

5/13/2024

Agenda Item No. S)

PRESENTER:

Sandy Paulos, Director of Finance

SUBJECT:

Approval of the first reading of an ordinance amending the New Braunfels Code of Ordinances, Section 86-2 by adopting new Miscellaneous Park Rental fees and moving all fees to Appendix D.

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

A presentation regarding these proposed fee adjustments was given at the July Council Retreat and then again at the March 18, 2024, Council meeting. At these meetings, staff was given direction to move forward with implementation of the proposed fee adjustments including changes to Parks and Recreation related fees, more specifically for Miscellaneous Park Rentals. The adjustments will help bring those fees in line with market rates and help cover increased costs. The addition of three new Miscellaneous Park Rental Fees will help cover the costs of upkeep and operating costs for those parks and events.

If approved, the change for the Parks and Recreation related user fees will have an implementation date of June 1, 2024, and will be posted on the Parks Department website.

The proposed fee adjustments are as follows:

MISCELLANEOUS PARK RENTALS				
	Current Resident	Proposed Resident	Current Non-Resident	Proposed Non-Resident
Special Event Areas				
Morningside Nature Stage	N/A	\$45.00	N/A	\$104.00
JAWS Skate Park (per 6 hr rental)	N/A	\$150.00	N/A	\$345.00
Special Use Fees				
Walk/Race/Run Permit	\$50.00	\$100.00	\$50.00	\$230.00
Commercial Picnic Permit	N/A	\$50.00	N/A	\$115.00

ISSUE:**STRATEGIC PLAN REFERENCE:**

Strategic Priority: Organizational Excellence

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

FISCAL IMPACT:

Any additional revenue generated by these fee adjustments will be incorporated into the FY 2025 Budget to

help offset increased costs and cover unfunded resource needs.

RECOMMENDATION:

Staff recommends approval of the ordinance.

ORDINANCE NO. 2024 - ____

AN ORDINANCE AMENDING THE CITY OF NEW BRAUNFELS, TEXAS, CODE OF ORDINANCES, CHAPTER 86 – PARKS AND RECREATION, SECTION 86-2 RESERVED PICNIC AREAS AND INDIVIDUAL PICNIC TABLE USAGE FEES IN CITY PARKS; AND MOVING THESE FEES TO APPENDIX D, FEE SCHEDULE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council has adopted miscellaneous park rental fees that have not been increased since 2018; and

WHEREAS, the addition of new special event area and permit fees, along with an increase to some existing permit fees is necessary to sufficiently cover expenses related to the operations and maintenance of the various park areas and City Council finds the staff's recommendation both reasonable and necessary.

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

SECTION 1: The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2: That Section 86-2 Reserved Picnic Areas and Individual Picnic Table Usage Fees in City Parks, of the New Braunfels Code of Ordinances shall be amended to hereinafter read as follows:

Section 86-2 Reserved Picnic Areas and Individual Picnic Table Usage Fees in City Parks

- a) ~~The following scheduled fees shall be paid by patrons of any city-owned municipal park in the city. Reserved areas are those designated on the map of the city parks on file in the office of the parks and recreation department:~~
- a) The scheduled fees reflected in Appendix D shall be paid by patrons of any city-owned municipal park in the city. Reserved areas are those designated on the map of the city parks on file in the office of the parks and recreation department.

Area No.	No. of Tables	Usage Fee Resident	Usage Fee Non-Resident
Group Type A	3	\$35.00	\$81.00
Group Type B	4	\$45.00	\$104.00
Group Type C	5	\$55.00	\$127.00
Group Type D	10	\$110.00	\$253.00
Shelter Type A	7 or 8	\$110.00	\$253.00
Shelter Type B	12	\$225.00	\$518.00
LP Dance Slab (Must rent Pavilion 4)		\$150.00	\$345.00
LP Gazebo, per 2 hours		\$75.00	\$173.00
Cypress Bend Pavillion (11 Tables)		\$110.00	\$253.00
FP Pavillion A—G	4	\$75.00	\$173.00
FP Grand Pavillion	18	\$250.00	\$575.00
FP Hilltop Pavilion	18	\$300.00	\$690.00
FP Amphitheater (Must rent Hilltop Pavillion)		\$150.00	\$345.00
FP Plaza (Must rent Hilltop Pavillion)		\$100.00	\$230.00
Faust Street Bridge		\$75.00 (per 2 Hours)	\$173.00 (per 2 Hours)
Landa Lake Gazebo		\$75.00 (per 2 Hours)	\$173.00 (per 2 Hours)
Cypress Bend Grass Area		\$150.00	\$345.00
Solms Pavillion		\$45.00	\$104.00
Haymarket Pavillion		\$45.00	\$104.00
Kraft Pavillion		\$45.00	\$104.00
Individual Picnic Tables		\$0—\$20.00	\$25.00
Live/Amplified Music Permit		\$25.00	\$25.00
Inflatable Game Permit		\$25.00	\$25.00

- (b) Picnic permit fees will be paid by all non-residents for the use of each picnic area/table used in Landa Park, Hinman Island, Fischer and Prince Solms Parks. Residents of the city may use one picnic area/table at no cost. Each additional picnic table/area will be charged the picnic permit fee.
- (c) The reservation fee, as set forth in this section, may be refunded under the following conditions:
- (1) *Inclement weather (rain out).* Inclement weather rain outs will be determined by the parks and recreation director or designee. Reservation holders may reschedule based on availability and within 90 days from the original reservation date. Customers must notify the parks administration office (830) 221-4350 within the first three working days of the rain out date in order to reschedule.

