CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING

CITY HALL - COUNCIL CHAMBERS
550 LANDA STREET

MONDAY, APRIL 27, 2026 at 6:00 PM

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

OUR MISSION

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

AGENDA

CALL TO ORDER

CALL OF ROLL: CITY SECRETARY

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

INVOCATION: COUNCILMEMBER CARTER

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

PROCLAMATIONS:

A) Children's Music and Art Instruction Day 26-449

CITIZENS COMMUNICATIONS

This time is for citizens to address the City Council on issues and items of concern not on this agenda. There will be no City Council action at this time. In the interest of protecting the City's network and data, the City is not accepting flash drives or electronic files for use during Citizens Communications. Please use hard copies, the overhead projector or access the City's online digital form to upload electronic files you would like the Mayor and Council to view. The digital form would need to be uploaded two (2) hours prior to the City Council meeting. A link to this form can be accessed on the City Secretary's website. Individuals desiring to speak at citizen's communications should line up behind the podium and be ready to speak.

1. CONSENT AGENDA

All items listed below are considered to be routine and non-controversial by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the consent agenda and considered as part of the normal order of business. Citizens must be present to pull an item.

Action Items

A) Approval of the city council April 6, 2026 special meeting minutes, and the April 13, 2026 regular and executive session meeting minutes. 26-445
Natalie Baker, Deputy City Secretary

B) Approval of the City of New Braunfels FY 2026 First Quarter Investment Report. 26-378
Carren Ridge - Accounting and Treasury Manager

C) Approval of a contract amendment with Emergicon to incorporate Fire Department Billing Cost Recovery Services for the City of New Braunfels Fire Department through EMERGIFIRE LLC. 26-360
Ruy Lozano, Fire Chief

D) Approval to renew certain established annual contracts, as allowed for by their contract language and in accordance with City Charter Section 9.17. 26-390
Julie Gohlke, Assistant Purchasing Manager

E) Approval of FY 2026 budget amendments for the Airport Fund and General Fund- Economic & Community Development Department. 26-385
Karrie Cook, Budget Manager

F) Approval of a settlement agreement between the City of New Braunfels and Joe Henry Tays, Individually and as Independent Executor of the Estate of Frederick Frueholz, Jr., deceased, for the acquisition of the necessary right-of-way as part of the Kohlenberg Road Project and authorization for the City Manager to execute all necessary settlement and conveyance documents. 26-446
Matthew Eckmann, Assistant Director of Public Works

G) Approval of Donation Agreement with New Braunfels Lions Club for Disc Golf Improvements to Prince Solms Park. 26-391
Jeff Bransford, Park Development Manager

Resolutions

H) Approval of a resolution; approving the submission of a grant application to the U.S. Department of Homeland Security, Urban Area Security Initiative (UASI) - Regular Projects grant for Program Year 2026 to request funding towards the purchase of tactical medical unit communications systems, a dive trailer, and two police utility terrain vehicles (UTV's) and their associated trailers, and designation of the City Manager as the grants authorized official, to act on behalf of the City in all matters related to the grant if awarded, and designation of the Director of Finance as the Financial Officer for the grant. 26-437

Christopher Greenwell, Grants Coordinator

I) Approval of a resolution for a Memorandum of Understanding between Comal County and the City of New Braunfels supporting the submission of a grant application for the purchase of updated recruiting materials for the New Braunfels Police Department using a joint allocation of funding provided by the FY 2025 Edward Byrne Memorial Justice Assistance Grant Program - Local Solicitation. 26-422

Christopher Greenwell, Grants Coordinator

J) Approval of a resolution of the New Braunfels City Council authorizing the submission of an application for funding under the Motor Vehicle Crime Prevention Authority Fiscal Year 2027 SB 224 Catalytic Converter Grant Program; designating the City Manager or their designee as Authorized Official to act on behalf of the City in all matters related to the grant, including the execution of all required documentation; and designating Jace Hobbs, or his designee, as Program Director and Sandy Paulos, or her designee, as Financial Officer for the grant if awarded. 26-480

Christopher Greenwell, Grants Coordinator

K) Approval of a resolution adopting the City of New Braunfels Arts & Culture Master Plan. 26-231

Mandi Scott, Economic and Community Development Manager

Ordinances

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

L) Approval of the first reading of an ordinance amending Chapter 138 of the City of New Braunfels Code of Ordinances, related to the New Braunfels Police Department's rotation list system for incident management tows and updating fees charged by tow companies to the vehicle owners. 26-483

Osbaldo Flores, Chief of Police

M) 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, and 900, Block 2, Mayfair - South Ransom Commercial Subdivision, consisting of approximately 10 acres. 26-411

Christopher J. Looney, AICP, Planning Director

Applicant: Comal County WID #3 (Southstar/Mayfair)

N) Approval of a second and final reading of an ordinance updating Section 86-3, "Rules and Regulations for Control of Park and Recreation Areas" of the New Braunfels Code of Ordinances authorizing the city manager to set operating hours for city parks facilities and park concessions. 26-487

Ken Wilson, Parks and Recreation Director

2. INDIVIDUAL ITEMS FOR CONSIDERATION

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

A) Public hearing and first reading of an ordinance, requested by John Holler, to rezone approximately 1.5 acres out of the Baystone Subdivision, Lots 1 and 2, from R-2 AH (Single-Family and Two-Family Airport Hazard District) and R-2 AH SUP (Single-Family and Two-Family Airport Hazard District with a Special Use Permit for Multifamily Use) to C-1A AH (Neighborhood Business Airport Hazard District), currently addressed at 222 and 224 Alves Lane. 26-435

Matthew Simmont, AICP, Planning Manager

Applicant/Owner: John Holler

B) Public hearing and first reading of an ordinance, requested by Killen, Griffin & Farrimond, PLLC on behalf of Farmers Mutual Fire, Leslie Lammers and Tom Tumlinson, Melvin Nolte, Jr, Chad L. Nolte, Sandra J. Nolte, Comal Properties, LLC, and Qdream, LLC, to rezone approximately 2.112 acres out of City Blocks 2004, 2007, and 2014, from C-2 (General Business District), M-1 (Light Industrial District), and M-1 SUP (Light Industrial District with a Special Use Permit for an STR) to MU-B SUP (High Intensity Mixed Use District with a Special Use Permit), currently addressed at 342, 352, & 353 East Bridge Street, 343 & 353 East Mill Street, 218, 232, 266, & 288 North Market Avenue, and 309 & 351 East San Antonio Street. 26-273

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

C) Public hearing and first reading of an ordinance, requested by Monica Mason, on behalf of Brett Baer, to rezone approximately 0.2 of an acre out of the City Block Subdivision 5068, Lot 5, from R-3 (Multifamily District) to R-3 SUP (Multifamily District with a Special Use Permit to allow a Short-Term Rental of a Residence), currently addressed at 226 North Liberty Avenue. 26-454

Christopher J. Looney, AICP, Planning Director
Applicant: Monica L Mason
Owner: Brett Baer

D) Public hearing and first reading of an ordinance, requested by Nicolas Vargas, to rezone approximately 0.25 of an acre out of the City Block Subdivision 1073, Lot 11, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit to allow a Short-Term Rental of a Residence), currently addressed at 182 Perryman Street. 26-441

Matthew Simmont, AICP, Planning Manager
Applicant/Owner: Nicolas Vargas

PRESENTATIONS:

A) Second annual update on the City's 2024-2029 Strategic Plan. 26-474

Jordan Matney, Deputy City Manager
Jared Werner, Assistant City Manager

3. EXECUTIVE SESSION

In accordance with the Open Meetings Act, Texas Government Code, Ch. 551.071, the City Council may convene in a closed session to discuss any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

A) Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, specifically: 26-484

a. Discuss Legal Options Relating to the Status of Real Estate Negotiations to Secure Necessary Right-of-Way for the Kohlenberg Road Improvements Project:
i. a 1.034 Acre (45,040 square foot) tract of land and a 0.581 acre (25,301 square foot) temporary construction easement in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 71705).
ii. a 0.576 Acre (25,077 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 428468).
b. Cause No. 2025CV0719; City of New Braunfels v. Joe Henry Tays, Individually and as Independent Executor of the Estate of Frederick Frueholz, Jr. (Deceased)

B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code: 26-485
1. Texas State Technical College

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

ADJOURNMENT

TAXPAYER IMPACT STATEMENT:

TAXPAYER IMPACT STATEMENT

Comal County & Guadalupe County

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

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

2024 Value of Median-Valued Homestead Property in **Comal County**	$ 349,106
2024 Property Tax Bill for the Current Fiscal Year ($0.0.408936)	$ 1,428
2025 Value of Median-Valued Homestead Property in **Comal County**	$ 354,783
Estimated 2025 Property Tax Bill for the Upcoming Fiscal Year if the City Adopts the Proposed Budget and Tax Rate ($0.408936 per $100 of value)	$ 1,451
Estimated 2025 Property Tax Bill for the Upcoming Fiscal Year if the City Adopts a Balanced Budget Funded at the No-New-Revenue Tax Rate ($.409475 per $100 of value)	$ 1,453

2024 Value of Median-Valued Homestead Property in **Guadalupe County**	$ 331,133
2024 Property Tax Bill for the Current Fiscal Year ($0.0.408936)	$ 1,354
2025 Value of Median-Valued Homestead Property in **Guadalupe County**	$ 311,795
Estimated 2025 Property Tax Bill for the Upcoming Fiscal Year if the City Adopts the Proposed Budget and Tax Rate ($0.408936 per $100 of value)	$ 1,275
Estimated 2025 Property Tax Bill for the Upcoming Fiscal Year if the City Adopts a Balanced Budget Funded at the No-New-Revenue Tax Rate ($.409475 per $100 of value)	$ 1,277

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

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.

Agenda Item No. A)

City of New Braunfels

Proclamation

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

WHEREAS, the Jean & Sue McLane community arts program of New Braunfels, Inc. is celebrating its 11th anniversary in providing weekly, free, one-on-one professional instruction to special elementary school children in piano, guitar, violin, singing and music; and

WHEREAS, this program's mission is to promote creativity and confidence in these children through personal expression by learning to play musical instruments, group singing and art lessons; and

WHEREAS, by fostering cognitive, social and emotional development, this program empowers students to discover their unique talents and express themselves with confidence; and

WHEREAS, the program cultivates a sense of pride and self-awareness while building lifelong skills that extend far beyond the arts; and

WHEREAS, teachers, parents and the students themselves have acknowledged the personal advancement of the children in this program; and

WHEREAS, just as participation in sports such as football, basketball, baseball, tennis, swimming and all other such activities are known to enrich a child's growth and ability to develop lifelong mature habits, so equally does exposure to and participation in the performance on musical instruments, in singing and creation in art; and

WHEREAS, the Jean & Sue McLane Community Arts Program of New Braunfels, Inc. stands as a testament to the transformative powers of the arts, helping young people overcome challenges, build resilience, and realize their full potential as human beings and citizens in our community; and

WHEREAS, this organization will celebrate this anniversary by having its annual children's recital and art exhibition on Tuesday, May 5, 2026, at 6:00 p.m. in the Parish Hall of St. John's Episcopal Church, 312 South Guenther Avenue, New Braunfels, Texas; and

WHEREAS, the public is cordially invited to attend the recital and art exhibition and to enjoy refreshments thereafter.

NOW THEREFORE, be it resolved, that I, Neal Linnartz, Mayor of the City of New Braunfels, Texas, hereby proclaim May 5, 2026, as

"Children's Music and Art Instruction Day"

in New Braunfels, and I encourage all citizens to recognize and celebrate this important date.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 27th day of April 2026.

CITY OF NEW BRAUNFELS

_____
NEAL LINNARTZ, Mayor

Agenda Item No. A)

PRESENTER:
Natalie Baker, Deputy City Secretary

SUBJECT:
Approval of the city council April 6, 2026 special meeting minutes, and the April 13, 2026 regular and executive session meeting minutes.

DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL - SPECIAL
REGULAR MEETING OF MONDAY, APRIL 6, 2026

CALL TO ORDER

Mayor Linnartz called the meeting to order at 5:00 p.m.

CALL OF ROLL: CITY SECRETARY

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

INVOCATION: MAYOR PRO TEM SPRADLEY

Mayor Pro Tem Spradley 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.

1. WORKSHOP

A) Presentation and update on Phase 1 of the ongoing Civic/Convention Center expansion feasibility analysis.

Mayor Linnartz read the aforementioned item.

Jared Werner introduced this item to council and Brandon Dowline of Johnson Consulting, who presented this item to council using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Richard Kelsheimer, Larry Lane

B) Presentation and discussion on the Arts & Culture Master Plan

Mayor Linnartz read the aforementioned item.

Mandi Scott introduced this item to council and introduced Jasmine Metcalf, who presented this item to council using a presentation and answered questions.

Mandi Scott answered questions from council as well.

The following individuals spoke at this time: Patrick Wynn, Marty Leonard, Jason Irle, Larry Johnson, Johnny Duncan, Cece Cummings, Hailey Rutledge, Clarisa DeSanto, Michelle Castilleja, Cheryl Fischer

C) Presentation and Annual Update for the New Braunfels Housing Authority

Mayor Linnartz read the aforementioned item.

Henry Alvarez presented this item to council using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Jim Holster

D) Presentation of RightSite Program

Mayor Linnartz read the aforementioned item.

Chief Lozano presented this item to council using a powerpoint presentation and answered questions. A representative of RiteSite, Larry Movick also answered questions from council.

E) Presentation and update on the Transportation & Construction Services Department reorganization.

Mayor Linnartz read the aforementioned item.

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

2. EXECUTIVE SESSION

In accordance with the Open Meetings Act, Texas Government Code, Ch. 551.071, the City Council may convene in a closed session to discuss any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

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

There were no executive session items.

No action was taken at this time.

4. ADJOURNMENT

Mayor Linnartz adjourned at 8:16 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

_____
GAYLE WILKINSON, CITY SECRETARY

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

CALL TO ORDER

Mayor Linnartz called the meeting to order at 6:00 p.m.

CALL OF ROLL: CITY SECRETARY

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

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

INVOCATION: COUNCILMEMBER LABOWSKI

Councilmember Labowski provided the invocation.

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

Mayor Linnartz led the Pledge of Allegiance and the Salute to the Texas Flag.

PROCLAMATIONS:

A) Apraxia Awareness

Mayor Linnartz read the aforementioned proclamation.

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

B) Child Abuse Awareness & Prevention Month

Mayor Linnartz read the aforementioned proclamation.

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

C) Sexual Assault Awareness Month

Mayor Linnartz read the aforementioned proclamation.

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

CITIZENS COMMUNICATIONS

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No one spoke at this time.

1. CONSENT AGENDA

All items listed below are considered to be routine and non-controversial by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the consent agenda and considered as part of the normal order of business. Citizens must be present to pull an item.

Action Items

A) Approval of the city council March 9, 2026 regular and executive session meeting minutes, and the March 23, regular and executive session meeting minutes.

B) Approval of an FY 2026 budget amendment for the General Fund-Communications and Non-Departmental Departments.

C) Approval of an FY 2026 budget amendment for the General Fund-Parks Department.

D) Approval of a contract award for the Landa Park Golf Course Bunker Renovation Project to Landscapes Unlimited, LLC.

E) Approval of an expenditure of up to $1,300,000 for the acquisition of the necessary right-of-way and easements as part of the Common Street Project and authorization for the City Manager to execute all necessary conveyance documents.

F) Approval of an amendment to the lease agreement between the City of New Braunfels and New Braunfels Waterpark, LLC.

G) Approval of the second amendment between the City of New Braunfels and CEMEX Construction Materials South, LLC, a Delaware limited

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

H) Approval of the purchase of vehicles and Equipment with Bluebonnet Motors Ford, United Ag & Turf, Hill Country Outdoor Power, Ewald Kubota, Doggett Freightliner of Austin, and North Texas Trailers for the Drainage Division in the Public Works Department.

I) Approval of an expenditure of up to $600,000 for the acquisition of the necessary right-of-way and easements as part of the Kohlenberg Road Project and authorization for the City Manager to execute all necessary conveyance documents.

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

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

Resolutions

K) Approval of a resolution supporting a collaborative effort between the City of New Braunfels, the City of Seguin, and Texas State University for a Workforce Study in Comal and Guadalupe Counties.

L) Approval of a resolution suspending for 45 days the effective date of the gas utility rate increase under the Gas Reliability Infrastructure Program proposed by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas - South Texas Division; and authorizing the City's continued participation in the Alliance of CenterPoint Municipalities.

M) Approval of a resolution of the City Council of the City of New Braunfels, Texas, renewing and amending the Meet and Confer Agreement between the City and the New Braunfels Police Officers' Association (NBPOA) for a term ending on September 30, 2028.

N) Approval of a resolution authorizing the reallocation of $202,500 in funding from the U.S. Department of the Treasury's Coronavirus State and Local Fiscal Recovery Funds Program under the American Rescue Plan Act to support existing Public Transportation and Pedestrian Mobility projects, due to a nonprofit grantee's requested withdrawal, and authorizing the City Manager to act on behalf of the

City in all related matters

O) Approval of a resolution of the City Council of the City of New Braunfels, Texas approving participation in a settlement agreement between the State of Texas and six regional distributors/dispenser defendants (Remnant Defendants Settlement): Associated Pharmacies, Inc. (and American Associated Pharmacies); J M Smith Corporation; Louisiana Wholesale Drug Company, Inc.; Morris and Dickson Co.; North Carolina Mutual Wholesale Drug Company, Inc.; and United Natural Foods, Inc. (including its subsidiaries SuperValu and Advantage Logistics); and authorizing the city manager to execute the Combined Subdivision Participation and Release Form.

P) Approval of a resolution authorizing the City Manager to enter into an amended Advanced Funding Agreement between the City of New Braunfels and Texas Department of Transportation for the Barbarosa Road/Saur Lane Improvement project funded by the Alamo Area Metropolitan Planning Organization Surface Transportation Block Grant fund.

Ordinances

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

Q) Approval of the first reading of an ordinance updating Section 86-3, “Rules and Regulations for Control of Park and Recreation Areas” of the New Braunfels Code of Ordinances authorizing the city manager to set operating hours for city parks facilities and park concessions.

R) Approval of the first reading of an ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lots 1, 2, and 900, Block 2, Mayfair - South Ransom Commercial Subdivision, consisting of approximately 10 acres.

S) Approval of the second and final reading of an ordinance requested by Henry Espinoza, to rezone approximately 2.3 acres out of the AM Esnaurizar Survey, Abstract 20, from APD AH (Agricultural/Pre-Development, Airport Hazard Overlay District) to M-1A AH (Light Industrial, Airport Hazard Overlay District), currently addressed at 1752 and 1756 Saur Lane.

T) Approval of the second and final reading of an ordinance establishing the number of positions in each classification and allowing over hires in the Police Department pursuant to Local Government Code,

Chapter 143.

U) Approval of the second and final reading of an ordinance abandoning a 0.302-acre portion of right-of-way for a water lane, located between West San Antonio Street and Loop 337.

V) Approval of the second and final reading of an ordinance in consideration of the Tourism Public Improvement District (TPID) assessment; approving the service plan for the district; authorizing an agreement between the City , The Greater New Braunfels Chamber of Commerce, Inc., and the New Braunfels Tourism Public Improvement District Corporation regarding the management of the district; and appropriating $320,000 in revenue to the district for 2026; and amending the FY 2026 Adopted Budget to create the new Tourism Public Improvement District Special Revenue Fund.

W) Approval of the second and final reading of an ordinance repealing Section 2-121, of Chapter 2 of the New Braunfels Code of Ordinances, eliminating references to the Downtown Development Board.

X) Approval of the second and final reading of an ordinance amending the Code of Ordinances, Chapter 126, Sec. 126-381(b), related to the river area parking zones by adding exceptions to enforcement for disabled parking plates and placards.

Y) Approval of the second and final reading of an ordinance amending the Code of Ordinances, Chapter 86, Section 86-4 to prohibit public entry to the Comal River Old Channel from City owned property.

Approval of the Consent Agenda

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

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

2. INDIVIDUAL ITEMS FOR CONSIDERATION

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

A) Discuss and consider a resolution declaring expectation to reimburse expenditures with proceeds of future debt for the acquisition,

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

Mayor Linnartz read the aforementioned item.

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

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

PRESENTATIONS

A) Presentation and Recommended Revisions to the Towing Ordinance.

Mayor Linnartz read the aforementioned item.

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

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

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

No action was taken at this time.

TAXPAYER IMPACT STATEMENT

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

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

2024 Value of Median-Valued Homestead Property in Comal County.....$ 349,106
2024 Property Tax Bill for the Current Fiscal Year ($0.0.408936).....$ 1,428
2025 Value of Median-Valued Homestead Property in Comal County.....$ 354,783
Estimated 2025 Property Tax Bill for the Upcoming Fiscal Year if the City Adopts the Proposed Budget and Tax Rate ($0.408936 per $100 of value)...$ 1,451
Estimated 2025 Property Tax Bill for the Upcoming Fiscal Year if the City Adopts a Balanced Budget Funded at the No-New-Revenue Tax Rate ($.409475 per $100 of value).....$ 1,453

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

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In accordance with the Open Meetings Act, Texas Government Code, Ch. 551.071, the City Council may convene in a closed session to discuss any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

A) Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, specifically:

· Cause No. 2025CV0719; City of New Braunfels v. Joe Henry Tays, Individually and as Independent Executor of the Estate of Frederick Frueholz, Jr. (Deceased)

B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code:

1. Project Casa

C) Deliberate the appointment, evaluation, duties, discipline, or removal of the City Attorney in accordance with Section 551.074 of the Texas Government Code.

I-1) Approval of an expenditure of up to $600,000 for the acquisition of the necessary right-of-way and easements as part of the Kohlenberg Road Project and authorization for the City Manager to execute all necessary conveyance documents.

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

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

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

City Council did not reconvene back into open session.

No action was taken at this time.

ADJOURNMENT

Mayor Linnartz adjourned at 7:23 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

_____
GAYLE WILKINSON, CITY SECRETARY

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

CALL TO ORDER

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

CALL OF ROLL: CITY SECRETARY

Councilmember Carter arrived at 5:01 p.m.

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 pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, specifically:

· Cause No. 2025CV0719; City of New Braunfels v. Joe Henry Tays, Individually and as Independent Executor of the Estate of Frederick Frueholz, Jr. (Deceased)

B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code:

1. Project Casa

C) Deliberate the appointment, evaluation, duties, discipline, or removal of the City Attorney in accordance with Section 551.074 of the Texas Government Code.

Mayor Linnartz read the aforementioned executive session items.

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

DRAFT

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

City Council reconvened back into open session at 5:26 p.m.

No action was taken at this time.

ADJOURNMENT

Mayor Linnartz ajourned at 5:27 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

_____
GAYLE WILKINSON, CITY SECRETARY

DRAFT

6PRESENTER:
Carren Ridge - Accounting and Treasury Manager

SUBJECT:
Approval of the City of New Braunfels FY 2026 First Quarter Investment Report.

DEPARTMENT: Finance

COUNCIL DISTRICTS IMPACTED: N/A

BACKGROUND INFORMATION:
In compliance with State of Texas statutes, municipalities are required to present quarterly investment reports to their governing bodies. Additionally, the City Council's annually adopted Investment Policy mandates quarterly reporting to the Council.

Submitted for the Council's review and consideration is the FY 2026 First Quarter Investment Report, fulfilling these statutory and policy requirements. As of December 31, 2025, the City's investment portfolio held a market value of $224,286,613, comprised of various investment instruments shown below, including cash. This reflects a decrease of $25,441,923 compared to the fourth quarter of FY 2025. This decrease is primarily attributed to disbursements for capital projects.

Investment Type		Amount Invested ($ in Millions)
CDs	$	9
Agencies	$	10
Treasuries	$	3
Pools	$	186
Cash	$	17
Total Investments	**$**	**224**

Weighted Average Maturity of Portfolio		**32 days**
Weighted Average Yield for Portfolio		**3.69%**
Earned Income QTR	**$**	**2,124,404**
Earned Income FYTD	**$**	**2,124,404**

The weighted average maturity of the City's investment portfolio decreased by 7 days during the FY 2026 first

quarter, compared to the fourth quarter of FY 2025. The decrease is due to the maturity of a short-term CD.

The weighted average yield experienced a decline of 0.08 percentage points in comparison to the fourth quarter of FY 2025. This reduction is largely attributable to a downward shift in prevailing market interest rates during the quarter. Market conditions during this period were influenced by policy adjustments and broader economic factors, leading to lower yields across short- and medium-term investment instruments. Despite this decline, the portfolio continues to adhere to the City's objectives of safety, liquidity, and yield optimization within statutory and policy guidelines.

STRATEGIC PLAN REFERENCE:
Strategic Priority: Organizational Excellence
Objective: Considering statutory and market-based factors, continue to diversify revenue streams to support long-term fiscal sustainability of the organization.

FISCAL IMPACT:
N/A
RECOMMENDATION:
Staff recommend approval of the attached investment report.

City of New Braunfels

Investment Report

FY 2026 First Quarter

October - December 2025

City of New Braunfels
550 Landa St.
New Braunfels, TX 78130
(830)221-4369

City of New Braunfels
Portfolio Management
Portfolio Summary
December 31, 2025

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM/C 365 Equiv.
Non-Neg CD's	8,500,000.00	8,500,000.00	8,500,000.00	3.79	375	238	3.931
Federal Agency Coupon Securities	10,500,000.00	10,430,777.50	10,308,431.36	4.60	718	455	3.762
Treasury Coupon Securities	2,500,000.00	2,501,187.50	2,503,525.00	1.12	561	104	3.654
TexPool	135,169,667.70	135,169,667.70	135,169,667.70	60.30	1	1	3.827
Texas Class	26,507,566.23	26,507,566.23	26,507,566.23	11.82	1	1	3.736
Texas FIT	23,971,731.76	23,971,731.76	23,971,731.76	10.69	1	1	3.720
Frost Bank	17,205,682.60	17,205,682.60	17,205,682.60	7.68	1	1	2.291
Investments	**224,354,648.29**	**224,286,613.29**	**224,166,604.65**	**100.00%**	**54**	**32**	**3.686**

Total Earnings	December 31 Month Ending	Fiscal Year To Date
Current Year	690,295.82	2,124,404.01
Average Daily Balance	**264,710,635.38**	**249,211,992.38**
Effective Rate of Return	**3.07%**	**3.38%**

This report fairly represents the investment standing of the City of New Braunfels. We believe the data presented is accurate in all material respects, and is presented in a manner that fairly sets forth the investment standing of the City of New Braunfels.

This report was prepared in compliance with the State of Texas "Public Funds Investment Act" and the City of New Braunfels "Investment Policy".

Carren Ridge
Carren Ridge, Accounting and Treasury Manager

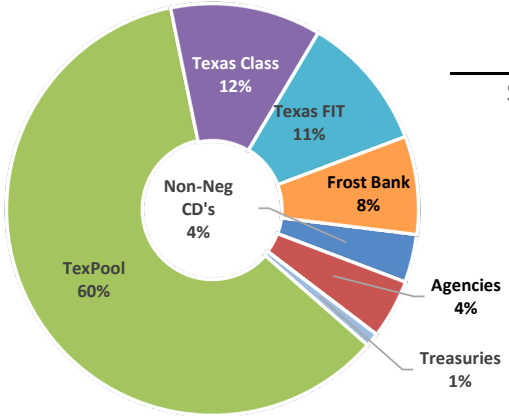
Becky Wiatrek
Becky Wiatrek, Assistant Finance Director

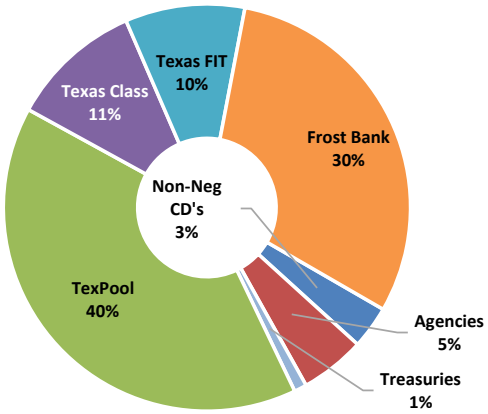
Sandy Paulos
Sandy Paulos, Finance Director

City of New Braunfels
550 Landa Street
New Braunfels, TX 78130
(830) 221-4369

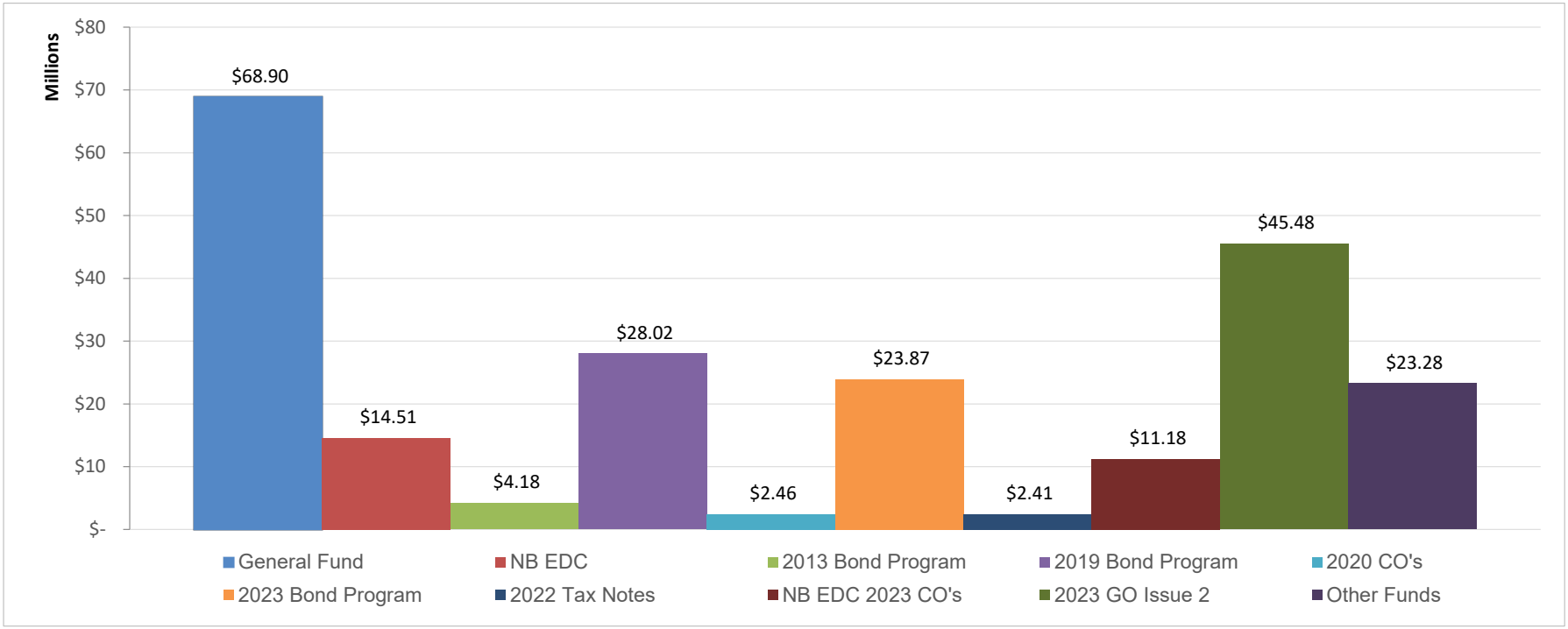
Portfolio Statistics

	Current 12/31/25	Prior 9/30/25
Market Value	$224,286,613.29	$249,728,536.18
Weighted Average Maturity	32 days	39 days
Weighted Average Yield	3.686%	3.765%





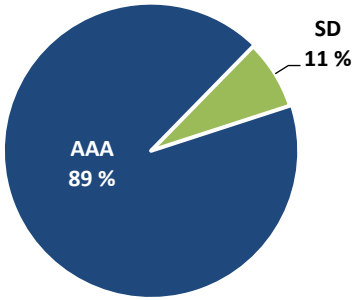
Market Value by Fund



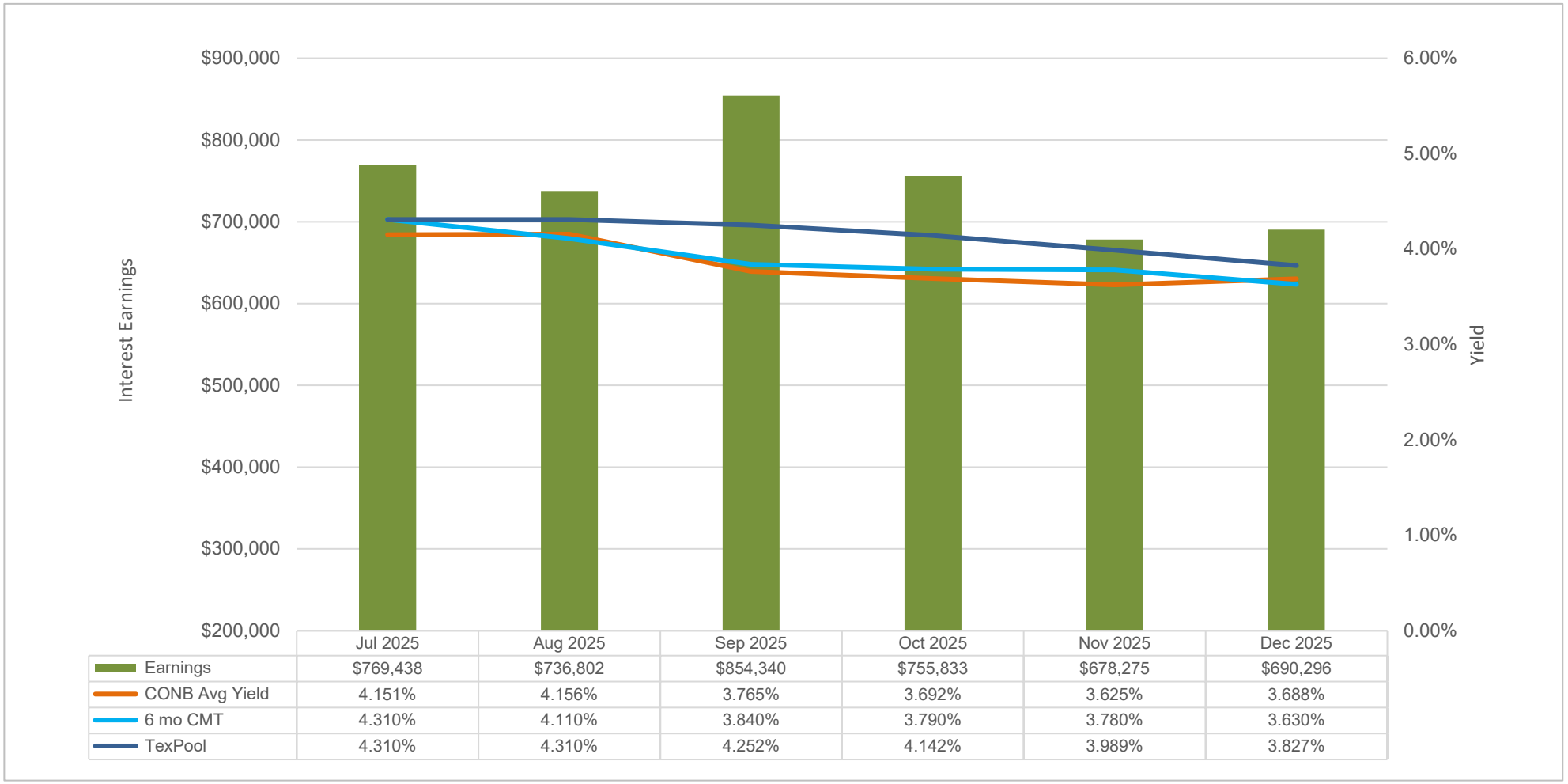
City of New Braunfels
550 Landa Street
New Braunfels, TX 78130
(830) 221-4387

Rating Distribution	Book Value	Allocation Percentage	Rating
Secured Deposits	$ 25,705,682.60	11.47%	SD
Investment Pools	$ 185,648,965.69	82.82%	AAA
Federal Agencies/Treasuries	$ 12,811,956.36	5.71%	AAA
	$224,166,604.65	**100.00%**	

Allocation by Rating



Earnings History



	Jul 2025	Aug 2025	Sep 2025	Oct 2025	Nov 2025	Dec 2025
Earnings	$769,438	$736,802	$854,340	$755,833	$678,275	$690,296
CONB Avg Yield	4.151%	4.156%	3.765%	3.692%	3.625%	3.688%
6 mo CMT	4.310%	4.110%	3.840%	3.790%	3.780%	3.630%
TexPool	4.310%	4.310%	4.252%	4.142%	3.989%	3.827%

City of New Braunfels
Investment Portfolio Detail
as of December 31, 2025

CUSIP / Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	Days to Maturity	YTM/C	Market Price	Market Date	Maturity Date
General Fund											
Federal Agency Coupon Securities											
3133ERVU2	Federal Farm Credit Bnk	10/2/2024	2,500,000.00	2,498,387.50	2,497,600.00	3.500	274	3.550	99.936	12/31/2025	10/2/2026
3135G06L2	Federal National Mtg Assn	12/20/2024	3,000,000.00	2,924,460.00	2,803,950.00	0.875	351	4.330	97.482	12/31/2025	12/18/2026
Frost Bank											
FROST	Frost Bank	10/1/2021	2,724,068.13	2,724,068.13	2,724,068.13	0.750	1	0.750			
FROST REPO	Frost Bank	1/11/2023	13,258,000.00	13,258,000.00	13,258,000.00	2.750	1	2.750			
Non-Neg CD's											
1031437098	Bank of America-CDARS	7/3/2025	1,322,500.00	1,322,500.00	1,322,500.00	4.143	182	4.143			7/2/2026
1031835565	Bank of America-CDARS	9/11/2025	800,000.00	800,000.00	800,000.00	3.595	616	3.595			9/9/2027
1031886127	Bank of America-CDARS	9/18/2025	1,200,000.00	1,200,000.00	1,200,000.00	3.537	623	3.537			9/16/2027
TexPool											
7883900001	TexPool	10/1/2021	41,667,476.39	41,667,476.39	41,667,476.39	3.827	1	3.827			
Treasury Coupon Securities											
91282CGV7	U.S. Treasury	10/1/2024	2,500,000.00	2,501,187.50	2,503,525.00	3.750	104	3.654	100.0475	12/31/2025	4/15/2026
			$68,972,044.52	**$68,896,079.52**	**$68,777,119.52**						
2023 GO Issuance 2 (2025 GO)											
Federal Agency Coupon Securities											
3133ETVJ3	Federal Farm Credit Bnk	9/19/2025	5,000,000.00	5,007,930.00	5,006,881.36	3.625	603	3.550	100.1586	12/31/2025	8/27/2027
TexPool											
7883900034	TexPool	9/4/2025	40,472,715.87	40,472,715.87	40,472,715.87	3.827	1	3.827			
			$45,472,715.87	**$45,480,645.87**	**$45,479,597.23**						
NB Development Authority											
Frost Bank											
RESERVE	Frost Bank	10/1/2021	1,223,614.47	1,223,614.47	1,223,614.47	0.750	1	0.750			
TexPool											
7883900019	TexPool	10/1/2021	845,385.94	845,385.94	845,385.94	3.827	1	3.827			
			$2,069,000.41	**$2,069,000.41**	**$2,069,000.41**						
NB EDC											
Texas Class											
TX-01-0331-4004	Texas Class	10/1/2021	14,511,581.15	14,511,581.15	14,511,581.15	3.736	1	3.736			
			$14,511,581.15	**$14,511,581.15**	**$14,511,581.15**						
Grant Fund - ARPA											
Texas FIT											
1379800056	Texas FIT	10/1/2021	104,253.63	104,253.63	104,253.63	3.720	1	3.720			
			$104,253.63	**$104,253.63**	**$104,253.63**						
Equipment Repl Fund											
TexPool											
7883900022	TexPool	10/1/2021	1,138,863.92	1,138,863.92	1,138,863.92	3.827	1	3.827			
			$1,138,863.92	**$1,138,863.92**	**$1,138,863.92**						

City of New Braunfels
Investment Portfolio Detail
as of December 31, 2025

CUSIP / Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	Days to Maturity	YTM/C	Market Price	Market Date	Maturity Date
Rec Center Ops & Maint											
TexPool											
7883900032	TexPool	3/1/2025	981,391.19	981,391.19	981,391.19	3.827	1	3.827			
			$981,391.19	**$981,391.19**	**$981,391.19**						
2008 CO's											
TexPool											
7883900005	TexPool	10/1/2021	412,743.35	412,743.35	412,743.35	3.827	1	3.827			
			$412,743.35	**$412,743.35**	**$412,743.35**						
Roadway Dev Fund											
Texas Class											
TX-01-0331-4003	Texas Class	10/1/2021	6,346,703.69	6,346,703.69	6,346,703.69	3.736	1	3.736			
			$6,346,703.69	**$6,346,703.69**	**$6,346,703.69**						
2013 Bond Program											
TexPool											
7883900012	TexPool	10/1/2021	897.85	897.85	897.85	3.827	1	3.827			
7883900015	TexPool	10/1/2021	4,176,820.50	4,176,820.50	4,176,820.50	3.827	1	3.827			
			$4,177,718.35	**$4,177,718.35**	**$4,177,718.35**						
2014 Capital Projects											
TexPool											
7883900013	TexPool	10/1/2021	50.08	50.08	50.08	3.827	1	3.827			
7883900014	TexPool	10/1/2021	1,814.92	1,814.92	1,814.92	3.827	1	3.827			
			$1,865.00	**$1,865.00**	**$1,865.00**						
2019 Bond Program											
Non-Neg CD's											
1031437071	Bank of America-CDARS	7/3/2025	1,000,000.00	1,000,000.00	1,000,000.00	4.277	1	4.277			1/2/2026
1031835514	Bank of America-CDARS	9/11/2025	1,000,000.00	1,000,000.00	1,000,000.00	3.942	70	3.942			3/12/2026
1031835549	Bank of America-CDARS	9/11/2025	1,000,000.00	1,000,000.00	1,000,000.00	3.749	252	3.749			9/10/2026
TexPool											
7883900017	TexPool	10/1/2021	25,017,429.57	25,017,429.57	25,017,429.57	3.827	1	3.827			
			$28,017,429.57	**$28,017,429.57**	**$28,017,429.57**						
2020 CO's											
TexPool											
7883900028	TexPool	10/1/2021	2,460,977.04	2,460,977.04	2,460,977.04	3.827	1	3.827			
			$2,460,977.04	**$2,460,977.04**	**$2,460,977.04**						
2023 Bond Program											
Texas FIT											
1379800060	Texas FIT	10/1/2021	730,039.97	730,039.97	730,039.97	3.720	1	3.720			
1379900099	Texas FIT	10/4/2023	23,137,438.16	23,137,438.16	23,137,438.16	3.720	1	3.720			
			$23,867,478.13	**$23,867,478.13**	**$23,867,478.13**						

City of New Braunfels
Investment Portfolio Detail
as of December 31, 2025

CUSIP / Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	Days to Maturity	YTM/C	Market Price	Market Date	Maturity Date
2022 Tax Notes											
TexPool											
7883900029	TexPool	9/13/2022	2,413,094.56	2,413,094.56	2,413,094.56	3.827	1	3.827			
			$2,413,094.56	**$2,413,094.56**	**$2,413,094.56**						
2023 Tax Notes											
TexPool											
7883900031	TexPool	10/4/2023	200,588.27	200,588.27	200,588.27	3.827	1	3.827			
			$200,588.27	**$200,588.27**	**$200,588.27**						
2024 Tax Notes											
TexPool											
7883900033	TexPool	3/1/2025	1,033,043.46	1,033,043.46	1,033,043.46	3.827	1	3.827			
			$1,033,043.46	**$1,033,043.46**	**$1,033,043.46**						
NBEDC 2023 CO's											
TexPool											
7883900030	TexPool	10/4/2023	11,181,534.97	11,181,534.97	11,181,534.97	3.827	1	3.827			
			$11,181,534.97	**$11,181,534.97**	**$11,181,534.97**						
Debt Service Fund											
Texas Class											
TX-01-0331-4001	Texas Class	10/1/2021	3,073,512.78	3,073,512.78	3,073,512.78	3.736	1	3.736			
			$3,073,512.78	**$3,073,512.78**	**$3,073,512.78**						
Solid Waste Fund											
Non-Neg CD's											
1031972228	Bank of America-CDARS	10/2/2025	1,000,000.00	1,000,000.00	1,000,000.00	3.893	1	3.970			1/2/2026
TexPool											
7883900025	TexPool	10/1/2021	3,127,231.50	3,127,231.50	3,127,231.50	3.827	1	3.827			
			$4,127,231.50	**$4,127,231.50**	**$4,127,231.50**						
Self Insurance Fund											
Texas Class											
TX-01-0331-4002	Texas Class	10/1/2021	2,575,768.61	2,575,768.61	2,575,768.61	3.736	1	3.736			
			$2,575,768.61	**$2,575,768.61**	**$2,575,768.61**						
HOT/Motel Fund											
Non-Neg CD's											
1031437098	Bank of America-CDARS	7/3/2025	1,177,500.00	1,177,500.00	1,177,500.00	4.143	182	4.143			7/2/2026
TexPool											
7883900008	TexPool	10/1/2021	37,608.32	37,608.32	37,608.32	3.827	1	3.827			
			$1,215,108.32	**$1,215,108.32**	**$1,215,108.32**						
		Total	**224,354,648.29**	**224,286,613.29**	**224,166,604.65**						

City of New Braunfels
550 Landa St.
New Braunfels, TX 78130
(830)221-4369

City of New Braunfels
Texas Compliance Change in Val Report
Sorted by Fund
October 1, 2025 - December 31, 2025

Inv # / Cusip	Issuer / Par Value	Fund / YTM	Purch Date / Mat Date	Interest Accrual / Interest Received	Beginning Book Value / Beginning Market Value	Purchases/ Additions	Redemptions	Change in Value	Ending Book Value / Ending Market Value
Fund: General Fund									
10018	TXCLS	101	02/28/2022	0.00	0.00	0.00	0.00	0.00	0.00
TX-01-0331-0001	0.00	0.000	/ /	0.00	0.00	0.00	0.00	0.00	0.00
10019	TXPOOL	101	10/01/2021	128,611.01	7,538,865.38	34,128,611.01	0.00	34,128,611.01	41,667,476.39
7883900001	41,667,476.39	3.827	/ /	128,611.01	7,538,865.38	34,128,611.01	0.00	34,128,611.01	41,667,476.39
10034	FRST	101	10/01/2021	138.38	2,538,945.50	185,261.01	0.00	185,122.63	2,724,068.13
FROST	2,724,068.13	0.750	/ /	138.38	2,538,945.50	185,261.01	0.00	185,122.63	2,724,068.13
10058	FRST	101	01/11/2023	386,045.35	71,981,000.00	386,045.35	58,723,000.00	-58,723,000.00	13,258,000.00
FROST REPO	13,258,000.00	2.750	/ /	386,045.35	71,981,000.00	386,045.35	58,723,000.00	-58,723,000.00	13,258,000.00
10085	FAMCA	101	06/27/2024	0.00	2,499,375.00	0.00	2,500,000.00	-2,499,375.00	0.00
31424WJW3	0.00	0.000	06/05/2026	0.00	2,499,375.00	0.00	2,500,000.00	-2,499,375.00	0.00
10096	FNMA	101	12/20/2024	6,562.50	2,803,950.00	0.00	0.00	0.00	2,803,950.00
3135G06L2	3,000,000.00	4.330	12/18/2026	13,125.00	2,901,177.00	0.00	0.00	23,283.00	2,924,460.00
10097	FFCB	101	10/02/2024	21,875.00	2,497,600.00	0.00	0.00	0.00	2,497,600.00
3133ERVU2	2,500,000.00	3.550	10/02/2026	43,750.00	2,495,760.00	0.00	0.00	2,627.50	2,498,387.50
10099	USTR	101	10/01/2024	23,675.36	2,503,525.00	0.00	0.00	0.00	2,503,525.00
91282CGV7	2,500,000.00	3.654	04/15/2026	46,875.00	2,498,945.00	0.00	0.00	2,242.50	2,501,187.50
10107	CDARS	101	07/03/2025	13,811.07	1,322,500.00	0.00	0.00	0.00	1,322,500.00
1031437098	1,322,500.00	4.143	07/02/2026	14,153.36	1,322,500.00	0.00	0.00	0.00	1,322,500.00
10109	CDARS	101	09/11/2025	7,248.68	800,000.00	0.00	0.00	0.00	800,000.00
1031835565	800,000.00	3.594	09/09/2027	7,259.31	800,000.00	0.00	0.00	0.00	800,000.00
10112	CDARS	101	09/18/2025	10,697.82	1,200,000.00	0.00	0.00	0.00	1,200,000.00
1031886127	1,200,000.00	3.536	09/16/2027	10,713.27	1,200,000.00	0.00	0.00	0.00	1,200,000.00

Inv # / Cusip	Issuer / Par Value	Fund / YTM	Purch Date / Mat Date	Interest Accrual / Interest Received	Beginning Book Value / Beginning Market Value	Purchases/ Additions	Redemptions	Change in Value	Ending Book Value / Ending Market Value
Sub Totals For: Fund: General Fund				598,665.17	95,685,760.88	34,699,917.37	61,223,000.00	-26,908,641.36	68,777,119.52
				650,670.68	95,776,567.88	34,699,917.37	61,223,000.00	-26,880,488.36	68,896,079.52
Fund: 2023 GO Issuance 2 (									
10113	FFCB	2023 GO	09/19/2025	45,312.50	5,006,881.36	0.00	0.00	0.00	5,006,881.36
3133ETVJ3	5,000,000.00	3.550	08/27/2027	0.00	4,997,525.00	0.00	0.00	10,405.00	5,007,930.00
10114	TXPOOL	2023 GO	09/04/2025	403,892.39	40,068,823.48	403,892.39	0.00	403,892.39	40,472,715.87
7883900034	40,472,715.87	3.827	/ /	403,892.39	40,068,823.48	403,892.39	0.00	403,892.39	40,472,715.87
Sub Totals For: Fund: 2023 GO Issuance 2 (				449,204.89	45,075,704.84	403,892.39	0.00	403,892.39	45,479,597.23
				403,892.39	45,066,348.48	403,892.39	0.00	414,297.39	45,480,645.87
Fund: NB Development Autho									
10020	TXPOOL	211	10/01/2021	8,436.51	836,949.43	8,436.51	0.00	8,436.51	845,385.94
7883900019	845,385.94	3.827	/ /	8,436.51	836,949.43	8,436.51	0.00	8,436.51	845,385.94
10035	FRST	211	10/01/2021	57.92	1,223,556.55	57.92	0.00	57.92	1,223,614.47
RESERVE	1,223,614.47	0.750	/ /	57.92	1,223,556.55	57.92	0.00	57.92	1,223,614.47
Sub Totals For: Fund: NB Development Autho				8,494.43	2,060,505.98	8,494.43	0.00	8,494.43	2,069,000.41
				8,494.43	2,060,505.98	8,494.43	0.00	8,494.43	2,069,000.41
Fund: NB EDC									
10014	TXCLS	212	10/01/2021	142,209.84	14,369,371.31	142,209.84	0.00	142,209.84	14,511,581.15
TX-01-0331-4004	14,511,581.15	3.736	/ /	142,209.84	14,369,371.31	142,209.84	0.00	142,209.84	14,511,581.15
Sub Totals For: Fund: NB EDC				142,209.84	14,369,371.31	142,209.84	0.00	142,209.84	14,511,581.15
				142,209.84	14,369,371.31	142,209.84	0.00	142,209.84	14,511,581.15
Fund: Grant Fund - ARPA									
10011	TXFIT	220	10/01/2021	1,023.07	103,230.56	1,023.07	0.00	1,023.07	104,253.63
1379800056	104,253.63	3.720	/ /	1,023.07	103,230.56	1,023.07	0.00	1,023.07	104,253.63
Sub Totals For: Fund: Grant Fund - ARPA				1,023.07	103,230.56	1,023.07	0.00	1,023.07	104,253.63
				1,023.07	103,230.56	1,023.07	0.00	1,023.07	104,253.63

Inv #	Issuer	Fund	Purch Date	Interest Accrual	Beginning Book Value				Ending Book Value
Cusip	Par Value	YTM	Mat Date	Interest Received	Beginning Market Value	Purchases/ Additions	Redemptions	Change in Value	Ending Market Value
Fund: Equipment Repl Fund									
10021	TXPOOL	260	10/01/2021	11,365.11	1,127,498.81	11,365.11	0.00	11,365.11	1,138,863.92
7883900022	1,138,863.92	3.827	/ /	11,365.11	1,127,498.81	11,365.11	0.00	11,365.11	1,138,863.92
Sub Totals For: Fund: Equipment Repl Fund				11,365.11	1,127,498.81	11,365.11	0.00	11,365.11	1,138,863.92
				11,365.11	1,127,498.81	11,365.11	0.00	11,365.11	1,138,863.92
Fund: Enterprise Maint/Equ									
10022	TXPOOL	262	10/01/2021	0.00	0.00	0.00	0.00	0.00	0.00
7883900018	0.00	0.000	/ /	0.00	0.00	0.00	0.00	0.00	0.00
Sub Totals For: Fund: Enterprise Maint/Equ				0.00	0.00	0.00	0.00	0.00	0.00
				0.00	0.00	0.00	0.00	0.00	0.00
Fund: Rec Center Ops & Mai									
10103	TXPOOL	264	03/01/2025	9,783.18	971,597.51	9,793.68	0.00	9,793.68	981,391.19
7883900032	981,391.19	3.827	/ /	9,793.68	971,597.51	9,793.68	0.00	9,793.68	981,391.19
Sub Totals For: Fund: Rec Center Ops & Mai				9,783.18	971,597.51	9,793.68	0.00	9,793.68	981,391.19
				9,793.68	971,597.51	9,793.68	0.00	9,793.68	981,391.19
Fund: 2008 CO's									
10023	TXPOOL	308	10/01/2021	4,118.89	408,624.46	4,118.89	0.00	4,118.89	412,743.35
7883900005	412,743.35	3.827	/ /	4,118.89	408,624.46	4,118.89	0.00	4,118.89	412,743.35
Sub Totals For: Fund: 2008 CO's				4,118.89	408,624.46	4,118.89	0.00	4,118.89	412,743.35
				4,118.89	408,624.46	4,118.89	0.00	4,118.89	412,743.35
Fund: Roadway Dev Fund									
10015	TXCLS	336	10/01/2021	62,196.13	6,284,507.56	62,196.13	0.00	62,196.13	6,346,703.69
TX-01-0331-4003	6,346,703.69	3.736	/ /	62,196.13	6,284,507.56	62,196.13	0.00	62,196.13	6,346,703.69
Sub Totals For: Fund: Roadway Dev Fund				62,196.13	6,284,507.56	62,196.13	0.00	62,196.13	6,346,703.69
				62,196.13	6,284,507.56	62,196.13	0.00	62,196.13	6,346,703.69
Fund: 2013 Bond Program									

Inv # / Cusip	Issuer / Par Value	Fund / YTM	Purch Date / Mat Date	Interest Accrual / Interest Received	Beginning Book Value / Beginning Market Value	Purchases/ Additions	Redemptions	Change in Value	Ending Book Value / Ending Market Value
10024	TXPOOL	350	10/01/2021	8.99	888.86	8.99	0.00	8.99	897.85
7883900012	897.85	3.827	/ /	8.99	888.86	8.99	0.00	8.99	897.85
10025	TXPOOL	350	10/01/2021	41,682.03	4,135,138.47	41,682.03	0.00	41,682.03	4,176,820.50
7883900015	4,176,820.50	3.827	/ /	41,682.03	4,135,138.47	41,682.03	0.00	41,682.03	4,176,820.50
	Sub Totals For: Fund: 2013 Bond Program			41,691.02	4,136,027.33	41,691.02	0.00	41,691.02	4,177,718.35
				41,691.02	4,136,027.33	41,691.02	0.00	41,691.02	4,177,718.35
Fund: 2012 CO's									
10026	TXPOOL	352	10/01/2021	0.00	0.00	0.00	0.00	0.00	0.00
7883900010	0.00	0.000	/ /	0.00	0.00	0.00	0.00	0.00	0.00
	Sub Totals For: Fund: 2012 CO's			0.00	0.00	0.00	0.00	0.00	0.00
				0.00	0.00	0.00	0.00	0.00	0.00
Fund: 2014 Capital Project									
10027	TXPOOL	354	10/01/2021	0.92	49.16	0.92	0.00	0.92	50.08
7883900013	50.08	3.827	/ /	0.92	49.16	0.92	0.00	0.92	50.08
10028	TXPOOL	354	10/01/2021	18.15	1,796.77	18.15	0.00	18.15	1,814.92
7883900014	1,814.92	3.827	/ /	18.15	1,796.77	18.15	0.00	18.15	1,814.92
	Sub Totals For: Fund: 2014 Capital Project			19.07	1,845.93	19.07	0.00	19.07	1,865.00
				19.07	1,845.93	19.07	0.00	19.07	1,865.00
Fund: 2019 Bond Program									
10012	TXFIT	359	10/01/2021	0.00	0.00	0.00	0.00	0.00	0.00
1379800059	0.00	0.000	/ /	0.00	0.00	0.00	0.00	0.00	0.00
10029	TXPOOL	359	10/01/2021	249,658.36	24,767,771.21	249,658.36	0.00	249,658.36	25,017,429.57
7883900017	25,017,429.57	3.827	/ /	249,658.36	24,767,771.21	249,658.36	0.00	249,658.36	25,017,429.57
10106	CDARS	359	07/03/2025	10,781.54	1,000,000.00	0.00	0.00	0.00	1,000,000.00
1031437071	1,000,000.00	4.277	01/02/2026	10,800.32	1,000,000.00	0.00	0.00	0.00	1,000,000.00

Inv # / Cusip	Issuer / Par Value	Fund / YTM	Purch Date / Mat Date	Interest Accrual / Interest Received	Beginning Book Value / Beginning Market Value	Purchases/ Additions	Redemptions	Change in Value	Ending Book Value / Ending Market Value
10110	CDARS	359	09/11/2025	9,934.76	1,000,000.00	0.00	0.00	0.00	1,000,000.00
1031835514	1,000,000.00	3.941	03/12/2026	9,950.72	1,000,000.00	0.00	0.00	0.00	1,000,000.00
10111	CDARS	359	09/11/2025	9,449.65	1,000,000.00	0.00	0.00	0.00	1,000,000.00
1031835549	1,000,000.00	3.749	09/10/2026	9,464.11	1,000,000.00	0.00	0.00	0.00	1,000,000.00
	Sub Totals For: Fund: 2019 Bond Program			279,824.31	27,767,771.21	249,658.36	0.00	249,658.36	28,017,429.57
				279,873.51	27,767,771.21	249,658.36	0.00	249,658.36	28,017,429.57
Fund: 2020 CO's									
10030	TXPOOL	360	10/01/2021	24,558.99	2,436,418.05	24,558.99	0.00	24,558.99	2,460,977.04
7883900028	2,460,977.04	3.827	/ /	24,558.99	2,436,418.05	24,558.99	0.00	24,558.99	2,460,977.04
	Sub Totals For: Fund: 2020 CO's			24,558.99	2,436,418.05	24,558.99	0.00	24,558.99	2,460,977.04
				24,558.99	2,436,418.05	24,558.99	0.00	24,558.99	2,460,977.04
Fund: 2023 Bond Program									
10013	TXFIT	361	10/01/2021	7,164.07	722,875.90	7,164.07	0.00	7,164.07	730,039.97
1379800060	730,039.97	3.720	/ /	7,164.07	722,875.90	7,164.07	0.00	7,164.07	730,039.97
10063	TXFIT	361	10/04/2023	227,053.98	22,910,384.18	227,053.98	0.00	227,053.98	23,137,438.16
1379900099	23,137,438.16	3.720	/ /	227,053.98	22,910,384.18	227,053.98	0.00	227,053.98	23,137,438.16
	Sub Totals For: Fund: 2023 Bond Program			234,218.05	23,633,260.08	234,218.05	0.00	234,218.05	23,867,478.13
				234,218.05	23,633,260.08	234,218.05	0.00	234,218.05	23,867,478.13
Fund: 2022 Tax Notes									
10046	TXPOOL	362	09/13/2022	24,081.19	2,389,013.37	24,081.19	0.00	24,081.19	2,413,094.56
7883900029	2,413,094.56	3.827	/ /	24,081.19	2,389,013.37	24,081.19	0.00	24,081.19	2,413,094.56
	Sub Totals For: Fund: 2022 Tax Notes			24,081.19	2,389,013.37	24,081.19	0.00	24,081.19	2,413,094.56
				24,081.19	2,389,013.37	24,081.19	0.00	24,081.19	2,413,094.56
Fund: 2023 Tax Notes									
10062	TXPOOL	364	10/04/2023	2,001.72	198,586.55	2,001.72	0.00	2,001.72	200,588.27
7883900031	200,588.27	3.827	/ /	2,001.72	198,586.55	2,001.72	0.00	2,001.72	200,588.27

Inv # / Cusip	Issuer / Par Value	Fund / YTM	Purch Date / Mat Date	Interest Accrual / Interest Received	Beginning Book Value / Beginning Market Value	Purchases/ Additions	Redemptions	Change in Value	Ending Book Value / Ending Market Value
	Sub Totals For: Fund: 2023 Tax Notes			2,001.72	198,586.55	2,001.72	0.00	2,001.72	200,588.27
				2,001.72	198,586.55	2,001.72	0.00	2,001.72	200,588.27
Fund: 2024 Tax Notes									
10104	TXPOOL	365	03/01/2025	10,298.11	1,022,734.30	10,309.16	0.00	10,309.16	1,033,043.46
7883900033	1,033,043.46	3.827	/ /	10,309.16	1,022,734.30	10,309.16	0.00	10,309.16	1,033,043.46
	Sub Totals For: Fund: 2024 Tax Notes			10,298.11	1,022,734.30	10,309.16	0.00	10,309.16	1,033,043.46
				10,309.16	1,022,734.30	10,309.16	0.00	10,309.16	1,033,043.46
Fund: NBEDC 2023 CO's									
10061	TXPOOL	366	10/04/2023	111,584.73	11,069,950.24	111,584.73	0.00	111,584.73	11,181,534.97
7883900030	11,181,534.97	3.827	/ /	111,584.73	11,069,950.24	111,584.73	0.00	111,584.73	11,181,534.97
	Sub Totals For: Fund: NBEDC 2023 CO's			111,584.73	11,069,950.24	111,584.73	0.00	111,584.73	11,181,534.97
				111,584.73	11,069,950.24	111,584.73	0.00	111,584.73	11,181,534.97
Fund: Debt Service Fund									
10016	TXCLS	401	10/01/2021	30,119.64	3,043,393.14	30,119.64	0.00	30,119.64	3,073,512.78
TX-01-0331-4001	3,073,512.78	3.736	/ /	30,119.64	3,043,393.14	30,119.64	0.00	30,119.64	3,073,512.78
	Sub Totals For: Fund: Debt Service Fund			30,119.64	3,043,393.14	30,119.64	0.00	30,119.64	3,073,512.78
				30,119.64	3,043,393.14	30,119.64	0.00	30,119.64	3,073,512.78
Fund: Solid Waste Fund									
10031	TXPOOL	521	10/01/2021	31,207.84	3,096,023.66	31,207.84	0.00	31,207.84	3,127,231.50
7883900025	3,127,231.50	3.827	/ /	31,207.84	3,096,023.66	31,207.84	0.00	31,207.84	3,127,231.50
10105	CDARS	521	07/03/2025	117.72	1,000,000.00	0.00	1,000,000.00	-1,000,000.00	0.00
1031437063	0.00	0.000	10/02/2025	117.72	1,000,000.00	0.00	1,000,000.00	-1,000,000.00	0.00
10115	CDARS	521	10/02/2025	9,706.94	0.00	1,000,000.00	0.00	1,000,000.00	1,000,000.00
1031972228	1,000,000.00	3.970	01/02/2026	9,722.15	0.00	1,000,000.00	0.00	1,000,000.00	1,000,000.00
	Sub Totals For: Fund: Solid Waste Fund			41,032.50	4,096,023.66	1,031,207.84	1,000,000.00	31,207.84	4,127,231.50
				41,047.71	4,096,023.66	1,031,207.84	1,000,000.00	31,207.84	4,127,231.50

Inv # / Cusip	Issuer / Par Value	Fund / YTM	Purch Date / Mat Date	Interest Accrual / Interest Received	Beginning Book Value / Beginning Market Value	Purchases/ Additions	Redemptions	Change in Value	Ending Book Value / Ending Market Value
Fund: Self Insurance Fund									
10017	TXCLS	601	10/01/2021	25,241.90	2,550,526.71	25,241.90	0.00	25,241.90	2,575,768.61
TX-01-0331-4002	2,575,768.61	3.736	/ /	25,241.90	2,550,526.71	25,241.90	0.00	25,241.90	2,575,768.61
Sub Totals For: Fund: Self Insurance Fund				25,241.90	2,550,526.71	25,241.90	0.00	25,241.90	2,575,768.61
				25,241.90	2,550,526.71	25,241.90	0.00	25,241.90	2,575,768.61
Fund: HOT/Motel Fund									
10032	TXPOOL	794	10/01/2021	375.26	37,233.06	375.26	0.00	375.26	37,608.32
7883900008	37,608.32	3.827	/ /	375.26	37,233.06	375.26	0.00	375.26	37,608.32
10108	CDARS	794	07/03/2025	12,296.81	1,177,500.00	0.00	0.00	0.00	1,177,500.00
1031437098	1,177,500.00	4.143	07/02/2026	11,998.55	1,177,500.00	0.00	0.00	0.00	1,177,500.00
Sub Totals For: Fund: HOT/Motel Fund				12,672.07	1,214,733.06	375.26	0.00	375.26	1,215,108.32
				12,373.81	1,214,733.06	375.26	0.00	375.26	1,215,108.32
Report Grand Totals:				2,124,404.01	249,647,085.54	37,128,077.84	62,223,000.00	-25,480,480.89	224,166,604.65
				2,130,884.72	249,728,536.18	37,128,077.84	62,223,000.00	-25,441,922.89	224,286,613.29

City of New Braunfels
550 Landa St.
New Braunfels, TX 78130
(830)221-4369

City of New Braunfels
Total Earnings
Sorted by Fund - Issuer
October 1, 2025 - December 31, 2025

CUSIP	Investment #	Fund	Issuer	Ending Par Value	Beginning Book Value	Ending Book Value	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Amortization Accretion	Realized Gain/Loss	Adjusted Earnings
Fund: General Fund												
1031437098	10107	101	CDARS	1,322,500.00	1,322,500.00	1,322,500.00	4.143	4.143	13,811.07	0.00	0.00	13,811.07
1031835565	10109	101	CDARS	800,000.00	800,000.00	800,000.00	3.595	3.595	7,248.68	0.00	0.00	7,248.68
1031886127	10112	101	CDARS	1,200,000.00	1,200,000.00	1,200,000.00	3.537	3.537	10,697.82	0.00	0.00	10,697.82
31424WJW3	10085	101	FAMCA	0.00	2,499,375.00	0.00	5.220	5.294	0.00	0.00	0.00	0.00
3133ERVU2	10097	101	FFCB	2,500,000.00	2,497,600.00	2,497,600.00	3.500	3.475	21,875.00	0.00	0.00	21,875.00
3135G06L2	10096	101	FNMA	3,000,000.00	2,803,950.00	2,803,950.00	0.875	0.929	6,562.50	0.00	0.00	6,562.50
FROST	10034	101	FRST	2,724,068.13	2,538,945.50	2,724,068.13	0.750	0.022	138.38	0.00	0.00	138.38
FROST REPO	10058	101	FRST	13,258,000.00	71,981,000.00	13,258,000.00	2.750	2.128	386,045.35	0.00	0.00	386,045.35
7883900001	10019	101	TXPOOL	41,667,476.39	7,538,865.38	41,667,476.39	3.827	6.768	128,611.01	0.00	0.00	128,611.01
91282CGV7	10099	101	USTR	2,500,000.00	2,503,525.00	2,503,525.00	3.750	3.752	23,675.36	0.00	0.00	23,675.36
			Subtotal	**68,972,044.52**	**95,685,760.88**	**68,777,119.52**		**2.551**	**598,665.17**	**0.00**	**0.00**	**598,665.17**
Fund: 2023 GO Issuance 2 (2025 GO)												
3133ETVJ3	10113	2023	FFCB	5,000,000.00	5,006,881.36	5,006,881.36	3.625	3.591	45,312.50	0.00	0.00	45,312.50
7883900034	10114	2023	TXPOOL	40,472,715.87	40,068,823.48	40,472,715.87	3.827	3.999	403,892.39	0.00	0.00	403,892.39
			Subtotal	**45,472,715.87**	**45,075,704.84**	**45,479,597.23**		**3.954**	**449,204.89**	**0.00**	**0.00**	**449,204.89**
Fund: NB Development Authority												
RESERVE	10035	211	FRST	1,223,614.47	1,223,556.55	1,223,614.47	0.750	0.019	57.92	0.00	0.00	57.92
7883900019	10020	211	TXPOOL	845,385.94	836,949.43	845,385.94	3.827	3.999	8,436.51	0.00	0.00	8,436.51
			Subtotal	**2,069,000.41**	**2,060,505.98**	**2,069,000.41**		**1.636**	**8,494.43**	**0.00**	**0.00**	**8,494.43**
Fund: NB EDC												
TX-01-0331-	10014	212	TXCLS	14,511,581.15	14,369,371.31	14,511,581.15	3.736	3.926	142,209.84	0.00	0.00	142,209.84
			Subtotal	**14,511,581.15**	**14,369,371.31**	**14,511,581.15**		**3.926**	**142,209.84**	**0.00**	**0.00**	**142,209.84**
Fund: Grant Fund - ARPA												
1379800056	10011	220	TXFIT	104,253.63	103,230.56	104,253.63	3.720	3.932	1,023.07	0.00	0.00	1,023.07

CUSIP	Investment #	Fund	Issuer	Ending Par Value	Beginning Book Value	Ending Book Value	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Amortization Accretion	Realized Gain/Loss	Adjusted Earnings Interest
			Subtotal	**104,253.63**	**103,230.56**	**104,253.63**		**3.932**	**1,023.07**	**0.00**	**0.00**	**1,023.07**
Fund: Equipment Repl Fund												
7883900022	10021	260	TXPOOL	1,138,863.92	1,127,498.81	1,138,863.92	3.827	3.999	11,365.11	0.00	0.00	11,365.11
			Subtotal	**1,138,863.92**	**1,127,498.81**	**1,138,863.92**		**3.999**	**11,365.11**	**0.00**	**0.00**	**11,365.11**
Fund: Rec Center Ops & Maint												
7883900032	10103	264	TXPOOL	981,391.19	971,597.51	981,391.19	3.827	3.995	9,783.18	0.00	0.00	9,783.18
			Subtotal	**981,391.19**	**971,597.51**	**981,391.19**		**3.995**	**9,783.18**	**0.00**	**0.00**	**9,783.18**
Fund: 2008 CO's												
7883900005	10023	308	TXPOOL	412,743.35	408,624.46	412,743.35	3.827	3.999	4,118.89	0.00	0.00	4,118.89
			Subtotal	**412,743.35**	**408,624.46**	**412,743.35**		**3.999**	**4,118.89**	**0.00**	**0.00**	**4,118.89**
Fund: Roadway Dev Fund												
TX-01-0331-	10015	336	TXCLS	6,346,703.69	6,284,507.56	6,346,703.69	3.736	3.926	62,196.13	0.00	0.00	62,196.13
			Subtotal	**6,346,703.69**	**6,284,507.56**	**6,346,703.69**		**3.926**	**62,196.13**	**0.00**	**0.00**	**62,196.13**
Fund: 2013 Bond Program												
7883900012	10024	350	TXPOOL	897.85	888.86	897.85	3.827	4.013	8.99	0.00	0.00	8.99
7883900015	10025	350	TXPOOL	4,176,820.50	4,135,138.47	4,176,820.50	3.827	3.999	41,682.03	0.00	0.00	41,682.03
			Subtotal	**4,177,718.35**	**4,136,027.33**	**4,177,718.35**		**3.999**	**41,691.02**	**0.00**	**0.00**	**41,691.02**
Fund: 2014 Capital Projects												
7883900013	10027	354	TXPOOL	50.08	49.16	50.08	3.827	7.425	0.92	0.00	0.00	0.92
7883900014	10028	354	TXPOOL	1,814.92	1,796.77	1,814.92	3.827	4.008	18.15	0.00	0.00	18.15
			Subtotal	**1,865.00**	**1,845.93**	**1,865.00**		**4.099**	**19.07**	**0.00**	**0.00**	**19.07**
Fund: 2019 Bond Program												
1031437071	10106	359	CDARS	1,000,000.00	1,000,000.00	1,000,000.00	4.277	4.277	10,781.54	0.00	0.00	10,781.54
1031835514	10110	359	CDARS	1,000,000.00	1,000,000.00	1,000,000.00	3.942	3.942	9,934.76	0.00	0.00	9,934.76
1031835549	10111	359	CDARS	1,000,000.00	1,000,000.00	1,000,000.00	3.749	3.749	9,449.65	0.00	0.00	9,449.65
7883900017	10029	359	TXPOOL	25,017,429.57	24,767,771.21	25,017,429.57	3.827	3.999	249,658.36	0.00	0.00	249,658.36
			Subtotal	**28,017,429.57**	**27,767,771.21**	**28,017,429.57**		**3.998**	**279,824.31**	**0.00**	**0.00**	**279,824.31**
Fund: 2020 CO's												
7883900028	10030	360	TXPOOL	2,460,977.04	2,436,418.05	2,460,977.04	3.827	3.999	24,558.99	0.00	0.00	24,558.99

CUSIP	Investment #	Fund	Issuer	Ending Par Value	Beginning Book Value	Ending Book Value	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Amortization Accretion	Realized Gain/Loss	Adjusted Earnings Interest
			Subtotal	**2,460,977.04**	**2,436,418.05**	**2,460,977.04**		**3.999**	**24,558.99**	**0.00**	**0.00**	**24,558.99**
Fund: 2023 Bond Program												
1379800060	10013	361	TXFIT	730,039.97	722,875.90	730,039.97	3.720	3.932	7,164.07	0.00	0.00	7,164.07
1379900099	10063	361	TXFIT	23,137,438.16	22,910,384.18	23,137,438.16	3.720	3.932	227,053.98	0.00	0.00	227,053.98
			Subtotal	**23,867,478.13**	**23,633,260.08**	**23,867,478.13**		**3.932**	**234,218.05**	**0.00**	**0.00**	**234,218.05**
Fund: 2022 Tax Notes												
7883900029	10046	362	TXPOOL	2,413,094.56	2,389,013.37	2,413,094.56	3.827	3.999	24,081.19	0.00	0.00	24,081.19
			Subtotal	**2,413,094.56**	**2,389,013.37**	**2,413,094.56**		**3.999**	**24,081.19**	**0.00**	**0.00**	**24,081.19**
Fund: 2023 Tax Notes												
7883900031	10062	364	TXPOOL	200,588.27	198,586.55	200,588.27	3.827	3.999	2,001.72	0.00	0.00	2,001.72
			Subtotal	**200,588.27**	**198,586.55**	**200,588.27**		**3.999**	**2,001.72**	**0.00**	**0.00**	**2,001.72**
Fund: 2024 Tax Notes												
7883900033	10104	365	TXPOOL	1,033,043.46	1,022,734.30	1,033,043.46	3.827	3.995	10,298.11	0.00	0.00	10,298.11
			Subtotal	**1,033,043.46**	**1,022,734.30**	**1,033,043.46**		**3.995**	**10,298.11**	**0.00**	**0.00**	**10,298.11**
Fund: NBEDC 2023 CO's												
7883900030	10061	366	TXPOOL	11,181,534.97	11,069,950.24	11,181,534.97	3.827	3.999	111,584.73	0.00	0.00	111,584.73
			Subtotal	**11,181,534.97**	**11,069,950.24**	**11,181,534.97**		**3.999**	**111,584.73**	**0.00**	**0.00**	**111,584.73**
Fund: Debt Service Fund												
TX-01-0331-	10016	401	TXCLS	3,073,512.78	3,043,393.14	3,073,512.78	3.736	3.926	30,119.64	0.00	0.00	30,119.64
			Subtotal	**3,073,512.78**	**3,043,393.14**	**3,073,512.78**		**3.926**	**30,119.64**	**0.00**	**0.00**	**30,119.64**
Fund: Solid Waste Fund												
1031437063	10105	521	CDARS	0.00	1,000,000.00	0.00	4.297	4.297	117.72	0.00	0.00	117.72
1031972228	10115	521	CDARS	1,000,000.00	0.00	1,000,000.00	3.893	3.893	9,706.94	0.00	0.00	9,706.94
7883900025	10031	521	TXPOOL	3,127,231.50	3,096,023.66	3,127,231.50	3.827	3.999	31,207.84	0.00	0.00	31,207.84
			Subtotal	**4,127,231.50**	**4,096,023.66**	**4,127,231.50**		**3.974**	**41,032.50**	**0.00**	**0.00**	**41,032.50**
Fund: Self Insurance Fund												
TX-01-0331-	10017	601	TXCLS	2,575,768.61	2,550,526.71	2,575,768.61	3.736	3.926	25,241.90	0.00	0.00	25,241.90
			Subtotal	**2,575,768.61**	**2,550,526.71**	**2,575,768.61**		**3.926**	**25,241.90**	**0.00**	**0.00**	**25,241.90**

City of New Braunfels
Total Earnings
October 1, 2025 - December 31, 2025

CUSIP	Investment #	Fund	Issuer	Ending Par Value	Beginning Book Value	Ending Book Value	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Amortization/ Accretion	Realized Gain/Loss	Adjusted Earnings Interest
Fund: HOT/Motel Fund												
1031437098	10108	794	CDARS	1,177,500.00	1,177,500.00	1,177,500.00	4.143	4.143	12,296.81	0.00	0.00	12,296.81
7883900008	10032	794	TXPOOL	37,608.32	37,233.06	37,608.32	3.827	3.999	375.26	0.00	0.00	375.26
			Subtotal	**1,215,108.32**	**1,214,733.06**	**1,215,108.32**		**4.139**	**12,672.07**	**0.00**	**0.00**	**12,672.07**
			Total	**224,354,648.29**	**249,647,085.54**	**224,166,604.65**		**3.410**	**2,124,404.01**	**0.00**	**0.00**	**2,124,404.01**

City of New Braunfels
Amortization Schedule
October 1, 2025 - December 31, 2025
Sorted By Fund - Maturity Date

City of New Braunfels
550 Landa St.
New Braunfels, TX 78130
(830)221-4369

Investment # / Issuer	Fund	Maturity Date / Amort. Date	Beginning Par Value / Current Rate	Purchase Principal	Original Premium or Discount	Ending Book Value	Amounts Amortized And Unamortized As of 10/01/2025	Amount Amortized This Period	Amt Amortized Through 12/31/2025	Amount Unamortized
General Fund										
10099 U.S. Treasury	101	04/15/2026	2,500,000.00 3.750	2,503,525.00	3,525.00	2,500,653.48	-2,293.45 1,231.55	-578.07	-2,871.52	653.48
10097 Federal Farm Credit Bnk	101	10/02/2026	2,500,000.00 3.500	2,497,600.00	-2,400.00	2,499,096.67	1,196.67 -1,203.33	300.00	1,496.67	-903.33
10096 Federal National Mtg Assn	101	12/18/2026	3,000,000.00 0.875	2,803,950.00	-196,050.00	2,905,251.60	76,727.09 -119,322.91	24,574.51	101,301.60	-94,748.40
			Subtotal	**7,805,075.00**	**-194,925.00**	**7,905,001.75**	**75,630.31** **-119,294.69**	**24,296.44**	**99,926.75**	**-94,998.25**
2023 GO Issuance 2 (2025 GO)										
10113 Federal Farm Credit Bnk	2023 GO	08/27/2027	5,000,000.00 3.625	5,006,881.36	6,881.36	5,005,875.77	-118.30 6,763.06	-887.29	-1,005.59	5,875.77
			Subtotal	**5,006,881.36**	**6,881.36**	**5,005,875.77**	**-118.30** **6,763.06**	**-887.29**	**-1,005.59**	**5,875.77**
			Total	**12,811,956.36**	**-188,043.64**	**12,910,877.52**	**75,512.01** **-112,531.63**	**23,409.15**	**98,921.16**	**-89,122.48**

City of New Braunfels
550 Landa St.
New Braunfels, TX 78130
(830)221-4369

City of New Braunfels
Maturity Report
Sorted by Maturity Date
Received or due during October 1, 2025 - December 31, 2025

CUSIP	Investment #	Fund	Sec. Type	Issuer	Par Value	Maturity Date	Purchase Date	Rate at Maturity	Book Value at Maturity	Interest	Maturity Proceeds	Net Income
1031437063	10105	521	BCD	CDARS	1,000,000.00	10/02/2025	07/03/2025	4.297	1,000,000.00	117.72	1,000,117.72	117.72
			Total Maturities		**1,000,000.00**				**1,000,000.00**	**117.72**	**1,000,117.72**	**117.72**

City of New Braunfels
550 Landa St.
New Braunfels, TX 78130
(830)221-4369

City of New Braunfels
Purchases Report
Sorted by Fund - Purchase Date
October 1, 2025 - December 31, 2025

CUSIP	Investment #	Fund	Sec. Type	Issuer	Original Par Value	Purchase Date	Payment	Principal Purchase	Accrued at Purchase	Rate at Purchas	Maturity/ Call Date	YTM	Ending Book Value
Solid Waste Fund													
1031972228	10115	521	BCD	CDARS	1,000,000.00	10/02/2025	10/31 - Monthly	1,000,000.00		3.893	01/02/2026	3.970	1,000,000.00
				Subtotal	**1,000,000.00**			**1,000,000.00**	**0.00**				**1,000,000.00**
				Total Purchases	**1,000,000.00**			**1,000,000.00**	**0.00**				**1,000,000.00**

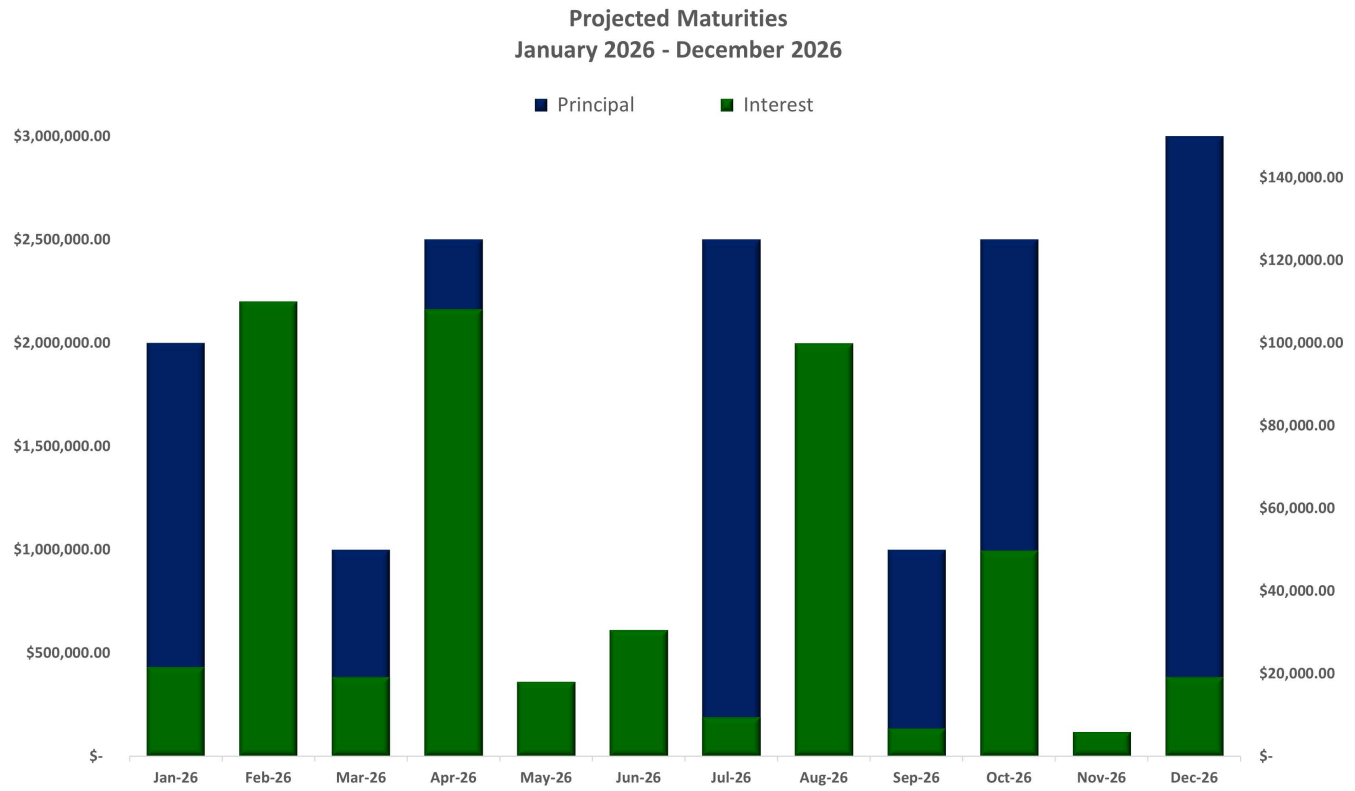
City of New Braunfels
550 Landa St.
New Braunfels, TX 78130
(830)221-4369

City of New Braunfels
Projected Cashflow Report
Sorted by Monthly
For the Period January 1, 2026 - December 31, 2026

Projected Trans. Date	Investment #	Fund	Security ID	Transaction Type	Issuer	Par Value	Original Cost	Principal	Interest	Total
January 2026										
01/02/2026	10106	359	1031437071	Maturity	Bank of America-CDARS	1,000,000.00	1,000,000.00	1,000,000.00	117.19	1,000,117.19
01/02/2026	10115	521	1031972228	Maturity	Bank of America-CDARS	1,000,000.00	1,000,000.00	1,000,000.00	106.67	1,000,106.67
01/31/2026	10107	101	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	4,653.73	4,653.73
01/31/2026	10108	794	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	4,143.49	4,143.49
01/31/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,442.49	2,442.49
01/31/2026	10110	359	1031835514	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,347.58	3,347.58
01/31/2026	10111	359	1031835549	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,184.12	3,184.12
01/31/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,604.70	3,604.70
					Total for January 2026	**2,000,000.00**	**2,000,000.00**	**2,000,000.00**	**21,599.97**	**2,021,599.97**
February 2026										
02/27/2026	10113	2023 GO	3133ETVJ3	Interest	Federal Farm Credit Bnk	0.00	0.00	0.00	90,625.00	90,625.00
02/28/2026	10107	101	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	4,203.37	4,203.37
02/28/2026	10108	794	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,742.51	3,742.51
02/28/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,206.12	2,206.12
02/28/2026	10110	359	1031835514	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,023.62	3,023.62
02/28/2026	10111	359	1031835549	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,875.98	2,875.98
02/28/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,255.86	3,255.86
					Total for February 2026	**0.00**	**0.00**	**0.00**	**109,932.46**	**109,932.46**
March 2026										
03/12/2026	10110	359	1031835514	Maturity	Bank of America-CDARS	1,000,000.00	1,000,000.00	1,000,000.00	1,187.85	1,001,187.85
03/31/2026	10107	101	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	4,653.73	4,653.73
03/31/2026	10108	794	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	4,143.49	4,143.49
03/31/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,442.49	2,442.49
03/31/2026	10111	359	1031835549	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,184.12	3,184.12
03/31/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,604.70	3,604.70
					Total for March 2026	**1,000,000.00**	**1,000,000.00**	**1,000,000.00**	**19,216.38**	**1,019,216.38**
April 2026										
04/02/2026	10097	101	3133ERVU2	Interest	Federal Farm Credit Bnk	0.00	0.00	0.00	43,750.00	43,750.00
04/15/2026	10099	101	91282CGV7	Maturity	U.S. Treasury	2,500,000.00	2,503,525.00	2,500,000.00	46,875.00	2,546,875.00
04/30/2026	10107	101	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	4,503.61	4,503.61
04/30/2026	10108	794	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	4,009.83	4,009.83
04/30/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,363.70	2,363.70

Projected Trans. Date	Investment #	Fund	Security ID	Transaction Type	Issuer	Par Value	Original Cost	Principal	Interest	Total
April 2026										
04/30/2026	10111	359	1031835549	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,081.41	3,081.41
04/30/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,488.42	3,488.42
					Total for April 2026	**2,500,000.00**	**2,503,525.00**	**2,500,000.00**	**108,071.97**	**2,608,071.97**
May 2026										
05/31/2026	10107	101	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	4,653.73	4,653.73
05/31/2026	10108	794	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	4,143.49	4,143.49
05/31/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,442.49	2,442.49
05/31/2026	10111	359	1031835549	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,184.12	3,184.12
05/31/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,604.70	3,604.70
					Total for May 2026	**0.00**	**0.00**	**0.00**	**18,028.53**	**18,028.53**
June 2026										
06/18/2026	10096	101	3135G06L2	Interest	Federal National Mtg Assn	0.00	0.00	0.00	13,125.00	13,125.00
06/30/2026	10107	101	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	4,503.61	4,503.61
06/30/2026	10108	794	1031437098	Interest	Bank of America-CDARS	0.00	0.00	0.00	4,009.83	4,009.83
06/30/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,363.70	2,363.70
06/30/2026	10111	359	1031835549	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,081.41	3,081.41
06/30/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,488.42	3,488.42
					Total for June 2026	**0.00**	**0.00**	**0.00**	**30,571.97**	**30,571.97**
July 2026										
07/02/2026	10107	101	1031437098	Maturity	Bank of America-CDARS	1,322,500.00	1,322,500.00	1,322,500.00	150.12	1,322,650.12
07/02/2026	10108	794	1031437098	Maturity	Bank of America-CDARS	1,177,500.00	1,177,500.00	1,177,500.00	133.66	1,177,633.66
07/31/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,442.49	2,442.49
07/31/2026	10111	359	1031835549	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,184.12	3,184.12
07/31/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,604.70	3,604.70
					Total for July 2026	**2,500,000.00**	**2,500,000.00**	**2,500,000.00**	**9,515.09**	**2,509,515.09**
August 2026										
08/27/2026	10113	2023 GO	3133ETVJ3	Interest	Federal Farm Credit Bnk	0.00	0.00	0.00	90,625.00	90,625.00
08/31/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,442.49	2,442.49
08/31/2026	10111	359	1031835549	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,184.12	3,184.12
08/31/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,604.70	3,604.70
					Total for August 2026	**0.00**	**0.00**	**0.00**	**99,856.31**	**99,856.31**
September 2026										
09/10/2026	10111	359	1031835549	Maturity	Bank of America-CDARS	1,000,000.00	1,000,000.00	1,000,000.00	924.42	1,000,924.42
09/30/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,363.70	2,363.70
09/30/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,488.42	3,488.42

Projected Trans. Date	Investment #	Fund	Security ID	Transaction Type	Issuer	Par Value	Original Cost	Principal	Interest	Total
					Total for September 2026	**1,000,000.00**	**1,000,000.00**	**1,000,000.00**	**6,776.54**	**1,006,776.54**
October 2026										
10/02/2026	10097	101	3133ERVU2	Maturity	Federal Farm Credit Bnk	2,500,000.00	2,497,600.00	2,500,000.00	43,750.00	2,543,750.00
10/31/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,442.49	2,442.49
10/31/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,604.70	3,604.70
					Total for October 2026	**2,500,000.00**	**2,497,600.00**	**2,500,000.00**	**49,797.19**	**2,549,797.19**
November 2026										
11/30/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,363.70	2,363.70
11/30/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,488.42	3,488.42
					Total for November 2026	**0.00**	**0.00**	**0.00**	**5,852.12**	**5,852.12**
December 2026										
12/18/2026	10096	101	3135G06L2	Maturity	Federal National Mtg Assn	3,000,000.00	2,803,950.00	3,000,000.00	13,125.00	3,013,125.00
12/31/2026	10109	101	1031835565	Interest	Bank of America-CDARS	0.00	0.00	0.00	2,442.49	2,442.49
12/31/2026	10112	101	1031886127	Interest	Bank of America-CDARS	0.00	0.00	0.00	3,604.70	3,604.70
					Total for December 2026	**3,000,000.00**	**2,803,950.00**	**3,000,000.00**	**19,172.19**	**3,019,172.19**
					GRAND TOTALS:	**14,500,000.00**	**14,305,075.00**	**14,500,000.00**	**498,390.72**	**14,998,390.72**



PRESENTER:
Ruy Lozano, Fire Chief

SUBJECT:
Approval of a contract amendment with Emergicon to incorporate Fire Department Billing Cost Recovery Services for the City of New Braunfels Fire Department through EMERGIFIRE LLC.

