

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
April 27, 2021 – 6:00 PM

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

During the meeting, the City Council may meet in executive session, as to the posted subject matter of this City Council meeting, under these exceptions of Chapter 551 of the Texas Government Code; sections 551.071 (Consultation with Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Gifts), 551.074 (Personnel/Officers), 551.076 (Deliberation Regarding Security Devices), and Section 551.087 (Deliberation Regarding Economic Development Negotiations).

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. [2021-390](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 13, 2021.

Attachments: [Minutes.21.0413](#)

- B. [2021-380](#) CONSIDER ON SECOND READING ORDINANCE NO. 2021-15; AN ORDINANCE AMENDING ORDINANCE NO. 2020-21, CAPTIONED “AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2020-2021, BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021”; AND AUTHORIZING THE CITY MANAGER TO TRANSFER PART OR ALL OF ANY ENCUMBERED APPROPRIATION BALANCE AMONG PROGRAMS, WITHIN A FUND DEPARTMENT, OFFICE, OR AGENCY AT ANY TIME DURING THE FISCAL YEAR. (Budget amendments)

Attachments: [AIS April 2021 amendments](#)
[Ordinance No. 2021-15](#)
[Exhibit I. Budget Amendment](#)

REGULAR AGENDA

5. RESOLUTIONS:

- A. [2021-383](#) CONSIDER THE UN-TABLING OF RESOLUTION NO. 2021-R16, AS DESCRIBED BELOW. (Tabled on 4/13/21)
- B. [2021-382](#) CONSIDER RESOLUTION NO. 2021-R16; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND LUCK DESIGN TEAM, LLC FOR WATERWORKS TERRACE PARK AND SPLASH PAD PROJECT FOR AN AMOUNT NOT TO EXCEED \$47,800.00.

Attachments: [AIS - 04-27-2021 Waterworks Terrace Park - Design Contract Draft](#)
[Resolution No. 2021-R16](#)
[Final-Waterworks Terrace Park Splash Pad AGREEMENT TO PROVIDE PRO](#)

6. OTHER ITEMS:

- A. [2021-379](#) RECEIVE AND APPROVE THE SECOND QUARTER FINANCIAL AND INVESTMENT REPORT FOR FISCAL YEAR 2021.

Attachments: [AIS - Mar 2021 Qtrly Report](#)
[March 2021 Qtrly Financial & Investment Report](#)

7. CITY MANAGER’S REPORT:

- A. [2021-384](#) MONTHLY PROJECT UPDATE
 - B. [2021-389](#) NEW CITY NEWS INITIATIVE (Shadrock)
 - C. [2021-385](#) LEGISLATIVE UPDATE (Quirk)
 - D. [2021-386](#) UPDATE ON IMPACTS OF WINTER STORM (Thompson)
8. COMMENTS FROM COUNCIL – No discussion or action may take place.
9. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:
- A. [2021-387](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS WITH DSL HOLDINGS, LLC.
 - B. [2021-388](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS WITH SPENCER RANCH AND SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY REGARDING SAME.
10. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.
11. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 22nd day of
April, 2021 at 5:00 p.m.

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall Complex is wheelchair accessible. Access to the building and special parking is available at the front 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
CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
April 13, 2021 – 6:00 PM

Minutes of the Regular City Council meeting of April 13, 2021.

Present: **5 -** Mayor Tim Handren, Council Member Ty Wolosin, Council Member Quinten Scott, Council Member Bryce Boddie, and Council Member Joseph Macaluso

Absent: **1 -** Mayor Pro Tem Nina Woolard

Council Member Macaluso was present virtually.

Staff Present: Ben Thatcher, Jeff Thompson, Lori Carroll, Siria Arreola, Paul Barwick, Jeff Carroll, Jim Kohler, Mike Mann, Nick Montagno, Barbara Quirk, Mike Raute, Chris Shadrock, Laura Talley, and Danny Zincke.

Guests Present: Suzanne Rittimann, Vanessa Brown, Jack and Alexis Short, Frank Valeskey, Joseph Pritko, Debbie Pritko, and Christina Ryrholm.

1. CALL TO ORDER – 6:00 PM

Mayor Handren called the City Council Meeting to order at 6:00 p.m.

Council Member Boddie provided the Invocation.

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

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. PUBLIC COMMENTS:

City Secretary Lori Carroll read a public comment submitted through email by Mr. Charles Riddle. Mr. Riddle expressed his concerns regarding the Unified Development Code Zoning Map.

4. CONSENT AGENDA:**A. CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MARCH 23, 2021.**

Minutes were approved.

B. CONSIDER RESOLUTION NO. 2021-R12; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE IN SUPPORT OF HB NO. 3883 RELATING TO DEVELOPMENT REGULATIONS FOR CERTAIN UNINCORPORATED AREAS LOCATED WITHIN THE HILL COUNTRY PRIORITY GROUNDWATER MANAGEMENT AREA; AND HB NO. 3884 RELATING TO THE AUTHORITY OF A COUNTY TO REGULATE LOT FRONTAGES ON CERTAIN ROADS.

Resolution was approved.

A MOTION WAS MADE BY COUNCIL MEMBER WOLOSIN, SECONDED BY COUNCIL MEMBER BODDIE, TO APPROVE CONSENT AGENDA ITEMS 4A. AND 4B. AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Council Member Scott, Council Member Boddie, and Council Member Macaluso

Absent: 1 - Mayor Pro Tem Woolard

C. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR MAY 11, 2021:**I. PROPOSED PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR 1.27 ACRES LOCATED BETWEEN STAHL AND NORTH PLANT STREETS (BETWEEN 115 STAHL STREET AND 400 ROSEWOOD - A PORTION**

OF KAD NO. 20028 AND ALL OF KAD NO. 63697). (Jay Parker/Trophy Properties)

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER WOLOSIN, TO RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR MAY 11, 2021. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Council Member Scott, Council Member Boddie, and Council Member Macaluso

Absent: 1 - Mayor Pro Tem Woolard

II. PROPOSED PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT FOR 6.479 ACRES LOCATED IN THE COMMONS AT MENDER CREEK ON OLD SAN ANTONIO (KAD NO. 300529). (Alan Naul/ J-B Boerne Realty, LP)

A MOTION WAS MADE BY COUNCIL MEMBER WOLOSIN, SECONDED BY COUNCIL MEMBER BODDIE, TO APPROVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR MAY 11, 2021. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Council Member Scott, Council Member Boddie, and Council Member Macaluso

Absent: 1 - Mayor Pro Tem Woolard

REGULAR AGENDA:

5. RESOLUTIONS:

A. CONSIDER RESOLUTION NO. 2021-R13; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT FOR ADDITIONAL SERVICES TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND MOSAIC PLANNING AND DEVELOPMENT SERVICES, INC. FOR THE BOERNE UNIFIED DEVELOPMENT CODE FOR AN AMOUNT NOT TO EXCEED \$26,400.00. (Additional coordination, outreach, mapping and meetings for the Unified Development Code)

Mayor Handren called on Ms. Laura Haning, Planning and Development

Director. Ms. Haning stated that with the extension of the Unified Development Code (UDC) effective date, it will be necessary to amend the contract with MOSAIC Planning and Development Services, Inc. The additional expense includes meetings, mapping and materials for community outreach.

A MOTION WAS MADE BY COUNCIL MEMBER WOLOSIN, SECONDED BY COUNCIL MEMBER SCOTT, TO APPROVE RESOLUTION NO. 2021-R13; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT FOR ADDITIONAL SERVICES TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND MOSAIC PLANNING AND DEVELOPMENT SERVICES, INC. FOR THE BOERNE UNIFIED DEVELOPMENT CODE FOR AN AMOUNT NOT TO EXCEED \$26,400.00. (ADDITIONAL COORDINATION, OUTREACH, MAPPING AND MEETINGS FOR THE UNIFIED DEVELOPMENT CODE). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Council Member Scott, Council Member Boddie, and Council Member Macaluso

Absent: 1 - Mayor Pro Tem Woolard

B. CONSIDER RESOLUTION NO. 2021-R14; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHANGE ORDER TO THE AGREEMENT DATED FEBRUARY 25, 2020 BETWEEN THE CITY OF BOERNE AND PAWELEK & MOY FOR ADDITIONAL SERVICES TO THE JOHNS ROAD RECONSTRUCTION PROJECT FOR AN AMOUNT NOT TO EXCEED \$28,900.00. (Subsurface drainage system, detention pond modifications and necessary field survey work)

Mayor Handren called on Mr. Jeff Carroll, Development Services Director. Mr. Carroll stated that in early 2020, an engineering firm Pawelek & Moy began the design and prepared bid documents for roadway improvements for Johns Road, east of Main Street. It was determined that groundwater under the pavement was the cause of the pavement failures. The subsurface drainage system, detention pond modifications, and necessary field survey work was not included in the initial scope of work, therefore a change order in the amount of \$28,900.00 is needed.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE RESOLUTION NO. 2021-R14; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHANGE ORDER TO THE AGREEMENT DATED FEBRUARY 25, 2020 BETWEEN THE CITY OF BOERNE AND PAWELEK & MOY FOR ADDITIONAL SERVICES TO THE JOHNS ROAD RECONSTRUCTION PROJECT FOR AN AMOUNT NOT TO EXCEED \$28,900.00. (SUBSURFACE DRAINAGE SYSTEM, DETENTION POND MODIFICATIONS AND NECESSARY FIELD SURVEY WORK). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Council Member Scott, Council Member Boddie, and Council Member Macaluso

Absent: 1 - Mayor Pro Tem Woolard

C. CONSIDER RESOLUTION NO. 2021-R15; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND ECOSYSTEM PLANNING & RESTORATION, LLC FOR RIVER ROAD PARK BANK STABILIZATION PROJECT FOR AN AMOUNT NOT TO EXCEED \$177,397.00. (Design and construction plan to address bank erosion along River Road Park)

Mayor Handren called on Mr. Paul Barwick, Special Projects Director. Mr. Barwick displayed a map of the area on River Road as well as the photos of where the proposed restoration project will take place. He stated that irrigation is included in the project. Discussion ensued regarding community engagement, life expectancy of the project, improving the other side of the creek, and what we have learned from recent drainage studies which will assist with this project.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER BODDIE, TO APPROVE RESOLUTION NO. 2021-R15; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND ECOSYSTEM PLANNING & RESTORATION, LLC FOR RIVER ROAD PARK BANK STABILIZATION PROJECT FOR AN AMOUNT NOT TO EXCEED \$177,397.00. (DESIGN AND CONSTRUCTION PLAN TO ADDRESS BANK EROSION ALONG RIVER ROAD PARK). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Council Member Scott, Council Member Boddie, and Council Member Macaluso

Absent: 1 - Mayor Pro Tem Woolard

D. CONSIDER RESOLUTION NO. 2021-R16; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND LUCK DESIGN TEAM, LLC FOR WATERWORKS TERRACE PARK AND SPLASH PAD IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$86,700.00.

Mr. Barwick continued with background information regarding developing Waterworks Terrace Park and Splash Pad. He displayed a map of the Waterworks Terrace area. A total of 14 proposals were received for this project. The agreement has two phases, Phase I is a study to see if it is feasible to do this project and will determine if Phase 2 is even necessary. Staff will bring the results of the study to City Council once received.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER WOLOSIN, TO TABLE UNTIL THE APRIL 27, 2021 CITY COUNCIL MEETING RESOLUTION NO. 2021-R16; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND LUCK DESIGN TEAM, LLC FOR WATERWORKS TERRACE PARK AND SPLASH PAD IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$86,700.00. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Council Member Scott, Council Member Boddie, and Council Member Macaluso

Absent: 1 - Mayor Pro Tem Woolard

6. ORDINANCES:

A. CONSIDER ON FIRST READING ORDINANCE NO. 2021-15; AN ORDINANCE AMENDING ORDINANCE NO. 2020-21, CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2020-2021, BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2021"; AND AUTHORIZING THE CITY MANAGER TO TRANSFER PART OR ALL OF ANY ENCUMBERED APPROPRIATION BALANCE AMONG PROGRAMS, WITHIN A FUND DEPARTMENT, OFFICE, OR AGENCY AT ANY TIME DURING THE FISCAL YEAR. (Budget amendments)

Mayor Handren called on Ms. Angie Rios, Assistant Finance Director. Ms. Rios stated that due to the uncertainty effects of the COVID-19 pandemic, the fiscal year 2021 budget was adopted using conservative revenue projections. She reviewed the proposed budget amendments.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE ON FIRST READING ORDINANCE NO. 2021-15; AN ORDINANCE AMENDING ORDINANCE NO. 2020-21, CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2020-2021, BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021"; AND AUTHORIZING THE CITY MANAGER TO TRANSFER PART OR ALL OF ANY ENCUMBERED APPROPRIATION BALANCE AMONG PROGRAMS, WITHIN A FUND DEPARTMENT, OFFICE, OR AGENCY AT ANY TIME DURING THE FISCAL YEAR. (BUDGET AMENDMENTS). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Council Member Scott, Council Member Boddie, and Council Member Macaluso

Absent: 1 - Mayor Pro Tem Woolard

7. OTHER ITEMS:

A. RECEIVE BRIEFING ON THE BOERNE POLICE DEPARTMENT 2020

ANNUAL REPORT TO INCLUDE THE ANNUAL REPORT ON RACIAL PROFILING.

Mayor Handren called on Police Chief Jim Kohler. Chief Kohler reviewed the 2020 officer awards, college degrees completed, merits and complaints, and racial profiling. He also discussed the Annual Crime Report and activity statistics. Chief Kohler stated that we are blessed to live in a great community with great community support.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER WOLOSIN, TO RECEIVE AND ACCEPT THE 2020 ANNUAL REPORT TO INCLUDE THE ANNUAL REPORT ALONG WITH THE STATISTICAL DATA. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Wolosin, Council Member Scott, Council Member Boddie, and Council Member Macaluso

Absent: 1 - Mayor Pro Tem Woolard

B. DISCUSSION ON UNIFIED DEVELOPMENT CODE EFFECTIVE DATE AND TIMELINE.

Mayor Handren called on Ms. Laura Haning. Ms. Haning stated that July 28, 2021 is the effective date of the Unified Development Code. The timeline will be on the City website and a mailer will be sent out to city residents. She reviewed major milestone dates for staff, MOSAIC and additional meetings that will be held.

8. CITY MANAGER'S REPORT:

A. COVID-19 VACCINE UPDATE (Thatcher)

Mayor Handren called on City Manager Ben Thatcher. Mr. Thatcher provided an update on Kendall County statistics on COVID-19 vaccinations. Mayor Handren stated that in addition to city and county employees, we have had a lot of volunteers working the vaccination hubs.

B. IH-10 TxDOT PROJECT UPDATE (J Carroll/Kohler)

City Manager Thatcher asked Mr. Jeff Carroll, Development Services Director to

brief the City Council on the recent meeting with TxDOT regarding the timeline for Business 87 closures.

C. YARD WASTE COLLECTION (Thompson)

City Manager Thatcher asked Mr. Jeff Thompson, Deputy City Manager to update the City Council regarding the collection of brush pick up due to the storms. City residents will receive an additional free pickup in April and May. Mr. Thompson mentioned that the Native Plant Society offers a service to the public. A member of the Society will come to your home and make recommendations for plantings.

D. LEGISLATIVE UPDATE (Quirk)

City Manager Thatcher asked City Attorney Barbara Quirk to provide an update of the proposed city related bills in the Texas Legislature. Ms. Quirk also referenced the Texas Municipal League as providing up to date information pertaining to the various bills.

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

Council Member Wolosin stated that he participated with Kronkosky Place to deliver Meals on Wheels with the volunteers. He expressed appreciation to Boerne ISD for keeping the mask policy in the schools. He also congratulated the Boerne High School soccer teams for a successful year.

Mayor Handren stated that Judge Lux and the Council Commissioners would not be providing a county ex-officio to the PFC Board.

10. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:

A. SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS WITH SPENCER RANCH AND SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY REGARDING SAME.

Mayor Handren convened the City Council into Executive Session at 8:31 p.m.
Discussion began at 8:35 p.m.

No action was taken.

**11. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION
RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.**

Mayor Handren reconvened City Council into Open Session at 9:12 p.m.

Council Member Macaluso did not reconvene into Open Session.

No action was taken.

12. ADJOURNMENT


Mayor Handren adjourned the City Council at 9:12 p.m.

Approved:

Mayor

Attest:

City Secretary

	<div style="text-align: center;"> <h2 style="margin: 0;">AGENDA ITEM SUMMARY</h2> </div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> <b style="color: purple;">District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Boddie <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div>			
Agenda Date	April 27, 2021			
Requested Action	Approval of the budget amendments for FY 2020-2021 as presented			
Contact Person	Sandy Mattick			
Background Information	Due to the uncertainty that the COVID-19 pandemic has brought, the fiscal year 2021 budget was adopted using conservative revenue projections. During the adoption, we stated that if revenues exceeded the budget, we would bring budget amendments to council for their consideration.			
Item Justification	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input checked="" type="checkbox"/> Mitigate Risk <input type="checkbox"/> Master Plan Recommendation </td> <td style="width: 50%; vertical-align: top;"> <input checked="" type="checkbox"/> Infrastructure Investment <input checked="" type="checkbox"/> Customer Pull <input checked="" type="checkbox"/> Service Enhancement <input checked="" type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: _____ _____ </td> </tr> </table>		<input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input checked="" type="checkbox"/> Mitigate Risk <input type="checkbox"/> Master Plan Recommendation	<input checked="" type="checkbox"/> Infrastructure Investment <input checked="" type="checkbox"/> Customer Pull <input checked="" type="checkbox"/> Service Enhancement <input checked="" type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: _____ _____
<input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input checked="" type="checkbox"/> Mitigate Risk <input type="checkbox"/> Master Plan Recommendation	<input checked="" type="checkbox"/> Infrastructure Investment <input checked="" type="checkbox"/> Customer Pull <input checked="" type="checkbox"/> Service Enhancement <input checked="" type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: _____ _____			
Financial Considerations	<p>The following budget amendments to the current fiscal year budget are proposed:</p> <p>General Fund – Federal and State Seized Funds \$61,274 To increase the police budget for the purchase of a mobile video security unit, K9 training equipment, and the purchase of a new finger printing system using seized funds collected in prior years. We received an updated quote on the K9 equipment, and the cost of the items and freight has increased by \$2,200.</p> <p>General Fund – Communications Reserves \$19,611 To increase the dispatch budget for the purchase of iPads and service along with the licenses for the Tyler Public Safety software to be used by Kendall County EMS in the field. The communications board approved this purchase from the communications reserve.</p> <p>General Fund – Cares Act \$54,960 To increase the general fund budget for expenditures of computer equipment and software to be used by multiple departments for plan</p>			

	<p>reviews. This software will provide greater customer service enhancements to the development process. This is being funded by CARES Act funds recorded in the prior year.</p> <p>General Fund – \$380,632 To increase budget for additional sales tax collections and to increase road maintenance expenditures in the street department, unfreeze an inspector in code enforcement, increase professional services expenditures related to the UDC, and to implement a budget software application and provide additional security cameras.</p> <p>Parks - \$47,397 To increase the budget using unreserved fund balance for River Road Park Bank Stabilization expenditures.</p> <p>Library Fund - \$9,100 To increase the budget using unreserved fund balance for the replacement of the smart chute book return computer and upgrading the book drop.</p> <p>Internal Service Fund - \$120,688 To Increase the budget using unreserved fund balance for additional travel, training, and professional fees in the Human Resources department and for additional professional services for the MPO submission and unfreeze the administrative assistant in the Development Services department.</p> <p>Capital Projects Fund - \$28,900 To increase the transfers from other funds budget for additional expenditures related to the John’s Road project.</p> <p>Water Fund - \$32,435 To increase the budget using unreserved fund balance for professional fees related to Right of Way acquisitions for the water line to WCID #4.</p> <p>Various Funds - \$435,148 To increase the budget using CARES Act funds recorded in the prior year for a one-time essential worker supplement payment to be made to all employees in accordance with CARES Act guidelines.</p>
Citizen Input/Board Review	N/A

Legal Review	N/A
Alternative Options	N/A
Supporting Documents	See attached summary.

