



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



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

MONDAY, APRIL 26, 2021 at 6:00 PM

Rusty Brockman, Mayor

Shane Hines, Councilmember (District 1)

Justin Meadows, Mayor Pro Tem (District 2)

Harry Bowers, Councilmember (District 3)

Matthew E. Hoyt, Councilmember (District 4)

Jason E. Hurta, Councilmember (District 5)

James Blakey, Councilmember (District 6)

Robert Camareno, City Manager

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89332004990> or call

(833) 926-2300 Webinar ID: 893 3200 4990

MISSION STATEMENT

***The City of New Braunfels will add value to our community
by planning for the future, providing quality services, encouraging
community involvement and being responsive to those we serve.***

AMENDED AGENDA

CALL TO ORDER

CALL OF ROLL: CITY SECRETARY

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

INVOCATION: MAYOR PRO TEM MEADOWS

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

PROCLAMATIONS:

- A) Sexual Assault Awareness Month Proclamation [21-303](#)
- B) National Bike Month [21-396](#)
- C) Child Abuse Prevention and Awareness Month [21-418](#)

PRESENTATIONS:

- A) Presentation of an Arts and Humanities Award from the [21-332](#)
Texas Recreation and Park Society recognizing "Recipes
for the Soul" Cookbook.
Stacey Dicke, Parks and Recreation Director
- B) Presentation of a Planning Excellence Award from the [21-333](#)

Texas Recreation and Park Society honoring the Dry
Comal Creek Greenway Master Plan.

Stacey Dicke, Parks and Recreation Director

1. **MINUTES**

- A) Discuss and consider approval of the minutes of the April [21-422](#)
12, 2021 City Council Meeting.

Caitlin Krobot, City Secretary

2. **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.

3. **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.

Resolutions & Action Items

- A) Approval of the appointment of Mason Standley to the [21-392](#)
Landa Park Golf Course Advisory Board for a term
ending December 31, 2022.

Caitlin Krobot, City Secretary

- B) Approval of a resolution consenting to the issuance of [21-313](#)
unlimited tax bonds by Comal County Water
Improvement District Number 1a (Veramendi), a water
improvement district located with the extraterritorial
jurisdiction of the City.

Jeff Jewell, Director of Economic and Community Development

- C) Approval to authorize the City Manager to execute an [21-378](#)
Interlocal Cooperative Purchasing Agreement with the
City of Frisco in accordance with the Interlocal
Cooperation Act, Chapter 791 of the Texas Government
Code for goods and services.

Barbara Coleman, Purchasing Manager

- D) Approval of a purchase with August Industries Inc. for [21-381](#)
three Bauer Unicus Breathing Air Compressor Systems
(BACS) for Fire Stations 2, 3, and 7.

Patrick O'Connell, Fire Chief

- E) Approval of a Change Order with Acme Bridge Co. for [21-382](#) the relocation of an NBU waterline in conjunction with the reconstruction and realignment of Elizabeth Avenue from Landa Park Drive to approximately Hinman Island Drive.
Jennifer Cain, Capital Programs Manager
- F) Approval to issue professional services agreement with K [21-385](#) Friese & Associates for 3rd party review for engineering development permit reviews as needed by the Engineering Division of the Public Works Department.
Garry Ford, Assistant Director, Public Works Department
- G) Approval of a Budget Amendment in the FY 2020 [21-424](#) General Fund
Jared Werner, Chief Financial Officer
- H) Approval of the issuance of Competitive Sealed [21-388](#) Proposals (CSP) for a stormwater treatment basin adjacent to the Elizabeth Ave Realignment project since the City Council finds that this delivery method will provide the best value to the City.
Jennifer Cain, Capital Programs Manager

Ordinances

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

- I) Approval of the second and final reading of an ordinance [21-363](#) regarding a request from the Sophienburg Memorial Association to waive development related fees for platting and expansions to the Sophienburg Museum & Archives addressed at 401 West Coll Street.
Christopher J. Looney, AICP, Planning and Development Services Director
- J) Approval of the second and final reading of an ordinance [21-371](#) regarding a proposed rezoning of approximately 47 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northeastern corner of the intersection of Orion Drive and the Union Pacific Railroad tracks, from "APD" Agricultural/Pre-Development District to "R-1A-4" Single-Family Small Lot Residential.
Christopher J. Looney, AICP, Planning and Development Services Director
- K) Approval of the second and final reading of an ordinance [21-406](#)

amending Chapter 2 of the Code of Ordinances of the City of New Braunfels, Texas establishing the rules and order of business of the New Braunfels City Council.

Caitlin Krobot, City Secretary

- L) Approval of the second and final reading of an ordinance [21-436](#) regarding the creation of Child Safety Zones which would provide residency restrictions for Registered Sex Offenders residing within the city limits of New Braunfels.

Mike Penshorn, Captain and Greg Walker, Sergeant, Police Department

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider the second and final reading of an ordinance [21-372](#) regarding a proposed rezoning of approximately 21 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northern corner of the intersection of Goodwin Lane and Orion Drive, from "APD" Agricultural/Pre-Development District to "ZH-A" Zero Lot Line Home District.

Christopher J. Looney, AICP, Planning and Development Services Director

- B) Discuss and consider acceptance of the FY 2020 Audit and Comprehensive Annual Financial Report performed by Belt Harris Pechacek, LLLP. [21-409](#)

Sandy Paulos, Assistant Chief Financial Officer

- C) Discuss and consider approval of the appointment of two individuals to the Airport Advisory Board for a term ending 5/12/2024. [21-414](#)

Caitlin Krobot, City Secretary

- D) Discuss and consider approval of the appointment of one individual for a term ending 12/08/2023 to the River Advisory Committee. [21-421](#)

Amy Niles, River Operations Manager

- E) Discuss and consider approval of a resolution [21-419](#) recommended by the New Braunfels Economic Development Corporation approving a project expenditure of up to \$400,000 to Frantic Holdings, LLC for a project that will promote or develop new or expanded businesses by delivering high speed broadband infrastructure and services to commercial customers in downtown and other areas of New

Braunfels, an eligible project expenditure; and declaring an effective date.

Jeff Jewell, Director of Economic and Community Development

- F) Public hearing and first reading of an ordinance [21-365](#) regarding a proposed rezoning to apply a Special Use Permit to allow multifamily residential use - up to 24 units per acre - in the "C-1A" Neighborhood Business District on approximately 10 acres out of the A. P. Fuquay Survey No. 35, Abstract No. 155, Comal County, Texas, located at the northwest corner of the intersection of E. Common Street and Old FM 306.

Christopher J. Looney, AICP, Planning and Development Services Director

- G) Public hearing and first reading of an ordinance [21-369](#) regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family residence in the C-2 Central Business District at 307 W. Bridge Street.

Christopher J. Looney, AICP, Planning and Development Services Director

- H) Public hearing and first reading of an ordinance [21-373](#) regarding a proposed rezoning of approximately 2.3 acres out of the H. Foster Survey No. 34, Abstract No. 154, Comal County, Texas, addressed at 948 Broadway from "M-2" Heavy Industrial District to "MU-A" Low Intensity Mixed Use District.

Christopher J. Looney, AICP, Planning and Development Services Director

- I) Public hearing and first reading of an ordinance [21-394](#) regarding the proposed rezoning of approximately 4.3 acres out of the J.M. Veramendi Survey No. 1, Abstract 2, Comal County, Texas, located at the southeast corner of the intersection of Gruene Road and Ewelling Lane from "R-2" Single and Two-Family District to "C-O" Commercial Office District.

Christopher J. Looney, AICP, Planning and Development Services Director

- J) Public hearing and first reading of an ordinance [21-361](#) regarding a proposed rezoning to amend an existing Special Use Permit to allow an addition to a non-conforming single-family residence in the "M-1" Light Industrial District, addressed at 394 North Market

Avenue.

Christopher J. Looney, AICP, Planning and Development Services Director

- K) Public hearing and first reading of an ordinance [21-362](#) regarding a proposed rezoning of approximately 48 acres out of the O. Russell A-485 Survey 2, located in the 2200 block of FM 1102, from "M-1A" Light Industrial District to "MU-B" High Intensity Mixed Use District.

Christopher J. Looney, AICP, Planning and Development Services Director

5. **EXECUTIVE SESSIONS**

In accordance with Texas Government Code, Subchapter D, the City Council may convene in a closed session to discuss any of the following items; any final action or vote taken will be in public.

- A) Deliberate pending/contemplated litigation, settlement [21-412](#) offers, and matters related to 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:
- Carowest Land, Ltd. v. Yantis Company and City of New Braunfels (all cases, including appeal)
 - Yantis Company v. City of New Braunfels et. al. (2014 case)
- B) Deliberate issues regarding economic development [21-427](#) negotiations in accordance with section 551.087 of the Texas Government Code.
- Project Reshore Icon
- C) Deliberate the appointment, employment, evaluation, [21-423](#) reassignment, duties, discipline, or dismissal of the City Manager, City Attorney, and/or the Municipal Court Judge in accordance with Section 551.074 of the Texas Government Code.

NOTE: The City Council reserves the right to retire into executive session concerning any of the items listed on this Agenda whenever it is considered necessary and legally justified under the Open Meetings Act (Chapter 551 of the Texas Government Code).

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

7. **ADJOURNMENT**

CERTIFICATION

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

Caitlin Krobot, 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 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

4/26/2021

Agenda Item No. A)

City of New Braunfels



Proclamation

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

WHEREAS, Sexual Assault Awareness Month is intended to draw attention to the fact that sexual violence is widespread and has public health implications for every resident of New Braunfels; and

WHEREAS, statistics indicate that every 73 seconds, an American is sexually assaulted and every 9 minutes, that victim is a child; and

WHEREAS, we must work together to educate our community about what can be done to prevent sexual assault and how to support survivors; and

WHEREAS, staff and volunteers of the Crisis Center of Comal County and other prevention-related programs in this county encourage every person to speak out when witnessing acts of violence, however small, and speak up when they hear others making light of sexual violence, stereotypes, or gender biases; and

WHEREAS, with leadership, dedication and encouragement, there is compelling evidence that we can be successful in reducing sexual violence in our county through prevention education, increased awareness, and holding perpetrators who commit acts of violence responsible for their actions; and

WHEREAS, we strongly support the efforts of national, state, and local partners, as well as of every resident, to actively engage in public and private efforts, including conversations about what sexual violence is, how to prevent it, how to help survivors connect with services, and how every segment of our society can work together to better address sexual violence.

NOW THEREFORE, I, RUSTY BROCKMAN, Mayor of the City of New Braunfels, Texas, do hereby proclaim April, 2021 as

“SEXUAL ASSAULT AWARENESS MONTH”

in New Braunfels, Texas, and urge all citizens to join the Crisis Center of Comal County, anti-sexual-violence advocates, and support-services programs in the belief that all community members must be part of the solution to end sexual violence.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 26 day of April, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

4/26/2021

Agenda Item No. B)



Proclamation

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

WHEREAS, May is National Bike Month, established in 1956 by the League of American Bicyclist, is celebrated today, in Texas and hundreds of communities from coast to coast;

WHEREAS, throughout the month of May, communities will celebrate bicycling with a variety of experiences such as a bike to work week, bike to school day, mountain biking clinics, bike and skate jam and bike walk & roll challenge;

WHEREAS, the bicycle is an economical, healthy, convenient, and environmentally sound form of transportation that brings recreation and enjoyment of a communities historic and scenic beauty; and

WHEREAS, New Braunfels offers a variety of attractions in all around town at our parks, trails, rivers, local shops and restaurants for residents and visitors to enjoy on bike;

WHEREAS, creating a bicycling-friendly community has been shown to improve citizens' health, well-being, grow the local economy, attract tourism dollars, improve traffic safety, support student learning outcomes, and reduce pollution, congestion, and wear and tear on our streets and roads; and

WHEREAS, BikeTexas, the League of American Bicyclists, New Braunfels Cycling, schools, parks and recreation departments, police departments, public works departments, hospitals, companies MPOs and civic groups will be promoting bicycling during the month of May 2018; and

WHEREAS, these groups are also promoting greater public awareness of bicycle operation and safety education in an effort to reduce collisions, injuries, and fatalities and improve health and safety for everyone on the road; and

NOW, THEREFORE, I, Rusty Brockman, Mayor of the City of New Braunfels, Texas, do hereby proclaim the month of May as Bike Month.

In the City of New Braunfels, and I urge all citizens to celebrate Bike Month by getting out on your bike with family, friends, at lunch with co-workers to support a fun way recreate and an active way to travel; and

FURTHER, I urge all citizens to find a reason to ride not only in May but all summer long.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of New Braunfels to be affixed on the

CITY OF NEW BRAUNFELS, TEXAS

BY: _____
Rusty Brockman, Mayor



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

4/26/2021

Agenda Item No. C)



Proclamation

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

WHEREAS, there were more than 75,000 confirmed victims of child abuse and neglect in Texas during 2020; and

WHEREAS, 385 children in Comal County were confirmed victims of abuse and neglect in 2020; and

WHEREAS, child abuse prevention is a community responsibility and finding solutions depends on involvement among all people; and

WHEREAS, communities must make every effort to promote programs that benefit children and their families; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships among agencies, schools, religious organizations, law enforcement agencies and the business community; and

WHEREAS, everyone in the community should become more aware of child abuse prevention and encourage parents to raise their children in a safe, nurturing environment.

NOW THEREFORE, I, RUSTY BROCKMAN, Mayor of the City of New Braunfels, Texas, do hereby proclaim the month of April 2021 as

CHILD ABUSE PREVENTION & AWARENESS MONTH

in New Braunfels, and I urge all citizens to work together to help reduce child abuse and neglect significantly in the years to come.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 26th day of April 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

4/26/2021

Agenda Item No. A)

PRESENTER:

Stacey Dicke, Parks and Recreation Director

SUBJECT:

Presentation of an Arts and Humanities Award from the Texas Recreation and Park Society recognizing "Recipes for the Soul" Cookbook.

DEPARTMENT: Parks and Recreation**COUNCIL DISTRICTS IMPACTED:** N/A**BACKGROUND INFORMATION:**

The Texas Recreation and Park Society held their annual meeting and award ceremony on March 10, 2021. An Arts and Humanities Award was presented to the Parks and Recreation Department honoring "Recipes for the Soul" Cookbook.

Recipes for the Soul was a partnership between the Parks and Recreation Department and the New Braunfels Cemetery Committee. Recipes for the Soul is described as a compendium of tantalizing recipes, tales of love and loss, a bit of New Braunfels history and tips for soothing the soul. The book proceeds are a fundraiser for cemetery preservation with over \$6,000 currently raised.

Two volunteers, Raenel Schertz and Vicki Hamel, both hometown New Braunfels girls, were responsible for compiling both the recipes and stories included in the book. Their work on the book and the research they provided was outstanding.

All photography in the book was shot by Megan Foster, Creative Marketing Coordinator for the city. She also developed and laid out the entire book. The original artwork was drawn and donated by Ms. Foster's husband, Rick. Research was conducted by the entire Committee along with Parks and Recreation staff.

Inside the pages you will find easy to transport dishes, libations for reminiscing (and loosening the tongue), hearty meals to feed the mourning, and plenty of advice, comfort and good fun! In addition, the book gives advice on hosting a funeral reception as well as writing an obituary. The customs behind Dia De Los Muertos and Totenfest are revealed and recipes are featured of both Mexican and German heritage that honor those cultures.

ISSUE:

N/A

FISCAL IMPACT:

N/A

RECOMMENDATION:

N/A

4/26/2021

Agenda Item No. B)

PRESENTER:

Stacey Dicke, Parks and Recreation Director

SUBJECT:

Presentation of a Planning Excellence Award from the Texas Recreation and Park Society honoring the Dry Comal Creek Greenway Master Plan.

DEPARTMENT: Parks and Recreation Department

COUNCIL DISTRICTS IMPACTED: N/A

BACKGROUND INFORMATION:

The Texas Recreation and Park Society held their annual meeting and awards ceremony on March 10, 2021. The Parks and Recreation Department received the 2021 Planning Excellence Award for the Dry Comal Creek Greenway Master Plan.

The Planning Excellence Award recognizes one planning project which displays a high degree of professional analysis, quality planning principles and organizational or city/county/statewide value. It is also meant to encourage and expand the cooperation between planning consultants and parks and recreation professionals.

The Dry Comal Creek Greenway Master Plan was a technical assistance project supported by the U.S. National Park Service through the Rivers, Trails, and Conservation Assistance Program.

The Dry Comal Creek Greenway Master Plan created a plan to connect the existing Dry Comal Creek Nature Trail toward downtown New Braunfels and Landa Park and to the south toward older underserved neighborhoods and parks. This Master Plan was intended to set forth a clear vision for a future phased development of the Dry Comal Creek Greenway in New Braunfels.

Accepting the award are Ylda Capriccioso, City of New Braunfels Park Development Manager, and Marta Newkirk De La Garza, National Park Service Community Planner.

ISSUE:

N/A

FISCAL IMPACT:

N/A

RECOMMENDATION:

N/A

4/26/2021

Agenda Item No. A)

PRESENTER:

Caitlin Krobot, City Secretary

SUBJECT:

Discuss and consider approval of the minutes of the April 12, 2021 City Council Meeting.

City of New Braunfels, Texas

City Hall – Council Chambers Council Regular City Council Meeting Minutes

Monday, April 12, 2021

6:00 p.m.

City Council

Rusty Brockman, Mayor – Present
Shane Hines, Councilmember (District 1) – Present
Justin Meadows, Mayor Pro-Tem (District 2) – Present
Harry Bowers, Councilmember (District 3) – Present
Matthew E. Hoyt, Councilmember (District 4) – Present
Jason Hurta, Councilmember (District 5) – Present
James Blakey, Councilmember (District 6) – Present

The meeting was called to order by Mayor Brockman at 6:00 p.m. Councilmember Hines gave the invocation and Mayor Brockman led the Pledge of Allegiance and Salute to the Texas Flag.

PROCLAMATIONS:

A) Autism Awareness Month

Mayor Brockman presented the proclamation.

B) Outstanding Public Service Day

Mayor Brockman presented the proclamation.

PRESENTATIONS:

A) Retiree Recognition – Garrick Herbert

Chief Patrick O'Connell spoke to this item.

B) Retiree Recognition – Michael Ulbrich

Chief Patrick O'Connell spoke to this item.

Monday, April 12, 2021 New Braunfels City Council Regular Meeting

- C) Presentation from Comal County Water Improvement District No. 1A (Veramendi) representatives regarding summary of proposed issuance of bonds.

Mayor Brockman read the aforementioned caption.

Julie Peak presented this item.

1. MINUTES

- A) Discuss and consider approval of the minutes of the March 22, 2021 City Council meeting.

Mayor Brockman read the aforementioned caption.

Councilmember Blakey moved to approve the item. Councilmember Hurta seconded the motion which was approved unanimously via roll call vote.

2. 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.

George Green and Timothy Davis spoke during Citizen's Communications.

3. 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.

Resolutions & Action Items

- A) Approval of the Mayoral appointment of one individual as the Chair of the Watershed Advisory Committee for a term ending April 18, 2023.

- B) Approval of the reappointment of two individuals to the Central Texas Technology Center Advisory Board for a term ending April 26, 2024.
- C) Approval to renew and amend the Interlocal Agreement with the Alamo Area Council of Governments for demand response transit services, authorizing the City Manager to execute all contract documents associated with this agreement, and approval of an expenditure in the amount of \$489,380.
- D) Approval of a resolution amending the broker/dealer list of the investment policy for the City of New Braunfels adding an additional local government investment pool - Texas FIT.
- E) Approval of a contract with Heat Safety Equipment LLC to provide annual Inspections and repairs to the New Braunfels Fire Department's Self-Contained Breathing Apparatus Equipment.
- F) Approval of a contract with Chain Electric Company for construction of a single Mode fiber optic infrastructure to connect seven (7) new City buildings and Authorization for the City Manager to execute any change orders up to the contingency amount.
- G) Approval of policy and procedures governing the leasing of city-owned T-Hangars at New Braunfels Regional Airport.
- H) Approval to authorize an expenditure to the Law Offices of Charles S. Frigerio, P.C. for legal representation in a personnel matter pursuant to a professional service agreement.
- I) Approval to renew the following annual contracts, as allowed for by their contract language: Fleet Services and Road Construction Materials.
- J) Approval of a Letter of Intent with New Braunfels Utilities for the installation of standalone solar powered generation projects at a series of distributed generation solar sites owned or controlled by the City on the terms and conditions specified in the letter.

- K) Approval for issuance of a contract modification with Civil Engineering Consultants to continue survey work supporting the Union Pacific Rail-Road Landa Street property purchase.

Ordinances

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

- L) First reading of an ordinance regarding a request from the Sophienburg Memorial Association to waive development related fees for platting and Expansions to the Sophienburg Museum & Archives addressed at 401 West Coll Street.
- M) First reading of an ordinance amending Chapter 2 of the Code of Ordinances of the City of New Braunfels, Texas establishing the rules and order of business of the New Braunfels City Council.
- N) Approval of the second and final reading of an ordinance amending Section 126-354 of the City of New Braunfels Code of Ordinances to revise Parking by Permit Area G.
- O) Approval of the second and final reading of an ordinance to amend Section 126-186 to restrict through truck traffic on Lake Front Avenue between the IH 35 Frontage Road and Freiheit Road and Freiheit Road between Lake Front Avenue and SH 46.
- P) Approval of the second and final reading of an ordinance to amend Section 126-346 to establish a no parking zone on E. San Antonio Street at N. Gilbert Avenue.
- Q) Approval of the second and final reading of an ordinance regarding a proposed revision to the Town Creek Planned Development (TCPD) concept plan and development standards, on approximately 66 acres located at North Academy and North Walnut Avenues.

Mayor Brockman recused himself at 6:35 p.m. leaving Mayor Pro-Tem Meadows to preside over the consent agenda.

Mayor Pro-Tem Meadows read the aforementioned captions.

Councilmember Bowers moved to approve the consent agenda. Councilmember Hines seconded the motion which passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider possible direction to staff regarding whether to continue to require the use of face coverings by the public while at city facilities.

Mayor Brockman read the aforementioned caption.

Robert Camareno presented this item.

The following individual spoke on this item: Ron Feldman

Councilmember Blakey moved to approve the item to include maintaining the signage “Strongly encouraged”. Councilmember Hoyt seconded the motion which passed unanimously via roll call vote.

- B) Discuss and consider approval of the installation of speed humps on River Acres Drive between 1255 River Acres Drive and Fair Lane.

Mayor Brockman read the aforementioned caption.

Greg Malatek presented this item.

The following individuals spoke on this item: Megan Luchek, Matthew Eckmann, Timothy Davis, Kevin Robles, and Erica Becirovic.

Councilmember Hoyt moved to approve the item. Councilmember Hurta seconded the motion which passed unanimously via roll call vote.

- C) First reading of an ordinance regarding the creation of Child Safety Zones which would provide residency restrictions for Registered Sex Offenders residing within the city limits of New Braunfels.

Mayor Brockman read the aforementioned caption.

Mike Penshorn and Greg Walker presented this item.

Councilmember Bowers moved to approve the item.

Councilmember Hoyt seconded the motion which passed unanimously via roll call vote.

- D) Public hearing, consideration, and possible action on a resolution approving an amendment to the Solms Landing Public Improvement District ("PID") that will adjust the amount of public improvements that are eligible for reimbursement, pursuant to Ch. 372 of the Texas Local Government Code.

Mayor Brockman read the aforementioned caption.

Jared Werner presented this item.

Councilmember Hurta moved to approve the item. Mayor Pro-Tem

Meadows seconded the motion which passed unanimously via roll call vote.

- E) Discuss and consider approval of the second and final reading of an ordinance regarding a proposed rezoning of approximately 19.963 acres out of the Sarah DeWitt Survey No. 48, Abstract No. 103, in Guadalupe County, Texas, located at the northeast corner of the intersection of FM 725 and East Klein Road, from "R-1" Single-Family District and "APD" Agricultural/Pre-Development District to "REAPD" River's Edge Apartments Planned Development District.

This item was withdrawn from consideration.

- F) Discuss and consider the second and final reading of an ordinance regarding a proposed rezoning to amend an existing Special Use Permit to allow for two -story townhomes on approximately 10 acres located on the west side of Independence Drive, approximately 1,300 feet north of the intersection of Independence Drive and Oak Run Parkway. Discuss and consider approval of the second and final reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of two single-family residences in the "C-2" General Business District, addressed at 274 and 290 East Bridge Street.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individuals spoke on this item: Ron Reaves and Joe Turner.

Councilmember Bowers moved to approve the item with the following conditions: 1. The applicant's site plan submitted at this meeting is made a part of the final ordinance as an exhibit. 2. No direct vehicle access onto the Mission Hill Park property. 3. No HVAC equipment allowed on roofs. 4. A wrought-iron fence shall be erected along the property boundary with the Mission Hill Park property. 5. There shall be no second floor balconies facing the Mission Hill Park property. 6. Rear patios shall be covered. Councilmember Hoyt seconded the motion which passed unanimously via roll call vote.

Mayor Brockman took a break at 7:56 p.m. and reconvened at 8:06 p.m.

- G) Discuss and consider approval of the second and final reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of two single-family residences in the "C-2" General Business District addressed at 274 and 290 East Bridge Street.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

Councilmember Hurta moved to approve the item. Councilmember Hines seconded the motion which passed 6-1 via roll call vote with Councilmember Hoyt in opposition.

- H) Public hearing and first reading of an ordinance regarding a proposed rezoning of approximately 21 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northern corner of the intersection of Goodwin Lane and Orion Drive, from "APD" Agricultural/Pre-Development District to "R-3H" Multifamily High Density District.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individuals spoke on this item: James Ray, Richard Byrd, Donald Featherston, Medori McClain, Bobby Cook, James Ingalls, Bob Burleson, Kyle McClain, William Wehling, Lawrence Spradley, Andrew Hand, and Theodore Bartling.

Mayor Pro-Tem Meadows moved to approve the item with lower density (R-3L). Councilmember Hines seconded the motion which failed 4-3 vote with Councilmember Bowers, Councilmember Hoyt, Councilmember Hurta, and Mayor Brockman in opposition.

The following individuals spoke on this item: James Ray, and Richard Byrd.

Mayor Brockman moved to reconsider the original item. No second was made, the motion failed. No vote was taken.

The following individual spoke on this item: Donald Featherston

Mayor Brockman called for the question on a motion to reconsider the motion Mayor Pro-Tem Meadows made to approve the lower density multi-family (R-3L). Mayor Pro-Tem Meadows seconded the motion which passed 5-2 via roll call vote with Councilmember Bowers, and Councilmember Hoyt in opposition.

Mayor Pro-Tem Meadows moved to approve the item with lower density (R-3L). Councilmember Hines seconded the motion which failed 4-3 via roll call vote with Councilmember Bowers, Councilmember Hoyt, Councilmember Hurta, and Mayor Brockman opposed.

The following individuals spoke on this item: Kevin Robles, Donald Featherston, Bobby Cook, Timothy Davis, Andrew Hand, William Rogers, Dana Willett, John Barger, Juan Andres Lopez, Lawrence Spradley, Bobby Cook, Bob Burleson, and James Ray.

Councilmember Hines moved to approve the item with ZH-A zoning. Mayor Pro-Tem Meadows seconded the motion which passed 6-1 via roll call vote with Councilmember Bowers in opposition.

- I) Public hearing and first reading of an ordinance regarding a proposed rezoning of approximately 47 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northern corner of the intersection of Goodwin Lane and Orion Drive, from “APD” Agricultural/Pre-Development District to “R-1A-4” Single-Family Small Lot Residential.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individual spoke on this item: Timothy Davis

Mayor Pro-Tem Meadows moved to approve the item. Councilmember Hines seconded the motion which was unanimous via roll call vote.

- J) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow outdoor music in the “C-1” Local Business District adjacent to residential use on approximately 1.2 acres consisting of Lot 5, Block 1, Rio Vista Addition, addressed at 1951 Gruene Road.

This item was withdrawn from consideration.

- K) Public hearing and consideration of a request for a Conditional Sign Permit for Tree of Life Church to allow for the modification of an existing legally nonconforming freestanding pole sign to include an electronic message sign cabinet in the ‘M-1’ Light Industrial District, addressed at 5513 IH 35 South.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individual spoke on this item: Pastor Don Duncan

Councilmember Hines moved to approve this item. Councilmember Hurta seconded the motion which was unanimous via roll call vote.

5. EXECUTIVE SESSIONS

In accordance with Texas Government Code, Subchapter D, the City Council may convene in a closed session to discuss any of the following items; any final action or vote taken will be in public.

- A) Deliberate the purchase, exchange, lease or value of real estate in accordance with Section 551.072 of the Texas Government Code, specifically
 - NBPD Site
 - New Braunfels Regional Airport RPZ Land Acquisitions
- B) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager, City Attorney, and/or the Municipal Court Judge in accordance with Section 551.074 of the Texas Government Code.

Mayor Brockman read the aforementioned caption and recessed into Executive Session at 10:56 p.m.

NOTE: The City Council reserves the right to retire into executive session concerning any of the items listed on this Agenda whenever it is considered necessary and legally justified under the Open Meetings Act (Chapter 551 of the Texas Government Code).

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

Mayor Brockman reconvened into open session at 11:33 p.m.

No action was taken.

7. ADJOURNMENT

Mayor Brockman adjourned at 11:33 p.m.

4/26/2021

Agenda Item No. A)

PRESENTER:

Caitlin Krobot, City Secretary

SUBJECT:

Approval of the appointment of Mason Standley to the Landa Park Golf Course Advisory Board for a term ending December 31, 2022.

DEPARTMENT: City Secretary

COUNCIL DISTRICTS IMPACTED: City-wide

BACKGROUND INFORMATION:

The Landa Park Golf Course Advisory Board acts in an advisory capacity to the Parks and Recreation Department, the City Council and the City Manager in matters pertaining to the golf course, including fees and fee structures, and shall cooperate with other agencies and civic groups in the advancement of sound golf course operations, activities, planning and programming.

The Landa Park Golf Course Advisory Board shall be composed of seven members, five of whom must reside within the city limits. One of the representatives shall be from the New Braunfels Golf Association.

The New Braunfels Golf Association Board met in January and approved Mason Standley as their representative for Council consideration.

ISSUE:

Landa Park Golf Course Advisory Board appointments require City Council approval.

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Staff recommends approval of one individual to the Landa Park Golf Course Advisory Board.

4/26/2021

Agenda Item No. B)

PRESENTER:

Jeff Jewell, Director of Economic and Community Development

SUBJECT:

Approval of a resolution consenting to the issuance of unlimited tax bonds by Comal County Water Improvement District Number 1a (Veramendi), a water improvement district located with the extraterritorial jurisdiction of the City.

DEPARTMENT: Economic and Community Development**COUNCIL DISTRICTS IMPACTED:** None**BACKGROUND INFORMATION:**

The District is a part of an approximate 2,462 acre master planned community commonly known as Veramendi. The Development Agreement ("the Agreement") between the City of New Braunfels and Word-Borchers Ranch Joint Venture ("Veramendi") authorizes up to \$620 million in debt for eligible, designated purposes. In 2020, the Water Improvement District ("WID") the City Council approved, and the District issued \$3.15 million in unlimited tax bonds to provide reimbursements to the developer for eligible costs associated with the project. The bonds were paid for by tax revenues secured by approximately \$25.16 million in taxable assessed valuation within the boundaries of the WID. These were the preliminarily assessed valuations as of January 1, 2020.

As of February 28, 2021, the District consisted of 262 completed homes (150 occupied and 112 unoccupied homes under contract to a homebuyer), 51 homes under construction or in a builder's name of which 51 are under contract to a homebuyer, and 198 vacant developed lots available for home construction. According to the Developer and Builders, homes within the District range in sales price from approximately \$265,000 to over \$450,000. In addition, utility construction is underway for an additional 61 single-family residential lots on approximately 30 acres (expected completion of utilities and paving in May 2021), trunk utilities have been constructed for approximately 95 acres of commercial tracts, a church has been constructed on approximately 12 acres and Veramendi Elementary School has been constructed by the New Braunfels Independent School District on approximately 16 acres within the District.

Section 8 of the Agreement outlines the requirements for the District (and subdistricts) and indebtedness, as well as the obligations of the District to the City. The District has underwritten the bonds at an estimated interest rate of 375 basis points [3.75%](#).

ISSUE:

This resolution would approve the next issuance of bonds in the amount of \$2,590,000 for reimbursable expenses on the project.

FISCAL IMPACT:

Since the bonds are secured [solely](#) by property taxes paid by owners within the District, there is no fiscal impact to the City of New Braunfels.

RECOMMENDATION:

Staff recommends approval of the resolution.

COMAL COUNTY WATER IMPROVEMENT DISTRICT NO. 1A

\$2,590,000

Unlimited Tax Bonds, Series 2021



THE BONDS

- \$2,590,000 Principal Amount (see 10% discussion)
- Sale of the Bonds is subject to approval of the Texas Commission on Environmental Quality (the “TCEQ”)
- Maturity Schedule: September 1, 2022 through 2047
- Callable September 1, 2026
- Expected Sale Date: Summer 2021
- Security: Unlimited Tax Bonds
- Rating: None at this time
- Type of Sale: Competitive

FEASIBILITY OF THE BONDS

- Estimate of Value as of November 2020: \$57,449,273
- Bond size is based upon a 10% debt ratio as required by the TCEQ. The current outstanding debt of Comal 1A is \$3,150,000, leaving \$2,590,000 of debt issuance under the TCEQ 10% rule.
- A new estimate of value has been requested and the bond issue will be adjusted upward according to that estimate but not in excess of a 10% debt ratio.
- 2020 Total Tax Rate is \$0.794 (\$0.51 Debt + \$0.284 M&O).
- No impact on 2021 Total Tax Rate; however, allocation is expected to be \$0.67 Debt + \$0.124 for M&O.
- Average Annual Debt Service of \$336,855 (2022-2047)
- No increase in taxable value is required for feasibility although significant growth is occurring.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW
BRAUNFELS, TEXAS GIVING CONSENT TO THE ISSUANCE OF
UNLIMITED TAX BONDS BY COMAL COUNTY WATER
IMPROVEMENT DISTRICT NO. 1A, A WATER IMPROVEMENT
DISTRICT LOCATED WITHIN THE EXTRATERRITORIAL
JURISDICTION OF THE CITY.**

WHEREAS, the City of New Braunfels, Texas (the “City”) is a Texas municipal corporation as defined by the Texas Local Government Code; and

WHEREAS, Comal Water Improvement District No. 1A (the “District”) is a water district operating pursuant to Chapters 49 and 51 of the Texas Water Code, and is located within the extraterritorial jurisdiction of the City; and

WHEREAS, the District desires to proceed with the issuance of \$2,590,000 Comal Water Improvement District No. 1A Unlimited Tax Utility Bonds, Series 2021 (the “Bonds”); and

WHEREAS, the District desires that the City give its written consent to the issuance of the Bonds, pursuant to Section 8.2 of that certain Development Agreement, dated February 25, 2013, by and between the City and Word-Borchers Ranch Joint Venture, a Texas general partnership; and

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

SECTION 1. That the findings contained in the preamble of this Resolution are determined to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2. That the City Council of the City hereby specifically gives its written consent to the issuance of the Bonds.

PASSED AND APPROVED by the City Council of the City of New Braunfels, Texas on this
26th day of April, 2021.

Rusty Brockman, Mayor
City of New Braunfels, Texas

ATTEST:

Caitlin Krobot, City Secretary
City of New Braunfels, Texas

4/26/2021

Agenda Item No. C)

PRESENTER:

Barbara Coleman, Purchasing Manager

SUBJECT:

Approval to authorize the City Manager to execute an Interlocal Cooperative Purchasing Agreement with the City of Frisco in accordance with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code for goods and services.

DEPARTMENT: Finance Department

COUNCIL DISTRICTS IMPACTED: Citywide

BACKGROUND INFORMATION:

In accordance with Texas Government Code Chapter 791, "Texas Interlocal Cooperation Act this item requests approval for the City Manager to enter into an interlocal cooperative purchasing agreement with the City of Frisco. This interlocal agreement offers shared procurement opportunities between governmental entities to engage in the purchase of goods and services. By utilizing this agreement, the participating members will handle all governmental procurement requirements including the competitive bidding process, so the entities can immediately access contracts as need, saving time and money on the bidding and purchasing process. The City of New Braunfels utilizes several similar cooperatives, which adds capacity to the purchasing process without the expense of adding staff.

Participating entities are individually responsible for payments directly to the vendor and for the vendor's compliance with all conditions of delivery and quality of purchased items under associated contracts. Use of this agreement helps facilitate purchases at best cost and more efficiently. There is not cost associated to the use of the interlocal agreement.

ISSUE:

[Enter Text Here]

FISCAL IMPACT:

There is no cost for the issuance or use of the interlocal agreement, therefore there is not fiscal impact.

RECOMMENDATION:

Staff recommends approval to authorize the City Manager to execute Interlocal Cooperative Purchasing Agreement with the City of Frisco in accordance with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code and Chapter 271, Subchapter F of the Texas Local Government Code for general products and services.

INTERLOCAL AGREEMENT

This Interlocal Agreement ("Agreement") is made and entered into this ____ day of _____, 2021, by and between the CITY OF FRISCO, Texas (hereinafter called "CITY OF FRISCO"), and the CITY OF NEW BRAUNFELS Texas (hereinafter called "CITY OF NEW BRAUNFELS"), each acting by and through its duly authorized officials:

WHEREAS, CITY OF FRISCO and the CITY OF NEW BRAUNFELS are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function;

WHEREAS, CITY OF FRISCO and the CITY OF NEW BRAUNFELS wish to enter into this Agreement pursuant to Chapter 791 of the Texas Government Code (hereinafter "Interlocal Cooperation Act") to set forth the terms and conditions upon which CITY OF FRISCO and the CITY OF NEW BRAUNFELS may purchase various goods and services commonly utilized by each party;

WHEREAS, participation in an interlocal agreement will be highly beneficial to the taxpayers of CITY OF FRISCO and the CITY OF NEW BRAUNFELS through the anticipated savings to be realized and is of mutual concern to the contracting parties;

WHEREAS, CITY OF FRISCO and the CITY OF NEW BRAUNFELS have current funds available to satisfy any fees owed pursuant to this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises, covenants and obligations as set forth herein; CITY OF FRISCO and the CITY OF NEW BRAUNFELS agree as follows:

1. CITY OF FRISCO and the CITY OF NEW BRAUNFELS may cooperate in the purchase of various goods and services commonly utilized by the participants, where available and applicable, and may purchase goods and services from vendors under present and future contracts.
2. CITY OF FRISCO and the CITY OF NEW BRAUNFELS shall each be individually responsible for payments directly to the vendor and for the vendor's compliance with all conditions of delivery and quality of purchased items under such contracts. CITY OF FRISCO and CITY OF NEW BRAUNFELS shall each make their respective payments from current revenues available to the paying party.
3. Notwithstanding anything herein to the contrary, participation in this Agreement may be terminated by any party upon thirty (30) days written notice to the other participating party(ies).
4. The undersigned officer and/or agents of the party(ies) hereto are duly authorized officials and possess the requisite authority to execute this Agreement on behalf of the parties hereto.

5. This Agreement may be executed separately by the participating entities, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

6. This Agreement shall become effective on the day and year first written above (the "Effective Date"). The primary term of this Agreement shall be for one (1) year, commencing on the Effective Date and terminating on December 1, 2020, and shall thereafter automatically renew for successive one-year terms, unless terminated according to the terms set forth in Paragraph 3.

7. To the extent allowed by law, each party agrees to release, defend, indemnify, and hold harmless the other (and its officers, agents, and employees) from and against all claims or causes of action for injuries (including death), property damages (including loss of use), and any other losses, demands, suits, judgments and costs, including reasonable attorneys' fees and expenses, in any way arising out of, related to, or resulting from its performance under this agreement, or caused by its negligent acts or omissions (or those of its respective officers, agents, employees, or any other third parties for whom it is legally responsible) in connection with performing this agreement.

8 The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement.

9. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and effect of the law, the remaining portions of the Agreement shall be enforced as if the invalid provision had never been included.

10. This Agreement embodies the entire agreement between the parties and may only be modified in writing executed by both parties.

11. This Agreement shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns. Neither party will assign or transfer an interest in this Agreement without the written consent of the other party.

12. It is expressly understood and agreed that, in the execution of this Agreement, neither party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied other than those set forth herein, and this Agreement shall not create any rights in parties not signatories hereto.

13. The declarations, determinations and findings declared, made and found in the preamble to this Agreement are hereby adopted, restated and made part of the operative provisions hereof.

EXECUTED hereto on the day and year first above written.

CITY OF FRISCO

CITY OF NEW BRAUNFELS

George Purefoy
City Manager

By: Robert Camareno
City Manager

STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the ____ day of _____, 2021, by George Purefoy, City Manager of the **CITY OF FRISCO, TEXAS**, a home-rule municipal corporation, on behalf of such corporation.

Notary Public in and for the
State of Texas

STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2021, by _____ of **CITY OF NEW BRAUNFELS, TEXAS**, a home-rule municipal corporation, on behalf of such corporation.

Notary Public in and for the
State of Texas

4/26/2021

Agenda Item No. D)

PRESENTER:

Patrick O'Connell, Fire Chief

SUBJECT:

Approval of a purchase with August Industries Inc. for three Bauer Unicus Breathing Air Compressor Systems (BACS) for Fire Stations 2, 3, and 7.

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

The Fire Department currently has one Breathing Air Compressor System which is more than 20 years old. As a result, maintenance costs have increased, and certain maintenance items and repair parts are becoming more difficult to source. This is the only breathing air compressor system in service in the fire department and it is at the end of its useful life.

Voter approval of the 2019 Bond provides for the construction of Fire Station 2, Fire Station 3. The Tax Increment Reinvestment Zone (TIRZ) has authorized the construction of Fire Station 7 with Training Center. These stations include a Breathing Air Compressor in their furniture and equipment specifications. These purchases will allow the department to completely phase out the existing system. The delivery of the systems will be coordinated with the construction projects for each station.

Based on review and evaluation, staff is recommending the Bauer Unicus 4i E3 complete integrated stationary system from August Industries, Inc. for a cost of \$91,023.00 each, with a total cost of \$273,069. This price includes the system, accessories, and installation. The City will utilize August Industries through a Buyboard cooperative contract which satisfies the competitive bidding requirements.

ISSUE:

N/A

FISCAL IMPACT:

Funding for this equipment were included in the 2019 Bond Program project budget(s). Therefore, sufficient funds are available for this expenditure. However, the portion of the project related to Fire Station No. 7 will be paid from capital proceeds supported entirely by the Creekside TIRZ.

RECOMMENDATION:

Staff recommends approval of a purchase with August Industries Inc. for three Bauer Unicus Breathing Air Compressor Systems (SBAC) for Fire Stations 2, 3, and 7.

4/26/2021

Agenda Item No. E)

PRESENTER:

Jennifer Cain, Capital Programs Manager

SUBJECT:

Approval of a Change Order with Acme Bridge Co. for the relocation of an NBU waterline in conjunction with the reconstruction and realignment of Elizabeth Avenue from Landa Park Drive to approximately Hinman Island Drive.

DEPARTMENT: Public Works, Capital Programs**COUNCIL DISTRICTS IMPACTED:** [Enter Text Here]**BACKGROUND INFORMATION:**

On February 24, 2020 the City Council approved a recommendation from the New Braunfels Economic Development Corporation (EDC) for a project expenditure for the redesign of Elizabeth Avenue from Landa Park Drive to approximately Hinman Island Drive in Landa Park. Elizabeth Avenue connects the community with Landa Park, Hinman Island, Prince Solms Park and the Comal River Recreation Area. It also provides direct access to Wursthfest, Circle Arts Theatre, Landa Park Miniature Golf and a parking lot that serves Wursthfest, summer and regular park users.

On October 12, 2020 City Council approved a resolution recommended by the City of New Braunfels Economic Development Corporation approving a project expenditure of up to \$1,500,000 for the construction and realignment of Elizabeth Avenue as well as a recommendation to issue an invitation for competitive sealed proposals.

On December 14, 2020 City Council approved a contract with Acme Bridge Co. in the amount of \$1,245,265 with a 15% contingency of \$186,790 for a contract total not to exceed of 1,432,055.

During construction a conflict was discovered with an existing NBU water line which was too shallow for the road construction to proceed. Through coordination with NBU the relocation of the water line will be performed under the City's current contract with Acme Bridge Co. with a proposed cost of \$242,223. City staff recommends adding a contingency for this work in the amount of \$15,000. This change order and contingency will be funded by NBU and will not utilize the City's current contingency with Acme Bridge Co.

ISSUE:

ACTION 3.19 Improve walkability across town to attract younger generations seeking pedestrian connections.

ACTION 7.8 Enhance pedestrian quality of the City by limiting the realm of the automobile.

ACTION 7.42 Develop the landscaping and green spaces, particularly those along or adjacent to highways, with walkable infrastructure to provide safe access for pedestrians and bicyclists with no back-end parking.

FISCAL IMPACT:

The New Braunfels Economic Development Corporation has approved \$1,500,000 for the City's project and NBU will reimburse the City for all costs associated with the water line relocation. Therefore, sufficient funds are available.

RECOMMENDATION:

Approval of a Change Order with Acme Bridge Co. for the relocation of and NBU waterline in conjunction with the reconstruction and realignment of Elizabeth Avenue from Landa Park Drive to approximately Hinman Island Drive in Landa Park.

4/26/2021

Agenda Item No. F)

PRESENTER:

Garry Ford, Assistant Director, Public Works Department

SUBJECT:

Approval to issue professional services agreement with K Friese & Associates for 3rd party review for engineering development permit reviews as needed by the Engineering Division of the Public Works Department.

DEPARTMENT: Public Works

COUNCIL DISTRICTS IMPACTED: Citywide

BACKGROUND INFORMATION:

The Engineering Division of the Public Works Department has identified a need to hire third party assistance to support the engineering development permit application review process. There has been an increase in applications in the past few years that has resulted in the Engineering Division seeking third party assistance intended to ensure timely issuance of building permits and to increase our support of development in the City.

A Task Order Request for Qualifications (RFQ) was issued on December 11, 2020 and qualifications were received on December 22, 2020. The City received one (1) response from K Friese & Associates. Their firm's qualifications, previous performance and management plan was reviewed. K Friese is currently satisfactorily performing review services for the City on a limited capacity. This task order allows for long term review services for an initial year, with the option to renew services for four (4) additional one-year periods to better support the City's engineering development permit review process because specialized expertise in this area of responsibility is necessary.

City staff recommends K Friese & Associates be assigned this project based on their qualifications and the developed scope of work for an amount not to exceed a total of \$200,000 annually. The initial agreement will be through September 30, 2021. If additional services beyond this threshold become necessary, this project will be brought before City Council again.

ISSUE:

Strategic Priorities: Maintain fiscal stability of City operations

FISCAL IMPACT:

Funds are allocated in the FY 2021 Development Services Fund to support these efforts. Therefore, sufficient funds are available.

RECOMMENDATION:

Staff recommends approval to issue professional services agreement with K Friese & Associates for 3rd party review for engineering development permit reviews as needed by the Engineering Division of the Public Works

Department.

4/26/2021

Agenda Item No. G)

PRESENTER:

Jared Werner, Chief Financial Officer

SUBJECT:

Approval of a Budget Amendment in the FY 2020 General Fund

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

In conjunction with our annual FY 2020 audit process it was discovered that in conjunction with the small business grant program, we did not include our standard budget amendment language in the council agenda caption/report.

The funding strategy, which included utilizing additional sales tax dollars made available by amendments to existing economic development agreements was discussed multiple times with the City Council from June to August. The specific funding strategy was also included in the Agenda reports when the program was initiated (6/8/2021) and approved by City Council (8/24/2021).

The language in the previous agenda reports satisfies the requirements from the audit team, however staff recommends moving forward with the following budget amendment to be consistent with our typical process.

*Increase: Non-Departmental - Operating Expenditures**\$600,000***ISSUE:**

Budget Amendment

FISCAL IMPACT:

As mentioned above, there are sufficient sales tax revenues in the General Fund to support the expenditures associated with the small business grant program.

RECOMMENDATION:

Staff recommends approval

4/26/2021

Agenda Item No. H)

PRESENTER:

Jennifer Cain, Capital Programs Manager

SUBJECT:

Approval of the issuance of Competitive Sealed Proposals (CSP) for a stormwater treatment basin adjacent to the Elizabeth Ave Realignment project since the City Council finds that this delivery method will provide the best value to the City.

DEPARTMENT: Public Works, Capital Programs**COUNCIL DISTRICTS IMPACTED:** 3**BACKGROUND INFORMATION:**

The City of New Braunfels' 2020 and 2021 Edwards Aquifer Habitat Conservation Plan (EAHCP) Workplan includes engineering design for a stormwater treatment basin to be constructed as part of the City's Elizabeth Avenue Realignment project. This project is intended to help fulfill the water quality protection requirements set forth in the EAHCP. Funding for the design of the stormwater treatment facility has been approved by the EAHCP Implementing Committee and is available to the City to cover costs associated with engineering design in 2020 and 2021. Funding has also been approved by the EAHCP Implementing Committee to cover construction costs for the stormwater treatment basin in 2021.

The City issued Task Order 20-021 on August 26, 2020 to request Statement of Qualifications from firms included on the Indefinite Delivery and Indefinite Quantity (IDIQ) list under the Stormwater Engineering and Civil Engineering categories to perform engineering design work for the project. Doucet and Associates was selected to perform engineering design services for the project based upon relevant work experience and qualifications and was awarded a contract/ Professional Service Agreement in October 2020 in the amount of \$24,800.

On March 8, 2021 City Council approved a contract amendment with Doucet and Associates for an additional \$6,000 for re-design work due to constraints relating to existing utility layouts and revisions to the adjacent Elizabeth Ave Realignment project. The amendment makes the contract with Doucet & Associates \$30,800.

City staff recommends issuing an invitation for a Competitive Sealed Proposal (CSP) as the procurement method for the contract to construct this project. The CSP method allows the City to evaluate the most qualified contractors and the best value for the project. The evaluation of the proposals received by City staff will be presented to City Council for direction regarding the approval of a contract for construction.

ISSUE:

Strategic Priorities: Continue an ongoing program of infrastructure construction and maintenance.

FISCAL IMPACT:

While the issuance of the CSP does not have a direct fiscal impact. The costs of the treatment basin will be supported by the City's EAHCP program, which is fully reimbursable.

RECOMMENDATION:

City staff recommends approval of the issuance of Competitive Sealed Proposals (CSP) for construction services associated with a stormwater treatment basin adjacent to the Elizabeth Ave Realignment project since the City Council finds that this delivery method will provide the best value to the City.

4/26/2021

Agenda Item No. I)

PRESENTER:

Christopher J. Looney, AICP, Planning and Development Services Director

SUBJECT:

Approval of the second and final reading of an ordinance regarding a request from the Sophienburg Memorial Association to waive development related fees for platting and expansions to the Sophienburg Museum & Archives addressed at 401 West Coll Street.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** Council District 6**BACKGROUND INFORMATION:**

Owner/Applicant: Sophienburg Memorial Association
Andrew Noonan- President
401 West Coll Street
New Braunfels, TX 78130
(830) 629-1572
andrewtnoonan@gmail.com

City Council unanimously approved the first reading of the ordinance on April 12, 2021.

The Sophienburg Memorial Association, a 501(c)3 corporation, is requesting a waiver of development fees associated with the replatting and expansion of the Sophienburg Museum & Archives.

ISSUE:

The Sophienburg Memorial Association has owned property on Coll Street since 1926 and operates the Museum & Archives to preserve the history of New Braunfels. The Association also owns a vacant lot at 391 Magazine Avenue adjacent to the museum, and would like to replat their properties into one lot to facilitate future expansions of the museum. This request for fee waivers would apply to all development related fees including the plat application fee, building permit and inspection fees, and roadway impact fees.

FISCAL IMPACT:

Application and plan review fees offset the costs associated with the City's examination of plans and processing of development applications, thereby reducing the impact to the taxpayer. If approved, the waiver would result in a reduction of application and plan review revenue to the Development Services Fund, and impact fee revenue to the Roadway Impact Fee Fund.

- Plat application fee: approximately \$1,100
- The Museum does not have a definite plan for expansion at this time so potential permit and review fees

cannot be calculated.

- Roadway Impact Fees: \$195 per 1,000 square feet of additional gross floor area.

RECOMMENDATION:

Approval. Staff supports permit fee relief or discounts for not-for-profit organizations. The City Council has provided reduced fees or discounts for such organizations for a variety of city permits such as street banners, special event permits, and health permits. The Sophienburg Memorial Association is a not-for-profit entity that provides services to the community and relies on local contributions and assistance for support.

City Council has approved similar development fee waivers on individual projects for Hope Hospice (May 2015), The Food Bank (January 2016), NB Housing Partners (December 2016), Habitat for Humanity (March 2018) and Humane Society of New Braunfels Area (2021).

Attachments:

1. Applicant's Request
2. Location Map
3. Photographs
4. Ordinance



March 10, 2021

Officers

Andrew Noonan
President

Rob Johnson
Vice President

Jessie Rahe
Treasurer

Sarah Haag Harper
Secretary

Board of Directors

Jay Brewer

Benno Engel

Stuart Hansmann

Stephen Hanz

Fred Heimer

Joann Lange

Thomas Matschek

Douglas Miller, II

Kimberly Wersterfer

Joyce Yannuzzi

Myra Zunker

Executive Director

Tara Kohlenberg

Chris Looney, Planning & Zoning
Mayor Rusty Brockman
City Council Members
City of New Braunfels
550 Landa Street
New Braunfels, TX 78130

Re: City Block 4061, Lot 31-S 60'

Mr. Mayor and City Council Members,

The Sophienburg Memorial Association has owned the historic Sophienburg Hill site located at 401 West Coll, once the headquarters of Prince Carl and the city's first government building, since 1926 in order to preserve the history of New Braunfels. As the City grows, The Sophienburg Archives and Museum of History must plan for growth to maintain our history for future generations.

Some years ago, The Sophienburg Memorial Association, a 501(c)3 corporation, purchased a property located at 391 Magazine Avenue, adjacent to our other properties, for future museum expansion. The house on the property has since been removed due to disrepair, but the appraised value and property taxes for the vacant property continue to climb, putting quite a strain on our finances.

It is the desire of the Association to re-plat the property and take it into the rest of our non-profit campus, but the platting fees are exorbitant for a non-profit. It is with this intent that we humbly ask that you consider our request to waive the City of New Braunfels' fees for platting, permitting, and other development related processes for the Sophienburg Memorial Association.

Regards,

A handwritten signature in blue ink, appearing to read "A. T. Noonan", with a long horizontal flourish extending to the right.

Andrew T. Noonan
President





ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AUTHORIZING THE WAIVER OF DEVELOPMENT RELATED FEES ASSOCIATED WITH PLATTING AND EXPANSIONS TO THE SOPHIENBURG MUSEUM & ARCHIVES, LOCATED AT 401 W. COLL STREET; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Sophienburg Memorial Association is a not-for-profit corporation with a commitment to serving our community by preserving the history of New Braunfels through the Sophienburg Museum & Archives ("Museum"); and

WHEREAS, the Envision New Braunfels Comprehensive Plan encourages collaboration with not-for-profits, and that the City maintain its friendly business and resident regulatory climate; and

WHEREAS, the Sophienburg Memorial Association is planning to replat individual lots to facilitate future expansions of the Museum; and

WHEREAS, the City Council of the City of New Braunfels wishes to provide support to the Sophienburg Memorial Association because of their ongoing efforts to make New Braunfels a better place to live by preserving its rich history.

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

SECTION 1

THAT the City of New Braunfels City Council hereby waives and suspends all development related fees for platting, building permits (including application fees, plan review and inspections), and Roadway Impact Fees associated with expansion and improvements to the Museum. The fees waived are those development-related fees specifically enumerated in Chapter 100 and Appendix D of the City's Code of Ordinances. Further, the City of New Braunfels City Council adopts the above-mentioned findings and finds a valid public purpose exists for the waiver of the above described fees.

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 3

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

SECTION 4

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

SECTION 5

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

PASSED AND APPROVED: First reading this 12th day of April, 2021.

PASSED AND APPROVED: Second reading this 26th day of April, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

4/26/2021

Agenda Item No. J)

PRESENTER:

Christopher J. Looney, AICP, Planning and Development Services Director

SUBJECT:

Approval of the second and final reading of an ordinance regarding a proposed rezoning of approximately 47 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northeastern corner of the intersection of Orion Drive and the Union Pacific Railroad tracks, from "APD" Agricultural/Pre-Development District to "R-1A-4" Single-Family Small Lot Residential.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** Council District 4**BACKGROUND INFORMATION:**

Applicant: James Ingalls, P.E.
Moeller & Associates
2021 SH 46W, Ste. 105
New Braunfels, TX 78132
(830) 358-7127 plats@ma-tx.com

Owner: EB Industries
Richard Byrd
(251) 510-1118 rbyrd@aspengroverrealty.com

Staff Contact: Matthew Simmont
(830) 221-4058 msimmont@nbtexas.org

City Council held a public hearing on April 12, 2021 and unanimously approved the first reading of the applicant's requested rezoning. The original rezoning request encompassed a larger, 68-acre property (see attachments) with two proposed zoning districts (from APD to R-1A-4 and R3-H). The applicant has divided the proposed rezoning of the 68 acres into two separate agenda items for individual consideration. This is one of them.

The approximately 47-acre tract is located along the north side of Orion Drive between Goodwin Lane and the Union Pacific railroad tracks. The unimproved tract has been in agricultural production and a portion lies within the Alligator Creek floodplain. The applicant has indicated they are making this request to allow for a 220-unit detached single-family residential development.

Surrounding Zoning and Land Use:

North - Alster, Wasser Ranch PD / Local street and railroad

South - Across Goodwin Ln., Oak Creek Estates PD and ZH-A / Single family residences (Creeside Farms and Oak Creek Estates) and Alligator Creek

East - Wasser Ranch PD / Single-family residence and Alligator Creek

West - Across Orion Drive, M-1A, MU-B and APD / Duplex residences and a planned manufactured home

community

ISSUE:

The proposed zoning change is consistent with the following actions from the Workforce Housing Study and Envision New Braunfels (the community's Comprehensive Plan):

- Ensure through city zoning and other required legal entitlements related to housing construction that new types of housing products (small-lot, duplex, townhome, etc.) are allowed by regulations.
- Create or adjust city regulations that allow for multi-unit owned/rented mix like two and three-flats where the owners earn rental income.
- Action 1.3: Encourage balanced and fiscally responsible land use patterns.
- Action 3.13: Cultivate an environment where a healthy mix of different housing products at a range of sizes, affordability, densities, amenities and price points can be provided across the community as well as within individual developments.
- Future Land Use: The property is situated within the Oak Creek Sub-Area, in close proximity to Employment, Market and Education Centers.

The permitted uses within the proposed zoning district create opportunities for encouraged housing variety and density which is generally compatible with the expanding neighborhood of residential use.

FISCAL IMPACT:

N/A

RECOMMENDATION:

The Planning Commission held a public hearing on February 2, 2021 and recommended approval (9-0).

The applicants' proposal to create a single-family residential development is consistent with ongoing development in the area, which is transitioning from available industrial opportunities to residential. Staff recommends approval.

Notification:

Public hearing notices were sent to 34 owners of property within 200 feet. The City has received no responses in favor and 8 responses in objection (#13, 16, 20, 21, 22, 25, 27, 32) and one neutral response (#27). The City has also received 20 responses in objection from owners of property outside of the 200-foot notification area. Most objection appears to be related to the applicant's original adjacent request for multi-family zoning.

Resource Links:

- Chapter 144, Sec. 3.4-1 (APD) of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.4ZODIREPRZOSUJU221987

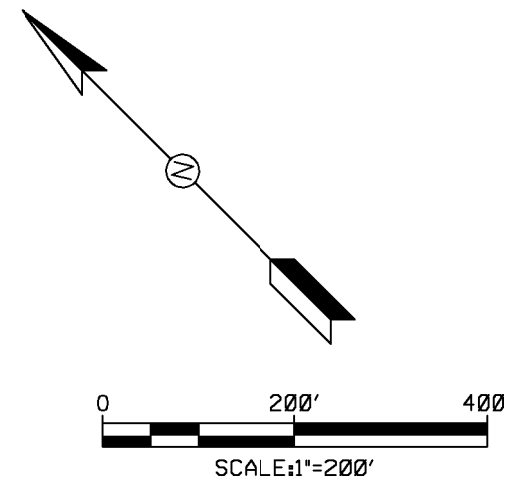
- Chapter 144, Sec. 3.4-2 (R-1A-4) of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.4ZODIREPRZOSUJU221987

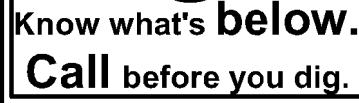
Attachments:

1. Aerial Map
2. Land Use Maps (Zoning, Existing, Future Land Use, Short Term Rental)
3. Proposed Zoning Exhibit

-
4. Traffic Impact Analysis (TIA) Worksheet
 5. Notification List, Map and Responses
 6. Excerpt of Minutes from the February 2, 2021 Planning Commission Meeting
 7. Draft Ordinance



R-1A-4 PROPOSED ZONING



THIS DOCUMENT IS RELEASED
FOR THE PURPOSE OF INTERIM
REVIEW UNDER THE AUTHORITY
OF JAMES INGALLS, P.E. #107416
ON
March 22, 2021. IT IS TO BE
USED FOR BIDDING AND
PERMITTING PURPOSES ONLY.
NOT TO BE USED FOR
CONSTRUCTION.

[illegible]

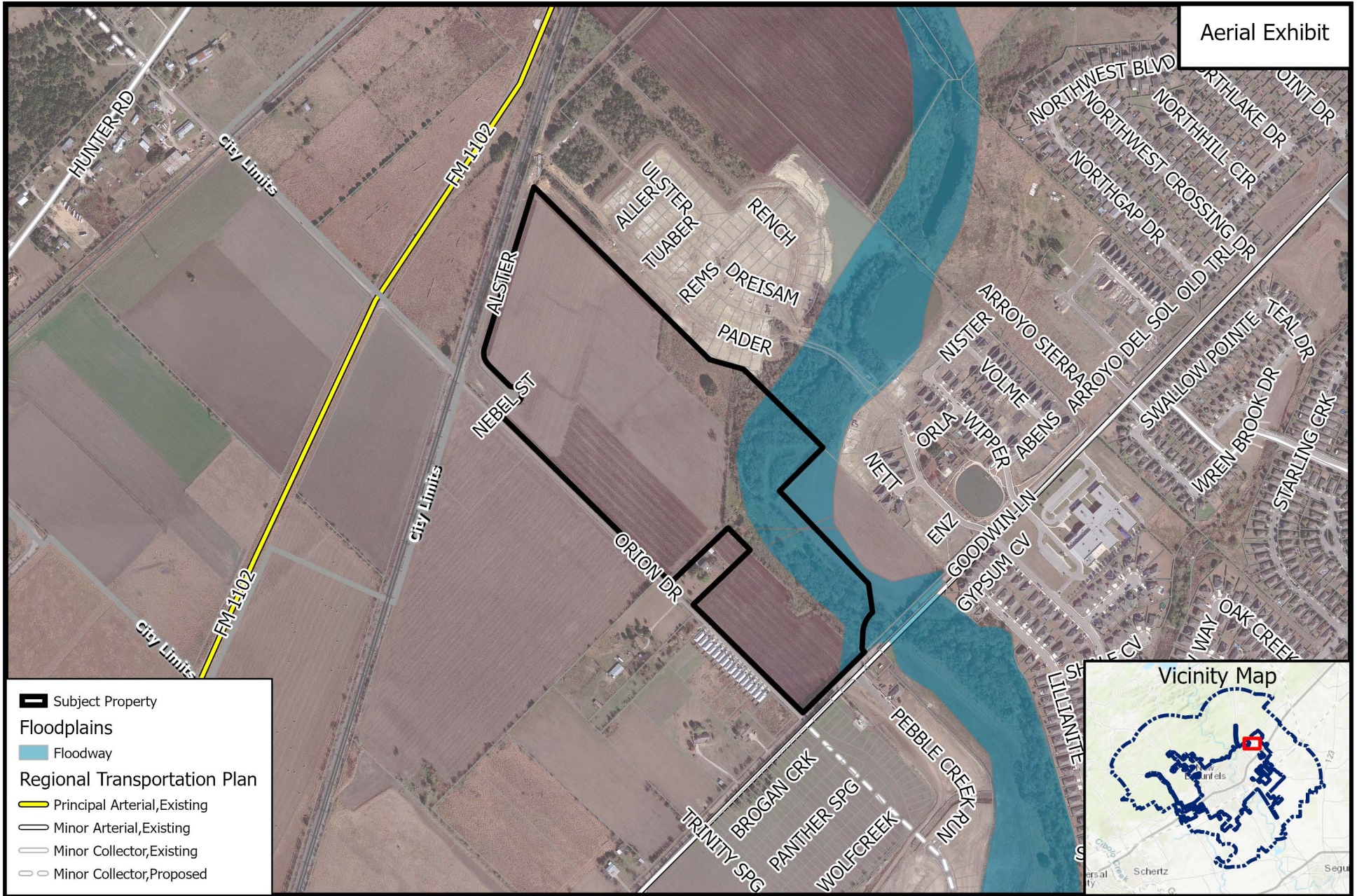
MOELLER
& ASSOCIATES
Engineering Solutions

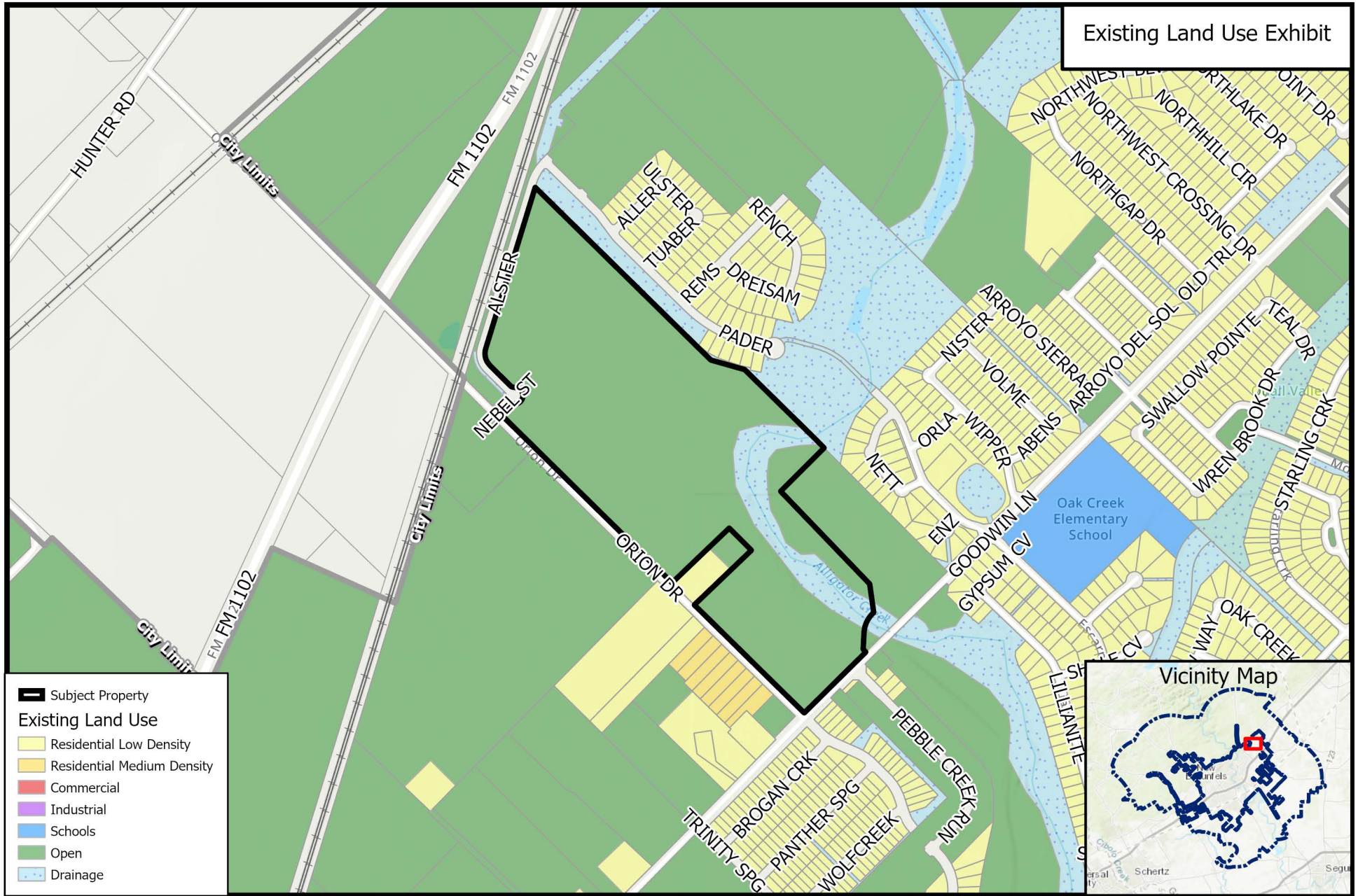
2021 W SH46, STE 105, NEW BRAUNFELS, TX 78132
PH: 8330-3587-7127 www.mra-tx.com
TBPE Form F-13351

R-1A-4
ZONING EXHIBIT

GOODWIN LN 69 AC TRACT
NEW BRAUNFELS, TEXAS

SHEET
EX
OF 1





EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.



FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.

CITY OF NEW BRAUNFELS TRAFFIC IMPACT ANALYSIS (TIA) WORKSHEET

Complete this worksheet as a requirement for zoning, master plan, plat and permit as specified in City of New Braunfels Code of Ordinances Sections 114-99 and 118-46.

Note: The Code provides the minimum information for a TIA report and it is recommended that a scoping meeting be scheduled with the Engineering Division.

Section 1: General Information

Project Name:				Date:			
Subdivision Plat Name:				Project Address/Location:			
Location? <input type="checkbox"/> City of New Braunfels		<input type="checkbox"/> New Braunfels ETJ		<input type="checkbox"/> Comal County		<input type="checkbox"/> Guadalupe County	
Owner Name:				Owner Email:			
Owner Address:				Owner Phone:			
Preparer Company:							
Preparer Name:				Preparer Email:			
Preparer Address:				Preparer Phone:			
TIA scoping meeting with City Engineering Division staff? (required for reports)		<input type="checkbox"/> Yes. Date: <input type="checkbox"/> No.		TIA Worksheet/Report approved with previous zoning, plan, plat or permit?		<input type="checkbox"/> No. Complete Page 1 only. <input type="checkbox"/> Yes. Complete Pages 1 and 2.	
Application Type or Reason for TIA Worksheet/Report							
<input type="checkbox"/> Zoning/Concept Plan/Detail Plan		<input type="checkbox"/> Master Plan		<input type="checkbox"/> Preliminary Plat		<input type="checkbox"/> Final Plat	
				<input type="checkbox"/> Permit		<input type="checkbox"/> Other	
TIA Submittal Type (A TIA Worksheet is required with all zoning, plan, plat and permit applications)							
<input type="checkbox"/> TIA Worksheet Only (100 peak hour trips or less)				<input type="checkbox"/> Level 1 TIA Report (101-500 peak hour trips)			
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report Approved				<input type="checkbox"/> Level 2 TIA Report (501-1,000 peak hour trips)			
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report not required (supporting documentation may be required)				<input type="checkbox"/> Level 3 TIA Report (1,001 or more peak hour trips)			

Section 2: Proposed Land Use and Trip Information for Application

Unit	Land Use	ITE Code ¹	ITE Unit ²	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
<i>Total from additional tabulation sheet (if necessary):</i>													
Total:													

¹Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition or most recent; ²E.g., Dwelling Units, Acres, Employees, KSF, etc.

Internal Use Only	Reviewed by:			Date:
	<input type="checkbox"/> TIA Worksheet is acceptable.	<input type="checkbox"/> TIA Worksheet requires corrections.	<input type="checkbox"/> TIA Report required.	<input type="checkbox"/> TIA Report not required.

Project Name:				
Preparer Company:		Preparer Name:		Date:
Type:	<input type="checkbox"/> TIA Worksheet Only	<input type="checkbox"/> Level 1 TIA Report	<input type="checkbox"/> Level 2 TIA Report	<input type="checkbox"/> Level 3 TIA Report
Approved with:	<input type="checkbox"/> Zoning/Concept Plan/Detail Plan	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Plat	<input type="checkbox"/> Permit <input type="checkbox"/> Other

Unit	Land Use	Status ³	ITE Code ¹	ITE Unit ²	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
Total from additional tabulation sheet (if necessary):														
Total:														

³Specify current *approved* status of unit: PLAN – Zoning/Concept Plan/Detail Plan/Master Plan, PP – Preliminary Plat, FP – Final Plat, P – Permit, C – Completed, A – With this Application (current)

Approved TIA Conformance		AM Peak Hour Trips	PM Peak Hour Trips	WKD Peak Hour Trips	Daily Trips
Approved development total:					
Updated development total:					
Difference development total:					
New TIA Report Required?					
Increase in Peak Hour Trips (PHT) over 100?	<input type="checkbox"/> Yes. New TIA Report required to be approved prior to approval. <input type="checkbox"/> No.				

Mitigation Measures	Unit	Total PHT
1.		
2.		
3.		
4.		
5.		
6.		

CITY COUNCIL – APRIL 12, 2021 – 6:00PM

Applicant/Owner: Moeller & Associates, agent for EB Industries, owner

Address/Location: Approximately 68 acres located out of the O. Russell Survey No. 2, Abstract No. 485, located at the northern corner of the intersection of Goodwin Lane and Orion Drive (see exhibit).

PROPOSED ZONE CHANGE – CASE #PZ20-0329

The circled 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. MARIPOSA HOLDINGS LLC | 18. WHIPKEY ROBERT D & PAULA J |
| 2. MICHIE REXFORD J & SALLY A WEITZ-MICHIE | 19. CHESMAR HOMES CT LTD |
| 3. SEBA PETER E | 20. FEATHERSTON DONALD C |
| 4. REVIVE NEW BRAUNFELS MINISTRIES | 21. ROGERS MELISSA J & CHRISTOPHER N |
| 5. KOCH WAYLON | 22. RICHARDSON NANCY C |
| 6. WILLIAMS MARK E & TERRY K | 23. DENMAN WILLIAM R III & JULIEE D |
| 7. JMH FAMILY HOLDINGS LLC | 24. MOORE JAEMI D & CRYSTAL M |
| 8. SCHEEL SHAWN | 25. HARRIS MIDORI E |
| 9. KOEHN N MICAH | 26. HORTON CAPITAL PROPERTIES LLC |
| 10. SADDLER DAVID L & CRYSTAL M SADDLER | 27. CASARES PAUL & CASANDRA R |
| 11. IVY B SCHLICHTING PROP II LTD | 28. ELLSWORTH MICHAEL J & BONNIE A M |
| 12. CONTINENTAL HOMES OF TEXAS LP | 29. PENA ABEL JR |
| 13. FRECH MARY E | 30. TRUESDELL ESSENCE M & NOLAN A |
| 14. FORESTAR USA REAL ESTATE GROUP INC | 31. ENGEL RYAN T |
| 15. CREEKSIDE FARMS RESIDENTIAL COMMUNITY INC | 32. DE LA CRUZ CHRISTOPHER M & MICHELLE F |
| 16. ROW JOHNNIE F | 33. CHESMAR HOMES LLC |
| 17. YES ACQUISITIONS LLC | 34. SCHMIDT KENNETH W |

SEE MAP

#13

From: [Mary Frech](#)
To: [Rusty Brockman](#); [Shane Hines](#); [Justin Meadows](#); [Harry Bowers](#); [Matthew E. Hoyt](#); [Jason Hurta](#); [James Blakey](#); [Matthew W. Simmont](#)
Subject: Zoning request Case #PZ20-0329 ms
Date: Sunday, April 4, 2021 12:14:55 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Mary Frech. I live at 2985 Zaber, NB and I am #13 on the latest map I received from the City of New Braunfels with the NOTICE OF PUBLIC HEARING for Case #PZ20-0329 ms.

I would like to register my objection to any piece of the property bounded by Orion Drive and Goodwin Lane to be zoned multi-family.

I understand you are following a Master Plan built from many volunteers from the community several years ago that states that housing for workers for our various businesses is hard to find and you are committed to approving that type of housing. Since I moved here in 2014, new apartments have gone up on both sides of I-35 south of the city, in the area of Common and 306, at Goodwin Lane and 306, newly approved at Klein & 725 and, I have been told the building next to the Budweiser distribution center on 306 is going to be apartments, to name just a few I can think of off the top of my head. I do not know what the rent is at each of them but I was told our workforce needs places to live. The ones proposed at Goodwin Lane and Orion, we were told, would rent for upwards of \$1500 per month. That's a pretty good mortgage payment. From being an employee of one of our call centers, CBE, I can tell you most of those workers (coming from the ages of 18-25) cannot afford any but Section 8 housing--most are living with their parents. That is not what is being built, to my knowledge. Mr. Ray cited that there is no place for police officers, firemen/women, nurses, teachers, etc. to live and I want to dispute that completely. Those salaries do give them many choices in New Braunfels already and many of those folks live in my neighborhood now. How many apartment complexes have wait lists? I would hazard a guess that it is those on the river because of that desirability, rather than the "cheap" rent of an apartment. Most apartment complexes are wonderful when new, but unfortunately, they do not stay new. Rather than provide proper upkeep, the complex is usually sold several times to corporations and gradually go down-hill because of lack of maintenance. Many of us bought into our neighborhood as a long-term investment. We do not want to move somewhere else and we would like our property to have value in 20 years. Will that be true if an apartment complex is next door?

Do any of you council members live next door to an apartment complex, one that has been there for many years? Would you choose a home beside one or within 200 feet of one? If your answer is no, how can you vote for this one?

The highly respected Henry Cisneros, former mayor of nearby San Antonio and HUD Secretary from 1993-97, is quoted in a longitudinal study entitled, Homeownership and Neighborhood Stability by William M. Rohe, University of North Carolina at Chapel Hill and Leslie S. Stewart, Research Triangle Institute, as saying, **"Expanding home ownership is vitally important to our country, because home ownership is critical both to individual economic opportunity and also to the building of strong communities."**—Henry Cisneros (1995, 3) I believe Mr. Cisneros is correct with this particular piece of land. It will be surrounded by single-family housing, in the middle of many single-family neighborhoods. Why not make the front half of the land single-family homes as well?

Thank you for your time and hopefully, consideration.

Sincerely, prayerfully,

Mary

"Trust in the Lord with all your heart and lean not on your own understanding..." Prov. 3:5

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ20-0329 ms



Name: Johnnie F Row

I favor: _____

Address: 1383 Hillcrest Dr

I object: ☒ (State reason for objection) PR

Property number on map: 16

Comments: (Use additional sheets if necessary)

2. I don't like the small lot word! Most small lots have no room for cars, children area. Some on Goodwin Lane are a good example. Also there is the possibility of floods in this area. No playgrounds or trails for children or adults!
 Signature: Johnnie F Row
 P.S. I have picture of past flooding!

#16

From: [Chris Featherston](#)
To: [Matthew E. Hoyt](#)
Cc: [Jason Hurta](#); [Matthew W. Simmont](#); [Christopher J. Looney](#)
Subject: Rezoning on Orion and Goodwin Lane Case #PZ20-0329
Date: Sunday, March 7, 2021 10:49:29 AM

20

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Hoyt,

I am Donald Featherston my wife Karen and I live at 2977 Zaber New Braunfels, TX 78130 in the Wasser Ranch Community. It has been brought to my attention that the City Council has on its agenda for the city council meeting on 8 March 2021 at 1800, to reconsider the Rezoning request of Mr. Ray who is the owner of the land and who has hired Mr. James Ingalls to develop the property at Orion and Goodwin Lane. It also has been brought to my attention that my in person objection at the last council meeting on 22 February 2021 at 1800 hours was not sufficient to be counted as an objection and that the council must have it in writing as I was one of the 26 homeowners that received the notice in the mail as my property line is with in 200 feet of the property up for rezoning.

It was my understanding when I spoke to Mr. Simmont that me showing up would have counted as an objection, but that does not seem to be the case now. I also can tell you from speaking to my closest neighbors that should have received a notice in the mail there are 3 who did not and if not for me letting them know they would not have been at the last meeting or sent emails to the council.

me and my wife strongly object to the rezoning for High Density Multi Family Housing (aka. Apartments). As I stated in the 5 mins I was allowed to speak on 22 February 2021, there are many reasons this should not be approved.

1st, Goodwin Lane can not handle the traffic. I understand that the 2019 Bond that was voted on and approved by the city was designed to handle growth for our neighborhoods in this area of district 4, but it is not due to even begin construction until 2023 and to my understanding will take 2 years to complete. This means that a HDMFH community would cause major issues as it would be developed and the infrastructure built long before the construction on Goodwin Lane would be completed, not to mention that there are not any plans for the enhancement of Orion.

There have already been at least 3 Dirt Trucks pulling trailers that have turned over trying to turn from Goodwin Lane on to Orion, causing hours of delay because they had to get a crane or wrecker to pull the truck back up and onto the road. Then add that a train is constantly stopped on the track on Orion does now and would cause anyone living on Orion to be forced to use Goodwin Lane to exit the community, add that there are no gate guards for that track and make it a big safety issue.

Now let us talk about when Alligator Creek Floods and the low crossing at Kolenburg Road, if that train is stopped on the track not only will all the the traffic from Orion have to go right on

Goodwin Lane and we here at Wasser Ranch, Oak Creek, Quail Valley, Arroyo Verde, to have to go through Oak Creek and/or Quail Valley to get out and if it happens. Lets now address when school is either starting or ending at Oak Creek Elementary that causes even more issues. Lastly let's talk about the construction on IH 35 and Kolenberg Road that is not due to be completed until 2025 and we know from history TxDot that we can add 2 years to that.

The amount of cars that would be added when apartments go up almost triple what single family housing would, not to mention the potential for the school to be well above capacity (Yes I am aware this is not y'all issue as was stated at the last meeting) but does not mean that it can't/shouldn't be used as information when deciding on the decision.

3rd, It has been statically proven many times that when HDMFH goes up so does crime in that area.

We have so much going on in our community, the state and our country that we all are having to deal with and this is just one more added stress put on us, that we should not have to endure, I am not a political man and I have very conservite values, but I also use the brain that the lord gave me to make good sound decisions. My wife and I understand that no one person or community is perfect and you can't please everyone. With that said we are asking you sir and the others on this city council to please disapprove the HDMFH portion of this rezoning request. As those of us that came to the council meeting on 22 February set until after 9pm to voice our objections we have no problem with single family homes as long as they are not MFH type homes and we are not trying to stop growth in New Braunfels or District 4 we just want responsible growth that makes sense for everyone.

Lastly, the potential for our home values to drop is a real concern.

Mr. Hoyt, Myself and my wife and as you will see on Monday your community over here would ask that you come and drive through our neighborhoods over here and then ask yourself this question "If I lived here would I want apartments built and can my community handle this much growth so fast".

Thank you for your time and willingness to listen to me and all of the neighbors here in your part of District 4.

Have a Blessed Day!

Donald "Chris" Featherston
Ret, USAF
chris.featherston2015@gmail.com
210-777-0450

#21

From: f567270
To: Christopher J. Looney; Matthew W. Simmont; Matthew E. Hoyt; Jason Hurta
Subject: No To Goodwin/Orion Multi Housing CASE #PZ20-0329
Date: Sunday, March 7, 2021 5:11:25 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Case #PZ20-0329 ms

Name: Christopher N and Melissa J Rogers
Address: 2981 Zaber
Property #on Map: 19

I OBJECT!!!!

Reason:

Lack of current infrastructure to support High Density housing in the area. Road improvements need to be made first on Goodwin Lane and Orion Dr to support the additional traffic. School overcrowding will also become an issue unless additional schools are built in the area.

Another concern is the affect this rezoning will have on current property values. We invested a lot into our new home and it would be very disappointing to see an adverse affect on the value based on the decision of the planning committee.

Strongly object

Melissa and Christopher Rogers

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ20-0329 ms

Name: Melissa + Christopher Rogers I favor: _____

Address: 2981 Zaber

I object: X (State reason for objection)

Property number on map: 21

Comments: (Use additional sheets if necessary)

Insufficient Infrastructure - Roads !!
schools, utilites

Signature: [Signature]

#22

From: [Nancy Richardson](#)
To: [Matthew W. Simmont](#)
Subject: No to multi family apartment complex on Orion and Goodwin
Date: Monday, March 8, 2021 9:24:02 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I implore you to not approve a proposal to build a multi family apartment complex on Orion and Goodwin. First of all the roads simply can't handle the traffic. Orion is a road so narrow that 2 cars can't pass each other safely- not to mention trains block the road daily by stopping on the tracks allowing only one way in and out which is Goodwin. Goodwin has its own issues as well. Presently a new subdivision is being built off Goodwin which will bring significantly more traffic to the already congested area. Between the hours of [2:45](#) and [3:25](#) it is almost impossible to get to my subdivision Wasser Ranch due to the cars lined up on Goodwin waiting to pick up their children from the school and there is no way to safely get around them. I bought my lot and built my dream home to enjoy the beautiful scenery and privacy. I am beyond saddened and upset that this could all change. Not only would an apartment complex change the dynamics of the area but it will most likely bring crime and lower the value of my house. I am from New Braunfels and I understand that our city is developing at a record pace but please do not approve this proposal- show the residents of this area that you care and support us and our livelihoods.

Thank you,
Nancy Richardson
[2989 Zaber](#)
[New Braunfels, Tx. 78130](#)

Sent from my iPad Sent from my iPad

Case: #PZ20-0329 ms

YOUR OPINION MATTERS - DETACH AND RETURN

RECEIVED

APR 12 2021

Name: Nancy Richardson

Address: 2989 Zaber

Property number on map: 22

I favor: _____

I object: X (State reason for objection)

Comments: (Use additional sheets if necessary)

Object to R-3H Multifamily
High Density District

Signature: [Signature]

79

#23

From: [Billy Denman](#)
To: [Matthew W. Simmont](#)
Cc: ["Juliee Denman"](#)
Subject: Case #PZ20-0329 ms
Date: Sunday, April 11, 2021 5:06:54 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Name : William and Juliee Denman
 Address: 805 Pader
 Property number on map: 23

Comments:

My wife, Juliee, and I were among those who didn't receive the notice of the first meeting. We moved into our home on October 13, 2020, and are guessing the tax rolls hadn't caught up with all the new additions. We are trying to get up to speed on this issue. We did attend the city council meeting where the rezoning case was opened again after being voted down at the previous meeting. During that meeting, the council voted to re-address the issue at the next meeting (tomorrow night). I also listened in on the virtual meetings via Zoom with the landowner and his advisor. Growth and expansion are inevitable. I typically am in favor of this. I do not object to this growth; actually quite the opposite. My understanding from the meeting is the landowner could propose a new development plan, but not propose the original one. However, that is not the case as his plan is the same.

The landowner and his advisor represent themselves well at the meetings. They were both articulate and thoughtful in listening to and answering questions from the Wasser Ranch community. One of the questions that many from our neighborhood are asking is "will the permit be amended? Will it satisfy concerns we have about the high density apartments? We never were given that reassurance. It seems we are back to the original plan without addressing any of the concerns of the community.

Our number one concern is that this new development (in whatever shape or form it takes) does not commence until:

- the roads are upgraded.
- a solution to the entrance on Orion Drive being blocked by trains for hours at a time.

Both of these issues are already a problem, especially with new houses being built in the neighborhood. High density apartments will compound the traffic problem that already exists.

These are our opinions and we appreciate you taking the time to read this. We will not be able to attend the meeting, but plan on listening in via Zoom.

Best wishes.

Billy and Juliee Denman

903-372-5212 mobile

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ20-0329 ms

RECEIVED

Name: Mildred Harris McLean

I favor: _____

Address: 813 Pader # 25

I object: 1 (State reason for objection) **APR - 9 2021**

Property number on map: 26 25

Comments: (Use additional sheets if necessary) Initial

- we object due to the increase traffic and lack of infrastructure to support it
- we object to the multi family apartments due to the proximity to our single family homes.

Signature: [Signature]

YOUR OPINION MATTERS - DETACH AND RETURN

#27

Case: #PZ20-0329 ms

Name: Paul + Casandra CasaresAddress: 614 PaderProperty number on map: 27

I favor: _____

I object: X (State reason for objection)

Comments: (Use additional sheets if necessary)

We do not want multi-family
units on an already longested
area. We would prefer single-family
type housing.

Signature: Casandra R Casares

#32

From: [Delacruz, Michelle](#)
To: [Christopher J. Looney](#); [Matthew E. Hoyt](#); [Matthew W. Simmont](#); [Jason Hurta](#)
Subject: Proposed rezoning on Orion & Goodwin road
Date: Monday, March 8, 2021 10:05:49 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

My name is Michelle Delacruz and I live in the Wasser Ranch subdivision at 2907 Aller New Braunfels, TX 78130. The city council is taking another look at a proposed rezoning request for 13 acres at the corner of Goodwin and Orion to build multi-family housing. This was voted down at the last council. I strongly disapprove of the rezoning request. We paid a premium for our lot as our oversized windows face the fields and not other houses, certainly not a rental neighborhood. The road infrastructure is lacking as it is on Goodwin, which is too narrow and there's already new homes going up across the street. In addition, multi-family homes, which are rental apartments or duplexes, will bring crime to this area and will hurt the market value of my newly purchased home along with the others in this area. Prior to buying our home, we rented at a supposed luxury apartment complex and the crime was unreal. I emphatically implore you to not approve this request. Thank you for your time and consideration.

Sincerely,
Michelle Delacruz

YOUR OPINION MATTERS - DETACH AND RETURN

RECEIVED

Case: #PZ20-0329 ms

Name: Chris Delacruz

Address: 2907 Aller

Property number on map: 32

I favor: _____

I object: X (State reason for objection)

Comments: (Use additional sheets if necessary)

I don't want high density multi family units near our subdivision. It will hurt our property values and the roads are already bad enough.

Signature: Chris Delacruz

From: [chris.delacruz](#)
To: [Christopher J. Looney](#); [Matthew E. Hoyt](#); [Matthew W. Simmont](#); [Jason Hurta](#)
Subject: Proposed rezoning on Orion & Goodwin road
Date: Sunday, March 7, 2021 4:27:23 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Chris Delacruz and I live in the Wasser Ranch subdivision at 2907 Aller New Braunfels, TX 78130. The city council is taking another look at a proposed rezoning request for 13 acres at the corner of Goodwin and Orion to build multi-family housing. I was at the last council meeting and this was voted down. I strongly disapprove of the rezoning request. The road infrastructure is lacking as it is in Goodwin, too narrow and there's already new homes going up across the street. In addition, multi-family homes AKA, rental apartments or duplexes will likely hurt the market value of my newly purchased home along with others. I emphatically implore you to not approve this request. Thank you for your time and consideration.

Sincerely,
Chris Delacruz

The following responses are from property owners that are outside of the 200-foot notification area, unlisted with the County Appraisal District, or did not provide an address.

From: [Cristine Barger](#)
To: [Jason Hurta](#); [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: No To Goodwin/Orion Multi Housing
Date: Sunday, March 7, 2021 2:34:06 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I live in the Wasser Ranch subdivision off Goodwin Lane. I have been made aware that there is a proposed zoning change to lots that are off Orion Drive. I believe this issue is item D on the docket for Monday, March 8th.

This area of New Braunfels is growing rapidly while the infrastructure in this area has largely been ignored. Goodwin Lane, Orion Drive, and Conrads Road are all in subpar condition, traffic on both FM 306 and at the Conrads Road exit is heavy, and construction on 35 in this area has made it hard to efficiently make it through town.

There is a large apartment complex being built off FM 306 new Tri-City Distributors currently that will have a large impact on an already busy intersection (where 306 and Goodwin meet). Additional multi-family housing in this area should wait until the infrastructure in this area can support it.

In addition, Justin Meadows mentioned in the meeting when this was previously discussed, that this proposed multi-family housing unit would be closer than is standard in New Braunfels and would not have barriers that are typically seen when multi-family butts up to single-family living.

Furthermore, there is a train crossing on Orion Dr near 1102 that does not have crossing arms. Not only do trains stop here for hours (sometimes days) at a time, it is a safety hazard to have so many people going over those tracks with no arms.

The pushing through of this issue so quickly and despite many residents (and council members) disagreeing with it is puzzling. Why is this area of town being ignored when it comes to safe and responsible growth? I can imagine that those serving on the City Council, the Mayor, as well as the developer would not want an apartment complex being built in their backyard, their children's school overcrowded, and their roadways congested because of someone else's short-sighted decision.

While I appreciate and understand the City's goal to build more affordable housing, I do not believe this particular area is a good fit for a multi-family housing unit. Houses or a park would fit in beautifully- especially with the trail that is to extend along Alligator Creek.

Thank you for your time and service,

Cristine Barger

From: [Jonathan Barger](#)
To: [Matthew W. Simmont](#)
Cc: [Cristine Barger](#)
Subject: Goodwin Lane & Orion Rezoning Proposal
Date: Monday, February 22, 2021 8:16:32 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Matt,

We have never spoken but the recent rezoning request near Goodwin Lane and Orion has sparked my interest. I live in Wasser Ranch, so this rezoning request has close proximity to my home. My initial thought was "*I don't want my property values to decrease*" so I went down the rabbit hole of finding research that fit my narrative. I found the exact opposite and that MDU's (multi-dwelling units) have no statistically significant effect on property values even when comparing to a control group.

My next concern is on infrastructure and I am hoping that you could answer my questions.

- What is the total capacity of students for Oak Creek Elementary?
- What is the total student count at Oak Creek Elementary?
- What is the model for how many students per MDU unit/ SDU unit is the City forecasting will be students?

I have three children - one of which is currently at Oak creek and two that will shortly follow, so my immediate concern is that Oak Creek will be packed to the brim and this will lead to a less than optimal learning experience.

- When will construction commence on Goodwin Lane

I don't have traffic statistics but it seems that the flow of traffic on Goodwin is starting to back up during peak traffic hours and there is a new Neighborhood that has already broken ground right off of Goodwin. These backup issues happen from Conrad all the way to 306 and I feel that adding an additional 1,000 MDU/SDU will only further contribute to the traffic issue. (BTW, my 1,000 is an approximation between the SDU plan for zero lot lines and the MDU plan - please correct me if this total number is incorrect).

- Orion Dr has a train crossing that does not have safety arms. Is the developer going to pay to have safety arms placed at this train crossing and will the City of New Braunfels be able to do anything with Union Pacific regarding trains stopping on the tracks?

Thanks for your time in your response. I believe the real discussion should be on infrastructure capabilities and forecasts versus the "Not In My Backyard" mentality and will be happy to share your responses with the neighborhood.

Sincerely,

Jon Barger
908 Ulster
New Braunfels, TX 78130

c - 210-317-2404

e - jonathanwbarger@gmail.com

From: [Amanda Barker](#)
To: [Matthew W. Simmont](#)
Subject: Objection to pending rezoning
Date: Sunday, March 7, 2021 8:53:36 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Simmont,

I live in Wasser Ranch and am very concerned about the apartment complex right in our back yard ("High Density Multi Fmaily Housing") on Goodwin Lane & Orion Drive

There are many reasons why this is a very bad idea from the roads are not designed for this much traffic to the school issue it will cause and statically when places such as duplex's and apartments go up so does crime. Not to mention our home values taking a big hit. I did my research when buying where I did and this is a slap in the face and many of us are now feeling the need to move if this passes. Let's grow this city responsibility without penalizing the neighborhoods in our area!

I OBJECT TO THIS REZONING!!!

Thank you for your time!

Sincerely,

Amanda Barker
627 Wipper, NB 78130

From: [Cassi Coble](#)
To: [Jason Hurta](#); [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: Opposed to apartments on Goodwin, Wasser Ranch resident
Date: Sunday, March 7, 2021 1:30:21 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am a resident in Wasser Ranch and am emailing you in regards to the zoning change for apartments and/or small lot home proposal for Goodwin and Orion. The residents at several neighborhoods along Goodwin are opposed to this for many reasons.

First, Goodwin lane has seen a significant increase in the traffic that comes thru already and the road is already not wide enough. With increased traffic from apartments this will likely lead to accidents and unsafe conditions for the school located within less than a mile of said zoning changes.

Second, I understand that there is already an apartment complex going in next to Tri City distribution center at 306 and Goodwin less than 2 miles away from this proposed zoning change. Why are we trying to bombard this area with apartments in an already heavily trafficked area with roads that cannot handle the current traffic flow we have.

Lastly, as I'm sure you can understand the impact having apartments next to your neighborhood we would likely see a decrease in our property values, most of which have been built in the last 5 years. I'm not sure what the strategy is in bombarding Goodwin lane with rental properties when there are already nice neighborhoods being built with homes starting in the high 200s and 300s. The builders have had no problems selling homes in this area and could likely be a potential property for more homes similar to what is already in the area.

While I can understand a need to have more housing options for people moving to the area but with the recent rental home neighborhood that was built on Goodwin, the newly approved apartments at 306 and Goodwin, and all the expansions happening within Oak Creek, Wasser Ranch, and Cloud Country adding this zoning change would just cause more issues to the already heavy congestion we have within this area. This zoning change would also cause a lot of unhappy residents to what can be a flourishing area for the City.

As a single parent I am not able to attend the meeting in person but wanted to express my deep concern and complete opposition to the zoning change proposal next to my neighborhood.

Sincerely,
Cassi Deleon

Sent from my iPhone

From: [Janet Coble](#)
To: jhurta@nbtexas.or; [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: NO TO GOODWIN/ORION MULTI HOUSING
Date: Sunday, March 7, 2021 1:37:05 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am a homeowner in Wasser Ranch and would like to adamantly **OBJECT** to approving a multi housing complex at the location of Goodwin/Orion for many reasons:

#1 - The homes in Wasser Ranch have current values of \$300,000+ with new builds being considerably over this amount. As you well know, putting in multi housing, which we all know will be rental units, drastically reduces property values. We already have an entire subdivision on Goodwin that is strictly rent/lease. So far, that development is maintained very well and since these are individual homes, does not have quite the impact that apartments or duplexes have.

#2 - Goodwin Lane and Orion both, but most especially Goodwin, **CAN NOT** stand up to the current traffic load, let alone any increased traffic load. With new homes being built not only in Wasser but also Oak Creek Estates and Cloud Country, this area will steadily have an increase in traffic. I moved into my home in August 2019 and that November I saw a survey crew on Goodwin and when asked what they were doing, they informed me they were surveying as Goodwin was going to be widened with a turn lane all the way down to accommodate the traffic entering the various subdivisions. As to date, **NOTHING** has been done about that. This should be a priority for right now. Hopefully you realize that Alligator Creek floods very easily therefore closing Goodwin. What happens then? Oak Creek Elementary was closed from March 2020 till August 2020 and not a single thing was done except some asphalt repair work.

#3 - From what I have been able to find out, there already is an apartment complex going up on FM 306 between NBU and the beer distributor. With that being built, we DEFINITELY do not need another complex less than a mile away.

#4 - Your priority for the city right now should be focused on finishing up all the road repairs and construction before summer tourism hits. The 306/I-35 location is a disaster and now has a completion date of next March, which is one year from what was originally planned. Why? A Whole year behind? How about putting some pressure on that contractor? And the Conrads/Kohlenberg interchange is another train wreck.

Take care of the projects that are out there right now and not being completed in timely manners.

Remember, you are elected by the people that actually live here to do what is in the best interest for your constituents, not the commercial developers who come in and out of here after they have made their millions. **We LIVE here and SUPPORT this city with out taxes, spending and volunteering. KEEP THAT IN MIND WHEN YOU MAKE ANY LIFELONG DECISIONS.**

Janet Coble
Wasser Ranch Subdivision

From: [chris.delacruz](#)
To: [Christopher J. Looney](#); [Matthew E. Hoyt](#); [Matthew W. Simmont](#); [Jason Hurta](#)
Subject: Proposed rezoning on Orion & Goodwin road
Date: Sunday, March 7, 2021 4:27:23 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Chris Delacruz and I live in the Wasser Ranch subdivision at 2907 Aller New Braunfels, TX 78130. The city council is taking another look at a proposed rezoning request for 13 acres at the corner of Goodwin and Orion to build multi-family housing. I was at the last council meeting and this was voted down. I strongly disapprove of the rezoning request. The road infrastructure is lacking as it is in Goodwin, too narrow and there's already new homes going up across the street. In addition, multi-family homes AKA, rental apartments or duplexes will likely hurt the market value of my newly purchased home along with others. I emphatically implore you to not approve this request. Thank you for your time and consideration.

Sincerely,
Chris Delacruz

From: [Kelly Garza](#)
To: [Matthew W. Simmont](#)
Subject: Apartments at Goodwin & Orion
Date: Sunday, March 7, 2021 9:51:14 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

I hope this email finds you well. It has come to my attention that at tomorrow's city council meeting a discussion will be held regarding apartments at Goodwin & Orion roads. As a resident of the surrounding area, I would like to strongly oppose this re-zoning and the proposed construction. Apartments in that area would cause so many issues for current homeowners on this side of town, such as additional traffic congestion, property value decreases, and overpopulation of OCES. We moved to this end of town 8 years ago because it was less congested than other areas. It has since grown and the increase of homes and population have already caused so much traffic congestion and accidents. Between the growth of Creekside, the DPS office being relocated over here, and the TA truck stop it has become a nightmare. Adding more homes would only cause the existing issues to become exacerbated. The city council needs to say "no" to further construction requests in order to help preserve the few green areas of this once beautiful town and to maintain quality of life for current tax paying citizens.

I would prefer to be making my request in person tomorrow evening, but can not attend due to family commitments. I know many of my neighbors will be in attendance and hope to have their voices heard.

Thank you in advance for your consideration in this matter.

Sincerely,

Kelly O'Neal
New Braunfels resident
Cloud Country Subdivision

From: [Glenda Harrison](#)
To: [Matthew W. Simmont](#)
Subject: Re zone at Goodwin and Orion
Date: Sunday, March 7, 2021 3:30:23 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am a new homeowner in the Wasser Ranch subdivision and am writing to convey my objection to the re zoning as it is currently proposed. My address is 817 Pader. Thank you for your attention to matter
GetOutlook [for Android](#)

From: [Debra Howell](#)
To: [Jason Hurta](#); [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: Orion and Goodwin
Date: Saturday, March 6, 2021 2:18:09 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Item D on the agenda for
Monday night.

The last city council Meeting it was rejected by a 5-2 vote. I've always thought it was tabled if it was rejected.
Will this really be on the agenda Monday night?

Thank you

Debra

From: [Debra Howell](#)
To: [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: Goodwin Orion subdivision
Date: Sunday, February 21, 2021 8:22:46 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am so opposed for the rezoning of the land at the corner of Orion and Goodwin. This will add so many more people and families to our already crowded little area. These lots are way smaller than any of the others in the area and if I counted right it is 363 homes plus an apartment complex. That's adds well over 1,000 more cars. Yes our bond passed and we are getting better roads but if y'all are waiting for all these subdivisions to build on Goodwin it will take forever.

I really hope no one gets killed on that small road on Goodwin and especially no child. And the roads in the older subdivisions are already failing. Drive the roads in Quail Valley and northwest crossing, especially the section of Starling Creek toward the Oak Creek side. These roads are failing and soon the sewer system will too. It's like riding a roller coaster up and down. That is going to be a nice costly fix.

Also I was watching the NBU electric grids this week. There were times when there was 10 areas of outages. Of all those areas including Morningside area, our Goodwin area had the largest amount of 1738 customers. Let's add a couple more hundred customers when we already have water pressure issues.

And what about a park or some other things for all our neighbors. And not just the walking track that they are working on. An actual park for the kids and families.

Please pass this to all the city council members for the vote tomorrow night.

Please do not vote to add all these small lots and apartments to our way to fast growing area.

Thank you

Debra Howell

From: [Tony Killough](#)
To: [Matthew W. Simmont](#)
Subject: Goodwin Ln & Orion Rezoning
Date: Monday, February 22, 2021 6:47:57 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Simmont,

My name is Tony Killough and I live in the Wasser Ranch subdivision along Goodwin Lane, just across from Goodwin Elementary. I'm reaching out regarding the proposed rezoning of the almost 14 acres along Goodwin Ln and Orion. My understanding from available documents is that this land is in the process of being rezoned to accommodate multi-unit (apartment) homes. I'm writing to let you know that I strongly oppose this for a few reasons.

First, I'd like to point out Goodwin Lane. Already packed beyond reason, this road cannot handle the traffic that 500+ units would bring to the area. While many northern subdivisions are already filled out, there are some that have broken ground already and are not filled. For example, across the road is the Oak Creek subdivision, which recently opened their new section, bringing many homes and vehicles to the area. Wasser Ranch opened their new section just a couple months back, that is much larger than the front part of the neighborhood. Furthermore, a rent-to-own community is quickly building and selling homes just past Oak Creek when headed toward 306. This issue extends along Goodwin Ln from Conrads to FM306. This area simply cannot handle 500+ more inhabitants along with what is already broken ground in single family homes.

Secondly, Oak Creek Elementary does not have the capacity for an additional 500+ units worth of children.

Thirdly, the train crossing along the railroad and Orion will cause significant traffic buildup as the train frequently stops over those tracks. This will force everyone to go to 306 or drive down to Conrads and cut around, a huge hassle, and a huge traffic builder.

Lastly, as a homeowner in Wasser Ranch, an apartment building so close will of course lower my property values. Additionally, apartments *usually* bring high levels of crime, which is not what our small community of single family homes along Goodwin Lane is meant for. This is a strong community. One who has grown together through the years in a structured, sustainable, manner. I fear that adding this apartment complex will ruin what we have here. For that reason, I'd like to strongly voice my opposition for the rezoning of this land.

Thank you,

Tony Killough
tony922@me.com
(832) 477-3516

From: [Mary K Lopez](#)
To: [Matthew E. Hoyt](#); jurta@nbtexas.org; clooney@bntexas.org; [Matthew W. Simmont](#); [Rusty Brockman](#)
Subject: Please vote no for 21-231 (re-zoning at Goodwin and Orion)
Date: Monday, March 8, 2021 8:30:40 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

I am writing this email as a homeowner who will be directly affected by the re-zoning you will be voting on tonight. I will list my objections below. I appreciate your time on this and would ask that you vote no to this development.

1. Apartments lower property value and bring crime - plus we already two apartment complexes within a mile of us right now.
2. The developer is not from here - does not have our interest in mind and will cause problems for those of us who have paid good money to live here and invest in New Braunfels
3. The roads are already so overwhelmed. Everyday is a fight with all the big trucks and cars not to fall into the ditch off Goodwin In.
4. The school is already becoming crowded - we have pulled our Kindergartener out and will send him to a charter school in Schertz because the classes are getting too big for him to receive a good education.

I know that development is a good thing and needs to happen but on the website you say

" Wise and healthy planning will certainly be important during this time of fast growth..."

To us this is not wise or healthy planning. The amount of traffic and crowding this will bring is not good or healthy for our community.

Thank you,
Mary Kathryn Lopez
822 Rensch
New Braunfels, Texas 78130
Wasser Ranch Subdivision

From: [Brittany Parbs](#)
To: [Jason Hurta](#); [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: Proposed High Density Multifamily Housing
Date: Saturday, March 6, 2021 6:24:12 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Evening,

To whom this may concern,

We are writing to you to firmly suggest our ***opposition*** to any proposed high density multi-family housing (apartments/duplex's etc) near the Goodwin /Orion area. We reside in section 17 (Chesmar homes Wasser Ranch subdivision). Please consider this email a request to vote **NO** on this proposal.

Thank you for your consideration

The Fajardo Family

Sent from my iPhone

From: [Thomas Coss](#)
To: [Matthew W. Simmont](#)
Subject: Regarding high density housing in Orion/Goodwin area
Date: Thursday, March 11, 2021 11:34:45 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

New Braunfels City Council

3/11/21

We are new (8 months) residents of Texas and Wasser Ranch, retired married couple, and have a new home here. Personally, I have no problem with high density housing (it has to go somewhere). I have the usual concerns about not wanting the area to develop into an undesirable area but willing to leave it to the city to deal with that.

That aside, I have concerns about infrastructure, as follows:

1. Access in and out of our development is pretty bad. The school on Goodwin causes traffic blockage morning and evening on weekdays. The other exit via Orion Drive is often blocked by a stopped train. Goodwin itself is a very poor street, especially considering the many housing units in process along Goodwin, in Wasser Ranch and probably others. Goodwin is a two lane in terrible shape with an excessively high crown which makes for difficult and dangerous driving. Adding more housing units to the Goodwin/Orion area will cause intolerably congested traffic.
2. We recently experienced a serious power outage, which of course could happen again. I am concerned with the need for additional weatherproof generation to provide for additional housing demand, but I have not been able to find that additional capacity is being developed.
3. I have the same concerns about water. Again, we had an outage where demand exceeded supply (in an admittedly unusual situation), but I have not learned of any additional water supply being developed. Apparently current demand is already straining the Edwards aquifer and one has to wonder where the water will come from to supply all the new housing that is currently on the books.

As a newcomer, I am very careful not to complain before learning the facts, and maybe the different ways of operating in this state vs. where I came from. Nevertheless, it APPEARS that our city does not have a policy that growth should pay for itself, making provision for additional infrastructure to accommodate that (inevitable) growth.

For these reasons, I am against any additional new housing construction in this immediate area until appropriate infrastructure is put in place.

Thomas and Susan Coss
820 Dreisam
New Braunfels, TX 78130

--



Proposed Apartments at the corner of Orion and Goodwin

From: Jay Hogue (jhogue4@yahoo.com)

To: shines@nbtexas.org; mayor@nbtexas.org; jmeadows@nbtexas.org; hbowers@nbtexas.org; mhoyt@nbtexas.org; jhurta@nbtexas.org; jblakey@nbtexas.org

Bcc: chrisfeatherston85@att.net

Date: Monday, April 5, 2021, 07:37 AM CDT

Mayor and Council,

As a former Council member in another city, I understand the need for diversity in housing options for a city. The proposed apartments at the corner of Goodwin and Orion will only further to complicate the many traffic issues that the 8 neighborhoods that currently use Goodwin as their primary route to and from activities. Cloud Crossing (not completed) , Northwest Crossing, Quail Valley, Arroyo Verde (not completed), Oak Creek (not completed), Wasser Ranch (not completed) , Creekside Ranch (rental homes, not completed), and the current Mobile home park. We also have the Manufactured housing community that has currently just begun construction on Orion, that due to the Railroad will have to use Goodwin Lane more often than not.

There is also a new large apartment complex at the end of Goodwin as it connects to 306 next to the Beer Distributor, that has broken ground and is putting in infrastructure. With the 2 apartment complexes that already at the corner of Goodwin and 306 and the addition of the new one in progress, we have the diversity that is needed off Goodwin Lane.

As many of you know, Goodwin Lane was part of a bond project voted on in 2019. As I understand the road is in the design process now. Having dealt with utility companies in the past while trying to improve roads, I understand that utilities will be an issue, causing a delay in getting Goodwin Lane improved until late 2022 or early 2023.

Traffic, Traffic, Traffic.

That is the major reason I am opposed to the apartment complex at this location. I certainly understand property rights and the willingness of the owner to sell, but all of this property should be used for Single Family Housing.

