



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



**NEW BRAUNFELS, TX
550 LANDA ST.**

MONDAY, SEPTEMBER 18, 2023 at 5:00 PM

Neal Linnartz, Mayor
Andres Campos, Councilmember (District 1)
Christopher Willis, Councilmember (District 2)
Harry Bowers, Mayor Pro-Tem (District 3)
Lawrence Spradley, Councilmember (District 4)
Mary Ann Labowski, Councilmember (District 5)
April Ryan, Councilmember (District 6)
Robert Camareno, City Manager

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.***

AGENDA - AMENDED 09-15-23

CALL TO ORDER

CALL OF ROLL: CITY SECRETARY

INVOCATION: COUNCILMEMBER WILLIS

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

PROCLAMATIONS

- A) Hunger Action Month [23-1190](#)
- B) Clean Energy Week Proclamation [23-1230](#)

1. WORKSHOP

- A) Presentation on the NBU Water Supply Strategy and Future Outlook. [23-1215](#)
Ryan Kelso, NBU Interim Chief Executive Officer
- B) Presentation of the City-County Communications and Marketing Association and Texas Association of Municipal Information Officers awards. [23-1236](#)
Jenna Vinson, Director of Communication and Community Engagement
- C) Presentation and discussion on a proposed Business Improvement and Preservation Grant Program in the Downtown TIRZ. [23-1137](#)
Jeff Jewell, Economic and Community Development Director
- D) Presentation and possible direction on the Transit [23-1177](#)

Development Plan and New Braunfels Small Urban Area
Transit Funding.

Garry Ford, Transportation & Capital Improvements Director

- E) Presentation and possible direction on the Non-Standard [23-1187](#)
Service Agreement between the City of New Braunfels
and Green Valley Special Utility District

Scott McClelland, Assistant Transportation & Capital Improvements Director

- F) Presentation and possible direction on updates to the [23-1218](#)
traffic impact analysis review fee and requirements.

Garry Ford, Transportation & Capital Improvements Director

2. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of a reconsideration of [23-1251](#)
the resolution of the City of New Braunfels ratifying the
increase in revenue generated by the 2023 property tax
rate included in the FY 2024 Annual Budget.

Jared Werner, Assistant City Manager

- B) Discuss and consider approval of a reconsideration of [23-1252](#)
the second and final reading of an ordinance adopting
the 2023 ad valorem tax rates.

Jared Werner, Assistant City Manager

3. EXECUTIVE SESSION

In accordance with the Open Meetings Act, Texas Government Code, Ch. 551, the City Council may convene in a closed session to discuss any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

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

5. ADJOURNMENT

CERTIFICATION

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

Gayle Wilkinson, City Secretary

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

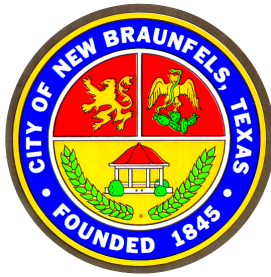


City Council - Special Agenda Item Report

550 Landa Street
New Braunfels, TX

9/18/2023

Agenda Item No. A)



Proclamation

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

WHEREAS, hunger and poverty are issues of vital concern in Texas where 1 in 7 Texans (over 4 million) struggle with hunger, and of them, 1 in 6 are children (over 1.3 million); and

WHEREAS, the food pantries in New Braunfels and their partners are committed to taking steps to combat hunger in their community as well as provide resources for those they serve; and

WHEREAS, the San Antonio Food Bank, the New Braunfels Food Bank, and New Braunfels food pantries are partners committed to Fighting Hunger and Feeding Hope in conjunction with Feeding America; highlighting the role of food banks and food pantries in addressing hunger and raising awareness of the need to devote more resources to hunger issues to help vulnerable food insecure populations like kids and seniors; and

WHEREAS, the New Braunfels Food Bank and their partners serve over 5200 households a month in New Braunfels alone, and the San Antonio Food Bank currently assist around 105,000 individuals a week throughout 29 counties in the Southwest Texas area; and

WHEREAS, the month of September has been designated “Hunger Action Month” in order to bring attention to food insecurity in our communities and to engage the public in action – including volunteer shifts, social media shares, and donations – to end hunger one helping at a time.

