



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



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

MONDAY, FEBRUARY 9, 2026 at 6:00 PM

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

OUR MISSION

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

AGENDA

CALL TO ORDER

CALL OF ROLL: CITY SECRETARY

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

INVOCATION: COUNCILMEMBER CARTER

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

PROCLAMATIONS:

- | | | |
|----|--------------------------------------|-----------------------|
| A) | Entrepreneurship Week | 26-10 |
| B) | Career and Technical Education Month | 26-36 |

PRESENTATIONS:

- | | | |
|----|---|-----------------------|
| A) | Recognition of Battalion Chief Donnie Obuch's retirement. | 26-58 |
| | Ruy Lozano, Fire Chief | |

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 city council January 20, 2026 special [26-145](#) meeting minutes, and the January 26, 2026 executive session and regular council meeting minutes.
Natalie Baker, Deputy City Secretary
- B) Approval of the appointment of Patrick Carreon for the [26-143](#) unexpired position on the Community Development Advisory Committee with a term ending 11-30-28.
Gayle Wilkinson, City Secretary
- C) Approval of a contract with ESRI's ArcGIS Enterprise [26-147](#) Software for a three-year software license agreement for a total cost of \$270,900.
Neil Rose, GIS Manager-Information Technology
- D) Approval for the purchase of two vehicles with [26-71](#) Bluebonnet Motors Ford for the Police Department.
Shane Knudson, Fleet Manager
- E) Approval of a contract with Byrne Construction Services [25-1558](#) for Construction Manager at Risk services for the Southeast Library Project.
Scott McClelland, Assistant Transportation and Construction Services Director

Resolutions

- F) Approval of a Resolution to consent to the creation of the [26-87](#) Botanical Farm Municipal Utility District (MUD) within the City's Extraterritorial Jurisdiction (ETJ) in Guadalupe

County, consisting of approximately 250 acres, and authorizing the City Manager to execute a development agreement between the City of New Braunfels and O Union Wine Rd, LLC.

Matt Greene, Principal Planner

- G) Approval of a Resolution authorizing the submission of [26-150](#) an application for funding under the U.S. Department of Justice, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant Program as administered by the office of the Governor, Public Safety Office, Criminal Justice Division's FY 2027 Criminal Justice Program Grant and authorizing the City Manager, or their designee, to act on behalf of the City of New Braunfels in all matters related to this grant, including execution of all required documentation associated with any resulting award, and designating the Director of Finance, or their designee, as the financial officer for this grant as awarded.

Christopher Greenwell, Grants Coordinator

- H) Approval of a Resolution of the City Council of the City of [26-151](#) New Braunfels, authorizing the City Manager to act on behalf of the City of New Braunfels and the New Braunfels National Airport in all matters related to application for funding through the Airport Infrastructure Grant program for the New Braunfels National Airport Pavement Rehabilitation Engineering and Design Project and pledging that the City of New Braunfels will comply with the grant requirements of the Texas Department of Transportation.

Christopher Greenwell, Grants Coordinator

- I) Approval of a Resolution authorizing the submission of [26-152](#) an application for funding provided by the Office of the Governor, Public Safety Office, Criminal Justice Division's Rifle Resistant Body Armor Grant Program FY 2027, and authorizing the City Manager, or their designee, to act on behalf of the City of New Braunfels in all matters related to this grant, including execution of all required documentation associated with any resulting award, and designating the Director of Finance, or their

designee, as the Financial Officer for this grant as awarded.

Christopher Greenwell, Grants Coordinator

- J) Approval of a Resolution of the City Council of the City of [26-153](#)
New Braunfels authorizing the City Manager to act on behalf of the City of New Braunfels and the New Braunfels National Airport in all matters regarding the application to the Fiscal Year (FY) 2026 Infrastructure Investment and Jobs Act (IIJA) competitive Federal Aviation Administration (FAA) Contract Tower (FCT) grant program, and pledging that the City of New Braunfels will comply with the grant requirements of the Texas Department of Transportation.

Christopher Greenwell, Grants Coordinator

Ordinances

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

- K) Approval of the first and final reading of an ordinance [26-144](#)
ordering a Regular Election to be held in the City of New Braunfels on May 2, 2026, for Regular City Officers; and establishing Early Voting Locations and Polling Places for this Election; and making provisions for the conduct of the Election.
- Gayle Wilkinson, City Secretary
- L) Approval and first reading of an ordinance amending [26-89](#)
park operating hours Sec. 86-3 - Rules and regulations for control of park and recreation areas.
- Ken Wilson, Parks and Recreation Director
- M) Approval of the first reading of an ordinance to amend [26-57](#)
the City's Code of Ordinances, Chapter 66 Historic Preservation, Section 66-57.1, Incentives.
- Katie Totman, Historic Preservation Officer
- N) Approval of a second and final reading of an ordinance [26-60](#)
appointing the initial Board of Directors to the City of New Braunfels Tax Increment Reinvestment Zone Number Two ("River Mill"), naming the place designations of the appointed Directors, establishing term dates, and declaring an effective date.

Gayle Wilkinson, City Secretary

- O) Approval of a second and final reading of an ordinance [26-61](#) appointing the initial Board of Directors to the City of New Braunfels Tax Increment Reinvestment Zone Number Four - Zipp Park, naming the place designations of the appointed Directors, establishing term dates, and declaring an effective date.

Gayle Wilkinson, City Secretary

- P) Approval of the second and final reading of an ordinance [26-80](#) amending the New Braunfels Code of Ordinances, Chapter 100-20, changing the membership composition of the Roadway Impact Fee Advisory Committee in compliance with S.B. 1883.

Nathan Brown, Senior Assistant City Attorney

- Q) Approval of the second and final reading of an ordinance, requested by Vincent Huebinger of Vincent Gerard & Assoc. Inc, to rezone approximately 0.1 of an acre out of the Oak Run School 2 Subdivision, Block 1, Lot 2B, from R-1 (Single-Family District) to R-1 SUP (Single Family District with a Special Use Permit to allow a Telecommunications Tower), currently addressed at 2212 Alyssa Way.

Christopher J. Looney, AICP, Planning Director

Applicant: Vincent Gerard & Assoc. Inc

Owner: City of New Braunfels

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 adopting [26-148](#) the Youth Program Standards of Care for the Parks and Recreation Department.

Stephanie Chelar, Recreation Services Manager

- B) Public hearing and first reading of an ordinance [26-72](#) amending City of New Braunfels Code of Ordinances Section 118-46(y) Traffic Impact Analysis.

Garry Ford, Transportation and Construction Services Director

- C) Discuss and consider the first reading of an ordinance [26-139](#) amending Appendix D of the New Braunfels Code of

Ordinances to adopt new fees for Traffic Impact Analysis Services.

Garry Ford, Transportation & Construction Services Director

- D) Discuss and consider the first reading of an ordinance to [26-134](#) amend Section 126-346 of the Code of Ordinances of the City of New Braunfels to restrict parking on Willowbrook.

Carly Farmer, Assistant City Engineer

- E) Discuss and consider approval of a resolution of the City [26-142](#) of New Braunfels, Texas, authorizing the use of eminent domain proceedings for the acquisition of right-of-way that is necessary to advance and achieve the public use of improving Kohlenberg Road to meet the existing and future needs of the City, in the event negotiations are unsuccessful:

a. Property owned by Lynn K. Wohlfahrt, a 1.034 Acre (45,040 square foot) tract of land and a in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 71705).

b. Property owned by Lynn K. Wohlfahrt, a 0.581 acre (25,301 square foot) temporary construction easement in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 71705).

c. Property owned by Lynn K. Wohlfahrt, a 0.576 Acre (25,077 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 428468).

Matthew Eckmann, Assistant Director of Public Works

- F) Discuss and consider the approval of a second and final [26-62](#) reading of an ordinance appointing the initial Board of

Directors to the City of New Braunfels Tax Increment Reinvestment Zone Number Five - West End, naming the place designations of the appointed Directors, establishing term dates, and declaring an effective date.

Gayle Wilkinson, City Secretary

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 [26-140](#) offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, specifically:

a. Discuss Legal Options Relating to the Status of Real Estate Negotiations to Secure Necessary Right-of-Way for the Kohlenberg Road Improvements Project:

i. a 1.034 Acre (45,040 square foot) tract of land and a 0.581 acre (25,301 square foot) temporary construction easement in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 71705).

ii. a 0.576 Acre (25,077 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 428468).

- B) Deliberate and consider the purchase, exchange, lease, [26-141](#) contract terms, due diligence, or value of real property in accordance with Section 551.072 of the Texas Government Code:
- Connections Lease

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

2/9/2026

Agenda Item No. A)



Proclamation

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

WHEREAS, entrepreneurship is a driving force of innovation, economic growth, and community prosperity, and entrepreneurs play a vital role in creating jobs, strengthening local economies, and enhancing the quality of life for residents of New Braunfels; and

WHEREAS, the City of New Braunfels is home to a diverse and dynamic entrepreneurial ecosystem, including small businesses, startups, family-owned enterprises, makers, innovators, and lifestyle brands that contribute to the city’s unique character, economic resilience, and long-term growth; and

WHEREAS, the Greater New Braunfels Chamber of Commerce plays a critical role in supporting entrepreneurship through business programming, mentoring, networking, workforce initiatives, and economic development strategies designed to help entrepreneurs start, grow, and sustain successful businesses; and

WHEREAS, the Chamber’s economic development efforts, in collaboration with public and private partners, help strengthen the local business climate by supporting business attraction, retention, expansion, and innovation while fostering an environment where entrepreneurs can thrive; and

WHEREAS, entrepreneurship education and career exploration are essential to developing a strong future workforce, and local Career and Technical Education (CTE) programs, school districts, post-secondary institutions, and workforce partners help inspire and prepare students to pursue entrepreneurship, innovation, and business ownership as viable career pathways; and

WHEREAS, encouraging entrepreneurship through education, workforce development, and community partnerships supports talent development, economic mobility, and long-term prosperity for New Braunfels; and

WHEREAS, National Entrepreneurship Week provides an opportunity to recognize, celebrate, and support entrepreneurs while highlighting programs and partnerships that cultivate innovation and inspire the next generation of business leaders.

NOW THEREFORE, be it resolved, that I, Neal Linnartz, Mayor of the City of New Braunfels, Texas, does hereby proclaim February 14 – 21, 2026, as

"Entrepreneurship Week"

in New Braunfels, and I encourage residents, businesses, educators, and community organizations to support entrepreneurship through education, collaboration, and participation in programs that strengthen our local economy and talent pipeline.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 9th day of February 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

2/9/2026

Agenda Item No. B)



Proclamation

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

WHEREAS, Career and Technical Education (CTE) prepares students for future success by equipping them with the academic knowledge, technical skills, and leadership competencies needed to thrive in an evolving workforce and a rapidly changing economy, while also supporting the long-term economic stability and quality of life for the citizens of New Braunfels; and

WHEREAS, CTE programs offered by New Braunfels Independent School District and Comal Independent School District provide students with meaningful, hands-on learning experiences that connect classroom instruction to real world careers, postsecondary education, and lifelong learning opportunities that benefit both students and the broader community; and

WHEREAS, Career and Technical Education fosters essential leadership skills such as problem-solving, teamwork, communication, adaptability, and innovation, preparing students to become productive employees, entrepreneurs, and civic minded leaders who contribute positively to the community; and

WHEREAS, strong connections between education and industry are critical to workforce readiness, and collaborative partnerships among school districts, higher education institutions, employers, and workforce organizations help ensure that local businesses have access to a skilled workforce while providing residents with pathways to stable, high-quality careers; and

WHEREAS, the Greater New Braunfels Chamber of Commerce supports Career and Technical Education through strategic partnerships with local school districts by connecting educators and students to the business community, facilitating career exploration, work based learning opportunities, mentorship, and alignment between education pathways and workforce needs, all of which strengthen the local talent pipeline and support the well-being of New Braunfels residents; and

WHEREAS, these efforts enhance economic opportunity, reduce workforce gaps, support business growth, and help ensure that New Braunfels remains a vibrant, resilient, and prosperous community for citizens; and

WHEREAS, Career and Technical Education Month provides an opportunity to recognize the impact of CTE educators, administrators, students, and industry partners who work collaboratively to prepare students for successful careers and meaningful contributions that benefit the entire community.

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

"Career and Technical Education Month"

in New Braunfels, and I encourage all residents, businesses, educators, and community partners to support Career and Technical Education as a vital investment in future readiness, leadership development, and the economic and social well-being of the citizens of New Braunfels.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 9th day of February 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

2/9/2026

Agenda Item No. A)

PRESENTER:

Ruy Lozano, Fire Chief

SUBJECT:

Recognition of Battalion Chief Donnie Obuch's retirement.

2/9/2026

Agenda Item No. A)

PRESENTER:

Natalie Baker, Deputy City Secretary

SUBJECT:

Approval of the city council January 20, 2026 special meeting minutes, and the January 26, 2026 executive session and regular council meeting minutes.

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL - SPECIAL
REGULAR MEETING OF TUESDAY, JANUARY 20, 2026**

CALL TO ORDER

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

CALL OF ROLL: CITY SECRETARY

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

INVOCATION: MAYOR 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.

INDIVIDUAL ITEMS FOR CONSIDERATION

A) Discuss and consider possible action adopting modifications to the City's Chapter 380 Economic Development Program Policy.

Mayor Linnartz read the aforementioned item.

Jordan Matney presented this item to council using a powerpoint presentation and answered questions.

Jeff Jewell answered questions on this item as well.

The following individuals spoke at this time: Jim Collins, Clarissa DeSanto

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

Opposed:

Councilmember Carter

PRESENTATIONS:

A) 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 introduced representatives of Via Transportation who also presented to council and answered questions.

No action was taken at this time.

B) Presentation and discussion of an Interlocal Agreement between the City of New Braunfels Police Department and Hill Country Community MHMR Center to provide city mental health support services.

Mayor Linnartz read the aforementioned item.

Chief Flores presented this item to council regarding the introduction of a pilot program for mental health support services and answered questions.

No action was taken at this time.

C) Presentation and update on development of systemwide parks and recreation master plan.

Mayor Linnartz read the aforementioned item.

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

The following individuals spoke at this time: Jim Collins, Eric Reed

No action was taken at this time.

D) Presentation and update on Roadway Impact Fee Program and American Rescue Plan Act Mobility Projects.

Mayor Linnartz read the aforementioned item.

Garry Ford presented this item to council using a powerpoint presentation and answered questions.

No action was taken at this time.

E) Presentation, discussion and possible direction to staff regarding updating Landa Park Aquatic Complex Dates of Operation and updating park curfew hours.

Mayor Linnartz read the aforementioned item.

Ken Wilson presented this item to council using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Destin Singleton

No action was taken at this time.

2. **EXECUTIVE SESSION**

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

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 the meeting at 7:19 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL - EXECUTIVE SESSION
REGULAR MEETING OF MONDAY, JANUARY 26, 2026**

CALL TO ORDER

Mayor Linnartz called the meeting to order at 5:06 p.m.

CALL OF ROLL: CITY SECRETARY

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

1. EXECUTIVE SESSIONS

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

- A) Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, including but not limited to:
- Legal issues and interpretation of ordinances related to boards and commissions.

Mayor Linnartz read the aforementioned executive session item.

Mayor Linnartz adjourned into executive session at 5:08 p.m

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

City Council did not reconvene back into open session.

No action was taken at this time.

ADJOURNMENT

Mayor Linnartz adjourned at 5:53 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, JANUARY 26, 2026**

CALL TO ORDER

Mayor Linnartz called the meeting to order at 6:01 p.m.

CALL OF ROLL: CITY SECRETARY

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

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

INVOCATION: MAYOR PRO TEM SPRADLEY

Mayor Pro Tem Spradley provided the invocation.

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

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

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.

The following individuals spoke at this time: Cody Ackeroyd

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 January 12, 2026 city council executive and regular meeting minutes.
- B) Approval of an Interlocal Agreement between the City of New Braunfels and Comal County for the use of general office space, training space, and the Emergency Operations Center located within the Church Hill Annex at 1345 Church Hill Drive in New Braunfels, Texas.
- C) Approval of the City Manager's appointment of Kelly Minor for an unexpired seat for the Civil Service Commission with a term ending 11-30-2028.
- D) Approval of the appointments on the Water & Wastewater Impact Fee Advisory Committee of Garrett Mechler, Mark Gibson, and Hayden Fowlkes for three seats with terms expiring 11-30-2027, Michael Meek and Amber Brown for two seats with terms expiring 11-30-28.
- E) Approval of a proposal for a Simulcast project between the City of New Braunfels and LCRA (Lower Colorado River Authority)
- F) Approval of seven (7) appointments to the Downtown Parking Revenue Advisory Standing Committee to include: Fred Heimer (term expires 11/30/27) and Angie Martinez (term expires 11/30/26) to the City Resident seats, Lindsey Gillum (term expires 11/30/26) and Peter Landerman (term expires 11/30/27) to the Downtown Property/Business Owner seats, Sammie Martinek (term expires 11/30/26) as the Chamber/CVB Representative seat, Jennifer Wilson (term expires 11/30/27) to the Downtown Association Board Representative seat, and Chris Snider (term expires 11/30/26) to the Downtown Board Representative Seat.
- G) Approval of an Interlocal Agreement between the City of New Braunfels Police Department and Hill Country Community MHMR Center to provide city mental health support services.
- H) Approval of an escrow deposit in the amount of \$109,056.24 in lieu of sidewalk construction along Loop 337 with the development of Lot 1, Perron Business Park Subdivision.
- I) Approval of a recommendation by the New Braunfels Economic

Development Corporation (NBEDC) approving a project expenditure of up to \$175,000 to the City of New Braunfels for the Streets and Utility Design Standards Master Plan, pursuant to Section 501.103 of the Texas Local Government Code.

- J) Approval of the issuance of an invitation for Competitive Sealed Proposals for the construction of the Citywide Pedestrian Improvements Phase 1, Coll Street Drainage Improvements, Dry Comal Creek Trail Segment 1, Golf Course Bunkers, and W. Zipp Rd & Old Zipp Rd Intersection Improvements projects.
- K) Approval of a settlement agreement among the City of New Braunfels, Texas and Y.C. Partners, Ltd. d/b/a Yantis Company, C3 Environmental Specialties, L.P. and Halff Associates, Inc., and authorizing the City Manager to execute the agreement.
- L) Approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc. for development of the City of New Braunfels Streets and Utility Design Master Plan.

Resolutions

- M) Approval of a resolution recommended by the New Braunfels Economic Development Corporation to approve an expenditure, of up to \$300,000, to support maintenance and operations of parks facilities funded by the NBEDC, pursuant to Section 505.152 of the Texas Local Government Code.

Ordinances

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

- N) Approval of the first reading of an ordinance amending the New Braunfels Code of Ordinances, Chapter 100-20, changing the membership composition of the Roadway Impact Fee Advisory Committee in compliance with S.B. 1883.

Approval of the Consent Agenda

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

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

2. INDIVIDUAL ITEMS FOR CONSIDERATION

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

- A) Discuss and consider the approval of a resolution authorizing the city manager to execute a Ch. 380 Agreement with Early Matters - New Braunfels, and containing necessary findings pursuant to the Ch. 380 Economic Development Program Policy.

Mayor Linnartz read the aforementioned item.

Mike Crowley of the Greater New Braunfels Chamber of Commerce presented this item to council using a powerpoint and answered questions. Mark Larson from Early Matters San Antonio was also introduced and answered questions.

The following individuals spoke at this time: Cordell Bunch, Rusty Brockman, Kathleen Krueger, Alice Jewell

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

- B) Public hearing and first reading of an ordinance, requested by Vincent Huebinger of Vincent Gerard & Assoc. Inc, to rezone approximately 0.1 of an acre out of the Oak Run School 2 Subdivision, Block 1, Lot 2B, from R-1 (Single-Family District) to R-1 SUP (Single Family District with a Special Use Permit to allow a Telecommunications Tower), currently addressed at 2212 Alyssa Way.

Mayor Linnartz read the aforementioned item.

Christopher Looney presented this item to council using a powerpoint presentation and answered questions.

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

- C) Discuss and consider the second and final reading of an ordinance, at the request of Ashley Farrimond of Killen, Griffin & Farrimond, PLLC, on behalf of Brandy Worley, to rezone approximately 6 acres out of Billie and Ed Miles Subdivision Unit 2, Block 1, Lots 1A, 1B, and 2,

from C-1A (Neighborhood Commercial District) and R-3 SUP (Multifamily District with a Special Use Permit to allow bed and breakfast and retail) to C-4A (Resort Commercial District), currently addressed at 830, 832, and 870 Gruene Road.

Mayor Linnartz read the aforementioned item.

Christopher Looney presented this item to council using a powerpoint presentation.

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

Opposed:

Councilmember Carter

D) Discuss and consider the second and final reading of an ordinance, at the request of Chad Fletcher, to rezone approximately 0.2 of an acre out of the Baus Addition Subdivision, Block D, East part of Lots 1 & 2, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit to allow Short Term Rental of a residence), currently addressed at 385 West Faust Street.

Mayor Linnartz read the aforementioned item.

Matthew Simmont presented this item to council using a powerpoint presentation.

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

Opposed:

Councilmember Carter

E) Discuss and consider the first reading of an ordinance appointing the initial Board of Directors to the City of New Braunfels Tax Increment Reinvestment Zone Number Two ("River Mill"), naming the place designations of the appointed Directors, establishing term dates, and declaring an effective date.

Mayor Linnartz read the aforementioned item.

Gayle Wilkinson presented this item to council.

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

- F) Discuss and consider the first reading of an ordinance appointing the initial Board of Directors to the City of New Braunfels Tax Increment Reinvestment Zone Number Four - Zipp Park, naming the place designations of the appointed Directors, establishing term dates, and declaring an effective date.

Mayor Linnartz read the aforementioned item.

Gayle Wilkinson presented this item to council.

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

- G) Discuss and consider the first reading of an ordinance appointing the initial Board of Directors to the City of New Braunfels Tax Increment Reinvestment Zone Number Five - West End, naming the place designations of the appointed Directors, establishing term dates, and declaring an effective date.

Mayor Linnartz read the aforementioned item.

Gayle Wilkinson presented this item to council.

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

Opposed:

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.

- A) Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, including but not limited to:
- Legal issues and interpretation of ordinances related to boards and commissions.

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

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

No action was taken at this time.

ADJOURNMENT

Mayor Linnartz adjourned the meeting at 7:30 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY

2/9/2026

Agenda Item No. B)

PRESENTER:

Gayle Wilkinson, City Secretary

SUBJECT:

Approval of the appointment of Patrick Carreon for the unexpired position on the Community Development Advisory Committee with a term ending 11-30-28.

DEPARTMENT: City Secretary**COUNCIL DISTRICTS IMPACTED:** City wide**BACKGROUND INFORMATION:**

The Community Development Advisory Committee so appointed by the city council shall serve in an advisory capacity to the city council on matters relating to the community development block grant program funds, making recommendations for the expenditure of those funds for eligible projects designed to assist low- and moderate-income citizens and eliminate slum and blight within the city, and projects that will benefit the citizens of the city.

The committee shall be composed of nine citizens of the city, as broadly representative of all aspects of the community as possible and including at least two low-to-moderate income residents. Members serve three-year terms.

The City Secretary's Office received notification of an unexpired seat being vacated. The Ad Hoc Committee is recommending the appointment of Patrick Carrion, for the one (1) unexpired position on the Community Development Advisory Committee with a term ending 11-30-28 for council consideration.

STRATEGIC PLAN REFERENCE:

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

ISSUE:

Appointments to the Community Development Advisory Committee requires Council approval.

FISCAL IMPACT:

No fiscal impact.

RECOMMENDATION:

Staff recommends the appointment of one (1) individual to the Community Development Advisory Committee with an unexpired term ending 11-30-2028.

2/9/2026

Agenda Item No. C)

PRESENTER:

Neil Rose, GIS Manager-Information Technology

SUBJECT:

Approval of a contract with ESRI's ArcGIS Enterprise Software for a three-year software license agreement for a total cost of \$270,900.

DEPARTMENT: Information Technology**COUNCIL DISTRICTS IMPACTED:** Citywide**BACKGROUND INFORMATION:**

The City has utilized ESRI for its geographic information system (GIS) software since 2010. This agreement has provided the City unlimited licensing of the GIS software, enabling great flexibility in increasing the use of applications by any City staff. The licensed software allows City users to analyze spatial data, produce map documents, and more efficiently distribute data services to their respective customers.

Since standardizing with ESRI, the GIS program has become an important tool for many functions within the City's organization. The City's GIS program has expanded from its inception of five independently licensed users to a centrally managed system with many users in nine different City departments and services accessible through the Internet. The GIS Division now manages software for sixty desktop users and eight servers supporting applications including the asset management software systems (Cartegraph), permitting and planning software system (Cityworks), and Public Safety's dispatch and vehicle location system (Spillman). The City's GIS program has received recognition from a regional user group, featured in international GIS newsletters and won a Special Achievement in GIS award from ESRI at their international user conference. In addition, City staff works with many of our partner public entities to provide GIS resources, currently at no cost to them.

The City has defined the ESRI geospatial platform and technology as sole source due to its long-term investment and standardization in the system. Staff recommends the continued use of the ESRI geospatial platform and technology for a term of three years at a cost of \$90,300 per year and a contract aggregate of \$270,900.00.

ISSUE:

Maintain an ongoing program for improving customer service.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

The funding for year one is incorporated in the department's FY 2026 Adopted Budget. Funding for future years will be allocated in those years' budgets.

RECOMMENDATION:

Staff recommend approval of a contract with ESRI's ArcGIS Enterprise Software for a three-year geographic information software license agreement.



January 26, 2026

Neil Rose
City of New Braunfels
550 Landa St
New Braunfels, TX 78130-6110

Dear Neil,

The Esri Small Municipal and County Government Enterprise Agreement (SGEA) is a three-year agreement that will grant your organization access to Esri term license software. The EA will be effective on the date executed and will require a firm, three-year commitment.

Based on Esri's work with several organizations similar to yours, we know there is significant potential to apply Geographic Information System (GIS) technology in many operational and technical areas within your organization. For this reason, we believe that your organization will greatly benefit from an Enterprise Agreement (EA).

An EA will provide your organization with numerous benefits including:

- A lower cost per unit for licensed software
- Substantially reduced administrative and procurement expenses
- Complete flexibility to deploy software products when and where needed

The following business terms and conditions will apply:

- All current departments, employees, and in-house contractors of the organization will be eligible to use the software and services included in the EA.
- If your organization wishes to acquire and/or maintain any Esri software during the term of the agreement that is not included in the EA, it may do so separately at the Esri pricing that is generally available for your organization for software and maintenance.
- The organization will establish a single point of contact for orders and deliveries and will be responsible for redistribution to eligible users.
- The organization will establish a Tier 1 support center to field calls from internal users of Esri software. The organization may designate individuals as specified in the EA who may directly contact Esri for Tier 2 technical support.
- The organization will provide an annual report of installed Esri software to Esri.
- Esri software and updates that the organization is licensed to use will be automatically available for downloading.
- The fee and benefits offered in this EA proposal are contingent upon your acceptance of Esri's Small Municipal and County Government EA terms and conditions.

- Licenses are valid for the term of the EA.

This program offer is valid for 90 days. To complete the agreement within this time frame, please contact me within the next seven days to work through any questions or concerns you may have.

To expedite your acceptance of this EA offer:

1. Sign and return the EA contract with a Purchase Order or issue a Purchase Order that references this EA Quotation and includes the following statement on the face of the Purchase Order:

"THIS PURCHASE ORDER IS GOVERNED BY THE TERMS AND CONDITIONS OF THE ESRI SMALL MUNICIPAL AND COUNTY GOVERNMENT EA, AND ADDITIONAL TERMS AND CONDITIONS IN THIS PURCHASE ORDER WILL NOT APPLY."

Have it signed by an authorized representative of the organization.

2. On the first page of the EA, identify the central point of contact/agreement administrator. The agreement administrator is the party that will be the contact for management of the software, administration issues, and general operations. Information should include name, title (if applicable), address, phone number, and e-mail address.
3. In the purchase order, identify the "Ship to" and "Bill to" information for your organization.
4. Send the purchase order and agreement to the address, email or fax noted below:

Esri
Attn: Customer Service SG-EA
380 New York Street
Redlands, CA 92373-8100

e-mail: service@esri.com
fax documents to: 909-307-3083

I appreciate the opportunity to present you with this proposal, and I believe it will bring great benefits to your organization.

Thank you very much for your consideration.

Best Regards,

Christopher Walters



Quotation # Q-566226

Date: January 26, 2026

Customer # 357609 Contract # ENTERPRISE AGREEMENT

City of New Braunfels
Information Technology Dept
550 Landa St
New Braunfels, TX 78130-6110

ATTENTION: Neil Rose
PHONE: (830) 221-4337
EMAIL: nrose@newbraunfels.gov

Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

To expedite your order, please attach a copy of this quotation to your purchase order.
Quote is valid from: 1/26/2026 To: 4/26/2026

Small Government Enterprise Agreement

Material	Qty	Term	Unit Price	Total
193207	1	Year 1	\$90,300.00	\$90,300.00
Populations of 100,001 to 125,000 Small Government Enterprise Agreement Annual Subscription				
193207	1	Year 2	\$90,300.00	\$90,300.00
Populations of 100,001 to 125,000 Small Government Enterprise Agreement Annual Subscription				
193207	1	Year 3	\$90,300.00	\$90,300.00
Populations of 100,001 to 125,000 Small Government Enterprise Agreement Annual Subscription				

Year 1 Add-Ons

Material	Qty	Term	Unit Price	Total
166942	2		\$357.50	\$715.00
ArcGIS Data Interoperability for ArcGIS Enterprise Creator, Professional, or Professional Plus, User Type Annual Subscription				
173625	1		\$4,995.50	\$4,995.50
Site Scan for ArcGIS Operator Annual Subscription USA Hosted. This user type license is the foundation of Site Scan for ArcGIS. It provides drone operators the ability to create and fly drone missions using Site Scan Flight Planning, and to upload drone flight data into Site Scan Manager for processing into 2D and 3D outputs. In addition to the ability to fly a drone and upload images for processing, Site Scan Operators have the same privileges as a Site Scan Access License, including ability				

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact:
Christopher Walters

Email:
cwalters@esri.com

Phone:
909-369-4449 x4449

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, Esri may invoice at least 30 days in advance of each anniversary date without the issuance of a Purchase Order, and Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.



Quotation # Q-566226

Date: January 26, 2026

Customer # 357609 Contract # ENTERPRISE AGREEMENT

City of New Braunfels
Information Technology Dept
550 Landa St
New Braunfels, TX 78130-6110

ATTENTION: Neil Rose
PHONE: (830) 221-4337
EMAIL: nrose@newbraunfels.gov

Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

To expedite your order, please attach a copy of this quotation to your purchase order.
Quote is valid from: 1/26/2026 To: 4/26/2026

Material	Qty	Term	Unit Price	Total
to download, edit, analyze, and share project data using the Site Scan Manager web interface. What's Included: Access to Site Scan for ArcGIS Flight Planning iOS App, Access to Site Scan for ArcGIS Manager Web App, Unlimited data processing and storage in private cloud, Unlimited View Only Licenses, Technical support (Email/phone support [7AM to 7PM PT: Monday thru Friday], E Learning online knowledge base.				
173632	1		\$499.55	\$499.55
Site Scan for ArcGIS Access Annual Subscription USA Hosted. This user type license is for drone data users that need full access to analyze, manage, and share data from their organization's Site Scan drone projects. An Access License is required to download, edit, analyze, and process project data using Site Scan Manager, to make persistent measurements or annotations, or to access Admin functionalities such as user or fleet management, if authorized. What's Included: Access to Site Scan for ArcGIS Manager Web App, Access to Site Scan for ArcGIS Flight Planning iOS App to plan flights only (cannot operate drone), Technical support (Email/phone support [7AM to 7PM PT: Monday thru Friday], E Learning online knowledge base.				
197337	1		\$1,087.50	\$1,087.50
ArcGIS Aviation Airports for ArcGIS Enterprise Professional or Professional Plus User Type Annual Subscription (formerly 174921)				
178623	1		\$3,200.00	\$3,200.00
ArcGIS Business Analyst Web App Advanced Online Annual Subscription				
182035	1		\$5,075.00	\$5,075.00
ArcGIS Business Analyst Pro for ArcGIS Enterprise Creator, Professional, or Professional Plus User Type with US State Data Bundle Annual Subscription				

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact: Christopher Walters	Email: cwalters@esri.com	Phone: 909-369-4449 x4449
The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf , and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at https://go.esri.com/MAPS apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, Esri may invoice at least 30 days in advance of each anniversary date without the issuance of a Purchase Order, and Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at https://www.esri.com/en-us/legal/terms/state-supplemental apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.		



Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

*To expedite your order, please attach a copy of
this quotation to your purchase order.
Quote is valid from: 1/26/2026 To: 4/26/2026*

Quotation # Q-566226

Date: January 26, 2026

Customer # 357609 Contract # ENTERPRISE
AGREEMENT

City of New Braunfels
Information Technology Dept
550 Landa St
New Braunfels, TX 78130-6110

ATTENTION: Neil Rose
PHONE: (830) 221-4337
EMAIL: nrose@newbraunfels.gov

Subtotal:	\$286,472.55
Sales Tax:	\$0.00
Estimated Shipping and Handling (2 Day Delivery):	\$0.00
Contract Price Adjust:	\$0.00
Total:	\$286,472.55

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact:

Christopher Walters

Email:

cwalters@esri.com

Phone:

909-369-4449 x4449

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, Esri may invoice at least 30 days in advance of each anniversary date without the issuance of a Purchase Order, and Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.

Esri Use Only:

Cust. Name _____
 Cust. # _____
 PO # _____
 Esri Agreement # _____



SMALL ENTERPRISE AGREEMENT COUNTY AND MUNICIPALITY GOVERNMENT (E214-4)

This Agreement is by and between the organization identified in the Quotation (“**Customer**”) and **Environmental Systems Research Institute, Inc. (“Esri”)**.

This Agreement sets forth the terms for Customer’s use of Products and incorporates by reference (i) the Quotation and (ii) the Master Agreement. Should there be any conflict between the terms and conditions of the documents that comprise this Agreement, the order of precedence for the documents shall be as follows: (i) the Quotation, (ii) this Agreement, and (iii) the Master Agreement. This Agreement shall be governed by and construed in accordance with the laws of the state in which Customer is located without reference to conflict of laws principles, and the United States of America federal law shall govern in matters of intellectual property. The modifications and additional rights granted in this Agreement apply only to the Products listed in Table A.

Table A
List of Products

Uncapped Quantities (annual subscription)

ArcGIS Enterprise Software and Extensions ArcGIS Enterprise (Advanced and Standard) ArcGIS Monitor ArcGIS Enterprise Extensions: ArcGIS 3D Analyst, ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst, ArcGIS Network Analyst, ArcGIS Data Reviewer	ArcGIS Enterprise Additional Capability Servers ArcGIS Image Server ArcGIS Online User Types ArcGIS Online Viewer User Type ArcGIS Enterprise User Types ArcGIS Enterprise Viewer User Type
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Capped Quantities (annual subscription)

ArcGIS Online User Types		ArcGIS Enterprise User Types	
ArcGIS Online Contributor User Type	50	ArcGIS Enterprise Contributor User Type	50
ArcGIS Online Mobile Worker User Type	200	ArcGIS Enterprise Mobile Worker User Type	200
ArcGIS Online Creator User Type	200	ArcGIS Enterprise Creator User Type	200
ArcGIS Online Professional User Type	50	ArcGIS Enterprise Professional User Type	50
ArcGIS Online Professional Plus User Type	50	ArcGIS Enterprise Professional Plus User Type	50
ArcGIS Pro (Add-on Apps) for ArcGIS Online Creator or Professional User Type		ArcGIS Pro (Add-on Apps) for ArcGIS Enterprise Creator or Professional User Type	
ArcGIS 3D Analyst, ArcGIS Data Reviewer, ArcGIS Geostatistical Analyst, ArcGIS Network Analyst, ArcGIS Publisher, ArcGIS Spatial Analyst, ArcGIS Workflow Manager, ArcGIS Image Analyst	50 each	ArcGIS 3D Analyst, ArcGIS Data Reviewer, ArcGIS Geostatistical Analyst, ArcGIS Network Analyst, ArcGIS Publisher, ArcGIS Spatial Analyst, ArcGIS Workflow Manager, ArcGIS Image Analyst	50 each
ArcGIS Online Apps and Other		ArcGIS Enterprise Apps and Other	
ArcGIS Location Sharing for ArcGIS Online	50	ArcGIS Location Sharing for ArcGIS Enterprise	50
ArcGIS Online Service Credits	125,000	ArcGIS Advanced Editing User Type Extension for ArcGIS Enterprise	50

Other Benefits

Number of Esri User Conference registrations provided annually	4
Number of Tier 1 Help Desk individuals authorized to call Esri	4
Five percent (5%) discount on all individual commercially available instructor-led training classes at Esri facilities purchased outside this Agreement	

Customer may accept this Agreement by signing and returning the whole Agreement with (i) the Quotation attached, (ii) a purchase order, or (iii) another document that matches the Quotation and references this Agreement (“**Ordering Document**”). **ADDITIONAL OR CONFLICTING TERMS IN CUSTOMER’S PURCHASE ORDER OR OTHER DOCUMENT WILL NOT APPLY, AND THE TERMS OF THIS AGREEMENT WILL GOVERN.** This Agreement is effective as of the date of Esri’s receipt of an Ordering Document, unless otherwise agreed to by the parties (“**Effective Date**”).

Term of Agreement: Three (3) years

This Agreement supersedes any previous agreements, proposals, presentations, understandings, and arrangements between the parties relating to the licensing of the Products. Except as provided in Article 4—Product Updates, no modifications can be made to this Agreement.

Accepted and Agreed:

(Customer)

By: _____
Authorized Signature

Printed Name: _____

Title: _____

Date: _____

CUSTOMER CONTACT INFORMATION

Contact: _____

Telephone: _____

Address: _____

Fax: _____

City, State, Postal Code: _____

E-mail: _____

Country: _____

Quotation Number (if applicable): _____

1.0—ADDITIONAL DEFINITIONS

In addition to the definitions provided in the Master Agreement, the following definitions apply to this Agreement:

“Case” means a failure of the Software or Online Services to operate according to the Documentation where such failure substantially impacts operational or functional performance.

“Deploy”, “Deployed” and “Deployment” mean to redistribute and install the Products and related Authorization Codes within Customer’s organization(s).

“Fee” means the fee set forth in the Quotation.

“Maintenance” means Tier 2 Support, Product updates, and Product patches provided to Customer during the Term of Agreement.

“Master Agreement” means the applicable master agreement for Esri Products incorporated by this reference that is (i) found at <https://www.esri.com/en-us/legal/terms/full-master-agreement> and available in the installation process requiring acceptance by electronic acknowledgment or (ii) a signed Esri master agreement or license agreement that supersedes such electronically acknowledged master agreement.

“Product(s)” means the products identified in Table A—List of Products and any updates to the list Esri provides in writing.

“Quotation” means the offer letter and quotation provided separately to Customer.

“Technical Support” means the technical assistance for attempting resolution of a reported Case through error correction, patches, hot fixes, workarounds, replacement deliveries, or any other type of Product corrections or modifications.

“Tier 1 Help Desk” means Customer’s point of contact(s) to provide all Tier 1 Support within Customer’s organization(s).

“Tier 1 Support” means the Technical Support provided by the Tier 1 Help Desk.

“Tier 2 Support” means the Esri Technical Support provided to the Tier 1 Help Desk when a Case cannot be resolved through Tier 1 Support.

2.0—ADDITIONAL GRANT OF LICENSE

2.1 Grant of License. Subject to the terms and conditions of this Agreement, Esri grants to Customer a personal, nonexclusive, nontransferable license solely to use, copy, and Deploy quantities of the Products listed in Table A—List of Products for the Term of Agreement (i) for the applicable Fee and (ii) in accordance with the Master Agreement.

2.2 Consultant Access. Esri grants Customer the right to permit Customer’s consultants or contractors to use the Products exclusively for Customer’s benefit. Customer will be solely responsible for compliance by consultants and contractors with this Agreement and will ensure that the consultant or contractor discontinues use of Products upon completion of work for Customer. Access to or use of Products by consultants or contractors not exclusively for Customer’s benefit is prohibited. Customer may not permit its consultants or contractors to install Software or Data on consultant, contractor, or third-party computers or remove Software or Data from Customer locations, except for the purpose of hosting the Software or Data on Contractor servers for the benefit of Customer.

3.0—TERM, TERMINATION, AND EXPIRATION

3.1 Term. This Agreement and all licenses hereunder will commence on the Effective Date and continue for the duration identified in the Term of Agreement, unless this Agreement is terminated earlier as provided herein. Customer is only authorized to use Products during the Term of Agreement. For an Agreement with a limited term, Esri does not grant Customer an indefinite or a perpetual license to Products.

3.2 No Use upon Agreement Expiration or Termination. All Product licenses, all Maintenance, and Esri User Conference registrations terminate upon expiration or termination of this Agreement.

3.3 Termination for a Material Breach. Either party may terminate this Agreement for a material breach by the other party. The breaching party will have thirty (30) days from the date of written notice to cure any material breach.

3.4 Termination for Lack of Funds. For an Agreement with government or government-

owned entities, either party may terminate this Agreement before any subsequent year if Customer is unable to secure funding through the legislative or governing body's approval process.

3.5 Follow-on Term. If the parties enter into another agreement substantially similar to this Agreement for an additional term, the effective date of the follow-on agreement will be the day after the expiration date of this Agreement.

4.0—PRODUCT UPDATES

4.1 Future Updates. Esri reserves the right to update the list of Products in Table A—List of Products by providing written notice to Customer. Customer may continue to use all Products that have been Deployed, but support and upgrades for deleted items may not be available. As new Products are incorporated into the standard program, they will be offered to Customer via written notice for incorporation into the Products schedule at no additional charge. Customer's use of new or updated Products requires Customer to adhere to applicable additional or revised terms and conditions in the Master Agreement.

4.2 Product Life Cycle. During the Term of Agreement, some Products may be retired or may no longer be available to Deploy in the identified quantities. Maintenance will be subject to the individual Product Life Cycle Support Status and Product Life Cycle Support Policy, which can be found at <https://support.esri.com/en/other-resources/product-life-cycle>. Updates for Products in the mature and retired phases may not be available. Customer may continue to use Products already Deployed, but Customer will not be able to Deploy retired Products.

5.0—MAINTENANCE

The Fee includes standard maintenance benefits during the Term of Agreement as specified in the most current applicable Esri Maintenance and Support Program document (found at <https://www.esri.com/en-us/legal/terms/maintenance>). At Esri's sole discretion, Esri may make patches, hot fixes, or updates available for download. No Software other

than the defined Products will receive Maintenance. Customer may acquire maintenance for other Software outside this Agreement.

a. Tier 1 Support

1. Customer will provide Tier 1 Support through the Tier 1 Help Desk to all Customer's authorized users.
2. The Tier 1 Help Desk will be fully trained in the Products.
3. At a minimum, Tier 1 Support will include those activities that assist the user in resolving how-to and operational questions as well as questions on installation and troubleshooting procedures.
4. The Tier 1 Help Desk will be the initial point of contact for all questions and reporting of a Case. The Tier 1 Help Desk will obtain a full description of each reported Case and the system configuration from the user. This may include obtaining any customizations, code samples, or data involved in the Case.
5. If the Tier 1 Help Desk cannot resolve the Case, an authorized Tier 1 Help Desk individual may contact Tier 2 Support. The Tier 1 Help Desk will provide support in such a way as to minimize repeat calls and make solutions to problems available to Customer's organization.
6. Tier 1 Help Desk individuals are the only individuals authorized to contact Tier 2 Support. Customer may change the Tier 1 Help Desk individuals by written notice to Esri.

b. Tier 2 Support

1. Tier 2 Support will log the calls received from Tier 1 Help Desk.
2. Tier 2 Support will review all information collected by and received from the Tier 1 Help Desk including preliminary documented troubleshooting provided by the Tier 1 Help Desk when Tier 2 Support is required.
3. Tier 2 Support may request that Tier 1 Help Desk individuals provide verification of information, additional information, or answers to additional questions to

supplement any preliminary information gathering or troubleshooting performed by Tier 1 Help Desk.

4. Tier 2 Support will attempt to resolve the Case submitted by Tier 1 Help Desk.
5. When the Case is resolved, Tier 2 Support will communicate the information to Tier 1 Help Desk, and Tier 1 Help Desk will disseminate the resolution to the user(s).

6.0—ENDORSEMENT AND PUBLICITY

This Agreement will not be construed or interpreted as an exclusive dealings agreement or Customer's endorsement of Products. Either party may publicize the existence of this Agreement.

7.0—ADMINISTRATIVE REQUIREMENTS

7.1 OEM Licenses. Under Esri's OEM or Solution OEM programs, OEM partners are authorized to embed or bundle portions of Esri products and services with their application or service. OEM partners' business model, licensing terms and conditions, and pricing are independent of this Agreement. Customer will not seek any discount from the OEM partner or Esri based on the availability of Products under this Agreement. Customer will not decouple Esri products or services from the OEM partners' application or service.

7.2 Annual Report of Deployments. At each anniversary date and ninety (90) calendar days prior to the expiration of this Agreement, Customer will provide Esri with a written report detailing all Deployments. Upon request, Customer will provide records sufficient to verify the accuracy of the annual report.

8.0—ORDERING, ADMINISTRATIVE PROCEDURES, DELIVERY, AND DEPLOYMENT

8.1 Orders, Delivery, and Deployment

- a. Upon the Effective Date, Esri will invoice Customer and provide Authorization Codes to activate the nondestructive copy protection program that enables Customer to download,

operate, or allow access to the Products. If this is a multi-year Agreement, Esri may invoice the Fee up to thirty (30) calendar days before the annual anniversary date for each year.

- b. Undisputed invoices will be due and payable within thirty (30) calendar days from the date of invoice. Esri reserves the right to suspend Customer's access to and use of Products if Customer fails to pay any undisputed amount owed on or before its due date. Esri may charge Customer interest at a monthly rate equal to the lesser of one percent (1.0%) per month or the maximum rate permitted by applicable law on any overdue fees plus all expenses of collection for any overdue balance that remains unpaid ten (10) days after Esri has notified Customer of the past-due balance.

- c. Esri's federal ID number is 95-2775-732.

- d. If requested, Esri will ship backup media to the ship-to address identified on the Ordering Document, FOB Destination, with shipping charges prepaid. Customer acknowledges that should sales or use taxes become due as a result of any shipments of tangible media, Esri has a right to invoice and Customer will pay any such sales or use tax associated with the receipt of tangible media.

8.2 Order Requirements. Esri does not require Customer to issue a purchase order. Customer may submit a purchase order in accordance with its own process requirements, provided that if Customer issues a purchase order, Customer will submit its initial purchase order on the Effective Date. If this is a multi-year Agreement, Customer will submit subsequent purchase orders to Esri at least thirty (30) calendar days before the annual anniversary date for each year.

- a. All orders pertaining to this Agreement will be processed through Customer's centralized point of contact.
- b. The following information will be included in each Ordering Document:
 - (1) Customer name; Esri customer number, if known; and bill-to and ship-to addresses
 - (2) Order number
 - (3) Applicable annual payment due

9.0—MERGERS, ACQUISITIONS, OR DIVESTITURES

If Customer is a commercial entity, Customer will notify Esri in writing in the event of (i) a consolidation, merger, or reorganization of Customer with or into another corporation or entity; (ii) Customer's acquisition of another entity; or (iii) a transfer or sale of all or part of Customer's organization (subsections i, ii, and iii, collectively referred to as "**Ownership Change**"). There will be no decrease in Fee as a result of any Ownership Change.

- 9.1** If an Ownership Change increases the cumulative program count beyond the maximum level for this Agreement, Esri reserves the right to increase the Fee or terminate this Agreement and the parties will negotiate a new agreement.
- 9.2** If an Ownership Change results in transfer or sale of a portion of Customer's organization, that portion of Customer's organization will transfer the Products to Customer or uninstall, remove, and destroy all copies of the Products.
- 9.3** This Agreement may not be assigned to a successor entity as a result of an Ownership Change unless approved by Esri in writing in advance. If the assignment to the new entity is not approved, Customer will require any successor entity to uninstall, remove, and destroy the Products. This Agreement will terminate upon such Ownership Change.

2/9/2026

Agenda Item No. D)

PRESENTER:

Shane Knudson, Fleet Manager

SUBJECT:

Approval for the purchase of two vehicles with Bluebonnet Motors Ford for the Police Department.

DEPARTMENT: Fleet Services**COUNCIL DISTRICTS IMPACTED:** City-wide**BACKGROUND INFORMATION:**

Staff are requesting approval for purchase of two vehicles for the Police Department. These vehicles are new additions to the vehicle fleet and will support the new Police Service Assistant positions approved in the FY 26 Budget.

The City will utilize Bluebonnet Motors Ford with a City contract, which has been competitively bid. The schedule below will provide details to the purchase.

Department	Disposition	Vendor	Qty	Extended Price
Police - Patrol 2026 Ford F250 Regular Cab	New Assets General Fund	Bluebonnet Motors Ford <i>City Contract</i>	2	\$41,844.00 each \$83,688.00
Total			2	\$83,688.00

ISSUE:

Staff are requesting two new vehicles to maintain fiscal stability of city operations.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

The costs for the two vehicles described above are incorporated into the FY 2026 Adopted Budget within the General Fund for the appropriate department. Therefore, sufficient funds are available to purchase vehicles.

RECOMMENDATION:

Staff Recommends approval for purchase of two vehicles with Bluebonnet Motors Ford for the Police Department.

2/9/2026

Agenda Item No. E)

PRESENTER:

Scott McClelland, Assistant Transportation and Construction Services Director

SUBJECT:

Approval of a contract with Byrne Construction Services for Construction Manager at Risk services for the Southeast Library Project.

DEPARTMENT: Transportation and Construction Services**COUNCIL DISTRICTS IMPACTED:** 2,6**BACKGROUND INFORMATION:**

Voters approved the Southeast Library Project as part of the 2023 Bond Program on May 6, 2023. City Council previously approved the Construction Manager at Risk (CMAR) delivery method for the project on June 26, 2023. The CMAR procurement method allows the City of New Braunfels to evaluate the most qualified construction managers to participate in the project from design through construction and allow for collaboration between the City, contractor, and designers to maximize efficiency and realize cost benefits during the design process. The contractor will establish a guaranteed maximum price (GMP) for construction costs upon completion of the design process.

A solicitation for Competitive Sealed Proposals for Construction services using the CMAR delivery method was issued on November 19, 2025. The City received responses from 11 firms, and staff reviewed, evaluated, and scored them. The evaluation committee interviewed the top three scoring firms. The evaluation committee unanimously selected Byrne Construction Services after the interview process was completed.

Byrne Construction Services submitted the following fees based on a construction manager's budget limitation of \$16 Million for the construction of the Southeast Library Project. This construction cost does not include owner-supplied items such as design, furniture, technology equipment, and book collection materials.

Pre-Construction Fee Services: \$35,000

Construction Phase Fee percentage: 2.45% of the total construction cost of work

General Conditions Cost: \$1,002,647

For a total fee submitted of \$1,429,647.

The GMP for construction costs will be brought to the City Council for approval upon completion of the design phase.

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

Increase Library items per capita

FISCAL IMPACT:

Funding for the Southeast Library Project was allocated in the 2023 Bond Program, Proposition C; therefore, sufficient funds are available.

RECOMMENDATION:

Staff recommends approval of a contract with Byrne Construction Services for the construction services of the Southeast Library Project.

2/9/2026

Agenda Item No. F)

PRESENTER:

Matt Greene, Principal Planner

SUBJECT:

Approval of a Resolution to consent to the creation of the Botanical Farm Municipal Utility District (MUD) within the City's Extraterritorial Jurisdiction (ETJ) in Guadalupe County, consisting of approximately 250 acres, and authorizing the City Manager to execute a development agreement between the City of New Braunfels and O Union Wine Rd, LLC.

DEPARTMENT: Neighborhood and Community Planning**COUNCIL DISTRICTS IMPACTED:** Outside City Limits**BACKGROUND INFORMATION:**

Case #: CS24-0334 & CS25-0216

Applicant/Agent: Richard Mott, VP of Land Development
Lennar Homes of Texas Land & Construction, LTD
100, NE Loop 410
Suite 1155
San Antonio, TX 78216
(210) 889-5516 | richard.mott@lennar.com

Owner: 0 Union Wine Rd, LLC
Fred Heimer, Manager 130 S. Seguin Ave.
New Braunfels, TX 78130
(830) 625-8410 | fred.heimer@sv-re.com

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

The Texas Water Code (Chapter 54) and the Texas Local Government Code (Chapter 42, Section 42.042) (see resource links) outline the procedures for the creation of Municipal Utility Districts (MUDs). A MUD is a political subdivision of the State: it is one of several types of special districts that function as independent, limited governments of their own. One purpose of a MUD is to provide a developer an alternate method of financing the design, construction, acquisition, improvement, extension, maintenance, and operation of infrastructure such as water, sewer, drainage, and roads.

Managed by a board of directors elected by the property owners within the MUD, the MUD can levy its own taxes and fees on the property owners/residents within the development to repay the developer for their up-front costs and long-term maintenance. MUDs are generally desired by developers when the subject properties lie beyond utility provider service areas/outside utility company Certificates of Convenience and Necessity (CCNs).

Chapter 42 of the Texas Local Government Code (LGC) establishes and outlines the rules for ETJ or Extraterritorial Jurisdiction. ETJ is that territory that extends into the unincorporated area beyond city limits where certain limited city standards can be applied. The ETJ was intended to be the area a city could annex into, therefore the rules that were allowed to be extended essentially prepared the area so that when/if annexed, development was not haphazard or disjointed. The stated policy in LGC 42.001 is “to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities.”

When a proposed MUD lies within the boundaries of a city’s ETJ, state statute indicates the respective city must give its consent before the MUD may be established. Consent by the municipality allows the developer to initiate proceedings to create the MUD through the Texas Commission on Environmental Quality (TCEQ). State statute also mandates cities follow consideration timeframes for MUD petitions:

If the city fails or refuses to give its consent for the creation of the MUD on mutually agreeable terms within 90 days after the date the City Council receives a written request for the consent, a majority of the qualified voters of the area of the proposed political subdivision and the owners of at least 50 percent of the land in the proposed political subdivision may petition the City Council to make available to the area the water, sanitary sewer services, or both that would be provided by the political subdivision. If, within 120 days after the date the City Council receives the petition, the City Council fails to make a contract with a majority of the qualified voters of the area of the proposed political subdivision and the owners of at least 50 percent of the land in the proposed MUD to provide the services, that failure constitutes the governing body’s consent to the creation of the proposed political subdivision.

The above statute does not contemplate the unique situation in our region where the various applicable utility providers are not governed by the municipality (see the Utilities section below).

The completed petition application with a request that the City consent to the creation of the Botanical Farm Municipal Utility District (MUD) was received by the City on January 16, 2026. The statutory 90-day period during which the City may consent to or object to the creation of the proposed MUD expires on April 16, 2026. In the event the City Council denies the petitioner’s request for consent, the applicant’s avenue for appeal is through the Texas Commission on Environmental Quality (TCEQ).

Location and Features

The subject property consists of approximately 250 acres of unplatted land proposed for master planning and platting as the Colina Ranch Subdivision and the Autumn Ridge Subdivision. Both proposed subdivisions are located in Guadalupe County, bound by Union Wine Road to the north, Youngsford Road to the south, FM 1044 to the west, and Elmons Road to the east. Altwein Lane bisects the proposed MUD, separating the two subdivisions. A small portion of the Colina Ranch property adjacent to Long Creek is located within the 100-year floodplain.

Utilities

The subject property is located within Green Valley Special Utility District’s (GVSUD) water CCN which is the intended water provider. The subject property is located within Guadalupe-Blanco River Authority’s (GBRA) wastewater CCN which is the intended wastewater provider.

ISSUE:

New Braunfels’ development rules do not apply outside the city limits in the ETJ in Guadalupe County. Without a MUD, development can still occur, simply in compliance with Guadalupe County development rules instead of the City of New Braunfels’ rules. Land use and other development standards are not enforceable in the ETJ unless such regulations are agreed upon through the execution of a development agreement between

the developer and the City.

To ensure that development within the proposed MUD is of a quality that serves as a benefit and asset—rather than a detriment—to the residents and taxpayers of the City of New Braunfels, and to ensure that water and wastewater infrastructure, service, and long-term maintenance are adequately addressed, it has been standard City policy for MUD developers to enter into a development agreement with the City pursuant to the authority granted under Texas Local Government Code Chapter 212 prior to submitting a petition. Standard MUD development agreements have included enhanced subdivision and neighborhood design standards; requirements for trees, landscaping, safe pedestrian mobility, and environmental protections consistent with Envision New Braunfels and the City’s Strategic Plan; as well as provisions requiring the issuance of building permits and completion of inspections for all residential and commercial structures to ensure compliance with adopted building and safety codes.

The proposed development agreement (attached) establishes minimum development standards related to housing diversity; landscaping and lighting; historical and archaeological protection and remediation; TIA and offsite improvement requirements; a voluntary annexation request upon dissolution of the MUD*; and the requirement to obtain City-issued building permits and inspections.

COMPREHENSIVE PLAN REFERENCE:

The proposed MUD, together with the associated development agreement, is consistent with the adopted guidelines set forth in Envision New Braunfels:

- Action 1.3: Encourage balanced and fiscally responsible land use patterns.
- Action 2.1: Sustain community livability for all ages and economic backgrounds.
- Action 3.30: Encourage and incentivize workforce/affordable housing to attract new workforce entrants and young families.
- Action 6.5: Utilize public/private partnerships to guide growth and investment.
- Action 7.14: Increase tree canopy for increased shade to encourage walking.
- Regional Planning
 - Balance resources in an equitable manner that does not lead to disinvestment in existing New Braunfels.
 - Assure the long-term fiscal health of New Braunfels, and that policy decisions do not create any undue financial burden on the City or others.
 - Ensure that the policy provides guidance for decisions made by utility providers, so they can aid in achieving Envision New Braunfels.

STRATEGIC PLAN REFERENCE:

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

Economic Mobility, Objective 5: Establish programs and opportunities that leverage private and public sector dollars for use as gap financing in the production and preservation of affordable workforce housing units.
Performance Measures, Output: Increase the number of new affordable housing units produced each fiscal year.

Community Identity, Objective 2: Adopt the new Land Development Ordinance that implements goals of our residents identified in Envision New Braunfels, including but not limited to protecting historic structures, preserving and increasing green space and tree canopy, protecting natural resources, and safeguarding the character, integrity, and stability of neighborhoods.

FISCAL IMPACT:

If the MUD is approved and the territory remains in the City's ETJ, the City will be required to process the property owners' plats, incurring staff time and costs in exchange for standard application fees. Future residents or business owners in the MUD will not pay city taxes, however they can have a long-term impact on City infrastructure, for example driving into New Braunfels on City roadways to work, shop, or use City parks.