I have had conversations with Councilman Hoyt about this and would be willing to speak to any of you about this also.

Jay Hogue
632 Arroyo Dorado
210-842-9609

Apartment

640 Arroyo Dorado

From: Burnett, Chris (chris.burnett@vw.com)

To: jhogue4@yahoo.com

Date: Friday, April 2, 2021, 12:44 PM CDT

Jay,

The appointments themselves is not an issue, I believe they are far enough away that it won't affect our home prices. But, the additional traffic will be a nightmare unless the roads are widened and they do something about the train track on Orion allowing traffic to flow. My two cents.

Chris Burnett
FOM Area 4D
Central / South Texas
Volkswagen of America
Cell 214-796-8415
Sent from my iPhone

Proposed Apartments

From: Matthew Payne (matt@elementlogistics.co)

To: jhogue4@yahoo.com

Date: Friday, April 2, 2021, 10:44 AM CDT

To Whom it May Concern,

As a resident of the Arroyo Verde community, I strongly oppose the plans to build an apartment complex on intersection of Orion and Goodwin Lane. The roads in question and surrounding them are inadequate at best and are only suited for all terrain vehicles in their present state. Traffic flow is dismal as is, with poor ingress and egress for the amount of vehicles traveling in our area currently. Please vote against this complex.

Thanks,
Matt Payne
Owner, Element Logistics
C: 830-312-2726

635 Arroyo
Donado

Apartment Complex

From: Shikinah VOIGHT (wakeup_call@hotmail.com)

To: jhogue4@yahoo.com

Date: Friday, April 2, 2021, 09:13 AM CDT

Hey Jay,

Please tell the city council we are against the apartment complex coming in on the corner of Orion & Goodwin. The infrastructure is not here for it. Half the houses being built off Goodwin aren't even completed and occupied yet and we already have huge traffic issues. If they put in the apartment complex it will be outrageous. What could use over here though is a beautiful park! There is so much building over here with Creekside Shopping Center and all the new homes, but not enough nature & natural beauty. We don't want to live in a concrete jungle.

Thanks again,

Ryan & Shikinah Voight

651 ARROYO SIERRA

Get [Outlook for iOS](#)

Apartment Complex at Orion and Goodwin

From: melissa morton (melissa.morton@hotmail.com)

To: jhogue4@yahoo.com

Date: Friday, April 2, 2021, 08:45 AM CDT

Good morning Jay, saw your post on the FB page. I am against the apartment complex. Thank you.

Melissa S. Morton

645 Arroyo Loma

(No Subject)

From: V Houston (msravenhouston@gmail.com)

To: jhogue4@yahoo.com

Date: Saturday, April 3, 2021, 09:45 AM CDT

Good morning,

I am opposed to the apartment complex for a number of reasons. It will add traffic to our area that is already congested especially when the train blocks the track on Orion for sometimes a couple of days. It will add numbers to the elementary school. We have a trailer park under construction that also adds to congestion. The streets have been repaired somewhat but are not wide enough to accommodate an apartment complex and a trailer or modular home park. Goodwin and Conrads Ln needs to be widened with turning lanes added. Both streets need to be addressed before adding more housing additions such as apartments. It is my understanding another housing addition is planned behind TA on Conrads. In addition depending on the type of complex it can lower our property value.

642 Arroyo Loma

Proposed HD Apartment Complex - Goodwin & Orion

From: Barry Davidson (bazza99_99@yahoo.com)

To: jhogue4@yahoo.com

Date: Friday, April 2, 2021, 05:26 PM CDT

To Whom it May Concern.

I would like to register my objection to the proposed construction of HD apartments to be built in the vicinity of Goodwin Lane and Orion Drive.

I feel strongly that the construction and volume of these types of apartments will negatively affect the following :

- a. Have a serious impact on traffic congestion for all local residents using Goodwin Lane.
- b. Has the potential to increase crime, with the added volume of residents.
- c. Has the potential to negatively affect current house values, especially for local single-family dwellings.

I would ask that you seriously re-consider any apporoval for this particular project.

Sincerely.

Barry Davidson.

616 Arroyo Dorado
New Braunfels, TX. 78130

Draft Minutes for the February 2, 2021 Planning Commission Regular Meeting

E) PZ20-0329 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 68.05 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northern corner of the intersection of Goodwin Lane and Orion Drive, from “APD” Agricultural/Pre-Development District to “R-1A” Single-Family Small Lot Residential and “R3-H” Multifamily High Density District. Applicant: James Ingalls, P.E.; Owner: EB Industries (Richard Byrd); Case Manager: Matthew Simmont.

Mr. Simmont presented and recommended approval with conditions as listed in the staff report.

Chair Edwards asked if there were any questions for staff.

Chair Edwards asked if the applicant would like to speak.

James Ingalls, 2021 St Hwy 46, Moeller and Associates, provided clarification on the request.

Richard Byrd, CRE Analyst, 8309 Chadbourne Rd, stated they can answer any further questions or concerns from the Commission.

Chair Edwards opened the public hearing and asked if anyone wished to speak.

Amy Gusman, 3015 Shell Cove, asked how many units are proposed in the multifamily area and stated concerns over the character of the neighborhood.

Discussion followed.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were any further questions or a motion.

Motion by Commissioner Gibson, seconded by Vice Chair Laskowski, to recommend approval to City Council of the proposed rezoning of approximately 68.05 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northern corner of the intersection of Goodwin Lane and Orion Drive, from “APD” Agricultural/Pre-Development District to “R-1A” Single-Family Small Lot Residential and “R3-H” Multifamily High Density District with staff recommendations.

Discussion followed on clarification of the purview being considered.

Motion carried (9-0-0).

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 47 ACRES OUT OF THE ORILLA RUSSELL SURVEY NO. 2, ABSTRACT 485, FROM “APD” AGRICULTURAL / PRE-DEVELOPMENT DISTRICT TO “R-1A-4” SINGLE FAMILY SMALL LOT RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the “R-1A-4” Single Family Small Lot Residential District, the City Council has given due consideration to all components of said districts; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; and

WHEREAS, the City Council desires to amend the Zoning Map by rezoning approximately 47 acres out of the Orilla Russell Survey No. 2, Abstract 485, from “APD” Agricultural / Pre-Development District to “R-1A-4” Single Family Small Lot Residential District; **now, therefore;**

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

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by rezoning the following described tract of land from “APD” to:

“R-1A-4” Single Family Small Lot Residential District: 46.871 acres out of the Orilla Russell Survey No. 2, Abstract 485, as illustrated in Exhibit “A” and described in Exhibit “B”, attached.

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not

herein amended or repealed shall remain in full force and effect.

SECTION 3

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

SECTION 4

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

SECTION 5

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

PASSED AND APPROVED: First reading this 12th day of April, 2021.

PASSED AND APPROVED: Second reading this 26th day of April, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

CAITLIN KROBOT, Assistant City Secretary

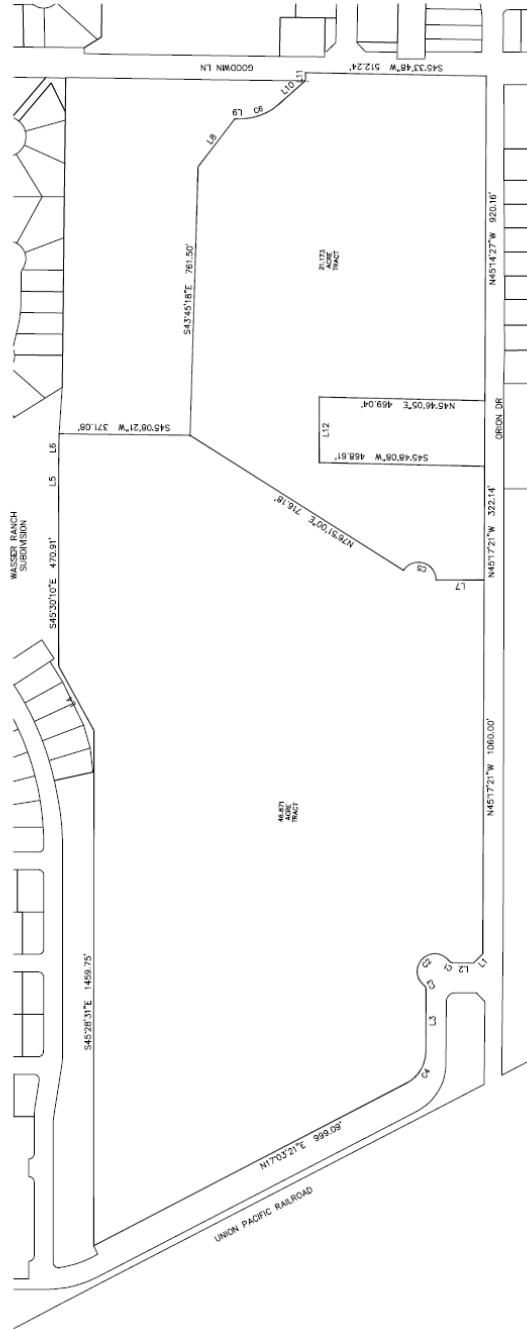
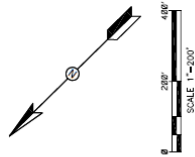
APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

3

ZONING EXHIBIT



CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	13.53	15.00	53°11'07"	7.51	13.43	N79°43'37"E
C2	170.89	50.00	185°47'46"	36.45	99.07	N02°07'09"W
C3	13.85	15.00	50°46'29"	7.45	13.34	N71°58'23"W
C4	109.67	105.00	87°22'22"	60.94	104.35	N43°02'21"W
C5	128.10	50.00	147°56'21"	174.02	96.11	N69°40'09"E
C6	121.86	165.00	47°16'20"	63.86	119.11	S34°22'27"W

LINE	LENGTH	BEARING
L1	36.82	S00°00'49"W
L2	52.97	N44°09'50"E
L3	178.47	N45°13'05"W
L4	208.22	S74°08'50"E
L5	107.27	S40°31'12"E
L6	86.68	S44°49'50"E
L7	136.30	N44°38'19"E
L8	177.03	S07°06'17"E
L9	12.39	S43°09'46"W
L10	100.00	S03°00'11"W
L11	22.63	S44°33'47"E
L12	160.80	N45°26'50"W

MOELLER & ASSOCIATES
 Surveying & Engineering
 2021, S.W. 46th
 New Braunfels, TX 78132
 P: (830) 258-7127
 www.m-a-s.com TBE FIRM F-13351



METES AND BOUNDS DESCRIPTION
FOR A
46.871 ACRE TRACT OF LAND
"ZONING"

BEING a 46.871 acre tract of land situated in the Orilla Russell Survey No. 2, Abstract No. 485, in the City of New Braunfels, Comal County, Texas, being a portion of the remaining portion of a called 100.0 acre tract of land, as conveyed to EB Industries, Inc., and recorded in Document No. 202006000300, of the Official Public Records of Comal County, Texas, and said 46.871 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a ½" iron pin with yellow cap found in the Northeasterly Right-of-Way (R.O.W.) line of Orion Drive (a variable width R.O.W.), being the most Southwesterly corner of a called 2.00 acre tract of land, as conveyed to Rexford J. Michie, and recorded in Document No. 201306029676, of the Official Public Records of Comal County, Texas, and being a Southwesterly corner of the remaining portion of said 100.0 acre tract of land;

THENCE with the Northeasterly R.O.W. line of said Orion Drive, and with the Southwesterly line of the remaining portion of said 100.0 acre tract of land, N 45° 17' 21" W, a distance of 322.14 feet to a point in the Northeasterly R.O.W. line of said Orion Drive, being in the Southwesterly line of the remaining portion of said 100.0 acre tract of land, and being the most Southerly corner of this herein described tract of land and the POINT OF BEGINNING;

THENCE continuing with the Northeasterly R.O.W. line of said Orion Drive, and with the Southwesterly line of the remaining portion of said 100.0 acre tract of land, N 45° 17' 21" W, a distance of 1,060.00 feet to a point at the Southerly end of a cutback line between the Northeasterly R.O.W. line of said Orion Drive and the Southeasterly R.O.W. line of Nebel Street (a 50' wide R.O.W.), and being a Westerly corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE departing the Northeasterly R.O.W. line of said Orion Drive, with the cutback line between the Northeasterly R.O.W. line of said Orion Drive and the Southeasterly R.O.W. line of said Nebel Street, and with the Westerly line of the remaining portion of said 100.0 acre tract of land, N 00° 00' 46" W, a distance of 36.82 feet to a point in the Southeasterly R.O.W. line of said Nebel Street, and being a Westerly corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE continuing with the Southeasterly R.O.W. line of said Nebel Street, and with the Westerly line of the remaining portion of said 100.0 acre tract of land, N 44° 59' 36" E, a distance of 57.57 feet to a point in the Southeasterly R.O.W. line of said Nebel Street, being at the beginning of a curve to the right, and being a Westerly corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE continuing with the Southeasterly R.O.W. line of said Nebel Street, same being the Westerly line of the remaining portion of said 100.0 acre tract of land, and with said curve to the right, having an arc length of 13.93 feet, a radius of 15.00 feet, a delta angle of 53° 11' 07", a tangent length of 7.51 feet, and a chord bearing and distance of N 70° 43' 37" E, 13.43 feet to a point at the beginning of a reverse transition cul-de-sac curve to the left between the Southeasterly R.O.W. line of said Nebel Street and the Northeasterly R.O.W. line of Alster (a 50' wide R.O.W.), and being a Westerly corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

EXHIBIT "B"

THENCE with the Northwestern line of the remaining portion of said 100.0 acre tract of land, and with said transition cul-de-sac curve to the left, between the Southeasterly R.O.W. line of said Nebel Street and the Northeasterly R.O.W. line of said Alster, having an arc length of 170.89 feet, a radius of 50.00 feet, a delta angle of $195^{\circ} 47' 49''$, a tangent length of 360.45 feet, and a chord bearing and distance of $N 00^{\circ} 07' 09'' W$, 99.07 feet to a point in the Northeasterly R.O.W. line of said Alster, being a Westerly corner of the remaining portion of said 100.0 acre tract of land, and being at the beginning of a reverse curve to the right;

THENCE with the Northeasterly R.O.W. line of said Alster, same being a Westerly line of the remaining portion of said 100.0 acre tract of land, and with said curve to the right, having an arc length of 13.83 feet, a radius of 15.00 feet, a delta angle of $52^{\circ} 48' 29''$, a tangent length of 7.45 feet, and a chord bearing and distance of $N 71^{\circ} 38' 21'' W$, 13.34 feet to a point in the Northeasterly R.O.W. line of said Alster, and being a Westerly corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE continuing with the Northeasterly R.O.W. line of said Alster, and with the Westerly line of the remaining portion of said 100.0 acre tract of land, $N 45^{\circ} 11' 03'' W$, a distance of 176.47 feet to a point in the Northeasterly R.O.W. line of said Alster, being a Westerly corner of the remaining portion of said 100.0 acre tract of land, and being at the beginning of a curve to the right;

THENCE continuing with the Northeasterly R.O.W. line of said Alster, same being the Westerly line of the remaining portion of said 100.0 acre tract of land, and with said curve to the right, having an arc length of 109.67 feet, a radius of 101.01 feet, a delta angle of $62^{\circ} 12' 22''$, a tangent length of 60.94 feet, and a chord bearing and distance of $N 14^{\circ} 02' 21'' W$, 104.36 feet to a point in the Easterly R.O.W. line of said Alster, and being a Westerly corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE with the Easterly R.O.W. line of said Alster, and with the Westerly line of the remaining portion of said 100.0 acre tract of land, $N 17^{\circ} 03' 21'' E$, a distance of 999.09 feet to a point in the Easterly R.O.W. line of said Alster, being the most Westerly Northwest corner of Lot 900 (Private Open Space/ Drainage/ Public Utility Easement), Block 15, Wasser Ranch, Unit-2 Subdivision, as recorded in Document No. 201906036500, of the Map and Plat Records of Comal County, Texas, and being the most Northerly Northwest corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE departing the Easterly R.O.W. line of said Alster, with the Southwesterly line of said Lot 900, the Southwesterly line of Lot 902 (Private Open Space/ Drainage/ Pedestrian Access Easement), Block 5, of said Wasser Ranch, Unit-2 Subdivision, and with the Northeasterly line of the remaining portion of said 100.0 acre tract of land, $S 45^{\circ} 28' 31'' E$, a distance of 1,459.75 feet to a point for a Southwesterly corner of said Lot 902, and being a Northeasterly corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE with the common line between said Lot 902 and the remaining portion of said 100.0 acre tract of land, $S 74^{\circ} 08' 39'' E$, a distance of 208.23 feet to a point for a Southwesterly corner of said Lot 902, and being a Northeasterly corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE continuing with the common line between said Lot 902 and the remaining portion of said 100.0 acre tract of land, the following courses:

$S 45^{\circ} 30' 10'' E$, a distance of 470.91 feet to a point for a Southeasterly corner;

$S 45^{\circ} 31' 11'' E$, a distance of 107.27 feet to a point for a Southeasterly corner;

THENCE continuing with the common line between said Lot 902 and the remaining portion of said 100.0 acre tract of land, $S 44^{\circ} 46' 50'' E$, a distance of 80.68 feet to a point in the Southwesterly line of said Lot 902, being the most Northerly corner of a called 9.963 acre tract of land, as conveyed to Chesmar Homes, LLC, and recorded in Document No. 201906046983, of the Official Public Records of Comal County, Texas, and being a Southeasterly corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE departing the Southwesterly line of said Lot 902, and with the common line between said 9.963 acre tract of land and the remaining portion of said 100.0 acre tract of land, S 45° 08' 21" W, a distance of 371.08 feet to a point for the most Westerly corner of said 9.963 acre tract of land, being a Southeasterly corner of the remaining portion of said 100.0 acre tract of land, and being a Southeasterly corner of this herein described tract of land;

THENCE departing the common line between said 9.963 acre tract of land and the remaining portion of said 100.0 acre tract of land, and across and through the remaining portion of said 100.0 acre tract of land, the following courses:

S 76° 51' 00" W, a distance of 716.18 feet to a point for a Southerly corner, and being at the beginning of a curve to the right;

With said curve to the right, having an arc length of 129.10 feet, a radius of 50.00 feet, a delta angle of 147° 56' 21", a tangent length of 174.02 feet, and a chord bearing and distance of S 60° 40' 06" W, 96.11 feet to a point for a Southerly corner;

THENCE continuing across and through the remaining portion of said 100.0 acre tract of land, S 44° 38' 16" W, a distance of 136.35 feet to the POINT OF BEGINNING, and containing 46.871 acres of land, more or less.

Bearings based on the Texas State Plane Coordinate System, Texas South Central Zone (4204), North American Datum 1983.

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


Drew A. Mawyer
Registered Professional Land Surveyor No. 5348
TBPLS Firm Registration #10191500
5151 W. SH 46, NEW BRAUNFELS, TX 78132
MOE426- ORION 1102- 46.871 AC- 020121



4/26/2021

Agenda Item No. K)

PRESENTER:

Caitlin Krobot, City Secretary

SUBJECT:

Approval of the second and final reading of an ordinance amending Chapter 2 of the Code of Ordinances of the City of New Braunfels, Texas establishing the rules and order of business of the New Braunfels City Council.

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

Chapter 2, Division 2 of the City's Code of Ordinances includes rules and order of business as it relates to City Council meetings. Additionally, the City Charter provides that the City Council is authorized to establish its own rules and order of business.

Staff conducted peer research and recommends the proposed amendments to Chapter 2, Division 2 of the Code of Ordinances which provide greater flexibility and increase efficiency in handling the business of the City during City Council meetings.

Section 2-36 includes a proposed amendment to add the flexibility for Executive Session to begin at 5:00 p.m. and that the official posted agenda shall specify the subjects and the order of each meeting. Additionally, it clarifies the way the presiding officer shall take a vote to be consistent with the City Charter. Section 2-37 adds that the order of the business shall list all items for consideration in a format recommended by the City Manager and removes the previous order of business listed. Section 2-38 clarifies the way the presiding officer shall take a vote to be consistent with the proposed revisions in Section 2-36 and the City Charter.

The first reading was presented on April 12, 2021.

ISSUE:

The proposed amendments align with the City's strategic priority of effective management.

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Staff recommends approval.

ORDINANCE NO. 2021-

AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 2, DIVISION 2, RULES AND ORDER OF BUSINESS OF THE NEW BRAUNFELS CITY COUNCIL MEETINGS, INCLUDING THE SETTING OF MEETING AGENDAS AND THE TIMES FOR MEETINGS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the New Braunfels City Charter provides that the City Council is authorized to establish its own rules and order of business and the City Council has determined that it would be beneficial to amend its current rules in order to provide more flexibility in handling the business of the City and how Council operates; and

WHEREAS, the City Council recognizes that allowing public participation at City Council meetings fosters useful communication between the Council and community and that greater flexibility would help to encourage dialogue with citizens; and

WHEREAS, a greater flexibility of the Council's rules of procedure can work to increase the efficiency with which city business is administered thereby benefiting all citizens.

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

SECTION 1

THAT Chapter 2 of the Code of Ordinances of the City of New Braunfels, Texas is hereby amended with additions as underlined and deletions as stricken:

Sec. 2-36. Procedure.

- (a) Regular meetings. Regular meetings of the council shall be held on the second and fourth Mondays of each month at 6:00 p.m., with Executive Sessions to be held at 5:00 p.m., and may be recessed from time to time. If a Monday falls on a holiday, the meeting for that day shall be held at 6:00 p.m. the next day or at a time and date set by the council. Except as otherwise provided in V.T.C.A., Local Government Code ch. 551, all official meetings of the council shall be held in public in the council chamber or at a location as designated by the council. The official posted agenda shall specify the subjects and the order of each meeting.
- (b) Quorum. Five of the members elected to the council shall constitute a quorum to do business, but any lesser number of members may have a call of the council or may adjourn or recess from time to time and may compel the attendance of absent members.
- (c) Special meetings. Special meetings of the council shall be called by the city secretary on the written request of the mayor or on the written request of any four members of the council. This provision does not govern the posting of emergency meetings as allowed pursuant to V.T.C.A., Local Government Code § 551.045.
- (d) Roll call and presentation of minutes. At the hour of the meeting, the mayor shall assume

the chair, call the council meeting to order and the city secretary shall then call the roll. A quorum being present, the city secretary, at each regular meeting, shall present to the council the minutes of all proceedings since the beginning of the last regular meeting and shall read such minutes if so required by a majority of the council, and after their correction, if any, and approval by the council, the minutes shall be signed by the mayor.

- (e) Rules of order. All meetings of the city council shall be conducted according to the rules in the latest edition of "Robert's Rules of Order Newly Revised," unless such rules are inconsistent with the City Charter or the rules adopted herein.
- (f) Presiding officer. The mayor shall serve as the presiding officer. As the presiding officer, the mayor shall have the primary duty for ensuring that the council's rules of procedure are followed and for maintaining dignity and order at all council meetings. The mayor shall call the meetings to order and confine the discussion to the published order of business. The mayor shall recognize council members and allow audience participation at appropriate times. The mayor shall see that speakers limit their remarks to the agenda item under consideration, when necessary, shall rule on motions or actions which are out of order. The mayor shall ensure that a ~~roll call is executed on all votes~~ vote is taken on all items. The mayor shall have the same rights as city council members and may make motions, second, participate in discussion and vote on all motions.
- (g) Absence of presiding officer. In the absence or disability of the mayor, the mayor pro tem shall preside over the council, or in the absence or inability of both, a quorum being present, the meeting shall be called to order by the senior council member present and the council shall elect one of its members upon nominations for the purpose of serving as the presiding officer for the meeting.

Sec. 2-37. - Meeting agendas.

- (a) Meeting agendas. The city manager shall be responsible for processing proposed agenda items, and the tentative agenda will be available for review by the mayor and city attorney before finalization. All members of council are authorized to request the placement of an item on an agenda. Matters requested to be placed on the agenda by city council members shall be submitted by 5:00 p.m. of the Tuesday prior to the council meeting. Any item placed on the agenda by a council member may not be placed on any future agenda for a period of 90 days, unless said item is submitted in writing and signed by at least two other council members.
- (b) Order of business. The order of business for regular council meetings, special meetings, and workshops shall list all items for consideration in a format recommended by the City Manager. be as follows:
 - ~~(1) Meeting called to order.~~
 - ~~(2) Roll call.~~
 - ~~(3) Invocation.~~
 - ~~(4) Pledge of allegiance/salute to the state flag.~~
 - ~~(5) Proclamations.~~
 - ~~(6) Presentation of minutes of previous meeting.~~
 - ~~(7) Citizens' communications.~~
 - ~~(8) Consent agenda.~~
 - ~~(9) All other business.~~
- (c) Suspension of rules. The rules of order may be suspended by unanimous consent, or by a two-thirds vote if one member objects, to allow agenda items to be taken up out of order, provided the individual(s) who are scheduled to speak to that specific agenda item are present and prepared to address the council.

Sec. 2-38. - Parliamentary rules.

- (a) Main motions. Main motions shall be offered as a formal proposal by a member that certain action be taken by the council, and shall be made only when no other business is pending. It requires a second, is debatable and amendable and requires a majority vote for adoption. The following six steps shall be in order when handling a main motion:

- (1) A member makes a motion. That member has a right to speak to the motion first. A member may not speak against his/her own motion, but that member may vote against it.
- (2) Another member seconds the motion. That member may speak and vote against the motion, since the second could be made in an effort to have the council go on record as having opposed that particular action.
- (3) The motion is debated. No council member shall speak more than once in debate to the same motion until all council members have had the opportunity to speak once to the issue under consideration. Each council member shall speak no longer than five minutes at a time to a motion, and debate shall be continued on an alternating basis until a vote is taken.
- (4) The motion is repeated by the mover, the mayor or the city secretary.
- (5) ~~The roll call vote is taken.~~ A vote is taken.
- (6) The result is announced.

(b) Withdrawal of motions. A motion may be withdrawn by the mover at any time before a decision is made on the motion, even though an amendment may have been offered and is pending. It cannot be withdrawn, however, if the motion has been amended. After the previous question has been ordered, a motion may not be withdrawn.

(c) Disposing of main motions. Subsidiary motions require a second and shall be used to dispose of a main motion, herein listed according to their rank, with the lowest ranking listed first:

- (1) Postpone indefinitely shall be used to decline taking action on the main motion. When adopted, by a majority vote, it kills the main motion for the remainder of the meeting at which it was introduced. (not amendable, debatable)
- (2) Amend modifies the wording of a pending motion before that pending motion itself is acted upon when adopted by a majority vote. A motion to substitute is offered to strike out an entire paragraph, section, article, main motion or resolution. All substitute motions of more than two sentences shall be in writing and distributed to each council member and the city secretary prior to discussion, unless such requirement is decided unnecessary by unanimous consent. (amendable, debatable)
- (3) Refer to a board, commission or committee shall include the specific body to which a proposition is referred if such body is in existence; otherwise, a committee may be appointed by the council or by the mayor upon a majority vote. (amendable, debatable)
- (4) Postpone to a certain time shall be used to defer action on a pending motion to a definite meeting date in the future when adopted by a majority vote. (amendable, debatable)
- (5) Limit on extend debate shall be used to lengthen or shorten the time for debate by each council member when adopted by a two-thirds vote. (amendable, not debatable)
- (6) Previous question shall be used to stop debate and to bring to immediate vote the pending main motion and/or any pending subsidiary motions when adopted by a two-thirds vote. (Not amendable, not debatable)
- (7) Lay on the table shall be used to temporarily lay aside an agenda item. It is not used to kill a motion or to delay action on a motion until some future date. Its purpose is to defer action on an issue when something more important arises. It is not amendable, not debatable and requires a majority vote for adoption.

(d) Motions to reconsider. The motion to reconsider shall be used to reopen discussion for

a vote on an item already acted upon. Reconsideration may only occur at the same meeting, or at the next meeting after the one at which the original action occurred. A motion to reconsider may only be made by a member who voted on the prevailing side of the original action. It requires a second, is not amendable, is debatable and requires a majority vote for adoption. The effect of the adoption of the motion to reconsider is immediately to place before the members again the item on which the vote was originally taken.

Reconsideration of an item at a subsequent meeting requires the item to be placed on the agenda for that meeting.

(e) Motions to rescind. The motion to rescind shall be used to change or countermand a previous action, as long as the result of that vote has not been executed. There is no time limit on making the motion to rescind and it can be moved by any member, regardless of how that member voted on the original motion. It requires a second, is amendable, is debatable and requires a two-thirds vote for adoption. Consideration of a motion to rescind a vote adopted at a previous meeting must be placed on the agenda at the subsequent meeting at which it is to be considered.

(f) Rulings. The mayor shall rule on all points of order, subject to the right of any member to appeal to the entire council. If any appeal is made, the question shall be, "shall the decision of the chair be sustained?" and a majority vote is required to sustain the decision of the chair. An appeal must be moved and seconded immediately after the ruling on the point of order that has been made by the presiding officer.

(g) Subject matter. No new motion or proposition shall be admitted under color of an amendment or of a substitute for the pending motion or proposition which does not relate to the subject matter in the original motion or proposition.

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 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 12 day of April 2021.

PASSED AND APPROVED: Second reading this 26 day of April 2021

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

DRAFT

4/26/2021

Agenda Item No. L)

Presenter/Contact

Mike Penshorn, Captain and Greg Walker, Sergeant, Police Department
mpenshorn@nbtexas.org and gwalker@nbtexas.org

SUBJECT:

Approval of the second and final reading of an ordinance regarding the creation of Child Safety Zones which would provide residency restrictions for Registered Sex Offenders residing within the city limits of New Braunfels.

BACKGROUND / RATIONALE:

Currently, the City of New Braunfels has no residency restrictions for Registered Sex Offenders who live within the city limits of New Braunfels. There is only an ordinance that restricts registered sex offenders from receiving a permit to operate a food truck. The New Braunfels Police Department is regularly contacted by sex offenders who are looking to move to New Braunfels due specifically to this lack of residency restrictions. The Police Department is also frequently contacted by citizens inquiring as to what restrictions are in place to prevent sex offenders from living near or visiting schools, playgrounds, or other places children gather. As for the State of Texas, the state laws provide limited restrictions on sex offenders who are currently on probation or parole. Registered sex offenders are also restricted from being able to operate a bus, taxi, amusement park ride or non-supervised in-home services, and this is only if the victim is a child under 14 year of age. The only state law restriction regarding residency is the offender cannot live on a school campus.

Due to the very nature of the offenses committed by registered sex offenders, it is in the City of New Braunfels' best interest to enact a Child Safety Zone ordinance that will restrict where such individuals may reside. Generally, the proposed ordinance will prohibit a registered sex offender from going in, on, or within 1,000 feet of a Child Safety Zone in the city limits. The term Child Safety Zone is defined as a premises where children commonly gather. The term includes a public or private school, public or private day-care facility, playground, public or private youth center, public swimming pool, video arcade facility, city or state park, or any other facility that regularly holds events primarily for children.

The State of Texas gives each municipality the authority to create their own restrictions on sex offenders. The creation of this ordinance would help to provide greatly needed protections to our most vulnerable population: our children.

City Council held a public reading on April 12, 2021, and unanimously approved the first reading of the proposed ordinance.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

X	YES	Strategic Priority	Continue to ensure the protection of citizens' lives and property
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FISCAL IMPACT:

None

COMMITTEE RECOMMENDATION:

Non-Applicable

STAFF RECOMMENDATION:

Staff recommends approval of the second and final reading of an ordinance regarding the creation of Child Safety Zones which would provide residency restrictions for Registered Sex Offenders residing within the city limits of New Braunfels.

ORDINANCE NO. 2021-_____

AMENDING THE CITY OF NEW BRAUNFELS, TEXAS, CODE OF ORDINANCES CHAPTER 82, OFFENSES AND MISCELLANEOUS PROVISIONS BY ADOPTING RESTRICTIONS APPLICABLE TO SEX OFFENDERS INCLUDING RESIDENCY AND DISTANCE REQUIREMENTS FROM CHILD SAFETY ZONES AND AN EXEMPTION HEARING PROCESS; SETTING A PENALTY OF NOT MORE THAN \$2000.00; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERABILITY REPEALER AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, sex offenders are a serious threat to public safety; and

WHEREAS, neither the State of Texas nor the City of New Braunfels currently imposes restrictions on where registered sex offenders may reside; and

WHEREAS, while some sex offenders do rehabilitate, the recidivism rate for released sex offenders is alarmingly high, particularly for those who commit sex crimes against children; and

WHEREAS, restricting registered sex offenders from accessing areas where children often congregate will provide better protection for the City's children.

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

Section 1

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

Section 2

That Chapter 82 is amended by adding Article 2, Sex Offender Restrictions, beginning with section 82-29 as follows:

ARTICLE 2 – SEX OFFENDER RESTRICTIONS

Sec. 82-29. Definitions

For the purposes of this ordinance, the following terms, words, and the derivations thereof shall have the meanings given herein.

Child safety zone. A premises where children commonly gather. The term includes a public or private school, public or private day-care facility, playground, public or private youth center, public swimming pool, video arcade facility, city or state park, or any other facility that regularly holds events primarily for children.

Permanent residence. A place where a person abides, lodges, or resides for 14 or more consecutive days.

Playground. Any outdoor facility that is not on the premises of a school and that:

- (1) Is intended for recreation;
- (2) Is open to the public or is open to a neighborhood or multi-family residential property containing more than two families; and
- (3) Contains at least one play station intended for the recreation of children, such as slides, swing sets, and teeterboards.

Premises. Real property and all buildings and appurtenances pertaining to the real property.

Registered sex offender. An individual who is required to register as a sex offender under chapter 62, Texas Code of Criminal Procedure.

School. A private or public elementary or secondary school or a day-care center, as defined by section 42.002, Texas Human Resources Code.

Temporary residence. A place where a person abides, lodges, or resides for a period of 14 or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where a person routinely abides, resides, or lodges for a period of four or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

Video arcade facility. Any facility that:

- (1) Is open to the public, including persons who are 17 years of age or younger;
- (2) Is intended primarily for entertainment or recreational purposes; and
- (3) Contains at least three pinball or video machines.

Youth center. Any recreational facility or gymnasium that:

- (1) Is intended primarily for use by persons who are 17 years of age or younger; and
- (2) Provides athletic, civic, or cultural activities.

Sec. 82-30. Offense

(a) Generally. A registered sex offender may not go in, on, or within 1,000 feet of a child safety zone in the city.

(b) Evidentiary matters; measurements.

(1) It shall be prima facie evidence that this ordinance applies to a person if that person's information appears on the central database maintained by the Texas Department of Public Safety as required by article 62.005 of the Texas Code of Criminal Procedure.

(2) For the purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the child safety zone.

(c) Culpable mental state not required. Neither allegation nor evidence of a culpable mental state is required for the offense defined under this section.

(d) Affirmative defenses. It is an affirmative defense to prosecution that any of the following conditions apply:

(1) The registered sex offender entered into a residential lease, rental agreement, or purchase of a residence in a child safety zone prior to the date of the adoption of this ordinance.

(2) The registered sex offender was a minor when he or she committed the offense requiring such registration and was not convicted as an adult.

(3) The registered sex offender is a minor or a ward under guardianship.

(4) The child safety zone, as specified herein, within 1000 feet of the permanent or temporary residence of the registered sex offender was opened after the person established the permanent or temporary residence and complied with all sex offender registration laws of the state.

(5) The registered sex offender maintains a permanent or temporary residence at a jail, prison, juvenile facility or other correctional institution or facility.

(6) The information on the sex offender registry database is incorrect, and, if corrected, this ordinance would not apply to the person who was erroneously listed on the database.

(7) The registered sex offender was in, on, or within a specified distance of a child safety zone for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to and from work, and other work-related purposes.

(8) The registered sex offender was in, on, or within a specified distance of a child safety zone for purposes of attending a religious service, education, counseling, volunteering, or working at a church as defined by section 544.251, Texas Insurance Code.

(e) Exemption hearing.

(1) A registered sex offender may petition the police chief or the police chief's designee, in writing, for an exemption from the requirements of this ordinance.

(2) The police chief or the police chief's designee shall exempt a registered sex offender who established residency in a residence located within the specified distance of a child safety zone before the date this ordinance is adopted. This exemption applies only to:

(A) Areas necessary for the registered sex offender to have access to and to live in the residence; and

(B) The period the registered sex offender maintains residency in the residence.

(3) The police chief or the police chief's designee may authorize an exemption from this ordinance when, in their opinion, undue hardship will result from compliance or an individualized recidivist assessment indicates an exemption should be granted. In granting an exemption, the police chief or the police chief's designee shall consider the probable effect the exemption will have upon the public health, safety, and welfare of the community.

(4) No exemption shall be granted under subsection (e)(3) above without first having held a public hearing on the exemption petition and unless the police chief or the police chief's designee makes written findings regarding the petitioner's criminal and personal history as well as the petitioner's current circumstances requiring the exemption.

(5) Such findings of the police chief or the police chief's designee, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the hearing at which such exemption is granted. Exemptions may be granted only when in harmony with the general purpose and intent of this ordinance so that the public health, safety, and welfare may be secured, and that substantial justice may be done.

Sec. 82-31. Prohibition against renting or leasing

(a) It shall be unlawful for the owner, lessee or occupant (collectively referred to as "lessor") of any place, residence, structure, dwelling, or other conveyance, with knowledge that it will be used as a temporary or permanent residence of such person, to rent or lease the same, or any part thereof, to a registered sex offender, if such place, residence, structure, dwelling, manufactured dwelling, mobile home, camping trailer or other conveyance is located within 1000 feet of any child safety zone.

(b) An owner, lessee, or occupant (collectively referred to as "lessor") of any place, residence, structure, dwelling, or other conveyance, shall be deemed to have knowledge that another person is a registered sex offender if such person's record appears on the central database maintained by the Texas Department of Public Safety on the earlier of:

(1) The date of receipt of a lease application, rental application or similar document by lessor or lessor's officers, agents, employees, or volunteers; or

(2) The date the person first occupies lessor's place, residence, structure, dwelling, manufactured dwelling, mobile home, camping trailer or other conveyance.

Sec. 82-32. Penalties

(a) The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance shall be liable for prosecution for criminal violations.

(b) Criminal prosecution. Except as may otherwise be provided herein, any person violating any provision of this ordinance shall, upon conviction, be fined a sum not exceeding \$2000.00. Except as may otherwise be provided herein, each day that a provision of this ordinance is violated shall constitute a separate offense. An offense under this ordinance is a class C misdemeanor.

Section 3. Severability

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

Section 4. Repealer

All provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect and all ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

Section 5. Effective Date

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, publication in a newspaper of general circulation, and filing with the City Secretary's Office. The City Secretary shall cause the published notice to include the caption of the ordinance at least once within ten (10) days after final passage by City Council.

PASSED AND APPROVED: First reading this 12th day of April, 2021.

PASSED AND APPROVED: Second reading this 26th day of April, 2021.

CITY OF NEW BRAUNFELS, TEXAS

By: _____
Rusty Brockman, Mayor

ATTEST:

Caitlin Krobot, City Secretary

APPROVED AS TO FORM:

Valeria M. Acevedo, City Attorney

4/26/2021

Agenda Item No. A)

PRESENTER:

Christopher J. Looney, AICP, Planning and Development Services Director

SUBJECT:

Discuss and consider the second and final reading of an ordinance regarding a proposed rezoning of approximately 21 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northern corner of the intersection of Goodwin Lane and Orion Drive, from “APD” Agricultural/Pre-Development District to “ZH-A” Zero Lot Line Home District.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** Council District 4**BACKGROUND INFORMATION:**

Case # PZ20-0329

Applicant: James Ingalls, P.E.
Moeller & Associates
2021 SH 46W, Ste. 105
New Braunfels, TX 78132
(830) 358-7127 plats@ma-tx.com

Owner: EB Industries
Richard Byrd
(251) 510-1118 rbyrd@aspengroverrealty.com

Staff Contact: Matthew Simmont
(830) 221-4058 msimmont@nbtexas.org

City Council held a public hearing on April 12, 2021 and approved a rezoning of the subject property to “ZH-A” Zero Lot Line Home District (6-1) with Councilmember Bowers in opposition. The original rezoning request encompassed a larger, 68-acre property (see attachments) with two proposed zoning districts (from APD to R-1A-4 and R3-H). The applicant has divided the proposed rezoning of the 68 acres into two separate agenda items for individual consideration. This is one of them.

The approximately 21-acre tract is located north of the intersection of Goodwin Lane and Orion Drive. The unimproved property is in agricultural production, a portion of which lies within the Alligator Creek floodplain.

Surrounding Zoning and Land Use:

North - Alster, Wasser Ranch PD / Local street and railroad

South - Across Goodwin Ln., Oak Creek Estates PD and ZH-A / Single family residences (Creeside Farms and Oak Creek Estates) and Alligator Creek

East - Wasser Ranch PD / Single-family residence and Alligator Creek

West - Across Orion Drive, M-1A, MU-B and APD / Duplex residences and a planned manufactured home

community

ISSUE:

The proposed zoning change is consistent with the following actions from the Workforce Housing Study and Envision New Braunfels (the community's Comprehensive Plan):

- Ensure through city zoning and other required legal entitlements related to housing construction that new types of housing products (small-lot, duplex, townhome, etc.) are allowed by regulations.
- Action 1.3: Encourage balanced and fiscally responsible land use patterns.
- Action 3.13: Cultivate an environment where a healthy mix of different housing products at a range of sizes, affordability, densities, amenities and price points can be provided across the community as well as within individual developments.
- Future Land Use: The property is situated within the Oak Creek Sub-Area, in close proximity to Employment, Market and Education Centers.

The permitted uses within the proposed zoning district create opportunities for encouraged housing variety and density which is generally compatible with the expanding neighborhood of residential use.

FISCAL IMPACT:

N/A

RECOMMENDATION:

The Planning Commission held a public hearing on February 2, 2021 and recommended approval of the applicant's original request of R-3H (9-0).

The applicants' proposal to create a residential development is consistent with ongoing development and market trends in the area, which is transitioning from available industrial opportunities to residential. Staff recommends approval.

Notification:

Public hearing notices were sent to 34 owners of property within 200 feet. The City has received no responses in favor and 8 responses in objection (#13, 16, 20, 21, 22, 25, 27, 32) and one neutral response (#27). The City has also received 20 responses in objection from owners of property outside of the 200-foot notification area. Objection was mostly to the applicant's original request for R-3H, however it appears some of the objection may have been ameliorated by the revised request to ZH-A.

Resource Links:

- Chapter 144, Sec. 3.4-1 (APD) of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.4ZODIREPRZOSUJU221987

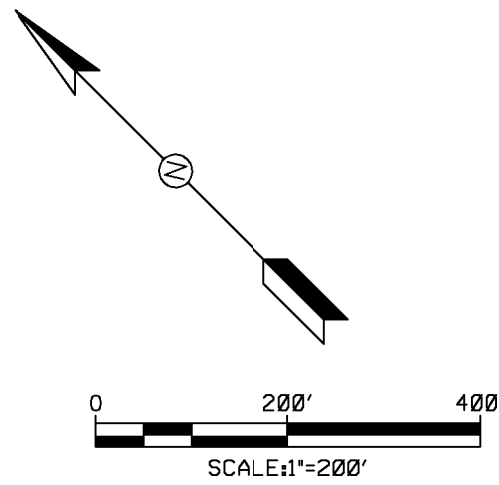
- Chapter 144, Sec. 3.4-9 (ZH-A) of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.4ZODIREPRZOSUJU221987

Attachments:

1. Proposed Zoning Exhibit
2. Aerial Map
3. Land Use Maps (Zoning, Existing, Future Land Use, Short Term Rental)

-
4. Traffic Impact Analysis (TIA) Worksheet
 5. Notification List, Map and Responses
 6. Excerpt of Minutes from the February 2, 2021 Planning Commission Meeting
 7. Draft Ordinance



R-3H PROPOSED ZONING



Know what's **below**.
Call before you dig.

THIS DOCUMENT IS RELEASED
FOR THE PURPOSE OF INTERIM
REVIEW UNDER THE AUTHORITY
OF JAMES INGALLS, P.E. #107416
ON
March 22, 2021. IT IS TO BE
USED FOR BIDDING AND
PERMITTING PURPOSES ONLY.
NOT TO BE USED FOR
CONSTRUCTION.

[illegible]

2021 W SH46, STE 105, NEW BRAUNFELS, TX. 78132
PH: 830-358-7127 www.ma-tx.com
TBPE FIRM F-13351

030 7127 WWW.TBPE
TBPE FIRM F-13351

R-3H
ZONING EXHIBIT

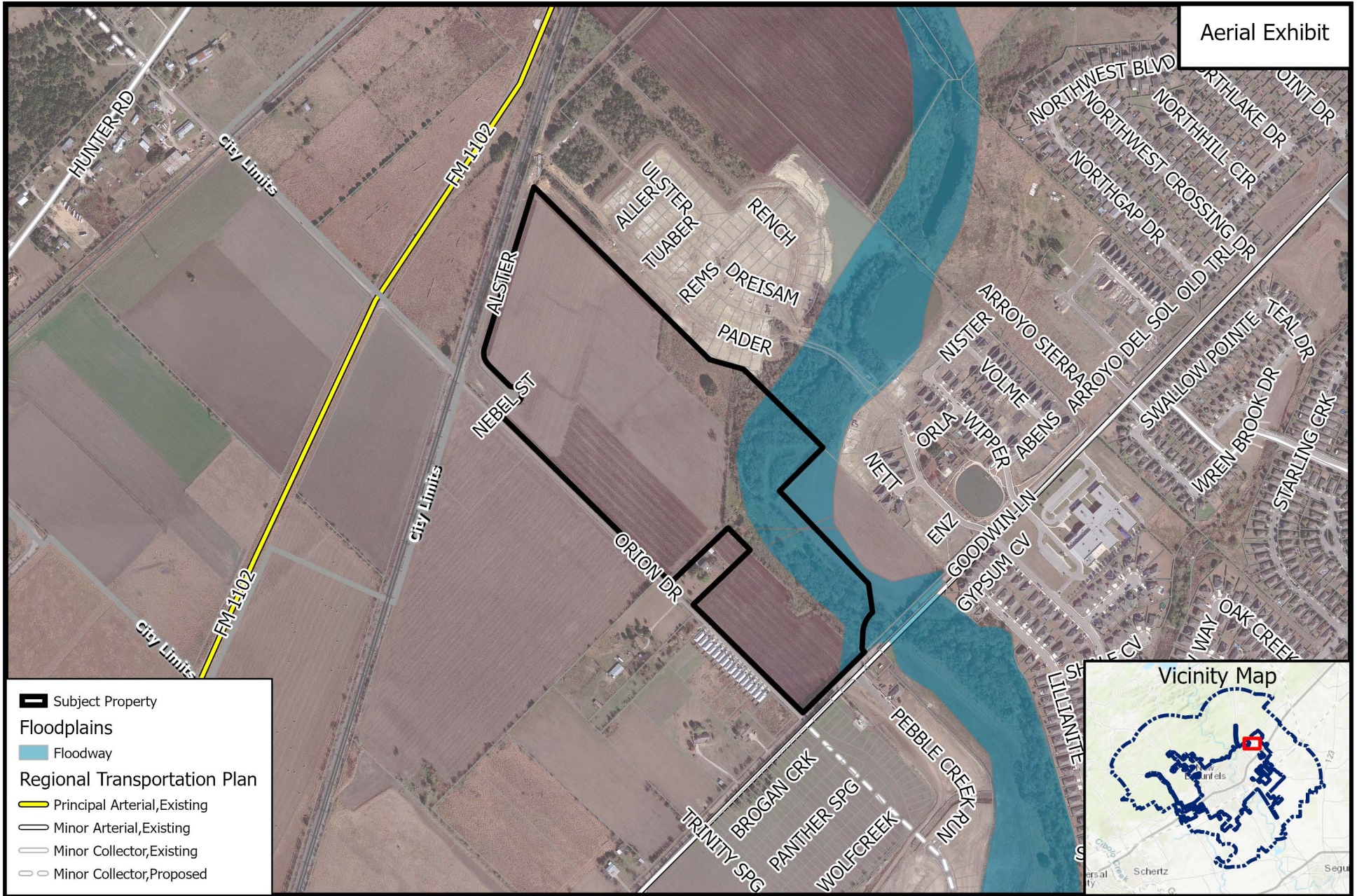
GOODWIN LN 69 AC TRACT

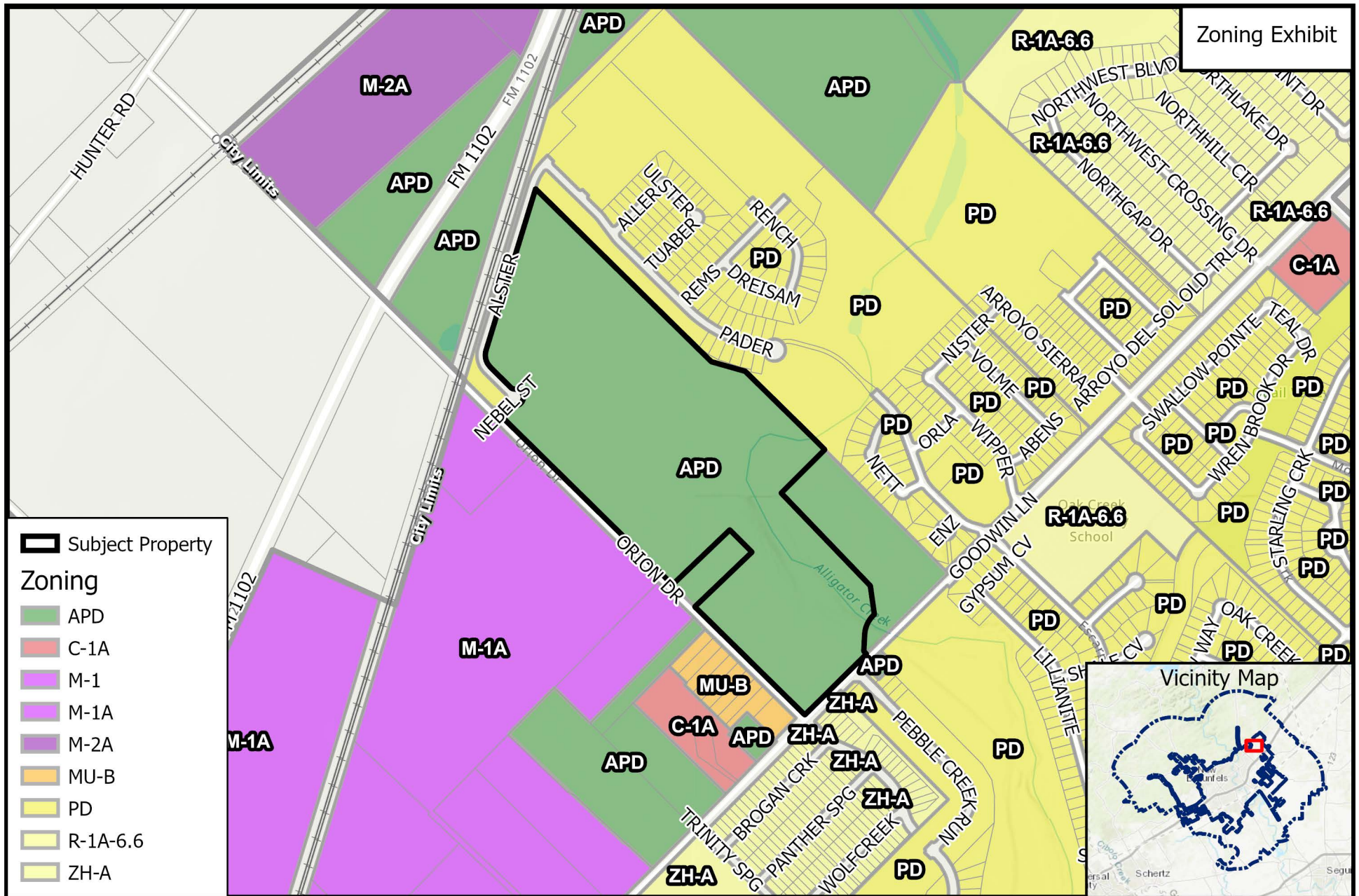
NEW BRAUNFELS, TEXAS

SHEET

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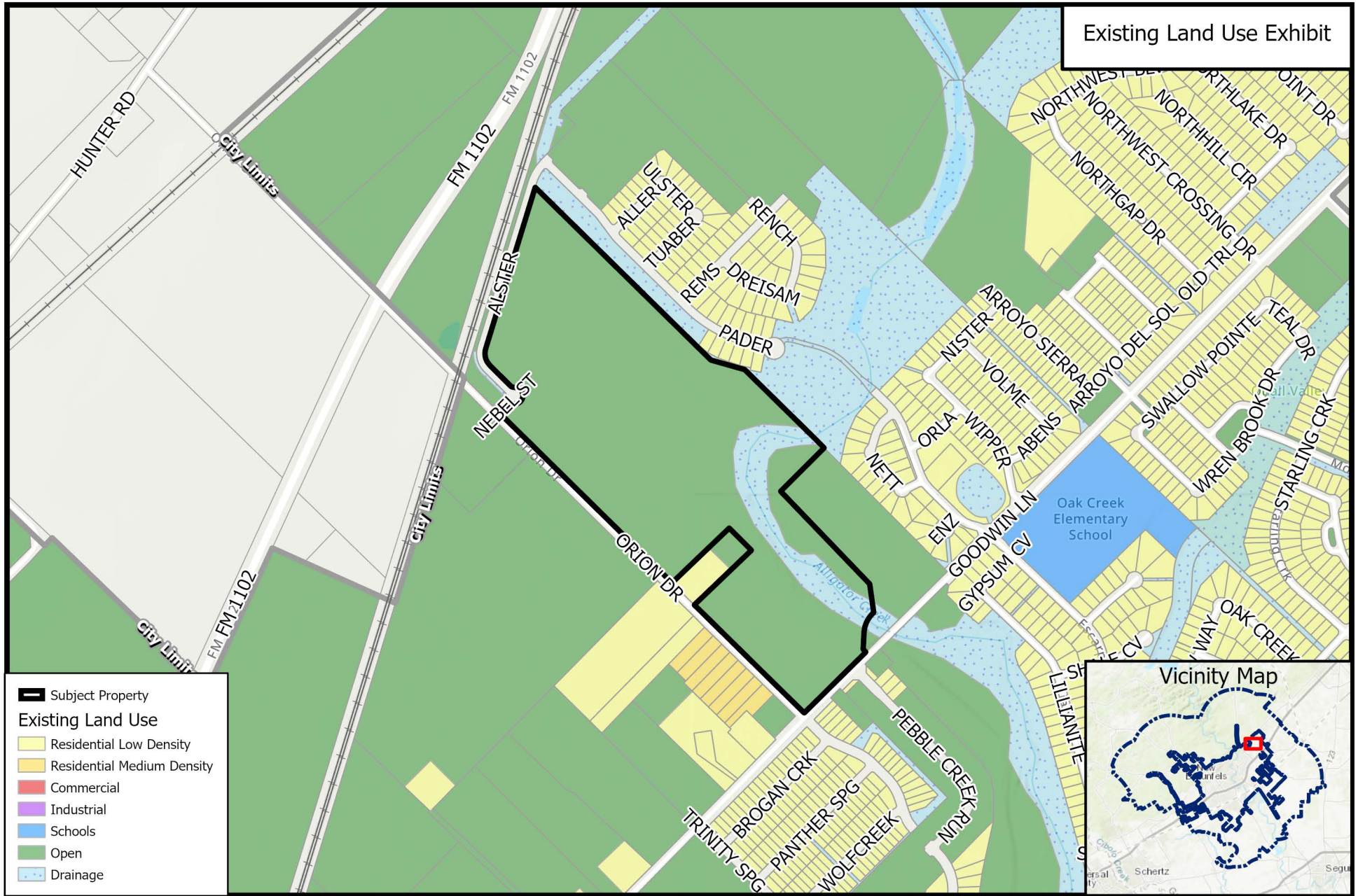
OF 1





PZ20-0329
APD to R-1A-4 and R-3H





EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

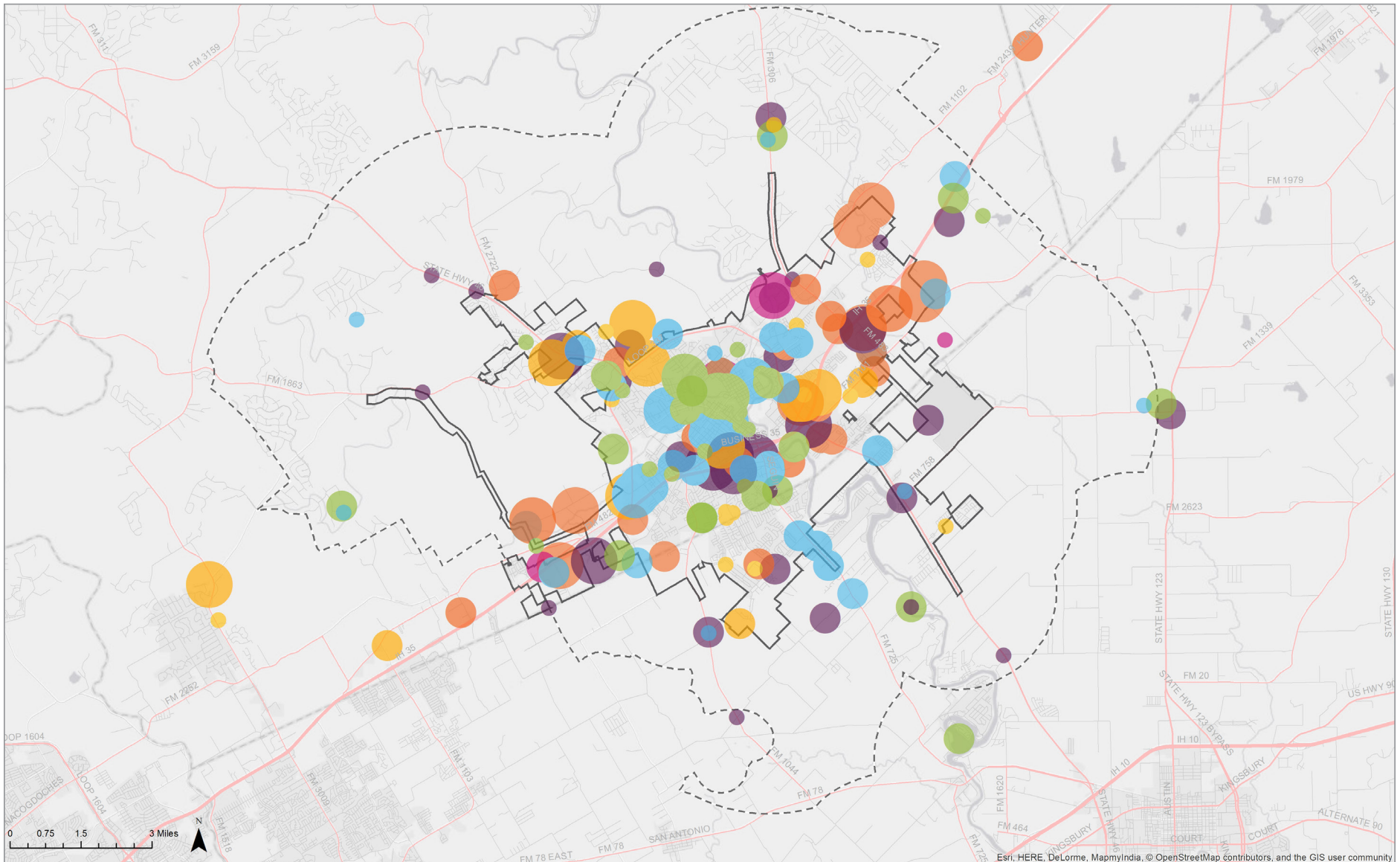
EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.





The location of existing centers was determined through the analysis of previous studies and background documents, windshield surveys, and reviewed by City staff, Steering Committee members, and Plan Element Advisory Group members during a public workshop.

FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.

CITY OF NEW BRAUNFELS TRAFFIC IMPACT ANALYSIS (TIA) WORKSHEET

Complete this worksheet as a requirement for zoning, master plan, plat and permit as specified in City of New Braunfels Code of Ordinances Sections 114-99 and 118-46.

Note: The Code provides the minimum information for a TIA report and it is recommended that a scoping meeting be scheduled with the Engineering Division.

Section 1: General Information

Project Name:				Date:			
Subdivision Plat Name:				Project Address/Location:			
Location? <input type="checkbox"/> City of New Braunfels		<input type="checkbox"/> New Braunfels ETJ		<input type="checkbox"/> Comal County		<input type="checkbox"/> Guadalupe County	
Owner Name:				Owner Email:			
Owner Address:				Owner Phone:			
Preparer Company:							
Preparer Name:				Preparer Email:			
Preparer Address:				Preparer Phone:			
TIA scoping meeting with City Engineering Division staff? (required for reports)		<input type="checkbox"/> Yes. Date: <input type="checkbox"/> No.		TIA Worksheet/Report approved with previous zoning, plan, plat or permit?		<input type="checkbox"/> No. Complete Page 1 only. <input type="checkbox"/> Yes. Complete Pages 1 and 2.	
Application Type or Reason for TIA Worksheet/Report							
<input type="checkbox"/> Zoning/Concept Plan/Detail Plan		<input type="checkbox"/> Master Plan		<input type="checkbox"/> Preliminary Plat		<input type="checkbox"/> Final Plat	
				<input type="checkbox"/> Permit		<input type="checkbox"/> Other	
TIA Submittal Type (A TIA Worksheet is required with all zoning, plan, plat and permit applications)							
<input type="checkbox"/> TIA Worksheet Only (100 peak hour trips or less)				<input type="checkbox"/> Level 1 TIA Report (101-500 peak hour trips)			
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report Approved				<input type="checkbox"/> Level 2 TIA Report (501-1,000 peak hour trips)			
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report not required (supporting documentation may be required)				<input type="checkbox"/> Level 3 TIA Report (1,001 or more peak hour trips)			

Section 2: Proposed Land Use and Trip Information for Application

Unit	Land Use	ITE Code ¹	ITE Unit ²	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
<i>Total from additional tabulation sheet (if necessary):</i>													
Total:													

¹Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition or most recent; ²E.g., Dwelling Units, Acres, Employees, KSF, etc.

Internal Use Only	Reviewed by:			Date:
	<input type="checkbox"/> TIA Worksheet is acceptable.	<input type="checkbox"/> TIA Worksheet requires corrections.	<input type="checkbox"/> TIA Report required.	<input type="checkbox"/> TIA Report not required.

Project Name:				
Preparer Company:		Preparer Name:		Date:
Type:	<input type="checkbox"/> TIA Worksheet Only	<input type="checkbox"/> Level 1 TIA Report	<input type="checkbox"/> Level 2 TIA Report	<input type="checkbox"/> Level 3 TIA Report
Approved with:	<input type="checkbox"/> Zoning/Concept Plan/Detail Plan	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Plat	<input type="checkbox"/> Permit <input type="checkbox"/> Other

Unit	Land Use	Status ³	ITE Code ¹	ITE Unit ²	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
Total from additional tabulation sheet (if necessary):														
Total:														

³Specify current *approved* status of unit: PLAN – Zoning/Concept Plan/Detail Plan/Master Plan, PP – Preliminary Plat, FP – Final Plat, P – Permit, C – Completed, A – With this Application (current)

Approved TIA Conformance		AM Peak Hour Trips	PM Peak Hour Trips	WKD Peak Hour Trips	Daily Trips
Approved development total:					
Updated development total:					
Difference development total:					
New TIA Report Required?					
Increase in Peak Hour Trips (PHT) over 100?	<input type="checkbox"/> Yes. New TIA Report required to be approved prior to approval. <input type="checkbox"/> No.				

Mitigation Measures	Unit	Total PHT
1.		
2.		
3.		
4.		
5.		
6.		

CITY COUNCIL – APRIL 12, 2021 – 6:00PM

Applicant/Owner: Moeller & Associates, agent for EB Industries, owner

Address/Location: Approximately 68 acres located out of the O. Russell Survey No. 2, Abstract No. 485, located at the northern corner of the intersection of Goodwin Lane and Orion Drive (see exhibit).

PROPOSED ZONE CHANGE – CASE #PZ20-0329

The circled 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. MARIPOSA HOLDINGS LLC | 18. WHIPKEY ROBERT D & PAULA J |
| 2. MICHIE REXFORD J & SALLY A WEITZ-MICHIE | 19. CHESMAR HOMES CT LTD |
| 3. SEBA PETER E | 20. FEATHERSTON DONALD C |
| 4. REVIVE NEW BRAUNFELS MINISTRIES | 21. ROGERS MELISSA J & CHRISTOPHER N |
| 5. KOCH WAYLON | 22. RICHARDSON NANCY C |
| 6. WILLIAMS MARK E & TERRY K | 23. DENMAN WILLIAM R III & JULIEE D |
| 7. JMH FAMILY HOLDINGS LLC | 24. MOORE JAEMI D & CRYSTAL M |
| 8. SCHEEL SHAWN | 25. HARRIS MIDORI E |
| 9. KOEHN N MICAH | 26. HORTON CAPITAL PROPERTIES LLC |
| 10. SADDLER DAVID L & CRYSTAL M SADDLER | 27. CASARES PAUL & CASANDRA R |
| 11. IVY B SCHLICHTING PROP II LTD | 28. ELLSWORTH MICHAEL J & BONNIE A M |
| 12. CONTINENTAL HOMES OF TEXAS LP | 29. PENA ABEL JR |
| 13. FRECH MARY E | 30. TRUESDELL ESSENCE M & NOLAN A |
| 14. FORESTAR USA REAL ESTATE GROUP INC | 31. ENGEL RYAN T |
| 15. CREEKSIDE FARMS RESIDENTIAL COMMUNITY INC | 32. DE LA CRUZ CHRISTOPHER M & MICHELLE F |
| 16. ROW JOHNNIE F | 33. CHESMAR HOMES LLC |
| 17. YES ACQUISITIONS LLC | 34. SCHMIDT KENNETH W |

SEE MAP

#13

From: [Mary Frech](#)
To: [Rusty Brockman](#); [Shane Hines](#); [Justin Meadows](#); [Harry Bowers](#); [Matthew E. Hoyt](#); [Jason Hurta](#); [James Blakey](#); [Matthew W. Simmont](#)
Subject: Zoning request Case #PZ20-0329 ms
Date: Sunday, April 4, 2021 12:14:55 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Mary Frech. I live at 2985 Zaber, NB and I am #13 on the latest map I received from the City of New Braunfels with the NOTICE OF PUBLIC HEARING for Case #PZ20-0329 ms.

I would like to register my objection to any piece of the property bounded by Orion Drive and Goodwin Lane to be zoned multi-family.

I understand you are following a Master Plan built from many volunteers from the community several years ago that states that housing for workers for our various businesses is hard to find and you are committed to approving that type of housing. Since I moved here in 2014, new apartments have gone up on both sides of I-35 south of the city, in the area of Common and 306, at Goodwin Lane and 306, newly approved at Klein & 725 and, I have been told the building next to the Budweiser distribution center on 306 is going to be apartments, to name just a few I can think of off the top of my head. I do not know what the rent is at each of them but I was told our workforce needs places to live. The ones proposed at Goodwin Lane and Orion, we were told, would rent for upwards of \$1500 per month. That's a pretty good mortgage payment. From being an employee of one of our call centers, CBE, I can tell you most of those workers (coming from the ages of 18-25) cannot afford any but Section 8 housing--most are living with their parents. That is not what is being built, to my knowledge. Mr. Ray cited that there is no place for police officers, firemen/women, nurses, teachers, etc. to live and I want to dispute that completely. Those salaries do give them many choices in New Braunfels already and many of those folks live in my neighborhood now. How many apartment complexes have wait lists? I would hazard a guess that it is those on the river because of that desirability, rather than the "cheap" rent of an apartment. Most apartment complexes are wonderful when new, but unfortunately, they do not stay new. Rather than provide proper upkeep, the complex is usually sold several times to corporations and gradually go down-hill because of lack of maintenance. Many of us bought into our neighborhood as a long-term investment. We do not want to move somewhere else and we would like our property to have value in 20 years. Will that be true if an apartment complex is next door?

Do any of you council members live next door to an apartment complex, one that has been there for many years? Would you choose a home beside one or within 200 feet of one? If your answer is no, how can you vote for this one?

The highly respected Henry Cisneros, former mayor of nearby San Antonio and HUD Secretary from 1993-97, is quoted in a longitudinal study entitled, Homeownership and Neighborhood Stability by William M. Rohe, University of North Carolina at Chapel Hill and Leslie S. Stewart, Research Triangle Institute, as saying, **"Expanding home ownership is vitally important to our country, because home ownership is critical both to individual economic opportunity and also to the building of strong communities."**—Henry Cisneros (1995, 3) I believe Mr. Cisneros is correct with this particular piece of land. It will be surrounded by single-family housing, in the middle of many single-family neighborhoods. Why not make the front half of the land single-family homes as well?

Thank you for your time and hopefully, consideration.

Sincerely, prayerfully,

Mary

"Trust in the Lord with all your heart and lean not on your own understanding..." Prov. 3:5

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ20-0329 ms

RECEIVED

FEB 12 2021

Name: Johnnie F Row

I favor: _____

Address: 1383 Hillcrest DrI object: ☒ (State reason for objection) PRProperty number on map: 16

Comments: (Use additional sheets if necessary)

2. I don't like the small lot word! Most small lots have no room for cars, children area. Some on Goodwin Lane are a good example. Also there is the possibility of floods in this area. No playgrounds or trails for children or adults!

Signature: Johnnie F Row P.S. I have picture of past flooding!

#16

From: [Chris Featherston](#)
To: [Matthew E. Hoyt](#)
Cc: [Jason Hurta](#); [Matthew W. Simmont](#); [Christopher J. Looney](#)
Subject: Rezoning on Orion and Goodwin Lane Case #PZ20-0329
Date: Sunday, March 7, 2021 10:49:29 AM

20

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Hoyt,

I am Donald Featherston my wife Karen and I live at 2977 Zaber New Braunfels, TX 78130 in the Wasser Ranch Community. It has been brought to my attention that the City Council has on its agenda for the city council meeting on 8 March 2021 at 1800, to reconsider the Rezoning request of Mr. Ray who is the owner of the land and who has hired Mr. James Ingalls to develop the property at Orion and Goodwin Lane. It also has been brought to my attention that my in person objection at the last council meeting on 22 February 2021 at 1800 hours was not sufficient to be counted as an objection and that the council must have it in writing as I was one of the 26 homeowners that received the notice in the mail as my property line is with in 200 feet of the property up for rezoning.

It was my understanding when I spoke to Mr. Simmont that me showing up would have counted as an objection, but that does not seem to be the case now. I also can tell you from speaking to my closest neighbors that should have received a notice in the mail there are 3 who did not and if not for me letting them know they would not have been at the last meeting or sent emails to the council.

me and my wife strongly object to the rezoning for High Density Multi Family Housing (aka. Apartments). As I stated in the 5 mins I was allowed to speak on 22 February 2021, there are many reasons this should not be approved.

1st, Goodwin Lane can not handle the traffic. I understand that the 2019 Bond that was voted on and approved by the city was designed to handle growth for our neighborhoods in this area of district 4, but it is not due to even begin construction until 2023 and to my understanding will take 2 years to complete. This means that a HDMFH community would cause major issues as it would be developed and the infrastructure built long before the construction on Goodwin Lane would be completed, not to mention that there are not any plans for the enhancement of Orion.

There have already been at least 3 Dirt Trucks pulling trailers that have turned over trying to turn from Goodwin Lane on to Orion, causing hours of delay because they had to get a crane or wrecker to pull the truck back up and onto the road. Then add that a train is constantly stopped on the track on Orion does now and would cause anyone living on Orion to be forced to use Goodwin Lane to exit the community, add that there are no gate guards for that track and make it a big safety issue.

Now let us talk about when Alligator Creek Floods and the low crossing at Kolenburg Road, if that train is stopped on the track not only will all the the traffic from Orion have to go right on

Goodwin Lane and we here at Wasser Ranch, Oak Creek, Quail Valley, Arroyo Verde, to have to go through Oak Creek and/or Quail Valley to get out and if it happens. Lets now address when school is either starting or ending at Oak Creek Elementary that causes even more issues. Lastly let's talk about the construction on IH 35 and Kolenberg Road that is not due to be completed until 2025 and we know from history TxDot that we can add 2 years to that.

The amount of cars that would be added when apartments go up almost triple what single family housing would, not to mention the potential for the school to be well above capacity (Yes I am aware this is not y'all issue as was stated at the last meeting) but does not mean that it can't/shouldn't be used as information when deciding on the decision.

3rd, It has been statically proven many times that when HDMFH goes up so does crime in that area.

We have so much going on in our community, the state and our country that we all are having to deal with and this is just one more added stress put on us, that we should not have to endure, I am not a political man and I have very conservite values, but I also use the brain that the lord gave me to make good sound decisions. My wife and I understand that no one person or community is perfect and you can't please everyone. With that said we are asking you sir and the others on this city council to please disapprove the HDMFH portion of this rezoning request. As those of us that came to the council meeting on 22 February set until after 9pm to voice our objections we have no problem with single family homes as long as they are not MFH type homes and we are not trying to stop growth in New Braunfels or District 4 we just want responsible growth that makes sense for everyone.

Lastly, the potential for our home values to drop is a real concern.

Mr. Hoyt, Myself and my wife and as you will see on Monday your community over here would ask that you come and drive through our neighborhoods over here and then ask yourself this question "If I lived here would I want apartments built and can my community handle this much growth so fast".

Thank you for your time and willingness to listen to me and all of the neighbors here in your part of District 4.

Have a Blessed Day!

Donald "Chris" Featherston
Ret, USAF
chris.featherston2015@gmail.com
210-777-0450

#21

From: f567270
To: Christopher J. Looney; Matthew W. Simmont; Matthew E. Hoyt; Jason Hurta
Subject: No To Goodwin/Orion Multi Housing CASE #PZ20-0329
Date: Sunday, March 7, 2021 5:11:25 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Case #PZ20-0329 ms

Name: Christopher N and Melissa J Rogers
Address: 2981 Zaber
Property #on Map: 19

I OBJECT!!!!

Reason:

Lack of current infrastructure to support High Density housing in the area. Road improvements need to be made first on Goodwin Lane and Orion Dr to support the additional traffic. School overcrowding will also become an issue unless additional schools are built in the area.

Another concern is the affect this rezoning will have on current property values. We invested a lot into our new home and it would be very disappointing to see an adverse affect on the value based on the decision of the planning committee.

Strongly object

Melissa and Christopher Rogers

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ20-0329 ms

Name: Melissa + Christopher Rogers I favor: _____

Address: 2981 Zaber

I object: X (State reason for objection)

Property number on map: 21

Comments: (Use additional sheets if necessary)

Insufficient Infrastructure - Roads !!
schools, utilites

Signature: _____

#22

From: [Nancy Richardson](#)
To: [Matthew W. Simmont](#)
Subject: No to multi family apartment complex on Orion and Goodwin
Date: Monday, March 8, 2021 9:24:02 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I implore you to not approve a proposal to build a multi family apartment complex on Orion and Goodwin. First of all the roads simply can't handle the traffic. Orion is a road so narrow that 2 cars can't pass each other safely- not to mention trains block the road daily by stopping on the tracks allowing only one way in and out which is Goodwin. Goodwin has its own issues as well. Presently a new subdivision is being built off Goodwin which will bring significantly more traffic to the already congested area. Between the hours of [2:45](#) and [3:25](#) it is almost impossible to get to my subdivision Wasser Ranch due to the cars lined up on Goodwin waiting to pick up their children from the school and there is no way to safely get around them. I bought my lot and built my dream home to enjoy the beautiful scenery and privacy. I am beyond saddened and upset that this could all change. Not only would an apartment complex change the dynamics of the area but it will most likely bring crime and lower the value of my house. I am from New Braunfels and I understand that our city is developing at a record pace but please do not approve this proposal- show the residents of this area that you care and support us and our livelihoods.

Thank you,
Nancy Richardson
[2989 Zaber](#)
[New Braunfels, Tx. 78130](#)

Sent from my iPad Sent from my iPad

Case: #PZ20-0329 ms

YOUR OPINION MATTERS - DETACH AND RETURN

RECEIVED

APR 12 2021

Name: Nancy Richardson

Address: 2989 Zaber

Property number on map: 22

I favor: _____

I object: X (State reason for objection)

Comments: (Use additional sheets if necessary)

Object to R-3H MultiFamily
High Density District

Nancy C. Richardson

153

#23

From: [Billy Denman](#)
To: [Matthew W. Simmont](#)
Cc: ["Juliee Denman"](#)
Subject: Case #PZ20-0329 ms
Date: Sunday, April 11, 2021 5:06:54 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Name : William and Juliee Denman
Address: 805 Pader
Property number on map: 23

Comments:

My wife, Juliee, and I were among those who didn't receive the notice of the first meeting. We moved into our home on October 13, 2020, and are guessing the tax rolls hadn't caught up with all the new additions. We are trying to get up to speed on this issue. We did attend the city council meeting where the rezoning case was opened again after being voted down at the previous meeting. During that meeting, the council voted to re-address the issue at the next meeting (tomorrow night). I also listened in on the virtual meetings via Zoom with the landowner and his advisor. Growth and expansion are inevitable. I typically am in favor of this. I do not object to this growth; actually quite the opposite. My understanding from the meeting is the landowner could propose a new development plan, but not propose the original one. However, that is not the case as his plan is the same.

The landowner and his advisor represent themselves well at the meetings. They were both articulate and thoughtful in listening to and answering questions from the Wasser Ranch community. One of the questions that many from our neighborhood are asking is "will the permit be amended? Will it satisfy concerns we have about the high density apartments? We never were given that reassurance. It seems we are back to the original plan without addressing any of the concerns of the community.

Our number one concern is that this new development (in whatever shape or form it takes) does not commence until:

- the roads are upgraded.
- a solution to the entrance on Orion Drive being blocked by trains for hours at a time.

Both of these issues are already a problem, especially with new houses being built in the neighborhood. High density apartments will compound the traffic problem that already exists.

These are our opinions and we appreciate you taking the time to read this. We will not be able to attend the meeting, but plan on listening in via Zoom.

Best wishes.

Billy and Juliee Denman

903-372-5212 mobile

YOUR OPINION MATTERS - DETACH AND RETURN

156

Case: #PZ20-0329 ms

RECEIVED

Name: Mildred Harris McLean

I favor: _____

Address: 813 Pader # 25

I object: 1 (State reason for objection)

APR - 9 2021

Property number on map: 26 25

Comments: (Use additional sheets if necessary)

- we object due to the increase traffic and lack of infrastructure to support it
- we object to the multi family apartments due to the proximity to our single family homes.

Signature: [Signature]

YOUR OPINION MATTERS - DETACH AND RETURN

#27

Case: #PZ20-0329 ms

Name: Paul & Casandra CasaresAddress: 614 PaderProperty number on map: 27

I favor: _____

I object: X (State reason for objection)

Comments: (Use additional sheets if necessary)

We do not want multi-family
units on an already congested
area. We would prefer single-family
type housing.

Signature: Casandra R. Casares

#32

From: [Delacruz, Michelle](#)
To: [Christopher J. Looney](#); [Matthew E. Hoyt](#); [Matthew W. Simmont](#); [Jason Hurta](#)
Subject: Proposed rezoning on Orion & Goodwin road
Date: Monday, March 8, 2021 10:05:49 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

My name is Michelle Delacruz and I live in the Wasser Ranch subdivision at 2907 Aller New Braunfels, TX 78130. The city council is taking another look at a proposed rezoning request for 13 acres at the corner of Goodwin and Orion to build multi-family housing. This was voted down at the last council. I strongly disapprove of the rezoning request. We paid a premium for our lot as our oversized windows face the fields and not other houses, certainly not a rental neighborhood. The road infrastructure is lacking as it is on Goodwin, which is too narrow and there's already new homes going up across the street. In addition, multi-family homes, which are rental apartments or duplexes, will bring crime to this area and will hurt the market value of my newly purchased home along with the others in this area. Prior to buying our home, we rented at a supposed luxury apartment complex and the crime was unreal. I emphatically implore you to not approve this request. Thank you for your time and consideration.

Sincerely,
Michelle Delacruz

YOUR OPINION MATTERS - DETACH AND RETURN

RECEIVED

Case: #PZ20-0329 ms

Name: Chris Delacruz

Address: 2907 Aller

Property number on map: 32

I favor: _____

I object: X (State reason for objection)

Comments: (Use additional sheets if necessary)

I don't want high density multi family units near our subdivision. It will hurt our property values and the roads are already bad enough.

Signature: Chris Delacruz

From: [chris.delacruz](#)
To: [Christopher J. Looney](#); [Matthew E. Hoyt](#); [Matthew W. Simmont](#); [Jason Hurta](#)
Subject: Proposed rezoning on Orion & Goodwin road
Date: Sunday, March 7, 2021 4:27:23 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Chris Delacruz and I live in the Wasser Ranch subdivision at 2907 Aller New Braunfels, TX 78130. The city council is taking another look at a proposed rezoning request for 13 acres at the corner of Goodwin and Orion to build multi-family housing. I was at the last council meeting and this was voted down. I strongly disapprove of the rezoning request. The road infrastructure is lacking as it is in Goodwin, too narrow and there's already new homes going up across the street. In addition, multi-family homes AKA, rental apartments or duplexes will likely hurt the market value of my newly purchased home along with others. I emphatically implore you to not approve this request. Thank you for your time and consideration.

Sincerely,
Chris Delacruz

The following responses are from property owners that are outside of the 200-foot notification area, unlisted with the County Appraisal District, or did not provide an address.

From: [Cristine Barger](#)
To: [Jason Hurta](#); [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: No To Goodwin/Orion Multi Housing
Date: Sunday, March 7, 2021 2:34:06 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I live in the Wasser Ranch subdivision off Goodwin Lane. I have been made aware that there is a proposed zoning change to lots that are off Orion Drive. I believe this issue is item D on the docket for Monday, March 8th.

This area of New Braunfels is growing rapidly while the infrastructure in this area has largely been ignored. Goodwin Lane, Orion Drive, and Conrads Road are all in subpar condition, traffic on both FM 306 and at the Conrads Road exit is heavy, and construction on 35 in this area has made it hard to efficiently make it through town.

There is a large apartment complex being built off FM 306 new Tri-City Distributors currently that will have a large impact on an already busy intersection (where 306 and Goodwin meet). Additional multi-family housing in this area should wait until the infrastructure in this area can support it.

In addition, Justin Meadows mentioned in the meeting when this was previously discussed, that this proposed multi-family housing unit would be closer than is standard in New Braunfels and would not have barriers that are typically seen when multi-family butts up to single-family living.

Furthermore, there is a train crossing on Orion Dr near 1102 that does not have crossing arms. Not only do trains stop here for hours (sometimes days) at a time, it is a safety hazard to have so many people going over those tracks with no arms.

The pushing through of this issue so quickly and despite many residents (and council members) disagreeing with it is puzzling. Why is this area of town being ignored when it comes to safe and responsible growth? I can imagine that those serving on the City Council, the Mayor, as well as the developer would not want an apartment complex being built in their backyard, their children's school overcrowded, and their roadways congested because of someone else's short-sighted decision.

While I appreciate and understand the City's goal to build more affordable housing, I do not believe this particular area is a good fit for a multi-family housing unit. Houses or a park would fit in beautifully- especially with the trail that is to extend along Alligator Creek.

Thank you for your time and service,

Cristine Barger

From: [Jonathan Barger](#)
To: [Matthew W. Simmont](#)
Cc: [Cristine Barger](#)
Subject: Goodwin Lane & Orion Rezoning Proposal
Date: Monday, February 22, 2021 8:16:32 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Matt,

We have never spoken but the recent rezoning request near Goodwin Lane and Orion has sparked my interest. I live in Wasser Ranch, so this rezoning request has close proximity to my home. My initial thought was "*I don't want my property values to decrease*" so I went down the rabbit hole of finding research that fit my narrative. I found the exact opposite and that MDU's (multi-dwelling units) have no statistically significant effect on property values even when comparing to a control group.

My next concern is on infrastructure and I am hoping that you could answer my questions.

- What is the total capacity of students for Oak Creek Elementary?
- What is the total student count at Oak Creek Elementary?
- What is the model for how many students per MDU unit/ SDU unit is the City forecasting will be students?

I have three children - one of which is currently at Oak creek and two that will shortly follow, so my immediate concern is that Oak Creek will be packed to the brim and this will lead to a less than optimal learning experience.

- When will construction commence on Goodwin Lane

I don't have traffic statistics but it seems that the flow of traffic on Goodwin is starting to back up during peak traffic hours and there is a new Neighborhood that has already broken ground right off of Goodwin. These backup issues happen from Conrad all the way to 306 and I feel that adding an additional 1,000 MDU/SDU will only further contribute to the traffic issue. (BTW, my 1,000 is an approximation between the SDU plan for zero lot lines and the MDU plan - please correct me if this total number is incorrect).

- Orion Dr has a train crossing that does not have safety arms. Is the developer going to pay to have safety arms placed at this train crossing and will the City of New Braunfels be able to do anything with Union Pacific regarding trains stopping on the tracks?

Thanks for your time in your response. I believe the real discussion should be on infrastructure capabilities and forecasts versus the "Not In My Backyard" mentality and will be happy to share your responses with the neighborhood.

Sincerely,

Jon Barger
908 Ulster
New Braunfels, TX 78130

c - 210-317-2404

e - jonathanwbarger@gmail.com

From: [Amanda Barker](#)
To: [Matthew W. Simmont](#)
Subject: Objection to pending rezoning
Date: Sunday, March 7, 2021 8:53:36 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Simmont,

I live in Wasser Ranch and am very concerned about the apartment complex right in our back yard ("High Density Multi Fmaily Housing") on Goodwin Lane & Orion Drive

There are many reasons why this is a very bad idea from the roads are not designed for this much traffic to the school issue it will cause and statically when places such as duplex's and apartments go up so does crime. Not to mention our home values taking a big hit. I did my research when buying where I did and this is a slap in the face and many of us are now feeling the need to move if this passes. Let's grow this city responsibility without penalizing the neighborhoods in our area!

I OBJECT TO THIS REZONING!!!

Thank you for your time!

Sincerely,

Amanda Barker
627 Wipper, NB 78130

From: [Cassi Coble](#)
To: [Jason Hurta](#); [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: Opposed to apartments on Goodwin, Wasser Ranch resident
Date: Sunday, March 7, 2021 1:30:21 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am a resident in Wasser Ranch and am emailing you in regards to the zoning change for apartments and/or small lot home proposal for Goodwin and Orion. The residents at several neighborhoods along Goodwin are opposed to this for many reasons.

First, Goodwin lane has seen a significant increase in the traffic that comes thru already and the road is already not wide enough. With increased traffic from apartments this will likely lead to accidents and unsafe conditions for the school located within less than a mile of said zoning changes.

Second, I understand that there is already an apartment complex going in next to Tri City distribution center at 306 and Goodwin less than 2 miles away from this proposed zoning change. Why are we trying to bombard this area with apartments in an already heavily trafficked area with roads that cannot handle the current traffic flow we have.

Lastly, as I'm sure you can understand the impact having apartments next to your neighborhood we would likely see a decrease in our property values, most of which have been built in the last 5 years. I'm not sure what the strategy is in bombarding Goodwin lane with rental properties when there are already nice neighborhoods being built with homes starting in the high 200s and 300s. The builders have had no problems selling homes in this area and could likely be a potential property for more homes similar to what is already in the area.

While I can understand a need to have more housing options for people moving to the area but with the recent rental home neighborhood that was built on Goodwin, the newly approved apartments at 306 and Goodwin, and all the expansions happening within Oak Creek, Wasser Ranch, and Cloud Country adding this zoning change would just cause more issues to the already heavy congestion we have within this area. This zoning change would also cause a lot of unhappy residents to what can be a flourishing area for the City.

As a single parent I am not able to attend the meeting in person but wanted to express my deep concern and complete opposition to the zoning change proposal next to my neighborhood.

Sincerely,
Cassi Deleon

Sent from my iPhone

From: [Janet Coble](#)
To: jhurta@nbtexas.or; [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: NO TO GOODWIN/ORION MULTI HOUSING
Date: Sunday, March 7, 2021 1:37:05 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am a homeowner in Wasser Ranch and would like to adamantly **OBJECT** to approving a multi housing complex at the location of Goodwin/Orion for many reasons:

#1 - The homes in Wasser Ranch have current values of \$300,000+ with new builds being considerably over this amount. As you well know, putting in multi housing, which we all know will be rental units, drastically reduces property values. We already have an entire subdivision on Goodwin that is strictly rent/lease. So far, that development is maintained very well and since these are individual homes, does not have quite the impact that apartments or duplexes have.

#2 - Goodwin Lane and Orion both, but most especially Goodwin, **CAN NOT** stand up to the current traffic load, let alone any increased traffic load. With new homes being built not only in Wasser but also Oak Creek Estates and Cloud Country, this area will steadily have an increase in traffic. I moved into my home in August 2019 and that November I saw a survey crew on Goodwin and when asked what they were doing, they informed me they were surveying as Goodwin was going to be widened with a turn lane all the way down to accommodate the traffic entering the various subdivisions. As to date, **NOTHING** has been done about that. This should be a priority for right now. Hopefully you realize that Alligator Creek floods very easily therefore closing Goodwin. What happens then? Oak Creek Elementary was closed from March 2020 till August 2020 and not a single thing was done except some asphalt repair work.

#3 - From what I have been able to find out, there already is an apartment complex going up on FM 306 between NBU and the beer distributor. With that being built, we DEFINITELY do not need another complex less than a mile away.

#4 - Your priority for the city right now should be focused on finishing up all the road repairs and construction before summer tourism hits. The 306/I-35 location is a disaster and now has a completion date of next March, which is one year from what was originally planned. Why? A Whole year behind? How about putting some pressure on that contractor? And the Conrads/Kohlenberg interchange is another train wreck.

Take care of the projects that are out there right now and not being completed in timely manners.

Remember, you are elected by the people that actually live here to do what is in the best interest for your constituents, not the commercial developers who come in and out of here after they have made their millions. **We LIVE here and SUPPORT this city with out taxes, spending and volunteering. KEEP THAT IN MIND WHEN YOU MAKE ANY LIFELONG DECISIONS.**

Janet Coble
Wasser Ranch Subdivision

From: [chris.delacruz](#)
To: [Christopher J. Looney](#); [Matthew E. Hoyt](#); [Matthew W. Simmont](#); [Jason Hurta](#)
Subject: Proposed rezoning on Orion & Goodwin road
Date: Sunday, March 7, 2021 4:27:23 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Chris Delacruz and I live in the Wasser Ranch subdivision at 2907 Aller New Braunfels, TX 78130. The city council is taking another look at a proposed rezoning request for 13 acres at the corner of Goodwin and Orion to build multi-family housing. I was at the last council meeting and this was voted down. I strongly disapprove of the rezoning request. The road infrastructure is lacking as it is in Goodwin, too narrow and there's already new homes going up across the street. In addition, multi-family homes AKA, rental apartments or duplexes will likely hurt the market value of my newly purchased home along with others. I emphatically implore you to not approve this request. Thank you for your time and consideration.

Sincerely,
Chris Delacruz

From: [Kelly Garza](#)
To: [Matthew W. Simmont](#)
Subject: Apartments at Goodwin & Orion
Date: Sunday, March 7, 2021 9:51:14 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

I hope this email finds you well. It has come to my attention that at tomorrow's city council meeting a discussion will be held regarding apartments at Goodwin & Orion roads. As a resident of the surrounding area, I would like to strongly oppose this re-zoning and the proposed construction. Apartments in that area would cause so many issues for current homeowners on this side of town, such as additional traffic congestion, property value decreases, and overpopulation of OCES. We moved to this end of town 8 years ago because it was less congested than other areas. It has since grown and the increase of homes and population have already caused so much traffic congestion and accidents. Between the growth of Creekside, the DPS office being relocated over here, and the TA truck stop it has become a nightmare. Adding more homes would only cause the existing issues to become exacerbated. The city council needs to say "no" to further construction requests in order to help preserve the few green areas of this once beautiful town and to maintain quality of life for current tax paying citizens.

I would prefer to be making my request in person tomorrow evening, but can not attend due to family commitments. I know many of my neighbors will be in attendance and hope to have their voices heard.

Thank you in advance for your consideration in this matter.

Sincerely,

Kelly O'Neal
New Braunfels resident
Cloud Country Subdivision

From: [Glenda Harrison](#)
To: [Matthew W. Simmont](#)
Subject: Re zone at Goodwin and Orion
Date: Sunday, March 7, 2021 3:30:23 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am a new homeowner in the Wasser Ranch subdivision and am writing to convey my objection to the re zoning as it is currently proposed. My address is 817 Pader. Thank you for your attention to matter
GetOutlook [for Android](#)

From: [Debra Howell](#)
To: [Jason Hurta](#); [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: Orion and Goodwin
Date: Saturday, March 6, 2021 2:18:09 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Item D on the agenda for
Monday night.

The last city council Meeting it was rejected by a 5-2 vote. I've always thought it was tabled if it was rejected.
Will this really be on the agenda Monday night?

Thank you

Debra

From: [Debra Howell](#)
To: [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: Goodwin Orion subdivision
Date: Sunday, February 21, 2021 8:22:46 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am so opposed for the rezoning of the land at the corner of Orion and Goodwin. This will add so many more people and families to our already crowded little area. These lots are way smaller than any of the others in the area and if I counted right it is 363 homes plus an apartment complex. That's adds well over 1,000 more cars. Yes our bond passed and we are getting better roads but if y'all are waiting for all these subdivisions to build on Goodwin it will take forever.

I really hope no one gets killed on that small road on Goodwin and especially no child. And the roads in the older subdivisions are already failing. Drive the roads in Quail Valley and northwest crossing, especially the section of Starling Creek toward the Oak Creek side. These roads are failing and soon the sewer system will too. It's like riding a roller coaster up and down. That is going to be a nice costly fix.

Also I was watching the NBU electric grids this week. There were times when there was 10 areas of outages. Of all those areas including Morningside area, our Goodwin area had the largest amount of 1738 customers. Let's add a couple more hundred customers when we already have water pressure issues.

And what about a park or some other things for all our neighbors. And not just the walking track that they are working on. An actual park for the kids and families.

Please pass this to all the city council members for the vote tomorrow night.

Please do not vote to add all these small lots and apartments to our way to fast growing area.

Thank you

Debra Howell

From: [Tony Killough](#)
To: [Matthew W. Simmont](#)
Subject: Goodwin Ln & Orion Rezoning
Date: Monday, February 22, 2021 6:47:57 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Simmont,

My name is Tony Killough and I live in the Wasser Ranch subdivision along Goodwin Lane, just across from Goodwin Elementary. I'm reaching out regarding the proposed rezoning of the almost 14 acres along Goodwin Ln and Orion. My understanding from available documents is that this land is in the process of being rezoned to accommodate multi-unit (apartment) homes. I'm writing to let you know that I strongly oppose this for a few reasons.

First, I'd like to point out Goodwin Lane. Already packed beyond reason, this road cannot handle the traffic that 500+ units would bring to the area. While many northern subdivisions are already filled out, there are some that have broken ground already and are not filled. For example, across the road is the Oak Creek subdivision, which recently opened their new section, bringing many homes and vehicles to the area. Wasser Ranch opened their new section just a couple months back, that is much larger than the front part of the neighborhood. Furthermore, a rent-to-own community is quickly building and selling homes just past Oak Creek when headed toward 306. This issue extends along Goodwin Ln from Conrads to FM306. This area simply cannot handle 500+ more inhabitants along with what is already broken ground in single family homes.

Secondly, Oak Creek Elementary does not have the capacity for an additional 500+ units worth of children.

Thirdly, the train crossing along the railroad and Orion will cause significant traffic buildup as the train frequently stops over those tracks. This will force everyone to go to 306 or drive down to Conrads and cut around, a huge hassle, and a huge traffic builder.

Lastly, as a homeowner in Wasser Ranch, an apartment building so close will of course lower my property values. Additionally, apartments *usually* bring high levels of crime, which is not what our small community of single family homes along Goodwin Lane is meant for. This is a strong community. One who has grown together through the years in a structured, sustainable, manner. I fear that adding this apartment complex will ruin what we have here. For that reason, I'd like to strongly voice my opposition for the rezoning of this land.

Thank you,

Tony Killough
tony922@me.com
(832) 477-3516

From: [Mary K Lopez](#)
To: [Matthew E. Hoyt](#); jurta@nbtexas.org; clooney@bntexas.org; [Matthew W. Simmont](#); [Rusty Brockman](#)
Subject: Please vote no for 21-231 (re-zoning at Goodwin and Orion)
Date: Monday, March 8, 2021 8:30:40 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

I am writing this email as a homeowner who will be directly affected by the re-zoning you will be voting on tonight. I will list my objections below. I appreciate your time on this and would ask that you vote no to this development.

1. Apartments lower property value and bring crime - plus we already two apartment complexes within a mile of us right now.
2. The developer is not from here - does not have our interest in mind and will cause problems for those of us who have paid good money to live here and invest in New Braunfels
3. The roads are already so overwhelmed. Everyday is a fight with all the big trucks and cars not to fall into the ditch off Goodwin In.
4. The school is already becoming crowded - we have pulled our Kindergartener out and will send him to a charter school in Schertz because the classes are getting too big for him to receive a good education.

I know that development is a good thing and needs to happen but on the website you say

" Wise and healthy planning will certainly be important during this time of fast growth..."

To us this is not wise or healthy planning. The amount of traffic and crowding this will bring is not good or healthy for our community.

Thank you,
Mary Kathryn Lopez
822 Rench
New Braunfels, Texas 78130
Wasser Ranch Subdivision

From: [Brittany Parbs](#)
To: [Jason Hurta](#); [Christopher J. Looney](#); [Matthew W. Simmont](#); [Matthew E. Hoyt](#)
Subject: Proposed High Density Multifamily Housing
Date: Saturday, March 6, 2021 6:24:12 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Evening,

To whom this may concern,

We are writing to you to firmly suggest our ***opposition*** to any proposed high density multi-family housing (apartments/duplex's etc) near the Goodwin /Orion area. We reside in section 17 (Chesmar homes Wasser Ranch subdivision). Please consider this email a request to vote **NO** on this proposal.

Thank you for your consideration

The Fajardo Family

Sent from my iPhone

From: [Thomas Coss](#)
To: [Matthew W. Simmont](#)
Subject: Regarding high density housing in Orion/Goodwin area
Date: Thursday, March 11, 2021 11:34:45 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

New Braunfels City Council

3/11/21

We are new (8 months) residents of Texas and Wasser Ranch, retired married couple, and have a new home here. Personally, I have no problem with high density housing (it has to go somewhere). I have the usual concerns about not wanting the area to develop into an undesirable area but willing to leave it to the city to deal with that.

That aside, I have concerns about infrastructure, as follows:

1. Access in and out of our development is pretty bad. The school on Goodwin causes traffic blockage morning and evening on weekdays. The other exit via Orion Drive is often blocked by a stopped train. Goodwin itself is a very poor street, especially considering the many housing units in process along Goodwin, in Wasser Ranch and probably others. Goodwin is a two lane in terrible shape with an excessively high crown which makes for difficult and dangerous driving. Adding more housing units to the Goodwin/Orion area will cause intolerably congested traffic.
2. We recently experienced a serious power outage, which of course could happen again. I am concerned with the need for additional weatherproof generation to provide for additional housing demand, but I have not been able to find that additional capacity is being developed.
3. I have the same concerns about water. Again, we had an outage where demand exceeded supply (in an admittedly unusual situation), but I have not learned of any additional water supply being developed. Apparently current demand is already straining the Edwards aquifer and one has to wonder where the water will come from to supply all the new housing that is currently on the books.

As a newcomer, I am very careful not to complain before learning the facts, and maybe the different ways of operating in this state vs. where I came from. Nevertheless, it APPEARS that our city does not have a policy that growth should pay for itself, making provision for additional infrastructure to accommodate that (inevitable) growth.

For these reasons, I am against any additional new housing construction in this immediate area until appropriate infrastructure is put in place.

Thomas and Susan Coss
820 Dreisam
New Braunfels, TX 78130

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Proposed Apartments at the corner of Orion and Goodwin

From: Jay Hogue (jhogue4@yahoo.com)

To: shines@nbtexas.org; mayor@nbtexas.org; jmeadows@nbtexas.org; hbowers@nbtexas.org; mhoyt@nbtexas.org; jhurta@nbtexas.org; jblakey@nbtexas.org

Bcc: chrisfeatherston85@att.net

Date: Monday, April 5, 2021, 07:37 AM CDT

Mayor and Council,

As a former Council member in another city, I understand the need for diversity in housing options for a city. The proposed apartments at the corner of Goodwin and Orion will only further to complicate the many traffic issues that the 8 neighborhoods that currently use Goodwin as their primary route to and from activities. Cloud Crossing (not completed) , Northwest Crossing, Quail Valley, Arroyo Verde (not completed), Oak Creek (not completed), Wasser Ranch (not completed) , Creekside Ranch (rental homes, not completed), and the current Mobile home park. We also have the Manufactured housing community that has currently just begun construction on Orion, that due to the Railroad will have to use Goodwin Lane more often than not.

There is also a new large apartment complex at the end of Goodwin as it connects to 306 next to the Beer Distributor, that has broken ground and is putting in infrastructure. With the 2 apartment complexes that already at the corner of Goodwin and 306 and the addition of the new one in progress, we have the diversity that is needed off Goodwin Lane.

As many of you know, Goodwin Lane was part of a bond project voted on in 2019. As I understand the road is in the design process now. Having dealt with utility companies in the past while trying to improve roads, I understand that utilities will be an issue, causing a delay in getting Goodwin Lane improved until late 2022 or early 2023.

Traffic, Traffic, Traffic.

That is the major reason I am opposed to the apartment complex at this location. I certainly understand property rights and the willingness of the owner to sell, but all of this property should be used for Single Family Housing.

I have had conversations with Councilman Hoyt about this and would be willing to speak to any of you about this also.

Jay Hogue
632 Arroyo Dorado
210-842-9609

Apartment

640 Arroyo Dorado

From: Burnett, Chris (chris.burnett@vw.com)

To: jhogue4@yahoo.com

Date: Friday, April 2, 2021, 12:44 PM CDT

Jay,

The appointments themselves is not an issue, I believe they are far enough away that it won't affect our home prices. But, the additional traffic will be a nightmare unless the roads are widened and they do something about the train track on Orion allowing traffic to flow. My two cents.

Chris Burnett
FOM Area 4D
Central / South Texas
Volkswagen of America
Cell 214-796-8415
Sent from my iPhone

Proposed Apartments

From: Matthew Payne (matt@elementlogistics.co)

To: jhogue4@yahoo.com

Date: Friday, April 2, 2021, 10:44 AM CDT

To Whom it May Concern,

As a resident of the Arroyo Verde community, I strongly oppose the plans to build an apartment complex on intersection of Orion and Goodwin Lane. The roads in question and surrounding them are inadequate at best and are only suited for all terrain vehicles in their present state. Traffic flow is dismal as is, with poor ingress and egress for the amount of vehicles traveling in our area currently. Please vote against this complex.

Thanks,
Matt Payne
Owner, Element Logistics
C: 830-312-2726

635 Arroyo
Donado

Apartment Complex

From: Shikinah VOIGHT (wakeup_call@hotmail.com)

To: jhogue4@yahoo.com

Date: Friday, April 2, 2021, 09:13 AM CDT

Hey Jay,

Please tell the city council we are against the apartment complex coming in on the corner of Orion & Goodwin. The infrastructure is not here for it. Half the houses being built off Goodwin aren't even completed and occupied yet and we already have huge traffic issues. If they put in the apartment complex it will be outrageous. What could use over here though is a beautiful park! There is so much building over here with Creekside Shopping Center and all the new homes, but not enough nature & natural beauty. We don't want to live in a concrete jungle.

Thanks again,

Ryan & Shikinah Voight

651 ARROYO SIERRA

Get [Outlook for iOS](#)

Apartment Complex at Orion and Goodwin

From: melissa morton (melissa.morton@hotmail.com)

To: jhogue4@yahoo.com

Date: Friday, April 2, 2021, 08:45 AM CDT

Good morning Jay, saw your post on the FB page. I am against the apartment complex. Thank you.

Melissa S. Morton

645 Arroyo Loma

(No Subject)

From: V Houston (msravenhouston@gmail.com)

To: jhogue4@yahoo.com

Date: Saturday, April 3, 2021, 09:45 AM CDT

Good morning,

I am opposed to the apartment complex for a number of reasons. It will add traffic to our area that is already congested especially when the train blocks the track on Orion for sometimes a couple of days. It will add numbers to the elementary school. We have a trailer park under construction that also adds to congestion. The streets have been repaired somewhat but are not wide enough to accommodate an apartment complex and a trailer or modular home park. Goodwin and Conrads Ln needs to be widened with turning lanes added. Both streets need to be addressed before adding more housing additions such as apartments. It is my understanding another housing addition is planned behind TA on Conrads. In addition depending on the type of complex it can lower our property value.

642 Arroyo Loma

Proposed HD Apartment Complex - Goodwin & Orion

From: Barry Davidson (bazza99_99@yahoo.com)

To: jhogue4@yahoo.com

Date: Friday, April 2, 2021, 05:26 PM CDT

To Whom it May Concern.

I would like to register my objection to the proposed construction of HD apartments to be built in the vicinity of Goodwin Lane and Orion Drive.

I feel strongly that the construction and volume of these types of apartments will negatively affect the following :

- a. Have a serious impact on traffic congestion for all local residents using Goodwin Lane.
- b. Has the potential to increase crime, with the added volume of residents.
- c. Has the potential to negatively affect current house values, especially for local single-family dwellings.

I would ask that you seriously re-consider any apporoval for this particular project.

Sincerely.

Barry Davidson.

616 Arroyo Dorado
New Braunfels, TX. 78130

Draft Minutes for the February 2, 2021 Planning Commission Regular Meeting

E) PZ20-0329 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 68.05 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northern corner of the intersection of Goodwin Lane and Orion Drive, from “APD” Agricultural/Pre-Development District to “R-1A” Single-Family Small Lot Residential and “R3-H” Multifamily High Density District. Applicant: James Ingalls, P.E.; Owner: EB Industries (Richard Byrd); Case Manager: Matthew Simmont.

Mr. Simmont presented and recommended approval with conditions as listed in the staff report.

Chair Edwards asked if there were any questions for staff.

Chair Edwards asked if the applicant would like to speak.

James Ingalls, 2021 St Hwy 46, Moeller and Associates, provided clarification on the request.

Richard Byrd, CRE Analyst, 8309 Chadbourne Rd, stated they can answer any further questions or concerns from the Commission.

Chair Edwards opened the public hearing and asked if anyone wished to speak.

Amy Gusman, 3015 Shell Cove, asked how many units are proposed in the multifamily area and stated concerns over the character of the neighborhood.

Discussion followed.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were any further questions or a motion.

Motion by Commissioner Gibson, seconded by Vice Chair Laskowski, to recommend approval to City Council of the proposed rezoning of approximately 68.05 acres out of the O. Russell Survey No. 2, Abstract No. 485, located at the northern corner of the intersection of Goodwin Lane and Orion Drive, from “APD” Agricultural/Pre-Development District to “R-1A” Single-Family Small Lot Residential and “R3-H” Multifamily High Density District with staff recommendations.

Discussion followed on clarification of the purview being considered.

Motion carried (9-0-0).

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 21 ACRES OUT OF THE ORILLA RUSSELL SURVEY NO. 2, ABSTRACT 485, FROM “APD” AGRICULTURAL / PRE-DEVELOPMENT DISTRICT TO “ZH-A” ZERO LOT LINE HOME DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the “ZH-A” Zero Lot Line Home District, the City Council has given due consideration to all components of said districts; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; and

WHEREAS, the City Council desires to amend the Zoning Map by rezoning approximately 21 acres out of the Orilla Russell Survey No. 2, Abstract 485, from “APD” Agricultural / Pre-Development District to “ZH-A” Zero Lot Line Home District; **now, therefore;**

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

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by rezoning the following described tract of land from “APD” to:

“ZH-A” Zero Lot Line Home District: 21.173 acres out of the Orilla Russell Survey No. 2, Abstract 485, as illustrated in Exhibit “A” and described in Exhibit “B”, attached.

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 3

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

SECTION 4

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

SECTION 5

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

PASSED AND APPROVED: First reading this 12th day of April, 2021.