NOW THEREFORE, be it proclaimed that I, Neal Linnartz, Mayor of the City of New Braunfels, Texas, proclaim September 2023, as

HUNGER ACTION MONTH

in New Braunfels, Texas, and I do thereby call upon our citizens to join in recognizing and participating in this special observance

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 18th day of September 2023.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

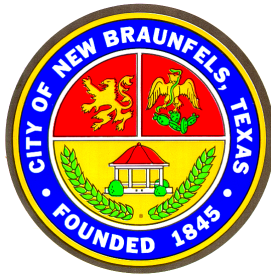


City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

9/18/2023

Agenda Item No. B)



Proclamation

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

WHEREAS; Clean energy is part of America’s future. Across Texas, clean and abundant forms of energy are powering more homes and businesses than ever before. This includes renewable sources such as wind, solar, hydro, and geothermal, as well as nuclear, natural gas, and carbon capture technologies.

WHEREAS; Leaders, businesses, and individuals across the city are making choices every day to reduce their carbon footprint by identifying opportunities to make significant changes that will save them money while prioritizing greener technology, and

WHEREAS; Texas ranks first in wind-powered electricity generation for the seventeenth year in a row. In early 2023, Texas had over 13,500 megawatts of solar capacity, ranking second in the nation for solar power production. In early 2023, Texas had over 13,500 megawatts of solar capacity, ranking second in the nation for solar power production. For 2022, Texas ranked first in the nation for overall electricity generation, accounting for over 12% of the nation’s electricity generation and double the amount of the second-place holder.

WHEREAS, With over 248,000 clean energy jobs, the clean energy sector is a key driver of economic growth in Texas. With great benefits to Texas, these are jobs that cannot be outsourced due to the on-site nature of construction, installation, and maintenance. Clean energy jobs are inherently local and contribute to the growth of local economies.

NOW THEREFORE, be it proclaimed that I, Neal Linnartz, Mayor of the City of New Braunfels, Texas, proclaim September 25th through the 29th of 2023 as

CLEAN ENERGY WEEK

in New Braunfels, Texas, and I do encourage all residents of New Braunfels to support our state’s clean energy industries and resources.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed this the 18th day of September 2023.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor



City Council - Special Agenda Item Report

550 Landa Street
New Braunfels, TX

9/18/2023

Agenda Item No. A)

PRESENTER:

Ryan Kelso, NBU Interim Chief Executive Officer

SUBJECT:

Presentation on the NBU Water Supply Strategy and Future Outlook.

9/18/2023

Agenda Item No. B)

PRESENTER:

Jenna Vinson, Director of Communication and Community Engagement

SUBJECT:

Presentation of the City-County Communications and Marketing Association and Texas Association of Municipal Information Officers awards.

DEPARTMENT: Communications

BACKGROUND INFORMATION:

The City of New Braunfels has been recognized by both the state-wide organization Texas Association of the Municipal Information Officers and the national organization City-County Communications and Marketing Association for outstanding work in municipal communications. During the 2023 award cycle, from the national organization, the City was honored with a 1st place award for Wein & Saengerfest, a 2nd place award for a social media post, and 3rd place award for the 2023 Bond Public Education Campaign. From the state-wide association, the City earned an Award of Excellence for the website and an Award of honor for the Best Use of Short-form Video.

9/18/2023

Agenda Item No. C)

PRESENTER:

Jeff Jewell, Economic and Community Development Director

SUBJECT:

Presentation and discussion on a proposed Business Improvement and Preservation Grant Program in the Downtown TIRZ.

DEPARTMENT: Economic and Community Development**COUNCIL DISTRICTS IMPACTED:** 1, 5**BACKGROUND INFORMATION:**

At the May 11, 2023 regular meeting, the TIRZ 3 (downtown) Board discussed the creation of a grant program to assist in the fulfillment of goals and strategies adopted in the 2010 Downtown Implementation Plan. In the 2010 plan, there were adopted strategies of establishing a funding source dedicated to downtown improvements, incentivizing infill occupancy and development for vacant space and lots, increasing the number of residents downtown, and other accessibility, and circulation and aesthetics enhancements such as improving the sidewalk network. All these strategies and others outlined in that plan became the basis for establishment of the Business Improvement and Preservation Grants Program. The program is intended to be awarded to businesses and property owners seeking to undertake improvements to buildings that will fulfill the goals of the Downtown Implementation Plan. The Tax Increment Reinvestment Zone # 3 (Downtown TIRZ) Project and Finance Plan included economic development incentives for environmental remediation, historic façade restoration and improvements and fire safety improvements and grants.