DEPARTMENT: Fire

COUNCIL DISTRICTS IMPACTED: All

BACKGROUND INFORMATION:
The City's Fire Department has a contractor agreement to provide complete management from the collection of billable services provided by City's Fire Department Staff through account closure, to include but not be limited to, billing services, accounts receivable services, operational and financial data reporting and analytical services.

The Fire Department uses Fire Recovery USA LLC for Fire Services billing. This contract expired December 13, 2025. The Fire Department identified possible replacements for this firm. After evaluating their capabilities, references, and customer service, The Fire Department has determined that EMERGIFIRE LLC provides the best value for the City. In addition, the Fire Department has identified potential for increased recovery percentage from insurance companies and opportunities for improved customer service.

The City's Fire Department entered into a contract with EMERGICON in October 2023, which is the same company as EMERGIFIRE, for emergency medical service billing. To utilize EMERGIFIRE services, an amendment to the current EMERGICON contract will be required. The city would no longer have to utilize two different billing companies for both Fire Services billing and Emergency Medical Services billing which will lead to greater efficiencies and improved collection rates.

The term of the agreement will remain valid through September 30, 2028, which is concurrent with the existing Emergicon agreement approved by Council on October 23, 2026 via item 23-1397.

ISSUE:
Currently fire department administrative staff must extract all the data out of emergency incident reports and then enter the data into Fire Recovery USA LLC's system. This is very time consuming.
As stated above, the fire department currently uses EMERGICON, which is the same company as EMERGIFIRE, for emergency medical service billing and has access to the emergency incident reports. EMERGIFIRE will extract the data themselves and save a large number of staff hours.

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

FISCAL IMPACT:
Fire billing helps offset the cost of providing emergency response services. EMERGIFIRE will receive 15% of the total collections received. Therefore, their compensation is contingent upon collection on billings. The previous provider, Fire Recovery USA LLC, received 20% of collections received. As a result, fire collection rates and billing revenue will increase with EMERGIFIRE.

RECOMMENDATION:
Staff recommends approval of a contract amendment with EMERGICON LLC to include fire billing cost recovery services with EMERGIFIRE LLC.

ADDENDUM C – FIRE/EMERGENCY RESPONSE BILLING

This Addendum C (this "**Addendum**") is entered into by and between Emergifire, LLC, a Texas limited liability company ("**Emergifire**") and City of New Braunfels ("**CLIENT**"), dated ( ) and is subject to the terms and conditions of that certain Agreement for Specialized Professional Ambulance Billing Services by and between Emergicon, LLC and Client, dated October 25th, 2023 (the "**Services Agreement**"). Capitalized terms used herein will have the meaning given in the Services Agreement unless otherwise noted.

RECITALS

WHEREAS, Emergicon, LLC is engaged in the business of providing fire response and cost recovery services as detailed below through a contractor relationship with Emergifire;

WHEREAS, Emergifire is engaged in the business of providing third-party billing and accounts receivable management specialized professional services related to motor vehicle accidents and other emergency responses for emergency service organizations;

WHEREAS, CLIENT desires to utilize Emergifire for billing and claims management services for its organization; and WHEREAS, Emergifire is willing to provide such specialized professional services upon the terms and conditions provided in this Addendum;

1. Specialized Professional Services. Emergifire agrees to perform the following duties (collectively referred to as the "Services") on behalf of CLIENT as a normal course of business:

a. Promptly prepare and submit claims to the responsible party deemed complete and eligible for submission by Emergifire in conformance with this Addendum.

b. Provide instructions for the submission of Required Documentation to Emergifire.

c. Promptly post payments made on CLIENT's behalf.

d. Provide monthly reports to CLIENT, which include, at a minimum, cash received and balance summary.

e. Will not begin litigation against a person, entity, or insurance carrier without prior written approval by the CLIENT.

Specifically Excluded Duties of Emergifire. Notwithstanding any provisions of this Agreement to the contrary, Emergifire shall *not* be responsible to:

a. Initiate or pursue litigation for the collection of past due accounts.

b. Provide legal advice or legal services to CLIENT or anyone acting on CLIENT's behalf.

2. Term and Termination.

This Addendum runs in concurrence to the Services Agreement.

3. Compensation.

a. In exchange for the Specialized Professional Services described in this Addendum, CLIENT shall pay Emergifire a fee equivalent to fifteen percent (15%) of all revenues collected by Emergifire on behalf of CLIENT. Credit card payments accepted by Emergifire will be charged an additional two percent (2.0%).

b. Emergifire shall submit invoices to CLIENT either directly or in accordance with the invoicing process established in the Emergicon Service Agreement, as determined by Emergifire. CLIENT agrees to remit payment within thirty (30) days of the invoice date. Emergifire reserves the right to assess simple interest at an annual rate of eighteen percent (18%), compounded daily, on any outstanding balances not paid within thirty (30) days of the invoice date. CLIENT agrees to reimburse Emergifire for any and all sales tax liabilities that may arise as a result of this Addendum.

IN WITNESS WHEREOF, the undersigned have executed this Addendum as of the date written below.

EMERGIFIRE, LLC.	City of New Braunfels, TX
By:	By:
_____	_____
Signature	Signature
Christopher Turner, MHA	_____
Print Name	Print Name
Founder & CEO	_____
Title	Title
_____	_____
Date	Date

AGREEMENT FOR SPECIALIZED PROFESSIONAL AMBULANCE BILLING SERVICES

This Agreement is entered into this 25th day of October, 2023, by and between Emergicon, LLC, a Texas limited liability corporation, and the City of New Braunfels, a Texas municipality, ("Client").

RECITALS

WHEREAS, Texas Government Code, Chapter 791, authorizes the formulation of interlocal agreements between and among local governments; and

WHEREAS, Emergicon has a contract with the City of College Station awarded under Request for Proposals #21-052

WHEREAS, Client provides emergency and/or non-emergency ambulance services for which it is eligible for payment or reimbursement by patients, insurance carriers, governmental agencies, employers and others;

WHEREAS, Emergicon is engaged in the business of providing third-party billing and accounts receivable management specialized professional services for ambulance and emergency medical service organizations;

WHEREAS, Client desires to utilize Emergicon for billing and claims management services for its organization; and

WHEREAS, Emergicon is willing to provide such specialized professional services upon the terms and conditions provided in this Agreement;

THEREFORE, in consideration of the mutual promises contained in this Agreement, and other good and valuable consideration, the sufficiency of which is acknowledged, the parties, intending to be legally bound, agree as follows:

1. Appointment. Client hereby engages Emergicon to perform the Specialized Professional Services set described in Paragraph 2 of this Agreement and Emergicon accepts such appointment and agrees to provide Specialized Professional Services in accordance with the terms of this Agreement. Client agrees that this appointment is exclusive and that Client will not enter into any contract, agreement, arrangement or understanding with any other person or entity, the purpose of which is to provide for the same or substantially similar specialized professional services during the term of the Agreement, nor will Client bill for any transport without first giving notice to Emergicon of its intent to do so. For purposes of the appointment, the recitals set forth above are incorporated by reference and made a part of this Agreement as if set forth in their entirety.

2. Specialized Professional Services. Emergicon agrees to perform the following duties (collectively referred to as the "Services") on behalf of Client:

a. Provide Client with instructions for the submission of Required

Documentation to Emergicon. For purposes of this Agreement, "Required Documentation" shall consist of prehospital patient care reports (PCRs) (also referred to as "trip sheets" or "run reports"), medical necessity certification statements (PCSs or CMNs) (required for non-emergency transports), patient authorization signatures (sometimes referred to as "assignment of benefits forms" or "signature forms"), Advance Beneficiary Notices of Non-coverage (ABNs) and other documentation necessary for Emergicon to perform the Specialized Professional Services under this Agreement. All Required Documentation must be signed in accordance with applicable laws, regulations and payer guidelines.

b. Review the Required Documentation, based on the information supplied by Client, for completeness and eligibility for submission to request reimbursement and to verify compliance under applicable laws, regulations or payer rules, based upon Emergicon's understanding of said laws, regulations or payer rules applicable to the date the ambulance services were rendered. If any Required Documentation is missing, Emergicon will request necessary documentation from Client.

c. Promptly prepare and submit claims deemed complete and eligible for reimbursement by Emergicon in conformance with this Agreement for electronic or paper submission to the appropriate party or payer based on the information supplied by Client. In the event that Emergicon deems the Required Documentation to be incomplete or inconsistent, Emergicon will notify Client that additional information may be required to process the claim, and Emergicon will return any or all of the Required Documentation to Client that Emergicon determines may be incomplete or inaccurate and will not be responsible to submit any claims with insufficient documentation. Emergicon will make a decision regarding the appropriate coding and payer for submission of the claim based on the information supplied by Client. Client understands and acknowledges that not all accounts will satisfy the eligibility requirements of all payers, and that it might not be possible to obtain reimbursement in all cases. Emergicon makes no representation or warranty that all claims are payable or will be paid, and Client agrees to abide by Emergicon's decisions with regard to proper coding and payer based on the information provided to Emergicon by Client.

d. Promptly post payments made on Client's behalf by patients, insurers and others.

e. Unless otherwise directed by Client, make reasonable efforts for the collection of co-payments, deductibles or other patient balances, to include the preparation of invoices and a maximum of three contact attempts to patients, supplemental insurers or other financially responsible parties at industry-appropriate intervals

f. Perform follow-up for a commercially reasonable period of time following the initial billing date on all open accounts. After this follow-up period, Emergicon will either return the accounts to Client or forward the accounts to a collection agency of Client's choosing. Client and/or its designated collection agency shall bear all costs and liabilities of collections activities and collection agency charges.

g. Provide monthly reports to Client, which include, at a minimum, cash received, accounts receivable and balance summary. Emergicon shall furnish those reports to

Client.

h. Notify Client of any overpayments and/or credit balances of which Emergicon becomes aware that must be refunded by Client. Client bears sole responsibility for the refund of any overpayments or credit balances to Medicare, Medicaid, patients, or other payers or insurers, and agrees to make such refunds when and within the time frames required by law. Emergicon may, at its option, assist Client in processing such refunds, but all refunds are to be made solely with Client's funds, and Emergicon has no responsibility to make such refunds unless and until Client transfers such funds to Emergicon for this purpose. Emergicon shall not advance funds on behalf of Client for this purpose. Client acknowledges that federal law requires that any overpayments made by Medicare or any other federal health care program be refunded within 60 days of the identification of any such overpayments.

i. If Client desires that its patients be able to pay their accounts utilizing credit cards, establish a credit card merchant account and related capabilities to permit Client's patients to pay via any major credit card. Emergicon shall in its sole discretion determine which credit cards it will accept. Any credit card processing fee shall be the responsibility of Client, unless offset by a fee to the patient.

j. Assist Client in preparing, filing and updating the information on its Medicare, Medicaid or other insurer provider enrollment forms, as well as responding to required revalidations of Client's provider enrollment status. Client bears the sole responsibility to ensure that its Medicare, Medicaid or other insurer provider enrollment forms are submitted and updated in accordance with federal and state law, regulations and policies, and that they do so in a timely manner. If Client's status as a Medicare or Medicaid provider has lapsed prior to the effective date of this Agreement, Emergicon shall re-enroll Client for an additional fee as described in paragraph 10(e).

3. Specifically Excluded Duties of Emergicon. Notwithstanding any provisions of this Agreement to the contrary, Emergicon shall *not* be responsible to:

a. Initiate or pursue litigation for the collection of past due accounts.

b. Invoice for Client's non-ambulance medical transportation services, including but not limited to mobile integrated health programs, paratransit services, wheelchair van, invalid coach services, litter vans and stretcher cars, unless specific arrangements are made otherwise.

c. Negotiate any checks made payable to Client, though Emergicon may receive funds as an agent of Client for transmittal to Client where permitted by Client;

d. Accept reassignment of any benefits payable to Client;

e. Provide legal advice or legal services to Client, any of Client's patients or payers, or anyone acting on Client's behalf;

f. Obtain any prior authorizations on behalf of Client, or obtain a Physician

Certification Statement or other Certificate of Medical Necessity on behalf of Client.

4. Responsibilities of Client. Client agrees to do the following, at its sole cost and expense:

a. Provide Emergicon with all Required Documentation, as set forth in Paragraph 2(a), above, as well as the following data: Patient Name, Address, and contact phone number, Date of Birth, Date of Service, Patient Medical Condition, basis for ALS dispatch, Reason for Transport, Services Rendered (including assessments, interventions and other care), Origin and Destination with accompanying Zip Code, Transport Destination with accompanying Zip Code, Odometer Reading/Loaded Mileage (to the nearest tenth of a mile), and all relevant insurer or payer information, including identity of payer, group or plan numbers, patient's Insurance/Medicare/Medicaid Number, and all other relevant information and ensure that this data and the information contained on the Required Documentation is complete and accurate. Emergicon reserves the right to modify any Required Documentation or data at any time in accordance with new or revised payer requirements and will provide a copy of any such revisions to Client in writing. Client acknowledges that Emergicon must rely upon the accuracy and completeness of the forms, signatures and other documentation provided to it by Client to allow Emergicon to perform the Specialized Professional Services specified in this Agreement. Emergicon is not able to verify the accuracy or completeness of the Required Documentation provided by Client. By forwarding any such documentation to Emergicon, Client expressly represents and warrants that any such documentation is complete and accurate, and that Emergicon may rely upon the completeness and accuracy of any such documentation in performing its Services under this Agreement. Client bears sole responsibility for the claim submissions made by Emergicon on its behalf based upon the aforementioned documentation submitted to Emergicon by Client, and, notwithstanding any other term or provision of this Agreement, Client will, to the extent allowed by law, reimburse Emergicon, for any losses arising from billing or claim submission decisions made by Emergicon based on documentation submitted to Emergicon by Client if such documentation is later determined to be incomplete or inaccurate.

b. Maintain its qualifications to provide ambulance services, including any required local, state and/or federal licenses, permits, certificates or enrollments (collectively, "Licenses"), and to remain in good standing with Medicare, Medicaid and all other state and federal health care programs. Client shall provide copies of all current Licenses, including renewals, to Emergicon. Client shall be responsible to maintain a National Provider Identifier (NPI) number and to update the information associated with its NPI. Client expressly represents and warrants that it will not forward accounts for processing by Emergicon if the account is ineligible for payment or reimbursement, or if Client is ineligible for payment by any payers or insurers as a result of its licensure status, exclusion or other sanction with such payer or insurer, or other legal impediment, and that it will promptly notify Emergicon of any suspension or revocation of any required license, permit, certification or enrollment, or exclusion from any state or federal health care program or any change in ownership or management of Client. Failure of Client to give the notice required by this section may result in Client having to refund paid claims; Client agrees and understands that any such refund will be the sole responsibility of Client and that any fee due from Client to Emergicon for the billing of such claims will remain due and payable to Emergicon regardless of Client's repayment obligation.

c. Provide Emergicon with a copy of all required Licenses, permits, certificates and enrollments as referenced in Paragraph 4(b), and forward updates of these documents to Emergicon as they are renewed.

d. Provide Emergicon with odometer readings or other documentation of mileage accepted by the payer on all calls reflecting loaded mileage (from the point of patient pickup to the destination) recorded in tenths of a mile as required by Medicare guidelines.

e. In accordance with appropriate payer guidelines, obtain the signature of the patient or other authorized representative of the patient or otherwise meet the ambulance signature requirements set forth at 42 C.F.R. § 424.36 on each call and forward to Emergicon as part of the Required Documentation.

f. In the event that Client operates a subscription, membership, or resident write-off program, client represents and warrants that its program is actuarially sound in accordance with the guidance of the Office of Inspector General (OIG) and operated in accordance with any applicable state laws, regulations or guidelines. Emergicon will bill in accordance with the terms of such program, provided that Client furnishes those terms to Emergicon in writing. Client is responsible to inform Emergicon of its patients who are members or subscribers of Client's membership or subscription program. Notwithstanding any other provision of this Agreement, Client agrees to reimburse Emergicon, to the extent allowed by law, for any losses arising from Client's membership or subscription program in the event that Client's subscription or membership program is not actuarially sound as set forth in applicable OIG guidance or is not permissible under State law, regulation or policy.

g. If Client is a party to any ALS-BLS "joint billing" or "bundle billing" agreement, Client shall be responsible to provide Emergicon with a copy of such agreement. Client also agrees to submit a PCR from the other party to the joint billing agreement along with the Required Documentation.

h. Obtain a completed and valid PCS or CMN form on all trips where required by law and provide copies of all PCS or CMN forms to Emergicon as part of the Required Documentation.

i. Provide Emergicon with a copy of all Client rate schedules, contracts or agreements which pertain to Client's billing or charges for services.

j. Notify Emergicon of any or all changes in billing charges for service or changes in any of Client's billing policies or contracts not later than ten (10) days after the Client approval date of said changes.

k. Report all payments made directly to Client within twenty-four (24) hours of Client's receipt of same, excluding Saturday, Sunday, and official government holidays.

l. Cooperate reasonably with Emergicon so as to enable Emergicon to meet its obligations under this Agreement. In the event that Client's approval is required in order for Emergicon to fulfill any obligations it may have under this Agreement, Client shall not

unreasonably withhold, condition or delay its approval.

m. In writing, notify Emergicon of any customized needs (reporting, scheduling, support for Texas Ambulance Supplemental Payment Program (TASPP), etc.). Client understands that the processing of customized needs may entail additional charges to Client by Emergicon.

n. Designate a contact person or position, or official designee, authorized to represent the business interests on behalf of Client, who can promptly respond to any questions raised by Emergicon, or who can execute required forms and other documents necessary to the provision of Services by Emergicon under this Agreement.

o. Agree to permit Emergicon to provide training to Client personnel in the event that Emergicon deems such training to be necessary and/or desirable at a cost to be mutually agreed upon by the parties and paid by Client.

p. Provide electronic transfer of PCR data in an acceptable NEMSIS format to Emergicon. Client agrees to bear all cost of the development and implementation of the electronic software "bridge" as mutually agreed upon by the parties and in conjunction with Emergicon information technology personnel, representatives, or contractors.

q. To the extent allowed by law, Client will defend and hold harmless Emergicon and each of its officers, directors, employees, attorneys, and agents, to the extent allowed by applicable law, from and against any and all costs, claims, losses, damages, liabilities, expenses, judgments, penalties, fines and causes of action which arise or result from:

i. Any negligent acts or omissions resulting in claims or liabilities due to an incurable breach or violation of covenant, obligation, or agreement of Client set forth in this agreement and any incurable breach or inaccuracy of any of the representations or warranties made by Client in this agreement or in performing its responsibilities under this agreement.

ii. Both parties agree that defense of breach or violation of the agreement by Client under this Section 4(q) does not constitute the Client's incurrence of a debt in violation of Article XI Section 7 A. of the Texas Constitution and defined by the Supreme Court in *Tex. & New Orleans R.R. Co. v. Galveston County,* 169 S.W.2d 713, 715 (Tex. 1943).

5. Record Ownership and Access.

a. Client understands that all documentation provided to Emergicon by Client, whether in paper and/or electronic form, is for the sole and express purpose of permitting Emergicon to provide Specialized Professional Services under this Agreement. It is Client's responsibility to maintain all of its documents and business records, including copies of any documents or records provided to Emergicon ("Client-Provided Records"). Emergicon does not act as Client's records custodian.

b. As a convenience to Client, Emergicon will, during the term of this Agreement, produce patient care reports in response to routine attorney requests (with appropriate patient authorization) for such documentation, if those records are in Emergicon's possession at the time it receives such attorney request. For subpoenas, as well as any requests beyond those deemed by Emergicon to be routine attorney requests, Emergicon may forward such requests to Client for disposition. Emergicon may set a reasonable fee for such service and collect said fee for the services set forth in this paragraph. Any such fee will be the obligation of the patient or the party requesting on their behalf, and Client will not be responsible for any failure of a patient or party to pay said fee.

c. During the term of this Agreement, Emergicon shall, upon Client's written request, provide to Client, in electronic format and within 14 days of receipt of such written request, copies of any Client-Provided Records furnished to Emergicon by Client, and to any Claim Adjudication Documents generated by and received from insurers or payers in response to claims submitted by Emergicon on Client's behalf. "Claim Adjudication Documents" shall consist of the documents generated secondary to claim submission in the normal course of claim processing by payers and insurers, including Explanation of Benefits (EOB) documents, Remittance Advice (RA) documents, Medicare Summary Notice (MSN) documents, denials, and other documents of a similar type or nature.

d. Any documents, data, records, or information compiled in the course of Emergicon's provision of Specialized Professional Services under this Agreement, other than those Client-Provided Records and Claim Adjudication Records defined in Paragraphs 5(a) and (c) above, shall be the sole and exclusive property of Emergicon and shall be considered the business and/or proprietary records of Emergicon. Emergicon shall have no obligation to furnish any such business or proprietary records of Emergicon to Client, and Client shall have a right of access only to the Client-Provided Records and Claim Adjudication Documents as defined in Paragraphs 5(a) and (c), above.

e. If Client or a third party requests any documents or records to which Client or the third party has a right of access under Paragraphs 5(a) and (c) of this Agreement, and such documents cannot be provided to Client in electronic form, Emergicon may charge Client the per-copy amount for medical records permitted under the Texas Medical Board rules at the time of Client's request.

f. Should this Agreement be terminated for any reason, all documents and records to which Client has a right of access under Paragraphs 5(a) and (c) of this Agreement shall be maintained in electronic format at a site convenient to Emergicon for a reasonable amount of time for follow-up of all open claims, but in any event not to exceed ninety (90) days following the effective date of termination of this Agreement. Electronic or paper copies, as per Paragraph 5(e) hereof, of the records to which Client has a right of access under Paragraphs 5(a) and (c) will be made available to Client, at Client's sole cost and expense, in a format acceptable to Emergicon at the Client's written request provided that Client makes such request within thirty (30) days following termination of the Agreement, and provided that Client has no outstanding invoices due to Emergicon at the time of the request. Emergicon shall have absolutely no responsibility whatsoever after termination of this Agreement to provide any monthly reports or other such Emergicon-generated reports to Client.

g. Upon termination of this Agreement, Client is responsible to notify all payers, patients, and other correspondents of its new address, phone and/or fax numbers for billing or payment purposes. Notwithstanding any other provisions of this Agreement to the contrary, Emergicon will not be responsible for mail, deliveries, faxes, messages or other communications sent in Client's name to Emergicon after a 90 day close-out period following the effective termination date of this Agreement, and Emergicon shall have no duty to accept, maintain, copy, deliver or forward any such communications to Client following termination and close-out of this Agreement.

h. Costs for copies of documents required and/or requested by Client beyond the requirement of the normal daily claim handling requirements will be invoiced to Client by Emergicon at a per copy price per the Texas Medical Board rules at the time of the request.

6. Client Accounting and Auditing Requirements. If Client requires Emergicon's assistance in Client's accounting or other internal audits, Emergicon will charge client for said audit support services at its customary rates, to be established by Emergicon from time to time. Upon written request of Client for same, Emergicon shall furnish said rates to Client in writing prior to undertaking any work pursuant to this Paragraph.

7. Term and Termination.

a. This Agreement is for an initial term of three (3) years, and may be extended for two additional one (1) year periods.

b. This Agreement may be terminated with or without cause, by either party, upon written notice to the other party with thirty (30) days' notice and a 90 day close-out period to follow.

c. This Agreement may be terminated by Emergicon immediately upon written notice to Client for any of the following reasons:

i. If Client makes an assignment indicating Client financial insecurity for the benefit of creditors, files a voluntary or involuntary petition in bankruptcy, is adjudicated insolvent or bankrupt, petitions or applies to any tribunal for the appointment of any receiver of any trustee over its assets or properties, commences any proceeding under any reorganization, arrangement, readjustment of debt or similar law or statute of any jurisdiction, whether now or hereafter in effect, or if there is commenced against the other party any such proceeding which remains un-dismissed, un-stayed, or the other party by any act or any omission to act indicated its consent to, approval of or acquiescence in any such proceeding or the appointment of any receiver or of any trustee, or suffers any such receivership or trusteeship to continue undischarged, un-stayed, or un-vacated for a period of thirty (30) days.

ii. If Client loses its license, permit or certification necessary to do

business, or is excluded from any state or federal health care program.

iii. If Client fails to perform any of its responsibilities as set forth in this Agreement, fails to pay Emergicon for its Specialized Professional Services within thirty (30) days of the date such payment becomes due, takes any actions which Emergicon, in its sole discretion, determines to be unethical, illegal, immoral or non-compliant, or fails to cooperate with Emergicon in any way that prevents, impedes, obstructs, or delays Emergicon in the performance of the Specialized Professional Services set forth in this Agreement.

d. Upon termination for any reason, Emergicon shall perform follow-up on any open accounts submitted by Emergicon on Client's behalf for a period not to exceed ninety (90) days from the date of termination. Emergicon shall have no responsibility to perform such follow-up in the event Client takes any actions which prevent Emergicon from engaging in such follow-up, or in the event that Client has any unpaid balances due to Emergicon on the date of termination of this Agreement.

e. Upon termination for any reason, Client shall be responsible to pay the fees set forth in Paragraph 10(a), below, for all revenues collected by Emergicon on Client's behalf and for all claims billed on Client's behalf pursuant to Paragraph 10(b), below, during the 90-day follow-up period set forth in Paragraph 7(d), above. After notice of termination is given, all Emergicon invoices are due and payable by Client within five (5) days of same. In the event that Client does not remit payment on any such invoice within five (5) days of the invoice, Emergicon shall have no responsibility to perform any further follow-up on open accounts, notwithstanding the provisions of Paragraph 7(d), above.

8. External and Internal Audits.

a. Client shall immediately notify Emergicon if there has been any prepayment audit or review, post payment audit or review, or any investigation or other formal inquiry into the billing practices of Client and/or Emergicon, or claims submitted by Emergicon on behalf of Client, where such audit or investigation is or appears to have been initiated by any governmental agency, insurer, payer, carrier, Medicare Administrative Contractor, Recovery Audit Contractor, Zone Program Integrity Contractor, Unified Program Integrity Contractor, Medicaid Fraud Control Unit, other Medicare or Medicaid contractor or other agency or entity authorized to carry out any such audit or investigation. This obligation shall survive termination of this Agreement for any reason.

b. The Client bears sole responsibility for obtaining and paying for any legal or consulting assistance necessary in defending itself in any such audit or investigation. Emergicon shall assist Client in producing any records, reports or documents in its possession which pertain to the audit or investigation and may charge Client a reasonable fee, as determined by Texas Medical Board rules at the time of the request, for copying, preparation, assembly or retrieval of such documents or reports. Emergicon shall have no obligation to perform any duties under this Paragraph 8(b) following termination of this Agreement for any reason.

c. Client is solely responsible for repaying any overpayments or recoupments sought or imposed by any insurer, carrier, payer or governmental agency or contractor, including interest, civil monetary penalties, fines or other such assessments.

d. Client understands and acknowledges that Emergicon, as part of its compliance program, may on occasion, and at its sole discretion, perform or contract for the performance of periodic, random, internal audits of its coding, billing and other business practices. These voluntary, internal compliance audits may reveal the existence of Client overpayments, and Client agrees that any such overpayments identified by Emergicon in its internal auditing process will be refunded by Client as described in more detail in Paragraph 2(h) of this Agreement.

9. Disposition of Funds.

a. All funds Emergicon receives from third party payers, patients or other sources for ambulance services provided by Client shall be made in the name Client. Client authorizes Emergicon to endorse, deposit, and otherwise negotiate items as the client's representative and forward monthly to Client or deposit into a Client account as directed by Client.

b. If Client desires that its patients be able to pay their accounts utilizing credit cards, then Emergicon shall accept credit card payments on behalf of Client's patients in a manner that is secure and agreed upon by the parties, and only to the extent possible and feasible, without making Emergicon a collection agency and responsible for compliance with the federal Fair Debt Collection Practices Act and other state or federal debt collection laws.

c. Emergicon shall not accept a reassignment of any benefits where prohibited by law.

10. Compensation.

a. In exchange for the Specialized Professional Services described in this Agreement, Client shall pay Emergicon a fee equivalent to six and one half percent (6.5%) of all revenues collected by Emergicon on behalf of Client. Credit card payments accepted by Emergicon will be charged an additional two percent (2.0%) unless it has been offset by a payer convenience fee.

b. For all payers that prohibit percentage-based billing arrangements, such as Department of State Health Services' (DSHS') Children with Special Health Care Needs (CSHCN) Services Program, Client shall pay Emergicon a flat fee of $38 per trip, to be invoiced at the time of billing.

c. If Client instructs Emergicon to collect on an account(s) initially billed by another Contractor or Client's own collection team, Emergicon shall be compensated and paid for the collection efforts on said account in accordance with the following schedule: Twenty-two Percent (22%) of the total amount collected on the account.

d. If Client instructs Emergicon to pursue accounts with balances beyond 120 days from the date of transport, Emergicon shall be compensated and paid for the collection

efforts on said account in accordance with the following schedule: Eighteen Percent (18%) of the total amount collected on the account from such initial day Emergicon initiates such efforts.

e. If Client instructs Emergicon to place accounts with a 3rd party collection agency to continue beyond 120 days from the date of transport, Emergicon shall be compensated and paid for the collection efforts on said account in accordance with the following schedule: Eighteen Percent (18%) of the total amount collected on the account from such initial day Emergicon initiates such efforts.

f. If Client is disenrolled or inactive as a Medicare or Medicaid provider prior to the effective date of this Agreement, Emergicon shall re-enroll Client for an additional fee of $1,500 for Medicare and $500 for Medicaid, plus any fees assessed by the Centers for Medicare & Medicaid Services.

g. If Client switches the bank account to which Emergicon has been instructed to deposit collections, Client shall pay Emergicon a one-time fee of $1,500 to be payable in connection with the next subsequent invoice submitted by Emergicon.

h. Emergicon will retain any commissions owed net cash receipts collected for a given month received directly by Emergicon. Any invoices submitted to Client by Emergicon are subject to Net 30 terms from the date invoiced for any balance owed on accounts. Emergicon reserves the right to add simple interest at an annual rate of 18%, compounded daily, on all where Emergicon has not received payment within (30) days of the invoice date.

i. In the event that Client is obligated to refund any overpayment or credit balance as set forth in Paragraph 2(h), fees paid to Emergicon by Client for such refunded overpayment or credit balance shall not be credited or refunded to Client unless Emergicon bears responsibility for the overpayment or credit balance.

j. Client agree to reimburse $35 for any checks returned for insufficient funds as a result of this Agreement.

k. Emergicon agrees to notify client sixty (60) days in advance of any price increase.

11. Indemnification and Insurance.

a. In addition to any specific provisions set forth in this Agreement, to the extent allowed by law, Client shall reimburse Emergicon and/or its employees, officers, directors and agents for any and all costs, claims, losses, damages, liabilities, expenses, judgments, penalties, fines, and causes of action to the extent caused by any willful or grossly negligent act or omission on the part of Client or its agents, servants, volunteers, contractors or employees including but not limited to incomplete or inaccurate patient care reports, improperly completed PCS forms, or other documentation issues that make it impossible for Emergicon to properly code and bill claims. This provision shall include all costs and disbursements, including without limitation court costs and reasonable attorneys' fees.

b. In addition to any specific indemnification provisions set forth in this Agreement, to the extent allowed by law, Emergicon shall hold harmless, indemnify and defend Client and/or its employees, officers, directors and agents from and against any and all costs, claims, losses, damages, liabilities, expenses, judgments, penalties, fines and causes of action to the extent caused by any willful or grossly negligent misconduct of any Emergicon agent, servant, contractor or employee and which relate to the Specialized Professional Services performed by Emergicon under this Agreement.

c. Emergicon shall maintain errors and omissions insurance coverage in an amount not less than $4,000,000. Client will be named as an additional insured under the policy and Emergicon shall provide proof of such coverage to Client upon reasonable written request for same.

d. Notwithstanding any other provision of this Agreement, Emergicon shall not be liable for any damages, including but not limited to loss in profits, or for any special, incidental, indirect, consequential or other similar damages suffered in whole, or in part, in connection with this Agreement. Any liability of Emergicon for any disputed billing performed by Emergicon on behalf of Client shall not exceed any amounts paid to Emergicon by Client under this Agreement.

e. Where any provision of this Agreement obligates either party to defend, indemnify, hold harmless, and/or reimburse the other party, such agreement shall include any claims, losses, assessments or damages of any kind, and shall apply equally to that party and to its employees, owners, agents, contractors, attorneys, consultants, accountants, and servants.

f. It is expressly agreed and understood by both parties that certain repayment or refund demands may be made by insurance payers that are not the result of negligence on the part of either party and therefore are not subject to indemnity as set forth in the paragraph 11. Specifically, there may be claims that are audited or reviewed and later determined not to be medically necessary, not to justify the level of care provided and/or billed, or otherwise denied or down-coded to a lower level of service. In this situation, the parties will work together to respond to and appeal such denials, and if determined that repayment is in fact due after the exhaustion of such available appeals, the parties will pay their pro-rata share of refund based on the % fee set forth in paragraph 10.a. above.

12. Confidentiality. Neither Emergicon nor Client shall, during the term of this Agreement or for any extension hereof, for any reason, disclose to any third parties any proprietary information regarding the other party unless required to do so by law, regulation or subpoena. Emergicon acknowledges the Client requirements under the Public Information Act. For purposes of this Agreement, "proprietary information" shall include, but not be limited to, pricing or rate information, information pertaining to contracts with payers, insurers, facilities, ambulance providers, health care systems, or other such parties, audit requests, audit results, billing processes, client lists or other such information.

13. Compliance.

a. Emergicon will conduct its activities and operations in compliance with all state and federal statutes, rules and regulations applicable to billing activities.

b. Client shall conduct its activities, operations and documentation in compliance with all applicable state and federal statutes, rules and regulations. Client expressly represents and warrants that it is under no legal impediment to billing or receiving reimbursement for its services, and that all of Client's personnel are appropriately licensed and/or certified to furnish the services provided by Client. Client agrees to reimburse Emergicon, to the extent allowed by law, for any and all claims, damages and losses caused by Client sending accounts to Emergicon which are ineligible for billing and/or reimbursement for any reason.

c. Each party is responsible for monitoring and ensuring its own compliance with all applicable state and federal laws and regulations pertaining to billing and reimbursement for its services. However, either party which becomes aware of a violation of any such state or federal laws or regulations or of a questionable claim or claim practice agrees to notify the other party within fifteen (15) days so the other party may appropriately address the matter.

d. The parties represent that they are not the subject of any actions or investigations pertaining to its participation in or standing with any state or federal health care program, are not subject to exclusion from any state and/or federal health care program, and that no persons providing services for which reimbursement is sought were at the time such services were rendered excluded from any state or Federal health care program.

e. The parties recognize that this Agreement is at all times subject to applicable state, local, and federal laws and shall be construed accordingly. The parties further recognize that this Agreement may become subject to or be affected by amendments in such laws and regulations or to new legislation or regulations. Any provisions of law that invalidate, or are otherwise inconsistent with, the material terms and conditions of this Agreement, or that would cause one or both of the parties hereto to be in violation of law, shall be deemed to have superseded the terms of this Agreement and, in such event, the parties agree to utilize their best efforts to modify the terms and conditions of this Agreement to be consistent with the requirements of such law(s) in order to effectuate the purposes and intent of this Agreement. In the event that any such laws or regulations affecting this Agreement are enacted, amended or promulgated, either party may propose to the other a written amendment to this Agreement to be consistent with the provisions of such laws or regulations. In the event that the parties do not agree on such written amendments within thirty (30) days of receipt of the proposed written amendments, then either party may terminate this Agreement without further notice, unless this Agreement would expire earlier by its terms.

15. Non-Engagement of Individuals on the OIG Exclusion List. The parties further warrant that each will take all reasonable steps as set forth by the Office of Inspector General, United States Department of Health and Human Service, to ensure that it does not employ or otherwise engage individuals who have been excluded from participation in federal health care programs. The parties agree to periodically check the OIG exclusion website to ensure that employees, volunteers and all others providing services for each respective organization are not excluded. The website is: http://exclusions.oig.hhs.gov.

16. Independent Contractor Relationship. Emergicon and Client stand in an independent contractor relationship to one another and shall not be considered as joint ventures or partners, and nothing herein shall be construed to authorize either party to act as general agent for the other. There is no liability on the part of Emergicon to any entity for any debts, liabilities or obligations incurred by or on behalf of the Client.

17. Prevention of Performance. If a party's obligation to perform any duty hereunder is rendered impossible of performance due to any cause beyond such party's control, including, without limitation, an act of God, war, civil disturbance, fire or casualty, labor dispute, hardware or software failures beyond the party's control, or governmental rule, such party, for so long as such condition exists, shall be excused from such performance, provided it promptly provides the other party with written notice of its inability to perform stating the reasons for such inability and provided that the party takes all appropriate steps as soon as reasonably practicable upon the termination of such condition to recommence performance.

18. Assignment. This Agreement may be assigned by Emergicon to any successors or assigns of Emergicon with the express written consent of the Client. This Agreement may not be assigned by Client without the express written consent of Emergicon. This Agreement shall be binding upon all successors and assigns.

19. Notices. Notices required to be given under this Agreement shall be made to the parties at the following addresses and shall be presumed to have been received by the other party (i) three days after mailing by the party when notices are sent by First Class mail, postage prepaid; (ii) upon transmission (if sent via facsimile with a confirmed transmission report); or (iii) upon receipt (if sent by hand delivery or courier service).

Emergicon:	City of New Braunfels :
Emergicon, LLC.	City of New Braunfels
PO Box 180446	550 Landa St
Dallas, TX 75218	New Braunfels, TX 78130
Phone: (972)602-2060	(830)221-4200
Fax:(469)602-5542	

20. Non-Competition and Non-Solicitation Clause. Without prior, written authorization from Emergicon, Client shall not:

a. During the term of this Agreement, or for two (2) years following its expiration or termination for any reason, employ, retain as an independent contractor, or otherwise in any way hire any personnel currently employed or employed at any time during the term of this Agreement by Emergicon without compensation to Emergicon of a placement fee of two times the annual salary paid by Emergicon to such employee at the time such employee left employment of Emergicon.

b. During the term of this Agreement, or for a period of two (2) years following its expiration or termination for any reason, engage in the provision of billing services for any other ambulance service, medical transportation organization, fire department, or emergency medical services organization without compensation to Emergicon equivalent to two times the

annual average of fees during the term of this agreement as paid to Emergicon for these services. Nothing in this Paragraph shall be interpreted to prohibit Client from performing its own in-house billing and/or accounts receivable management following the expiration or proper termination of this Agreement.

21. Governing Law and Forum Selection Clause. This Agreement shall be deemed to have been made and entered into in Texas and shall be interpreted in accordance with the laws thereof, without regard to conflicts of laws principles. The parties expressly agree that the exclusive forum for resolving any legal disputes under this Agreement shall be the state or federal courts serving [Comal County, Texas]. Client expressly agrees to personal jurisdiction and venue in any such court.

22. Entire Agreement. This Agreement constitutes the sole and only agreement between the Parties and supersedes any prior understandings, written or oral agreements between the Parties with respect to this subject matter.

23. Authorization. Each Party represents that it has full capacity and authority to grant all rights and assume all obligations granted and assumed under this Agreement.

24. Successors and Assigns. Subject to the provisions regarding assignment, this Agreement shall be binding on and inure to the benefit of the Parties to it and their respective heirs, executors, administrators, legal representatives, successors and assigns.

25. Amendments. This Agreement may be amended only by the mutual written agreement of the Parties.

26. Severability. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

27. Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the Parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

28. Counterparts. This Agreement may be executed by the Parties hereto in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all of the Parties hereto.

29. Conflicts of Interests. Special Assessor represents that no official or employee of the City has any direct or indirect pecuniary interest in this Agreement.

30. Force Majeure. The parties shall be excused for the period of any delay in or impossibility of the performance of any obligations hereunder, when prevented from doing so by any cause or causes beyond a party's control, which shall include without limitation: all labor disputes, civil

commotion, war, nuclear disturbances, hostilities, sabotage, terroristic acts, governmental regulations or controls, fire, accident or other casualty, interruption in the supply of any utilities or fuel, inability to obtain any material or services, public health emergencies, or through acts of God.

31. Regulatory Changes. The parties recognize that this Agreement is at all times subject to applicable state, local, and federal laws and shall be construed accordingly. The parties further recognize that this Agreement may become subject to or be affected by amendments in such laws and regulations or to new legislation or regulations. Any provisions of law that invalidate, or are otherwise inconsistent with, the material terms and conditions of this Agreement, or that would cause one or both of the parties hereto to be in violation of law, shall be deemed to have superseded the terms of this Agreement and, in such event, the parties agree to utilize their best efforts to modify the terms and conditions of this Agreement to be consistent with the requirements of such law(s) in order to effectuate the purposes and intent of this Agreement. In the event that any such laws or regulations affecting this Agreement are enacted, amended or promulgated, either party may propose to the other a written amendment to this Agreement to be consistent with the provisions of such laws or regulations. In the event that the parties do not agree on such written amendments within thirty (30) days of receipt of the proposed written amendments, then either party may terminate this Agreement without further notice, unless this Agreement would expire earlier by its terms.

32. Independent Contractor Relationship. The relationship of the parties is that of independent contractors. Neither party shall be deemed to be the agent nor partner nor fiduciary of the other, and neither is authorized to take any action binding upon the other.

IN WITNESS WHEREOF, the parties have executed this Agreement to commence on the date first above written. Client represents that the individual who has executed this Agreement on behalf of the Client is authorized by Client and by law to do so.

EMERGICON, LLC.

By:

_____
Signature Date

Christopher Turner
Print Name

Founder and CEO
Title

City of New Braunfels

By:

10/25/2023
Signature Date

Robert Camareno
Print Name

City Manager
Title

Business Associate Agreement
Between
City of New Braunfels
and Emergicon, LLC

This Business Associate Agreement ("Agreement") between Department and Emergicon, LLC is executed to ensure that Emergicon, LLC will appropriately safeguard protected health information ("PHI") that is created, received, maintained, or transmitted on behalf of Department in compliance with the applicable provisions of Public Law 104-191 of August 21, 1996, known as the Health Insurance Portability and Accountability Act of 1996, Subtitle F – Administrative Simplification, Sections 261, *et seq.*, as amended ("HIPAA"), and with Public Law 111-5 of February 17, 2009, known as the American Recovery and Reinvestment Act of 2009, Title XII, Subtitle D – Privacy, Sections 13400, *et seq.*, the Health Information Technology and Clinical Health Act, as amended (the "HITECH Act").

A. General Provisions

1. **Meaning of Terms.** The terms used in this Agreement shall have the same meaning as those terms defined in HIPAA.

2. **Regulatory References**. Any reference in this Agreement to a regulatory section means the section currently in effect or as amended.

3. **Interpretation**. Any ambiguity in this Agreement shall be interpreted to permit compliance with HIPAA.

B. Obligations of Business Associate

Emergicon, LLC, agrees that it will:

1. Not use or further disclose PHI other than as permitted or required by this Agreement or as required by law;

2. Use appropriate safeguards and comply, where applicable, with the HIPAA Security Rule with respect to electronic protected health information ("e- PHI") and implement appropriate physical, technical and administrative safeguards to prevent use or disclosure of PHI other than as provided for by this Agreement;

3. Report to Department any use or disclosure of PHI not provided for by this Agreement of which it becomes aware, including any security incident (as defined in the HIPAA Security Rule) and any breaches of unsecured PHI as required by 45 CFR §164.410. Breaches of unsecured PHI shall be reported to Department without unreasonable delay but in no case later than 60 days after discovery of the breach;

4. In accordance with 45 CFR 164.502(e)(1)(ii) and 164.308(b)(2), ensure that any subcontractors that create, receive, maintain, or transmit PHI on behalf of Emergicon, LLC agree to the same restrictions, conditions, and requirements that apply to Emergicon, LLC with respect to such information;

5. Make PHI in a designated record set available to Department and to an individual who has a right of access in a manner that satisfies Department's obligations to provide access to PHI in accordance with 45 CFR §164.524 within 30 days of a request;

6. Make any amendment(s) to PHI in a designated record set as directed by Department, or take other measures necessary to satisfy Department's obligations under 45 CFR §164.526;

7. Maintain and make available information required to provide an accounting of disclosures to Department or an individual who has a right to an accounting within 60 days and as necessary to satisfy Department's obligations under 45 CFR §164.528;

8. To the extent that Emergicon, LLC is to carry out any of Department's obligations under the HIPAA Privacy Rule, Emergicon, LLC shall comply with the requirements of the Privacy Rule that apply to Department when it carries out that obligation;

9. Make its internal practices, books, and records relating to the use and disclosure of PHI received from, or created or received by Emergicon, LLC on behalf of Department, available to the Secretary of the of Health and Human Services for purposes of determining Emergicon, LLC and Department's compliance with HIPAA and the HITECH Act;

10. Restrict the use or disclosure of PHI if Department notifies Emergicon, LLC of any restriction on the use or disclosure of PHI that Department has agreed to or is required to abide by under 45 CFR §164.522; and

11. If Department is subject to the Red Flags Rule (found at 16 CFR §681.1 *et seq.*), Emergicon, LLC agrees to assist Department in complying with its Red Flags Rule obligations by: (a) implementing policies and procedures to detect relevant Red Flags (as defined under 16 C.F.R. §681.2); (b) taking all steps necessary to comply with the policies and procedures of Department's Identity Theft Prevention Program; (c) ensuring that any agent or third party who performs services on its behalf in connection with covered accounts of Department agrees to implement reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft; and (d) alerting Department of any Red Flag incident (as defined by the Red Flag Rules) of which it becomes aware, the steps it has taken to mitigate any potential harm that may have occurred, and provide a report to Department of any threat of identity theft as a result of the incident.

C. Permitted Uses and Disclosures by Business Associate

The specific uses and disclosures of PHI that may be made by Emergicon, LLC on behalf of Department include:

1. The preparation of invoices to patients, carriers, insurers and others responsible for payment or reimbursement of the services provided by Department to its patients;
2. Preparation of reminder notices and documents pertaining to collections of overdue accounts;
3. The submission of supporting documentation to carriers, insurers and other payers to substantiate the healthcare services provided by Department to its patients or to appeal denials of payment for the same; and
4. Other uses or disclosures of PHI as permitted by HIPAA necessary to perform the services that Emergicon, LLC has been engaged to perform on behalf of Department.

D. Termination

1. Department may terminate this Agreement if Department determines that Emergicon, LLC has violated a material term of the Agreement.
2. If either party knows of a pattern of activity or practice of the other party that constitutes a material breach or violation of the other party's obligations under this Agreement, that party shall take reasonable steps to cure the breach or end the violation, as applicable, and, if such steps are unsuccessful, terminate the Agreement if feasible.
3. Upon termination of this Agreement for any reason, Emergicon, LLC shall return to Department or destroy all PHI received from Department, or created, maintained, or received by Emergicon, LLC on behalf of Department that Emergicon, LLC still maintains in any form. Emergicon, LLC shall retain no copies of the PHI. If return or destruction is infeasible, the protections of this Agreement will extend to such PHI.

Agreed to this 25th day of August, 2023

Emergicon, L.L.C.

Signature: _____

City of New Braunfels

Signature: _____

PRESENTER:
Julie Gohlke, Assistant Purchasing Manager

SUBJECT:
Approval to renew certain established annual contracts, as allowed for by their contract language and in accordance with City Charter Section 9.17.
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 Contract NB 22-212 for rental of waste containers
City Department: Solid Waste
Awarded Contractor: Big Belly Solar, LLC
Contract Term: March 29, 2026
Modified Contract Expiration Date: April 26, 2029
Approximate Cost of Services During Renewal Period: $45,816.60 for a 3-year renewal at a cost of $137,449.80.

Renewal of Annual Contract NB 24-128 for Legal Services Case Resolution and Delinquent Case Collections
City Department: Municipal Court
Awarded Contractor: McCreary, Veselka, Bragg & Allen, P.C. dba MVBA
Contract Term: June 1, 2026
Modified Contract Expiration Date: May 31, 2028
Approximate Cost of Services During Renewal Period: $80,000 per year for a 2-year renewal of $160,000.00

Renewal of Annual Contract NB 23-128 for IT Fiber Construction and Repair
City Department: Information Technology
Awarded Contractor: Chain Electric Company
Contract Term: May 24, 2026, renewed annually
Modified Contract Expiration Date: May 23, 2028
Approximate Cost of Services During Renewal Period: $200,000 per year for a 2-year renewal of $400,000.00

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 contracts, as allowed for by their contract language and in accordance with City Charter Section 9.17

PRESENTER:
Karrie Cook, Budget Manager

SUBJECT:
Approval of FY 2026 budget amendments for the Airport Fund and General Fund- Economic & Community Development Department.
DEPARTMENT: Finance, Economic & Community Development
COUNCIL DISTRICTS IMPACTED: N/A

BACKGROUND INFORMATION:

General Fund Amendment

On January 26th, 2026, City Council approved a Chapter 380 Agreement with Early Matters-New Braunfels to address early childhood education and childcare needs throughout the New Braunfels community. The fiscal impact stated that a total of $300,000- dispersed in $100,000 amounts over three (3) years will be provided to Early Matters for the work and completion of Performance Conditions outlined in Section 1 of the 380 Agreement.

Funding for this Agreement has been provided by way of the New Braunfels Economic Development Corporation (EDC) through the absorption of $300,000 of Operations & Maintenance funds for the Zipp Family Sports Park.

A General Fund budget amendment is needed to recognize the contribution revenue from the EDC, as well as the $100,000 payment for the Early Matters Agreement. This will result in a net-zero financial impact in the General Fund.

Budget Amendment:

Fund	Department	Division	Category	Action	Increase/(Decrease)
General Fund	N/A	Revenue	Revenue	Increase Revenue	$ 100,000
General Fund	Economic & Community Development	Economic & Community Development	Operating	Increase Expenditures	$ 100,000

Airport Fund Amendment

The Airport currently has several ongoing capital improvement projects that span multiple fiscal years and

require multi-year budgeting, including the Terminal Feasibility Study and the Perimeter Security Fence construction. These projects are planned and funded based on anticipated timelines and projected annual expenditures.

In instances where a project's timeline extends beyond what was originally anticipated, expenditures may not align precisely with the fiscal year in which funds were initially appropriated. As a result, a budget amendment is required to roll over previously unspent funds from the prior fiscal year into the current fiscal year.

This adjustment ensures that the budget accurately reflects the updated project schedule and anticipated spending for the current year, while maintaining proper financial oversight and continuity of project funding.

Budget Amendment:

FY 2025 Adopted Capital Budget	FY 2025 Actuals	Variance
$ 979,600	$120,548	$859,052

FY 2026 Adopted Capital Budget	Proposed Budget Amendment	FY 2026 Capital Budget (New)
$ 957,425	$859,052	**$1,816,477**

ISSUE:
N/A

FISCAL IMPACT:
Airport Fund: The proposed budget amendment reflects the rollover of previously budgeted, unspent funds into the current fiscal year. The Perimeter Security Fence project is primarily funded through TXDOT on a reimbursement basis. Accordingly, the City must initially expend the funds and subsequently submit a request for reimbursement. The Terminal Feasibility Study is funded through Airport revenues and available fund reserves.

General Fund: The proposed amendment is a request to increase both the revenue and expenditure budgets by $100,000, resulting in a net zero budget impact to the fund.
RECOMMENDATION:
Staff recommends approval of the proposed FY 2026 budget amendments for the Airport and General Funds.

PRESENTER:
Matthew Eckmann, Assistant Director of Public Works

SUBJECT:
Approval of a settlement agreement between the City of New Braunfels and Joe Henry Tays, as Independent Executor of the Estate of Frederick Frueholz, Jr., deceased, for the acquisition of the necessary right-of-way as part of the Kohlenberg Road Project and authorization for the City Manager to execute all necessary settlement and conveyance documents.
DEPARTMENT: Public Works

COUNCIL DISTRICTS IMPACTED: 4

BACKGROUND INFORMATION:

The Kohlenberg Reconstruction Project is one of the approved projects in Proposition A of the City of New Braunfels 2023 Bond Program. The project will improve the current roadway to four lanes, improve drainage infrastructure, provide intersection enhancements and provide for sidewalks and a shared use path.

ISSUE:
In order to accomplish this project, it is necessary to acquire right-of-way and utility easements from several parcels. City Council previously authorized a petition for condemnation in this matter and the City has reached a settlement agreement with the property owner in lieu of condemnation. The expenditure shall be utilized for the purchase of right-of-way, and any damages for improvements (fencing, landscaping, etc) that will be affected by the acquisition.

FISCAL IMPACT:
Funding for the property acquisitions is incorporated in the 2023 Bond Program, therefore sufficient funds are available.

RECOMMENDATION:
Staff recommends approval of the settlement agreement and authorization for the City Manager to execute all necessary settlement and conveyance documents.

RMO ROSS MOLINA OLIVEROS
A PROFESSIONAL CORPORATION

April 10, 2026

Mr. Mark Merrell
McFarland PLLC
811 Louisiana St., Suite 2520
Houston, Texas 77002

Via Email: mmerrell@mcfarlandpllc.com

Re: **TRE 408 Rule 11 Agreement** – Acquisition of 2.309 acre parcel in fee simple title
Cause No. 2025CV0719, *City of New Braunfels, Texas v. Joe Henry Tays, Individually and as Independent Executor of the Estate of Frederick Frueholz, Jr. (Deceased),* in The County Court at Law No. 3, Comal County, Texas.

Mr. Merrell:

This letter shall serve as a binding Rule 11 Agreement between the parties regarding the above-referenced Cause No. and serves to memorialize the agreement between our clients regarding the acquisition of fee simple title to a portion of a tract owned by your client, Joe Henry Tays, Individually and as Independent Executor of the Estate of Frederick Frueholz, Jr. (the "Landowner") in Comal County, Texas. This agreement includes the amount of compensation to be paid by the City of New Braunfels, Texas ("City") to your client. We appreciate your client's cooperation in reaching an agreement on the acquisition of the rights that City seeks to acquire. The parties have agreed to the total compensation of One Million Twenty-Five Thousand Two Hundred and No/100 Dollars ($1,025,200.00) for all of the rights detailed below and subject to the following terms:

1. The parties agree that upon approval of the settlement by the City of New Braunfels City Council, City will pay Landowner the sum of $1,025,200.00 for fee simple title to a 2.309-acre tract, or 100,568 square feet more or less (the "Subject Property") out of the 42.532-acre tract owned by Landowner in Comal County, Texas, said tract is described and depicted in **Exhibit A**, which is appended hereto and incorporated for all purposes;
2. The transaction will be closed at Corridor Title Company, whose office is located at 410 W. San Antonio, Texas 78130 (the "Title Company");
3. Upon approval of the settlement by the City of New Braunfels City Council, City will deliver a check for the agreed upon compensation to the Title Company, said check to be held in escrow. The check from the title company for acquisition will be made out as follows: McFarland PLLC F/B/O Joe H. Tays, Individually and as Independent Executor of the Estate of Frederick Frueholz, Jr. The City shall be responsible for all costs associated with the closing;
4. At the closing, an Executor's Deed will be executed by Mr. Tays as set forth in Exhibit B, which is appended hereto and incorporated for all purposes. Mr. Tays will also execute a Warranty Deed as set forth in Exhibit C, which is appended hereto and incorporated for all

purposes. Upon execution of the Executor's Deed and Warranty Deed conveying the Subject Property, Title Company shall disburse funds to counsel for Landowner and record the documents in the Official Public Records of Comal County, Texas;

5. Within 30 days of the recording of the Executor's Deed and Warranty Deed, counsel for City shall file a Notice of Non-Suit with the Court and record a Release of Lis Pendens in the Official Public Records of Comal County, Texas.
6. This agreement is subject to Texas Rule of Evidence 408.

Please sign in the space provided below to signify that the terms above reflect the agreement of the parties in this matter and return this letter to me at your earliest convenience.

If Landowner is not in agreement with these settlement terms, please contact me so that we may discuss this matter further.

Respectfully,

A.A. Jack Ross, IV
ATTORNEY FOR
CITY OF NEW BRAUNFELS, TEXAS

AGREED:

Mark Merrell
ATTORNEY FOR LANDOWNER,
JOE HENRY TAYS, INDIVIDUALLY AND
AS INDEPENDENT EXECUTOR OF THE
ESTATE OF FREDERICK FRUEHOLZ, JR. (DECEASED)

EXHIBIT A

ISO 9001:2015 CERTIFIED
ENGINEERS · PLANNERS · SCIENTISTS · CONSTRUCTION MANAGERS
2806 W. Bitters Road, Suite 218 • San Antonio, Texas 78248 • Phone (210) 641-9999

FIELD NOTES
FOR
PARCEL 4 – FREDERICK FRUEHOLZ JR.
KOHLENBERG ROAD R.O.W.
2.309 Acres (100,568 Square Foot)

Being 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 recorded in Document No. 201306045302 of the Official Public Records (O.P.R.C.C.) 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, O.P.R.C.C, said 2.309 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at ½" iron rod found in the existing southwest right-of-way (ROW) line of Kohlenberg Road (variable width ROW); a second found ½" iron rod with Sherwood cap at the south corner of Lot 1, Block 1 of the Continental Nautilus Subdivision as shown on the plat recorded in Document No. 202106015426 of the Official Map Records (O.M.R.C.C.) of Comal County, Texas bears S 42°42'02" W – 1378.78 feet;

THENCE S 44°38'41" E, with said southwest ROW of Kohlenberg Road, for a distance of 347.78 feet to a set ½" iron rod with KCI plastic cap for the **POINT OF BEGINNING** at the north corner of this description;

THENCE S 44°38'41" E, continuing with said southwest ROW line of Kohlenberg Road, for a distance of 1302.05 feet to a set ½" iron rod with KCI plastic cap at the west existing right-of-way (ROW) cutback line of FM 1101;

THENCE S 00°22'39" E, with said cutback line, for a distance of 71.91 feet to a set ½" iron rod with KCI plastic cap;

THENCE with a curve to the left having a radius of 1168.28 feet and a central angle of 01°11'40", the chord bears S 46°16'07" W – 24.73 feet to a set ½" iron rod with KCI plastic cap;

THENCE S 45°40'17" W with the existing northwest ROW line of FM 1101 for a distance of 58.80 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" at the south corner of this description;

THENCE through the 239.708 acre tract for the following three (3) courses:

N 01°40'29" W for a distance of 69.85 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" for an angle point;

N 40°33'19" W for a distance of 178.02 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" for an angle point;

N 44°36'02" W for a distance of 1123.74 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" on the southeast line of the remainder of the Lynn Wohlfahrt 92.49 acre tract recorded in Document No. 200306025956 O.P.R.C.C., Comal County, Texas:

THENCE N 45°02'10" E with said southeast line for a distance of 72.55 feet to the **POINT OF BEGINNING**, and containing 2.309 acres (100,568 square foot) of land, more or less

.

- Bearings source is between the first and last two ½" iron rods described above found on the southeast line of Lot 1, Block 1, and shown as N 42°42'02" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone (4203).

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Engineers and Land Surveyors according to an actual survey made on the ground by employees of KCI Technologies."

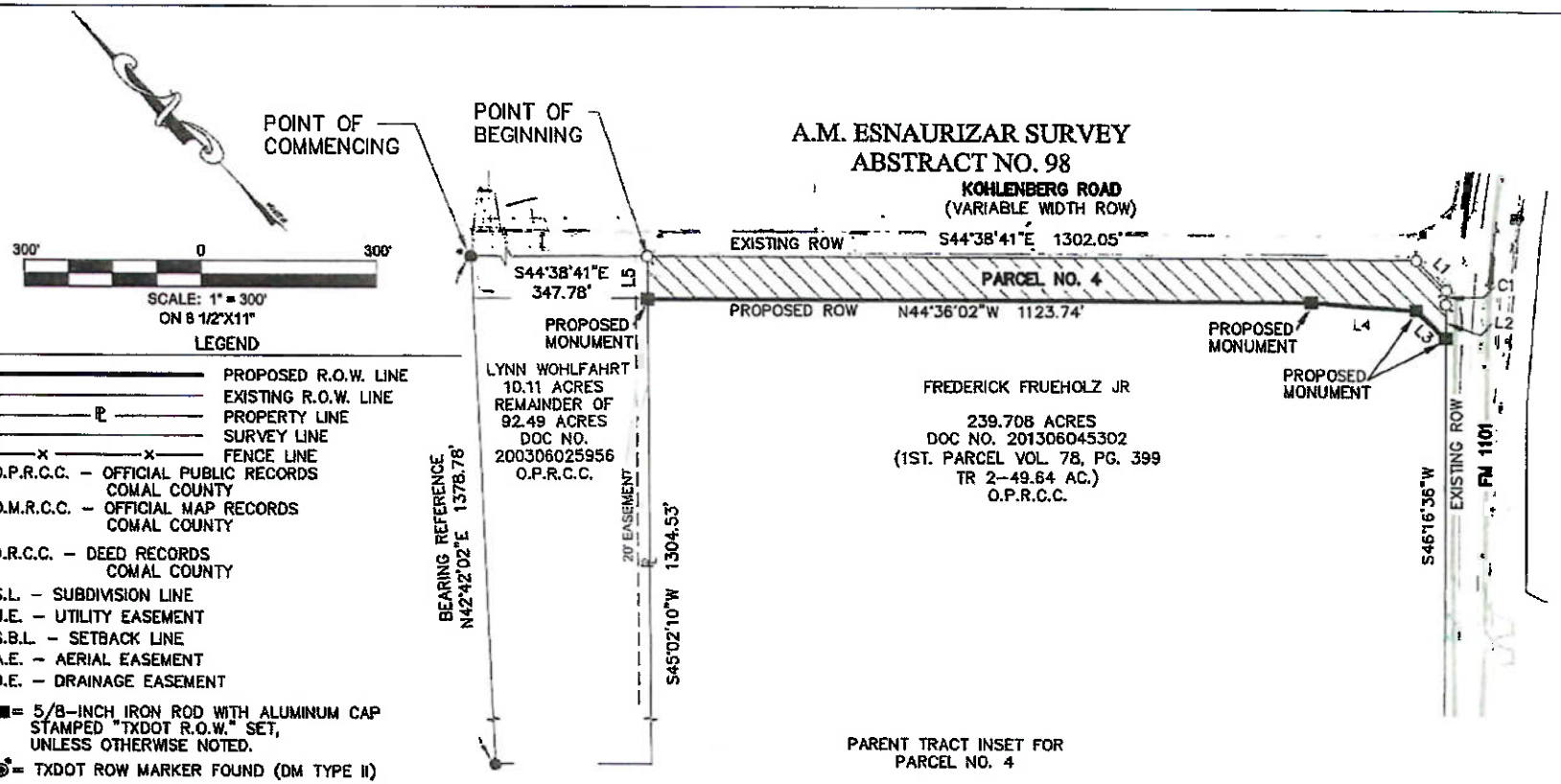
Date: October 23, 2024

Gary B Neill

Gary B. Neill
R.P.L.S. #3964
Firm No. 101943-65

Warning: Only those copies with the Signature and Seal in red should be relied upon.

CONB Kohlenberg
Project Number: 45E0619602
00002476_00004.004



PARENT TRACT INSET FOR PARCEL NO. 4

LEGEND

- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE

O.P.R.C.C. – OFFICIAL PUBLIC RECORDS COMAL COUNTY
O.M.R.C.C. – OFFICIAL MAP RECORDS COMAL COUNTY
D.R.C.C. – DEED RECORDS COMAL COUNTY
S.L. – SUBDIVISION LINE
U.E. – UTILITY EASEMENT
S.B.L. – SETBACK LINE
A.E. – AERIAL EASEMENT
D.E. – DRAINAGE EASEMENT

- ■ = 5/8-INCH IRON ROD WITH ALUMINUM CAP STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
- = TXDOT ROW MARKER FOUND (DM TYPE II)
- = TXDOT ROW MARKER FOUND (DM TYPE III)
- = TXDOT ROW MARKER FOUND (CONC MON TYPE I)
- ● = 1/2" IRON ROD FOUND UNLESS OTHERWISE DESCRIBED AS NOTED
- = 1/2" IRON ROD WITH SHERWOOD ID CAP FOUND
- = 1/2" IRON ROD SET WITH KCI CAP

NOTES:

1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, (4203), NORTH AMERICAN DATUM OF 1983 (NAD 83). ALL COORDINATES SHOWN ARE SURFACE COORDINATES AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE TXDOT SCALE FACTOR OF 1.00014.
2. FIELD SURVEYS WERE COMPLETED IN JULY 3, 2024. MONUMENTS SET OCTOBER 14, 2024
3. SURVEY LINES SHOWN ARE APPROXIMATE AND BASED ON THE BEST AVAILABLE INFORMATION.
4. REMAINDER AC. (ACREAGE) AREAS ARE THE DIFFERENCE BETWEEN THE RECORD DEED DESCRIPTION'S AREAS OR THEIR REMAINDERS (PER THE DOCUMENT NO. SHOWN) AND THE MEASURED AREA OF THE PROPOSED RIGHT OF WAY.

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	DISTANCE
C1	1186.28'	24.73'	1°11'40"	S46°16'07"W	24.73'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°22'39"E	71.91'
L2	S45°40'17"W	58.80'
L3	N01°40'29"W	69.85'
L4	N40°33'19"W	178.02'
L5	N45°02'10"E	72.55'

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC. LEFT	REMAINDER AC. RIGHT
239.708 PER DEED	2.309 100,568		237.399

STATE OF TEXAS REGISTERED GARY B. NEILL 3964 PROFESSIONAL LAND SURVEYOR

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B Neill 10/23/2024

GARY B. NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

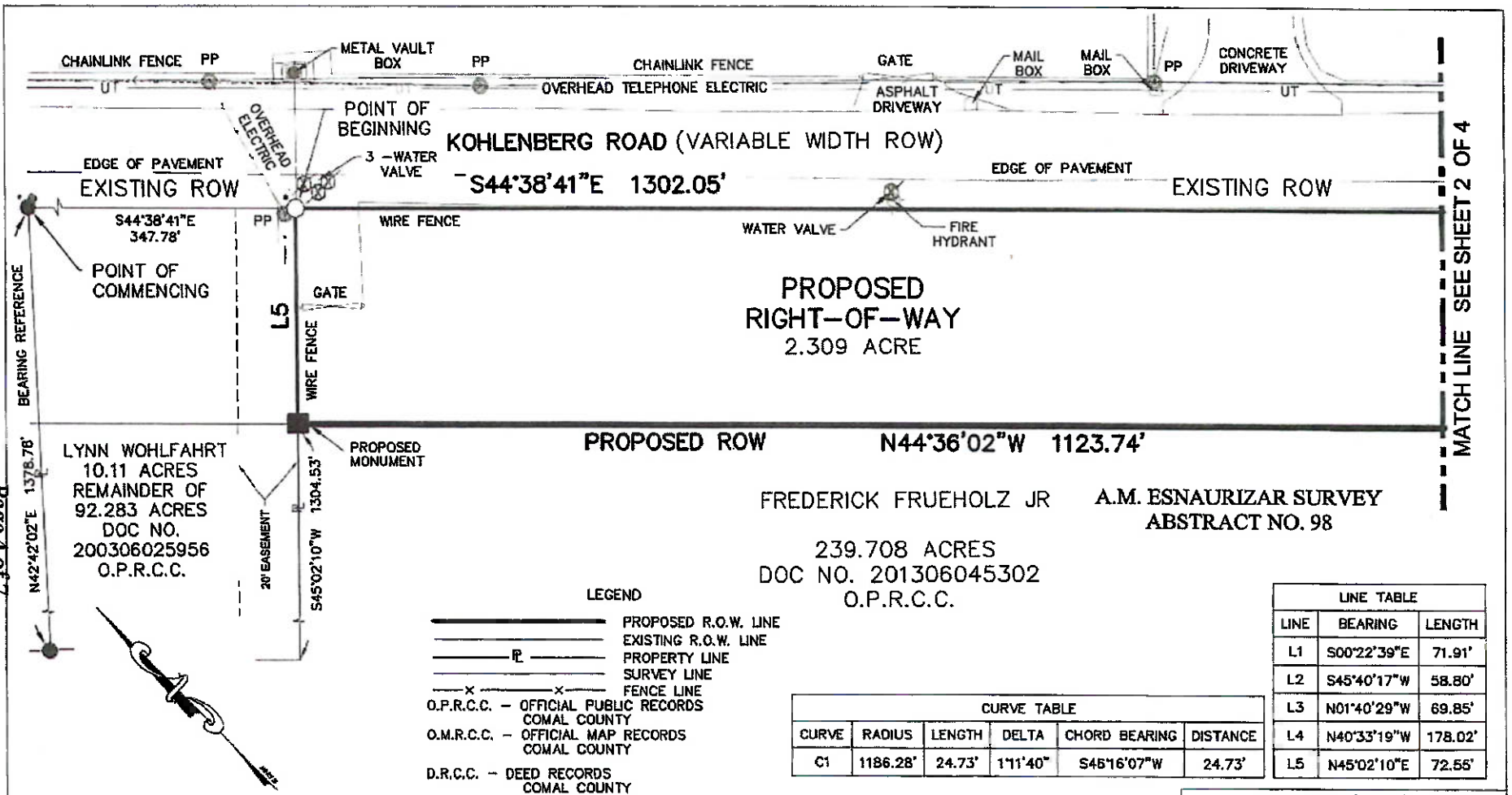
KCI TECHNOLOGIES, INC.
2806 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
PHONE: (210) 841-8999
FAX: (210) 641-6449
REGISTRATION #F-10573 / #10193405

PARCEL PLAT
SHOWING

PARCEL NO. 4

KOHLENBERG ROAD
COMAL COUNTY

PAGE 4 OF 4 SCALE: 1:300



Page 4 of 7

LEGEND

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50' 0 50'
SCALE: 1" = 50'
ON 8 1/2"X11"

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Gary B. O'Neill 10/23/2024

GARY B. O'NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

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239.708 PER DEED	2.309 100,588		237.399

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2638 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
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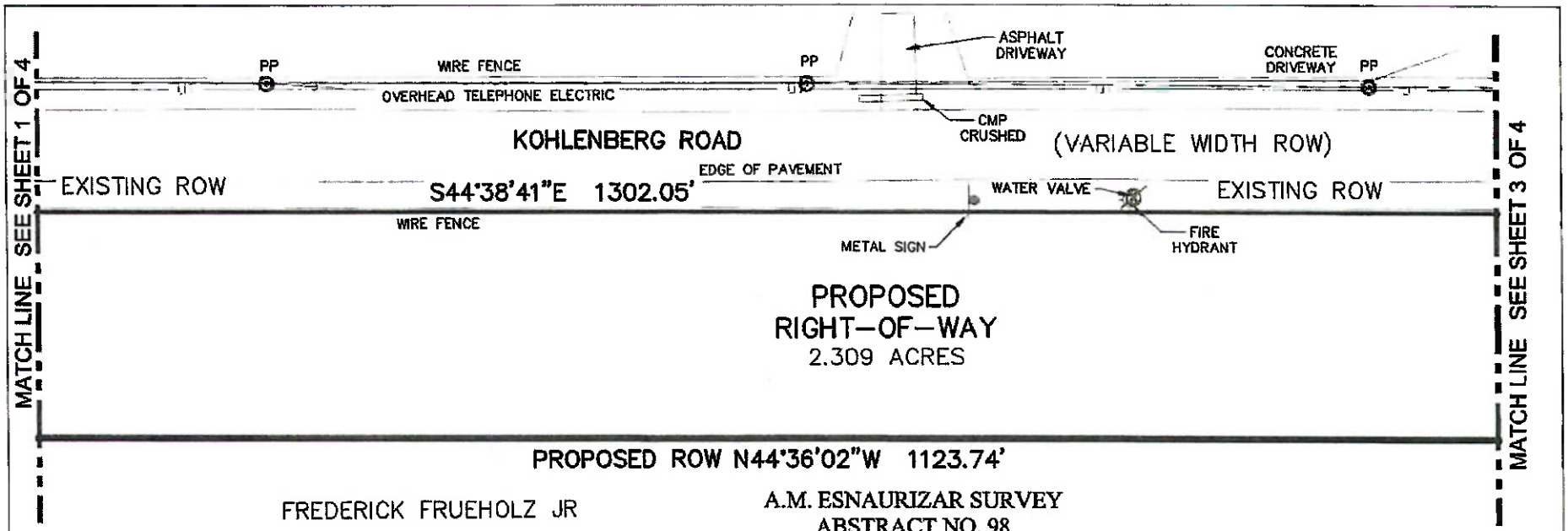
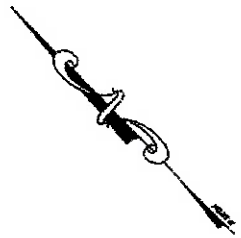
PAGE 1 OF 4 SCALE: 1:50



FREDERICK FRUEHOLZ JR

239.708 ACRES
DOC NO. 201306045302
O.P.R.C.C.

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98



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STATE OF TEXAS
GARY B. NEILL
1743
SURVEYOR

50' 0 50'
SCALE: 1" = 50'
ON 8 1/2"X11"

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B Neill 10/23/2024

GARY B. NEILL — DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

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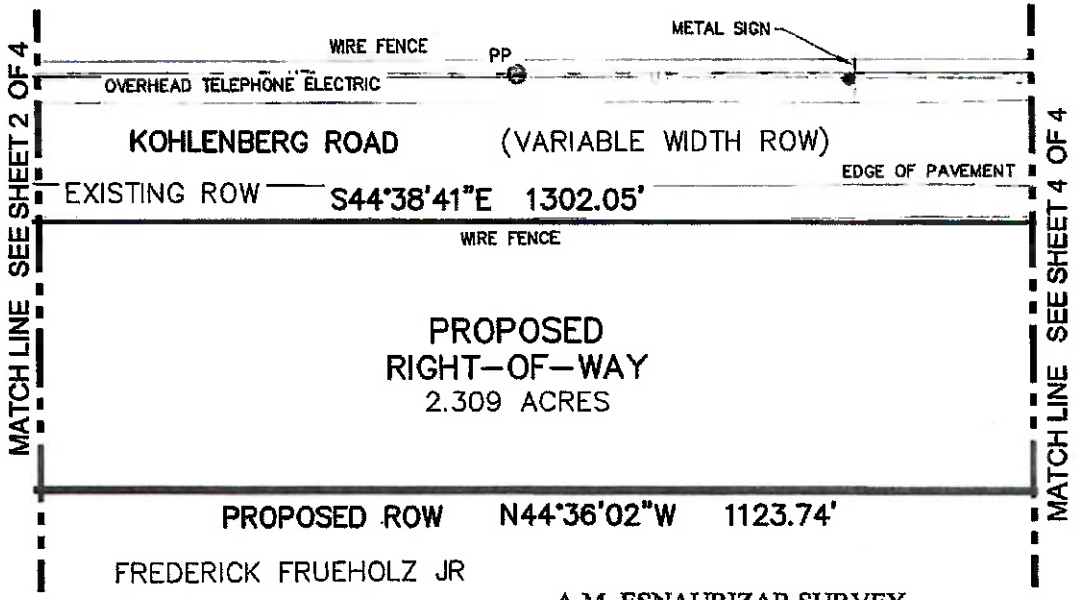
2806 W. BETTERS ROAD
SAN ANTONIO, TEXAS 78248
PHONE: (210) 541-9166
FAX: (210) 541-9440
REGISTRATION #F-10673 / #101943-05

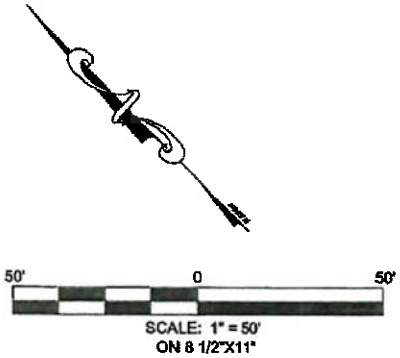
PARCEL PLAT
SHOWING

PARCEL NO. 4

KOHLENBERG ROAD
COMAL COUNTY

PAGE 2 OF 4 SCALE: 1:50





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STATE OF TEXAS
REGISTERED
GARY B. NEILL
3964
SURVEYOR

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Gary B Neill 10/23/2024

GARY B. NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

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PARCEL PLAT
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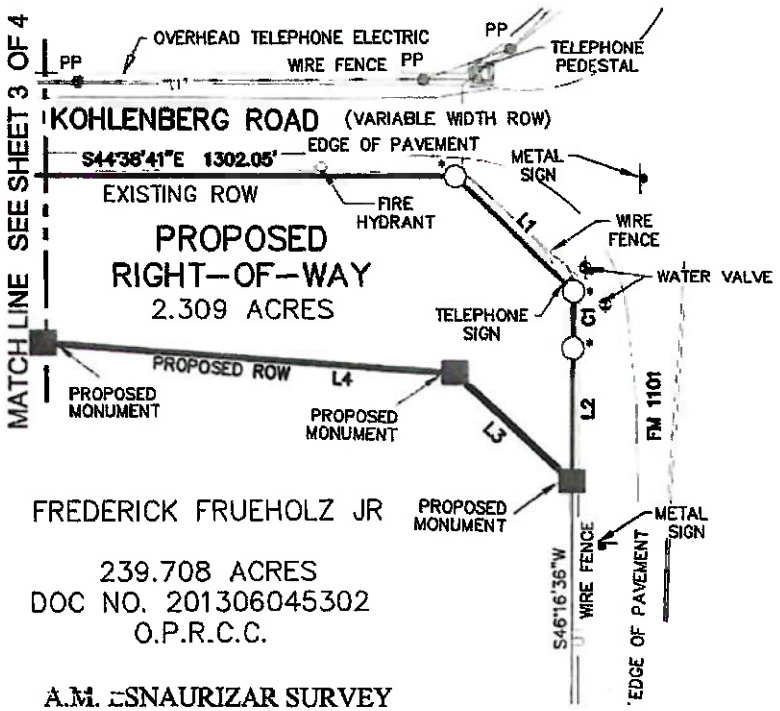
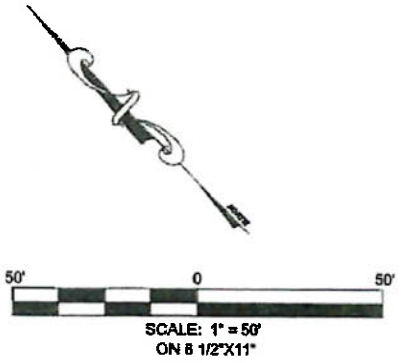
PARCEL NO. 4
KOHLENBERG ROAD
COMAL COUNTY

PAGE 3 OF 4 SCALE: 1:50





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CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	DISTANCE
C1	1186.28'	24.73'	1°11'40"	S46°16'07"W	24.73'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°22'39"E	71.91'
L2	S45°40'17"W	58.80'
L3	N01°40'29"W	69.85'
L4	N40°33'19"W	178.02'
L5	N45°02'10"E	72.55'

STATE OF TEXAS REGISTERED GARY B. NEILL 3964 LICENSED PROFESSIONAL LAND SURVEYOR

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B Neill 10/23/2024

GARY B. NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	
		LEFT	RIGHT
239.708 PER DEED	2.309 100,568		237.399

KCI TECHNOLOGIES, INC.
2806 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
PHONE: (210) 641-9999
FAX: (210) 641-9440
REGISTRATION #F-10572 / #10193-05

PARCEL PLAT
SHOWING

PARCEL NO. 4

KOHLENBERG ROAD
COMAL COUNTY

PAGE 3 OF 4 SCALE: 1:50

Page 7 of 7

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

EXECUTOR'S DEED

Date: **April ____, 2026**

Grantor: **JOE HENRY TAYS, Independent Executor of the Estate of FREDERICK FRUEHOLZ, JR., Deceased, Cause Number 2019PCB0079, County Court at Law of Comal County, Texas, Sitting in Matters Probate**

Grantee: **JOE HENRY TAYS, as his sole and separate property**

Grantee's Address: **2286 River Oaks Drive**
New Braunfels, Texas 78132

Consideration:

In accordance with the terms of the **Last Will and Testament of FREDERICK FRUEHOLZ, JR., Deceased, Cause Number 2019PCB0079, County Court at Law of Comal County, Texas, Sitting in Matters Probate**

Property: (including any improvements) All of Grantor's interest in and to:

See **Exhibits "A"** attached hereto and made a part hereof.