PASSED AND APPROVED: Second reading this 26th day of April, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

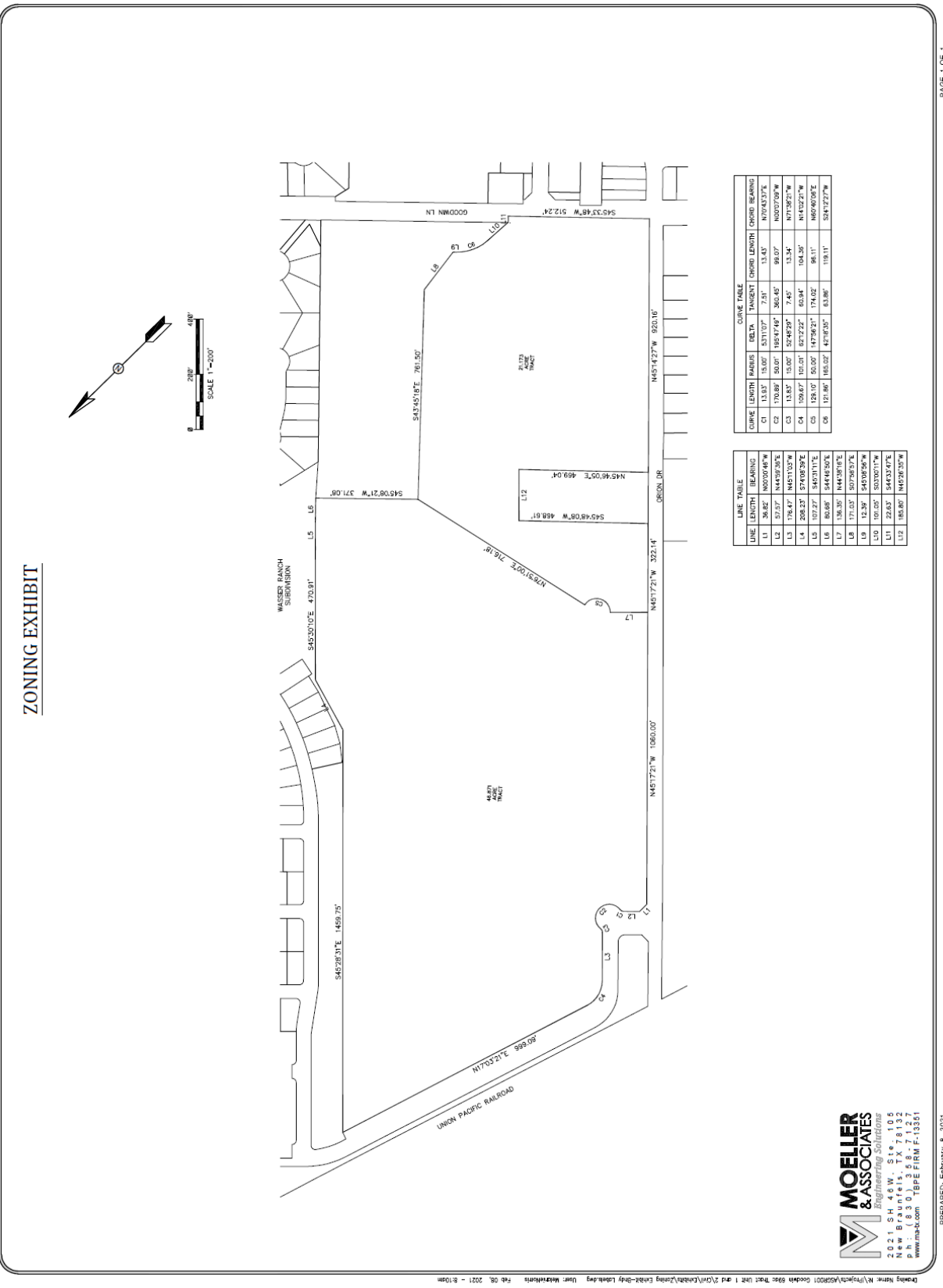
ATTEST:

CAITLIN KROBOT, Assistant City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"





METES AND BOUNDS DESCRIPTION
FOR A
21.173 ACRE TRACT OF LAND
"ZONING"

BEING a 21.173 acre tract of land situated in the Orilla Russell Survey No. 2, Abstract No. 485, in the City of New Braunfels, Comal County, Texas, being a portion of the remaining portion of a called 100.0 acre tract of land, as conveyed to EB Industries, Inc., and recorded in Document No. 202006000300, of the Official Public Records of Comal County, Texas, and said 21.173 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron pin with yellow cap found in the Northeasterly Right-of-Way (R.O.W.) line of Orion Drive (a variable width R.O.W.), being the most Southwesterly corner of a called 2.00 acre tract of land, as conveyed to Rexford J. Michie, and recorded in Document No. 201306029676, of the Official Public Records of Comal County, Texas, and being a Southwesterly corner of this herein described tract of land;

THENCE with the Northeasterly R.O.W. line of said Orion Drive, and with the Southwesterly line of the remaining portion of said 100.0 acre tract of land, N 45° 17' 21" W, a distance of 322.14 feet to a point in the Northeasterly R.O.W. line of said Orion Drive, being in the Southwesterly line of the remaining portion of said 100.0 acre tract of land, and being the most Westerly corner of this herein described tract of land;

THENCE departing the Northeasterly R.O.W. line of said Orion Drive, same being the Southwesterly line of the remaining portion of said 100.0 acre tract of land, and across and through the remaining portion of said 100.0 acre tract of land, the following courses:

N 44° 38' 16" E, a distance of 136.35 feet to a point for a Northwesterly corner, and being at the beginning of a curve to the left;

With said curve to the left, having an arc length of 129.10 feet, a radius of 50.00 feet, a delta angle of 147° 56' 21", a tangent length of 174.02 feet, and a chord bearing and distance of N 60° 40' 06" E, 96.11 feet to a point for a Northwesterly corner;

THENCE continuing across and through the remaining portion of said 100.0 acre tract of land, N 76° 51' 00" E, a distance of 716.18 feet to a point for the most Westerly corner of a called 9.963 acre tract of land, as conveyed to Chesmar Homes, LLC, and recorded in Document No. 201906046983, of the Official Public Records of Comal County, Texas, being a Southeasterly corner of the remaining portion of said 100.0 acre tract of land and being the most Northerly corner of this herein described tract of land;

THENCE with the common line between the remaining portion of said 100.0 acre tract of land and said 9.963 acre tract of land, the following courses:

S 43° 45' 18" E, a distance of 761.50 feet to a point for an Easterly corner;

S 07° 58' 57" E, a distance of 171.03 feet to a point for an Easterly corner, and being at the beginning of a curve to the left;

EXHIBIT "B"

With said curve to the left, having an arc length of 121.86 feet, a radius of 165.02 feet, a delta angle of $42^{\circ} 18' 35''$, a tangent length of 63.86 feet, and a chord bearing and distance of $S 24^{\circ} 12' 27'' W$, 119.11 feet to a point for an Easterly corner;

$S 03^{\circ} 00' 11'' W$, a distance of 101.05 feet to a point for an Easterly corner;

THENCE continuing with the common line between the remaining portion of said 100.0 acres and said 9.963 acre tract of land, $S 44^{\circ} 33' 47'' E$, a distance of 22.63 feet to a point in the Northwestern R.O.W. line of Goodwin Lane (a variable width R.O.W.), being the most Southerly corner of said 9.963 acre tract of land, and being the most Easterly Southeast corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE with the Northwestern R.O.W. line of said Goodwin Lane, and with the Southeasterly line of the remaining portion of said 100.0 acre tract of land, $S 45^{\circ} 33' 48'' W$, a distance of 512.24 feet to a point at the intersection of the Northwestern R.O.W. line of said Goodwin Lane and the Northeasterly R.O.W. line of said Orion Drive, and being the most Southerly Southeast corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE with the Northeasterly R.O.W. line of said Orion Drive, and with the Southwesterly line of the remaining portion of said 100.0 acre tract of land, $N 45^{\circ} 14' 27'' W$, a distance of 920.16 feet to a point in the Northeasterly R.O.W. line of said Orion Drive, being the most Southerly Southwest corner of aforementioned 2.00 acre tract of land, and being a Southwesterly corner of the remaining portion of said 100.0 acre tract of land and this herein described tract of land;

THENCE departing the Northeasterly R.O.W. line of said Orion Drive, and with the common line between the remaining portion of said 100.0 acre tract of land and said 2.00 acre tract of land, the following courses:

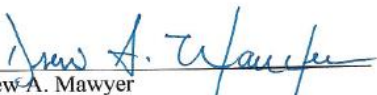
$N 45^{\circ} 46' 05'' E$, a distance of 469.04 feet to a point for a Northwestern interior corner;

$N 45^{\circ} 26' 35'' W$, a distance of 185.80 feet to a point for a Northwestern interior corner;

THENCE continuing with the common line between the remaining portion of said 100.0 acre tract of land and said 2.00 acre tract of land, $S 45^{\circ} 48' 08'' W$, a distance of 468.61 feet to the POINT OF BEGINNING, and containing 21.173 acres of land, more or less.

Bearings based on the Texas State Plane Coordinate System, Texas South Central Zone (4204), North American Datum 1983.

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


Drew A. Mawyer
Registered Professional Land Surveyor No. 5348
TBPLS Firm Registration #10191500
5151 W. SH 46, NEW BRAUNFELS, TX 78132
MOE426- ORION 1102- 21.173 AC- 020121



4/26/2021

Agenda Item No. B)

Presenter/Contact

*Sandy Paulos, Assistant Chief Financial Officer
(830) 221-4387 - spaulos@nbtexas.org*

SUBJECT:

Discuss and consider acceptance of the FY 2020 Audit and Comprehensive Annual Financial Report performed by Belt Harris Pechacek, LLLP.

BACKGROUND / RATIONALE:

Annually, the City is required to have an outside firm conduct an audit of the City's financial records. This audit has been completed by Belt Harris Pechacek, LLLP. The results are included in the City of New Braunfels, Texas Comprehensive Annual Financial Report for the Year Ended September 30, 2020. The audit was completed with an unmodified opinion.

The comprehensive report includes information and schedules to enhance the information provided to the City Council and the citizens. For the last twelve years, the City submitted the audit document for review by the Government Finance Officers Association of the United States and Canada (GFOA) Excellence in Financial reporting Program. GFOA awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of New Braunfels for its Comprehensive Annual Financial Report for each of those twelve years, the first being the fiscal year ended September 30, 2008. To be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized Comprehensive Annual Financial Report. This report must satisfy both generally accepted accounting principles and applicable legal requirements. Staff will submit this year's report to the GFOA program as well.

The outside auditors annually, in a letter to the City, provide their comments regarding the City's financial policies and practices, citing areas for improvement. There was one finding included in this letter:

- It was recommended that the City should ensure that all accounts payable items are accrued at the end of the year. Any items that are incurred close to the end of the fiscal year that could possibly need to be accrued should be identified and a determination made regarding the need to accrue.

Staff has already implemented additional procedures and controls to ensure that all year end accruals are identified and posted to the appropriate fiscal year.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

X	Yes	City Plan/Council Priority:	Strategic Priorities: Effective Management: Maintain fiscal stability of City operations
----------	-----	------------------------------------	--

FISCAL IMPACT:

None

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends acceptance of the FY 2020 Audit and Comprehensive Annual Financial Report.



FOR THE PERIOD ENDING SEPTEMBER 30, 2020

City of New Braunfels FY 2019-20



COMPREHENSIVE ANNUAL FINANCIAL REPORT

NEW BRAUNFELS, TEXAS





MISSION STATEMENT:

The City of New Braunfels will add value to our community by planning for the future, providing quality services, encouraging community involvement and being responsive to those we serve.

CORE VALUES:

Integrity

We operate with integrity, holding ourselves to the highest standards of performance, transparency, accountability, and ethical conduct.

Service

We are responsive and respectful to those we serve with an attitude that everything is worth our best effort.

Visionary Leadership

We anticipate needs, looking to our community's future, and execute to achieve our goals.

Stewardship of Local Resources

We use our resources responsibly. We treasure our unique heritage and natural environment and wish to preserve them for future generations.

Fiscal Responsibility

Our decisions reflect sound fiscal management and prudence.

History of New Braunfels

Several Native American tribes inhabited the New Braunfels area because of the fresh spring water available. The expedition of Domingo Terán de los Ríos of 1691 followed the “El Camino Real” (today a National Historic Trail) which crossed the Guadalupe River near today’s Faust Street Bridge. Subsequent French and Spanish expeditions, including those of the Marqués de Aguayo and Louis Juchereau de St. Denis, commonly passed through this area. In 1825, a Mexican land grant gave title of the area around the springs to Juan M. Veramendi. During the eighteenth century, the springs and river (which had been called Las Fontanas and the Little Guadalupe respectively) took the name Comal, Spanish for "flat dish" and Guadalupe.

1836 saw the formation of the Republic of Texas after years of bloody battles with the Mexican Government who laid claim to this territory. To pay off war debt and weaken political ties with Mexico, the new nation of Texas offered public land to Americans and Europeans. This offer, in conjunction with political strife in their home country, enticed a group of German nobleman to form an immigration company named Adelsverein. German immigrants began to arrive in Indianola, Texas in December 1844 and make their way to San Antonio. On March 13, 1845, Prince Carl of Solms-Braunfels, Germany entered into an agreement with Maria Antonio Garza and her husband Rafael E. Garza for 1,265 acres of the Veramendi land grant for a sum of \$1,111.

The first wagon of German immigrants arrived on Good Friday, March 21, 1845. Prince Solms and his engineer, Nicholas Zink, selected a town site. The town had an open square with streets radiating out at right angles. The original town included 342 lots, each with a narrow street frontage so that the town

could remain compact and defensible yet provide street frontage to as many lots as possible. This urban plan was popular in German scholarship of the nineteenth century, set New Braunfels apart from other Texas towns and is still evident today.

Faust Street Bridge



***COMPREHENSIVE
ANNUAL FINANCIAL REPORT***

of the

CITY OF NEW BRAUNFELS, TEXAS

**For the Year Ended
September 30, 2020**

**Prepared by
Finance Department**

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CITY OF NEW BRAUNFELS, TEXAS

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CITY OF NEW BRAUNFELS, TEXAS

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INTRODUCTORY SECTION



April 21, 2021

To the Honorable Mayor, Members of the City Council, and Citizens of the City of New Braunfels, Texas:

The Comprehensive Annual Financial Report for the City of New Braunfels, Texas (the "City") for the fiscal year (FY) ended September 30, 2020 is hereby submitted. This report was prepared through the cooperative efforts of the Finance Department and the City's independent auditors. The purpose of the report is to provide the City Council, management, staff, the public, and other interested parties with detailed information reflecting the City's financial condition.

This report consists of management's representations concerning the finances of the City. Consequently, management assumes full responsibility for the completeness and reliability of all the information presented in this report. To provide a reasonable basis for making these representations, management of the City has established a comprehensive internal control framework that is designed both to protect the government's assets from loss, theft, or misuse; and to compile sufficient, reliable information for the preparation of the City's financial statements in conformity with Generally Accepted Accounting Principles (GAAP). Because the cost of internal controls should not outweigh their benefits, the City's framework of internal controls has been designed to provide reasonable, rather than absolute, assurance that the financial statements will be free from material misstatement. To the best of our knowledge and belief, the enclosed financial statements and schedules are accurate in all material respects and are reported in a manner designed to present fairly the financial position and results of operations of the various funds, departments, and component units of New Braunfels, Texas.

The City Charter requires an independent auditing firm to annually complete an audit of the books and accounts of every City department. The City's financial statements have been audited by Belt Harris Pechacek, LLLP, a firm of licensed certified public accountants. The independent auditors concluded, based upon the audit, that there was a reasonable basis for rendering an unmodified opinion that the City's financial statements for the fiscal year ended September 30, 2020 are fairly presented in conformity with GAAP. The independent auditors' report is presented as the first component of the financial section of this report.

GAAP requires that management provide a narrative introduction, overview, and analysis to accompany the basic financial statements in the form of Management's Discussion and Analysis (MD&A). The basic financial statements, including the accompanying notes, represent the core of the financial section. These financial statements present the financial condition of the City as a single entity, as well as the individual funds that account for the City's various governmental and business-type activities. This letter of transmittal is designed to complement the MD&A and should be read in conjunction with it. The City's MD&A can be found immediately following the report of the independent auditors.

TEL 830.221.4385
www.nbtexas.org

550 LANDA STREET
NEW BRAUNFELS, TEXAS 78130

PROFILE OF THE GOVERNMENT

New Braunfels is a dynamic and historic Texas community of about 90,000 located on Interstate 35, 30 miles north of San Antonio and 45 miles south of Austin. The population in 2019 was estimated at 90,209, which represents a 56 percent increase in population since the last official census figures were released. New Braunfels is the largest city in Comal County and serves as the County seat. The City's geographic boundaries encompass approximately 45.5 square miles. The City's history is one of the richest in Texas and is cherished by its residents who strive to preserve and protect their heritage that reflects both strong German and Hispanic influences. Often referred to as the "City of a Prince" (because it was founded by Prince Carl of Solms Braunfels), early New Braunfels became an important part of Texas civilization and industry. In the 1960's, the community became more committed to preserving its rich history and this has tied into the established tourism industry, a major factor in the economy of today's New Braunfels. Its prime location, endless entertainment options, natural amenities, and vibrant economy are just a few of the variables that have led to the continued growth in population.

As provided in its Home Rule Charter, a Mayor and a six-member City Council govern the City of New Braunfels. The Mayor is elected at large while the remaining City Council members represent the six City Council Districts of the City. All policy-making decisions are vested in the City Council. Among other duties, the City Council appoints a City Manager who directs the day-to-day operations of the City under guidelines and policies of the City Charter and the City Council and is responsible for presenting a Proposed Annual Budget and Plan of Municipal Services to City Council. Each City Council member is elected for a three-year term on a staggered basis. The City Charter limits service to two consecutive terms of office, and not more than three total terms in a lifetime. It should be noted that a special election has been called to modify the structure of Council term limits. If passed, the three-term limit would still exist; however, any Council member could serve all three continuously.

The City of New Braunfels is a full-service municipal organization with the organizational structure and divisions as depicted in the organizational chart on page 15. The City provides a full range of external services that include police and fire protection, emergency response services, solid waste service and recycling, maintenance of streets and drainage infrastructure, recreational activities (including a full-service indoor recreation center) library services, planning and development services, code enforcement, animal control, river management, golf course management, civic/convention center management, a municipal court, a system of municipal parks, as well as the New Braunfels Regional Airport. Citizen engagement and involvement is a major component of the City's operations and policy development process, which has 30 active boards and commissions.

The New Braunfels Economic Development Corporation (NBEDC), a non-profit corporation, was formed to administer a special 3/8 of one cent sales tax for economic development. The City Council appoints all NBEDC board members and must approve the NBEDC's budget and associated expenditures. Because of this, City management has included NBEDC in its financial reports as a discretely presented component unit. In addition, New Braunfels Utilities (NBU) is a City-owned water, wastewater, and electric utility serving the City of New Braunfels and some of the surrounding area. The City Council appoints these board members, as well, and approves proposed debt issuances and/or rate adjustments of the utility. The City also has two Tax Increment Reinvestment Zones (TIRZ). One encompasses the areas known as the Creekside Shopping Center and the other encompasses the area known as the "Milltown" area. A TIRZ board and local government authority were developed to issue bonds to be repaid to the developer for public infrastructure. The City Council appoints the board members and approves the annual budgets, as well. Therefore, City Management has included both of the TIRZ and the New Braunfels Development Authority (NBDA) as blended component units.

The City interacts or contracts with various other governmental and non-governmental entities (e.g. Comal County, the New Braunfels Housing Authority, Texas Department of Transportation, and the New Braunfels Independent School District), but is not financially accountable for those entities.

FINANCIAL AND BUDGET MANAGEMENT

The City of New Braunfels maintains a system of budgetary controls, the objective of which is to ensure compliance with the legal provisions of the annual appropriated budget approved by the City Council. The annual Operating Budget and Plan of Municipal Services is the foundation of said controls. It governs all expenditures within a certain fiscal year, which runs from October 1 to September 30. The budget document also ensures that resource allocation aligns to the City's long-term financial planning and initiatives. The budget is proposed by the City Manager and adopted by the City Council in accordance with policies and procedures established by the City Charter, City Council ordinances, State requirements, and City policies. The budget is prepared and presented by fund (e.g., general fund), department (e.g., police) or function (e.g., debt service), and expenditure group (e.g., employee expenses, operations expenses, and capital expenses).

The budget, as adopted by City Council, controls expenditures at the fund and/or department level. This means that, although funds are allocated into individual line items in each budget and those line item allocations are adopted as part of the budget, departments and City Management have some flexibility in expensing these funds. For example, City Management can approve transfers from one expenditure group to another, i.e. employee expenditures to operating expenditures. City Council action is required only if a departmental budget and/or fund budget needs be increased/decreased.

In the Community Development Block Grant, Special Revenue, and Grants Funds and NBEDC budgets, appropriations are controlled at the project level. As the City Council accepts federal entitlements and grants, as donations are received from outside sources, and as projects are approved, those proceeds are appropriated and available to departments to expend for identified City purposes and needs. Capital improvement funds are also controlled at the project level. Expenditures within the individual projects may span fiscal years. However, budgetary control is not exercised by fiscal year; it is by the total project cost and total project expenditures. This provides a more realistic approach to budgetary control for these types of activities.

Budget preparation begins with at least one City Council retreat to establish clear budget priorities of both the City Manager and City Council. During one of the retreats, the Five-year Financial Forecast is presented which assists the City Council and Executive Leadership Team in setting and operationalizing budget priorities and goals. Budget development is a year-long process that includes a number of other functions. This is best illustrated in the graphic below.

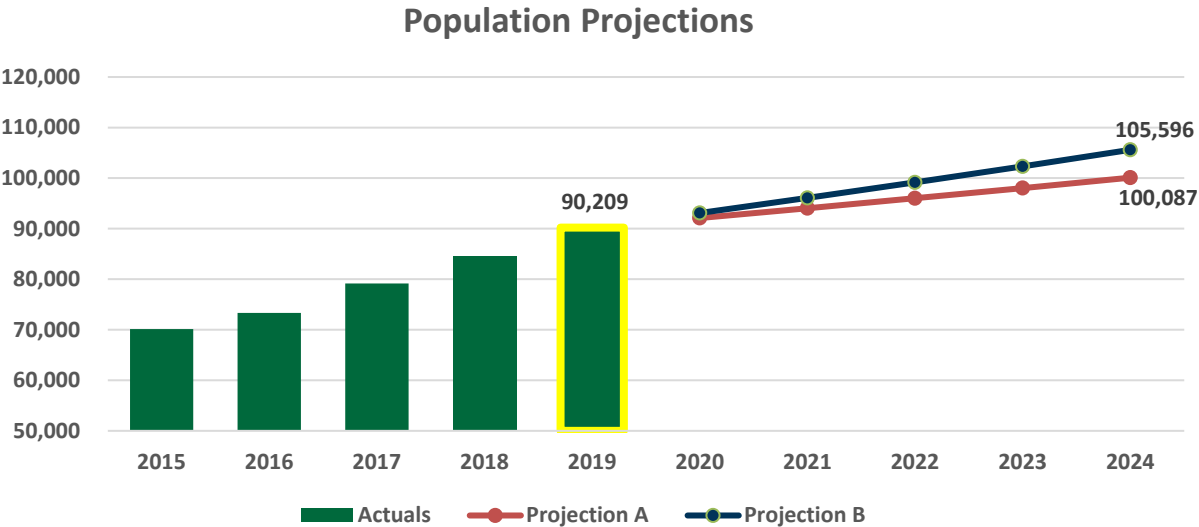


The City’s budget team facilitates a kickoff meeting in the early spring to instruct all City departments on their responsibilities regarding revenue/expenditure analysis and the creation of resource requests. City Management is provided performance and budget metrics to support the justification of new resource requests. The City Council will hold several public workshops in an effort to thoroughly review the budget. The City Charter mandates that a proposed budget be presented to the City Council at least 45 days prior to the end of the fiscal year. Furthermore, the City Charter requires that a public hearing be held prior to the adoption of the budget.

Monthly financial reports are generated that allow the leadership team, City Council, and citizens (as these reports are posted on the City’s website) to monitor revenues, expenditures and other key organizational/economic metrics. In addition, the Finance and Audit Committee, which is made up of the Mayor, Mayor Pro Tem, as well as an additional Council member, meet quarterly to review the latest financial report and other key financial indicators, such as our latest investment report and sales tax analysis. The committee is also briefed on the status of the budget document and/or the Comprehensive Annual Financial Report.

ECONOMIC CONDITION AND OUTLOOK

With the exception of some stagnation during the 2008-2010 recession, New Braunfels has been experiencing significant growth. In fact, the City has grown by over 100% since 2003. Every year, the census releases figures of the fastest growing cities in the country. New Braunfels has been the second fastest growing city in the nation for three out of the past four years. Recently, New Braunfels was recognized as the third fastest growing city in the country from 2010-2019 (collectively). The increase in population is driven by a number of factors such as quality of life and economic opportunity. The office of the State of Texas’ official demographer provides population projections for the state, MSA area(s) and counties. The graph below utilizes two of those projections for estimating the New Braunfels population during the forecast period. Projection A represents the San Antonio-New Braunfels MSA estimated annual growth rate of 2.1%, while Projection B represents the Comal County estimated annual growth rate (3.2%).

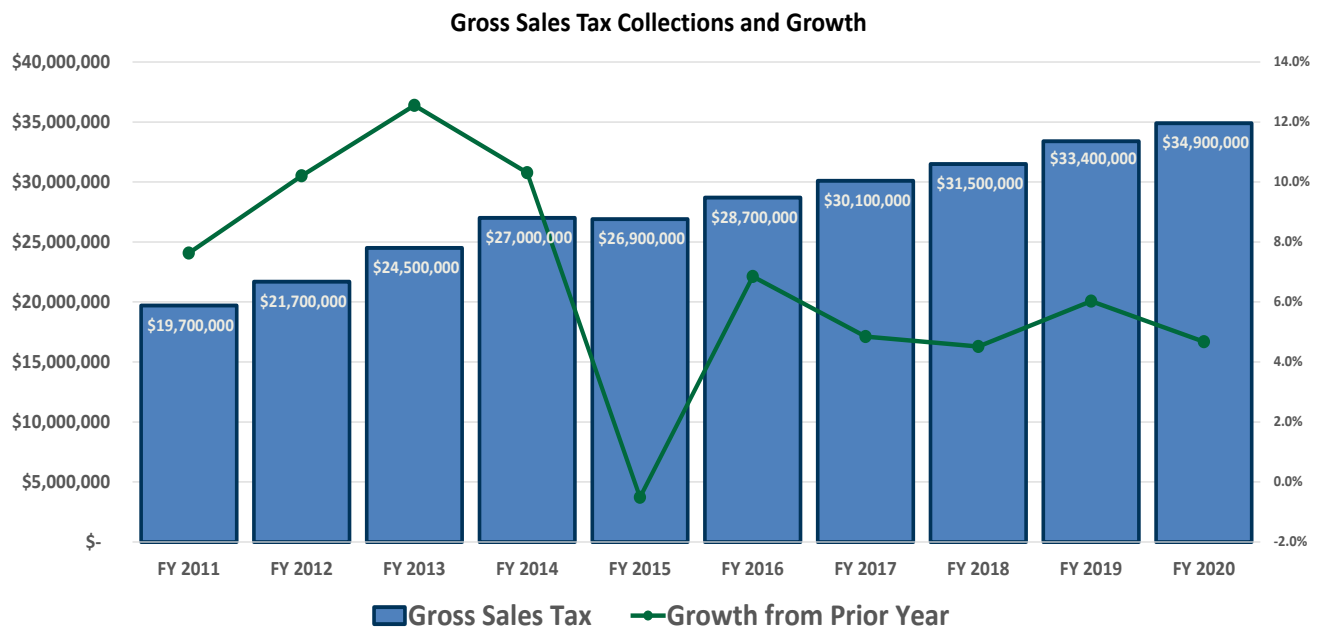


It is estimated that New Braunfels receives approximately 3.6 million visitors a year. A 2017 economic impact analysis found that the tourism industry accounted for approximately \$706.5 million in 2017 – an increase of 32.9 percent from the 2013 analysis. In 2017, the hospitality industry employed 7,764 direct workers and supported another 3,109 indirect workers in spinoff jobs in the community. Exclusive of government, the City’s three largest industries in terms of the value of goods and services provided are manufacturing, health care and social assistance, and retail trade. The government (school district, local, state, and federal), retail trade, accommodation and food services, health care and social assistance, construction, administrative and support, waste management and remediation services , respectively, provide the greatest number of jobs in the community.

COVID-19 – Like many other entities, the City of New Braunfels faced economic uncertainty as it relates to the pandemic. However, like previous economic downturns, at least in the short term, New Braunfels seems to have avoided major fiscal impacts. Utilizing a variety of funding sources, the City was also able to offer COVID relief to various private and non-profit entities through various grant programs. The organization did suffer negative impacts to certain revenue sources such as: interest earnings, ambulance services, fines and forfeitures and parks and recreation. To address these losses, the organization implemented a hiring freeze as well as other operational cost savings measures. In addition, other revenue sources were impacted less than initially thought, such as building permits and sales taxes. The graph below illustrates the variance between our conservative sales tax projections and the actuals.



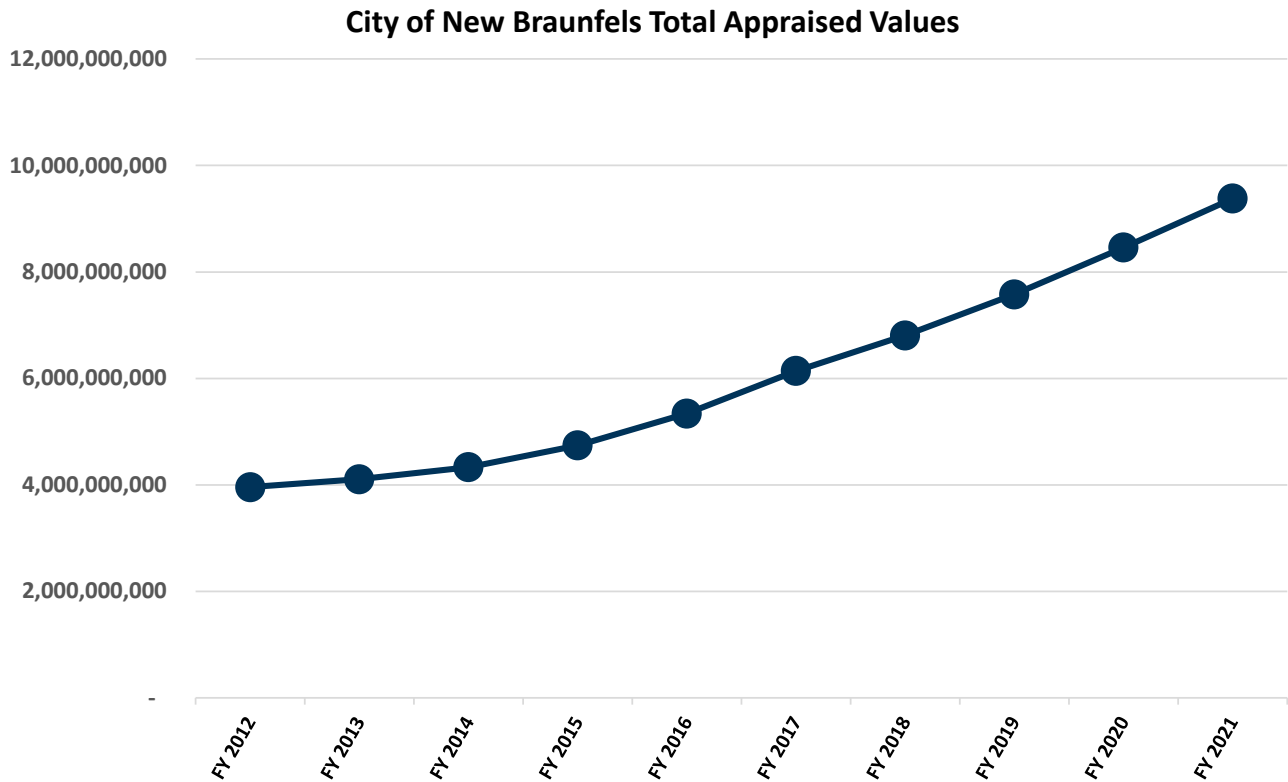
Sales Tax Activity - Sales taxes represent the largest source of revenue to the City’s General Fund. In addition, due to the positive effect that tourism has on our economy, sales tax collections are somewhat seasonal, with the largest monthly collection occurring during the summer. The following graph illustrates that, after the economic downturn, the City benefited from double digit growth in sales tax revenue, driven in large part by the addition of retail at the Creekside shopping center (TIRZ). In recent years, the growth has normalized, reflecting the continuation of new sales tax supporting businesses operating in New Braunfels, and inflation. FY 2015 was the only year in which the City saw a decline in sales tax collections, driven entirely by a change in legislation which redirected sales tax to point of sale as opposed to point of distribution. This diverted sales taxes from a major distribution center in New Braunfels to the communities in which the physical store was located.



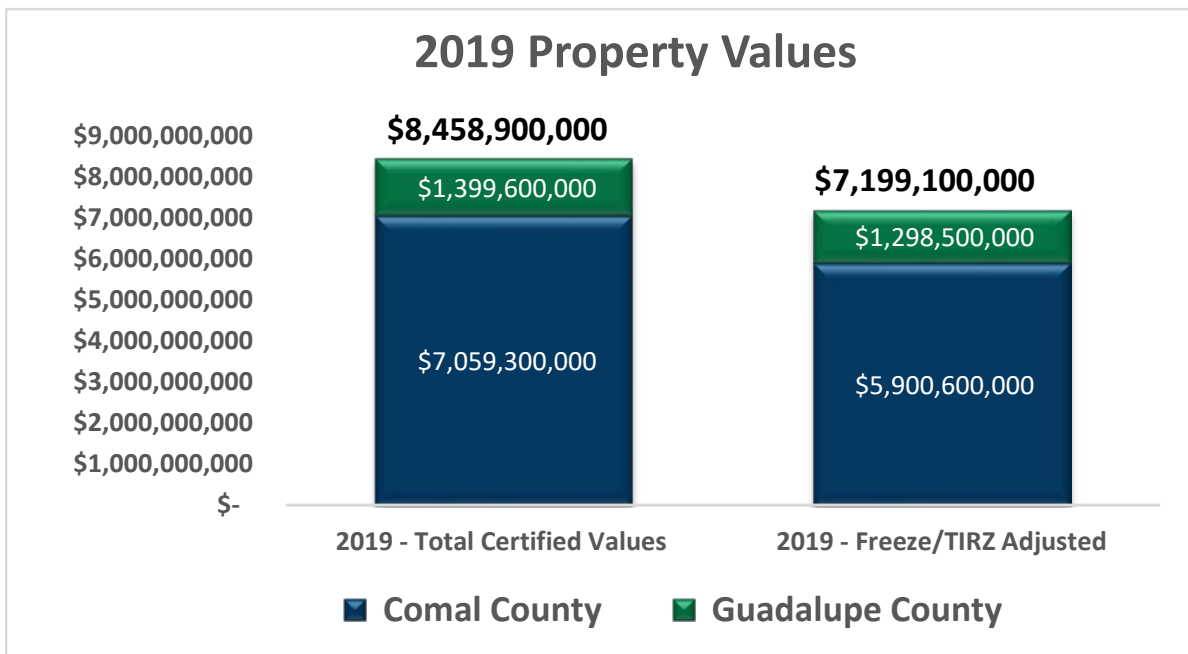
Legislative Update – During the 87th legislative session, there are two legislative items that our organization is closely following. First, there is a potential change to local sales tax sourcing. There has been legislation filed to shift Texas from an origin-based (sales taxes sourced at the place of business) to a destination-based model (sales taxes sourced at the point of delivery). Legislation has also been filed that would allow for certain exceptions and exemptions to destination-based sourcing. This change is very important to our organization as New Braunfels is home to HD Supply’s Texas customer service center. As one of the largest private employers in New Braunfels (approximately 500), the partnership that we have developed with HD Supply has resulted in a significant amount of annual sales tax collections, which is a contributing factor to our low property tax rate. It is estimated that a shift to destination sourcing would negatively impact our sales tax collections by approximately 10%.

Legislation has also been filed to modify the types of financing strategies that can be backed by the credit of our ad valorem taxes. If passed, only voter approved debt could be pledged to the Interest and Sinking (debt service) portion of the tax rate. As a result, our ability to utilize certificates of obligation and tax notes as a financing strategy would be greatly reduced. While we rarely issue certificates of obligation to support general government capital investments, our organization continues to utilize them to support investments by our NBEDC and Enterprise Funds. Pledging those direct revenues, as well as the credit of our ad valorem taxes, allows for much lower borrowing costs. If this legislation passes, our organization would be required to issue revenue bonds to support investments supported by those revenue sources.

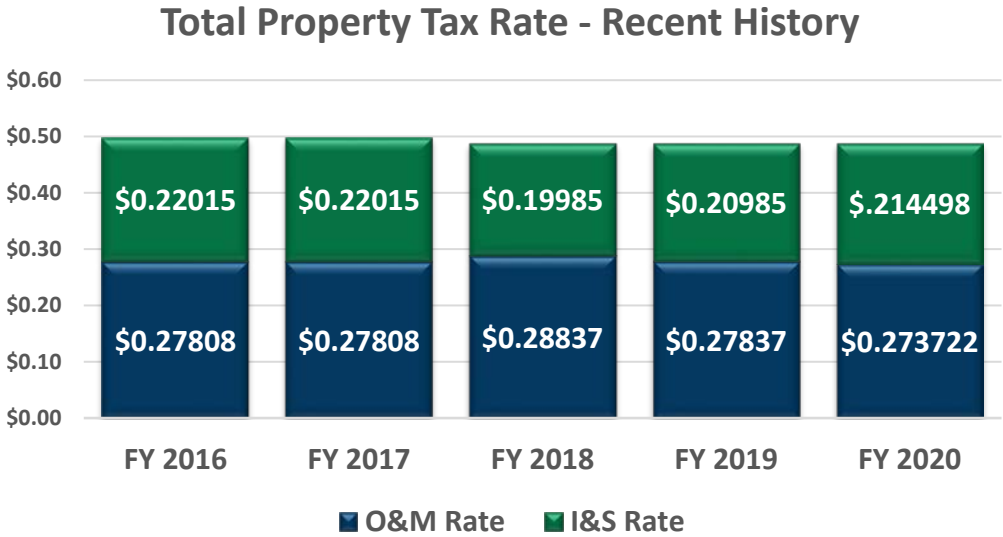
Property Values and Tax Rate - As mentioned earlier, the City of New Braunfels has been and continues to be recognized as one of the fastest growing cities in the country. The increase in population has also resulted in an increase in the demand for City services. As can be seen in the following graph, population growth has had a direct impact on the total increase in commercial, industrial, and residential property values. The graph provides the most current available data – through tax year 2020 (FY 2021).



For tax year 2019 (FY 2020), total appraised values were approximately \$8.5 billion, which represented an 11.6 percent increase from the prior year. Freeze adjusted values, which adjusts for the values that are impacted by the over-65 property tax exemption as well as the TIRZ, totaled \$7.2 billion.



Growth in property tax, sales tax, and other revenues sources has allowed the City to maintain and even reduce its tax rate in recent history, as evidenced in the following graph.



Major Developments - As mentioned earlier, in 2007, the City established a TIRZ district to facilitate the development of a 400-acre master planned, mixed use development (Creekside TIRZ). The original value of all property within that district was approximately \$5 million. Today, the development integrates over 1 million square feet of retail with a 130-bed hospital, various restaurants, multi-family developments, and an entertainment complex. The total taxable values of all improvements in the district exceed \$382 million (2019 values). As the developer works towards fully building out the property, their focus has shifted to the continued development of housing and entertainment. In addition, even with the current state of the retail industry, the developer has confidence that our primary tenants are in a good position moving into 2021. In 2022, the organization is also planning to break ground on a new fire station and training facility (see below) within the boundaries of the Creekside TIRZ. This project will be fully supported by the Creekside TIRZ, as well.



The Veramendi Development broke ground in FY 2018. This development is a 2,400-acre property that will ultimately include over 5,000 residential units, a town center, a university, and many other mixed uses and amenities. At the end of FY 2020, approximately 217 homes were either completed or under construction. Looking ahead, progress is picking up as houses are selling at a pace of 25 to 35 per week. This development is not within the City limits but has entered into a strategic partnership agreement with the City of New Braunfels. Part of that agreement includes the sharing of sales tax revenues. Other direct revenues will be generated from this development such as permitting fees; however, there is likely to be other direct and indirect economic impacts throughout the City which stems from the Veramendi Project.

Continental Automotive Systems, Inc. is a manufacturer of automotive technologies with multiple facilities in the United States and is a supplier to the global automotive market. The proposed project, including investment and job creation, would result in the establishment of a modern manufacturing facility that would represent a continuation of expansion and growth in the United States to serve Continental Automotive's customers. The company plans to build an approximate 205,000 square foot manufacturing and research facility with a total estimated capital investment of \$110,000,000 on Kohlenberg Road, on the northbound side of Interstate 35. The facility will focus on the manufacturing of autonomous driving technology and will employ up to an average of 576 employees.

In the fall of 2019, the City Council established the boundaries of TIRZ #2. The zone is located in and around the area traditionally known as "Milltown" and includes some or all properties adjacent to McKenna Avenue, Oasis Street, Wright Avenue, Porter Street, and Rusk Avenue, including the Faust Street Bridge and Beaty Street. The following image is a preliminary conceptual plan of the development. City staff continues to seek participation from other public entities, as well as working with the developer to assist in moving this project forward.



Advantages for the community's economic stability and growth include the close proximity to both San Antonio and Austin, the IH 35 Corridor, the availability of choice industrial sites throughout the City, and the strong tourism sector of the economy. While typical greenfield residential development has been occurring at a rapid pace for the last 10 to 15 years, the City is also beginning to observe more infill development (residential and commercial). In addition, there are also several developments and improvements occurring throughout our downtown area. The City expects tourism to remain strong because New Braunfels offers great attractions at reasonable prices. Collectively, the various attractions, natural resources, and commercial/industrial development provide the confidence in having a positive long-term economic outlook.

MAJOR INITIATIVES AND ACCOMPLISHMENTS

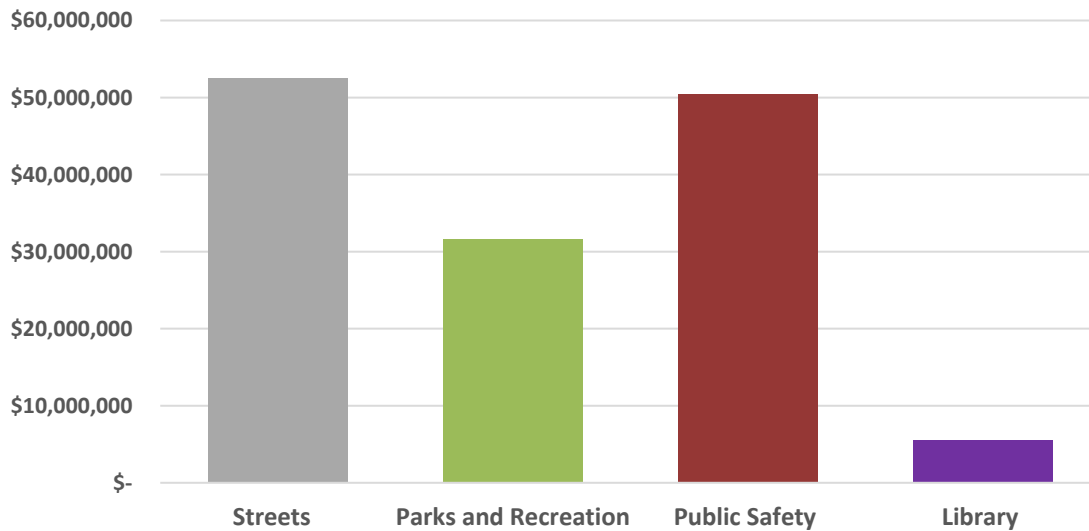
Capital Investment - Since 2003, well over \$200 million in capital improvement investments have either been completed or are currently underway. \$93 million stems from the 2013 bond projects and \$143 million from the 2019 bond projects. The 2013 and 2019 bond program(s) goal continues to fund the projects identified in the 2012 Capital Improvement Plan (which exceeded \$500 million in needed investments), as well as address the priorities of the National Citizen Survey. The survey, which has now been conducted three times in New Braunfels, continues to support streets, public safety, and outdoor recreation as the top three priorities of our citizens. Projects funded by the 2013 and 2019 bonds allow for improvements in streets and drainage, public safety, libraries (pictured below), and quality of life.



Additional detail on completed or in progress capital investments can be found in the Operating Budget and Plan of Municipal Services Document.

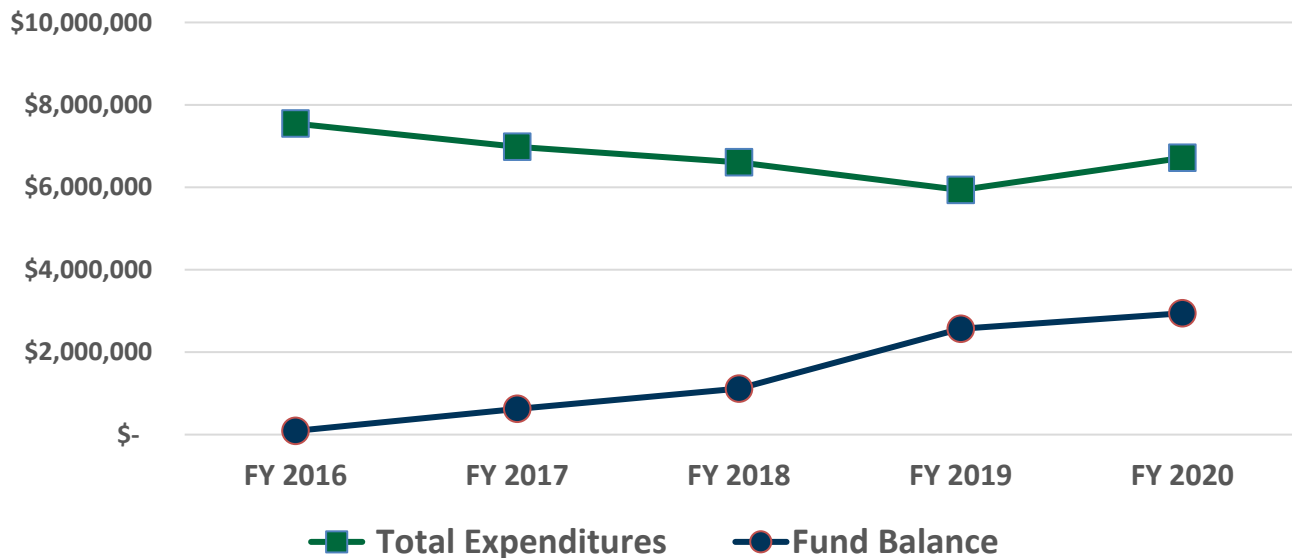
Future Capital Investment - in 2019, the City of New Braunfels voters approved a \$143 million bond program. The bond program includes the strategic use of roadway impact fees to increase the investment in streets, as well as a partnership with the NBEDC to support a portion of the phase 1 development of the sports complex. The following graph reflects the breakdown of the 2019 bond program investments. Please visit the City's website for detailed information on the 2019 bond program.

2019 Bond Program



Self-Insurance Fund – In FY 2015 and FY 2016, the City saw a dramatic increase in health insurance costs. Over the past five years, the City has had to increase premiums and contributions for both employees and employer. In addition, we have made significant changes to our insurance benefits, many of which encourage preventive health care and lower cost alternatives. As a result of our collective changes, expenditures have leveled off significantly. In addition, the Self Insurance Fund exceeded its fund balance target at the end of FY 2019, three years earlier than anticipated.

Self Insurance Fund - Total Expenditures and Fund Balance



Maintaining and Increasing Services Levels – Growth has been referenced multiple times. Maintaining and increasing service levels has been a major challenge for the City, yet the FY 2020 operations and maintenance portion of the tax rate is still lower than it was in FY 2007. In that time, the City has opened and staffed two new fire stations, established operations and staffing at various new parks and recreation facilities such as Fischer Park and the Das Rec Recreation Center, implemented an additional streets maintenance crew, added positions to enhance the development review processes, established a capital programs division, and increased police

department personnel (FTE) by 45% (based on FY 2021 authorized positions), among many other initiatives.

RESERVES AND BOND RATING

The General Fund ended the year with a total fund balance of \$27 million. This balance provides adequate protection against unforeseen occurrences and fluctuations in revenue sources. The City's financial policies require fund balance of at least 25 percent of operating expenditures and the City has maintained a minimum of a 30 percent balance to protect our strong bond rating. Growth in fund balance continues to be driven by conservative budgeting policies and preparing for the impact from potential legislative changes. The growth in fund balance also provides us the ability to increase one-time investments that increase efficiency and productivity within our General Fund.

The City's commitment to sound financial management and strong reserves paid dividends in FY 2016 as Standard and Poor's raised the City's bond rating from AA- to AA. The City's Standard and Poor's rating of AA and the Moody's rating of Aa2 were maintained in FY 2020.

AWARDS AND ACKNOWLEDGEMENTS

The Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of New Braunfels for its Comprehensive Annual Financial Report for the fiscal year ended September 30, 2019. This was the twelfth year that the City has achieved this prestigious award (in recent history). In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized Comprehensive Annual Financial Report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that our current Comprehensive Annual Financial Report continues to meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for another certificate.

The preparation of the Comprehensive Annual Financial Report on a timely basis requires a great deal of cooperation and teamwork. In recognition of that, the Finance Department gratefully acknowledges the leadership and support of the City Council, the Finance and Audit Committee, and the City Manager. Also, the collaborative efforts of our Finance team and external audit firm were invaluable.

Respectfully Submitted,



Robert Camareno
City Manager



Jared Werner, MPA
Chief Financial Officer (CFO)

CITY OF NEW BRAUNFELS, TEXAS
*CERTIFICATE OF ACHIEVEMENT FOR
EXCELLENCE IN FINANCIAL REPORTING*



Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**City of New Braunfels
Texas**

For its Comprehensive Annual
Financial Report
For the Fiscal Year Ended

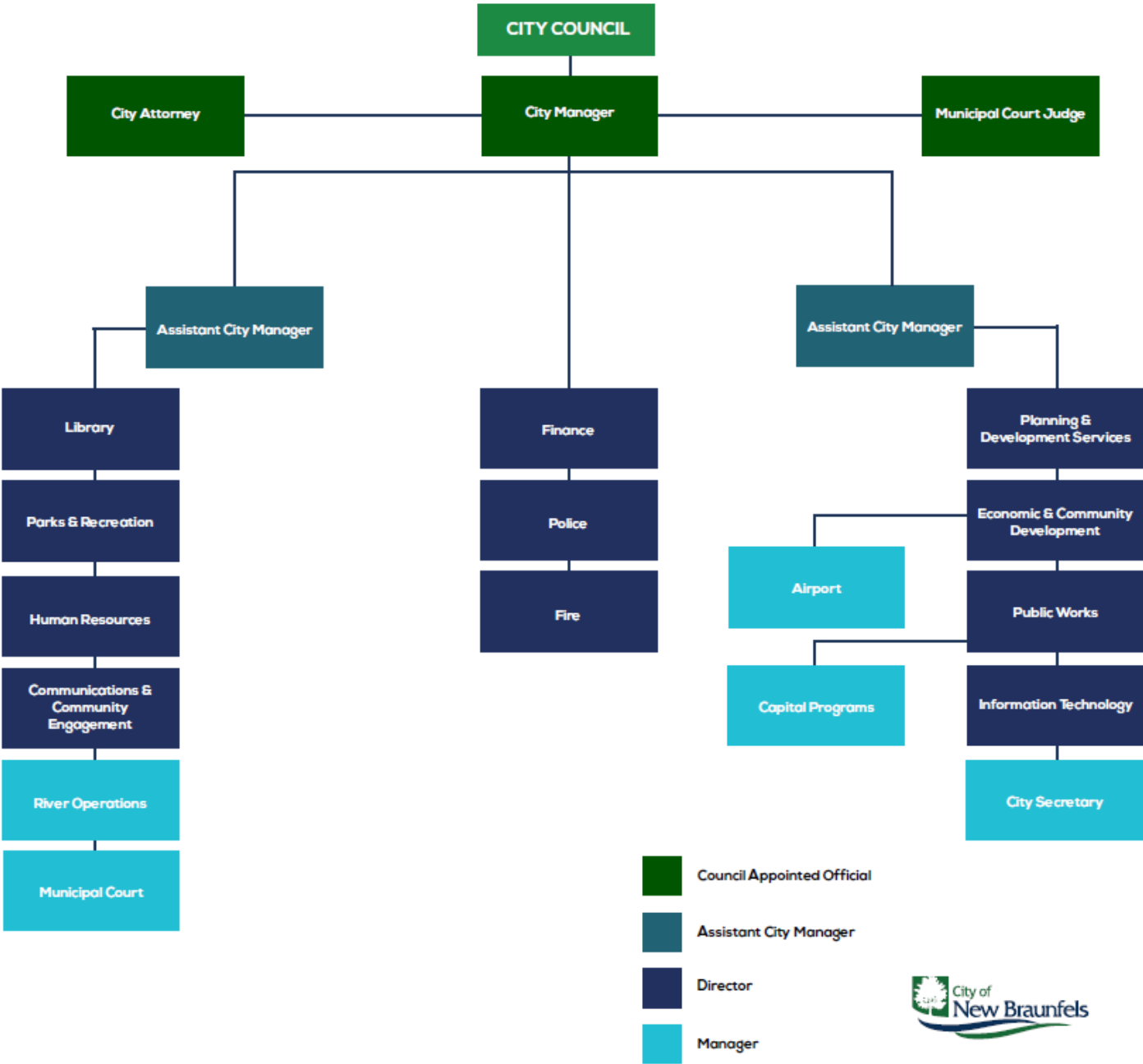
September 30, 2019

Christopher P. Morill

Executive Director/CEO

CITY OF NEW BRAUNFELS, TEXAS

ORGANIZATIONAL CHART



CITY OF NEW BRAUNFELS, TEXAS

CITY COUNCIL

September 30, 2020

CITY OF NEW BRAUNFELS, TEXAS

CITY COUNCIL



Mayor
Rusty Brockman



District One
Shane Hines



District Two
Justin Meadows



District Three
Harry Bowers



District Four
Matthew Hoyt



District Five
Jason Hurta



District Six
James Blakey

Appointed Officials

City Manager: Robert Camareno

City Attorney: Valeria Acevedo

Municipal Court Judge: Rose Zamora

Executive Leadership Team

Assistant City Manager:

Kristi Aday

Assistant City Manager:

Jordan Matney

Interim Police Chief:

Keith Lane

Fire Chief:

Patrick O'Connell

Public Works Director:

Greg Malatek

Chief Financial Officer:

Jared Werner

Human Resources Director:

Nokihomis Willis

Information Technology Director:

Tony Gonzalez

Planning and Development Services Director:

Christopher Looney

Parks and Recreation Director:

Stacey Laird Dicke

Library Director:

Gretchen Pruett

Director of Economic and Community Development:

Jeff Jewell

Director of Comm. and Community Engagement:

Jenna Vinson

FINANCIAL SECTION

INDEPENDENT AUDITORS' REPORT

To the Honorable Mayor and
Members of the City Council of the
City of New Braunfels, Texas:

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City of New Braunfels, Texas (the "City"), as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of New Braunfels Utilities, a discretely presented component unit, which financial statements reflect total assets of \$783,132,298 and total revenues of \$226,635,010 for the fiscal year ending July 31, 2020. Those statements were audited by other auditors, whose report has been furnished to us, and our opinion insofar as it relates to the amounts included for New Braunfels Utilities is based solely on the report of the other auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the City's preparation and fair presentation of the financial statements in order to design audit procedures that are

appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, based on our audit and the report of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City as of September 30, 2020, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended, in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, budgetary comparison information, schedules of changes in net pension liability and total OPEB liabilities and related ratios, and schedule of contributions, identified as Required Supplementary Information on the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the Required Supplementary Information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The introductory section, combining statements and schedules, and statistical section are presented for purposes of additional analysis and are not required parts of the financial statements

The combining statements and schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining statements and schedules are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated April 21, 2021 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the City's internal control over financial reporting and compliance.



Belt Harris Pechacek, LLP
Certified Public Accountants
Houston, Texas
April 21, 2021

***MANAGEMENT'S DISCUSSION
AND ANALYSIS***

CITY OF NEW BRAUNFELS, TEXAS

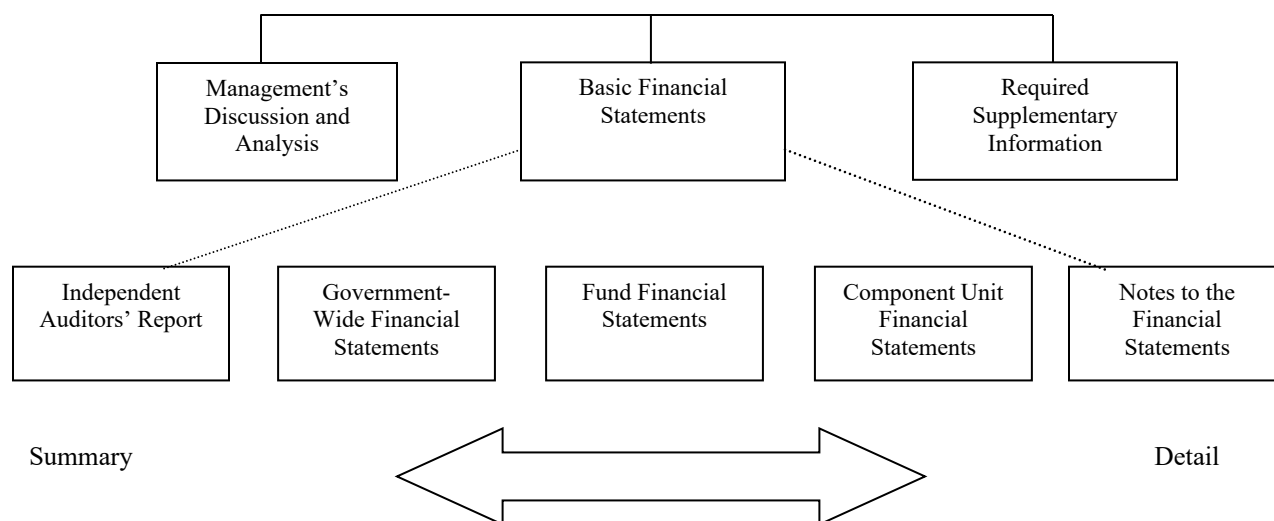
MANAGEMENT'S DISCUSSION AND ANALYSIS

For the Year Ended September 30, 2020

The purpose of the Management's Discussion and Analysis (MD&A) is to give the readers an objective and easily readable analysis of the financial activities of the City of New Braunfels, Texas (the "City") for the year ending September 30, 2020. The analysis is based on currently known facts, decisions, or economic conditions. It presents short and long-term analysis of the City's activities, compares current year results with those of the prior year, and discusses the positive and negative aspects of that comparison. Please read the MD&A in conjunction with the transmittal letter at the front of this report and the City's financial statements, which follow this section.

THE STRUCTURE OF OUR ANNUAL REPORT

Components of the Financial Section



The City's basic financial statements include (1) government-wide financial statements, (2) individual fund financial statements, and (3) notes to the financial statements. This report also includes supplementary information intended to furnish additional detail to support the basic financial statements themselves.

Government-Wide Statements

The government-wide statements report information for the City as a whole. These statements include transactions and balances relating to all assets, including infrastructure capital assets. These statements are designed to provide information about cost of services, operating results, and financial position of the City as an economic entity. The Statement of Net Position and the Statement of Activities, which appear first in the City's financial statements, report information on the City's activities that enable the reader to understand the financial condition of the City. These statements are prepared using the accrual basis of accounting, which is similar to the accounting used by most private-sector companies. All of the current year's revenues and expenses are taken into account even if cash has not yet changed hands.

The Statement of Net Position presents information on all of the City's assets, liabilities, and deferred outflows/inflows of resources, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating. Other nonfinancial factors, such as the City's property tax base and the condition of the City's infrastructure, need to be considered in order to assess the overall health of the City.

CITY OF NEW BRAUNFELS, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)
For the Year Ended September 30, 2020

The Statement of Activities presents information showing how the City's net position changed during the most recent year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows – the accrual method rather than modified accrual that is used in the fund level statements.

The Statement of Net Position and the Statement of Activities divide the City's financials into two classes of activities:

1. *Governmental Activities* – The City's tax-supported services are reported here including police and fire protection (public safety), streets and drainage (public works), public improvements, parks and recreation, planning and development, and general administrative services (general government). Interest payments on the City's tax-supported debt are also reported here. Property tax, sales tax, franchise fees, municipal court fines, and permit fees finance most of these activities.
2. *Business-Type Activities* – Services involving a fee for those services are reported here. These services include the City's airport, solid waste, golf course, and civic/convention center services, as well as interest payments on debt issued for equipment financing.

The government-wide financial statements include not only the City itself (known as the primary government), but also a legally separate economic development corporation and a legally separate utilities entity for which the City is financially accountable. Financial information for these component units is reported separately from the financial information presented for the primary government itself. The Tax Increment Reinvestment Zone No. 1 (TIRZ), the New Braunfels Development Authority (NBDA), and the River Mills TIRZ, although legally separate, function for all practical purposes as departments of the City and have been included as an integral part of the primary government.

FUND FINANCIAL STATEMENTS

Funds may be considered as operating companies of the parent corporation, which is the City. They are usually segregated for specific activities or objectives. The City uses fund accounting to ensure and demonstrate compliance with finance related legal reporting requirements. The two categories of City funds are governmental and proprietary.

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as *on balances of spendable resources* available at the end of the year. Such information may be useful in evaluating the City's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The City maintains 42 individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund

CITY OF NEW BRAUNFELS, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)
For the Year Ended September 30, 2020

balances for the general, hotel/motel tax, debt service, general obligations, roadway impact fees, 2019 capital improvement, and 2020 capital improvement funds, which are considered to be major funds for reporting purposes.

The City adopts an annual appropriated budget for its general fund, debt service fund, and select special revenue funds. Budgetary comparison schedules have been provided for these funds to demonstrate compliance with these budgets.

Proprietary Funds

The City maintains two types of proprietary funds. Enterprise funds are used to report the same functions presented as business-type activities in the government-wide financial statements. The City uses enterprise funds to account for its airport, solid waste, golf course, and civic/convention center services. The proprietary fund financial statements provide separate information for the airport, solid waste, golf course, and civic/convention center operations. The basic proprietary fund financial statements can be found in the basic financial statements of this report.

The City also uses an internal service fund to account for its self-funded health plan. This internal service fund has been included within governmental activities in the government-wide financial statements.

Notes to Financial Statements

The notes to the financial statements provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes are the last section of the basic financial statements.

Other Information

In addition to basic financial statements, MD&A, and accompanying notes, this report also presents certain Required Supplementary Information (RSI). The RSI includes a budgetary comparison schedule for the general and hotel/motel tax funds, a schedule of changes in net pension liability and related ratios for the Texas Municipal Retirement System (TMRS), a schedule of changes in total OPEB liability and related ratios for the TMRS Supplemental Death Benefit Fund, schedule of changes in total OPEB liability and related ratios for the Retiree Health Benefits plan, and schedule of contributions for TMRS. RSI can be found after the notes to the basic financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of the City's financial position. Assets and deferred outflows of resources exceed liabilities and deferred inflows of resources by \$55,973,018 as of September 30, 2020 for the primary government. This compares with \$53,516,518 from the prior fiscal year. A portion of the City's net position, \$38,490,910, reflects its investments in capital assets (e.g., land, buildings and improvements, equipment, construction in progress, and infrastructure), less any outstanding debt used to acquire those assets. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the assets themselves cannot be used to liquidate these liabilities.

CITY OF NEW BRAUNFELS, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)
For the Year Ended September 30, 2020

Statement of Net Position

The following table reflects the condensed Statement of Net Position:

	Governmental Activities		Business-Type Activities		Total Primary Government	
	2020	2019	2020	2019	2020	2019
Current and other assets	\$ 182,141,050	\$ 133,228,186	\$ 8,289,891	\$ 3,496,046	\$ 190,430,941	\$ 136,724,232
Capital assets, net	192,679,710	178,841,763	27,813,062	28,869,028	220,492,772	207,710,791
Total Assets	374,820,760	312,069,949	36,102,953	32,365,074	410,923,713	344,435,023
Deferred charge on refunding	1,397,374	1,671,065	-	-	1,397,374	1,671,065
Deferred outflows - pensions	7,612,726	12,181,640	787,671	1,231,505	8,400,397	13,413,145
Deferred outflows - OPEB	1,106,781	757,776	91,845	74,407	1,198,626	832,183
Total Deferred Outflows of Resources	10,116,881	14,610,481	879,516	1,305,912	10,996,397	15,916,393
Long-term liabilities	339,796,825	287,544,104	4,901,456	5,522,478	344,698,281	293,066,582
Other liabilities	14,717,949	12,644,604	1,812,270	760,294	16,530,219	13,404,898
Total Liabilities	354,514,774	300,188,708	6,713,726	6,282,772	361,228,500	306,471,480
Deferred inflows - pensions	4,217,900	297,067	422,295	33,960	4,640,195	331,027
Deferred inflows - OPEB	72,769	30,062	5,628	2,329	78,397	32,391
Total Deferred Inflows of Resources	4,290,669	327,129	427,923	36,289	4,718,592	363,418
Net Position:						
Net investment in capital assets	10,677,848	7,297,050	27,813,062	28,869,028	38,490,910	36,166,078
Restricted	25,877,320	18,232,206	-	-	25,877,320	18,232,206
Unrestricted	(10,422,970)	635,337	2,027,758	(1,517,103)	(8,395,212)	(881,766)
Total Net Position	\$ 26,132,198	\$ 26,164,593	\$ 29,840,820	\$ 27,351,925	\$ 55,973,018	\$ 53,516,518

A portion of the primary government's net position, \$25,877,320, represents resources that are subject to external restriction on how they may be used. The remaining balance of unrestricted net position is a deficit balance of \$8,395,212.

The City's total net position increased by \$2,456,500 during the current fiscal year. This increase is primarily a result of an increase in tax revenue streams due to increases in growth within the City. Business-type activities net position increased by \$2,488,895, which was primarily a result of increases in operating grants and contributions revenue and decreases in airport and golf course expenses as overall use of those facilities decreased due to the COVID-19 pandemic in the current year.

CITY OF NEW BRAUNFELS, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)
For the Year Ended September 30, 2020

Statement of Activities

The following table provides a summary of the City's changes in net position:

	Governmental Activities		Business-Type Activities		Total Primary Government	
	2020	2019	2020	2019	2020	2019
Revenues						
Program revenues:						
Charges for services	\$ 16,202,561	\$ 18,097,252	\$ 14,380,913	\$ 14,969,036	\$ 30,583,474	\$ 33,066,288
Operating grants and contributions	2,394,269	1,402,915	5,010,309	50,000	7,404,578	1,452,915
Capital grants and contributions	-	1,767,804	-	-	-	1,767,804
General revenues:						
Ad valorem taxes	40,536,722	37,801,817	-	-	40,536,722	37,801,817
Sales taxes	25,606,243	23,675,199	-	-	25,606,243	23,675,199
Franchise fees and local taxes	13,288,249	14,719,930	-	-	13,288,249	14,719,930
Investment earnings	1,002,922	2,299,375	26,641	62,974	1,029,563	2,362,349
Contributions not restricted to programs	4,687,445	4,215,270	-	-	4,687,445	4,215,270
Other revenues	4,585,204	3,915,362	387,769	141,270	4,972,973	4,056,632
Total Revenues	108,303,615	107,894,924	19,805,632	15,223,280	128,109,247	123,118,204
Expenses						
General government	12,716,137	11,176,633	-	-	12,716,137	11,176,633
Finance and tax	1,054,156	1,210,073	-	-	1,054,156	1,210,073
Planning and environmental development	3,299,504	3,758,509	-	-	3,299,504	3,758,509
Public safety	34,333,684	41,359,702	-	-	34,333,684	41,359,702
Public works	39,376,084	26,421,540	-	-	39,376,084	26,421,540
Parks and recreation	8,452,811	8,322,020	-	-	8,452,811	8,322,020
Civic/convention center	-	-	1,165,991	1,071,279	1,165,991	1,071,279
Library	2,026,390	2,460,328	-	-	2,026,390	2,460,328
Interest and fiscal agent fees	9,388,355	6,827,507	-	-	9,388,355	6,827,507
Airport	-	-	3,297,954	3,644,525	3,297,954	3,644,525
Solid waste	-	-	8,717,897	8,778,594	8,717,897	8,778,594
Golf course	-	-	1,823,784	2,019,294	1,823,784	2,019,294
Total Expenses	110,647,121	101,536,312	15,005,626	15,513,692	125,652,747	117,050,004
Increase (Decrease) in Net Position Before Transfers	(2,343,506)	6,358,612	4,800,006	(290,412)	2,456,500	6,068,200
Transfers	2,311,111	2,397,971	(2,311,111)	(2,397,971)	-	-
Change in Net Position	(32,395)	8,756,583	2,488,895	(2,688,383)	2,456,500	6,068,200
Beginning net position	26,164,593	17,408,010	27,351,925	30,040,308	53,516,518	47,448,318
Ending Net Position	\$ 26,132,198	\$ 26,164,593	\$ 29,840,820	\$ 27,351,925	\$ 55,973,018	\$ 53,516,518

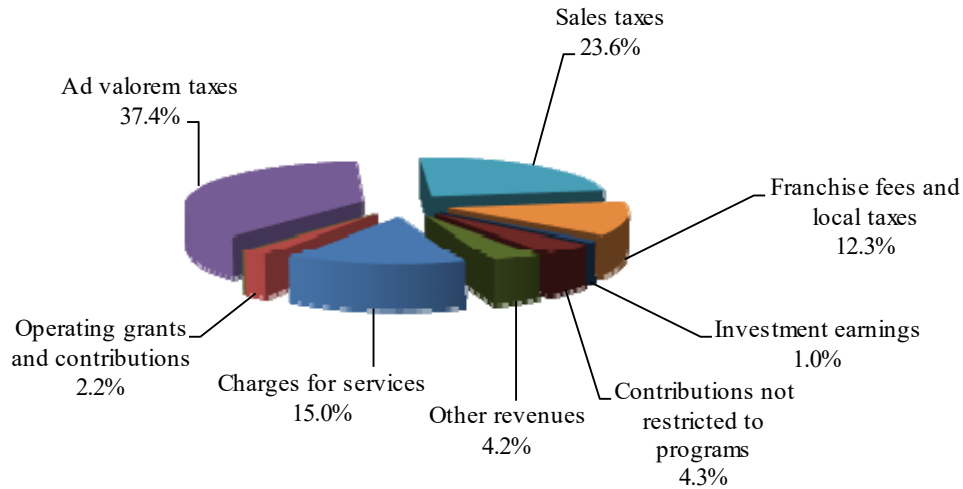
CITY OF NEW BRAUNFELS, TEXAS

MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)

For the Year Ended September 30, 2020

Graphic presentations of selected data from the summary tables follow to assist in the analysis of the City's activities.

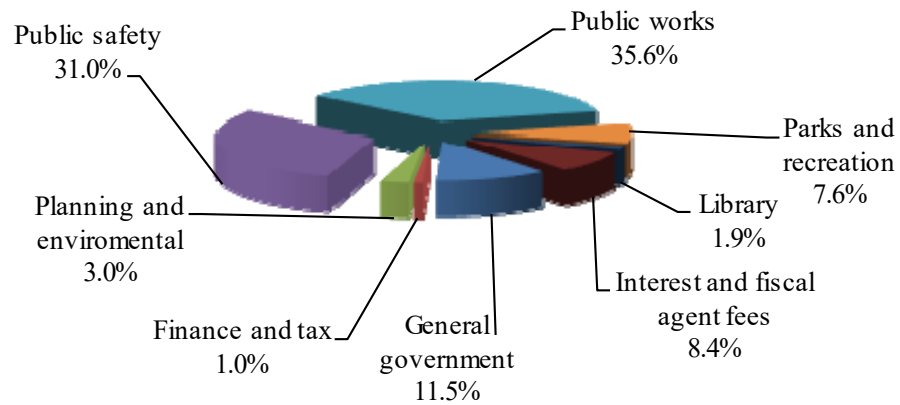
Governmental Activities - Revenues



For the year ended September 30, 2020, revenues from governmental activities totaled \$108,303,615. This \$408,691 increase from prior year occurred primarily as the result of \$2,734,905 in additional ad valorem tax revenue as a result of increases in growth within the City. Sales tax revenue increased year over year, primarily driven by higher than anticipated growth before and during the pandemic. Property taxes increased as well, primarily due to the same growth in valuations as well as increases in the tax rate to support the 2019 bond program.

CITY OF NEW BRAUNFELS, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)
For the Year Ended September 30, 2020

Governmental Activities - Expenses



Governmental expenses increased by \$9,110,809, or 9%. This increase is primarily related to increases in public works, along with interest and fiscal agent fees. The continued increase in public works expenses as a portion of total government expenditures is tied directly to the 2013 and 2019 bond program investments related to ongoing paved surface repairs and improvements that are currently underway.

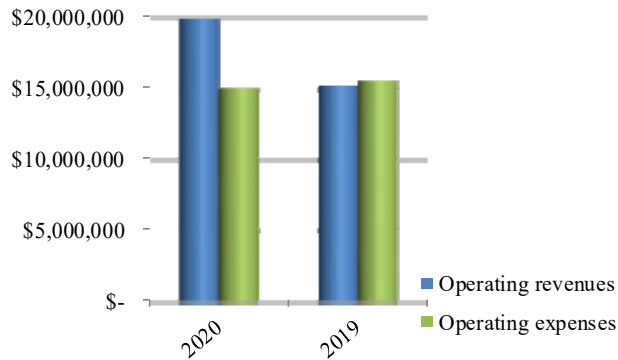
CITY OF NEW BRAUNFELS, TEXAS

MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)

For the Year Ended September 30, 2020

Business-type activities are shown comparing operating costs to revenue generated by related services.

Business-Type Activities - Revenues and Expenses



Overall, business-type activity revenues increased by \$4,582,352 from the prior period, primarily due to operating grants and contributions received from the NBEDC during the year.

Business-type activity expenses decreased by \$508,066, mostly due to decreases in expenses for operations of the airport and golf course as a result of decreases in use related to COVID-19.

FINANCIAL ANALYSIS OF THE CITY'S FUNDS

As noted earlier, fund accounting is used to demonstrate and ensure compliance with finance-related legal requirements.

Governmental Funds – The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unassigned fund balance may serve as a useful measure of the City's net resources available for spending at the end of the year.

The City's governmental funds reflect a combined fund balance of \$165,350,576. Of this, \$225,447 is nonspendable, \$130,313,081 is restricted for various purposes, \$6,519,109 is committed, \$798,164 is assigned, and \$27,494,775 is unassigned.

There was an increase in the combined fund balance of \$46,594,552 over the prior year. This is largely attributable to two debt issuances during the year.

The general fund is the chief operating fund of the City. At the end of the current year, unassigned fund balance of the general fund was \$26,585,118, while total fund balance reached \$27,386,112. As a measure of the general fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total fund expenditures. Unassigned fund balance represents 37 percent of total general fund expenditures, while total fund balance represents 38 percent of that same amount. The general fund fund balance increased by \$1,310,321 this year, primarily related to increases in various revenue sources such as, but not limited to, sales taxes, and licenses and permits.

It is important to note that this fund balance includes all of the fund balance in the general fund and equipment replacement subfund. The equipment replacement subfund contributes \$798,164 to this stated fund balance. This

CITY OF NEW BRAUNFELS, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)
For the Year Ended September 30, 2020

fund allows the City to account for equipment replacement and improvements in a separate subfund and not include these activities in the primary general operating fund.

The hotel/motel tax fund experienced a decrease of \$661,273, mostly due to decreases in fees as a result of large decreases in hotel use due to COVID-19.

Fund balance in the debt service fund experienced a slight increase of \$47,920.

The fund balance in the general obligations capital projects fund had a decrease in fund balance of \$15,581,664, which was primarily a result of the use of debt proceeds for capital outlay projects.

The fund balance in the roadway impact fees fund had an increase in fund balance of \$821,116, which was primarily a result of increases in impact fees and other contributions collected by the City.

The fund balance in the 2019 capital improvement fund had an increase in fund balance of \$45,996,057, which was primarily a result of transfers in, as well as a new debt issuance in the current year.

The 2020 capital improvement fund was created in fiscal year 2020 to account for capital expenses related to the debt issuance in 2020. The fund ended the year with a fund balance of \$17,002,634.

Proprietary Funds – The City's proprietary funds financial statements provide the same type of information found in the government-wide financial statements, but in more detail.

GENERAL FUND BUDGETARY HIGHLIGHTS

The amended budget included a planned decrease in fund balance in the amount of \$3,744,376. The actual fund balance for the year increased by \$1,310,321. Actual revenues exceeded the amended budget by \$522,849 spread across various revenue lines. The largest positive variances were in sales taxes and licenses and permits. The pandemic affected general fund revenues in various ways. The City's conservative revenue projections as well as the diverse economy within the City are both attributable to the positive variance. Actual expenditures were under the amended budget by \$2,969,388. The positive variance was created mainly by a hiring freeze from March through September, as well as other operational savings from facility closures and reduced capacities.

CAPITAL ASSETS

At the end of fiscal year 2020, the City's governmental activities had invested \$192,679,710 in a variety of capital assets and infrastructure (net of accumulated depreciation). This represents a net increase of \$13,837,947.

More detailed information about the City's capital assets is presented in note III. C. to the financial statements.

LONG-TERM DEBT

At the end of the current year, the City had total general obligation bonds and certificates of obligation outstanding of \$244,505,000. Of this amount, \$165,890,000 was general obligation debt and \$78,615,000 was certificates of obligation.

More detailed information about the City's long-term liabilities and issuances of debt presented in note III. D. to the financial statements.

The City's bonds presently carry an 'AA' rating from Standard and Poor's and an 'Aa2' rating from Moody's Investor Service.

CITY OF NEW BRAUNFELS, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)
For the Year Ended September 30, 2020

ECONOMIC FACTORS AND NEXT YEARS BUDGET

New Braunfels continues to be one of the fastest growing areas in the country. Therefore, overall sustained growth is expected to continue. However, the direct and indirect impact of the pandemic still remains somewhat uncertain. In addition, the state legislature is currently exploring a change in the way local sales taxes are sourced. If passed, this would result in a loss of sales tax revenue for New Braunfels. The City continues to closely follow this legislative issue and develop various responsive fiscal strategies if needed.

As the report indicates, General Fund reserves remain strong. In fact, reserves are projected to continue to grow through FY 2021, driven primarily by conservative budgeting. As a result, short term budget and fiscal planning will focus heavily on one-time equipment and technology investments that have the potential to increase efficiency and productivity as well as reduce long term staffing demands. Short term fiscal priorities also include accounting for the additional operating costs that will stem from capital projects underway such as the Police Department Headquarters, Westside Library Branch and Fire station #7. The 2019 bond program and associated investments are also progressing much faster than initially anticipated. As a result, the City Council will likely begin evaluating future capital investments.

CONTACTING THE CITY'S FINANCIAL MANAGEMENT

This financial report is designed to provide the citizens, taxpayers, customers, investors, and creditors with a general overview of the finances of the City. For questions concerning this report, separately issued statements for New Braunfels Utilities or the Housing Authority, or for additional financial information, contact the City's Finance Department, 550 Landa Street, New Braunfels, TX, 78130; telephone 830-221-4000; or for general City information, visit the City's website at www.nbtexas.org.

BASIC FINANCIAL STATEMENTS

CITY OF NEW BRAUNFELS, TEXAS

STATEMENT OF NET POSITION (page 1 of 2)

September 30, 2020

	Primary Government		
	Governmental Activities	Business-Type Activities	Total
<u>Assets</u>			
Cash and equity in pooled cash and investments	\$ 168,283,514	\$ 6,209,445	\$ 174,492,959
Pooled and temporary investments	5,131,376	-	5,131,376
Receivables, net	8,277,612	1,228,355	9,505,967
Internal balances	(773,912)	773,912	-
Inventories	2,830	78,179	81,009
Prepaid items	-	-	-
Other current assets	-	-	-
Restricted current assets			
Cash and cash equivalents	1,219,630	-	1,219,630
Investments	-	-	-
	<u>182,141,050</u>	<u>8,289,891</u>	<u>190,430,941</u>
Capital assets:			
Nondepreciable	75,803,270	2,540,961	78,344,231
Depreciable, net	116,876,440	25,272,101	142,148,541
Investments:			
Restricted	-	-	-
Unrestricted	-	-	-
Other noncurrent assets	-	-	-
	<u>192,679,710</u>	<u>27,813,062</u>	<u>220,492,772</u>
Total Assets	<u>374,820,760</u>	<u>36,102,953</u>	<u>410,923,713</u>
<u>Deferred Outflows of Resources</u>			
Deferred charge on refunding	1,397,374	-	1,397,374
Deferred outflows - pensions	7,612,726	787,671	8,400,397
Deferred outflows - OPEB	1,106,781	91,845	1,198,626
Total Deferred Outflows of Resources	<u>10,116,881</u>	<u>879,516</u>	<u>10,996,397</u>
<u>Liabilities</u>			
Accounts payable	11,135,202	396,240	11,531,442
Deposit payable	-	125,459	125,459
Accrued expenses payable	3,582,747	1,290,571	4,873,318
	<u>14,717,949</u>	<u>1,812,270</u>	<u>16,530,219</u>
Noncurrent liabilities:			
Due within one year:			
Bonds payable	16,310,000	-	16,310,000
Loan payable	66,059	-	66,059
Capital lease payable	252,288	-	252,288
Accrued compensated absences	6,813,273	348,679	7,161,952
Due in more than one year:			
Bonds payable	270,558,859	-	270,558,859
Loan payable	206,577	-	206,577
Capital lease payable	663,831	-	663,831
Net pension liability	31,235,682	3,224,742	34,460,424
Total OPEB liability - TMRS	1,631,889	163,671	1,795,560
Total OPEB liability - retiree benefit	11,301,337	1,125,622	12,426,959
Accrued compensated absences	757,030	38,742	795,772
Other noncurrent liability	-	-	-
	<u>339,796,825</u>	<u>4,901,456</u>	<u>344,698,281</u>
Total Liabilities	<u>354,514,774</u>	<u>6,713,726</u>	<u>361,228,500</u>

Component Units			
Economic Development Corporation		New Braunfels Utilities	
\$	20,242,243	\$	56,080,498
	-		2,000,000
	4,233,568		40,782,081
	-		-
	-		2,592,817
	-		1,448,808
	2,455		7,048,575
	-		7,803,888
	-		2,513,438
	<u>24,478,266</u>		<u>120,270,105</u>
	-		194,241,018
	-		449,832,244
	-		6,000,586
	-		5,566,600
	-		7,221,745
	-		<u>662,862,193</u>
	<u>24,478,266</u>		<u>783,132,298</u>
	-		-
	-		4,079,186
	-		-
	-		<u>4,079,186</u>
	1,404,536		37,101,262
	-		7,751,405
	-		14,969,233
	<u>1,404,536</u>		<u>59,821,900</u>
	-		5,030,000
	-		250,000
	-		-
	-		1,430,990
	-		226,500,833
	-		-
	-		-
	-		14,400,209
	-		-
	-		-
	-		741,067
	-		47,700
	-		<u>248,400,799</u>
	<u>1,404,536</u>		<u>308,222,699</u>

CITY OF NEW BRAUNFELS, TEXAS

STATEMENT OF NET POSITION (page 2 of 2)

September 30, 2020

Primary Government			
	Governmental Activities	Business-Type Activities	Total
<u>Deferred Inflows of Resources</u>			
Deferred inflows - pensions	\$ 4,217,900	\$ 422,295	\$ 4,640,195
Deferred inflows - OPEB	72,769	5,628	78,397
Total Deferred Inflows of Resources	4,290,669	427,923	4,718,592
<u>Net Position</u>			
Net investment in capital assets	10,677,848	27,813,062	38,490,910
Restricted for:			
Debt service	2,242,572	-	2,242,572
Capital projects	11,251,621	-	11,251,621
Cemetery perpetual care (nonexpendable)	222,617	-	222,617
Grants	721,884	-	721,884
Impact fees	-	-	-
Municipal court	440,441	-	440,441
Library	1,860	-	1,860
Public safety	3,837	-	3,837
Governmental programming	270,203	-	270,203
Tourism	1,144,969	-	1,144,969
Economic development	8,960,826	-	8,960,826
Special donation	616,490	-	616,490
Unrestricted	(10,422,970)	2,027,758	(8,395,212)
Total Net Position	\$ 26,132,198	\$ 29,840,820	\$ 55,973,018

See Notes to Financial Statements.

Component Units	
Economic Development Corporation	New Braunfels Utilities
\$ -	\$ 2,594,846
-	-
-	2,594,846
-	423,246,870
-	422,435
-	-
-	-
-	-
-	47,567
-	-
-	-
-	-
-	-
-	-
-	-
23,073,730	52,677,067
<u>\$ 23,073,730</u>	<u>\$ 476,393,939</u>

CITY OF NEW BRAUNFELS, TEXAS

STATEMENT OF ACTIVITIES

For the Year Ended September 30, 2020

Functions/Programs	Expenses	Program Revenues		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
Primary Government				
Governmental Activities				
General government	\$ 12,716,137	\$ 125,360	\$ 658,775	\$ -
Finance and tax	1,054,156	-	-	-
Planning and environmental	3,299,504	-	344,778	-
Public safety	34,333,684	5,748,253	1,268,552	-
Public works	39,376,084	7,019,238	122,164	-
Parks and recreation	8,452,811	3,282,683	-	-
Library	2,026,390	27,027	-	-
Interest and fiscal agent fees	9,388,355	-	-	-
Total Governmental Activities	<u>110,647,121</u>	<u>16,202,561</u>	<u>2,394,269</u>	<u>-</u>
Business-Type Activities				
Airport	3,297,954	2,296,320	1,223,699	-
Solid waste	8,717,897	10,176,299	3,744,586	-
Golf course	1,823,784	1,633,819	24,245	-
Civic center	1,165,991	274,475	17,779	-
Total Business-Type Activities	<u>15,005,626</u>	<u>14,380,913</u>	<u>5,010,309</u>	<u>-</u>
Total Primary Government	<u>\$ 125,652,747</u>	<u>\$ 30,583,474</u>	<u>\$ 7,404,578</u>	<u>\$ -</u>
Component Units				
Economic Development Corporation	\$ 4,574,553	\$ -	\$ -	\$ -
New Braunfels Utilities	<u>174,160,784</u>	<u>181,185,256</u>	<u>-</u>	<u>39,367,006</u>
Total Component Units	<u>\$ 178,735,337</u>	<u>\$ 181,185,256</u>	<u>\$ -</u>	<u>\$ 39,367,006</u>

General Revenues and Transfers:

Taxes and fees
 Property
 Sales
 Hotel/motel occupancy
 Franchise
 Mixed beverages
 Investment income
 Contributions not restricted to programs
 Miscellaneous
 Transfers

Total General Revenues and Transfers

Change in Net Position

Beginning net position

Ending Net Position

See Notes to Financial Statements.

Net (Expense) Revenue and Changes in Net Position

Primary Government			Component Units	
Governmental Activities	Business-Type Activities	Total	Economic Development Corporation	New Braunfels Utilities
\$ (11,932,002)	\$ -	\$ (11,932,002)	\$ -	\$ -
(1,054,156)	-	(1,054,156)	-	-
(2,954,726)	-	(2,954,726)	-	-
(27,316,879)	-	(27,316,879)	-	-
(32,234,682)	-	(32,234,682)	-	-
(5,170,128)	-	(5,170,128)	-	-
(1,999,363)	-	(1,999,363)	-	-
(9,388,355)	-	(9,388,355)	-	-
(92,050,291)	-	(92,050,291)	-	-
-	222,065	222,065	-	-
-	5,202,988	5,202,988	-	-
-	(165,720)	(165,720)	-	-
-	(873,737)	(873,737)	-	-
-	4,385,596	4,385,596	-	-
(92,050,291)	4,385,596	(87,664,695)	-	-
-	-	-	(4,574,553)	-
-	-	-	-	46,391,478
-	-	-	(4,574,553)	46,391,478
40,536,722	-	40,536,722	-	-
25,606,243	-	25,606,243	6,363,137	-
2,872,022	-	2,872,022	-	-
9,908,479	-	9,908,479	-	-
507,748	-	507,748	-	-
1,002,922	26,641	1,029,563	139,342	1,656,378
4,687,445	-	4,687,445	-	-
4,585,204	387,769	4,972,973	1,184,198	4,426,370
2,311,111	(2,311,111)	-	-	-
92,017,896	(1,896,701)	90,121,195	7,686,677	6,082,748
(32,395)	2,488,895	2,456,500	3,112,124	52,474,226
26,164,593	27,351,925	53,516,518	19,961,606	423,919,713
\$ 26,132,198	\$ 29,840,820	\$ 55,973,018	\$ 23,073,730	\$ 476,393,939

CITY OF NEW BRAUNFELS, TEXAS

BALANCE SHEET GOVERNMENTAL FUNDS

September 30, 2020

	General	Hotel/Motel Tax	Debt Service	General Obligations
<u>Assets</u>				
Cash and equity in pooled cash and investments	\$ 20,509,673	\$ 1,324,594	\$ 2,444,601	\$ 16,036,389
Investments	5,131,376	-	-	-
Receivables, net of allowance:	7,563,165	287,086	323,538	-
Due from other funds	113,475	-	-	-
Inventory	2,830	-	-	-
Restricted cash	-	-	-	-
Total Assets	\$ 33,320,519	\$ 1,611,680	\$ 2,768,139	\$ 16,036,389
<u>Liabilities</u>				
Accounts payable	\$ 3,377,469	\$ 466,711	\$ 202,029	\$ 3,990,690
Due to other funds	784,581	-	-	-
Accrued wages payable	1,350,823	-	-	-
Total Liabilities	5,512,873	466,711	202,029	3,990,690
<u>Deferred Inflows of Resources</u>				
Unavailable revenue - property taxes	421,534	-	323,538	-
<u>Fund Balances</u>				
Nonspendable	2,830	-	-	-
Restricted	-	1,144,969	2,242,572	12,045,699
Committed	-	-	-	-
Assigned	798,164	-	-	-
Unassigned	26,585,118	-	-	-
Total Fund Balances	27,386,112	1,144,969	2,242,572	12,045,699
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	\$ 33,320,519	\$ 1,611,680	\$ 2,768,139	\$ 16,036,389

See Notes to Financial Statements.

Roadway Impact Fees	2019 Capital Improvement	2020 Capital Improvement	Nonmajor Governmental Funds	Total Governmental Funds
\$ 7,151,800	\$ 75,562,662	\$ 17,002,634	\$ 24,694,466	\$ 164,726,819
-	-	-	-	5,131,376
-	-	-	101,141	8,274,930
-	-	-	304,237	417,712
-	-	-	-	2,830
-	-	-	1,219,630	1,219,630
<u>\$ 7,151,800</u>	<u>\$ 75,562,662</u>	<u>\$ 17,002,634</u>	<u>\$ 26,319,474</u>	<u>\$ 179,773,297</u>
\$ 76,701	\$ 1,967,730	\$ -	\$ 1,053,872	\$ 11,135,202
-	-	-	407,043	1,191,624
-	-	-	-	1,350,823
<u>76,701</u>	<u>1,967,730</u>	<u>-</u>	<u>1,460,915</u>	<u>13,677,649</u>
-	-	-	-	745,072
-	-	-	222,617	225,447
7,075,099	73,594,932	17,002,634	17,207,176	130,313,081
-	-	-	6,519,109	6,519,109
-	-	-	-	798,164
-	-	-	909,657	27,494,775
<u>7,075,099</u>	<u>73,594,932</u>	<u>17,002,634</u>	<u>24,858,559</u>	<u>165,350,576</u>
<u>\$ 7,151,800</u>	<u>\$ 75,562,662</u>	<u>\$ 17,002,634</u>	<u>\$ 26,319,474</u>	<u>\$ 179,773,297</u>

CITY OF NEW BRAUNFELS, TEXAS
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET
TO THE STATEMENT OF NET POSITION
September 30, 2020

Total fund balances for governmental funds		\$ 165,350,576
Amounts reported for governmental activities in the Statement of Net Position are different because:		
Capital assets used in governmental activities are not current financial resources and, therefore, not reported in the governmental funds.		
Capital assets - nondepreciable	75,803,270	
Capital assets - depreciable	<u>116,876,440</u>	
		192,679,710
Other long-term assets are not available to pay for current period expenditures and, therefore, are reported as unavailable revenue in the governmental funds.		745,072
Some liabilities, including bonds payable, are not reported as liabilities in the governmental funds.		
Accrued interest	(1,722,073)	
Bonds, Notes and Other payables due in one year	(16,310,000)	
Bonds, Notes and Other payables due in more than one year	<u>(248,575,000)</u>	
		(266,607,073)
Premiums on bond issuance and deferred loss on bond refunding are recorded as other financing sources and uses in the fund financial statements, but are capitalized and amortized in the government-wide financial statements over the life of the bond.		
Premiums	(21,983,859)	
Deferred charge on refunding	<u>1,397,374</u>	
		(20,586,485)
Loans payable and capital leases are not due and payable in the current period and, therefore, are not reported as liabilities in the governmental funds.		(1,188,755)
Net pension liability and other postemployment benefits (OPEB) obligations are not due and payable in the current period and, therefore, are not reported as liabilities in the governmental funds balance sheet.		
Net pension liability	(31,235,682)	
Total OPEB liability - TMRS	(1,631,889)	
Total OPEB liability - retiree benefits	<u>(11,301,337)</u>	
		(44,168,908)
Deferred outflows and inflows of resources related to the net pension and total OPEB liability are not reported in the funds.		
Deferred outflows - pensions	7,612,726	
Deferred inflows - pensions	(4,217,900)	
Deferred outflows - OPEB	1,106,781	
Deferred inflows - OPEB	<u>(72,769)</u>	
		4,428,838
Accrued liabilities for compensated absences are not due and payable in the current period and, therefore, have not been included in the fund financial statements.		(7,570,303)
The City uses an internal service fund to charge the costs of certain activities to individual funds. Assets and liabilities of the internal service fund are included in governmental activities.		
		<u>3,049,526</u>
	Net Position of Governmental Activities	<u><u>\$ 26,132,198</u></u>

See Notes to Financial Statements.

CITY OF NEW BRAUNFELS, TEXAS

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES

GOVERNMENTAL FUNDS

For the Year Ended September 30, 2020

	General	Hotel/Motel Tax	Debt Service	General Obligations
<u>Revenues</u>				
Taxes and fees	\$ 55,527,529	\$ 2,872,022	\$ 16,504,981	\$ -
Licenses and permits	5,646,378	-	-	-
Intergovernmental	658,775	-	-	-
Fines and forfeitures	1,055,141	-	-	-
Interest	553,431	6,027	35,150	258,116
Parks and recreation	2,554,698	-	-	-
Miscellaneous	2,385,997	52	-	615,184
Other contributions	-	-	2,051,491	-
Charges for services	3,938,646	-	-	-
Total Revenues	72,320,595	2,878,101	18,591,622	873,300
<u>Expenditures</u>				
Current:				
General government	9,226,021	2,858,649	-	-
Finances and tax	1,287,773	-	-	-
Planning and environmental	3,402,849	-	-	-
Public safety	40,043,035	-	-	-
Public works	7,514,328	-	-	16,039,945
Parks and recreation	7,549,474	-	-	415,019
Library	2,334,164	-	-	-
Debt Service:				
Principal	-	-	12,630,000	-
Interest	-	-	7,298,114	-
Fiscal agent fees	-	-	6,900	-
Total Expenditures	71,357,644	2,858,649	19,935,014	16,454,964
Excess (Deficiency) of Revenues Over (Under) Expenditures	962,951	19,452	(1,343,392)	(15,581,664)
<u>Other Financing Sources (Uses)</u>				
Transfers in	974,381	-	1,391,312	-
Transfers (out)	(645,659)	(680,725)	-	-
Sale of capital assets	18,648	-	-	-
Long-term debt issuance	-	-	-	-
Premium received on the issuance of debt	-	-	-	-
Total Other Financing Sources (Uses)	347,370	(680,725)	1,391,312	-
Net Change in Fund Balances	1,310,321	(661,273)	47,920	(15,581,664)
Beginning fund balances	26,075,791	1,806,242	2,194,652	27,627,363
Ending Fund Balances	\$ 27,386,112	\$ 1,144,969	\$ 2,242,572	\$ 12,045,699

See Notes to Financial Statements.

Roadway Impact Fees	2019 Capital Improvement	2020 Capital Improvement	Nonmajor Governmental Funds	Total Governmental Funds
\$ -	\$ -	\$ -	4,374,763	\$ 79,279,295
-	-	-	6,750	5,653,128
-	-	-	1,735,494	2,394,269
-	-	-	200,424	1,255,565
54,228	-	-	92,280	999,232
-	-	-	725,541	3,280,239
223,509	-	-	1,341,813	4,566,555
2,635,722	-	-	232	4,687,445
-	-	-	2,074,983	6,013,629
<u>2,913,459</u>	<u>-</u>	<u>-</u>	<u>10,552,280</u>	<u>108,129,357</u>
-	81,958	-	1,920,928	14,087,556
-	-	-	-	1,287,773
-	-	-	477,659	3,880,508
-	-	-	920,407	40,963,442
-	10,611,226	-	6,225,060	40,390,559
1,092,343	-	-	122,833	9,179,669
-	-	-	60,592	2,394,756
-	-	-	1,360,000	13,990,000
-	-	-	3,077,162	10,375,276
-	-	192,012	-	198,912
<u>1,092,343</u>	<u>10,693,184</u>	<u>192,012</u>	<u>14,164,641</u>	<u>136,748,451</u>
<u>1,821,116</u>	<u>(10,693,184)</u>	<u>(192,012)</u>	<u>(3,612,361)</u>	<u>(28,619,094)</u>
-	1,000,000	-	6,109,650	9,475,343
(1,000,000)	-	-	(4,837,848)	(7,164,232)
-	-	-	-	18,648
-	47,770,000	14,470,000	-	62,240,000
-	7,919,241	2,724,646	-	10,643,887
<u>(1,000,000)</u>	<u>56,689,241</u>	<u>17,194,646</u>	<u>1,271,802</u>	<u>75,213,646</u>
821,116	45,996,057	17,002,634	(2,340,559)	46,594,552
<u>6,253,983</u>	<u>27,598,875</u>	<u>-</u>	<u>27,199,118</u>	<u>118,756,024</u>
<u>\$ 7,075,099</u>	<u>\$ 73,594,932</u>	<u>\$ 17,002,634</u>	<u>\$ 24,858,559</u>	<u>\$ 165,350,576</u>

CITY OF NEW BRAUNFELS, TEXAS
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE
STATEMENT OF ACTIVITIES
For the Year Ended September 30, 2020

Net changes in fund balances - total governmental funds \$ 46,594,552

Amounts reported for governmental activities in the Statement of Activities are different because:

Governmental funds report capital outlays as expenditures. However, in the Statement of Activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.

Depreciation	(13,223,187)
Capital outlay	27,061,134

The City uses an internal service fund to charge the costs of certain activities to individual funds. Net change in net position of the internal service fund is reported with governmental activities.

482,661

Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the funds.

151,920

The issuance of long-term debt (e.g., bonds, leases, and certificates of obligation) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of premiums, discounts, and similar items when it is first issued; whereas, these amounts are deferred and amortized in the Statement of Activities.

Certificates of obligation issued	(14,470,000)
General obligation bonds issued	(47,770,000)
Principal repayments	13,990,000
Amortization of deferred charge on refunding	(273,690)
Amortization of premium on bonds	(9,295,307)
Accrued interest on long-term debt	(389,615)
Capital lease principal payment	435,851
Loan principal payment	64,707

Some expenses reported in the Statement of Activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.

Compensated absences	(1,211,686)
Change in net pension liability	7,602,501
Change in total OPEB liability - TMRS	(308,301)
Change in total OPEB liability - retiree benefit	(1,290,486)
Change in deferred outflows - pensions	1,370,640
Change in deferred inflows - pensions	(9,860,387)
Change in deferred outflows - OPEB	349,005
Change in deferred inflows - OPEB	(42,707)

Change in Net Position of Governmental Activities	\$ (32,395)
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See Notes to Financial Statements.

CITY OF NEW BRAUNFELS, TEXAS

STATEMENT OF NET POSITION

PROPRIETARY FUNDS

September 30, 2020

	Business-Type Activities			
	Airport	Solid Waste	Golf Course	Civic/Con. Center
Assets				
Current assets:				
Cash and equity in pooled cash and investments	\$ 500,314	\$ 4,717,307	\$ 989,584	\$ 2,240
Receivables, net	1,118,171	93,391	15,190	1,603
Due from other funds	-	784,581	-	-
Inventories	-	78,179	-	-
Total Current Assets	1,618,485	5,673,458	1,004,774	3,843
Noncurrent assets:				
Capital assets:				
Nondepreciable	2,405,961	-	135,000	-
Net depreciable capital assets	11,001,904	4,097,647	4,482,757	5,689,793
Total Capital Assets,				
Net of Accumulated Depreciation	13,407,865	4,097,647	4,617,757	5,689,793
Total Noncurrent Assets	13,407,865	4,097,647	4,617,757	5,689,793
Total Assets	15,026,350	9,771,105	5,622,531	5,693,636
Deferred Outflows of Resources				
Deferred outflows - pensions	87,184	540,578	103,696	56,213
Deferred outflows - OPEB	8,195	60,229	15,298	8,123
Total Deferred Outflows of Resources	95,379	600,807	118,994	64,336
Liabilities				
Current liabilities:				
Accounts payable	59,514	230,850	91,232	14,644
Due to other funds	-	-	-	10,669
Deposits payable	47,809	-	-	77,650
Accrued expenses payable	1,119,637	129,698	25,629	15,607
Current portion of long-term liabilities:				
Accrued compensated absences	15,330	268,912	54,519	9,918
Total Current Liabilities	1,242,290	629,460	171,380	128,488
Noncurrent liabilities:				
Compensated absences	1,704	29,879	6,057	1,102
Net pension liability	319,823	2,143,293	532,318	229,308
Total OPEB liability - TMRS	16,690	111,607	23,068	12,306
Total OPEB liability - retiree benefits	104,942	775,012	160,711	84,957
Total Noncurrent Liabilities	443,159	3,059,791	722,154	327,673
Total Liabilities	1,685,449	3,689,251	893,534	456,161
Deferred Inflows of Resources				
Deferred inflows - pension	49,635	294,159	44,721	33,780
Deferred inflows - OPEB	659	3,831	724	414
Total Deferred Inflows of Resources	50,294	297,990	45,445	34,194
Net Position				
Net investment in capital assets	13,407,865	4,097,647	4,617,757	5,689,793
Unrestricted	(21,879)	2,287,024	184,789	(422,176)
Total Net Position	\$ 13,385,986	\$ 6,384,671	\$ 4,802,546	\$ 5,267,617

See Notes to Financial Statements.

Business-Type Activities	Governmental Activities
Total	Internal Service
\$ 6,209,445	\$ 3,556,695
1,228,355	2,682
784,581	-
78,179	-
<u>8,300,560</u>	<u>3,559,377</u>
2,540,961	-
<u>25,272,101</u>	<u>-</u>
27,813,062	-
<u>27,813,062</u>	<u>-</u>
<u>36,113,622</u>	<u>3,559,377</u>
787,671	-
91,845	-
<u>879,516</u>	<u>-</u>
396,240	-
10,669	-
125,459	-
1,290,571	509,851
348,679	-
<u>2,171,618</u>	<u>509,851</u>
38,742	-
3,224,742	-
163,671	-
1,125,622	-
<u>4,552,777</u>	<u>-</u>
<u>6,724,395</u>	<u>509,851</u>
422,295	-
5,628	-
<u>427,923</u>	<u>-</u>
27,813,062	-
2,027,758	3,049,526
<u>\$ 29,840,820</u>	<u>\$ 3,049,526</u>

CITY OF NEW BRAUNFELS, TEXAS
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION
PROPRIETARY FUNDS
For the Year Ended September 30, 2020

	Business-Type Activities			
	Airport	Solid Waste	Golf Course	Civic/Con. Center
<u>Operating Revenues</u>				
Charges for services	\$ 2,296,320	\$ 10,176,299	\$ 1,633,819	\$ 274,475
Miscellaneous	2,583	102,288	26,509	363
Total Operating Revenues	2,298,903	10,278,587	1,660,328	274,838
<u>Operating Expenses</u>				
Personnel	624,293	4,006,427	805,886	479,711
Purchased services	272,315	2,460,416	144,602	223,344
Professional services	36,897	67,254	-	-
Supplies	1,022,619	1,012,971	333,160	32,456
Depreciation and amortization	1,341,830	1,170,829	540,136	430,480
Insurance premiums	-	-	-	-
Claims	-	-	-	-
Total Operating Expenses	3,297,954	8,717,897	1,823,784	1,165,991
Operating Income (Loss)	(999,051)	1,560,690	(163,456)	(891,153)
<u>Nonoperating Revenues (Expenses)</u>				
Investment earnings	-	26,641	-	-
Gain on sale of assets	-	254,881	1,093	52
Intergovernmental	1,223,699	3,744,586	24,245	17,779
Total Nonoperating Revenue	1,223,699	4,026,108	25,338	17,831
Income (Loss) Before Transfers	224,648	5,586,798	(138,118)	(873,322)
<u>Transfers and Contributions</u>				
Transfers in	99,910	-	-	355,000
Transfers (out)	(557,243)	(2,093,205)	(75,025)	(40,548)
Total Transfers and Contributions	(457,333)	(2,093,205)	(75,025)	314,452
Change in Net Position	(232,685)	3,493,593	(213,143)	(558,870)
Beginning net position	13,618,671	2,891,078	5,015,689	5,826,487
Ending Net Position	\$ 13,385,986	\$ 6,384,671	\$ 4,802,546	\$ 5,267,617

See Notes to Financial Statements.

Business-Type Activites	Governmental Activities
Total	Internal Service
\$ 14,380,913	\$ 7,076,527
131,743	13,982
<u>14,512,656</u>	<u>7,090,509</u>
5,916,317	-
3,100,677	-
104,151	65,142
2,401,206	-
3,483,275	-
-	952,168
-	5,594,228
<u>15,005,626</u>	<u>6,611,538</u>
<u>(492,970)</u>	<u>478,971</u>
26,641	3,690
256,026	-
5,010,309	-
<u>5,292,976</u>	<u>3,690</u>
4,800,006	482,661
454,910	-
(2,766,021)	-
<u>(2,311,111)</u>	<u>-</u>
2,488,895	482,661
<u>27,351,925</u>	<u>2,566,865</u>
<u>\$ 29,840,820</u>	<u>\$ 3,049,526</u>

CITY OF NEW BRAUNFELS, TEXAS

STATEMENT OF CASH FLOWS

PROPRIETARY FUNDS (Page 1 of 2)

For the Year Ended September 30, 2020

	Business-Type Activities			
	Airport	Solid Waste	Golf Course	Civic/Con. Center
<u>Cash Flows from Operating Activities</u>				
Receipts from customers	\$ 1,272,084	\$ 10,209,980	\$ 1,665,389	\$ 280,182
Receipts for interfund services provided & used	-	-	-	-
Payments to suppliers	(261,501)	(4,395,155)	(455,063)	(245,523)
Payments for premiums, claims, and administrative charges	-	-	-	-
Payments for personnel services	(625,557)	(3,900,987)	(753,820)	(470,062)
Net Cash Provided (Used) by Operating Activities	385,026	1,913,838	456,506	(435,403)
<u>Cash Flows from Noncapital Financing Activities</u>				
Transfers in from other funds	99,910	-	-	355,000
Transfers (out) to other funds	(557,243)	(2,093,205)	(75,025)	(40,548)
Intergovernmental revenue	1,223,699	3,744,586	24,245	17,779
Net Cash Provided (Used) by Noncapital Financing Activities	766,366	1,651,381	(50,780)	332,231
<u>Cash Flows from Capital and Related Financing Activities</u>				
Acquisition and construction of capital assets	(229,838)	(2,006,242)	(178,506)	(12,723)
Sale of capital assets	-	254,881	1,093	52
Net Cash Provided (Used) by Capital and Related Financing Activities	(229,838)	(1,751,361)	(177,413)	(12,671)
<u>Cash Flows from Investing Activities</u>				
Interest on investments	-	26,641	-	-
Net Cash Provided by Investing Activities	-	26,641	-	-
Net Increase (Decrease) in Cash and Equity in Pooled Cash and Investments	921,554	1,840,499	228,313	(115,843)
Beginning cash and equity in pooled cash and investments	(421,240)	2,876,808	761,271	118,083
Ending Cash and Equity in Pooled Cash and Investments	\$ 500,314	\$ 4,717,307	\$ 989,584	\$ 2,240
Total Cash and Cash Equivalents	\$ 500,314	\$ 4,717,307	\$ 989,584	\$ 2,240

Business-Type Activities	Governmental Activities
Total	Internal Service
\$ 13,427,635	\$ -
-	7,091,052
(5,357,242)	-
-	(6,593,540)
(5,750,426)	-
2,319,967	497,512
454,910	-
(2,766,021)	-
5,010,309	-
2,699,198	-
(2,427,309)	-
256,026	-
(2,171,283)	-
26,641	3,690
26,641	3,690
2,874,523	501,202
3,334,922	3,055,493
\$ 6,209,445	\$ 3,556,695
\$ 6,209,445	\$ 3,556,695

CITY OF NEW BRAUNFELS, TEXAS

STATEMENT OF CASH FLOWS

PROPRIETARY FUNDS (Page 2 of 2)

For the Year Ended September 30, 2020

	Business-Type Activities			
	Airport	Solid Waste	Golf Course	Civic/Con. Center
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities				
Operating income (loss)	\$ (999,051)	\$ 1,560,690	\$ (163,456)	\$ (891,153)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:				
Depreciation and amortization	1,341,830	1,170,829	540,136	430,480
Changes in Operating Assets and Liabilities:				
(Increase) Decrease in:				
Accounts receivable	(1,039,670)	(68,607)	5,061	5,844
Inventories	-	(47,921)	-	-
Due from other funds	-	(784,581)	-	-
Deferred outflows - pensions	34,675	293,738	76,420	30,806
Deferred outflows - OPEB	7,784	(8,898)	(4,699)	(3,430)
Increase (Decrease) in:				
Accounts payable	(37,386)	(69,661)	14,662	(5,611)
Accrued expenses	1,104,229	26,348	4,129	2,915
Due to other funds	-	-	(115)	10,669
Net pension liability	(85,993)	(525,271)	(99,196)	(56,801)
Total OPEB liability - TMRS	3,487	21,301	4,023	2,304
Total OPEB liability - retiree benefit	4,216	91,445	17,269	9,889
Accrued compensated absences	(8,700)	(19,680)	23,427	(2,744)
Customer deposits	12,851	-	-	(500)
Deferred inflows - pensions	46,368	271,846	38,442	31,679
Deferred inflows - OPEB	386	2,260	403	250
Net Cash Provided (Used) by Operating Activities	<u>\$ 385,026</u>	<u>\$ 1,913,838</u>	<u>\$ 456,506</u>	<u>\$ (435,403)</u>

See Notes to Financial Statements.

Business-Type Activities	Governmental Activities
Total	Internal Service
\$ (492,970)	\$ 478,971
3,483,275	-
(1,097,372)	543
(47,921)	-
(784,581)	-
435,639	-
(9,243)	-
(97,996)	-
1,137,621	17,998
10,554	-
(767,261)	-
31,115	-
122,819	-
(7,697)	-
12,351	-
388,335	-
3,299	-
<u>\$ 2,319,967</u>	<u>\$ 497,512</u>

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

The City of New Braunfels, Texas (the “City”) was founded in 1845. It has adopted a “Home Rule Charter”, which provides for a “Mayor-Council” form of government. A Mayor and seven Council members are elected by voters of the City at large for three-year terms.

The City Council is the principal legislative and administrative body of the City.

The City Manager is the head of the administrative departments of the City and is the supervisor of all administrative officers, employees, directors, and department heads. Departments and agencies of the City submit budget requests to the City Manager.

The City provides the following services: public safety (police, fire, and EMS), public works, parks and recreation, library, airport, solid waste collection, community services, and general government.

The City is an independent political subdivision of the State of Texas (the “State”) governed by an elected Council and a Mayor and is considered a primary government. As required by generally accepted accounting principles, these basic financial statements have been prepared based on considerations regarding the potential for inclusion of other entities, organizations, or functions as part of the City’s financial reporting entity. The component units, as listed on the following page, although legally separate, are considered part of the reporting entity. No other entities have been included in the City’s reporting entity. Additionally, as the City is considered a primary government for financial reporting purposes, its activities are not considered a part of any other governmental or other type of reporting entity.

Considerations regarding the potential for inclusion of other entities, organizations, or functions in the City’s financial reporting entity are based on criteria prescribed by generally accepted accounting principles. These same criteria are evaluated in considering whether the City is a part of any other governmental or other type of reporting entity. The overriding elements associated with prescribed criteria considered in determining that the City’s financial reporting entity status is that of a primary government are that it has a separately elected governing body, it is legally separate, and it is fiscally independent of other state and local governments. Additionally, prescribed criteria under generally accepted accounting principles include considerations pertaining to organizations for which the primary government is financially accountable and considerations pertaining to organizations for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity’s financial statements to be misleading or incomplete.