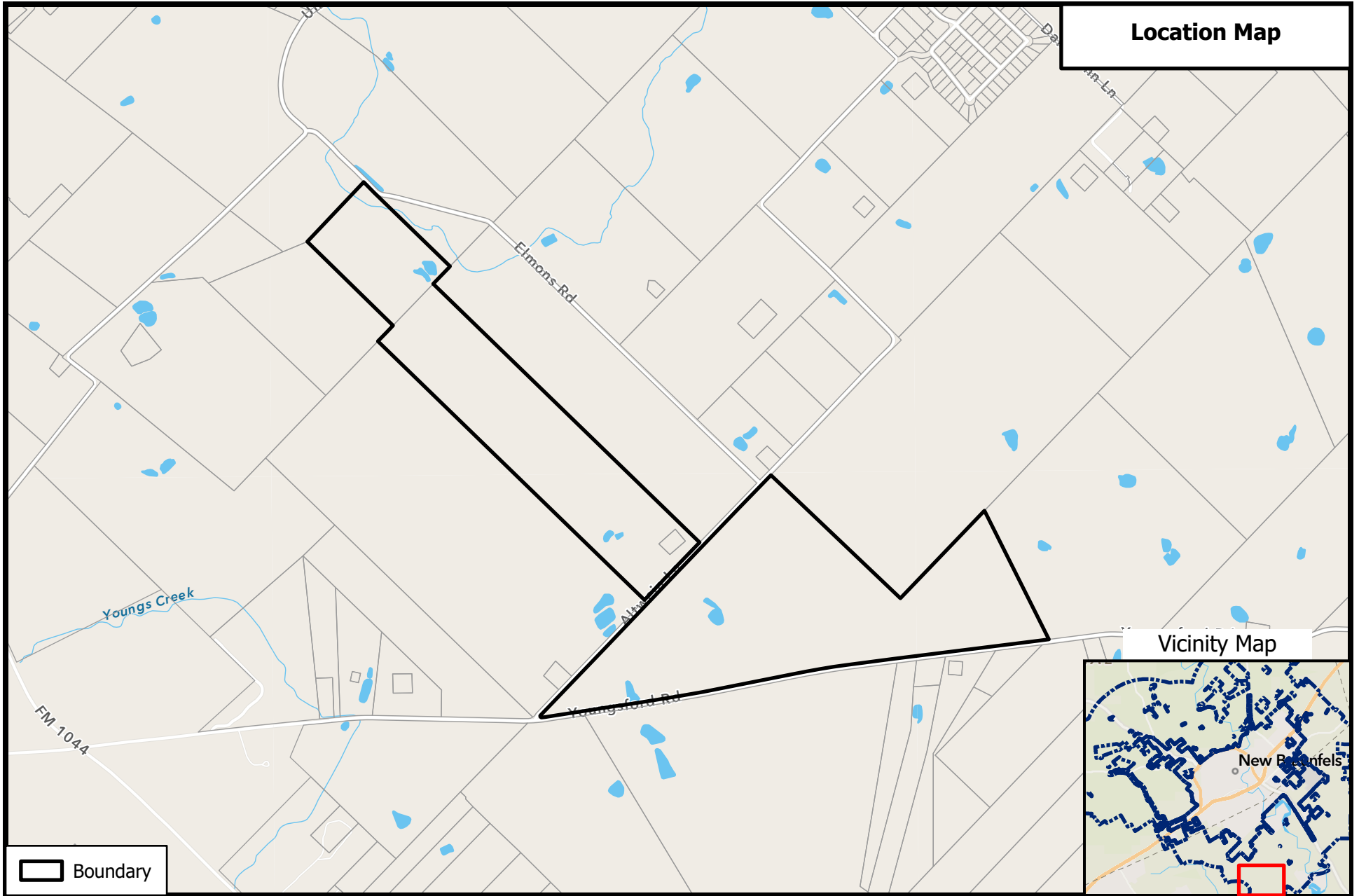
RECOMMENDATION:

Approval. As proposed, the development agreement would require development within the MUD to be consistent with Envision New Braunfels and the Strategic Plan.

*Note: pursuant to state law, a city may not condition its consent to a MUD on a requirement that the developer agree to annexation, as such, this recommendation is not based, in any way, on the developer agreeing or not agreeing to annexation provisions within the proposed development agreement.

Resource Links:

- Chapter 54 of the Texas Water Code: Municipal Utility Districts
[<https://statutes.capitol.texas.gov/Docs/WA/htm/WA.54.htm>](https://statutes.capitol.texas.gov/Docs/WA/htm/WA.54.htm)
- Chapter 42 of the Texas Local Government Code: Extraterritorial Jurisdiction of Municipalities
[<https://statutes.capitol.texas.gov/docs/lg/htm/lg.42.htm>](https://statutes.capitol.texas.gov/docs/lg/htm/lg.42.htm)
- Section 118-4 Development Agreements, of the City of New Braunfels Code of Ordinances: [<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances>](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances)



CS24-0334 & CS25-0216
Botanical Farms
Development Agreement & MUD Petition

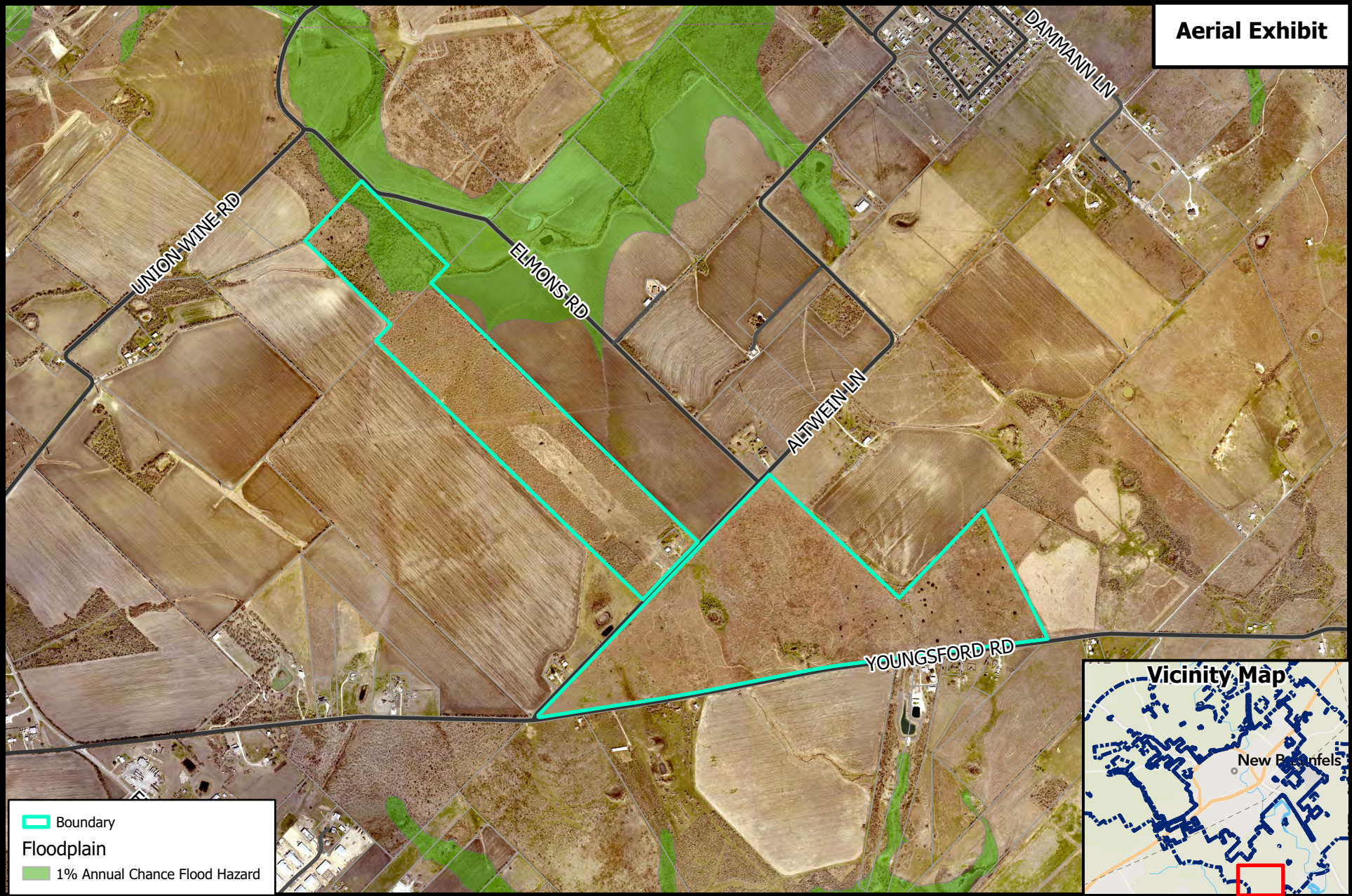
Source: City of New Braunfels Planning
Date: 1/21/2026

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Feet



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

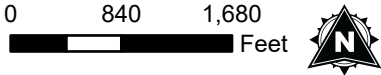
Aerial Exhibit



Path:
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CS24-0334 & CS25-0216
Botanical Farms
Development Agreement & MUD Petition

Source: City of New Braunfels Planning
Date: 1/21/2026



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by 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.

June 11, 2025

City of New Braunfels
Planning Department

RE: Botanical Farm Municipal Utility District (MUD)

To Whom It May Concern:

This letter is in reference to the Botanical Farm MUD. HMT is submitting an application to the City of New Braunfels for the Consent to the Creation of a Municipal Utility District Petition. The Botanical Farm MUD consists of two properties located near the Altwein and Elmons Rd intersection. The property totals 252.16 acres and is in the City of New Braunfels ETJ, Guadalupe County.

Please contact me if you have any questions or comments.

Thank you,



Matthew T. Abrahamsen, P.E.
Project Manager

**PETITION FOR CONSENT TO THE
CREATION OF A MUNICIPAL UTILITY DISTRICT
(Botanical Farm)**

THE STATE OF TEXAS §
 §
COUNTY OF GUADALUPE §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

The undersigned (herein referred to as the "Petitioner"), holder of title to all land within the territory hereinafter described by metes and bounds, and acting pursuant to Section 54.016, Texas Water Code, and Section 42.042, Texas Local Government Code, respectfully petitions the City Council of the City of New Braunfels, Texas, for its written consent to the inclusion of land in, and the creation of, a conservation and reclamation district and would respectfully show the following:

I.

The name of the proposed district shall be Botanical Farm Municipal Utility District or other named district authorized by law (the "District").

II.

The land shall be included within the District by creation and organization of the District as provided above. The District shall be organized under the terms and provisions of Article III, Section 52 and Article XVI, Section 59 of the Constitution of Texas, Chapters 49 and 54 of the Texas Water Code, and any special act of the Texas Legislature either creating the District or otherwise applicable thereto, together with all amendments and additions thereto.

III.

The District will contain approximately 250.25 acres of land, more or less, situated in Guadalupe County, Texas. The land proposed to be included within the District is described by metes and bounds in Exhibit "A" attached hereto. The land is located within the extraterritorial jurisdiction of the City of New Braunfels, Texas. All of the territory proposed to be included may properly be included in the District.

IV.

The undersigned is the owner of and hold title to all of the lands within the proposed District as indicated by the tax rolls of Guadalupe County, Texas.

V.

The purposes of and the general nature of the work proposed to be done by the District shall be the purchase, construction, financing, acquisition, repair, extension, maintenance and improvement of a waterworks and sanitary sewer system, and a drainage and storm sewer system and road facilities, and to provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created and permitted under state law.

VI.

There is, for the following reasons, a necessity for the above-described work, services and improvements: The area proposed to be within the District will experience substantial and sustained residential growth. There is not now available within the area, which will be developed as a master-planned single-family residential, an adequate waterworks system, drainage and storm sewer system, or road system. The health and welfare of the present and future inhabitants of the area and of territories adjacent thereto require the construction, acquisition, maintenance, and operation of an adequate waterworks system and drainage and storm sewer system, and roadway system. A public necessity therefore exists for the organization, extension, improvement, maintenance, and operation of such waterworks system, drainage and storm sewer system, and road system, so as to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VII.

A preliminary investigation has been instituted to determine the cost of the project, and it is now estimated by the Petitioner, from such information as it has at this time, that the ultimate costs of the development contemplated will be approximately \$150,000,000. The project will be financed by the issuance of bonds by the District.

WHEREFORE, the Petitioner respectfully prays that this request be heard and that your Honorable Body duly pass and approve an ordinance or resolution granting the consent to the creation of the District and authorizing the inclusion of the land described herein within the District.

RESPECTFULLY SUBMITTED, this 16th day of January, 2026.

PETITIONER:

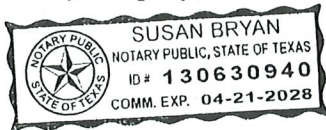
O UNION WINE RD, LLC, a Texas limited liability company

By: [Signature]
 Name: Fred Heimer
 Title: Manager

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
 COUNTY OF Comal §

This instrument was acknowledged before me on the 12 day of January, 2026, by Fred Heimer, as manager of O Union Wine LLC, a Texas limited liability company, on behalf of said limited liability company.



[Signature]
 Notary Public, State of Texas

[SEAL]

Exhibit "A"
Legal Description of Property



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

**METES AND BOUNDS DESCRIPTION
OF 106.46 ACRE TRACT
EXHIBIT "A"**

A 106.46 acre tract of land being out of the Washington D Miller Survey, Abstract No. 232, Guadalupe County, Texas, the J.S. Johnson Survey No. 47, Abstract No. 190, Guadalupe County, Texas, and the Daniel Chandler Survey No. 489, Abstract No. 100, Guadalupe County, Texas, also being that same tract of land called 106.25 acres recorded in Volume 247, Page 552, Deed Records of Guadalupe County, Texas. Said 106.46 acre tract being more fully described as follows:

BEGINNING at an 8" cedar fence post in the North right of way line of Altwein Lane for the East corner of the herein described 106.46 acre tract, and also being the South corner of a called 83.81 acre tract, recorded in Volume 492, Page 891, Deed Records, Guadalupe County, Texas;

THENCE along the North right of way line of Altwein Lane, with the South line of the herein described tract the following 2 calls:

1. S 44°29'05" W, 721.69 feet to a set 1/2" iron pin (stamped "HMT") for a corner;
2. S 38°45'48" W, 138.91 feet to an 8" cedar fence post in the North right of way line of Altwein Lane for the South corner of the herein described tract, and also being the West corner of a called 160.67 acre tract, recorded in Volume 246, Page 594, Deed Records, Guadalupe County, Texas;

THENCE along the West line of the herein described tract and the East line of the called 160.67 acre tract N 45°54'04" W, 4022.48 feet to a fence post for a corner of the herein described tract, and the North corner of a called 160.67 acre tract, and a corner on the South line of a called 37.40 acre tract, recorded in Volume 248, Page 602, Deed Records, Guadalupe County, Texas;

THENCE along the South line of said 37.40 acre tract N 43°14'35" E, 239.67 feet to a found 6" cedar fence post for a corner of the herein described tract, and the West corner of said 37.40 acre tract;

THENCE along the West line of the herein described tract, and the East line of said 37.40 acre tract, N 45°24'03" W, a distance of 1312.79 feet to 3/4" iron pin found for the West corner of the herein described tract, and the North corner of said 37.40 acre tract, and the West corner of the Rathke Burial Ground, described as 1/4 acre in Volume 247, Page 552 of the Guadalupe County Deed Records and a corner of a called 33.83 acre tract, called Tract 1, recorded in Document No. 201999001898, Official Public Records, Guadalupe County, Texas;

THENCE along the North line of the herein described tract, and the South line of said 33.83 acre tract passing through the North corner of Rathke Burial Ground, N 44°07'07" E, 899.12 feet to a found 3/8" iron pin found for the North corner of the herein described tract, and the East corner of said 33.83 acre tract, for a point in the South right of way line of Elmons Road, recorded in Volume 143, Page 594, Deed Records, Guadalupe County, Texas;



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

THENCE along the South right of way line of Elmons Road, and the East line of the herein described tract, S 46°27'59" E, 204.08 feet, passing through a found 1/2" iron pin (stamped "BLS 2024") for a corner in the South right of way line of Elmons Road, and the North corner of a called 7.85 acre tract, recorded in Volume 492, Page 891, Deed Records, Guadalupe County, Texas, continuing a total of 1310.10 feet along the East line of the herein described tract, and the West line of said 7.85 acre tract to a set 1/2" iron pin (stamped "HMT");

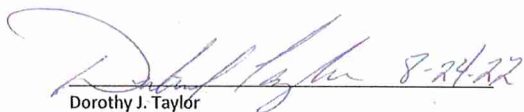
THENCE, along the North line of said 83.81 acre tract, S 43°56'04" W, 308.95 feet to a found 4" cedar fence post for a corner of the herein described tract, and the West corner of said 83.81 acre tract;

THENCE, along the West line of said 83.81 acre tract, and the East line of the herein described tract S 45°59'01" E, 4019.52 feet to the POINT OF BEGINNING and containing 106.46 acres of land in Guadalupe County, Texas.

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

Written August 24, 2022.

Reference survey of said 106.46 acre tract of land prepared this same date.

 8-24-22

Dorothy J. Taylor

Registered Professional Land Surveyor No. 6295

S:\Projects\032 - Fred Heimer\032.065 - Nowotny 105.25 Acres on Altwein\Metes & Bounds 106.46 AC.docx





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

METES AND BOUNDS DESCRIPTION
FOR A 145.70 ACRE TRACT OF LAND
EXHIBIT "A"

A 145.70 acre tract of land being out of the William Bracken Survey No. 52, Guadalupe County, Texas, also being all of a tract of land called Tract 1, 106.00 acres and all of a tract of land called Tract 2, 40.00 acres recorded in Volume 346, Page 439, in the Deed Records of Guadalupe County, Texas. Said 145.70 acre tract being more fully described as follows:

BEGINNING at a set 1/2" iron pin (stamped "HMT") in the South right of way line of Altwein Lane for the Northern most corner of the herein described 145.70 acre tract, also being the North corner of the above referenced Tract 1, and also being the West corner of a called 106.00 acre tract called Tract 1, recorded in Volume 735, Page 1095, in the Deed Records of Guadalupe County, Texas, from which a found 1/2" iron pin across Altwein Lane, lying in the intersection of Emmons Road and Altwein Lane, bears N 61°51'17" E, a distance of 129.70 feet;

THENCE leaving the right of way of Altwein Lane, along the East line of the herein described tract and the West line of the called 106.00 acre, Tract 1, S 45°39'05" E, a distance of 1940.69 feet to a set 1/2" iron pin (stamped "HMT") for a corner of the herein described tract, also being the East corner of the above referenced Tract 1, and the South corner of the called 106.00 acre, Tract 1 (Vol 735, Pg 1095), and a corner on the North line of the above referenced Tract 2;

THENCE along a the North line of the herein described tract and the above referenced Tract 2, and along the South line of the called 106.00 acre tract, Tract 1 (Vol 735, Pg 1095), N 43°57'27" E, a distance of 1337.11 feet to a found 8" Cedar Fence Post for the Northeast corner of the herein described tract, the West corner of a called 100.00 acres described in Volume 326, Page 48, in the Deed Records of Guadalupe County, Texas, and a corner of the above referenced 106.00 acres (Vol 735, Pg 1095);

THENCE along the East line of the herein described tract and the West line of the called 100.00 acre tract, S 26°40'52" E, a distance of 1561.67 feet to a set 1/2" iron pin (stamped "HMT") for the East corner of the herein described tract, and said Tract 2, 40.00 acres, and also being the Southwest corner of the called 100.00 acres, and lying in the North right of way line of Youngsford Road;

THENCE along the South line of the herein described tract, and with the North right of way line of Youngsford Road the following 4 calls:

1. S 82°34'19" W, a distance of 2360.84 feet to a set 1/2" iron pin (stamped "HMT") for a corner of the herein described tract and the West corner of the above referenced Tract 2 also being the Southeast corner of the above referenced Tract 1;
2. S 79°04'29" W, a distance of 1596.76 feet to a set 1/2" iron pin (stamped "HMT") for a corner;
3. S 81°15'08" W, a distance of 1316.80 feet to a set 1/2" iron pin (stamped "HMT") for a corner;



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

4. S 80°25'52" W, a distance of 360.91 feet for a corner lying in the intersection of Youngsford Road and Altwein Lane, from which a found 1/2" iron pin across Youngsford Road, bears N 13°38'05" W, 30.24 feet, and from which a found 1/2" iron pin across Alwein Lane, bears S 46°12'41" E, 40.00 feet, for the West corner of the herein described tract;

THENCE along the North line of the herein described tract and the South right of way line of Altwein Lane N 43°48'24" E, a distance of 3682.44 feet to the POINT OF BEGINNING and containing 145.70 acres of land in Guadalupe County, Texas.

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

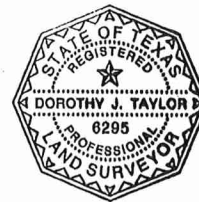
Written October 5, 2022.

Reference survey of said 140.70 acre tract of land prepared this September 30, 2022.

Dorothy J. Taylor
Registered Professional Land Surveyor No. 6295

S:\Projects\032 - Fred Heimer\032.065 - Nowulny 105.25 & 140.00 Acres on Altwein\Metes & Bounds 140.70 AC.docx

10-12-22



**DEVELOPMENT AGREEMENT
BETWEEN THE CITY OF NEW BRAUNFELS
AND
O UNION WINE RD, LLC**

DEVELOPMENT AGREEMENT (the “Agreement”) is entered into between O Union Wine Rd, LLC, a Texas limited liability company, and its successors or assigns (collectively, the “Landowner”), and the City of New Braunfels, Texas (the “City”), a home-rule municipal corporation in Comal and Guadalupe Counties, Texas, acting by and through its governing body, the City Council of New Braunfels, Texas (Landowner and City herein referred to as individually a “Party” and collectively, the “Parties”) to be effective on the date of _____, 2026 (the “Effective Date”).

RECITALS

WHEREAS, the Landowner owns approximately 250.25 acres of land (defined herein as the “Tract”) in Guadalupe County, Texas and currently within the extraterritorial jurisdiction (“ETJ”) of the City, and a copy of the metes and bounds description and survey of the Tract are attached as Exhibit A; and

WHEREAS, the City of New Braunfels has adopted a Comprehensive Plan, Envision New Braunfels, that includes policies encouraging balanced and fiscally responsible land use patterns, utilizing public/private partnerships to guide growth and investment within the City’s jurisdictional and extraterritorial limits, balancing available resources in an equitable manner that does not lead to disinvestment in existing development, assuring the long-term fiscal health of the city and preventing undue fiscal burdens on the City and others, and ensuring decisions result in outcomes that aid in achieving Envision New Braunfels; and

WHEREAS, the Tract lies within Sub Area 4, which is identified as being in close proximity to IH-35, Fischer Park, downtown and neighboring communities like McQueeney, which makes this area highly desirable and accessible; and

WHEREAS, the City has consented to the inclusion of the Tract within a municipal utility district to be named Botanical Farm Municipal Utility District (the “District”) to be developed primarily for single-family residential use; and

WHEREAS, the Landowner and the City wish to enter into this Agreement to provide certainty of regulatory requirements throughout the term of this Agreement and encourage the creation of high-quality development for the benefit of the District and the City; and

WHEREAS, it is the intent of this Agreement to establish certain restrictions and commitments imposed and made in connection with the development of the Tract; and

WHEREAS, the authority for this Agreement exists under Chapter 212, Subchapter G, Texas Local Government Code; Chapter 42, Texas Local Government Code; Chapter 245, Texas Local Government Code; and Chapter 54 of the Texas Water Code; and

WHEREAS, the City has provided the owner of the Tract a written disclosure as required by Texas Local Government Code Section 212.172(b-1).

NOW THEREFORE, in consideration of the mutual promises, obligations, and benefits contained herein as well as other good and valuable consideration, the sufficiency of which is acknowledged by the Parties, the City and Landowner agree as follows:

ARTICLE I
DEFINITIONS AND EXHIBITS

Section 1.1 Definitions. Unless the context indicates others, the following words as used in this Agreement shall have the following meanings:

“Applicable City Rules” means the provisions of the City Code in effect on the Vesting Date or any updated City Code provision that Landowner, at its option, elects to take advantage of adopted by the City after the Vesting Date that Landowner determines is in the best interest of Landowner without forfeiting vested rights under this Agreement, unless otherwise specifically stated under this Agreement.

“City” means the City of New Braunfels, Texas, a home rule municipal corporation situated in Comal and Guadalupe Counties, Texas, acting by and through its governing body, the City Council of New Braunfels, Texas.

“City Code” means the New Braunfels City Code and all other ordinances, regulations, policies and rules adopted by the City of New Braunfels, as of the Vesting Date, unless otherwise specifically stated under this Agreement.

“County” means Guadalupe County, Texas.

“Development Regulations” means those Chapters of the City Code related to the development of the Tract listed in the attached Exhibit C in effect on the Vesting Date.

“District” means Botanical Farm Municipal Utility District or other named municipal utility district created pursuant to the Petition.

“GBRA” means Guadalupe-Blanco River Authority.

“GVSUD” means Green Valley Special Utility District.

“Landowner” means O Union Wine Rd, LLC.

“Petition” means the Petition for Consent to the Creation of a Municipal Utility District, attached as Exhibit B.

“Vesting Date” means the effective date of this Agreement.

“Tract” means the approximately 250.25 acres of land to be developed by Landowner,

as described in Exhibit A.

“TCEQ” means the Texas Commission on Environmental Quality or its successor agency.

Section 1.2 Exhibits. The following Exhibits attached to this Agreement are a part of the Agreement as though fully incorporated herein:

Exhibit A	Metes and Bounds Description and Survey of the Tract
Exhibit B	Form of Petition for Consent to the Creation of a Municipal Utility District
Exhibit C	Development Regulations
Exhibit D	Mandatory Disclosure
Exhibit E	Regional Transportation and Hike and Bike Trail Plans
Exhibit F	Draft Guadalupe County Major Thoroughfare Plan
Exhibit G	Improvements to Youngsford Road, Altwein Lane and Elmons Road
Exhibit H	Form of Resolution Consenting to the Creation of the Municipal Utility District

ARTICLE II

GENERAL DEVELOPMENT PLAN; LAND USE AND VESTED RIGHTS; DISTRICT CREATION

The City and Landowner hereby agree that the Tract will be developed in phases for single-family residential use in accordance with this Agreement. The City approves the development of the Tract in accordance with this Agreement and confirms and agrees that Landowner has the vested authority to develop the Tract in accordance with the Applicable City Rules. If there is any conflict between the Applicable City Rules and the terms of this Agreement, the terms of this Agreement will control.

In consideration of Landowner’s agreements hereunder, the City agrees that it will not, during the term of this Agreement, impose or attempt to impose any moratorium on building or development within the Tract, or any land use or development regulation that limits the rate or timing of land use approvals, whether affecting plats, site plans, or any other approvals for development within the Tract. The preceding sentence will not, however, apply to temporary moratoriums uniformly imposed throughout the City due to an emergency constituting an imminent threat to the public health and safety, provided that such a moratorium will continue only during the duration of the emergency.

As consideration for the City’s obligations under this Agreement, the Landowner intends to proceed to develop the Tract as expeditiously as possible as determined by real estate and financial market and legal conditions; however, nothing in the Agreement will be construed as requiring the Landowner to develop the Tract on any particular schedule or timetable.

The City acknowledges receipt of the Petition, in accordance with Section 54.016, Texas Water Code, and Section 42.042, Texas Local Government Code, for creation of the District over the Tract. Concurrently with its approval of this Agreement, the City has approved the form of resolution attached as Exhibit H (the “Consent Resolution”) consenting to the creation of the District. The City confirms that the Consent Resolution constitutes the City’s consent to the

inclusion of the Tract within the District. No further consent from the City will be required to evidence the City's consent to the creation of the District, but the City agrees to provide a resolution confirming its consent to the creation of the District if requested to do so by Landowner or the District.

ARTICLE III LANDOWNER'S DEVELOPMENT OBLIGATIONS

Section 3.1. Development of Tract. Development of the Tract shall comply with this Agreement and the Development Regulations, attached as Exhibit C, except only where modified or otherwise specified herein. Except as authorized under Chapter 245 of the Texas Local Government Code, there shall be no other City ordinances, rules, regulations, standards, policies or City-adopted or City-enforced requirements of any kind, whether heretofore or hereafter adopted, apply to the development of the Tract, unless otherwise agreed by the Parties.

Section 3.2. Compliance with Regional Plans. Development of the Tract shall comply with the City's Regional Transportation and Hike and Bike Trail Plan attached hereto as Exhibit E and Guadalupe County's draft Major Thoroughfare Plan attached hereto as Exhibit F. The location of the Tract's hike and bike trail shall be determined and shown in the construction plan submittal for the development.

Section 3.3. Archeological Protection. Landowner shall establish methods for protection and remediation of any known archeological or historical resources within the Tract as required by law.

Section 3.4. Utilities. Landowner shall provide or cause to be provided water, sewer, drainage, and roads to serve the Tract at the Landowner's sole cost. Landowner may enter into one or more reimbursement agreements with the District to seek reimbursement for the costs of the water, sewer, and drainage facilities, and road facilities to serve the Tract. All capacity in the water system, wastewater system, and drainage system constructed, expanded, or financed by Landowner for the Tract and the District shall be reserved to serve the Tract and the District.

- a. Water. Landowner and Green Valley Special Utility District (GVSUD) have entered into an agreement on the provision of water services. The design, construction and installation of any water distribution facilities shall be built in accordance with Green Valley Special Utility District standards.
- b. Wastewater. Landowner and Guadalupe-Blanco River Authority (GBRA) have entered into an agreement on the provision of wastewater services. The design, construction and installation of any wastewater collection facilities shall be built in accordance with Guadalupe-Blanco River Authority standards.

Section 3.5. City Approval of Plans and Specifications. Plans and specifications for drainage facilities and road facilities shall be submitted to the City. The city, through its Planning and Development Services Director, shall have the right to review and approve the plans and specifications for the District's drainage facilities and road facilities in accordance with the

Development Regulations and this Agreement.

Section 3.6. County Approval of Plans and Specifications. Plans and specifications for drainage, road, water, and wastewater facilities in, impacting, and accessing Guadalupe County right-of-way shall be submitted to the County. The County shall have the right to review, approve, and permit the plans and specifications for facilities in accordance with County regulations.

Section 3.7. Ownership, Operation, and Maintenance of Facilities. Public roads within the Tract will be conveyed to the District upon completion for operation and maintenance. Stormwater detention ponds will be owned, operated, and maintained by the District.

Section 3.8. Platting. Subdivision plats of the Tract shall be submitted to the City's Planning and Development Services Department and shall be administratively approved if such plats are in accordance with this Development Agreement and an approved Master Plan.

Section 3.9. Traffic Impact Analysis and Offsite Improvements.

- a. A Traffic Impact Analysis (TIA) Amendment must be submitted, processed, and approved by the City for the approved Colina Ranch TIA, reflecting the connection to Elmons Road as emergency access only, prior to the issuing of the Colina Ranch Unit 2 Infrastructure Permit. The City will allow for the Public Infrastructure Permit and Final Plat of Unit 1 approval prior to the TIA amendment approval.
- b. A new Traffic Impact Analysis (TIA) Report must be submitted, processed, and approved for the Autumn Ridge Subdivision. The report shall meet updated requirements, including appropriate buildout years and phasing, and include the background traffic of the Colina Ranch and Botanical Farms Subdivisions. The City will allow for the concurrent review of the Letters of Certification, Autumn Ridge Master Plan, and Autumn Ridge Unit 1 Public Infrastructure Permit while the Autumn Ridge TIA is being updated.

Section 3.10. Letter of Certification (LOC). A Letter of Certification must be submitted, processed and approved for the combined subdivision of the Tract (the entire Tract) meeting current LOC requirements.

Section 3.11. Improvements to Youngsford Road, Altwein Lane and Elmons Road. The Landowner shall improve, Youngsford Road and Altwein Lane approach streets to a minimum pavement width of 24 feet, and full-width and depth pavement structure, to and from the Tract to FM 1044, attached as Exhibit G, in accordance with Guadalupe County road design and construction requirements, and meeting full buildout traffic and construction traffic loads as demonstrated in a geotechnical engineering report. Landowner shall construct a gated emergency access from the development to Elmons Road. Landowner shall improve Elmons Road from the gated emergency access point into the development to Union Wine as an all-weather emergency access fire lane in accordance with Guadalupe County fire marshal requirements.

Section 3.12. Youngsford Road Right-of-Way Dedication. The ultimate right-of-way width for Youngsford Road shall be a minimum of 90 feet, right-of-way dedication shall be based on the centerline of the existing right-of-way and shall be established equally on each side of the centerline of the existing right-of-way, in compliance with the draft Guadalupe County Major Thoroughfare Plan.

Section 3.13. Outdoor Lighting. All outdoor lighting not located on a single-family residential lot within the Tract, shall comply with the following minimum requirements:

- a. Any light fixture for non-residential use shall be operated so as not to direct illumination across the bounding property line. Lights shall be made up of a light source and reflector so selected that acting together, the light beam is controlled and not directed across any bounding property line above a height of three feet. The allowable maximum intensity measured at the property line of a residential use shall be 0.25-foot candles.
- b. Outdoor lighting used to illuminate parking spaces, driveways, maneuvering areas, or non-residential buildings shall utilize fully shielded light fixtures and be designed, arranged and screened so that the point light source shall not be visible from adjoining lots or streets. No portion of the bulb or direct lamp image may be visible beyond a distance equal to or greater than twice the mounting height of the fixture. All perimeter fixtures shall possess house-side shielding; bollards shall be louvered and utilize coated lamps.
- c. Non-residential outdoor lighting fixtures are allowed with no additional "house-side" shielding in accordance with the following formula: $\text{Height (H)} < 3 + (D/3)$, where D equals the distance in feet from the light source to the nearest residential lot line (extended vertically). Additional "house-side" shielding shall be added in all cases where the Height (H) is greater than $3 + (D/3)$.
- d. Pedestrian lighting is required within the Tract at trail connections between neighborhood and park development. Lighting fixtures shall be fully shielded and be designed, arranged and screened so that the point light source shall not be visible from adjoining lots or streets; however, lighting fixtures are allowed with no additional "house side" shielding in accordance with the following formula: $\text{Height (H)} < 3 + (D/3)$; where D equals the distance in feet from the light source to the nearest residential lot line (extended vertically).

Section 3.14. Residential Housing Diversity. Residential housing diversity shall be required within the Tract with a mixture of different lot sizes and different house sizes and a minimum of at least five (5) different floorplans.

Section 3.15. Landscaping.

- a. A minimum of two (2) shade trees shall be planted on each residential lot concurrent

with construction of the initial home on the lot. At least one (1) shade tree shall be planted in the front yard and at least one (1) shade tree shall be planted in the rear yard. At the time of planting, each tree shall be a minimum of 1.5-inch caliper. Shade trees shall not be planted within utility easements, drainage easements or sight visibility triangles.

- b. Shade trees are required on both sides of collector classification and above streets (minimum of 1.5-inch caliper tree every 100 feet maximum) internal to the Tract and shall be maintained in good health and condition. Trees planted to meet the requirements of Section 3.16.a. shall not count toward meeting the minimum requirements for this Section. Shade trees shall not be planted within utility easements, drainage easements or sight visibility triangles.
- c. The Landowner shall provide tree protection to preserve existing heritage trees (24-inches in diameter or greater) within the Tract that are located outside of public right-of-way and easements, and more than ten feet (10') from building foundations.
- d. The Landowner shall encourage xeriscape landscaping, utilizing native and/or drought resistant species of trees, plants, and grasses for water conservation. The planning of St. Augustine (*Stenotaphrum secundatum*) turf grass should be highly discouraged.

Section 3.16. Irrigation Systems. Landscape irrigation systems shall not be mandatory. Irrigation systems, if installed, will be required to include water conservation features, such as automatic shut-off during rain events. Landscaped areas may have a drip irrigation system, but overhead emitters are not permitted beyond the grow-in period. Drip irrigation, if used in any part of the landscape, shall be properly designed, selected, and spaced according to manufacturer recommendations as well as soil type. The drip zones should be scheduled properly according to plant need, slope, and soil absorption rate in order to not create any runoff or ponding. If overhead emitters are used for the grow-in period on 1) permitted systems tied in with rainwater harvesting, or 2) with other non-potable water sources, or 3) on properties with high pressure and/or sloped areas, then all heads (rotors or sprays) shall be pressure regulated with check valves. In addition, nozzles must be appropriately sized to ensure consistent performance throughout the zone and to minimize water waste and/or overspray on hardscapes. Irrigation installation shall be in compliance with the International Plumbing Code adopted by the City at the time of installation and shall perform in accordance with the water supplier's water conservation and drought contingency plans.

Section 3.17. Stream Buffers. Stream or other riparian buffers shall be required as follows:

STREAM	MINIMUM BUFFER
Identified streams draining 640 acres or greater	100 ft. from the centerline
Identified streams draining 320-639 acres	50 ft. from the centerline
Identified streams draining 128-319 acres	50 ft. from the centerline
Identified streams draining less than 128 acres	No buffer requirement

Roads, facilities, structures and improvements such as paths, trails, utilities, stormwater management facilities and water quality measures are permitted within Stream Buffer areas. Where Stream Buffers are located within parks, or are subject to a public easement, the buffer shall count towards overall park acreage. No residential lots or residential structures are permitted within the Stream Buffer.

Section 3.18. Parks, Trails, and Recreational Facilities.

- a. Parks and trails within the Tract required by the Development Regulations may be dispersed within the Tract, as approved by the City, rather than concentrated in one location.
- b. So long as Landowner develops park and recreational facilities within the Tract in compliance with an approved Master Plan, Landowner shall be found to be in compliance with Applicable City Rules regarding parkland dedication and development. Landowner shall not be required to dedicate any additional park land or open space or pay any additional fees.

Section 3.19. Permits, Inspections and Fees. To enhance public safety and ensure quality of development for future residents, builders shall obtain and pay corresponding fees for City building permits and inspections. All structures built on individual lots shall be required to comply with the applicable Development Regulations.

Section 3.20. Waiver of Actions Under Private Real Property Rights Preservation Act. The Landowner hereby waives its right, if any, to assert any causes of action against the City accruing under the Private Real Property Rights Preservation Act, Chapter 2007, Texas Government Code (the "Act"), that the City's execution or performance of this Agreement or any authorized amendment or supplements thereto may constitute, either now or in the future, a "Taking" of Landowner's, Landowner's grantee's, or a grantee's successor's "Private Real Property," as such terms are defined in the Act; provided, however, that this waiver does not apply to, and the Landowner and Landowner's grantees and successors do not waive their rights under the Act to assert, a claim under the Act for any action taken by the City beyond the scope of this Agreement, or that constitutes a breach of this Agreement, that might give rise to a cause of action under the Act.

ARTICLE IV DEFAULT AND TERMINATION

Section 4.1. Notice and Opportunity to Cure. Notwithstanding anything herein to the contrary, no Party shall be deemed to be in default hereunder until the passage of thirty (30) days after receipt by such Party of notice of default from the other Party. Upon the passage of thirty (30) days without cure of the default, such Party shall be deemed to have defaulted for purposes of this Agreement, unless such Party has commenced to cure such default and is prosecuting the same with reasonable diligence. Notwithstanding the foregoing, commencement of cure, with reasonable diligence, shall only prevent a Party from being in default for sixty (60) days after notice was received and a cure had not been achieved unless the non-defaulting Party agrees to allow the defaulting Party additional time to cure the default.

Remedies. In the event of a default not cured within the time period set forth herein, the non-defaulting Party may, as its sole and exclusive remedy, terminate this Agreement or seek injunctive relief or other equitable relief, including, without limitation, specific performance, to enforce the terms of this Agreement. Notwithstanding the foregoing, if injunctive or other equitable relief is barred by governmental immunity, then the Developer may pursue all other legal and equitable remedies that are not barred by governmental immunity. City hereby waives any defense of governmental immunity as to claims involving the recognition of the Credits.

ARTICLE V ANNEXATION

Section 5.1. The Parties acknowledge that the Landowner is voluntarily requesting annexation of the Tract to occur upon the dissolution of the District and that this Agreement satisfies the requirements for a service agreement as required by Texas Local Government Code Section 43.0672.

Section 5.2. The City Council may, after dissolution of the District and after a public hearing on the matter, annex the Tract by adoption of an ordinance. Upon annexation of the Tract into the City, the City shall provide those municipal services to the annexed lands in the same manner as those services are provided to other areas of the City with similar characteristics of topography, land, use, and population density. Notwithstanding the foregoing, the City agrees that it will not annex any portion of the Tract without Landowner's consent until (1) the expiration or termination of this Agreement, or (2) the completion of at least 90% of the construction of the public infrastructure necessary to serve the Tract with water, wastewater, drainage facilities, road improvements, and other facilities eligible for reimbursement under the rules of TCEQ or other law, and either (i) bonds have been issued by the District to finance the eligible costs of all such infrastructure in accordance with the rules of the TCEQ, or (ii) the City has expressly agreed to assume the obligation to reimburse the Land Owner under the TCEQ rules.

Section 5.3. The Parties acknowledge that the foregoing annexation provisions have been agreed upon pursuant to the authority set forth in Section 212.172 of the Texas Local

Government Code, which authorizes the governing body of a municipality to make a written contract with an owner of land that is located in the extraterritorial jurisdiction of the municipality to provide for the annexation of the land as a whole or in parts and to provide for the terms of annexation, if annexation is agreed to by the parties, and further provides for the parties to such agreement to specify the uses and development of the land before and after annexation, if annexation is agreed to by the parties. The Parties acknowledge a written disclosure regarding annexation, as established in the attached Exhibit D, was provided to the Landowner pursuant to Section 212.172(b-1) of the Texas Local Government Code.

Section 5.4. The Parties agree that it is their intent that the City's authority to annex the Tract shall not be affected by the release of the Tract from the City's ETJ should such release occur.

Section 5.5. The voluntary request for annexation of the Tract, subject to the above-described conditions, shall survive the termination and term of this Agreement.

ARTICLE VI MISCELLANEOUS

Section 6.1. Sale of Tract; Assignability. Any agreement by Landowner to sell the entirety or any portion of the Tract, including but not limited, to individual undeveloped lots, to a person intending to develop or build on the Tract or such portion thereof (a "Successor Landowner," whether one or more) and any instrument of conveyance for the entirety or any portion of the Tract to such Successor Landowner shall identify and incorporate by reference this Agreement and provide that this Agreement be binding on such Successor Landowner. This Agreement is not intended to be, and shall not be, binding on the ultimate purchasers of fully developed residential lots or fully developed residential parcels out of the Tract. This Agreement is assignable upon written notice to the City; such notice of assignment shall be given within 30 days of an assignment and such notice shall include evidence that the assignee has assumed the obligations under this Agreement.

Section 6.2. Force Majeure. In the event a Party is rendered unable, wholly or in part, by force majeure, to carry out any of its obligations under this Agreement, it is agreed that on such Party's giving notice and full particulars of such force majeure in writing to the other Party as soon as possible after the occurrence of the cause relied upon, then the obligations of the Party giving such notice, to the extent it is affected by force majeure and to the extent that due diligence is being used to resume performance at the earliest practicable time, shall be suspended during the continuance of any inability so caused to the extent provided, but for no longer period. Such cause shall as far as possible be remedied with all reasonable dispatch.

The term "force majeure" as used herein shall include, but not be limited to, acts of God, strikes, lockouts or other industrial disturbances, acts of the public enemy or of terrorism, war, blockades, insurrections, riots, epidemics, pandemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrests and restraints of governments and people, suspension of issuance of permits by environmental agencies outside the control of any party, explosions, breakage or damage to machinery or pipelines

and any other disabilities of any party similar to those enumerated and not within the control of the party claiming such inability.

Section 6.3. Law Governing. This Agreement shall be governed by the laws of the State of Texas, and no lawsuit shall be prosecuted on this Agreement except in a federal or state court of competent jurisdiction. Any disputes or proceedings arising out of this Agreement shall be subject to the exclusive jurisdiction of the Texas State courts in Guadalupe County, Texas.

Section 6.4. Non-Waiver Immunity. Notwithstanding any other provision of this Agreement, except as provided in Exhibit D and applicable law under Local Government Code, Section 212.272, the City, on behalf of itself, its officers, employees, and agents, does not waive or relinquish any immunity from liability, limitation of liability, or defense provided by the Constitution and the laws of the State of Texas as a result of its execution of this Agreement and the performance of the covenants contained herein.

Section 6.5. No Additional Waiver Implied. No waiver or waivers of any breach or default (or any breaches or defaults) by any Party hereto of any term, covenant, condition, or liability hereunder, or the performance by any Party of any duty or obligation hereunder, shall be deemed or construed to be a waiver of subsequent breaches or defaults of any kind, under any circumstances.

Section 6.6. Addresses and Notice. Unless otherwise provided in this Agreement, any notice, communication, request, reply, or advise (herein severally and collectively, for convenience, called "Notice") herein provided or permitted to be given, made, or accepted by any Party to another (except bills), must be in writing and may be given or be served by depositing the same in the United States mail postpaid and registered or certified and addressed to the Party to be notified. Notice deposited in the mail in the manner hereinabove described shall be conclusively deemed to be effective, unless otherwise stated in this Agreement, from and after the expiration of three (3) days after it is deposited. Notice given in any such other manner shall be effective when received by the Party to be notified. For the purpose of notice, addresses of the parties shall, until changed as hereinafter provided, be as follows:

If to the City, to:
City of New Braunfels
Attn: City Manager
550 Landa Street
New Braunfels, TX 78130

With a copy to the City Attorney:
City of New Braunfels
Attn: City Attorney
550 Landa Street
New Braunfels, TX 78130

If to the Landowner, to:
O Union Wine Rd, LLC
Attn: Fred Heimer
130 S. Seguin Avenue
New Braunfels, TX 78130

With a copy to:
Lennar Homes of Texas Land and Construction, LTD
Attn: Richard Mott
100 NE Loop 410, Suite 1155
San Antonio, TX 78216

The Parties shall have the right from time to time and at any time to change their respective addresses and each shall have the right to specify any other address by at least fifteen (15) days' written notice to the other Parties.

Section 6.7. Merger and Modification. This Agreement, including the exhibits that are attached hereto and incorporated herein for all purposes, and, except as otherwise provided in this Agreement, embodies the entire Agreement between the Parties relative to the subject hereof. This Agreement shall be subject to change or modification only with the mutual written consent of both Parties.

Section 6.8. Severability. The provisions of this Agreement are severable, and if any part of this Agreement or the application thereof to any person or circumstances shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of part of this Agreement to other persons or circumstances shall not be affected thereby.

Section 6.9. Benefits of Agreement. This Agreement is for the benefit of the City and Landowner and shall not be construed to confer any benefit on any other person except as expressly provided for herein.

Section 6.10. Recordation. The City shall record this Agreement and any amendments thereof in the deed records of Guadalupe County. In addition, any assignments of this Agreement shall be recorded in the deed records of Guadalupe County. This Agreement, when recorded, shall be a covenant running with the land and binding upon the Tract, the parties and their assignees during the term of this Agreement. However, this Agreement shall not be binding upon and shall not constitute any encumbrance to title as to any purchaser of a tract or lot within the Tract who does not intend to resell, subdivide, or develop the tract or lot in the ordinary course of business, or as otherwise expressly provided in Section 6.1.

Section 6.11. Term. This Agreement shall be in force and effect from the Effective Date and continue for a term of forty-five (45) years unless otherwise previously terminated pursuant to some term or condition of this Agreement or by express written agreement by the City and Landowner.

Section 6.12. Cooperation. The City and Landowner each agree to cooperate with each other as may be reasonably necessary to carry out the intent of this Agreement, including but not limited to, the execution of such further documents as maybe reasonably necessary.

Section 6.13. Authority for Execution. The City hereby certifies, represents and warrants that the execution of this Agreement is duly authorized and adopted in conformity with the City Charter and City Code. The Landowner hereby certifies, represents and warrants that the execution of this Agreement is duly authorized and adopted in conformity with the articles of incorporation and bylaws or partnership agreement of such entity.

Section 6.14. Incorporation of Exhibits and Other Documents by Reference. All Exhibits and other documents attached to or referred to in this Agreement are incorporated herein by reference for the purposes set forth in this Agreement, except as otherwise provided.

Section 6.15. Release from ETJ Shall have No Effect on Agreement. The Parties agree that should the Tract, or any portion thereof, be released from the City's ETJ that it is their mutual intent such release shall have no effect on the validity and enforceability of this Agreement. It being the intention of the Parties that this Agreement and all its provisions, including, but not limited to, the authority of the City to annex the Tract, is to be fully enforceable by the City and binding on the Landowner or its successor, regardless of the Tract's ETJ status.

Executed by the Landowner and the City to be effective on the Effective Date.

LANDOWNER:

O UNION WINE RD, LLC, a Texas limited liability company

By: 

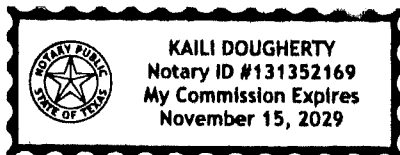
Name: Fred Heimer

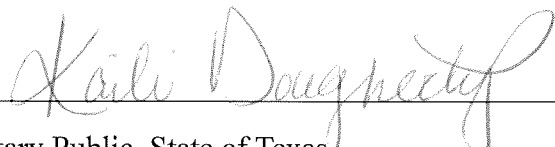
Title: Member

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
 §
COUNTY OF Comal §

This instrument was acknowledged before me on the 16 day of January, 2026, by Fred Heimer, Member of O Union Wine Rd, LLC, a Texas limited liability company.




Notary Public, State of Texas

[NOTARY SEAL]

CITY OF NEW BRAUNFELS, TEXAS

By: _____

Name: Robert Camareno

Title: City Manager

ATTEST:

Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

Valeria M. Acevedo, City Attorney

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF COMAL §

This instrument was acknowledged before me on the ____ day of _____, 2026, by Robert Camareno, City Manager, City of New Braunfels, on behalf of the City.

Notary Public, State of Texas

[NOTARY SEAL]

Exhibit A

Metes and Bounds Description and Survey of the Tract



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

METES AND BOUNDS DESCRIPTION FOR A 145.70 ACRE TRACT OF LAND

A 145.70 acre tract of land being out of the William Bracken Survey No. 52, Guadalupe County, Texas, also being all of a tract of land called Tract 1, 106.00 acres and all of a tract of land called Tract 2, 40.00 acres recorded in Volume 346, Page 439, in the Deed Records of Guadalupe County, Texas. Said 145.70 acre tract being more fully described as follows:

BEGINNING at a set 1/2" Iron pin (stamped "HMT") in the South right of way line of Altwain Lane for the Northern most corner of the herein described 145.70 acre tract, also being the North corner of the above referenced Tract 1, and also being the West corner of a called 106.00 acre tract called Tract 1, recorded in Volume 735, Page 1095, in the Deed Records of Guadalupe County, Texas, from which a found 1/2" Iron pin across Altwain Lane, lying in the intersection of Emmons Road and Altwain Lane, bears N 61°51'17" E, a distance of 129.70 feet;

THENCE leaving the right of way of Altwain Lane, along the East line of the herein described tract and the West line of the called 106.00 acre, Tract 1, S 45°39'05" E, a distance of 1940.69 feet to a set 1/2" Iron pin (stamped "HMT") for a corner of the herein described tract, also being the East corner of the above referenced Tract 1, and the South corner of the called 106.00 acre, Tract 1 (Vol 735, Pg 1095), and a corner on the North line of the above referenced Tract 2;

THENCE along a the North line of the herein described tract and the above referenced Tract 2, and along the South line of the called 106.00 acre tract, Tract 1 (Vol 735, Pg 1095), N 43°57'27" E, a distance of 1337.11 feet to a found 8" Cedar Fence Post for the Northeast corner of the herein described tract, the West corner of a called 100.00 acres described in Volume 326, Page 48, in the Deed Records of Guadalupe County, Texas, and a corner of the above referenced 106.00 acres (Vol 735, Pg 1095);

THENCE along the East line of the herein described tract and the West line of the called 100.00 acre tract, S 26°40'52" E, a distance of 1561.67 feet to a set 1/2" Iron pin (stamped "HMT") for the East corner of the herein described tract, and said Tract 2, 40.00 acres, and also being the Southwest corner of the called 100.00 acres, and lying in the North right of way line of Youngsford Road;

THENCE along the South line of the herein described tract, and with the North right of way line of Youngsford Road the following 4 calls:

1. S 82°34'19" W, a distance of 2360.84 feet to a set 1/2" Iron pin (stamped "HMT") for a corner of the herein described tract and the West corner of the above referenced Tract 2 also being the Southeast corner of the above referenced Tract 1;
2. S 79°04'29" W, a distance of 1596.76 feet to a set 1/2" Iron pin (stamped "HMT") for a corner;
3. S 81°15'08" W, a distance of 1316.80 feet to a set 1/2" Iron pin (stamped "HMT") for a corner;



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4. S 80°25'52" W, a distance of 360.91 feet for a corner lying in the intersection of Youngsford Road and Altwein Lane, from which a found 1/2" iron pin across Youngsford Road, bears N 13°38'05" W, 30.24 feet, and from which a found 1/2" iron pin across Alwein Lane, bears S 46°12'41" E, 40.00 feet, for the West corner of the herein described tract;

THENCE along the North line of the herein described tract and the South right of way line of Altwein Lane N 43°48'24" E, a distance of 3682.44 feet to the POINT OF BEGINNING and containing 145.70 acres of land in Guadalupe County, Texas.

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

Written October 5, 2022.

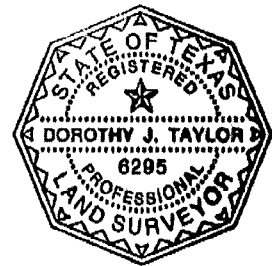
Reference survey of said 140.70 acre tract of land prepared this September 30, 2022.

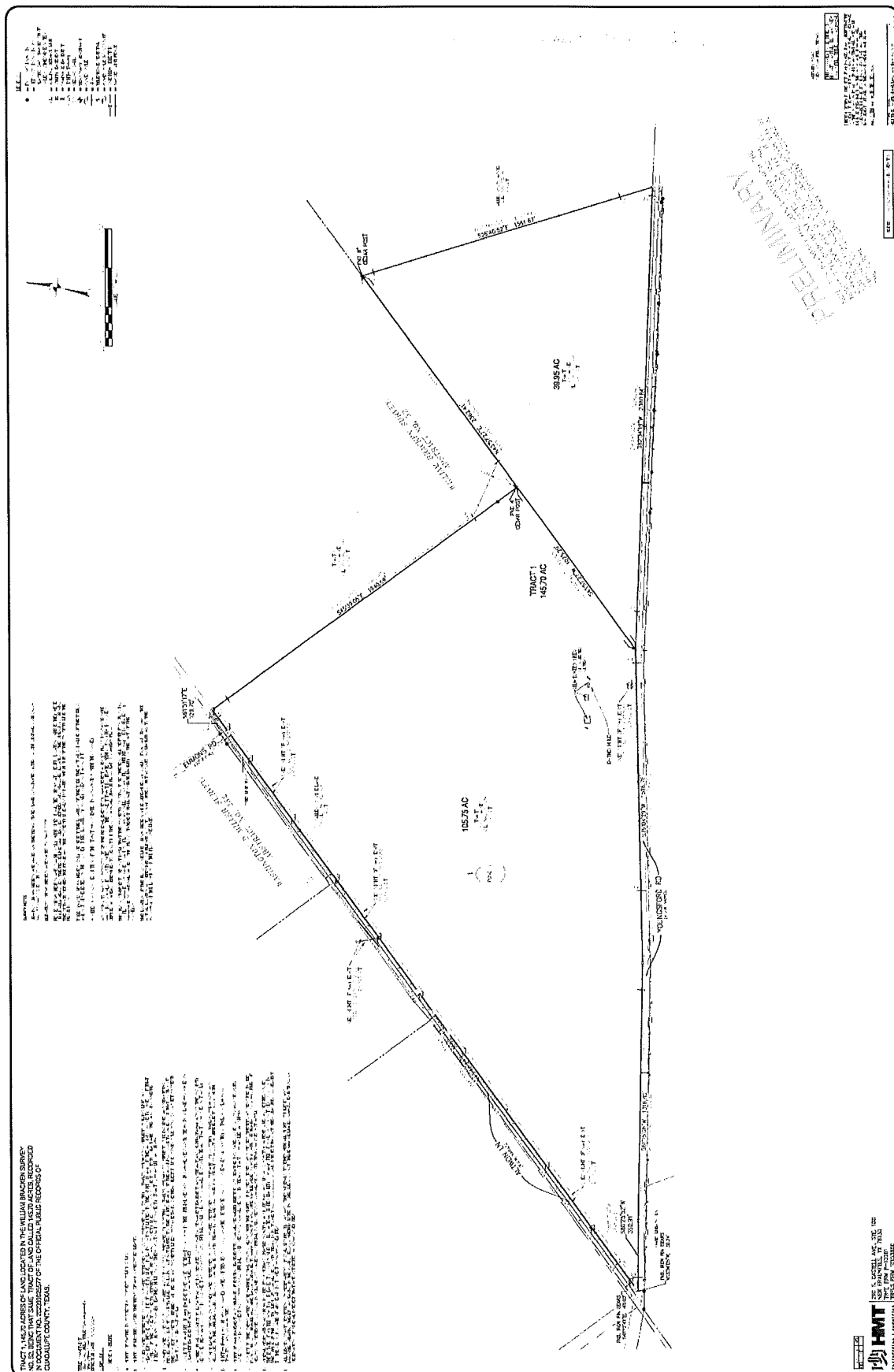
A handwritten signature in dark ink, appearing to read 'Dorothy J. Taylor', is written over a horizontal line.

