

## Legislation Details (With Text)

<b>File #:</b>	24-776	<b>Name:</b>	
<b>Type:</b>	Report	<b>Status:</b>	Consent Item Ready
<b>File created:</b>	6/3/2024	<b>In control:</b>	City Council
<b>On agenda:</b>	7/8/2024	<b>Final action:</b>	
<b>Title:</b>	Approval of a Memorandum of Agreement between the City and New Braunfels Utilities for the exchange of operational control of two properties, an access easement, utility easement and a drainage easement and providing City Manager authority to execute agreement, easements, and related documents.		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Cat 1A\_0.581 Ac\_EST Site\_wEsmts, 2. Exhibit C 4.4.2024, 3. MOU FM1044 Coll Street Exchange

Date	Ver.	Action By	Action	Result
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**PRESENTER:**

Matthew Eckmann, Assistant Director of Public Works

**SUBJECT:**

Approval of a Memorandum of Agreement between the City and New Braunfels Utilities for the exchange of operational control of two properties, an access easement, utility easement and a drainage easement.

**DEPARTMENT:** Public Works

**COUNCIL DISTRICTS IMPACTED:** Districts 1 and 6

**BACKGROUND INFORMATION:**

the City owns an approximately 4.016 acre tract of unimproved property on FM 1044 which is under the exclusive operational control of the City. The City also owns an approximately .4388-acre tract of property commonly known as 1032 W. Coll Street, New Braunfels, Texas 78130 which is under the exclusive operational control of NBU, as agent of the City and was previously improved with an above ground water storage tank which was recently decommissioned and demolished.

**ISSUE:**

NBU is in need of a location for the new construction of an above ground water storage tank and has identified a portion of the City property located on the east side of FM 1044 just south of Old Marion Road in Guadalupe County. Additionally, NBU has just completed the demolition and decommissioning of another above ground water storage tank on the property located at 1032 W. Coll Street which is owned by the City but under the operational control of NBU.

The City has agreed to transfer the operational control of the proposed tank site on FM 1044 in exchange for NBU transferring the operational control of the property located on Coll Street. The City has also agreed to convey NBU an access easement, drainage easement and a utility easement on the tank site on FM 1044 in order for the new elevated storage tank to be constructed and operated.

**STRATEGIC PLAN REFERENCE:**

Economic Mobility  Enhanced Connectivity  Community Identity

Organizational Excellence  Community Well-Being  N/A

Continue to utilize cross departmental teams to enhance services provided to internal and external customers.

Progress toward acres of parkland per 1,000 resident's metrics as established by Parks and Recreation masterplan.

**FISCAL IMPACT:**

This exchange of operational control will not involve the transfer of funds, therefore, no fiscal impact is anticipated.

**RECOMMENDATION:**

Staff recommends approval