

	<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 = Boddie <input checked="" type="checkbox"/> 5 = Macaluso All </div>
AGENDA DATE	<i>SEPTEMBER 8, 2020</i>
DESCRIPTION	CONSIDER RESOLUTION NO. 2020-R70; A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND BOERNEBAK, LLC AND BOERNEBAK II, LLC (WCID No. 3).
STAFF'S RECOMMENDED ACTION (be specific)	PASS RESOLUTION NO. 2020-R70; A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND BOERNEBAK, LLC AND BOERNEBAK II, LLC (WCID No. 3).
CONTACT PERSON	JEFF THOMPSON, DEPUTY CITY MANAGER & GENERAL MANAGER OF UTILITIES
SUMMARY	<p>Representatives of BoerneBak Development (WCID #3A) have asked that a section of our development agreement be modified. Due to the pandemic, progress on the development has been slowed and they have requested a six-month delay to the start of payments in lieu of impact fees.</p> <p>As you recall, the payments, which are set to begin in November of this year, are one of the most important elements of the Agreement for the city due to the timing of sewer infrastructure that will be needed to serve WCID #3A and other sewer customers in the area. The city is contractually obligated to design and build the infrastructure to provide permanent sewer service to BoerneBak in a timely manner to be ready when the development ties in its first home.</p> <p>These capital improvements include sewer main upgrades and new installations under IH 10 as well as a major upgrade to the lift station on Cascade Caverns Road. Our 5-year capital improvement plan shows \$3.3m for these improvements over the next 3-4 years including \$600,000 in the Fiscal Year 2021 budget for the first phase of lift station improvements.</p> <p>The request is to delay the start of the payment cycle for 6 months from November 2020 to May 2021. This will affect a delay in all of the 7 scheduled payments the last of which would be made in May of 2028. The 6-month delay is, in effect, a loan or deferment of payment due which should carry with it some benefit to the public to allow it to occur. The attached revision to the DA modifies the amounts due, increasing them by 3% each for ½ of a year (6 months). Each of the five scheduled \$1,250,000 payments becomes \$1,268,750 and the final two payments are also modified in the same manner. Total payments over the 7-year program increase by \$125,895 (see</p>

	BoerneBak Payment Summary). This proposal was discussed with Phil Bakke of BoerneBak and he agrees to proceed accordingly.
COST	N/A
SOURCE OF FUNDS	N/A
ADDITIONAL INFORMATION	Payment Schedule, Amended DA

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