



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



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

MONDAY, SEPTEMBER 8, 2025 at 6:00 PM

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

CALL TO ORDER

CALL OF ROLL: CITY SECRETARY

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

INVOCATION: MAYOR LINNARTZ

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

PROCLAMATIONS:

- | | |
|------------------------|--------------------------------|
| A) Constitution Week | <u>25-898</u> |
| B) National Night Out | <u>25-1081</u> |
| C) Hunger Action Month | <u>25-1082</u> |

CITIZENS COMMUNICATIONS

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

1. CONSENT AGENDA

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

Action Items

- A) Approval of the August 21, 2025 special budget [25-1094](#) workshop meeting minutes and the August 25, 2025 regular meeting minutes.
Natalie Baker, Assistant City Secretary
- B) Approval of a contract between the City of New Braunfels and the Humane Society of the New Braunfels Area for FY 2026. [25-1019](#)
Becky Wiatrek, Assistant Director of Finance
- C) Approval of water connection fees on the Zipp Family Sports Park to Green Valley Special Utility District. [25-1045](#)
Scott McClelland, Assistant Transportation and Capital Improvements Director
- D) Approval of the donation of two surplus 2017 Ford Police Interceptor Utility police vehicles to the NBISD Criminal Justice CTE program. [25-1097](#)
Shane Knudson, Fleet Manager
- E) Approval of the purchase of new equipment with Ewald Kubota, Hill Country Outdoor Power and Professional Turf Products for the Parks & Recreation Department. [25-1096](#)
Shane Knudson, Fleet 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.)

- F) Approval of the second reading of an ordinance regarding the proposed abandonment of a 0.972-acre portion of East Bridge Street Right-of-Way, located between the terminus of East Bridge Street and the Comal River. [25-1101](#)
Matthew Eckmann, Assistant Director of Public Works
- G) Approval of the second and final reading of an ordinance to amend New Braunfels Code of Ordinances, Appendix D by updating and codifying fees related to services provided by the New Braunfels National Airport. [25-1064](#)
Karrie Cook, Budget Manager
- H) Approval of the second and final reading of an ordinance to amend New Braunfels Code of Ordinances Article IV-Sec. 138-93 and Appendix D by adopting new fees for [25-1075](#)

EMS Rates, restructuring of the Licensed Hospital Inspection Fee, and moving fees to Appendix D.

Karrie Cook, Budget Manager

- I) Approval of the second and final reading of an ordinance [25-1077](#) to amend New Braunfels Code of Ordinances, Appendix D by updating and codifying fees related to services provided by the Neighborhood & Community Planning Department.

Karrie Cook, Budget Manager

- J) Approval of the second and final reading of an ordinance [25-1091](#) to amend New Braunfels Code of Ordinances, Appendix D by updating and codifying fees related to services provided by the New Braunfels Civic/Convention Center.

Karrie Cook, Budget Manager

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 to [25-800](#) rezone approximately 0.6 acres out of the Frank Real Subdivision, Block 1, Lot 2, from R-2 SUP (Single Family and Two-Family District with a Special Use Permit to allow Short Term Rental) to R-3L SUP (Multifamily Low-Density District with a Special Use permit to allow multiple dwelling units with alternative design standards), currently addressed at 846 Ewelling Lane

Matthew Simmont, AICP, Planning Manager

- B) Discuss and consider approval of the second and final [25-1065](#) reading of an ordinance adopting the FY 2026 Operating Budget and Plan of Municipal Services.

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 proposed a budget for FY 2026. The City intends to adopt its budget on September 8, 2025.

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 proposed budget and proposed tax rate that the New
Braunfels City Council will discuss at its public hearing
on September 4th, 2025. The proposed budget and the
proposed tax rate may each be amended by the City
Council before it's adoption on September 8, 2025.

Karrie Cook, Budget Manager

- C) Discuss and consider a resolution of the City of New Braunfels ratifying the increase in revenue generated by the 2025 property tax rate included in the FY 2026 Annual Budget. [25-1073](#)

Karrie Cook, Budget Manager

- D) Discuss and consider approval of the second reading of an ordinance adopting the 2025 ad valorem tax rates. [25-1066](#)

Karrie Cook, Budget Manager

- E) Discuss and consider the second and final reading of an ordinance to amend New Braunfels Code of Ordinances, Chapter 86, Article IV, Section 86-94 by adopting updated admission fees at the New Braunfels Landa Park Aquatic Center and adding all related fees to Appendix D, updating and codifying fees related to Camp Minnehaha and Fischer Park in Appendix D, and amending ordinance 2020-82 to update the scope of fees related to Das Rec and adding that language to Appendix D. [25-1079](#)

Jordan Matney, Deputy 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 [25-1068](#)

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 Status of New Braunfels Utilities Real Estate Negotiations to Secure Easements Regarding the HW14 Feeder to FM 3009 Extension Phase 2 Project:

i. a 0.386 Acre Electric Utility Easement, situated in the J. Doehne Survey No. 912, Abstract 971 in Comal County, Texas and out of that 15.105 acre tract conveyed to Stephen J. Clayton by deed recorded in Document No. 202306039904 of the Official Public Records of Comal County, Texas. (Comal County Parcel No. 106509)

ii. a 0.043 Acre Electric Utility Easement, situated in the J. Doehne Survey No. 912, Abstract 971 in Comal County, Texas and out of that called 19.602 acre tract conveyed to Craig E. Johnson and Cynthia D. Johnson, Trustees of the Johnson Living Trust Dated July 11, 2005, recorded in Document No. 200506033503 of the Official Public Records of Comal County, Texas. (Comal County Parcel No. 108345)

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

ADJOURNMENT

CERTIFICATION

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

Gayle Wilkinson, City Secretary

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



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

9/8/2025

Agenda Item No. A)

City of New Braunfels



Proclamation

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

WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2025 marks the two hundred and thirty-eighth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and

WHEREAS, Public Law 915 authorizes the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW THEREFORE, be it resolved, that I, Neal Linnartz, Mayor of the City of New Braunfels, Texas, hereby proclaim September 17-23, 2025, be recognized as

"Constitution Week"

in New Braunfels, and all citizens are encouraged to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 8th day of September 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

9/8/2025

Agenda Item No. B)



Proclamation

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

WHEREAS, National Night Out is an annual community-building campaign that promotes strong police-community partnerships and neighborhood camaraderie to make our neighborhoods safer, more caring places to live; and

WHEREAS, the first National Night Out took place in 1984 and has since grown into a national celebration with millions of neighbors participating across thousands of communities from all fifty states, U.S. territories, and military bases worldwide; and

WHEREAS, National Night Out enhances the relationship between neighbors and all first responders, while fostering a true sense of community and providing an opportunity to come together to promote cooperative crime prevention efforts; and

WHEREAS, it is essential that all citizens of New Braunfels be aware of the importance of community involvement in crime prevention programs and the positive impact it has on improving the quality of life in our neighborhoods; and

WHEREAS, the citizens of New Braunfels play a vital role in assisting the New Braunfels Police Department through joint neighborhood efforts, and the support and participation of residents is the foundation of effective public safety and safer communities.

NOW THEREFORE, be it resolved, that I, Neal Linnartz, Mayor of the City of New Braunfels, Texas, do hereby proclaim Tuesday, October 7, 2025, as

"National Night Out"

in New Braunfels, and I encourage all residents to participate in local events, meet their neighbors and first responders, and recommit to building a safer, stronger community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 8th day of September 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

9/8/2025

Agenda Item No. C)



Proclamation

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

WHEREAS, Feeding America is the nation’s leading domestic hunger-relief organization with a mission to feed and advocate for America’s hungry through a nationwide network of member food banks; and

WHEREAS, the San Antonio Food Bank (SAFB) & New Braunfels Food Bank (NBFB); are members of Feeding America and Feeding Texas and provide food and grocery products to hundreds of non-profits/partner agencies in 29 counties throughout Southwest Texas; and

WHEREAS, the SAFB & NBFB, Feeding America and Feeding Texas seek to engage citizens locally, statewide, and nationally in the fight to end hunger; and

WHEREAS, the SAFB & NBFB, through their distribution partners in the City of New Braunfels, serve thousands of food insecure families and individuals a month; and

WHEREAS, Food Banks across the country and state, including the SAFB & NBFB, will promote numerous events throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local communities by way of collaborative efforts, in this case with the City of New Braunfels.

NOW THEREFORE, be it resolved, that I, Neal Linnartz, Mayor of the City of New Braunfels, Texas do hereby declare the month of September 2025, to be

"Hunger Action Month"

in New Braunfels and hereby encourage the citizens of New Braunfels to make a difference through participating in efforts to end hunger.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 8th day of September 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

9/8/2025

Agenda Item No. A)

PRESENTER:

Natalie Baker, Assistant City Secretary

SUBJECT:

Approval of the August 21, 2025 special budget workshop meeting minutes and the August 25, 2025 regular meeting minutes.

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, AUGUST 25, 2025**

CALL TO ORDER

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

CALL OF ROLL: CITY SECRETARY

Present: 6 - Mayor Neal Linnartz, Councilmember Michael Capizzi, Councilmember D. Lee Edwards, Mayor Pro Tem Lawrence Spradley, Councilmember Mary Ann Labowski, and Councilmember April Ryan

Absent: 1 - Councilmember Toni Carter

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

INVOCATION: COUNCILMEMBER CARTER

Councilmember Carter was absent during this meeting. Councilmember Capizzi provided the invocation.

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

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

PROCLAMATIONS:

A) National Service Dog Month

Mayor Linnartz read the aforementioned proclamation.

Karen Koepp accepted the proclamation and addressed council.

CITIZENS COMMUNICATIONS

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The following individuals spoke at this time: Daniel Walker, Travis Lewis

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 August 7, 2025, August 18, 2025, August 19, 2025 budget workshop special meeting minutes, and the August 11, 2025 regular and executive session meeting minutes.
- B) Approval of contract spend with McCreary, Veslka, Bragg & Allen P.C. for support of case resolutions and delinquent account collections.
- C) Approval of a Professional Services Agreement with MIG, Inc. to update the City of New Braunfels' Comprehensive Plan, Envision New Braunfels
- D) Approval of a contract with JMT Engineering for a condition assessment of the bridge and culverts leading to the Landa Park Golf Course parking lot.
- E) Approval of an expenditure of up to \$200,000.00 to Texas Pack + Load for parts and services on Solid Waste Department collection vehicles.
- F) Approval of the New Braunfels Urban Transit District Disadvantaged Business Enterprise (DBE) Program.
- G) Approval of the New Braunfels Urban Transit District Agency Safety Plan (ASP).
- H) Approval of the City of New Braunfels FY 2025 Third Quarter Investment Report.

Resolutions

- I) 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 Purdue Pharma L.P. and the Sackler Family; and authorizing the city manager to execute the Subdivision Settlement Participation Form.

- J) 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 Opioid Manufacturers Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun and Zydus; and authorizing the city manager to execute the Subdivision Settlement Participation Form.

Ordinances

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

- K) Approval of the amended second and final reading of an ordinance establishing the number of positions in each classification in the New Braunfels Police Department pursuant to Local Government Code, Chapter 143.

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. Councilmember Ryan seconded the motion which passed unanimously.

Absent:

Councilmember Carter

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) Discussion and possible action approving a resolution recommended by the New Braunfels Economic Development Corporation approving an economic development incentive, not to exceed \$950,000, to Lefko USA, Inc., pursuant to Section 501.101 of the Texas Local Government Code.

Mayor Linnartz read the aforementioned item.

Jeff Jewell presented this item to council using a powerpoint

presentation.

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

Absent:

Councilmember Carter

B) Discussion and possible action approving a resolution nominating Lefko USA, Inc for designation as an Enterprise Zone Project under the State of Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code

Mayor Linnartz read the aforementioned item.

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

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

Absent:

Councilmember Carter

C) Discuss and consider implementation of a traffic calming plan on Mission Drive between Valley View Lane and Trail View.

Mayor Linnartz read the aforementioned item.

Carly Farmer presented this item to council using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Brent Perry, Katie Kolinek, Jaqueline Smith, Kathy Bassett, Richard Hall, Tom Gallagher, Keith Sieczkowski.

Councilmembers discussed the possible option of reducing the speed limit to 25mph in addition to the staff recommendations.

Mayor Pro Tem Spradley motioned to reduce the speed limits to 25mph on the entirety of Mission Rd in addition to staff recommendations. Councilmember Capizzi seconded the motion which passed unanimously.

Absent:

Councilmember Carter

- D) Discuss and consider the first reading of an ordinance to amend New Braunfels Code of Ordinances Article IV- Sec. 138-93 and Appendix D by adopting new fees for EMS Rates, restructuring of the Licensed Hospital Inspection Fee, and moving fees to Appendix D.

Mayor Linnartz read the aforementioned item.

Karrie Cook presented this item to council using a powerpoint presentation.

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

Absent:

Councilmember Carter

- E) Discuss and consider the first reading of an ordinance to amend New Braunfels Code of Ordinances, Appendix D by updating and codifying fees related to services provided by the Neighborhood & Community Planning Department.

Mayor Linnartz read the aforementioned item.

Karrie Cook presented this item to council using a powerpoint presentation.

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

Absent:

Councilmember Carter

- F) Discuss and consider the first reading of an ordinance to amend New Braunfels Code of Ordinances, Chapter 86, Article IV, Section 86-94 by adopting updated admission fees at the New Braunfels Landa Park Aquatic Center and adding all related fees to Appendix D, updating and codifying fees related to Camp Minnehaha and Fischer Park in Appendix D, and amending ordinance 2020-82 to update the scope of fees related to Das Rec and adding that language to Appendix D.

Mayor Linnartz read the aforementioned item.

Karrie Cook presented this item to council using a powerpoint presentation and answered questions.

Ken Wilson, Jordan Matney, and Jared Werner also answered questions regarding this item.

The following individuals spoke at this time: Larry Lane

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

Opposed:

Councilmember Capizzi, and Councilmember Labowski

Absent:

Councilmember Carter

G) Discuss and consider the first reading of an ordinance to amend New Braunfels Code of Ordinances, Appendix D by updating and codifying fees related to services provided by the New Braunfels Civic/Convention Center.

Mayor Linnartz read the aforementioned item.

Karrie Cook presented this item to council using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Larry Lane

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

Absent:

Councilmember Carter

H) Discuss and consider the first reading of an ordinance to amend New Braunfels Code of Ordinances, Appendix D by updating and codifying fees related to services provided by the New Braunfels National Airport.

Mayor Linnartz read the aforementioned item.

Karrie Cook presented this item to council using a powerpoint presentation and answered questions.

Jordan Matney also spoke on this item.

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

Absent:

Councilmember Carter

- I) Discuss and consider the first reading of an ordinance regarding the proposed abandonment of a 0.972-acre portion of East Bridge Street Right-of-Way, located between the terminus of East Bridge Street and the Comal River.

Mayor Linnartz read the aforementioned item.

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

Ashley Fairmond, a representative of the applicant spoke to council.

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

Absent:

Councilmember Carter

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.

4. 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.

ADJOURNMENT

Mayor Linnartz adjourned at 7:49 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL - SPECIAL
REGULAR MEETING OF THURSDAY, AUGUST 21, 2025**

CALL TO ORDER

Mayor Linnartz called the meeting to order at 5:02 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 LINNARTZ

Mayor Linnartz 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.

PRESENTATIONS:

A) Presentation and update on City of New Braunfels Capital Projects and Initiatives.

Mayor Linnartz read the aforementioned item.

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

No action was taken at this time.

B) Presentation and update on the New Braunfels Transit District.

Mayor Linnartz read the aforementioned item.

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

No action was taken at this time.

1. WORKSHOP

A) Presentation and discussion regarding the Fiscal Year 2026 Proposed Budget and Plan of Municipal Services and the 2025 No New

Revenue and Voter Approval tax rates.

Mayor Linnartz read the aforementioned item.

Robert Camareno introduced this item along with Jared Werner and Jordan Matney, who presented this item to council using a powerpoint presentation and answered questions.

No action was taken at this time.

Mayor Linnartz announced that the public hearing for the tax rate and Proposed Budget will be held at a meeting beginning at 5:00 p.m., Thursday, September 4, 2025 at 550 Landa Street, in the City Council Chambers.

Mayor Linnartz also announced that the FY 2026 Proposed Budget, along with the 2025 Tax rate, will be adopted on Monday, September 8, 2025, at a meeting beginning at 6:00 p.m. at 550 Landa Street, in the City Council Chambers.

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 5:50 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY

9/8/2025

Agenda Item No. B)

PRESENTER:

Becky Wiatrek, Assistant Director of Finance

SUBJECT:

Approval of a contract between the City of New Braunfels and the Humane Society of the New Braunfels Area for FY 2026.

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

Since 1980, the City of New Braunfels has partnered with the Humane Society of the New Braunfels Area, Inc. (HSNBA), a local not-for-profit, to jointly administer and operate various animal-related services for the community.

In 2023, HSNBA experienced significant financial hardship, including a period of insolvency. Over the past two years, the organization has made substantial progress toward long-term fiscal sustainability by establishing reserves and adopting a fund balance policy. To maintain a live release rate of 90% and continue providing efficient, high-quality animal care, HSNBA must reduce its reliance on grants and donations for operating costs -a long-standing practice that contributed to its prior financial instability. The most effective way to achieve this reduction is through increased contract revenue.

Transitioning away from dependence on one-time revenues for operations is a multi-year strategy. Consistent with prior years, staff recommends entering into another one-year agreement (October 1, 2025 - September 30, 2026) with a 20% increase in funding (excluding payment for dispatch services). After reviewing municipal-shelter funding models across Texas, staff proposes transitioning to a per capita fee structure rather than an animal intake-based model.

The fiscal impact of this change is approximately \$96,000 annually and has been incorporated into the FY 2026 Proposed Budget.

ISSUE:

Establishing contract services with HSNBA for FY 2026.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

As mentioned earlier, the fiscal impact from the amendments to the FY 2026 contract have been incorporated into the FY 2026 Proposed Budget.

RECOMMENDATION:

Approval

**SIXTH AMENDED
AGREEMENT**

This Sixth Amended Agreement, by and between the City of New Braunfels, a Home Rule Municipal Corporation located in Comal and Guadalupe Counties, Texas, hereinafter referred to as the "City", and the Humane Society of the New Braunfels Area, Inc., a Texas Non-Profit Corporation located in New Braunfels, Comal County, Texas, hereinafter referred to as the "Humane Society", shall upon approval and execution be the effective Agreement between these parties commencing October 1, 2025.

WHEREAS, the City and the Humane Society entered into an Agreement for the management to operate and maintain animal welfare, care and welfare services as well as to operate and maintain an animal care facility for the purpose of sheltering lost or abandoned animals until humanely disposed of in accordance with its principles and all applicable state and local rules and regulations; and

WHEREAS, the City agrees with the Humane Society, and local veterinary medical providers that providing preventive vaccination services to animals at intake improves the health and welfare of animals in shelter care; and

WHEREAS, the City has a continuing need for animal impoundment facilities to house, board and keep animals collected by City Animal Welfare Officers, City-appointed agents, and/or residents of the City of New Braunfels; and

WHEREAS, the City Council of the City of New Braunfels authorizes the City Manager to amend the previous Agreement with the Humane Society.

NOW THEREFORE, it is hereby agreed that all animals collected by the aforementioned parties shall be impounded for the time prescribed by the City's animal welfare ordinances and the policies adopted by the Humane Society at the Humane Society's shelter in accordance with the terms, conditions and agreements as follows:

1. Definitions: For the purposes of this Agreement the following terms are defined as follows:
 - A. "Animal" means every non-human species of animal, both domestic and wild.

- B. "Animal Fees" refers to animal service fees, disposal fees, and impoundment fees collected by the City or the Humane Society over a twelve (12) month period.
 - C. "Animal Ordinances" means and refers to City of New Braunfels Code of Ordinances, Chapter 6 - Animals, any related ordinances, and all amendments thereto.
 - D. "City" means and refers to the City of New Braunfels, in Comal and Guadalupe Counties, Texas.
 - E. "Humane Society" means and refers to the Humane Society of the New Braunfels Area, Inc.
 - F. "Live Outcome" means the number of animals who are adopted, rescued, transferred to another shelter, returned to their owners after being lost, or cats placed via the TNR program "Trap-Neuter-Return".
 - G. "Major Holidays" means and refers only to those holidays observed by the Humane Society limited to fourteen (14) per year.
 - H. "Quarantine" or "Quarantine Services" means and refers to the strict confinement, for the purpose of preventing the spread of disease, under restraint by closed cage, isolation, kennel, rabies chamber, paddock, or any other manner approved by the local health authority on the premises of the Humane Society. This also includes the daily rabies review of all City animals under quarantine at the Humane Society by Humane Society staff.
 - I. "Quarantine Period" means that portion of the observation period during which an animal is physically confined for observation as provided for under section 6-109 of the City's Code of Ordinances as amended.
 - J. "Shelter" and "Premises" are used interchangeably, and both refer to and mean the Humane Society's animal shelter, currently addressed at 3353 Morningside Drive, New Braunfels, Texas, and any subsequent location.
2. Term: This Agreement shall begin on October 1, 2025, the effective date, and shall continue for a period of one (1) year unless sooner terminated by either party by giving written notice of its desire to terminate this Agreement ninety (90) days prior to the desired effective termination date
 3. Animal Welfare Responsibilities: The Humane Society's responsibility for a seized animal shall not begin until the animal has been placed in the custody of the Shelter. The

City agrees that all animals apprehended within the City limits by Animal Welfare Officers or the City's duly appointed agents shall be delivered either to the Shelter or the animal's owner. Once impounded, animals shall remain under the control and custody of the Humane Society for such period of time as required under state law and the City's Animal Ordinances except as hereinafter stipulated.

4. Quarantine Services: The Humane Society agrees to provide Quarantine Services to the City for animals placed into quarantine with the Shelter by City personnel or its authorized agents in accordance with state statutes and local ordinances.
5. Payments:
 - A. Animal Service Fees - Beginning October 1, 2025, the City shall pay for animal services based on a per capita funding model, calculated by multiplying the total population by the established rate. According to Census.gov, the City's 2024 population is 110,958. Using a per capita rate of \$5.00, the total annual payment for FY 2026 will be \$554,790 (110,958 x \$5.00). This amount shall be paid in twelve (12) equal monthly installments of \$46,232.50, on or before the 15th of each month.
 - B. Disposal Fees - The Humane Society shall pay the City on a monthly basis, all non-animal disposal fees. The City agrees to pay the disposal costs for animal remains accumulated at the Shelter.
 - C. Dispatch Services - In addition to the animal service fee stated above, the City shall pay the Humane Society on a monthly basis, on or before the 15th of each month, a fee of \$4,950 to cover the cost of dispatch services.
 - D. Facilities Use Fee Payment - The City has made payment in full for the facility use fee and the City shall have no further obligation to the Humane Society regarding this Facilities Use Fee but shall still be granted the same impoundment space and access to facilities as provided in this Agreement.
 - E. Impoundment Fee Payments - The Humane Society shall pay to the City on a monthly basis, on or before the 15th day of each month, all impoundment fees collected or received by the Humane Society from animal owners. Impound fees are set as per Chapter 6 code of ordinances.
 - F. Pet Registration - The Humane Society shall refer to the City any residents or providers who wish to register their pets. The Humane Society shall notify the Neighborhood Services Manager of any animals in-taken that are not

licensed/registered.

