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**ORDINANCE NO. 2024-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 30, ARTICLE III “CIVIC CENTER” OF THE NEW BRAUNFELS CODE OF ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; CONTAINING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

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

**WHEREAS**, the rental rates at the Civic Center have not been updated since 2014; and

**WHEREAS**, expenses at the Civic Center are growing at approximately ten times the rate of revenue; and

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

**WHEREAS**, the City Council of the City of New Braunfels desires to adopt the updates to Chapter 30, Article III, Civic Center, of the City of New Braunfels Code of Ordinances.

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

**SECTION 1**

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

**SECTION 2**

**THAT** Chapter 30, Civic and Cultural Facilities and Affairs, Article III, Civic Center, is hereby amended with additions as underlined and deletions as stricken:

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## Sec. 30-51. Purposes and classes.

The New Braunfels Civic Center shall be leased for the purposes and uses set forth in this article, and shall be divided into the following classes:

- ~~(1) Class I Commercial. This class shall include profitmaking events and programs arranged or conducted by private enterprise for public exhibits, entertainment productions and dances.~~
- ~~(2) Class II Social events. This class shall include uses by local civic and other nonprofit organizations, profit organizations, or individuals for private social functions.~~
- ~~(3) Class III Conventions; fundraising; local use. This class shall include national, state, regional and district organization meetings, together with sales meetings, seminars and training sessions arranged or conducted by either nonprofit or profit organizations, and such class also includes fundraising events arranged or conducted by local nonprofit organizations. This class shall also include all uses by civic, fraternal, service, charitable or social organizations of the city for business meetings, seminars, workshops and lectures.~~

(Code 1961, § 12C-1)

## Sec. 30-~~52~~51. Rental fees.

(a) (1) Rental rates:

*Monday—Thursday*

<del>Exhibit hall</del>	<del>\$1,200.00</del>
<del>Ballroom</del>	<del>1,000.00</del>
<del>Conference rooms (5)</del>	<del>600.00</del>
<del>Conference room 101</del>	<del>200.00</del>
<del>Conference room 102—105, each</del>	<del>150.00</del>
<del>Entire facility</del>	<del>2,000.00</del>
<del>Dressing rooms</del>	<del>40.00</del>
<del>Courtyard</del>	<del>150.00</del>

	<u>Standard Rate</u>	<u>Non-Profit Rate</u>
<u>Courtyard</u>	<u>\$188</u>	<u>\$150</u>
<u>Garden Rooms 102 – 105 each (7-hour rental)</u>	<u>\$188</u>	<u>\$150</u>
<u>Garden Room 101 (7-hour rental)</u>	<u>\$250</u>	<u>\$200</u>
<u>All Five Garden Rooms (101 – 105)</u>	<u>\$750</u>	<u>\$600</u>
<u>Ballroom</u>	<u>\$1250</u>	<u>\$1,000</u>
<u>Exhibit Hall</u>	<u>\$1500</u>	<u>\$1200</u>
<u>Entire Facility</u>	<u>\$2500</u>	<u>\$2,000</u>

~~Non-profit clients will receive a 20 percent discount on exhibit hall, ballroom and entire facility rental rates Monday—Thursday.~~

*Friday and Sunday*

<del>Exhibit hall</del>	<del>\$1,600.00</del>
<del>Ballroom</del>	<del>1,350.00</del>
<del>Conference rooms (5)</del>	<del>700.00</del>
<del>Conference room 101</del>	<del>225.00</del>
<del>Conference room 102—105, each</del>	<del>175.00</del>
<del>Entire facility</del>	<del>2,500.00</del>
<del>Dressing rooms</del>	<del>50.00</del>
<del>Courtyard</del>	<del>175.00</del>

~~Non-profit clients will receive a ten percent discount on exhibit hall, ballroom and entire facility rental rates Friday and Sunday.~~

	<u>Standard Rate</u>	<u>Non-Profit Rate</u>
Courtyard	\$218	\$195
Garden Rooms 102 – 105 each (7-hour rental)	\$218	\$195
Garden Room 101 (7-hour rental)	\$280	\$250
All Five Garden Rooms (101 – 105)	\$875	\$785
Ballroom	\$1688	\$1519
Exhibit Hall	\$2,000	\$1,800
Entire Facility	\$3,125	\$2,812