Discretely Presented Component Units

Economic Development Corporation

The New Braunfels Economic Development Corporation (the “Corporation”) is a legally separate nonprofit entity which was organized under the laws of the State to provide economic development benefits for the City. Prior to fiscal year 2017-2018, the entity was operating as the “Industrial Development Corporation”. On April 9, 2018, City Council amended the bylaws, renaming the Corporation as the New Braunfels Economic Development Corporation. The Corporation is presented as a governmental component unit. City Council appoints the Board of Directors and approves expenditures. Separate financial statements can be obtained by contacting the President of the Corporation.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

New Braunfels Utilities

New Braunfels Utilities (NBU) is a legally separate entity which provides waterworks, sanitary sewer, and electric services in the New Braunfels area. City Council appoints the NBU Board of Trustees, and approves utility rates and the issuance of debt. The NBU is presented as an enterprise component unit. Complete financial statements for the NBU may be obtained at the NBU's administrative offices at 263 Main Plaza, New Braunfels, Texas 78130. The NBU's financial statements are presented on a July 31 fiscal year end.

Blended Component Units

Tax Increment Reinvestment Zone No. 1

During fiscal year 2007, the City passed a resolution creating a Tax Increment Reinvestment Zone No. 1 (TIRZ), in accordance with Section 311 of the Texas Tax Code, for the purpose of financing public improvements in support of the Creekside Town Center Development. The TIRZ includes participation by a developer and by other governmental entities, the Corporation, and Comal County, Texas (the "County"). Under this arrangement, a certain percentage of the incremental ad valorem tax revenue collected by the City and the County and one-half cent of sales taxes collected by the City and the Corporation will be utilized to pay for certain infrastructure costs. Such tax revenue is controlled by the Board of Directors managing the TIRZ and is accounted for in a special revenue fund with the City's financial oversight. The Board of Directors is made up of seven members, five of which are appointed by the City Council.

New Braunfels Development Authority

During fiscal year 2007, the City passed a resolution creating the New Braunfels Development Authority (NBDA) in accordance with Section 394 of the Texas Local Government Code. The NBDA has been included in the reporting entity as a blended component unit. The NBDA was created to assist and act on behalf of the City in the performance of the City's governmental functions to promote the common good and general welfare of the TIRZ and to promote, develop, encourage, and maintain employment, commerce, and economic development in the City. During fiscal year 2007, the City passed an agreement (the "Agreement") between the City, the NBDA, and the TIRZ in which the NBDA will facilitate the implementation of the TIRZ plan and assist the City with reimbursement to the developer participating in the TIRZ. Reimbursement to the developer will be made through the issuance of bonds, notes, or other obligations available to the NBDA but only after consent of the City Council. Efforts of the NBDA will be financed using the TIRZ tax increment as outlined in the Agreement. Such taxes and payment of debt service activity are controlled by the Board of Directors managing the NBDA and are accounted for in a special revenue fund with the City's financial oversight. The Board of Directors is made up of seven members, five of which are appointed by the City Council.

River Mill Tax Increment Reinvestment Zone

In December 2019, the City Council established the River Mill Tax Increment Reinvestment Zone (TIRZ No. 2). Similar to Creekside TIRZ No. 1, the City's participation is limited to 85% of the real and business personal property tax revenue and 1/3 of all sales tax revenue. The current property owner is finalizing redevelopment plans for the approximate seven acre Mill area, which is conveniently located off I-35, directly behind Marketplace shopping area. The conceptual plan includes various uses for the property such as a hotel, entertainment venue and boutique retail as well as other multi-family housing options. The City is currently engaging other public sector partners to participate in the TIRZ as well. The project and finance plan has not been approved,

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

therefore the City Council has not established a board for TIRZ No. 2 at this point. Once the project and finance plan is approved, a board will be established to oversee the utilization of the incremental funds to support appropriate public improvements in accordance with section 311 of the Texas Tax Code.

Separate financial statements for both of the TIRZ and NBDA funds are not prepared.

The City also has the following related organization:

The Housing Authority of the City of New Braunfels (the “Authority”) is a nonprofit entity, which was organized under the laws of the State of Texas to provide housing for qualified individuals in accordance with the rules and regulations prescribed by the U.S. Department of Housing and Urban Development. City Council appoints the Board of Directors of the Authority. However, the City is not financially accountable for the Authority because the Authority’s operations are subsidized by the federal government, it sets its own budget subject to federal approval, it sets its rental rate, and it can issue debt in its own name. The City is not responsible for the deficits or liabilities of the Authority. Separately audited financial statements may be obtained at the City’s administrative offices at 550 Landa Street, New Braunfels, Texas 78130.

B. Government-Wide Financial Statements

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the nonfiduciary activities of the primary government and its component units. All fiduciary activities are reported only in the fund financial statements. *Governmental activities*, which normally are supported by taxes, intergovernmental revenues, and other nonexchange transactions, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges to external customers for support. Likewise, the *primary government* is reported separately from certain legally separate *component units* for which the primary government is financially accountable.

C. Basis of Presentation – Government-Wide Financial Statements

While separate government-wide and fund financial statements are presented, they are interrelated. The governmental activities column incorporates data from governmental and internal service funds, while business-type activities incorporate data from the City’s enterprise funds. Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are payments in lieu of taxes where the amounts are reasonably equivalent in value to the interfund services provided and other charges between the City’s water and wastewater functions and various other functions of the City. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

D. Basis of Presentation – Fund Financial Statements

The fund financial statements provide information about the City's funds, including its fiduciary funds. Separate statements for each fund category – governmental, proprietary, and fiduciary – are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental and enterprise funds are aggregated and reported as nonmajor funds.

The City reports the following governmental funds:

The *general fund* is used to account for and report all financial resources not accounted for and reported in another fund. The principal sources of revenues include local property taxes, sales taxes, and franchise fees, licenses and permits, fines and forfeitures, and charges for services. Expenditures include general government, public safety, public works, parks and recreation, and library. The general fund is always considered a major fund for reporting purposes.

The *debt service fund* is used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest on long-term debt of the City. The primary source of revenue for debt service is local property taxes. The debt service fund is considered a major fund for reporting purposes.

The *special revenue funds* are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditures for specified purposes other than debt service or capital projects. The special revenue funds are considered nonmajor funds for reporting purposes, except for the hotel/motel tax fund and roadway development impact fees fund, which do not qualify as major, but the City has elected to present them as major due to its significance.

Hotel/motel tax fund: This fund accounts for the tax collections of the hotel/motel occupancy taxes and the disbursement of those funds.

Roadway Development Impact Fees fund: This fund accounts for the collection of impact fees to be used in specific roadway and paved surface repairs, improvements and developments.

The *capital projects funds* are used to account for and report financial resources that are restricted, committed, or assigned to expenditures for capital outlays, including the acquisition or construction of capital facilities and other capital assets. The capital projects funds are considered nonmajor funds for reporting purposes, except for the general obligations fund, the 2019 capital improvement fund and the 2020 capital improvement fund which are considered major funds.

General obligations fund: This fund accounts for the expenditures of the proceeds from the June 2014, April 2015, and July 2016 debt series issued for various purposes, including street improvements, construction of drainage, equipping of parks and a recreations center, and constructing and building the Center Texas Technology Center.

2019 Capital Improvement fund: This fund accounts for the expenditures of the proceeds from the 2018 and 2019 debt issuances related to capital improvements in the City.

2020 Capital Improvement fund: This fund accounts for the expenditures of the proceeds from the 2020 debt issuance related to capital improvements in the City.

The *permanent fund* is used to account for nonexpendable trust arrangements where the principal may not be spent, and the earnings must be spent for a particular purpose. This fund is used to

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

report the activity of the cemetery perpetual care fund. It is considered a nonmajor fund for reporting purposes.

The City reports the following proprietary funds:

The *enterprise funds* are used to account for the operations that provide airport, solid waste, golf course, and civic/convention center operations. The services are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (expenses including depreciation) of providing goods or services to the general public on a continuing basis will be financed or recovered primarily through user charges. The airport and solid waste funds are considered major funds for reporting purposes. While the golf course and civic/convention center funds did not technically meet the criteria to be presented as major funds, the City has elected to present them as such due to their significance.

Internal service funds account for services provided to other departments or agencies of the primary government, or to other governments, on a cost reimbursement basis. The City's internal service fund is used to account for services for the City's self-funded health plan, which is financed from systematic transfers from general governmental and enterprise funds.

During the course of operations, the City has activity between funds for various purposes. Any residual balances outstanding at year end are reported as due from/to other funds and advances to/from other funds. While these balances are reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Balances between the funds included in governmental activities (i.e., the governmental and internal service funds) are eliminated so that only the net amount is included as internal balances in the governmental activities column. Similarly, balances between the funds included in business-type activities (i.e., the enterprise funds) are eliminated so that only the net amount is included as internal balances in the business-type activities column.

Further, certain activity occurs during the year involving transfers of resources between funds. In fund financial statements, these amounts are reported at gross amounts as transfers in/out. While reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Transfers between the funds included in governmental activities are eliminated so that only the net amount is included as transfers in the governmental activities column. Similarly, balances between the funds included in business-type activities are eliminated so that only the net amount is included as internal balances in the business-type activities column.

E. Measurement Focus and Basis of Accounting

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as *current financial resources* or *economic resources*. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.

The government-wide, proprietary fund, and fiduciary fund financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

CITY OF NEW BRAUNFELS, TEXAS
NOTES TO FINANCIAL STATEMENTS (Continued)
For the Year Ended September 30, 2020

The governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due. General capital asset acquisitions are reported as expenditures in governmental funds. Issuance of long-term debt and acquisitions under capital leases are reported as other financing sources.

Property taxes, sales taxes, franchise fees, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Entitlements are recorded as revenues when all eligibility requirements are met, including any time requirements, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year end). Expenditure-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other eligibility requirements have been met, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year end). All other revenue items are considered to be measurable and available only when cash is received by the City.

F. Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position/Fund Balance

1. Cash and Cash Equivalents

The City's cash and cash equivalents are considered to be cash on hand, demand deposits, balances in statewide investment pools, and short-term investments with original maturities of three months or less from the date of acquisition. For the purpose of the statement of cash flows, the proprietary fund types consider temporary investments with maturity of three months or less when purchased to be cash equivalents.

The City maintains a pooled cash account. Each fund whose monies are deposited in the pooled cash account has equity therein, and interest earned on the investment of these monies is allocated based upon relative equity at the previous month end. Amounts on deposit in interest bearing accounts and other investments are displayed on the combined balance sheet as "cash and equity in pooled cash."

2. Investments

Investments, except for certain investment pools and commercial paper, are reported at fair value. The investment pools operate in accordance with appropriate state laws and regulations and are reported at amortized cost. Commercial paper is reported at amortized cost.

The City has adopted a written investment policy regarding the investment of its funds as defined in the Public Funds Investment Act, Chapter 2256, Texas Government Code (the "Act"). The City is required by the Act to adopt, implement, and publicize an investment policy. That policy must be written; primarily emphasize safety of principal and liquidity; address investment diversification, yield, and maturity and the quality and capability of investment management; and include a list of the types of authorized investments in which the City's funds may be invested and the maximum allowable stated maturity of any individual investment owned by the City.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

The Act contains specific provisions in the area of investment practices, management reports, and establishment of appropriate policies. Investments are administered by City management under terms of an investment policy and strategy that is updated to conform to the Act as last amended. The preservation of capital is the City's most important investment objective. Other objectives include providing liquidity and maximizing earnings within the constraints of other objectives. The City is in substantial compliance with the requires of the Act and with local policies.

In summary, the City is authorized to invest in the following:

- Direct obligations of the U.S. government
- Money market mutual funds that meet certain criteria
- Collateralized certificates of deposit
- Municipal securities that meet certain criteria
- Fully collateralized repurchase agreements that meet certain criteria
- Bankers' acceptances
- Commercial paper that meets certain criteria
- Guaranteed investment contracts that meet certain criteria
- Statewide investment pools

3. Inventories and Prepaid Items

The costs of governmental fund type inventories are recorded as expenditures when the related liability is incurred (i.e., the purchase method).

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements. The cost of prepaid items is recorded as expenditures/expenses when consumed rather than when purchased.

4. Capital Assets

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest costs incurred in connection with construction of enterprise fund capital assets are capitalized when the effects of capitalization materially impact the financial statements. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized. Property, plant, and equipment of the primary government are depreciated using the straight-line method over the following estimated useful years:

Asset Description	Estimated Useful Life
Streets/Drainage Infrastructure	20 years
Buildings	30 years
Building Improvements	20 years
Equipment	5-7 years
Fleet	5-7 years

CITY OF NEW BRAUNFELS, TEXAS
NOTES TO FINANCIAL STATEMENTS (Continued)
For the Year Ended September 30, 2020

5. Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will *not* be recognized as an outflow of resources (expense/expenditure) until then. In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time.

Deferred outflows/inflows of resources are amortized as follows:

- Deferred outflows/inflows from pension/other postemployment benefits (OPEB) activities are amortized over the average of the expected service lives of pension/OPEB plan members, except for the net differences between the projected and actual investment earnings on the pension/OPEB plan assets, which are amortized over a period of five years.
- For employer pension/OPEB plan contributions that were made subsequent to the measurement date through the end of the City's fiscal year, the amount is deferred and recognized as a reduction to the net pension/OPEB liability during the measurement period in which the contributions were made.
- A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.

At the fund level, the City has only one type of item, which arises only under a modified accrual basis of accounting, that qualifies for reporting in this category. Accordingly, the item, *unavailable revenue*, is reported only in the governmental funds balance sheet. The governmental funds report unavailable revenues from property taxes. This amount is deferred and recognized as an inflow of resources in the period that the amount becomes available.

6. Compensated Absences

It is the City's policy to permit employees to accumulate earned but unused vacation and sick pay benefits. Amounts accumulated, up to certain amounts, may be paid to employees upon termination of employment. On retirement or death of certain employees, the City pays accrued sick leave in a lump sum payment to such employee or his/her estate. Non-civil service employees with 15 or more years of service are eligible to receive one-half of their accumulated sick leave up to 480 hours. These employees are also eligible if they retire with 10 or more years of service. Police and fire personnel covered by civil service receive payment for all accumulated sick leave up to 720 hours for police and fire (non-shift) and 1,080 for fire shift personnel. Police came under civil service in October 2011. Employees are paid for all accrued vacation leave when they leave the City's employment. The City accrues its liability for such accumulated unpaid benefits in the government-wide financial statements and proprietary fund financial statements. The general fund has historically been used to liquidate this liability.

The estimated amount of compensation for services provided that is expected to be liquidated with expendable, available financial resources is reported as an expenditure and a fund liability of the governmental fund that will pay it when it matures or becomes due. Amounts of vested or accumulated vacation leave that are not expected to be liquidated with expendable, available financial resources are maintained separately and represent a reconciling item between the fund and government-wide presentations.

CITY OF NEW BRAUNFELS, TEXAS
NOTES TO FINANCIAL STATEMENTS (Continued)
For the Year Ended September 30, 2020

7. Long-Term Obligations

In the government-wide financial statements and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type Statement of Net Position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the effective interest method, if material. Bonds payable are reported net of the applicable bond premium or discount.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

The property tax rate is allocated each year between the general and debt service funds. The full amount estimated to be required for debt service on general obligation debt is provided by the tax along with the interest earned in the debt service fund. Although a portion of the general obligation debt was directly related to the purchase of solid waste infrastructure, the debt service expenditures are included in the governmental fund financial statements as they are expected to be paid from debt service tax revenues instead of solid waste revenues.

Assets acquired under the terms of a capital lease are recorded as liabilities and capitalized in the government-wide financial statements at the present value of net minimum lease payments at inception of the lease. In the year of acquisition, capital lease transactions are recorded as other financing sources and as capital outlay expenditures in the applicable fund. Lease payments representing both principal and interest are recorded as expenditures in the general fund upon payment with an appropriate reduction of principal recorded in the government-wide financial statements.

8. Net Position Flow Assumption

Sometimes the City will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted net position and unrestricted net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the City's policy to consider restricted net position to have been depleted before unrestricted net position is applied.

9. Fund Balance Flow Assumptions

Sometimes the City will fund outlays for a particular purpose from both restricted and unrestricted resources (the total of committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the governmental fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the City's policy to consider restricted fund balance to have been depleted before using any of the components of unrestricted fund balance. Further, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

10. Fund Balance Policies

Fund balances of governmental funds are reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. The City itself can establish limitations on the use of resources through either a commitment (committed fund balance) or an assignment (assigned fund balance).

Amounts that cannot be spent because they are either not in spendable form or legally or contractually required to be maintained intact are classified as nonspendable fund balance. Amounts that are externally imposed by creditors, grantors, contributors, or laws or regulations of other governments or imposed by law through constitutional provisions are classified as restricted.

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the City's highest level of decision-making authority. The City Council is the highest level of decision-making authority for the City that can, by adoption of a resolution prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the resolution remains in place until a similar action is taken (the adoption of another resolution) to remove or revise the limitation.

Amounts in the assigned fund balance classification are intended to be used by the City for specific purposes but do not meet the criteria to be classified as committed. The City Council may also assign fund balance as it does when appropriating fund balance to cover a gap between estimated revenue and appropriations in the subsequent year's appropriated budget. Unlike commitments, assignments generally only exist temporarily. In other words, an additional action does not normally have to be taken for the removal of an assignment. Conversely, as discussed above, an additional action is essential to either remove or revise a commitment.

Unassigned fund balance includes amounts that have not been assigned to other funds or restricted, committed, or assigned to specific purpose within the general fund or deficit balances in other funds.

	General	Hotel/Motel Tax	Debt Service	General Obligations	Roadway Impact Fees	2019 Capital Improvement	2020 Capital Improvement	Nonmajor Governmental Funds	Total Governmental Funds
Nonspendable:									
Cemetery perpetual care	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 222,617	\$ 222,617
Inventory	2,830	-	-	-	-	-	-	-	2,830
Total Nonspendable	<u>2,830</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>222,617</u>	<u>225,447</u>
Restricted:									
Tourism	-	1,144,969	-	-	-	-	-	-	1,144,969
Debt service	-	-	2,242,572	-	-	-	-	-	2,242,572
Grants	-	-	-	-	-	-	-	721,884	721,884
Special donation	-	-	-	-	-	-	-	616,490	616,490
Library	-	-	-	-	-	-	-	1,860	1,860
Capital projects	-	-	-	12,045,699	7,075,099	73,594,932	17,002,634	6,191,635	115,909,999
Public safety	-	-	-	-	-	-	-	3,837	3,837
Municipal court	-	-	-	-	-	-	-	440,441	440,441
Governmental programming	-	-	-	-	-	-	-	270,203	270,203
Economic development	-	-	-	-	-	-	-	8,960,826	8,960,826
Total Restricted	<u>-</u>	<u>1,144,969</u>	<u>2,242,572</u>	<u>12,045,699</u>	<u>7,075,099</u>	<u>73,594,932</u>	<u>17,002,634</u>	<u>17,207,176</u>	<u>130,313,081</u>
Committed:									
Enterprise equipment	-	-	-	-	-	-	-	6,519,109	6,519,109
Assigned:									
Equipment replacement	798,164	-	-	-	-	-	-	-	798,164
Unassigned	26,585,118	-	-	-	-	-	-	909,657	27,494,775
Total Fund Balances	<u>\$ 27,386,112</u>	<u>\$ 1,144,969</u>	<u>\$ 2,242,572</u>	<u>\$ 12,045,699</u>	<u>\$ 7,075,099</u>	<u>\$ 73,594,932</u>	<u>\$ 17,002,634</u>	<u>\$ 24,858,559</u>	<u>\$ 165,350,576</u>

CITY OF NEW BRAUNFELS, TEXAS
NOTES TO FINANCIAL STATEMENTS (Continued)
For the Year Ended September 30, 2020

Minimum Fund Balance Policy

The City will maintain an operating reserve for use in the event of unanticipated, extraordinary expenditures and/or the loss of a major revenue source. In the general fund, the operating reserve and specified contingencies shall be established at a minimum of 25 percent of the general fund budgeted expenditures for the current fiscal year. For special revenue funds, the operating reserve shall equal 10 percent of the budgeted annual expenditures. The funds can only be appropriated by an affirmative vote of five of the seven City Council members.

Capital projects funds' reserves will be established by project, not by fund and will, and in general, reflect 3 percent of the total project costs.

The City will maintain a balance in the debt service fund equal to not less than 10 percent of the principal and interest payments on outstanding debt for each fiscal year.

11. Estimates

The preparation of financial statements, in conformity with generally accepted accounting principles, requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

12. Pensions

For the purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Texas Municipal Retirement System (TMRS) and additions to/deductions from TMRS' fiduciary net position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the employee, which is when contributions are legally due. Benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

13. Other Postemployment Benefits

The City participates in a single-employer, unfunded, defined benefit group-term life insurance plan operated by TMRS known as the Supplemental Death Benefits Fund (SDBF). The City elected, by ordinance, to provide group-term life insurance coverage to both current and retired employees. The funding policy for the SDBF program is to assure that adequate resources are available to meet all death benefit payments for the upcoming year. Benefit payments are treated as being equal to the employer's yearly contributions for retirees. Benefit payments and refunds are due and payable in accordance with the benefit terms. Information about the City's total OPEB liability, deferred outflows of resources, deferred inflows of resources, and OPEB expense is provided by TMRS from reports prepared by their consulting actuary.

The City also provides their own defined benefit group health benefit plan to eligible retirees.

CITY OF NEW BRAUNFELS, TEXAS
NOTES TO FINANCIAL STATEMENTS (Continued)
For the Year Ended September 30, 2020

G. Revenues and Expenditures/Expenses

1. Program Revenues

Amounts reported as *program revenues* include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions (including special assessments) that are restricted to meeting the operational or capital requirements of a particular function or segment. All taxes, including those dedicated for specific purposes, and other internally dedicated resources are reported as general revenues rather than as program revenues.

2. Property Taxes

Property taxes are levied by October 1 of each year on the assessed value listed as of the prior January 1 for all real and business personal property located in the City. Taxes are due upon receipt of the City's tax bill and become delinquent, with an enforceable lien on property, on February 1 of the following year.

Allowance for uncollectible tax receivables within the general and debt service funds are based upon historical experience in collecting property taxes. Uncollectible personal property taxes are periodically reviewed and written off, but the City is prohibited from writing off real property taxes without specific statutory authority from the Texas Legislature.

3. Proprietary Funds Operating and Nonoperating Revenues and Expenses

Proprietary funds distinguish *operating* revenues and expenses from *nonoperating* items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the enterprise funds and internal service fund are charges to customers for sales and services. The enterprise funds also recognize as operating revenue the portion of tap fees intended to recover the cost of connecting new customers to the system. Operating expenses for the enterprise funds and internal service fund include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

II. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY

The City follows the procedures outlined below in establishing budgetary data reflected in the financial statements:

Prior to the beginning of the fiscal year, the City prepares a budget for the next succeeding fiscal year. The operating budget includes proposed expenditures and the means of financing them.

Two meetings of the City Council are then called for the purpose of adopting the proposed budget. At least ten days' public notice of the meeting must have been given.

Prior to the start of the fiscal year, the budget is legally enacted through passage of an ordinance by the City Council.

Annual budgets are adopted on a basis consistent with generally accepted accounting principles except the capital projects funds, which adopt project length budgets. The general obligations fund, a major fund for reporting purposes, is considered a capital projects fund and does not present an annual operating

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

budget. Budgetary legal level of control is set at the fund, department, or project level. Once a budget is approved, it can be amended only by approval of a majority of the members of the City Council. As required by law, such amendments are made before the fact, and are reflected in the official minutes of the City Council. During the year, the budget was amended as necessary. Appropriations lapse at the end of the year, excluding capital project budgets.

Encumbrances represent the estimated amount of expenditures ultimately to result when unperformed contracts (in progress at year end) are completed. Such encumbrances do not constitute expenditures or liabilities because the commitments will be reappropriated and honored during the subsequent year.

Deficit Fund Balance

As of the year ended September 30, 2020, the Community Development Block Grant fund, the Edwards Aquifer HCP fund, the TIRZ #1 fund, and the Certificates of Obligation 2012 fund had deficit fund balances of \$165,161; \$93,126; \$307,052; and \$9,923 respectively. The City plans to clear these deficits with support from other funds during fiscal year 2021 as well as additional grant revenue that is expected to come.

III. DETAILED NOTES ON ALL ACTIVITIES AND FUNDS

A. Deposits and Investments

As of September 30, 2020, the City had the following investments:

Investment Type	Fair Value	Weighted Average Maturity (Years)	Credit Rating
Primary Government and Component Unit-EDC:			
U.S. agencies:			
Treasury notes	\$ 2,028,125	0.62	AAA
Federal Home Loan Bank	2,017,020	0.00	Aaa
Certificates of deposit	5,131,376	0.45	AA+
External investment pools:			
TexPool	84,856,218	0.10	AAAm
Texas CLASS	32,506,673	0.24	AAAm
Total	<u>\$ 126,539,412</u>		
Portfolio weighted average maturity		0.28	
Component Unit - NBU			
U.S. agency securities	\$ 6,000,586	2.92	AA+
Treasury notes	7,580,038	6.94	
Certificates of deposit	2,500,000	0.10	
Demand deposit and money market	23,501,361	0.00	
Pooled funds	40,383,025	0.00	AAAm
Total	<u>\$ 79,965,010</u>		
Portfolio weighted average maturity		1.66	

Fair Value Measurements

The City categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. GASB Statement No. 72, *Fair Value Measurement and Application*, provides a framework for measuring fair value establishing a three-level fair value hierarchy that describes the inputs used to measure assets and liabilities:

- Level 1 inputs are quoted prices (unadjusted) for identical assets or liabilities in active markets that a government can access at the measurement date.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

- Level 2 inputs are inputs other than quoted prices within Level 1 that are observable for an asset or liability, either directly or indirectly.
- Level 3 inputs are unobservable inputs for an asset or liability.

The fair value hierarchy gives the highest priority to Level 1 inputs and the lowest priority to Level 3 inputs. If a price for an identical asset or liability is not observable, a government should measure fair value using another valuation technique that maximizes the use of relevant observable inputs and minimizes the use of unobservable inputs. If the fair value of an asset or a liability is measured using inputs from more than one level of the fair value hierarchy, the measurement is considered to be based on the lowest priority level input that is significant to the entire measurement.

Fair value is measured in a manner consistent with one of the three approaches: market approach, cost approach, and the income approach. The valuation methodology used is based upon whichever technique is the most appropriate and provides the best representation of fair value for that particular asset or liability. The market approach uses prices and other relevant information generated by market transactions involving identical or comparable assets, liabilities, or groups of assets and liabilities. The cost approach reflects the amount that would be required to replace the present service capacity of an asset. The income approach converts future amounts, such as cash flows, to a single current (discounted) amount.

As of September 30, 2020, the City had the following recurring fair value measurements:

	September 30, 2020	Significant Other Observable Inputs (Level 2)
Investments by Fair Value Level		
Primary Government		
<u>U.S. Government Agency Bonds/Notes</u>		
Treasury notes	\$ 2,028,125	\$ 2,028,125
Federal Home Loan Bank	2,017,020	2,017,020
Total - Primary Government	\$ 4,045,145	\$ 4,045,145
Component Unit - NBU		
U.S. agency securities	\$ 6,000,586	\$ 6,000,586
Treasury notes	7,580,038	7,580,038
Total - NBU	\$ 13,580,624	\$ 13,580,624

U. S. Government agency bonds and notes are classified in Level 2 of the fair value hierarchy and are valued using the market approach.

Interest rate risk. In accordance with its investment policy, the City manages its exposure to declines in fair values by structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations and invest operating funds primarily in short-term securities.

Credit risk. The City's policy requires that investment pools must be rated no lower than 'AAA' or 'AAAm'. As of September 30, 2020, the City's investments in investment pools were rated 'AAAm' by Standard & Poor's. All other investments are guaranteed (either express or implied) by the full faith and credit of the United States government or the issuing U.S. agency. These investments were rated not less than 'AA+' by both Moody's and Standard & Poor's.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Custodial credit risk – deposits. In the case of deposits, this is the risk that the City's deposits may not be returned in the event of a bank failure. The City's investment policy requires funds on deposit at the depository bank to be collateralized by securities. As of September 30, 2020, fair values of pledged securities and FDIC coverage exceeded bank balances.

Custodial credit risk – investments. For an investment, this is the risk that the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party in the event of the failure of the counterparty. The City's investment policy requires that it will seek to safekeep securities at financial institutions, avoiding physical possession. Further, all trades, where applicable, shall be conducted on a delivery versus payment basis or commercial book entry system as utilized by the Federal Reserve and shall be protected through the use of a third-party custody/safekeeping agent.

TexPool

TexPool was established as a trust company with the Treasurer of the State as trustee, segregated from all other trustees, investments, and activities of the trust company. The State Comptroller of Public Accounts exercises oversight responsibility over TexPool. Oversight includes the ability to significantly influence operations, designation of management, and accountability for fiscal matters. Additionally, the State Comptroller has established an advisory board composed of both participants in TexPool and other persons who do not have a business relationship with TexPool. The advisory board members review the investment policy and management fee structure. Finally, Standard & Poor's rates TexPool 'AAAm'. As a requirement to maintain the rating, weekly portfolio information must be submitted to Standard & Poor's, as well as to the office of the Comptroller of Public Accounts for review.

TexPool is an external investment pool measured at amortized cost. In order to meet the criteria to be recorded at amortized cost, TexPool must transact at a stable net asset value per share and maintain certain maturity, quality, liquidity, and diversification requirements within TexPool. TexPool transacts at a net asset value of \$1.00 per share, has weighted average maturities of 60 days or less, and weighted average lives of 120 days or less. Investments held are highly rated by nationally recognized statistical rating organizations, have no more than five percent of portfolio with one issuer (excluding U.S. government securities), and can meet reasonably foreseeable redemptions. TexPool has a redemption notice period of one day and may redeem daily. TexPool's authority may only impose restrictions on redemptions in the event of a general suspension of trading on major securities markets, general banking moratorium, or national state of emergency that affects TexPool's liquidity.

Texas CLASS

The Texas Cooperative Liquid Assets Securities System Trust – Texas (CLASS) is a public funds investment pool under Section 2256.016 of the Public Funds Investment Act, Texas Government Code, as amended. CLASS is created under an amended and restated trust agreement, dated as of December 14, 2011 (the "Agreement"), among certain Texas governmental entities investing in CLASS (the "Participants"), with Cutwater Investor Services Corporation as program administrator and Wells Fargo Bank Texas, NA as custodian. CLASS is not SEC registered and is not subject to regulation by the State. Under the Agreement, however, CLASS is administered and supervised by a seven-member board of trustees (the "Board"), whose members are investment officers of the Participants, elected by the Participants for overlapping two-year terms. In the Agreement and by resolution of the Board, CLASS has contracted with Cutwater Investors Service Corporation to provide for the investment and management of the public funds of CLASS. Separate financial statements for CLASS may be obtained from CLASS' website at www.texasclass.com.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

B. Receivables

Amounts are aggregated into a single accounts receivable line (net of allowance for uncollectible) for certain funds and aggregated columns. Below is the detail of receivables for the general fund, hotel/motel tax fund, debt service fund, the nonmajor governmental funds in the aggregate, and the proprietary funds, including the applicable allowances for uncollectible accounts:

Governmental Funds					
	General	Hotel/Motel Tax	Debt Service	Nonmajor Funds	Total
Ad valorem taxes	\$ 467,288	\$ -	\$ 353,031	\$ -	\$ 820,319
Franchise fees and local taxes	-	-	-	53,626	53,626
Accounts	7,141,631	287,086	-	47,515	7,476,232
Intergovernmental	-	-	-	-	-
Less allowances	(45,754)	-	(29,493)	-	(75,247)
	<u>\$ 7,563,165</u>	<u>\$ 287,086</u>	<u>\$ 323,538</u>	<u>\$ 101,141</u>	<u>\$ 8,274,930</u>
Proprietary Funds					
	Airport	Solid Waste	Golf Course	Civic/Conv. Center	Total
Accounts	\$ 1,118,171	\$ 93,391	\$ 2,625	\$ 1,603	\$ 1,215,790
Other	-	-	12,565	-	12,565
	<u>\$ 1,118,171</u>	<u>\$ 93,391</u>	<u>\$ 15,190</u>	<u>\$ 1,603</u>	<u>\$ 1,228,355</u>
Component Unit					
	NBU				
Customer accounts	\$ 28,535,459				
Interest	27,947				
Other	12,431,933				
Less allowance	(213,258)				
	<u>\$ 40,782,081</u>				

For the Year Ended September 30, 2020

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Depreciation was charged to governmental functions as follows:

General government	\$ 1,083,322
Finance and tax	285,516
Planning and environmental development	715,839
Public safety	9,010,832
Public works	1,234,959
Parks and recreation	898,897
Library	431,690
Total Governmental Activities Depreciation Expense	<u>\$ 13,661,055</u>

The following is a summary of changes in capital assets for business-type activities for the year end:

	Beginning Balance	Increases	Reclassifications (Decreases)	Ending Balance
Business-Type Activities:				
Capital assets not being depreciated:				
Land	\$ 2,540,961	\$ -	\$ -	\$ 2,540,961
Total capital assets not being depreciated	<u>2,540,961</u>	<u>-</u>	<u>-</u>	<u>2,540,961</u>
Other capital assets				
Buildings	21,248,251	8,000	-	21,256,251
Improvements other than building	21,848,657	221,839	-	22,070,496
Furniture and fixtures	20,190	-	-	20,190
Machinery and equipment	1,207,856	198,296	-	1,406,152
Fleet	12,526,039	1,999,174	(780,790)	13,744,423
Airspace easement	37,515	-	-	37,515
Total other capital assets	<u>56,888,508</u>	<u>2,427,309</u>	<u>(780,790)</u>	<u>58,535,027</u>
Less accumulated depreciation for:				
Buildings	(10,394,683)	(624,462)	-	(11,019,145)
Improvements other than building	(10,044,066)	(1,444,699)	-	(11,488,765)
Furniture and fixtures	(14,079)	(2,539)	-	(16,618)
Machinery and equipment	(747,897)	(165,951)	-	(913,848)
Fleet	(9,335,843)	(1,244,686)	780,790	(9,799,739)
Airspace easement	(23,873)	(938)	-	(24,811)
Total accumulated depreciation	<u>(30,560,441)</u>	<u>(3,483,275)</u>	<u>780,790</u>	<u>(33,262,926)</u>
Other capital assets, net	<u>26,328,067</u>	<u>(1,055,966)</u>	<u>-</u>	<u>25,272,101</u>
Business-Type Activities				
Capital Assets, Net	<u>\$ 28,869,028</u>	<u>\$ (1,055,966)</u>	<u>\$ -</u>	<u>\$ 27,813,062</u>
		Net Investment in Capital Assets		<u>\$ 27,813,062</u>

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Depreciation was charged to business-type functions as follows:

Airport	\$ 1,341,830
Solid waste	1,170,829
Golf course	540,136
Civic center	430,480
Total Business-Type Activities Depreciation Expense	<u>\$ 3,483,275</u>

The following is a summary of changes in capital assets for the NBU, a component units for the year end:

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Reclassifications (Decreases)</u>	<u>Ending Balance</u>
Component Unit:				
Capital assets not being depreciated:				
Land and improvements	\$ 27,793,465	\$ 1,775,475	\$ (587,901)	\$ 28,981,039
Construction in progress	82,434,399	126,290,437	(43,464,857)	165,259,979
Total capital assets not being depreciated	<u>110,227,864</u>	<u>128,065,912</u>	<u>(44,052,758)</u>	<u>194,241,018</u>
Other capital assets				
Buildings	76,070,081	-	(8,320,957)	67,749,124
Infrastructure	498,694,501	36,803,816	(2,152,143)	533,346,174
Equipment	110,312,522	4,510,052	(389,466)	114,433,108
Wells and springs	1,551,126	375,514	-	1,926,640
Total other capital assets	<u>686,628,230</u>	<u>41,689,382</u>	<u>(10,862,566)</u>	<u>717,455,046</u>
Less accumulated depreciation for:				
Buildings	(33,223,413)	(1,758,847)	3,387,775	(31,594,485)
Infrastructure	(174,518,258)	(16,457,453)	1,952,190	(189,023,521)
Equipment	(42,133,517)	(4,638,664)	309,130	(46,463,051)
Wells and springs	(507,817)	(33,928)	-	(541,745)
Total accumulated depreciation	<u>(250,383,005)</u>	<u>(22,888,892)</u>	<u>5,649,095</u>	<u>(267,622,802)</u>
Other capital assets, net	<u>436,245,225</u>	<u>18,800,490</u>	<u>(5,213,471)</u>	<u>449,832,244</u>
Component Unit Capital Assets, Net	<u>\$ 546,473,089</u>	<u>\$ 146,866,402</u>	<u>\$ (49,266,229)</u>	<u>\$ 644,073,262</u>

Depreciation was charged to the NBU as follows:

Electric	\$ 9,801,862
Water	5,992,802
Wastewater	7,094,228
Total Component Unit Activities Depreciation Expense	<u>\$ 22,888,892</u>

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

D. Long-Term Debt

The following is a summary of changes in the City's total long-term liabilities for the year end. In general, the City uses the general and debt service funds to liquidate governmental long-term liabilities.

	Beginning Balance	Additions	Reductions	Ending Balance	Amounts Due Within One Year
Governmental Activities:					
Bonds, notes, and other payables:					
General obligation bonds/notes	\$ 127,015,000	\$ 47,770,000	\$ (8,895,000)	\$ 165,890,000	\$ 10,190,000
Certificates of obligation	67,880,000	14,470,000	(3,735,000)	78,615,000	4,715,000
Contract revenue obligations	21,740,000	-	(1,360,000)	20,380,000	1,405,000
Bond premium	12,688,552	10,643,887	(1,348,580)	21,983,859	-
	<u>229,323,552</u>	<u>72,883,887</u>	<u>(15,338,580)</u>	<u>286,868,859</u>	<u>** 16,310,000</u>
Other liabilities:					
Equipment loan payable	337,343	-	(64,707)	272,636	** 66,059
Capital lease payable	1,351,970	-	(435,851)	916,119	** 252,288
Net pension liability	38,838,183	-	(7,602,501)	31,235,682	-
Total OPEB liability - TMRS	1,323,588	308,301	-	1,631,889	-
Total OPEB liability - Retiree benefit	10,010,851	1,290,486	-	11,301,337	-
Compensated absences	6,358,617	6,934,441	(5,722,755)	7,570,303	6,813,273
Total Governmental Activities	<u>\$ 287,544,104</u>	<u>\$ 81,417,115</u>	<u>\$ (29,164,394)</u>	<u>\$ 339,796,825</u>	<u>\$ 23,441,620</u>
Long-term debt due in more than one year				<u>\$ 316,355,205</u>	
** Debt associated with capital assets				<u>\$ 288,057,614</u>	
	Beginning Balance	Additions	Reductions	Ending Balance	Amounts Due Within One Year
Business-Type Activities:					
Net pension liability	\$ 3,992,001	\$ -	\$ (767,259)	\$ 3,224,742	\$ -
Total OPEB liability - TMRS	132,556	31,115	-	163,671	-
Total OPEB liability - Retiree benefit	1,002,803	122,819	-	1,125,622	-
Compensated absences	395,118	347,909	(355,606)	387,421	348,679
Total Business-Type Activities	<u>\$ 5,522,478</u>	<u>\$ 501,843</u>	<u>\$ (1,122,865)</u>	<u>\$ 4,901,456</u>	<u>\$ 348,679</u>
Long-term debt due in more than one year				<u>\$ 4,552,777</u>	
	Beginning Balance	Additions	Reductions	Ending Balance	Amounts Due Within One Year
Component Units:					
Bonds payable	\$ 150,976,332	\$ 88,254,261	\$ (23,560,000)	\$ 215,670,593	\$ 5,030,000
Bond premium	4,991,334	10,868,906	-	15,860,240	-
Net pension liability	19,281,588	-	(4,881,378)	14,400,209	-
Compensated absences	1,717,604	1,318,878	(864,425)	2,172,057	1,430,990
Total Component Units	<u>\$ 176,966,858</u>	<u>\$ 100,442,045</u>	<u>\$ (29,305,803)</u>	<u>\$ 248,103,099</u>	<u>\$ 6,460,990</u>
Long-term debt due in more than one year				<u>\$ 241,642,109</u>	

Long-term liabilities applicable to the City's governmental activities are not due and payable in the current period and, accordingly, are not reported as fund liabilities in the governmental funds. The governmental activities compensated absences, net pension liability, and OPEB obligations are generally liquidated by the general fund. Interest on long-term debt is not accrued in governmental funds, but rather is recognized as an expenditure when due.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Long-term debt at year end was comprised of the following debt issues:

Governmental Activities:		Final			
Series	Maturity	Original Issue	Interest Rate	Balance	
General Obligation Bonds/Notes					
2013 General Obligation Refunding Bonds	2023	\$ 3,820,000	2.00-3.00%	\$ 1,335,000	
2014 General Obligation Bonds	2034	\$ 13,970,000	2.00-5.00%	10,785,000	
2015 General Obligation and Refunding Bonds	2035	\$ 29,260,000	2.00-5.00%	25,560,000	
2015 Tax Note	2022	\$ 1,285,000	1.63%	380,000	
2016 General Obligation Refunding Bonds	2036	\$ 37,360,000	2.00-5.00%	31,540,000	
2017 General Obligation Refunding Bonds	2029	\$ 5,255,000	1.91%	4,665,000	
2018 General Obligation Bonds	2038	\$ 21,620,000	3.00-5.00%	20,565,000	
2018 Tax Note	2025	\$ 3,000,000	2.78%	2,190,000	
2018A Tax Note	2026	\$ 2,300,000	2.35-2.87%	2,015,000	
Series 2019 General Obligation Bonds	2039	\$ 19,985,000	2.00-5.00%	19,085,000	
Series 2020 General Obligation Bonds	2040	\$ 47,770,000	3.00-5.00%	47,770,000	
Total General Obligation				165,890,000	
Certificates of Obligation					
2006A Certificates of Obligation	2021	\$ 1,600,000	3.60-4.50%	155,000	
2011 Certificates of Obligation	2031	\$ 18,200,000	4.05%	11,885,000	
2012 Certificates of Obligation	2032	\$ 19,470,000	2.00-5.00%	13,245,000	
2013 Certificates of Obligation	2033	\$ 19,490,000	3.00-5.00%	14,400,000	
2014A Certificates of Obligation	2034	\$ 6,845,000	2.00-5.00%	5,250,000	
2014B Certificates of Obligation	2034	\$ 3,280,000	2.00-5.00%	2,700,000	
2015 Certificates of Obligation	2035	\$ 5,395,000	2.00-5.00%	4,395,000	
2018 Certificates of Obligation	2038	\$ 8,120,000	2.00-5.00%	7,555,000	
2019 Certificates of Obligation	2039	\$ 4,755,000	2.00-5.00%	4,560,000	
2020 Certificates of Obligation	2040	\$ 14,470,000	3.00-5.00%	14,470,000	
Total Certificates of Obligation				78,615,000	
Tax Increment Contract Revenue Obligations					
2012 Tax Increment Contract Revenue Improvement and Refunding Obligations	2032	\$ 11,670,000	2.93%	7,920,000	
2014 Tax Increment Contract Revenue Notes	2032	\$ 17,000,000	3.68%	12,460,000	
Total Tax Increment Contract Revenue Obligations				20,380,000	
Total Governmental Activities Long-Term Debt				\$ 264,885,000	

**After refunding*

Component Unit - NBU:		Final			
Series	Maturity	Original Issue	Interest Rate	Balance	
Revenue Bond					
2004 Utility System Revenue		2,572,596	3.10-5.16%	\$ 1,241,326	
Capital Appreciation Bonds					
2015 Utility System Revenue		26,870,000	2.00-4.00%	25,945,000	
2016 Utility System Revenue and Refunding		62,235,000	2.00-5.00%	58,915,000	
2018 Utility System Revenue		45,200,000	2.00-5.00%	40,880,000	
2020 Utility System Refunding		88,100,000	3.00-5.00%	87,100,000	
Total Capital Appreciation Bonds				212,840,000	
Total Accreted Interest on Capital Appreciation Bonds				1,589,267	
Total Component Unit - NBU				\$ 215,670,593	

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

The annual requirements to amortize general obligation bonds, certificates of obligation, and tax increment contract revenue obligations outstanding at year end were as follows:

Governmental Activities							
Year Ending Sep. 30	General Obligation		Certificates of Obligation		Tax Increment Contract Revenue Obligations		Total
	Principal	Interest	Principal	Interest	Principal	Interest	
2021	\$ 10,190,000	\$ 6,125,231	\$ 4,715,000	\$ 3,086,953	\$ 1,405,000	\$ 690,284	\$ 26,212,468
2022	8,975,000	5,941,421	4,670,000	2,961,184	1,450,000	643,080	24,640,685
2023	9,705,000	5,548,442	4,855,000	2,772,656	1,500,000	594,033	24,975,131
2024	9,995,000	5,107,274	5,060,000	2,576,590	1,550,000	490,830	24,779,694
2025	10,815,000	4,633,566	5,270,000	2,362,255	1,605,000	543,295	25,229,116
2026-2030	44,000,000	16,971,709	30,190,000	7,690,139	8,880,000	1,891,611	109,623,459
2031-2035	43,715,000	8,540,688	19,595,000	2,015,501	3,990,000	404,353	78,260,542
2036-2040	28,495,000	1,884,616	4,260,000	251,913	-	-	34,891,529
Total	\$ 165,890,000	\$ 54,752,947	\$ 78,615,000	\$ 23,717,191	\$ 20,380,000	\$ 5,257,486	\$ 348,612,624

General obligation bonds and certificates of obligation are direct obligations of the City for which its full faith and credit are pledged. Repayment of general obligation bonds and certificates of obligation are from taxes levied on all taxable property located within the City. The City is not obligated in any manner for special assessment debt.

The City issued \$14,470,000 in Certificates of Obligation, Series 2020 (the "Certificates") with interest rates ranging from 3% to 5%. The proceeds will be used for various capital related improvements and vehicle replacements. The Certificates are set to mature in 2040.

The City issued \$47,770,000 of General Obligation bonds, Series 2020 (the "Bonds") with interest rates ranging from 3% to 5%. The proceeds will be used for various capital related improvements throughout the City. The Bonds are set to mature in 2040.

In December 2012 and July 2014, the NBDA issued Tax Increment Contract Revenue and Refunding Obligations, series 2012 and Tax Increment Contract Revenue Obligations, series 2014, respectively, with the authorization and approval of the City. The obligations were issued to reimburse a developer for certain public improvement projects related to the Creekside Town Center Development and pay the costs of issuance. The debt issuances are the limited obligation of the NBDA, payable solely from pledged revenues. The pledged revenues consist of tax increments from the TIRZ payable to the NBDA as specified in the tri-party agreement between the City, the TIRZ, and the NBDA. The City is not obligated to make payments on the series 2012 and series 2014 obligations.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

The City entered into a ten-year loan payable of \$1,394,231 with an interest rate of 2.09% with a national bank on May 30, 2014. The proceeds of the loan were used to acquire capital assets by which the loan is secured. The annual requirements to amortize the equipment loan payable outstanding at year end were as follows:

Equipment Loan Payable:			
Year Ending Sep. 30	Governmental Activities		
	Principal	Interest	Total
2021	\$ 66,059	\$ 5,698	\$ 71,757
2022	67,440	4,317	71,757
2023	68,849	2,908	71,757
2024	70,288	1,469	71,757
Total	\$ 272,636	\$ 14,392	\$ 287,028

The City has entered into various capital lease financing arrangements with interest rates that range from 1.85% to 2.25%. The annual requirements to amortize the capital leases payable outstanding at year end were as follows:

Year Ending Sep. 30	Governmental Activities		
	Principal	Interest	Total
2021	\$ 252,288	\$ 34,021	\$ 286,309
2022	261,875	24,435	286,310
2023	44,260	14,442	58,702
2024	45,850	12,852	58,702
2025	47,498	11,204	58,702
2026-2030	264,348	29,163	293,511
Total	\$ 916,119	\$ 126,117	\$ 1,042,236

The annual requirements to amortize NBU bonds outstanding at year end were as follows:

Year Ending Sep. 30	Bonds Payable		
	Principal	Interest	Total
2021	\$ 5,030,000	\$ 8,618,981	\$ 13,648,981
2022	5,122,050	8,424,931	13,546,981
2023	4,350,428	8,225,131	12,575,559
2024	5,216,564	8,047,581	13,264,145
2025	5,353,562	7,840,581	13,194,143
2026-2030	29,797,989	35,558,856	65,356,845
2031-2035	35,335,000	28,867,644	64,202,644
2036-2040	40,975,000	21,515,488	62,490,488
2041-2045	49,210,000	12,851,238	62,061,238
2045-2049	35,280,000	3,728,350	39,008,350
Total	\$ 215,670,593	\$ 143,678,781	\$ 359,349,374

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Federal Arbitrage

The Tax Reform Act of 1986 instituted certain arbitrage restrictions consisting of complex regulations with respect to issuance of tax-exempt bonds after August 31, 1986. Arbitrage regulations deal with the investment of tax-exempt bond proceeds at an interest yield greater than the interest yield paid to bondholders. Generally, all interest paid to bondholders can be retroactively rendered taxable if applicable rebates are not reported and paid to the Internal Revenue Service (IRS) at least every five years for applicable bond issues. Accordingly, there is the risk that if such calculations are not performed, or are not performed correctly, a substantial liability to the City could result. The City periodically engages an arbitrage consultant to perform the calculations in accordance with the rules and regulations of the IRS.

E. Interfund Receivables and Payables

Interfund balances at September 30, 2020 consisted of the following:

<u>Receivable Fund</u>	<u>Payable Fund</u>	
General	Community Development Block Grant	\$ 32,176
	Edwards Aquifer HCP	60,707
	Certificates of Obligation 2012	9,923
	Civic/Con. Center	10,669
New Braunfels Development Authority	Creekside Town Center	304,237
Solid Waste	General	784,581
		<u>\$ 1,202,293</u>

The outstanding balances between funds result mainly from the time lag between the dates that (1) interfund goods and services are provided or reimbursable expenditures occur, (2) transactions are recorded in the accounting system, and (3) payments between funds are made.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

F. Interfund Transfers

Transfers between the primary government funds during the year were as follows:

	Transfers In	Transfers Out	Explanation
General	\$ 125,000	\$ -	Rec Center Improvement & Operations - administration services
	71,424	99,910	Aiport Fund - administration services
	664,327	-	Solid Waste - administration services
	73,082	-	Golf Course - administration services
	40,548	-	Civic/Convention center - administration services
	-	79,978	Grant Fund
	-	7,594	River Activities
	-	364,621	Debt Service (ERF)
	-	4,556	Non-Federal Court Awards
	-	89,000	Edwards Aquifer HCP
Total General Fund	974,381	645,659	
Hotel Motel Tax	-	105,000	Civic/Convention Center Fund
	-	575,725	Debt Service
Total Hotel Motel Tax Fund	-	680,725	
Debt Service	364,621	-	General Fund
	379,372	-	Airport Fund - Debt Service
	71,594	-	Solid Waste Fund - Debt Service
	575,725	-	Hotel Motel Tax Fund - Civic/Convention Center
Total Debt Service Fund	1,391,312	-	
Roadway Impact Fees	-	1,000,000	2019 Bond Program
Total Roadway Impact Fees	-	1,000,000	
2019 Bond Program	1,000,000	-	Roadway impact fees fund - support funding for streets project
Total 2019 Bond Program Fund	1,000,000	-	
Grant	79,978	-	General Fund
Total Grant Fund	79,978	-	
NB Development Authority	4,211,824	-	Creekside TIRZ Fund
Total NB Development Authority Fund	4,211,824	4,211,824	
Tax Increment Reinvestment Zone No. 1	-	4,211,824	NB Development Authority - pass through of TIRZ revenue and existing balance to NBDA to support debt service
Total NB Development Authority Fund	4,211,824	4,211,824	
River Activities	123,764	-	Solid Waste Fund - river litter pick up
	7,594	-	General Fund
Total River Activities Fund	131,358	-	

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

	Transfers In	Transfers Out	Explanation
2008 Certificate of Obligation	-	251,024	2007, 2012, 2013 Certificates of Obligation
Total 2008 Certificate of Obligation Fund	-	251,024	
2007 Certificate of Obligation	11,389	-	2008 Certificate of Obligation
Total 2007 Certificate of Obligation Fund	11,389	-	
2012 Certificate of Obligation	51,912	-	2008 Certificate of Obligation
Total 2012 Certificate of Obligation Fund	51,912	-	
2013 Certificate of Obligation	187,723	-	2008 Certificate of Obligation
Total 2013 Certificate of Obligation Fund	187,723	-	
Edwards Aquifer HCP	89,000	-	General Fund - administrative support for the Edwards Aquifer HCP
Total Edwards Aquifer HCP Fund	89,000	-	
Enterprise Maintenance	106,447	-	Airport Fund operating expenditures - equipment and loan payoff
	1,943	-	Golf Course Fund operating expenditures - equipment replacement
	1,233,520	-	Solid Waste Fund operating expenditures - heavy equipment replacement
	-	250,000	Hotel/ Motel Tax Fund
Total Enterprise Maintenance Fund	1,341,910	250,000	
Recreation Center Improvements	-	125,000	General Fund
Total Recreation Center Improvements Fund	-	125,000	
Non-Federal Court Awards	4,556	-	General Fund - reimbursement for incorrectly posted seizure funds
Total Non-Federal Court Awards	4,556	-	
Airport	99,910	71,424	General Fund - land lease for CTTC buildings
	-	106,447	Enterprise Equipment Replacement Fund
	-	379,372	
Total Airport Fund	99,910	557,243	
Solid Waste	-	664,327	General Fund
	-	1,233,520	Enterprise Equipment Replacement Fund
	-	123,764	River Activities
	-	71,594	
Total Solid Waste Fund	-	2,093,205	
Golf Course	-	73,082	General Fund
	-	1,943	Enterprise Equipment Replacement Fund
Total Golf Course Fund	-	75,025	
Civic/Convention Center	-	40,548	General Fund
	105,000	-	Hotel Motel Fund
	250,000	-	Enterprise Equipment Replacement Fund
Total Civic/Convention Center Fund	355,000	40,548	
	<u>\$ 9,930,253</u>	<u>\$ 9,930,253</u>	

Transfers between funds occur primarily to finance programs accounted for in one fund with resources collected in other funds in accordance with budgetary authorizations.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

IV. OTHER INFORMATION

A. Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters for which the City participates along with 2,617 other entities in the Texas Municipal League's Intergovernmental Risk Pools (the "Pool"). The Pool purchases commercial insurance at group rates for participants in the Pool. The City has no additional risk or responsibility to the Pool, outside of the payment of insurance premiums. The City has not significantly reduced insurance coverage or had settlements which exceeded coverage amounts for the past three years.

The City's health insurance program is a self-insured minimum premium cash flow plan (the "Plan"). The City makes pre-determined monthly contributions to the Plan to fully cover the cost of employee-only coverage. The City and each covered employee make a pre-determined monthly contribution to the Plan if they cover one or more dependents. All claims are reviewed and processed by an independent insurance company. The insurance company pays claims based on the Plan, and the City reimburses the insurance company for the amount of each claim paid. The insurance company charges the City a fee for each claim processed. Funding covers both the cost of claims and administrative expenses. The City paid \$5,576,230 in health claims and paid \$1,017,309 for administrative costs for the year ended September 30, 2020. The City contributed \$5,242,784 and City employees contributed \$1,046,871 to the Plan for the year ended September 30, 2020.

The transactions of the Plan are reported in the City's internal service fund. The City pays a specified monthly amount for each employee and a portion of an employee's dependent coverage which averages to approximately \$766. The largest portion of this amount is dedicated to the direct payment of claims. The remaining part of the monthly amount is dedicated to the payments of administrative fees and commercial insurance for excess claims. The commercial insurance coverage becomes effective when the claims exceed the maximum amount per employee.

Estimated health claims that have been incurred but not reported are accrued at year end. The estimated liability for health claims is \$509,851 at September 30, 2020. The estimated liability for health claims is based upon historical claims experience.

The changes in the claim liability for the years ended September 30, 2020 and 2019 are as follows:

	2020	2019
Claims payable, beginning of year	\$ 491,853	\$ 358,764
Plus: incurred claims	5,594,228	5,266,162
Less: claims paid	(5,576,230)	(5,133,073)
Claims Payable, End of Year	\$ 509,851	\$ 491,853

B. Contingent Liabilities

Amounts received or receivable from granting agencies are subject to audit and adjustment by grantor agencies, principally the federal government. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable funds. The amounts of expenditures which may be disallowed by the grantor cannot be determined at this time although the City expects such amounts, if any, to be immaterial.

At September 30, 2020, the City is involved in various lawsuits. These lawsuits generally involve claims relating to general liability, automobile liability, civil rights actions, and various contractual

CITY OF NEW BRAUNFELS, TEXAS
NOTES TO FINANCIAL STATEMENTS (Continued)
For the Year Ended September 30, 2020

matters. In the opinion of management, any liability resulting from such litigation would not have a material adverse effect on the City's financial statements.

Liabilities are reported when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. Liabilities include an amount for claims that have been incurred but not reported. Claim liabilities are calculated considering the effects of inflation, recent claim settlement trends, including frequency and amount of payouts, and other economic and social factors. With the exception of health claims, no other claim liabilities are reported at year end.

In March 2020, COVID-19 was recognized as a pandemic both worldwide and in the United States with local stay at-home orders going into effect. The City navigated through this time by alternating the schedules of its employees due to various City functions needing to continue to run through this time. The City followed the directions of the State in relation to Municipal Court. The Court was closed until the City came up with an acceptable plan to monitor social distancing, require masks, and provide hand sanitizers. Subsequent to the second wave of the COVID outbreak, the State is now requiring Municipal Court to be held via Zoom meetings. While the initial event occurred prior to year end, the City was, subsequent to year end, continuing to modify its operations to prevent the spread to customers, staff, and the community as a whole, while balancing the needs of the community. The City has made numerous changes to its operations, including provisions for customer and staff to wear masks, more frequent cleanings, and numerous other changes. While such changes cause a significant hardship and have increased expenses, such increases are nominal in comparison to the overall budget. The City is continuing to monitor exposure levels with customer, staff, and the community as a whole, but to date the overall exposure threat level has been sufficiently low to continue with open doors; however the City is ready to modify plans if necessary.

C. Pension Plan

Texas Municipal Retirement System

Plan Description

The City participates as one of 888 plans in the nontraditional, joint contributory, hybrid defined benefit pension plan administered by TMRS. TMRS is an agency created by the State and administered in accordance with the TMRS Act, Subtitle G, Title 8, Texas Government Code (the "TMRS Act") as an agent multiple-employer retirement system for municipal employees in the State. The TMRS Act places the general administration and management of TMRS with a six-member Board of Trustees (the "Board"). Although the Governor, with the advice and consent of the Senate, appoints the Board, TMRS is not fiscally dependent on the State. TMRS's defined benefit pension plan is a tax-qualified plan under Section 401(a) of the Internal Revenue Code. TMRS issues a publicly available comprehensive annual financial report that can be obtained at www.tmr.com.

All eligible employees of the City are required to participate in TMRS.

Benefits Provided

TMRS provides retirement, disability, and death benefits. Benefit provisions are adopted by the governing body of the City, within the options available in the state statutes governing TMRS.

At retirement, the benefit is calculated as if the sum of the employee's contributions, with interest, and the City-financed monetary credits, with interest, were used to purchase an annuity. Members may choose to receive their retirement benefit in one of seven payment options. Members may also choose

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

to receive a portion of their benefit as a partial lump sum distribution in an amount equal to 12, 24, or 36 monthly payments, which cannot exceed 75 percent of the member's deposits and interest.

The plan provisions are adopted by the governing body of the City, within the options available in the state statutes governing TMRS. Plan provisions for the City were as follows:

	2020	2019
Employee deposit rate	7.00%	7.00%
Matching ratio (City to employee)	2 to 1	2 to 1
Years required for vesting	5	5
Service requirement eligibility (expressed as age/yrs of service)	60/5, 0/20	60/5, 0/20
Updated service credit	100% Repeating, Transfers	100% Repeating, Transfers
Annuity increase (to retirees)	70% of CPI	70% of CPI

Employees Covered by Benefit Terms

At the December 31, 2019 valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	280
Inactive employees entitled to, but not yet receiving, benefits	313
Active employees	638
Total	1,231

Contributions

The contribution rates for employees in TMRS are either five percent, six percent, or seven percent of employee gross earnings, and the City-matching percentages are either 100 percent, 150 percent, or 200 percent, both as adopted by the governing body of the City. Under the state law governing TMRS, the contribution rate for each city is determined annually by the actuary, using the Entry Age Normal (EAN) actuarial cost method. The actuarially determined rate is the estimated amount necessary to finance the cost of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability.

Employees for the City were required to contribute seven percent of their annual gross earnings during the fiscal year. The contribution rates for the City were 17.14 percent and 17.27 percent in calendar years 2019 and 2020, respectively. The City's contributions to TMRS for the fiscal year ended September 30, 2020 were \$7,429,745, which were equal to the required contributions.

Net Pension Liability

The City's Net Pension Liability (NPL) was measured as of December 31, 2019 and the Total Pension Liability (TPL) used to calculate the NPL was determined by an actuarial valuation as of that date.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Actuarial Assumptions

The TPL in the December 31, 2019 actuarial valuation was determined using the following actuarial assumptions:

Inflation	2.0% per year
Overall payroll growth	3.0% per year
Investment rate of return	6.75%, net of pension plan investment expense, including inflation

Salary increases are based on a service-related table. Mortality rates for active members are based on the PUB(10) mortality tables with the Public Safety table used for males and the General Employee table used for females. Mortality rates for healthy retirees and beneficiaries are based on the Gender-distinct 2019 Municipal Retirees of Texas mortality tables. The rates for actives, healthy retirees, and beneficiaries are projected on a fully generational basis by Scale UMP to account for future mortality improvements. For disabled annuitants, the same mortality tables for healthy retirees is used with a 4-year set-forward for males and a 3-year set-forward for females. In addition, a 3.5% and 3.0% minimum mortality rate is applied for males and females, respectively, to reflect the impairment for younger members who become disabled. The rates are projected on a fully generational basis by Scale UMP to account for future mortality improvements subject to the floor.

The actuarial assumptions were developed primarily from the actuarial investigation of the experience of TMRS over the four-year period from December 31, 2014 to December 31, 2018. They were adopted in 2019 and first used in the December 31, 2019 actuarial valuation. The post-retirement mortality assumption for annuity purchase rates (APRs) is based on the Mortality Experience Investigation Study covering 2009 through 2011 and dated December 31, 2013. Plan assets are managed on a total return basis with an emphasis on both capital appreciation as well as the production of income in order to satisfy the short-term and long-term funding needs of TMRS.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighing the expected future real rates of return by the target allocation percentage and by adding expected inflation. In determining their best estimate of a recommended investment return assumption under the various alternative asset allocation portfolios, the actuary focused on the area between (1) arithmetic mean (aggressive without an adjustment for time (conservative) and (2) the geometric mean (conservative) with an adjustment for time (aggressive).

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

The target allocation and best estimates of real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return (Arithmetic)
Global Equity	30.00%	5.30%
Core Fixed Income	10.00%	1.25%
Non-Core Fixed Income	20.00%	4.14%
Real Return	10.00%	3.85%
Real Estate	10.00%	4.00%
Absolute Return	10.00%	3.48%
Private Equity	10.00%	7.75%
Total	100.00%	

Discount Rate

The discount rate used to measure the TPL was 6.75 percent. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rates specified in statute. Based on that assumption, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the TPL.

Changes in the NPL

	Increase (Decrease)		
	Total Pension Liability (A)	Plan Fiduciary Net Position (B)	Net Pension Liability (A) - (B)
Changes for the year:			
Service cost	\$ 7,548,546	\$ -	\$ 7,548,546
Interest	11,540,144	-	11,540,144
Changes in current period benefits	-	-	-
Difference between expected and actual experience	1,420,919	-	1,420,919
Changes in assumptions	615,649	-	615,649
Contributions - employer	-	7,026,523	(7,026,523)
Contributions - employee	-	2,901,000	(2,901,000)
Net investment income	-	19,681,894	(19,681,894)
Benefit payments, including refunds of employee contributions	(5,552,933)	(5,552,933)	-
Administrative expense	-	(111,061)	111,061
Other changes	-	(3,337)	3,337
Net Changes	15,572,325	23,942,086	(8,369,761)
Balance at December 31, 2018	169,967,288	127,137,103	42,830,185
Balance at December 31, 2019	\$ 185,539,613	\$ 151,079,189	\$ 34,460,424

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Sensitivity of the NPL to Changes in the Discount Rate

The following presents the NPL of the City, calculated using the discount rate of 6.75 percent, as well as what the City's NPL would be if it were calculated using a discount rate that is one percentage point lower (5.75%) or one percentage point higher (7.75%) than the current rate:

	1% Decrease in Discount Rate (5.75%)	Discount Rate (6.75%)	1% Increase in Discount Rate (7.75%)
City's Net Pension Liability	<u>\$ 64,306,036</u>	<u>\$ 34,460,424</u>	<u>\$ 10,255,710</u>

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's fiduciary net position is available in a separately-issued TMRS financial report. That report may be obtained on the Internet at www.tmr.com.

Pension Expense and Deferred Outflows/Deferred Inflows of Resources Related to Pensions

For the fiscal year ended September 30, 2020, the City recognized pension expense of \$8,335,377.

At September 30, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	\$ 2,208,242	\$ 26,350
Changes in actuarial assumptions	501,428	63,628
Difference between projected and actual investment earnings	-	4,550,217
Contributions subsequent to the measurement date	5,690,727	-
Total	<u>\$ 8,400,397</u>	<u>\$ 4,640,195</u>

\$5,690,727 reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the NPL for the fiscal year ending September 30, 2021. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

Fiscal Year Ended September 30	Pension Expense
2021	\$ (531,020)
2022	(527,419)
2023	802,772
2024	(1,822,291)
2025	147,433
Thereafter	-
Total	<u>\$ (1,930,525)</u>

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

D. Other Postemployment Benefits

1. TMRS Supplemental Death Benefits

Plan Description

The City participates an OPEB plan administered by TMRS. TMRS administers the defined benefit group-term life insurance plan known as the SDBF. This is a voluntary program in which participating member cities may elect, by ordinance, to provide group-term life insurance coverage for their active members, including or not including retirees. Employers may terminate coverage under, and discontinue participation in, the SDBF by adopting an ordinance before November 1 of any year to be effective the following January 1.

The member city contributes to the SDBF at a contractually required rate (based on the covered payroll of employee members) as determined by an annual actuarial valuation. The rate is equal to the cost of providing one-year term life insurance. The funding policy for the SDBF program is to assure that adequate resources are available to meet all death benefit payments for the upcoming year. The intent is not to pre-fund retiree term life insurance during employees' entire careers. No assets are accumulated in a trust that meets the criteria in paragraph 4 GASB 75. As such, the SDBF is considered to be a single-employer unfunded OPEB defined benefit plan with benefit payments treated as being equal to the employer's yearly contributions for retirees.

The contributions to the SDBF are pooled for investment purposes with those of the Pension Trust Fund (PTF). The TMRS Act requires the PTF to allocate a five percent interest credit from investment income to the SDBF on an annual basis each December 31 based on the mean balance in the SDBF during the year.

Benefits

The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings, for the 12-month period preceding the month of death). The death benefit for retirees is considered an OPEB and is a fixed amount of \$7,500. As the SDBF covers both active and retiree participants with no segregation of assets, the SDBF is considered to be an unfunded OPEB plan (i.e., no assets are accumulated). Participation in the SDBF as of December 31, 2019 is summarized below:

Inactive employees or beneficiaries currently receiving benefits	234
Inactive employees entitled to, but not yet receiving, benefits	94
Active employees	638
Total	966

Total OPEB Liability

The City's total OPEB liability of \$1,795,560 was measured as of December 31, 2019 and was determined by an actuarial valuation as of that date.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Actuarial Assumptions and Other Inputs

The total OPEB liability in the December 31, 2019 actuarial valuation was determined using the following actuarial assumptions and other inputs applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.50%
Salary increases	3.50% to 11.50% including inflation
Discount rate	2.75%
Retirees' share of benefit-related costs	Zero
Administrative expenses	All administrative expenses are paid through the PTF and accounted for under reporting requirements under GASB 68.
Mortality rates-service retirees	2019 Municipal Retirees of Texas Mortality Tables. The rates are projected on a fully generational basis with scale UMP.
Mortality rates-disabled retirees	2019 Municipal Retirees of Texas Mortality Tables with a 4-year set-forward for males and a 3-year set-forward for females. In addition, a 3.5% and 3.0% minimum mortality rate will be applied to reflect the impairment for younger members who become disabled for males and females, respectively. The rates are projected on a fully generational basis by Scale UMP to account for future mortality improvements subject to the floor.

* The discount rate is based on the Fidelity Index's "20-Year Municipal GO AA Index" rate as of December 31, 2019.

The actuarial assumptions used in the December 31, 2019 valuation were based on the results of an actuarial experience study for the period December 31, 2014 to December 31, 2018.

Changes in the Total OPEB Liability

	Total OPEB Liability
Changes for the year:	
Service cost	\$ 66,288
Interest	55,022
Differences between expected and actual experience	(69,364)
Changes of assumptions	299,899
Benefit payments*	(12,429)
Net Changes	339,416
Beginning balance	1,456,144
Ending Balance	\$ 1,795,560

* Benefit payments are treated as being equal to the employer's yearly contributions for retirees due to the SDBF being considered an unfunded OPEB plan under GASB 75.

There were no changes of assumptions or other inputs that affected measurement of the total OPEB liability during the measurement period.

There were no changes of benefit terms that affected measurement of the total OPEB liability during the measurement period.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is one percentage point lower or one percentage point higher than the current discount rate:

	1% Decrease in Discount Rate (1.75%)	Discount Rate (2.75%)	1% Increase in Discount Rate (3.75%)
City's Total OPEB Liability	\$ 2,203,177	\$ 1,795,560	\$ 1,483,635

OPEB Expense and Deferred Outflows/Inflows of Resources Related to OPEB

At September 30, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 246,874	\$ -
Changes in assumptions	-	78,397
Contributions subsequent to the measurement date	10,099	-
Total	\$ 256,973	\$ 78,397

\$10,099 reported as deferred outflows of resources related to OPEB resulting from contributions subsequent to the measurement date will be recognized as a reduction of total OPEB liability for the fiscal year ending September 30, 2021.

Amounts reported as deferred outflows/inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Year Ended September 30	OPEB Expense
2021	\$ 31,366
2022	31,366
2023	31,366
2024	29,011
2025	15,945
Thereafter	29,423
Total	\$ 168,477

2. Retiree Health Plan

Plan Description

The City provides post-retirement medical, dental, vision, and life insurance benefits on behalf of its eligible retirees. GASB 75 requires public employers to perform periodic actuarial valuations to measure and disclose their retiree healthcare liabilities for the financial statements of the employer.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Benefits

The City maintains self-funded medical and prescription drug coverage administered by Aetna for eligible employees and retired employees and their dependents (prior to attaining Medicare eligibility). Employees and retirees are also eligible for the City's fully-insured dental and vision plan options. In addition, retirees eligible for Medicare can remain with the City but are moved to a fully-insured Medicare Advantage plan. The dental, vision, and Medicare Advantage plans are 100% funded through retiree contributions. Since the retiree has to pay the full premium and there is not a material implicit subsidy for these benefits, there is no liability for the City. Therefore, the dental, vision, and Medicare Advantage plans were excluded from this valuation.

Inactive employees or beneficiaries currently receiving benefits	12
Inactive employees entitled to, but not yet receiving, benefits	-
Active employees	549
Total	561

Total OPEB Liability

The City's total OPEB liability of \$12,426,959 was measured as of September 30, 2019 and was determined by an actuarial valuation as of that date.

Actuarial Assumptions and Other Inputs

The total OPEB liability in the September 30, 2019 actuarial valuation was determined using the following actuarial assumptions and other inputs applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.40%
Salary increases	3.00%
Discount rate	3.73%

The discount rate was based on an average of the September 30, 2019 S&P Municipal Bond 20-Year High Grade Rate Index and the Fidelity General Obligation AA 20-Year Yield.

Mortality rates for active employees were based on the RPH-2014 Employee Mortality Table, Generational with Projection Scale MP-2019 for males or females, as appropriate.

Mortality rates for retirees disabled employees were based on the RPH-2014 Healthy Annuitant and Disabled Retiree Mortality Table, Generational with Projection Scale MP-2018 for males or females, as appropriate.

The actuarial assumptions used in the September 30, 2019 valuation were based on the results of an actuarial experience study for the period September 30, 2016 to September 30, 2018.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Changes in the Total OPEB Liability

	Total OPEB Liability
Changes for the year:	
Service cost	\$ 516,534
Interest	365,899
Changes of assumptions	446,312
Differences between expected and actual experience	69,594
Benefit payments	14,965
Net Changes	1,413,304
Beginning balance	11,013,655
Ending Balance	\$ 12,426,959

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is one percentage point lower or one percentage point higher than the current discount rate:

	1% Decrease in Discount Rate (2.73%)	Discount Rate (3.73%)	1% Increase in Discount Rate (4.73%)
City's Total OPEB Liability	\$ 14,384,596	\$ 12,426,959	\$ 18,767,052

	1% Decrease	Current Healthcare Cost Trend Rate Assumption	1% Increase
City's Total OPEB Liability	\$ 10,539,867	\$ 12,426,959	\$ 14,735,218

OPEB Expense and Deferred Outflows/Inflows of Resources Related to OPEB

At September 30, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between actual and expected experience	\$ 462,879	\$ -
Changes in actuarial assumptions	478,774	-
Total	\$ 941,653	\$ -

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Amounts reported as deferred outflows/inflows of resources related to OPEB will be recognized in OPEB expense as follows:

<u>Year Ended</u>	<u>OPEB Expense</u>
<u>September 30</u>	
2021	377,431
2022	377,431
2023	103,181
2024	83,610
2025	-
Thereafter	-
Total	\$ 941,653

3. Operating Lease

NBU has an operating lease with the Lower Colorado River Authority (LCRA) to lease certain transmission assets to LCRA. Payments for the lease facilities are based on the original cost of the facilities, adjusted for depreciation, and are updated annually to reflect additions, retirements, and depreciation. The terms of the leases are perpetual, but may be terminated by either party upon five years written notice. On March 30, 2017, LCRA and NBU executed a Memorandum of Agreement (MOA) to terminate the lease effective on March 31, 2022. The MOA outlines a lease payment freeze that reverts the lease payments to the lease asset value as of NBU's Transmission Cost of Service (TCOS) rate case dated July 7, 2014. The compensable lease asset value at that time was \$10,992,460, which equates to lease revenue of \$855,667 per year. Lease revenues were \$926,972 and \$855,667 in Fiscal Year 2020 and Fiscal Year 2019, respectively. The receipts for Fiscal Year 2020 are expected to be \$855,667.

4. Tax Abatements

1. Chapter 378 Neighborhood Empowerment Zone Agreement

Chapter 378 of the Texas Local Government Code, *Neighborhood Empowerment Zone*, provides the authority to the governing body of a municipality to create a Neighborhood Empowerment Zone that would promote an increase in economic development in the municipality. The City has entered into a property tax abatement agreement (the "Agreement") with a company (the "Company") as authorized by Chapter 378 of the Texas Local Government Code. Under the Agreement, the Company agrees to establish a customer contact center that will employ 120 people by the end of the first year of operation and will employ at least 343 people by the end of the tenth year of operation. In exchange, the City will pay the Company 50 percent of the sales tax revenue received by the City which is connected to the Company's business activities within the City starting on the date outlined in the Agreement for a period of 10 years. The Agreement provides for recapture of sales taxes in the event of material breach. For the year ended September 30, 2020, the total amount of taxes abated were \$1,713,721 for the City and \$898,067 for the NBEDC.

2. Chapter 380 Economic Development Agreement

Chapter 380 of the Texas Local Government Code, *Miscellaneous Provisions Relating to Municipal Planning and Development*, provides the authority to the governing body of a municipality to establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the municipality.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Sales Taxes

The City has entered into sales tax abatement agreements (the “Agreements”) with several developers (the “Developers”) as authorized by Chapter 380 of the Texas Local Government Code.

Under each Agreement, the Developers must meet certain commercial/retail development and/or employment requirements in order to have a portion of their sales taxes abated. The minimum limitation value varies by Agreement. Each Agreement provides for recapture in the event of material breach. The following summarizes the current Agreements:

- A Developer constructed a commercial and mixed-use development of approximately 160.56 acres of land for the purpose of promoting economic development in the City and stimulating business and commercial activity. The improvements were to be completed based on the terms of the Agreement. The Agreement expires 25 years after the effective date of the Agreement. The City will make payments to the Developer from sales tax revenues at an amount equal to 50 percent of sales tax revenue collected by the City and generated by the project. For the year ended September 30, 2020, the total amount of taxes abated were \$249,606 for the City.
- A Developer will construct a new grocery retail store with approximately 120,000 square feet for the purpose of creating and/or retaining at least 108 full-time equivalent (FTE) employees. The City has granted the Developer a tax limitation of \$1.5 million for a period of 5 years. In order to be eligible to receive the limitation, the Developer must have invested at least \$14 million during the time period beginning October 1, 2015 and ending December 31, 2016. The City will make quarterly payments to the Developer from sales tax revenues at an amount equal to 50 percent of sales taxes generated not to exceed a cumulative amount of \$700,000 paid by the City and \$800,000 paid by the NBEDC beginning after the grocery store opens to the public. For the year ended September 30, 2019, the total amount of taxes abated were \$82,146 for the City. This contract will be fulfilled during the year ending September 30, 2021.

A reconciliation of gross sales tax collections for these tax abatement agreements and the Creekside Town Center TIRZ is disclosed below:

Sales Tax Reconciliation					
	General	Creekside Town Center TIRZ	Economic Dev. Corporation	River Mill TIRZ	Total
Payments from Comptroller	\$ 26,184,691	\$ 1,406,463	\$ 8,728,230	\$ 5,802	\$ 36,325,186
Creekside Town Center - Chapter 380 Abatement Payments	(1,990,713)	-	(2,365,093)	-	(4,355,806)
Net Sales Tax Collected	\$ 24,193,978	\$ 1,406,463	\$ 6,363,137	\$ 5,802	\$ 31,969,380

Property Taxes

The City has entered into property tax abatement agreements (the “Agreements”) with several developers (the “Developers”) as authorized by Chapter 380 of the Texas Local Government Code.

Under each Agreement, the Developers must meet certain commercial/retail development and/or employment requirements in order to have a portion of their property taxes abated. The minimum limitation value varies by Agreement.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Each Agreement provides for recapture in the event of material breach. The following summarizes the current Agreements:

- The Developer constructed a commercial and mixed-use development of approximately 160.56 acres of land for the purpose of promoting economic development in the City and stimulating business and commercial activity. In exchange, the City will pay the company an amount annually equal to 70 percent of all property taxes received by the City related to the property in each tax year starting the first tax year following a transition period as outlined in the Agreement for a period of 25 years or until \$4,117,000 of the economic development grant is paid. For the year ended September 30, 2020, the total amount of taxes abated were \$351,053 for the City.
- The Developer agrees to construct a manufacturing facility of approximately 240,000 square-feet for the purpose of promoting economic development in the City and stimulating business and commercial activity. The City has granted the Developer a tax limitation for a period of 15 years. In order to be eligible to receive the limitation, the Developer agrees to make an investment of \$80 million that increases total taxable assessed value of at least \$35 million by January 2017 and \$50 million by January 2018. In addition, the Developer must meet certain employment conditions. The City will make annual payments to the Developer from property tax revenues at an amount equal to 80 percent, 60 percent, and 50 percent of total taxable assessed value for years one through five, six through eight, and nine through fifteen, respectively. For the years ending September 30, 2020 and 2019, the total amount of taxes abated were \$265,579 and \$208,209 respectively.

A reconciliation of gross property tax collections for these tax abatement agreements and the Creekside Town Center TIRZ is disclosed below:

	Property Tax Reconciliation		
	Maintenance and Operations	Interest and Sinking	Total
General fund	\$ 21,214,934	\$ 16,593,259	\$ 37,808,193
Creekside Town Center TIRZ	953,231	745,570	1,698,801
Gross Property Taxes Collected	22,168,165	17,338,829	39,506,994
Penalties and interest collected	190,506	155,697	346,203
Creekside Town Center / Chapter 380 Abatement Payments	(1,262,256)	(989,545)	(2,251,801)
Creekside Town Center TIRZ collections	2,783,406	-	2,783,406
Deferred revenue adjustment for governmental activities	151,920	-	151,920
Net Property Taxes Collected	\$ 24,031,741	16,504,981	40,536,722

5. New Braunfels Utilities Defined Benefit Pension Plan

Plan Description

NBU participates as one of 888 plans in the nontraditional, joint contributory, hybrid defined benefit pension plan administered by the Texas Municipal Retirement System (TMRS). TMRS is an agency created by the State of Texas and administered in accordance with the TMRS Act, Subtitle G, Title 8, Texas Government Code ("TMRS Act") as an agent multiple-employer retirement system for municipal employees in the State of Texas. The TMRS Act places the general administration and management of the System with a six-member Board of Trustees. Although the Governor, with the advice and consent of the Senate, appoints the Board, TMRS is not fiscally dependent on the State of Texas. TMRS's defined benefit pension plan is a tax-qualified plan under Section 401 (a) of the

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Internal Revenue Code. TMRS issues a publicly available CAFR that can be obtained online at www.tmr.com. All eligible employees of NBU are required to participate in TMRS.

Benefits Provided

TMRS provides retirement, disability, and death benefits. Benefit provisions are adopted by the Board, within the options available in the state statutes governing TMRS. At retirement, the benefit is calculated as if the sum of the employee's contributions, with interest, and NBU-financed monetary credits with interest were used to purchase an annuity. Members may choose to receive their retirement benefit in one of seven payments options. Members may also choose to receive a portion of their benefits as a Partial Lump Sum Distribution in an amount equal to 12, 24, or 36 monthly payments, which cannot exceed 75 percent of the member's deposits and interest.

Employees Covered by Benefit Terms

At the December 31, 2019 valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	128
Inactive employees entitled to, but not yet receiving, benefits	85
Active employees	306
Total	519

Contributions

The contribution rates for employees in TMRS are either 5 percent, 6 percent, or 7 percent of employee gross earnings, and the city matching percentages are either 100 percent, 150 percent, or 200 percent, both as adopted by the governing body of the city. Under the state law governing TMRS, the contribution rate for each city is determined annually by the actuary, using Entry Age Normal (EAN) actuarial cost method. The actuarially determined rate is the estimated amount necessary to finance the cost of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability.

Employees of NBU were required to contribute 7 percent of their annual gross earnings during the fiscal year. The contribution rates for NBU were 17.39 percent and 17.58 percent in calendar years 2020 and 2019, respectively. NBU's contributions to TMRS for the years ended July 31, 2020 and 2019 were \$3,776,143 and \$3,343,248, respectively, and were equal to the required contributions.

Net Pension Liability

NBU's Net Pension Liability (NPL) was measured as of December 31, 2019 and 2018, and the Total Pension Liability (TPL) used to calculate the NPL was determined by an actuarial valuation as of that date.

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Actuarial Assumptions

The TPL in the December 31, 2019 actuarial valuation was determined using the following actuarial assumptions:

Inflation	2.5% per year
Overall payroll growth	2.75% per year
Investment rate of return	6.75%, net of pension plan investment expense, including inflation

Salary increases were based on a service-related table. Mortality rates for active members, retirees, and beneficiaries were based on the gender-distinct RP2000 Combined Healthy Mortality Table, with male rates multiplied by 109 percent and female rates multiplied by 103 percent. The rates are projected on a fully generational basis by scale BB to account for future Mortality improvements. For disabled annuitants, the gender-distinct RP2000 Combined Healthy Mortality Tables are used with slight adjustments.

Actuarial assumptions used in the December 31, 2019 and 2018 valuation were based on the results of actuarial experience studies. The experience study in TMRS was for the period December 31, 2010 through December 31, 2014. Healthy post-retirement mortality rates and annuity purchase rates were updated based on a Mortality Experience Investigation Study covering 2009 through 2011, and dated December 31, 2013. These assumptions were first used in the December 31, 2013 valuation, along with a change to the Entry Age Normal (EAN) actuarial cost method. Assumptions are reviewed annually. Plan assets are managed on a total return basis with an emphasis on both capital appreciation as well as the production of income, in order to satisfy the short-term and long-term funding needs of TMRS.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. In determining their best estimate of a recommended investment return assumption under the various alternative asset allocation portfolios, GRS focused on the area between (1) arithmetic mean (aggressive) without an adjustment for time (conservative) and (2) the geometric mean (conservative) with an adjustment for time (aggressive).

The target allocation and best estimates of real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return (Arithmetic)
Global Equity	30.00%	5.30%
Core Fixed Income	10.00%	1.25%
Non-Core Fixed Income	20.00%	4.14%
Real Return	10.00%	3.85%
Real Estate	10.00%	4.00%
Absolute Return	10.00%	3.48%
Private Equity	10.00%	7.75%
Total	100.00%	

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Discount Rate

The discount rate used to measure the Total Pension Liability was 6.75 percent. The projection of cash flows used to determine the discount rate assured that employee and employer contributions will be made at the rates specified in statute. Based on that assumption, the pension plan's Fiduciary Net Position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the Total Pension Liability.

Changes in the NPL

	Increase (Decrease)		
	Total Pension Liability (A)	Plan Fiduciary Net Position (B)	Net Pension Liability (A) - (B)
Changes for the year:			
Service cost	\$ 3,421,657	\$ -	\$ 3,421,657
Interest	6,104,485	-	6,104,485
Changes in current period benefits	-	-	-
Difference between expected and actual experience	1,260,367	-	1,260,367
Changes in assumptions	205,839	-	205,839
Contributions - employer	-	3,502,065	(3,502,065)
Contributions - employee	-	1,407,263	(1,407,263)
Net investment income	-	11,028,572	(11,028,572)
Benefit payments, including refunds of employee contributions	(3,751,212)	(3,751,212)	-
Administrative expense	-	(62,302)	62,302
Other changes	-	(1,871)	1,871
Net Changes	7,241,136	12,122,515	(4,881,379)
Balance at December 31, 2018	90,601,592	71,320,004	19,281,588
Balance at December 31, 2019	\$ 97,842,728	\$ 83,442,519	\$ 14,400,209

Sensitivity of the NPL to Changes in the Discount Rate

The following presents the Net Pension Liability of NBU, calculated using the discount rate that was included in the actuarial valuation, as well as what NBU's Net Pension Liability would be if it were calculated using a discount rate that is 1-percentage-point lower or 1-percentage-point higher than the current rate.

	1% Decrease in Discount Rate (5.75%)	Discount Rate (6.75%)	1% Increase in Discount Rate (7.75%)
NBU's Net Pension Liability	<u>\$ 28,647,370</u>	<u>\$ 14,400,209</u>	<u>\$ 2,718,805</u>

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2020

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's fiduciary net position is available in a separately-issued TMRS financial report. That report may be obtained on the Internet at www.tmrs.com.

Pension Expense and Deferred Outflows/Deferred Inflows of Resources Related to Pensions

For the fiscal year ended July 31, 2020, the City recognized pension expense of \$5,158,258.

At July 31, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	\$ 1,671,424	\$ 44,749
Changes in actuarial assumptions	192,429	-
Difference between projected and actual investment earnings	-	2,550,097
Contributions subsequent to the measurement date	2,215,333	-
Total	\$ 4,079,186	\$ 2,594,846

NBU contributions of \$2,215,333 made subsequent to the measurement date of December 31, 2019, as shown in the table above, are included as part of pension deferred outflows in the Statement of Net Position. These contributions will be recognized as a reduction of the net pension liability for the year ending July 31, 2021. The remaining net amount of \$(730,993) is comprised of the difference between the deferred outflows of resources of \$1,863,853 consisting of the difference between expected and actual economic experience and (ii) deferred inflows of \$2,594,846 resulting from differences between projected and actual investment earnings. This amount will be recognized in pension expense as follows:

Fiscal Year Ended September 30	Pension Expense
2021	\$ (323,966)
2022	(308,319)
2023	595,133
2024	(904,737)
2025	210,896
Thereafter	-
Total	\$ (730,993)

6. New Braunfels Utilities Supplemental Death Benefit Fund

NBU also participates in the cost sharing multi-employer defined benefit group-term life insurance plan operated by the TMRS known as the Supplemental Death Benefits Fund (SDBF). NBU elected, by ordinance, to provide group life insurance coverage to both current and retired employees. NBU may terminate coverage under and discontinue participation in the SDBF by adopting an ordinance before November 1 of any year to be effective the following January 1. Benefits - The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings for the 12-month period preceding the month of death); retired employees are insured for \$7,500; this coverage is an "other post-employment benefit," or OPEB. Contributions - NBU contributes to the SDBF at a contractually required contribution rate as determined by an annual actuarial valuation. The rate is equal to the cost of providing one-year term life insurance. The funding policy of this plan is to assure that adequate resources are available to meet all death benefit payments for the upcoming year; the intent is not to

CITY OF NEW BRAUNFELS, TEXAS
NOTES TO FINANCIAL STATEMENTS (Continued)
For the Year Ended September 30, 2020

pre-fund retiree term life insurance during employees' entire careers. NBU's contributions for 2020, 2019, and 2018 were \$37,507, \$31,250, and \$30,288, respectively, and equaled the required contributions for those years. GASB Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions was deemed not material and has no impact on NBU's financial reporting.

7. Intergovernmental Revenue

NBU is a semi-autonomous entity with a Board of Trustees that is responsible for its operations. The Board is appointed by the City Council.

The Board may authorize NBU to transfer annual payments to the General Fund of the City payable in monthly installments. For Fiscal Year 2016 and prior, the Board elected to transfer an amount equal to sixteen percent (16 percent) of gross margin on service revenue. On April 28, 2016, the Board elected to utilize a new methodology beginning in Fiscal Year 2017. The calculation is based on a rolling three-year average of electric, water, and sewer operating revenues. The formula percentage is 7.45 percent for electric, 4.35 percent for water, and 4.35 percent for wastewater. The amount is limited to income before extraordinary items less bond principal and any future bond reserve or contingency requirements. These monies can be transferred only if such funds are available after meeting the needs of properly operating and maintaining the system and fulfilling all bonded debt requirements (see Note 4). The City has recognized this payment in the amount of \$8,204,126 in taxes and fees for fiscal year 2020.

REQUIRED SUPPLEMENTARY INFORMATION

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL (Page 1 of 2)

GENERAL FUND

For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Taxes:				
Ad valorem	\$ 20,951,065	\$ 20,951,065	\$ 21,096,416	\$ 145,351
Sales	22,319,783	22,319,783	24,193,978	1,874,195
Franchise fees and other taxes	10,598,583	10,598,583	10,237,135	(361,448)
Licenses and permits	4,428,747	4,428,747	5,646,378	1,217,631
Intergovernmental	50,000	50,000	658,775	608,775
Fines and forfeitures	1,443,623	1,443,623	1,055,141	(388,482)
Interest	350,000	350,000	553,431	203,431
Parks and recreation	4,445,045	4,445,045	2,554,698	(1,890,347)
Miscellaneous	2,722,160	2,722,160	2,385,997	(336,163)
Charges for services	4,488,740	4,488,740	3,938,646	(550,094)
Total Revenues	71,797,746	71,797,746	72,320,595	522,849
<u>Expenditures</u>				
General government:				
City council	33,350	33,350	22,006	11,344
City attorney	975,673	975,673	820,698	154,975
City administration	5,016,351	5,016,351	4,897,579	118,772
Human resources	991,269	991,269	905,021	86,248
Nondepartmental	2,258,500	2,661,220	2,580,717	80,503
Finance and tax	1,288,258	1,288,258	1,287,773	485
Planning and environmental development	3,922,186	3,922,186	3,402,849	519,337
Public safety:				
Police	21,063,642	21,063,642	20,343,576	720,066
Fire	19,387,360	19,748,991	19,699,459	49,532
Public works	7,727,708	7,727,708	7,514,328	213,380
Parks and recreation	8,418,778	8,418,778	7,549,474	869,304
Library	2,479,606	2,479,606	2,334,164	145,442
Total Expenditures	73,562,681	74,327,032	71,357,644	2,969,388
Excess (Deficiency) of Revenues Over (Under) Expenditures	(1,764,935)	(2,529,286)	962,951	3,492,237

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL (Page 2 of 2)
GENERAL FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Other Financing Sources (Uses)</u>				
Transfers in	\$ 849,381	\$ 849,381	\$ 974,381	\$ 125,000
Transfers (out)	(1,926,480)	(2,064,471)	(645,659)	1,418,812
Sale of capital asset	-	-	18,648	18,648
Total Other Financing Sources (Uses)	(1,077,099)	(1,215,090)	347,370	1,562,460
Net Change in Fund Balance	<u>\$ (2,842,034)</u>	<u>\$ (3,744,376)</u>	1,310,321	<u>\$ 5,054,697</u>
Beginning fund balance			<u>26,075,791</u>	
Ending Fund Balance			<u>\$ 27,386,112</u>	

Notes to Required Supplementary Information (RSI):

1. Annual budgets are adopted on a basis consistent with generally accepted accounting principles (GAAP).
2. This schedule includes budget and actual amounts for the General fund subfund.

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
HOTEL/MOTEL TAX FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Taxes	\$ 4,000,000	\$ 4,000,000	\$ 2,872,022	\$ (1,127,978)
Interest	-	-	6,027	6,027
Miscellaneous	5,000	5,000	52	(4,948)
Total Revenues	4,005,000	4,005,000	2,878,101	(1,126,899)
<u>Expenditures</u>				
Current				
General government	3,356,656	3,356,656	2,858,649	498,007
Total Expenditures	3,356,656	3,356,656	2,858,649	498,007
Excess of Revenues Over Expenditures	648,344	648,344	19,452	(628,892)
<u>Other Financing Sources (Uses)</u>				
Transfers (out)	(1,020,852)	(1,020,852)	(680,725)	340,127
Total Other Financing (Uses)	(1,020,852)	(1,020,852)	(680,725)	340,127
Net Change in Fund Balance	\$ (372,508)	\$ (372,508)	(661,273)	\$ (288,765)
Beginning fund balance			1,806,242	
Ending Fund Balance			\$ 1,144,969	

Notes to Required Supplementary Information (RSI):

1. Annual budgets are adopted on a basis consistent with generally accepted accounting principles (GAAP).

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF CHANGES IN NET PENSION LIABILITY AND RELATED RATIOS
TEXAS MUNICIPAL RETIREMENT SYSTEM
For the Year Ended September 30, 2020

	Measurement Year*			
	2014	2015	2016	2017
Total Pension Liability				
Service cost	\$ 5,143,064	\$ 5,732,589	\$ 6,283,281	\$ 6,602,665
Interest (on the total pension liability)	8,027,752	8,602,512	8,990,600	9,783,894
Changes in current period benefits	-	-	-	-
Difference between expected and actual experience	(1,028,253)	420,652	887,337	1,216,121
Change in assumptions	-	(437,911)	-	-
Benefit payments, including refunds of employee contributions	(4,136,590)	(4,316,359)	(4,267,920)	(4,868,903)
Net Change in Total Pension Liability	8,005,973	10,001,483	11,893,298	12,733,777
Beginning total pension liability	114,178,940	122,184,913	132,186,396	144,079,694
Ending Total Pension Liability	\$ 122,184,913	\$ 132,186,396	\$ 144,079,694	\$ 156,813,471
Plan Fiduciary Net Position				
Contributions - employer	\$ 4,725,941	\$ 5,365,044	\$ 5,961,496	\$ 6,162,903
Contributions - employee	2,011,041	2,213,355	2,424,270	2,546,656
Net investment income	4,945,274	138,605	6,574,073	14,955,206
Benefit payments, including refunds of employee contributions	(4,136,590)	(4,316,359)	(4,267,920)	(4,868,903)
Administrative expense	(51,621)	(84,411)	(74,212)	(77,461)
Other	(4,244)	(4,169)	(3,998)	(3,926)
Net Change in Plan Fiduciary Net Position	7,489,801	3,312,065	10,613,709	18,714,475
Beginning plan fiduciary net position	86,429,472	93,919,273	97,231,338	107,845,047
Ending Plan Fiduciary Net Position	\$ 93,919,273	\$ 97,231,338	\$ 107,845,047	\$ 126,559,522
Net Pension Liability	\$ 28,265,640	\$ 34,955,058	\$ 36,234,647	\$ 30,253,949
Plan Fiduciary Net Position as a Percentage of Total Pension Liability	76.87%	73.56%	74.85%	80.71%
Covered Payroll	\$ 28,695,633	\$ 31,619,357	\$ 34,599,565	\$ 36,318,289
Net Pension Liability as a Percentage of Covered Payroll	98.50%	110.55%	104.73%	83.30%

*Only six years of information is currently available. The City will build this schedule over the next four-year period.

Measurement Year*	
2018	2019
\$ 7,075,714	\$ 7,548,546
10,661,364	11,540,144
-	-
227,139	1,420,919
-	615,649
(4,810,400)	(5,552,933)
13,153,817	15,572,325
156,813,471	169,967,288
<u>\$ 169,967,288</u>	<u>\$ 185,539,613</u>
\$ 6,539,492	\$ 7,026,523
2,719,934	2,901,000
(3,794,347)	19,681,894
(4,810,400)	(5,552,933)
(73,269)	(111,061)
(3,829)	(3,337)
577,581	23,942,086
126,559,522	127,137,103
<u>\$ 127,137,103</u>	<u>\$ 151,079,189</u>
<u>\$ 42,830,185</u>	<u>\$ 34,460,424</u>
74.80%	81.43%
\$ 38,856,198	\$ 41,430,000
110.23%	83.18%

CITY OF NEW BRAUNFELS, TEXAS

NEW BRAUNFELS UTILITIES

SCHEDULE OF CHANGES IN NET PENSION LIABILITY AND RELATED RATIOS

TEXAS MUNICIPAL RETIREMENT SYSTEM

For the Year Ended July 31, 2020

	Measurement Year*			
	2015	2016	2017	2018
Total Pension Liability				
Service cost	\$ 1,852,821	2,063,217	2,328,445	3,034,811
Interest (on the total pension liability)	4,534,158	4,623,082	5,349,632	5,697,720
Changes in current period benefits	-	-	6,881,135	-
Difference between expected and actual experience	(452,450)	(33,315)	424,537	638,332
Change in assumptions	288,151	-	-	-
Benefit payments, including refunds of employee contributions	(2,689,654)	(2,533,258)	(3,272,818)	(3,325,058)
Net Change in Total Pension Liability	3,533,026	4,119,726	11,710,931	6,045,805
Beginning total pension liability	65,192,104	68,725,130	72,844,856	84,555,787
Ending Total Pension Liability	\$ 68,725,130	\$ 72,844,856	\$ 84,555,787	\$ 90,601,592
Plan Fiduciary Net Position				
Contributions - employer	\$ 1,827,177	1,811,489	2,046,699	3,194,908
Contributions - employee	944,629	1,018,513	1,151,967	1,259,258
Net investment income	87,534	4,017,620	8,830,361	(2,169,446)
Benefit payments, including refunds of employee contributions	(2,689,654)	(2,533,258)	(3,272,818)	(3,325,058)
Administrative expense	(53,311)	(45,360)	(45,751)	(41,917)
Other	(2,634)	(2,444)	(2,319)	(2,190)
Net Change in Plan Fiduciary Net Position	113,741	4,266,560	8,708,139	(1,084,445)
Beginning plan fiduciary net position	59,316,009	59,429,750	63,696,310	72,404,449
Ending Plan Fiduciary Net Position	\$ 59,429,750	\$ 63,696,310	\$ 72,404,449	\$ 71,320,004
Net Pension Liability	\$ 9,295,380	\$ 9,148,546	\$ 12,151,338	\$ 19,281,588
Plan Fiduciary Net Position as a Percentage of Total Pension Liability	86.47%	87.44%	85.63%	78.72%
Covered Payroll	\$ 13,494,694	\$ 14,550,190	\$ 16,443,818	\$ 17,989,394
Net Pension Liability as a Percentage of Covered Payroll	68.88%	62.88%	73.90%	107.18%

Measurement
Year*
2019

3,421,657
6,104,485
-
1,260,367
205,839
(3,751,212)
7,241,136
90,601,592
<u>\$ 97,842,728</u>

3,502,065
1,407,263
11,028,572
(3,751,212)
(62,302)
(1,871)
12,122,515
71,320,004
<u>\$ 83,442,519</u>
<u>\$ 14,400,209</u>

85.28%
\$ 20,103,751

71.63%

CITY OF NEW BRAUNFELS, TEXAS

SCHEDULE OF CONTRIBUTIONS

TEXAS MUNICIPAL RETIREMENT SYSTEM

For the Year Ended September 30, 2020

	Fiscal Year*			
	2014	2015	2016	2017
Actuarially determined contribution	\$ 4,725,941	\$ 5,365,044	\$ 6,066,843	\$ 6,102,303
Contributions in relation to the actuarially determined contribution	4,705,262	5,400,580	6,066,843	6,102,303
Contribution deficiency (excess)	<u>\$ 20,679</u>	<u>\$ (35,536)</u>	<u>\$ -</u>	<u>\$ -</u>
Covered payroll	\$ 28,695,633	\$ 31,619,357	\$ 35,348,062	\$ 35,884,508
Contributions as a percentage of covered payroll	16.40%	17.08%	17.16%	17.01%

*Only seven years of information is currently available. The City will build this schedule over the next three-year period.

Notes to Required Supplementary Information:

1. Valuation Date:

Actuarially determined contribution rates are calculated as of December 31 and become effective in January, 13 months later.

2. Methods and Assumptions Used to Determine Contribution Rates:

Actuarial cost method	Entry age normal
Amortization method	Level percentage of payroll, closed
Remaining amortization period	26 Years
Asset valuation method	10 year smoothed market, 15% soft corridor
Inflation	2.0%
Salary increases	3% to 10% including inflation
Investment rate of return	6.75%
Retirement age	Experience-based table of rates that are specific to the City's plan of benefits. Last updated for the 2019 valuation pursuant to an experience study of the period December 31, 2014 - 2018.
Mortality	Post-retirement: 2019 Municipal Retirees of Texas Mortality Tables. The rates are projected on a fully generational basis with scale UMP. Pre-retirement: PUB(10) mortality tables, with the Public Safety table used for males and the General Employee table used for females. The rates are projected on a fully generational basis with scale UMP.

3. Other Information:

There were no benefit changes during the year.

Fiscal Year*		
2018	2019	2020
\$ 6,439,837	\$ 6,937,744	\$ 7,429,745
6,439,837	6,937,744	7,429,745
\$ -	\$ -	\$ -
\$ 38,208,179	\$ 40,641,797	\$ 43,646,238
16.85%	17.07%	17.02%

CITY OF NEW BRAUNFELS, TEXAS
NEW BRAUNFELS UTILITIES
SCHEDULE OF CONTRIBUTIONS
TEXAS MUNICIPAL RETIREMENT SYSTEM
For the Year Ended July 31, 2020

	Fiscal Year*			
	2016	2017	2018	2019
Actuarially determined contribution	\$ 1,842,516	\$ 1,941,283	\$ 1,941,283	\$ 3,343,248
Contributions in relation to the actuarially determined contribution	1,842,516	1,941,283	2,700,230	3,343,248
Contribution deficiency (excess)	\$ -	\$ -	\$ (758,947)	\$ -
Covered payroll	\$ 14,270,549	\$ 15,599,975	\$ 17,387,972	\$ 19,038,042
Contributions as a percentage of covered payroll	12.91%	12.44%	15.53%	17.56%

*Only five years of information is currently available. NBU will build this schedule over the next five-year period.

Notes to Required Supplementary Information:

1. Valuation Date:

Actuarially determined contribution rates are calculated as of December 31 and become effective in January, 13 months later.

2. Methods and Assumptions Used to Determine Contribution Rates:

Actuarial cost method	Entry age normal
Amortization method	Level percentage of payroll, closed
Remaining amortization period	26 Years
Asset valuation method	10 year smoothed market, 12% soft corridor
Inflation	2.5%
Salary increases	3.5% to 11.5% including inflation
Investment rate of return	6.75%
Retirement age	Experience-based table of rates that are specific to the City's plan of benefits. Last updated for the 2019 valuation pursuant to an experience study of the period December 31, 2010 - 2018.
Mortality	Post-retirement: 2019 Municipal Retirees of Texas Mortality Tables. The rates are projected on a fully generational basis with scale UMP. Pre-retirement: PUB(10) mortality tables, with the Public Safety table used for males and the General Employee table used for females. The rates are projected on a fully generational basis with scale UMP.

3. Other Information:

There were no benefit changes during the year.

Fiscal Year*	
2020	
\$	3,343,248
	3,776,143
\$	(432,895)
\$	21,832,301

17.30%

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF CHANGES IN TOTAL OPEB LIABILITY AND RELATED RATIOS
RETIREE BENEFIT PROGRAM
For the Year Ended September 30, 2020

	Measurement Year*		
	2017	2018	2019
Total Pension Liability			
Service cost	\$ 431,371	\$ 444,312	\$ 516,534
Interest (on the total pension liability)	363,757	312,824	365,899
Difference between expected & actual experience	237,182	61,055	446,312
Change of assumptions	-	846,197	69,594
Benefit payments	(392,489)	(149,364)	14,965
Net Change in Total OPEB Liability	639,821	1,515,024	1,413,304
Beginning total OPEB liability	8,858,810	9,498,631	11,013,655
Ending Total OPEB Liability	<u>\$ 9,498,631</u>	<u>\$ 11,013,655</u>	<u>\$ 12,426,959</u>
 Covered Payroll	 \$ 30,768,150	 \$ 31,691,195	 \$ 33,253,958
 Total OPEB Liability as a Percentage of Covered Payroll	 30.87%	 34.75%	 37.37%

*Only three years of information is currently available. The City will build this schedule over the next seven-year period.

CITY OF NEW BRAUNFELS, TEXAS

SCHEDULE OF CHANGES IN TOTAL OPEB LIABILITY AND RELATED RATIOS

TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS) - SUPPLEMENTAL DEATH BENEFIT FUND

For the Year Ended September 30, 2020

	Measurement Year*		
	2017	2018	2019
Total OPEB Liability			
Service cost	\$ 58,109	\$ 73,827	\$ 66,288
Interest (on the total pension liability)	48,695	50,176	55,022
Difference between expected and actual experience	-	(29,490)	(69,364)
Change of assumptions	124,268	(111,517)	299,899
Benefit payments**	(10,895)	(11,657)	(12,429)
Net Change in Total OPEB Liability	<u>220,177</u>	<u>(28,661)</u>	<u>339,416</u>
Beginning total OPEB liability	1,264,628	1,484,805	1,456,144
Ending Total OPEB Liability	<u>\$ 1,484,805</u>	<u>\$ 1,456,144</u>	<u>\$ 1,795,560</u>
Covered Payroll	\$ 36,318,289	\$ 38,856,198	\$ 41,430,000
Total OPEB Liability as a Percentage of Covered Payroll	4.09%	3.75%	4.33%

*Only three years of information is currently available.

The City will build this schedule over the next seven-year period.

**Due to the SDBF being considered an unfunded OPEB plan under GASB 75, benefit payments are treated as being equal to the employer's yearly contributions for retirees.

Notes to Required Supplementary Information:

Valuation Date:

Actuarially determined contribution rates are calculated as of December 31 and become effective in January, 13 months later.

Methods and Assumptions Used to Determine Contribution Rates:

Actuarial cost method	Entry age normal
Inflation	2.0%
Salary increases	3.50% to 10.50% including inflation
Discount rate	2.75%
Administrative expenses	All administrative expenses are paid through the PTF and accounted for under reporting requirements under GASB 68.
Mortality - service retirees	2019 Municipal Retirees of Texas Mortality Tables. The rates are projected on a fully generational basis with scale UMP.
Mortality - disabled retirees	2019 Municipal Retirees of Texas Mortality Tables with a 4-year set-forward for males and a 3-year set-forward for females. In addition, a 3.5% and 3.0% minimum mortality rate will be applied to reflect the impairment for younger members who become disabled for males and females, respectively. The rates are projected on a fully generational basis by Scale UMP to account for future mortality improvements subject to the floor.

Other Information:

No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB 75 to pay related benefits.

The discount rate was based on the Fidelity Index's "20-Year Municipal GO AA Index" rate as of December 31, 2019.

Change in assumptions is the annual change in the municipal bond index rate.

There were no benefit changes during the year.