6. Records and Reports:

- A. The Humane Society shall maintain, at its expense, a computer system to facilitate said record keeping. Such records shall include those listed below.
- B. The Humane Society shall provide the City's Neighborhood Services Manager a monthly report, in addition to the statement described in Section 5(A) above, that provides the following information on a per month basis for animals brought in by City Animal Welfare Officers, Appointed Agents or City residents:
 - (1) The number of animals received sorted by:
 - a. Animals delivered by the City's Animal Welfare Officers and Appointed Agents
 - b. Animals not delivered by the City's Animal Welfare-Officers and Appointed Agents
 - (2) The number of animals euthanized
 - (3) The number of animals adopted
 - (4) The number of animals reclaimed
 - (5) The total amount of impoundment fees collected
- C. The Humane Society agrees to submit to the City's Finance Department on September 15th of each year, a copy of its projected fiscal budget for the upcoming fiscal period detailing funding, planned operations, and any capital investments on assets, liabilities and equities. The Humane Society further agrees to submit to the City on December 31st of each year a copy of its final operating budget for that year. All financial statements and reports shall be on forms approved by the City. In addition, the Humane Society agrees to allow the City to audit, at the City's expense, the Humane Society's books, financial and otherwise, maintained by the Humane Society, provided the City provides at least five (5) days written notice of its intent to perform an audit. The Humane Society agrees to provide the City and its auditors with complete access to all records necessary to perform said audit.
- D. On a quarterly basis, the Humane Society will provide the following financial document to the City's Finance Department in a mutual effort to ensure and maintain fiscal health for the benefit of the taxpayers:
 - (1) Bank reconciliations

- (2) Income statement
 - (3) Balance sheet
 - (4) IRS-990 Tax Form and supporting documentation (annual)
 - (5) Quarterly budget spend worksheet
 - (6) Monthly/quarterly operating report
7. Operation: The Humane Society agrees to operate and maintain the Shelter in a safe, humane and business-like manner, in compliance with all State regulations, and in a manner comparable with other animal shelters. Without limiting the foregoing, operation of the Shelter shall include the following:
- A. Hours of Operation - Animal Welfare Officers shall have twenty-four (24) hour access to the Shelter for the delivery of animals. The Shelter's hours of operation shall be conspicuously posted at the Shelter and viewable by the public twenty-four (24) hours a day, seven days a week. Excluding Major Holidays and two (2) days of required training, the Shelter will be open to the public each week a minimum of thirty-six (36) hours, as follows:
 - (1) Monday through Friday - Thirty (30) hours minimum
 - (2) Saturday and Sunday I Six (6) hours minimum, with at least four (4) hours on Saturday
 - B. Dispatch - The Humane Society shall provide dispatch service for Animal Welfare Officers during the thirty-six (36) hours of public operation outlined above. In addition, the Humane Society shall provide an additional twelve (12) hours of dispatch service whether or not the shelter is open to the public. The Shelter shall provide dispatch service at least six (6) days per week for a minimum of forty-eight (48) hours total dispatch service per week. The Shelter is not required to provide dispatch service when the Shelter is closed for major holidays or for the aforementioned two training days. The Humane Society shall inform the City's Neighborhood Services Manager if the shelter will be closed for training so that the City can ensure alternative dispatch services no later than seven (7) days before the scheduled closure.
 - C. Equipment - The City shall provide, install, maintain and pay for the following equipment for use by the Shelter in providing dispatch services:
 - (1) Telephone – A dedicated telephone and telephone line with a separate

directory listing for Animal Welfare and Rescue at the Shelter. The telephone shall be equipped with call forwarding or other such switching device as to allow the routing of calls to the City's Police Dispatch when the Shelter is closed. The Humane Society agrees not to use the line for other Shelter business.

(2) Radio - Radio dispatch equipment, including but not limited to the placement of a base radio and antenna at the Shelter.

- D. Ownership of Animals Delivered to Shelter - The City agrees, to the extent permitted by law, that every dog, cat or other animal, licensed or unlicensed, not claimed or redeemed by the owner before the expiration of the dates specified in the City's Animal Ordinances, shall become the sole and exclusive property of the Humane Society, so that neither the City nor any agency of the City shall have any claim or right to said animals. Once an animal has become the property of the Humane Society, it may sell any animal, save and except for dogs and cats, according to the procedures outlined in the City's Animal Ordinances and all sale proceeds shall be the property of the Humane Society.
- E. Disposal of Animals - The City agrees that the Humane Society may, in accordance with its principles humanely dispose of every animal placed in its custody, in a manner consistent with the City's Animal Ordinances. The Humane Society is authorized to euthanize any animal placed in its custody by the City or the City's agents, and not redeemed or adopted within the time periods outlined in the City's Animal Ordinances. An animal may be euthanized if its owner cannot be determined or contacted within a reasonable time and when in the opinion of the Animal Welfare Officer, the Shelter Director or their designees, and in consultation with a licensed veterinarian, it would be more humane to euthanize the sick or injured animal than to attempt to preserve its life for the designated impoundment/holding periods set forth in the Animal Ordinances.
- F. Shelter Conditions - The Humane Society agrees to provide suitable, safe and sanitary kennels, cages and pens for the impoundment of all animals in its custody and shall be responsible for their safekeeping for the impoundment periods as set forth in the City's Animal Ordinances.
- G. Liability - The Humane Society shall not be held liable to any person for the

detention of any animal delivered to the Shelter by the City or its agent, provided the detention is in accordance with the City's Animal Ordinances.

- H. Employment - Nothing in this Agreement shall be construed as altering the employment status of the City's Animal Welfare Officers. Animal Welfare Officers are City employees. Disciplinary authority over Animal Welfare Officers shall be the exclusive domain of the City. The City is responsible for providing all vehicles, equipment, salaries, dispatch forms, records, office supplies and photocopy services to be utilized by the City's Animal Welfare Officers. All such equipment and supplies provided by the City shall remain the property of the City.
- I. Additional Considerations - The Humane Society agrees to provide all customary utility services for animal welfare operations. The Humane Society agrees to provide the following animal welfare services, including but not limited to housing, intake functions, isolation and quarantine facilities, and targeted medical treatment. The Humane Society further agrees to the following:
- (1) The Humane Society will strive to maintain “Live Outcome” status and continue to reduce euthanasia, promote the humane treatment of animals, promote enhanced animal adoptions and fostering, advocate proactive Spay/Neuter initiatives, community education, and provide safe harbor for animals afflicted by neglect, abandonment and abuse, and in pursuit of such the Humane Society agrees to maintain representation on the City's Animal Services Advisory Board as currently structured.
 - (2) The Humane Society agrees to develop, provide, and maintain a web-based program which shall be made available to the City's Animal Welfare and Rescue Division. The web-based program will allow animal welfare officers the capability to remotely access the information collected and documented by the Humane Society, including but not limited to current animal intake information, impoundment status, calls for service, demographic details, animal vaccination and licensing information, and other similar particulars.
 - (3) The Humane Society agrees that the City shall have first right of refusal to purchase its real property addressed at 3353 Morningside Drive, New Braunfels, Texas if the Humane Society decides to sell. The City has paid the Humane Society ten dollars (\$10) and other valuable consideration for the first right of

refusal, the sufficiency and receipt of such consideration is hereby acknowledged. Additionally, the City shall be afforded the right to purchase the personal property if the Humane Society decides to sell. An appraisal at the time of the sale shall determine the fair market value of the real and personal property. The final purchase price amount for the City shall be equal to the difference remaining after deduction of all accrued facilities use fee amounts paid to the Shelter, as described in Section 5.D, at the time of sale.

(4) The Humane Society agrees to contact and notify the City within twenty-four (24) hours of any potential or actual material changes impacting the operation of the facility, changes which may include, but are not limited to the following reportable events:

- a. Signs or symptoms of potential or actual zoonotic disease transmission or similar communicable disease outbreak conditions;
- b. Adding to or reducing indoor or outdoor space(s);
- c. Reducing the number of currently existing quarantine units;
- cl. Receiving notice of failure or substandard compliance with statutory minimum standards pursuant to applicable Texas Department of State Health Services inspection reviews;
- e. Changing the type of animals to be cared for;
- f. Changing the hours, days, or months of operation;
- g. Offering new services, which may fiscally affect contractual stipulations found in this Agreement;
- h. Extended utility outages; or
- i. Closing temporarily.

(5) The Humane Society agrees to provide a copy of the Texas Department of State Health Services facility inspection report to the City upon request.

(6) The Humane Society agrees to develop written daily operational policies and practices related to animal care and housing, zoonotic disease control, isolation and separation protocols, and cleaning and disinfection procedures, updating and introducing industry best management practices whenever possible. The Humane Society agrees to provide copies of said documents to the City for review.

(7) The Humane Society agrees to allow City inspection officials access to enter the

Shelter, in order to conduct periodic inspections of the premises to ensure compliance with the terms of this agreement, City ordinances and/or building codes.

(8) The Humane Society agrees to allow a City liaison to be a representative on the Humane Society's Board of Directors and attend regular board meetings as well as any board meetings in which fiscal/budgetary matters will be discussed/considered. The Humane Society shall notify the City liaison at least 30 days prior to each meeting.

(9) The Humane Society agrees to provide a presentation to the City Council twice annually, in the months of May and November, to update the City Council on its business operations, financial condition, and community impacts. The City shall provide the Humane Society with any specific requests for information or topics to be included in such presentations no later than thirty (30) days prior to the scheduled presentation date.

8. Conflicts: It is mutually agreed that in all cases of conflict between this Agreement, State law and the City's Animal Ordinances, State law and the City's Ordinances shall prevail.

9. Notice: The City agrees to provide the Humane Society notice of any proposed amendments to the City's Animal Ordinances at least two (2) weeks prior to the amendments' first reading before the City Council, in order for the Humane Society to have an opportunity to review and comment on the proposed amendments.

Notwithstanding the foregoing, failure to provide notice in accordance with this Agreement shall in no way affect the validity of any amendment to the City's Animal Ordinances. All notices required to be furnished in writing under the terms of this Agreement shall be furnished to the City at the following address:

City of New Braunfels, Texas
550 Landa Street
New Braunfels, TX 78130
Attention: Neighborhood Services Manager

and shall be provided to the Humane Society at the following address:

Humane Society of the New Braunfels Area, Inc.
3353 Morningside Drive
New Braunfels, TX 78130
Attention: Director

Any notice sent to any other address shall be insufficient to comply with the

provisions of this Agreement. Notices will be deemed furnished when deposited in the United States mail postage prepaid.

10. Amendments: This Agreement may be amended at any time during its term upon not less than ninety (90) days' prior written notice by either the City or the Humane Society, provided that any such amendment shall be in writing and duly approved and executed by both parties.
11. Indemnification: The Humane Society shall indemnify and hold the City harmless from any liability from claims, demands and expenses, including attorney fees that may arise due to actions by the Humane Society in the performance of its duties pursuant to this Agreement.
12. Miscellaneous: The City shall have no further responsibility to the Humane Society other than as set forth in this Agreement. The Humane Society shall not have any authority over the City or its agents, except as set forth in this Agreement. The Humane Society shall not have any further responsibility to the City other than as set forth in this Agreement and the City shall not have any authority over the Humane Society employees, or other individuals affiliated with the Humane Society, except as set forth in this Agreement. Venue for all disputes related to this Agreement shall lie in New Braunfels, Comal County, Texas.
13. Special Clauses:
 - A. In the event the Humane Society's reserve funds fall below the equivalent of three (3) months of operating expenses, the Humane Society may submit a written request to the City for emergency funding. Such request shall include, documentation of the Humane Society's current financial condition and operating deficits, a summary of all grant applications submitted within the preceding six (6) months and their status, a comprehensive report of all fundraising and donor solicitation efforts undertaken during the same period, and the amount of supplemental funding requested. The City and the Humane Society agree that:
 - (1) Upon receipt of the request, the City shall review the documentation and determine whether emergency funding is warranted. If approved, funds shall be disbursed to the Humane Society within 15 days of City Council authorization.
 - (2) Following any emergency funding disbursement, the Humane Society shall provide the City with monthly financial updates until reserves are restored to at least three

(3) months of operating expenses.

- B. In the event a new agreement between the City and the Humane Society is not reached by FY end, an automatic extension of the prior year agreement would remain in full force and effect on a year-to-year basis.
- C. The City and the Humane Society undertake to act in good faith to do all things reasonably within their power that are necessary or desirable to ensure realization of the spirit and intent of this Agreement.

IN WITNESS WHEREOF, the Humane Society by and through its President, and the City, acting through its City Manager, duly authorized by the City Council of the City of New Braunfels, Texas, enters into this Agreement with an effective date of the 1st day of October 2025.

THE HUMANE SOCIETY OF THE NEW
BRAUNFELS AREA, INC., A TEXAS NON-
PROFIT CORPORATION.

By: _____
_____, Executive Director

ATTEST:

_____, HSNBA Board Member

ATTEST:

_____, HSNBA Board Member

CITY OF NEW BRAUNFELS, TEXAS

By: _____
Robert Camareno, City Manager

9/8/2025

Agenda Item No. C)

PRESENTER:

Scott McClelland, Assistant Transportation and Capital Improvements Director

SUBJECT:

Approval of water connection fees on the Zipp Family Sports Park to Green Valley Special Utility District.

DEPARTMENT: Transportation and Capital Improvements**COUNCIL DISTRICTS IMPACTED:** 2**BACKGROUND INFORMATION:**

As part of the Non-Standard Service Agreement with Green Valley Special Utility District to provide domestic water to the Zipp Family Sports Park, the City is required to pay water connection fees which include water impact fees, acquisition fees, and meter installation fees for each domestic water meter. The site contains four domestic water meters to serve the restroom/concession facilities and the maintenance building. The total water connection fee for the project is \$126,227.95.

ISSUE:

Continue an ongoing program of infrastructure, construction and maintenance

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

Sufficient funds are available in the project budget to support this expense.

RECOMMENDATION:

Approval of an expense for the water connection fee on the Zipp Family Sports Park to Green Valley Special Utility District.

9/8/2025

Agenda Item No. D)

PRESENTER:

Shane Knudson, Fleet Manager

SUBJECT:

Approval of the donation of two surplus 2017 Ford Police Interceptor Utility police vehicles to the NBISD Criminal Justice CTE program.

DEPARTMENT: Public Works**COUNCIL DISTRICTS IMPACTED:** City-wide**BACKGROUND INFORMATION:**

City assets 1705 and 1710 have been approved for replacement in the FY 2025 Budget. Both assets are no longer utilized by the Police Department.

City assets 1705 and 1710 will be donated to the NBISD Criminal Justice CTE program. The estimated value of each vehicle is about \$3,000 for a total of \$6,000 for both assets.

ISSUE:

NBISD Criminal Justice CTE program has a need for 2 assets that no longer serve a need for the City of New Braunfels.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

The city will not receive any funds from the donation of the 2 assets.

RECOMMENDATION:

Staff recommends approval of the donation of units 1705 and 1710 to the NBISD Criminal Justice CTE Program.



On The Go Appraisals

14699 Brown Road

Tomball, TX 77377

Phone: (833) 219-9001 Fax: () -

Email: claims@otgappraisals.com Tax ID: 85-3394097

Date: 10/9/2024
Reference #: 047450002053
Estimated By: Wayne Smith
Name: City of New Braunfels

Year: 2022
Make: AUTOCAR
Model: Xpeditor
Unit #: 54220

Address: 550 Landa St
City/State/Zip: New Braunfels, TX 78130
Phone: 830-515-2754
Inspected Date:
Claimant:
Date of Loss:
Claim Contact: David Morales
Contact Title:
Contact Phone: x
Contact Email:

VIN: 5VCACDEFXNC238124
Style: MDHD: COE (Cab Over Engine)
Plate/State: 143*7733 -
WMI: FIN:
Odometer:
Color:
Date Of Loss:
Inspected At: Seguin Diesel
Claim Number: TX224294
File Number: 3403579

Operation	Description	Part #	Type	Labor	Paint	-----Parts-----	Misc
----- Cooling -----							
1	R&I	Radiator Assy		M	5.00		
2	R&I	Shroud, Fan		M	1.90		
3	R&I	Shroud, Ring		M	1.10		
4	*	R&I	Hose, Radiator	M	0.80		
----- Engine, Cummins -----							
5	*	Replace	X12 Engine Assy (Pending Invoice)	New	M	45.00	1 @ \$5,000.00 \$5,000.00
6		Replace	Freon - 134a	Mtrls	AddPrt		
7			Charge A/C	AddLbr	M	1.40	
8			Recover Freon	AddLbr	M	0.30	
9	^	Replace	Fluids, Filters & Misc	New	M		1 @ \$1,200.00 \$1,200.00
----- Exhaust-DPF -----							
10	*	R&I	ATS Box Assembly		M	16.00	
----- Drive Shaft w/Carrier Bearing -----							
11		R&I	Drive Shaft Assembly		M	2.00	
----- Freight & Delivery -----							
12	*	Replace	Freight (Pending Invoice)	New	M		
----- Diagnostics -----							
13	^	Replace	Check Rod & Main Bearings #6	New	M	14.00	
14	^	Replace	Rod Bearing Locked Up	New			
			Will Need New Engine				
----- Calculated Values -----							
15	^		Shop Supplies	Mtrls			\$109.37

An '*' indicates user change of database part and '^' indicates manually entered or custom database rows.

Estimate Notes:



On The Go Appraisals

14699 Brown Road

Tomball, TX 77377

Phone: (833) 219-9001 Fax: () -

Email: claims@otgappraisals.com Tax ID: 85-3394097

Date:	10/9/2024	Year:	2022
Reference #:	047450002053	Make:	AUTOCAR
Estimated By:	Wayne Smith	Model:	Xpeditor
Name:	City of New Braunfels	Unit #:	54220

Summary	Amount	Rate	Disc	Total
Body Labor	0.0	\$0.00	0.00%	\$0.00
Paint Labor	0.0	\$0.00	0.00%	\$0.00
Mechanical	87.5	\$180.00	0.00%	\$15,750.00
Frame	0.0	\$0.00	0.00%	\$0.00
Misc. Labor	0.0	\$0.00	0.00%	\$0.00
Parts	\$6,200.00		0.00%	\$6,200.00
Misc.				\$109.37
Sub-total				\$22,059.37
Sales Tax				0.00

Total	\$22,059.37
Betterment	\$0.00
Deductible	\$(1,000.00)
Grand Total	\$21,059.37

Repair Facility:
Address:

Phone: ' -
() -
Email:
Agreed With:
License 1:
License 2:
Fed Tax ID:
Registration #:

Appraised By: Wayne Smith
License #1:
License #2:
Phone: 281-236-6792
Email: wsmith@otgappraisals.com



On The Go Appraisals

14699 Brown Road

Tomball, TX 77377

Phone: (833) 219-9001 Fax: () -

Email: claims@otgappraisals.com Tax ID: 85-3394097

Date:	10/9/2024	Year:	2022
Reference #:	047450002053	Make:	AUTOCAR
Estimated By:	Wayne Smith	Model:	Xpeditor
Name:	City of New Braunfels	Unit #:	54220

TERMS & CONDITIONS

++++THIS IS NOT AN AUTHORIZATION FOR REPAIRS!! +++. This estimate in no form approves any payments. ALL approval for any repairs must be provided by the vehicle owner. All financial responsibility for any repairs, teardowns, rentals, parts, labor, advance charges, etc... are the sole responsibility of the owner. No supplements will be honored without prior approval, re-inspection, or written authorization from the insurance company involved.

This estimate may have been written with Pre and/or Post repair scans included, per the manufacturer positions statements. If these were included within the estimate, the listed carrier has the right to ask for these scan reports at any time during and/or after the repair process; for validation they were performed. If the repair facility is unable to produce the scan documents or supporting validation items upon demand, they may be removed from the estimate and may represent a negative supplement and possible payment reimbursement

SUPPLEMENTS*****SUPPLEMENTS*****SUPPLEMENTS*****SUPPLEMENTS*****SUPPLEMENTS

FOR A SUPPLEMENT REQUEST, PLEASE CALL NUMBER ON HEADER OR EMAIL claims@otgappraisals.com. !!!

By law, you have the right to select where you have your motor vehicle repaired and the parts used for repairs. However, an insurance company is not required to pay more than a reasonable amount for such repairs and parts. Your rights concerning motor vehicle repairs are explained in the insurance code Article 5.07-01

The above is an estimate based on inspection and does not cover additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not have been evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

Signed _____ Date _____

9/8/2025

Agenda Item No. E)

PRESENTER:

Shane Knudson, Fleet Manager

SUBJECT:

Approval of the purchase of new equipment with Ewald Kubota, Hill Country Outdoor Power and Professional Turf Products for the Parks & Recreation Department.

DEPARTMENT: Fleet Services

COUNCIL DISTRICTS IMPACTED: City-wide

BACKGROUND INFORMATION:

Staff is requesting approval for the purchase of new equipment for the Parks and Recreation Department. The new equipment is to support the Zipp Family Sports Complex and was requested and approved in the FY 25 Budget.

The City will utilize multiple vendors: Ewald Kubota with a Sourcewell cooperative agreement, Hill Country Outdoor Power with a BuyBoard cooperative agreement, and Professional Turf Products with a BuyBoard cooperative agreement, which have been competitively vetted. The schedule below will provide details of each purchase.