Dorothy J. Taylor
Registered Professional Land Surveyor No. 6295

S:\Projects\032 - Fred Heimer\032.065 - Nowotny 105.25 & 140.00 Acres on Altwein\Metes & Bounds 140.70 AC.docx

10-12-22







290 S. Castell Avenue, Ste. 100
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METES AND BOUNDS DESCRIPTION OF 106.46 ACRE TRACT

A 106.46 acre tract of land being out of the Washington D Miller Survey, Abstract No. 232, Guadalupe County, Texas, the J.S. Johnson Survey No. 47, Abstract No. 190, Guadalupe County, Texas, and the Daniel Chandler Survey No. 489, Abstract No. 100, Guadalupe County, Texas, also being that same tract of land called 106.25 acres recorded in Volume 247, Page 552, Deed Records of Guadalupe County, Texas. Said 106.46 acre tract being more fully described as follows:

BEGINNING at an 8" cedar fence post in the North right of way line of Altwein Lane for the East corner of the herein described 106.46 acre tract, and also being the South corner of a called 83.81 acre tract, recorded in Volume 492, Page 891, Deed Records, Guadalupe County, Texas;

THENCE along the North right of way line of Altwein Lane, with the South line of the herein described tract the following 2 calls:

1. S 44°29'05" W, 721.69 feet to a set ½" iron pin (stamped "HMT") for a corner;
2. S 38°45'48" W, 138.91 feet to an 8" cedar fence post in the North right of way line of Altwein Lane for the South corner of the herein described tract, and also being the West corner of a called 160.67 acre tract, recorded in Volume 246, Page 594, Deed Records, Guadalupe County, Texas;

THENCE along the West line of the herein described tract and the East line of the called 160.67 acre tract N 45°54'04" W, 4022.48 feet to a fence post for a corner of the herein described tract, and the North corner of a called 160.67 acre tract, and a corner on the South line of a called 37.40 acre tract, recorded in Volume 248, Page 602, Deed Records, Guadalupe County, Texas;

THENCE along the South line of said 37.40 acre tract N 43°14'35" E, 239.67 feet to a found 6" cedar fence post for a corner of the herein described tract, and the West corner of said 37.40 acre tract;

THENCE along the West line of the herein described tract, and the East line of said 37.40 acre tract, N 45°24'03" W, a distance of 1312.79 feet to 3/" Iron pin found for the West corner of the herein described tract, and the North corner of said 37.40 acre tract, and the West corner of the Rathke Burial Ground, described as ¼ acre in Volume 247, Page 552 of the Guadalupe County Deed Records and a corner of a called 33.83 acre tract, called Tract 1, recorded in Document No. 201999001898, Official Public Records, Guadalupe County, Texas;

THENCE along the North line of the herein described tract, and the South line of said 33.83 acre tract passing through the North corner of Rathke Burial Ground, N 44°07'07" E, 899.12 feet to a found 3/8" iron pin found for the North corner of the herein described tract, and the East corner of said 33.83 acre tract, for a point in the South right of way line of Elmons Road, recorded in Volume 143, Page 594, Deed Records, Guadalupe County, Texas;



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THENCE along the South right of way line of Elmons Road, and the East line of the herein described tract, S 46°27'59" E, 204.08 feet, passing through a found 1/2" Iron pin (stamped "BLS 2024") for a corner in the South right of way line of Elmons Road, and the North corner of a called 7.85 acre tract, recorded in Volume 492, Page 891, Deed Records, Guadalupe County, Texas, continuing a total of 1310.10 feet along the East line of the herein described tract, and the West line of said 7.85 acre tract to a set 1/2" iron pin (stamped "HMT");

THENCE, along the North line of said 83.81 acre tract, S 43°56'04" W, 308.95 feet to a found 4" cedar fence post for a corner of the herein described tract, and the West corner of said 83.81 acre tract;

THENCE, along the West line of said 83.81 acre tract, and the East line of the herein described tract S 45°59'01" E, 4019.52 feet to the POINT OF BEGINNING and containing 106.46 acres of land in Guadalupe County, Texas.

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

Written August 24, 2022.

Reference survey of said 106.46 acre tract of land prepared this same date.

A handwritten signature in dark ink, appearing to read "Dorothy J. Taylor", with the date "8-24-22" written to its right.

Dorothy J. Taylor

Registered Professional Land Surveyor No. 6295

S:\Projects\032 - Fred Heimer\032.065 - Nowolny 105.25 Acres on Altwein\Metes & Bounds 106.46 AC.docx

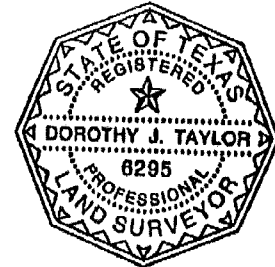


Exhibit B

Form of Petition to Consent to the Creation of a Municipal Utility District

**PETITION FOR CONSENT TO THE
CREATION OF A MUNICIPAL UTILITY DISTRICT
(Botanical Farm)**

THE STATE OF TEXAS §
 §
COUNTY OF GUADALUPE §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

The undersigned (herein referred to as the “*Petitioner*”), holder of title to all land within the territory hereinafter described by metes and bounds, and acting pursuant to Section 54.016, Texas Water Code, and Section 42.042, Texas Local Government Code, respectfully petitions the City Council of the City of New Braunfels, Texas, for its written consent to the inclusion of land in, and the creation of, a conservation and reclamation district and would respectfully show the following:

I.

The name of the proposed district shall be Botanical Farm Municipal Utility District or other named district authorized by law (the “*District*”).

II.

The land shall be included within the District by creation and organization of the District as provided above. The District shall be organized under the terms and provisions of Article III, Section 52 and Article XVI, Section 59 of the Constitution of Texas, Chapters 49 and 54 of the Texas Water Code, and any special act of the Texas Legislature either creating the District or otherwise applicable thereto, together with all amendments and additions thereto.

III.

The District will contain approximately 250.25 acres of land, more or less, situated in Guadalupe County, Texas. The land proposed to be included within the District is described by metes and bounds in Exhibits "A-1" and "A-2" attached hereto. The land is located within the extraterritorial jurisdiction of the City of New Braunfels, Texas. All of the territory proposed to be included may properly be included in the District.

IV.

The undersigned is the owner of and hold title to all of the lands within the proposed District as indicated by the tax rolls of Guadalupe County, Texas.

V.

The purposes of and the general nature of the work proposed to be done by the District shall be the purchase, construction, financing, acquisition, repair, extension, maintenance and improvement of a waterworks and sanitary sewer system, and a drainage and storm sewer system and road facilities, and to provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created and permitted under state law.

VI.

There is, for the following reasons, a necessity for the above-described work, services and improvements: The area proposed to be within the District will experience substantial and sustained residential growth. There is not now available within the area, which will be developed as a master-planned single-family residential, an adequate waterworks system, drainage and storm sewer system, or road system. The health and welfare of the present and future inhabitants of the area and of territories adjacent thereto require the construction, acquisition, maintenance, and operation of an adequate waterworks system and drainage and storm sewer system, and roadway system. A public necessity therefore exists for the organization, extension, improvement, maintenance, and operation of such waterworks system, drainage and storm sewer system, and road system, so as to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VII.

A preliminary investigation has been instituted to determine the cost of the project, and it is now estimated by the Petitioner, from such information as it has at this time, that the ultimate costs of the

EXHIBIT A-1

METES AND BOUNDS DESCRIPTION FOR A 145.70 ACRE TRACT OF LAND

A 145.70 acre tract of land being out of the William Bracken Survey No. 52, Guadalupe County, Texas, also being all of a tract of land called Tract 1, 106.00 acres and all of a tract of land called Tract 2, 40.00 acres recorded in Volume 346, Page 439, in the Deed Records of Guadalupe County, Texas. Said 145.70 acre tract being more fully described as follows:

BEGINNING at a set 1/2" iron pin (stamped "HMT") in the South right of way line of Altwein Lane for the Northern most corner of the herein described 145.70 acre tract, also being the North corner of the above referenced Tract 1, and also being the West corner of a called 106.00 acre tract called Tract 1, recorded in Volume 735, Page 1095, in the Deed Records of Guadalupe County, Texas, from which a found 1/2" iron pin across Altwein Lane, lying in the intersection of Emmons Road and Altwein Lane, bears N 61°51'17" E, a distance of 129.70 feet;

THENCE leaving the right of way of Altwein Lane, along the East line of the herein described tract and the West line of the called 106.00 acre, Tract 1, S 45°39'05" E, a distance of 1940.69 feet to a set 1/2" iron pin (stamped "HMT") for a corner of the herein described tract, also being the East corner of the above referenced Tract 1, and the South corner of the called 106.00 acre, Tract 1 (Vol 735, Pg 1095), and a corner on the North line of the above referenced Tract 2;

THENCE along a the North line of the herein described tract and the above referenced Tract 2, and along the South line of the called 106.00 acre tract, Tract 1 (Vol 735, Pg 1095), N 43°57'27" E, a distance of 1337.11 feet to a found 8" Cedar Fence Post for the Northeast corner of the herein described tract, the West corner of a called 100.00 acres described in Volume 326, Page 48, in the Deed Records of Guadalupe County, Texas, and a corner of the above referenced 106.00 acres (Vol 735, Pg 1095);

THENCE along the East line of the herein described tract and the West line of the called 100.00 acre tract, S 26°40'52" E, a distance of 1561.67 feet to a set 1/2" iron pin (stamped "HMT") for the East corner of the herein described tract, and said Tract 2, 40.00 acres, and also being the Southwest corner of the called 100.00 acres, and lying in the North right of way line of Youngsford Road;

THENCE along the South line of the herein described tract, and with the North right of way line of Youngsford Road the following 4 calls:

1. S 82°34'19" W, a distance of 2360.84 feet to a set 1/2" iron pin (stamped "HMT") for a corner of the herein described tract and the West corner of the above referenced Tract 2 also being the Southeast corner of the above referenced Tract 1;
2. S 79°04'29" W, a distance of 1596.76 feet to a set 1/2" iron pin (stamped "HMT") for a corner;
3. S 81°15'08" W, a distance of 1316.80 feet to a set 1/2" iron pin (stamped "HMT") for a corner;



290 S. Castell Avenue, Ste. 100
New Braunfels, TX 78130
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TBPE-FIRM F-10961
TBPLS FIRM 10153600

4. S 80°25'52" W, a distance of 360.91 feet for a corner lying in the intersection of Youngsford Road and Altwein Lane, from which a found 1/2" iron pin across Youngsford Road, bears N 13°38'05" W, 30.24 feet, and from which a found 1/2" iron pin across Alwein Lane, bears S 46°12'41" E, 40.00 feet, for the West corner of the herein described tract;

THENCE along the North line of the herein described tract and the South right of way line of Altwein Lane N 43°48'24" E, a distance of 3682.44 feet to the POINT OF BEGINNING and containing 145.70 acres of land in Guadalupe County, Texas.

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

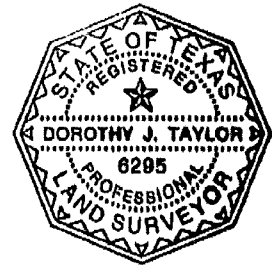
Written October 5, 2022.

Reference survey of said 140.70 acre tract of land prepared this September 30, 2022.


Dorothy J. Taylor
Registered Professional Land Surveyor No. 6295

S:\Projects\032 - Fred Heimer\032.065 - Nowotny 105.25 & 140.00 Acres on Altwein\Metes & Bounds 140.70 AC.docx

10-12-22





290 S. Castell Avenue, Ste. 100
New Braunfels, TX 78130
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TBPLS FIRM 10153600

EXHIBIT A-2
METES AND BOUNDS DESCRIPTION
OF 106.46 ACRE TRACT

A 106.46 acre tract of land being out of the Washington D Miller Survey, Abstract No. 232, Guadalupe County, Texas, the J.S. Johnson Survey No. 47, Abstract No. 190, Guadalupe County, Texas, and the Daniel Chandler Survey No. 489, Abstract No. 100, Guadalupe County, Texas, also being that same tract of land called 106.25 acres recorded in Volume 247, Page 552, Deed Records of Guadalupe County, Texas. Said 106.46 acre tract being more fully described as follows:

BEGINNING at an 8" cedar fence post in the North right of way line of Altwein Lane for the East corner of the herein described 106.46 acre tract, and also being the South corner of a called 83.81 acre tract, recorded in Volume 492, Page 891, Deed Records, Guadalupe County, Texas;

THENCE along the North right of way line of Altwein Lane, with the South line of the herein described tract the following 2 calls:

1. S 44°29'05" W, 721.69 feet to a set ½" iron pin (stamped "HMT") for a corner;
2. S 38°45'48" W, 138.91 feet to an 8" cedar fence post in the North right of way line of Altwein Lane for the South corner of the herein described tract, and also being the West corner of a called 160.67 acre tract, recorded in Volume 246, Page 594, Deed Records, Guadalupe County, Texas;

THENCE along the West line of the herein described tract and the East line of the called 160.67 acre tract N 45°54'04" W, 4022.48 feet to a fence post for a corner of the herein described tract, and the North corner of a called 160.67 acre tract, and a corner on the South line of a called 37.40 acre tract, recorded in Volume 248, Page 602, Deed Records, Guadalupe County, Texas;

THENCE along the South line of said 37.40 acre tract N 43°14'35" E, 239.67 feet to a found 6" cedar fence post for a corner of the herein described tract, and the West corner of said 37.40 acre tract;

THENCE along the West line of the herein described tract, and the East line of said 37.40 acre tract, N 45°24'03" W, a distance of 1312.79 feet to 3/" iron pin found for the West corner of the herein described tract, and the North corner of said 37.40 acre tract, and the West corner of the Rathke Burial Ground, described as ¼ acre in Volume 247, Page 552 of the Guadalupe County Deed Records and a corner of a called 33.83 acre tract, called Tract 1, recorded in Document No. 201999001898, Official Public Records, Guadalupe County, Texas;

THENCE along the North line of the herein described tract, and the South line of said 33.83 acre tract passing through the North corner of Rathke Burial Ground, N 44°07'07" E, 899.12 feet to a found 3/8" iron pin found for the North corner of the herein described tract, and the East corner of said 33.83 acre tract, for a point in the South right of way line of Elmons Road, recorded in Volume 143, Page 594, Deed Records, Guadalupe County, Texas;



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TBPLS FIRM 10153600

THENCE along the South right of way line of Elmons Road, and the East line of the herein described tract, S 46°27'59" E, 204.08 feet, passing through a found 1/2" iron pin (stamped "BLS 2024") for a corner in the South right of way line of Elmons Road, and the North corner of a called 7.85 acre tract, recorded in Volume 492, Page 891, Deed Records, Guadalupe County, Texas, continuing a total of 1310.10 feet along the East line of the herein described tract, and the West line of said 7.85 acre tract to a set 1/2" iron pin (stamped "HMT");

THENCE, along the North line of said 83.81 acre tract, S 43°56'04" W, 308.95 feet to a found 4" cedar fence post for a corner of the herein described tract, and the West corner of said 83.81 acre tract;

THENCE, along the West line of said 83.81 acre tract, and the East line of the herein described tract S 45°59'01" E, 4019.52 feet to the POINT OF BEGINNING and containing 106.46 acres of land in Guadalupe County, Texas.

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

Written August 24, 2022.

Reference survey of said 106.46 acre tract of land prepared this same date.

A handwritten signature in cursive script, appearing to read "Dorothy J. Taylor", followed by the date "8-24-22" written in a similar cursive style.

Dorothy J. Taylor

Registered Professional Land Surveyor No. 6295

S:\Projects\032 - Fred Heimer\032.065 - Nowolny 105.25 Acres on Altwein Metes & Bounds 106.46 AC.docx

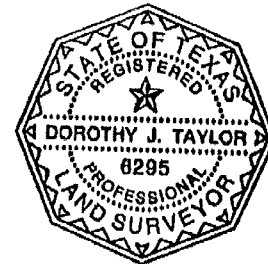


Exhibit C
Development Regulations

- a. Chapter 14 Buildings and Building Regulations of the City of New Braunfels Code of Ordinances.
- b. Chapter 118 Subdivision Platting of the City of New Braunfels Code of Ordinances.

Exhibit D

LOCAL GOVERNMENT CODE SECTION 212.172 MANDATORY DISCLOSURE

A. At the time a municipality makes an offer to a landowner to enter into a development agreement pursuant to Section 212.172, the municipality must provide the landowner with a written disclosure that includes:

- (1) a statement that the landowner is not required to enter into the Agreement;
- (2) the authority under which the municipality may annex the land with references to relevant law;
- (3) a plain-language description of the annexation procedures applicable to the land;
- (4) whether the procedures require the landowner's consent; and
- (5) a statement regarding the municipality's waiver of immunity to suit.

B. You, the Landowner, are not required to enter into this Agreement. The consent provided by the City of New Braunfels for creation of the District was, however, predicated upon the District and those who develop within the District abiding by certain conditions included within the consent Resolution. One such condition was entering into a development agreement with the City of New Braunfels.

C. But for the Agreement or a strategic partnership agreement with the District, the City of New Braunfels may only annex your property as provided by Local Government Code Chapter 43 Subchapter C-3, Annexation of Area on Request of Owners; Subchapter C-4, Annexation of Areas with Population of Less Than 200 by Petition; or Subchapter C-5, Annexation of Areas with Population of At Least 200 by Election.

D. Annexation Procedures, Generally.

Local Government Code Chapter 43 Subchapter C-3, Annexation of Area on Request of Owners requires that each owner of land in the area requests the annexation. Before adopting an ordinance to complete an annexation under Subchapter C-3, the City would first negotiate with the landowners for the provision of services to the area and hold one public hearing where persons interested in the annexation could be heard.

Subchapter C-4, Annexation of Areas with Population of Less Than 200 by Petition requires that, before annexing an area with a population of less than 200, the City must first receive a petition consenting to the annexation signed by (1) more than 50% of the registered voters of the area and (2) if the registered voters of the area do not own more than 50% of the land in the area, more than 50% of the owners of land in the area. The City must then pass a resolution detailing services to be provided within the area after annexation, and mail to each resident and property owner in the area notice of the proposed annexation along with the services to be provided, date of the public hearing to be held, and an explanation of the 180-day petition period.

Subchapter C-5, Annexation of Areas with Population of At Least 200 by Election requires

that, before annexing an area with a population of at least 200, the municipality holds an election in the area proposed to be annexed at which the qualified voters of the area may vote on the question of the annexation and a majority of the votes received at the election approve the annexation; and the registered voters of the area do not own more than 50 percent of the land in the area, the municipality obtains consent to annex the area through a petition signed by more than 50 percent of the owners of land in the area.

E. A municipality that enters a contract waives immunity from suit for the purpose of adjudicating a claim for breach of the contract. A development agreement entered into pursuant to Local Government Code Section 212.172 is a contract and constitutes a permit under Local Government Code Chapter 245.

Exhibit E

Regional Transportation and Hike and Bike Trail Plans

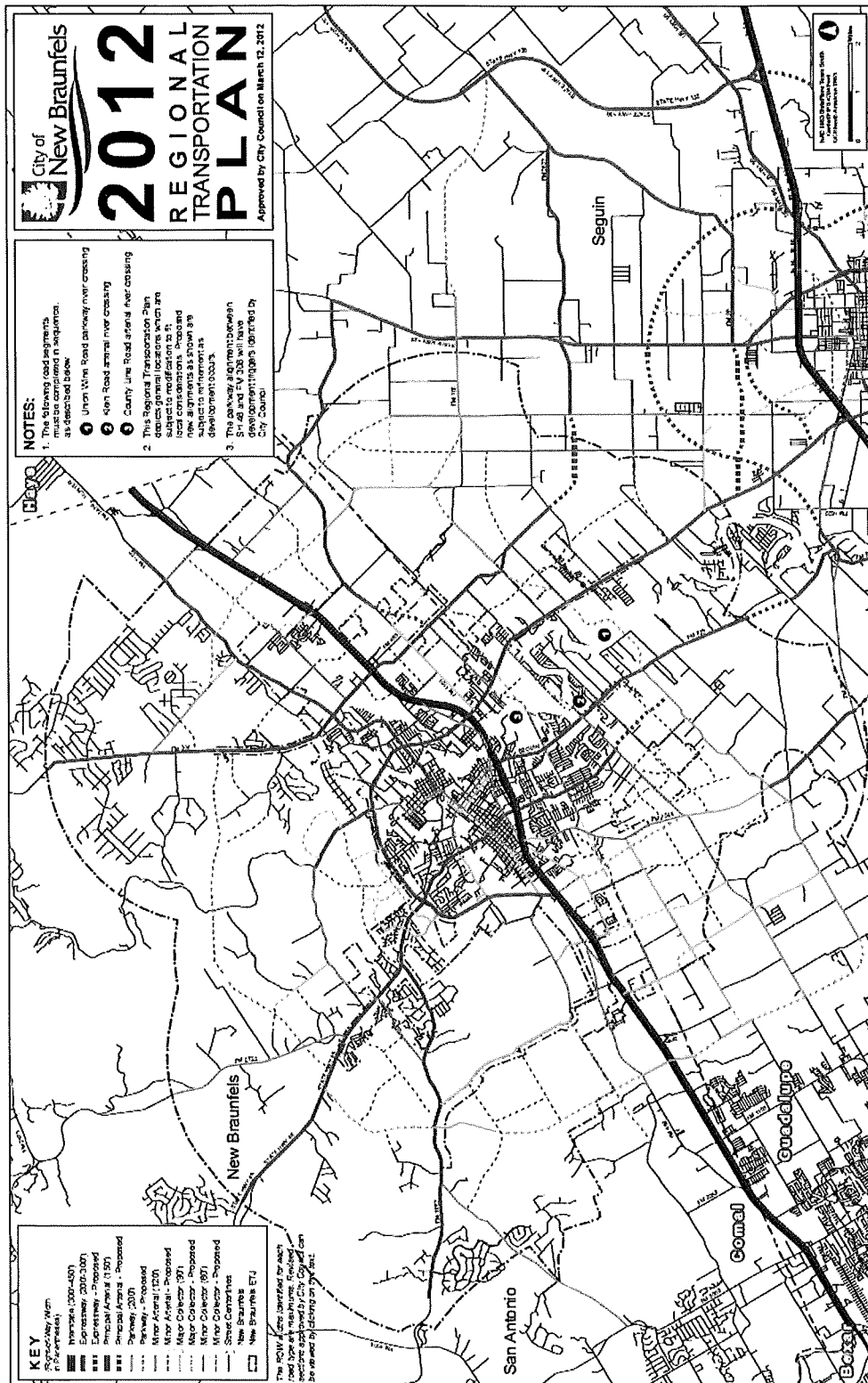


Exhibit F

Draft Guadalupe County Major Thoroughfare Plan

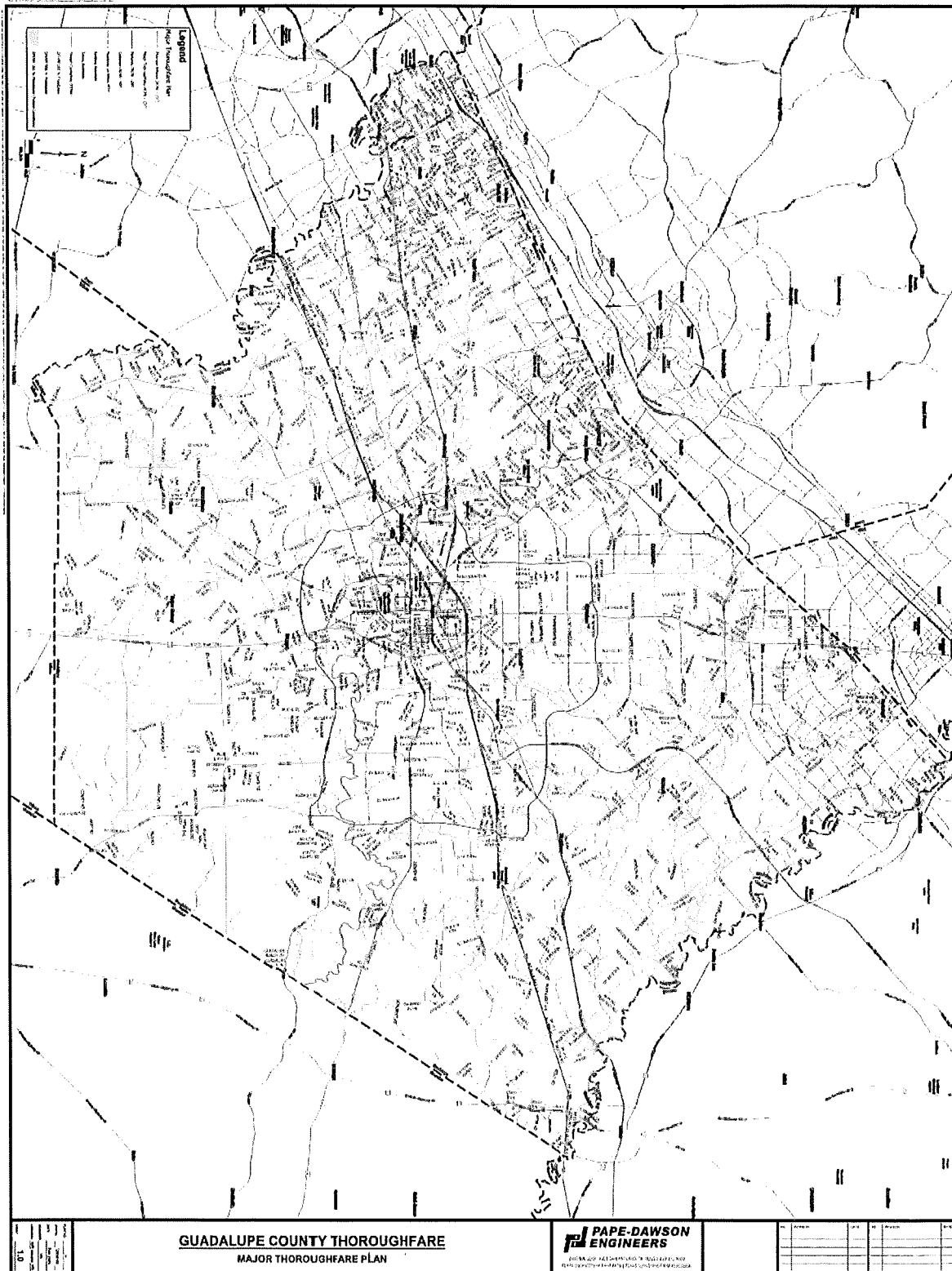


Exhibit G

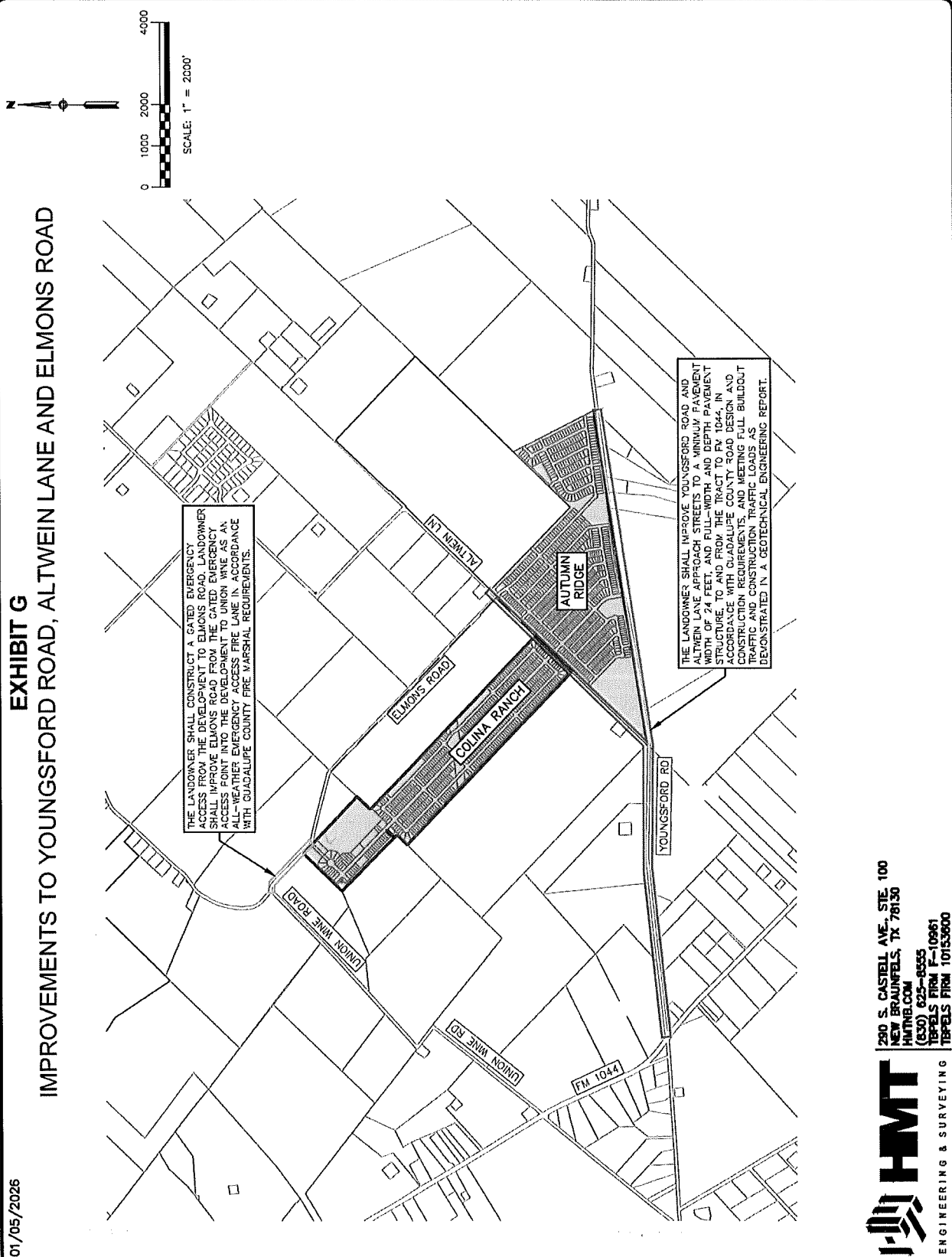


Exhibit H

Form of Resolution Consenting to the Creation of the Municipal Utility District

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF NEW BRAUNFELS, TEXAS CONSENTING TO THE CREATION, AND INCLUSION OF LAND WITHIN BOTANICAL FARM MUNICIPAL UTILITY DISTRICT OF GUADALUPE COUNTY

WHEREAS, the City of New Braunfels, Texas (the "City") has received a request for its consent to the creation of, and inclusion of land within, a municipal utility district (the "District") in the extraterritorial jurisdiction of the City pursuant to Section 54.016, Texas Water Code and Section 42.042, Texas Local Government Code; and

WHEREAS, pursuant to Texas Water Code, Section 54.016, and Texas Local Government Code, Section 42.042, land within the extraterritorial jurisdiction of a city may not be included within a district without the written consent of such city;

WHEREAS, the City has received a Petition for Consent to the Creation of a Municipal Utility District and inclusion of a Property of real property encompassing approximately 250.25 acres of land being more particularly described by metes and bounds in Exhibit "A-1" and delineated in Exhibit "B-1" attached hereto (the "Land") into the boundaries of the District;

WHEREAS, all of the Land is located within the extraterritorial jurisdiction of the City; and,

WHEREAS, the City Council of the City of New Braunfels desires to grant its written consent to the creation of the District and the inclusion of the Land within the District.

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

Section 1. The City of New Braunfels, Texas hereby consents to the creation of the District and inclusion of the Land within the District in accordance with Section 54.016, Texas Water Code, and Section 42.042 of the Texas Local Government Code.

Section 2. As a condition of the City's consent to the creation of the District and inclusion of Land within the District, the following conditions shall apply:

1. The District may issue bonds for any purpose authorized by law, including but not limited to the purchase, construction, acquisition, repair extension and improvement of land, easements, works, improvements, plants, equipment, appliances, and other facilities which are authorized by law and necessary to:
 - a. Provide a water supply for municipal uses, domestic uses, and commercial purposes;
 - b. Collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid or composite state;
 - c. Conduct, divert and control local storm water or other local harmful excesses of water in the District and the payment of organization expenses, operating expenses during construction and interest during construction; and
 - d. Design, acquire, construct, finance, operate, or maintain a road or any improvement in aid of the road if the power to acquire roads is granted to the District pursuant to Section 54.234 of the Texas Water Code.
 - e. To provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created and permitted under state law.

Section 3. This Resolution shall become effective from and after the date of its passage.

PASSED, ADOPTED AND APPROVED THIS _____ DAY OF _____, 2026.

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

EXHIBIT "A-1"

Metes and Bounds Description of the Land



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

METES AND BOUNDS DESCRIPTION FOR A 145.70 ACRE TRACT OF LAND

A 145.70 acre tract of land being out of the William Bracken Survey No. 52, Guadalupe County, Texas, also being all of a tract of land called Tract 1, 106.00 acres and all of a tract of land called Tract 2, 40.00 acres recorded in Volume 346, Page 439, in the Deed Records of Guadalupe County, Texas. Said 145.70 acre tract being more fully described as follows:

BEGINNING at a set 1/2" iron pin (stamped "HMT") in the South right of way line of Altwein Lane for the Northern most corner of the herein described 145.70 acre tract, also being the North corner of the above referenced Tract 1, and also being the West corner of a called 106.00 acre tract called Tract 1, recorded in Volume 735, Page 1095, in the Deed Records of Guadalupe County, Texas, from which a found 1/2" iron pin across Altwein Lane, lying in the intersection of Emmons Road and Altwein Lane, bears N 61°51'17" E, a distance of 129.70 feet;

THENCE leaving the right of way of Altwein Lane, along the East line of the herein described tract and the West line of the called 106.00 acre, Tract 1, S 45°39'05" E, a distance of 1940.69 feet to a set 1/2" iron pin (stamped "HMT") for a corner of the herein described tract, also being the East corner of the above referenced Tract 1, and the South corner of the called 106.00 acre, Tract 1 (Vol 735, Pg 1095), and a corner on the North line of the above referenced Tract 2;

THENCE along a the North line of the herein described tract and the above referenced Tract 2, and along the South line of the called 106.00 acre tract, Tract 1 (Vol 735, Pg 1095), N 43°57'27" E, a distance of 1337.11 feet to a found 8" Cedar Fence Post for the Northeast corner of the herein described tract, the West corner of a called 100.00 acres described in Volume 326, Page 48, in the Deed Records of Guadalupe County, Texas, and a corner of the above referenced 106.00 acres (Vol 735, Pg 1095);

THENCE along the East line of the herein described tract and the West line of the called 100.00 acre tract, S 26°40'52" E, a distance of 1561.67 feet to a set 1/2" iron pin (stamped "HMT") for the East corner of the herein described tract, and said Tract 2, 40.00 acres, and also being the Southwest corner of the called 100.00 acres, and lying in the North right of way line of Youngsford Road;

THENCE along the South line of the herein described tract, and with the North right of way line of Youngsford Road the following 4 calls:

1. S 82°34'19" W, a distance of 2360.84 feet to a set 1/2" iron pin (stamped "HMT") for a corner of the herein described tract and the West corner of the above referenced Tract 2 also being the Southeast corner of the above referenced Tract 1;
2. S 79°04'29" W, a distance of 1596.76 feet to a set 1/2" iron pin (stamped "HMT") for a corner;
3. S 81°15'08" W, a distance of 1316.80 feet to a set 1/2" iron pin (stamped "HMT") for a corner;



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New Braunfels, TX 78130
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TBPE-FIRM F-10961
TBPLS FIRM 10153600

4. S 80°25'52" W, a distance of 360.91 feet for a corner lying in the intersection of Youngsford Road and Altwein Lane, from which a found 1/2" iron pin across Youngsford Road, bears N 13°38'05" W, 30.24 feet, and from which a found 1/2" iron pin across Alwein Lane, bears S 46°12'41" E, 40.00 feet, for the West corner of the herein described tract;

THENCE along the North line of the herein described tract and the South right of way line of Altwein Lane N 43°48'24" E, a distance of 3682.44 feet to the POINT OF BEGINNING and containing 145.70 acres of land in Guadalupe County, Texas.

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

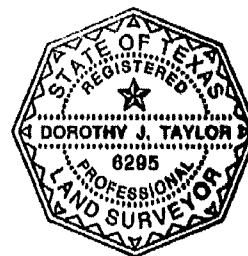
Written October 5, 2022.

Reference survey of said 140.70 acre tract of land prepared this September 30, 2022.

Dorothy J. Taylor
Registered Professional Land Surveyor No. 6295

S:\Projects\032 - Fred Helmer\032.065 - Nowotny 105.25 & 140.00 Acres on Altwein\Metes & Bounds 140.70 AC.docx

10-12-22





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

METES AND BOUNDS DESCRIPTION OF 106.46 ACRE TRACT

A 106.46 acre tract of land being out of the Washington D Miller Survey, Abstract No. 232, Guadalupe County, Texas, the J.S. Johnson Survey No. 47, Abstract No. 190, Guadalupe County, Texas, and the Daniel Chandler Survey No. 489, Abstract No. 100, Guadalupe County, Texas, also being that same tract of land called 106.25 acres recorded in Volume 247, Page 552, Deed Records of Guadalupe County, Texas. Said 106.46 acre tract being more fully described as follows:

BEGINNING at an 8" cedar fence post in the North right of way line of Altwein Lane for the East corner of the herein described 106.46 acre tract, and also being the South corner of a called 83.81 acre tract, recorded in Volume 492, Page 891, Deed Records, Guadalupe County, Texas;

THENCE along the North right of way line of Altwein Lane, with the South line of the herein described tract the following 2 calls:

1. S 44°29'05" W, 721.69 feet to a set ½" iron pin (stamped "HMT") for a corner;
2. S 38°45'48" W, 138.91 feet to an 8" cedar fence post in the North right of way line of Altwein Lane for the South corner of the herein described tract, and also being the West corner of a called 160.67 acre tract, recorded in Volume 246, Page 594, Deed Records, Guadalupe County, Texas;

THENCE along the West line of the herein described tract and the East line of the called 160.67 acre tract N 45°54'04" W, 4022.48 feet to a fence post for a corner of the herein described tract, and the North corner of a called 160.67 acre tract, and a corner on the South line of a called 37.40 acre tract, recorded in Volume 248, Page 602, Deed Records, Guadalupe County, Texas;

THENCE along the South line of said 37.40 acre tract N 43°14'35" E, 239.67 feet to a found 6" cedar fence post for a corner of the herein described tract, and the West corner of said 37.40 acre tract;

THENCE along the West line of the herein described tract, and the East line of said 37.40 acre tract, N 45°24'03" W, a distance of 1312.79 feet to 3/" iron pin found for the West corner of the herein described tract, and the North corner of said 37.40 acre tract, and the West corner of the Rathke Burial Ground, described as ¼ acre in Volume 247, Page 552 of the Guadalupe County Deed Records and a corner of a called 33.83 acre tract, called Tract 1, recorded in Document No. 201999001898, Official Public Records, Guadalupe County, Texas;

THENCE along the North line of the herein described tract, and the South line of said 33.83 acre tract passing through the North corner of Rathke Burial Ground, N 44°07'07" E, 899.12 feet to a found 3/8" iron pin found for the North corner of the herein described tract, and the East corner of said 33.83 acre tract, for a point in the South right of way line of Elmons Road, recorded in Volume 143, Page 594, Deed Records, Guadalupe County, Texas;



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New Braunfels, TX 78130
(830) 625-8555
TBPE-FIRM F-10961
TBPLS FIRM 10153600

THENCE along the South right of way line of Elmons Road, and the East line of the herein described tract, S 46°27'59" E, 204.08 feet, passing through a found 1/2" iron pin (stamped "BLS 2024") for a corner in the South right of way line of Elmons Road, and the North corner of a called 7.85 acre tract, recorded in Volume 492, Page 891, Deed Records, Guadalupe County, Texas, continuing a total of 1310.10 feet along the East line of the herein described tract, and the West line of said 7.85 acre tract to a set 1/2" iron pin (stamped "HMT");

THENCE, along the North line of said 83.81 acre tract, S 43°56'04" W, 308.95 feet to a found 4" cedar fence post for a corner of the herein described tract, and the West corner of said 83.81 acre tract;

THENCE, along the West line of said 83.81 acre tract, and the East line of the herein described tract S 45°59'01" E, 4019.52 feet to the POINT OF BEGINNING and containing 106.46 acres of land in Guadalupe County, Texas.

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

Written August 24, 2022.

Reference survey of said 106.46 acre tract of land prepared this same date.

A handwritten signature in cursive script, appearing to read "Dorothy J. Taylor", followed by the date "8-24-22" written in a similar cursive style.

Dorothy J. Taylor

Registered Professional Land Surveyor No. 6295

S:\Projects\032 - Fred Heimer\032.065 - Nowohy 105.25 Acres on Altwein\Metes & Bonds 106.46 AC.docx

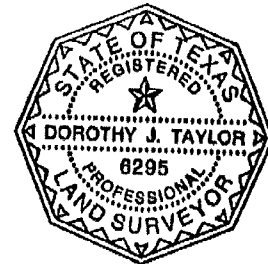
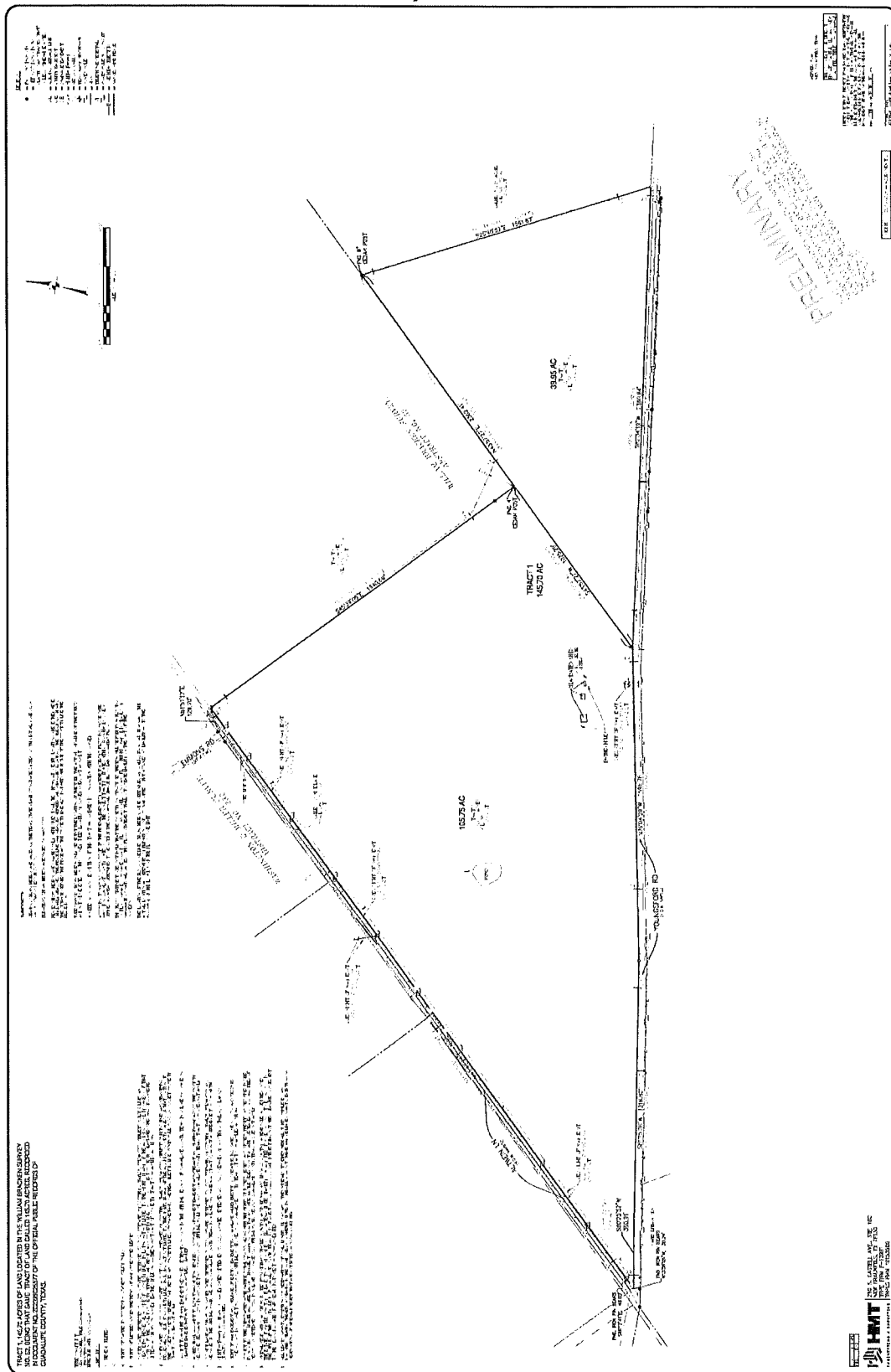


EXHIBIT "B-1"
Survey of the Land



RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF NEW BRAUNFELS, TEXAS
CONSENTING TO THE CREATION, AND INCLUSION OF
LAND WITHIN BOTANICAL FARM MUNICIPAL UTILITY
DISTRICT OF GUADALUPE COUNTY**

WHEREAS, the City of New Braunfels, Texas (the "City") has received a request for its consent to the creation of, and inclusion of land within, a municipal utility district (the "District") in the extraterritorial jurisdiction of the City pursuant to Section 54.016, Texas Water Code and Section 42.042, Texas Local Government Code; and

WHEREAS, pursuant to Texas Water Code, Section 54.016, and Texas Local Government Code, Section 42.042, land within the extraterritorial jurisdiction of a city may not be included within a district without the written consent of such city;

WHEREAS, the City has received a Petition for Consent to the Creation of a Municipal Utility District and inclusion of a Property of real property encompassing approximately 250.25 acres of land being more particularly described by metes and bounds in Exhibit "A" and delineated in Exhibit "B" attached hereto (the "Land") into the boundaries of the District;

WHEREAS, all of the Land is located within the extraterritorial jurisdiction of the City; and,

WHEREAS, the City Council of the City of New Braunfels desires to grant its written consent to the creation of the District and the inclusion of the Land within the District.

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

Section 1. The City of New Braunfels, Texas hereby consents to the creation of the District and inclusion of the Land within the District in accordance with Section 54.016, Texas Water Code, and Section 42.042 of the Texas Local Government Code.

Section 2. As a condition of the City's consent to the creation of the District and inclusion of Land within the District, the following conditions shall apply:

1. The District may issue bonds for any purpose authorized by law, including but not limited to the purchase, construction, acquisition, repair extension and improvement of land, easements, works, improvements, plants, equipment, appliances, and other facilities which are authorized by law and necessary to:
 - a. Provide a water supply for municipal uses, domestic uses, and commercial purposes;
 - b. Collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid or composite state;
 - c. Conduct, divert and control local storm water or other local harmful excesses of water in the District and the payment of organization expenses, operating expenses during construction and interest during construction; and
 - d. Design, acquire, construct, finance, operate, or maintain a road or any improvement in aid of the road if the power to acquire roads is granted to the District pursuant to Section 54.234 of the Texas Water Code.
 - e. To provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created and permitted under state law.

Section 3. This Resolution shall become effective from and after the date of its passage.

PASSED, ADOPTED AND APPROVED THIS _____ DAY OF _____, 2026.

NEIL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

EXHIBIT "A"

Metes and Bounds Description of the Land



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

METES AND BOUNDS DESCRIPTION FOR A 145.70 ACRE TRACT OF LAND

A 145.70 acre tract of land being out of the William Bracken Survey No. 52, Guadalupe County, Texas, also being all of a tract of land called Tract 1, 106.00 acres and all of a tract of land called Tract 2, 40.00 acres recorded in Volume 346, Page 439, in the Deed Records of Guadalupe County, Texas. Said 145.70 acre tract being more fully described as follows:

BEGINNING at a set 1/2" iron pin (stamped "HMT") in the South right of way line of Altwein Lane for the Northern most corner of the herein described 145.70 acre tract, also being the North corner of the above referenced Tract 1, and also being the West corner of a called 106.00 acre tract called Tract 1, recorded in Volume 735, Page 1095, in the Deed Records of Guadalupe County, Texas, from which a found 1/2" iron pin across Altwein Lane, lying in the intersection of Emmons Road and Altwein Lane, bears N 61°51'17" E, a distance of 129.70 feet;

THENCE leaving the right of way of Altwein Lane, along the East line of the herein described tract and the West line of the called 106.00 acre, Tract 1, S 45°39'05" E, a distance of 1940.69 feet to a set 1/2" iron pin (stamped "HMT") for a corner of the herein described tract, also being the East corner of the above referenced Tract 1, and the South corner of the called 106.00 acre, Tract 1 (Vol 735, Pg 1095), and a corner on the North line of the above referenced Tract 2;

THENCE along a the North line of the herein described tract and the above referenced Tract 2, and along the South line of the called 106.00 acre tract, Tract 1 (Vol 735, Pg 1095), N 43°57'27" E, a distance of 1337.11 feet to a found 8" Cedar Fence Post for the Northeast corner of the herein described tract, the West corner of a called 100.00 acres described in Volume 326, Page 48, in the Deed Records of Guadalupe County, Texas, and a corner of the above referenced 106.00 acres (Vol 735, Pg 1095);

THENCE along the East line of the herein described tract and the West line of the called 100.00 acre tract, S 26°40'52" E, a distance of 1561.67 feet to a set 1/2" iron pin (stamped "HMT") for the East corner of the herein described tract, and said Tract 2, 40.00 acres, and also being the Southwest corner of the called 100.00 acres, and lying in the North right of way line of Youngsford Road;

THENCE along the South line of the herein described tract, and with the North right of way line of Youngsford Road the following 4 calls:

1. S 82°34'19" W, a distance of 2360.84 feet to a set 1/2" iron pin (stamped "HMT") for a corner of the herein described tract and the West corner of the above referenced Tract 2 also being the Southeast corner of the above referenced Tract 1;
2. S 79°04'29" W, a distance of 1596.76 feet to a set 1/2" iron pin (stamped "HMT") for a corner;
3. S 81°15'08" W, a distance of 1316.80 feet to a set 1/2" iron pin (stamped "HMT") for a corner;



290 S. Castell Avenue, Ste. 100
New Braunfels, TX 78130
(830) 625-8555
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TBPLS FIRM 10153600

4. S 80°25'52" W, a distance of 360.91 feet for a corner lying in the intersection of Youngsford Road and Altwein Lane, from which a found 1/2" iron pin across Youngsford Road, bears N 13°38'05" W, 30.24 feet, and from which a found 1/2" iron pin across Alwein Lane, bears S 46°12'41" E, 40.00 feet, for the West corner of the herein described tract;

THENCE along the North line of the herein described tract and the South right of way line of Altwein Lane N 43°48'24" E, a distance of 3682.44 feet to the POINT OF BEGINNING and containing 145.70 acres of land in Guadalupe County, Texas.

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

Written October 5, 2022.

Reference survey of said 140.70 acre tract of land prepared this September 30, 2022.

Dorothy J. Taylor
Registered Professional Land Surveyor No. 6295

10-12-22

S:\Projects\032 - Fred Heimer\032.065 - Nowotny 105.25 & 140.00 Acres on Altwein\Metes & Bounds 140.70 AC.docx



METES AND BOUNDS DESCRIPTION OF 106.46 ACRE TRACT

A 106.46 acre tract of land being out of the Washington D Miller Survey, Abstract No. 232, Guadalupe County, Texas, the J.S. Johnson Survey No. 47, Abstract No. 190, Guadalupe County, Texas, and the Daniel Chandler Survey No. 489, Abstract No. 100, Guadalupe County, Texas, also being that same tract of land called 106.25 acres recorded in Volume 247, Page 552, Deed Records of Guadalupe County, Texas. Said 106.46 acre tract being more fully described as follows:

BEGINNING at an 8" cedar fence post in the North right of way line of Altwein Lane for the East corner of the herein described 106.46 acre tract, and also being the South corner of a called 83.81 acre tract, recorded in Volume 492, Page 891, Deed Records, Guadalupe County, Texas;

THENCE along the North right of way line of Altwein Lane, with the South line of the herein described tract the following 2 calls:

1. S 44°29'05" W, 721.69 feet to a set ½" iron pin (stamped "HMT") for a corner;
2. S 38°45'48" W, 138.91 feet to an 8" cedar fence post in the North right of way line of Altwein Lane for the South corner of the herein described tract, and also being the West corner of a called 160.67 acre tract, recorded in Volume 246, Page 594, Deed Records, Guadalupe County, Texas;

THENCE along the West line of the herein described tract and the East line of the called 160.67 acre tract N 45°54'04" W, 4022.48 feet to a fence post for a corner of the herein described tract, and the North corner of a called 160.67 acre tract, and a corner on the South line of a called 37.40 acre tract, recorded in Volume 248, Page 602, Deed Records, Guadalupe County, Texas;

THENCE along the South line of said 37.40 acre tract N 43°14'35" E, 239.67 feet to a found 6" cedar fence post for a corner of the herein described tract, and the West corner of said 37.40 acre tract;

THENCE along the West line of the herein described tract, and the East line of said 37.40 acre tract, N 45°24'03" W, a distance of 1312.79 feet to 3/" iron pin found for the West corner of the herein described tract, and the North corner of said 37.40 acre tract, and the West corner of the Rathke Burial Ground, described as ¼ acre in Volume 247, Page 552 of the Guadalupe County Deed Records and a corner of a called 33.83 acre tract, called Tract 1, recorded in Document No. 201999001898, Official Public Records, Guadalupe County, Texas;

THENCE along the North line of the herein described tract, and the South line of said 33.83 acre tract passing through the North corner of Rathke Burial Ground, N 44°07'07" E, 899.12 feet to a found 3/8" iron pin found for the North corner of the herein described tract, and the East corner of said 33.83 acre tract, for a point in the South right of way line of Elmons Road, recorded in Volume 143, Page 594, Deed Records, Guadalupe County, Texas;



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

THENCE along the South right of way line of Elmons Road, and the East line of the herein described tract, S 46°27'59" E, 204.08 feet, passing through a found 1/2" iron pin (stamped "BLS 2024") for a corner in the South right of way line of Elmons Road, and the North corner of a called 7.85 acre tract, recorded in Volume 492, Page 891, Deed Records, Guadalupe County, Texas, continuing a total of 1310.10 feet along the East line of the herein described tract, and the West line of said 7.85 acre tract to a set 1/2" iron pin (stamped "HMT");

THENCE, along the North line of said 83.81 acre tract, S 43°56'04" W, 308.95 feet to a found 4" cedar fence post for a corner of the herein described tract, and the West corner of said 83.81 acre tract;

THENCE, along the West line of said 83.81 acre tract, and the East line of the herein described tract S 45°59'01" E, 4019.52 feet to the POINT OF BEGINNING and containing 106.46 acres of land in Guadalupe County, Texas.

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

Written August 24, 2022.

Reference survey of said 106.46 acre tract of land prepared this same date.

A handwritten signature in blue ink, appearing to read "Dorothy J. Taylor", with the date "8-24-22" written next to it.

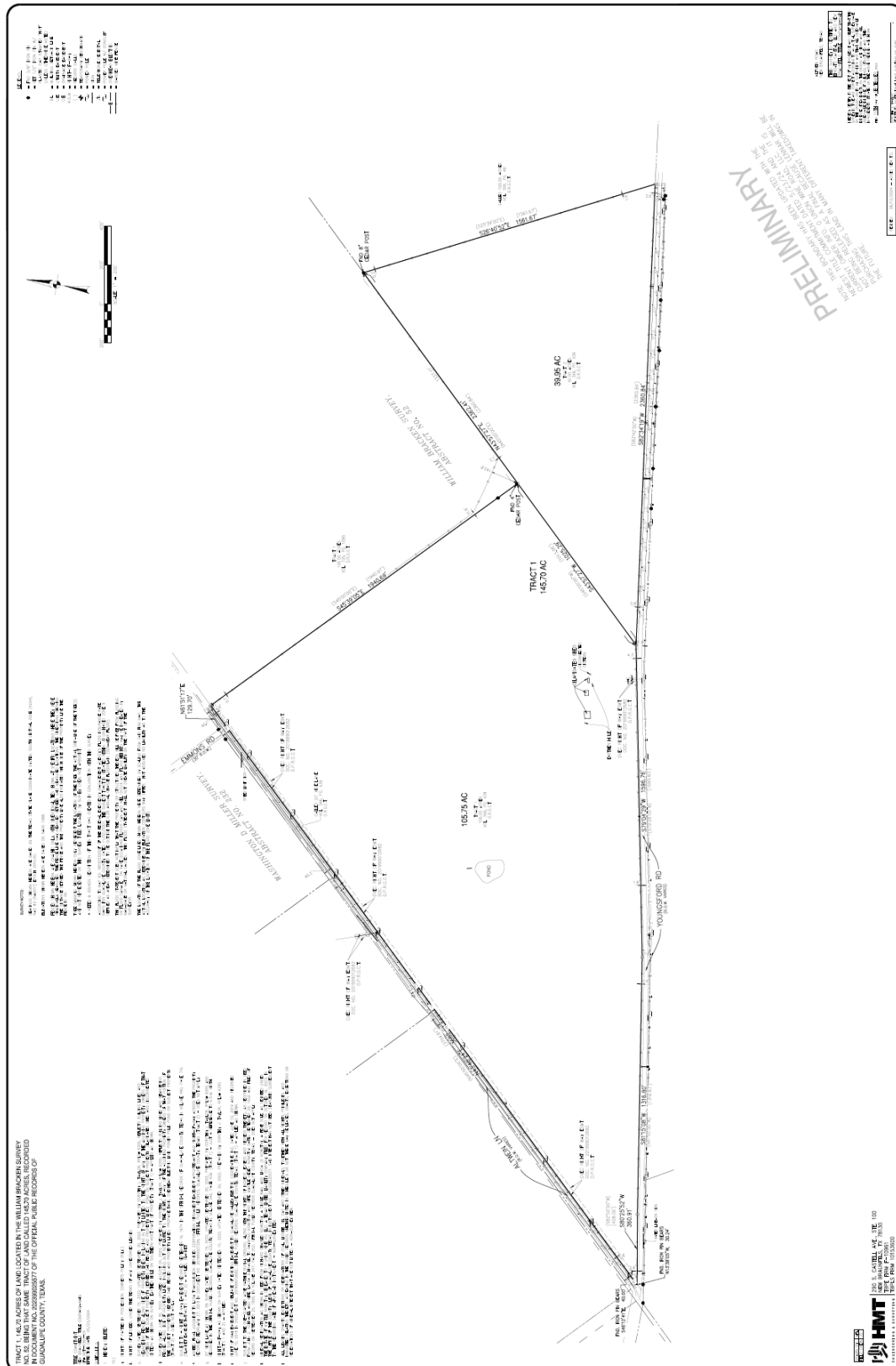
Dorothy J. Taylor

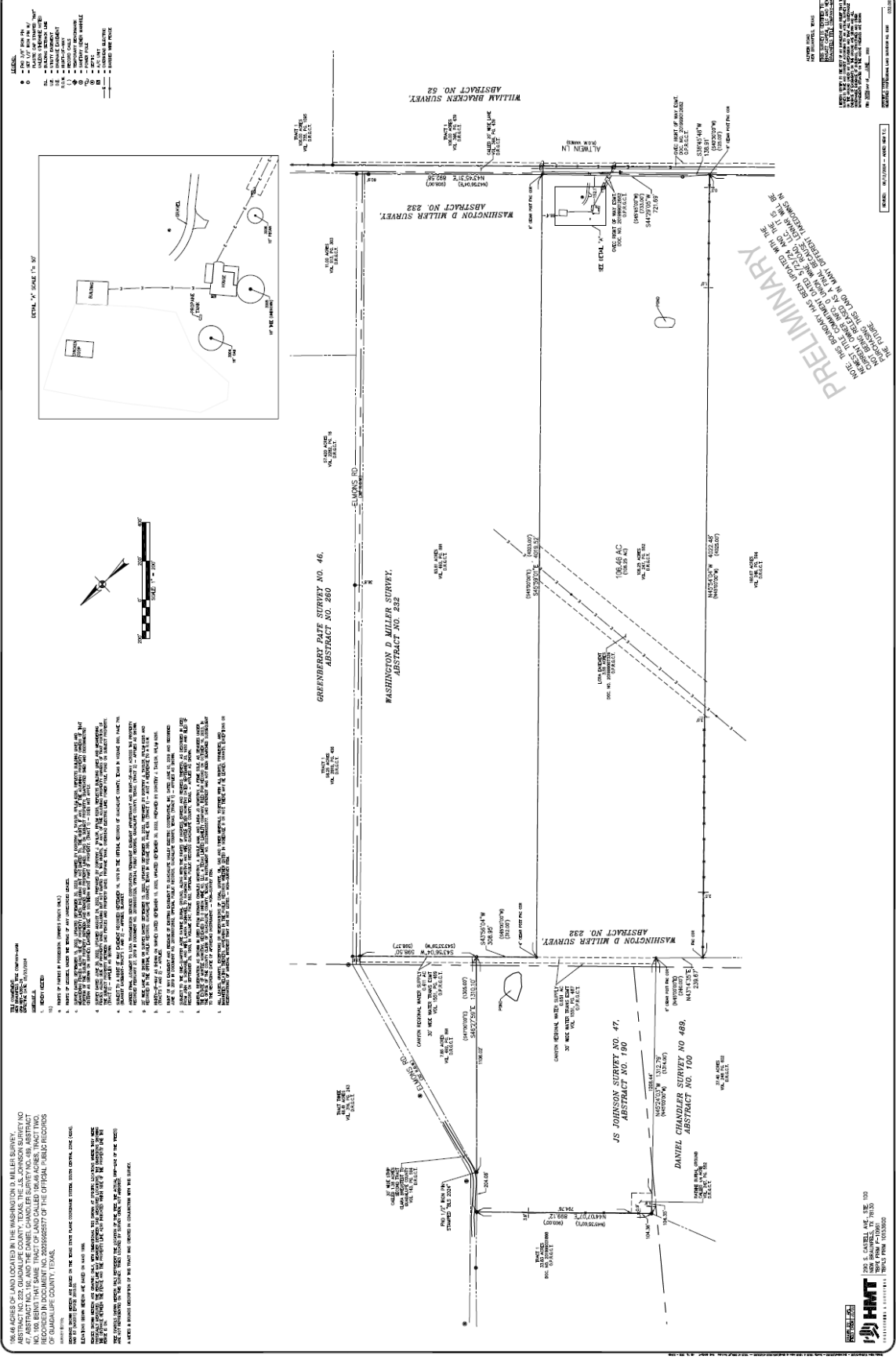
Registered Professional Land Surveyor No. 6295

S:\Projects\032 - Fred Heimer\032.065 - Nowotny 105.25 Acres on Altwein\Metes & Bounds 106.46 AC.docx



EXHIBIT "B" Survey of the Land





2/9/2026

Agenda Item No. G)

PRESENTER:

Christopher Greenwell, Grants Coordinator

SUBJECT:

Approval of a Resolution authorizing the submission of an application for funding under the U.S. Department of Justice, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant Program as administered by the office of the Governor, Public Safety Office, Criminal Justice Division's FY 2027 Criminal Justice Program Grant and authorizing the City Manager, or their designee, to act on behalf of the City of New Braunfels in all matters related to this grant, including execution of all required documentation associated with any resulting award, and designating the Director of Finance, or their designee, as the financial officer for this grant as awarded.

