

AGENDA
The Board of Directors of the
Boerne Public Facility Corporation
Ronald C. Bowman City Council Chambers
447 N Main
Boerne, TX 78006
AUGUST 12, 2025 – 6:00 PM

1. CALL TO ORDER – 6:00 PM

2. CONFLICTS OF INTEREST

3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the Board of Directors on any issue. The Board of Directors may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

4. [2025-308](#) CONSIDER THE APPROVAL OF THE MINUTES OF THE BOERNE PUBLIC FACILITY CORPORATION OF APRIL 8, 2025.

Attachments: [minutes.25.0408 PFC](#)

5. [2025-419](#) CONSIDER RESOLUTION NO. 2025-R02; A RESOLUTION AUTHORIZING THE BOERNE PUBLIC FACILITY CORPORATION TO USE AND/OR TRANSFER FUNDS TO THE CITY OF BOERNE TO SUPPORT THE DEVELOPMENT OF THE FOLLOWING PUBLIC PURPOSES: APPROXIMATELY \$500,000 FOR CITY SIDEWALKS; APPROXIMATELY \$1,000,000 FOR DOWNTOWN PARKING FACILITIES; APPROXIMATELY \$1,500,000 FOR THE WATERWORKS TERRACE PROJECT; AND OTHER MATTERS IN CONNECTION THEREWITH.

Attachments: [AIS PFC - project funding](#)
 [Certificate of Resolution - 2025-R02](#)
 [Resolution No. 2025-R02](#)

6. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 8 day of August,
2025 at 3:00 p.m.

s/s Ben Thatcher
Assistant Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall Complex is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 830-249-9511.

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

MINUTES
The Board of Directors of the
Boerne Public Facility Corporation
Ronald C. Bowman City Council Chambers
447 N Main
Boerne, TX 78006
APRIL 8, 2025 – 5:30 PM

Minutes of the Boerne Public Facility Corporation meeting of April 8, 2025.

Present **6 -** Chairman Frank Ritchie, Board Member Bret A. Bunker, Board Member Sharon D. Wright, Secretary/Treasurer Joseph Macaluso, Board Member Quinten Scott, and Vice Chairman/Vice President Ty Wolosin

City Staff Present: Ben Thatcher, Sarah Buckelew, Lori Carroll, Nick Montagno, Mike Raute, Kristy Stark, Chastity Valdes, and Danny Zincke. Summer Greathouse with Bracewell, LLP.

1. CALL TO ORDER – 5:30 PM

Chairman Ritchie called the Boerne Public Facility Corporation Board meeting to order at 5:30 p.m.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS:

No comments were received.

4. CONSIDER THE MINUTES OF THE NOVEMBER 12, 2024 PUBLIC FACILITY CORPORATION BOARD MEETING.

A MOTION WAS MADE BY VICE CHAIRMAN/VICE PRESIDENT WOLOSIN, SECONDED BY SECRETARY/TREASURER MACALUSO, TO APPROVE THE MINUTES OF THE NOVEMBER 12, 2024 PUBLIC FACILITY CORPORATION BOARD MEETING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 6 - Chairman Ritchie, Board Member Bunker, Board Member Wright, Secretary/Treasurer Macaluso, Board Member Scott, and Vice Chairman/Vice President Wolosin

5. CONSIDER RESOLUTION NO. 2025-R01; A RESOLUTION AUTHORIZING THE TRANSFER OF THE PARTNERSHIP INTERESTS OF 3 SHOOTING CLUB SLP, LLC, IN LIV BOERNE HILLS, LP, TO AHP HOUSING FUND 205, LLC OR AN AFFILIATE THEREOF; AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE DEVELOPMENT SUB-AGREEMENT AND ANY OTHER DOCUMENTS IN CONNECTION THEREWITH; AND OTHER MATTERS IN CONNECTION THEREWITH.

Chairman Ritchie called on Nick Montagno, City Operations Manager, to provide an update on a proposed sale involving two partners in the LIV Boerne project, a 162-unit development that has been in operation since 2021. Mr. Montagno explained that the proposed transaction involves a transfer of interest to AHP Housing Fund 205, LLC, which is acquiring the project from one of the original partners. He noted that the partnership with the Public Facility Corporation (PFC) remains unchanged.

Mr. Montagno then introduced Summer Greathouse with Bracewell, LLP to further explain the structure of the agreement. Ms. Greathouse stated that, as part of this transaction, the PFC will receive \$400,000 of the outstanding developer fee, which allows the total fee to align with the originally contemplated 60/40 split. She emphasized that the project must continue to be held and managed as a whole, and must be generating cash flow before the PFC can receive any financial return.

