit C Initial Tract subject to Strategic Partnership Agreement

EXHIBIT D

(LEGAL DESCRIPTION OF THE INITIAL TRACT)

**ADDED TO EFFECT SCANNING
PER COMAL COUNTY CLERK**

**ADDED TO EFFECT SCANNING
PER COMAL COUNTY CLERK**

EXHIBIT D

(LEGAL DESCRIPTION OF THE INITIAL TRACT)

ADDED TO EFFECT SCANNING

PER COMAL COUNTY CLERK

ADDED TO EFFECT SCANNING

PER COMAL COUNTY CLERK



LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
FOR
STRATEGIC PARTNERSHIP AGREEMENT TRACT

Being 200.5 acres, more or less, out of the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 200.5 acres also being a portion of a 2086 acre tract of land described as First Tract in Deed recorded in Volume 167, Pages 80-92 of the Deed Records of Comal County, Texas. Said 200.5 acre tract being more fully described as follows;

BEGINNING: at a point on the northwest right-of-way line of State Highway Loop 337, being the south most corner of the called 17.089 acre tract of land conveyed to Oakwood Baptist Church of New Braunfels, Texas, by Deed Recorded in Document No. 200706020677, of the Official Records of Comal County, Texas;

THENCE: along the northwest right-of-way line of State Highway Loop 337, the following bearings and distances:

South $60^{\circ}43'02''$ West a distance of 101.06 feet to a point,

South $54^{\circ}19'02''$ West a distance of 391.10 feet to a point,

South $53^{\circ}26'02''$ West a distance of 4077.20 feet to a point,

along a non-tangent curve to the left, said curve having a radial bearing of South $36^{\circ}30'07''$ East, a radius of 2412.00 feet, a central angle of $10^{\circ}41'17''$, a chord bearing and distance of South $48^{\circ}09'15''$ West, 449.29 feet, for an arc length of 449.94 feet to a point on the south line of said 2086 acre tract and of the herein described tract;

THENCE: departing the northwest right-of-way line of State Highway Loop 337, along and with the south line of said 2086 acre tract, North $37^{\circ}35'41''$ West a distance of 1268.15 feet to a point;

THENCE: departing the south line of said 2086 acre tract, over and across said 2086 acre tract the following bearings and distances:

North $29^{\circ}24'30''$ East a distance of 218.28 feet to a point,

North $00^{\circ}40'45''$ East a distance of 248.00 feet to a point,

North $37^{\circ}26'16''$ East a distance of 525.00 feet to a point,

North $58^{\circ}26'03''$ East a distance of 376.00 feet to a point of curvature,

along a tangent curve to the left, said curve having a radius of 500.00 feet, a central angle of $40^{\circ}53'59''$, a chord bearing and distance of North $37^{\circ}59'03''$ East, 349.39 feet, for an arc length of 356.92 feet to a point,

North 17°32'03" East a distance of 153.00 feet to a point,
North 66°44'23" East a distance of 450.00 feet to a point,
North 34°59'21" East a distance of 290.00 feet to a point,
North 66°08'22" East a distance of 315.00 feet to a point,
North 38°37'30" East a distance of 224.00 feet to a point,
North 14°12'43" East a distance of 630.00 feet to a point,
North 49°29'46" East a distance of 355.00 feet to a point,
South 67°45'52" East a distance of 250.00 feet to a point,
South 87°10'35" East a distance of 780.00 feet to a point,
North 39°02'29" East a distance of 578.29 feet to a point,
South 35°47'46" East, at a distance of 755.00 feet passing the west most corner
of the called 17.089 acre tract, and continuing along and with the common line
between said 17.089 acres and the herein described tract for a total distance of
1234.08 feet to the north most corner of a 0.396 of an acre tract of land
described in Volume 449, Page 77 of the Deed Records of Comal County,
Texas;

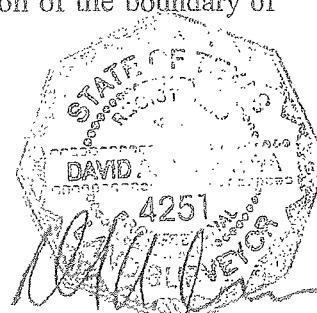
THENCE: along and with the common line between said 0.396 of an acre tract and the
herein described tract the following bearings and distances:

South 54°12'14" West a distance of 150.00 feet to a point,
South 35°47'46" East a distance of 115.00 feet to a point,
North 54°12'14" East a distance of 150.00 feet to a point on the southwest line
of said 17.089 acre tract;

THENCE: along and with the common line between said 17.089 acre tract and the herein
described tract, South 35°47'46" East a distance of 311.31 feet to the POINT
OF BEGINNING, and containing 200.5 acres.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the
ground survey, and is not to be used to convey or establish interests in real property except those
rights and interests implied or established by the creation or reconfiguration of the boundary of
the political subdivision for which it was prepared.

PREPARED BY: PAPE DAWSON ENGINEERS, INC.
DATE: March 23, 2012
JOB No.: 9127-10
FILE: N:\Survey10\10-9100\9127-10\WORD\200.5 AC SPA MBs.doc



PAPE-DAWSON
ENGINEERS

FILED AND RECORDED

Instrument Number: *201506029553*

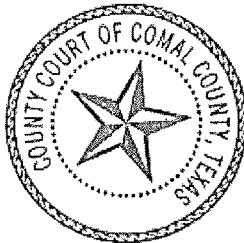
Recording Fee: 178.00

Number Of Pages: 40

Filing and Recording Date: 07/24/2015 4:43PM

Deputy: LAURA JENDRUSCH

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Comal County, Texas.



Bobbie Koepp

Bobbie Koepp, County Clerk

Comal County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, APPROVING THE LIMITED PURPOSE ANNEXATION OF LOTS 1 THROUGH 9, AND LOT 900, BLOCK 1, VERAMENDI PRECINCT 11A SUBDIVISION, AND LOT 109, BLOCK 19, VERAMENDI PRICINCT 11B SUBDIVISION, CONSISTING OF APPROXIMATELY 45 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. 1 (“District”) negotiated a Strategic Partnership Agreement (“Agreement”), adopted and effective July 24, 2015, and recorded in the Comal County Official Public Records as Document No. 201506029553, 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 September 10, 2012, and October 22, 2012.

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 Lots 1 through 9, and Lot 100, Block 1, Veramendi Precinct 11A Subdivision, and Lot 109, Block 19, Veramendi Precinct 11B 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 3, 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

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 8th day of December 2025.

PASSED AND APPROVED: Second reading this 12th day of January 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

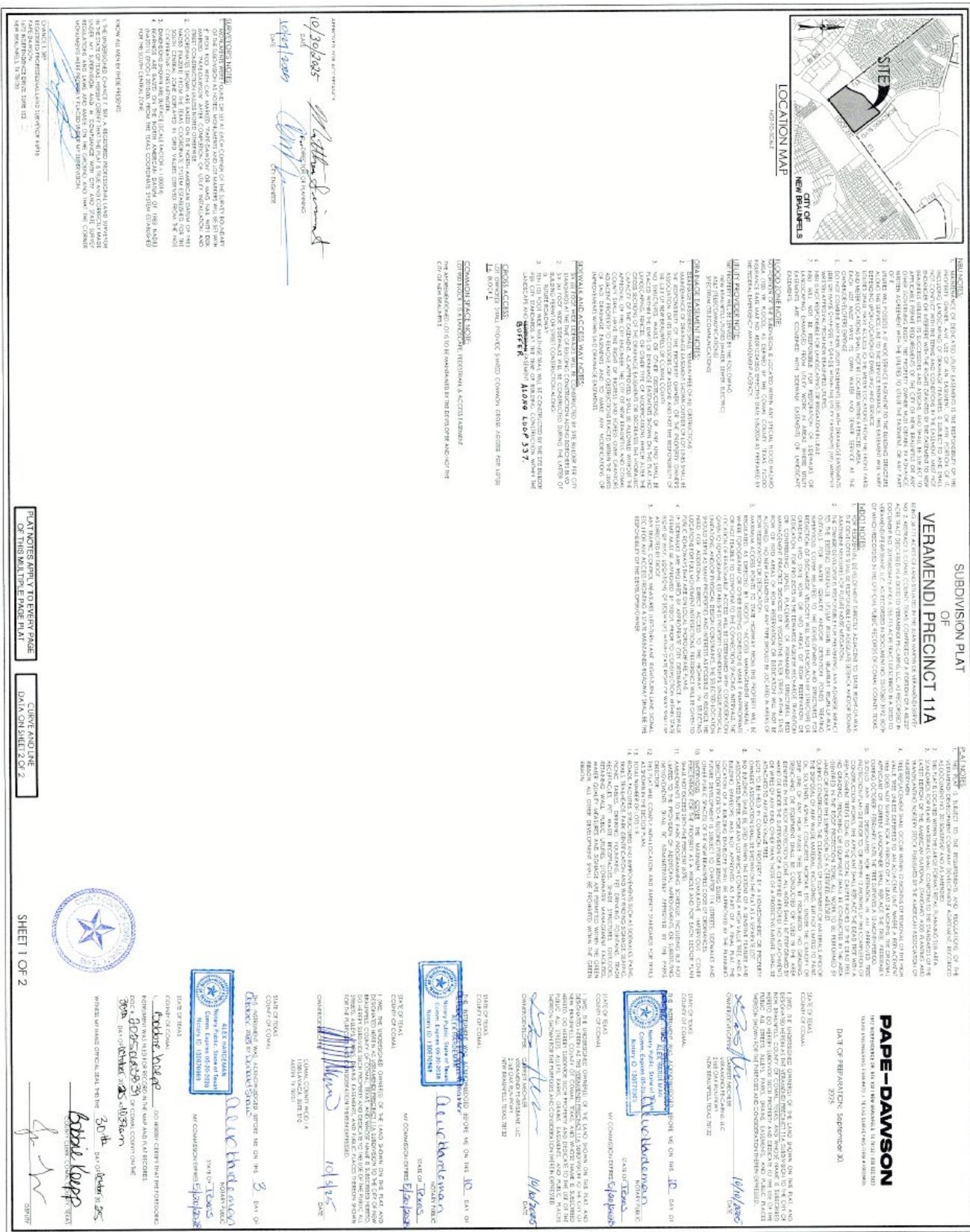
ATTEST:

GAYLE WILKINSON, City Secretary

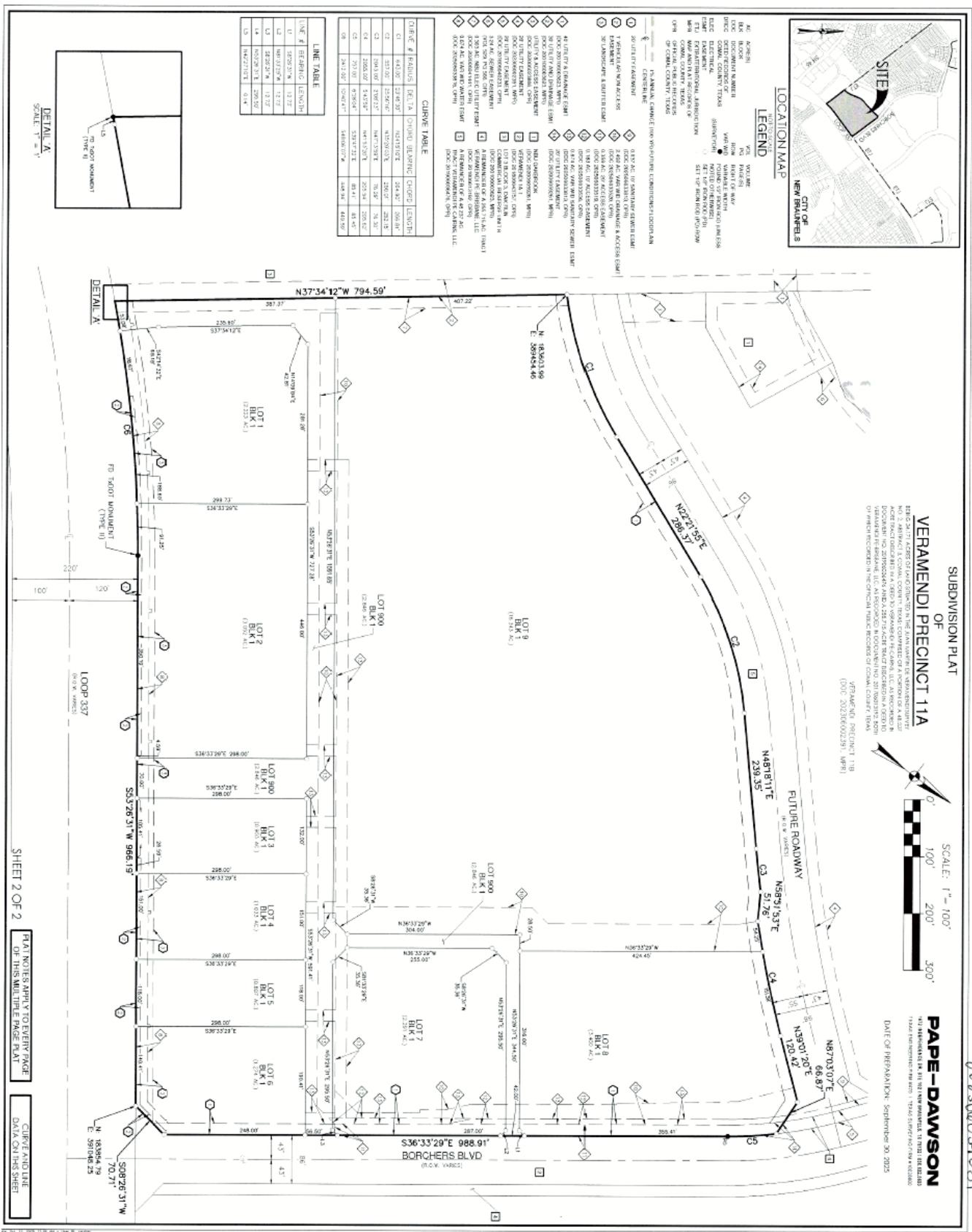
APPROVED AS TO FORM:

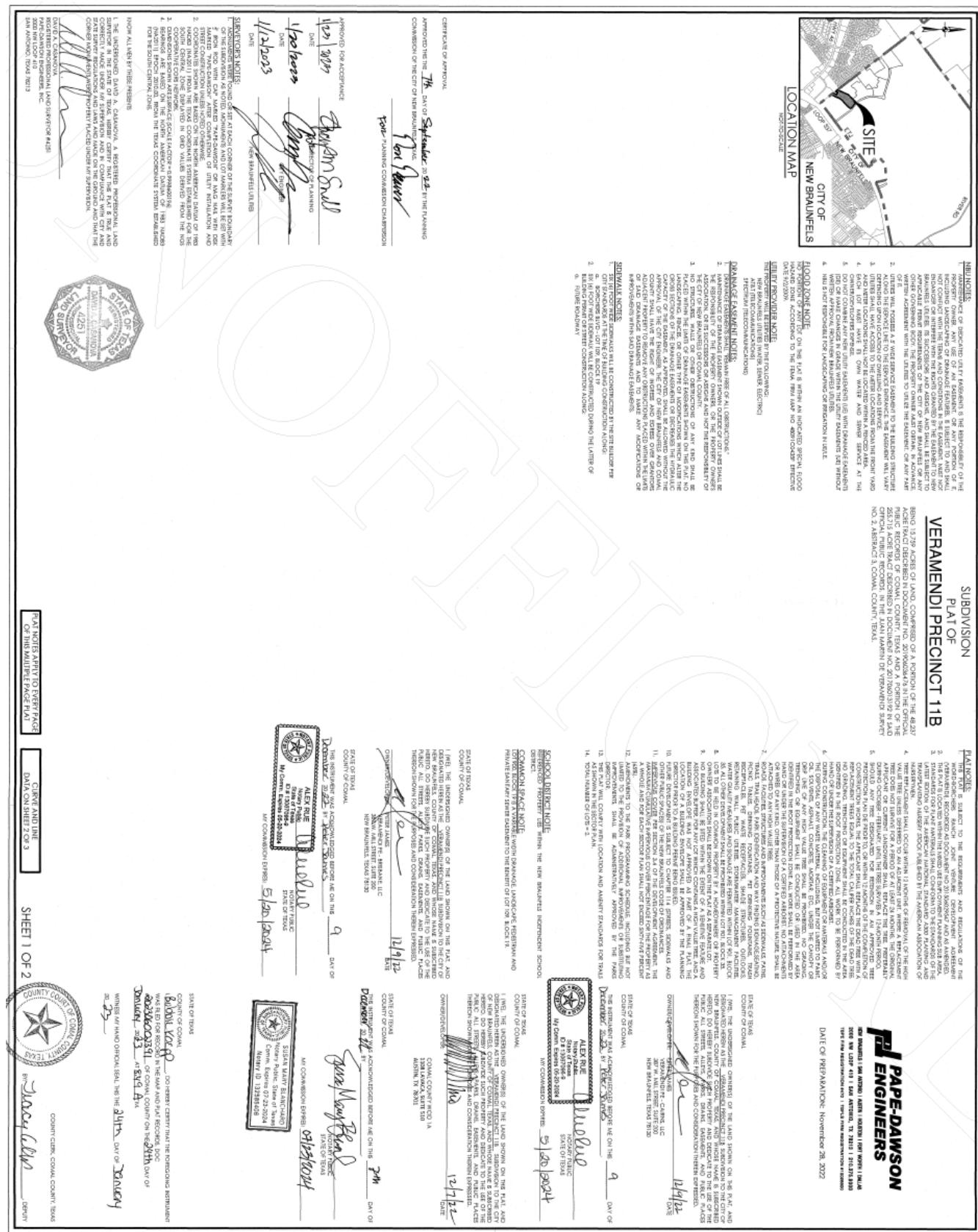
VALERIA M. ACEVEDO, City Attorney

EXHIBIT “A”



VERAMENDI PRECINCT 11A





PAPÉ-DAWSON
ENGINEERS

VERAMENDI PRECINCT 11B

1/12/2026

Agenda Item No. Q)

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 Lots 1, 2, 3, and 4, Block 1, Mayfair - North Ransom Commercial Subdivision, consisting of approximately 25 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: Southstar at Mayfair Developer, LLC
Thad Rutherford, President/CEO
1118 Vintage Way
New Braunfels, TX 78132

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

The City Council approved the first reading of this ordinance at their December 8, 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 - North Ransom Commercial Subdivision plat establishing Lots 1, 2, 3, and 4, Block 1, (attached) was recorded with Comal County on October 16, 2025. Final action on the limited purpose annexation of Lot 1 (second reading) must occur before April 14, 2026.

COMPREHENSIVE PLAN REFERENCE:

Regional Planning: Annexation

- Balance resources in an equitable manner that does not lead to disinvestment in existing New Braunfels.
- Ensure annexation supports the community's desired form, design and pattern.
- Assure the long-term fiscal health of New Braunfels and that policy decisions do not create an undue fiscal burden on the City or others.

Future Land Use Plan: The subject property is located within the Oak Creek Sub Area, along a Transitional Mixed-Use Corridor and near a future Market Center.

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=>

LOCATION MAP



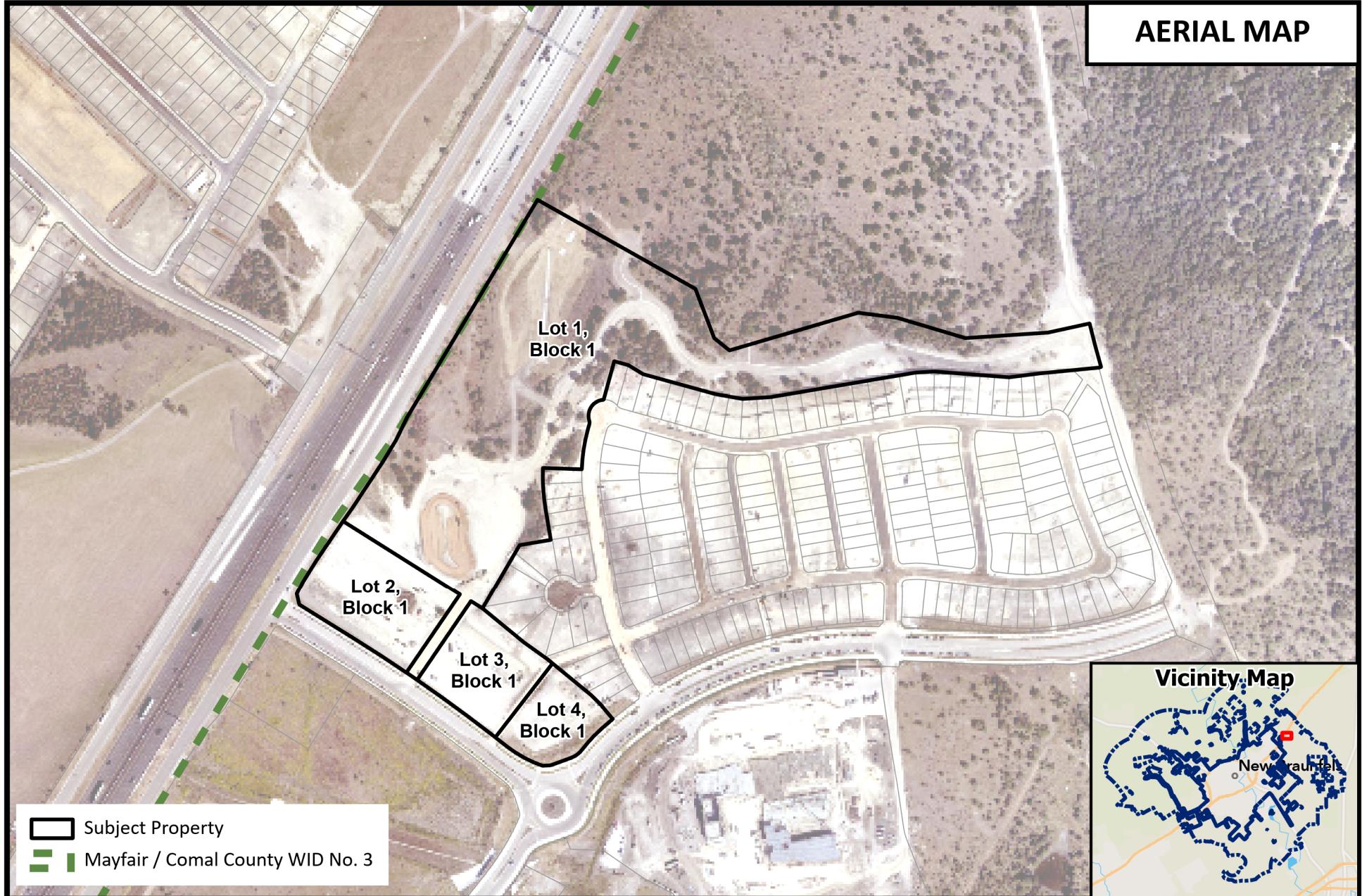
CS25-0391 Limited Purpose Annexation Lots 1-4 Block 1, Mayfair - North Ransom Commercial

Path: P:\Annexations\Limited Purpose Annexations\Mayfair\CS25-0391 Mayfair-North Ransom

Source: City of New Braunfels Planning
Date: 11/13/2025

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 anyone else is at that party's risk and without liability to the City of New Braunfels, its officials or employees for any discrepancies, errors, or omissions which may exist.