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

New Braunfels' City Council strategic priorities include using a variety of funding sources for operational and capital needs. As such, staff will be applying to the U.S. Department of Justice, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant Program for Fiscal Year 2027, as administered by the Office of the Governor, Public Safety Office, to request funding on behalf of the New Braunfels Police Department (NBPd) for the purchase of a forensic shooting tank.

If awarded, the grant will provide funding for the purchase of a forensic shooting tank that would allow New Braunfels Police Department investigators to perform analysis on bullets fired into the tank to determine whether a recovered firearm was used in a crime or not.

Currently, New Braunfels Police Department investigators need to outsource these services to outside crime labs, increasing the time needed to solve cases and bring criminals to justice.

City staff will be submitting a grant application that, if awarded, will provide funds for 100% of the total amount for the equipment.

If approved, the grant will be awarded by October 1st, 2026

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

Finally, staff requests City Council approval of a resolution, as required by the granting agency, that will authorize the Director of Finance, or their designee, to act as the financial officer on behalf of the City in all matters related to this grant. The financial officer is given the power to submit financial and/or programmatic reports or alter a grant on behalf of the applicant agency.

ISSUE:

The City's adopted 2024-2029 Strategic Plan includes objectives pertaining to fiscal sustainability supported by the grant application, its associated resolution, and requested equipment for the New Braunfels Police Department.

STRATEGIC PLAN REFERENCE:

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

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

FISCAL IMPACT:

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

RECOMMENDATION:

Staff recommends approval of the resolution.

RESOLUTION 2026-R

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING UNDER THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AS ADMINISTERED BY THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE, CRIMINAL JUSTICE DIVISION'S FY 2027 CRIMINAL JUSTICE PROGRAM GRANT AND AUTHORIZING THE CITY MANAGER, OR THEIR DESIGNEE, TO ACT ON BEHALF OF THE CITY OF NEW BRAUNFELS IN ALL MATTERS RELATED TO THIS GRANT, INCLUDING EXECUTION OF ALL REQUIRED DOCUMENTATION ASSOCIATED WITH ANY RESULTING AWARD, AND DESIGNATING THE DIRECTOR OF FINANCE, OR THEIR DESIGNEE, AS THE FINANCIAL OFFICER FOR THIS GRANT AS AWARDED.

WHEREAS, the City of New Braunfels finds it in the best interest of the citizens of Comal County that the proposed "Forensic Shooting Tank" be operated for the 2027 Fiscal Year; and

WHEREAS, the City of New Braunfels understands that there is no applicable matching funds for said project as required by the U.S. Department of Justice, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant Program, as administered by the Office of the Governor, Public Safety Office, Criminal Justice Division's Criminal Justice Program for Fiscal Year 2027 grant application; and

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

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

WHEREAS, the City of New Braunfels designates the Director of Finance, or their designee, as the grantee's financial officer. The financial officer is given the power to submit financial and/or programmatic reports or alter a grant on behalf of the applicant agency.

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

THAT, the City of New Braunfels' City Council approves submission of the grant application for the "Forensic Shooting Tank" to the Office of the Governor.

ADOPTED AND APPROVED on this the 9th day of February 2026.

Grant Number: 5817501

City of New Braunfels, Texas

NEAL LINNARTZ, Mayor

Attest:

GAYLE WILKINSON, City Secretary

2/9/2026

Agenda Item No. H)

PRESENTER:

Christopher Greenwell, Grants Coordinator

SUBJECT:

Approval of a Resolution of the City Council of the City of New Braunfels, authorizing the City Manager to act on behalf of the City of New Braunfels and the New Braunfels National Airport in all matters related to application for funding through the Airport Infrastructure Grant program for the New Braunfels National Airport Pavement Rehabilitation Engineering and Design Project and pledging that the City of New Braunfels will comply with the grant requirements of the Texas Department of Transportation.

DEPARTMENT: Economic Development (New Braunfels National Airport) and Finance**COUNCIL DISTRICTS IMPACTED:** Citywide**BACKGROUND INFORMATION:**

The New Braunfels National Airport has infrastructure (runways and taxiways) that have been operating since the airfield was built by the US Army Air Corp in 1940. Current taxiways need preventive maintenance to ensure continued operations. Recent projects on the airport have addressed Runway 17-35, the north ramp, Taxiway A, and a repair on Runway 13-31. The current project will now focus on Taxiways A, F, and E.

Funding for the project originates with the Bipartisan Infrastructure Law (BIL), which appropriated funds specifically for airports within the National Plan of Integrated Airport Systems (NPIAS). As a National Airport, New Braunfels was awarded a total of \$3.82M over five annual installments. Fiscal years 2022 and 2023 were used to fund the recent perimeter fence project. The remaining funds will now be used for this pavement rehabilitation project.

ISSUE:

Rehabilitation efforts are necessary for approximately 37,000 square yards of taxiways A, A1, E, and F to preserve pavement integrity, reduce foreign object debris, and extend the service life of the airfield infrastructure.

STRATEGIC PLAN REFERENCE:

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

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

FISCAL IMPACT:

If awarded, Airport Infrastructure Grant funding will cover 95 percent of eligible project costs for the New Braunfels National Airport: Pavement Rehabilitation Engineering and Design Project. The total project cost is estimated at \$300,000, with \$285,000 funded through the grant and the remaining \$15,000 supported by the Airport Fund.

RECOMMENDATION:

Staff recommends approval of the resolution.

RESOLUTION 2026-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF NEW BRAUNFELS AND THE NEW BRAUNFELS NATIONAL AIRPORT IN ALL MATTERS RELATED TO APPLICATION FOR FUNDING THROUGH THE AIRPORT INFRASTRUCTURE GRANT PROGRAM FOR THE NEW BRAUNFELS NATIONAL AIRPORT: PAVEMENT REHABILITATION ENGINEERING AND DESIGN PROJECT AND PLEDGING THAT THE CITY OF NEW BRAUNFELS WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE TEXAS DEPARTMENT OF TRANSPORTATION.

WHEREAS, the City of New Braunfels intends to make certain improvements to the existing taxiways of the New Braunfels National Airport; and

WHEREAS, the general description of the project is described as: the rehabilitation of 37,000 square yards of existing paved taxiways A, A1, E, and F to maintain the structural integrity of the pavement and to minimize foreign object debris/maintain the structural integrity of the pavement to extend their useful lives; and

WHEREAS, the City of New Braunfels intends to request financial assistance from the Texas Department of Transportation for these improvements; and

WHEREAS, the total engineering and design funding available is \$300,000; and the City of New Braunfels will be responsible for the total project cost and will seek 95% reimbursement from TxDOT.

NOW, THEREFORE, BE IT RESOLVED, that the City of New Braunfels hereby directs the City Manager of the City of New Braunfels to execute on behalf of the City of New Braunfels and the New Braunfels National Airport, at the appropriate time, and with the appropriate authorizations of this governing body, all agreements with the Texas Department of Transportation, and such other parties as shall be necessary and appropriate for the implementation of the improvements to New Braunfels National Airport.

PASSED, ADOPTED, AND APPROVED on this, the 9th day of February 2026.

City of New Braunfels, Texas

NEAL LINNARTZ

Attest:

GAYLE WILKINSON, City Secretary

2/9/2026

Agenda Item No. I)

PRESENTER:

Christopher Greenwell, Grants Coordinator

SUBJECT:

Approval of a Resolution authorizing the submission of an application for funding provided by the Office of the Governor, Public Safety Office, Criminal Justice Division's Rifle Resistant Body Armor Grant Program FY 2027, and authorizing the City Manager, or their designee, to act on behalf of the City of New Braunfels in all matters related to this grant, including execution of all required documentation associated with any resulting award, and designating the Director of Finance, or their designee, as the Financial Officer for this grant as awarded.

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

New Braunfels' City Council strategic priorities include using a variety of funding sources for operational and capital needs. As such, staff will be applying to the Office of the Governor, Public Safety Office, Criminal Justice Division's Rifle Resistant Body Armor Grant Program FY 2027, as administered by the Office of the Governor, Public Safety Office, to request funding on behalf of the New Braunfels Police Department (NBPD) for the purchase of rifle-resistant body armor.

If awarded, the grant will provide funding for the purchase of rifle-resistant body armor that is critical to protecting officers during high-risk encounters where serious bodily injury or death by firearms has the potential to occur.

City staff will be submitting a grant application that, if awarded, will provide funds for 100% of the total amount for the equipment.

If approved, the grant will be awarded by September 1st, 2026

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

Finally, staff requests City Council approval of a resolution, as required by the granting agency, that will authorize the Director of Finance, or their designee, to act as the financial officer on behalf of the City in all matters related to this grant. The financial officer is given the power to submit financial and/or programmatic

reports or alter a grant on behalf of the applicant agency.

ISSUE:

The City's adopted 2024-2029 Strategic Plan includes objectives pertaining to fiscal sustainability supported by the grant application, its associated resolution, and requested equipment for the New Braunfels Police Department.

STRATEGIC PLAN REFERENCE:

☐ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity

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

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

FISCAL IMPACT:

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

RECOMMENDATION:

Staff recommends approval of the resolution.

RESOLUTION 2026-R

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING THROUGH THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE, CRIMINAL JUSTICE DIVISION'S FY 2027 RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM, AND AUTHORIZING THE CITY MANAGER, OR THEIR DESIGNEE, TO ACT ON BEHALF OF THE CITY OF NEW BRAUNFELS IN ALL MATTERS RELATED TO THIS GRANT, INCLUDING EXECUTION OF ALL REQUIRED DOCUMENTATION ASSOCIATED WITH ANY RESULTING AWARD, AND DESIGNATING THE DIRECTOR OF FINANCE, OR THEIR DESIGNEE, AS THE FINANCIAL OFFICER FOR THIS GRANT AS AWARDED.

WHEREAS, the City of New Braunfels finds it in the best interest of the citizens of Comal County that the proposed "Rifle Resistant Body Armor" project be operated for the 2027 Fiscal Year; and

WHEREAS, the City of New Braunfels understands that there is no applicable matching funds under the said project as required by the Rifle-Resistant Body Armor Grant Program through the Office of the Governor, Public Safety Office, Criminal Justice Division; and

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

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

WHEREAS, the City of New Braunfels designates the Director of Finance, or their designee, as the grantee's financial officer. The financial officer is given the power to submit financial and/or programmatic reports or alter a grant on behalf of the applicant agency.

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

THAT, the City of New Braunfels' City Council approves submission of the grant application for the "Rifle Resistant Body Armor" project to the Office of the Governor.

ADOPTED AND APPROVED on this the 9th day of February 2026.

Grant Number: 5817701

City of New Braunfels, Texas

NEAL LINNARTZ, Mayor

Attest:

GAYLE WILKINSON, City Secretary

2/9/2026

Agenda Item No. J)

PRESENTER:

Christopher Greenwell, Grants Coordinator

SUBJECT:

Approval of a Resolution of the City Council of the City of New Braunfels authorizing the City Manager to act on behalf of the City of New Braunfels and the New Braunfels National Airport in all matters regarding the application to the Fiscal Year (FY) 2026 Infrastructure Investment and Jobs Act (IIJA) competitive Federal Aviation Administration (FAA) Contract Tower (FCT) grant program, and pledging that the City of New Braunfels will comply with the grant requirements of the Texas Department of Transportation.

DEPARTMENT: Economic and Community Development (New Braunfels National Airport), and Finance

COUNCIL DISTRICTS IMPACTED: Citywide

BACKGROUND INFORMATION:

The City was previously awarded \$1,500,000 in Year 1 of the IIJA FCT program to complete a siting study, site selection, environmental review, and 30 percent design for the tower replacement project. These preliminary phases were completed in FY2025, and the FY2026 application represents the final funding request necessary to complete the relocation and replacement of the existing air traffic control tower.

The City of New Braunfels intends to apply for the Fiscal Year 2026 Infrastructure Investment and Jobs Act (IIJA) competitive Federal Aviation Administration Contract Tower (FCT) grant to fund the final design and construction of a new Air Traffic Control Tower and the demolition of the existing tower at the New Braunfels National Airport.

ISSUE:

To enhance safety at New Braunfels National Airport, demolition of the existing air traffic control tower and construction of a new tower is necessary. This facility improvement will significantly improve air traffic controller visibility across the runway and airfield, strengthening operational oversight and situational awareness. The new tower will support safer, more efficient airfield operations and ensure a safe experience for pilots utilizing the airport.

STRATEGIC PLAN REFERENCE:

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

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

FISCAL IMPACT:

If awarded, the grant provides a 100% reimbursement to the City for the construction of the proposed tower. However, the Airport Fund will be required to advance associated project costs, and the granting agency will provide reimbursement of all awarded costs.

RECOMMENDATION:

Staff recommends approval of the resolution.

RESOLUTION 2026-XXX

APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF NEW BRAUNFELS AND THE NEW BRAUNFELS NATIONAL AIRPORT IN ALL MATTERS RELATED TO APPLICATION TO THE FISCAL YEAR (FY) 2026 INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA) COMPETITIVE FEDERAL AVIATION ADMINISTRATION (FAA) CONTRACT TOWER (FCT) GRANT PROGRAM, AND PLEDGING THAT THE CITY OF NEW BRAUNFELS WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE TEXAS DEPARTMENT OF TRANSPORTION.

WHEREAS, the City of New Braunfels intends to apply for the Fiscal Year (FY) 2026 Infrastructure Investment and Jobs Act (IIJA) competitive Federal Aviation Administration (FAA) Federal Contract Tower (FCT) grant; and

WHEREAS, the general description of the project is described as: the application for 100% funding for the final design and construction of a new Air Traffic Control Tower, and demolition of the existing tower at the New Braunfels National Airport; and

WHEREAS, the City of New Braunfels was previously awarded \$1,500,000 for a siting study, site selection, environmental study, and 30% design to replace the existing Air Traffic Control Tower in Year 1 of the IIJA competitive FCT grant program; and

WHEREAS, the site selection, environmental study, and 30% design was completed in FY 2025, with application for the final year of grant funding in FY 2026 necessary to complete the relocation and replacement of the existing tower.

NOW, THEREFORE, BE IT RESOLVED, that the City of New Braunfels hereby directs the City Manager of the City of New Braunfels to execute on behalf of the City of New Braunfels, at the appropriate time, and with the appropriate authorizations of this governing body, all agreements with the Federal Aeronautical Administration and the Texas Department of Transportation, and such other parties as shall be necessary and appropriate for the implementation of the improvements to New Braunfels National Airport.

PASSED, ADOPTED, AND APPROVED on this, the 9th day of February 2026.

City of New Braunfels, Texas

NEAL LINNARTZ

Attest:

GAYLE WILKINSON, City Secretary

2/9/2026

Agenda Item No. K)

PRESENTER:

Gayle Wilkinson, City Secretary

SUBJECT:

Approval of the first and final reading of an ordinance ordering a Regular Election to be held in the City of New Braunfels on May 2, 2026, for Regular City Officers; and establishing Early Voting Locations and Polling Places for this Election; and making provisions for the conduct of the Election.

DEPARTMENT: City Secretary**COUNCIL DISTRICTS IMPACTED:** All districts**BACKGROUND INFORMATION:**

The uniform election date in May for the municipal election is May 2, 2026. Terms for the Mayor and Councilmembers in districts 5 and 6 expire in May of 2026.

The City of New Braunfels will contract with both Comal and Guadalupe Counties. Early and election day anticipated polling places are as follows and are *subject to change*:

Early voting - Comal County**COMAL COUNTY ELECTION OFFICE**

396 N. Seguin Ave., New Braunfels

COMAL COUNTY OFFICES, CHURCH HILL ANNEX

1345 Church Hill Drive, New Braunfels

Training Room. Suite 1400

Early voting by personal appearance shall be conducted between the hours and dates as follows:

April 20, 22, 23, 24 2026.....	8:00 a.m. to 5:00 p.m.
20, 22, 23, 24 de Abril de 2026.....	8:00 de la mañana a las 5:00 de la tarde
April 25, 2026.....	10:00 a.m. to 6:00 p.m.
25 de Abril de 2026.....	10:00 de la mañana a las 6:00 de la tarde
April 27, April 28 2026	7:00 a.m. to 7:00 p.m.
27, 28 de Abril de 2026.....	7:00 de la mañana a las 7:00 de la tarde

Early voting - Guadalupe County**Early voting - Guadalupe County**

SELMA CITY HALL
REDEPTIVE GRACE MINISTRIES
MARION ISD TONDRE ROOM
ELECTIONS OFFICE ANNEX
NEW BERLIN CITY HALL
SEGUIN ELECTIONS OFFICE

9375 Corporate Dr., Selma, TX
2240 FM 725, New Braunfels, TX
500 Bulldog Ln, Marion, TX
1101 Elbel, Schertz, TX
9180 FM 775, New Berlin, TX
3251 N. Hwy 123, Seguin, TX

Early voting by personal appearance shall be conducted between the hours and dates as follows:

April 20, 22, 23, 24 2026..... 8:00 a.m. to 5:00 p.m.
20, 22, 23, 24 de Abril de 2026..... 8:00 de la mañana a las 5:00 de la tarde
April 25, 2026..... 10:00 a.m. to 6:00 p.m.
25 de Abril de 2026..... 10:00 de la mañana a las 6:00 de la tarde
April 27, April 28 2026 7:00 a.m. to 7:00 p.m.
27, 28 de Abril de 2026..... 7:00 de la mañana a las 7:00 de la tarde

Election Day - Comal County

Comal County will be using Vote Centers for the May 2, 2026, Elections. Any Comal County registered voter can vote at any Comal County Election Day Location, regardless of the precinct in which they reside.

VC	POLLING LOCATION	ADDRESS
VC #1	Comal County Senior Citizens Center	710 Landa, New Braunfels 78130
VC #3	Freedom Fellowship Church, Foyer	410 Oak Run Point, New Braunfels, Tx 78130
VC #10	Real Life Community Church	1615 FM 1044, New Braunfels. TX 78130
VC #15	Westside Public Library	2932 S. IH 35, New Braunfels, Tx 78130
VC #16	City of New Braunfels, Public Works Building	424 S. Castell Ave., New Braunfels, Tx 78130
VC #17	New Braunfels Library, Large Meeting Room	700 E. Common, New Braunfels, Tx 78130
VC #18	Comal County Offices, Church Hill, Training Room, Suite 1400	1345 Church Hill Dr., New Braunfels, Tx 78130
VC #19	New Braunfels Christian Church, Fellowship Hall	734 N. Loop 337, New Braunfels, Tx 78130
VC #20	Eden Hill, Town Hall	631 Lakeview Blvd, New Braunfels, Tx 78130
VC #23	Gruene Methodist Church, Mission and Outreach Building	2629 E. Common St., New Braunfels, Tx 78130

SUBJECT TO CHANGE

Election Day - Guadalupe County

Guadalupe County will be using Vote Centers for the May 2, 2026, Elections.

Any Guadalupe County registered voter can vote at any Guadalupe County Election Day Location, regardless of the precinct in which they reside.

POLLING LOCATION	ADDRESS
Redemptive Grace Ministries	2240 FM 725, New Braunfels, TX
Marion ISD Tondre Room	500 Bulldog Ln., Marion, TX
Selma City Hall	9375 Corporate Dr., Selma, TX
Elections Annex Office	1101 Elbel, Schertz, TX
New Berlin City Hall	9180 FM 775, New Berlin, TX
Seguin Elections Office	3251 N. Hwy 123, Seguin, TX

SUBJECT TO CHANGE

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

Costs associated with the election have been incorporated into the FY 2026 City Secretary's operating budget, therefore sufficient funds are available.

RECOMMENDATION:

Staff recommends approval.

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS ORDERING A REGULAR ELECTION TO BE HELD IN THE CITY OF NEW BRAUNFELS, TEXAS, ON MAY 2, 2026, FOR A MAYOR, DISTRICT NUMBERS 5 AND 6 OF THE NEW BRAUNFELS CITY COUNCIL

WHEREAS, the City of New Braunfels, Texas (“City”) is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of New Braunfels Charter provides that city elections shall be held in accordance with laws of the State of Texas; and

WHEREAS, Section 41.001(a) of the Texas Election Code establishes the first Saturday in May as a uniform election date for the purposes of conducting a General Election; and

WHEREAS, Section 3.004(b) of the Texas Election Code provides that the governing body of a municipality shall be the authority to order a General Election for the purposes of electing members to the governing body; and

WHEREAS, Texas Government Code, Chapter 791, authorizes local governments to contract with one another and with agencies of the state for various governmental functions including those in which the contracting parties are mutually interested; and

WHEREAS, the City will enter into joint election agreements and contracts for election services with Comal and Guadalupe Counties pursuant to Texas Election Code (“Code”) Sections 31.092 and 271.002; and

WHEREAS, the City Council of the City of New Braunfels, Texas authorizes the Mayor to sign the order calling the General Election and any subsequent orders adjusting the polling locations, dates and times that are subject to change due to agreements with Comal and Guadalupe County Elections Departments and other joint election agreements up until the final posting deadline of such notice pursuant Texas Election Code (“Code”) § 4.003(a)(b) and (c); and

WHEREAS, the laws of the State of Texas, provide that the next ensuing first Saturday in May, there shall be elected the following officials for this City.

- A. One At Large person to be elected for **Mayor** by the most number of those votes cast.

- B. One City Councilmember from **District Number 5** to be elected by a majority of those votes cast.
- C. One City Councilmember from **District Number 6** to be elected by a majority of those votes cast.

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

SECTION I CALL OF A REGULAR MUNICIPAL ELECTION

THAT a regular election be held on the 2nd day of May 2026, in the City of New Braunfels, Texas, for the purpose of electing regular City officers as listed below.

- A. One At Large person to be elected for **Mayor** by the most number of those votes cast.
- B. One City Councilmember from **District Number 5** to be elected by a majority of those votes cast.
- C. One City Councilmember from **District Number 6** to be elected by a majority of those votes cast.

SECTION II EARLY VOTING BY PERSONAL APPEARANCE (Subject to Change)

THAT the anticipated main polling places in **Comal County** for early voting by personal appearance for the election is:

COMAL COUNTY ELECTION OFFICE
COMAL COUNTY OFFICES, CHURCH HILL ANNEX

396 N. Seguin Ave., New Braunfels
1345 Church Hill Drive, New Braunfels
Training Room, Suite 1400

SUBJECT TO CHANGE

Early voting by personal appearance shall be conducted between the hours and dates as follows:

April 20, 22, 23, 24 2026.....	8:00 a.m. to 5:00 p.m.
<i>20, 22, 23, 24 de Abril de 2026.....</i>	<i>8:00 de la mañana a las 5:00 de la tarde</i>
April 25, 2026.....	10:00 a.m. to 6:00 p.m.
<i>25 de Abril de 2026.....</i>	<i>10:00 de la mañana a las 6:00 de la tarde</i>
April 27, April 28 2026	7:00 a.m. to 7:00 p.m.
<i>27, 28 de Abril de 2026.....</i>	<i>7:00 de la mañana a las 7:00 de la tarde</i>

THAT the anticipated main polling places in **Guadalupe County** for early voting by personal appearance for the election is:

SELMA CITY HALL
REDEMPTIVE GRACE MINISTRIES
MARION ISD TONDRE ROOM
ELECTIONS OFFICE ANNEX
NEW BERLIN CITY HALL
SEGUIN ELECTIONS OFFICE

9375 Corporate Dr., Selma, TX
2240 FM 725, New Braunfels, TX
500 Bulldog Ln, Marion, TX
1101 Elbel, Schertz, TX
9180 FM 775, New Berlin, TX
3251 N. Hwy 123, Seguin, TX

SUBJECT TO CHANGE

Early voting by personal appearance shall be conducted between the hours and dates as follows:

April 20, 22, 23, 24 2026..... 8:00 a.m. to 5:00 p.m.
20, 22, 23, 24 de Abril de 2026..... 8:00 de la mañana a las 5:00 de la tarde
April 25, 2026..... 10:00 a.m. to 6:00 p.m.
25 de Abril de 2026..... 10:00 de la mañana a las 6:00 de la tarde
April 27, April 28 2026 7:00 a.m. to 7:00 p.m.
27, 28 de Abril de 2026..... 7:00 de la mañana a las 7:00 de la tarde

SUBJECT TO CHANGE

SECTION III
EARLY VOTING BY MAIL

THAT early voting by mail ballot shall be conducted in accordance with applicable provisions of the Texas Election Code.

- A. The address of the Comal County Elections Office, 396 North Seguin Avenue, New Braunfels, Texas 78130, shall be the early voting clerk Bobbie Koepp's, mailing address to which ballot applications and ballots voted by mail may be sent for the City of New Braunfels for Comal County residents.
- B. The address of the Guadalupe County Elections Office, 3251 State Highway 123 North, Seguin, Texas, 78155 or P.O. Box 1346, Seguin, Texas 78156-1346, shall be the interim early voting clerk Michelle Shields mailing address to which ballot applications and ballots voted by mail may be sent for the City of New Braunfels for Guadalupe residents.

**SECTION IV
POLLING PLACES
(Subject to Change)**

THAT the anticipated polling places listed below shall be open on Election Day from 7:00 a.m. to 7:00 p.m. on Saturday, May 2, 2026:

A. For **Comal County** will be using Vote Centers for the May 2, 2026, Elections. Any Comal County registered voter can vote at any Comal County Election Day Location, regardless of the precinct in which they reside.

VC	POLLING LOCATION	ADDRESS
VC #1	Comal County Senior Citizens Center	710 Landa, New Braunfels 78130
VC #3	Freedom Fellowship Church, Foyer	410 Oak Run Point, New Braunfels, Tx 78130
VC #10	Real Life Community Church	1615 FM 1044, New Braunfels. TX 78130
VC #15	Westside Public Library	2932 S. IH 35, New Braunfels, Tx 78130
VC #16	City of New Braunfels, Public Works Building	424 S. Castell Ave., New Braunfels, Tx 78130
VC #17	New Braunfels Library, Large Meeting Room	700 E. Common, New Braunfels, Tx 78130
VC #18	Comal County Offices, Church Hill, Training Room, Suite 1400	1345 Church Hill Dr., New Braunfels, Tx 78130
VC #19	New Braunfels Christian Church, Fellowship Hall	734 N. Loop 337, New Braunfels, Tx 78130
VC #20	Eden Hill, Town Hall	631 Lakeview Blvd, New Braunfels, Tx 78130
VC #23	Gruene Methodist Church, Mission and Outreach Building	2629 E. Common St., New Braunfels, Tx 78130

SUBJECT TO CHANGE

B. Guadalupe County will be using Vote Centers for the May 2, 2026, Elections.

Any Guadalupe County registered voter can vote at any Guadalupe County Election Day Location, regardless of the precinct in which they reside.

POLLING LOCATION	ADDRESS
Redemptive Grace Ministries	2240 FM 725, New Braunfels, TX
Marion ISD Tondre Room	500 Bulldog Ln., Marion, TX
Selma City Hall	9375 Corporate Dr., Selma, TX
Elections Annex Office	1101 Elbel, Schertz, TX
New Berlin City Hall	9180 FM 775, New Berlin, TX
Seguin Elections Office	3251 N. Hwy 123, Seguin, TX

SUBJECT TO CHANGE

SECTION V METHOD OF VOTING

A. THAT use of Hart Verity Touch, Access Touch, and controller voting system, as the term is defined in the Texas Election Code, shall be utilized in connection with the election for Comal County residents. This system shall be utilized for early voting as well as for district voting conducted on Election Day. Cynthia Jaqua is appointed as programmer, and she shall prepare a program for the automatic tabulating equipment. Ample voting equipment shall be provided for early voting and in the specific districts on Election Day. The central counting station is established as the Comal County Elections Office.

B. THAT Guadalupe County uses the ES&S Express Vote Universal Voting System for Guadalupe County voters. The system is used for all types of voting. Guadalupe County establishes a central counting station.

SECTION VI APPOINTMENT OF PRESIDING JUDGES

THAT the County Election offices of Comal and Guadalupe Counties will appoint the Early Voting Ballot Board, a Presiding Judge for the Early Voting Ballot Board, and a Presiding Judge for the Central Counting Station.

SECTION VII GOVERNING LAW

THAT the election will be held in accordance with the provisions of the Charter of the City of New Braunfels and the laws of the State of Texas. Notice of the election, including a Spanish translation thereof, will be published at least once in the local newspaper in accordance with the Texas Election Code and will be posted on the bulletin board at City Hall at 550 Landa Street, New Braunfels, Texas.

THAT the City Council of the City of New Braunfels, Texas authorizes the Mayor to sign the order calling the General Election and any subsequent orders adjusting the polling locations, dates and times that are subject to change due to agreements with Comal County and Guadalupe County Election Department and other joint election agreements up until the final posting deadline of such notice pursuant Texas Election Code (“Code”) § 4.003(a)(b) and (c).

SECTION VIII TESTING OF AUTOMATIC TABULATING EQUIPMENT

THAT testing of the automatic tabulating equipment will be performed and notice thereof will be given in accordance with the Texas Election Code. Each County shall designate the tabulating equipment and personnel required under the Election Code.

**SECTION IX
COMPENSATION FOR ELECTION WORKERS**

THAT the rate of compensation for all polling workers will be decided by the Comal and Guadalupe County Election Offices.

**SECTION X
SAVINGS CLAUSE**

THAT if any part of this ordinance is found to be unconstitutional or invalid for any reason, such unconstitutionality or invalidity shall not affect the constitutionality or validity of the remaining parts of this ordinance. The City Council hereby declares that it would have enacted the remaining parts of this ordinance even if it had known that such part or parts described herein would be declared unconstitutional or invalid, and further declares that said remaining parts shall remain in full force and effect; and that the provisions hereof are severable.

**SECTION XI
EFFECTIVE DATE**

THAT futhermore, it is ordered that this Ordinance shall be in full force and effect upon its first reading in the City Council, as permitted by the City Charter, Section 3.10.

PASSED, ADOPTED, AND APPROVED: On this first and final reading this the 9th day of February 2026.

CITY COUNCIL OF THE CITY OF NEW
BRAUNFELS, TEXAS

NEAL LINNARTZ
MAYOR

ATTEST:

GAYLE WILKINSON
CITY SECRETARY

VALERIA M. ACEVEDO
CITY ATTORNEY

ORDENANZA 2026-

UN DECRETO DE LA CIUDAD DE NEW BRAUNFELS, TEXAS QUE ORDENA UNA ELECCIÓN GENERAL CON EL PROPÓSITO DE ELEGIR UN ALCALDE, CONCEJAL PARA EL DISTRITO 5, CONCEJAL PARA EL DISTRITO 6, QUE SE LLEVARÁ A CABO EL 2 DE MAYO, 2026; PROPORCIONANDO LA PUBLICACIÓN Y DESPLIEGUE DE AVISOS; INCLUYENDO UNA CLÁUSULA DE SALVA; DECLARANDO FECHA DE EFECTIVIDAD AL LEERLO.

CONSIDERANDO QUE, la Ciudad de New Braunfels, Texas ("la Ciudad") es una ciudad con poderes locales fungiendo bajo su Acta Constitutiva adoptada por el electorado según el Artículo XI, Sección 5 de la Constitución del Estado de Texas y el Capítulo 9 del Código Gubernamental Local de Texas; y

CONSIDERANDO QUE, el Acta Constitutiva de la Ciudad de New Braunfels establece que las elecciones de la ciudad se deben realizar de acuerdo con las leyes del Estado de Texas; y

CONSIDERANDO QUE, la Sección 41.001(a) del Código de Elecciones de Texas establece que el primer sábado del mes de mayo es la fecha de la elección uniforme para propósitos de realizar la Elección General; y

CONSIDERANDO QUE, la Sección 3.004(b) del Código de Elecciones de Texas establece que la entidad gobernante de un municipio será la autoridad que ordena una Elección General con el propósito de elegir integrantes para el cuerpo gobernante; y

CONSIDERANDO QUE, el Código Gubernamental de Texas, en el Capítulo 791 autoriza a los gobiernos locales a contratarse entre uno y otro y a otras agencias estatales para diversas funciones gubernamentales incluyendo aquellas en las que las partes contratantes tengan intereses mutuos; y

CONSIDERANDO QUE, la Ciudad realizará acuerdos de elección conjunta y contratos para los servicios de elecciones con el Condado de Comal de acuerdo al Código de Elecciones de Texas ("Código") Secciones 31.092 y 271.002; y

CONSIDERANDO QUE, la Ciudad realizará un contrato para los servicios de elecciones con el Condado de Comal de acuerdo al Código de Elecciones de Texas ("Código") Secciones 31.092 y 271.002; y

CONSIDERANDO QUE, el Ayuntamiento de la Ciudad de New Braunfels, Texas autoriza al Alcalde a firmar la orden de convocatoria de Elecciones de Segunda Vuelta y cualquier orden subsiguiente para ajustar los lugares para votar, las fechas y horarios que están sujetas a cambios debido a los acuerdos con el Departamento de Elecciones del Condado de Comal y de otros acuerdos de elecciones conjuntas hasta la fecha final de publicación de tales notificaciones en base al Código de Elecciones de Texas ("Código") § 4.003(a)(b) y (c).

CONSIDERANDO QUE, LAS LEYES DEL ESTADO DE TEXAS, que establecen que el siguiente primer sábado de mayo, habrá que haberse elegido los siguientes funcionarios para esta Ciudad.

- A. Una persona de la comunidad en general será elegida **Alcalde** por la mayoría de votos emitidos.
- B. Un Concejal del **Distrito Número 5** será elegido por la mayoría de votos emitidos.
- C. Un Concejal del **Distrito Número 6** será elegido por la mayoría de votos emitidos.

AHORA, POR LO TANTO, EL AYUNTAMIENTO DE LA CIUDAD DE NEW BRAUNFELS, TEXAS DECRETA:

SECCIÓN I

SE CONVOCA A UNA ELECCIÓN MUNICIPAL REGULAR

Que se realice una elección regular el sábado 2° de mayo, 2026, en la Ciudad de New Braunfels, Texas, con el propósito de elegir Funcionarios Regulares de la Ciudad como se describe a continuación.

- A. Una persona de la comunidad en general será elegida **Alcalde** por la mayoría de votos emitidos.
- B. Un Concejal del **Distrito Número 5** será elegido por la mayoría de votos emitidos.
- C. Un Concejal del **Distrito Número 6** será elegido por la mayoría de votos emitidos.

SECCIÓN II

VOTACIÓN TEMPRANA EN PERSONA

(Sujeto a Cambio)

QUE los principales centros de votación previstos en el condado de Comal para la votación anticipada en persona para las elecciones son los siguientes:

- OFICINA ELECCIÓN DEL CONDADO DE COMAL 396 N. Seguin Avenue
- OFICINAS DEL CONDADO DE COMAL, ANEXO DE CHURCH HILL..... 1345 Church Hill Drive, New Braunfels
Sala de capacitación, Suite 1400

SUJETO A CAMBIOS

La votación anticipada en persona se llevará a cabo en el siguiente horario y fechas:

- 20, 22, 23, 24 de Abril de 20268:00 de la mañana a las 5:00 de la tarde
- 25 de Abril de 202610:00 de la mañana a las 6:00 de la tarde
- 27, 28 de Abril de 2026..... 7:00 de la mañana a las 7:00 de la tarde

QUE los principales centros de votación previstos en el condado de Guadalupe para la votación anticipada en persona para las elecciones son los siguientes:

- AYUNTAMIENTO DE SELMA.....9375 Corporate Dr., Selma, TX
- MINISTERIOS DE GRACIA REDENTORA.....2240 FM 725, New Braunfels, TX
- SALA TONDRE DE MARION ISD.....500 Bulldog Ln, Marion, TX
- ANEXO DE LA OFICINA ELECTORAL1101 Elbel, Schertz, TX
- AYUNTAMIENTO DE NEW BERLIN..... 9180 FM 775, New Berlin, TX
- OFICINA ELECTORAL DE SEGUIN..... 3251 N. Hwy 123, Seguin, TX

La votación anticipada en persona se llevará a cabo en el siguiente horario y fechas:

20, 22, 23, 24 de Abril de 2026	8:00 de la mañana a las 5:00 de la tarde
25 de Abril de 2026	10:00 de la mañana a las 6:00 de la tarde
27, 28 de Abril de 2026.....	7:00 de la mañana a las 7:00 de la tarde

SUJETO A CAMBIOS

SECCIÓN III

VOTACIÓN TEMPRANA POR CORREO

QUE la votación temprana por correo se deberá realizar de acuerdo con las pautas aplicables del Código Electoral de Texas.

- A. La dirección de la Oficina Electoral del Condado de Comal, 396 North Seguin Avenue, New Braunfels, Texas 78130, será la dirección postal de Bobbie Koepp, encargada de la votación anticipada, a la que se podrán enviar las solicitudes de voto y las papeletas de voto por correo para la ciudad de New Braunfels, para los residentes del condado de Comal.
- B. La dirección de la Oficina Electoral del Condado de Guadalupe, 3251 State Highway 123 North, Seguin, Texas, 78155 o P.O. Box 1346, Seguin, Texas 78156-1346, será la dirección postal de la secretaria interina de votación anticipada, Michelle Shields, a la que se podrán enviar las solicitudes de voto y las papeletas de voto por correo para los residentes de Guadalupe que viven en la ciudad de New Braunfels.

SECCIÓN IV

LUGARES PARA VOTAR EL DÍA DE LAS ELECCIONES

(Sujetos a Cambio)

QUE los lugares de votación que se listan a continuación deberán estar abiertos el Día de las Elecciones de as 7:00 a.m. a las 7:00 p.m. el sábado 2 de mayo, 2026:

ELECCIONES GENERALES/ESPECIALES
2 de mayo de 2026
Lugares de votación el día de las elecciones
Urnas Abiertas de 7:00 a.m. a 7:00 p.m.

A. El condado de Comal utilizará centros de votación para las elecciones del 2 de mayo de 2026.

Cualquier votante registrado del condado de Comal puede votar en cualquiera de los centros de votación del condado, independientemente del distrito electoral en el que resida.

VC	UBICACIÓN DE VOTACIÓN	DIRECCIÓN
VC #1	Centro para personas mayores del condado de Comal	710 Landa, New Braunfels 78130
VC #3	Iglesia Freedom Fellowship, Vestíbulo	410 Oak Run Point, New Braunfels, Tx 78130
VC #10	Iglesia Comunitaria Vida Real	1615 FM 1044, New Braunfels. TX 78130
VC #15	Biblioteca Pública de Westside	2932 S. IH 35, New Braunfels, Tx 78130
VC #16	Ciudad de New Braunfels, Edificio de Obras Públicas	424 S. Castell Ave., New Braunfels, Tx 78130
VC #17	Biblioteca de New Braunfels, Sala de reuniones grande	700 E. Common, New Braunfels, Tx 78130
VC #18	Oficinas del condado de Comal, Church Hill, Sala de capacitación, Suite 1400	1345 Church Hill Dr., New Braunfels, Tx 78130
VC #19	Iglesia Cristiana de New Braunfels, Salón de Convivencia	734 N. Loop 337, New Braunfels, Tx 78130
VC #20	Eden Hill, Ayuntamiento	631 Lakeview Blvd, New Braunfels, Tx 78130
VC #23	Iglesia Metodista de Gruene, Edificio de Misión y Extensión Comunitaria	2629 E. Common St., New Braunfels, Tx 78130

B. El condado de Guadalupe utilizará centros de votación para las elecciones del 2 de mayo de 2026.

Cualquier votante registrado del condado de Guadalupe podrá votar en cualquiera de los centros de votación del condado el día de las elecciones, independientemente del distrito electoral en el que resida.

UBICACIÓN DE VOTACIÓN	DIRECCIÓN
Ministerios de Gracia Redentora	2240 FM 725, New Braunfels, TX
Sala Tondre de Marion ISD	500 Bulldog Ln., Marion, TX
Ayuntamiento de Selma	9375 Corporate Dr., Selma, TX
Oficina anexa de elecciones	1101 Elbel, Schertz, TX
Ayuntamiento de New Berlin	9180 FM 775, New Berlin, TX
Oficina Electoral de Seguin	3251 N. Hwy 123, Seguin, TX

SECCIÓN V

MÉTODO DE VOTACIÓN

- A. **QUE** se utilizará el sistema Hart DRE Verity Duo versión 2.5.1, y el sistema de control de votos, como se define el término en el Código Electoral de Texas, para la votación de los residentes del Condado de Comal. Se usará este sistema para las elecciones tempranas, al igual que para la votación de distrito realizada el Día de las Elecciones. Se asigna a Cynthia Jaqua como la programadora, quien preparará un programa para el equipo de tabulación automática. Se proporcionará suficiente equipo de votación tanto para las elecciones tempranas como para los distritos específicos el Día de las Elecciones. La Estación de Conteo Central se establece en la oficina de Elecciones del Condado de Comal.
- B. **QUE** el condado de Guadalupe utiliza el sistema de votación universal ES&S Express Vote para los votantes del condado. Este sistema se utiliza para todo tipo de votaciones. El condado de Guadalupe establece una estación central de recuento de votos.

SECCIÓN VI

ASIGNACIÓN DE JUECES PARA PRESIDIR

QUE las oficinas electorales de los condados de Comal y Guadalupe nombrarán a la Junta de Escrutinio de Votos Anticipados, a un Juez Presidente para la Junta de Escrutinio de Votos Anticipados y a un Juez Presidente para la Estación Central de Recuento de Votos.

SECCIÓN VII

LEY GOBERNANTE, PUBLICACIONES Y AVISOS

QUE la elección se llevará a cabo de conformidad con las disposiciones de la Carta Constitucional de la Ciudad de New Braunfels y las leyes del Estado de Texas. El aviso de la elección, incluyendo su traducción al español, se publicará al menos una vez en el periódico local de acuerdo con el Código Electoral de Texas y se colocará en el tablón de anuncios del Ayuntamiento, ubicado en 550 Landa Street, New Braunfels, Texas.

QUE el Consejo Municipal de la Ciudad de New Braunfels, Texas, autoriza al Alcalde a firmar la orden de convocatoria a la Elección General y cualquier orden posterior que modifique los lugares, fechas y horarios de votación, los cuales están sujetos a cambios debido a acuerdos con el Departamento Electoral del Condado de Comal y del Condado de Guadalupe y otros acuerdos de elecciones conjuntas, hasta la fecha límite para la publicación final de dicho aviso, de conformidad con las secciones 4.003(a), (b) y (c) del Código Electoral de Texas.

SECCIÓN VIII

PRUEBAS DEL EQUIPO DE TABULACIÓN AUTOMÁTICO

QUE las pruebas del equipo de tabulación automática se realizarán y se notificará al respecto de conformidad con el Código Electoral de Texas. Cada condado designará el equipo de tabulación y el personal necesarios según lo estipulado en el Código Electoral.

SECCIÓN IX

COMPENSACIÓN PARA LOS TRABAJADORES DE LA ELECCIÓN

QUE la tarifa de compensación para todos los trabajadores electorales será decidida por las Oficinas Electorales de los condados de Comal y Guadalupe.

SECCIÓN X

CLÁUSULA DE SALVA

QUE si alguna parte de este decreto pudiese ser inconstitucional o inválido por alguna razón, tal inconstitucionalidad o invalidez no afectará la constitucionalidad o validez del resto de las partes de esta Ordenanza. A través de la presente, el Ayuntamiento declara que se habría aprobado el resto de las partes de esta ordenanza si hubiese sabido que tal parte o partes ahí descritas hubiesen sido declaradas inconstitucionales o inválidas, y además declara que dichas partes restantes permanecerán en pleno vigor y efecto; y que las disposiciones del mismo son divisibles.

SECCIÓN XI

FECHA DE VIGENCIA

QUE además, se ordena que esta Ordenanza tenga vigencia y efecto una vez que se haga una (1) lectura en el Ayuntamiento, como lo permite el Acta Constitutiva de la Ciudad, Sección 3.10.

ACEPTADA, ADOPTADA, Y APROBADA: en esta primera y última lectura, el día 9 de febrero de 2026.

AYUNTAMIENTO DE LA CIUDAD DE NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, ALCALDE

CERTIFICA:

GAYLE WILKINSON, SECRETARIA DE LA CIUDAD

VALERIA M. ACEVEDO, ABOGADO DE LA CIUDAD

2/9/2026

Agenda Item No. L)

PRESENTER:

Ken Wilson, Parks and Recreation Director

SUBJECT:

Approval and first reading of an ordinance amending park operating hours Sec. 86-3 - Rules and regulations for control of park and recreation areas.

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

Our park system hours of operation (with a few exceptions) are currently 6:00AM-midnight, 7 days a week. Cypress Bend Park is open 6 AM-dusk and cemeteries are open 8AM-6PM during Central Standard Time and 8AM-8PM during Daylight Savings Time.

Many of our parks become attractive nuisances late in the evening and we have seen increases in vandalism. The New Braunfels Police Department is supportive of the proposed changes. From January 2024 to April 2025, one hundred seventy-three (173) calls for service were made; thirteen (13) were between 10pm-12am. The remainder were after midnight.

The intent is to protect and preserve current Park assets and align our hours to our benchmark cities as well.

This item was presented to City Council on January 20, 2025, Special Presentations meeting.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

N/A

RECOMMENDATION:

The Parks and Recreation Advisory Board reviewed the proposed changes to park hours on April 8, 2025 and recommended the proposed changes by a vote of 6 in favor and 1 opposed.

Staff recommends approval of the following changes park hours:

- Cypress Bend Park: 6AM-dusk
- Comal Cemetery and New Braunfels Cemetery: 8AM-dusk
- All other parks (except where outlined otherwise in existing ordinance): 6AM-10PM

ORDINANCE NO. 2026 - ____

AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING SECTION 86-1 "OVERNIGHT CAMPING PROHIBITED; HOURS PARKS CLOSED" AND SECTION 86-3 "RULES AND REGULATIONS FOR CONTROL OF PARK AND RECREATION AREAS" OF THE NEW BRAUNFELS CODE OF ORDINANCES TO ESTABLISH A PARK OPERATING HOURS AND UNIFORM DEFINITIONS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Parks and Recreation Department recommends amending park curfew hours and has support from the Parks and Recreation Advisory Board and the New Braunfels Police Department; and

WHEREAS, the Parks and Recreation Department believes the amendment of operating hours will reduce vandalism and graffiti, reducing staff hours and budget spent on repairs; and

WHEREAS, the City Council of the City of New Braunfels, Texas has the authority under its Home Rule Charter and under the laws of the State of Texas to adopt regulations aimed to protect the health, safety, and general welfare of its citizens.

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

That Chapter 86, Parks and Recreation, Article I – In General, Section 86-1 and 86-3 are hereby amended with additions as underlines and deletions as strikeouts as follows:

**Chapter 86 - PARKS AND RECREATION
ARTICLE I. - IN GENERAL**

Sec. 86-1. - Overnight camping prohibited; Hours closed; penalty.

- (a) The term "city owned property" as used in this chapter includes the Faust Street bridge and related property located beneath the bridge on both sides of the Guadalupe River, the Lincoln Street River Exit (also known as "Last Public Exit" and "Last Tubers' Exit"), city property controlled or maintained by the city parks and recreation department, any city park, playground or cemetery within the city limits.
- (b) There shall be no overnight camping within any city owned properties that are controlled or maintained by the city parks and recreation department.
- (c) There shall be no erection of tents by campers or for campers upon any city owned property, park, playground or cemetery within the city limits.
- (d) There shall be no overnight parking of any portable building, any camping unit of any type, or any motor vehicle within any city owned property, park, playground or cemetery within the city limits.

- (e) There shall be no person, vehicle, equipment or activity within any city owned property, park, playground, cemetery within the city limits between the hours of ~~12:00 midnight~~ 10:00 p.m and 6:00 a.m. each day, unless stricter hours are provided for in another section of this chapter.
- (f) The only exception to the provisions of this section shall be with the approval of an exemption granted by the city council or city manager.
- (g) Persons found in violation of this section shall receive notice to depart from the city owned property, park, playground or cemetery. Such notice to depart means an oral or written communication from either the city manager, the director of parks and recreation, the police chief, any city park ranger or city police officer. Any person failing to comply with such notice to depart within a reasonable length of time, which shall not exceed 30 minutes, shall be guilty of a misdemeanor and a conviction of this violation shall be punishable by a fine not to exceed \$500.00.

Sec. 86-3. - Rules and regulations for control of park and recreation areas.

- (a) The city shall have and shall exercise the power to control all activities, hours of visitation, and days and times of opening to city owned property as defined in this chapter, in order to properly protect the citizens of this community. All city owned property covered by this chapter shall be under the direct supervision of the city manager, the parks and recreation director and the chief of police. These officials shall have the authority to delegate their power of supervision to other employees of the city, not limited to but including as well the police officials and police officers of the city.
- (b) City owned properties shall be open to the public between the hours of ~~6:00 a.m. and 12:00 midnight~~ 6:00 a.m. and 10:00 p.m. each and every day, except as follows: Cypress Bend Park, which shall be open to the public between the hours of 6:00 a.m. and dusk of each and every day; the City Tube Chute Park will close at 7:00 p.m. on Saturdays, Sundays, and Independence Day, including July 3rd when it falls on a Monday and July 5th when it falls on a Friday, starting Memorial Day weekend and ending Labor Day weekend; the right-of-way under the Faust Street Bridge will be closed on both sides of the Guadalupe River to prevent public access; and the Comal Cemetery and the New Braunfels Cemetery which shall be open from ~~8:00 a.m. until 6:00 p.m. during Central Standard time and 8:00 a.m. to 8:00 p.m. during Daylight Savings time.~~ 8:00 a.m. until dusk. All such city owned areas properties shall be open during the above described hours unless otherwise stated in this ordinance or closed by order of the city manager or the parks and recreation director and/or the chief of police for the purposes of rehabilitation, cleaning, general supervision, or to protect the health, safety and general welfare of the public. If such areas are to be open prior to 6:00 a.m. in the morning or after the specific closing times set forth in this section, specific permission must be secured from the parks and recreation director for anyone to use such areas during those extra hours.
- (c) The police department of the city is charged with the responsibility of supervising and maintaining law and order in the city owned properties in order to protect the peace, health, safety and general welfare of the public. In order to carry out this provision, the police department, and any and all officers therein, shall have the authority to make any arrests for violation of any state law or city ordinance. In addition thereto, it is hereby declared that a person commits an offense of trespass if he/she enters or remains on city owned properties, during hours other than those set out in this section, without effective consent, and he/she:
 - (1) Had notice that the entry was forbidden; or
 - (2) Received notice to depart but failed to do so.
 For purposes of this section, "entry" means the intrusion of the entire body and "notice" means an oral or written communication by the city manager, the parks and recreation director, or the chief of police

or any police officer; or fencing or other enclosure obviously designed to exclude intruders during the closed hours; or signs posted to be reasonably likely to come to the attention of intruders.

- (d) For the purposes of this section, the definition of the city owned park properties includes all applicable areas of the same for any and all immediate parking of vehicles. Such parking areas shall be defined as city streets and shall be supervised and regulated by the police department in the same manner as all city streets. Further, for the purposes of this section, a user of all parks shall also cover individuals who are sitting inside their vehicles while parked in any of the parking areas.
- (e) It is further an offense and a violation of this section for any person to be standing, walking, running, sitting, jumping, diving or doing any other act on or off Clemens Dam itself. It shall likewise be illegal for any person to swim through the openings of Clemens Dam, or attempt to swim through such openings or wade through such openings, and this illegal act shall also apply to anyone who attempts to swim over Clemens Dam.
- (f) The refusal of any person to carry out the orders and provisions of this section shall be deemed a misdemeanor, punishable by a fine of not more than \$500.00.

SECTION 2: SEVERABILITY.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 4: REPEALER.

All provisions of the New Braunfels Code of Ordinances, or other ordinances, whether codified or uncoded, in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the Code of Ordinances or other ordinances, codified or uncoded, not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 4: SAVINGS CLAUSE.

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

SECTION 5. EFFECTIVE DATE:

This Ordinance shall become adopted and effective upon its second reading and compliance with the City Charter. This ordinance must also be published in a newspaper of general circulation at least one time within ten days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 9th day of February, 2026.

PASSED AND APPROVED: Second reading this 23rd day of February, 2026.

CITY OF NEW BRAUNFELS, TEXAS

Neal Linnartz, Mayor

ATTEST:

Gayle Wilkinson, City Secretary APPROVED AS

TO LEGAL FORM:

Valeria M. Acevedo, City Attorney

2/9/2026

Agenda Item No. M)

PRESENTER:

Katie Totman, Historic Preservation Officer

SUBJECT:

Approval of the first reading of an ordinance to amend the City's Code of Ordinances, Chapter 66 Historic Preservation, Section 66-57.1, Incentives.

DEPARTMENT: Neighborhood & Community Planning**COUNCIL DISTRICTS IMPACTED:** All**BACKGROUND INFORMATION:****Case No:** ORD25-370

Staff Contact: Katie Totman, Historic Preservation Officer
(830) 221-4086 | ktotman@newbraunfels.gov

ISSUE:

Chapter 66 of the City's Code of Ordinances, Section 66-57.1, currently provides tax relief and incentives for the rehabilitation, stabilization, and renovation of designated historic landmarks and properties located within local historic districts. Such incentives are intended to encourage landmarking and preservation of historic structures and cultural resources. However, through collaboration with the Comal Appraisal District, it was noted that the ordinance lacks clarity in several areas, leading to administrative challenges for both entities in providing consistent guidance to applicants. These challenges discourage participation, thereby diminishing the success of the incentive program.

Specifically:

- 1. Eligibility for Consecutive Tax Relief Terms:** Currently, applicants are required to submit the initial request for tax relief which, if approved, would be applied for a five (5) year period. At the end of the five (5) year period they are required to re-apply for a second five (5) year period.
- 2. Qualification for Tax Relief:** The way in which the tax relief is determined is inconsistent with the current State Tax Code.
- 3. Inclusion of Local Historic Landmarks:** Currently, properties inside a local historic district are eligible to receive a 20% reduction on their ad valorem city property taxes annually. It is recommended to also include standalone local historic landmarks, meaning those not already in a local historic district, in receiving this incentive to encourage designation of individual properties that may not meet the eligibility requirements of the rehabilitation incentive.

COMPREHENSIVE PLAN REFERENCE:

Action 1.11: Update policies and codes to achieve development patterns that implement the goals of this plan.

Action 2.5: Encourage diversification of commercial activity Downtown to build on and sustain existing historic resources and maximize structure utilization for economic expansion.

STRATEGIC PLAN REFERENCE:

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

Community Identity Objective 2:

This code amendment advances goals of the LDO including streamlined processes and encourages the preservation and rehabilitation of our historic resources.

Organizational Excellence Objective 2:

This code amendment demonstrates a cooperative relationship with other jurisdictions.

FISCAL IMPACT:

The existing incentive would remain, and be restructured for clarity, consistency, streamlining, and ease of use and application.

RECOMMENDATION:

The Historic Landmark Commission reviewed the proposed amendments at their regular meeting on January 13, 2026, and recommended the proposed changes by a vote of 7 in favor and none opposed. Staff concurs with the recommendation to approve the proposed amendments.

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 66 HISTORIC PRESERVATION, SECTION 66-57.1 INCENTIVES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; CONTAINING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan, Envision New Braunfels, has multiple action items supporting updates that improve regulations, including Action Items 1.11: Update policies and codes to achieve development patterns that implement the goals of this plan, 2.5: Encourage diversification of commercial activity Downtown to build on and sustain existing historic resources and maximize structure utilization for economic expansion.

WHEREAS, the City of New Braunfels Strategic Plan has multiple objectives in the Community Identity Priority encouraging the preservation and rehabilitation of our historic resources.

WHEREAS, the City is engaged in a project to update the development-related ordinances known as the Land Development Ordinance (LDO), in accordance with the Comprehensive Plan, Envision New Braunfels; and

WHEREAS, the Historic Landmark Commission held a regular meeting on January 13, 2026, and recommended approval of the proposed amendments; and

WHEREAS, the City Council hereby finds and determines that regularly updating the code for clarification provides improved customer service and is in the best interest of the citizens of New Braunfels.

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

SECTION 1

THAT Chapter 66, Historic Preservation, Article III, Historic Landmark Preservation, Section 66-57.1 - Incentives, is hereby amended with additions as underlines and deletions as strikeouts as follows:

Sec.57.1. Incentives

(a) *Purpose.* To promote and protect the rich heritage of the city, and to encourage the designation of structures as historic landmarks, and the designation of historic districts this section of the city's historic preservation ordinance provides a tax relief for the stabilization, rehabilitation, and renovation of property(s) that are designated by the city as historic landmarks or located within a local historic district.