The grant program will consider awarding up to twenty-five percent (25%) of total costs for improvements that support the goals of promoting downtown infill occupancy, redevelopment, historic preservation, infrastructure and façade improvements, asbestos abatement, fire sprinkler system updates/installation, code updates, and ADA accessibility modifications.

The Downtown TIRZ Board has been engaged in the creation of the program and continually offered ideas for project criteria, application requirements, broad vs. narrow project types, application deadlines, maximum award payouts, the potential for partial awards, implementing fiscal impact analyses, the potential to offer loans, and in-person presentations by applicants.

The discussion continued at the Board's June 8, 2023 regular meeting where staff was directed to move forward with the creation of the TIRZ 3 grant program policy, process flow chart, and preliminary online application. The Board convened again on July 13, 2023 to continue the grant program discussion and review a preliminary project grading metric. The Board advised staff to finalize the program.

At the August 25, 2023 regular meeting, the TIRZ 3 Board reviewed and approved the final grant program policy, flow chart, and online application. The presentation for this City Council Special Meeting will be informative in nature; potential action on the grant program will be requested at the next regular City Council meeting on September 25, 2023.

ISSUE:

Establishing a Business Improvement and Preservation Grant Program to incentivize downtown projects.



BUSINESS IMPROVEMENT & PRESERVATION GRANTS

Façade & Exterior

Residential & Commercial Conversion

Public Infrastructure & Streetscape

ACCEPTING APPLICATIONS



Downtown Business Improvement & Preservation Grant Program Guidelines

The Downtown Tax Increment Reinvestment Zone (TIRZ) Program helps facilitate catalytic redevelopment projects in the downtown area using tax increment investments. Applications are evaluated by the Downtown TIRZ Board using an evaluation scoring system. Funding of eligible improvements will be based on a project's score and available funds. Funding is available to property and business owners through this program for eligible building façade/exterior improvements, preservation, streetscape or right-of-way improvements, and/or health and safety updates.

Strategies

- Incentivize infill development and occupancy for vacant space and lots
- Help increase number of Downtown residents
- Help increase open space in Downtown
- Help fund enhancement projects (lighting, landscaping, public art) and maintenance on public infrastructure and in public right-of-way
- Help fund projects to fill in pedestrian amenity "gaps" in Downtown, which may include lighting, street furniture, landscaping, trees, and shading devices
- Help fund projects to repair broken, incomplete sidewalk network and build new sidewalks where absent

Downtown Business Improvement & Preservation Grant Program

The City of New Braunfels and Tax Increment Reinvestment Zone #3 (Downtown TIRZ) offers business and property owners several programs to support the maintenance and improvement of the historic buildings in Downtown New Braunfels. The existing programs are based on current funds available.

Prior to beginning these programs, applicants must meet with Economic and Community Development (ECD) Staff and submit completed applications for full review. Applicants may also be required to meet with the Downtown TIRZ Board of Directors to receive final approval for grant requests. Grant applicants are required to demonstrate how their improvement is compatible with the Downtown Implementation Plan, Downtown Action Plan or Downtown TIRZ Project Plan.

All grants are a reimbursement with funds dispersed after the project is completed and inspected by City staff. Applicants must receive TIRZ Board approval BEFORE construction commences for the project for which the application is made. All requested grant projects must receive an award letter before the project is started; if not, the award monies are forfeited and the project is ineligible for reimbursement.

Eligible Types of Improvements for Funding

Façade/Exterior Improvements & Preservation Grant

This grant reimburses applicants for projects to renovate a building's façade. The maximum grant is up to 25% of the total façade costs of the project. Funds may be used for façade restoration/renovation projects that would require a significant change to the façade of the building, exterior improvements, or historical preservation.

Residential Grant

This grant is designed for the creation of new or renovations/improvements driven by code requirements to residential housing to enhance the value of the building or property. The maximum grant is up to 25% of total costs.

Commercial Conversion Grant

This grant reimburses property owners or businesses for converting and upgrading previously non-commercial properties in the Downtown TIRZ to encourage additional commercial development. The program will provide a grant up to 25% of eligible project costs for qualifying improvements to qualified applicants.