***COMBINING STATEMENTS
AND SCHEDULES***

CITY OF NEW BRAUNFELS, TEXAS

COMBINING BALANCE SHEET

GENERAL FUND - SUBFUNDS

September 30, 2020

	General	Equipment Replacement	Eliminations	Totals
<u>Assets</u>				
Cash and equity in pooled cash and investments	\$ 19,557,292	\$ 952,381	\$ -	\$ 20,509,673
Pooled and temporary investments	5,131,376	-	-	5,131,376
Receivables, net				
Taxes and fees	421,534	-	-	421,534
Accounts	7,097,578	-	-	7,097,578
Interest	44,053	-	-	44,053
Due from other governments	-	-	-	-
Due from other funds	113,475	-	-	113,475
Inventory	2,830	-	-	2,830
Total Assets	\$ 32,368,138	\$ 952,381	\$ -	\$ 33,320,519
<u>Liabilities</u>				
Accounts payable	\$ 3,223,252	\$ 154,217	\$ -	\$ 3,377,469
Due to other funds	784,581	-	-	784,581
Accrued wages payable	1,350,823	-	-	1,350,823
Total Liabilities	5,358,656	154,217	-	5,512,873
<u>Deferred Inflows of Resources</u>				
Unavailable revenue - property taxes	421,534	-	-	421,534
<u>Fund Balances</u>				
Nonspendable	2,830	-	-	2,830
Assigned	-	798,164	-	798,164
Unassigned	26,585,118	-	-	26,585,118
Total Fund Balances	26,587,948	798,164	-	27,386,112
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	\$ 32,368,138	\$ 952,381	\$ -	\$ 33,320,519

CITY OF NEW BRAUNFELS, TEXAS
COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND - SUBFUNDS
For the Year Ended September 30, 2020

	General	Equipment Replacement	Eliminations	Totals
<u>Revenues</u>				
Taxes and fees	\$ 55,527,529	\$ -	\$ -	\$ 55,527,529
Licenses and permits	5,646,378	-	-	5,646,378
Intergovernmental	658,775	-	-	658,775
Fines and forfeitures	1,055,141	-	-	1,055,141
Interest	543,729	9,702	-	553,431
Parks and recreation	2,554,698	-	-	2,554,698
Miscellaneous	2,344,021	41,976	-	2,385,997
Charges for services	3,938,646	-	-	3,938,646
Total Revenues	<u>72,268,917</u>	<u>51,678</u>	<u>-</u>	<u>72,320,595</u>
<u>Expenditures</u>				
Current				
General government	8,914,584	311,437	-	9,226,021
Finance and tax	1,287,773	-	-	1,287,773
Planning and environmental	3,361,491	41,358	-	3,402,849
Public safety	39,398,087	644,948	-	40,043,035
Public works	7,493,661	20,667	-	7,514,328
Parks and recreation	7,415,998	133,476	-	7,549,474
Library	2,334,164	-	-	2,334,164
Total Expenditures	<u>70,205,758</u>	<u>1,151,886</u>	<u>-</u>	<u>71,357,644</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>2,063,159</u>	<u>(1,100,208)</u>	<u>-</u>	<u>962,951</u>
<u>Other Financing Sources (Uses)</u>				
Transfers in	974,381	1,120,000	(1,120,000)	974,381
Transfers (out)	(1,401,038)	(364,621)	1,120,000	(645,659)
Sale of capital assets	-	18,648	-	18,648
Total Other Financing Sources (Uses)	<u>(426,657)</u>	<u>774,027</u>	<u>-</u>	<u>347,370</u>
Net Change in Fund Balances	1,636,502	(326,181)	-	1,310,321
Beginning fund balances	<u>24,951,446</u>	<u>1,124,345</u>	<u>-</u>	<u>26,075,791</u>
Ending Fund Balances	<u>\$ 26,587,948</u>	<u>\$ 798,164</u>	<u>\$ -</u>	<u>\$ 27,386,112</u>

CITY OF NEW BRAUNFELS, TEXAS

COMBINING BALANCE SHEET

NONMAJOR GOVERNMENTAL FUNDS

September 30, 2020

	<u>Special Revenue</u>	<u>Capital Projects</u>	<u>Permanent Fund Cemetery Perpetual Care</u>	<u>Total Nonmajor Governmental Funds</u>
<u>Assets</u>				
Cash and equity in pooled cash and investments	\$ 18,226,609	\$ 6,244,240	\$ 223,617	\$ 24,694,466
Accounts receivable	101,141	-	-	101,141
Due from other funds	304,237	-	-	304,237
Restricted cash	1,219,630	-	-	1,219,630
Total Assets	<u><u>\$ 19,851,617</u></u>	<u><u>\$ 6,244,240</u></u>	<u><u>\$ 223,617</u></u>	<u><u>\$ 26,319,474</u></u>
<u>Liabilities</u>				
Accounts payable	\$ 1,000,267	\$ 52,605	\$ 1,000	\$ 1,053,872
Due to other funds	397,120	9,923	-	407,043
Total Liabilities	<u><u>1,397,387</u></u>	<u><u>62,528</u></u>	<u><u>1,000</u></u>	<u><u>1,460,915</u></u>
<u>Fund Balances</u>				
Nonspendable	-	-	222,617	222,617
Restricted	11,015,541	6,191,635	-	17,207,176
Committed	6,519,109	-	-	6,519,109
Unassigned	919,580	(9,923)	-	909,657
Total Fund Balances	<u><u>18,454,230</u></u>	<u><u>6,181,712</u></u>	<u><u>222,617</u></u>	<u><u>24,858,559</u></u>
Total Liabilities and Fund Balances	<u><u>\$ 19,851,617</u></u>	<u><u>\$ 6,244,240</u></u>	<u><u>\$ 223,617</u></u>	<u><u>\$ 26,319,474</u></u>

CITY OF NEW BRAUNFELS, TEXAS
COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
For the Year Ended September 30, 2020

	Special Revenue	Capital Projects	Permanent Fund Cemetery Perpetual Care	Total Nonmajor Governmental Funds
<u>Revenues</u>				
Ad valorem taxes	\$ 2,783,406	\$ -	\$ -	\$ 2,783,406
Sales taxes	1,412,265	-	-	1,412,265
Franchise fees and local taxes	179,092	-	-	179,092
Licenses and permits	6,750	-	-	6,750
Fines and forfeitures	200,424	-	-	200,424
Parks and recreation	-	725,541	-	725,541
Interest	84,611	7,669	-	92,280
Intergovernmental	1,705,759	29,735	-	1,735,494
Miscellaneous	1,132,621	191,192	18,000	1,341,813
Other contributions	-	-	232	232
Charges and fees	2,072,539	-	2,444	2,074,983
Total Revenues	9,577,467	954,137	20,676	10,552,280
<u>Expenditures</u>				
General government	1,241,393	679,535	-	1,920,928
Planning and environmental development	477,659	-	-	477,659
Public safety	920,407	-	-	920,407
Public works	6,134,586	90,474	-	6,225,060
Parks and recreation	68,911	33,186	20,736	122,833
Library	60,592	-	-	60,592
Debt service				
Principal	1,360,000	-	-	1,360,000
Interest and fiscal charges	3,077,162	-	-	3,077,162
Total Expenditures	13,340,710	803,195	20,736	14,164,641
Excess (Deficiency) of Revenues Over (Under) Expenditures	(3,763,243)	150,942	(60)	(3,612,361)
<u>Other Financing Sources (Uses)</u>				
Transfers in	5,858,626	251,024	-	6,109,650
Transfers (out)	(4,586,824)	(251,024)	-	(4,837,848)
Total Other Financing Sources (Uses)	1,271,802	-	-	1,271,802
Net Change in Fund Balances	(2,491,441)	150,942	(60)	(2,340,559)
Beginning fund balances	20,945,671	6,030,770	222,677	27,199,118
Ending Fund Balances	\$ 18,454,230	\$ 6,181,712	\$ 222,617	\$ 24,858,559

CITY OF NEW BRAUNFELS, TEXAS

COMBINING BALANCE SHEET

NONMAJOR SPECIAL REVENUE FUNDS (page 1 of 3)

September 30, 2020

	Community Development Block Grant	Grants	Special Revenue Donations	River
<u>Assets</u>				
Cash and equity in pooled cash and investments	\$ -	\$ 722,313	\$ 680,973	\$ 36,099
Accounts receivable	-	-	12,865	-
Due from other funds	-	-	-	-
Restricted cash	-	-	-	-
Total Assets	<u>\$ -</u>	<u>\$ 722,313</u>	<u>\$ 693,838</u>	<u>\$ 36,099</u>
<u>Liabilities</u>				
Accounts payable	\$ 132,985	\$ 429	\$ 77,348	\$ 36,099
Due to other funds	32,176	-	-	-
Total Liabilities	<u>165,161</u>	<u>429</u>	<u>77,348</u>	<u>36,099</u>
<u>Fund Balances</u>				
Restricted	-	721,884	616,490	-
Committed	-	-	-	-
Unassigned	(165,161)	-	-	-
Total Fund Balances	<u>(165,161)</u>	<u>721,884</u>	<u>616,490</u>	<u>-</u>
Total Liabilities and Fund Balances	<u>\$ -</u>	<u>\$ 722,313</u>	<u>\$ 693,838</u>	<u>\$ 36,099</u>

Court Security	Judicial Efficiency	Court Technology	Child Safety	Stormwater Development	Juvenile Case Management
\$ 11,314	\$ 8,016	\$ 70,136	\$ 106,884	\$ 461,294	\$ 3,573
243	46	205	104	-	264
-	-	-	-	-	-
-	-	-	-	-	-
<u>\$ 11,557</u>	<u>\$ 8,062</u>	<u>\$ 70,341</u>	<u>\$ 106,988</u>	<u>\$ 461,294</u>	<u>\$ 3,837</u>
\$ 744	\$ -	\$ 235	\$ 24,418	\$ 40,688	\$ -
-	-	-	-	-	-
<u>744</u>	<u>-</u>	<u>235</u>	<u>24,418</u>	<u>40,688</u>	<u>-</u>
10,813	8,062	70,106	82,570	-	3,837
-	-	-	-	-	-
-	-	-	-	420,606	-
<u>10,813</u>	<u>8,062</u>	<u>70,106</u>	<u>82,570</u>	<u>420,606</u>	<u>3,837</u>
<u>\$ 11,557</u>	<u>\$ 8,062</u>	<u>\$ 70,341</u>	<u>\$ 106,988</u>	<u>\$ 461,294</u>	<u>\$ 3,837</u>

CITY OF NEW BRAUNFELS, TEXAS

COMBINING BALANCE SHEET

NONMAJOR SPECIAL REVENUE FUNDS (page 2 of 3)

September 30, 2020

	<u>Faust Library</u>	<u>Federal Court Awards</u>	<u>Non-Federal Court Awards</u>	<u>Edwards Aquifer HCP</u>
<u>Assets</u>				
Cash and equity in pooled cash and investments	\$ 1,860	\$ 92,665	\$ 176,225	\$ -
Accounts receivable	-	-	-	-
Due from other funds	-	-	-	-
Restricted cash	-	-	-	-
Total Assets	<u>\$ 1,860</u>	<u>\$ 92,665</u>	<u>\$ 176,225</u>	<u>\$ -</u>
<u>Liabilities</u>				
Accounts payable	\$ -	\$ -	\$ -	\$ 32,419
Due to other funds	-	-	-	60,707
Total Liabilities	<u>-</u>	<u>-</u>	<u>-</u>	<u>93,126</u>
<u>Fund Balances</u>				
Restricted	1,860	92,665	176,225	-
Committed	-	-	-	-
Unassigned	-	-	-	(93,126)
Total Fund Balances	<u>1,860</u>	<u>92,665</u>	<u>176,225</u>	<u>(93,126)</u>
Total Liabilities and Fund Balances	<u>\$ 1,860</u>	<u>\$ 92,665</u>	<u>\$ 176,225</u>	<u>\$ -</u>

Cable Franchise PEG	Tax Increment Reinvestment Zone No. 1	New Braunfels Development Authority	Recreation Center Improvements	Enterprise Maintenance and Equipment	Developmental Services
\$ 216,577	\$ 553,779	\$ 6,518,366	\$ 918,593	\$ 6,490,527	\$ 1,151,613
53,626	-	-	-	28,656	5,132
-	-	304,237	-	-	-
-	-	1,219,630	-	-	-
<u>\$ 270,203</u>	<u>\$ 553,779</u>	<u>\$ 8,042,233</u>	<u>\$ 918,593</u>	<u>\$ 6,519,183</u>	<u>\$ 1,156,745</u>
\$ -	\$ 556,594	\$ -	\$ -	\$ 74	\$ 98,234
-	304,237	-	-	-	-
-	860,831	-	-	74	98,234
270,203	-	8,042,233	918,593	-	-
-	-	-	-	6,519,109	-
-	(307,052)	-	-	-	1,058,511
<u>270,203</u>	<u>(307,052)</u>	<u>8,042,233</u>	<u>918,593</u>	<u>6,519,109</u>	<u>1,058,511</u>
<u>\$ 270,203</u>	<u>\$ 553,779</u>	<u>\$ 8,042,233</u>	<u>\$ 918,593</u>	<u>\$ 6,519,183</u>	<u>\$ 1,156,745</u>

CITY OF NEW BRAUNFELS, TEXAS

COMBINING BALANCE SHEET

NONMAJOR SPECIAL REVENUE FUNDS (page 3 of 3)

September 30, 2020

	River Mills TIRZ	Total Nonmajor Special Revenue Funds
<u>Assets</u>		
Cash and equity in pooled cash and investments	\$ 5,802	\$ 18,226,609
Accounts receivable	-	101,141
Due from other funds	-	304,237
Restricted cash	-	1,219,630
Total Assets	<u>\$ 5,802</u>	<u>\$ 19,851,617</u>
 <u>Liabilities</u>		
Accounts payable	\$ -	\$ 1,000,267
Due to other funds	-	397,120
Total Liabilities	<u>-</u>	<u>1,397,387</u>
 <u>Fund Balances</u>		
Restricted	-	11,015,541
Committed	-	6,519,109
Unassigned	5,802	919,580
Total Fund Balances	<u>5,802</u>	<u>18,454,230</u>
Total Liabilities and Fund Balances	<u>\$ 5,802</u>	<u>\$ 19,851,617</u>

CITY OF NEW BRAUNFELS, TEXAS
COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
NONMAJOR SPECIAL REVENUE FUNDS (page 1 of 3)
For the Year Ended September 30, 2020

	Community Development Block Grant	Grants	Special Revenue Donations	River
Revenues				
Ad valorem taxes	\$ -	\$ -	\$ -	\$ -
Sales taxes	-	-	-	-
Franchise fees and local taxes	-	-	-	-
Licenses and permits	-	-	-	6,750
Fines and forfeitures	-	-	-	85,456
Interest	-	-	-	-
Intergovernmental	344,778	1,097,927	-	-
Miscellaneous	-	-	534,603	-
Charges and fees	-	-	-	419,744
Total Revenues	344,778	1,097,927	534,603	511,950
Expenditures				
Current				
General government	-	446,698	-	-
Planning and environmental development	477,659	-	-	-
Public safety	-	214,525	134,246	241,363
Public works	-	-	56,717	463,731
Parks and recreation	-	-	68,911	-
Library	-	-	60,592	-
Debt service				
Principal	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total Expenditures	477,659	661,223	320,466	705,094
Excess (Deficiency) of Revenues Over (Under) Expenditures	(132,881)	436,704	214,137	(193,144)
Other Financing Sources (Uses)				
Transfers in	-	79,978	-	131,358
Transfers (out)	-	-	-	-
Total Other Financing Sources (Uses)	-	79,978	-	131,358
Net Change in Fund Balances	(132,881)	516,682	214,137	(61,786)
Beginning fund balances	(32,280)	205,202	402,353	61,786
Ending Fund Balances	\$ (165,161)	\$ 721,884	\$ 616,490	\$ -

Court Security	Judicial Efficiency	Court Technology	Child Safety	Stormwater Development	Juvenile Case Management
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
27,893	4,694	28,408	3,829	-	41,062
-	-	-	-	-	-
-	-	-	149,069	-	-
-	-	-	-	-	-
-	-	-	-	341,387	-
<u>27,893</u>	<u>4,694</u>	<u>28,408</u>	<u>152,898</u>	<u>341,387</u>	<u>41,062</u>
-	-	-	-	-	-
-	-	-	-	-	-
23,680	3,832	27,303	136,149	-	71,647
-	-	-	-	234,594	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
<u>23,680</u>	<u>3,832</u>	<u>27,303</u>	<u>136,149</u>	<u>234,594</u>	<u>71,647</u>
<u>4,213</u>	<u>862</u>	<u>1,105</u>	<u>16,749</u>	<u>106,793</u>	<u>(30,585)</u>
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
4,213	862	1,105	16,749	106,793	(30,585)
<u>6,600</u>	<u>7,200</u>	<u>69,001</u>	<u>65,821</u>	<u>313,813</u>	<u>34,422</u>
<u>\$ 10,813</u>	<u>\$ 8,062</u>	<u>\$ 70,106</u>	<u>\$ 82,570</u>	<u>\$ 420,606</u>	<u>\$ 3,837</u>

CITY OF NEW BRAUNFELS, TEXAS
COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
NONMAJOR SPECIAL REVENUE FUNDS (page 2 of 3)
For the Year Ended September 30, 2020

	Faust Library	Federal Court Awards	Non-Federal Court Awards	Edwards Aquifer HCP
<u>Revenues</u>				
Ad valorem taxes	\$ -	\$ -	\$ -	\$ -
Sales taxes	-	-	-	-
Franchise fees and local taxes	-	-	-	-
Licenses and permits	-	-	-	-
Fines and forfeitures	-	-	-	-
Interest	-	-	-	-
Intergovernmental	-	21,556	-	92,429
Miscellaneous	127	-	39,596	367,155
Charges and fees	-	-	-	-
Total Revenues	<u>127</u>	<u>21,556</u>	<u>39,596</u>	<u>459,584</u>
<u>Expenditures</u>				
Current				
General government	-	-	-	-
Planning and environmental development	-	-	-	-
Public safety	-	63,763	3,899	-
Public works	-	-	-	581,696
Parks and recreation	-	-	-	-
Library	-	-	-	-
Debt service				
Principal	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total Expenditures	<u>-</u>	<u>63,763</u>	<u>3,899</u>	<u>581,696</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>127</u>	<u>(42,207)</u>	<u>35,697</u>	<u>(122,112)</u>
<u>Other Financing Sources (Uses)</u>				
Transfers in	-	-	4,556	89,000
Transfers (out)	-	-	-	-
Total Other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>4,556</u>	<u>89,000</u>
Net Change in Fund Balances	127	(42,207)	40,253	(33,112)
Beginning fund balances	<u>1,733</u>	<u>134,872</u>	<u>135,972</u>	<u>(60,014)</u>
Ending Fund Balances	<u>\$ 1,860</u>	<u>\$ 92,665</u>	<u>\$ 176,225</u>	<u>\$ (93,126)</u>

Cable Franchise PEG	Tax Increment Reinvestment Zone No. 1	New Braunfels Development Authority	Recreation Center Improvements	Enterprise Maintenance and Equipment	Developmental Services
\$ -	\$ 2,783,406	\$ -	\$ -	\$ -	\$ -
-	1,406,463	-	-	-	-
179,092	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	9,082
-	21,954	19,109	-	43,548	-
-	-	-	-	-	-
-	-	-	189	190,951	-
-	-	-	-	5,854	1,305,554
179,092	4,211,823	19,109	189	240,353	1,314,636
487,408	307,051	-	236	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	3,881,309	916,539
-	-	-	-	-	-
-	-	-	-	-	-
-	-	1,360,000	-	-	-
-	-	3,077,162	-	-	-
487,408	307,051	4,437,162	236	3,881,309	916,539
(308,316)	3,904,772	(4,418,053)	(47)	(3,640,956)	398,097
-	-	4,211,824	-	1,341,910	-
-	(4,211,824)	-	(125,000)	(250,000)	-
-	(4,211,824)	4,211,824	(125,000)	1,091,910	-
(308,316)	(307,052)	(206,229)	(125,047)	(2,549,046)	398,097
578,519	-	8,248,462	1,043,640	9,068,155	660,414
\$ 270,203	\$ (307,052)	\$ 8,042,233	\$ 918,593	\$ 6,519,109	\$ 1,058,511

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CITY OF NEW BRAUNFELS, TEXAS
COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
NONMAJOR SPECIAL REVENUE FUNDS (page 3 of 3)
For the Year Ended September 30, 2020

	River Mills TIRZ	Total Nonmajor Special Revenue Funds
<u>Revenues</u>		
Ad valorem taxes	\$ -	\$ 2,783,406
Sales taxes	5,802	1,412,265
Franchise fees and local taxes	-	179,092
Licenses and permits	-	6,750
Fines and forfeitures	-	200,424
Interest	-	84,611
Intergovernmental	-	1,705,759
Miscellaneous	-	1,132,621
Charges and fees	-	2,072,539
Total Revenues	5,802	9,577,467
<u>Expenditures</u>		
Current		
General government	-	1,241,393
Planning and environmental development	-	477,659
Public safety	-	920,407
Public works	-	6,134,586
Parks and recreation	-	68,911
Library	-	60,592
Debt service		
Principal	-	1,360,000
Interest and fiscal charges	-	3,077,162
Total Expenditures	-	13,340,710
Excess (Deficiency) of Revenues Over (Under) Expenditures	5,802	(3,763,243)
<u>Other Financing Sources (Uses)</u>		
Transfers in	-	5,858,626
Transfers (out)	-	(4,586,824)
Total Other Financing Sources (Uses)	-	1,271,802
Net Change in Fund Balances	5,802	(2,491,441)
Beginning fund balances	-	20,945,671
Ending Fund Balances	\$ 5,802	\$ 18,454,230

CITY OF NEW BRAUNFELS, TEXAS

COMBINING BALANCE SHEET

NONMAJOR CAPITAL PROJECTS FUNDS (page 1 of 2)

September 30, 2020

	<u>Park Improvement</u>	<u>Certificates of Obligation 2004</u>	<u>Certificates of Obligation 2007</u>	<u>Certificates of Obligation 2008</u>
<u>Assets</u>				
Cash and equity in pooled cash and investments	\$ 4,211,022	\$ 60,643	\$ 2	\$ 413,673
Accounts receivable (net of allowance)	-	-	-	-
Total Assets	<u>\$ 4,211,022</u>	<u>\$ 60,643</u>	<u>\$ 2</u>	<u>\$ 413,673</u>
<u>Liabilities</u>				
Accounts payable	\$ 34,500	\$ -	\$ -	\$ -
Due to other funds	-	-	-	-
Total Liabilities	<u>34,500</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Fund Balances</u>				
Restricted	4,176,522	60,643	2	413,673
Unassigned	-	-	-	-
Total Fund Balances	<u>4,176,522</u>	<u>60,643</u>	<u>2</u>	<u>413,673</u>
Total Liabilities and Fund Balances	<u>\$ 4,211,022</u>	<u>\$ 60,643</u>	<u>\$ 2</u>	<u>\$ 413,673</u>

<u>Certificates of Obligation 2009</u>	<u>Certificates of Obligation 2011</u>	<u>Certificates of Obligation 2012</u>	<u>Certificates of Obligation 2013</u>	<u>Certificates of Obligation 2014</u>	<u>Certificates of Obligation 2015</u>
\$ 30,683	\$ 925,679	\$ -	\$ 191,165	\$ 86,589	\$ 196
-	-	-	-	-	-
<u>\$ 30,683</u>	<u>\$ 925,679</u>	<u>\$ -</u>	<u>\$ 191,165</u>	<u>\$ 86,589</u>	<u>\$ 196</u>
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
-	-	9,923	-	-	-
-	-	<u>9,923</u>	-	-	-
30,683	925,679	-	191,165	86,589	196
-	-	(9,923)	-	-	-
<u>30,683</u>	<u>925,679</u>	<u>(9,923)</u>	<u>191,165</u>	<u>86,589</u>	<u>196</u>
<u>\$ 30,683</u>	<u>\$ 925,679</u>	<u>\$ -</u>	<u>\$ 191,165</u>	<u>\$ 86,589</u>	<u>\$ 196</u>

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CITY OF NEW BRAUNFELS, TEXAS

COMBINING BALANCE SHEET

NONMAJOR CAPITAL PROJECTS FUNDS (page 2 of 2)

September 30, 2020

	<u>Tax Note 2015</u>	<u>Certificates of Obligation 2018</u>	<u>Tax Note 2018A</u>	<u>Total Nonmajor Capital Projects Funds</u>
Assets				
Cash and equity in pooled cash and investments	\$ 15,489	\$ 244,571	\$ 64,528	\$ 6,244,240
Accounts receivable (net of allowance)	-	-	-	-
Total Assets	<u>\$ 15,489</u>	<u>\$ 244,571</u>	<u>\$ 64,528</u>	<u>\$ 6,244,240</u>
Liabilities				
Accounts payable	\$ -	\$ -	\$ 18,105	\$ 52,605
Due to other funds	-	-	-	9,923
Total Liabilities	<u>-</u>	<u>-</u>	<u>18,105</u>	<u>62,528</u>
Fund Balances				
Restricted	15,489	244,571	46,423	6,191,635
Unassigned	-	-	-	(9,923)
Total Fund Balances	<u>15,489</u>	<u>244,571</u>	<u>46,423</u>	<u>6,181,712</u>
Total Liabilities and Fund Balances	<u>\$ 15,489</u>	<u>\$ 244,571</u>	<u>\$ 64,528</u>	<u>\$ 6,244,240</u>

CITY OF NEW BRAUNFELS, TEXAS
COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
NONMAJOR CAPITAL PROJECTS FUNDS (page 1 of 2)
For the Year Ended September 30, 2020

	Park Improvement	Certificates of Obligation 2004	Certificates of Obligation 2007	Certificates of Obligation 2008
<u>Revenues</u>				
Parks and recreation	\$ 725,541	\$ -	\$ -	\$ -
Interest	-	-	2	4,863
Intergovernmental	-	-	-	-
Miscellaneous	-	-	-	-
Total Revenues	725,541	-	2	4,863
<u>Expenditures</u>				
Current				
General government	-	-	-	-
Public works	-	-	-	508
Parks and recreation	8,941	-	-	-
Total Expenditures	8,941	-	-	508
Excess (Deficiency) of Revenues Over (Under) Expenditures	716,600	-	2	4,355
<u>Other Financing Sources (Uses)</u>				
Transfers in	-	-	11,389	-
Transfers (out)	-	-	-	(251,024)
Total Other Financing Sources (Uses)	-	-	11,389	(251,024)
Net Change in Fund Balances	716,600	-	11,391	(246,669)
Beginning fund balances	3,459,922	60,643	(11,389)	660,342
Ending Fund Balances	\$ 4,176,522	\$ 60,643	\$ 2	\$ 413,673

<u>Certificates of Obligation 2009</u>	<u>Certificates of Obligation 2011</u>	<u>Certificates of Obligation 2012</u>	<u>Certificates of Obligation 2013</u>	<u>Certificates of Obligation 2014</u>	<u>Certificates of Obligation 2015</u>
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
-	-	-	-	14	2
-	29,735	-	-	-	-
-	-	27	191,165	-	-
<u>-</u>	<u>29,735</u>	<u>27</u>	<u>191,165</u>	<u>14</u>	<u>2</u>
3,809	-	-	-	-	-
-	73,602	9,950	-	-	-
-	-	-	-	24,245	-
<u>3,809</u>	<u>73,602</u>	<u>9,950</u>	<u>-</u>	<u>24,245</u>	<u>-</u>
<u>(3,809)</u>	<u>(43,867)</u>	<u>(9,923)</u>	<u>191,165</u>	<u>(24,231)</u>	<u>2</u>
-	-	51,912	187,723	-	-
-	-	-	-	-	-
<u>-</u>	<u>-</u>	<u>51,912</u>	<u>187,723</u>	<u>-</u>	<u>-</u>
(3,809)	(43,867)	41,989	378,888	(24,231)	2
<u>34,492</u>	<u>969,546</u>	<u>(51,912)</u>	<u>(187,723)</u>	<u>110,820</u>	<u>194</u>
<u>\$ 30,683</u>	<u>\$ 925,679</u>	<u>\$ (9,923)</u>	<u>\$ 191,165</u>	<u>\$ 86,589</u>	<u>\$ 196</u>

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CITY OF NEW BRAUNFELS, TEXAS
COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
NONMAJOR CAPITAL PROJECTS FUNDS (page 2 of 2)
For the Year Ended September 30, 2020

	Tax Note 2015	Certificates of Obligation 2018	Tax Note 2018A	Total Nonmajor Capital Projects Funds
<u>Revenues</u>				
Parks and recreation	\$ -	\$ -	\$ -	\$ 725,541
Interest	-	2,788	-	7,669
Intergovernmental	-	-	-	29,735
Miscellaneous	-	-	-	191,192
Total Revenues	-	2,788	-	954,137
<u>Expenditures</u>				
Current				
General government	25,874	-	649,852	679,535
Public works	6,414	-	-	90,474
Parks and recreation	-	-	-	33,186
Total Expenditures	32,288	-	649,852	803,195
Excess (Deficiency) of Revenues Over (Under) Expenditures	(32,288)	2,788	(649,852)	150,942
<u>Other Financing Sources (Uses)</u>				
Transfers in	-	-	-	251,024
Transfers (out)	-	-	-	(251,024)
Total Other Financing Sources (Uses)	-	-	-	-
Net Change in Fund Balances	(32,288)	2,788	(649,852)	150,942
Beginning fund balances	47,777	241,783	696,275	6,030,770
Ending Fund Balances	\$ 15,489	\$ 244,571	\$ 46,423	\$ 6,181,712

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
DEBT SERVICE FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Ad valorem taxes	\$ 16,360,016	\$ 16,360,016	\$ 16,504,981	\$ 144,965
Interest	100,000	100,000	35,150	(64,850)
Other contributions	2,066,038	2,066,038	2,051,491	(14,547)
Total Revenues	18,526,054	18,526,054	18,591,622	65,568
<u>Expenditures</u>				
Debt Service:				
Principal	12,630,000	12,630,000	12,630,000	-
Interest	7,279,818	7,298,114	7,298,114	-
Bond issuance costs and fees	7,000	7,000	6,900	100
Total Expenditures	19,916,818	19,935,114	19,935,014	100
(Deficiency) of Revenues (Under) Expenditures	(1,390,764)	(1,409,060)	(1,343,392)	65,668
<u>Other Financing Sources (Uses)</u>				
Transfers in	1,391,312	1,391,312	1,391,312	-
Total Other Financing Sources	1,391,312	1,391,312	1,391,312	-
Net Change in Fund Balance	\$ 548	\$ (17,748)	47,920	\$ 65,668
Beginning fund balance			2,194,652	
Ending Fund Balance			\$ 2,242,572	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
COMMUNITY DEVELOPMENT BLOCK GRANT FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Intergovernmental	\$ 354,166	\$ 354,166	\$ 344,778	\$ (9,388)
Total Revenues	<u>354,166</u>	<u>354,166</u>	<u>344,778</u>	<u>(9,388)</u>
<u>Expenditures</u>				
Current:				
Planning and environmental development	354,166	477,659	477,659	-
Total Expenditures	<u>354,166</u>	<u>477,659</u>	<u>477,659</u>	<u>-</u>
Net Change in Fund Balance	<u>\$ -</u>	<u>\$ (123,493)</u>	(132,881)	<u>\$ (9,388)</u>
Beginning fund balance			<u>(32,280)</u>	
Ending Fund Balance			<u>\$ (165,161)</u>	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
GRANTS FUND

For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Intergovernmental	\$ 501,591	\$ 501,591	\$ 1,097,927	\$ 596,336
Total Revenues	501,591	501,591	1,097,927	596,336
<u>Expenditures</u>				
Current:				
General government	415,188	465,188	446,698	18,490
Public safety	267,151	217,151	214,525	2,626
Total Expenditures	682,339	682,339	661,223	21,116
Excess (Deficiency) of Revenues Over (Under) Expenditures	(180,748)	(180,748)	436,704	617,452
<u>Other Financing Sources (Uses)</u>				
Transfers in	26,500	26,500	79,978	53,478
Transfers (out)	-	-	-	-
Total Other Financing Sources	26,500	26,500	79,978	53,478
Net Change in Fund Balance	\$ (154,248)	\$ (154,248)	516,682	\$ 670,930
Beginning fund balance			205,202	
Ending Fund Balance			\$ 721,884	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
SPECIAL REVENUE DONATIONS FUND
For the Year Ended September 30, 2020

		Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>					
Miscellaneous		200,000	200,000	\$ 534,603	334,603
Total Revenues		<u>200,000</u>	<u>200,000</u>	<u>534,603</u>	<u>334,603</u>
<u>Expenditures</u>					
Current:					
Public safety		250,000	250,000	134,246	115,754
Public works		70,000	70,000	56,717	13,283
Parks and recreation		70,000	70,000	68,911	1,089
Library		65,000	65,000	60,592	4,408
Total Expenditures		<u>455,000</u>	<u>455,000</u>	<u>320,466</u>	<u>134,534</u>
Net Change in Fund Balance		<u>\$ (255,000)</u>	<u>\$ (255,000)</u>	214,137	<u>\$ 469,137</u>
Beginning fund balance				<u>402,353</u>	
Ending Fund Balance				<u>\$ 616,490</u>	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
RIVER FUND

For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Licenses and permits	\$ 8,400	\$ 8,400	\$ 6,750	\$ (1,650)
Fines and forfeitures	110,000	110,000	85,456	(24,544)
Charges and fees	925,000	925,000	419,744	(505,256)
Total Revenues	1,043,400	1,043,400	511,950	(531,450)
<u>Expenditures</u>				
Current:				
Public safety	703,451	703,451	241,363	462,088
River operations	619,018	619,018	463,731	155,287
Total Expenditures	1,322,469	1,322,469	705,094	617,375
(Deficiency) of Revenues (Under) Expenditures	(279,069)	(279,069)	(193,144)	85,925
<u>Other Financing Sources (Uses)</u>				
Transfers in	279,070	279,070	131,358	(147,712)
Total Other Financing Sources	279,070	279,070	131,358	(147,712)
Net Change in Fund Balance	\$ 1	\$ 1	(61,786)	\$ (61,787)
Beginning fund balance			61,786	
Ending Fund Balance			\$ -	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
COURT SECURITY FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Fines and forfeitures	\$ 30,000	\$ 30,000	\$ 27,893	\$ (2,107)
Total Revenues	<u>30,000</u>	<u>30,000</u>	<u>27,893</u>	<u>(2,107)</u>
<u>Expenditures</u>				
Current:				
Public safety	31,000	31,000	23,680	7,320
Total Expenditures	<u>31,000</u>	<u>31,000</u>	<u>23,680</u>	<u>7,320</u>
Net Change in Fund Balance	<u>\$ (1,000)</u>	<u>\$ (1,000)</u>	4,213	<u>\$ 5,213</u>
Beginning fund balance			<u>6,600</u>	
Ending Fund Balance			<u>\$ 10,813</u>	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
JUDICIAL EFFICIENCY FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Fines and forfeitures	\$ 7,500	\$ 7,500	\$ 4,694	\$ (2,806)
Total Revenues	<u>7,500</u>	<u>7,500</u>	<u>4,694</u>	<u>(2,806)</u>
<u>Expenditures</u>				
Current:				
Public safety	13,701	13,701	3,832	9,869
Total Expenditures	<u>13,701</u>	<u>13,701</u>	<u>3,832</u>	<u>9,869</u>
Net Change in Fund Balance	<u>\$ (6,201)</u>	<u>\$ (6,201)</u>	862	<u>\$ 7,063</u>
Beginning fund balance			<u>7,200</u>	
Ending Fund Balance			<u>\$ 8,062</u>	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
COURT TECHNOLOGY FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Fines and forfeitures	\$ 41,000	\$ 41,000	\$ 28,408	\$ (12,592)
Total Revenues	<u>41,000</u>	<u>41,000</u>	<u>28,408</u>	<u>(12,592)</u>
<u>Expenditures</u>				
Current:				
Public safety	42,000	42,000	27,303	14,697
Total Expenditures	<u>42,000</u>	<u>42,000</u>	<u>27,303</u>	<u>14,697</u>
Net Change in Fund Balance	<u>\$ (1,000)</u>	<u>\$ (1,000)</u>	1,105	<u>\$ 2,105</u>
Beginning fund balance			<u>69,001</u>	
Ending Fund Balance			<u>\$ 70,106</u>	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
CHILD SAFETY FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Fines and forfeitures	\$ 9,500	\$ 9,500	\$ 3,829	\$ (5,671)
Intergovernmental	128,000	128,000	149,069	21,069
Total Revenues	137,500	137,500	152,898	15,398
<u>Expenditures</u>				
Current:				
Public safety	186,000	186,000	136,149	49,851
Total Expenditures	186,000	186,000	136,149	49,851
Net Change in Fund Balance	\$ (48,500)	\$ (48,500)	16,749	\$ 65,249
Beginning fund balance			65,821	
Ending Fund Balance			\$ 82,570	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
STORMWATER DEVELOPMENT FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Charges and fees	\$ 65,000	\$ 65,000	\$ 341,387	\$ 276,387
Total Revenues	<u>65,000</u>	<u>65,000</u>	<u>341,387</u>	<u>276,387</u>
<u>Expenditures</u>				
Current:				
Public works	316,000	316,000	234,594	81,406
Total Expenditures	<u>316,000</u>	<u>316,000</u>	<u>234,594</u>	<u>81,406</u>
Net Change in Fund Balance	<u>\$ (251,000)</u>	<u>\$ (251,000)</u>	106,793	<u>\$ 357,793</u>
Beginning fund balance			<u>313,813</u>	
Ending Fund Balance			<u>\$ 420,606</u>	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
JUVENILE CASE MANAGEMENT FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Fines and forfeitures	\$ 60,000	\$ 60,000	\$ 41,062	\$ (18,938)
Total Revenues	<u>60,000</u>	<u>60,000</u>	<u>41,062</u>	<u>(18,938)</u>
<u>Expenditures</u>				
Current:				
Public safety	79,750	79,750	71,647	8,103
Total Expenditures	<u>79,750</u>	<u>79,750</u>	<u>71,647</u>	<u>8,103</u>
Net Change in Fund Balance	<u>\$ (19,750)</u>	<u>\$ (19,750)</u>	(30,585)	<u>\$ (10,835)</u>
Beginning fund balance			<u>34,422</u>	
Ending Fund Balance			<u>\$ 3,837</u>	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
FAUST LIBRARY FUND
For the Year Ended September 30, 2020

		Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>					
Miscellaneous		\$ -	\$ -	\$ 127	\$ 127
Total Revenues		<u>-</u>	<u>-</u>	<u>127</u>	<u>127</u>
<u>Expenditures</u>					
Current:					
Library		<u>1,500</u>	<u>1,500</u>	<u>-</u>	<u>1,500</u>
Total Expenditures		<u>1,500</u>	<u>1,500</u>	<u>-</u>	<u>1,500</u>
Net Change in Fund Balance		<u><u>\$ (1,500)</u></u>	<u><u>\$ (1,500)</u></u>	<u>127</u>	<u><u>\$ 1,627</u></u>
Beginning fund balance				<u>1,733</u>	
Ending Fund Balance				<u><u>\$ 1,860</u></u>	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
FEDERAL COURT AWARDS FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Intergovernmental	\$ -	\$ -	\$ 21,556	\$ 21,556
Total Revenues	<u>-</u>	<u>-</u>	<u>21,556</u>	<u>21,556</u>
<u>Expenditures</u>				
Current:				
Public safety	100,000	100,000	63,763	36,237
Total Expenditures	<u>100,000</u>	<u>100,000</u>	<u>63,763</u>	<u>36,237</u>
Net Change in Fund Balance	<u>\$ (100,000)</u>	<u>\$ (100,000)</u>	(42,207)	<u>\$ 57,793</u>
Beginning fund balance			<u>134,872</u>	
Ending Fund Balance			<u>\$ 92,665</u>	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
NON-FEDERAL COURT AWARDS FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Miscellaneous	\$ -	\$ -	\$ 39,596	\$ 39,596
Total Revenues	-	-	39,596	39,596
<u>Expenditures</u>				
Current:				
Public safety	68,000	68,000	3,899	64,101
Total Expenditures	68,000	68,000	3,899	64,101
Excess (Deficiency) of Revenues Over (Under) Expenditures	(68,000)	(68,000)	35,697	103,697
<u>Other Financing Sources (Uses)</u>				
Transfers in	-	-	4,556	4,556
Total Other Financing Sources	-	-	4,556	4,556
Net Change in Fund Balance	\$ (68,000)	\$ (68,000)	40,253	\$ 108,253
Beginning fund balance			135,972	
Ending Fund Balance			\$ 176,225	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
EDWARDS AQUIFER HCP FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Intergovernmental	\$ 1,166,500	\$ 1,166,500	\$ 92,429	\$ (1,074,071)
Miscellaneous	-	-	367,155	367,155
Total Revenues	<u>1,166,500</u>	<u>1,166,500</u>	<u>459,584</u>	<u>(706,916)</u>
<u>Expenditures</u>				
Current:				
Public works - River Authority	1,255,500	1,255,500	581,696	673,804
Total Expenditures	<u>1,255,500</u>	<u>1,255,500</u>	<u>581,696</u>	<u>673,804</u>
(Deficiency) of Revenues (Under) Expenditures	(89,000)	(89,000)	(122,112)	(33,112)
<u>Other Financing Sources (Uses)</u>				
Transfers in	89,000	89,000	89,000	-
Total Other Financing Sources	<u>89,000</u>	<u>89,000</u>	<u>89,000</u>	<u>-</u>
Net Change in Fund Balance	<u>\$ -</u>	<u>\$ -</u>	<u>(33,112)</u>	<u>\$ (33,112)</u>
Beginning fund balance			<u>(60,014)</u>	
Ending Fund Balance			<u>\$ (93,126)</u>	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
CABLE FRANCHISE PEG FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Franchise fees and local taxes	\$ 177,500	\$ 177,500	\$ 179,092	\$ 1,592
Total Revenues	<u>177,500</u>	<u>177,500</u>	<u>179,092</u>	<u>1,592</u>
<u>Expenditures</u>				
Current:				
General government	350,000	490,000	487,408	2,592
Total Expenditures	<u>350,000</u>	<u>490,000</u>	<u>487,408</u>	<u>2,592</u>
Net Change in Fund Balance	<u>\$ (172,500)</u>	<u>\$ (312,500)</u>	(308,316)	<u>\$ 4,184</u>
Beginning fund balance			<u>578,519</u>	
Ending Fund Balance			<u>\$ 270,203</u>	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
TAX INCREMENT REINVESTMENT ZONE NO. 1 FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Ad valorem taxes	\$ 2,645,636	\$ 2,645,636	\$ 2,783,406	\$ 137,770
Sales taxes	1,198,500	1,198,500	1,406,463	207,963
Interest	40,000	40,000	21,954	(18,046)
Total Revenues	3,884,136	3,884,136	4,211,823	327,687
<u>Expenditures</u>				
Current:				
General government	2,958,000	2,958,000	307,051	2,650,949
Principal	2,096,545	2,096,545	-	2,096,545
Total Expenditures	5,054,545	5,054,545	307,051	4,747,494
Excess (Deficiency) of Revenues Over (Under) Expenditures	(1,170,409)	(1,170,409)	3,904,772	5,075,181
<u>Other Financing Sources (Uses)</u>				
Transfers (out)	-	(4,211,824)	(4,211,824)	-
Total Other Financing (Uses)	-	(4,211,824)	(4,211,824)	-
Net Change in Fund Balance	\$ (1,170,409)	\$ (5,382,233)	(307,052)	\$ 5,075,181
Beginning fund balance			-	
Ending Fund Balance			\$ (307,052)	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
ENTERPRISE MAINTENANCE AND EQUIPMENT FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Interest	\$ 90,000	\$ 90,000	\$ 43,548	\$ (46,452)
Charges and fees	-	-	5,854	5,854
Miscellaneous	19,500	-	190,951	190,951
Total Revenues	109,500	90,000	240,353	150,353
<u>Expenditures</u>				
Current:				
Public works	1,700,000	3,954,638	3,881,309	73,329
Total Expenditures	1,700,000	3,954,638	3,881,309	73,329
(Deficiency) of Revenues (Under) Expenditures	(1,590,500)	(3,864,638)	(3,640,956)	223,682
<u>Other Financing Sources (Uses)</u>				
Transfers out	-	(250,000)	(250,000)	-
Transfers in	1,341,910	1,341,910	1,341,910	-
Total Other Financing Sources	1,341,910	1,091,910	1,091,910	-
Net Change in Fund Balance	\$ (248,590)	\$ (2,772,728)	(2,549,046)	\$ 223,682
Beginning fund balance			9,068,155	
Ending Fund Balance			\$ 6,519,109	

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
CEMETERY PERPETUAL FUND
For the Year Ended September 30, 2020

	Original Budgeted Amounts	Final Budgeted Amounts	Actual GAAP Basis	Variance with Final Budget Positive (Negative)
<u>Revenues</u>				
Miscellaneous	\$ 5,000	\$ 5,000	\$ 18,000	\$ 13,000
Charges and fees	-	-	2,676	2,676
Total Revenues	5,000	5,000	20,676	15,676
<u>Expenditures</u>				
Current:				
Parks and recreation	198,000	198,000	20,736	177,264
Total Expenditures	198,000	198,000	20,736	177,264
Net Change in Fund Balance	\$ (193,000)	\$ (193,000)	(60)	\$ 192,940
Beginning fund balance			222,677	
Ending Fund Balance			\$ 222,617	

STATISTICAL SECTION

This part of the City's Comprehensive Annual Financial Report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and Required Supplementary Information says about the City's overall financial health.

Contents	Page
Financial Trends	168
<i>These schedules contain trend information to help the reader understand how the City's financial performance and well-being have changed over time.</i>	
Revenue Capacity	182
<i>These schedules contain information to help the reader assess the City's most significant local revenue source, property tax revenues.</i>	
Debt Capacity	192
<i>These schedules present information to help the reader assess the affordability of the City's current level of outstanding debt and the City's ability to issue additional debt in the future.</i>	
Demographic and Economic Information	201
<i>These schedules offer demographic and economic indicators to help the reader understand the environment within which the City's financial activities take place.</i>	
Operating Information	205
<i>These schedules contain service and infrastructure data to help the reader understand how the information in the City's financial report relates to the services the City provides and the activities it performs.</i>	

Source: Unless otherwise noted, the information in these schedules is derived from the Comprehensive Annual Financial Report for the relevant year.

CITY OF NEW BRAUNFELS, TEXAS

NET POSITION BY COMPONENT

Last Ten Years

(accrual basis of accounting)

(amounts expressed in thousands)

	Fiscal Year			
	2011	2012	2013	2014
Governmental Activities				
Net investment in capital assets	\$ 26,047	\$ 25,891	\$ 24,207	\$ 8,094
Restricted	4,571	4,587	7,931	6,879
Unrestricted	22,021	15,937	12,650	13,828
Total Governmental Activities Net Position	\$ 52,639	\$ 46,415	\$ 44,788	\$ 28,801
Business-Type Activities				
Net investment in capital assets	\$ 6,951	\$ 8,200	\$ 11,549	\$ 34,960
Unrestricted	1,235	1,930	2,054	1,967
Total Business-Type Activities Net Position	\$ 8,186	\$ 10,130	\$ 13,603	\$ 36,927
Primary Government				
Net investment in capital assets	\$ 32,998	\$ 34,091	\$ 35,756	\$ 43,054
Restricted	4,571	4,587	7,931	6,879
Unrestricted	23,256	17,867	14,704	15,795
Total Primary Government Net Position	\$ 60,825	\$ 56,545	\$ 58,391	\$ 65,728

Source: City financial statements

**Balances have been restated.*

Fiscal Year					
2015	2016	2017	2018*	2019	2020
\$ 5,121	\$ 2,127	\$ 5,470	\$ (3,398)	\$ 7,297	\$ 10,678
10,919	16,400	21,269	24,333	18,232	25,877
(10,896)	(16,030)	(15,905)	(18,031)	635	(10,423)
<u>\$ 5,144</u>	<u>\$ 2,497</u>	<u>\$ 10,834</u>	<u>\$ 2,904</u>	<u>\$ 26,164</u>	<u>\$ 26,132</u>
\$ 34,775	\$ 33,493	\$ 31,025	\$ 29,515	\$ 28,869	\$ 27,813
298	(236)	(748)	525	(1,517)	2,028
<u>\$ 35,073</u>	<u>\$ 33,257</u>	<u>\$ 30,277</u>	<u>\$ 30,040</u>	<u>\$ 27,352</u>	<u>\$ 29,841</u>
\$ 39,896	\$ 35,620	\$ 36,495	\$ 26,117	\$ 36,166	\$ 38,491
10,919	16,400	21,269	24,333	18,232	25,877
(10,598)	(16,266)	(16,653)	(17,506)	(882)	(8,395)
<u>\$ 40,217</u>	<u>\$ 35,754</u>	<u>\$ 41,111</u>	<u>\$ 32,944</u>	<u>\$ 53,516</u>	<u>\$ 55,973</u>

CITY OF NEW BRAUNFELS, TEXAS

CHANGES IN NET POSITION (page 1 of 3)

Last Ten Years

(accrual basis of accounting)

(amounts expressed in thousands)

	Fiscal Year			
	2011	2012	2013	2014
Expenses				
Governmental activities				
General government	\$ 7,918	\$ 9,416	\$ 12,083	\$ 14,850
Finance and tax	912	1,050	1,305	972
Planning and environmental development	3,350	2,816	3,413	2,489
Public safety	28,515	31,810	30,057	31,597
Public works	6,675	8,180	12,973	8,241
Parks and recreation	5,069	5,995	3,632	4,572
Library	1,836	1,954	2,203	2,400
Civic/convention center	-	-	6	5
Airport	9	-	219	107
Interest on long-term debt	3,184	4,213	3,913	4,985
Total Governmental Activities Expenses	57,468	65,434	69,804	70,218
Business-Type Activities				
Airport	1,968	2174	2,305	2,855
Solid waste	5,506	5167	5,779	6,171
Golf course	979	1015	904	678
Civic/convention center	746	730	671	924
Total Business-Type Activities Expenses	9,199	9,086	9,659	10,628
Total Expenses	\$ 66,667	\$ 74,520	\$ 79,463	\$ 80,846

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ 17,936	\$ 22,722	\$ 11,764	\$ 13,085	\$ 11,177	\$ 12,716
719	690	1,269	1,574	1,210	1,054
2,622	2,772	4,527	4,874	3,759	3,300
33,327	29,273	43,328	57,457	41,360	34,334
9,377	15,314	11,858	11,912	26,422	39,376
8,551	4,597	6,357	8,018	8,322	8,453
1,969	1,660	2,664	3,091	2,460	2,026
191	49	-	-	-	-
48	1,493	15	9	-	-
5,369	6,757	5,752	6,553	6,828	9,388
80,109	85,327	87,534	106,573	101,538	110,647
2,778	2,968	3,221	3,499	3,645	3,298
6,670	7,271	7,721	7,897	8,779	8,718
1,775	1,938	1,838	1,898	2,019	1,824
894	886	979	963	1,071	1,166
12,117	13,063	13,759	14,257	15,514	15,006
\$ 92,226	\$ 98,390	\$ 101,293	\$ 120,830	\$ 117,052	\$ 125,653

CITY OF NEW BRAUNFELS, TEXAS

CHANGES IN NET POSITION (page 2 of 3)

Last Ten Years

(accrual basis of accounting)

(amounts expressed in thousands)

	Fiscal Year			
	2011	2012	2013	2014
Program Revenues				
Governmental activities				
Charges for services				
General government	\$ 260	\$ 165	\$ 1,182	\$ 1,095
Planning and environmental development	2,385	2,988	3,209	3,335
Public safety	4,684	3,822	3,936	3,108
Public works	222	1,141	75	898
Parks and recreation	1,352	1,386	1,600	1,963
Library	177	98	111	114
Civic/convention center	-	-	-	-
Operating grants and contributions	2,760	1,366	1,000	1,539
Capital grants and contributions	1,555	2,072	3,000	-
Total Governmental Activities Program Revenues	<u>13,395</u>	<u>13,038</u>	<u>14,113</u>	<u>12,052</u>
Business-Type Activities				
Charges for services				
Airport	1,406	1,667	1,771	2,387
Solid waste	6,415	7,020	7,215	7,591
Golf course	957	975	1,076	128
Civic/convention center	321	279	293	371
Operating grants and contributions	71	50	55	43
Capital grants and contributions	223	2,224	4,570	441
Total Business-Type Activities Program Revenues	<u>9,393</u>	<u>12,215</u>	<u>14,980</u>	<u>10,961</u>
Total Program Revenues	<u>\$ 22,788</u>	<u>\$ 25,253</u>	<u>\$ 29,093</u>	<u>\$ 23,013</u>
Net (Expense)/Revenue				
Governmental activities	\$ (44,073)	\$ (52,396)	\$ (55,691)	\$ (58,166)
Business-type activities	194	3,129	5,321	333
Total Net Expense	<u>\$ (43,879)</u>	<u>\$ (49,267)</u>	<u>\$ (50,370)</u>	<u>\$ (57,833)</u>

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ 1,265	\$ 1,505	\$ 164	\$ 150	\$ 152	\$ 125
3,912	3,489	-	-	-	-
3,841	4,384	6,503	6,528	5,918	5,748
1,076	1,231	4,163	4,507	6,465	7,019
1,642	2,745	2,226	2,288	5,501	3,283
102	101	96	89	61	27
8	14	-	-	-	-
1,963	2,377	1,759	3,819	1,402	2,394
-	-	3,460	1,831	1,768	-
13,809	15,846	18,371	19,212	21,267	18,597
2,317	2,077	2399	2,599	2,894	2,296
7,985	8,280	8664	10,168	9,865	10,176
1,378	1,486	1436	1,578	1,714	1,634
418	436	450	420	496	274
50	50	397	-	51	5,010
290	2,263	-	-	-	-
12,438	14,592	13,346	14,765	15,020	19,391
\$ 26,247	\$ 30,438	\$ 31,717	\$ 33,977	\$ 36,287	\$ 37,988
\$ (66,300)	\$ (69,481)	\$ (69,163)	\$ (87,361)	\$ (80,271)	\$ (92,050)
321	1,529	(413)	508	(494)	4,386
\$ (65,979)	\$ (67,952)	\$ (69,576)	\$ (86,853)	\$ (80,765)	\$ (87,665)

CITY OF NEW BRAUNFELS, TEXAS

CHANGES IN NET POSITION (page 3 of 3)

Last Ten Years

(accrual basis of accounting)

(amounts expressed in thousands)

	Fiscal Year			
	2011	2012	2013	2014
General Revenues and Other Changes in Net Position				
Governmental activities				
Property taxes, levied for general purposes	\$ 10,340	\$ 10,578	\$ 11,206	\$ 10,851
Property taxes, levied for debt services	5,698	7,260	8,019	9,231
Sales tax	13,457	14,665	16,420	18,613
Hotel/motel occupancy taxes	2,615	3,118	3,375	3,604
Franchise fees	7,448	7,694	7,875	8,283
Mixed beverage tax	232	211	275	390
Investment income	114	155	187	87
Other contributions	205	171	1,806	1,989
Miscellaneous	817	1,052	4,492	4,183
Transfers	2,127	1,268	1,618	(8,222)
Total Governmental Activities	43,053	46,172	55,273	49,009
Business-type activities				
Investment earnings	3	2	2	1
Miscellaneous income	25	82	(233)	68
Transfers	(2,127)	(1,269)	(1,618)	8,222
Total Business-Type Activities	(2,099)	(1,185)	(1,849)	8,291
Total Primary Government	\$ 40,954	\$ 44,987	\$ 53,424	\$ 57,300
Change in Net Position				
Governmental activities	\$ (1,020)	\$ (6,224)	\$ (418)	\$ (9,157)
Business-type activities	(1,905)	1,944	3,472	8,624
Total Change in Net Position	\$ (2,925)	\$ (4,280)	\$ 3,054	\$ (533)

Source: Statements of Activities from City CAFRs

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ 13,956	\$ 14,409	\$ 18,065	\$ 18,188	\$ 23,135	\$ 23,138
10,159	11,414	12,434	12,471	14,667	17,398
18,608	19,077	21,008	21,997	23,675	25,606
3,813	3,767	3,994	4,070	4,001	2,872
8,435	8,904	9,590	9,749	10,070	9,908
439	472	515	584	649	508
47	242	471	966	2,300	1,003
2,336	2,892	4,570	3,683	4,215	4,687
3,643	4,989	3,948	6,423	3,915	4,585
284	3,436	2,905	2,152	2,398	2,311
61,720	69,602	77,500	80,283	89,025	92,017
2	8	17	39	63	27
86	83	320	1,239	141	388
(284)	(3,436)	(2,905)	(2,152)	(2,398)	(2,311)
(196)	(3,345)	(2,568)	(874)	(2,194)	(1,896)
\$ 61,524	\$ 66,257	\$ 74,932	\$ 79,409	\$ 86,831	\$ 90,121
\$ (4,580)	\$ 121	\$ 8,337	\$ (7,078)	\$ 8,754	\$ (33)
125	(1,816)	(2,981)	(366)	(2,688)	2,490
\$ (4,455)	\$ (1,695)	\$ 5,356	\$ (7,444)	\$ 6,066	\$ 2,456

CITY OF NEW BRAUNFELS, TEXAS

FUND BALANCES, GOVERNMENTAL FUNDS

Last Ten Years

(modified accrual basis of accounting)

(amounts expressed in thousands)

		Fiscal Year			
		2011	2012	2013	2014
General Fund					
Nonspendable	\$	2	\$ -	\$ -	\$ 1
Assigned		9,318	7,611	4,662	4,430
Unassigned		18,291	16,838	15,189	18,188
Total General Fund	\$	27,611	24,449	19,851	22,619
All Other Governmental Funds					
Nonspendable	\$	135	\$ 88	\$ 95	\$ 94
Restricted		27,222	36,789	45,162	40,930
Committed		104	531	3,160	2,863
Unassigned, reported in:					
Special revenue funds		-	(19)	(733)	(187)
Capital project funds		-	(2,014)	-	-
Total All Other Governmental Funds	\$	27,461	35,375	47,684	43,700

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ -	\$ -	\$ 1	\$ 1	\$ 1	\$ 3
4,319	2,516	1,368	551	1,124	798
16,677	16,096	17,699	20,377	24,951	26,585
<u>\$ 20,996</u>	<u>\$ 18,612</u>	<u>\$ 19,068</u>	<u>\$ 20,929</u>	<u>\$ 26,076</u>	<u>\$ 27,386</u>
\$ 94	\$ 19	\$ 29	\$ 169	\$ 223	\$ 223
51,895	65,988	50,200	56,071	82,729	130,313
3,188	4,295	5,652	7,413	9,729	6,519
(211)	(591)	-	-	-	910
-	-	-	-	-	-
<u>\$ 54,966</u>	<u>\$ 69,711</u>	<u>\$ 55,881</u>	<u>\$ 63,653</u>	<u>\$ 92,681</u>	<u>\$ 137,964</u>

CITY OF NEW BRAUNFELS, TEXAS
CHANGES IN FUND BALANCES, GOVERNMENTAL FUNDS (page 1 of 2)
Last Ten Years
(modified accrual basis of accounting)
(amounts expressed in thousands)

	Fiscal Year			
	2011	2012	2013	2014
Revenues				
Taxes	\$ 39,841	\$ 43,365	\$ 47,119	\$ 52,201
Licenses and permits	1,693	2,340	2,252	2,581
Intergovernmental	-	-	107	152
Charges for services	3,857	3,946	3,093	3,133
Fines and forfeitures	1,845	1,233	1,173	1,235
Parks and recreation	1,358	1,062	1,528	1,883
Interest	114	302	187	87
Federal grants*	1,137	267	689	1,990
State and local grants*	554	57	1,980	312
Other contributions	1,773	1,150	2,917	3,594
Miscellaneous	1,073	2,047	4,440	2,565
Total Revenues	53,245	55,769	65,485	69,733
Expenditures				
General government	6,764	8,312	8,550	12,490
Finance and tax	742	870	1,120	848
Planning and environmental development	2,959	2,335	3,264	2,729
Public safety	26,137	34,934	28,311	30,207
Public works	13,742	10,112	20,863	18,319
Parks and recreation	4,953	5,907	5,555	18,797
Library	1,602	1,608	2,020	2,059
Civic/convention center	-	-	55	61
Airport	9	-	263	1,977
Debt service				
Principal	4,140	4,715	5,825	6,775
Interest	3,222	3,961	4,242	4,762
Other	107	249	185	414
Total Expenditures	64,377	73,003	80,253	99,438
(Deficit) of Revenues				
(Under) Expenditures	(11,132)	(17,234)	(14,768)	(29,705)

Fiscal Year					
2015	2016	2017*	2018	2019	2020
\$ 55,205	\$ 57,652	\$ 65,735	\$ 68,595	\$ 76,136	\$ 79,279
3,052	3,606	3,943	4,178	5,265	5,653
242	228	1,759	3,819	1,403	2,394
3,573	4,439	5,068	5,306	5,582	6,014
1,743	1,642	1,925	1,800	1,755	1,256
2,307	2,656	2,216	2,278	5,496	3,280
46	241	468	966	2,299	999
758	2,117	-	-	-	-
368	194	-	-	-	-
3,374	4,804	4,570	3,683	4,215	4,687
3,466	2,751	3,791	4,837	3,716	4,567
74,134	80,330	89,475	95,462	105,867	108,129
11,695	16,791	11,594	11,302	12,446	14,088
855	900	1,011	1,037	1,159	1,288
2,983	3,331	3,796	3,435	3,626	3,881
31,134	34,926	35,078	37,840	38,016	40,963
15,231	21,618	28,965	34,243	26,191	40,391
11,645	5,431	5,474	6,482	8,165	9,180
2,187	2,006	2,136	2,224	2,378	2,395
296	89	-	-	-	-
407	1,534	1	-	-	-
7,805	8,319	10,550	10,601	10,365	13,990
5,056	5,977	7,274	6,881	9,108	10,375
551	462	97	5	41	199
89,845	101,384	105,976	114,050	111,495	136,748
(15,711)	(21,054)	(16,501)	(18,588)	(5,628)	(28,619)

CITY OF NEW BRAUNFELS, TEXAS
CHANGES IN FUND BALANCES, GOVERNMENTAL FUNDS (page 2 of 2)
Last Ten Years
(modified accrual basis of accounting)
(amounts expressed in thousands)

	Fiscal Year			
	2011	2012	2013	2014
Other Financing Sources (Uses)				
Transfer in	\$ 3,486	\$ 4,975	\$ 6,871	\$ 3,827
Transfer out	(1,858)	(4,106)	(5,253)	(1,491)
Issuance of debt	18,930	19,470	30,330	24,095
Premium (discount) on debt issuance	-	1,526	1,795	1,016
Payment to bond escrow agent	(719)	-	(11,677)	-
Sale of assets	114	121	412	369
Capital lease	-	-	-	-
Loan payable	-	-	-	673
Total Other Financing Sources	<u>19,953</u>	<u>21,986</u>	<u>22,478</u>	<u>28,489</u>
Net Change in Fund Balances	<u>\$ 8,821</u>	<u>\$ 4,752</u>	<u>\$ 7,710</u>	<u>\$ (1,216)</u>
Debt service as a percentage of noncapital expenditures	14.2%	14.9%	15.0%	15.3%

Source: Statement of Revenues, Expenditures, and
Changes in Fund Balance for Governmental Funds

*In fiscal year 2017, federal and state grant revenue was reported with intergovernmental revenue.

Fiscal Year					
2015	2016	2017*	2018	2019	2020
\$ 4,923	\$ 4,757	\$ 7,835	\$ 9,441	\$ 19,664	\$ 9,475
(2,017)	(2,847)	(5,330)	(7,181)	(17,266)	(7,164)
35,940	37,360	5,255	24,620	35,160	62,240
3,309	5,953	-	1,594	2,045	10,644
(17,101)	(14,799)	(5,165)	-	-	-
301	39	157	6	199	19
-	757	375	-	-	-
-	-	-	(258)	-	-
25,355	31,220	3,127	28,222	39,802	75,214
<u>\$ 9,644</u>	<u>\$ 10,166</u>	<u>\$ (13,374)</u>	<u>\$ 9,634</u>	<u>\$ 34,174</u>	<u>\$ 46,595</u>
17.0%	18.7%	20.9%	18.8%	20.0%	22.2%

CITY OF NEW BRAUNFELS, TEXAS

GENERAL GOVERNMENTAL TAX REVENUE BY SOURCE

Last Ten Years
(modified accrual basis of accounting)
(amounts expressed in thousands)

	Fiscal Year			
	2011	2012	2013	2014
Revenue				
Property tax	\$ 16,089	\$ 17,828	\$ 19,174	\$ 21,311
Sales tax	13,457	14,665	16,420	18,613
Franchise fees	1,629	1,475	1,671	1,805
Utilities franchise fees	5,819	6,065	6,204	6,478
Hotel occupancy tax	2,615	3,118	3,375	3,604
Mixed beverage tax	232	211	275	390
Total Revenue	\$ 39,841	\$ 43,362	\$ 47,119	\$ 52,201

Data Source: City CAFRs and detailed financial records

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ 24,115	\$ 25,823	\$ 30,628	\$ 30,659	\$ 37,802	\$ 40,537
23,978	19,077	21,008	21,997	23,675	25,606
1,961	1,934	1,784	1,840	1,770	1,552
6,474	6,970	7,805	7,909	8,121	8,204
3,813	3,767	3,994	4,070	4,001	2,872
439	472	516	583	649	508
<u>\$ 60,780</u>	<u>\$ 58,043</u>	<u>\$ 65,735</u>	<u>\$ 67,058</u>	<u>\$ 76,018</u>	<u>\$ 79,279</u>

CITY OF NEW BRAUNFELS, TEXAS
ASSESSED VALUE AND ESTIMATED ACTUAL VALUE OF TAXABLE PROPERTY
Last Ten Years
(amounts expressed in thousands)

	Fiscal Year			
	2011	2012	2013	2014
Real property	\$ 4,488,892	\$ 4,610,203	\$ 4,665,542	\$ 4,917,972
Personal	382,795	349,205	379,051	395,771
Less: Tax Exempt Property	809,339	853,111	866,905	904,189
Total Taxable Assessed Valuation (1)	<u>\$ 4,062,348</u>	<u>\$ 4,106,297</u>	<u>\$ 4,177,688</u>	<u>\$ 4,409,554</u>
Total Direct Tax Rate	\$ 0.40986	\$ 0.44836	\$ 0.46734	\$ 0.49823
Estimated Actual Taxable Value	\$ 4,062,348	\$ 4,106,297	\$ 4,177,688	\$ 4,409,554
Assessed Value as a Percentage of Actual Value	83.39%	82.80%	82.82%	82.98%

Source: Comal County Appraisal District

(1) Assessed Actual Values are net of local option over-65 exemptions, state mandated agricultural exemptions, and disabled veterans' exemptions.

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ 5,528,399	\$ 6,138,209	\$ 6,716,299	\$ 7,584,703	\$ 8,406,848	\$ 9,297,167
426,910	540,437	512,991	564,298	625,957	639,947
1,047,373	1,050,021	1,150,855	1,352,207	1,455,217	1,634,543
<u>\$ 4,907,936</u>	<u>\$ 5,628,625</u>	<u>\$ 6,078,435</u>	<u>\$ 6,796,794</u>	<u>\$ 7,577,588</u>	<u>\$ 8,302,571</u>
\$ 0.49823	\$ 0.49823	\$ 0.48822	\$ 0.48822	\$ 0.48822	\$ 0.48822
\$ 4,907,936	\$ 5,628,625	\$ 6,078,435	\$ 6,796,794	\$ 7,577,588	\$ 8,302,571
82.41%	84.28%	84.08%	83.41%	83.89%	83.55%

CITY OF NEW BRAUNFELS, TEXAS
PROPERTY TAX RATES - DIRECT AND OVERLAPPING GOVERNMENTS
(per \$100 of assessed value)
Last Ten Years

		Fiscal Year			
		2011	2012	2013	2014
City of New Braunfels Tax Rates:					
General government		\$ 0.261360	\$ 0.261360	\$ 0.268560	\$ 0.278080
Debt service		0.148500	0.187000	0.198780	0.220150
Total Direct Rates		\$ 0.409860	\$ 0.448360	\$ 0.467340	\$ 0.498230
Overlapping Tax Rates (2):					
Comal County		\$ 0.334000	\$ 0.350420	\$ 0.305220	\$ 0.292821
Guadalupe County		0.389500	0.339990	0.403600	0.336100
Navarro ISD		1.460000	1.430000	1.430000	1.390000
New Braunfels ISD		1.339100	1.339100	1.339100	1.339100
Comal ISD		1.370000	1.430000	1.430000	1.390000
Total Direct and Overlapping Rates (1)(2)		\$ 5.302460	\$ 5.337870	\$ 5.375260	\$ 5.246251

Source: Comal County Tax Assessor-Collector and Guadalupe County Appraisal District

(1) Tax rate is per \$100 of taxable assessed value.

(2) Overlapping rates are those of local and county governments that apply to property owners within the City. Overlapping rates are shown for each of the three school districts servicing the City. The total tax rate for a parcel in 2020 would be between \$2.05 and \$2.17 depending on the overlapping jurisdiction the parcel was located.

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ 0.278080	\$ 0.278080	\$ 0.288370	\$ 0.278370	\$ 0.273722	\$ 0.273722
0.220150	0.220150	0.199850	0.209850	0.214498	0.214498
\$ 0.498230	\$ 0.498230	\$ 0.488220	\$ 0.488220	\$ 0.488220	\$ 0.488220
\$ 0.292921	\$ 0.292821	\$ 0.307821	\$ 0.295191	\$ 0.322415	\$ 0.377915
0.385100	0.331100	0.326900	0.330900	0.331900	0.335400
1.390000	1.349600	1.350000	1.350000	1.275930	1.262300
1.339100	1.339100	1.339100	1.365800	1.295800	1.223300
1.390000	1.390000	1.390000	1.390000	1.320000	1.320000
\$ 5.295351	\$ 5.200851	\$ 5.202041	\$ 5.220111	\$ 5.034265	\$ 5.007135

CITY OF NEW BRAUNFELS, TEXAS

PRINCIPAL PROPERTY TAXPAYERS

Current Year and Nine Years Ago

Property Taxpayer	2020			2011		
	Taxable Assessed Valuation	Rank	% of Total Assessed Valuation	Taxable Assessed Valuation	Rank	% of Total Assessed Valuation
A L 95 Creekside Town Center LP	\$ 124,498,365	1	1.5%	\$ 35,661,633	1	0.0%
Central Texas Corridor Hospital LLC	97,385,585	2	1.2%	-	-	0.0%
Rush Enterprises	71,065,010	3	0.9%	35,425,780	2	0.9%
Kahlig Enterprises INC	67,240,260	4	0.8%	16,894,640	5	0.4%
PAC Creekside LLC	55,855,060	5	0.7%	-	-	0.0%
Grey Forest Development LLC	55,821,980	6	0.7%	-	-	0.0%
BMEF Creekside LLC	50,472,960	7	0.6%	-	-	0.0%
HEB Grocery CO LP	47,938,602	8	0.6%	16,153,890	6	0.4%
CGT, US Limited	47,937,440	9	0.6%	-	-	0.0%
New Braunfels Waterpark LLC	43,258,270	10	0.5%	17,653,870	3	0.4%
Walmart Real Estate Business Trust	-		0.0%	19,521,580	4	0.5%
Augusta Gruene Apartments LP	-		0.0%	14,257,090	7	0.4%
J C Penny Properties INC	-		0.0%	12,971,430	8	0.3%
Ingram Readymix Inc.	-		0.0%	12,592,730	9	0.3%
American Opportunity For Housing-Comal Gardens LLC	-		0.0%	12,236,490	10	0.3%
Subtotal	<u>\$ 661,473,532</u>		<u>7.97%</u>	<u>\$ 193,369,133</u>		<u>3.88%</u>
Other Taxpayers	<u>7,641,097,468</u>		<u>92.03%</u>	<u>3,868,978,867</u>		
Total	<u><u>\$ 8,302,571,000</u></u>		<u>100.00%</u>	<u><u>\$ 4,062,348,000</u></u>		

Source: Comal County Tax Assessor-Collector's Office

CITY OF NEW BRAUNFELS, TEXAS

PROPERTY TAX LEVIES AND COLLECTIONS

Last Ten Years

(amounts expressed in thousands)

Fiscal Year	Tax Year	Tax Rate	Total Tax Levy for Fiscal Year	Collected Within the Fiscal Year of the Levy	
				Amount Collected	Percentage of Levy
2010	2009	\$ 0.409860	\$ 15,751	\$ 15,210	96.57%
2011	2010	\$ 0.409860	\$ 15,846	\$ 15,612	98.52%
2012	2011	\$ 0.448360	\$ 17,740	\$ 17,431	98.26%
2013	2012	\$ 0.467340	\$ 19,163	\$ 19,092	99.63%
2014	2013	\$ 0.498230	\$ 21,493	\$ 21,251	98.87%
2015	2014	\$ 0.498230	\$ 24,003	\$ 23,817	99.23%
2016	2015	\$ 0.498230	\$ 27,061	\$ 26,830	99.15%
2017	2016	\$ 0.498230	\$ 29,510	\$ 29,287	99.24%
2018	2017	\$ 0.488220	\$ 32,393	\$ 32,002	98.79%
2019	2018	\$ 0.488220	\$ 35,929	\$ 35,560	98.97%
2020	2019	\$ 0.488220	\$ 39,994	\$ 39,507	98.78%

Source: Comal County Tax Assessor or City CAFR

Note: Taxes stated are for general fund and debt service funds

Collected in Subsequent Years		Total Collections to Date	
Amount Collected		Amount Collected	Percentage of Levy
\$ 506		\$ 15,716	99.78%
\$ 213		\$ 15,825	99.87%
\$ 277		\$ 17,708	99.82%
\$ 8		\$ 19,100	99.67%
\$ 176		\$ 21,427	99.69%
\$ 131		\$ 23,948	99.77%
\$ 130		\$ 26,960	99.63%
\$ 56		\$ 29,343	99.43%
\$ 592		\$ 32,002	98.79%
\$ -		\$ 35,560	98.97%
\$ 151		\$ 39,658	99.16%

CITY OF NEW BRAUNFELS, TEXAS

RATIOS OF OUTSTANDING DEBT BY TYPE

Last Ten Years

(amounts expressed in thousands, except per capita amount)

	Fiscal Year			
	2011	2012	2013	2014
Governmental Activities:				
General obligation bonds	\$ 10,975	\$ 10,725	\$ 21,305	\$ 34,685
Certificates of obligation	79,180	94,190	97,030	100,970
Contract revenue obligations	-	-	11,405	27,950
Loan payable	-	-	-	673
Capital lease payable	-	-	-	-
Subtotal	<u>90,155</u>	<u>104,915</u>	<u>129,740</u>	<u>164,278</u>
Business-Type Activities:				
Loan payable	-	-	-	721
Subtotal	<u>-</u>	<u>-</u>	<u>-</u>	<u>721</u>
Government-Wide:				
General obligation bonds	10,975	10,725	21,305	34,685
Certificates of obligation	79,180	94,190	97,030	100,970
Contract revenue obligations	-	-	11,405	27,950
Loan payable	-	-	-	1,394
Capital lease payable	-	-	-	-
Total Government-Wide	<u>\$ 90,155</u>	<u>\$ 104,915</u>	<u>\$ 129,740</u>	<u>\$ 164,999</u>
Percentage of Personal Income (1)	3.54%	3.97%	4.60%	7.39%
Per Capita (1)	\$ 1,507	\$ 1,726	\$ 2,096	\$ 2,619

Note: Details regarding the City's outstanding debt can be found in the Notes to the Financial Statements.

(1) See the Schedule of Demographic and Economic Statistics for personal income and population data.

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ 52,730	\$ 99,243	\$ 100,656	\$ 111,150	\$ 139,704	\$ 187,874
95,585	76,178	64,345	58,950	67,880	78,615
26,745	25,555	24,325	23,055	21,740	20,380
553	534	467	401	337	273
-	757	944	1,786	1,352	916
175,613	202,267	190,737	195,342	231,013	288,058
593	363	182	-	-	-
593	363	182	-	-	-
52,730	99,243	100,656	111,150	139,704	187,874
95,585	76,178	64,345	58,950	67,880	78,615
26,745	25,555	24,325	23,055	21,740	20,380
1,146	897	649	401	337	273
-	757	944	1,786	1,352	916
\$ 176,206	\$ 202,630	\$ 190,919	\$ 195,342	\$ 231,013	\$ 288,058
5.75%	5.97%	5.60%	4.69%	5.27%	6.16%
\$ 2,654	\$ 2,872	\$ 2,581	\$ 2,468	\$ 2,814	\$ 3,193

CITY OF NEW BRAUNFELS, TEXAS

RATIOS OF GENERAL BONDED DEBT OUTSTANDING

Last Ten Years

(amounts expressed in thousands, except per capita amount)

	Fiscal Year			
	2011	2012	2013	2014
Estimated Actual Taxable Value of Property	\$ 4,062,348	\$ 4,106,297	\$ 4,177,688	\$ 4,409,554
General obligation bonds and Certificates of obligation	\$ 10,975	\$ 10,725	\$ 21,305	\$ 34,685
Less: amounts available in debt service fund	-	786	809	1,279
Total	\$ 10,975	\$ 9,939	\$ 20,496	\$ 33,406
Percentage of Estimated Actual Taxable Value of Property	0.27%	0.24%	0.49%	0.76%
Per Capita (1)	\$ 183	\$ 163	\$ 331	\$ 530

Note: Details regarding the City's outstanding debt can be found in the Notes to the Financial Statements.

(1) See the Schedule of Demographic and Economic Statistics for personal income and population data.

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ 4,907,936	\$ 5,628,625	\$ 6,078,435	\$ 6,796,794	\$ 7,577,588	\$ 8,302,571
\$ 52,730	\$ 88,385	\$ 165,001	\$ 170,100	\$ 207,584	\$ 266,489
1,418	1,577	2,237	1,310	1,806	2,243
<u>\$ 51,312</u>	<u>\$ 86,808</u>	<u>\$ 162,764</u>	<u>\$ 168,790</u>	<u>\$ 205,778</u>	<u>\$ 264,246</u>
1.05%	1.54%	2.68%	2.48%	2.72%	3.18%
\$ 773	\$ 1,231	\$ 2,201	\$ 2,132	\$ 2,507	\$ 2,929

CITY OF NEW BRAUNFELS, TEXAS
DIRECT AND OVERLAPPING GOVERNMENTAL ACTIVITIES DEBT
September 30, 2020

Government Unit	Debt Outstanding	Estimated Percentage Applicable (1)	Amount Applicable to Primary Government
New Braunfels ISD	\$ 219,702,226	80.95%	\$ 177,848,952
Comal ISD	722,510,179	16.97%	122,609,977
Navarro ISD	35,996,494	2.51%	903,512
Guadalupe County	9,405,000	10.38%	976,239
Comal County	139,835,000	35.69%	49,907,112
Subtotal, overlapping debt	1,127,448,899		352,245,792
City Direct Debt	288,057,614	100.00%	288,057,614
Total Direct and Overlapping Debt			\$ 640,303,406

Note: Overlapping governments are those that coincide, at least in part, with geographic boundaries of the City. This schedule estimates the portion of the outstanding debt of those overlapping governments that is borne by the property taxpayers of the City. This process recognizes that, when considering the City's ability to issue and repay long-term debt, the entire burden borne by the property taxpayers should be taken into account. However, this does not imply that every taxpayer is a resident and, therefore, responsible for repaying the debt of each overlapping government.

(1) The percentage of overlapping debt applicable is estimated using taxable assessed property values. Applicable percentages were estimated by determining the portion of the government's taxable assessed value that is within the government's boundaries and dividing it by the government's total taxable assessed value.

CITY OF NEW BRAUNFELS, TEXAS

LEGAL DEBT MARGIN INFORMATION

Last Ten Years

(amounts expressed in thousands)

	Fiscal Year			
	2011	2012	2013	2014
Debt Limit	\$ 487,169	\$ 495,941	\$ 504,459	\$ 531,374
Total Net Debt Applicable to Limit	10,975	10,725	21,305	34,685
Total	\$ 476,194	\$ 485,216	\$ 483,154	\$ 496,689
Total Net Debt Applicable to the Limit as a Percentage of Debt Limit	2.25%	2.16%	4.22%	6.53%

Legal Debt Margin Calculation for Fiscal Year 2020

Assessed Value	\$ 8,302,571
Add Back: Exempt Real Property	1,634,543
Total Assessed Value	<u>\$ 9,937,114</u>
Debt Limit (10% of Total Assessed Value)	993,711
Debt Applicable to Limit:	
General Obligation Bonds	187,874
Legal Debt Margin	<u><u>\$ 805,837</u></u>

Note: Under state finance law, the City's outstanding general obligation debt should not exceed 10 percent of total assessed property value. By law, the general obligation debt subject to the limitation may be offset by amounts set aside for repaying general obligation bonds.

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ 595,531	\$ 667,865	\$ 722,929	\$ 820,355	\$ 903,281	\$ 993,711
52,730	88,385	165,001	171,015	139,704	187,874
<u>\$ 542,801</u>	<u>\$ 579,480</u>	<u>\$ 557,928</u>	<u>\$ 649,340</u>	<u>\$ 763,577</u>	<u>\$ 805,837</u>
8.85%	13.23%	22.82%	20.85%	15.47%	18.91%

CITY OF NEW BRAUNFELS, TEXAS

DEMOGRAPHIC AND ECONOMIC STATISTICS

Last Ten Years

Fiscal Year Ended Sept. 30	Population⁽¹⁾	Total Wages All Industries⁽²⁾ (expressed in thousands)	Per Capita Personal Income⁽²⁾ (expressed in thousands)	Average Annual Pay All Industries⁽²⁾	Public School Enrollment⁽³⁾	Unemployment Rate⁽⁴⁾
2011	59,823	\$ 2,544,510	\$ 42.53	\$ 35,970	14,273	5.9%
2012	60,791	\$ 2,642,199	\$ 43.46	\$ 37,555	15,883	5.1%
2013	61,885	\$ 2,822,616	\$ 45.61	\$ 41,155	8,265	5.2%
2014	62,998	\$ 2,232,220	\$ 35.43	\$ 43,800	8,441	3.8%
2015	66,394	\$ 3,064,162	\$ 46.15	\$ 46,871	8,438	2.9%
2016	70,543	\$ 3,394,824	\$ 48.12	\$ 51,558	8,438	3.5%
2017	73,959	\$ 3,407,192	\$ 46.07	\$ 46,883	8,583	3.3%
2018	79,152	\$ 4,168,203	\$ 52.66	\$ 42,234	8,950	3.2%
2019	82,081	\$ 4,384,612	\$ 53.42	\$ 43,921	9,126	2.9%
2020	90,209	\$ 4,674,477	\$ 51.82	\$ 45,700	9,537	6.6%

Data sources:

(1) Total population from the census.gov website or City of New Braunfels Adopted Budget document.

(2) Total wages and average annual pay are for Comal and Guadalupe counties combined. Data provided by the Bureau of Labor Statistics.

(3) School enrollment for 2011 and all following years is for City of New Braunfels only; 2013 and following years include only New Braunfels ISD.

(4) Data is for the City of New Braunfels. 2020 data reflected COVID-19 shutdown related data

CITY OF NEW BRAUNFELS, TEXAS

PRINCIPAL EMPLOYERS

Current Year and Nine Years Ago

Employer	2020			2011		
	Employees	Percentage of Total Employment	Rank	Employees	Percentage of Total Employment	Rank
Comal ISD	3,132	7.25%	1	2,300	8.03%	1
Schlitterbahn Water Park	2,300	5.33%	2	1,689	5.90%	2
New Braunfels ISD	1,238	2.87%	3	928	3.24%	5
Wal-Mart Distribution Center	1,215	2.81%	4	1,065	3.72%	4
Rush Enterprises, Inc	859	1.99%	5	830	2.90%	-
Hunter Industries-Colorado Materials	826	1.91%	6	500	0.00%	8
Comal County	792	1.83%	7	587	2.05%	7
TaskUs	700	1.62%	8	N/A	0.00%	-
Sysco	570	1.32%	9	N/A	0.00%	-
City of New Braunfels	480	1.11%	10	508	0.00%	9
The Scooter Store	N/A	0.00%	-	1,784	6.23%	3
Wal-Mart Super Center	N/A	0.00%	-	435	1.52%	10
Christus Santa Rosa Hospital	N/A	0.00%	-	692	2.42%	6
	<u>12,112</u>	<u>28.05%</u>		<u>11,318</u>	<u>36.00%</u>	

Source: Greater New Braunfels Chamber of Commerce

CITY OF NEW BRAUNFELS, TEXAS
AUTHORIZED CITY GOVERNMENT POSITIONS BY FUNCTION
Last Ten Years

	Fiscal Year									
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
General Fund:										
City Secretary	3.00	3.00	3.00	3.00	3.00	3.00	3.50	3.50	3.50	3.75
City Attorney	3.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00
City Manager's Office	5.00	5.00	5.00	5.00	5.00	5.00	6.00	6.00	7.00	7.00
Information Technology	0.00	0.00	0.00	0.00	7.00	11.00	11.00	12.00	14.00	14.00
Human Resources	6.00	7.00	7.00	7.00	7.00	7.00	8.00	8.00	8.00	9.00
Finance	15.00	16.00	17.00	17.00	10.00	11.00	11.00	11.00	12.00	13.00
Municipal Court	11.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00
Police*	139.00	142.00	148.00	136.50	143.00	149.00	155.00	159.00	168.00	175.00
Fire	116.00	134.00	134.00	134.00	134.00	134.00	137.00	138.00	138.00	138.00
Planning and Community Development	24.00	26.00	29.00	30.00	31.00	32.00	35.00	36.00	36.00	39.00
Planning and Comm. Devel. - Main Street	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Parks and Recreation	140.50	141.50	150.50	150.50	161.50	160.50	162.50	252.75	260.75	272.25
Public Works	41.50	47.00	44.50	43.50	45.50	51.00	53.00	57.00	65.00	62.00
Library	26.50	26.50	28.50	28.50	28.25	28.25	28.25	28.25	28.75	28.50
Total General Fund	531.50	562.00	580.50	569.00	589.25	605.75	624.25	725.50	755.00	775.50
Golf Course Fund	12.00	11.50	11.50	12.50	17.00	17.00	17.00	17.00	15.00	17.00
Airport Fund	6.00	6.00	7.00	7.00	7.00	7.00	7.00	7.00	9.00	9.00
Solid Waste Fund	44.50	48.00	50.50	49.50	52.50	52.50	54.00	54.00	57.00	59.00
Capital Project Funds**	0.00	0.00	6.00	6.50	8.00	9.00	9.00	9.00	5.00	5.00
Civic/Convention Center Fund	8.00	8.00	8.50	8.50	8.50	8.50	8.50	8.50	8.50	9.00
River Activities Fund	16.00	67.50	54.50	54.50	54.50	55.50	74.00	73.50	74.00	74.00
Facilities Maint. Fund	1.00	1.00	1.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00
CDBG Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
EAHCP Fund	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Juvenile Case Manager	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Child Safety Fund	1.00	1.00	1.00	14.00	14.00	14.00	0.00	0.00	0.00	0.00
Development Services Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.00
Total Funds	621.00	706.00	722.50	724.50	753.75	771.25	795.75	896.50	925.50	953.50

Source: City of New Braunfels Annual Budget

Full-time and seasonal positions = 1 position

Part-time position = .5 position

*Police positions decreased as a result of contracting out crossing guard services

**Positions supported by both Capital Project Funds and the General Fund. 4 employees were reclassified out of the Capital Projects Funds and into the General Fund.

CITY OF NEW BRAUNFELS, TEXAS

OPERATING INDICATORS BY FUNCTION

Last Ten Years

Function	Fiscal Year			
	2011	2012	2013	2014
Police				
Response time for priority calls	N/A	6:41	6:36	7:34
Number of DWI Arrests	N/A	297	328	304
Fire				
Response times - structure fire	4:43	4:39	6:48	7:15
Response times - EMS	5:30	5:38	5:51	7:13
Smoke detectors issued/inspected/updated	762	842	1,200	420
Public Works				
Percentage of commercial and residential permit reviews completed within twenty business days	N/A	N/A	N/A	N/A
Permits reviewed and completed	285	240	240	360
Number of plat reviews completed	N/A	N/A	N/A	N/A
Number of street service requests processed	N/A	N/A	N/A	N/A
Acres of right-of-way mowed	185	165	188	188
Construction stormwater inspections completed	N/A	N/A	N/A	N/A
Solid Waste				
Waste diverted from landfill	20%	36%	35%	29%
Residential operating cost per ton collected	\$ 63.32	\$ 94.00	\$ 104.00	\$ 73.00
Parks and Recreation				
Recreation programs participants	3,198	3,080	3,000	3,918
Das Rec memberships	N/A	N/A	N/A	N/A
Athletic leagues teams participants (including Das Rec)	196	212	190	233
Golf course rounds played	40,574	39,140	43,000	N/A
Planning and Community Development				
Residential building permits issued	1,019	1,556	1,603	2,302
Commercial building permits issued	552	442	455	344
Calls for service - animal control	5,994	5,553	6,900	7,349
Cases abated without court action - code				
Historic landmark designations	6	3	3	2
Airport Operations				
Flight operations annually	32,340	28,099	39,880	45,000
Gallons of fuel sold	221,106	289,882	308,000	399,151
Library				
Visitors annually	313,996	312,138	285,000	283,790
Annual circulation of library materials	756,549	762,491	800,000	828,426
Database accesses	14,117	18,021	28,000	45,780
Municipal Court				
Percentage of cases closed in 30 days or less	N/A	N/A	N/A	N/A
Number of new cases filed	N/A	N/A	N/A	N/A
River				
Wristbands sold- private tubers	N/A	N/A	N/A	N/A
Wristbands sold- outfitter tubers	N/A	N/A	N/A	N/A
Pounds of litter recovered	N/A	N/A	N/A	N/A

Source: Various City departments
CONB FY 2019-20 Budget Document

Fiscal Year						
2015	2016	2017	2018	2019	2020	
6:50	6:30	6:42	7:27	7:28	7:25	
387	379	419	382	353	400	
6:50	7:04	6:55	6:38	7:15	7:15	
6:27	6:00	5:57	6:51	5:37	5:16	
440	425	450	450	518	578	
N/A	N/A	43%	43%	46%	52%	
497	514	680	791	577	585	
N/A	N/A	234	157	154	85	
N/A	N/A	532	531	556	517	
188	188	188	188	220	220	
N/A	N/A	360	778	1,071	1,000	
29%	30%	33%	30%	30%	30%	
\$ 51.39	\$ 71.89	\$ 68.61	\$ 62.02	\$ 66.62	\$ 57.27	
6,499	6,478	7,318	8,363	10,806	8,757	
N/A	N/A	N/A	4,900	6,208	5,500	
219	213	247	193	709	666	
34,396	39,175	38,250	39,673	43,213	36,924	
2185	3000	2,687	2,870	3,736	3,600	
446	400	481	434	1,267	1,290	
8,404	7,800	6,030	6,762	7,721	7,100	
4	3	2	2	2	2	
42,475	48,000	53,407	52,000	67,861	68,888	
370,915	445,000	500,000	518,667	555,045	446,000	
282,335	290,000	284,437	293,146	277,680	175,000	
781,603	850,000	905,000	914,556	1,063,122	800,000	
48,557	45,000	65,000	85,619	94,335	45,000	
N/A	N/A	30%	22%	27%	30%	
N/A	N/A	13,720	13,720	14,988	9,750	
N/A	N/A	73,414	66,919	71,515	58,200	
N/A	N/A	228,109	184,153	177,436	194,800	
N/A	N/A	35,970	13,650	17,046	20,000	

CITY OF NEW BRAUNFELS, TEXAS

CAPITAL ASSET STATISTICS BY FUNCTION

Last Ten Years

	Fiscal Year			
	2011	2012	2013	2014
Function				
General Government				
City vehicles	232	257	269	291
Public Safety				
Police stations	1	1	1	1
Fire stations	5	6	6	6
Highways and Streets				
Streets (miles)	317	318	318	323
Area in square miles	1.9	1.9	1.9	2.0
Culture and Recreation				
Park acreage	373	373	373	373
Swimming pools	2	2	2	2
Golf course	1	1	1	1
Recreation center	1	1	1	1

Source: Various City departments

Fiscal Year					
2015	2016	2017	2018	2019	2020
320	360	380	412	453	455
1	1	1	1	1	1
6	6	6	6	6	6
323	323	354	368	342	345
2.0	2.0	2.0	2.0	1.9	2.0
435	435	435	557	709	684
2	2	2	4	5	5
1	1	1	1	1	1
1	1	1	2	2	2

SINGLE AUDIT REPORTS

**CITY OF
NEW BRAUNFELS, TEXAS**

**For the Year Ended
September 30, 2020**

CITY OF NEW BRAUNFELS, TEXAS

SINGLE AUDIT REPORTS

September 30, 2020

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INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable Mayor and
City Council Members of the
City of New Braunfels, Texas:

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City of New Braunfels, Texas (the "City"), as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the City's basic financial statements and have issued our report thereon dated April 21, 2021.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

The logo for Belt Harris Pechacek, LLP features the company name in a stylized, cursive font. The letters 'B', 'H', and 'P' are significantly larger and more ornate than the other letters, which are in a smaller, simpler font. The text is in a dark red or maroon color.

Belt Harris Pechacek, LLP
Certified Public Accountants
Houston, Texas
April 21, 2021



INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE, AND THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

To the Honorable Mayor and
City Council Members of the
City of New Braunfels, Texas:

Report on Compliance for Each Major Federal Program

We have audited the City of New Braunfels, Texas's (the "City") compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended September 30, 2020. The City's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

Auditors' Responsibility

Our responsibility is to express an opinion on compliance for each of the City's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 *U.S. Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the City's compliance.

Opinion on Each Major Federal Program

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended September 30, 2020.

Report on Internal Control Over Compliance

Management of the City is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance

We have audited the financial statements of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City, as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the City's basic financial statements. We have issued our report thereon dated April 21, 2021, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by the Uniform Guidance and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.



Belt Harris Pechacek, LLP
Certified Public Accountants
Houston, Texas
April 21, 2021

CITY OF NEW BRAUNFELS, TEXAS
SUMMARY SCHEDULE OF PRIOR YEAR AUDIT FINDINGS
For the Year Ended September 30, 2020

A. SUMMARY OF PRIOR YEAR AUDIT FINDINGS

None

CITY OF NEW BRAUNFELS, TEXAS

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

For the Year Ended September 30, 2020

A. SUMMARY OF AUDIT RESULTS

1. The auditors' report expresses an unmodified opinion on the basic financial statements of the City.
2. No significant deficiencies or material weaknesses in internal control were disclosed by the audit of the basic financial statements.
3. No instances of noncompliance material to the basic financial statements were disclosed during the audit.
4. No significant deficiencies or material weaknesses in internal control over major federal award programs were disclosed by the audit.
5. The auditors' report on compliance for the major federal award programs expresses an unmodified opinion.
6. No audit findings relative to the major federal award programs for the City are reported on Part C of this schedule.
7. The program included as a major program is:

<u>Program Title</u>	<u>CFDA Number</u>
Coronavirus Relief Fund	21.019

8. The threshold for distinguishing Type A and B programs was \$750,000.
9. The City did not qualify as a low-risk auditee in the context of the Uniform Guidance.

B. FINDINGS – BASIC FINANCIAL STATEMENT AUDIT

None

C. FINDINGS – FEDERAL AWARDS

None

CITY OF NEW BRAUNFELS, TEXAS
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
For the Year Ended September 30, 2020

Grantor/Program Title	CFDA Number	Grant/Contract Number	Expenditures
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
<i>Direct Award</i>			
Community Development Block Grant Entitlement Program	14.218	B-19-MC-48-0512	\$ 326,443
Community Development Block Grant Entitlement Program	14.218	B-20-MW-48-0512	63,116
TOTAL U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			389,559
U.S. DEPARTMENT OF JUSTICE			
<i>Direct Award</i>			
Bulletproof Vest Partnership	16.607	2019BUBX19094284	29,401
BJA FY2020 Coronavirus Emergency Supplemental Funding	16.034	2020-H2548-TX-VD	44,531
<i>Pass-through Texas Office of the Governor - Criminal Justice Division</i>			
Violence of Crime Act Formula Grant Program	16.575	3303302	48,239
TOTAL U.S. DEPARTMENT OF JUSTICE			122,171
U.S. DEPARTMENT OF HOMELAND SECURITY			
<i>Pass-through Texas Office of the Governor - HSGD</i>			
Homeland Security Grant Program	97.067	EMW-2019-SS-00034-S01	71,658
TOTAL U.S. DEPARTMENT OF HOMELAND SECURITY			71,658
U.S. DEPARTMENT OF TREASURY			
<i>Pass-through Texas Division of Emergency Management</i>			
Coronavirus Relief Fund	20.219	N/A	2,989,074
TOTAL U.S. DEPARTMENT OF TREASURY			2,989,074
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES			
<i>Direct Program</i>			
CARES Act Provider Relief Fund	93.498	N/A	45,326
TOTAL U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES			45,326
U.S. DEPARTMENT OF TRANSPORTATION			
<i>Pass-through Texas Department of Transportation - Aviation Division</i>			
CARES Act Airport Grant	20.100	N/A	69,000
TOTAL U.S. DEPARTMENT OF TRANSPORTATION			69,000
U.S. DEPARTMENT OF AGRICULTURE			
<i>Pass-through Texas A&M Forest Service</i>			
2019 Statewide Community Wildfire Protection Plan	10.664	17-DG-11083148-001	10,000
TOTAL U.S. DEPARTMENT OF AGRICULTURE			10,000
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION			
<i>Pass-through Texas Department of Transportation</i>			
Selective Traffic Enforcement Program	20.600	2020-NewBrau-S-1YG-00137	46,721
TOTAL NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION			46,721
ENVIRONMENTAL PROTECTION AGENCY			
<i>Pass-through Texas Commission on Environmental Quality</i>			
Cooperative Reimbursement Contract	66.460	582-16-60283	92,164
TOTAL ENVIRONMENTAL PROTECTION AGENCY			92,164
U.S. INSTITUTE OF MUSEUM AND LIBRARY SERVICES			
<i>Pass-through Texas State Library and Archives Commission</i>			
2020 InterLibrary Loan Reimbursement Program	45.310	LS-00-19-0044-19	2,852
TOTAL U.S. INSTITUTE OF MESEUM AND LIBRARY SERVICES			2,852
TOTAL FEDERAL AWARDS EXPENDED			\$ 3,838,525

CITY OF NEW BRAUNFELS, TEXAS

NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

For the Year Ended September 30, 2020

1. REPORTING ENTITY

The accompanying schedule of expenditures of federal awards (the “Schedule”) presents the activity of all federal financial assistance programs of the City.

2. BASIS OF ACCOUNTING

The Schedule is presented in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Therefore, some amounts presented in the Schedule may differ from amounts presented in, or used in the preparation of, the basic financial statements.

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Expenditures reported on the Schedule are reported on the modified accrual basis of accounting. These expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement. Negative amounts shown on the Schedule, if any, represent adjustments or credits made in the normal course of business to amounts reported as expenditures in prior years.

4. DONATED PERSONAL PROTECTIVE EQUIPMENT

During the emergency period of COVID-19, federal agencies and recipients of federal assistance funds donated personal protective equipment (PPE) to non-federal entities. In connection with that donation, the recipient must disclose the estimated value of the donated PPE, but such amounts are not included in the Schedule. The City did not receive PPE donations during the reporting year.

4/26/2021

Agenda Item No. C)

PRESENTER:

Caitlin Krobot, City Secretary

SUBJECT:

Discuss and consider approval of the appointment of two individuals to the Airport Advisory Board for a term ending 5/12/2024.

DEPARTMENT: City Secretary's Office**COUNCIL DISTRICTS IMPACTED:** City-wide**BACKGROUND INFORMATION:**

The Airport Advisory Board makes general studies of airport construction, improvement and operation and acts in advisory capacity towards the general improvement of the airport and the advancement of the City as an air transportation center.

The Board is comprised of five regular members that are resident citizens of the city and appointed by a majority of the city council for three-year staggered terms and two regular members that reside in the city or its extra-territorial jurisdiction of the city that have aviation related experience and will be appointed for a three-year term.

The two current openings require aviation experience and one opening may be filled by an applicant living in the ETJ. The City Secretary's Office advertised the openings from 1/19/21-3/26/21 and received 4 applications.

Two of the applicants live in the ETJ and both have aviation related experience:

- Ronald Diana (incumbent)
- Kurt Andersen-Vie

One applicant is a city resident with aviation related experience:

- Allen Dowling

The fourth applicant does not have aviation related experience and is not eligible to fill the current openings.

ISSUE:

Airport Advisory Board appointments require City Council approval.

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Staff recommends the appointment of 2 individuals to the Airport Advisory Board with one appointment being made from the two applicants living in the ETJ.

Airport Advisory - Term Expiration 5/12/2024

ETJ w/ Aviation Experience Eligible

First Name	Last Name	Date Submitted	ETJ Resident	City Council District	City University	City Board/Commission Experience
Ronald	Diana	2/3/2021	Yes	N/A	No	Airport Advisory Board 2016-Present
Kurt	Andersen-Vie	1/20/2021	Yes	N/A	No	

City Resident w/ Aviation Experience Eligible

First Name	Last Name	Date Submitted	City Resident	City Council District	City University	City Board/Commission Experience
Allen	Dowling	3/20/2021	Yes	D4	No	

Not Eligible

Craig	Wilson	3/25/2021	ETJ	N/A	No	Does not have aviation experience
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Submitted after Deadline

Travis	Krug	3/29/2021	Yes	D3	No	
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4/26/2021

Agenda Item No. D)

PRESENTER:

Amy Niles, River Operations Manager

SUBJECT:

Discuss and consider approval of the appointment of one individual for a term ending 12/08/2023 to the River Advisory Committee.

DEPARTMENT: City Administration**COUNCIL DISTRICTS IMPACTED:** City-wide**BACKGROUND INFORMATION:**

The River Advisory Committee consists of seven members and acts in an advisory capacity on river issues primarily related to recreation, safety, litter minimization, and revenue generation. The committee is composed of three members representing local river, attraction/destination, and tourism professions, one member representing the Parks and Recreation Advisory Board, and three citizens-at-large, with at least one citizen-at-large member residing along the Comal River. Each member will serve a three-year term and the terms are staggered.

The current vacancy is for a citizen-at-large member residing along the Comal River. The vacancy was advertised from 3/17/2021 to 4/16/2021. The River Operations Manager received a total of 4 applications, 1 of which was no eligible because they did not provide a permanent address. Eligible applicants include:

- **Andy Powell**
- **Lynn Norvell**
- **Richard Hillyer**

ISSUE:

River Advisory Committee seats are appointed by City Council.

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Staff recommends an appointment of one individual to the River Advisory Committee for a term ending 12/08/2023.

4/26/2021

Agenda Item No. E)

PRESENTER:

Jeff Jewell, Director of Economic and Community Development

SUBJECT:

Discuss and consider approval of a resolution recommended by the New Braunfels Economic Development Corporation approving a project expenditure of up to \$400,000 to Frantic Holdings, LLC for a project that will promote or develop new or expanded businesses by delivering high speed broadband infrastructure and services to commercial customers in downtown and other areas of New Braunfels, an eligible project expenditure; and declaring an effective date.

DEPARTMENT: Economic and Community Development

COUNCIL DISTRICTS IMPACTED: 1,3,5,6

BACKGROUND INFORMATION:

Facilitating broadband deployment throughout New Braunfels has been an economic development strategic priority for many years. The EDC and NBU have studied this issue throughout the years and explored various methods to bring greater broadband availability through a variety of means. In May 2020, the EDC contracted with Alk Development Services to oversee the development of the project plan with Frantic Holdings, LLC (Frantic) that would bring broadband services at affordable rates to downtown businesses initially. Broadly, Frantic plans to utilize existing street poles to deliver backbone routes and connections to each building and utilize available city and NBU easement utilities as necessary. The agreement calls for EDC subsidizing a portion of this cost, as well as the “commercial last mile” connection at a total cost of up to \$400,000.

As proposed, there are two primary stages of the broadband project. The first, which is divided into three phases, is to bring the “fiber backbone” or trunk line in proximity to the area that will be served. This backbone is the primary service line where individual connections will be made and the preliminary routes are shown in the image below (in red):



Frantic has worked with NBU to secure pole attachment agreements for permission to attach this main line to NBU's infrastructure where possible. Where a pole attachment is not possible, Frantic will make other accommodations to advance the trunk line into the downtown area.

Once the backbone line is installed, the EDC will commit a fixed amount of \$1,500 for each newly activated and contracted commercial customer. There are costs associated with physically connecting a customer's building to the backbone line and the \$1,500 represents an average cost to physically connect a trunkline to a customer's demarcation point. This connection, referred to as the "Commercial Last Mile" refers to the physical demarcation point from the active customer's hand-off point to the nearest trunk or backbone line. The subsidy is available for the first 200 commercial customers up to \$300,000. In return, Frantic must provide the commercial service at 1 gigabit or greater synchronous speeds and pricing less than or equal to \$99.00 per month for a 36-month term. Frantic will operate the service and provide the front and back end customer support to the client and the EDC is not involved for this portion of the service.

The EDC's proposed fiscal involvement in this endeavor will assist in cost offsets for up to three phases of backbone/trunk line installation at \$100,000 and provide a \$1,500 subsidy for every commercial customer contracted up to \$300,000 (200 commercial customers). Frantic will provide a letter of credit that will step up and down as the EDC's exposure increases and reduces over time:

Initial Amount at Date of Execution of this Agreement	
No letter of credit required	
After Year 1	\$150,000
After Year 2	\$250,000
After Year 3	\$150,000
After Year 4	\$50,000
After Year 5	No letter of credit required

The schedule assumes Frantic obtains one-hundred active contracted customers within the first year of this Agreement and an additional one-hundred active contracted customers in the second year of this Agreement. If, in the sole opinion of the EDC, the company falls significantly below these numbers, then EDC will adjust these letter of credit amounts in an amount that EDC deems fairly and adequately secures the company's repayment obligations to EDC. The EDC will

review the contracted customers on a quarterly basis with Frantic in order to establish the payment due to the Company.

In the event that Frantic is unable or unwilling to complete its obligations under the Agreement, Frantic agrees to grant EDC the first right of refusal to purchase the backbone fiber improvements made pursuant to the Agreement at a price of the fair market value of the improvements less any amount the EDC has granted the company. This helps protect the end user and protect the EDC's investment if Frantic exits the project at some point.

ISSUE:

Facilitating broadband deployment throughout New Braunfels has been an economic development strategic priority for many years. The EDC and NBU have studied this issue and explored various methods to bring greater broadband availability through a variety of means. Developing a public/private partnership whereby an incentive is provided in exchange for a private service provider deploying the service was determined to be the most cost effective and efficient way to test the prototype and deliver service to commercial customers.

FISCAL IMPACT:

Up to \$400,000 from the NBEDC. The NBEDC has sufficient funds available for this expenditure.

RECOMMENDATION:

The NBEDC voted 6-1 to approve this project expenditure on April 15, 2021. Staff recommends approval of the resolution.

RESOLUTION NO. 2020-R _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, APPROVING A RECOMMENDATION OF THE NEW BRAUNFELS ECONOMIC DEVELOPMENT CORPORATION APPROVING A PROJECT EXPENDITURE OF UP TO \$400,000 TO FRANTIC HOLDINGS, LLC FOR A PROJECT THAT WILL PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESSES BY DELIVERING HIGH SPEED BROADBAND INFRASTRUCTURE AND SERVICES TO COMMERCIAL CUSTOMERS IN DOWNTOWN AND OTHER AREAS OF NEW BRAUNFELS, AN ELIGIBLE PROJECT EXPENDITURE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels Economic Development Corporation (“EDC”) Board of Directors met on April 15, 2021 to consider a project expenditure that would partially subsidize the establishment of broadband service in the downtown and other areas of town; and

WHEREAS, the NBEDC, through a prior feasibility study, determined that the community can accelerate the deployment of next-generation broadband services for its citizens, businesses, and community anchors through a public-private partnership; and

WHEREAS, Frantic Holdings, LLC (“Company”) was determined to be a viable private partner to execute a strategy that would install and connect broadband to existing commercial customers in the downtown New Braunfels area and eventually expand the service offerings; and

WHEREAS, the NBEDC will provide up to \$100,000 over three phases for direct costs associated with installing mainline broadband infrastructure and up to one-thousand five hundred dollars (\$1,500) for each new commercial customer up to two hundred (200) total; and

WHEREAS, the EDC is an economic development corporation formed by the City of New Braunfels pursuant to the Local Government Code, and is authorized by Section 501.103 to undertake projects found to be required or suitable for telecommunications and Internet infrastructure necessary to promote or develop new or expanded businesses enterprises; and

WHEREAS, the NBEDC Board of Directors finds that expanded broadband offerings in New Braunfels will stimulate economic and job growth in New Braunfels; and

WHEREAS, the EDC Board of Directors held a public hearing on April 15, 2021, to solicit public comment about the proposed project expenditure; and

WHEREAS, the EDC Board of Directors, after discussing the request, voted to approve up to \$400,000 to Company for construction of broadband infrastructure in New Braunfels.

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

SECTION 1: That the recommendation of the New Braunfels Economic Development Corporation to provide up to \$400,000 for costs associated with establishing broadband infrastructure is hereby approved.

SECTION 2: That a contract between the EDC and Company will be executed to fulfill the terms and conditions of the grant and the President of the EDC is authorized to execute the Agreement on behalf of the EDC.

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

PASSED, ADOPTED AND APPROVED this 26th day of April 2021.

CITY OF NEW BRAUNFELS, TEXAS

By: _____
Rusty Brockman, Mayor

ATTEST:

Caitlin Krobot, City Secretary

All Phases of Proposed Broadband Project



4/26/2021

Agenda Item No. F)

PRESENTER:

Christopher J. Looney, AICP, Planning and Development Services Director

SUBJECT:

Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow multifamily residential use - up to 24 units per acre - in the "C-1A" Neighborhood Business District on approximately 10 acres out of the A. P. Fuquay Survey No. 35, Abstract No. 155, Comal County, Texas, located at the northwest corner of the intersection of E. Common Street and Old FM 306.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** Council District 4**BACKGROUND INFORMATION:**

Applicant: MNO Partners (David Morin)
2028 E. Ben White Blvd., 240-4700
Austin, TX 78741
(210) 3030-7858 david@mnoinvestments.com

Owner: Noland and Vera Koepp, Ltd. Partnership
2755 Hunter Rd.
New Braunfels, TX 78132
(830) 608-4658 debbie@fapcollc.com

Staff Contact: Matt Greene
(830) 221-4053 mgreene@nbtexas.org

The subject approximate 10-acre ag tract is situated on the northwest corner of the intersection of East Common Street and Old FM 306, bordering two single-family detached residential neighborhoods. The applicant is requesting approval of a Type 2 Special Use Permit (SUP) to allow development of multifamily residential at up to 24 units per acre with a general site plan and development standards of the "R-3H" Multifamily High Density Residential District. As the base C-1A zoning would remain, non-residential uses would also continue to be allowed on the site.

The applicant indicated they have held multiple meetings and had door-to-door contact with neighbors to discuss their proposal in an effort to alleviate many concerns and opposition. The applicant has made modifications to the SUP request in an attempt to satisfy neighborhood concerns and requests as described below:

- Increased setback for 3-story buildings: The SUP proposes a minimum setback of 100 feet from any adjacent property used or zoned for single or two-family use for portions of buildings within the

multifamily development that are 3 stories in height, whereas the R-3H District only requires a minimum 20-foot setback plus an additional foot for each foot of building height over 20 feet.

- Additional height restrictions: Three-story units will not exceed 45 feet in height and two-story units will not exceed 35 feet in height, including the roof lines. The R-3H District permits a maximum building height of 45 feet or 60 feet when a pitched roof is used (minimum 4:12).
- A taller masonry residential buffer wall: The SUP proposes a 10-foot tall CMU buffer wall between the multifamily property and adjacent single and two-family residential properties, whereas the Zoning Ordinance requires only a 6-foot to 8-foot tall masonry wall. The buffer wall will be constructed before framing of any buildings commence and will be required to be designed to comply with sight distance and visibility standards at the intersection of East Common Street and Gruene Vineyard Crossing.
- No extension of Clearwater Drive to East Common Street: The SUP proposes an easement for emergency vehicular and pedestrian access only from the terminus of Clearwater Drive, whereas the Subdivision Platting Ordinance would require the extension of Clearwater Drive, whether it be a cul-de-sac or through street, if the property were to be subdivided into more than one lot. Some of the neighbors have voiced their concern about through-traffic going to or coming from Gruene should there be a public right-of-way extension of Clearwater Drive to East Common Street.
- Dumpster locations: Dumpsters will be required to be placed a minimum of 50 feet away from any single-family residential properties.
- Storm water/drainage: Storm water mitigation will be provided on the site in accordance to the City of New Braunfels Drainage and Erosion Control Design Manual. The site will provide 105% of the required storm water storage capacity for any required storm water detention. Storm water detention will be provided above ground, below ground, or in any other acceptable form as required by the City of New Braunfels.

Surrounding Zoning and Land Use:

North - R-1 & R-2 / Single-family residential neighborhood and duplexes
South - Across E. Common St., C-1 & M-1 with an SUP for multifamily
development up to 24 units per acre / Agricultural
East - Across Old FM 306, C-1 & C-1B / Church
West - ZH-A and across Gruene Vineyard Crossing, "Vineyard at Gruene"
Planned Development District / Single-family neighborhood

ISSUE:

The proposed SUP for multifamily residential use up to 24 units per acre is consistent with the following actions in Envision New Braunfels:

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

Action 3.1: Plan for healthy jobs/housing balance.

The proposed SUP is inconsistent with the following actions in Envision New Braunfels:

Action 3.18: Encourage multifamily to disperse throughout the community rather than to congregate in masse.

Action 7.10: Require more street connectivity/adopt connectivity ratios.

The property lies within the New Braunfels Sub Area near Existing Employment, Market, Tourist/Entertainment and Education Centers and in the vicinity of proposed Future Market Centers along a Transitional Mixed-Use Corridor.