Reservations from and Exceptions to Conveyance:

> All and singular, the restrictions, conditions, easements and covenants, if any, applicable to and enforceable against the above described property as reflected by the records of the County Clerk of Comal County, Texas.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

JOE HENRY TAYS, Independent Executor of the Estate of FREDERICK FRUEHOLZ, JR., Deceased, Cause Number 2019PCB0079, County Court at Law of Comal County, Texas, Sitting in Matters Probate

STATE OF TEXAS §
COUNTY OF COMAL §

This instrument was acknowledged before me on this the ____ day of **April, 2026**, by **JOE HENRY TAYS, Independent Executor of the Estate of FREDERICK FRUEHOLZ, JR., Deceased, Cause Number 2019PCB0079, County Court at Law of Comal County, Texas, Sitting in Matters Probate.**

_____
Notary Public, State of Texas

22aaa Executors deed

EXHIBIT A

ISO 9001:2015 CERTIFIED
ENGINEERS · PLANNERS · SCIENTISTS · CONSTRUCTION MANAGERS
2806 W. Bitters Road, Suite 218 • San Antonio, Texas 78248 • Phone (210) 641-9999

FIELD NOTES
FOR
PARCEL 4 – FREDERICK FRUEHOLZ JR.
KOHLENBERG ROAD R.O.W.
2.309 Acres (100,568 Square Foot)

Being 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 recorded in Document No. 201306045302 of the Official Public Records (O.P.R.C.C.) 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, O.P.R.C.C, said 2.309 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at ½" iron rod found in the existing southwest right-of-way (ROW) line of Kohlenberg Road (variable width ROW); a second found ½" iron rod with Sherwood cap at the south corner of Lot 1, Block 1 of the Continental Nautilus Subdivision as shown on the plat recorded in Document No. 202106015426 of the Official Map Records (O.M.R.C.C.) of Comal County, Texas bears S 42°42'02" W – 1378.78 feet;

THENCE S 44°38'41" E, with said southwest ROW of Kohlenberg Road, for a distance of 347.78 feet to a set ½" iron rod with KCI plastic cap for the **POINT OF BEGINNING** at the north corner of this description;

THENCE S 44°38'41" E, continuing with said southwest ROW line of Kohlenberg Road, for a distance of 1302.05 feet to a set ½" iron rod with KCI plastic cap at the west existing right-of-way (ROW) cutback line of FM 1101;

THENCE S 00°22'39" E, with said cutback line, for a distance of 71.91 feet to a set ½" iron rod with KCI plastic cap;

THENCE with a curve to the left having a radius of 1168.28 feet and a central angle of 01°11'40", the chord bears S 46°16'07" W – 24.73 feet to a set ½" iron rod with KCI plastic cap;

THENCE S 45°40'17" W with the existing northwest ROW line of FM 1101 for a distance of 58.80 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" at the south corner of this description;

THENCE through the 239.708 acre tract for the following three (3) courses:

N 01°40'29" W for a distance of 69.85 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" for an angle point;

N 40°33'19" W for a distance of 178.02 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" for an angle point;

N 44°36'02" W for a distance of 1123.74 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" on the southeast line of the remainder of the Lynn Wohlfahrt 92.49 acre tract recorded in Document No. 200306025956 O.P.R.C.C., Comal County, Texas:

THENCE N 45°02'10" E with said southeast line for a distance of 72.55 feet to the **POINT OF BEGINNING**, and containing 2.309 acres (100,568 square foot) of land, more or less

- Bearings source is between the first and last two ½" iron rods described above found on the southeast line of Lot 1, Block 1, and shown as N 42°42'02" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone (4203).

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Engineers and Land Surveyors according to an actual survey made on the ground by employees of KCI Technologies."

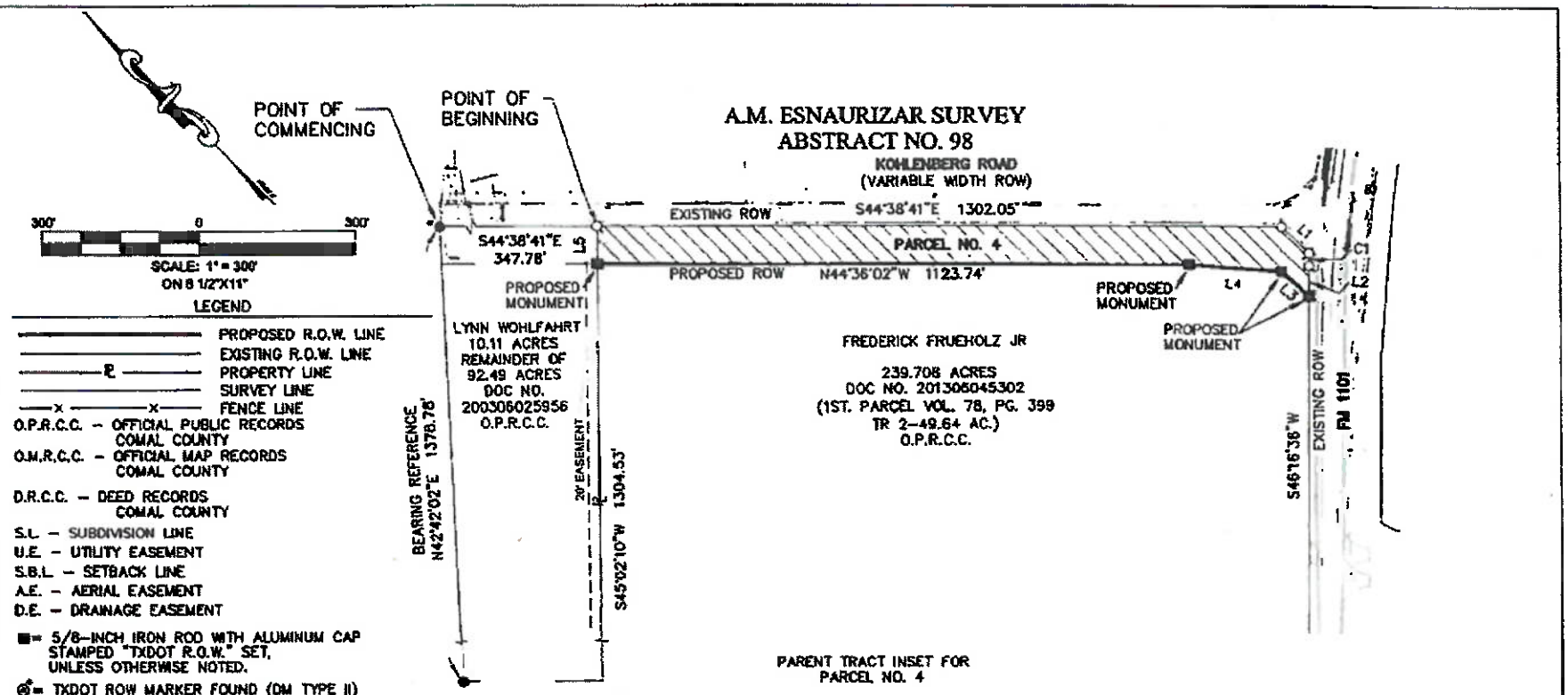
Date: October 23, 2024

Gary B Neill

Gary B. Neill
R.P.L.S. #3964
Firm No. 101943-65

Warning: Only those copies with the Signature and Seal in red should be relied upon.

CONB Kohlenberg
Project Number: 45E0619602
00002476_00004.004



PARENT TRACT INSET FOR PARCEL NO. 4

LEGEND

- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE

O.P.R.C.C. – OFFICIAL PUBLIC RECORDS COMAL COUNTY
O.M.R.C.C. – OFFICIAL MAP RECORDS COMAL COUNTY
D.R.C.C. – DEED RECORDS COMAL COUNTY
S.L. – SUBDIVISION LINE
U.E. – UTILITY EASEMENT
S.B.L. – SETBACK LINE
A.E. – AERIAL EASEMENT
D.E. – DRAINAGE EASEMENT

- ■ = 5/8-INCH IRON ROD WITH ALUMINUM CAP STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
- = TXDOT ROW MARKER FOUND (DM TYPE II)
- = TXDOT ROW MARKER FOUND (DM TYPE III)
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- ● = 1/2" IRON ROD FOUND UNLESS OTHERWISE DESCRIBED AS NOTED
- = 1/2" IRON ROD WITH SHERWOOD ID CAP FOUND
- = 1/2" IRON ROD SET WITH KCI CAP

NOTES:

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AREA TABLE (ACRES)			
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STATE OF TEXAS REGISTERED GARY B. NEILL 3964 PROFESSIONAL LAND SURVEYOR

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B Neill 10/23/2024

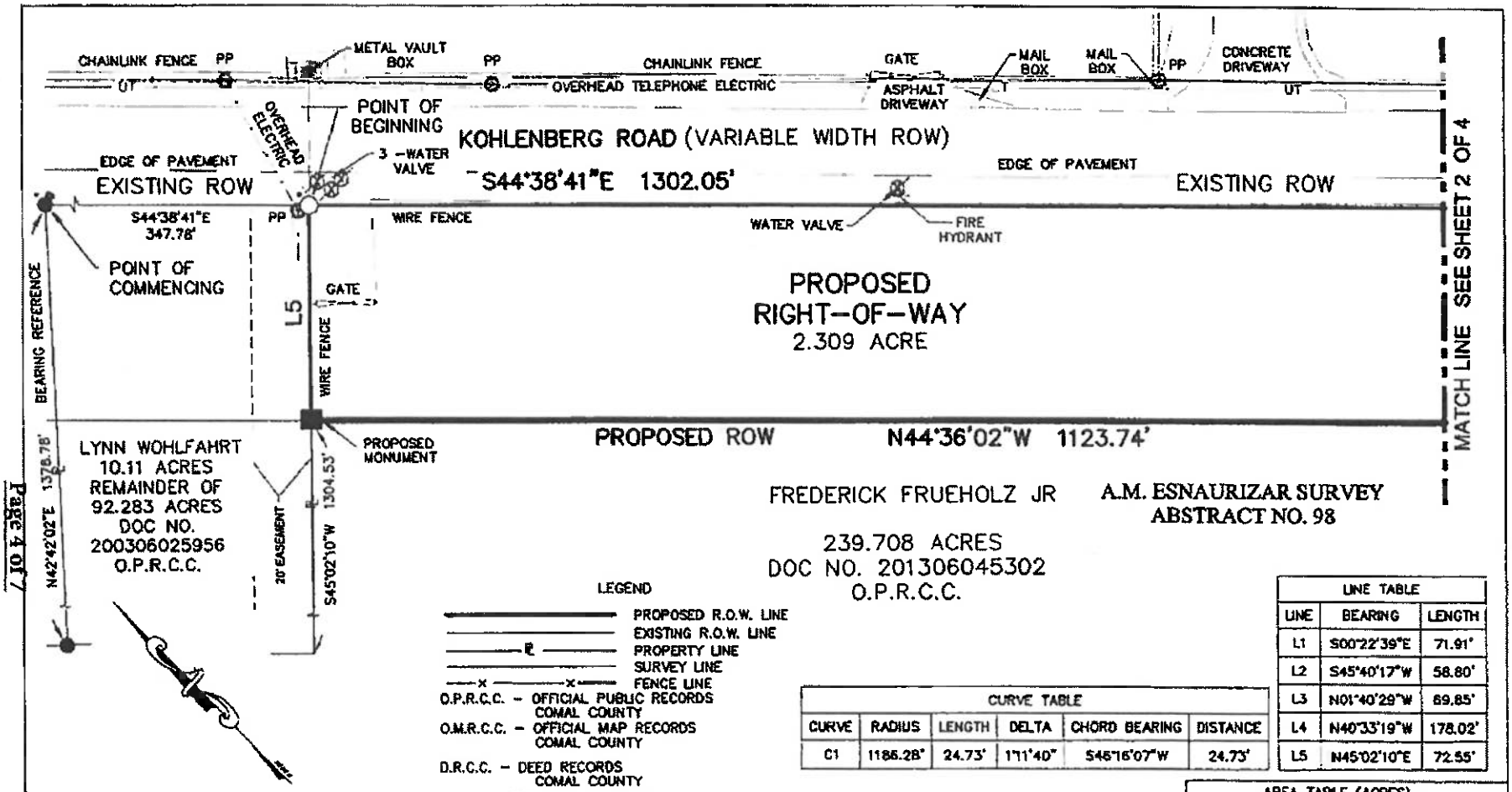
GARY B. NEILL DATE:
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

KCI TECHNOLOGIES, INC.

PARCEL PLAT
SHOWING
PARCEL NO. 4
KOHLENBERG ROAD
COMAL COUNTY

PAGE 4 OF 4 SCALE: 1:300

Page 3 of 7



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10/23/2024

GARY B. NEILL — DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

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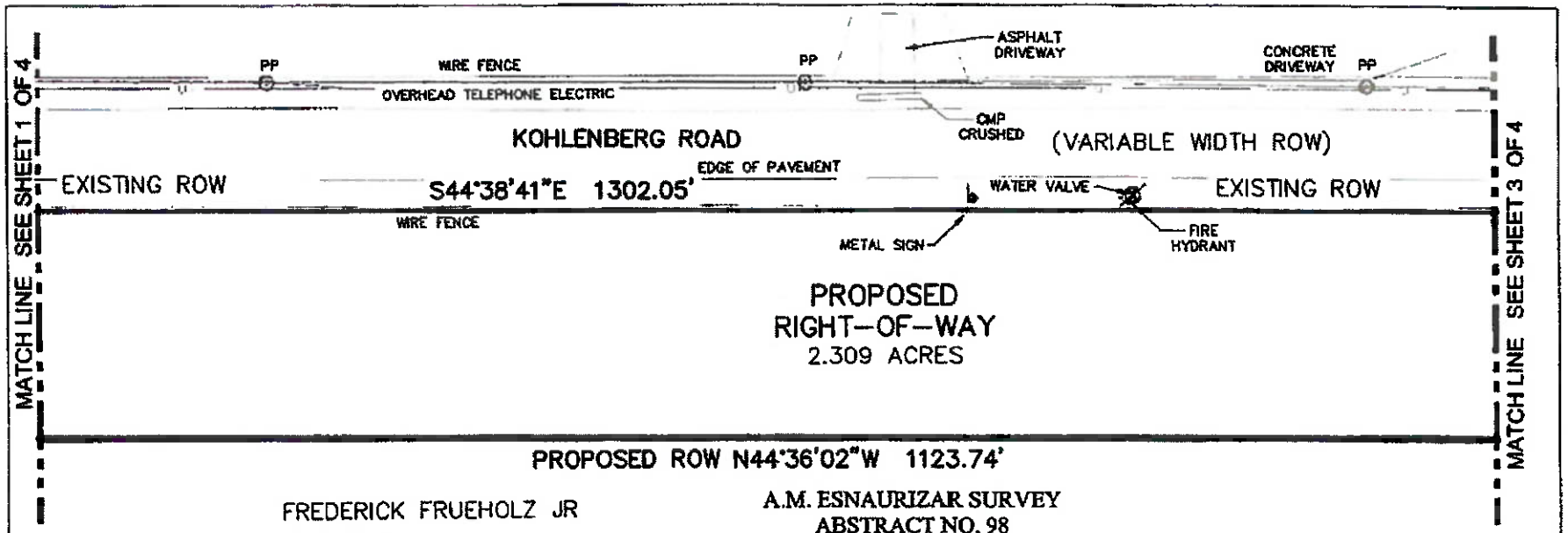
PAGE 1 OF 4 — SCALE: 1:50

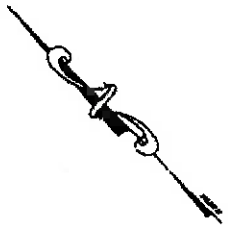
Page 4 of 7



FREDERICK FRUEHOLZ JR

239.708 ACRES
DOC NO. 201306045302
O.P.R.C.C.

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98



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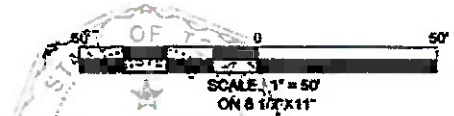

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Gary B. Neill 10/23/2024

GARY B. NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

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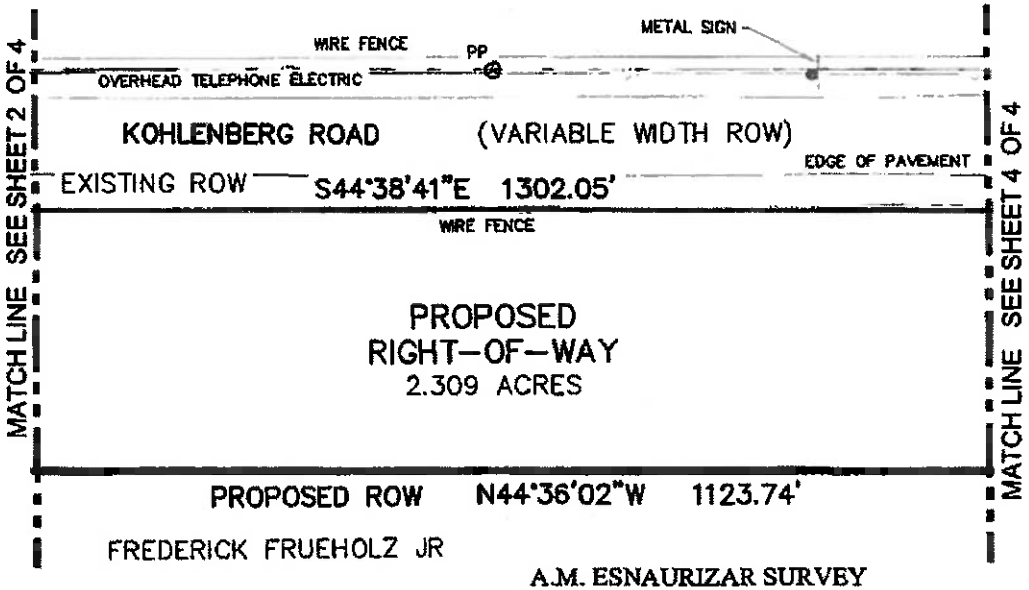
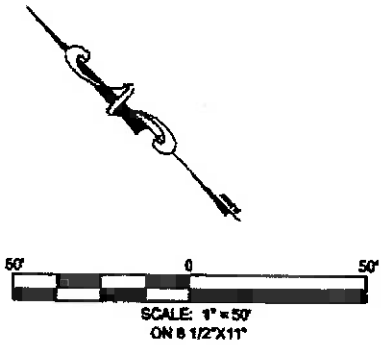
PAGE 2 OF 4 SCALE: 1:50





FREDERICK FRUEHOLZ JR

239.708 ACRES
DOC NO. 201306045302
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A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

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GARY B. NEILL
3964

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Gary B Neill 10/23/2024

GARY B. NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
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KCI TECHNOLOGIES, INC.

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PAGE 3 OF 4 SCALE: 1:50

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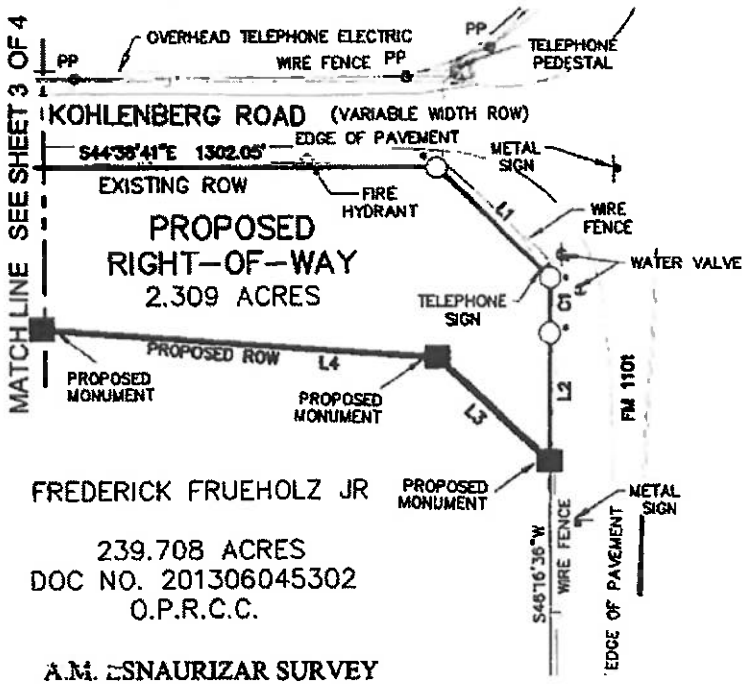

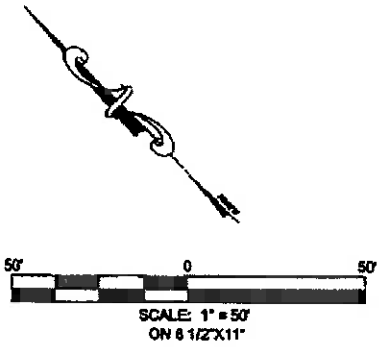

A.M. ESNAURIZAR SURVEY
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■ = 5/8-INCH IRON ROD WITH ALUMINUM CAP STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
⊛ = TXDOT ROW MARKER FOUND (DM TYPE II)
⊛ = TXDOT ROW MARKER FOUND (DM TYPE III)
⊞ = TXDOT ROW MARKER FOUND (CONC MON TYPE I)
● = 1/2" IRON ROD FOUND UNLESS OTHERWISE DESCRIBED AS NOTED
○ = 1/2" IRON ROD SET WITH KCI CAP

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CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	DISTANCE
C1	1186.28'	24.73'	1°11'40"	S46°16'07"W	24.73'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°22'39"E	71.91'
L2	S45°40'17"W	58.80'
L3	N01°40'29"W	69.85'
L4	N40°33'19"W	178.02'
L5	N45°02'10"E	72.55'

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B Neill 10/23/2024

GARY B. NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3954

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC. LEFT	REMAINDER AC. RIGHT
239.708 PER DEED	2.309 100,568		237.399

KCI TECHNOLOGIES, INC.

PARCEL PLAT
SHOWING

PARCEL NO. 4

KOHLENBERG ROAD
COMAL COUNTY

PAGE 3 OF 4 SCALE: 1:50

Page 7 of 7

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

GENERAL WARRANTY DEED

DATE: _____

GRANTOR: JOE HENRY TAYS

GRANTOR'S MAILING ADDRESS (including county):

2206 River Oaks Drive
New Braunfels, Comal County, TX 78132

GRANTEE: THE CITY OF NEW BRAUNFELS, TEXAS, a Municipal Corporation

GRANTEE'S MAILING ADDRESS (including county):

550 Landa Street
New Braunfels, Comal County, Texas 78130

CONSIDERATION: Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY (including any improvements): being described in Exhibit "A" attached hereto and made a part hereof.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY: This conveyance is made and accepted subject to any and all restrictions, covenants, conditions, reservations, setback lines and easements, if any, now outstanding and of record in Comal County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or governmental authorities, if any, but only to the extent that they are still in effect, relating to the Property.

Grant of Property: Grantor, for the Consideration and subject to the Reservations From and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, its successors or assigns forever.

TO HAVE AND TO HOLD the Property herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto Grantee and its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto the Grantee, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

When the context requires, singular nouns and pronouns include the plural.

GRANTOR:

_____

Joe Henry Tays,

ACCEPTED:

CITY OF NEW BRAUNFELS, TEXAS

_____

By: Robert Camareno, City Manager

ACKNOWLEDGMENTS

STATE OF TEXAS §
COUNTY OF COMAL §

Before me, a Notary Public, on this _____ day of _____, ____ personally appeared Joe Henry Tays, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same..

WITNESS my hand and official seal.

_____

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF COMAL §

Before me, a Notary Public, on this _____ day of _____, ____ personally appeared ROBERT CAMARENO, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in her authorized capacity as City Manager of the CITY OF NEW BRAUNFELS, TEXAS.

WITNESS my hand and official seal.

_____
Notary Public, State of Texas

After Recording Return to:
City of New Braunfels Public Works
c/o Matthew Eckmann
424 S. Castell Ave.
New Braunfels, TX 78130

EXHIBIT A

ISO 9001:2015 CERTIFIED
ENGINEERS · PLANNERS · SCIENTISTS · CONSTRUCTION MANAGERS
2806 W. Bitters Road, Suite 218 • San Antonio, Texas 78248 • Phone (210) 641-9999

FIELD NOTES
FOR
PARCEL 4 – FREDERICK FRUEHOLZ JR.
KOHLENBERG ROAD R.O.W.
2.309 Acres (100,568 Square Foot)

Being 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 recorded in Document No. 201306045302 of the Official Public Records (O.P.R.C.C.) 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, O.P.R.C.C, said 2.309 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at ½" iron rod found in the existing southwest right-of-way (ROW) line of Kohlenberg Road (variable width ROW); a second found ½" iron rod with Sherwood cap at the south corner of Lot 1, Block 1 of the Continental Nautilus Subdivision as shown on the plat recorded in Document No. 202106015426 of the Official Map Records (O.M.R.C.C.) of Comal County, Texas bears S 42°42'02" W – 1378.78 feet;

THENCE S 44°38'41" E, with said southwest ROW of Kohlenberg Road, for a distance of 347.78 feet to a set ½" iron rod with KCI plastic cap for the **POINT OF BEGINNING** at the north corner of this description;

THENCE S 44°38'41" E, continuing with said southwest ROW line of Kohlenberg Road, for a distance of 1302.05 feet to a set ½" iron rod with KCI plastic cap at the west existing right-of-way (ROW) cutback line of FM 1101;

THENCE S 00°22'39" E, with said cutback line, for a distance of 71.91 feet to a set ½" iron rod with KCI plastic cap;

THENCE with a curve to the left having a radius of 1168.28 feet and a central angle of 01°11'40", the chord bears S 46°16'07" W – 24.73 feet to a set ½" iron rod with KCI plastic cap;

THENCE S 45°40'17" W with the existing northwest ROW line of FM 1101 for a distance of 58.80 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" at the south corner of this description;

THENCE through the 239.708 acre tract for the following three (3) courses:

N 01°40'29" W for a distance of 69.85 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" for an angle point;

N 40°33'19" W for a distance of 178.02 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" for an angle point;

N 44°36'02" W for a distance of 1123.74 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" on the southeast line of the remainder of the Lynn Wohlfahrt 92.49 acre tract recorded in Document No. 200306025956 O.P.R.C.C., Comal County, Texas:

THENCE N 45°02'10" E with said southeast line for a distance of 72.55 feet to the **POINT OF BEGINNING**, and containing 2.309 acres (100,568 square foot) of land, more or less

.

- Bearings source is between the first and last two ½" iron rods described above found on the southeast line of Lot 1, Block 1, and shown as N 42°42'02" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone (4203).

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Engineers and Land Surveyors according to an actual survey made on the ground by employees of KCI Technologies."

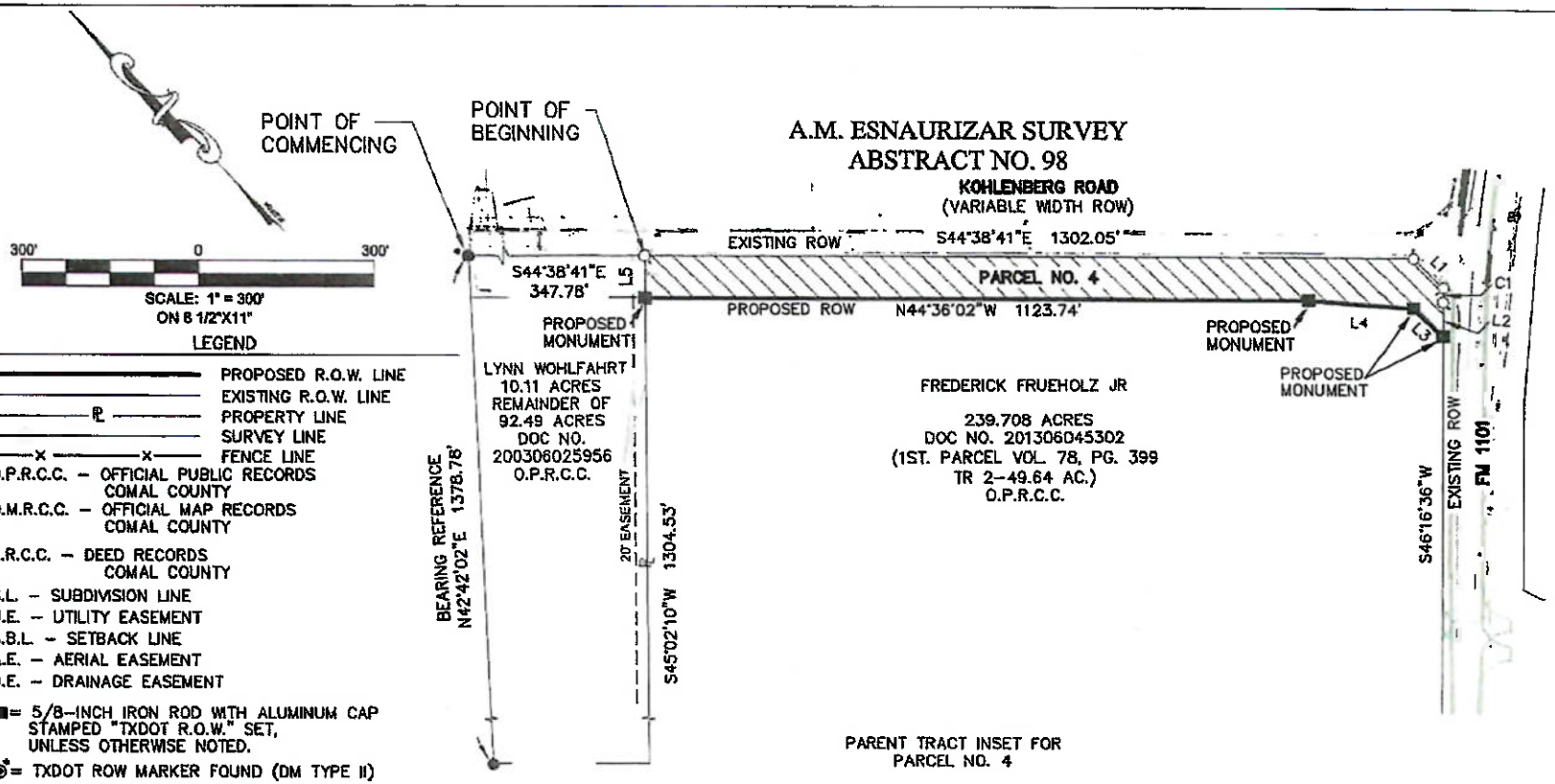
Date: October 23, 2024

Gary B Neill

Gary B. Neill
R.P.L.S. #3964
Firm No. 101943-65

Warning: Only those copies with the Signature and Seal in red should be relied upon.

CONB Kohlenberg
Project Number: 45E0619602
00002476_00004.004



PARENT TRACT INSET FOR
PARCEL NO. 4

LEGEND

- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE

O.P.R.C.C. – OFFICIAL PUBLIC RECORDS COMAL COUNTY
O.M.R.C.C. – OFFICIAL MAP RECORDS COMAL COUNTY
D.R.C.C. – DEED RECORDS COMAL COUNTY
S.L. – SUBDIVISION LINE
U.E. – UTILITY EASEMENT
S.B.L. – SETBACK LINE
A.E. – AERIAL EASEMENT
D.E. – DRAINAGE EASEMENT

- = 5/8-INCH IRON ROD WITH ALUMINUM CAP STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
- = TXDOT ROW MARKER FOUND (DM TYPE II)
- = TXDOT ROW MARKER FOUND (DM TYPE III)
- = TXDOT ROW MARKER FOUND (CONC MON TYPE I)
- = 1/2" IRON ROD FOUND UNLESS OTHERWISE DESCRIBED AS NOTED
- = 1/2" IRON ROD WITH SHERWOOD ID CAP FOUND
- = 1/2" IRON ROD SET WITH KCI CAP

NOTES:

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L5	N45°02'10"E	72.55'

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC. LEFT	REMAINDER AC. RIGHT
239.708 PER DEED	2.309 100,568		237.399

STATE OF TEXAS
REGISTERED
GARY B. NEILL
3964
PROFESSIONAL
LAND SURVEYOR

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

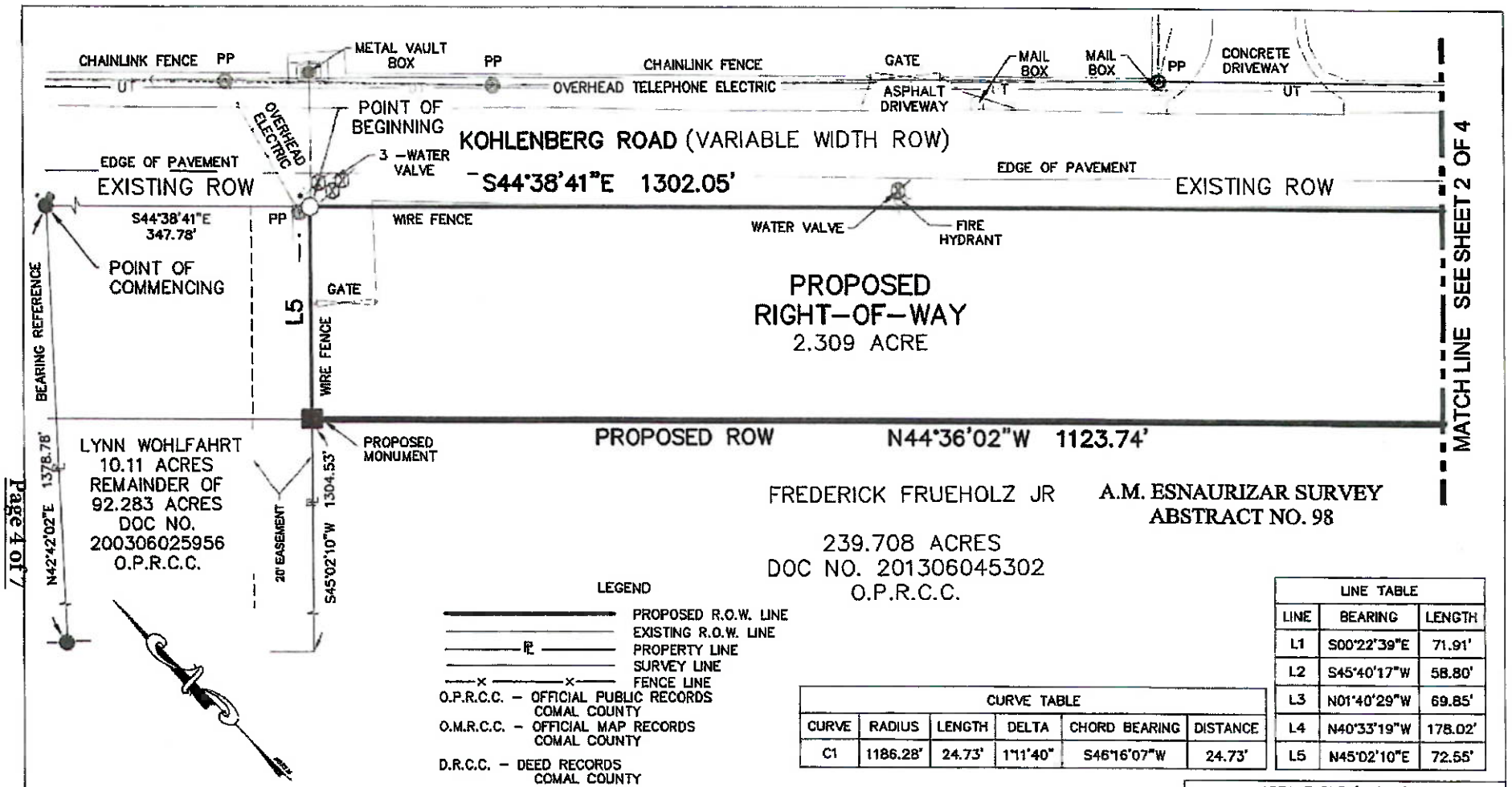
Gary B Neill 10/23/2024

GARY B. NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

KCI TECHNOLOGIES, INC.
2805 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
PHONE: (210) 541-9166
FAX: (210) 541-9410
REGISTRATION #F-10573 / #10194345

PARCEL PLAT
SHOWING
PARCEL NO. 4
KOHLENBERG ROAD
COMAL COUNTY

PAGE 4 OF 4 SCALE: 1: 300



Page 4 of 7

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50' 0 50'
SCALE 1" = 50' ON 8 1/2"X11"

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B. Neill 10/23/2024

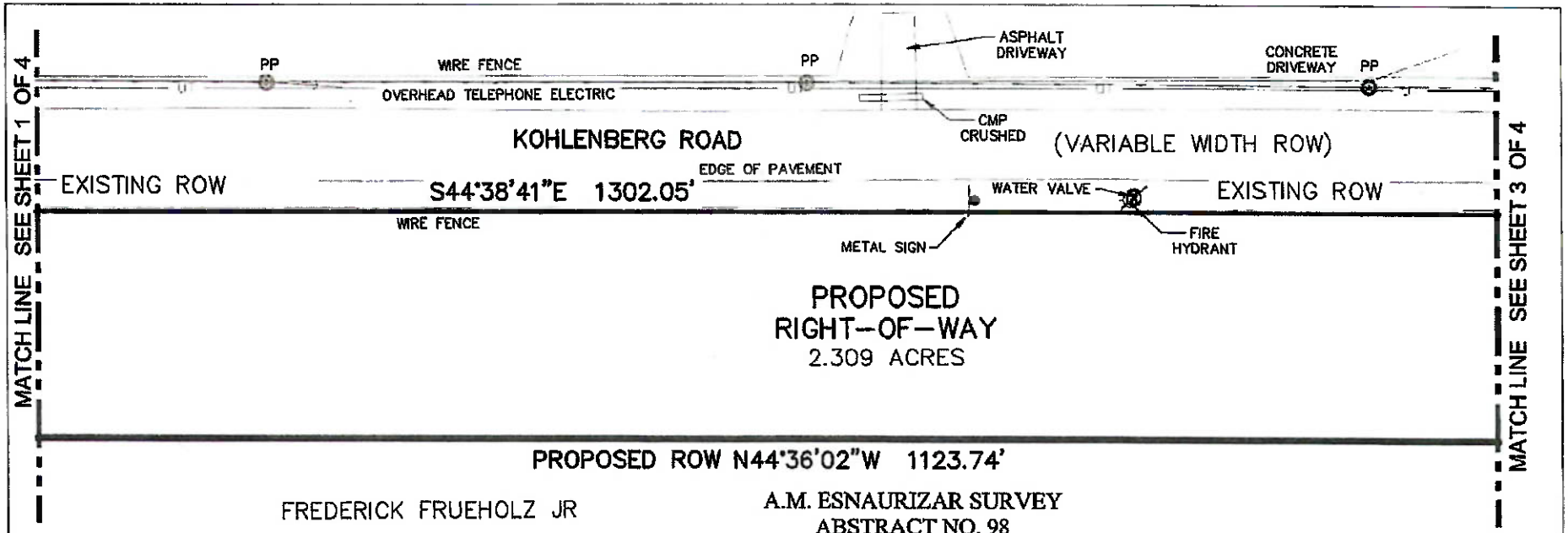
GARY B. NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC. LEFT	REMAINDER AC. RIGHT
239.708 PER DEED	2.309 100,568		237.399

KCI TECHNOLOGIES, INC.
2638 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
PHONE: (210) 641-9999
FAX: (210) 641-9440
REGISTRATION #F-10573 / #101914-45

PARCEL PLAT
SHOWING
PARCEL NO. 4
KOHLENBERG ROAD
COMAL COUNTY

PAGE 1 OF 4 SCALE: 1:50



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SCALE: 1" = 50'
ON 8 1/2"X11"

STATE OF TEXAS
GARY B. NEILL
LICENSED PROFESSIONAL LAND SURVEYOR

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B Neill 10/23/2024

GARY B. NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

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KCI TECHNOLOGIES, INC.
2806 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
PHONE: (210) 641-8000
FAX: (210) 641-6446
REGISTRATION #F-10473 / #101943-55

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PARCEL NO. 4
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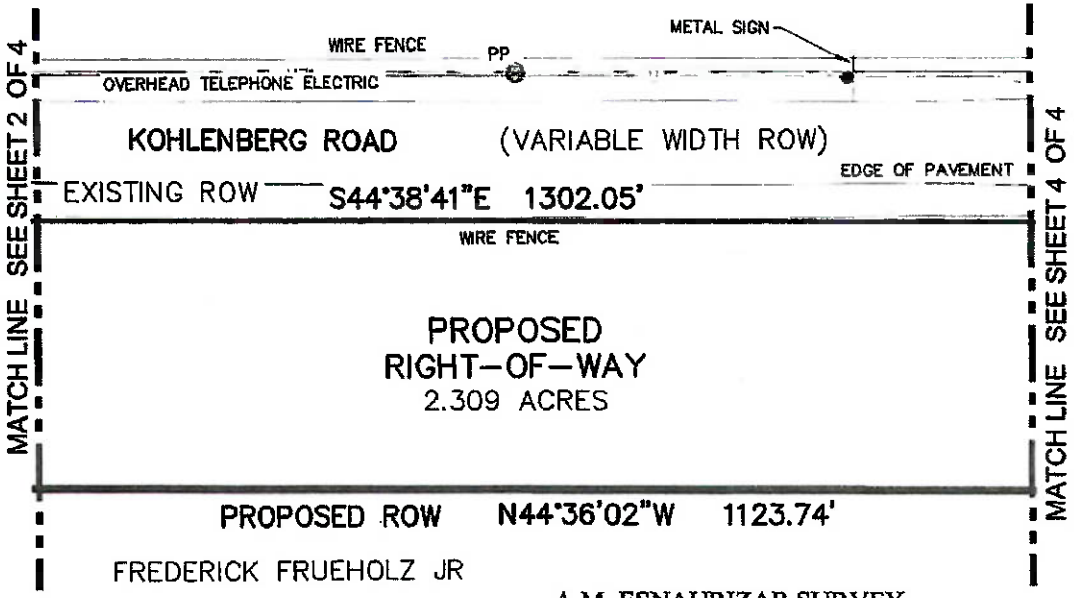
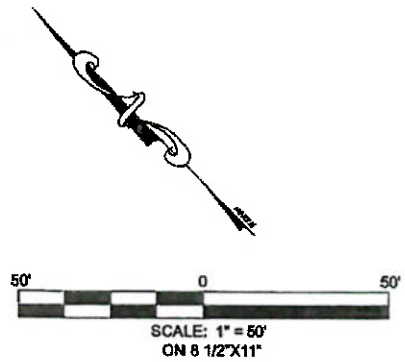
COMAL COUNTY

PAGE 2 OF 4 SCALE: 1:50





FREDERICK FRUEHOLZ JR

239.708 ACRES
DOC NO. 201306045302
O.P.R.C.C.

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

LEGEND

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- EXISTING R.O.W. LINE
- PROPERTY LINE
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- FENCE LINE

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L4	N40°33'19"W	178.02'
L5	N45°02'10"E	72.55'

STATE OF TEXAS
REGISTERED
GARY B. NEILL
3964
SURVEYOR

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B Neill 10/23/2024

GARY B. NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

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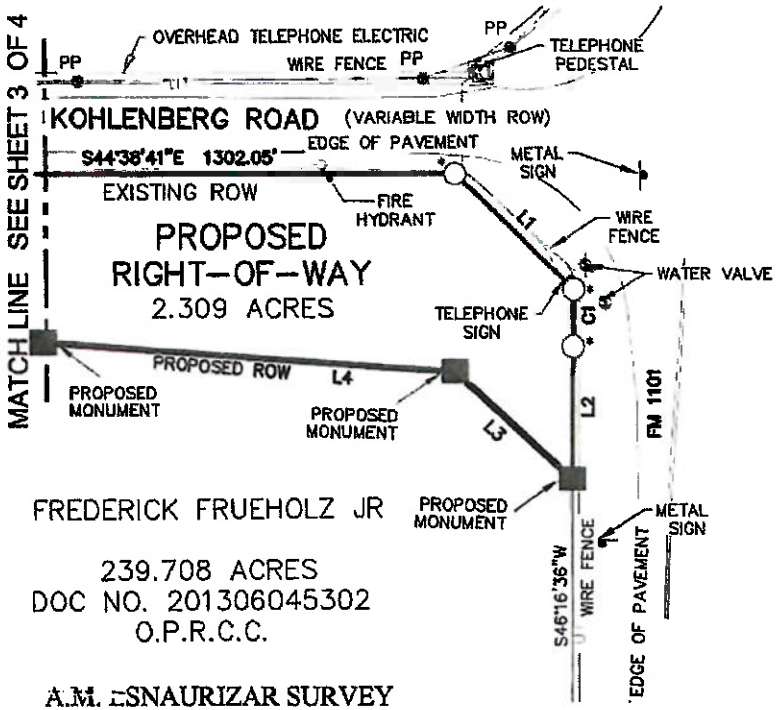
PARCEL PLAT
SHOWING

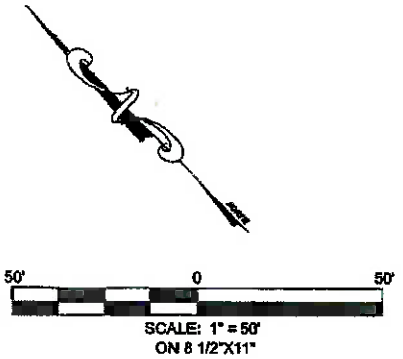
PARCEL NO. 4

KOHLENBERG ROAD
COMAL COUNTY

PAGE 3 OF 4 SCALE: 1: 50

Page 6 of 7





Page 7 of 7

LEGEND

- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE

O.P.R.C.C. – OFFICIAL PUBLIC RECORDS COMAL COUNTY
O.M.R.C.C. – OFFICIAL MAP RECORDS COMAL COUNTY
D.R.C.C. – DEED RECORDS COMAL COUNTY
UT – UNDERGROUND TELEPHONE
P.U.E. – UTILITY EASEMENT
S.B.L. – SETBACK LINE
UG. – UNDERGROUND GAS
PBX – ELECTRIC PULL BOX
CMP – CORRUGATED METAL PIPE
P.P. – POWER POLE
■ = 5/8-INCH IRON ROD WITH ALUMINUM CAP STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
⊙ = TXDOT ROW MARKER FOUND (DM TYPE II)
◉ = TXDOT ROW MARKER FOUND (DM TYPE III)
⊞ = TXDOT ROW MARKER FOUND (CONC MON TYPE I)
● = 1/2" IRON ROD FOUND UNLESS OTHERWISE DESCRIBED AS NOTED
○ = 1/2" IRON ROD SET WITH KCI CAP

NOTES:

1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, (4203), NORTH AMERICAN DATUM OF 1983 (NAD 83). ALL COORDINATES SHOWN ARE SURFACE COORDINATES AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE TXDOT SCALE FACTOR OF 1.00014.
2. FIELD SURVEYS WERE COMPLETED IN JULY 3, 2024. MONUMENTS SET OCTOBER 14, 2024
3. SURVEY LINES SHOWN ARE APPROXIMATE AND BASED ON THE BEST AVAILABLE INFORMATION.
4. REMAINDER AC. (ACREAGE) AREAS ARE THE DIFFERENCE BETWEEN THE RECORD DEED DESCRIPTION'S AREAS OR THEIR REMAINDERS (PER THE DOCUMENT NO. SHOWN) AND THE MEASURED AREA OF THE PROPOSED RIGHT OF WAY.

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	DISTANCE
C1	1186.28'	24.73'	1°11'40"	S46°16'07"W	24.73'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°22'39"E	71.91'
L2	S45°40'17"W	58.80'
L3	N01°40'29"W	69.85'
L4	N40°33'19"W	178.02'
L5	N45°02'10"E	72.55'

STATE OF TEXAS
REGISTERED
GARY B. NEILL
3964
LICENSED PROFESSIONAL LAND SURVEYOR

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B Neill 10/23/2024

GARY B. NEILL DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC. LEFT	REMAINDER AC. RIGHT
239.708 PER DEED	2.309 100,568		237.399

KCI TECHNOLOGIES, INC.
2806 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
PHONE: (210) 641-6999
FAX: (210) 641-6440
REGISTRATION #F-10573 / #10194-05

PARCEL PLAT
SHOWING

PARCEL NO. 4

KOHLENBERG ROAD
COMAL COUNTY

PAGE 3 OF 4 SCALE: 1:50

PRESENTER:
Jeff Bransford, Park Development Manager

SUBJECT:
Approval of Donation Agreement with New Braunfels Lions Club for Disc Golf Improvements to Prince Solms Park.

DEPARTMENT: Parks and Recreation

COUNCIL DISTRICTS IMPACTED: 5

BACKGROUND INFORMATION:
The New Braunfels Lions Club desires to make a cash donation to the City of New Braunfels Parks and Recreation Department for the improvement of disc golf amenities in Prince Solms Park. Specifically, the Lions Club has pledged to provide a total contribution of $4,500.00 as a gift restricted to the purchase and installation of ten (10) professional-grade disc golf targets and associated mounting hardware and installation supplies.

In consideration of this donation, the Lions Club requests that the City transfer ownership of the ten existing targets to the Club to use as incentives for their fundraising among their membership.

The terms of the donation and transfer of property are reflected in the attached Donation Agreement.

ISSUE:
City Council approval is required for disposition of the existing ten targets. Following the installation of the new donated targets, the City would have no need for the old baskets and would otherwise dispose of them.

STRATEGIC PLAN REFERENCE:
☐Economic Mobility ☐Enhanced Connectivity ☐Community Identity
☐Organizational Excellence ☒Community Well-Being ☐N/A
This item supports the Strategic Plan priority of Community Well-Being by enhancing park facilities to maintain high citizen satisfaction with overall health and wellness opportunities. Additionally, partnering with a local community organization to fund these improvements aligns with the City's financial goals of reducing reliance on the General Fund.

FISCAL IMPACT:
Supply and equipment costs are covered by the Lions Club donation to the City. Labor costs for installation are

minimal and have no significant effect on operations.

RECOMMENDATION:
Staff recommends approval of the Donation Agreement and authorization for the City Manager to execute the Agreement.

DONATION AGREEMENT

Project: Prince Solms Park Disc Golf Improvements

This Donation Agreement ("Agreement") is entered into between the **City of New Braunfels Parks and Recreation Department** ("City") and the **New Braunfels Lions Club** ("Donor") to formalize the gift of equipment and funds for public park improvements.

1. THE GIFT

The Donor agrees to provide a total contribution of cash in the amount of **$4,500.00**. This gift is restricted to the purchase and installation of the following Equipment:

- Nine (9) professional-grade disc golf targets.
- One (1) practice target.
- Associated mounting hardware and installation supplies.

2. CITY OBLIGATIONS & EQUIPMENT REMOVAL

In consideration of this donation, the City agrees to:

- Removal and Transfer: Remove the ten (10) existing disc golf targets currently located at Prince Solms Park.
- Property Transfer: Upon removal, the City hereby transfers ownership of these ten (10) old targets to the Donor. The Donor accepts this equipment in "as-is" condition and assumes all responsibility for their transport, storage, and subsequent use or disposal.
- Installation: Install the new Equipment provided by the Donor.

3. OWNERSHIP & MAINTENANCE (NEW EQUIPMENT)

Upon receipt, the new Equipment becomes the sole property of the City. The City agrees to:

- Maintain the Equipment in good working order for its useful life, subject to available funding.
- Retain final authority over equipment models, installation methods, and site locations.

4. DONOR RECOGNITION

In appreciation of this gift, the City authorizes the following recognition:

- Tee Box Sign: One (1) recognition sign installed at the first tee box.
- Target Decals: The Donor may place one (1) permanent decal on each of the ten (10) new targets.
- Approval: The design, wording, size, and placement of the sign and decals must be approved by the Parks and Recreation Director (or designee) prior to installation.

5. GENERAL TERMS

- Irrevocability: This donation is a voluntary, non-reciprocal gift to the City for public use.
- Liability: The Donor is not responsible for the maintenance or any liability arising from the public's use of the new equipment once installed.
- Termination: The City reserves the right to remove or relocate the equipment if it becomes a safety hazard or if park redevelopment is required.

SIGNATURES

CITY	**DONOR**
The City of New Braunfels	New Braunfels Lions Club
BY: _____	BY: _____
Printed: _____	Printed: _____
Title: _____	Title: _____
Date: _____	Date: _____

PRESENTER:
Christopher Greenwell, Grants Coordinator

SUBJECT:
Approval of a resolution; approving the submission of a grant application to the U.S. Department of Homeland Security, Urban Area Security Initiative (UASI) - Regular Projects grant for Program Year 2026 to request funding towards the purchase of tactical medical unit communications systems, a dive trailer, and two police utility terrain vehicles (UTV's) and their associated trailers, and designation of the City Manager as the grants authorized official, to act on behalf of the City in all matters related to the grant if awarded, and designation of the Director of Finance as the Financial Officer for the grant.

DEPARTMENT: Fire Department and Police 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 will be submitting an application to the U.S. Department of Homeland Security, State Homeland Security Program (SHSP) - Regular Projects grant program as administered by the Office of the Governor, Public Safety Office, Homeland Security Grants Division for Program Year 2026 in to request funding on behalf of the New Braunfels Police Department (NBPD) for the purchase of two police UTV's, and trailers for those UTV's, and on behalf of the New Braunfels Fire Department for the purchase of updated communications systems for the City's Tactical Medical Unit and an updated dive trailer for the City's Dive Team.

If awarded, the UASI grant will provide critical funding to enhance the City's emergency response and operational capabilities through the acquisition of interoperable communication systems (radios and headsets), an updated dive trailer for the City's dive team, and two police UTVs with trailers. These resources will strengthen coordination among first responders during high-risk incidents, large-scale events, and regional mutual aid operations. Enhanced communication equipment will improve real-time information sharing across agencies, while the dive trailer will support water-based search and rescue operations in the City's and region's rivers and surrounding waterways. The addition of UTVs will allow for rapid deployment in difficult-to-access areas, including parks, flood zones, and large public gatherings. With these investments, the City will be better equipped to protect first responders, over 100,000 residents, and more than 3 million annual visitors from threats and hazards associated with natural disasters, man-made incidents, and potential acts of terrorism.

If approved, the SHSP and/or UASI grants will be awarded by September 2026. The granting agency will provide funds for 100% of the total amount; therefore, there is no City-match requirement.

The actual amount provided to the City by the grant(s) will be determined at the time of award and identified within a future City Council agenda item requesting approval to purchase the equipment.

At this time, 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 Police Department and 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 the long-term fiscal sustainability of the Organization.

(Community Well-Being) Evaluate public safety front-line equipment to ensure they meet the demand and the call "type," where the response resource matches the risk

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; ratification for the submission of a grant application to the U.S. Department of Homeland Security, Urban Area Security Initiative - Regular Projects grant for Program Year 2026 to request funding towards the purchase of a specialized equipment for the New Braunfels Police and Fire Departments, 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 NEW BRAUNFELS CITY COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING UNDER THE U.S. DEPARTMENT OF HOMELAND SECURITY, FY 2026 URBAN AREA SECURITY INITIATIVE – REGULAR PROJECTS GRANT 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, AND DESIGNATING THE DIRECTOR OF FINANCE, OR THEIR AUTHORIZED DESIGNEE AS THE FINANCIAL OFFICER FOR THE GRANT.

WHEREAS, the City of New Braunfels finds it in the best interest of the citizens of Comal County that the proposed "Specialized Public Safety Response Equipment" be operated for the 2026 Program 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, Homeland Security Grants Division's FY 2026 Urban Area Security Initiative – Regular Projects 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.

WHEREAS**,** the City of New Braunfels designates the Director of Finance, or their designee, as the grantee's financial officer. The financial officer is given the power to submit financial and/or programmatic reports or alter a 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 "Specialized Public Safety Response Equipment" project to the Office of the Governor.

ADOPTED AND APPROVED on this the 27th day of April 2026.
Grant Number: 5994401

City of New Braunfels, Texas

_____
NEAL LINNARTZ, Mayor

Attest:

_____
GAYLE WILKINSON, City Secretary

PRESENTER:
Christopher Greenwell, Grants Coordinator

SUBJECT:
Approval of a resolution for a Memorandum of Understanding between Comal County and the City of New Braunfels supporting the submission of a grant application for the purchase of updated recruiting materials for the New Braunfels Police Department using a joint allocation of funding provided by the FY 2025 Edward Byrne Memorial Justice Assistance Grant Program - Local Solicitation.
DEPARTMENT: Police

COUNCIL DISTRICTS IMPACTED: Citywide

BACKGROUND INFORMATION:
The Edward Byrne Memorial Justice Assistance Grant (JAG) Program administered by the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), allows units of local government to support a broad range of activities to prevent and control crime based on their local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice or civil proceedings. Funds are allocated to local governments on a formula basis and may be shared by those designated by the granting agency as 'disparate jurisdictions.'

As disparate jurisdictions, the City of New Braunfels and Comal County are entitled to a total of $16,191 for the FY 2025 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation. Direct Allocations are listed for each entity by the granting agency in the notification of funding, but disparate jurisdictions are not required to abide by the listed individual amounts and are instead responsible for determining their individual amounts within the eligible Joint Allocation amount. A Memorandum of Understanding (MOU), signed by both parties, is required by the granting agency to formalize the mutually agreed-upon distribution of funding.

In accordance with an MOU that has been mutually developed, the County agrees to release its claim on the Joint Allocation of $16,191 so that it may be utilized in full by the City of New Braunfels for the purchase of updated recruitment materials.

ISSUE:
Submission of a grant application using the City's and County's joint allocation of funding provided by the FY 2025 Edward Byrne Memorial Justice Assistance Grant Program supports the City's Strategic Priorities as follows in the Strategic Plan Reference below:

STRATEGIC PLAN REFERENCE:
☐Economic Mobility ☐Enhanced Connectivity ☐Community Identity
☒Organizational Excellence ☐Community Well-Being ☐N/A
Considering statutory and market-based factors, continue to diversify revenue streams to support long-term fiscal sustainability of the Organization.

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

RECOMMENDATION:
Staff recommends approval of the resolution.

RESOLUTION 2026 - R

A RESOLUTION OF THE NEW BRAUNFELS CITY COUNCIL AUTHORIZING A MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN THE CITY OF NEW BRAUNFELS AND COMAL COUNTY SUPPORTING THE SUBMISSION OF A GRANT APPLICATION FOR THE PURCHASE OF UPDATED RECRUITING MATERIALS FOR THE NEW BRAUNFELS POLICE DEPARTMENT USING A JOINT ALLOCATION OF FUNDING PROVIDED BY THE FY 2025 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM - LOCAL SOLICITATION.

WHEREAS, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance issued a request for applications for the Edward Byrne Memorial Justice Assistance Grant Program Fiscal Year 2025 Local Formula Solicitation; and

WHEREAS, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance allows units of local government to utilize Edward Byrne Memorial Justice Assistance Grant Program Local Formula Solicitation funds to support a broad range of activities to prevent and control crime based on their local needs and conditions; and

WHEREAS, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance has awarded a joint allocation of $16,191 in Fiscal Year 2025 Local Formula funds for the City of New Braunfels and Comal County; and

WHEREAS, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance has designated the City of New Braunfels and Comal County as disparate jurisdictions, allowing the governmental entities to consider the best interests of the jurisdictions when distributing their individually awarded funds, up to the total joint allocation amount, as subsequently stated in a Memorandum of Understanding to be approved by their governing bodies; and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the Fiscal Year 2025 Local Formula funds to the CITY; and

WHEREAS, the COUNTY agrees to release claim of the individual allocation of $16,191 to the CITY for the Fiscal Year 2025 Local Formula funds;

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

THAT, the City of New Braunfels supports and commits to the distribution of funds for a joint disparity allocation of funding provided by the 2025 Byrne Justice Assistance Grant Program Award as outlined in the Memorandum of Understanding between the City of New Braunfels and Comal County as indicated in the attached document below

PASSED, ADOPTED AND APPROVED this 27th day of April 2026.

City of New Braunfels, Texas

_____
NEAL LINNARTZ, Mayor

Attest:

_____
GAYLE WILKINSON, City Secretary

MEMORANDUM OF UNDERSTANDING
BETWEEN
CITY OF NEW BRAUNFELS, TEXAS, AND COUNTY OF COMAL, TEXAS

2025 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD
LOCAL JOINT DISPARITY ALLOCATION

This Agreement is made and entered into this __day of _____2026, by and between The City of New Braunfels, acting by and through its governing body, the City Council, hereinafter referred to as CITY, and the COUNTY of Comal County, acting by and through its governing body, the Commissioners Court, hereinafter referred to as COUNTY, both of Comal County, State of Texas, witnesseth:

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the COUNTY agrees to release claim of the individual allocation of $16,191 from the joint disparity allocation (JAG Award), to the CITY for the FY 2025 LOCAL JAG Program; and

WHEREAS, the COUNTY and CITY believe it to be in their best interests to reallocate the JAG funds to the CITY.

NOW THEREFORE, the CITY and COUNTY agree as follows:

Section 1.
COUNTY agrees to provide CITY a total of $16,191 of JAG funds.

Section 2.
CITY agrees to use $16,191 for the FY 2025 LOCAL JAG Program Year for eligible costs incurred until the grant term of September 30, 2028.

Section 3.
Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the Tort Claims Act.

Section 4.
Each party to this Agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 5.
The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 6.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 7.

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without regard to its conflict of laws principles. Exclusive venue shall be in a court of competent jurisdiction in Comal County, Texas. In performing any activities reasonably related to this MOU, both CITY and COUNTY agree to comply with applicable provisions of federal, state, and local laws, and regulations in effect at the time of such activities.

Section 8.

This MOU shall become effective upon execution of the MOU by both Parties and the Parties agree that this MOU cannot be assigned.

Section 9.

This MOU constitutes the entire agreement of the Parties and supersedes any and all prior negotiations, correspondences, understandings, and agreements between the Parties respecting the subject matter hereof. Neither this MOU or any of its terms may be changed or modified, waived, terminated (unless as otherwise provided hereunder) except by an instrument in writing signed by an authorized representative of the Party against whom the enforcement of the change, waiver, or termination is sought.

Section 10.

Any notice required or permitted under this MOU must be in writing and shall be deemed to be delivered on the date of service if served personally, or three (3) days after the date of mailing if mailed, by first-class mail, registered or certified, postage prepaid and addressed to the last known address of the recipient party.

CITY OF NEW BRAUNFELS, TEXAS

City Manager, Robert Camareno

ATTEST:

City Secretary, Gayle Wilkinson

APPROVED AS TO FORM:

Valeria M. Acevedo

City Attorney, Valeria Acevedo

COMAL COUNTY, TEXAS

County Judge, Kristen Hoyt

ATTEST:

COMMISSIONERS' COURT COMAL COUNTY, TEXAS

Bobbie Koepp

County Clerk, Bobbie Koepp

APPROVED AS TO FORM:

Commissioners Court Attorney, Timothy Bray

PRESENTER:
Christopher Greenwell, Grants Coordinator

SUBJECT:
Approval of a resolution of the New Braunfels City Council authorizing the submission of an application for funding under the Motor Vehicle Crime Prevention Authority Fiscal Year 2027 SB 224 Catalytic Converter Grant Program; designating the City Manager or their designee as Authorized Official to act on behalf of the City in all matters related to the grant, including the execution of all required documentation; and designating Jace Hobbs, or his designee, as Program Director and Sandy Paulos, or her designee, as Financial Officer for the grant if awarded.
DEPARTMENT: Police 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 will be applying to the Motor Vehicle Crime Prevention Authority (MVCPA), FY 2027 SB 224 (SB224) Catalytic Converter Grant Program on behalf of the New Braunfels Police Department (NBPD) to request their continued financial assistance for grant-funded salaries, equipment, and miscellaneous program-support costs which have been critical to enhance the efficiency and effectiveness of local, regional, and State law enforcement efforts in the detection and prevention of the theft of catalytic converters, and associated street-level crimes.

If awarded, the grant will provide continued funding for the personnel costs of two officers assigned to NBPD's Street Crimes Unit (SCU), personnel costs for the crime analyst position, contract costs for the current provider of fixed and mobile license plate readers and covert cameras, software expenditure costs for the initial implementation of a real time crime center that will be integrated with the LPR's, and miscellaneous eligible expenditures that support the program such as travel costs for staff to attend required conferences and supplies and salary costs for catalytic converter etching events.

City staff will be submitting a grant application for the salaries, annual subscriptions for software and equipment, and miscellaneous costs described above, of which the City will provide up to 20% in required matching costs that will be paid by the General Fund, and all other eligible costs will be reimbursed by the granting agency. The total amount for this initiative will be $682,440.85, with $536,012.50 being requested from the granting agency and $120,538.35 being contributed by the City as matching expenditures from the General Fund.

Staff is also requesting City Council approval of a resolution, as required by the granting agency, that will authorize our City Manager or an authorized designee 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. Staff also requests Jace Hobbs, or his designee, as Program Director and Sandy Paulos, or her designee, as Financial Officer for the grant if awarded.

ISSUE:
The City's adopted 2024-2029 Strategic Plan includes objectives pertaining to public safety and fiscal sustainability. Therefore, this initiative will support the use of awarded grant funds for eligible costs incurred by the New Braunfels Police 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 the long-term fiscal sustainability of the Organization.

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

FISCAL IMPACT:
If awarded, the City match requirement will be up to 20%, and the balance of eligible costs will be reimbursed by the granting agency; the matching amount will be incorporated into the City's FY 2027 Adopted Budget after notification of award. Therefore, sufficient funds will be available to support the cost of all activities as described above.

RECOMMENDATION:

Staff recommends approval of a resolution; approving the submission of an application to the Motor Vehicle Crime Prevention Authority, FY 2027 SB 224 Catalytic Converter Grant Program on behalf of the New Braunfels Police Department for costs to combat catalytic converter theft; and authorization for the City Manager or authorized designee to act on behalf of the City in all matters related to the grant if awarded, and the designation of Jace Hobbs, or his designee, as Program Director and Sandy Paulos, or her designee, as Financial Officer for the grant if awarded.

RESOLUTION 2026 - R

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING UNDER THE MOTOR VEHICLE CRIME PREVENTION AUTHORITY, FISCAL YEAR 2027 SB 224 CATALYTIC CONVERTER GRANT PROGRAM; AUTHORIZING THE CITY MANAGER OR THEIR AUTHORIZED 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; AND AUTHORIZING THE DESIGNATION OF A PROGRAM DIRECTOR AND FINANCIAL OFFICER FOR THE GRANT.

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement taskforces and agencies for economic motor vehicle theft, including catalytic converter theft; and

WHEREAS, this grant program will assist this jurisdiction to combat catalytic converter theft; and

WHEREAS, City of New Braunfels has agreed that in the event of loss or misuse of the grant funds, City of New Braunfels agrees and assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority.

NOW THEREFORE, BE IT RESOLVED that Robert Camareno, City Manager, designates Christopher Greenwell, Grants Coordinator, as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Crime Prevention Authority Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that Jace Hobbs, Detective Lieutenant, is designated as the Program Director and Sandy Paulos, Director of Finance, is designated as the Financial Officer for this grant.

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

THAT, the City of New Braunfels' City Council approves submission of an application to the Motor Vehicle Crime Prevention Authority for Fiscal Year 2027 SB 224 Catalytic Converter Grant Program funding.

ADOPTED AND APPROVED on this the 27th day of April 2026.

City of New Braunfels, Texas

_____

NEAL LINNARTZ, Mayor

Attest:

_____

GAYLE WILKINSON, City Secretary

PRESENTER:
Mandi Scott, Economic and Community Development Manager
SUBJECT:
Approval of a resolution adopting the City of New Braunfels Arts & Culture Master Plan.
DEPARTMENT: Economic and Community Development
COUNCIL DISTRICTS IMPACTED: Citywide

BACKGROUND INFORMATION:
A presentation was provided to City Council on April 6, 2026 addressing the findings of the Arts & Culture Master Plan.

The Plan's priority areas address:
- Programming & Cultural Experiences
- Places & Spaces
- Visibility & Tourism
- Operations & Capacity Building

In addition, the Arts & Culture Master Plan:
- Creates a long-term strategic vision for arts and culture in New Braunfels
- Provides support for artists, cultural organizations, and the development of creative spaces
- Drives economic growth through the creative sector
- Improves the community's quality of life and sense of place
- Identifies collaboration and partnership opportunities amongst the public, non-profit, and private sectors

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

FISCAL IMPACT:
There is no direct impact from the approval of the resolution; however, the Arts & Culture Master Plan will guide future endeavors to support, preserve, and advance art, culture, and heritage in New Braunfels - which may have future fiscal impacts.
RECOMMENDATION:
Staff recommends approval of the resolution adopting the Arts & Culture Master Plan

RESOLUTION 2026-RXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS ADOPTING THE CITY OF NEW BRAUNFELS ARTS AND CULTURE MASTER PLAN

WHEREAS, in April 2025 the City of New Braunfels awarded a contract to Designing Local, LTD to develop an Arts and Culture Master Plan for the City; and

WHEREAS, Designing Local, LTD was asked to create a long-term strategy for the City to support the arts and culture sectors to improve quality of life for residents, drive economic growth, improve the community's sense of pace, health and well-being, foster collaboration between organizations, artis and the community, and encourage innovation and creative expression; and

WHEREAS, the Designing Local, LTD contract included five tasks – discovery, outreach and engagement, synthesis and analysis, initial recommendations, and a final plan; and

WHEREAS, an ad hoc steering committee was formed and consisted of a member of the arts commission, a member of the heritage commission, two local non-profit arts organization leaders, a K-12 educator, and community artists – which met several times to help shape the direction of the plan, provide feedback on community outreach efforts, and promoted the engagement efforts; and

WHEREAS, the strategic plan development effort included extensive engagement with city officials, staff, business owners, museum curators, education and community advocates; and

WHEREAS, members of the New Braunfels community participated in the Plan's engagement including 509 web-based surveys, 400+ connections at Saengerfest, 92+ connections at Art Haus, 200+ workshop and creative social attendees, for a total of over 1,242 connection points; and

WHEREAS, the Plan has six pillars: expand creative spaces, strengthen visibility, connect culture and tourism, encourage collaboration, invest in belonging, and tell a cohesive story; and

WHEREAS, the Plan has four priority areas: programming and community experiences, places and spaces, visibility and tourism, and operations and capacity building; and

WHEREAS, the Plan will act as a guiding document to aid as a long-term strategic vision for arts and culture in New Braunfels.

NOW, THEREFORE, be it resolved by the City Council of the City of New Braunfels, Texas, that the City hereby adopts the Arts & Culture Master Plan.

PASSED, ADOPTED AND APPROVED THIS 23RD DAY OF MARCH 2026.

_____
NEAL LINNARTZ, MAYOR

ATTEST:

_____
GAYLE WILKINSON, CITY SECRETARY

NEW BRAUNFELS ARTS AND CULTURE

ARTS & CULTURE MASTER PLAN - DRAFT WINTER / SPRING 2026

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ACKNOWLEDGMENTS

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CHAPTER 1

THE CULTURAL FABRIC OF NEW BRAUNFELS

PLAN OVERVIEW

This plan aims to create a collective vision for the role that arts and culture will play in New Braunfels by leveraging the existing foundation built by organizations and creators across the city.

GOALS OF THE ARTS AND CULTURE MASTER PLAN:

- Create a long-term strategic vision for arts and culture in New Braunfels
- Support artists, cultural organizations, and the development of creative spaces
- Drive economic growth through the creative sector
- Improve the community's quality of life and sense of place
- Identify collaboration and partnership opportunities amongst the public, non-profit, and private sectors

TIMELINE OF THE PLAN PROCESS

Spring 2025 - PROJECT MOBILIZATION

Summer 2025 - COMMUNITY DIALOGUE

Fall 2025 - SYNTHESIZE STRATEGIES

Winter 2025 - FINAL PLAN PRESENTATION

1700's

Spanish explorers first enter the region, establishing missions to spread culture and religion to Indigenous tribes. The *Nuestra Señora de Guadalupe* Mission operates near present-day New Braunfels from 1756 to 1758.

1845

Prince Carl of Solms-Braunfels founds the city after purchasing 1,300 acres of land along the Comal and Guadalupe Rivers.

1853

The annual Saengerfest, a celebration of German choral music, is held for the first time.

1898

The permanent Comal County Courthouse is completed.

PRE-FOUNDING CONTEXT

1845-1899
FOUNDING & EARLY SETTLEMENT

1836

Texas gains independence from Mexico, and Tejanos in the area continue raising cattle and sheep on land granted by Spanish and Mexican governments.

1850

New Braunfels is reported to be the fourth-largest town in Texas.

1887

The Faust Street Bridge is built, a wrought-iron engineering marvel designed to withstand flooding that washed away previous bridges.

1899

Landa Park opens as a private resort area promoted by the railroad for weekend excursions.

1920's

A boll weevil infestation wipes out the cotton industry, causing the neighboring community of Gruene to turn into a ghost town.

1936

The city purchases land for Landa Park, reserving riverfront land for public use.

1961

The annual Wurstfest is launched by the city meat inspector to honor sausage and the city's German heritage.

1975

Gruene listed in the National Register of Historic Places as a designated Historic District.

1979

Schlitterbahn Waterpark opens. This addition played a key role in solidifying New Braunfels as a major recreation and tourist destination for the region.

2010's

New Braunfels ranks as the third-fastest-growing city in the United States during this decade.

2022

The U.S. Census Bureau estimates the population of New Braunfels at 104,707- the first time New Braunfels has housed over 100,000 people.

1900-1999
20TH CENTURY DEVELOPMENT

2000-PRESENT
21ST CENTURY & MODERN ERA

CULTURAL INFLUENCES OF NEW BRAUNFELS

INDIGENOUS, SPANISH, MEXICAN, AND TEJANO FOUNDATIONS

For thousands of years, the Guadalupe River Valley was home to Indigenous tribes—foremost the Tonkawa, but also the Waco, Lipan Apache, and Karankawa. The rivers shaped daily life, movement, and settlement patterns, establishing a relationship between land, water, and community that remains central to New Braunfels today.

In the 1500s, Spanish explorers first entered what is now Texas. By the late 1600s, Spain began establishing missions and presidios throughout the region to spread their culture and religion to Native tribes. Nuestra Señora de Guadalupe Mission, located near present-day New Braunfels, operated from 1756 to 1758 and represents this early colonial presence.

For centuries, southern Texas was contested territory, shaped by conflict and control among Indigenous tribes, Spain, Mexico, France, and eventually the United States. Texas gained independence from Mexico in 1836 and became the 28th U.S. state in 1845. During this period, many Tejanos in the region had already been raising cattle and sheep on land grants issued by Spanish and Mexican governments for generations. These Indigenous and Hispanic histories form the earliest layers of New Braunfels' cultural fabric and continue to inform the city's identity.

GERMAN IMMIGRATION AND THE FOUNDING OF NEW BRAUNFELS

The City of New Braunfels was founded in 1845, when Prince Carl of Solms-Braunfels purchased land from the heirs of prominent Tejano leader Juan Veramendi to facilitate German immigration to Texas. Located at the confluence of the Guadalupe and Comal Rivers—fed by Comal Springs, the largest naturally occurring freshwater springs in Texas—the site offered exceptional natural and economic advantages.

Prince Carl named the settlement New Braunfels after his hometown in Germany. The city grew rapidly as immigrants arrived and river-powered industries supported manufacturing and agriculture. By the 1850s, New Braunfels was the fourth-largest city in Texas.

German settlers brought language, music, craftsmanship, building techniques, and social traditions that became deeply embedded in community life. Cultural celebrations such as Sängerfest, first held in 1853 to celebrate German choral music, combined music, heritage, and community gathering in ways that continue today.

BUILT FORM, PARKS, AND PUBLIC GATHERING

In the early days of settlement, buildings in New Braunfels were constructed in vernacular styles using accessible materials such as timber, logs, brick, and later locally quarried stone. As the city matured, European architectural traditions—particularly German Tudor styles with half-timbering and fachwerk—appeared alongside American Victorian, Queen Anne, and Craftsman styles.

These architectural traditions are preserved today across multiple historic districts, including the Sophienburg Hill Historic District, Mill Street Historic District, Downtown Historic District, Stock Historic District, and the Gruene Historic District. Together, these districts document the city's transition from immigrant settlement to established commercial and civic center.

Public spaces also became essential cultural assets. Landa Park emerged as a central gathering place, featuring the gazebo, dance slab, aquatic complex, playground, golf course, railroad, event facilities such as Landa Haus, and the German Pioneers Monument. The Founders Oak, located within Landa Park, has become both a historic landmark and an active community space, hosting events such as weekly Zumba classes and other gatherings.

Prince Solms Park further expanded recreational and cultural life through tennis courts, tubing access, a disc golf course, and activity spaces such as The Vortex AO sports club.

Downtown civic spaces—including The Plaza, the fountain, and Der Musikpavillon (bandstand)—have long supported community events such as Wassailfest and the July 4th Patriotic Parade, reinforcing culture as a shared public experience.

INSTITUTIONALIZING CULTURE AND HERITAGE

Throughout the 20th century, New Braunfels leaned into its German heritage while expanding parks, riverfront amenities, cultural venues, and festivals—becoming a major tourist destination in the process. Wurstfest, launched in 1961 by the city's meat inspector "to honor sausage," now attracts more than 200,000 visitors annually and has become one of the city's most recognizable cultural events.

Institutions such as the Sophienburg Museum & Archives play a critical role in preserving and interpreting local history, ensuring that stories of settlement, growth, and cultural change are documented and shared. Gruene Hall, Texas' oldest continuously operating dance hall, stands as a living symbol of German-Texan musical tradition and social life.

The Texas Handmade Furniture Museum reflects the city's legacy of craftsmanship, celebrating woodworking traditions and design practices passed down through generations.

PERFORMING ARTS AND CREATIVE ORGANIZATIONS

As New Braunfels continued to grow, dedicated arts organizations expanded the city's cultural offerings beyond festivals and heritage sites. The Brauntex Theatre became a cornerstone downtown venue, hosting live performances, film, and community events while reinforcing the role of the arts in the city's core.

Performing arts organizations such as Mid-Texas Symphony and Ballet Texas brought orchestral music and dance to local audiences, supporting arts education and professional performance. Circle Arts Theatre further broadened access to creative participation by providing opportunities for community-based theater and storytelling.

Together, these organizations have shaped a cultural ecosystem that supports performance, education, and creative expression year-round.

HISPANIC HERITAGE AND CULTURAL EXPRESSION

Alongside its German heritage, New Braunfels recognizes a significant Hispanic population and the many contributions it has made to the community over hundreds of years. Annual events such as the Día de los Muertos Festival and Fiesta Patria celebrate Hispanic heritage through music, dance, food, and shared remembrance.

Public art has become a key way to honor this history. In 2018, The Legacy of Our Journey, a mural by Alex Rubio, depicted a timeline of Hispanic heritage from 1600 to 1845 and illustrated how this history continues to reverberate in modern New Braunfels. These cultural expressions reinforce the city's layered identity and evolving cultural narrative.

A DENSE AND LIVING CULTURAL FABRIC

Today, with more than 250 years of history, heritage, and culture to celebrate, New Braunfels is among the fastest-growing cities in the United States. Its cultural fabric is shaped by Indigenous roots, German settlement, Hispanic traditions, historic districts, parks and plazas, festivals, and a growing network of arts organizations and cultural institutions.

This timeline reveals a city rich in cultural assets—each contributing in distinct ways to community identity, public life, and creative expression. The opportunity ahead lies in recognizing these assets as parts of a connected cultural ecosystem and supporting them in ways that reflect their collective impact on New Braunfels' past, present, and future.

THE HISTORIC CHARACTER OF NEW BRAUNFELS

New Braunfels' historic districts function as more than preserved collections of buildings as they are living cultural landscapes that reflect the city's layered history, architectural evolution, and community life. Together, these districts illustrate how German settlement, Hispanic heritage, early civic development, and river-based industry shaped the physical and cultural form of the city.

SOPHIENBURG HILL HISTORIC DISTRICT

The area that Prince Carl had built a log fortress days after the founding of New Braunfels. The fortress was named Sophienburg, after his fiancee Sophie of Solm-Laubach, on top of a small hill that overlooked the town. The current historic district sits primarily along S Academy Avenue between W Jahn Street and Cross Street, and along Magazine Avenue between W Coll Street and W Jahn Street. A majority of the buildings were built between the 1880s and the 1930s, many of which are in the Craftsman Bungalow Style. Many historic landmarks can be found in this historic district.

MILL STREET HISTORIC DISTRICT

The Mill Street Historic District is best characterized by its display of German-Texan vernacular architecture as many of the people who settled in this area were German immigrants. In addition to the vernacular style of architecture, Craftsman bungalows and Victorian-era style homes can be found here as well. One of the earliest public schools of New Braunfels, the New Braunfels Academy, a local landmark & Registered Texas Historic Landmark, was built here in the mid-1910s. This district can be found along W Mill Street between N Guenther Avenue and S Academy Street.

DOWNTOWN HISTORIC DISTRICT

The downtown historic district, now on the national register of historic places, is characterized by the architecture of the commercial and residential buildings that were built as the town of New Braunfels was being settled and developed. The period of significance of this area is from 1845 to 1940, the time when the city went from German

settlement to an American city with a thriving commercial center, anchored by Main Plaza in the center of the district. Nearby features that aided in the development of this area are the Comal River and nearby ground transportation routes such as the El Camino Real and the railroad transportation routes. The area sits at the city center along W San Antonio Street, bound by S Academy Street to the south and N Market Avenue to the north, and along N Seguin Ave, bound by W Bridge Street to the west and W Coll Street to the east. Established in the Zoning Ordinance in May 2012.

THE STOCK HISTORIC DISTRICT

The Stock Historic District is the smallest of New Braunfels' historic districts, consisting of five properties along West Coll Street originally owned by Carl Stock and his family who were early members of the Verein colony. Although the Stock family perished during the cholera epidemic, the surviving homes remain as rare examples of Craftsman Bungalow and Folk-Victorian architecture, offering a poignant reminder of the city's early hardships and resilience.

GRUENE HISTORIC DISTRICT

Located along the Guadalupe River just northeast of New Braunfels, the Gruene Historic District reflects the industrial and commercial legacy of German immigrant settlement. The district features fachwerk construction, Victorian cottages, and early commercial buildings such as the mercantile and cotton gin. Due to its high degree of preservation, Gruene was designated a National Historic District in 1974 and continues to serve as a major cultural and tourism destination.

CIVIC AND CULTURAL LANDMARKS

DOWNTOWN & THE PLAZA

Downtown New Braunfels serves as the city's primary civic and cultural center, where historic streets, public spaces, and community traditions converge. The Plaza functions as the symbolic and physical heart of downtown, framed by the fountain and Der Musikpavillon, and has long provided a setting for music, celebration, and public gathering. Seasonal and civic events such as Wassailfest and the July 4th Patriotic Parade activate downtown as a cultural stage, reinforcing its role as a place where heritage, civic identity, and everyday community life are experienced together.

LANDA PARK

Landa Park is one of New Braunfels' most significant cultural landscapes, centered around the Comal Springs and shaped by generations of community use. Its mix of historic monuments, recreational amenities, event spaces, and natural features—including the gazebo, dance slab, German Pioneers Monument, Landa Haus, and the Founders Oak which supports everyday activity and major cultural celebrations such as Wurstfest. The Founders Oak serves as both a living link to the city's past and an active gathering place, hosting regular community activities that demonstrate how historic natural assets continue to support contemporary cultural life and social connection.

PRINCE SOLMS PARK

Prince Solms Park represents a more active, recreation-focused expression of culture in New Braunfels, closely tied to the Comal River. Amenities such as tubing access, tennis courts, disc golf, and The Vortex AO sports club support wellness, outdoor activity, and social interaction, reinforcing the city's identity as a place where river culture and recreation are integral to daily life.

CULTURAL ASSET MAPPING

METHODOLOGY

The 55 facilities and organizations identified as cultural assets in New Braunfels were sourced from a combination of public engagement, steering committee input, and internal research. Assets were sorted into the following categories:

ARTS AND CULTURE CATEGORIES

Art Education: Organizations and facilities that offer educational services and classes to the public, focusing on various sectors of arts and culture.

Community Space: Facilities, including parks, libraries, and other widely used locations, where the community can gather to collaborate or create independently. Many of these are central hubs for arts and culture programming.

Cultural: Facilities dedicated to displaying and preserving local culture, such as museums and conservation societies. Their focus is on the cultural composition of New Braunfels and sharing or explaining it to the public.

Dance: Organizations that provide community access to dance education and performance.

Galleries: Spaces where artists can display and sell their work. These are opportunities for the public to engage with different levels of visual artworks.

Multi-Discipline: Facilities and organizations that promote, educate, and support art across mediums. They combine visual, performance, and other arts in unique ways for the community to experience.

Museums & Heritage Centers: These facilities serve as spaces for the community to engage with local history, offering both educational and artistic opportunities to interact with culture and heritage.

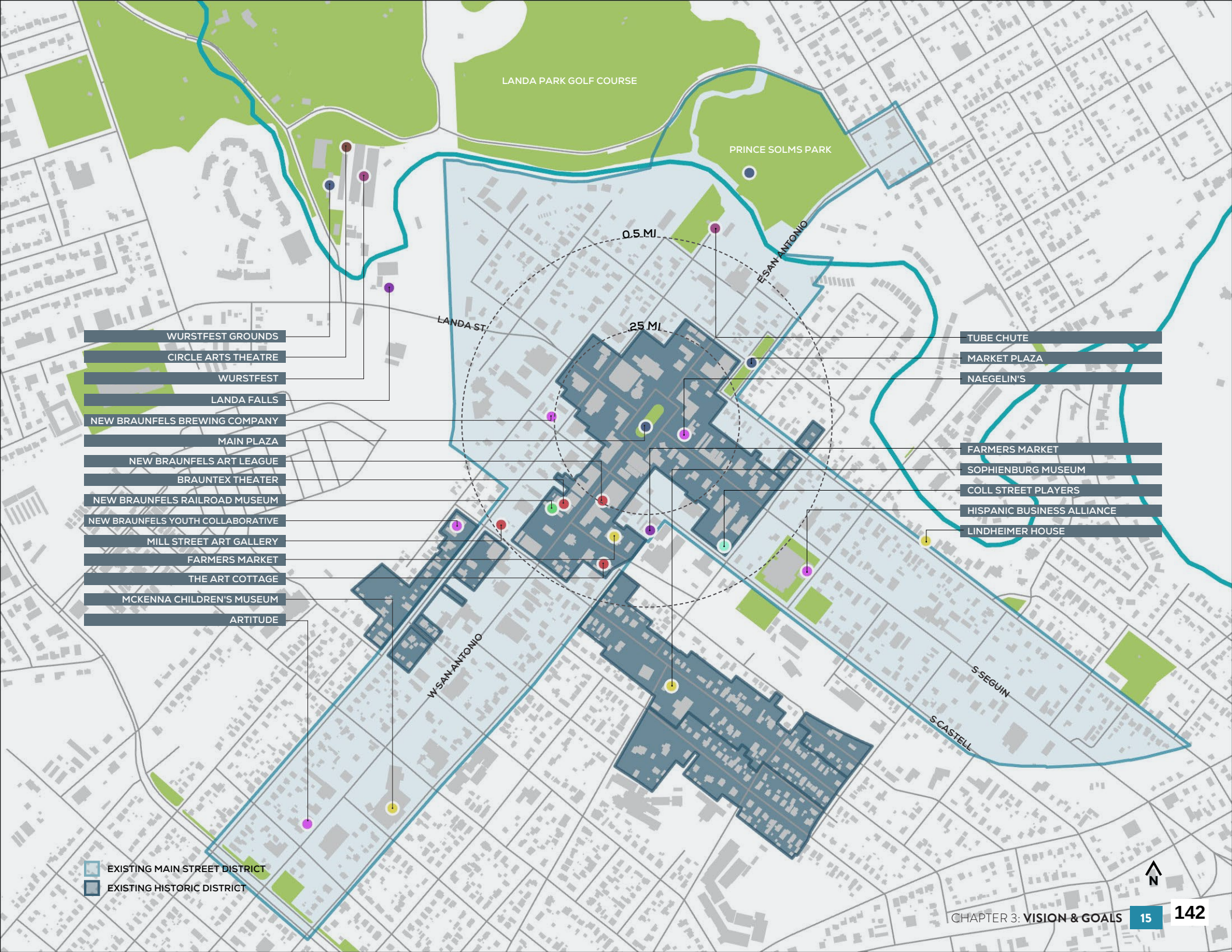
Music: Organizations and facilities that support and perform in the musical sector in New Braunfels, sharing their work to bring musical arts to the community.

