

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
MARCH 25, 2025 – 6:00 PM

A quorum of the City Council will be present during the meeting at: 447 N Main, Boerne, TX 78006.

1. CALL TO ORDER – 6:00 PM

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and indivisible.)

2. CONFLICTS OF INTEREST

3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue, in compliance with LGC Section 551.007. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

4. CONSENT AGENDA: All items listed below within the Consent Agenda are considered to be routine by the City Council and may be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence.

A. [2025-117](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF MARCH 11, 2025.

Attachments: [Minutes.25.0311](#)

- B. [2025-124](#) CONSIDER ON SECOND READING ORDINANCE NO. 2025-03; AN ORDINANCE AMENDING THE CITY OF BOERNE CODE OF ORDINANCES, CHAPTER 2. ADMINISTRATION, ARTICLE IV RECORDS MANAGEMENT PROGRAM, ADDING SECTIONS 2-104 PUBLIC INFORMATION REQUESTS; ADOPTING HOUSE BILL 3033 (2023) VEXATIOUS REQUESTORS PROVIDING FOR A SEVERABILITY CLAUSE.

Attachments: [AIS Vexatious Requestors Ordinance No. 2025-03](#)

- C. [2025-116](#) CONSIDER RESOLUTION NO. 2025-R15; A RESOLUTION OF THE CITY OF BOERNE, TEXAS RATIFYING AN EMERGENCY EXPENDITURE BY CITY STAFF AND AUTHORIZING A PAYMENT TO CNG DELIVERY, LLC FOR NATURAL GAS TRAILER REFILLS AND RENTAL TERM EXTENSION FOR AN AMOUNT NOT TO EXCEED \$24,980.00. (Three emergency refills and two additional weeks of rental.)

Attachments: [CNG Trailer Rental Additional Expenses Approval AIS Resolution No. 2025-R15](#)

- D. [2025-119](#) CONSIDER RESOLUTION NO. 2025-R16; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AWARDING THE CONTRACT FOR 2022 BOND PARKS AND OPEN SPACE TO WATERMAN CONSTRUCTION, LLC, A BUYBOARD APPROVED VENDOR, FOR SPORTS FIELD IMPROVEMENTS AT NORTHRUP PARK FOR AN AMOUNT NOT TO EXCEED \$250,106.00

Attachments: [AIS Northrup Field 11 Improvements Resolution No. 2025-R16 WC-25007 Boerne NorthrupParkSoftballField 1.0 ForApproval](#)

- E. [2025-122](#) CONSIDER RESOLUTION NO. 2025-R17; A RESOLUTION TO RATIFY THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF BOERNE AND ON DUTY HEALTH FOR PUBLIC SAFETY HEALTH SCREENING IN AN AMOUNT NOT TO EXCEED \$57,026.00.

Attachments: [AIS - On Duty Health 2025 Resolution No. 2025-R17 On Duty Health Packages](#)

- F. [2025-123](#) CONSIDER RESOLUTION NO. 2025-R18; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDED SHARED SERVICES AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND HILL COUNTRY FAMILY SERVICES.

Attachments: [HCFS Updated SSA AIS](#)
[Resolution No. 2025-R18](#)

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2025-067](#) PRESENTATION BY JUDGE ED PHILLIPS REGARDING THE YOUTH DIVERSION PROGRAM AND COURT OPERATIONS AND RECOGNIZING CLAUDIA LEMON FOR HER YEARS OF SERVICE IN MUNICIPAL COURT.

Attachments: [AIS- Court Youth Diversion Presentation](#)

6. RESOLUTIONS:

- A. [2025-062](#) CONSIDER RESOLUTION NO. 2025-R19; A RESOLUTION OF THE CITY OF BOERNE ADOPTING A PROCUREMENT POLICY TO ENSURE TRANSPARENCY, EFFICIENCY, AND ACCOUNTABILITY IN THE EXPENDITURE OF PUBLIC FUNDS.

Attachments: [AIS - Procurement Policy](#)
[Resolution No. 2025-R19](#)
[Procurement Policy version 2025.1](#)

- B. [2025-066](#) CONSIDER RESOLUTION NO. 2025-R20; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ADOPTING THE PURCHASE CARD (P-CARD) POLICY AND PROCEDURE MANUAL TO ENHANCE FINANCIAL OVERSIGHT, EFFICIENCY, AND FRAUD PREVENTION.

Attachments: [AIS - PCard policy and procedure manual](#)
[Resolution No. 2025-R20](#)
[Purchase Card Policy and Procedure Manual version 2025.1](#)

7. CITY MANAGER'S REPORT:

- A. [2025-131](#) COMMUNICATIONS DEPARTMENT UPDATE: INTRODUCTION OF BRIA JACKSON, MULTI-MEDIA SPECIALIST AND GOALS AND OBJECTIVES OF THE DEPARTMENT.
- B. [2025-094](#) UPDATE ON THE 89th LEGISLATIVE SESSION.
- C. [2025-013](#) MONTHLY PROJECTS REPORT.
8. COMMENTS FROM COUNCIL – No discussion or action may take place.
9. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:
- A. [2025-093](#) SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY; POTENTIAL EMINENT DOMAIN DISCUSSION.
- B. [2025-118](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY: DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY. (Ammann Road)
10. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.
- A. [2025-129](#) CONSIDER RESOLUTION NO. 2025-R21; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND _____ FOR THE SALE OF 2.923 ACRE TRACT OUT OF THE WILLIAM D. LUSK SURVEY NO. 211, ABSTRACT NO. 306, KENDALL COUNTY.

Attachments: [Resolution No. 2025-R21](#)

11. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 21 day of
March, 2025 at 4:00 p.m.**

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall is wheelchair accessible. Access to the building and special parking is available at the northeast entrance of the building. Requests for auxiliary aides and 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
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
MARCH 11, 2025 – 6:00 PM

Minutes of the Regular Called City Council Meeting of March 11, 2025.

Present: 5 - Mayor Frank Ritchie, Mayor Pro Tem Ty Wolosin, Council Member Sharon D. Wright, Council Member Quinten Scott, and Council Member Joseph Macaluso

Absent: 1 - Council Member Bret A. Bunker

Present: Ben Thatcher, Sarah Buckelew, Lori Carroll, Nathan Crane, Mike Mann, Nick Montagno, Danielle Montes, Natalie Morgan, Mike Raute, Chris Shadrock, Natalie Shults, Kristy Stark, Chastity Valdes, and Danny Zincke.

Recognized/Registered Guests: Eddie Hill, Drew and Sookie Oltyan, Len Brimhall, and Whit and Jimi Main.

1. CALL TO ORDER – 6:00 PM

Mayor Ritchie called the City Council meeting to order at 6:00 p.m.

Mayor Ritchie called on Pastor Neil Vanderbush of the Messiah Lutheran Church to provide the Invocation.

Mayor Ritchie led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS:

Eddie Hill, 29080 Old Fredricksburg Road stated that he was representing the local pickle ball players to express gratitude for painting and refurbishing the pickle ball courts.

4. CONSENT AGENDA:

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY COUNCIL MEMBER SCOTT, TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, and Council Member Macaluso

A. CONSIDER THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF FEBRUARY 25, 2025.

THE MINUTES WERE APPROVED.

B. CONSIDER UPDATES TO THE CITY'S RECORDS MANAGEMENT PLAN

THE RECORDS MANAGEMENT PLAN WAS APPROVED.

C. CONSIDER ON SECOND READING ORDINANCE NO. 2025-01; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, ZONING 71.12 ACRE TRACT FROM A HOL-INTERIM HOLDING ZONING DISTRICT TO R2-N NEIGHBORHOOD RESIDENTIAL ZONING DISTRICT, LOCATED AT WEST STATE HIGHWAY 46 (KAD NO. 307605 AND 316184; A10360 - SURVEY 179 NEWTON & TAYLOR 71.12 ACRES) TO ALLOW FOR A SINGLE-FAMILY SUBDIVISION. (Forestar (USA) Real Estate Group Inc. and Continental Homes of Texas, LP) (Spencer Ranch)

THE ORDINANCE WAS APPROVED.

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:**A. RECEIVE THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FROM ABIP, PC FOR FISCAL YEAR 2023-2024. (Receive the report from the auditors)**

Mayor Ritchie called on Sarah Buckelew, Finance Director to provide information on the Annual Comprehensive Financial Report (ACFR). Director Buckelew stated that this report was prepared in accordance with the Home Rule Charter, as well as State statutes and generally accepted accounting principles for government. In addition to meeting legal requirements, this report reflects the city's commitment to full financial disclosure and transparency. Director Buckelew introduced Janet Pittman, a CPA and partner at ABIP, PC to review the results of the 2023-2024 ACFR audit. Ms. Pittman stated that because the city is a local government there is an additional layer of standards to follow. In the their independent audit opinion, the findings are "unmodified" which is the best opinion you can get from an independent audit. Also as part of the audit, it was determined that the city is in compliance with the Public Funds Investment Act. A full copy of the report was provided to the city council.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER MACALUSO, TO RECEIVE THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FROM ABIP, PC FOR FISCAL YEAR 2023-2024. (RECEIVE THE REPORT FROM THE AUDITORS). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, and Council Member Macaluso

B. RECEIVE THE POPULAR ANNUAL FINANCIAL REPORT (PAFR) FOR FISCAL YEAR 2023-2024.

Director Bucklew continued with the purpose of the Popular Annual Financial Report (PAFR) which is a summary and a simplified version of the Annual Comprehensive Financial Report making it more understandable to the general public. The City received an award in the past for this report.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER SCOTT, TO RECEIVE THE POPULAR ANNUAL FINANCIAL REPORT (PAFR) FOR FISCAL YEAR 2023-2024. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, and Council Member Macaluso

C. CONSIDER ON FIRST READING ORDINANCE NO. 2025-03; AN ORDINANCE AMENDING THE CITY OF BOERNE CODE OF ORDINANCES, CHAPTER 2. ADMINISTRATION, ARTICLE IV RECORDS MANAGEMENT PROGRAM, ADDING SECTIONS 2-104 PUBLIC INFORMATION REQUESTS; ADOPTING HOUSE BILL 3033 (2023) VEXATIOUS REQUESTORS PROVIDING FOR A SEVERABILITY CLAUSE.

Mayor Ritchie called on Lori Carroll, City Secretary. Secretary Carroll provided information on House Bill 3033 which was passed in the last legislative session which addresses vexatious requestors. HB 3033 amended Government Code 552.275 allowing the city to establish monthly and annual time limits on the amount of personnel time dedicated to fulfilling public information requests.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE ON FIRST READING ORDINANCE NO. 2025-03; AN ORDINANCE AMENDING THE CITY OF BOERNE CODE OF ORDINANCES, CHAPTER 2. ADMINISTRATION, ARTICLE IV RECORDS MANAGEMENT PROGRAM, ADDING SECTIONS 2-104 PUBLIC INFORMATION REQUESTS; ADOPTING HOUSE BILL 3033 (2023) VEXATIOUS REQUESTORS PROVIDING FOR A SEVERABILITY CLAUSE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, and Council Member Macaluso

6. RESOLUTIONS:

A. CONSIDER RESOLUTION NO. 2025-R13; A RESOLUTION ADOPTING THE 2025 CITY OF BOERNE ROLLING TEN YEAR PLAN.

Mayor Ritchie called on Nick Montagno, Operations Manager. Manager Montagno reviewed the objectives of the Rolling Ten Year Plan, which was created to consolidate and summarize all the city's major strategic documents into one comprehensive, easy to read document. He provided the elements of the Plan noting that the Arts and Culture Strategic Plan was adopted in 2024 and anticipates adding the Downtown Plan next year. He provided a comparison of the number of projects in the plan as compared to last year to include the number of projects that have been completed.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE RESOLUTION NO. 2025-R13; A RESOLUTION ADOPTING THE 2025 CITY OF BOERNE ROLLING TEN YEAR PLAN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, and Council Member Macaluso

B. CONSIDER RESOLUTION NO. 2025-R14; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHANGE ORDER NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND BADECO BORING & UTILITIES FOR CONSTRUCTION OF THE EAST LOOP NATURAL GAS MAIN - PHASE 2 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$854,450.

Mayor Ritchie called on Mike Mann, Utilities Director, to present the proposed change order for the East Loop Natural Gas Main, Phase 2 project. Director Mann provided a schematic illustrating the operation of the utility system and explained the necessity of the project. The upgrade involves increasing the gas pipeline diameter from six inches to eight inches, allowing for greater gas

capacity in the northeastern portion of the system. He also outlined the project's funding details. A discussion followed regarding residential meter sizes, the use of smart thermostats, and strategies for identifying excessive gas consumption. Director Mann stated that he forgot about the previous change order for this project, so if council decides to approve this agenda item, the motion should state Change Order 2.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE RESOLUTION NO. 2025-R14; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHANGE ORDER NO. 2 TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND BADECO BORING & UTILITIES FOR CONSTRUCTION OF THE EAST LOOP NATURAL GAS MAIN - PHASE 2 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$854,450. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, and Council Member Macaluso

7. CITY MANAGER'S REPORT:

A. RECOGNITION OF THE PATRICK HEATH PUBLIC LIBRARY FOR RECEIVING THE 2024 ACHIEVEMENT OF LIBRARY EXCELLENCE AWARD FROM THE TEXAS MUNICIPAL LIBRARY DIRECTOR'S ASSOCIATION.

Mayor Ritchie invited Natalie Shults, Library Director, to present information on the 2024 Achievement of Library Excellence Award, which was awarded to the Patrick Heath Public Library by the Texas Municipal Library Director's Association. She noted that the Patrick Heath Public Library is one of only 102 out of 542 libraries in Texas to receive this prestigious recognition.

B. RECOGNITION OF THE FINANCE DEPARTMENT FOR RECEIVING THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) AWARD.

Director Bucklew provided information on the city's recognition of receiving the Certificate of Achievement for Excellence in Financial Reporting for the 37th consecutive year. This recognition is the highest form of recognition for excellence in state and local government in the area of governmental accounting and financial reporting.