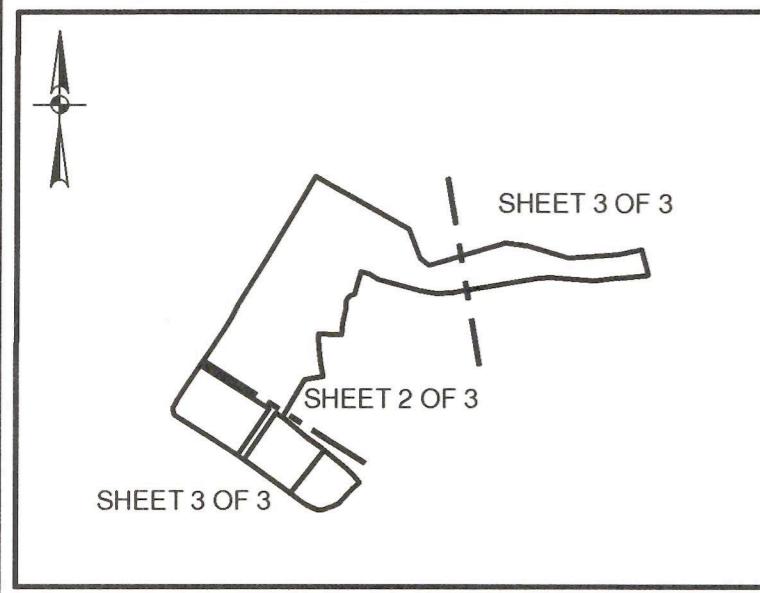
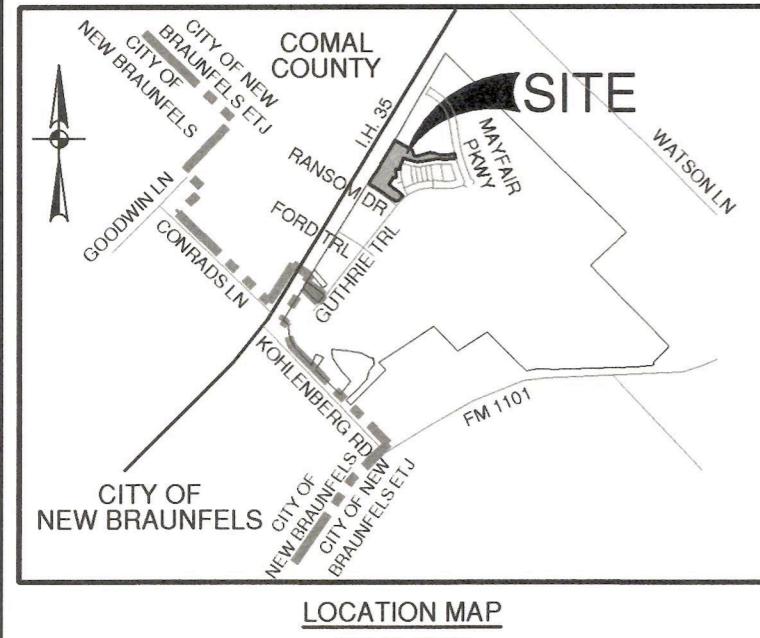




Path:
P:\Annexations\Limited Purpose Annexations\Mayfair\CS25-0391 Mayfair-North Ransom

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CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	3100.00'	2'33"34"	S14°48'54"E	138.47'	138.48'
C2	50.00'	104°50'48"	S33°51'52"W	79.25'	91.50'
C3	15.00'	33°57'47"	S1°34'39"E	8.76'	8.89'
C4	528.00'	13°28'52"	S89°39'49"W	123.95'	124.23'
C5	648.00'	11°31'08"	S3°50'11"E	130.06'	130.28'
C6	1226.00'	2'33"30"	S48°46'43"W	54.74'	54.74'
C7	457.00'	10°08'54"	S42°25'31"W	80.84'	80.95'
C8	75.00'	32°33'05"	S53°37'36"W	42.04'	42.61'
C9	25.00'	1717'47"	S78°33'03"W	7.52'	7.55'
C10	381.00'	18'45"22"	N60°53'36"W	124.17'	124.72'
C11	5045.00'	6'38"27"	S54°50'09"E	584.42'	584.74'
C12	23072.30'	1'21"04"	N31°15'02"E	544.10'	544.12'
C13	572.08'	1'39"06"	N47°52'22"E	16.49'	16.49'
C14	497.00'	10°08'54"	N42°25'31"E	87.92'	88.03'
C15	35.00'	4'25"05"	N39°33'36"E	2.70'	2.70'
C16	55.00'	10'32"38"	S42°37'23"W	10.11'	10.12'
C17	477.00'	10°08'54"	S42°25'31"W	84.38'	84.49'
C18	1246.00'	2'33"27"	S48°46'42"W	55.62'	55.62'

SURVEYOR'S NOTES:

- 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.
- 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 CO-OPERATIVE CORS NETWORK.
- DIMENSIONS SHOWN ARE SCALED TO SURFACE WITH A SURFACE ADJUSTMENT OF 1.00017 APPLIED.
- 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
KEITH W. WOOLEY
REGISTERED PROFESSIONAL LAND SURVEYOR #5463
PAPE-DAWSON ENGINEERS, INC.
1672 INDEPENDENCE DR, STE 102
NEW BRAUNFELS, TEXAS 78132

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 OR 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/DEVELOPER'S 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.

TxDOT PLAT NOTES:

- 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.
- 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.
- MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THE 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.
- 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.
- 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.

LINE TABLE

LINE #	BEARING	LENGTH
L1	S59°31'58"E	80.73'
L2	S20°56'08"E	162.37'
L3	S51°01'31"E	60.28'
L4	S82°37'05"E	121.51'
L5	N77°42'08"E	131.34'
L6	S73°54'19"W	7.07'
L7	S84°24'15"W	183.91'
L8	S82°46'33"W	94.25'
L9	N85°35'45"W	231.38'
L10	S86°43'52"W	58.25'
L11	S80°24'15"W	451.08'
L12	S86°09'36"W	88.20'

LINE TABLE

LINE #	BEARING	LENGTH
L13	N79°53'50"W	86.53'
L14	N58°39'57"W	53.58'
L15	N74°35'45"W	45.00'
L16	S15°24'15"W	122.76'
L17	S15°24'15"W	17.74'
L18	N88°04'37"W	120.00'
L19	S9°35'45"E	92.84'
L20	S80°24'15"W	97.40'
L21	S30°12'49"W	227.54'
L22	S50°35'45"E	164.67'
L23	S54°24'36"E	90.20'
L24	S50°35'45"E	170.00'

LINE TABLE

LINE #	BEARING	LENGTH
L37	N25°51'14"E	77.00'
L38	N30°23'16"E	238.24'
L39	S50°35'45"E	20.03'
L40	S57°50'23"E	41.93'

SUBDIVISION PLAT OF MAYFAIR - NORTH RANSOM COMMERCIAL

BEING A TOTAL OF 25.435 ACRES, COMPRISED OF LOT 1, BLOCK 1 OF THE MAYFAIR - FAIRWAY PARK RECORDED IN DOCUMENT NO. 202406035613 ALL OF A 2.816 ACRE TRACT CONVEYED TO BIRVEK RETAIL, LLC, IN DEED RECORDED IN DOCUMENT 202506012812, AND 3.490 ACRES OUT OF THAT CALLED 778.313 ACRE TRACT CONVEYED TO SOUTHPART AT MAYFAIR, DEVELOPER, LLC, IN DEED RECORDED DOCUMENT 202106037786, ALL IN THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

SITUATED IN ANTONIO MARIA ESNARIZAR SURVEY NO. 1, ABSTRACT 1, COMAL COUNTY, TEXAS. ESTABLISHING LOT 2, BLOCK 1; LOT 3, BLOCK 1 AND LOT 4, BLOCK 1.

PLAT NOTES:

- THIS SUBDIVISION IS NOT WITHIN THE EDWARDS AQUIFER JURISDICTIONAL ZONES.
- THIS SUBDIVISION IS WITHIN THE ETJ OF THE CITY OF NEW BRAUNFELS, TEXAS.
- THE FUTURE DEVELOPMENT IS SUBJECT TO CHAPTER 114 (STREETS, SIDEWALKS AND OTHER PUBLIC SPACES) OF THE NEW BRAUNFELS CODE OF ORDINANCES.
- 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 DOWNSHILL 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.
- THIS UNIT CONTAINS 4 BUILDABLE LOTS.
- ANY DRIVEWAY CONSTRUCTION ON COUNTY ROADS WITHIN THE UNINCORPORATED AREAS OF COMAL COUNTY MUST BE PERMITTED BY THE COMAL COUNTY ROAD DEPARTMENT.
- STREET TREE PLANTING WILL OCCUR WITH BUILDING PERMIT IN COMPLIANCE WITH THE MAYFAIR DDCD.
- THIS PLAT IS SUBJECT TO THE REQUIREMENTS AND REGULATIONS OF THE MAYFAIR DEVELOPMENT AGREEMENT, RECORDED AS DOCUMENT NO. 20220606377 AND AS AMENDED.
- THIS PLAT IS SUBJECT TO THE TERMS OF A UTILITY COST SHARING AGREEMENT SOUTHPART AT MAYFAIR, LLC. A COPY OF THE UTILITY COST SHARING AGREEMENT IS RECORDED AS DOCUMENT NO. 20220606599 IN THE OFFICIAL RECORDS OF COMAL COUNTY, TEXAS.
- NBU WILL ONLY SERVE WATER OR WASTEWATER TO A PLATED LOT ONLY IF THE DEVELOPER AND LANDOWNERS COMPLY WITH THEIR OBLIGATIONS OUTLINED WITHIN THE UTILITY COST SHARING AGREEMENT SOUTHPART AT MAYFAIR, LLC.
- NON-RESIDENTIAL USE SUBDIVISIONS ARE NOT SUBJECT TO PARK LAND DEDICATION AND DEVELOPMENT REQUIREMENTS, HOWEVER, AT SUCH TIME THAT ANY DWELLING UNITS ARE CONSTRUCTED, THE OWNER OF THE LOT SHALL CONTACT THE CITY AND COMPLY WITH THE ORDINANCE FOR EACH DWELLING UNIT (NBO 118-58).

SCHOOL DISTRICT NOTE:
REFERENCED PROPERTY LIES WITHIN THE COMAL INDEPENDENT SCHOOL DISTRICT.

SIDEWALK NOTES:

- TWO (2) MINOR TRAILHEADS WILL BE CONSTRUCTED ON LOT 1 AT THE TIME OF BUILDING PERMIT IN COMPLIANCE WITH MAYFAIR DDCD STANDARDS.
- TEN (10) FOOT SIDEWALK WILL BE CONSTRUCTED BY THE DEVELOPER PER CITY STANDARDS AT THE TIME OF STREET CONSTRUCTION ALONG MAYFAIR PARKWAY.
- TWELVE (12) FOOT SIDEWALK IS EXISTING ALONG GUTHRIE TRAIL.
- SIX (6) FOOT SIDEWALK WILL BE CONSTRUCTED BY THE DEVELOPER PER CITY STANDARDS AT THE TIME OF BUILDING PERMIT ALONG IH-35.

CROSS ACCESS:

LOT OWNER(S) SHALL PROVIDE SHARED COMMON CROSS ACCESS FOR LOT(S) 1-4, BLOCK 1.

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. 48091C0295F 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)

PAPE-DAWSON

1672 INDEPENDENCE DR, STE 102 I NEW BRAUNFELS, TX 78132 | 830.632.6333
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

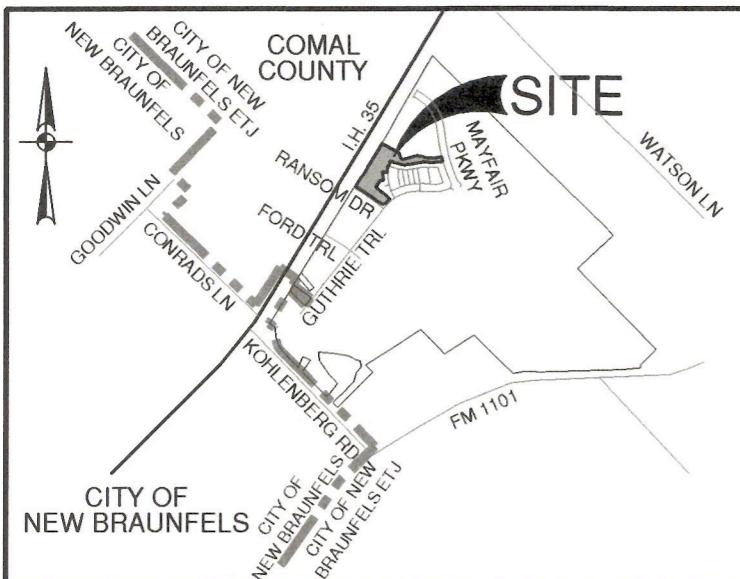
DATE OF PREPARATION: September 22, 2025

STATE OF TEXAS
COUNTY OF COMAL

I (WE), THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, (LOTS 1, 3, AND 4, BLOCK 1) AND DESIGNATED HEREIN AS THE MAYFAIR - NORTH RANSOM COMMERCIAL 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: THAD RUTHERFORD, PRESIDENT
SOUTHSTAR AT MAYFA

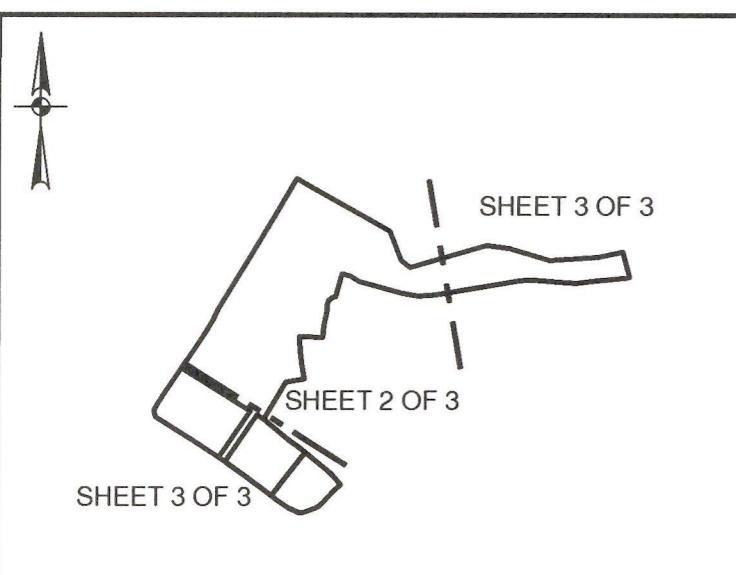
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LOCATION MAP
NOT-TO-SCALE

LEGEND

AC	ACRE(S)	VOL	VOLUME
BLK	BLOCK	PG	PAGE(S)
DOC	DOCUMENT NUMBER	ROW	RIGHT-OF-WAY
DR	DEED RECORDS OF COMAL	-	REPETITIVE BEARING
ETJ	COUNTY, TEXAS		AND/OR DISTANCE
OPR	EXTRATERRITORIAL JURISDICTION		
	(SURVEYOR)		FOUND 1/2" IRON ROD (UNLESS
	OFFICIAL PUBLIC RECORDS		NOTED OTHERWISE)
	OF COMAL COUNTY, TEXAS		SET 1/2" IRON ROD (PD)

—	CENTERLINE
—	CITY OF NEW BRAUNFELS LIMITS/ETJ
- - -	1% ANNUAL CHANCE (100-YR) FUTURE CONDITIONS FLOODPLAIN
⑯	20' PUBLIC UTILITY EASEMENT
⑯	VARIABLE WIDTH SANITARY SEWER EASEMENT
⑯	40' ACCESS EASEMENT
⑯	20' PIPELINE EASEMENT (VOL 143, PG 362, DR)
⑯	CHANNEL EASEMENT (VOL 106, PG. 494 DR)
⑯	VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 202206045668, OPR)
⑯	VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 20240605025, OPR)
⑯	20' UTILITY EASEMENT (DOC NO 202306002555, OPR)
⑯	10' UTILITY EASEMENT (DOC NO 202306002555, OPR)
⑯	VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 202306002555, OPR)
⑯	20' UTILITY EASEMENT (DOC NO 202206046252, OPR)
⑯	VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 202206045654, OPR)
⑯	20' UTILITY EASEMENT (DOC NO 202306020227, OPR)

INDEX MAP
SCALE: 1"= 1000'SUBDIVISION PLAT
OF
MAYFAIR - NORTH RANSOM
COMMERCIAL

BEING A TOTAL OF 25.435 ACRES, COMPRISED OF LOT 1, BLOCK 1 OF THE MAYFAIR - FAIRWAY PARK RECORDED IN DOCUMENT NO. 202406035613 ALL OF A 2.816 ACRE TRACT CONVEYED TO BIRVEK RETAIL, LLC, IN DEED RECORDED IN DOCUMENT 202506012812, AND 3.490 ACRES OUT OF THAT CALLED 778.313 ACRE TRACT CONVEYED TO SOUTHSTAR AT MAYFAIR DEVELOPER, LLC, IN DEED RECORDED IN DOCUMENT 202106037786, ALL IN THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, SITUATED IN ANTONIO MARIA ESNARIZAR SURVEY NO. 1, ABSTRACT 1, COMAL COUNTY, TEXAS. ESTABLISHING LOT 2, BLOCK 1; LOT 3, BLOCK 1 AND LOT 4, BLOCK 1.

SCALE: 1"= 100'

0' 100' 200' 300'

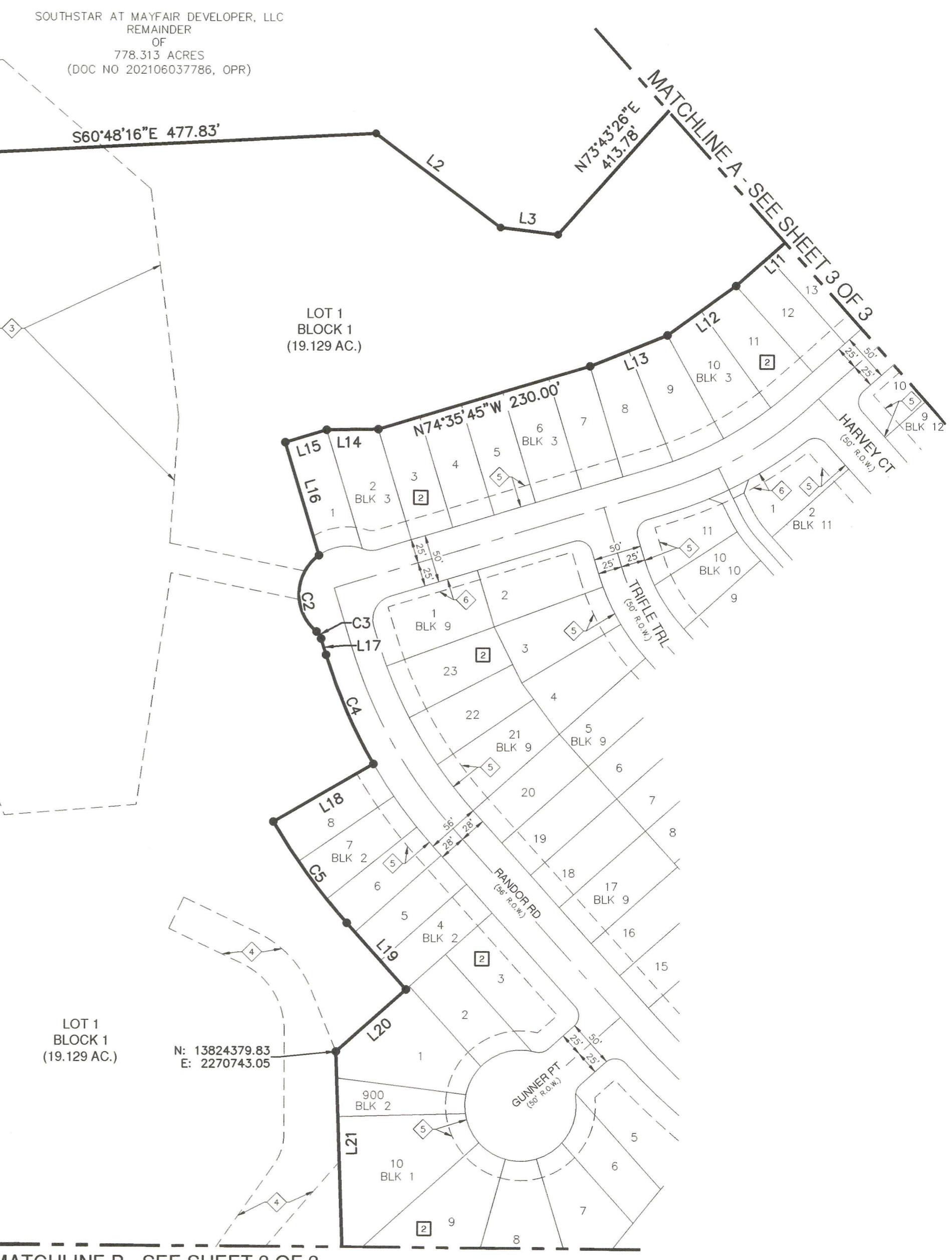
PAPE-DAWSON

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

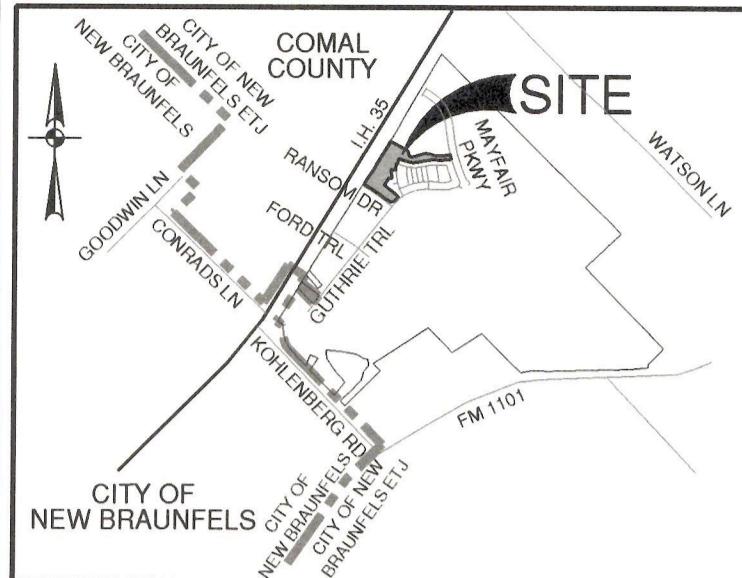
DATE OF PREPARATION: September 22, 2025

Civil Job No. 30002-77

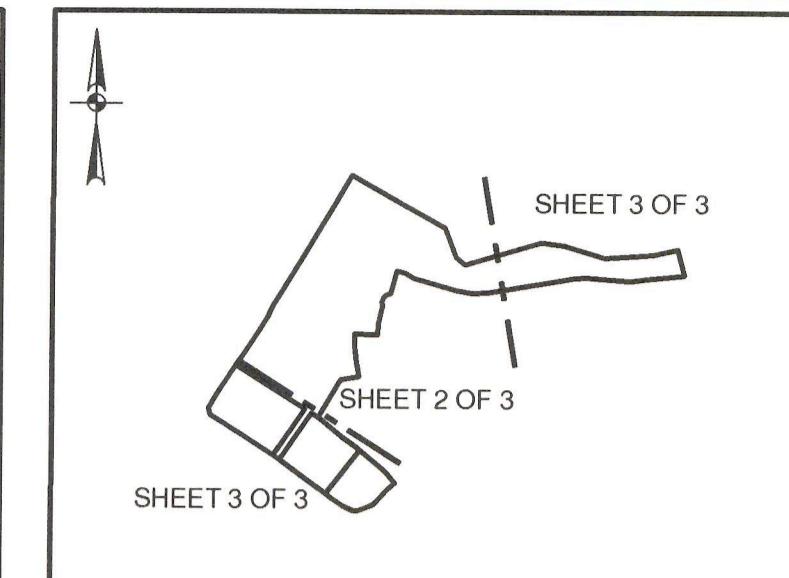
DATE 8/10/2025 9:38 AM USER ID: cpcbsy FILE P:\30002-77\Drawings\300277-N RANSOM COMMERCIAL PLAT.dwg



SHEET 2 OF 3



LOCATION MAP
NOT-TO-SCALE



INDEX MAP
SCALE: 1" = 1000'

SUBDIVISION PLAT
OF
MAYFAIR - NORTH RANSOM
COMMERCIAL

BEING A TOTAL OF 25.435 ACRES, COMPRISED OF LOT 1, BLOCK 1 OF THE MAYFAIR - FAIRWAY PARK RECORDED IN DOCUMENT NO. 202406035613 ALL OF A 2.816 ACRE TRACT CONVEYED TO BIRVEK RETAIL, LLC, IN DEED RECORDED IN DOCUMENT 202506012812, AND 3.490 ACRES OUT OF THAT CALLED 778.313 ACRE TRACT CONVEYED TO SOUTHSTAR AT MAYFAIR DEVELOPER, LLC, IN DEED RECORDED IN DOCUMENT 202106037786, ALL IN THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, SITUATED IN ANTONIO MARIA ESNARIZAR SURVEY NO. 1, ABSTRACT 1, COMAL COUNTY, TEXAS. ESTABLISHING LOT 2, BLOCK 1; LOT 3, BLOCK 1 AND LOT 4, BLOCK 1.

