

AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
January 11, 2022 – 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

INVOCATION

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.

4A. [2022-100](#) CONSIDER THE APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF DECEMBER 14, 2021.

Attachments: [Minutes.21.1214](#)

- 4B. [2022-125](#) CONSIDER ON SECOND READING ORDINANCE NO. 2021-40; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT FOR A MEDICAL OFFICE LOCATED AT 1002 EAST BLANCO ROAD, HIGHLAND HOMES BLK PT 1, (KAD NO. 298100) IN A O1, NEIGHBORHOOD OFFICE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Attachments: [AIS 1002 E Blanco Rd.](#)
[Ordinance No. 2021-40](#)
[Current Zoning Map](#)
[Future Land Use Map](#)
[Location Map](#)
[BOND Report](#)
[Table of Uses O1](#)

- 4C. [2022-130](#) CONSIDER RESOLUTION NO. 2022-01; ESTABLISHING PROCEDURES FOR A GENERAL ELECTION FOR MAY 7, 2022.
(Considerar la resolución número 2022-R01; una resolución que establece los procedimientos para la elección general del 7 de mayo, 2022)

Attachments: [AIS election 2022](#)
[Resolution No. 2022-R01](#)
[Order of General Election for Municipalities](#)

- 4D. [2022-142](#) ANNUAL REVIEW OF THE CITY OF BOERNE'S INVESTMENT POLICY AND BROKER-DEALER LIST.

Attachments: [AIS - Investment Policy Review - Jan 2022](#)
[Invest Policy Jan 2022](#)
[Broker-Dealer List 2021-22](#)

- 4E. [2022-131](#) CONSIDER RESOLUTION NO. 2022-R02; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE THE SECOND AMENDMENT TO THE INFRASTRUCTURE AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE AND TENOTEX DEVELOPMENT CO. INC. (Regent Park)

Attachments: [AIS - Tenotex DA Amendment Jan1122](#)
 [Attachment A-Second Amendment to DA-CC Jan1122](#)
 [Attachment B-Tank location-Regent Park](#)
 [Attachment C- Excerpt of Section Amended from Original Tenotex Agreeer](#)

5. CITY MANAGER'S REPORT:

- 5A. [2022-127](#) RECOGNITION OF SANDY MATTICK FOR HER YEARS OF SERVICE
 AS FINANCE DIRECTOR WITH THE CITY OF BOERNE.
- 5B. [2022-128](#) I-10 TXDOT CONSTRUCTION UPDATE.

6. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

6A. CONSIDER THE PROPOSED SPECIAL USE PERMIT FOR A SHORT-TERM RENTAL IN AN R3-A, ATTACHED RESIDENTIAL DISTRICT, LOCATED AT 428 HERFF STREET (IRONS & GRAHAMS ADDITION LOT 187C, .054 ACRES, KAD 46417). (Todd & Elizabeth Hallberg).

- I. [2022-138](#) RECEIVE REPORT FROM THE PLANNING AND ZONING COMMISSION.

Attachments: [AIS 428 Herff St - SUP STR](#)
 [Att 1 - Location Map](#)
 [Att 2 - Aerial Map](#)
 [Att 3 - Street View](#)
 [Att 4 - 21-1221 BOND Report](#)

- II. [2022-140](#) PUBLIC HEARING (One of one hearing)

Attachments: [Public Hearing Notice](#)

- III. [2022-141](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-01; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT FOR A SHORT-TERM RENTAL TO 0.054 ACRES LOCATED AT 428 HERFF STREET (IRONS & GRAHAMS ADDITION LOT 187C, KAD NO. 46417) IN AN R3-A, ATTACHED RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Attachments: [Ordinance No. 2022-01](#)

- 6B. [2022-143](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2022-02;
AS PERMITTED BY THE CITY OF BOERNE’S HOME RULE CHARTER
SECTION 3.11.A. (As described below)
- 6C. [2022-136](#) CONSIDER ORDINANCE NO. 2022-02; 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. (Amend budget for Fiscal Year 20-21)

Attachments: [AIS September 2021 amendments](#)
[Ordinance No. 2022-02](#)
[Attachment I - Budget amendment summary-September 2021](#)

7. OTHER ITEMS:

- 7A. [2022-135](#) RECEIVE AND APPROVE THE FOURTH QUARTER FINANCIAL AND
INVESTMENT REPORTS FOR FISCAL YEAR 2021.

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

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

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

- 9A. [2022-129](#) SECTION 551.071 - CONSULTATION WITH CITY’S ATTORNEY
REGARDING PENDING OR CONTEMPLATED LITIGATION
REGARDING DEVELOPMENT AGREEMENT WITH BOERNEBAK.

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 7th day of
January, 2022 at 4:00 p.m.**

s/s Lori A. Carroll

City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall is wheelchair accessible. Access to the building and special parking is available at the northeast entrance of the building. Requests for auxiliary aides and special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 830-249-9511.

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

MINUTES
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
December 14, 2021 – 6:00 PM

Minutes of the Regular Called City Council meeting of December 14, 2021.

Present: **6 -** Mayor Tim Handren, Mayor Pro Tem Ty Wolosin, Council Member Nina Woolard, Council Member Quinten Scott, Council Member Bryce Boddie, and Council Member Joseph Macaluso

Staff Present: Ben Thatcher, Siria Arreola, Sarah Buckelew, Jeff Carroll, Lori Carroll, Laura Haning, Mike Mann, Sandy Mattick, Mick McKamie, Nick Montagno, Barbara Quirk, Mike Raute, Chris Shadrock, Kristy Stark, Danny Zincke, legal counsel Frank Reilly via Zoom.

Recognized / Registered Guests: Robert Imler, Christina Ryrholm, Susan Friar, Lance Kyle, Michael Lengyel, Alex Rudd, Elle Nicholson, Alexander Peet, Conner Sales, and Andrea Resendez.

1. CALL TO ORDER – 6:00 PM

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

INVOCATION

Pastor Derek Rich of Kendall County Cowboy Church provided the Invocation.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS:

Robert Imler, 215 W. Bandera Road stated that the City Council should

consider a moratorium on development. He doesn't see a harm in a 6 or 9 month moratorium. He also mentioned that Drippings Springs recently re-enacted their moratorium. He read Mahatma Ghandi's list of the Seven Social Sins.

4. CONSENT AGENDA:

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

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Woolard, Council Member Scott, Council Member Boddie, and Council Member Macaluso

- A. CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON NOVEMBER 9, 2021, AND SPECIAL CALLED CITY COUNCIL MEETING ON DECEMBER 2, 2021.**
- B. CONSIDER ON SECOND READING ORDINANCE NO. 2021-38; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2020-28 AND ESTABLISHING AND REESTABLISHING FEES AND CHARGES FOR ACTIVITIES, GOODS AND SERVICES PROVIDED BY THE CITY; CONTAINING A PROVISION TO AUTHORIZE THE CITY MANAGER TO ESTABLISH FEES AND CHARGES IN CERTAIN CIRCUMSTANCES, CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR PUBLICATION. (Establish fees for City services)**
- C. CONSIDER RESOLUTION NO. 2021-R76; A RESOLUTION OF THE CITY OF BOERNE RATIFYING AN EMERGENCY PURCHASE BY CITY STAFF AND AUTHORIZING A PAYMENT TO ALTERMAN, INC. FOR REPAIRS TO THE WASTEWATER TREATMENT AND RECYCLING CENTER FOR AN AMOUNT NOT TO EXCEED \$87,791.00. (Repairs for damages caused by lightning storm at the Old San Antonio Rd. plant)**
- D. CONSIDER RESOLUTION NO. 2021-R77; A RESOLUTION OF THE**

CITY OF BOERNE, RESCINDING RESOLUTION NO. 2018-R41 AND AMENDING AUTHORIZED REPRESENTATIVES FOR THE INVESTMENT OF FUNDS IN TEXPOOL. (Designate authorized representatives of the City to transmit funds for investment in TexPool)

- E. CONSIDER RESOLUTION NO. 2021-R78; A RESOLUTION AUTHORIZING THE PURCHASE OF MODULES FROM TANTALUS FOR ADVANCED METERING INFRASTRUCTURE (AMI) SYSTEM FOR AN AMOUNT NOT TO EXCEED \$91,140.00. (AMI software and hardware)

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. TO RECEIVE AND PROVIDE INFORMATION, EVALUATE DEMOGRAPHICS AND TAKE POSSIBLE ACTION REGARDING REDISTRICTING OF CITY BOUNDARIES. (Para recibir y proporcionar información, evaluar los datos demográficos y tomar medidas posibles redistribución de los límites políticos de la ciudad): Frank Reilly, Counsel, Allison, Bass & Magee, LLP

Mayor Handren called on Ms. Lori Carroll, City Secretary. Ms. Carroll explained the process for redistricting and introduced Legal Counsel Frank Reilly to review the prepared redistricting Plans. Mr. Reilly explained the Census Blocks and how it effects the various districts. Mayor Handren asked Mr. Reilly to provide an additional two options to be reviewed at a Special Called City Council meeting on January 6, 2022.

- I. CONSIDER RESOLUTION NO. 2021-R79; A RESOLUTION OF FINDINGS OF FACT REGARDING POLITICAL BOUNDARIES OF CITY OF BOERNE, TEXAS FOLLOWING PUBLICATION OF 2020 CENSUS DATA AND ORDER FOR REDISTRICTING POLITICAL BOUNDARIES.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER BODDIE TO APPROVE RESOLUTION 2021-R79; A RESOLUTION OF FINDINGS OF FACT REGARDING POLITICAL BOUNDARIES OF CITY OF BOERNE, TEXAS FOLLOWING PUBLICATION OF 2020 CENSUS DATA AND ORDER FOR REDISTRICTING POLITICAL BOUNDARIES. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Woolard, Council Member Scott, Council Member Boddie, and Council Member Macaluso

II. PUBLIC HEARING: PURSUANT TO CHAPTER 552 OF THE TEXAS GOVERNMENT CODE, THE PUBLIC IS HEREBY GIVEN NOTICE THAT THE CITY COUNCIL OF BOERNE, TEXAS WILL CONVENE IN REGULAR SESSION ON THE 14TH DAY OF DECEMBER 2021 AT THE RONALD C. BOWMAN CITY COUNCIL CHAMBERS AT BOERNE CITY HALL, 447 N MAIN, BOERNE, TEXAS, 78006 AT 6:00 P.M. TO RECEIVE PUBLIC COMMENT ON REDISTRICTING OF CITY ELECTION AND CITY COUNCIL DISTRICTS. AFTER THE PUBLIC HEARING, THE CITY COUNCIL WILL TAKE UP FOR CONSIDERATION AND TO TAKE POSSIBLE ACTION REGARDING ONE OR MORE ALTERNATIVE PLANS FOR THE REDISTRICTING OF CITY COUNCIL DISTRICTS. THE CITY COUNCIL RESERVES THE RIGHT TO TAKE ANY AND ALL APPROPRIATE ACTIONS REGARDING THE REDISTRICTING OF CITY OF BOERNE POLITICAL BOUNDARIES, INCLUDING THE ACCEPTANCE OF NEW BOUNDARIES FOR THE CITY COUNCIL DISTRICTS, MODIFICATION OF ANY BOUNDARIES, AND/OR TABLING THE PENDING PROPOSALS FOR LATER CONSIDERATION AND/OR ACTION.

THE PUBLIC IS INVITED TO ATTEND AND TO PARTICIPATE IN THIS MEETING. THOSE WISHING TO ADDRESS THE COUNCIL SHOULD SIGN A SPEAKER'S REQUEST FORM PROVIDED FOR THIS PURPOSE. EACH SPEAKER WILL BE ASKED TO COME BEFORE THE COUNCIL, IDENTIFY THEMSELVES, PROVIDE THEIR ADDRESS, AND INFORM THE CITY COUNCIL DISTRICT THAT THE SPEAKER CURRENTLY RESIDES WITHIN. COMMENTS SHOULD BE

REASONABLY CONCISE AND TO THE POINT. QUESTIONS WILL BE ANSWERED, BUT THE COUNCIL WILL NOT PERMIT ARGUMENT OR EXCESSIVE DISCUSSION OF ANY PARTICULAR TOPIC. THE HEARING WILL BE CONDUCTED UNDER RULES OF JUDICIAL DECORUM. A RECORDING OF THE HEARING WILL BE MADE OF THIS HEARING. YOUR COMMENTS WILL BE TRANSCRIBED AND RETAINED AS A PART OF THE PERMANENT RECORD OF THE PROCEEDING. (One of one hearing)

Mayor Handren opened the Public Hearing at 6:38 p.m.

No comments were received.

Mayor Handren closed the Public Hearing at 6:38 p.m.

III. CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2021-39; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER SECTION 3.11.A. (As described below)

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER WOOLARD, TO TABLE A ONE-TIME READING OF ORDINANCE NO. 2021-39; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER SECTION 3.11.A. (AS DESCRIBED BELOW) UNTIL JANUARY 6, 2022 WHEN LEGAL COUNSEL CAN PROVIDE TWO ADDITIONAL OPTIONS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Nay: 1 - Mayor Pro Tem Wolosin

IV. CONSIDER ORDINANCE NO. 2021-39; AN ORDINANCE AMENDING ORDINANCE NOS. 2011-16 AND 2009-55; CAPTIONED "AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, ADOPTING A REVISED PLAN FOR THE CITY'S COUNCIL MEMBER DISTRICTS; PROVIDING FOR RELATED MATTERS AND AN EFFECTIVE DATE." (Redistricting the City Council Single Member Districts, altering the boundary lines of electoral districts for the City of Boerne)

No action was taken.

B. DISCUSSION ON THE PROPOSED SPECIAL USE PERMIT FOR MEDICAL OFFICE IN A O1, NEIGHBORHOOD OFFICE DISTRICT, LOCATED AT 1002 EAST BLANCO ROAD (HIGHLAND HOMES BLK PT 1, KAD 298100). (Antonio Cavazos-Escobar).

Mayor Handren called on Ms. Laura Haning, Planning and Community Development Director. Ms. Haning stated the property owner has submitted a request for Special Use Permit for a Medical office on the property located at 1002 East Blanco. The Planning and Zoning Commission voted 5-0 in favor of the request with the condition that no more than 30% of the structure be used as an accessory use (imaging services).

I. RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER BODDIE, TO RECEIVE THE REPORT ON THE PROPOSED SPECIAL USE PERMIT FOR MEDICAL OFFICE IN A O1, NEIGHBORHOOD OFFICE DISTRICT, LOCATED AT 1002 EAST BLANCO ROAD (HIGHLAND HOMES BLK PT 1, KAD 298100). (ANTONIO CAVAZOS-ESCOBAR). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Woolard, Council Member Scott, Council Member Boddie, and Council Member Macaluso

II. PUBLIC HEARING (one of one hearing)

Mayor Handren opened the Public Hearing at 6:49 p.m.

No comments were received.

Mayor Handren closed the Public Hearing at 6:49 p.m.

III. CONSIDER ON FIRST READING ORDINANCE NO. 2021-40; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER

3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT FOR A MEDICAL OFFICE LOCATED AT 1002 EAST BLANCO ROAD, HIGHLAND HOMES BLK PT 1, (KAD NO. 298100) IN A O1, NEIGHBORHOOD OFFICE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER BODDIE, TO APPROVE ON FIRST READING ORDINANCE NO. 2021-40; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT FOR A MEDICAL OFFICE LOCATED AT 1002 EAST BLANCO ROAD, HIGHLAND HOMES BLK PT 1, (KAD NO. 298100) IN A O1, NEIGHBORHOOD OFFICE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE, WITH THE CONDITION THAT NO MORE THAN 30% OF THE STRUCTURE BE USED AS AN ACCESSORY USE (IMAGING SERVICES). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Woolard, Council Member Scott, Council Member Boddie, and Council Member Macaluso

C. DISCUSSION ON THE PROPOSED REZONING AND SPECIAL USE PERMIT FOR 1.9 ACRES LOCATED AT 21 OLD SAN ANTONIO ROAD (A10441 - SURVEY 183 J SMALL, KAD 15816), REZONING THE PROPERTY FROM C1-HC, NEIGHBORHOOD COMMERCIAL - HERITAGE CORRIDOR DISTRICT, TO R4-U-HC, URBAN MULTI-FAMILY RESIDENTIAL - HERITAGE CORRIDOR DISTRICT, AND CONSIDERING A SPECIAL USE PERMIT FOR MULTI-FAMILY DEVELOPMENT WITH EIGHTEEN UNITS OR LESS PER ACRE. (Guillermo Cavazos)

I. RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION.

Ms. Haning stated the Planning and Zoning Commission recommended approval of the rezoning and Special Use Permit by a vote of 5-0.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY MAYOR PRO TEM WOLOSIN, TO RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Woolard, Council Member Scott, Council Member Boddie, and Council Member Macaluso

Ms. Haning stated that as of a few minutes ago, the Applicant is no longer part of the contract. Since the property owner is not sure what he wants to do and could possibly be pulling the property from the market, Staff gave Council an option to send the request back to the Planning and Zoning Commission which will give the owner the ability to withdraw.

II. PUBLIC HEARING (one of one hearing)

Mayor Handren opened the Public Hearing at 6:55 p.m.

No comments were received.

Mayor Handren closed the Public Hearing at 6:55 p.m.

III. CONSIDER ON FIRST READING ORDINANCE NO. 2021-41; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, REZONING 1.9 ACRES LOCATED AT 21 OLD SAN ANTONIO ROAD (A10441-SURVEY 183 J SMALL, KAD NO. 15816) FROM C1-HC, NEIGHBORHOOD COMMERCIAL - HERITAGE CORRIDOR DISTRICT, TO R4-U-HC, URBAN MULTI-FAMILY RESIDENTIAL - HERITAGE CORRIDOR DISTRICT; GRANTING A SPECIAL USE PERMIT FOR MULTI-FAMILY DEVELOPMENT WITH EIGHTEEN UNITS OR LESS PER ACRE; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOLOSIN, TO DENY ON FIRST READING ORDINANCE NO. 2021-41; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, REZONING 1.9 ACRES LOCATED AT 21 OLD SAN ANTONIO ROAD (A10441- SURVEY 183 J SMALL, KAD NO. 15816) FROM C1-HC, NEIGHBORHOOD COMMERCIAL - HERITAGE CORRIDOR DISTRICT, TO R4-U-HC, URBAN MULTI-FAMILY RESIDENTIAL - HERITAGE CORRIDOR DISTRICT; GRANTING A SPECIAL USE PERMIT FOR MULTI-FAMILY DEVELOPMENT WITH EIGHTEEN UNITS OR LESS PER ACRE; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Woolard, Council Member Scott, Council Member Boddie, and Council Member Macaluso

6. RESOLUTIONS:

A. RECEIVE QUALIFICATIONS FOR THE TRANSPORTATION MASTER PLAN AND CONSIDER RESOLUTION NO. 2021-R80; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDING THE CONTRACT FOR THE TRANSPORTATION MASTER PLAN TO _____ FOR AN AMOUNT NOT TO EXCEED \$_____.

Mayor Handren called on Mr. Jeff Carroll, Development Services Director. Mr. Carroll stated that a Request For Qualifications was issued in August for a Transportation Master Plan and staff received interest from five firms of which three were selected for interviews. Kimley-Horn and Associates, Inc. was chosen as most qualified. Mr. Carroll stated the Study will include updating street cross sections, updating the thoroughfare plan and consider improvements to key intersections. Discussion ensued regarding the City's Thoroughfare Plan, the effect of TxDOT construction on the study, the consideration of roundabouts, and Kendall County also in the process of a Thoroughfare Plan.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY MAYOR PRO TEM WOLOSIN, TO RECEIVE QUALIFICATIONS FOR THE TRANSPORTATION MASTER PLAN AND APPROVE RESOLUTION NO. 2021-R80; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDED THE CONTRACT FOR THE TRANSPORTATION MASTER PLAN TO KIMLEY-HORN AND ASSOCIATES, INC. FOR AN AMOUNT NOT TO EXCEED \$175,000.00. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Woolard, Council Member Scott, Council Member Boddie, and Council Member Macaluso

B. CONSIDER RESOLUTION NO. 2021-R81; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND JONES & CARTER, INC. FOR DESIGN, BIDDING AND CONSTRUCTION PHASE SERVICES ON A NEW SEWER MAIN ALONG SCENIC LOOP ROAD FOR AN AMOUNT NOT TO EXCEED \$225,374.00. (New sewer main along Scenic Loop Rd. to serve Corley Farms)

Mayor Handren called on Mr. Mike Mann, Utilities Director. Mr. Mann stated that the City's Development Agreement with Corley Farms requires that the existing City sewer mains along Scenic Loop Road be upgraded. The Staff has been working with Jones & Carter, Inc. to perform the analysis. It is staff's recommendation to enter into an agreement with Jones & Carter, Inc. for design, bidding, and some construction. The City has received \$1,268,750.00 from the developer which will cover the cost of the professional services with another payment of the same amount due in May 2022.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER BODDIE, TO APPROVE RESOLUTION NO. 2021-R81; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND JONES & CARTER, INC. FOR DESIGN, BIDDING AND CONSTRUCTION PHASE SERVICES ON A NEW SEWER MAIN ALONG SCENIC LOOP ROAD FOR AN AMOUNT NOT TO EXCEED \$225,374.00. (NEW SEWER MAIN ALONG SCENIC LOOP RD. TO SERVE CORLEY FARMS). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Woolard, Council Member Scott, Council Member Boddie, and Council Member Macaluso

C. CONSIDER RESOLUTION NO. 2021-R82; A RESOLUTION APPROVING THE FINANCING BY THE NEW HOPE CULTURAL EDUCATION FACILITIES FINANCE CORPORATION OF A HEALTH FACILITY LOCATED WITHIN THE CITY OF BOERNE, TEXAS. (Town and Country Nursing and Rehabilitation Center, 625 N Main St.)