C. BOERNE LISTENS - A COMMUNITY SURVEY FOLLOW-UP. (Focusing on Water)

City Manager Ben Thatcher spoke about the 2024 Citizen Survey, highlighting the wealth of valuable information it provided. He announced that, moving forward, he will present key takeaways from the survey at the first council meeting each month. This evening's discussion focused on water. As part of the discussion, City Manager Thatcher asked each council member to read a comment from their district related to water concerns. He then invited Utilities Director Mann to respond to the comments. The conversation covered several key topics, including the development of a long-term roadmap through 2070, conservation and water allocation, investments in reclaimed water for currently unserved areas, rain and HVAC water catchment, the feasibility of treating reclaimed water for potable use, and the potential creation of a Super Fund.

8. COMMENTS FROM COUNCIL – No discussion or action may take place.

Mayor Pro Tem Wolosin stated that this evening's meeting was an example of the excellence of city staff with the library and finance awards. He also expressed appreciation to Utilities Director Mann for an information presentation.

9. ADJOURNMENT

Mayor Ritchie adjourned the City Council Meeting at 7:45 p.m.

Approved:

Mayor

Attest:

City Secretary



AGENDA ITEM SUMMARY

Agenda Date	March 25, 2025
Requested Action	APPROVE ON SECOND READING ORDINANCE NO. 2025-03; AN ORDINANCE AMENDING THE CITY OF BOERNE CODE OF ORDINANCES, CHAPTER 2. ADMINISTRATION, ARTICLE IV RECORDS MANAGEMENT PROGRAM, ADDING SECTIONS 2-104 PUBLIC INFORMATION REQUESTS; ADOPTING HOUSE BILL 3033 (2023) VEXATIOUS REQUESTORS PROVIDING FOR A SEVERABILITY CLAUSE.
Contact Person	Lori A. Carroll, City Secretary
Background Information	<p>The Public Information Act (PIA) ensures transparency by allowing citizens to inspect or obtain copies of government records. However, the Act also permits governmental bodies to withhold records in specific circumstances.</p> <p>Excessive, repetitive, or harassing public information requests—often referred to as "vexatious requests"—can create significant financial and operational burdens on the City. These requests require City personnel to divert time from regular duties to locate, compile, and reproduce the requested information.</p> <p>To address this issue, House Bill 3033 was passed in 2023 updating Government Code Section 552.275 allowing the city to establish, by ordinance a reasonable monthly and annual time limits on the amount of personnel time dedicated to fulfilling PIA requests. The proposed ordinance includes the following key provisions:</p> <ul style="list-style-type: none">• Annual Time Limit: Sets a minimum limit of 36 hours per requestor within a 12-month period, starting at the beginning of the fiscal year.• Monthly Time Limit: Establishes a minimum limit of 15 hours per requestor per month to manage recurring requests.• Cost Implications: Once a requestor exceeds the established time limits, the city may impose certain costs and provide a written cost estimate for any future PIA requests.• Requestor Identification: Requires requestors to provide photo identification solely to verify that they have not exceeded the

	<p>time limit or concealed their identity to circumvent the ordinance.</p> <ul style="list-style-type: none"> Restrictions on Proxy Requests: A requestor who exceeds the established limit may not inspect public records—whether in paper or electronic form—on behalf of another requestor unless the outstanding written cost estimates have been paid. <p>This ordinance aims to balance the public’s right to access government records with the City’s need to manage resources effectively.</p>
Strategic Alignment	<p>B1 – Utilizing data to drive smart decision making B3 – Providing streamlined and efficient processes.</p>
Financial Considerations	<p>NA</p>
Citizen Input/Board Review	<p>NA</p>
Legal Review	<p>City Attorney Mick McKamie has reviewed and approved the ordinance.</p>
Alternative Options	<p>If the ordinance is not approved staff will continue to charge in accordance with Sections 552.271 and 552.272 of the Government Code. Additionally, identification cannot be requested to limit vexatious anonymous requests.</p>
Supporting Documents	<p>Ordinance No. 2025-03 with exhibit</p>

ORDINANCE NO. 2025-03

AN ORDINANCE AMENDING THE CITY OF BOERNE CODE OF ORDINANCES, CHAPTER 2. ADMINISTRATION, ARTICLE IV RECORDS MANAGEMENT PROGRAM, ADDING SECTIONS 2-104 PUBLIC INFORMATION REQUESTS; ADOPTING HOUSE BILL 3033 (2023) VEXATIOUS REQUESTORS PROVIDING FOR A SEVERABILITY CLAUSE

WHEREAS, the Texas Public Information Act (Texas Government Code Chapter 552, or “the Act” herein) gives the public the right to request access to government information; and

WHEREAS, the Act authorizes a governmental body to charge and to require payments from requestors before complying with certain requests for the production of public information or for copies of public information, and

WHEREAS, in 2017, the Texas Legislature, in recognition of the fact that a municipality may expend significant resources in responding to requests for public information recovering its costs, amended Section 552.275 of the Act, which authorizes the governmental body of a municipality to establish reasonable monthly and yearly limits on the amount of time and personnel of the governmental body are required to spend production public information inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering its costs attributable to that personnel time; and

WHEREAS, Section 552.275 of the Act provides that a yearly time limit established may not be less than 36 hours for a requestor during a 12-month period that corresponds to the fiscal year of the governmental body, and a monthly time period may not be less than 15 hours for are a requestor for a one-month period, and authorizes a municipality to require requestors exceeding those time limits to pay for the municipality’s costs before the city process the request if the city has sent a written cost estimate; and

WHEREAS, harassing, repetitive, and/or redundant public information requests asking for a large amount of information (known as “vexatious requests”) can impose great financial and time burdens on the City, as vexatious requests typically require City personnel to divert their time spent on normal tasks to locate, compile, and reproduce the requested information; and

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

Section 1. The City of Boerne Code of Ordinances is hereby amended to reflect the addition hereto attached as Exhibit “A”. The premises attached as Exhibit “A” are found to be true and correct legislative and factual finding of the City Council of the City of Boerne and are hereby approved and incorporated herein as finding of fact.

Section 2. SEVERABILITY. If any portion of this ordinance or any section or subdivision thereof be declared unconstitutional or in violation of the general laws of the state, such declaration shall not affect the remainder of this ordinance which shall remain in full force and effect.

Section 3. This Ordinance shall be in full force and effect from and after its passage and publication.

PASSED and APPROVED on first reading this the 11 day of March 2025.

PASSED, APPROVED, and ADOPTED on second reading this the ____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

Article IV. Public Information Requests

Section 2-104. Authority and purpose.

- (a) The Texas Public Information Act (referred to hereafter in this document as the "Act") requires governmental agencies to make available for inspection and copying all information that is collected, assembled, or maintained by the governmental body or for a body if it owns or has a right of access to the information, except for information the Act exempts or prohibits from disclosure, according to Chapter 552 of the Texas Government Code.
- (b) The city strives to provide the public with rightful access to information concerning the conduct and efficiency of government, mindful of individuals' privacy rights. It has therefore established the following public records policies and procedures.
- (c) The purpose of these rules is to establish the procedures the city will follow in order to best comply with the Act. These rules and regulations cannot change the Act. Rather, the policy is intended to provide the public with general guidelines for requesting public information and to assist employees in handling public information requests.

Section 2-105 Agency Description, contact information, identity and scope of public information officer.

- (a) City of Boerne is a political subdivision of the state of Texas. City of Boerne's central administrative offices are located at 447 N. Main Street, Boerne, Texas 78006.
- (b) In order to improve efficiency, save time and money, and avoid sometimes costly duplication of the commonly requested records, the city has designated the public information officer as the central point of contact for the receipt and distribution of all City public information requests. The public information officer or designee will provide the fullest assistance to requestors and work with department heads, elected officials and City employees to ensure compliance with the Act, maintain a central database of records request and take payments when applicable through the JustFOIA software.
- (c) Any person wishing to request access to the public records of the city, should access the JustFOIA portal located on the city's website: <https://boernetx.justfoia.com/publicportal/home/newrequest> or any person seeking assistance in making such a request, should contact the designated public information officer for the city:
City Secretary
447 N. Main Street
Boerne, Texas 78006
830.248.1525
icarroll@boerne-tx.gov
- (d) As detailed in Chapter 552, Subchapter C, of the Texas Government Code, some information is excepted from the Act. Such information is considered confidential by law. Please refer to the Texas Government Code for a listing of the exceptions.

Section 2-106 Making A Public Information Request

- (a) Any person wishing to inspect or request public records of the city shall make the request in writing preferably using the Public Information Request portal on the city's website through the JustFOIA software to include the following:
 - (1) Name of the requestor;
 - (2) Address of the requestor;
 - (3) Other contact information, including telephone number, and email address;
 - (4) A description of the specific public records adequate enough so the Public Information Officer or other designee can locate the records.
- (b) Only requests in writing will be accepted. The city may not require a requestor to use the Public Information Request portal for public information requests; however, it is highly encouraged.
- (c) Records may be described by their content, but requestors must be specific and clear in defining the nature and the scope of information they are requesting. Clarifications may delay the release of records. Requests should be for data in existence, and the city is not required to answer questions, perform legal research or comply with a continuing request to supply information on an ongoing or periodic basis. However, the city will make attempts to discern what records are being requested and work with the requestor to clarify requests if necessary.

Section 2-107 Processing of public information requests

- (a) The public information officer or designee will process requests in the most efficient manner.
- (b) The public information officer or designee shall promptly produce public information for inspection, duplication, or both on application by any person.
 - (a) Promptly means as soon as possible under the circumstances, that is, with a reasonable time, without delay.
 - (b) If the City cannot produce information within 10 business days after the date the information is requested, the city must certify that fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available.
- (c) The city will abide by the cost rules laid out in Texas Administrative Code, Section 70.3.
- (d) The city may require a deposit for requests exceeding \$100 in cost.
- (e) Failure to pay could result in the future withholding of public information as specified in the Texas Administrative Code 70.7(f) 1-2.

Section 2-108 Vexatious Requestor Policy Established

A vexatious requestor is a person who abuses the Public Information Act (PIA) by sending frequent and/or voluminous PIA requests to a city, to disrupt the operations of city business. Sections 552.232 and 552.275 of the Government Code references vexatious requestors. The city hereby adopts HB 3033 (2023) providing policy and procedures for public information requests.



AGENDA ITEM SUMMARY

Agenda Date	March 25, 2025
Requested Action	APPROVE RESOLUTION NO. 2025-R15; A RESOLUTION OF THE CITY OF BOERNE, TEXAS RATIFYING AN EMERGENCY EXPENDITURE BY CITY STAFF AND AUTHORIZING A PAYMENT TO CNG DELIVERY, LLC FOR NATURAL GAS TRAILER REFILLS AND RENTAL TERM EXTENSION FOR AN AMOUNT NOT TO EXCEED \$24,980.00. (THREE EMERGENCY REFILLS AND TWO ADDITIONAL WEEKS OF RENTAL)
Contact Person	Michael Mann – Utilities Director
Background Information	<p>In December 2024, the Council authorized the rental of a compressed natural gas (CNG) trailer as a system backup supply for the winter months for a total of \$110,000. The original scope of work—which included one emergency refill, setup, and demobilization—actually cost \$109,980. However, due to unexpectedly high customer gas demands during weather events in January and February, the trailer was used on eight mornings, necessitating additional refills beyond the single pre-approved refill.</p> <p>A pre-approved refill was performed on January 21 to maintain adequate supply capacity. Then, during a second cold weather event in February, significantly higher customer demand required three additional refills. Furthermore, the trailer rental was extended for two additional weeks in March in anticipation of continued cold weather conditions.</p> <p>The original rental scope cost \$109,980. Each of the three additional refills—which required trailer pick-up, transportation to and from the refill facility, and the cost of the natural gas product—cost \$4,500, and the two-week rental extension cost \$6,500. In addition, there was a \$5,000 charge for hazardous materials transportation insurance, resulting in a total additional cost of \$25,000.</p> <p>Given that the original Council authorization was \$110,000, and the final total cost for the rental and refills was \$134,980, we are requesting that the Council ratify the additional emergency expenditure by Staff and authorize the payment of the full additional contract amount of</p>

	\$24,980.00.
Strategic Alignment	C1 - Offering quality customer experiences. B1 – Utilizing data to drive smart decision making.
Financial Considerations	Funding for this expense would be from the natural gas operating fund.
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Resolution No. 2025-R15

RESOLUTION NO. 2025-R15

A RESOLUTION OF THE CITY OF BOERNE, RATIFYING AN EMERGENCY EXPENDITURE BY CITY STAFF AND AUTHORIZING A PAYMENT TO CNG DELIVERY, LLC FOR NATURAL GAS TRAILER REFILLS AND RENTAL TERM EXTENSION FOR AN AMOUNT NOT TO EXCEED \$24,980

WHEREAS, December 2024, City Council authorized the rental of a compressed natural gas (CNG) trailer as a system backup supply for winter months; and

WHEREAS, the scope of work included one emergency refill, setup, and demobilization; and

WHEREAS, the pre-approved refill was performed January 21, 2025; and

WHEREAS, due to a second cold weather event in February, causing three additional refills and the trailer rental to be extended two additional weeks for an additional expense of \$24,980.00;

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

The City Council hereby ratifies the execution of a contract between the City of Boerne and CNG Delivery, LLC For natural gas refills and rental term extension for an amount not to exceed \$24,980.00

PASSED, APPROVED, and ADOPTED on this the ____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

City Secretary



AGENDA ITEM SUMMARY

Agenda Date	March 25, 2025
Requested Action	APPROVE RESOLUTION NO 2024-R16; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AWARING THE CONTRACT FOR 2022 BOND PARKS AND OPEN SPACE TO WATERMAN CONSTRUCTION, LLC, A BUYBOARD APPROVED VENDOR, FOR SPORTS FIELD IMPROVEMENTS AT NORTHRUP PARK FOR AN AMOUNT NOT TO EXCEED \$250,106.00.
Contact Person	Lissette Jimenez, Director of Parks & Recreation
Background Information	<p>Background: The City of Boerne continues to advance bond projects approved by voters in the November 2022 Quality of Life bond election, enhancing community recreation and expanding access to high-quality sports facilities. On February 11, 2025, City Council approved a proposal from MUSCO Sports Lighting LLC for installation of sports field lighting for field 11 at Northrup Park. This agenda item authorizes the City Manager to contract with Waterman Construction LLC, a registered Texas BuyBoard Purchasing Cooperative supplier, for additional field improvements on field 11 to complement the lighting installation. These additional enhancements include new sod and irrigation, improving facility usability for residents and visitors.</p> <p>Project Scope:</p> <p><u>Landscape:</u></p> <ul style="list-style-type: none">• Remove existing turf, apply a 2”-3” layer of organic sports field mix, laser-grade the field to ½” tolerance.• Install large-roll Bermuda Tifway 419 sod, followed by fertilization and topdressing after 30 days. <p><u>Irrigation:</u></p> <ul style="list-style-type: none">• Provide irrigation layout design and install a two-wire irrigation system with a controller, valves, rotors, hose bibs, quick couplers, Schedule 40 pipe, backflow preventer, and other necessary components.