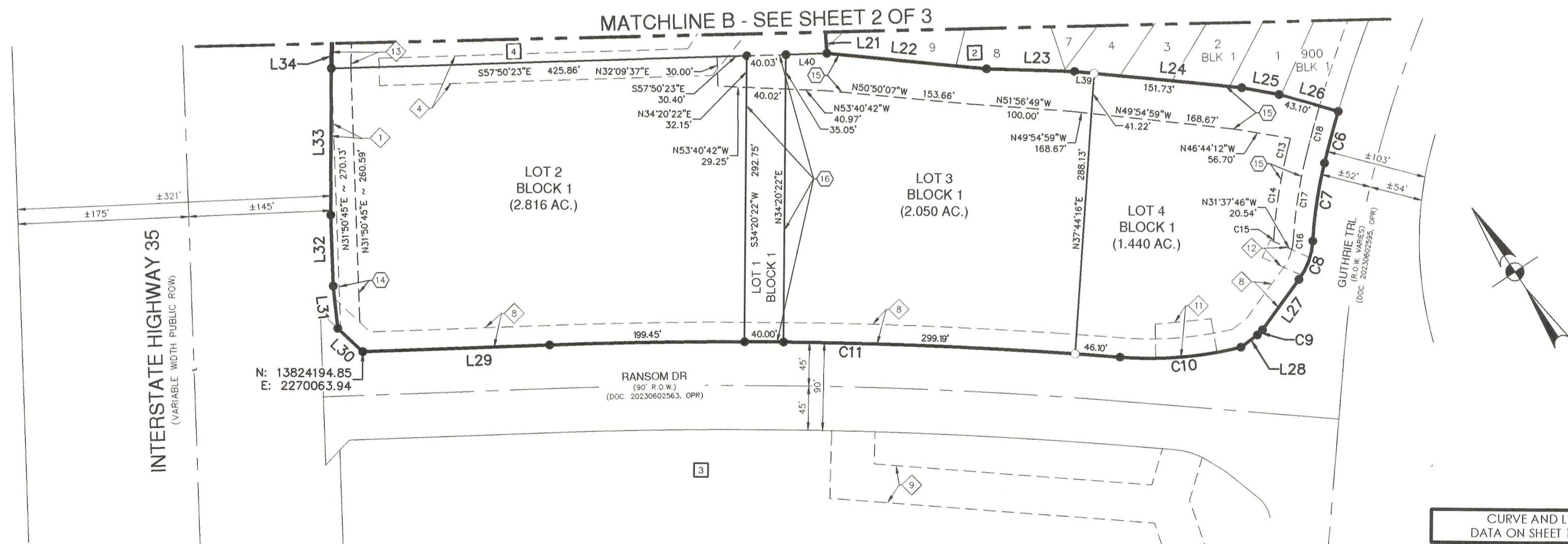
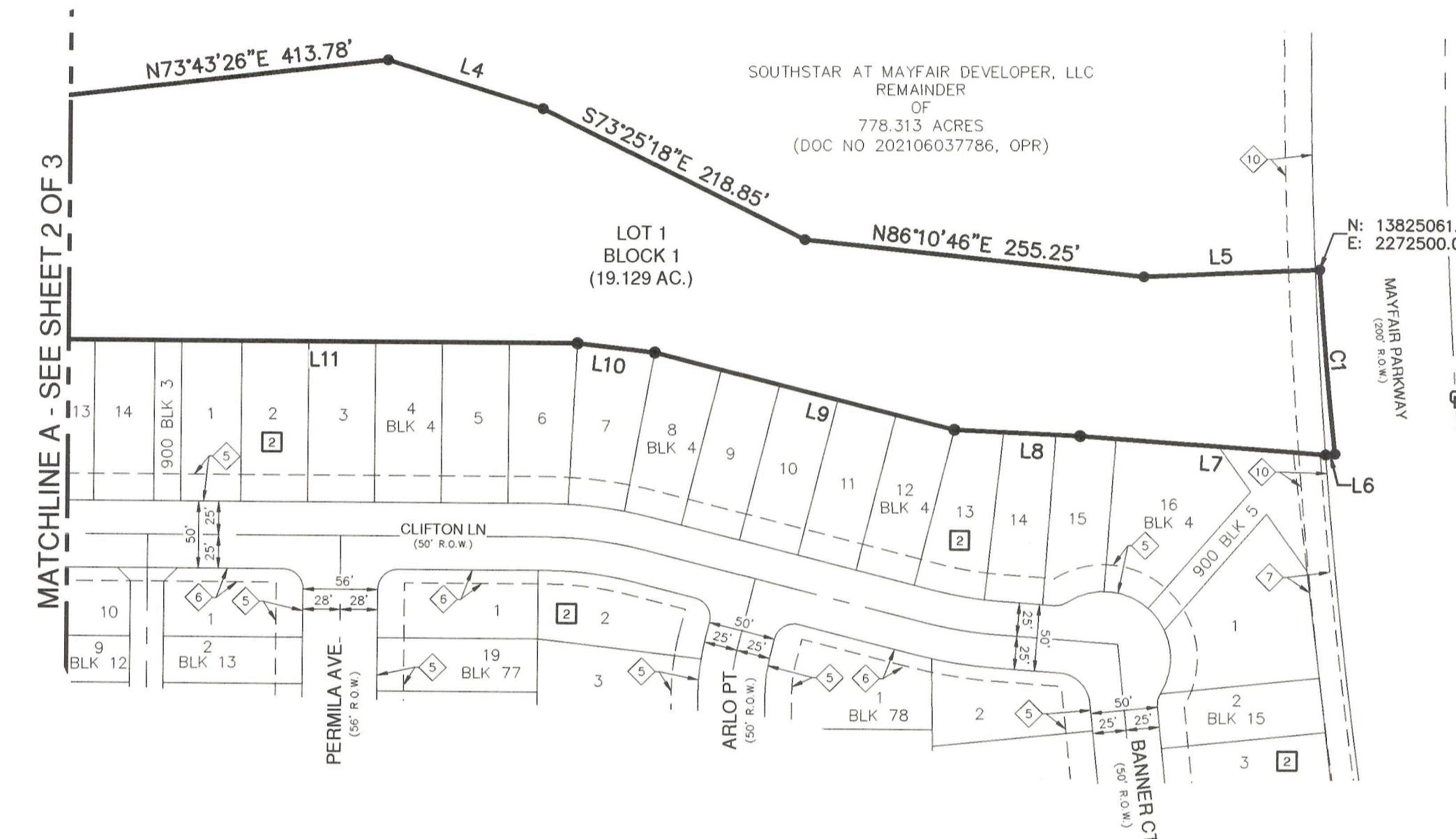
SCALE: 1" = 100'
0' 100' 200' 300'

PAPE-DAWSON

1672 INDEPENDENCE DR, STE 102 I NEW BRAUNFELS, TX 78132 | 830.632.5833

TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

DATE OF PREPARATION: September 22, 2025



ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, APPROVING THE LIMITED PURPOSE ANNEXATION OF LOTS 1, 2, 3, AND 4, BLOCK 1, MAYFAIR – NORTH RANSOM COMMERCIAL SUBDIVISION, CONSISTING OF 24.435 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. 3 (“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 Lots 1, 2, 3, and 4, Block 1, Mayfair – North Ransom Commercial 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 8th day of December 2025.

PASSED AND APPROVED: Second reading this 12th day of January 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

1/12/2026

Agenda Item No. A)

PRESENTER:

Garry Ford, Transportation and Construction Services Director

SUBJECT:

Discuss and consider approval of a resolution supporting the City of New Braunfels' application to the Texas Department of Transportation's 2025 Off-System Rail Grade Separation State Fund Program.

DEPARTMENT: Transportation and Construction Services**COUNCIL DISTRICTS IMPACTED:** 4 & 5**BACKGROUND INFORMATION:**

The Texas Department of Transportation (TxDOT) has issued an agency call for projects for the Off-System Rail Grade Separation State Fund Program. This funding source supports the implementation of transportation safety improvements for at-grade rail crossings. The Texas Legislature allocated \$250 million for the initial call.

Projects submitted for funding consideration must be on functionally classified roads and in areas open to the public. The project must create a grade-separated crossing for vehicles and/or pedestrians. Project submittals and local match commitments are due to TxDOT on January 19, 2026. TxDOT will select projects in February 2026 based on technical score, agency priorities, and project readiness.

Projects selected for this program will be managed and constructed by TxDOT. This funding source provides 90% of the total design, construction, and implementation costs. The applicant agency is responsible for a 10% local match and 100% project overrun costs. The railroad responsible for the track is responsible for up to 5%, which can contribute to the local match.

City staff are recommending one project for funding. The project is recommended based on mobility and safety needs, high-growth locations, and the city's transportation goals.

The recommended construction project includes:

1. Waterway Lane Trail Phase 2

- a. Installing a 10 ft wide bridge with pedestrian lighting.
- b. Bridge within TxDOT's FM 306 right of way over the track that is perpendicular to FM 306 and then under the FM 306 overpass, connecting to Waterway Lane Trail Phase 1 (awarded TxDOT Transportation Alternatives grant) and the pedestrian improvements on Goodwin Lane (in construction as part of the 2019 Bond Program).
- c. This project is a segment of the Bicentennial Trail, which the Texas Legislature adopted in House Bill 4230, which enables the Great Springs Project to utilize state resources to create a

trail system between Austin and San Antonio by 2036.

City staff are preparing the applications for the proposed city projects, including project scope, cost estimates, and documentation. The current project cost is approximately \$8,300,000. The application requires a resolution of support for the project and commitment of the local match.

ISSUE:

Improve road safety and pedestrian facility network by leveraging external funding sources.

STRATEGIC PLAN REFERENCE:

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

The project meets the following objectives in the Strategic Plan for Enhanced Connectivity.

1. Identify and establish planning, capital, and operating funding to support and maintain a well-connected transportation network serving pedestrians, bicyclists, transit users, children, older individuals, individuals with disabilities, motorists, and freight vehicles.
4. Collaborate with governmental partners to improve transportation access and connections throughout the region.

The project contributes to meeting the following Performance Measure Outcomes in the Strategic Plan for Enhanced Connectivity.

- Increase in walk and bike Score.
- Increased bikeway, trails, and sidewalk miles.

FISCAL IMPACT:

Projects selected for this program will be managed and constructed by TxDOT. This funding source provides 90% of the total design, construction, and implementation costs. The applicant agency is responsible for a 10% local match and 100% project overrun costs. The railroad responsible for the track is responsible for up to 5%, which can contribute to the local match. If City of New Braunfels projects are selected, the funding for these projects will be identified in future years' budgets, including leveraging funding from bond programs, Park Development Fees, and potentially the New Braunfels Economic Development Corporation.

RECOMMENDATION:

Staff recommends approval of a resolution supporting the submission of the City of New Braunfels project to the Texas Department of Transportation call for projects.

RESOLUTION NO. 2026 R-

**A RESOLUTION SUPPORTING THE CITY OF NEW BRAUNFELS
APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION
2025 OFF-SYSTEM RAIL GRADE SEPARATION STATE FUND
PROGRAM CALL FOR PROJECTS**

WHEREAS, the Texas Department of Transportation issued a call for projects in November 2025 for communities to apply for funding assistance through the Off-System Rail Grade Separation State Fund Program; and

WHEREAS, the Off-System Rail Grade Separation State Fund Program funds may be used for development of engineering (plans, specifications, and estimates and environmental documentation) and construction of grade separation at rail crossings for vehicles and/or pedestrians. The funds require a local match, comprised of cash or Transportation Development Credits (TDCs), if eligible. The City of New Braunfels would be responsible for all non-reimbursable costs and 100% of overruns, if any, for Off-System Rail Grade Separation State Fund Program funds; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS THAT: The City of New Braunfels supports funding this project as described in the 2025 Off-System Rail Grade Separation State Fund Program Detailed Application (including the required local match, if any) and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing. The City of New Braunfels is willing and able to enter into an agreement with the department by resolution or ordinance, should the project be selected for funding.

DULY PASSED by majority vote of all members of the City Council of the City of New Braunfels on the 12th day of January 2026.

CITY OF NEW BRAUNFELS, TEXAS

BY:

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

1/12/2026

Agenda Item No. B)

PRESENTER:

Christopher J. Looney, AICP, Planning Director

Applicant: Killen, Griffin & Farrimond, PLLC

Owner: Brandy Worley

SUBJECT:

Public hearing and first reading of an ordinance, at the request of Ashley Farrimond of Killen, Griffin & Farrimond, PLLC, on behalf of Brandy Worley, to rezone approximately 6 acres out of Billie and Ed Miles Subdivision Unit 2, Block 1, Lots 1A, 1B, and 2, from C-1A (Neighborhood Commercial District) and R-3 SUP (Multifamily District with a Special Use Permit to allow bed and breakfast and retail) to C-4A (Resort Commercial District), currently addressed at 830, 832, and 870 Gruene Road.

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

Case No: PZ25-0394

Applicant:

Killen, Griffin & Farrimond, PLLC

(210) 960-2750 | nuriddin@kgftx.com**Owner:**

Brandy Worley

(830) 237-6028 | bworley@theoutfit-inc.com**Staff Contact:**

Amanda Mushinski, AICP, CNU-A

(830) 221-4056 | amushinski@newbraunfels.gov

The ~6-acre subject tract is located on the southeast corner of the intersection of Hanz Drive and Gruene Road, approximately ¼ mile northeast of New Braunfels Fire Station 3. It is bordered by the Cotton Crossing Planned Development District, as well as R-3, C-1Br47, C-1Br41, and R-2 Zoning Districts. Adjacent land uses consist of a church, commercial properties, and residential neighborhoods.

ISSUE:

The submitted application indicates that the proposed zoning change is intended to allow for development under the C-4A (Resort Commercial District) to serve tourists, vacationing public, conference center attendees, sports related programs and support service facilities including garden office, retail and specialty shops.

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.

COMPREHENSIVE PLAN REFERENCE:

C-4A would be 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 provision of a variety of flexible and innovative lodging options and attractions.
- **Action 3.6:** Pro actively provide a regulatory environment that remains business and resident friendly.
- **Action 3.22:** Encourage venues within walking distance of neighborhoods and schools.
- **Action 3.23:** Revise local ordinances so that they do not inadvertently inhibit development of venues in close proximity to neighborhoods and schools.
- **Action 4.26:** Enhance community sense of place by creating spaces and facilities that reflect the community (e.g., arts and culture, community gardens).

Future Land Use Plan: The subject property is located within the New Braunfels Sub Area, near existing Civic and Employment Centers.

STRATEGIC PLAN REFERENCE:

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

- Economic Mobility - Objective: 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 - Objective: 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.
- Community Well-Being - Outcome: Maintain National Citizen Survey overall satisfaction for “Overall health and wellness opportunities.”

FISCAL IMPACT:

The Land Use Fiscal Analysis (LUFA) recommended action is to 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 property owners. An increase in development opportunities from this rezoning request could allow for net positive revenue per acre.

RECOMMENDATION:

Staff recommends approval. The requested C-4A (Resort Commercial District) zoning supports New Braunfels' long-standing identity as a destination community. New Braunfels Comprehensive Plan (Envision New Braunfels) highlights tourism as a cornerstone of the local economy and calls for fostering a variety of lodging options, attractions, and venues that reflect the character of the City. This request also advances the Strategic Plan's Economic Mobility priority by promoting reinvestment, mixed uses, and expanding visitor-oriented commercial opportunities that strengthen targeted industries such as hospitality and recreation. It also aligns with the Land Use Fiscal Analysis by encouraging infill development that maximizes the use of existing infrastructure and generates positive fiscal returns. The Confluence Economic Development Strategy further emphasizes proactive land use approaches to diversify the economy and support tourism as a growth sector.

In this case, the applicant seeks C-4A zoning to allow development of resort commercial uses on a site well-positioned along Gruene Road. The property's corner frontage and proximity to Gruene make it an appropriate

location for visitor-serving uses, while its adjacency to existing civic and commercial activity provides a natural transition from nearby residential neighborhoods. The applicant's request leverages the site's unique location to expand tourism opportunities in a manner that complements surrounding land uses and reinforces New Braunfels' role as a regional and state-wide destination.

The Planning Commission held a public hearing on December 2, 2025, and recommended approval of the applicant's request (7-2).

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:

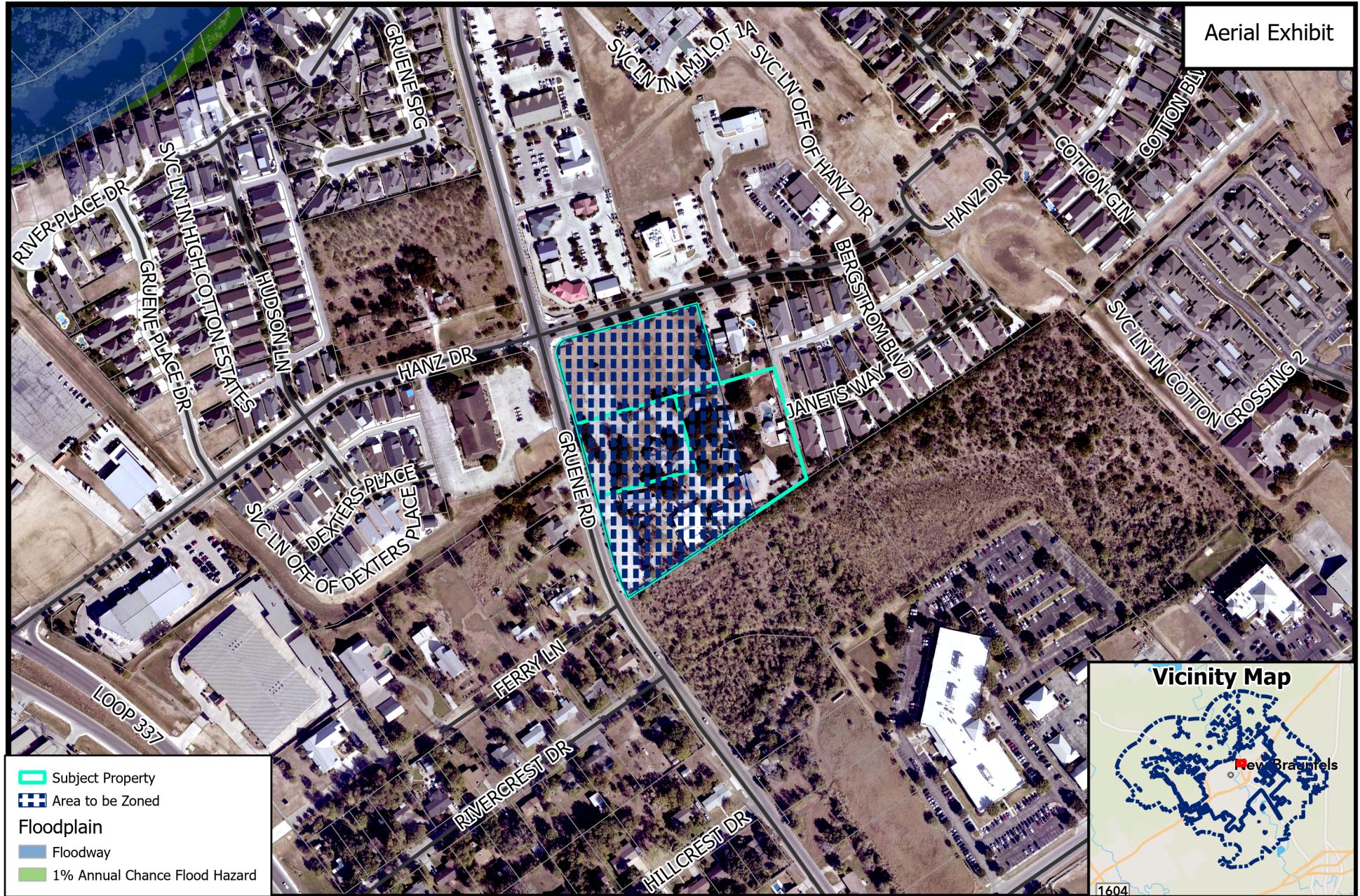
- (1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole;
- (2) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, 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 26 properties within 200 feet of the request. As of the date this agenda was posted, a supermajority vote of City Council is not required to approve the applicant's request.

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?
- 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?
- Chapter 144, Sec. 3.4-15 (C-4A) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?



PZ25-0394

870, 832, & 830 Gruene Rd - R-3 SUP & C-1A to C-4A

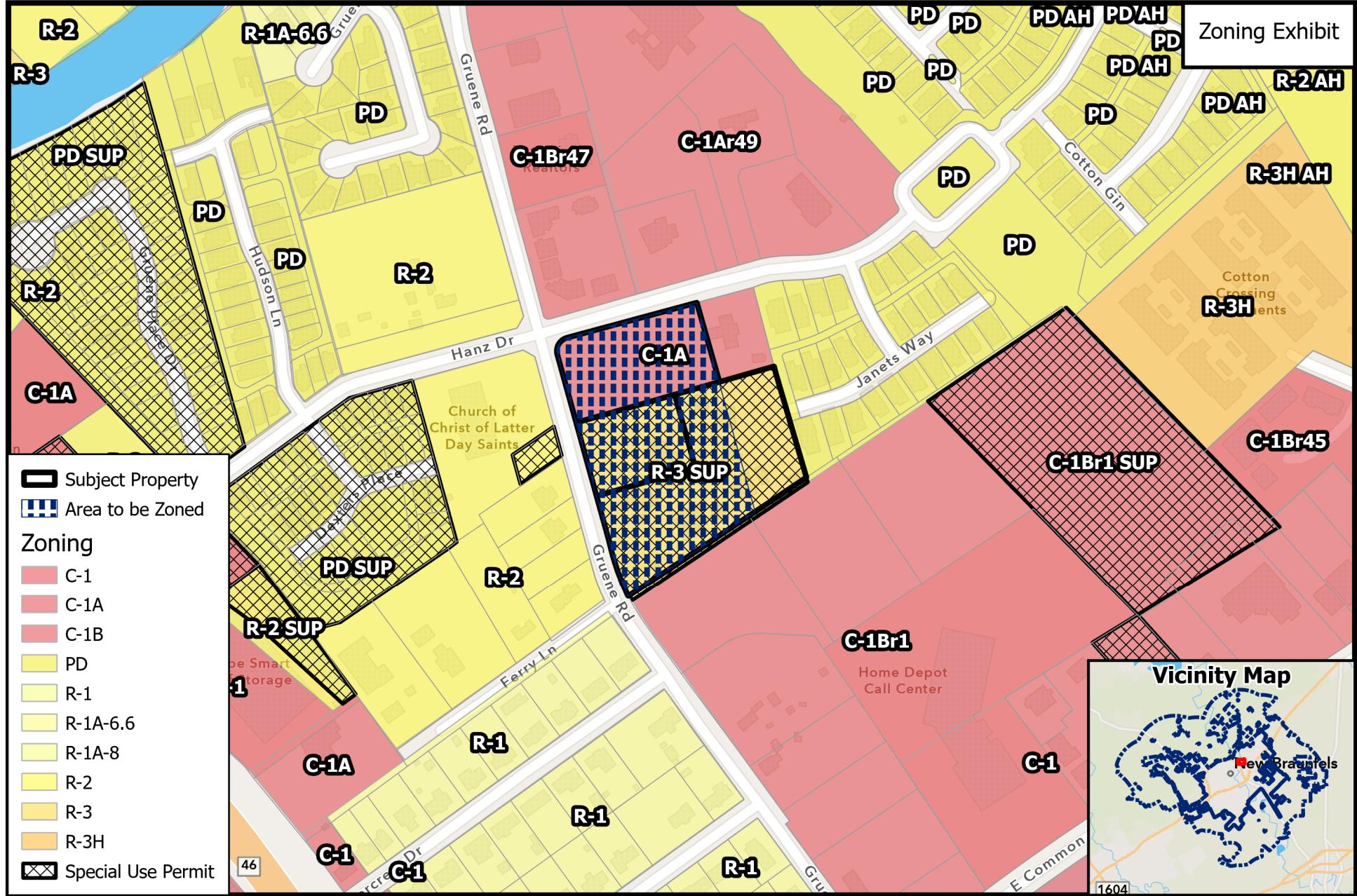
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Source: City of New Braunfels Planning
Date: 11/14/2025

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
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officials or employees for any discrepancies, errors, or variances which may



PZ25-0394

870, 832, & 830 Gruene Rd - R-3 SUP & C-1A to C-4A

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Land Use	Existing	Existing	Proposed
	R-3 SUP	C-1A	C-4A
Accessory building/structure (see section 144-5.4)	P	P	P
Accessory dwelling (one accessory dwelling per lot)	P		
Accounting, auditing, bookkeeping, and tax preparations		P	P
Acid manufacture			
Adult day care (no overnight stay)		P	P
Adult day care (with overnight stay)	P	P	P
Aircraft support and related services			
Airport			
All-terrain vehicle (ATV) dealer/sales			P
Ambulance service (private)			
Amphitheaters (outdoor live performances)			P
Amusement devices/arcade (four or more devices)		P	P
Amusement services or venues (indoors) (see section 144-5.13)			P
Amusement services or venues (outdoors)			P
Animal grooming shop		P	P
Answering and message services		P	P
Antique shop		P	P
Appliance repair		P	
Archery range			P
Armed services recruiting center		P	P
Art dealer/gallery		P	P
Artist or artisans studio		P	P
Assembly/exhibition hall or areas			P
Assisted living facility/retirement home	P	P	
Athletic fields			P
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	P
Bank, savings and loan, or credit union		P	P
Bar/tavern (no outdoor music)		P	P
Bar/tavern			P
Barber/beauty college (barber or cosmetology school or college)			
Barns and farm equipment storage (related to agricultural uses)	P	P	P
Battery charging station		P	
Bed and breakfast inn (see section 144-5.6)	P	P	P

Land Use	Existing	Existing	Proposed
	R-3 SUP	C-1A	C-4A
Bicycle sales and/or repair		P	P
Billiard/pool facility			P
Bingo facility		P	P
Bio-medical facilities			
Blacksmith or wagon shops			
Blooming or rolling mills			
Boarding house/lodging house	P		P
Book binding		P	
Book store		P	P
Bottling or distribution plants (milk)			
Bottling works			
Bowling alley/center (see section 144-5.13)			P
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)			P
Cabin or cottage (rental for more than 30 days)			P
Cafeteria/cafe/delicatessen		P	P
Campers' supplies		P	P
Campgrounds			P
Canning/preserving factories			
Car wash (self-service; automated)			P
Car wash, full service (detail shop)			P
Carpenter, cabinet, or pattern shops			
Carpet cleaning establishments			
Caterer		P	P
Cement, lime, gypsum or plaster of Paris manufacture			
Cemetery and/or mausoleum	P	P	
Check cashing service		P	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	P
Cider mills			
Civic/conference center and facilities			P
Cleaning, pressing and dyeing (non-explosive fluids used)		P	
Clinic (dental)		P	
Clinic (emergency care)		P	
Clinic (medical)		P	
Club (private)			P
Coffee shop		P	P
Cold storage plant			
Commercial amusement concessions and facilities			P
Communication equipment—Installation and/or repair		P	
Community building (associated with residential uses)	P		

Land Use	Existing	Existing	Proposed
	R-3 SUP	C-1A	C-4A
Community home (see definition)	P	P	P
Computer and electronic sales		P	
Computer repair		P	P
Concrete or asphalt mixing plants—Permanent			
Concrete or asphalt mixing plants—Temporary			
Confectionery store (retail)		P	P
Consignment shop		P	
Contractor's office/sales, with outside storage including vehicles			
Contractor's temporary on-site construction office	P	P	P
Convenience store with gas sales			P
Convenience store without gas sales		P	P
Cotton ginning or baling works			
Country club (private)	P		P
Credit agency		P	P
Crematorium			
Curio shops		P	P
Custom work shops		P	
Dance hall/dancing facility (see section 144-5.13)			P
Day camp			P
Department store		P	
Distillation of bones			
Dormitory (in which individual rooms are for rental)			P
Drapery shop/blind shop		P	
Driving range			P
Drug store/pharmacy		P	P
Duplex/two-family/duplex condominiums	P		
Electrical generating plant			
Electrical repair shop		P	P
Electrical substation	P	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			P
Family home adult care	P		
Family home child care	P		
Farmers market (produce market—wholesale)			
Farms, general (crops) (see chapter 6 and section 144-5.9)	P	P	P
Farms, general (livestock/ranch) (see chapter 6 and section 144-5.9)	P	P	P
Feed and grain store			
Fertilizer manufacture and storage			
Filling station (gasoline tanks must be below the ground)			P
Florist		P	P
Flour mills, feed mills, and grain processing			
Food or grocery store with gasoline sales			P
Food or grocery store without gasoline sales	P		P

Land Use	Existing	Existing	Proposed
	R-3 SUP	C-1A	C-4A
Food processing (no outside public consumption)			
Forge (hand)			
Forge (power)			
Fraternal organization/civic club (private club)	P		P
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	P
Gas manufacture			
Gas or oil wells			
Golf course (public or private)	P	P	P
Golf course (miniature)			P
Government building or use with no outside storage (outside storage allowed in M-2 and M-2A)	P	P	P
Grain elevator			
Greenhouse (commercial)		P	P
Handicraft shop		P	P
Hardware store		P	
Hay, grain, and/or feed sales (wholesale)			
Health club (physical fitness; indoors only)		P	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	P	
Hospital, general (acute care/chronic care)			
Hospital, rehabilitation		P	
Hotel/motel			P
Hotels/motels—Extended stay (residence hotels)			P
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	P
Laboratory equipment manufacturing			
Laundromat and laundry pickup stations		P	P
Laundry, commercial (without self-serve)			
Laundry/dry cleaning (drop off/pick up)	P		P

Land Use	Existing	Existing	Proposed
	R-3 SUP	C-1A	C-4A
Laundry/washateria (self-serve)		P	P
Lawnmower sales and/or repair		P	
Leather products manufacturing			
Light manufacturing			
Limousine/taxi service			P
Livestock sales/auction			
Locksmith		P	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	P
Meat or fish packing/storage plants			
Medical supplies and equipment			
Metal fabrication shop			
Micro brewery (onsite mfg. and/or sales)			P
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			P
Motion picture theater (indoors)			P
Motion picture theater (outdoors, drive-in)			P
Motorcycle dealer (primarily new/repair)			
Moving storage company			
Moving, transfer, or storage plant			
Multifamily (apartments/condominiums)	P		P
Museum	P	P	P
Natural resource extraction and mining			
Needlework shop		P	P
Nonbulk storage of gasoline, petroleum products and liquefied petroleum			
Nursing/convalescent home/sanitarium	P	P	
Offices, brokerage services		P	P
Offices, business or professional		P	P
Offices, computer programming and data processing		P	P

Land Use	Existing	Existing	Proposed
	R-3 SUP	C-1A	C-4A
Offices, consulting		P	P
Offices, engineering, architecture, surveying or similar		P	P
Offices, health services		P	P
Offices, insurance agency		P	P
Offices, legal services, including court reporting		P	P
Offices, medical offices		P	P
Offices, real estate		P	P
Offices, security/commodity brokers, dealers, exchanges and financial services		P	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	P
Parking lots (for passenger car only) (not as incidental to the main use)		P	P
Parking structure/public garage		P	P
Pawn shop		P	P
Personal services		P	P
Personal watercraft sales (primarily new/repair)			P
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	P
Photographic supply		P	P
Plant nursery (no retail sales on site)	P	P	
Plant nursery (retail sales/outdoor storage)		P	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	P	P
Publishing/printing company (e.g., newspaper)			
Quick lube/oil change/minor inspection		P	P
Radio/television shop, electronics, computer repair		P	P
Railroad roundhouses or shops			
Rappelling facilities			P
Recreation buildings (private)	P	P	P
Recreation buildings (public)	P	P	P
Recycling kiosk		P	
Refreshment/beverage stand		P	P
Rental or occupancy for less than one month (see section 144-5.17)	P		P
Research lab (non-hazardous)			
Residential use in buildings with non-residential uses permitted in the district			P
Restaurant/prepared food sales		P	P
Restaurant with drive-through service		P	

Land Use	Existing	Existing	Proposed
	R-3 SUP	C-1A	C-4A
Retail store and shopping center without drive-through service (50,000 sq. ft. bldg. or less)	P	P	P
Retail store and shopping center with drive-through service (50,000 sq. ft. bldg. or less)		P	P
Retail store and shopping center (more than 50,000 sq. ft. bldg.)			P
Retirement home/home for the aged	P	P	
Rock crushers and rock quarries			
Rodeo grounds			P
RV park			P
RV/travel trailer sales			P
Sand/gravel sales (storage or sales)			
School, K-12 public or private	P	P	P
School, vocational (business/commercial trade)		P	
Security monitoring company (no outside storage or installation)		P	P
Security systems installation company		P	
Sexually oriented business (see chapter 18)			
Sheet metal shop			
Shoe repair shops		P	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	P
Stables (as a business) (see chapter 6)			
Stables (private, accessory use) (see chapter 6)			
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	P
Sugar refineries			
Tailor shop (see home occupation)		P	P
Tar distillation or manufacture			
Tattoo or body piercing studio			P
Taxidermist			
Telecommunications towers/antennas (see section 144-5.7)			
Telemarketing agency		P	P
Telephone exchange buildings (office only)	P	P	
Tennis court (commercial)			P
Theater (non-motion picture; live drama)		P	P
Tire sales (outdoors)			
Tool rental		P	P
Townhouse (attached)			
Transfer station (refuse/pick-up)			
Travel agency		P	P

Land Use	Existing	Existing	Proposed
	R-3 SUP	C-1A	C-4A
Truck or transit terminal			
Truck stop			
Tuber entrance and takeout facilities (see section 144-5.13)			
University or college (public or private)	P	P	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	P
Warehouse/office and storage/distribution center			
Waterfront amusement facilities—Berthing facilities sales and rentals			P
Waterfront amusement facilities—Boat fuel storage/dispensing facilities			P
Waterfront amusement facilities—Boat landing piers/launching ramps			P
Waterfront amusement facilities—Swimming/wading pools/bathhouses			P
Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system	P	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			



830, 832, and 970 Gruene Rd—Hanz Dr Frontage



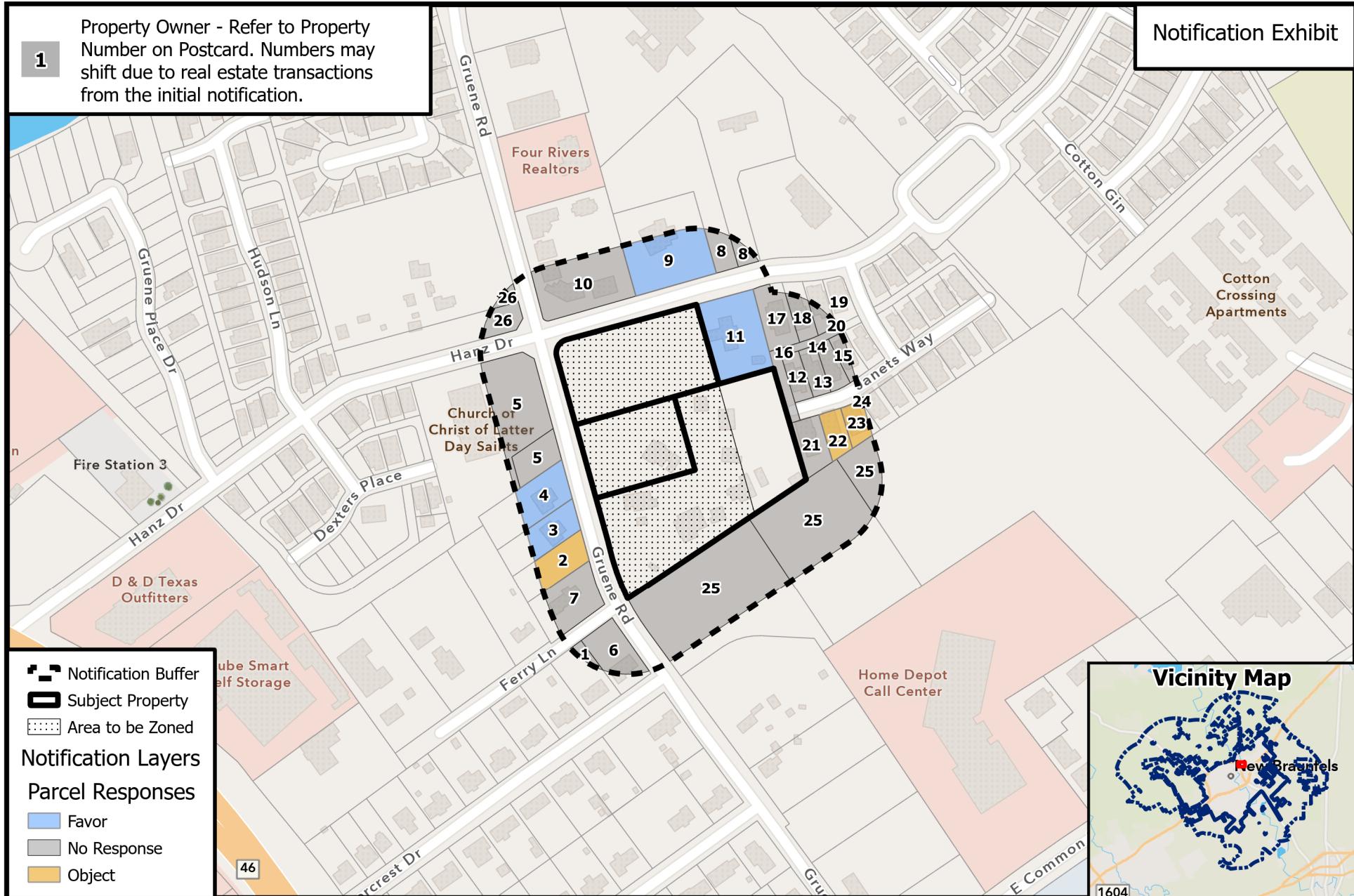
830, 832, and 970 Gruene Rd—Gruene Dr Frontage



1

Property Owner - Refer to Property Number on Postcard. Numbers may shift due to real estate transactions from the initial notification.

Notification Exhibit



Path:

L:\Boards and Commissions\ZoneChange & SUPs\2025\PZ25-0394 - 870 Gruene Rd - R-3

PZ25-0394

870, 832, & 830 Gruene Rd - R-3 SUP & C-1A to C-4A

0 200 400
Feet

Source: City of New Braunfels Planning
Date: 12/9/2025

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



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PLANNING COMMISSION – December 2, 2025 – 6:00PM

City Hall Council Chambers

Applicant: Killen, Griffin & Farrimond, PLLC

Address/Location: 870, 832, 830 GRUENE RD

PZ25-0394

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. HANZ VIRGINIA	16. COTTON CROSSING OWNERS ASSN
2. KENSING RACHEL E LIVING TRUST	17. PESEK RONALD W & TERESA A
3. MILES EDGAR B	18. JEFFERS ROBIN
4. MILES GEORGE	19. WILBURN KARLA MARSHALL
5. CHURCH OF JESUS CHRIST LDS	20. BURNAMAN BETTY JEAN
6. COULEHAN KATHLEEN A	21. SEVCIK GENEVIEVE J
7. DOUGLASS PAULA A	22. BLAHNIK RVCBL LVNG TRST 7-19-2017
8. GHCMC MANAGEMENT LLC	23. WILLIAMS FLOYD D & DENISE MINER- WILLIAMS
9. BBD INVESTMENTS LLC	24. LOVELACE MYRA & JIMMY E
10. HIGH COTTON OFFICE CONDOMINIUMS	25. NEW BRAUNFELS INDUSTRIAL DEVELOPMENT CORP
11. MILES BILLIE & E G III	26. M A ANDERSON REAL ESTATE LLC
12. TOMPKINS JESSICA LYNN	
13. GOULD CAROL	
14. JONES ROBERT R & DENISE K ZACHAR	
15. GRANTHAM LARRY R & PHYLLIS A	

SEE MAP

KENSING RACHEL E LIVING TRUST

45 RIDGE DRIVE

NEW BRAUNFELS TX 78130

Property #: 2

PZ25-0394

Case Manager: AM



FAVOR

OPPOSE

COMMENTS

Please do not oppose change.
My R-2 zoned property is directly ~~across~~ ^{when open,} the street from the parking lot to the closed Tavern. Outdoor music was a nuisance as were the motorcycles peeling out after midnight. With the proposed new zoning the noise past bedtime would make my property undesirable as a zoned R-2 property.

MILES EDGAR B
829A GRUENE RD
NEW BRAUNFELS TX 78130
Property #: 3
PZ25-0394
Case Manager: AM

COMMENTS

FAVOR

OPPOSE



BBD INVESTMENTS LLC
1421 HANZ DR
NEW BRAUNFELS TX 78130
Property #: 9
PZ25-0394
Case Manager: AM

COMMENTS

FAVOR

OPPOSE



Amanda Mushinski

From: george miles <georgespencermiles@gmail.com>
Sent: Monday, December 1, 2025 11:34 AM
To: Amanda Mushinski
Subject: Zoning change case number PZ25 - 0394

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Amanda,

I am George Miles, I just talked to you regarding zoning change case number PZ25-0394.

I am the property owner of 833/835 Gruene Rd, Number 4 on the zoning map.

I would like to be on record as voting in favor of the zoning change.

Let me know if you have any questions or need any additional information.

Thank you,

George Miles
830-237-2962

MILES BILLIE & E G III
1438 HANZ DR
NEW BRAUNFELS TX 78130
Property #: 11
PZ25-0394
Case Manager: AM

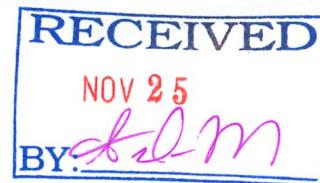
FAVOR

COMMENTS

OPPOSE

We are in favor of the proposed
development of this property.

Billie & Ed Miles



WILLIAMS FLOYD D & DENISE MINER-WILLIAMS
1442 JANETS WAY
NEW BRAUNFELS TX 78130
Property #: 23
PZ25-0394
Case Manager: AM

COTTON CROSSING

COMMENTS/CONCERNs

- NOISE - FROM MUSIC
- LIGHT POLLUTION
- PRIVACY RUINED IF MULTI-STORY
- TRAFFIC INCREASE ON CRUSING/ HANZ RDS
- IMPACT ON PROPERTY VALUES FROM THIS ZONE CHANGS
- BUILDING DESIGN NOT FITTING IN WITH HISTORIC CRUISING

FAVOR
OPPOSE

RECEIVED
DEC 3
BY: *dd-Mlh*

BLAHNIK RVCBL LVNG TRST 7-19-2017
1438 JANETS WAY
NEW BRAUNFELS TX 78130
Property #: 22
PZ25-0394
Case Manager: AM

RECEIVED
DEC 3
BY: *dd-Mlh*

FAVOR
OPPOSE

① Noise factor
② Water usage concerns
③ Preference would be for doctor's offices that would close at 5ish or shops that would close 5or6 or there about -

Draft Minutes for the December 2, 2025, Planning Commission Regular Meeting

C) PZ25-0394 Public hearing and recommendation to City Council, at the request of Ashley Farrimond of Killen, Griffin & Farrimond, PLLC, on behalf of Brandy Worley, to rezone approximately 6 acres out of Billie and Ed Miles Subdivision Unit 2, Block 1, Lots 1A, 1B, and 2, from C-1A (Neighborhood Commercial District) and R-3 SUP (Multifamily District with a Special Use Permit to allow bed and breakfast and retail) to C-4A (Resort Commercial District), currently addressed at 830, 832, and 870 Gruene Road. (Applicant: Killen, Griffin & Farrimond, PLLC; Owner: Brandy Worley; 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 the intent of the request and permitted uses of both the requested zoning and the existing zoning.

Chair Sonier invited the applicant to speak on the item.

Ashley Farrimond elaborated on the request discussing the current condition of the property, the intended use and zoning, the proposed design and site plan, and proximity to neighboring residences.

Discussion followed on removal of existing buildings, the area requested to be rezoned, proximity to nearby residences, and allowable height and density.

Chair Sonier opened the public hearing and asked if anyone present wished to speak on the item.

Five individuals spoke in favor of the item.

Seven individuals spoke in opposition of the item.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further discussion or motion to be made.

Discussion followed on the intended use, allowable development under the current and proposed zoning, existing nonconforming uses, and potential impacts such as noise and density.

Motion by Commissioner Allsup, seconded by Commissioner Rudy, to recommend approval of the item to City Council. Motion carried (7-2-0) with Commissioner Allen and Commissioner Brasier in opposition.

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 6 ACRES, BEING OUT OF BILLIE AND ED MILES SUBDIVISION UNIT 2, BLOCK 1, LOTS 1A, 1B, AND 2, CURRENTLY ADDRESSED AT 830, 832, AND 870 GRUENE ROAD, FROM C-1A (NEIGHBORHOOD COMMERCIAL DISTRICT) AND R-3 SUP (MULTIFAMILY DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW BED AND BREAKFAST AND RETAIL) TO C-4A (RESORT 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-4A (Resort 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 City Council desires to amend the Zoning Map by changing the zoning of approximately 6 acres being out of Billie and Ed Miles Subdivision Unit 2, Block 1, Lots 1A, 1B, and 2, currently addressed at 830, 832, and 870 Gruene Road from C-1A (Neighborhood Commercial District) and R-3 SUP (Multifamily District with a Special Use Permit to allow bed and breakfast and retail) to C-4A (Resort 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 C-1A (Neighborhood Commercial District) and R-3 SUP (Multifamily District with a Special Use Permit to allow bed and breakfast and retail) to C-4A (Resort Commercial District):

Approximately 6 acres, being out of Billie and Ed Miles Subdivision Unit 2, Block 1, Lots 1A, 1B, and 2, as described on Exhibit "A" and depicted 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 12th day of January 2026.

PASSED AND APPROVED: Second reading this 26th day of January 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

Exhibit "A"



METES AND BOUNDS DESCRIPTION FOR A 5.790 ACRE TRACT OF LAND (ZONING TRACT)

BEING a 5.970 acre tract of land and being all of Lot 1A and a portion of Lot 1B, Block 1, of the Billie and Ed Miles Subdivision as recorded in Volume 11, Page 286 of the Map and Plat Records of Comal County, Texas, and all of Lot 2, Block 1, of the Billie and Ed Miles Subdivision Unit 2, as recorded in Volume 13, Page 317 of the Map and Plat Records of Comal County, Texas, as conveyed to Garrison In Gruene, LLC as recorded in Document No. 201906011022 of the Official Public Records of Comal County, Texas, and said 5.970 acre tract of land being more particularly described as follows:

BEGINNING at an iron pin with cap stamped "RPLS 4907" found in the Southerly Right-Of-Way line of Hanz Drive, and being a Northwesterly corner of said Lot 2, Block 1, and the POINT OF BEGINNING and a Northwesterly corner of this herein described tract of land;

THENCE with the Southerly line of said Hanz Drive, the Northerly line of said Lot 2, N 74° 22' 24" E, a distance of 375.53 feet to "X" found in concrete for the Northeasterly corner of lot 2, the Northwesterly corner of Lot 3 of said Billie and Ed Miles Subdivision, and being the Northeast corner of this herein described tract of land;

THENCE departing the Southerly R.O.W. line of said Hanz Drive, and with the common line of said Lot 2 and Lot 3, S 15° 35' 33" E, at a distance of 226.21 feet passing a 1/2" iron pin found for the Southwest corner of said Lot 3, and continuing into said Lot 1B for a total distance of 577.40 feet to a point in the Northerly line of Lot 2, Block 1, Gruene 16 Subdivision as recorded in Document No. 201406025491 of the Map and Plat Records of Comal County, Texas, for the Southeast corner of this herein described tract of land;

THENCE departing said Southeast corner, and along with the Northerly line of Lot 2, and Lot 1 of said Gruene 16 Subdivision, S 56° 12' 53" W, a distance of 387.85 feet to a point in the Easterly Right-Of-Way line of Gruene Road found for the Southwesterly corner of this herein described tract of land, and the beginning of a non-tangent curve to the right;;

THENCE departing the Northwesterly corner of Lot 1, Gruene 16 Subdivision and with the Easterly line of said Gruene Road and with the westerly line of said Lot 1B, and with said non-tangent curve to the right having a radius of 1880.15 feet, an arc length of 340.86 feet, a delta angle of 10° 23' 14", and a chord bearing and distance of N 20° 46' 46" W, 340.39 feet to a 1/2" iron pin with cap stamped "RPLS-4233" found for a corner of said Lot 1A;

THENCE continuing with the Easterly line of Gruene Road, N 15° 27' 00" W, a distance of 134.07 feet to a point for the common corner of said Lot 1A, and the Southwesterly corner of Lot 2, Block 1, and being the beginning of a curve to the right;

THENCE continuing with the Easterly line of said Gruene Road, and said curve to the right having a radius of 2834.93 feet, an arc length of 211.65 feet, a delta angle of $04^\circ 16' 39''$, and a chord bearing and distance of N $13^\circ 22' 08''$ W, 211.32 feet to a "MAG" nail found for a Northwesterly corner and beginning of a curve to the right;

THENCE departing the Easterly line of Gruene Road and with said curve to the right having a radius of 15.00 feet, an arc length of 22.53 feet, a delta angle of $86^\circ 11' 53''$, and a chord bearing and distance of N $32^\circ 11' 58''$ E, 20.47 feet to the POINT OF BEGINNING, and containing 5.970 acres of land.

Bearings based on the Texas State Plane Coordinate System, Texas South Central Zone (4204), North American Datum 1983.

"This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

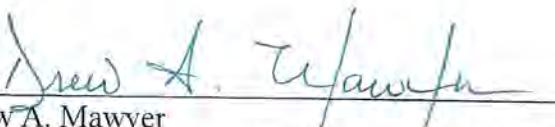
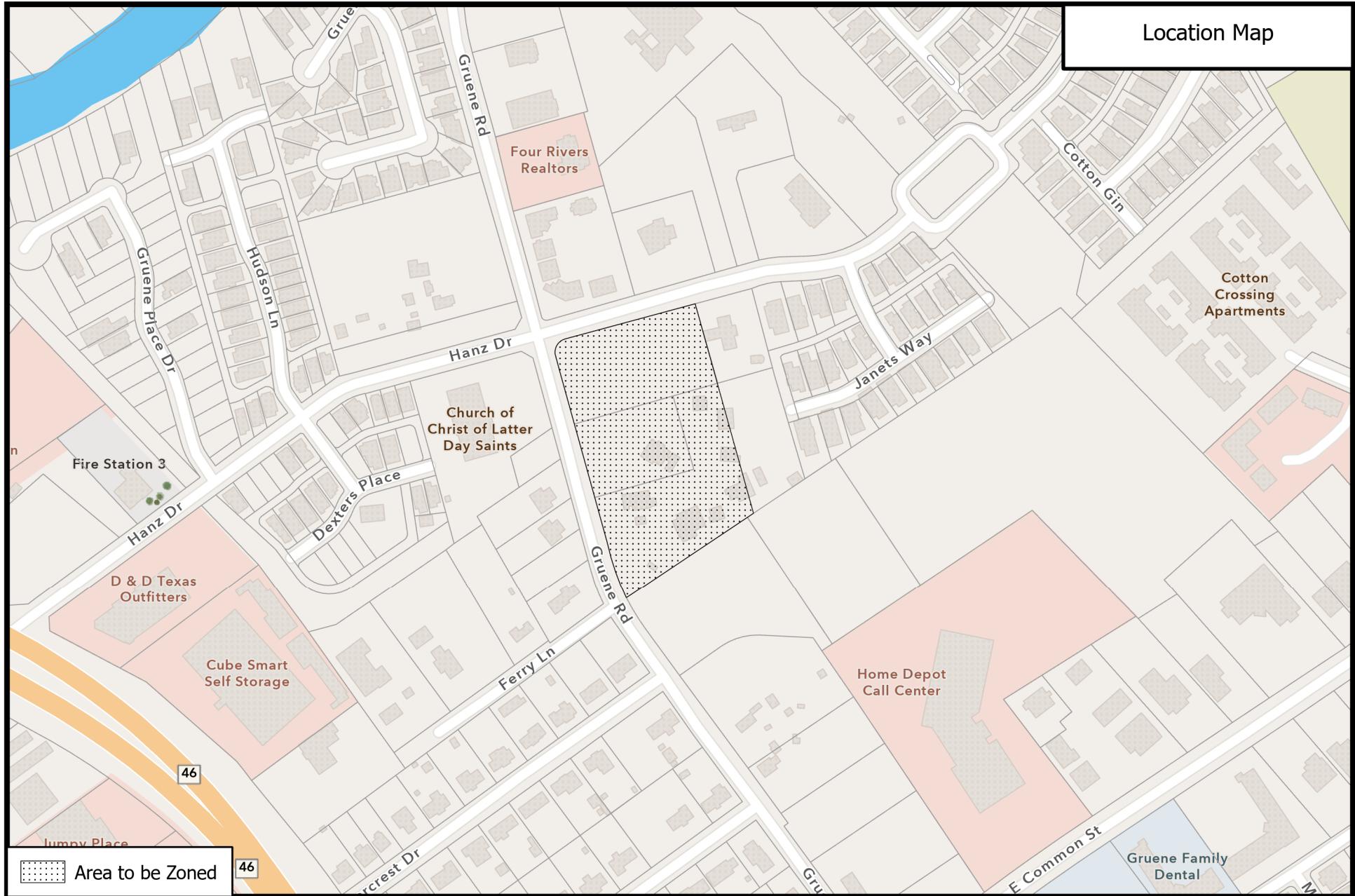

Drew A. Mawyer
Registered Professional Land Surveyor No. 5348
TBPLS Firm Registration #10191500
5151 W. SH 46, NEW BRAUNFELS, TX 78132
INK 622-Garrison Gruene Zoning 5.790 AC 102125



Exhibit "B"



PZ25-0394

870, 832, & 830 Gruene Rd - R-3 SUP & C-1A to C-4A

0 200 400
Feet



Path:
\\chfs-1\Departments\Planning\ZoneChange & SUPs\2025\PZ25-0394 - 870 Gruene Rd -

Source: City of New Braunfels Planning
Date: 12/3/2025

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. **182**
officials or employees for any discrepancies, errors, or variances which may

1/12/2026**Agenda Item No. C)****PRESENTER:**

Christopher J. Looney, AICP, Planning Director

Applicant: Simms Samonte

Owner: RBHP Texas, LLC

SUBJECT:

Public hearing and first reading of an ordinance, at the request of Simms Samonte, on behalf of RBHP Texas, LLC, to rezone approximately 0.18 of an acre out of City Block 5103, West portion of Lot 23, from R-2 (Single-Family and Two-Family District) to C-O SUP (Commercial Office District with a Special Use Permit to allow Short Term Rental of a residence), currently addressed at 160 East Klingemann Street.