ORDINANCE NO. 2021-15

AN ORDINANCE AMENDING ORDINANCE NO. 2020-21, CAPTIONED “AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2020-2021, BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021”; AND AUTHORIZING THE CITY MANAGER TO TRANSFER PART OR ALL OF ANY ENCUMBERED APPROPRIATION BALANCE AMONG PROGRAMS, WITHIN A FUND DEPARTMENT, OFFICE, OR AGENCY AT ANY TIME DURING THE FISCAL YEAR.

WHEREAS, in September 2019, the City Council adopted the City of Boerne’s Fiscal Year 2020-2021 Annual Capital and Operating Budget for the period commencing October 1, 2020, and ending September 30, 2021 (“the Budget”), by Ordinance No. 2020-21; and

WHEREAS, Section 6.04 of the Boerne City Charter allows amendments after the adoption of the budget for the purpose of supplemental appropriations of excess revenues, emergency appropriations where life, health, property or the public peace are affected by a public emergency, reduction of appropriations, or transfer of unencumbered appropriations; and

WHEREAS, the budget was adopted using conservative revenue projections due to the uncertainty of the public health emergency declared for the City of Boerne caused by the COVID-19 pandemic which has affected public health and necessitated emergency appropriations by the City, as reflected in the attached Budget Adjustments; and

WHEREAS, since the adoption of the Budget, it has become necessary for the City to make supplemental appropriations and the City Manager has certified that there are revenues available for appropriation in excess of those estimated in the budget sufficient to cover the supplemental appropriations as reflected in the attached Budget Adjustments; and

WHEREAS, since the adoption of the Budget, it has become necessary to transfer unencumbered funds as reflected in the attached Budget Adjustments; and

WHEREAS, City Council now finds it necessary to amend the Budget and Ordinance No. 2020-21 in order to correctly reflect each of these Budget Adjustments;

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

SECTION 1. The City of Boerne Fiscal Year 2020-2021 Annual Budget for the fiscal year commencing October 1, 2020, and ending September 30, 2021 and its adopting Ordinance, No. 2020-21, are hereby amended to incorporate the Budget Adjustments attached hereto and incorporated herein as Attachment I.

SECTION 2. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this ordinance are hereby repealed, and are no longer of any force and effect.

SECTION 4. The City Manager shall cause the 2020-2021 budget documents to be revised in accordance with this ordinance, and shall file such documents with the City Secretary.

SECTION 5. This ordinance shall take effect on April 27, 2021.

PASSED AND APPROVED on this the first reading the 13th day of April, 2021.

PASSED, APPROVED AND ADOPTED on this the second reading the ____ day of April, 2021.

APPROVED:

ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:

City Attorney


**CITY OF BOERNE
BUDGET ADJUSTMENTS
FISCAL YEAR 2020-2021**

Revenue Increases

Additional Sales Tax	\$ 380,632
Seized Funds	61,274
Communications Reserve	19,611
CARES Act funds	490,108
Unreserved Fund Balance	209,620
	<u>\$ 1,161,245</u>

Increases in Expenditures

General Fund	\$ 516,477
Parks	47,397
Library	9,100
Internal Service Fund	120,688
Water Fund	32,435
One-time essential worker supplement	435,148
	<u>\$ 1,161,245</u>

	<div style="text-align: center;"> <h2 style="margin: 0;">AGENDA ITEM SUMMARY</h2> </div> <div style="border: 1px dashed purple; padding: 5px; margin-top: 10px;"> <p style="text-align: center; margin: 0;">District Impacted</p> <p style="margin: 0;"><input type="checkbox"/> 1 = Wolosin</p> <p style="margin: 0;"><input type="checkbox"/> 2 = Woolard</p> <p style="margin: 0;"><input type="checkbox"/> 3 = Scott</p> <p style="margin: 0;"><input type="checkbox"/> 4 = Boddie</p> <p style="margin: 0;"><input type="checkbox"/> 5 = Macaluso</p> <p style="margin: 0;"><input checked="" type="checkbox"/> All</p> </div>
Agenda Date	<i>April 27, 2021</i>
Requested Action	<p>CONSIDER RESOLUTION NO. 2021-R16; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND LUCK DESIGN TEAM, LLC FOR WATERWORKS TERRACE PARK AND SPLASH PAD PROJECT FOR AN AMOUNT NOT TO EXCEED \$47,800.00.</p>
Contact Person	<p>Paul Barwick, Special Projects Director</p>
Background Information	<p>Initial Waterworks Terrace Park Improvements were completed in 2011 as part of the River Road Park and Trails Project. This section of the project included the Cibolo Creek trailhead, retaining wall repair, area lighting, irrigation, and electrical service.</p> <p>A Request for Qualifications (RFQ) was issued in January 2021. The Scope of Work (SOW) for this project is for design only, SOW does not include bidding, contract administration or any construction costs. SOW includes data review, site surveys and assessment, citizen input, regulatory support and permitting services, project plans, details, specifications, and opinion of probable construction cost.</p> <p>The RFQ response was strong with fourteen (14) respondents submitting Statements of Qualifications (SOQ). Staff reviewed all SOQs and scored them based on advertised criteria. The respondents with the three (3) highest scores were interviewed by staff and LUCK Design Team (LDT) was chosen. The second respondent was Kimley Horn and third respondent was Terra Design Group. Staff met with LDT to prepare a SOW with fee schedule and projected timeline. See Supporting Documents. Since the last City Council Meeting, site surveying and 3D conceptual design graphics has been removed from the initial phase of work and a broader scope look at the Main Plaza area has been added.</p> <p>The SOW will focus on feasibility studies and resource testing regarding site suitability for desired and appropriate site recreational amenities and infrastructure. Three (3) conceptual plans will be developed to generate ideas on how best to develop future park improvements for Waterworks Terrace Park and strengthening the connection with Main Plaza. The Consultant will incorporate traffic calming strategies and</p>

	<p>pedestrian linkages to further enhance public safety and connection between Waterworks Terrace Park and Main Plaza.</p> <p>When this feasibility work is completed, staff will return to City Council and present the conceptual plans and estimate for review and comment. Next steps for this project will be determined at this time based on the decision and direction received from City Council.</p> <p>On the basis of the above, Staff recommends the Council authorize the City Manager to enter into and manage a professional services agreement with Luck Design Team, LLC.</p>
Item Justification	<div> <div> <input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Mitigate Risk <input type="checkbox"/> Master Plan </div> <div> <input checked="" type="checkbox"/> Infrastructure Investment <input type="checkbox"/> Customer Pull <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: _____ </div> </div> <p>Recommendation _____</p>
Financial Considerations	<p>The current FY 21 budget for this project is \$100,000 for design plans, specifications, and estimate for the Waterworks Terrace Park & Splash Pad project. The estimate to be prepared for this project is to be used to budget for future construction of the Waterworks Terrace Park & Splash Pad project.</p>
Citizen Input/Board Review	<p>NA</p> <p>FYI, included in the SOW are several stakeholder committee meetings to review and refine conceptual park plans.</p>
Legal Review	<p>The City Attorney has developed and reviewed the attached Professional Services Agreement. See Supporting Documents.</p>
Alternative Options	
Supporting Documents	<p>Professional Services Agreement w/Scope of Services, Fee Schedule and Project Schedule.</p>

RESOLUTION NO. 2021-R16

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND AND MANAGE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND LUCK DESIGN TEAM, LLC FOR WATERWORKS TERRACE PARK AND SPLASH PAD IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$47,800.00

WHEREAS, Initial Waterworks Terrace Park improvements were completed in 2011 as part the River Road Park and Trails Project; and

WHEREAS, it is the intent of the City of Boerne to determine the feasibility of this site for a splash pad and design the project if determined feasible; and

WHEREAS, the City of Boerne finds it necessary to enter into and manage an agreement with Luck Design Team, LLC for Waterworks Terrace Parks and Splash Pad Project;

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 Luck Design Team, LLC for Waterworks Terrace Parks and Splash Pad Project for an amount not to exceed \$47,800.00.

PASSED and APPROVED on this the ____ day of April, 2021.

APPROVED:

Mayor

ATTEST:

City Secretary

AGREEMENT TO PROVIDE PROFESSIONAL SERVICES ARCHITECTS AND ENGINEERS

THIS AGREEMENT ("Agreement") is entered into this ____ day of _____, 20__ by and between _____ ("PROFESSIONAL") and the CITY OF BOERNE, TEXAS, a municipal corporation of the State of Texas ("CITY"). For convenience, the PROFESSIONAL and the CITY may sometimes be referred herein collectively as "parties" and individually as a "party."

WITNESSETH

WHEREAS, CITY desires to engage the PROFESSIONAL to provide professional services as more fully described on Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, PROFESSIONAL agrees to provide such work and services for the CITY in accordance with the terms of this Agreement;

NOW, THEREFORE, for the mutual promises set forth herein, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto mutually agree as follows:

1. Employment of PROFESSIONAL.

(a) CITY agrees to engage the PROFESSIONAL and the PROFESSIONAL hereby agrees to perform the services described in Exhibit "A" attached hereto and incorporated herein by reference.

(b) Notwithstanding anything to the contrary contained in this Agreement, CITY and PROFESSIONAL agree and acknowledge that CITY is entering into this Agreement in reliance on PROFESSIONAL's special and unique abilities. PROFESSIONAL accepts the relationship of trust and confidence established between it and the CITY by this Agreement. PROFESSIONAL acknowledges that PROFESSIONAL shall be solely responsible for determining the methods for performing the services described in Exhibit "A" attached hereto. PROFESSIONAL covenants with CITY to use its best efforts, skill, judgment, and abilities to perform the work required by this Agreement and to further the interests of CITY in accordance with CITY's requirements, in accordance with the highest standards of PROFESSIONAL's profession or business and in compliance with all applicable national, federal, state, municipal, laws, regulations, codes, ordinances, orders and with those of any other body having jurisdiction. The PROFESSIONAL warrants, represents, covenants, and agrees that all of the work to be performed by the PROFESSIONAL under or pursuant to this Agreement shall be done (i) with the professional skill and care ordinarily provided by competent engineers or architects, as the case may be, practicing in the same or similar locality and under

the same or similar circumstances and applicable professional license; and (ii) as expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer or architect, as the case may be.

(c) PROFESSIONAL will be responsible for supplying all tools and equipment necessary for PROFESSIONAL to provide the services set forth in Exhibit "A" attached hereto.

2. **Compensation.** The CITY agrees to pay the PROFESSIONAL the fees set forth in Exhibit "A" attached hereto. Within fifteen (15) days of the end of the month within which services were rendered, PROFESSIONAL shall provide City an invoice specifying the services provided during the previous month and the total amount owed by the City. Payment will be made by the CITY within thirty (30) days of receipt of an invoice from PROFESSIONAL.
3. **Changes.** CITY may, from time to time require changes in the scope of services of the PROFESSIONAL to be performed hereunder. Such changes, which are mutually agreed upon by and between CITY and the PROFESSIONAL, shall be incorporated in written amendment to this Agreement.
4. **Services and Materials to be Furnished by CITY.** CITY shall furnish the PROFESSIONAL with all available information and data PROFESSIONAL requests pertinent to the execution of this Agreement. CITY shall cooperate with the PROFESSIONAL in carrying out the work herein and shall provide adequate staff for liaison with the PROFESSIONAL.
5. **Ownership of Documents.** All reports, plans, specifications, computer files and other documents prepared by PROFESSIONAL pursuant to this Agreement shall be the property of the CITY. PROFESSIONAL will deliver to the CITY copies of the prepared documents and materials. PROFESSIONAL shall make all documents and related data and material utilized in developing the documents available to CITY for inspection whenever requested. PROFESSIONAL may make copies of any and all such documents and items and retain same for its files. PROFESSIONAL shall have no liability for changes made to or use of the drawings, specifications, and other documents by anyone other than PROFESSIONAL subsequent to delivery of the prepared documents and materials. However, any such change or other use shall be sealed by the individual making the change or use and shall be appropriately marked to reflect what was changed or modified.
6. **Term and Termination of Agreement.** This agreement will be for a period of [insert term] beginning on [insert beginning date], and expiring on [insert ending date]. Either party may terminate this agreement at any time by providing thirty (30) days written notice to the other party. In the event of termination by the CITY, PROFESSIONAL will be paid for all services satisfactorily performed up to the effective date of termination, all expenses subject to reimbursement, and other reasonable expenses incurred by PROFESSIONAL as a result of such termination. The City reserves the

right to terminate the Agreement after the completion and review of Item 1 Scope of Services. These services are the Feasibility/Due Diligence for this project to determine suitability of this site for the proposed park improvements. After date of final submittal of Item 1 Scope of Services, the City will notify Professional within 30 days whether the City will proceed, or not, with Item 2 Scope of Services per the Agreement. Professional will not begin services on Item 2 until the City notifies Professional of this decision. In the event the City notifies Professional not to proceed with Item 2, no compensation will be due from or paid by the City for any services under Item 2.

7. **Completeness of Contract.** This Agreement and the documents incorporated herein by specific reference contain all the terms and conditions agreed upon by the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this contract or any part thereof shall have any validity or bind any of the parties hereto. If there is any conflict between the terms of this Agreement and the documents attached hereto, the terms of this Agreement shall control. This Agreement may not be subsequently modified except by a writing signed by both parties.
8. **CITY Not Obligated to Third Parties.** CITY shall not be obligated or liable hereunder to any party other than the PROFESSIONAL.
9. **Final Decisions.** Serving as a PROFESSIONAL to the CITY, PROFESSIONAL shall advise all parties that final decisions shall be made by the City Council and/or City Manager.
10. **Indemnification.** PROFESSIONAL DOES HEREBY COVENANT AND CONTRACT TO WAIVE ANY AND ALL CLAIMS, RELEASE, INDEMNIFY, AND HOLD HARMLESS THE CITY, ITS CITY COUNCIL, OFFICERS, EMPLOYEES, AND AGENTS, FROM AND AGAINST ALL LIABILITY, CAUSES OF ACTION, CLAIMS, COSTS, DAMAGES, DEMANDS, EXPENSES, FINES, JUDGMENTS, LOSSES, PENALTIES OR SUITS, WHICH MAY ARISE BY REASON OF DEATH OR INJURY TO PERSONS OR PROPERTY, CAUSED BY OR RESULTING FROM THE NEGLIGENCE, INTENTIONAL TORT, INTELLECTUAL PROPERTY INFRINGEMENT, OR FAILURE TO PAY A SUBPROFESSIONAL OR SUPPLIER COMMITTED BY THE PROFESSIONAL, ITS AGENTS, OR CONSULTANTS UNDER CONTRACT, OR ANY OTHER ENTITY OVER WHICH THE PROFESSIONAL EXERCISES CONTROL, SUBJECT TO THE LIMITATIONS IN TEXAS LOCAL GOVERNMENT CODE § 271.904 AND TEXAS CIVIL PRACTICE AND REMEDIES CODE, § 130.002 (B) AND PROFESSIONAL WILL, AT ITS OWN COST AND EXPENSE, DEFEND AND PROTECT CITY AGAINST ANY AND ALL SUCH CLAIMS AND DEMANDS.

THE INDEMNIFICATION UNDER THIS SECTION SHALL INCLUDE REASONABLE ATTORNEYS' FEES AND COSTS, COURT COSTS, AND SETTLEMENT COSTS IN PROPORTION TO THE PROFESSIONAL'S LIABILITY.

THE PROFESSIONAL'S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY PROFESSIONAL UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

11. **Insurance.** PROFESSIONAL shall, at its own expense, purchase, maintain and keep in force throughout the duration of this Agreement and for a period of four (4) years thereafter the following minimum insurance:
- A. Commercial general liability insurance, including personal injury liability, blanket contractual liability, blanket contractual liability, and broad form property damage liability in an amount of not less than \$1,000,000.
 - B. Automobile bodily injury and property damage liability insurance with a limit of not less than \$1,000,000.
 - C. Statutory workers' compensation and employers' liability insurance as required by state law.
 - D. Professional liability insurance (Errors and Omissions) with a limit of \$1,000,000 per claim/annual aggregate.

PROFESSIONAL shall provide the CITY with proof of insurance required hereunder prior to commencing work for the CITY and the CITY shall be named as an additional insured on the policy. PROFESSIONAL shall provide the CITY with written notice of any coverage limit change on the insurance. Such policies shall name the CITY, its officers, and employees as an additional insured and shall provide for a waiver of subrogation against the City.

12. **Prompt Performance by Professional.** All services provided by PROFESSIONAL hereunder shall be performed in accordance with the degree of care and skill ordinarily exercised under similar circumstances by competent members of the engineering profession in the State of Texas applicable to such engineering services contemplated by this Agreement.
13. **Client Objection to Personnel.** If at any time after entering into this Agreement, the CITY has any reasonable objection to any of PROFESSIONAL's personnel, or any personnel, professionals and/or consultants retained by PROFESSIONAL, PROFESSIONAL shall promptly propose substitutes to whom the CITY has no reasonable objection, and PROFESSIONAL's compensation shall be equitably adjusted to reflect any difference in PROFESSIONAL's costs occasioned by such substitution.
14. **Timeliness of Performance.** PROFESSIONAL shall perform its professional services with due and reasonable diligence consistent with sound professional practices.

