

RESOLUTION NO. 2026-R36

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS, AND KENDALL COUNTY, TEXAS, FOR CONSTRUCTION AND FUNDING OF DRAINAGE IMPROVEMENT PROJECTS

WHEREAS, the City of Boerne, Texas (the “City”) and Kendall County, Texas (the “County”) previously entered into an Interlocal Agreement on February 14, 2022, to facilitate the construction and funding of drainage improvement projects to enhance public safety and protect property from flooding and drainage issues; and

WHEREAS, the parties previously amended the Interlocal Agreement on August 19, 2024, and have identified the need for a second amendment due to unforeseen delays and construction complexities affecting the Adler Road Culvert Project; and

WHEREAS, the City Council finds it in the best interest of the citizens to enter into and manage a second amendment to the interlocal agreement with Kendall County to revise the project schedule and procedures related to project delays while maintaining compliance with applicable federal funding requirements;

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

The Amendments are as follows.

Section 1. Article II, Section 2.1(d) is hereby amended and restated in its entirety to establish revised procedures for project delays, consultation between the Parties, federal compliance actions, force majeure, documentation requirements, and updated project milestones for Substantial Completion by September 4, 2026, and Final Acceptance by October 1, 2026.

Section 2. Except as provided herein, all terms and conditions of the Original Agreement, as previously amended, shall remain unchanged.

PASSED, APPROVED and ADOPTED on this the ___ day of _____, 2026.

APPROVED:

Mayor

ATTEST:

City Secretary