Public Infrastructure and Streetscape Grant

This grant is designed for improvements within the City's right-of-way driven by code requirements or intended as an aesthetic enhancement. The maximum grant is up to 25% of total costs. Examples of projects include pedestrian and related safety lighting, utility enhancements or replacements, landscaping and tree plantings, and other types of improvements that make a positive visual impact.

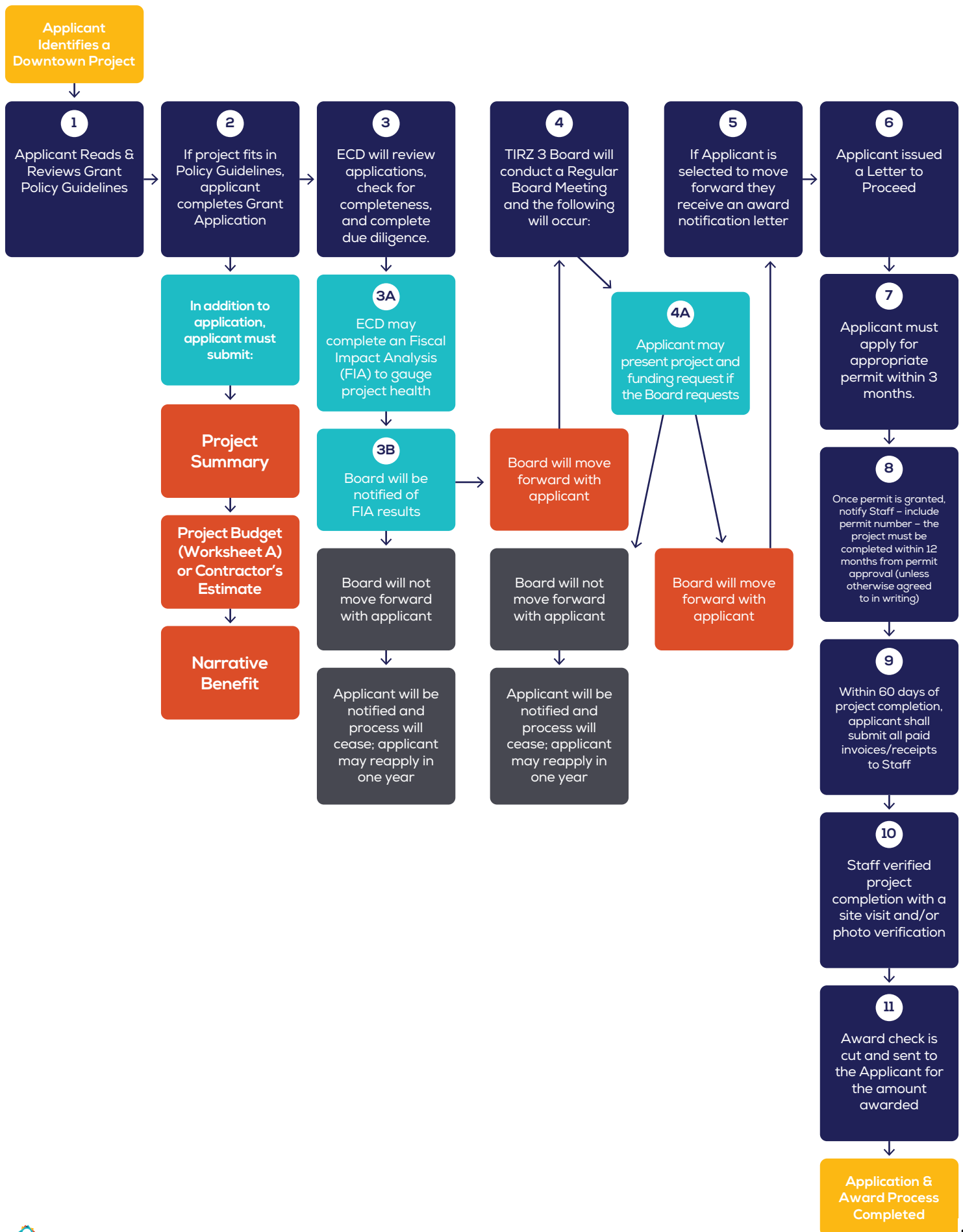
TIRZ 3 Boundary

Projects eligible for grants must be within the TIRZ 3 boundary.



The TIRZ 3 Board may periodically make changes to this policy as needed.