15. **Personnel.** All of the services required hereunder will be performed by the PROFESSIONAL or under PROFESSIONAL's supervision, and all personnel engaged in the work shall be qualified to perform such services.
16. **Independent Contractor.** In performing the services under this Agreement, PROFESSIONAL is acting as an independent contractor. No term or provision hereof be construed as making PROFESSIONAL the agent, servant, or employee of the CITY or as creating a partnership or joint venture relationship between PROFESSIONAL and the CITY.
17. **Assignability.** The parties hereby agree that PROFESSIONAL may not assign, convey or transfer its interest, rights and duties in this Agreement without the prior written consent of CITY.
18. **Successors and Assigns.** Subject to the provisions regarding assignment, this Agreement shall be binding on and inure to the benefit of the Parties to it and their respective heirs, executors, administrators, legal representatives, successors and assigns.
19. **Governing Law/Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue for any action brought to interpret or enforce the terms of this Agreement shall lie in Kendall County, Texas.
20. **No Third-Party Beneficiary.** For purposes of this Agreement, including its intended operation and effect, the parties specifically agree and contract that: (1) this Agreement only affects matters/disputes between the parties to this Agreement, and is in no way intended by the parties to benefit or otherwise affect any third person or entity, notwithstanding the fact that such third person or entities may be in a contractual relationship with CITY and PROFESSIONAL, or both; and (2) the terms of this Agreement are not intended to release, either by contract or operation of law, any third person or entity from obligations they owe to either the CITY or the PROFESSIONAL.
21. **Exhibits.** The exhibits attached hereto are incorporated herein and made a part hereof for all purposes.
22. **HB 89 and SB 252 Certifications.** PROFESSIONAL hereby certifies that the Professional does not and will not boycott Israel during the term of this Agreement in accordance with Chapter 2270, Texas Government Code. Additionally, PROFESSIONAL hereby certifies that the PROFESSIONAL is not included on the website of the Texas Comptroller for entities doing business with foreign terrorist organizations pursuant to Chapter 2252, Texas Government Code.
23. **Conflicts of Interest.** By signature of this Agreement, PROFESSIONAL warrants to CITY that it has made full disclosure in writing of any existing conflicts of interest or potential conflicts of interest, including business or personal financial interests, direct

or indirect, in property abutting the proposed project and business relations with abutting property owners, or with elected officials or employees of the CITY. PROFESSIONAL further warrants that it will make disclosure in writing of any conflicts of interest that develop subsequent to the signing of this Agreement and prior to final payment under the Agreement. PROFESSIONAL warrants that it has submitted to the CITY a completed Conflicts of Interest Questionnaire as required by Chapter 176 of the Texas Local Government Code.

24. **Authority to Sign.** The parties hereby warrant and represent that the undersigned persons have full authority and are duly authorized to sign on behalf of their respective principals and that such principals have duly authorized the transaction contemplated by this Agreement.
25. **Counterparts.** This Agreement may be executed by the parties hereto in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all of the parties hereto.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, CITY and the PROFESSIONAL have executed this Agreement as of the date first written above.

CITY OF BOERNE, TEXAS

By: _____

Print Name: _____

Title: _____

[PROFESSIONAL'S NAME]

Print Name: _____

Title: _____

Exhibit A

PROFESSIONAL agrees to perform the following services at the fee shown with each service:



April 19, 2021

Mr. Paul Barwick
Special Projects Director
City of Boerne
Special Projects, Suite 190
447 N. Main Street
Boerne, TX 78006

Re: Design Services for the City of Boerne Waterworks Terrace Park Improvements -
located in the Boerne, Texas.

Dear Mr. Barwick,

LUCK Design Team, LLC is pleased to submit the following proposal for the preparation of Design Services for the City of Boerne Waterworks Terrace Park Improvements. To complement our services we have teamed with Ford Engineering for survey; Raba Kistner, Inc. for cultural resources survey and environmental due diligence; Freeland Turk Engineering Group for civil engineering; and M&S Engineering for structural engineering and electrical design services. We propose the following services:

I. SCOPE OF SERVICES FOR DUE DILIGENCE AND CONCEPT PLANNING FOR THE CITY OF BOERNE WATERWORKS TERRACE PARK

A. Geotechnical Evaluation

The consultant will provide the City of Boerne with a geotechnical report for the improvements at the park site. The report shall include:

- Seven (7) boring locations – 10-25' deep for paving, wall footer and /or structural slabs.

(See Attachment B for approximate boring locations). Design recommendations for foundation, pavement and structural recommendations will be provided.

B. Environmental Soil Sampling

In concert with the borings for the geotechnical evaluation, 3-5 discrete samples of the existing soils will be taken at the Waterworks Terrace and tested for Volatile Organic Compounds (VOCs), Semi-VOCs, RCRA 8 Heavy Metals, Total Petroleum Hydrocarbons, Polychlorinated Biphenyls (PCBs) and Chlorinated herbicides/pesticides.

C. Historical Background Study

In review of previous work of the area, it was revealed that a portion of the 1.26-acre Project Area was included in a previous cultural resources investigation conducted in 2011. The cultural resources investigations were comprised of an archaeological survey and a historic resources survey that resulted in the production of reports that were submitted to the reviewing agencies. The archaeological portion of the investigations only covered a small area where a proposed trail was to be installed, and the historic resources survey examined the WPA features in the area.

As a result of the archaeological survey, no archaeological sites were recorded within the survey corridor for the proposed trail. As a result of the historic resources survey, the Texas Historical Commission (THC) concurred with the findings with the exception of the Boerne Waterworks building which is located within the 1.26-acre Project Area. With the information provided in the report the THC was unable to make a full eligibility evaluation of the structure.

As the previous cultural resource survey did not cover the entire Project Area and the question of eligibility in regards to the Boerne Waterworks remains, the consultant proposes agency consultation with the THC Agency. Consultation with the THC will consist of the preparation of a historical background study and an archaeological background study. Results of consultation, might require a historic standing structure survey and/or an archaeological survey augmented with shovel testing to satisfy the Antiquities Code of Texas (ACT) compliance. As such, this proposal provides a cost for optional services that consist of a historic standing structure survey and an archaeological survey augmented by shovel testing. The optional cost for historical standing structure includes costs for the field survey and the preparation of a report of the findings. The

optional cost for the archaeological survey includes costs for composing a scope of work and permit application for a Texas Antiquities Committee (TAC) permit, conducting field work, the production of a technical report, and the preparation and costs of curation for field records and artifacts collected at a state-approved repository.

Agency Consultation

Agency consultation will consist of background review providing the reviewing agency a comprehensive review of the area. The goal of the background studies are to determine the likelihood that the project will impact significant historic cultural resources (prehistoric and historic archeological sites). Significant historic cultural resources may consist of standing structures and/or prehistoric cultural deposits that have the potential to be listed on the National Register of Historic Places and to be formally designated as State Antiquities Landmarks. Ultimately, the level of effort to satisfy the ACT for the proposed project will be determined by the reviewing agency. Historical Background Study

The Historical Background Study will be conducted by a qualified Architectural Historian. The purpose of the Historical Background Study is to gather information used to prepare a background and historic context report and as a preliminary step to the optional Historic Standing Structure Survey. The Architectural Historian will review the area of direct impact (project limits) as well as outside the project limits (indirect effects). During the background desktop study, various online atlases and archives will be searched, including the Texas Department of Transportation (TxDOT) atlas, called the Historic Districts and Properties of Texas website, and the Texas Historic Sites Atlas, maintained by the Texas Historical Commission. Historic aerial and topographic maps will be utilized to identify historic structures as well as local and online archives as needed including, but not limited to, the Library of Congress digital archives and the Historic American Buildings Survey. Additionally, the Architectural Historian will conduct a deed chain of title to confirm ownership history of the site.

D. Archaeological Background Study

The Archaeological Background Study will consist of a comprehensive review of records that pertain to the proposed Project Area. Specifically, during the background study, a consultant Archaeologist will consult the available resources from the Texas Historical Commission (THC), and online data base. Site files, and maps will be examined to gather more detailed information regarding the project area and its immediate vicinity. In addition, aerial photos, topographic maps, geologic maps, and soil survey maps will also be reviewed to provide information on land use, topography, soils, vegetation, geology, and levels of development within the project vicinity. The goal of the background study is to determine the likelihood that the project will impact significant historic cultural resources (prehistoric and historic archeological sites). Significant historic cultural resources may consist of standing structures and/or prehistoric cultural deposits that have the potential to be listed on the National Register of Historic Places and to be formally designated as State Antiquities Landmarks.

Reporting

The background studies will result in the production of a report, summarizing the resources consulted, the findings of the review, and recommendations regarding any additional field investigations that may be warranted prior to the inception of the development activities. The document will be submitted to the City to submit for review. Once the City has reviewed the report, and all comments addressed, the consultant will produce a final version of the background study to submit to the THC. The submittal can be done by the City or by the consultant, depending on the City preference. THC will have final determination on the appropriate level of effort needed to comply with the ACT.

E. Concept Plan Development

The consultant will attend meetings with the City of Boerne Staff and Waterworks Terrace Park Planning Committee for project review and coordination and to ensure master-planning intent of the improvements is carried into the early stages of the project development. It is anticipated that three (3) meeting with the planning committee will occur; additional meetings will be held via video conference call as needed.

The consultant will prepare (3) three concept plan development alternatives for the City of Boerne Waterworks Terrace Park Improvements illustrating general locations, sizes and relationships of improvements, materials and forms of construction, and proposed equipment for use in development of the park facilities. These will be shown within context of Main Plaza (within limits as shown on Attachment A) with an emphasis on how Waterworks Terrace Park can be best utilized. Material cut-sheets as necessary to illustrate design characteristics of selected equipment, finishes and materials will also be included.

The consultant produce a computer generated color rendering in plan view of the proposed concept plans. The final deliverable to the City will be one (1) rendered master plan concept PDF for each of the three concept plans developed.

The consultant will prepare an opinion of probable construction costs for improvements and review schematic plans with City Staff and document their comments for use during preparation of design development plans.

The consultant will present the best alternative concepts to Council for review and discussion.

II. CLIENT RESPONSIBILITIES AND PROJECT ASSUMPTIONS

The Waterworks Terrace Park project limits is approximately 1.26 acres located generally bounded on the west by the sidewalk along Cibolo Creek, on the north by the trailhead at the Kendall Inn, on the east by the west sidewalk at Main Plaza; and San Antonio Avenue to the south in Boerne, Texas.

Since the park is greater than one acre in size, the preparation and development of an erosion control plan for the contractor to use as part of his Stormwater Prevention Plan (SWPPP) in accordance with Texas Pollution Discharge Elimination System (TPDES) requirements is anticipated to be required.

No base map surveying or construction phase surveying services are included in this scope of services.

The proposed City of Boerne Waterworks Terrace Park Improvements is estimated at \$1,000,000 for construction only.

A geotechnical boring for the stone rip rap along the west side of the Waterworks Terrace is not included in this scope of services. After the concept design development should a more detailed understanding of the foundation of the stone rip rap be needed, a boring or ground penetrating radar will be conducted at that time as an additional service.

After discussions with City Staff, a Phase I Environmental Site Assessment is not included in this scope of services; in lieu of, environmental soil sampling is being provided. Because it is not anticipated that the design of the Waterworks Terrace Park Improvements will impede into the high-water mark of Cibolo Creek, a Waters of the U.S. Delineation is not included in this scope of services.

A Threatened and Endangered Species Study would normally be triggered by a Waters of the U.S. Delineation. Since no Waters of the U.S. Delineation is anticipated, a Threatened and Endangered Species Study is not included in this scope of services either.

A Historical Standing Structure Survey and Archeological Survey are not included in this scope of services. If at the conclusion of the review and consultation with THC of the Historical Background Study and the Archeological Background Study it is deemed that a Historical Standing Structure Survey and Archeological Survey is required, the consultant will provide to the City as an additional service.

A Floodplain Study is not being provided as part of this scope of services; if future design impacts warrant that a floodplain study be provided the consultant will enter into discussions with the City for a Floodplain Study to be provided as an additional service.

The floodplain note will be based on the current flood insurance rate maps prepared by F.E.M.A. or City approved drainage study only.

The fee does not include preparation of a floodplain study or research to determine if one is necessary or has been performed, or detailed drainage studies to analyze conveyance of off-site runoff involving HEC-1, HEC-2 or other similar hydrologic or hydraulic analyses including survey cross sections, field notes and easements. The fee does not include CLOMR or LOMR preparation or communication with F.E.M.A.

Our understanding is that the project does not have any Planned Development District (PDD) restrictions for parks.

The following services are excluded unless specifically included in the proposal:

- Environmental assessments, wetlands, endangered species, and KARST feature investigations.
- Archeological studies (a study has been previously completed for the project site).
- Asbestos Survey

An asbestos survey for any existing buildings is not included in this scope of services.

The project will be bid as a single bid contract but may include bid alternates as determined by the Client and the Consultant. Preparing documents for separate or sequential bids and providing out-of sequence services requested by the Owner are specifically not included in this scope of services.

III. SCHEDULE FOR COMPLETION

The anticipated schedule for completion of the scope of services is outlined below:

Anticipated Contract Award Date	April 28, 2021
Anticipated Notice to Proceed	May 3, 2021
Survey	May 3, 2021- June 11, 2021
Geotechnical Evaluations	May 3, 2021- June 11, 2021
Environmental Soil Sampling	May 3, 2021- June 11, 2021
Historical/Archeological Background Study (includes THC Review)	May 3, 2021- July 9, 2021
Concept Plan Development	May 3, 2021 – September 3, 2021
Committee Meeting Number 1	May 2021
Committee Meeting Number 2	June 2021
Committee Meeting Number 3	July 2021

IV. BASIS OF COMPENSATION

The fees for services stated will be as follows:

Item	Description –Due Diligence and Concept Planning for the City of Boerne Waterworks Terrace Park Improvements	Fee Basis	Fee
1A	Geotechnical Evaluation	Lump Sum	\$8,900
1B	Environmental Soil Sampling	Lump Sum	\$5,000
1C	Historical Background Study	Lump Sum	\$5,700
1D	Archeological Background Study	Lump Sum	\$4,800
1E	Concept Plan Development	Lump Sum	\$22,600
1F	Reimbursable Expenses	Estimated Not to Exceed	\$800
		Design Fee Item 1	\$47,800

Billing will be on a monthly basis as work progresses.

Reimbursable expenses (billed as cost) will be billed in addition to the total design fee as reimbursable expenses are accrued.

Additional services (all services not shown on Scope of Services) will be billed on an agreed upon lump sum fee. This proposal does not include services performed prior to the execution of this agreement or services not specifically addressed in “The Scope of Services”.

We appreciate the opportunity to be of service and look forward to assisting you in the development of this project. Upon your review of this proposal, please call if you have any questions.


Respectfully submitted,



Brent Luck, PLA
Park Planner / Landscape Architect

Mr. Paul Barwick
April 19, 2021
Page 9



	<div style="text-align: center;"> <h2 style="margin: 0;">AGENDA ITEM SUMMARY</h2> </div> <div style="border: 1px dashed purple; padding: 5px; margin-top: 10px;"> <p style="text-align: center; margin: 0;">District Impacted</p> <p><input type="checkbox"/> 1 = Wolosin</p> <p><input type="checkbox"/> 2 = Woolard</p> <p><input type="checkbox"/> 3 = Scott</p> <p><input type="checkbox"/> 4 = Boddie</p> <p><input type="checkbox"/> 5 = Macaluso</p> <p><input checked="" type="checkbox"/> All</p> </div>	
Agenda Date	<i>April 27, 2021</i>	
Requested Action	RECEIVE AND APPROVE THE SECOND QUARTER FINANCIAL AND INVESTMENT REPORT FOR THE PERIOD ENDED MARCH 31, 2021.	
Contact Person	Sandy Mattick	
Background Information	The City is required by the Public Funds Investment Act to present an investment report to the City Council at least quarterly.	
Item Justification	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><input checked="" type="checkbox"/> Legal/Regulatory Obligation</p> <p><input type="checkbox"/> Reduce Costs</p> <p><input type="checkbox"/> Increase Revenue</p> <p><input type="checkbox"/> Mitigate Risk</p> <p><input type="checkbox"/> Master Plan Recommendation</p> </div> <div style="width: 45%;"> <p><input type="checkbox"/> Infrastructure Investment</p> <p><input type="checkbox"/> Customer Pull</p> <p><input type="checkbox"/> Service Enhancement</p> <p><input type="checkbox"/> Process Efficiency</p> <p><input type="checkbox"/> Other: _____</p> </div> </div>	
Financial Considerations	The City's Quarterly Financial and Investment Report for the six months ended March 31, 2021 is included in the packet.	
Citizen Input/Board Review	N/A	
Legal Review	N/A	
Alternative Options	N/A	
Supporting Documents	Quarterly Financial & Investment Report	



QUARTERLY FINANCIAL AND INVESTMENT REPORT

***FOR SIX MONTHS ENDED
MARCH 31, 2021***

**CITY MANAGER:
BEN THATCHER**

**DEPUTY CITY MANAGER:
JEFF THOMPSON**

**FINANCE DIRECTOR:
SANDRA MATTICK, CPA, CGFO**

**ASSISTANT FINANCE DIRECTOR:
ANGIE RIOS, CPA**

TABLE OF CONTENTS

Quarterly Dashboard	1
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GENERAL GOVERNMENT SCHEDULES

Sales Tax, Three Year Comparison	6
Ad Valorem Tax Collection Summary	7

GENERAL FUND

Statement of Revenues - Budget and Actual	8
Statement of Expenditures - Budget and Actual	9

OTHER GOVERNMENTAL FUNDS

Statement of Revenues and Expenditures, Budget and Actual	
Hotel Motel Fund	11
Parks Fund	12
Library	13
Economic Development Fund	14
Cemetery	15
Internal Service Fund	16