Parks: A key component of the City's arts and culture network, New Braunfels' active park facilities frequently host community events and cultural programming.

Performance Spaces: These are venues utilized for presenting performing arts like theater and dance. They vary in size and purpose but are essential for providing the community with access to a variety of artistic experiences.

Theater Organizations: Groups focused on providing the community with access to theater through both educational programs and public performances.

Visual Arts Spaces: Facilities and organizations dedicated to exposing the public to visual arts. These serve as places for creation, education, exhibition, and commerce related to art.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S CASTELL
WURSTFEST GROUNDS
CIRCLE ARTS THEATRE
WURSTFEST
LANDA FALLS
NEW BRAUNFELS BREWING COMPANY
MAIN PLAZA
NEW BRAUNFELS ART LEAGUE
BRAUNTEX THEATER
NEW BRAUNFELS RAILROAD MUSEUM
NEW BRAUNFELS YOUTH COLLABORATIVE
MILL STREET ART GALLERY
FARMERS MARKET
THE ART COTTAGE
MCKENNA CHILDREN'S MUSEUM
ARTITUDE
TUBE CHUTE
MARKET PLAZA
NAEGELIN'S
FARMERS MARKET
SOPHIENBURG MUSEUM
COLL STREET PLAYERS
HISPANIC BUSINESS ALLIANCE
LINDHEIMER HOUSE
EXISTING MAIN STREET DISTRICT
EXISTING HISTORIC DISTRICT
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FINDINGS

Cultural Assets in New Braunfels are concentrated in the downtown area, particularly the historic district.

This concentration of assets include several regionally significant facilities and organizations, including the home of the Wurstfest, several museums, and key historical buildings.

PROPOSED CULTURAL DISTRICT

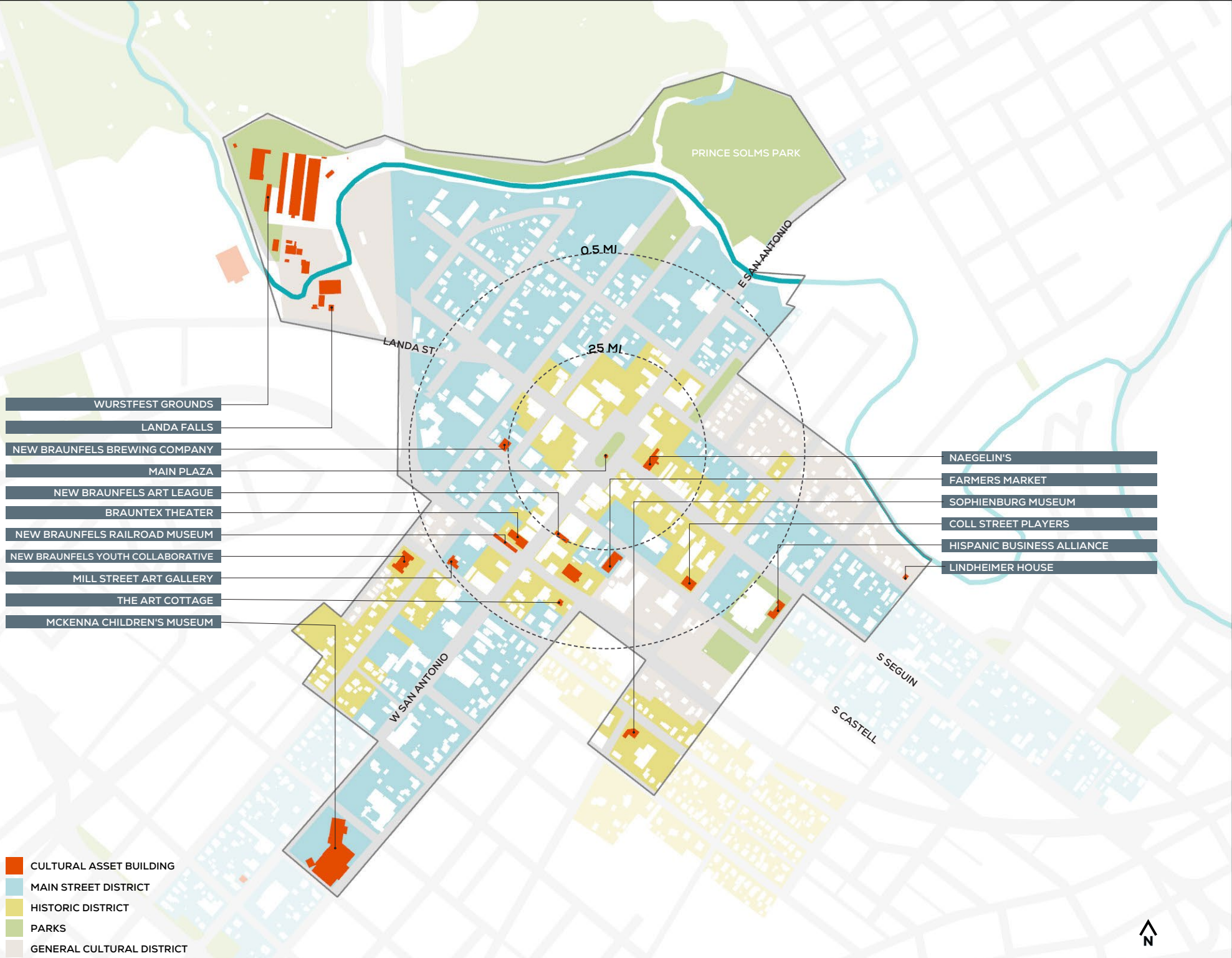
The proposed cultural district, spanning just under half a square mile, is designed to be easily walkable, offering both residents and visitors an immersive experience of the local arts. Combined with the overlapping Main Street and Historic districts, the proposed cultural district is already a vibrant destination for heritage in the community. Its boundaries encompass the highest concentration of cultural assets in New Braunfels, highlighting 31 unique points of interest that collectively reflect the city's rich cultural identity. This collection represents over half of all identified cultural assets within the City.

LIMITATIONS

While the asset mapping process sought to capture the full range of arts and cultural resources across New Braunfels, it may not reflect every existing or emerging creative space. Some activities –particularly informal, home-based, or seasonal – operate outside official datasets or are difficult to document through standard sources.

Cultural Assets, Events, and Festivals within the Proposed Cultural District

- Art Haus
- Brauntex Theatre
- Circle Arts Theatre
- Coll Street Players
- Comal County Fair Parade
- Dia de Los Muertos Festival
- Downtown Lighting & Santa's Arrival
- Farmers Market
- Founders Oak
- Hispanic Business Alliance
- Independence Day Parade
- Landa Park
- Lark Mason Art Gallery
- Lindheimer House
- Live at Landa
- Main Plaza
- Market Plaza
- Martin Luther King, Jr. March
- McKenna Children's Museum
- Mill Street Art Gallery
- Naegelin's
- New Braunfels Art League
- New Braunfels Brewing Company
- New Braunfels Fire Museum
- New Braunfels Railroad Museum
- New Braunfels Youth Collaborative
- Prince Solms Park
- Saengerfest
- Sophienburg Museum
- Spooktacular
- The Art Cottage
- Thru The Chute
- Tube Chute
- Veterans Day Parade
- Wassailfest
- Wurstfest
- Wurstfest Grounds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WURSTFEST GROUNDS
LANDA FALLS
NEW BRAUNFELS BREWING COMPANY
MAIN PLAZA
NEW BRAUNFELS ART LEAGUE
BRAUNTEX THEATER
NEW BRAUNFELS RAILROAD MUSEUM
NEW BRAUNFELS YOUTH COLLABORATIVE
MILL STREET ART GALLERY
THE ART COTTAGE
MCKENNA CHILDREN'S MUSEUM
NAEGELIN'S
FARMERS MARKET
SOPHIENBURG MUSEUM
COLL STREET PLAYERS
HISPANIC BUSINESS ALLIANCE
LINDHEIMER HOUSE
CULTURAL ASSET BUILDING
MAIN STREET DISTRICT
HISTORIC DISTRICT
PARKS
GENERAL CULTURAL DISTRICT
N

Place-based Cultural Assets

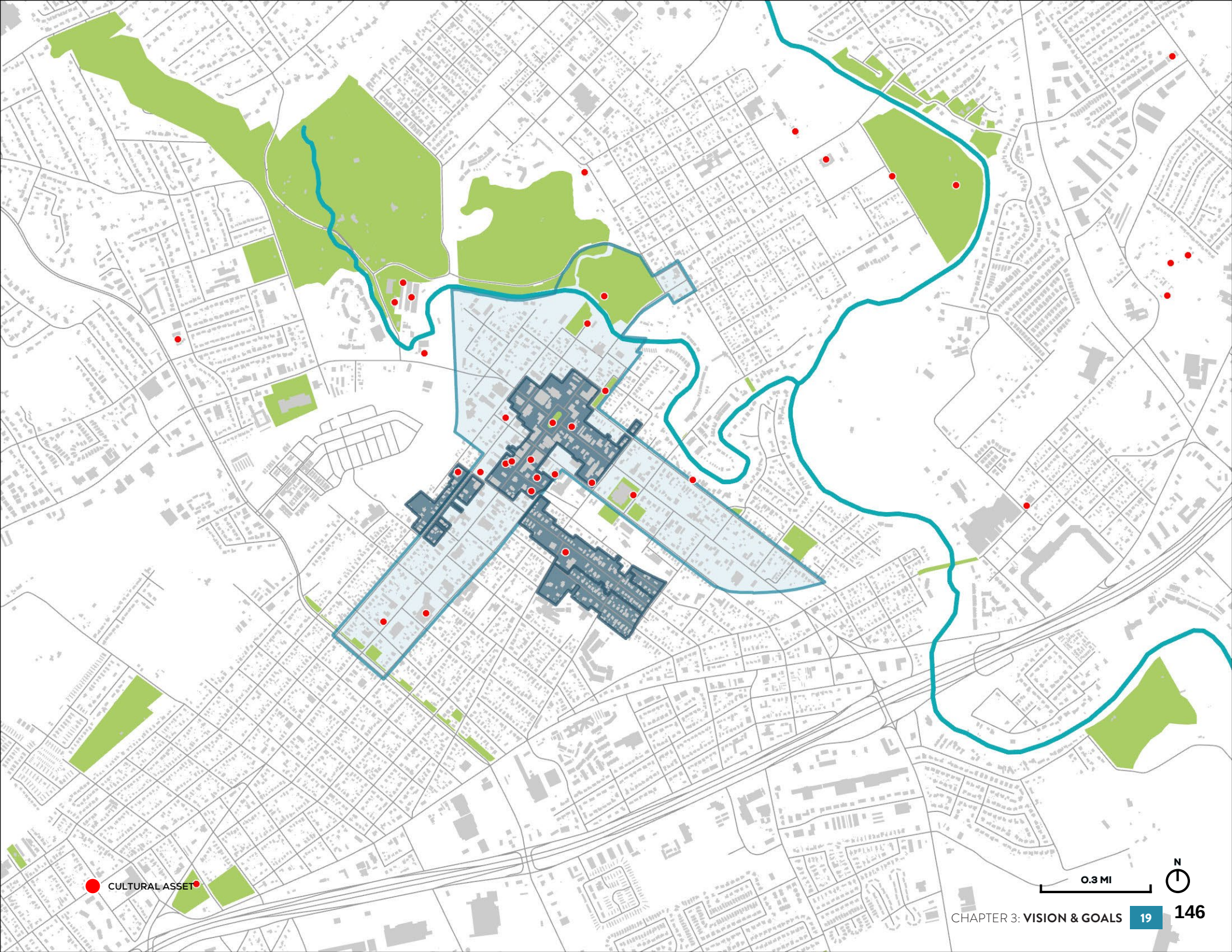
- The Art Cottage
- The ARTitude Artisan Market
- Brauntex Theatre
- Circle Arts Theatre
- Comal Cemetery
- Comal River
- Cypress Bend Park
- Downtown Historic District
- Ernest Eikel Field
- Founders Oak
- Gruene Hall
- Gruene Historic District
- Guadalupe River
- Historic Old Town
- Landa Park
- Large Mural at Vivo apartments
- Lark Mason Art Gallery
- Lindheimer House
- Main Plaza
- Market Plaza
- McKenna Children's Museum
- Mill Street Historic District
- Mill Street Art Gallery
- Mission Hill Park
- Museum of Texas Handmade Furniture
- Naegelin's
- Natural Bridge Caverns
- New Braunfels Brewing Company
- New Braunfels Cemetery
- New Braunfels Fire Museum
- New Braunfels Public Library
- New Braunfels Youth Collaborative
- Prince Solms Park
- Schlitterbahn Waterpark
- Sophienburg Hill Historic District
- Sophienburg Museum
- Southeast Library
- Stock Historic District
- Tube Chute
- Veteran's Memorial
- Westside Community Center
- Westside Library
- Wurstfest Grounds

Cultural Organizations & Partners

- Ballet Texas
- Cheatham Street Music Foundation
- Christian Youth Theatre San Antonio
- Coll Street Players
- Comal ISD - Fine Arts Department
- En Vivio! Theatrical
- Greater New Braunfels Arts Council
- Hispanic Business Alliance
- Kinder Tanzer
- Mid-Texas Symphony
- New Braunfels Art League
- New Braunfels Conservation Society
- New Braunfels Gemischter Chor Harmonie
- New Braunfels Independent School District
- New Braunfels ISD - Fine Arts Department
- New Braunfels Performing Arts Academy
- New Braunfels Railroad Museum
- New Braunfels Writers Guild
- New Braunfels Youth Collaborative
- Historic Outdoor Art Museum

Events & Festivals

- Comal County Fair & Rodeo
- Folkfest
- Monarch Festival
- New Braunfels Renaissance Faire
- Soul Searching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CHAPTER 2

COMMUNITY ENGAGEMENT

ENGAGEMENT OVERVIEW

Throughout the planning process, engagement was conducted to help identify and assess existing arts and cultural resources, understand gaps, and provide a foundation for transformative projects. Feedback was gathered through a series of one-on-one stakeholder conversations and five thematic workshops.

PARTICIPANTS INCLUDED A WIDE CROSS-SECTION OF THE COMMUNITY:

- Artists, gallery owners, and creative business owners
- Leaders of non-profit cultural and heritage organizations
- City officials, staff, and commission members
- Business owners (culinary, retail, marketing)
- Museum curators and historians
- Education and community advocates

ENGAGEMENT SUMMARY

509
Web Surveys Collected

400+
In-person Engagement at Saengerfest

92
People Engaged at Art Haus

28
Individual Conversations Conducted

118
Public Workshop Attendees

120+
Creative Social Attendees

TOTAL ENGAGEMENT TO DATE

1,242 connection points
With Community Members

A series of individual conversations were held with key stakeholders to gather candid, in-depth perspectives on the current state and future potential of arts and culture in New Braunfels. Themes from these conversations found below.

WHAT IS THE CURRENT IDENTITY OF NEW BRAUNFELS' ARTS AND CULTURAL SCENE?

Stakeholders described the current identity as heavily anchored in its German heritage and its water recreation. Several noted that the tourism identity is strongly associated with the river and the specific activities that take place during the float. Beyond these pillars, the arts scene was frequently described as "non-professional", "locally designed for locals" , and "limited". A primary theme was that the community's cultural efforts are "fragmented", with many organizations "working in silos" rather than toward a collective vision.

Many believe that **New Braunfels has the bones of a vibrant cultural destination**: its history, setting, and existing creative energy give it a foundation most communities aren't as fortunate to have. **What's missing is: collaboration, strategic leadership from the public and non-profit sectors, targeted investment, and physical space identification and development to support the community's vision** for the cultural future of New Braunfels.

Stakeholders described a community that values both tradition and innovation. **The arts here don't need to be invented – they need to be organized, resourced, and made visible.** There's a shared belief that New Braunfels could easily become a cultural anchor for the Hill Country if its many creative efforts were organized and "rowing in the same direction."

WHAT ARE THE BIGGEST CHALLENGES AND BARRIERS?

Lack of Facilities & Space

This was the most-cited barrier.
Stakeholders universally identified the availability of space as the most significant barrier to growth. Existing venues, including the Brauntex Theater, are valued but limited in their capacity to accommodate certain performances and organizations. The absence of affordable artist studios and makerspaces further constrains the ability of individual artists and creative practitioners to work and grow within the community.

Lack of Awareness & Marketing

"Awareness is the single biggest obstacle". Many residents and tourists are simply unaware of the cultural offerings that do exist. Stakeholders described awareness as the single biggest obstacle to broader participation and engagement in the arts.

Funding & Support

Stakeholders identified a significant gap in financial support for arts and culture, noting that fundraising efforts have not kept pace with community needs. The process for securing available funding was described as opaque and difficult to navigate, creating an uneven playing field for organizations seeking support.

Collaboration & Vision

The arts community suffers from a "lack of collaboration" and "duplicative organizations". This fragmentation is compounded by a "lack of collective strategic vision."

KEY OPPORTUNITIES AND FUTURE VISION

ELEVATE THE CULTURAL BRAND

A primary opportunity is to "raise the bar" and shift the city's identity. This includes attracting "higher-end" and "affluent" tourism that is not solely focused on the river.

DEVELOP NEW VENUES AND CREATIVE SPACES

Many suggested repurposing the current Civic Center into a Cultural Arts Center. Others championed building a new 1,500-2,000-seat venue or a large, multi-purpose arena.

EMBRACE EMERGING ARTS & NEW EVENTS

A major untapped resource is the culinary scene, with suggestions to leverage the Culinary Institute of America (CIA) in San Antonio. This could take the form of an elevated Food & Wine festival. A Film Festival was also suggested, as New Braunfels is expanding its reputation as a Film-Friendly city with a rich backdrop of history and natural beauty.

EXPAND CULTURAL REPRESENTATION

Stakeholders see a significant opportunity to provide more visibility for the community's rich Mexican heritage and African American & Black community, expanding beyond the more dominant German-centric narrative. When it comes to German Heritage opportunities, they desire additional opportunities to connect to the authentic stories and histories that have shaped the community.

ACTIVATE THROUGH PUBLIC ART:

There is a desire for more outdoor art and beautification, including "gateways that speak to the community's character".

PUBLIC WORKSHOP SERIES

The Arts and Culture public workshop series was a pivotal phase of the New Braunfels Arts & Culture Master Plan. The series included five thematic public workshops and one Creative Convening Social. A total of 118 attendees participated in the five public workshops: History & Heritage, Arts Organizations, Creative Enterprises, Events and Community Gatherings, and City Departments. Feedback was gathered from a wide cross-section of the community, including artists, city staff, leaders of non-profit cultural and heritage organizations, and business owners.

The synthesis of this extensive community dialogue made it clear that New Braunfels already possesses the "bones of a cultural destination," benefiting from a strong history, unique setting, and existing creative energy. There is a shared belief that New Braunfels could become a major cultural anchor for the Hill Country. The insights gathered across these five key conversations directly inform the short-, medium-, and long-term strategies necessary for the Master Plan.

Many noted that the creative energy here is real: from the Brauntex to Wurstfest, from the murals downtown to the individual artists and creators working daily to expand the presence of the arts in this community – but the Arts in New Braunfels need room to grow. We heard it again: the talent is here, the potential is here, but the spaces, coordination, and investment haven't caught up.

HISTORY & HERITAGE WORKSHOP

This heritage-themed workshop drew 35 attendees, a group that included influential voices such as representatives from the Sophienburg (including archives, curator, and board members), the Comal County Historical Commission, the NB Conservation Society, the Downtown Association, and many more. The conversations centered on establishing and keeping the historical identity and built environment of the city and focused heavily on preservation, identity, and leveraging the past for future growth. Key questions used to launch the discussion included:

- What is your organization's primary mission, and how do you serve the community?
- What are the historical heritage and cultural hallmarks of New Braunfels?
- What is your vision for arts & culture in New Braunfels?
- What is missing from New Braunfels that you need to execute your vision? What barriers exist? What resources do you need?
- When it comes to History & Heritage, do you feel the community's needs are being met? Do you feel the community is satisfied with their opportunities to connect with history and heritage? What are we missing?
- When you are seeking to create new art and cultural experiences in New Braunfels, do you seek to partner and collaborate? Who are you collaborating with and how are you finding these partnerships?
- Have you seen anything in action in other communities that you think New Braunfels should try to emulate?

The conversation included concern over preservation threats and the rapid loss of early architecture; the critical need for a centralized, communal space for non-profit programming; identifying core cultural hallmarks such as Wurstfest and German Heritage, while explicitly noting that Hispanic heritage is often overlooked; the unique opportunity to leverage the city's historical architecture and built environment to drive heritage tourism and new investment; and a pressing need for better city-supported marketing resources.

MAJOR THEMES FROM THE CONVERSATION

- Concern over preservation threats and architectural loss due to rapid growth.
- Desire for better support and visibility for all cultural hallmarks, specifically noting that Hispanic heritage is often overlooked.
- Critical need for a centralized, communal space that is accessible and affordable for non-profit programming.
- Strong support for expanding the narrative around heritage, particularly providing additional authentic experiences that celebrate the historical connections to the German community, alongside elevating the stories of additional heritages and histories that have shaped the community.
- Recognition of the unique opportunity to leverage historic architecture and the built environment for heritage tourism and new investment.
- A clear need for consolidated efforts regarding marketing resources and connectivity to help organizations reach new and existing residents.

CREATIVE INDUSTRIES & BUSINESS COMMUNITY WORKSHOP

This session gathered 29 attendees, including city leadership, gallery owners, visual artists, and culinary professionals. The goal was to understand how creative enterprises could play a bigger role in shaping cultural experiences. The conversation explored the economic role and impact of culture, asking:

- What role does your business play in the community?
- What is your vision for arts & culture in New Braunfels?
- What is missing from New Braunfels that you need to execute your vision? What barriers exist? What resources do you need?
- How can the Creative Industries and Small Businesses play a bigger role in creating cultural experiences in New Braunfels?
- What creative industries or creative businesses are missing from New Braunfels?
- What support do you feel the creative sector and small business community needs to thrive?

THEMES FROM THE CONVERSATION

- A call to expand professionally produced cultural programming to attract more affluent tourists and philanthropists to drive significant economic growth through arts and culture.
- The identification of culinary arts as a key opportunity to define the city's identity, perhaps through an elevated Food & Wine Festival.
- Challenges posed by regulatory barriers, specifically citing the health department's difficulties with accommodating emerging culinary concepts like fermentation programs.
- The need for strengthened visibility and branding aimed at regional audiences, including implementing public art to define the community's boundaries and character.
- The importance of nurturing local talent through coaching and accessible spaces to prevent young creatives from leaving for Austin or San Antonio.

WHAT IS YOUR VISION FOR ARTS & CULTURE
IN NEW BRAUNFELS?

NEW BRAUNFELS, TX
ARTS & CULTURE
September 2025
DESIGNING LOCAL

EVENTS & MULTICULTURAL PROGRAMMING WORKSHOP

Attended by 24 people, this session centered on the dynamics of community gatherings and programming variety. The intent was to capture feedback on how events create community cohesion and belonging. Discussions were prompted by questions such as:

- Introductions: What is your organization's primary mission, and how do you serve the community?
- What is your vision for arts & culture in New Braunfels?
- What is missing from New Braunfels that you need to execute your vision?
- What role do you believe events and community gathering plays in New Braunfels? How do events and cultural programming enhance the community experience?
- Do you feel like the available space options for events serve your needs? What needs aren't being met?
- Have you seen anything in action in other communities that you think New Braunfels should try to emulate?

THEMES FROM THE CONVERSATION

- Addressing volunteer fatigue and the need for a dedicated city staff to support arts and culture programming.
- The problem of lack of cohesion and discoverability making advertising and promoting events difficult for organizations. Pointing back towards a consolidated effort to promote and raise awareness about cultural opportunities.
- While cultural experiences that drive foot traffic to downtown New Braunfels are important to creating a vibrant economy, spatial needs beyond the core, including event space on the east side of town and a larger music venue appealing to a variety of musicians, are gaps in venues.
- There is also a noted competitive calendar for booking the Civic Center. Calls to diversify available spaces and consider prioritization for signature programs that require a larger performance venue were mentioned.
- Encourage non-profits to develop additional capacity to meet local demand and identify new approaches to expanding access while balancing feasibility and monetization of experiences.
- Carefully consider the appropriate monetization strategies for unique or high-value experiences they provide, which include addressing structural and financial barriers that may limit operational capacity.
- Move beyond short-term fixes and establish a robust, self-sustaining ecosystem of community support and arts vibrancy.
- The potential to become a destination for culinary events and seasonal programming, such as a Food & Wine Festival, especially during the winter months.
- Opportunities to invest in belonging by providing more visibility for the city's rich Mexican heritage and the African American & Black community.

WHAT IS YOUR VISION FOR ARTS &
IN NEW BRAUNFELS?

CITY DEPARTMENTS WORKSHOP

This targeted workshop included 21 attendees drawn from various internal departments, including Parks & Recreation, Library, Transportation, Planning, Police, Communications, Economic Development, and the City Attorney's Office. This session was focused on leveraging city policy and assets to support the arts. Staff were asked critical questions about internal integration:

- Introductions: What is your department's primary mission, and how do you serve the community?
- How does arts and culture overlap with your department's mission?
- What specific opportunities for arts and culture (proposed, in progress, etc) do you want to see explored through the ACMP? (Policies, Projects, Plans)
- What support do you feel your department could provide in creating and supporting arts and culture experiences for New Braunfels community members?

THEMES FROM THE CONVERSATION

- Strong staff interest in adopting a Percent for Art in Public Improvement (CIP) policy, or a similar mechanism to integrate art into infrastructure projects.
- Opportunities to leverage parks and trails (including upcoming projects like the Dry Comal Creek Trail and Northwest Park) for public art, literary art, and placemaking experiences.
- The need for the distribution of cultural assets across the city, establishing "cultural nexuses" outside of the downtown core.
- The importance of achieving internal buy-in and attitude change toward arts and culture within city departments.
- Support for Direct City Support for Low-Barrier Arts, such as an Artist in Residency program, Mural Program, and strengthening the existing Utility Box Program.

A critical outcome of these departmental discussions is the clarification of the City's specific role within the broader cultural landscape. Moving forward, the City of New Braunfels is best positioned to serve as a convener, funder, and regulator—creating the necessary infrastructure, policy frameworks, and financial pathways for the arts to thrive. While the City provides the stage and the support systems, it is not intended to be the sole producer of culture. Instead, the City's objective is to empower local artists, non-profits, and community partners to remain the primary creators and drivers of New Braunfels' cultural identity, ensuring a sustainable and community-led ecosystem.

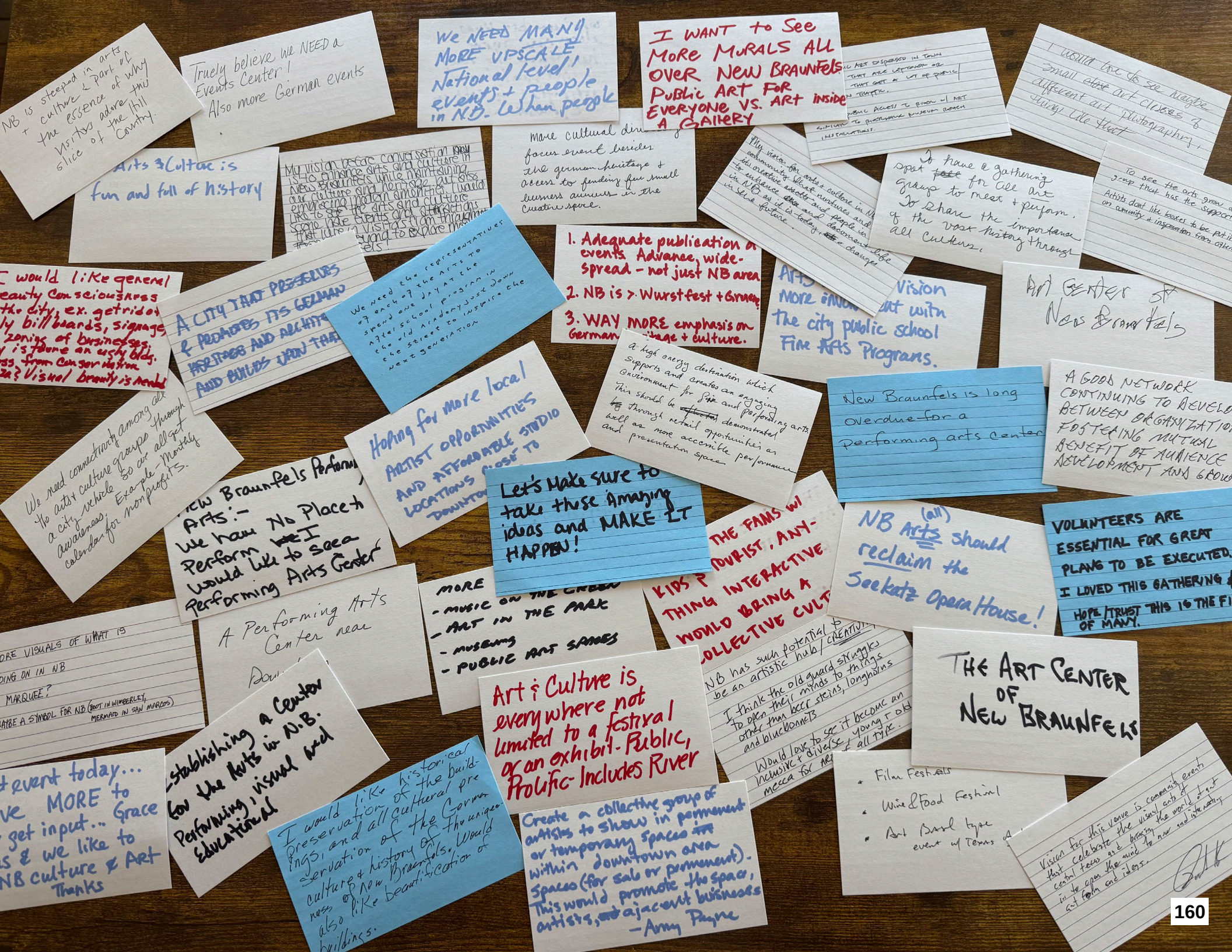
EXIT
WHAT SPECIFIC OPPORTUNITIES FOR ARTS AND CULTURE (PROPOSED, IN PROGRESS, ETC) DO YOU WANT TO SEE EXPLORED THROUGH THE ACMP? (POLICIES, PROJECTS, PLANS)
esri
Welcome

CREATIVE CONVENING SOCIAL

The Creative Convening Social was a large, informal event held on Wednesday, September 10, 2025, which attracted approximately 120 attendees and was hosted at the Lark Mason Gallery. This event was structured not as a discussion, but as a general feedback mechanism. Participants were encouraged to provide final thoughts via a drop-box on two specific questions related to the plan's overall direction: "What is your vision for arts and culture?" and "How has your vision changed (expanded) based on the conversations you had?"

THEMES FROM THE CONVERSATION

See handwritten notes from community members on the next page.


NB is steeped in arts + culture & part of the essence of why visitors adore this slice of the Hill Country.
Truely believe we NEED a Events Center!
Also more German events
We NEED MANY MORE UPSCALE National level events + people in NB. When people
I WANT to See MORE MURALS ALL OVER NEW BRAUNFELS. Public Art FOR EVERYONE VS. ART INSIDE A GALLERY
I would love to see Maybe small start art classes & different art photography + things like that
Arts & Culture is fun and full of history
My vision base conversation around arts and culture in NB to enhance arts and culture in New Braunfels while maintaining our culture and heritage but also embracing and encouraging the arts and culture
More cultural dining focus event besides the german heritage + access to funding for small business owners in the Creative space.
To have a gathering spot for all art groups to meet + perform. To share the importance of the vast history through all cultures.
To see the arts grow... group that has the support Artists don't like boxes to be put in on community + inspiration from other
I would like general beauty consciousness the city, ex. get rid of ly billboards, signage zoning of businesses is there an ugly bldg. from Conservation ? Visual beauty is needed
A CITY THAT PRESERVES & PROMOTES ITS GERMAN HERITAGE AND ARCHITE AND BUILDS UPON THA
We need the representatives of each of the ARTS to spend one DAY AT THE Arts school program in the old Academy just down the street to inspire the next generation
1. Adequate publication of events. Advance, wide-spread - not just NB area
2. NB is > Wurstfest + Gruen
3. WAY MORE emphasis on German ...ritage + culture.
Vision ...ut with the city public school Fine Arts Programs.
Art Center of New Braunfels
We need connectivity among all the artist culture groups through a city website. So our all get awareness. Example - Monthly calendar for nonprofits.
Hoping for more local ARTIST OPPORTUNITIES AND AFFORDABLE STUDIO LOCATIONS ...OSE TO DOWNTO
A high energy destination which supports and creates an engaging environment for ... and performing arts. This should be ... demonstrated through retail opportunities as well as more accessible performance and presentation spaces
New Braunfels is long overdue for a Performing arts Center
A GOOD NETWORK CONTINUING TO DEVELO BETWEEN ORGANIZATIO FOSTERING MUTUAL BENEFIT OF AUDIENCE DEVELOPMENT AND GROW
...ew Braunfels Performi... Arts:- We have No Place th Perform would like to see Performing Arts Center
Let's Make sure to take these Amazing ideas and MAKE IT HAPPEN!
...THE FANS wi ...OURIST, ANY- ...KIDS P ...THING INTERACTIVE ...WOULD BRING A ...OLLECTIVE CULT
NB (all) Arts should reclaim the Seeketz Opera House!
VOLUNTEERS ARE ESSENTIAL FOR GREAT PLANS TO BE EXECUTED. I LOVED THIS GATHERING HOPE/TRUST THIS IS THE FI... OF MANY.
...ORE VISUALS OF WHAT IS ...OING ON IN NB MARQUEE? ...AYBE A SYMBOL FOR NB (BOOT IN WIMBERLEY, MERMAID IN SAN MARCOS)
A Performing Arts Center near ...
MORE - MUSIC ON THE ... - ART IN THE PARK - MUSEUMS - PUBLIC ART SPACES
...NB has such potential to ... be an artistic hub/ CREATIVE ... I think the old guard struggles to open their minds to things other than beer steins, longhorns and bluebonnets Would love to see it become an inclusive + diverse ... young + old ... all type. ... mecca for AR...
THE ART CENTER OF NEW BRAUNFELS
...t event today... ...ve MORE to ...get input... Grace ...s & we like to ...NB culture & Art Thanks
...Establishing a Center for the Arts in N.B. Performing, visual and Educational
I would like historical preservation of the buildings, and all cultural preservation of the German culture & history of the unique ness of New Braunfels. Would like beautification of also buildings.
Art & Culture is everywhere not limited to a festival or an exhibit. Public, Prolific - Includes River
Create a collective group of artists to show in permanent or temporary spaces within downtown area Spaces (for sale or permanent). This would promote the space, artists, and ajacent businesses -Amy Payne
Film Festivals
Wine & Food Festival
Art Basel type event w/ Texas ...
Vision for this wave is community events that celebrate the visual arts of central texas and bring the world to art in the open the mind to new and the nothing art form and ideas.

PUBLIC SURVEY

A NON-SCIENTIFIC SURVEY TO DISCERN THE COMMUNITY'S ARTS AND CULTURE-RELATED PREFERENCES WAS AVAILABLE DURING SUMMER AND FALL 2025. IT WAS PROMOTED ON SOCIAL MEDIA AND VIA THE CITY'S EMAIL NETWORK, AND IN HANDOUTS THAT INCLUDED A QR CODE LINKING TO THE PROJECT'S WEBSITE. ULTIMATELY, THE SURVEY RECEIVED 509 RESPONSES.

ARTS AND CULTURE IN THE CITY OF NEW BRAUNFELS SHOULD ACCOMPLISH THE GOAL OF:

1. **COMMUNITY COHESION**
   55 MENTIONS
2. **ACKNOWLEDGE MORE HISTORIES**
   48 MENTIONS
3. **PRESERVATION OF HERITAGE**
   42 MENTIONS
4. **CAPACITY BUILDING**
   28 MENTIONS
5. **EDUCATING THE YOUTH**
   18 MENTIONS

IN WHICH LOCATIONS OR VENUES DO YOU MOST FREQUENTLY ENGAGE IN ARTS AND CULTURE?

1. **DOWNTOWN NEW BRAUNFELS**
   68 MENTIONS
2. **THE BRAUNTEX**
   52 MENTIONS
3. **GRUENE DISTRICT**
   35 MENTIONS
4. **PARKS AND NATURE**
   26 MENTIONS
5. **"THIRD PLACES"**
   18 MENTIONS

WHAT ARE YOUR FAVORITE ARTS AND CULTURAL EXPERIENCES IN THE CITY OF NEW BRAUNFELS?

#1 **FESTIVALS**
WURSTFEST
WASSAILFEST
SAENGERFEST

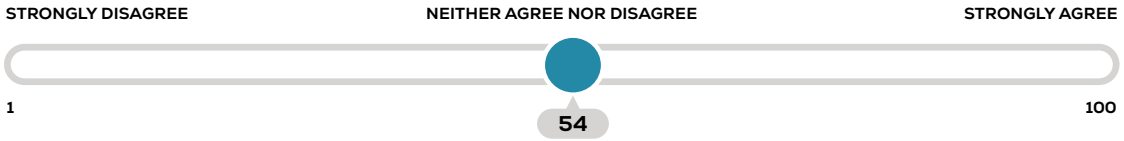
#2 **LIVE MUSIC & PERFORMANCE VENUES**
THE BRAUNTEX
GRUENE HALL
MID-TEXAS SYMPHONY

#3 **VISUAL ARTS**
MURALS
ART HAUS
NB ART LEAGUE

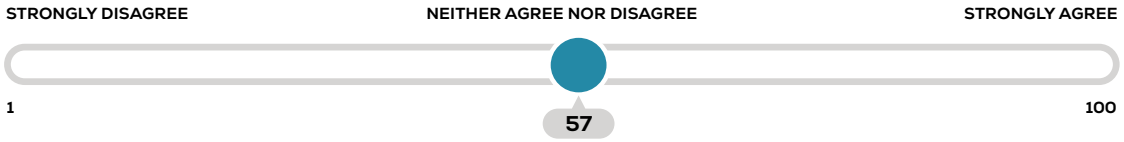
#4 **HERITAGE & EDUCATIONAL INSTITUTIONS**
SOPHIENBURG MUSEUM
HERITAGE VILLAGE

#5 **NATURE & PARKS**
LANDA PARK
GUADALUPE RIVER
WALKING TRAILS

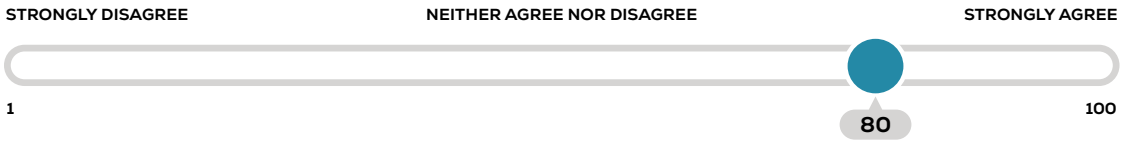
I FEEL THE QUALITY OF ARTS AND CULTURE THROUGHOUT THE CITY OF NEW BRAUNFELS IS THRIVING.



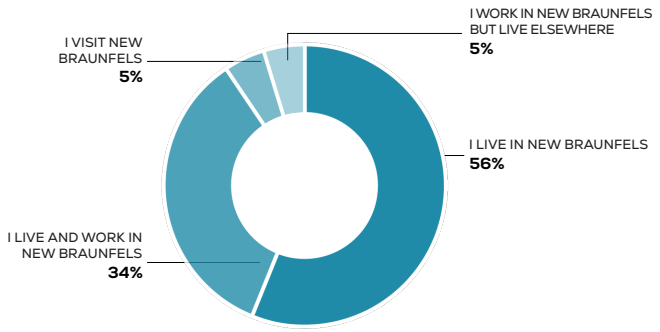
I FEEL THAT ARTS AND CULTURE THROUGHOUT THE CITY OF NEW BRAUNFELS REFLECTS THE COMMUNITY THAT LIVES HERE.



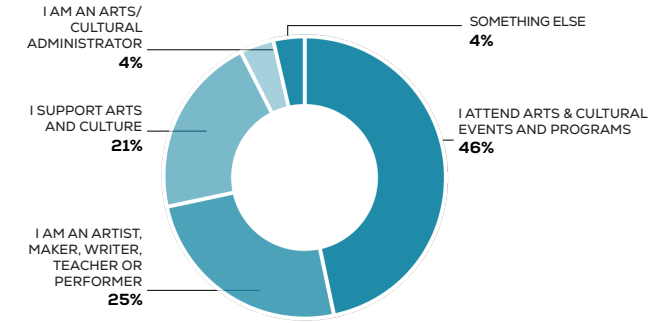
IF THERE WAS MORE SUPPORT FOR ARTS AND CULTURE, THE CITY OF NEW BRAUNFELS WOULD BE A BETTER PLACE TO LIVE.



WHAT IS YOUR RELATIONSHIP TO THE CITY OF NEW BRAUNFELS?

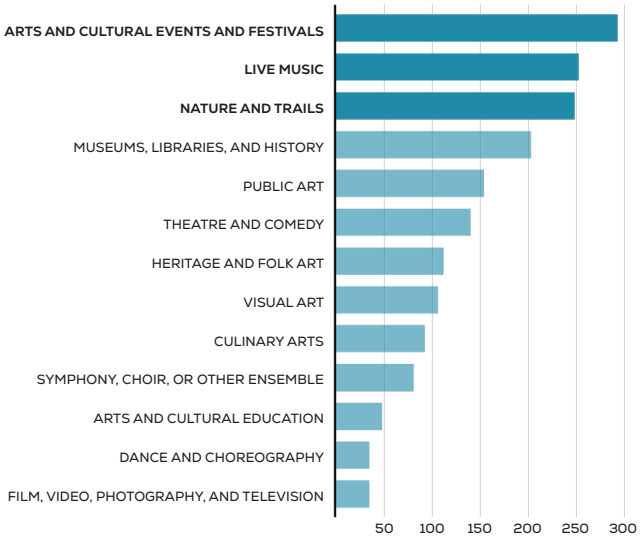


WHAT IS YOUR PRIMARY INVOLVEMENT WITH THE ARTS AND CULTURE IN THE CITY OF NEW BRAUNFELS?

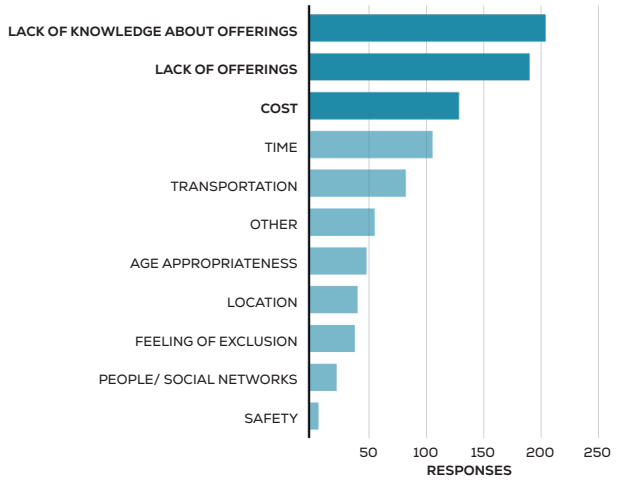


WHAT DO YOU BELIEVE ARE THE HALLMARKS (STRENGTHS) OF ARTS AND CULTURE IN THE CITY OF NEW BRAUNFELS?

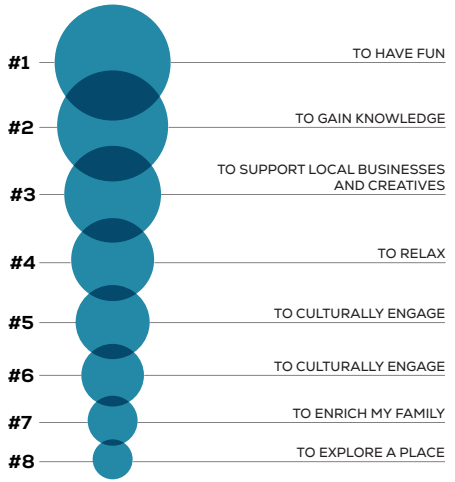
WHICH ARTS AND CULTURE EXPERIENCES DO YOU AND/OR YOUR IMMEDIATE FAMILY MOST FREQUENTLY INVEST TIME IN?



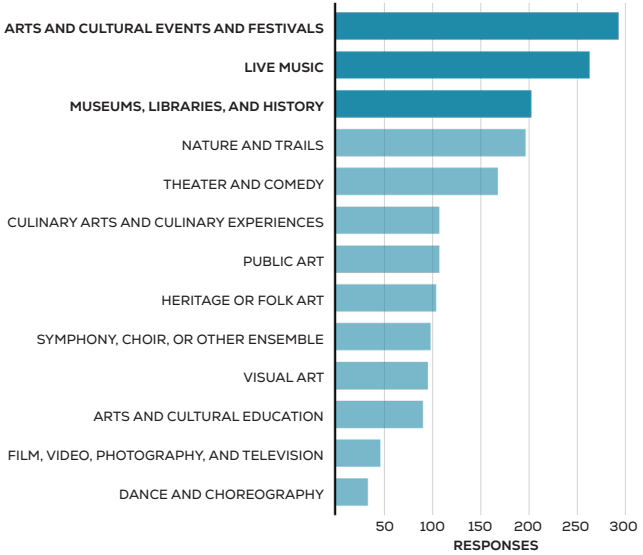
WHAT BARRIERS PREVENT YOU FROM PARTICIPATING IN ARTS AND CULTURE ACTIVITIES?



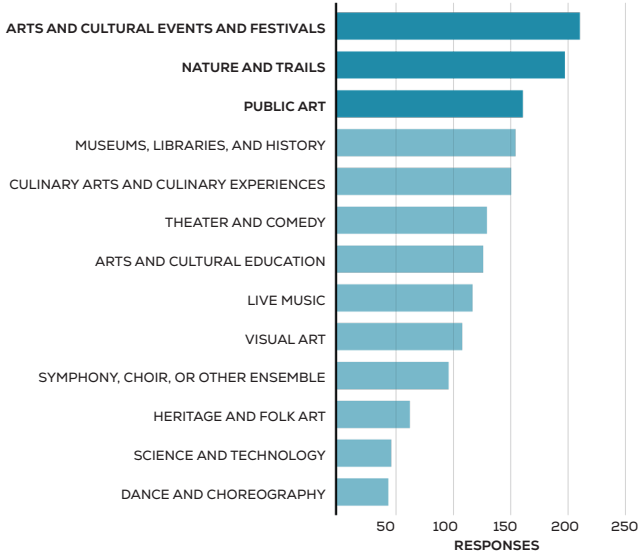
WHICH OF THESE MOTIVATIONS FOR EXPERIENCING THE ARTS DO YOU MOST STRONGLY ALIGN WITH?



WHICH OF THESE ARTS AND CULTURE EXPERIENCES DO YOU PRIORITIZE WHEN IT COMES TO FINANCIAL SPENDING?



WHAT ARTS AND CULTURE ACTIVITIES DO YOU WANT MORE OF IN THE CITY OF NEW BRAUNFELS?



1. A STRONG DESIRE FOR A MORE EXPANSIVE STORY

Across the survey, residents expressed pride in German heritage and a strong desire to see other cultural traditions represented more fully, including Hispanic history, Native American history, Black history, and more contemporary cultural expressions.

"Mostly German culture, not so much Texas or native American."

"Would love to see more cultures celebrated."

"There is not a whole lot of variety in the art and culture scene."

THEME:

The community wants a cultural landscape that honors heritage and embraces a fuller, broader story.

2. DEMAND FOR A CENTRAL CULTURAL HUB / PERFORMING ARTS CENTER

The single most repeated idea in the entire survey is the desire for a performing arts center and a central, visible place for arts and culture to live.

"There is no center place to hold and promote arts and culture."

"NB doesn't have big productions because of the lack of a performing arts venue."

"We need a performing arts center"..."central location for local schools and organizations."

"We need a public art space...pottery, painting, woodworking"

THEME:

A highly visible, well-equipped cultural center is one of the community's strongest desires.

3. NEED FOR MORE VISIBILITY, COMMUNICATION, AND AWARENESS

"We don't have many opportunities to know about what art & culture activities are going on."

"No outreach to inform the community about events."

"There is little publicity."

"Not always easily accessible or advertised."

"It's very sporadic and not consistent throughout the year."

THEME:

A coordinated, accessible communication system (calendar, portal, newsletter, signage) is needed. People don't know what's happening. They wish they did.

4. EXPANDING VISUAL ARTS, EXHIBITIONS, AND CREATIVE SPACES

Residents repeatedly asked for more galleries, more public art, more sculpture, more spaces to create, more modern art, more exhibitions.

"I feel there should be more opportunities for galleries, creative spaces, and art festivals."

"I miss contemporary visual art, true art museums."

"Need more art shows, lectures, music outdoors."

"There isn't a lot of art...needs to be widespread throughout the city."

THEME:

The community wants a richer, more visible visual arts ecosystem with space to explore, learn, and create.

5. BROAD INTEREST IN YOUTH ENGAGEMENT AND ARTS EDUCATION

From German dance to orchestra to art classes, the survey shows a deep hunger for creative learning opportunities.

"We need to engage more young people in our community."

"I'd love to see more affordable art classes for kids."

"There is no strings program in NBISD."

THEME:

Residents want strong pathways for youth involvement – learning, making, performing, connecting.

6. EXPANDING BEYOND GERMAN HERITAGE WHILE STILL HONORING IT

This is one of the most nuanced themes: People value German heritage deeply–and what to see more opportunities to experience and connect with this shared history and also want NB's cultural landscape to reflect more than just one narrative

"Too much silly stuff, beer culture, not German."

"Mostly German culture and not much stand-alone art."

"German heritage is strong but native heritage is lacking."

"I would like to see more cultures celebrated."

THEME:

Heritage is a strength – the community wants it honored while also expanding the narrative.

7. A CALL FOR GEOGRAPHIC EQUITY – ARTS BEYOND DOWNTOWN

Many feel arts are too concentrated downtown and want opportunities across the whole city.

"Events are very limited to the historical part of town and the river."

"We need more events in different parts of the city instead of downtown."

"There should be art in other places besides just downtown."

THEME:

A citywide cultural ecosystem, with arts integrated throughout neighborhoods.

8. STRONG APPETITE FOR NEW FESTIVALS, EXPERIENCES, AND EVENT TYPES

People want more festivals, more music variety, more cultural celebrations, more interactive experiences, and year-round offerings.

"We need more festivals."

"Would love more outdoor concerts and art lessons."

"Need more cultural events."

"Could use more recurring small events."

THEME:

New Braunfels wants more ways to gather, celebrate, learn, and create.

9. STRONG FEELING THAT LOCAL ARTISTS NEED MORE SUPPORT

Many respondents, particularly artists, feel there aren't enough platforms to show or sell work.

"No opportunities for artists to shine."

"Art organizations are exclusive."

"Local artists are not being showcased like they could be."

"We need more creative spaces."

THEME:

Strengthen support systems and visibility for creatives.

10. COMMUNITY CONCERN ABOUT IDENTITY, GROWTH, AND CHANGE

There's both excitement and anxiety about growth and its impact on culture.

"As more people move in, culture is getting lost."

"New growth does not reflect heritage."

"The identity of the town is changing."

THEME:

The plan must address how culture evolves with a growing population and with intentional stewardship.

KEY TAKEAWAY

WITH CLEARER ALIGNMENT AND INVESTMENT, THE CITY CAN POSITION ITSELF NOT JUST AS A DESTINATION FOR THE ARTS, BUT AS A COMMUNITY THAT HAS HIGH-QUALITY ACCESS TO THE ARTS EVERY DAY.

PLACES & SPACES

New Braunfels' physical environment carries stories that stretch back generations. From the significance of Comal Springs to the legacy of Landa Park, from the city's distinctive architecture to the intimate idiosyncrasies of "the square that's a circle," the community's identity is written into its landscape. Residents expressed pride in the city's thoughtful approach to growth and its ability to protect a sense of place even as it evolves.

At the same time, there is widespread recognition that additional clarity and coordination around historic preservation, rehearsal and performance space, and the needs of artists could strengthen the cultural environment. The community sees enormous potential in enhancing its cultural infrastructure—whether through a dedicated performing arts center, revitalized heritage buildings, or public spaces enriched with art and storytelling. There is strong momentum to create gathering places that welcome creativity, deepen community connection, and honor the city's heritage while embracing its future.

"We need to engage more young people in our community."

STRENGTHS

- Comal Springs' archaeological and cultural significance.
- Recent approval of the El Camino Trail designation.
- Deep, multi-generational history shaping a strong sense of place.
- Wurstfest as a defining cultural asset.
- Distinctive architectural character across the city.
- The Comal River as a cultural and emotional anchor.
- Landa Park as a remarkable historic gift and community treasure.
- Local idiosyncrasies (e.g., the "square" that's actually a circle) that reinforce identity.
- Thoughtful development patterns that prioritize community character.
- A cultural story told through the natural landscape, architecture, and rivers.

WEAKNESSES

- Need for clearer guidelines for historic site updates and preservation decisions.
- Limited free or low-cost spaces available for cultural programming.
- Few rehearsal spaces suited to a variety of artistic forms.
- No dedicated sprung-floor space for dance which is a major cultural activity locally.
- Civic Center technology and availability don't fully match community needs.
- Limited variety in performance stage types.
- Civic Center currently serves as the main venue for performing arts.

OPPORTUNITIES

- Creating an endangered-history inventory.
- Exploring a cultural landscape designation for Headwaters at the Comal.
- Strengthening stewardship of historic resources for future generations.
- Growing the community mural program.
- Enhancing public spaces with art and cultural elements that encourage reflection and connection.
- Establishing a cultural gateway that expresses New Braunfels' heritage.
- Revitalizing Eagles Hall as a German Heritage Center.
- Advancing conversations around a dedicated performing arts center.
- Considering resident-company models to support operations and sustainability.
- Supporting growth in film by leveraging historic architecture as a backdrop.

THREATS

- Historic sites requiring additional protection to ensure long-term preservation.
- Newer residents may not yet feel fully connected to community heritage.
- High demand on beloved spaces could impact their longevity.
- Affordability of future performing arts facilities for local organizations.
- Ongoing balance between preservation and private development interests.

VISIBILITY & TOURISM

Tourism has played a major role in shaping New Braunfels' character. The long-standing spirit of "Willkommen," the charm of Gruene, the legacy of craftsmanship, and the city's role as a gateway to the Hill Country all contribute to its appeal. Residents described New Braunfels as a place of healing, recreation, and cultural richness.

Yet many noted that the city's arts and cultural identity could be shared more clearly both with visitors and residents alike. Opportunities exist to strengthen the community's arts brand, help people find cultural experiences more easily, and connect tourism investment more directly to heritage and the arts. With major events, architectural assets that deserve national attention, and a growing creative visitor base, New Braunfels is well-positioned to elevate its cultural visibility in powerful new ways.

STRENGTHS

- Long tradition of warm hospitality rooted in "Willkommen."
- Strong small-town character and charm.
- Gruene as a widely recognized cultural district.
- Foundational history shaped by trades, craftsmanship, and opportunity.
- New Braunfels as a true gateway to the Hill Country.
- A destination known for healing, recreation, and cultural enrichment.

WEAKNESSES

- Opportunities exist to clarify local authority and strengthen self-governance tools.
- Community-wide participation in supporting public amenities can be broadened.
- Limited clear pathways for residents and visitors to find cultural opportunities.
- Need for a cohesive arts brand and shared messaging.

OPPORTUNITIES

- Heritage tourism as a catalyst for economic impact and broader investment.
- Expanding visibility of existing arts and culture pillars.
- Encouraging more reinvestment from tourism into culture and heritage.
- Saengerfest as an opportunity to showcase local strengths.
- Promoting New Braunfels' early modernist architecture nationally/internationally.
- Integrating Local Cultural Organizations into festival audiences.
- Inviting new residents into arts participation.
- Utilizing audience segmentation to grow the creative visitor base.

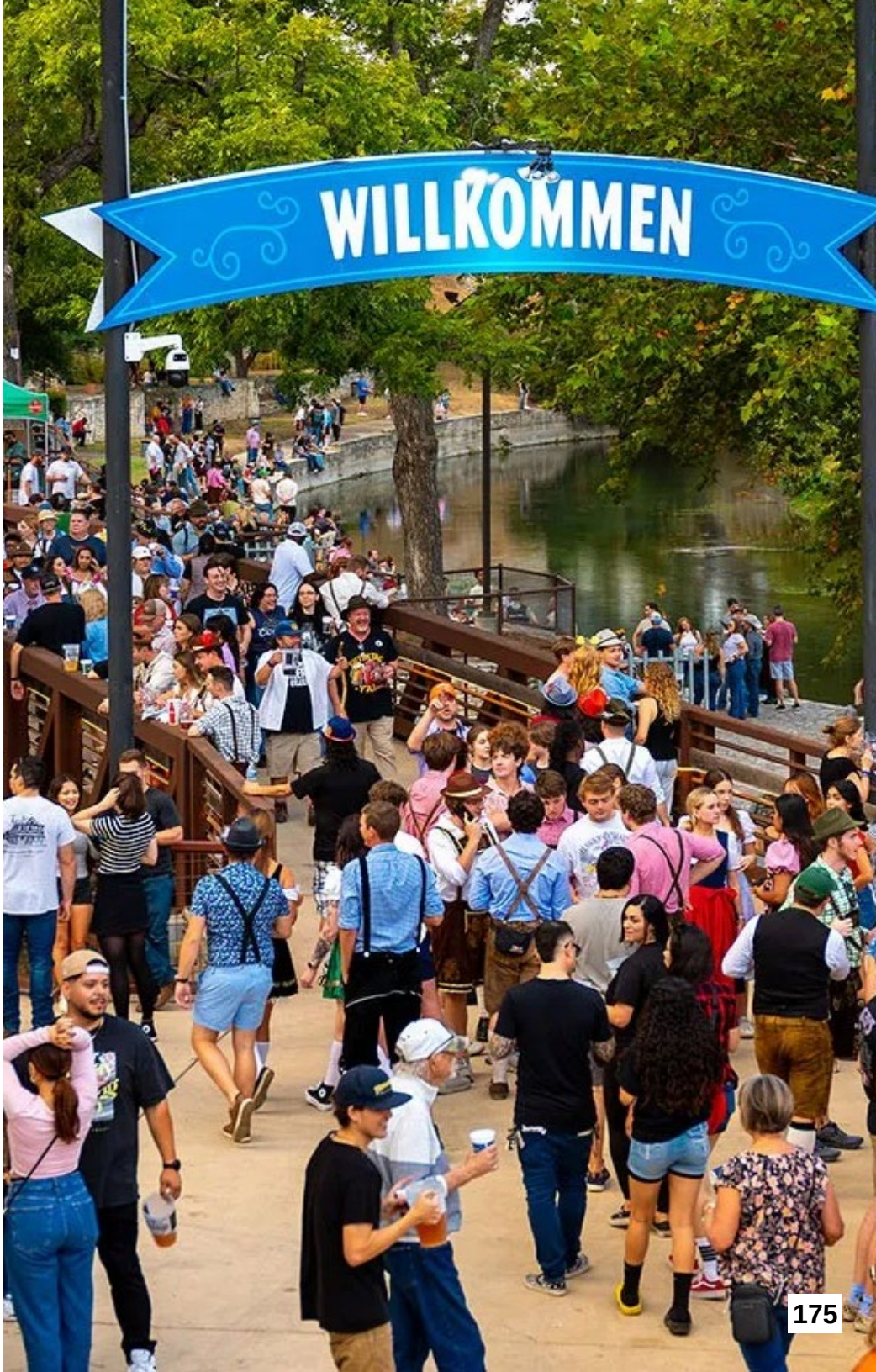
THREATS

- Competing priorities across dividing attention and perpetuating a scarcity of resources.
- Losing out on the available audience for cultural appreciation to nearby communities.

OPERATIONS & CAPACITY BUILDING

The community's cultural life is powered by dedicated organizations, volunteers, and creatives who care deeply about their work. There is a strong spirit of collaboration and a shared desire to see one another succeed. Stakeholders noted that the arts could be further uplifted through increased community awareness, broader philanthropic support, and more coordination among organizations.

Opportunities abound to clarify organizational roles, strengthen the Arts Council's presence, and build a more unified cultural ecosystem. The relocation of the Visitors Center downtown and the community's investment in public spaces offer promising ways to deepen engagement. Conversations also highlighted the value of regular convenings that bring cultural partners together to share ideas, align efforts, and cultivate shared goals.



STRENGTHS

- Existing arts organizations that serve as anchors, The Brauntex, The Sophienburg, and The Mid-Texas Symphony among them.
- A wealth of cultural assets that can be leveraged for broad cultural access.
- Many local creators striving for artistic excellence, just lacking visibility and resources.
- Expansive network of local cultural workers and talents ready to engage collectively.
- Broad support for a "community over competition" philosophy.
- Strong interest in collaboration across artistic forms.

WEAKNESSES

- Donor-advised funds have not widely focused on the arts.
- Limited experience with major capital campaigns.
- Opportunities to strengthen a culture of giving for the arts.
- Community awareness of arts organizations can be expanded.
- Tourism receives strong promotion; arts visibility could match that momentum.
- Art groups often operate individually without unified collective structures.
- Culinary and creative food ventures could benefit from expanded regulatory literacy.

OPPORTUNITIES

- Building on strong organizational "zones of excellence" and "zones of genius."
- Clarifying organizational roles within the cultural ecosystem.
- New Visitors Center location downtown offering stronger engagement potential.
- A more defined and empowered role for the Arts Council.
- The arts as a welcoming entry point for newer residents.
- Community investment in public gathering spaces.
- Quarterly convenings to strengthen alignment and collaboration.

THREATS

- Growth in higher education and large employers may reshape cultural demand.
- Evolving economic conditions may influence how residents engage with culture.

VISION

New Braunfels will be a community where arts and culture are part of everyday life, not occasional events. Rooted in heritage and open to new ideas, creativity will be visible across the city and accessible to all. By investing in people, places, and partnerships, New Braunfels will grow as both a cultural destination and a connected community.

WHAT DID WE LEARN?

New Braunfels already has the bones of a cultural destination. Its history, setting, and existing creative energy give it a foundation most communities aren't as fortunate to have. What's missing is collaboration, strategic leadership from the public and non-profit sectors, targeted investment, and physical space identification and development to support the community's vision for the cultural future of New Braunfels.

Our recent arts and culture engagement series made something clear. The creative energy here is real: from the Brauntex to Wurstfest, from the murals downtown to the individual artists and creators working daily to expand the presence of the arts in this community – but the Arts in New Braunfels need room to grow. We heard it again: the talent is here, the potential is here, but the spaces, coordination, and investment haven't caught up.

Stakeholders described a community that values both tradition and innovation. The arts here don't need to be invented – they need to be organized, resourced, and made visible. There's a shared belief that New Braunfels could easily become a cultural anchor for the Hill Country if its many creative efforts were organized and "rowing in the same direction."

WITH CLEARER ALIGNMENT AND INVESTMENT, THE CITY CAN POSITION ITSELF NOT JUST AS A DESTINATION FOR THE ARTS, BUT AS A COMMUNITY THAT HAS HIGH-QUALITY ACCESS TO THE ARTS EVERY DAY.

PILLARS OF THE PLAN

Pillars that were born out of community discussion and public engagement that guided the recommendations and outcomes of this plan are further described on the next pages. They are as follows:

EXPAND CREATIVE SPACES

STRENGTHEN VISIBILITY

CONNECT CULTURE AND TOURISM

ENCOURAGE COLLABORATION

INVEST IN BELONGING

TELL A COHESIVE STORY

1

DEVELOP AND SECURE ACCESSIBLE CULTURAL FACILITIES.

Grow the number and variety of spaces that support performance, rehearsal, and exhibition – spaces that match the ambition of the artists who already live and work here.

2

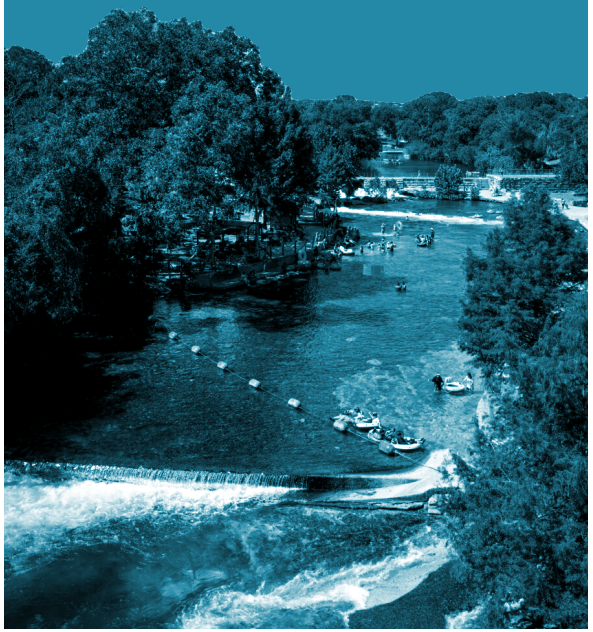
INTEGRATE ARTS AND CULTURE INTO THE PUBLIC REALM

Reflect the city's creative identity through public art, gateways, and urban design that make culture part of the everyday landscape.

3

CONNECT CULTURE AND TOURISM

Build stronger links between the city's visitor economy and its cultural community so that local artists, creators, the heritage landscape, and community events so everyone shares in the benefits of New Braunfels' popularity, and the arts can realize their full economic potential and impact.



4

ENCOURAGE COLLABORATION

Channel the willingness of local organizations and partners to work together into coordinated programming, shared resources, and a more unified strategy around the promotion and expansion of arts and culture.

5

INVEST IN BELONGING

Use arts and culture as tools for connection – bridging generational gaps, supporting the connection between neighbors, and welcoming newcomers to the community. All this is possible through shared arts access and creative expression to strengthen community bonds and help maintain New Braunfels' sense of community.

6

TELL A COHESIVE STORY

Present New Braunfels to residents and visitors alike as a dynamic, creative ecosystem – one that honors heritage while embracing new forms of expression and can provide all audiences with high-quality and engaging experiences in the arts.

CHAPTER 3

RECOMMENDATIONS

To strategically serve the City of New Braunfels, the following recommendations are grouped into four distinct categories. Each focuses on a specific sector of the local arts and culture landscape.

PRIORITY AREA 1:

PROGRAMMING & COMMUNITY EXPERIENCES

PRIORITY AREA 2:

PLACES & SPACES

PRIORITY AREA 3:

VISIBILITY & TOURISM

PRIORITY AREA 4:

OPERATIONS & CAPACITY BUILDING

IMPLEMENTATION PARTNERS

The City of New Braunfels, while the adopting authority of the Arts & Culture Master Plan, will not be able to implement the entirity of the community vision on its own. Community partners, the arts, culture, the heritage community, private individuals and foundations will be instrumental in stewarding the community's vision. Key partners who helped inform this plan include:

Greater New Braunfels Arts Council

The Greater New Braunfels Arts Council is dedicated to serving the local community by fostering an awareness of, education in, and appreciation of all the arts: performing, visual, and literary.

The Greater New Braunfels Arts Council envisions a vibrant and thriving community where the arts are fully integrated into the fabric of daily life. Through creativity, collaboration, and cultural expression, we strive to foster an environment where artists, audiences, and supporters come together to inspire, engage, and elevate one another.

Mid-Texas Symphony

The Mid-Texas Symphony is a regional symphony orchestra based in Seguin, Texas. It was founded in 1978 and serves the Mid-Texas region, including the cities of Seguin and New Braunfels. The symphony provides a range of classical music performances throughout the year, often featuring both professional musicians and guest artists.

New Braunfels ISD - Fine Arts Department

The Fine Arts department at New Braunfels ISD seeks to provide for all students with a high quality fine arts education that supports their academics and creative development. This goal is achieved through a comprehensive performing and visual arts curriculum that provides a wide-range of learning experiences and performance opportunities.

Brauntex Theatre

The Brauntex Theatre is a former movie palace located in downtown New Braunfels, Texas, built in the late Art Deco period in 1942. Now a performing arts theater, the Brauntex is dedicated to bringing culture and the arts to the Hill Country by enriching people's lives through quality artistic, educational, and entertaining experiences. The theatre envisions a community where all residents and visitors have access to quality art and entertainment.

The Sophienburg

Established in 1933, the museum occupies the historic site where Prince Carl of Solms-Braunfels laid the cornerstone for the original “Sophienburg” (Sophie’s Castle) in 1845, named in honor of his fiancée, Princess Sophie. Today, the museum offers immersive exhibits that chronicle the journey of German immigrants who settled in the region, showcasing artifacts, photographs, and documents that depict their daily lives and contributions to the development of New Braunfels.

New Braunfels Convention & Visitors Bureau's (CVB)

The Greater New Braunfels Chamber of Commerce is a membership organization representing more than 1,600 local businesses, operating under a mission to promote the civic and commercial progress of the area. Through professional services contracts with the City of New Braunfels and Comal County, the Chamber administers tourism marketing, job recruitment, and retention on behalf of the community. Its work spans economic development, business advocacy, community collaboration, and member services, with a broader vision of ensuring a vibrant and prosperous community for future generations.

The Chamber's tourism arm, VisitNBTX, functions as the community's Convention and Visitors Bureau, promoting New Braunfels as a destination for leisure travel, meetings, and events. Its work is guided by a strategic plan organized around four goals: investing in the

destination product through major developments and arts and heritage initiatives; executing a world-class marketing program built on data, branding, and measurable outcomes; balancing visitation across the calendar year through group sales and shoulder season programming; and advocating for the tourism and hospitality industry at both the local and state level, including protecting the Hotel Occupancy Tax funding that supports these efforts. Together, the Chamber and VisitNBTX serve as the primary engines for economic vitality and destination development in New Braunfels.

The City of New Braunfels has every intention of partnering with a broad set of community stakeholders many of whom, alongside the previously mentioned plan partners and community members, are beneficiaries of the plan outcomes. This includes the wide variety of local arts, culture, and heritage organizations, not limited to:

- Art Haus
- Ballet Texas
- Cheatham Street Music Foundation
- Christian Youth Theatre (CYT) San Antonio
- Circle Arts Theatre
- Coll Street Players
- En Vivo! Theatrical
- Gruene Hall
- Hispanic Business Alliance
- Kinder Tänzer
- Lark Mason Gallery
- McKenna Children's Museum
- Mill Street Art Gallery
- Museum of Texas Handmade Furniture
- Naegelin's Bakery
- New Braunfels Art League
- New Braunfels Conservation Society
- New Braunfels Fire Museum
- New Braunfels Gemischter Chor Harmonie
- New Braunfels Performing Arts Academy
- New Braunfels Railroad Museum
- New Braunfels Youth Collaborative
- Historic Outdoor Art Museum
- Preserve New Braunfels
- Schlitterbahn Waterpark
- The ARTitude Cottage
- The Sophienburg Museum & Archives

PRIORITY AREA 1:

PROGRAMMING & COMMUNITY EXPERIENCES

Strengthen arts, culture, and heritage experiences in New Braunfels by supporting coordinated, community-driven programming that brings cultural expression into everyday life. This section focuses on how the City can act as a connector, convener, and facilitator. Leveraging existing organizations, creatives, and cultural assets to expand participation, deepen storytelling, and reinforce shared cultural identity.

Rather than producing programming directly, the City's role is to enable partnerships that provide resources, reduce barriers, and allow cultural organizations and creatives to curate experiences that reflect New Braunfels' history, cultural identities, and evolving character. These efforts emphasize collaboration across disciplines, year-round visibility of culture, and integration of programming into public spaces, heritage sites, and community settings.

Together, the recommendations in this section advance cultural experiences that are:

- Community-centered and locally led
- Historically grounded and place-based
- Accessible to residents while welcoming to visitors
- Flexible, scalable, and responsive to community interests

1.1 EXPAND PROGRAMMING PARTNERSHIPS TO CURATE COMMUNITY EXPERIENCES

PARTNERS	The Cultural Arts Commission, Economic and Community Development, Parks and Recreation, The Arts Council, Local Cultural Organizations
PRIORITY	●●●●○

By leveraging the strengths, expertise, and networks of New Braunfels' cultural community, the City can expand and diversify arts-based experiences while reinforcing collaboration, quality, and shared ownership of cultural programming. Rather than producing programming directly, the City can act as a connector and convener, supporting partners who already have credibility and capacity.

- Establish recurring partnership frameworks and provide funding and city resources to collaboratively shape community-facing programming and cultural experiences.
- Identify opportunities for collaboration to provide performing, visual, literary, and culinary arts in conjunction with existing community events and pop-up experiences in community spaces
- Seek to elevate local/regional artists, producers, and presenters with paid opportunities to provide the community with programming experiences
- Notate where existing budgets for community programming could shift towards local talent or where budgets could be expanded to allow for more New Braunfels artists to perform and present in existing city functions
- Align efforts with public-realm spaces, events, and corridors
- Strengthen collaboration while reducing duplication and competition
- Coordinate performance schedules and programming themes
- Identify opportunities for collaborative or complementary programming
- Support stronger, more visible performing arts offerings citywide
- Support heritage-focused programming that integrates history, storytelling, and cultural expression into everyday community spaces
- Examine ways to incorporate more youth opportunities both inside of city- and partner-delivered cultural programs

1.2 EXPAND THE STORY OF NEW BRAUNFELS

Community members desire a deeper dive into authentic German culture through the lens of New Braunfels' specific ties to Germany. Many opportunities remain to expand the story of New Braunfels, including:

1.2A HOST AN ARTIST-IN-RESIDENCY/CULTURAL EXCHANGE

Explore the establishment of an Artist-in-Residence or Cultural Exchange program that invites contemporary artists or cultural practitioners from outside the region—including, but not limited to, Germany—to live and work in New Braunfels for a defined period of time. Pursuing external funding, grants, or cultural exchange could serve to offset costs.

The residency could be designed to:

- Support cultural exchange and mutual learning
- Produce publicly accessible work, programming, or engagement
- Explore the creation of temporary or permanent public art
- Present community workshops, lectures, or demonstrations
- Encourage collaboration with local artists, students, or cultural organizations
- Develop interpretive or storytelling projects that connect German heritage to present-day New Braunfels
- Partner with the Sophienburg Museum & Archives, Arts Council, or academic institutions
- Align residency activities with existing festivals, cultural events, or public-realm projects

PARTNERS	The Cultural Arts Commission, Economic and Community Development, Parks and Recreation, The Arts Council, Local Cultural Organizations
PRIORITY	●●●●○
TIMING	Mid-Term

1.2B DEVELOP HISTORICALLY GROUNDED HERITAGE INTERPRETATION

Expand interpretation of New Braunfels' German, Pre-Colonial, and Hispanic heritages through historically grounded, place-based storytelling that moves beyond festival traditions to emphasize regional origins, settlement patterns, architecture, and social history. Year-round interpretation will strengthen historical understanding, support heritage tourism, and present a more nuanced and authentic cultural narrative of New Braunfels. This includes methods for expanding the programs that share New Braunfels' unique story. This effort should be developed in collaboration with local historians, the Sophienburg Museum & Archives, and relevant academic partners, and integrated into:

- Public spaces and the public realm
- Cultural venues and heritage sites
- Educational and interpretive programming

PARTNERS	The Cultural Arts Commission, Historic Landmark Commission, Local Heritage Organizations
PRIORITY	●●●○○
TIMING	Mid-Term

1.2C SUPPORT AND EXPAND UPON HISTORIC HOMES TOURS

Support and expand upon curated Historic Homes Tours that highlights New Braunfels' historic residences and house museums as accessible, educational heritage experiences. The tour should build upon existing assets, such as the Historic Old Town Museum and the Ferdinand Lindheimer Haus, to interpret the city's early settlement history, architectural character, and cultural influences, including its German heritage and founding families. A Historic Homes Tour can strengthen heritage tourism offerings while increasing visibility and appreciation of New Braunfels' historic residential architecture. Potential opportunities include:

- Coordinated guided or self-guided tours linking multiple historic homes
- Interpretive storytelling that connects architecture, daily life, and notable residents
- Partnerships with historical societies, preservation organizations, and property stewards
- Integration into heritage tourism programming and special events

PARTNERS	The Cultural Arts Commission, Historic Landmark Commission, Local Heritage Organizations
PRIORITY	●●●○○
TIMING	Mid-Term

1.2D EXPAND HERITAGE EXPERIENCES SURROUNDING HISTORIC CEMETERIES

Leverage New Braunfels' historic cemeteries as culturally significant landscapes that support heritage education, storytelling, education, and reflection, while respecting their solemn and commemorative purpose. Specific opportunities include:

- Expanding the Soul Searching program at Comal Cemetery through additional dates, and new thematic interpretations
- Incorporating potential annual remembrance activities aligned with Founders Day
- Exploring partnership-based interpretation of Panteón Hidalgo, recognizing Latino and Hispanic heritage through respectful storytelling and education developed in collaboration with Our Lady of Perpetual Help Catholic Church
- Aligning cemetery-based storytelling with Día de los Muertos programming, where appropriate and in coordination with existing community-led celebrations

PARTNERS	The Cultural Arts Commission, Historic Landmark Commission, Local Heritage Organizations
PRIORITY	●●●○○
TIMING	Mid-Term

1.3 STRENGTHEN PROGRAMMING IN DOWNTOWN NEW BRAUNFELS

Downtown New Braunfels serves as a central gathering place for residents and visitors and plays a key role in shaping the city's cultural identity. This section focuses on expanding and strengthening arts- and culture-based programming in the downtown core by building upon existing events, venues, and creative activity. By elevating local artists, performers, and culinary creators within signature events, downtown programming can support economic opportunities, diversify audiences, and reinforce a vibrant, place-based cultural atmosphere.

1.3A ENHANCE SIGNATURE EVENTS LIKE SAENGERFEST AND WASSAILFEST WITH ARTS-BASED PROGRAMMING

Expand the cultural impact of signature community events, such as Saengerfest and Wassailfest, by intentionally integrating arts-based programming that elevates the visitor experience and highlights local creative talent. These enhancements should complement existing event identities while strengthening their role as cultural experiences for both residents and visitors. Enhancements may include:

- Strategic promotion of local culinary offerings, positioning food as a cultural experience rather than solely a concession
- Designated vendor areas for artists and creative businesses, increasing visibility and economic opportunity
- Intentional inclusion of New Braunfels artists and performers across music, visual art, and performance programming

PARTNERS	Economic and Community Development, Communications and Community Engagement, The Arts Council, Local Arts Organizations
PRIORITY	●●●●○
TIMING	Near-Term

1.3B SUSTAIN & EXPAND ART HAUS

Support the continued growth and long-term sustainability of Art Haus as a platform for multidisciplinary creative expression and community engagement. Sustained funding and organizational support will help Art Haus evolve from a single event into a recurring cultural asset with regional visibility. This could be sustained through a community service grant/contract in partnership with the New Braunfels Community Foundation. Expanded Art Haus programming may include:

- Partner with the Downtown Association and City of New Braunfels to expand promotion, coordinate event programming, and invest in shared equipment
- An Arts Market featuring local creatives
- Gallery Hop or ArtWalk through Downtown
- Poetry slams and spoken-word programming
- Storytelling initiatives that reflect New Braunfels' multiplicity of voices and histories
- Culinary components that reinforce food as part of the cultural experience

PARTNERS	The Cultural Arts Commission, The Arts Council, The Downtown Association
PRIORITY	●●●●○
TIMING	Immediate

PROCESS GUIDE 1.1

PARTNERSHIP-BASED PROGRAMMING FRAMEWORK

Owner: Cultural Arts & Placemaking Coordinator or assigned City Staff

Authority: City Manager

PURPOSE

Enable collaborative cultural activities that expand access, visibility, and community impact for artists and cultural organizations through partnership with the City, without creating a paid contractor relationship.

This pathway is intended for opportunities where the primary value to participants is platform, reach, resources, and institutional partnership, rather than direct financial compensation.

Participation through this pathway may provide one or more of the following non-monetary benefits:

- Access to City-owned spaces and infrastructure, including parks, plazas, libraries, and civic facilities, often at reduced or waived fees
- Visibility and amplification through City marketing channels, tourism platforms, and official communications
- Operational support, such as coordination assistance, equipment access, permitting facilitation, or logistical support

This pathway is not intended to replace paid cultural services or contracted work.

ACTION STEPS

1. Define clear criteria for collaborative cultural partnerships, distinguishing them from paid cultural services and contracted work.
    - Establish guardrails to prevent substitution for compensated services
    - Clarify expectations, roles, and risk management responsibilities
2. Develop simple collaboration agreements or MOUs to document scope, responsibilities, and mutual benefits
    - Outline non-monetary support provided by the City
    - Specify attribution, branding, and acknowledgment
3. Identify and promote City-supported opportunities suitable for collaboration, including events, spaces, and initiatives.
    - Coordinate across departments to align collaborative opportunities with City priorities ensuring transparency in how opportunities are offered and accessed
4. Evaluate collaborative partnerships annually to ensure fairness, clarity, and public benefit.
    - Use findings to refine eligibility and guardrails

Supports Recommendations 1.1, 1.2B, 1.2C, 1.2D, 1.3A, 1.3B

PROCESS GUIDE 1.2

CONTRACTED CULTURAL SERVICES (PAID)

Owner: Cultural Arts & Placemaking Coordinator or assigned City Staff

Authority: City Manager

PURPOSE

Procure cultural services through transparent, compensated agreements that advance City goals while ensuring accountability and compliance. These services may be solicited in order to bolster the city's capacity to direct programming and services to the public. Appropriate use cases include but are not limited to:

- Performances, exhibitions, and programming
- Interpretation and heritage services
- Cultural planning, facilitation, and education
- Program delivery on behalf of the City

ACTION STEPS

1. Define eligible cultural services and establish standard scopes, fee ranges, and deliverables.
2. Publish available contracted services publicly and promote to qualified candidates.
3. Utilize public service contracts or professional service agreements aligned with city procurement standards.
4. Require reporting on outputs, outcomes, and public benefit tied to City priorities.

MODELS & CASE STUDIES

Austin, Texas - Cultural Service Contracts

Supports Recommendations 1.1, 1.2B, 1.2C, 1.2D, 1.3A, 1.3B

PROCESS GUIDE 1.3

CULTURAL ACCESS PROGRAM

Owner: Cultural Arts & Placemaking Coordinator or assigned City Staff

Authority: Economic and Community Development Director

PURPOSE

Create a centralized, equitable mechanism to connect artists and cultural organizations to City-supported opportunities—both paid and unpaid—across departments. Appropriate use cases include but are not limited to:

- Matching artists, performers, historians, and cultural creators to opportunities and initiatives
- Maintaining pre-qualified rosters of eligible individuals to support art and cultural events, murals and temporary public art, community arts and heritage experiences, and other cultural offerings supported by the City of New Braunfels
- Streamlining outreach and matching well-qualified individuals to the appropriate opportunities
- Improving transparency and access for artists and cultural bearers

ACTION STEPS

1. Establish an opt-in roster of artists, cultural organizations, and cultural service providers, noting discipline, resume, availability, and compensation preferences.
2. Work with the Cultural Arts and Placemaking Coordinator and the Cultural Arts Commission to review and approve applicants to be added to the roster.
3. Develop internal protocols for matching opportunities to appropriate participants based on scope, budget, and goals.
4. Track participation, opportunity types, and outcomes to ensure equitable access and program effectiveness. Evaluate findings on annual basis.

MODELS & CASE STUDIES

Austin, Texas - Artist Access Program

Minneapolis, Minnesota - Districts Fund Program

Supports Recommendations 1.1, 1.2B, 1.2C, 1.2D, 1.3A, 1.3B

PRIORITY AREA 2:

PLACES & SPACES

Community input consistently emphasized the need for spaces that better support arts and culture in New Braunfels and evidence of the arts community in the built environment through interventions such as public art, branding and wayfinding, and creative placemaking elements.

Stakeholders expressed a desire for both a centralized gathering place that can serve as a visible hub for creative activity and empower a greater level of creative economic impact and a network of smaller, distributed spaces that bring arts and culture into everyday community settings for a variety of audience sizes.

2.1 A NEW FIRST IMPRESSION TO DOWNTOWN

Create a welcoming gateway into downtown and the proposed cultural district, such as along Seguin Avenue, Zink, Landa, and San Antonio, that makes a strong and lasting first impression on visitors while reflecting New Braunfels' cultural character and sense of place. By pairing gateway public art placemaking elements with the growing network of cultural spaces and creative small businesses, Seguin Avenue can welcome visitors into a vibrant cultural district.

This corridor presents an opportunity to:

- Reinforce arrival and identity through gateway elements, public art, and streetscape enhancements
- Encourage context-sensitive development that preserves community character
- Adaptively reuse existing residential structures as arts, cultural, or creative spaces, where appropriate

PARTNERS	The Cultural Arts Commission, Economic and Community Development, The Downtown Association, TxDOT
PRIORITY	●●●○○
TIMING	Mid-Term

2.2 EXPLORE THE DEVELOPMENT OF CULTURAL SPACES

The development of cultural spaces lends itself well to two approaches: 1) distributed, scalable and flexible spaces for creative production, gathering, and presenting and 2) a centralized space, that combines purpose-built functions with shared infrastructure, scalability, and efficient operations. Certain functions—such as studios, small-scale performance and gathering spaces, and workforce housing for artists—may be most effective when distributed across the community and developed in partnership with local non-profits and private property owners, while a centralized arts space should be explored as a public asset to support visibility, coordination, and long-term sustainability.