DEPARTMENT: Neighborhood and Community Planning**COUNCIL DISTRICTS IMPACTED:** 3**BACKGROUND INFORMATION:****Case No:** SUP25-388**Applicant:**

Simms Samonte

simms.samonte@gmail.com

Owner:

RBHP Texas, LLC

info@randbhomesolutions.com

Staff Contact:

Mary Lovell, AICP, CNU-A

Senior Planner

(830) 221-4051 | mlovell@newbraunfels.gov

The subject property is approximately 0.18 of an acre on the south side of Klingemann Street, between North Houston and North Union Avenue, about 1,000 feet from the Comal River and the Headwaters at the Comal. Surrounding zoning includes C-4 (Resort Commercial) to the north and R-2 to the east, west, and south.

The two-story residence is about 2,400 square feet in total interior livable area with 4 bedrooms and 2 bathrooms. Per the Zoning Ordinance, the maximum occupancy of an STR with 4 bedrooms and 2 bathrooms is 10 occupants, and the minimum off-street parking is 4 spaces. There is sufficient room to accommodate the minimum parking requirements.

ISSUE:

The R-2 Zoning District accommodates both single-family and duplex dwellings. Short-Term Rentals (STRs) are not allowed in residential zoning districts such as R-2. To seek an SUP for an STR, this property must also

be rezoned to a nonresidential district. To meet that procedural requirement, the applicant is requesting to rezone from R-2 to C-O (Commercial Office District) and concurrently apply for a Special Use Permit (SUP) to allow the short-term rental use of the single-family home.

The 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. The project must comply with all other City Code standards.

COMPREHENSIVE PLAN REFERENCE:

The proposed rezoning is not consistent with Envision New Braunfels Action 1.3 below, but is consistent with Action 1.14:

- **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 New Braunfels Sub Area, near existing Outdoor Recreation, Tourist, and Education Centers.

STRATEGIC PLAN REFERENCE:

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

- In partnership with the New Braunfels Economic Development Corporation (NBEDC) and New Braunfels Utilities, 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.

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 denial. C-O allows apartments which, if such were to be built would be out of character with the surrounding neighborhood. C-O is best along the periphery of neighborhoods. However, if approved, staff recommends 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 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 December 2, 2025, and recommended denial of the applicant's request (6-2-1).

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:

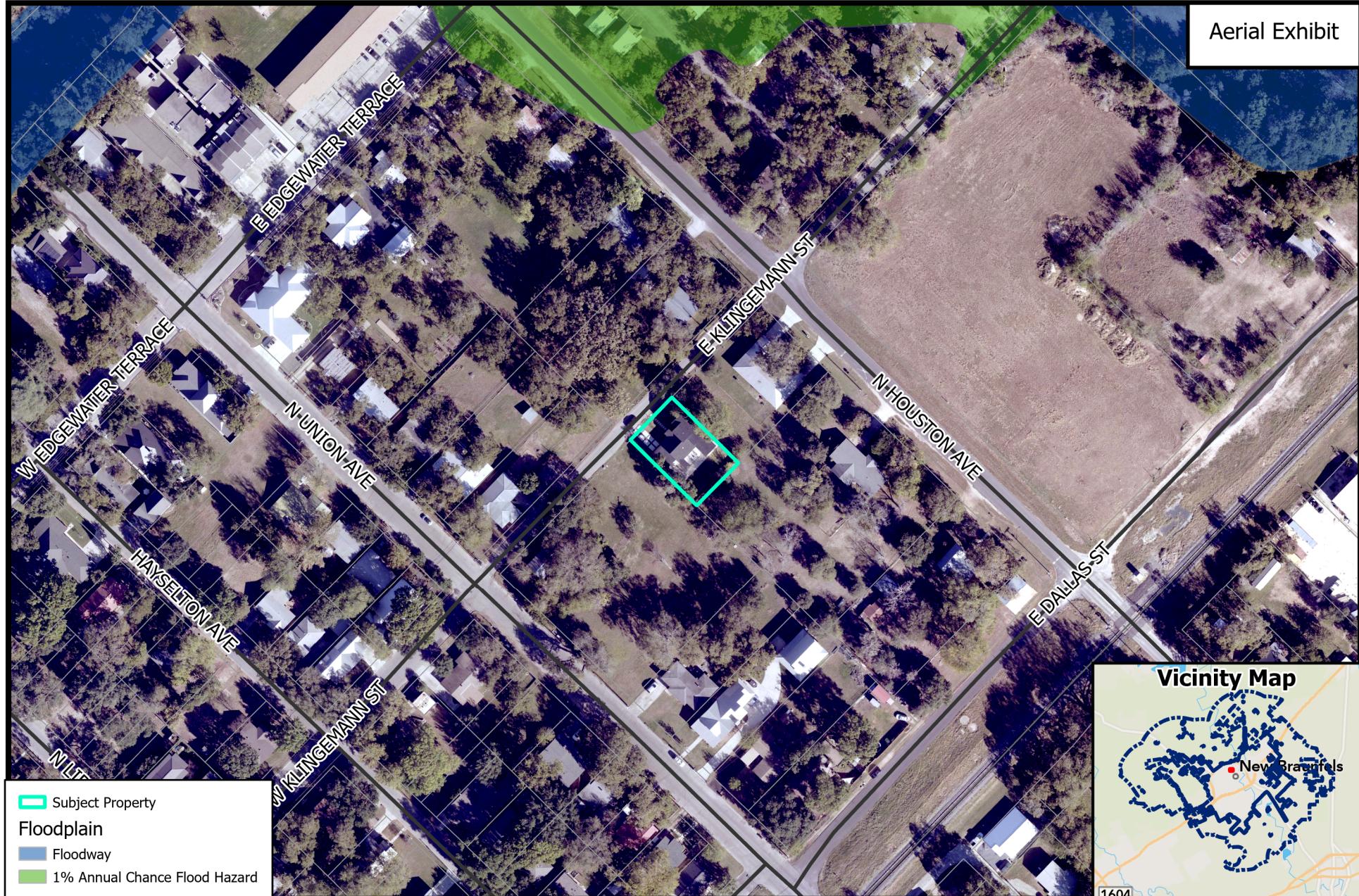
- (1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole;
- (2) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, 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 7 properties within 200 feet of the request. Opposition represents more than 20% of the notification area of this request which is not impacted by HB 24. Therefore, pursuant to state statute, a $\frac{3}{4}$ majority of City Council (6 votes) will be required to approve the applicant's request.

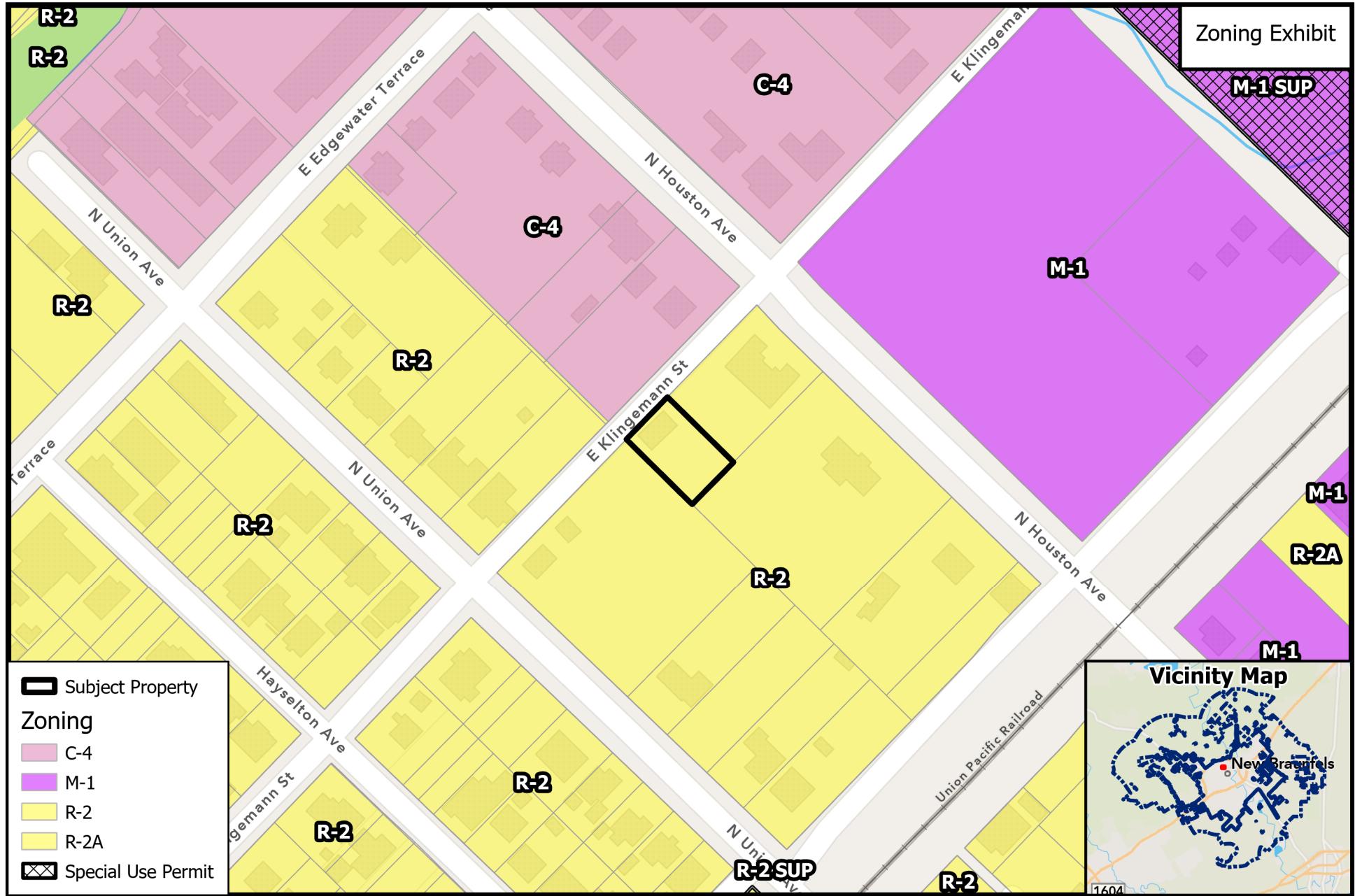
Resource Links:

- Chapter 144, Sec. 3.3-2 (R-2) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Sec. 3.4-17 (C-O) of the City's 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?
- 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?



SUP25-388
R-2 to C-O SUP for Short Term Rental





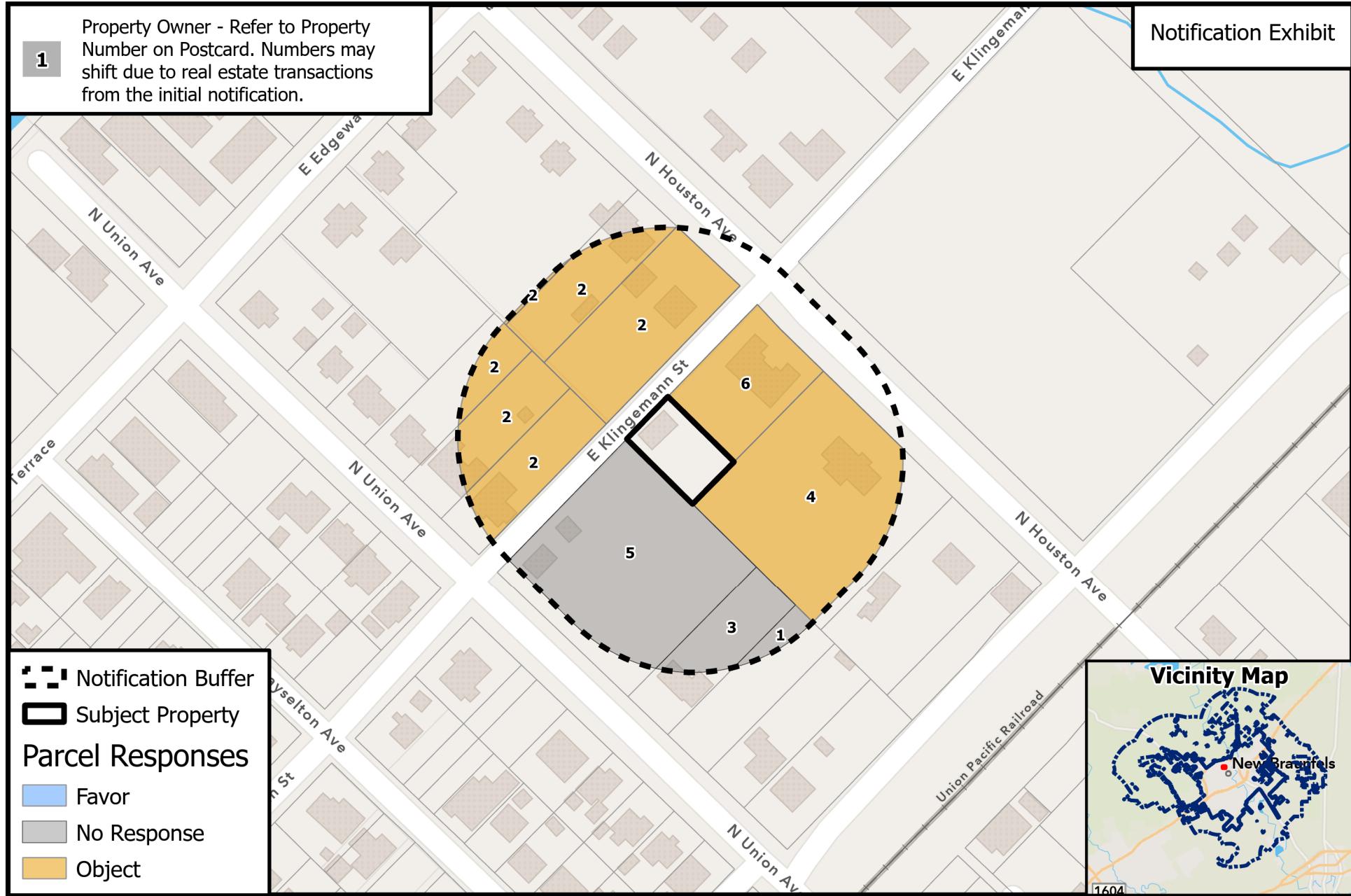
SUP25-388
R-2 to C-O SUP for Short Term Rental





160 E. Klingemann St.





SUP25-388
R-2 to C-O SUP for Short Term Rental



PLANNING COMMISSION – Tuesday, December 2, 2025 – 6:00PM

City Hall Council Chambers

Applicant: Simms Samonte, on behalf of RBHP Texas, LLC

Address/Location: 160 E. Klingemann St.

Case # SUP25-388

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. BRAUNE ASHLEY & JUSTIN	5. RAHE ALWIN ROY
2. NOLTE MELVIN JR	6. NOLTE CHAD LOUISA
3. N/A 1	
4. MCGLOTHLIN HOWARD L & IDA R	

SEE MAP

Draft Minutes for the December 2, 2025, Planning Commission Regular Meeting

F) SUP25-388 Public hearing and recommendation to City Council, at the request of Simms Samonte, on behalf of RBHP Texas, LLC, to rezone approximately 0.18 of an acre out of City Block 5103 Subdivision, West portion of Lot 23, from R-2 (Single-Family and Two-Family District) to C-O SUP (Commercial Office District with a Special Use Permit to allow Short Term Rental of a residence), currently addressed at 160 East Klingemann Street. (Applicant: Simms Samonte; Owner: RBHP Texas, LLC; Case Manager: Mary Lovell, Senior Planner, MPA, AICP, CNU-A)

Commissioner Nolte recused himself from the meeting at 10:05pm.

Mary Lovell introduced the aforementioned item and recommended approval with the conditions listed in the staff report.

Chair Sonier asked if there were any questions for staff.

Brief discussion followed on the proposed site plan, and proximity of other properties with C-O zoning.

Chair Sonier opened the public hearing and asked if anyone present wished to speak on the item.

One individual representing the applicant spoke in favor of the item.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further discussion or motion to be made.

Discussion followed on the appropriateness of the requested zoning, proximity to residential, and existing uses in the area.

Motion by Vice-Chair Taylor, seconded by Commissioner Allen, to recommend denial of the item to City Council. Motion carried (6-2-1) with Commissioner Allsup and Commissioner Schaefer in opposition, with Commissioner Nolte recused.

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.18 OF AN ACRE OUT OF CITY BLOCK 5103, WEST PORTION OF LOT 23, CURRENTLY ADDRESSED AT 160 EAST KLINGEMANN STREET, FROM R-2 (SINGLE-FAMILY AND TWO-FAMILY DISTRICT) TO C-O SUP (COMMERCIAL OFFICE DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL OF A RESIDENCE); 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 160 East Klingemann Street, to allow short term rental of a residence in the C-O (Commercial Office 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 0.18 of an acre out of City Block 5103 Subdivision, West portion of Lot 23, being as delineated 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 12th day of January, 2026.

PASSED AND APPROVED: Second reading this 26th day of January, 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

LEGEND

These standard symbols will be found in the drawing.

Legal Description of the Land:

BEING A 0.18 ACRE TRACT OF LAND, OUT OF LOT 23, NEW CITY BLOCK 5103, WITHIN THE CORPORATE LIMITS OF THE CITY LIMITS OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, SAME BEING CALLED THE SOUTHWEST PART OF LOT 23, CONVEYED TO JOSEFA (JODIE) CEDILLO, IN DOCUMENT NUMBER 201906024624, OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SURVEYOR'S NOTE(S):

SURVEYOR'S NOTE(S): BASIS OF BEARING, TEXAS SOUTH CENTRAL NAD 83.

THIS SURVEY IS PRODUCED WITHOUT THE ADDITION OF RESEARCH FROM A TITLE OR A TITLE ABSTRACT COMPANY. THEREFORE, ADDITIONAL DEED OR REAL PROPERTY RESTRICTIONS, SUCH AS EASEMENTS OR SETBACKS, MAY APPLY THAT ARE NOT GRAPHICALLY OR OTHERWISE SHOWN, AND/OR LISTED ON THIS SURVEY. THE RESTRICTIONS, ADDRESSED HEREON, ARE AS ALREADY KNOWN TO THE UNDERSIGNED, TO AFFECT THIS SUBDIVISION; THEIR DEPICTIONS ARE NOT MEANT TO REPRESENT THEM AS ESMTS. THIS SURVEY IS PREPARED, AND IS ACCURATE, TO THE BEST OF THE SURVEYOR'S KNOWLEDGE.

At date of this survey, the property is in FEMA designated ZONE X as verified by FEMA map Panel No: 48091C 0435 F effective date of SEPTEMBER 2, 2009. Exact designations can only be determined by a Elevation Certificate. This information is subject to change as a result of future FEMA map revisions and/or amendments.

I, ROY JOHN RONNFELDT, a Registered Professional Land Surveyor in the State of Texas
do hereby certify to

**Borrower/Owner: JOSÉFA (JODIE) CEDILLO
Address: 160 E. KLINGEMANN STREET GE. No. 1111**

Address: 160 E. KLINGER
Legal Description of the Land:

Legal Description

SUBJECT TO RESTRICTIVE COVENANTS AND (OR) EASEMENTS RECORDED IN



FINAL "AS BUILT" SURVEY

JOB NO.:	1909065009	NO.	REVISION	DATE
DATE:	09/12/19			
DRAWN BY:	MN/SV			



ROY JOHN RONNFELDT, R.P.L.S.
Registered Professional Land Surveyor
Registration No. 3520

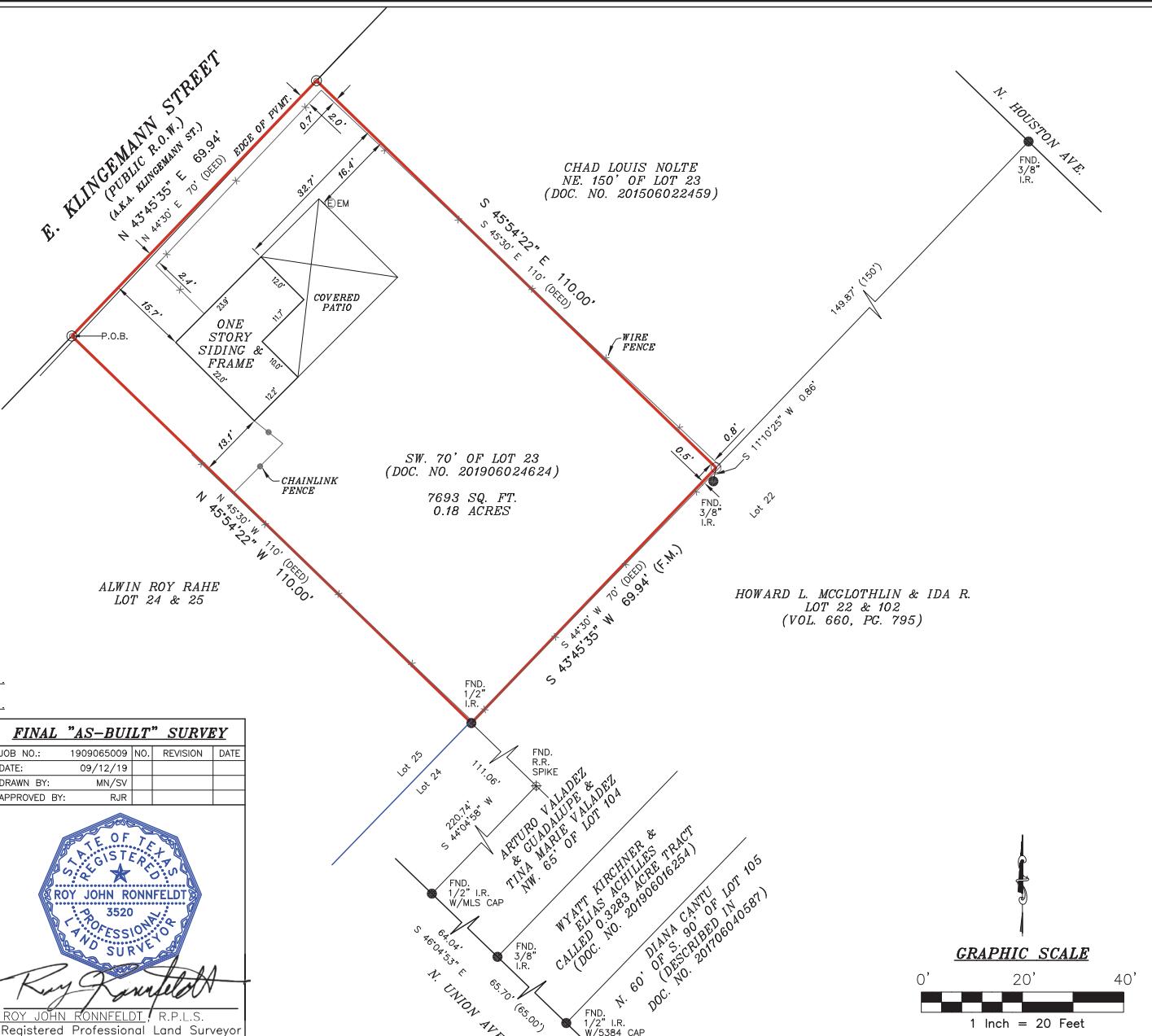
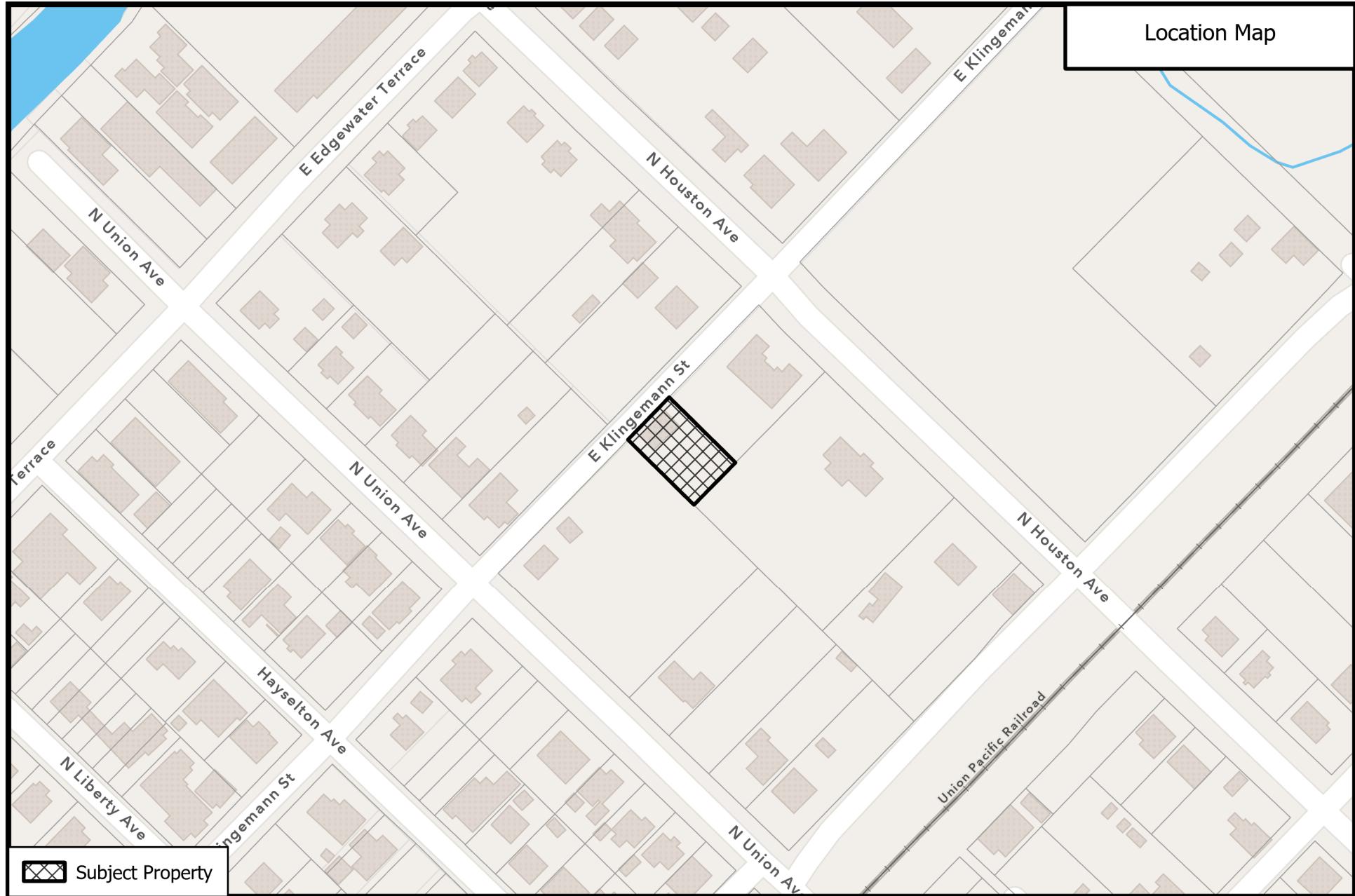