A discussion followed regarding the 15-year compliance period, often referred to as the "clock," and Mr. Montagno confirmed that it began in 2021. He further clarified that neither the PFC nor the City has any financial liability in connection with this transaction.

In response to a question regarding project management, Mr. Montagno identified Shooting Club SLP, LLC as the managing partner and noted that AHP Housing is a larger and more experienced organization, which is expected to strengthen the project moving forward.

A MOTION WAS MADE BY VICE CHAIRMAN/VICE PRESIDENT WOLOSIN, SECONDED BY BOARD MEMBER SCOTT, TO APPROVE RESOLUTION NO. 2025-R01; A RESOLUTION AUTHORIZING THE TRANSFER OF THE PARTNERSHIP INTERESTS OF 3 SHOOTING CLUB SLP, LLC, IN LIV BOERNE HILLS, LP, TO AHP HOUSING FUND 205, LLC OR AN AFFILIATE THEREOF; AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE DEVELOPMENT SUB-AGREEMENT AND ANY OTHER DOCUMENTS IN CONNECTION THEREWITH; AND OTHER MATTERS IN CONNECTION THEREWITH. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 6 - Chairman Ritchie, Board Member Bunker, Board Member Wright, Secretary/Treasurer Macaluso, Board Member Scott, and Vice Chairman/Vice President Wolosin

6. BRIEFING AND DISCUSSION ON ANNUAL AUDITOR'S REPORT REGARDING DELIVERY OF BOOKS, RECORDS, ACCOUNTS AND FINANCIAL STATEMENTS.

Chairman Ritchie called on Sarah Buckelew, the city's Finance Director to report on the annual auditors report of the Boerne Public Facility Corporation. She reviewed the summary of fund balance for the two PFC projects, LIV Boerne and Estraya. She stated that the accounts are earning interest.

7. ADJOURNMENT

Chairman Ritchie adjourned the Boerne Public Facility Corporation Board meeting at 5:44 p.m.

Chairman

s/s Ben Thatcher
Assistant Secretary

BOERNE PUBLIC FACILITY CORPORATION	AGENDA ITEM SUMMARY
Agenda Date	August 12, 2025
Requested Action	APPROVE RESOLUTION NO. 2025-R02; A RESOLUTION AUTHORIZING THE BOERNE PUBLIC FACILITY CORPORATION TO USE AND/OR TRANSFER FUNDS TO THE CITY OF BOERNE TO SUPPORT THE DEVELOPMENT OF THE FOLLOWING PUBLIC PURPOSES: APPROXIMATELY \$500,000 FOR CITY SIDEWALKS; APPROXIMATELY \$1,000,000 FOR DOWNTOWN PARKING FACILITIES; APPROXIMATELY \$1,500,000 FOR THE WATERWORKS TERRACE PROJECT; AND OTHER MATTERS IN CONNECTION THEREWITH.
Contact Person	Sarah Buckelew, Finance Director
Background Information	<p>The Boerne PFC has approximately \$3 million of fund balance available for qualifying projects. The PFC board is being asked to consider allocating the funds towards the following projects: \$500,000 for City sidewalks, \$1,000,000 for downtown parking facilities, and \$1,500,000 for the waterworks terrace projects.</p> <p>The PFC has authority to invest or expend funds towards public projects so long as the PFC has deemed a public purpose is being met and as long as the PFC ensures the funds are used for the construction and placement in service of public facilities such as the above listed projects.</p>
Financial Considerations	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Certificate of Resolution Resolution No. 2025-R02

CERTIFICATE FOR RESOLUTION

The undersigned officer of the Boerne Public Facility Corporation, a Texas nonprofit corporation created pursuant to the laws of the State of Texas (“BPFC”) hereby certifies as follows:

1. In accordance with its bylaws, the Board of Directors of BPFC (the “Board”) held a meeting on August 12, 2025, (the “Meeting”) of the duly constituted officers and members of the Board, at which a duly constituted quorum was present. Whereupon among other business transacted at the Meeting, a written

RESOLUTION AUTHORIZING THE BOERNE PUBLIC FACILITY CORPORATION TO USE AND/OR TRANSFER FUNDS TO THE CITY OF BOERNE TO SUPPORT THE DEVELOPMENT OF THE FOLLOWING PUBLIC PURPOSES: APPROXIMATELY \$500,000 FOR CITY SIDEWALKS; APPROXIMATELY \$1,000,000 FOR DOWNTOWN PARKING FACILITIES; APPROXIMATELY \$1,500,000 FOR THE WATERWORKS TERRACE PROJECT; AND OTHER MATTERS IN CONNECTION THEREWITH

(the “Resolution”) was duly introduced for the consideration of the Board and discussed. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by a majority vote of the Board.