2.2A CONDUCT A MARKET & FEASIBILITY STUDY FOR A CULTURAL CENTER AND PERFORMANCE HALL

PARTNERS	The Cultural Arts Commission, Economic and Community Development, Local Arts Organizations
PRIORITY	●●●●○
TIMING	Mid-Term

Commission a comprehensive market and feasibility study to evaluate the demand, scale, and potential locations for a cultural center and performance hall in New Braunfels. The study should explore the following three opportunities:

- Renovation and adaptive reuse of the existing Civic Center
- Expansion or redevelopment opportunities at the Fairgrounds
- High-Priority Mixed Use Areas

The feasibility of incorporating a performance hall must be evaluated within each scenario, considering an appropriate size and scale. This evaluation should also include complementary cultural, educational, or community-serving spaces. The study should assess:

- Market demand and audience potential
- Operations models for consideration
- Capital and operating costs and potential financing models, mixing private and pubic investment opportunities
- Phasing opportunities or incremental approaches to development
- Alignment with tourism, convention, and community goals

2.2B CONSIDER INVESTING IN AND EXPANDING CITY-OWNED CULTURAL SPACES TO MODERNIZE ASSETS FOR A VARIETY OF USERS

Invest in modernizing and enhancing city-owned cultural facilities to better support contemporary programming and broaden community access. Modernization efforts should prioritize improving functionality and access while maintaining these spaces' roles as community-based cultural assets, with a focus on spaces such as Landa Park, Fischer Park Amphitheater, the Fairgrounds, Libraries, and Circle Arts Theater given its established role as a community performance venue and its potential to serve a wider range of programming and users. Key considerations:

- Accessibility improvements and code compliance
- Opportunities to increase use by community groups, local organizations, and emerging performers
- Alignment with broader cultural facility planning to ensure complementary, not duplicative, investment

PARTNERS	The Cultural Commission, Economic and Community Development, Capital Programs, Parks and Recreation
PRIORITY	●●●●○
TIMING	Mid-Term

2.2C UTILIZE THE FAIRGROUNDS AS A SPACE FOR CULTURAL ENGAGEMENT

Leverage the Comal County Fairgrounds as a flexible, multi-use site for cultural engagement that supports festivals, performances, exhibitions, and large-scale community events. As outlined in the Fairgrounds Master Plan, the site is envisioned as a year-round, adaptable campus capable of hosting a wide range of educational, cultural, and civic activities, making it well-suited to expanded arts and cultural programming. Specific opportunities include:

Specific opportunities include:

- Utilizing existing and planned multi-use exhibition halls, arenas, plazas, and outdoor spaces for cultural events and performances
- Promoting the Fairgrounds as a reservable, affordable venue for local arts and cultural organizations
- Piloting temporary or modular cultural infrastructure (stages, exhibition tents, pop-up galleries) without requiring immediate capital investment
- Complementing long-term cultural facility planning by supporting regional-scale events that attract both residents and visitors

PARTNERS	The Cultural Arts Commission, Economic and Community Development, Capital Programs, Parks and Recreation, Comal County, Comal Fair Association
PRIORITY	●●●●○
TIMING	Near-Term

2.3 DEVELOP A SPACES INVENTORY & STRATEGY

Space is infrastructure. For artists, cultural workers, and community organizations access to affordable and well-equipped space is as foundational to creative production as funding or technical support and its absence is one of the most consistently cited barriers to cultural production in cities of every size. Developing a spaces inventory and strategy would address this gap directly by establishing a clear picture of the City's cultural space assets, articulating a framework for how those assets can be accessed and utilized, and can provide the tools needed to connect spaces with the people and organizations who need them.

2.3A DEVELOP A CENTRALIZED PLATFORM FOR BOOKING PUBLIC CULTURAL SPACES

Create a centralized, user-friendly platform that allows artists, cultural organizations, and community groups to view, reserve, and book City-owned spaces for cultural programming and creative use. This platform would increase access to affordable space, streamline coordination, and reduce administrative barriers for both users and City staff. Key components include:

- A searchable inventory of City-owned spaces suitable for arts and cultural use
- Clear information on:
  - Space specifications and capacity
  - Rental costs or fee waivers
  - Use rules and restrictions
  - Availability and scheduling
- Standardized booking and approval workflows

Considerations:

- Coordinate with departments such as Parks & Recreation, Library, and Facilities to streamline booking across agencies
- A similar model may be deployable for spaces not owned by the city, however it should be managed by an outside party or existing non-profit, not the city – this would allow participation by nonprofit and private property owners willing to offer space for cultural use, with transparent requirements

PARTNERS	Economic and Community Development, Communications and Community Engagement, The Arts Council, Local Arts Organizations
PRIORITY	●●●●○
TIMING	Mid-Term

2.3B DEVELOP A STRATEGY FOR ACTIVATING PUBLIC SPACES (TOOLKIT), FOR STREETS, PARKS, AND PUBLIC AREAS

Develop a Public Space Activation Strategy and accompanying toolkit to support arts and cultural programming and events in streets, parks, plazas, and other public spaces. The toolkit should clarify necessary city processes, seek to reduce administrative barriers, and encourage creative use of public space while maintaining public safety and operational standards. The strategy and toolkit should include:

- A list of eligible public spaces, including streets, parks, plazas, trails, and right-of-way
- Articulate city processes for:
  - » Temporary performances and events
  - » Pop-up exhibitions and installations
  - » Street closures and cultural activations
- Guidance on insurance, risk management, and safety requirements
- Accessibility and ADA considerations
- Noise, lighting, and operational standards
- Defined departmental roles and approval processes
- Sample timelines, checklists, and templates for applicants

PARTNERS	Economic and Community Development, Communications and Community Engagement, Parks and Recreation, Local Cultural Organizations
PRIORITY	●●●○○
TIMING	Near-Term

2.3C ACTIVATE UNDERUTILIZED DOWNTOWN LOCATIONS FOR CULTURAL PROGRAMMING

Encourage temporary cultural use of vacant spaces (such as storefronts) and buildings through a “white-box” or "blank-space" activation approach that transforms vacant commercial/public spaces into engaging, temporary, or semi-permanent spaces. This approach supports short-term, low-cost programming and creative experimentation. This could also include after-hours events in retail spaces.

Eligible programming may include:

- Small-scale performances
- Pop-up galleries and exhibitions
- Comedy shows and spoken-word events
- Temporary artist studios or demonstrations

Implementation actions include:

- Encourage property owners of vacant or underutilized spaces to approach the city to connect with programming partners and opportunities
- Establishing short-term use agreements or licenses
- Clarifying basic requirements related to safety, utilities, insurance, and occupancy
- Streamlined wayfinding and signage to increase visibility and foot traffic

PARTNERS	Economic and Community Development, The Arts Council, Local Cultural Organizations
PRIORITY	●●●○○
TIMING	Mid-Term

2.3D CREATE, MAINTAIN, AND PUBLICLY SHARE A CURATED LIST OF CITY-OWNED AND CITY-APPROVED PROPERTIES SUITABLE FOR FILM, TELEVISION, AND DIGITAL MEDIA PRODUCTION

PARTNERS	Economic and Community Development, Communications and Community Engagement, Parks and Recreation, The Chamber of Commerce
PRIORITY	●●●●○
TIMING	Near-Term

This inventory would support participation in the Texas Film-Friendly Cities Program and streamline production activity. Inventory elements should include:

- Location descriptions and photos
- Usage fees and associated costs
- Required permits and approvals
- Primary point of contact for each site
- Internal routing and approval processes

Considerations:

- Coordinate across departments to clarify approval authority
- Align inventory with city approval workflows
- Reinvest proceeds made on renting the facilities to production crews back into a grant program for the arts

2.4 CREATE A HISTORIC PRESERVATION PLAN

PARTNERS	The Cultural Arts Commission, The Historic Landmark Commission, Neighborhood and Community Planning, Local Heritage Organizations
PRIORITY	●●●●●
TIMING	Near-Term

Preserving New Braunfels' built environment is essential for maintaining the community's cultural vitality and safeguarding the narratives of its past. Developing a comprehensive Historic Preservation Plan would enable the city to effectively address critical preservation challenges, streamline processes for property owners and developers, and ultimately enhance the stewardship of its historic resources. Funding is available through the State Historic Preservation Office as well as other philanthropic sources in order to undertake this type of process. Potential elements for an effective Plan are:

- Conducting an updated Historic Survey.
- Updating the Preservation Ordinance to address various other requirements.
- Developing recommendations for simplified guidelines that boost opportunities for adaptive reuse and encourage new avenues for redevelopment.
- Emphasizing the economic value, especially the tourism potential, of the historic assets

2.5 PURSUE A STATE-DESIGNATED CULTURAL DISTRICT

Evaluate the feasibility of pursuing a State-Designated Cultural District in areas with a demonstrated concentration of cultural assets, activity, and public-realm opportunities. Build upon existing arts, heritage, and cultural destinations. Reinforce walkability and connectivity between venues, public spaces, and businesses. Align with tourism, downtown, and economic development goals. This district-designation may first be pursued and established by the City of New Braunfels, however, during the designation process, an existing organization capable of executing projects and district initiatives may be selected to operate it.

2.5A LEVERAGE A CULTURAL DISTRICT DESIGNATION FOR VISIBILITY AND BRANDING

PARTNERS	The Convention and Visitors Bureau, Economic and Community Development, The Arts Council, Local Cultural Organizations
PRIORITY	●●●●○
TIMING	Near-Term

This designation should complement, not replace, existing tourism branding. A Cultural District designation can:

- Strengthen New Braunfels' cultural identity at the state and regional level
- The Cultural District office may be included in the proposed Arts Center in 2.2A or another complementary cultural space, such as a museum or historic sites
- Support marketing and storytelling efforts aimed at visitors
- Increase awareness of cultural offerings among residents and tourists

2.5B INTEGRATE PUBLIC-REALM CULTURAL EXPERIENCES IN THE PROPOSED CULTURAL DISTRICT

To underscore the Downtown as a thriving and growing Cultural District, cultural experiences should be explored and offered to the community on a recurring basis. These cultural experiences could be delivered by the City of New Braunfels, or other cultural organizations as a programming partner. This integrated approach ensures culture is visible and accessible in Downtown location. District designation does not need to be secured prior to expanding cultural offering in the district, in fact a variety of cultural experiences will only reinforce and strengthen the district application. The Cultural District should showcase the wealth of arts and culture through:

- Temporary and permanent public art
- Pop-up performances, especially in conjunction with Art Haus
- Heritage and cultural storytelling experiences
- Artist-led community events
- Wayfinding and branding the district
- Creative placemaking elements and pedestrian improvements, particularly those that beautify public spaces in the district

PARTNERS	Economic and Community Development, The Downtown Association, Parks and Recreation, Local Cultural Organizations
PRIORITY	●●●●○
TIMING	Near-Term

2.5C ALIGN PLANNING AND DEVELOPMENT EFFORTS WITH THE CULTURAL DISTRICT DESIGNATION

Ongoing and future planning efforts in and around Downtown New Braunfels should be deliberately shaped to build and strengthen that record. Every planning process is an opportunity to advance the designation. This alignment helps ensure cultural investment supports broader city goals. Where possible, planning efforts should be coordinated to:

- Embed cultural district priorities in downtown and corridor planning
- Frame park and public-space investments as cultural infrastructure
- Coordinate economic development initiatives to support cultural uses
- Align efforts across the public, non-profit, and private sectors to build a cumulative record of district activity and investment

PARTNERS	Economic and Community Development, Neighborhood and Community Planning, Parks and Recreation Department, The Chamber of Commerce, The Downtown Association
PRIORITY	●●●●●
TIMING	Near-Term

2.6 SITE-SPECIFIC CULTURAL EXPERIENCES

Public-realm spaces play an essential role in making arts and culture visible, accessible, and part of everyday life in New Braunfels. By activating parks, plazas, corridors, and civic spaces with cultural experiences, the City can expand access to the arts, strengthen sense of place, and support community connection without relying solely on indoor venues or major capital investments.

2.6A LANDA PARK

Utilize Landa Park as a signature setting for outdoor cultural experiences that align with its historic, natural, and recreational character. Landa Park's regional visibility makes it a strong platform for experiences that appeal to both residents and visitors. Particularly, opportunities surrounding programming the dance slab and the Founders Oak. Similar opportunities may also be employed at Zipp Family Sports Park and Fischer Park.

Potential applications include:

- Small-scale performances and concerts
- Temporary art installations
- Cultural festivals or seasonal programming
- Interpretive or heritage-focused experiences

2.6B THE COMAL COUNTY FAIRGROUNDS

Expand the Fairgrounds' role as a flexible, large-scale cultural venue capable of hosting festivals, performances, exhibitions, and community events. This site also complements long-term discussions around expanded cultural facilities, which could benefit from immediate capital investment. Particularly, advertising the Fairgrounds as an available space for cultural organizations to reserve and program as it currently exists

The Fairgrounds can support:

- Larger outdoor cultural programming, including festivals
- Temporary or modular performance infrastructure
- Tourism driving arts and cultural events that attract a regional audience

2.6C HERITAGE VILLAGE & HISTORIC OLD TOWN

Strengthen the Heritage Village and Historic Old Town roles as a hub for culturally grounded programming that highlights New Braunfels' expansive histories and traditions. Through heritage, storytelling, and community gatherings. These spaces offer additional opportunities to connect cultural expression with New Braunfels' history and civic identity.

Public-realm enhancements could include:

- Outdoor exhibits or interpretive elements
- Temporary installations that extend cultural experiences beyond indoor spaces
- Interpretive installations
- Small performances or ceremonies
- Public art integrated into the landscape, especially of a historic context
- Heritage Fairs

2.6D SOUTH CASTELL AVENUE

As part of future redevelopment in line with the Castell Avenue Visioning Plan, the city should explore South Castell Avenue as a cultural corridor that supports walkable, street-level cultural activity. South Castell's proximity to the Civic Center and Downtown New Braunfels and its blend of small-scale adaptive reuse retail positions it as a highly accessible destination for creative retail, artists' studios, or street activations.

Potential strategies include:

- Murals and public art
- Supporting the inclusion of artists' studios and creative spaces
- Temporary street closures for cultural events or artist vendor corridors at existing events
- Art-forward streetscape elements and creative placemaking opportunities

2.6E SAN ANTONIO BLVD MEXICAN AMERICAN HERITAGE CORRIDOR

Consider designating the portion of San Antonio Blvd that traverses the West End neighborhood as a Mexican American Heritage Corridor. Utilize the San Antonio Boulevard and Spur “triangle site” as a gateway location for highly visible cultural expression. Given its prominence, this site offers an opportunity to make culture part of the first impression for residents and visitors alike. Site enhancements and programming should be in alignment with the West End Master Plan. Possible applications include:

- Landmark public art or gateway features
- Temporary street closures and pop-up programming
- Interpretive elements welcoming visitors into the city
- A banner or wayfinding system establishing the corridor's identity
- Support for food trucks and temporary installations in right-of-way

2.7 DEVELOP A PUBLIC ART STRATEGY

2.7A ESTABLISH A CITY MURAL PROGRAM

An existing Historic Outdoor Art Museum was created by local cultural leaders to create murals in the downtown area. This could be further supported by the City and expanded into a broader Mural Program over the next several years, especially through the introduction of new artistic styles and narrative elements that both complement and diversify the existing collection. Key actions include:

- Identifying priority locations for murals, including corridors, gateways, and underutilized walls
- Establishing a clear mural approval and process
- Prioritizing participation by New Braunfels artists and regional creatives
- Encouraging murals that reflect local history, culture, and contemporary community identity
- Coordinating mural installations with downtown, corridor, and cultural district strategies
- Adopting a policy for maintenance, funding, and artist and artwork selection.

PARTNERS	The Cultural Arts Commission, Economic and Community Development, Local Cultural Organizations, Historic Outdoor Art Museum
PRIORITY	●●●○○
TIMING	Near-Term

2.7B CREATE GATEWAY PUBLIC ART AT KEY COMMUNITY ENTRY POINTS

Use public art as a defining feature at major gateways into New Braunfels to create strong first impressions for residents and visitors. This might include the West End, Gruene, and Creekside. Opportunities include:

- Commissioning landmark-scale public art at prominent entry corridors
- Integrating art with signage, landscaping, and streetscape improvements
- Reflecting New Braunfels' cultural character, history, and creative identity
- Aligning gateway art with tourism, branding, and wayfinding efforts

PARTNERS	The Cultural Arts Commission, Economic and Community Development, Local Cultural Organizations
PRIORITY	●●●●○
TIMING	Mid-Term

2.7C INTEGRATE PUBLIC ART IN TRAILS AND PARK SPACES

Incorporate public art at trailheads to enhance visibility, orientation, and user experience along trails and shared-use paths. Parks and trails offer some of the most meaningful settings for public art , and a well curated collection of works that complement the natural landscape can be some of the most memorable for community members. Implementation considerations include:

- Considering art that functions as wayfinding, landmarks, or interpretive elements
- Collaborating with Parks & Recreation and trail planning efforts
- Highlighting natural, cultural, or historical themes connected to each trail
- Using durable materials appropriate for outdoor and high-use environments
- Leaning into a curatorial approach to art in parks, ensuring the art is a good fit for the landscape or the site it is being installed within, this includes environmental considerations like flooding, erosion, and maintenance needs

PARTNERS	Parks and Recreation Department, The Cultural Arts Commission, Economic and Community Development, Parks Foundation, Transportation & Construction Services, Local Cultural Organizations
PRIORITY	●●●●○
TIMING	Near-Term

2.7D INCORPORATE TEMPORARY PUBLIC ART IN VACANT AND UNDER CONSTRUCTION SPACES

Utilize temporary public art to activate construction sites and mitigate visual disruption during major public or private development projects, prioritizing sites in the proposed Downtown Cultural District. An example of a similar program is the ArtPaths program in Columbus, Ohio where local artists were commissioned to create a cohesive artwork across construction barricades that could be moved as the street project progressed to other areas of the district.

To support this effort, the City should establish a matching grant program, administered by the Economic and Community Development, that property owners and developers can apply to. Qualifying projects would be required to hire a local artist to commission the work. Grant eligibility could be based on:

- Location within or adjacent to the Cultural District
- Length and visibility of the installation
- Community impact and alignment with district identity
- Compliance with safety requirements and project timelines
- The property owners willingness to work with a local artist, perhaps one identified through the pre-qualified list of artists within the Cultural Access Program on page 67

PARTNERS	The Cultural Arts Commission, Economic and Community Development, Private Property Owners, Local Cultural Organizations
PRIORITY	●●●○○
TIMING	Near-Term

2.7E ESTABLISH A MARKET PLAZA SCULPTURE GARDEN OR SIGNATURE PUBLIC ART PIECE

Develop a sculpture garden or signature public art installation at Market Plaza to serve as a cultural landmark and gathering place. Key considerations include:

- Commissioning a permanent or rotating collection of sculptural works
- Selecting art that encourages interaction, gathering, and placemaking
- Integrating seating, lighting, and landscaping
- Positioning the site as a destination within downtown and cultural programming

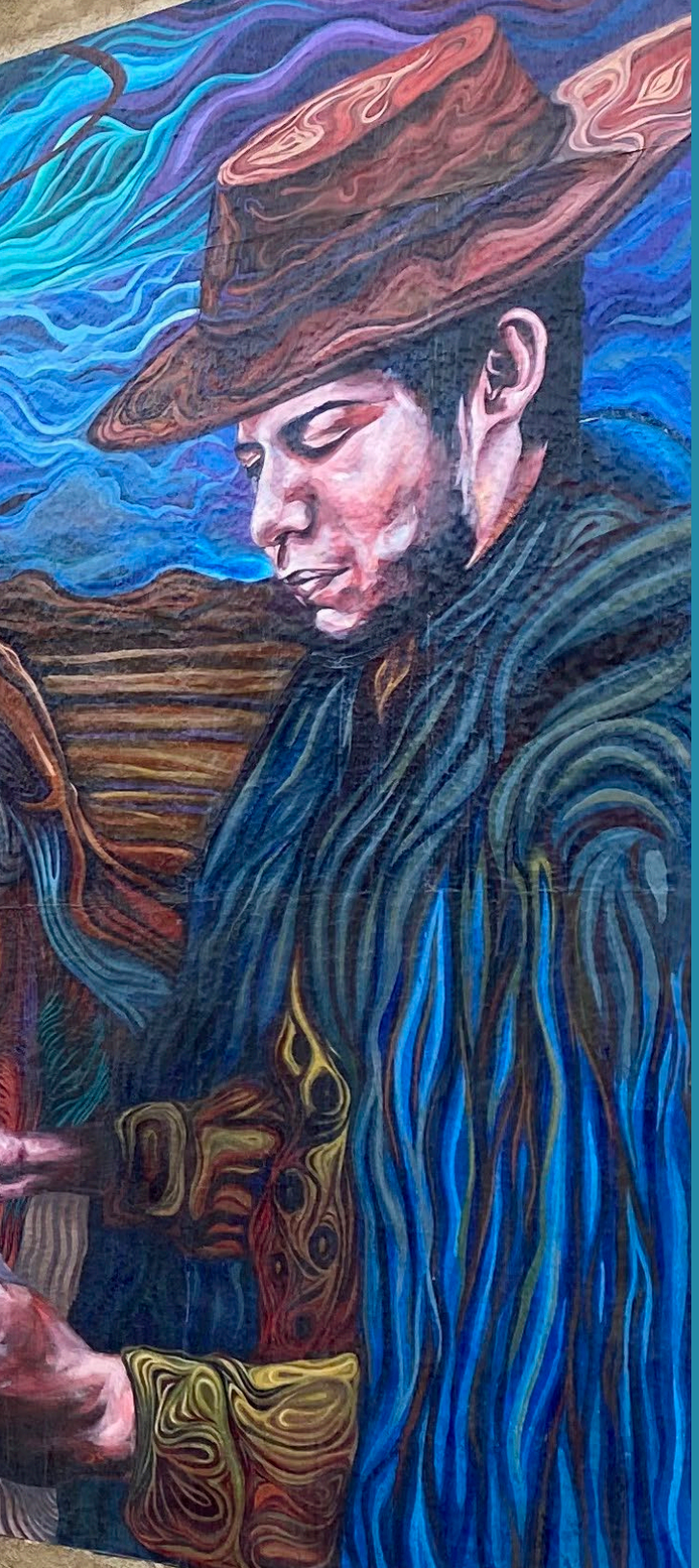
PARTNERS	The Cultural Arts Commission, Economic and Community Development, Parks and Recreation, Parks Foundation
PRIORITY	●●●○○
TIMING	Mid-Term

2.7F RELOCATE OR REPURPOSE THE WALNUT 6 SIGN TO PROMOTE UPCOMING EVENTS

Relocate or adapt the Walnut 6 sign as a highly visible tool for promoting cultural events and community programming. Qualifying events may be limited to those hosted by the city and local non-profits, the Cultural Arts Commission might consider exceptions on a case by case basis. Potential promotional opportunities include:

- Displaying upcoming arts, cultural, and heritage events
- Coordinating content with tourism and downtown programming calendars
- Using the sign as both a functional and placemaking element

PARTNERS	The Cultural Arts Commission, Economic and Community Development, Parks and Recreation
PRIORITY	●●●●○
TIMING	Immediate



PRIORITY AREA 2: POLICY & PROCESS GUIDANCE

POLICY GUIDE 2.1

PUBLIC ART POLICY GUIDANCE

Owner: Cultural Arts & Placemaking Coordinator and Cultural Arts Commission

Authority: City Council

PURPOSE

Provide a consistent, transparent framework for commissioning, siting, maintaining, and stewarding public art throughout the City. The public art policy is actually a collection of policies spanning Maintenance, Collection Management, Donation, and Mural Guidelines. The aforementioned policies and guidelines will do the following:

- Establish a definition for public art;
- Develop a process for public art to be commissioned; and
- Establish the Cultural Arts Commission to work with staff in selecting artists for commissioned works.

Each policy directs a specific aspect of the Program and ensures the City is following consistent procurement practices; maintaining its commissions through long-term planning and maintenance; governing the Program with strong public trust; and providing clear direction for artists, private developers, and donors to follow when participating in the Program.

ACTION STEPS

1. Draft a comprehensive Public Art Policy defining public art, establishing selection and procurement procedures, identifying maintenance policies, and clearly outlining donation procedures.
2. Establish clear roles and responsibilities for City staff, advisory bodies, artists, donors, and development partners.
3. Integrate public art review into capital project planning and development processes under the purview of the Cultural Arts Commission in collaboration with Capital Programs Division.
4. Adopt the policy via ordinance or resolution and implement it across all City departments involved in capital investment and placemaking.

MODELS & CASE STUDIES

Burleson, Texas - Burleson Public Art Policy

Supports Recommendations 2.1, 2.6, 2.7, 4.2A

PROCESS GUIDE 2.2

PUBLIC SPACE ACTIVATION TOOLKIT

Owner: Cultural Arts & Placemaking Coordinator or assigned City Staff

Authority: Economic and Community Development Director

PURPOSE

Reduce barriers to cultural activation in public spaces while maintaining safety, accessibility, and operational clarity.

- Performances, exhibitions, and programming
- Interpretation and heritage services
- Cultural planning, facilitation, and education
- Program delivery on behalf of the City

ACTION STEPS

1. Identify and document public spaces eligible for cultural activation, including parks, plazas, streets, libraries, and civic buildings. This inventory should cite available spaces, square footage, hours of operation and seasonality considerations, managing entity, and other relevant details.
2. Develop a concise, user-facing toolkit outlining approval pathways, timelines, insurance requirements, ADA considerations, and operational standards.
3. Coordinate internal review processes across departments to streamline approvals and reduce duplicative review.
4. Publish the toolkit online and update it annually to reflect evolving practices.

MODELS & CASE STUDIES

San Jose California - Entertainment Zone Activation Toolkit

The Place Institute - Activation Toolkit Support

Supports Recommendations 2.3B, 2.4C, 2.6

PROCESS GUIDE 2.3

CULTURAL SPACES INVENTORY & BOOKING PLATFORM

Owner: Cultural Arts & Placemaking Coordinator or assigned City Staff

Authority: Administrative

PURPOSE

Expand access to affordable cultural space and improve utilization of City-owned assets.

ACTION STEPS

1. Create and maintain a centralized inventory of City-owned and City-approved spaces suitable for cultural use.
2. Integrate cultural spaces into an existing City booking or reservation platform where feasible.
3. Establish clear eligibility, fee structures, and priority access guidelines for nonprofit and community-based programming.
4. Pilot expanded access to underutilized spaces through short-term use agreements.

MODELS & CASE STUDIES

Chicago, Illinois - Cultural Community Rental Pathway

Supports Recommendations 2.3A, 2.3D

PRIORITY AREA 3:

VISIBILITY & TOURISM

By elevating New Braunfels' historic, cultural, and creative assets as visible, connected, and compelling visitor experiences, the city can translate cultural investment into sustained tourism impact and local economic benefit. This priority area focuses on how arts, heritage, architecture, the culinary art, music, and storytelling can be leveraged to expand the visitor experience and enhance New Braunfels identity.

The recommendations in this section emphasize coordination and alignment rather than creating entirely new systems. They focus on strengthening interpretation and heritage storytelling, improving signage and wayfinding, and intentionally tying local cultural assets into regional and statewide tourism platforms that already attract visitors to Texas. By aligning with established programs—such as state heritage trails, music and film initiatives, cultural districts, and culinary tourism efforts.

Together, these strategies position culture not as a supporting amenity, but as a core tourism driver. They recognize that visibility, data, partnerships, and clear narratives are essential to growing heritage tourism responsibly—supporting preservation, encouraging longer stays, diversifying audiences, and ensuring that cultural assets remain both economically productive and well stewarded over time.

3.1 HISTORIC ARCHITECTURE TOURISM STRATEGY

Historic buildings and neighborhoods represent a defining cultural asset and an under-leveraged tourism opportunity. A coordinated strategy can elevate these resources as destinations while supporting long-term stewardship. Historic Architectural assets can strengthen tourism in New Braunfels by expanding interpretation, preservation capacity, and public awareness while proactively addressing preservation challenges and development pressures.

3.1A CONSIDER AN EXPANDED HISTORIC ARCHITECTURE TOURISM STRATEGY

PARTNERS	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, Comal County Historical Commission, Historic Landmark Commission Local Heritage Organizations
PRIORITY	●●●○○
TIMING	Mid-Term

The Texas Historical Commission's Historical Marker Program managed by the Texas Historical Commission was created to celebrate topics of Texas history. These include, but are not limited to, the history and architecture of buildings, military sites, events that impacted local and state history, and significant people in local and state history. Some interpretative elements may fall outside of the Texas Historical Commission's Marker Program, and should be explored and implemented on a case-by-case basis to strengthen storytelling opportunities.

- Gruene and Downtown's existing program with digital walking tours may serve as a model for other historic districts
- Continued participation in the Texas Historical Commission's Historical Marker Program, nominating eligible properties and sites as they meet requirements
- Development of historic architecture tours, including guided and self-guided experiences
- Add interpretation of distinct architectural narratives, such as Early European Modernism in New Braunfels, vernacular building traditions, and settlement-era structures

3.1B LEVERAGE ADVOCACY AND PRESERVATION ORGANIZATIONS TO GROW VISIBILITY AND PROTECT HERITAGE TOURISM

PARTNERS	The Cultural Arts Commission, Economic and Community Development, Neighborhood and Community Planning, Comal County Historical Commission, Historic Landmark Commission, Local Heritage Organizations
PRIORITY	●●●●○
TIMING	Mid-Term

Alignment among heritage and preservation organizations will be key to furthering New Braunfels' preservation goals and ensuring cultural assets are protected for future generations. While the City may choose to take supportive steps, such as the prior recommendation in 2.4 to develop a Historic Preservation Plan and update the Historic Preservation Ordinance to better protect at-risk properties from demolition, the strength of the sector depends on organizations working together. Better coordination, shared resources, and diversified revenue will reduce reliance on any single funding source and ease pressure on property owners to demolish rather than rehabilitate. Key takeaways for heritage organizations during this process include:

- Organizations should seek to establish or strengthen preservation advocacy and operations functions, including expanding fundraising capacity and ensuring they are meeting eligibility requirements for grants
- Organizations may consider more coordination to reduce duplication and align advocacy efforts, ensuring they are presenting a unified voice on preservation priorities, this may include convening to determine high-level priorities for groups
- Organizations may seek to share resources and expertise, ensuring organizational infrastructure and technical knowledge are accessible across the sector
- Organizations may coordinate to explore preservation tools collectively, such as easements, revolving loan funds, and rehabilitation incentive programs, ensuring peer models and national best practices in preservation such as the Historic Charleston Foundation are informing local approaches
- Organizations should seek to pursue a myriad of funding sources that may be both periodic and self-sustaining revenue streams, ensuring they are actively developing income through donations, tours, ticketed experiences, and preservation-focused events
- Organizations should be encouraged to actively participate in the historic preservation plan should it be developed, and use the opportunity to understand national trends, identify roles and responsibilities, and set priorities

3.2 TIE IN WITH LOCAL, REGIONAL & STATE-WIDE TOURISM PROMOTIONAL OPPORTUNITIES

3.2A CONSIDER EMPHASIZING ARTS, CULTURE, AND HERITAGE THROUGHOUT SIGNAGE & WAYFINDING

PARTNERS	The Downtown Association, Public Works, Parks and Recreation, Economic and Community Development
PRIORITY	●●●○○
TIMING	Mid-Term

Develop a coordinated strategy to reinforce new and existing signage and wayfinding to improve the visibility of cultural, historic, and arts assets for visitors and residents. Clear, consistent wayfinding can help translate cultural investment into tourism impact by guiding visitors to districts, venues, heritage sites, and events while reinforcing New Braunfels' identity and sense of place.

This strategy should:

- Support and streamline visitor navigation between cultural destinations, historic sites, downtown, and event locations
- Reinforce branding for heritage areas, cultural corridors, and districts
- Integrate arts, heritage, and tourism messaging into existing wayfinding system
- Align with state and regional tourism signage standards, where applicable

3.2B CONTINUE TO ACTIVELY PURSUE AND INCLUDE ART REPRESENTATION ON THE TOURISM ADVISORY COMMITTEE

PARTNERS	The Convention and Visitors Bureau, The Arts Council
PRIORITY	●●●●○
TIMING	Immediate

Ensure arts and cultural perspectives are represented within tourism planning and decision-making by including arts-sector representation on the New Braunfels Convention & Visitors Bureau's (CVB) Tourism Advisory Committee. Continuing to include arts representation should serve to:

- Strengthen alignment between tourism promotion and cultural programming
- Ensure arts and heritage investments are considered within tourism strategies
- Support compliance with HOT eligibility by reinforcing the tourism value of cultural initiatives

3.2C BETTER COLLABORATE TO LEVERAGE THE GROWING CULTURAL TOURISM ECONOMY

Identify a central point of communication between the arts, culture and heritage sector and the New Braunfels Convention & Visitor's Bureau and Chamber of Commerce to target major pillars of opportunity, ensuring arts and culture are intentionally promoted as part of destination branding and visitor experiences. This central point of contact, which may be the Arts Council, should work with arts and heritage organization stakeholders and the Cultural Arts Commission to identify annual priorities for promotion and storytelling across the sector and reporting these findings to the CVB. Opportunities include:

- Encouraging artists and arts organization to attend the existing CVB stakeholder events to continue to shape and inform the ongoing marketing and promotion efforts led by the CVB
- Targeting towards specific tourism driving cultural experiences and events and expanding the storytelling of arts and culture into tourism marketing
- Partnering with hotels and lodging providers to offer event ticket packages or cultural add-ons and or preferred rates through partnerships
- Evaluating the range and variety of programming promoted to broaden and expand the audience reach, looking to national example like the Bend Cultural Tourism Fund to draw inspiration

PARTNERS	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, The Arts Council
PRIORITY	●●●●○
TIMING	Immediate

3.2D TRACK, ANALYZE, AND REPORT ARTS & CULTURE METRICS

Establish consistent data collection and reporting practices to better understand audiences, guide marketing efforts, and communicate the full impact of arts and culture investments. Clear reporting supports accountability, informs decision-making, and strengthens alignment with HOT eligibility requirements, this report out could be led by the assigned city staff member to the Cultural Arts Commission in partnership with the Arts Council. Opportunities include:

- Leverage the existing Placer.ai data to provide event tracking such as spend, overnight, and visitors to report out
- Collecting and analyzing attendance, participation, and engagement data, much of which can be sourced through cultural organizations, existing data sources, and providing the raw data to Arts & Heritage Grant recipients to include in the annual report out
- Using data insights to reach new audiences and better serve community needs
- Strengthening storytelling around the economic, social, and cultural impact of arts and cultural programming

PARTNERS	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, The Arts Council
PRIORITY	●●●●●
TIMING	Immediate

3.2E STRENGTHEN THE RELATIONSHIP WITH THE TEXAS HERITAGE TRAILS PROGRAM

New Braunfels is located within the Hill Country Trail Region, which promotes the area's landscape, history, and cultural traditions through coordinated programming and marketing. The city is already recognized within the region for its Germanic roots and nature-based experiences. By strengthening New Braunfels' participation in the program, the community can increase visibility of the city's cultural and historic assets and drive heritage-based visitation. New Braunfels can:

- Expand promotion of local historic and cultural sites within regional and statewide tourism efforts
- Utilize resources available through the program to strengthen heritage tourism
- Align heritage storytelling with established travel itineraries and marketing channels
- Increase visitation to cultural and historic destinations
- Support local economic activity through heritage-driven tourism

PARTNERS	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, The Arts Council, Local Heritage Organizations
PRIORITY	●●●○○
TIMING	Mid-Term

3.2F STRENGTHEN PARTICIPATION IN THE TEXAS FILM-FRIENDLY CITIES PROGRAM

Actively participate in the Texas Film-Friendly Cities Program to attract film, television, and digital media production to New Braunfels. Currently, the CVB coordinates with this program. Opportunities to strengthen this partnership could include:

- Maintaining Film-Friendly certification
- Supporting local filming locations, emerging studios, and film makers through streamlined processes and clear guidance
- Developing a catalog of potential filming locations and available support services
- Streamlining filming permits and interdepartmental coordination
- Promoting New Braunfels as a film-ready community through state and regional channels

PARTNERS	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, The Arts Council, Local Heritage Organizations
PRIORITY	●●●●○
TIMING	Near-Term

3.2G ADVANCE CULTURE PROMOTION THROUGH THE TEXAS CULTURAL DISTRICTS PROGRAM

Evaluate and pursue opportunities within the Texas Cultural Districts Program to support coordinated cultural identity, placemaking, and tourism.

Implementation actions may include:

- Assessing potential district boundaries and eligibility requirements
- Engaging cultural organizations, businesses, and property owners in early conversations
- Identifying a lead entity to coordinate the application and ongoing stewardship
- Aligning district goals with downtown planning, public-realm investments, and tourism strategies

PARTNERS	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, The Arts Council, The Downtown Association
PRIORITY	●●●●○
TIMING	Mid-Term

3.2H LEVERAGE THE MUSIC-FRIENDLY TEXAS PROGRAM

Build upon New Braunfels' designation as a Music Friendly Texas Certified Community by positioning music as a core economic development, tourism, and placemaking assets. Currently, the CVB coordinates with this program. Opportunities to strengthen this partnership could include:

- Integrating live music more intentionally into public-realm programming, festivals, and downtown events
- Supporting local venues and musicians through streamlined city processes and clear guidance
- Promoting New Braunfels' music assets through tourism and economic development marketing

PARTNERS	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, The Arts Council, The Downtown Association
PRIORITY	●●●●○
TIMING	Near-Term

3.2I ELEVATE THE CULINARY ARTS THROUGH LOCAL AND STATEWIDE INITIATIVES

Align local efforts with statewide promotion of Texas food culture and culinary tourism to elevate culinary arts as a cultural and economic asset in New Braunfels. At the state level, culinary tourism is promoted broadly as part of Texas' cultural identity and visitor economy, emphasizing regional food traditions, local businesses, and food-based experiences as entry points for understanding place. Implementation actions may include:

- Coordinating with state tourism and economic development partners to highlight New Braunfels' culinary assets—including restaurants, food traditions, and local food entrepreneurs—in broader Texas tourism storytelling
- Supporting food-based cultural programming such as demonstrations, tastings, pop-ups, festivals
- Encouraging collaboration between culinary creators and cultural events to reinforce food as part of the city's arts and culture ecosystem
- Integrating culinary experiences into existing cultural experiences, downtown programming, and signature events to strengthen visibility and visitor engagement
- Partnering with regional organizations and institutions, such as the CIA in San Antonio, to attract culinary talent and create new dining experiences for locals and visitors of the community

PARTNERS	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, The Arts Council, The Downtown Association
PRIORITY	●●●●○
TIMING	Near-Term

**In 2024, the Michelin Guide announced its expansion into Texas, covering cities including Austin, Houston, Dallas, and San Antonio, through a partnership with Travel Texas (the state tourism office). The intent is to elevate Texas' culinary scene internationally and position food as a serious cultural and tourism asset statewide.*

PRIORITY AREA 3: POLICY & PROCESS GUIDANCE

PROCESS GUIDE 3.1

CULTURAL & HERITAGE TOURISM COORDINATION

Owner: Economic & Community Development staff with the Arts Council and designated CVB staff

Adoption Authority: Administrative

PURPOSE

Position arts, culture, and heritage as core drivers of the visitor economy.

ACTION STEPS

1. Convene quarterly coordination meetings between City departments, the Arts Council, the Cultural Arts Commission and key cultural partners to align programming calendars and themes.
2. Develop shared branding and promotional standards (logos, crediting language, asset formats) for City-supported cultural programming.
3. Appoint one point of contact between the cultural community and the CVB to relay events and programs that directly overlap with the CVB's mission of marketing tourism driving efforts.
4. Coordinate seasonal or thematic campaigns that bundle multiple cultural events to strengthen audience development and tourism impact.
5. Align cultural promotion with CVB marketing efforts, ensuring eligible programs are positioned as tourism-driving experiences.

MODELS & CASE STUDIES

Santa Fe, New Mexico - Visit Santa Fe

Bend, Oregon - Cultural Tourism Fund

Supports Recommendations 3.1, 3.2

PROCESS GUIDE 3.2

ARTS, CULTURE & HERITAGE METRICS FRAMEWORK

Owner: City-appointed Cultural Arts with CVB and Arts Council

Adoption Authority: Administrative

PURPOSE

Demonstrate public value, inform investment decisions, and support HOT eligibility by establishing a standardized, defensible system for measuring the economic, tourism, and community impact of City-supported arts, culture, and heritage investments through:

- Supporting eligibility and compliance with Hotel Occupancy Tax (HOT/MOT) requirements
- Informing future funding, policy, and programming decisions
- Enabling year-over-year (YOY) performance tracking and continuous improvement

This framework applies to all City-supported cultural activity, including but not limited to:

- HOT/MOT-funded projects or events and program promoted utilizing HOT/MOT dollars including grants
- Public service contracts
- Programming occurring in City-owned or City-managed cultural assets
- Cultural and heritage activities within public spaces and districts

ACTION STEPS

1. Establish standardized metrics for City-supported cultural programming, including attendance, visitor impact, and partnerships. Examples:

   Attendance & Participation

   - Total attendance (estimated and ticketed, where applicable)
   - Number of event days and duration
   - Percentage of repeat vs. first-time attendees (if available)

   Visitor & Tourism Impact

   - Estimated percentage of attendees from outside the region
   - Estimated overnight vs. day-trip visitation
   - Hotel-night relevance (including proximity to lodging and timing)

2. Identify tools, frequency of reporting, and a central point of contact for managing data requests. Such as Placer.ai or event impact calculators (e.g., CVB-approved tools) for

   - Visitor origin analysis
   - Dwell time
   - Cross-visitation with lodging, dining, and attractions
   - Estimated visitor spending
   - Hotel-night generation
   - Local economic impact

3. Publish an annual cultural impact summary for City leadership and the public.

Supports Recommendations 3.2D, 4.1, 4.2, 4.3

PRIORITY AREA 4:

OPERATIONS & CAPACITY BUILDING

By strengthening the organizational capacity, staffing, funding structures, and support systems needed to sustain New Braunfels' arts, culture, and creative economy incrementally, the city, business leaders, and cultural organizations can ensure sustainability and true economic impact. This section focuses on the behind-the-scenes infrastructure required to support both audiences and creators, recognizing that cultural vitality depends on strong public and private leadership, clear processes, and predictable resources.

The recommendations in this section emphasize the City's role in enabling leadership, coordination, and investment—not by producing cultural work directly, but by ensuring that the organizations, individuals, and systems responsible for arts and culture are equipped to succeed.

This includes building capacity within the Arts Council, aligning public funding tools with measurable outcomes, supporting creative industries as legitimate economic drivers, and reducing regulatory barriers that limit creative production.

4.1 THE FUTURE OF THE ARTS COUNCIL

This addresses the role of the Greater New Braunfels Arts Council. While this process cannot direct the Arts Council to take any one specific action, it can provide recommendations for capacity building within the Arts Council to best take advantage of emerging public support for arts and culture.

Traditionally, arts councils may act in these capacities to serve their communities:

- Acting as a central advocate for promotion and access to the arts
- Raising funds for the arts and offering grants to local artists and arts organizations
- Offering cultural research, data, and reporting on local and national trends in the arts
- Caring for a community's public art collection
- Producing and/or presenting programs not otherwise available and meeting gaps in the existing regional offerings, such as program incubation
- Supporting the creative economy/economic development through resource connection
- Managing art facilities or venues, especially on behalf of public partners
- Supporting artists and arts organizations through technical assistance, marketing support, and organizational development services that enable groups to establish independent 501(c)(3) nonprofits and strengthen access to funding and resources

This plan's recommendations prioritize foundational steps and actions to empower the arts council to fulfill the above in the future.

4.1A HIRE A COMMUNITY OUTREACH SPECIALIST/DEPUTY DIRECTOR

Support the hiring of a Community Outreach Specialist or Deputy Director to expand the Arts Council's operational, outreach, and administrative capacity. Key responsibilities may include:

- Developing and executing public service contract–eligible programming
- Directly collaborate with the CVB to promote arts and culture
- Marketing and membership support
- Data and analytics collection for impact reporting
- Grant writing and fundraising support
- Community development and partner coordination

PARTNERS	The Arts Council
PRIORITY	●●●●○
TIMING	Near-Term

4.1B AUTHOR A STRATEGIC PLAN

Develop a strategic plan to guide the Arts Council's future role, governance, membership structure, and service offerings. This should be a strategic 5-year guiding document with clear metrics, actions, and key progress indicators. Key components should include:

- A defined mission, vision, and role in the community
- A tiered membership structure, including low-barrier entry for emerging organizations with clear value propositions for members at different stages of growth
- Board recruitment strategies focused on engaged, mission-driven leadership
- Donor-base growth strategies and fundraising targets
- Strategies to expand local partnerships and increase local coordination
- Specific actions to align with this plan's goals, formalizing the role of the Arts Council as a critical partner in the Arts & Culture Plan

PARTNERS	The Arts Council, Local Cultural Organizations
PRIORITY	●●●●●
TIMING	Near-Term

4.1C CONSIDER A BRAND REFRESH IN LINE WITH THE ORGANIZATION'S FUTURE ROLE

Evaluate a brand refresh aligned with the Arts Council's evolving role as an advocacy and coordination entity within a public-private partnership framework. This should consider:

- Positioning the brand as an umbrella for the totality of the arts and cultural community, with less emphasis on an independent identity
- Partnership and co-branding opportunities, particularly with the New Braunfels Convention & Visitor's Bureau
- Engaging with the arts and culture, tourism, and small-business communities to weigh in on the identity and core elements of the brand

PARTNERS	The Arts Council, Local Cultural Organizations
PRIORITY	●●●●○
TIMING	Near-Term

4.1D HIRE A FULL-TIME EXECUTIVE DIRECTOR

Support the hiring of a full-time Executive Director to provide leadership, advocacy, and organizational stability. Responsibilities may include:

- Internal leadership to direct staff, artist and creative partners,
- Fundraising and donor solicitation
- Sector leadership and external advocacy to cultural organizations
- Commissioning and presenting research and studies on local, regional, and national trends in the arts, including economic and social impacts
- Board development and leadership engagement
- Relationship building with City leadership and partners

PARTNERS	The Arts Council
PRIORITY	●●●●○
TIMING	Long-Term

4.2 EXPAND OPERATION OF THE CITY'S CULTURAL ARTS PROGRAM

While staffing support could be achieved through a combination of city staff roles and responsibilities, supplemented by contracts with non-profits, and support from outside arts consultants or local partners for paid-project management and planning services, the following is an example of a city position that could be created to meet the growing needs of the cultural community:

4.2A ADOPT A PUBLIC ART POLICY FOR THE CITY OF NEW BRAUNFELS

PARTNERS	The Cultural Arts Commission, City Council, Economic and Community Development
PRIORITY	●●●●●
TIMING	Immediate

To ensure a coordinated, transparent, and sustainable approach to public art, the City of New Braunfels should adopt a comprehensive Public Art Policy to guide the planning, commissioning, acceptance, and long-term care of public art throughout the community. The policy will provide a clear framework for managing public art assets while supporting artistic excellence, community identity, and responsible stewardship of public resources. The Public Art Policy will include:

Public Art Program Purpose & Definitions
Defines the scope, intent, and applicability of the Public Art Program, including eligible artwork types, locations, and funding mechanisms.

Commissioning & Selection Procedures
Outlines the artist solicitation process, evaluation criteria, approval authority, and public engagement expectations.

Donation & Gift Acceptance Guidelines
Establishes requirements for donated artworks, including alignment with City goals, long-term maintenance considerations, and funding responsibilities.

4.2A ADOPT A PUBLIC ART POLICY FOR THE CITY OF NEW BRAUNFELS

Maintenance & Collection Management Standards
Defines inspection, conservation, documentation, and deaccession procedures to protect the integrity and value of the City's public art collection.
The policy will support the public art program by:

- Establishing a clear definition of public art for the City of New Braunfels
- Defining roles and responsibilities for City staff, advisory bodies, artists, donors, and development partners
- Formalizing procedures for commissioning, approving, and siting public art
- Establishing standards for maintenance, conservation, and lifecycle planning
- Ensuring consistency, accountability, and public trust in public art decision-making

In addition to the public art policy the city may wish to establish a public art fund, this could be through a 1%-2% dedication of CIP funding through public capital improvements (though the artwork would need to be placed on the project site), and also through general fund allocations, or Hotel/Motel Tax funds. A healthy public art fund for a community of this size may fall between $150,000-$250,000 per year.

4.2B STAFFING OPPORTUNITY 1: CULTURAL ARTS PROGRAM MANAGER

The Cultural Arts Program manager would coordinate with the Economic and Community Development with a focus on managing and expanding the community's arts access and facilitating connections with local programming partners to expand cultural programming. This position involves advising and coordinating on art projects, supporting cultural elements of community events, collaborating with partners to create cultural programming, and providing public cultural opportunities to community members. Responsibilities may include:

- Manage and expand the community's public art and cultural assets, including oversight of temporary and permanent art projects
- Advise on and coordinate arts-related projects across departments, capital projects, parks, public spaces, and community events
- Collaborate with local artists, arts organizations, cultural institutions, and community partners to develop and deliver cultural programming
- Support and integrate cultural elements into City- or County-led events, festivals, and public initiatives
- Support data collection, evaluation, and reporting on program outcomes and community impact
- Assist with grant coordination, funding alignment, and partnership development related to arts initiatives

PARTNERS	Economic and Community Development, The Arts Council
PRIORITY	●●●○○
TIMING	Mid-Term

4.2C STAFFING OPPORTUNITY 2: CULTURAL ARTS & PLACEMAKING COORDINATOR

Serve as the City's internal coordinator for arts, culture, and creative placemaking, supporting implementation of adopted plans and policies while working collaboratively across departments and with community partners.

- Act as the primary staff liaison to the Cultural Arts Commission, including agenda preparation, meeting support, onboarding, and implementation of Commission recommendations
- Coordinate public art and mural projects, including calls for artists, selection processes, contracts, installations, and ongoing documentation and maintenance coordination
- Administer arts and cultural grant programs, including applicant support, budget tracking, contract processing, and evaluation support in coordination with the Cultural Arts Commission
- Support community engagement and artist capacity-building through workshops, informational sessions, and coordinated outreach
- Maintain and organize records related to public art, artists, cultural assets, and creative spaces to support planning, reporting, and decision-making
- Collaborate with Planning, Economic Development, Library, and Parks staff to integrate arts and creative placemaking into broader City initiatives and identify opportunities for temporary and permanent cultural activation
- Coordinate with grant recipients, the Arts Council, and the New Braunfels Convention & Visitor's Bureau to gather data on annual impact of arts and heritage programming, particularly in compliance with the annual grant report out.
- Ensure best practices in public art policy, accessibility, equity, and long-term stewardship are applied across City-supported arts initiatives

PARTNERS	Economic and Community and Community Development, The Arts Council
PRIORITY	●●●○○
TIMING	Near-Term

4.2D CREATE A CULTURAL ARTS COMMISSION THAT WILL ABSORB THE RESPONSIBILITIES OF THE PRIOR COMMISSIONS

PARTNERS	City Council, Economic and Community Development
PRIORITY	●●●●●
TIMING	Immediate

Currently, arts and heritage functions are managed through separate bodies, which can result in fragmented advisory structures, duplicated efforts, and missed opportunities to advance shared goals. A new Cultural Arts Commission, recognizing that heritage is a part of culture, would create a unified voice for the full cultural sector in New Braunfels. A consolidated commission with clearly defined membership, roles, and responsibilities gives the city a more capable and representative structure to meet that demand by connecting professional expertise with community voices and aligning grant-making, programming, and policy recommendations under a single, cohesive body.

The Commission make-up could be:

- One city council member;
- One Arts Council board member;
- Two arts professionals or arts organization representative members;
- Two history or heritage professionals, Historic Landmark Commission members, or heritage organization representative members;
- Three at-large members.

Roles and Responsibilities:

1. Advise the city council as to the allocation of public funds (including the Arts and Heritage grant funds) for the support and encouragement of existing and new programs in the arts, history, heritage, and for the acquisition by purchase, gift, or otherwise, of works of public art;
2. Subject to city council approval, initiate, sponsor, or direct special programs which will enhance arts, culture, and heritage of the city;
3. Establish close liaison with other commissions and civic organizations in order to foster public interest in the arts, culture, or heritage;
4. Advise the city council concerning the interpretation and implementation of the city's established policies and practices, including the art and cultural master plan, as they relate to the art and Cultural Arts Commission's objectives;
5. At the beginning of each year, prepare for city council review an assessment of the art and Cultural Arts Commission's goals, plans and objectives from the prior fiscal year and recommend for council approval the art and Cultural Arts Commission's goals, plans, and objectives for the next fiscal year.
6. Perform such other functions and duties as may be directed by the city council

4.2E ENCOURAGE THE CONSOLIDATION OF ARTS AND HERITAGE GROUPS WITH SHARED MISSIONS AND GOALS

Evaluate opportunities to reduce redundancy among heritage and arts organizations with overlapping missions through strategic alignment, shared services, or organizational consolidation.

- Engage third-party facilitation or mediation to support objective assessment, dialogue, and decision-making among organizations
- Identify duplicate or substantially overlapping functions, programs, and administrative structures that may be candidates for consolidation
- Encourage voluntary consolidation or formal partnerships where appropriate to improve organizational sustainability and reduce competition for limited funding, volunteers, and staff capacity
- Explore shared governance, fiscal sponsorship, or merged operations while respecting community identity and historical significance
- Improve the overall efficiency and impact of the local arts and heritage ecosystem by reducing fragmentation and resource scarcity

PARTNERS	The Arts Council, Local Cultural Organizations
PRIORITY	
TIMING	Mid-Term

4.3 LEVERAGE AVAILABLE FUNDING AVENUES TO EXPAND CULTURAL IMPACT

This section examines both existing public funding mechanisms—such as the Hotel/Motel Occupancy Tax (HOT)—and the introduction of new, complementary funding streams, including a Percent for Art program and cooperative arts development with private entities. Together, these tools provide an opportunity to strengthen investment in arts and culture while advancing broader community objectives related to tourism, economic development, placemaking, and quality of life. By aligning funding sources with clearly defined cultural outcomes and accountability measures, the City of New Braunfels can maximize return on investment, reduce reliance on one-time funding decisions, and build a more sustainable, coordinated approach to supporting arts and cultural initiatives.

4.3A LEVERAGE HOT/MOT FUNDING TO EXPAND TOURISM AND INCREASE RECIPROCITY

1. Directly enhance and promote tourism and the convention/hotel industry, and
2. Clearly align with one or more of the nine statutorily authorized categories, including:
    - » Funding the establishment, improvement, or maintenance of a convention center or visitor information center
    - » Paying the administrative costs associated with facilitating convention registration
    - » Advertising, solicitations, and promotions that attract tourists and convention delegates to the city or its vicinity
    - » Expenditures that promote the arts
    - » Funding historical restoration or preservation programs
    - » Funding certain expenses directly related to sporting events in counties with populations under one million
    - » Funding the enhancement or upgrading of existing sports facilities or fields for eligible municipalities
    - » Funding transportation systems that primarily serve tourists
    - » Funding signage directing tourists to frequently visited attractions and cultural destinations

PARTNERS	The Cultural Arts Commission
PRIORITY	●●●●●
TIMING	Immediate

Key Considerations:

- Require site visits/applicant interviews from The Cultural Arts Commission before application scoring
- Expand the application criteria to include details on the marketing or promotional approach to the project or program
- Establish clear guidelines for a YOY report on outcomes from the HOT/MOT Funding (for returning organizations)
- Ensure that unspent grant funds are reallocated back into the grant fund for the following year
- The Arts Council currently appoints 3 members to The Arts Commission, if this continues to be the case, the city should consider directly allocating funding to the organization under a Community Service Grant, with specific services provided to the city to support the Arts and Culture program, and request that they refrain from entering the grant pool
- Require Year-Over-Year (YOY) Impact Reporting for returning applicants, utilizing this report in subsequent years' scoring. Report should focus on:
  - » Attendance (total and estimated out-of-town visitors)
  - » Marketing reach (earned media, paid promotion, partnerships)
  - » Hotel-night relevance (seasonality, overnight draw, audience behavior)
  - » Qualitative outcomes (visibility, partnerships, growth)

4.3B CONSIDER THE INCLUSION OF PUBLIC ART IN CAPITAL IMPROVEMENTS

PARTNERS	The Cultural Arts Commission, Economic and Community Development,Community and Neighborhood Planning, Parks and Recreation, City Council
PRIORITY	●●●○○
TIMING	Near-Term

The inclusion of public art in capital improvements could be approached in two ways.

The first is an integrated design policy, which would make the inclusion of public art a required area of exploration and consideration as city projects develop. This approach could also create an opportunity for city departments to work with a creative practitioner on an ongoing basis – to identify opportunities for artistic intervention and to inform the design process through an artistic lens.

The second is a more formalized Percent for Art policy, which would allocate a percentage of eligible Capital Improvement Program (CIP) project budgets toward public art. A Percent for Art program would provide a predictable, sustainable funding source for integrating public art into infrastructure and capital projects across the city. Key considerations include::

- Identifying which CIP project types would be eligible (e.g., streets, parks, utilities, public facilities)
- Establishing an appropriate percentage allocation (commonly 1%–3% nationally)
- Defining eligible uses of funds, including permanent public art, Artist-designed infrastructure elements
- Clarifying administration, oversight, and artist selection processes
- Ensuring coordination between Capital Projects, Parks, Planning, and Arts staff

Potential benefits include:

- Consistent integration of art into public infrastructure
- Reduced reliance on one-time or discretionary funding sources
- Expanded opportunities for local and regional artists
- Improved placemaking, identity, and community pride

4.3C UTILIZE PUBLIC SERVICE CONTRACTS TO SUPPORT ARTS & CULTURE PROGRAMMING

PARTNERS	The Cultural Arts Commission Economic and Community Development, The Arts Council, Local Cultural Organizations
PRIORITY	●●●●○
TIMING	Immediate

The City of New Braunfels should consider the strategic use of public service contracts to support arts and culture programs delivered by qualified nonprofit or private organizations. Public service contracts could provide the City with a flexible tool to expand program capacity, leverage external expertise, and ensure public funds are used efficiently to deliver measurable cultural benefits.

Unlike grant programs, public service contracts establish a clear exchange of public funds for defined services that advance City priorities, improve program delivery, and increase accountability. Under this approach, the City would contract with external organizations to provide specific services—such as cultural programming, event coordination, public art administration, artist support, marketing, or community engagement—that directly support the City's arts and cultural objectives. Key considerations include:

- Clearly defining deliverables, timelines, and performance metrics
- Aligning contracted services with adopted arts and cultural priorities
- Avoiding duplication with existing grant programs or City staff functions
- Requiring regular reporting on outputs, outcomes, and public benefit
- Using public service contracts in place of, or in coordination with, competitive grant funding where appropriate

4.4 SOLICIT PRIVATE INVESTMENT IN THE ARTS

Encourage private-sector investment in arts and culture to complement public funding, expand capacity, and support long-term sustainability of cultural programming, facilities, and creative enterprises in New Braunfels.

4.4A EXPLORE WAYS TO INCENTIVIZE THE INCLUSION OF CULTURAL AMENITIES IN PRIVATE DEVELOPMENT

PARTNERS	City Council, The Cultural Arts Commission, Economic and Community Development. Neighborhood and Community Planning, Transportation and Construction Services
PRIORITY	●●●○○
TIMING	Mid-Term

Encourage local developers to incorporate affordable, creatively oriented commercial spaces into new and redeveloped projects, supporting artists and cultural entrepreneurs who often struggle to secure viable storefronts in high-demand areas. Incentives, design partnerships, and affordability strategies can help ensure that locally rooted creative businesses remain present in core districts, strengthening the cultural ecosystem and preventing displacement from rising commercial rents. This inclusion should be above and beyond the investment required in the Park Land Dedication Ordinance to qualify for additional incentives. Example of incentives may include:

- Density Bonus
- Parking Reductions
- Flexible Use Designations
- Access to Public Funding Opportunities

Cultural Amenities that qualify may include:

- Subsidized retail units, flexible studios, culinary kitchens, and makers spaces for creative enterprises
- Enhancements to the public realm that foster cultural development, such as the inclusion of an amphitheater or Public Art, in a publicly accessible space
- Theaters, performance, and rehearsal spaces

**The city may choose to take this one step further and formalize this program through an ordinance that identifies a dedicated percentage for inclusion based on the development valuation.*

4.4B LEVERAGING DONOR-ADVISED FUNDING SOURCES

Encourage greater use of donor-advised funds (DAF) and philanthropic giving to support arts and culture initiatives. Targeted funds may be identified in collaboration with the Community Foundation, leaning on their expertise to guide the development or expansion of DAF opportunities. Implementation actions could include:

- Educating donors and advisors on local arts and cultural investment opportunities
- Partnering with community foundations, financial institutions, and philanthropic networks
- Aligning private giving with clearly defined cultural priorities and outcomes
- Supporting pooled or collaborative funding models for greater impact

PARTNERS	The Arts Council, Economic and Community Development, The Community Foundation
PRIORITY	●●●○○
TIMING	Mid-Term

4.4C EXPLORE PUBLIC-PRIVATE PARTNERSHIPS

Pursue public–private partnerships (P3s) to support capital projects, programming, and long-term operations for arts and cultural facilities. Opportunities include:

- Shared funding and ownership models for cultural facilities
- Joint programming and activation of public spaces
- Long-term operational partnerships with nonprofit or private entities
- Reimagining capital campaigns as a model for collaborative civic investments

PARTNERS	The Arts Council, Economic and Community Development
PRIORITY	●●●○○
TIMING	Long-Term

4.5 DEVELOP PATHWAYS FOR THE CREATIVE INDUSTRIES TO GROW

Support creative industries as a legitimate and growing economic sector through targeted business support, data, and policy alignment.

4.5A INTEGRATE CREATIVE BUSINESSES INTO CORE BUSINESS SUPPORT SERVICES

Creative entrepreneurs should be intentionally encouraged to utilize the publicly-funded Spark services. By providing artists and creative businesses access to the same tools as other industries, Spark can help stabilize and professionalize the creative sector while leveling the playing field for growth, including:

- One-on-one business advising
- Convening creative peer groups
- Financial projections and business planning
- Comparative marketing research
- Trainings offered in partnership with the Chamber of Commerce
- Referrals to additional technical and professional services

By providing artists and creative businesses access to the same tools as other industries, Spark can help stabilize and professionalize the creative sector while leveling the playing field for growth

PARTNERS	Economic and Community Development, Local Cultural Organizations
PRIORITY	●●●○○
TIMING	Long-Term

4.5B HOST A CREATIVE INDUSTRIES SUMMIT

Partner with the Spark Small Business Development Center, the Arts Council, and local creative organizations to host a biennial Creative Industries Summit that connects creatives, nonprofits, businesses, and city leadership. The Summit could be hosted at a venue such as the Brauntex Theatre and serve as a platform for professional development, networking, and cross-sector collaboration. Potential agenda topics may include:

- *The New Braunfels Tourism Landscape* – Chamber of Commerce
- *Creative Business 101* – Spark Small Business Development Center
- *Nonprofits for Impact* – Guest Speaker
- *Community Storytelling & Identity* – Guest Speaker
- *Emerging Creative Endeavors* – Local Creatives Panel
- *City Resources & Support Pathways* – Economic and Community Development

PARTNERS	Chamber of Commerce, Spark Small Business Development Center, Economic and Community Development
PRIORITY	●●●○○
TIMING	Mid-Term

4.5C CONDUCT A CREATIVE INDUSTRIES STUDY

Commission a Creative Industries Study to quantify the scale, composition, and economic impact of New Braunfels' creative sector and to establish a data-driven foundation for future policy and funding decisions. The study should move beyond a high-level inventory and provide actionable findings that directly inform City investment, program design, and partnership strategies. Findings should be used to prioritize funding strategies, guide public–private partnerships, and support long-term planning efforts related to economic development, workforce growth, and cultural sustainability. At a minimum, the study should:

- Define the creative industries sector using a clear, replicable methodology
- Measure employment, revenue generation, and economic contribution
- Identify geographic concentrations, infrastructure needs, and workforce gaps
- Evaluate barriers to growth, including space affordability, capital access, and regulatory constraints
- Establish baseline metrics to support year-over-year performance tracking and evaluation

PARTNERS	Economic and Community Development, Chamber of Commerce
PRIORITY	●●●○○
TIMING	Long-Term

4.5D INCUBATE EMERGING CULTURAL TALENT & ORGANIZATIONS

Support the incubation of emerging artists, creative entrepreneurs, and cultural organizations through targeted technical assistance, pilot programs, and access to shared resources. This may include:

- Providing or subsidizing the temporary use of space,
- Connecting talent with mentorship opportunities,
- Initiating a small-scale pilot program through a mini-grant, and/or
- Partnering with the Arts Council to identify organizations

PARTNERS	Local Cultural Organizations, Local Heritage Organizations, Economic and Community Development
PRIORITY	●●●●○
TIMING	Mid-Term

4.5E SOLICIT INPUT FROM CREATIVES ON REFINING EXISTING CITY PROCESSES

Engage artists, creative entrepreneurs, and cultural organizations in an ongoing review of City regulatory processes and published guidelines to reduce barriers and better support creative production, public art, and emerging cultural practices. Priority areas for review may include:

- Temporary artwork approval processes, including short-term installations, pop-up exhibitions, and event-based art
- Permanent artwork processes particularly for public-facing or privately initiated works integrated into the public realm
- Consider utilizing a pre-qualification process for artists and programming partners for city projects under the procurement threshold, allowing a standing selection committee to direct select creators and partners to execute adaptable arts programming
- Event and festival permits to ease the process of executing the event
- Vendor/kiosk approval process review for food trucks, artisans, and creators,
- Health and safety regulations as they apply to emerging culinary practices—such as fermentation, pop-ups, and experimental food production—where existing standards may not fully reflect evolving industry norms

PARTNERS	Local Cultural Organizations, Local Heritage Organizations, Economic and Community Development
PRIORITY	●●●○○
TIMING	Mid-Term

POLICY GUIDE 4.1

CULTURAL ARTS COMMISSION ORDINANCE UPDATE

Owner: City-appointed Cultural Arts staff with City Attorney

Adoption Authority: City Council

PURPOSE

Align advisory bodies with expanded arts, culture, and heritage responsibilities. The Cultural Arts and Placemaking Coordinator shall serve as primary staff liaison, responsible for agenda preparation, data reporting, and implementation support. Recommended expansion of duties include:

- Advise City Council on allocation of public funds for arts, culture, and heritage, including HOT/MOT-eligible programs, grants, and public service contracts
- Review and provide recommendations on policies, ordinances, and plans related to arts, culture, heritage, public art, and placemaking
- Support implementation and annual review of the Arts, Culture & Heritage goals and work plans including progress tracking and priority-setting
- Provide oversight and guidance related to city-owned cultural assets, historic resources, and City-supported cultural spaces
- Serve as a coordinating body between arts, heritage, tourism, planning, and economic development efforts
- The Commission may recommend use of public service contracts, Trust investments, or other tools to advance annually adopted priorities or to future the implementation of the Arts and Culture Master Plan

ACTION STEPS

1. Draft ordinance updates establishing a new Cultural Arts Commission.
2. Define authority related to funding recommendations, policy implementation, and plan oversight.
3. Adopt the ordinance and initiate recruitment, onboarding, and training including but not limited:
    - The Arts and Culture Master Plan
    - HOT/MOT grant fund Guidelines for Arts and Heritage and process for application review, scoring, and allocations
    - The Public Art Policy and other relevant city procedures as it relates to the commission's goals

Supports Recommendations 1.1, 1.3A–B, 2.1, 2.5, 2.6, 3.1, 3.2, 4.1, 4.2, 4.3

IMMEDIATE-TERM: 0-3 YEARS		
1.1	Expand programming partnerships to curate community experiences	
1.2B	Develop historically grounded heritage interpretation	
1.3A	Enhance signature events like Saengerfest and Wassailfest with arts-based programming	
1.3B	Sustain & expand Art Haus	
2.7F	Relocate or repurpose the Walnut 6 sign to promote upcoming events	
3.2B	Continue to actively pursue and include art representation on the tourism advisory committee	
3.2C	Better collaborate to leverage the growing cultural tourism economy	
3.2D	Track, analyze, and report arts & culture metrics	
4.2A	Adopt a Public Art Policy for the City of New Braunfels	
4.2C	Staffing opportunity 2: Cultural Arts & Placemaking Coordinator	
4.2D	Create a Cultural Arts Commission that will absorb the responsibilities of the prior commissions	
4.3A	Leverage HOT/MOT funding to expand tourism and increase reciprocity	
4.3B	Consider the inclusion of public art in capital improvements	
4.3C	Utilize public service contracts to support arts & culture programming	

	PARTNERS	PRIORITY
	The Cultural Arts Commission, Economic and Community Development, Parks and Recreation, The Arts Council, Local Cultural Organizations	●●●●○
	The Cultural Arts Commission, Historic Landmark Commission, Local Heritage Organizations	●●●○○
	Economic and Community Development, Communications and Community Engagement, The Arts Council, Local Arts Organizations	●●●●○
	The Cultural Arts Commission, The Arts Council, The Downtown Association	●●●●○
	The Cultural Arts Commission, Economic and Community Development, Parks and Recreation	●●●●○
	The Convention and Visitors Bureau, The Arts Council	●●●●○
	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, The Arts Council	●●●●○
	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, The Arts Council	●●●●●
	The Cultural Arts Commission, City Council, Economic and Community Development	●●●●●
	Economic and Community Development, The Arts Council	●●●●○
	City Council, Economic and Community Development	●●●●●
	The Cultural Arts Commission	●●●●●
	The Cultural Arts Commission Economic and Community Development, The Arts Council, Local Cultural Organizations	●●●●○
	The Cultural Arts Commission Economic and Community Development, The Arts Council, Local Cultural Organizations	●●●●○

NEAR-TERM: 3-5 YEARS		
1.2A	Host an artist-in-residency/cultural exchange	
2.2A	Conduct a market & feasibility study for a cultural center and performance hall	
2.2C	Utilize the fairgrounds as a space for cultural engagement	
2.3B	Develop a strategy for activating public spaces (toolkit), for streets, parks, and public areas	
2.3C	Activate underutilized downtown locations for cultural programming	
2.3D	Create, maintain, and publicly share a curated list of city-owned and city-approved properties suitable for film, television, and digital media production	
2.4	Create a historic preservation plan	
2.5B	Integrate public-realm cultural experiences in the proposed cultural district	
2.5C	Align planning and development efforts with the cultural district designation	
2.7A	Establish a city mural program	
2.7C	Integrate public art in trails and park spaces	
2.7D	Incorporate temporary public art in vacant and under construction spaces	
3.2F	Strengthen participation in the Texas film-friendly cities program	
3.2H	Leverage the Music-Friendly Texas Program	
3.2I	Elevate the culinary arts through local and statewide initiatives	
4.1A	The Arts Council: Hire a Community Outreach Specialist/Deputy Director	
4.1B	Author a strategic plan	
4.1C	Consider a brand refresh in line with the organization's future role	
4.3B	Consider the inclusion of public art in capital improvements	

	PARTNERS	PRIORITY
	The Cultural Arts Commission, Economic and Community Development, Parks and Recreation, The Arts Council, Local Cultural Organizations	●●●○○
	The Cultural Arts Commission, Economic and Community Development, Local Arts Organizations	●●●●○
	The Cultural Arts Commission, Economic and Community Development, Capital Programs, Parks and Recreation	●●●●○
	Economic and Community Development, Communications and Community Engagement, Parks and Recreation, Local Cultural Organizations	●●●○○
	Economic and Community Development, The Arts Council, Local Cultural Organizations	●●●○○
	Economic and Community Development, Communications and Community Engagement, Parks and Recreation, The Chamber of Commerce	●●●●○
	The Cultural Commission, The Historic Landmark Commission, Neighborhood and Community Planning, Local Heritage Organizations	●●●●●
	Economic and Community Development, Neighborhood and Community Planning, Parks and Recreation Department, The Chamber of Commerce, The Downtown Association	●●●●●
	Economic and Community Development, Neighborhood and Community Planning, Parks and Recreation Department, The Chamber of Commerce, The Downtown Association	●●●●●
	The Cultural Arts Commission, Economic and Community Development, Local Cultural Organizations	●●●○○
	Parks and Recreation Department, The Cultural Arts Commission, Economic and Community Development, Local Cultural Organizations	●●●●○
	The Cultural Arts Commission, Economic and Community Development, Private Property Owners, Local Cultural Organizations	●●●○○
	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, The Arts Council, Local Heritage Organizations	●●●●○
	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, The Arts Council, The Downtown Association	●●●●○
	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, The Arts Council, The Downtown Association	●●●○○
	The Arts Council	●●●●○
	The Arts Council, Local Cultural Organizations	●●●●●
	The Arts Council, Local Cultural Organizations	●●●●○
	The Cultural Arts Commission, Economic and Community Development,Community and Neighborhood Planning, Parks and Recreation, City Council	●●●○○

MID-TERM: 5-7 YEARS		
1.2A	Host an artist-in-residency/cultural exchange	
1.2B	Develop historically grounded heritage interpretation	
1.2C	Support and expand upon historic homes tours	
1.2D	Expand heritage experiences surrounding historic cemeteries	
2.1	A new first impression to downtown	
2.2B	Consider investing in and expanding city-owned cultural spaces to modernize assets for a variety of users	
2.5A	Leverage a cultural district designation for visibility and branding	
2.7B	Create gateway public art at key community entry points	
2.7E	Establish a market plaza sculpture garden or signature public art piece	
3.1A	Consider an expanded historic architecture tourism strategy	
3.1B	Leverage advocacy and preservation organizations to grow visibility and protect heritage tourism	
3.2A	Consider emphasizing arts, culture, and heritage throughout signage & wayfinding	
3.2E	Strengthen the relationship with the Texas Heritage Trails Program	
3.2G	Advance culture promotion through the Texas Cultural Districts Program	
4.2B	Staffing opportunity 1: Cultural Arts Program Manager	
4.2E	Encourage the consolidation of arts and heritage groups with shared missions and goals	
4.4A	Explore ways to incentivize the inclusion of cultural amenities in private development	

LONG-TERM: 7-10 YEARS		
4.1D	Hire a full-time Executive Director	
4.4C	Explore public-private partnerships	

	PARTNERS	PRIORITY
	The Cultural Arts Commission, Economic and Community Development, Parks and Recreation, The Arts Council, Local Cultural Organizations	●●●○○
	The Cultural Arts Commission, Historic Landmark Commission, Local Heritage Organizations	●●●●○
	The Cultural Arts Commission, Historic Landmark Commission, Local Heritage Organizations	●●●○○
	The Cultural Arts Commission, Historic Landmark Commission, Local Heritage Organizations	●●●○○
	The Cultural Arts Commission, Economic and Community Development, The Downtown Association, TxDOT	●●●○○
	The Cultural Arts Commission, Economic and Community Development, Capital Programs, Parks and Recreation	●●●●○
	The Convention and Visitors Bureau, Economic and Community Development, The Arts Council, Local Cultural Organizations	●●●●○
	The Cultural Arts Commission, Economic and Community Development, Local Cultural Organizations	●●●●○
	The Cultural Arts Commission, Economic and Community Development, Parks and Recreation	●●●○○
	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, Local Heritage Organizations	●●●○○
	The Cultural Arts Commission, Economic and Community Development, Local Heritage Organizations	●●●●○
	The Downtown Association, Public Works, Parks and Recreation, Economic and Community Development	●●●○○
	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, The Arts Council, Local Heritage Organizations	●●●○○
	New Braunfels Convention & Visitors Bureau, The Cultural Arts Commission, Economic and Community Development, The Arts Council, The Downtown Association	●●●●○
	Economic and Community Development, The Arts Council	●●●○○
	The Arts Council, Local Cultural Organizations	●●●●○
	City Council, The Cultural Arts Commission, Economic and Community Development. Neighborhood and Community Planning	●●●○○

	PARTNERS	PRIORITY
	The Arts Council	●●●●○
	The Arts Council, Economic and Community Development	●●●○○

LANDMARK

PRESENTER:
Osbaldo Flores, Chief of Police

SUBJECT:
Approval of the first reading of an ordinance amending Chapter 138 of the City of New Braunfels Code of Ordinances, related to the New Braunfels Police Department's rotation list system for incident management tows and updating fees charged by tow companies to the vehicle owners.

DEPARTMENT: Police Department

COUNCIL DISTRICTS IMPACTED: All.

BACKGROUND INFORMATION:
The city's incident management tow ordinance that also sets the maximum allowable fees that tow companies can charge for police initiated incident management tows was last updated in 2015. The New Braunfels Police Department was tasked with reviewing the ordinance and suggesting updates to council, recommending procedural and legal updates to said ordinance. With input from the stakeholder tow companies who participate in the NBPD's rotation list system for incident management tows, the NBPD recommends that certain fees be increased based on its analysis and stakeholder provided data. Further, the NBPD also recommends reviewing the fees every two years as specified in the ordinance in order to keep up with market conditions, including fuel costs.

ISSUE:
As presented to City Council at a public meeting on April 13, 2026, the city's incident management tow ordinance needs to be updated, including the maximum fees that tow companies can charge customers for services provided for tows under the city's rotation list system for incident management tows.

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

FISCAL IMPACT:
The city will pay all applicable fees related to towing of city owned vehicles consistent with costs and fees associated with this ordinance change.

RECOMMENDATION:
Staff recommends approval of the proposed amendments contained in the attached ordinance.

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 138 "VEHICLES FOR HIRE," ARTICLE V, "VEHICLE STORAGE FACILITIES AND TOWING OF VEHICLES," BY ADDING SECS. 138-114 TO 138-120, AMENDING SECS. 138-121 TO 138-136; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, in 2007, the 80th Texas Legislature amended Chapter 2303 "Vehicle Storage Facilities" and adopted Chapter 2308 "Vehicle Towing" of the Texas Occupations Code; and

WHEREAS, the provisions in Chapter 2303 and 2308 provide for the permitting, licensing and regulation of vehicle storage facilities and the towing of vehicles, including nonconsent tows which include incident management tows; and

WHEREAS, the City of New Braunfels ("City") is a home rule municipality given broad discretionary powers under the Texas Constitution to regulate for the public peace, health, safety, and general welfare of its citizens; and

WHEREAS, on January 26, 2015 the City Council adopted its incident management towing ordinance that set forth guidelines for application and participation in the city's towing program; and

Whereas, the ordinance also adopted provisions that regulate vehicle towing and storage services for the City of New Braunfels in order to provide for the safety of citizens and to safeguard their property; and

WHEREAS, the Chief of Police recommends the following amendments to the current ordinance that will improve the efficient operations of the city's towing program and address concerns raised by tow companies that participate in the city's rotation list system for incident management tows; and

WHEREAS, the City Council hereby finds that these amendments are necessary and further finds that the incident management towing fee schedule should be evaluated every two years to ensure the most current towing fees reflect average market conditions; and

WHEREAS, the City Council of the City of New Braunfels, Texas has the authority under its Home Rule Charter and under the laws of the State of Texas to adopt regulations aimed to protect the health, safety, and general welfare of its citizens.

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

SECTION 1: That Chapter 138, Article V, entitled "Vehicle Storage Facilities and Incident Management Tows" be hereby amended and adopted as follows by using strikethrough font for deleted language and underlined font for added language:

ARTICLE V. - VEHICLE STORAGE FACILITIES AND INCIDENT MANAGEMENT TOWS

Sec. 138-~~121~~114. - Compliance with state law.

(a) Any person or entity engaged in operating a vehicle storage facility, as that term is defined in V.T.C.A., Occupations Code § 2303.002(8), within the city limits shall comply with the provisions of state law, including V.T.C.A., Occupations Code Ch. 2303 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing and Regulation ("TDLR").

(b) Any person or entity engaged in operating a tow truck, as that term is defined in V.T.C.A., Occupations Code § 2308.002(11), within the city limits shall comply with the provisions of state law, including V.T.C.A., Occupations Code Ch. 2308 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing and Regulation.

(c) The City of New Braunfels Police Department is authorized to implement and maintain a rotation list system for incident management tows pursuant to the provisions of this ordinance.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-~~122~~115. - Definitions.

Abandoned vehicle means the condition of being abandoned as defined in V.T.C.A., Transportation Code Ch. 683 as amended.

City means the City of New Braunfels, Texas.

City controlled vehicle means those vehicles owned, leased or otherwise physically and/or lawfully under the city's control, including vehicles seized by the NBPD as evidence or for some other lawful police purpose.

Consent tows means ~~the towing of a motor vehicle with the consent of the vehicle owner, operator, person in possession, custody or control of the vehicle, or the lien holder.~~ a tow of a motor vehicle initiated by the owner or operator of the vehicle or by a person who has possession, custody, or control of the vehicle. The term does not include a tow of a motor vehicle initiated by a peace officer investigating a traffic accident or a traffic incident that involves the vehicle.

Disabled vehicle means a vehicle which has been rendered unsafe to be driven as the result of some occurrence other ~~that~~ than a wreck, including but not limited to mechanical failures or

breakdowns, fire, vandalism or a vehicle which is in a safe driving condition, but the owner is not present or permitted to drive so as to reasonably necessitate that the vehicle be removed by a wrecker.

Drop fee means the fee charged when a consent-tow vehicle is completely hooked up to a wrecker and ready to be immediately moved, however the vehicle owner/representative decides not to have the vehicle towed by the on-call wrecker. (Example: an on-call wrecker is called and hooked up to an abandoned vehicle. The driver arrives with a can of gas after the wrecker has hooked up the vehicle. The wrecker may still charge a "drop fee".)

Heavy-duty wrecker means a wrecker equipped with a power operated winch, winch line, and a boom at least six feet in length, with a rated or tested single or double line lifting capacity of 26,001 pounds or more. Must be rated at 25 tons or more. Must be capable of towing a 12-yard tandem dump loaded trailer (50,000 lbs gvw) and tractor trailers up to 80,000 lbs gvw.

Incident management tow means the towing or other transportation of a vehicle by a tow truck ~~which~~ that is the result of a police officer exercising his/her authority to affect the removal of said vehicle pursuant to state law, a scene controlled by first responders, and/or this article.

Light-duty wreckers: A wrecker equipped with a power operated winch, winch line, and a boom at least six feet in length, with a rated or tested single line lifting capacity of 10,000 lbs or less. Flatbed (also known as a rollback) load-up wreckers are included in this wrecker category.

Medium-duty wreckers: A wrecker equipped with a power operated winch, winch line, and a boom at least six feet in length, with a rated or tested single or double line lifting capacity of 10,001 lbs up to 26,000 lbs.

Nonconsent tows means a tow of a motor vehicle that is performed without the consent of the owner or operator of the vehicle or by a person who has possession, custody, or control of the vehicle, and includes incident management tows.

Operator means an individual, association, corporation or other legal entity that controls, operates or directs the operation of one or more tow trucks over a public street or highway. It includes the person operating the tow truck/wrecker regardless of whether or not the individual owns the truck.

Public roadway means a public street, alley, road, right-of-way, or other public way, including paved and unpaved portions of the right-of-way.

Tow Truck means a motor vehicle, including a wrecker, equipped with a mechanical device used to tow, winch, or otherwise move another motor vehicle.

Winch fee means fees incurred for additional winching of vehicles other than normal winching onto a flatbed rollback-style wrecker. Examples of allowed winch fees are winching vehicles

from ditches, ponds, or mud. Prohibited winch fees include loading onto a rollback wrecker, repositioning the tow line, and use of snatch blocks.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-116 License Required for private property tows, consent tows, non-consent tows or incident management tows

(A) An operator may not perform a tow within the city without a tow truck operator's permit (cab card) for each tow truck and an operator's license issued under V.T.C.A., Occupations Code Ch. 2308, Subchapter C-Tow Truck Permits and Subchapter D-License Requirements.

(B) A tow truck operator licensed under this article must wear or display upon demand the operator's license while performing a non-consent tow.

(C) A police officer may stop a tow truck on an incident management scene or while the tow operator is performing their duties to determine whether the operator has the proper license

Sec. 138-~~123~~117. - Incident management and non-consent tows—Authority.

A police officer of the city is hereby authorized to order removal of a vehicle, require the driver or other person in charge of a vehicle to move the same or have the vehicle removed by the towing operator on the rotation list to the nearest place of safety or to the premises of the towing operator that meets the criteria in this article, or as otherwise directed by the city police department, under the following circumstances:

(1) When any vehicle is left unattended upon any bridge, viaduct or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic;

(2) When any vehicle is otherwise legally parked so as to block the entrance to any private driveway;

(3) When any vehicle is found upon a street and a report has been previously made that the vehicle has been stolen or a complaint has been filed and a warrant ~~thereon~~ issued charging that such vehicle has been embezzled, or there are reasonable grounds to believe the vehicle is stolen;

(4) When any such officer has reasonable grounds to believe that any vehicle has been abandoned;

(5) When a vehicle upon a street is so wrecked or disabled and because of the wreck or disability its normal operation is impossible or impractical; ~~or~~

(6) The person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such extent as to be unable to provide for its removal or custody or are not in the immediate vicinity of the wrecked or disabled vehicle;

(7) When any such officer arrests any person driving or in control of a vehicle for an alleged offense and such officer is by this Code or other law required to take the person arrested immediately before a magistrate and it is unsafe to leave the vehicle unattended at the scene, or the vehicle is being seized as evidence;

(8) Whenever any such officer finds a vehicle standing upon a street, or public or private property in violation of any state law or local ordinance;

(9) When the owner or operator of the vehicle consents;

(10) When, in the opinion of a police officer, said vehicle constitutes a hazard or interferes with a normal function of a governmental agency;

(11) When, in the opinion of a police officer, the safety of said vehicle is imperiled by reason of any catastrophe, emergency or unusual circumstance;

(12) When any vehicle is found to be a junked vehicle;

(13) When the vehicle is parked in violation of chapter 126, article VII, Parking, as amended, of this Code;

(14) When the operator of a motor vehicle is requested to show proof of financial responsibility on that vehicle and, in the opinion of a police officer, is unable to establish financial responsibility under V.T.C.A., Transportation Code § 601.051; or

(15) Where otherwise authorized by law.

Sec. 138-118. Impoundment.
A peace officer may require the removal of a vehicle that is evidence in a criminal offense from an accident scene to a vehicle storage facility, the Police Department, or location which the district attorney's office designates for storage for evidentiary purposes.

Sec. 138-119. Accident scene towing; access restricted.
Except as provided under this chapter, a towing company may not enter an accident scene or other site under a peace officer's control without the officer's permission. In this article, the term "accident scene" includes a scene of a disabled vehicle.

Section Sec. 138-120. Driving tow trucks to scene of an accident; accident scene requirements.
A person may not drive, or cause another person to drive, a tow truck to an accident scene on a City street unless the person is summoned to the scene by a peace officer or emergency dispatcher. Furthermore, that person or tow truck operator shall not remove any vehicle from an Incident Management scene unless that tow company is on the rotation list.

Secs. 138-121 to 138-122 Reserved.

Sec. 138-123 TOWING FEE STUDY.

(A) In this section, a "towing fee study" is a study to determine the fair market value of a non-consent tow originating in the City, considering financial information provided to the City by the towing company.

(B) Each towing company participating in the City's current rotation list system shall cooperate with the City to conduct the study. Each such towing company shall provide to the City information determined by the city manager to be reasonably necessary to determine the fair market value of towing services regulated under this article. In the event a company delays submission of required information in the opinion of the chief, the chief may order completion of the fee study without said company's information, and the company will be in violation of this ordinance.

(C) The City shall complete a towing fee study not later than the 120th day after receiving all information required under Subsection (B).