Downtown Business Improvement & Preservation Grant Program Process



9/18/2023

Agenda Item No. D)

PRESENTER:

Garry Ford, Transportation & Capital Improvements Director

SUBJECT:

Presentation and possible direction on the Transit Development Plan and New Braunfels Small Urban Area Transit Funding.

DEPARTMENT: Transportation & Capital Improvements**COUNCIL DISTRICTS IMPACTED:**All**BACKGROUND INFORMATION:**

The New Braunfels community identified the need for improved public transit in the comprehensive plan, Envision New Braunfels, and through community surveys and feedback. The City worked with the Alamo Area Metropolitan Planning Organization (AAMPO) to fund a planning study to evaluate public transportation service options in the City of New Braunfels. The study, completed in 2021, introduces alternatives and strategies to guide the development of a New Braunfels public transportation system.

The City is continuing the planning process and exploring public transportation options within the city limits as part of a Transit Development Plan. The Transit Development Plan will help shape the future of transportation in New Braunfels and provide a framework for implanting improved public transit. The plan was initiated in February and is expected to be completed this fall.

In addition to the transit planning activities, the Federal Transit Agency (FTA) informed the City in March of the new Small Urban Area designation associated with the 2020 Census and eligibility to receive federal transit funds directly. New Braunfels was previously in the San Antonio Large Urban Area, with VIA Metropolitan Transit receiving federal funds and maintaining the Alamo Area Council of Governments (AACOG) Alamo Regional Transit (ART) demand response service in New Braunfels. The City can be a direct recipient of federal and state transit funds or designate AACOG ART as the direct recipient for the New Braunfels UZA.

This presentation provides an update on transit-related items:

- Update on the Transit Development Plan.
- Direct Recipient activities, options, and next steps.

ISSUE:

Create a self-sustaining public transit system.

FISCAL IMPACT:

The City of New Braunfels is now eligible for state and federal transit funding, including 5307 Urbanized Area Formula Funds.

RECOMMENDATION:

N/A

9/18/2023

Agenda Item No. E)

PRESENTER:

Scott McClelland, Assistant Transportation & Capital Improvements Director

SUBJECT:

Presentation and possible direction on the Non-Standard Service Agreement between the City of New Braunfels and Green Valley Special Utility District

DEPARTMENT: Transportation & Capital Improvements

COUNCIL DISTRICTS IMPACTED: 2

BACKGROUND INFORMATION:

The Sports Complex (Phase 1) will require irrigation of approximately 50 acres of turf. In order to properly maintain the investment in the turf, a significant amount of water will be required on an annual basis. Over the last several years, the City has been working with Green Valley Special Utility District (GVSUD) to find an irrigation solution for the Sports Complex that addresses the financial concerns of irrigating the 50 acres of turf in the complex, but also addresses the environmental and natural resource concerns that come with using potable water for irrigation. It was determined that utilizing reclaimed water would be the best way to manage both the financial and natural resources for the City.

In early 2023 GVSUD finalized an agreement with the Guadalupe-Blanco River Authority (GBRA) to secure the rights to 350 ac-ft/year of Type 2 reclaimed water. This reclaimed water is currently being delivered to the Calpine Guadalupe power plant on Weil Road near FM 1044. The reclaimed water transmission line is less than a mile away from the Sports Complex site along FM 1044.

GVSUD has developed a preliminary design to create a reclaimed water system that will be owned and maintained by GVSUD and will supply the Sports Complex with Type 1 reclaimed water to be used for all irrigation onsite. The system will consist of a transmission pipeline along FM 1044, a GVSUD water storage tank, and a small treatment facility to treat the water from Type 2 reclaimed water to Type 1 reclaimed water.

GVSUD staff expects the GVSUD Board to participate in an upsize of the transmission pipeline to provide for future capacity in the GVSUD reclaimed water system. With this participation by GVSUD, the anticipated initial cost (connection fee) to the City will be \$2,783,164. The water rate charged on a monthly basis will be calculated off of the O&M costs GVSUD incurs, similar to a potable water rate. GVSUD has estimated that the volumetric charge for the reclaimed water will be approximately 33% of the volumetric rate for potable water. The connection fee for the reclaimed system is also estimated to be approximately \$1 million less than the potable water system connection.

The City and GVSUD are in final discussions regarding the terms of the Non-Standard Service Agreement and expect the GVSUD Board to take action at their September Board meeting on September 28th. City staff expects to bring the agreement to Council to approve in October, pending GVSUD Board approval.