Department	Disposition	Vendor	Qty	Extended Price
Park Operations - 2025 Kubota Backhoe L47	New Asset	Ewald Kubota <i>Sourcewell Cooperative</i>	1	\$61,899.92
Park Operations 2025 Toro Workman HDX 2WD	New Asset	Professional Turf Products <i>Buyboard Cooperative</i>	1	\$39,969.15
Park Operations 2025 Multi Pro Turf Sprayer	New Asset	Professional Turf Products <i>Buyboard Cooperative</i>	1	\$31,850.36
Park Operations 2025 Toro Topdresser Attachment	New Asset	Professional Turf Products <i>Buyboard Cooperative</i>	1	\$10,458.29
Park Operations 2025 Toro Field Pro 6040	New Asset	Professional Turf Products <i>Buyboard Cooperative</i>	2	\$35,831.52-ea \$71,663.04
Park Operations 2025 Exmark Lazer Z 144 Inch	New Asset	Hill Country Outdoor Power <i>Buyboard Cooperative</i>	1	\$69,279.00

Park Operations 2025 Exmark Lazer Z 72 Inch	New Asset	Hill Country Outdoor Power Buyboard Cooperative	2	\$25,260.00-ea \$50,520.00
TOTAL				\$335,639.76

ISSUE:

Staff is requesting new equipment to maintain the fiscal stability of city operations.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

The costs for the new equipment described above are incorporated into the FY 2025 Adopted Budget within the Capital Project Funds for the appropriate project. Therefore, sufficient funds are available to purchase the equipment.

RECOMMENDATION:

Staff recommends approval of purchases of new equipment with Ewald Kubota, Hill Country Outdoor Power, and Professional Turf Products for the Parks and Recreation Department.

9/8/2025

Agenda Item No. F)

PRESENTER:

Matthew Eckmann, Assistant Director of Public Works

SUBJECT:

Approval of the second reading of an ordinance regarding the proposed abandonment of a 0.972-acre portion of East Bridge Street Right-of-Way, located between the terminus of East Bridge Street and the Comal River.

DEPARTMENT: Public Works**COUNCIL DISTRICTS IMPACTED:** City Council District 5**BACKGROUND INFORMATION:**

Applicant: Dittlinger Mill, LLC
200 E. Basse Road
Suite 200
San Antonio, TX 78209

Agent: Killen, Griffin & Farrimond, PLLC
c/o Ashley Farrimond
10101 Reunion Place, San Antonio, Texas 78216
210-960-2750 ashley@kgftx.com

Staff Contact: Matthew Eckmann
(830) 221-4089 meckmann@newbraunfels.gov

The subject right-of-way is located between the north terminus of East Bridge Street and the Comal River and consists of 0.972 unimproved acres (42,340.32 square feet) abutting properties zoned “MU-B” High Intensity Mixed Use District and “C-4” Resort Commercial District. The subject property abuts the applicant’s property at 403 E. Bridge Street, property owned by the City of New Braunfels located at the terminus of E. Mill Street, the Comal River and the existing improved portion of East Bridge Street and is partially within the 100-year floodplain and partially within the floodway.

The applicant is requesting the city abandon the subject right-of-way allowing for the purchase of it to combine with their existing adjacent property. There are existing water and wastewater utilities within the right of way, which will be captured within an easement across the property upon platting. The property is currently unimproved.

An appraisal report was prepared by an independent appraiser indicating an estimated market value of \$435,000 for the right-of-way (see attached Appraisal Summary Sheet).

City departments and New Braunfels Utilities have reviewed the request and have no objections to vacating the subject right-of-way provided the conditions at the end of the report are implemented to ensure protection of the utility infrastructure and provide for the proper termination of the remaining section of East Bridge Street.

The applicant has agreed to purchase the property for the appraised value and with the staff conditions referenced at the end of the report.

Surrounding Zoning and Land Use:

North - Across the Comal River, R-2 / Hinman Island Park

South - M-1 / residential low density and improved East Bridge Street Right-of-Way

West - MU-B/ Applicants Vacant Property

East - C-4 / City Property

ISSUE:

The proposed abandonment is consistent with the following actions from Envision New Braunfels:

Action 1.3: Encourage balanced and fiscally responsible land use patterns.

Action 1.6: Incentivize infill development and redevelopment to take advantage of existing infrastructure.

STRATEGIC PLAN REFERENCE:

☐Economic Mobility ☒Enhanced Connectivity ☐Community Identity

☐Organizational Excellence ☐Community Well-Being ☐N/A

FISCAL IMPACT:

This ordinance will allow for the addition of \$435,000 from the sale of unimproved right-of-way into the Street Trust Account which can then be used for future roadway improvements, and require less right-of-way to maintain with taxpayer dollars. It will also add 0.972 acres to the tax rolls.

RECOMMENDATION:

On August 5, 2025, the Planning Commission voted in favor (9-0-0) of the recommendation to City Council to approve this abandonment and on August 25, 2025, City Council voted in Favor (6-0-0) to approve the first reading of the ordinance subject to the following staff recommendations:

Multiple City departments and NBU reviewed the request and have no objection if approved with the following conditions:

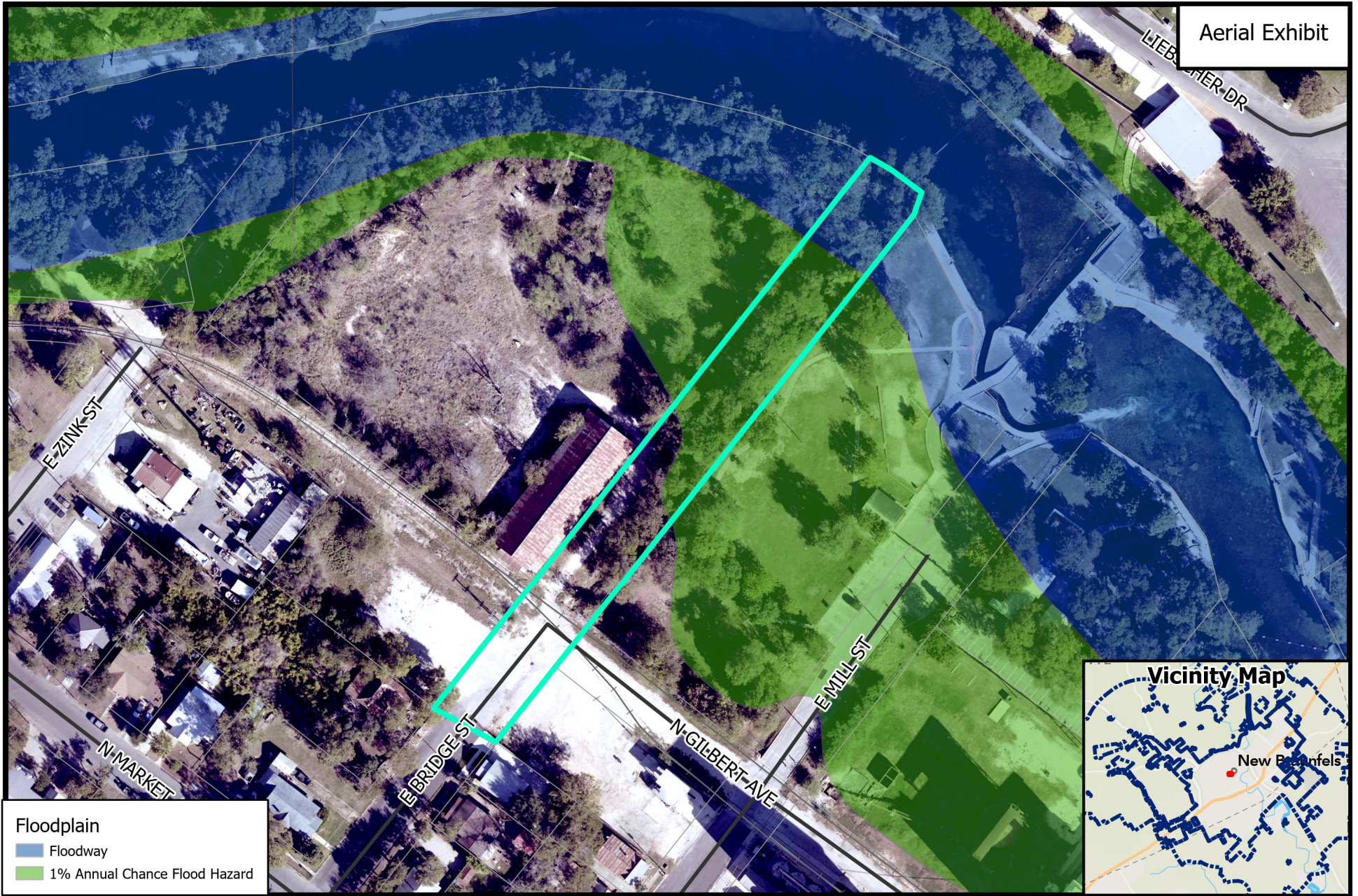
1. The applicant shall provide for the proper termination of the remainder of E. Bridge Street to be in compliance with Sec. 118-46(k) of the City code of ordinances.
2. The applicant shall provide a Utility Easement equal to the width of the right-of-way for a portion of the property to include the west side of the railroad spur.
3. A Utility Easement is required, minimum 20-feet in width, centered on the existing sewer line continuing northeasterly, covering all sewer equipment within the right-of-way (field-locating by applicant required).
4. The abandoned right-of-way property must be included within a plat of the adjacent property owned by the applicant in compliance with the City's Subdivision Platting Ordinance. A final plat of the property must be submitted and approved by the City prior to ownership transfer. Recordation of the final plat will occur subsequent to the transfer.
5. All conditions of approval are to be reflected on the plat in the form of notes and easements as appropriate.

Resource Links:

Chapter 118-56 Closure, abandonment, and sale of public right-of-way:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

nodeId=PTIICORR_CH118SUPL_ARTIVDEST_S118-56CLABSAPURI-W



Aerial Exhibit

Vicinity Map

New Braunfels

Floodplain

- Floodway
- 1% Annual Chance Flood Hazard

0 70 140 Feet

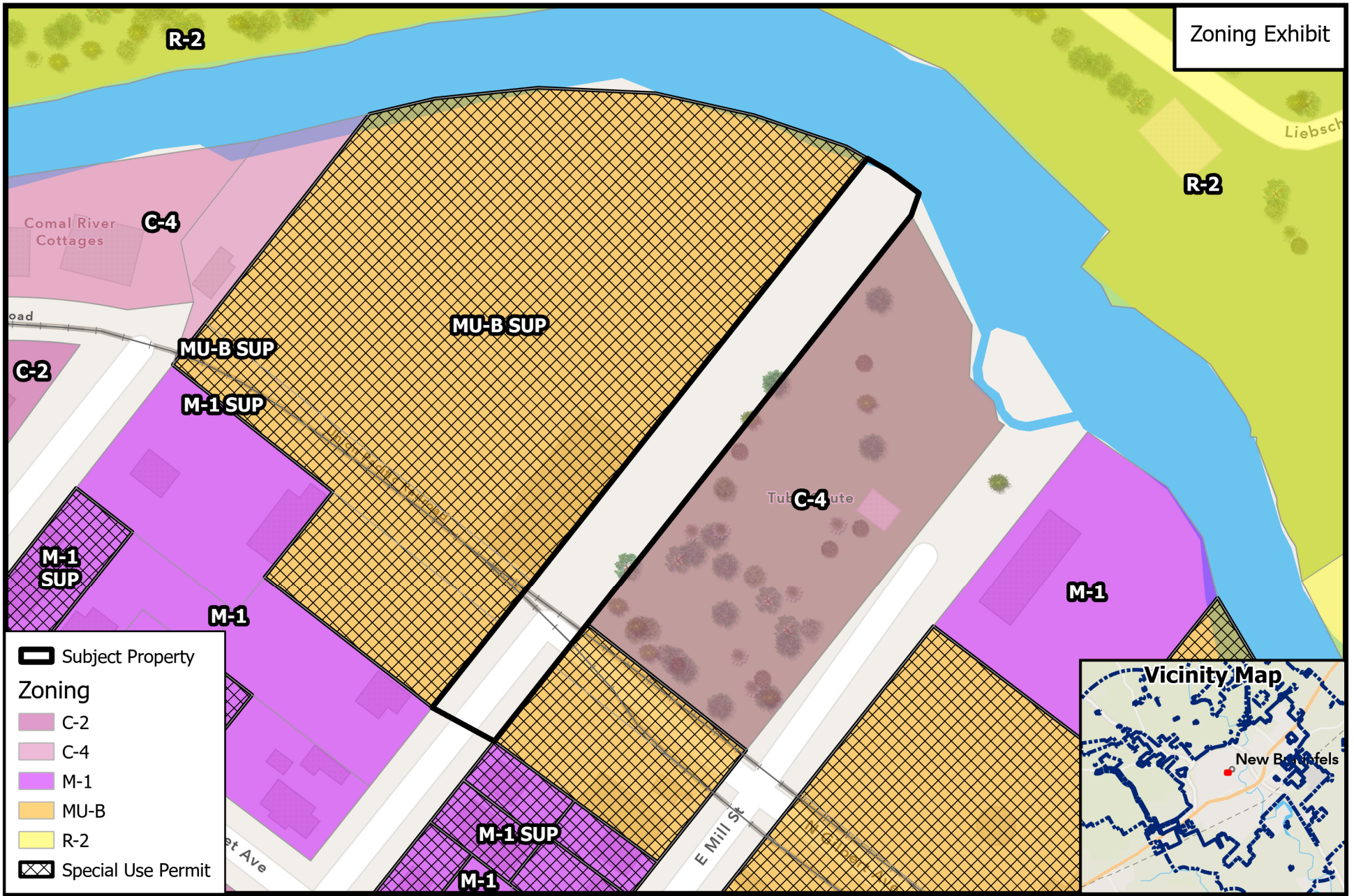


ROW Vacation

Source: City of New Braunfels Planning
Date: 7/17/2025

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





ROW Vacation

Source: City of New Braunfels Planning
Date: 7/17/2025

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of New Braunfels. 51

Closure & Abandonment of Streets, Alleys or Public Ways Application

1. Applicant: _____

Agent (if applicable): _____

Address: _____

Telephone: _____

Email: _____

2. Location of Street, Alley or Public way to be closed/abandoned: _____

3. Legal Description: _____

4. Reason for closure/abandonment: _____

5. Attachments: ☒ metes & bounds description/legal description (if applicable)
 ☒ letters from abutting owners joining in request (if applicable)
 _____ statement of nonparticipation (if applicable, use City provided document)
 ☒ \$515.00 non-refundable application fee

Note: The New Braunfels Code of Ordinances does not permit the closure or abandonment of *half* streets, alleys or public ways.

6. I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS ACCURATE AND CORRECT.

Please see the attached authorization letter _____

Owner's Signature

_____ Date

FOR OFFICE USE ONLY

Received on: _____ Receipt No.: _____ Check No.: _____

Received by: _____ Case No.: _____ Planning Com. Date: _____

City Council: 1st reading _____ 2nd reading _____ Ordinance No.: _____

Legal Description and Survey

54

METES AND BOUNDS DESCRIPTION
FOR A 0.972 ACRE TRACT OF LAND
PART OF BRIDGE STREET
EXHIBIT "A"

Being a 0.972 of an acre tract of land located in the City of New Braunfels, Comal County, Texas, being a portion of land called Bridge Street (66.66' R.O.W.), recorded in Volume G, Page 127, Deed Records, Comal County, Texas, said 0.972 acre tract of land being more particularly described as follows:

BEGINNING at a found 60D nail in the Northwest right of way line of East Bridge Street for the South corner of Lot 238, New City Block 2014, recorded in Volume 284, Page 817, Deed Records, Comal County, Texas, same point being the East corner of Lot 237, New City Block 2014, City of New Braunfels, recorded in Volume 182, Page 448, Deed Records, Comal County, Texas;

THENCE, along the Southwest line of said Lot 238 and the Northwest line of East Bridge Street N 38°18'19" E, a distance of 95.77 feet, passing through a found 1/2" iron pin marking the East corner of said Lot 238, and the South corner of a called 0.435 acre tract of land called "Area 3" (closed portion of N. Gilbert Ave.), recorded in Document No. 9606001284, Official Public Records, Comal County, Texas, and continuing a distance of 50.58 feet, for a total of 146.36 feet to a found 3/4" iron pin marking the South corner of Lots 314-319, New City Block 2015, Map of the City of New Braunfels, Volume G, Page 127, Deed Records, Comal County, Texas, the same point being the East corner of said 0.435 acre tract;

THENCE, along the Southeast line of said Lots 314-319 and the Northwest line of East Bridge Street, N 38°00'44" E, at a distance of 400.00 feet passing a 1/2" iron rod with cap "HMT" set for a point on line and continuing in all a total distance of 489.73 feet to the edge of water on the Comal River, marking the North corner of the herein described tract, the same point being the East corner of said Lot 314-319;

THENCE, along the common line of the herein described tract and the Comal River the following three (3) calls:

1. S 71°58'48" E, a distance of 9.78 feet to a point for a corner;
2. S 58°59'15" E, a distance of 23.13 feet to a point for a corner;
3. S 37°15'39" E, a distance of 35.26 feet to a point for the East corner of the herein described tract and the North corner of Prince Solms Park, Torrey Mill, New City Block 2006, Map of the City of New Braunfels, recorded in Volume G, Page 127, Deed Records, Comal County, Texas;

THENCE, along the Northwest line of Prince Solms Park and the Southeast line of East Bridge Street, S 38°00'44" W, at a distance of 86.92 feet passing a 1/2" iron rod with cap "HMT" set for a point on line and continuing in all a total distance of 486.92 feet to a found 1/2" iron pin, marking the West corner of Prince Solms Park, and the North corner of a called 0.217 acre tract called "Area 2" (closed portion of N. Gilbert Ave.), recorded in Document No. 9606001284, Official Public Records, Comal County, Texas;

THENCE, along the Southeast line of East Bridge Street and the Northwest line of said 0.217 acre tract, S 38°06'06" W, a distance of 48.98 feet passing through a found 1/2" iron pin marking the West corner of said 0.217 acre tract, the same point being the North corner of Lot 189, New City Block 2007, Volume 284,

Page 817, Deed Records, Comal County, Texas, continuing along the Northwest line of said Lot 189 a distance of 96.37 feet for a total distance of 145.34 feet to a set "X" in concrete marking the West corner of said Lot 189 the same point being the North corner of Lot F, New City Block 2007, Document No. 202306003119, Official Public Records, Comal County, Texas;

THENCE, along the Southwest line of the herein described tract, crossing East Bridge Street, N 52°51'43" W, a distance of 66.79 feet to the POINT OF BEGINNING, containing 0.972 acres of land in Comal County, Texas.

Bearings shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (4204), NAD 83 (NA2011) Epoch 2010.00.

Written April 9, 2024.

Reference survey of said 0.972 acre tract of land prepared this same date.

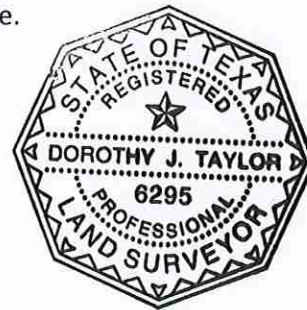


Dorothy J. Taylor

Registered Professional Land Surveyor No. 6295

S:\Projects\540 - Colegas Ventures, LLC\Esmt M&B's\BRIDGE STREET.docx

4-10-24



Authorization Letter

March 20, 2024

City of New Braunfels
Planning & Development Services Department
550 Landa Street
New Braunfels, Texas 78130

Re: Authorization to Submit an Application to the City of New Braunfels for the Closure, Abandonment and Sale or Exchange of Approximately 0.7520 Acres of E. Bridge Street Public Right-of-Way

The purpose of this correspondence is to request that the City of New Braunfels close, abandon, and sell or exchange approximately 0.752 acres of E. Bridge Street public right-of-way ("Right-of-Way"). Further, this letter authorizes Killen, Griffin & Farrimond, PLLC (c/o Ashley Farrimond) and HMT Engineering & Surveying to act as applicants/representatives in the filing and processing for approval of the application for the closure, abandonment, and sale or exchange of the Right-of-Way.

ADM Milling Co. is the owner of the adjacent properties located at 403 E. Bridge Street and the abandoned portion of N. Gilbert Avenue. I hereby declare that I represent ADM Milling Co. and have the authority to grant permission to request and process for approval the closure, abandonment, and sale or exchange of the Right-of-Way. Thank you for your time and attention to this matter.

ADM Milling Co.

By: Tedd Kruse

pb Name: TEDD KRUSE

Title: PRESIDENT

State of Illinois §

County of Macon §

Before me, the undersigned authority, a notary public for the State of Illinois, on this day personally appeared Tedd Kruse, known to me to be the person whose name is subscribed to the foregoing letter and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this the 23rd day of April, 2024.



Michele L Engle



SUBJECT PHOTOS



Looking northeast at subject from East Bridge Street



Looking southwest at subject from East Bridge Street



Looking northeast at subject from East Bridge Street



Looking southwest from middle of subject



Looking northeast from middle of subject



Looking southwest from middle of subject



View of Comal River looking northeast



View of subject looking southwest from Comal River



View of larger parcel improvement



View of larger parcel looking west



CONCLUSION

In the final analysis of the subject property, similar weight was given to all of the sales. The following is the adjustment table with the concluded opinion of value via the Sales Approach.

	SUBJECT	1	2	3	4	5
Date	Current	Dec-23	Oct-23	Jun-21	May-21	Feb-20
Sale Price		\$632,500	\$1,030,000	\$1,615,000	\$655,000	\$1,730,000
SIZE - SF	219,456	94,569	112,050	152,983	43,778	190,022
Unit Price (\$ / SF)		\$6.69	\$9.19	\$10.56	\$14.96	\$9.10

TRANSACTION ADJUSTMENTS

Property Rights	Fee Simple	Similar 0% \$6.69	Similar 0% \$9.19	Similar 0% \$10.56	Similar 0% \$14.96	Similar 0% \$9.10
Financing Terms	Cash	Similar 0% \$6.69	Similar 0% \$9.19	Similar 0% \$10.56	Similar 0% \$14.96	Similar 0% \$9.10
Conditions of Sale	Arm's Length	Motivated Seller 10% \$7.36	Similar 0% \$9.19	Similar 0% \$10.56	Similar 0% \$14.96	Similar 0% \$9.10
Market Conditions	Current	Dec-23 0% \$7.36	Oct-23 0% \$9.19	Jun-21 0% \$10.56	May-21 0% \$14.96	Feb-20 0% \$9.10

PROPERTY ADJUSTMENTS

Location	Average	Inferior 10%	Inferior 10%	Inferior 20%	Inferior 10%	Inferior 10%
Size - SF	219,456	94,569 -10%	112,050 -10%	152,983 -5%	43,778 -15%	190,022 0%
Physical Features	Flood Plain	Inferior 10%	Similar 0%	Superior -10%	Superior -10%	Similar 0%
Utilities	Available	Similar 0%	Similar 0%	Inferior 5%	Similar 0%	Similar 0%
Zoning	M-1 & C-4	Similar 0%	Similar 0%	Similar 0%	Similar 0%	Similar 0%
Total Adjustment		10%	0%	10%	-15%	10%
Adjusted \$ / SF		\$8.09	\$9.19	\$11.61	\$12.72	\$10.01
Adjusted Mean \$ / SF						\$10.33

A value generally in-line with the mean is well supported.