Mayor Handren called on City Manager Ben Thatcher. Mr. Thatcher stated the Staff has received a request from New Hope Cultural Education Facilities Finance Corporation asking for support for their application of tax-exempt bond financing. The tax-exempt bonds will fund the acquisition of 27 skilled nursing facilities around Texas, one of which is in Boerne, Town and Country Nursing and Rehabilitation Center. Mr. Thatcher introduced two representatives working on the project. Discussion ensued regarding staffing, property tax exemption, reasons why Kendall County Commission denied the request, and benefits to the City.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE RESOLUTION NO. 2021-R82; A RESOLUTION APPROVING THE FINANCING BY THE NEW HOPE CULTURAL EDUCATION FACILITIES FINANCE CORPORATION OF A HEALTH FACILITY LOCATED WITHIN THE CITY OF BOERNE, TEXAS. (TOWN AND COUNTRY NURSING AND REHABILITATION CENTER, 625 N MAIN ST.). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 3 - Mayor Pro Tem Wolosin, Council Member Scott, and Council Member Boddie

Nay: 2 - Council Member Woolard, and Council Member Macaluso

7. OTHER ITEMS:

A. CONSIDER MAYORAL APPOINTMENTS TO THE LIBRARY ADVISORY BOARD AND PLANNING AND ZONING COMMISSION.

Mayor Handren stated that because there are residency requirements, there are vacancies on the Library Advisory Board and Planning and Zoning

Commission. It is his recommendation that Trinh Arrieta be appointed to the Library Advisory Board and Susan Friar be appointed to the Planning and Zoning Commission.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE THE MAYORAL APPOINTMENTS OF TRINH ARRIETA TO THE LIBRARY ADVISORY BOARD AND SUSAN FRIAR TO THE PLANNING AND ZONING COMMISSION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Woolard, Council Member Scott, Council Member Boddie, and Council Member Macaluso

8. CITY MANAGER'S REPORT:

Mayor Handren called on City Manager Ben Thatcher.

A. UPDATE ON BRUSH COLLECTION.

Mr. Thatcher asked Jeff Carroll, Development Services Director to discuss proposed changes to the brush collection service that the City provides. The Street Department employees are responsible for the brush pickup and Waste Management will also pick up brush under a certain size. It is staff's recommendation that residents who have live Christmas trees to pickup, should call customer service to schedule it so Staff doesn't have to drive around looking for trees. Council Members asked that this new procedure wait until next year since it is only two weeks until Christmas.

B. MONTHLY PROJECTS UPDATE.

City Manager Thatcher continued with the status of various city projects. He also expressed appreciation to city staff for helping during the Dickens events and also appreciation to the Police Department with last week's event at BISD.

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

Council Member Boddie stated he attended the Citizens Fire Academy. He

expressed appreciation to the Fire Fighters who participated.

Mayor Pro Tem Wolosin wished everyone a Merry Christmas and Happy New Year. He also mentioned that he attended the Leadership Boerne meeting.

Council Member Macaluso stated that he has attended meetings regarding Buc-ee's. They have been very responsive to requests and the Boerne Native Plant Society have been very helpful.

Mayor Handren expressed appreciation to Staff for the past year, mentioning that there are a lot of new staff members. He asked that everyone stay focused on all the projects and not get "bogged" down.

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

Mayor Handren convened the City Council into Executive Session at 8:05 p.m.

A. SECTION 551.071 - CONSULTATION WITH CITY'S ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION REGARDING DEVELOPMENT AGREEMENT WITH BOERNEBAK.

No action was taken.

B. SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY, DISCUSSION ON VALUE OF LAND, IMPROVEMENTS, AND POSSIBLE SALE OF FORMER CITY HALL BUILDING.

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 the City Council into Open Session at 8:23 p.m.

Mayor Handren asked for motion regarding Executive Session agenda item 10 B.

A MOTION WAS MADE BY COUNCIL MEMBER BODDIE, SECONDED BY MAYOR PRO TEM WOLOSIN, TO DIRECT STAFF TO PUT TOGETHER A REQUEST FOR PROPOSAL FOR BROKER SERVICES REGARDING THE SALE OF THE FORMER CITY HALL BUILDING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Woolard, Council Member Scott, Council Member Boddie, and Council Member Macaluso

12. ADJOURNMENT


Mayor Handren adjourned the City Council meeting at 8:25 p.m.

Approved:

Mayor

Attest:

City Secretary

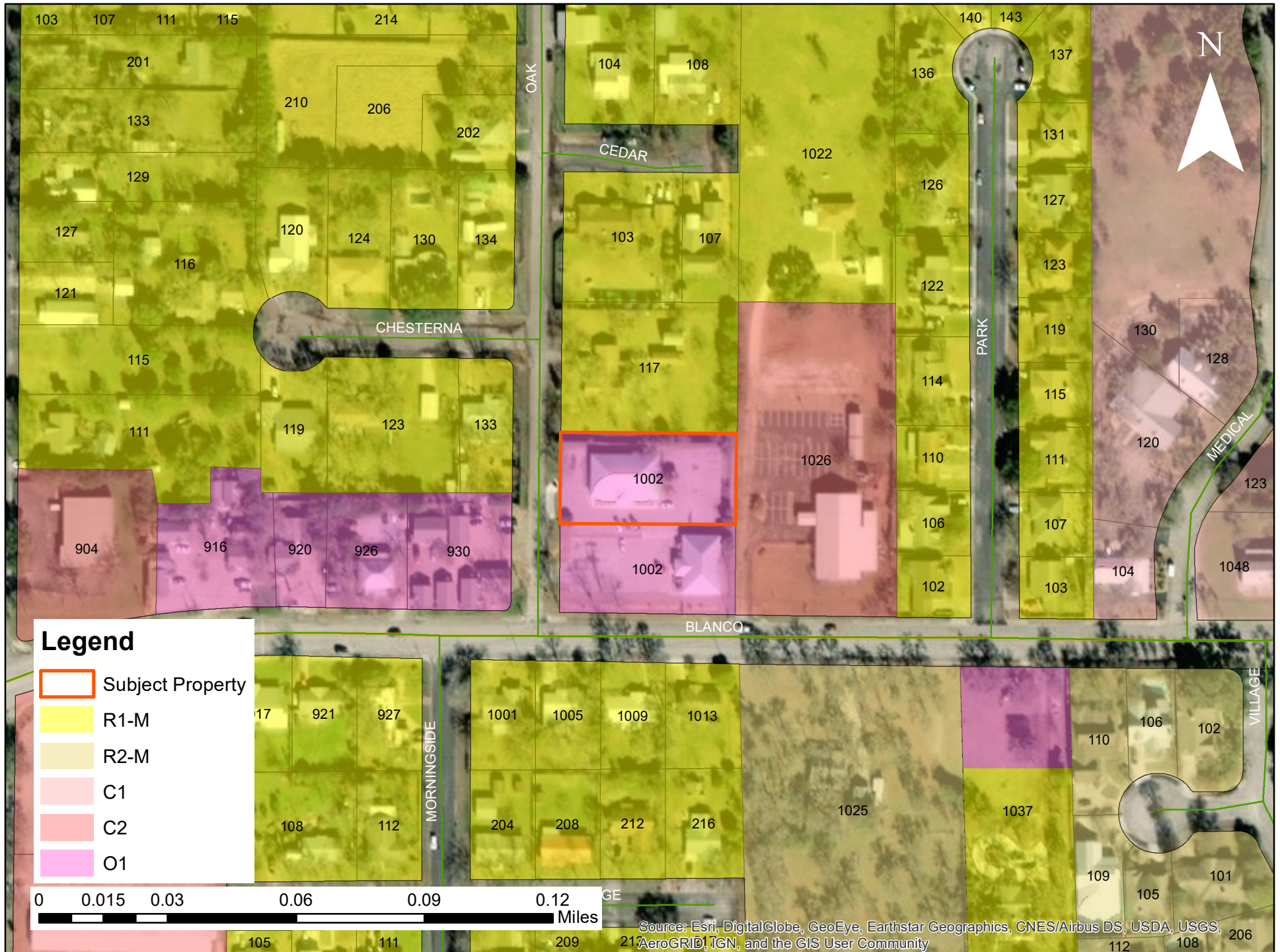
	<div style="text-align: center;"> <h2 style="margin: 0;">AGENDA ITEM SUMMARY</h2> </div> <div style="border: 1px dashed purple; padding: 5px; margin-top: 10px;"> <p style="text-align: center; margin: 0;">District Impacted</p> <ul style="list-style-type: none"> ■ 1 = Wolosin □ 2 = Woolard □ 3 = Scott □ 4 = Boddie □ 5 = Macaluso □ All </div>
Agenda Date	<i>January 11, 2022</i>
Requested Action	<p>APPROVE ON SECOND READING ORDINANCE NO. 2021-40; AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT FOR A MEDICAL OFFICE LOCATED AT 1002 EAST BLANCO ROAD, HIGHLAND HOMES BLK PT 1, (KAD NO. 298100) IN A O1, NEIGHBORHOOD OFFICE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE WITH THE CONDITION THAT NO MORE THAN 30% OF THE STRUCTURE BE USED AS AN ACCESSORY USE.</p>
Contact Person	<p>Laura Haning, Director, Planning and Community Development Department</p>
Background Information	<p>Report from P&Z</p> <p>The new property owner, Dr. Cavazos, is requesting a Special Use Permit for a Medical office in an O1 (Neighborhood Office District). He had originally requested a rezoning to C-1 for the entire property, which would have allowed a Medical office. That request was denied by the Planning and Zoning Commission due to the other uses that would be allowed. He then submitted a new request for Special Use Permit for a Medical office in the existing O1. The use prior to his purchase was a Medical office and was grandfathered. Dr. Cavazos wanted to guarantee the use for the future and thus made the request for the Special Use Permit. This request was better received by the neighbors and by the Commission. The Planning and Zoning Commission recommend approval of the Special Use Permit by a vote of 5-0 with the condition that no more than 30% of the structure be used as an accessory use (imaging services).</p> <p>Background</p> <p>The Neighborhood Office (O1) category describes the use of offices and studios generally located between residential and business areas. The district regulations were designed to protect and encourage a transitional character and protect the abutting and surrounding residential areas. Making use of an existing residential structure is ideal</p>

	<p>but not mandatory.</p> <p>The City's Land Use Plan identifies this area be as Neighborhood Commercial, with primarily nonresidential uses on an appropriate scale and design to be located close to residential land uses. Uses such as boutique hotels, offices and small retail are compatible with the category.</p> <p>Dr. Cavazos intends to continue the use of Medical office. Under the older zoning regulation, the site was zoned Office District (O) which did allow for Medical offices. When the UDC was adopted, parcels previously zoned Office (O) received an O1, Community Office zoning which now requires an SUP for Medical offices.</p> <p>Based on conversations with the Dr. Cavazos, he is concerned that the medical office use would not consider the services he offers typically as part of his medical practice. It was discussed that the accessory uses such as imaging services be available on-site to attend to the needs related to the treatment offered by medical staff clearly be allowed as part of the office/outpatient consultation. The Commission stated as part of their motion for approval that those uses be allowed as long as they are no more than 30% of the structure.</p> <p>An online BOND (Boerne Open Neighborhood Discussion) meeting was held on September 21st for the original rezoning request. Dr. Cavazos explained that the proposed use would be the same as the site has right now, but the neighbor present at the meeting questioned the chance of more impactful commercial uses, like restaurants and retails, to be allowed on the site. The staff has provided a report from the BOND meeting as part of this submittal.</p> <p>The recording of the meeting can be found on the city's BOND YouTube page.</p>
Item Justification	<div> <div> <input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Drive Down Risk <input type="checkbox"/> Master Plan Recommendation </div> <div> <input type="checkbox"/> Infrastructure Investment <input checked="" type="checkbox"/> Customer Demand <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: _____ _____ </div> </div>
Financial Considerations	

Citizen Input/Board Review	BOND meeting 9/21/2021
Legal Review	
Alternative Options	
Supporting Documents	Attached are maps

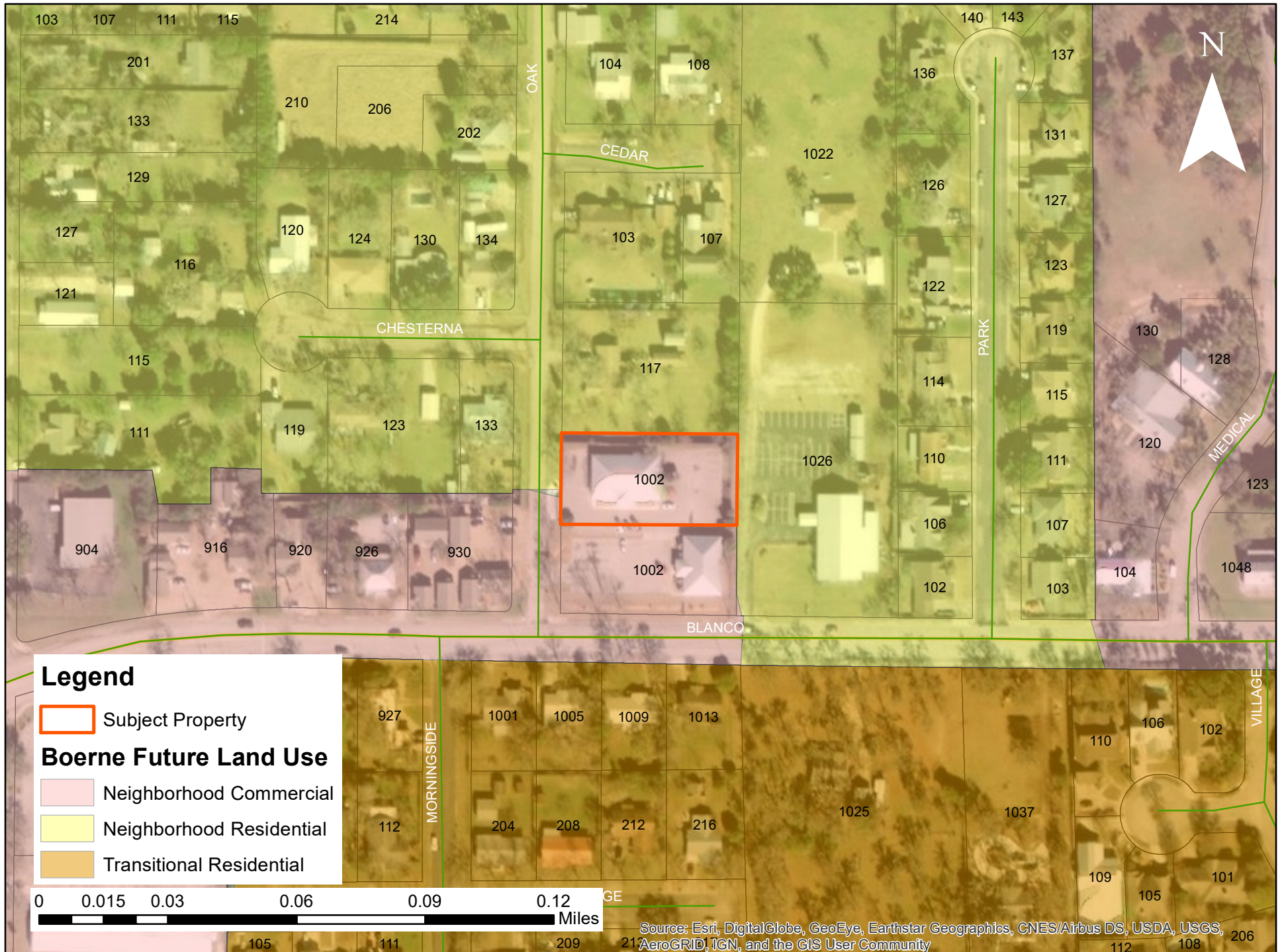
SUBJECT PROPERTY - CURRENT ZONING

1002 East Blanco Road (KAD 298100)

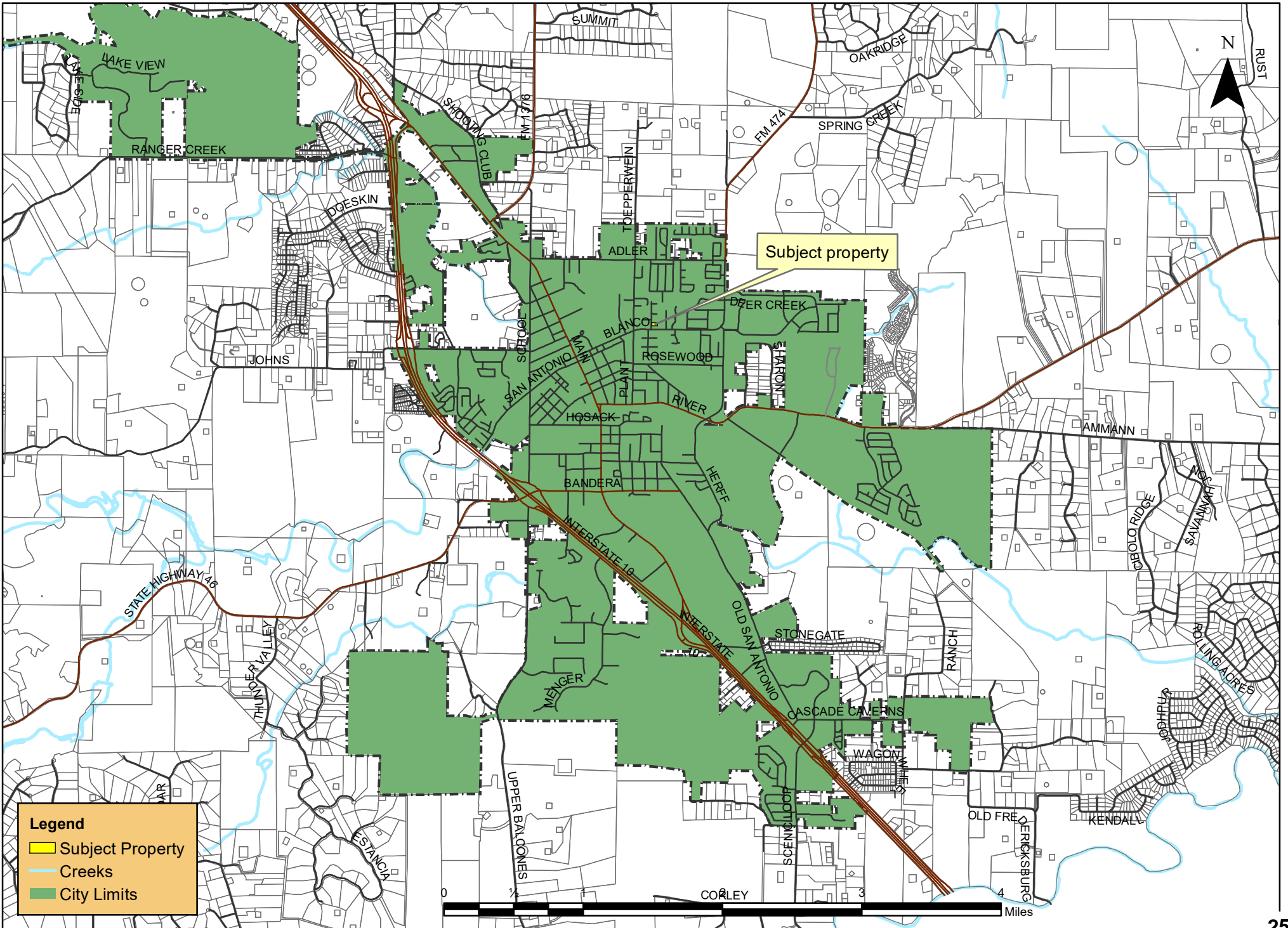


SUBJECT PROPERTY - FUTURE LAND USE

1002 East Blanco Road (KAD 298100)



1002 E. BLANCO ROAD (KAD 298100)





BOERNE OPEN NEIGHBORHOOD DISCUSSION

B.O.N.D. Meeting Report

9/21/2021 | ANTONIO CAVAZOS-ESCOBAR (PRACTICE ADMINISTRATOR)

Proposed Site: 1002 East Blanco - Rezone

Meeting Location: Zoom

Total Attendance: 12

BOND meetings can be viewed in their entirety by visiting:
The [City of Boerne B.O.N.D. YouTube page](#) and selecting desired meeting.

In Attendance

Guillermo Cavazos
Antonio Cavazos-Escobar
Michael Garrott Sr.
John Wolters
Armando
Wes Pieper
Jonah Evans
Tony Mangus
1 Unknown Observer (210-413-8229)

City Staff Present

Laura Haning
Sara Serra-Bennett
Heather Wood

Meeting Summary

Service	Excellence	Integrity	Respect	Collaboration
---------	------------	-----------	---------	---------------

This was a joint meeting for all the BOND for the October Planning and Zoning Commission meeting. The first item discussed was this request.

The applicant recently purchased the property to have his medical office, the same use that site had in the past. Right now, the site is going through some renovations, and the applicant intends to open for business soon.

A neighbor present at the meeting mentioned that he recently had an issue with a light at the property boundary that was shining into his backyard, and the applicant was very fast into solving the problem once the situation was brought to his attending, which was appreciated. The same neighbor showed concerns for the more impactful uses allowed in a C1 zoning category (restaurant and retail) impacting the traffic. He pointed out the road is the only access to the neighborhood, and the increase in traffic can significantly impact the neighbors. He also questioned if the applicant considered the option of requesting a SUP in place of a rezoning. The SUP would allow medical office use and would avoid possible unwanted more impactful uses. Staff reminded that all the uses allowed under the zoning category are allowed without restrictions once a rezone is approved.