ISSUE:

Provide irrigation water for the Sports Complex while being good stewards of natural and financial resources.

FISCAL IMPACT:

The anticipated cost for the connection fee associated with the Non-Standard Service Agreement is \$2,783,164 and is included in the Sports Complex Project budget.

RECOMMENDATION:

N/A

9/18/2023

Agenda Item No. F)

PRESENTER:

Garry Ford, Transportation & Capital Improvements Director

SUBJECT:

Presentation and possible direction on updates to the traffic impact analysis review fee and requirements.

DEPARTMENT: Transportation & Capital Improvements

COUNCIL DISTRICTS IMPACTED:All

BACKGROUND INFORMATION:

At the City Council Special Meeting on July 6, 2023, City Council directed staff to present the option to pass through 3rd party traffic impact analysis (TIA) review fees to applicants for cost recovery and improved TIA submittals and review timeline. Updating the review fee provides the opportunity to update TIA requirements to align to the new fee, provide clarity on submittals, meet nationally recognized recommended practice, and address community needs.

City staff will present a general summary and timeline of the proposed updated to the TIA review fee and requirements.

ISSUE:

The cost to review traffic impact analysis reports exceeds the current review fee.

FISCAL IMPACT:

The updated review fee will provide cost recovery.

RECOMMENDATION:

N/A

9/18/2023

Agenda Item No. A)

PRESENTER:

Jared Werner, Assistant City Manager

SUBJECT:

Discuss and consider approval of a reconsideration of the resolution of the City of New Braunfels ratifying the increase in revenue generated by the 2023 property tax rate included in the FY 2024 Annual Budget.

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

A review of the FY 2024 Proposed Budget Landing page of the City's website revealed an error on the Notice of Public Hearing on Tax Increase. This notice is prepared by the Comal County Tax Office and provides information regarding the increase/decrease in tax rate, taxes on the average homestead, etc. It also provides dates and times of the Tax Rate Hearing. There was a typographical error by the Comal County Tax Office in this notice that was published, and as a result, the date information was published incorrectly. While staff did review the detailed content of this notice, the typographical error with the date was missed. Staff has already implemented processes to mitigate the chances of this occurring in the future.

In the spirit of transparency, the City would like to present the citizens a second opportunity to speak to the tax rate at an additional public hearing to be held September 25, 2023 at 6:00 pm. Following that hearing, the resolution ratifying the increase in revenue generated by the 2023 property tax included in the FY 2024 Annual Budget can be considered by Council again.

ISSUE:

N/A

FISCAL IMPACT:

The ad valorem tax revenues provide funding for the FY 2024 Budget in the General Fund and Debt Service Fund.

STAFF RECOMMENDATION:

Staff recommends approval of the reconsideration of the resolution ratifying the increase in revenue generated by the 2023 property tax rate included in the FY 2024 Annual Budget.

RESOLUTION NO. 2023-R55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, RATIFYING THAT THE ADOPTION OF THE FY 2024 ANNUAL BUDGET WILL REQUIRE RAISING MORE REVENUE FROM PROPERTY TAXES THAN IN THE PREVIOUS YEAR.

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

WHEREAS, a separate vote of the City Council is required to ratify that the adoption of the FY 2024 Annual Budget will require raising more revenue from property taxes than the previous year; and

WHEREAS, this resolution represents such action;

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

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

SECTION 2. The Tax Year 2023 notification statement that states, “This Budget will raise more total property taxes than last year’s budget by \$5,361,681 or 12.3%, and of that amount \$1,587,169 is tax revenue to be raised from new property added to the tax roll this year” has been made.

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

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

District One	Councilmember Andres Campos
District Two	Councilmember Christopher Willis
District Three	Councilmember Harry Bowers
District Four	Councilmember Lawrence Spradley
District Five	Councilmember Mary Ann Labowski
District Six	Councilmember April Ryan
	Mayor Neal Linnartz

PASSED AND APPROVED: This the 11th day of September, 2023.

CITY OF NEW BRAUNFELS, TEXAS

BY: _____
Neal Linnartz, Mayor

ATTEST:

Gayle Wilkinson, City Secretary

9/18/2023

Agenda Item No. B)

PRESENTER:

Jared Werner, Assistant City Manager

SUBJECT:

Discuss and consider approval of a reconsideration of the second and final reading of an ordinance adopting the 2023 ad valorem tax rates.