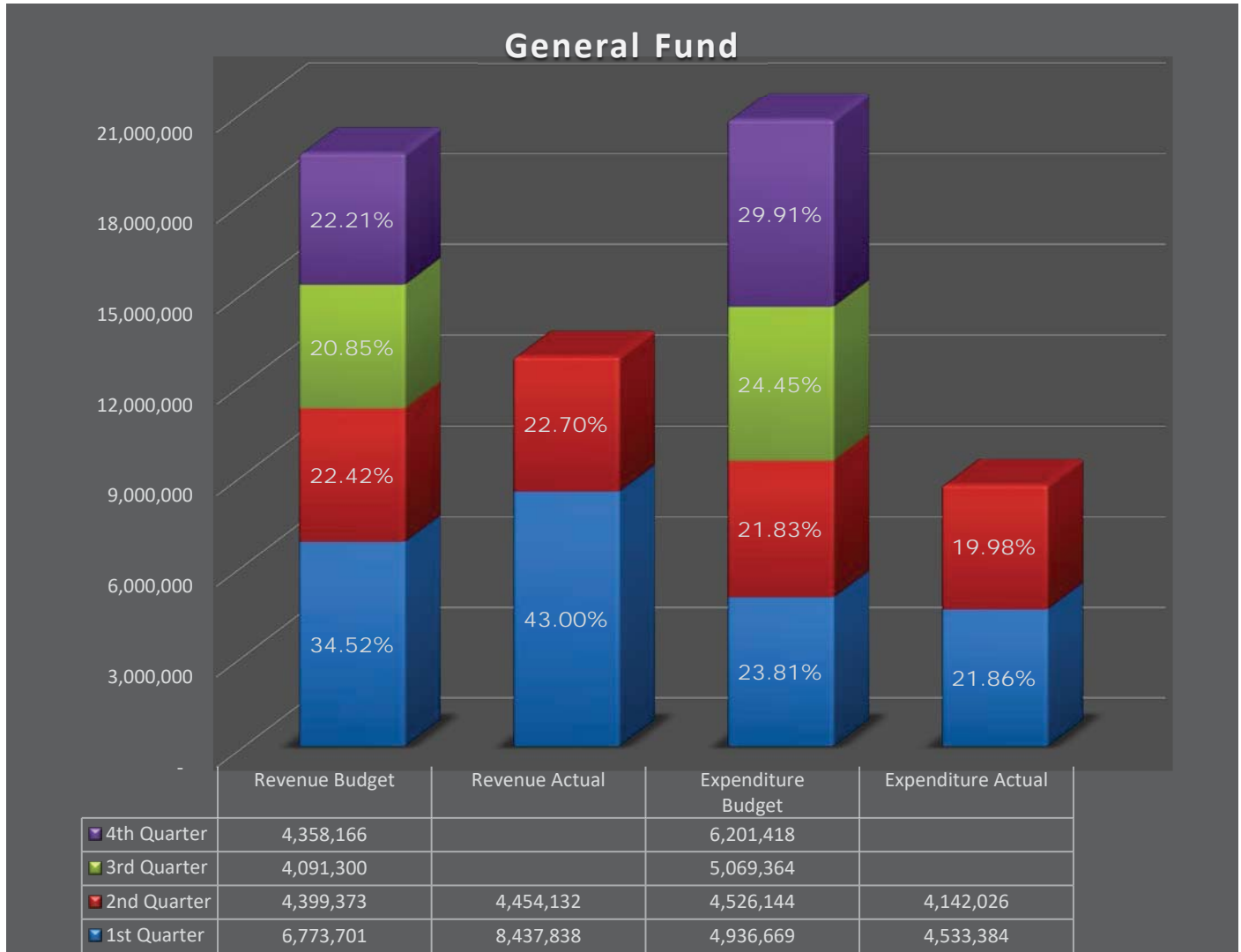
ENTERPRISE FUNDS

Statement of Revenues and Expenses – Budget and Actual	
Electric Fund	18
Water Fund	19
Wastewater Fund	20
Gas Fund	21
Stormwater Fund	22
Solid Waste Fund	23

QUARTERLY INVESTMENT REPORT

Quarterly Investment Report	24
Quarterly Investment Summary	25
Comparison of Interest Rates	26
Detail Investment Report	27

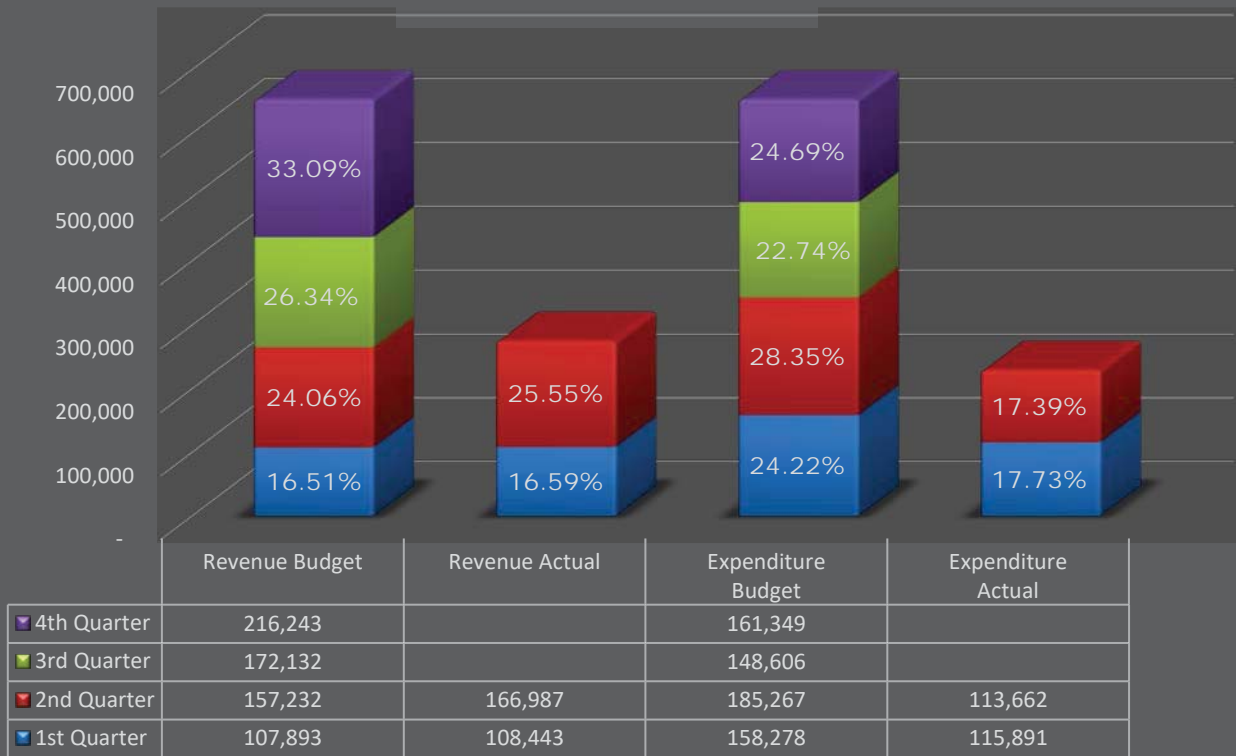
QUARTERLY DASHBOARD FOR THE SIX MONTHS ENDED MARCH 31, 2021



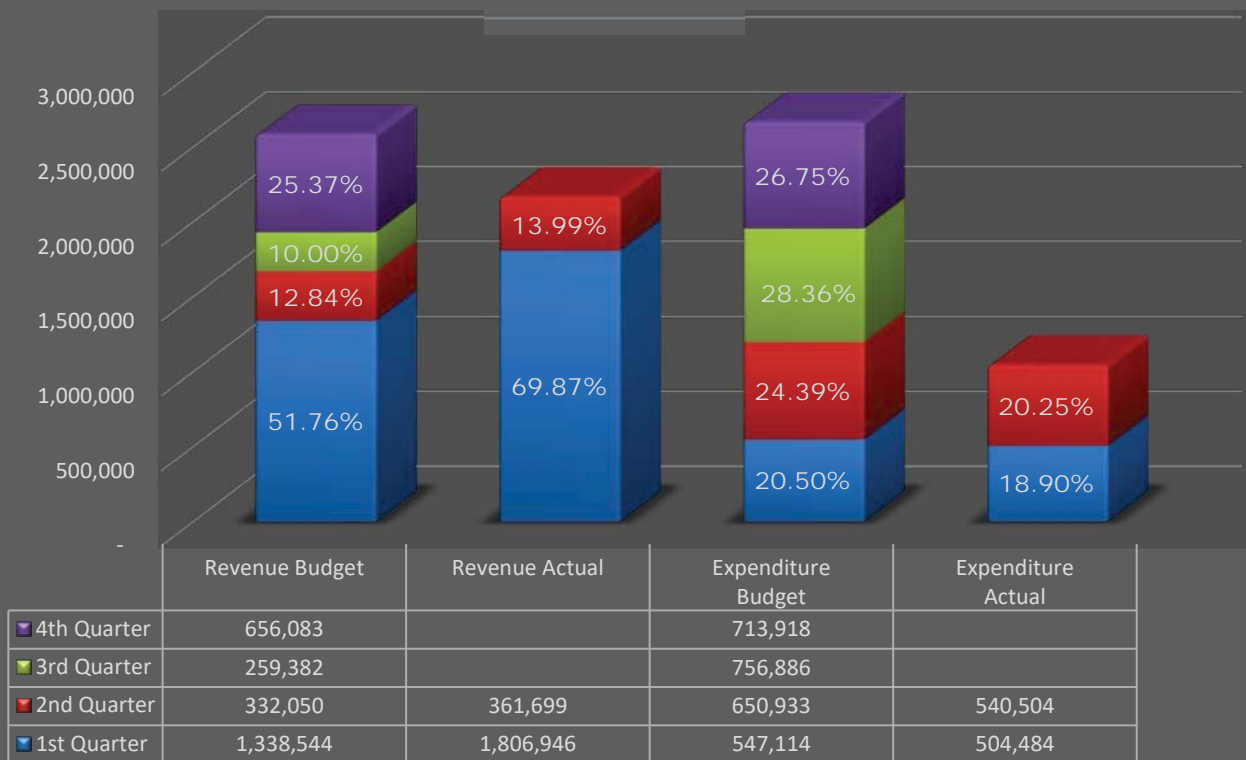
- Revenues (excluding budgeted fund balance) were at 65.70% of budget
- Expenditures were below projections at 41.84%
- Sales tax collections were up 6.33% over the prior year.
- Ad valorem tax collections were at 96.56%.