Development Details

The applicant stated that the property had been used as a medical office, and that is the intended future use. Right now, the building is being internally renovated, and the applicant plans to open the medical office soon

Questions and Concerns

Notification(s)

- Mailouts
- Text Messages to geofenced area surrounding property
- Text Messages to City Calendar Subscribers
- BOND Webpage
- Events and Meetings Calendar

NON-RESIDENTIAL TABLE OF USES


Legend for Table of Uses	See Sec. 3.6 for Use Restrictions	Community Office
P = Permitted by right		
S = Special Use Permit		
T = Temporary Uses (may require a permit from Code Enforcement)		
(Blank) = Not permitted		
Uses by Use Group		O1
Residential Use Group		
Assisted living facility		
Community home		
Halfway house		
Live-work unit		
Mixed-use building		
Multi-family (18 units p/ac or less)		
Multi-family (over 19 units p/ac)		
Nursing/residential care facility		
Single-family dwelling (attached)		
Single-family dwelling (detached)		
Civic Use Group		
Assembly		S
Cemetery		
Club/lodge		
College/university		
Correctional facility/jail		
Developed athletic field/stadium		
Government facility		P
Library		
Museum		
Park or open space (private)		P
Park or open space (public)		P
Public safety facility		
School		P
Employment Use Group		
Business park/campus		
Office (1 story)		P
Office (2 stories)		P
Office (over 2 stories)		
Retail Use Group		
Automobile parts and parts sales		
Automobile sales		
Bar/wine bar		
Brewery/distillery		
Craft alcohol production		
Convenience store		
Gas station		
Grocery store		

Mobile food vendor park		
Multi-tenant building		
Restaurant		
Retail sales		
Shopping mall		
Thrift store (no outside storage/donation bin)		
Thrift store (with outside donation/storage bin)		
Warehouse retail		
Service Use Group		
Animal boarding (indoor)		
Animal boarding (outdoor)		
Automobile rental		
Automobile service (no outside storage)		
Automobile service (outside storage)		
Bank/financial institutions		
Barber/beauty shop		P
Bus terminal		
Car wash		
Commercial mail facility		P
Commercial recreation (indoor)		
Commercial recreation (outdoor)		
Day care/adult		
Day care (more than 6 children, not home occupation)		
Funeral home/mortuary		
Gym/sports training facility (10,000 sf or less)		
Gym/sports training facility (over 10,000 sf)		
Hotel - boutique (30 rooms or less)		
Hotel/motel		
Laboratory		
Laundry (self service)		
Medical - freestanding emergency room		
Medical - hospital/inpatient care facility		
Medical - laboratory/diagnostic services		
Medical - offices/outpatient		S
Medical - pharmacy		S
Medical - surgical center		
Medical - urgent care		
Mixed-use lot		P
Movie theater		
Parking lot/garage		
Pawn shop		
RV park		
Short-term rental		

NON-RESIDENTIAL TABLE OF USES

Legend for Table of Uses	See Sec. 3.6 for Use Restrictions	Community Office
P = Permitted by right		
S = Special Use Permit		
T = Temporary Uses (may require a permit from Code Enforcement)		
(Blank) = Not permitted		
Uses by Use Group		O1
Service Use Group		
Spa		P
Trade school		
Veterinary clinic (indoor boarding)		
Veterinary clinic (no boarding)		
Veterinary clinic (outdoor boarding)		
Wholesale		
Industrial and Utility Use Group		
Artisan craft production		
Commercial communication system		S
Contractor		
Fabrication (indoor)		
Industrial arts studio		
Industrial park		
Junk yard		
Maintenance facility		
Manufacturing		
Mini-warehouse		
Oversize vehicle and machinery rental, sales and service		
Portable building sales		
Processing		
Railroad facility		
Regional detention facility		
Research and development facility		
Utility station, sub-station, or service center		
Warehousing		
Agriculture and Natural Resource Use Group		
Commercial agriculture		
Commercial stable		
Community garden		
Exhibition/fairgrounds		
Farmer's market		
Plant nursery		
Produce stand		
Urban farm, large (one acre or more)		
Urban farm, small (less than one acre)		
SOB Use Group		

Adult bookstore		
Adult entertainment establishment		
Adult motion picture theater		
Accessory Use Group (a use that is incidental to a primary use)		
Accessory automobile service (outside storage)		
Accessory bank kiosks		P
Accessory car wash		
Accessory childcare		P
Accessory commercial communication system		
Accessory convenience store		
Accessory display/sales area (outdoor)		
Accessory donation bin (outdoor)		
Accessory drive-thru facility		
Accessory garden		
Accessory laboratory		
Accessory maintenance facility		
Accessory parking lot/garage		
Accessory portable buildings		
Accessory processing		
Accessory sales yard (outdoor)		
Accessory school		
Temporary Use Group		
Assembly		T
Carnival, circus, amusement rides		
Donation bin (outdoor)		
Mobile food vendors		T
On-site construction offices		T
Outdoor donation bin		
Outdoor equipment storage		
Portable storage units		

	<div style="text-align: center;"> AGENDA ITEM SUMMARY </div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Boddie <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div>	
Agenda Date	<i>January 11, 2022</i>	
Requested Action	Approve Resolution No. 2022-R01; Establishing Procedures for a General Election on May 7, 2022.	
Contact Person	Lori A. Carroll, City Secretary	
Background Information	<p>As part of the election process, it is necessary for the City Council to order the General Election of May 7, 2022, for the positions of three City Council Members Districts 1, 3 and 5.</p> <p>Filing for a place on the ballot will begin on January 19, 2022, through February 18, 2022.</p> <p>The attached Resolution details the Early Voting and Election Day voting, conducted through the Kendall County Elections Office. The City is responsible for all formal actions required by law within the election process.</p>	
Item Justification	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input checked="" 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 Recommendation </div> <div style="width: 48%;"> <input 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>	
Financial Considerations	Cost is unknown until we know how many entities will participate in a joint election.	
Citizen Input/Board Review	na	
Legal Review	na	
Alternative Options	na	
Supporting Documents	Resolution	

RESOLUTION NO. 2022-R01

A RESOLUTION ESTABLISHING PROCEDURES FOR A GENERAL ELECTION FOR MAY 7, 2022 (*Considerar la resolución número 2022-R01; una resolución que establece los procedimientos para la elección general del 7 de mayo, 2022*)

WHEREAS, the laws of the State of Texas provide that on May 7, 2022, there shall be elected the following officials for this City:

Three Council Members – District 1, 3, and 5

WHEREAS, the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, a resolution should be passed establishing the procedures to be followed in said election, and designating the voting place for said election;

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

All candidates of the election to be held on May 7, 2022 for the above mentioned offices shall file an application to become a candidate with the City Secretary of this City at City Hall, 447 N Main Street, Boerne, Texas. Applications to have the name of a candidate placed on the ballot may not be filed later than seventy-eight (78) days before the election, that deadline being at 5:00 p.m. on February 18, 2022. The earliest date for a candidate to file will be no more than thirty (30) days before the deadline, that date being January 19, 2022, at 8:00 a.m., in accordance with Election Code Sections 143.006 and 143.007.

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Texas Election Code.

Said election shall be held at Boerne City Hall, 447 N. Main Street Boerne, Texas or as designated by the Kendall County Elections Administrator. The designated polling place(s) shall, on said election day be open from 7:00 a.m. to 7:00 p.m.

The City Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election.

The City of Boerne having contracted with Kendall County for the conduct and supervision of the City of Boerne General Election. The Kendall County Election Officer is responsible for recruiting all election judges and clerks for Early Voting and/or Election Day.

The early voting for the above designated election shall be at 221 Fawn Valley Drive, Boerne, Texas or the location designated by the Kendall County Elections Administrator. The said place of early voting shall remain open for at least eight hours on each day for early voting which is not a Saturday, a Sunday, or an official State Holiday, beginning on April 25, 2022, and continuing through May 3, 2022, preceding the date of said election. Said place of early voting shall remain open between the hours of 8:00 a.m. and 6:00 p.m. on each day for said early voting, except May 2nd and May 3rd when the polls shall remain open from 7:00 a.m. to 7:00 p.m.

Early Voting by Mail

Applications for voting by mail may be obtained through Staci L. Decker, Elections Administrator, 221 Fawn Valley Dr. Ste. 100, Boerne, Texas.

Said election shall be held in accordance with the Election Code of this State, and only resident qualified voters of said City shall be eligible to vote at said election.

The Mayor shall give notice of this election in accordance with the terms and provisions of Sections 4.004, 83.010, 85.004, and 85.007 of the Election Code, and all necessary orders and writs for said election shall be issued by the proper authority. Returns of said election shall be delivered to the appropriate authorities immediately after the returns are completed.

It is further found and determined that in accordance with the order of this governing body, the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, APPROVED and ADOPTED this the ____ day of January, 2022.

APPROVED:

ATTEST:

Mayor Pro Tem

City Secretary

ORDER OF GENERAL ELECTION FOR MUNICIPALITIES

ORDEN DE ELECCIÓN GENERAL PARA MUNICIPIOS

An election is hereby ordered to be held on May 7, 2022, for the purpose of voting on:

(por la presente se ordena celebrar una elección el 7 de mayo, 2022 con el propósito de votar sobre:)

City Council District 1

City Council District 3

City Council District 5

Early voting by personal appearance will be conducted each weekday at:

(la votación adelantada en persona se llevará a cabo de lunes a viernes en:)

221 Fawn Valley Drive, Boerne, Texas April 25, 2022, thru April 29, 2022, 8:00 a.m.– 6:00 p.m.

May 2nd and May 3rd 7:00 a.m. – 7:00 p.m.

Applications for ballot by mail shall be mailed to:

(Las solicitudes para boletas que se votarán adelantada por correo deberán enviarse a:)

Staci L. Decker, Elections Administrator

221 Fawn Valley Dr. Ste. 100 Boerne, TX 78006

830/249-9343

Staci.decker@co.kendall.tx.us

<https://www.co.kendall.tx.us/page/Elections>

Applications for Ballots by Mail (ABBM)s must be received no later than the close of business on:

(Las solicitudes para boletas que se votarán adelantada por correo deberán recibirse no mas tardar de las horas de negocio el:)

April 26, 2022

Federal Post Card Applications (FPCAs) must be received no later than the close of business on:

(La Tarjeta Federal Postal de Solicitud deberán recibirse no mas tardar de las horas de negocio el:)

April 26, 2022

Issued this 11th day of January 2022

(Emitida este día 11 de enero 2022)

Signature of Mayor (Firma del Alcalde)


Signature of Councilperson (Firma del Concejal)

Signature of Councilperson (Firma del Concejal)

Signature of Councilperson (Firma del Concejal)

Signature of Councilperson (Firma del Concejal)

Signature of Councilperson (Firma del Concejal)

	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Boddie <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div>
Agenda Date	<i>January 11, 2022</i>
Requested Action	APPROVE AND ADOPT THE CITY OF BOERNE INVESTMENT POLICY AND BROKER-DEALER LIST AS PRESENTED.
Contact Person	Sandy Mattick
Background Information	<p>The City of Boerne is required to have an Investment Policy and follow the Texas Public Funds Investment Act (PFIA). This Act applies to all governmental entities in Texas. The PFIA outlines authorized investments for governmental entities, investment policies, standards of care for investing, required investment training by investment officers and reporting requirements.</p> <p>As required by the Public Funds Investment Act (PFIA) and the City of Boerne Investment Policy, SECTION 7, Policy Review and Amendments, the policy is to be reviewed and amended as necessary by City Council on an annual basis. Staff reviews the policy to ensure that it continues to follow PFIA rules and maintains the safety and security of City funds.</p> <p>The Broker-Dealer list is also required to be approved by City Council. Those listed on the Broker-Dealer list have indicated an interest in providing this service for the City of Boerne, have been recommended by other local governments, and must agree to follow the requirements of the Public Funds Investment Act and our Investment Policy.</p> <p>Staff is recommending one change in the policy.</p> <p>Section 2.4 and Section 6.5 Change in titles from Deputy City Manager to Assistant City Manager.</p>
Financial Considerations	N/A

Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Investment Policy and Broker-Dealer List



CITY OF BOERNE, TEXAS

INVESTMENT POLICY

ADOPTED:
AUGUST 13, 1996

UPDATED ANNUALLY

LATEST UPDATE:
December 10, 2019

**CITY OF BOERNE, TEXAS
INVESTMENT POLICY
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**CITY OF BOERNE, TEXAS
INVESTMENT POLICY**

SECTION 1: SCOPE & OBJECTIVES

1.1 SCOPE

This investment policy applies to the investment and management of all funds under direct authority of the City of Boerne, Texas.

1.2 STATEMENT OF CASH MANAGEMENT PHILOSOPHY

The City of Boerne will maintain a comprehensive cash management program to include the effective collection of all accounts receivable, the prompt deposit of receipts to the City's bank accounts, the payment of obligations to comply with state law and in accord with vendor invoices, and the prudent investment of idle funds in accord with this policy.

1.3 OBJECTIVES

The City's investment program will be conducted to accomplish the following objectives, listed in priority order:

- a. *Safety*. The City will give priority to the preservation and safety of the principal invested. Investments will be made in a manner that will mitigate credit risk and interest rate risk.
- b. *Liquidity*. The City will maintain the availability of sufficient cash to pay obligations of the City when they are due.
- c. *Yield*. The City will invest idle cash at the highest possible rate of return, consistent with state and local laws and the objectives of safety and liquidity listed above.
- d. *Diversity*. It is also the objective of the City of Boerne to diversify its investments to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of securities. It is the intent of the City of Boerne to invest its funds to maturity.

SECTION 2: STANDARD OF CARE

2.1 PRUDENCE

Investments will be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. The City Council recognizes that in maintaining a diversified portfolio occasional measured losses due to market volatility are inevitable and must be considered within

the context of the overall portfolio's investment return, provided that adequate diversification has been implemented. In determining whether prudence has been exercised with respect to an investment decision, the determination shall be made taking into consideration:

- (1) the investment of all funds, or funds under the City's control rather than a consideration as to the prudence of a single investment; and
- (2) whether the investment decision was consistent with the written investment policy of the City.

2.2 ETHICS & CONFLICT OF INTEREST

Officers and employees involved in the investment process will refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officers shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with which business is conducted on behalf of the City. Personal business relationship, for these purposes, is defined as: a). the investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization; b). funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or c). the investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

2.3 DELEGATION OF AUTHORITY

The Finance Director, as the City's chief financial officer, is responsible for overall management of the City's investment program and is designated as the City's Investment Officer. Accordingly, the Finance Director is responsible for day-to-day administration of the investment program and for the duties listed below:

- a. Maintain current information as to available cash balances in City accounts, and as to the amount of idle cash available for investment;
- b. Make investments and maintain written procedures for the operating and internal control of the investment program consistent with this policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. All persons involved in investment activities will be referred to as investment officer with the Finance Director as the primary investment officer;
- c. Ensure that all investments are adequately secured; and
- d. Attend training as required by Section 2256.008 (a) of the Texas Government Code and ensure that any staff executing transactions covered by this policy attend the required training. Training required includes at least one training session related to their respective duties within 12 months of assuming office or duties. An investment officer

shall attend an investment training session not less than once in a two-year period that begins on the first day of the City's fiscal year and consists of the two consecutive fiscal years after that date. The training provider must be an independent provider approved by City Council.

- e. Independent providers authorized to provide the required investment training shall include but not be limited to Alamo Area Council of Governments (AACOG), Government Treasurers' of Texas (GTOT), University of North Texas, Government Finance Officers Association (state and local chapters), Texas Municipal League, Texas Society of CPA's, TexPool, and Texas State University.

2.4 INVESTMENT COMMITTEE

An investment committee consisting of the Finance Director, the Assistant Finance Director, Finance Officer II – Payroll & Investment Administrator, ~~the Deputy Assistant~~ City Manager and the City Manager, shall meet at least quarterly to determine general strategies and to monitor results. The investment committee shall include in its deliberations such topics as: economic outlook, portfolio diversification, maturity, structure, potential risk to the City's funds, and authorized brokers and dealers. Any two members of the committee may request a special meeting, and three members shall constitute a quorum.

SECTION 3: INVESTMENT STRATEGIES

3.1 OPERATING FUNDS

Operating Funds are defined as cash and investments used for day-to-day operations that do not fall into one of the other categories. Operating funds will be invested in a manner suitable for funds requiring a high degree of liquidity. Investments of Operating Funds shall be limited to a dollar weighted average maturity no greater than one year, and all investment instruments must meet credit and safety criteria as required by the Public Funds Investment Act and this policy. Involuntary liquidation of Operating Fund investments is unlikely due to their short term nature. However, should a liquidation of investments prior to maturity be necessary, their short term nature will make material losses unlikely. Operating Fund investments will be diverse and include any listed authorized investment as stated in Section 4.1. Investment of Operating funds will be structured to attain the highest possible yield given the liquidity and safety requirements.

3.2 CONTINGENCY RESERVES (or operating reserves)

Contingency Reserves are the minimum fund balance/working capital requirements as defined by Council in the Annual Operating Budget. Contingency Reserve balances may be used to cover any cash operating shortfalls due to timing of bond issues, revenue receipts, etc. When short-term cash flow needs are met, investments of these funds may exceed 24 months per Section 4.3. The maximum maturity of an individual investment shall not exceed 36 months. Involuntary liquidation of Contingency Reserve investments is unlikely due to their nature. However, should a liquidation

of investments prior to maturity be necessary, the comparatively longer term nature of some of the investments, could result in material losses depending on financial and economic conditions. Contingency Reserve investments will be diverse and include any listed authorized investment as stated in Section 4.1. Investment of Contingency Reserves will be structured to attain the highest possible yield given the liquidity and safety requirements.

3.3 DEBT

3.3.1 Reserves. Debt reserves are defined as bond reserve funds required to be set aside in accordance with bond covenants. The City of Boerne reserve funds will include investments appropriate to provide reserves to meet any shortfalls in bond funds. Bond reserve funds are not anticipated to be utilized except in the case of extreme situations; therefore, investments of these funds may exceed 24 months per Section 4.3. The maximum maturity of an individual investment shall not exceed 60 months. Involuntary liquidation of Debt Reserve investments is unlikely due to their nature. However, should a liquidation of investments prior to maturity be necessary, the comparatively longer term nature of some of the investments, could result in material losses depending on financial and economic conditions. Debt reserve investments will be diverse if allowed by bond covenants and include any listed authorized investment as stated in Section 4.1. Federal tax law limits the earnings on these funds and investment yield will be considered accordingly.

3.3.2 Debt Service Funds. Debt Service funds are defined as those funds accumulated to meet periodic payments required by bond and note maturity schedules. The investment maturities are limited by pertinent debt service requirements and tax laws limiting accumulation and earnings for such funds. Involuntary liquidation of investments is highly unlikely due to the nature of these funds. Debt Service fund investments will be diverse and include any listed authorized investment as stated in Section 4.1. The maximum maturity of an individual investment shall not exceed one year.

3.4 BOND PROCEEDS (capital projects funds)

Capital Projects funds are defined as those funds received from the sale of City of Boerne bonds or notes and not otherwise set aside for debt service or reserve purposes. These funds typically include money to fund infrastructure construction or other large projects. The investment maturities are limited by pertinent project draw requirements and tax laws limiting earnings for such funds. Involuntary liquidation of investment is highly unlikely. Bond proceed investments will be diverse and include any listed authorized investment as stated in Section 4.1. The maximum maturity of an individual investment shall not exceed 24 months.

3.5 CEMETERY ENDOWMENT FUNDS

Cemetery Endowment funds are defined as those funds received by the City of Boerne that are to be set aside for the perpetual care and maintenance of the City of Boerne Cemetery. The principal of these funds is to remain intact and cannot be used for any purpose except in the case of extreme

situations and only upon request to and approval by the City Council of the City of Boerne. The interest earned on these funds may be used for the perpetual care and maintenance of the cemetery. Based on the restriction of the use of the principal of these funds, they may be invested for a period that may exceed 24 months and up to 60 months per Section 4.3.

SECTION 4: AUTHORIZED INVESTMENTS

4.1 ALLOWABLE INVESTMENTS

For all investments acquired with public funds by the City of Boerne, procedures to monitor rating changes at least once on a monthly basis must be followed. As described by Section 2256.021 of the Government Code, an investment that requires a minimum rating under this subchapter does not qualify as an authorized investment during the period the investment does not have the minimum rating. The City shall take all prudent measures that are consistent with its investment policy to liquidate an investment that does not have the minimum rating.

The City of Boerne funds may be invested in the following instruments:

4.1.1 Certificates of Deposit: Certificates of Deposit if the certificate is issued by a depository institution that has its main office or a branch office in the State of Texas. In addition, funds may be invested in Certificates of Deposit through a broker that has its main office or a branch office in the State of Texas and is selected from a list adopted by the City or the broker or the depository institution selected by the City arranges for the deposit of the funds in Certificates of Deposit in one or more federally insured depository institution, wherever located, for the account of the City. All certificates of deposits in excess of the FDIC insured amount must be collateralized as described by Section 2256.009 (a) of the Code. Collateral must be held by a third party and in accordance with Section 5.4 of this policy. Bids for Certificates of Deposit may be solicited: orally, in writing, electronically, or in any combination of those methods.

4.1.2 U.S. Treasuries and U.S. Agencies and direct obligations of this state:

- a. Securities issued by the United States Treasury or its Governmental Agencies, which are backed as to principal and interest, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States of America.
- b. Obligations of states, agencies, counties, cities, and other political subdivisions of this state or any state rated as to investment quality by a nationally recognized investment rating firm not less than "A" or its equivalent and backed by the full faith and credit of the state or the respective instrumentality.

4.1.3 Investment Pools: Investment pools that meet the following criteria:

- a. Investment objectives of an investment pool must be in order of priority:

- (1) preservation and safety of principal;
 - (2) liquidity; and
 - (3) yield.
- b. An investment pool must provide an offering circular or other similar disclosure instruments and provide monthly transaction reporting as required by Section 2256.016 of the Texas Government Code.
- c. Investment in a new pool will require the approval of the City Council.
- d. A public funds investment pool created to function as a money market mutual fund must (1) mark its portfolio to market daily, (2) include in its investment objectives the maintenance of a stable net asset value of \$1 for each share, (3) In addition to the requirements of its investment policy and any other forms of reporting, a public funds investment pool created to function as a money market mutual fund shall report yield to its investors in accordance with regulations of the federal Securities and Exchange Commission applicable to reporting by money market funds and (4) be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.
- e. If the investment pool operates an Internet website, the information in a disclosure instrument or report described in Subsection (b) and (d) must be posted on the website.
- f. To maintain eligibility to receive funds from and invest funds on behalf of the City under this chapter, an investment pool must make available to the City an annual audited financial statement of the investment pool in which the City has funds invested.
- g. If an investment pool offers fee breakpoints based on fund balances invested, the investment pool in advertising investment rates must include either all levels of return based on the breakpoints provided or state the lowest possible level of return based on the smallest level of funds invested.