- (2) *Cancellations by customer.* Peak season is defined as March—September. During peak season, if cancellation is received less than two weeks prior to the reservation date, customer will be issued a 50 percent refund or account credit. Outside of peak season, customer will be issued a full refund when reservation is cancelled independent of cancellation date.
 - (3) *No refund.* If customer fails to show up or no cancellation notice is received prior to the date of the reservation, no refund will be issued.
 - (4) *Special circumstances.* Special circumstances related to cancellation requests not specifically covered within this policy will be determined at the discretion of the parks and recreation director or designee.
- (d) Persons reserving the city-owned Landa Park gazebo shall be responsible for the control of traffic by employing sufficient law enforcement officers to direct traffic at the entrance of the roadway known as the peninsula circular driveway. Such law enforcement officers may prohibit motor vehicles from crossing the bridge at the entrance of the circular drive only during the period this gazebo is reserved. The director of parks and recreation shall be authorized to install barricades at the entrance to the peninsula circular driveway when traffic controls are paramount and the safety of the participants is jeopardized. Cost of such precautions shall be borne by the persons reserving the gazebo.

(Code 1961, § 14A-2; Ord. No. 2003-51, § I(1.), 8-11-03; Ord. No. 2006-01, § I(1.), 1-9-06; Ord. No. 2012-12, § II, 3-26-12; Ord. No. 2015-02, § II, 1-12-15; Ord. No. 2018-16, § 1, 2-26-18; Ord. No. 2019-46, § 1, 7-22-19)

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

PICNIC AREA/TABLE FEES

The following scheduled fees shall be paid by patrons of any City-owned municipal park in the city. Reserved areas are those designated on the map of the city parks on file in the office of the Parks and Recreation Department.

<u>Area No.</u>	<u>No. of Tables</u>	<u>Usage Fee Resident</u>	<u>Usage Fee Non-Resident</u>
<u>Group Type A</u>	<u>3</u>	<u>\$35.00</u>	<u>\$81.00</u>
<u>Group Type B</u>	<u>4</u>	<u>\$45.00</u>	<u>\$104.00</u>
<u>Group Type C</u>	<u>5</u>	<u>\$55.00</u>	<u>\$127.00</u>
<u>Group Type D</u>	<u>10</u>	<u>\$110.00</u>	<u>\$253.00</u>
<u>Shelter Type A</u>	<u>7 or 8</u>	<u>\$110.00</u>	<u>\$253.00</u>
<u>Shelter Type B</u>	<u>12</u>	<u>\$225.00</u>	<u>\$518.00</u>
<u>LP Dance Slab (Must rent Pavilion 4)</u>		<u>\$150.00</u>	<u>\$345.00</u>
<u>LP Gazebo, per 2 hours</u>		<u>\$75.00</u>	<u>\$173.00</u>
<u>Cypress Bend Pavillion (11 Tables)</u>		<u>\$110.00</u>	<u>\$253.00</u>
<u>FP Pavillion A - G</u>	<u>4</u>	<u>\$75.00</u>	<u>\$173.00</u>
<u>FP Grand Pavillion</u>	<u>18</u>	<u>\$250.00</u>	<u>\$575.00</u>
<u>FP Hilltop Pavillion</u>	<u>18</u>	<u>\$300.00</u>	<u>\$690.00</u>
<u>FP Amphitheater (Must rent Hilltop Pavillion)</u>		<u>\$150.00</u>	<u>\$345.00</u>
<u>FP Plaza (Must rent Hilltop Pavillion)</u>		<u>\$100.00</u>	<u>\$230.00</u>
<u>Faust Street Bridge</u>		<u>\$75.00 (per 2 Hours)</u>	<u>\$173.00 (per 2 Hours)</u>
<u>Landa Lake Gazebo</u>		<u>\$75.00 (per 2 Hours)</u>	<u>\$173.00 (per 2 Hours)</u>
<u>Cypress Bend Grass Area</u>		<u>\$150.00</u>	<u>\$345.00</u>
<u>Solms Pavillion</u>		<u>\$45.00</u>	<u>\$104.00</u>
<u>Haymarket Pavillion</u>		<u>\$45.00</u>	<u>\$104.00</u>
<u>Kraft Pavillion</u>		<u>\$45.00</u>	<u>\$104.00</u>
<u>Individual Picnic Tables</u>		<u>\$0 - \$20.00</u>	<u>\$25.00</u>
<u>Live/Amplified Music Permit</u>		<u>\$25.00</u>	<u>\$25.00</u>
<u>Inflatable Game Permit</u>		<u>\$25.00</u>	<u>\$25.00</u>
<u>Walk/Race/Run Permit</u>		\$50.00 <u>\$100.00</u>	\$50.00 <u>\$230.00</u>
<u>Commercial Picnic Permit</u>		<u>\$50.00</u>	<u>\$115.00</u>
<u>Morningside Nature Stage</u>		<u>\$45.00</u>	<u>\$104.00</u>
<u>JAWS Skate Park (per 6 Hour Rental)</u>		<u>\$150.00</u>	<u>\$345.00</u>

SECTION 3: Savings Clause.

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

SECTION 4: Effective Date.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing by the City Secretary, except that the effective date of the new fees will be June 1, 2024.

PASSED AND APPROVED: First reading this _____ day of May, 2024.

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CITY OF NEW BRAUNFELS, TEXAS

By: _____
Neal Linnartz, Mayor

ATTEST:

Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

Valeria M. Acevedo, City Attorney