

	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Fowler <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div>
AGENDA DATE	SEPTEMBER 24, 2019
DESCRIPTION	CONSIDER ON SECOND READING ORDINANCE NO. 2019-39; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS APPROVING THE FIRST AMENDED REGIONAL UTILITY FRANCHISE AGREEMENT BETWEEN THE CITY AND KENDALL WEST UTILITY, LLC; ESTABLISHING A FRANCHISE FEE IN CONSIDERATION FOR THE RIGHTS AND PRIVILEGES GRANTED TO KENDALL WEST UTILITY, LLC IN PROVIDING AMENDMENT TO MECHANISM: PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE.
STAFF'S RECOMMENDED ACTION (be specific)	Approve on second reading Ordinance No. 2019-39; approving the First Amended Regional Utility Franchise Agreement with Kendall West Utility, LLC; establishing a franchise fee: providing for severability; providing a repealer clause and effective date.
CONTACT PERSON	Mick McKamie, Interim City Attorney; Jeff Thompson, Deputy City Manager & General Manager of Utilities
SUMMARY	<p>In September of 2015, the City entered into a Regional Utility Agreement with Kendall West Utilities (KWU) for the provision of water and sewer service outside the City limits. In August 2016, changes were made to the Agreement whereby KWU could serve in the City's designated service area and vice versa with prior approval from the other utility (i.e., Durango Subdivision on Shooting Club Road).</p> <p>KWU has begun serving end use water customers in the Shooting Club Road area and an Ordinance clearly spelling out the obligations is necessary for collection of franchise fees. A slight revision to the Agreement is also necessary. KWU service in the City limits is similar to Bandera or Pedernales Electric Cooperatives service and should be subject to a 4% City of Boerne Franchise Fee.</p>
COST	N/A
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	Ordinance; KWU Amended Regional Utility Franchise Agreement

This summary is not meant to be all inclusive. Supporting documentation is attached.