4.1.4 Money Market Mutual Funds: No-load money market mutual funds if the fund:

- a. Is registered and regulated by the Securities and Exchange Commission and provides a prospectus and other information required by the Securities Exchange Act of 1934 (15 U.S.C. Sec 78a et seq.) or the Investment Company Act of 1940 (15 U.S.C. Sec 80a-1 et seq.);
- b. Marks its portfolio to market daily;
- c. Includes in its investment objectives the maintenance of a stable net asset value of \$1 for each share;
- d. Has a dollar-weighted average stated maturity of 90 days or fewer;
- e. Is continuously rated no lower than AAA or at an equivalent rating by at least one nationally recognized rating service.

The City may not invest more than 15 percent of its monthly average fund balance, excluding bond proceeds, reserves and other debt service monies, in money market mutual funds.

4.1.5 Repurchase Agreements: A fully collateralized repurchase agreement is an authorized investment if the repurchase agreement:

- a. Has a defined termination date;
- b. Is secured by a combination of cash and obligations described by Section 2256.009 (a)(1) of the Texas Government Code; and
- c. Requires the securities being purchased by the entity or cash held by the entity to be pledged to the entity, held in the entity's name, and deposited at the time the investment is made with the entity or with a third party selected and approved by the entity; and
- d. Is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state.

4.1.6 Commercial Paper: Commercial paper is an authorized investment if the commercial paper;

- a. Has a stated maturity of 365 days or fewer from the date of its issuance; and
- b. Is rated not less than A-1 or P-1 or an equivalent rating by at least:
 1. Two nationally recognized credit rating agencies; or
 2. One nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state.

4.1.7 Banker's Acceptances: A banker's acceptance is an authorized investment if the banker's acceptance:

- a. Has a stated maturity of 270 days or fewer from the date of its issuance; and
- b. Will be, in accordance with its terms, liquidated in full at maturity;
- c. Is eligible for collateral for borrowing from a Federal Reserve Bank; and
- d. Is accepted by a bank organized and existing under the laws of the United States or any state, if the short-term obligations of the bank or of a bank holding company of which the bank is the largest subsidiary are rated not less than A-1 or P-1 or at an equivalent rating by at least one nationally recognized credit rating agency.

4.1.8 Other Investments: Other investments as approved by the City Council and not prohibited by law.

4.2 COMPLIANCE WITH STATE LAW

All authorized investments outlined above must meet the requirements of the Public Funds Investment Act, Section 2256 of the Texas Government Code. No investment may be made in any instrument except as provided above.

4.3 LENGTH OF INVESTMENTS

The following general constraints will apply: maturities exceeding 24 months will require authorization by the City Manager or Deputy City Manager or a minimum of two (2) members of the Investment Committee. Maturities will be staggered to avoid undue concentration of assets in a specific maturity sector and maturities selected will provide for stability of income and reasonable liquidity. In no instance shall the maximum stated maturity be greater than its longest stated debt service requirement unless further restricted in Section 3, Investment Strategies, of this policy; bond covenants or state law.

4.4 MEASURING MARKET VALUE

Market Value of the investment portfolio will be calculated quarterly. Pricing information will come from Bloomberg or any other source deemed reliable by the Finance Director. If the price of a particular security is not available from any of these sources, the price may be estimated by analyzing similar securities' market values.

SECTION 5: SAFEKEEPING AND CUSTODY

5.1 AUTHORIZED DEALERS

The City of Boerne will purchase investments only from institutions which are included on a list of banks and broker/dealers approved by the investment committee. All dealers on this list are required to complete a questionnaire and furnish supporting documentation required by the Finance Director. Securities shall only be purchased from those institutions on the approved list.

5.1.1 Investments shall only be made with those dealers who have:

- a. Received, and reviewed the City's Investment Policy, and;
- b. Acknowledged that it has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the entity and the City that are not authorized by the city's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the city's entire portfolio.
- c. Submitted a certification signed by a qualified representative of the firm acknowledging the above requirements (see Appendix B for an example). A qualified representative of a business organization is a person who holds a position with the organization, is authorized to act on behalf of the organization, and who is: a). for organizations regulated or registered with a securities commission, registered under the rules of the National Association of Securities Dealers; or b). for state and national banks and savings banks, a member of the loan committee or authorized by corporate resolution to act on behalf of and bind the banking institution; c). for an investment pool, a person authorized by the elected official or board with authority to administer the activities of the

- investment pool to sign the written instrument on behalf of the investment pool.
- d. Been included on the Federal Reserve Bank of New York list of primary government securities dealers or been
- e. Licensed by the State of Texas.
- f. Regulation by the Securities and Exchange Commission (SEC).
- g. Membership in good standing of the National Association of Securities Dealers, Inc. (NASD).
- h. Been in continuous compliance with the Fed's capital adequacy guideline throughout the recent trading period.
- i. Provided immediate disclosure to the City of Boerne whenever the firm's capital position falls short of the capital adequacy standard.
- j. Provided independent certification by an outside auditor or similar agency that the dealer firm complied with the capital adequacy standard on its most recent balance sheet date (year-end).

5.1.2 The Investment Committee will be authorized to delete dealers from the approved list for:

- a. Slow response time;
- b. Less than competitive pricing;
- c. Little or no information on technical or fundamental expectations based on economic indicators;
- d. Decayed Transactions or continuing operational difficulties;
- e. Unwillingness to continue to abide by the provisions listed in Section 5; or
- f. The dealer firm did not comply with the capital adequacy standard on its most recent balance sheet date (year-end).

City investment officers will be authorized to transact business with up to ten brokers/dealers during any six months period and will monitor those on an ongoing basis. The Investment Committee will perform an annual review of approved firms, in order to assess performance, and to add or delete firms from the approved list as it deems necessary. The Investment Committee may perform reviews to amend the approved list on a more frequent basis, if necessary, upon approval by the City Manager or Deputy City Manager.

5.2 AUTHORIZED FINANCIAL INSTITUTIONS

Certificates of Deposit may be purchased at the qualified City depository. The City must have a written agreement with the qualified depository and that depository must meet all State Law for deposit of public funds. The City's Depository will be selected at least every five years, unless otherwise provided by law.

5.3 INTERNAL CONTROLS

All investment transactions will be documented by the Investment Officer. The Investment Officer

may make investments orally, but will follow promptly with a written confirmation to the financial institution or broker/dealer, with a copy of such confirmation retained in the City's files.

On investments in U.S. treasuries and agencies, the Investment Officer will take competitive bids. At least two (2) quotations will be taken for each such investment made.

A system of internal controls shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City of Boerne. Controls deemed most important shall include:

1. Separation of duties to prevent collusion.
2. Separation of transaction authority from accounting and record keeping.
3. Custodial safekeeping at the depository bank.
4. Avoidance of bearer-form securities.
5. Clear delegation of authority.
6. Limiting the number of authorized investment officials.
7. Documentation of transactions and strategies.

These controls shall be reviewed by the City of Boerne's independent auditing firm.

5.4 SAFEKEEPING

With the exception of Investment Pools and Mutual Funds, all securities purchased by the City under this policy must be designated as assets of the City, must be conducted on a delivery-versus-payment (DVP) basis, and must be protected through the use of a third-party custody/safekeeping agent. The City will enter into a formal agreement with an institution of such size and expertise as is necessary to provide the services needed to protect and secure the investment assets of the City.

5.5 COLLATERALIZATION

To the extent not insured by federal agencies that secure deposits, City of Boerne funds (including cash on hand and Certificates of Deposit) must be collateralized by collateral securities in compliance with the Texas Public Funds Collateral Act. Only securities prescribed as eligible investments under the Public Funds Investment Act qualify as pledged securities. In order to provide an appropriate level of protection, the pledged securities must maintain a market value at least 102 percent of the amount on deposit plus accrued interest.

Securities pledged as collateral must be retained in the City's name in a third party bank that is approved by the Comptroller and has a branch in the State of Texas or by the Federal Reserve Bank. If pledged collateral is retained in a third-party bank other than the Federal Reserve Bank, the City will be provided the digital safekeeping receipt on each pledged security and the City, financial institution, and the safekeeping bank(s) will operate in accordance with a master safekeeping agreement signed by each of the parties. Collateral may be increased or decreased without approval

from the City's Investment Officer in accordance with the terms of the master safekeeping agreement providing the pledged securities have a market value of 102 percent of the amount on deposit plus accrued interest.

The financial institution(s) with which the City invests and/or maintains deposits will provide monthly a listing of the collateral pledged to the City marked to current market prices. The listing will include total pledged securities itemized by name, type and description of the security; safekeeping receipt number; par value; current market value; maturity date, if available; and Moody's or Standard & Poor's rating, if available.

SECTION 6: REPORTING

6.1 QUARTERLY REPORTING

The Investment Officer shall prepare and submit to the Council a quarterly report on investment transactions for all funds covered by this policy. The report will be prepared in compliance with the Public Funds Investment Act and cover the investment position of the City at the end of each fiscal quarter. The contents will include at a minimum:

- a. Beginning and ending market value for the reporting period;
- b. Beginning and ending market value, type of funds and yield for each category of investment; and
- c. A statement as to the compliance with this policy and state law.

6.2 ANNUAL REPORTING

Within 60 days following the end of the fiscal year, the Investment Officer will present to the City Council a comprehensive annual report on the investment program and investment activity. In addition to the information required for quarterly reporting, the annual report will include a review of the activities and return for the twelve months, suggest policy revisions and improvements that might enhance the investment program, and include an investment plan for the ensuing fiscal year.

6.3 PERFORMANCE STANDARDS

In order to evaluate portfolio performance of funds subject to this policy, the City of Boerne portfolio will be compared against appropriately competitive and reasonable benchmarks, including money market mutual funds or investment pools of similar make-up and maturities.

6.4 COMPLIANCE

A compliance audit of management controls and adherence to this policy as it relates to the City of Boerne investments and investing activity will be performed on an annual basis in conjunction with the City's annual financial audit.

6.5 INDEMNITY

The Mayor, City Council, City Manager, ~~Deputy~~ Assistant City Manager, Finance Director and any other finance department employees shall be personally indemnified in the event of investment loss, provided the Investment Policies of the City of Boerne have been followed.

SECTION 7: POLICY REVIEW AND AMENDMENTS

This investment policy will be reviewed by the City Council of the City of Boerne at least on an annual basis as required by the Public Funds Investment Act and will be amended as necessary. The Council will review the policy as part of the annual investment report presented by staff.

PASSED, APPROVED and ADOPTED this the _____ day of _____, 2022.

APPROVED:

MAYOR

ATTEST:

City Secretary

APPENDIX A: GLOSSARY of COMMON TREASURY TERMS

ACTIVE PORTFOLIO MANAGEMENT:

An approach to investment management in which the investment officer actively trades the portfolio to take advantage of changing market conditions. This style requires the investment officer to develop a comprehensive economic outlook and to take actions based upon that outlook. Requires relatively technical knowledge of the investment field.

BENCHMARKS:

A measure used to evaluate the effectiveness of the investment program. Suitable benchmarks are readily available and share the characteristics of the portfolio with respect to legal constraints and investment policy compliance. Benchmarks may be published figures or indexes in publications such as the Wall Street Journal or they may be specially created for the entity.

BOOK ENTRY SECURITIES:

Securities that are purchased, sold and held with only electronic computer entries rather than the transfer of physical certificates. Buyers typically receive receipts or confirmations as evidence of ownership.

BROKER:

A party who brings buyers and sellers together. Brokers do not take ownership of the property being traded. They are compensated by commissions.

COLLATERAL:

Securities that a borrower pledges to secure repayment of a loan. Also, refers to securities pledged by a bank to secure deposits of public monies.

CREDIT RISK:

Credit risk is the risk of loss due to failure of the security issuer to pay interest and/or principal in a timely manner.

DEALER:

A firm or an individual who buys and sells for his own account. Dealers have ownership, even if only for an instant, between a purchase from one party and a sale to another party. They are compensated by the spread between the price they pay and the price they receive.

DERIVATIVES:

Financial instruments whose value depends on the values of underlying assets or indexes.

INTEREST RATE RISK:

Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes

in general interest rates. The longer the term, the more tendency there is for rates to fluctuate.

MARKET VALUE:

The price at which a security is trading and could presumably be purchased or sold.

PASSIVE INVESTMENT MANAGEMENT:

An approach to investment management in which the investment officer adopts a buy and hold strategy. Some investment techniques are used. Requires basic level investment knowledge.

PRIMARY DEALERS:

A group of securities dealers who are recognized as major participants in the government securities markets and who are willing to market all government securities. Primary dealers must submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its oversight.

RATE OF RETURN:

The yield obtainable on a security based on its purchase price or its current market price.

REGIONAL DEALERS:

The second tier of broker/dealers (after primary dealers) composed of brokerage firms that specialize in certain market niches, typically on a regional basis.

SAVINGS BANK DEPOSITS:

Demand deposits held in an account at a savings and loan association.

SECONDARY MARKET:

A market made for the purchase and sale of outstanding debt issues following the initial distribution.

TREASURY BILLS:

Short term obligations issued by the United States Treasury. Bills are issued for maturities of one year or less. They do not pay interest but are issued on a discount basis instead.

TREASURY NOTES:

Medium term obligations issued by the United States Treasury. Notes are issued for initial maturities over 1 to 10 years.

YIELD:

The annual return on an investment expressed as a percentage.

APPENDIX B: ILLUSTRATIVE BROKER/DEALER
CERTIFICATION FORM

BROKER DEALER CERTIFICATION FORM
(as required by Texas Government Code 2256.005(k))

The City acknowledges that the only means the firm has to preclude unauthorized investment transactions between the firm and the City is to confirm that all provisions of the City's investment policy are followed in investment transactions conducted between the firm and the City, and, the second paragraph below should be read accordingly.

I, _____ as a qualified representative for the firm
_____ do hereby certify that I and the broker covering this account,
_____, have received and reviewed the investment policy of the City
of Boerne, Texas.

I acknowledge that this firm has implemented reasonable internal procedures and controls in an effort to preclude investment transactions not authorized by the City's investment policy.

Signature

Name: _____

Title: _____

Date: _____

CITY OF BOERNE
LIST OF BROKERS/DEALERS
AS OF JANUARY 1, 2022


Richard Ebert
First Vice President – Wealth Management
UBS Financial Services, Inc.
1780 Hughes Landing Blvd.
3 Hughes Landing, Suite 200
The Woodlands, TX 77380

Linda Callaway
Gilbert H. Ramon
Hilltop Securities Inc.
700 Milam, Suite 500
Houston, TX 77002

Jerry Yost
Senior Vice President, Public Finance Division
Frost Bank
PO Box 1600
San Antonio, Texas 78296

Patrick Boyer
Doug Boyer
Institutional Fixed Income Sales
Duncan – Williams Investment Bankers
6750 Poplar Avenue, Suite 300
Memphis, Tennessee 38138

Steven G. Lea
Financial Advisor
Frost Brokerage Services, Inc.
1300 South Main Street
Boerne, Texas 78006

	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Boddie <input checked="" type="checkbox"/> 5 = Macaluso <input type="checkbox"/> All </div>
Agenda Date	January 11, 2022
Requested Action	CONSIDER RESOLUTION NO. 2022-R02; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE THE SECOND AMENDMENT TO THE INFRASTRUCTURE AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE AND TENOTEX DEVELOPMENT CO. INC.
Contact Person	Nicholas Montagno- Assistant to the City Manager
Background Information	<p>In March of 2021, staff was approached by representation for Tenotex Development, the developer of Regent Park, about the possibility of amending the development agreement for Regent Park. Requirements of the original agreement had dictated that the developer was to provide to the City construction documents for the design of a bridge (said bridge to be constructed at some later point in time by the City) at the western boundary of the development (See Attachment A, Exhibit D-1) prior to the approval of the Phase VII final plat. In lieu of this, the developer has proposed paying for oversizing of a water storage tank located near the southern center boundary of the development (shown in Attachment B-Tank Location) and still provide the right of way for the future bridge. Given that the construction of the bridge will not be necessary for at the least several years, any design done now for that project would need to be completely redone by the time it is actually needed, given natural changes to the environment and topography over time. As such, an oversizing of the water tank, which is a currently listed short term project for the City, is a much more timely and economically beneficial endeavor.</p> <p>Concurrent to that request, another issue was brought forward that involves the platting of Phases VI and VII of the development. Subdivision ordinance requirements dictate a minimum number of external roadway connections based on residential lots. Due to topography issues for both phases that lower feasibility for external connection points for not only the current development, but possible development of adjacent parcels in the future, a reduction in those external connection requirements was requested. Staff worked with the developer to locate where those connection points should be based on the topography of the area (See Attachment A, Exhibit D-1) and</p>

	<p>language to address that change has been included in this amendment.</p> <p>A summary of the modification to the original Agreement that are addressed in the 2nd Amendment are as follows:</p> <ul style="list-style-type: none"> • Section 4.01, which references development of roadway infrastructure, is amended to reference the updated Exhibit D-1 (which replaces exhibit D) • Section 4.02 repeals the original Section 4.04 detailing the requirement to provide design for the “Bridge” and amends the language to say that the developer must provide the right of way for the bridge, but does not have to provide anything else regarding design or construction. • Section 4.03 cleans up the language to address the new Exhibit D-1. The requirement to build, location, and timing of construction of the “Park Road” does not change from the original agreement. The new exhibit D-1 reflects the most updated Master Plan that was approved by P&Z. • A new Section 4.04 has been included which delineates, for Units VI and VII, the external roadway connections required for those two units within the development. Topography issues limit the feasibility of what the City would normally require for external connections. These connections are shown in Exhibit D-1. • Section 5.02 is added for oversizing of the Water Storage Tank located near the southern center boundary of the development. (Shown in Attachment B-Tank Location) <p>An additional Attachment C has been included for reference with this material which is the original Section IV, Section V, and Exhibit D of the Tenotex Infrastructure and Development Agreement from 2014 that is being modified with this amendment.</p>
Item Justification	<div> <div> <input type="checkbox"/> Legal/Regulatory Obligation <input checked="" type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Mitigate Risk <input type="checkbox"/> Master Plan Recommendation </div> <div> <input checked="" type="checkbox"/> Infrastructure Investment <input checked="" type="checkbox"/> Customer Pull <input checked="" type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: _____ _____ </div> </div>
Financial Considerations	N/A

Citizen Input/Board Review	N/A
Legal Review	Legal has reviewed and approved this document
Alternative Options	N/A
Supporting Documents	Attachment A- Second Amendment to Development Agreement Attachment B- Tank Location within Regent Park Attachment C- Excerpt of Sections Being Amended from Original Agreement

SECOND AMENDMENT TO THE INFRASTRUCTURE AND
DEVELOPMENT AGREEMENT

This SECOND AMENDMENT TO THE INFRASTRUCTURE ACCEPTANCE AGREEMENT (this "*Amendment*") is entered into effective as of the Effective Date (as defined below) by and between City of Boerne ("*City*") and TENOTEX DEVELOPMENT CO. INC., a Texas corporation (the "*Developer*"), located at 10003 N.W. Military Hwy., Suite 2201, San Antonio, Texas 78231 (collectively referred to as the "*Parties*") pursuant to the Texas Local Government Code.

WHEREAS, the City and the Developer entered into that certain Infrastructure and Development Agreement on September 25, 2014 (the "*Agreement*"), and the First Amendment thereto on October 3, 2018.

NOW THEREFORE, the Parties hereby wish to amend certain terms and conditions contained within that certain Agreement as follows:

Section IV
The Roadway Project

The following sections are deleted and replaced as follows:

- 4.01 Except as provided herein, the Developer will design the Roadway Infrastructure described on the attached Exhibit "D-1" (which replaces Exhibit "D") according to terms and conditions contained in the City of Boerne Subdivision Ordinance in place as of the date of the original development Agreement for this project was signed.
- 4.02 Notwithstanding any other provision of this Agreement or any of the terms and conditions contained in the City of Boerne Subdivision Ordinance, the Developer shall not be required to design or build the bridge at the west edge of the Property (as more clearly delineated on the attached Exhibit "D-1") (the "*Bridge*"). Developer shall be required to provide dedication of the Right of Way required for the Bridge.
- 4.03 Notwithstanding any other provision of this Agreement or any of the terms and conditions contained in the City of Boerne Subdivision Ordinance, the Developer shall be required to build a road to the City Park area as depicted on the Master Community Plan on the (as more clearly delineated on the attached Exhibit "D-1") (the "*Park Road*") at the time of development of Phase IX.
- 4.04 Notwithstanding any other provision of this Agreement or any of the terms and conditions contained in the City of Boerne Subdivision Ordinance, a minimum of one street connection to an existing internal collector street connected to the external network, a minimum of one street connection to a newly proposed internal Arterial street connected to the external network, and a minimum of one (1) street stub-out to the adjacent property to the south, which in the future will be connected to the external network, shall be sufficient to meet the requirements for external roadway connections (Sub. Ord. 3.02.002 E.3., updated 9.25.12) for Units 6 and 7 as depicted in exhibit D-1.

Section V
Substation Dedication & The Elevated Storage Tank Oversize Project

The following section is added as follows:

5.02 Developer shall design and construct an elevated water storage tank that exceeds the minimum size and capacity required by the City of Boerne Subdivision Ordinance by Fifty Thousand (50,000) Gallons.

All other terms and conditions contained in the Agreement remain in full force and effect.

Executed in duplicate originals, each of which shall have the full force and effect of an original, on this _____ DAY OF _____ 2022.