Concluded Unit
Value **\$10.25**

Whole Land Size (SF)	219,456
Subject Land Size (SF)	42,340
Value Indication	\$433,985
Concluded Value	\$435,000





RECONCILIATION

In the preceding sections of this report, an indication of value based upon separate appraisal approaches or techniques has been developed by processing data considered applicable and significant to each approach with respect to the subject. As a result, the following opinions of value were developed:

SALES APPROACH

\$ 435,000

The quality and quantity of market data utilized was considered good and a credible opinion of value was indicated via the Sales Approach. Given that it was the only approach utilized herein, it is given full weight.

This appraisal, subject to the assumptions and limiting conditions as expressed herein and conducted according to the Uniform Standards of Professional Appraisal Practice, led us to the opinion that the subject property has a market value of:

VALUE CONCLUSION			
Status	Interest	Date	Value
As Is	Fee Simple	September 4, 2024	\$435,000



Draft Minutes for the August 5, 2025, Planning Commission Regular Meeting

- A) ROW24-149 Discuss and consider a recommendation to City Council regarding the proposed abandonment of a 0.972-acre portion of East Bridge Street Right-of-Way, located between the terminus of East Bridge Street and the Comal River. (Applicant: ADM Milling Co.; Case Manager: Matthew Eckmann, SR/WA, Assistant Director of Public Works)**

Matthew Eckmann presented the aforementioned item and recommended approval with the conditions listed in the staff report.

Chair Sonier asked if there were any questions for staff.

Brief discussion followed on the termination of Bridge Street.

Ashley Farrimond elaborated on the item discussing project phasing and the proposed termination of Bridge Street.

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 if there were any further discussion or motion.

Motion by Commissioner Nolte, seconded by Vice-Chair Taylor, to recommend approval of the item with staff recommended conditions to City Council. Motion carried unanimously (9-0-0).

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS ABANDONING APPROXIMATELY 42,340 SQUARE FEET (0.972 ACRES) OF PUBLIC STREET RIGHT-OF-WAY, LOCATED BETWEEN THE TERMINUS OF EAST BRIDGE STREET AND THE COMAL RIVER, ACCORDING TO THE PROVISIONS OF CHAPTER 253, SECTION 253.001 OF THE TEXAS LOCAL GOVERNMENT CODE; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels has street rights to a 42,340 square foot (0.972-acre) tract of land, more or less, being public street right-of-way, located between the terminus of East Bridge Street and the Comal River, and said street right-of-way being in the City of New Braunfels, Texas; and

WHEREAS, the City of New Braunfels, having received a request from Dittlinger Mill, LLC petitioning the City to consider the abandonment of said right-of-way; and

WHEREAS, after determining that there is no need for the City of New Braunfels or any other surrounding property owners to retain the street right-of-way, it is the decision of the City Council of the City of New Braunfels that action be taken to release same to Dittlinger Mill, LLC in the proper and legal manner; and

WHEREAS, the fair market value of the land is determined to be four hundred thirty five thousand dollars (\$435,000.00) and thus by making the sale of the land to the abutting property owner, the City of New Braunfels will be complying with all sections of said Chapter 253, Section 253.001, and that the sale of said land in this particular instance has been determined by a fair appraisal and is conclusive of the fair market value thereof; **now, therefore;**

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

SECTION 1

THAT the City of New Braunfels, acting by and through its City Manager shall execute a Deed without Warranty to Dittlinger Mill, LLC, or their successor or assigns, conveying all of its right, title and interest in and to the public right-of-way and all rights in and to a 42,340 square foot (0.972-acre) tract of land, more or less, being public street right-of-way located between the terminus of East Bridge Street and the Comal River, and said street right-of-way being in the City of New Braunfels, Texas. A survey of the

property to be conveyed is attached as Exhibit “A” and is described in the attached Exhibit “B”. If said Deed Without Warranty is not executed within twenty four (24) months of the second and final reading of this ordinance, this ordinance shall become null and void and a new application for abandonment shall be required.

SECTION 2

THAT the following conditions apply to the said abandonment:

1. The applicant shall provide for the proper termination of the remainder of E. Bridge Street to be in compliance with Sec. 118-46(k) of the City code of ordinances.
2. The applicant shall provide a Utility Easement equal to the width of the right-of-way for a portion of the property to include the west side of the railroad spur.
3. A Utility Easement is required, minimum 20-feet in width, centered on the existing sewer line continuing northeasterly, covering all sewer equipment within the right-of-way (field-locating by applicant required).
4. The abandoned right-of-way property must be included within a plat of the adjacent property owned by the applicant in compliance with the City’s Subdivision Platting Ordinance. A final plat of the property must be submitted and approved by the City prior to ownership transfer. Recordation of the final plat will occur subsequent to the transfer.
5. All conditions of approval are to be reflected on the plat in the form of notes and easements as appropriate.

SECTION 3

THAT 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 4

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 5

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 6

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 25th day of August, 2025.

PASSED AND APPROVED: Second reading this 8th day of September, 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

0.972 ACRES OF LAND LOCATED IN THE CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, BEING A PART OF BRIDGE STREET (66.66' R.O.W.), RECORDED IN VOLUME G, PAGE 127, DEED 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 DETECT OTHER MATTERS OF RECORD, SUCH AS EASEMENTS, SETBACKS, RESTRICTIONS OR OTHER ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

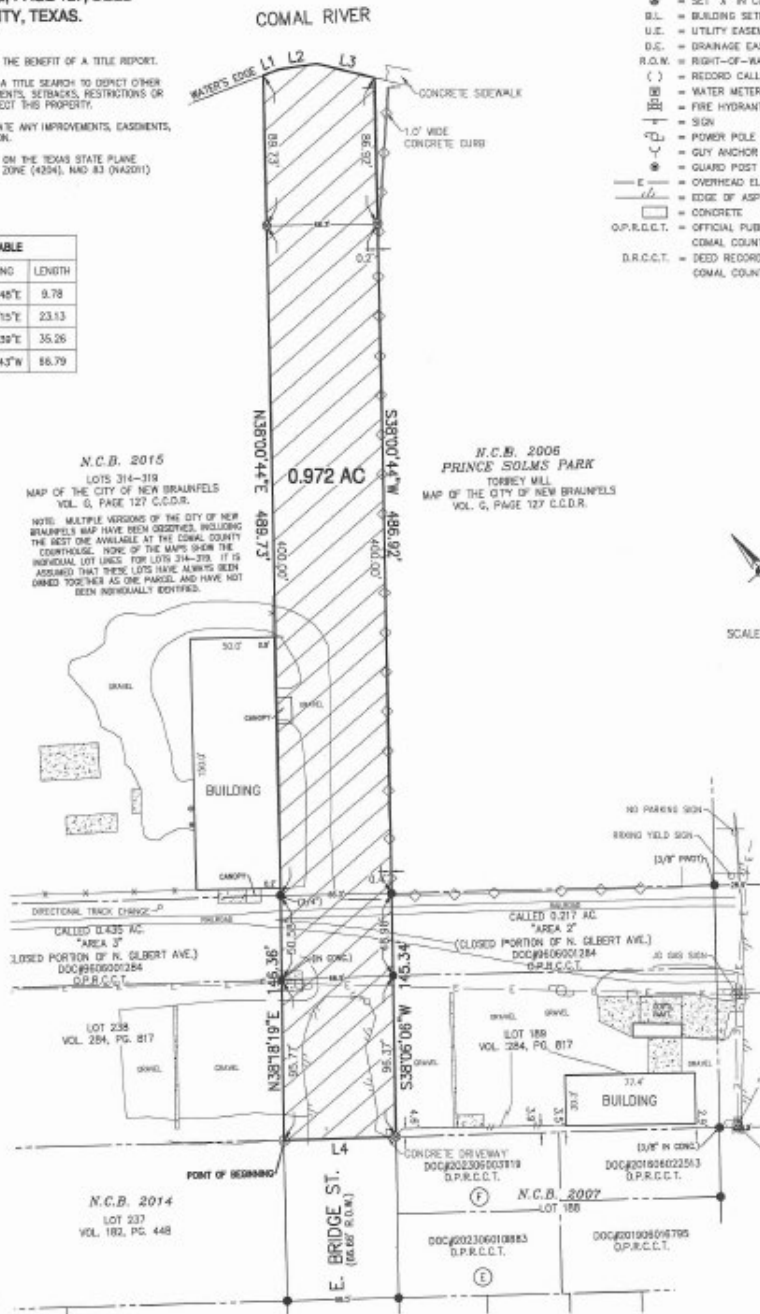
NO ATTEMPT HAS BEEN MADE TO LOCATE ANY IMPROVEMENTS, EASEMENTS, OR RIGHTS OF WAY NOT SHOWN HEREON.

BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 (NAD2011) EPOCH 2010.00.

LINE #	BEARING	LENGTH
L1	S71°56'48"E	9.78
L2	S38°59'15"E	23.13
L3	S37°15'39"E	35.26
L4	N52°51'43"W	66.79

N.C.B. 2015
LOTS 314-319
MAP OF THE CITY OF NEW BRAUNFELS
VOL. G, PAGE 127 C.C.D.R.
NOTE: MULTIPLE VERSIONS OF THE CITY OF NEW BRAUNFELS MAP HAVE BEEN OBSERVED, INCLUDING THE BEST ONE AVAILABLE AT THE COMAL COUNTY COURTHOUSE. NONE OF THE MAPS SHOW THE INDIVIDUAL LOT LINES. FOR LOTS 314-319, IT IS ASSUMED THAT THESE LOTS HAVE ALWAYS BEEN OWNED TOGETHER AS ONE PARCEL AND HAVE NOT BEEN INDIVIDUALLY BOTTLED.

N.C.B. 2006
PRINCE SOLMS PARK
TOWNEY MALL
MAP OF THE CITY OF NEW BRAUNFELS
VOL. G, PAGE 127 C.C.D.R.



SCALE: 1"=60'

DRAWN BY: J.A. FIELD CHECKED BY: J.A.

HMT
ENGINEERING & SURVEYING

290 S. CASTELL AVE., STE. 100
NEW BRAUNFELS, TX 78130
TBPE FIRM F-10961
TBPLS FIRM 10153800



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUNDS UNDER MY SUPERVISION
THIS 9TH DAY OF APRIL, 2024
DOROTHY J. TAYLOR
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6295

540/001

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION
FOR A 0.972 ACRE TRACT OF LAND
PART OF BRIDGE STREET
EXHIBIT "A"

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BEGINNING at a found 600 nail in the Northwest right of way line of East Bridge Street for the South corner of Lot 238, New City Block 2014, recorded in Volume 284, Page 817, Deed Records, Comal County, Texas, same point being the East corner of Lot 237, New City Block 2014, City of New Braunfels, recorded in Volume 182, Page 448, Deed Records, Comal County, Texas;

THENCE, along the Southwest line of said Lot 238 and the Northwest line of East Bridge Street N 38°18'19" E, a distance of 95.77 feet, passing through a found 1/2" iron pin marking the East corner of said Lot 238, and the South corner of a called 0.435 acre tract of land called "Area 3" (closed portion of N. Gilbert Ave.), recorded in Document No. 9606001284, Official Public Records, Comal County, Texas, and continuing a distance of 50.58 feet, for a total of 146.36 feet to a found 3/4" iron pin marking the South corner of Lots 314-319, New City Block 2015, Map of the City of New Braunfels, Volume G, Page 127, Deed Records, Comal County, Texas, the same point being the East corner of said 0.435 acre tract;

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THENCE, along the common line of the herein described tract and the Comal River the following three (3) calls:

1. S 71°58'48" E, a distance of 9.78 feet to a point for a corner;
2. S 58°59'15" E, a distance of 23.13 feet to a point for a corner;
3. S 37°15'39" E, a distance of 35.26 feet to a point for the East corner of the herein described tract and the North corner of Prince Solms Park, Tomey Mill, New City Block 2006, Map of the City of New Braunfels, recorded in Volume G, Page 127, Deed Records, Comal County, Texas;

THENCE, along the Northwest line of Prince Solms Park and the Southeast line of East Bridge Street, S 38°00'44" W, at a distance of 86.92 feet passing a 1/8" iron rod with cap "HMT" set for a point on line and continuing in all a total distance of 486.92 feet to a found 1/2" iron pin, marking the West corner of Prince Solms Park, and the North corner of a called 0.217 acre tract called "Area 2" (closed portion of N. Gilbert Ave.), recorded in Document No. 9606001284, Official Public Records, Comal County, Texas;

THENCE, along the Southeast line of East Bridge Street and the Northwest line of said 0.217 acre tract, S 38°06'06" W, a distance of 48.98 feet passing through a found 1/2" iron pin marking the West corner of said 0.217 acre tract, the same point being the North corner of Lot 189, New City Block 2007, Volume 284,

EXHIBIT "B"



2905. Castell Avenue, Ste. 100
New Braunfels, TX 78130
(830) 625-8555
TBPE-FIRM F-10961
TBPLS-FIRM 10153600

Page 817, Deed Records, Comal County, Texas, continuing along the Northwest line of said Lot 189 a distance of 96.37 feet for a total distance of 145.34 feet to a set "X" in concrete marking the West corner of said Lot 189 the same point being the North corner of Lot F, New City Block 2007, Document No. 202306003119, Official Public Records, Comal County, Texas;

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Bearings shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (4204), NAD 83 (NA2011) Epoch 2010.00.

Written April 9, 2024.

Reference survey of said 0.972 acre tract of land prepared this same date.


Dorothy J. Taylor
Registered Professional Land Surveyor No. 6295
S:\Projects\540 - Colaps Ventures, LLC\Exmt M&B\BRIDGE STREET.docx 4-10-24



EXHIBIT "B"

9/8/2025

Agenda Item No. G)

PRESENTER:

Karrie Cook, Budget Manager

SUBJECT:

Approval of the second and final reading of an ordinance to amend New Braunfels Code of Ordinances, Appendix D by updating and codifying fees related to services provided by the New Braunfels National Airport.

DEPARTMENT: Economic and Community Development

COUNCIL DISTRICTS IMPACTED: All

BACKGROUND INFORMATION:

The New Braunfels National Airport serves to provide a safe and efficient transportation portal into the national airspace system for New Braunfels and the surrounding area. The Airport accomplishes this mission by offering aircraft maintenance and charter services to its customers. Staff, in consultation with the City Council, are proposing a series of revisions to the code of ordinances that will adjust fees and implement policy adjustments. The purpose of these changes is to maintain the airport's operational effectiveness and financial stability, align more closely with industry standards and comparable facilities, and continue to build on the financial solvency/resilience of the Airport.

The proposed fee modifications are as follows:

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

AIRPORT RATES AND CHARGES		
EFFECTIVE 1 OCTOBER 2023 EFFECTIVE 1 OCTOBER 2025		
	Current Fee	Proposed Fee
Ramp/Overnight Fee		
SE Turboprop	\$35/day	\$50/day
ME Turboprop	\$50/day	\$75/day
Sm Jet	\$50/day	\$75/day
Md Jet	\$100/day	\$100/day
Lg Jet	\$200/day	\$250/day
After Hours Call Out	\$100	\$125
Lav Service	\$100/hookup	\$125/per hooku
Dishwashing	\$25	\$35
OVERNIGHT HANGAR FEES		
Piston RON	\$50/night	\$75 per night
Turbo-Prop	\$75/night	\$125 per night
Jet	\$100/night	\$ 250 per night

ISSUE:

To update Appendix D to include the current Airport rates and charges.

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:

Revenues generated by these fees are incorporated into the appropriate year's budget.

RECOMMENDATION:

Staff recommends approval of this amendment.

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING APPENDIX D “FEE SCHEDULE” OF THE NEW BRAUNFELS CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, SAVINGS CLAUSE; REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels (“City”) operates the New Braunfels National Airport; and

WHEREAS, the New Braunfels National Airport evaluates fees and rates annually to align with comparable operations; and

WHEREAS, the City Council of the City of New Braunfels desires to adopt the updates to Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances.

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

SECTION 1

THAT the findings and recitations set out in the preamble to this Ordinance are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2

THAT Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances, is hereby amended with additions indicated with underlined font and deletions indicated with strikethrough font as follows:

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

AIRPORT RATES AND CHARGES		
EFFECTIVE 1 OCTOBER 2023 EFFECTIVE 1 OCTOBER 2025		
	Current Fee	Proposed Fee
Ramp/Overnight Fee		
SE Turboprop	\$35/day	\$50/day
ME Turboprop	\$50/day	\$75/day
Sm Jet	\$50/day	\$75/day
Md Jet	\$100/day	\$100/day
Lg Jet	\$200/day	\$250/day
After Hours Call Out	\$100	\$125
Lav Service	\$100/hookup	\$125/per hookup
Dishwashing	\$25	\$35
OVERNIGHT HANGAR FEES		
Piston RON	\$50/night	\$75 per night
Turbo-Prop	\$75/night	\$125 per night
Jet	\$100/night	\$ 250 per night

SECTION 3.

THAT all provisions hereof are hereby declared to be severable and if any provisions hereof are declared to be invalid or unconstitutional, such shall not invalidate or affect the remaining provisions hereof which will be and remain in full force and effect.

SECTION 4.

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

SECTION 5.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office.

PASSED AND APPROVED: First reading this the _____ day of August, 2025.

PASSED AND APPROVED: Second reading this the _____ day of September, 2025.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY

9/8/2025

Agenda Item No. H)

PRESENTER:

Karrie Cook, Budget Manager

SUBJECT:

Approval of the second and final reading of an ordinance to amend New Braunfels Code of Ordinances Article IV- Sec. 138-93 and Appendix D by adopting new fees for EMS Rates, restructuring of the Licensed Hospital Inspection Fee, and moving fees to Appendix D.

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

The New Braunfels Fire Department serves to provide high-quality Fire and EMS Services to the New Braunfels Community. The fees charged for ambulance services were last raised in the summer of 2023. The quality of service provided by the City of New Braunfels Fire Department ranks among the highest in the state, let alone the region. This level of service has increased costs for equipment and personnel. Staff, in consultation with City Council, are proposing a series of revisions to the code of ordinances that will adjust fees and implement policy adjustments. Adjusting these rates as proposed would place the City's fees in line with the average of other upper-tier services in our region. These fee adjustments were also developed in collaboration with our third-party billing/collection agency, who confirmed they are aligned with industry standards. As a reminder, these fees do not impact residents the insurance is the entity who is billed for service. Residents are not balance billed for any fees not recovered by the insurance company.

Additionally, staff also recommends adjusting the licensed hospital inspection fee with a minimum and maximum charge. The update to this fee will help cover the organization's costs incurred as a result of the inspection.

The proposed fee modifications are as follows:

APPENDIX D FEE SCHEDULE**Sec. A. Schedule of Fees.*******

FIRE		
Service	Current Rate	Proposed Rate
Basic Life Support (BLS) *	\$1,085.00	\$1,250.00
Advanced Life Support (ALS) 1 *	\$1,085.00	\$1,450.00
Advanced Life Support (ALS) 2 *	\$1,467.00	\$1,650.00
Mileage	\$20.00	\$20.00
Treatment/No Transport	\$175.00	\$175.00
Unit Stand-by Fee	125.00 (per hour - no hour charge)	125.00 (per hour - no hour charge)
Advanced life support consumables fee	\$347.00	\$400.00
Licensed hospital inspection	\$2.00/bed	\$2.00/bed (min \$200.00)
* Residents are not responsible for any charges not paid by insurance and will not be aff		

ISSUE:

Update of fees for the City of New Braunfels Fire Department

STRATEGIC PLAN REFERENCE:

Strategic Priority: Organizational Excellence

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

FISCAL IMPACT:

Any projected revenue because of the fee modifications will be incorporated into future budgets.

RECOMMENDATION:

Staff recommends approval of this ordinance change.

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 138 AND APPENDIX D “FEE SCHEDULE” OF THE NEW BRAUNFELS CODE OF ORDINANCES; RATIFYING AND ADDING FEES TO APPENDIX D; PROVIDING FOR SEVERABILITY, SAVINGS CLAUSE; REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the levels of service demand for ambulance services have resulted in an increase in costs for equipment and personnel; and

WHEREAS, the fees assessed for ambulance services were last updated in 2023; and

WHEREAS, the proposed fee modifications would more closely align with comparable operations; and

WHEREAS, the City Council of the City of New Braunfels desires to adopt the updates to Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances.

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

SECTION 1

THAT the findings and recitations set out in the preamble to this Ordinance are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2

THAT Chapter 138 of the Code of Ordinances is amended with additions indicated with underlined font and deletions indicated with strikethrough font as follows:

Sec. 138-93. Fees for Service.

Any person who utilizes the emergency medical service/ambulance service of the city, whether such person requested the same or not by [reason of] conditions then existing, shall pay for such services the amounts as specified according to Appendix D. ~~the latest approved fee schedule shown below:-~~

Service	Rate
Basic Life Support (BLS)-	\$1,085.00-
Advanced Life Support (ALS) 1-	1,320.00-
Advanced Life Support (ALS) 2-	1,467.00-
Mileage-	20.00-
Treatment/No Transport-	175.00-
Unit Stand-by Fee-	125.00 (per hour—max. 3 hour charge)-

SECTION 3

THAT Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances, is hereby amended with additions indicated with underlined font and deletions indicated with strikethrough font as follows:

APPENDIX D FEE SCHEDULE Sec. A. Schedule of Fees.

FIRE		
Service	Current Rate	Proposed Rate
Basic Life Support (BLS) *	\$1,085.00	\$1,250.00
Advanced Life Support (ALS) 1 *	\$1,085.00	\$1,450.00
Advanced Life Support (ALS) 2 *	\$1,467.00	\$1,650.00
Mileage	\$20.00	\$20.00
Treatment/No Transport	\$175.00	\$175.00
Unit Stand-by Fee	125.00 (per hour - max. 3 hour charge)	125.00 (per hour - max. 3 hour charge)
Advanced life support consumables fee	\$347.00	\$400.00
Licensed hospital inspection	\$2.00/bed-	\$2.00/bed (min \$200.00 -max \$2,000.00)
* Residents are not responsible for any charges not paid by insurance and will not be affected by the rate increase.		

SECTION 4.

THAT all provisions hereof are hereby declared to be severable and if any provisions hereof are declared to be invalid or unconstitutional, such shall not invalidate or affect the remaining provisions hereof which will be and remain in full force and effect.

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.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office.

PASSED AND APPROVED: First reading this the _____ day of August, 2025.

PASSED AND APPROVED: Second reading this the _____ day of September, 2025.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY

9/8/2025

Agenda Item No. I)

PRESENTER:

Karrie Cook, Budget Manager

SUBJECT:

Approval of the second and final reading of an ordinance to amend New Braunfels Code of Ordinances, Appendix D by updating and codifying fees related to services provided by the Neighborhood & Community Planning Department.