FISCAL IMPACT:

N/A

RECOMMENDATION:

The Planning Commission held a public hearing on April 6, 2021 and unanimously recommended approval with the applicant's proposed standards, staff recommended conditions, plus a condition that the applicant provide proposed low lighting metrics prior to City Council consideration. (Commissioners Sonier, Tubb and Mathis were absent). The applicant has indicated they will meet current lighting restrictions of the Zoning Ordinance and will provide a photometric plan with the building permit application.

The proposed multifamily use is consistent with the mixture of zoning districts and residential and commercial uses in the area and has direct access to Common Street, a Principal Arterial, which is the type of roadway classification where multifamily use is intended to be located. The applicant's SUP request also includes more restrictive development standards than the City's multifamily zoning districts that will add additional buffering between the adjacent neighborhoods. Therefore, staff recommends approval with the following conditions:

1. Development of the site for multifamily use must comply with the development standards of the "R-3H" Multifamily High-Density District, if a particular development standard is not specifically addressed in the development standards of the Special Use Permit.
2. 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.

Staff notes the driveway locations on the proposed Special Use Permit site plan are approximate. Final driveway locations will comply with Chapter 114 of the City of New Braunfels Code of Ordinances.

In addition, the applicant is proposing storm water mitigation be designed at 105% of the required storm water storage capacity for any required storm water detention. Staff supports this proposed development standard for the Special Use Permit as this condition was negotiated between the developer and neighbors and is a standard that can easily be reviewed and enforced by city staff. This proposed element of the Special Use Permit has been incorporated into Section 2 of the attached draft of the ordinance.

The applicant had not provided staff with proposed measurable lighting metrics prior to the completion of this staff report. Any proposed standards will be presented to the City Council by the applicant at the April 26th City Council meeting.

Notification:

Public hearing notices were sent to 46 owners of property within 200 feet of the request. Staff has received 11 responses in favor from numbers 3, 9, 12, 14, 16, 18, 19, 20, 26, 39 and 43 (some of which responded with conditions of approval) and 2 additional responses in favor from outside the notification area; 17 responses have been submitted in opposition from numbers 4, 6, 21, 22, 23, 25, 27, 28, 32, 33, 35, 36, 37, 38, 40, 42 and 44, with an additional 47 objections received from outside the 200-foot notification area, and two neutral responses from #7 and #34.

Resource Links:

Chapter 144, Sec. 3.4-12 “C-1A” Neighborhood Business District of the City’s Code of Ordinances:

[<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIZODI_S144-3.3ZODIREPRZOPRJU221987>](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIZODI_S144-3.3ZODIREPRZOPRJU221987)

Chapter 144, Sec. 3.6 Special Use Permits of the City’s Code of Ordinances:

[<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIZODI_S144-3.3ZODIREPRZOPRJU221987>](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIZODI_S144-3.3ZODIREPRZOPRJU221987)

Chapter 144, Secs. 3.4-5 “R-3H” Multifamily High-Density District of the City’s Code of Ordinances:

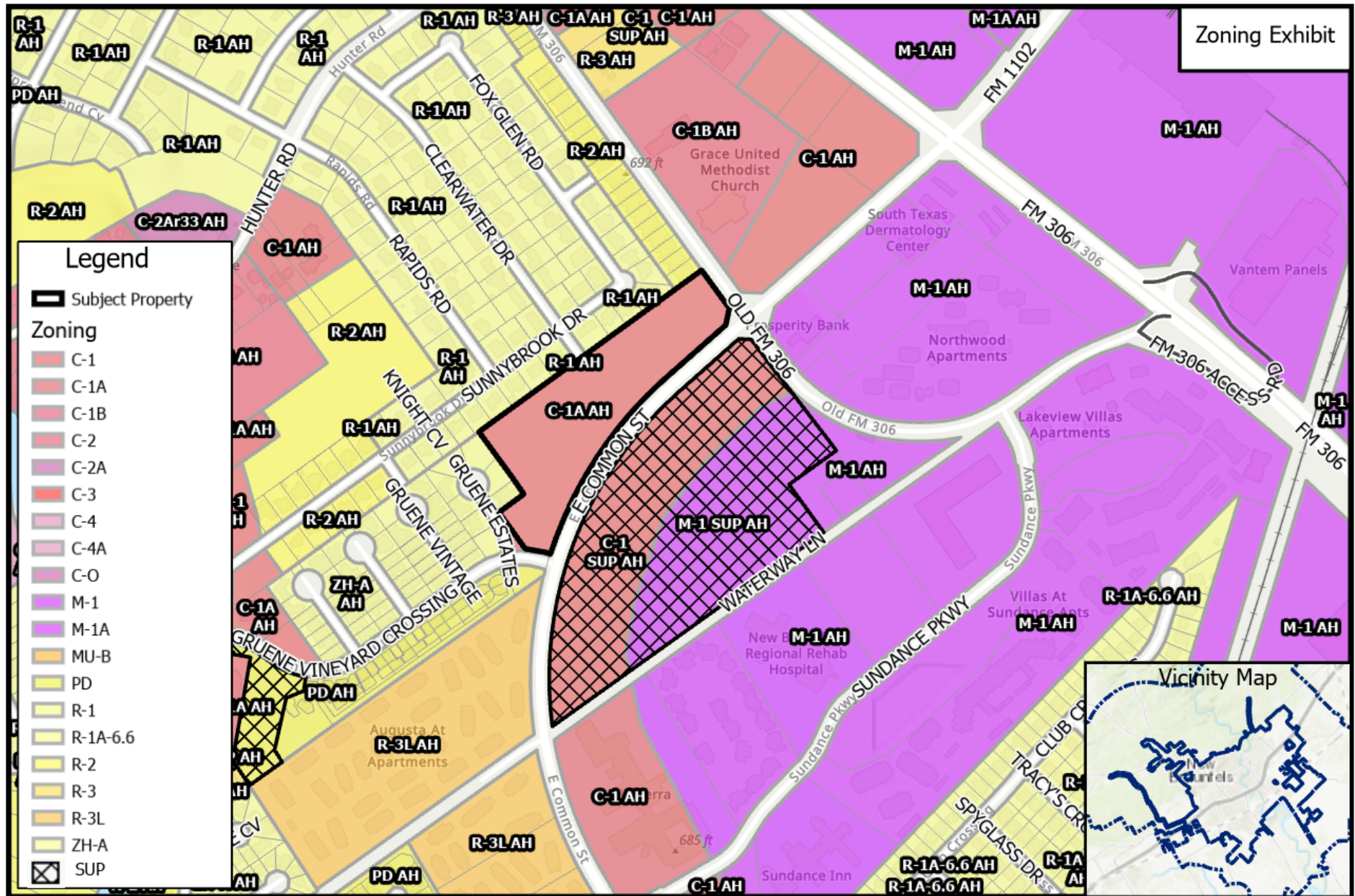
[<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIZODI_S144-3.4ZODIREPRZOSUJU221987>](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIZODI_S144-3.4ZODIREPRZOSUJU221987)

Attachments:

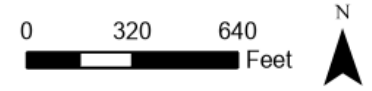
1. Aerial Map
2. Land Use Maps (Zoning, Existing and Future Land Use)
3. TIA Worksheet
4. R-3H District and Proposed SUP Development Standards Comparison Table
5. Notification List, Map and Responses
6. Excerpt of minutes from the April 6, 2021 Planning Commission Regular Meeting
7. Ordinance

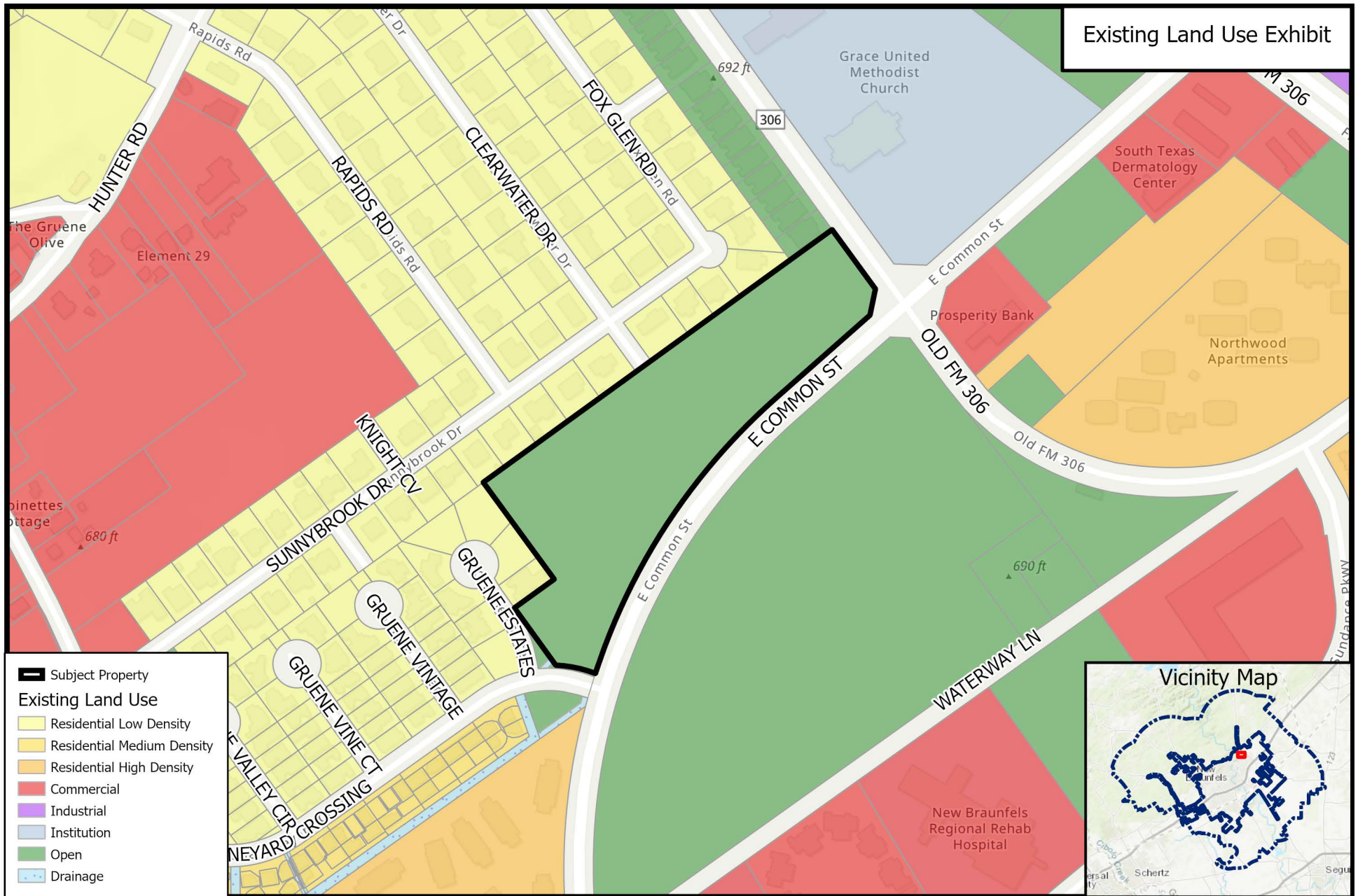


SUP21-037
Request to allow for multifamily use



SUP21-037
Request to allow for multifamily use





SUP21-037

Request to allow for multifamily use



EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

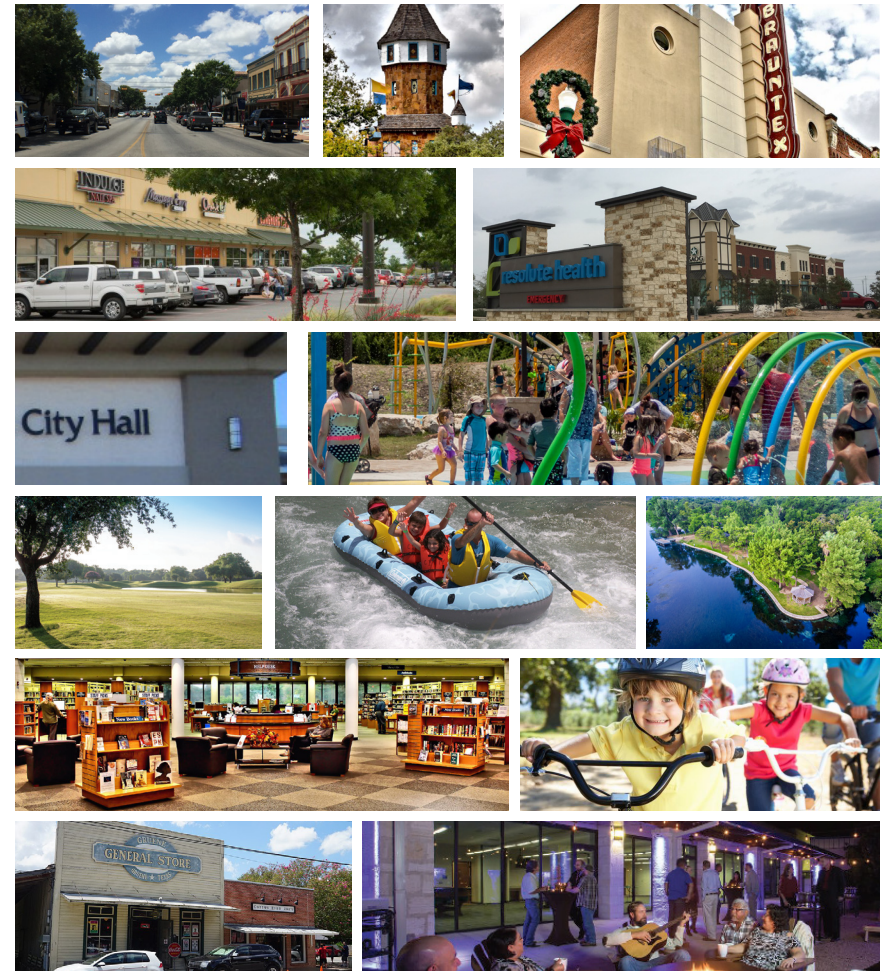
Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.



FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

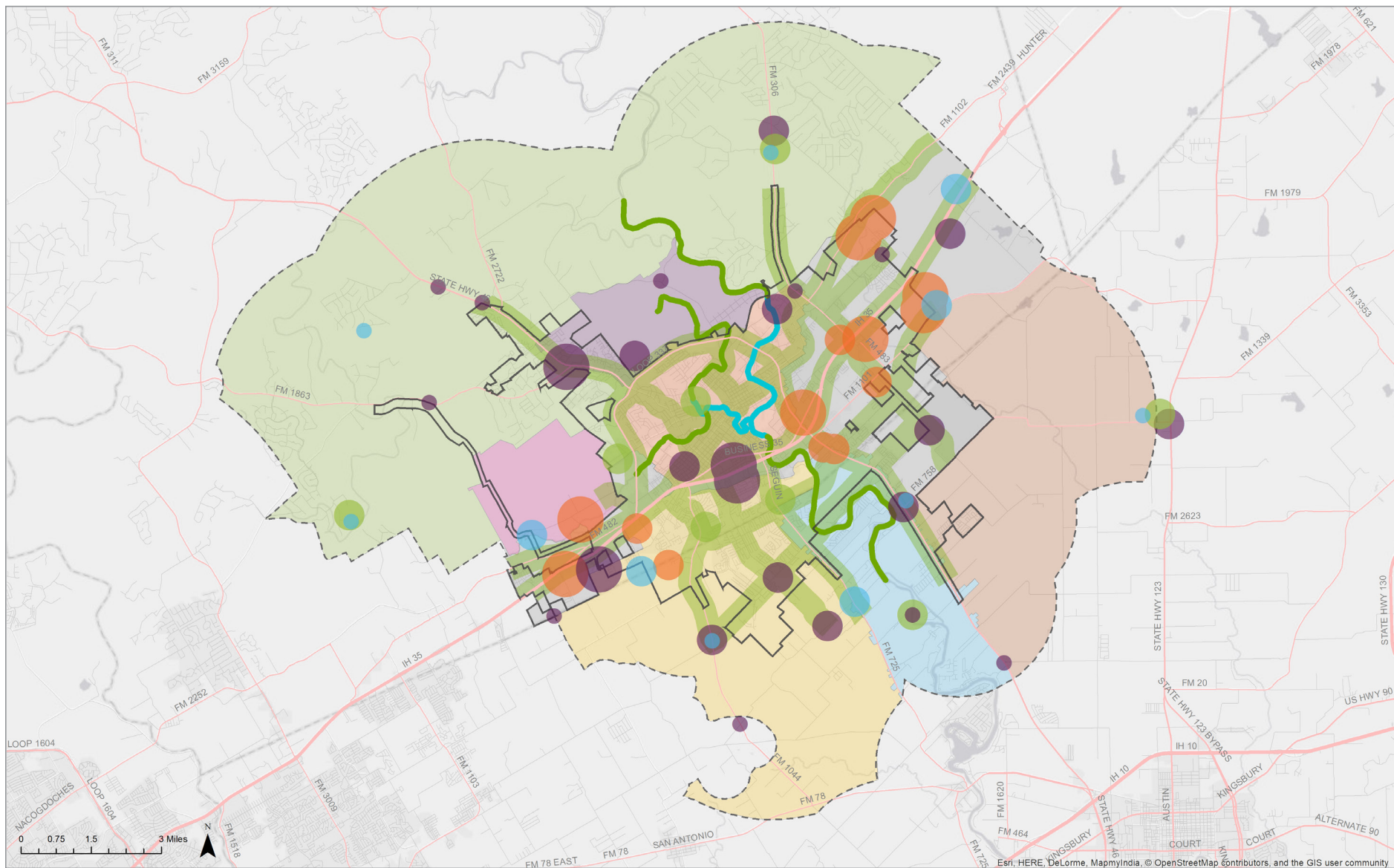
Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. Preferred future growth scenario combines Scenarios A and C per recommendations of the Envision New Braunfels Steering Committee (February 2018). Exact boundaries of sub areas, centers, and corridors may be [zoomed and viewed online](#).

CITY OF NEW BRAUNFELS TRAFFIC IMPACT ANALYSIS (TIA) WORKSHEET

Complete this worksheet as a requirement for zoning, master plan, plat and permit as specified in City of New Braunfels Code of Ordinances Sections 114-99 and 118-46.

Note: The Code provides the minimum information for a TIA report and it is recommended that a scoping meeting be scheduled with the Engineering Division.

Section 1: General Information

General Information											
Project Name:										Date:	
Subdivision Plat Name:						Project Address/Location:					
Location?		<input type="checkbox"/> City of New Braunfels		<input type="checkbox"/> New Braunfels ETJ		<input type="checkbox"/> Comal County		<input type="checkbox"/> Guadalupe County			
Owner Name:						Owner Email:					
Owner Address:						Owner Phone:					
Preparer Company:											
Preparer Name:						Preparer Email:					
Preparer Address:						Preparer Phone:					
TIA Report scoping meeting with City Engineering Division staff?						<input type="checkbox"/> Yes. Date:		<input type="checkbox"/> No.		TIA Worksheet/Report approved with previous zoning, plan, plat or permit?	
										<input type="checkbox"/> No. Complete Page 1 only. <input type="checkbox"/> Yes. Complete Pages 1 and 2.	
Application Type or Reason for TIA Worksheet/Report											
<input type="checkbox"/> Zoning/Concept Plan/Detail Plan <input type="checkbox"/> Master Plan <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Permit <input type="checkbox"/> Other											
TIA Submittal Type (A TIA Worksheet is required with all zoning, plan, plat and permit applications)											
<input type="checkbox"/> TIA Worksheet Only (100 peak hour trips or less)						<input type="checkbox"/> Level 1 TIA Report (101-500 peak hour trips)					
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report Approved						<input type="checkbox"/> Level 2 TIA Report (501-1,000 peak hour trips)					
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report not required (supporting documentation may be required)						<input type="checkbox"/> Level 3 TIA Report (1,001 or more peak hour trips)					

Section 2: Proposed Land Use and Trip Information for Application

Unit	Land Use	ITE Code ¹	ITE Unit ²	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
<i>Total from additional tabulation sheet (if necessary):</i>													
Total:													

¹Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition or most recent; ²E.g., Dwelling Units, Acres, Employees, KSF, etc.

Internal Use Only	Reviewed by:			Date:
	<input type="checkbox"/> TIA Worksheet is acceptable.	<input type="checkbox"/> TIA Worksheet requires corrections.	<input type="checkbox"/> TIA Report required.	<input type="checkbox"/> TIA Report not required.

Approved TIA Worksheet/Report				
Project Name:				
Preparer Company:		Preparer Name:		Date:
Type:	<input type="checkbox"/> TIA Worksheet Only	<input type="checkbox"/> Level 1 TIA Report	<input type="checkbox"/> Level 2 TIA Report	<input type="checkbox"/> Level 3 TIA Report
Approved with:	<input type="checkbox"/> Zoning/Concept Plan/Detail Plan	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Plat	<input type="checkbox"/> Permit <input type="checkbox"/> Other

Unit	Land Use	Status ³	ITE Code ¹	ITE Unit ²	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
Total from additional tabulation sheet (if necessary):														
Total:														

³Specify current *approved* status of unit: PLAN – Zoning/Concept Plan/Detail Plan/Master Plan, PP – Preliminary Plat, FP – Final Plat, P – Permit, C – Completed, A – With this Application (current)

Approved TIA Conformance	AM Peak Hour Trips	PM Peak Hour Trips	WKD Peak Hour Trips	Daily Trips
Approved development total:				
Updated development total:				
Difference development total:				
New TIA Report Required?				
Increase in Peak Hour Trips over 100?		<input type="checkbox"/> Yes. New TIA Report required to be approved prior to approval. <input type="checkbox"/> No.		

Mitigation Measures	Unit
1.	
2.	
3.	
4.	

“R-3H” Multifamily High Density District and Proposed Special Use Permit Development Standards Comparison Table

* = Development Standard that is more restrictive than the R-3H District

Development Standard	R-3H District	Proposed SUP
Maximum Density	24 units per acre	24 units per acre
Minimum Lot Area	20,000 square feet (0.46 acres)	421, 356 square feet (9.673 acres)
Minimum Lot Width	Interior lot = 60 feet Corner lot = 72 feet	1,230 feet
Minimum Lot Depth	100 feet	265 feet
Minimum Front Building Setback	25 feet	25 feet
Minimum Rear Building Setback	25 feet	25 feet; *100 feet for any portion of a building that is 3 stories in height
Minimum Side Building Setback	20 feet. Corner lots shall have 15-foot side building setback adjacent the street where rear lot line abuts rear lot line of adjacent lot; 25-foot side building setback adjacent the street where rear lot line abuts side lot line of adjacent lot	20 feet. Corner lots shall have 15-foot side building setback adjacent the street where rear lot line abuts rear lot line of adjacent lot; 25-foot side building setback adjacent the street where rear lot line abuts side lot line of adjacent lot. *100 feet for any portion of a building that is 3-stories in height
Minimum Distance Between Structures	Minimum of 10 feet between structures side by side; minimum of 20 feet between structures side by front or rear; minimum of 40 feet between structures front to front; minimum of 20 feet between structures backing rear to rear, and a minimum of 20 feet between structures front to rear	Minimum of 10 feet between structures side by side; minimum of 20 feet between structures side by front or rear; minimum of 40 feet between structures front to front; minimum of 20 feet between structures backing rear to rear, and a minimum of 20 feet between structures front to rear
Minimum Garage Setback	20 feet where driveway is located in front of garage attached to a public right-of-way	20 feet where driveway is located in front of garage attached to a public right-of-way
Minimum Residential Setback	Minimum 20-foot setback from an adjacent property line zoned or used for 1 or 2-family use plus 1 foot for each foot of building height over 20 feet	Minimum 20-foot setback from an adjacent property line zoned or used for 1 or 2-family use plus 1 foot for each foot of building height over 20 feet. *100 feet for any portion of a building that is 3-stories in height
Maximum Height	45 feet or 60 feet when a pitched roof is used (minimum 4:12)	45 feet or 60 feet when a pitched roof is used (minimum 4:12 pitch)
Maximum Building Coverage	N/A	N/A
Maximum Lot Coverage	The combined area of all yards shall be at least 50% of the total lot or tract; provided however, in the event enclosed or covered parking is provided, the minimum total yard area	The combined area of all yards shall be at least 50% of the total lot or tract; provided however, in the event enclosed or covered parking is provided, the minimum total yard area

“R-3H” Multifamily High Density District and Proposed Special Use Permit Development Standards Comparison Table

*** = Development Standard that is more restrictive than the R-3H District**

	requirement shall be 40% of the total lot or tract	requirement shall be 40% of the total lot or tract
Minimum Parking Requirement	1-bedroom unit = 1.5 spaces 2-bedroom unit = 2 spaces Each additional bedroom =1/2 space	1-bedroom unit = 1.5 spaces 2-bedroom unit = 2 spaces Each additional bedroom =1/2 space
Residential Buffer Masonry Wall	Minimum of 6 to 8 feet in height	*10 feet in height

PLANNING COMMISSION – MARCH 2, 2021– 6:00PM

Zoom Meeting

Applicant/Owner: David Morin, MNO Partners, agent for Noland and Vera Koepp, Ltd Partnership, owner

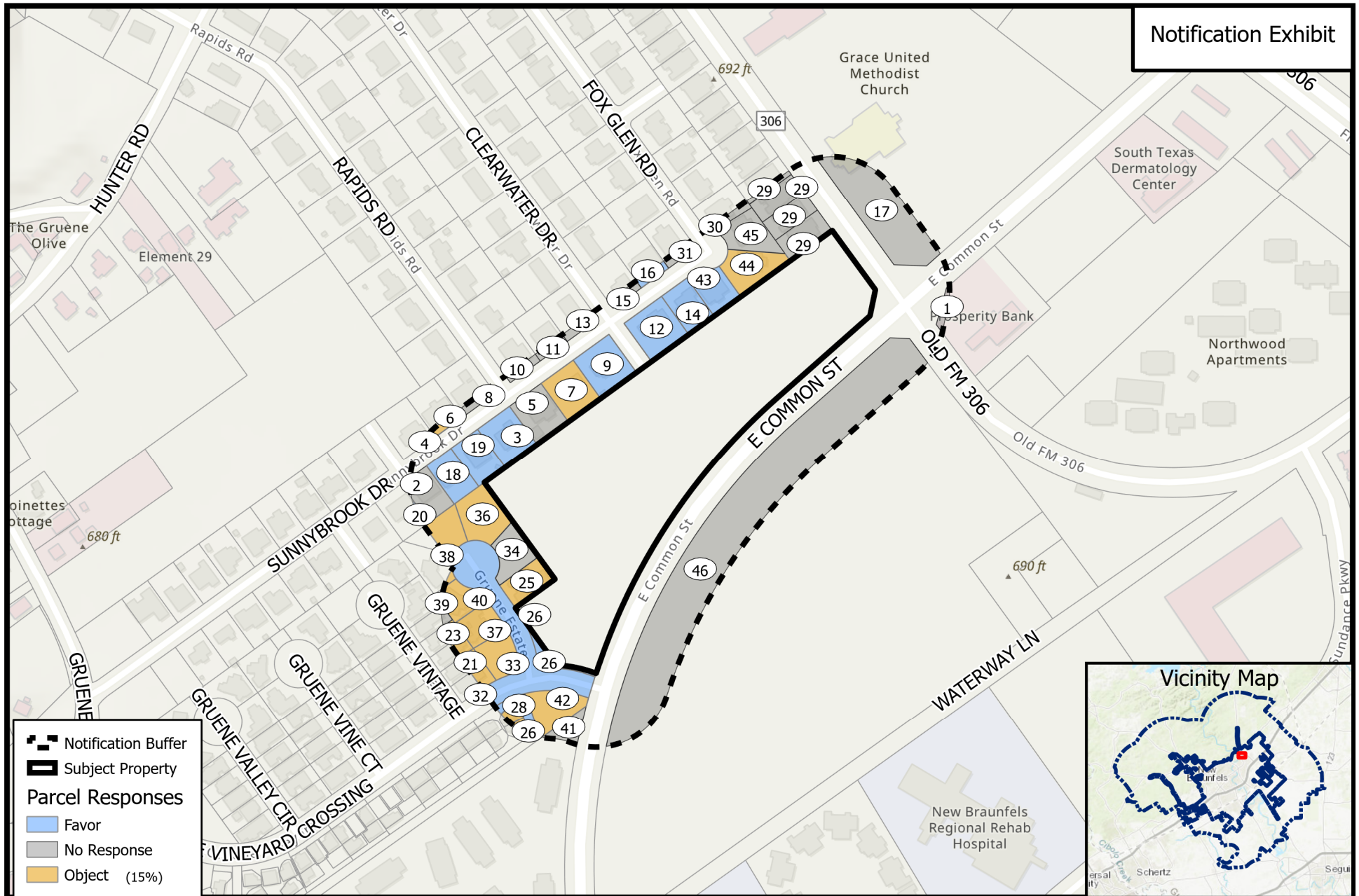
Address/Location: Approximately 10 acres located at the northwest corner of the intersection of E. Common Street and Old FM 306 (see map).

PROPOSED SUP – CASE #SUP21-037

The circled 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. FIRST VICTORIA NATIONAL BANK | 24. SIMECEK TIMOTHY D & CYNTHIA A |
| 2. DELEON FELIPE JR | 25. KIMBLE TRACE N |
| 3. MORGAN LEE S & ELLEN | 26. VINEYARD AT GRUENE POA |
| 4. WEST BERT & HARRIET LIVING TRUST | 27. WRIGHT MATTHEW |
| 5. CLOVER MARGARET G ESTATE OF | 28. HOLTZCLAW DON & DENISE |
| 6. REICHERT TERRANCE E & LINDA M | 29. GRUENE NB LLC |
| 7. SCHEEL CLARENCE A | 30. BAUER JENNIFER W & SHANNON L |
| 8. HENDRIKSEN JAMES J | 31. CARRINGTON NATHAN T & AMANDA J MARTIN |
| 9. QUINTERO BRIAN K & JENNIFER M | 32. ABBOTT DAVID W & EMILY JO |
| 10. BENAVIDEZ DANIEL & DIANA | 33. MAI TAIS & YAHTZEE LLC |
| 11. LEHR JOHN JR | 34. JAMES HARRISON SEE LLC |
| 12. DUERKSEN KENNETH & NIKKI | 35. SNIDER COY & MICHELLE |
| 13. ARNOLD AMANDA M & CARL B | 36. KIMBLE BRADY & DIANA |
| 14. DESTEFANO RON W & BRENDA D | 37. JORGENSEN JEFFREY C & TERESA J |
| 15. VILLARREAL GIAN C | 38. FEHNER KAREN SUZANNE |
| 16. GOGGANS JASON W & BRENDA F | 39. ANDREWS FAMILY TRUST 5-11-2007 |
| 17. GRUENE UNITED METHODIST CHURCH | 40. RKL LLC |
| 18. EBBESEN MARLECE | 41. AUGUSTA GRUENE APARTMENTS LP |
| 19. EDMONDSON JAMES T & STEPHANIE | 42. NEW DAY CUSTOM HOMES LLC |
| 20. JAMESON DEAN C & KRISTYN | 43. HOWARD LORRAINE M |
| 21. ANDREWS WESLEY & GINA | 44. MARTIN EDWARD V III |
| 22. VARDEMAN JESS D & LARRY K VARDEMAN | 45. PHELPS LARRY |
| 23. WILKINS PETER J | 46. KOEPP NOLAND & VERA LTD PRTNRSHLP LTD |

SEE MAP



SUP21-037

Request to allow for multi-family use



0 200 400 Feet



SUP for MNO Development Multifamily Project at Common Street and FM 306

First Name:

Scott

Last Name:

Morgan

Address:

1742 Sunnybrook Dr.

#3

Email:

plummorgan@yahoo.com

Phone:

210-710-7524

Please indicate support or opposition for the project based on the parameters below:

Units adjacent to single family use are no more than two stories

Units not adjacent to single family use are no more than three stories

Dumpsters are at least 50 feet away from single family use

Privacy wall built along all adjacent single family use prior to the start of vertical construction

Storm water detention will include 5% excess over city requirements

Vehicular access to Clearwater Driver restricted to ^{Emergency} vehicles only☒ I Support The Project☐ I Oppose The Project☐ I Do Not Support or Oppose The Project

Additional Comments: As they arise

Signature:

Scott Morgan

Date:

3-31-2021

Thank you for taking the time to meet with us. All information provided on this form is confidential and will only be shared by the development team and the City of New Braunfels in order to collect and assess neighborhood feedback.

SUP for MNO Development Multifamily Project at Common Street and FM 306

First Name: Brian

Last Name: Quintaro

Address: 1766 Sunnybrook Dr
NB, TX 78150

9

Email: brian.quintero@yahoo.com

Phone: 972.814.8744

Please indicate support or opposition for the project based on the parameters below:

Units adjacent to single family use are no more than two stories

Units not adjacent to single family use are no more than three stories

Dumpsters are at least 50 feet away from single family use

Privacy wall built along all adjacent single family use prior to the start of vertical construction

Storm water detention will include 5% excess over city requirements

Vehicular access to Clearwater Driver restricted to ^{Emergency} vehicles only


Will support with ADDITIONS IN COMMENTS SECTION

☒ I Support The Project☐ I Oppose The Project☐ I Do Not Support or Oppose The Project

Additional Comments:

#1 Developer promises to build a ^{4-5'} fence
from Driveway to Clearwater Suburb#2 Balconies will not face property's
backyard

Signature:



Date:

5/31/21

Thank you for taking the time to meet with us. All information provided on this form is confidential and will only be used by the development team and the City of New Braunfels in order to collect and assess neighborhood feedback.

SUP for MNO Development Multifamily Project at Common Street and FM 306

First Name:

Kenneth

Last Name:

Duerksen

Address:

1808 Sunnybrook Dr

#12

Email:

kend123@yahoo.com

Phone:

512 917 2269

Please indicate support or opposition for the project based on the parameters below:

Units adjacent to single family use are no more than two stories

Units not adjacent to single family use are no more than three stories

Dumpsters are at least 50 feet away from single family use

Privacy wall built along all adjacent single family use prior to the start of vertical construction

Storm water detention will include 5% excess over city requirements

Vehicular access to Clearwater Driver restricted to vehicles only

☒ I Support The Project☐ I Oppose The Project☐ I Do Not Support or Oppose The Project

Additional Comments:

The emergency vehicles only on Clearwater
is very important.
Privacy wall is very important.

Signature:



Date:

3-30-2021

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Ron W. & Brenda D. DeStefano

Address: 1816 Sunnybrook Drive, NBT

Property number on map: 14

Comments: (Use additional sheets if necessary)

Signature: 

I favor: X

I object: _____

(State reason for objection)



SUP for MNO Development Multifamily Project at Common Street and FM 306

First Name:

Ron + Brenda

Last Name:

DeStefano

Address:

1816 Sunnysbrook Dr.

#14

Email:

destefanotire@netscape.net

Phone:

830-625-2010

Please Indicate Support or Opposition for the Project:

- ☒ I Support The Project
☐ I Oppose The Project
☐ I Do Not Support or Oppose The Project

Additional Comments:

We've loved the farm field behind us for thirty years. The reality is that New Braunfels is growing leaps + bounds and it won't stay as it is forever. Having commercial property behind us and Clearwater being extended to Common St. is the worst possible scenario.

This group is working with us to address our concerns and keep our quality of life and property values considered and respected.

Signature:

Brenda + Ron DeStefano

Date:

3/23/21

Thank you for taking the time to meet with us. All information provided on this form is confidential and will only be used by the development team and the City of New Braunfels in order to collect and assess neighborhood feedback.

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Jason Goggans
1815 Sunnybrook Dr.
New Braunfels, TX
78130-3023

Name: _____

Address: _____

Property number on map: 16

Comments: (Use additional sheets if necessary)

Signature: Jason Goggans



I favor: _____

I object: _____

(State reason for objection)

as long as
Clearwater dr.
remains
closed to
thru
traffic.

MAR 02 2021

SUP for MNO Development Multifamily Project at Common Street and FM 306

First Name:

MARleece

Last Name:

Ebbesen

Address:

1734 Sunnybrook Dr.

#18

Email:

MARleece7777@sbcglobal.net

Phone:

210 885-3722

Please indicate support or opposition for the project based on the parameters below:

Units adjacent to single family use are no more than two stories

Units not adjacent to single family use are no more than three stories

Dumpsters are at least 50 feet away from single family use

Privacy wall built along all adjacent single family use prior to the start of vertical construction

Storm water detention will include 5% excess over city requirements

Vehicular access to Clearwater Driver restricted to Vehicles only ^{Emergency} (P)☒ I Support The Project☐ I Oppose The Project☐ I Do Not Support or Oppose The Project

Additional Comments:

Signature:

Marleece Ebbesen

Date:

3-30-21

Thank you for taking the time to meet with us. All information provided on this form is confidential and will only be used by the development team and the City of New Braunfels in order to collect and assess neighborhood feedback.

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: James Edmondson

Address: 1738 Sunnybrook Drive

Property number on map: #19

Comments: (Use additional sheets if necessary)

Signature: James Edmondson

I favor: ✓ only if I
have 2 story apartments behind me
I object: #19

(State reason for objection)

MAR 02 2021

SUP for MNO Development Multifamily Project at Common Street and FM 306

First Name:

DEAN + KRISTYN

Last Name:

JAMESON

Address:

1726 SUNNYBROOK DR

#20

Email:

DEANER14@YAHOO.COM

Phone:

830 708 7911

Please Indicate Support or Opposition for the Project:

- ☒ I Support The Project
☐ I Oppose The Project
☐ I Do Not Support or Oppose The Project

Additional Comments:

Signature:



Date:

3/23/21

Thank you for taking the time to meet with us. All information provided on this form is confidential and will only be used by the development team and the City of New Braunfels in order to collect and assess neighborhood feedback. **459**



LETTER OF INTENT TO FORM AGREEMENT

March 29th, 2021

RE: Common St Development Site: A-155 SUR – 35 A P Fuquay

Interested Parties:

The Developer
MNO Gruene LLC

The POA
The Vineyard at Gruene POA

Mr. Larry Schalow, Mr. Ron Richardson, and Mr. Michael Phelan,

Thank you for your time and patience working with us to come up with a solution to guarantee a high-quality development that protects the privacy, security, and well-being of the Vineyard at Gruene community. We are writing this letter of intent to form an agreement between our company and the Vineyard at Gruene POA. In this letter you will find an outline of the deal points that we can make with the neighborhood. If you find these points acceptable, please sign and we will include as part of our Special Use Permit application or formalize into a legal contract.

MNO Gruene, the developer, will agree to the following, **“THE DEVELOPER’S PROMISE”**,:

1. All units adjacent to neighboring single-family homes in the Vineyard at Gruene neighborhood will be two stories and the second story will feature drywall windows elevated 2’ from the floor. Heights in the two-story zone, as indicated in the SUP application, will be limited to 35’, which includes the roof line. For the three-story units close to Common St, the third floor and will feature drywall windows elevated 2’ from the floor.
2. MNO Gruene will agree to require that all dumpsters will be located at least 50’ away from neighboring single-family homes in the Vineyard at Gruene Neighborhood
3. MNO Gruene will build a 10’ privacy wall to ease the transition between the two-story multifamily buildings and units and the neighboring single-family homes in the Vineyard at Gruene neighborhood. The privacy wall will be located in the approximate location as indicated in Exhibit A of this agreement. The privacy wall is subject to City of New Braunfels requirements for safety and visibility. If the privacy wall must be lower towards Common Street to meet City of New Braunfels requirements, the privacy wall will be lowered to the maximum height allowed by the City.
4. MNO Gruene will ensure that storm water mitigation will be provided by the site in accordance to the City of New Braunfels Drainage and Erosion Control Design Manual. The site will provide 105% of the required storm water storage capacity for any required storm

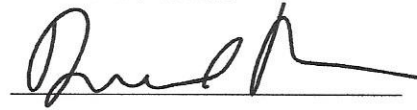
water detention. Storm water detention will be provided above ground, below ground, or in any other acceptable form as required by the City of New Braunfels.

The above conditions, "**THE DEVELOPER'S PROMISE**", will be required by the developer if the Vineyard at Gruene POA, the POA, agrees to the following, "**THE POA's PROMISE**";:

1. The Vineyard at Gruene POA will write a letter of support for the project.
2. The Vineyard at Gruene POA will encourage members to support the project.
3. The Vineyard at Gruene POA will sign this agreement.

Agreed to and Accepted:

The Developer:
MNO Gruene LLC

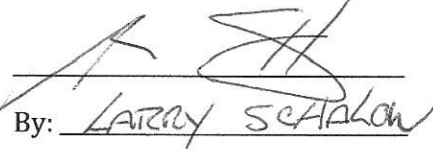


By: David Morin

Its: Managing Member

Date: March 29th, 2021

The POA:
The Vineyard at Gruene POA



By: LARRY SCHARLOW

Its: POA - THE VINEYARD AT GRUENE PRESIDENT

Date: 2 APRIL 2021

Exhibit A:



SUP for MNO Development Multifamily Project at Common Street and FM 306

First Name:

Diane

Last Name:

Andrews

Address:

1228 Duene Vintage

#39

Email:

dmandre06@gmail.com

Phone:

703-447-8240

Please Indicate Support or Opposition for the Project:

☒ I Support The Project

☐ I Oppose The Project

☐ I Do Not Support or Oppose The Project

Additional Comments:

Would like reassurance that what you propose will be done — especially the 10 ft wall and detention pond (for the water flooding thru Duene Vineyard homes)

Signature:

Diane Andrews

Date:

3/23/21

Thank you for taking the time to meet with us. All information provided on this form is confidential and will only be used by the development team and the City of New Braunfels in order to collect and assess neighborhood feedback.

Common St & Old FM 306 - Stormwater

6 messages

David Morin <david@mnoinvestments.com>
To: Andrews.home@verizon.net

Mon, Mar 29, 2021 at 2:27 PM

Hi John,

We enjoyed meeting you at the neighborhood meeting last week and we appreciate your feedback. We checked with our engineer and he said that we would most certainly be required to provide some form of storm water detention. We understand this was your number one concern and so we are proposing the following language to the POA:

- MNO Gruene will ensure that storm water mitigation will be provided by the site in accordance to the City of New Braunfels Drainage and Erosion Control Design Manual. The site will provide 105% of the required storm water storage capacity for any required storm water detention. Storm water detention will be provided above ground, below ground, or in any other acceptable form as required by the City of New Braunfels.

Please let me know if you agree with this language. I think it gives us enough flexibility to design a detention system that can work with our site plan, while also ensuring that we go above and beyond the City's requirements.

Let me know what you think!

Sincerely,

David Morin
Partner



M: +1 (210) 303-7858
E: david@mnoinvestments.com

John Andrews <andrews.home@verizon.net>
Reply-To: John Andrews <andrews.home@verizon.net>
To: "david@mnoinvestments.com" <david@mnoinvestments.com>, "Andrews.home@verizon.net" <Andrews.home@verizon.net>
Cc: "poa.gruene78130@gmail.com" <poa.gruene78130@gmail.com>

Mon, Mar 29, 2021 at 4:11 PM

Thanks David for the quick response!

As a homeowner you captured my concern and the engineering response/language is appropriate based on my level of knowledge.

I will share this information and discuss with the Board of Directors in the next few days.

Note: Board is cc on this message.

Warm regards, John

John Andrews
andrews.home@verizon.net

[Quoted text hidden]

David Morin <david@mnoinvestments.com>
To: John Andrews <andrews.home@verizon.net>
Cc: "poa.gruene78130@gmail.com" <poa.gruene78130@gmail.com>

Mon, Mar 29, 2021 at 5:42 PM

That's great to hear! Thanks John!

Sincerely,

David Morin
Partner



M: +1 (210) 303-7858
E: david@mnoinvestments.com

[Quoted text hidden]

David Morin <david@mnoinvestments.com>
To: Frank Navarro <frank@mnoinvestments.com>

Mon, Mar 29, 2021 at 7:51 PM

[Quoted text hidden]

John Andrews <andrews.home@verizon.net>
Reply-To: John Andrews <andrews.home@verizon.net>
To: "david@mnoinvestments.com" <david@mnoinvestments.com>
Cc: "poa.gruene78130@gmail.com" <poa.gruene78130@gmail.com>

Wed, Mar 31, 2021 at 8:13 AM

David,

Following up to our correspondence below.

As a resident of The Vineyard at Gruene and based on your response, I am withdrawing my objections to the MNO Gruene planning regarding storm water drainage, erosion control and detention pond.

Warm regards, John

John Andrews
andrews.home@verizon.net

-----Original Message-----

From: David Morin <david@mnoinvestments.com>

To: John Andrews <andrews.home@verizon.net>

Cc: poa.gruene78130@gmail.com <poa.gruene78130@gmail.com>

[Quoted text hidden]

[Quoted text hidden]

David Morin <david@mnoinvestments.com>

Wed, Mar 31, 2021 at 10:42 AM

To: John Andrews <andrews.home@verizon.net>

Cc: "poa.gruene78130@gmail.com" <poa.gruene78130@gmail.com>

That is great news. Thank you John! I am glad we were able to meet and discuss the project and also address your main concerns with our promise for our stormwater system.

Sincerely,

David Morin
Partner



Austin | San Antonio

M: +1 (210) 303-7858

E: david@mnoinvestments.com

[Quoted text hidden]

MNO.jpg
23K



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Lorraine M. Howard

Address: 1824 Sunnybrook

Property number on map: 43

I favor: ✓

I object: _____

Comments: (Use additional sheets if necessary)

(State reason for objection)

Signature: Lorraine M. Howard

FEB 25 2021

SUP for MNO Development Multifamily Project at Common Street and FM 306

First Name:

Jeff

Last Name:

Atkins

Address:

1716 Greene Vineyard Crossing

Outside 200'

Email:

jeffatkins1983@gmail.com

Phone:

210-216-5135

Please Indicate Support or Opposition for the Project:

- ☒ I Support The Project
☐ I Oppose The Project
☐ I Do Not Support or Oppose The Project

Additional Comments:

I would rather have a high Quality Apt than commercial. Good Presentation before this I was more for commercial

Signature:



Date:

3-23-21

Thank you for taking the time to meet with us. All information provided on this form is confidential and will only be used by the development team and the City of New Braunfels in order to collect and assess neighborhood feedback.

SUP for MNO Development Multifamily Project at Common Street and FM 306

First Name:

Jacqueline & Michael

Last Name:

Archant

Address:

1748 Greene Vineyard Xing
New Braunfels, TX 78130

Outside 200'

Email:

Michaelarchant@gmail.com

Phone:

415 504 4558

Please Indicate Support or Opposition for the Project:



Support The Project



I Oppose The Project



I Do Not Support or Oppose The Project

Additional Comments:

Please include us in future meetings.

Signature:



Date:

3/23/2021

Thank you for taking the time to meet with us. All information provided on this form is confidential and will only be used by the development team and the City of New Braunfels in order to collect and assess neighborhood feedback.

Matt Greene

YOUR OPINION MATTERS - DETACH AND RETURN

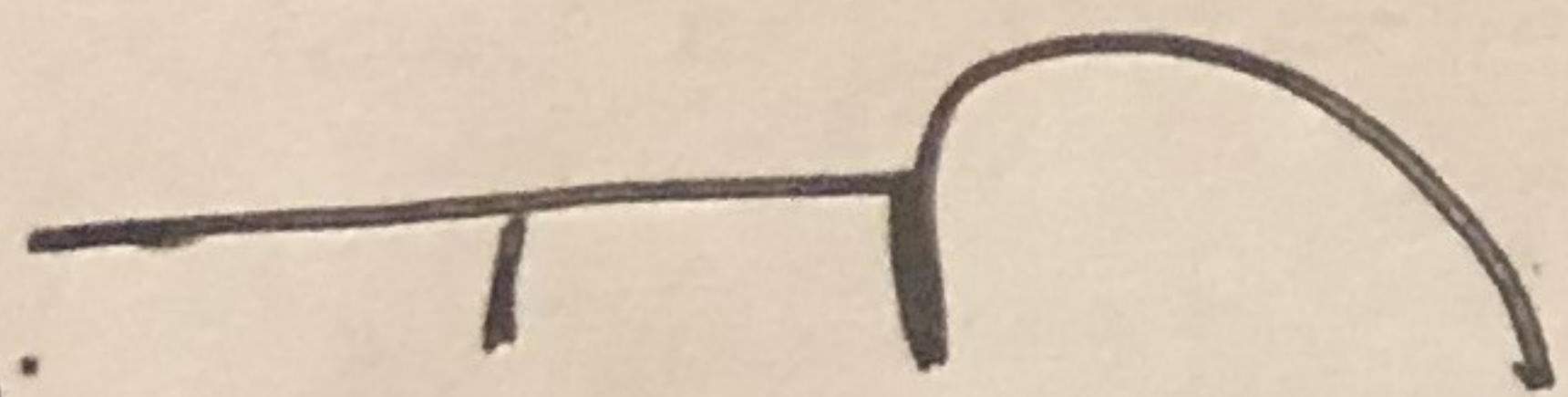
Case: #SUP21-037 (MG)

Name: T. REICHERT

Address: 1739 SUNNYBROOK DR.

Property number on map: 6

Comments: (Use additional sheets if necessary)

Signature: 

I favor: _____

I object: _____

(State reason for objection)

OVERCROWDING IN
TRADITIONALLY SINGLE
FAMILY HOME NEIGHBORHOOD.

NOISE! TRAFFIC!
REDUCED QUALITY OF LIVING!

MAR 01 2021

Case: #SUP21-037 (MG)

Name: Bert West

Address: 1735 Sunnybrook

Property number on map: 4

Comments: (Use additional sheets if necessary)

Signature: Bertie Z. West

I favor: _____

I object: ☒ _____

(State reason for objection)

Traffic

Noise Foot Traffic thru
neighborhood

SUP for MNO Development Multifamily Project at Common Street and FM 306

First Name:

C. ~~SCH~~

Last Name:

SCHEEL

Address:

1758 SUKIN4BROOK DR.

#7

Email:

JAEGER2267@YAHOO.
COM

Phone:

Please indicate support or opposition for the project based on the parameters below:

Units adjacent to single family use are no more than two stories

Units not adjacent to single family use are no more than three stories

Dumpsters are at least 50 feet away from single family use

Privacy wall built along all adjacent single family use prior to the start of vertical construction

Storm water detention will include 5% excess over city requirements

Vehicular access to Clearwater Driver restricted to vehicles only

Emergency

☐ I Support The Project☐ I Oppose The Project☒ I Do Not Support or Oppose The Project

Additional Comments:

Signature:

C. Scheel

Date:

3-30-21

Thank you for taking the time to meet with us. All information provided on this form is confidential and will only be used by the development team and the City of New Braunfels in order to collect and assess neighborhood feedback.

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: Gina Andrews

I favor: _____

Address: 1212 Gruene Vintage

Property number on map: 21

I object: ☒ too much
traffic to

Comments: (Use additional sheets if necessary)

(State reason for objection) enable
emergency vehicles
to have adequate
travel times.

Signature: [Signature]

MAR 01 2021

Case: #SUP21-037 (MG)

Name: Larry Kay Vardeman

Address: 1216 Gruene Vintage

Property number on map: 22

Comments: (Use additional sheets if necessary)

Signature: Larry Kay Vardeman

I favor: _____

I object: ☒ _____

(State reason for objection)

Traffic, property
values will decline,
people walking through
our gated community,
and many more
reasons!!

From: pjwilkins@twc.com
To: [Matt Greene](#)
Subject: Notice of Public Hearing Case #SUP21-037 (MG)
Date: Monday, February 22, 2021 4:35:17 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Greene,

Today I received my notice of public hearing for case number SUP21-037 (MG), as I live within 200 feet of the proposed rezoning area. My info is as follows:

Name: Peter Wilkins

Address: 1220 Gruene Vintage, New Braunfels, TX 78130

Property number on map : 23

I OBJECT

I strongly object to this rezoning request for several reasons.

1. My wife and I built our house here 3 years ago because we enjoy the small-town feel of Gruene. The neighborhood is very walkable, and consists of residents that are mostly retired, and have poured their life savings into living here, as it is quaint, safe, and has all the necessary amenities nearby. Having hi-density housing directly next to us is not something we envisioned when we built here. We certainly would not have built here if we thought city council was going to change Gruene into just another hi-density environment. Should this measure pass, we will be heart-broken and will consider selling our property and moving elsewhere, into another quaint, walkable small town. This would be such a shame as we truly enjoy Gruene.
2. A major concern we have is the already untenable traffic on Common street. It already takes forever to leave our development and turn onto Common street during high traffic periods. Having this development right next to us will exacerbate this problem significantly. City council is already approving another hi-density housing development directly across Common street from this proposed development. Common street cannot handle this additional traffic.
3. The potential for increased crime levels in this immediate area is concerning, as is the impact such a development would have on our property values.
4. Again, I strongly oppose this rezoning request.

Thank you,

PJ Wilkins

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: Traci Kimble

I favor: _____

Address: 1216 Conover EST

Property number on map: 25

I object: ✓

(State reason for objection)

Comments: (Use additional sheets if necessary)

See letter from
HGA

Signature: Traci Kimble

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: M. Wright Family

I favor: _____

Address: 1756 Omer Estate

Property number on map: 27

I object: ☒

(State reason for objection)

Comments: (Use additional sheets if necessary)

See HOA letter

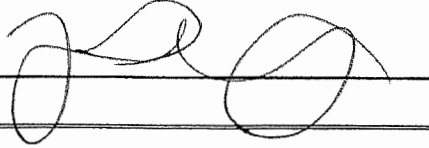
Signature: 
Susan Valley for Matthew Wright (Feb Jan 2021 16:37 CST)

MAR 01 2021


Case: #SUP21-037 (MG)

Name: Julie GonzalezAddress: 1756 Greene Vineyard XingProperty number on map: #27

Comments: (Use additional sheets if necessary)

Signature: 

I favor: _____

I object: 
(State reason for objection)

See Host Letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

FEB 26 2021

Name: Donald L. Holtzclaw

I favor: _____

Address: 1760 Gruene Vineyard Crossing

Property number on map: 28

I object: ☒

(State reason for objection)

Comments: (Use additional sheets if necessary)

- 1) Traffic will increase 3) Property Values decrease
2) Drainage issues 4) Noise issues 5) Theft/Burglary
Signature: W. Holtzclaw 6) Foot traffic coming thru

MAR 01 2021

Case: #SUP21-037 (MG)

Name: Emily Jo. Abbott

I favor: _____

Address: 1208 Gruene VintageProperty number on map: #32I object: Strongly Object
(State reason for objection)

Comments: (Use additional sheets if necessary)

email & letter to follow

Signature: Emily J. Abbott

From: [Emily Abbott](#)
To: [Matt Greene](#)
Cc: [Matthew E. Hoyt](#); tkimble@southwestfunding.com; [John Andrews](#); [The Vineyard at Gruene POA Board of Directors](#)
Subject: Case: #SUP21-037 (MG)
Date: Sunday, February 28, 2021 6:25:26 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

David W. & Emily Jo Abbott
1208 Gruene Vintage
New Braunfels, Texas 78130

I favor: _____

I Object: **STRONGLY OBJECT**

February 27, 2021

Dear Mr. Matt Greene

In response to your NOTICE OF PUBLIC HEARING letter on the 10 acres out of the A.P. Fuquay survey No. 35, Abstract No. 155, located at the northwest corner of the intersection of E. Common Street and Old FM 306.

After being abandoned by the developers for the Vineyards at Gruene subdivision, the community pulled together to finish the mess. Money was collected, a real-estate lawyer was hired and a POA was established with a very intelligent and active Board of Directors. It has been a struggle to say the least, however we finally accomplished what the developers promised when we so trustingly handed over our down payment to build a house in this subdivision. It is private property, so the city does not fund or repair any roads or help with the retention area. We built a private fence that separates our subdivision from The Augusta at Gruene to help with all the fence jumpers that wander the neighborhood and knock on doors all hours of the night. Paid for private entrance gates to prohibit the traffic cutting through our subdivision 24/7 to arrive at downtown Gruene. It has been a very costly and battle intense struggle. We were blocked by the city every step of the way to become a gated community. We complied with every issue asked by the city in order to become a gated community. We wanted our

community to be what was originally promised. That being said, If you look at the tax appraisals over the past 2-3 years, you will see that the community has stepped up and raised the bar for the city to reap the benefit of the taxes we pay.

Rezoning the above said property will:

1. Decrease the value of our property.
2. Increase the traffic on E. Commons that is already congested. We have a Senior Care Facility including a Memory Care and a Alzheimer's Unit right on the edge of E. Commons St.. If ambulances or fire truck are in route on E. Commons, critical time will be lost. Ambulances are on E. Commons St. 3-5 times a day, not to mention the Firetrucks. Wrecks that occur on IH 35 are rerouted right down E. Commons St. for hours, we can't even get out of our own neighborhood. Street/stop lights will just make it more congested. There is no where for infrastructure to improve!
3. Increase more Environment/Ozone issues from all the traffic, Rodent/Pest issues from all the dumpsters in the complex.
4. Allow the apartment residents to walk right in to our gated community. Statistic state more crime is committed in the surrounding neighborhoods adjacent to apartments.
5. Drainage problems already exists, a apartment complex will cause even more drainage problems for our subdivision because the runoff drains down our main street now resulting in a huge muddy mess.
6. Over crowd schools which are lacking in funding already.
7. Cause even more fundamental issues that I might have failed to mention, internet difficulties come to mind and that is just the tip of the ice burg.

We have worked hard to make the Vineyards at Gruene a nice little slice of heaven. Please reconsider the option to rezone E. Commons St. from a multifamily high density residential area back to its original state of a commercial piece of property. Thank you for your prompt attention to this consideration.

Emily Jo Abbott

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name:

Darren & Curry Sutton (Maitis & Yaktzevsky)

I favor:

MAR 01 2021

Address:

1209 Greene Estates

Property number on map:

33

I object:

X


(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature:

Curry Sutton

We Did NOT receive
this letter in the Mail!

SUP for MNO Development Multifamily Project at Common Street and FM 306	
First Name: <i>Taylor</i>	Last Name: <i>See</i>
Address: <i>1222 Groene estates</i> #34	
Email: <i>taylorsee3@gmail.com</i>	Phone: <i>2103910262</i>
Please Indicate Support or Opposition for the Project: <input type="checkbox"/> I Support The Project <input type="checkbox"/> I Oppose The Project <input checked="" type="checkbox"/> I Do Not Support or Oppose The Project	
Additional Comments:	
Signature: 	Date: <i>3-23-2021</i>
Thank you for taking the time to meet with us. All information provided on this form is confidential and will only be used by the development team and the City of New Braunfels in order to collect and assess neighborhood feedback.	

SUP for MNO Development Multifamily Project at Common Street and FM 306

First Name:

Jim See

Last Name:

Address:

1222 LANE ESTATES, NB TX 78130 #34

Email:

JHSEE@YAHOO.COM

Phone:

830-822-3142

Please Indicate Support or Opposition for the Project:

☐ I Support The Project

☐ I Oppose The Project

☒ I Do Not Support or Oppose The Project

Additional Comments:

DUMPSTER LOCATES - SHOWN ON PLOT PLAN
AGAINST FENCE

Signature:



Date:

Thank you for taking the time to meet with us. All information provided on this form is confidential and will only be used by the development team and the City of New Braunfels in order to collect and assess neighborhood feedback.

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: Coy Snyder

Address: 12337 Greene & STS

Property number on map: 35

Comments: (Use additional sheets if necessary)

Signature: [Signature]

I favor: _____

I object: ✓

(State reason for objection)

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Brady AND DIANA Kimble

Address: 1228 Gruene Estates

Property number on map: circled on next page
#36 CANNOT read

Comments: (Use additional sheets if necessary)

See ATTACHED letter

Signature: Brady + Diana Kimble

I favor: _____

I object: ✓

(State reason for objection)

FEB 26 2021

BRADY N. KIMBLE — BROKER OF RANCHES & FARMS

1228 Gruene Estates Drive

New Braunfels, TX 78130

Cell: 210-415-1868

bradynkimble@gmail.com

36

February 26, 2001

City of New Braunfels
Att. Matt Greene
Planning Commission
550 Landa Street
New Braunfels, Texas 78130

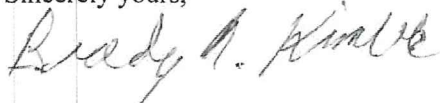
I am 81 years old and in June of 2020 my wife, Diana, and I completed construction of our new 3,000 square foot home on 1228 Gruene Estates, New Braunfels, Texas 78130 that backs up to the 10 acres that you are wanting to change the zoning on. We decided on this location for privacy with the gated entry and exit of our subdivision Vineyard at Gruene. It is very safe here now and we like it. At this time the only thing we do not like about our subdivision is that there is a large volume of traffic on Common Street at this time and it will get more in the future with multifamily high density residential units (apartments) that are going to be built in the future. The traffic will get a lot worse.

If the zoning is changed on the 10 acres; the traffic will get much worse, there may and probably will be some foot traffic through our subdivision (at this time there is none or very little) that may increase the crime that is very low at this time.

At my age, 81 years old, we do not want to move again; we thought we had picked the perfect place to live.

I strongly object to the change of zoning of the 10 acres that is adjacent to our property and subdivision.

Sincerely yours,



Brady N. Kimble



Department of Planning and Development Services

NOTICE OF PUBLIC HEARING

View details here:

nbtexas.org/PublicNotice

The New Braunfels Planning Commission will hold a public hearing at the request of **David Morin, MNO Partners, agent for Noland and Vera Koepp, Ltd Partnership, owner**, to consider a recommendation to City Council on the following rezoning request:

Property: Approximately 10 acres out of the A.P. Fuquay survey No. 35, Abstract No. 155, Comal County, Texas, located at the northwest corner of the intersection of E. Common Street and Old FM 306

Request: A Type 2 Special Use Permit to allow multifamily high density residential use (up to 24 units per acre) in the "C-1A" Neighborhood Business District. Additional information can be found at the following website: nbtexas.org/PublicNotice

Because your property is located within 200 feet of the request, State law requires that we notify you of the public hearing. **However, the zoning of your property will not be changed.** The public hearing process allows an opportunity for you to provide comments on the request. This aids the Commission in making a recommendation to City Council.

Public hearings for this request are scheduled before the Planning Commission on **Tuesday, March 2, 2021**, at 6:00 p.m. virtually via **Zoom Meeting**. Information on how to join the meeting is included with this notice. The Planning Commission's recommendation will be considered by City Council in another public hearing, tentatively scheduled for **Monday, March 22, 2021**. Both meetings are open to the public. All interested persons are invited to join these meetings.

If you wish to submit written comments, please complete ALL of the information below and return to:

Mail: City of New Braunfels
Planning Commission
550 Landa Street
New Braunfels, TX 78130

Email: mgreene@nbtexas.org

If you have questions, please call Matt Greene at (830) 221-4053

Matt Greene

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Jeff + Terri Jorgensen

Address: 1215 Gruene Estates

Property number on map: 37

Comments: (Use additional sheets if necessary)

Signature:

I favor: _____

I object: X

(State reason for objection)

Traffic, Noise, Theft
Drainage, foot Traffic
through Vineyards @ Gruene

Already Too many Apartments

From: [Jeff JORGENSEN](#)
To: David@mnoinvestments.com; [Matt Greene](#)
Subject: Common street and 306 project
Date: Thursday, February 25, 2021 5:38:09 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Am a resident of Vineyard at Gruene subdivision. My address is 1215 Gruene Estates and I reside within the 200' notification area.

Have seen your brochure and have some issues/questions.

1) It has been stated that you have zoomed those within 200 feet of your project. My residence is within that distance. Why have I or my neighbors in the Vineyards of Gruene subdivision not been contacted? Apparently your street compromise on Clearwater drive was meant to appease the residents on Sunnybrook and that subdivision. My neighbors and I only became aware of your project once the zoning change signs were posted. Not that transparent.

2) Our subdivision has worked diligently to collect funds and install gates at each end of Our subdivision to maintain privacy on our streets. I say "our streets" as we have to maintain them and for years our street served as a shortcut to Gruene. We have overcome the ineptitude of the original developers and collected the funds by donations to install automatic gates (at substantial cost) to stop unwanted traffic. Your plat shows no attempt to honor that desired privacy by setting up parking and a dumpster next to my neighbors house and would allow people to walk into our neighborhood to get to Gruene. Frank Navarro stated that your company would extend your privacy wall to our gates. The problem is that your over two hundred units with four to five hundred people would just walk to the other side of the gate to get to Gruene. To show your willingness to work with the communities I would suggest you offer to continue the wall on the other side of the gate till it joined our privacy fence on that side. That way pedestrian traffic could be avoided.

3) Two of your three dumpster areas are adjacent to my neighbors houses. If Commercial zoning were maintained the odors would be less and traffic to empty the dumpsters could be at reasonable times. Presently I doubt my neighbors will appreciate the noise associated with people dumping trash all the time and the awful noise from the trucks that collect the waste. Once again our subdivision seems to have been overlooked as two of the three dumpsters are adjacent to our subdivision. I would suggest you place your dumpsters on the interior of your project as you're potential renters would expect them to make noise.

4) Your drainage plans appear to focus on the point of our subdivision. I am very concerned about this issue as our inept subdivision developers may have compromised the existing drainage as they have skimmed on other parts of our subdivision. I hope our city engineers get very aggressive with your plans for drainage.

5) Traffic. Our city council has already reversed course and zoned the property across from Commons as multi family. That true traffic burden is yet to be determined. You propose to have your complete project empty on Common street from one point of egress. Traffic is already backed up in the mornings and evenings. With Commercial zoning we feel that traffic burden would be less. Your company is based out of Austin and I am concerned that the approach Austin has addressed traffic will be reflected in your approach here.

6) Crime element. Presently that is not an issue for our subdivision. Maybe a wall along Commons on both sides of our gates would mitigate a crime issue. This is a concern with multi family projects according to every realtor I have talked to.

7) Noise. Not a concern with Commercial zoning. Is your wall the answer for this concern? What about residents playing loud music or partygoers in the middle of the night? Not a concern with commercial zoning.

8) Property Values. Our taxing entity just hammered most of our subdivision lots with a 40% increase on the land evaluation for this year. What will a multi family 200 unit next to us do to our property values? Once again every realtor I have spoken to states that there will be a negative impact.

I hope you think my questions and points have merit. Personally and presently I'm against your zoning change request. If your company can present your case to our subdivision then perhaps we would be more willing to compromise. Neglecting to get our subdivision involved with your initial talks makes one leery of your attempt at transparency. Our HOA managers are having a Zoom meeting February 25th and will be bringing up these concerns with the HOA and our management company.

Jeff JORGENSEN DVM

Sent from my iPhone

MAR 01 2021

Case: #SUP21-037 (MG)

Name: Karen FehnerAddress: 1227 Gruene EstatesProperty number on map: 38

Comments: (Use additional sheets if necessary)

Signature: Karen Fehner

I favor: _____

I object: X

(State reason for objection)

See Attachment

- 1.) Property values affected negatively
- 2.) traffic flow highly impacted which is now a issue
- 3.) privacy, security, safety issues
- 4.) We are a gated community, the apartment residents would use as a cut-thru to downtown Gruene.

MAR 01 2021

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Jill Lam, RKL LLC

Address: 1221 Gruene Estates

Property number on map: 40

Comments: (Use additional sheets if necessary)

Signature: Jill Lam

I favor: _____

I object: ☒ _____

(State reason for objection)

MAR 01 2021

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

(Formerly Vineyard Lots LLC)

Name: New Day Custom Homes LLC

Address: Vineyard at Greene II, Bldg 5, Lot 11

Property number on map: 42

I favor: _____

I object: ☒ _____

(State reason for objection)

Comments: (Use additional sheets if necessary)

MAR 01 2021

Signature: Theresa Mauricio

Signature: Theresa Mauricio
Theresa Mauricio (Feb 27, 2021 14:12 CST)

Email: newdaycustomhomes@hotmail.com

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Romy Martin

Address: 1832 sunnysbrook dr

Property number on map: 44

Comments: (Use additional sheets if necessary)

Signature: Romy

I favor: _____

I object: ☒ _____

(State reason for objection)

MAR 01 2021

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: Kay Lay

I favor: _____

Address: 230 Rio

Property number on map: OUTSIDE 200' NOTIFICATION AREA

I object: [Signature]

(State reason for objection)

Comments: (Use additional sheets if necessary)

Infra Structure
Stress

Signature: Kay Lay

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Terry Fredrickson

I favor: _____

Address: 1159 Gwene Rd NB TX 78130

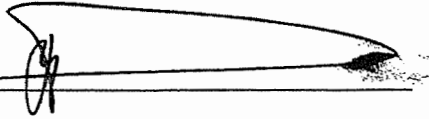
Property number on map: **OUTSIDE 200' NOTIFICATION AREA**

I object: 1) Affects my prop value
2) Too much traffic

Comments: (Use additional sheets if necessary)

(State reason for objection)

Signature: _____



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name:

Address:

Property number on map: **OUTSIDE 200' NOTIFICATION AREA**

Comments: (Use additional sheets if necessary)

Signature:

MAR 01 2021

I favor: _____

I object: Copy

(State reason for objection)

See HOA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: DONNA NEEDHAM

Address: 1207 GRUENE VINTAGE

Property number on map: OUTSIDE 200' NOTIFICATION AREA

Comments: (Use additional sheets if necessary)

Signature: Donna C. Needham

MAR 01 2021

I favor: _____

I object: ☒

(State reason for objection)

1. Traffic
2. Property Value
3. Security issue
4. Drainage

See Hot Letter



Department of Planning and Development Services

NOTICE OF PUBLIC HEARING

View details here:

nbtexas.org/PublicNotice

The New Braunfels Planning Commission will hold a public hearing at the request of **David Morin, MNO Partners, agent for Noland and Vera Koepp, Ltd Partnership, owner**, to consider a recommendation to City Council on the following rezoning request:

Property: Approximately 10 acres out of the A.P. Fuquay survey No. 35, Abstract No. 155, Comal County, Texas, located at the northwest corner of the intersection of E. Common Street and Old FM 306

Request: A Type 2 Special Use Permit to allow multifamily high density residential use (up to 24 units per acre) in the "C-1A" Neighborhood Business District. Additional information can be found at the following website: nbtexas.org/PublicNotice

Because your property is located within 200 feet of the request, State law requires that we notify you of the public hearing. **However, the zoning of your property will not be changed.** The public hearing process allows an opportunity for you to provide comments on the request. This aids the Commission in making a recommendation to City Council.

Public hearings for this request are scheduled before the Planning Commission on **Tuesday, March 2, 2021**, at 6:00 p.m. virtually via **Zoom Meeting**. Information on how to join the meeting is included with this notice. The Planning Commission's recommendation will be considered by City Council in another public hearing, tentatively scheduled for **Monday, March 22, 2021**. Both meetings are open to the public. All interested persons are invited to join these meetings.

If you wish to submit written comments, please complete ALL of the information below and return to:

Mail: City of New Braunfels
Planning Commission
550 Landa Street
New Braunfels, TX 78130

Email: mgreene@nbtexas.org

If you have questions, please call Matt Greene at (830) 221-4053

Matt Greene

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Randy & Michelle Watts

Address: 1209 Gruene Vine Court

Property number on map: OUTSIDE 200' NOTIFICATION AREA

Comments: (Use additional sheets if necessary)

I favor: _____

I object: X

(State reason for objection)

see attached

Signature: Michelle Watts

Notice of Public Hearing East Common & Old 306

My husband and I are against the proposed change on zoning. We currently live in the Vineyard at Gruene gated community. There is already so much traffic that it makes it very difficult to get into and out of the Common Street entrance.

This proposed multifamily high density residential will add additional traffic, making it even worse. The proposed complex is situated very close to the back fence of several nice homes.

I am concerned about the residents taking the liberty of walking through our gated community as a short cut into Gruene.

Single story, less dense residential development would be less of a concern.

Randy and Michelle Watts
1209 Gruene Vine Court
New Braunfels, TX 78130

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name:

Keith L. Waid

I favor:

Address:

1210 GRUENE Vine CT

Property number on map:

OUTSIDE 200' NOTIFICATION AREA

I object:



Comments: (Use additional sheets if necessary)

(State reason for objection)

Signature:

Keith L. Waid

TRAFFIC
Schools
drainage

See HMA letter

YOUR OPINION MATTERS

Case: #SUP21-037 (MG)

Name: Stella CopherAddress: 1211 Gruene VintageProperty number on map: across the street
from #32 **OUTSIDE 200' NOTIFICATION AREA**

Comments: (Use additional sheets if necessary)

I favor:

MAR 01 2021I object: object

(State reason for objection)

The Change will forever
effect our Neighborhood.Signature: Stella Copher

you say our zoning will not be changed but the plan to build all these apartments right next to our subdivision is equal to rezoning because its too close. Our area is made up of mostly retired or elderly people that just want peace and quiet. When construction starts it will be a detriment to our health, breathing the dust and the noise will be every day. When the project is completed we have to ~~be~~ listen to dumpsters in the mornings being emptied before daylight. The project is much to close to all our residence and should not be built there. Also the traffic on Common St. is already already so bad we have trouble getting on it. If these apartments are added to the area then traffic becomes even worse. My husband and I just moved here in December 2020 because the neighborhood is so peaceful. We believe home values will go down and the noise coming from apartments will be unbearable. We just moved from a garden apartment at the Land Mark because the street noise and construction noise had become unbearable. Please be fair & do not do this to us elderly people. These apartments should be located in a more suitable location. If you have to rezone to put them at this location then it can not be right.

Stella Copher

YOUR OPINION MATTERS -

Case: #SUP21-037 (MG)

Name: Edgar L. CopherI favor: MAR 01 2021Address: 1211 Gruene VintageProperty number on map: ACROSS The STREET
From #32I object: XXX
(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: Ed L. CopherThe change will have
A Negative effect on
our wonderful neighborhood.

The APARTMENTS will cause the following
"Negative" effects on our neighborhood:

1. ENVIRONMENTAL ISSUES: more noise, more TOXICANTS
from cars, more garbage disposal
2. Property VALUES will go down with APARTMENTS
NEXT DOOR.
3. APARTMENTS have a history of higher Crime.
4. More Congested Traffic Issues
5. How would you Like 240 Boom Boxes and
240 BBQ Grills going in your BACK YARD??
This is Similar Issue Like The Comal River
issues we had in the PAST!
6. Would You WANT APARTMENTS in YOUR BACKYARD?

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: DAN MALONE

I favor: _____

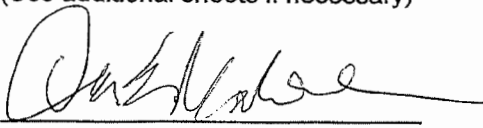
Address: 1215 GRUENE VINTAGE

Property number on map: OUTSIDE 200' NOTIFICATION AREA

I object: ☒

Comments: (Use additional sheets if necessary)

(State reason for objection)

Signature: 

See HOA letter

Case: #SUP21-037 (MG)

MAR 01 2021

Name: BONNIE DENING

I favor: _____

Address: 1216 GRUENE VALLEY CIR.

Property number on map: OUTSIDE 200' NOTIFICATION AREA

I object: ☒

Comments: (Use additional sheets if necessary)

(State reason for objection)

traffic, property value
noise, safety,
drainage, thefts

Signature: Bonnie Dening

See HOA letter

YOUR OPINION MATTERS - DETACH AND RETURN

MAR 01 2021

Case: #SUP21-037 (MG)

Name: CONNIE & Rick Mackiewicz

Address: 1217 Gruene Vine Ct.

Property number on map: **OUTSIDE 200' NOTIFICATION AREA**

I favor: _____

I object: X

Comments: (Use additional sheets if necessary)

(State reason for objection)

Signature: Connie Mackiewicz

lack of privacy for
homeowners, traffic
congestion + lowering
our property values.

See HOA letter

YOUR OPINION MATTERS - DETACH AND RETURN

MAR 01 2021

Case: #SUP21-037 (MG)

Name: James Z Kofakis

I favor: _____

Address: 1218 Gruene Village East NW TXB170

Property number on map: **OUTSIDE 200' NOTIFICATION AREA**

I object: XXX!!

Comments: (Use additional sheets if necessary)

(State reason for objection)

SEE ATTACHED
letter

Signature: James Z Kofakis



The Vineyard at Gruene
Property Owners Association (POA)

Board of Directors: Larry G. Schalow, Chairman and President
Ron Richardson, Vice Chairman & Treasurer Michael Phelan, Vice Chairman & Secretary

February 26, 2021

Dear Council,

The Vineyard at Gruene Property Owners Association is writing to express our strong opposition to the proposed rezoning of approximately 10 acres out of the A.P. Fuquay survey No. 35, Abstract No. 155, Comal County, Texas, located at the northwest corner of the intersection of E. Common Street and Old FM 306 to allow multifamily high density residential use in the "C-1A" Neighborhood Business District.

While the local community may be unable to prevent development, that in itself will be detrimental to the area, residents in the Vineyard at Gruene neighborhood are unified in opposing the addition of multi-family housing that will cause traffic, school, safety, privacy, drainage and noise issues as well as potentially lower the property values at our existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic congestion on E. Common Street and FM306 are already at critical levels. During the morning and afternoon hours, it can be difficult to get on E. Common Street since traffic is backed from the intersection to past our neighborhood, which is over 1/3rd of a mile away. The recent re-zoning of multi-family on E. Common Street across the street from our community along with the current rezoning proposal are simply going to overload the current infrastructure. Due to the lower number of people in the area at the same time as compared to an apartment complex, we believe the current "commercial" zoning designation would have a much lower adverse impact on current & future traffic issues.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause further school over-enrollment issues. It is established that over capacity has a negative impact on student learning, educational success, and school effectiveness.

Safety, privacy, and noise issues are all valid concerns if this rezoning proposal moves forward. Our neighborhood association, which is responsible for its roads and common areas, has recently installed gates that would now be ineffective should a multi-family project be allowed. Privacy walls that match the current architecture would need to be constructed on both sides of our community to prevent the 400-500 apartment residents from using our neighborhood as a cut-through to access downtown Gruene. Furthermore, the current drainage plans appear to move in the direction of our neighborhood which could induce flooding and/or water pooling issues.

All these concerns are likely to negatively affect property values in the area if multi-family apartments are built. According to multiple sources including real estate professionals, appraisers, and city planners, multi-family dwellings generally have a negative impact to surrounding single family communities and neighborhoods for the concerns above.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with our neighbors, I know our opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our neighborhood.

Best regards,

The Vineyard at Gruene Board of Directors

Agree 100% with
this letter of objection
James Kofakis

JAMES KOFAKIS

MAR 01 2021

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Sharon Bostick

Address: 1219 Greene Valley Circle

Property number on map: OUTSIDE 200' NOTIFICATION AREA

Comments: (Use additional sheets if necessary)

Signature: Sharon Bostick

MAR 01 2021

I favor: _____

I object: X

(State reason for objection)

See last letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Judd McClellan

MAR 01 2021

I favor: _____

Address: 1219 Bonero Valley Cir

Property number on map: OUTSIDE 200' NOTIFICATION AREA

I object: X

(State reason for objection)

Comments: (Use additional sheets if necessary)

See HOA letter

Signature: [Signature]

MAR 01 2021

Case: #SUP21-037 (MG)

Name: NANCY ABRAHAM

I favor: _____

Address: 1220 GRUENE VALLEY CIRCLEProperty number on map: OUTSIDE 200' NOTIFICATION AREA I object: X

(State reason for objection)

Comments: (Use additional sheets if necessary)

TRAFFIC, SAFETY

Signature: Nancy Abraham

See HOA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Michael Phelan

I favor: MAR 01 2021

Address: 1224 Greenvale Valley Circle

Property number on map: OUTSIDE 200' NOTIFICATION AREA I object: X

(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: Am Phelan

Traffic, security,
property values, noise
See HOA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Rene' Krummer

Address: 1225 Gruene Vine Ct.

Property number on map: OUTSIDE 200' NOTIFICATION AREA

Comments: (Use additional sheets if necessary)

Signature: Rene' Krummer

I favor: MAR 01 2021

I object: ✓

(State reason for objection)

Traffic, Privacy
Deflate property
value

see HOA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: James E. Hannon

Address: 1226 Gruebe Vine Ct.

Property number on map: OUTSIDE 200' NOTIFICATION AREA

I favor: ~~Yes~~

I object: ✓

(State reason for objection)

Comments: (Use additional sheets if necessary)

See HOA letter

Signature: [Signature]



Case: #SUP21-037 (MG)

Name:

Brent & Hollie Pfeiffer

Address:

1227 Gruene Valley Cir

Property number on map:

26

I favor:

BY: [signature]

I object: ☒

(State reason for objection) *

Comments: (Use additional sheets if necessary)

Signature:

* too many apt complexes in immediate area. Do not wish ~~lose~~ our gated community to back up to multi-family housing. Potential property value depreciation.

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: Michael Romero

Address: 1227 GROVE VINTAGE

Property number on map: OUTSIDE 200' NOTIFICATION AREA

I favor: _____

I object: ☒ _____

Comments: (Use additional sheets if necessary)

(State reason for objection)

Signature: Michael K Romero

See HRA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Darvin & Curry Sutton

Address: 1231 Greene Village

Property number on map: **OUTSIDE 200' NOTIFICATION AREA**

Comments: (Use additional sheets if necessary)

Signature: Curry & Darvin

MAR 01 2021

I favor: _____

I object: X

(State reason for objection)

See HoA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Darren and Curry Sutton

Address: 1232 Gruene Vintage


Property number on map: OUTSIDE 200' NOTIFICATION AREA

I favor: MAR 01 2021

I object: X

(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: 

Traffic
Noise
Drainage

See HOA
Letter

MAR 01 2021

Case: #SUP21-037 (MG)

Name:

Terry Tilly

I favor: _____

Address:

1345 Cypress Bend Cove

Property number on map: **OUTSIDE 200' NOTIFICATION AREA**I object: ☒

(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature:

Terry Tilly

Case: #SUP21-037 (MG)

MAR 01 2021

Name:

Lindy Ferguson

Address:

1618 Bruce Kinard Trng

Property number on map: **OUTSIDE 200 NOTIFICATION AREA**

I favor: _____

I object: ☒

(State reason for objection)

Comments: (Use additional sheets if necessary)

See H&A letter

Signature:

Lindy Ferguson

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Jo Ann Moore

Address: 1626 Gruene Vineyard Xing

Property number on map: OUTSIDE 200' NOTIFICATION AREA

Comments: (Use additional sheets if necessary)

Signature: Jo Ann Moore

MAR 01 2021

I favor: _____

I object: ☒ _____

(State reason for objection)

See HOA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: STEPHEN FRANK V

Address: 1630 GRONVALL XING

Property number on map: OUTSIDE 200' NOTIFICATION AREA

Comments: (Use additional sheets if necessary)

Signature: [Signature]

I favor: MAR 01 2021

I object: ✓
(State reason for objection)

See HOA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: DEBBIE FRANK V

Address: 1630 GRONVALL XING UNIT 1511

Property number on map: OUTSIDE 200' NOTIFICATION AREA

Comments: (Use additional sheets if necessary)

Signature: [Signature]

I favor: MAR 01 2021

I object: ✓
(State reason for objection)

See HOA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name:

Kristy Nunez

I favor: _____

Address:

11638 Greene Vineyard Xing

Property number on map:

OUTSIDE 200' NOTIFICATION AREA

I object: _____

(State reason for objection)

Comments: (Use additional sheets if necessary)

See 1704 letter

Signature:

Kristy Nunez

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Aubree Moeller

MAR 01 2021

Address: 1650 Gruene Vineyard Xing

I favor: _____

Property number on map: OUTSIDE 200' NOTIFICATION AREA

I object: ✓

Comments: (Use additional sheets if necessary)

(State reason for objection)

Signature: [Signature]

See HOA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: HARRY MOELLER

Address: 11650 Grove Vineyard Xing

Property number on map: OUTSIDE 200' NOTIFICATION AREA

Comments: (Use additional sheets if necessary)

Signature: [Signature]

I favor: _____

MAR 01 2021

I object: ☒

(State reason for objection)

See HOA Letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: Darren & Curry Sutton

Address: 1678 Gruene Vineyard Xing

Property number on map: **OUTSIDE 200' NOTIFICATION AREA**

I favor: X

I object: X
(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: MD & DS

see HAA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: Michael Phelan

I favor: _____

Address: 1686 Browne Vineyard Crossing

Property number on map: OUTSIDE 200' NOTIFICATION AREA

I object: X

Comments: (Use additional sheets if necessary)

(State reason for objection)

Signature: Michael Phelan

security, traffic
property values, noise
see 404 letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name:

NANCY Armstrong

Address:

1712 Greene Vineyard Crossing

Property number on map:

OUTSIDE 200' NOTIFICATION AREA

I favor:

MAR 01 2021

I object:



(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature:

Nancy Armstrong

See HOA letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name:

Kelli Dillon

Address:

1724 Grovenet Vineyard Xing

Property number on map: OUTSIDE 200' NOTIFICATION AREA

I favor:



I object:

(State reason for objection)

Comments: (Use additional sheets if necessary)

See HOA Letter

Signature:

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: Tyrre Heggerson

I favor: _____

Address: 1740 Ordene Vineyard.

Property number on map: **OUTSIDE 200' NOTIFICATION AREA**

I object: ☒

Comments: (Use additional sheets if necessary)

(State reason for objection)

Traffic, safety

Sep Host letter

Signature: [Signature]

Case: #SUP21-037 (MG)

MAR 01 2021

Name: Pamela McElvath

I favor: _____

Address: 1871 Crystal Springs BlvdProperty number on map: OUTSIDE 200' NOTIFICATION AREA I object: X

(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: Pamela McElvath

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Bryan Carr

MAR 01 2021

Address: 11770 FM 2145 New market TX 77871

I favor: _____

Property number on map: OUTSIDE 200' NOTIFICATION AREA

I object: ☒ _____

Comments: (Use additional sheets if necessary)

(State reason for objection)

Signature: Bryan Carr

YOUR OPINION MATTERS - DETACH AND RETURN

MAR 01 2021

Case: #SUP21-037 (MG)

Name: M Sizemore

I favor: _____

Address: Box 475, 11674 Grunc

Property number on map: OUTSIDE 200' NOTIFICATION AREA


I object: X

Comments: (Use additional sheets if necessary)

crossing

(State reason for objection)

See HOA letter

Signature: 

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

MAR 01 2021

Name: ^{Cathleen} CATHY McHENRY

Address: 1214 GREENE VINE CT

Property number on map: **OUTSIDE 200' NOTIFICATION AREA**

I favor: _____

I object: ☒ Cg

(State reason for objection)

Comments: (Use additional sheets if necessary)

traffic, noise

Signature: Cathleen McHenry

congestion

See HOT letter

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Deborah Richman

I favor: _____

Address: 1470 Janets Way

Property number on map: Lot 1A Block 4

I object: ☒

201306014992 **OUTSIDE 200' NOTIFICATION AREA** (State reason for objection)

Comments: (Use additional sheets if necessary)

Has there been a traffic study? Traffic congestion

Signature: Deborah Richman

From: [Bettie Armstrong](#)
To: [Matt Greene](#)
Subject: Rezoning - 10 Acres out of the A.P. Fuquay Survey No 35, Abstract No. 155
Date: Monday, March 1, 2021 5:04:28 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Greene:

I am very familiar with the intersection of this 10 Acres and it appears the rezoning request is being made in order to construct 240 Apartments. I managed an Apartment Community of 32 Acres and 400 units in another city. We found there is an average of more than 2 cars for at least 1/2 to 3/4 of the units constructed. This area does not need nor in my opinion can it handle that many more cars. Common Street is heavily traveled now. There are Senior Living Centers just down the street from this area and also Churches with a school. I know we need apartments but please not at this location which is already a congested area. Thank you for your kind attention to this request.

Bettie Armstrong
2352 Village Path
New Braunfels, TX
830-832-1541

OUTSIDE 200' NOTIFICATION AREA

Sent from my iPad

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Rachel Behnke

I favor: _____

Address: 2240 Cotton Blvd, New Braunfels TX 78130

Property number on map: **OUTSIDE 200' NOTIFICATION AREA** I object: X

(State reason for objection)

Comments: (Use additional sheets if necessary)

y property, within the Cotton Crossing subdivision, does not appear on the map but I believe we will be impacted in multiple ways. We have high traffic at already uses Hanz Dr as a cut-through. Having a multi-family unit will increase that. Common Road is not set up to handle this increase of vehicles. ost importantly, this plot of land is far too close to a multitude of single-family homes. Having 24 units per acre would equal 240 units, which is far too any.

Signature: Rachel Behnke

This property should only be considered for commercial purposes, not high-density housing or entertainment. Thank you.

YOUR OPINION MATTERS - DETACH AND RETURN

MAR 02 2021

Case: #SUP21-037 (MG)

Name: Philip & Tracy Barquer

Address: 1732 Gruene Vineyard Crossing

Property number on map: 26

OUTSIDE 200' NOTIFICATION AREA

Comments: (Use additional sheets if necessary)

I favor: _____

I object: X

(State reason for objection)

Signature: Philip Barquer

Dear Mr. Greene,

I am a resident at 1732 Gruene Vineyard Crossing,

I oppose the rezoning as requested by Noland and Vera Koepp to be discussed at the Public Hearing on March 2, 2021.

The environmental impact will cause traffic, significantly increase the population and be a detriment to the infrastructure of Gruene.

Most concerning is the adverse impact to the Gruene Historic District. The Planning commission should do a thorough analysis of the impact to the Historical District prior to any approval of a Type 2 special use permit to allow multifamily High Density residential Use.

Thank you for your consideration.

Philip and Tracy Barquer

Phil@hralternatives.com

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Karen R. Hardy

I favor: _____

Address: 2030 Cotton Blvd

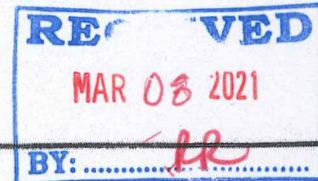
Property number on map: 362358

I object: ☒

OUTSIDE 200' NOTIFICATION AREA (State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: Karen R. Hardy



March 2, 2002

City of New Braunfels

RE: 10 acres out of the A.P. Fuquay survey No. 35, Abst. No. 155 Coma; County Texas, located at the North West intersection of Old 306 and East Commons.

Mr. Greene,

I object to this project due to the traffic concerns on Commons. I already have difficulty turning on to Commons due to the high traffic we have currentiy. I wait for an opening then gun it to get across. If two people live in each unit you will have an additional 480 cars added to the already congested street. It will also make turning left off Old 306 onto Commons difficult due the to backup traffic trying to get through the light at 306.

Thank you for your consideration.

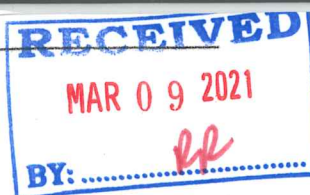
Karen Rolane Hardy

Karen Rolane Hardy

2030 Cotton Blvd, New Braunfels, 78130

830-660-5785

YOUR OPINION MATTERS - DETACH AND RETURN



Case: #SUP21-037 (MG)

Name: Porfirio and Jennifer Dubón

I favor: _____

Address: 1021 Gruene Springs, New Braunfels, TX 78130

Property number on map: _____

I object: X

(State reason for objection)

Comments: (Use additional sheets if necessary) The proposed rezoning would be a disaster. The intersection is already chaotic and dangerous; in addition, another set of high-density complex will be detrimental to real estate prices in the area.

Signature: Porfirio A. Dubón

RECEIVED

MAR 09 2021

BY: RP

Case: #SUP21-037 (MG)

Name: Rosa Groenewold

I favor: _____

Address: 2254 Groene Lake DrProperty number on map: 20060648726I object: ✓

(State reason for objection)

Comments: (Use additional sheets if necessary)

E Common Street & FN 306 have become so congested already
Adding multifamily high density to that area (4 acres) will make
matters much worse &
decrease our property values

Signature: Rosa Groenewold

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Elba Groeneveld

Address: 2269 Greene Lake Dr

Property number on map: 150208010900

I favor: _____

I object: ☒

(State reason for objection)

RECEIVED

MAR 09 2021

BY: ML

Comments: (Use additional sheets if necessary)

The intersection of E. Common St & Old FM 300 is a problem already; rezoning to high density will add to the issue and decrease your property values

Signature: _____

Elba Groeneveld

From: [Oretha Campbell](#)
To: [Matt Greene](#)
Subject: Re: Proposed Property Rezoning
Date: Sunday, March 21, 2021 6:37:04 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I object !!!!

I do not want big apartments that close to me !!!!!

oretha campbell
1627 hanz drive
new braunfels tx 78130

On Monday, March 1, 2021, 03:56:11 PM CST, Cotton Crossing Owners Association, Inc.
<ghendricks001@att.net> wrote:

Proposed property rezoning located on Common Street , vacant lot left side
as one drives towards Texas 306 across from large vacant field on the right.
The attached Notice of Public Hearing provides additional information
concerning this property.



Department of Planning and Development Services

NOTICE OF PUBLIC HEARING

View details here:
nbtexas.org/PublicNotice

The New Braunfels Planning Commission will hold a public hearing at the request of **David Morin, MNO Partners, agent for Noland and Vera Koepp, Ltd Partnership, owner**, to consider a recommendation to City Council on the following rezoning request:

Property: Approximately 10 acres out of the A.P. Fuquay survey No. 35, Abstract No. 155, Comal County, Texas, located at the northwest corner of the intersection of E. Common Street and Old FM 306

Request: A Type 2 Special Use Permit to allow multifamily high density residential use (up to 24 units per acre) in the "C-1A" Neighborhood Business District. Additional information can be found at the following website: nbtexas.org/PublicNotice

Because your property is located within 200 feet of the request, State law requires that we notify you of the public hearing. **However, the zoning of your property will not be changed.** The public hearing process allows an opportunity for you to provide comments on the request. This aids the Commission in making a recommendation to City Council.

Public hearings for this request are scheduled before the Planning Commission on **Tuesday, March 2, 2021**, at 6:00 p.m. virtually via **Zoom Meeting**. Information on how to join the meeting is included with this notice. The Planning Commission's recommendation will be considered by City Council in another public hearing, tentatively scheduled for **Monday, March 22, 2021**. Both meetings are open to the public. All interested persons are invited to join these meetings.

If you wish to submit written comments, please complete ALL of the information below and return to:

Mail: City of New Braunfels
Planning Commission
550 Landa Street
New Braunfels, TX 78130

Email: mgreene@nbtexas.org

If you have questions, please call Matt Greene at (830) 221-4053

Matt Greene

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-037 (MG)

Name: Charles Bravassard I favor: _____

Address: 1228 Greene Valley Cir. NB, TX

Property number on map: Lot 22+23 78130 I object: X

(State reason for objection)

Comments: (Use additional sheets if necessary) See attached

Signature: Charles Bravassard

From: gruene1228@gmail.com
To: [Matt Greene](#)
Cc: gruene1228@gmail.com
Subject: #SUP21-037 (MG)
Date: Tuesday, April 6, 2021 4:56:30 PM
Attachments: [Scan Apr 6, 2021 at 4.31 PM.pdf](#)

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

<<...>>

To: Planning and Zoning & Matt Greene,

4-6-21

#SUP21-037 (MG)

I live at 1228 Gruene Valley Circle in the Vineyard at Gruene subdivision. I am strongly opposed to adding more apartments in this area of Common Street. We already have a very hard time turning left onto Common as it is. You approved new apartments across the street which will add to the danger of traffic accidents. Now there is consideration of more apartments. There are many reasons to oppose this from a city citizen and resident perspective but also from a city official reason as well. Common street simply cannot handle more traffic. There are no plans to widen it or to put traffic lights in place to allow safe traffic conditions and pedestrian traffic. After the disaster at Creekside with the horrible traffic conditions I would think City officials would see that infrastructure is critical to deal with before adding more traffic. Try pulling out of our sub-division turning left on to Common Street between 4:30 and 6:30pm. Let me know how it goes.

Where will their retaining pond go? Is it not required? Water runoff is already a challenge for many especially on Sunnybrook where all the water is directed. So now in place of a field that will absorb water it will be brick, mortar and asphalt which will add to the drainage problems.

Crime! Face it, more people, more theft. People will be cutting through sub-divisions to go to Gruene. The apartments always look nice for apartments when they are new. Ten years? Twenty years? We will have property value issues. Will we be compensated? When we purchased our property and built our dream home the area was and is Zoned commercial. That is much better than 24/7 with 600-800 more people in a very small area. Would you

allow this next to your home?

Gruene – I love Gruene, even when people park past the Villa at Gruene to walk into Gruene. So adding apartments on both sides of Common street is a good idea? People walking to their apartments after a night of drinking? Will the city be liable for accidents or deaths caused from poor planning in the quest for more? How can it stay a historic area when it is over run with more cars, traffic and people. You think people complain now..... Just wait.

Property value down!

Crime up!

Water drainage issues increase!

Traffic increase!

Traffic safety decrease!

Pedestrian traffic increase!

Pedestrian safety decrease!

Congestion increase!

All I have heard is how New Braunfels was a nice family town that has grown out of control. I hear this every day. If you don't hear this you are not listening. Please listen to the people you represent.

Listen to your citizens, not one citizen.

Do not put your name on this bad idea that will change the area forever.

PLEASE VOTE NO!

Faithfully, a New Braunfels resident and lover,

Charles & Barbara Broussard

From: [Brian Fricker](#)
To: [Matt Greene](#)
Subject: Fw: SUP21-037 (MG)
Date: Tuesday, April 6, 2021 5:56:15 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Planning and Zoning & Matt Greene,

4-6-21

#SUP21-037 (MG)

I live at 1226 Fox Glen Road in the Cypress Rapids subdivision. I am strongly opposed to adding more apartments in this area of Common Street. We already have a very hard time with speeders zipping thru our neighborhood. Its a danger for the children!!! You approved new apartments across the street which will add to the danger of traffic accidents. Opening Clearwater also, wouldn't you want your living area safe and quite for the family. Now there is consideration of more apartments. There are many reasons to oppose this from a city citizen and resident perspective but also from a city official reason as well. Gruene streets simply cannot handle more traffic. There are no plans to widen it or to put traffic lights in place to allow safe traffic conditions and pedestrian traffic. After the disaster at Creekside. I would think City officials would see that infrastructure is critical to deal with before adding more traffic. Last storm the city could not provide for all of us living here. Please take care of the local citizens firsts.

Where will their retaining pond go? Is it not required? Water runoff is already a challenge for many especially on Sunnybrook where all the water is directed. So now in place of a field that will absorb water it will be brick, mortar and asphalt which will add to the drainage problems.

Crime! Face it, more people, more theft. People will be cutting through sub-divisions to go to Gruene. The apartments always look nice for apartments when they are new. Ten years? Twenty years? We will have property value issues. Will we be compensated? When we purchased our property and built our dream home the area was and is Zoned commercial. That is much better than 24/7 with 600-800 more people in a very small area. Would you allow this next to your home?

Gruene – I love Gruene, even when people park past the Villa at Gruene to walk into Gruene. So adding apartments on both sides of Common street is a good idea? People walking to their apartments after a night of drinking? Will the city be liable for accidents or deaths caused from poor planning in the quest for more? How can it stay a historic area when it is over run with more cars, traffic and people. You think people complain now..... Just wait.

Property value down!

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Congestion increase!

All I have heard is how New Braunfels was a nice family town that has grown out of control. I hear this every day. If you don't hear this you are not listening. Please listen to the people you represent.

Listen to your citizens.

Do not put your name on this bad idea that will change the area forever.

PLEASE VOTE NO!

Brian Fricker

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, GRANTING APPROVAL OF A TYPE 2 SPECIAL USE PERMIT ALLOWING MULTIFAMILY HIGH-DENSITY RESIDENTIAL USE, UP TO 24 UNITS PER ACRE, IN THE “C-1A” NEIGHBORHOOD BUSINESS DISTRICT, ON APPROXIMATELY 10 ACRES OF LAND OUT OF THE A. P. FUQUAY SURVEY NO. 35, ABSTRACT NO. 155, COMAL COUNTY, TEXAS, LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF E. COMMON STREET AND OLD FM 306; 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 an area suitable for the proposed uses; and

WHEREAS, the City Council desires to grant approval of a Type 2 Special Use Permit allowing multifamily high-density residential use, up to 24 units per acre, in the “C1-A” Neighborhood Business District on approximately 10 acres of land out of the A. P. Fuquay Survey No. 35, Abstract No. 155, Comal County, Texas, located on the northwest corner of the intersection of E. Common Street and Old FM 306.

WHEREAS, the requested amendment is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; **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 "Type 2 Special Use Permit" for the uses and conditions herein described:

Being approximately 10 acres of land out of the A. P. Fuquay Survey No. 35, Abstract No. 155, Comal County, Texas, located on the northwest corner of the intersection of E. Common Street and Old FM 306, as delineated in the attached Exhibit 'A' and described in Exhibit 'B'.

SECTION 2

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

1. Exhibit "C" shall be considered the adopted site plan. Development of the project must be in substantial compliance with the approved site plan.
2. Multifamily residential density shall not exceed 24 units per acre.
3. A minimum setback of 100 feet shall be required from any adjacent property used or zoned for single or two-family residential use for portions of buildings within the multifamily development that are three stories in height.
4. Three-story buildings shall not exceed 45 feet in height and two-story buildings shall not exceed 35 feet in height, including the roof lines.
5. A 10-foot tall masonry buffer wall shall be required between the multifamily property and adjacent property zoned or utilized for single or two-family residential use. The buffer wall shall be constructed before framing of any buildings commence and shall be designed to comply with sight distance and visibility standards at the intersection of East Common Street and Gruene Vineyard Crossing.
6. There shall be no public street extension of Clearwater Drive. The existing terminus of Clearwater Drive shall be designated as an emergency vehicular and pedestrian access easement on the final plat for this property.
7. Dumpsters shall be located a minimum of 50 feet away from any adjacent property zoned or utilized for single or two-family residential use.
8. Storm water mitigation shall be designed to provide 105% of the required storm water storage capacity for any required storm water detention.
9. Multifamily development standards not specifically stated in Section 2 of this Ordinance shall comply with the development standards of the "R-3H" Multifamily High-Density District.
10. Driveway locations must comply with requirements of City of New Braunfels Code of Ordinances, Chapter 114. Driveway locations indicated on the Special Use Permit Site Plan (Exhibit "C") are approximate.
11. Site development shall be in compliance with all other standards of the City's Code of Ordinances.

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 April, 2021.

PASSED AND APPROVED: Second reading this 10th day of May, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

METES AND BOUNDS DESCRIPTION
FOR A 9.673 ACRE TRACT

Being a 9.673 acre tract located in the A.P. Fuquay Survey No. 35, Abstract No. 155, Comal County Texas. Also being a portion of the remainder of Tract 7, "Exhibit G", a called 82.53 acre tract, recorded in Document No. 200506019928, Official Public Records of Comal County, Texas. Said Tract being more particularly described as follows:

BEGINNING at a ½" iron rod with cap "HMT" found in the Southwest margin of Old FM 306, for the Northernmost corner of the remainder of said 82.53 acre tract also being the Easternmost corner of Lot 1, Gruene Arbors Subdivision recorded in Document No. 201606041254 of the Official Public Records of Comal County, Texas;

THENCE with the Southwest line of Old FM 306, South 35°42'04"East, a distance of 181.51 feet to a concrete monument found for the beginning of a flare corner intersection with Common Street, for the Northwest corner of a called 3.779 acre tract, described in Parcel 11, Document Volume 753, Page 60 of the Comal County Deed Records;

THENCE with the flare corner and the Northwest line of said 3.779 acre tract, South 11°56'19"West, a distance of 100.20 feet to a concrete monument found;

THENCE continuing with the Northwest margin of Common Street as defined by said 3.779 acre tract the following 2 courses:

- 1.) South 48°29'35"West, a distance of 322.38 feet to a power pole found at the corner;
- 2.) Along a curve to the left, with a radius of 1677.02 feet, arc length of 885.70 feet and a chord bearing S 33°21'35"West, a distance of 875.45 feet to a ½" iron rod with yellow cap found for the Southeast corner of Lot 68, Vineyard at Gruene II, recorded in Document No. 201006027209, Official Public Records of Comal County, Texas, from which another 1/2" iron rod with cap "Sherwood" at the intersection with Gruene Vineyard Crossing (60' R.O.W.) bears S 16°59'53"W, a distance of 10.14 feet;

THENCE departing Common Street, with the East line of said Lot 68 the following three courses:

- 1.) N 74°41'45"West, a distance of 33.35 feet to a ½" iron rod with yellow cap;
- 2.) Along a curve to the left, with a radius of 335.11 feet, arc length of 75.98 feet, and a chord bearing N 81°32'42"W, a distance of 75.89 feet to a ½" iron rod found;
- 3.) North 36°04'45"West, a distance of 189.58 feet to a ½" iron rod found with cap "Sherwood" for the Northernmost corner of Lot 68 and the Southernmost corner of Lot 67, lying in the East R.O.W. of Gruene Estates (50' R.O.W.);

THENCE with the Southeast line of Lot 67, Vineyard at Gruene II, subdivision recorded in Document No. 201006027209 of the Official Public Records of Comal County, Texas, North 53°50'22"East, a distance of 130.61 feet to a ½" iron rod found for the Northeast corner of said Lot 67;

THENCE continuing with the Northeast line of Lots 67, 66 and 65 of said subdivision, N 36°08'27"W, a distance of 318.50 feet to a ½" iron rod with cap "MDS" found for the Northwest corner of Lot 65, lying in

the South line of Lot 5, Cypress Rapids at Gruene, Section Eight, a subdivision recorded in Volume 6, Page 122 of the Map Records of Comal County, Texas and the North line of said 82.53 acre tract;

THENCE with the North line of said 82.53 acre tract and the South line of said Lot 5, the South line of Lots 6,7,8 and 9, Clearwater Drive, and Lot 1, Cypress Rapids at Gruene, Section Four, a subdivision recorded in Volume 5, Page 376 of the Comal County Map Records, and continuing with the South line of Lots 2,3 and 4, Cypress Rapids at Gruene, Section Nine, a subdivision recorded in Volume 9, Page 243 of the Comal County Map Records, and the South line of Lot 1, Gruene Arbors, a subdivision recorded in Document Number 201606041254 of the Official Public Records of Comal County, Texas, North 53°58'24"East, a distance of 1160.93 feet to the POINT OF BEGINNING and containing 9.673 acres of land in Comal County, Texas.

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

Reference exhibit of 9.673 acre tract prepared this same date.


Dorothy J. Taylor
Registered Professional Land Surveyor No.6295

S:\Projects\400 - MNO Partners\001 - East Common 9 Acres\M&B\400.001 9.674 ACRES.docx

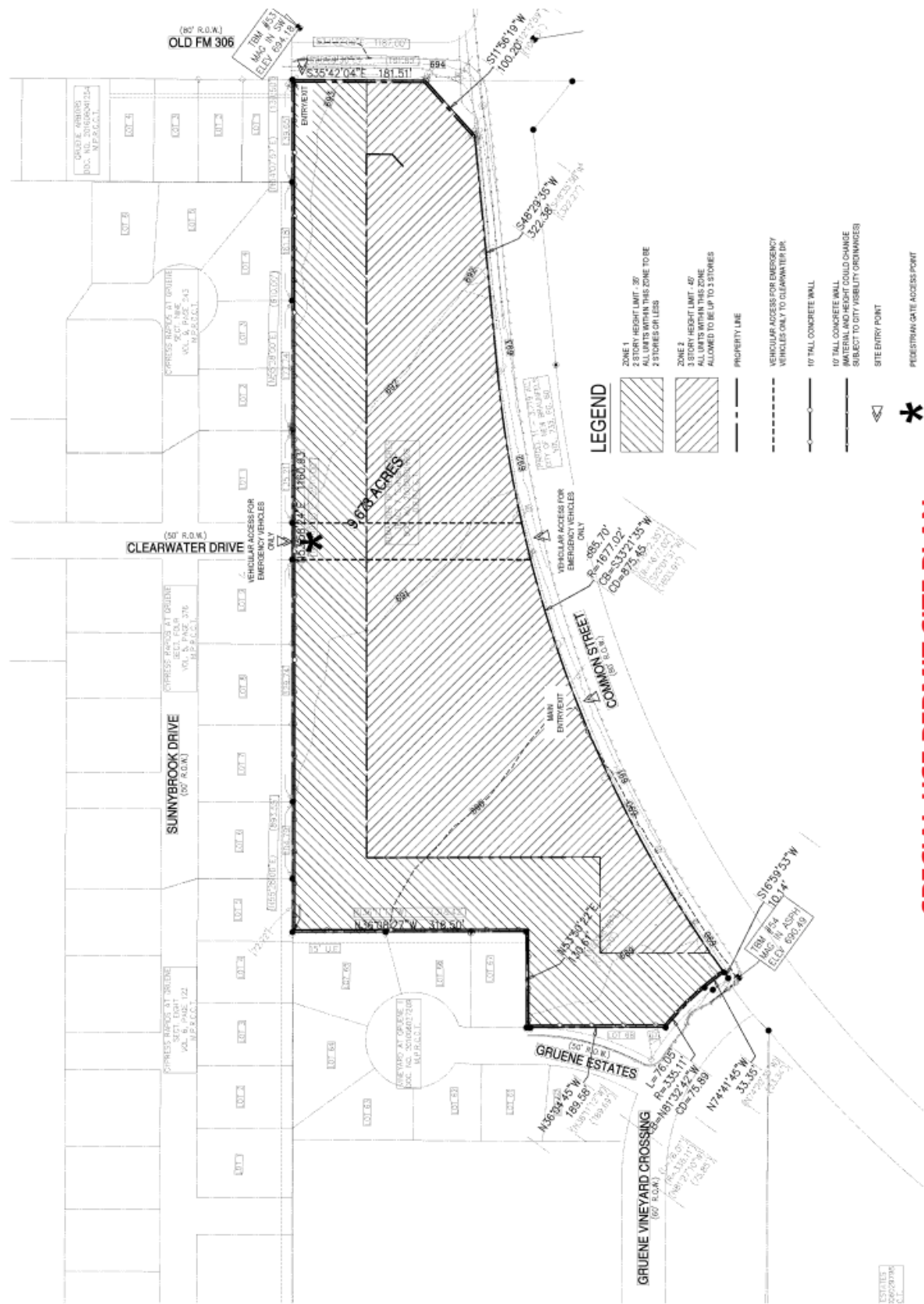
1-18-21



ALTANSPS LAND TITLE SURVEY

9.674 ACRES OUT OF THE REMAINING 82.53 ACRES, TRACT 7 "EXHIBIT G" LOCATED IN THE ORIGINAL SURVEY NO. 35, A.P. FLUJAY, RECORDED IN DOCUMENT NO. 200506019928, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.