CITY OF BOERNE,

BY: _____

Ben Thatcher

ACKNOWLEDGMENT

THE STATE OF TEXAS §

§

COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2022 A.D., by

(Seal)

Notary Public In and For
The State of Texas

My Commission Expires: _____

Printed Name of Notary: _____

TENOTEX DEVELOPMENT CO. INC.

BY: _____

Israel Fogiel, President

ACKNOWLEDGMENT

THE STATE OF TEXAS §

§

COUNTY OF _____ §

This instrument was acknowledged before me on the day of , 2022 A.D., by

(Seal)

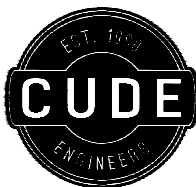
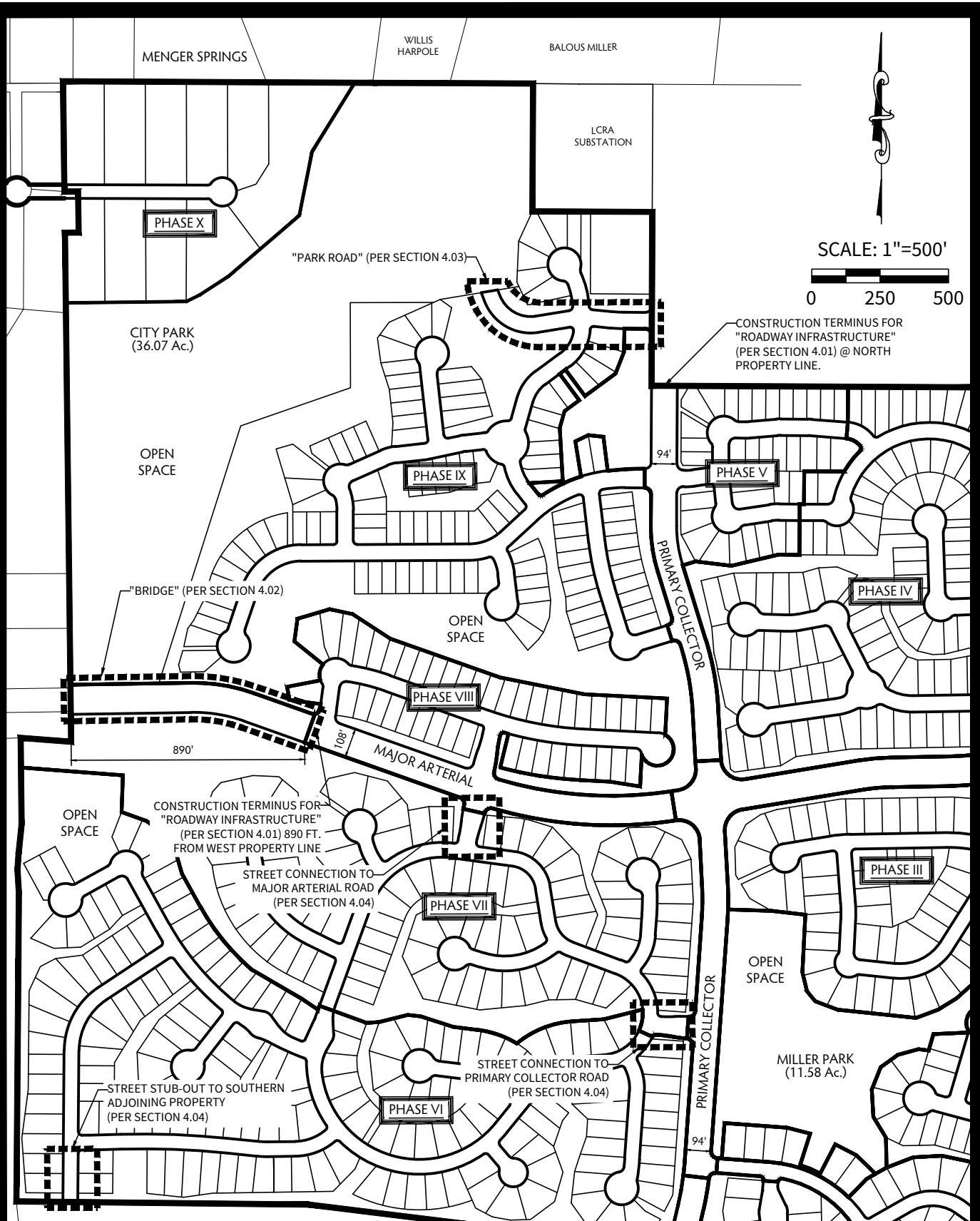
Notary Public In and For

The State of Texas

My Commission Expires: _____

Printed Name of Notary: _____

P:\02133\08012-Drawings\Exhibits\2014-09-02_EXHC_ROADINFRA.dwg 2021/11/24 1:10:24m mwishart



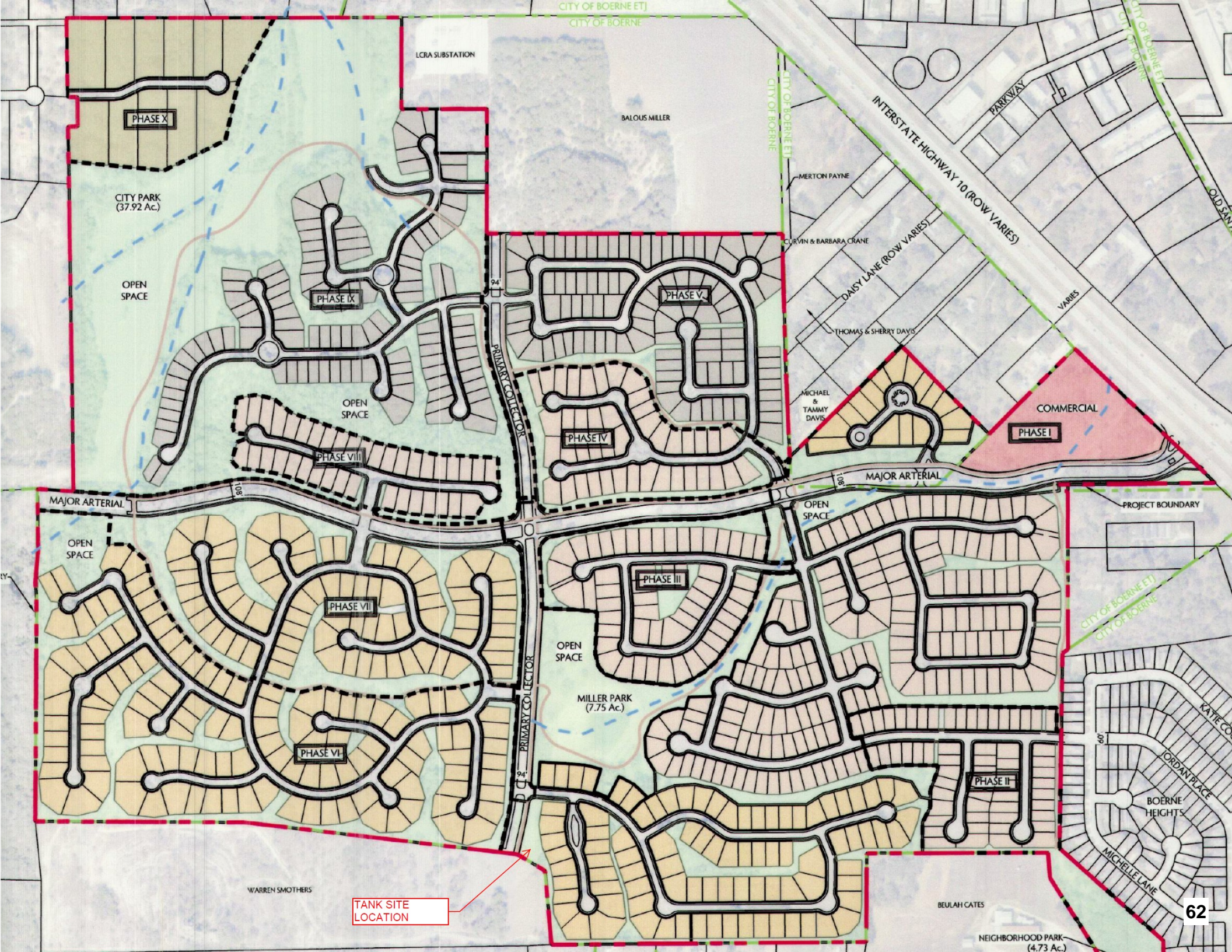
CUDE ENGINEERS
4122 POND HILL RD. • SUITE 101
SAN ANTONIO, TEXAS 78231
TEL 210.681.2951 • FAX 210.523.7112
WWW.CUDEENGINEERS.COM
TBPE REGISTERED ENGINEERING
FIRM #455

REGENT PARK EXHIBIT D-1

ROADWAY INFRASTRUCTURE

DATE: 2021-11-16

JOB NO.: #02133.080



3.02.4 The Developer shall maintain commercially reasonable detailed and accurate records of all contracts, receipts and expenditures made or incurred in connection with the installation of the Suggs Creek Extension and shall make same available to the City for inspection upon reasonable notice but in no event more than five (5) business days.

Section IV Roadway Infrastructure

- 4.01 Except as provided herein, the Developer will develop the Roadway Infrastructure described on the attached Exhibit "D" according to terms and conditions contained in the City of Boerne Subdivision Ordinance in place as of the date this Agreement is signed.
- 4.02 Notwithstanding any other provision of this Agreement or any of the terms and conditions contained in the City of Boerne Subdivision Ordinance, the Developer shall not be required to build the bridge at the west edge of the Property (as more clearly delineated on the attached Exhibit "D") (the "*Bridge*").
- 4.03 Notwithstanding any other provision of this Agreement or any of the terms and conditions contained in the City of Boerne Subdivision Ordinance, the Developer shall be required to build a road to the City Park area as depicted on the Master Community Plan on the (as more clearly delineated on the attached Exhibit "D") (the "*Park Road*") at the time of development of Phase IX.
- 4.04 Prior to final plat approval of Phase VII of development, or within one hundred and twenty (120) days of Bridge Construction Notice (defined below) whichever occurs first, the Developer shall submit construction documents for the design of the Bridge (the "*Bridge Design*"). City may use the Bridge Design for later completion of such Bridge upon written notice (the "*Bridge Construction Notice*") to the Developer and Cude Engineers (the "*Engineer*"). The City will notify the Developer and Engineer of any changes to or deviation from the Bridge Design.
- 4.05 The Developer agrees to participate in the completion of the Cascade Caverns / Scenic Loop / IH10 intersection improvements (the "*Cascade Caverns Intersection Improvements*"). At the time indicated below in Section 4.06, the Developer agrees to submit to the City a cash deposit in an amount equal to TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) (the "*Intersection Security*"). The City may use the Intersection Security for construction of the Cascade Caverns Intersection Improvements or, if improvements have already been constructed, reimbursement of costs associated with the Cascade Caverns Intersection Improvements.
- 4.06 The timing of the payment for the Intersection Security shall be determined as follows:
- 4.06.1 If the Developer satisfies both of the following conditions, then the Intersection Security may be paid to the City at any time prior to the earlier of the approval of the last Final Plat of Phase IX of the Project, or ten (10) years from the date of this Agreement: (a) Prior to approval of the first Final
- INFRASTRUCTURE AND DEVELOPMENT AGREEMENT/Page 9

380agreement

Plat for Phase IV, the Developer shall have submitted design and construction documents for a connecting water main (the "**Connecting Water Main**") to loop the existing water main on I-10 near Scenic Loop Road to the existing water main stub in Menger Springs located in an easement near the northern most property line of the Property; and (b) the Developer shall have caused the construction of the Connecting Water Main to be completed as part of the construction of Phase IV of the Project.

4.06.2 If the Developer does not satisfy both of the conditions set forth under Section 4.06.1(a) and (b) above, then the Developer shall pay the Intersection Security to the City on or before the earlier of (a) the City Planning and Zoning Commission's approval of the Final Plat of any other plat associated with Phase V, or (b) five (5) years from the date of this Agreement, whichever comes first.

4.07 Notwithstanding any other provision contained herein, if the Developer fails to perform the requirements set forth in this Section 4, then the last Phase of the Project will not be accepted by the City until such requirements have been fulfilled by the Developer.

Section V

Substation Dedication

5.01 Prior to the acceptance of the first Phase of Project, the Developer will dedicate to the City approximately one and a half (1.5) acres to serve as a Fire Department substation in the location shown on the attached Exhibit "E" ("**Substation Site**"). Should the Developer fail to dedicate the Substation Site, then the first phase, and any subsequent phase, of Project will not be accepted by the City until such dedication has been made by the Developer.

Section VI

Northwest Open Space Area Reserved Easements

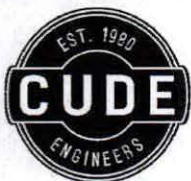
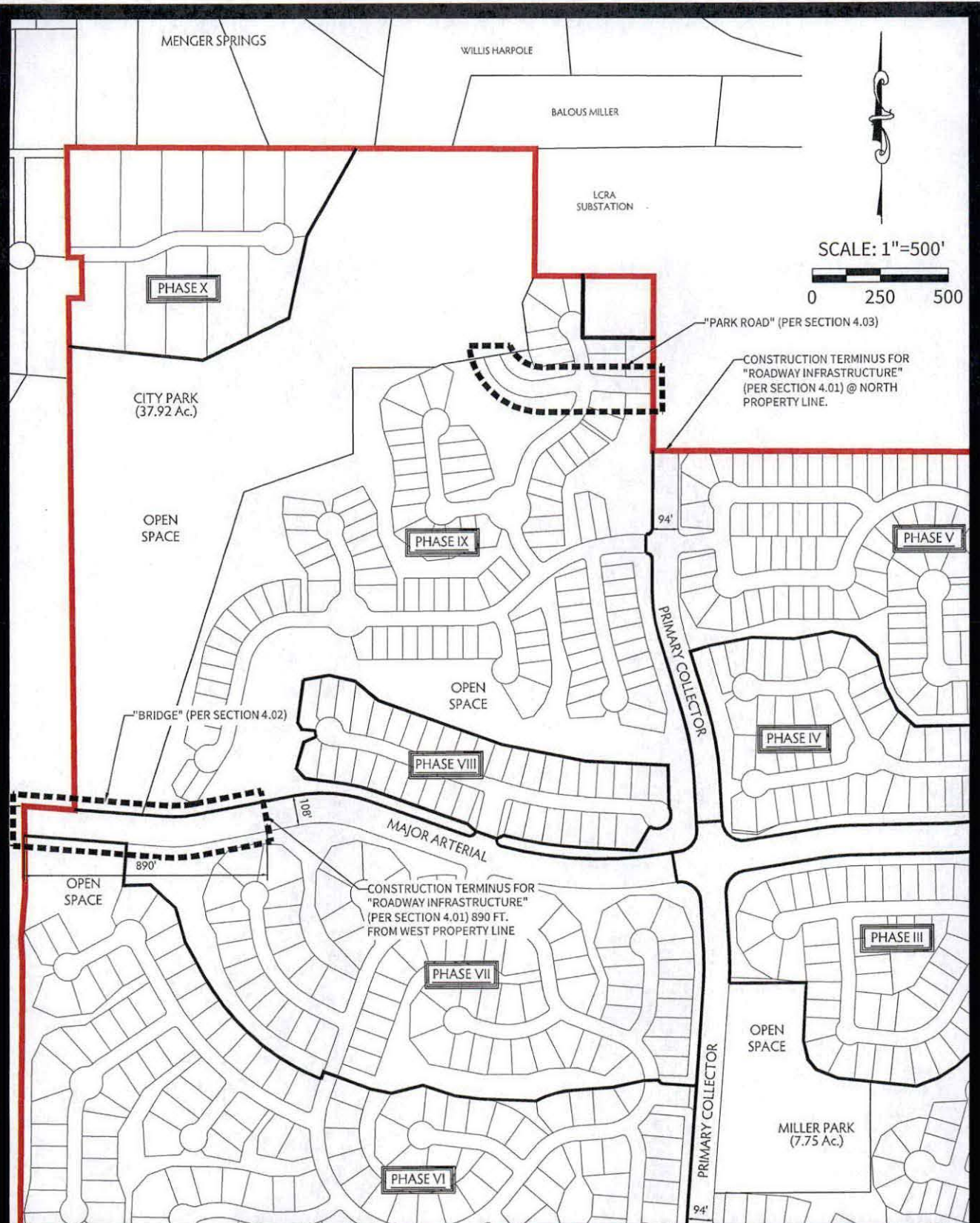
6.01 **Reference** is hereby made to that area depicted in the northwest corner of the Development Master Plan as City Park and Open Space and comprising approximately 37.92 acres (referred to herein as the "**Reserved Northwest Open Space Area**"). The City hereby acknowledges and agrees that Developer may need easements for drainage, detention, sanitary sewer, water or other utilities on the Reserved Northwest Open Space Area and hereby consents to the reservation of such easements by Developer prior to or in connection with the platting, conveyance or dedication of any public parks or open space easements in the Reserved Northwest Open Space Area.

Section VII

Termination and Default

This Agreement shall terminate automatically on the occurrence of one of the following:

7.01 **Fifteen Years** - Fifteen years from the Execution Date below;




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 TEL 210.681.2951 • FAX 210.523.7112
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 FIRM #455

REGENT PARK EXHIBIT D

ROADWAY INFRASTRUCTURE

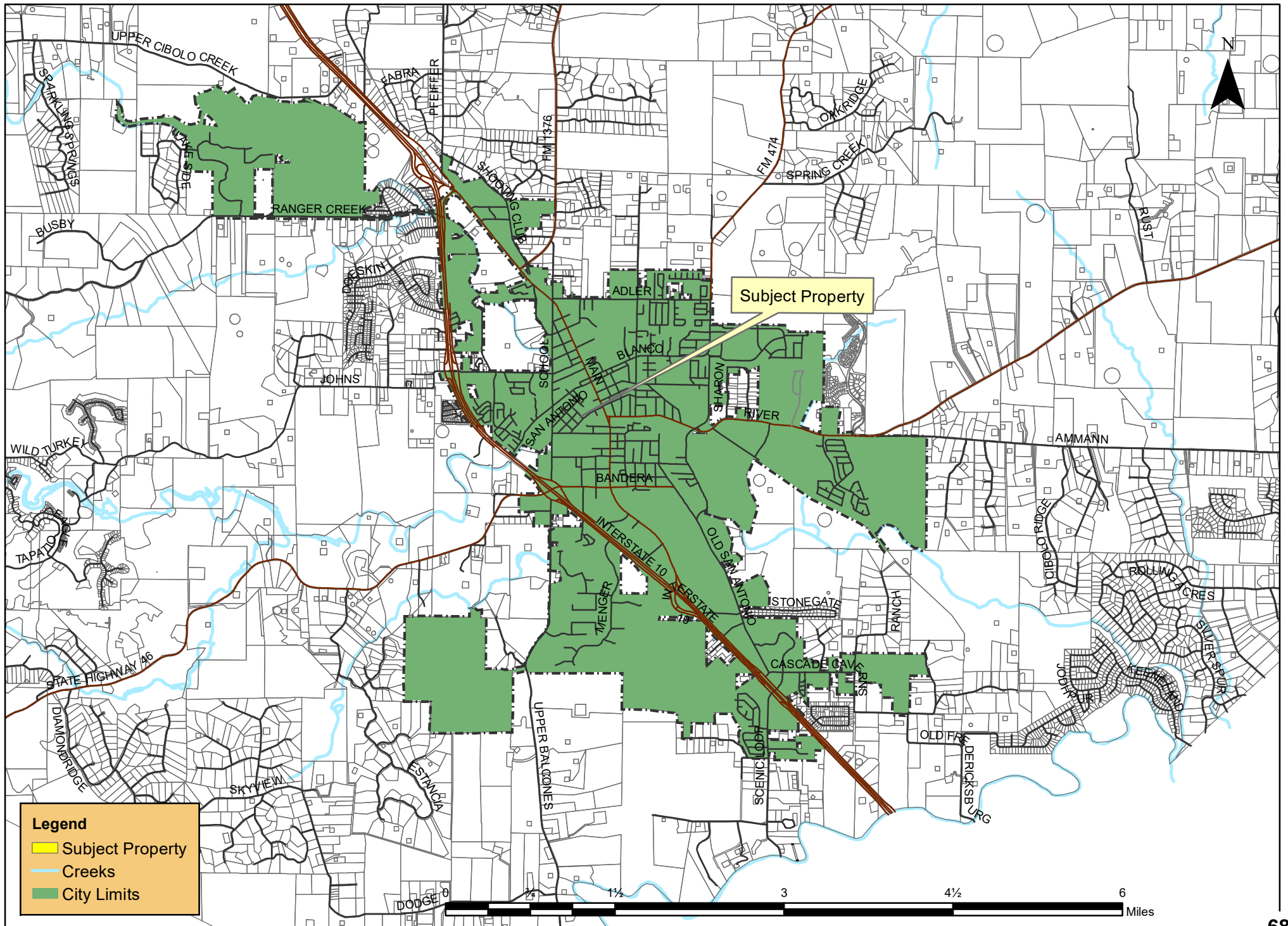
DATE: 2014-09-17

JOB NO.: #02133.080

	<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> <ul style="list-style-type: none"> <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input checked="" type="checkbox"/> 4 = Boddie <input type="checkbox"/> 5 = Macaluso <input type="checkbox"/> All </div>
Agenda Date	January 11, 2022
Requested Action	<p>CONSIDER THE PROPOSED SPECIAL USE PERMIT FOR A SHORT-TERM RENTAL IN AN R3-A, ATTACHED RESIDENTIAL DISTRICT, LOCATED AT 428 HERFF STREET (IRONS & GRAHAMS ADDITION LOT 187C, .054 ACRES, KAD 46417). <i>(Todd & Elizabeth Hallberg)</i>.</p> <p style="text-align: center;">I. RECEIVE REPORT FROM THE PLANNING AND ZONING COMMISSION.</p>
Contact Person	Laura Haning, Director, Planning and Community Development Department
Background Information	<p>Report by the Planning and Zoning Commission: The Planning and Zoning Commission recommend approval of the Special Use Permit by a vote of 4-0.</p> <p>Background: With the adoption of the UDC, Short-term rentals require a special use permit in almost all areas outside of the downtown area. This is the first request presented to the Commission. The requirement for a short-term rental to have a special use permit came from the community's concern with preserving the fabric of neighborhoods.</p> <p>The request is for a short-term rental in one of the townhome units located at the corner of Herff Street and Theissen. According to the information provided by the applicant and what was available on the short-term rental website, the property is rented as a whole home. It has three bedrooms, two bathrooms, a two-car garage, and can accommodate 6 people.</p> <p>As stated by the applicant, he occupies the house during the week and rents the townhome on the weekend. Sometimes the rental is for a longer period of time and he stays elsewhere.</p> <p>City staff held an online BOND (Boerne Open Neighborhood Discussion) meeting on November 16, 2021. At that meeting, the applicant explained the request. One neighbor was present, and he expressed that the guests that have used the property in the past were pleasant</p>

	<p>and didn't impact his ability to enjoy his property. The staff has provided a report from the BOND meeting as part of this submittal.</p> <p>The recording of the meeting can be found on the city's YouTube page.</p>
Item Justification	<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Drive Down Risk <input type="checkbox"/> Master Plan Recommendation </div> <div style="width: 50%;"> <input type="checkbox"/> Infrastructure Investment <input checked="" type="checkbox"/> Customer Demand <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: _____ </div> </div>
Financial Considerations	
Citizen Input/Board Review	Public hearing information was posted in a local newspaper on November 19, and mail notifications were sent to the neighbors with 200 ft of the site. The city also had a BOND meeting on November 16, 2021
Legal Review	
Alternative Options	
Supporting Documents	Attached are maps and plat.