(D) The city manager or their designee shall present to the city council the results of the towing fee study. The city manager shall give to each towing company that owns, or leases tow trucks registered with the city written notice of the time, date, and location of the city council meeting at which the study is to be considered. The notice must be sent by United States regular mail to the towing company's address listed in the latest registration application on file with the police chief.

(E) Based on the results of the towing fee study, the city council may change the non-consent towing fees. The maximum fees must represent the fair market value of the services of a towing company performing non-consent tows originating in the City.

(F) The City is not required to conduct more than one towing fee study within a two-year time period, measured from the date the city council most recently considered a towing fee study.

(G) Not later than the second anniversary of the effective date of this ordinance and at succeeding two-year intervals that are measured from date of future ordinance amendments, the City Manager or their designee shall present to the City Council recommendations for adjustments to the fees established by ordinance for non-consent tows.

(H) Fees will be compliant with TDLR standards and are subject to change.

(I) There is hereby established the following maximum fee schedule for non-consent tows by a towing business operating within the City:

(1) Maximum towing fees:

(a) Vehicles 10,000 lbs. or less: $ 275

(b) Vehicles 10,001 lbs. or more, but not more than 26,000 lbs.: $ 480

(c) Vehicles 26,001 lbs. or more: $ 1325

(2) The following additional fees may be charged if verified by the peace officer in charge of the accident scene:

(a) Exceptional labor such as clearing debris: $128 per hour, per working employee of the tow company (Billed in 15- minute increments, starting after the first 30 minutes). Exceptional labor does not include normal hook-up procedure or routine clean-up not to exceed 30 minutes and does not include the disposal of classified hazardous waste or vehicle cargo.

(b) Winching, one-hour minimum, only if normal hook-up is not possible because of conditions or location of vehicle: $130 per hour for a light-duty tow, $200 per hour for a medium-duty tow, and $400 maximum for a heavy-duty tow. Prohibited winch fees include loading onto a rollback wrecker, repositioning the tow line, and use of snatch blocks.

(c) Wait time: $128 per hour, if it exceeds 30 minutes from time of arrival at accident scene and billed in 15 minute increments.

(d) Exceptional labor (manpower): $250 per hour per working employee. This covers specialized equipment such as air bags, forklift, haul trailers, trailer dollies (used to move semi-trailers), large slide trucks/rollbacks (3-ton minimum size for hauling vehicles or equipment with gross weight 15,000 pounds or more). These fees also apply when the incident management tow involves an electric vehicle that has caught fire or some other circumstance that would be outside the scope of a standard incident management tow.

(e) Drop Fees.

(i) For light-duty tows- Drop fee (in lieu of a standard towing fee) maximum $100.00.

(ii) For medium-duty tows- Drop fee (in lieu of a standard towing fee) maximum $200.00.

(iii) For heavy-duty tows- Drop fee (in lieu of a standard towing fee) maximum $400.00.

(f) If there is a dispute regarding the appropriate fees, the Chief of Police shall hear the complaint and make a ruling on the dispute.

(J) *Towing and storage of city vehicles.* If so requested by the city, the operator shall tow city owned, leased or vehicles otherwise under the city's control, including vehicles seized as

evidence or for some other lawful police purpose. Vehicles will be towed to operator's storage facility or as directed by the police department. Operator shall store city controlled vehicles. The city shall pay operator the same rates as stated above for city controlled vehicles towed. City controlled vehicles towed from outside of the city boundaries will be charged at no more than the public rates. Operator shall provide to the police department a monthly summary statement, along with the individual tow tickets for all city controlled vehicles.

(K) In the event that a secondary tow is necessary and it is listed on the same tow ticket/invoice as the first tow, the location of the secondary storage site must be written on the operator's tow ticket/invoice.

Sec. 138-124. - Operator responsibility

Operator shall perform all necessary work and administration for the removal from the public streets, ways or other public property in the city, and from private property when directed by the police department or duly authorized representative, of vehicles which have been abandoned, disabled, involved in collisions, parking violations, vehicles to be seized for evidence, prisoners' vehicles and disabled city owned or city leased vehicles and cleaning up an accident scene. Vehicles will be stored in a local vehicle storage facility on non-consent tows. For consent tows, see subsection (9).

(1) Any person or entity having an incident management towing ~~permit~~ license issued by the state pursuant to V.T.C.A., Occupations Code ch. 2308.151 - License Requirements, shall be eligible for inclusion in the city's rotation list system for incident management tows established pursuant to section 138-121 ~~subsection (a)~~ above; provided however, that the person or entity makes an application with the police department and complies with the rules, regulations and procedures established by the chief of police pursuant to the authority granted under state law and this article. Any operator, person or entity failing to maintain a valid incident management towing ~~permit~~ license shall be automatically removed from the rotation list without the necessity of the hearing process provided for in this article.

(2) The tow truck operator responding to an incident management tow must be operated by a driver that has a valid incident management towing operator's ~~license~~ permit (referred to as a cab card under state law), issued by the state pursuant to V.T.C.A., Occupations Code ch. 2308, Subchapter C-Tow Truck Requirements, and as amended in the future. Any person or entity failing to use tow truck operators that have a valid incident management towing operator's ~~license~~ permit for each tow truck that is issued by the state shall be automatically removed from the rotation list by the chief of police without the necessity of the hearing process provided for in this article.

(3) Operator shall be available 24 hours per day, seven days per week, subject to assignment or dispatch by the police department, to cover the areas of the city as

needed. Operator must maintain at its storage facility an onsite office. The operator of a participating storage facility must make impounded vehicles available for release 24 hours a day, with one hour notice received from the vehicle owner. The operator must have an adequate number of employees to meet their responsibilities. The operator shall have cell phone numbers supplied to the New Braunfels Police Department that shall be answered when called 24 hours a day, when the operator is on-call. The use of answering machine and failure to call back within a reasonable amount of time are prohibited. The operator must have a publicly listed telephone number which is answered 24 hours a day by the operator or an employee. ~~Use of an answering machine is prohibited.~~

(4) ~~When a hold is placed on a vehicle by a police officer, the officer must so indicate on the vehicle inventory/impound form by writing or stamping the word HOLD with the officer~~'s initials. When a hold is placed on a vehicle by a police officer, the officer must so indicate to both Dispatch and the tow company that a hold will be in place for that vehicle. The officer shall then issue the case number to the tow company. The vehicle shall not be released by the operator until the hold is lifted by a police officer or NBPD dispatch either orally or in writing.

(5) Operator shall furnish the police department with personnel data and photographs of all wrecker drivers in its employment. Further, operator agrees to update this information as new or additional tow trucks are added or personnel are employed. This data is required to be furnished within 72 hours~~,~~ of such employment and also to schedule a tow truck inspection before the truck may be placed into service.

(6) Operator must employ a minimum of four drivers that are qualified pursuant to the requirements of this ~~agreement~~ ordinance and applicable state law. Drivers can either be full-time or part-time employees.

(7) At the time of application, the operator agrees to submit a list ~~which~~ that includes the following:

a. The make, model, vehicle identification number and TDLR identification number of each vehicle to be used in performing services under this article, and

b. The name, driver's license and TDLR license number and copies of such, of any/all drivers assigned to the wreckers, but no less than four drivers.

(8) Any wrecker dispatched pursuant to a request from the city police department must arrive on the scene within ~~25~~ 35 minutes of being dispatched. Wrecker drivers must comply with all traffic laws while getting to the scene. Once at the scene, wrecker drivers may utilize their emergency lights and drive-up shoulders, through grassy medians, etc. as directed by an officer.

(9) Under no circumstances will the operator make recommendations concerning where a vehicle should be towed or repaired, except as expressly allowed herein. In the event of consent tows, the owner of the vehicle will make the decision, and the destination of the vehicle will be written on all required forms at the scene. Operator will tow all non-consent tow vehicles to the designated/approved operator's storage lot, unless otherwise directed by the city police department.

(10) A towing company that makes an incident management tow shall tow the vehicle to a vehicle storage facility that is operated by a person who holds a license to operate the facility under V.T.C.A., Occupations Code ch. 2303 unless the towing company agrees to take the vehicle to a location designated by the vehicle's owner.

(11) Operator agrees that all fees for towing under this article shall be collected from the owner or person in charge of said vehicle upon completion of tow. Owner or person in charge includes the vehicle owner, operator, person in possession, custody or control of the vehicle, or the lien holder, but this does not include the city, unless the vehicle is a city-controlled vehicle ~~and the city has exceeded its allotted number of free tows~~. For city-controlled vehicles, the operator must submit its invoice to the police department and payment will be made within 30 business days after receipt. Operator agrees to submit to the city police department on a monthly basis an electronic copy of all invoices for tows occurring under this article to allow the police department to verify that operator is charging applicable fees to the owner or the person in control of the vehicle. Operator shall keep a record of all invoices that must be furnished upon demand to the police department. Towing tickets must be submitted for review within 30 days from their last on-call day.

(12) Operator agrees that if it inappropriately charges in excess of the amounts as stated in this article, operator will be in violation of this article. The appropriate and prompt refund will be made to the vehicle owner or whomever made the overpayment. Operator agrees that any complaints regarding billing which arise out of this article shall be reported to the TDLR.

(13) Upon notification of a complaint concerning damage to a vehicle or its contents towed by operator which occurs during a tow, the operator will indemnify the city and shall immediately accept responsibility and liability. (See section 138-131) Operator agrees that any complaints received shall be reported to the chief of police or his/her designee within five days of the date the operator receives the notification of a complaint.

(14) Vehicle storage notification notice. Operator will attempt to notify vehicle owner by telephone or cellular phone within 24 clock hours upon completion of a tow. Operator shall notify owner in writing within 48 clock hours after completion of a tow.

Where the operator fails to give written notice to the vehicle owner within 48 hours as required in this subparagraph, the operator shall not charge or collect from the vehicle owner, any storage fees for that time including the initial 48-hour period, that the operator was in violation of this subparagraph, but may charge storage fees for that time after the vehicle owner receives written notice.

(15) Operator will be responsible for all title paperwork and subsequent auction of all unclaimed vehicles. Operator will supply a list and applicable documentation of unclaimed vehicles to the city police department for review, two weeks prior to the auction. Auctions shall comply with TDLR guidelines.

(16) By operator submission of an application, operator represents to the city that it is currently in compliance and will remain in compliance during the term of its participation in the city's rotation list system, with all federal, state and local laws, orders and regulations pertaining to the operation of a tow truck.

(17) All drivers shall be dressed in a high visibility uniform with name and company badge/patch of one operator, and TDLR prescribed credentials.

(18) Operator shall either own or have an exclusive lease to and have registered with the TDLR ~~Texas Department of Licensing and Regulation~~ in operator's name at least four tow trucks, one of which is a heavy-duty wrecker as defined herein ~~in section 138-134~~. Acceptable written documentation must be attached to application as specified in section 138-132 below.

(19) Operator cannot advertise for a body shop on tow trucks, equipment or employees unless the body shop is owned by that same operator. Operator cannot advertise for another tow company, regardless of ownership.

(20) There will be no subcontracting with other wrecker companies allowed with the exception of specialty equipment such as a bobcat, hazmat, loaders or other construction type equipment for a major scene. Specialty equipment includes a heavy-duty wrecker in addition to the one heavy-duty wrecker required under subparagraph (18) above.

(21) The city may inspect operator's records at any time to ensure that operator meets the minimum qualifications required under this article.

(22) Operator shall make wreckers, other equipment, storage facilities and on-site storage facility office available for inspection when ordered by the city police department.

(23) If operator fails to pay any city ad valorem or sales taxes, or any fines, fees, or other amounts due the city in a timely manner, the chief of police will

automatically suspend the operator from the rotation list system until the amounts due are paid and without the necessity of the hearing process provided for in this article.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-125. – City responsibilities.

The city shall maintain a record (open for inspection at all reasonable times) listing the date and time for each tow.

~~(a)The city will direct all requests for wrecker service under this article to the operator;~~

~~(b)The city shall tape all calls requesting wrecker service;~~

~~(c)The city shall maintain a log book (open for inspection at all reasonable times) listing the date and time for each tow.~~

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-126. - Wrecker/tow truck technical requirements.

(a) Each tow truck/wrecker shall have brakes that meet manufacturer's braking specifications when performing under all load conditions.

(b) All wreckers shall have damage free towing attachments, hydraulic or mechanical wheel lift with a lifting capacity of not less than 2,500 pounds; hydraulic or mechanical boom with a rated lifting capacity of not less than 8,000; or a flat bed vehicle without boom with at least 3/8" cable of not less than 100-foot length and safety chains.

(c) Safety mechanisms of the tow truck/wrecker, including but not limited to, all headlights, tail lights, turn signals, brakes, brake lights, hazard lights, flashing warning lights, windshield wipers, wiper blades, handles opening doors and windows, and tires shall operate and/or be in good state of repair. ~~No tow~~ Tow trucks shall be affixed with ~~blue~~ emergency or warning lights as allowed by the Texas Transportation Code.

(d) All tow trucks/wrecker shall operate within the applicable recommended towed vehicles manufacturer's safety policies and procedures and state laws.

(e) When towing a vehicle more than 500 feet, wrecker shall use a two bar with pins of any kind, or any other method of attachment. After 500 feet or sooner, the wrecker operator must drop the vehicle and re-hook it following all safety procedures established by this section and by the manufacturer of the vehicle being towed.

(f) Each tow truck/wrecker must meet the safety requirements of all other applicable statutes in addition to meeting the safety requirements of this article.

(g) Operator agrees that all vehicles and/or other equipment used by its employees will meet the above safety requirements.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-127. - Required wrecker equipment.

Each wrecker shall carry the following as minimum standard equipment:

(1) A tow sling and hydraulic lift which is sufficient to prevent the swinging of any equipment and/or vehicle being transported and/or towed. This subsection does not apply to a vehicle carrier or rollback unless the wheels of a vehicle being towed are in contact with the ground. In the event that a self-contained non-propelled towing device, or some other form of auxiliary device is used, the vehicle to which that device is attached and which is providing the motive and braking forces, does not need to provide this equipment.

(2) Five-sixteenths-inch link steel safety chains for wreckers with a gross vehicle weight of 10,000 pounds or less and 3/8-inch Hy-test steel chains or their equivalent for tow trucks with a gross vehicle weight over 10,000 pounds. These link sizes are minimums.

(3) All wreckers shall carry one ten-pound or two five-pound type ABC fire extinguishers. The fire extinguishers shall be properly filled and located so they are readily accessible for use. All fire extinguishers shall be rechargeable, 2A:10BC Dry Chemical, UL/FM listed and in compliance with the current edition of NFPA standard #10, ~~1998 edition~~ and shall be so labeled by a national testing laboratory.

(4) One crowbar or wrecking bar of not less than 36 inches in length with a wedge head.

(5) One broom of a type designed for pushing with an 18-inch head, and a handle of not less than 36 inches.

(6) One flat-edge shovel of at least nine inches with a handle of not less than 36 inches.

(7) A box or bucket to carry glass and/or debris removed from accident scenes.

(8) Rope or strap suitable for securing doors, hoods, trucks, etc.

(9) A functioning spotlight or flashlight.

(10) Outside rearview mirrors on both sides of truck.

(11) All wreckers must be equipped with emergency lights visible from all directions and shall be rotating or strobe type lights. The lights shall be in accordance with ~~state law~~ the requirements set forth in the Texas Transportation Code.

(12) Three portable red emergency reflectors, orange cones or flares.

(13) Five gallons of absorbent material.

(14) Safety chains must be used on all tows.

(15) All tow trucks with a slip-in-bed must have the bed properly secured to the body of the truck by a minimum of eight one-half diameter bolts. At least four of these bolts must be in front of the slip-in-bed.

(16) No wrecker shall lift more than the factory-rated lifting capacity permits.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-128. - Driver responsibilities.

(a) Tow truck/wrecker drivers shall not have or permit any prohibited weapon or alcoholic beverages in or around a tow truck when operating the tow truck. This provision does not prohibit a peace officer certified by the Texas Commission on Law Enforcement Officer Standards and Education from carrying a firearm while operating or riding in a tow truck/wrecker.

(b) Tow truck/wrecker drivers must have a valid Texas driver's license for type of vehicle being driven, current identification and proof of a valid incident management towing Operator license. Drivers shall wear a company uniform, be neatly groomed and be prompt and courteous in order to provide services.

(c) Tow truck/wrecker drivers shall ensure that while he is lifting a vehicle in preparation for towing that no one but the operator and/or helper shall be within a safe distance of the truck and vehicle to be towed. A safe distance is at least twice the distance between the end of the boom and the point of hook-up on the vehicle being winched or twice the distance the car is being lifted, whichever is greater. If a hydraulic lift is being used, a safe distance is twice the distance to which the lift arm is extended.

(d) Tow truck/wrecker drivers shall ensure that if at any time during the process of connecting or winching, the tow truck or vehicle to be towed is in line of traffic, the flow of traffic must be diverted. If the tow truck cable is across lane/lanes of traffic, the traffic must be stopped or diverted by a law enforcement officer to permit safe winching or lifting of the vehicle to be towed.

(e) Tow truck/wrecker drivers shall make all efforts to sweep and clean, remove debris, and use absorbent material at the accident scene as necessary for public safety.

(f) Tow truck/wrecker drivers shall conduct themselves in a professional manner at all times.

(g) Tow truck/wrecker drivers shall obey all lawful or direct orders from any and all police officers managing a scene or call where a wrecker is requested.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-129. - Storage facility.

(a) *City limits.* The storage facility must be located within the corporate limits of the city and in compliance with the provisions of state law, including V.T.C.A., Occupations Code ch. 2303, any rules or regulations with regard to the same adopted by the Texas Department of Licensing ~~or~~ and Regulation and city ordinances, including but not limited to Ch. 86 and Ch. 144 of the Code of Ordinances. Operator cannot change the location of its storage facilities more than once during the rotation period as defined in subsection 138-132(a), Application guidelines. If operator desires to change the location of its storage facility, the operator must obtain prior written approval from the chief of police of the new location and facility and comply with all applicable state and local laws.

(b) *Own or lease.* Operator can either own its storage facility or lease it under a written lease agreement for a term that at a minimum covers the entire rotation period as defined in subsection 138-132(a). A copy of the title or deed in the case of ownership, or a copy of a lease agreement must be included with the application.

(c) *Facility requirements.* The storage facility must be secure, completely enclosed by at least a six-foot high fence, well lit, and has an all-weather surface parking lot. The storage lot shall be equipped with security cameras that record and the data shall be accessible to the police department for review. The storage site must be of sufficient capacity to handle at least 50 vehicles stored pursuant to this article and exclusive of other vehicles stored not pursuant to this article at any given time. There shall be enough room to store semi trucks and trailers if necessary. At no time will cars be stored on a road or thoroughfare. All police initiated non-consent towed vehicles will be towed to the storage facility or a secure location as determined by NBPD.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-130. - Insurance and liability.

(a) The operator shall maintain at his expense, insurance with limits not less than those prescribed below. Operator further agrees to indemnify, defend, and hold City of New Braunfels harmless from any and all causes of action arising from performance of its responsibilities under this article.

(b) With respect to required insurance shall:

(1) Name City of New Braunfels as additional insured/or an insured, as its interests may appear.

(2) Provide City of New Braunfels a waiver of subrogation.

(3) Provide City of New Braunfels with a 30-day advance written notice of cancellation or material change to said insurance.

(4) Provide the New Braunfels Police Department with a certificate of insurance evidencing required coverage as part of the application for rotation list system.

(5) The certificate of insurance shall also specify that the policy covers the vehicle or vehicles subject to being used by operator under this article. The certificate of insurance shall identify the vehicle by make, model and vehicle identification number.

(c) Submit a certificate of insurance reflecting coverage according to TDLR Regulations. Insurance underwriters must be acceptable to the city.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-131. - Indemnification.

(a) The operator shall and does hereby agree to indemnify and hold harmless the city and its officials, officers, employees, agents and representatives from any and all loss, liability, obligation, penalties, judgments, claims, deficiency, expense or damages of any kind whatsoever by reason of any claim arising from a third person occasioned by any act, error or omission of operator in the performance under this article.

(b) The operator will, at its sole cost and expense, defend and protect the city against any and all claims and demands set out in subsection (a) above.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-132. - Application guidelines – Rotation list system for incident management tows.

(a) The rotation period shall occur annually, starting on May 1st of each year and shall run for a period of 12 months.

(b) The application period shall occur once annually. Applications from operators will only be accepted from March 1st to March 15th of each year.

(c) Applications shall be submitted to the chief of police. The chief of police for the city is authorized to establish an application fee for applying to be included on the city's rotation list so long as such fee does not exceed the amount of $15.00.

(d) Only licensed tow companies with a physical business address in the city limits and storage lots located in the city limits may apply. Post office boxes or similar are not permitted. Operator can either own its storage facility or lease it under a written agreement for a term that at a minimum covers the entire rotation period as defined in subsection (a) above. A copy of the

property title in operator's name or operator's lease agreement must be included with the application.

(e) Applications will be reviewed by the police department, and all qualifying operators will be placed on the rotation list system for one year, subject to their rotation assignment which will be determined by the police department.

(f) All operators must apply each year during the application period to be on the rotation list and receive a rotation assignment. There are no automatic renewals.

(g) After the application period is closed, no additional wrecker services will be considered or added to the rotation list.

(h) A list of tow vehicles, including the make, model, vehicle identification number and TDLR identification number of each vehicle, valid incident management towing operator's permit (referred to as a cab card under state law) to be used in performing services under this article must be provided on the application. The vehicles on this list must be owned or exclusively leased by the operator and in the operator's name and may not be a part of any other application by another operator. Vehicle title or a vehicle lease agreement must be attached to the application as supporting documentation. Applications which contain duplicate tow vehicles will automatically be disqualified. All towing equipment listed on the application shall be made available for inspection by the police department.

(i) Operators must furnish the name, driver's license and TDLR license number and copies of such, of any/all drivers assigned to the wreckers as part of the application process. Applicant must list a minimum of four wrecker drivers who meet the requirements of this article and applicable state law.

(j) Submittal of an application is an indication of ability on the part of the operator to perform requested services, including sufficient personnel, vehicles and equipment in accordance with this article.

(k) The selection and notification of operators for the tow rotation list shall be made by April 15th of each year.

(l) A city officer or employee may not have ownership interest in any participating wrecker service or participating storage facility.

(m) Applicant must provide a copy of legal title to the property in applicant's name where the storage facility is located. If the site of the storage facility is leased, then applicant must include a copy of a valid, executed copy of the lease agreement that must be in a form approved by the city. See section 138-129 for additional requirements.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-133. - Towing rotation list system procedures.

(a) All qualified operators shall be placed on the rotation list. When it is known how many operators are on the list, the rotation schedule will be set by the police department. The period an operator is assigned on the schedule shall be referred to as the rotation assignment.

(b) If an operator is called to perform a city tow and does not charge a fee for the work, then that operator keeps its place at the top of the list for rotation assignments. This does not apply to tows of abandoned or wrecked vehicles that are to be auctioned at a later date.

(c) Should an odd number of operators be approved for the tow rotation list, a lottery will be held to determine which operator will get the extra rotation assignment on the rotation list. Operators will be given the opportunity to be present at this drawing.

(d) There will be two operators scheduled for each rotation assignment and they will be called out by the police department on alternating calls. There will be no subcontracting allowed. Each operator is responsible for having on duty equipment and personnel to handle their own calls, and to respond within the prescribed time limit. In cases where there is a large scene, the alternate operator may be called by the police department to help.

(e) If conditions are such that both operators are fully engaged and are unable to provide necessary services, the on-duty police supervisor shall have the latitude to call another qualified operator from the tow rotation list to handle the excess workload.

(f) Operators may not sell or transfer their rotation assignment place on the rotation list to another operator. Another operator may not respond to calls for service at the request of an operator on the list.

(g) An operator may withdraw from the towing rotation list with a one week notice to the chief of police. That operator must wait until the next application period for consideration to be placed back on the list.

(h) In the case of voluntary or involuntary removal from the towing rotation list, a lottery will be held of the remaining qualified operators to fill each vacant rotation spot on the list.

(Ord. No. 2015-04, § 1, 1-26-15)

~~Sec. 138-134. - Fees for incident management tows.~~

~~Operator agrees to follow the below listed fees for services rendered under this article. The below listed fees are the only fees to be charged by operators participating under this article. No additional fees or surcharges can be added.~~

~~(1) *Towing.*~~

a. *Light-duty wreckers:* A wrecker equipped with a power operated winch, winch line, and a boom at least six feet in length, with a rated or tested single line lifting capacity of not 10,000 pounds or less. Flatbed (also known as a rollback) load-up wreckers are included in this wrecker category.

1. Standard towing with conventional or rollback $160.00 maximum.

2. Standard towing for a wrecked vehicle, with conventional or rollback $190.00 maximum. (No additional winch fees allowed on standard tow.)

3. Waiting fee after first 30 minutes, $32.00 for each additional 15 minutes not to exceed $128.00 per hour.

4. Rollover fee can be applied at a rate no greater than the waiting fee for time used.

5. Drop fee (in lieu of a standard towing fee.) maximum $75.00.

6. Any tow that starts and ends within the city limits will have no additional mileage fees.

7. For consent tows, if customer requests vehicle to be towed outside city limits, a mileage rate will be a private contract between the operator and the customer.

8. Standard clean-up of debris will have no additional fees. Charges for clean-up of major incident scenes will require approval from on duty police supervisor or the officer in charge of the scene who approved the major incident scene clean-up. The officer's name must be included on the tow ticket/invoice.

9. Winch fee maximum $100.00. Winch fees must be approved either verbally or in writing by the on duty police supervisor or the officer in charge of scene. No additional winch fees will be approved on standard tows.

b. *Medium-duty wreckers:* A wrecker equipped with a power operated winch, winch line, and a boom at least six feet in length, with a rated or tested single or double line lifting capacity of more than 10,000 to less than 25,000 pounds. Medium duty wrecker fees are only applicable if a medium duty wrecker is actually required.

1. Standard towing $330.00 maximum.

2. Standard towing for wrecked vehicle $380.00 maximum.

3. Waiting fee after first 30 minutes $62.00 for each additional 15 minutes not to exceed $248.00 per hour.

4. Drop fee (in lieu of a standard towing fee.) maximum $115.00.

5. Standard clean-up of debris will have no additional fees. Charges for cleanup of major incident scenes will require approval from on duty police supervisor.

6. Winch fee maximum $150.00. Winch fees must be approved either verbally or in writing by the on-duty police supervisor or the officer in charge of scene. No additional winch fees will be approved on standard tows.

c. *Heavy-duty wreckers:* A wrecker equipped with a power operated winch, winch line, and a boom at least six feet in length, with a rated or tested single or double line lifting capacity of 25,000 pounds or more. Must be rated at 25 tons or more. Must be capable of towing a 12-yard tandem dump loaded trailer (50,000 lbs gvw). Additionally, it is preferred that this specialty equipment have airbags, and other equipment needed to right an overturned big truck or 18 wheeler.

1. Standard towing fee $700.00 maximum.

2. Standard towing fee for wrecked vehicle $800.00 maximum.

3. Waiting fee after first 30 minutes $110.00 for each additional 15 minutes not to exceed $440.00 per hour.

4. Labor fee $585.00 per hour, per incident maximum. Additional recovery equipment and personnel labor left open for major scenes as needed. Additional personnel or labor needed must be approved by the on scene police supervisor.

5. Drop fee (in lieu of a standard towing fee.) maximum $325.00.

6. Winch fee maximum $300.00. Winch fees must be approved either verbally or in writing by the on-duty police supervisor or the officer in charge of scene. No additional winch fees will be approved on standard tows.

(2) Towing and storage of city vehicles. If so requested by the city, the operator shall tow up to 15 per month at no cost to the city of city owned, leased or vehicles otherwise under the city's control, including vehicles seized as evidence or for some other lawful police purpose. Vehicles qualifying for a free tow shall not exceed one ton hauling capacity. Vehicles will be towed to operator's storage facility or as directed by the police department. Operator shall store city controlled vehicles at no cost. However, city agrees that any of the vehicles stored at operator's vehicle storage facility shall not remain stored in excess of 15 days without arrangement of fees to be charged to the city. The city shall pay operator the same rates as stated above for city controlled vehicles towed in excess of 15 per month. City controlled vehicles towed from outside of the city boundaries will be charged at no more than the public rates. If this tow is within the 15 fee tows no charge will occur once inside the city limits. Operator shall provide to the police department a monthly summary statement, along with the individual tow tickets for all city controlled vehicles to include the 15 free tows.

~~(3) In the event that a secondary tow is necessary and it is listed on the same tow ticket/invoice as the first tow, the location of the secondary storage site must be written on the operator's tow ticket/invoice.~~

Sec. 138-134. Grounds for suspension or termination.

A. The Chief of Police may suspend or terminate an operator from the city's rotation list if, after a hearing as outlined in Sec. 138-135, the chief determines that:

1. The operator gave false or misleading information in the material submitted to the city during the application process.
2. The operator allowed their insurance, as required herein, to be canceled, withdrawn, expired, or terminated.
3. The operator's tow truck permits as defined by Texas Department of Licensing and Regulation (TDLR) has been suspended, expired, or revoked.
4. The operator's certificate of registration for any tow truck has been suspended, expired, or revoked, in which case, notwithstanding the above, the chief shall suspend operator from the approved operations for that tow truck for the remainder of the suspension period levied by TDLR.
5. The operator's or operator's lessor's vehicle storage facility license issued by TDLR has been suspended, expired, or revoked.
6. The operator has missed more than three (3) rotation calls in a ninety (90) day period. The penalty for this violation shall be suspension from the rotation list for a period of thirty (30) calendar days, or the next rotation whichever is later, for the first violation and sixty (60) days, or the next two rotations whichever is later, for the second violation in a twelve (12) month period. The chief shall have the discretion upon the third such violation by an operator in a twelve (12) month period to set a higher suspension period, up to and including termination from the rotation list.
7. The operator or one of its employees violated any of the required duties under this ordinance, other than response to the scene, which is separately addressed.
8. The operator or one of its employees illegally solicited tow or repair services at the scene of a police investigation.
9. The operator or one of its employees charged or collected any fess in excess of those allowed by law or this ordinance.
10. The operator has established a pattern of conduct causing legitimate consumer complaints, to include but not be limited to, complaints regarding damage to towed or stored vehicles, loss of items from towed or stored vehicles, problems relating to vehicle redemption.

B. If the chief of police determines that grounds exist for suspension or termination of an operator, the chief shall issue such notice of a hearing and provide notice to the operator in accordance with the provisions of Sec. 138-135.

Sec. 138-135. Hearing; suspension and termination by chief of police.

(a) *Hearing.* Before the chief of police suspends or terminates an operator from the rotation list system, the operator must be afforded an opportunity to present his/her reasons why the chief should not take any suspension or termination action, or to present factors that the chief can consider in assessing the length of the suspension or termination. If the operator does not appear at the scheduled hearing, the hearing will be considered closed. The only exceptions to the hearing opportunity are those provided in Sec. 138-124(1), (2), and (23).

(b) *Suspension by chief of police.* The chief of police shall suspend an operator from the rotation list system for any violation of this article or any policy adopted by the chief of police under authority of this article or state law. The period of suspension is to be determined by the chief of police, whose decision is final and is not appealable to the city manager or city council. The chief shall notify a rotation operator of suspension from the rotation list system in writing either by confirmed fax, certified mail return receipt requested, company email that returns both a read and delivery receipt, or hand delivered notice. The suspension notice must state the basis for the action.

(c) *Termination by the chief of police.* The chief shall terminate the operator from participating in the rotation list system based upon:

(1) Any repeated violations of the provisions of this article;

(2) Any criminal offense committed by the service or by the driver, employee or agent of the service, in the course of providing services under this article, whether or not the services are being performed as part of the rotation list system call; or

(3) Any conduct which endangers the life or safety of any person.

A tow operator that has been terminated will not be placed on the rotation list for up to five years. The decision of the chief of police to terminate an operator is final and is not appealable to the city manager or city council. The chief shall notify a rotation operator of termination from the rotation list system in writing either by confirmed fax, certified mail return receipt requested, company email that returns both a read and delivery receipt, or hand delivered notice. The termination notice must state the basis for the action.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Sec. 138-136. - Penalties.

An operator who violates any provision of this article commits a class C misdemeanor and upon conviction shall be punished by a fine of not less than $200.00 nor more than $500.00, unless a different fine is otherwise specifically provided for a violation under this article. A culpable

mental state is not required for an offense under this article where the offense is not punishable by a fine exceeding $500.00.

(Ord. No. 2015-04, § 1, 1-26-15; Ord. No. 2017-13, § 1, 1-23-17)

Secs. 138-137. THIS ORDINANCE DOES NOT CREATE ANY CONTRACTUAL RIGHTS FOR OPERATORS OR ANY THIRD PARTIES.

138-138—138-165. - Reserved.

SECTION 2: This Ordinance shall be and is hereby declared to be cumulative to all other ordinances of the City of New Braunfels relating to vehicle storage facilities and nonconsent towing of vehicles within the city limits, and same shall not operate to repeal or affect any such ordinance or ordinances except insofar as the provisions of such ordinance or ordinances are inconsistent or in conflict with the provisions of this Ordinance, in which instance or instances those provisions shall be and they are hereby repealed.

SECTION 3: That if any provisions of this Ordinance shall be held void, illegal, or unconstitutional, it is hereby provided that all other parts of the same which are not held void, illegal or unconstitutional shall remain in full force and effect.

SECTION 4: Effective Date and Publication.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing by the City Secretary. This ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this _____ day of _____, 2026.

PASSED AND APPROVED: Second reading this ____ day of _____, 2026.

CITY OF NEW BRAUNFELS, TEXAS

_____
Neal Linnartz, Mayor

ATTEST:

_____
Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

_____
Valeria M. Acevedo, City Attorney

PRESENTER:
Christopher J. Looney, AICP, Planning Director
Applicant: Comal County WID #3 (Southstar/Mayfair)

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, and 900, Block 2, Mayfair - South Ransom Commercial Subdivision, consisting of approximately 10 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 | mgreene@newbraunfels.gov

City Council approved the first reading of this ordinance at their April 13, 2026 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 - South Ransom Commercial Subdivision plat establishing Lots 1, 2, and 900, Block 2, (attached) was recorded with Comal County on January 15, 2026. Final action on the limited purpose annexation (second reading) must occur before July 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=>
  <https://newbraunfels.gov/DocumentCenter/View/26106/Mayfair-Partnership-Agreement?bidId>

City of New Braunfels

Source: City of New Braunfels Planning
Date: 3/12/2026

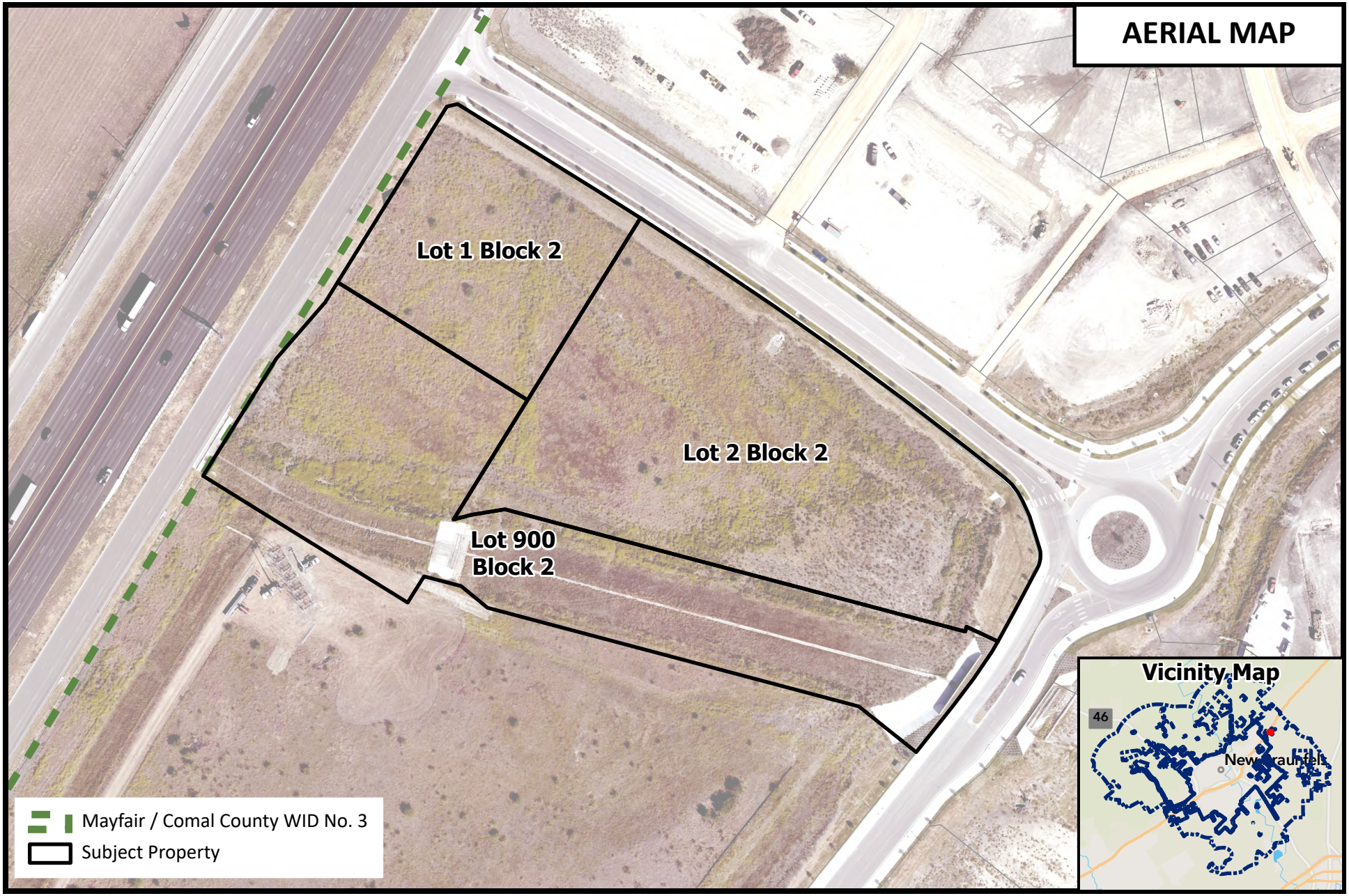
Path:
L:\Permits and Applications\Annexations\Limited Purpose Annexations\Mayfair\CS26-0089

CS26-0089

Limited Purpose Annexation
Lots 1, 2, & 900 Block 2, Mayfair
South Ransom Commercial

0 240 480 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, its officials or employees for any discrepancies, errors, or variances which may exist.



City of New Braunfels

Source: City of New Braunfels Planning
Date: 3/12/2026

Path:
U:\Neighborhood and Community Planning\Permits and Applications\Annexations\Limited

CS26-0089

Limited Purpose Annexation
Lots 1, 2, & 900 Block 2, Mayfair
South Ransom Commercial

0 90 180 Feet

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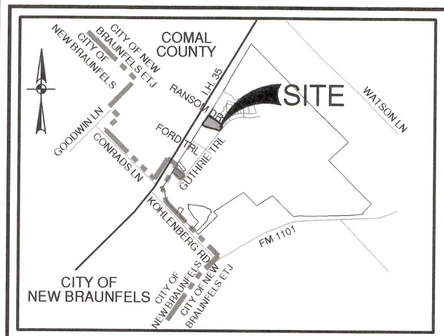

LOCATION MAP

NOT-TO-SCALE

EASEMENT STATEMENT:

PROPERTY OWNERS ARE ADVISED THAT THEY ARE RESPONSIBLE FOR MAINTENANCE OF DEDICATED EASEMENTS ON THEIR PROPERTY AND MAY NOT UTILIZE THESE EASEMENTS FOR ANY PURPOSE DETRIMENTAL TO THEIR INTENDED USE (I.E., NO STRUCTURES, SEPTIC TANK FIELDS, ETC.), GRANTEES OF SAID DEDICATED EASEMENTS RESERVE THE RIGHT OF ACCESS TO SUCH EASEMENTS.

NEW BRAUNFELS UTILITIES NOTES:

1. MAINTENANCE OF DEDICATED UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. ANY USE OF AN EASEMENT, OR ANY PORTION OF IT, INCLUDING LANDSCAPING OF DRAINAGE FEATURES, IS SUBJECT TO AND SHALL NOT CONFLICT WITH THE TERMS AND CONDITIONS IN THE EASEMENT, MUST NOT ENDANGER OR INTERFERE WITH THE RIGHTS GRANTED BY THE EASEMENT TO NEW BRAUNFELS UTILITIES, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE SUBJECT TO APPLICABLE PERMIT REQUIREMENTS OF THE CITY OF NEW BRAUNFELS OR ANY OTHER GOVERNING BODY. THE PROPERTY OWNER MUST OBTAIN, IN ADVANCE, WRITTEN AGREEMENT WITH THE UTILITIES TO UTILIZE THE EASEMENT, OR ANY PART OF IT.
2. UTILITIES WILL POSSESS A 5' WIDE SERVICE EASEMENT TO THE BUILDING STRUCTURE ALONG THE SERVICE LINE TO THE SERVICE ENTRANCE. THIS EASEMENT WILL VARY DEPENDING UPON LOCATION OF BUILDING STRUCTURE 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 DAMAGES TO PROPERTY IMPROVEMENTS (I.E. LANDSCAPING, TREES, PAVEMENT, SIGNS, DRAINAGE STRUCTURES, PRIVATE UTILITIES, ETC.) THAT ARE PLACED IN ANY TYPE OF UTILITY EASEMENT. TO ENSURE NO CONFLICTS EXIST WITH UTILITY INFRASTRUCTURE IN THE EASEMENT, ALL SUCH IMPROVEMENTS PLACED IN ANY TYPE OF UTILITY EASEMENT MUST BE REVIEWED AND APPROVED THROUGH THE NBU EASEMENT ENCROACHMENT PROCESS. NBU DEVELOPMENT SERVICES FACILITATES THE EASEMENT ENCROACHMENT APPLICATION PROCESS.

FLOODPLAIN NOTE:

THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA, ZONE "A", THE 100-YEAR FLOOD ZONE, AS DEFINED BY THE FLOOD INSURANCE RATE MAP FOR COMAL COUNTY, TEXAS ON COMMUNITY PANEL NO. 48091C0295F, EFFECTIVE DATE 9/2/2009, 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)
CENTRIC (TELECOMMUNICATIONS, GAS)

CROSS ACCESS:

LOT OWNER(S) SHALL PROVIDE SHARED COMMON CROSS ACCESS FOR LOT(S) 1-2, BLOCK 2.

SUBDIVISION PLAT OF MAYFAIR - SOUTH RANSOM COMMERCIAL

10.428 ACRES OF LAND, SITUATED IN THE ANTONIO MARIA EZNAURIZAR SURVEY NUMBER 1, ABSTRACT NUMBER 1, COMAL COUNTY, TEXAS, BEING COMPRISED OF ALL OF 1.790 ACRES, DESCRIBED IN A DEED FROM SOUTHSTAR AT MAYFAIR DEVELOPER, LLC TO RANSOM RE INVESTMENT, LLC, AS RECORDED IN DOCUMENT NUMBER 202506019925 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS AND A PORTION OF 778.313 ACRES, DESCRIBED IN A DEED FROM SOUTHSTAR AT MAYFAIR, LLC TO SOUTHSTAR AT MAYFAIR DEVELOPER, LLC AS RECORDED IN DOCUMENT NUMBER 202106037786 OF THE SAID OFFICIAL PUBLIC RECORDS.

PLAT NOTES:

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

TxDOT NOTES:

1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.
2. THE OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY. OUTFALLS FOR WATER QUALITY AND/OR DETENTION PONDS TREATING IMPERVIOUS COVER RELATED TO THE DEVELOPMENT AND STRUCTURES FOR REDUCTION OF DISCHARGE VELOCITY WILL NOT ENCROACH BY STRUCTURE OR GRADING INTO STATE ROW OR INTO AREAS OF ROW RESERVATION OR DEDICATION. FOR PROJECTS IN THE EDWARDS AQUIFER RECHARGE, TRANSITION OR CONTRIBUTING ZONES, PLACEMENT OF PERMANENT STRUCTURAL BEST MANAGEMENT PRACTICE DEVICES OR VEGETATIVE FILTER STRIPS WITHIN STATE ROW OR INTO AREAS OF ROW RESERVATION OR DEDICATION WILL NOT BE ALLOWED. NO NEW EASEMENTS OF ANY TYPE SHOULD BE LOCATED IN AREAS OF ROW RESERVATION OR DEDICATION.
3. MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY 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.
4. IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE, A SIDEWALK PERMIT MUST BE APPROVED BY TXDOT, PRIOR TO CONSTRUCTION WITHIN STATE RIGHT-OF-WAY. LOCATIONS OF SIDEWALKS WITHIN STATE RIGHT OF WAY SHALL BE AS DIRECTED BY TXDOT.
5. ANY TRAFFIC CONTROL MEASURES (LEFT-TURN LANE, RIGHT-TURN LANE SIGNAL, ETC.) FOR ANY ACCESS FRONTING A STATE MAINTAINED ROADWAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/OWNER.

SCHOOL DISTRICT NOTE:

REFERENCED PROPERTY LIES WITHIN THE COMAL INDEPENDENT SCHOOL DISTRICT.

COMMON SPACE NOTE:

LOT 900 BLOCK 2 IS A CHANNEL & DRAINAGE EASEMENT.

ALL AFOREMENTIONED LOTS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION OR PROPERTY OWNER AND NOT THE CITY OF NEW BRAUNFELS.

SIDEWALK NOTES:

1. SIX (6) FOOT SIDEWALK IS EXISTING ALONG RANSOM DRIVE.
2. TWELVE (12) FOOT SIDEWALK IS EXISTING ALONG GUTHRIE TRAIL.
3. SIX (6) FOOT SIDEWALK WILL BE CONSTRUCTED BY THE DEVELOPER PER CITY STANDARDS AT THE TIME OF BUILDING PERMIT ALONG IH-35.

PAPE-DAWSON ENGINEERS

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

DATE OF PREPARATION: November 14, 2025

STATE OF TEXAS
COUNTY OF COMAL

I (WE) THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, (LOTS 2 AND 900, BLOCK 2) AND DESIGNATED HEREIN AS THE MAYFAIR - SOUTH 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: JIM VATER
SOUTHSTAR AT MAYFAIR DEVELOPER, LLC
A TEXAS LIMITED LIABILITY COMPANY
2055 CENTRAL PLAZA, SUITE 110, BOX 195,
NEW BRAUNFELS, TX 78130

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 18th DAY OF November, 2025, BY Jim Vater.

CONNIE LYNN MCHUGH-YETT
Notary Public, State of Texas
Comm. Expires 01-10-2026
Notary ID 131403042

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: 01-10-2026

STATE OF TEXAS
COUNTY OF COMAL

I (WE), THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, (LOT 1, BLOCK 2) AND DESIGNATED HEREIN AS THE MAYFAIR - SOUTH 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: SHAKEEL BADARPULA
RANSOM RE INVESTMENT, LLC
11940 JOLLYVILLE ROAD, SUITE 110N
AUSTIN, TEXAS 78759

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS DAY OF DECEMBER 01, 2025, BY SHAKEEL BADARPULA

TRACY MICHELLE ALLEN
Notary ID #135533614
My Commission Expires
September 23, 2029

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: 09/23/2029

APPROVED THIS THE 2nd DAY OF October, 2025, BY THE CITY OF NEW BRAUNFELS, TEXAS.

APPROVED FOR ACCEPTANCE

1/14/2026 for NEIGHBORHOOD AND COMMUNITY PLANNING DIRECTOR
DATE

1/5/2026 CITY ENGINEER
DATE

STATE OF TEXAS
COUNTY OF COMAL

I, Bobbie Koepp, COUNTY CLERK OF COMAL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE 15th DAY OF January, A.D. 2026 AT 12:15 P.M. AND DULY RECORDED THE 15th DAY OF January, A.D. 2026, IN THE RECORDS OF MAPS AND PLATS IN SAID OFFICE, OF SAID COUNTY, IN DOCUMENT # 202600001297, IN TESTIMONY WHEREOF WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 15th DAY OF January, A.D., 2026.

COUNTY CLERK, COMAL COUNTY, TEXAS

BY: DEPUTY

SURVEYOR'S NOTES:

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

KNOW ALL MEN BY THESE PRESENTS:

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

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

STATE OF TEXAS
REGISTERED
KEITH W. WOOLEY
5463
PROFESSIONAL
LAND SURVEYOR

PLAT NOTES APPLY TO EVERY PAGE OF THIS MULTIPLE PAGE PLAT

CURVE AND LINE DATA ON SHEET 2 OF 2

SHEET 1 OF 2

MAYFAIR - SOUTH RANSOM COMMERCIAL

Civil Job No. 30002-76

Date: Nov 11, 2025, 10:25 AM - User ID: sflores
File: P:\30002\076\Design\Civil\Plat\VF - 30002-76 - S RANSOM PLAT.dwg

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SUBDIVISION PLAT OF MAYFAIR - SOUTH RANSOM COMMERCIAL

10.428 ACRES OF LAND, SITUATED IN THE ANTONIO MARIA EZNAURIZAR SURVEY NUMBER 1, ABSTRACT NUMBER 1, COMAL COUNTY, TEXAS, BEING COMPRISED OF ALL OF 1.790 ACRES, DESCRIBED IN A DEED FROM SOUTHSTAR AT MAYFAIR DEVELOPER, LLC TO RANSOM RE INVESTMENT, LLC, AS RECORDED IN DOCUMENT NUMBER 202506019925 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS AND A PORTION OF 778.313 ACRES, DESCRIBED IN A DEED FROM SOUTHSTAR AT MAYFAIR, LLC TO SOUTHSTAR AT MAYFAIR DEVELOPER, LLC AS RECORDED IN DOCUMENT NUMBER 202106037786 OF THE SAID OFFICIAL PUBLIC RECORDS.

SCALE: 1"= 100'

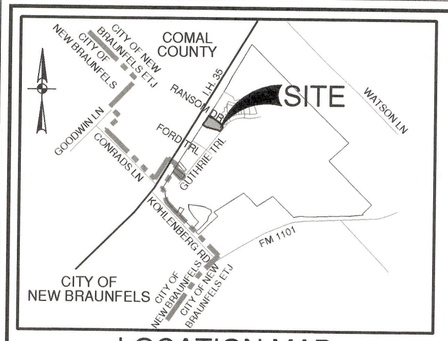
0' 100' 200' 300'

PAPE-DAWSON ENGINEERS

1672 INDEPENDENCE DR, STE 102 | NEW BRAUNFELS, TX 78132 | 830.632.5633

TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

DATE OF PREPARATION: December 17, 2025



LOCATION MAP

NOT-TO-SCALE

LEGEND

MPR	MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS	DR	DEED RECORDS OF COMAL COUNTY, TEXAS
OPR	OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS		
VOL	VOLUME		
PG	PAGE(S)		
DOC	DOCUMENT NUMBER		
ETJ	EXTRATERRITORIAL JURISDICTION		
AC	ACRE(S)		
BLK	BLOCK		
ROW	RIGHT-OF-WAY		

- SET 1/2" IRON ROD (PD)
- FOUND TxDOT MONUMENTATION (TYPE I, II OR III)
- FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE) (SURVEYOR)

CITY LIMITS OF (CITY NAME)

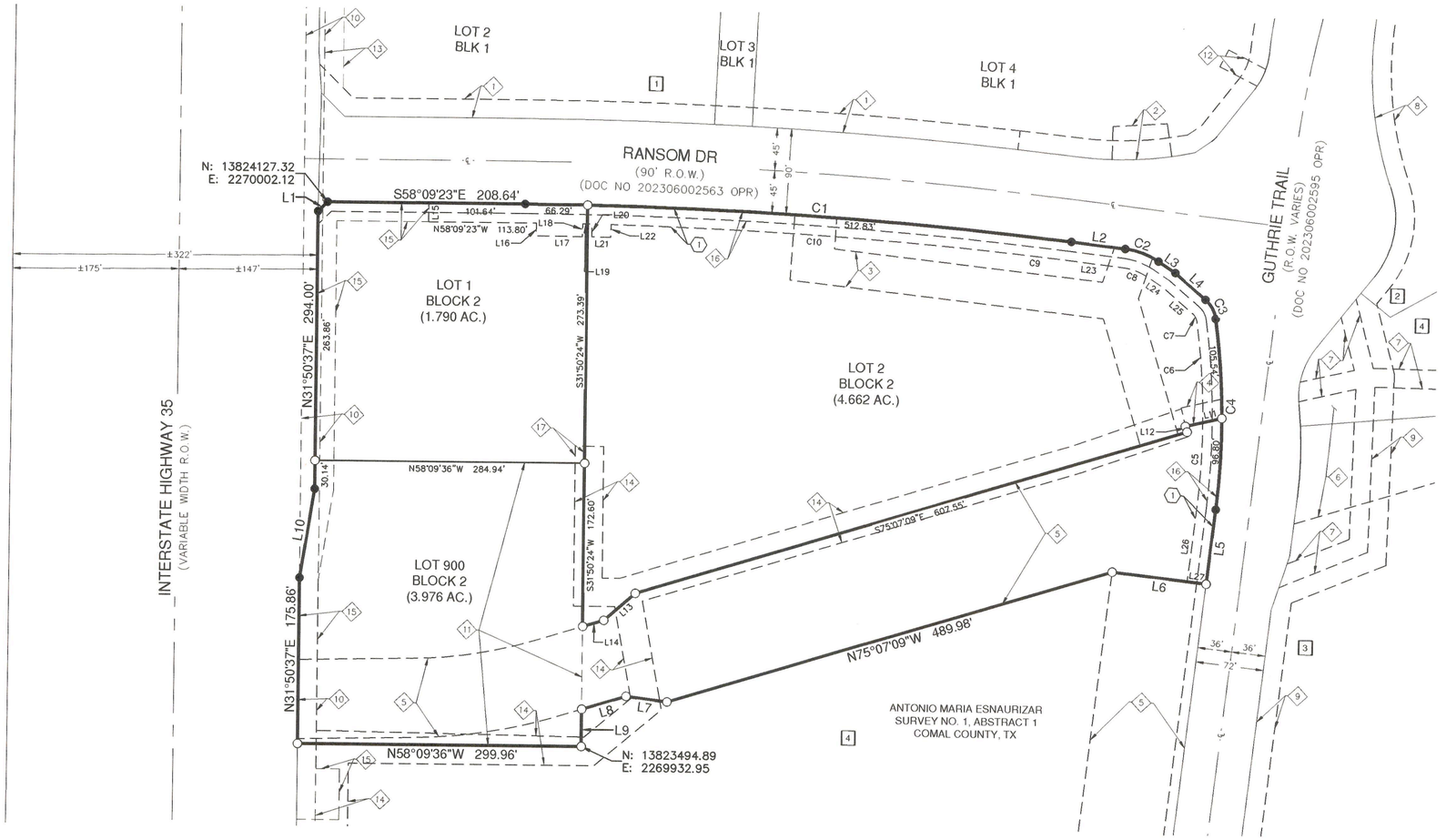
ORIGINAL SURVEY/COUNTY LINE

℄ CENTERLINE

KEY NOTES LEGEND

1. VARIABLE WIDTH UTILITY EASEMENT
2. 20' UTILITY EASEMENT (DOC NO 202206046252, OPR)
3. VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 202206045656, OPR)
4. VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 202206045654, OPR)
5. 20' SANITARY SEWER EASEMENT (DOC NO 202206046284, OPR)
6. VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 202206045700, OPR)
7. VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 202206045657, OPR)
8. 20' SANITARY SEWER EASEMENT (DOC NO 202206046287, OPR)
9. 20' UTILITY AND DRAINAGE ACCESS EASEMENT (DOC NO 202206046290, OPR)
9. 20' UTILITY EASEMENT (DOC NO 202206046292, OPR)
10. 20' PIPELINE EASEMENT (VOL 143, PG 362, DR)
11. CHANNEL EASEMENT (DOC 106, PG 494,DR)
12. 20' SANITARY SEWER EASEMENT (DOC NO 202206046285, OPR)
13. 20' PUBLIC UTILITY EASEMENT (CONCURRENT PLATTING)
14. VARIABLE WIDTH NBU UTILITY EASEMENT (DOC NO 202506038360, OPR)
15. VARIABLE WIDTH UTILITY EASEMENT (DOC NO 202406033750, OPR)
16. 10' UTILITY EASEMENT (DOC NO 202306030216, OPR)
17. 10' UTILITY EASEMENT (DOC NO 202506039607, OPR)

1. MAYFAIR - NORTH RANSOM COMMERCIAL (CONCURRENT PLATTING)
2. MAYFAIR - PARCEL EA-2 (DOC NO 202306002558, OPR)
3. MAYFAIR - PARCEL EA-3 (DOC NO 202306002618, OPR)
4. 778.313 ACRES SOUTHSTAR AT MAYFAIR, LLC, (DOC NO 202106037786, OPR)



LINE TABLE

LINE #	BEARING	LENGTH
L1	N76°50'37"E	14.14'
L2	S51°27'35"E	57.38'
L3	S24°34'56"E	21.56'
L4	S17°08'17"E	42.56'
L5	S38°32'25"W	79.51'
L6	N51°27'35"W	100.00'
L7	N50°53'29"W	43.86'
L8	N75°07'09"W	48.75'
L9	S31°50'24"W	39.58'
L10	N40°54'37"E	95.19'
L11	S71°03'32"E	39.31'
L12	N14°52'51"E	6.32'
L13	N80°39'11"E	43.86'
L14	S75°07'09"E	23.14'

LINE TABLE

LINE #	BEARING	LENGTH
L15	N31°50'37"E	20.00'
L16	N32°17'13"E	13.53'
L17	N57°39'26"W	48.82'
L18	S33°00'29"W	13.58'
L19	N57°23'17"W	10.02'
L20	N33°00'29"E	13.58'
L21	N57°12'52"W	20.00'
L22	S33°00'29"W	13.58'
L23	N51°20'38"W	57.17'
L24	N24°34'56"W	20.26'
L25	N17°08'17"W	41.26'
L26	N38°32'25"E	79.51'
L27	N51°27'35"W	20.00'

CURVE TABLE

CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	4955.00'	6°41'48"	S54°48'29"E	578.80'	579.13'
C2	81.00'	26°52'39"	S38°01'15"E	37.65'	38.00'
C3	33.00'	40°52'19"	S3°17'53"W	23.04'	23.54'
C4	783.00'	14°48'23"	S31°08'14"W	201.78'	202.34'
C5	763.00'	7°05'01"	N34°59'54"E	94.27'	94.33'
C6	763.00'	7°43'22"	N27°35'43"E	102.76'	102.84'
C7	13.00'	40°52'19"	N3°17'53"E	9.08'	9.27'
C8	61.00'	26°53'43"	N38°01'47"W	28.37'	28.63'
C9	3810.00'	1°00'39"	N51°50'58"W	67.22'	67.23'
C10	5150.00'	4°39'25"	N54°41'00"W	418.46'	418.58'

SHEET 2 OF 2

MAYFAIR - SOUTH RANSOM COMMERCIAL

Civil Job No. 30002-76

Date: Dec 11, 2025, 8:31 AM — User ID: aflores
File: N:\30002\076\Design\Civil\PLAT\FV1-30002076-S RANSOM PLAT.dwg

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, AND 900, BLOCK 2, MAYFAIR – SOUTH RANSOM COMMERCIAL SUBDIVISION, CONSISTING OF 10.428 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, and 900, Block 2, Mayfair – South 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

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 13th day of April 2026.

PASSED AND APPROVED: Second reading this 27th day of April 2026.

CITY OF NEW BRAUNFELS

_____

NEAL LINNARTZ, Mayor

ATTEST:

_____

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

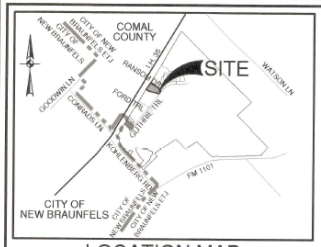
_____

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

202600001297

SUBDIVISION PLAT OF MAYFAIR - SOUTH RANSOM COMMERCIAL



LOCATION MAP

NOT-TO-SCALE

EASEMENT STATEMENT:

PROPERTY OWNERS ARE ADVISED THAT THEY ARE RESPONSIBLE FOR MAINTENANCE OF DEDICATED EASEMENTS ON THEIR PROPERTY AND MAY NOT UTILIZE THESE EASEMENTS FOR ANY PURPOSE DETRIMENTAL TO THEIR INTENDED USE (I.E., NO STRUCTURES, SEPTIC TANK FIELDS, ETC.). GRANTEES OF SAID DEDICATED EASEMENTS RESERVE THE RIGHT OF ACCESS TO SUCH EASEMENTS.

NEW BRAUNFELS UTILITIES NOTES:

1. MAINTENANCE OF DEDICATED UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. ANY USE OF AN EASEMENT, OR ANY PORTION OF IT, INCLUDING LANDSCAPING OF DRAINAGE FEATURES, IS SUBJECT TO AND SHALL NOT CONFLICT WITH THE LEHMS 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 BUILDING STRUCTURE 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 DAMAGES TO PROPERTY IMPROVEMENTS (I.E. LANDSCAPING, TREES, PAVEMENT, SIGNS, DRAINAGE STRUCTURES, PRIVATE UTILITIES, ETC.) THAT ARE PLACED IN ANY TYPE OF UTILITY EASEMENT. TO ENSURE NO CONFLICTS EXIST WITH UTILITY INFRASTRUCTURE IN THE EASEMENT, ALL SUCH IMPROVEMENTS PLACED IN ANY TYPE OF UTILITY EASEMENT MUST BE REVIEWED AND APPROVED THROUGH THE NBU EASEMENT ENCROACHMENT PROCESS. NBU DEVELOPMENT SERVICES FACILITATES THE EASEMENT ENCROACHMENT APPLICATION PROCESS.

FLOODPLAIN NOTE:

THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA, ZONE "A", THE 100-YEAR FLOOD ZONE, AS DEFINED BY THE FLOOD INSURANCE RATE MAP FOR COMAL COUNTY, TEXAS ON COMMUNITY PANEL NO. 48091C0205F, EFFECTIVE DATE 9/2/2009, 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)
CENTRIC (TELECOMMUNICATIONS, GAS)

CROSS ACCESS:

LOT OWNER(S) SHALL PROVIDE SHARED COMMON CROSS ACCESS FOR LOT(S) 1-2, BLOCK 2.

10.428 ACRES OF LAND, SITUATED IN THE ANTONIO MARIA EZNAURIZAR SURVEY NUMBER 1, ABSTRACT NUMBER 1, COMAL COUNTY, TEXAS, BEING COMPRISED OF ALL OF 1.790 ACRES, DESCRIBED IN A DEED FROM SOUTHSTAR AT MAYFAIR DEVELOPER, LLC TO RANSOM RE INVESTMENT, LLC, AS RECORDED IN DOCUMENT NUMBER 202506019925 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS AND A PORTION OF 778.313 ACRES, DESCRIBED IN A DEED FROM SOUTHSTAR AT MAYFAIR, LLC TO SOUTHSTAR AT MAYFAIR DEVELOPER, LLC AS RECORDED IN DOCUMENT NUMBER 202106037786 OF THE SAID OFFICIAL PUBLIC RECORDS.

PLAT NOTES:

1. THIS SUBDIVISION IS NOT WITHIN THE EDWARDS AQUIFER JURISDICTIONAL ZONES.
2. THIS SUBDIVISION IS WITHIN THE ETJ OF THE CITY OF NEW BRAUNFELS, TEXAS.
3. FUTURE DEVELOPMENT IS SUBJECT TO CHAPTER 114 (STREETS, SIDEWALKS AND OTHER PUBLIC SPACES) OF THE NEW BRAUNFELS CODE OF ORDINANCES.
4. THE ELEVATION OF THE LOWEST FLOOR OF A STRUCTURE SHALL BE AT LEAST 10 INCHES ABOVE THE FINISHED GRADE OF THE SURROUNDING GROUND, WHICH SHALL BE SLOPED IN A FASHION SO AS TO DIRECT STORMWATER AWAY FROM THE STRUCTURE. PROPERTIES ADJACENT TO STORMWATER CONVEYANCE STRUCTURES MUST HAVE A FLOOR SLAB ELEVATION OR BOTTOM OF FLOOR JOIST A MINIMUM OF ONE FOOT ABOVE THE 100-YEAR WATER FLOW ELEVATION IN THE STRUCTURE. DRIVEWAYS SERVING HOUSES ON THE DOWNHILL SIDE OF THE STREET SHALL HAVE A PROPERLY SIZED CROSS SWALE PREVENTING RUNOFF FROM ENTERING THE GARAGE AND SHALL PREVENT WATER FROM LEAVING THE STREET.
5. THIS UNIT CONTAINS 2 BUILDABLE LOTS.
6. ANY DRIVEWAY CONSTRUCTION ON COUNTY ROADS WITHIN THE UNINCORPORATED AREAS OF COMAL COUNTY MUST BE PERMITTED BY THE COMAL COUNTY ROAD DEPARTMENT.
7. STREET TREE PLANTING WILL OCCUR WITH BUILDING PERMIT IN COMPLIANCE WITH THE MAYFAIR DDCD.
8. THIS PLAT IS SUBJECT TO THE REQUIREMENTS AND REGULATIONS OF THE MAYFAIR DEVELOPMENT AGREEMENT, RECORDED AS DOCUMENT NO. 202206000377 AND AS AMENDED.
9. THIS PLAT IS SUBJECT TO THE TERMS OF A UTILITY COST SHARING AGREEMENT SOUTHSTAR AT MAYFAIR, LLC. A COPY OF THE UTILITY COST SHARING AGREEMENT IS RECORDED AS DOCUMENT NO. 202206000599 IN THE OFFICIAL RECORDS OF COMAL COUNTY, TEXAS.
10. NBU WILL ONLY SERVE WATER OR WASTEWATER TO A PLATTED LOT ONLY IF THE DEVELOPER AND LANDOWNERS COMPLY WITH THEIR OBLIGATIONS OUTLINED WITHIN THE UTILITY COST SHARING AGREEMENT SOUTHSTAR AT MAYFAIR, LLC.

TxDOT NOTES:

1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.
2. THE OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY. OUTFALLS FOR WATER QUALITY AND/OR DETENTION PONDS TREATING IMPERVIOUS COVER RELATED TO THE DEVELOPMENT AND STRUCTURES FOR REDUCTION OF DISCHARGE VELOCITY WILL NOT ENCROACH BY STRUCTURE OR GRADING INTO STATE ROW OR INTO AREAS OF ROW RESERVATION OR DEDICATION. FOR PROJECTS IN THE FOWARTIS AQUIFER RECHARGE, TRANSITION OR CONTRIBUTING ZONES, PLACEMENT OF PERMANENT STRUCTURAL BEST MANAGEMENT PRACTICE DEVICES OR VEGETATIVE FILTER STRIPS WITHIN STATE ROW OR INTO AREAS OF ROW RESERVATION OR DEDICATION WILL NOT BE ALLOWED. NO NEW EASEMENTS OF ANY TYPE SHOULD BE LOCATED IN AREAS OF ROW RESERVATION OR DEDICATION.
3. MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY 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.
4. IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE, A SIDEWALK PERMIT MUST BE APPROVED BY TXDOT, PRIOR TO CONSTRUCTION WITHIN STATE RIGHT-OF-WAY. LOCATIONS OF SIDEWALKS WITHIN STATE RIGHT OF WAY SHALL BE AS DIRECTED BY TXDOT.
5. ANY TRAFFIC CONTROL MEASURES (LEFT-TURN LANE, RIGHT-TURN LANE SIGNAL, ETC.) FOR ANY ACCESS FRONTING A STATE MAINTAINED ROADWAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/OWNER.

SCHOOL DISTRICT NOTE:

REFERENCED PROPERTY LIES WITHIN THE COMAL INDEPENDENT SCHOOL DISTRICT.

COMMON SPACE NOTE:

LOT 900 BLOCK 2 IS A CHANNEL & DRAINAGE EASEMENT.

ALL AFOREMENTIONED LOTS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION OR PROPERTY OWNER AND NOT THE CITY OF NEW BRAUNFELS.

SIDEWALK NOTES:

1. SIX (6) FOOT SIDEWALK IS EXISTING ALONG RANSOM DRIVE.
2. TWELVE (12) FOOT SIDEWALK IS EXISTING ALONG GUTHRIE TRAIL.
3. SIX (6) FOOT SIDEWALK WILL BE CONSTRUCTED BY THE DEVELOPER PER CITY STANDARDS AT THE TIME OF BUILDING PERMIT ALONG IH-35.

PAPE-DAWSON ENGINEERS
1672 INDEPENDENCE DR, STE 102 | NEW BRAUNFELS, TX 78132 | 830.620.9020
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #100288-00

DATE OF PREPARATION: November 14, 2025

STATE OF TEXAS
COUNTY OF COMAL

I (WE) THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, (LOTS 2 AND 900, BLOCK 2) AND DESIGNATED HEREIN AS THE MAYFAIR - SOUTH 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: JIM VATER
SOUTHSTAR AT MAYFAIR DEVELOPER, LLC
A TEXAS LIMITED LIABILITY COMPANY
2055 CENTRAL PLAZA, SUITE 110, BOX 195,
NEW BRAUNFELS, TX 78130

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 8th DAY OF November, 20 25, BY Jim Vater

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: 01-10-2026

CONNIE LYNN MCHUGH-YETT
Notary Public, State of Texas
Comm. Expires 01-10-2026
Notary ID 131403042

STATE OF TEXAS
COUNTY OF COMAL

I (WE), THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, (LOT 1, BLOCK 2) AND DESIGNATED HEREIN AS THE MAYFAIR - SOUTH 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: SHAKEEL BADARPULA
RANSOM RE INVESTMENT, LLC
11940 JOLLYVILLE ROAD, SUITE 110N
AUSTIN, TEXAS 78759

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS DAY OF DECEMBER 01, 20 25, BY SHAKEEL BADARPULA

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: 09/23/2029

TRACY MICHELLE ALLEN
Notary ID #135533614
My Commission Expires
September 23, 2029

APPROVED THIS THE 2nd DAY OF October
20 25 BY THE CITY OF NEW BRAUNFELS, TEXAS.

APPROVED FOR ACCEPTANCE

1/14/2026 for Matthew Simmont
DATE NEIGHBORHOOD AND COMMUNITY PLANNING DIRECTOR

1/5/2026
DATE CITY ENGINEER

STATE OF TEXAS
COUNTY OF COMAL

I, Bobbie Koepp, COUNTY CLERK OF COMAL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE 15th DAY OF January, A.D. 20 26 AT 12:24 PM AND DULY RECORDED THE 15th DAY OF January A.D. 20 26, IN THE RECORDS OF MAPS AND PLATS IN SAID OFFICE, OF SAID COUNTY, IN DOCUMENT # 202600001297 IN TESTIMONY WHEREOF WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 15th DAY OF January A.D. 20 26.

COUNTY CLERK, COMAL COUNTY, TEXAS

BY: DEPUTY

SURVEYOR'S NOTES:

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

KNOW ALL MEN BY THESE PRESENTS.

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

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

STATE OF TEXAS
KEITH W. WOOLEY
5463
PROFESSIONAL LAND SURVEYOR

PLAT NOTES APPLY TO EVERY PAGE OF THIS MULTIPLE PAGE PLAT

CURVE AND LINE DATA ON SHEET 2 OF 2

SHEET 1 OF 2

MAYFAIR - SOUTH RANSOM COMMERCIAL

Civil Job No. 30002-76

202606000297

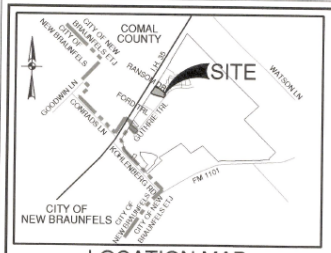
SUBDIVISION PLAT OF MAYFAIR - SOUTH RANSOM COMMERCIAL

10.428 ACRES OF LAND, SITUATED IN THE ANTONIO MARIA EZNAURIZAR SURVEY NUMBER 1, ABSTRACT NUMBER 1, COMAL COUNTY, TEXAS, BEING COMPRISED OF ALL OF 1.790 ACRES, DESCRIBED IN A DEED FROM SOUTHSTAR AT MAYFAIR DEVELOPER, LLC TO RANSOM RE INVESTMENT, LLC, AS RECORDED IN DOCUMENT NUMBER 202506019925 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS AND A PORTION OF 778.313 ACRES, DESCRIBED IN A DEED FROM SOUTHSTAR AT MAYFAIR, LLC TO SOUTHSTAR AT MAYFAIR DEVELOPER, LLC AS RECORDED IN DOCUMENT NUMBER 202106037786 OF THE SAID OFFICIAL PUBLIC RECORDS.

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

PAPE-DAWSON ENGINEERS
1672 INDEPENDENCE DR, STE 102 | NEW BRAUNFELS, TX 78132 | 830.632.5933
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

DATE OF PREPARATION: December 17, 2025



LOCATION MAP

NOT-TO-SCALE

LEGEND

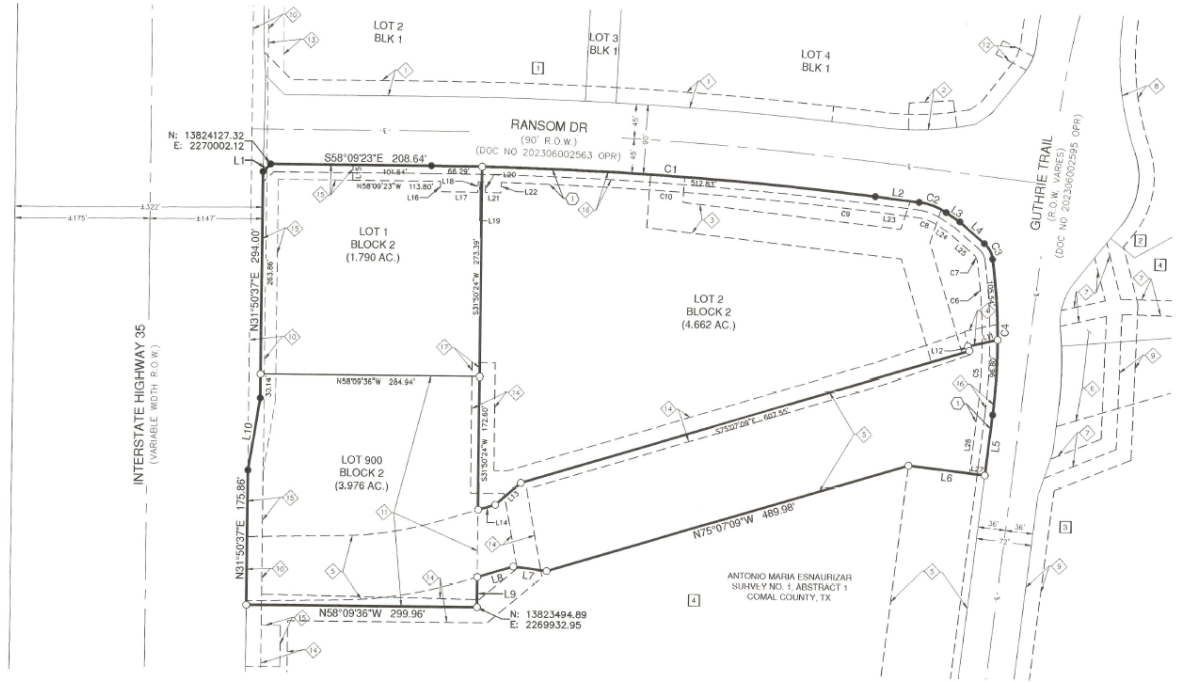
MPR	MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS	DR	DEED RECORDS OF COMAL COUNTY, TEXAS
OPR	OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS		
VOL	VOLUME		
PG	PAGE(S)		
DOC	DOCUMENT NUMBER		
ETJ	EXTRATERITORIAL JURISDICTION		CITY LIMITS OF (CITY NAME)
AC	ACRE(S)		ORIGINAL SURVEY/COUNTY LINE
BLK	BLOCK		& CENTERLINE
ROW	RIGHT-OF-WAY		

- ○ SET 1/2" IRON ROD (PD)
- ● FOUND TxDOT MONUMENTATION (TYPE I, II OR III)
- ● FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE) (SURVEYOR)

KEY NOTES LEGEND

1. VARIABLE WIDTH UTILITY EASEMENT
2. 20' UTILITY EASEMENT (DOC NO 202206046252, OPR)
3. VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 202206045656, OPR)
4. VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 202206045654, OPR)
5. 20' SANITARY SEWER EASEMENT (DOC NO 202206046284, OPR)
6. VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 202206045700, OPR)
7. VARIABLE WIDTH DRAINAGE EASEMENT (DOC NO 202206045657, OPR)
8. 20' SANITARY SEWER EASEMENT (DOC NO 202206046287, OPR)
9. 20' UTILITY AND DRAINAGE ACCESS EASEMENT (DOC NO 202206046290, OPR)
10. 20' UTILITY EASEMENT (DOC NO 202206046292, OPR)
11. 20' PIPELINE EASEMENT (VOL 143, PG 362, DR)
12. CHANNEL EASEMENT (DOC 106, PG 494,DR)
13. 20' SANITARY SEWER EASEMENT (DOC NO 202206046285, OPR)
14. 20' PUBLIC UTILITY EASEMENT (CONCURRENT PLATTING)
15. VARIABLE WIDTH NBU UTILITY EASEMENT (DOC NO 202506038360, OPR)
16. VARIABLE WIDTH UTILITY EASEMENT (DOC NO 202406033750, OPR)
17. 10' UTILITY EASEMENT (DOC NO 202306030216, OPR)
18. 10' UTILITY EASEMENT (DOC NO 202506039607, OPR)

1. MAYFAIR - NORTH RANSOM COMMERCIAL (CONCURRENT PLATTING)
2. MAYFAIR - PARCEL EA-2 (DOC NO 202306002558, OPR)
3. MAYFAIR - PARCEL EA-3 (DOC NO 202306002618, OPR)
4. 778.313 ACRES SOUTHSTAR AT MAYFAIR, LLC, (DOC NO 202106037786, OPR)



LINE TABLE		
LINE #	BEARING	LENGTH
L1	N76°50'37"E	14.14'
L2	S31°27'35"E	57.38'
L3	S24°34'56"E	21.56'
L4	S17°08'17"E	42.56'
L5	S38°32'25"W	79.51'
L6	N51°27'35"W	100.00'
L7	N50°53'29"W	43.86'
L8	N75°07'09"W	48.75'
L9	S31°50'24"W	39.58'
L10	N40°54'37"E	95.19'
L11	S71°03'32"E	39.31'
L12	N14°52'51"E	6.32'
L13	N80°39'11"E	43.86'
L14	S75°07'09"E	23.14'

LINE TABLE		
LINE #	BEARING	LENGTH
L15	N31°50'37"E	20.00'
L16	N32°17'13"E	13.53'
L17	N57°39'26"W	48.82'
L18	S33°00'29"W	13.58'
L19	N57°23'17"W	10.02'
L20	N33°00'29"E	13.58'
L21	N57°12'52"W	20.00'
L22	S33°00'29"W	13.58'
L23	N51°20'38"W	57.17'
L24	N24°34'56"W	20.26'
L25	N17°08'17"W	41.26'
L26	N38°32'25"E	79.51'
L27	N51°27'35"W	20.00'

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	4955.00'	6°41'48"	S54°48'29"E	578.80'	579.13'
C2	81.00'	26°52'39"	S38°01'15"E	37.65'	38.00'
C3	33.00'	40°52'19"	S31°7'53"W	23.04'	23.54'
C4	783.00'	14°48'23"	S31°08'14"W	201.78'	202.34'
C5	763.00'	7°05'01"	N34°59'54"E	94.27'	94.33'
C6	763.00'	7°43'22"	N27°35'43"E	102.76'	102.84'
C7	13.00'	40°52'19"	N31°7'53"E	9.08'	9.27'
C8	61.00'	26°53'43"	N38°01'47"W	28.37'	28.63'
C9	3810.00'	1°00'39"	N51°30'58"W	67.22'	67.23'
C10	5150.00'	4°39'25"	N54°41'00"W	418.46'	418.58'

SHEET 2 OF 2

PRESENTER:
Ken Wilson, Parks and Recreation Director

SUBJECT:
Approval of a second and final reading of an ordinance updating Section 86-3, "Rules and Regulations for Control of Park and Recreation Areas" of the New Braunfels Code of Ordinances authorizing the city manager to set operating hours for city parks facilities and park concessions.

DEPARTMENT: Parks and Recreation.

COUNCIL DISTRICTS IMPACTED: All Districts

BACKGROUND INFORMATION:

City Council unanimously approved the first reading of this ordinance on April 13, 2026.

A presentation was given to City Council on February 23, 2026, to adjust operating hours for certain parks, cemeteries and facilities and was adopted in Ordinance No. 2026-11. During the ordinance update it was identified that other park facilities were not included. The changes requested is to authorize the city manager or their designee to establish the operating hours for City and enclosures on city owned or leased property including, but not limited to Das Rec, Landa Park Aquatic Complex, City Tube Chute, Mission Hill Park, Fischer Park Nature Education Center, Westside Community Center, Landa Park Golf Course and any park concessions.

ISSUE:
Approval of an ordinance update allowing the City Manager to manage day-to-day hours of operations of city parks facilities and park concessions. Currently, prior to school letting out and after school goes back into session, seasonal staffing becomes difficult and requires some facilities to be closed early for the safety of park patrons. This change will allow a facility to update hours to accommodate staffing levels. In addition, some maintenance items require periodic closures at facilities.

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

FISCAL IMPACT:
N/A

RECOMMENDATION:

Staff recommends approval of the ordinance updates to Section 86-3 as described.

ORDINANCE NO. 2026 - ____

AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING SECTION 86-3 "RULES AND REGULATIONS FOR CONTROL OF PARK AND RECREATION AREAS" OF THE NEW BRAUNFELS CODE OF ORDINANCES AUTHORIZING THE CITY MANAGER TO SET OPERATING HOURS FOR CITY PARKS FACILITIES; PROVIDING A REPEALER, SEVERABILITY AND SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Parks and Recreation Department recently presented to City Council adjustments to operating hours for certain parks, cemeteries and facilities that City Council adopted in Ordinance No. 2026-11, on February 23, 2026; and

WHEREAS, the ordinance already delegates certain authority to the City Manager, Chief of Police and Director of Parks and Recreation Department to adjust hours in limited circumstances; and

WHEREAS, the Code of Ordinances needs to be amended to allow the City Manager to manage the day-to-day hours of operations of city parks and facilities, including Das Rec, Landa Aquatics Center, Fischer Park Nature Center, and park concessions; and

WHEREAS, the City Council of the City of New Braunfels, Texas has the authority under its Home Rule Charter and under the laws of the State of Texas to adopt regulations aimed to protect the health, safety, and general welfare of its citizens.

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

Section 1: That Chapter 86 of the New Braunfels Code of Ordinances shall be amended to hereinafter read as follows:

Chapter 86 - PARKS AND RECREATION
ARTICLE I. - IN GENERAL

Sec. 86-3. - Rules and regulations for control of park and recreation areas.

a) The city shall have and shall exercise the power to control all activities, hours of visitation, and days and times of opening to city owned property as defined in this chapter, in order to properly protect the citizens of this community. All city owned property covered by this chapter shall be under the direct supervision of the city manager, the parks and recreation director and the chief of police. These officials shall have the authority to delegate their power of supervision to other employees of the city, not limited to but including as well the police officials and police officers of the city.

b) City owned properties shall be open to the public between the hours of 6:00 a.m. and 10:00 p.m. each and every day, except as follows: Cypress Bend Park, which shall be open

to the public between the hours of 6:00 a.m. and dusk of each and every day; the City Tube Chute Park will close at 7:00 p.m. on Saturdays, Sundays, and Independence Day, including July 3rd when it falls on a Mondy and July 5th when it falls on a Friday, starting Memorial Day weekend and ending Labor Day weekend; the right-of-way under the Faust Street Bridge will be closed on both sides of the Guadalupe River to prevent public access; and the Comal Cemetery and the New Braunfels Cemetery which shall be open from 8:00 a.m. until dusk. All such city owned area properties shall be open during the above-described hours unless otherwise stated in this ordinance or closed by order of the city manager or the parks and recreation director and/or the chief of police for the purposes of rehabilitation, cleaning, general supervision, or to protect the health, safety and general welfare of the public. The city manager or their designee is authorized to establish the operating hours of city buildings and enclosures on city owned or leased property including, but not limited to Das Rec, Landa Aquatics Center, City Tube Chute, Mission Hill, Fischer Park Nature Education Center, Westside Community Center, Landa Park Golf Course, and any park concessions. If such areas are to be open prior to 6:00 a.m. in the morning or after the specific closing times set forth in this section, specific permission must be secured from the parks and recreation director for anyone to use such areas during those extra hours.

c) The police department of the city is charged with the responsibility of supervising and maintaining law and order in the city owned properties in order to protect the peace, health, safety and general welfare of the public. In order to carry out this provision, the police department, and any and all officers therein, shall have the authority to make any arrests for violation of any state law or city ordinance. In addition thereto, it is hereby declared that a person commits an offense of trespass if he/she enters or remains on city owned properties, during hours other than those set out in this section, without effective consent, and he/she:

(1) Had notice that the entry was forbidden; or
(2) Received notice to depart but failed to do so.

For purposes of this section, "entry" means the intrusion of the entire body and "notice" means an oral or written communication by the city manager, the parks and recreation director, or the chief of police or any police officer; or fencing or other enclosure obviously designed to exclude intruders during the closed hours; or signs posted to be reasonably likely to come to the attention of intruders.

d) For the purposes of this section, the definition of the city owned ~~park~~ properties includes all applicable areas of the same for any and all immediate parking of vehicles. Such parking areas shall be defined as city streets and shall be supervised and regulated by the police department in the same manner as all city streets. Further, for the purposes of this section, a user of all parks shall also cover individuals who are sitting inside their vehicles while parked in any of the parking areas.

e) It is further an offense and a violation of this section for any person to be standing, walking, running, sitting, jumping, diving or doing any other act on or off Clemens Dam itself. It shall likewise be illegal for any person to swim through the openings of Clemens Dam, or attempt

to swim through such openings or wade through such openings, and this illegal act shall also apply to anyone who attempts to swim over Clemens Dam.

f) The refusal of any person to carry out the orders and provisions of this section shall be deemed a misdemeanor, punishable by a fine of not more than $500.00.

SECTION 2: REPEALER. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only. All provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 3: SEVERABILITY.
It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 4: SAVINGS CLAUSE.
The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

SECTION 4. EFFECTIVE DATE AND PUBLICATION.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office. This ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this ___ day of _____, 2026.

PASSED AND APPROVED: Second reading this ____ day of_____, 2026.