EXHIBIT "B"



Path:
\\CHFS-1\\Departments\\Planning\\ZoneChange & SUPs\\2025\\SUP25-388 - 160 E Klingemann

SUP25-388 R-2 to C-O SUP for Short Term Rental

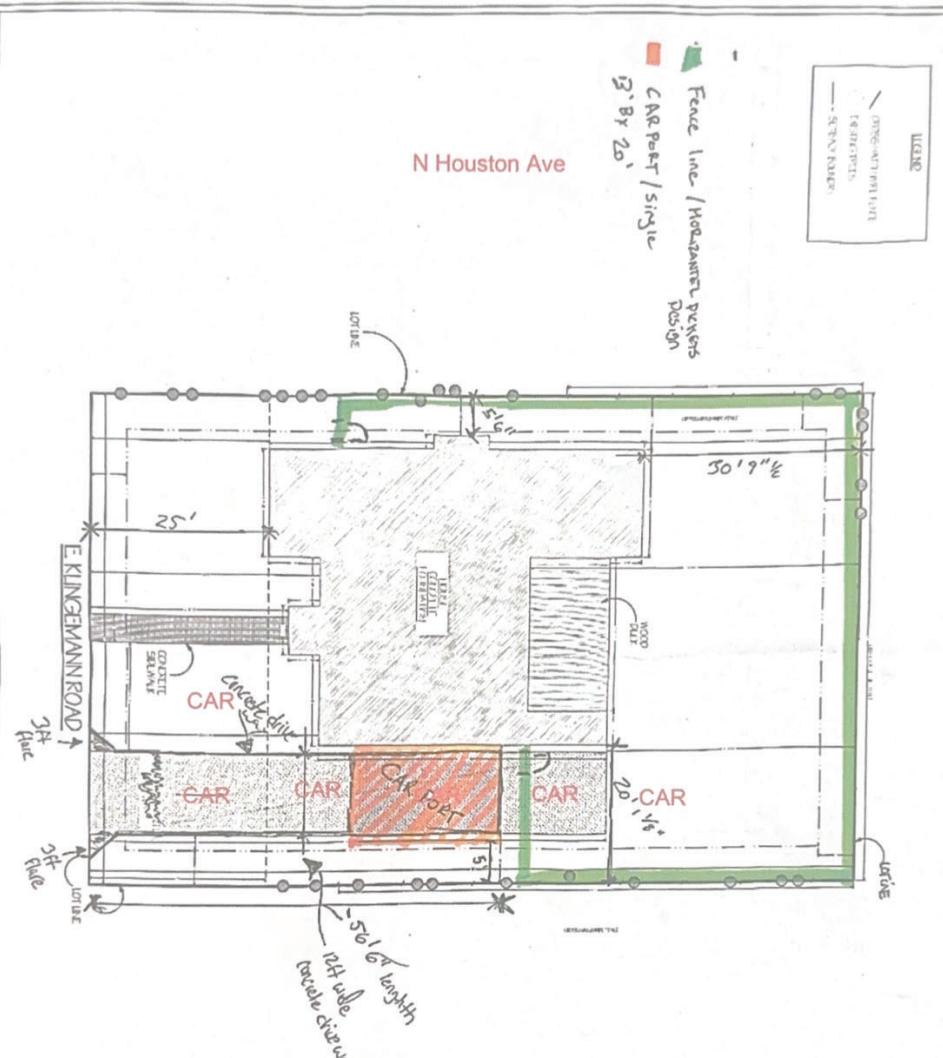
Source: City of New Braunfels Planning
Date: 12/2/2025

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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. 195
officials or employees for any discrepancies, errors, or variances which may

EXHIBIT "C"



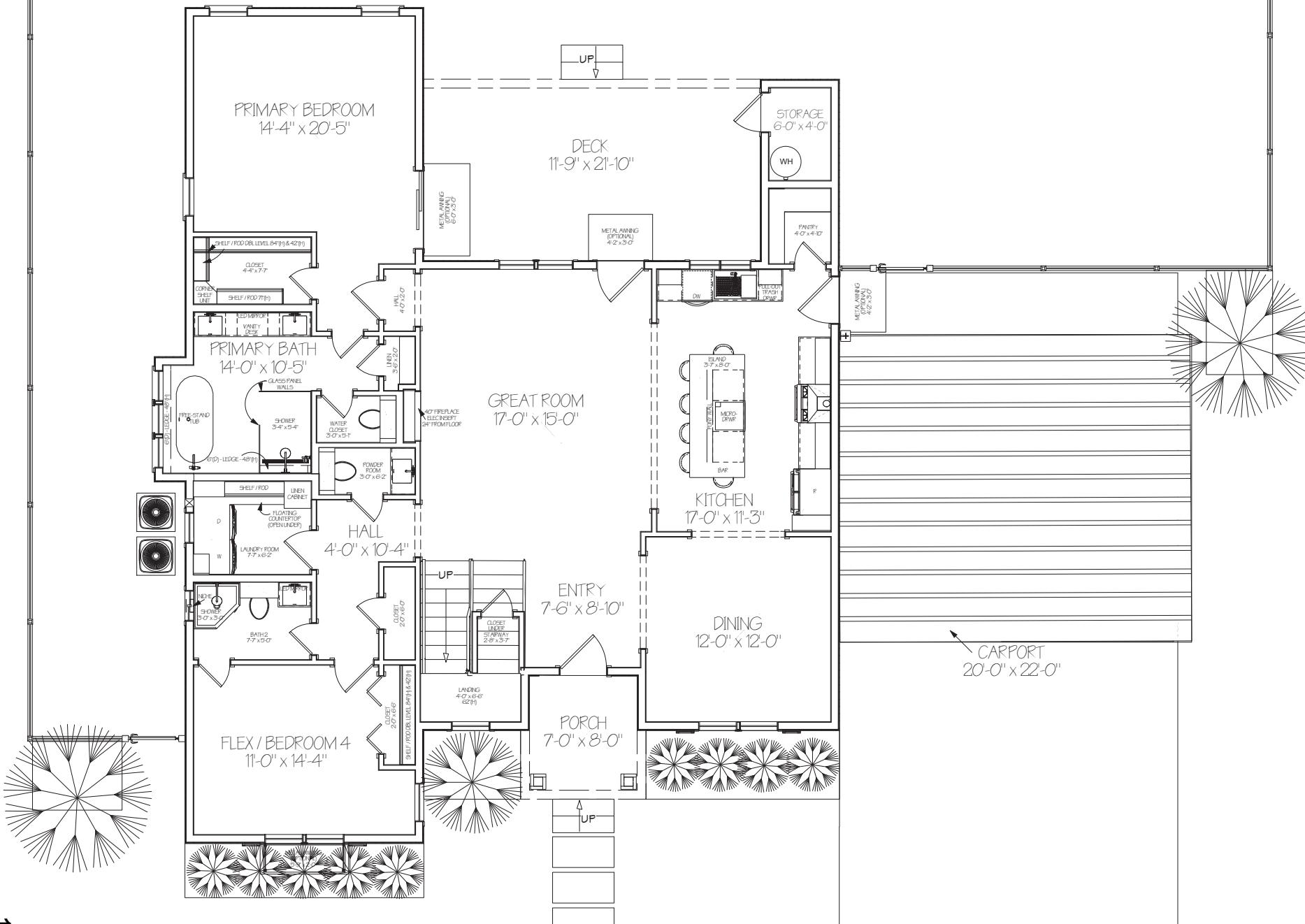
N Union Ave

"I Simplicio Samonte the Managing Member of RBHP Texas LLC (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."

REVIEWED FOR COMPLIANCE 04/28/24	DRAWINGS PROVIDED BY: D.E. FOR FAS, LLC D.E. FOR FAS, LLC VOLGE1744.ADP&LUS.COM (512) 229-3024	PROJECT DESCRIPTION: 100 KLINGEMANN NEW BRAUNFELS, TX 78130	SPOT TITLE: SITE PLAN	AREA/PLAN DESIGN: 100 KLINGEMANN NEW BRAUNFELS, TX 78130
Building Safety Division 04/28/24				100 KLINGEMANN NEW BRAUNFELS, TX 78130

EXHIBIT "D"

Main Floor



FLOOR PLAN FIRST FLOOR

SHEET TITLE

PROJECT DESCRIPTION:
GO KLINGMA
REMODEL

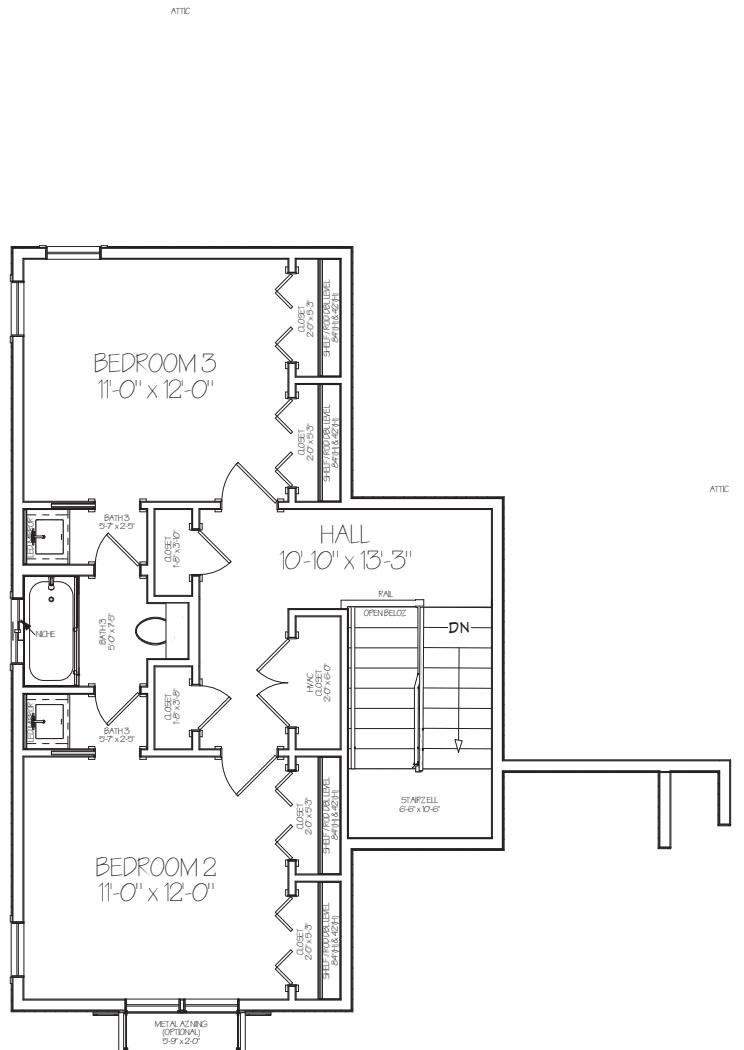
DRAWINGS PROVIDED BY:
EYE FOR FABULOUS
CREATIVE SERVICES
VEE@YE4FABULOUS.COM
(361) 228-3054

DATE:

SCALE:

SHEET:

Upstairs (2nd Floor)



E: FLOOR PLAN
SECOND FLOOR

SHEET TITLE: FLOOR SECON
NOTE: SCALE PAGE 50% 11x17

PROJECT DESCRIPTION:
1600 KLINGMA
REMODEL

AWINGS PROVIDED BY:
EYE FOR FABULOUS
CREATIVE SERVICES
VEE@YE4FABULOUS.COM
(30) 228-3054

DATE:

SCALE:

SHEET:

A-2

1/12/2026

Agenda Item No. D)

PRESENTER:

Matthew Simmont, AICP, Planning Manager

Applicant/Owner: Phong Tien Nguyen

SUBJECT:

Public hearing and first reading of an ordinance, at the request of Phong Tien Nguyen, to rezone approximately 0.7 of an acre out of the A M Esnaurizar Survey, Abstract 1, from C-3 AH (Commercial, Airport Hazard Overlay District) to C-3 AH SUP (Commercial, Airport Hazard Overlay District with a Special Use Permit to allow Short Term Rental of a residence), currently addressed at 1092 State Highway 46 South.

DEPARTMENT: Neighborhood and Community Planning**COUNCIL DISTRICTS IMPACTED:** 5**BACKGROUND INFORMATION:**

Case No: SUP25-375

Applicant:

Phong Tien Nguyen

(682) 227-5217 | phongn174@gmail.com

Staff Contact:

Amanda Mushinski, AICP, CNU-A

(830) 221-4056 | amushinski@newbraunfels.gov

The subject property is approximately 0.7 of an acre on the southwest side of State Highway 46 South, approximately 500 feet northwest of the intersection of State Highway 46 South and Stone Gate Drive, and approximately 250 feet southwest of Fire Station 6. It is bordered by C-3 AH, R-2 AH, C-1B AH, and APD zoning. Adjacent land uses consist of residences, a gas station, multifamily, Fire Station 6, commercial properties, and vacant land.

This rezoning application is requested to allow the short-term rental (STR) of the existing home. The 1960s residence is roughly 1422 square feet with 3 bedrooms and 2 bathrooms. Per the Zoning Ordinance, the maximum occupancy of the residence when operated as an STR is 8 occupants, and the minimum off-street parking is 3 spaces. If approved, the applicant will be required to provide a paved driveway with three paved parking spaces.

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 no approved short term rental SUPs within one-half mile of the subject property.

COMPREHENSIVE PLAN REFERENCE:

The 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 Dunlap Sub Area, along a Transitional Mixed-Use Corridor, and near multiple future 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 proposed rezoning 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.
3. A paved driveway with three paved parking spaces must be available for use prior to the issuance of a Short-Term Rental Permit.

The Planning Commission held a public hearing on December 2, 2025, and unanimously recommended approval of the applicant's request (9-0).

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 9 properties within 200 feet of the request. As of the date this agenda was posted, a supermajority vote of City Council is required to approve the applicant's request.

Resource Links:

- Chapter 144, Sec. 3.3-9 (C-3) of the City's 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?
- 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?



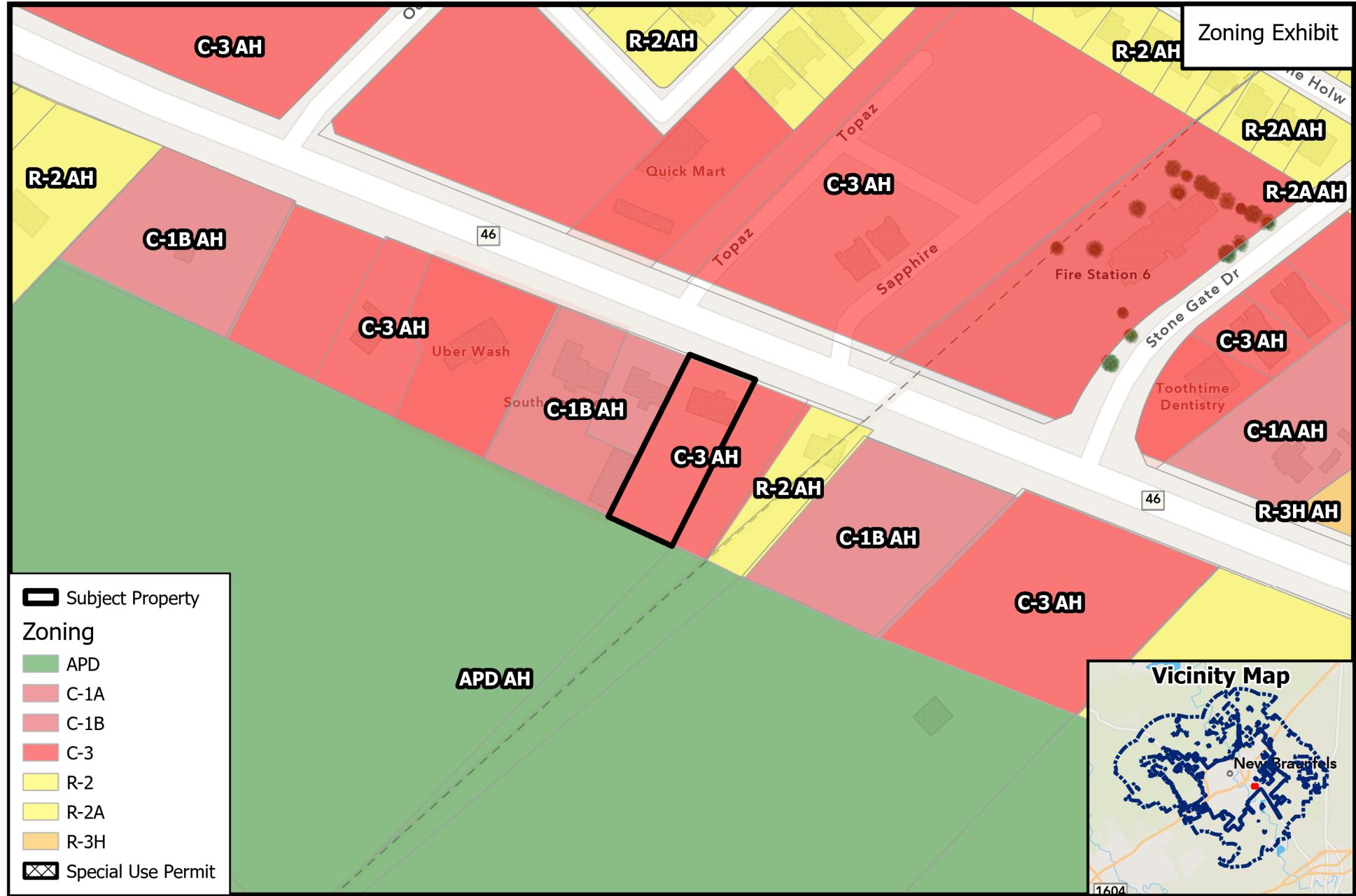
SUP25-375
1092 State Hwy 46 S - SUP for STR

Path:
\\chfs-1\Departments\Planning\ZoneChange & SUPs\2025\SUP25-375 - 1092 SH 46 S - SUP

Source: City of New Braunfels Planning
Date: 11/14/2025

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else is at that party's risk and without liability to the City of New Bra
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officials or employees for any discrepancies, errors, or variances which may





Path:
\\chfs-1\\Departments\\Planning\\ZoneChange & SUPs\\2025\\SUP25-375 - 1092 SH 46 S - SUP

SUP25-375
1092 State Hwy 46 S - SUP for STR

Source: City of New Braunfels Planning
Date: 11/14/2025

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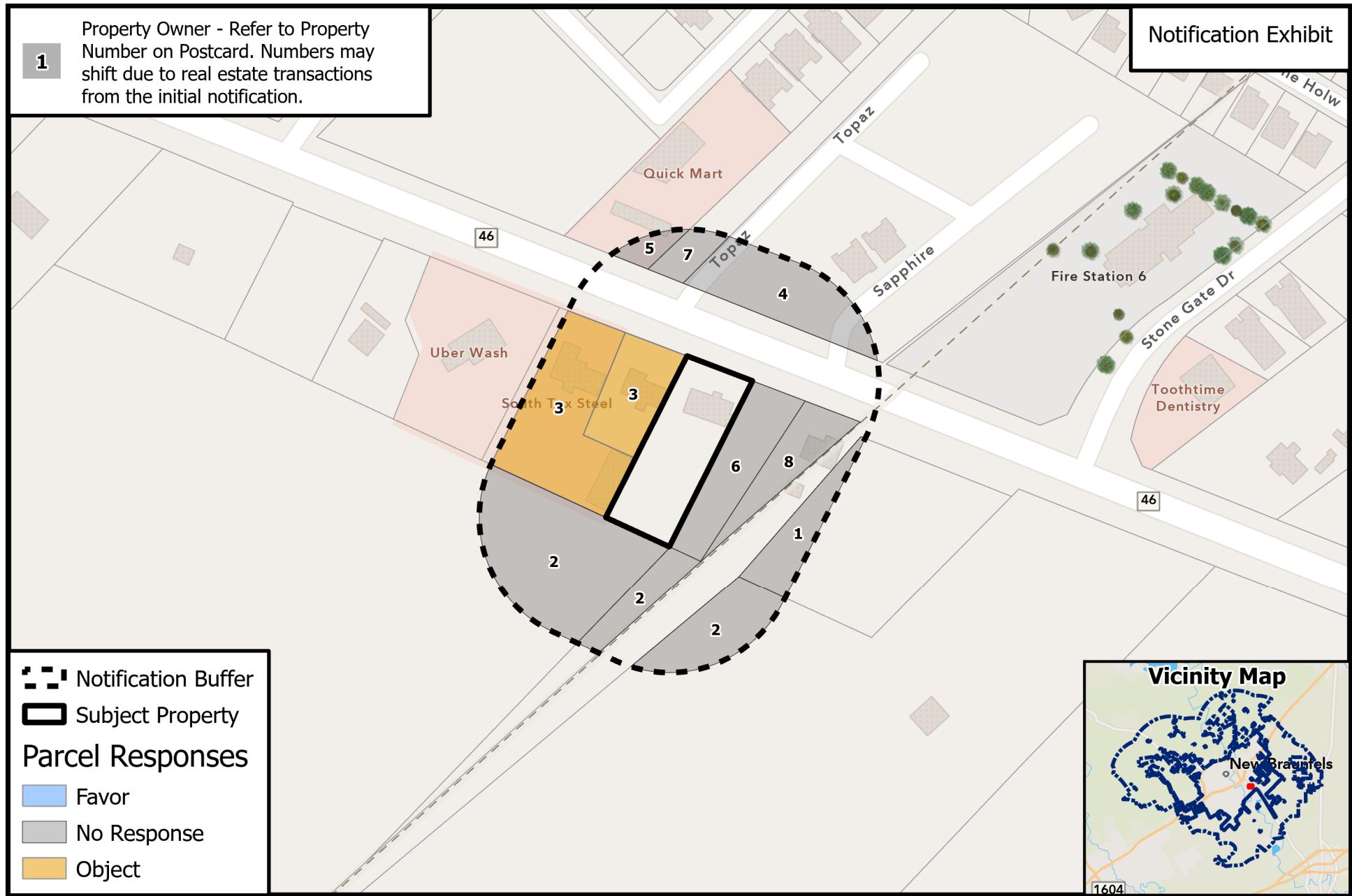


1092 State Hwy 46 South



1 Property Owner - Refer to Property Number on Postcard. Numbers may shift due to real estate transactions from the initial notification.

Notification Exhibit



PLANNING COMMISSION – December 2, 2025 – 6:00PM
City Hall Council Chambers

Applicant: Phong Tien Nguyen

Address/Location: 1092 STATE HWY 46 S

SUP25-375

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. HERNANDEZ GERARDO AGUIRRE & ANA GLORIA FERNANDEZ LEON	6. ARTLON JAMES
2. GC-CO NORTH LTD	7. NEW BRAUNFELS CITY OF
3. JASKON LAND & ACQUISITION LLC	8. 46 PROPERTIES LLC
4. CLEAR SPRINGS RANCH CONDOMINIUM	9. GC-CO NORTH LTD
5. MITESH R PATEL	

SEE MAP

JASKON LAND & ACQUISITION LLC

P.O. BOX 310077

NEW BRAUNFELS TX 78131

Property #: 3

SUP25-375

Case Manager: AM

FAVOR

OPPOSE

COMMENTS



20 New Braunfels

Draft Minutes for the December 2, 2025, Planning Commission Regular Meeting

E) SUP25-375 Public hearing and recommendation to City Council, at the request of Phong Tien Nguyen, to rezone approximately 0.7 of an acre out of the A M Esnaurizar Survey, Abstract 1, from C-3 AH (Commercial, Airport Hazard Overlay District) to C-3 AH SUP (Commercial, Airport Hazard Overlay District with a Special Use Permit to allow Short Term Rental of a residence), currently addressed at 1092 State Highway 46 South. (Applicant/Owner: Phong Tien Nguyen; Case Manager: Amanda Mushinski, Planner, AICP, CNU-A)

Amanda Mushinski introduced the aforementioned item and recommended approval with the conditions listed in the staff report.

Chair Sonier asked if there were any questions for staff.

Brief Discussion followed on responses from neighbors, and proximity to other short-term rental properties.

Chair Sonier opened the public hearing and asked if anyone 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 Rudy, seconded by Vice-Chair Taylor, to recommend approval of the item to City Council. Motion carried unanimously (9-0-0).