QUARTERLY DASHBOARD FOR THE SIX MONTHS ENDED MARCH 31, 2021

Hotel/Motel Fund

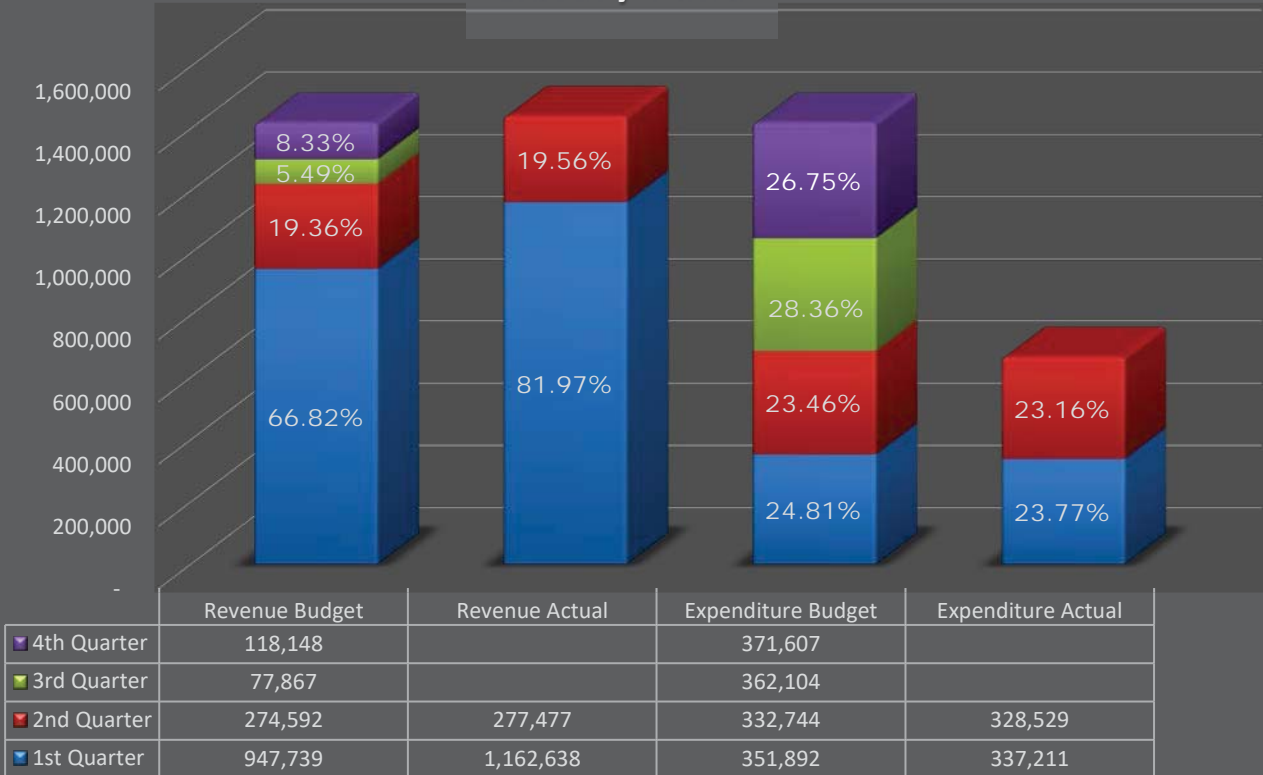


Park Fund

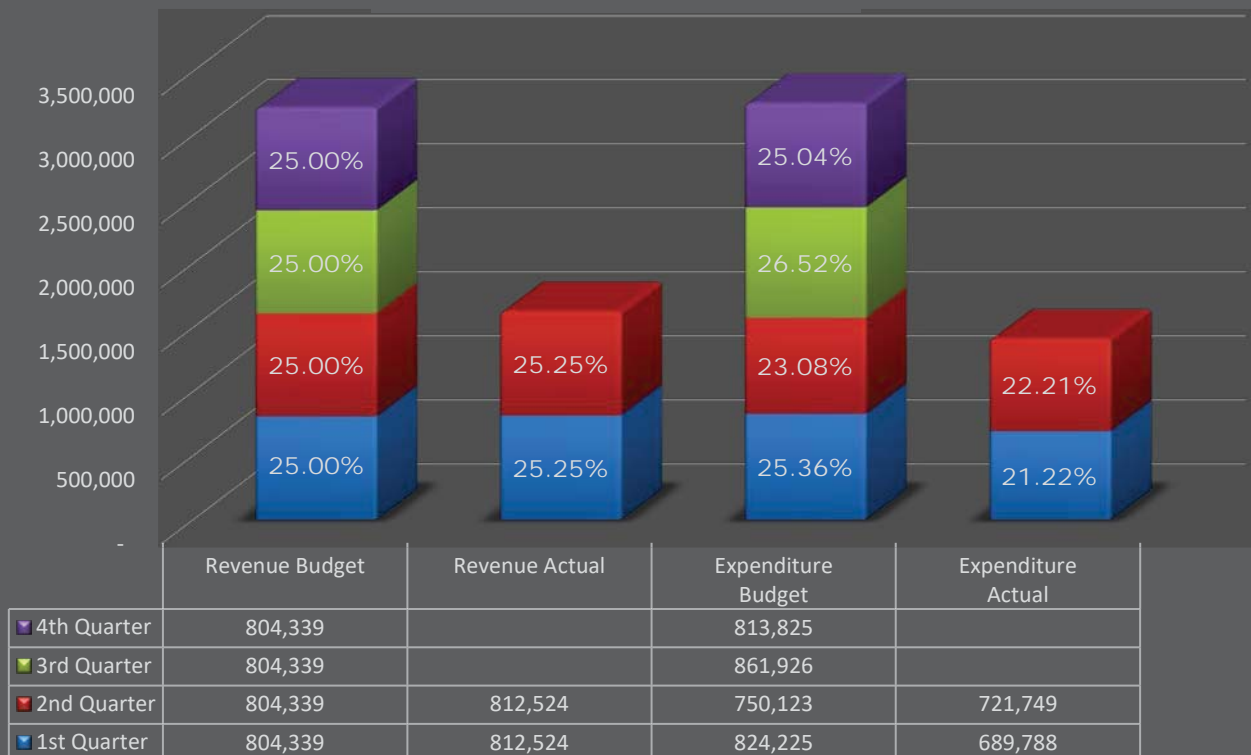


QUARTERLY DASHBOARD FOR THE SIX MONTHS ENDED MARCH 31, 2021

Library Fund

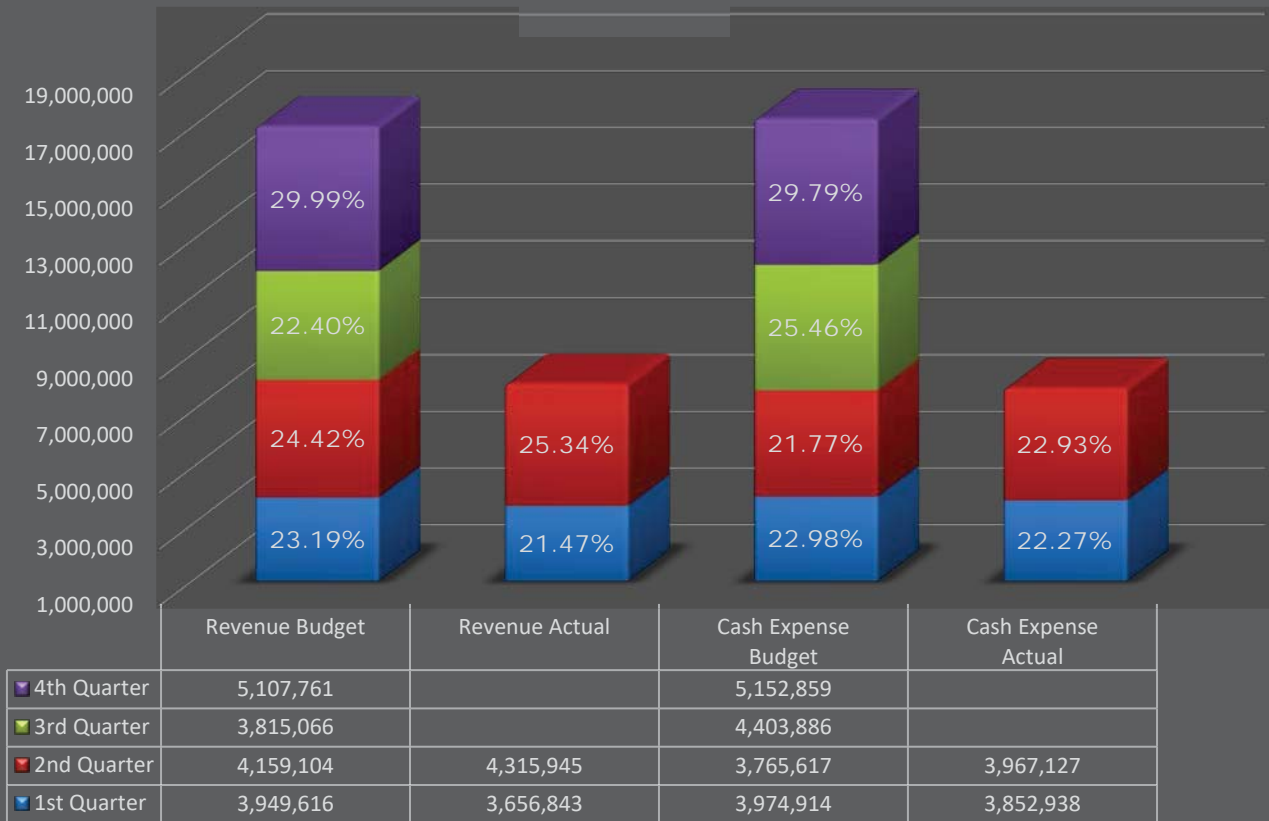


Internal Service Fund

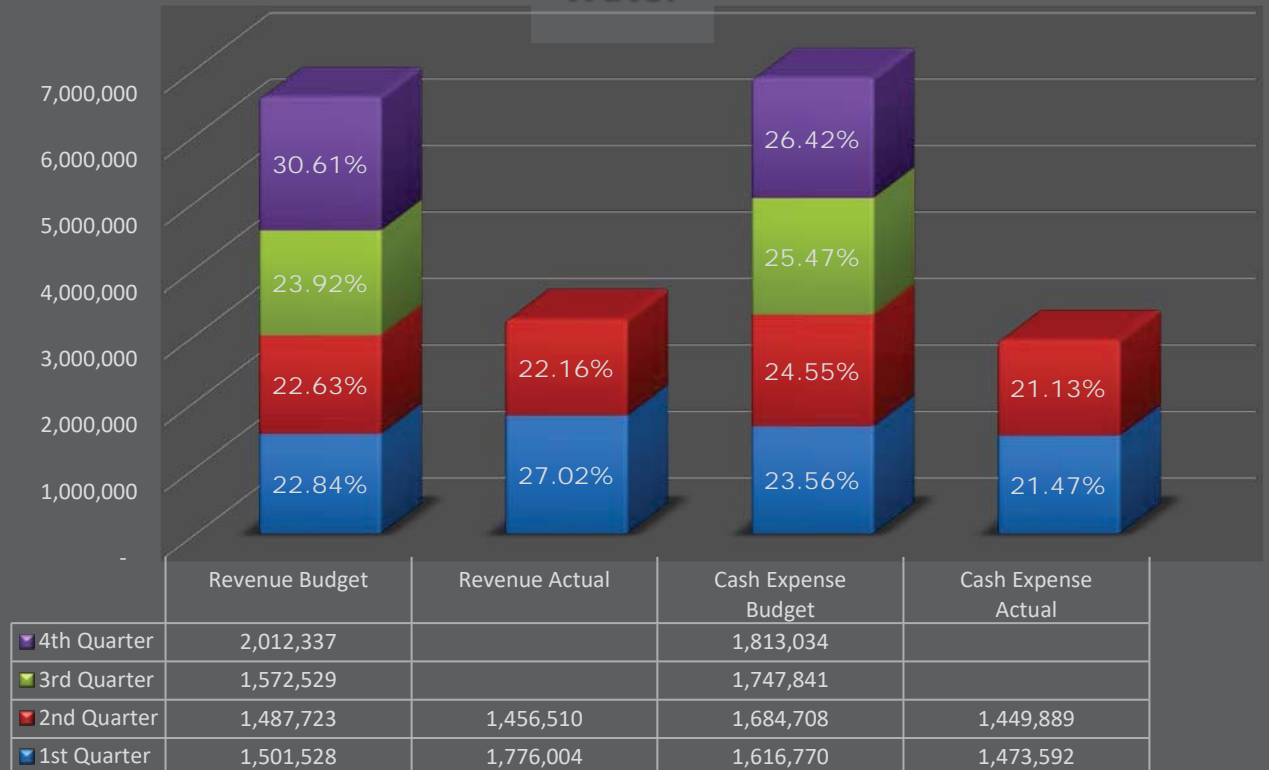


QUARTERLY DASHBOARD FOR THE SIX MONTHS ENDED MARCH 31, 2021

Electric

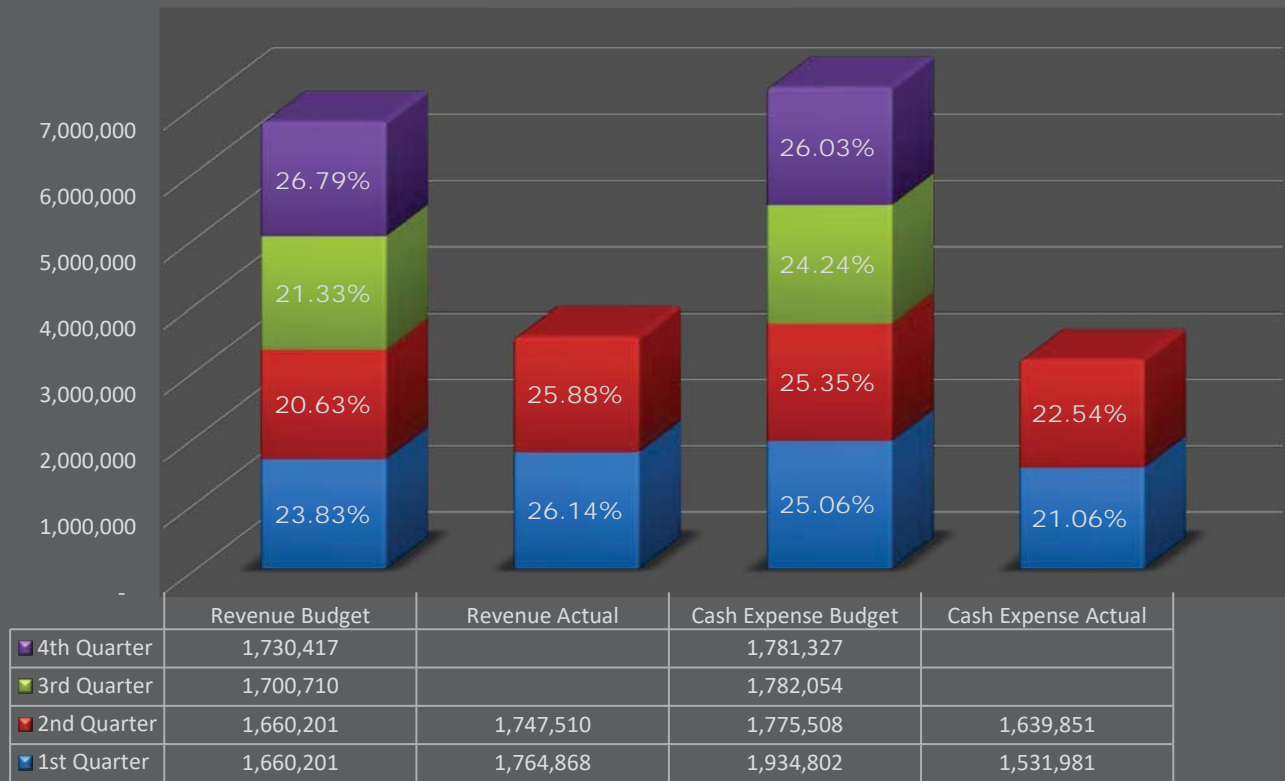


Water

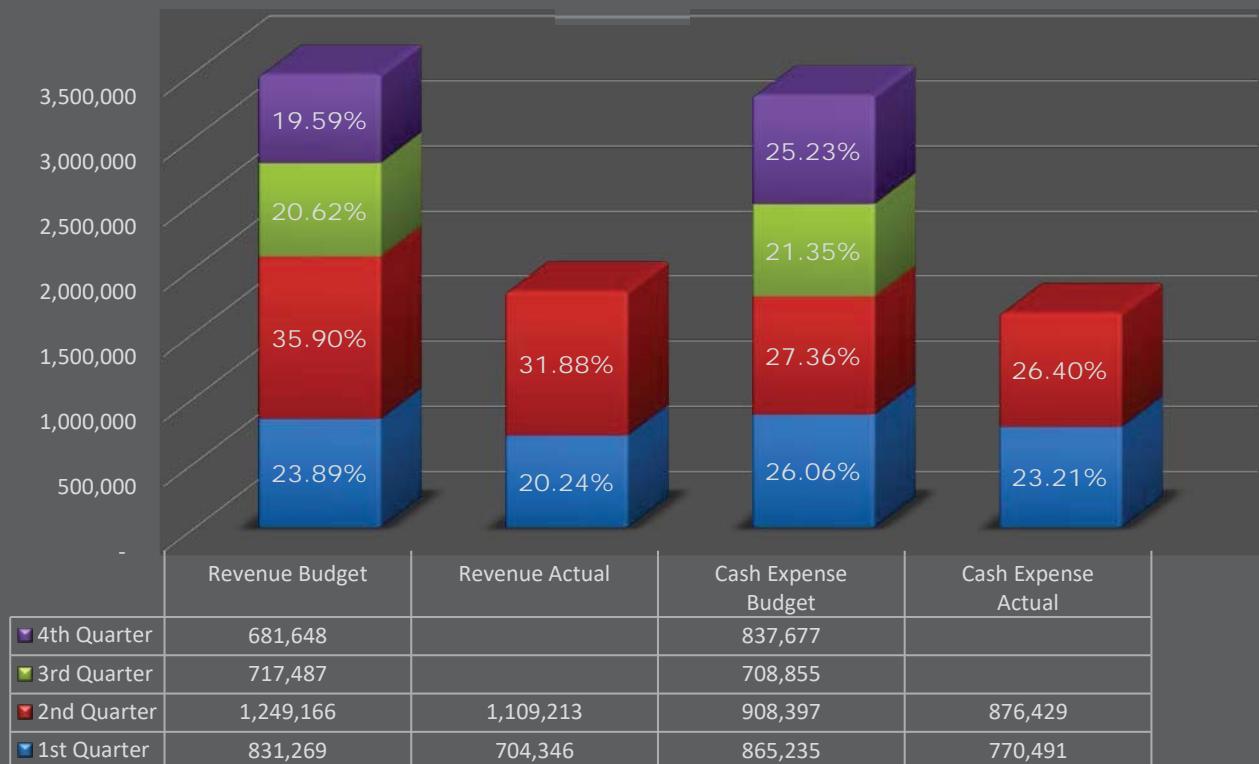


QUARTERLY DASHBOARD FOR THE SIX MONTHS ENDED MARCH 31, 2021

Wastewater

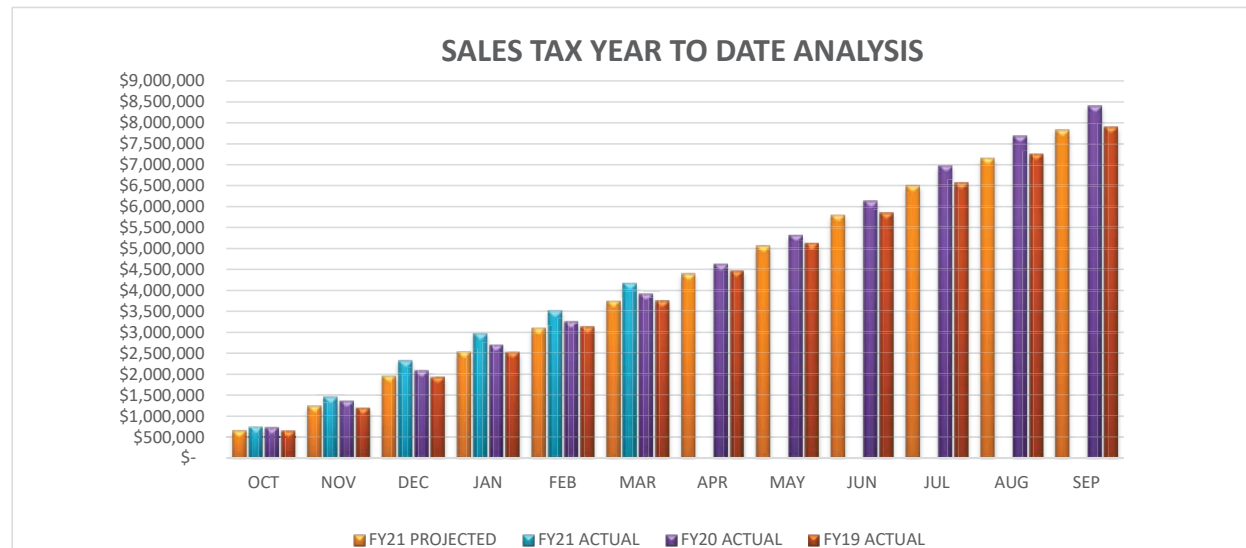
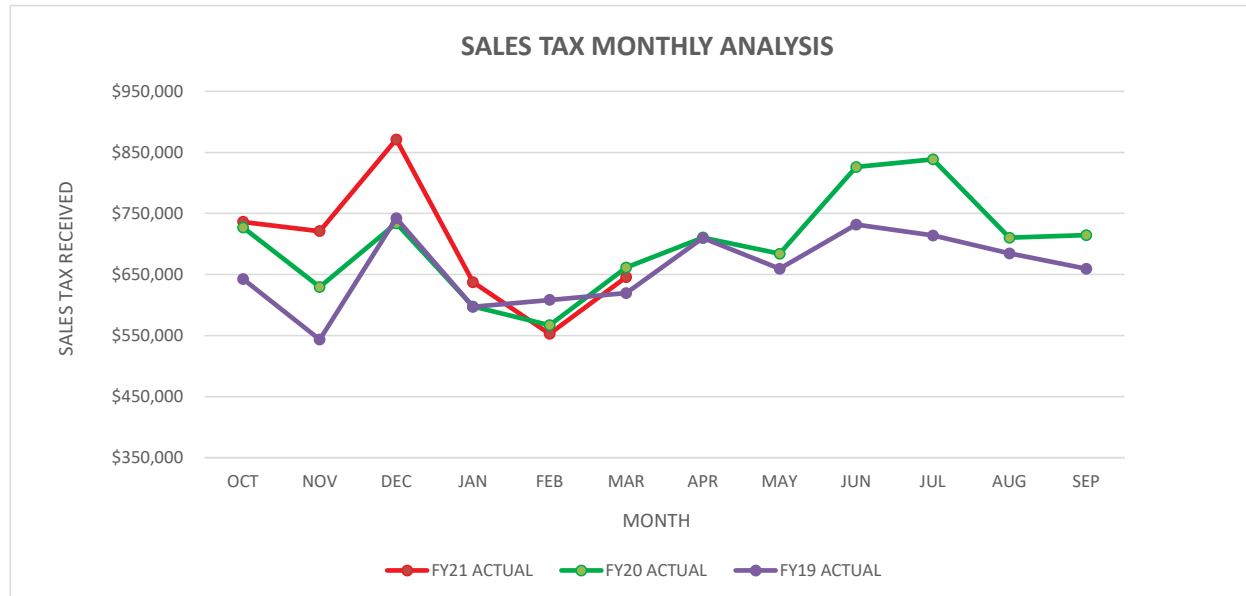


Gas



CITY OF BOERNE
SALES TAX
THREE YEAR COMPARISON

MONTH	MONTHLY ANALYSIS				YEAR TO DATE COMPARISON			
	FY21 PROJECTED	FY21 ACTUAL	FY20 ACTUAL	FY19 ACTUAL	FY21 PROJECTED	FY21 ACTUAL	FY20 ACTUAL	FY19 ACTUAL
OCT	\$ 654,527	\$ 736,224	\$ 727,206	\$ 642,788	\$ 654,527	\$ 736,224	\$ 727,206	\$ 642,788
NOV	\$ 586,031	\$ 720,984	\$ 629,456	\$ 543,437	\$ 1,240,558	\$ 1,457,208	\$ 1,356,662	\$ 1,186,225
DEC	\$ 711,361	\$ 871,293	\$ 733,697	\$ 742,120	\$ 1,951,919	\$ 2,328,501	\$ 2,090,359	\$ 1,928,346
JAN	\$ 577,109	\$ 637,530	\$ 597,685	\$ 597,160	\$ 2,529,028	\$ 2,966,031	\$ 2,688,043	\$ 2,525,506
FEB	\$ 565,246	\$ 552,883	\$ 566,982	\$ 608,314	\$ 3,094,274	\$ 3,518,914	\$ 3,255,026	\$ 3,133,820
MAR	\$ 645,908	\$ 645,908	\$ 661,708	\$ 619,685	\$ 3,740,182	\$ 4,164,822	\$ 3,916,734	\$ 3,753,505
APR	\$ 663,923		\$ 710,605	\$ 709,856	\$ 4,404,105		\$ 4,627,339	\$ 4,463,360
MAY	\$ 663,577		\$ 684,143	\$ 659,482	\$ 5,067,681		\$ 5,311,481	\$ 5,122,843
JUN	\$ 726,825		\$ 825,965	\$ 731,785	\$ 5,794,506		\$ 6,137,446	\$ 5,854,628
JUL	\$ 708,435		\$ 838,577	\$ 714,104	\$ 6,502,941		\$ 6,976,023	\$ 6,568,732
AUG	\$ 646,996		\$ 710,226	\$ 684,414	\$ 7,149,937		\$ 7,686,249	\$ 7,253,146
SEP	\$ 677,643		\$ 714,504	\$ 659,527	\$ 7,827,580		\$ 8,400,753	\$ 7,897,971
TOTAL	\$ 7,827,580	\$ 4,164,822	\$ 8,400,753	\$ 7,912,673	\$ 7,827,580	\$ 4,164,822	\$ 8,400,753	\$ 7,897,971