DEPARTMENT: Neighborhood & Community Planning**COUNCIL DISTRICTS IMPACTED:** All**BACKGROUND INFORMATION:**

In May of 2025, the state legislature approved Texas Senate Bill 1008, which relates to state and local authority to regulate the food service industry. Senate Bill 1008 states that cities or county governments cannot charge a fee for a permit that exceeds what the State of Texas Department of State Health Services charges, as well as additional changes, including the categories of permit types and the removal of the requirement for certain establishments to be charged. Staff is proposing the following fee modifications to promote regulatory consistency, simplify the permitting process, and keep in compliance with state requirements.

The proposed fee modifications are as follows:

APPENDIX D FEE SCHEDULE**Sec. A. Schedule of Fees.*******

HEALTH AND FOOD SAFETY	
The fees in this section below are based on the number of employees.	
Type 1 (1—6 employees)	\$300.00
Type 1 2 (7— 10 1-6 employees)	\$470.00 \$258.00
Type 2 3 (11—20 7-14 employees)	\$650.00 \$515.00
Type 3 4 (21 15 and more employees)	\$790.00 \$773.00
Nonprofit (regardless of employee count)	\$18.00 No Fee
The fees in this section below are not based on the number of employees.	
Tavern	\$100.00
Grocery	\$250.00
Meat processor	\$100.00
State-licensed adult or childcare facility	\$100.00 No Fee
School Kitchen (operated by private company)	\$250.00
Request for Health Inspection	\$150.00
Plan review fee (one-time fee) for all above permit types.	One-half of the full year annual food establishment permit to operate fee.
Other Fee Types	
Central prep facility	\$110.00
Mobile food unit	\$250.00
Adoption or foster inspection	\$50.00
Farmers market	\$100.00
Mobile food court	\$150.00
Frozen dessert manufacturer	\$200.00
Temporary retail frozen dessert manufacturer permit	\$50.00
Frozen dessert permit reinstatement	\$100.00
Reinspection fee (due to failure of inspection)	\$150.00
Food est. application submitted after January 1 (Late fee)	\$65.00 \$100.00 per permit type
Temporary food establishment	\$75.00 \$52.00
Temporary food establishment (nonprofit)	\$25.00 No Fee
Temporary food establishment multiple event permit	\$150.00 – 6 Events per year
Temporary food establishment multiple event permit (nonprofit)	\$75.00 – 6 Events per year No Fee
Temporary food establishment sampler permit (TCS)	\$25.00 - Single event \$75.00 - 6 Events per year.
Food Handler Card	\$15.00

ISSUE:

Update of fees for the Neighborhood & Community Planning Department.

STRATEGIC PLAN REFERENCE:

Strategic Priority: Organizational Excellence

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

FISCAL IMPACT:

Any projected revenue impacts will be incorporated into future budgets.

RECOMMENDATION:

Staff recommends approval of this ordinance change.

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING APPENDIX D “FEE SCHEDULE” OF THE NEW BRAUNFELS CODE OF ORDINANCES; RATIFYING AND ADDING FEES TO APPENDIX D; PROVIDING FOR SEVERABILITY, SAVINGS CLAUSE; REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texas Senate Bill 1008, passed in May of 2025, relates to state and local authority to regulate the food service industry; and

WHEREAS, Senate Bill 1008 states that cities or county governments cannot charge a fee for a permit that exceeds what the State of Texas Department of State Health Services charges; and

WHEREAS, Senate bill 1008 includes additional changes, including the categories of permit types and the removal of the requirement for certain establishments to be charged a related fee; and

WHEREAS, the proposed fee modifications aim to promote regulatory consistency and to simplify the permitting process; and

WHEREAS, the City Council of the City of New Braunfels desires to adopt the updates to Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances.

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

SECTION 1.

THAT the findings and recitations set out in the preamble to this Ordinance are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2.

THAT Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances, is hereby amended with additions indicated with underlined font and deletions indicated with strikethrough font as follows:

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

HEALTH AND FOOD SAFETY	
The fees in this section below are based on the number of employees.	
Type 1 (1—6 employees)	\$300.00
Type 1 <u>2</u> (7—10 <u>1-6</u> employees)	\$470.00 <u>\$258.00</u>
Type 2 <u>3</u> (11—20 <u>7-14</u> employees)	\$650.00 <u>\$515.00</u>
Type 3 <u>4</u> (21 <u>15</u> and more employees)	\$790.00 <u>\$773.00</u>
Nonprofit (regardless of employee count)	\$18.00 <u>No Fee</u>
The fees in this section below are not based on the number of employees.	
Tavern	\$100.00
Grocery	\$250.00
Meat processor	\$100.00
State-licensed adult or childcare facility	\$100.00 <u>No Fee</u>
<u>School Kitchen (operated by private company)</u>	<u>\$250.00</u>
<u>Request for Health Inspection</u>	<u>\$150.00</u>
Plan review fee (one-time fee) for all above permit types.	One-half of the full year annual food establishment permit to operate fee.
Other Fee Types	
Central prep facility	\$110.00
Mobile food unit	\$250.00
Adoption or foster inspection	\$50.00
Farmers market	\$100.00
Mobile food court	\$150.00
Frozen dessert manufacturer	\$200.00
Temporary retail frozen dessert manufacturer permit	\$50.00
Frozen dessert permit reinstatement	\$100.00
Reinspection fee (due to failure of inspection)	\$150.00
Food est. application submitted after January 1 (Late fee)	\$65.00 <u>\$100.00</u> per permit type
Temporary food establishment	\$75.00 <u>\$52.00</u>
Temporary food establishment (nonprofit)	\$25.00 <u>No Fee</u>
Temporary food establishment multiple event permit	\$150.00 – 6 Events per year
Temporary food establishment multiple event permit (nonprofit)	\$75.00 – 6 Events per year <u>No Fee</u>
Temporary food establishment sampler permit (TCS)	\$25.00 - Single event \$75.00 - 6 Events per year.
Food Handler Card	\$15.00

SECTION 3.

THAT all provisions hereof are hereby declared to be severable and if any provisions hereof are declared to be invalid or unconstitutional, such shall not invalidate or affect the remaining provisions hereof which will be and remain in full force and effect.

SECTION 4.

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

SECTION 5.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office.

PASSED AND APPROVED: First reading this the _____ day of August, 2025.

PASSED AND APPROVED: Second reading this the _____ day of September, 2025.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY

9/8/2025

Agenda Item No. J)

PRESENTER:

Karrie Cook, Budget Manager

SUBJECT:

Approval of the second and final reading of an ordinance to amend New Braunfels Code of Ordinances, Appendix D by updating and codifying fees related to services provided by the New Braunfels Civic/Convention Center.

DEPARTMENT: Economic and Community Development

COUNCIL DISTRICTS IMPACTED: All

BACKGROUND INFORMATION:

The New Braunfels Civic/Convention Center (NBCCC) is a city-owned venue that provides a space for local, regional, statewide, and national events. The facility was renovated and reopened around 2008/09 and the city last adopted rates in FY 2025. Previously, the rates had not been adjusted since 2014. The current rates are still well below local and regional industry standards. The direction was to continue to adjust the rates annually to incrementally align with the local market, while providing existing and new customers time to adjust to the new rates.

Beyond aligning to industry standards, the purpose of the changes are to ensure the continued financial sustainability of the NBCCC, create greater capacity in the center's calendar to entertain large groups and new customers that can have a broader indirect impact on the tourism economy in New Braunfels.

Please note that there is a difference in fees presented in the first reading and the second reading. Due to an administrative error, the proposed fees for the food/beverage non-profit rate were entered incorrectly. The corrected fees are presented in the table below.

The proposed fee modifications are as follows:

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

CIVIC/CONVENTION CENTER				
Fee Name	Standard Rate	Proposed Fee	Non-Profit Rate	Proposed Fee
Courtyard Space Monday - Thursday	\$ 206.00	\$ 226.00	\$ 165.00	\$ 181.00
Garden Rooms 102-105 Monday-Thursday	\$ 206.00	\$ 226.00	\$ 165.00	\$ 181.00
Garden Room 101 Monday Thursday	\$ 250.00	\$ 275.00	\$ 200.00	\$ 220.00
All Garden Rooms Monday Thursday	\$ 875.00	\$ 962.00	\$ 660.00	\$ 726.00
Ballroom Monday-Thursday	\$ 1,375.00	\$ 1,512.00	\$ 1,100.00	\$ 1,210.00
Exhibit Hall Monday- Thursday	\$ 1,650.00	\$ 1,815.00	\$ 1,320.00	\$ 1,452.00
Entire Facility Monday-Thursday	\$ 2,750.00	\$ 3,025.00	\$ 2,200.00	\$ 2,420.00
Courtyard Space Friday & Sunday	\$ 240.00	\$ 264.00	\$ 214.50	\$ 235.00
Garden Rooms 102-105 Fr & Sunday	\$ 240.00	\$ 264.00	\$ 214.50	\$ 235.00
Garden Room 101 Friday & Sunday	\$ 280.00	\$ 308.00	\$ 250.00	\$ 275.00
All Garden Rooms Friday & Sunday	\$ 960.00	\$ 1,056.00	\$ 863.50	\$ 949.00
Ballroom Friday & Sunday	\$ 1,857.00	\$ 2,042.00	\$ 1,670.00	\$ 1,837.00
Exhibit Hall Friday & Sunday	\$ 2,200.00	\$ 2,420.00	\$ 1,980.00	\$ 2,178.00
Entire Facility Friday & Sunday	\$ 3,437.00	\$ 3,780.00	\$ 3,093.00	\$ 3,402.00
Courtyard Saturday	\$ 275.00	\$ 302.00	\$ 247.50	\$ 272.00
Garden Rooms 102-105 Saturday	\$ 275.00	\$ 302.00	\$ 247.50	\$ 272.00
Garden Room 101 Saturday	\$ 310.00	\$ 341.00	\$ 280.00	\$ 308.00
All Garden Rooms Saturday	\$ 1,100.00	\$ 1,210.00	\$ 990.00	\$ 1,089.00
Ballroom Saturday	\$ 2,610.00	\$ 2,871.00	\$ 2,350.00	\$ 2,585.00
Exhibit Hall Saturday	\$ 3,025.00	\$ 3,327.00	\$ 2,722.50	\$ 2,994.00
Entire Facility Saturday	\$ 4,810.00	\$ 5,291.00	\$ 4,330.00	\$ 4,763.00
Food/ Beverage Fee: Ballroom	\$ 300.00	\$ 350.00	\$ 300.00	\$ 350.00
Food/ Beverage Fee: Exhibit Hall	\$ 450.00	\$ 500.00	\$ 450.00	\$ 500.00
Food/ Beverage Fee: 5 Ga Rooms	\$ 300.00	\$ 350.00	\$ 300.00	\$ 350.00
Food/ Beverage Fee: 1 Ga Room	\$ 25.00	\$ 30.00	\$ 25.00	\$ 30.00

ISSUE:

Update of fees at the New Braunfels Civic/Convention Center.

STRATEGIC PLAN REFERENCE:

Strategic Priority: Organizational Excellence

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

FISCAL IMPACT:

Any projected revenue because of the fee modifications will be incorporated into future budgets.

RECOMMENDATION:

Staff recommends approval of this ordinance change.

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING APPENDIX D “FEE SCHEDULE” OF THE NEW BRAUNFELS CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, SAVINGS CLAUSE; REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels (“City”) operates the New Braunfels Civic/Convention Center; and

WHEREAS, the rates and fees are evaluated on an annual basis to align with comparable operations; and

WHEREAS, updating the Civic/Convention Center rates will assist with the increased demand on the facility, assist in becoming more in line with industry standards, and overall benefit both the city and community; and

WHEREAS, the City Council of the City of New Braunfels desires to adopt the updates to Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances.

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

SECTION 1

THAT the findings and recitations set out in the preamble to this Ordinance are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2

THAT Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances, is hereby amended with additions indicated with underlined font and deletions indicated with strikethrough font as follows:

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

CIVIC/CONVENTION CENTER				
Fee Name	Standard Rate	Proposed Fee	Non-Profit Rate	Proposed Fee
Courtyard Space Monday - Thursday	\$- 206.00	\$ 226.00	\$- 165.00	\$ 181.00
Garden Rooms 102-105 Monday-Thursday	\$- 206.00	\$ 226.00	\$- 165.00	\$ 181.00
Garden Room 101 Monday-Thursday	\$- 250.00	\$ 275.00	\$- 200.00	\$ 220.00
All Garden Rooms Monday-Thursday	\$- 875.00	\$ 962.00	\$- 660.00	\$ 726.00
Ballroom Monday-Thursday	\$- 1,375.00	\$ 1,512.00	\$- 1,100.00	\$ 1,210.00
Exhibit Hall Monday- Thursday	\$- 1,650.00	\$ 1,815.00	\$- 1,320.00	\$ 1,452.00
Entire Facility Monday-Thursday	\$- 2,750.00	\$ 3,025.00	\$- 2,200.00	\$ 2,420.00
Courtyard Space Friday & Sunday	\$- 240.00	\$ 264.00	\$- 214.50	\$ 235.00
Garden Rooms 102-105 Friday & Sunday	\$- 240.00	\$ 264.00	\$- 214.50	\$ 235.00
Garden Room 101 Friday & Sunday	\$- 280.00	\$ 308.00	\$- 250.00	\$ 275.00
All Garden Rooms Friday & Sunday	\$- 960.00	\$ 1,056.00	\$- 863.50	\$ 949.00
Ballroom Friday & Sunday	\$- 1,857.00	\$ 2,042.00	\$- 1,670.00	\$ 1,837.00
Exhibit Hall Friday & Sunday	\$- 2,200.00	\$ 2,420.00	\$- 1,980.00	\$ 2,178.00
Entire Facility Friday & Sunday	\$- 3,437.00	\$ 3,780.00	\$- 3,093.00	\$ 3,402.00
Courtyard Saturday	\$- 275.00	\$ 302.00	\$- 247.50	\$ 272.00
Garden Rooms 102-105 Saturday	\$- 275.00	\$ 302.00	\$- 247.50	\$ 272.00
Garden Room 101 Saturday	\$- 310.00	\$ 341.00	\$- 280.00	\$ 308.00
All Garden Rooms Saturday	\$- 1,100.00	\$ 1,210.00	\$- 990.00	\$ 1,089.00
Ballroom Saturday	\$- 2,610.00	\$ 2,871.00	\$- 2,350.00	\$ 2,585.00
Exhibit Hall Saturday	\$- 3,025.00	\$ 3,327.00	\$- 2,722.50	\$ 2,994.00
Entire Facility Saturday	\$- 4,810.00	\$ 5,291.00	\$- 4,330.00	\$ 4,763.00
Food/ Beverage Fee: Ballroom	\$- 300.00	\$ 350.00	\$- 300.00	\$ 350.00
Food/ Beverage Fee: Exhibit Hall	\$- 450.00	\$ 500.00	\$- 450.00	\$ 500.00
Food/ Beverage Fee: 5 Garden Rooms	\$- 300.00	\$ 350.00	\$- 300.00	\$ 350.00
Food/ Beverage Fee: 1 Garden Room	\$- 25.00	\$ 30.00	\$- 25.00	\$ 30.00

SECTION 4.

THAT all provisions hereof are hereby declared to be severable and if any provisions hereof are declared to be invalid or unconstitutional, such shall not invalidate or affect the remaining provisions hereof which will be and remain in full force and effect.

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.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office.

PASSED AND APPROVED: First reading this the _____ day of August, 2025.

PASSED AND APPROVED: Second reading this the _____ day of September, 2025.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY

9/8/2025

Agenda Item No. A)

PRESENTER:

Matthew Simmont, AICP, Planning Manager

SUBJECT:

Public hearing and first reading of an ordinance to rezone approximately 0.6 acres out of the Frank Real Subdivision, Block 1, Lot 2, from R-2 SUP (Single Family and Two-Family District with a Special Use Permit to allow Short Term Rental) to R-3L SUP (Multifamily Low-Density District with a Special Use permit to allow multiple dwelling units with alternative design standards), currently addressed at 846 Ewelling Lane

DEPARTMENT: Neighborhood & Community Planning**COUNCIL DISTRICTS IMPACTED:** 4**BACKGROUND INFORMATION:****Case No:** SUP25-140**Applicant:**

Killen, Griffin & Farrimond, PLLC
(210) 960-2750 | nuriddin@kgftx.com

Owner:

Julianna Schuneman

Staff Contact:

Amanda Mushinski, AICP, CNU-A
(830) 221-4056 | amushinski@newbraunfels.gov

The subject property is approximately 0.6 acres on the northeast side of Ewelling Lane, approximately 375 feet southeast of its intersection with Gruene Road. The applicant has indicated that the proposed rezoning is intended to allow for a small-scale multifamily development consistent with “missing middle” housing types. While a final site layout has not been submitted, the applicant has expressed the intent to implement alternative development standards to provide design flexibility given the property’s limited buildable area.

The property is bordered by R-3L SUP, M-1, and R-2 zoning districts. Surrounding land uses include a single-family home, a pet boarding and grooming facility, and vacant land.

ISSUE:

The applicant is requesting relief from and limitations on several base R-3L development standards through the Special Use Permit (SUP), a zoning overlay, to facilitate a low-density multifamily development. They indicate the proposed alternative standards are intended to provide design flexibility due to the site’s limited size and development constraints, while still ensuring compatibility with adjacent residential and commercial uses.

The proposed development aligns with the principles of “missing middle” housing by offering smaller-scale multifamily options that bridge the gap between traditional single-family homes and apartment complex-style

living. These housing types often provide more diverse and attainable housing options within established neighborhoods, supporting a broader range of household types and income levels.

Staff has reviewed the request in the context of the surrounding area and applicable City policies. The proposed SUP conditions are intended to mitigate potential impacts on adjacent properties by incorporating transitional buffers, enhanced landscaping, and architectural limitations, while promoting walkability and a cohesive site design.

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:

The applicant's request 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 3.1:** Plan for healthy jobs/housing balance.
- **Action 3.13:** Cultivate an environment where a healthy mix of different housing products at a range of sizes, affordability, densities, amenities, and price points can be provided across the community as well as within individual developments.
- **Action 3.15:** Incentivize home development that is affordable and close to schools, jobs, and transportation.
- **Action 3.30:** Encourage and incentivize workforce/affordable housing to attract new workforce entrants and young families.
- **Action 3.31:** Adopt policies and ordinances supportive of workforce housing, creating opportunities that make an investment in workforce housing more feasible for private and nonprofit developers.

Future Land Use Plan: The subject property is located within the New Braunfels Sub Area, within a future Outdoor Recreation Center Area, 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.

FISCAL IMPACT:

The rezoning request is in general 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 to cluster small missing middle 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 revenue to cover service delivery costs without significant impacts on infrastructure costs, and distribute cost burdens across more home/business owners.

RECOMMENDATION:

The applicant is requesting the following conditions be included with the SUP to ameliorate any impacts.

1. No more than ten (10) dwelling units shall be permitted on the property.
2. Minimum four-foot-wide sidewalks shall be constructed along Ewelling Lane and shall be separated from the curb or edge of pavement by at least 3 feet.
3. Minimum four-foot-wide sidewalks shall be required on the subject property to connect any parking lot (s) and or parking spaces to the dwelling units.
4. At least 50 percent of the required parking spaces shall be covered or in a garage.
5. Minimum building setbacks - 6 feet abutting a light industrial or commercial use and 10 feet abutting property with a single-family residential use.
6. Buildings shall be limited to no more than three (3) stories.
7. No more than four (4) dwelling units shall be attached or within a single structure.
8. Along the side property line of any abutting one- or two-family residential use or zoning district, 2-inch caliper trees shall be planted every 20 feet to provide adequate shade and screening. Trees shall be selected from the City's approved plant list.
9. Eight 2-inch caliper trees shall be planted within a 10-foot-wide landscape strip along the front property line. Trees shall be selected from the City's approved plant list.
10. One 1.5-inch caliper tree shall be planted for every dwelling unit. The trees shall be located no more than thirty (30) feet from each applicable dwelling unit. Trees shall be selected from the City's approved plant list.
11. The minimum distance between structures shall follow the minimums required by the currently adopted International Building Code (IBC) and International Residential Code (IRC). This allows for a cluster-style development while maintaining open space within the property. This condition replaces Section 144-3.4-4(b)(1)(xii).
12. A minimum 6 ft. tall to a maximum 8 ft. tall fence shall be required along the perimeter of the property, however, fencing shall not be required where an abutting property is under common ownership. A residential masonry buffer wall per Section 144-5.3- 2(h) shall not be required to lend respect to the rural and residential character of the area.
13. Development of the site shall be in compliance with the above-listed conditions and allowances, as well as all codes that are in effect at the time of development, such as drainage, landscaping, tree preservation, and irrigation. Any significant alterations to the approved conditions and allowances outlined here will require an amendment to the SUP with a recommendation from the Planning Commission and consideration by the City Council.

Staff recommends approval of the rezoning and generally concurs with the proposed conditions. While the Land Use Fiscal Analysis recommends greater heights to increase the community's fiscal resilience, staff recognizes the limitations on stories as proposed is intended by the applicant to ensure a fit with existing surrounding development. Developers can voluntarily build at heights less than the maximum height allowed in the base zoning district if they so choose.

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.

The Planning Commission held a public hearing on June 3, 2025, and recommended approval (6-1-0).

Mailed notification as required by state statute:

Public hearing notices were sent to owners of 4 properties within 200 feet of the request. As of the date this agenda was posted, the city has received responses representing 26% in opposition.

Resource Links:

- Chapter 144, Sec. 3.3-3 (R-2) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Sec. 3.4-4 (R-3L) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?