428 Herff Street (KAD 46417)



SUBJECT PROPERTY

428 Herff Street (KAD 46417)



Street View
428 Herff Street





BOERNE OPEN NEIGHBORHOOD DISCUSSION

B.O.N.D. Meeting Report

11.16.2021 | Todd Hallberg

Proposed Site: 428 Herff Street
Short Term Rental - Special Use Permit

Meeting Location: Zoom

Total Attendance: 7

BOND meetings can be viewed in their entirety by visiting:
The [City of Boerne B.O.N.D. YouTube page](#) and selecting the desired meeting.

In Attendance

Todd Hallberg

Josh Valenta

Juan Montero

Tony Mangus

City Staff Present

Laura Haning

Sara Serra-Bennett

Heather Wood

Meeting Summary

This was a joint meeting for all B.O.N.D. items for the December Planning and Zoning Commission meeting. This request is the first Special Use Permit (SUP) for a short-term rental (STR) to be presented to P&Z. With the adoption of the UDC, short-term rentals require a SUP in almost all places they are allowed. The reasoning behind this new process is to preserve the neighborhood fabric.

Development Details

The property is located at 428 Heff Road, and it is a townhome. The property is rented as a whole (3 bedrooms, 2 bathrooms, and a 2 car garage), and can accommodate up to 6 people. According to the applicant, he rents the property when he is not using it, and his rent contract prohibits extra guests and parties.

Service

Excellence

Integrity

Respect

Collaboration

Questions and Concerns

The neighbor present at the meeting mentioned that the STR doesn't impact his ability to use his property, and the public that this property attracts has been very respectful of the neighborhood.

Notification(s)

- Text Message(s)/Email(s) to geofenced area surrounding property - 14 customers were signed up to receive SMS (text) notifications and 1 customer for email **must have information on file w/ Customer Care (Utilities) Department to receive these notices**
- Text Messages to City Calendar Subscribers
- BOND Webpage
- Events and Meetings Calendar
- Coroplast Sign at location

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Boerne, Texas will hold a Public Hearing on January 11, 2022, at 6:00 p.m., in the City Council Chambers, located at Boerne City Hall, Ronald C. Bowman Council Chambers, 447 N Main Street, Boerne, Texas, to discuss the following:

- A. Proposed special use permit for a short-term rental in an R3-A, Attached Residential District, located at 428 Herff Street (Irons & Grahams addition lot 187C, .054 acres, KAD 46417). (Todd & Elizabeth Hallberg).

All interested parties are encouraged to attend.

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The Boerne City Hall is wheelchair accessible. Access to the building and special parking are available at the north entrance of the building. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 830-249-9511.

ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT FOR A SHORT-TERM RENTAL TO 0.054 ACRES LOCATED AT 428 HERFF STREET (IRONS & GRAHAMS ADDITION LOT 187C, KAD NO. 46417) IN AN R3-A, ATTACHED RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE

WHEREAS, under the authority of Chapter 211 of the Texas Local Government Code, the City of Boerne adopts regulations and establishes zoning to control the use of land within the corporate limits of the City; and

WHEREAS, it is the intent of the City Council of the City of Boerne to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the subject property located at 428 Herff Street is currently zoned R3-A, Attached Residential District; and

WHEREAS, the City has received an application for a special use permit, to allow the Property to be used as a short-term rental; and

WHEREAS, the Unified Development Code requires a Special Use Permit for the use of a Short-term Rental in an R3-A District; and

WHEREAS, the Planning and Zoning Commission recommended approval of the Special Use Permit by a vote of 4-0; and

WHEREAS, the City Council of the City of Boerne has complied with all requirements of notice of public hearing and such hearing was held on January 11, 2022, at which time interested parties and citizens were given an opportunity to be heard; and

WHEREAS, the City Council finds the proposed special use complies with all applicable requirements and criteria of the Unified Development Code and with adopted plans and policies of the City; and

WHEREAS, the City Council finds that this zoning amendment is designed to and does promote health and the general welfare of the citizens.

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

Section 1.

The foregoing recitals are hereby made a part for all purposes as findings of fact.

Section 2.

That Chapter 3. Zoning, Section 3.2, Zoning Map, of the City of Boerne Unified Development Code is hereby amended by granting a special use permit for a short-term rental located at 428 Herff Street (Irons & Grahams addition Lot 187C, 0.054 acres, KAD No. 46417) in an R3-A, Attached Residential District.

Section 3.

That the Zoning Maps of the City of Boerne be amended to indicate the previously described change.



Section 4.

That all provisions of the Unified Development Code of the City of Boerne not herein amended or repealed shall remain in full force and effect.

Section 5.

That all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

Section 6.

That if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

Section 7.

This ordinance will take effect upon the second and final reading of same.

PASSED AND APPROVED on this the first reading the ____ day of January, 2022.

PASSED, APPROVED AND ADOPTED on this the second reading the ____ day of January, 2022.

APPROVED:

ATTEST:

Mayor Pro Tem

City Secretary


APPROVED AS TO FORM:

City Attorney

Exhibit A

Site Plan



	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Boddie <input type="checkbox"/> 5 = Macaluso <input checked="" type="checkbox"/> All </div>
Agenda Date	January 11, 2022
Requested Action	Approve Ordinance No. 2022-02; amending the budget for FY 2020-2021 as presented.
Contact Person	Sandy Mattick, Finance Director
Background Information	Several year-end budget amendments are required to bring the City's FY 2020-2021 Budget in line with expenses. Revenues have been higher than budgeted which will offset the addition expenditures.
Item Justification	<div style="display: flex; justify-content: space-between;"> <div> <input checked="" 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 Recommendation </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>
Financial Considerations	<p>The following budget amendments to the current fiscal year budget are proposed:</p> <p>General Fund – Dispatch Dept. - Salaries/Overtime - \$114,000 Additional funds are needed to cover salaries and overtime in Dispatch. During fiscal 2021 most positions remained filled throughout the year. The budget in the department anticipates higher vacancies than what we experienced. In addition, overtime salaries were higher than anticipated due to the winter storm and several other bad weather events.</p> <p>General Fund – IT Dept - \$45,000 IT added some additional software during the fiscal year to enhance the security of our systems including Cyber security and providing multi-factor authentication. Software Maintenance was higher than budgeted due to price increase and additional users. Salaries in this department were higher than budget due to overtime related to additional City meetings attended.</p>

	<p>Hotel/Motel Fund – Transfer to other Funds - \$48,225 Revenues related to the City’s 380 agreement with the Bevy Hotel were higher than budgeted. These funds were transferred to the Economic Development Fund and paid per the agreement.</p> <p>Debt Service Fund – Arbitrage Rebate - \$169,000 Due to the delay in beginning the construction of the city hall building, the City earned excess interest on the 2017 Tax Note that is required to be refunded to the IRS. This calculation was done, and the payment made in fiscal 2021.</p> <p>Wastewater Fund – System and Equipment Maintenance - \$129,000 Multiple weather events have caused damaged to the City’s Wastewater Treatment and Recycling Center and Wastewater Treatment Plant. The cost of these repairs are in excess of the budget for fiscal 2021.</p> <p>Solid Waste Fund – System and Equipment Maintenance - \$44,000 The City’s revenues in the Solid Waste Fund have been higher than budgeted. These revenues result in additional Waste Management Fees and Credit Card Merchant Fees.</p>
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	See attached summary.

ORDINANCE NO. 2022-02

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 January 11, 2022.

PASSED, APPROVED AND ADOPTED on this the second reading the ____ day of January, 2022.

APPROVED:

ATTEST:

Mayor Pro Tem

City Secretary

APPROVED AS TO FORM:

City Attorney

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

Revenue Increases

City Sales and Use Tax	\$ 45,000
Communications Reserve Fund Balance	114,000
Hotel/Motel Tax	48,225
Ad Valorem Tax	75,000
Fund Balance - Debt Service Fund	94,000
Wastewater Sales	129,000
Solid Waste Collections	44,000
	<hr/>
	\$ 549,225

Increases in Expenditures

General Fund	\$ 159,000
Hotel/Motel Fund	48,225
Debt Service Fund	169,000
Wastewater Fund	129,000
Solid Waste Fund	44,000
	<hr/>
	\$ 549,225



QUARTERLY FINANCIAL REPORT

PRELIMINARY

***FOR TWELVE MONTHS ENDED
September 30, 2021***

**CITY MANAGER:
BEN THATCHER**

**ASSISTANT CITY MANAGER:
KRISTY STARK**

**ASSISTANT CITY MANAGE:
DANNY ZINCKE**

**FINANCE DIRECTOR:
SANDY MATTICK**

**FINANCE DIRECTOR:
SARAH BUCKELEW**

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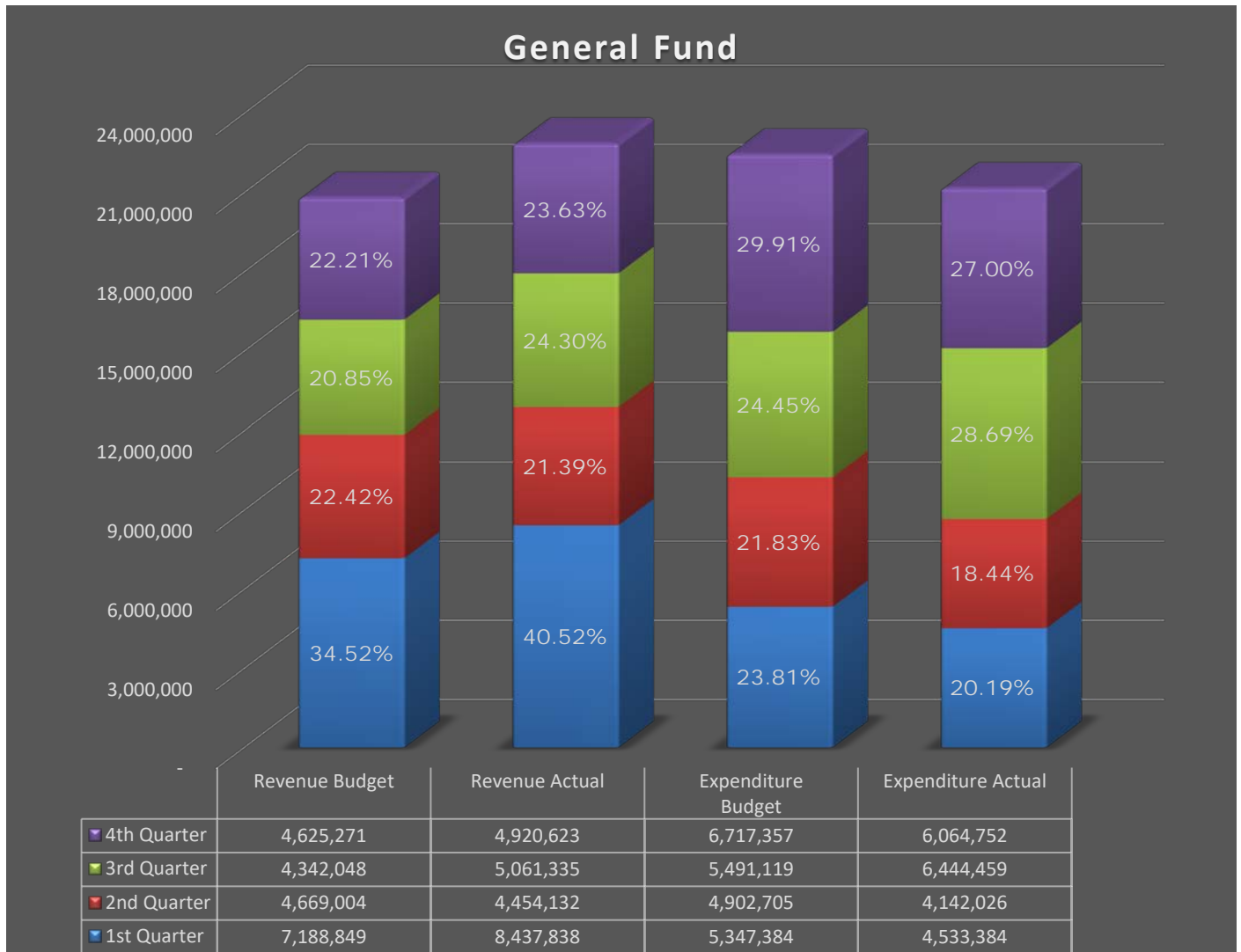
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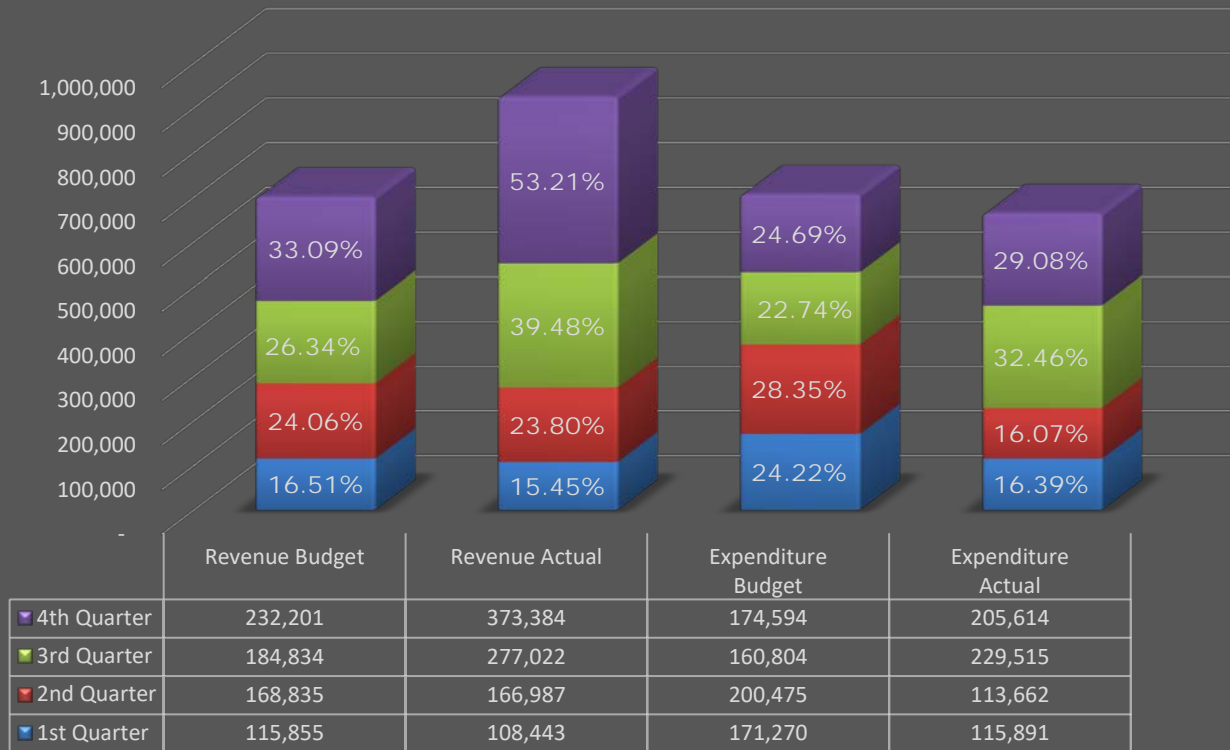
QUARTERLY DASHBOARD FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021



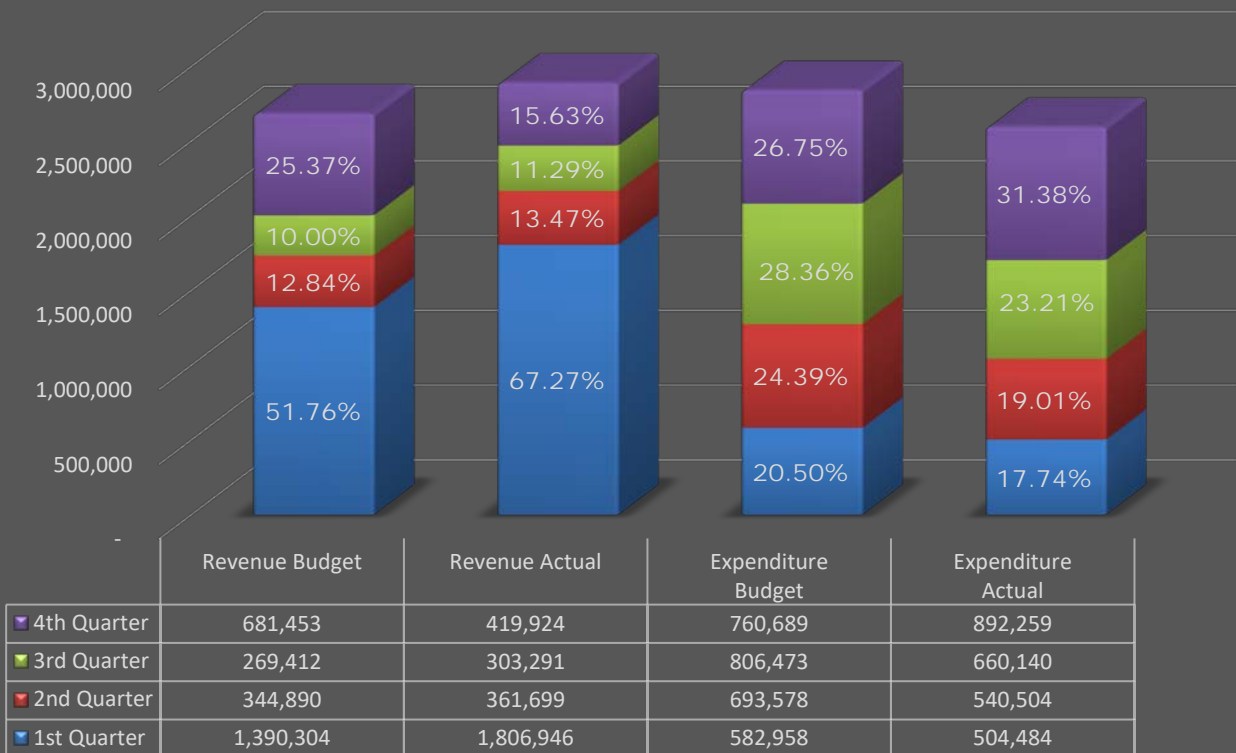
- Revenues (excluding budgeted fund balance) were at 109.95% of budget
- Expenditures were below projections at 94.33%
- Sales tax collections were up 14.01% over the prior year.
- Ad valorem tax collections were at 99.51%.