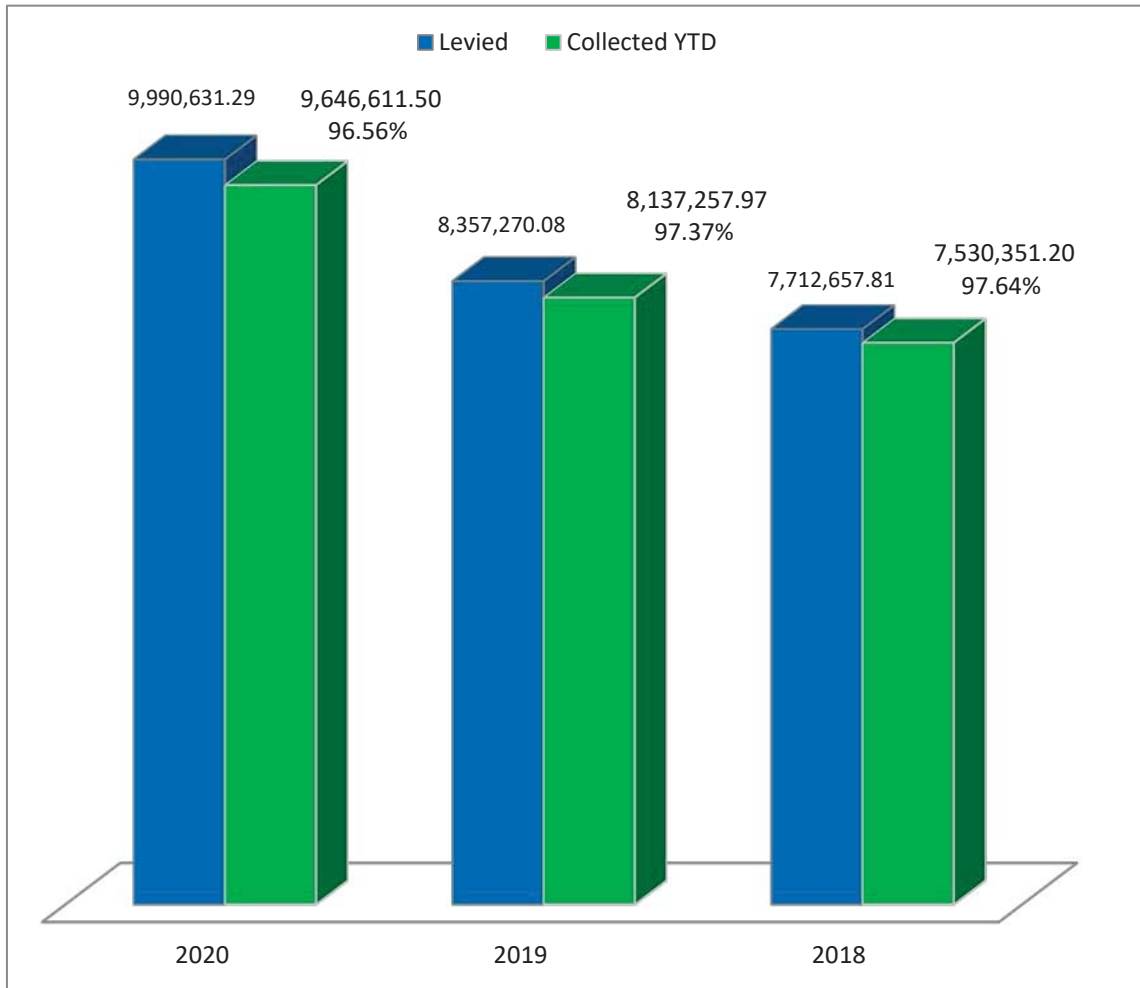


CITY OF BOERNE
TAX COLLECTION FOR QUARTER ENDING MAR 31, 2021
2020 TAX YEAR

Tax amount Levied: \$ 9,990,631.29

Collected this quarter: 1,457,294.40

Collected year-to-date: 9,646,611.50



DELINQUENT TAXES	2020	2019	2018
LEVIED	139,300.75	138,273.95	148,553.72
TOTAL COLL WITH ROLLBACKS	19,640.39	45,216.35	35,957.63
PERCENTAGE COLLECTED	14.10%	32.70%	24.21%

CITY OF BOERNE
GENERAL FUND
STATEMENT OF REVENUES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

REVENUES	BUDGET	ACTUAL AT 3/31/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
TAXES	\$ 13,197,676	8,978,775	\$ (4,218,901)	68.03%
FINES	269,200	98,887	(170,313)	36.73%
LICENSES AND FEES	3,584,425	1,949,437	(1,634,988)	54.39%
INTERLOCAL/SHARED SERVICES	2,573,871	1,521,354	(1,052,517)	59.11%
OTHER REVENUES	224,000	228,575	4,575	102.04%
INTEREST	100,000	52,470	(47,530)	52.47%
GRANTS AND DONATIONS	5,000	47,473	42,473	949.46%
SUB - TOTAL	\$ 19,954,172	\$ 12,876,970	\$ (7,077,202)	64.53%
TRANSFER FROM OTHER FUNDS	49,000	15,000	(34,000)	30.61%
FUND BALANCE	1,244,699	-	(1,244,699)	0.00%
TOTAL REVENUES	\$ 21,247,871	\$ 12,891,970	\$ (8,355,901)	60.67%
TOTAL REVENUE INCLUDING TRANSFERS	\$ 20,003,172	\$ 12,891,970	\$ (7,111,202)	64.45%
GENERAL FUND EXPENDITURES	21,247,871	8,675,410	12,572,461	40.83%
BUDGETED FUND BALANCE	1,244,699	-	(1,244,699)	
BALANCE	\$ -	\$ 4,216,560	\$ 4,216,560	

NOTES:

The General Fund accounts for the resources used to finance the fundamental operations of the City. It is the basic fund of the City and covers all activities for which a separate fund has not been established.

CITY OF BOERNE, TEXAS
GENERAL FUND
STATEMENT OF EXPENDITURES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL EXPENDITURES	VARIANCE FROM BUDGET	PERCENT OF BUDGET
ADMINISTRATION				
PERSONNEL	\$ 1,567,738	\$ 729,095	\$ 838,642	46.51%
SUPPLIES	300	75	225	24.91%
MAINTENANCE	74,185	25,522	48,663	34.40%
PROFESSIONAL SERVICES	159,195	34,085	125,111	21.41%
GENERAL	331,160	167,915	163,245	50.71%
SHARED SERVICES	1,191,999	596,000	596,000	50.00%
OTHER CONTRACTS	275,420	119,260	156,160	43.30%
NON-OPERATING	2,005,337	-	2,005,337	0.00%
CAPITAL OUTLAY	146,000	1,954	144,046	1.34%
TOTAL ADMINISTRATION	\$ 5,751,334	\$ 1,673,905	\$ 4,077,429	29.10%
STREET DEPARTMENT				
PERSONNEL	\$ 990,153	\$ 427,107	\$ 563,046	43.14%
SUPPLIES	195,000	36,948	158,052	18.95%
MAINTENANCE	298,350	11,409	286,941	3.82%
PROFESSIONAL SERVICES	50,000	10,110	39,890	20.22%
GENERAL	42,200	19,111	23,089	45.29%
SHARED SERVICES	379,449	189,725	189,725	50.00%
CAPITAL OUTLAY	36,400	6,089	30,311	16.73%
TOTAL STREET DEPT	\$ 1,991,552	\$ 700,499	\$ 1,291,053	35.17%
LAW ENFORCEMENT				
PERSONNEL	\$ 5,038,765	\$ 2,473,939	\$ 2,564,826	49.10%
SUPPLIES	104,000	30,681	73,319	29.50%
MAINTENANCE	125,250	47,557	77,693	37.97%
GENERAL	294,041	141,675	152,366	48.18%
SHARED SERVICES	174,906	87,453	87,453	50.00%
CAPITAL OUTLAY	373,254	27,700	345,554	7.42%
TOTAL LAW ENFORCEMENT	\$ 6,110,216	\$ 2,809,006	\$ 3,301,210	45.97%
FIRE DEPARTMENT				
PERSONNEL	\$ 2,169,320	\$ 1,067,558	\$ 1,101,762	49.21%
SUPPLIES	57,500	6,753	50,747	11.74%
MAINTENANCE	79,700	27,652	52,048	34.70%
PROFESSIONAL SERVICES	11,000	-	11,000	0.00%
GENERAL	184,120	60,231	123,889	32.71%
SHARED SERVICES	72,119	36,059	36,059	50.00%
CAPITAL OUTLAY	169,548	38,488	131,060	22.70%
TOTAL FIRE DEPARTMENT	\$ 2,743,307	\$ 1,236,742	\$ 1,506,565	45.08%
COMMUNICATIONS				
PERSONNEL	\$ 1,188,128	\$ 623,554	\$ 564,574	52.48%
MAINTENANCE	34,725	12,295	22,430	35.41%
GENERAL	58,246	24,016	34,230	41.23%
SHARED SERVICES	12,217	6,108	6,109	50.00%
CAPITAL OUTLAY	49,662	5,627	44,035	11.33%
TOTAL COMMUNICATIONS	\$ 1,342,978	\$ 671,600	\$ 671,378	50.01%

CITY OF BOERNE, TEXAS
GENERAL FUND
STATEMENT OF EXPENDITURES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL EXPENDITURES	VARIANCE FROM BUDGET	PERCENT OF BUDGET
MUNICIPAL COURT				
PERSONNEL	\$ 245,528	\$ 113,843	\$ 131,685	46.37%
SUPPLIES	6,000	-	6,000	0.00%
MAINTENANCE	13,000	4,663	8,337	35.87%
PROFESSIONAL SERVICES/FEES	54,600	23,924	30,676	43.82%
GENERAL	37,290	9,724	27,566	26.08%
SHARED SERVICES	2,443	1,221	1,222	50.00%
CAPITAL OUTLAY	1,000	-	1,000	0.00%
TOTAL MUNICIPAL COURT	\$ 359,861	\$ 153,376	\$ 206,485	42.62%
ANIMAL CONTROL				
PERSONNEL	\$ 326,798	\$ 150,333	\$ 176,465	46.00%
SUPPLIES	2,200	381	1,819	17.30%
MAINTENANCE	3,500	295	3,205	8.43%
GENERAL	43,136	24,292	18,844	56.31%
SHARED SERVICES	7,559	3,779	3,780	50.00%
CAPITAL OUTLAY	11,000	495	10,505	4.50%
TOTAL ANIMAL CONTROL	\$ 394,193	\$ 179,574	\$ 214,618	45.55%
CODE ENFORCEMENT				
PERSONNEL	\$ 392,750	\$ 176,219	\$ 216,532	44.87%
SUPPLIES	2,500	778	1,722	31.10%
MAINTENANCE	13,000	1,176	11,824	9.04%
GENERAL	72,685	38,387	34,298	52.81%
SHARED SERVICES	9,874	4,937	4,937	50.00%
CAPITAL OUTLAY	34,300	-	34,300	0.00%
TOTAL CODE ENFORCEMENT	\$ 525,110	\$ 221,496	\$ 303,614	42.18%
PLANNING				
PERSONNEL	\$ 535,797	\$ 251,771	\$ 284,026	46.99%
MAINTENANCE	21,580	-	21,580	0.00%
PROFESSIONAL SERVICES/FEES	290,430	71,679	218,751	24.68%
GENERAL	37,150	15,271	21,879	41.11%
SHARED SERVICES	4,887	2,444	2,444	50.00%
CAPITAL OUTLAY	48,780	640	48,140	1.31%
TOTAL PLANNING	\$ 938,624	\$ 341,805	\$ 596,819	36.42%
INFORMATION TECHNOLOGY				
PERSONNEL	\$ 555,868	\$ 286,082	\$ 269,786	51.47%
SUPPLIES	6,750	497	6,253	7.37%
MAINTENANCE	322,032	264,040	57,992	81.99%
PROFESSIONAL SERVICES/FEES	15,000	12,000	3,000	80.00%
GENERAL	78,160	50,169	27,991	64.19%
SHARED SERVICES	5,079	2,540	2,539	50.00%
CAPITAL OUTLAY	107,808	72,081	35,727	66.86%
TOTAL INFORMATION TECHNOLOGY	\$ 1,090,697	\$ 687,408	\$ 403,289	63.02%
TOTAL EXPENDITURES	\$ 21,247,871	\$ 8,675,410	\$ 12,572,461	40.83%

CITY OF BOERNE
HOTEL/MOTEL FUND
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 3/31/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Taxes	\$ 650,000	274,770	\$ (375,230)	42.27%
Penalties	1,000	636	(364)	63.59%
Other Revenues	1,000	-	(1,000)	0.00%
Interest	1,500	24	(1,476)	1.61%
TOTAL REVENUES	<u>653,500</u>	<u>275,430</u>	<u>(378,070)</u>	<u>42.15%</u>
EXPENDITURES				
Personnel	300,658	119,643	181,015	39.79%
Maintenance	5,000	529	4,471	10.59%
General	187,455	79,437	108,018	42.38%
Charges For Services	29,887	14,943	14,944	50.00%
Other Contracts	-	-	-	0.00%
Non-Operating	130,000	15,000	115,000	11.54%
Capital Outlay	500	-	500	0.00%
TOTAL EXPENDITURES	<u>653,500</u>	<u>229,553</u>	<u>423,947</u>	<u>35.13%</u>
BUDGETED FUND BALANCE	<u>-</u>	<u>-</u>	<u>-</u>	
BALANCE	\$ <u>-</u>	\$ <u>45,877</u>	\$ <u>45,877</u>	

CITY OF BOERNE
PARKS FUND
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 3/31/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Taxes	\$ 1,940,299	1,984,957	\$ 44,658	102.30%
Licenses and Fees	343,500	81,980	(261,520)	23.87%
Facility Fees/Leases	96,600	42,269	(54,331)	43.76%
Other Revenues	138,160	19,945	(118,215)	14.44%
Interest	15,000	1,200	(13,800)	8.00%
Grants and Donations	2,500	9,125	6,625	365.00%
Transfers from other funds	50,000	29,169	(20,831)	58.34%
TOTAL REVENUES	<u>2,586,059</u>	<u>2,168,645</u>	<u>(417,414)</u>	<u>83.86%</u>
EXPENDITURES				
Parks:				
Personnel	1,601,470	735,630	865,840	45.93%
Supplies	18,500	4,246	14,254	22.95%
Maintenance	175,000	72,708	102,292	41.55%
General	297,700	88,424	209,276	29.70%
Charges For Services	117,031	58,515	58,516	50.00%
Other Contracts	30,000	15,000	15,000	50.00%
Capital Outlay	351,870	50,652	301,218	14.40%
Sub-Total Parks Expenditures	<u>2,591,571</u>	<u>1,025,174</u>	<u>1,566,396</u>	<u>39.56%</u>
Pool:				
Personnel	49,477	200	49,277	0.41%
Supplies	12,000	8,580	3,420	71.50%
Maintenance	30,000	7,591	22,409	25.30%
General	7,700	3,442	4,258	44.70%
Capital Outlay	25,500	-	25,500	0.00%
Sub-Total Pool Expenditures	<u>124,677</u>	<u>19,814</u>	<u>104,863</u>	<u>15.89%</u>
TOTAL EXPENDITURES	<u>2,716,248</u>	<u>1,044,988</u>	<u>1,671,260</u>	<u>38.47%</u>
BUDGETED FUND BALANCE	<u>130,189</u>	<u>-</u>	<u>(130,189)</u>	
BALANCE	\$ <u>-</u>	\$ <u>1,123,657</u>	\$ <u>1,123,657</u>	

CITY OF BOERNE
CEMETERY FUND
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 3/31/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Cemetery Revenues	\$ 89,825	140,865	\$ 51,040	156.82%
Other Operating Revenues	200	-	(200)	0.00%
Restricted Revenues	22,500	27,733	5,233	123.26%
Interest	2,500	198	(2,302)	7.92%
TOTAL REVENUES	<u>115,025</u>	<u>168,796</u>	<u>53,771</u>	<u>146.75%</u>
EXPENDITURES				
Personnel	-	-	-	0.00%
Supplies	3,000	795	2,205	26.49%
Maintenance	13,400	1,418	11,982	10.59%
Professional Services/Fees	-	-	-	0.00%
General	22,700	8,029	14,671	35.37%
Transfer to Other Funds	50,000	25,002	24,998	50.00%
Capital Outlay	500	-	500	0.00%
TOTAL EXPENDITURES	<u>89,600</u>	<u>35,244</u>	<u>54,356</u>	<u>39.33%</u>
BUDGETED FUND BALANCE	<u>-</u>	<u>-</u>	<u>-</u>	
BALANCE	\$ <u>25,425</u>	\$ <u>133,552</u>	\$ <u>108,127</u>	

CITY OF BOERNE
LIBRARY
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 3/31/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Taxes	\$ 1,113,287	1,262,790	\$ 149,503	113.43%
Licenses and Fees	26,000	8,204	(17,796)	31.55%
Interlocal/Shared Services	264,559	132,280	(132,280)	50.00%
Facility Fees/Leases	3,000	1,125	(1,875)	37.50%
Other Revenues	1,500	1,405	(95)	93.70%
Interest	5,000	473	(4,527)	9.46%
Grants and Donations	5,000	33,837	28,837	676.75%
TOTAL REVENUES	<u>1,418,346</u>	<u>1,440,115</u>	<u>21,769</u>	<u>101.53%</u>
EXPENDITURES				
Personnel	1,019,682	484,090	535,592	47.47%
Supplies	4,500	1,736	2,764	38.58%
Maintenance	35,000	7,899	27,101	22.57%
Professional Services/Fees	-	-	-	0.00%
General	255,805	118,204	137,601	46.21%
Charges For Services	84,647	42,324	42,323	50.00%
Transfer to Other Funds	-	-	-	0.00%
Capital Outlay	27,813	11,488	16,325	41.31%
TOTAL EXPENDITURES	<u>1,427,446</u>	<u>665,740</u>	<u>761,706</u>	<u>46.64%</u>
BUDGETED FUND BALANCE	<u>9,100</u>	<u>-</u>	<u>(9,100)</u>	
BALANCE	\$ <u>-</u>	\$ <u>774,375</u>	\$ <u>774,375</u>	

CITY OF BOERNE
ECONOMIC DEVELOPMENT
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 3/31/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Interest	\$ 2,500	323	\$ (2,177)	12.93%
Transfer from Other Funds	789,884	300,000	(489,884)	37.98%
TOTAL REVENUES	<u>792,384</u>	<u>300,323</u>	<u>(492,061)</u>	<u>37.90%</u>
EXPENDITURES				
Professional Services/Fees	-	4,500	(4,500)	0.00%
Other Contracts	1,287,964	193,536	1,094,428	15.03%
Non-operating	25,000	-	25,000	0.00%
TOTAL EXPENDITURES	<u>1,312,964</u>	<u>198,036</u>	<u>1,114,928</u>	<u>15.08%</u>
BUDGETED FUND BALANCE	<u>520,580</u>		<u>(520,580)</u>	
BALANCE	\$ <u><u>-</u></u>	\$ <u><u>102,287</u></u>	\$ <u><u>102,287</u></u>	

CITY OF BOERNE
INTERNAL SERVICE FUND
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 3/31/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Charges for Services	\$ 3,217,357	1,625,048	\$ (1,592,309)	50.51%
TOTAL REVENUES	<u>3,217,357</u>	<u>1,625,048</u>	<u>(1,592,309)</u>	<u>50.51%</u>
EXPENDITURES				
Human Resources				
Personnel	209,847	93,576	116,271	44.59%
Maintenance	25,000	7,463	17,537	29.85%
Professional Services	3,000	2,662	338	88.72%
General	43,200	8,745	34,455	20.24%
Capital Outlay	1,000	-	1,000	0.00%
Total Human Resources Expenditures	<u>282,047</u>	<u>112,446</u>	<u>169,601</u>	<u>39.87%</u>
Legal				
Personnel	272,624	135,709	136,915	49.78%
Professional Services	55,000	15,141	39,859	27.53%
General	25,590	5,555	20,035	21.71%
Capital Outlay	1,000	2,348	(1,348)	234.81%
Total Legal Expenditures	<u>354,214</u>	<u>158,753</u>	<u>195,461</u>	<u>44.82%</u>
Devl Services				
Personnel	927,169	403,895	523,274	43.56%
Supplies	-	2,111	(2,111)	0.00%
Professional Services	36,000	2,510	33,490	6.97%
General	33,500	9,231	24,269	27.55%
Capital Outlay	37,000	640	36,360	1.73%
Total Devl Services Expenditures	<u>1,033,669</u>	<u>418,387</u>	<u>615,282</u>	<u>40.48%</u>
Facility Maintenance				
Personnel	785,765	358,261	427,504	45.59%
Supplies	13,850	5,712	8,138	41.24%
Maintenance	249,708	103,032	146,676	41.26%
General	12,150	8,648	3,502	71.17%
Capital Outlay	-	-	-	0.00%
Total Facility Maint Expenditures	<u>1,061,473</u>	<u>475,653</u>	<u>585,820</u>	<u>44.81%</u>