	<p>Project Costs & Timeline</p> <ul style="list-style-type: none"> • Materials & Installation: \$238,196 • 5% Contingency: \$11,910 • Total Project Cost: \$250,106 <p>A 5% contingency is included to cover any unforeseen materials or services required to complete the project.</p> <ul style="list-style-type: none"> • <u>Estimated Start Date</u>: June 2025 • <u>Estimated Completion</u>: 4-6 weeks <p>Staff Recommendation: Staff recommends that the City Council authorize the City Manager to enter into and manage a contract with Waterman Construction LLC for sports field improvements at Northrup Park, not to exceed \$250,106.</p>										
Item Justification	<table border="0"> <tr> <td><input checked="" type="checkbox"/> Legal/Regulatory Obligation</td> <td><input checked="" type="checkbox"/> Infrastructure Investment</td> </tr> <tr> <td><input type="checkbox"/> Reduce Costs</td> <td><input checked="" type="checkbox"/> Customer Pull</td> </tr> <tr> <td><input type="checkbox"/> Increase Revenue</td> <td><input checked="" type="checkbox"/> Service Enhancement</td> </tr> <tr> <td><input checked="" type="checkbox"/> Mitigate Risk</td> <td><input checked="" type="checkbox"/> Process Efficiency</td> </tr> <tr> <td><input checked="" type="checkbox"/> Master Plan Recommendation</td> <td><input type="checkbox"/> Other:</td> </tr> </table>	<input checked="" type="checkbox"/> Legal/Regulatory Obligation	<input checked="" type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Reduce Costs	<input checked="" type="checkbox"/> Customer Pull	<input type="checkbox"/> Increase Revenue	<input checked="" type="checkbox"/> Service Enhancement	<input checked="" type="checkbox"/> Mitigate Risk	<input checked="" type="checkbox"/> Process Efficiency	<input checked="" type="checkbox"/> Master Plan Recommendation	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> Legal/Regulatory Obligation	<input checked="" type="checkbox"/> Infrastructure Investment										
<input type="checkbox"/> Reduce Costs	<input checked="" type="checkbox"/> Customer Pull										
<input type="checkbox"/> Increase Revenue	<input checked="" type="checkbox"/> Service Enhancement										
<input checked="" type="checkbox"/> Mitigate Risk	<input checked="" type="checkbox"/> Process Efficiency										
<input checked="" type="checkbox"/> Master Plan Recommendation	<input type="checkbox"/> Other:										
Strategic Alignment	<p>F2: Investing in and maintaining high-quality infrastructure. B2: Advancing master plan recommendations. B3: Providing streamlined and efficient processes.</p>										
Financial Considerations	<p>Park improvements to Northrup Park are part of the 2022 Quality of Life Park Bond Projects and are a budgeted expense.</p>										
Citizen Input/Board Review	<p>N/A</p>										
Legal Review	<p>Waterman Construction LLC is an approved BuyBoard vendor (JOC 728-24).</p>										
Alternative Options											
Supporting Documents	<p>Resolution No. 2025-R16 Boerne – Northrup Park Softball Field #11 Proposal</p>										

RESOLUTION NO. 2025-R16

A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AWARDED THE CONTRACT FOR 2022 BOND PARKS AND OPEN SPACE TO WATERMAN CONSTRUCTION, LLC, A BUYBOARD APPROVED VENDOR, FOR SPORTS FIELD IMPROVEMENTS AT NORTHRUP PARK FOR AN AMOUNT NOT TO EXCEED \$250,106.00

WHEREAS, the 2022 Bond Parks and Open Space included Proposition B for parks projects; and

WHEREAS, on February 11, 2025, City Council approved the installation of sports field lighting for field 11 at Northrup Park, and

WHEREAS, a proposal was obtained from Waterman Construction, LLC, a designated BuyBoard vendor for additional field improvements to include landscape and irrigation;

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

SECTION 1. The above recitals are true and correct and are incorporated herein and made part hereof for all purposes.

SECTION 2. The City Manager is hereby authorized to manage and execute the related contract and documents thereto on behalf of the City of Boerne, Texas in an amount not to exceed \$250,106.00

PASSED, APPROVED and ADOPTED on this the ____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

City Secretary

February 28, 2025

Paul Barwick
City of Boerne
Special Projects
447 N Main Street
Boerne, TX 78006

Buyboard JOC 728-24

RE: **Boerne – Northrup Park Softball Field #11
Proposal**

WC-25007 1.0

Dear Mr. Barwick,

Please see the attached pricing for the City of Boerne – Northrup Park Softball Field #11 for your review and consideration. Included in this packet is the following and have listed some notes for your review:

General Items

- Drawings & Specifications: Per drawings and specifications provided
- Limited Scope: This scope is limited to the scope of work on the proposal attached from Agave Designs.
- Excluded: The items below are excluded from our proposal.
 - **P&P Bonds**
- Sales Tax: We excluded sales tax on the entire project.

This pricing is based on the scope of work listed below in the estimate. Any work not listed above or noted on the attached is considered excluded from this proposal.

Proposal

\$238,196

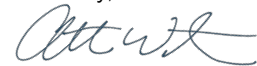
Two Hundred Thirty-Eight Thousand One Hundred Ninety-Six Dollars

Waterman Construction, LLC is available to provide a complete, turnkey, service on this project.

Thank you for the opportunity to provide this pricing information.

We look forward to working with you on this project.

Sincerely,



Arthur Waterman
Vice President
Waterman Construction, LLC

cc: File

Boerne - Northrup Park Softball Field #11	Date	28-Feb-25		WC-25007 1.0
<i>Pricing Summary</i>	Units / Ea		1 (One)	
<i>Turf & Irrigation Replacement</i>				
		Percent	Per ea	Notes
Div 02 - Landscaping	\$ 171,570	72.03%	\$ 171,570.00	Scope of Work Per Agave Designs
Div 02 - Irrigation	\$ 47,800	20.07%	\$ 47,800.00	Scope of Work Per Agave Designs
Div 01 - General Conditions	\$ 13,017	5.46%	\$ 13,017.00	Added General Conditions Costs
SUBTOTAL	\$ 232,387			
OWNER ALLOWANCE				
-	\$ -			
TOTAL ALLOWANCES:	\$ -			
<i>FEE</i>	\$ 5,809			
TAX (8.25%)	\$ -			<i>Tax Exempt Project</i>
TOTAL	\$ 238,196			

**Specifications for Northrup Park Softball Field 11
37550 IH-10 Frontage Rd.**

Sod Irrigation:

Provide irrigation layout design for softball field
Provide color coded zone map when install completed
2 wire irrigation system
Hunter – 2” valves, rotors, sprinklers
Rainbird controller LX-IVM Pro
Install 1 hose bib near dugout
Install 1 quickcoupler behind pitching rubber
Schedule 40 pvc
Backflow preventor

Sod Intallation

Kill, strip, and haul existing turf to location on site
Install 2”-3” depth of 75% loam & 25% organic compound sports field mix (950 tons)
Laser grade field for to ½” tolerance and for postive drainage
Install large roll Bermuda Tifway 419 sod
A month after install, fertilize and topdress sod

Submit proposal as Tax Exempt
No permit charges by the City of Boerne



Northrup Park Softball Field #11

February 13, 2025

Arthur Waterman
via email arthur@watermangc.com

We are pleased to present the following proposal for the Irrigation and Sod for Northrup Park Softball Field #11 located at 37550 IH-10 Frontage Road in Boerne, Texas.

Turf Replacement **\$ 171,570.00**

The sod will be replaced per the following City of Boerne specifications:

- Kill, strip, and haul existing turf to the location on-site
- Install 2"-3" depth of 75% loam & 25% organic compound sports field mix
- Laser grade field for 1/2" tolerance and for positive drainage
- Install large roll Bermuda Tifway 419 sod
- after installation, fertilize and top-dress sod

Irrigation **\$ 47,800.00**

The irrigation will be installed per the following City of Boerne specifications:

- Provide irrigation layout design for the softball field
- 2-wire irrigation system
- Hunter – 2" valves, rotors, sprinklers
- Rainbird controller LX-IVM Pro
- Install 1 hose bib near the dugout
- Install 1 quick coupler behind the pitching rubber
- Install Schedule 40 PVC or greater

Provide as built irrigation plan w/ color zone map

Total: **\$ 219,370.00**

This proposal is Tax Exempt. We understand there will be no permit charges by the City of Boerne.

Timing: Agave Design Studio will coordinate with the City of Boerne to start after lighting work is complete at this field.

Payments: 50% deposit and 50% at completion.

If the owner fails to pay Agave Design Studio within 10 days of any draw, interest on any unpaid portion may be assessed at a rate of 12% per annum from the date of the draw until the payment is made.

The finer points of landscape

830.249.4016 9 Spanish Pass Road
Admin@AgaveDS.com Boerne, Texas 78006
AgaveDS.com

Cover of pipe to be 6" minimum; wiring splices in boxes, double check valve and master valve. "As Built" plans furnished to owner upon completion, showing locations of valves and mainline pipe size.

This proposal is valid for 30 days.

Presented by Agave Design Studio:



Acceptance of Proposal:

Owner(s): _____ **Title:** _____

Owner(s): _____ **Title:** _____

Date: _____

Date: _____



AGENDA ITEM SUMMARY

Agenda Date	March 25, 2025
Requested Action	APPROVE RESOLUTION NO. 2025-R17; A RESOLUTION TO RATIFY THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF BOERNE AND ON DUTY HEALTH FOR PUBLIC SAFETY HEALTH SCREENING IN AN AMOUNT NOT TO EXCEED \$57,026.00.
Contact Person	Chief Steve M. Perez
Background Information	<p>On Duty Health (ODH) is an Occupational Medicine group specializing specifically in first responder health. Their healthcare providers include occupational health-specialized doctors, physician assistants & nurse practitioners, ultrasound technicians, exercise physiologists and phlebotomists who are expertly trained in concerns specifically relating to the police and fire industry. These include higher incidence of cancer, behavioral health issues, sleep disruption and more.</p> <p>The Boerne Fire Department has been utilizing a similar program for many years. Last year, after learning about this program, the Boerne Police Department wanted to provide the same opportunities for their staff. To align with our mission and to be an employer of choice, city leaders agreed this was a great way to foster a strong culture of employee engagement by looking out for our first responders. A detailed list of the screenings and assessment is attached.</p> <p>Since both the Police and Fire Departments were working with the same company, we did receive some cost savings. Once the budget was approved, each department got their allotted share based on the numbers of staff participating in the program. Upon completion of their services, ODH invoiced us separately. Based on current policies, the total amount being paid to ODH between the two departments exceeds \$50,000, which requires council approval. Going forward this will be resolved prior to services being rendered.</p>
Strategic Alignment	<p>Safety & Security</p> <p>F1- Committing to strategic, responsible, and conservative financial management.</p> <p>L2- Fostering a strong culture of employee engagement</p>

Financial Considerations	PD- \$30,000.20 Dispatch- \$8,784.80 Fire- \$18,241.00
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Resolution No. 2025-R17 On Duty Health Packages

RESOLUTION NO. 2025-R17

A RESOLUTION OF THE CITY OF BOERNE, RATIFYING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF BOERNE AND ON DUTY HEALTH FOR PUBLIC SAFETY HEALTH SCREENING IN AN AMOUNT NOT TO EXCEED \$57,026.00

WHEREAS, On Duty Health (ODH) is an Occupational Medicine group specializing in first responder health; and

WHEREAS, the Boerne Fire Department has been utilizing a similar program for many years; and

WHEREAS, to align with the city's mission to be an employer of choice and to foster a strong culture of employee engagement; and

WHEREAS, both police and fire departments utilized the same company, receiving cost savings;

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

The City Council hereby ratifies the execution of a contract between the city of Boerne and On Duty Health for public safety health screening in an amount not to exceed \$57,026.00.

PASSED, APPROVED, and ADOPTED on this the ____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

City Secretary

On Duty Health & Fitness Assessment Packages

BRONZE:

Labs & Urinalysis Included

- Urinalysis
- Complete Blood Count
- Complete Metabolic Panel
- Lipid Panel with LDL/HDL Ratio (Total Cholesterol)
- A1C (Glucose/Hemoglobin)
- Thyroid Stimulating Hormone
- Prostate Specific Antigen (**male officers over 40**)
- *On-Site Phlebotomy offered for \$29/pp. Fee excluded if utilizing a local LabCorp or Quest for the draws.*

Full Physical Included

- Comprehensive Physical with Health History & Vitals
- Vision Testing
- Audiometry Testing
- Skin Cancer Assessment
- Behavioral Health Assessment
- Review of Results w/ Personalized Health Plan

Cardiopulmonary Screening & Fitness Assessment Included

- EKG Treadmill Stress Testing; Consisting of 12-lead EKG treadmill/step mill stress test run to maximal volition utilizing WFI

protocol, VO2 Max Calculation)

- Pulmonary Function Testing (Spirometry)
- Metabolic Analysis w/ Body Composition
- Muscular Endurance, Strength and Flexibility Evaluation

SILVER:

Labs & Urinalysis Included

- Urinalysis
- Complete Blood Count:
- Complete Metabolic Panel
- Lipid Panel with LDL/HDL Ratio
- A1C
- Thyroid Stimulating Hormone
- Prostate Specific Antigen (**male officers 40 and over**)
- FIT Fecal Occult Screening Kit (**officers 40 and over**)
- *On-Site Phlebotomy offered for \$29/pp. Fee excluded if utilizing a local LabCorp or Quest for the draws.*

Full Physical Included

- Comprehensive Physical with Health History & Vitals
- Titmus V2 Advanced Vision Testing
- Audiometry Testing
- Skin Cancer Assessment
- Behavioral Health Assessment
- Review of Results w/ Personalized Health Plan

Cardiopulmonary Screening & Fitness Assessment Included

- Cardiopulmonary Exercise Testing (CPET) consisting of 12-lead EKG treadmill/stepmill stress test run to maximal volition utilizing WFI protocol, Blood Pressure readings, and TRUE VO2 Max Testing)
- Pulmonary Function Testing (Spirometry)
- Metabolic Analysis w/ Body Composition
- Muscular Endurance, Strength and Flexibility Evaluation
- Cardiology follow up interpretation for irregular results

Ultrasound Enhanced Cancer Screening Included

- Ultrasound imaging of the carotid arteries, thyroid, liver, pancreas, gall bladder, spleen, kidneys, bladder, pelvic (women), testicular and prostate (men)
- Radiology follow up interpretation for irregular results



AGENDA ITEM SUMMARY

Agenda Date	March 25, 2025
Requested Action	APPROVE RESOLUTION NO. 2025-R18; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDED SHARED SERVICES AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND HILL COUNTRY FAMILY SERVICES.
Contact Person	Ben Thatcher, City Manager
Background Information	<p>For several years, the City has maintained a robust and collaborative partnership with Hill Country Family Services, recognizing their vital role in delivering essential social services and crisis intervention support to our community. Our existing Shared Services agreement has been instrumental in channeling designated public funds toward these services. However, recent experiences have underscored the need for increased flexibility to address emergent challenges that require a rapid response.</p> <p>The purpose of this agenda item is to seek your approval to amend our current agreement by adding a new Section 2. This new provision would allow the City Manager, upon direction from the City Council, to allocate supplemental funds and resources during the budget year.</p> <p>Such funds would be used to address emergencies or critical circumstances that align with the mission of Hill Country Family Services. This supplemental funding mechanism is designed to support swift action during crises, enabling us to reinforce our collaborative efforts when the situation demands immediate intervention. It is important to note that while this amendment provides the flexibility needed to respond to emergencies, it also reinforces our commitment to fiscal discipline and compliance with all applicable guidelines. Specifically, any supplemental expenditure authorized under this amendment must strictly adhere to our city purchasing policies, state procurement law, and other relevant regulations. The City Manager will only act under clear direction from the City Council, ensuring that every decision is made transparently and in accordance with established protocols.</p>

	By approving this amendment, the Council would not only formalize our ability to respond more effectively during critical events, but also further solidify the trust and cooperation between the City and Hill Country Family Services. This enhanced approach will enable us to promptly and efficiently support the agency's efforts in times of need, ensuring that our community continues to receive timely assistance during emergencies.
Strategic Alignment	C1, C3, F1
Financial Considerations	N/A
Citizen Input/Board Review	N/A
Legal Review	Legal generated and reviewed the attached document
Alternative Options	N/A
Supporting Documents	Resolution No. 2025-R18 Attachment A – HCFS Shared Services Agreement

RESOLUTION NO. 2025-R18

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDED SHARED SERVICES AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND HILL COUNTRY FAMILY SERVICES

WHEREAS, the City of Boerne (the City), by authority of its general governmental powers reserved to it under the Texas Constitution, has provided certain public funds for the accomplishment of a public purpose; and

WHEREAS, the City Council has found and determined that the programs, services, missions and functions of Hill Country Family Services accomplish a valuable and important public purpose for the citizens of Boerne; and

WHEREAS, the City Council has found and determined that the valuable and important public purpose provided by Hill Country Family Services far exceed the amount of funding provided by the City; and

WHEREAS, the City finds it necessary to enter into and manage a shared services agreement with Hill Country Family Services for Funding for Public Purpose;

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

Section 1. That the City Council hereby authorizes the City Manager to enter into and manage a shared services agreement between the City of Boerne and Hill Country Family Services for Funding for Public Purpose in the amount of THIRTY-FIVE THOUSAND AND NO/100 DOLLARS (\$35,000.00).

Section 2. That the City Council hereby authorizes the City Manager to provide supplemental funds and resources to Hill Country Family Services during the budget year as needed to address emergency or critical circumstances and events that fall within the purview of the agency's mission on behalf of the community.

PASSED, APPROVED, and ADOPTED on this the _____ day of March, 2025.

APPROVED:

ATTEST:

Mayor

City Secretary

**AMENDED
HILL COUNTRY FAMILY SERVICES
SHARED SERVICES AGREEMENT**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF KENDALL §

This Agreement made effective the 15th day of October 2024, by and between the CITY OF BOERNE, TEXAS (the City), a home rule municipal corporation located in Kendall County, Texas, hereinafter called City and Hill Country Family Services, hereinafter called Family Services, each acting herein by and through its duly authorized officers.

WHEREAS, the City by authority of its general governmental powers reserved to it under the Texas Constitution, has provided certain public funds for the accomplishment of a public purpose; and

WHEREAS, the City has adopted a budget for the expenditure of such funds, and included therein is an allocation of General Funds for Family Services; and

WHEREAS, Family Services is a central resource center which provides individual and family social services to improve and maintain a high quality of life for the citizens of Boerne; and

WHEREAS, Family Services' mission is to serve the crisis needs of the families of the City of Boerne; and

WHEREAS, Family Services' function is to identify and connect individuals and/or families with local resources which will enrich the lives of the citizens; and

WHEREAS, Families Services provides crisis assessments, case management services and direct care assistance through financial for unmet housing, utilities and medical expenses and access to self-selection groceries for individuals, families, homeless, senior citizens in the City of Boerne and:

WHEREAS, Family Services collaborates with Boerne Police Department (BPD), BPD Mental Health Officer(s), Boerne Fire Department, and Boerne Emergency Management Services to address mental and behavioral health calls to reduce time and resources of City departments collaborating with the individual in crisis and their family members to develop a plan to get through the current crisis, manage future crises, and decreasing likelihood of future calls to City emergency departments; and

WHEREAS, Family Services measures the impact of direct client services providing for City of Boerne citizens by using the Social Determinants of Health Life Skills Matrix, Perceived Stress Scale, Financial Literacy. All City of Boerne citizens served by Family Services are required to establish and follow S.M.A.R.T goals; and

WHEREAS, Family Services will maintain a GuideStar Platinum Rating and a Charity Navigator score of no lower than ninety-five (95); and

WHEREAS, the City Council has found and determined that the above programs, services, mission and functions of Family Services accomplish a valuable and important public purpose for the citizens of Boerne.

NOW THEREFORE:

The Parties hereto agree as follows:

1. Family Services will provide, oversee, administer, and carry out all programs and services described above in a manner satisfactory to the City.
2. Family Services agrees that any funds paid to it by the City shall be used only in the performance of programs and services described above.
3. The City hereby agrees to pay Family Services THIRTY-FIVE THOUSAND AND NO/100 DOLLARS (\$35,000.00) from the General Fund and Electric Fund. Payment shall be made in quarterly payments of EIGHT THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$8,750.00) beginning October 2024 and ending September 2025.
4. Further, the City Manager may provide supplemental funds and resources to Hill Country Family Services during the Budget Year as needed to address emergency or critical circumstances and events that fall within the purview of the agency's mission on behalf of the community.
5. Prior to any dispersal of funds, it must be determined that monies received from this Agreement shall not constitute a plurality of Family Services' revenue for the current fiscal year.
6. It is expressly understood and agreed by and between the Parties that Family Services is hired and engaged as an independent contractor and is not an officer, agent or employee of the City.
7. It is understood and agreed by and between the Parties that a fiduciary duty is created in Family Services with respect to expenditure of revenue provided in accordance with the approved proposal. Therefore:
 - A. Family Services shall provide the City Manager periodic reports within thirty (30) days after the end of each three (3) month period beginning with the period ending December 31st on the activities that are conducted to benefit the City, and expenditures made hereunder, as well as an annual financial statement listing the expenditures made from the funds paid hereunder.
 - B. Family Services shall maintain complete and accurate financial records of each expenditure of funds paid hereunder and, upon request of the City Council or City Manager, shall make the records available for inspection and review.
 - C. Further, Family Services shall obtain and supply to the City on or before January 31, 2025, an accounting by numbers, samples, registrations, or other method acceptable to the City Manager detailing the persons served by Family Services' programs and functions described herein.
8. This Agreement shall begin on the execution date hereof and shall continue in force until September 30, 2025. This Agreement may be terminated by the City upon

thirty (30) days' notice for noncompliance with the terms of the Agreement.

9. Any notice necessary or appropriate relative to this Agreement shall be effective when deposited in the United States mail, either certified or registered mail, postage prepaid and addressed to the City Manager of the City of Boerne, City Hall, 447 N. Main, Boerne, Texas 78006.

10. No part of this Agreement may be assigned or delegated, and any attempted assignment of benefits or rights of delegation of duties or obligations shall be a breach of this Agreement.

11. This Agreement shall be subject to the laws and statutes of the State of Texas.

12. **INDEMNITY CLAUSE.** Family Services agrees to and shall indemnify and hold harmless and defend the City, its officers, agents, and employees from any and all claims, losses, causes of action and damages, suits, and liability of every kind including all expenses of litigation, court costs, and attorney fees, for injury to or death to any person, or for damage to any property, arising from or in connection with the operations of Family Services, its officers, agents and employees carried out in furtherance of this Agreement. It is the expressed intention of the Parties hereto, both Family Services and the City, that the indemnity provided for in this paragraph is also Indemnity by Family Services to indemnify and protect the City from the consequences of the City's own negligence, where the negligence is a concurring cause of the injury, death, or damage.

13. It is expressly agreed that by executing this Agreement with Family Services, the City does not bind itself in the future as to any action of the City Council in connection with the alteration repeal or amendment of the City of Boerne, Texas budget, fund allocation, or appropriation of funds, and in the event, for any reason, that the funds are not available, the City shall not be obligated under this Agreement to pay any funds of the City to Family Services. It is also understood between the Parties to the Agreement that in the event that no funds are available from the City of Boerne, Texas budget for any reason, this Agreement shall terminate, any provisions contained herein notwithstanding, and that Family Services shall have no right or demand upon the City for funds payable under this Agreement if such funds are not available, for any reason.

14. Each Party warrants and represents that it has approved this Agreement by motion duly adopted at a meeting of its governing body by a majority of those present and voting and that the Chief Executive Officer of each Party is duly authorized to enter into this Agreement on behalf of such Party.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date and year first above written.

ATTEST: _____

LORI A. CARROLL
City Secretary

CITY OF BOERNE, TEXAS

BY: _____

BEN THATCHER
City Manager

HILL COUNTRY FAMILY SERVICES

ATTEST: _____

BY: _____

PRINTED NAME: _____

PRINTED NAME: _____

OFFICE HELD: _____

Chief Executive Officer




AGENDA ITEM SUMMARY

	AGENDA ITEM SUMMARY
Agenda Date	March 25, 2025
Requested Action	RECEIVE A PRESENTATION BY JUDGE PHILLIPS REGARDING THE YOUTH DIVERSION PROGRAM AND COURT OPERATIONS AND RECOGNIZING CLAUDIA LEMON FOR HER YEARS OF SERVICE IN MUNICIPAL COURT.
Contact Person	Sarah Buckelew, Finance Director
Background Information	<p>The Texas Youth Diversion & Early Intervention Act, passed by the 88th Texas Legislature in 2023 as House Bill 3186, requires justice of the peace and municipal courts to divert children (ages 10-16) accused of non-traffic Class C misdemeanors away from the formal adjudication process. The bill requires courts to adopt a youth diversion plan that describes the types of strategies that will be used to implement youth diversion and must be maintained on file for public inspection no later than January 1, 2025.</p> <p>A presentation will be made by Judge Phillips regarding the status of the plan for the City of Boerne Municipal Court, which was adopted on December 20, 2024, and is available in the court and on the court webpage.</p> <p>Additionally, we will be honoring Claudia Lemon, the Court Administrator for the City of Boerne Municipal Court, who will be retiring from the City on May 28, 2025, after nearly 22 years of service.</p>
Strategic Alignment	Safety and Security L3: Emphasizing a values-centric work culture
Financial Considerations	None
Citizen Input/Board Review	None
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	N/A



AGENDA ITEM SUMMARY

	AGENDA ITEM SUMMARY
Agenda Date	March 25, 2025
Requested Action	APPROVE RESOLUTION NO. 2025-R19; A RESOLUTION OF THE CITY OF BOERNE ADOPTING A PROCUREMENT POLICY TO ENSURE TRANSPARENCY, EFFICIENCY, AND ACCOUNTABILITY IN THE EXPENDITURE OF PUBLIC FUNDS.
Contact Person	Sarah Buckelew, Finance Director
Background Information	<p>The City of Boerne is committed to fiscal excellence and best-in-class financial management. To strengthen transparency, consistency, and accountability, the City proposes adopting a comprehensive Procurement Policy that is aligned with all applicable Texas Local Government Code provisions and best practices.</p> <p>Key Objectives of the Policy:</p> <ul style="list-style-type: none"> • Enhance transparency in purchasing decisions. • Standardize procurement procedures across departments. • Ensure compliance with Texas Local Government Code and best practices. • Streamline processes for efficiency. • Strengthen internal controls and mitigate risk. • Promote fiscal accountability and responsible financial stewardship. <p>Currently, procurement guidelines are embedded in the City’s Financial Management Policy (Section VB) and the Home Rule Charter (Section 6.08). The proposed policy establishes a stand-alone framework with greater detail for efficiency, risk mitigation, and compliance.</p> <p>If adopted on March 25, the City will present recommended updates to the broader Financial Management Policy on April 8 to ensure alignment.</p> <p>Next Steps: The City is seeking to establish a separate, comprehensive policy to increase the level of detail necessary for optimal efficiency, risk mitigation, and compliance. The proposed Procurement Policy provides</p>

	<p>a clear, detailed framework for purchasing goods, services, and construction projects while adhering to Texas procurement laws. If this stand-alone procurement policy is accepted on March 25, recommended updates to the broader Financial Management Policy will be brought forward to Council on April 8 to align the two policies.</p> <p>Next Steps: On March 25, staff will present policy sections related to purchases under \$50,000. Purchases over \$50,000 are already strictly governed by state law (Local Government Code Sections 252 and 791), which the City adheres to.</p> <p>Since there is less statutory guidance for purchases under \$50,000, the portion of the policy being proposed on March 25th clarifies roles, responsibilities, and procedures for such transactions. If approved, the policy will be implemented departmentally over the next several months.</p> <p>Staff recommends approval of the resolution to adopt the Procurement Policy Sections 1-11, 17, and 18 as this initiative supports the City’s Strategic Plan and strengthens long-term financial sustainability.</p>
Strategic Alignment	<p>F1: Commitment to strategic, responsible, and conservative financial management. B3: Providing Streamlined and efficient processes L3: Emphasizing a values-centric work culture Fiscal Excellence</p>
Financial Considerations	<p>Key Policy Updates:</p> <ul style="list-style-type: none"> • Purchase Order Requirement: The threshold will increase from \$2,000 to \$3,000, aligning with the Historically Underutilized Business (HUB) vendor search requirement (Local Government Code Section 2161). • Local Vendor Preference Provision for purchases less than \$50k: Would allow selection of a local vendor when the local vendor’s quote is within 3% of the lowest price received. • Purchase Approvals: Approvals will be clarified by budget (Department/Fund) and title to align with invoice payment approvals as part of a broader effort to automate and streamline the Procure-to-Pay (P2P) process while enhancing internal controls. • Clarification of Roles: Each Budget/Fund will be assigned to a Department Head and Department Manager, with other authorized personnel listed by title for segregation of duties.
Citizen Input/Board Review	<ul style="list-style-type: none"> • Procurement Matrix Team (Internal Group) • Department Heads

Legal Review	The proposed policy has been reviewed and approved by Legal
Alternative Options	Maintaining the current language within the Financial Management Policy does not provide sufficient written procedures for enforcing and ensuring accountability in procurement activities.
Supporting Documents	Resolution No. 2025-R19 Procurement Policy

RESOLUTION NO. 2025-R19

A RESOLUTION OF THE CITY OF BOERNE ADOPTING A PROCUREMENT POLICY TO ENSURE TRANSPARENCY, EFFICIENCY, AND ACCOUNTABILITY IN THE EXPENDITURE OF PUBLIC FUNDS.

WHEREAS, the City of Boerne recognizes the importance of establishing a standardized procurement policy to govern the acquisition of goods and services in a manner that ensures fiscal responsibility and ethical conduct; and

WHEREAS, a formal procurement policy will provide clear guidelines for purchasing procedures, competitive bidding, contract approvals, and vendor selection, promoting transparency and fair competition; and

WHEREAS, the adoption of this policy aligns with best practices in municipal governance, safeguards public funds, and enhances public trust in the administration of city resources; and

WHEREAS, the Boerne City Council has reviewed the proposed Procurement Policy and finds it to be in the best interest of the municipality and its residents;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Boerne that:

1. The Procurement Policy, attached hereto as Exhibit A, is hereby adopted and shall take effect immediately upon approval.
2. The Procurement Policy shall govern all purchases, contracts, and agreements made by the municipality and its departments, ensuring compliance with applicable laws and regulations.
3. The City Manager, Finance Director, or other designated officials shall be responsible for implementing and enforcing the provisions of the Procurement Policy.
4. All municipal employees and elected officials involved in procurement activities shall adhere to the principles and procedures outlined in the policy to maintain integrity and accountability.
5. The Procurement Policy shall be reviewed periodically and updated as necessary to reflect changes in laws, regulations, and best practices.


PASSED, APPROVED and ADOPTED on _____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

City Secretary

	CITY OF BOERNE – FINANCE DEPARTMENT	
	POLICY 300 - GENERAL PROCUREMENT POLICY	
	VERSION # 2025.1	EFFECTIVE DATE: Pending Council Approval
	POLICY OWNER: FINANCE DIRECTOR	REVIEW CYCLE: AS NEEDED
	APPROVED BY: Pending Council Approval	APPROVAL DATE: Pending Council Approval

Revision Log

Policy Sections Implemented 1-11, 17, 18

Pending Council Approval

Table of Contents

1. Purpose of this Policy.....	2
2. Ethical Standards.....	2
3. Quick Reference Guide – Authorizations and Responsibilities.....	3
4. Historically Underutilized Businesses (HUB) Requirements.....	4
5. Training.....	4
6. Sales Tax.....	5
6.1 Meals	
6.2 Hotel and Lodging Taxes	
6.3 Gifts	
6.4 Access to Tax Exemption Certificate	
7. Freight and Shipping.....	6
8. General Rules and Prohibitions.....	6
8.1 House Accounts, Charge Accounts and Accounts on Credit	
8.2 Alcohol	
8.3 Online Purchase Accounts and Purchases made Online	
8.4 Gift Cards	
8.5 Employee Expense Reimbursements Including Travel	
8.6 Technology Purchases	
9. Preferred/Restricted Vendors and Local Preference.....	8
10. Purchase Parameters – Purchases of \$0 – \$2,999.99.....	11
11. Purchase Parameters – Purchases of \$3,000.00- \$49,999.99.....	12
12. Competitive Purchasing Requirements – Purchases of \$50,000 or more.....	13
11.1. Solicitation Types and Definitions.....	<i>not implemented</i>
11.2 Vendor Contract through Interlocal Agreement....	<i>not implemented</i>
13. Change Orders.....	<i>not implemented</i>
14. Receiving Product or Service ordered with a Purchase Order..	<i>not implemented</i>
15. Invoices.....	<i>not implemented</i>
16. Disposals of Surplus Property.....	<i>not implemented</i>
17. Disciplinary Action.....	14
18. Definitions.....	16
19. References.....	17

Section 1. Purpose of this Policy

This policy is intended for all City of Boerne personnel, to be used as a guide for procuring items and services. This policy is based on requirements from the State of Texas for municipal purchasing. There are many Governmental statutes that set the parameters for what the City can and cannot do. This Policy is intended to summarize those requirements into one document for reference. Purchasing for a municipality requires transparency and must follow procedures to ensure a fair process, one that aligns with laws and provides best value to the citizens.

Section 2. Ethical Standards

When utilizing taxpayer funds, it is vital that employees maintain high ethical standards. Extra due diligence should be taken to avoid any perception of unfairness. Even an unintentional perception of unfairness can damage public trust in the City. With this in mind, the following ethical standards should be adhered to.

- 2.1 An employee, elected official, or board member should not attempt to realize personal gain through their position
- 2.2 An employee, elected official, or board member should not use the City's purchasing power to purchase material, equipment, supplies or anything else for personal use.
- 2.3 An employee, elected official or board member should not directly or indirectly participate in the procurement of goods or services if the employee has knowledge that the following applies:
 - 2.3.1 The employee or any member of their immediate family has a financial, business, or personal interest in the procurement.
 - 2.3.2 If an employee discovers that they or any member of their immediate family has a financial, business, or personal interest in the procurement, they should immediately recuse themselves from the solicitation.
- 2.4 An employee, elected official, or board member should not accept kickbacks, gratuity, or offer of employment from a prospective or current vendor.
- 2.5 An employee, elected official, or board member should not disclose any confidential information for anyone's interest, whether it is personal or financial.
- 2.6 An employee elected official, or board member should not have a direct or indirect financial interest in any sale made to the City.
- 2.7 A prospective vendor should not attempt to influence any employee, elected official or board member to breach these ethical standards.

Section 3. Quick Reference Guide: Authorizations and Responsibilities

Single Purchase approvals shall adhere to the following:

Amount	Single Purchase Authorization Requirements
<p>\$0- 2,999.99</p>	<ul style="list-style-type: none"> • Usage of City-issued Purchase Card is encouraged with adherence to the City’s Purchase Card Policy and Procedures Manual. • Informal approvals (verbal) required per the Authority Matrix.
<p>\$ 3,000.00 -49,999.99</p>	<ul style="list-style-type: none"> • Three written quotes are required. Valid exceptions must be documented with a completed Exemption Form attached to the requisition. Refer to full exemption listing on the form which is maintained in the Procurement Resource Library. • Requisition and issued purchase order are required PRIOR to purchase unless purchase is made on a City purchase card in accordance with the Purchase Card Policy and Procedures Manual, or the purchase is a valid public emergency as defined by purchase exemption laws. (See Section 11) • H.U.B. search and documentation required (See Section 4) • All required documentation should be attached to the requisition (See Section 11) • Budgeted <u>and</u> within Budget for purchases of 14,999.99 or less: <ul style="list-style-type: none"> ○ Approval required by Department Manager or higher * • Budgeted <u>and</u> within Budget for purchases of \$15,000.00 or more: <ul style="list-style-type: none"> ○ Approval required by Department Head and CMO * • Unbudgeted <u>or</u> over Budget: Approval required by Department Head and CMO *
<p>\$50,000.00 or greater single purchase - or - \$50,000.00 or greater per vendor for sequential or same product/service per Fiscal Year</p>	<ul style="list-style-type: none"> • Complex competitive bidding requirements – documentation must be maintained by the department making the purchase in accordance with the Records Retention Policy and also attached to the requisition. • Valid exceptions to bidding requirements must be documented with a completed Exemption Form attached to the requisition. Refer to full exemption listing on the form which is maintained in the Procurement Resource Library. • Requisition and issued purchase order are required PRIOR to purchase unless the purchase is defined as a valid public emergency as defined by purchase exemption laws (See section 10.5.2) • Budgeted <u>and</u> within Budget: Department Head, CMO, Council Approval Consent agenda <ul style="list-style-type: none"> ○ Agenda Item Summary must state the item was within budget and explain compliance with bidding requirements. • Unbudgeted <u>or</u> Over Budget: Department Head, CMO, Council Approval Regular agenda <ul style="list-style-type: none"> ○ Department Head must meet with the Finance Director prior to the agenda packet being due to propose funding for the item. ○ Funding proposal must be approved in writing by the CMO. ○ Funding proposal and explanation of compliance with bidding requirements must be explained in the Agenda Item Summary.

*As defined by the **Authority Matrix**, which includes authorized designee in approved circumstances

Section 4. Historically Underutilized Businesses (HUBs)

If the City is processing a request for quote for more than \$3,000 but less than \$50,000, at least two historically underutilized businesses in Kendall County must be contacted on a rotating basis, based on information provided by the comptroller pursuant to Chapter 2161 (Historically Underutilized Businesses), Government Code. If the list fails to identify a historically underutilized business in Kendall County, the municipality is exempt from this section.

The HUB search directory is maintained by the Texas Comptroller's office website. Detailed HUB search instructions and documentation requirements are available in the **Procurement Resource Library**.

**Please note that the search page automatically defaults to CMBL only. Select HUBs only and Kendall County when conducting a HUB vendor search.*

A requisition for any purchase between \$3,000-\$50,000 must include at minimum a note explaining details of the HUB search conducted. If quotes are obtained from a HUB vendor, they must be attached to the requisition. If a HUB vendor located in Kendall County cannot be found for the products/services being solicited, a note must be entered in the notes field of the requisition detailing the search conducted and the results of the search.

Purchases made through a governmental purchasing cooperative do not require a separate HUB search. If a vendor is a part of a purchasing cooperative, a note is still required to be added to the purchase order indicating the reason a HUB search was not performed.^{1& 2}

Section 5. Training

Department Heads are responsible for ensuring all purchasers in their department have attended training on this policy, and have signed the purchaser acknowledgement. Any employee listed on the matrix of authority, designated as a Departmental Purchasing Representative, or issued a City Purchase Card is required to sign the purchaser acknowledgement. All purchasers must attend training to participate in the purchase program. Additional training may be subsequently required to maintain status in the purchasing program.

¹ Texas Comptroller's HUB directory is maintained at: <https://comptroller.texas.gov/purchasing/vendor/hub>

² State of Texas Purchasing Cooperatives: <https://www.comptroller.texas.gov/purchasing/coptx/>

Section 6. Sales Tax

As a municipality, the City is exempt from paying sales tax on all purchases made for official City business. It is the responsibility of the purchaser to verify that no sales tax has been charged on any receipts or invoices. If sales tax has been mistakenly applied, the purchaser must have the sales tax removed immediately. There are certain exceptions to this rule for specific travel-related expenses and some food purchases, as detailed in the following sections.³ If the purchaser is unable to obtain a refund of the sales tax, they must either (1) reimburse the City for the sales tax charged and provide proof of reimbursement or (2) obtain written approval from the City Manager's office to waive the reimbursement requirement. All relevant documentation, including receipts and approvals, must be attached to the invoice or the purchaser's monthly Purchase Card packet, as applicable.

6.1 Meal Purchases

For meal purchases under \$250.00, the Cardholder is not required to have sales tax exempted. This applies to purchases such as team lunches and unplanned events. However, this exception does not apply to food purchases from grocery stores.

For large, catered meals costing \$250.00 or more, sales tax should not be charged, and the Cardholder must ensure that the tax exemption is applied.

6.2 Hotel and Lodging Taxes

The City is not exempt from hotel/motel occupancy taxes or other lodging, or airline-related taxes and fees, and these non-sales taxes are to be paid when incurred as part of official City business.

6.3 Gifts

Gifts such as retirement gifts, or appreciation gifts for boards and commissions members are not exempt from sales taxes, as they benefit the recipient directly and not the City. All purchases of gifts with City funds should strictly follow guidelines in the personnel policy. Gifts to employees using City funds must be approved in advance by the Human Resources Director.

6.4 Access to Tax Exemption Certificate

The City's tax exemption certificate is available in the **Procurement Resource Library**. The City's tax exemption status is legally restricted to City-related purchases only. It is illegal for anyone to use the City's tax exemption status for personal purchases or any non-City-related transactions. Misuse of the City's tax-exempt status for personal gain may result in disciplinary action, including termination of employment and potential legal consequences. Employees are responsible for ensuring that all use of the City's tax-exempt certificate complies with applicable laws and City policies.⁴

³ Texas Government Code Section 2161.061

⁴ Texas Tax Code Section 151.309

Section 7. Freight and Shipping

The preferred method for shipping items to the City is FOB (Free on Board) Destination, which makes the vendor responsible for the shipment until the City inspects and accepts it. The vendor selects the shipper and is responsible for the risk of transportation, including filing for loss or damages. FOB shipping method, freight and shipping costs should be written in the quote/proposal. City employees should never sign for or accept a shipment of goods that are damaged. City employees should not engage in the unloading of large equipment or fragile items.

Section 8. General Rules and Prohibitions

8.1 House Accounts, Charge Accounts and Accounts on Credit

These are similar in that they allow for an individual to receive a good or service, and instead of paying for each individual transaction immediately, the vendor keeps track of items purchased and will bill for the outstanding charges at a later date. When used correctly for frequently used suppliers or service providers, these arrangements can streamline purchasing processes and centralize billing. However, these types of accounts come with heightened risk of fraud and require extra diligence on the part of the vendor, the purchaser, and approvers of individual transactions.

Because of the risk, these types of accounts are highly discouraged. Extreme caution should be used. Alternate forms of purchase are recommended.

Employees are strictly prohibited from signing up for these types of accounts in the name of the City without written advance approval by the Finance Director, or City Manager's Office, or designee. The Procurement Coordinator is responsible for maintaining a list of the authorized Charge Accounts. Prior to this type of account being authorized, time must be permitted for the Finance Director or designee to set up appropriate internal controls to safeguard the City from risk of fraud.

8.2 Alcohol

Purchase of alcohol using City funds is strictly prohibited unless expressly authorized for a specific, documented purpose in advance by the City Manager or designee.

8.3 Online Purchase Accounts and Purchases made online

8.3.1 Only employees designated on the Purchase Authority Matrix are authorized to make online purchases using City funds. Online purchases must comply with the same policies and procedures as in-person purchases. When using a City-issued card for online purchases, Cardholders must adhere to the City's Purchase Card Policy. City purchase cards may not be saved for recurring use on websites.

8.3.2 To enhance oversight and reduce the risk of unauthorized transactions, the City seeks to centralize online purchasing accounts for commonly used platforms (e.g. Amazon and Walmart). Consequently, access to these centralized accounts will be granted primarily to designated Departmental Purchasing Representatives, rather than allowing individual-level access. The Account Administrator and his/her designee will have dual administrative access to these City-level accounts and be responsible for maintaining the list of users and deactivating accounts of employees who leave the City.

8.3.3 Departmental-level online purchasing accounts are permitted but must receive Department Head approval prior to use. Departmental Purchasing Representatives are responsible for maintaining an up-to-date list of websites used for purchases and identifying which individuals within their department have access to these sites. Departmental Purchasing Representatives and their managers will be required to have dual administrative access to these department-level accounts and be responsible for maintaining the list of users and deactivating accounts of employees who leave the City. This listing will be reviewed periodically by the Account Administrator, and IT department for appropriateness.

8.3.4 If a City-level account is available, departments will be required to utilize the centralized online purchasing method through the City-level account. Exceptions require a written business need, and approval by the Account Administrator. Departments may be required to convert department-level accounts to City-level accounts if they later become available.

8.4 Gift Cards

8.4.1 Purchase of Gift Cards

Purchasing gift cards with City funds poses a significant risk of misuse, fraud, and lack of transparency. Gift cards are difficult to track and can be easily used for unauthorized or personal expenses, making it challenging to ensure proper accountability. Additionally, receipt of gift cards may result in income tax consequences to the recipient, which would need to be investigated by the Finance Director or designee. To maintain fiscal responsibility and safeguard against potential abuse, the purchase of gift cards using City funds is strictly prohibited unless expressly authorized for a specific, documented purpose by the City Manager or designee.

8.4.2 Receipt of Gift Cards

To uphold fiscal responsibility and safeguard against potential abuse, the receipt of gift cards, including well-intended donations, is strictly prohibited unless expressly authorized in advance by the City Manager or designee for a specific, documented purpose. Acceptance of such donations requires additional internal controls.

While donations of gift cards may be offered in good faith for specific purposes, they should either be declined or submitted to the Finance Department to ensure proper accounting as a City asset. Employees must adhere to Personnel Policies related to the acceptance of gifts and gratuities, ensuring that no gift is accepted if it could influence official actions or impair the independence of judgment in performing duties for the City.

Every effort must be made to prevent both actual and perceived conflicts of interest to protect the integrity and trust in City operations.

8.5 Employee Expense Reimbursements for Legitimate City Expenses including Travel

Policies around Employee Expense reimbursements, including travel are covered in detail in the Personnel Policy Handbook section 18. Forms to request Employee Expense Reimbursements or advancements are included in the **Procurement Resource Library**.

8.6 Technology Purchases

Policies around technology purchases are covered in detail in the Personnel Policy Handbook Section 19.02.14. All IT subscription purchases must be approved by the IT department and will be paid for by the IT department. Only the IT Director or designee may make exceptions to this rule.

Section 9. Restricted Vendors

9.1 Restricted Vendors

9.1.1 What is a Restricted Vendor?

A restricted vendor is any vendor deemed unsuitable for future business with the City due to documented risks or issues. A vendor may be restricted for reasons including, but not limited to:

- Posing a security threat to the City,
- Having outstanding financial obligations to the City,
- Being involved in ongoing legal disputes with the City, or
- Causing financial or reputational harm to the City.

Financial harm includes, but is not limited to:

- Failure to deliver goods or services as agreed.
- Breach of contractual obligations.
- Consistent poor performance.

The City strictly adheres to the guidelines set forth on the **State Restricted Texas Department of Information prohibited Software and Developers List**. The list is maintained on the Texas Department of Transportation website, and is also available in the **Procurement Resource Library**.

9.1.2 Instructions on how to add or remove a vendor from the restricted list

Procedure for Addition

- The responsible City department must submit a written request to the Procurement Office detailing the reason(s) for restriction, including supporting documentation.
- The Procurement Office will review the submission for completeness and accuracy.
- The City Manager, or their designee, will approve or deny the request.
- If approved, the vendor may be notified in writing of their restricted status, along with the reason(s) and any opportunities for remediation (if applicable). Notice to the vendor is not required, but recommended if it is the City Manager's, Department's, or Procurement Coordinator's belief that the vendor could be used in the future.

Criteria and Procedure for Removal

- Vendors or responsible City department may petition for removal from the restricted vendor list by submitting a written request to the Procurement Coordinator, including evidence that the issue(s) leading to blacklisting have been resolved.
- The Procurement Office will review the petition and verify the claims.
- A recommendation for removal will be submitted to the City Manager, or their designee, for final approval.
- Vendors may be notified in writing of the decision if the City Manager, Department Head, or Procurement Coordinator believe it is in the best interest of the City.

9.1.3 Restricted Vendors Listings

Purchases from restricted vendors are strictly prohibited without prior written approval from the City Manager's office as well as other appropriate individuals as determined in the restricted vendor listing document. Written approval must be included with purchase card approval packet and/or Purchase Order documentation.

A listing of restricted vendors will be maintained by the Procurement Coordinator and made available in the **Procurement Resource Library**.

9.2 Periodic Review of Restricted Vendor List

The Procurement Office will conduct a formal review of the **restricted vendor list** at least once annually, or more frequently if deemed necessary. This review will include:

- Verifying that vendors on the restricted vendor list continue to meet the criteria for restriction.
- Removing vendors from either list if they no longer meet the criteria or if issues have been resolved.
- Updating supporting documentation for vendors as needed to ensure accuracy and completeness.

The results of the review, along with any updates, will be documented and submitted to the Finance Director or their designee for approval, and communicated to authorized individuals at least once annually, or more frequently as deemed necessary.

9.3 Local Preference

The Texas Local Government Code includes two provisions that allow municipalities to give preference to local vendors under certain conditions for purchases subject to competitive bidding requirements under Texas Local Government Code Section 252. These provisions do not apply to purchases below the competitive bidding threshold.

The specific applicable criteria are defined through the Texas Local Government Code, and the criteria are based on each competitive bidding process, not through a list. The two separate provisions that allow for local preference are listed below:

9.3.1 Local Preference consideration for Bidder’s Principal Place of Business for purchases of real or personal property.

Pursuant to Texas Local Government Code Section 271.905, if the City receives one or more bids from a vendor whose principal place of business is within City Limits and whose bid is within three percent of the lowest bid price received by the City from a bidder who is not a resident of the local government, the local government may enter into a contract with:

- (1) the lowest bidder; or
- (2) the bidder whose principal place of business is within City Limits if the City Council determines, through resolution or ordinance, that the local bidder offers the City the best combination of contract price and additional economic development opportunities for the local government created by the contract award, including the employment of residents of the local government and increased tax revenues to the local government.

9.3.2 Local Preference Consideration for Bidder’s Principal Place of Business for purchases of construction services less than \$100,000 and other purchases of personal property less than \$500,000.

- If the City receives one or more competitive sealed bids from a vendor whose principal place of business is within City limits and whose bid is within five percent of

the lowest bid price received by the City from a bidder who is not a resident of the City, the City may:

- enter into a contract for construction services in an amount of less than \$100,000 or
- enter into a contract for other purchases in an amount of less than \$500,000

with:

- (1) the lowest bidder; or
- (2) the bidder whose principal place of business is in the municipality if the governing body of the municipality determines, in writing, that the local bidder offers the municipality the best combination of contract price and additional economic development opportunities for the municipality created by the contract award, including the employment of residents of the municipality and increased tax revenues to the municipality.

- This section does not prohibit a municipality from rejecting all bids.
- This section does not apply to the purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C. Section 153.

9.3.3 What is Local Preference for projects or purchases less than \$50,000?

The City of Boerne Procurement Policy allows for local preference in vendor selection when one or more quotes have been received, and the local vendor's quote is within 3% of the lowest price received.

Section 10. Purchase Parameters – Purchases of \$0 - \$2,999.99

Purchases less than \$3,000 are not required to be competitively bid. While there are no formal requirements for obtaining quotes under \$3,000, sound judgment should be used to ensure the City is receiving best value. Quotes can be obtained but are not required. Below are some general guidelines for purchases under \$3,000.

- A City-issued Purchase Card is encouraged to be utilized for purchases under \$3,000.
- Verbal quotes are acceptable for purchases under \$3,000.
- Budget must be available prior to making the purchase.
- Informal verbal approval prior to purchase is acceptable according to the Authority Matrix.

Section 11. Purchases of \$3,000.00 to \$49,999.99

Under State law, before the City plans to make purchases of \$3,000 but less than \$50,000 certain requirements are required to meet competitive bidding requirements.

10.1 Three Written Quotes are Required

Three written quotes are required. This can be performed at the time of budgeting or purchase. Written quote documentation is required to be attached to the requisition.

10.2 Historically Underutilized Business Solicitation Required

The purchaser is required to contact at least two vendors from the State's current certified Historically Underutilized Business (HUB) list. If the listing fails to identify a HUB in the county in which the City is situated (Kendall County), the City is exempt from this requirement. The search must be documented in the requisition for the City's legal requirements under this statute to have been met. (See section 4 for more information).

10.3 Exceptions to Quote Requirements

If the purchase is subject to a valid exemption under the law as indicated on the **City's Exemption Form**, quotes are not required. If an exemption applies, the purchaser should complete an exemption form and attach it to the purchase requisition. If three written quotes cannot be obtained due to inconsistency in product among vendors, or unwillingness of vendors to provide written quotes, documentation must be included with the requisition notes section to explain why three quotes could not be obtained.

10.4 Requisition and Issued Purchase Order are Required Prior to Purchase

A purchase order (PO) is the legal document that authorizes the purchase and permits the vendor to either deliver the product or begin services. The PO Packet that contains all the details of the purchase, as well as required documentation is also proof that the purchase complied with all applicable procurement laws. A purchase will not be considered authorized without a valid PO and attached documentation. Purchasers may be held personally responsible for purchases made without an authorized PO. A requisition must be entered with all required documentation and approved in Incode, and a purchase order must be issued PRIOR to purchase except in the following circumstances:

10.5 Exceptions to Purchase Order Requirement

10.5.1 Purchases made on a Purchase Card in accordance with the **Purchase Card Procedures Manual** do not require purchase orders. Refer to the **Purchase Card Policy and Procedure Manual** section C1.3 for purchases over \$2,999.99 on a purchase card.

10.5.2 If the purchase is due to a valid public emergency as defined by purchase exemption laws, a purchase order may be entered *after* the purchase is made. An exemption form must be included with the requisition when entered.

10.6 Documentation Requirements

All quotes, bids, proposals, request for quote (RFQ), completed exemption forms, and HUB search documentation must be attached to the requisition request in Incode. Requisitions may not be approved, and a PO will not be issued without appropriate documentation.

Section 12. Competitive Bidding Requirements – Purchases of \$50,000 or more

12.1 Solicitation Types and Definitions

Solicitation Type	Use	Price Determination
Invitation for Bid (IFB)	Price is the sole factor in award. Requirements may specify qualifications that the bidder must meet. If the qualifications are not met, the City can elect to not move forward with business.	Negotiations are not allowed. Whether it is solicited as a lump sum or unit price project, the bidder is not allowed to change their bid.
Request for Competitive Proposals	Used for construction projects. Price is just one component of the selection. An evaluation team ranks and scores the submittals based on the evaluation criteria (Price, Experience, Proposed Plan, etc.)	Negotiations are allowed. If an agreement can't be met, the City can move forward with negotiations with the next ranked firm.
Request for Proposals (RFP)	Used for non-construction or professional services solicitations. An evaluation team ranks and scores the submittals based on the evaluation criteria (Price, Experience, Proposed Plan, etc.)	Negotiations are allowed. If an agreement can't be met, the City can move forward with negotiations with the next ranked firm.
Request for Qualifications (RFQ)	Price may not be a factor in the selection. An evaluation team ranks and scores the submittals based on other evaluation criteria.	After selection, the recommended firm(s) will be notified, and negotiations begin. If negotiations are unsuccessful, the City may move to the next ranked firm(s).
Construction Manager at Risk (CMR)	A one-step process where price is received with qualifications and other criteria, or a two-step process is followed where a maximum of 5 businesses are shortlisted based on qualifications, then a Request for Proposal (RFP), which includes price and other criteria is issued to the shortlisted firms.	Negotiations are allowed. If an agreement can't be met, the City can move forward with negotiations with the next ranked firm. A guaranteed maximum price is set. City hires architect/engineer separately, and a General Contractor comes aboard to provide consultation during design and to construct.

Solicitation Type	Use	Price Determination
Design Build	May be used for Vertical Construction Projects. A two-step process is followed where a maximum of 5 firms are shortlisted based on qualifications, then a Request for Proposal, which includes price and other criteria, is issued to the shortlisted firms.	City hires a team that includes a General Contractor and Engineer/Architect to jointly design and construct. Provides for cohesive team and is usually utilized when only minimal design has occurred. Negotiations are allowed. If an agreement can't be met, the City can move forward with negotiations with the next ranked firm. A guaranteed maximum price is set.

12.2 Vendor Contract through Interlocal Agreement

This section will be put into effect with the future implementation round of the policy. (5 6)

Section 13. Change Orders

This section will be put into effect with the future implementation round of the policy

Section 14. Receiving the Service/Product Ordered with a Purchase Order

This section will be put into effect with the future implementation round of the policy

Section 15. Invoices

This section will be put into effect with the future implementation round of the policy

Section 16. Disposal of Surplus Property

This section will be put into effect with the future implementation round of the policy

Section 17. Disciplinary Action

Violations of this policy will result in disciplinary action, which may include written warnings, suspension of procurement privileges, reimbursement of unauthorized expenses, and termination of employment. Severe violations may be referred for criminal prosecution. To ensure compliance with the City's procurement policies and maintain accountability in the

⁵ Texas Government Code Section 791.025

⁶ Texas Municipal Procurement Laws Made Easy (Texas Municipal League)

purchasing process, a structured disciplinary framework is established through three violation levels and associated consequences:

Level 1 – Notification and Training

Upon identifying a Level 1 violation, a Procurement Audit Memo will be sent to the Purchaser, Manager, and Department Head in the form of an email which will outline the transaction in question or nature of the violation.

The Purchaser will be required to provide a thorough explanation to all parties included in the email of the transaction, as well as plan of action or resolution, if applicable. If an action plan is required, the Purchaser must provide all requested documentation by the deadline stated in the audit memo.

The notification will be documented for the Purchaser, as well as for any approvers of the transaction in question, and will be maintained in the centralized tracking system for record-keeping purposes over a rolling 12-month period.

Examples include but are not limited to:

- Incomplete or missing receipts or invoices per the policy.
- Established deadline for submitting documentation missed.
- Late submission of invoices, receipts, or purchase card documentation.
- Failure to properly code transactions, or identify associated purchase orders with invoices.

Consequences:

- Written explanation and recommended remediation plan required.
- Mandatory procurement refresher training specific to transaction violation for purchaser and any approvers of the transaction.
- Remediation complete within timeframe established in the Audit Memo.

Level 2 – Suspension of Procurement Activity

Level 2 violations include repeated or more serious violations that compromise procurement integrity.

Examples include but are not limited to:

- Three (3) Level One Violations within a six-month period
- Making a purchase without a purchase order as required under the policy.

- Failing to document a valid exemption when bypassing competitive purchasing requirements.
- Failing to document HUB (Historically Underutilized Business) requirements.
- Losing a Purchase card twice in a fiscal year
- “Splitting” purchases in order to circumvent procurement Purchase card or procurement policy requirements.

Consequences:

- Written explanation and recommended remediation plan required.
- Mandatory meeting with Department Head, Finance Director, and/or City Manager’s Office.
- Possible temporary suspension of purchasing privileges, including suspension of Purchase card(s).
- Recorded in centralized tracking system (rolling 12-month period).

Level 3 – Serious Violations

Level 3 violations include gross negligence, willful misconduct, or policy abuse requiring formal disciplinary action.

Examples include but are not limited to:

- Intentional circumvention of competitive bidding laws.
- Providing false or misleading procurement documentation.
- Collusion with vendors or conflicts of interest in purchasing decisions.
- More than three (4) Level 1 and/or Level 2 infractions within a fiscal year.
- Three (3) occurrences of losing purchase card within a fiscal year.

Consequences:

- Written explanation and remediation plan if possible.
- Formal investigation followed by appropriate disciplinary action per the Personnel Policy Handbook including and/or up to termination.

Section 18. Program Definitions

Program Administrator: The Finance Director or designee coordinates the City of Boerne Purchasing Card Policy and is responsible for setting program procedures. The Program Administrator serves as the contact point with the card companies regarding any creation of, or changes to City-level accounts. City-level purchasing programs or accounts require approval from the program administrator prior to implementation. The Program Administrator has

authority to set purchasing limits. The Program Administrator will review the list of positions that are approved for purchase card, purchasing limits, authority for assigning positions authorized, and approval of new purchase card requests regularly for appropriateness, and make recommended changes based on City purchasing needs. The Assistant Finance Director acts as the Finance Director's designee when the Finance Director is unavailable or out of the office.

Account Administrator: The Procurement Coordinator or designee has the ability and authority to administer purchase card portals, including setup and maintenance of individual card accounts. The Account Administrator also has the authority to speak with card vendors regarding account issues. Set-up of new purchase cards, or modification to purchasing limits of existing purchase cards requires written approval by the Program Administrator through a revised Credit Card Request Form that will be filed in the employee's personnel file. The Account Administrator is also responsible for maintaining a listing of active card holders and current spending limits and ensuring that cancellation of cards due to change in employment status or account issues occurs timely. The Account Administrator is also responsible for monitoring progress made by Cardholders in charge disputes, return items, and refunds expected. The Reporting and Compliance Manager acts as the Procurement Coordinator's designee when the Procurement Coordinator is unavailable or out of the office.

Serial or Sequential Purchases (aka "splitting transactions"): purchases made over a period of time of items that in normal purchasing practices would be purchased in one purchase, but were split into multiple transactions in order to circumvent procurement rules, or competitive bidding requirements.

Section 19. References

- Texas Comptroller's HUB Directory
- Texas Municipal Procurement Laws Made Easy (Texas Municipal League)
- State of Texas Purchasing Cooperatives



AGENDA ITEM SUMMARY

Agenda Date	March 25, 2025
Requested Action	APPROVE RESOLUTION NO. 2025-R20; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ADOPTING THE PURCHASE CARD (P-CARD) POLICY AND PROCEDURE MANUAL TO ENHANCE FINANCIAL OVERSIGHT, EFFICIENCY, AND FRAUD PREVENTION.
Contact Person	Sarah Buckelew, Finance Director
Background Information	<p>The City of Boerne is implementing a new Purchase Card (P-card) Policy and Procedure Manual to enhance financial oversight, efficiency, and fraud prevention. This policy is designed to decentralize small-dollar purchases (under \$3,000) to the department level, reducing administrative burdens and streamlining procurement.</p> <p>This policy supports a broader initiative to decentralize purchasing to the department level for small purchases and shift the focus of the Procurement Coordinator to purchases over \$50,000 where state law mandates stricter oversight. This implementation enables the City to ensure higher-risk transactions receive the necessary scrutiny while allowing departments greater flexibility in managing smaller purchases. This policy and procedures manual provides the necessary framework for proper internal controls, segregation of duties, and fraud prevention over small dollar purchases made on a P-card.</p> <p>This policy is not replacing or modifying any existing financial policies; it is a new, stand-alone policy designed to enhance procurement practices, therefore no modification is needed to existing policies.</p> <p>Key Objectives of the Policy:</p> <ul style="list-style-type: none"> • Improve efficiency in processing small-dollar purchases. • Reduce the need for check requests, reimbursements, and petty cash. • Decentralize small dollar purchases to the department-level to enable the procurement coordinator to focus on higher dollar purchases. • Strengthen internal controls through a structured review and approval process.

	<ul style="list-style-type: none"> • Ensure compliance with Texas procurement laws and best practices. • Enhance fiscal accountability by implementing a clear approval structure and documentation requirements. <p>Next Steps Upon Council approval, the Purchase Card Policy will be implemented department by department over the next several months. This phased approach will allow for proper training and adoption across all departments.</p> <p>This initiative supports the City’s commitment to Fiscal Excellence and promotes financial oversight, efficiency and fraud prevention. Staff recommends approval of the resolution to adopt the Purchase Card Policy and Procedure Manual.</p>
Strategic Alignment	F1: Commitment to strategic, responsible, and conservative financial management. B3: Providing Streamlined and efficient processes L3: Emphasizing a values-centric work culture Fiscal Excellence
Financial Considerations	<p>Key Policy Updates:</p> <ul style="list-style-type: none"> • Single purchase limit: \$3,000 or less without prior approval. • Review and approval structure: Aligns with best practices for internal controls and segregation of duties. • Approval process and documentation: Clearly defined within the policy to enhance transparency and oversight
Citizen Input/Board Review	<ul style="list-style-type: none"> • Procurement Matrix Team (Internal Group) • Department Heads
Legal Review	The proposed policy has been reviewed and approved by Legal
Alternative Options	No alternative options were considered. This policy is a necessary addition to the City’s financial management framework.
Supporting Documents	Resolution No. 2025-R20 Purchase Card Policy and Procedure Manual

RESOLUTION NO. 2025-R20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ADOPTING THE PURCHASE CARD (P-CARD) POLICY AND PROCEDURE MANUAL TO ENHANCE FINANCIAL OVERSIGHT, EFFICIENCY, AND FRAUD PREVENTION

WHEREAS, the City of Boerne is committed to fiscal excellence and the implementation of best practices to ensure financial oversight, efficiency, and fraud prevention; and

WHEREAS, the City seeks to implement a Purchase Card (P-Card) Policy and Procedure Manual (Exhibit) to streamline procurement processes, enhance internal controls, and decentralize small-dollar purchases to the department level while maintaining financial integrity; and

WHEREAS, the new policy is designed to allow departments to efficiently manage purchases under \$3,000, reducing administrative burdens associated with check requests, reimbursements, and petty cash transactions, and to shift the focus of the Procurement Coordinator to higher-risk transactions exceeding \$50,000 that require stricter oversight under state law; and

WHEREAS, the Purchase Card Policy and Procedure Manual establishes a structured framework for review, approval, and documentation to ensure compliance with Texas procurement laws and best practices while maintaining internal controls, segregation of duties, and fraud prevention measures; and

WHEREAS, the adoption of this policy does not replace or modify any existing financial policies but rather serves as a standalone policy to enhance procurement practices; and

WHEREAS, the City Council finds that the adoption of this policy aligns with the City's commitment to fiscal responsibility and operational efficiency; and

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

SECTION 1. The City Council hereby adopts the Purchase Card (P-Card) Policy and Procedure Manual as presented.

SECTION 2. The City Manager or their designee is authorized to implement the policy on a phased basis across all City departments, ensuring adequate training and adherence to the new procedures.

SECTION 3. The City shall monitor and assess the implementation of the policy to ensure compliance with internal controls and financial accountability.

SECTION 4. This resolution shall take effect immediately upon passage.


PASSED, APPROVED and ADOPTED on this the _____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

City Secretary

	CITY OF BOERNE – FINANCE DEPARTMENT	
	POLICY 400 - PURCHASE CARD POLICY AND PROCEDURE MANUAL	
	VERSION # 2025.1	EFFECTIVE DATE: Pending Council approval
	POLICY OWNER: FINANCE DIRECTOR	REVIEW CYCLE: AS NEEDED
	APPROVED BY: Pending Council approval	APPROVAL DATE: Pending Council approval

Revision Log

Manual Implemented

Pending Council approval

Table of Contents

PURPOSE OF THIS POLICY 2

A. Program Definitions..... 2

B. Cardholder Responsibilities..... 3

B1. Eligibility

B2. Charges

B3. Card Security

B4. Lost or Stolen Purchase Cards

B5. Charge and Dispute Resolution

B6. Changes in Employment Status

B7. Restrictions

B8. Fraudulent Use or Misapplication of the Purchase Card

B9. Disciplinary Action

C. Detail Procedures..... 5

C1. Obtaining a Purchase Card, or requesting a change to credit limits

C2. Receipt of the Card

C3. Using the Card

D. Recordkeeping..... 6

D1. Monthly Approval Packet

D2. Purchase Documentation

D3. Review and Approval

D4. Accounts Payable Responsibilities

E. Legal References..... 8

PURPOSE OF THIS POLICY AND PROCEDURE MANUAL

The Purchase Card (P-card) Program is designed to improve efficiency in processing small dollar purchases. It allows City employees to purchase goods and services directly from the vendor, therefore, reducing the need for check requests, petty cash, and small dollar purchase orders. The rules in this policy apply to all purchase cards issued by the City, including store purchase cards. All purchases must adhere to applicable state procurement laws, including Texas Government Code §§ 2251 and 252 and the City's Policies, including the City of Boerne Procurement Policy.

A. Program Definitions

Program Administrator: The Finance Director or designee coordinates the City of Boerne Purchasing Card Policy and is responsible for setting program procedures. The Program Administrator serves as the contact point with the card companies regarding any creation of, or changes to City-level accounts. City-level purchasing programs or accounts require approval from the Program Administrator prior to implementation. The Program Administrator has authority to set purchasing limits. The Program Administrator will review the list of positions that are approved for purchase cards, purchasing limits, authority for assigning positions authorized, and approval of new purchase card requests regularly for appropriateness, and make recommended changes based on City purchasing needs. Set-up of new purchase cards, or modification to purchasing limits of existing purchase cards requires written approval by the Program Administrator (or designee) through a Purchase Card Request Form that will be filed in the employee's personnel file. The Assistant Finance Director acts as the Finance Director's designee when the Finance Director is unavailable or out of the office.

Account Administrator: The Procurement Coordinator or designee has the ability and authority to administer purchase card portals, including setup and maintenance of individual card accounts. The Account Administrator also has the authority to speak with card vendors regarding account issues. The Account Administrator is also responsible for maintaining a listing of active card holders and current spending limits and ensuring that cancellation of cards due to change in employment status or account issues occurs timely. The Account Administrator is also responsible for monitoring progress made by Cardholders in charge disputes, return items, and refunds expected. The Reporting and Compliance Manager or designee acts as the Procurement Coordinator's designee when the Procurement Coordinator is unavailable or out of the office.

Positions Authorized for Purchase Card Program: For a position to be authorized for purchase card privileges, the position must require frequent travel, purchase significant volumes of goods and services for use by the employer, or incur regular frequent business expenses of a kind appropriately paid by purchase card. Careful consideration will be given to which positions should and should not have purchase cards. The City seeks to limit the amount of purchase cards. Preference will be given to assigning departmental purchasing representatives rather than issuing multiple cards per department. Purchase card eligibility is a privilege, not a right or requirement of employees or positions that meet this minimum eligibility requirements. The

positions authorized list is subject to change at any time. Refer to Authority Matrix for current list of authorized positions. The Authority Matrix is maintained in the procurement resource library.

Approvers: All Cardholders in the city are required to have a secondary Approver as defined by the Authority Matrix that reviews and certifies their purchase card activity and documentation on a monthly basis. Approvers must review purchase card approval packets monthly to ensure they comply with this policy and procedures. They are also required to sign the monthly approval packets to confirm their review and approval of transactions.

Training: The appropriate Department Head is responsible for ensuring all Cardholders and approvers in their respective department(s) are properly trained in the use of purchase cards and that they have received and signed copies of the Procurement Policy and Purchasing Card Policies and Procedure Manual. All Cardholders must attend an initial training to participate in the purchasing card program. Additional training may be subsequently required to maintain status in the purchasing card program.

Periodic Activity Review: The Account Administrator and/or Program Administrator, or designee, will regularly review activity on city purchase cards. The Account Administrator and/or Program Administrator has the authority to request information regarding any transaction or attempted transaction on a city purchase card.

B. Cardholder Responsibilities

The Cardholder is the only person entitled to use the card and the card is not to be shared, transferred to used by anyone other than the Cardholder. The Cardholder may make procurement transactions on behalf of others in their department however, the Cardholder is responsible for the validity of purchases made with their assigned card and for obtaining documentation, including itemized receipts for all purchases.

B1. Eligibility:

In order to receive a purchase card a Cardholder must:

- Be a current full time or regular part time City of Boerne employee, or elected official.
- Receive approval of their Department Head and the Finance Director and/or the City Manager, or designee.
- Have worked for the City for at least 30 days for Department Heads/Managers, or 90 days for departmental purchasing representatives as defined by the Authority Matrix.
- Position must be listed on the authorized positions list for purchase cards, which has demonstrated a business need for the purchase card or obtained approval from the Program Administrator.
- Be in good standing with personnel matters.
 - Individuals who are on a performance improvement plan, or have received other disciplinary action may not eligible, and will have their purchase cards suspended

or revoked until the employee regains good standing. The Human Resources Department will notify the Account Administrator and Program Administrator when individuals are no longer eligible for purchase card privileges. Depending on the severity of the personnel matter, exceptions may be made to this rule with the approval of the City Manager or designee.

B2. Charges: Cardholders are personally responsible for all charges made on their assigned card. Cardholders are accountable and responsible for their issued card and adherence to spending limits set for their card.

B3. Card Security: Cardholders are responsible for ensuring their card(s) are secured at all times.

- Secure card number and personal information. Do not write card number on outgoing email.
- Do not keep purchase card numbers on file with vendors.
- Do not save purchase card numbers for quick check-out with online retailers.
- Verify internet orders and other transactions are made only on a secured site.
- Do not provide access to purchase card number/PIN to others.

B4. Lost or Stolen Purchase Cards. Cardholders are responsible for immediately notifying the card vendor, their Department Head and the Account Administrator if a card is lost or stolen.

B5. Charge Dispute Resolution: Cardholders are responsible for immediately reporting any erroneous or unauthorized purchases to both their Department Head and the Account Administrator. If fraudulent use of the purchase card is detected, the cardholder must immediately contact the credit Card Dispute Line **listed on the back of the card** to either resolve the issue or cancel the card. Timely and quick cancellation in the event of unauthorized purchases is critical to protect the Cardholder and City from potential loss. Cardholders are responsible for investigating and resolving the disputed charges timely. Cardholder must also keep Account Administrator and Department Head updated on progress of disputed charges.

B6. Changes in Employment Status: Cardholders are responsible for turning in all purchase cards within 24 hours of providing notice of departure from the City, or within 24 hours of being given notice of termination. Cards may be turned into Human Resources, Managers or Department Heads who then have 24 hours from the point of receipt to deliver the card to the Account Administrator or Program Administrator. Cardholders are not permitted to make purchases on their card during any remaining “2-week notice” period. Cardholders will be held personally responsible for any unauthorized purchases made after giving notice, or after being notified of termination. Unauthorized charges may be deducted from the Cardholders last paycheck. Legal action may also be taken depending on the severity of the violation, including prosecution under Misapplication of Fiduciary Property, Texas Penal Code Section 32.45.

The Human Resources Department must notify both the Account Administrator and Program Administrator of any changes to a cardholder’s employment status, including transfers, promotions, resignations, and terminations as well as eligibility updates as defined in Section B1.

The Account Administrator is responsible for cancelling any cards of terminating employees within 24 hours of notification and for shredding the card upon receipt. The Account Administrator is responsible for reviewing all purchase card listings, and cancelling all cards and internet purchase accounts (centralized city-level accounts) assigned to the terminating employee. The Account Administrator is responsible for notifying the Program Administrator and the Human Resources Department if any outstanding purchase cards have not been received.

B7. Restrictions: The purchase card is to be used for city business only, and for items approved in the department's budget.

Purchase Cards **MAY NOT** be used for:

- Personal items
- Alcoholic beverages
- Cash advances or cash refunds
- Fuel for personal vehicles
- IT Subscriptions (Due to GAAP reporting requirement)
- All IT purchases must adhere to Personnel Policy section
- Sequential or Serial Purchases (as defined in the procurement policy)
- Gift cards/certificates
- Any other non-business-related expense.
- Other purchases or purchases through vendors specifically excluded in other City policies or state law. Refer to section 9 of the Procurement Policy for restricted vendors, and vendors prohibited by state law.

B8. Fraudulent Use or Misapplication of the Purchase Card: In the event a Cardholder has used the card fraudulently, the Approver must immediately report the misuse to the Program Administrator and retrieve the card. Cardholders are responsible for **ALL** charges made on their purchase card. Questionable charges may be identified by the Approver and referred to the Program Administrator. Loss of card privileges and/or disciplinary action may be enforced for unauthorized charges made to the purchase card. The City reserves the right to recover monies made for unauthorized charges. Refer to Section B9, Disciplinary Action for further information.

B9. Disciplinary Action

Violations of this policy will result in disciplinary action, which may include written warnings, suspension of card privileges, reimbursement of unauthorized expenses, and termination of employment. Severe violations may be referred for criminal prosecution under Texas Penal Code § 32.45 (Misapplication of Fiduciary Property) and/or § 32.51 (Fraudulent Use or Possession of Identifying Information). The City enforces the same disciplinary action for the purchase card program as the procurement policy. Refer to Section 17 of the Procurement Policy for details.

C. DETAIL PROCEDURES

C1. Obtaining a Purchase Card, or requesting a change to credit limits:

Purchase card requests or changes to credit limits require the approval of the Department Head and Program Administrator utilizing the **Purchase Card Request Form**. Once approved, the Account Administrator will begin the process of ordering the purchase card from the purchase card company.

C1.1 Temporary Increase: Requests for temporary credit limit increases will be reviewed on a case-by-case basis. The request should be made on the **Purchase Card Request Form**, and requires Department Head and Finance Director approval. The Cardholder, Supervisor, and Department Head will be notified of approval. Approved increases are for a specified timeframe. At the end of the timeframe, spending controls will revert back to their original limits.

C1.2 Credit Limit Increase: All cards have a per cycle credit limit. Cycle limits reset monthly. All cycle limit requests that exceed the standard cycle limit **MUST** be accompanied with an explanation detailing the need and authorized by the Cardholder's Department Head and Finance Director or designee. Requests should be made on the **Purchase Card Request Form**.

C1.3 Individual Transaction Limit: The individual purchase limit is set to \$2,999.99 on all cards. If a Cardholder becomes aware of a purchase that will need to be made on a purchase card that is greater than this single purchase limit, a request must be submitted using the **Purchase Card Request Form** at least 3 business days in advance of the known purchase. Refer to the procurement policy for specific requirements for purchases over \$2,999.99.

C1.4 State of Emergency: The City Manager and Purchasing Coordinator, and Emergency Operations Coordinator may have their individual transaction limit and/or credit limit increased in situations during a declared disaster, state of emergency, or expected or unexpected incident. The City Manager or designee, will determine which additional card limits may be increased during such emergency situations. The temporary increases will be set back to original limits following the conclusion of the incident.

C2. Receipt of Purchase Card: The Cardholder will be provided the procurement policy and this purchase card procedures manual. The Cardholder must sign a **Policy Acknowledgement Form** before their purchase card will be issued. The Program Administrator will forward the signed Policy to the Human Resources Department to place in the employee personnel file.

Prior to the initial use of the card, the Cardholder must activate the card. Activation procedures are provided at the mandatory Cardholder training. If the card has not been picked up from the Account Administrator within thirty (30) days from the date of notification that the P-card is ready for pick-up, the card will be cancelled, and a new application will be required. It is the responsibility of the Cardholder to set the PIN as well as maintain the PIN. The Cardholder will contact the financial institution through the number on the back of the card to resolve any PIN issues.

C3. Using the Card:

1. Cardholder will verify all charges made on their card. Cardholders are responsible for ensuring no sales tax has been charged and, if there is a sales tax charge, they are responsible for having the sales tax removed from the charge immediately. There are exceptions to this rule regarding sales tax for certain travel and meals, and other charges. Refer to Procurement Policy Section 6.
2. Cardholder shall obtain an itemized copy of all receipts showing that the purchase was tax exempt, and a detail of all items purchased. If the Cardholder fails to obtain an itemized receipt, they are responsible for contacting the vendor to secure a copy of the missing receipt.
3. Cardholder is responsible for coordinating any returns of items purchased with the vendor and ensuring that proper credit is made on their purchase card account. No cash refunds are allowed, only credit applied to the original purchase card utilized to in the purchase is authorized. Cardholder must provide frequent and timely status updates to both the Account Administrator and Department Head towards obtaining refunds.

C4. Inactivity:

If a Card shows no activity for six (6) months, transaction limits will be reduced to \$1 and the Cardholder will be notified; unless the Department Director authorizes the card to remain active. If a card shows no activity for nine (9) months or longer, the card may be permanently closed. If the Cardholder has an extended absence from work, the Cardholder or Cardholder's Supervisor will contact the Account Administrator so that a temporary suspension is applied to a card.

D. Record-Keeping:

D1. Monthly Approval Packet

Cardholders are responsible for turning in proper purchase documentation to their assigned Approver timely to provide for proper review. The packet must include the following:

- Monthly statement with General Ledger coding written next to each purchase, and signed by the Cardholder and Approver.

- Purchase Documentation for each purchase (see D2)

Completed monthly approved packets are due based on the purchase card payment deadline as determined by Accounts Payable and must be submitted to Accounts Payable by the established deadline. Records must be maintained by the Finance Department for a minimum of five years in accordance with city records retention policies and Texas Local Government Code § 203.041.

D2. Purchase Documentation: Cardholders are responsible for ensuring they obtain itemized receipts for all charges made. Additionally, receipts must include the following:

- **Date of purchase**
- **Vendor name**
- **Itemized details:** Meal purchase receipts must be itemized, include a listing of all individuals present, and the business purpose of the meal. Alcohol purchases are not permitted.

D3. Review and Approval: Approvers are responsible for reviewing all purchase card receipts for propriety of purchases, proper general ledger account expense coding, tax exemptions, and business purpose noted if not determinable by receipt details. If you discover an unauthorized purchase, you must contact the Department Director, or Finance Director immediately. It is the Approver's responsibility to ensure that all purchase card receipts comply with the procedures and policies and are turned in monthly to Accounts Payable before the established monthly deadlines communicated by the Finance Department.

D4. Accounts Payable Responsibility: The Finance Department will process the purchase card statements for payment. Receipts will be kept on file as a part of the Accounts Payable packet. The Finance Department has the authority to request information regarding any transaction or attempted transaction on a city purchase card.

F. Legal References

This Policy aligns with the Texas Information Act and State Procurement Laws

State Procurement Laws: *Texas Government Code § 2251 (Prompt Payment Act) and § 252 (Purchasing and Contracting Authority of Municipalities).*

Fraud Prevention & Accountability: *Texas Penal Code § 32.45 (Misapplication of Fiduciary Property) and § 32.51 (Fraudulent Use or Possession of Identifying Information)*

Open Records Act: *Texas Public Information Act, Chapter 552, Texas Government Code*

RESOLUTION NO. 2025-R21

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND _____ FOR THE SALE OF 2.923 ACRE TRACT OUT OF THE WILLIAM D. LUSK SURVEY NO. 211, ABSTRACT NO. 306, KENDALL COUNTY

WHEREAS, the City of Boerne finds it necessary to enter into and manage an agreement for the sale of 2.923 acre tract out of the William D. Lusk survey no. 211, abstract no. 306, Kendall County;

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

that the City Council hereby authorizes the City Manager to enter into and manage an agreement between the City of Boerne and _____ for the sale of 2.923 acre-tract out of the William D. Lusk Survey No. 211, Abstract No. 306, Kendall County.

PASSED, APPROVED and ADOPTED on this the ____ day of March, 2025.

APPROVED:

Mayor

ATTEST:

City Secretary