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.7 OF AN ACRE, BEING OUT OF THE A M ESNARIZAR SURVEY, ABSTRACT 1, CURRENTLY ADDRESSED AT 1092 STATE HIGHWAY 46 SOUTH, C-3 AH (COMMERCIAL, AIRPORT HAZARD OVERLAY DISTRICT) TO C-3 AH SUP (COMMERCIAL, AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL OF A RESIDENCE); 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 1092 State Highway 46 South, to allow short term rental of a residence in the C-3 AH (Commercial, Airport Hazard Overlay 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 A M Esnaurizar Survey, Abstract 1, being as delineated on Exhibit "A" and described 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.
3. A paved driveway with three paved parking spaces must be available for use prior to the issuance of a Short-Term Rental Permit.

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 12th day of January 2026.

PASSED AND APPROVED: Second reading this 26th day of January 2026.

CITY OF NEW BRAUNFELS

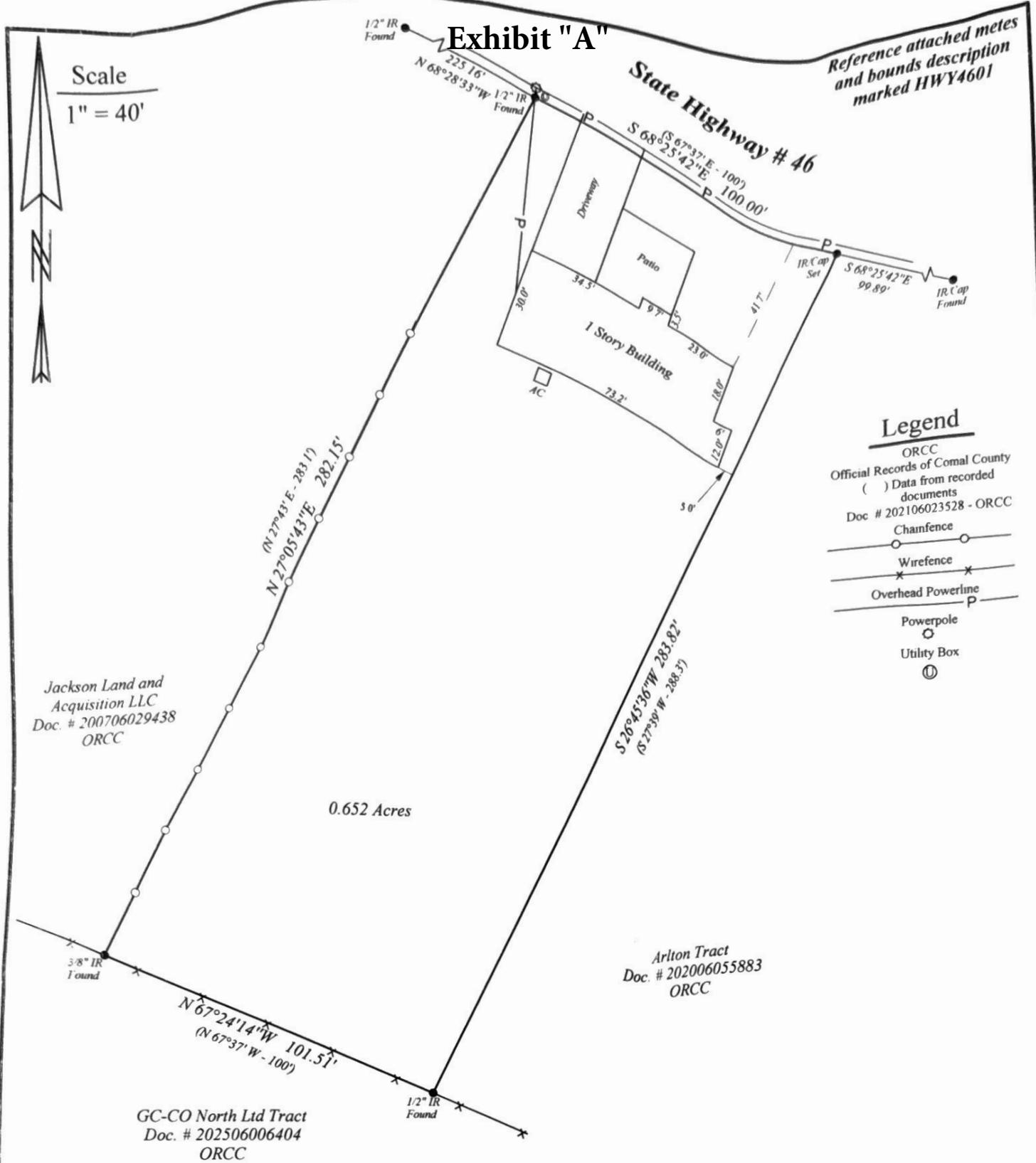
NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney



Surveyor's Notes: Fences are shown for graphic purposes and may meander along property lines slightly. All bearings and distances are based upon Texas State Plane Coordinate System, Texas South Central Zone, NAD 1983 datum. This survey was done without the use of a title search. There may be easements/ documents that affect this lot that are not shown.

**PLAT SHOWING SURVEY OF 0.652 ACRES OUT OF AND PART OF
THE A. M. ESNAURIZAR ELEVEN LEAGUE GRANT, SUBDIVISION
NO. 112, ABSTRACT NO. 98 IN COMAL COUNTY, TEXAS.**

FOR: HR SPA Enterprise Inc.

DATE: June 5, 2025

ADDRESS: 1092 State Highway No. 46, New Braunfels, Texas.

The undersigned does hereby certify that this survey was made on the ground of the property legally described hereon and is essentially correct and that said property has access to a public road. Only those plats with a red surveyors seal and red signature shall be deemed reliable and authentic.

Ronald D. Hayes, Registered Professional Land Surveyor, No. 5703

According to the scaling of Map Panel 0455 G of the May 8, 2024 insurance rate map for the County of Comal, Texas, the property described hereon is in the Zone "X" of the flood hazard area and determined to be outside the 100 year flood zone.

**HAYES SURVEYING LLC
202 SUNFLOWER DRIVE
KYLE, TEXAS 78640
512-738-0511**

HAYES SURVEYING LLC

Exhibit "B"

202 SUNFLOWER DRIVE
KYLE, TEXAS 78640
512-738-0511

METES & BOUNDS DESCRIPTION FOR 0.652 ACRES

A tract of land containing 0.652 acres out of and part of the A. M. Esnaurizar Eleven League Grant, Subdivision No. 112, Abstract No. 98 in Comal County, Texas, and being that same tract, called 0.654 acres, as conveyed in April of 2021 to HR SPA ENTERPRISE INC. as recorded and described in Document # 202106023528 of the Official Records of Comal County, said 0.652 acres being surveyed by Hayes Surveying in June of 2025 and being more particularly described as follows;

BEGINNING at a $\frac{1}{2}$ " iron rod found in the southwest right-of-way of State Highway No. 46 for the most northerly corner of the aforementioned 0.654 acre tract, the most northerly corner of this herein described tract and the most easterly corner of the Jackson Land and Acquisition LLC Tract as conveyed in Document # 200706029438 of the Official Records of Comal County, from which for reference a $\frac{1}{2}$ " iron rod found for the most northerly corner of the Jackson Land Tract bears N $68^{\circ} 28' 33''$ W, a distance of 225.16 feet;

THENCE S $68^{\circ} 25' 42''$ E, along the State Highway # 46 right-of-way, a distance of 100.00 feet to an iron rod with a plastic cap set for the most easterly corner of this herein tract and the most northerly corner of the Arlton Tract as conveyed in Document # 202006055883 of the Official Records of Comal County, from which for reference an iron rod with a plastic cap found for the most easterly corner of the Arlton Tract bears S $68^{\circ} 25' 42''$ E, a distance of 99.89 feet;

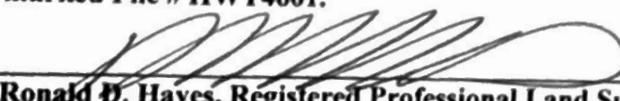
THENCE S $26^{\circ} 45' 36''$ W, leaving the State Highway No. 46 right-of-way, a distance of 283.82 feet to a $\frac{1}{2}$ " iron rod found in the northeast property line of the GC-CO North LTD Tract as conveyed in Document # 202506006404 of the Official Records of Comal County, for the most southerly corner of this tract and the most westerly corner of the Arlton Tract;

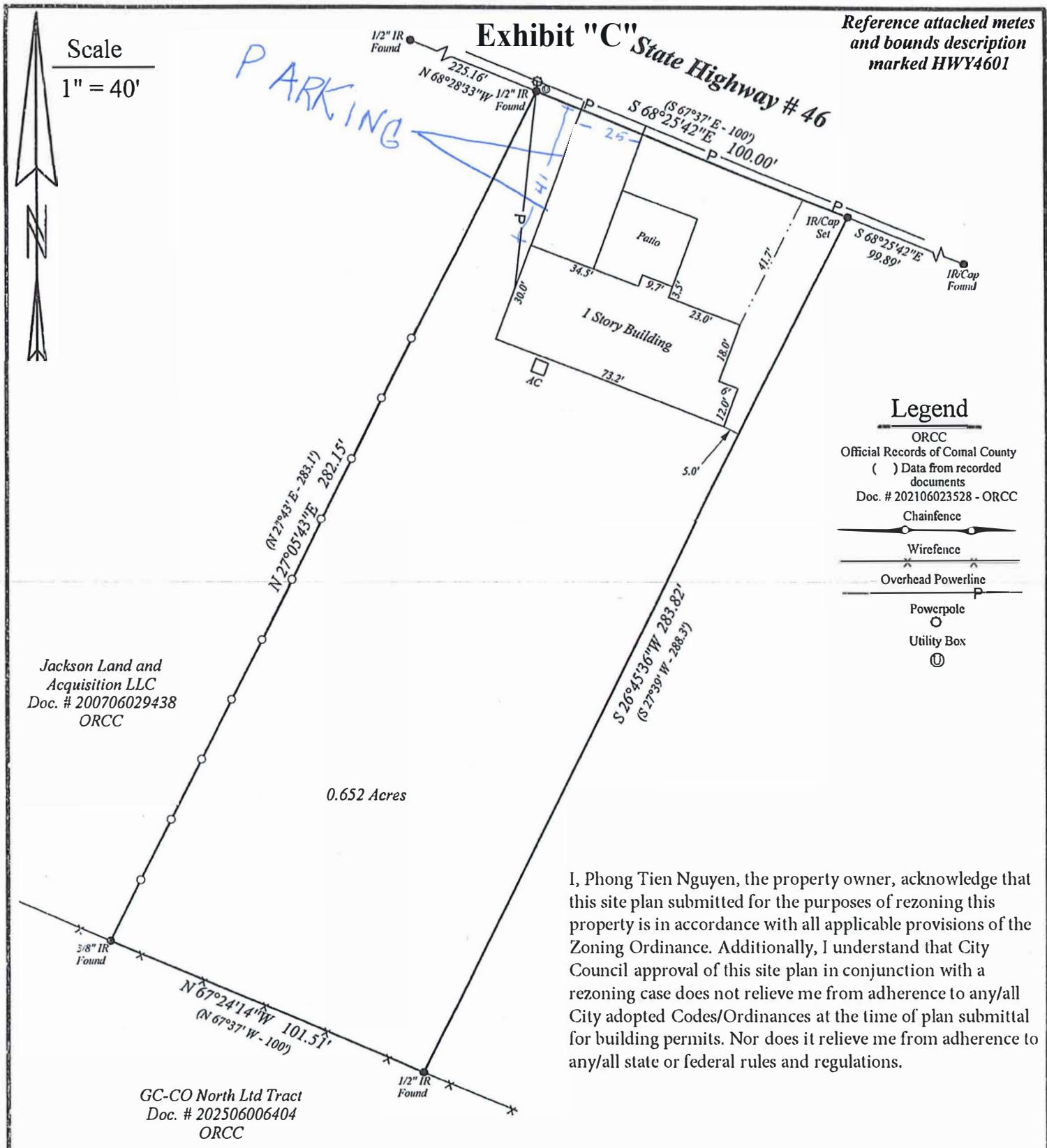
THENCE N $67^{\circ} 24' 14''$ W, a distance of 101.51 feet to a $\frac{3}{8}$ " iron rod found for the most westerly corner of this tract and the most southerly corner of the Jackson Land Tract;

THENCE N $27^{\circ} 05' 43''$ E, a distance of 282.15 feet to the POINT OF BEGINNING, containing 0.652 acres.

All bearings and distances are based upon Texas State Plane Coordinate System, Texas South Central Zone, NAD 1983 datum.

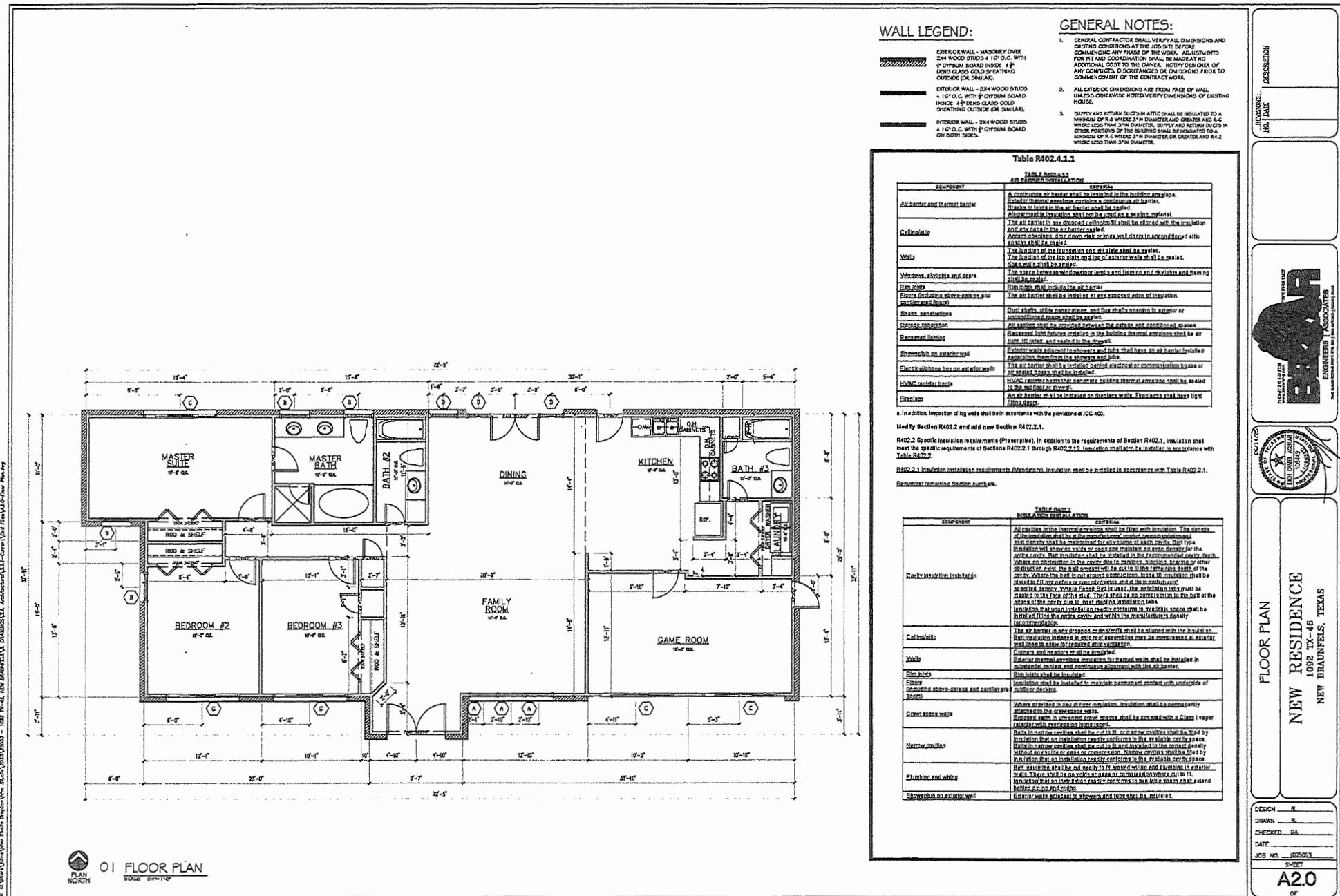
This is to certify that this description of land represents an actual survey made on the ground under my supervision in June of 2025. Only those documents with a red surveyor's signature and an accompanying red surveyor's seal shall be deemed reliable and authentic. Reference the sketch marked File # HWT4601.


Ronald D. Hayes, Registered Professional Land Surveyor, No. 5703



I, Phong Tien Nguyen, 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.

Exhibit "D"



1/12/2026

Agenda Item No. E)

PRESENTER:

Matthew Simmont, AICP, Planning Manager
Applicant/Owner: Chad Fletcher

SUBJECT:

Public hearing and first reading of an ordinance, at the request of Chad Fletcher, to rezone approximately 0.2 of an acre out of the Baus Addition Subdivision, Block D, East part of Lots 1 & 2, 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 at 385 West Faust Street.

DEPARTMENT: Neighborhood and Community Planning

COUNCIL DISTRICTS IMPACTED: 5

BACKGROUND INFORMATION:

Case No: SUP25-377

Applicant/Owner:

Chad Fletcher
210-818-5842 | chad@cajunvol.com

Staff Contact:

Amanda Mushinski, AICP, CNU-A
(830) 221-4056 | amushinski@newbraunfels.gov

The subject property is approximately 0.2 of an acre on the south side of West Faust Street, one block southwest of the intersection of West Faust Street and South Castell Avenue. The subject property is bordered by C-3 and SND-1 zoning. Adjacent land uses include a residential neighborhood and commercial properties.

This rezoning is requested to allow the short-term rental (STR) of the existing home. The 1980s residence is roughly 1,026 square feet with 2 bedrooms and 1½ bathrooms. Per the Zoning Ordinance, the maximum occupancy of an STR with a total of 2 bedrooms and 1½ bathrooms is 6 occupants, and the minimum off-street parking is 2 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 12 approved short term rental SUPs within one-half mile of the subject property, 5 of which are active.

COMPREHENSIVE PLAN REFERENCE:

The 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 New Braunfels Sub Area, along a Transitional Mixed-Use corridor, and near existing Education, Tourist, and Market 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.
- In partnership with the New Braunfels Economic Development Corporation (NBEDC) and New Braunfels Utilities, 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.

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 December 2, 2025, and unanimously recommended approval of the applicant's request (9-0).

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, a supermajority vote of City Council is not required.

Resource Links:

- Chapter 144, Sec. 3.3-9 (C-3) of the City's 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?
- 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?



Path:
\\chfs-1\Departments\Planning\ZoneChange & SUPs\2025\SUP25-377 - 385 W Faust St -

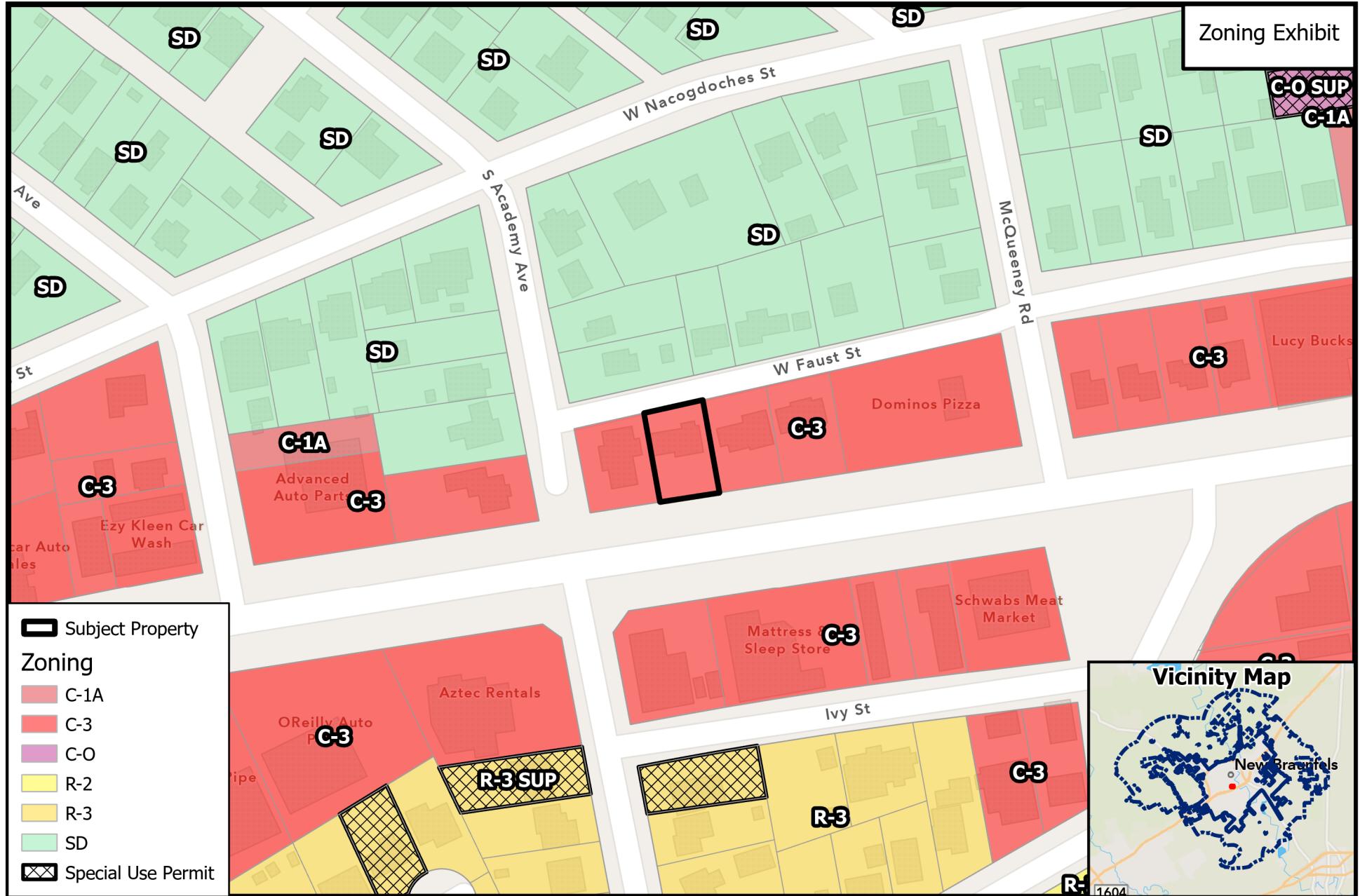
SUP25-377
385 W Faust St - SUP for STR

Source: City of New Braunfels Planning
Date: 11/12/2025

0 80 160
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
else is at that party's risk and without liability to the City of New Braunfels. 218
officials or employees for any discrepancies, errors, or variances which may



SUP25-377
385 W Faust St - SUP for STR





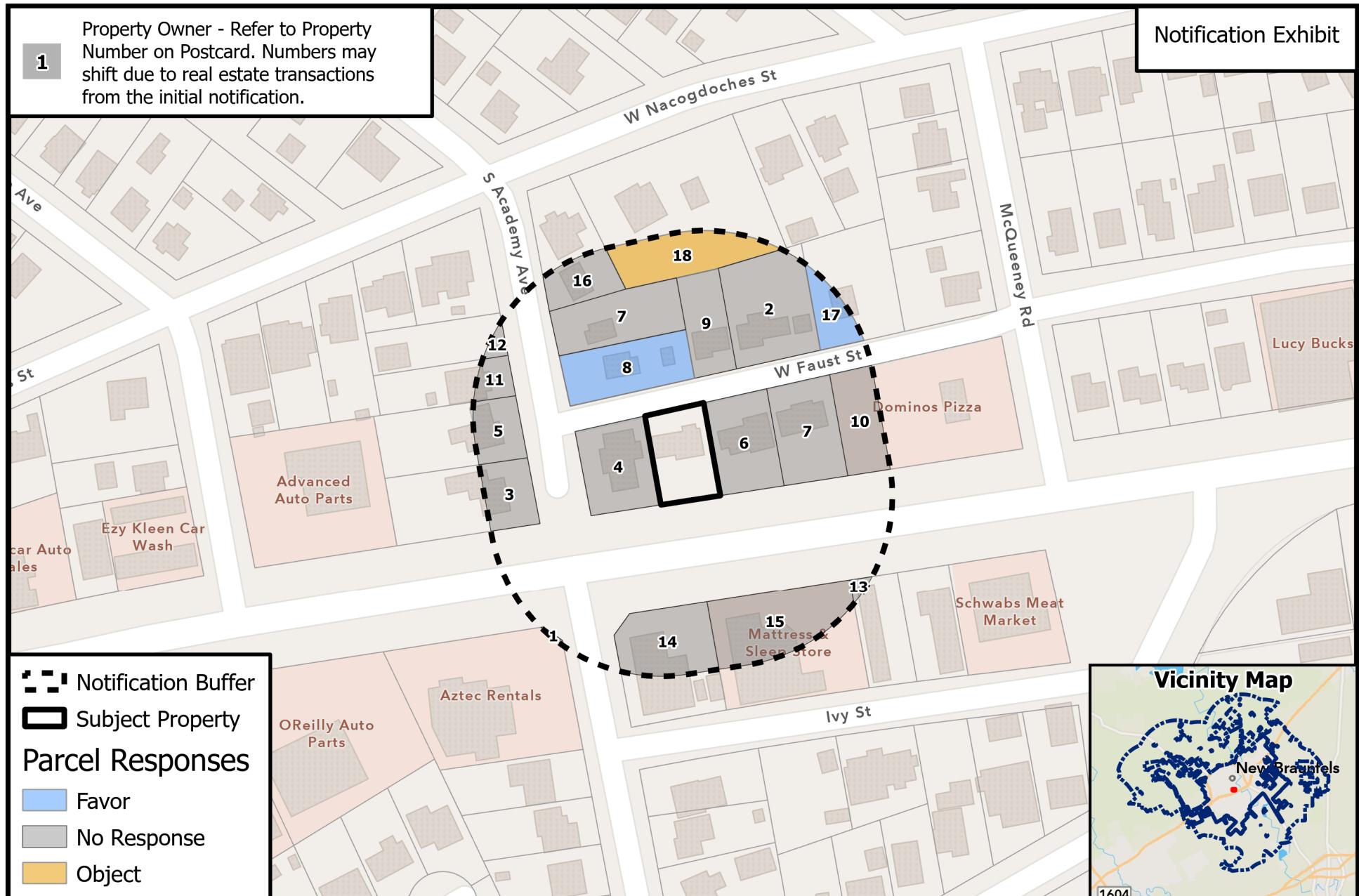
385 W Faust St



385 W Faust St

1 Property Owner - Refer to Property Number on Postcard. Numbers may shift due to real estate transactions from the initial notification.