~~(b) *Rehabilitation tax relief.* From the date of passage of this section, the owner of property (structure and land) having historic, architectural, and cultural significance, and so designated by the city's historic landmark commission, planning commission, and city council, as a historical landmark or located within a local historic district shall be eligible to apply for relief in property taxes for a period of five years. Said property, whether owned by the same individual or not, shall be eligible for such relief an additional five years. The total period of time that any one property shall be eligible to receive such tax relief shall be ten years, whether such relief is granted for two consecutive five-year periods or separate terms. For a property to be considered for a consecutive five-year period, an application shall be made during the fourth year of the original request. Whether the application is for consecutive or future periods each request shall be considered separately and must qualify as outlined below. Upon the expiration of a relief period, the property shall be placed on the tax rolls at the new appraised value and taxed accordingly. Provided, however, that should an application be received and approved during the fourth year of the first request no new appraised value will be assessed or taxed. In accordance with the provisions of this section, a building that is individually designated as a local historic landmark or located within the boundaries of a locally designated historic district and that is substantially rehabilitated and is approved by the chief appraiser of the Comal or Guadalupe Appraisal District, shall have an assessed value for ad valorem taxation as follows:~~

(1) Properties shall have the assessed value for the city's portion of the ad valorem taxation for a period of ten (10) tax years equal to the assessed value at the time of certification.

(2) This exemption shall begin on the first day of the first tax year following final approval by City Council.

(3) As noted in subsection (1) above, the exemption will be in place for a period of 10 years. Following the expiration of the rehabilitation tax relief incentive, the exemption noted below in section (e) for locally designated historic properties both in a district or an individual landmark will continue to apply.

(c) Application Process.

(1) *Certification.* An application for tax relief pursuant to this section shall be submitted to the city's historic preservation officer prior to the rehabilitation work taking place. The historic preservation officer shall request action from the historic landmark commission. Each application for certification shall be signed and sworn to by the owner of the property and shall:

A. Include current pictures of the interior and the exterior of the structure, as applicable to the scope of work that is proposed.

B. Include a written scope of work and, where applicable, a complete set of plans for the structure's restoration.

C. Include an itemized statement of estimated costs for the scope of work.

(2) *Verification.* Once rehabilitation work is complete, the property owner shall submit an application to the city's historic preservation officer to complete the request for tax relief. The request shall be presented to the Historic Landmark Commission and they will make a recommendation to City Council. Each application for verification shall be signed and sworn to by the owner of the property and shall:

A. Include current color pictures of the interior and exterior of the structure, as applicable to work that was performed, showing the completed rehabilitation work.

B. Include an itemized statement or itemized list of final costs for the restoration work that was completed.

C. Include copies of all associated building permits and certificates of alteration that may have been required for the rehabilitation work.

(3) *City Council Approval.* Final approval of the rehabilitation tax relief shall be granted by City Council and requires two separate readings.

(4) *Retroactive Certification and Verification.* In cases where rehabilitation work is completed prior to requesting the incentive, applicants may still apply, provided that the work was completed no more than three (3) years from the time a completed application for certification and verification are submitted to the historic preservation officer. The process outlined in subsection (1) and (2) of this section shall be followed. Once the complete applications for certification and verification are received, the historic preservation officer will schedule them to be heard by the historic landmark commission at the earliest available meeting. It is at the discretion of the Commission to recommend approval or denial of the incentive to city council.

~~An application for tax relief pursuant to this section shall be made prior to the first of July of the tax year in which the relief would be granted. Application shall be made to the city's historic landmark commission with a recommendation to the city council for final action. If requested, the historic preservation officer may assist the owner in filing for such relief. A structure must be designated as a historic landmark as provided for in section 66-54 or located within a local historic district as provided for in section 66-55.~~

~~(1) *Qualification for tax relief.* The owner of a property, applying for tax relief, shall be entitled to such, provided that the improvement(s), renovation(s), or restoration(s) to the structure is at least ten percent of the value of the property value reflected on the tax rolls of the Comal or Guadalupe Appraisal District office. The tax relief shall commence after the first of January in the tax year immediately following the year in which the work is completed.~~

~~The tax relief shall be determined in the following manner. The Comal or Guadalupe Appraisal District shall cause said improvement(s), renovation(s), or restoration(s) to the structure to be appraised on or before December 31 the year the work was completed. This new appraised value less the present property value shall be shown on the tax rolls of the Comal or Guadalupe Appraisal District as the new property value. However, said improvement(s), renovation(s), or restoration(s) shall not cause the value of the property to be less than the present value prior to completion of the work.~~

(d) *Qualification for rehabilitation tax relief.* The owner of a property, applying for tax relief, shall be entitled to such, provided that the cost of the improvement(s), renovation(s), or restoration(s) to the structure is at least ten (10) percent of the improvements value reflected on the tax rolls of the Comal or Guadalupe Appraisal District office of the tax year in which the property was certified by the historic landmark commission and approved by City Council.

1. *Eligible costs.* Eligible costs shall may include the following items: ~~exterior and interior improvements to the frame, walls, floor, ceiling, plumbing, electrical wiring and mechanical items, such as heating and air conditioning systems. Fixtures, decorative items, and/or fencing shall not be eligible for consideration unless such items were original fixtures and/or decorative items of the structure. Materials and labor for repairing, replacing or adding any of the following shall be eligible:~~

- ~~a. Structural walls;~~
- ~~b. Structural subfloors;~~
- ~~c. Structural ceilings;~~
- ~~d. Exterior doors;~~
- ~~e. Exterior paint (consistent with those colors available during the time period the structure was built);~~
- ~~f. Mechanical equipment;~~
- ~~g. Windows;~~
- ~~h. Exterior brick veneers or treatments;~~
- ~~i. Plumbing;~~
- ~~j. Electrical wiring;~~
- ~~k. Roof and gutter where necessary for structural integrity;~~
- ~~l. Facade items;~~
- ~~m. Elevators;~~
- ~~n. Foundations;~~
- ~~o. Termite damage and treatment;~~
- ~~p. Security and/or fire protection systems;~~
- ~~q. Architectural and engineering services if directly related to the eligible costs described above;~~
- ~~r. Plumbing and electrical fixtures documented as historic fixtures; and~~
- ~~s. Limited demolition, not more than 15 percent of the original structure, and cleanup related to the eligible costs described above.~~

a. Expenditures associated with the components of the structure/building including foundation, roofing, walls, partitions, floors, ceilings, windows and doors, stairs, elevators,

escalators, sprinkler systems, fire escapes, components of central air conditioning, heating, plumbing, and electrical systems, and other components related to the operation or maintenance of the building.

b. Expenditures associated with site work that is deemed necessary to prevent future damage to the structure, such as grading and drainage work. Additionally, site elements that are original or found to be contributing to the historic significance of the property may also be considered eligible and are at the discretion of the historic landmark commission.

c. Architectural, design, consulting, engineering, and similar services directly related to the successful completion of the project.

d. Construction management and labor, materials, and reasonable overhead.

e. Subcontracted services.

f. Development fees including those related to local permitting and plan review outlined in Appendix D of the City's Code of Ordinances.

g. Construction period interest and taxes.

2. Ineligible costs. Ineligible costs include the following:

~~a. Overhead;~~

~~b. Taxes;~~

~~c. Supervisor payroll;~~

~~d. Repairs of construction equipment;~~

~~e. Tools; and~~

~~f. Any other items not directly related to the exterior appearance or the structural integrity or viability of the structure.~~

a. The cost of acquiring any interest in the property;

b. The personal labor by the applicant/owner;

c. Any cost associated with the enlargement of an existing building on site;

d. Any cost associated with the rehabilitation of an outbuilding or ancillary structure unless it is certified by the Commission to contribute to the historical significance of the property.

(e) Tax exemption for local historic districts and local historic landmarks. For properties located within a city designated historic district or for properties that are designated as local historic landmarks, property owners ~~in the historic district~~ will qualify for an ad valorem tax exemption of 20 percent of the assessed city ad valorem property tax. This tax exemption shall begin on the first day of the first tax year after designation of the local historic district or local historic landmark. A separate form provided by the Comal and Guadalupe Comal Appraisal District must be submitted annually by the property owner to the Appraisal District in which the property is located.

(f) Building permit fees waived. Upon approval of a certificate of alteration, the property owner will present said certificate to the ~~building department~~ City. ~~and a~~ All building permit fees will be waived with the exception of the permit application fee and all related inspection fees.

SECTION 2: Repealer.

All provisions of the New Braunfels Code of Ordinances, or other ordinances, whether codified or uncoded, in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the Code of Ordinances or other ordinances, codified or uncoded, not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 3: Severability

It is hereby declared to be the intention of the City Council that the sections, paragraphs,

sentences clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence or section of this ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence paragraph or section of this ordinance.

SECTION 4: Savings Clause.

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

SECTION 5: Effective Date.

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 9th day of February 2026.

PASSED AND APPROVED: Second reading this 23rd day of February 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

2/9/2026

Agenda Item No. N)

PRESENTER:

Gayle Wilkinson, City Secretary

SUBJECT:

Approval of a second and final reading of an ordinance appointing the initial Board of Directors to the City of New Braunfels Tax Increment Reinvestment Zone Number Two ("River Mill"), naming the place designations of the appointed Directors, establishing term dates, and declaring an effective date.

DEPARTMENT: City Secretary**COUNCIL DISTRICTS IMPACTED:** 5**BACKGROUND INFORMATION:**

City Council voted unanimously to approve the first reading of this ordinance on January 26, 2026.

On December 9, 2019, City Council passed Ordinance 2019-90 establishing the New Braunfels Tax Increment Reinvestment Zone #2 - referred to as TIRZ 2 River Mill to provide a dedicated funding source and revitalization strategy for the zone. Included within the Ordinance, a Preliminary Project and Finance Plan was approved. A Board of Directors of this TIRZ was not appointed after the creation of the zone due to community challenges with the COVID-19 pandemic and the proposed River Mill project hitting a temporary pause. As such, the project status has since changed and City staff have identified the need for the formation of the TIRZ 2 Board of Directors.

The application process for TIRZ 2 Board of Director applicants was opened on November 24, 2025, and facilitated through the City Secretary's Office. Applications were accepted until January 5, 2026 and a sufficient number of candidates have been received to fulfill the Board of Director positions. An Ad Hoc Committee of City Council members met on January 13, 2026 to review applicants and selected the following to be appointed:

Place 1 - Zone County/Adjacent County Resident or Property Owner:
Jeffrey Coultas, term expiring 11/30/2027

Place 2 - Zone County/Adjacent County Resident or Property Owner:
Kyle Coker, term expiring 11/30/2026

Place 3 - Zone County/Adjacent County Resident or Property Owner:
John Matney, term expiring 11/30/2027

Place 4 - Zone County/Adjacent County Resident or Property Owner:
Skylar Duran, term expiring 11/30/2026

Place 5 - Zone County/Adjacent County Resident or Property Owner:
John Malik, term expiring 11/30/2027

Place 6 - Zone County/Adjacent County Resident or Property Owner:
Patrick Wiggins, Jr., term expiring 11/30/2026

Place 7 - Zone County/Adjacent County Resident or Property Owner:
Stephen Zgabay, term expiring 11/30/2027

Once formed, the TIRZ 2 Board of Directors will meet, review the Preliminary Project and Finance Plan, and make recommendations to City Council for the approval of the Final TIRZ 2 Project and Finance Plan - to be scheduled at a City Council meeting in early Spring 2026. Additionally at this same upcoming meeting, City Council will appoint a Board Chair for the remainder of 2026 - a term that shall expire on December 31, 2026.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

There is no fiscal impact to appoint Board of Directors to the TIRZ 2.

RECOMMENDATION:

Staff recommends City Council appoint the initial Board of Directors for the City of New Braunfels Tax Increment Reinvestment Zone Number Two "TIRZ 2 River Mill" and establish place designations, term dates, and declaring an effective date.

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, APPOINTING INITIAL BOARD OF DIRECTORS TO THE NEW BRAUNFELS TAX INCREMENT REINVESTMENT ZONE NUMBER TWO RIVER MILL, NAMING THE PLACE DESIGNATIONS OF THE APPOINTED DIRECTORS, ESTABLISHING TERM DATES, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the New Braunfels City Council met on December 9, 2019 and approved an ordinance establishing the New Braunfels Tax Increment Reinvestment Zone #2 River Mill to provide a dedicated funding source and revitalization strategy for the zone; and

WHEREAS, a Board of Directors for this Tax Increment Reinvestment Zone was not appointed after the creation of the zone due to community challenges with the COVID-19 pandemic and the proposed River Mill project hitting a temporary pause; and

WHEREAS, the River Mill project status has changed and City staff have identified the need for the formation of the Board of Directors for this Tax Increment Reinvestment Zone; and

WHEREAS, the application process for Board of Director applicants was opened on November 24, 2025 and facilitated through the City Secretary's Office; and

WHEREAS, applications were held open until January 5, 2026 and a sufficient number of candidates have been received to fulfill the Board of Director positions; and

WHEREAS, the Texas Tax Code sets forth certain minimum qualifications for Tax Increment Reinvestment Zone Boards and all Directors appointed meet these requirements; and

WHEREAS, the Texas Tax Code directs the City Council to appoint Directors to Tax Increment Reinvestment Zones; and

WHEREAS, an Ad Hoc Committee of City Council met on January 13th, 2026 to review applicants to serve on the Board.

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

SECTION 1: The following Directors are appointed to the initial roster of the New Braunfels Tax Increment Reinvestment Zone Number Two River Mill in the following places with corresponding initial term expirations:

Place One Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Jeffrey Coultas, Term Expires: 11/30/2027

Place Two Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Kyle Coker, Term Expires: 11/30/2026

Place Three Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: John Matney, Term Expires: 11/30/2027

Place Four Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Skylar Duran, Term Expires: 11/30/2026

Place Five Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: John Malik, Term Expires: 11/30/2027

Place Six Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Patrick Wiggins, Jr., Term Expires: 11/30/2026

Place Seven Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Stephen Zgabay, Term Expires: 11/30/2027

PASSED AND APPROVED: First Reading on January 26, 2026

PASSED, ADOPTED, AND APPROVED: Second and Final Reading on February 9, 2026

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA ACEVEDO, City Attorney

2/9/2026

Agenda Item No. O)

PRESENTER:

Gayle Wilkinson, City Secretary

SUBJECT:

Approval of a second and final reading of an ordinance appointing the initial Board of Directors to the City of New Braunfels Tax Increment Reinvestment Zone Number Four - Zipp Park, naming the place designations of the appointed Directors, establishing term dates, and declaring an effective date.

DEPARTMENT: City Secretary**COUNCIL DISTRICTS IMPACTED:** 2**BACKGROUND INFORMATION:**

City Council voted unanimously to approve the first reading on January 26, 2026.

On November 10, 2025, City Council passed Ordinance 2025-68 establishing the New Braunfels Tax Increment Reinvestment Zone #4 - Zipp Park to provide a dedicated funding source and revitalization strategy for the zone. Included within the Ordinance, a preliminary Project and Finance Plan was approved. A Board of Directors will provide recommendations to City Council concerning the administration, management, and operation of TIRZ 4.

The application process for TIRZ 4 Board of Director applicants was opened on November 24, 2025, and facilitated through the City Secretary's Office. Applications were accepted until January 5, 2026 and a sufficient number of candidates have been received to fulfill the Board of Director positions. An Ad Hoc Committee of City Council members met on January 13, 2026 to review applicants and selected the following to be appointed:

Place 1 - Zone County/Adjacent County Resident or Property Owner:
Stephen Brockman, term expiring 11/30/2027

Place 2 - Zone County/Adjacent County Resident or Property Owner:
Stewart Pickard, term expiring 11/30/2027

Place 3 - Zone County/Adjacent County Resident or Property Owner:
Jacob Hixon, term expiring 11/30/2027

Place 4 - Zone County/Adjacent County Resident or Property Owner:
Thomas Jordan, term expiring 11/30/2027

Place 5 - Zone County/Adjacent County Resident or Property Owner - OR - Guadalupe County Representative:
Payton Adams, term expiring 11/30/2027

Place 6 - Zone County/Adjacent County Resident or Property Owner - OR - Guadalupe County Representative:
Tara Woodard, term expiring 11/30/2027

Place 7 - Zone County/Adjacent County Resident or Property Owner:
Travis Engler, term expiring 11/30/2027

***Note:** Positions five and six may be held for Guadalupe County if they intend to participate in the TIRZ 4 as taxing jurisdiction. Failure of Guadalupe County to participate shall be deemed as a waiver to appoint Directors, and the City Council will appoint these positions. As of creation of this agenda item, Guadalupe County has not indicated their participation status.*

Once formed, the TIRZ 4 Board of Directors will meet, review the preliminary Project and Finance Plan, and make recommendations to City Council for the approval of the Final TIRZ 4 Project and Finance Plan - to be scheduled at a City Council meeting in early Spring 2026. Additionally, at this same upcoming meeting, City Council will appoint a Board Chair for the remainder of 2026 - a term that shall expire on December 31, 2026.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

There is no fiscal impact to appoint Board of Directors to the TIRZ 4.

RECOMMENDATION:

Staff recommends City Council appoint the initial Board of Directors for the City of New Braunfels Tax Increment Reinvestment Zone Number 4 Zipp Park and establish place designations, term dates, and declaring an effective date.

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, APPOINTING INITIAL BOARD OF DIRECTORS TO THE NEW BRAUNFELS TAX INCREMENT REINVESTMENT ZONE NUMBER FOUR – ZIPP PARK, NAMING THE PLACE DESIGNATIONS OF THE APPOINTED DIRECTORS, ESTABLISHING TERM DATES, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the New Braunfels City Council met on November 10, 2025 and approved an ordinance establishing the New Braunfels Tax Increment Reinvestment Zone #4 – Zipp Park to provide a dedicated funding source and revitalization strategy for the zone; and

WHEREAS, the application process for Board of Director applicants was opened on November 24, 2025 and facilitated through the City Secretary's Office; and

WHEREAS, applications were held open until January 5, 2026 and a sufficient number of candidates have been received to fulfill the Board of Director positions; and

WHEREAS, the Texas Tax Code sets forth certain minimum qualifications for Tax Increment Reinvestment Zone Boards and all Directors appointed meet these requirements; and

WHEREAS, the Texas Tax Code directs the City Council to appoint Directors to Tax Increment Reinvestment Zones; and

WHEREAS, an Ad Hoc Committee of City Council met on January 13, 2026 to review applicants for Directors to serve on the Board.

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

SECTION 1: The following Directors are appointed to the initial roster of the New Braunfels Tax Increment Reinvestment Zone Four – Zipp Park in the following places with corresponding initial term expirations:

Place One Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Stephen Brockman, Term Expires: 11/30/2027

Place Two Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Stewart Pickard, Term Expires: 11/30/2027

Place Three Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Jacob Hixon, Term Expires: 11/30/2027

Place Four Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Thomas Jordan, Term Expires: 11/30/2027

Place Five Appointee (Guadalupe County Representative or Zone County: Resident/Property Owner/Adjacent County Resident)

Name: Payton Adams, Term Expires: 11/30/2027

Place Six Appointee (Guadalupe County Lateral Road Representative Zone County: Resident/Property Owner/Adjacent County Resident)

Name: Tara Woodard, Term Expires: 11/30/2027

Place Seven Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)

Name: Travis Engler, Term Expires: 11/30/2027

PASSED AND APPROVED: First Reading on January 26, 2026

PASSED, ADOPTED, AND APPROVED: Second and Final Reading on February 9, 2026

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA ACEVEDO, City Attorney

2/9/2026

Agenda Item No. P)

PRESENTER:

Nathan Brown, Senior Assistant City Attorney

SUBJECT:

Approval of the second and final reading of an ordinance amending the New Braunfels Code of Ordinances, Chapter 100-20, changing the membership composition of the Roadway Impact Fee Advisory Committee in compliance with S.B. 1883.

DEPARTMENT: City Attorney's Office

COUNCIL DISTRICTS IMPACTED: All districts

BACKGROUND INFORMATION:

City Council unanimously approved the first reading of the ordinance on January 26, 2026. The Roadway Impact Fee Advisory Committee ordinance was amended in 2025 so that the composition and membership criteria complied with changes made to state law under Senate Bill 1883, adopted during the 89th Regular Legislative Session. This is a correction to the ordinance that was adopted that brings the ordinance amendment in line with what was presented to City Council on November 17, 2025.

ISSUE:

This is a correction to the ordinance that was previously adopted and brings this ordinance in line with what was previously presented at City Council. The correct membership composition for the Roadway Impact Fee Advisory Committee as presented to City Council on November 17, 2025, is as follows: three members who are representatives of the real estate, development, or building industry who are not employees or officials of a political subdivision or governmental entity, and the City Manager or City Manager's designee and the City Engineer or City Engineer's designee.

FISCAL IMPACT:

None.

RECOMMENDATION:

Staff recommends approval of this ordinance.

ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING SECTION 100-20, CHANGING THE MEMBERSHIP COMPOSITION OF THE ROADWAY IMPACT FEE ADVISORY COMMITTEE IN ACCORDANCE WITH S.B. 1883; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels has established a Roadway Impact Fee Advisory Committee created pursuant to Chapter 395, Texas Local Government Code; and

WHEREAS, the ordinance setting forth the membership criteria and revised membership composition of the Roadway Impact Fee Advisory Committee complies with the requirements of Senate Bill 1883.

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

SECTION 1. Amendment.

That City of New Braunfels Code of Ordinances, Section 100-20 is hereby amended as follows with underlined font indicating added language and strikethrough font indicating deleted language:

Sec. 100-20. Roadway Impact Fee Advisory Committee.

- (a) The Roadway Impact Fee Advisory Committee ("advisory committee") shall consist of ~~seven~~ five persons appointed by a majority vote of the City Council. At least ~~four~~ three advisory committee members shall be representatives of the real estate, development, or building industry who are not employees or officials of a political subdivision or governmental entity. The ~~Mayor and~~ City Manager, or City Manager's designee, and the City Engineer, or City Engineer's designee shall serve as members of the advisory committee.
- (b) Each appointed member of the advisory committee shall be appointed for a term of three years, Vacancies for any reason other than the expiration of a committee member's expired term shall be filled only for the unexpired term of the vacancy and in accordance with subsection (a), above.
- (c) The functions of the advisory committee are those set forth in Local Government Code ch. 395, as amended, or any successor.
- (d) The city shall make available to the advisory committee any professional reports prepared in the development or implementation of the roadway improvements plan.
- (e) The advisory committee shall adopt procedural rules for carrying out its duties.

(Ord. No. 2013-69, § 1(Att. A), 11-11-13)

SECTION 2: Repealer.

All provisions of the New Braunfels Code of Ordinances, or other ordinances, whether codified or uncoded, in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the Code of Ordinances or other ordinances, codified or uncoded, not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 3: Severability

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence or section of this ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence paragraph or section of this ordinance.

SECTION 4: Savings Clause.

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

SECTION 5: Effective Date.

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 26th day of January, 2026.

PASSED AND APPROVED: Second reading this 9th day of February, 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

2/9/2026

Agenda Item No. Q)

PRESENTER:

Christopher J. Looney, AICP, Planning Director

Applicant: Vincent Gerard & Assoc. Inc

Owner: City of New Braunfels

SUBJECT:

Approval of the second and final reading of an ordinance, requested by Vincent Huebinger of Vincent Gerard & Assoc. Inc, to rezone approximately 0.1 of an acre out of the Oak Run School 2 Subdivision, Block 1, Lot 2B, from R-1 (Single-Family District) to R-1 SUP (Single Family District with a Special Use Permit to allow a Telecommunications Tower), currently addressed at 2212 Alyssa Way.

DEPARTMENT: Neighborhood and Community Planning**COUNCIL DISTRICTS IMPACTED:** 3**BACKGROUND INFORMATION:****Case No:** SUP25-421**Applicant:**

Vincent Gerard & Associates

(512) 328-2693 | sherryh@vincentgerard.com

Staff Contact:

Amanda Mushinski, AICP, CNU-A

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

The City Council held a public hearing on January 26, 2026, and unanimously approved the first reading of the applicant's requested rezoning ordinance with the recommended conditions (7-0-0).

The subject site is an approximately 0.1 of an acre portion (2,300 square feet) of the 2.3-acre property addressed at 2212 Alyssa Way, situated at the northwest corner of Alyssa Way and Oak Run Point, one block northwest of State Highway 46 West, and adjacent to Oak Run Middle School. The property is currently occupied by New Braunfels Fire Station No. 4, with the requested lease area located on the station grounds.

The surrounding area includes a mix of civic, educational, residential, and neighborhood commercial uses. The property is bordered by R-1 (Single-Family Residential) District and C-1 (Local Business) District zoning, with adjacent land uses including the middle school, a church, and multiple neighborhood-serving commercial establishments.

ISSUE:

The applicant is requesting a Special Use Permit to allow the installation of a 150-foot-tall monopole telecommunications tower and associated unmanned ground equipment within a fenced lease area.

Improvements include the monopole, equipment cabinets, an emergency generator, and a screening fence.

Landscaping is proposed around the lease area, and existing vegetation along the northern property boundary

would remain.

A Special Use Permit is required pursuant to Section 144-5.7 (Telecommunication Towers/Antennas) because the tower is located within an R-1 zoning district, where towers are not allowed by right. Section 144-5.7 requires consideration of height, proximity to residential properties, surrounding topography, screening, compatibility, and whether collocation on existing structures is feasible.

In evaluating the request, the Planning Commission and City Council are to consider compatibility with surrounding zoning and land uses, the visual and aesthetic impacts of the proposed tower, and the adequacy of screening and site design. The nearest residential lots are located approximately 900 feet northwest along Windsor Lane. In their proposal, the applicant indicates they will erect a 6-foot-tall decorative wood fence, supplemental landscaping, and preservation of existing vegetation along the northern property line. The applicant has also provided information regarding the lack of suitable existing structures for collocation within the service area.

The submitted landscaping plan was evaluated for compliance with the standards for telecommunications facilities outlined in Section 144-5.7 of the Code of Ordinances. These standards require that screening consists of **evergreen** vegetation capable of providing year-round visual buffering of the facility. The proposed plan includes deciduous tree species, which do not meet the evergreen screening requirement. While the overall site layout and intent to provide screening are appropriate, revisions to the landscaping plan will be necessary to ensure compliance with the adopted standards and to provide effective, continuous screening for surrounding properties.

These factors should be considered when determining whether the request is appropriate for the site and whether conditions are warranted to ensure compatibility with the surrounding area.

Additionally, the City is subject to limitations in the Federal Telecommunications Act, 47 U.S.C. § 332 (c) (1)(B), which states:

(B) Limitations

- (i)** The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof-
 - (I)** shall not unreasonably discriminate among providers of functionally equivalent services; and
 - (II)** shall not prohibit or have the effect of prohibiting the provision of personal wireless services.
- (ii)** A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.
- (iii)** Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.
- (iv)** No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.
- (v)** Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such

action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause iv may petition the Commission for relief.

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:

- **Action Item 1.7:** Target Infrastructure investments to support a growing population in preferred locations.

Future Land Use Plan: The subject property is located within the Veramendi Sub Area, near existing Civic and Education Centers, and near a Future Market Center.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

The Land Use Fiscal Analysis (LUFA) recommended action is to prioritize infill projects that add people and buildings in areas with existing infrastructure. This will increase tax revenue without significant impacts on services and infrastructure costs and distribute cost burdens across more property owners. An increase in development opportunities from rezoning will allow net positive revenue per acre. While the proposed use does not add people that would require infrastructure, it would instead **expand infrastructure capacity**.

If this rezoning request is approved, the City of New Braunfels and The Towers, LLC (Vertical Bridge) will execute a lease agreement for the location of a telecommunications tower within the defined lease area.

RECOMMENDATION:

Staff recommends approval with the following conditions:

1. Landscaping and screening shall comply with Section 144-5.7 of the Code of Ordinances. The landscaping plan shall be revised to provide evergreen screening vegetation from the City's approved plant list capable of achieving a minimum height of six (6) feet within two years.
2. The maximum height of the monopole telecommunications tower shall be 150 feet.
3. The property will remain in compliance with the approved site plan. Any significant changes to the site plan will require a revision to the SUP.

The Planning Commission held a public hearing on January 6, 2026, and recommended approval (6-1)

Code of Ordinances Sec. 144-2.1 *Changes and Zoning Amendments:*

(b) *Considerations for approving or denying a zoning change.* In making a determination regarding a requested zoning change, the planning commission and the city council shall consider the following factors:

- (1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole;

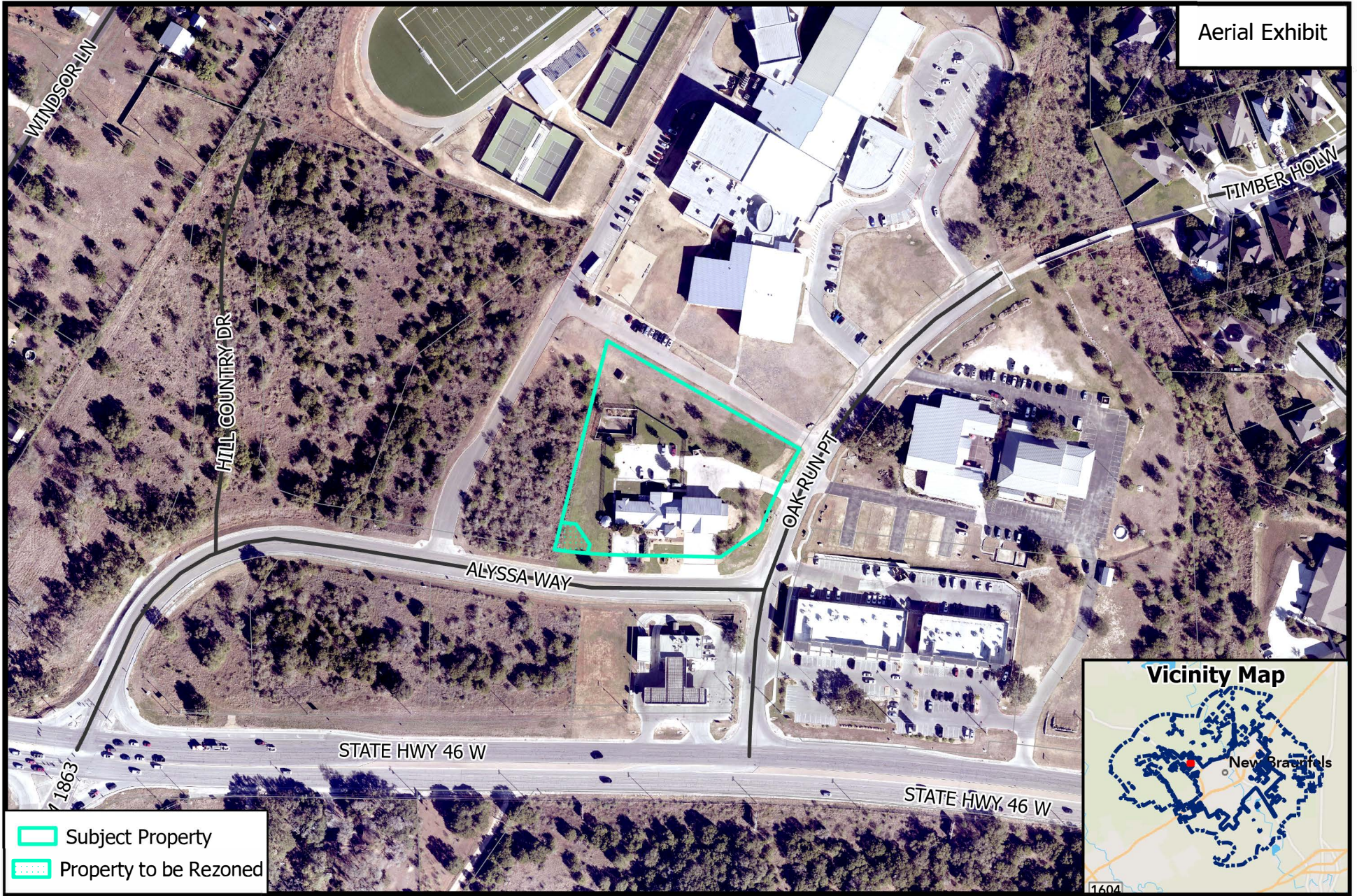
-
- (2) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;
 - (3) How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved;
 - (4) Any other factors that will substantially affect the public health, safety, morals, or general welfare; and
 - (5) Whether the request is consistent with the comprehensive plan.

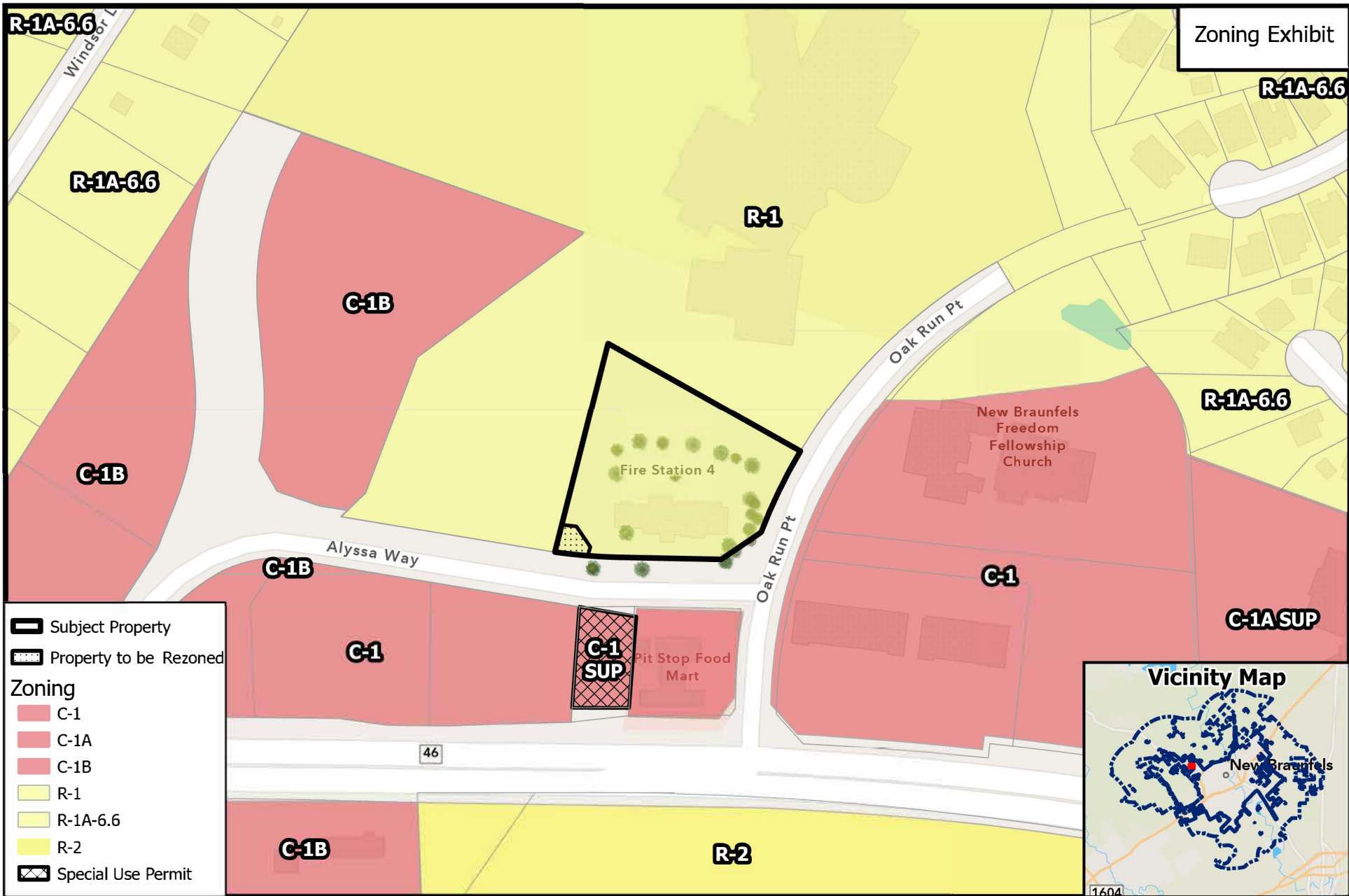
Mailed notification as required by state statute:

Public hearing notices were sent to owners of 5 properties within 200 feet of the request. As of the date this agenda was posted, a supermajority vote of City Council is not required to approve the applicant's request.

Resource Links:

- Chapter 144, Sec. 3.3-1 (R-1) of the City's Code of Ordinances:
[https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?_ga=2.151111111.151111111.151111111-151111111.151111111)
- Chapter 144, Sec. 3.6 (SUP) of the City's Code of Ordinances:
[https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?_ga=2.151111111.151111111.151111111-151111111.151111111)
- Chapter 144, Sec. 5.7 (Telecommunication towers/antennas) of the City's Code of Ordinances:
[https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?_ga=2.151111111.151111111.151111111-151111111.151111111)







November 13, 2025

Planning & Development
New Braunfels, Texas

Summary Letter for Vertical Bridge Verizon Mobility Wireless Communications Site. 2212U Alyssa Way New Braunfels, TX 78132

After a request from Verizon Mobility and a search of all properties within a 1/4-mile search ring study, we believe we have found an excellent location and solution for a wireless site in the western corridor of New Braunfels Texas for best coverage in this immediate area. This site will provide necessary coverage to the homes, businesses, and commuters for wireless customers in and around the area along Hwy 46 and FM 1863 near the Oak Run Community and middle school. This site will accommodate all the major carriers at 150'. Verizon radio frequency engineers are having difficulty with "In Building Coverage" issues in the immediate area of this fire station. Their customers are also having "Capacity" issues on their surrounding sites in New Braunfels. The combination of a major traffic corridor along Highway 46 and Loop 337 for local communications that now include larger attachments, videos, pictures and general applications have slowed down the RF power for existing sites. These sites are discussed below and need to offload this RF and data traffic to this current site. Their goal is to have 5G quick speed data and continue their best in building coverage throughout New Braunfels. If this capacity issue is not alleviated, customers will start receiving long wait times in the queue and will eventually start dropping calls due to capacity overload on their existing infrastructure. No other vertical options were available for co-locations.

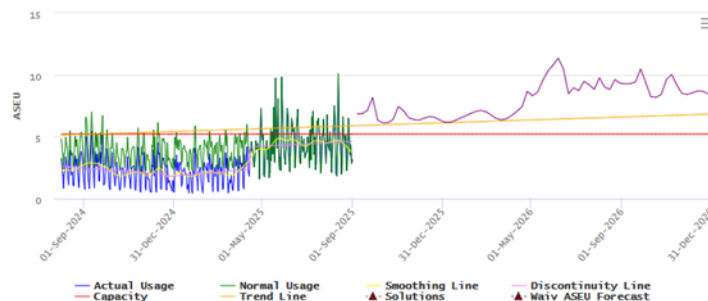
Master Inventory of existing sites with Verizon Equipment within 5 miles

- 1) Tower #1 – South of the proposed site approximately 5,600' (over 1 mile away) is an SBA tower that would not work for the RF engineers due to its proximity to another SBA tower where Verizon is already co-located and located outside the search ring. The coverage would overlap on that existing 150' monopole would not meet the target area for Verizon customers with improved coverage needs. This site is located close to the intersections of Loop 337 and State Hwy 46. (see aerial exhibit Map)
- 2) Tower # 2 – East of the proposed site is a faux flagpole at New Braunfels High School that holds only 3 antennas and is at capacity. It serves predominately the east part of New Braunfels along with the high school and thousands of homesites near the high school. It also serves the commercial and business along Loop 337.
- 3) Tower #3- East of the city and along Loop 337 and N Walnut Ave is the other new mono pine tower Verizon is co-located on at the apartments across from HEB. It is too close to the flagpole to fix the coverage gap and also does not work. This completes the Verizon Mobility infrastructure for the immediate area.

It is important that the new site can cover as much area and customers as possible to optimize their customers' coverage and their "FirstNet" equipment. Verizon made requested a 150' monopole height, which will allow Vertical Bridge to market to the other two big carriers, T-Mobile and AT&T wireless. A monopole design is the least obtrusive structure in our industry. By code Section 10-69, wireless use is

only allowed by Specific Use Permit (SUP), therefore we are respectfully requesting a Specific Use Permit for this land use from the Planning and Zoning commission and City Council.

Capacity Explained



Capacity issues are becoming a difficult situation with the increased use of Smart phones and multiple applications and alerts customers are using. The carrier will add additional antenna to the existing structure until the antenna array is completely full. These modifications occur over the course of years of operations. The exhibit above shows an antenna sector operating above the normal capacity of that site shown in a red line. Once the situation looks like this antenna sector for Verizon, the RF engineering team issues a search ring for the area of concern to download the major increase of activity and data on that site.

Fall Zone

Monopoles at 150' in height typically have a fall zone designed by the manufacturer in case of catastrophe. The monopole will not fall like a tree, rather implode onto itself in about 4 designated weak points on the pole. Typical fall zones for 150' monopoles are 32' from the base of the structure. This allows surrounding land use and property owners the benefit of full use of their property in case of a major ice storm and wind damage the structure.

Residential Setbacks & Inspection trips.

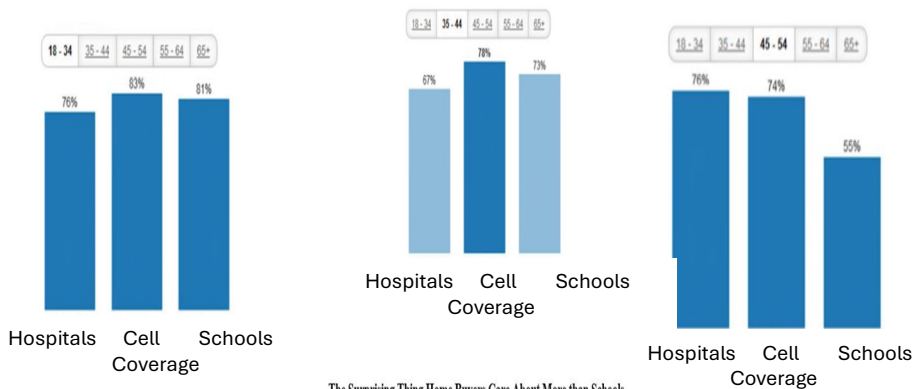
The closest residential lots are 680' to the south along State Hwy 46. The unmanned site will be accessed 1x per month by maintenance workers by pickup truck or SUV for inspections. If a waiver is necessary for any landscaping, consider this summary for that specific purpose. The current tract of land is being used as an industrial facility and has numerous weekly truck drop offs.

Value of Surrounding Property, Use and enjoyment of surrounding landowners.

There has not been any substantial evidence on decreased values use and enjoyment of adjoining properties. Recent studies show an actual preference of home buyers for great or good coverages over schools and hospitals nearby. Root Metrics and Morning Consult has prepared a study based on surveys of homebuyers on what were the most important items in their purchase of a specific property. Age difference varies, and among the older folks the hospitals increase in concern. Below are the bar graphs from Root Metrics studies and Morning Consult. We have also included a value study from an MAI Appraiser in Tennessee for backup information which concludes no decreased values on adjoining properties around wireless communication Tower sites.

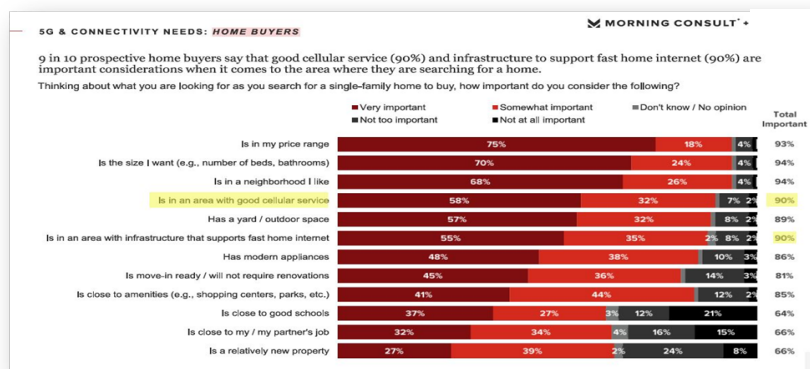
The Surprising Thing Home Buyers Care About More than Schools

(RootMetrics/Money, June 2, 2015)



The Surprising Thing Home Buyers Care About More than Schools

(RootMetrics/Money, June 2, 2015)



Necessity of the Specific Use Permit for Public Safety & Welfare.

The carrier's data shows that over 90% of 911 calls come from mobile phones. This site will increase the capacity for 911, adding reliable speed and connection to the 911 dispatchers. AT&T also employs FirstNet equipment and antenna on every new tower site for access to first responders.



Nature of the site, Available Vertical Infrastructure, Zoning and Candidate Options

The tower owner Vertical Bridge and Primary carrier Verizon Mobility, have explored every available option for existing infrastructure such as the existing towers, water tanks and rooftops. No other options were available for co-locations. This leads us to a new site build. It will be a standard monopole and the equipment will be outdoor cabinets, backup battery and backup generators for emergency power loss only. The monopole and equipment are shown on the zoning drawings and site plan filed with this SUP application.

Tower Owner Responsibilities

Vertical Bridge will maintain the site in good condition and actively pursue additional carriers on this site. They have provided a letter in this application.

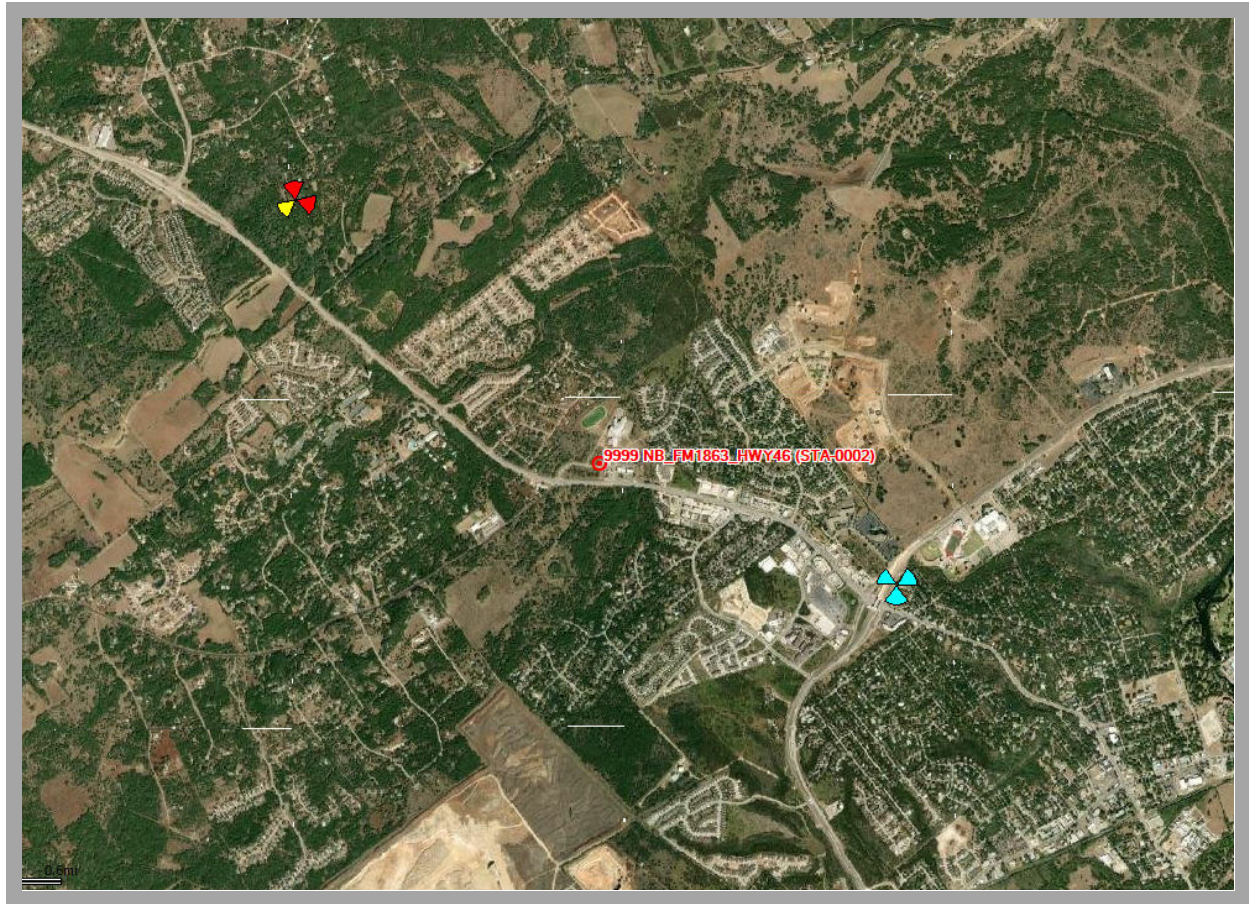
If there are any questions concerning the summary, zoning site plan and supplemental information please contact us or Jody Kriloff, Vertical Bridge.

Sincerely

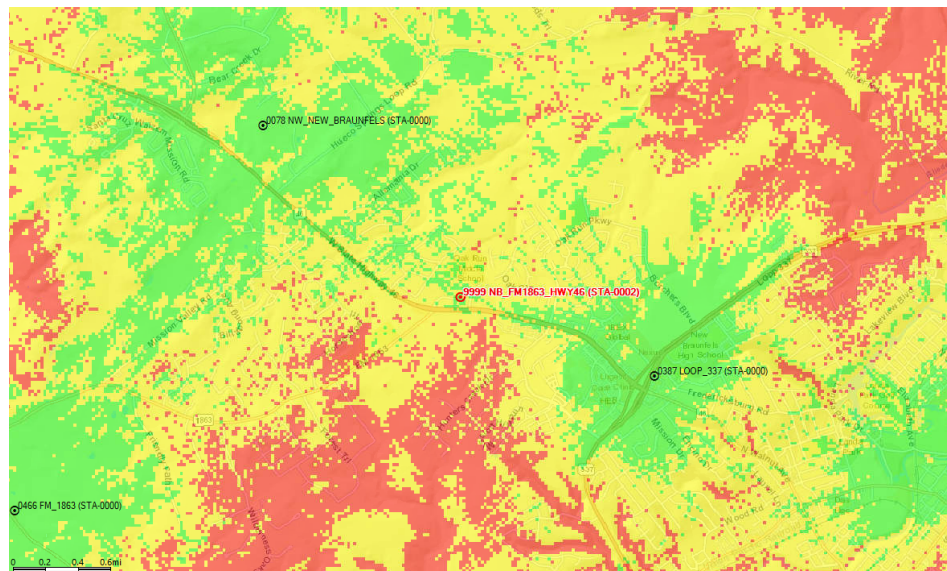
Vincent G. Huebinger

Aerial Exhibit – Closest Tower

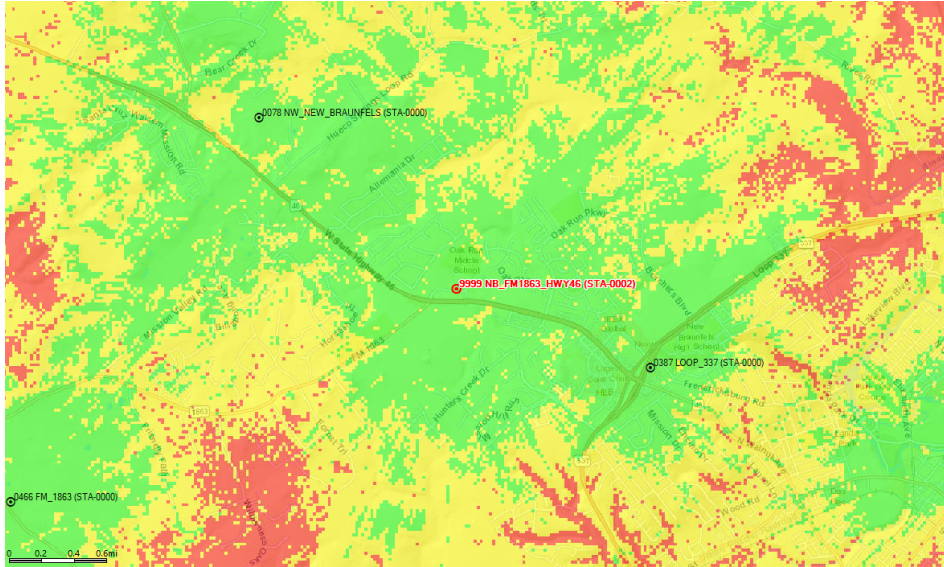




Coverage without the NB FM 1863 HWY 46 Site

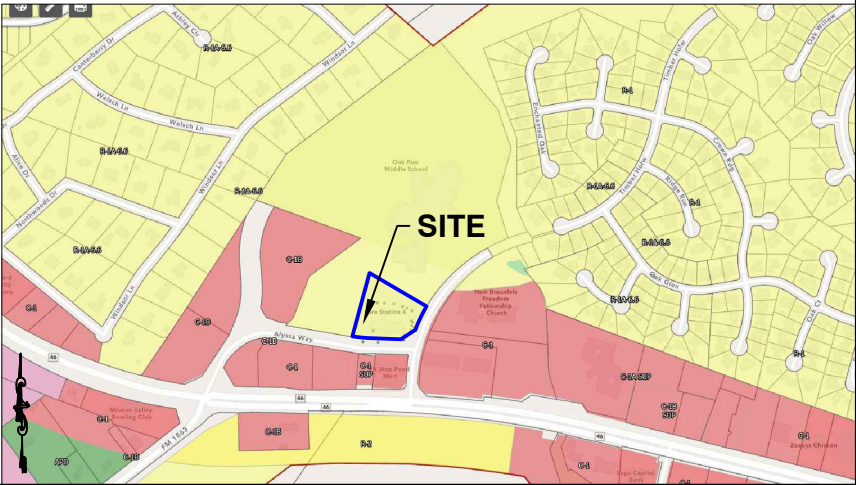


Coverage with the NB 1863 HWY 46 Site



VICINITY MAP:

ZONING MAP:



SPECIAL USE PLAN

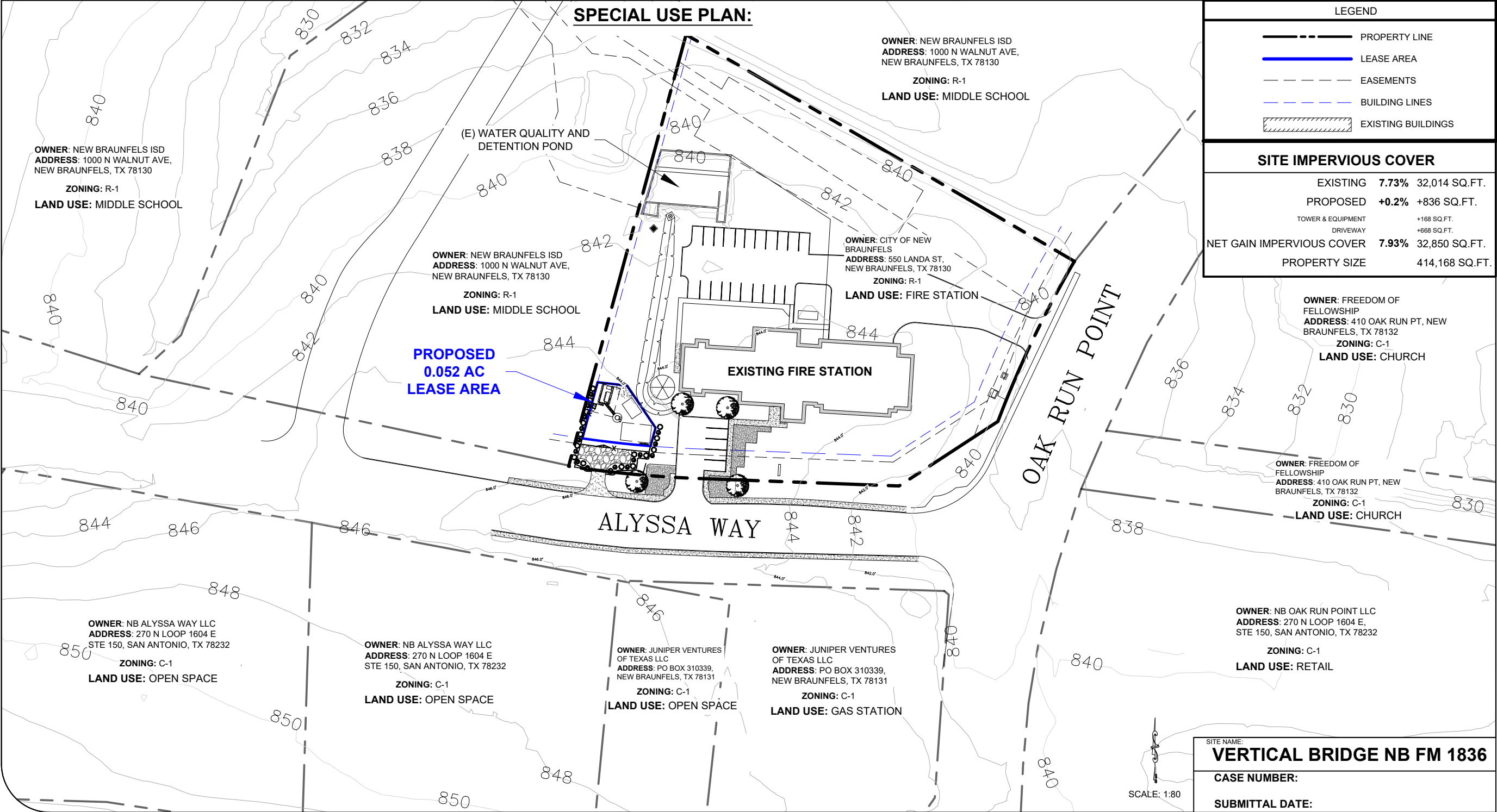
PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY WITH 120' MONOPOLE AND EQUIPMENT

PROJECT INFORMATION:

TOWER OWNER VERTICAL BRIDGE 750 PARK OF COMMERCE DRIVE, BOCA RATON, FL 33487	SITE LOCATION LAT. 29° 43' 20.7" N LONG. 98° 10' 31.3" W	PERMITTING COUNTY: COMAL COUNTY JURISDICTION: CITY OF NEW BRAUNFELS BUILDING CODE: 2021 IBC EXISTING USE: FIRE STATION PROPOSED USE: TELECOMMUNICATIONS FACILITY	ONE-CALL TEXAS CONTRACTOR TO CALL BEFORE DIGGING PHONE: 811 OR 1.800.545.6000
APPLICANT VINCENT GERARD & ASSOCIATES 5524 BEE CAVES ROAD #K4, AUSTIN, TX 78746 CONTACT: VINCE HUEBINGER PHONE: 512.328.2693	PROJECT TYPE NEW 150' MONOPOLE UNMANNED TELECOMMUNICATION FACILITY, CONSISTING OF FUTURE EQUIPMENT PLATFORMS, SHELTERS, DIRECTIONAL AND GPS ANTENNAS	LEGAL DESCRIPTION OAK RUN SCHOOL 2, BLOCK 1, LOT 2B	LANDOWNER CITY OF NEW BRAUNFELS 550 LANDA ST, NEW BRAUNFELS, TX 78130
ZONING R-1 SINGLE FAMILY DISTRICT	UTILITIES ELECTRIC PROVIDER	ADDRESS 2210 ALYSSA WAY, NEW BRAUNFELS, TX 78132 (PENDING 911 ADDRESS)	

THIS SITE COMPLIES WITH SECTION 144-5.7 OF NEW BRAUNFELS CODE HOWEVER
REQUIRES A SUP DUE TO THE RESIDENTIAL ZONING ON THE FIRE STATION TRACT.

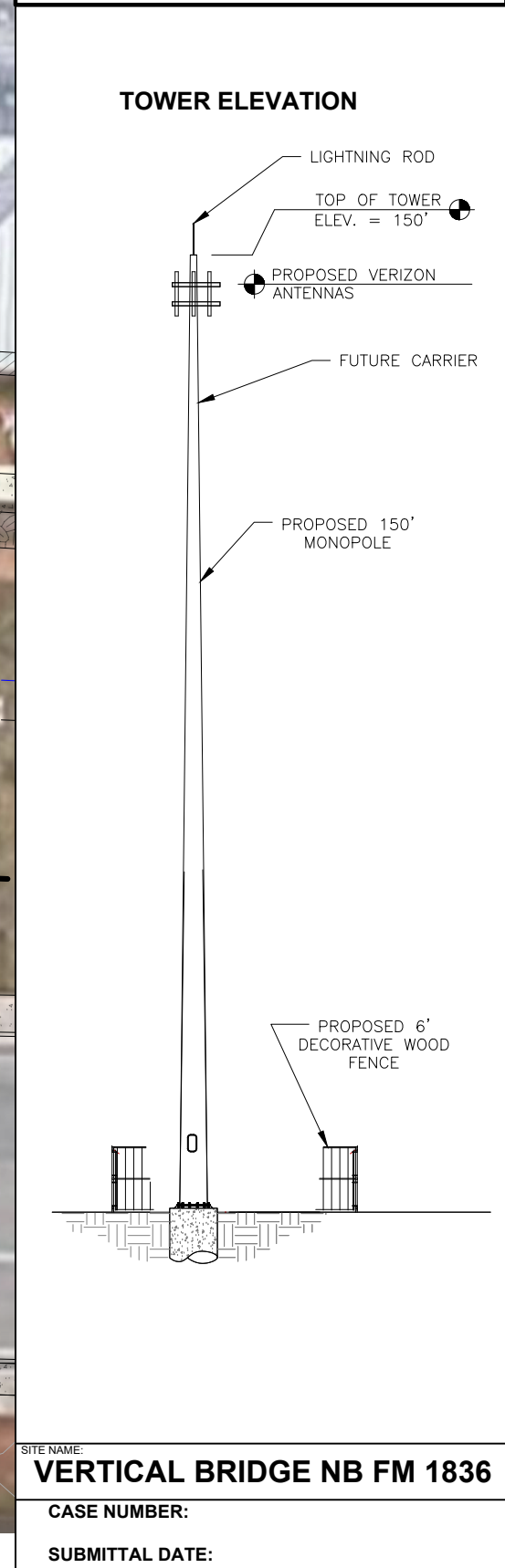
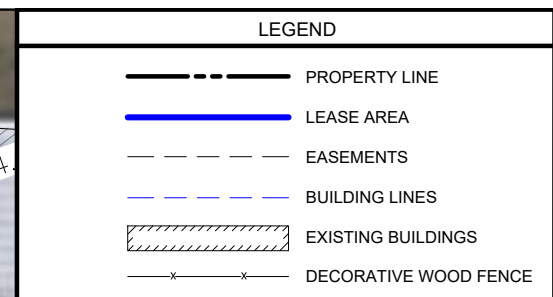
SPECIAL USE PLAN:





NOTES:

1. THIS SITE AND STRUCTURE WILL BE FILED IN ACCORDANCE WITH ALL NEW BRAUNFELS CURRENT BUILDING CODES
2. THIS STRUCTURE WILL BE CONSTRUCTED FOR UP TO 3 CARRIERS ON THE TOWER.
3. LANDSCAPING WILL BE INSTALLED ALONG WITH A TREATED WOOD FENCE FOR SCREENING. XERISCAPE DROUGHT-TOLERANT PLANTS TO BE UTILIZED. NO WATER IS NEEDED FOR THIS LAND USE. SEE LANDSCAPE PLAN SHEET 3.
4. VERTICAL BRIDGE WILL ACTIVELY MARKET FOR OTHER CARRIERS ON THIS FACILITY.

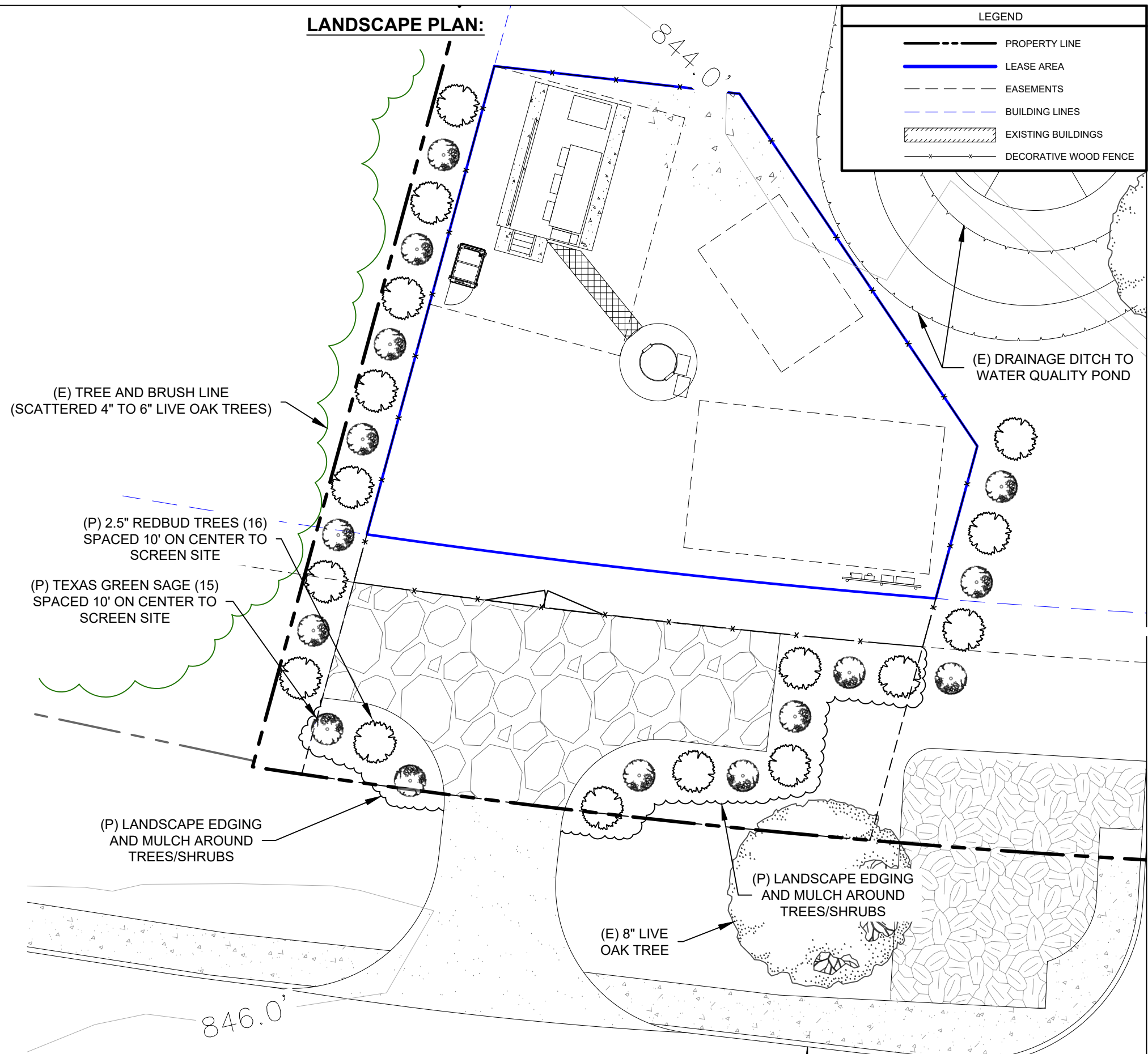


SITE INFORMATION	2210 ALYSSA WAY, NEW BRAUNFELS, TX 78132 (PENDING 911 ADDRESS)
PROPERTY OWNER	CITY OF NEW BRAUNFELS 550 LANDA ST. NEW BRAUNFELS, TX 78130
TOWER OWNER	VERTICAL BRIDGE 750 PARK OF COMMERCE DRIVE, BOCA RATON, FL 33487
2	

LANDSCAPE PLAN:

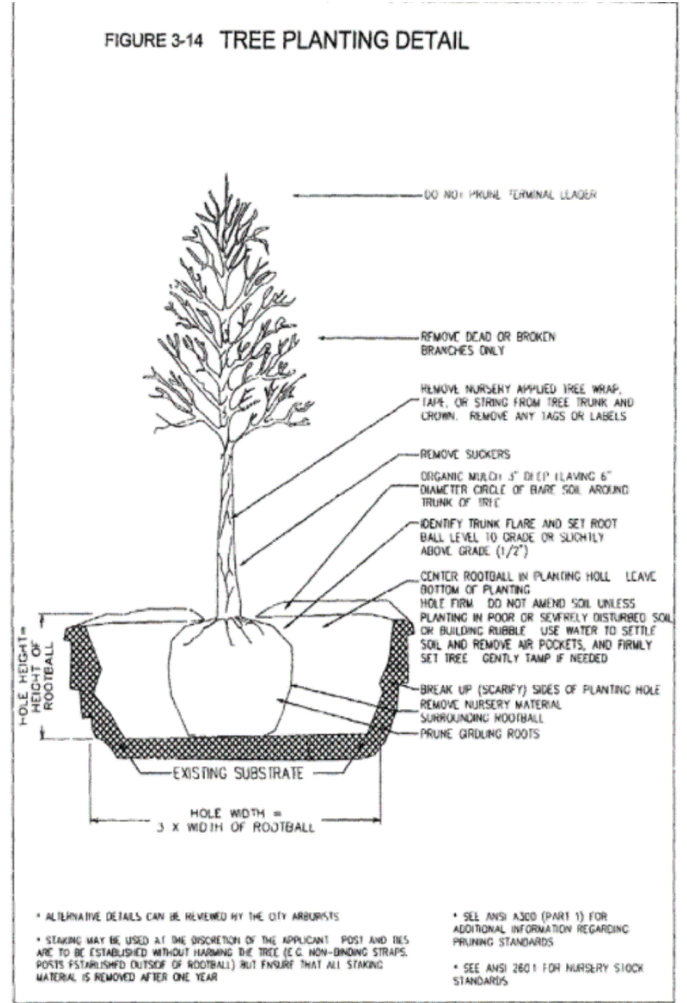
LEGEND

- PROPERTY LINE
- LEASE AREA
- EASEMENTS
- BUILDING LINES
- EXISTING BUILDINGS
- DECORATIVE WOOD FENCE



TREE PLANTING DETAIL:

FIGURE 3-14 TREE PLANTING DETAIL



NOTE:
REFERENCE LANDSCAPE DRAWINGS FOR EXISTING
PLANT AND TREE MATERIALS ON SHEET 6.

SITE NAME:
VERTICAL BRIDGE NB FM 1836

CASE NUMBER:

SUBMITTAL DATE:

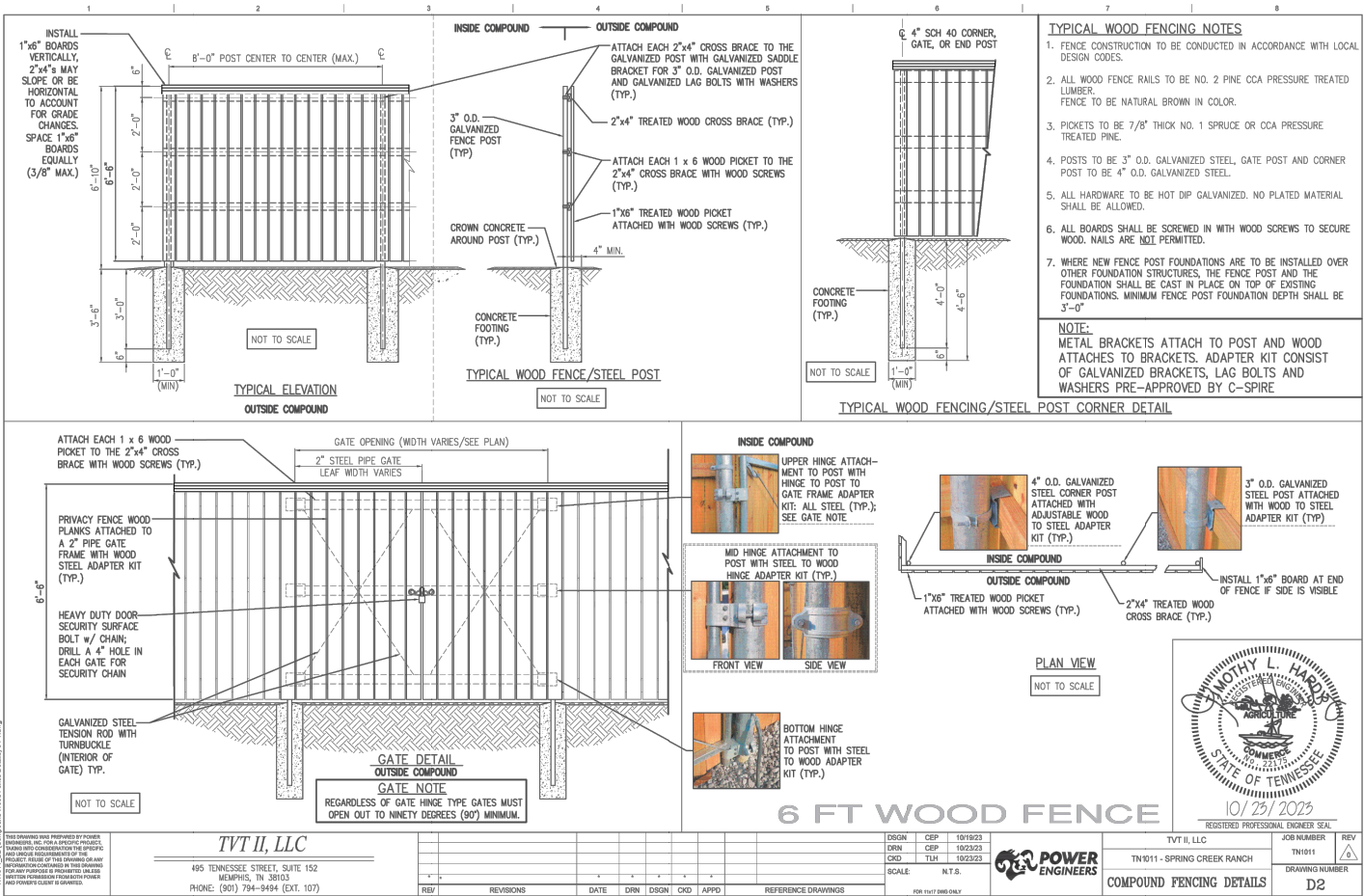
SCALE: 1:10

ALYSSA WAY

WOOD FENCE DETAIL:

DECORATIVE WOOD FENCE DETAIL:

- FENCE NOTES:
- ALL WOOD MATERIALS SHALL BE PRESSURE TREATED NO. 2 SOUTHERN YELLOW PINE OR BETTER STRUCTURAL GRADE. FENCE SLAT BOARDS SHALL BE 8'-0" WITH CHAMFERED EDGE.
 - ALL STRUCTURAL FRAMING SHALL BE ATTACHED WITH 16D GALVANIZED RIBBED SHANK NAILS OR 3" GALVANIZED FRAMING SCREWS - 2 MINIMUM PER CONNECTION.
 - ALL FENCE SLAT BOARDS SHALL BE ATTACHED TO SUPPORTING STRUCTURAL MEMBERS WITH N8, N10, OR 8D GALVABIZED RIBBED SHANKS NAILS - 2 MINIMUM PER CONNECTION.
 - LINE POSTS SHALL BE SPACED EQUIDISTANT, BUT NOT MORE THAN 8'-0" ON CENTER.
 - FOUNDATIONS ARE DESIGNED TO EMBED INTO TYPICAL SOILS INCLUDING COMPACTED COARSE SAND, MEDIUM STIFF CLAY, OR HARD DENSE CLAY. THE SOIL TYPE SHALL BE VERIFIED PRIOR TO CONSTRUCTION. IF UNUSUAL CONDITIONS ARE FOUND TO EXIST, THE ENGINEER SHALL BE NOTIFIED PRIOR TO CONSTRUCTION.
 - INSTALLER TO PROVIDE A LOCKABLE GATE LATCH WITH COMBINATION LOCK ON THE ACTIVE DOOR. COORDINATE WITH THE CONSTRUCTION MANAGER FOR LOCK COMBINATION.
 - ALL GATE HARDWARE SHALL BE PRESSED STEEL OR MALLEABLE CASTING PER ASTM A153 AND TREATED TO RESIST CORROSION. HARDWARE VISIBLE FROM OUTSIDE THE FENCE SHALL BE PAINTED BLACK.
 - REFER TO SITE PLAN FOR FENCE PAINTING INSTRUCTIONS.
 - REFER TO SITE PLAN FOR GATE LOCATION.
 - FENCE DETAILS SHOWN ABOVE ARE TYPICAL AND SHALL APPLY TO SIMILAR CONSTRUCTION APPLICATIONS WHETHER SPECIFICALLY STATED OR NOT ON THE SITE PLAN.
 - SITE SPECIFIC CONDITIONS MAY REQUIRE SLIGHT ADJUSTMENTS TO THE DETAILS SHOWN. CONSULT THE ENGINEER IF UNUSUAL CONDITION ARE FOUND TO EXIST.



DECORATIVE WOOD FENCE EXAMPLE:



SITE NAME:
VERTICAL BRIDGE NB FM 1836

CASE NUMBER:

SUBMITTAL DATE:



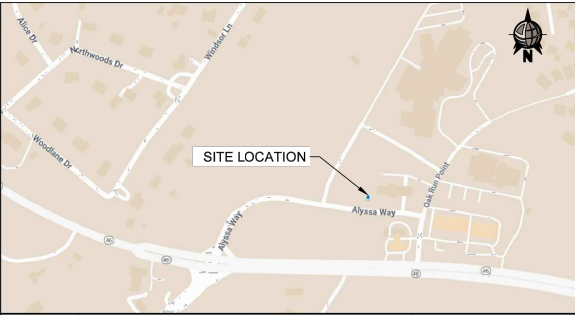
VINCENT GERARD & ASSOCIATES
LAND PLANNING & ZONING CONSULTANTS
1715 CAPITAL OF TEXAS HWY SOUTH, STE. 207
(630) 258-2698 • FAX: (630) 258-4011 • vgerard@vga.net

SITE INFORMATION
2210 ALYSSA WAY, NEW
BRAUNFELS, TX 78132
(PENDING 911 ADDRESS)

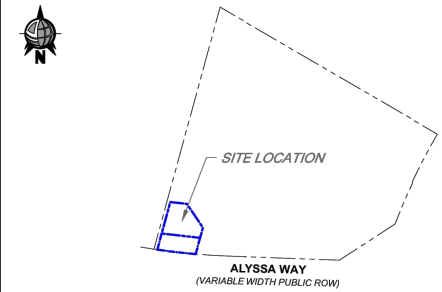
PROPERTY OWNER
CITY OF NEW BRAUNFELS
550 LANDA ST. NEW
BRAUNFELS, TX 78130

TOWER OWNER
VERTICAL BRIDGE
750 PARK OF
COMMERCE DRIVE,
BOCA RATON, FL 33487

REFERENCE DRAWING - SURVEY:



VICINITY MAP (N.T.S.)



PROPERTY MAP (N.T.S.)

LINE TABLE		
LINE #	DISTANCE	BEARING
L1	49.19'	N15° 12' 53"E
L2	25.00'	S83° 33' 43"E
L3	43.07'	S34° 00' 02"E
L4	16.00'	S15° 12' 53"W
L5	58.00'	N83° 34' 37"W
L6	58.00'	S83° 34' 37"E
L7	25.40'	S15° 12' 53"W
L8	25.18'	N15° 12' 53"E

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH
C1	57.98'	957.00'	03° 28' 16"	N83° 21' 41"W 57.97'

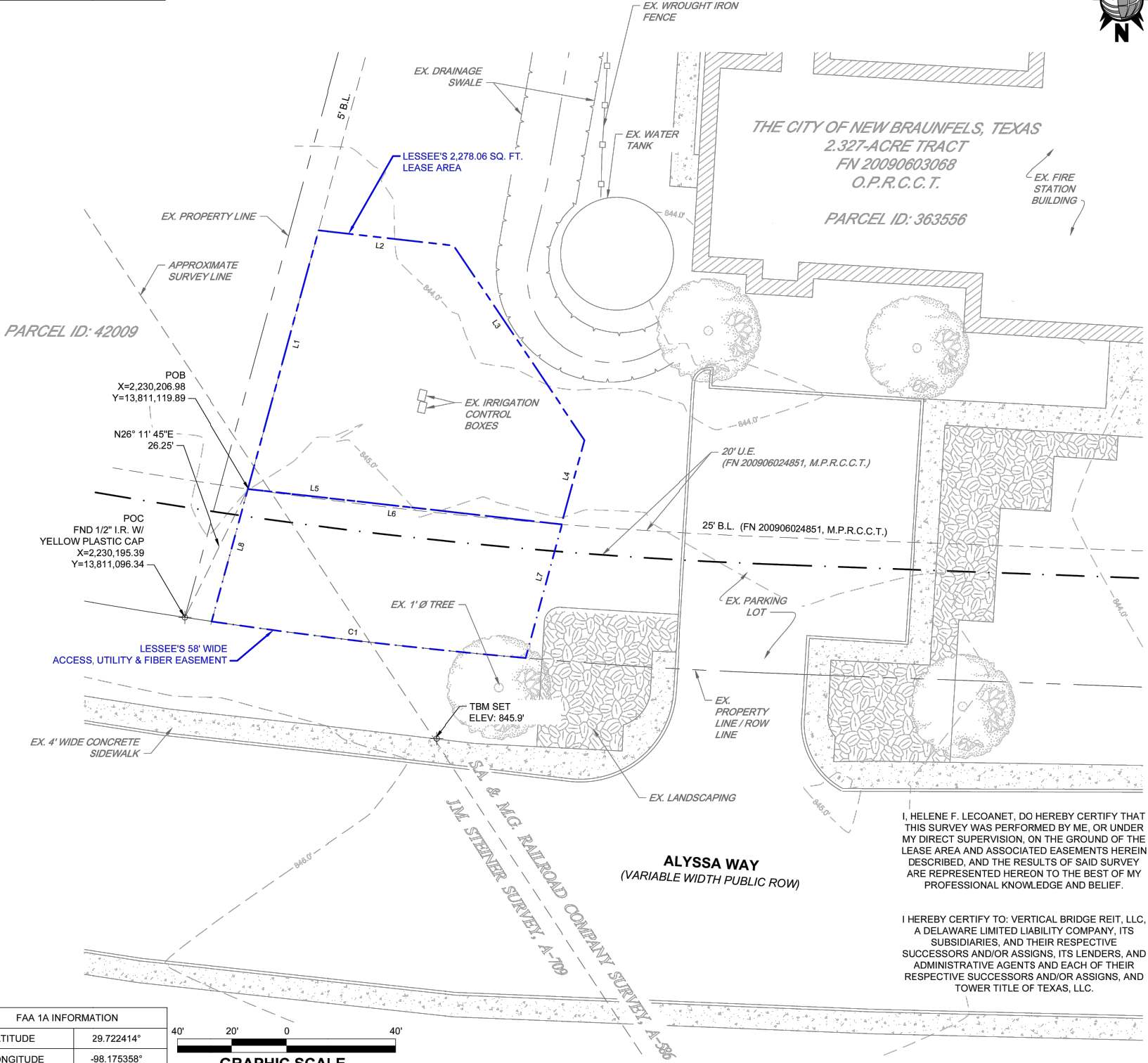
ABBREVIATIONS

A.M.S.L.	AVERAGE MEAN SEA LEVEL
A.E.	ACCESS EASEMENT
B.L.	BUILDING LINE
B.W.	BARBED WIRE
C.L.	CHAIN LINK
D.E.	DRAINAGE EASEMENT
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I.P.	IRON PIPE
I.R.	IRON ROD
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U.E.	UTILITY EASEMENT
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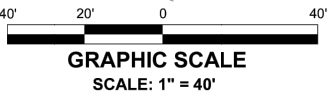
LEGEND

LESSEE'S LEASE AREA	EX. EASEMENT
LESSEE'S EASEMENT	EX. PROPERTY LINE
EX. C.L. FENCE	EX. OH POWER LINES
EX. B.W. FENCE	EX. UTILITY POLE
EX. WROUGHT IRON FENCE	EX. TELCO PEDESTAL
EX. HIGH BANK	EX. MANHOLE
EX. WIRE FENCE	

NOTE: LEASE AREA AND ASSOCIATED EASEMENTS SHALL BE CLEARED AS REQUIRED FOR CONSTRUCTION.



FAA 1A INFORMATION	
LATITUDE	29.722414°
LONGITUDE	-98.175358°
ELEVATION	844.9' A.M.S.L.



SURVEY PREPARED FOR:

verticalbridge

THE TOWERS, LLC
750 PARK OF COMMERCE DR.
SUITE 200
BOCA RATON, FL 33487
PHONE: (561) 948-6367

SURVEY PREPARED BY:

3DD&E

3D DESIGN & ENGINEERING INC.
DEPARTMENT OF SURVEYING
21502 E WINTER VIOLET CT
CYPRESS, TX, 77433
PHONE: 832-510-9621
www.3ddne.com
INFO@3DDNE.COM
TEXAS REGISTRATION NO. 10194603

REV	DATE	DESCRIPTION	BY

SITE EXHIBIT AND DESCRIPTION

VERTICAL BRIDGE - TEXAS AREA
NB_FM1863_HWY46

2212U ALYSSA WAY
NEW BRAUNFELS, TX 78132
SITE ID: US-TX-6441 / NB_FM1863_HWY46

I, HELENE F. LECOANET, DO HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED BY ME, OR UNDER MY DIRECT SUPERVISION, ON THE GROUND OF THE LEASE AREA AND ASSOCIATED EASEMENTS HEREIN DESCRIBED, AND THE RESULTS OF SAID SURVEY ARE REPRESENTED HEREON TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

I HEREBY CERTIFY TO: VERTICAL BRIDGE REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUBSIDIARIES, AND THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS, ITS LENDERS, AND ADMINISTRATIVE AGENTS AND EACH OF THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS, AND TOWER TITLE OF TEXAS, LLC.

HELENE F. LECOANET, RPLS
TEXAS REGISTRATION NO. 6567

DRAWN BY: PDM
CHECKED BY: HL
DATE: 10/3/2025

SHEET 1 OF 2

SURVEY NOT VALID WITHOUT ALL SHEETS

SITE NAME: **VERTICAL BRIDGE NB FM 1836**

CASE NUMBER:

SUBMITTAL DATE:



SITE INFORMATION

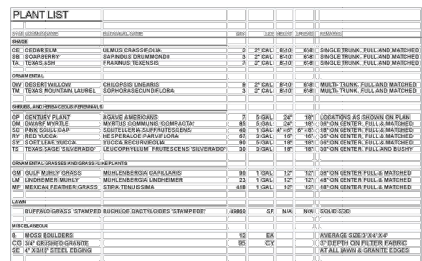
2210 ALYSSA WAY, NEW
BRAUNFELS, TX 78132
(PENDING 911 ADDRESS)

PROPERTY OWNER

CITY OF NEW BRAUNFELS
550 LANDA ST. NEW
BRAUNFELS, TX 78130

TOWER OWNER

VERTICAL BRIDGE
750 PARK OF
COMMERCE DRIVE,
BOCA RATON, FL 33487

[illegible]

- 1) CONTRACTOR SHALL ADHERE TO CITY OF NEW BRAUNFELS CONSTRUCTION REQUIREMENTS INCLUDING BUT NOT LIMITED TO PERMITS, INSPECTIONS, AND METHODS OF MATERIAL INSTALLATION.
- 2) CONTRACTOR SHALL ADHERE TO ALL AGENCY REQUIREMENTS MEANS AND METHODS OF CONSTRUCTION.
- 3) CONTRACTOR SHALL BECOME FAMILIAR WITH THE DRAWINGS AND SPECIFICATIONS FOR THIS PROJECT PRIOR TO INSTALLATION.
- 4) CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES AND REMAIN ABOVE GROUND PRIOR TO EXCAVATION FROM CONSTRUCTION EQUIPMENT. NO MATERIALS SHALL BE STORED WITHIN THE ROOT BALL AREA.
- 5) CONTRACTOR SHALL STAKE OUT LOCATION OF ALL TREES FOR APPROVAL BY OWNERS REPRESENTATIVE PRIOR TO PLANTING.
- 6) IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE THE OWNERS REPRESENTATIVE OF ANY CONDITION FOUND THAT MIGHT PROHIBITS INSTALLATION AS SHOWN ON THESE PLANS.
- 7) STEEL GRADING SHALL BE LOCATED AND INSTALLED AS NOTED ON THE PLANS AND DETAIL SHEETS.
- 8) FINE GRADING SHALL BE PROVIDED BY THE CONTRACTOR WITHIN THE CONSTRUCTION CONTRACT LIMIT LINE.
- 9) TREES OVERHANGING VULNERABLE EASEMENTS OF RIGHT-OF-WAYS SHALL HAVE A MINIMUM CLEARANCE AS REQUIRED BY THE CITY OF NEW BRAUNFELS.
- 10) ALL PLANT MATERIAL, SHALL BE OF A HEALTHY PLANT MATERIAL OF SIMILAR VARIETY AND SIZE IF DAMAGED, DESTROYED OR REMOVED PRIOR TO FINAL ACCEPTANCE OF LANDSCAPE.
- 11) ALL NEW LANDSCAPE SHALL HAVE A PERMANENT UNDERGROUND IRRIGATION SYSTEM WITH THE EXCEPTION OF AREAS NOTED AS TEMPORARY PLANTING.

SUBMITTAL DATE:

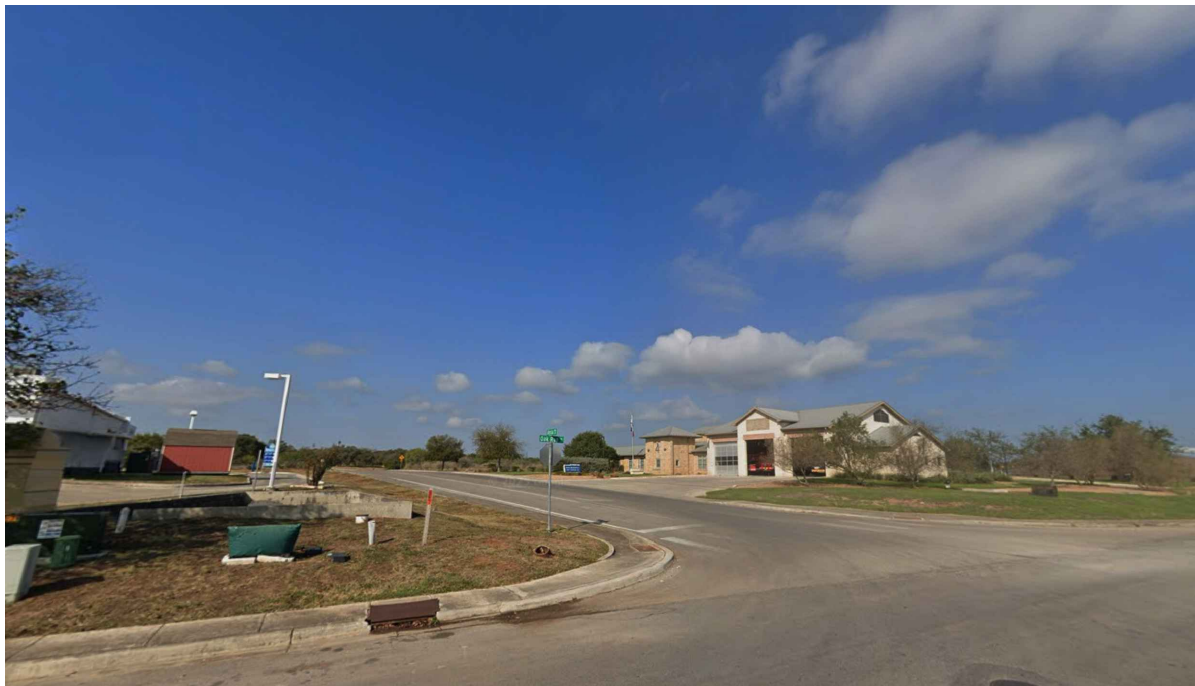


VIEW 1 (ALYSSA WAY) - EXISTING



VIEW 1 (ALYSSA WAY) - PROPOSED





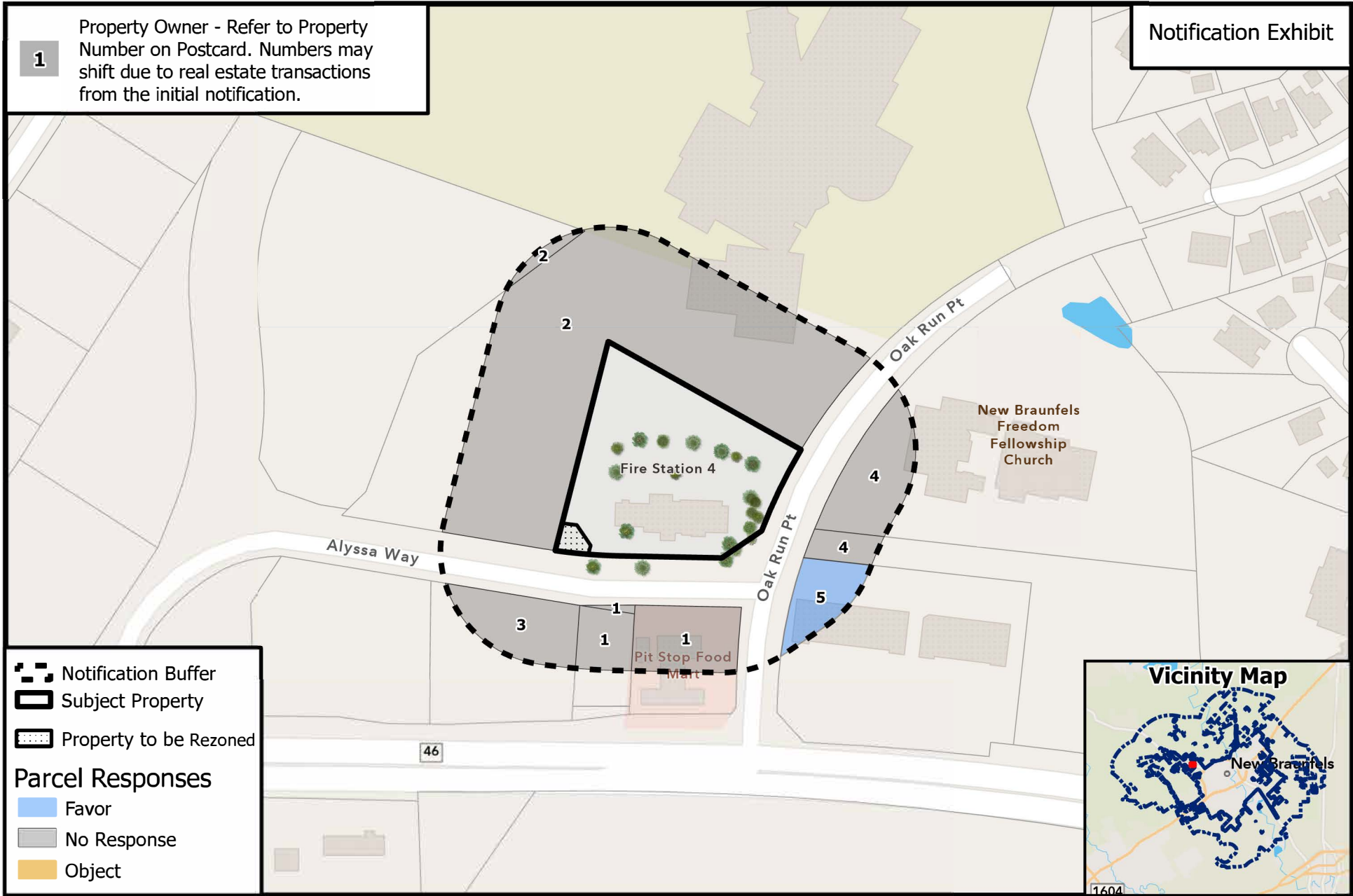
VIEW 2 (INTERSECTION OF ALYSSA WAY AND OAK RUN POINT) - EXISTING



VIEW 2 (INTERSECTION OF ALYSSA WAY AND OAK RUN POINT) - PROPOSED



2212 Alyssa Way—Leased Area



PLANNING COMMISSION – January 6, 2026 – 6:00PM

City Hall Council Chambers

Applicant: Vincent Gerard & Assoc. Inc

Address/Location: 2212 Alyssa Way

SUP25-421

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. JUNIPER VENTURES OF TEXAS LLC | 4. FREEDOM FELLOWSHIP OF |
| 2. NEW BRAUNFELS I S D | 5. NB OAK RUN POINT LLC |
| 3. NB ALYSSA WAY LLC | |

SEE MAP

NB OAK RUN POINT LLC
270 N LOOP 1604 E SUITE 150
SAN ANTONIO TX 78232
Property #: 5
SUP25-421
Case Manager: AM

FAVOR ☒

OPPOSE ☐

COMMENTS

Draft Minutes for the January 6, 2026, Planning Commission Regular Meeting

B) SUP25-421 Public hearing and recommendation to City Council at the request of Vincent Huebinger of Vincent Gerard & Assoc. Inc to rezone approximately 0.1 of an acre out of the Oak Run School 2 Subdivision, Block 1, Lot 2B, from R-1 (Single-Family District) to R-1 SUP (Single Family District with a Special Use Permit to allow a Telecommunications Tower), currently addressed at 2212 Alyssa Way. (Applicant: Vincent Gerard & Assoc. Inc; Owner: City of New Braunfels; Case Manager: Amanda Mushinski, Planner, AICP, CNU-A)

Amanda Mushinski introduced the aforementioned item.

Chair Taylor asked if there were any questions for staff.

Discussion followed on consultation with the Fire Department, visual screening and landscaping buffering requirements, and the proposed location.

Chair Sonier invited the applicant to speak on the item.

Vincent Gerard elaborated on the request discussing various iterations of the site plan, residential zoning considerations, site access and environmental impacts, landscaping and buffering, cell service needs and capacity for the area, and the intent of the proposed location and pole design.

Discussion followed on potential safety concerns and impacts to the fire station, alternative site locations, visual design of the tower and buffers, and health and FCC-related concerns.

Chair Taylor opened the public hearing and asked if anyone present wished to speak on the item.

1 individual spoke in opposition of the item.

Chair Taylor closed the public hearing.

Chair Taylor asked if there were any further discussion or motion to be made.

Discussion followed on federal preemption regarding health effects, FCC regulations, zoning limitations, and final clarification of impacts.

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

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.1 OF AN ACRE, BEING OUT OF THE OAK RUN SCHOOL 2 SUBDIVISION, BLOCK 1, LOT 2B, CURRENTLY ADDRESSED AT 2212 ALYSSA WAY, FROM R-1 (SINGLE-FAMILY DISTRICT) TO R-1 SUP (SINGLE FAMILY DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW A TELECOMMUNICATIONS TOWER); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of a Special Use Permit, the City Council has given due consideration to all components of said permit; and

WHEREAS, the City recognizes that granting such a permit is possible while promoting the health, safety and general welfare of the public, by providing harmony between existing zoning districts and land uses; and

WHEREAS, it is the intent of the City to ensure for the health, safety and general welfare of the public by providing compatible and orderly development, which may be suitable only in certain locations in a zoning district through the implementation of a Special Use Permit meeting those requirements cited in Sections 3.6-2 and 3.6-3, Chapter 144 of the New Braunfels Code of Ordinances; and

WHEREAS, the property is located in an area suitable for a Telecommunications Tower; 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 2212 Alyssa Way, to allow a Telecommunications Tower in the R-1 (Single-Family District); **now, therefore;**

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

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by adding the following tract of land as a "Special Use Permit" for the uses and conditions herein described:

Being out of the Oak Run School 2 Subdivision, Block 1, Lot 2B, being as delineated on Exhibit "A" and depicted on Exhibit "B" attached.

SECTION 2

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

1. Landscaping and screening shall comply with Section 144-5.7 of the Code of Ordinances. The landscaping plan shall be revised to provide evergreen screening vegetation from the City's approved plant list capable of achieving a minimum height of six (6) feet within two years.
2. The maximum height of the monopole telecommunications tower shall be 150 feet.
3. The property will remain in compliance with the approved site plan Exhibit "C". Any significant changes to the site plan will require a revision to the SUP.

SECTION 3

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

SECTION 4

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

SECTION 5

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

PASSED AND APPROVED: First reading this 26th day of January 2026.

PASSED AND APPROVED: Second reading this 9th day of February 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

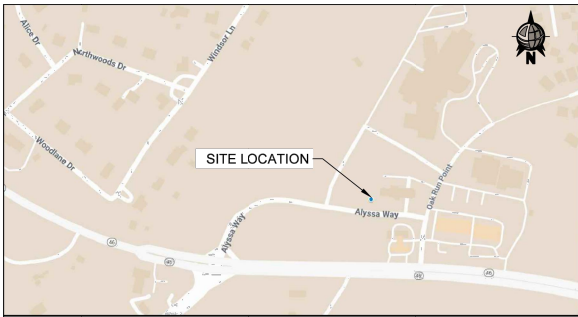
ATTEST:

GAYLE WILKINSON, City Secretary

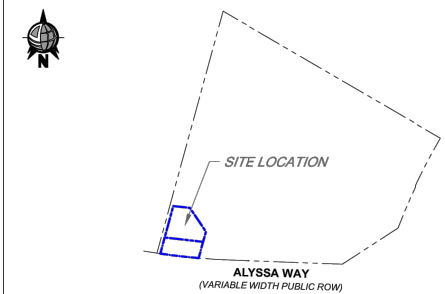
APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

REFERENCE DRAWING - SURVEY:
Exhibit "A"



VICINITY MAP (N.T.S.)



PROPERTY MAP (N.T.S.)

LINE TABLE		
LINE #	DISTANCE	BEARING
L1	49.19'	N15° 12' 53"E
L2	25.00'	S83° 33' 43"E
L3	43.07'	S34° 00' 02"E
L4	16.00'	S15° 12' 53"W
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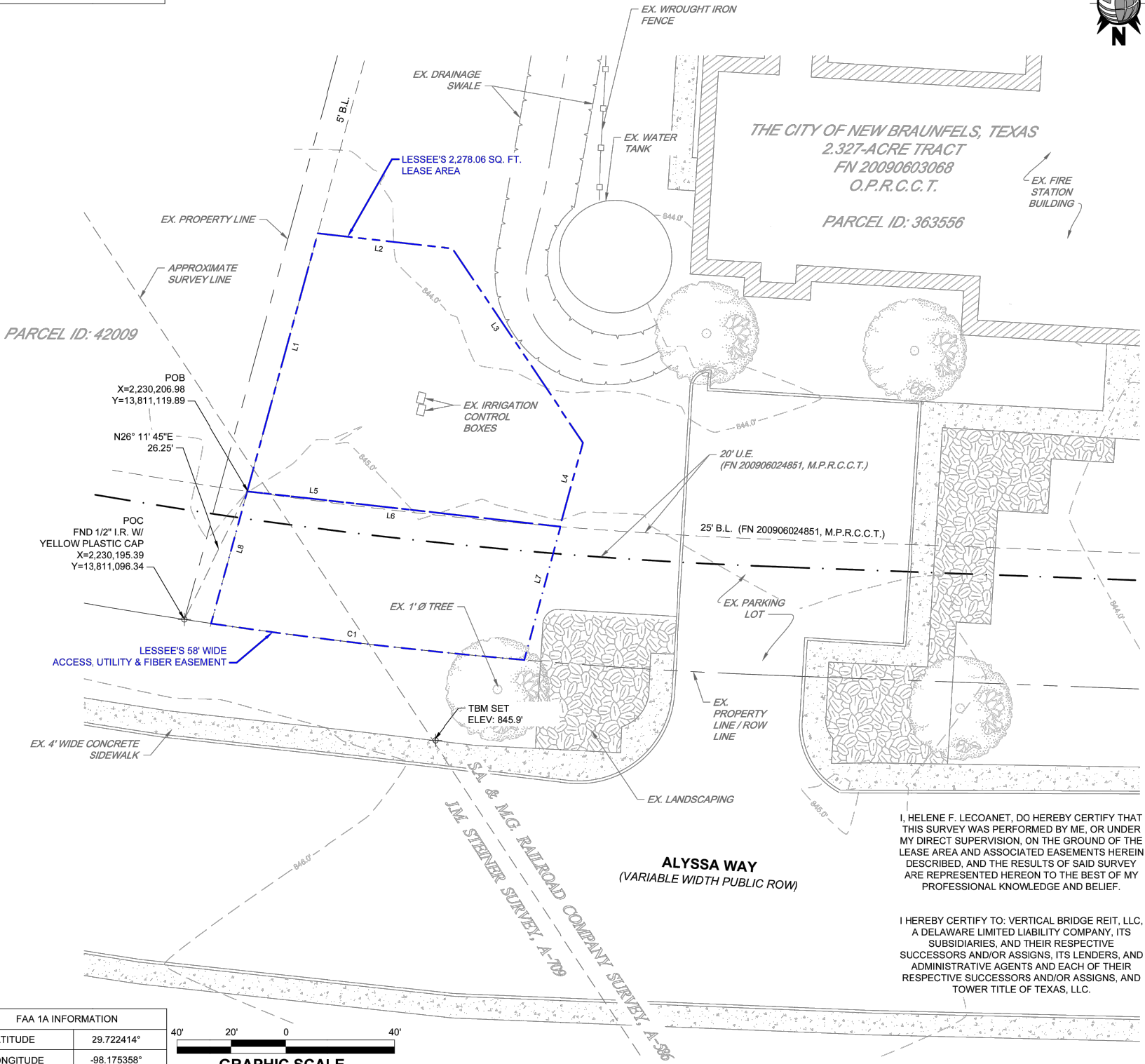
ABBREVIATIONS

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A.E.	ACCESS EASEMENT
B.L.	BUILDING LINE
B.W.	BARBED WIRE
C.L.	CHAIN LINK
D.E.	DRAINAGE EASEMENT
EX.	EXISTING
FN	FILE NUMBER
FND	FOUND
I.P.	IRON PIPE
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M.P.R.C.T.	MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
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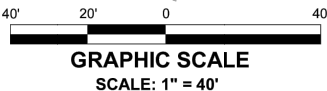
LEGEND

LESSEE'S LEASE AREA	EX. EASEMENT
LESSEE'S EASEMENT	EX. PROPERTY LINE
EX. C.L. FENCE	EX. OH POWER LINES
EX. B.W. FENCE	EX. UTILITY POLE
EX. WROUGHT IRON FENCE	EX. TELCO PEDESTAL
EX. HIGH BANK	EX. MANHOLE
EX. WIRE FENCE	

NOTE: LEASE AREA AND ASSOCIATED EASEMENTS SHALL BE CLEARED AS REQUIRED FOR CONSTRUCTION.



FAA 1A INFORMATION	
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LONGITUDE	-98.175358°
ELEVATION	844.9' A.M.S.L.



SURVEY PREPARED FOR:
verticalbridge
THE TOWERS, LLC
750 PARK OF COMMERCE DR.
SUITE 200
BOCA RATON, FL 33487
PHONE: (561) 948-6367

SURVEY PREPARED BY:
3DD&E
3D DESIGN & ENGINEERING INC.
DEPARTMENT OF SURVEYING
21502 E WINTER VIOLET CT
CYPRESS, TX, 77433
PHONE: 832-510-9621
www.3ddne.com
INFO@3DDNE.COM
TEXAS REGISTRATION NO. 10194603

REV	DATE	DESCRIPTION	BY

SITE EXHIBIT AND DESCRIPTION
VERTICAL BRIDGE - TEXAS AREA
NB_FM1863_HWY46
2212U ALYSSA WAY
NEW BRAUNFELS, TX 78132
SITE ID: US-TX-6441 / NB_FM1863_HWY46

I, HELENE F. LECOANET, DO HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED BY ME, OR UNDER MY DIRECT SUPERVISION, ON THE GROUND OF THE LEASE AREA AND ASSOCIATED EASEMENTS HEREIN DESCRIBED, AND THE RESULTS OF SAID SURVEY ARE REPRESENTED HEREON TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

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HELENE F. LECOANET, RPLS
TEXAS REGISTRATION NO. 6567

DRAWN BY: PDM
CHECKED BY: HL
DATE: 10/3/2025

SHEET 1 OF 2
SURVEY NOT VALID WITHOUT ALL SHEETS

SITE NAME:
VERTICAL BRIDGE NB FM 1836

CASE NUMBER:

SUBMITTAL DATE:

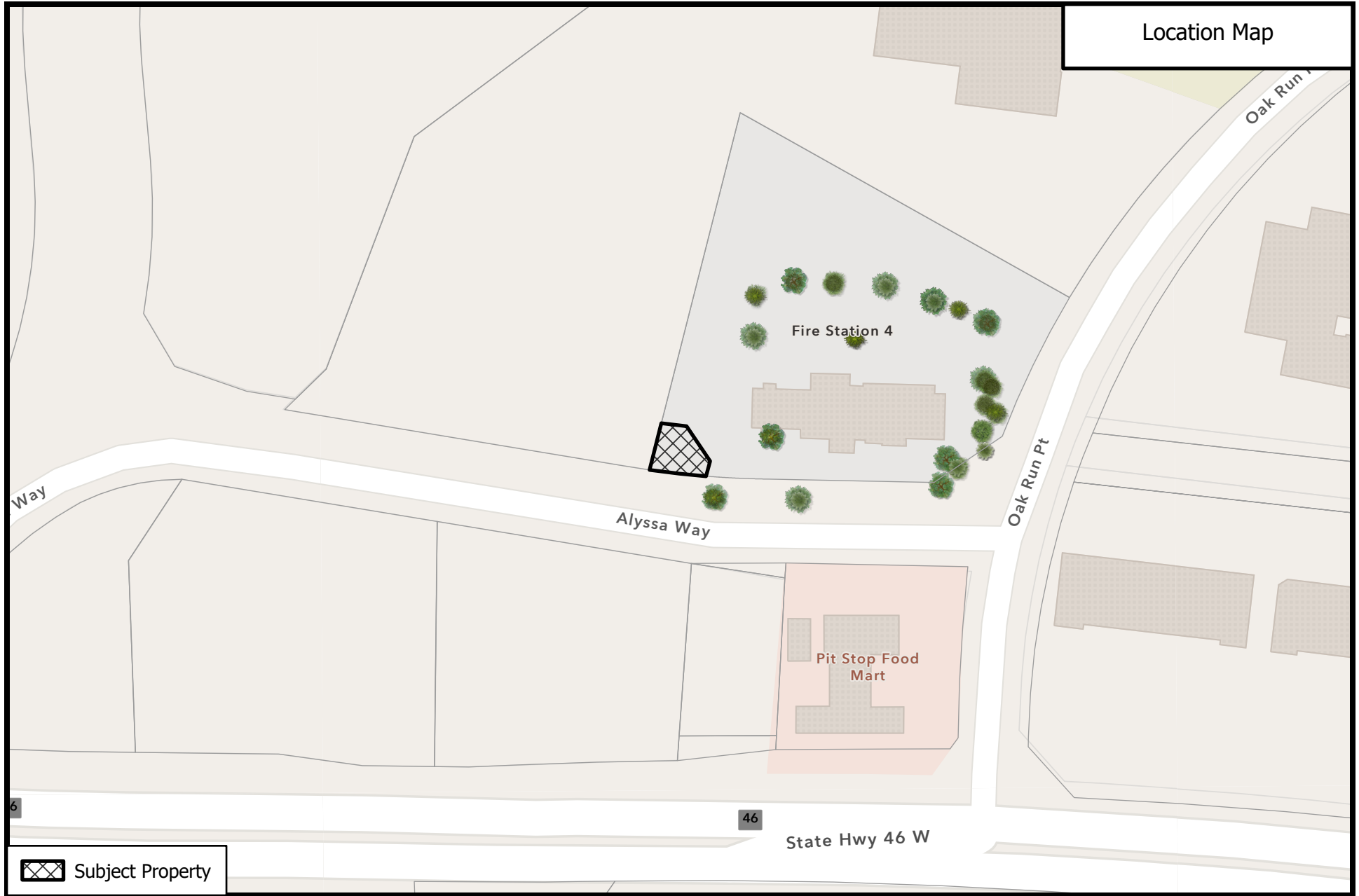


SITE INFORMATION
2210 ALYSSA WAY, NEW
BRAUNFELS, TX 78132
(PENDING 911 ADDRESS)

PROPERTY OWNER
CITY OF NEW BRAUNFELS
550 LANDA ST. NEW
BRAUNFELS, TX 78130

TOWER OWNER
VERTICAL BRIDGE
750 PARK OF
COMMERCE DRIVE,
BOCA RATON, FL 33487

Exhibit "B"



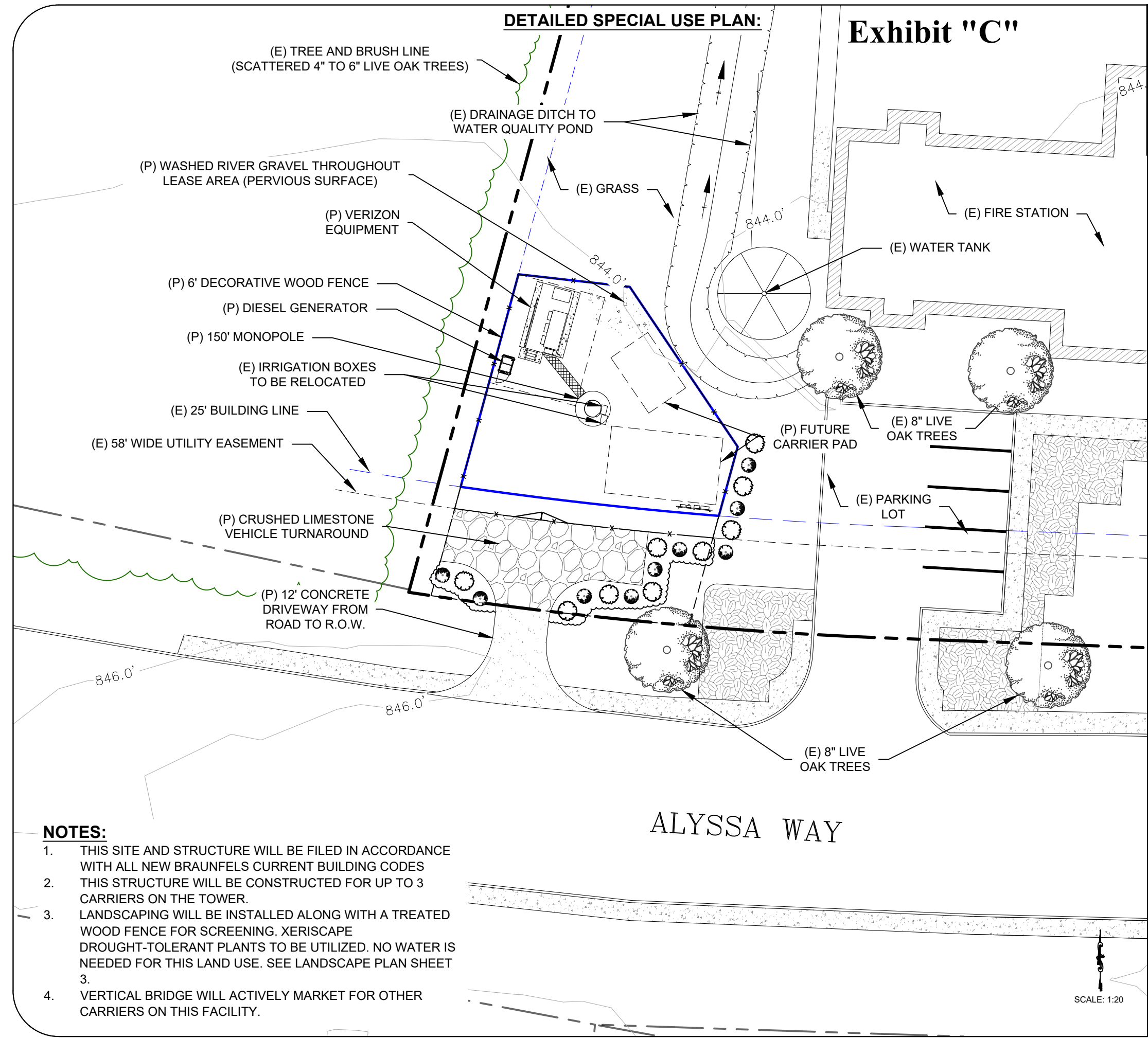
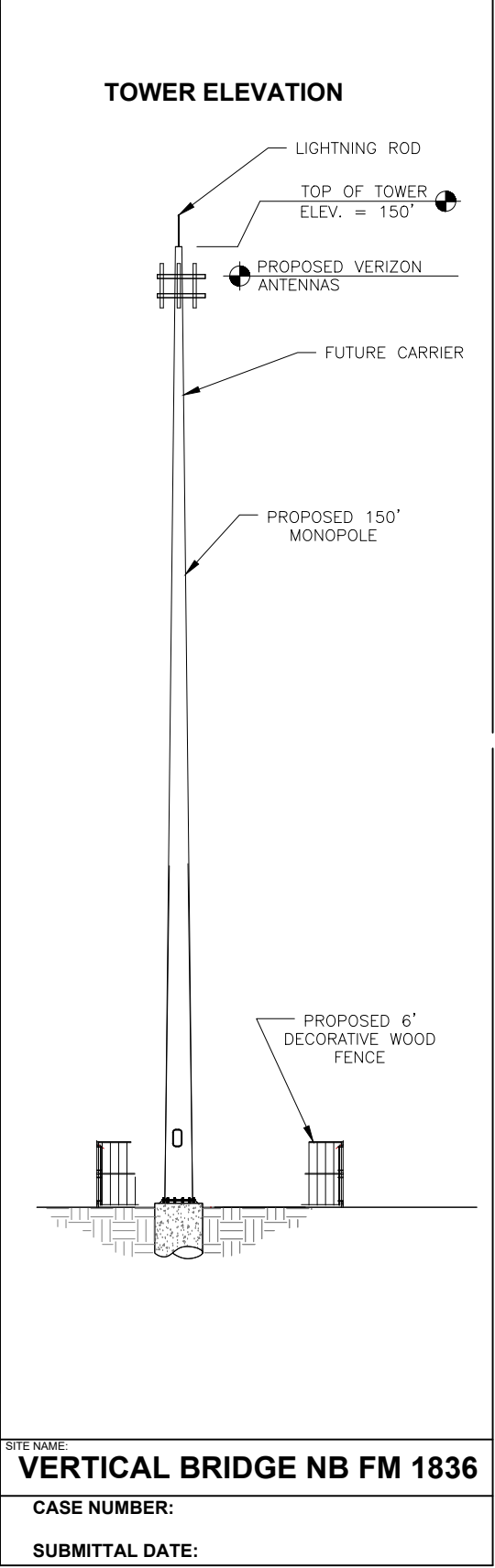


Exhibit "C"



LEGEND

- PROPERTY LINE
- LEASE AREA
- EASEMENTS
- BUILDING LINES
- EXISTING BUILDINGS
- DECORATIVE WOOD FENCE



NOTES:

1. THIS SITE AND STRUCTURE WILL BE FILED IN ACCORDANCE WITH ALL NEW BRAUNFELS CURRENT BUILDING CODES
2. THIS STRUCTURE WILL BE CONSTRUCTED FOR UP TO 3 CARRIERS ON THE TOWER.
3. LANDSCAPING WILL BE INSTALLED ALONG WITH A TREATED WOOD FENCE FOR SCREENING. XERISCAPE DROUGHT-TOLERANT PLANTS TO BE UTILIZED. NO WATER IS NEEDED FOR THIS LAND USE. SEE LANDSCAPE PLAN SHEET 3.
4. VERTICAL BRIDGE WILL ACTIVELY MARKET FOR OTHER CARRIERS ON THIS FACILITY.

<div>2</div>				
TOWER OWNER		VERTICAL BRIDGE 750 PARK OF COMMERCE DRIVE, BOCA RATON, FL 33487		
PROPERTY OWNER		CITY OF NEW BRAUNFELS 550 LANDA ST, NEW BRAUNFELS, TX 78130		
SITE INFORMATION		2210 ALYSSA WAY, NEW BRAUNFELS, TX 78132 (PENDING 911 ADDRESS)		
VINCENT GERARD & ASSOCIATES		<div><div>LAND PLANNING & ZONING CONSULTANTS 1715 CAPITAL OF TEXAS HWY SOUTH, STE 207 AUSTIN, TEXAS 78746 (512)338-3093 • FAX: (512)338-4011 • vgerard@vga.net</div></div>		
<div></div>				

2/9/2026

Agenda Item No. A)

PRESENTER:

Stephanie Chelar, Recreation Services Manager

SUBJECT:

Public hearing and first reading of an ordinance adopting the Youth Program Standards of Care for the Parks and Recreation Department.

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

The City of New Braunfels Parks and Recreation Department provides elementary-age day camp programs for children ages 5-13. The Texas Legislature requires municipal day camp programs for these ages to meet day care licensing requirements or file for an exemption (Section 42.041 (b) (14) of the Human Resources Code). To receive exempt status, a municipality must submit a copy of program standards, a notice of a public hearing for the program and a copy of the ordinance adopting the standards.

ISSUE:

No updates to the standards of care for FY 2026.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of the first reading of an ordinance regarding Youth Program Standards of Care.

ORDINANCE NO. 2026 - ____
AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS,
ADOPTING DAY CARE STANDARDS FOR 2025; PROVIDING A
SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE
DATE.

WHEREAS, the State of Texas Human Resources Code, Chapter 42 requires elementary age (5-13 years) recreation programs operated by a municipality annually adopt standards of care by ordinance after a public hearing in order to be exempt from childcare licensing;

WHEREAS, the City Council of the City of New Braunfels has determined that Youth Programs Standards of Care will be beneficial to the City of New Braunfels and should be modified as recommended by Staff; and

WHEREAS, the City Council of the City of New Braunfels, Texas has the authority under its Home Rule Charter and under the laws of the State of Texas to adopt regulations aimed to protect the health, safety, and general welfare of its citizens.

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

The following standards of care are adopted by ordinance

Youth Programs Standards of Care

I. GENERAL INFORMATION/ADMINISTRATION

- A. Purpose: To provide basic childcare regulations for recreation activities operated by the New Braunfels Parks and Recreation Department. This will allow the department to qualify as exempt from requirements of the Texas Human Resources Code.
- B. Implementation: Program will be the responsibility of the New Braunfels Parks and Recreation Department, with Programs Supervisors and Coordinators (Recreation, Nature Education Center, Athletics and Aquatics) supervising the overall program and Recreation Specialists, Camp Coordinators, Assistant Coordinators, Recreation Instructors, Seasonal Attendants, KinderCare Leads and Kinder Care Attendants administering the program on-site.
- C. Programs: Regulations apply to on-going recreational programs:
 - Holiday Adventure Camp
 - Spring Break Camp
 - Summer Day Camp
 - Day Off Camp
 - Nature Camps
 - Homeschool Camps, Partial Sports, Nature and Hobby Camps
 - KinderCare- Das Rec
 - Kids Day Out

Homeschool Classes
Wee Discovery Preschool

- D. Other: Each site will make available for the public and staff a current copy of the Standards of Care. Standards of Care will also be made available on the Parks and Recreation Website at www.newbraunfels.gov/standardsofcare.
- E. Program Sites:
- | | |
|--|-----------------------|
| Fischer Park Nature Education Center | 1946 Monarch Way |
| Landa Aquatic Complex | 350 Aquatic Circle |
| Landa Rec Center | 164 Landa Park Drive |
| Landa Park | 110 Golf Course Road |
| Landa Haus | 360 Aquatic Circle |
| Das Rec, New Braunfels Recreation Center | 345 Landa Street |
| Westside Community Center | 2932 S IH Frontage Rd |
| Seele Elementary School | 540 Howard Street |
- F. Day Camp Objectives
1. To offer a program wide in scope and varied in activities of different recreational activities: sports, games, arts and crafts, nature education and discovery, etc.
 2. To provide a pleasant and memorable experience in an engaging atmosphere.
 3. To provide a safe environment always promoting good health and welfare for all.
 4. To teach children how to spend their leisure time wisely, to meet several needs: emotional, physical, and social.
- G. Exemption Status: Once an exempt status is established, the Licensing Division will not monitor the recreational program. The Licensing Division will be responsible for investigating complaints of unlicensed childcare and for referring other complaints to the municipal authorities or, in the case of abuse/neglect allegation, to the local police authorities.
- H. Standards of Care Review: Standards will be reviewed annually and approved by the City Council after a public hearing is held to pass an ordinance regarding section 42.041(b)(14) of the Human Resources Code.
- I. Child Care Licensing will not regulate these programs nor be involved in any complaint investigation related to the program.
- J. Any parent, visitor or staff may register a complaint by calling New Braunfels Parks and Recreation Administration Offices at 830-221-4350, Monday through Friday, 8:00 a.m. to 5:00 p.m.
- K. The City of New Braunfels Parks and Recreation Department (NB PARD) fully supports the provision of the Americans with Disabilities Act and is committed to supporting the full inclusion of persons with disabilities into programs, classes, services and public facilities so that full participation may be enjoyed by all. Persons with a disability may request a reasonable modification to participate with NB PARD by contacting the Administration office at 830-221-4350. All requests must be made a minimum of 14 days prior to the starting date of the program/service. More information can be found in the NB PARD Inclusion Policy <https://newbraunfels.gov/3418/About-Us> under Parks ADA Info.

II. STAFFING

A. Day Camp Coordinator-Job Descriptions and Essential Job Functions

Essential Job Functions:

1. Directs and supervises a day camp program for elementary aged children under the Supervision of the Programs Supervisor
2. Develops and implements a daily camp curriculum under Parks and Recreation guidelines.
3. Responsible for ensuring camp activities are conducted in a safe, cost-efficient, professional manner.
4. Responsible for procurement of camp supplies, equipment and food items.
5. Responsible for all camp related record keeping.
6. Schedules all day camp counselors at appropriate levels to maintain established camper to staff ratios.
7. Interacts with parents, children and program staff to resolve disciplinary issues; evaluates and determines the enforcement of discipline guidelines; documents counseling sessions and prepares related reports.
8. Communicates daily with Programs Supervisor and holds weekly meetings with camp staff to monitor program during summer.
9. Supervises a staff of 10-24, day camp leaders.
10. Is assisted by Assistant Camp Coordinator in these same duties.

Qualifications:

1. Required knowledge of operational characteristics, services and activities of summer day camp management and program planning and coordination and principles and practices of customer service.
2. Must be 18 years of age or older.
2. Must possess a high school diploma or GED equivalent; AND one (1) year experience working with children required, with supervisory experience in a school or camp environment; one year college preferred.
3. Must possess a valid Texas Driver's License.
4. Must pass city criminal background check prior to hiring.
5. Must be able to successfully complete within two (2) weeks of employment: First Aid and Safety/Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) training.
6. Must possess skill in:
 - a. Interpreting customer and facility needs and solving customer service and public relations issues.
 - b. Demonstrating the ability to make sound decisions regarding the enforcement of disciplinary guidelines.
 - c. Analyzing problems, providing alternatives, and identifying solutions in support of established goals.
 - d. Responding to emergencies and determining corrective actions using available resources.

B. Assistant Day Camp Coordinator-Job Descriptions and Essential Job Functions

Essential Job Functions:

1. Assists Camp Coordinator with supervising a day camp program for elementary aged children under the Supervision of the Programs Supervisors.
2. Assists with developing and implementing daily camp curriculum under Parks and Recreation guidelines.

3. Assists Camp Coordinator with ensuring camp activities are conducted in a safe, cost-efficient, professional manner.
4. Responsible for procurement of camp supplies, equipment and food items.
5. Assists with camp related record keeping.
6. Schedules all day camp counselors at appropriate levels to maintain established camper to staff ratios.
7. Interacts with parents, children and program staff to resolve disciplinary issues; evaluates and determines the enforcement of discipline guidelines; documents counseling sessions and prepares related reports.
8. Communicates daily with Camp Coordinator, and Programs Supervisors, and holds weekly meetings with camp staff to monitor program during summer.
9. Supervises a staff of 10-24, day camp leaders.

Qualifications:

1. Required knowledge of operational characteristics, services and activities of summer day camp management and program planning and coordination and principles and practices of customer service.
2. Must be 18 years of age or older.
2. Must possess a high school diploma or GED equivalent; AND one (1) year experience working with children required, with supervisory experience in a school or camp environment; one year college preferred.
3. Must possess a valid Texas Driver's License.
4. Must pass city criminal background check prior to hiring.
5. Must be able to successfully complete within two (2) weeks of employment: First Aid and Safety/Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) training.
6. Must possess skill in:
 - a. Interpreting customer and facility needs and solving customer service and public relations issues.
 - b. Demonstrating the ability to make sound decisions regarding the enforcement of disciplinary guidelines.
 - c. Analyzing problems, providing alternatives, and identifying solutions in support of established goals.
 - d. Responding to emergencies and determining corrective actions using available resources.

C. Day Camp Counselor/Seasonal Attendant-Job Descriptions and Essential Job Functions

Essential Job Functions:

1. Implements and monitors a day camp program for elementary aged children under the supervision of the Day Camp Coordinator and Assistant Coordinator or Programs Supervisor.
2. Supervises and interacts with camp participants in a wide variety of recreational activities.
3. Responsible for ensuring daily camp activities are conducted in a safe, professional manner.
4. Responsible for communicating camp needs (equipment, supplies) to camp supervisor.
5. Responsible for interacting with camp participants, parents and supervisors to provide a high-quality program.
6. Responsible for maintaining facility appearance and cleanliness during and after camp activities.
7. Responsible for reporting any camp incidents to camp supervisor.

Minimum Qualifications:

1. Must be mature, responsible and able to complete duties with minimal supervision.
2. Must be able to communicate well with the public, and skilled at interacting with children.
3. Must be sixteen (16) years of age AND one (1) year customer service/public interaction experience and experience working with children preferred.
4. Must possess or be able to obtain within six months of employment: Community First Aid and Safety/Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) certification.
5. Must complete departmental day camp staff training.
6. Must pass city criminal background check prior to hiring.
7. Knowledge of recreational games, crafts and activities.
8. Prefer completion of at least 1 year of college.

D. Recreation Instructor- Job Descriptions and Essential Job Functions

Essential Job Functions

1. Assists in ensuring the delivery of high quality and consistent recreation programs and services.
2. Develops, plans, organizes, promotes, facilitates, and instructs programs as approved by the Supervisor to meet community needs; coordinated in alignment with the City's strategic objectives, policies and procedures, and State and Federal laws.
3. Maintains attendance and class records, including but not limited to program and participant surveys, accident and incident reports and league rosters, monitors course enrollment and reports deficiencies in inventory of supplies to supervisor for ordering.
4. Acts as a sales assistant and cashier in the Nature Education Center gift shop and manages transactions.
5. Answers incoming calls and provides program information in person and via the telephone; greets facility and program guests and provides prompt, courteous and friendly customer services to the public, in order to maintain positive customer relations.
6. When necessary, handles minor disciplinary issues or rules interpretation at City facilitated programs and venues according to Parks and Recreation Department policies and procedures.
7. Assists in promoting and coordinating city-wide special events, including event setup and tear down.
8. Assists in managing a variety of administrative activities including computer records and cash management; operate computer registration/reservation system.
9. Facilitates and manages use of park amenities and facilities such as kayaks/paddle boats, trails, ponds, picnic facilities and miniature golf.
10. Maintains facility cleanliness and is active in presenting a clean, comfortable and safe environment; responsible for reporting potential and existing safety issues or concerns to supervisors to ensure patron safety.
11. Performs other duties as assigned or required.

Minimum Qualifications:

1. High school diploma or GED equivalent; AND one (1) year customer service/public interaction experience required, with recreation, nature education or athletic instruction experience preferred.
2. Must be 18 years of age or older.
3. Must possess a valid Texas Driver's License.
4. Must possess or be able to obtain within six months of employment: Community First Aid and Safety/Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) certification.
5. Must pass city criminal background check prior to hiring.

6. Knowledge of operational characteristics, services and activities of nature education, recreation, and athletic facilities.
7. Knowledge of principles and practices of recreation, nature education and athletic program and/or league and special event planning and coordination.
8. Knowledge of principles and practices of customer service.
9. Knowledge of Federal and State safety laws and regulations.

E. Kinder Care Lead – Job Description and Essential Job Functions

Essential Job Functions:

1. Assists in ensuring the delivery of high quality and consistent programs and services to the community.
2. Assists in managing a variety of administrative activities including computer records, employee scheduling, accident/injury reports and work activity reports.
3. Assists in supervising Kinder Care area tasks.
4. Serves as a liaison between the Kinder Care staff and the Guest Services Supervisor (report any problems).
5. Assists with training and orientation of new staff and leading staff meetings.
6. Responsibilities of Kinder Care Attendants are also expected of Kinder Care Leads.
7. Maintains order and organization of facility's childcare operations, programs, and processes.
8. Prepares and assists in maintaining facilities including but not limited to DAS REC, New Braunfels Recreation Center to ensure a safe condition and to meet community needs; must be in compliance with the City's strategic objectives, policies and procedures, and State and Federal laws.
9. Ensures safety and hygienic environment in the childcare facility.
10. Be responsive to parents to fulfill their childcare service needs.
11. Plans, organizes and leads children in a range of interesting and enjoyable activities and games.
12. Sets up and cleans "as you go" during activity sessions to create a pleasant, attractive and sanitary environment for participants.
13. Assists with training and evaluating assigned staff and developing staff skills; meets regularly with staff to discuss and resolve workload and technical issues; reviews the work of assigned staff to assure the quality of assigned duties and responsibilities.
14. Assists with the development of procedures, forms, guidelines, and training programs for all assigned staff members
15. Develops, maintains and trains staff on records, systems, and procedures.
16. Monitors inventory of equipment and supplies and initiates orders when needed.
17. Performs basic administrative activities including accident/injury and work activity reports.
18. Monitors facility and equipment use by the public.
19. Performs basic janitorial tasks.
20. Performs other duties as assigned or required.

Minimum Qualifications:

1. Must be at least sixteen (16) years of age AND one (1) year customer service/public interaction experience preferred. Must have one (1) year experience working with children in a childcare setting.
2. Must possess or be able to obtain within six months of employment: Community First Aid and Safety/Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) certification.
3. Must pass city criminal background check prior to hiring.

4. Required skill in principles and practices of customer service.
5. Required skill in Federal and State safety laws and regulations.
6. Required skill in interpreting customer and facility needs and solving customer service and public relations issues.
7. Required skill in analyzing problems, providing alternatives, and identifying solutions in support of established goals.
8. Required skill in responding to emergencies and determining corrective actions using available resources.
9. Required skill in establishing and maintaining cooperative and effective working relationships with City employees, facility lessees and guests, event sponsors and vendors, and the general public.
10. Required skill in effective, clear and concise communication, both verbally and in writing.

F. KinderCare Attendant – Job Description and Essential Job Functions

Essential Job Functions:

1. Assists in ensuring the delivery of high quality and consistent programs and services to the community.
2. Maintains order and organization of facility's childcare operations, programs, and processes.
3. Prepares and assists in maintaining facilities including but not limited to DAS REC, New Braunfels Recreation Center to ensure a safe condition and to meet community needs; must be in compliance with the City's strategic objectives, policies and procedures, and State and Federal laws.
4. Ensures safety and hygienic environment in the childcare facility.
5. Be responsive to parents to fulfill their childcare service needs.
6. Plans, organizes and leads children in a range of interesting and enjoyable activities and games.
7. Sets up and cleans "as you go" during activity sessions to create a pleasant, attractive and sanitary environment for participants.
8. Assists in promoting recreation programs, City facilities and city-wide special events coordination and setup.
9. Performs basic administrative activities including accident/injury and work activity reports.
10. Monitors facility and equipment use by the public.
11. Performs basic janitorial tasks.
12. Performs other duties as assigned or required.

Minimum Qualifications:

1. Must be at least sixteen (16) years of age AND one (1) year customer service/public interaction experience preferred.
2. Required Licenses or Certifications:
 - a. Must possess or be able to obtain within two (2) weeks of employment: Community First Aid and Safety/Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) certification.
3. Must pass city criminal background check prior to hiring.
4. Required skill in principles and practices of customer service.
5. Required skill in Federal and State safety laws and regulations.
6. Required skill in interpreting customer and facility needs and solving customer service and public relations issues.
7. Required skill in analyzing problems, providing alternatives, and identifying solutions in

- support of established goals.
8. Required skill in responding to emergencies and determining corrective actions using available resources.
 9. Required skill in establishing and maintaining cooperative and effective working relationships with City employees, facility lessees and guests, event sponsors and vendors, and the general public.
 10. Required skill in effective, clear and concise communication, both verbally and in writing.

G. Other Requirements

1. Staff must complete the mandatory training program of at least 12 hours, in addition to planning hours with site staff prior to the start of first shift. This training includes a departmental orientation, customer service, behavioral issues, and discipline, as well as practical skills on activities for children in subjects such as games, songs, and crafts.
2. Staff must exhibit competency, good judgment, and self-control throughout the duration of the child's stay.
3. Staff should relate to the children and parents with courtesy, respect, acceptance and patience.
4. Staff will be evaluated at least once during the calendar year, to discuss any areas that should be addressed to ensure future employment in KinderCare.

H. **Criminal Background Checks and Drug Testing:** Criminal background checks will be conducted on prospective employees. Applicants may be disqualified if they have a job-related criminal conviction. A prospective employee will be subject to a drug test prior to hiring.

I. Staffing Ratios:

Youth Programs:

The number of children may not exceed staff by a minimum ratio of 1 staff per 15 children, ages 5-13.

The number of children may not exceed staff by a minimum ratio of 1 staff per 10 children, ages 3-5.

Kinder Care:

The number of children may not exceed staff by a minimum ratio of 1 staff per 10 children, ages 1-10.

The number of children may not exceed staff by a minimum ratio of 1 staff per 3 children, ages 6-12 months.

III. FACILITY STANDARDS

- A. Emergency evacuation and relocation plans will be posted at each facility.
- B. Program employees will inspect sites frequently for any sanitation or safety concerns. Those concerns should be passed on to the Programs Supervisor immediately.
- C. Each facility location must have a fully stocked first aid kit. This shall be checked and stocked on a weekly basis.
- D. In a situation where evacuation is necessary, the priority of staff is to make sure all participants are in a safe location.
- E. Program sites will be inspected annually by the Fire Marshall. Each Facility Coordinator or

- Programs Supervisor is responsible for compliance with Fire Marshall's directives.
- F. The recommended number of fire extinguishers shall be inspected annually and available for use.
 - G. Fire drills should be conducted once a month during the summer camp.
 - H. Clean restrooms will be available at all times for children and staff use.
 - I. Medication will only be administered with written parental consent. Prescription medications shall be left with staff in their original container, labeled with the child's name, date, directions and physician's name. Medication shall be dispensed only as stated on the bottle, and not past the expiration date.
 - J. Non-prescription medicine with the child's name and date on the medication may be brought if in the original container. Non-prescription medication will only be administered with written parental consent.
 - K. Each site shall have adequate toilets and sinks located such that children can use them independently and program staff can supervise as needed.
 - L. All participants must wear appropriate clothing, including footwear, for the activity.

IV. SERVICE STANDARDS-Day Camp Staff

This information will be provided to each staff member as a part of the day camp manual:

- A. Camp or staff shirts as well as appropriate clothing and footwear must be worn at all times.
- B. City-issued employee identification should be worn and clearly visible.
- C. Camp participants, parents, and legal guardians will be treated with respect at all times.
- D. Camp staff will take it upon themselves to resolve complaints. Do not refer customer to another staff person. Try to solve the complaint if possible. If not, please refer them to the supervisor on duty.
- E. Camp staff will keep parents continuously informed of camp activities and schedules as much as possible. Staff will plan activities based upon the weather and have options in case of inclement weather or high/low temperatures.
- F. Camp staff will note details of behavior of campers (accomplishments, discipline problems, general activities, etc.) and update parents as much as possible.
- G. Camp staff will monitor the sign in/out log at all times. This is done with the use of a software program for verifying identity of the approved guardians.
- H. Camp staffs will clean rooms and activity areas daily.
- I. Camp staff will spend 100% of their time actively involved with campers and/or parents.

V. Operational Issues

- A. Emergency Phone numbers are kept at the front desk of the facilities. Those numbers include fire, police, and ambulance services as well as participant guardian contact numbers.
- B. All staff members will stay in constant contact with the front desk and other camp staff members through wireless, 2-way radios and/or cell phones.
- C. A Day Camp Manual is given to every staff member, which outlines the following:
 - 1. Discipline Issues
 - 2. City Rules and Regulations
 - 3. Forms that must be filled out

4. Service Standards
 5. Game/activity leadership
 6. Ways to interact with children
- D. Sign in-sign out will be utilized with software every day. For Fischer Park's Wee Discovery and Homeschool Classes, sign-in/sign-out may be performed on paper forms. Only adults listed on sign-in/out release will be allowed to pick up children. An authorized person must enter the facility and sign out the child for staff to release the child.
- E. Emergency evacuation and relocation plans will be posted at each facility.
- F. Enrollment information will be kept and maintained on each child and shall include:
1. Child's name, birth date, home address, home telephone number and phone numbers where parents may be reached during the day.
 2. Names and telephone numbers of persons to whom the child can be released.
 - To be verified by the showing of photo ID upon pickup.
 3. Liability waiver and photo release.
 4. Parental consent to administer medication, and child's medical information/history.
- G. Staff shall immediately notify the parent or other person authorized by the parent when the child is injured or has been involved in any situation that placed the child at risk.
- H. Staff shall notify parents or authorized persons of children in the facility when there is an outbreak of a communicable disease in the facility that is required to be reported to the County Department of Health. Parents will also be notified of an occurrence of head lice.
- I. Discipline:
1. Discipline and guidance of children must be consistent and based on an understanding of individual needs and development.
 2. There shall be no harsh, cruel, or unusual treatment.
 3. Corporal punishment in any form will not be tolerated.
 4. Children shall not be shaken, bit, hit, or have anything put in or on their mouth as punishment.
 5. Children shall not be humiliated, yelled at or rejected.
 6. Children shall not be subjected to abusive or profane language.
 7. Punishment shall not be associated with food or drink.
 8. Staff may use brief, supervised separation from the group, if necessary, but staff shall not place children in a locked room or in a dark room with the door closed.
 9. Incident reports will be filled out on any disciplinary cases, and information is to be shared with parents when picking up the child or sooner, when extreme cases occur.
 10. Children who show patterns of endangerment to themselves, other participants or staff will be asked to leave the program.
- J. Illness or Injury
1. Parents shall be notified in cases of illness or injury.
 2. An ill child will not be allowed to participate if the child is suspected of having a temperature and/or accompanied by behavior changes or other signs or symptoms until medical evaluation indicates that the child can be included in the activities. In the event an injury cannot be administered through basic first aid, staff will call 911.
 3. When an injury occurs, an incident report shall be filled out immediately. The form shall be

filled out completely with the original sent to the Programs Supervisor and forwarded to the Recreation Manager and a copy kept in the Day Camp files.

VI. CAMP RULES

The rules of camp are designed to help create a positive and safe environment for both campers and staff. The rules are presented to campers in a positive way and focus on what campers should do rather than what they should not do. Camp rules are used to help teach our campers to make good, positive choices.

1. Be Respectful
2. Be a Good Friend
3. Be Polite
4. Be a Good Listener
5. Be Kind
6. Be a Good Follower of Directions
7. Be Helpful
8. Be Responsible

Passive and active camp activities are planned according to the participants' ages, interests and abilities. The activities should be flexible and promote social and educational advancement.

VII. MONITORING AND ENFORCEMENT

Standards of care established by the City of New Braunfels will be monitored and enforced by city departments responsible for their respective areas as identified:

- A. Health and safety standards will be monitored and enforced by the City's Police, Fire, Health and Code Enforcement Departments.
- B. Staff and program issues will be monitored and enforced by the New Braunfels Parks and Recreation Department. The Recreation Manager shall visit each site on a bi-monthly basis. Programs Supervisors are responsible for visually checking the camp activities daily. When this staff is not available, another full-time or PTR/Part-time staff person is responsible for the daily check.

SECTION 2: SEVERABILITY.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect

any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 3. EFFECTIVE DATE:

This Ordinance shall become adopted and effective upon its second reading and compliance with the City Charter.

PASSED AND APPROVED: First reading this 9th day of February, 2026.

PASSED AND APPROVED: Second reading this ____ day of _____, 2026.

CITY OF NEW BRAUNFELS, TEXAS

Neal Linnartz, Mayor

ATTEST:

Gayle Wilkinson, City Secretary APPROVED AS

TO LEGAL FORM:

Valeria M. Acevedo, City Attorney

2/9/2026

Agenda Item No. B)

PRESENTER:

Garry Ford, Transportation and Construction Services Director

SUBJECT:

Public hearing and first reading of an ordinance amending City of New Braunfels Code of Ordinances Section 118-46(y) Traffic Impact Analysis.

DEPARTMENT: Transportation and Construction Services, Planning and Development Services

COUNCIL DISTRICTS IMPACTED: All

BACKGROUND INFORMATION:

The Transportation and Construction Services Department reviewed the current regulations, practices, and procedures and determined that amendments to the ordinance are needed to align with current and recommended practices and with community objectives. The proposed key amendments include:

- Specify select roadways for roadway analysis.
- Provide a geometric and pavement design analysis for buildout and construction traffic for all perimeter and approach streets that have pavement widths less than 24 feet.
- Provide a circulation route for construction traffic.
- Provide an assessment of buildout traffic on adjacent neighborhoods if the development is required to construct the extension of a thoroughfare. The assessment and mitigation shall be provided in accordance with an approved Thoroughfare Plan Design and Area Transportation Plan, or in accordance with the guidance provided in the Institute of Transportation Engineers' *Multimodal Transportation Impact Analysis for Site Development*.
- Update the requirements of turn lanes on city streets.
- Establish an expiration date for TIA worksheets at two years and TIA reports at three years from city approval.

ISSUE:

Amendments to the traffic impact analysis requirements are needed to align with current and recommended practices and with community objectives.

FISCAL IMPACT:

N/A

RECOMMENDATION:**Planning Commission**

The Planning Commission unanimously recommended approval at their January 6, 2026, meeting.

Staff

Staff recommends approval of amendments to Chapter 118 Subdivision Platting, Section 46 Streets, Subsection y, Traffic Impact Analysis.

Sec. 118-46. Streets.

(y) *Traffic impact analysis.*

- (1) *Requirements.* No master plan, plat, building permit or driveway access shall be approved unless a traffic impact analysis (TIA) worksheet or TIA report, as provided for in this section, is completed by the developer and approved by the city engineer. A TIA report may also be required by the planning director, the planning commission or the city council as part of a zoning change application.

If the specific land use is unknown, the land use shall be based on the future land use plan or roadway impact fee study with consideration of existing topography and comparable properties. Land use shall be based on the latest edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*.

The TIA report shall be prepared, signed and sealed by a licensed, qualified and experienced professional engineer with specific training and experience in traffic and transportation engineering and planning. The TIA report shall meet the requirements established in this section and generally follow the methodology, thresholds and principles described in the ITE *Multimodal Transportation Impact Analysis for Site Development* recommended practice.

The applicant shall comply with the separate policies and procedures for submitting and processing TIA applications consistent with the provisions of this section, including, but not limited to, forms, worksheets, fee schedules, meetings, and other items.

- (2) *Submittal type and study area.* The TIA submittal type and study area shall be based on the size of the development and the associated peak-hour trips projected to be generated by the proposed development. The peak-hour trips shall be based on the latest edition of the ITE *Trip Generation Manual* during the weekday a.m. or p.m. peak hour, whichever is greater. The submittal type and study area shall be established in the TIA Impact Area Table shown below. Additional areas and intersections may be added by the city engineer and Texas Department of Transportation (TxDOT) based on development size and specific site or local issues. For special situations where peak traffic typically occurs at non-traditional times, other peak hours may be used to determine the submittal type and study area.

TIA Impact Area Table

Peak-hour Trips	Submittal Type	Study Area
1—99	Worksheet	Site
100—199	Level 1	Site and area adjacent to the site boundary
200—499	Level 2	Site and area within 0.5 miles from the site boundary
500+	Level 3	Site and area within 1 mile from the site boundary

- (3) *TIA report format.* The Level 1, 2 and 3 TIA report shall consist of the following information, at a minimum:

a. *Impact area.*

1. Land use, site and study area boundaries.
2. Existing and proposed site land uses.
3. Existing and proposed land uses for all parcels within the study area.
4. Existing and proposed roadways and intersections within the study area.

-
5. All major driveways and intersecting streets adjacent to the property will be illustrated in detail sufficient to serve the purposes of illustrating traffic function; this may include showing lane widths, traffic islands, medians, sidewalks, curbs, traffic control devices (traffic signs, signals, and pavement markings), sight distance, access spacing and a general description of the existing pavement condition.
 6. Photographs of adjacent streets of the development and an arterial photograph showing the study area.
- b. *Trip generation and design hour volumes.*
 1. A trip generation summary listing each type of land use, units, ITE code, ITE unit, the average trip generation rates used (total daily traffic and a.m. and p.m. peak hours), and the resultant total trips generated shall be provided.
 2. Generated vehicular trip estimates may be discounted in recognition of other reasonable and applicable modes, e.g., transit, pedestrian, bicycles. Furthermore, trip generation estimates may also be discounted through the recognition of pass by trips and internal site trip satisfaction.
 - c. *Trip distribution.* Provide the estimates of percentage distribution of trips by turning movements to and from the proposed development by site access location.
 - d. *Trip assignment.* Provide the direction of approach and departure of site traffic via the area's street system.
 - e. *Traffic volumes.* Peak hour and daily traffic volumes shall be provided for existing, background, site, and buildout (background and site) conditions. Additional traffic volumes shall be provided for phased developments based on background and the estimated phase buildout year. Each phase shall include phase, cumulative phases, and cumulative phases plus associated background traffic.
 - f. *Capacity analysis.*
 1. A capacity analysis shall be conducted for all roadways, intersections and junctions of major driveways with public streets which are significantly impacted within the study area boundary as defined in this section as agreed to by the developer's engineer and the city engineer. The analysis shall be conducted for existing, background, buildout, and, if necessary, each phase traffic volumes.
 2. Capacity analysis will follow the principles established in the latest edition of the Transportation Research Board's *Highway Capacity Manual* (HCM), unless otherwise directed by the city engineer. Capacity will be reported in quantitative terms as expressed in the HCM and in terms of traffic level of service (LOS). LOS for two-way stop-control is not defined for an intersection as a whole and shall not be represented in any such way in the TIA report.
 3. Capacity analysis will include traffic queuing estimates for all critical applications where the length of queues is a design parameter, e.g., auxiliary turn lanes, and at traffic gates.
 4. Roadway analysis will include maximum daily traffic for all local and residential collector streets, and HCM or planning level analysis for ~~all other streets~~ agreed to by the developer's engineer and the city engineer. Potential through traffic shall be included in the analysis.
 - g. *Site accessibility.* Provide an assessment of existing and planned future conditions of access management, site circulation, parking, goods movement delivery and pedestrian, bicycle and

transit connectivity to accommodate site demand on the street system. Provide a geometric and pavement design analysis for buildout and construction traffic, including vehicle design and traffic volumes, for all perimeter and approach streets that have an average pavement width of less than 24 feet to the area being developed. Provide a circulation route for construction traffic.

- h. *Neighborhood traffic control plan.* Provide overall signing, marking, and signal traffic control plan for a new public street system in accordance with the *Texas Manual on Uniform Traffic Control Devices* (TMUTCD). Include recommended speed limit signs, stop signs and warning signs.
 - i. *School accessibility and traffic control plan.* Provide site circulation and overall signing, marking, and signal traffic control plan in accordance with the TMUTCD. Include recommended school routes, school crossings and school speed zones.
 - j. *Thoroughfare Plan street extension.* If the development is required to construct the extension of a street in accordance with the adopted thoroughfare plan, provide an assessment of the buildout traffic impact on adjacent neighborhoods, parks, schools, and historic districts. The assessment and mitigation shall be provided in accordance with an approved Thoroughfare Plan Design and Area Transportation Plan, or using neighborhood protection guidance provided in the ITE Multimodal Transportation Impact Analysis for Site Development recommended practice.
 - jk. *Conclusions and requirements.* Provide a narrative describing mitigation measures, conclusions and recommendations consistent with this section.
- (4) *Mitigation.* If the TIA report's determination for roadways and intersections indicates that the proposed development would cause a reduction in the level of service for any roadway or intersection within the impact area that would cause the roadway to fall below (1) LOS D if the background traffic operates at LOS D or better, (2) LOS E if the background traffic operates at LOS E, and (3) LOS F if the background traffic LOS threshold exceeds ten percent for LOS F, the proposed development will be denied unless the developer agrees to one of the following conditions:
- a. The deferral of certificate of occupancy until the improvements necessary to upgrade the substandard facilities are constructed; or
 - b. A reduction in the density or intensity of development; or
 - c. The dedication or construction of facilities needed to achieve the level of service required herein; or
 - d. Escrow with the city an amount equivalent to the cost of the improvements necessary to mitigate the adverse traffic impact; or
 - e. Execute a development agreement with the city in accordance with this chapter; or
 - f. Any combination of techniques identified herein that would ensure that development will not occur unless the levels of service for all roadways and intersections within the traffic impact analysis study are adequate to accommodate the impacts of such development.

Additionally, the developer is responsible for mitigation identified as part of the site accessibility, neighborhood traffic control plan and school accessibility and traffic control plan as required in this section.

- (5) *Implementation.* For phased construction projects, the TIA report shall include the phase and corresponding peak hour trip for implementation. Implementation of these traffic improvements must be accomplished no later than the completion of the project phase for which the capacity analyses show they are required. Plats for project phases subsequent to a phase for which a traffic improvement is required may be approved only if the traffic improvements are completed or secured as approved by the city engineer.

(6) *Traffic mitigation concepts.*

- a. Voluntary efforts, beyond those herein required, to mitigate traffic impacts are encouraged as a means of providing enhanced traffic handling capabilities to users of the land development site as well as others.
- b. Traffic mitigation concepts include, but are not limited to, pavement widening, turn lanes, median islands, access controls, curbs, sidewalks, traffic signalization, traffic signing, pavement markings, etc.

(7) *Traffic signal warrants analysis.* A TIA report that contains a traffic impact mitigation for installation of a new traffic signal location shall include a traffic signal warrants analysis satisfying the requirements of the TMUTCD. If a traffic signal is required to mitigate level of service but not warranted, the mitigation of the traffic signal shall meet the mitigation requirements of this section.

(8) *Turn lane requirements.* Turn lanes are exclusive deceleration and storage lanes that allow ~~for~~ vehicles to turn left and right at intersections outside the through lane. Turn lanes on city streets are required at all driveways and street intersections with buildout traffic turning movements of 500 daily trips or 50 peak hour trips. Turn lanes on the state highway system are required in accordance with the latest TxDOT requirements. The guidelines for the ~~application and~~ design of ~~deceleration-turn~~ lanes for city streets and the state highway system shall be in accordance with the latest TxDOT requirements.

- a. The existing and new pavement for turn lane improvements shall be designed based on the development traffic loads and may include rehabilitation. At minimum, a surface course treatment is required for the full improvements including taper and pavement marking area.
- b. The construction of turn lanes may be limited due to topographic conditions or need to obtain right-of-way from adjacent property owners. The applicant must show that all reasonable efforts have been made to implement turn lanes required by the TIA report or this chapter. This may include relocating driveways or streets to allow for the construction of turn lanes or alternate design options.

(9) *Expiration.* The approval of a TIA worksheet expires two years from the date it is approved by the city. The approval of a TIA report expires three years from the date it is approved by the city if progress toward completion is not being made, as specified in section 118-22 (e) (1-5), or if the actual buildout year or an actual phase buildout year is greater than two years from what is analyzed in the approved TIA report. Prior to the expiration date, the city engineer may extend the TIA report approval upon application by the developer for one or more year periods.

(z) *Street signs.* Street signs shall be installed, at the cost of the developer and at no cost to the city, in accordance with approved construction plans.

(aa) *Streetlights.* Streetlights shall be installed, at the cost of the developer and at no cost to the city, at all intersections, at the end of a cul-de-sac, and throughout the subdivision as required by NBU in accordance with standards published by NBU in accordance with section 118-18.

(Ord. No. 2006-84, § 1(Exh. A), 9-11-06; Ord. No. 2008-44, § 1, 7-14-08; Ord. No. 2008-55, § 1, 8-11-08; Ord. No. 2013-34, § 1, 6-10-13; Ord. No. 2017-18, § 1, 2-13-17; Ord. No. 2017-63, § 1, 9-11-17; Ord. No. 2019-49, § III, 7-22-19; Ord. No. 2019-89, § 1, 12-9-19; Ord. No. 2020-74, § 1, 12-14-20; Ord. No. 2023-92, § I, 12-11-23; Ord. No. 2024-20, § 1, 2-26-24)

ORDINANCE NO. 2026-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING SECTION 118-46 OF THE NEW BRAUNFELS CODE OF ORDINANCES REGARDING TRAFFIC IMPACT ANALYSIS REQUIREMENTS.

WHEREAS, the State of Texas has enacted legislation empowering municipalities to exercise authority relating to subdivision regulation; and

WHEREAS, the City Engineer may amend city standards from time to time, upon recommendation of the Planning Commission to the City Council; and

WHEREAS, the Planning Commission unanimously recommended to the City Council adoption of amendments regarding traffic impact analysis requirements; and

WHEREAS, the City Council has determined that it is in the best interest of the citizens of New Braunfels to amend Section 118-46 of the Code of Ordinances.

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

I.

THAT the City of New Braunfels Code of Ordinances Section 118-46(y)(3) is amended as follows:

f. *Capacity analysis.*

1. A capacity analysis shall be conducted for all roadways, intersections and junctions of major driveways with public streets which are significantly impacted within the study area boundary as defined in this section as agreed to by the developer's engineer and the city engineer. The analysis shall be conducted for existing, background, buildout, and, if necessary, each phase traffic volumes.
2. Capacity analysis will follow the principles established in the latest edition of the Transportation Research Board's *Highway Capacity*

Manual (HCM), unless otherwise directed by the city engineer.

Capacity will be reported in quantitative terms as expressed in the HCM and in terms of traffic level of service (LOS). LOS for two-way stop-control is not defined for an intersection as a whole and shall not be represented in any such way in the TIA report.

3. Capacity analysis will include traffic queuing estimates for all critical applications where the length of queues is a design parameter, e.g., auxiliary turn lanes, and at traffic gates.
 4. Roadway analysis will include maximum daily traffic for all local and residential collector streets, and HCM or planning level analysis for streets agreed to by the developer's engineer and the city engineer. Potential through traffic shall be included in the analysis.
- g. *Site Accessibility.* Provide an assessment of existing and planned future conditions of access management, site circulation, parking, goods movement delivery and pedestrian, bicycle and transit connectivity to accommodate site demand on the street system. Provide a geometric and pavement design analysis for buildout and construction traffic, including vehicle design and traffic volumes, for all perimeter and approach streets that have an average pavement width of less than 24 feet to the area being developed. Provide a circulation route for construction traffic.
- j. *Thoroughfare Plan street extension.* If the development is required to construct the extension of a street in accordance with the adopted thoroughfare plan, provide an assessment of the buildout traffic impact on adjacent neighborhoods, parks, schools, and historic districts. The assessment and mitigation shall be provided in accordance with an approved Thoroughfare Plan Design and Area Transportation Plan, or using neighborhood protection guidance provided in the ITE *Multimodal Transportation Impact Analysis for Site Development* recommended practice.
- k. *Conclusions and requirements.* Provide a narrative describing mitigation measures, conclusions and recommendations consistent with this section.

II.

THAT the City of New Braunfels Code of Ordinances Section 118-46(y)(8) is amended as follows:

- (8) *Turn lane requirements.* Turn lanes are exclusive deceleration and storage lanes that allow vehicles to turn left and right at intersections outside the through lane. Turn lanes on city streets are required at all driveways and street intersections with buildout traffic turning movements of 500 daily trips or 50 peak hour trips. Turn lanes on the state highway system are required in accordance with the latest TxDOT requirements. The guidelines for the design of turn lanes for city streets and the state highway system shall be in accordance with the latest TxDOT requirements.
- a. The existing and new pavement for turn lane improvements shall be designed based on the development traffic loads and may include rehabilitation. At minimum, a surface course treatment is required for the full improvements including taper and pavement marking area.
 - b. The construction of turn lanes may be limited due to topographic conditions or need to obtain right-of-way from adjacent property owners. The applicant must show that all reasonable efforts have been made to implement turn lanes required by the TIA report or this chapter. This may include relocating driveways or streets to allow for the construction of turn lanes or alternate design options.

III.

THAT the City of New Braunfels Code of Ordinances Section 118-46(y)(9) is hereby created to read:

- (9) *Expiration.* The approval of a TIA worksheet expires two years from the date it is approved by the city. The approval of a TIA report expires three years from the date it is approved by the city if progress toward completion is not being

made, as specified in section 118-22 (e) (1-5), or if the actual buildout year or an actual phase buildout year is greater than two years from what is analyzed in the approved TIA report. Prior to the expiration date, the city engineer may extend the TIA report approval upon application by the developer for one or more year periods.

IV.

THAT all provisions hereof are hereby declared to be severable and if any provisions hereof is 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.

V.

THAT it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

VI.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office. This Ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this the 9th day of February, 2026.

PASSED AND APPROVED: Second reading this the __th day of __, 2026.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY

2/9/2026

Agenda Item No. C)

PRESENTER:

Garry Ford, Transportation & Construction Services Director

SUBJECT:

Discuss and consider the first reading of an ordinance amending Appendix D of the New Braunfels Code of Ordinances to adopt new fees for Traffic Impact Analysis Services.

DEPARTMENT: Transportation & Construction Services**COUNCIL DISTRICTS IMPACTED:** All**BACKGROUND INFORMATION:**

A Traffic Impact Analysis (TIA) is a specialized engineering study that evaluates the impact of a new development on the transportation network. It is intended to identify impacts, ensure safety and efficiency, guide decision-making, and establish mitigation measures. A TIA is required for any new development, redevelopment, or change in use that is expected to generate new traffic.

The TIA review process involves the city review of a developer's TIA to ensure a proposed development will not negatively impact the existing transportation network.

In 2023, TIA reviews were primarily conducted by third-party reviewers, who were managed by city staff. TIA review fees were updated in 2023 to cover the city's cost of the specialized engineering review and pass those costs on to the developer. Fees are assessed based on the actual cost determined by the report scope or additional review comments. The fees recover the city's third-party review costs; however, implementing the fee has created issues, including increased review timelines, uncertainty regarding review fees, and failure to account for city staff review.

To address the issues and the preference for city staff to review TIAs while recovering a portion of the third-party review costs, if required by staff resources and workload, the proposed fee adjustments are as follows:

TRAFFIC IMPACT ANALYSIS		
	Current	Proposed
TIA Worksheet	\$100.00	\$240.00
Level 1	Actual cost determined with report scope (at rate billed to the city).	\$2,400.00
Level 2	Actual cost determined with report scope (at rate billed to the city).	\$4,320.00
Level 3	Actual cost determined with report scope (at rate billed to the city).	\$6,240.00
Additional review	Actual cost determined with each additional comment review letter (at rate billed to the city).	\$960.00
Comment review meeting	\$250.00	\$0.00
Revision review	Actual cost determined with revision scope (at rate billed to the city).	Level 1—\$960.00 Level 2—\$1,920.00 Level 3—\$2,880.00
Scoping meeting	\$0.00	\$0.00

The proposed fees are based on an estimated level of effort, taking into account the scope and area of the TIA study, as well as the general costs of third-party reviews.

The cost of third-party reviews is subject to the Texas Professional Services Procurement Act. TIA review is specialized engineering, and the selection of a third-party reviewer is based on qualifications, not the lowest price. The cost of a third-party reviewer is based on the scope of work and a negotiated, fair, and reasonable price. The provider's contract rates may vary, and professional engineer services rates have increased significantly in recent years.

A review of TIA reviews of comparable cities was conducted; however, the TIA requirements, review process, and fees varied widely across the cities.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

Any additional revenue generated by these fee adjustments will be incorporated into the FY 2027 Budget to help offset increased costs and cover unfunded resource needs.

RECOMMENDATION:

Staff recommends approval of the ordinance amending the New Braunfels Code of Ordinances, Appendix D - Fee Schedule by adopting new fees for Traffic Impact Analysis Services.

ORDINANCE NO. 2026-____

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 BY ADOPTING NEW FEES FOR TRAFFIC IMPACT ANALYSIS SERVICES; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Appendix D – Fee Schedule of the Code of Ordinances of the City of New Braunfels, Texas, provides fees, charges and rates for development-related services provided by the City of New Braunfels; and

WHEREAS, the City Council of New Braunfels, Texas was briefed on fees for cost of traffic impact analysis related services at a meeting on November 17, 2025; and

WHEREAS, the current fees for traffic impact analysis related services do not account for city staff review.

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

I.

THAT the findings and recitations set out in the preamble of 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.

II.

THAT the City of New Braunfels Code of Ordinances Appendix D – Fee Schedule, shall be amended to hereinafter as follows with strikethrough font indicating deleted language, and additions reflected as underlined language:

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of fees.

TRAFFIC IMPACT ANALYSIS	
TIA Worksheet	\$240.00 100.00
Level 1	\$2,400.00 Actual cost determined with report scope (at rate billed to the city):
Level 2	\$4,320.00 Actual cost determined with report scope (at rate billed to the city):
Level 3	\$6,240.00 Actual cost determined with report scope (at rate billed to the city):
Additional review	\$960.00 Actual cost determined with each additional comment review letter (at rate billed to the city):
Comment review meeting	\$0.00 250.00
Revision review	Level 1—\$960.00 Level 2—\$1,920.00 Level 3—\$2,880.00 Actual cost determined with revision scope (at rate billed to the city):
Scoping meeting	\$0.00

III.

THAT all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

IV.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office, except that the effective date of the new fees will be March 30, 2026. This Ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this the 9th day of February, 2026.

PASSED AND APPROVED: Second reading this the ___th day of ___, 2026.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY

2/9/2026

Agenda Item No. D)

PRESENTER:

Carly Farmer, Assistant City Engineer

SUBJECT:

Discuss and consider the first reading of an ordinance to amend Section 126-346 of the Code of Ordinances of the City of New Braunfels to restrict parking on Willowbrook.

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

At the March 25, 2024, City Council meeting, staff presented a traffic calming plan for Willowbrook between FM 1101 and Split Rock Road due to high speeds and volumes associated with cut-through traffic. The preliminary plan included speed humps, a raised crosswalk, and a mini roundabout. City Council approved the plan with the condition that staff would be able to alter the plan as needed through final design in partnership with the community. Installation of four speed humps on Willowbrook has been completed, and repeat traffic data collection indicates that the speed humps have been effective in slowing traffic.

Staff completed preliminary design on the raised crosswalk and mini roundabout, but the intersection configuration, drainage, and high cost made these infeasible. These improvements were targeted for the intersections of Willowbrook/Shepherd Path and Willowbrook/Colonial Ave, which are adjacent to Timmerman Park. The traffic calming plan was then adjusted to include bulb-outs and enhanced crosswalks for these two intersections due to proximity to the park, area schools, and connectivity to the shared use path in the park.

During final design for the two intersections, staff met with the August Fields HOA to present options and get community leadership buy-in. The HOA was most supportive of restricting parking on one side of Willowbrook in order to accommodate two lanes for two-way traffic and a parking lane with a buffer adjacent to Timmerman Park. Because the street experiences both high traffic volumes and frequent parking activity, it was desirable to designate space for parking while allowing through traffic to pass through without conflict.

A no parking zone is recommended on the south side of Willowbrook that extends from west of the intersection with Shepherd Path to east of the intersection with Colonial Avenue. A pavement marking plan has been prepared that allocates two ten-foot lanes for two-way traffic and an eight-foot parking lane with a two-foot buffer on the north side of Willowbrook. Removing parking on one side of the roadway maintains two-way traffic flow needed to efficiently funnel traffic between FM 1101 and Alves Lane. Providing a parking lane and buffer will reduce conflict points between through traffic, parked vehicles, and pedestrians and cyclists while preserving some of the on-street parking inventory for residents, park visitors, and student pick-up from the nearby schools.

The public hearing will be at a future City Council meeting, and notices will be sent in advance of the meeting to all properties adjacent to the proposed parking changes.

ISSUE:

City staff is implementing the next phase of the traffic calming plan for Willowbrook.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

City staff is preparing the cost estimate with the Public Works Department. The city has specific funding for the installation of traffic calming. Approved traffic calming plans are ranked for funding according to the Neighborhood Traffic Calming Policy prioritization process. The highest-scoring projects will be funded through the FY 2026 budget. Remaining projects will be considered for funding in subsequent budget years.

RECOMMENDATION:

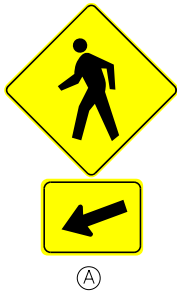
Transportation and Traffic Advisory Board

The Transportation and Traffic Advisory Board unanimously recommended approval at their January 8, 2026, meeting.

Staff

Staff recommends restricting parking on a portion of Willowbrook in order to implement a traffic calming plan.

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TYPICAL BULBOUT DETAIL



NO.	DATE	REVISION	APPROV.


ENGINEERING DIVISION

WILLOWBROOK AVE
STRIPING OPTION II

SCALE: 1"=50' SHEET: 1 OF 1

ORDINANCE NO. 2026-____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW
BRAUNFELS, TEXAS, AMENDING SECTION 126-346 TO RESTRICT
PARKING ON WILLOWBROOK**

WHEREAS, after engineering and field investigation, the City Engineer has recommended that traffic control signs be installed on certain streets, avenues, thoroughfares and boulevards within the corporate limits of the City of New Braunfels in order to protect the health, safety and welfare of the citizens.

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

I.

THAT the City of New Braunfels Code of Ordinances Section 126-346 (f) is hereby amended as follows:

- (144) On the south side of Willowbrook from a point 140 feet west of the intersection with Shepherd Path to a point 145 feet east of the intersection with Colonial Avenue. Such no parking zone shall be designated as a tow-away zone.

II.

THAT all provisions hereof are hereby declared to be severable and if any provisions hereof is 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.

III.

THAT it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

IV.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office. This Ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this the 9th day of February, 2026.

PASSED AND APPROVED: Second reading this the ___th day of ____, 2026.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY

2/9/2026

Agenda Item No. E)

PRESENTER:

Matthew Eckmann, Assistant Director of Public Works

SUBJECT:

Discuss and consider approval of a resolution of the City of New Braunfels, Texas, authorizing the use of eminent domain proceedings for the acquisition of right-of-way that is necessary to advance and achieve the public use of improving Kohlenberg Road to meet the existing and future needs of the City, in the event negotiations are unsuccessful:

- a. Property owned by Lynn K. Wohlfahrt, a 1.034 Acre (45,040 square foot) tract of land and a in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 71705).
- b. Property owned by Lynn K. Wohlfahrt, a 0.581 acre (25,301 square foot) temporary construction easement in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 71705).
- c. Property owned by Lynn K. Wohlfahrt, a 0.576 Acre (25,077 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 428468).

DEPARTMENT: Public Works**COUNCIL DISTRICTS IMPACTED:** District 4**BACKGROUND INFORMATION:**

The Kohlenberg Road Project is one of the projects approved in the 2023 Bond. The project will widen Kohlenberg Road from two lanes to four lanes between IH-35 and FM 1101. The project will provide for 12-foot driving lanes, a 16-foot median, and upgraded pedestrian facilities. It will also provide for intersection improvements and improved drainage infrastructure. The City has negotiated in good faith with all property owners but has been unsuccessful in acquiring the necessary property rights from this parcel in order to advance the project.

ISSUE:

Staff is seeking the approval for the City to exercise its power of eminent domain, if necessary, to acquire the necessary property rights from the following properties:

-
-
- a. Property owned by Lynn K. Wohlfahrt, a 1.034 Acre (45,040 square foot) tract of land and a 0.581 acre (25,301 square foot) temporary construction easement in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 71705).
 - b. Property owned by Lynn K. Wohlfahrt, a 0.576 Acre (25,077 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 428468).

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

All funds associated with property acquisition and eminent domain for the Kohlenberg Road Project are incorporated in the funding for this project as part of the 2023 Bond Program, therefore sufficient funds are available.

RECOMMENDATION:

Staff recommends approval

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF NEW BRAUNFELS, TEXAS, AUTHORIZING THE ACQUISITION IN FEE SIMPLE AND BY TEMPORARY CONSTRUCTION EASEMENT OF TRACTS OF LAND GENERALLY DEPICTED IN EXHIBITS “A”, “B” AND “C”, WHICH IS ATTACHED HERETO AND IS INCORPORATED HEREIN FOR ALL PURPOSES, AS PART OF THE KOHLENBERG ROAD IMPROVEMENTS PROJECT. SUCH ACQUISITIONS ARE NECESSARY TO ADVANCE AND ACHIEVE THE PUBLIC USES OF IMPROVING PEDESTRIAN SAFETY AND ADA ACCESSIBILITY BY PROVIDING SIDEWALKS ON BOTH SIDES OF THE ROAD; PROVIDING CONNECTIVITY TO MULTIPLE RESIDENTIAL AND COMMERCIAL AREAS; AND BUILDING ROAD IMPROVEMENTS TO ALLEVIATE TRAFFIC CONGESTION. THIS RESOLUTION AUTHORIZES THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE THE NECESSARY LAND RIGHTS TO THE EXTENT NEGOTIATIONS ARE UNSUCCESSFUL.

WHEREAS, the City of New Braunfels, Texas (“City”) has determined that a tract of privately owned land described in **Exhibits “A”, “B” and “C”** must be acquired in fee simple interest and a Temporary Construction Easement, for the construction of the Kohlenberg Road Improvements Project (the “Project”); and

WHEREAS, the acquisition of such property is necessary to complete the Project, to advance and achieve the public uses of improving pedestrian safety and ADA accessibility by providing sidewalks on both sides of the road; providing connectivity to multiple residential and commercial areas; and building road improvements to alleviate traffic congestion; and

WHEREAS, the Project is in the best interest of the health, safety, and welfare of the public;

WHEREAS, the City has been unable to acquire said land by negotiation and/or further negotiations may become futile, and therefore, the City may be compelled to exercise its power of eminent domain; and

WHEREAS, relating to the acquisition of such land, it may be necessary for the City or one of its agents or contractors to enter upon the property to investigate and survey the needed land so that they may be defined and described with specificity for inclusion in any deed, easement, or, if necessary, as part of any filings to institute proceedings in eminent domain to acquire the necessary land.

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

SECTION 1.

The above caption and recitals are incorporated herein for all purposes.

SECTION 2.

The City Council declares a public use and necessity for the City of New Braunfels to acquire fee simple interest of the properties described in **Exhibit “A” and Exhibit “C”**. And to acquire a temporary construction easement as described in **Exhibit “B”**, for the improvements needed for the Project.

SECTION 3.

The City Council declares that the acquisition of such property is necessary to complete the Project, which has the public uses of improving pedestrian safety and ADA accessibility by providing sidewalks on both sides of the road; providing connectivity to multiple residential and commercial areas; and building road improvements to alleviate traffic congestion.

The City Council authorizes the utilization of the power of eminent domain to acquire the necessary land located in the City of New Braunfels, to the extent that the City is unable to acquire said land by negotiation and/or further negotiations with the landowner become futile.

SECTION 4.

The City Council authorizes its authorized officers or their designees and retained attorneys, to create, execute, and deliver such further documents, instruments, certificates, opinions, consents, pleadings, and other papers, for and on behalf of the City, and to do and cause to be done such further acts and things as may be necessary, appropriate, or advisable to effect the intent of this Resolution, including, but not limited to (a) filing temporary injunctions or other causes of action necessary to obtain access to the property impacted by the acquisitions; (b) performing lineal surveys for metes and bounds purposes and conducting archaeological, species and environmental walk-throughs, inspections and/or testing (including obtaining water and soil samples, if necessary), as required by applicable state and federal laws (collectively the “Preliminary Surveys”), appraising, designing, planning, obtaining title information, and specifying the preparation, location, and routing or re-rerouting of the Project should such become necessary for any reason; (c) entering into good-faith negotiations with the landowner to make bona fide offer for the property; (d) appraising the property; (e) causing eminent domain proceedings to be filed should the bona-fide offer and good-faith negotiations fail; and (f) obtaining, or causing to be applied for and obtained, surety bonds as may be necessary or desirable regarding any eminent domain proceedings hereinabove authorized or any injunctive proceedings necessary or related to or as a condition precedent to any such eminent domain proceedings. Such documents, instruments, certificates, opinions, consents, pleadings, and other papers, and any amendments, supplements, or modifications thereto shall be in such form and contain such terms

and conditions, whether material or non-material, as such officers, or any of them, shall deem necessary, appropriate, or advisable, and all that such officers, their designees, employees, and retained attorneys have done or may do under or by reason of this and any foregoing resolutions are hereby approved, confirmed, and ratified. The City Council finds that it is in the best interest to obtain the fee simple interest (or an easement where necessary) from whomever holds legal and equitable title as identified according to the procedure adopted through this Resolution and if necessary, the Director of Finance is directed to disburse funds in accordance herewith.

SECTION 5.