CITY OF NEW BRAUNFELS, TEXAS

_____
NEAL LINNARTZ, Mayor

ATTEST:

_____
Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

_____
Valeria M. Acevedo, City Attorney

PRESENTER:
Matthew Simmont, AICP, Planning Manager
Applicant/Owner: John Holler
SUBJECT:
Public hearing and first reading of an ordinance, requested by John Holler, to rezone approximately 1.5 acres out of the Baystone Subdivision, Lots 1 and 2, from R-2 AH (Single-Family and Two-Family Airport Hazard District) and R-2 AH SUP (Single-Family and Two-Family Airport Hazard District with a Special Use Permit for Multifamily Use) to C-1A AH (Neighborhood Business Airport Hazard District), currently addressed at 222 and 224 Alves Lane.
DEPARTMENT: Neighborhood and Community Planning
COUNCIL DISTRICTS IMPACTED: 5

BACKGROUND INFORMATION:
Case No: PZ26-0043

Applicant/Owner:
John Holler
(210) 504-4505 | johnh@iflcm.com

Staff Contact:
Mary Lovell, AICP, CNU-A
(830) 221-4051 | mlovell@newbraunfels.gov

The subject property is approximately 1.5 acres located along an existing minor arterial, Alves Lane, approximately 1/3 of a mile from the intersection of Alves Lane and State Highway 46 South. The subject property is bordered by Alves Lane to the north and R-2 residentially zoned lots to the east, west and south. The property is currently developed with a duplex along with an undeveloped lot that allows construction of a fourplex.

The applicant is requesting a change in zoning from R-2 AH (Single-Family and Two-Family Airport Hazard Overlay District) and R-2 AH SUP (Single-Family and Two-Family Airport Hazard Overlay District with a Special Use Permit for Multifamily Use) to C-1A AH (Neighborhood Business Airport Hazard Overlay District).

ISSUE:
The submitted application indicates that the proposed zoning change is intended to allow for development of an assisted living facility designed to resemble a large, single-story residential home that fits within the surrounding neighborhood.

Any development on the property is required to be constructed in compliance with all applicable local and state building codes and regulations. Documentation provided with the application indicates a planned facility that

features stick-and-brick framing, fire-rated sprinkler coverage throughout the structure, and sixteen (16) private resident rooms. The proposed assisted living use of the property is intended to provide light, non-medical caregiving support in a quiet, residential-style environment.

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-1A (Neighborhood Commercial) at this location would be consistent with the following actions from Envision New Braunfels:

- **Action 1.3**: Encourage balanced and fiscally responsible land-use patterns.
- **Action 1.6**: Incentivize infill development and redevelopment to take advantage of existing infrastructure.
- **Action 2.1**: Sustain community livability for all ages and economic backgrounds.
- **Action 3.1**: Plan for healthy jobs/housing balance.
- **Action 3.3**: Balance commercial centers with stable neighborhoods.
- **Action 3.6**: Pro actively provide a regulatory framework that remains business and resident friendly.
- **Aging in Place** - Transitioning to a supportive setting still in the community:
    - Housing that supports aging in the community.
    - Ensure that community land-use planning improves older-adult mobility through zoning enhancements that support the logical location of older-adult housing and services near transportation and mobility infrastructure.

Future Land Use Plan: The subject property is located within the Oak Creek Subarea, along a Transitional Mixed-Use Corridor.

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

- Economic Mobility - Support Confluence, the New Braunfels Chamber of Commerce Economic Development Strategic Plan, by helping to ensure a community that supports the targeted industries and increases the diversity of job opportunities in the community.
- Economic Mobility - Incentivize mixed-use developments and redevelopments in targeted locations to create a built environment with integrated housing, commercial centers, and opportunities for improved connectivity.
- Community Well-Being - Develop capital and staffing investments that improve safety, reduce heat islands, and encourage transportation modes that support healthier lifestyles and exercise such as biking, walking and running.

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 tax revenue without significant impacts on services and infrastructure costs and distribute cost burdens across more property owners. An increase in

development opportunities from rezoning will allow net positive revenue per acre.

RECOMMENDATION:

Staff recommends approval. C-1A would be appropriate at this location as it is intended to accommodate various low-impact, neighborhood-serving, pedestrian/cyclist accessible uses, such as assisted living, that provides supportive services to the community.

The Planning Commission held a public hearing on April 7, 2026, and unanimously recommended approval of the rezoning request (7-0-0).

Code of Ordinances Sec. 144-2.1 *Changes and Zoning Amendments*:

(b) *Considerations for approving or denying a zoning change.* In making a determination regarding a requested zoning change, the planning commission and the city council shall consider the following factors:

(1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole;

(2) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;

(3) How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved;

(4) Any other factors that will substantially affect the public health, safety, morals, or general welfare; and

(5) Whether the request is consistent with the comprehensive plan.

Mailed notification as required by state statute:

Public hearing notices were sent to owners of 28 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. 3.3-2 (R-2) of the City's Code of Ordinances: <https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Sec. 3.6 (SUP) of the City's Code of Ordinances: <https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Sec. 5.20 (AH) 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?

City of New Braunfels

PZ26-0043

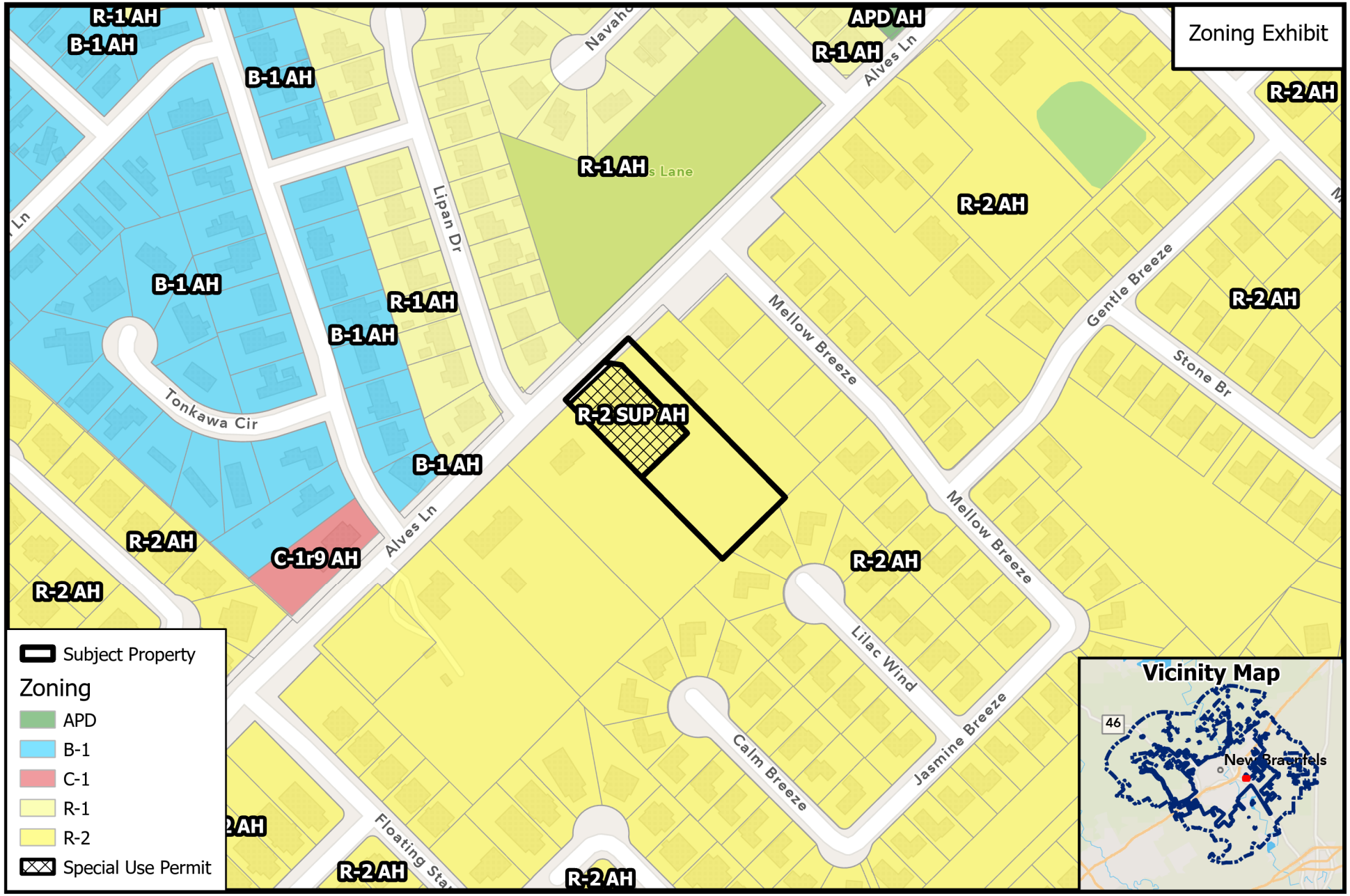
R-2 AH & R-2SUP AH to C-1A AH

0 130 260 Feet

Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\PZ26-0043 - 222 & 224 Alves Ln -

Source: City of New Braunfels Planning
Date: 3/11/2026

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 Braur officials or employees for any discrepancies, errors, or variances which may



PZ26-0043

R-2 AH & R-2SUP AH to C-1A AH

0 130 260 Feet

Path:
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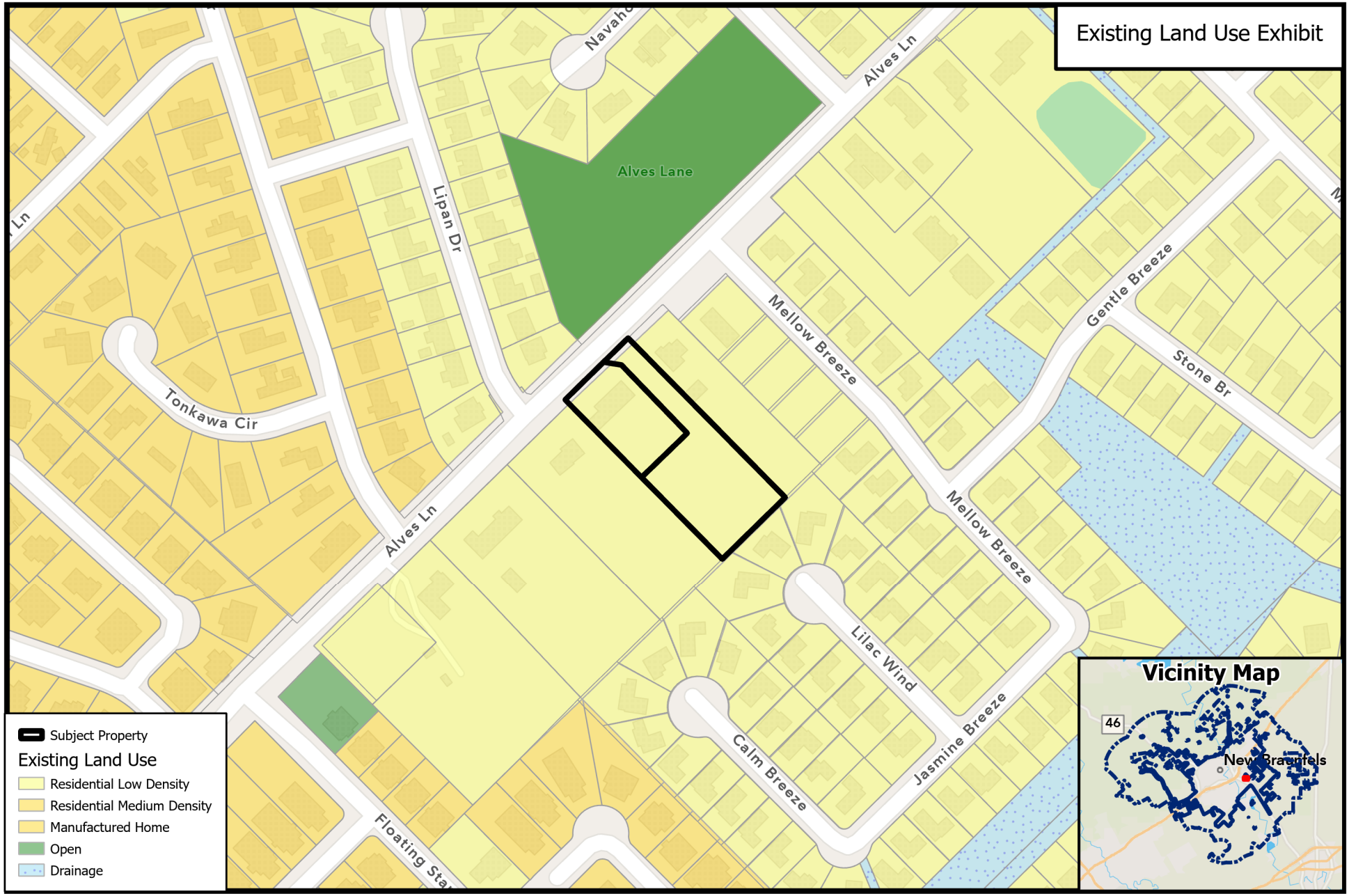

City of New Braunfels

PZ26-0043

R-2 AH & R-2SUP AH to C-1A AH

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Land Use	Existing	Proposed
	R-2	C-1A
Accessory building/structure (see section 144-5.4)	P	P
Accessory dwelling (one accessory dwelling per lot)	P	
Accounting, auditing, bookkeeping, and tax preparations		P
Acid manufacture		
Adult day care (no overnight stay)		P
Adult day care (with overnight stay)		P
Aircraft support and related services		
Airport		
All-terrain vehicle (ATV) dealer/sales		
Ambulance service (private)		
Amphitheaters (outdoor live performances)		
Amusement devices/arcade (four or more devices)		P
Amusement services or venues (indoors) (see section 144-5.13)		
Amusement services or venues (outdoors)		
Animal grooming shop		P
Answering and message services		P
Antique shop		P
Appliance repair		P
Archery range		
Armed services recruiting center		P
Art dealer/gallery		P
Artist or artisans studio		P
Assembly/exhibition hall or areas		
Assisted living facility/retirement home		P
Athletic fields		
Auction sales (non-vehicle)		
Auto body repair, garages (see section 144-5.11)		
Auto glass repair/tinting (see section 144-5.11)		
Auto interior shop/upholstery (see section 144-5.11)		
Auto leasing		P
Auto muffler shop (see section 144-5.11)		
Auto or trailer sales rooms or yards (see section 144-5.12)		
Auto or truck sales rooms or yards—Primarily new (see section 144-5.12)		
Auto paint shop		
Auto repair as an accessory use to retail sales		
Auto repair garage (general) (see section 144-5.11)		
Auto supply store for new and factory rebuilt parts		P
Auto tire repair/sales (indoor)		P
Auto wrecking yards		
Automobile driving school (including defensive driving)		
Bakery (retail)		P
Bank, savings and loan, or credit union		P
Bar/tavern (no outdoor music)		P
Bar/tavern		
Barber/beauty college (barber or cosmetology school or college)		
Barns and farm equipment storage (related to agricultural uses)	P	P
Battery charging station		P
Bed and breakfast inn (see section 144-5.6)		P

Land Use	Existing	Proposed
	R-2	C-1A
Bicycle sales and/or repair		P
Billiard/pool facility		
Bingo facility		P
Bio-medical facilities		
Blacksmith or wagon shops		
Blooming or rolling mills		
Boarding house/lodging house		
Book binding		P
Book store		P
Bottling or distribution plants (milk)		
Bottling works		
Bowling alley/center (see section 144-5.13)		
Breweries/distilleries and manufacture of alcohol and alcoholic beverages		
Broadcast station (with tower) (see section 144-5.7)		
Bulk storage of gasoline, petroleum products, liquefied petroleum and flammable liquids (see section 5.27)		
Bus barns or lots		
Bus passenger stations		
Cabin or cottage (rental)		
Cabin or cottage (rental for more than 30 days)		
Cafeteria/cafe/delicatessen		P
Campers' supplies		P
Campgrounds		
Canning/preserving factories		
Car wash (self-service; automated)		
Car wash, full service (detail shop)		
Carpenter, cabinet, or pattern shops		
Carpet cleaning establishments		
Caterer		P
Cement, lime, gypsum or plaster of Paris manufacture		
Cemetery and/or mausoleum	P	P
Check cashing service		P
Chemical laboratories (e.g., ammonia, bleaching powder)		
Chemical laboratories (not producing noxious fumes or odors)		
Child day care/children's nursery (business)		P
Church/place of religious assembly	P	P
Cider mills		
Civic/conference center and facilities		
Cleaning, pressing and dyeing (non-explosive fluids used)		P
Clinic (dental)		P
Clinic (emergency care)		P
Clinic (medical)		P
Club (private)		
Coffee shop		P
Cold storage plant		
Commercial amusement concessions and facilities		
Communication equipment—Installation and/or repair		P
Community building (associated with residential uses)	P	

Land Use	Existing	Proposed
	R-2	C-1A
Community home (see definition)	P	P
Computer and electronic sales		P
Computer repair		P
Concrete or asphalt mixing plants—Permanent		
Concrete or asphalt mixing plants—Temporary		
Confectionery store (retail)		P
Consignment shop		P
Contractor's office/sales, with outside storage including vehicles		
Contractor's temporary on-site construction office	P	P
Convenience store with gas sales		
Convenience store without gas sales		P
Cotton ginning or baling works		
Country club (private)	P	
Credit agency		P
Crematorium		
Curio shops		P
Custom work shops		P
Dance hall/dancing facility (see section 144-5.13)		
Day camp		
Department store		P
Distillation of bones		
Dormitory (in which individual rooms are for rental)		
Drapery shop/blind shop		P
Driving range		
Drug store/pharmacy		P
Duplex/two-family/duplex condominiums	P	
Electrical generating plant		
Electrical repair shop		P
Electrical substation		P
Electronic assembly/high tech manufacturing		
Electroplating works		
Enameling works		
Engine repair/motor manufacturing re-manufacturing and/or repair		
Explosives manufacture or storage		
Exterminator service		
Fairground		
Family home adult care	P	
Family home child care	P	
Farmers market (produce market—wholesale)		
Farms, general (crops) (see chapter 6 and section 144-5.9)	P	P
Farms, general (livestock/ranch) (see chapter 6 and section 144-5.9)	P	P
Feed and grain store		
Fertilizer manufacture and storage		
Filling station (gasoline tanks must be below the ground)		
Florist		P
Flour mills, feed mills, and grain processing		
Food or grocery store with gasoline sales		
Food or grocery store without gasoline sales		P

Land Use	Existing	Proposed
	R-2	C-1A
Food processing (no outside public consumption)		
Forge (hand)		
Forge (power)		
Fraternal organization/civic club (private club)		
Freight terminal, rail/truck (when any storage of freight is wholly outside an enclosed building)		
Freight terminal, truck (all storage of freight in an enclosed building)		
Frozen food storage for individual or family use		P
Funeral home/mortuary		
Furniture manufacture		
Furniture sales (indoor)		
Galvanizing works		
Garbage, offal or dead animal reduction or dumping		
Garden shops and greenhouses		P
Gas manufacture		
Gas or oil wells		
Golf course (public or private)	P	P
Golf course (miniature)		
Government building or use with no outside storage (outside storage allowed in M-2 and M-2A)	P	P
Grain elevator		
Greenhouse (commercial)		P
Handicraft shop		P
Hardware store		P
Hay, grain, and/or feed sales (wholesale)		
Health club (physical fitness; indoors only)		P
Heating and air-conditioning sales/services		P
Heavy load (farm) vehicle sales/repair (see section 144-5.14)		
Heavy manufacturing		
Heliport		
Hides/skins (tanning)		
Home occupation (see section 144-5.5)	P	
Home repair and yard equipment retail and rental outlets		
Hospice		P
Hospital, general (acute care/chronic care)		
Hospital, rehabilitation		P
Hotel/motel		
Hotels/motels—Extended stay (residence hotels)		
Ice delivery stations (for storage and sale of ice at retail only)		
Ice plants		
Indoor or covered sports facility		
Industrial laundries		
Iron and steel manufacture		
Junkyards, including storage, sorting, baling or processing of rags		
Kiosk (providing a retail service)		P
Laboratory equipment manufacturing		
Laundromat and laundry pickup stations		P
Laundry, commercial (without self-serve)		
Laundry/dry cleaning (drop off/pick up)		P

Land Use	Existing	Proposed
	R-2	C-1A
Laundry/washateria (self-serve)		P
Lawnmower sales and/or repair		P
Leather products manufacturing		
Light manufacturing		
Limousine/taxi service		
Livestock sales/auction		
Locksmith		P
Lumber mill		
Lumberyard (see section 144-5.15)		
Lumberyard or building material sales (see section 144-5.15)		
Machine shop		
Maintenance/janitorial service		
Major appliance sales (indoor)		
Manufacture of carbon batteries		
Manufacture of paint, lacquer, oil, turpentine, varnish, enamel, etc.		
Manufacture of rubber, glucose, or dextrin		
Manufactured home—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home park—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home subdivision—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home sales		
Manufacturing and processes		
Manufacturing processes not listed		
Market (public, flea)		
Martial arts school		P
Meat or fish packing/storage plants		
Medical supplies and equipment		
Metal fabrication shop		
Micro brewery (onsite mfg. and/or sales)		
Micro distillery (onsite mfg. and/or sales)		P
Mini-warehouse/self-storage units (no boat and RV storage permitted)		
Mini-warehouse/self-storage units with outside boat and RV storage		
Monument, gravestone, or marble works (manufacture)		
Motion picture studio, commercial film		
Motion picture theater (indoors)		
Motion picture theater (outdoors, drive-in)		
Motorcycle dealer (primarily new/repair)		
Moving storage company		
Moving, transfer, or storage plant		
Multifamily (apartments/condominiums)		
Museum		P
Natural resource extraction and mining		
Needlework shop		P
Nonbulk storage of gasoline, petroleum products and liquefied petroleum		
Nursing/convalescent home/sanitarium		P
Offices, brokerage services		P
Offices, business or professional		P
Offices, computer programming and data processing		P

Land Use	Existing	Proposed
	R-2	C-1A
Offices, consulting		P
Offices, engineering, architecture, surveying or similar		P
Offices, health services		P
Offices, insurance agency		P
Offices, legal services, including court reporting		P
Offices, medical offices		P
Offices, real estate		P
Offices, security/commodity brokers, dealers, exchanges and financial services		P
Oil compounding and barreling plants		
One-family dwelling, detached	P	
Outside storage (as primary use)		
Paint manufacturing		
Paper or pulp manufacture		
Park and/or playground (private and public)	P	P
Parking lots (for passenger car only) (not as incidental to the main use)		P
Parking structure/public garage		P
Pawn shop		P
Personal services		P
Personal watercraft sales (primarily new/repair)		
Pet shop/supplies (less than 10,000 sq. ft.)		P
Pet store (over 10,000 sq. ft.)		
Petroleum or its products (refining of)		
Photo engraving plant		
Photographic printing/duplicating/copy shop or printing shop		P
Photographic studio (no sale of cameras or supplies)		P
Photographic supply		P
Plant nursery (no retail sales on site)	P	P
Plant nursery (retail sales/outdoor storage)		P
Plastic products molding/reshaping		
Plumbing shop		
Portable building sales		
Poultry killing or dressing for commercial purposes		
Propane sales (retail)		
Public recreation/services building for public park/playground areas	P	P
Publishing/printing company (e.g., newspaper)		
Quick lube/oil change/minor inspection		P
Radio/television shop, electronics, computer repair		P
Railroad roundhouses or shops		
Rappelling facilities		
Recreation buildings (private)		P
Recreation buildings (public)	P	P
Recycling kiosk		P
Refreshment/beverage stand		P
Rental or occupancy for less than one month (see section 144-5.17)		
Research lab (non-hazardous)		
Residential use in buildings with non-residential uses permitted in the district		
Restaurant/prepared food sales		P
Restaurant with drive-through service		P

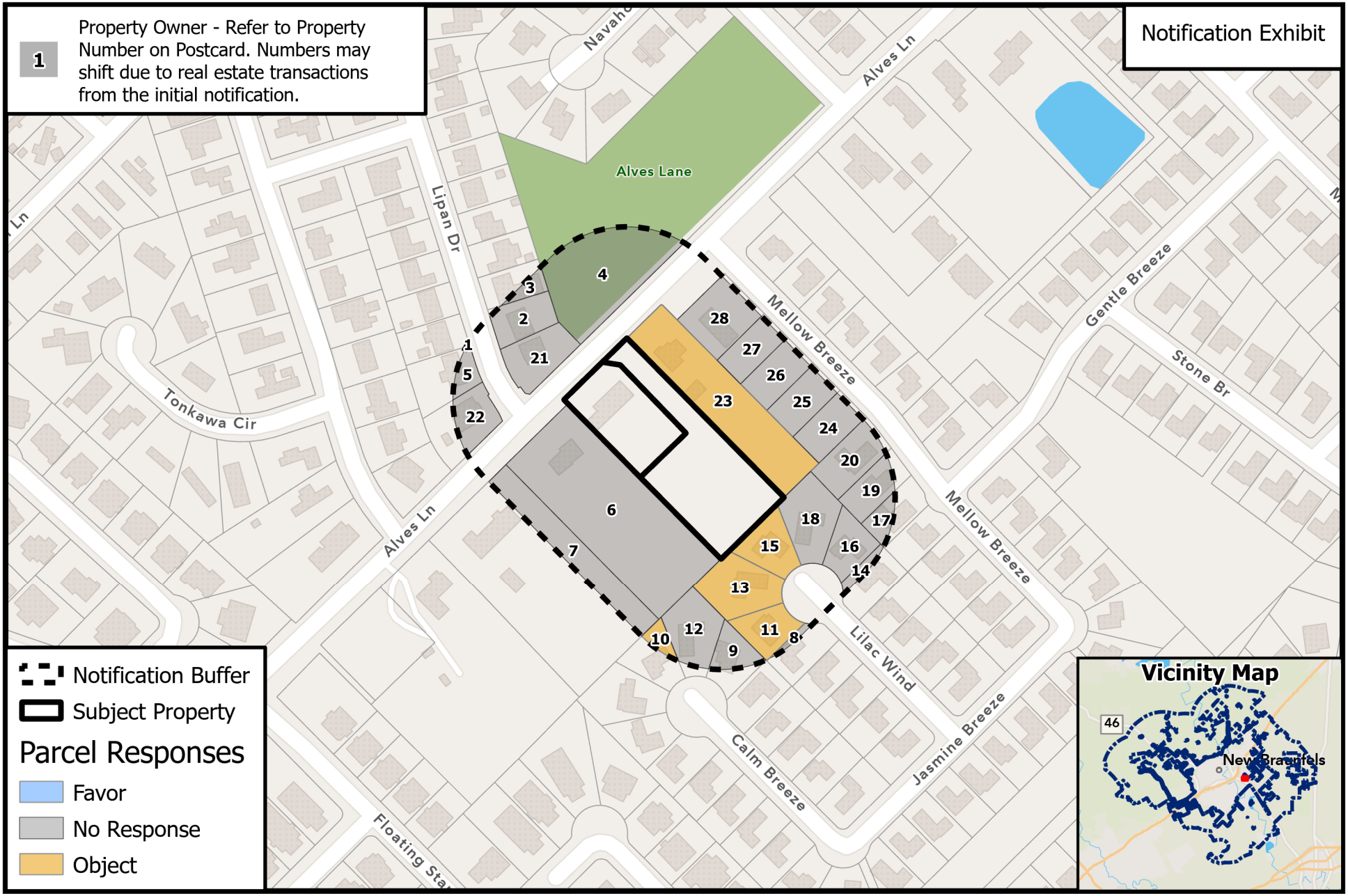
Land Use	Existing	Proposed
	R-2	C-1A
Retail store and shopping center without drive-through service (50,000 sq. ft. bldg. or less)		P
Retail store and shopping center with drive-through service (50,000 sq. ft. bldg. or less)		P
Retail store and shopping center (more than 50,000 sq. ft. bldg.)		
Retirement home/home for the aged		P
Rock crushers and rock quarries		
Rodeo grounds		
RV park		
RV/travel trailer sales		
Sand/gravel sales (storage or sales)		
School, K-12 public or private	P	P
School, vocational (business/commercial trade)		P
Security monitoring company (no outside storage or installation)		P
Security systems installation company		P
Sexually oriented business (see chapter 18)		
Sheet metal shop		
Shoe repair shops		P
Shooting gallery—Indoor (see section 144-5.13)		
Shooting range—Outdoor (see section 144-5.13)		
Shopping center		P
Sign manufacturing/painting plant		
Single-family industrialized home (see section 144-5.8)	P	
Smelting of tin, copper, zinc or iron ores		
Specialty shops in support of project guests and tourists		P
Stables (as a business) (see chapter 6)		
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
Sugar refineries		
Tailor shop (see home occupation)		P
Tar distillation or manufacture		
Tattoo or body piercing studio		
Taxidermist		
Telecommunications towers/antennas (see section 144-5.7)		
Telemarketing agency		P
Telephone exchange buildings (office only)		P
Tennis court (commercial)		
Theater (non-motion picture; live drama)		P
Tire sales (outdoors)		
Tool rental		P
Townhouse (attached)		
Transfer station (refuse/pick-up)		
Travel agency		P

Land Use	Existing	Proposed
	R-2	C-1A
Truck or transit terminal		
Truck stop		
Tuber entrance and takeout facilities (see section 144-5.13)		
University or college (public or private)		P
Upholstery shop (non-auto)		
Used or second hand merchandise/furniture store		
Vacuum cleaner sales and repair		P
Vehicle storage facility		
Veterinary hospital (no outside animal runs or kennels)		P
Veterinary hospital (with outdoor animal runs or kennels that may not be used between the hours of 9:00 p.m. and 7:00 a.m.)		
Video rental/sales		P
Warehouse/office and storage/distribution center		
Waterfront amusement facilities—Berthing facilities sales and rentals		
Waterfront amusement facilities—Boat fuel storage/dispensing facilities		
Waterfront amusement facilities—Boat landing piers/launching ramps		
Waterfront amusement facilities—Swimming/wading pools/bathhouses		
Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system	P	P
Welding shop		
Wholesale sales offices and sample rooms		
Wire or rod mills		
Wood distillation plants (charcoal, tar, turpentine, etc.)		
Woodworking shop (ornamental)		P
Wool scouring		
Zero lot line/patio homes		

224 Alves Lane - Duplex

222 Alves Lane - Undeveloped

City of New Braunfels



City of New Braunfels

PZ26-0043

R-2 AH & R-2SUP AH to C-1A AH

0 130 260 Feet

Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\PZ26-0043 - 222 & 224 Alves Ln -

Source: City of New Braunfels Planning
Date: 4/6/2026

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PLANNING COMMISSION – APRIL 7– 6:00PM

City Hall Council Chambers

Applicant: John Holler

Address/Location: 222 & 224 Alves Lane

Case # PZ26-0043

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. DAVILA DAVID & ROSIE
2. MARTINEZ JULIO C
3. CANTU REYMUNDO F & LOUISA
4. NEW BRAUNFELS CITY OF
5. GREEN NANCY L
6. EBBE BUCK W & HALEY R
7. EBBE STEVEN & ROSALINDA
8. HEINER JOSHUA C
9. FREEMAN LITA Z
10. KIRKBRIDE MELISSA R & CHARLES D JR
11. BACHMAN BLAIR V & DEBRA
12. HENDRIKSEN INSURANCE SERVICES LLC
13. LANGENHAHN ERIC
14. ZIMMERS MOLLY E
15. LANGENHAHN ERIC T
16. MATTALIANO ANTHONY & MELISSA A
17. JWN 401K
18. MCCLAUGHERTY MASON COLE
19. SMOOT JESSICA L
20. SCHWERTNER JENNIFER J
21. MADRID ELSA & ISABEL
22. GREMMER SPENCER W
23. ORONA RUBEN & HORTENCIA
24. REK A FAMILY TRUST 08-18-2014
25. STEELE FAMILY TRUST 3-03-2003
26. JAROSZEWSKI BARRY D SR & JOAN E
27. STRANSKY CHRISTY
28. JAROSZEWSKI BARRY D JR & KASIA R

SEE MAP

BACHMAN BLAIR V & DEBRA
1040 LILAC WIND
NEW BRAUNFELS TX 78130
Property #: 11
PZ26-0043
Case Manager: ML

FAVOR ☐
OPPOSE ☒

COMMENTS

THE CURRENT ZONING WAS ESTABLISHED FOR A REASON. THIS IS A RESIDENTIAL AREA AND ACCORDING TO THE LIST OF APPROVED BUSINESSES ALLOWED IN A C-1A ZONE, THIS WOULD ADD SUBSTANTIAL NOISE AND LIGHT POLLUTION WHICH WOULD DIRECTLY AFFECT MY HOUSE AND MY NEIGHBORS HOMES.

KIRKBRIDE MELISSA R & CHARLES D JR
1034 CALM BREEZE
NEW BRAUNFELS TX 78130
Property #: 10
PZ26-0043
Case Manager: ML

FAVOR ☐
OPPOSE ☒

COMMENTS

LANGENHAHN ERIC
1166 TURTLE TRAIL
NEW BRAUNFELS TX 78130
Property #: 13
PZ26-0043
Case Manager: ML

FAVOR ☐
OPPOSE ☒

COMMENTS I will be out of town on the hearing date. My property is directly behind this rezoning request and would greatly reduce the property value.

Eric Langenhahn

LANGENHAHN ERIC T

1166 TURTLE TRAIL

NEW BRAUNFELS TX 78130

Property #: 15

PZ26-0043
Case Manager: ML

FAVOR ☐

COMMENTS OPPOSE ☒

My property is directly behind this re-zoning request and would greatly reduce the property value.

Eric Langenhahn

ORONA RUBEN & HORTENCIA

226 ALVES LN

NEW BRAUNFELS TX 78130

Property #: 23

PZ26-0043
Case Manager: ML

FAVOR ☐

COMMENTS OPPOSE ☒

A) PZ26-0043 Public hearing and recommendation to City Council to rezone approximately 1.5 acres out of the Baystone Subdivision, Lots 1 and 2, at the request of John Holler, from R-2 AH (Single-Family and Two-Family Airport Hazard Overlay District) and R-2 AH SUP (Single-Family and Two-Family Airport Hazard Overlay District with a Special Use Permit for Multifamily Use) to C-1A AH (Neighborhood Business Airport Hazard Overlay District), currently addressed at 222 and 224 Alves Lane. *(Applicant/Owner: John Holler; Staff Contact: Mary Lovell, Senior Planner, AICP, CNU-A)*

Mary Lovell introduced the aforementioned item.

Chair Sonier asked if there were any questions for staff. There were none.

Chair Sonier invited the applicant to speak on the item.

Applicant/ Owner John Holler elaborated on the request discussing the benefit of the rezoning and the design of the proposed assisted living facility.

Discussion followed on the construction and design of new buildings on the two parcels, connection of the duplexes, number of beds, plans for parking and traffic concerns.

Chair Sonier opened the public hearing and asked if anyone present wished to speak on the item.

3 individuals spoke in opposition of the item.

1 individual 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 traffic concerns.

Motion by Commissioner Alsup, seconded by Commissioner Rudy, to recommend approval of the item to City Council. Motion carried unanimously (7-0-0).

DRAFT

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 1.5 ACRES, BEING OUT OF THE BAYSTONE SUBDIVISION, LOTS 1 AND 2, CURRENTLY ADDRESSED AT 222 & 224 ALVES LANE, FROM R-2 AH (SINGLE-FAMILY AND TWO-FAMILY AIRPORT HAZARD OVERLAY DISTRICT) AND R-2 AH SUP (SINGLE-FAMILY AND TWO-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIAL USE PERMIT FOR MULTIFAMILY USE) TO C-1A AH (NEIGHBORHOOD BUSINESS AIRPORT HAZARD OVERLAY DISTRICT); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all .requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the C-1A (Neighborhood Business 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 alignment with the Land Use Fiscal Analysis**;**

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 1.5 acres being out of the Baystone Subdivision, Lots 1 and 2, currently addressed at 222 & 224 Alves Lane from R-2 AH (Single-Family and Two-Family Airport Hazard Overlay District) and R-2 AH SUP (Single-Family and Two-Family Airport Hazard Overlay District with a Special Use Permit for Multifamily Use) to C-1A AH (Neighborhood Business Airport Hazard Overlay 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 R-2 AH (Single-Family and Two-Family Airport Hazard Overlay District) and R-2 AH SUP (Single-Family and Two-Family Airport Hazard Overlay District with a Special Use Permit for Multifamily Use) to C-1A AH (Neighborhood Business Airport Hazard Overlay District):

Approximately 1.5 acres, being out of the Baystone Subdivision, Lots 1 and 2, as delineated on Exhibit “A” and described in Exhibit “B”, attached.

SECTION 2

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 3

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

SECTION 4

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

PASSED AND APPROVED: First reading this 27th day of April, 2026.

PASSED AND APPROVED: Second reading this 11th day of May, 2026.

CITY OF NEW BRAUNFELS

_____
NEAL LINNARTZ, Mayor

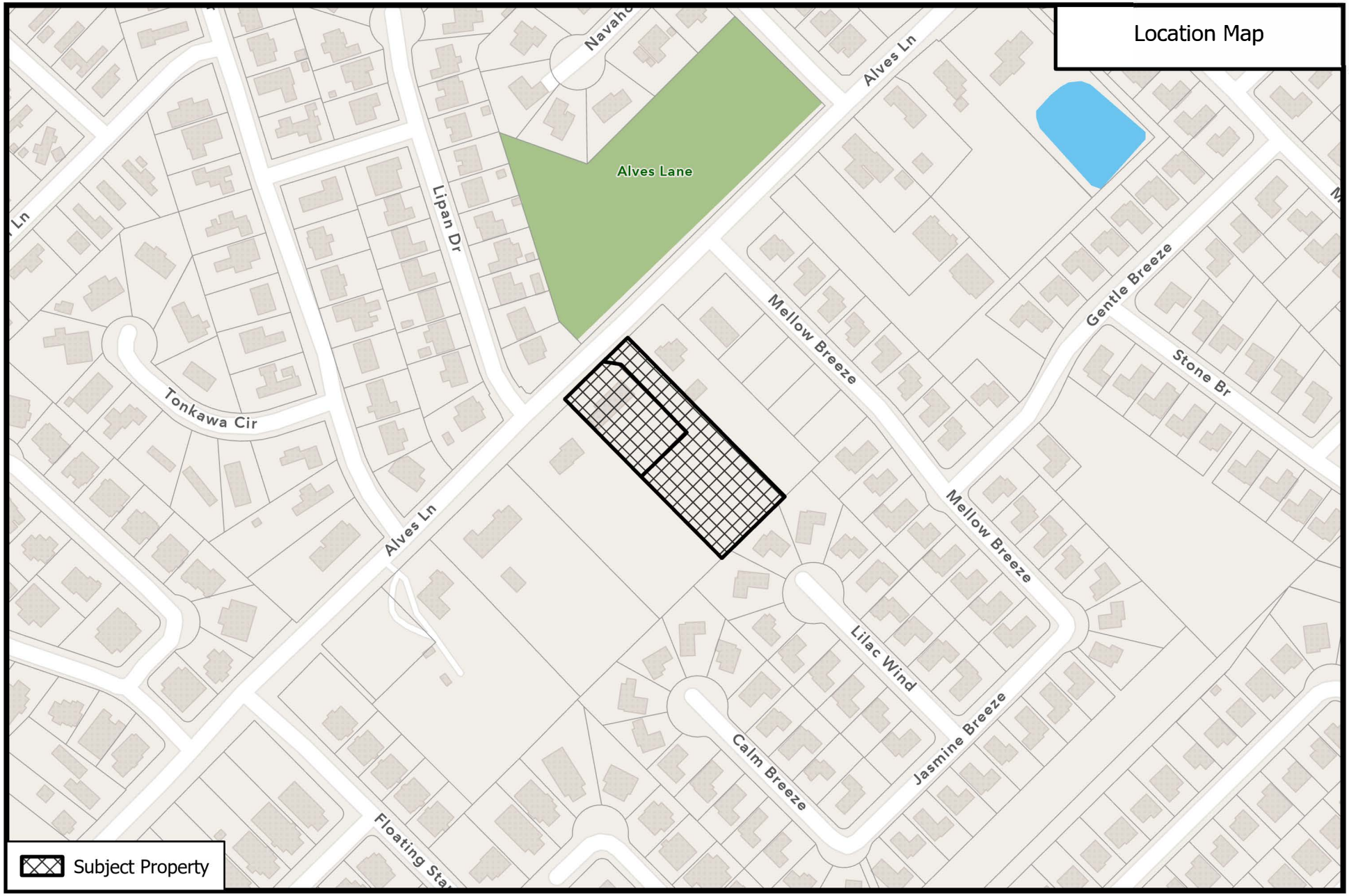
ATTEST:

_____
GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

_____
VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



City of New Braunfels

PZ26-0043

R-2 AH & R-2SUP AH to C-1A AH

0 130 260 Feet

Path:
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Source: City of New Braunfels Planning
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EXHIBIT "B"

LOTS 1 AND 2, BAYSTONE SUBDIVISION, RECORDED IN DOCUMENT NO. 200606045436, MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS.

SURVEY NOTES:

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

THIS SURVEYOR HAS NOT CONDUCTED A TITLE SEARCH TO DEPICT OTHER MATTERS OF RECORD, SUCH AS EASEMENTS, SETBACKS, RESTRICTIONS OR OTHER ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

NO ATTEMPT HAS BEEN MADE TO LOCATE ANY IMPROVEMENTS, EASEMENTS, OR RIGHTS OF WAY NOT SHOWN HEREON.

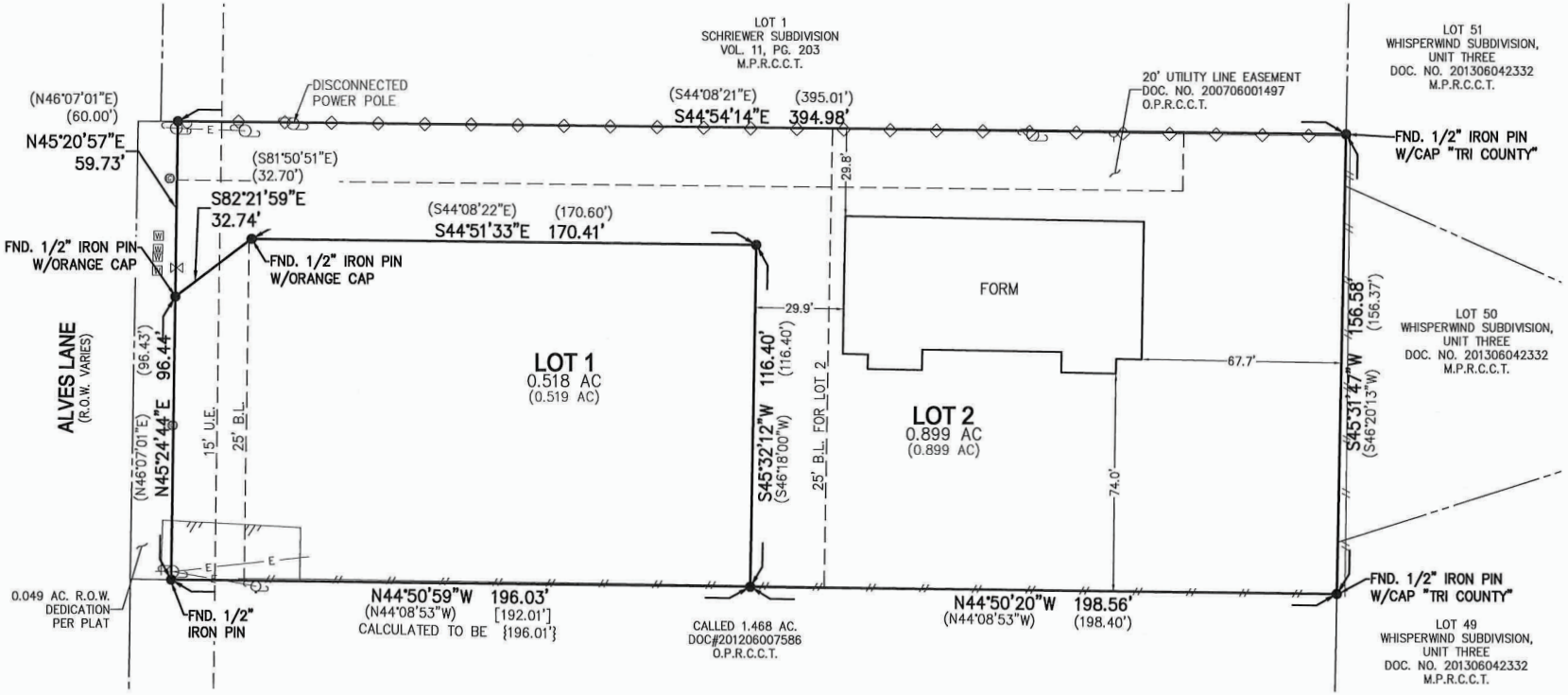
BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83.

IMPROVEMENTS NOT LOCATED ON LOT 1 FOR THIS SURVEY.

SCALE: 1"=40'

LEGEND:

- ● = FND 1/2" IRON PIN W/CAP STAMPED "4069" UNLESS NOTED OTHERWISE
- B.L. = BUILDING SETBACK LINE
- U.E. = UTILITY EASEMENT
- D.E. = DRAINAGE EASEMENT
- R.O.W. = RIGHT-OF-WAY
- = CLEAN OUT
- = EDGE OF ASPHALT
- O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
- M.P.R.C.C.T. = MAP & PLAT RECORDS OF COMAL COUNTY, TEXAS
- ( ) = RECORD CALLS
- { } = S.I.C. – SCRIPT ERAT DICTUM
- —E— = OVERHEAD ELECTRIC
- = CHAIN LINK FENCE
- = WOOD FENCE
- = POWER POLE W/ CONDUIT
- = POWER POLE
- W = WATER METER
- = WATER VALVE



STATE OF TEXAS
REGISTERED
DOUGLAS B. COTTLE
6149
PROFESSIONAL
LAND SURVEYOR

6 DEC 2021

222 & 222-C ALVES LANE
NEW BRAUNFELS, TEXAS

THIS SURVEY IS CERTIFIED TO:
WAYNE WALL

DRAWN BY: JS
FIELD CREW: GU

HMT ENGINEERING & SURVEYING
290 S. CASTELL AVE., STE. 100
NEW BRAUNFELS, TX 78130
TBPE FIRM F-10961
TBPLS FIRM 10153600

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION

THIS 22ND DAY OF NOVEMBER 2021

DOUGLAS B. COTTLE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6149

21-1378

Drawing Name: S:\Projects\Title Surveys\Baystone\Lot 1 & 2 - 222 & 222-C Alves Lane\21-1378 FORM\21-1378 - FORM.dwg User: dougcottle Dec 06, 2021 - 10:14am

PRESENTER:
Christopher J. Looney, AICP, Planning Director
Applicant: Killen, Griffin & Farrimond, PLLC
SUBJECT:
Public hearing and first reading of an ordinance, requested by Killen, Griffin & Farrimond, PLLC on behalf of Farmers Mutual Fire, Leslie Lammers and Tom Tumlinson, Melvin Nolte, Jr, Chad L. Nolte, Sandra J. Nolte, Comal Properties, LLC, and Qdream, LLC, to rezone approximately 2.112 acres out of City Blocks 2004, 2007, and 2014, from C-2 (General Business District), M-1 (Light Industrial District), and M-1 SUP (Light Industrial District with a Special Use Permit for an STR) to MU-B SUP (High Intensity Mixed Use District with a Special Use Permit), currently addressed at 342, 352, & 353 East Bridge Street, 343 & 353 East Mill Street, 218, 232, 266, & 288 North Market Avenue, and 309 & 351 East San Antonio Street.
DEPARTMENT: Neighborhood and Community Planning
COUNCIL DISTRICTS IMPACTED: 5

BACKGROUND INFORMATION:
Case No: SUP26-028

Applicant: Killen, Griffin & Farrimond, PLLC
(210) 960-2750 | nuriddin@kgftx.com

Owners: Farmers Mutual Fire, Leslie Lammers and Tom Tumlinson, Melvin Nolte, Jr, Chad L. Nolte, Sandra J. Nolte, Comal Properties, LLC, and Qdream, LLC
(210) 960-2750 | nuriddin@kgftx.com

Staff Contact: Mary Lovell, AICP, CNU-A
(830) 221-4051 | mlovell@newbraunfels.gov

The applicant is requesting to rezone approximately 2.112 acres comprised of multiple parcels generally located west of East San Antonio Street and in close proximity to the Comal River. The subject properties are situated less than one-quarter mile from Main Plaza, placing them within the walkable Downtown area and its surrounding amenities. Nearby land uses consist of residential, short-term rentals, offices, restaurants, and various other commercial uses.

In December 2024, nearby properties formerly owned by ADM Mill were rezoned to MU-B with a Special Use Permit (SUP) to facilitate the redevelopment of the site from mostly industrial to a walkable mixed-use area. The applicant plans to incorporate these additional subject properties into the overall development plan. Approval of this request would allow these parcels to be integrated into the larger mixed-use project, creating a more cohesive and unified redevelopment of the area, and further connecting it to the neighborhood and Downtown.

ISSUE:

The applicant is requesting to rezone the property from C-2 (General Business District), M-1 (Light Industrial District), and M-1SUP (Light Industrial District with a Special Use Overlay to allow Short-Term Rental) to MU -B SUP (High-Intensity Mixed Use District with a Special Use Overlay). The requested rezoning is to allow a mixed-use development that would include a hotel, multi-family housing, restaurants, retail uses, offices, and a parking garage and/or surface-level parking.

COMPREHENSIVE PLAN REFERENCE:
The requested rezoning would be consistent with the following actions from Envision New Braunfels:

- **Action 1.3:** Encourage balanced and fiscally responsible land use patterns.
- **Action 1.6:** Incentivize infill development and redevelopment to take advantage of existing infrastructure.
- **Action 2.5:** Encourage diversification of commercial activity Downtown to build on and sustain existing historic resources and maximize structure utilization for economic expansion.
- **Action 3.21:** Enhance local recreational venues.
- **Action 3.22:** Encourage venues within walking distance of neighborhoods and schools.
- **Action 3.3:** Balance commercial centers with stable neighborhoods.
- **Action 4.30:** Grow outdoor recreation activities by facilitating water-based (e.g. paddle boarding, canoeing, kayaking) and adventure-based programming.
- **Action 7.43:** Consider locating parking on underutilized parcels city-wide and within core attraction corridors through collaboration with private property owners, including but not limited to areas along Mill Street as well as areas behind buildings on Seguin Avenue.
- **Action 7.44:** Consider parking garages in high-demand areas including near Wurstfest, old City Hall Downtown and Schlitterbahn.

Future Land Use Plan: The subject property is located within the New Braunfels Subarea within an existing Outdoor Recreation Center and near an existing Tourist Center.

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

- **Economic Mobility**: Incentivize mixed-use developments and redevelopments in targeted locations to create a built environment with integrated housing, commercial centers, and opportunities for improved connectivity.
- **Enhanced Connectivity**: Increased bikeway, trails, and sidewalk miles.
- **Community Identity**: Allocate resources and recurring funding dedicated to community-wide beautification and streetscape enhancement.
- **Community Well-Being:** Look for opportunities to reconnect the community by mitigating highways, waterways and other transportation facilities that create barriers to community connectivity.

LAND USE FISCAL ANALYSIS REFERENCE:
The proposed rezoning request is in alignment with the following recommendations and strategies of the Land Use Fiscal Analysis:

- Provide a mix of uses and building types, heights, and sizes in a more walkable context to produce more value and fiscal productivity.
- Promote revised development standards that allow flexibility for small units on small lots, narrower streets, relaxed height limits, and reduced parking requirements.

- Prioritize infill projects that add people and buildings in areas with existing infrastructure. This will increase tax revenue without significant impacts on services and infrastructure costs and distribute cost burdens across more home/business owners.

FISCAL IMPACT:
The property is located within the Tax Increment Reinvestment Zone (TIRZ) #3. Redevelopment of the property will result in a portion of additional property tax values generated in the area directed into the TIRZ to be used to improve roadways, sidewalks, and many other improvements that will benefit the surrounding community.

RECOMMENDATION:
MU-B aligns with the Strategic Plan and Land Use Fiscal Analysis, as well as with Envision New Braunfels by promoting mixed-use development, walkability, and reinvestment in and near downtown. The request would reduce the current general zoning intensity (Industrial), and would remove some high intensity uses from what would normally be allowed in MU-B that would not be compatible with the surrounding land uses.

Staff recommends approval subject to the conditions and allowances outlined below. The applicant's proposed development standards were submitted for review and formed the basis of the proposed Special Use overlay. The most significant differences between the applicant's proposal and staff's recommendations relate to 1) the parking garage design requirements outlined in Item #4; and 2) the applicant has proposed replacing the term "use" with "zoning district" in Items #7(a) and #10.

Staff recommends retaining the term "use", as it would protect existing adjacent residences from potential impacts. Because there are no abutting residential zoning districts, replacing "use" with "zoning district" would eliminate these protections for existing residences.

1. Uses listed in Exhibit "A" shall not be allowed on the Property.
2. Definition of Permitted Uses: Golf course (miniature) shall include par 3 and putt-putt courses. Tennis courts shall include pickle ball courts.
3. A Parking Demand Study, per Sec. 144-5.1-3 (d), shall be submitted and approved prior to building permit issuance to determine the number of parking spaces required.
4. Parking structures shall include active uses (such as retail, food service, lobbies, civic entries, live/work units, residential entries, café seating, pedestrian furniture, public art), enhanced landscaping, or liner buildings along any frontage facing public streets, pedestrian ways, or civic spaces.
5. Surface Parking Lot(s) landscaping shall provide native shade trees within 50 feet of all parking spaces and shall meet or exceed all parking lot landscape code requirements.
6. Building Setbacks:
   a. Minimum Front, Side, and Rear Building Setback: 0 ft.
   b. Build to Line: The first floor of buildings shall be built to the property line along San Antonio Street and shall include one or more public entrances along San Antonio Street.
   c. Buildings facing all other public rights-of-way must be built to the property line, unless a public space, such as a sidewalk, outdoor seating area, linear park, or other pedestrian-oriented area is located between the right-of-way and building, in which case the building may be set back from the property line to accommodate such use.
7. Compatibility Setbacks:
   a. Where the MU-B District abuts a one-, two-, three- or four-family use, the building setback from the one-, two-, three- or four-family property line shall be at least 20 feet.
   b. To achieve a stairstep approach to reach the maximum building height:

i. The allowed building height shall be 36 feet for any building or portion of a building between 20 and 35 feet from the one-, two-, three-, or four-family property line.
ii. The allowed building height shall be 72 feet for any building or portion of a building between 35 and 50 feet from the one-, two-, three-, or four-family property line.
iii. The allowed building height for any building or portion of a building that is greater than 50 feet from the one-, two-, three-, or four-family property line shall be 120 feet.

8. Residential Buffer Wall: The residential buffer wall requirement as described in Section 144-5.3-2 (h) shall not apply.
9. Loading docks, trash receptacles, recycling compactors, mechanical and electrical equipment, and any other equipment that generates odor, smoke, or noise, shall not be constructed or located within 20 feet of any abutting one-, two-, three- or four-family use.
10. Residential Screening:
Landscaping or fencing shall screen loading docks, trash receptacles, recycling compactors, and mechanical and electrical equipment to limit or prevent their visibility from any one-, two-, three- or four-family use.
11. Multi-Family Lot Coverage: The multi-family lot coverage standard per Section 144-3.4-11 (b)(2)(x) shall not apply.
12. Development of the site shall be in compliance with the above-listed development standards. Any significant alterations to the approved development standards will require an amendment to the SUP with a recommendation from the Planning Commission and consideration by the City Council.

The Planning Commission held a public hearing on February 3, 2026 and recommended approval of the applicant's request (6-2-1).

Mailed notification as required by state statute:
Public hearing notices were sent to owners of 27 properties within 200 feet of the request. Seven responses have been received in favor and one response in opposition.

Resource Links:

- Chapter 144, Sec. 3.3-8 (C-2) of the City's Code of Ordinances: <https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Sec. 3.3-11 (M-1) of the City's Code of Ordinances: <https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Sec. 3.4-11 (MU-B) 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?

City of New Braunfels

SUP26-028

C-2, M-1, M-1 SUP to MU-B SUP

0 180 360 Feet

Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\SUP26-028 - ADM Mill

Source: City of New Braunfels Planning
Date: 2/11/2026

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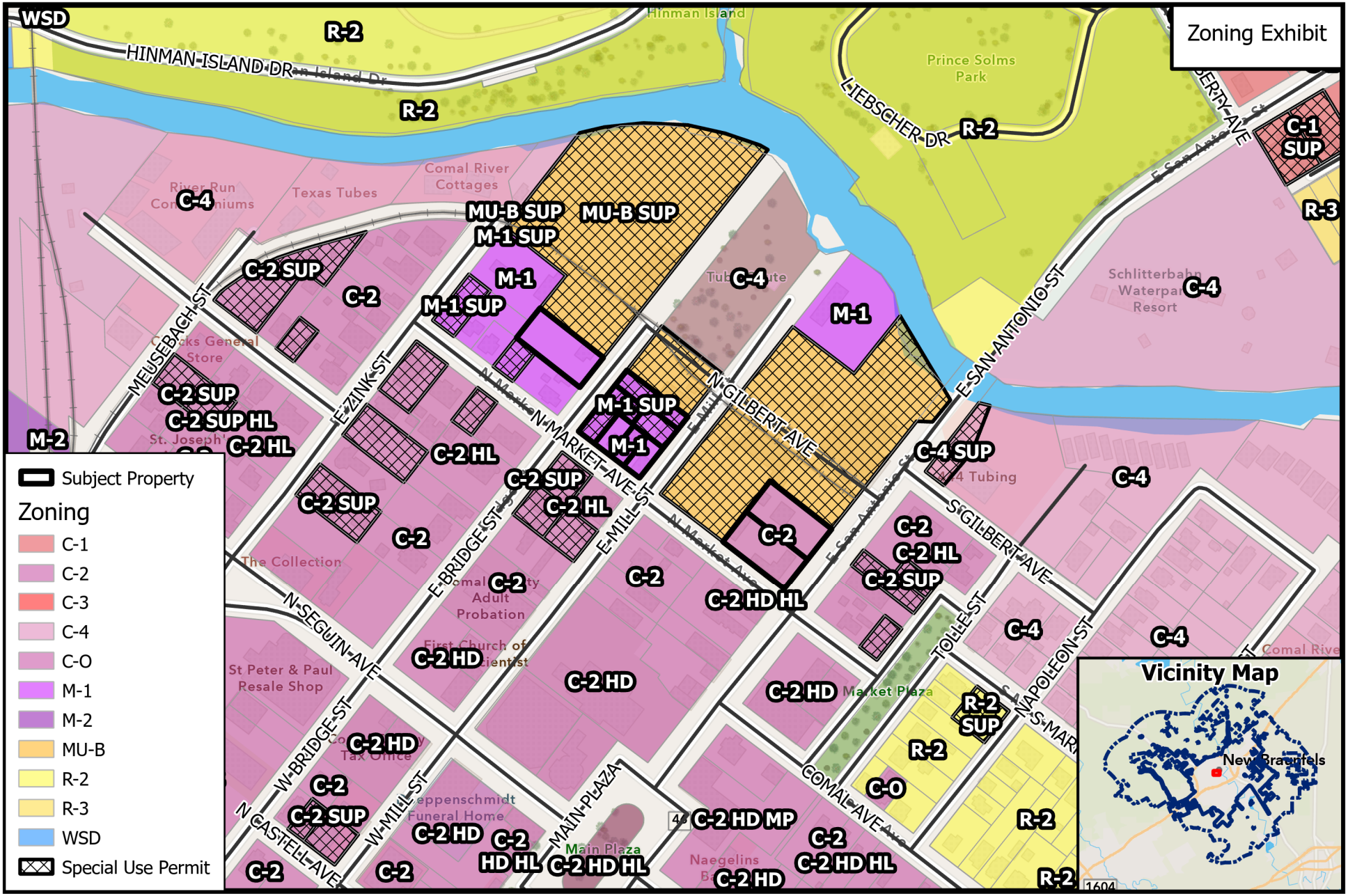


City of New Braunfels

SUP26-028

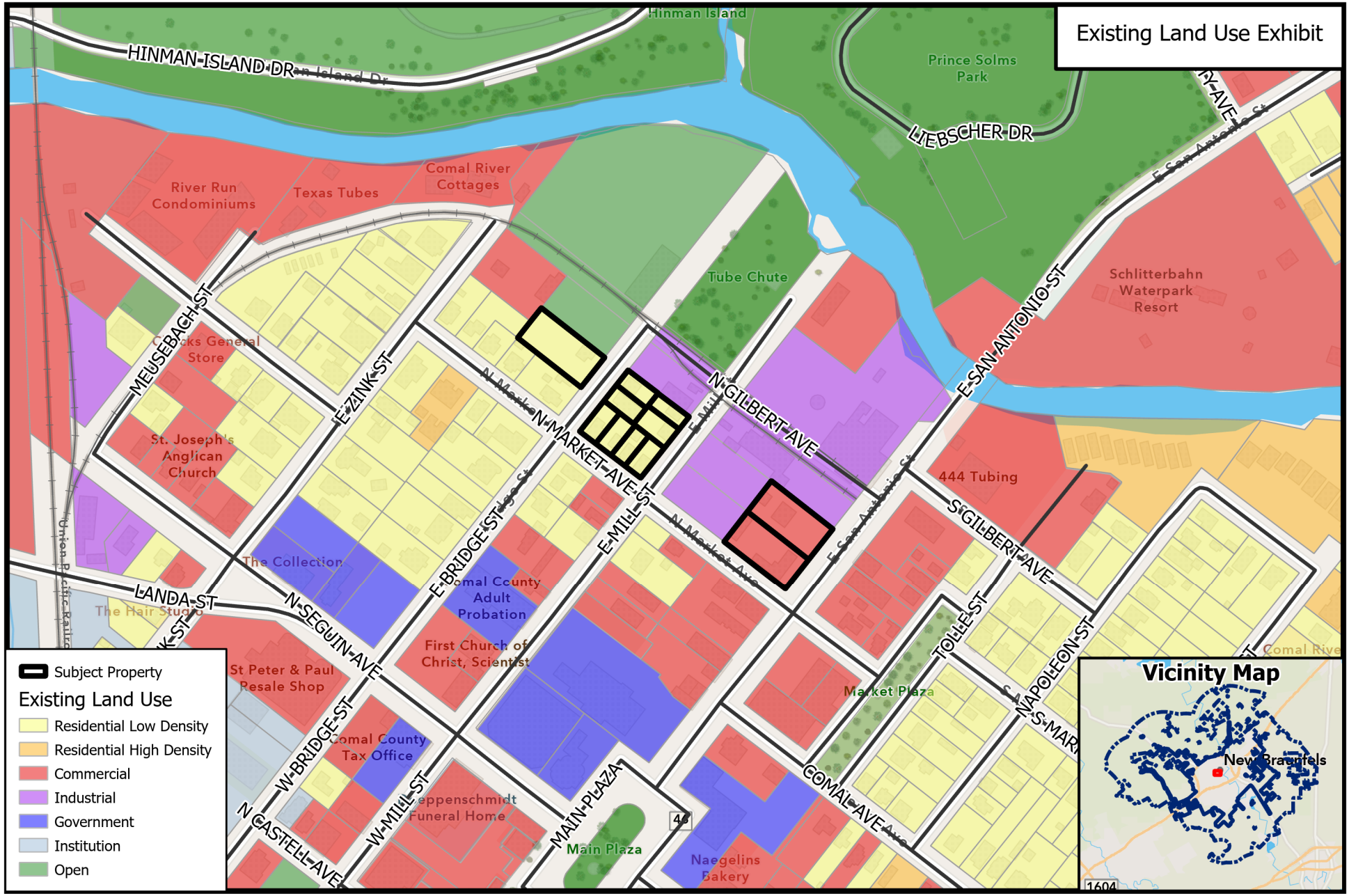
C-2, M-1, M-1 SUP to MU-B SUP

0 180 360 Feet

Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\SUP26-028 - ADM Mill

Source: City of New Braunfels Planning
Date: 2/11/2026

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 [illegible] else is at that party's risk and without liability to the City of New Braun officials or employees for any discrepancies, errors, or variances which may



SUP26-028

C-2, M-1, M-1 SUP to MU-B SUP

0 180 360 Feet

Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\SUP26-028 - ADM Mill

Source: City of New Braunfels Planning
Date: 2/11/2026

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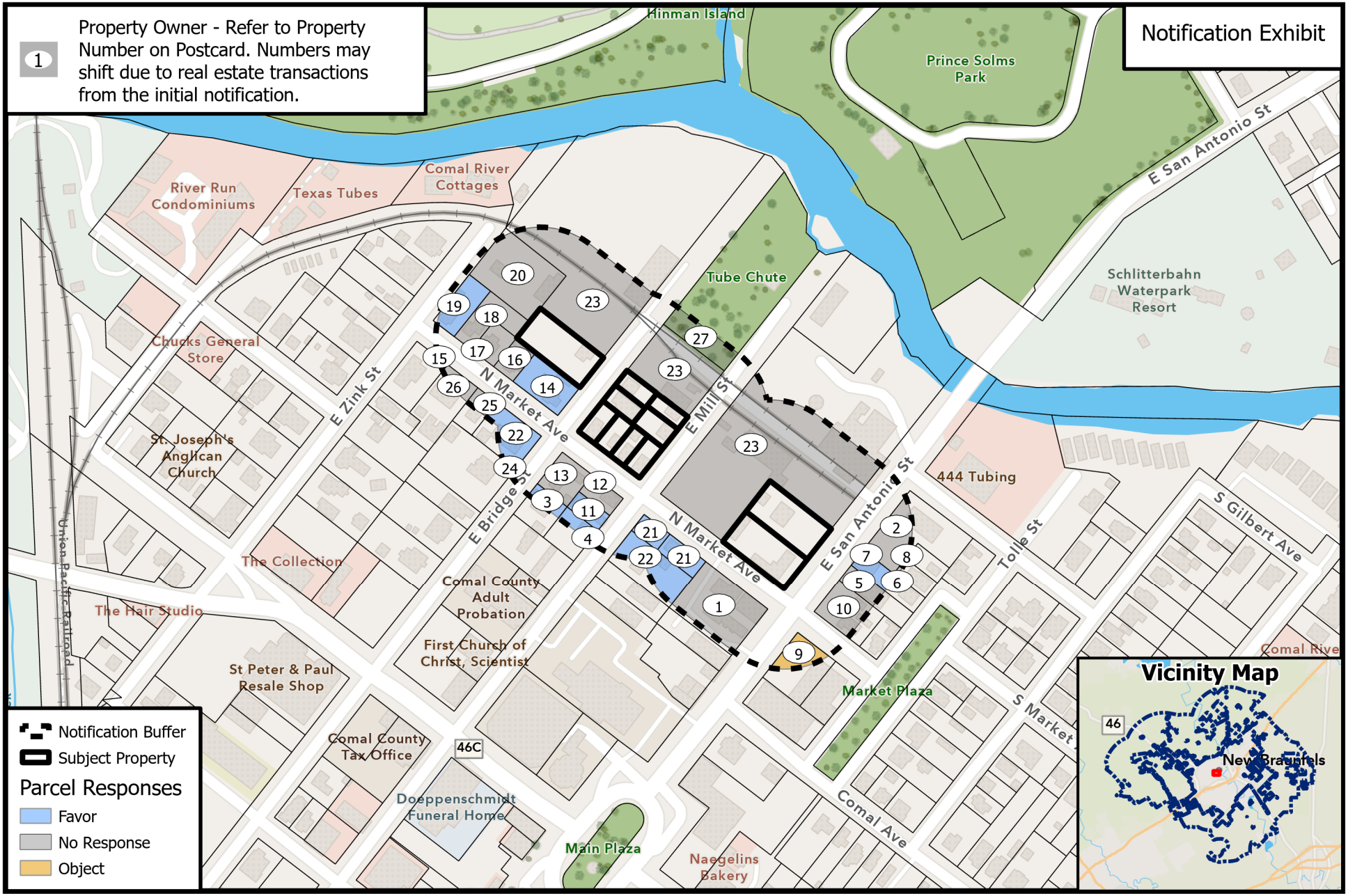

SUP26-028

C-2, M-1, M-1 SUP to MU-B SUP

0 180 360 Feet

Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\SUP26-028 - ADM Mill

Source: City of New Braunfels Planning
Date: 3/19/2026

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PLANNING COMMISSION – MARCH 3, 2026 – 6:00PM

City Hall Council Chambers

Applicant: Killen, Griffin, & Farrimond, PLLC

Address/Location: 342, 352, & 353 E. Bridge St., 343 & 353 E. Mill St., 218, 232, 266, & 288 N. Market Ave., and 309 & 351 E. San Antonio St

Case # SUP26-028

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. MUCKENFUSS PROPERTIES LLC
2. ESA PARTNERS LLC
3. TAMEZ INVESTMENTS LLC - SERIES B
4. TAMEZ INVESTMENTS LLC - SERIES A
5. KIESLING BOB R & BETTY A
6. CASA RIO LLC
7. CABANA SOCIAL CLUB LLC
8. KORMAN GREG
9. LEISSNER LAYTON L
10. KL COLLECTION LLC
11. CASTEEL PARTNERS LP
12. MOZELEY-JACQUES RENTALS LLC
13. BEHRENS JAY & MORGAN
14. LEATHERWOOD PAUL W
15. BUNNY & EDS ZINK HAUS LLC
16. RIZZAHAUS LLC
17. MORALES MARK A
18. CAMPOS ATANACIO
19. KOBESKI LEONARD J JR & FRANCES K
20. HERBELIN CARL B
21. NOLTE MELVIN JR
22. CASTEEL PARTNERS LTD
23. DITTLINGER MILL LLC
24. SAEGERT JOEL & MERRY
25. ORR JUNE H
26. N/A 1
27. NEW BRAUNFELS CITY OF

SEE MAP

KOBESKI LEONARD J JR & FRANCES K
394 N MARKET
NEW BRAUNFELS TX 78130
Property #: 19
SUP26-028
Case Manager: ML

FAVOR ☑ (OK)
OPPOSE ☐

COMMENTS

Having owned 394 since 2014, and just adding an addition + garage I(we) are hoping any development down N. Market will not congest but only enhance our home.

NOLTE MELVIN JR
1015 N HOUSTON AVE
NEW BRAUNFELS TX 78130
Property #: 21
SUP26-028
Case Manager: ML

FAVOR ☑
OPPOSE ☐

COMMENTS

THE NEW ZONING WILL BE MUCH BETTER THAN THE INDUSTRIAL ZONE.

CABANA SOCIAL CLUB LLC
440 TOWNE PARK TRAIL
AUSTIN TX 78751
Property #: 7
SUP26-028
Case Manager: ML

COMMENTS

FAVOR ☑
OPPOSE ☐

TAMEZ INVESTMENTS LLC - SERIES A
532 ROCK ST
NEW BRAUNFELS TX 78130
Property #: 4
SUP26-028
Case Manager: ML

FAVOR ☒
OPPOSE ☐

COMMENTS

TAMEZ INVESTMENTS LLC - SERIES B
532 ROCK ST
NEW BRAUNFELS TX 78130
Property #: 3
SUP26-028
Case Manager: ML

FAVOR ☒
OPPOSE ☐

COMMENTS

CASTEEL PARTNERS LP
226 W MILL ST
NEW BRAUNFELS TX 78130
Property #: 11
SUP26-028
Case Manager: ML

FAVOR ☑
OPPOSE ☐

COMMENTS

CASTEEL PARTNERS LTD
254 E MILL ST
NEW BRAUNFELS TX 78130
Property #: 22
SUP26-028
Case Manager: ML

FAVOR ☑
OPPOSE ☐

COMMENTS

LEATHERWOOD PAUL W
307 E BRIDGE ST
NEW BRAUNFELS TX 78130
Property #: 14
SUP26-028
Case Manager: ML

FAVOR ☑
OPPOSE ☐

COMMENTS

LEISSNER LAYTON L

270 E SAN ANTONIO ST

NEW BRAUNFELS TX 78130

Property #: 9

SUP26-028

Case Manager: ML

FAVOR ☐

OPPOSE ☒

COMMENTS

Land Use	Exisitng	Existing	Exisiting	Proposed
	C-2	**M-1**	**M-1 SUP**	**MU-B SUP**
Accessory building/structure (see section 144-5.4)	P			P
Accessory dwelling (one accessory dwelling per lot)	P			P
Accounting, auditing, bookkeeping, and tax preparations	P	P	P	P
Acid manufacture				
Adult day care (no overnight stay)	P			P
Adult day care (with overnight stay)	P			P
Aircraft support and related services		P	P	
Airport		P	P	
All-terrain vehicle (ATV) dealer/sales	P	P	P	
Ambulance service (private)	P	P	P	
Amphitheaters (outdoor live performances)	P	P	P	
Amusement devices/arcade (four or more devices)	P	P	P	P
Amusement services or venues (indoors) (see section 144-5.13)	P	P	P	
Amusement services or venues (outdoors)		P	P	
Animal grooming shop	P	P	P	P
Answering and message services	P	P	P	P
Antique shop	P	P	P	P
Appliance repair	P	P	P	P
Archery range		P	P	
Armed services recruiting center	P	P	P	P
Art dealer/gallery	P	P	P	P
Artist or artisans studio	P	P	P	P
Assembly/exhibition hall or areas	P	P	P	
Assisted living facility/retirement home	P			P
Athletic fields	P	P	P	
Auction sales (non-vehicle)	P	P	P	
Auto body repair, garages (see section 144-5.11)	P	P	P	
Auto glass repair/tinting (see section 144-5.11)	P	P	P	
Auto interior shop/upholstery (see section 144-5.11)	P	P	P	
Auto leasing	P	P	P	P
Auto muffler shop (see section 144-5.11)	P	P	P	
Auto or trailer sales rooms or yards (see section 144-5.12)	P	P	P	
Auto or truck sales rooms or yards—Primarily new (see section 144-5.12)	P	P	P	
Auto paint shop	P	P	P	
Auto repair as an accessory use to retail sales	P	P	P	
Auto repair garage (general) (see section 144-5.11)	P	P	P	
Auto supply store for new and factory rebuilt parts	P	P	P	P
Auto tire repair/sales (indoor)	P	P	P	P
Auto wrecking yards				
Automobile driving school (including defensive driving)	P	P	P	
Bakery (retail)	P	P	P	P
Bank, savings and loan, or credit union	P	P	P	P
Bar/tavern (no outdoor music)	P	P	P	P
Bar/tavern	P	P	P	P
Barber/beauty college (barber or cosmetology school or college)	P	P	P	
Barns and farm equipment storage (related to agricultural uses)	P	P	P	P
Battery charging station	P	P	P	P
Bed and breakfast inn (see section 144-5.6)	P			P

Land Use	Existing	Existing	Existing	Proposed
	C-2	C-4	M-1	MU-B SUP
Bicycle sales and/or repair	P	P	P	P
Billiard/pool facility	P	P	P	P
Bingo facility	P	P	P	P
Bio-medical facilities	P		P	P
Blacksmith or wagon shops			P	~~P~~
Blooming or rolling mills				
Boarding house/lodging house	P	P		P
Book binding	P		P	~~P~~
Book store	P	P	P	P
Bottling or distribution plants (milk)			P	~~P~~
Bottling works			P	~~P~~
Bowling alley/center (see section 144-5.13)	P	P	P	~~P~~
Breweries/distilleries and manufacture of alcohol and alcoholic beverages				
Broadcast station (with tower) (see section 144-5.7)	P		P	P
Bulk storage of gasoline, petroleum products, liquefied petroleum and flammable liquids (see section 5.27)				
Bus barns or lots			P	~~P~~
Bus passenger stations	P		P	P
Cabin or cottage (rental)		P		
Cabin or cottage (rental for more than 30 days)		P		
Cafeteria/cafe/delicatessen	P	P	P	P
Campers' supplies	P	P	P	P
Campgrounds		P		
Canning/preserving factories				
Car wash (self-service; automated)	P	P	P	P
Car wash, full service (detail shop)	P	P	P	P
Carpenter, cabinet, or pattern shops			P	P
Carpet cleaning establishments			P	P
Caterer	P	P	P	P
Cement, lime, gypsum or plaster of Paris manufacture				
Cemetery and/or mausoleum	P		P	~~P~~
Check cashing service	P	P	P	~~P~~
Chemical laboratories (e.g., ammonia, bleaching powder)				
Chemical laboratories (not producing noxious fumes or odors)			P	P
Child day care/children's nursery (business)	P	P		P
Church/place of religious assembly	P	P	P	P
Cider mills				
Civic/conference center and facilities	P	P	P	P
Cleaning, pressing and dyeing (non-explosive fluids used)	P		P	~~P~~
Clinic (dental)	P		P	P
Clinic (emergency care)	P		P	P
Clinic (medical)	P		P	P
Club (private)	P	P	P	P
Coffee shop	P	P	P	P
Cold storage plant			P	~~P~~
Commercial amusement concessions and facilities	P	P	P	P
Communication equipment—Installation and/or repair	P		P	~~P~~
Community building (associated with residential uses)	P	P	P	

Land Use	Existing	Existing	Existing	Proposed
	C-2	C-4	M-1	MU-B SUP
Community home (see definition)	P	P		~~P~~
Computer and electronic sales	P		P	P
Computer repair	P		P	P
Concrete or asphalt mixing plants—Permanent				
Concrete or asphalt mixing plants—Temporary				
Confectionery store (retail)	P	P	P	P
Consignment shop	P		P	P
Contractor's office/sales, with outside storage including vehicles			P	~~P~~
Contractor's temporary on-site construction office	P	P	P	P
Convenience store with gas sales	P	P	P	P
Convenience store without gas sales	P	P	P	~~P~~
Cotton ginning or baling works				
Country club (private)	P	P	P	P
Credit agency	P	P	P	~~P~~
Crematorium			P	
Curio shops	P	P	P	~~P~~
Custom work shops	P		P	P
Dance hall/dancing facility (see section 144-5.13)	P		P	~~P~~
Day camp	P	P	P	~~P~~
Department store	P		P	P
Distillation of bones				
Dormitory (in which individual rooms are for rental)		P		~~P~~
Drapery shop/blind shop	P		P	P
Driving range		P	P	P
Drug store/pharmacy	P	P	P	P
Duplex/two-family/duplex condominiums	P	P		
Electrical generating plant				
Electrical repair shop	P		P	P
Electrical substation	P	P	P	P
Electronic assembly/high tech manufacturing			P	P
Electroplating works			P	P
Enameling works				
Engine repair/motor manufacturing re-manufacturing and/or repair			P	P
Explosives manufacture or storage				
Exterminator service	P		P	~~P~~
Fairground			P	~~P~~
Family home adult care	P	P		
Family home child care	P	P		
Farmers market (produce market—wholesale)	P	P	P	P
Farms, general (crops) (see chapter 6 and section 144-5.9)	P	P	P	~~P~~
Farms, general (livestock/ranch) (see chapter 6 and section 144-5.9)	P	P	P	~~P~~
Feed and grain store	P	P	P	P
Fertilizer manufacture and storage				
Filling station (gasoline tanks must be below the ground)	P	P	P	~~P~~
Florist	P	P	P	P
Flour mills, feed mills, and grain processing			P	
Food or grocery store with gasoline sales	P	P	P	P
Food or grocery store without gasoline sales	P	P	P	P

Land Use	Existing	Existing	Existing	Proposed
	C-2	C-4	M-1	MU-B SUP
Food processing (no outside public consumption)			P	~~P~~
Forge (hand)			P	~~P~~
Forge (power)			P	~~P~~
Fraternal organization/civic club (private club)	P	P	P	P
Freight terminal, rail/truck (when any storage of freight is wholly outside an enclosed building)			P	~~P~~
Freight terminal, truck (all storage of freight in an enclosed building)			P	~~P~~
Frozen food storage for individual or family use	P		P	~~P~~
Funeral home/mortuary	P		P	~~P~~
Furniture manufacture			P	~~P~~
Furniture sales (indoor)	P		P	P
Galvanizing works			P	~~P~~
Garbage, offal or dead animal reduction or dumping				
Garden shops and greenhouses	P		P	P
Gas manufacture				
Gas or oil wells				
Golf course (public or private)	P	P	P	~~P~~
Golf course (miniature)	P	P	P	P
Government building or use with no outside storage (outside storage allowed in M-2 and M-2A)	P	P	P	P
Grain elevator			P	
Greenhouse (commercial)	P		P	P
Handicraft shop	P	P	P	P
Hardware store	P		P	P
Hay, grain, and/or feed sales (wholesale)				
Health club (physical fitness; indoors only)	P	P	P	P
Heating and air-conditioning sales/services	P		P	P
Heavy load (farm) vehicle sales/repair (see section 144-5.14)			P	~~P~~
Heavy manufacturing				
Heliport			P	P
Hides/skins (tanning)				
Home occupation (see section 144-5.5)	P	P		P
Home repair and yard equipment retail and rental outlets			P	P
Hospice	P			~~P~~
Hospital, general (acute care/chronic care)	P	P	P	P
Hospital, rehabilitation	P	P	P	P
Hotel/motel	P	P	P	P
Hotels/motels—Extended stay (residence hotels)	P	P		P
Ice delivery stations (for storage and sale of ice at retail only)	P		P	P
Ice plants			P	~~P~~
Indoor or covered sports facility				
Industrial laundries			P	~~P~~
Iron and steel manufacture				
Junkyards, including storage, sorting, baling or processing of rags				
Kiosk (providing a retail service)	P	P	P	P
Laboratory equipment manufacturing			P	~~P~~
Laundromat and laundry pickup stations	P	P	P	P
Laundry, commercial (without self-serve)	P		P	~~P~~
Laundry/dry cleaning (drop off/pick up)	P		P	P

Land Use	Existing	Existing	Existing	Proposed
	C-2	C-4	M-1	MU-B SUP
Laundry/washateria (self-serve)	P		P	P
Lawnmower sales and/or repair	P		P	P
Leather products manufacturing			P	~~P~~
Light manufacturing			P	~~P~~
Limousine/taxi service	P	P	P	~~P~~
Livestock sales/auction				
Locksmith	P		P	P
Lumber mill				
Lumberyard (see section 144-5.15)			P	~~P~~
Lumberyard or building material sales (see section 144-5.15)			P	~~P~~
Machine shop			P	~~P~~
Maintenance/janitorial service			P	P
Major appliance sales (indoor)			P	P
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			P	~~P~~
Manufacturing and processes			P	~~P~~
Manufacturing processes not listed				
Market (public, flea)			P	P
Martial arts school	P		P	P
Meat or fish packing/storage plants				
Medical supplies and equipment	P		P	P
Metal fabrication shop			P	~~P~~
Micro brewery (onsite mfg. and/or sales)	P	P	P	P
Micro distillery (onsite mfg. and/or sales)	P	P	P	P
Mini-warehouse/self-storage units (no boat and RV storage permitted)	P		P	P
Mini-warehouse/self-storage units with outside boat and RV storage			P	P
Monument, gravestone, or marble works (manufacture)				
Motion picture studio, commercial film	P	P	P	P
Motion picture theater (indoors)	P	P	P	P
Motion picture theater (outdoors, drive-in)		P	P	P
Motorcycle dealer (primarily new/repair)	P		P	P
Moving storage company			P	P
Moving, transfer, or storage plant			P	~~P~~
Multifamily (apartments/condominiums)	P	P		P
Museum	P	P	P	P
Natural resource extraction and mining				
Needlework shop	P		P	P
Nonbulk storage of gasoline, petroleum products and liquefied petroleum			P	~~P~~
Nursing/convalescent home/sanitarium	P	P		~~P~~
Offices, brokerage services	P	P	P	P
Offices, business or professional	P	P	P	P
Offices, computer programming and data processing	P	P	P	P

Land Use	Existing	Existing	Existing	Proposed
	C-2	C-4	M-1	MU-B SUP
Offices, consulting	P	P	P	P
Offices, engineering, architecture, surveying or similar	P	P	P	P
Offices, health services	P	P	P	P
Offices, insurance agency	P	P	P	P
Offices, legal services, including court reporting	P	P	P	P
Offices, medical offices	P	P	P	P
Offices, real estate	P	P	P	P
Offices, security/commodity brokers, dealers, exchanges and financial services	P	P	P	P
Oil compounding and barreling plants				
One-family dwelling, detached	P	P		
Outside storage (as primary use)			P	~~P~~
Paint manufacturing				
Paper or pulp manufacture				
Park and/or playground (private and public)	P	P	P	P
Parking lots (for passenger car only) (not as incidental to the main use)	P	P	P	P
Parking structure/public garage	P	P	P	P
Pawn shop	P		P	P
Personal services	P		P	P
Personal watercraft sales (primarily new/repair)	P		P	P
Pet shop/supplies (less than 10,000 sq. ft.)	P		P	P
Pet store (over 10,000 sq. ft.)			P	P
Petroleum or its products (refining of)				
Photo engraving plant			P	P
Photographic printing/duplicating/copy shop or printing shop	P		P	P
Photographic studio (no sale of cameras or supplies)	P	P	P	P
Photographic supply	P		P	P
Plant nursery (no retail sales on site)	P	P	P	P
Plant nursery (retail sales/outdoor storage)	P		P	P
Plastic products molding/reshaping			P	~~P~~
Plumbing shop	P		P	~~P~~
Portable building sales			P	~~P~~
Poultry killing or dressing for commercial purposes			P	
Propane sales (retail)			P	~~P~~
Public recreation/services building for public park/playground areas	P	P	P	P
Publishing/printing company (e.g., newspaper)	P		P	P
Quick lube/oil change/minor inspection	P	P	P	~~P~~
Radio/television shop, electronics, computer repair	P		P	P
Railroad roundhouses or shops				
Rappelling facilities		P	P	P
Recreation buildings (private)	P	P	P	P
Recreation buildings (public)	P	P	P	P
Recycling kiosk	P		P	P
Refreshment/beverage stand	P	P	P	P
Rental or occupancy for less than one month (see section 144-5.17)	P	P		P
Research lab (non-hazardous)			P	P
Residential use in buildings with non-residential uses permitted in the district	P	P		P
Restaurant/prepared food sales	P	P	P	P
Restaurant with drive-through service	P	P	P	P

Land Use	Existing	Existing	Existing	Proposed
	C-2	C-4	M-1	MU-B SUP
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	P
Retail store and shopping center (more than 50,000 sq. ft. bldg.)	P		P	P
Retirement home/home for the aged	P	P		~~P~~
Rock crushers and rock quarries				
Rodeo grounds		P	P	~~P~~
RV park		P		~~P~~
RV/travel trailer sales	P	P	P	~~P~~
Sand/gravel sales (storage or sales)				
School, K-12 public or private	P	P	P	P
School, vocational (business/commercial trade)	P		P	P
Security monitoring company (no outside storage or installation)	P	P	P	P
Security systems installation company	P		P	P
Sexually oriented business (see chapter 18)				
Sheet metal shop			P	~~P~~
Shoe repair shops	P		P	P
Shooting gallery—Indoor (see section 144-5.13)			P	~~P~~
Shooting range—Outdoor (see section 144-5.13)				
Shopping center			P	P
Sign manufacturing/painting plant			P	~~P~~
Single-family industrialized home (see section 144-5.8)	P	P		
Smelting of tin, copper, zinc or iron ores				
Specialty shops in support of project guests and tourists		P	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			P	
Storage—Exterior storage for boats and recreational vehicles		P	P	~~P~~
Storage in bulk	P		P	~~P~~
Structural iron or pipe works				
Studio for radio or television, without tower (see zoning district for tower authorization)	P		P	P
Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)	P		P	P
Sugar refineries				
Tailor shop (see home occupation)	P		P	P
Tar distillation or manufacture				
Tattoo or body piercing studio		P	P	P
Taxidermist			P	~~P~~
Telecommunications towers/antennas (see section 144-5.7)				
Telemarketing agency	P	P	P	~~P~~
Telephone exchange buildings (office only)	P	P	P	~~P~~
Tennis court (commercial)	P	P	P	P
Theater (non-motion picture; live drama)	P	P	P	P
Tire sales (outdoors)	P		P	~~P~~
Tool rental	P		P	~~P~~
Townhouse (attached)				P
Transfer station (refuse/pick-up)			P	~~P~~
Travel agency	P	P	P	P

Land Use	Existing	Existing	Existing	Proposed
	C-2	C-4	M-1	MU-B SUP
Truck or transit terminal			P	P
Truck stop				
Tuber entrance and takeout facilities (see section 144-5.13)				
University or college (public or private)	P	P	P	P
Upholstery shop (non-auto)	P		P	P
Used or second hand merchandise/furniture store	P		P	P
Vacuum cleaner sales and repair	P		P	P
Vehicle storage facility				
Veterinary hospital (no outside animal runs or kennels)			P	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.)			P	P
Video rental/sales	P	P	P	P
Warehouse/office and storage/distribution center	P		P	P
Waterfront amusement facilities—Berthing facilities sales and rentals	P	P	P	P
Waterfront amusement facilities—Boat fuel storage/dispensing facilities	P	P	P	P
Waterfront amusement facilities—Boat landing piers/launching ramps	P	P	P	P
Waterfront amusement facilities—Swimming/wading pools/bathhouses	P	P	P	P
Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system	P	P	P	P
Welding shop			P	~~P~~
Wholesale sales offices and sample rooms	P		P	P
Wire or rod mills				
Wood distillation plants (charcoal, tar, turpentine, etc.)				
Woodworking shop (ornamental)	P	P	P	P
Wool scouring				
Zero lot line/patio homes				

B) SUP26-028 Public hearing and recommendation to City Council, requested by Killen, Griffin & Farrimond, PLLC on behalf of Farmers Mutual Fire, Leslie Lammers and Tom Tumlinson, Melvin Nolte, Jr, Chad L. Nolte, Sandra J. Nolte, Comal Properties, LLC, and Qdream, LLC, of approximately 2.112 acres out of City Blocks 2004, 2007, and 2014, from C-2 (General Business District), M-1 (Light Industrial District), and M-1 SUP (Light Industrial District with a Special Use Permit for STR) to MU-B SUP (High Intensity Mixed Use District with a Special Use Permit), currently addressed at 342, 352, & 353 East Bridge Street, 343 & 353 East Mill Street, 218, 232, 266, & 288 North Market Avenue, and 309 & 351 East San Antonio Street. *(Applicant: Killen, Griffin & Farrimond, PLLC; Owners: Farmers Mutual Fire, Leslie Lammers and Tom Tumlinson, Melvin Nolte, Jr, Chad L. Nolte, Sandra J. Nolte, Comal Properties, LLC, and Qdream, LLC; Staff Contact: Mary Lovell, Senior Planner, AICP, CNU-A)*

Commissioner Nolte recused himself and left the dias at 6:09pm.