Notification Exhibit



PLANNING COMMISSION – December 2, 2025 – 6:00PM
City Hall Council Chambers

Applicant: Chad Fletcher

Address/Location: 385 W FAUST ST

SUP25-377

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. ROBLES RICHARD D	10. JOHNSON ROBERT J
2. HUNT AMANDA	11. YOUNG RAMON & BRANDI
3. CRADDOCK MARIANN	12. IRA FINANCIAL TRUST COMPANY
4. KOBUS JARRED	13. WALLACE WYNN
5. PFEIFFER LYDIA G	14. RRC-CAG LLC
6. REIMAGINED SPACES LLC	15. WALLACE WYNN C
7. PEINEMANN MICHAEL E	16. SEIBERT JOSHUA JAMES
8. RIDEOUT KELLY	17. MALLORY GAIL GIFT TRUST
9. MATA ANTONIO E & DORA	18. PEINEMANN MARY ANNE

SEE MAP

RIDEOUT KELLY

1308 E COMMON ST STE 205 BOX 33

NEW BRAUNFELS TX 78130

Property #: 8

SUP25-377

Case Manager: AM

COMMENTS

FAVOR

OPPOSE



MALLORY GAIL GIFT TRUST

LISA FREDRICKSON TR 22 HUNTERS CHASE

NEW BRAUNFELS TX 78132

Property #: 17

SUP25-377

Case Manager: AM

FAVOR

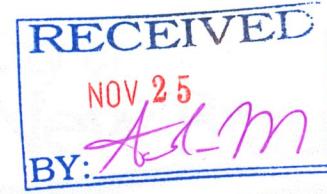
COMMENTS

OPPOSE



PEINEMANN MARY ANNE
381 W NACOGDOCHES ST
NEW BRAUNFELS TX 78130
Property #: 18
SUP25-377
Case Manager: AM

FAVOR
COMMENTS
OPPOSE



Draft Minutes for the December 2, 2025, Planning Commission Regular Meeting

D) SUP25-377 Public hearing and recommendation to City Council, at the request of Chad Fletcher, to rezone approximately 0.2 of an acre out of the Baus Addition Subdivision, Block D, East part of Lots 1 & 2, 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 at 385 West Faust Street. (Applicant/Owner: *Chad Fletcher*; Case Manager: *Amanda Mushinski, Planner, AICP, CNU-A*)

Amanda Mushinski introduced the aforementioned item and recommended approval with the conditions listed in the staff report.

Chair Sonier asked if there were any questions for staff.

No one spoke.

Chair Sonier opened the public hearing and asked if anyone 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 Brasier, to recommend approval of the item with staff recommended conditions to City Council. Motion carried unanimously (9-0-0).

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.2 OF AN ACRE, BEING OUT OF THE BAUS ADDITION SUBDIVISION, BLOCK D, EAST PART OF LOTS 1 & 2, CURRENTLY ADDRESSED AT 385 WEST FAUST STREET, FROM C-3 (COMMERCIAL DISTRICT) TO C-3 SUP (COMMERCIAL DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL OF A RESIDENCE); 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 385 West Faust Street, to allow short term rental of a residence in the C-3 (Commercial 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 Baus Addition Subdivision, Block D, East part of Lots 1 & 2, being as delineated on Exhibit "A" and described 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 12th day of January 2026.

PASSED AND APPROVED: Second reading this 26th day of January 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

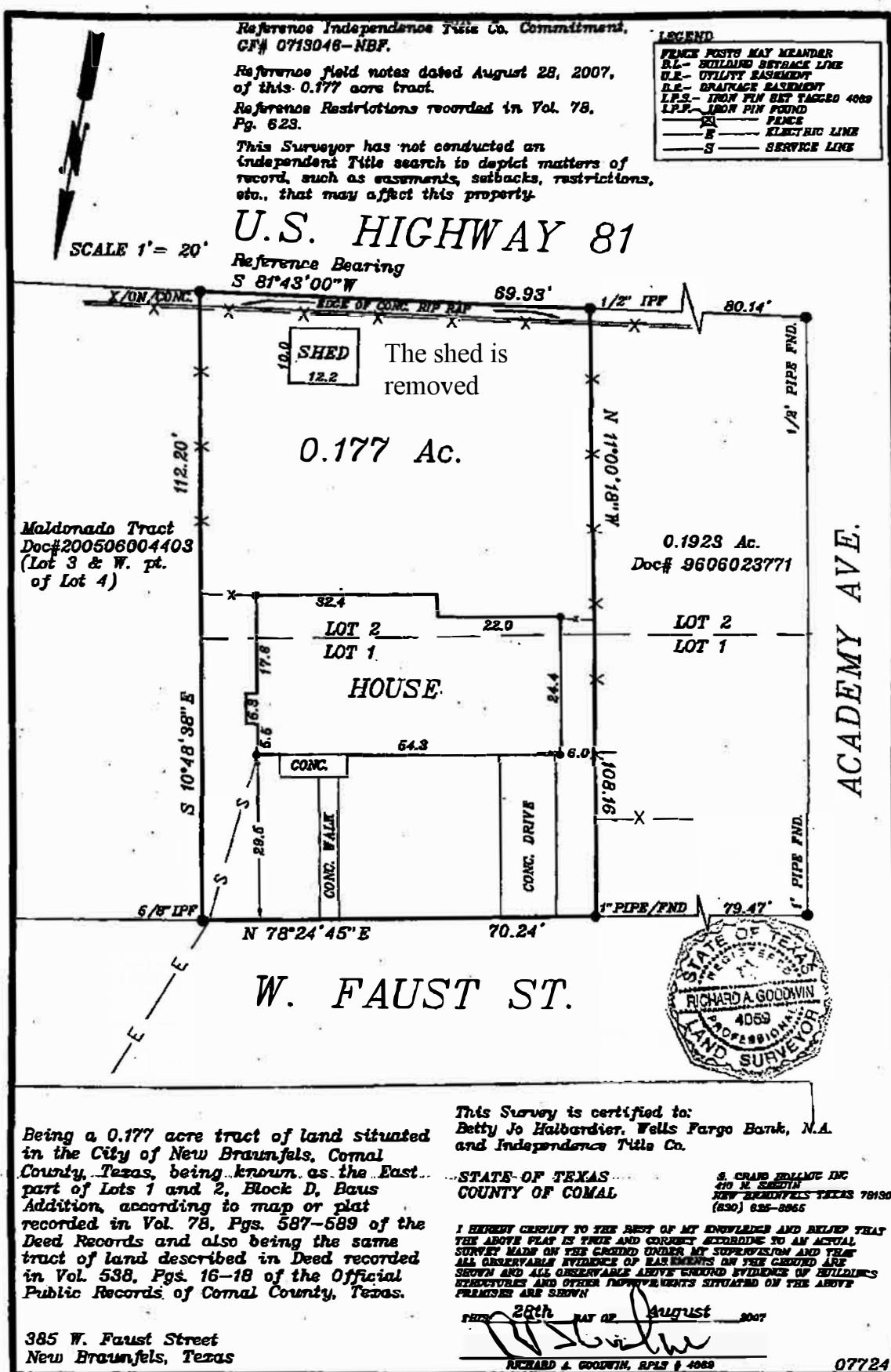
ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

Exhibit "A"



Being a 0.177 acre tract of land situated in the City of New Braunfels, Comal County, Texas, being known as the East part of Lots 1 and 2, Block D, Baus Addition, according to map or plat recorded in Vol. 78, Pgs. 587-589 of the Deed Records and also being the same tract of land described in Deed recorded in Vol. 538, Pgs. 16-18 of the Official Public Records of Comal County, Texas.

385 W. Faust Street
New Braunfels, Texas

This Survey is certified to:
Betty Jo Halbardier, Wells Fargo Bank, N.A.
and Independence Title Co.

STATE OF TEXAS
COUNTY OF COMAL

S. CRAIG BULLION INC
410 N. SPEEDIN
NEW BRAUNFELS TEXAS 78130
(512) 322-2222

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT ALL OBSERVABLE EVIDENCE OF EAR EMBODIMENTS ON THE GROUND ARE SHOWN AND ALL OBSERVABLE ABOVE GROUND EVIDENCE OF BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES ARE SHOWN.

BEZARD & GROTHEN BPIS & 1968

07724

Charles B. Wilson
Della Fletcher

Exhibit "B"

FIELD NOTES FOR A 0.177 ACRE TRACT

Being a 0.177 acre tract of land situated in the City of New Braunfels, Comal County, Texas, being known as the East part of Lots 1 and 2, Block D, Baus Addition, according to map or plat recorded in Volume 78, Pages 587-589 of the Deed Records of Comal County, Texas, and also being the same tract of land described in Deed recorded in Volume 538, Pages 16-18 of the Official Public Records of Comal County, Texas, and all bearings referred to in this description are referenced to a bearing of S $81^{\circ} 43' 00''$ W between monumentation found along the North right-of-way line of U. S. Highway 81, said 0.177 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 5/8" iron pin found on the South right-of-way line of W. Faust Street, for the Northeast corner of the above referenced Lot 1, the Northeast corner of the above referenced tract (538/16-18), the Northwest corner of the Maldonado Tract recorded in Doc# 200506004403 of the Official Public Records of Comal County, Texas, for the Northeast corner and Point of Beginning of this tract;

THENCE: Leaving the South right-of-way line of W. Faust Street, along the East line of the above referenced tract (538/16-18), the West line of the Maldonado Tract, S $10^{\circ} 48' 38''$ E 112.20 feet to an 'x' found on concrete on the North right-of-way line of U.S. Highway 81, for the Southeast corner of the above referenced tract (538/16-18), the Southwest corner of said Maldonado Tract, for the Southeast corner of this tract;

THENCE: Along the North right-of-way line of U.S. Highway 81, S $81^{\circ} 43' 00''$ W 69.93 feet to a 1/2" iron pin found for the Southwest corner of the above referenced tract (538/16-18), the Southeast corner of a 0.1923 acre tract described in Doc# 9606023771 of the Official Public Records of Comal County, Texas, for the Southwest corner of this tract;

THENCE: Along the West line of the above referenced tract (538/16-18), the East line of said 0.1923 acre tract, N $11^{\circ} 00' 18''$ W 108.16 feet to a 1" pipe found in the South right-of-way line of W. Faust Street, for the Northwest corner of the above referenced tract (538/16-18), the Northeast corner of said 0.1923 acre tract, for the Northwest corner of this tract;

THENCE: Along the South right-of-way line of W. Faust Street, N $78^{\circ} 24' 45''$ E 70.24 feet to the Point of Beginning and containing 0.177 acres of land, more or less.

Exhibit "C"

ELLIOTT KWDX BLVD

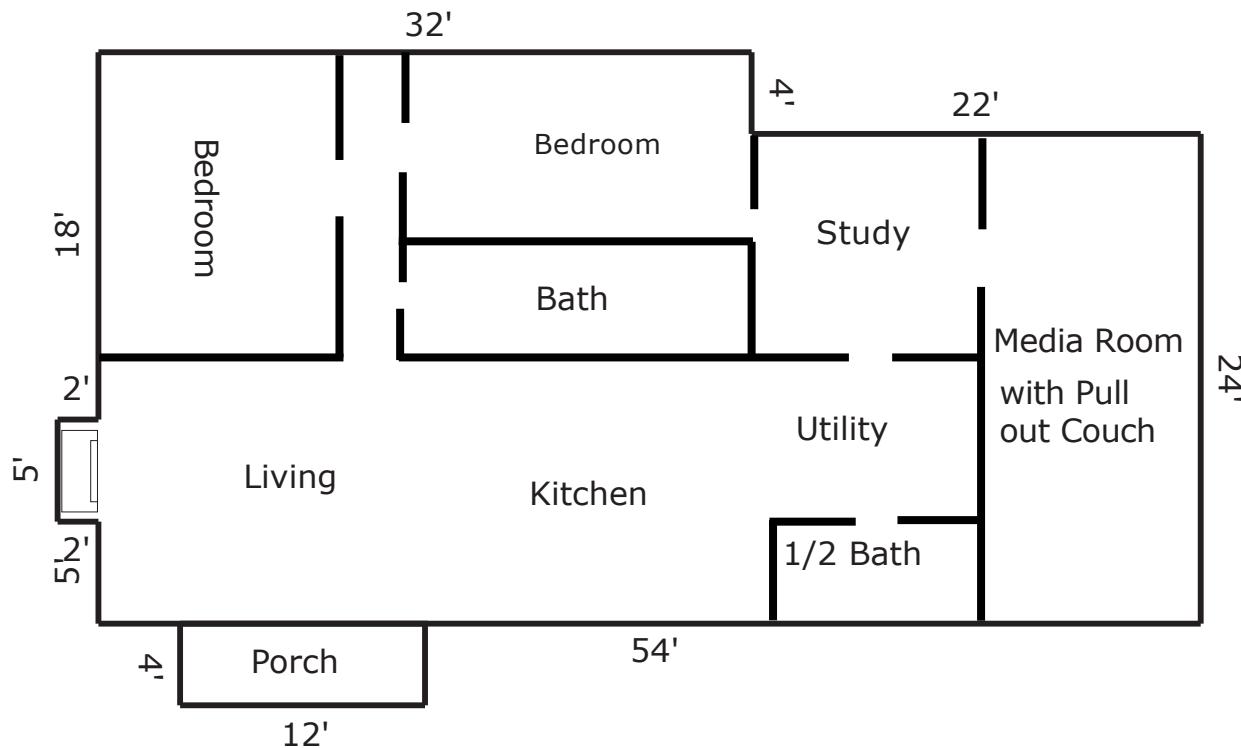


I, Chedwick FLETCHER of CDF Investment Properties, the Property owner, acknowledge that this Site Plan Submitted For the purposes of Rezoning this Property is in accordance with all Applicable provisions of the Zoning Ordinance. Additionally, I understand that City Council approval of this Site Plan 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 or Regulations.

1 Square = 5 Ft

Exhibit "D"

385 W. Faust Street Floor Plan



TOTAL Sketch by a la mode

Area Calculations Summary

Living Area	Calculation Details
First Floor	1434 Sq ft
	$5 \times 2 = 10$
	$24 \times 22 = 528$
	$32 \times 28 = 896$
Total Living Area (Rounded):	1434 Sq ft
Non-living Area	
Open Porch	48 Sq ft
	$12 \times 4 = 48$

1/12/2026

Agenda Item No. A)

PRESENTER:

Jeff Jewell, Economic and Community Development Director

SUBJECT:

Presentation and discussion of modifications to the City's Chapter 380 Economic Development Program Policy

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

City Council approved the Chapter 380 Economic Development Program Policies and Procedures in July 2015. The Program, in accordance with Chapter 380 of the Texas Local Government Code, allows cities to establish programs for loans or grants of public money and/or personnel and services of city to promote state or local economic development and to stimulate business and commercial activity in the city. The changes are proposed to simplify the policy, expand the number and types of businesses and organizations eligible to receive public funds under Chapter 380 and to permit the City to enter an agreement with two entities- the Faust Hotel and Early Matters New Braunfels.

ISSUE:

The proposed revisions:

- More closely align the policy with statutory language;
- Lowers eligibility thresholds for increased taxable value and sales tax generation;
- Adds language to permit the city to financially support historic preservation projects that may not meet minimum taxable value standards or to non-profit organizations that do not pay property or sales tax or other direct revenues to the City;
- Adds a payback period requirement of up to twenty (20) years for a project if it generates taxable values;
- Removes superfluous language around underwriting and evaluation rationale; and
- Removes the requirement that projects are ineligible for the program if a building permit has been issued for the project.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

There is no fiscal impact to modify the City's Chapter 380 Economic Development Program Policy - the Policy acts as a guide for future Chapter 380 Agreements.

RECOMMENDATION:

Staff recommends approval of the revised Chapter 380 Economic Development Program Policy.

CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM

POLICIES AND PROCEDURES

I. General statement of Purpose and Policy

The City of New Braunfels is committed to the promotion of ~~high quality~~high-quality development in all parts of the City and to an ongoing improvement in the quality of life for its citizens. These Policies and Procedures are established ~~in an effort to provide for the administration of a program for making loans and grants of public money and/or providing personnel and services of the city, to promote state or local economic development and to stimulate business and commercial activity in the city.~~ ~~develop and expand the local economy by promoting and encouraging development and redevelopment projects that enhance the City's economic base and a higher quality of life, diversify and expand job opportunities, or encourage projects that create additional revenue for the city without substantially increasing the demand on City services or infrastructure.~~ The ~~ultimate~~ goal and public purpose of programs established hereunder is to protect and enhance the City's fiscal ability to provide high quality municipal services for the safety, comfort and enjoyment of New Braunfels residents. Insofar as the enhancement and expansion of the local economy generally serve these objectives, the City of New Braunfels will, on a case-by-case basis, ~~give consideration of economic incentives~~consider loans or grants of public money and/or personnel or services to ~~qualified business and non-profit~~ applicants in accordance with these Policies and Procedures as authorized by Chapter 380 of the Texas Local Government Code, as amended from time to time.

~~The Chapter 380 Program is intended as an incentive for developers and businesses to address revenue gaps in development projects, defined as having insufficient revenues to support the project's debt service under a standard financing scenario. The program can also apply to projects that have a development margin or rate of return that is below market. Any sources of public financing are not intended to substitute conventional debt and equity financing, and a project should generally be able to deliver the terms of most of its financing. In order for a project to be approved, it will undergo an analysis of the development budgets, projected revenues and expenses and sources and uses of funds for the project. These figures will be compared to industry standard measures. The City Council will give preference to proposals that contribute public infrastructure investments and seek reimbursement through enhanced sales and property taxes generated from the project.~~

Nothing in this document is intended to imply or suggest that the City of New Braunfels is under any obligation to provide ~~economic incentives~~public funds to any applicant. The decision to approve or deny ~~economic incentives~~public funds shall be at the discretion of the City Council. Each applicant granted economic incentives as a Chapter 380 Economic Development Program (also referred to as "Program") under these Policies and Procedures must enter into an agreement with the City of New Braunfels containing all terms required by these Policies and Procedures and by state law to protect the public interest of receiving a public benefit in exchange for public funds, assets and services.



II. Program Requirements

To be considered for incentives as a Chapter 380 Economic Development Program under these Policies and Procedures, a project must at least fulfill one of the following minimum requirements:

1. The ~~project~~grant or loan will:
 - a. ~~Result~~ in a minimum increased taxable value for the City of ~~Ten~~One Million Dollars (\$10,000,000.00) in real and/or business personal property (excluding inventory and supplies); or
 - b. ~~Result in a minimum increased taxable value to the City of \$420,000 in real and business personal property (excluding inventory and supplies) in the area defined as the Downtown in the Downtown Implementation Plan; or~~
 - b. Assist to rehabilitate, preserve or restore a building or structure deemed historic by the City of New Braunfels, State Historic Preservation Office or is listed on the National Register of Historic Places; or
 - e. ~~Generate an amount of municipal sales tax with a single location that, on an annual basis, ranks the facility in the top quartile of the top 100 sales tax generators in the City as determined by the most recently available sales tax report (2014, Q3: \$143,000); or~~
 - d.c. Provide employment opportunities for City residents where a majority of the available positions are offered at an average hourly wage that is at least 10% greater than the MSA's average wage as determined by the Bureau of Labor Statistic's most recently available Metropolitan and Nonmetropolitan Area Occupational Employment and Wage Estimates for the San Antonio-New Braunfels MSA; or
 - e.d. Is specifically determined by resolution of the City Council to bring benefit to the City consistent with the General Statement of Purpose and Policy as stated in ParagraphSection I above.
2. In addition, the City Council shall determine in the Resolution adopting the Agreement that the project:
 - a. Will make a unique or unequaled contribution to development or redevelopment efforts in the City of New Braunfels, due to its magnitude, significance to the community or aesthetic quality; or
 - b. ~~Makes~~Will make a significant contribution to the City of New Braunfels ~~Comprehensive Plan 2020 Vision principles~~ and/or its Strategic Priorities as identified in the ~~City's strategic plan or~~ annual municipal budget document; or
 - c. Will enhance the City's fiscal ability to provide high quality municipal services for the safety, comfort and enjoyment of New Braunfels residents.
3. ~~A project shall not be eligible for incentives under these Policies and Procedures if a building permit has been issued for the project prior to making application in accordance with these Policies and Procedures.~~
4. ~~Incentives~~Unless made as a grant under Section II(1)(d) and otherwise stated in the resolution authorizing the grant or loan, public funds provided in accordance with these Policies and Procedures will be provided only to the extent that the revenue realized by the City and attributable to a project exceeds a minimum amount established by the Agreement. ~~The value of any incentives granted under this program cannot exceed the~~ public benefit or amount of revenue realized by the City and attributable to the project ~~over a twenty (20) year period~~. ~~must be commensurate with the value of any incentives granted under this program.~~



III. Additional Considerations

Additional factors that can be considered by the City Council in determining whether to authorize an Agreement for incentives as a Chapter 380 Economic Development Program are:

1. The existence and size of the financing gap;
2. The number and types of jobs to be created or retained;
3. The financial capacity of the applicant to undertake and complete the proposed project;
4. The extent to which the project constructs public infrastructure and if the applicant seeks funding for the infrastructure through a reimbursement from increased sales and/or property taxes.
5. Other incentives programs for which the applicant has applied or is qualified;
6. Whether the project is supporting the community's historic preservation goals;
- 6.7. The market conditions and growth potential for the business activity;
- 7.8. The Project's contribution of a service or good that will decrease the likelihood that citizens will travel to other communities to purchase that service or good;
- 8.9. Whether the project makes a financial contribution beyond minimally established requirements that fulfills a strategic priority as determined by the City Council;
- 9.10. Any other factors the City Council finds helpful or relevant to accomplishing the City's economic development objectives.

IV. Application Process

1. An application for consideration as a Program shall be made on forms supplied by the City. An applicant may be required to provide additional information to show compliance with minimum Program requirements. If City staff determines minimum Program requirements have been met, City staff shall prepare and present a proposed Agreement with the applicant to the City Council.
2. The City Council may consider the proposed Agreement and may take action on the proposal as it deems appropriate. Nothing in these Policies and Procedures and nothing in the application form and process shall create any property, contract or other legal right in any person to have the City Council ~~consider approve or grant incentives the Agreement~~.

V. Agreement Terms

An Agreement established for a program must include:

1. A timetable and list ~~of the kind~~ of improvements or development that the Program will include and conditions to assure that the Program meets or exceeds the City's requirements pertaining to property values and revenues, which in no event shall be less than the minimum Program requirements established in ~~Paragraph~~ ~~Section~~ II above;
2. A complete description of the location of the proposed Program or projects included in the Program;
3. A timetable and list ~~of the kind and amount~~ of property values, revenues, incomes or other public benefits that the proposed Program will provide;



4. If public funds are delivered to a project in advance of the City realizing revenue increases from the project (property and sales tax, fees, etc.), the City will require credit enhancement mechanisms to protect the City in the event of a default in an amount and for a term to be determined and approved by the City Council. Such security may include collateral security, Letter of Credit, or a Third-party guarantee in forms approved by the City Attorney;
5. A provision establishing the duration of the Agreement;
6. A provision detailing a limit on the value of any rebates and/or grants of funds for the duration of the Agreement;
7. A provision identifying the method for calculating and sourcing the funding for any grant, loan or other incentives provided in the Agreement;
8. A provision providing a tangible means for measuring whether the applicant and other responsible parties have met their obligations under the Agreement;
9. A provision providing for access to and authorizing inspection of the property and applicant's pertinent business records by municipal employees in order to determine routine compliance with the Agreement;
10. A provision detailing monitoring and reporting requirements of the Owner;
11. A provision for cancellation of the Agreement and/or nonpayment of incentives if the Program is determined to not be in compliance with the Agreement;
12. A provision for recapturing City funds granted or loaned, or for recapturing the value of other public assets granted or loaned, if the applicant does not meet its duties and obligations under the terms of the Agreement;
- ~~13. A provision that allows assignment of the Agreement with prior written approval of the City Council, or without the prior written approval of the City Council provided that:~~
- ~~14.13.~~ A provision that allows assignment of the Agreement with prior written approval of the City Council, or without the prior written approval of the City Council provided that:
 - i. All rights, duties, obligations and liabilities under the Agreement are assigned from the assignor to the assignee; and
 - ii. The assignment is made subject and subordinate to the Agreement and the Chapter 380 Economic Development Program Policies and Procedures; and
 - iii. The assignment document is in a form and contains content acceptable to the City Attorney's Office.
- ~~15.14.~~ Provisions relating to administration, delinquent taxes and indemnification; and
- ~~16.15.~~ A provision that the Agreement may be amended by the parties to the Agreement by using the same procedure for approval as is required for entering into the Agreement; and
- ~~17.16.~~ Such other provisions as the City Council shall deem appropriate.



City Council - Executive Session Agenda Item Report

550 Landa Street
New Braunfels, TX

1/12/2026

Agenda Item No. A)

SUBJECT:

Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code:

1. Project Maiden



City Council - Executive Session Agenda Item Report

550 Landa Street
New Braunfels, TX

1/12/2026

Agenda Item No. B)

Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, specifically:

- Cause No. 2014-0522A; Y.C. Partners Ltd. dba Yantis Company v. City of New Braunfels v. Halff Associates, Inc.