CITY OF BOERNE
INTERNAL SERVICE FUND
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 3/31/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
Fleet Maintenance				
Personnel	371,924	143,068	228,855	38.47%
Supplies	45,000	11,302	33,698	25.12%
Maintenance	196,360	84,765	111,595	43.17%
General	24,100	7,162	16,938	29.72%
Capital Outlay	2,000	-	2,000	0.00%
Total Fleet Maint Expenditures	<u>639,384</u>	<u>246,298</u>	<u>393,086</u>	<u>38.52%</u>
 TOTAL EXPENDITURES	 <u>3,370,787</u>	 <u>1,411,537</u>	 <u>978,906</u>	 <u>41.88%</u>
 BUDGETED FUND BALANCE	 <u>153,430</u>	 <u>-</u>	 <u>(153,430)</u>	
 BALANCE	 <u>\$ -</u>	 <u>\$ 213,511</u>	 <u>\$ 213,511</u>	

CITY OF BOERNE
ELECTRIC UTILITY FUND
STATEMENT OF REVENUES AND EXPENSES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Operating Revenues				
Current Revenues	\$ 17,031,546	7,972,788	\$ (9,058,757)	46.81%
Transfer from other funds	-	-	-	0.00%
TOTAL OPERATING REVENUES	<u>17,031,546</u>	<u>7,972,788</u>	<u>(9,058,757)</u>	<u>46.81%</u>
Operating Expenses				
Personnel	1,980,828	943,856	1,036,973	47.65%
Cost of Goods/Services Sold	10,855,720	4,815,788	6,039,932	44.36%
Supplies	37,000	10,757	26,243	29.07%
Maintenance	335,615	151,792	183,823	45.23%
Professional Services/Fees	142,350	66,083	76,267	46.42%
General	422,656	183,286	239,370	43.37%
Shared Services	531,899	265,950	265,950	50.00%
Other Contracts	25,000	12,500	12,500	50.00%
Depreciation	675,000	337,500	337,500	50.00%
Debt Service	70,369	35,869	34,500	50.97%
TOTAL OPERATING EXPENSES	<u>15,076,438</u>	<u>6,823,381</u>	<u>8,253,056</u>	<u>45.26%</u>
Non-Recurring Expenses				
Transfers to Other Funds	1,665,863	1,162,099	503,764	69.76%
Capital Outlay	1,229,975	172,085	1,057,890	13.99%
Transfer to Capital Reserve	300,000	150,000	150,000	50.00%
Transfer to QOL Reserve	1,000,000	279,051	720,949	27.91%
TOTAL NON-RECURRING EXPENSES	<u>4,195,838</u>	<u>1,763,234</u>	<u>2,432,604</u>	<u>42.02%</u>
Adjustments For Cash Flow Purposes:				
Depreciation	675,000	337,500	(337,500)	50.00%
Capital Outlay paid from Capital Reserves	960,000	-	(960,000)	-100.00%
Transfer from QOL Reserves	1,000,000	1,000,000	-	0.00%
TOTAL CASH FLOW ADJUSTMENTS	<u>2,635,000</u>	<u>1,337,500</u>	<u>(1,297,500)</u>	<u>-49.24%</u>
Net-Modified Cash Basis	394,270	723,673	329,403	
Unreserved Fund Balance at 10/1/20	<u>4,741,363</u>	<u>4,741,363</u>		
Unreserved Fund Balance at 9/30/21		\$ <u>5,465,036</u>		
Projected Unreserved Fund Balance at 9/30/21	\$ <u>5,135,633</u>			

CITY OF BOERNE
WATER UTILITY FUND
STATEMENT OF REVENUES AND EXPENSES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Operating Revenues				
Current Revenues	\$ 6,574,117	3,232,514	\$ (3,341,603)	49.17%
Transfer from other funds	-	-	-	0.00%
TOTAL OPERATING REVENUES	<u>6,574,117</u>	<u>3,232,514</u>	<u>(3,341,603)</u>	<u>49.17%</u>
Operating Expenses				
Personnel	1,885,612	906,932	978,680	48.10%
Cost of Goods/Services Sold	2,001,585	891,269	1,110,316	44.53%
Supplies	80,000	34,645	45,355	43.31%
Maintenance	347,105	203,725	143,380	58.69%
Professional Services/Fees	309,855	58,676	251,179	18.94%
General	344,850	148,157	196,693	42.96%
Shared Services	585,454	292,727	292,727	50.00%
Other Contracts	10,000	5,000	5,000	50.00%
Depreciation	1,750,000	875,000	875,000	50.00%
Debt Service	-	-	-	0.00%
TOTAL OPERATING EXPENSES	<u>7,314,461</u>	<u>3,416,132</u>	<u>3,898,328</u>	<u>46.70%</u>
Non-Recurring Expenses				
Transfers to Other Funds	465,863	232,932	232,931	50.00%
Capital Outlay	864,464	149,417	715,047	17.28%
Transfer to Capital Reserve	200,000	100,000	100,000	50.00%
TOTAL NON-RECURRING EXPENSES	<u>1,530,327</u>	<u>482,348</u>	<u>1,047,979</u>	<u>31.52%</u>
Adjustments for Cash Flow Purposes:				
Depreciation	1,750,000	875,000	(875,000)	50.00%
Transfer from Capital Reserve	450,000	-	450,000	0.00%
TOTAL CASH FLOW ADJUSTMENTS	<u>2,200,000</u>	<u>875,000</u>	<u>(425,000)</u>	<u>39.77%</u>
Net-Modified Cash Basis	(70,671)	209,033	279,704	
Unreserved Fund Balance at 10/1/20	<u>4,986,496</u>	<u>4,986,496</u>		
Unreserved Fund Balance at 9/30/21		\$ <u>5,195,529</u>		
Projected Unreserved Fund Balance at 9/30/21	\$ <u>4,915,825</u>			

CITY OF BOERNE
WASTEWATER UTILITY FUND
STATEMENT OF REVENUES AND EXPENSES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Operating Revenues				
Current Revenues	\$ 6,751,529	2,846,558	\$ (3,904,971)	42.16%
Transfers from Other Funds	<u>1,250,000</u>	<u>665,820</u>	<u>(584,180)</u>	<u>53.27%</u>
TOTAL OPERATING REVENUES	<u>8,001,529</u>	<u>3,512,378</u>	<u>(4,489,151)</u>	<u>43.90%</u>
Operating Expenses				
Personnel	1,538,248	734,344	803,904	47.74%
Cost of Goods/Services Sold	339,601	170,980	168,621	50.35%
Supplies	140,000	47,189	92,811	33.71%
Maintenance	338,600	72,298	266,302	21.35%
Professional Services/Fees	88,000	34,624	53,376	39.35%
General	553,730	263,465	290,265	47.58%
Shared Services	606,414	303,206	303,207	50.00%
Other Contracts	160,000	84,245	75,755	52.65%
Depreciation	3,250,000	1,625,000	1,625,000	50.00%
Debt Service	<u>2,613,954</u>	<u>1,268,697</u>	<u>1,345,257</u>	<u>48.54%</u>
TOTAL OPERATING EXPENSES	<u>9,628,547</u>	<u>4,604,049</u>	<u>5,024,498</u>	<u>47.82%</u>
Non-Recurring Expenses				
Transfers to Other Funds	10,575	5,288	5,288	50.00%
Capital Outlay	884,569	187,495	697,074	21.20%
Transfer to Capital Reserve	<u>175,000</u>	<u>87,500</u>	<u>87,500</u>	<u>50.00%</u>
TOTAL NON-RECURRING EXPENSES	<u>1,070,144</u>	<u>280,282</u>	<u>789,862</u>	<u>26.19%</u>
Adjustments for Cash Flow Purposes:				
Depreciation	3,250,000	1,625,000	(1,625,000)	50.00%
Transfer from Capital Reserve	<u>600,000</u>	<u>-</u>	<u>600,000</u>	<u>0.00%</u>
TOTAL CASH FLOW ADJUSTMENTS	<u>3,850,000</u>	<u>1,625,000</u>	<u>(1,025,000)</u>	<u>42.21%</u>
Net-Modified Cash Basis	1,152,838	253,047	(899,792)	
Unreserved Fund Balance at 10/1/20	<u>4,497,759</u>	<u>4,497,759</u>		
Unreserved Fund Balance at 9/30/21		<u>\$ 4,750,806</u>		
Projected Unreserved Fund Balance at 9/30/21	<u>\$ 5,650,597</u>			

CITY OF BOERNE
GAS UTILITY FUND
STATEMENT OF REVENUES AND EXPENSES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

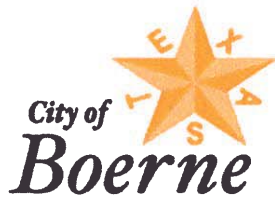
	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Operating Revenues				
Current Revenues	\$ 3,479,570	1,813,559	\$ (1,666,011)	52.12%
Transfers from other funds	<u>350,000</u>	<u>-</u>	<u>(350,000)</u>	<u>0.00%</u>
TOTAL OPERATING REVENUES	<u>3,829,570</u>	<u>1,813,559</u>	<u>(2,016,011)</u>	<u>47.36%</u>
Operating Expenses				
Personnel	906,304	454,681	451,623	50.17%
Cost of Goods/Services Sold	1,023,326	648,920	374,406	63.41%
Supplies	22,500	6,464	16,036	28.73%
Maintenance	120,355	33,196	87,159	27.58%
Professional Services/Fees	20,600	14,985	5,615	72.74%
General	112,118	55,157	56,961	49.20%
Shared Services	282,170	141,085	141,085	50.00%
Other Contracts	10,000	5,000	5,000	50.00%
Depreciation	525,000	262,500	262,500	50.00%
Debt Service	<u>187,652</u>	<u>95,659</u>	<u>91,993</u>	<u>50.98%</u>
TOTAL OPERATING EXPENSES	<u>3,210,025</u>	<u>1,717,648</u>	<u>1,492,378</u>	<u>53.51%</u>
Non-Recurring Expenses				
Transfers to Other Funds	10,575	5,288	5,288	50.00%
Gain/Loss on Sale of Assets	-	-	-	0.00%
Capital Outlay	<u>624,564</u>	<u>186,484</u>	<u>438,080</u>	<u>29.86%</u>
TOTAL NON-RECURRING EXPENSES	<u>635,139</u>	<u>191,772</u>	<u>443,367</u>	<u>30.19%</u>
Adjustments for Cash Flow Purposes:				
Depreciation	<u>525,000</u>	<u>262,500</u>	<u>(262,500)</u>	<u>50.00%</u>
TOTAL CASH FLOW ADJUSTMENTS	<u>525,000</u>	<u>262,500</u>	<u>(262,500)</u>	<u>50.00%</u>
Net-Modified Cash Basis	509,406	166,640	(342,766)	
Unreserved Fund Balance at 10/1/20	<u>(38,325)</u>	<u>(38,325)</u>		
Unreserved Fund Balance at 9/30/21		<u>\$ 128,315</u>		
Projected Unreserved Fund Balance at 9/30/21	<u>\$ 471,081</u>			

CITY OF BOERNE
STORMWATER FUND
STATEMENT OF REVENUES AND EXPENSES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Revenues				
Current Revenues	\$ 335,609	152,649	\$ (182,960)	45.48%
Transfer from other funds	-	-	-	0.00%
TOTAL REVENUES	<u>335,609</u>	<u>152,649</u>	<u>(182,960)</u>	<u>45.48%</u>
Expenses				
Professional Services/Fees	85,609	-	85,609	0.00%
General	-	-	-	0.00%
Non-Operating	<u>250,000</u>	<u>-</u>	<u>250,000</u>	<u>0.00%</u>
TOTAL EXPENSES	<u>335,609</u>	<u>-</u>	<u>335,609</u>	<u>0.00%</u>
Net Income/(Loss)	-	152,649	152,649	#DIV/0!
Adjustments for Cash Flow Purposes:				
Depreciation	<u>-</u>	<u>-</u>	<u>-</u>	
Net-Modified Cash Basis	-	152,649	152,649	
Unreserved Fund Balance at 10/1/20	<u>-</u>	<u>-</u>		
Unreserved Fund Balance at 9/30/21		<u>\$ 152,649</u>		
Projected Unreserved Fund Balance at 9/30/21	<u>\$ -</u>			

CITY OF BOERNE
SOLID WASTE FUND
STATEMENT OF REVENUES AND EXPENSES
BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED MARCH 31, 2021
(50% OF FISCAL YEAR)

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Revenues				
Current Revenues	\$ 1,049,986	536,617	\$ (513,369)	51.11%
Recycling Grant	-	-	-	0.00%
TOTAL REVENUES	<u>1,049,986</u>	<u>536,617</u>	<u>(513,369)</u>	<u>51.11%</u>
Expenses				
Cost of Goods/Services Sold	953,827	474,549	479,278	49.75%
General	23,600	11,516	12,084	48.80%
Other Contracts	18,000	9,000	9,000	50.00%
Non-Operating	-	-	-	0.00%
TOTAL EXPENSES	<u>995,427</u>	<u>495,066</u>	<u>500,361</u>	<u>49.73%</u>
Net Income/(Loss)	54,559	41,552	(13,007)	76.16%
Adjustments for Cash Flow Purposes:				
Depreciation	-	-	-	
Net-Modified Cash Basis	54,559	41,552	(13,007)	
Unreserved Fund Balance at 10/1/20	<u>253,892</u>	<u>253,892</u>		
Unreserved Fund Balance at 9/30/21		<u>\$ 295,444</u>		
Projected Unreserved Fund Balance at 9/30/21	<u>\$ 308,451</u>			



QUARTERLY INVESTMENT REPORT FINANCE DEPARTMENT

DATE: April 27, 2021

TO: Honorable Mayor and City Council Members
Ben Thatcher, City Manager

FROM: Sandra Mattick, CPA, CGFO, Finance Director
Angie Rios, CPA, Assistant Finance Director

RE: Second Quarter Investment Activity FY 2021

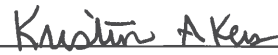
The Public Funds Investment Act requires the investment officer to prepare and submit not less than quarterly to its governing body a written report of investment transactions for all funds. This report incorporates the Public Funds Investment Act requirements and details the increase/ (decrease) in investments by fund and market value.

During this quarter, and as reflected in the Investment Report, the City of Boerne invested in TexPool, MBIA, Texas TERM, TexStar, Municipal bonds, Commercial Paper, and Certificates of Deposit (CD'S). Interest earned for this quarter totaled \$105,083. The weighted-average interest rate for the quarter was 0.34%, and the current Federal Reserve (Fed) interest rate is between 0.00 and 0.25%. The City's average interest rate for the quarter compares well to the most recent rate of 0.03% for 3-month T-bills, 0.05% for 6-month T-bills, and 0.07% for 1-year T-bills. The first page of the Investment Report, Page 25, shows the makeup of the portfolio with 48% invested in TexPool, 25% in Texas Class, 3% in other State pools, 11% in Municipal Bonds, 3% in Commercial Paper and 9% in CD's. Staff will continue to monitor interest rate activity and act accordingly when opportunities arise and in keeping with our investment policy requirements of "safety, liquidity, yield, and diversity".

The attached information comprises the quarterly report for the City of Boerne, Texas for the second quarter ended March 31, 2021. The undersigned acknowledge that the City's investment portfolio has been and is in compliance with the policies and strategies as contained in the City's Investment Policy as adopted and also in compliance with the Public Funds Investment Act of the State of Texas.