SUP25-140
R-2 to R-3L SUP - 846 Ewelling Ln

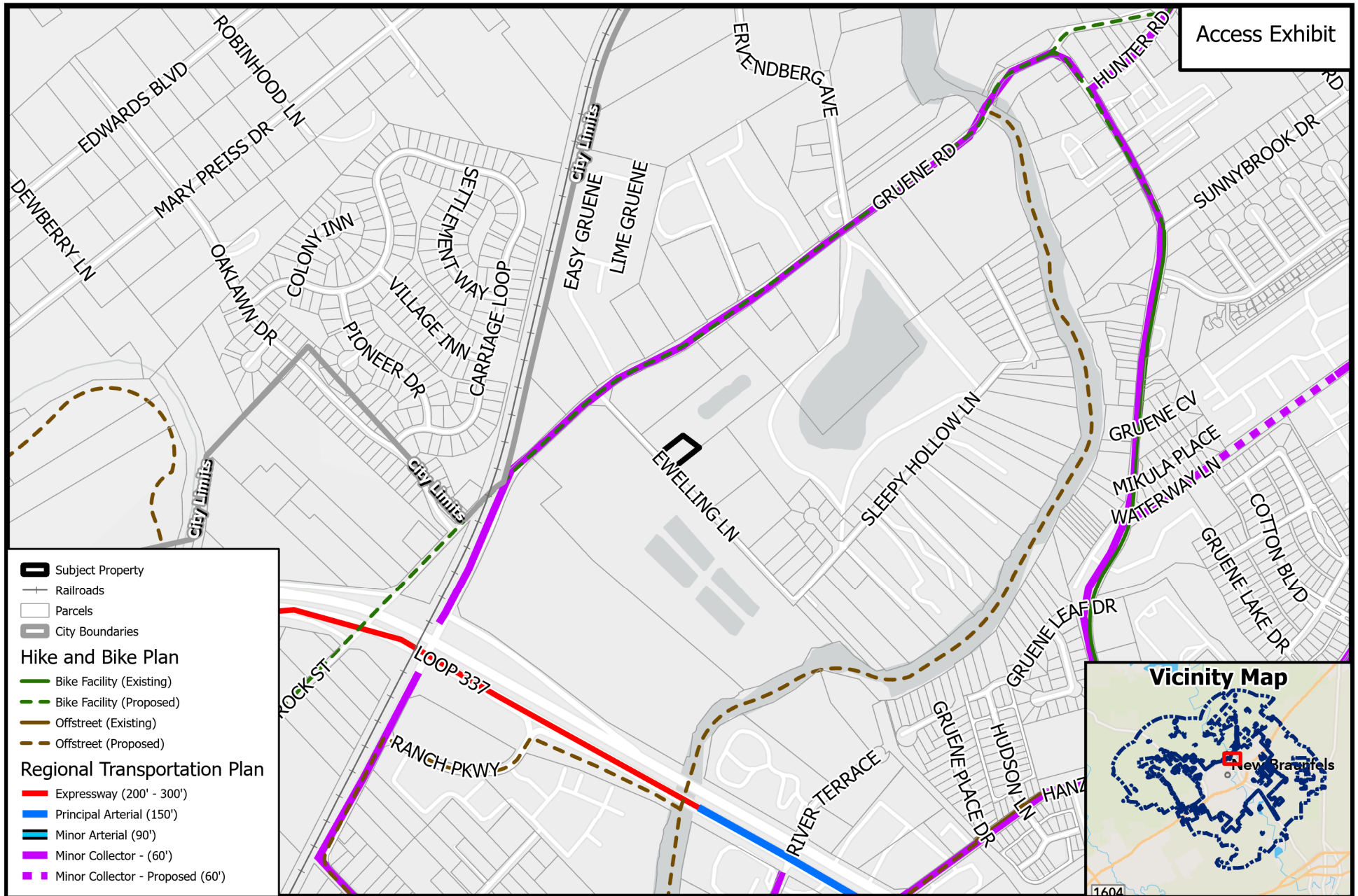
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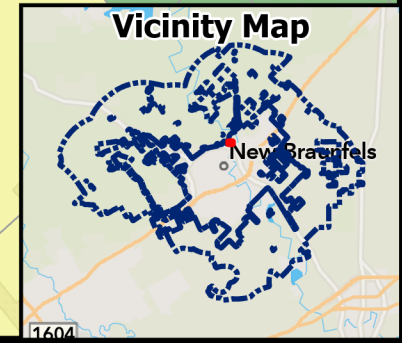
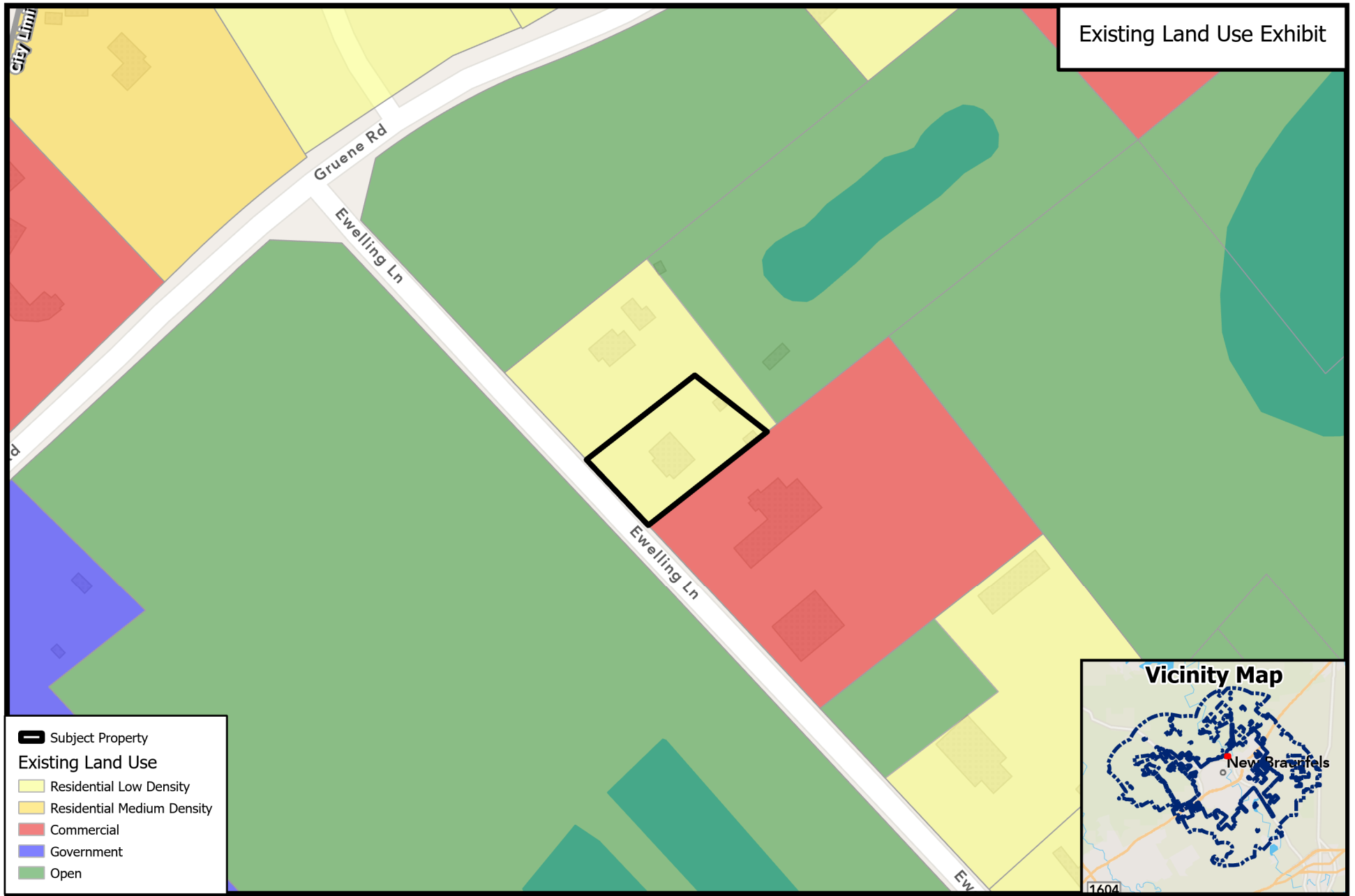


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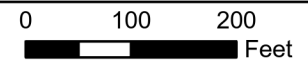
Source: City of New Braunfels Planning
 Date: 5/14/2025

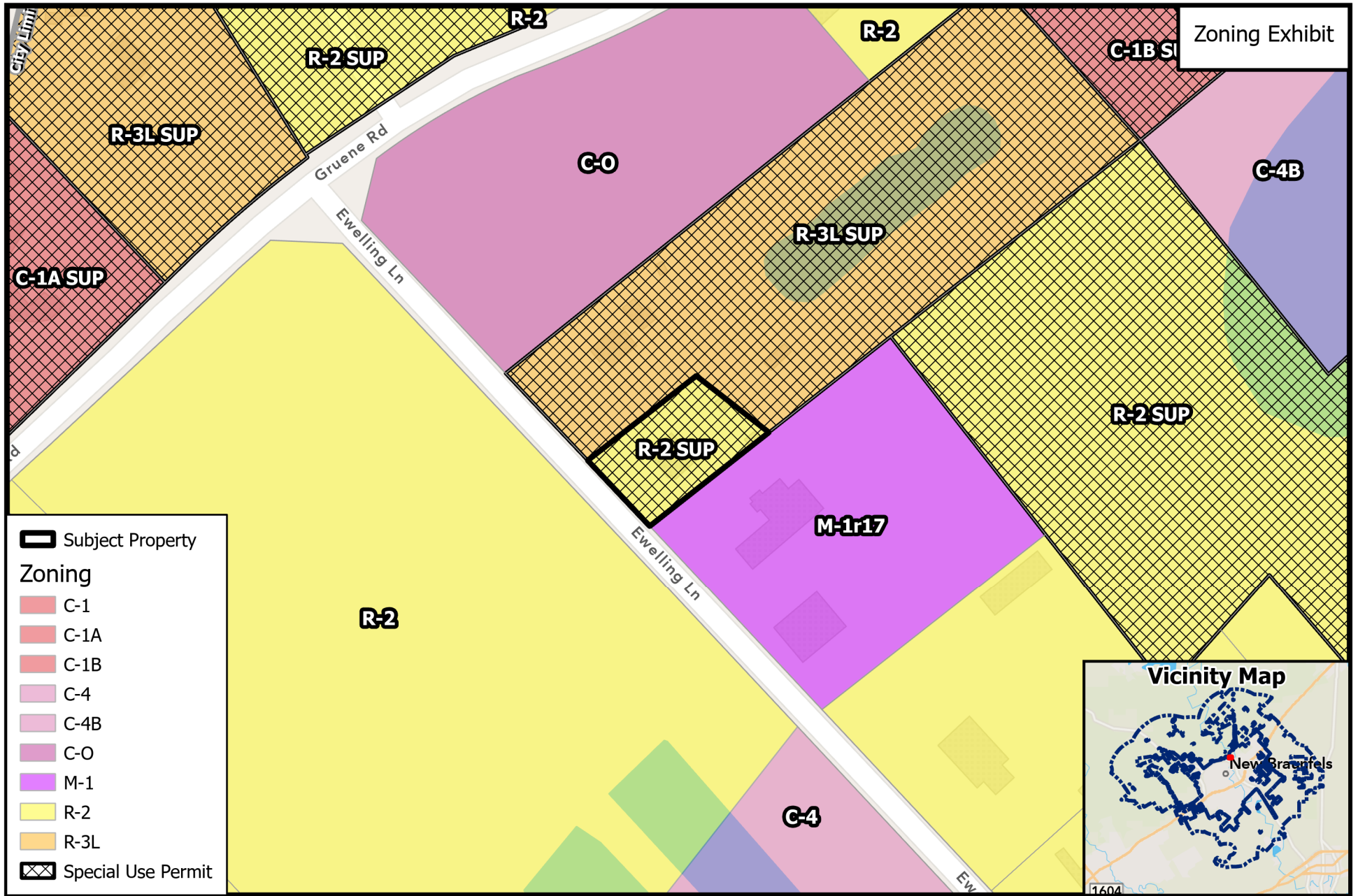
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SUP25-140
R-2 to R-3L SUP - 846 Ewelling Ln





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R-2 to R-3L SUP - 846 Ewelling Ln

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Land Use	Existing	Proposed
	R-2	R-3L
Accessory building/structure (see section 144-5.4)	P	P
Accessory dwelling (one accessory dwelling per lot)	P	
Accounting, auditing, bookkeeping, and tax preparations		
Acid manufacture		
Adult day care (no overnight stay)		P
Adult day care (with overnight stay)		
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)		
Amusement services or venues (indoors) (see section 144-5.13)		
Amusement services or venues (outdoors)		
Animal grooming shop		
Answering and message services		
Antique shop		
Appliance repair		
Archery range		
Armed services recruiting center		
Art dealer/gallery		
Artist or artisans studio		
Assembly/exhibition hall or areas		
Assisted living facility/retirement home		
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		
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		
Auto tire repair/sales (indoor)		
Auto wrecking yards		
Automobile driving school (including defensive driving)		
Bakery (retail)		
Bank, savings and loan, or credit union		
Bar/tavern (no outdoor music)		
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		

Land Use	Existing	Proposed
	R-2	R-3L
Bed and breakfast inn (see section 144-5.6)		P
Bicycle sales and/or repair		
Billiard/pool facility		
Bingo facility		
Bio-medical facilities		
Blacksmith or wagon shops		
Blooming or rolling mills		
Boarding house/lodging house		P
Book binding		
Book store		
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		
Campers' supplies		
Campgrounds		
Canning/preserving factories		
Car wash (self-service; automated)		
Car wash, full service (detail shop)		
Carpenter, cabinet, or pattern shops		
Carpet cleaning establishments		
Caterer		
Cement, lime, gypsum or plaster of Paris manufacture		
Cemetery and/or mausoleum	P	P
Check cashing service		
Chemical laboratories (e.g., ammonia, bleaching powder)		
Chemical laboratories (not producing noxious fumes or odors)		
Child day care/children's nursery (business)		
Church/place of religious assembly	P	P
Cider mills		
Civic/conference center and facilities		
Cleaning, pressing and dyeing (non-explosive fluids used)		
Clinic (dental)		
Clinic (emergency care)		
Clinic (medical)		
Club (private)		
Coffee shop		
Cold storage plant		
Commercial amusement concessions and facilities		

Land Use	Existing	Proposed
	R-2	R-3L
Communication equipment—Installation and/or repair		
Community building (associated with residential uses)	P	P
Community home (see definition)	P	P
Computer and electronic sales		
Computer repair		
Concrete or asphalt mixing plants—Permanent		
Concrete or asphalt mixing plants—Temporary		
Confectionery store (retail)		
Consignment shop		
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		
Cotton ginning or baling works		
Country club (private)	P	
Credit agency		
Crematorium		
Curio shops		
Custom work shops		
Dance hall/dancing facility (see section 144-5.13)		
Day camp		
Department store		
Distillation of bones		
Dormitory (in which individual rooms are for rental)		P
Drapery shop/blind shop		
Driving range		
Drug store/pharmacy		
Duplex/two-family/duplex condominiums	P	
Electrical generating plant		
Electrical repair shop		
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	P
Family home child care	P	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		

Land Use	Existing	Proposed
	R-2	R-3L
Flour mills, feed mills, and grain processing		
Food or grocery store with gasoline sales		
Food or grocery store without gasoline sales		
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		
Funeral home/mortuary		
Furniture manufacture		
Furniture sales (indoor)		
Galvanizing works		
Garbage, offal or dead animal reduction or dumping		
Garden shops and greenhouses		
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)		
Handicraft shop		
Hardware store		
Hay, grain, and/or feed sales (wholesale)		
Health club (physical fitness; indoors only)		
Heating and air-conditioning sales/services		
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		
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)		
Laboratory equipment manufacturing		

Land Use	Existing	Proposed
	R-2	R-3L
Laundromat and laundry pickup stations		
Laundry, commercial (without self-serve)		
Laundry/dry cleaning (drop off/pick up)		
Laundry/washateria (self-serve)		
Lawnmower sales and/or repair		
Leather products manufacturing		
Light manufacturing		
Limousine/taxi service		
Livestock sales/auction		
Locksmith		
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		
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)		
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)		P
Museum		
Natural resource extraction and mining		
Needlework shop		
Nonbulk storage of gasoline, petroleum products and liquefied petroleum		
Nursing/convalescent home/sanitarium		

Land Use	Existing	Proposed
	R-2	R-3L
Offices, brokerage services		
Offices, business or professional		
Offices, computer programming and data processing		
Offices, consulting		
Offices, engineering, architecture, surveying or similar		
Offices, health services		
Offices, insurance agency		
Offices, legal services, including court reporting		
Offices, medical offices		
Offices, real estate		
Offices, security/commodity brokers, dealers, exchanges and financial services		
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)		
Parking structure/public garage		
Pawn shop		
Personal services		
Personal watercraft sales (primarily new/repair)		
Pet shop/supplies (less than 10,000 sq. ft.)		
Pet store (over 10,000 sq. ft.)		
Petroleum or its products (refining of)		
Photo engraving plant		
Photographic printing/duplicating/copy shop or printing shop		
Photographic studio (no sale of cameras or supplies)		
Photographic supply		
Plant nursery (no retail sales on site)	P	
Plant nursery (retail sales/outdoor storage)		
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		
Radio/television shop, electronics, computer repair		
Railroad roundhouses or shops		
Rappelling facilities		
Recreation buildings (private)		
Recreation buildings (public)	P	P
Recycling kiosk		
Refreshment/beverage stand		
Rental or occupancy for less than one month (see section 144-5.17)		P

Land Use	Existing	Proposed
	R-2	R-3L
Research lab (non-hazardous)		
Residential use in buildings with non-residential uses permitted in the district		
Restaurant/prepared food sales		
Restaurant with drive-through service		
Retail store and shopping center without drive-through service (50,000 sq. ft. bldg. or less)		
Retail store and shopping center with drive-through service (50,000 sq. ft. bldg. or less)		
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)		
Security monitoring company (no outside storage or installation)		
Security systems installation company		
Sexually oriented business (see chapter 18)		
Sheet metal shop		
Shoe repair shops		
Shooting gallery—Indoor (see section 144-5.13)		
Shooting range—Outdoor (see section 144-5.13)		
Shopping center		
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		
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.)		
Sugar refineries		
Tailor shop (see home occupation)		
Tar distillation or manufacture		
Tattoo or body piercing studio		
Taxidermist		
Telecommunications towers/antennas (see section 144-5.7)		
Telemarketing agency		
Telephone exchange buildings (office only)		P
Tennis court (commercial)		
Theater (non-motion picture; live drama)		

Land Use	Existing	Proposed
	R-2	R-3L
Tire sales (outdoors)		
Tool rental		
Townhouse (attached)		
Transfer station (refuse/pick-up)		
Travel agency		
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		
Vehicle storage facility		
Veterinary hospital (no outside animal runs or kennels)		
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		
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)		
Wool scouring		
Zero lot line/patio homes		

Alternative Development Standards

1. No more than ten (10) dwelling units shall be permitted on the property.
2. Minimum four-foot-wide sidewalks shall be constructed along Ewelling Lane and shall be separated from the curb or edge of pavement by at least 3 feet.
3. Minimum four-foot-wide sidewalks shall be required on the subject property to connect any parking lot(s) and or parking spaces to the dwelling units.
4. At least 50 percent of the required parking spaces shall be covered or in a garage.
5. Minimum building setbacks - 6 feet abutting a light industrial or commercial use and 10 feet abutting property with a single-family residential use.
6. Buildings shall be limited to no more than three (3) stories.
7. No more than four (4) dwelling units shall be attached or within a single structure.
8. Along the side property line of any abutting one- or two-family residential use or zoning district, 2-inch caliper trees shall be planted every 20 feet to provide adequate shade and screening. Trees shall be selected from the City's approved plant list.
9. Eight 2-inch caliper trees shall be planted within a 10-foot-wide landscape strip along the front property line. Trees shall be selected from the City's approved plant list.
10. One 1.5-inch caliper tree shall be planted for every dwelling unit. The trees shall be located no more than thirty (30) feet from each applicable dwelling unit. Trees shall be selected from the City's approved plant list.
11. The minimum distance between structures shall follow the minimums required by the currently adopted International Building Code (IBC) and International Residential Code (IRC). This allows for a cluster-style development while maintaining open space within the property. This condition replaces Section 144-3.4-4(b)(1)(xii).
12. A minimum 6 ft. tall to a maximum 8 ft. tall fence shall be required along the perimeter of the property, however, fencing shall not be required where an abutting property is under common ownership. A residential masonry buffer wall per Section 144-5.3-2(h) shall not be required to lend respect to the rural and residential character of the area.

13. Development of the site shall be in compliance with the above-listed conditions and allowances, as well as all codes that are in effect at the time of development, such as drainage, landscaping, tree preservation, and irrigation. Any significant alterations to the approved conditions and allowances outlined here will require an amendment to the SUP with a recommendation from the Planning Commission and consideration by the City Council.



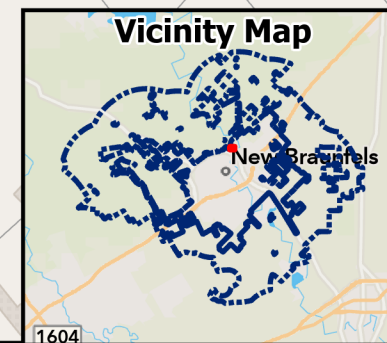
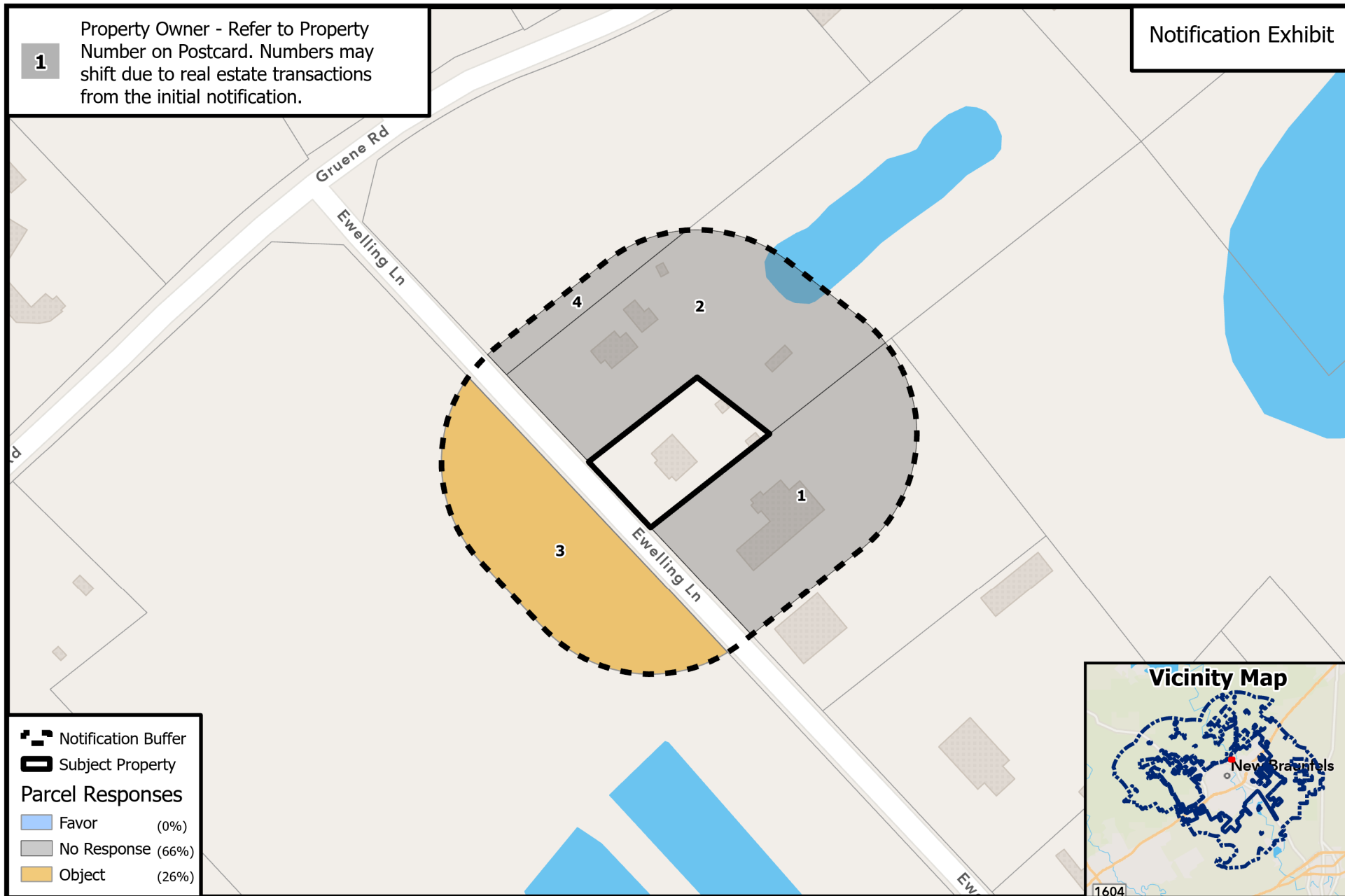
846 Ewelling Ln—Residence



846 Ewelling Ln

1

Property Owner - Refer to Property Number on Postcard. Numbers may shift due to real estate transactions from the initial notification.