- LEGEND:
- 1/4" 1/2" 3/4" 1" 1 1/2" 2" 3" 4" 6" 8" 12" 18" 24" 36" 48" 60" 72" 96" 120" 144" 168" 192" 216" 240" 264" 288" 312" 336" 360" 384" 408" 432" 456" 480" 504" 528" 552" 576" 600" 624" 648" 672" 696" 720" 744" 768" 792" 816" 840" 864" 888" 912" 936" 960" 984" 1008" 1032" 1056" 1080" 1104" 1128" 1152" 1176" 1200" 1224" 1248" 1272" 1296" 1320" 1344" 1368" 1392" 1416" 1440" 1464" 1488" 1512" 1536" 1560" 1584" 1608" 1632" 1656" 1680" 1704" 1728" 1752" 1776" 1800" 1824" 1848" 1872" 1896" 1920" 1944" 1968" 1992" 2016" 2040" 2064" 2088" 2112" 2136" 2160" 2184" 2208" 2232" 2256" 2280" 2304" 2328" 2352" 2376" 2400" 2424" 2448" 2472" 2496" 2520" 2544" 2568" 2592" 2616" 2640" 2664" 2688" 2712" 2736" 2760" 2784" 2808" 2832" 2856" 2880" 2904" 2928" 2952" 2976" 3000" 3024" 3048" 3072" 3096" 3120" 3144" 3168" 3192" 3216" 3240" 3264" 3288" 3312" 3336" 3360" 3384" 3408" 3432" 3456" 3480" 3504" 3528" 3552" 3576" 3600" 3624" 3648" 3672" 3696" 3720" 3744" 3768" 3792" 3816" 3840" 3864" 3888" 3912" 3936" 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4/26/2021

Agenda Item No. G)

PRESENTER:

Christopher J. Looney, AICP, Planning and Development Services Director

SUBJECT:

Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family residence in the C-2 Central Business District at 307 W. Bridge Street.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** Council District 1**BACKGROUND INFORMATION:**

Owner &

Applicant: Jami Carr
401 Buffalo Springs Spur
New Braunfels, TX 78132
(210) 683-2650 carr2casa@gmail.com

Staff Contact: Matthew Simmont

(830) 221-4058 msimmont@nbtexas.org

City Council postponed the first reading of this requested rezoning (7-0) upon request from the applicant.

The subject property is located northeast of the intersection of North Academy Avenue and West Bridge Street and is zoned C-2 Central Business District. The applicant is requesting a Special Use Permit (SUP) to allow short term rental of the 1,300 square foot residence on the lot.

The house has 2 bedrooms and 2 bathrooms. Per the Zoning Ordinance, maximum occupancy of this residence if rented as an STR would be limited to 6 occupants. The minimum off-street parking requirement for this proposed STR is 2 spaces, or one per sleeping room. The existing paved driveway can accommodate at least three cars.

Surrounding Zoning and Land Use:

North - Across Railroad ROW, C-2 / Single-family residence

South - C-2 / Single-family residence

East - C-2 / Single-family residence

West - Across W. Bridge St., C-2 / Single-family residence

ISSUE:

The proposed SUP meets the Zoning Ordinance requirements for a short-term rental, and is consistent with the following Envision New Braunfels Actions:

- Action 1.3 Encourage balanced and fiscally responsible land use patterns.
- Action 1.14 Ensure regulations do not unintentionally inhibit the provisions of a variety of flexible and

innovative options and attractions.

- Future Land Use: The property is situated within the New Braunfels Sub-Area, in close proximity to a Recreational River Corridor and Existing Tourist/Entertainment and Outdoor Recreation Centers.

The site is centrally located near Downtown, within a short drive to many visitor attractions, and in a transitional area characterized by a mix of residential and commercial uses including existing STRs. The Zoning Ordinance includes standards for all short-term rentals that help ensure proper measures are in place to protect public health, safety, and neighboring properties, and that help STRs blend into neighborhoods. If the SUP is approved, a separate Short-Term Rental Permit will be required. This permit ensures the property owner meets these aforementioned standards and inspections processes.

FISCAL IMPACT:

If approved, the property will be subject to local and state hotel occupancy tax (HOT).

RECOMMENDATION:

The Planning Commission held a public hearing on March 2, 2021 and recommended approval (7-1) with Commissioner Reaves opposed and Commissioner Gibson absent.

Staff recommends approval in accordance with the ordinance requirements, including the following conditions:

1. The residential character of the property must be maintained.
2. The property will remain in compliance with the approved site plan. Any significant changes to the site plan will require a revision to the SUP.
3. Occupancy of the short-term rental is limited to a maximum of 6 guests.
4. All other standards of the Zoning Ordinance will also be met, including the obtaining of a Short-Term Rental Permit.

Notification:

Public hearing notices were sent to 16 owners of property within 200 feet. The City has received two responses in favor (#9 & 11) and six responses (#2, 3, 4, 12, 15, 16) in objection to the request. **Opposition represents more than 20% of the notification area. Pursuant to state statute, a ¾ majority of City Council (6 votes) will be required to approve the applicant's request unless that opposition changes.**

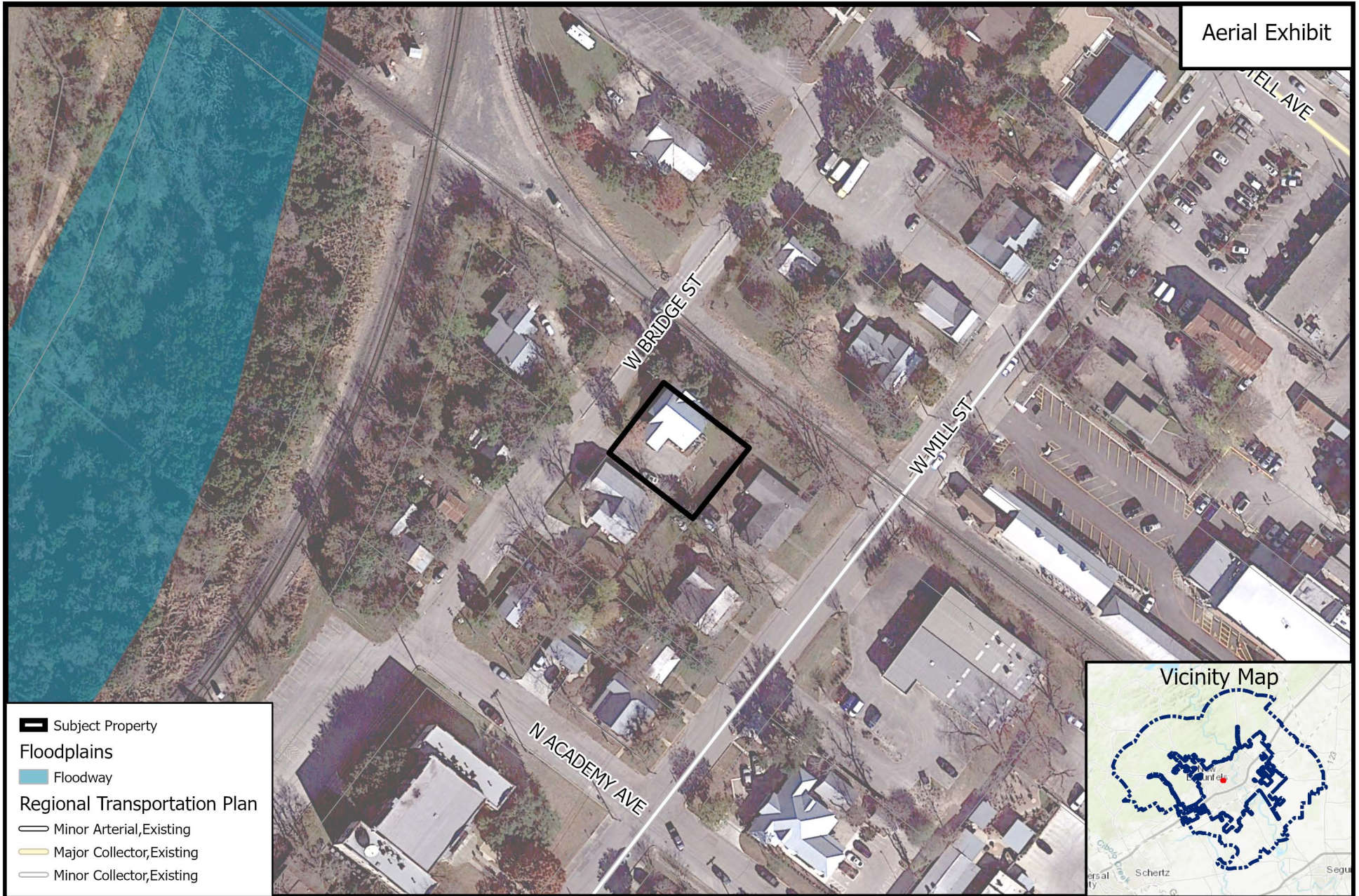
Resource Links:

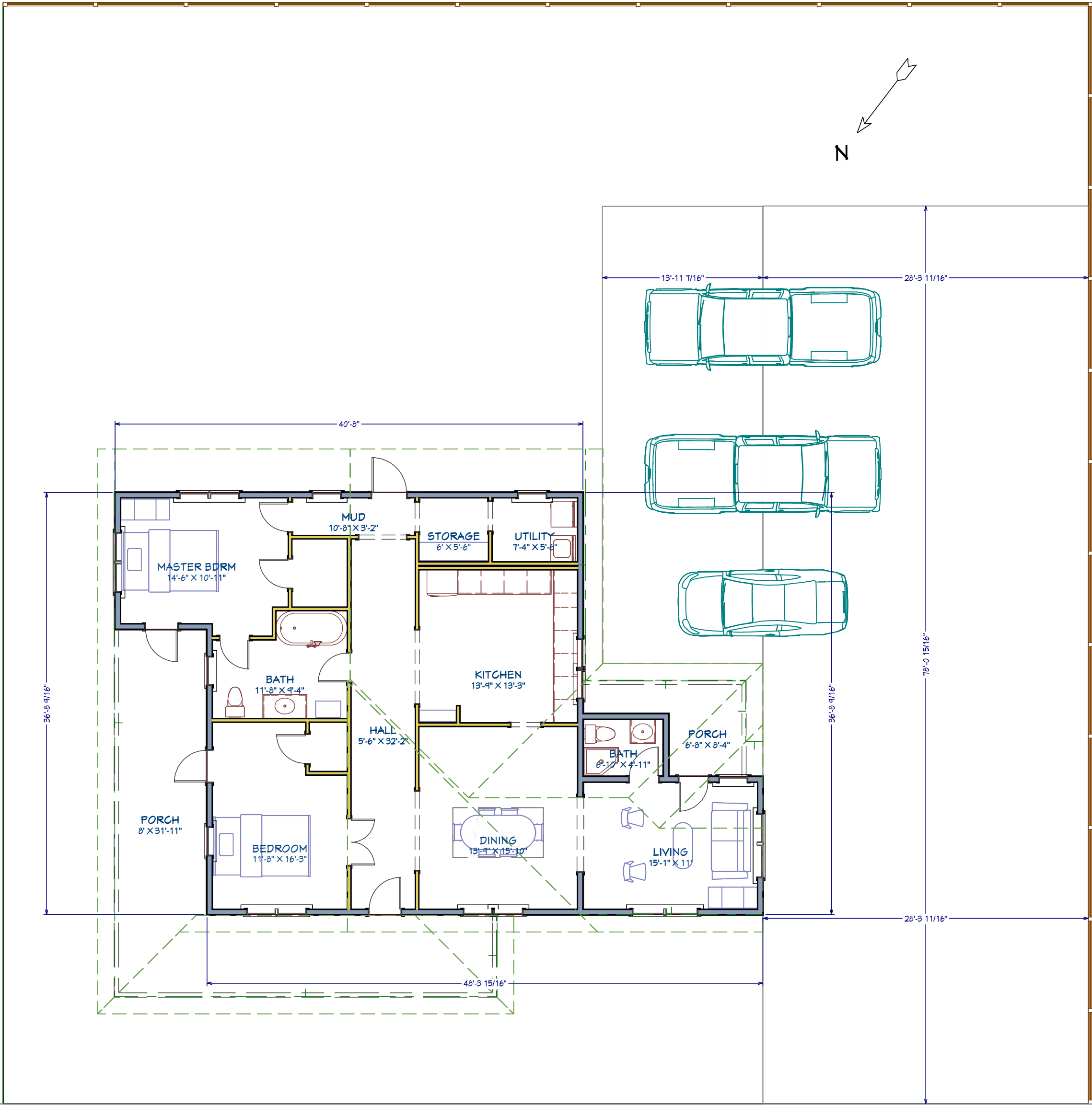
- Chapter 144, Sec. 3.3-8 (C-2) of the City's Code of Ordinances:
<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.3ZODIREPRZOPRJU221987>
- Chapter 144, Sec. 3.6 (SUP) of the City's Code of Ordinances:
<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.6SPUSPE>
- Chapter 144, Sec. 5.17 (Short-term Rental) of the City's Code of Ordinances:
<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTVDEST_S144-5.17SHTEREOC>

Attachments:

1. Aerial Map
2. Site/Floor Plan
3. Land Use Maps (Zoning, Existing, Future Land Use, Short Term Rental)

-
4. Notification List, Map and Responses
 5. Photographs
 6. Draft Planning Commission Meeting Minutes
 7. Ordinance





1st Floor Floor

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NO.	DESCRIPTION	BY	DATE

SHEET TITLE:	Site Plan
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PROJECT DESCRIPTION:	307 West Bridge Street Proposed Air B&B
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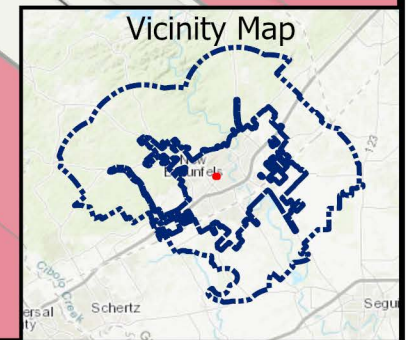
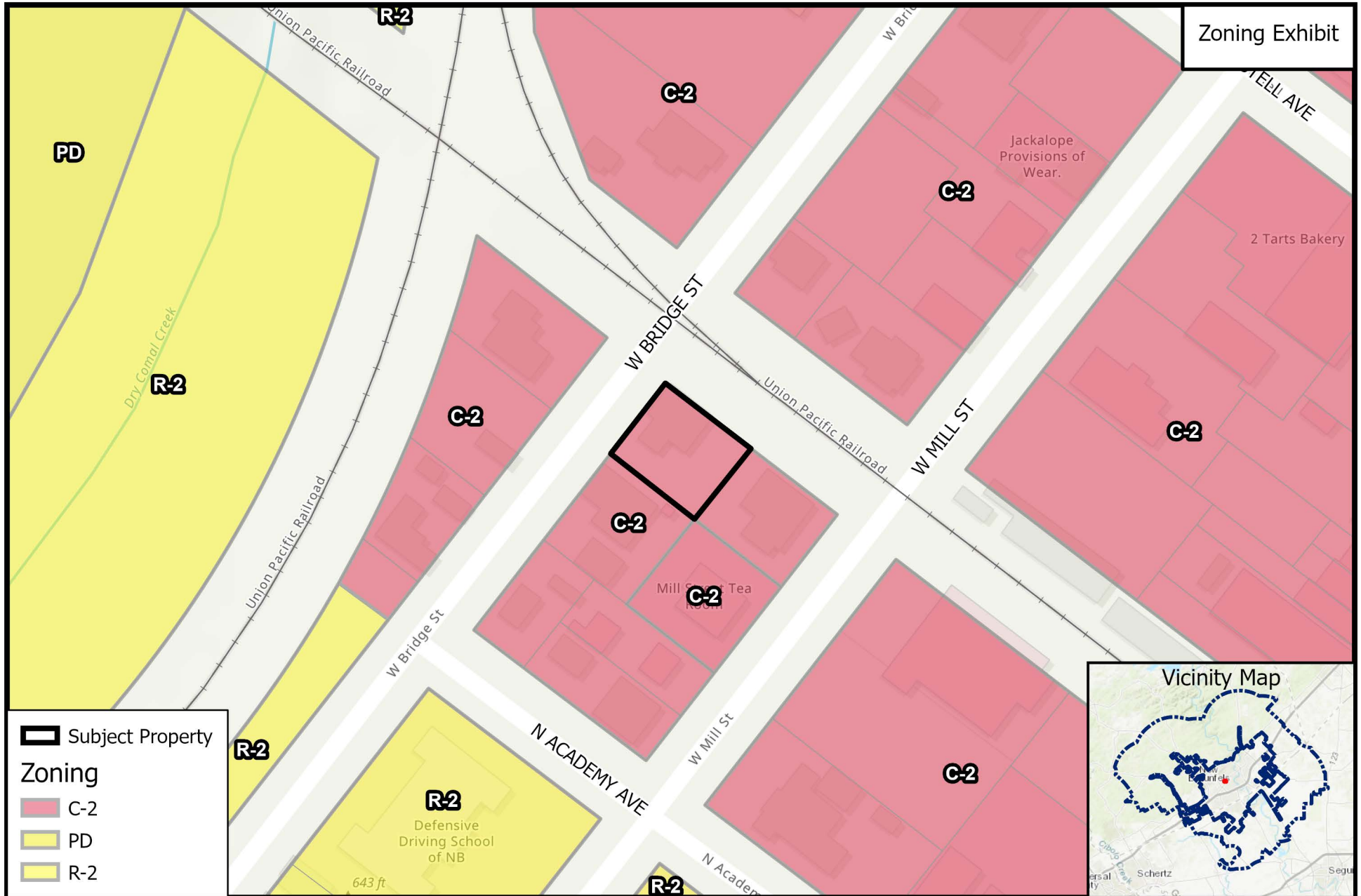
DRAWINGS PROVIDED BY:	Jami Carr
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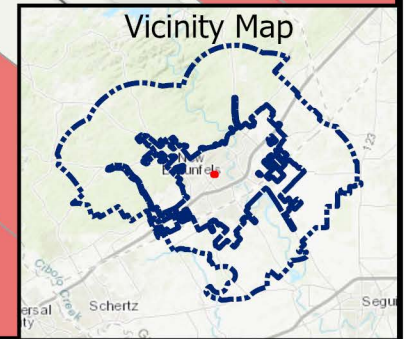
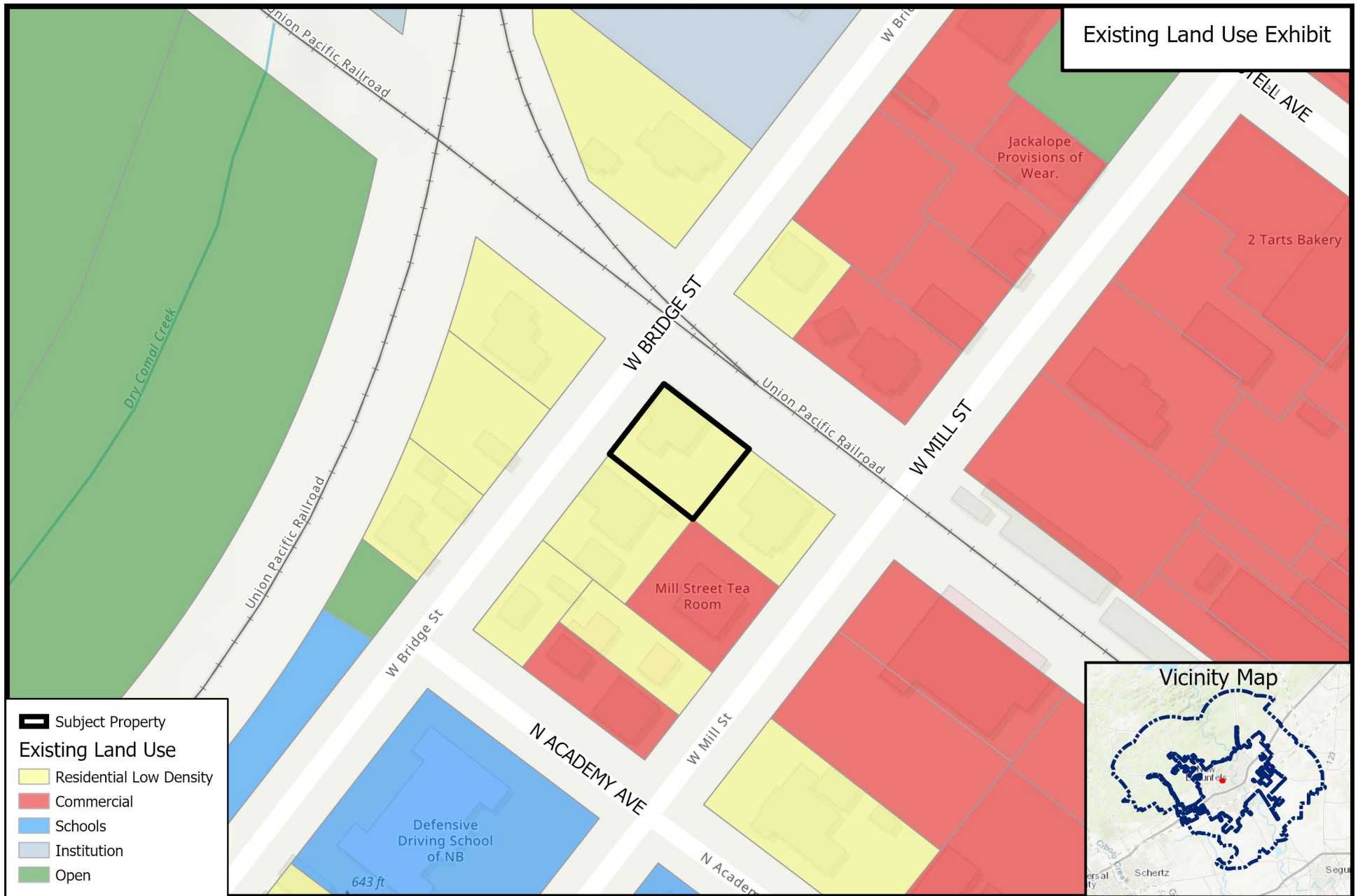
1/25/2021

1/8"= 1'

SHEET:

S-1





EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

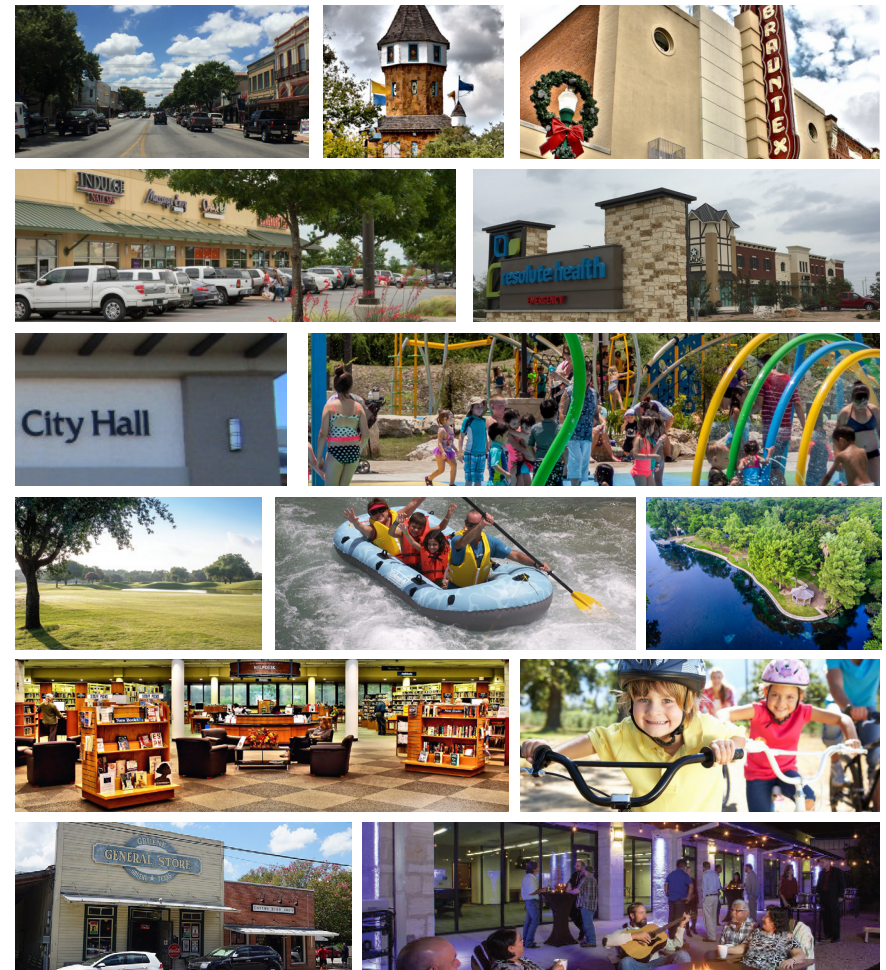
Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

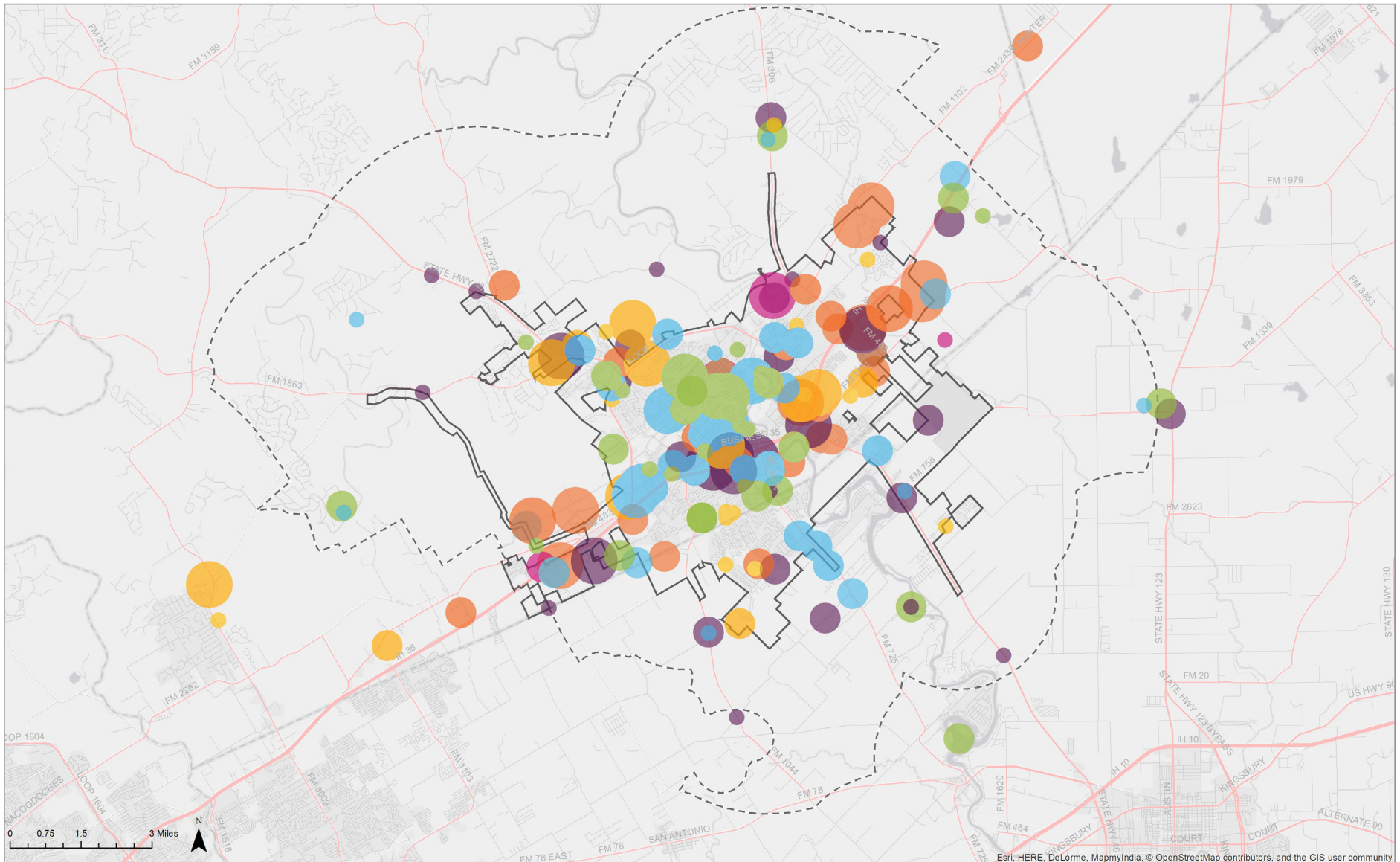
EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.





The location of existing centers was determined through the analysis of previous studies and background documents, windshield surveys, and reviewed by City staff, Steering Committee members, and Plan Element Advisory Group members during a public workshop.

FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

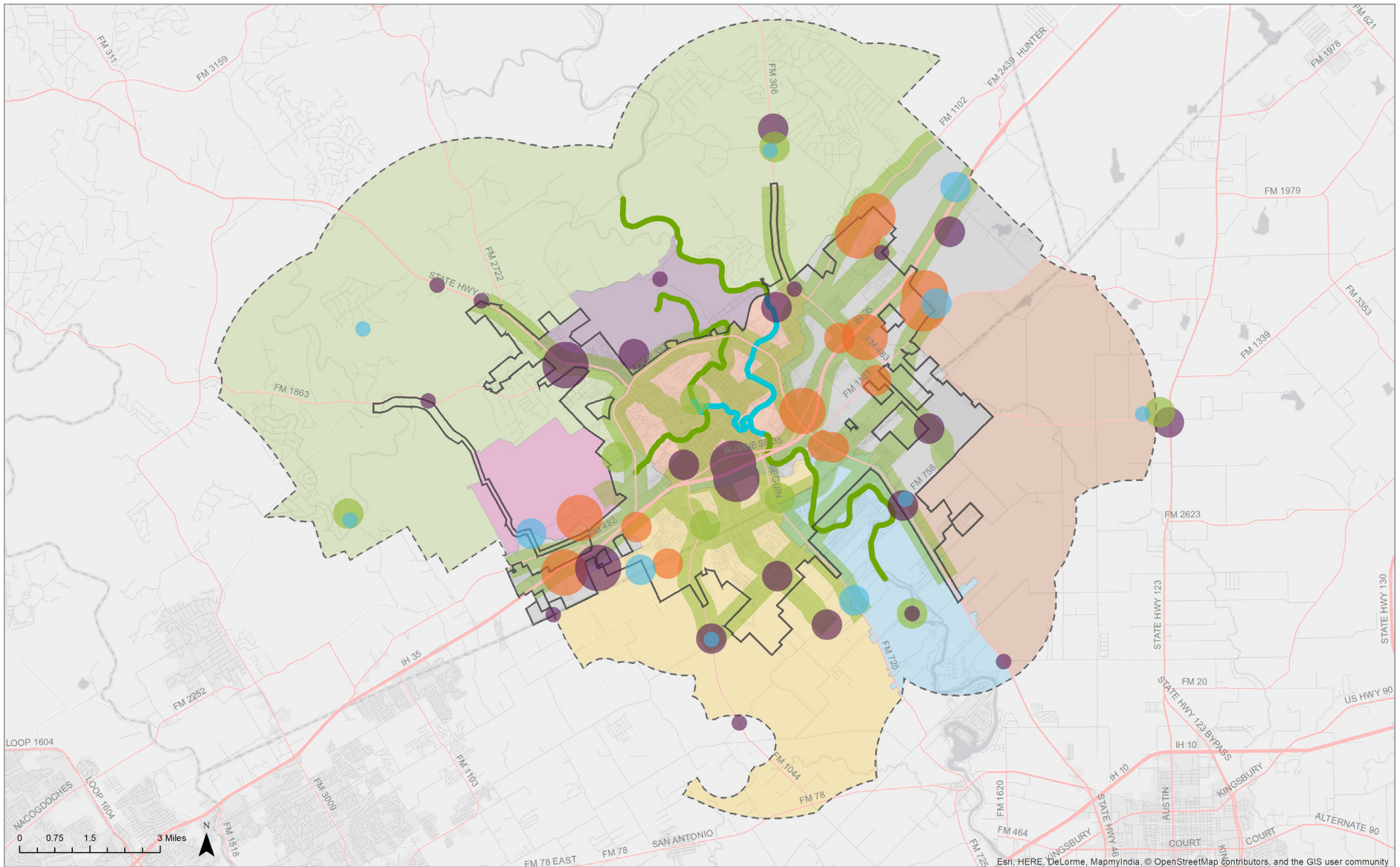
Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. Preferred future growth scenario combines Scenarios A and C per recommendations of the Envision New Braunfels Steering Committee (February 2018). Exact boundaries of sub areas, centers, and corridors may be [zoomed and viewed online](#).

PLANNING COMMISSION – MARCH 2, 2021– 6:00PM

Zoom Meeting

Applicant/Owner: Jami Carr, owner

Address/Location: 307 W. Bridge Street

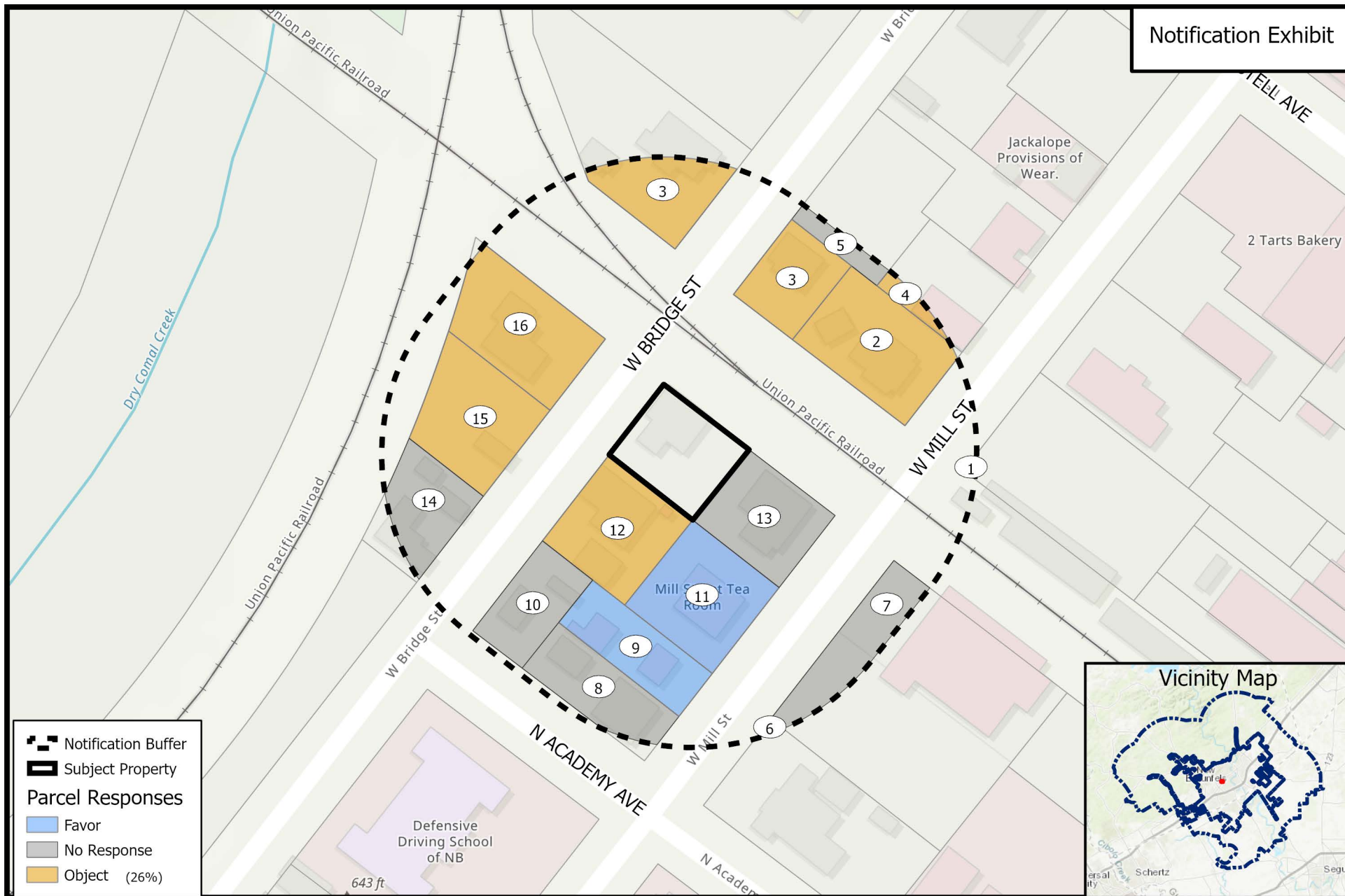
PROPOSED SUP – CASE #SUP21-043

The circled 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. BRAUNTEX PERFORMING ARTS THEATRE ASSN | 9. RIMMELIN PAUL |
| 2. MUND JEFF A & DENISE E | 10. MORGAN MARY ANN |
| 3. PROPERTY OWNER | 11. LAMMERS LESLIE J & THOMAS E TUMLINSON |
| 4. MUND JEFF A & DENISE F | 12. GLASGOW JAMES E JR & CAROLYN M |
| 5. FLORES P F ARCHBISHOP S A | 13. GOMEZ THERESA B & ROBERT JR |
| 6. BOCK BENNIE W II & KATHARYN H | 14. WOOD RUTH L |
| 7. DIRTY LAUNDRY LLC | 15. PATTON ROBERT L |
| 8. SEALS FAMILY PROPERTIES LLC | 16. WEBER JAMES P & MARTHA |

SEE MAP

Notification Exhibit



SUP21-043 SUP for STR

0 60 120 Feet



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

571

RECEIVED

YOUR OPINION MATTERS - DETACH AND RETURN

FEB 25 2021

Case: #SUP21-043 ms

Name: Michael + Elizabeth Rust favor: _____

Initial: MR

Address: 284 + 291 W. Bridge

I object: ☒ (State reason for objection)

Property number on map: 3 (X2)

Comments: (Use additional sheets if necessary)

We are already negatively impacted by amplified live music every night up until 12 a.m. from the Pour Haus. The party environment in the downtown area with 4 alcohol establ. 1 block away has deteriorated our quality of life and we have been here since 1980 before anyone of these businesses.

Signature: Michael Rust Elizabeth Rust

Allowing a short term rental within 200 ft (actually closer to one property) will bring added noise and safety concerns. It's easy to research online all the negatives about STR's in New Braunfels. The city itself even complains.

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-043 ms

Name: PAUL RIMMELIN

I favor: ☒

Address: 374 W. MILL ST.

I object: _____ (State reason for objection)

Property number on map: 9

Comments: (Use additional sheets if necessary)

Signature: Paul Rimmelin

RECEIVED
FEB 26 2021
BY: MR

YOUR OPINION MATTERS - DETACH AND RETURN

RECEIVED

Case: #SUP21-043 ms

Name: James Glasgow

I favor: _____

FEB 26 2021

Address: 343 W. Bridge St.

I object: ☒ (State reason for objection)

Property number on map: 12

Comments: (Use additional sheets if necessary)

We are right next door to this address and have two young boys. Random visitors may be a very disturbing to the peace in this quiet, historical neighborhood, the very reason we moved here this past summer. Thank you for your consideration.

Signature: _____

Rene Raynes

From: Jeff Mund <jeff@THEMUNDGROUP.COM>
Sent: Friday, February 26, 2021 2:23 PM
To: Rene Raynes
Subject: RE: EMAIL

RECEIVED

FEB 26 2021

Initial: RR

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I object to the change special use permit on bridge street.

#4

Jeff Mund

From: Rene Raynes <RRaynes@nbtexas.org>
Sent: Friday, February 26, 2021 12:31 PM
To: Jeff Mund <jeff@THEMUNDGROUP.COM>
Subject: EMAIL



#OneCityOneTeam



Rene Raynes
Administrative Assistant | Planning and Development Services
550 Landa St | New Braunfels, TX 78130
830-221-4052 | RRaynes@nbtexas.org | www.nbtexas.org/planning

[Citizen Portal.](#)

We encourage you to keep up with the progress on our new comprehensive plan by visiting www.envisionnewbraunfels.org.

This email, plus any attachments, may constitute a public record of the City of New Braunfels and may be subject to public disclosure under the [Texas Public Information Act](#).

Please take a moment to complete the City of New Braunfels [Customer Satisfaction Survey](#).

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-043 ms

Name: Leslie CammingsI favor: ✓Address: 480 W Mill St

I object: _____ (State reason for objection)

Property number on map: 11

Comments: (Use additional sheets if necessary)

Signature: [Signature]

RECEIVED

MAR - 2 2021

Initial: _____

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-043 ms

Name: Robert Patton

I favor: _____

Address: 354 W. BridgeI object: X (State reason for objection)Property number on map: 15

Comments: (Use additional sheets if necessary)

our small established neighborhood is not an appropriate location for a short term rental.

Signature: [Signature]

RECEIVED

MAR - 2 2021

Initial: _____

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP21-043 ms

Name: James & Martha Weber

I favor: _____

Address: 326 W. Bridge St.I object: ✓ (State reason for objection)Property number on map: 16

Comments: (Use additional sheets if necessary)

Not wanting to block the Carr family from joining our family oriented neighborhood. Our objection is the uncertainty of people moving in and out on a short term basis.

Signature: [Signature]

RECEIVED

MAR - 2 2021

Initial: _____



Property frontage along W. Bridge Street



Property with entrance drive

Draft Minutes for the March 2, 2021 Planning Commission Regular Meeting

G) SUP21-043 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family residence in the C-2 Central Business District at 307 W. Bridge Street. Applicant/Owner: Jami Carr; Case Manager: Matthew Simmont

Mr. Simmont presented and recommended approval with conditions as listed in the staff report.

Chair Edwards asked if there were any questions for staff.

Chair Edwards asked if the applicant would like to speak.

Nikki and Jami Carr, 307 W Bridge St, comprehensively addressed concerns from surrounding property owners.

Chair Edwards opened the public hearing and asked if anyone wished to speak.

Libby Rust, 291 W Bridge St, property 3, stated her concerns are in regard to property ownership changing and noise concerns with surrounding properties.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were any further questions or a motion.

Motion by Commissioner Meyer, seconded by Commissioner Mathis, to recommend approval to City Council of the proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family residence in the C-2 Central Business District at 307 W. Bridge Street with staff recommendations. Motion carried (7-1) with Commissioner Reaves in opposition.

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS GRANTING A SPECIAL USE PERMIT TO ALLOW THE SHORT-TERM RENTAL OF A SINGLE-FAMILY DWELLING IN THE “C-2” CENTRAL BUSINESS DISTRICT, ON LOT 105, NEW CITY BLOCK 2010, ADDRESSED AT 307 W. BRIDGE STREET; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of a Special Use Permit, the City Council has given due consideration to all components of said permit; and

WHEREAS, the City recognizes that granting such a permit is possible while promoting the health, safety and general welfare of the public, by providing harmony between existing zoning districts and land uses; and

WHEREAS, it is the intent of the City to ensure for the health, safety and general welfare of the public by providing compatible and orderly development, which may be suitable only in certain locations in a zoning district through the implementation of a Special Use Permit meeting those requirements cited in Sections 3.6-2 and 3.6-3, Chapter 144 of the New Braunfels Code of Ordinances; and

WHEREAS, the property is located in an area suitable for short-term rentals; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City's Comprehensive Plan; and

WHEREAS, the City Council desires to grant a Special Use Permit at 307 W. Bridge Street, to allow short term rental of a single-family dwelling in the “C-2” Central Business 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 Lot 105, New City Block 2010, addressed at 307 W. Bridge Street, as depicted in Exhibit “A” attached, to allow short-term rental in the “C-2” Central Business District.

SECTION 2

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

1. The residential character and appearance of the property must be maintained.

2. The property will remain in compliance with the approved site plan illustrated in Exhibit "B". Any significant changes to the site plan will require a revision to the SUP.
3. Occupancy of the short-term rental is limited to a maximum of six (6) guests.
4. All other standards of the Zoning Ordinance will also be met, including the obtaining of a Short-Term Rental Permit.

SECTION 3

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

SECTION 4

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

SECTION 5

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

PASSED AND APPROVED: First reading this 22nd day of March, 2021.

PASSED AND APPROVED: Second reading this 12th day of April, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

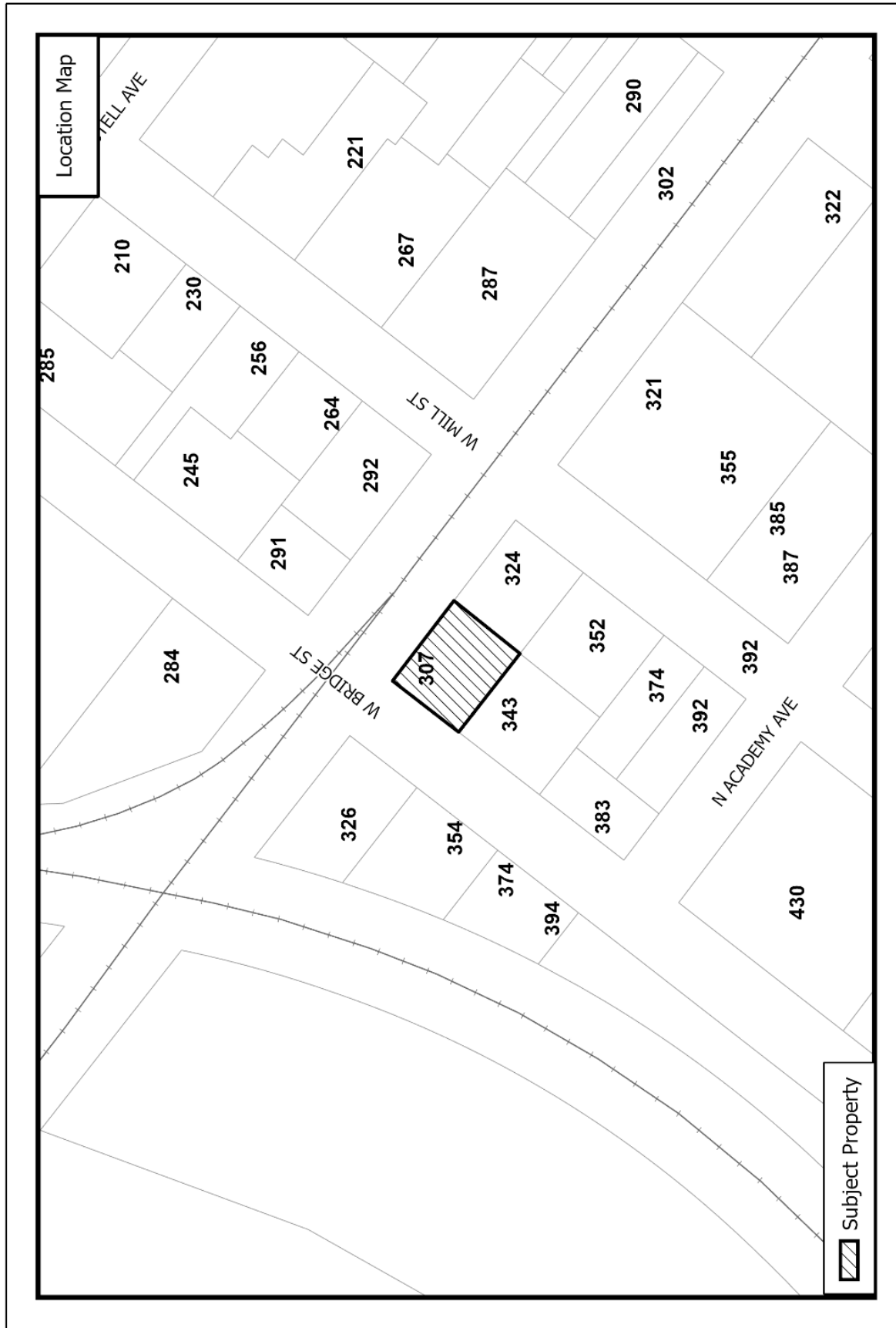
ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



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

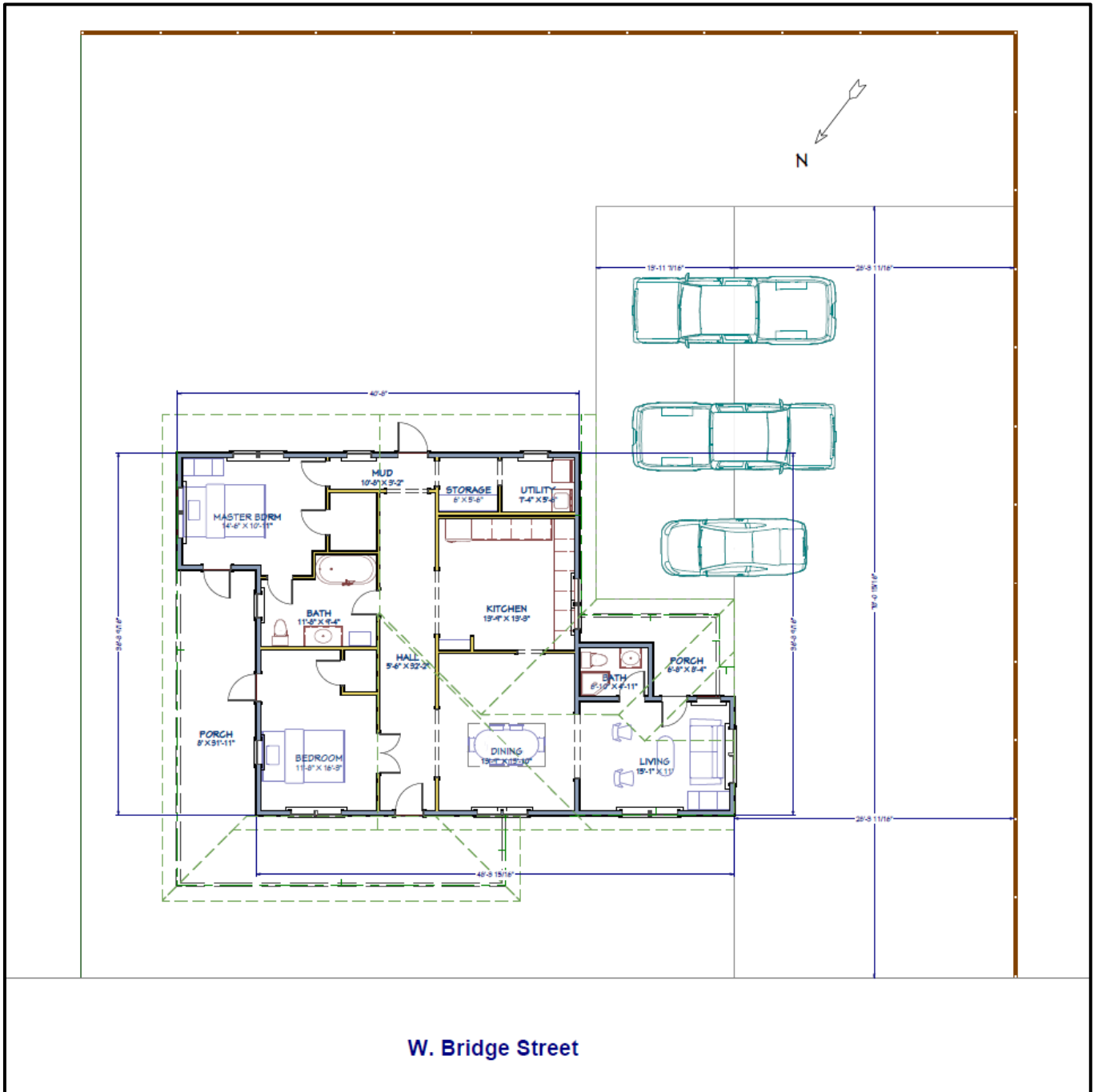
Source: City of New Braunfels Planning
Date: 3/5/2021

Path: \\chfs-1\Departments\Planning\ZonesChange-SUP-Replats\2021\SUP21-043 - 307 W Bridge -



SUP21-043
SUP for STR

EXHIBIT "B"



4/26/2021

Agenda Item No. H)

PRESENTER:

Christopher J. Looney, AICP, Planning and Development Services Director

SUBJECT:

Public hearing and first reading of an ordinance regarding a proposed rezoning of approximately 2.3 acres out of the H. Foster Survey No. 34, Abstract No. 154, Comal County, Texas, addressed at 948 Broadway from "M-2" Heavy Industrial District to "MU-A" Low Intensity Mixed Use District.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** Council District 5**BACKGROUND INFORMATION:**

Applicant: HMT Engineering & Surveying (Bill Ball, P.E.)
290 S. Castell Avenue, Ste. 100
New Braunfels, TX 78130
(830) 625-8555 plats@hmtnb.com

Owner: Robert Culpepper
948 Broadway St.
New Braunfels, TX 78130
(830) 743-3058 culpepperplumbing@satx.rr.com

Staff Contact: Matt Greene
(830) 221-4053 mgreene@nbtexas.org

The subject property is located on the south side of Broadway between Rusk St. and Flushing. The property fronts Broadway, a 60-foot wide Collector, and abuts a 115-foot wide City drainage right-of-way to the rear of the property, just north of the Union Pacific Railroad track. The 2.3-acre property is currently developed with a single-family home constructed in 1920 and two accessory buildings.

The owner would like to subdivide the property and keep the ability to utilize the property for residential and is requesting a zoning change to "MU-A" Low Intensity Mixed Use District, which allows a mixture of residential and commercial uses. The MU-A District does not include the more intense manufacturing and industrial uses permitted in the current M-2 District and is intended to provide for a mixture of retail, service, office, and residential uses in close proximity to enable people to live, work and shop in a close location.

Surrounding Zoning and Land Use:

North - Across Broadway, R-3 / Single-family residences and agricultural use

South - M-2 / City Drainage Right-of-way and Union Pacific Railroad track
East - M-2 / Single-family residence
West - M-2 / single-family residence

ISSUE:

The proposed rezoning to "MU-A" Low Intensity Mixed Use District is consistent with the following actions from Envision New Braunfels:

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

Action 3.2: Plan for healthy jobs/housing balance.

Action 3.3: Balance commercial centers with stable neighborhoods.

The property lies within the New Braunfels Sub Area near existing Employment, Market, Civic, Outdoor Recreation and Tourist/Entertainment Centers, and near a future Employment Center.

FISCAL IMPACT:

N/A

RECOMMENDATION:

The Planning Commission held a public hearing on April 6, 2021 and unanimously recommended approval (6-0 -0, with Commissioners Sonier, Tubb and Mathis absent).

Staff recommends approval as this area is transitioning from heavy industrial to less intense mixed use. MU-A would be consistent with the mix of commercial and residential uses in the vicinity as well as planned development nearby.

Notification:

Public hearing notices were sent to 11 owners of property within 200 feet. One response has been received in favor from property owner #4 and none opposed.

Resource Links:

Chapter 144-3.3-12 "M-2" Heavy Industrial District, of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIZODI_S144-3.3ZODIREPRZOPRJU221987

Chapter 144, Sec. 3.4-10 "MU-A" Low Intensity Mixed Use District:

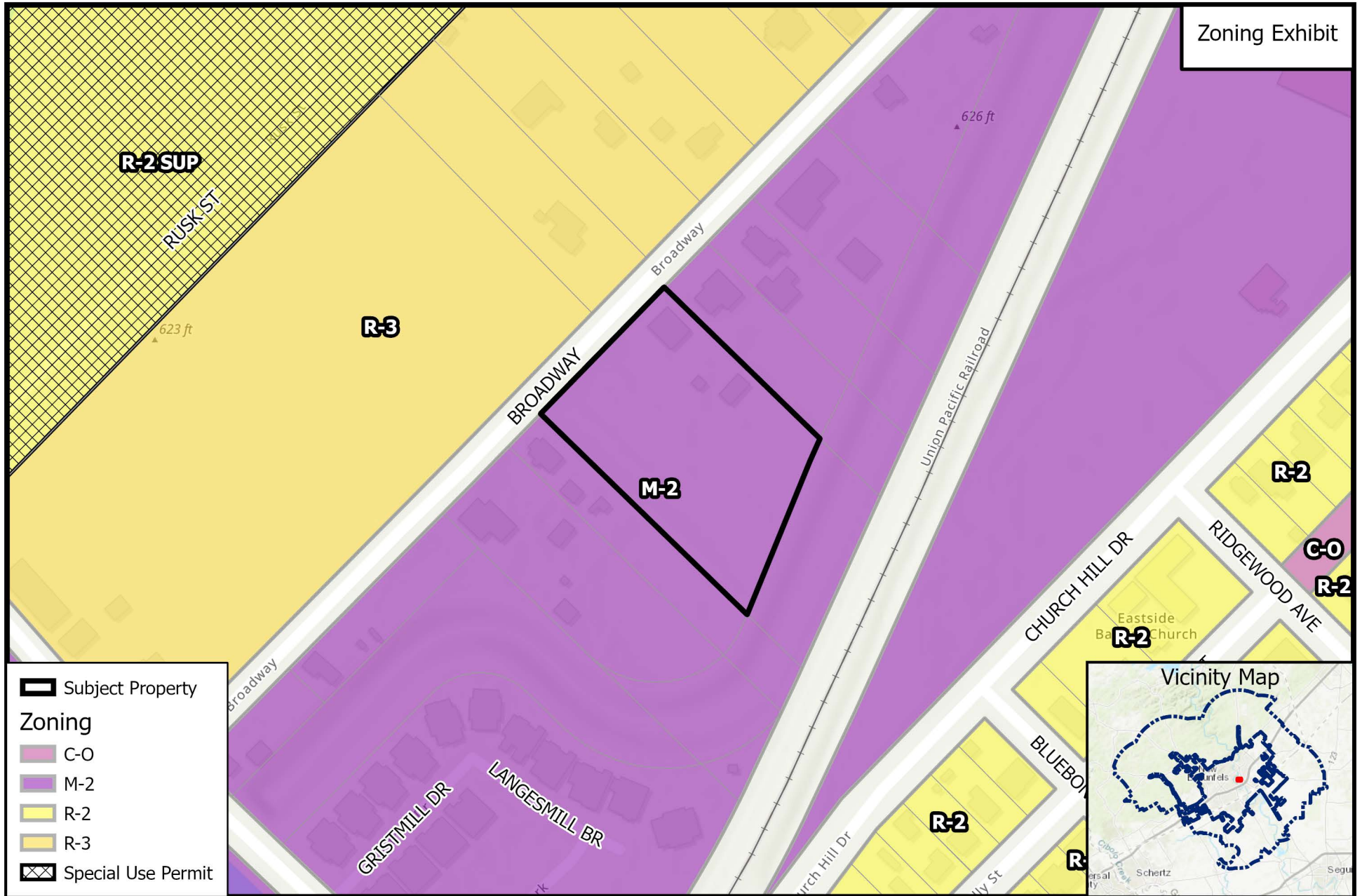
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIZODI_S144-3.4ZODIREPRZOSUJU221987

Attachments:

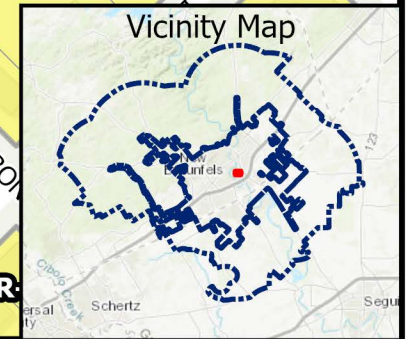
1. Aerial Map
2. Land Use Maps (Zoning, Existing and Future Land Use)
3. TIA Worksheet
4. M-2 District and MU-A District Comparison Table
5. Notification List and Map
6. Excerpt of minutes from the April 6, 2021 Planning Commission regular meeting
7. Ordinance



PZ21-0083
Rezoning from M-2 to MU-A

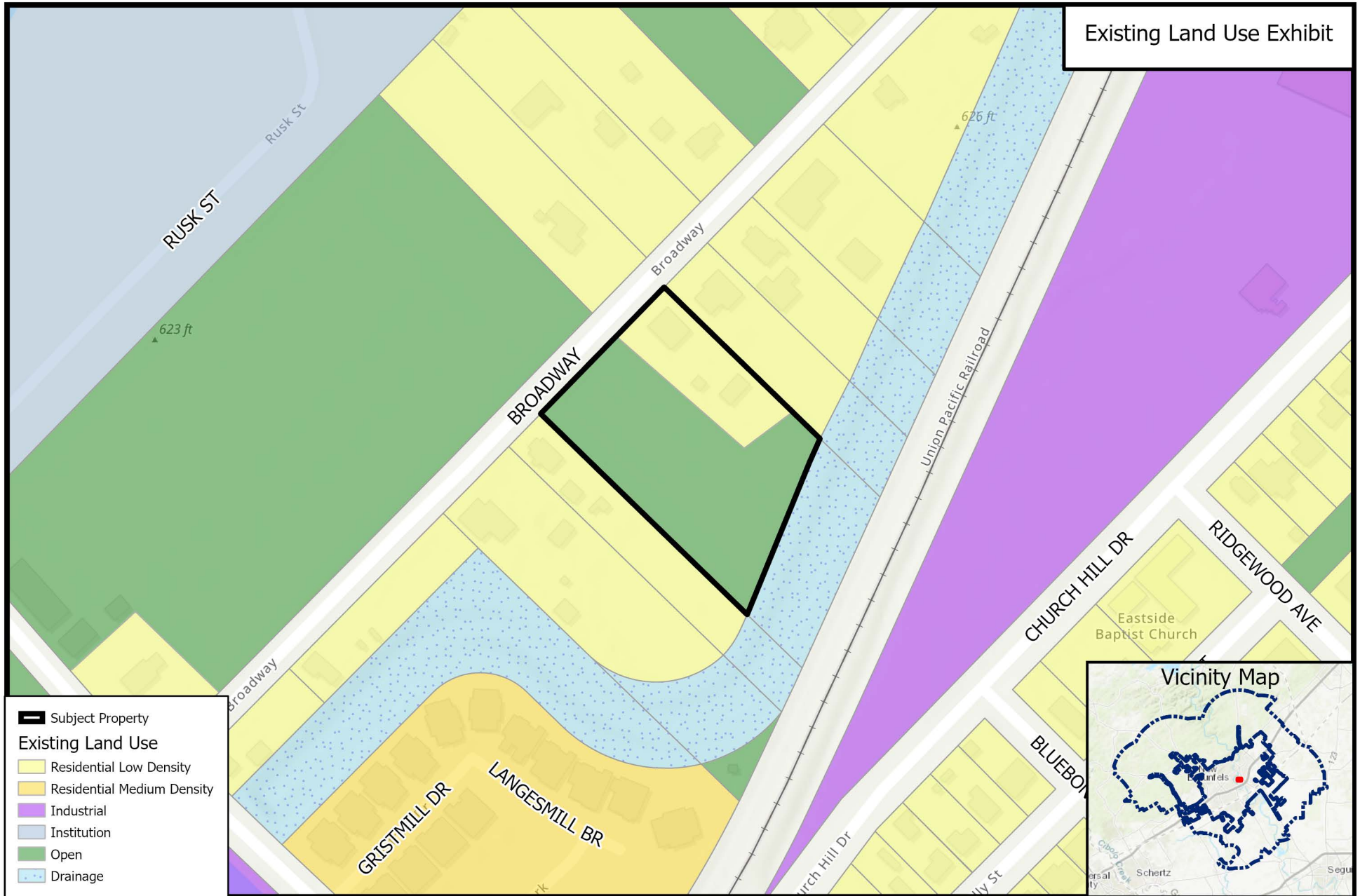


- Subject Property
- Zoning**
- C-O
- M-2
- R-2
- R-3
- Special Use Permit



PZ21-0083
Rezoning from M-2 to MU-A





EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.



FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

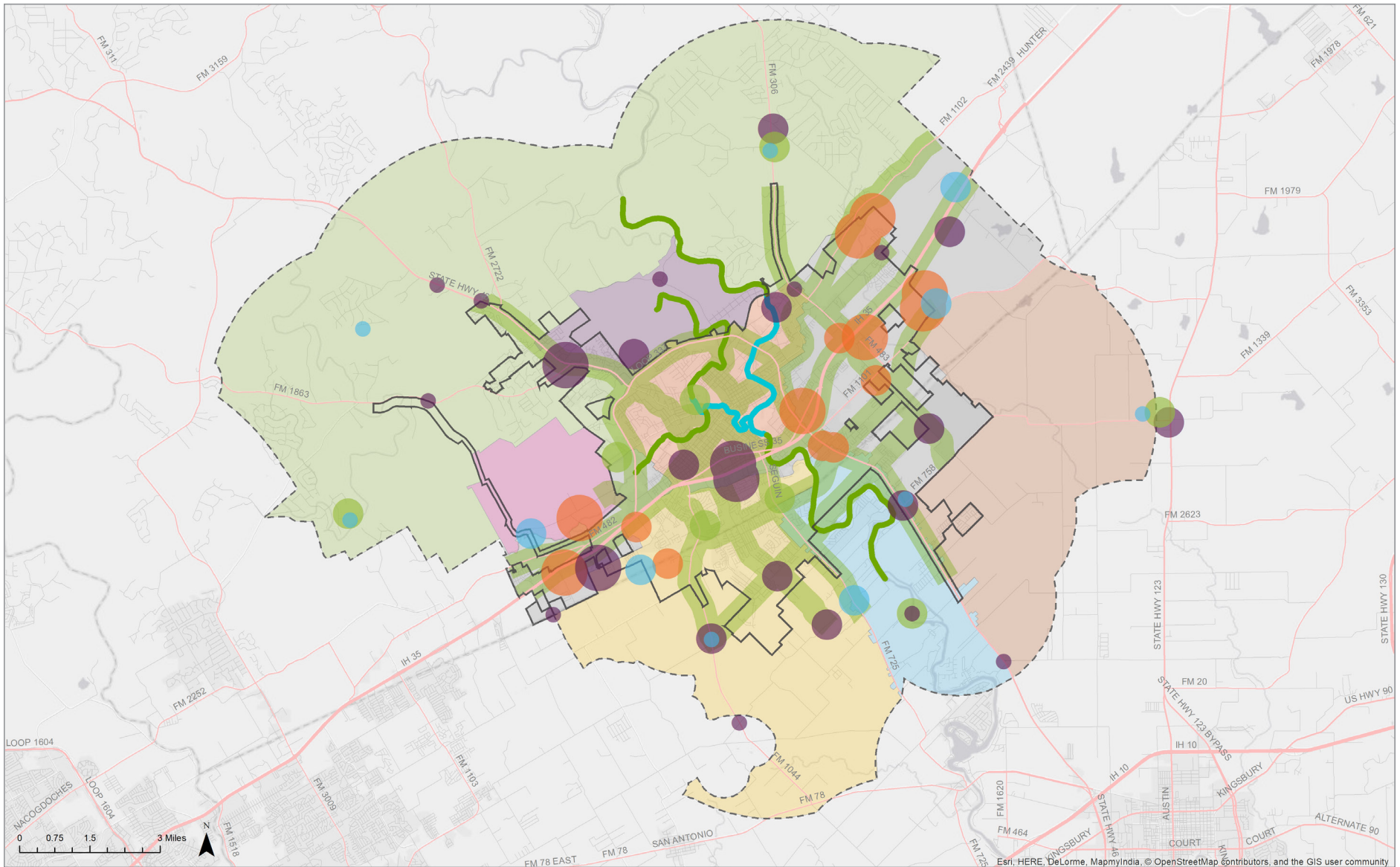
Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. Preferred future growth scenario combines Scenarios A and C per recommendations of the Envision New Braunfels Steering Committee (February 2018). Exact boundaries of sub areas, centers, and corridors may be [zoomed and viewed online](#).

CITY OF NEW BRAUNFELS TRAFFIC IMPACT ANALYSIS (TIA) WORKSHEET

Complete this worksheet as a requirement for zoning, master plan, plat and permit as specified in City of New Braunfels Code of Ordinances Sections 114-99 and 118-46.

Note: The Code provides the minimum information for a TIA report and it is recommended that a scoping meeting be scheduled with the Engineering Division.

Section 1: General Information

Project Name:				Date:			
Subdivision Plat Name:				Project Address/Location:			
Location? <input type="checkbox"/> City of New Braunfels		<input type="checkbox"/> New Braunfels ETJ		<input type="checkbox"/> Comal County		<input type="checkbox"/> Guadalupe County	
Owner Name:				Owner Email:			
Owner Address:				Owner Phone:			
Preparer Company:							
Preparer Name:				Preparer Email:			
Preparer Address:				Preparer Phone:			
TIA scoping meeting with City Engineering Division staff? (required for reports)		<input type="checkbox"/> Yes. Date: <input type="checkbox"/> No.		TIA Worksheet/Report approved with previous zoning, plan, plat or permit?		<input type="checkbox"/> No. Complete Page 1 only. <input type="checkbox"/> Yes. Complete Pages 1 and 2.	
Application Type or Reason for TIA Worksheet/Report							
<input type="checkbox"/> Zoning/Concept Plan/Detail Plan		<input type="checkbox"/> Master Plan		<input type="checkbox"/> Preliminary Plat		<input type="checkbox"/> Final Plat	
				<input type="checkbox"/> Permit		<input type="checkbox"/> Other	
TIA Submittal Type (A TIA Worksheet is required with all zoning, plan, plat and permit applications)							
<input type="checkbox"/> TIA Worksheet Only (100 peak hour trips or less)				<input type="checkbox"/> Level 1 TIA Report (101-500 peak hour trips)			
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report Approved				<input type="checkbox"/> Level 2 TIA Report (501-1,000 peak hour trips)			
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report not required (supporting documentation may be required)				<input type="checkbox"/> Level 3 TIA Report (1,001 or more peak hour trips)			

Section 2: Proposed Land Use and Trip Information for Application

Unit	Land Use	ITE Code ¹	ITE Unit ²	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
<i>Total from additional tabulation sheet (if necessary):</i>													
Total:													

¹Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition or most recent; ²E.g., Dwelling Units, Acres, Employees, KSF, etc.

Internal Use Only	Reviewed by:			Date:
	<input type="checkbox"/> TIA Worksheet is acceptable.	<input type="checkbox"/> TIA Worksheet requires corrections.	<input type="checkbox"/> TIA Report required.	<input type="checkbox"/> TIA Report not required.

Project Name:				
Preparer Company:		Preparer Name:		Date:
Type:	<input type="checkbox"/> TIA Worksheet Only	<input type="checkbox"/> Level 1 TIA Report	<input type="checkbox"/> Level 2 TIA Report	<input type="checkbox"/> Level 3 TIA Report
Approved with:	<input type="checkbox"/> Zoning/Concept Plan/Detail Plan	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Plat	<input type="checkbox"/> Permit <input type="checkbox"/> Other

Unit	Land Use	Status ³	ITE Code ¹	ITE Unit ²	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
Total from additional tabulation sheet (if necessary):														
Total:														

³Specify current *approved* status of unit: PLAN – Zoning/Concept Plan/Detail Plan/Master Plan, PP – Preliminary Plat, FP – Final Plat, P – Permit, C – Completed, A – With this Application (current)

Approved TIA Conformance		AM Peak Hour Trips	PM Peak Hour Trips	WKD Peak Hour Trips	Daily Trips
Approved development total:					
Updated development total:					
Difference development total:					
New TIA Report Required?					
Increase in Peak Hour Trips (PHT) over 100?	<input type="checkbox"/> Yes. New TIA Report required to be approved prior to approval. <input type="checkbox"/> No.				

Mitigation Measures	Unit	Total PHT
1.		
2.		
3.		
4.		
5.		
6.		

M-2 District & MU-A District Comparison Chart

P = Permitted Use	Existing	Proposed
	M-2	MU-A
Accessory building/structure (see section 144-5.4)		P
Accessory dwelling (one accessory dwelling per lot, no kitchen)		P
Accounting, auditing, bookkeeping, and tax preparations	P	P
Acid manufacture		
Adult day care (no overnight stay)		P
Adult day care (with overnight stay)		P
Aircraft support and related services	P	
Airport	P	
All-terrain vehicle (ATV) dealer/sales	P	
Ambulance service (private)	P	
Amphitheaters (outdoor live performances)	P	
Amusement devices/arcade (four or more devices)	P	P
Amusement services or venues (indoors) (see section 144-5.13)	P	
Amusement services or venues (outdoors)	P	
Animal grooming shop	P	P
Answering and message services	P	P
Antique shop	P	P
Appliance repair	P	P
Archery range	P	
Armed services recruiting center	P	P
Art dealer/gallery	P	P
Artist or artisans studio	P	P
Assembly/exhibition hall or areas	P	
Assisted living facility/retirement home		P
Athletic fields	P	
Auction sales (non-vehicle)	P	
Auto body repair, garages (see section 144-5.11)	P	
Auto glass repair/tinting (see section 144-5.11)	P	
Auto interior shop/upholstery (see section 144-5.11)	P	
Auto leasing	P	P
Auto muffler shop (see section 144-5.11)	P	
Auto or trailer sales rooms or yards (see section 144-5.12)	P	
Auto or truck sales rooms or yards—Primarily new (see section 144-5.12)	P	
Auto paint shop	P	
Auto repair as an accessory use to retail sales	P	
Auto repair garage (general) (see section 144-5.11)	P	
Auto supply store for new and factory rebuilt parts	P	P
Auto tire repair/sales (indoor)	P	P
Auto wrecking yards		
Automobile driving school (including defensive driving)	P	
Bakery (retail)	P	P
Bank, savings and loan, or credit union	P	P
Bar/tavern (no outdoor music)	P	P
Bar/tavern	P	P

Barber/beauty college (barber or cosmetology school or college)	P	
Barber/beauty shop, haircutting (non-college)	P	P
Barns and farm equipment storage (related to agricultural uses)	P	P
Battery charging station	P	P
Bed and breakfast inn (see section 144-5.6)		P
Bicycle sales and/or repair	P	P
Billiard/pool facility	P	
Bingo facility	P	P
Bio-medical facilities	P	
Blacksmith or wagon shops	P	
Blooming or rolling mills	P	
Boarding house/lodging house		
Book binding	P	P
Book store	P	P
Bottling or distribution plants (milk)	P	
Bottling works	P	
Bowling alley/center (see section 144-5.13)	P	
Breweries/distilleries and manufacture of alcohol and alcoholic beverages	P	
Broadcast station (with tower) (see section 144-5.7)	P	
Bulk storage of gasoline, petroleum products, liquefied petroleum and flammable liquids (see section 5.27)		
Bus barns or lots	P	
Bus passenger stations	P	
Cabin or cottage (rental)		
Cabin or cottage (rental for more than 30 days)		
Cafeteria/cafe/delicatessen	P	P
Campers' supplies	P	P
Campgrounds		
Canning/preserving factories	P	
Car wash (self-service; automated)	P	
Car wash, full service (detail shop)	P	
Carpenter, cabinet, or pattern shops	P	
Carpet cleaning establishments	P	
Caterer	P	P
Cement, lime, gypsum or plaster of Paris manufacture		
Cemetery and/or mausoleum	P	P
Check cashing service	P	P
Chemical laboratories (e.g., ammonia, bleaching powder)	P	
Chemical laboratories (not producing noxious fumes or odors)	P	
Child day care/children's nursery (business)		P
Church/place of religious assembly	P	P
Cider mills	P	
Civic/conference center and facilities	P	
Cleaning, pressing and dyeing (non-explosive fluids used)	P	P
Clinic (dental)		P
Clinic (emergency care)		P
Clinic (medical)		P

Club (private)	P	
Coffee shop	P	P
Cold storage plant	P	
Commercial amusement concessions and facilities	P	
Communication equipment—Installation and/or repair	P	P
Community building (associated with residential uses)	P	P
Community home (see definition)		P
Computer and electronic sales	P	P
Computer repair	P	P
Concrete or asphalt mixing plants—Permanent	P	
Concrete or asphalt mixing plants—Temporary	P	
Confectionery store (retail)	P	P
Consignment shop	P	P
Contractor's office/sales, with outside storage including vehicles	P	
Contractor's temporary on-site construction office	P	P
Convenience store with gas sales	P	
Convenience store without gas sales	P	P
Cotton ginning or baling works	P	
Country club (private)	P	
Credit agency	P	P
Crematorium	P	
Curio shops	P	P
Custom work shops	P	P
Dance hall/dancing facility (see section 144-5.13)	P	
Day camp		
Department store	P	P
Distillation of bones		
Dormitory (in which individual rooms are for rental)		
Drapery shop/blind shop	P	P
Driving range	P	
Drug store/pharmacy	P	P
Duplex/two-family/duplex condominiums		P
Electrical generating plant	P	
Electrical repair shop	P	P
Electrical substation	P	P
Electronic assembly/high tech manufacturing	P	
Electroplating works	P	
Enameling works	P	
Engine repair/motor manufacturing re-manufacturing and/or repair	P	
Explosives manufacture or storage		
Exterminator service	P	
Fairground	P	
Family home adult care		P
Family home child care		P
Farmers market (produce market—wholesale)	P	
Farms, general (crops) (see chapter 6 and section 144-5.9)	P	P

Farms, general (livestock/ranch) (see chapter 6 and section 144-5.9)	P	P
Feed and grain store	P	
Fertilizer manufacture and storage		
Filling station (gasoline tanks must be below the ground)	P	
Florist	P	P
Flour mills, feed mills, and grain processing	P	
Food or grocery store with gasoline sales	P	
Food or grocery store without gasoline sales	P	P
Food processing (no outside public consumption)	P	
Forge (hand)	P	
Forge (power)	P	
Fraternal organization/civic club (private club)	P	
Freight terminal, rail/truck (when any storage of freight is wholly outside an enclosed building)	P	
Freight terminal, truck (all storage of freight in an enclosed building)	P	
Frozen food storage for individual or family use	P	P
Funeral home/mortuary	P	
Furniture manufacture	P	
Furniture sales (indoor)	P	
Galvanizing works	P	
Garbage, offal or dead animal reduction or dumping		
Garden shops and greenhouses	P	P
Gas manufacture		
Gas or oil wells		
Golf course (public or private)	P	P
Golf course (miniature)	P	
Government building or use with no outside storage (outside storage allowed in M-2 and M-2A)	P	P
Grain elevator	P	
Greenhouse (commercial)	P	P
Handicraft shop	P	P
Hardware store	P	P
Hay, grain, and/or feed sales (wholesale)		
Health club (physical fitness; indoors only)	P	P
Heating and air-conditioning sales/services	P	P
Heavy load (farm) vehicle sales/repair (see section 144-5.14)	P	
Heavy manufacturing	P	
Heliport	P	
Hides/skins (tanning)	P	
Home occupation (see section 144-5.5)		P
Home repair and yard equipment retail and rental outlets	P	
Hospice		P
Hospital, general (acute care/chronic care)	P	
Hospital, rehabilitation	P	P
Hotel/motel	P	
Hotels/motels—Extended stay (residence hotels)		
Ice delivery stations (for storage and sale of ice at retail only)	P	

Ice plants	P	
Indoor or covered sports facility		
Industrial laundries	P	
Iron and steel manufacture		
Junkyards, including storage, sorting, baling or processing of rags		
Kiosk (providing a retail service)	P	P
Laboratory equipment manufacturing	P	
Laundromat and laundry pickup stations	P	P
Laundry, commercial (without self-serve)	P	
Laundry/dry cleaning (drop off/pick up)	P	P
Laundry/washateria (self-serve)	P	P
Lawnmower sales and/or repair	P	P
Leather products manufacturing	P	
Light manufacturing	P	
Limousine/taxi service	P	
Livestock sales/auction	P	
Locksmith	P	P
Lumber mill	P	
Lumberyard (see section 144-5.15)	P	
Lumberyard or building material sales (see section 144-5.15)	P	
Machine shop	P	
Maintenance/janitorial service	P	
Major appliance sales (indoor)	P	
Manufacture of carbon batteries		
Manufacture of paint, lacquer, oil, turpentine, varnish, enamel, etc.		
Manufacture of rubber, glucose, or dextrin		
Manufactured home—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home park—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home subdivision—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home sales	P	
Manufacturing and processes	P	
Manufacturing processes not listed		
Market (public, flea)	P	
Martial arts school	P	P
Meat or fish packing/storage plants	P	
Medical supplies and equipment	P	
Metal fabrication shop	P	
Micro brewery (onsite mfg. and/or sales)	P	
Mini-warehouse/self-storage units (no boat and RV storage permitted)	P	
Mini-warehouse/self-storage units with outside boat and RV storage	P	
Monument, gravestone, or marble works (manufacture)		
Motion picture studio, commercial film	P	
Motion picture theater (indoors)	P	
Motion picture theater (outdoors, drive-in)	P	

Motorcycle dealer (primarily new/repair)	P	
Moving storage company	P	
Moving, transfer, or storage plant	P	
Multifamily (apartments/condominiums)		P
Museum	P	P
Natural resource extraction and mining		
Needlework shop	P	P
Nonbulk storage of gasoline, petroleum products and liquefied petroleum	P	
Nursing/convalescent home/sanitarium		P
Offices, brokerage services	P	P
Offices, business or professional	P	P
Offices, computer programming and data processing	P	P
Offices, consulting	P	P
Offices, engineering, architecture, surveying or similar	P	P
Offices, health services	P	P
Offices, insurance agency	P	P
Offices, legal services, including court reporting	P	P
Offices, medical offices	P	P
Offices, real estate	P	P
Offices, security/commodity brokers, dealers, exchanges and financial services	P	P
Oil compounding and barreling plants		
One-family dwelling, detached		P
Outside storage (as primary use)	P	
Paint manufacturing	P	
Paper or pulp manufacture		
Park and/or playground (private and public)	P	P
Parking lots (for passenger car only) (not as incidental to the main use)	P	P
Parking structure/public garage	P	P
Pawn shop	P	P
Personal watercraft sales (primarily new/repair)	P	
Pet shop/supplies (less than 10,000 sq. ft.)	P	P
Pet store (over 10,000 sq. ft.)	P	
Petroleum or its products (refining of)		
Photo engraving plant	P	
Photographic printing/duplicating/copy shop or printing shop	P	P
Photographic studio (no sale of cameras or supplies)	P	P
Photographic supply	P	P
Plant nursery (no retail sales on site)	P	P
Plant nursery (retail sales/outdoor storage)	P	P
Plastic products molding/reshaping	P	
Plumbing shop	P	
Portable building sales	P	
Poultry killing or dressing for commercial purposes	P	
Propane sales (retail)	P	
Public recreation/services building for public park/playground areas	P	P

Publishing/printing company (e.g., newspaper)	P	
Quick lube/oil change/minor inspection	P	P
Radio/television shop, electronics, computer repair	P	P
Railroad roundhouses or shops		
Rappelling facilities	P	
Recreation buildings (private)	P	P
Recreation buildings (public)	P	P
Recycling kiosk	P	P
Refreshment/beverage stand	P	P
Rental or occupancy for less than one month (see section 144-5.17)		
Research lab (non-hazardous)	P	
Residential use in buildings with non-residential uses permitted in the district		P
Restaurant/prepared food sales	P	P
Restaurant with drive-through service	P	P
Retail store and shopping center without drive-through service (50,000 sq. ft. bldg. or less)	P	P
Retail store and shopping center with drive-through service (50,000 sq. ft. bldg. or less)	P	P
Retail store and shopping center (more than 50,000 sq. ft. bldg.)	P	
Retirement home/home for the aged		P
Rock crushers and rock quarries		
Rodeo grounds	P	
RV park		
RV/travel trailer sales	P	
Sand/gravel sales (storage or sales)	P	
School, K-12 public or private	P	P
School, vocational (business/commercial trade)	P	P
Security monitoring company (no outside storage or installation)	P	P
Security systems installation company	P	P
Sexually oriented business (see chapter 18)		
Sheet metal shop	P	
Shoe repair shops	P	P
Shooting gallery—Indoor (see section 144-5.13)	P	
Shooting range—Outdoor (see section 144-5.13)		
Shopping center	P	P
Sign manufacturing/painting plant	P	
Single-family industrialized home (see section 144-5.8)		P
Smelting of tin, copper, zinc or iron ores		
Specialty shops in support of project guests and tourists	P	P
Stables (as a business) (see chapter 6)		
Stables (private, accessory use) (see chapter 6)		
Steel furnaces		
Stockyards or slaughtering		
Stone/clay/glass manufacturing	P	
Storage—Exterior storage for boats and recreational vehicles	P	
Storage in bulk	P	
Structural iron or pipe works		

Studio for radio or television, without tower (see zoning district for tower authorization)	P	
Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)	P	P
Sugar refineries		
Tailor shop (see home occupation)	P	P
Tar distillation or manufacture		
Tattoo or body piercing studio	P	P
Taxidermist	P	
Telecommunications towers/antennas (see section 144-5.7)		
Telemarketing agency	P	P
Telephone exchange buildings (office only)	P	P
Tennis court (commercial)	P	
Theater (non-motion picture; live drama)	P	P
Tire sales (outdoors)	P	
Tool rental	P	P
Townhouse (attached)		P
Transfer station (refuse/pick-up)	P	
Travel agency	P	P
Truck or transit terminal	P	
Truck stop		
Tuber entrance and takeout facilities (see section 144-5.13)		
University or college (public or private)	P	P
Upholstery shop (non-auto)	P	
Used or second hand merchandise/furniture store	P	
Vacuum cleaner sales and repair	P	P
Vehicle storage facility		
Veterinary hospital (no outside animal runs or kennels)	P	P
Veterinary hospital (with outdoor animal runs or kennels that may not be used between the hours of 9:00 p.m. and 7:00 a.m.)	P	
Video rental/sales	P	P
Warehouse/office and storage/distribution center	P	
Waterfront amusement facilities—Berthing facilities sales and rentals	P	
Waterfront amusement facilities—Boat fuel storage/dispensing facilities	P	
Waterfront amusement facilities—Boat landing piers/launching ramps	P	
Waterfront amusement facilities—Swimming/wading pools/bathhouses	P	
Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system	P	P
Welding shop	P	
Wholesale sales offices and sample rooms	P	
Wire or rod mills		
Wood distillation plants (charcoal, tar, turpentine, etc.)		
Woodworking shop (ornamental)	P	P
Wool scouring		
Zero lot line/patio homes		P

PLANNING COMMISSION – APRIL 6, 2021 – 6:00PM

Zoom Meeting

Applicant/Owner: HMT Engineering & Surveying, Bill Ball

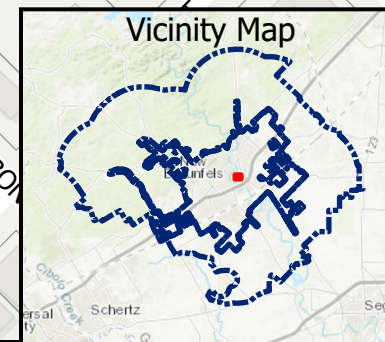
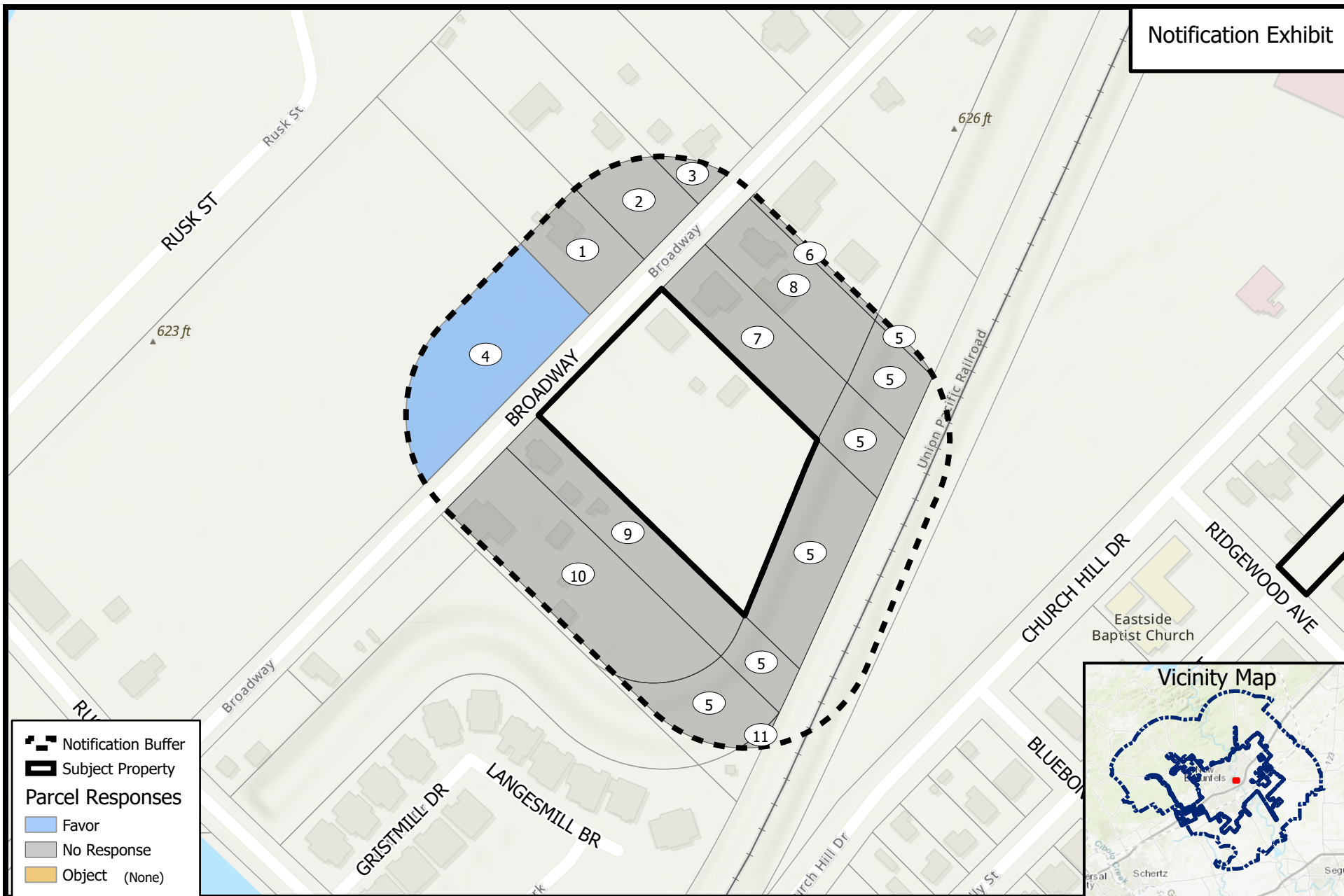
Address/Location: 2.3 acres out of the H. Foster Survey No. 34, Abstract No. 154, Comal County, Texas, addressed at 948 Broadway

PROPOSED ZONE CHANGE – CASE #PZ21-0083

The circled 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. JOHN ANTHONY L & MARIE | 7. MEYER MARTIN D & BETTIE A |
| 2. HANZ CRAIG E & NITA | 8. LEWIS COREY & TABITHA J |
| 3. WATKINS RITZIE N | 9. CULPEPPER TRAVIS |
| 4. MYRTLE MARIE PROPERTIES LLC | 10. CELLI ANTHONY & ANN |
| 5. NEW BRAUNFELS CITY OF | 11. PROPERTY OWNER |
| 6. ZGABAY STEPHEN C & TAMMY T | |

SEE MAP





Department of Planning and Development Services

NOTICE OF PUBLIC HEARING

View details here:

nbtexas.org/PublicNotice

The New Braunfels Planning Commission will hold a public hearing at the request of **HMT Engineering & Surveying, agent for, Robert Culpepper, owner**, to consider a recommendation to City Council on the following rezoning request:

Property: Approximately 2.3 acres out of the H. Foster Survey No. 34, Abstract No. 154, Comal County, Texas, addressed at 948 Broadway

From: "M-2" Heavy Industrial District

To: "MU-A" Low Intensity Mixed Use District. Additional information can be found at the following website: nbtexas.org/PublicNotice

Because your property is located within 200 feet of the request, State law requires that we notify you of the public hearing. **However, the zoning of your property will not be changed.** The public hearing process allows an opportunity for you to provide comments on the request. This aids the Commission in making a recommendation to City Council.

Public hearings for this request are scheduled before the Planning Commission on **Tuesday, April 6, 2021**, at 6:00 p.m. virtually via **Zoom Meeting**. Information on how to join the meeting is included with this notice. The Planning Commission's recommendation will be considered by City Council in another public hearing, tentatively scheduled for **Monday, April 26, 2021**. Both meetings are open to the public. All interested persons are invited to join these meetings.

If you wish to submit written comments, please complete ALL of the information below and return to:

Mail: City of New Braunfels
Planning Commission
550 Landa Street
New Braunfels, TX 78130

Email: mgreene@nbtexas.org

If you have questions, please call Matt Greene at (830) 221-4053

Matt Greene

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ21-0083 (MG)

Name: Myrtle Marie Properties, LLC
Address: 27725 Legacy Wds, Boerne, TX 78015
Property number on map: A
(705 Broadway)

Comments: (Use additional sheets if necessary)

I favor: ✓

I object: _____
(State reason for objection)

Signature: Danny K. Crawford
managing member

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 2.3 ACRES OUT OF THE H. FOSTER SURVEY NO. 34, ABSTRACT NO. 154, COMAL COUNTY, TEXAS, ADDRESSED AT 948 BROADWAY, FROM “M-2” HEAVY INDUSTRIAL DISTRICT TO “MU-A” LOW INTENSITY MIXED USE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the “MU-A” Low Intensity Mixed-Use District, the City Council has given due consideration to all components of said district; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; and

WHEREAS, the City Council desires to amend the Zoning Map by rezoning approximately 2.3 acres out of the H. Foster Survey No. 34, Abstract No. 154, Comal County, Texas, addressed at 948 Broadway from “M-2” Heavy Industrial District to “MU-A” Low Intensity Mixed-Use District, **now, therefore**;

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

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by rezoning the following described tract of land from “M-2” Heavy Industrial District to “MU-A” Low Intensity Mixed-Use District:

Approximately 2.3 acres out of the H. Foster Survey No. 34, Abstract No. 154, Comal County, Texas, addressed at 948 Broadway as described in

Exhibit "A" and delineated in Exhibit "B" attached.

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 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 April, 2021.

PASSED AND APPROVED: Second reading this 10th day of May, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"
METES & BOUNDS DESCRIPTION

BEING A 2.31 ACRE TRACT OF LAND OUT OF THE HENRY FOSTER SURVEY NO. 34, ABSTRACT NO. 154, SITUATED IN NEW BRAUNFELS COMAL COUNTY, TEXAS, SAME BEING OUT OF THE REMAINING PORTION OF A CALLED 3.08 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED, VOLUME 97, PAGE 56, OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS, SAME BEING CONVEYED TO MYRTLE MARIE PROPERTIES, LLC. KNOWN AS TRACT 2, IN DOCUMENT NUMBER 201806047340, OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a found pipe, a point on the east R.O.W. Broadway Drive (Variable Width A.K.A. Broadway), marking the westerly corner of a remaining portion of a called 0.997 acre tract described in a deed to Myrtle Hanz in Document No. 200506016535, Official Public Records of Comal County, Texas, and being the most northerly corner of said 3.08 acre tract, same being the north corner of herein described tract;

THENCE, along the common line of said 0.997 acre tract, said 3.08 acre tract, and the herein described tract, S 45°54'51" E, 330.95 feet (called S 45°), to a found ½" iron rod, marking the south corner of the remaining portion of said 0.997 acre tract, the west corner of a called 0.278 acre tract in a deed to the City of New Braunsfels, Texas and described in Document No. 200506040889, Official Public Records of Comal County, Texas, the north corner of a called 0.730 acre tract in a deed to the City of New Braunsfels, Texas, and described in Document No. 200606018364, Official Public Records of Comal County, Texas, same being the east corner of herein described tract;

THENCE, across and into said 3.08 acre tract, along the common boundary of said 0.730 acre tract, and herein described tract, S 24°29'29"W, 276.96 feet (S 24°27'49"E), to a found ½" iron rod with "yellow" cap, marking the west corner of said 0.730 acre tract, the north corner of a called 0.207 acre tract in a deed to the City of New Braunsfels, Texas, and described in Document No. 200606001671, Official Public Records of Comal County, Texas, the east corner of the remaining portion of a called 0.89 acre tract in a deed to Robert M. Culpepper described in Document No. 9806004370, Official Public Records of Comal County, Texas, also being a point along the southwest boundary line of said 3.08 acre tract, same being the south corner of herein described tract;

THENCE, along the common boundary line of said 0.89 acre tract, and said 3.08 acre tract, same being the herein described tract, N 47°08'00" W, 426.20 feet (N 44° W), to a set ½" iron rod with cap, on the said east R.O.W. of Broadway Drive, marking the north corner of said 0.89 acre tract, the west corner of said 3.08 acre tract, same being the west corner of herein described tract;

THENCE, continuing along said east R.O.W. of Broadway Drive, same the being the common boundary line of said 3.08 acre tract and herein described tract, N 44°34'02" E, 270.00 feet (N 45° E), to the **POINT OF BEGINNING** and containing 2.31 acres, more or less.

Basis of Bearing: Texas South Central NAD 83
ALL SET ½" IRON RODS CAPPED WITH "AMERISURVEYORS" CAP

EXHIBIT "A"

606

4/26/2021

Agenda Item No. I)

PRESENTER:

Christopher J. Looney, AICP, Planning and Development Services Director

SUBJECT:

Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 4.3 acres out of the J.M. Veramendi Survey No. 1, Abstract 2, Comal County, Texas, located at the southeast corner of the intersection of Gruene Road and Ewelling Lane from "R-2" Single and Two-Family District to "C-O" Commercial Office District.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** Council District 4**BACKGROUND INFORMATION:**

Applicant: HMT Engineering & Surveying (Chris Crim, P.E.)
290 S. Castell Ave., Ste 100
New Braunfels, TX 78130
(830) 625-8555 plats@hmtnb.com

Owner: William Schutz
1401 Camelback
Leander, TX 78741
(512) 589-1349 willschutz@gmail.com

Staff Contact: Matt Greene
(830) 221-4053 mgreene@nbtexas.org

The subject vacant property is located on the southeast corner of the intersection of Gruene Road and Ewelling Lane between NBU's old and new wastewater treatment plants. The property has approximately 600 feet of frontage on Gruene Road, a Collector Street, and 285 feet of frontage on Ewelling Lane, a Local Street. The applicant's TIA (Traffic Impact Analysis) Worksheet indicates the intended use of the property to be medical-dental office.

The C-O District was established to create opportunities for professional office and residential mixed-use. The standards of the C-O District are intended to encourage adaptive reuse of buildings or new office developments of the highest character in areas that are compatible and sensitive to the surroundings and ensure historic integrity. C-O District uses should not generate excess additional traffic or access problems.

Surrounding Zoning and Land Use:

North - Across Gruene Rd., R-2, R-2 with an SUP to allow multiple single-family units on one lot and R-2 with an SUP to allow a permanent single-family residence and three single-family dwellings for short term rental / Detached two-family dwellings, a single-family dwelling and detached multifamily dwellings with short term rental, and detached multifamily dwellings

South - R-2 / Single-family dwelling

East - R-2 / Single-family dwelling

West- R-2 / Undeveloped

ISSUE:

The proposed rezoning to C-O is consistent with the following actions from Envision New Braunfels:

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

Action 3.1: Plan for healthy jobs / housing balance.

Action 3.3: Balance commercial centers with stable neighborhoods.

Future Land Use Plan: The property lies within the New Braunfels Sub Area near existing Employment, Market, Medical, Civic, Outdoor Recreation, Education and Tourist/Entertainment Centers and near a future Market Center.

FISCAL IMPACT:

N/A

RECOMMENDATION:

The Planning Commission held a public hearing on April 6, 2021. A motion to approve the zone change request failed due to lack of a second (with Commissioners Sonier, Tubb, and Mathis absent).

Staff recommends approval as C-O at this location is consistent with the mix of commercial, multifamily and two-family zoning in the area. Over the years, Gruene Road, between Loop 337 and Ervendberg Avenue, has transitioned from primarily large lot single-family residences to commercial, multifamily and vacation rental mixed-uses.

Notification:

Public hearing notices were sent to 9 owners of property within 200 feet of the request. Responses in favor have been received from property owners 2, 4, 6, 7 and 9 on the notification map and one additional response in favor was received from outside the notification area. One response in objection was received from outside the notification area.

Resource Links:

Chapter 144, Sec. 3.3-2"R-2" Single-Family and Two-Family District of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIZODI_S144-3.3ZODIREPRZOPRJU221987

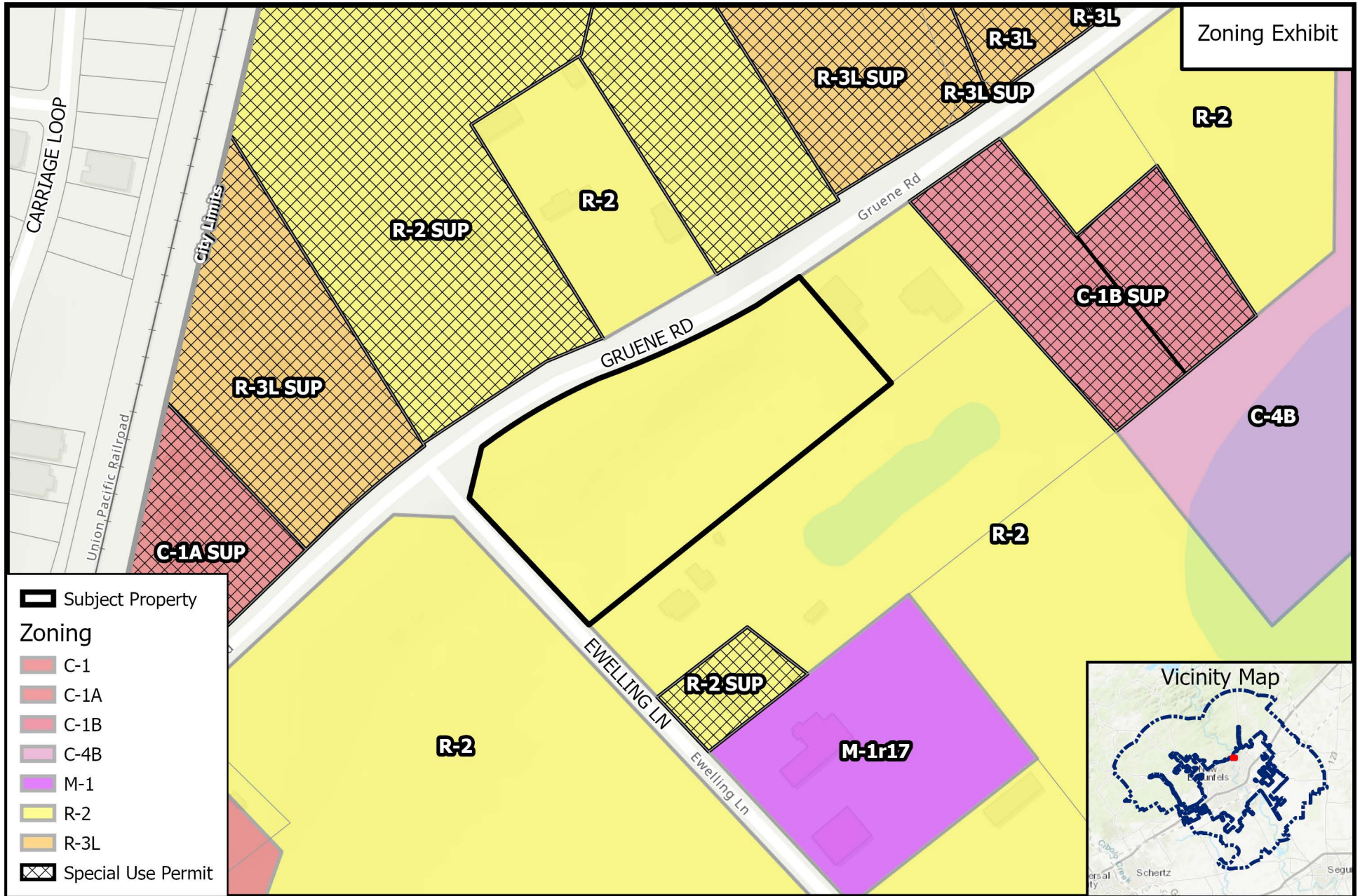
Chapter 144, Sec. 3.4-17 "C-O" Commercial Office District of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIZODI_S144-3.4ZODIREPRZOSUJU221987

Attachments:

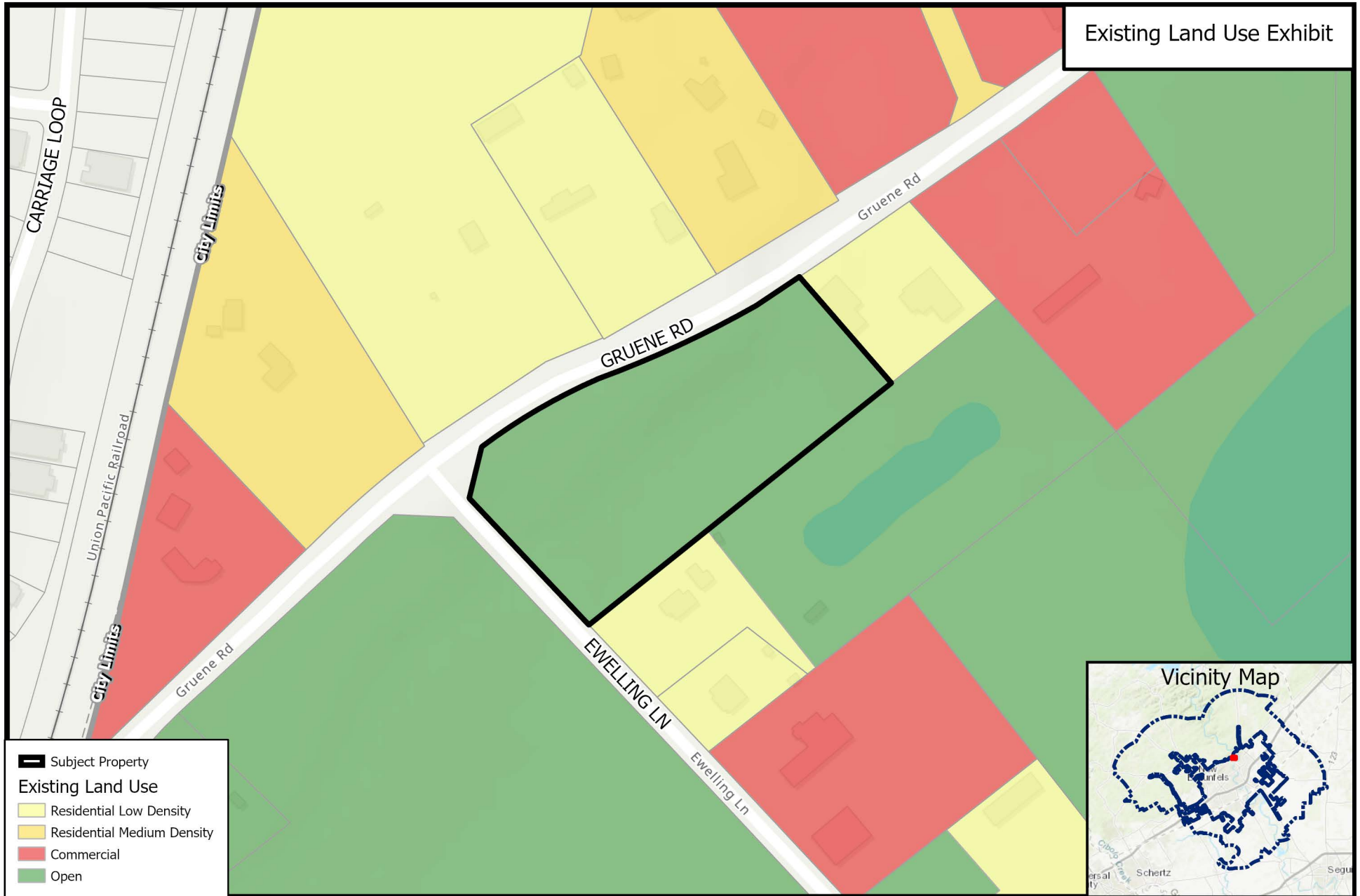
1. Aerial Map
2. Land Use Maps (Zoning, Existing and Future Land Use)
3. TIA Worksheet
4. R-2 District and C-O District Comparison Table
5. Notification List, Map and Notification Responses
6. Excerpt of Minutes from the April 6, Planning Commission Regular Meeting
7. Ordinance





PZ21-0084
Rezoning from R-2 to C-O





PZ21-0084
Rezoning from R-2 to C-O

EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

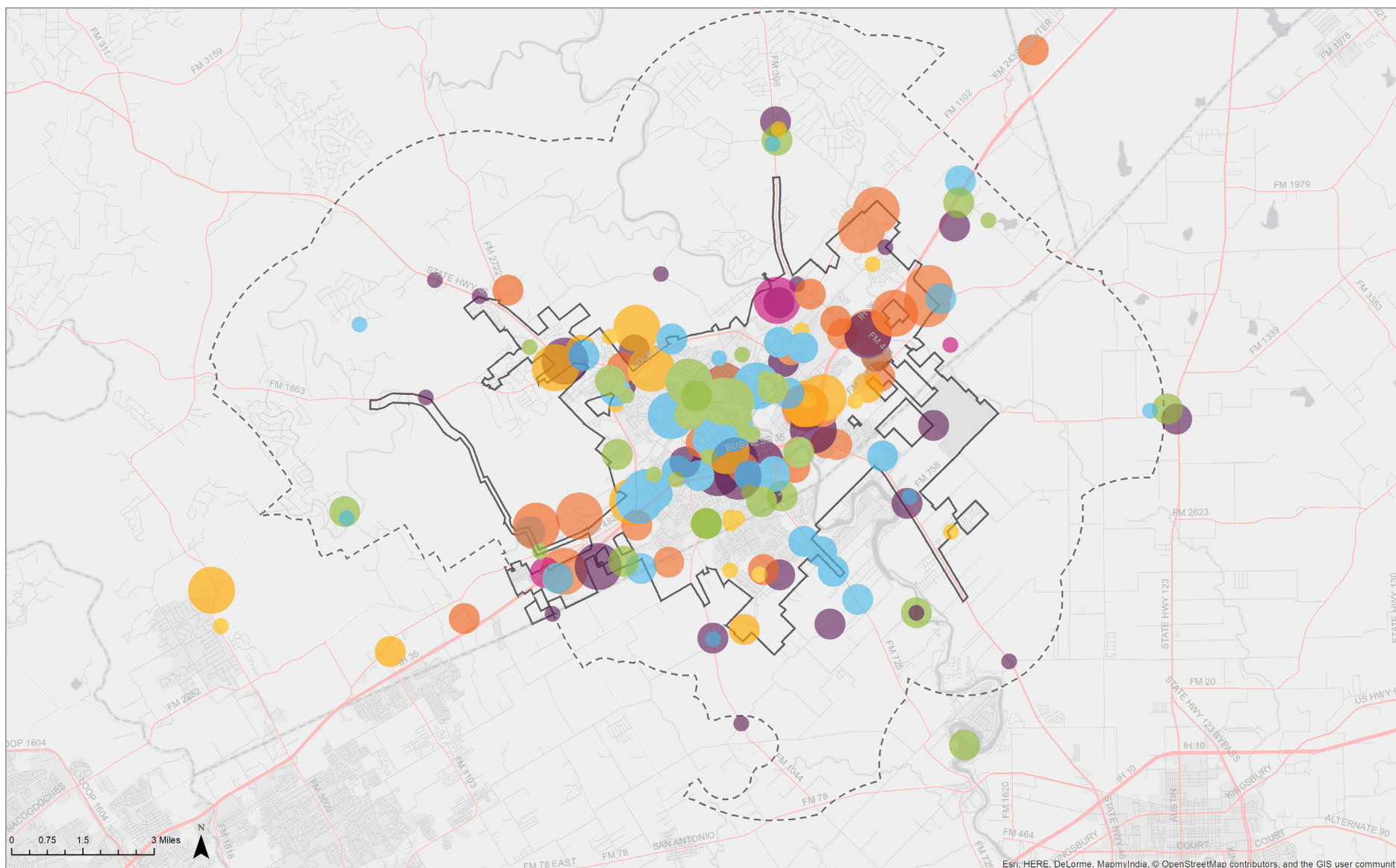
EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.