QUARTERLY DASHBOARD FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021

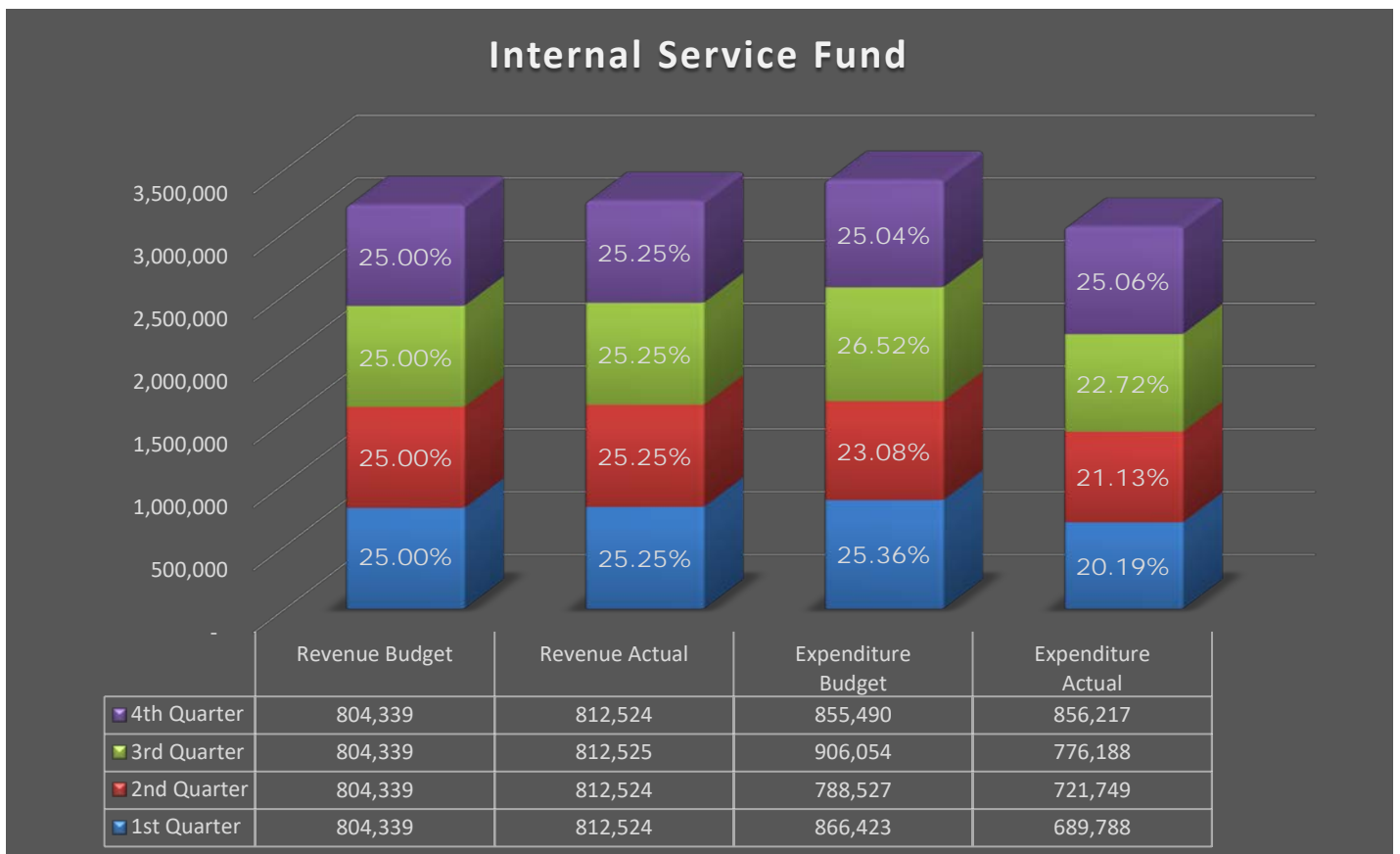
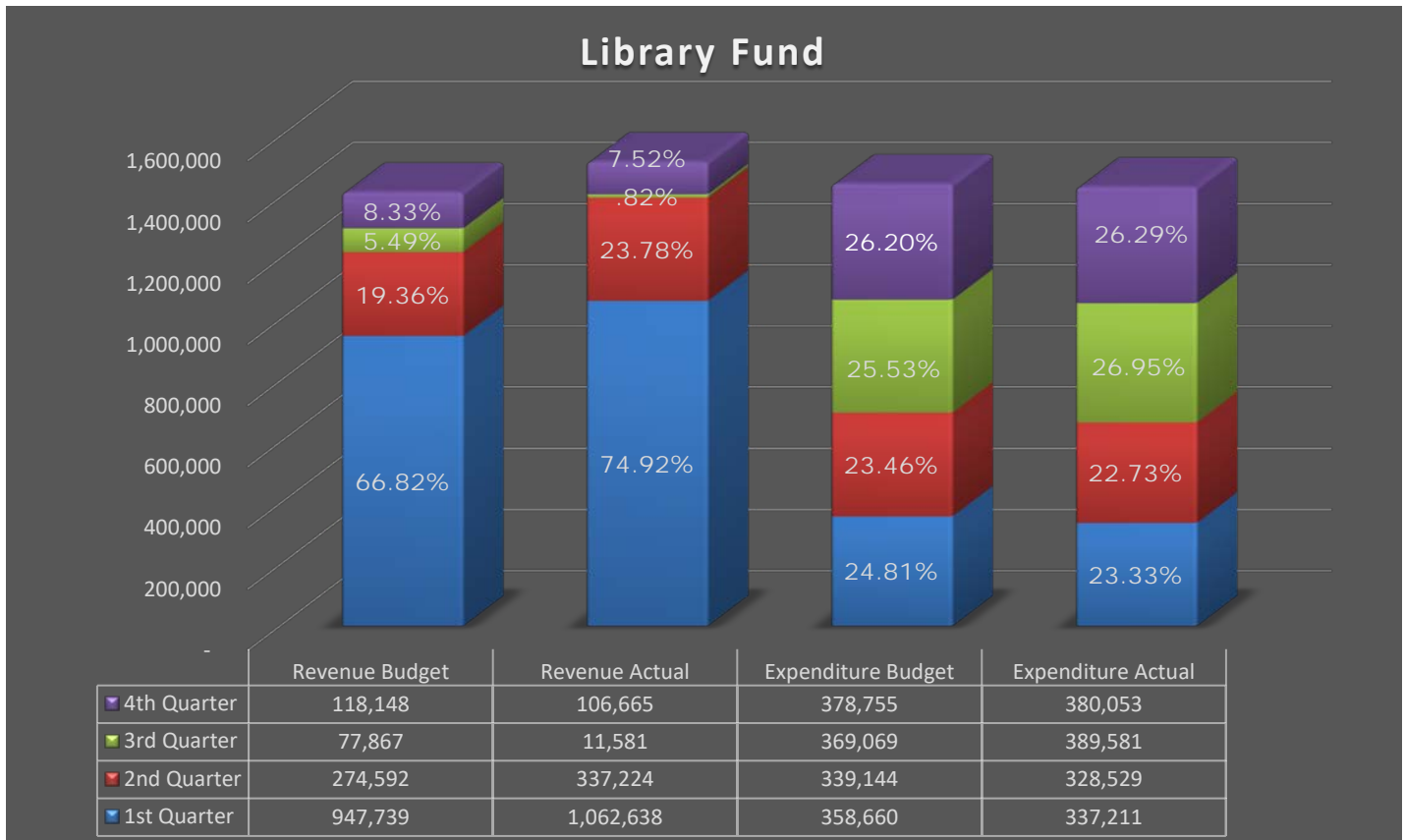
Hotel/Motel Fund



Park Fund

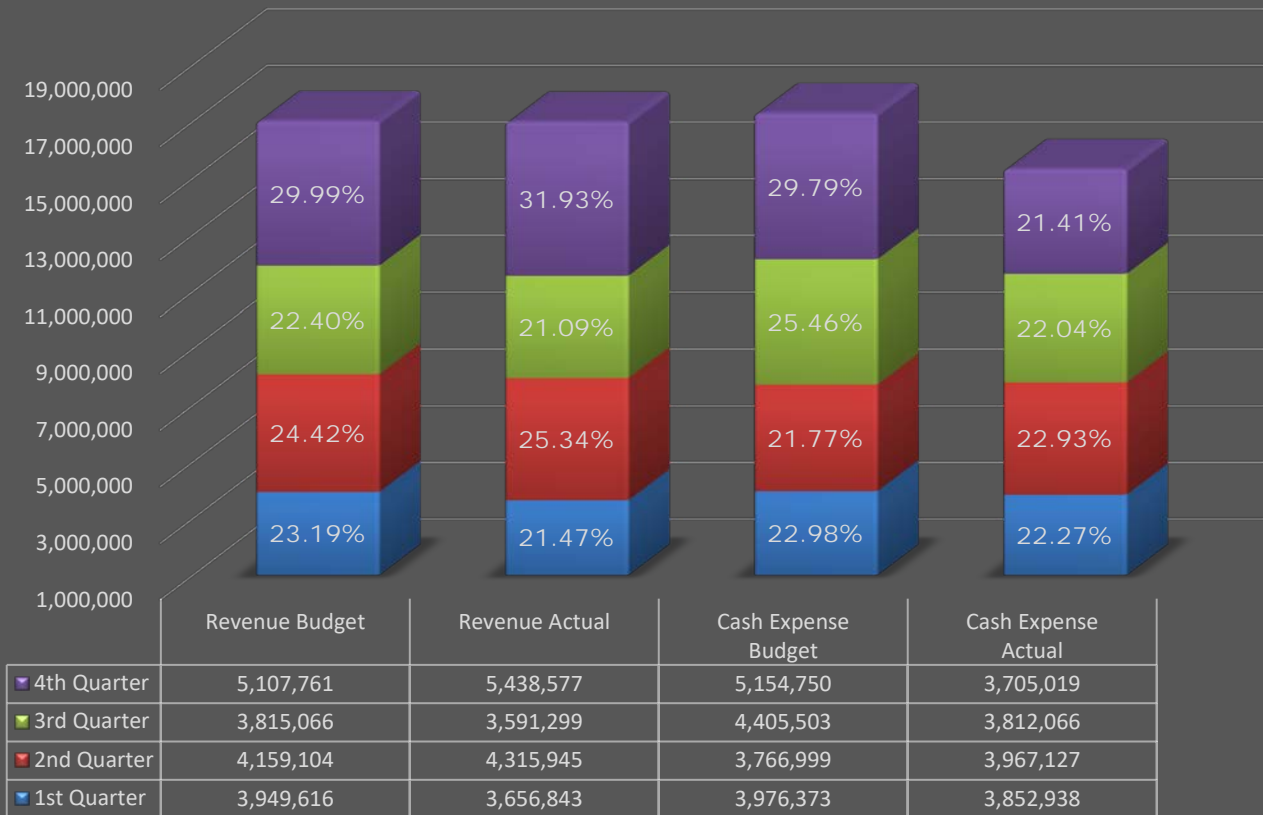


QUARTERLY DASHBOARD FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021

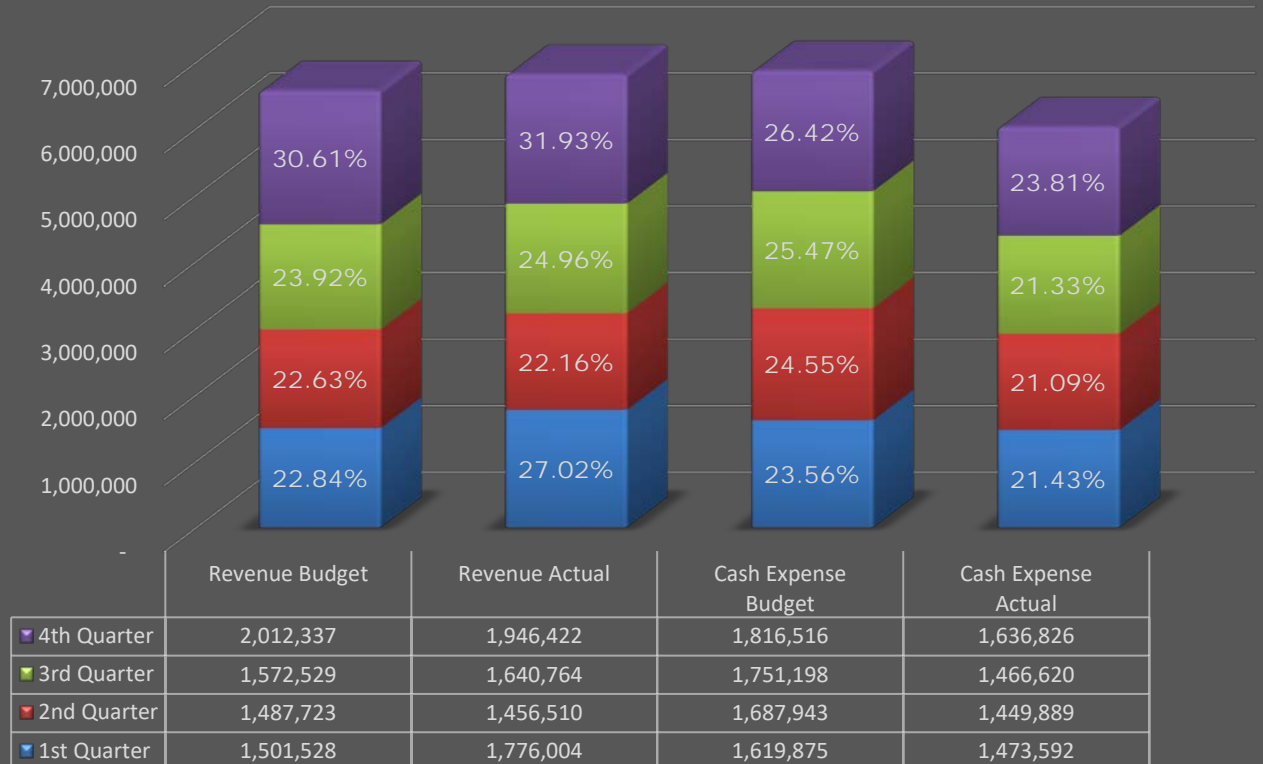


QUARTERLY DASHBOARD FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021

Electric

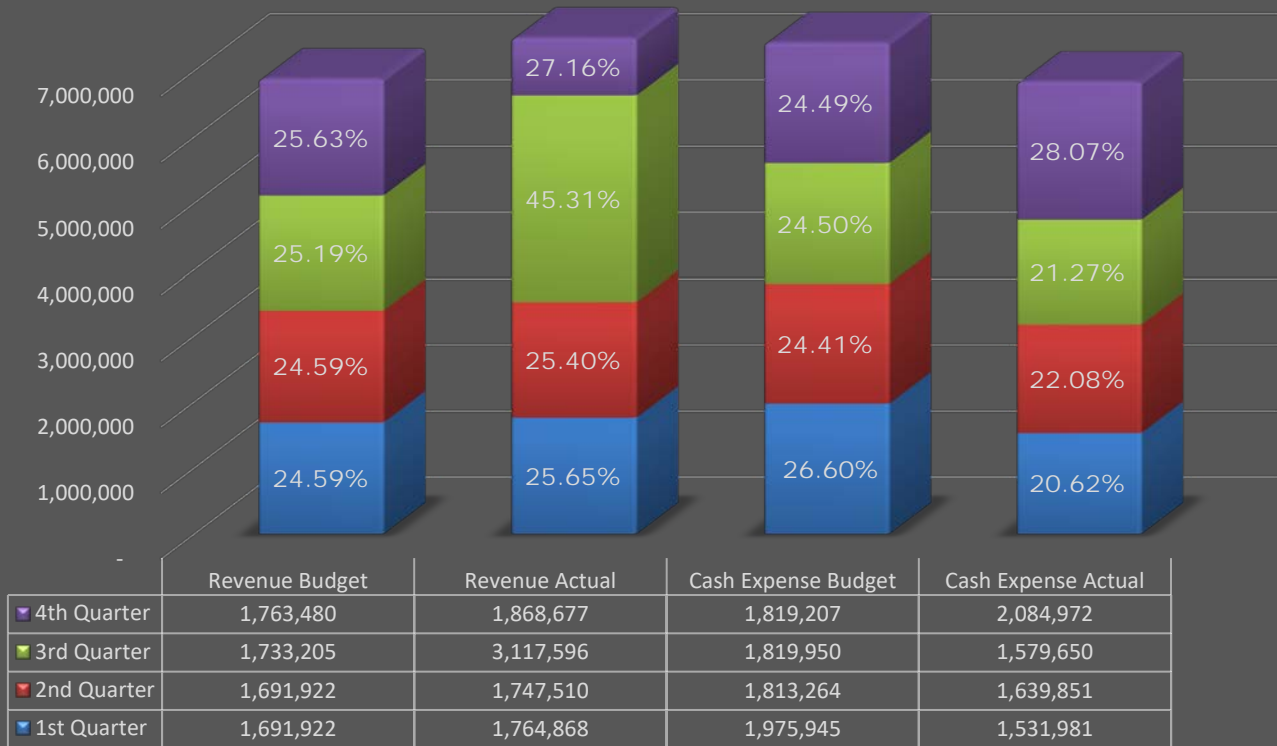


Water

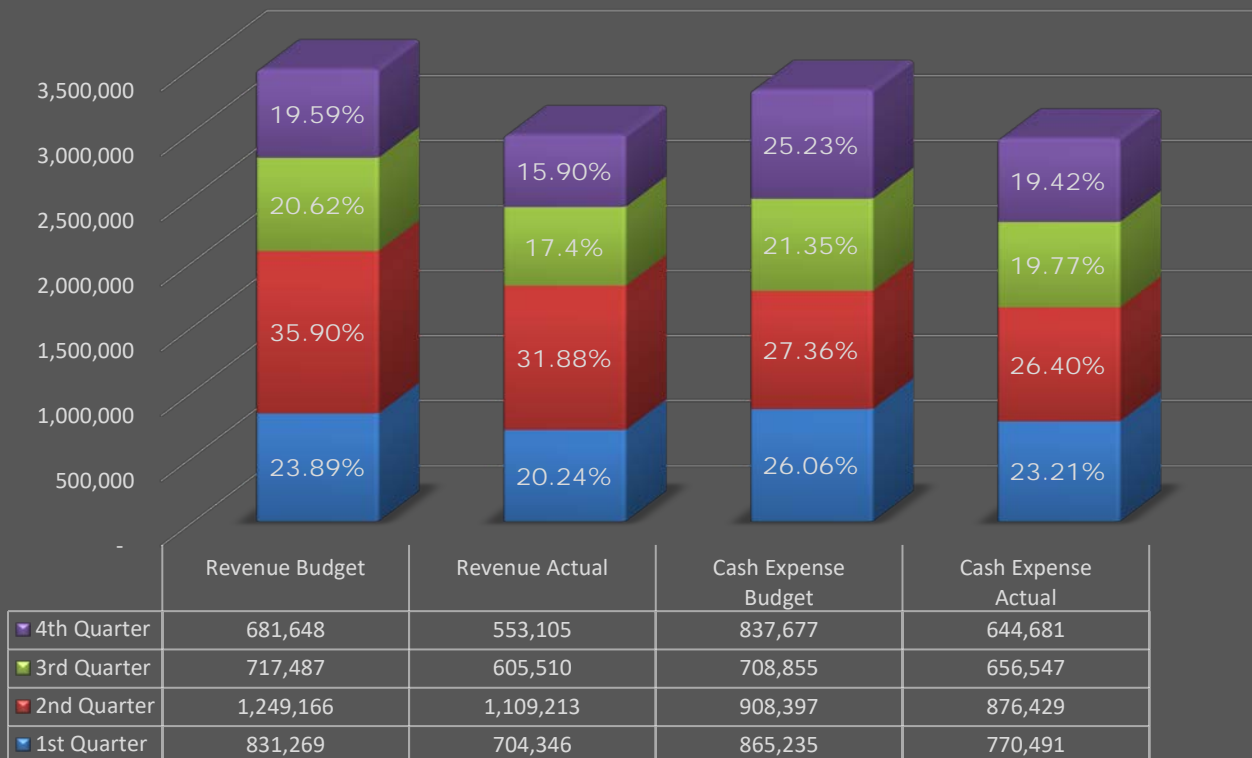


QUARTERLY DASHBOARD FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021

Wastewater

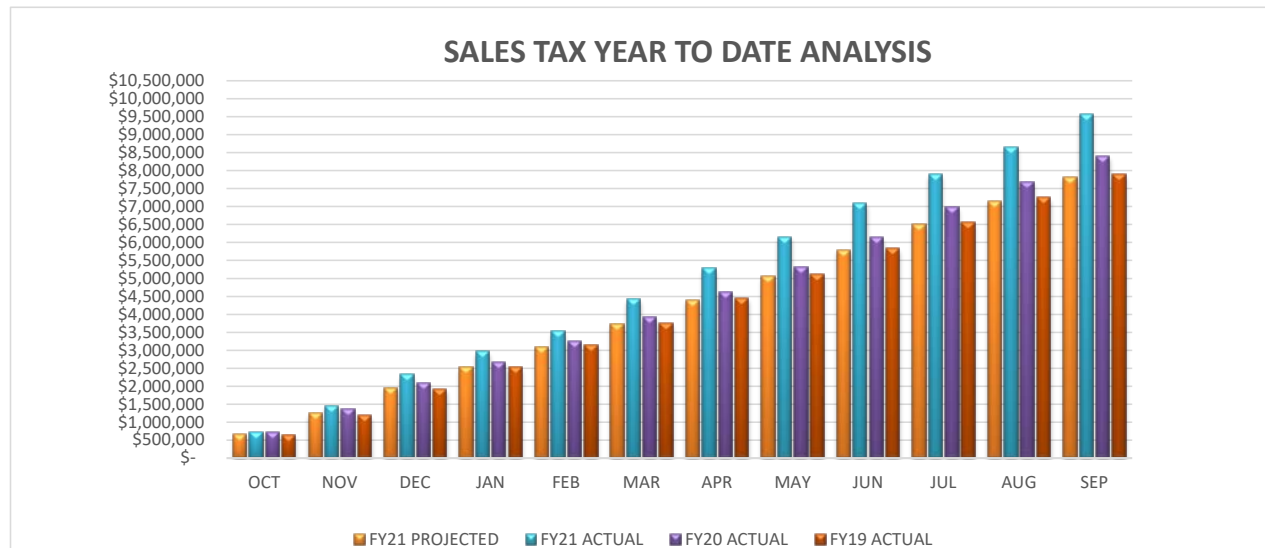
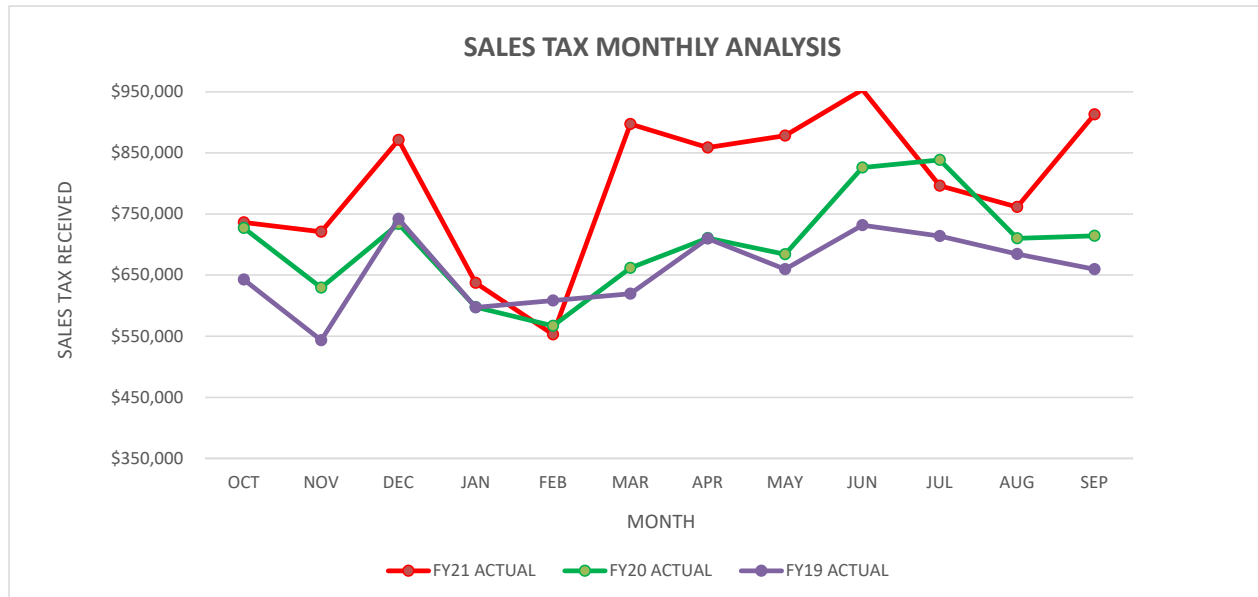