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.

Discussion followed on staffs recommended conditions of approval, proximity of the subject property to nearby residences, proposed height allowances, and the height of existing buildings in the area.

Chair Sonier invited the applicant to speak on the item.

Ashley Farrimond elaborated on the request by providing additional context of the project and a brief history of the property. She went on to discuss the intent of the request, proposed screening and development standards, and the proposed use of the property.

Brief discussion followed on the proposed land use.

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.

Brief discussion followed on proximity of short-term rentals to the subject property.

Chair Sonier reopened the public hearing.

One individual spoke in opposition of the item.

Ashley Farrimond offered to elaborate more on the request with the individual following the meeting.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further discussion or motion to be made.

Brief discussion followed on the proposed residential buffering.

Motion by Commissioner Schaefer, seconded by Commissioner Allsup, to recommend approval of the item to City Council with staff recommendations. Motion carried (6-2-1) with Commissioner Allen and Vice-Chair

DRAFT

Taylor in opposition.

Commissioner Nolte returned to the dais at 6:28pm.

DRAFT

ORDINANCE NO.2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 2.112 ACRES OUT OF CITY BLOCKS 2004, 2007, AND 2014, CURRENTLY ADDRESSED AT 342, 352, & 353 EAST BRIDGE STREET, 343 & 353 EAST MILL STREET, 218, 232, 266, & 288 NORTH MARKET AVENUE, AND 309 & 351 EAST SAN ANTONIO STREET, FROM C-2 (GENERAL BUSINESS DISTRICT), M-1 (LIGHT INDUSTRIAL DISTRICT), AND M-1 SUP (LIGHT INDUSTRIAL DISTRICT WITH A SPECIAL USE PERMIT FOR STR) TO MU-B SUP (HIGH INTENSITY MIXED USE DISTRICT WITH A SPECIAL USE PERMIT); 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 MU-B SUP (High Intensity Mixed Use District with a Special Use Permit); 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 requested rezoning is in alignment with the recommendations and strategies of the Land Use Fiscal Analysis; and

WHEREAS, the City Council desires to grant a Special Use Permit at 342, 352, & 353 East Bridge Street, 343 & 353 East Mill Street, 218, 232, 266, & 288 North Market Avenue, and 309 & 351 East San Antonio Street to allow development in the MU-B SUP (High Intensity Mixed Use District with a Special Use Permit); **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 approximately 2.112 acres out of City Blocks 2004, 2007, and 2014, as delineated on Exhibit "B" and depicted on Exhibit "C" attached.

SECTION 2

THAT the Special Use Permit be subject to the following additional conditions and allowances:

1. Uses listed in Exhibit "A" shall not be allowed on the Property.
2. Definition of Permitted Uses: Golf course (miniature) shall include par 3 and putt-putt courses. Tennis courts shall include pickle ball courts.
3. A Parking Demand Study, per Sec. 144-5.1-3 (d), shall be submitted and approved prior to building permit issuance to determine the number of parking spaces required.
4. Parking structures shall include active uses (such as retail, food service, lobbies, civic entries, live/work units, residential entries, café seating, pedestrian furniture, public art), enhanced landscaping, or liner buildings along any frontage facing public streets, pedestrian ways, or civic spaces.
5. Surface Parking Lot(s) landscaping shall provide native shade trees within 50 feet of all parking spaces and shall meet or exceed all parking lot landscape code requirements.
6. Building Setbacks:
    a. Minimum Front, Side, and Rear Building Setback: 0 ft.
    b. Build to Line: The first floor of buildings shall be built to the property line along San Antonio Street and shall include one or more public entrances along San Antonio Street.
    c. Buildings facing all other public rights-of-way must be built to the property line, unless a public space, such as a sidewalk, outdoor seating area, linear park, or other pedestrian-oriented area is located between the right-of-way and building, in which case the building may be set back from the property line to accommodate such use.
7. Compatibility Setbacks:
    a. Where the MU-B District abuts a one-, two-, three- or four-family use, the building setback from the one-, two-, three- or four-family property line shall be at least 20 feet.
    b. To achieve a stairstep approach to reach the maximum building height:
        i. The allowed building height shall be 36 feet for any building or portion of a building

between 20 and 35 feet from the one-, two-, three-, or four-family property line.

ii. The allowed building height shall be 72 feet for any building or portion of a building between 35 and 50 feet from the one-, two-, three-, or four-family property line.

iii. The allowed building height for any building or portion of a building that is greater than 50 feet from the one-, two-, three-, or four-family property line shall be 120 feet.

8. Residential Buffer Wall: The residential buffer wall requirement as described in Section 144-5.3-2 (h) shall not apply.
9. Loading docks, trash receptacles, recycling compactors, mechanical and electrical equipment, and any other equipment that generates odor, smoke, or noise, shall not be constructed or located within 20 feet of any abutting one-, two-, three- or four-family use.
10. Residential Screening:
    Landscaping or fencing shall screen loading docks, trash receptacles, recycling compactors, and mechanical and electrical equipment to limit or prevent their visibility from any one-, two-, three- or four-family use.
11. Multi-Family Lot Coverage: The multi-family lot coverage standard per Section 144-3.4-11 (b)(2)(x) shall not apply.
12. Development of the site shall be in compliance with the above-listed development standards. Any significant alterations to the approved development standards will require an amendment to the SUP with a recommendation from the Planning Commission and consideration by the City Council.

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 13th day of April, 2026.

PASSED AND APPROVED: Second reading this 27th day of April, 2026.

CITY OF NEW BRAUNFELS

_____

NEAL LINNARTZ, Mayor

ATTEST:

_____

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

_____

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

The following uses are not allowed:

Residential uses:

- Community home (see definition).
- Dormitory (in which individual rooms are for rental).
- Hospice.

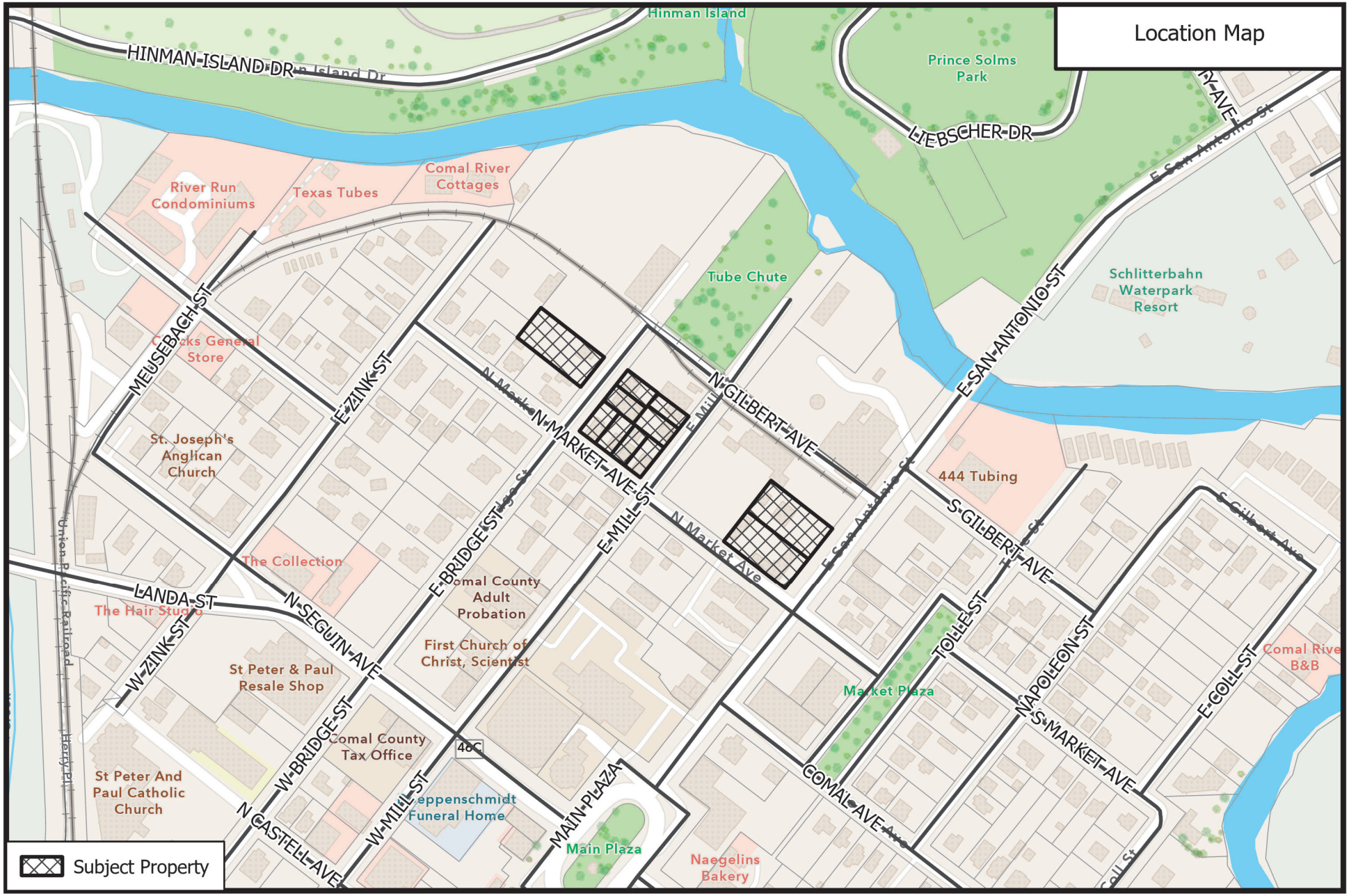
Non-residential uses:

- Adult day care (no overnight stay).
- Adult day care (with overnight stay).
- Aircraft support and related services.
- Airport.
- Ambulance service (private).
- Archery range.
- Athletic fields.
- 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.
- Auto muffler shop (see section 144-5.11).
- Auto paint shop.
- Auto repair garage (general) (see section 144-5.11).
- Automobile driving school (including defensive driving).
- Barns and farm equipment storage (related to agricultural uses).
- Blacksmith or wagon shops.
- Book binding.
- Bottling or distribution plants (milk).
- Bottling works.
- Bowling alley/center (see section 144-5.13).
- Bus barns or lots.
- Cemetery and/or mausoleum.
- Check cashing service.
- Cleaning, pressing and dyeing (non-explosive fluids used).
- Cold storage plant.
- Communication equipment—Installation and/or repair.
- Contractor's office/sales, with outside storage including vehicles.

- Convenience store with or without fuel sales.
- Credit agency.
- Curio shops.
- Dance hall/dancing facility (see section 144-5.13).
- Day camp.
- Exterminator service.
- Fair ground.
- Farms, general (crops) (see chapter 6 and section 144-5.9).
- Farms, general (livestock/ranch) (see chapter 6 and section 144-5.9).
- Filling station (fuel tanks must be below the ground).
- Food processing (no outside public consumption).
- Forge (hand).
- Forge (power).
- Freight terminal, rail/truck (when any storage of freight is outside an enclosed building).
- Freight terminal, truck (all storage of freight in an enclosed building).
- Frozen food storage for individual or family use.
- Funeral home/mortuary.
- Furniture manufacture.
- Galvanizing works.
- Golf course (public or private).
- Heavy load (farm) vehicle sales/repair (see section 144-5.14).
- Ice plants.
- Industrial laundries.
- Laboratory equipment manufacturing.
- Laundry, commercial (without self serve).
- Leather products manufacturing.
- Light manufacturing.
- Limousine/taxi service.
- Lumberyard (see section 144-5.15).
- Lumberyard or building material sales (see section 144-5.15).
- Machine shop.
- Manufactured home sales.
- Manufacturing and processes.
- Metal fabrication shop.
- Moving, transfer, or storage plant.
- Non-bulk storage of fuel, petroleum products and liquefied petroleum.
- Nursing/convalescent home/sanitarium.

- Outside storage (as primary use).
- Plastic products molding/reshaping.
- Plumbing shop.
- Portable building sales.
- Propane sales (retail).
- Quick lube/oil change/minor inspection.
- Retirement home/home for the aged.
- Rodeo grounds.
- RV park.
- RV/travel trailer sales.
- Sheet metal shop.
- Shooting gallery—Indoor (see section 144-5.13).
- Sign manufacturing/painting plant.
- Storage—Exterior storage for boats and recreational vehicles.
- Storage in bulk.
- Taxidermist.
- Telemarketing agency.
- Telephone exchange (office and other structures).
- Tire sales (outdoors).
- Tool rental.
- Transfer station (refuse/pick-up).
- Welding shop.

EXHIBIT "B"



SUP26-028

C-2, M-1, M-1 SUP to MU-B SUP

0 180 360 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, its officials or employees for any discrepancies, errors, or variances which may exist.

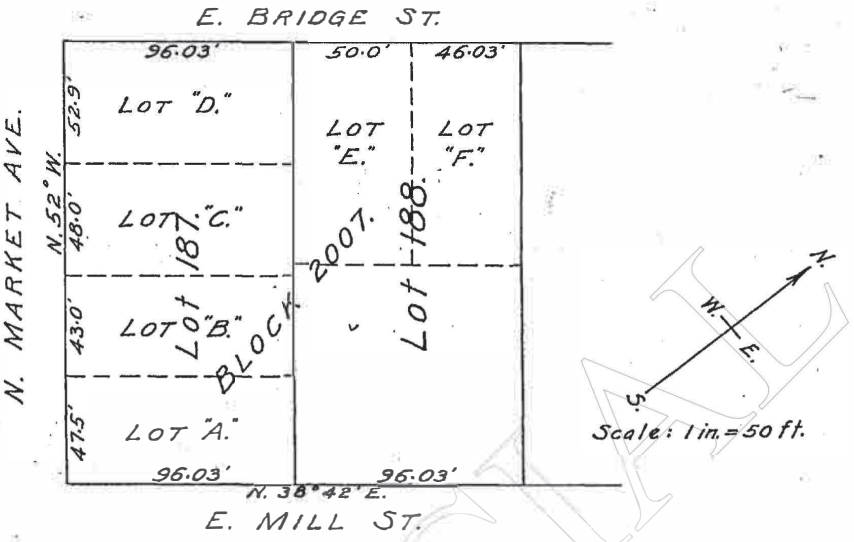
Source: City of New Braunfels Planning
Date: 3/19/2026

rds and Commissions\ZoneChange & SUPs\2026\SUP26-028 - ADM Mill

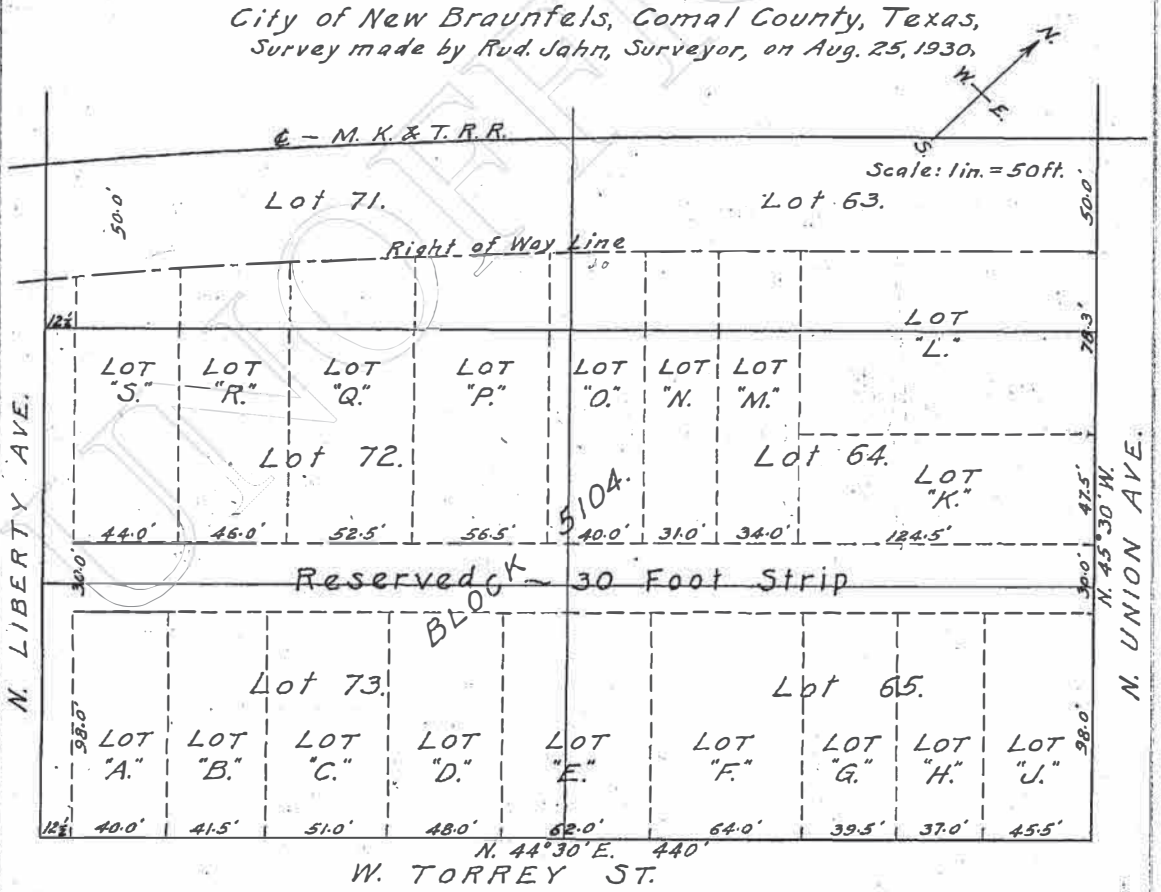
EXHIBIT "C"

No. 292. -

Resubdivision of the Southwestern Part
of New City Block No. 2007, of the
City of New Braunfels, Comal County, Texas,
Surveyed by Rud. Jahn, on Aug. 25-1930.



Resubdivision of the Southeastern Part
of New City Block No. 5104, in Comaltown, a part of the
City of New Braunfels, Comal County, Texas,
Survey made by Rud. Jahn, Surveyor, on Aug. 25, 1930.



Filed for record August 26th 1930 at 2.45 o'clock P. M., and recorded August 27th 1930 at 5.00 o'clock P. M.

Richard H. Ludwig
Co. Clk. Comal County, Texas.

POOR QUALITY

Exhibit "A"

Being a 0.119 acre tract of land, more or less, situated in the City of New Braunfels, Comal County, Texas, being the same tract called the South part of Lot No. 188, New City Block 2007 described in Doc# 9806016432 of the Official Public Records of Comal County, Texas, and all bearings referred to in this description are referenced to a bearing of S 38° 42' W along the Northwest right-of-way line of E. Mill Street, said 0.119 acre tract of land surveyed under the supervision of Richard A. Goodwin, RPLS #4069, S. Craig Hollmig, Inc., and being more particularly described as follows:

BEGINNING: At a 1/2" iron pin set in the Northwest line of E. Mill Street, said point being N 38° 42' E 96.30 feet from a 3/8" iron pin found at the intersection of the North-east line of N. Market Avenue, with the Northwest line of E. Mill Street, for the East corner of Lot A of the Resubdivision of the Southwestern part of New City Block 2007, recorded in Volume 58, Page 371 of the Deed Records of Comal County, Texas, for the South corner of the above referenced tract, for the South corner and Point of Beginning of this tract;

THENCE: Leaving said E. Mill Street, along the Northeast line of Lots A and B of said Resubdivision and partially along the Northeast line of Lot C, N 52° 08' 58" W 96.0 feet to a 1/2" iron pin set in the Northeast line of said Lot C, for the South corner of Lot E of said Resubdivision, for the West corner of this tract;

THENCE: Along the Southeast line of said Lot E, partially along the Southeast line of Lot F of said Resubdivision, N 38° 42' 00" E 53.23 feet to a 4" x 4" fence corner found in the Southeast line of said Lot F, for the West corner of a tract of land described in Doc#200106031998 of the Official Public Records of Comal County, Texas, for the North corner of this tract;

THENCE: Along the Southwest line of said tract recorded in Doc# 200106031998, the Northeast line of the above referenced tract, S 53° 12' 11" E 96.04 feet to a 1/2" iron pin found and re-set in the Northwest line of E. Mill Street, for the South corner of said tract recorded in Doc# 200106031998, for the East corner of the above referenced tract, for the East corner of this tract;

THENCE: Along the Northwest line of E. Mill Street, S 38° 42' 00" W 55.00 feet to the Point of Beginning and containing 0.119 acres of land, more or less.

Filed and Recorded
Official Public Records
Bobbie Koepp, County Clerk
Comal County, Texas
05/16/2019 04:31:17 PM
JESSICA 3 Pages(s)
201906016795

County Court of Comal County, Texas

Bobbie Koepp

UNOFFICIAL

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

BEING A 0.093 ACRE TRACT OF LAND, MORE OR LESS, SITUATED IN THE CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, BEING THE SAME TRACT CALLED THE SOUTHEAST PART OF LOT 188, NEW CITY BLOCK 2007 DESCRIBED IN DOC NO. 200106031998 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, AND ALL BEARINGS REFERRED TO IN THIS DESCRIPTION ARE REFERENCED TO A BEARING OF S 38° 42' W ALONG THE NORTHWEST RIGHT-OF-WAY LINE OF E. MILL STREET, SAID 0.093 ACRE TRACT OF LAND SURVEYED UNDER THE SUPERVISION OF RICHARD A. GOODWIN RPLS #4069, S. CRAIG HOLLMIG, INC., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING: AT A 1/2" IRON PIN FOUND AND RE-SET IN THE NORTHWEST LINE OF E. MILL STREET SAID POINT BEING N 38° 42' E 151.30 FEET FROM A 3/8" IRON PIN FOUND AT THE INTERSECTION OF THE NORTHEAST LINE OF N. MARKET AVENUE WITH THE NORTHWEST LINE OF E. MILL STREET, FOR THE EAST CORNER OF A TRACT OF LAND DESCRIBED IN DOC NO. 9806016432 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY TEXAS, FOR THE SOUTH CORNER OF THE ABOVE REFERENCED TRACT, FOR THE SOUTH CORNER AND POINT OF BEGINNING OF THIS TRACT;

THENCE: LEAVING SAID E. MILL STREET ALONG THE NORTHEAST LINE OF SAID TRACT RECORDED IN DOC NO. 9806016432 THE SOUTHWEST LINE OF THE ABOVE REFERENCED TRACT N 53° 12' 11" W 96.04 FEET TO A 4" X 4" FENCE CORNER FOUND IN THE SOUTHEAST LINE OF LOT F OF THE RESUBDIVISION OF THE SOUTHWESTERN PART OF NEW CITY BLOCK 2007 RECORDED IN VOLUME 58 PAGE 371 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, FOR THE WEST CORNER OF THE ABOVE REFERENCED TRACT;

THENCE: ALONG THE SOUTHEAST LINE OF SAID LOT F, THE NORTHWEST LINE OF THE ABOVE REFERENCED TRACT N 38° 42' 00" E 43.20 FEET TO A 1/2" IRON PIN FOUND FOR THE EAST CORNER OF SAID LOT F, SAID POINT LYING IN THE SOUTHWEST LINE OF LOT 189 OF NEW CITY BLOCK 2007 FOR THE NORTH CORNER OF THE ABOVE REFERENCED TRACT, FOR THE NORTH CORNER OF THIS TRACT;

THENCE: ALONG THE SOUTHWEST LINE OF SAID LOT 189 THE NORTHEAST LINE OF THE ABOVE REFERENCED TRACT S 52° 04' 05" E 96.00 FEET TO A 3/8" IRON PIN FOUND IN THE NORTHWEST LINE OF E. MILL STREET FOR THE SOUTH CORNER OF SAID LOT 189, THE EAST CORNER OF THE ABOVE REFERENCED TRACT, FOR THE EAST CORNER OF THIS TRACT;

THENCE: ALONG THE NORTHWEST LINE OF E. MILL STREET THE SOUTHEAST LINE OF THE ABOVE REFERENCED TRACT S 38° 42' 00" W 41.30 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.093 ACRES OF LAND, MORE OR LESS.

UNOFFICIAL

Deed Record G Page 127

Deed Record G Page 127 (zoomed in)

I hereby certify that the Plat on the reverse hereof is a correct Map of the City of New Braunfels, part of the Corporations of New Braunfels as Surveyed by me in accordance with a Contract entered into between me & the City Council of said Corporation of New Braunfels on the 25th Day of September A.D. 1858. Given under my hand at the City of New Braunfels this 24th of April A.D. 1860.

J. J. Groos

Deputy Surveyor in & for Nuetzung Land District now New Braunfels, Comal Co. Texas

The State of Texas
County of Comal

Before me, Albert Dreiss Clerk of the Co. Court of said County personally appeared J. J. Groos County Surveyor of Comal County and J. Ehrenfeldt Mayor of the City Corporation of New Braunfels both to me well known, who separately acknowledged their resp. Signatures to the above Certificates or Writings, and declared that they had resp. done so for the considerations, uses and purposes therein contained. In Testimony whereof I have hereto set my hand and official seal at New Braunfels June the 18th 1860.

Albert Dreiss Clk Co. Court Comal County

The State of Texas
County of Comal

I, Albert Dreiss Clerk of the Co. Court of said County do hereby certify that the Map and Writings hereto annexed were filed in my office for record at 10 o'clock A.M. June the 18th 1860 and duly registered at 3 o'clock P.M. June the 23rd 1860 in Rec. G. for Deeds on pages 127 & 128. Witness my hand and official seal at New Braunfels June the 23rd 1860.

Albert Dreiss Clk
Co. Court Comal County

Map (Groos) & S. ... 150.
returned not ... 50.
recorded. $ 0.75.

PRESENTER:
Christopher J. Looney, AICP, Planning Director
Applicant: Monica L Mason
Owner: Brett Baer
SUBJECT:
Public hearing and first reading of an ordinance, requested by Monica Mason, on behalf of Brett Baer, to rezone approximately 0.2 of an acre out of the City Block Subdivision 5068, Lot 5, from R-3 (Multifamily District) to R-3 SUP (Multifamily District with a Special Use Permit to allow a Short-Term Rental of a Residence), currently addressed at 226 North Liberty Avenue.
DEPARTMENT: Neighborhood and Community Planning
COUNCIL DISTRICTS IMPACTED: 5

BACKGROUND INFORMATION:
Case No: SUP26-069

Applicant:
Monica L Mason
(512) 393-4949 | monilmason1@gmail.com

Owner:
Brett Baer
(310) 991-5338 | brettbaer@gmail.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 northeast side of North Liberty Avenue, approximately 60 feet northwest of the intersection with West Main Street, and across Liberty Avenue from Schlitterbahn Waterpark Resort. It is bordered by R-3, C-1, and C-4 zoning. Adjacent land uses consist of residences, commercial businesses, and a resort.

The property is currently under construction in accordance with building permits previously approved by the City. The residence is approximately 1,128 square feet and is designed to include three bedrooms and three bathrooms. Per the Zoning Ordinance, the maximum occupancy of a short-term rental (STR) with three bedrooms is eight occupants, and a minimum of three off-street parking spaces is required. According to the approved building permit, there will be sufficient room to accommodate 3 paved off-street 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.

COMPREHENSIVE PLAN REFERENCE:
The rezoning 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.

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 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:
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.

A parcel on the same block face within this block is already zoned to allow a short-term rental use. Additionally, several of the properties located across the street operate as overnight resort cabins. Accordingly, an STR at the proposed location would be consistent with the existing land uses and zoning allowances within the block.

The Planning Commission held a public hearing on April 7, 2026, and unanimously recommended approval (6-0-0).

Code of Ordinances Sec. 144-2.1 *Changes and Zoning Amendments*:

(b) *Considerations for approving or denying a zoning change.* In making a determination regarding a requested zoning change, the planning commission and the city council shall consider the following factors:

(1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole;

(2) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;

(3) How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved;

(4) Any other factors that will substantially affect the public health, safety, morals, or general welfare;

and
(5) Whether the request is consistent with the comprehensive plan.

Mailed notification as required by state statute:
Public hearing notices were sent to owners of 11 properties within 200 feet of the request. As of the date this agenda was posted, the city has received 3 responses.

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. 3.6 (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?

City of New Braunfels

SUP26-069

226 N Liberty Ave - SUP for STR

0 80 160 Feet

Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\SUP26-069 - 226 N Liberty Ave -

Source: City of New Braunfels Planning
Date: 3/13/2026

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 Braur officials or employees for any discrepancies, errors, or variances which may

City of New Braunfels

SUP26-069

226 N Liberty Ave - SUP for STR

0 80 160 Feet

N

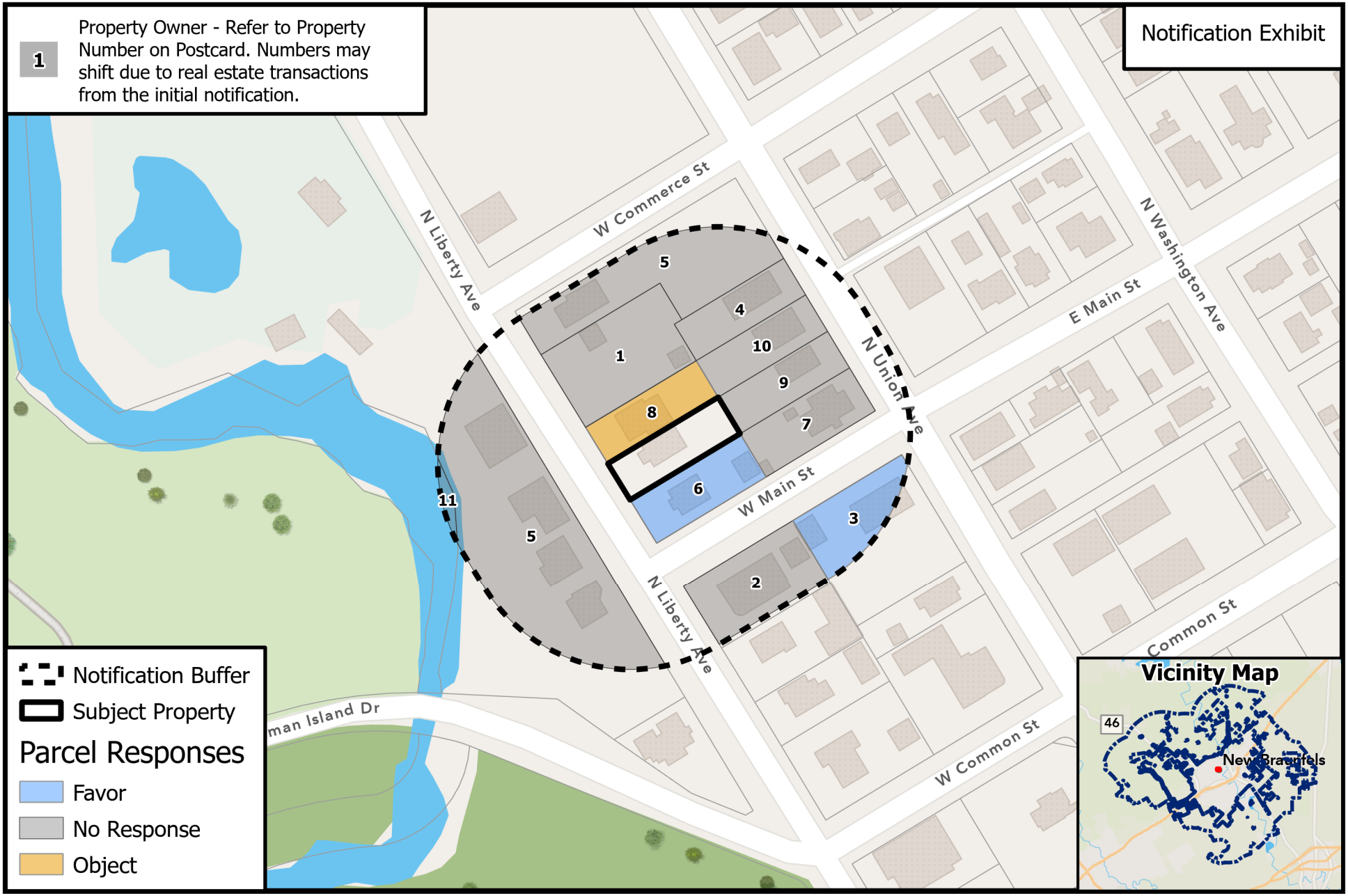
Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\SUP26-069 - 226 N Liberty Ave -

Source: City of New Braunfels Planning
Date: 3/13/2026

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 [illegible] else is at that party's risk and without liability to the City of New Braun officials or employees for any discrepancies, errors, or variances which may

226 N Liberty Ave

City of New Braunfels



City of New Braunfels

SUP26-069

226 N Liberty Ave - SUP for STR

0 80 160 Feet

Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\SUP26-069 - 226 N Liberty Ave -

Source: City of New Braunfels Planning
Date: 4/6/2026

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 [illegible] else is at that party's risk and without liability to the City of New Braun officials or employees for any discrepancies, errors, or variances which may

PLANNING COMMISSION – April 7, 2026 – 6:00PM

City Hall Council Chambers

Applicant: Monica L Mason

Address/Location: 226 N Liberty Ave

SUP26-069

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. MEADOWS INVESTMENTS LLC
2. CAMARILLO LORENZO G JR
3. U E G MANAGEMENT LLC
4. TEXCAL LAND COMPANY
5. NEW BRAUNFELS WATERPARK LLC
6. CLARKSON SHANNON R B & TIMOTHY G
7. SOLIS G KURT & SHIRLEY J
8. CARLISLE AMANDA L
9. KOEHLER DOROTHY
10. TEXCAL LAND COMPANY LTD
11. COLORADO RIVER LAND TRUST INC

SEE MAP

CARLISLE AMANDA L

546 OAK SHORE DR

CANYON LAKE TX 78133

Property #: 8

SUP26-069
Case Manager: AM

FAVOR ☐

OPPOSE ☒

COMMENTS

[redacted]

RECEIVED
APR 6
BY: tlM

CLARKSON SHANNON R B & TIMOTHY G

26230 SCARLETT SAGE LN

KATY TX 77494

Property #: 6

SUP26-069
Case Manager: AM

FAVOR ☑

OPPOSE ☐

COMMENTS

RECEIVED
APR 2
BY: tlM

U E G MANAGEMENT LLC

191 NORTH UNION AVE

NEW BRAUNFELS TX 78130

Property #: 3

SUP26-069
Case Manager: AM

FAVOR ☑

OPPOSE ☐

COMMENTS

RECEIVED
APR 1
BY:

C) **SUP26-069 Public hearing and recommendation to City Council, requested by Monica Mason, on behalf of Brett Baer, to rezone approximately 0.2 of an acre out of the City Block Subdivision 5068, Lot 5, from R-3 (Multifamily District) to R-3 SUP (Multifamily District with a Special Use Permit to allow a Short-Term Rental of a Residence), currently addressed at 226 North Liberty Avenue.** *(Applicant: Monica L Mason; Owner: Brett Baer; Staff Contact: 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.

Discussion followed on other short-term rentals in the area.

Chair Sonier invited the applicant to speak on the item.

Monica Mason elaborated on the request discussing the concerns for single-family homes, and updating the house.

0 individuals spoke in favor of the item.

0 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.

Motion by Commissioner Henry, seconded by Commissioner Nolte, to recommend approval of the item to City Council. Motion carried unanimously (7-0-0).

DRAFT

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.2 ACRES, BEING OUT OF THE CITY BLOCK SUBDIVISION 5068, LOT 5, CURRENTLY ADDRESSED AT 226 NORTH LIBERTY AVENUE, FROM R-3 (MULTIFAMILY DISTRICT) TO R-3 SUP (MULTIFAMILY DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW A 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 226 North Liberty Avenue, to allow short term rental of a residence in the R-3 (Multifamily District); **now, therefore;**

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

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by adding the following tract of land as a "Special Use Permit" for the uses and conditions herein described:

Being out of the City Block Subdivision 5068, Lot 5, 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 27th day of April 2026.

PASSED AND APPROVED: Second reading this 11th day of May 2026.

CITY OF NEW BRAUNFELS

_____

NEAL LINNARTZ, Mayor

ATTEST:

_____

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

_____

VALERIA M. ACEVEDO, City Attorney

City of New Braunfels

SUP26-069

226 N Liberty Ave - SUP for STR

0 80 160 Feet

rds and Commissions\ZoneChange & SUPs\2026\SUP26-069 - 226 N Liberty Ave -

Source: City of New Braunfels Planning
Date: 4/6/2026

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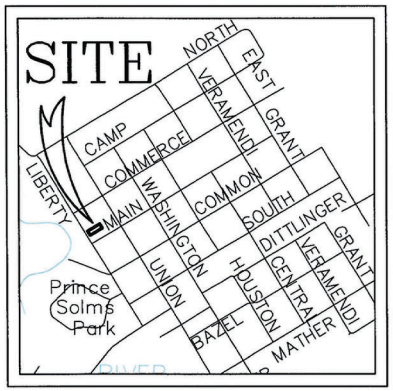


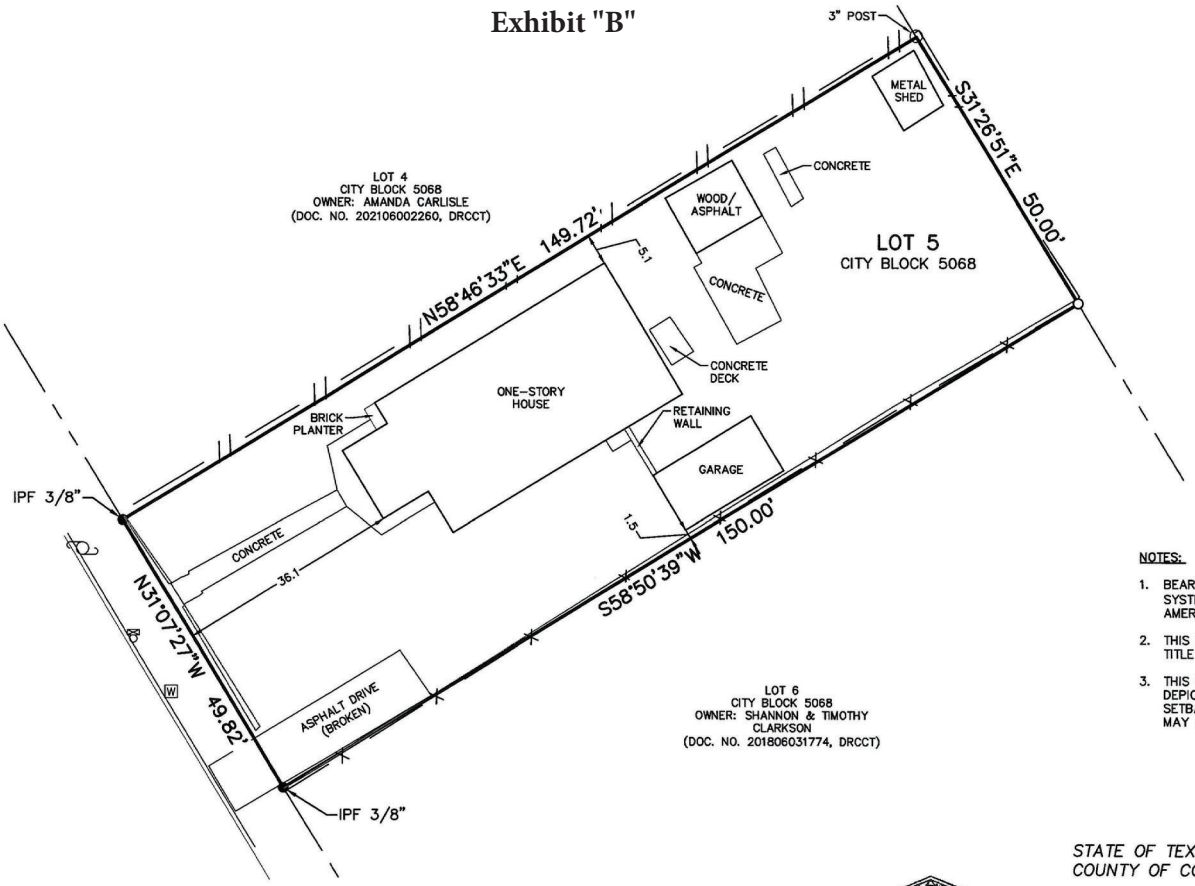
LOCATION MAP
N.T.S.

SCALE: 1"=20'

AS-BUILT SURVEY

BEING LOT 5, NEW CITY BLOCK 5068, SUBDIVISION NAME, SOUTHWEST ADDITION TO NEW BRAUNFELS, SITUATED IN THE CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 29, PAGES 258-260, CONVEYED TO MASON KAI, LLC IN DOCUMENT NO. 202306019069, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

Exhibit "B"



LEGEND:

- O = (IPS) SET 1/2" IRON PIN W/ PLASTIC CAP STAMPED "DAM #5348 PROP. COR." UNLESS OTHERWISE NOTED
- ● = (IPF) FOUND 1/2" IRON PIN UNLESS OTHERWISE NOTED
- ( ) = RECORD INFORMATION
- DRCCT = DEED RECORDS OF COMAL COUNTY, TEXAS
- OPRCCT = OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
- R.O.W. = RIGHT-OF-WAY
- = POWER POLE
- W = WATER METER
- = MAILBOX

NOTES:

1. BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM 1983.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
3. THIS SURVEYOR HAS NOT CONDUCTED A TITLE SEARCH TO DEPICT OTHER MATTERS OF RECORD, SUCH AS EASEMENTS, SETBACKS, RESTRICTIONS OR OTHER ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

D.A. MAWYER
LAND SURVEYING
5151 W. SH 46
NEW BRAUNFELS, TX 78132
PH: 830.730.4449
DREW@DAM-TX.COM
FIRM #10191500

DATE: JANUARY 2025 JOB: MIS976

ADDRESS:
226 LIBERTY
NEW BRAUNFELS, TX 78130

STATE OF TEXAS
REGISTERED
DREW A. MAWYER
5348
PROFESSIONAL
LAND SURVEYOR

STATE OF TEXAS
COUNTY OF COMAL

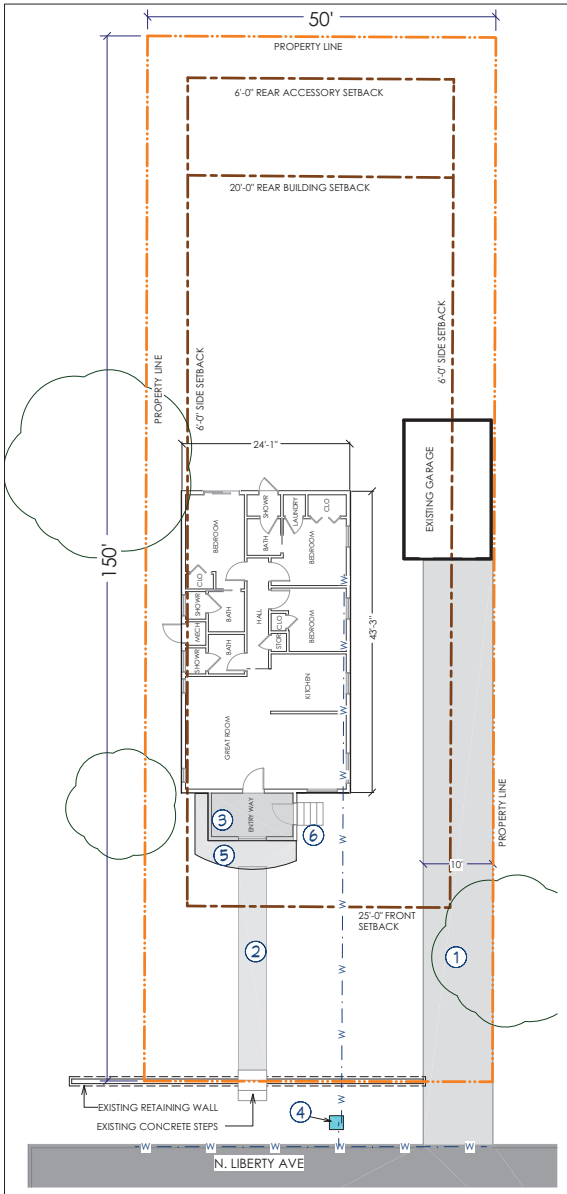
I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS SURVEY IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION

THIS 31 DAY OF JANUARY 2025

DREW A. MAWYER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5348

Drawing Name: C:\Users\MandiMawyer\DAM Survey Dropbox\Mandi\Projects\MIS- Miscellaneous\MIS976- 226 Liberty\MIS976- 226 Liberty.dwg User: MandiMawyer Jan 31, 2025 - 10:49am

Exhibit "C"



2 EXISTING SITE PLAN
1/8 in = 1 ft

I Brett Baer, 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.

Existing 1 Story Residence
3 Bedrooms ~ 1128 SF

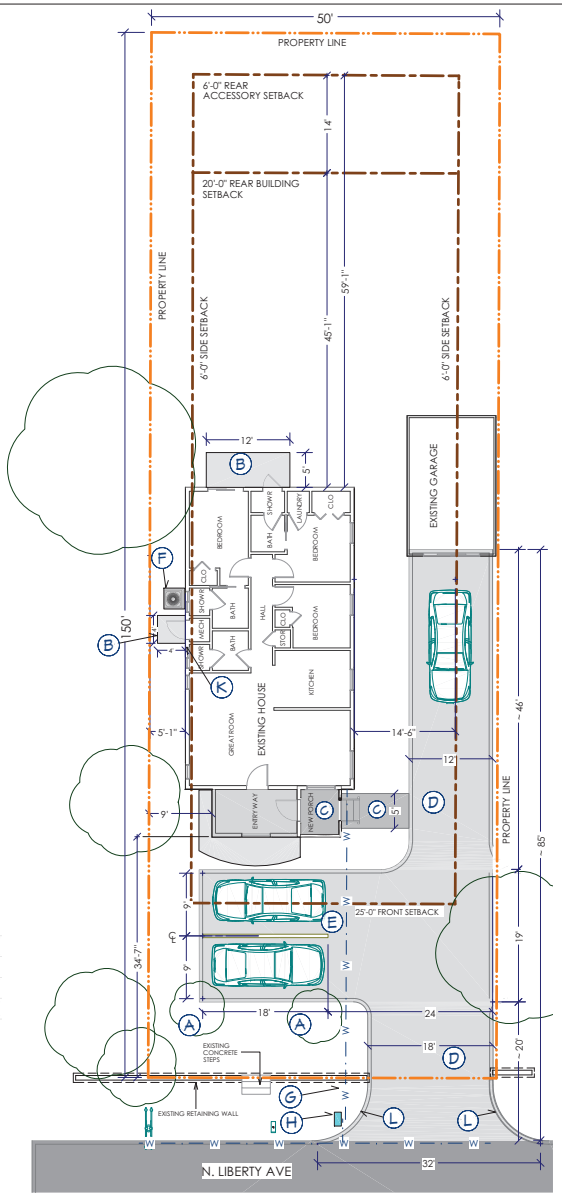
PROPOSED SITE PLAN:

A - New Oak Tress
B - New Landings
C - New Porch, Stairs & Sidewalk
D - New Driveway with 6" Curb
E - New Parking with 6" Curb
F - New AC Pad
G - Water Line
H - New Traffic Resistant Water Meter Box and Lid
J - All Drives to be Concrete
K - 8x16 Air Flow Vents (Typ 5)
L - Buildup Driveway Apron Retaining Walls

EXISTING SITE PLAN:

1 - 10' Asphalt Driveway
2 - Concrete Sidewalk
3 - Entry Way
4 - Water Meter and Line
5 - Front Concrete Slab
6 - Concrete Steps

PARKING CALCULATION TABLE		
# of Sleeping Rooms	Cars / Sleeping	Total Cars Req'd
3	1	3



1 PROPOSED SITE PLAN
1/8 IN = 1 FT

24/7 DESIGN
ARCHITECTURE & PLANNING

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

REGISTERED ARCHITECT
MARK STUART
STATE OF TEXAS

226 N. LIBERTY AVE -
REMODEL & RENOVATION
NEW BRAUNFELS, TX 78130

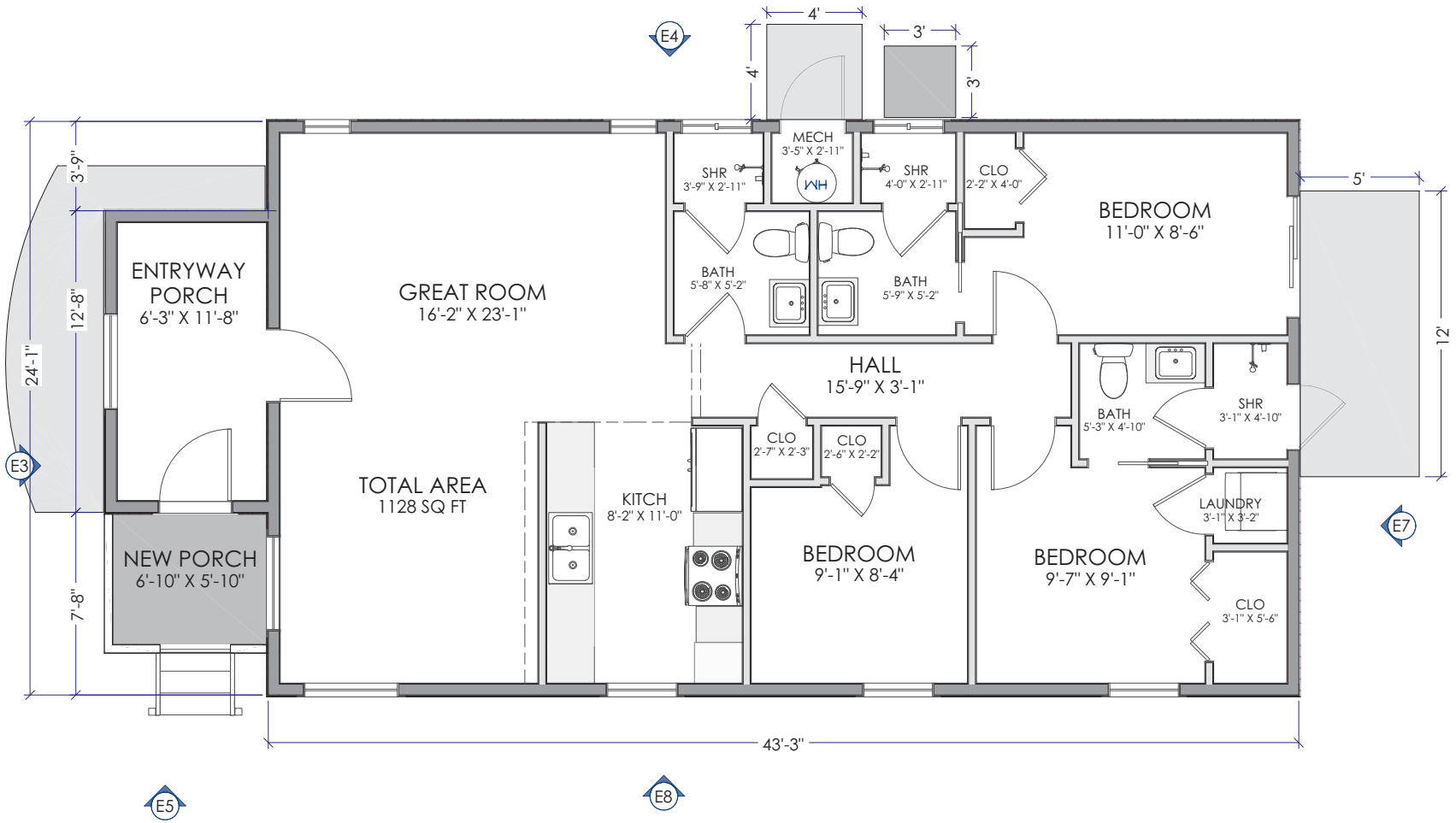
MARK STUART ARCHITECT
605 RIDGECLIFF DRIVE
NEW BRAUNFELS, TX 78130
PHONE: 830-557-4444
Mark@MarkStuartArchitect.com

DATE:
3/2/2026

SCALE:

SHEET:
3

Exhibit "D"



1 FLOOR PLAN
1/2 in = 1 ft

24/7 DESIGN
ARCHITECTURE & PLANNING

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

REGISTERED ARCHITECT
MARK A. STUART
STATE OF TEXAS
Mark Stuart

226 N. LIBERTY AVE -
REMODEL & RENOVATION
NEW BRAUNFELS, TX 78130

MARK STUART ARCHITECT
605 RIDGECLIFF DRIVE
NEW BRAUNFELS, TX 78130
PHONE: 830-557-4444
Mark@MarkStuartArchitect.com

DATE: 3/2/2026

SCALE:

SHEET: 4

PRESENTER:
Matthew Simmont, AICP, Planning Manager
Applicant/Owner: Nicolas Vargas
SUBJECT:
Public hearing and first reading of an ordinance, requested by Nicolas Vargas, to rezone approximately 0.25 of an acre out of the City Block Subdivision 1073, Lot 11, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit to allow a Short-Term Rental of a Residence), currently addressed at 182 Perryman Street.
DEPARTMENT: Neighborhood and Community Planning
COUNCIL DISTRICTS IMPACTED: 5

BACKGROUND INFORMATION:
Case No: SUP26-061

Applicant:
Nicolas Vargas
(815) 992-7315 | Niko.va.lu@hotmail.com

Staff Contact:
Amanda Mushinski, AICP, CNU-A
(830) 221-4056 | amushinski@newbraunfels.gov

The subject property is approximately ¼ of an acre on the northwest side of Perryman Street, approximately 60 feet from the intersection of Perryman Street and South Castell Avenue, and one block northwest of South IH 35. It is bordered by C-3 and M-1 zoning. Adjacent land uses consist of residences and commercial businesses.

The 1950s residence on the site is roughly 1600 square feet with 3 bedrooms and 2.5 bathrooms. Per the Zoning Ordinance, the maximum occupancy of an STR with 3 bedrooms and 2.5 bathrooms 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.

COMPREHENSIVE PLAN REFERENCE:
The requested rezoning 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, and near existing Market, Employment, and Education 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 requested 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:
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 through the rezoning process.
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 subject site is already zoned commercial, situated on the edge of a neighborhood very near the Interstate Highway and lies across the street from and fronting an auto-related commercial use.

The Planning Commission held a public hearing on April 7, 2026, and unanimously recommended approval of the applicant's request (7-0-0).

Code of Ordinances Sec. 144-2.1 *Changes and Zoning Amendments*:

(b) *Considerations for approving or denying a zoning change.* In making a determination regarding a requested zoning change, the planning commission and the city council shall consider the following factors:

(1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole;

(2) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;

(3) How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved;

(4) Any other factors that will substantially affect the public health, safety, morals, or general welfare; and

(5) Whether the request is consistent with the comprehensive plan.

Mailed notification as required by state statute:

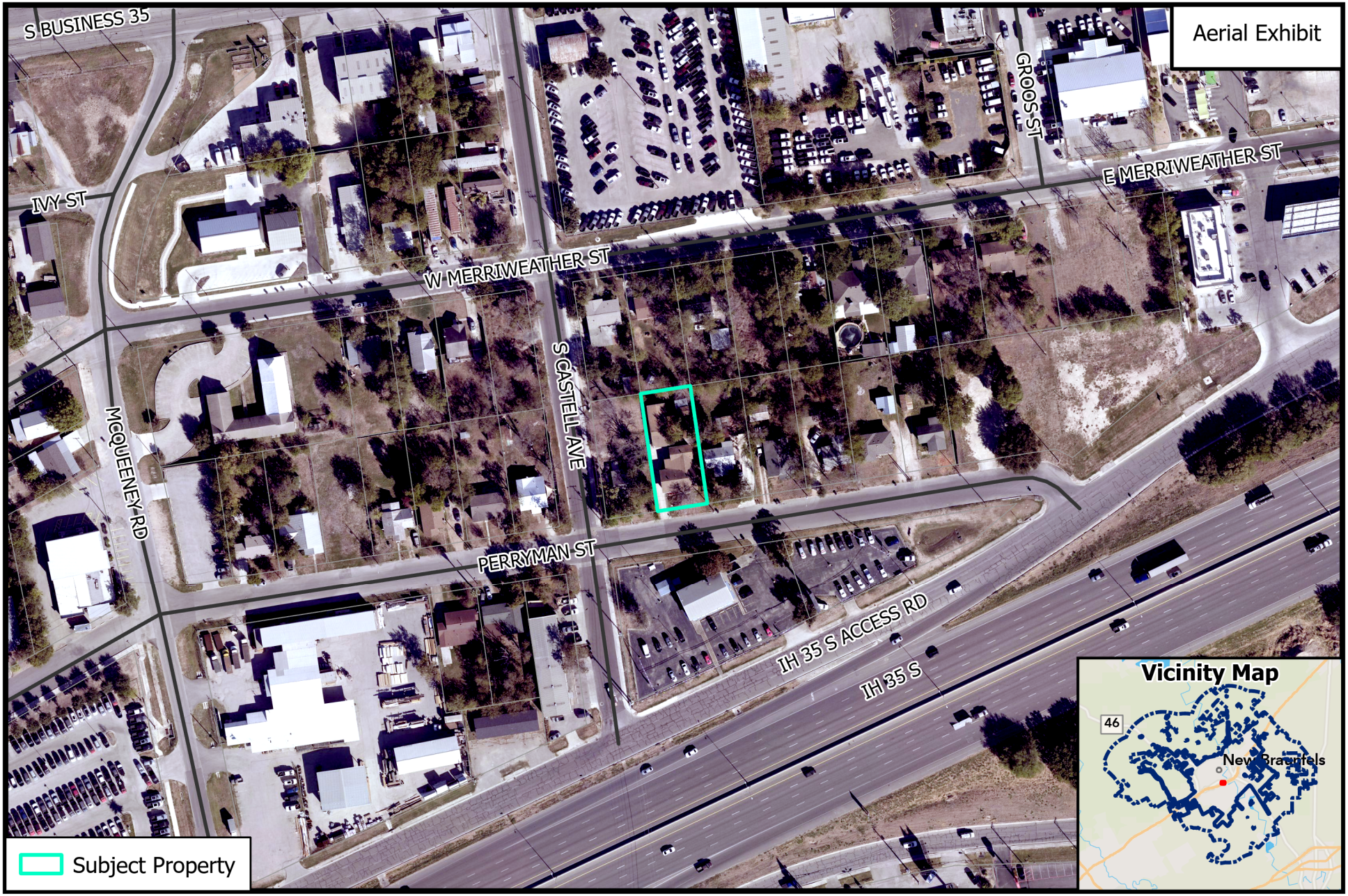
Public hearing notices were sent to owners of 18 properties within 200 feet of the request. As of the date this agenda was posted, the city has received 1 response in favor.

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?



City of New Braunfels

SUP26-061

182 Perryman St - SUP for STR

0 90 180 Feet

Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\SUP26-061 - 182 Perryman St - SUP

Source: City of New Braunfels Planning
Date: 3/12/2026

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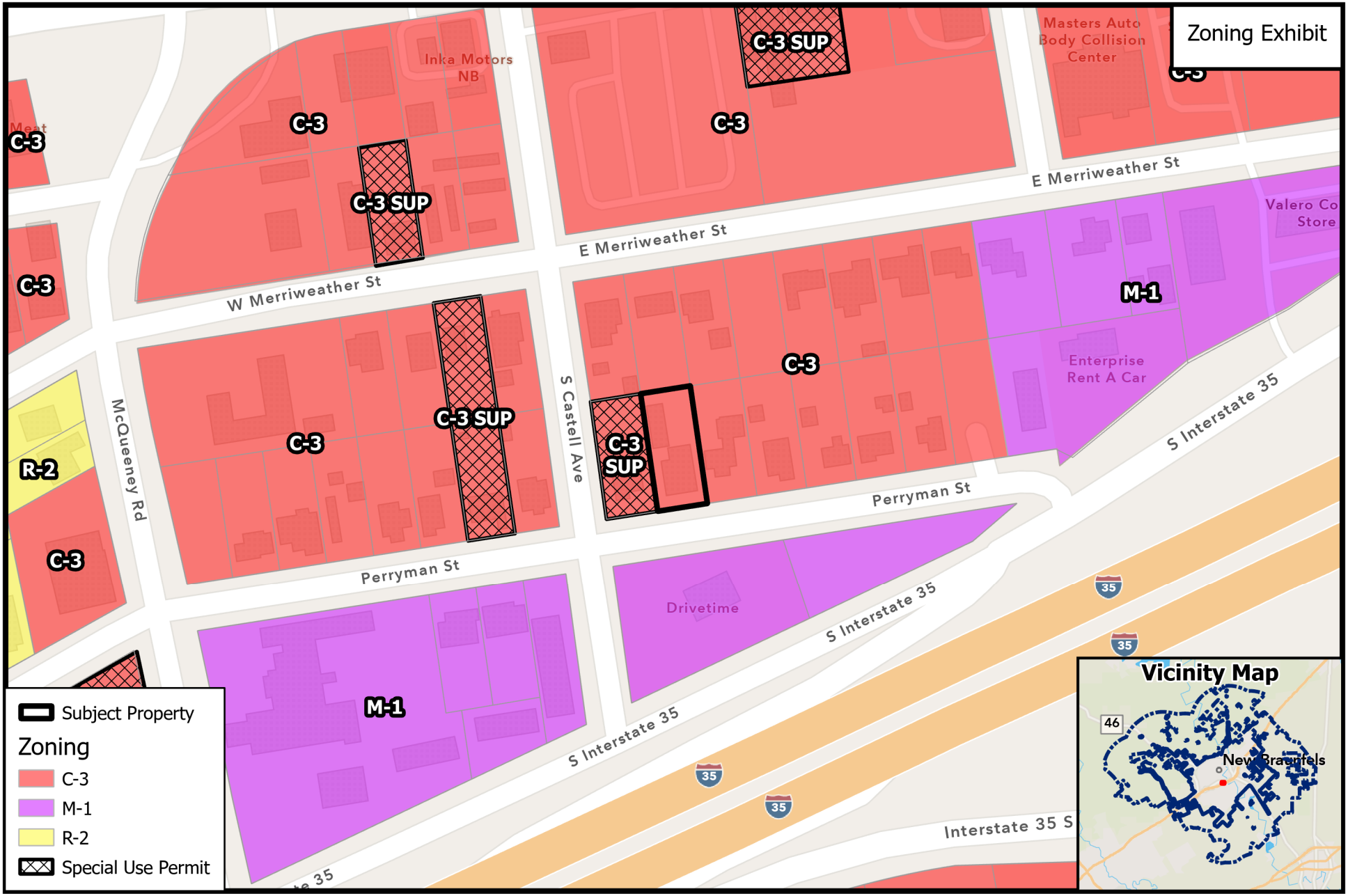

City of New Braunfels

SUP26-061

182 Perryman St - SUP for STR

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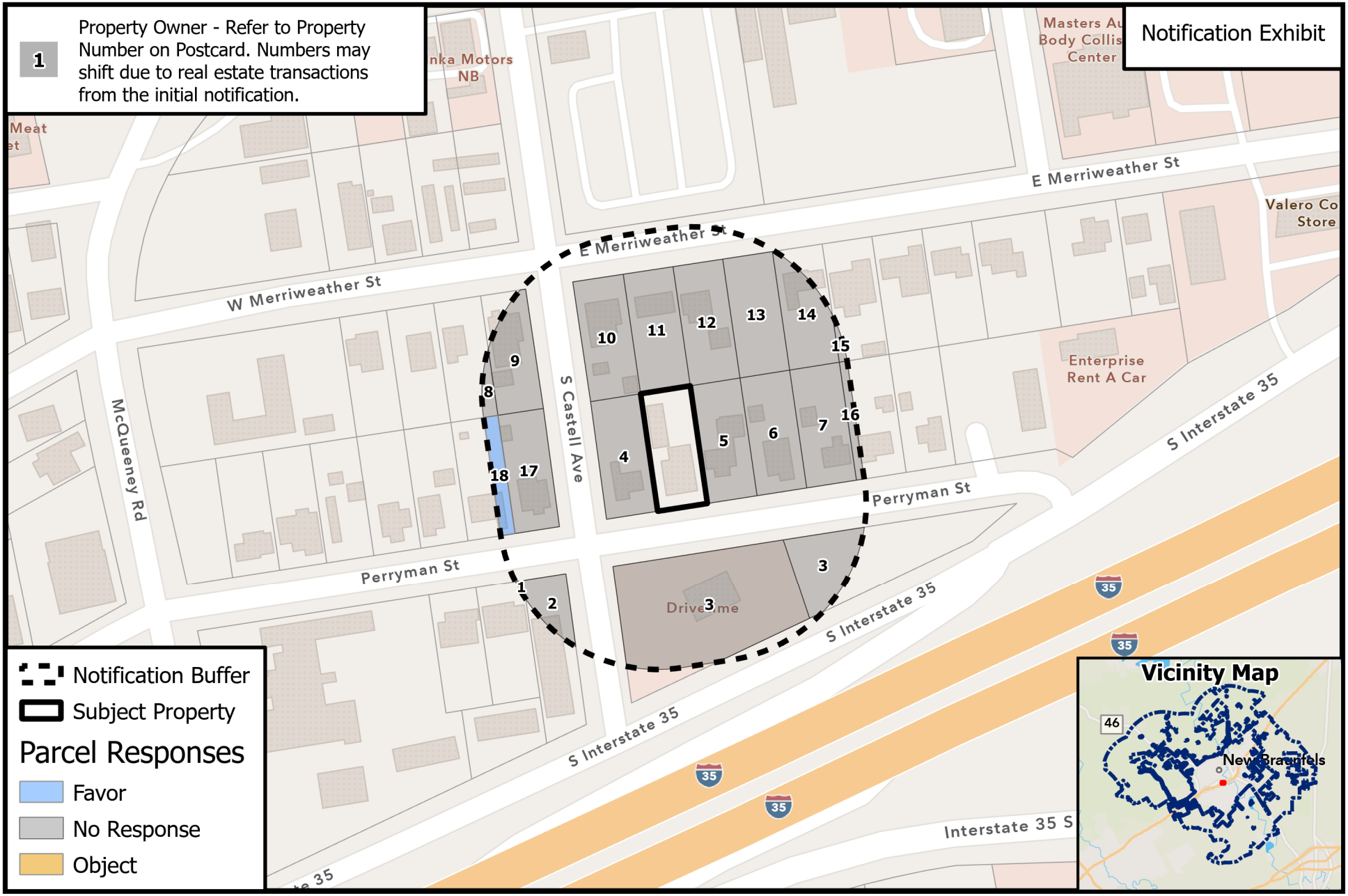
182 Perryman St

City of New Braunfels



City of New Braunfels

SUP26-061

182 Perryman St - SUP for STR

0 90 180 Feet

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PLANNING COMMISSION – April 7, 2026 – 6:00PM

City Hall Council Chambers

Applicant: Nicolas Vargas

Address/Location: 182 Perryman St

SUP26-061

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. KAHLIG ENTERPRISES INC
2. CK GARRISON PROPERTIES LLC
3. PENIZE LLC
4. WITTING FRANK
5. B & W - NB LLC
6. KLE PROPERTIES LLC
7. HAYES JOE & TED W ALEXANDER
8. ORR EVELYN JOYCE
9. BOUDJAKDJI SARAH & ROBERT WEST
10. SANCHEZ DEBORAH
11. DONHAUSER MARY D
12. SANCHEZ JUVENAL
13. RESIDENTIAL ROOTS LLC
14. GOMEZ ALFONSO & ATANACIA
15. SIERRA VICTOR P & REBECCA
16. PROPERTY OWNER #16
17. SPAR-TEX VENTURES LLC
18. HOUSE LIFESTYLES CORP

SEE MAP

HOUSE LIFESTYLES CORP

1308 COMMON STREET E #205

NEW BRAUNFELS TX 78130

Property #: 18

SUP26-061
Case Manager: AM

FAVOR ☒

OPPOSE ☐

COMMENTS

I think this will bring more development and interest in Castell's extension of the downtown circle.

Love it!

RECEIVED
APR 2
BY:

B) SUP26-061 Public hearing and recommendation to City Council, requested by Nicolas Vargas, to rezone approximately 0.25 of an acre out of the City Block Subdivision 1073, Lot 11, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit to allow for a Short-Term Rental of a Residence), currently addressed at 182 Perryman Street. *(Applicant/Owner: Nicolas Vargas; Staff Contact: 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.

Discussion followed on nearby Special Use Permits granted for short-term rentals.

Chair Sonier invited the applicant to speak on the item.

Chair Sonier opened the public hearing and asked if anyone present wished to speak on the item.

0 individuals spoke in favor of the item.

0 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.

Motion by Commissioner Nolte, seconded by Commissioner Braiser, to recommend approval of the item to City Council. Motion carried unanimously (7-0-0).

DRAFT

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.25 ACRES, BEING OUT OF THE CITY BLOCK SUBDIVISION 1073, LOT 11, CURRENTLY ADDRESSED AT 182 PERRYMAN STREET, FROM C-3 (COMMERCIAL DISTRICT) TO C-3 SUP (COMMERCIAL DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW FOR A 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 182 Perryman 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 City Block Subdivision 1073, Lot 11, being as depicted 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 through the rezoning process.
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 27th day of April 2026.

PASSED AND APPROVED: Second reading this 11th day of May 2026.

CITY OF NEW BRAUNFELS

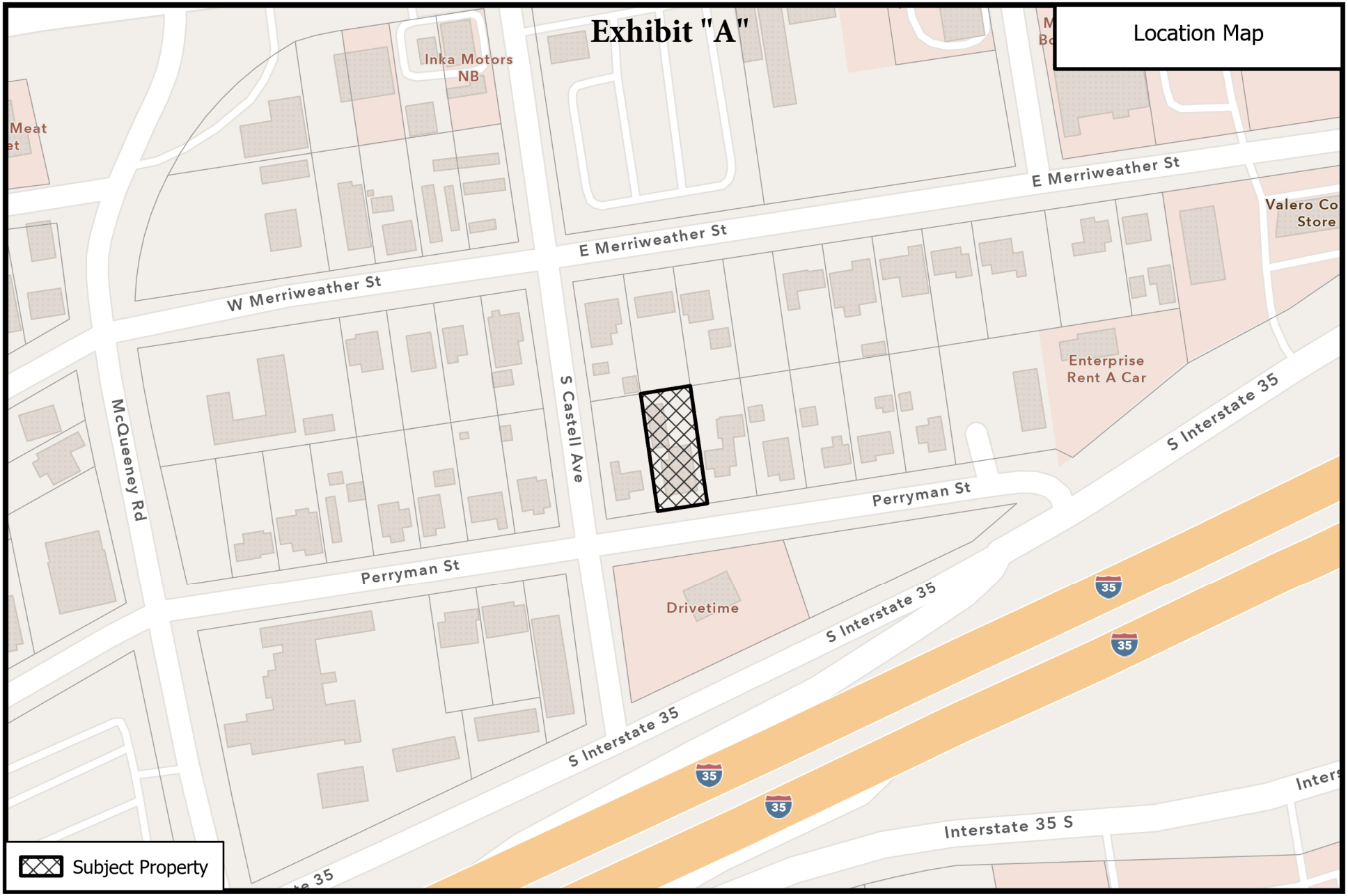
_____
NEAL LINNARTZ, Mayor

ATTEST:

_____
GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

_____
VALERIA M. ACEVEDO, City Attorney



SUP26-061

182 Perryman St - SUP for STR

0 90 180 Feet

Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\SUP26-061 - 182 Perryman St - SUP

Source: City of New Braunfels Planning
Date: 4/6/2026

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 [illegible] else is at that party's risk and without liability to the City of New Braun officials or employees for any discrepancies, errors, or variances which may

Exhibit "B"

METES AND BOUNDS

Being 0.2178 acres of land, more or less, situated in the John Thompson Survey No. 21, Abstract 608, Comal County, Texas and being out of that same property described in a Revocable Transfer on Death Deed recorded in Document No. 202006010617, Official Public Records, Comal County, Texas, said 0.2178 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the southeast corner of this 0.2178 acres, same being the southwest corner of B&W NB, LLC., Tract 6 (Document No. 202306000622), and on the North Right-of-Way line of Perryman Street, same also being the **POINT OF BEGINNING**;

THENCE along the North Right-of-Way line of said Perryman Street, South 81 degrees 03 minutes 13 seconds West (called South 81 degrees 43 minutes West), a distance of 63.34 feet (called 63.33 feet) to a 1/2 inch iron rod found for the southwest corner of this 0.2178 acres, same being the southeast corner of Frank Witting, 0.218 acres (Document No. 202506007063);

THENCE along the line common to this 0.2178 acres and said Witting 0.218 acres, North 08 degrees 53 minutes 21 seconds West (called North 08 degrees 17 minutes West), a distance of 149.93 feet (called 150 feet) to a 1/2 inch iron rod found for the northwest corner of this 0.2178 acres, same being the northeast corner of said Witting 0.218 acres, and the southeast corner of Lot 1, Block 1072, Highway Addition (Volume 71, Page 535), same also being the southwest corner of Lot 2 of said Highway Addition;

THENCE along the line common to this 0.2178 acres and said Lot 2, North 81 degrees 22 minutes 35 seconds East (called North 81 degrees 43 minutes East), a distance of 63.34 feet (called 63.33 feet) to a point for the northeast corner of this 0.2178 acres, same being the southeast corner of said Lot 2, and the southwest corner of Lot 3 of said Highway Addition, same also being the northwest corner of said Tract 6;

THENCE along the line common to this 0.2178 acres and said Tract 6, South 08 degrees 53 minutes 21 seconds East (called South 08 degrees 17 minutes East), at a distance of 149.57 feet (called 150 feet) to the **POINT OF BEGINNING**, and containing 0.2178 acres of land, more or less.

I hereby certify that these field notes, prepared from an actual survey made on the ground and under my supervision, are true and correct to the best of my knowledge and belief. A survey plat of the above described tract, prepared this day, is hereby attached to and made a part hereof. Bearings shown hereon are based on actual GPS Observations, Texas State Plane Coordinates, South Central Zone, Grid.

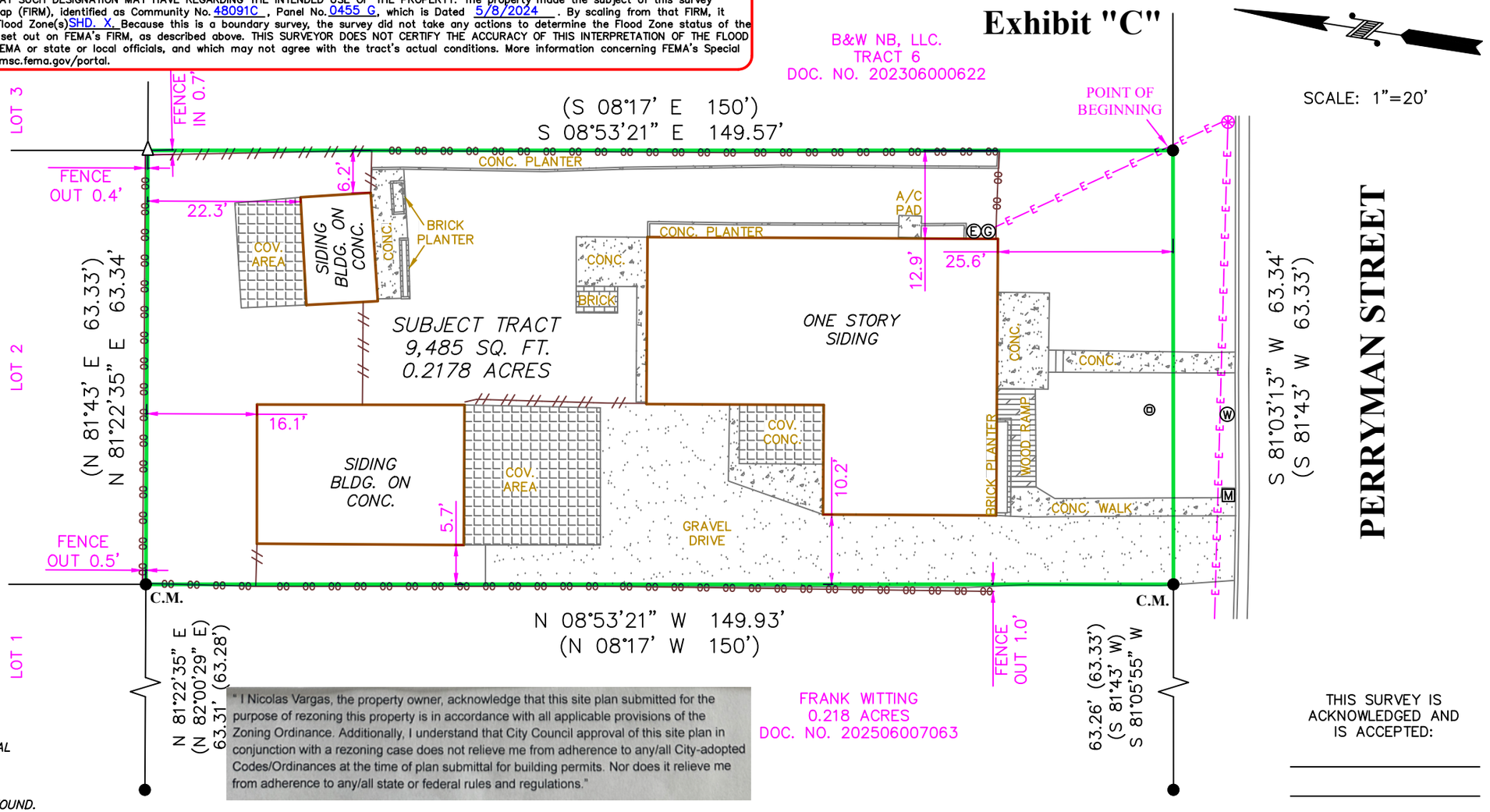
Derrick L. Mayfield

Derrick L. Mayfield
Registered Professional Land Surveyor
Texas Registration No. 6456
October 3, 2025

FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 480091C, Panel No. 0455 G, which is Dated 5/8/2024. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) SHD. X. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at https://msc.fema.gov/portal.

Exhibit "C"

SCALE: 1"=20'



"I Nicolas Vargas, the property owner, acknowledge that this site plan submitted for the purpose 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."

FRANK WITTING
0.218 ACRES
DOC. NO. 202506007063

THIS SURVEY IS ACKNOWLEDGED AND IS ACCEPTED:

_____

_____

NOTE:
BEARINGS SHOWN HEREON ARE BASED ON ACTUAL GPS OBSERVATIONS, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE, GRID.

NOTE:
NO RESTRICTIVE COVENANTS OF RECORD WERE FOUND.

FIRM REGISTRATION NO.
10111700

Westar Alamo
LAND SURVEYORS, LLC.
P.O. BOX 1645 BOERNE, TEXAS 78006
PHONE (210) 372-9500 FAX (210) 372-9999

LEGEND

- △ = CALCULATED POINT
- ● = FOUND 1/2" IRON ROD
- ( ) = RECORD INFORMATION
- C.M. = CONTROLLING MONUMENT
- ❀ = POWER POLE
- Ⓔ = ELECTRIC METER
- —E— = OVERHEAD ELECTRIC
- Ⓖ = GAS METER
- Ⓦ = WATER METER
- Ⓒ = CLEANOUT
- Ⓜ = MAILBOX
- -oo- = CHAIN LINK FENCE
- -//- = WOOD FENCE

DWG: AV RVD: DLM

Property Address:
182 PERRYMAN STREET

Property Description:

Being 0.2178 acres of land, more or less, situated in the John Thompson Survey No. 21, Abstract 608, Comal County, Texas and being out of that same property described in a Revocable Transfer on Death Deed recorded in Document No. 202006010617, Official Public Records, Comal County, Texas, said 0.2178 acres being more particularly described by metes and bounds attached hereto:

Owner:
NICOLAS VARGAS

STATE OF TEXAS
REGISTERED
DERRICK L. MAYFIELD
6456
PROFESSIONAL
LAND SURVEYOR

I, DERRICK L. MAYFIELD, Registered Professional Land Surveyor, State of Texas, certify that the above plat represents an actual survey made on the ground under my supervision, and that my professional opinion is that there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, except as may appear herein, to the best of my knowledge and belief.

DERRICK L. MAYFIELD
Registered Professional Land Surveyor
Texas Registration No. 6456

G.F. NO. 7258-25LLC-TX
JOB NO. 133358
TITLE COMPANY: CLOSED TITLE
DATE: 10/3/2025

Exhibit "D"

1.21'
40.06'
1.21'
24.22'
0.39'
11.64'
0.39'
13.12'
0.54'
Dining room
Half bath
Bedroom 3
970.1 FT²
Kitchen
Bathroom
Bedroom 2
248.2 FT²
Living room
Laundry Room
Bedroom 1
328.3 FT²
Bathroom
25.02'
15.04'

Agenda Item No. A)

PRESENTER:
Jordan Matney, Deputy City Manager
Jared Werner, Assistant City Manager

SUBJECT:
Second annual update on the City's 2024-2029 Strategic Plan.

4/27/2026

Agenda Item No. A)

Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, specifically:

a. Discuss Legal Options Relating to the Status of Real Estate Negotiations to Secure Necessary Right-of-Way for the Kohlenberg Road Improvements Project:

    i. a 1.034 Acre (45,040 square foot) tract of land and a 0.581 acre (25,301 square foot) temporary construction easement in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 71705).

    ii. a 0.576 Acre (25,077 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 428468).

b. Cause No. 2025CV0719; City of New Braunfels v. Joe Henry Tays, Individually and as Independent Executor of the Estate of Frederick Frueholz, Jr. (Deceased)

4/27/2026

Agenda Item No. B)

SUBJECT:
Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code:
1. Texas State Technical College