The location of existing centers was determined through the analysis of previous studies and background documents, windshield surveys, and reviewed by City staff, Steering Committee members, and Plan Element Advisory Group members during a public workshop.

FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.

CITY OF NEW BRAUNFELS TRAFFIC IMPACT ANALYSIS (TIA) WORKSHEET

Complete this worksheet as a requirement for zoning, master plan, plat and permit as specified in City of New Braunfels Code of Ordinances Sections 114-99 and 118-46.

Note: The Code provides the minimum information for a TIA report and it is recommended that a scoping meeting be scheduled with the Engineering Division.

Section 1: General Information

General Information											
Project Name:										Date:	
Subdivision Plat Name:						Project Address/Location:					
Location?		<input type="checkbox"/> City of New Braunfels		<input type="checkbox"/> New Braunfels ETJ		<input type="checkbox"/> Comal County		<input type="checkbox"/> Guadalupe County			
Owner Name:						Owner Email:					
Owner Address:						Owner Phone:					
Preparer Company:											
Preparer Name:						Preparer Email:					
Preparer Address:						Preparer Phone:					
TIA Report scoping meeting with City Engineering Division staff?						<input type="checkbox"/> Yes. Date:		<input type="checkbox"/> No.		TIA Worksheet/Report approved with previous zoning, plan, plat or permit?	
										<input type="checkbox"/> No. Complete Page 1 only. <input type="checkbox"/> Yes. Complete Pages 1 and 2.	
Application Type or Reason for TIA Worksheet/Report											
<input type="checkbox"/> Zoning/Concept Plan/Detail Plan <input type="checkbox"/> Master Plan <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Permit <input type="checkbox"/> Other											
TIA Submittal Type (A TIA Worksheet is required with all zoning, plan, plat and permit applications)											
<input type="checkbox"/> TIA Worksheet Only (100 peak hour trips or less)						<input type="checkbox"/> Level 1 TIA Report (101-500 peak hour trips)					
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report Approved						<input type="checkbox"/> Level 2 TIA Report (501-1,000 peak hour trips)					
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report not required (supporting documentation may be required)						<input type="checkbox"/> Level 3 TIA Report (1,001 or more peak hour trips)					

Section 2: Proposed Land Use and Trip Information for Application

Unit	Land Use	ITE Code ¹	ITE Unit ²	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
<i>Total from additional tabulation sheet (if necessary):</i>													
Total:													

¹Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition or most recent; ²E.g., Dwelling Units, Acres, Employees, KSF, etc.

Internal Use Only	Reviewed by:			Date:
	<input type="checkbox"/> TIA Worksheet is acceptable.	<input type="checkbox"/> TIA Worksheet requires corrections.	<input type="checkbox"/> TIA Report required.	<input type="checkbox"/> TIA Report not required.

Approved TIA Worksheet/Report				
Project Name:				
Preparer Company:		Preparer Name:		Date:
Type:	<input type="checkbox"/> TIA Worksheet Only	<input type="checkbox"/> Level 1 TIA Report	<input type="checkbox"/> Level 2 TIA Report	<input type="checkbox"/> Level 3 TIA Report
Approved with:	<input type="checkbox"/> Zoning/Concept Plan/Detail Plan	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Plat	<input type="checkbox"/> Permit <input type="checkbox"/> Other

Unit	Land Use	Status ³	ITE Code ¹	ITE Unit ²	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
<i>Total from additional tabulation sheet (if necessary):</i>														
Total:														

³Specify current *approved* status of unit: PLAN – Zoning/Concept Plan/Detail Plan/Master Plan, PP – Preliminary Plat, FP – Final Plat, P – Permit, C – Completed, A – With this Application (current)

Approved TIA Conformance	AM Peak Hour Trips	PM Peak Hour Trips	WKD Peak Hour Trips	Daily Trips
Approved development total:				
Updated development total:				
Difference development total:				
New TIA Report Required?				
Increase in Peak Hour Trips over 100?		<input type="checkbox"/> Yes. New TIA Report required to be approved prior to approval. <input type="checkbox"/> No.		

Mitigation Measures	Unit
1.	
2.	
3.	
4.	

R-2 and C-O District Comparison Table

P = Permitted Use	Existing	Proposed
	R-2	CO
Accessory building/structure (see section 144-5.4)	P	P
Accessory dwelling (one accessory dwelling per lot, no kitchen)	P	P
Accounting, auditing, bookkeeping, and tax preparations		P
Acid manufacture		
Adult day care (no overnight stay)		P
Adult day care (with overnight stay)		
Aircraft support and related services		
Airport		
All-terrain vehicle (ATV) dealer/sales		
Ambulance service (private)		
Amphitheaters (outdoor live performances)		
Amusement devices/arcade (four or more devices)		
Amusement services or venues (indoors) (see section 144-5.13)		
Amusement services or venues (outdoors)		
Animal grooming shop		
Answering and message services		P
Antique shop		P
Appliance repair		
Archery range		
Armed services recruiting center		P
Art dealer/gallery		P
Artist or artisans studio		P
Assembly/exhibition hall or areas		
Assisted living facility/retirement home		
Athletic fields		
Auction sales (non-vehicle)		
Auto body repair, garages (see section 144-5.11)		
Auto glass repair/tinting (see section 144-5.11)		
Auto interior shop/upholstery (see section 144-5.11)		
Auto leasing		
Auto muffler shop (see section 144-5.11)		
Auto or trailer sales rooms or yards (see section 144-5.12)		
Auto or truck sales rooms or yards—Primarily new (see section 144-5.12)		
Auto paint shop		
Auto repair as an accessory use to retail sales		
Auto repair garage (general) (see section 144-5.11)		
Auto supply store for new and factory rebuilt parts		
Auto tire repair/sales (indoor)		
Auto wrecking yards		
Automobile driving school (including defensive driving)		
Bakery (retail)		P
Bank, savings and loan, or credit union		P
Bar/tavern (no outdoor music)		
Bar/tavern		

Barber/beauty college (barber or cosmetology school or college)		
Barber/beauty shop, haircutting (non-college)		P
Barns and farm equipment storage (related to agricultural uses)	P	P
Battery charging station		
Bed and breakfast inn (see section 144-5.6)		P
Bicycle sales and/or repair		
Billiard/pool facility		
Bingo facility		
Bio-medical facilities		
Blacksmith or wagon shops		
Blooming or rolling mills		
Boarding house/lodging house		P
Book binding		
Book store		P
Bottling or distribution plants (milk)		
Bottling works		
Bowling alley/center (see section 144-5.13)		
Breweries/distilleries and manufacture of alcohol and alcoholic beverages		
Broadcast station (with tower) (see section 144-5.7)		
Bulk storage of gasoline, petroleum products, liquefied petroleum and flammable liquids (see section 5.27)		
Bus barns or lots		
Bus passenger stations		
Cabin or cottage (rental)		
Cabin or cottage (rental for more than 30 days)		
Cafeteria/cafe/delicatessen		
Campers' supplies		
Campgrounds		
Canning/preserving factories		
Car wash (self-service; automated)		
Car wash, full service (detail shop)		
Carpenter, cabinet, or pattern shops		
Carpet cleaning establishments		
Caterer		
Cement, lime, gypsum or plaster of Paris manufacture		
Cemetery and/or mausoleum	P	P
Check cashing service		P
Chemical laboratories (e.g., ammonia, bleaching powder)		
Chemical laboratories (not producing noxious fumes or odors)		
Child day care/children's nursery (business)		
Church/place of religious assembly	P	P
Cider mills		
Civic/conference center and facilities		
Cleaning, pressing and dyeing (non-explosive fluids used)		
Clinic (dental)		P
Clinic (emergency care)		P
Clinic (medical)		P

Club (private)		
Coffee shop		P
Cold storage plant		
Commercial amusement concessions and facilities		
Communication equipment—Installation and/or repair		
Community building (associated with residential uses)	P	P
Community home (see definition)	P	P
Computer and electronic sales		
Computer repair		
Concrete or asphalt mixing plants—Permanent		
Concrete or asphalt mixing plants—Temporary		
Confectionery store (retail)		P
Consignment shop		
Contractor's office/sales, with outside storage including vehicles		
Contractor's temporary on-site construction office	P	P
Convenience store with gas sales		
Convenience store without gas sales		
Cotton ginning or baling works		
Country club (private)	P	
Credit agency		P
Crematorium		
Curio shops		
Custom work shops		
Dance hall/dancing facility (see section 144-5.13)		
Day camp		
Department store		
Distillation of bones		
Dormitory (in which individual rooms are for rental)		P
Drapery shop/blind shop		
Driving range		
Drug store/pharmacy		
Duplex/two-family/duplex condominiums	P	P
Electrical generating plant		
Electrical repair shop		
Electrical substation		P
Electronic assembly/high tech manufacturing		
Electroplating works		
Enameling works		
Engine repair/motor manufacturing re-manufacturing and/or repair		
Explosives manufacture or storage		
Exterminator service		
Fairground		
Family home adult care	P	
Family home child care	P	
Farmers market (produce market—wholesale)		
Farms, general (crops) (see chapter 6 and section 144-5.9)	P	P

Farms, general (livestock/ranch) (see chapter 6 and section 144-5.9)	P	P
Feed and grain store		
Fertilizer manufacture and storage		
Filling station (gasoline tanks must be below the ground)		
Florist		
Flour mills, feed mills, and grain processing		
Food or grocery store with gasoline sales		
Food or grocery store without gasoline sales		
Food processing (no outside public consumption)		
Forge (hand)		
Forge (power)		
Fraternal organization/civic club (private club)		
Freight terminal, rail/truck (when any storage of freight is wholly outside an enclosed building)		
Freight terminal, truck (all storage of freight in an enclosed building)		
Frozen food storage for individual or family use		
Funeral home/mortuary		
Furniture manufacture		
Furniture sales (indoor)		
Galvanizing works		
Garbage, offal or dead animal reduction or dumping		
Garden shops and greenhouses		P
Gas manufacture		
Gas or oil wells		
Golf course (public or private)	P	P
Golf course (miniature)		
Government building or use with no outside storage (outside storage allowed in M-2 and M-2A)	P	P
Grain elevator		
Greenhouse (commercial)		
Handicraft shop		
Hardware store		
Hay, grain, and/or feed sales (wholesale)		
Health club (physical fitness; indoors only)		
Heating and air-conditioning sales/services		
Heavy load (farm) vehicle sales/repair (see section 144-5.14)		
Heavy manufacturing		
Heliport		
Hides/skins (tanning)		
Home occupation (see section 144-5.5)	P	
Home repair and yard equipment retail and rental outlets		
Hospice		P
Hospital, general (acute care/chronic care)		
Hospital, rehabilitation		
Hotel/motel		
Hotels/motels—Extended stay (residence hotels)		
Ice delivery stations (for storage and sale of ice at retail only)		

Ice plants		
Indoor or covered sports facility		
Industrial laundries		
Iron and steel manufacture		
Junkyards, including storage, sorting, baling or processing of rags		
Kiosk (providing a retail service)		P
Laboratory equipment manufacturing		
Laundromat and laundry pickup stations		P
Laundry, commercial (without self-serve)		
Laundry/dry cleaning (drop off/pick up)		P
Laundry/washateria (self-serve)		
Lawnmower sales and/or repair		
Leather products manufacturing		
Light manufacturing		
Limousine/taxi service		
Livestock sales/auction		
Locksmith		P
Lumber mill		
Lumberyard (see section 144-5.15)		
Lumberyard or building material sales (see section 144-5.15)		
Machine shop		
Maintenance/janitorial service		
Major appliance sales (indoor)		
Manufacture of carbon batteries		
Manufacture of paint, lacquer, oil, turpentine, varnish, enamel, etc.		
Manufacture of rubber, glucose, or dextrin		
Manufactured home—HUD Code compliant (see Texas Occupations Code ch. 1201)		P
Manufactured home park—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home subdivision—HUD Code compliant (see Texas Occupations Code ch. 1201)		P
Manufactured home sales		
Manufacturing and processes		
Manufacturing processes not listed		
Market (public, flea)		
Martial arts school		
Meat or fish packing/storage plants		
Medical supplies and equipment		
Metal fabrication shop		
Micro brewery (onsite mfg. and/or sales)		
Mini-warehouse/self-storage units (no boat and RV storage permitted)		
Mini-warehouse/self-storage units with outside boat and RV storage		
Monument, gravestone, or marble works (manufacture)		
Motion picture studio, commercial film		
Motion picture theater (indoors)		
Motion picture theater (outdoors, drive-in)		

Motorcycle dealer (primarily new/repair)		
Moving storage company		
Moving, transfer, or storage plant		
Multifamily (apartments/condominiums)		P
Museum		
Natural resource extraction and mining		
Needlework shop		P
Nonbulk storage of gasoline, petroleum products and liquefied petroleum		
Nursing/convalescent home/sanitarium		
Offices, brokerage services		P
Offices, business or professional		P
Offices, computer programming and data processing		P
Offices, consulting		P
Offices, engineering, architecture, surveying or similar		P
Offices, health services		P
Offices, insurance agency		P
Offices, legal services, including court reporting		P
Offices, medical offices		P
Offices, real estate		P
Offices, security/commodity brokers, dealers, exchanges and financial services		P
Oil compounding and barreling plants		
One-family dwelling, detached	P	P
Outside storage (as primary use)		
Paint manufacturing		
Paper or pulp manufacture		
Park and/or playground (private and public)	P	P
Parking lots (for passenger car only) (not as incidental to the main use)		
Parking structure/public garage		
Pawn shop		
Personal watercraft sales (primarily new/repair)		
Pet shop/supplies (less than 10,000 sq. ft.)		
Pet store (over 10,000 sq. ft.)		
Petroleum or its products (refining of)		
Photo engraving plant		
Photographic printing/duplicating/copy shop or printing shop		P
Photographic studio (no sale of cameras or supplies)		P
Photographic supply		P
Plant nursery (no retail sales on site)	P	
Plant nursery (retail sales/outdoor storage)		
Plastic products molding/reshaping		
Plumbing shop		
Portable building sales		
Poultry killing or dressing for commercial purposes		
Propane sales (retail)		
Public recreation/services building for public park/playground areas	P	P

Publishing/printing company (e.g., newspaper)		
Quick lube/oil change/minor inspection		
Radio/television shop, electronics, computer repair		
Railroad roundhouses or shops		
Rappelling facilities		
Recreation buildings (private)		
Recreation buildings (public)	P	P
Recycling kiosk		
Refreshment/beverage stand		
Rental or occupancy for less than one month (see section 144-5.17)		
Research lab (non-hazardous)		P
Residential use in buildings with non-residential uses permitted in the district		P
Restaurant/prepared food sales		
Restaurant with drive-through service		
Retail store and shopping center without drive-through service (50,000 sq. ft. bldg. or less)		
Retail store and shopping center with drive-through service (50,000 sq. ft. bldg. or less)		
Retail store and shopping center (more than 50,000 sq. ft. bldg.)		
Retirement home/home for the aged		P
Rock crushers and rock quarries		
Rodeo grounds		
RV park		
RV/travel trailer sales		
Sand/gravel sales (storage or sales)		
School, K-12 public or private	P	P
School, vocational (business/commercial trade)		P
Security monitoring company (no outside storage or installation)		P
Security systems installation company		
Sexually oriented business (see chapter 18)		
Sheet metal shop		
Shoe repair shops		P
Shooting gallery—Indoor (see section 144-5.13)		
Shooting range—Outdoor (see section 144-5.13)		
Shopping center		
Sign manufacturing/painting plant		
Single-family industrialized home (see section 144-5.8)	P	P
Smelting of tin, copper, zinc or iron ores		
Specialty shops in support of project guests and tourists		
Stables (as a business) (see chapter 6)		
Stables (private, accessory use) (see chapter 6)		
Steel furnaces		
Stockyards or slaughtering		
Stone/clay/glass manufacturing		
Storage—Exterior storage for boats and recreational vehicles		
Storage in bulk		
Structural iron or pipe works		

Studio for radio or television, without tower (see zoning district for tower authorization)		
Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)		
Sugar refineries		
Tailor shop (see home occupation)		
Tar distillation or manufacture		
Tattoo or body piercing studio		
Taxidermist		
Telecommunications towers/antennas (see section 144-5.7)		
Telemarketing agency		P
Telephone exchange buildings (office only)		P
Tennis court (commercial)		P
Theater (non-motion picture; live drama)		
Tire sales (outdoors)		
Tool rental		
Townhouse (attached)		P
Transfer station (refuse/pick-up)		
Travel agency		P
Truck or transit terminal		
Truck stop		
Tuber entrance and takeout facilities (see section 144-5.13)		
University or college (public or private)		P
Upholstery shop (non-auto)		
Used or second hand merchandise/furniture store		
Vacuum cleaner sales and repair		
Vehicle storage facility		
Veterinary hospital (no outside animal runs or kennels)		
Veterinary hospital (with outdoor animal runs or kennels that may not be used between the hours of 9:00 p.m. and 7:00 a.m.)		
Video rental/sales		
Warehouse/office and storage/distribution center		
Waterfront amusement facilities—Berthing facilities sales and rentals		
Waterfront amusement facilities—Boat fuel storage/dispensing facilities		
Waterfront amusement facilities—Boat landing piers/launching ramps		
Waterfront amusement facilities—Swimming/wading pools/bathhouses		
Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system	P	P
Welding shop		
Wholesale sales offices and sample rooms		
Wire or rod mills		
Wood distillation plants (charcoal, tar, turpentine, etc.)		
Woodworking shop (ornamental)		
Wool scouring		
Zero lot line/patio homes		P

PLANNING COMMISSION – APRIL 6, 2021 – 6:00PM

Zoom Meeting

Applicant/Owner: HMT Engineering & Surveying, Bill Ball

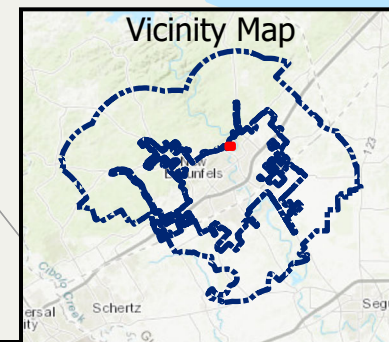
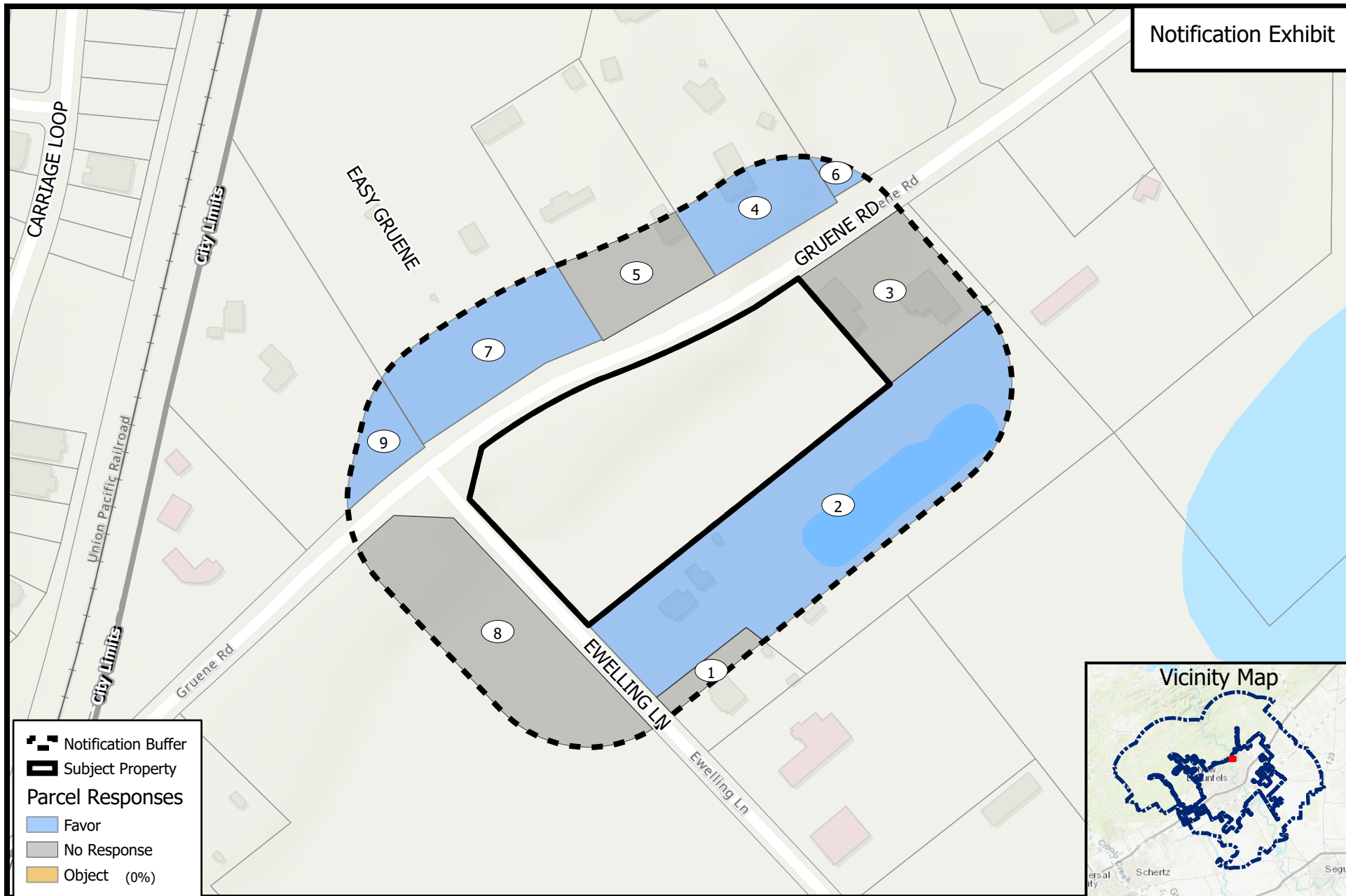
Address/Location: 4.3 acres out of the J M Veramendi Survey No. 1, Abstract 2, Comal County, Texas, located at the southeast corner of the intersection of Gruene Road and Ewelling Lane

PROPOSED ZONE CHANGE – CASE #PZ21-0084

The circled 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. PURCELL SPILLAR FAMILY PARTNERSHIP LTD | 6. BLEWETT ALLEN & BINGHAM LLC |
| 2. REAL FRANKLIN CONRAD & ANNIE | 7. VILLAGES AT GRUENE NB LLC |
| 3. DALKE GLEN C JR & CECILIA | 8. KOEPP SKYLAR W TRUST ET AL |
| 4. MAYFIELD ROBERT S & PAMELA | 9. MAGEE WILLIAM & PAMELA LVNG RVCBL |
| 5. HANDRICK BARNEY R | TRST |

SEE MAP



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ21-0084 (MG)

FRANKLIN

Name:

ANNIE REAL

Address:

850 EWEING LN

Property number on map:

#2

I favor:



I object:

(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature:

Annie Real

APR 06 2021



Department of Planning and Development Services

NOTICE OF PUBLIC HEARING

View details here:

nbtexas.org/PublicNotice

The New Braunfels Planning Commission will hold a public hearing at the request of **HMT Engineering & Surveying, agent for William Schutz, owner**, to consider a recommendation to City Council on the following rezoning request:

Property: Approximately 4.3 acres out of the J M Veramendi Survey No. 1, Abstract 2, Comal County, Texas, located at the southeast corner of the intersection of Gruene Road and Ewelling Lane

From: "R-2" Single and Two-Family District

To: "C-O" Commercial Office District. Additional information can be found at the following website: nbtexas.org/PublicNotice

Because your property is located within 200 feet of the request, State law requires that we notify you of the public hearing. **However, the zoning of your property will not be changed.** The public hearing process allows an opportunity for you to provide comments on the request. This aids the Commission in making a recommendation to City Council.

Public hearings for this request are scheduled before the Planning Commission on **Tuesday, April 6, 2021**, at 6:00 p.m. virtually via **Zoom Meeting**. Information on how to join the meeting is included with this notice. The Planning Commission's recommendation will be considered by City Council in another public hearing, tentatively scheduled for **Monday, April 26, 2021**. Both meetings are open to the public. All interested persons are invited to join these meetings.

If you wish to submit written comments, please complete ALL of the information below and return to:

Mail: City of New Braunfels
Planning Commission
550 Landa Street
New Braunfels, TX 78130

Email: mgreene@nbtexas.org

If you have questions, please call Matt Greene at (830) 221-4053

Matt Greene

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ21-0084 (MG)

Name: Robert & Pam Mayfield

Address: 1608 Gruene Rd.

Property number on map: 4

Comments: (Use additional sheets if necessary)

Signature: Robert & Pam Mayfield

I favor: ☒

I object: ☐

(State reason for objection)

From: [Brad Bingham](#)
To: [Matt Greene](#)
Subject: Re: Zoning Change
Date: Thursday, April 15, 2021 7:57:32 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

In favor.

Sent from my iPhone

On Apr 15, 2021, at 7:49 AM, Matt Greene <MGreene@nbtexas.org> wrote:

Good morning Brad,

Good to hear from you. Just for clarification purposes, are you stating you are "in favor" of the proposed zone change or simply "not opposed". I want to make sure I represent the information correctly to the Planning Commission and City Council.

Thank you,

<EmailLogo-
Small_c6d86cff-0062-
47bb-89b0-
351933562e2d.png>

Matt Greene, CFM
Planner | Planning and Development Services
550 Landa St | New Braunfels, TX 78130
830-221-4053 | MGreene@nbtexas.org | www.nbtexas.org

#OneCityOneTeam

<[twitter_18db307e-2a37-
41c2-b4fd-
1376bcb3dfd4.png](#)>

<[instagram_59f46ed4-
523c-47da-a034-
86de8a4782fc.png](#)>

Do you have a question about a permit? Check out the [Citizen Portal](#).
We encourage you to keep up with the progress on our new comprehensive plan by visiting www.envisionnewbraunfels.org.

This email, plus any attachments, may constitute a public record of the City of New Braunfels and may be subject to public disclosure under the [Texas Public Information Act](#).

Please take a moment to complete the City of New Braunfels [Customer Satisfaction Survey](#).

-----Original Message-----

From: Brad Bingham <b.binghamllc@yahoo.com>
Sent: Wednesday, April 14, 2021 9:22 PM
To: Matt Greene <MGreene@nbtexas.org>
Cc: Ted Omohundro <ted@rmrteam.com>
Subject: Zoning Change

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey Matt, I hope you're doing well. I just wanted to say I have no problem with what these folks are wanting to develop. Case # PZ21-0084.
Come see me brother. Brad Bingham

Sent from my iPhone



Department of Planning and Development Services

NOTICE OF PUBLIC HEARING

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Matt Greene

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ21-0084 (MG)

Name: VILLAGES AT GRUENE NB LLC

Address: _____

Property number on map: 7

Comments: (Use additional sheets if necessary)

Signature: James Taphet
VILLAGES AT GRUENE NB LLC

I favor: X

I object: _____

(State reason for objection)

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ21-0084 (MG)

Name: PAM MAGLE

Address: 1704 GRADLE RD

Property number on map: #9

Comments: (Use additional sheets if necessary)

Signature: Pam Magle

I favor: ☒

I object: _____

(State reason for objection)

APR 08 2021

From: [Cathy](#)
To: [Matt Greene](#)
Subject: Rezoning of Corner of Ewelling & Gruene Rd.
Date: Monday, April 5, 2021 5:25:24 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello

I wanted to say I am in favor of rezoning the property at the corner of Ewelling and Gruene Rd from R2 to CO. I know a lot of people in the area want all land in the area to remain undeveloped, but things are changing a lot in New Braunfels. We moved here in 1972 and have seen a lot of progress happen from the sleepy little town it was back then. Our neighbors on Sleepy Hollow say they are worried about traffic coming on our street. They have applied for a permit for a gate to be put in at the beginning of the street which should take care of that worry. This is a progressing town and we might as well progress along with it. It isn't going to stay the same no matter how hard you try to stop it.

Cathy Rivers

1410 Sleepy Hollow

New Braunfels , Tx 78130

From: [David Hill](#)
To: [Matt Greene](#)
Subject: Rezoning on dwelling and gruene rd
Date: Tuesday, April 6, 2021 8:24:06 PM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Matt,
My wife and I live at 1220 sleepy hollow lane and would like to request a no vote on the rezoning just down our street. This intersection is already dangerous when entering or leaving from/to dwelling and gruene rd.
Thank you,
David and Elia Hill
1220 Sleepy Hollow lane

Sent from my iPhone

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 4.3 ACRES OUT OF THE J. M. VERAMENDI SURVEY NO. 1, ABSTRACT 2, COMAL COUNTY, TEXAS, LOCATED AT THE SOUTEAST CORNER OF THE INTERSECTION OF GRUENE ROAD AND EWELLING LANE, FROM “R-2” SINGLE AND TWO-FAMILY DISTRICT TO “C-O” COMMERCIAL OFFICE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the “C-O” Commercial Office District, the City Council has given due consideration to all components of said district; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; and

WHEREAS, the City Council desires to amend the Zoning Map by rezoning approximately 4.3 acres out of the J. M. Veramendi Survey No. 1, Abstract 2, Comal County, Texas, located at the southeast corner of the intersection of Gruene Road and Ewelling Lane from “R-2” Single and Two-Family District to “C-O” Commercial Office District, **now, therefore;**

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

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by rezoning the following described tract of land from “R-2” Single and Two-Family District to “C-O” Commercial Office District:

Approximately 4.3 acres out of the J. M. Veramendi Survey No. 1, Abstract 2, Comal County, Texas, located at the southeast corner of the intersection of Gruene Road and Ewelling Lane as described in Exhibit "A" and delineated in Exhibit "B" attached.

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 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 April, 2021.

PASSED AND APPROVED: Second reading this 10th day of May, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

BEING 4.353 acres of land out of the J.M. Veramendi Two League Survey No. Two, Comal County, Texas, and being all of that certain tract of land conveyed by Eunice Hovestadt, to William Hovestadt, Jr. by deed dated September 16, 1963 and recorded in Volume 135 at Pages 108-109 of the Deed Records of Comal County, Texas, and described more particularly by metes and bounds as follows:

BEGINNING at the point of intersection of the so-called Eweling Lane at it's Northeast end with the Southeast side of the Old Austin Road for West corner of this 4.353 acre tract herein conveyed;

THENCE, with the Southeast side of said road, N. 57° 00' E. 229.0 feet, N. 57°06' E. 286.7 feet, N. 62°07' E. 135.2 feet to the West corner of a 1.1 acre tract owned by H.A. Foerster;

THENCE, with the Foerster Southwest line, S. 42°30' E. 233.5 feet to the South corner of the Foerster tract for E. corner of this 4.353 acre tract;

THENCE, S. 51°50' W. 628.6 feet to an iron pin in the Northeast side of the Eweling Lane, set for the South corner of this 4.353 acre tract;

THENCE, with the Northeast side of the said Eweling Lane, N. 42°30' W. 354.1 feet to the PLACE OF BEGINNING.

EXHIBIT "A"

4/26/2021

Agenda Item No. J)

PRESENTER:

Christopher J. Looney, AICP, Planning and Development Services Director

SUBJECT:

Public hearing and first reading of an ordinance regarding a proposed rezoning to amend an existing Special Use Permit to allow an addition to a non-conforming single-family residence in the "M-1" Light Industrial District, addressed at 394 North Market Avenue.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** Council District 5**BACKGROUND INFORMATION:**

Applicant/Owner: Leonard & Kay Kobeski
394 N. Market Avenue
New Braunfels, TX 78130
(832) 372-2733 kobeski@att.net

Staff Contact: Holly Mullins
(830) 221-4054 hmullins@nbtexas.org

The subject property is located at the intersection of North Market Avenue and East Zink Street, in a predominantly residential block that is currently zoned M-1 (Light Industrial District). Residential is not allowed by right in industrial zoning districts, therefore in 2020, the applicants requested an SUP to make the existing home a conforming use, allowing them to obtain building permits for a planned addition to the house. That SUP was approved by City Council on January 11, 2021.

ISSUE:

The existing residence was constructed in 1896. While the use is now conforming, the structure remains legally non-conforming because it does not meet current building setbacks for a corner lot. The house encroaches 9 feet into the 25-foot front setback along Market Avenue, and almost 20 feet into the 25-foot street side setback along Zink Street. Non-conforming structures are allowed to remain but may not be enlarged without approval of a variance or SUP.

This SUP is being requested to authorize additions to the non-conforming structure. As proposed, a new sun porch at the rear of the house will continue the existing 5'-3" street side setback. The new two-story garage will meet the required 25-foot street side and 20-foot rear setbacks; however, a second floor deck is proposed to be 10 feet from the property line along Zink Street, an encroachment of 15 feet into the building setback.

Right-of-way from the property line to the edge of Zink Street pavement is shown to be 12'-9", which is not included in the setback measurement but does increase the separation between the structures and the roadway.

Surrounding Zoning and Land Use:

North - Across Zink Street, C-2/ Single-family residence

South - M-1 / Single-family residence

East - M-1/ Commercial

West - Across Market Ave, C-2/ Single-family residence with short-term rental

FISCAL IMPACT:

N/A

RECOMMENDATION:

Commission Recommendation:

The Planning Commission held a public hearing April 6, 2021 and voted to recommend approval of the request (6-0-0) with Commissioners Tubb, Mathis and Sonier absent.

Staff Recommendation:

Approval. Most of the residential structures in this area were constructed between 1890 and 1950, prior to implementation of zoning and setback standards, therefore building setbacks vary. Allowing improvements to a nonconforming structure in an established neighborhood is consistent with strategies of Envision New Braunfels to encourage fiscally responsible land use that takes advantage of existing infrastructure and discourages sprawl. The setback encroachment along Zink Street does not appear to pose a public safety or traffic visibility issue.

Notification:

Public hearing notices were sent to owners of 17 properties within 200 feet of the request. To date, the City has received 9 responses in favor and 0 in opposition.

Resource Links:

Chapter 144, Sec. 2-3 (Non-conforming Uses) of the City's Code of Ordinances:

[Nonconforming uses and structures.](#) | [Code of Ordinances](#) | [New Braunfels, TX](#) | [Municode Library](#)

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIZOPRAD_S144-2.3NOUSST

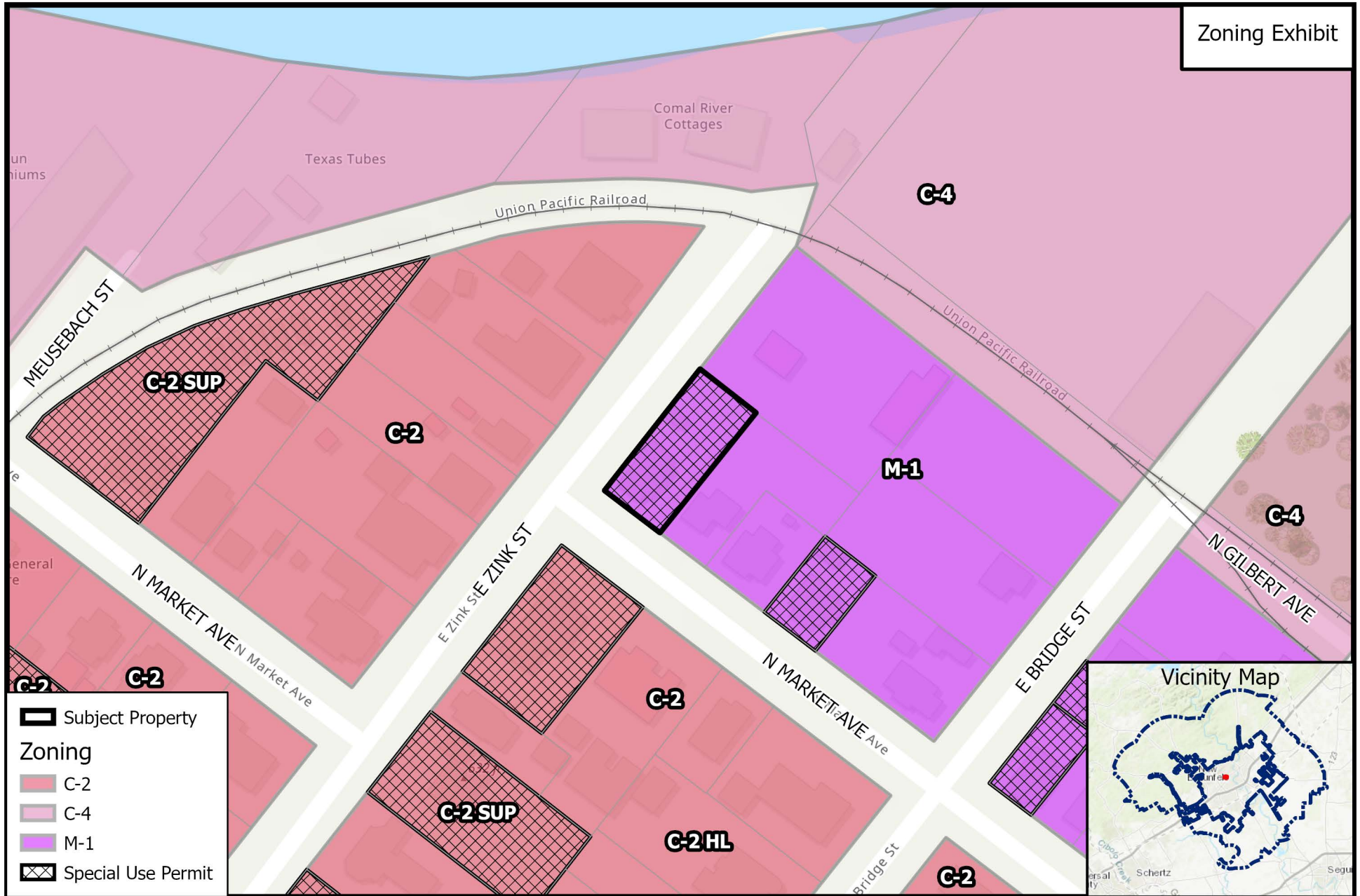
Chapter 144, Sec. 3.6 (SUP) of the City's Code of Ordinances:

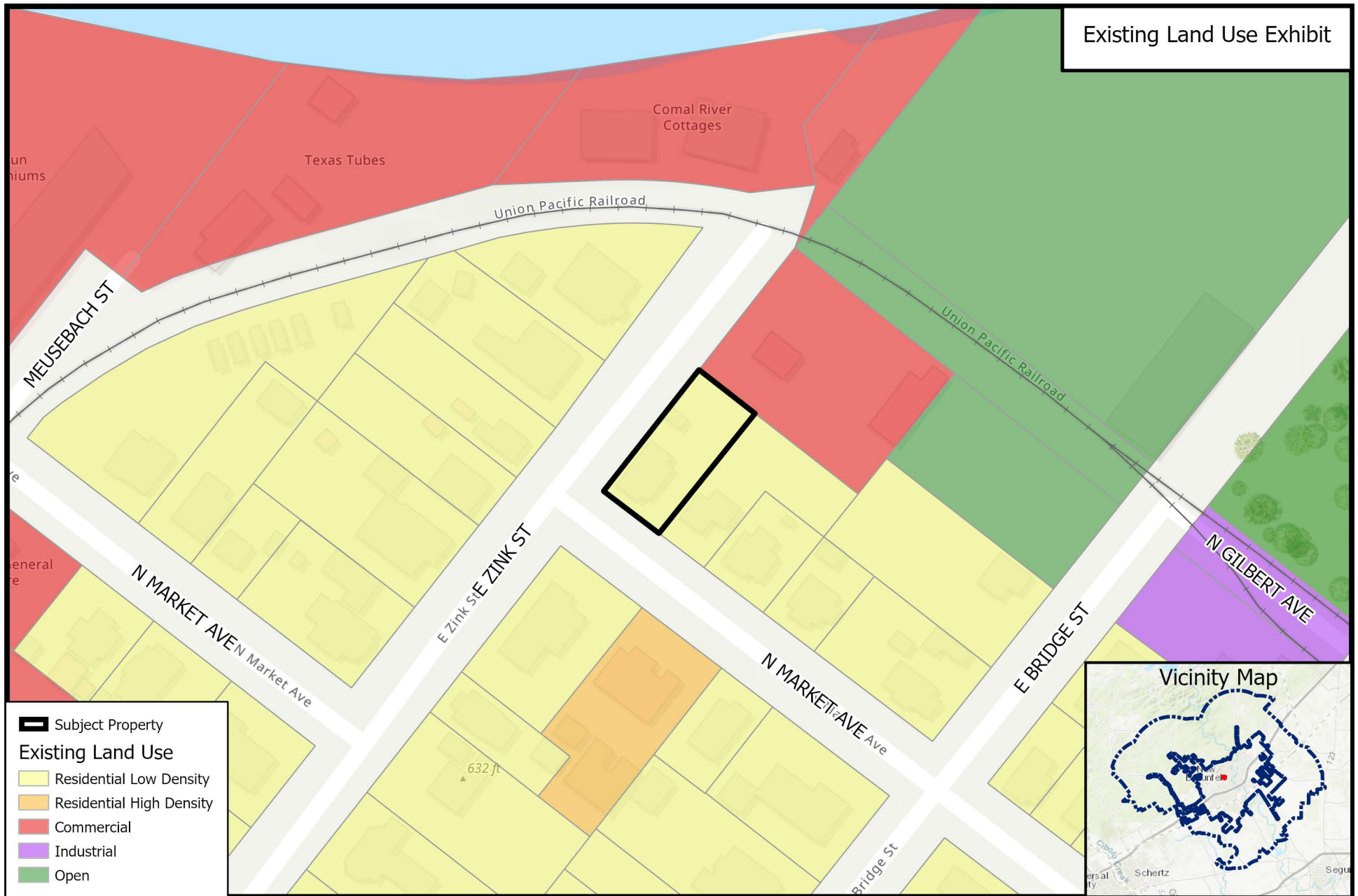
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIZODI_S144-3.6SPUSPE

Attachments:

1. Aerial Map
2. Land Use Maps (Zoning, Existing, Future Land Use)
3. Application
4. Notification Map
5. Photographs
6. Ordinance







SUP21-088
Amendment to existing SUP

EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

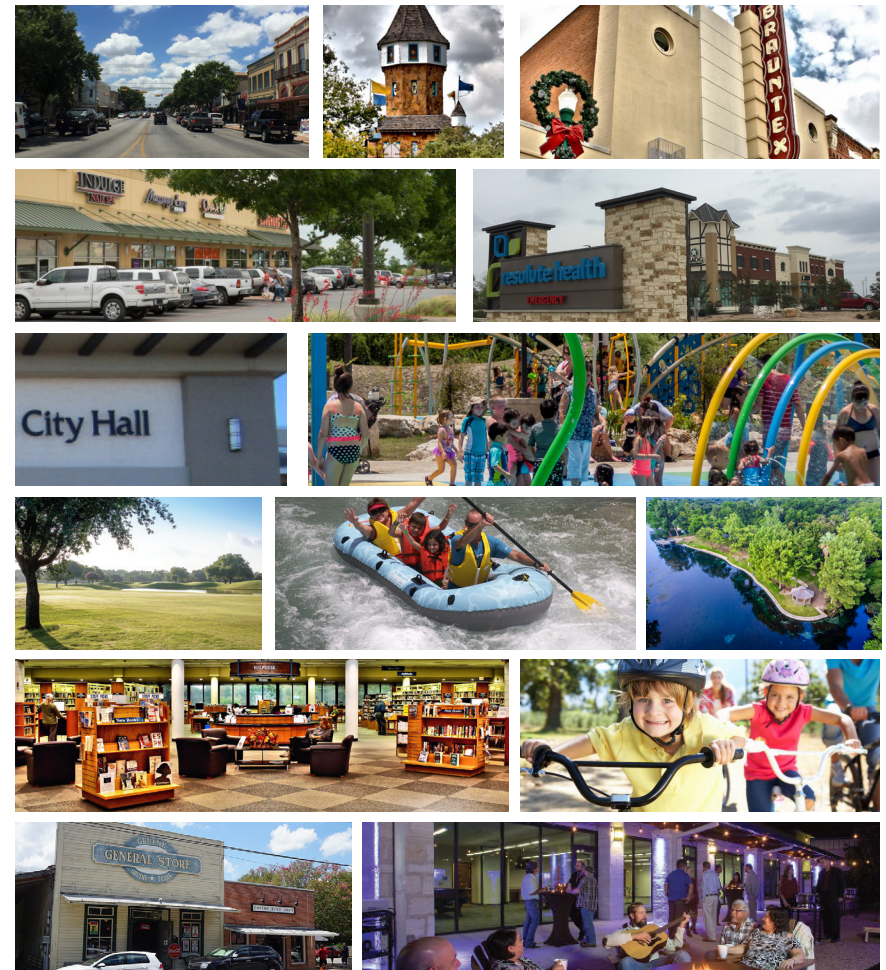
Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.



FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

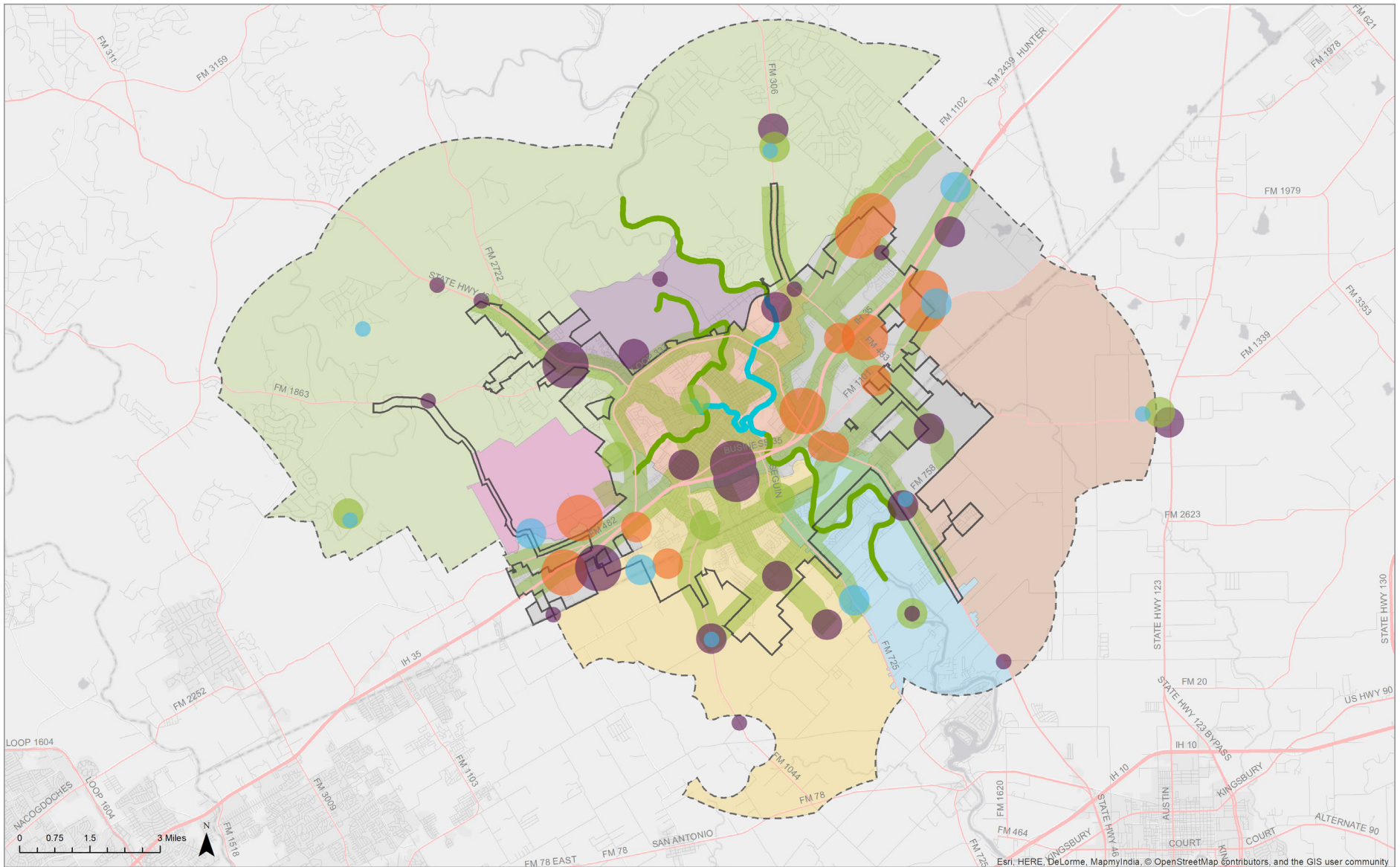
Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. Preferred future growth scenario combines Scenarios A and C per recommendations of the Envision New Braunfels Steering Committee (February 2018). Exact boundaries of sub areas, centers, and corridors may be [zoomed and viewed online](#).



City of
New Braunfels

**Planning & Community Development Department
Planning Division**

550 Landa St. New Braunfels, TX 78130
(830) 221-4050 www.nbtexas.org

CC/Cash/Check No. 7498

Case No. SUP 21-088

Amount Recd. \$ 1,798.00

Receipt No. 297-81

Submittal date – office use only



Special Use Permit Application

Any application that is missing information will be considered incomplete and will not be processed.

1. **Applicant - If owner(s), so state; If agent or other type of relationship, a letter of authorization must be furnished from owner(s) at the time submitted.**

Leonard and Kay Kobeski

Name: _____

Mailing Address: 394 N. Market Ave. New Braunfels, Texas

Telephone: 832 656-6436 Fax: _____ Mobile: _____

Email: kobeski@att.net

2. **Property Address/Location:** 394 N. Market Ave.

3. **Legal Description:** A 0.221 of an acre tract of land, being out of lots 240 & 241, N.C.B. 2014, City of New Braunfels, Comal County, Texas.

Name of Subdivision: _____

Lot(s): 240 & 241 Block(s): _____ Acreage: 0.221 of an acre

4. **Existing Use of Property:** _____

5. **Current Zoning:** M1 district

6. **Proposed Special Use Permit*: Type 1 _____ OR Type 2 _____** yes

*see page 4 for information regarding Type 1 and Type 2 Special Use Permits

7. **Proposed Use of Property and/or Reason for Request (attach additional or supporting information)**

Proposed addition to an existing single family residence circa 1896. The existing residence has nonconforming setbacks adjacent to both N. Market Ave. and E. Zink Street. We are requesting that the **Sun Porch Addition (A) & Second floor deck addition (B)** deviate from the 25' building setback along E. Zink St., as indicated on the Site & Roof Plan. The first and second floors of the primary addition will conform to the 25' front building setback along E. Zink St., the 20' back building setback and the 5' side building setback. Also, reference supplemental exhibits A1 & A2 for details showing front, back and side building setbacks.

Drawings submitted:

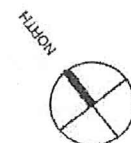
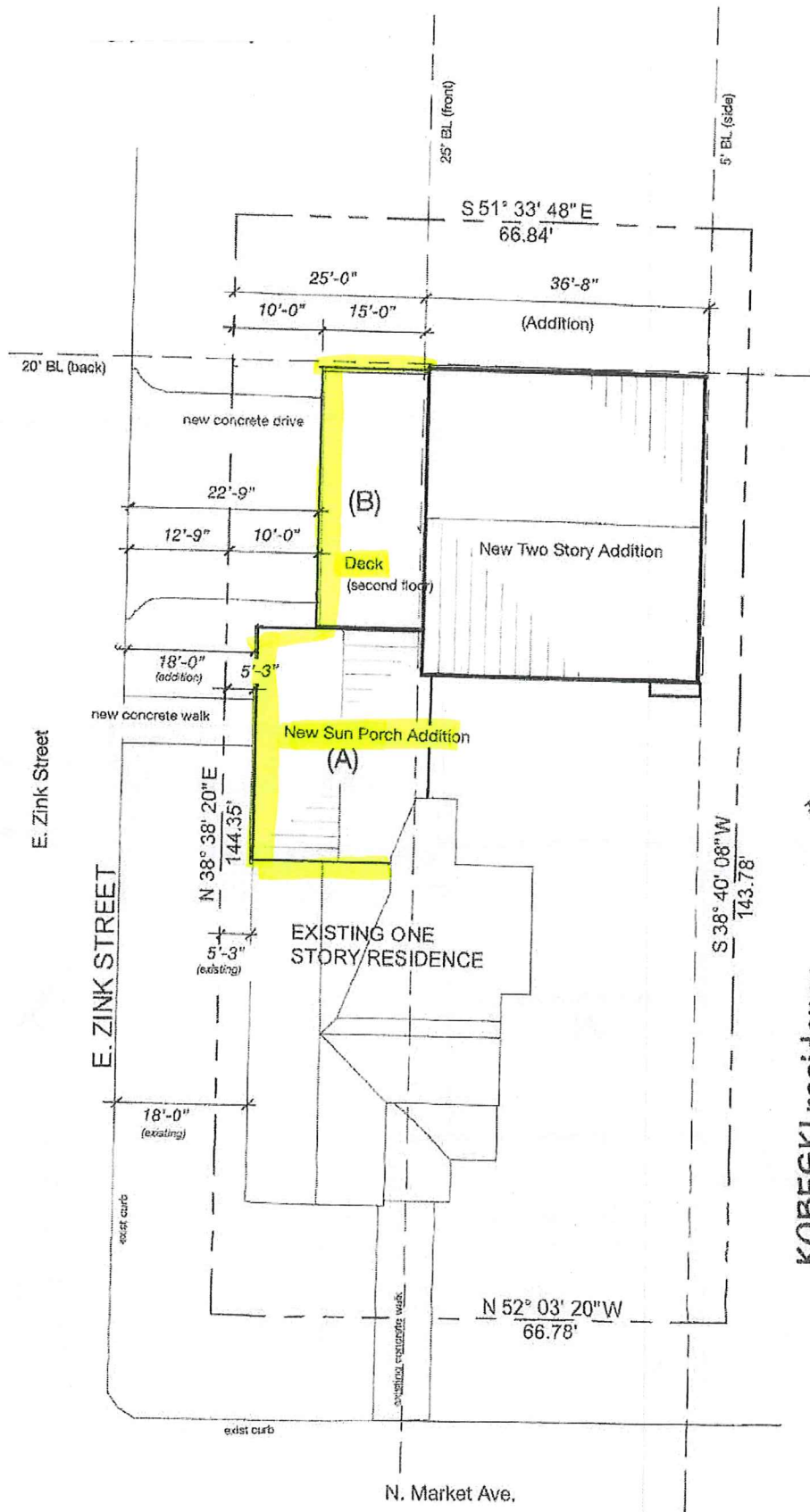
Property survey (dated 02-13-14)

S1 Site & Roof Plan (as required)

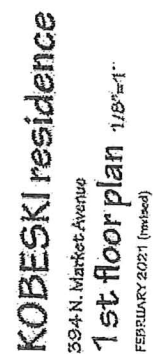
A1 1st Floor Plan (supplemental exhibit)

A2 2nd Floor Plan (supplemental exhibit)

S1



KOBESKI residence
394 N. Market Avenue
Site & Roof plan 1"=20'
FEBRUARY 2021 (revised)



652

FEBRUARY 2021 (REVISED)

PLANNING COMMISSION – APRIL 6, 2021 – 6:00PM

Zoom Meeting

Applicant/Owner: Leonard & Kay Kobeski

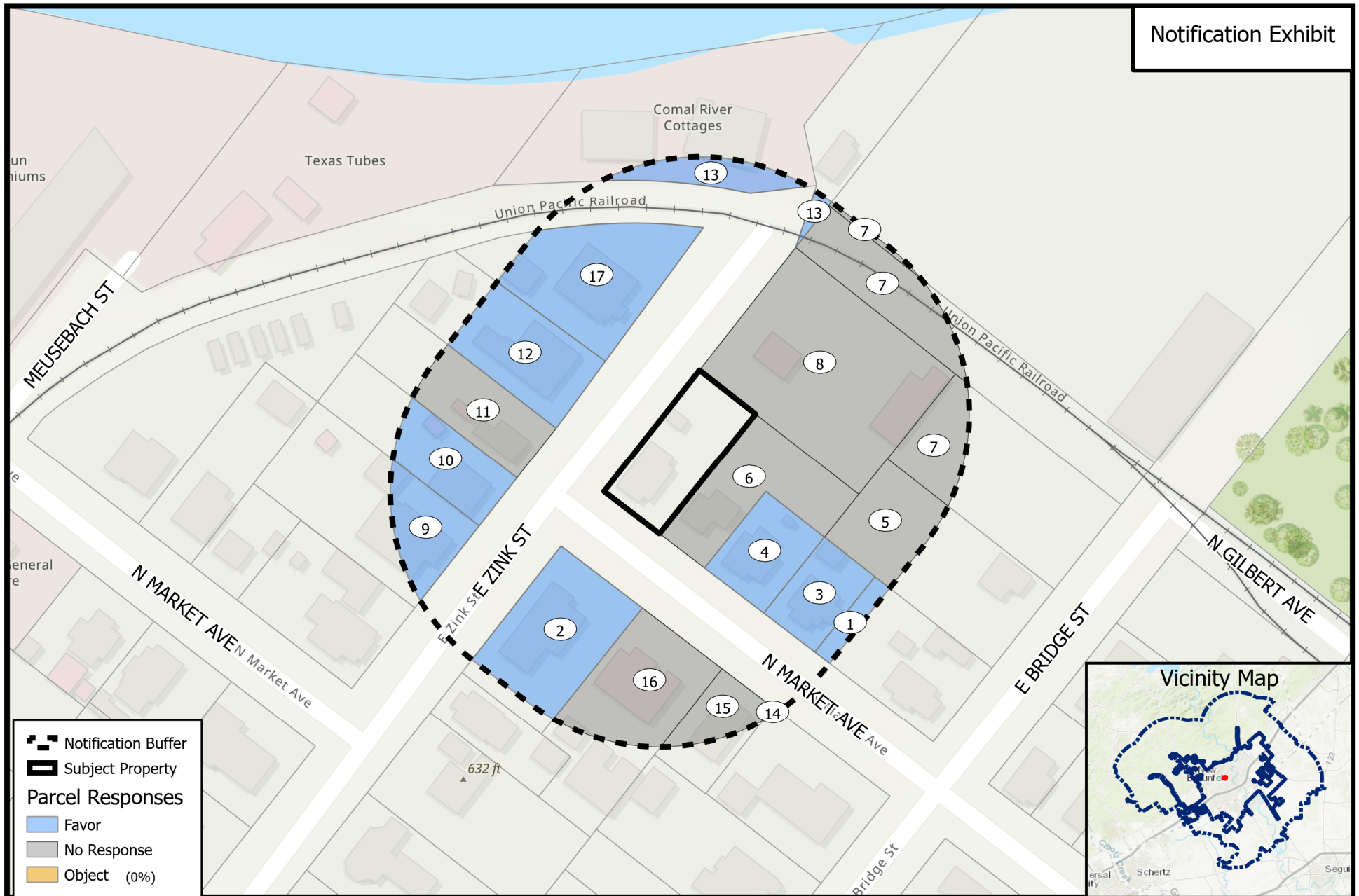
Address/Location: 394 N Market Ave

PROPOSED SPECIAL USE PERMIT – CASE #SUP21-088

The circled 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. LEATHERWOOD PAUL W | 10. BOWMAN CRAIG A & KRISTY D |
| 2. BUNNY & EDS ZINK HAUS LLC | 11. NORMAS LAGNIAPPE LLC |
| 3. RIZZATTO JAMES | 12. HURTA JASON E |
| 4. MORALES ELEANOR A | 13. OAKWOOD PROPERTIES |
| 5. RODRIGUEZ SANTIAGO | 14. SIPPEL NOREEN |
| 6. CAMPOS ATANACIO | 15. TIMMERMANN PAMELA HIGHTOWER |
| 7. ADM MILLING CO | 16. PROPERTY OWNER |
| 8. HERBELIN CARL B | 17. GLADDEN MICHAEL W |
| 9. GOMEZ IGNACIO G & LOUISA | |

SEE MAP



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUR26 (394 Market) hm

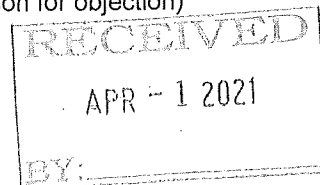
Name: Paul LeatherwoodAddress: 307 E. Bridge St.Property number on map: 1

Comments: (Use additional sheets if necessary)

I favor: yes

I object: _____

(State reason for objection)

Signature: Paul Leatherwood

YOUR OPINION MATTERS - DETACH AND RETURN

Case: (394 Market) hm

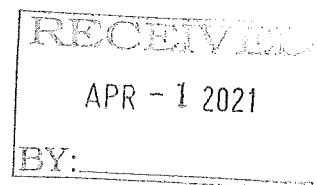
Name: Harry & Betty PhillipsAddress: 274 E. 2nd St.Property number on map: 2

Comments: (Use additional sheets if necessary)

I favor: X

I object: _____

(State reason for objection)

Signature: Betty Phillips

YOUR OPINION MATTERS - DETACH AND RETURN

Case: (394 Market) hm

Name: James Rizzato

Address: _____

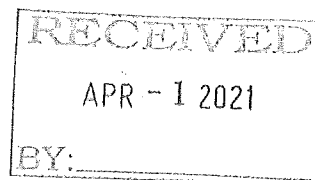
Property number on map: 3

Comments: (Use additional sheets if necessary)

I favor: ✓

I object: _____

(State reason for objection)

Signature: Jim Rizzato

YOUR OPINION MATTERS - DETACH AND RETURN

Case: , (394 Market) hm

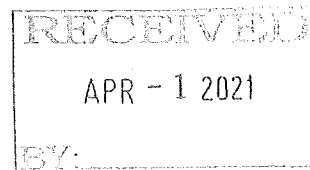
Name: Eleanor MoralesAddress: 360 N. Market St.Property number on map: 4

Comments: (Use additional sheets if necessary)

I favor: ☒

I object: _____

(State reason for objection)

Signature: Eleanor Morales

YOUR OPINION MATTERS - DETACH AND RETURN

Case: (394 Market) hm

Name: Ignacio Garza

Address: _____

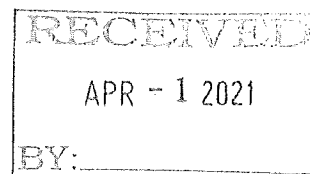
Property number on map: 9

Comments: (Use additional sheets if necessary)

I favor: ☒

I object: _____

(State reason for objection)

Signature: Ignacio Garza

YOUR OPINION MATTERS - DETACH AND RETURN

Case: 394 Market) hm

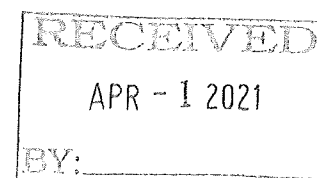
Name: Kristy and Craig BowmanAddress: 285 E. Zink St.Property number on map: 10

Comments: (Use additional sheets if necessary)

I favor: ☒

I object: _____

(State reason for objection)

Signature: Kristy Bowman

YOUR OPINION MATTERS - DETACH AND RETURN

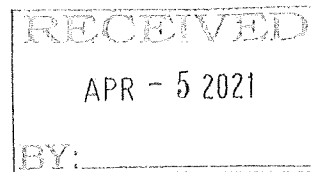
Case: (394 Market) hm
 Name: JASON HURTA
 Address: 329 E. ZINK ST
 Property number on map: 12

I favor: ☒

I object: _____

(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: [Signature]

YOUR OPINION MATTERS - DETACH AND RETURN

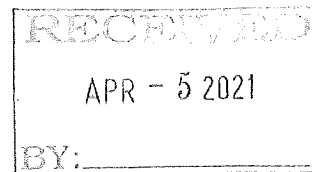
Case: (394 Market) hm
 Name: WEB STUPPARD
 Address: 405 E Zink
 Property number on map: 13

I favor: ☒

I object: _____

(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: [Signature]

YOUR OPINION MATTERS - DETACH AND RETURN

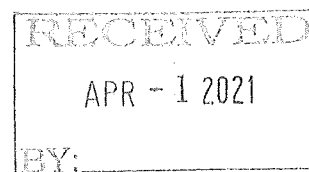
Case: (394 Market) hm
 Name: Michael W Gladden
 Address: _____
 Property number on map: 17

I favor: ☒

I object: _____

(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: Mike + Martha Gladden



Subject Property from Market Avenue



Subject Property from Zink Street

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING AN EXISTING SPECIAL USE PERMIT TO ALLOW AN ADDITION TO A NON-CONFORMING SINGLE-FAMILY RESIDENCE IN THE “M-1” LIGHT INDUSTRIAL DISTRICT, ON 0.22 ACRES OUT OF LOTS 240 AND 241 NCB 2014, ADDRESSED AT 394 N. MARKET AVENUE; 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 of homes constructed from 1890 to 1940 where setbacks vary; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; and

WHEREAS, the City Council desires to grant a Special Use Permit at 394 N. Market Avenue, to allow an addition to a non-conforming single-family residence in the “M-1” Light Industrial District; **now, therefore;**

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

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by adding the following tract of land as a “Special Use Permit” for the uses and conditions herein described:

Being 0.22 acres out of Lots 240 and 241 NCB 2014, addressed at 394 N. Market Avenue, as depicted in Exhibit "A" attached, to allow an addition to a non-conforming single-family residence in the "M-1" Light Industrial District, in accordance with the approved site plan in Exhibit "B" attached.

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 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 April, 2021.

PASSED AND APPROVED: Second reading this 10th day of May, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

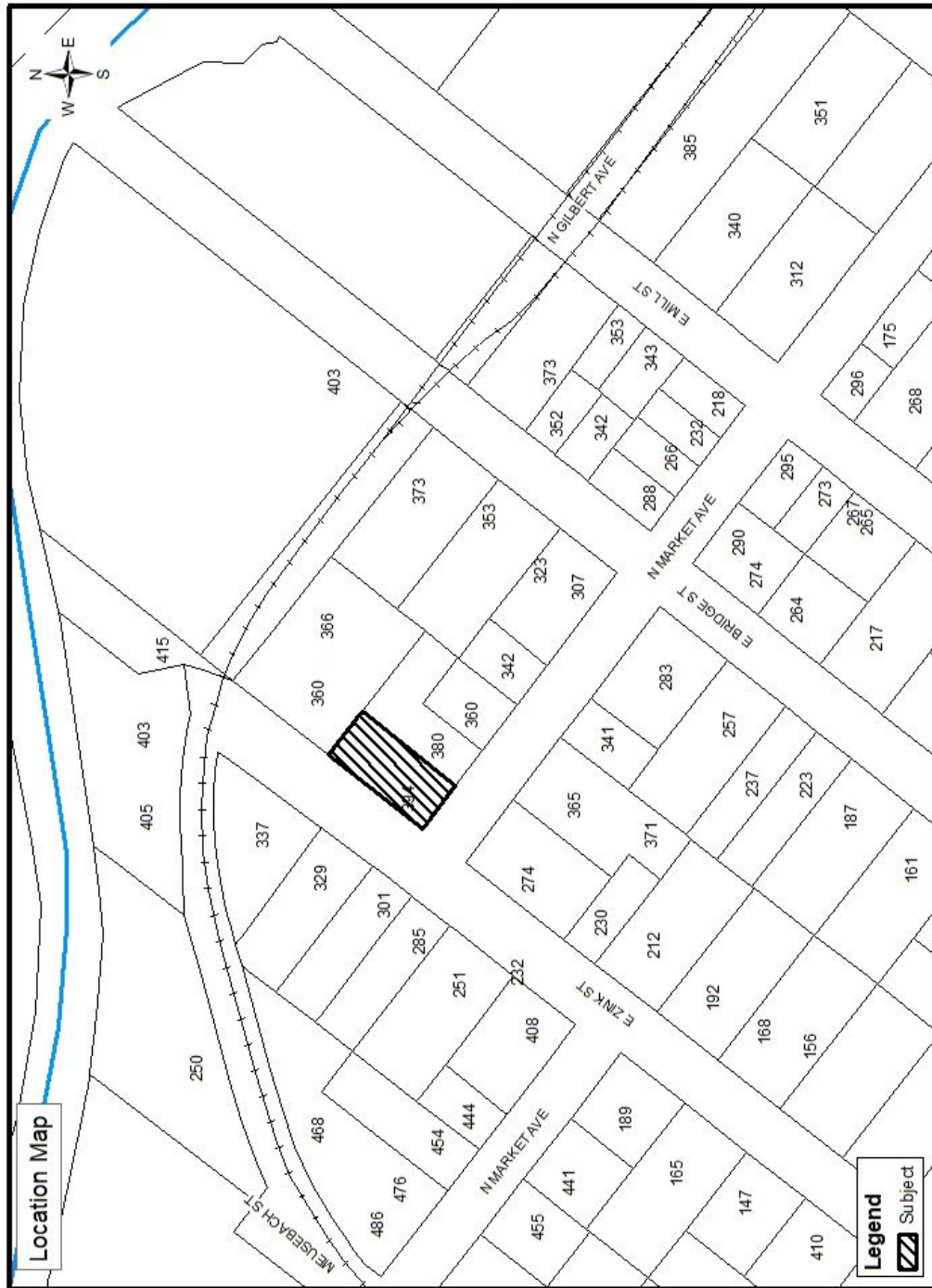
ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

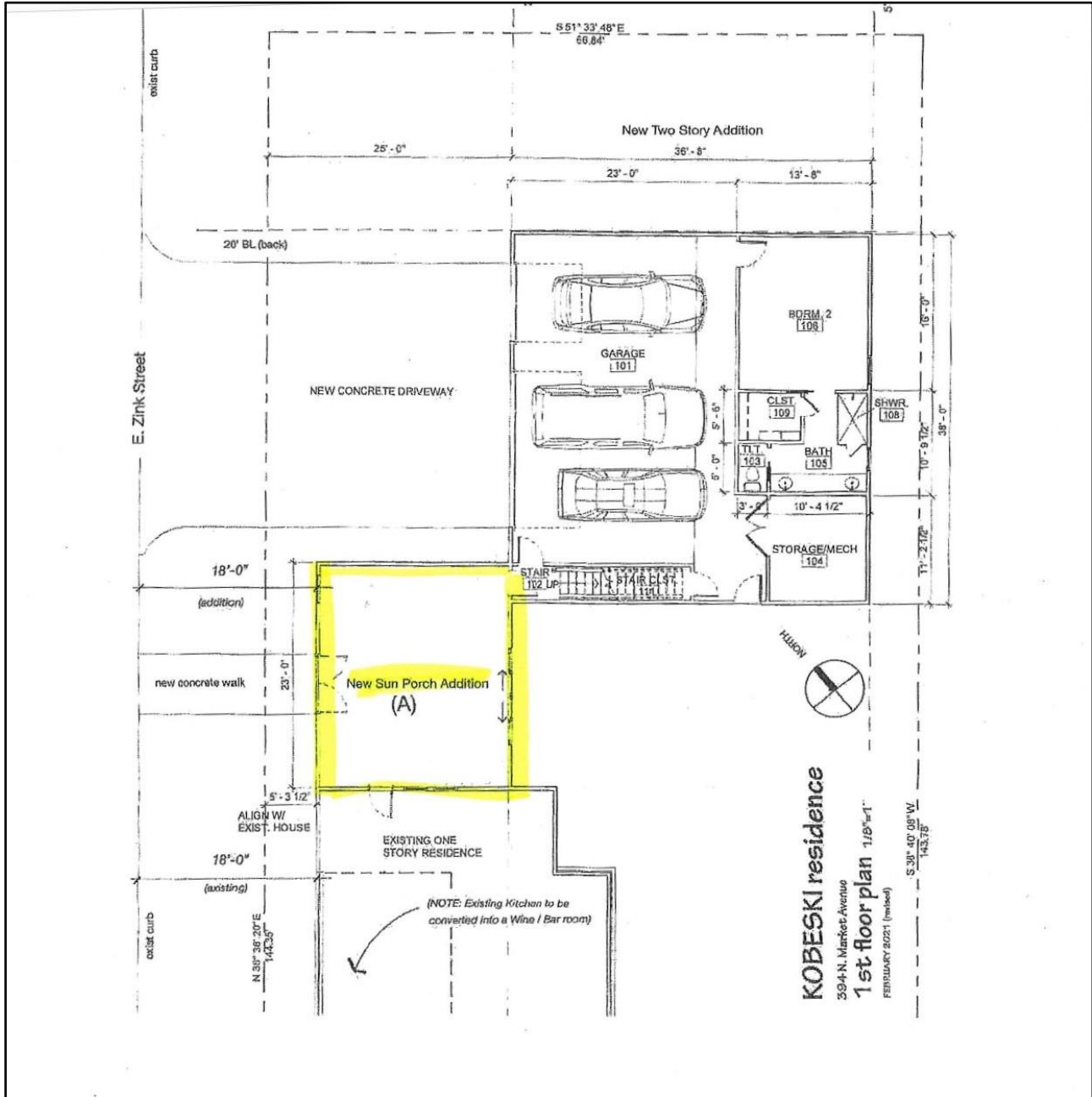


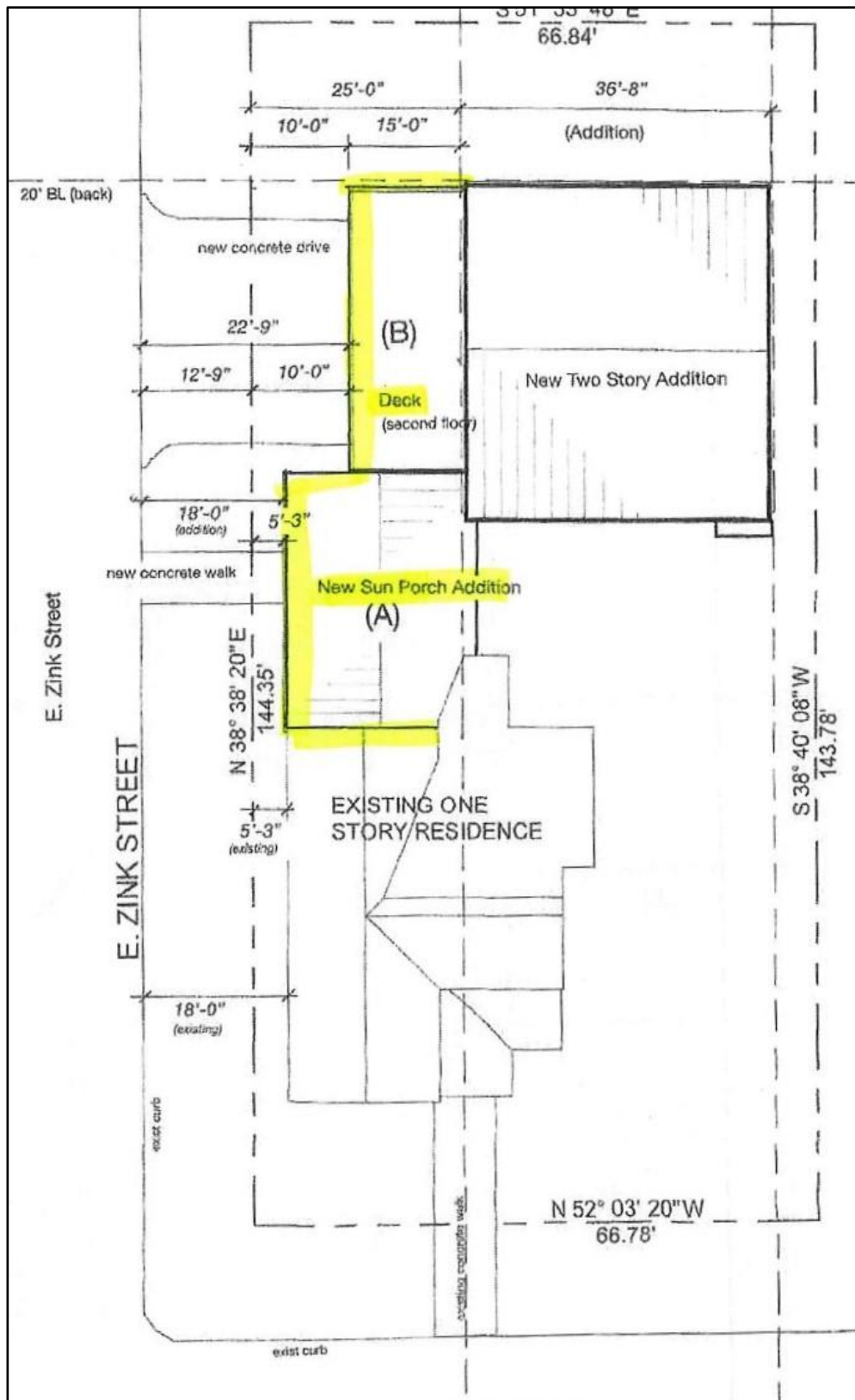
SUP20-254
SUP for Single-family Residential Use
394 N. Market Avenue



EXHIBIT "A"

EXHIBIT "B"





4/26/2021

Agenda Item No. K)

PRESENTER:

Christopher J. Looney, AICP, Planning and Development Services Director

SUBJECT:

Public hearing and first reading of an ordinance regarding a proposed rezoning of approximately 48 acres out of the O. Russell A-485 Survey 2, located in the 2200 block of FM 1102, from "M-1A" Light Industrial District to "MU-B" High Intensity Mixed Use District.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** Council District 4**BACKGROUND INFORMATION:**

Applicant: HMT Engineering & Surveying (Chris Van Heerde, P.E.)
290 S. Castell Avenue
New Braunfels, TX 78130
(830) 625-8555
plats@hmtnb.com

Owner: Mary Ann Hollmig
112 Texas Avenue
New Braunfels, TX 78130

Staff Contact: Holly Mullins
(830) 221-4054
hmullins@nbtexas.org

The subject property is located on FM 1102 approximately 1,500 feet northeast of the intersection with FM 306. The property is between FM 1102 and the Union Pacific Railroad tracks, on the edge of the City limits.

The applicant is requesting a zoning change of the base zoning district from "M-1A" Light Industrial to "MU-B" High Intensity Mixed Use District, retaining the "AH" Airport Hazard Overlay. A district comparison chart (attached) shows the allowed uses are similar between the two districts. MU-B allows most of the light industrial uses with a few exceptions marked on the chart in gray, while making select other use opportunities available. Current M-1A uses that would not be allowed with the zoning change are highlighted in yellow.

Surrounding Zoning and Land Use:

North - Outside city limits / Undeveloped

South - M-1 / Light industrial

East - M-1A / Railroad, undeveloped

West - Across FM 1102, M-1A/ Undeveloped

ISSUE:

MU-B at this location is consistent with Envision New Braunfels. The subject property is in close proximity to future employment and market centers which would support the proposed mixed-use zoning, and FM 1102 is identified as a Transitional Mixed Use Corridor. While the existing M-1A zoning is not inconsistent with the Future Land Use Plan, the proposed MU-B zoning maintains most of the lighter industrial uses that would be appropriate for this area while providing opportunities for desired mixed-use.

FISCAL IMPACT:

N/A

RECOMMENDATION:**Commission Recommendation:**

The Planning Commission held a public hearing on April 6, 2021 and voted to recommend approval (6-0-0) with Commissioners Tubb, Mathis and Sonier absent.

Staff Recommendation:

Approval.

Notification:

Public hearing notices were sent to owners of 6 properties within 200 feet of the request. To date, no responses have been received.

Resource Links:

Chapter 144, Sec. 3.4-11 MU-B High Intensity Mixed Use District

[Sec. 144-3.4. - Zoning districts and regulations | Code of Ordinances | New Braunfels](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIII_ZODI_S144-3.4ZODIREPRZOSUJU221987)
<[https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIII_ZODI_S144-3.4ZODIREPRZOSUJU221987)
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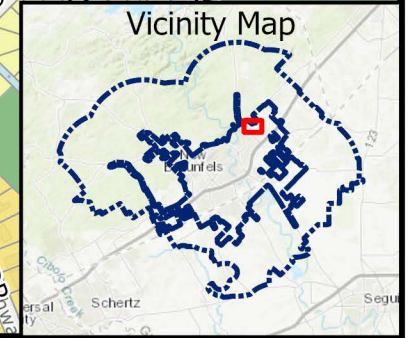
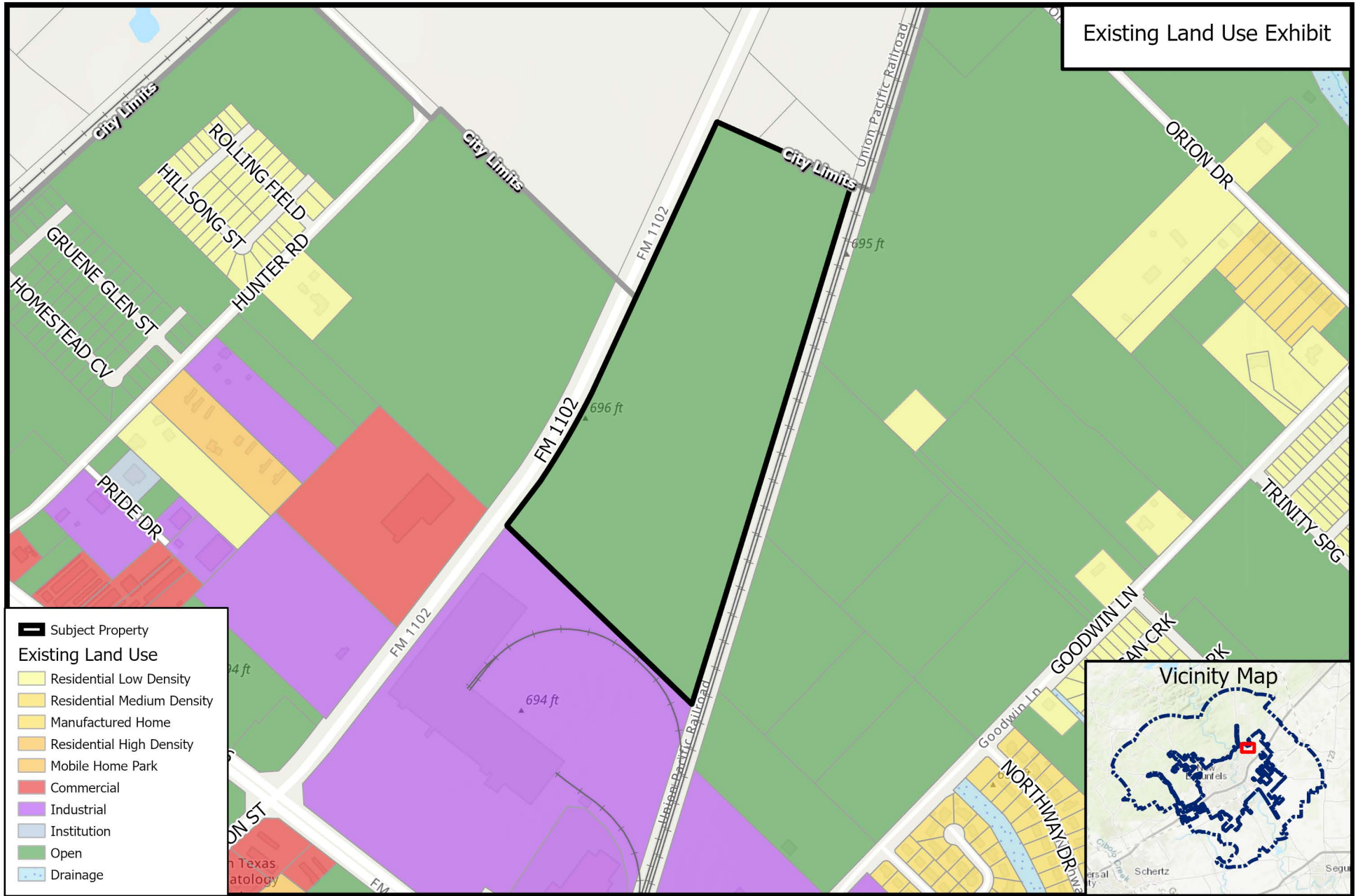
Attachments:

1. Aerial Map
2. Land Use Maps (Zoning, Existing, Future Land Use)
3. District Comparison Chart
4. Notification Map
5. Photograph
6. Ordinance



PZ21-0082
Rezoning from M-1A to MU-B





PZ21-0082
Rezoning from M-1A to MU-B



EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

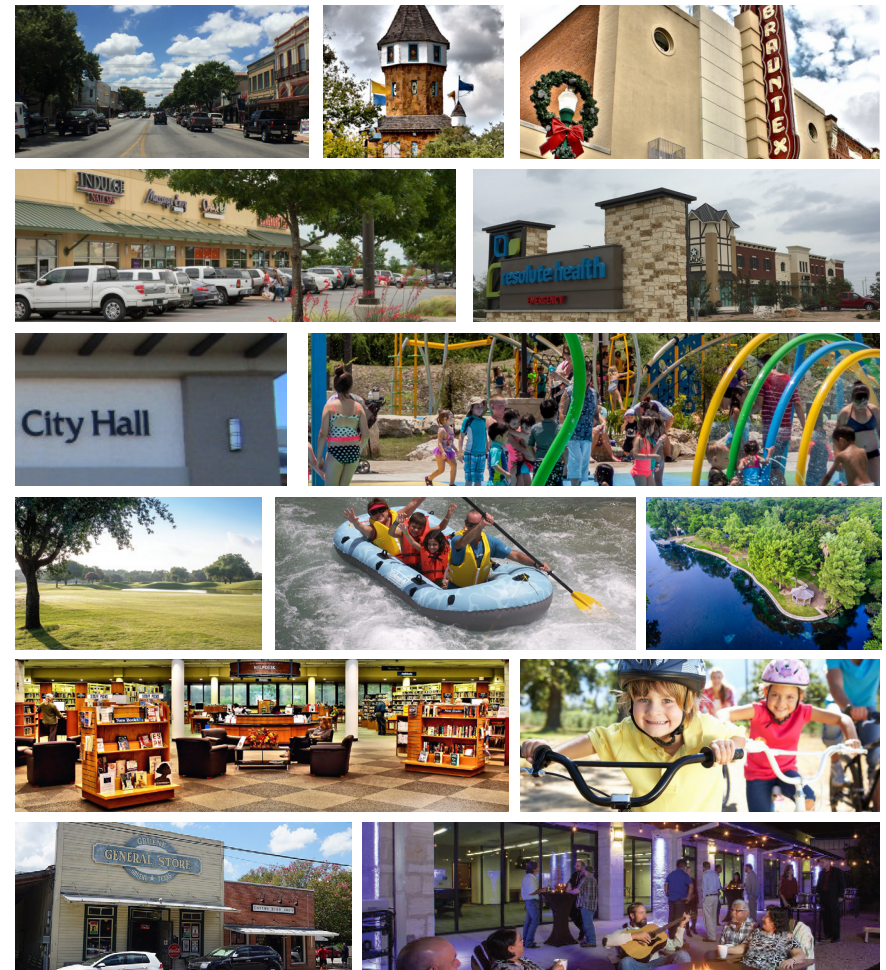
Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

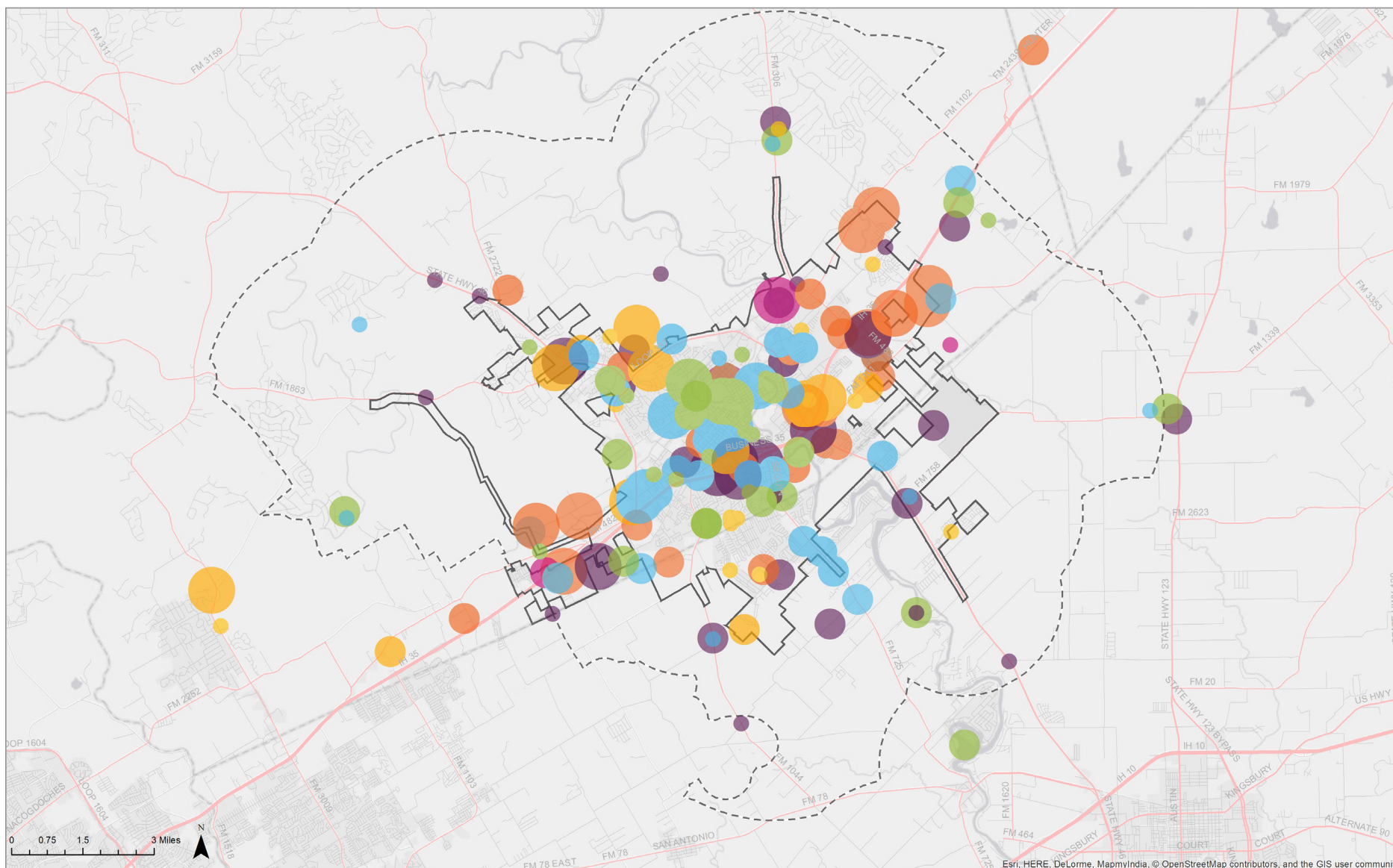
EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.





The location of existing centers was determined through the analysis of previous studies and background documents, windshield surveys, and reviewed by City staff, Steering Committee members, and Plan Element Advisory Group members during a public workshop.

FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

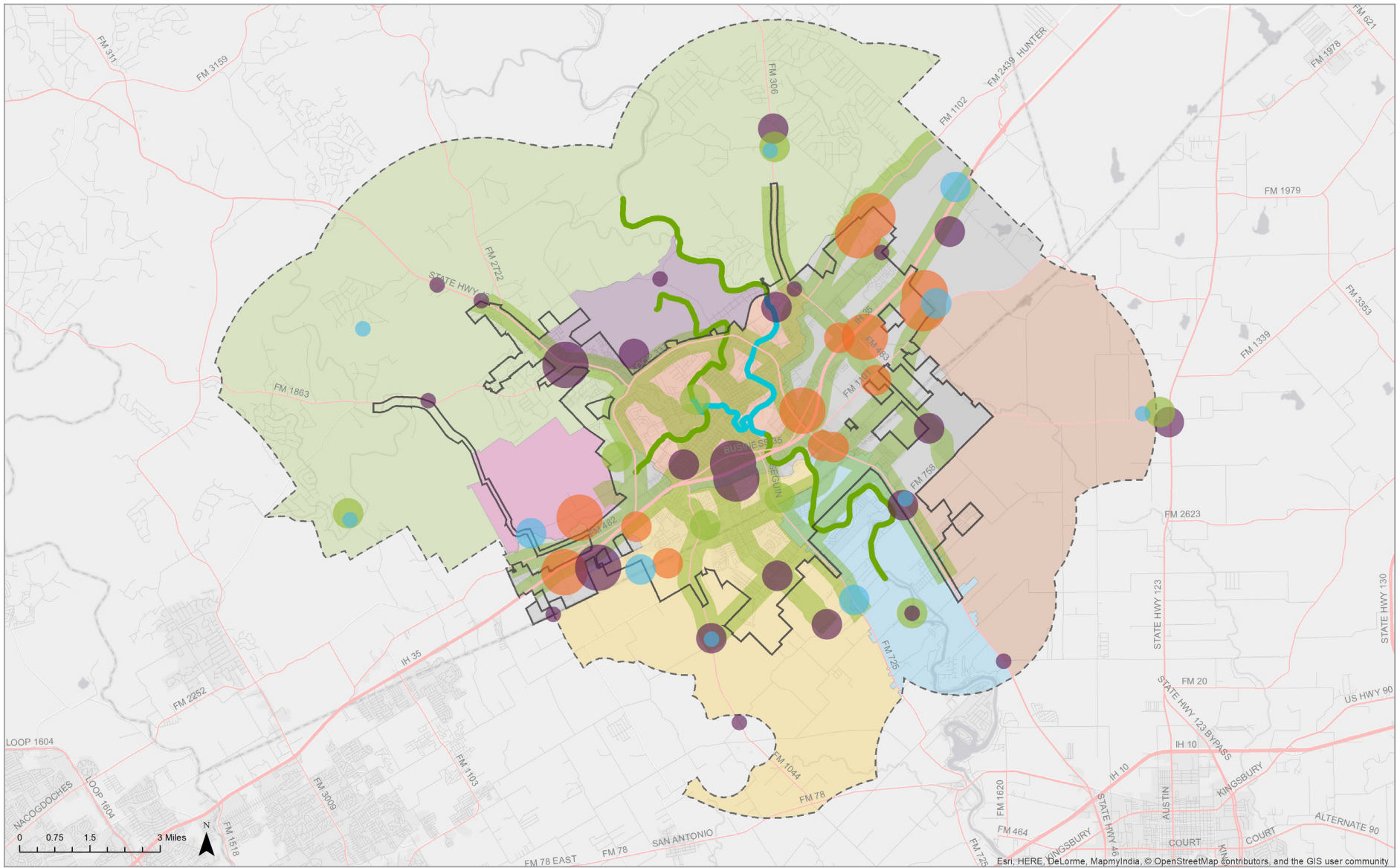
Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. Preferred future growth scenario combines Scenarios A and C per recommendations of the Envision New Braunfels Steering Committee (February 2018). Exact boundaries of sub areas, centers, and corridors may be [zoomed and viewed online](#).

	Existing	Proposed
	M-1A	MU-B
Accessory building/structure (see section 144-5.4)		P
Accounting, auditing, bookkeeping, and tax preparations	P	P
Adult day care (no overnight stay)		P
Adult day care (with overnight stay)		P
Aircraft support and related services	P	P
Airport	P	P
All-terrain vehicle (ATV) dealer/sales	P	P
Ambulance service (private)	P	P
Amphitheaters (outdoor live performances)	P	P
Amusement devices/arcade (four or more devices)	P	P
Amusement services or venues (indoors) (see section 144-5.13)	P	P
Amusement services or venues (outdoors)	P	P
Animal grooming shop	P	P
Answering and message services	P	P
Antique shop	P	P
Appliance repair	P	P
Archery range	P	P
Armed services recruiting center	P	P
Art dealer/gallery	P	P
Artist or artisans studio	P	P
Assembly/exhibition hall or areas	P	P
Assisted living facility/retirement home		P
Athletic fields	P	P
Auction sales (non-vehicle)	P	P
Auto body repair, garages (see section 144-5.11)	P	P
Auto glass repair/tinting (see section 144-5.11)	P	P
Auto interior shop/upholstery (see section 144-5.11)	P	P
Auto leasing	P	P
Auto muffler shop (see section 144-5.11)	P	P
Auto or trailer sales rooms or yards (see section 144-5.12)	P	P
Auto or truck sales rooms or yard - Primarily New	P	P
Auto paint shop	P	P
Auto repair as an accessory use to retail sales	P	P
Auto repair garage (general) (see section 144-5.11)	P	P
Auto supply store for new and factory rebuilt parts	P	P
Auto tire repair/sales (indoor)	P	P
Automobile driving school (including defensive driving)	P	P
Bakery (retail)	P	P
Bank, savings and loan, or credit union	P	P
Bar/tavern (no outdoor music)	P	P
Bar/tavern	P	P
Barber/beauty college (barber or cosmetology school or college)	P	P
Barber/beauty shop, haircutting (non-college)	P	P
Barns and farm equipment storage (related to agricultural uses)	P	P
Battery charging station	P	P

Bed and breakfast inn (see section 144-5.6)		P
Bicycle sales and/or repair	P	P
Billiard/pool facility	P	P
Bingo facility	P	P
Bio-medical facilities	P	P
Blacksmith or wagon shops	P	P
Boarding house/lodging house		P
Book binding	P	P
Book store	P	P
Bottling or distribution plants (milk)	P	P
Bottling works	P	P
Bowling alley/center (see section 144-5.13)	P	P
Broadcast station (with tower) (see section 144-5.7)	P	P
Bus barns or lots	P	P
Bus passenger stations	P	P
Cafeteria/cafe/delicatessen	P	P
Campers' supplies	P	P
Car wash (self-service; automated)	P	P
Car wash, full service (detail shop)	P	P
Carpenter, cabinet, or pattern shops	P	P
Carpet cleaning establishments	P	P
Caterer	P	P
Cemetery and/or mausoleum	P	P
Check cashing service	P	P
Chemical laboratories (not producing noxious fumes or odors)	P	P
Child day care/children's nursery (business)		P
Church/place of religious assembly	P	P
Civic/conference center and facilities	P	P
Cleaning, pressing and dyeing (non-explosive fluids used)	P	P
Clinic (dental)	P	P
Clinic (emergency care)	P	P
Clinic (medical)	P	P
Club (private)	P	P
Coffee shop	P	P
Cold storage plant	P	P
Commercial amusement concessions and facilities	P	P
Communication equipment—Installation and/or repair	P	P
Community building (associated with residential uses)	P	
Community home (see definition)		P
Computer and electronic sales	P	P
Computer repair	P	P
Confectionery store (retail)	P	P
Consignment shop	P	P
Contractor's office/sales, with outside storage including vehicles	P	P
Contractor's temporary on-site construction office	P	P
Convenience store with gas sales	P	P
Convenience store without gas sales	P	P

Country club (private)	P	P
Credit agency	P	P
Crematorium	P	
Curio shops	P	P
Custom work shops	P	P
Dance hall/dancing facility (see section 144-5.13)	P	P
Day camp	P	P
Department store	P	P
Dormitory (in which individual rooms are for rental)		P
Drapery shop/blind shop	P	P
Driving range	P	P
Drug store/pharmacy	P	P
Electrical repair shop	P	P
Electrical substation	P	P
Electronic assembly/high tech manufacturing	P	P
Electroplating works	P	P
Engine repair/motor manufacturing re-manufacturing and/or repair	P	P
Exterminator service	P	P
Fairground	P	P
Farmers market (produce market—wholesale)	P	P
Farms, general (crops) (see chapter 6 and section 144-5.9)	P	P
Farms, general (livestock/ranch) (see chapter 6 and section 144-5.9)	P	P
Feed and grain store	P	P
Filling station (gasoline tanks must be below the ground)	P	P
Florist	P	P
Food or grocery store with gasoline sales	P	P
Food or grocery store without gasoline sales	P	P
Food processing (no outside public consumption)	P	P
Forge (hand)	P	P
Forge (power)	P	P
Fraternal organization/civic club (private club)	P	P
Freight terminal, rail/truck (outside storage of freight)	P	P
Freight terminal, truck (all storage of freight in an enclosed building)	P	P
Frozen food storage for individual or family use	P	P
Funeral home/mortuary	P	P
Furniture manufacture	P	P
Furniture sales (indoor)	P	P
Galvanizing works	P	P
Garden shops and greenhouses	P	P
Golf course (public or private)	P	P
Golf course (miniature)	P	P
Government building or use with no outside storage	P	P
Greenhouse (commercial)	P	P
Handicraft shop	P	P
Hardware store	P	P
Health club (physical fitness; indoors only)	P	P
Heating and air-conditioning sales/services	P	P

Heavy load (farm) vehicle sales/repair (see section 144-5.14)	P	P
Heliport	P	P
Home occupation (see section 144-5.5)		P
Home repair and yard equipment retail and rental outlets	P	P
Hospice		P
Hospital, general (acute care/chronic care)	P	P
Hospital, rehabilitation	P	P
Hotel/motel	P	P
Hotels/motels—Extended stay (residence hotels)		P
Ice delivery stations (for storage and sale of ice at retail only)	P	P
Ice plants	P	P
Industrial laundries	P	P
Kiosk (providing a retail service)	P	P
Laboratory equipment manufacturing	P	P
Laundromat and laundry pickup stations	P	P
Laundry, commercial (without self-serve)	P	P
Laundry/dry cleaning (drop off/pick up)	P	P
Laundry/washateria (self-serve)	P	P
Lawnmower sales and/or repair	P	P
Leather products manufacturing	P	P
Light manufacturing	P	P
Limousine/taxi service	P	P
Locksmith	P	P
Lumberyard (see section 144-5.15)	P	P
Lumberyard or building material sales (see section 144-5.15)	P	P
Machine shop	P	P
Maintenance/janitorial service	P	P
Major appliance sales (indoor)	P	P
Manufactured home sales	P	P
Manufacturing and processes	P	P
Manufacturing processes not listed	P	
Market (public, flea)	P	P
Martial arts school	P	P
Medical supplies and equipment	P	P
Metal fabrication shop	P	P
Micro brewery (onsite mfg. and/or sales)	P	P
Mini-warehouse/self-storage units (no boat and RV storage permitted)	P	P
Mini-warehouse/self-storage units with outside boat and RV storage	P	P
Motion picture studio, commercial film	P	P
Motion picture theater (indoors)	P	P
Motion picture theater (outdoors, drive-in)	P	P
Motorcycle dealer (primarily new/repair)	P	P
Moving storage company	P	P
Moving, transfer, or storage plant	P	P
Multifamily (apartments/condominiums)		P
Museum	P	P
Needlework shop	P	P

Nonbulk storage of gasoline, petroleum products and LP	P	P
Nursing/convalescent home/sanitarium		P
Offices, brokerage services	P	P
Offices, business or professional	P	P
Offices, computer programming and data processing	P	P
Offices, consulting	P	P
Offices, engineering, architecture, surveying or similar	P	P
Offices, health services	P	P
Offices, insurance agency	P	P
Offices, legal services, including court reporting	P	P
Offices, medical offices	P	P
Offices, real estate	P	P
Offices, commodity brokers, dealers, exchanges and financial services	P	P
Outside storage (as primary use)	P	P
Park and/or playground (private and public)	P	P
Parking lots (for passenger car only) (not as incidental to the main use)	P	P
Parking structure/public garage	P	P
Pawn shop	P	P
Personal watercraft sales (primarily new/repair)	P	P
Pet shop/supplies (less than 10,000 sq. ft.)	P	P
Pet store (over 10,000 sq. ft.)	P	P
Photo engraving plant	P	P
Photographic printing/duplicating/copy shop or printing shop	P	P
Photographic studio (no sale of cameras or supplies)	P	P
Photographic supply	P	P
Plant nursery (no retail sales on site)	P	P
Plant nursery (retail sales/outdoor storage)	P	P
Plastic products molding/reshaping	P	P
Plumbing shop	P	P
Portable building sales	P	P
Propane sales (retail)	P	P
Public recreation/services building for public park/playground areas	P	P
Publishing/printing company (e.g., newspaper)	P	P
Quick lube/oil change/minor inspection	P	P
Radio/television shop, electronics, computer repair	P	P
Rappelling facilities	P	P
Recreation buildings (private)	P	P
Recreation buildings (public)	P	P
Recycling kiosk	P	P
Refreshment/beverage stand	P	P
Rental or occupancy for less than one month (see section 144-5.17)		P
Research lab (non-hazardous)	P	P
Residential use in buildings with permitted non-residential uses	P	P
Restaurant/prepared food sales	P	P
Restaurant with drive-through service	P	P
Retail store/shopping center no drive-through service (<50,000 sq. ft.)	P	P

Retail store/shopping center with drive-through service (<50,000 sq. ft.)	P	P
Retail store and shopping center (more than 50,000 sq. ft. bldg.)	P	P
Retirement home/home for the aged		P
Rodeo grounds	P	P
RV park		P
RV/travel trailer sales	P	P
School, K-12 public or private	P	P
School, vocational (business/commercial trade)	P	P
Security monitoring company (no outside storage or installation)	P	P
Security systems installation company	P	P
Sheet metal shop	P	P
Shoe repair shops	P	P
Shooting gallery—Indoor (see section 144-5.13)	P	P
Shopping center	P	P
Sign manufacturing/painting plant	P	P
Specialty shops in support of project guests and tourists	P	P
Stone/clay/glass manufacturing	P	
Storage—Exterior storage for boats and recreational vehicles	P	P
Storage in bulk	P	P
Studio for radio or television, without tower	P	P
Studios (art, dance, music, drama, photo, interior decorating, etc.)	P	P
Tailor shop (see home occupation)	P	P
Tattoo or body piercing studio	P	P
Taxidermist	P	P
Telemarketing agency	P	P
Telephone exchange buildings (office only)	P	P
Tennis court (commercial)	P	P
Theater (non-motion picture; live drama)	P	P
Tire sales (outdoors)	P	P
Tool rental	P	P
Transfer station (refuse/pick-up)	P	P
Travel agency	P	P
Truck or transit terminal	P	P
University or college (public or private)	P	P
Upholstery shop (non-auto)	P	P
Used or second hand merchandise/furniture store	P	P
Vacuum cleaner sales and repair	P	P
Veterinary hospital (no outside animal runs or kennels)	P	P
Veterinary hospital (with outdoor animal runs or kennels that may not be used between the hours of 9:00 p.m. and 7:00 a.m.)	P	P
Video rental/sales	P	P
Warehouse/office and storage/distribution center	P	P
Waterfront amusement facilities—Berthing facilities sales and rentals	P	P
Waterfront amusement facilities—Boat fuel storage/dispensing facilities	P	P
Waterfront amusement facilities—Boat landing piers/launching ramps	P	P
Waterfront amusement facilities—Swimming/wading pools/bathhouses	P	P

Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system	P	P
Welding shop	P	P
Wholesale sales offices and sample rooms	P	P
Woodworking shop (ornamental)	P	P

PLANNING COMMISSION – APRIL 6, 2021 – 6:00PM

Zoom Meeting

Applicant/Owner: HMT Engineering & Surveying, Chris Van Heerde

Address/Location: 48 acres in the 2200 block of FM 1102

PROPOSED ZONE CHANGE – CASE #PZ21-0082

The circled 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. CENTURION INDUSTRIES INC
2. KOONTZ MCCOMBS 1 LTD
3. 2577 GOODWIN LANE LLC
4. YES ACQUISITIONS LLC
5. HOUSE GEORGE W JR
6. COLEMAN COMPANY INC

SEE MAP



PZ21-0082
Rezoning from M-1A to MU-B





Subject Property from FM 1102

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 47.7 ACRES OUT OF THE O. RUSSELL A-185 SURVEY 2, COMAL COUNTY, TEXAS, LOCATED IN THE 2200 BLOCK OF FM 1102, FROM “M-1A” LIGHT INDUSTRIAL DISTRICT TO “MU-B” HIGH INTENSITY MIXED USE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the “MU-B” High Intensity Mixed-Use District, the City Council has given due consideration to all components of said district; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; and

WHEREAS, the City Council desires to amend the Zoning Map by rezoning approximately 47.7 acres out of the O. Russell A-185 Survey 2, located in the 2200 block of FM 1102, from “M-1A” Light Industrial District to “MU-B” High Intensity Mixed-Use District, **now, therefore**;

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

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by rezoning the following described tract of land from “M-1A” Light Industrial District to “MU-B” High Intensity Mixed-Use District:

Approximately 47.78 acres out of the O. Russell A-485 Survey 2, Comal County, Texas, located in the 2200 block of FM 1102, as described in Exhibit “A” and delineated in Exhibit “B” attached.

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 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 April, 2021.

PASSED AND APPROVED: Second reading this 10th day of May, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

METES AND BOUNDS DESCRIPTION

FOR TRACT 2

A 47.708 ACRE TRACT OF LAND

Being a 47.708 acre tract of land out of the Orilla Russell League No. 2, Abstract No. 485, Comal County, Texas, and being a portion of a 89.655 acre tract of land recorded in Volume 293, Page 94, of the Deed Records of Comal County, Texas, said 47.708 acre tract of land being more particularly described as follows:

Beginning At a 1/2" iron pin found in the Southeasterly right-of-way line of F.M. 1102, for the North corner of a 1.254 acre tract of land recorded in Volume 662, Pg. 18, Official Public Records, Comal County, Texas, for the North Corner and Point of Beginning of this herein described 47.708 acre tract of land;

Thence, departing the Easterly right-of-way line of F.M. 1102, along the Northerly line of said 1.254 acre tract, and along the Southerly line of a 1.769 acre tract of land recorded in Doc. #200506019928, Official Public Records, Comal County, Texas, S 64°18'49" Ea distance of 695.75 feet to a 1/2" iron pin found in the Westerly right-of-way line of the Missouri Pacific Rail Road, for the Southerly corner of said 1.769 acre tract, for the Northeasterly corner of this herein described 47.708 acre tract of land;

Thence, along the Westerly line of said Missouri Pacific Rail Road, S 17°00'55" W a distance of 2587.00 feet to a 1/2" iron pin found for the Easterly corner of Lot 1, Coleman Industrial Park, Unit Two, recorded-in Volume 10, Pg. 42, Map and Plat Records, Comal County, Texas, for the Southerly corner of said 89.655 acre tract of land, for the Southerly corner of this herein described 47.708 acre tract of land;

Thence, along the common Line of said Lot 1, and this herein described 47.708 acre tract of land,

N 46°20'50" W a distance of 1212.56 feet to a 1/2" iron pin stamped "HMT PROP. COR." set in the Southeasterly right-of-way line of F.M. 1102, for the Northerly corner of said Lot 1, for the Westerly corner of this herein described 47.708 acre tract of land;

Thence, along the Southeasterly right-of-way line of F.M. 1102, the following calls:

N 37°34'30" Ea distance of 133.77 feet to a Tx. Dot. Type I monument found for a corner;

N 35°22'30" Ea distance of 217.11 feet to a Tx. Dot. Type II monument found for a corner;

N 31°16'05" Ea distance of 217.02 feet to a Tx. Dot. Type II monument found for a corner;

N 26°51'01" Ea distance of 216.74 feet to a Tx. Dot. Type I monument found for a corner;

N a distance of 1405.97 to to the Point of and containing 47.708 acres of land.

Bearings are based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.

EXHIBIT "A"



PZ21-0082
FM 1102
M-1A to MU-B

EXHIBIT "B"

EXHIBIT "B"

4/26/2021

Agenda Item No. A)

Deliberate pending/contemplated litigation, settlement offers, and matters related to 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:

- Carowest Land, Ltd. v. Yantis Company and City of New Braunfels (all cases, including appeal)
- Yantis Company v. City of New Braunfels et. al. (2014 case)

4/26/2021

Agenda Item No. B)

Deliberate issues regarding economic development negotiations in accordance with section 551.087 of the Texas Government Code.

- Project Reshore Icon

4/26/2021

Agenda Item No. C)

Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager, City Attorney, and/or the Municipal Court Judge in accordance with Section 551.074 of the Texas Government Code.