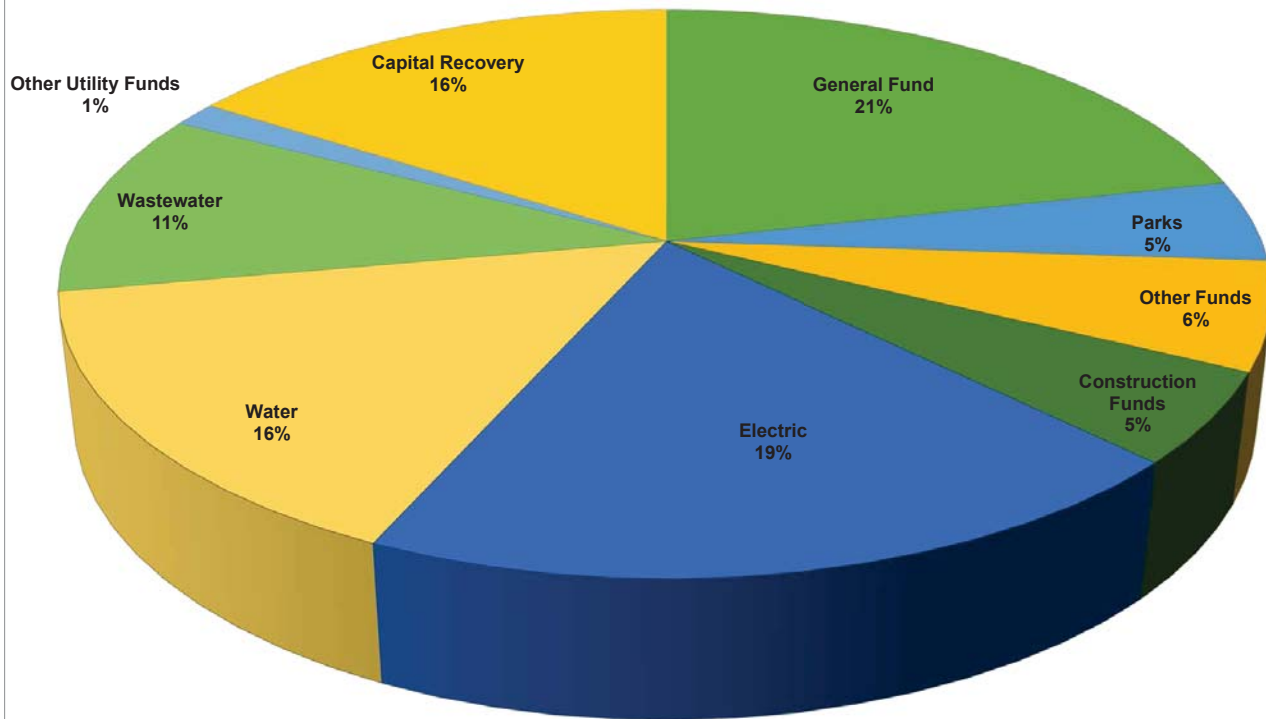

Sandra Mattick, CPA, CGFO, Finance Director


Angie Rios, CPA, Asst. Finance Director

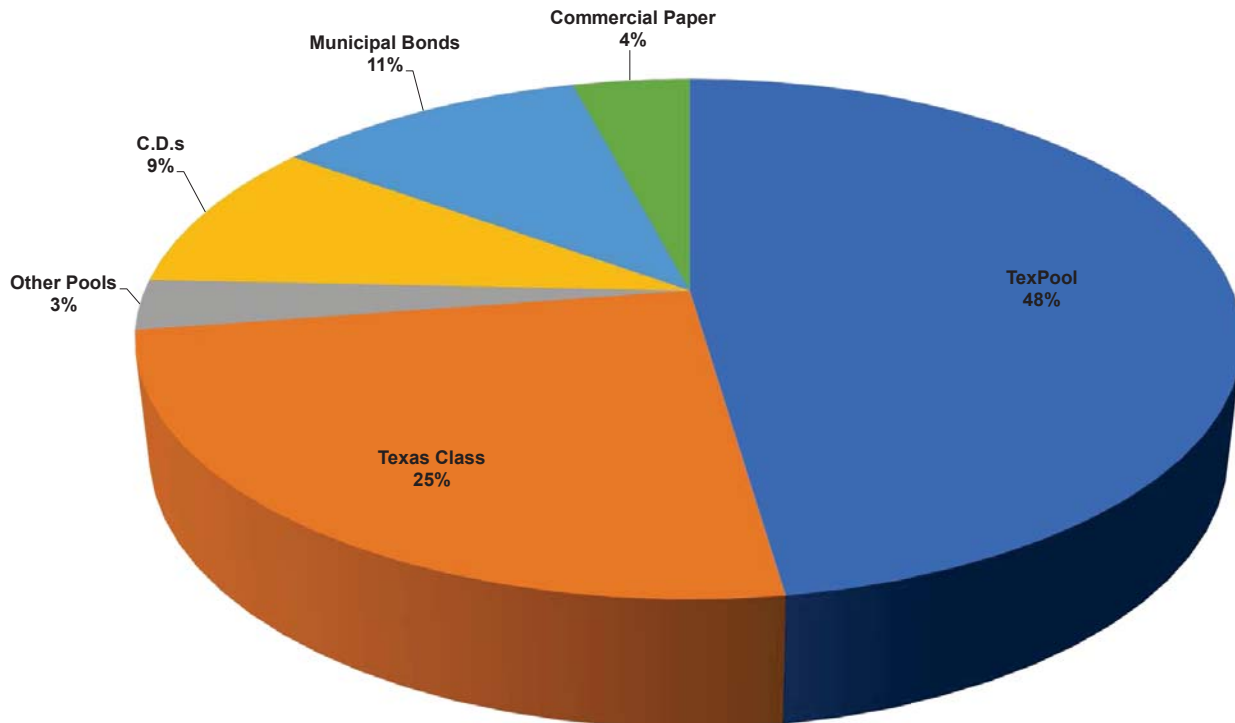

Kristin Akers, Finance Officer

City of Boerne
Investment Report
For the Quarter Ended March 31, 2021

INVESTMENTS BY FUND



INVESTMENTS BY TYPE

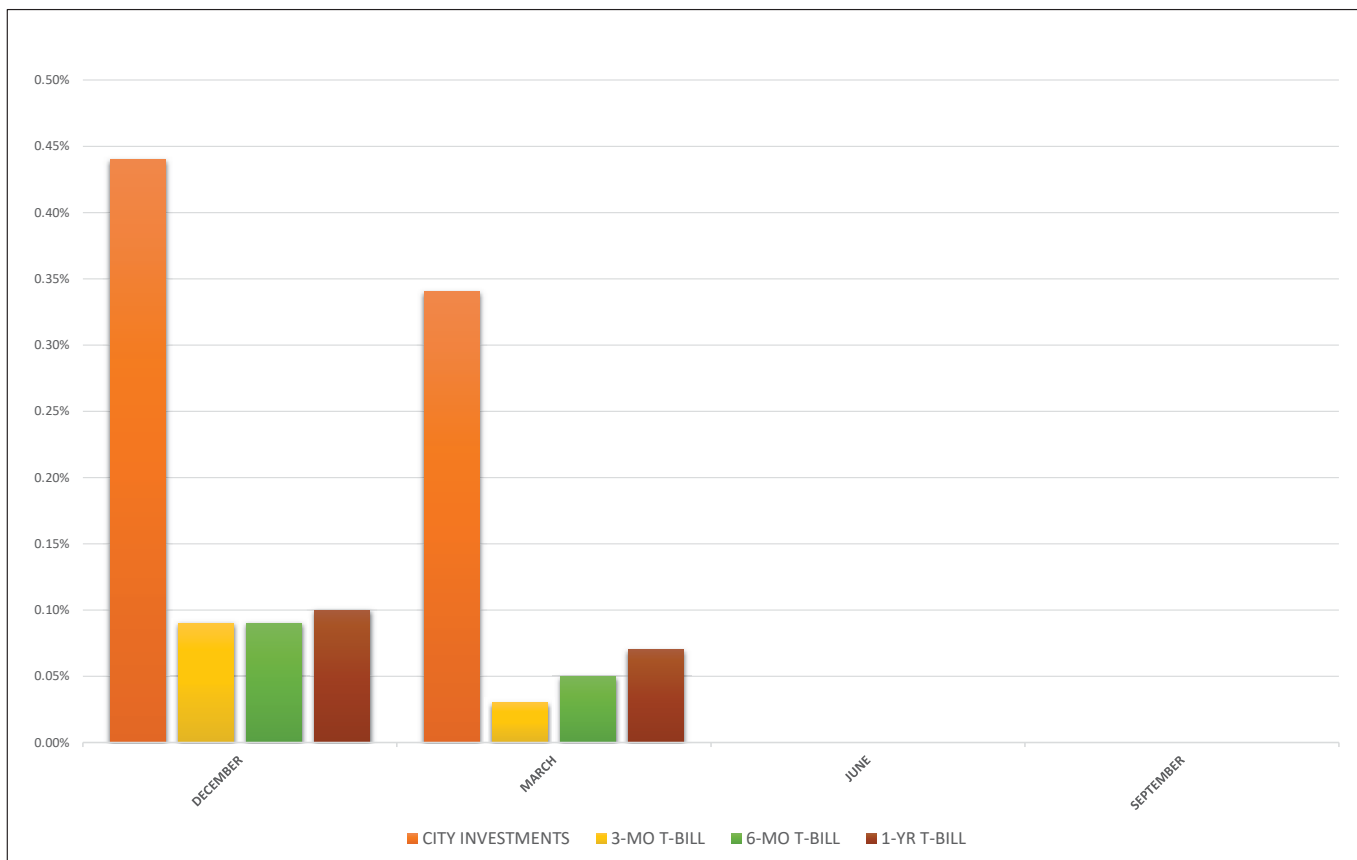


**City of Boerne
Investment Report
For the Quarter Ended March 31, 2021**

INTEREST RATE COMPARISON

MONTH	CITY	3-MO T-BILL	6-MO T-BILL	1-YR T-BILL
DECEMBER	0.44%	0.09%	0.09%	0.10%
MARCH	0.34%	0.03%	0.05%	0.07%
JUNE				
SEPTEMBER				

HIGH	0.44%	0.09%	0.09%	0.10%
LOW	0.34%	0.03%	0.05%	0.07%



**City of Boerne
Investment Report
For the Quarter Ended March 31, 2021**

Total Investments by Type

DESCRIPTION	BOOK VALUE	MARKET VALUE	QTD INTEREST	YTD INTEREST	WAIR	WAM
TexPool	35,161,131	35,161,131	4,090	13,512	0.02	17
Texas Class	18,313,282	18,313,282	5,212	11,366	0.10	12
Texas Term	2,284,994	2,284,994	562	1,660	0.05	1
TexStar	22,084	22,084	2	7	0.02	0
Commercial Paper	3,000,000	3,000,000	338	1,536	0.15	228
CDs	6,894,232	6,938,976	32,866	71,487	1.60	304
Municipal Bonds	8,023,720	7,987,076	62,013	127,419	1.36	384
Government Agencies	-	-	-	-	-	-
Total Investments	73,699,443	73,707,543	105,083	226,986		

Total Investments by Fund

DESCRIPTION	MATURITY DATE	INTEREST RATE	BOOK VALUE	MARKET VALUE	QTD INTEREST	YTD INTEREST
General Fund						
TexPool	N/A	0.020	4,104,372	4,104,372	214	687
Texas Class	N/A	0.100	3,614,070	3,614,070	1,063	1,932
Texas Term	N/A	0.050	996,181	996,181	367	1,132
TexStar	N/A	0.020	22,084	22,084	2	7
W Palm Beach FL Txbl Ser A	10/1/2020	2.601	-	-	-	427
Bank Ozk CD	10/05/2020	1.720	-	-	-	42
CIBC	11/23/2020	2.450	-	-	-	1,009
Safra Natl Bk NY Us	12/3/2020	1.705	-	-	-	849
Third Coast Bank	12/18/2020	2.850	-	-	-	2,425
New Jersey State Muni	2/15/2021	2.700	-	-	1,961	3,929
TX Univ of Houston Rev	2/15/2021	2.500	-	-	833	3,333
Broadway Bank	04/26/2021	1.700	245,000	245,000	1,039	2,078
Cornerstone Bank	7/27/2021	2.550	236,000	236,000	1,594	3,188
Pacific Western Bank	08/10/2021	1.600	243,000	243,000	1,058	2,117
Midlothian Tx Cmnty Dev	09/01/2021	0.600	36,112	35,487	350	700
Kentucky Asset/Liab	09/01/2021	0.700	150,581	147,820	1,813	4,733
First Bank of McGregor	9/24/2021	1.950	239,000	239,000	1,251	2,503
Texas Term CP	11/14/2021	0.150	2,000,000	2,000,000	219	219
Oakland CA Pension Rev	12/15/2021	1.700	252,112	258,003	1,078	2,170
Uinta Bank CD	01/06/2022	1.850	241,000	241,000	1,115	2,229
Financial Federal Savings	1/19/2022	0.250	248,000	248,000	248	248
Miami Beach FL Redev	02/01/2022	0.600	572,803	560,516	4,929	9,859
Rainbow City AL Util	02/01/2022	0.700	242,574	239,912	1,606	2,467
Farmers & Merchants Union Bank	02/09/2022	1.850	240,000	240,000	1,200	2,400
Landmark Community Bank	02/09/2022	1.700	241,000	241,000	1,115	2,229
Axos Bank CD	03/28/2022	1.550	245,000	248,555	936	1,883
Compton CA Comm Redev	8/1/2022	2.154	141,771	145,841	771	1,543
W Covina CA Public	08/01/2022	1.250	318,701	320,090	1,321	2,574
Midlothian Tx Cmnty Dev	09/01/2022	0.720	31,890	31,369	350	700
BMW BK of NA	11/22/2022	1.826	244,816	251,701	1,093	2,205
Thornton Dev Auth	12/01/2022	1.720	270,500	268,178	1,913	3,900
Calhoun CO	12/01/2022	0.320	285,881	285,573	107	107
Murphy-Wall St Bk & Trust	6/28/2023	0.320	99,873	99,873	39	39
NY Community Bank	11/09/2023	0.280	244,755	244,971	151	268
Total General Fund			15,807,076	15,807,596	29,739	66,132

**City of Boerne
Investment Report
For the Quarter Ended March 31, 2021**

DESCRIPTION	MATURITY DATE	INTEREST RATE	BOOK VALUE	MARKET VALUE	QTD INTEREST	YTD INTEREST
Cemetery Fund						
TexPool Operating	N/A	0.020	439,621	439,621	52	185
TexPool Endowment	N/A	0.020	21,641	21,641	2	9
Texas Class Endowment	N/A	0.100	321,264	321,264	91	217
Wells Fargo Bank NA	10/18/2022	1.800	244,829	251,723	1,148	2,308
Brooks Cnt ISD	8/15/2022	1.900	189,958	197,406	920	1,846
Total Cemetery Endowment			1,217,312	1,231,654	2,214	4,565
Capital Recovery Fund						
TexPool	N/A	0.020	8,023,899	8,023,899	869	2,932
Texas Class	N/A	0.100	803,159	803,159	229	542
Toyota Motor Credit CP	10/09/2020	1.800	-	-	-	1,198
Stephen F. Austin	10/15/2020	2.887	-	-	-	842
Cuyahoga Cnty Oh Econ Dev	12/01/2020	0.870	-	-	-	1,299
First Tech Fed Bank	12/15/2020	2.100	-	-	-	423
First Bank of PR	12/28/2020	3.000	-	-	-	604
Texas St. Tech Univ	2/15/2021	2.650	-	-	564	2,259
Sonoma Marin Area Rail	03/02/2021	1.200	-	-	5,000	9,917
State of Connecticut	10/01/2021	1.250	262,835	255,998	2,322	4,534
Johnstown OH	12/01/2021	1.250	218,612	214,719	2,100	3,780
Dayton, TX	02/01/2022	1.250	123,617	122,588	602	1,460
Camino Real TX Mobility Purch	06/01/2022	0.750	324,528	315,069	3,750	7,500
Duquesne PA Sch Dist	06/01/2022	0.550	193,411	192,595	95	95
Capital One Bank	7/18/2022	2.100	243,959	251,342	1,283	2,580
Cook Cnty IL Sch Dist 101	11/01/2022	0.350	178,063	177,249	957	957
Bedford Park II Tax Inc Rev	12/30/2022	1.900	529,025	518,145	4,875	9,750
Vance Govt Etc Rev	06/01/2023	0.700	185,479	185,579	322	322
Oklahoma Dev Fin Auth	06/01/2023	0.720	407,223	405,830	962	962
Gary IN Cmnty Sch	07/15/2023	0.565	197,759	193,014	1,820	3,680
Total Capital Recovery Fund			11,691,569	11,659,187	25,751	55,634
Electric Fund						
TexPool	N/A	0.020	4,690,470	4,690,470	542	1,901
Texas Class	N/A	0.100	3,402,261	3,402,261	968	2,210
Texas Term	N/A	0.050	1,288,812	1,288,812	195	528
UBS Bank	10/20/2020	2.900	-	-	-	662
First Mid-Illinois Bank	3/8/2021	2.950	-	-	2,008	3,743
BankUnited	03/26/2021	1.830	-	-	1,087	2,309
First Western Fed Savings Bank	04/13/2021	0.860	247,000	247,000	624	1,247
Fifth Third Bank	04/22/2021	1.150	247,000	247,166	756	1,411
State of Connecticut GO	06/15/2021	1.700	155,489	151,416	1,250	3,125
Mainstreet Bank	7/14/2021	2.250	238,000	238,000	1,339	2,678
American Ntnl Bank of MN	7/14/2021	2.100	239,000	239,000	1,283	2,538
Jersey City NJ	9/1/2021	2.000	422,951	419,565	3,170	6,339
Bank Leumi	9/17/2021	1.850	241,000	241,000	1,112	2,223
First Capital Bank	11/12/2021	1.800	240,000	240,000	1,167	2,334
Texas Term CP	11/14/2021	0.150	1,000,000	1,000,000	119	119
Synovus Bank	11/29/2021	1.600	245,000	247,550	983	1,971
Jackson Cnty Mo Spl Ob	12/01/2021	1.200	440,000	452,170	5,500	11,000
Ohio St Turnpike	02/15/2022	1.700	250,000	252,585	1,073	2,146
Traditional Bank	03/09/2022	1.200	243,000	243,000	920	1,740
Hidalgo Cnty TX Unrefunded	8/15/2022	1.803	237,036	237,542	1,709	3,419
Pennsylvania Turnpike	12/01/2022	2.170	149,750	153,057	792	1,583
Wells Fargo Nat Bk	01/17/2023	1.900	245,000	252,719	1,148	2,308
Total Electric Fund			14,221,768	14,243,313	27,742	57,533

**City of Boerne
Investment Report
For the Quarter Ended March 31, 2021**

DESCRIPTION	MATURITY DATE	INTEREST RATE	BOOK VALUE	MARKET VALUE	QTD INTEREST	YTD INTEREST
Water Fund						
TexPool	N/A	0.020	4,815,856	4,815,856	828	2,886
Texas Class	N/A	0.100	4,128,621	4,128,621	1,175	2,700
JP Morgan Chase	11/19/2020	0.500				309
US Alliance Fed Credit Union	3/1/2021	0.600			246	608
Essa Bank	3/5/2021	1.000			473	1,184
Preferred Bank	3/5/2021	0.950			489	1,168
UT Ogden City Redev Agy Rev Bonds	4/1/2021	3.000	507,075	500,000	3,750	7,500
First Internet Bank	7/22/2021	2.220	238,000	238,000	1,268	2,536
Alliant	7/22/2021	2.200	238,000	238,000	1,268	2,536
Iowa Std Loan Rev Bonds	12/1/2021	2.479	502,985	504,545	3,099	6,198
Prudential Bank	3/4/2022	1.100	243,000	243,000	758	1,517
United Bank of Iowa	3/4/2022	1.000	244,000	244,000	701	1,401
Ally Bank	4/18/2022	1.200	245,000	247,842	708	913
Carpinteria CA Ref	8/1/2023	0.400	245,000	245,216	348	464
Total Water Fund			11,407,537	11,405,080	15,110	31,919
-						
Wastewater Fund						
TexPool	N/A	0.020	5,285,899	5,285,899	466	1,626
Texas Class	N/A	0.100	2,246,540	2,246,540	639	1,492
Capital One National Assoc Bank	8/15/2022	2.050	245,000	251,534	1,259	2,525
Total Wastewater Fund			7,777,439	7,783,973	2,364	5,642
Other Funds						
Hotel/Motel	N/A	0.020	26,775	26,775	4	14
Park	N/A	0.020	3,428,232	3,428,232	398	1,188
Library	N/A	0.020	1,477,226	1,477,226	172	466
Economic Development	N/A	0.020	980,602	980,602	103	323
2017 Tax Notes Construction	N/A	0.100	698,343	698,343	199	471
Capital Projects Construction	N/A	0.100	3,099,025	3,099,025	847	1,804
Debt Service	N/A	0.020	815,989	815,989	300	799
Gas	N/A	0.020	549,114	549,114	82	292
Garbage	N/A	0.020	501,434	501,434	58	204
Total Other Funds			11,576,741	11,576,741	2,163	5,562
Total All Funds			73,699,443	73,707,544	105,083	226,986