2. A true, full, and correct copy of the Resolution adopted at the Meeting is attached to and follows this Certificate; the Resolution has been duly recorded in the Board’s minutes of the Meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting; and the Meeting was held and conducted in accordance with the Bylaws of BPFC.

SIGNED August 12, 2025.

Joseph Macaluso, Assistant Secretary

RESOLUTION NO. 2025-R02

RESOLUTION AUTHORIZING THE BOERNE PUBLIC FACILITY CORPORATION TO USE AND/OR TRANSFER FUNDS TO THE CITY OF BOERNE TO SUPPORT THE DEVELOPMENT OF THE FOLLOWING PUBLIC PURPOSES: APPROXIMATELY \$500,000 FOR CITY SIDEWALKS; APPROXIMATELY \$1,000,000 FOR DOWNTOWN PARKING FACILITIES; APPROXIMATELY \$1,500,000 FOR THE WATERWORKS TERRACE PROJECT; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City Council of the City of Boerne, Texas (the “City”), has, pursuant to the Texas Public Facility Corporation Act, Chapter 303, Texas Local Government Code, as amended (the “Act”), approved and created the Boerne Public Facility Corporation, a nonstock, nonprofit public facility corporation (the “Corporation”);

WHEREAS, the Corporation, on behalf of the City, is empowered to finance the costs of or otherwise provide for the acquisition, construction, and placement in service of public facilities for residents of the City, among other things (the “Purposes”);

WHEREAS, the City has proposed the development of (i) sidewalks located in the City (the “Sidewalks”) (ii) parking facilities located in the downtown district of the City (the “Parking Facility”), and (iii) the Waterworks Terrace Parks Project located at West Blanco Road and West San Antonio Avenue in the City (“Waterworks Terrace”, together with the Sidewalks and Parking Facility, collectively, the “Facilities”);

WHEREAS, all of the Facilities will be open for use by the residents of the City;

WHEREAS, the Corporation has unallocated funds that may be used in furtherance of its Purposes;

WHEREAS, the City has proposed approximately \$500,000 for the development of the Sidewalks, approximately \$1,000,000 for the development of the Parking Facility, and approximately \$1,500,000 for the development of Waterworks Terrace;

WHEREAS, the Board has determined that it is in the public interest and to the benefit of the citizens and residents of Boerne for the various entities to enter into the transactions described above so that the Facilities may be developed;

WHEREAS, this Board of Directors has reviewed the foregoing and determined that the action herein authorized is in furtherance of the Purposes of Corporation;

BE IT THEREFORE RESOLVED BY THE BOARD OF DIRECTORS OF THE BOERNE PUBLIC FACILITY CORPORATION, THAT:

Section 1. The Corporation is authorized to use, grant and/or transfer to the City approximately \$500,000 for the development of the Sidewalks, approximately \$1,000,000 for the

development of the Parking Facility, and approximately \$1,500,000 for the development of Waterworks Terrace.

Section 2. The President, any Vice President, the Secretary, the Treasurer, any Assistant Secretary, or any of them, are hereby authorized to execute any and all documentation required or reasonably requested for the funds to be used to develop the Facilities.

Section 3. The President, any Vice President, the Secretary, the Treasurer, and any Assistant Secretary, or any of them, and, if required by the form of the document, the Secretary and any Assistant Secretary, or any of them, of Corporation are authorized and directed to modify, execute and deliver any of the documents to be signed by or consented to by Corporation, and any and all certificates and other instruments necessary to carry out the intent thereof and hereof. The President, any Vice President, the Secretary, the Treasurer, and any Assistant Secretary, or any of them, are authorized to negotiate and approve such changes in, or additions to, the terms of any of the documents, including amendments, renewals, and extensions, as such officers shall deem necessary or appropriate upon the advice of counsel to Corporation, and approval of the terms of any of the documents by such officers and this Board shall be conclusively evidenced by the execution and delivery of such documents.

Section 4. The officers of this Board, or any of them, are authorized to take any and all action necessary to carry out and consummate the transactions described in or contemplated by the documents approved hereby or otherwise to give effect to the actions authorized hereby and the intent hereof.

Section 5. If any section, paragraph, clause, or provisions of this Resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

Section 7. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 8. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 9. This Resolution shall be in force and effect from and after its passage.

PASSED and APPROVED on this the 12 day of August, 2025.

APPROVED:

President/Chairman

ATTEST:

Assistant Secretary