The determination of necessity to exercise the power of eminent domain in this matter is made according to reason and judgment with due regard and consideration of the relevant facts, circumstances, and alternatives, and the knowledge, which existed at this time. Therefore, the City, acting by and through its contractual eminent domain attorneys, is hereby directed and authorized to institute and prosecute to conclusion all necessary proceedings in eminent domain to condemn the land described herein and to acquire such interest in land if the City is unable to acquire such through negotiation, and to take any other legal action necessary or incidental to such acquisition or eminent domain proceeding to investigate, survey, specify, define, and secure the necessary property right.

All acts and proceedings done or initiated by the employees, agents, and attorneys of the City for the acquisition of such land are hereby authorized, ratified, approved, confirmed and validated and declared to be valid in all respects as of the respective dates of such acts and proceedings, with and in regard to the grantors from whom such land is being purchased or acquired.

SECTION 6.

Severability: If any provision, section, subsection, sentence, clause, or phrase of this Resolution, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Resolution shall not be affected thereby, it being the intent of the Commissioners Court in adopting this Resolution that no portion hereof, or provisions, or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion hereof and all provisions of this Resolution are declared to be severable for that purpose.

SECTION 7.

This Resolution shall become effective from and after its passage.

PASSED AND APPROVED this the _____ day of _____, 2026.

Neal Linnartz, Mayor

ATTEST:

Gayle Wilkinson
City Secretary



ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

2806 W. Bitters Road, Suite 218 • San Antonio, Texas 78248 • Phone (210) 641-9999

Exhibit "A"

FIELD NOTES FOR PARCEL 1 – LYNN WOHLFAHRT KOHLENBERG ROAD R.O.W. 1.034 Acres (45,040 Square Foot)

Being a 1.034 acre (45,040square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas; said 1.034 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found TxDOT DM Type II monument in the existing intersection of the southwest right-of-way (ROW) line of Kohlenberg Road (variable width ROW) and the south cutback line of the southeast ROW line of Interstate 35;

THENCE with a curve to the right having a radius of 779.00 feet and a central angle of $13^{\circ}35'05''$, the chord bears $S 51^{\circ}45'07'' E - 184.27$ feet, for an arc distance of 184.70 feet to a second found TxDOT DM Type II monument;

THENCE $S 44^{\circ}59'21'' E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 131.12 feet to a set 5/8 iron rod with aluminum cap stamped "TxDOT ROW" for the **POINT OF BEGINNING**;

THENCE $S 44^{\circ}59'21'' E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 420.62 feet to third TxDOT DM Type II monument;

THENCE $S 51^{\circ}27'50'' E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 99.88 feet to a found TxDOT Type I concrete monument;

THENCE $S 44^{\circ}38'41'' E$, continuing with the existing southwest ROW of line Kohlenberg Road, for a distance of 261.70 feet to a set $\frac{1}{2}''$ iron rod with KCI plastic cap at the east corner of this description;

THENCE $S 45^{\circ}19'10'' W$ with the southeast line of the before mentioned remainder, pass at 8.00 feet a found $\frac{1}{2}''$ iron rod at the north corner of Lot 1, Block 1 of the Continental Nautilus Subdivision as shown on the plat recorded in Document No. 202106015426 of the Official Map Records (O.M.R.C.C.) of Comal County, Texas, continue on for a total distance of 71.15 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW", a second found $\frac{1}{2}''$ iron rod found at the west corner of Lot 1, Block 1, bears $S 45^{\circ}19'10'' W - 1307.72$ feet;

Q:\Proj_2023_KCI\45E0619602 - CONB Kohlenberg\M&Bs\M&B-1.034Ac-Parcel 1Rev_TxDOT_ROW.docx

Page 1 of 2

Employee-Owned Since 1988

THENCE N 44°36'02" W through the 92.49 acre tract for a distance of 631.20 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW";

THENCE N 24°07'15" W, continuing through the 92.49 acre tract for a distance of 160.52 feet to the **POINT OF BEGINNING**, and containing 1.034 acres (45,040 square foot) of land, more or less

- Bearings source is between the 1/2" iron rods found on the northwest line of Lot 1, Block 1 described above, and shown as N 45°19'10" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone (4203).

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

Date: *August 29, 2025*

Gary B. Neill

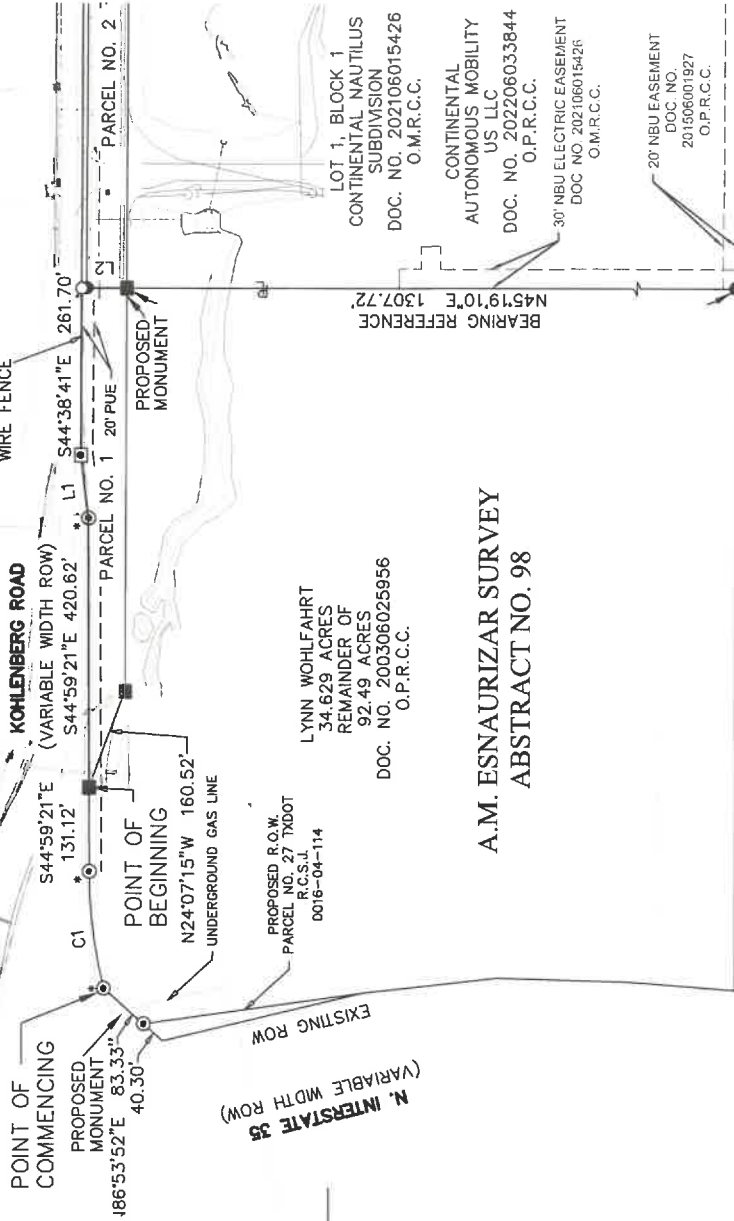
Gary B. Neill
R.P.L.S. #3964
Firm No. 101943-65



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

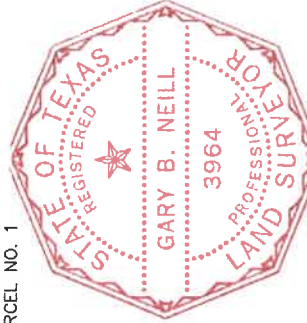
CONB Kohlenberg
Project Number: 45E0619602
00002476_00004.004

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98



A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

PARENT TRACT INSET FOR
PARCEL NO. 1



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

Gary B. Neill 08/19/2025
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

CURVE TABLE			
CURVE	RADIUS	LENGTH	CHORD BEARING
C1	779.00'	184.70'	S51°45'07"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'

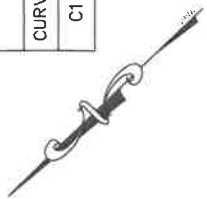
REVISIONS		
REV	DATE	REVISION
REV 1:	01/16/2025	LAST NAME
REV 2:	08/19/2025	PARCEL R.O.W.

NOTES:

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

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	RIGHT
34.629	1,034 45,040		33.595
KCI TECHNOLOGIES, INC. 2306 W. BITTERS ROAD SAN ANTONIO, TEXAS 78248 (210) 641-4449 REGISTRATION #10971 / #10194345			
PARCEL PLAT SHOWING			
PARCEL NO. 1 KOHLENBERG ROAD COMAL COUNTY			
PAGE 1 OF 1 SCALE: 1"=300'			

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BEARING	DISTANCE
C1	779.00'	184.70'	S51°45'07"E	184.27'



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

N. INTERSTATE 35
(VARIABLE
WIDTH ROW)

POINT OF
COMMENCING

KOHLBERG ROAD
(VARIABLE WIDTH ROW)

S44°59'21"E 131.12'

EXISTING ROW

UG

C1

UNDERGROUND GAS LINE

WIRE FENCE

PROPOSED R.O.W.
PARCEL NO. 27 TXD01
R.C.S.J.
0016-04-114

EXISTING ROW

LYNN WOHLFAHRT
34.629 ACRES
REMAINDER OF
92.49 ACRES
DOC. NO. 200306025956
O.P.R.C.C.

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

LEGEND

- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE
- O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
- O.M.R.C.C. - OFFICIAL MAP RECORDS
- COMAL COUNTY
- D.R.C.C. - DEED RECORDS
- COMAL COUNTY
- S.L. - SUBDIVISION LINE
- U.E. - UTILITY EASEMENT
- S.B.L. - SETBACK LINE
- UG. - UNDERGROUND GAS
- PBX - ELECTRIC PULL BOX

REVISIONS		
REV	DATE	LAST NAME
REV 1:	01/16/2025	
REV 2:	08/19/2025	PARCEL R.O.W

NOTES:

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- SURVEY LINES SHOWN ARE APPROXIMATE AND BASED ON THE BEST AVAILABLE INFORMATION.
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I HEREBY CERTIFY THAT THIS SURVEY
WAS PERFORMED ON THE GROUND UNDER
MY SUPERVISION AND THAT THIS PARCEL
PLAT REPRESENTS THE FACTS AS FOUND
AT THE TIME OF THE SURVEY.



Gary B. Neill 08/29/2025
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

LINE TABLE		
LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	RIGHT
34.629	1,034		33,595
	45,040		

KCI TECHNOLOGIES, INC.
2806 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
PHONE: (210) 641-1499
FAX: (210) 641-1446
REGISTRATION #10873 / #10184345

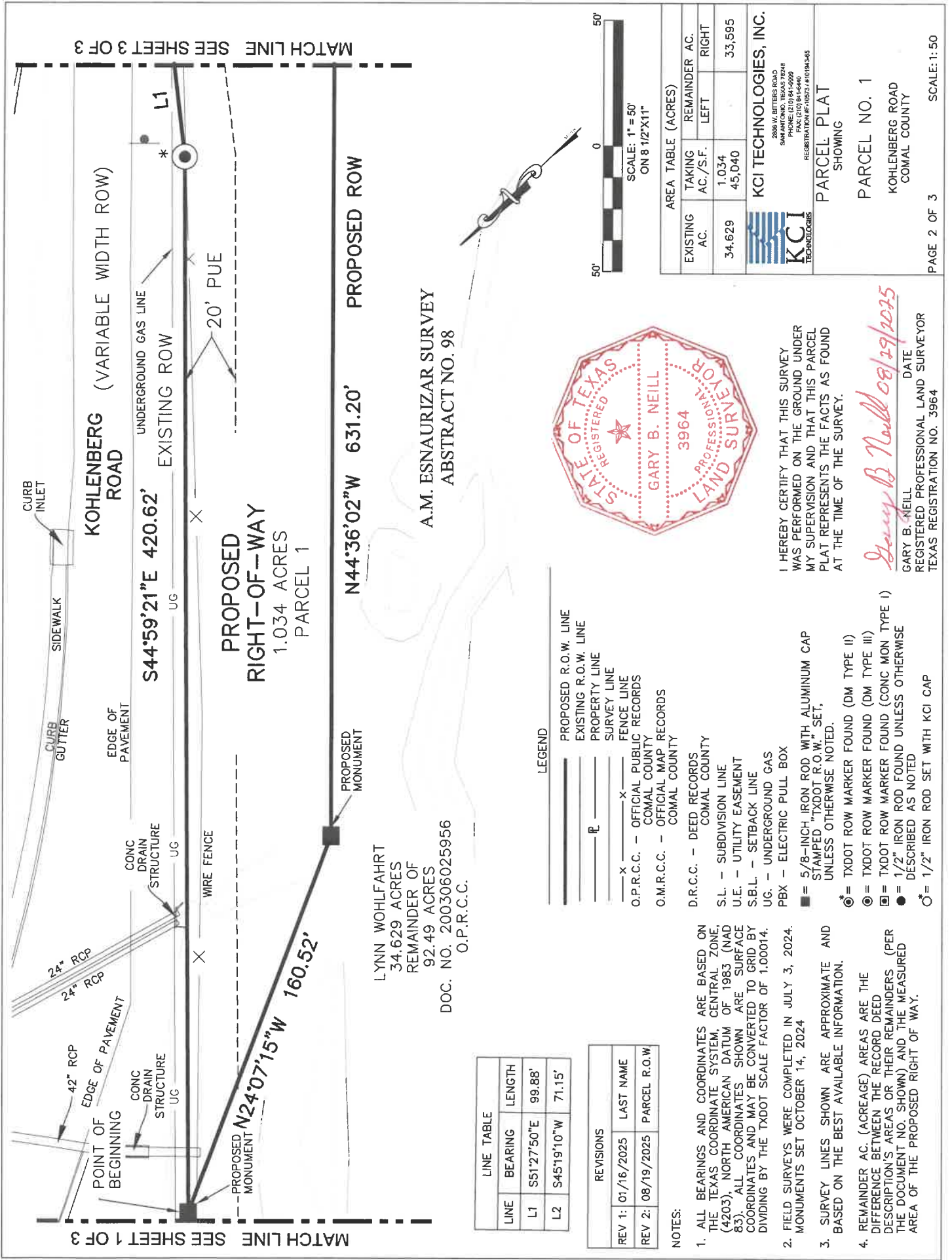
PARCEL PLAT
SHOWING

PARCEL NO. 1
KOHLBERG ROAD
COMAL COUNTY

PAGE 1 OF 3

SCALE: 1:50

MATCH LINE SEE SHEET 2 OF 3



MATCH LINE SEE SHEET 1 OF 3

MATCH LINE SEE SHEET 3 OF 3

KOHLBERG ROAD
(VARIABLE WIDTH ROW)

S44°59'21"E 420.62'
EXISTING ROW

PROPOSED
RIGHT-OF-WAY
1.034 ACRES
PARCEL 1

PROPOSED ROW

N44°36'02"W 631.20'

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

LYNN WOHLFAHRT
34.629 ACRES
REMAINDER OF
92.49 ACRES
DOC. NO. 200306025956
O.P.R.C.C.

LEGEND

- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE
- O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
- O.M.R.C.C. - OFFICIAL MAP RECORDS
- D.R.C.C. - DEED RECORDS
- S.L. - SUBDIVISION LINE
- U.E. - UTILITY EASEMENT
- S.B.L. - SETBACK LINE
- UG. - UNDERGROUND GAS
- PBX - ELECTRIC PULL BOX

LINE TABLE		
LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'

REVISIONS		
REV 1:	01/16/2025	LAST NAME
REV 2:	08/19/2025	PARCEL R.O.W

NOTES:

- ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, (4203), NORTH AMERICAN DATUM OF 1983 (NAD 83). ALL COORDINATES SHOWN ARE SURFACE COORDINATES AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE TXDOT SCALE FACTOR OF 1.00014.
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- REMAINDER AC. (ACREAGE) AREAS ARE THE DIFFERENCE BETWEEN THE RECORD DEED DESCRIPTION'S AREAS OR THEIR REMAINDERS (PER THE DOCUMENT NO. SHOWN) AND THE MEASURED AREA OF THE PROPOSED RIGHT OF WAY.



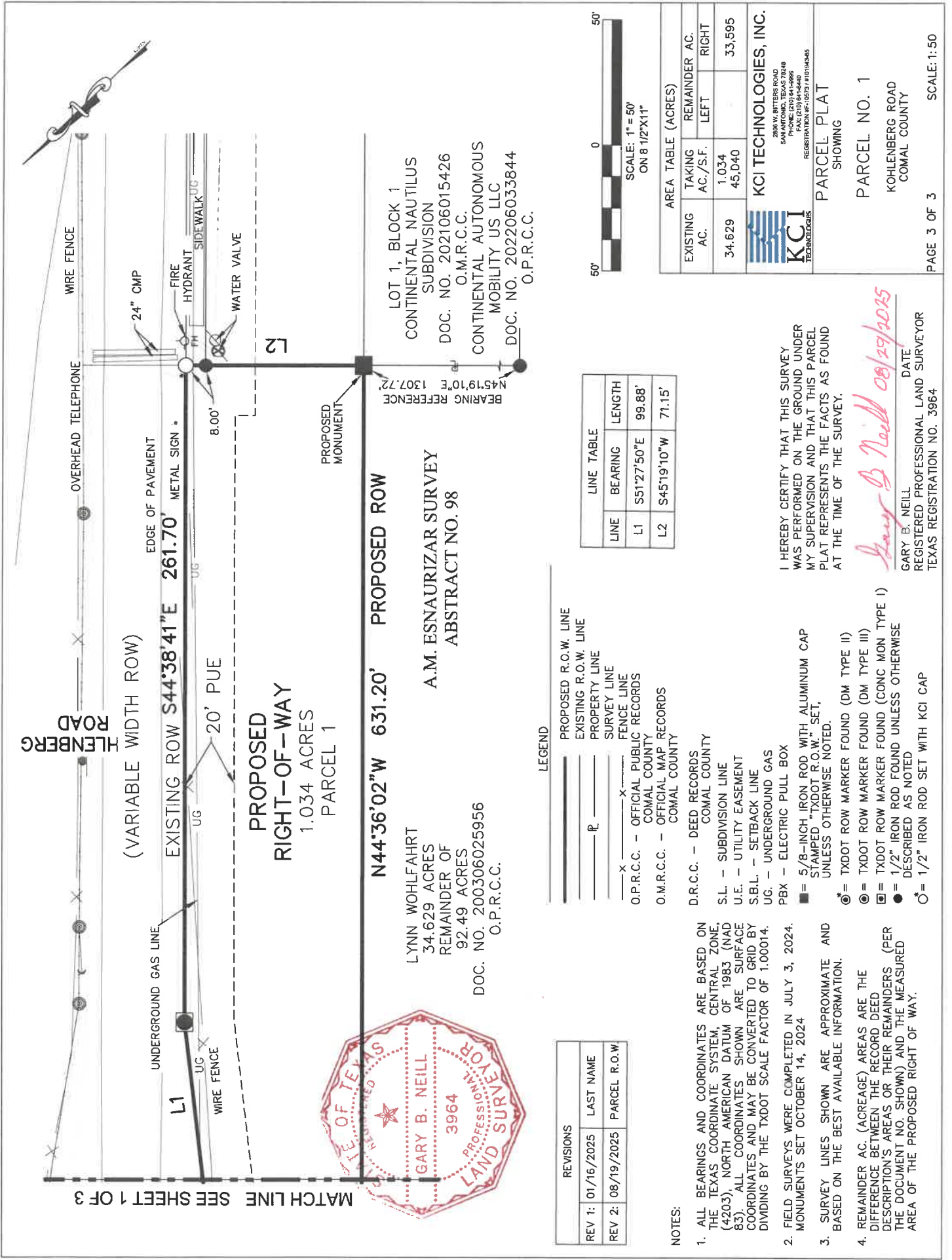
I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B. Neill 08/29/2025
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	RIGHT
34.629	1.034		33.595
	45,040		

KCI TECHNOLOGIES, INC.
2805 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
TEL (210) 84-1446
FAX (210) 84-1446
REGISTRATION #10872 / #1018448

PARCEL PLAT
SHOWING
PARCEL NO. 1
KOHLBERG ROAD
COMAL COUNTY
PAGE 2 OF 3
SCALE: 1:50



MATCH LINE SEE SHEET 1 OF 3

HLENBERG ROAD

(VARIABLE WIDTH ROW)

EXISTING ROW S44°38'41"E 261.70' METAL SIGN

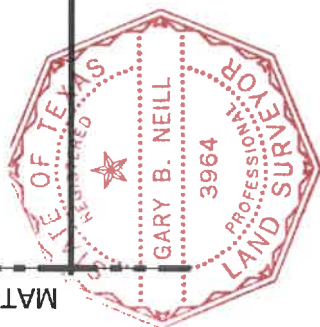
20' PUE

PROPOSED
RIGHT-OF-WAY
1.034 ACRES
PARCEL 1

N44°36'02"W 631.20' PROPOSED ROW

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

LOT 1, BLOCK 1
CONTINENTAL NAUTILUS
SUBDIVISION
DOC. NO. 202106015426
O.M.R.C.C.
CONTINENTAL AUTONOMOUS
MOBILITY US LLC
DOC. NO. 202206033844
O.P.R.C.C.



LYNN WOHLFAHRT
34.629 ACRES
REMAINDER OF
92.49 ACRES
DOC. NO. 200306025956
O.P.R.C.C.

LEGEND

- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE
- O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
- O.M.R.C.C. - OFFICIAL MAP RECORDS
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- S.L. - SUBDIVISION LINE
- U.E. - UTILITY EASEMENT
- S.B.L. - SETBACK LINE
- UG - UNDERGROUND GAS
- PBX - ELECTRIC PULL BOX

LINE TABLE		
LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'

NOTES:

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- REMAINDER AC. (ACREAGE) AREAS ARE THE DIFFERENCE BETWEEN THE RECORD DEED DESCRIPTION'S AREAS OR THEIR REMAINDERS (PER THE DOCUMENT NO. SHOWN) AND THE MEASURED AREA OF THE PROPOSED RIGHT OF WAY.

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

Gary B. Neill 08/29/2025
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	RIGHT
34.629	1.034		33.595
	45,040		
KCI TECHNOLOGIES, INC.			
2808 W. BITTERS ROAD SAN ANTONIO, TEXAS 78248 FAC (210) 841-4440 REGISTRATION #10973 / 10104465			
PARCEL PLAT SHOWING			
PARCEL NO. 1 KOHLENBERG ROAD COMAL COUNTY			
PAGE 3 OF 3			SCALE: 1"=50'



ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

2806 W. Bitters Road, Suite 218 • San Antonio, Texas 78248 • Phone (210) 641-9999

Exhibit "B"

FIELD NOTES FOR TEMPORARY CONSTRUCTION EASEMENT PARCEL 1 – LYNN WOHLFAHRT KOHLENBERG ROAD R.O.W. 0.581 Acres (25,301 Square Foot)

Being a 0.581 acre (25,301 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas; said 0.581 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found TxDOT DM Type II monument in the existing intersection of the southwest right-of-way (ROW) line of Kohlenberg Road (variable width ROW) and the south cutback line of the southeast ROW line of Interstate 35;

THENCE with a curve to the right having a radius of 779.00 feet and a central angle of $13^{\circ}35'05''$, the chord bears $S\ 51^{\circ}45'07''\ E$ – 184.27 feet, for an arc distance of 184.70 feet to a second found TxDOT DM Type II monument;

THENCE $S\ 44^{\circ}59'21''\ E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 131.12 feet to a set $5/8''$ iron rod with aluminum cap stamped "TxDOT ROW";

THENCE $S\ 44^{\circ}59'21''\ E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 420.62 feet to a third TxDOT DM Type II monument;

THENCE $S\ 51^{\circ}27'50''\ E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 99.88 feet to a found TxDOT Type I concrete monument;

THENCE $S\ 44^{\circ}38'41''\ E$, continuing with the existing southwest ROW of line Kohlenberg Road, for a distance of 261.70 feet to a set $1/2''$ iron rod with KCI plastic cap at the east corner of a 1.034 acre proposed right-of way take out of the above described 92.49 acre tract;

THENCE S 45°19'10" W with the southeast line of the before mentioned remainder, pass at 8.00 feet a found ½" iron rod at the north corner of Lot 1, Block 1 of the Continental Nautilus Subdivision as shown on the plat recorded in Document No. 202106015426 of the Official Map Records (O.M.R.C.C.) of Comal County, Texas, continue on for a total distance of 71.15 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW", for the **POINT OF BEGINNING** of this description; from which, a second found ½" iron rod found at the west corner of Lot 1, Block 1, bears S 45°19'10" W – 1307.72 feet;

THENCE S 45°19'10" W continuing with the southeast line of the above-mentioned remainder, for a distance of 39.58 feet to a point;

THENCE N 44°36'02" W through the 92.49 acre for a distance of 631.19 feet to point;

THENCE N 45°18'29" E for a distance of 40.59 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW";

THENCE S 44°36'02" E for a distance of 631.20 feet to the **POINT OF BEGINNING**, and containing 0.581 acres (25,301 square foot) of land, more or less.

- Bearings source is between the ½" iron rods found on the northwest line of Lot 1, Block 1 described above, and shown as N 45°19'10" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone (4203).

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

Date: *August 29, 2025*

Gary B Neill

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

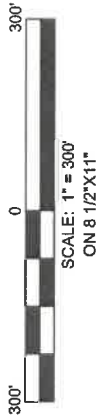


Warning: Only those copies with the Signature and Seal in red should be relied upon.

CONB Kohlenberg
Project Number: 45E0619602
00002476_00004.004

Q:\Proj_2023_KCI\45E0619602 - CONB Kohlenberg\M&Bs\M&B-0.581Ac-TCE Parcel 1_TxDOT_ROW.docx
Page 2 of 2

A.M. ESNAURIZAR SURVEY ABSTRACT NO. 98

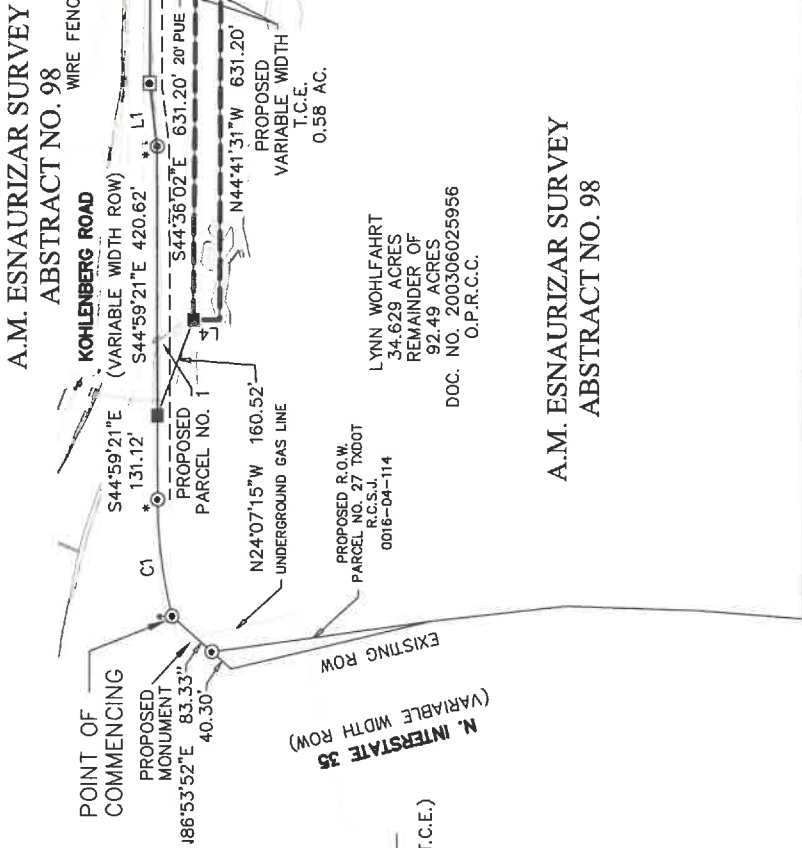


LEGEND

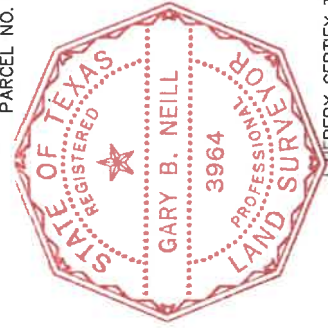
- X— PROPOSED TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE
- O.P.R.C.C. — OFFICIAL PUBLIC RECORDS
- O.M.R.C.C. — OFFICIAL MAP RECORDS
- D.R.C.C. — DEED RECORDS
- S.L. — SUBDIVISION LINE
- U.E. — UTILITY EASEMENT
- S.B.L. — SETBACK LINE
- A.E. — AERIAL EASEMENT
- D.E. — DRAINAGE EASEMENT
- I.R. — IRON ROD
- I.P. — IRON PIPE
- = 5/8-INCH IRON ROD WITH ALUMINUM CAP STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
- ⊙ = TXDOT ROW MARKER FOUND (DM TYPE II)
- ⊙ = TXDOT ROW MARKER FOUND (DM TYPE III)
- ⊙ = TXDOT ROW MARKER FOUND (CONC MON TYPE I)
- = 1/2" IRON ROD FOUND UNLESS OTHERWISE DESCRIBED AS NOTED
- ⊙ = 1/2" IRON ROD SET WITH KCI CAP

NOTES:

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- SURVEY LINES SHOWN ARE APPROXIMATE AND BASED ON THE BEST AVAILABLE INFORMATION.
- REMAINDER AC. (ACREAGE) AREAS ARE THE DIFFERENCE BETWEEN THE RECORD DEED DESCRIPTION'S AREAS OR THEIR REMAINDERS (PER THE DOCUMENT NO. SHOWN) AND THE MEASURED AREA OF THE PROPOSED RIGHT OF WAY.



PARENT TRACT INSET FOR
PARCEL NO. 1



LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'
L3	S45°19'10"W	39.58'
L4	N45°18'29"E	40.59'

CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	DISTANCE
C1	779.00'	184.70'	13°35'05"	S51°45'07"E	184.27'

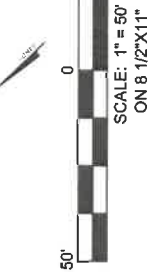
KCI TECHNOLOGIES, INC.
2608 W. BETERS ROAD
SUITE 100
PHOENIX, AZ 85029
PHONE: (602) 841-6699
FAX: (602) 841-6646
REGISTRATION #11097 / R010445

PARCEL PLAT
SHOWING
0.581 AC. (23,301 SQ. FT.)
TEMPORARY
CONSTRUCTION
EASEMENT PARCEL NO. 1
KOHLENBERG ROAD
COMAL COUNTY
SCALE: 1:300

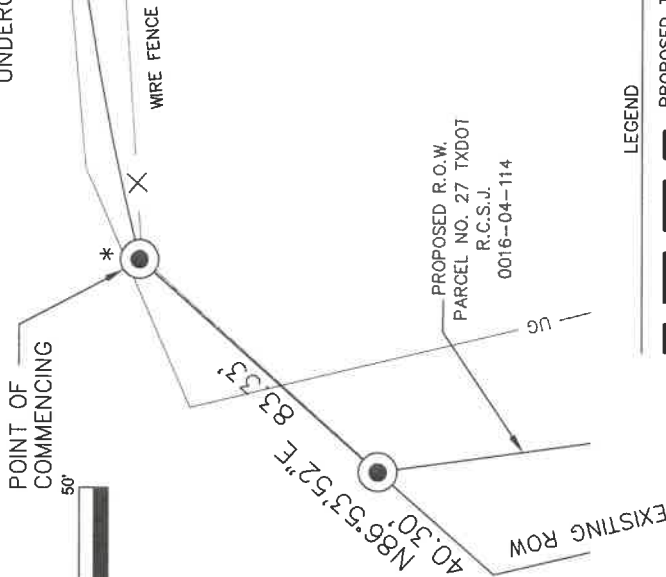
I HEREBY CERTIFY THAT THIS SURVEY
WAS PERFORMED ON THE GROUND UNDER
MY SUPERVISION AND THAT THIS PARCEL
PLAT REPRESENTS THE FACTS AS FOUND
AT THE TIME OF THE SURVEY.

Gary B. Neill 08/19/2025
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

CURVE TABLE			
CURVE	RADIUS	LENGTH	CHORD BEARING
C1	779.00'	184.70'	S51°45'07"E
			184.27'



N. INTERSTATE 35
(VARIABLE
WIDTH ROW)



KOHLBERG ROAD

(VARIABLE WIDTH ROW)

S44°59'21"E 131.12'

EXISTING ROW

UG

20' PUE

LYNN WOHLFAHRT
34.629 ACRES
REMAINDER OF
92.49 ACRES
DOC. NO. 200306025956
O.P.R.C.C.

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

LEGEND

- PROPOSED TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE
- O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
- O.M.R.C.C. - OFFICIAL MAP RECORDS
- COMAL COUNTY
- COMAL COUNTY
- D.R.C.C. - DEED RECORDS
- COMAL COUNTY
- S.L. - SUBDIVISION LINE
- U.E. - UTILITY EASEMENT
- S.B.L. - SETBACK LINE
- UG. - UNDERGROUND GAS
- PBX - ELECTRIC PULL BOX

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

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

LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'
L3	S45°19'10"W	39.58'
L4	N45°18'29"E	40.59'



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

Gary B. Neill
DATE 08/19/2025
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

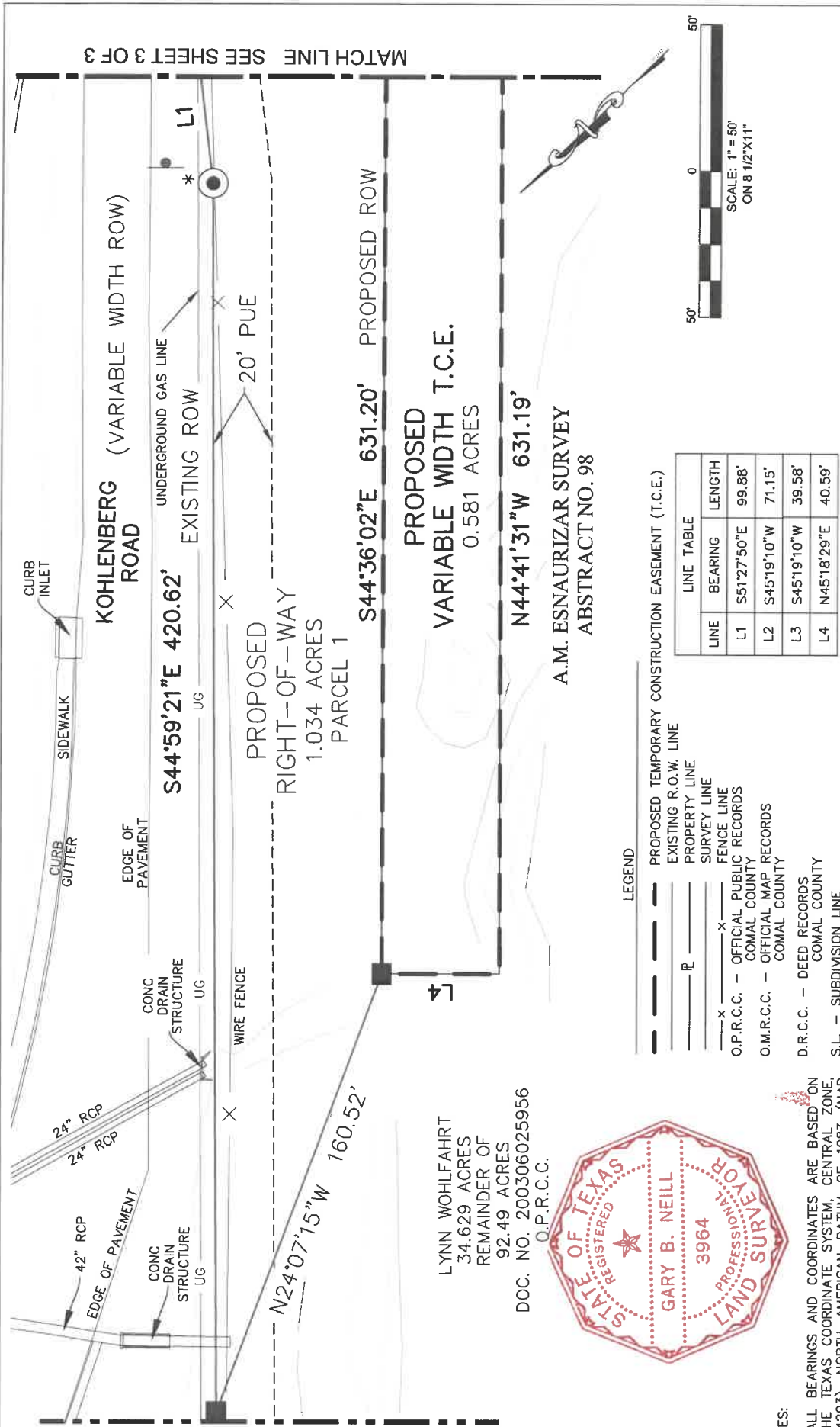
KCI TECHNOLOGIES, INC.
209 W. BITTERS ROAD
SALINAS, CA 94560
PHONE (210) 84-4990
FAX (210) 84-4940
REGISTRATION #1-0573 / 10104345

KCI TECHNOLOGIES
PARCEL PLAT
0.581 AC. (25,301 SQ. FT.)
TEMPORARY
CONSTRUCTION
EASEMENT PARCEL NO. 1
KOHLBERG ROAD
COMAL COUNTY
SCALE: 1:50
PAGE 1 OF 3

MATCH LINE SEE SHEET 2 OF 3

SEE SHEET 1 OF 3

SEE SHEET 3 OF 3



KCI TECHNOLOGIES, INC.
2009 W. BITTERS ROAD
SUITE 100, DALLAS, TEXAS 75246
PHONE: (214) 844-9999
FAX: (214) 844-4400
REGISTRATION #1-10572 / #10184345

PARCEL PLAT
SHOWING
0.581 AC. (25,301 SQ. FT.)
TEMPORARY
CONSTRUCTION
EASEMENT PARCEL NO. 1
KOHLENBERG ROAD
COMAL COUNTY

PAGE 2 OF 3
SCALE: 1:50

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Gary B. Neill 03-19-2025
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

LEGEND

PROPOSED TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)	
---	EXISTING R.O.W. LINE
---	PROPERTY LINE
---	SURVEY LINE
---	FENCE LINE
---	O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
---	O.M.R.C.C. - OFFICIAL MAP RECORDS
---	D.R.C.C. - DEED RECORDS
---	S.L. - SUBDIVISION LINE
---	U.E. - UTILITY EASEMENT
---	S.B.L. - SETBACK LINE
---	UG. - UNDERGROUND GAS
---	PBX - ELECTRIC PULL BOX
---	5/8-INCH IRON ROD WITH ALUMINUM CAP
---	STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
---	TXDOT ROW MARKER FOUND (DM TYPE II)
---	TXDOT ROW MARKER FOUND (DM TYPE III)
---	TXDOT ROW MARKER FOUND (CONC MON TYPE I)
---	1/2" IRON ROD FOUND UNLESS OTHERWISE DESCRIBED AS NOTED
---	1/2" IRON ROD SET WITH KCI CAP

NOTES:

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LYNN WOHLFAHRT
34.629 ACRES
REMAINDER OF
92.49 ACRES
DOC. NO. 200306025956
O.P.R.C.C.

MATCH LINE SEE SHEET 1 OF 3

KOHLBERG ROAD

(VARIABLE WIDTH ROW)

EXISTING ROW S44°38'41"E 261.70' METAL SIGN

20' PUE

PROPOSED
RIGHT-OF-WAY
1.034 ACRES
PARCEL 1

S44°36'02"E 631.20' PROPOSED ROW

PROPOSED
VARIABLE WIDTH T.C.E.
0.581 ACRES

LYNN WOHLFAHRT
34.629 ACRES REMAINDER OF
92.49 ACRES DOC. NO. 200306025956 O.P.R.C.C.
A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

N44°41'31"W 631.19'

LOT 1, BLOCK 1
CONTINENTAL NAUTILUS
SUBDIVISION
DOC. NO. 202106015426
O.M.R.C.C.
CONTINENTAL AUTONOMOUS
MOBILITY US LLC
DOC. NO. 202206033844
O.P.R.C.C.

LEGEND

PROPOSED TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)

LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'
L3	S45°19'10"W	39.58'
L4	N45°18'29"E	40.59'

EXISTING R.O.W. LINE
PROPERTY LINE
SURVEY LINE
FENCE LINE
O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
COMAL COUNTY
O.M.R.C.C. - OFFICIAL MAP RECORDS
COMAL COUNTY

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D.R.C.C. - DEED RECORDS
COMAL COUNTY

S.L. - SUBDIVISION LINE
U.E. - UTILITY EASEMENT
S.B.L. - SETBACK LINE
UG. - UNDERGROUND GAS

PBX - ELECTRIC PULL BOX

■ = 5/8-INCH IRON ROD WITH ALUMINUM CAP
STAMPED "TXDOT R.O.W. SET",
UNLESS OTHERWISE NOTED.

⊙ = TXDOT ROW MARKER FOUND (DM TYPE II)

⊙ = TXDOT ROW MARKER FOUND (DM TYPE III)

● = 1/2" IRON ROD FOUND UNLESS OTHERWISE DESCRIBED AS NOTED

⊙ = 1/2" IRON ROD SET WITH KCI CAP

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

Gary B. Neill 08-29-2025

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

DATE



KCI TECHNOLOGIES, INC.

2809 W. BETERS ROAD
SUITE 100
PHOENIX, AZ 85029
PHONE: (602) 841-9999
FAX: (602) 841-9998
REGISTRATION #10977 / #1019445

PARCEL PLAT

SHOWING
0.581 AC. (25,301 SQ. FT.)

TEMPORARY
CONSTRUCTION

EASEMENT PARCEL NO. 1
KOHLBERG ROAD
COMAL COUNTY

PAGE 3 OF 3

SCALE: 1:50



ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

2806 W. Bitters Road, Suite 218 • San Antonio, Texas 78248 • Phone (210) 641-9999

Exhibit "C"
FIELD NOTES
FOR
PARCEL 3 – LYNN WOHLFAHRT
KOHLBERG ROAD R.O.W.
0.576 Acres (25,077 Square Foot)

Being a 0.576 acre (25,077 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas; said 0.576 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at ½" iron rod with Sherwood cap found in the existing southwest right-of-way (ROW) line of Kohlenberg Road (variable width ROW); a second found ½" iron rod with Sherwood cap at the north corner of Lot 1, Block 1 of the Continental Nautilus Subdivision as shown on the plat recorded in Document No. 202106015426 of the Official Map Records (O.M.R.) of Comal County, Texas bears S 42°42'02" W – 8.00 feet;

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

THENCE S 45°02'10" W with the southeast line of the remainder tract for a distance of 72.55 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" for the south corner of this description;

THENCE N 44°36'02" W through the remainder tract for a distance of 344.83 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" on the southeast line of Lot 1, Block 1; a found 1/2" iron rod at the south corner of said lot bears S 42°42'02" W – 1306.42 feet;

THENCE N 42°42'02" E, with said southeast line for a distance of 73.26 feet to the **POINT OF BEGINNING**, and containing 0.576 acres (25,077 square foot) of land, more or less

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

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

Date: *October 23, 2024*

Gary B Neill

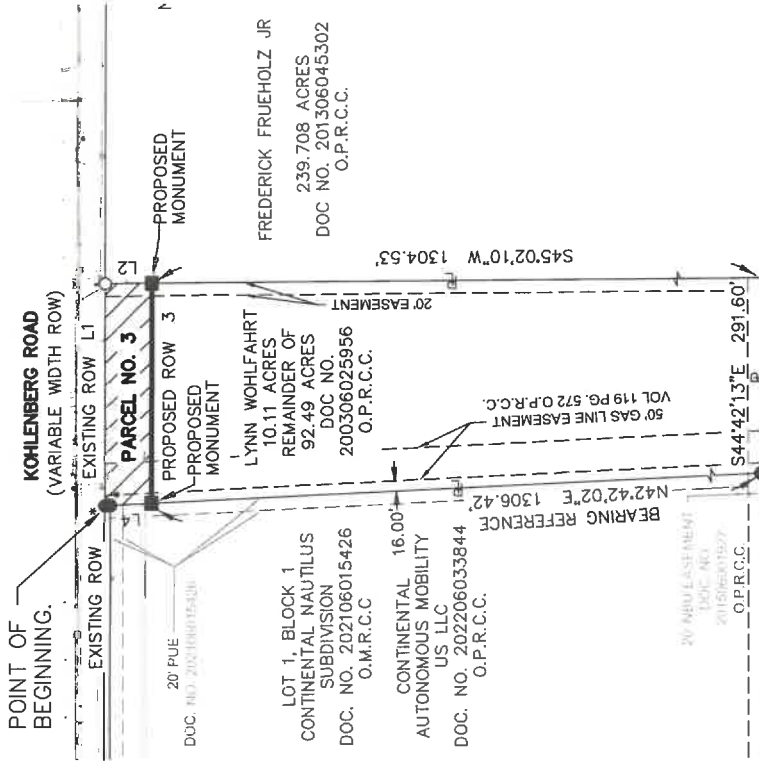
Gary B. Neill
R.P.L.S. #3964
Firm No. 101943-65



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

CONB Kohlenberg
Project Number: 45E0619602
00002476_00004.004

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98



LINE TABLE		
LINE	BEARING	LENGTH
L1	S44°38'41"E	347.78'
L2	S45°02'10"W	72.55'
L3	N44°36'02"W	344.83'
L4	N42°42'02"E	72.36'

PARENT TRACT INSET FOR
PARCEL NO. 3

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	
10.11	0.576	LEFT	RIGHT
	25,077		9.534

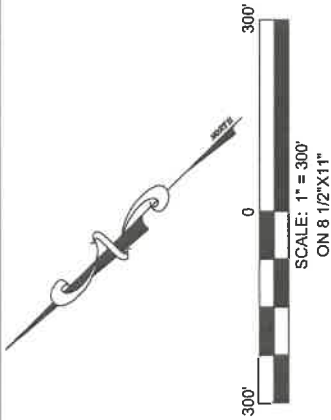
KCI TECHNOLOGIES, INC.
2026 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
PHONE: (210) 84-4999
FAX: (210) 84-4998
REGISTRATION #10673 / 10194345

KCI TECHNOLOGIES		PARCEL NO. 3
KCI TECHNOLOGIES		KOHLENBERG ROAD
KCI TECHNOLOGIES		COMAL COUNTY
KCI TECHNOLOGIES		SCALE: 1:300



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

Gary B. Neill 10/23/2024
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964



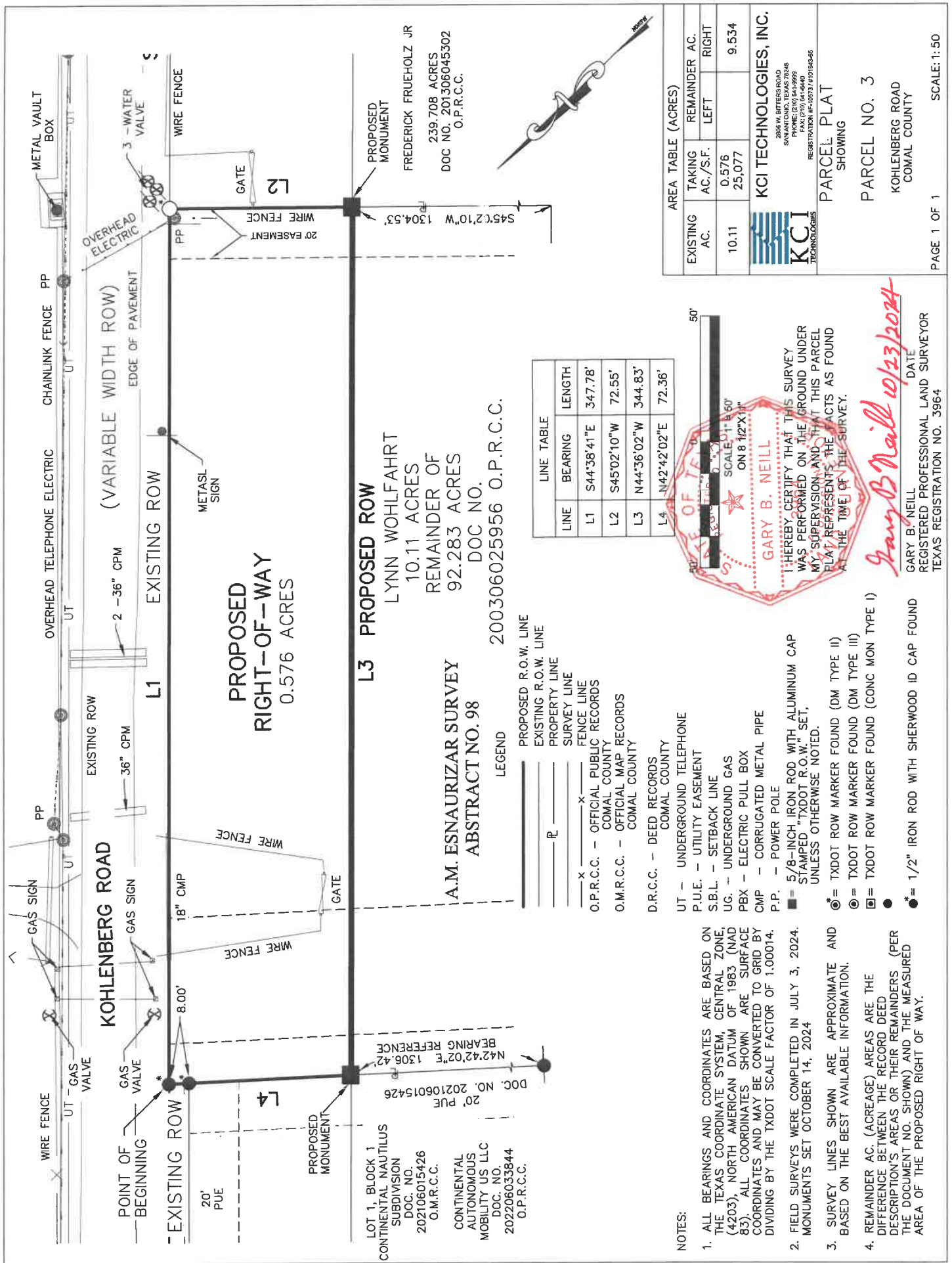
LEGEND

- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE
- O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
COMAL COUNTY
- O.M.R.C.C. - OFFICIAL MAP RECORDS
COMAL COUNTY
- D.R.C.C. - DEED RECORDS
COMAL COUNTY
- S.L. - SUBDIVISION LINE
- U.E. - UTILITY EASEMENT
- S.B.L. - SETBACK LINE
- A.E. - AERIAL EASEMENT
- D.E. - DRAINAGE EASEMENT
- I.R. - IRON ROD
- I.P. - IRON PIPE

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

NOTES:

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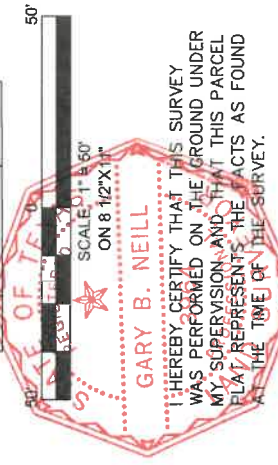
AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	RIGHT
10.11	0.576	9.534	
	25,077		

KCI TECHNOLOGIES, INC.
2806 W. BIFTERS ROAD
SAN ANTONIO, TEXAS 78248
PHONE: (210) 841-9999
FAX: (210) 841-9999
REGISTRATION NO. 0073710194266

PARCEL PLAT SHOWING	
PARCEL NO. 3	
KOHLEBERG ROAD	
COMAL COUNTY	

PAGE 1 OF 1
SCALE: 1:50

LINE TABLE		
LINE	BEARING	LENGTH
L1	S44°38'41"E	347.78'
L2	S45°02'10"W	72.55'
L3	N44°36'02"W	344.83'
L4	N42°42'02"E	72.36'



Gary B. Neill 10/23/2024

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

L3 PROPOSED ROW
LYNN WOHLFAHRT
10.11 ACRES
REMAINDER OF
92.283 ACRES
DOC NO. 200306025956 O.P.R.C.C.

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98
LEGEND

- PROPOSED R.O.W. LINE
EXISTING R.O.W. LINE
PROPERTY LINE
SURVEY LINE
FENCE LINE
O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
COMAL COUNTY
O.M.R.C.C. - OFFICIAL MAP RECORDS
COMAL COUNTY
D.R.C.C. - DEED RECORDS
COMAL COUNTY
UT - UNDERGROUND TELEPHONE
P.U.E. - UTILITY EASEMENT
S.B.L. - SETBACK LINE
UG. - UNDERGROUND GAS
PBX - ELECTRIC PULL BOX
CMP - CORRUGATED METAL PIPE
P.P. - POWER POLE

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⊙ = TXDOT ROW MARKER FOUND (DM TYPE III)
⊙ = TXDOT ROW MARKER FOUND (CONC MON TYPE I)
- = 1/2" IRON ROD WITH SHERWOOD ID CAP FOUND

LOT 1, BLOCK 1
CONTINENTAL NAUTILUS
SUBDIVISION
DOC. NO.
202106015426
O.M.R.C.C.

CONTINENTAL
AUTONOMOUS
MOBILITY US LLC
DOC. NO.
202206033844
O.P.R.C.C.

2/9/2026

Agenda Item No. F)

PRESENTER:

Gayle Wilkinson, City Secretary

SUBJECT:

Discuss and consider the approval of a second and final reading of an ordinance appointing the initial Board of Directors to the City of New Braunfels Tax Increment Reinvestment Zone Number Five - West End, naming the place designations of the appointed Directors, establishing term dates, and declaring an effective date.

DEPARTMENT: City Secretary**COUNCIL DISTRICTS IMPACTED:** 1**BACKGROUND INFORMATION:****City Council voted 6/1 to approve the first reading of this ordinance on January 26, 2026.**

On October 27, 2025, City Council passed Ordinance 2025-67 establishing the New Braunfels Tax Increment Reinvestment Zone #5 - West End to provide a dedicated funding source and revitalization strategy for the zone. Included within the Ordinance, a preliminary Project and Finance Plan was approved. A Board of Directors will provide recommendations to City Council concerning the administration, management, and operation of TIRZ 5.

The application process for TIRZ 5 Board of Director applicants was opened on November 24, 2025, and facilitated through the City Secretary's Office. Applications were accepted until January 5, 2026 and a sufficient number of candidates have been received to fulfill the Board of Director positions. An Ad Hoc Committee of City Council members met on January 13, 2026 to review applicants and selected the following to be appointed:

Place 1 - Zone County/Adjacent County Resident or Property Owner:
Roberto Morales, term expiring 11/30/2027

Place 2 - Zone County/Adjacent County Resident or Property Owner:
Jolene Lane-Huereca, term expiring 11/30/2027

Place 3 - Zone County/Adjacent County Resident or Property Owner:
Andres Campos, term expiring 11/30/2027

Place 4 - Zone County/Adjacent County Resident or Property Owner:
David Ozuna, term expiring 11/30/2027

Place 5 - Zone County/Adjacent County Resident or Property Owner - OR - Comal County Representative:
Belarmino Castellanos, term expiring 11/30/2027

Place 6 - Zone County/Adjacent County Resident or Property Owner - OR - Comal County Representative:
Michelle Luhrs, term expiring 11/30/2027

Place 7 - Zone County/Adjacent County Resident or Property Owner:
Sylvia Sanchez, term expiring 11/30/2027

Note: Positions five and six may be held for Comal County if they intend to participate in the TIRZ 5 as taxing jurisdiction. Failure of Comal County to participate shall be deemed as a waiver to appoint Directors, and the City Council will appoint these positions. As of creation of this agenda item, Comal County has not indicated their participation status.

Once formed, the TIRZ 5 Board of Directors will meet, review the preliminary Project and Finance Plan, and make recommendations to City Council for the approval of the Final TIRZ 5 Project and Finance Plan - to be scheduled at a City Council meeting in early Spring 2026. Additionally, at this same upcoming meeting, City Council will appoint a Board Chair for the remainder of 2026 - a term that shall expire on December 31, 2026.

STRATEGIC PLAN REFERENCE:

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

FISCAL IMPACT:

There is no fiscal impact to appoint Board of Directors to the TIRZ 5.

RECOMMENDATION:

Staff recommends City Council appoint the initial Board of Directors for the City of New Braunfels Tax Increment Reinvestment Zone Number 5 and establish place designations, term dates, and declaring an effective date.

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, APPOINTING INITIAL BOARD OF DIRECTORS TO THE NEW BRAUNFELS TAX INCREMENT REINVESTMENT ZONE NUMBER FIVE – WEST END, NAMING THE PLACE DESIGNATIONS OF THE APPOINTED DIRECTORS, ESTABLISHING TERM DATES, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the New Braunfels City Council met on October 27, 2025 and approved an ordinance establishing the New Braunfels Tax Increment Reinvestment Zone #5 – West End to provide a dedicated funding source and revitalization strategy for the zone; and

WHEREAS, the application process for Board of Director applicants was opened on November 24, 2025 and facilitated through the City Secretary's Office; and

WHEREAS, applications were held open until January 5, 2026 and a sufficient number of candidates have been received to fulfill the Board of Director positions; and

WHEREAS, the Texas Tax Code sets forth certain minimum qualifications for Tax Increment Reinvestment Zone Boards and all Directors appointed meet these requirements; and

WHEREAS, the Texas Tax Code directs the City Council to appoint Directors to Tax Increment Reinvestment Zones; and

WHEREAS, an Ad Hoc Committee of City Council met on January 13, 2026 to review applicants to serve on the Board.

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

SECTION 1: The following Directors are appointed to the initial roster of the New Braunfels Tax Increment Reinvestment Zone Five – West End in the following places with corresponding initial term expirations:

Place One Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Roberto Morales, Term Expires: 11/30/2027

Place Two Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Jolene Lane-Huereca, Term Expires: 11/30/2027

Place Three Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: Andres Campos, Term Expires: 11/30/2027

Place Four Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)
Name: David Ozuna, Term Expires: 11/30/2027

Place Five Appointee (Comal County Representative or Zone County: Resident/Property Owner/Adjacent County Resident)

Name: Belarmino Castellanos, Term Expires: 11/30/2027

Place Six Appointee (Comal County Lateral Road Representative Zone County: Resident/Property Owner/Adjacent County Resident)

Name: Michelle Luhrs, Term Expires: 11/30/2027

Place Seven Appointee (Zone County: Resident/Property Owner/Adjacent County Resident)

Name: Sylvia Sanchez, Term Expires: 11/30/2027

PASSED AND APPROVED: First Reading on January 26, 2026

PASSED, ADOPTED, AND APPROVED: Second and Final Reading on February 9, 2026

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA ACEVEDO, City Attorney

2/9/2026

Agenda Item No. A)

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

- a. Discuss Legal Options Relating to the Status of Real Estate Negotiations to Secure Necessary Right-of-Way for the Kohlenberg Road Improvements Project:
 - i. a 1.034 Acre (45,040 square foot) tract of land and a 0.581 acre (25,301 square foot) temporary construction easement in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 71705).
 - ii. a 0.576 Acre (25,077 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 428468).

2/9/2026

Agenda Item No. B)

SUBJECT:

Deliberate and consider the purchase, exchange, lease, contract terms, due diligence, or value of real property in accordance with Section 551.072 of the Texas Government Code:

- Connections Lease