PLANNING COMMISSION – June 6, 2025 – 6:00PM

City Hall Council Chambers

Applicant: Killen, Griffin & Farrimond, PLLC

Address/Location: 846 Ewelling Ln

SUP25-140

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. AIROLA JERRY | 4. LONE STAR HEART & VASCULAR CLINIC PA |
| 2. REAL ANNIE ESTATE OF | |
| 3. KOEPP SKYLAR W TRUST ET AL | |

SEE MAP

KOEPP SKYLAR W TRUST ET AL

2891 HUNTER ROAD

NEW BRAUNFELS TX 78132

Property #: 3

SUP25-140

Case Manager: AM

FAVOR ☐

OPPOSE ☒

COMMENTS



Draft Minutes for the June 3, 2025, Planning Commission Regular Meeting

- B) SUP25-140 Public hearing and recommendation to City Council to rezone approximately 0.6 acres out of the Frank Real Subdivision, Block 1, Lot 2, from R-2 SUP (Single Family and Two-Family District with a Special Use Permit to allow Short Term Rental) to R-3L SUP (Multifamily Low-Density District with a Special Use permit to allow multiple dwelling units with alternative design standards), currently addressed at 846 Ewelling Ln. (Applicant: Killen, Griffin & Farrimond, PLLC; Owner: Julianna Schuneman; Case Manager: Amanda Mushinski, Planner, AICP, CNU-A)**

Amanda Mushinski presented the aforementioned item and recommended approval.

Chair Sonier asked if there were any questions for staff.

Brief discussion followed on a recently approved special use permit on an adjacent property, the proposed unit density and conceptual site plan for the project, the type of special use permit requested, the proposed use of the property, and staff's recommendation.

Chair Sonier invited the applicant to speak on the item.

James Griffon elaborated on the intent of the request, the projects relation to adjacent property, the proposed site configuration, existing conditions of the subject property, neighboring uses, the conceptual design of the project, and development standards proposed under the requested special use permit.

Discussion followed on the scope of the request, overall unit density, traffic concerns, parking requirements,

Wes Peoples elaborated further on the request, discussing the proposed design of the project, and addressed the Commission's concerns for traffic and parking requirements.

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 questions or a motion.

Motion by Commissioner Allsup, seconded by Commissioner Rudy, to recommend approval of the item to City Council. Motion carried (6-1-0) with Commissioner Taylor in opposition.

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.6 ACRES, BEING OUT OF THE FRANK REAL SUBDIVISION, BLOCK 1, LOT 2, ADDRESSED AT 846 EWELLING LN, FROM R-2 SUP (SINGLE FAMILY AND TWO-FAMILY DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL) TO R-3L SUP (MULTIFAMILY LOW-DENSITY DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW MULTIPLE DWELLING UNITS WITH ALTERNATIVE DESIGN STANDARDS); 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 R-3L (Multifamily Low-Density 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 City Council desires to amend the Zoning Map by changing the zoning of approximately 0.6 acres being out of the Frank Real Subdivision, Block 1, Lot 2, addressed at 846 Ewelling Ln from from R-2 SUP (Single Family and Two-Family District with a Special Use Permit to allow Short Term Rental) to R-3L SUP (Multifamily Low-Density District with a Special Use permit to allow multiple dwelling units with alternative design standards); 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 multiple dwelling units with alternative design standards; 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 846 Ewelling Ln, to allow multiple dwelling units with alternative design standards in the R-3L (Multifamily Low-Density 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 rezoning the following tract of land from R-2 SUP (Single Family and Two-Family District with a Special Use Permit to allow Short Term Rental) to R-3L SUP (Multifamily Low-Density District with a Special Use permit to allow multiple dwelling units with alternative design standards) with conditions herein described:

Approximately 0.6 acres, being out of the Frank Real Subdivision, Block 1, Lot 2, as depicted on Exhibit "A" and delineated in Exhibit "B", attached.

SECTION 2

THAT the Special Use Permit be subject to the following additional conditions:

1. No more than ten (10) dwelling units shall be permitted on the property.
2. Minimum four-foot-wide sidewalks shall be constructed along Ewelling Lane and shall be separated from the curb or edge of pavement by at least 3 feet.
3. Minimum four-foot-wide sidewalks shall be required on the subject property to connect any parking lot(s) and or parking spaces to the dwelling units.
4. At least 50 percent of the required parking spaces shall be covered or in a garage.
5. Minimum building setbacks - 6 feet abutting a light industrial or commercial use and 10 feet abutting property with a single-family residential use.
6. Buildings shall be limited to no more than three (3) stories.
7. No more than four (4) dwelling units shall be attached or within a single structure.
8. Along the side property line of any abutting one- or two-family residential use or zoning district, 2-inch caliper trees shall be planted every 20 feet to provide adequate shade and screening. Trees shall be selected from the City's approved plant list.
9. Eight 2-inch caliper trees shall be planted within a 10-foot-wide landscape strip along the front property line. Trees shall be selected from the City's approved plant list.
10. One 1.5-inch caliper tree shall be planted for every dwelling unit. The trees shall be located no more than thirty (30) feet from each applicable dwelling unit. Trees shall be selected from the City's approved plant list.
11. The minimum distance between structures shall follow the minimums required by the currently adopted International Building Code (IBC) and International Residential Code (IRC). This allows for a cluster-style development while maintaining open space within the property. This condition replaces Section 144-3.4-4(b)(1)(xii).
12. A minimum 6 ft. tall to a maximum 8 ft. tall fence shall be required along the perimeter of the property, however, fencing shall not be required where an abutting property is under common

ownership. A residential masonry buffer wall per Section 144-5.3- 2(h) shall not be required to lend respect to the rural and residential character of the area.

13. Development of the site shall be in compliance with the above-listed conditions and allowances, as well as all codes that are in effect at the time of development, such as drainage, landscaping, tree preservation, and irrigation. Any significant alterations to the approved conditions and allowances outlined here 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 8th day of September 2025.

PASSED AND APPROVED: Second reading this 22nd day of September 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

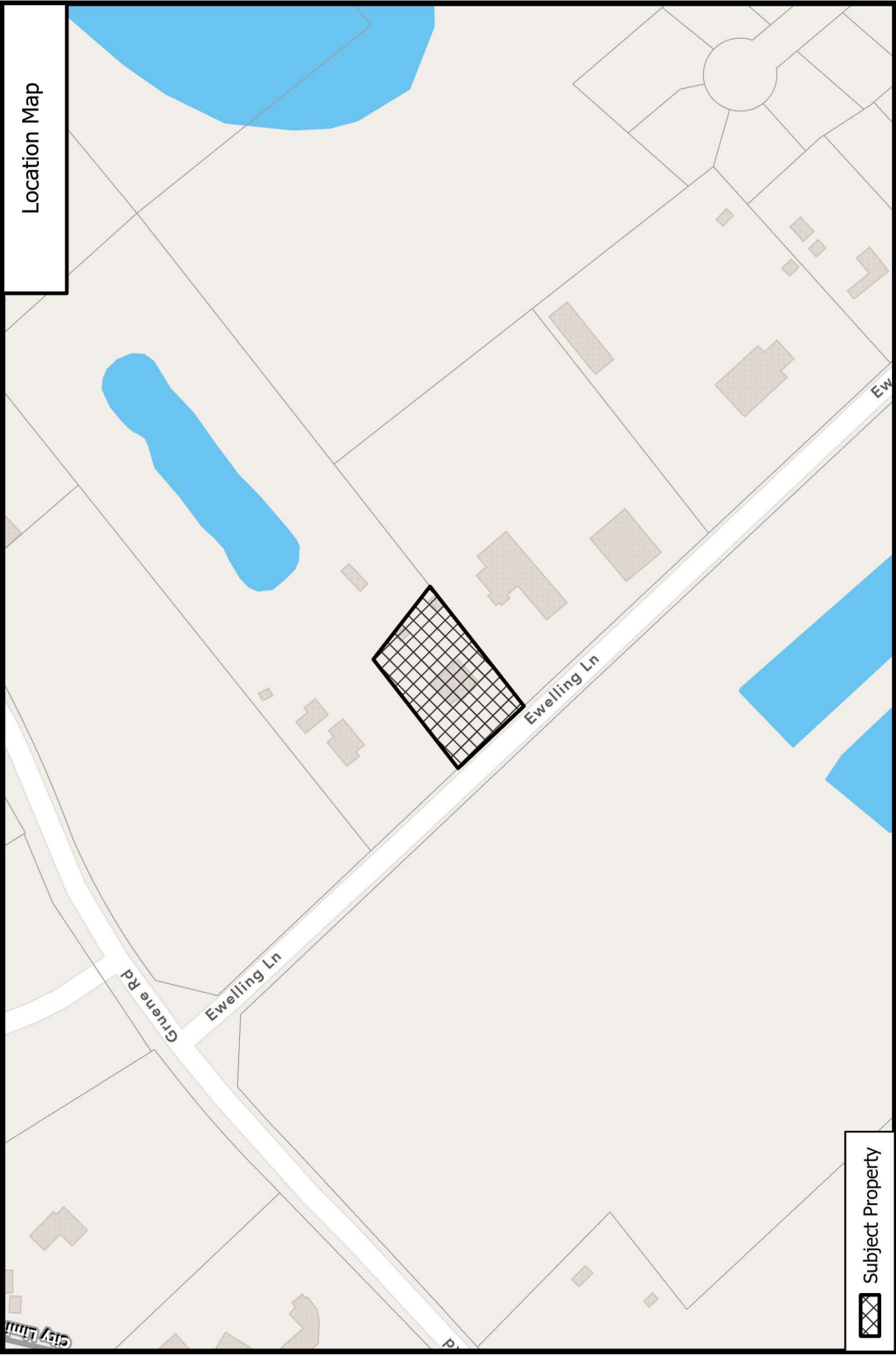
ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



9/8/2025

Agenda Item No. B)

PRESENTER:

Karrie Cook, Budget Manager

SUBJECT:

Discuss and consider approval of the second and final reading of an ordinance adopting the FY 2026 Operating Budget and Plan of Municipal Services.

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 proposed a budget for FY 2026. The City intends to adopt its budget on September 8, 2025.

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 proposed budget and proposed tax rate that the

New Braunfels City Council will discuss at its public hearing on September 4th, 2025. The proposed budget and the proposed tax rate may each be amended by the City Council before it's adoption on September 8, 2025.

DEPARTMENT: Finance

COUNCIL DISTRICTS IMPACTED: N/A

BACKGROUND INFORMATION:

City Council held work sessions on the FY 2026 Budget and Tax Rates on August 7, 18, 19, and 21st. As required by the Texas Local Government Code, a public hearing on the budget was held on September 4th, 2025.

The attached ordinance also includes the Budget Order. The Budget Order describes any changes recommended to the proposed budget prior to adoption.

The FY 2026 Proposed Operating Budget and Plan of Municipal Services document is adopted with the ordinance and Budget Order, which covers any changes recommended by staff.

ISSUE:

N/A

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

The FY 2026 Operating Budget and Plan of Municipal Services will provide funding for all programs and projects for the new fiscal year. Additional information on the proposed budget can be found on the City's website at: <https://newbraunfels.gov/budget>.

RECOMMENDATION:

Staff recommends approval of the second and final reading of the budget ordinance for the FY 2026 Budget.

ORDINANCE NO. 2025-__

AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE CITY OF NEW BRAUNFELS FOR THE FISCAL YEAR 2026; MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025 AND ENDING SEPTEMBER 30, 2026; AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY.

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

SECTION 1. The annual budget as more detailed in the attached document – City of New Braunfels FY 2026 Proposed Budget and Plan of Municipal Services - by reference and made a part hereof; and the attached Budget Order are hereby ratified and adopted as the budget for Fiscal Year 2026.

SECTION 2. The amounts documented in the City of New Braunfels FY 2026 Proposed Budget and Plan of Municipal Services are hereby appropriated subject as hereinafter set forth in this ordinance for use in maintenance and support of the departments and divisions of the City's government and for the purposes hereinafter mentioned for the fiscal year beginning October 1, 2025 and ending September 30, 2026.

SECTION 3. That revenues included in the City of New Braunfels FY 2026 Proposed Budget and Plan of Municipal Services shall be used to fund the City's required expenditures for FY 2026. The amount of revenue raised by taxation shall constitute a determination of the amount of levy for the City's purposes in the corresponding tax year.

SECTION 4. That expenditures of funds for the City of New Braunfels shall hereafter be made in conformance with this budget as adopted; and as set forth in the Charter and ordinances of the City of New Braunfels, Texas.

SECTION 5. This ordinance shall become effective immediately upon its passage as provided by the Charter.

CITY OF NEW BRAUNFELS, TEXAS

BY: _____
Neal Linnartz, Mayor

ATTEST:

Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

VALERIA ACEVEDO, City Attorney

ORDINANCE NO. 2025-__

AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE CITY OF NEW BRAUNFELS FOR THE FISCAL YEAR 2026; MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025 AND ENDING SEPTEMBER 30, 2026; AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY.

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

SECTION 1. The annual budget as more detailed in the attached document – City of New Braunfels FY 2026 Proposed Budget and Plan of Municipal Services - by reference and made a part hereof; and the attached Budget Order are hereby ratified and adopted as the budget for Fiscal Year 2026.

SECTION 2. The amounts documented in the City of New Braunfels FY 2026 Proposed Budget and Plan of Municipal Services are hereby appropriated subject as hereinafter set forth in this ordinance for use in maintenance and support of the departments and divisions of the City's government and for the purposes hereinafter mentioned for the fiscal year beginning October 1, 2025 and ending September 30, 2026.

SECTION 3. That revenues included in the City of New Braunfels FY 2026 Proposed Budget and Plan of Municipal Services shall be used to fund the City's required expenditures for FY 2026. The amount of revenue raised by taxation shall constitute a determination of the amount of levy for the City's purposes in the corresponding tax year.

SECTION 4. That expenditures of funds for the City of New Braunfels shall hereafter be made in conformance with this budget as adopted; and as set forth in the Charter and ordinances of the City of New Braunfels, Texas.

SECTION 5. This ordinance shall become effective immediately upon its passage as provided by the Charter.

CITY OF NEW BRAUNFELS, TEXAS

BY: _____
Neal Linnartz, Mayor

ATTEST:

Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

VALERIA ACEVEDO, City Attorney

9/8/2025

Agenda Item No. C)

PRESENTER:

Karrie Cook, Budget Manager

SUBJECT:

Discuss and consider a resolution of the City of New Braunfels ratifying the increase in revenue generated by the 2025 property tax rate included in the FY 2026 Annual Budget.

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

Texas Local Government Code Section 102.007 requires the City Council to take a vote to ratify the increase in revenue generated by the 2025 property tax rate. This vote is in addition to and separate from the votes to adopt the budget or to set the tax rate as required by Chapter 26 of the Tax Code.

This resolution ratifies and acknowledges that the adoption of the FY 2026 Annual Budget will require raising more revenue from property taxes than in the previous year. This budget will raise more total property taxes than last year's budget by \$1,603,552 or 3.1 percent, and of that amount, \$1,671,916 is tax revenue to be raised from new property added to the roll this year.

The increase in revenue is required to fund the programs and services as outlined in the FY 2026 Proposed Budget. The tax rate is 0.1% less than the no new revenue tax rate, which is the rate required to collect the same amount of revenue on the same properties that were on the rolls last year.

ISSUE:

N/A

FISCAL IMPACT:

The ad valorem tax revenues provide funding for the FY 2026 Budget in the General Fund and Debt Service Fund.

STAFF RECOMMENDATION:

Staff recommends approval of the resolution ratifying the increase in revenue generated by the 2025 property tax rate included in the FY 2026 Annual Budget.

RESOLUTION NO. 2025-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, RATIFYING THAT THE ADOPTION OF THE FY 2026 ANNUAL BUDGET WILL REQUIRE RAISING MORE REVENUE FROM PROPERTY TAXES THAN IN THE PREVIOUS YEAR.

WHEREAS, the Legislature of the State of Texas has amended Section 102.007 of the Local Government Code: and

WHEREAS, a separate vote of the City Council is required to ratify that the adoption of the FY 2026 Annual Budget will require raising more revenue from property taxes than the previous year; and

WHEREAS, the City has proposed a property tax rate that is lower than the no-new revenue rate, meaning the City is not collecting increased property taxes on existing properties; and

WHEREAS, as a result of new properties added to the tax roll for tax year 2025, the City will collect more property tax revenue in total when including both new and existing properties; and

WHEREAS, this resolution represents such action;

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

SECTION 1. The facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

SECTION 2. The Tax Year 2025 notification statement that states, "This budget will raise more total property taxes than last year's budget by \$1,603,552 or 3.1 percent, and of that amount, \$1,671,916 is tax revenue to be raised from new property added to the roll this year," has been made.

SECTION 3. The Mayor is hereby authorized to sign this resolution and the City Secretary to attest. This resolution shall be effective immediately upon adoption.

SECTION 4. The recorded vote on this resolution was as follows:

District One	Councilmember Toni Carter
District Two	Councilmember Michael Capizzi
District Three	Councilmember Donald Lee Edwards
District Four	Mayor Pro Tem Lawrence Spradley
District Five	Councilmember Mary Ann Labowski
District Six	Councilmember April Ryan
	Mayor Neal Linnartz

CITY OF NEW BRAUNFELS, TEXAS

BY: _____
Neal Linnartz, Mayor

ATTEST:

Gayle Wilkinson, City Secretary

9/8/2025

Agenda Item No. D)

PRESENTER:

Karrie Cook, Budget Manager

SUBJECT:

Discuss and consider approval of the second reading of an ordinance adopting the 2025 ad valorem tax rates.

DEPARTMENT: Finance

BACKGROUND INFORMATION:

City Council held work sessions on the FY 2026 Budget and tax rates on August 7, 18, 19, and 21st.

For property owners in the State of Texas to be informed of any increases in their property values, truth-in-taxation requirements were embodied in the Texas Constitution and the Tax Code. Taxing units are required to calculate the No New Revenue tax rate and the Voter Approval tax rate after receiving the certified appraisal roll from the chief appraiser.

The No New Revenue tax rate is the total tax rate needed to raise the same amount of property tax revenue from the same properties in both the 2024 tax year and 2025 tax year. The Voter Approval tax rate (VAR) is the highest tax rate the City may adopt before a mandatory election is triggered.

The proposed tax rate of 40.89 cents remains consistent with last year. The two components that make up the rate have been modified. The total rate of 40.89 cents is less than both the Voter Approval tax rate and the No New Revenue rate. The Interest & Sinking (I&S - debt service) portion of the rate totals 19.39 cents while the Operations & Maintenance (O&M - General Fund) portion of the rate totals 21.50 cents. The following is a summary of the tax rate calculations completed by the Comal County Tax Office.

PROPOSED TAX RATE	\$0.408936 PER \$100
PRECEDING YEAR'S TAX RATE	\$0.408936 PER \$100
No New Revenue TAX RATE	\$0.409475 PER \$100
Voter Approval TAX RATE	\$0.419268 PER \$100

Because the No New Revenue rate is higher than the proposed tax rate, state law does not require a public hearing to discuss the tax rate. For the sake of transparency and encouraging community participation, the City of New Braunfels held a public hearing on September 4th, 2025

FISCAL IMPACT:

The ad valorem tax revenues generated by the proposed tax rate provide funding for the FY 2026 Budget in the General Fund and Debt Service Fund.

RECOMMENDATION:

Staff recommends approval of the second reading of the tax ordinance for the 2025 ad valorem tax rates.

ORDINANCE NO. 2025-__

TAX LEVY ORDINANCE

AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF NEW BRAUNFELS AND FOR THE TAX DEBT SERVICE FUND FOR PAYMENT OF INTEREST AND PRINCIPAL REQUIREMENTS FOR THE FISCAL YEAR OCTOBER 1, 2025 THROUGH SEPTEMBER 30, 2026

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

SECTION 1. That there is hereby levied and there shall be collected for the use and benefit of the City's General Operating Fund during the Fiscal Year 2026, the sum of \$0.215048 on each One Hundred Dollars (\$100.00) of the assessed valuation of taxable property, real, personal and mixed, of said City of New Braunfels, which taxes, when collected, shall be paid into the City's General Operating Fund in the City Treasury. In accordance with the provisions and requirements of Section 26.05 (b) (1) of the Texas Property Tax Code, as amended, the City Council hereby states that **THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

SECTION 2. That there is hereby levied and there shall be collected for the use and benefit of the City's Tax Debt Service Fund during the Fiscal Year 2026, the sum of \$0.193888 on each One Hundred Dollars (\$100.00) of the assessed valuation of taxable property, real, personal and mixed, of said City of New Braunfels, which taxes, when collected, shall be paid into the City's Debt Service Fund.