*Saturday*

<del>Exhibit hall</del>	<del>\$2,200.00</del>
<del>Ballroom</del>	<del>1,900.00</del>
<del>Conference rooms (5)</del>	<del>800.00</del>
<del>Conference room 101</del>	<del>250.00</del>
<del>Conference room 102—105, each</del>	<del>200.00</del>
<del>Entire facility</del>	<del>3,500.00</del>
<del>Dressing rooms</del>	<del>50.00</del>
<del>Courtyard</del>	<del>200.00</del>

	<u>Standard Rate</u>	<u>Non-Profit Rate</u>
Courtyard	\$250	\$225
Garden Rooms 102 – 105 each (7-hour rental)	\$250	\$225
Garden Room 101 (7-hour rental)	\$310	\$280
All Five Garden Rooms (101 – 105)	\$1,000	\$900
Ballroom	\$2,375	\$2,137
Exhibit Hall	\$2,750	\$2,475
Entire Facility	\$4,375	\$3,937

~~Non-profit clients will receive a ten percent discount on exhibit hall, ballroom and entire facility rental rates on Saturday.~~

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The following discount will be used for the exhibit hall, ballroom, and entire facility on all days:

Client will receive a 20 percent discount from each day's room rental when a reservation is for two or more days.

~~Client will receive a 30 percent discount from each day's room rental when a reservation is for three days.~~

~~Client will receive a 40 percent discount from each day's room rental when a reservation is for four days.~~

~~Client will receive a 50 percent discount from each day's room rental when a reservation is five or more days.~~

~~Each setup and teardown day will receive a 50 percent discount from each day's room rental. Discounts may not be combined.~~

- (2) *Miscellaneous rental rates:* The city manager or ~~his/her~~ the city manager's designee shall set a standard set of rates for use of audio/visual equipment, other types of equipment, food and beverages, and related services in connection with the rental of the civic center.

(3) *Future reservations:* Subsequent events that are reserved more than three (3) years in advance but fewer than five (5) years in advance are, in the discretion of the city manager or city manager's designee, subject to a rental rate increase of up to ten percent (10%) for each additional reservation.

(Code 1961, § 12C-2; Ord. No. 92-20, § 1, 6-8-92; Ord. No. 94-47, § 1, 11-14-94; Ord. No. 2010-22, § 1, 3-8-10; Ord. No. 2013-65, § 1, 10-28-13)

### **Sec. 30-53. Lease agreement.**

- (a) All lease agreements for the use of the civic center shall be on the civic center rental and service agreement designed for such use. ~~All such lease agreements shall be executed on behalf of the city by and through the duly designated representative of the Greater New Braunfels Chamber of Commerce, as the city's leasing agent. Such agent shall represent the city in all leasing negotiations for the civic center.~~
- (b) All payments pursuant to the lease agreements shall be due and payable to the city. The city, ~~acting through its aforesaid leasing agent,~~ reserves the right to refuse to lease the civic center facility or any part thereof to any individual, organization or group when ~~it is deemed by such agent that~~ the city deems that such leasing would not be in the best interest of the city; provided, however, that any person or entity denied use of the civic center may appeal such decision to the city council, and the action taken thereon by the council shall be final.
- ~~(c) The civic center may be used by city staff for official city meetings and functions without charge or rental fee and without a lease agreement. The city manager must approve all city use of the civic center.~~

(Code 1961, § 12C-3)

**Secs. 30-54—30-59. Reserved.**

#### **SECTION 4**

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

#### **SECTION 5**

**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 6**

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

#### **SECTION 7**

**THAT** in accordance with the provisions of the City Charter, this Ordinance may be read and published by descriptive caption only. This Ordinance has been publicly available in the office of the City Secretary prior to its adoption.

#### **SECTION 8**

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

**PASSED AND APPROVED:** First reading this the     day of     , 2024.

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**CITY OF NEW BRAUNFELS**

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**NEAL LINNARTZ**, Mayor

**ATTEST:**

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**Gayle Wilkinson**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney