

RESOLUTION NO. 2023-R42

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND
MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND
KENDALL COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO.
3A FOR FIRE PROTECTION SERVICES**

WHEREAS, in November 2019, the City entered into a Development Agreement with BoerneBak, LLC and BoerneBak II, LLC for the development of 374 acres within the City's Extraterritorial Jurisdiction (ETJ); and

WHEREAS, Article 3, Section 3.6 within the Development Agreement states that the District must provide fire fighting services pursuant to the authority of Chapter 49 of the Texas Water Code and that these services may be provided by contracting with the City; and

WHEREAS, the Board of Directors of the District are seeking to secure fire protection services for the benefit of future residents and the property within the District's boundaries; and

WHEREAS, the City is willing to provide fire protection services to the land located within the boundaries of the District under the terms provided in the Fire Protection Agreement; and

WHEREAS, the City Council has determined that it is in the public interest to enter into and manage an agreement between the City of Boerne and Kendall County Water Control and Improvement District No. 3A for Fire Protection Services.

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

The City Council hereby authorizes the City Manager to enter into and manage a contract between the City of Boerne and Kendall County Water Control and Improvement District No. 3A for Fire Protection Services.

PASSED, APPROVED, and ADOPTED on this the ____ day of June, 2023.

APPROVED:

Mayor

ATTEST:

City Secretary