SECTION 3. That the governing body of the City of New Braunfels proposes to use the revenue attributable to the tax rate increase for the purpose of funding increases to support increased General Fund service demands, meet the city's debt service commitments as well as other increased expenses related to the growth of the community.

SECTION 4. That for the use and support of the Fiscal Year 2026 Budget, the total tax levy of \$0.408936 on every One Hundred Dollars (\$100.00) assessed valuation of taxable property in the City of New Braunfels as listed and rated above, shall become due and payable on/about October 1st, 2025, and become and be considered delinquent if not paid by January 31st, 2026. In

accordance with the provisions and requirements of Section 26.05 (b) (1) of the Texas Property Tax Code, as amended, the City Council hereby states that **THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.6 PERCENT AND WILL INCREASE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$7.54.** The increase between the No-New Revenue Maintenance and Operations rate and the Proposed Maintenance and Operations rate is 3.6 percent. The difference between the total No-New Revenue rate and the total Proposed tax rate is -0.1%.

After January 31, 2026, such taxes shall become delinquent and the penalty and interest designated herein shall be collected for each month or portion of month that the delinquent taxes remain unpaid:

	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
Penalty	6%	7%	8%	9%	10%	12%	12%	12%	12%	12%	12%	12%
Interest	1%	2%	3%	4%	5%	6%	7%	8%	9%	10%	11%	12%
Total	7%	9%	11%	13%	15%	18%	19%	20%	21%	22%	23%	24%

The rate of interest to be collected on delinquent taxes shall be one percent (1%) per month for each month they remain unpaid. On July 1, the total penalty incurred on delinquent taxes shall be twelve percent (12%) without regard to the number of months the tax is delinquent. Accrual of interest at one percent (1%) per month for each month taxes remain unpaid shall continue to accrue until taxes are paid.

Further, after July 1, 2026, an additional Tax Attorney Fee in the amount of fifteen percent (15%) shall be added to penalty and interest as set forth herein on all delinquent taxes forwarded to the designated Delinquent Tax Attorney for collection of said delinquent taxes.

SECTION 5. All monies collected under this Ordinance for the specific items herein named, be and the same are hereby appropriated and set apart for the specific purposes indicated in such items and that the Assessor-Collector of Taxes, the City Secretary and the City Treasurer shall keep these accounts so as to readily and distinctly show the amount collected, the amounts expended and the amount on hand at any time, belonging to such funds, it is hereby made the duty of the Tax Assessor-Collector of Taxes and every person collecting money for the City of New Braunfels, Texas, for delivery to the City Treasurer and the City Secretary at the time of depositing monies, a statement showing to what funds such deposit shall be made and from what sources received. All receipts for the City not specifically apportioned by this Ordinance are hereby made payable to the General Operating Fund of the City.

SECTION 6. The recorded vote on this Ordinance was as follows:

1st Reading 2nd Reading

District One	Council Member Toni Carter
District Two	Council Member Micheal Capizzi
District Three	Council Member Donald Lee Edwards
District Four	Council Member Lawrence Spradley
District Five	Council Member Mary Ann Labowski
District Six	Councilmember April Ryan
	Mayor Neal Linnartz

SECTION 7. That all ordinances and parts of ordinances in conflict be and same are hereby repealed.

SECTION 8. This ordinance shall become effective immediately upon its passage as provided by the Charter.

CITY OF NEW BRAUNFELS, TEXAS

BY: _____
Neal Linnartz, Mayor

ATTEST:

Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

VALERIA ACEVEDO, City Attorney

9/8/2025

Agenda Item No. E)

PRESENTER:

Jordan Matney, Deputy City Manager

SUBJECT:

Discuss and consider the second and final reading of an ordinance to amend New Braunfels Code of Ordinances, Chapter 86, Article IV, Section 86-94 by adopting updated admission fees at the New Braunfels Landa Park Aquatic Center and adding all related fees to Appendix D, updating and codifying fees related to Camp Minnehaha and Fischer Park in Appendix D, and amending ordinance 2020-82 to update the scope of fees related to Das Rec and adding that language to Appendix D.

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

The City of New Braunfels Parks and Recreation Department operates a variety of programs and facilities that enhance the community's quality of life, including Camp Minnehaha, the Landa Park Aquatic Center (LPAC), and Das Rec.

Camp Minnehaha and Fischer Park Nature Camp are full-day summer programs for children ages 5-12, offering a wide range of daily activities such as arts and crafts, sports and games, and more. The demand for these programs is at capacity, usually selling out within minutes of registration opening for the summer. In comparison to other similar programs, the current fee is well below industry standards. To more closely align to the industry standard and achieve the same level of cost recovery for these programs, it is recommended to increase the weekly registration fee incrementally over the next three years. That information is detailed later within this report.

LPAC provides recreational and lap swimming opportunities for residents and visitors of all ages and serves as a vital part of the city's recreational offerings. As the detail later in the report shows, there are currently 10 different categories for daily admission. It is suggested that these tiers be consolidated down to one simple weekday and weekend admission fee. The only exception would be to still offer a discount for military personnel. This consolidation of fees will result in quicker admission and simplified signage upon entering the facility.

Das Rec is the city-managed gym and recreational facility that fosters community well-being through various fitness programs and events. When the City implemented a credit card convenience fee in 2020, Das Rec memberships were exempted from the fee. However, this has created several operational inefficiencies, such as having to operate two separate terminals, given that all other Das Rec programming and rental fees are not exempt from the fee. In addition, the Das Rec operating budget is now absorbing approximately \$90,000 in merchant service fees as a result of the exemption. It is recommended to remove that exemption. It should be noted that members will have the option to utilize ACH for their membership fees, avoiding the convenience fee altogether.

The Resident rate for a family season pass at LPAC included a typo when this item was first presented on

8/25/25. The total has been corrected for the second reading. Please note that this fee is not being proposed to be changed; it is simply being consolidated to appendix D.

The additional fees referenced in this agenda report do not represent changes, simply consolidating the information to appendix D for consistency.

The proposed fee modifications are as follows:

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

The following scheduled fees shall be paid by patrons of the Landa Park swimming pools within the city. For the purposes of this section, the term "resident" applies to persons who reside within the city limits, and the term "nonresident" refers to all other persons. The terms "resident" and "nonresident" only apply to the schedule of fees for season swim passes. The term "military" applies to military personnel and veterans.

LPAC Fees		
Daily Admission Passes		
Fee Name	Current Fee	Proposed Fee
Monday - Friday		
Children, ages 3 to 12, each	\$5	N/A
Adults, ages 13 to 59, each	\$6	N/A
Senior Citizens, ages 60 and over, each	\$5	N/A
Spectators, each	\$2	N/A
Military, each	\$5	N/A
Monday - Friday Day Pass	N/A	\$6
Saturday - Sunday		
Children, ages 3 to 12, each	\$7	N/A
Adults, ages 13 to 59, each	\$8	N/A
Senior Citizens, ages 60 and over, each	\$7	N/A
Spectators, each	\$4	N/A
Military, each	\$7	N/A
Saturday - Sunday Day Pass	N/A	\$8

[Active and retired military members receive a \\$1 discount on admission fees.](#)

Resident Season Passes	
Children ages 3-12 Senior Citizens 60+	\$36
Adults ages 13-59	\$66
Family Season Pass (max of 4)	\$120
Extra Family Member on Season Pass	\$20 each
Non-Resident Season Passes	
Children ages 3-12 Senior Citizens 60+	\$47
Adults ages 13-59	\$89
Family Season Pass (max of 4)	\$164
Extra Family Member on Season Pass	\$20 each
Rentals	
Tube Rental (Daily rate per Tube	\$5-\$15
Security Deposits for Rentals (Refundable)	\$10-\$15
Lockers	\$0.25-\$1.25

<u>Resident Swim Team Passes</u>	
<u>Swim Team Pass</u>	<u>\$20 each</u>
<u>Child Swim Team Upgrade (17 and under)</u>	<u>\$30 each</u>
<u>Adult Swim Team Upgrade (18-59)</u>	<u>\$54 each</u>
<u>Senior Swim Team Upgrade (60+)</u>	<u>\$30 each</u>
<u>Non-Resident Swim Team Passes</u>	
<u>Swim Team Pass</u>	<u>\$27 each</u>
<u>Child Swim Team Upgrade (17 and under)</u>	<u>\$39 each</u>
<u>Adult Swim Team Upgrade (18-59)</u>	<u>\$70 each</u>
<u>Senior Swim Team Upgrade (60+)</u>	<u>\$39 each</u>

A swim team upgrade allows a swim team member to use the swim team pass for entry into the Landa Park Aquatic Complex the same as a season swim pass.

- (a) All swimming pool fees shall be payable in advance before service or ticket is rendered.
- (b) Season swimming passes will entitle the bearer only to the right to swim during regularly scheduled pool hours during the operating season in the same year the pass was purchased.
- (c) Daily swimming tickets will be valid only on the day the bearer purchased such ticket.
- (d) All holders of a resident season swimming ticket shall be entitled to entry into the Prince Solms Park tube chute at no additional charge during the term of the season swim pass. This privilege does not extend to holders of nonresident season swimming tickets.

(Code 1961, § 14A-12; Ord. No. 95-44, § I, 11-27-95; Ord. No. 99-4, § I, 1-11-99; Ord. No. 2003-51, § I(7.), 8-11-03; Ord. No. 2004-48, § I, 6-28-04; Ord. No. 2013-63, § II, 10-28-13; Ord. No. 2018-16, § 1, 2-26-18; Ord. No. 2019-79, § 2, 11-11-19; Ord. No. 2022-21, § 2, 4-25-22)

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

Miscellaneous		
Fee Name	Current Fee	Proposed Fee
Camp Fees for Minnehaha and Fischer Nature Camp Resident <u>effective January 1, 2026</u>	\$135	\$149
Camp Fees for Minnehaha and Fischer Nature Camp Non-Resident <u>effective January 1, 2026</u>	\$185	\$204
Camp Fees for Minnehaha and Fischer Nature Camp Resident <u>effective January 1, 2027</u>	\$135	\$163
Camp Fees for Minnehaha and Fischer Nature Camp Non-Resident <u>effective January 1, 2027</u>	\$185	\$224
Camp Fees for Minnehaha and Fischer Nature Camp Resident <u>effective January 1, 2028</u>	\$135	\$180
Camp Fees for Minnehaha and Fischer Nature Camp Non-Resident <u>effective January 1, 2028</u>	\$185	\$246

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

Miscellaneous		
Fee Name	Current Fee	Proposed Fee
<u>Das Rec Credit/Debit Card Fee</u>	N/A	2.75%

ISSUE:

Update of Camp Minnehaha and Fischer Park Nature Camp fee schedule, admission fees to Landa Park Aquatic Center, and Das Rec credit card processing fees, and move all related fees to Appendix D.

STRATEGIC PLAN REFERENCE:

Strategic Priority: Organizational Excellence

Objective: Considering statutory and market-based factors, continue to diversify revenue streams to support

the long-term fiscal sustainability of the organization.

FISCAL IMPACT:

Any projected revenue related to these fee modifications will be incorporated into future budgets starting in FY 2027.

RECOMMENDATION:

Staff recommends approval of this ordinance change.

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 86, ORDINANCE 2020-82 AND APPENDIX D "FEE SCHEDULE" OF THE NEW BRAUNFELS CODE OF ORDINANCES; RATIFYING AND ADDING FEES TO APPENDIX D; PROVIDING FOR SEVERABILITY, SAVINGS CLAUSE; REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the levels of service demand for ambulance services have resulted in an increase in costs for equipment and personnel; and

WHEREAS, the fees assessed for ambulance services were last updated in 2023; and

WHEREAS, the proposed fee modifications would more closely align with comparable operations; and

WHEREAS, the City Council of the City of New Braunfels desires to adopt the updates to Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances.

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

SECTION 1

THAT the findings and recitations set out in the preamble to this Ordinance are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2

THAT Chapter 86 of the Code of Ordinances is amended with additions indicated with underlined font and deletions indicated with strikethrough font as follows:

~~Sec. 86-94. Landa Park swimming pool fees.~~

~~(a) — The following scheduled fees shall be paid by patrons of the Landa Park swimming pools within the city. For the purposes of this section, the term "resident" applies to persons who reside within the city limits, and the term "nonresident" refers to all other persons. The terms "resident" and "nonresident" only apply to the schedule of fees for season swim passes. The term "military" applies to military personnel and veterans.~~

~~(1) — Daily swimming tickets (Monday — Friday), one day only:~~

~~a. — Children, ages 3 to 12, each \$5.00~~

- b. ~~Adults, ages 13 to 59, each 6.00~~
 - c. ~~Senior citizens, ages 60 and over, each 5.00~~
 - d. ~~Spectators, each 2.00~~
 - e. ~~Military, each 5.00~~
- (2) ~~Daily swimming tickets (Saturday—Sunday and holidays), one day only:~~
- a. ~~Children, ages 3 to 12, each \$7.00~~
 - b. ~~Adults, ages 13 to 59, each 8.00~~
 - c. ~~Senior citizens, ages 60 and over, each 7.00~~
 - d. ~~Spectators, each 4.00~~
 - e. ~~Military, each 7.00~~
- (3) ~~Resident season swimming passes:~~
- a. ~~Children, ages 3 to 12, each \$36.00~~
 - b. ~~Adults, ages 13 to 59, each 66.00~~
 - c. ~~Senior citizens, ages 60 and over, each 36.00~~
 - d. ~~Family season swim pass, each 126.00~~
- ~~A family season swim pass includes a maximum of four family members, at least one of which shall be the parent or legal guardian of any children on the pass. Family members are defined as children under the age of 18 and their father, mother or legal guardian. Additional children may be added to the pass for \$20.00 each.~~
- (4) ~~Non-resident season swimming passes:~~
- a. ~~Children, ages three to 12, each \$47.00~~
 - b. ~~Adults, ages 13 to 59, each 89.00~~
 - c. ~~Senior citizens, ages 60 and over, each 47.00~~
 - d. ~~Family season swim pass, each 164.00~~
- (5) ~~Inner tube rental:~~
- a. ~~Tube rental, per day, per tube \$5.00
..... to 15.00~~
 - b. ~~Security rental deposit (refundable) 10.00
..... to 15.00~~
- (6) ~~Locker \$0.25—1.25~~
- (7) ~~Resident swim team passes:~~
- a. ~~Swim team pass each \$20.00~~
 - b. ~~Adult swim team upgrade, ages 18 to 59, each 54.00~~
 - c. ~~Child swim team upgrade, ages 17 and under, each 30.00~~
 - d. ~~Senior swim team upgrade, ages 60 and over, each 30.00~~
- (8) ~~Non-resident swim team passes:~~
- a. ~~Swim team pass each \$27.00~~
 - b. ~~Adult swim team upgrade, ages 18 to 59, each 70.00~~
 - c. ~~Child swim team upgrade, ages 17 and under, each 39.00~~
 - e. ~~Senior swim team upgrade, ages 60 and over, each 39.00~~

~~A swim team upgrade allows a swim team member to use the swim team pass for entry in to the Landa Park Aquatic Complex the same as a season swim pass.~~

- ~~(b) All swimming pool fees shall be payable in advance before service or ticket is rendered.~~
- ~~(c) Season swimming passes will entitle the bearer only to the right to swim during regularly scheduled pool hours during the operating season in the same year the pass was purchased.~~
- ~~(d) Daily swimming tickets will be valid only on the day the bearer purchased such ticket.~~
- ~~(e) All holders of a resident season swimming ticket shall be entitled to entry into the Prince Solms Park tube chute at no additional charge during the term of the season swim pass. This privilege does not extend to holders of nonresident season swimming tickets.~~

~~(Code 1961, § 14A-12; Ord. No. 95-44, § I, 11-27-95; Ord. No. 99-4, § I, 1-11-99; Ord. No. 2003-51, § I(7.), 8-11-03; Ord. No. 2004-48, § I, 6-28-04; Ord. No. 2013-63, § II, 10-28-13; Ord. No. 2018-16, § 1, 2-26-18; Ord. No. 2019-79, § 2, 11-11-19; Ord. No. 2022-21, § 2, 4-25-22)~~

SECTION 3

THAT Ordinance 2020-82 of the Code of Ordinances is amended with additions indicated with underlined font and deletions indicated with strikethrough font as follows:

“Effective May 1, 2021, a per transaction fee shall be added to all payments made to the City using a credit card. The exceptions to this will be Airport, Solid Waste, Civic/Convention Center, Golf Course, Library, ~~Das Rec-memberships~~, as well as any remittance of a regulatory fee imposed by the City and collected by a third party. The amount of the fee shall be at the average annual fee charged to the City, to be reevaluated and adjusted as needed.”

SECTION 4

THAT Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances, is hereby amended with additions indicated with underlined font and deletions indicated with strikethrough font as follows:

- (a) The following scheduled fees shall be paid by patrons of the Landa Park swimming pools within the city. For the purposes of this section, the term "resident" applies to persons who reside within the city limits, and the term "nonresident" refers to all other persons. The terms "resident" and "nonresident" only apply to the schedule of fees for season swim passes. The term "military" applies to military personnel and veterans.

LPAC Fees		
Daily Admission Passes		
Fee Name	Current Fee	Proposed Fee
Monday - Friday		
Children, ages 3 to 12, each	\$5	N/A
Adults, ages 13 to 59, each	\$6	N/A
Senior Citizens, ages 60 and over, each	\$5	N/A
Spectators, each	\$2	N/A
Military, each	\$5	N/A
Monday - Friday Day Pass	N/A	\$6
Saturday - Sunday		
Children, ages 3 to 12, each	\$7	N/A
Adults, ages 13 to 59, each	\$8	N/A
Senior Citizens, ages 60 and over, each	\$7	N/A
Spectators, each	\$4	N/A
Military, each	\$7	N/A
Saturday - Sunday Day Pass	N/A	\$8

[Active and retired military members receive a \\$1 discount on admission fees.](#)

<u>Resident Season Passes</u>	
<u>Children ages 3-12</u> <u>Senior Citizens 60+</u>	<u>\$36</u>
<u>Adults ages 13-59</u>	<u>\$66</u>
<u>Family Season Pass (max of 4)</u>	<u>\$120</u>
<u>Extra Family Member on Season Pass</u>	<u>\$20 each</u>
<u>Non-Resident Season Passes</u>	
<u>Children ages 3-12</u> <u>Senior Citizens 60+</u>	<u>\$47</u>
<u>Adults ages 13-59</u>	<u>\$89</u>
<u>Family Season Pass (max of 4)</u>	<u>\$164</u>
<u>Extra Family Member on Season Pass</u>	<u>\$20 each</u>
<u>Rentals</u>	
<u>Tube Rental (Daily rate per Tube</u>	<u>\$5-\$15</u>
<u>Security Deposits for Rentals (Refundable)</u>	<u>\$10-\$15</u>
<u>Lockers</u>	<u>\$0.25-\$1.25</u>

<u>Resident Swim Team Passes</u>	
<u>Swim Team Pass</u>	<u>\$20 each</u>
<u>Child Swim Team Upgrade (17 and under)</u>	<u>\$30 each</u>
<u>Adult Swim Team Upgrade (18-59)</u>	<u>\$54 each</u>
<u>Senior Swim Team Upgrade (60+)</u>	<u>\$30 each</u>
<u>Non-Resident Swim Team Passes</u>	
<u>Swim Team Pass</u>	<u>\$27 each</u>
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A swim team upgrade allows a swim team member to use the swim team pass for entry into the Landa Park Aquatic Complex the same as a season swim pass.

(a) All swimming pool fees shall be payable in advance before service or ticket is rendered.

(b) Season swimming passes will entitle the bearer only to the right to swim during regularly scheduled pool hours during the operating season in the same year the pass was purchased.

(c) Daily swimming tickets will be valid only on the day the bearer purchased such ticket.

(d) All holders of a resident season swimming ticket shall be entitled to entry into the Prince Solms Park tube chute at no additional charge during the term of the season swim pass. This privilege does not extend to holders of nonresident season swimming tickets.

(Code 1961, § 14A-12; Ord. No. 95-44, § I, 11-27-95; Ord. No. 99-4, § I, 1-11-99; Ord. No. 2003-51, § I(7.), 8-11-03; Ord. No. 2004-48, § I, 6-28-04; Ord. No. 2013-63, § II, 10-28-13; Ord. No. 2018-16, § 1, 2-26-18; Ord. No. 2019-79, § 2, 11-11-19; Ord. No. 2022-21, § 2, 4-25-22)

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

Miscellaneous		
Fee Name	Current Fee	Proposed Fee
Camp Fees for Minnehaha and Fischer Nature Camp Resident effective January 1, 2026	\$135	\$149
Camp Fees for Minnehaha and Fischer Nature Camp Non-Resident effective January 1, 2026	\$185	\$204
Camp Fees for Minnehaha and Fischer Nature Camp Resident effective January 1, 2027	\$135	\$163
Camp Fees for Minnehaha and Fischer Nature Camp Non-Resident effective January 1, 2027	\$185	\$224
Camp Fees for Minnehaha and Fischer Nature Camp Resident effective January 1, 2028	\$135	\$180
Camp Fees for Minnehaha and Fischer Nature Camp Non-Resident effective January 1, 2028	\$185	\$246

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

Miscellaneous		
Fee Name	Current Fee	Proposed Fee
Das Rec Credit/Debit Card Fee	N/A	2.75%

SECTION 5.

THAT all provisions hereof are hereby declared to be severable and if any provisions hereof are declared to be invalid or unconstitutional, such shall not invalidate or affect the remaining provisions hereof which will be and remain in full force and effect.

SECTION 6.

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

SECTION 7.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office.

PASSED AND APPROVED: First reading this the _____ day of August, 2025.

PASSED AND APPROVED: Second reading this the _____ day of September, 2025.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY

9/8/2025

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 Status of New Braunfels Utilities Real Estate Negotiations to Secure Easements Regarding the HW14 Feeder to FM 3009 Extension Phase 2 Project:
 - i. a 0.386 Acre Electric Utility Easement, situated in the J. Doehne Survey No. 912, Abstract 971 in Comal County, Texas and out of that 15.105 acre tract conveyed to Stephen J. Clayton by deed recorded in Document No. 202306039904 of the Official Public Records of Comal County, Texas. (Comal County Parcel No. 106509)
 - ii. a 0.043 Acre Electric Utility Easement, situated in the J. Doehne Survey No. 912, Abstract 971 in Comal County, Texas and out of that called 19.602 acre tract conveyed to Craig E. Johnson and Cynthia D. Johnson, Trustees of the Johnson Living Trust Dated July 11, 2005, recorded in Document No. 200506033503 of the Official Public Records of Comal County, Texas. (Comal County Parcel No. 108345)