DEPARTMENT: Finance**BACKGROUND INFORMATION:**

A review of the FY 2024 Proposed Budget Landing page of the City's website revealed an error on the Notice of Public Hearing on Tax Increase. This notice is prepared by the Comal County Tax Office and provides information regarding the increase/decrease in tax rate, taxes on the average homestead, etc. It also provides dates and times of the Tax Rate Hearing. There was a typographical error by the Comal County Tax Office in this notice that was published, and as a result, the date information was published incorrectly. While staff did review the detailed content of this notice, the typographical error with the date was missed. Staff has already implemented processes to mitigate the chances of this occurring in the future.

In the spirit of transparency, the City would like to present the citizens a second opportunity to speak to the tax rate at an additional public hearing to be held September 25, 2023 at 6:00 pm. Following that hearing, and the consideration and approval of the resolution ratifying the increase in revenue generated by the 2023 property tax included in the FY 2024 Annual Budget, the second and final reading of the ordinance to adopt the 2023 ad valorem tax rates can be considered by Council again.

FISCAL IMPACT:

The ad valorem tax revenues provide funding for the FY 2024 Budget in the General Fund and Debt Service Fund.

RECOMMENDATION:

Staff recommends approval of a reconsideration of the second and final reading of the tax ordinance for the 2023 ad valorem tax rates.

ORDINANCE NO. 2023-

TAX LEVY ORDINANCE

AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF NEW BRAUNFELS AND FOR THE TAX DEBT SERVICE FUND FOR PAYMENT OF INTEREST AND PRINCIPAL REQUIREMENTS FOR THE FISCAL YEAR OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024

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

SECTION 1. That there is hereby levied and there shall be collected for the use and benefit of the City's General Operating Fund during the Fiscal Year 2024, the sum of \$0.20000 on each One Hundred Dollars (\$100.00) of the assessed valuation of taxable property, real, personal and mixed, of said City of New Braunfels, which taxes, when collected, shall be paid into the City's General Operating Fund in the City Treasury. In accordance with the provisions and requirements of Section 26.05 (b) (1) of the Texas Property Tax Code, as amended, the City Council hereby states that **THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

SECTION 2. That there is hereby levied and there shall be collected for the use and benefit of the City's Tax Debt Service Fund during the Fiscal Year 2024, the sum of \$0.208936 on each One Hundred Dollars (\$100.00) of the assessed valuation of taxable property, real, personal and mixed, of said City of New Braunfels, which taxes, when collected, shall be paid into the City's Debt Service Fund.

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

SECTION 4. That for the use and support of the Fiscal Year 2024 Budget, the total tax levy of \$0.408936 on every One Hundred Dollars (\$100.00) assessed valuation of taxable property in the City of New Braunfels as listed and rated above, shall become due and payable on/about October 1st, 2023, and become and be considered delinquent if not paid by January 31st, 2024. In

accordance with the provisions and requirements of Section 26.05 (b) (1) of the Texas Property Tax Code, as amended, the City Council hereby states that **THE TAX RATE WILL EFFECTIVELY BE RAISED BY 8.6 PERCENT AND WILL INCREASE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$9.23**

After January 31, 2024, such taxes shall become delinquent and the penalty and interest designated herein shall be collected for each month or portion of month that the delinquent taxes remain unpaid:

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

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

Further, after July 1, 2024, an additional Tax Attorney Fee in the amount of fifteen percent (15%) shall be added to penalty and interest as set forth herein on all delinquent taxes forwarded to the designated Delinquent Tax Attorney for collection of said delinquent taxes.

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

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

1st Reading 2nd Reading

District One	Council Member Andres Campos
District Two	Council Member Christopher Willis
District Three	Mayor Pro Tem Harry Bowers
District Four	Council Member Lawrence Spradley
District Five	Council Member Mary Ann Labowski
District Six	Councilmember April Ryan
	Mayor Neal Linnartz

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

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

PASSED AND APPROVED: First reading this the 7th day of September, 2023.

PASSED AND APPROVED: Second reading this the 11th day of September, 2023.

CITY OF NEW BRAUNFELS, TEXAS

BY: _____
Neal Linnartz, Mayor

ATTEST:

Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

VALERIA ACEVEDO, City Attorney