Gas



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	\$ 897,432	\$ 661,708	\$ 619,685	\$ 3,740,182	\$ 4,416,345	\$ 3,916,734	\$ 3,753,505
APR	\$ 663,923	\$ 858,595	\$ 710,605	\$ 709,856	\$ 4,404,105	\$ 5,274,940	\$ 4,627,339	\$ 4,463,360
MAY	\$ 663,577	\$ 878,333	\$ 684,143	\$ 659,482	\$ 5,067,681	\$ 6,153,273	\$ 5,311,481	\$ 5,122,843
JUN	\$ 726,825	\$ 953,469	\$ 825,965	\$ 731,785	\$ 5,794,506	\$ 7,106,742	\$ 6,137,446	\$ 5,854,628
JUL	\$ 708,435	\$ 796,187	\$ 838,577	\$ 714,104	\$ 6,502,941	\$ 7,902,928	\$ 6,976,023	\$ 6,568,732
AUG	\$ 646,996	\$ 761,411	\$ 710,226	\$ 684,414	\$ 7,149,937	\$ 8,664,339	\$ 7,686,249	\$ 7,253,146
SEP	\$ 677,643	\$ 912,949	\$ 714,504	\$ 659,527	\$ 7,827,580	\$ 9,577,288	\$ 8,400,753	\$ 7,897,971
TOTAL	\$ 7,827,580	\$ 9,577,288	\$ 8,400,753	\$ 7,912,673	\$ 7,827,580	\$ 4,416,345	\$ 8,400,753	\$ 7,897,971

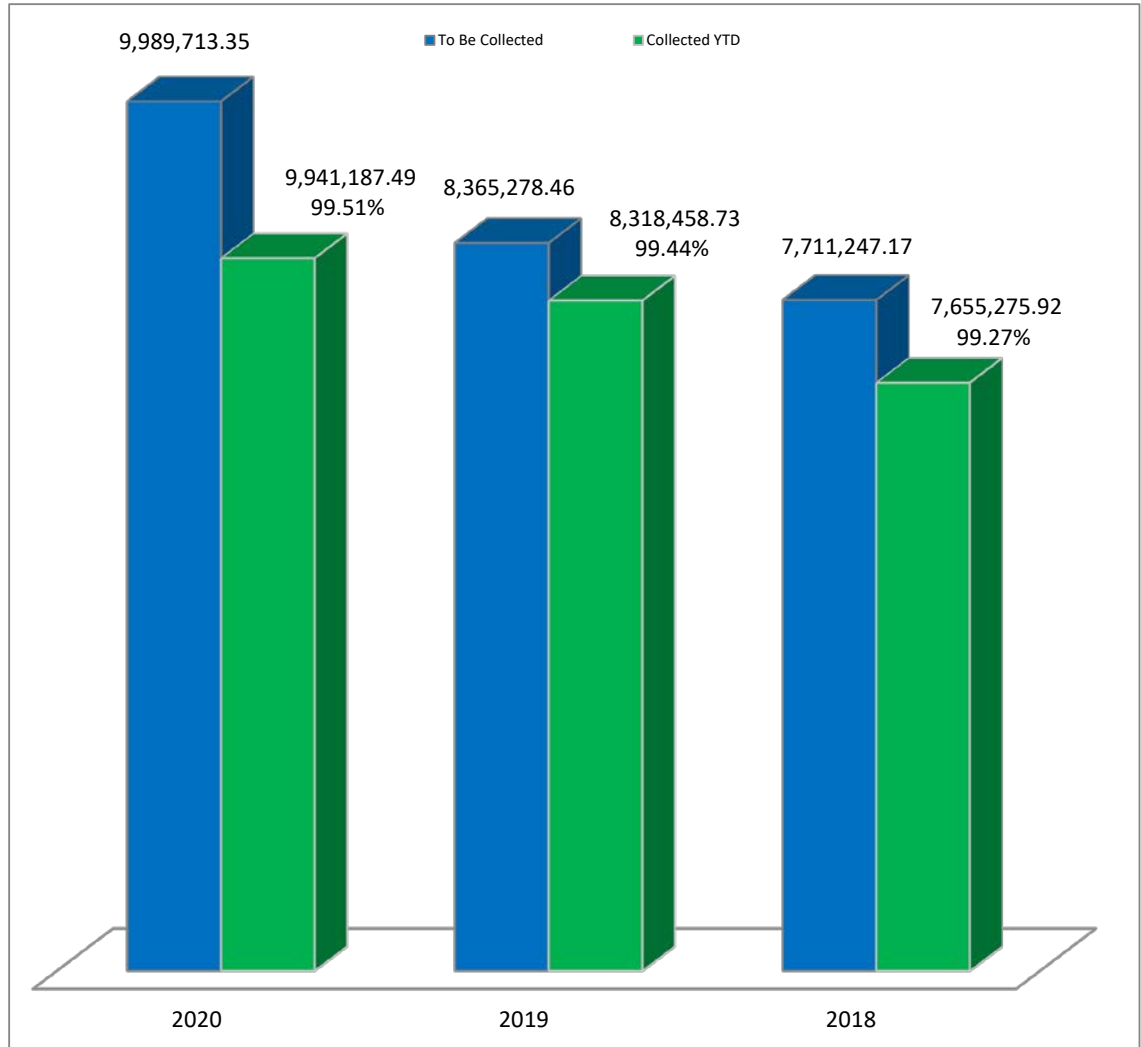


**CITY OF BOERNE
TAX COLLECTION FOR QUARTER ENDING SEPTEMBER 30, 2020
2020 TAX YEAR**

Tax amount to be collected: \$ 9,989,713.35

Collected this quarter: 29,070.37

Collected year-to-date: 9,941,187.49



DELINQUENT TAXES	2020	2019	2018
TO BE COLLECTED	139,300.75	138,273.95	148,553.72
TOTAL COLL WITH ROLLBACKS	56,355.26	70,398.29	57,147.15
PERCENTAGE COLLECTED	40.46%	50.91%	38.47%

CITY OF BOERNE
GENERAL FUND
STATEMENT OF REVENUES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

REVENUES	BUDGET	ACTUAL AT 9/30/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
TAXES	\$ 13,769,676	14,796,642	\$ 1,026,966	107.46%
FINES	269,200	194,532	(74,668)	72.26%
LICENSES AND FEES	3,834,425	4,305,462	471,037	112.28%
INTERLOCAL/SHARED SERVICES	2,573,871	2,573,871	0	100.00%
OTHER REVENUES	224,000	848,652	624,652	378.86%
INTEREST	100,000	73,845	(26,155)	73.85%
GRANTS AND DONATIONS	5,000	50,923	45,923	1018.47%
SUB - TOTAL	\$ 20,776,172	\$ 22,843,928	\$ 2,067,756	109.95%
TRANSFER FROM OTHER FUNDS	49,000	30,000	(19,000)	61.22%
FUND BALANCE	1,474,393	-	1,474,393	0.00%
TOTAL REVENUES	\$ 22,299,565	\$ 22,873,928	\$ 3,523,149	102.58%
TOTAL REVENUE INCLUDING TRANSFERS	\$ 20,825,172	\$ 22,873,928	\$ 2,048,756	109.84%
GENERAL FUND EXPENDITURES	22,458,565	21,184,621	1,273,944	94.33%
BUDGETED FUND BALANCE	1,474,393	-	(1,474,393)	
BALANCE	\$ (159,000.00)	\$ 1,689,307	\$ 1,848,307	

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 TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL EXPENDITURES	VARIANCE FROM BUDGET	PERCENT OF BUDGET
ADMINISTRATION				
PERSONNEL	\$ 1,597,666	\$ 1,610,066	\$ (12,400)	100.78%
SUPPLIES	300	155	145	51.77%
MAINTENANCE	74,185	63,297	10,888	85.32%
PROFESSIONAL SERVICES	159,195	141,463	17,732	88.86%
GENERAL	331,160	284,959	46,201	86.05%
SHARED SERVICES	1,191,999	1,191,999	0	100.00%
OTHER CONTRACTS	275,420	258,576	16,844	93.88%
NON-OPERATING	2,545,337	2,557,995	(12,658)	100.50%
CAPITAL OUTLAY	428,000	24,157	403,843	5.64%
TOTAL ADMINISTRATION	\$ 6,603,262	\$ 6,132,666	\$ 470,596	92.87%
STREET DEPARTMENT				
PERSONNEL	\$ 1,006,613	\$ 878,005	\$ 128,608	87.22%
SUPPLIES	195,000	151,091	43,909	77.48%
MAINTENANCE	298,350	272,663	25,687	91.39%
PROFESSIONAL SERVICES	50,000	25,212	24,788	50.42%
GENERAL	42,200	36,309	5,891	86.04%
SHARED SERVICES	379,449	379,449	0	100.00%
CAPITAL OUTLAY	36,400	57,381	(20,981)	157.64%
TOTAL STREET DEPT	\$ 2,008,012	\$ 1,800,111	\$ 207,901	89.65%
LAW ENFORCEMENT				
PERSONNEL	\$ 5,126,255	\$ 5,158,463	\$ (32,208)	100.63%
SUPPLIES	104,000	80,176	23,824	77.09%
MAINTENANCE	125,250	53,492	71,758	42.71%
GENERAL	294,041	270,237	23,804	91.90%
SHARED SERVICES	174,906	174,906	(0)	100.00%
CAPITAL OUTLAY	373,254	178,193	195,061	47.74%
TOTAL LAW ENFORCEMENT	\$ 6,197,706	\$ 5,915,467	\$ 282,239	95.45%
FIRE DEPARTMENT				
PERSONNEL	\$ 2,206,440	\$ 2,230,944	\$ (24,504)	101.11%
SUPPLIES	57,500	25,348	32,152	44.08%
MAINTENANCE	79,700	68,728	10,972	86.23%
PROFESSIONAL SERVICES	11,000	9,918	1,082	90.16%
GENERAL	184,120	149,235	34,885	81.05%
SHARED SERVICES	72,119	72,119	0	100.00%
CAPITAL OUTLAY	169,548	132,549	36,999	78.18%
TOTAL FIRE DEPARTMENT	\$ 2,780,427	\$ 2,688,840	\$ 91,586	96.71%
COMMUNICATIONS				
PERSONNEL	\$ 1,322,752	\$ 1,322,676	\$ 76	99.99%
MAINTENANCE	34,725	15,534	19,191	44.74%
GENERAL	58,246	47,016	11,230	80.72%
SHARED SERVICES	12,217	12,217	0	100.00%
CAPITAL OUTLAY	49,662	39,627	10,035	79.79%
TOTAL COMMUNICATIONS	\$ 1,477,602	\$ 1,437,070	\$ 40,532	97.26%

CITY OF BOERNE, TEXAS
GENERAL FUND
STATEMENT OF EXPENDITURES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL EXPENDITURES	VARIANCE FROM BUDGET	PERCENT OF BUDGET
MUNICIPAL COURT				
PERSONNEL	\$ 249,906	\$ 246,126	\$ 3,780	98.49%
SUPPLIES	6,000	100	5,900	1.67%
MAINTENANCE	13,000	5,163	7,837	39.72%
PROFESSIONAL SERVICES/FEES	54,600	47,548	7,052	87.08%
GENERAL	37,290	21,111	16,179	56.61%
SHARED SERVICES	2,443	2,443	0	100.00%
CAPITAL OUTLAY	1,000	-	1,000	0.00%
TOTAL MUNICIPAL COURT	\$ 364,239	\$ 322,491	\$ 41,748	88.54%
ANIMAL CONTROL				
PERSONNEL	\$ 332,028	\$ 307,227	\$ 24,801	92.53%
SUPPLIES	2,200	1,500	700	68.16%
MAINTENANCE	3,500	431	3,069	12.31%
GENERAL	43,136	56,982	(13,846)	132.10%
SHARED SERVICES	7,559	7,558	1	99.99%
CAPITAL OUTLAY	11,000	8,137	2,863	73.97%
TOTAL ANIMAL CONTROL	\$ 399,423	\$ 381,834	\$ 17,588	95.60%
CODE ENFORCEMENT				
PERSONNEL	\$ 400,526	\$ 373,385	\$ 27,141	93.22%
SUPPLIES	2,500	2,517	(17)	100.68%
MAINTENANCE	13,000	1,176	11,824	9.04%
GENERAL	72,685	80,609	(7,924)	110.90%
SHARED SERVICES	9,874	9,874	0	100.00%
CAPITAL OUTLAY	34,300	-	34,300	0.00%
TOTAL CODE ENFORCEMENT	\$ 532,886	\$ 467,561	\$ 65,325	87.74%
PLANNING				
PERSONNEL	\$ 546,445	\$ 586,053	\$ (39,608)	107.25%
MAINTENANCE	21,580	7,180	14,400	33.27%
PROFESSIONAL SERVICES/FEES	290,430	211,846	78,584	72.94%
GENERAL	37,150	37,644	(494)	101.33%
SHARED SERVICES	4,887	4,887	-	100.00%
CAPITAL OUTLAY	48,780	48,420	360	99.26%
TOTAL PLANNING	\$ 949,272	\$ 896,029	\$ 53,243	94.39%
INFORMATION TECHNOLOGY				
PERSONNEL	\$ 572,908	\$ 592,672	\$ (19,764)	103.45%
SUPPLIES	6,750	2,718	4,032	40.27%
MAINTENANCE	335,032	342,910	(7,878)	102.35%
PROFESSIONAL SERVICES/FEES	15,000	15,000	-	100.00%
GENERAL	78,160	67,607	10,553	86.50%
SHARED SERVICES	5,079	5,079	(0)	100.00%
CAPITAL OUTLAY	132,808	116,565	16,243	87.77%
TOTAL INFORMATION TECHNOLOGY	\$ 1,145,737	\$ 1,142,552	\$ 3,185	99.72%
TOTAL EXPENDITURES	\$ 22,458,565	\$ 21,184,621	\$ 1,273,944	94.33%

CITY OF BOERNE
HOTEL/MOTEL FUND
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 9/30/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Taxes	\$ 698,225	923,849	\$ 225,624	132.31%
Penalties	1,000	1,943	943	194.30%
Other Revenues	1,000	-	(1,000)	0.00%
Interest	1,500	44	(1,456)	2.92%
TOTAL REVENUES	<u>701,725</u>	<u>925,836</u>	<u>224,111</u>	<u>131.94%</u>
EXPENDITURES				
Personnel	306,076	279,639	26,437	91.36%
Maintenance	5,000	865	4,135	17.31%
General	187,455	176,067	11,388	93.92%
Charges For Services	29,887	29,887	0	100.00%
Other Contracts	-	-	-	0.00%
Non-Operating	178,225	178,224	1	100.00%
Capital Outlay	500	-	500	0.00%
TOTAL EXPENDITURES	<u>707,143</u>	<u>664,682</u>	<u>42,461</u>	<u>94.00%</u>
BUDGETED FUND BALANCE	<u>5,418</u>	<u>-</u>	<u>5,418</u>	
BALANCE	\$ <u>-</u>	\$ <u>261,154</u>	\$ <u>261,154</u>	

CITY OF BOERNE
PARKS FUND
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 9/30/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Taxes	\$ 2,040,299	2,018,283	\$ (22,016)	98.92%
Licenses and Fees	343,500	501,929	158,429	146.12%
Facility Fees/Leases	96,600	145,605	49,005	150.73%
Other Revenues	138,160	157,835	19,675	114.24%
Interest	15,000	1,485	(13,515)	9.90%
Grants and Donations	2,500	12,552	10,052	502.10%
Transfers from other funds	50,000	54,171	4,171	108.34%
TOTAL REVENUES	<u>2,686,059</u>	<u>2,891,860</u>	<u>205,801</u>	<u>107.66%</u>
EXPENDITURES				
Parks:				
Personnel	1,628,920	1,604,449	24,471	98.50%
Supplies	18,500	12,894	5,606	69.70%
Maintenance	175,000	201,745	(26,745)	115.28%
General	297,700	231,089	66,611	77.62%
Charges For Services	117,031	117,031	0	100.00%
Other Contracts	30,000	30,000	-	100.00%
Transfer to Other Funds	100,000	100,000	-	100.00%
Capital Outlay	351,870	200,810	151,060	57.07%
Sub-Total Parks Expenditures	<u>2,719,021</u>	<u>2,498,017</u>	<u>221,004</u>	<u>91.87%</u>
Pool:				
Personnel	49,477	35,014	14,463	70.77%
Supplies	12,000	17,228	(5,228)	143.57%
Maintenance	30,000	14,849	15,151	49.50%
General	7,700	5,516	2,184	71.64%
Capital Outlay	25,500	26,763	(1,263)	104.95%
Sub-Total Pool Expenditures	<u>124,677</u>	<u>99,370</u>	<u>25,307</u>	<u>79.70%</u>
TOTAL EXPENDITURES	<u>2,843,698</u>	<u>2,597,387</u>	<u>246,311</u>	<u>91.34%</u>
BUDGETED FUND BALANCE	<u>157,639</u>	<u>-</u>	<u>157,639</u>	
BALANCE	\$ <u>-</u>	\$ <u>294,474</u>	\$ <u>294,474</u>	

CITY OF BOERNE
LIBRARY
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 9/30/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Taxes	\$ 1,113,287	1,158,097	\$ 44,810	104.02%
Licenses and Fees	26,000	23,841	(2,159)	91.70%
Interlocal/Shared Services	264,559	264,559	-	100.00%
Facility Fees/Leases	3,000	2,225	(775)	74.17%
Other Revenues	1,500	6,987	5,487	465.79%
Interest	5,000	607	(4,393)	12.14%
Grants and Donations	5,000	61,792	56,792	1235.85%
TOTAL REVENUES	<u>1,418,346</u>	<u>1,518,108</u>	<u>99,762</u>	<u>107.03%</u>
EXPENDITURES				
Personnel	1,037,864	1,034,687	3,176	99.69%
Supplies	4,500	4,896	(396)	108.81%
Maintenance	35,000	23,720	11,280	67.77%
Professional Services/Fees	-	-	-	0.00%
General	255,805	250,851	4,954	98.06%
Charges For Services	84,647	84,647	(0)	100.00%
Transfer to Other Funds	-	-	-	0.00%
Capital Outlay	27,813	36,572	(8,759)	131.49%
TOTAL EXPENDITURES	<u>1,445,628</u>	<u>1,435,374</u>	<u>10,254</u>	<u>99.29%</u>
BUDGETED FUND BALANCE	<u>27,282</u>	<u>-</u>	<u>27,282</u>	
BALANCE	\$ <u>-</u>	\$ <u>82,735</u>	\$ <u>82,735</u>	

CITY OF BOERNE
ECONOMIC DEVELOPMENT
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 9/30/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Interest	\$ 2,500	440	\$ (2,060)	17.60%
Transfer from Other Funds	789,884	850,766	60,882	107.71%
TOTAL REVENUES	<u>792,384</u>	<u>851,206</u>	<u>58,822</u>	<u>107.42%</u>
EXPENDITURES				
Professional Services/Fees	-	4,500	(4,500)	0.00%
Other Contracts	1,287,964	299,633	988,331	23.26%
Non-operating	25,000	-	25,000	0.00%
TOTAL EXPENDITURES	<u>1,312,964</u>	<u>304,133</u>	<u>1,008,831</u>	<u>23.16%</u>
BUDGETED FUND BALANCE	<u>520,580</u>		<u>520,580</u>	
BALANCE	\$ <u><u>-</u></u>	\$ <u><u>547,073</u></u>	\$ <u><u>547,073</u></u>	

CITY OF BOERNE
CEMETERY FUND
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 9/30/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Cemetery Revenues	\$ 89,825	287,480	\$ 197,655	320.04%
Other Operating Revenues	200	-	(200)	0.00%
Restricted Revenues	22,500	63,376	40,876	281.67%
Interest	2,500	(1,600)	(4,100)	-63.98%
TOTAL REVENUES	<u>115,025</u>	<u>349,256</u>	<u>234,231</u>	<u>303.63%</u>
EXPENDITURES				
Personnel	-	-	-	0.00%
Supplies	3,000	2,277	723	75.90%
Maintenance	13,400	3,550	9,850	26.49%
Professional Services/Fees	-	-	-	0.00%
General	22,700	21,012	1,688	92.56%
Transfer to Other Funds	50,000	50,004	(4)	100.01%
Capital Outlay	500	-	500	0.00%
TOTAL EXPENDITURES	<u>89,600</u>	<u>76,843</u>	<u>12,757</u>	<u>85.76%</u>
BUDGETED FUND BALANCE	<u>-</u>	<u>-</u>	<u>-</u>	
BALANCE	\$ <u>25,425</u>	\$ <u>272,413</u>	\$ <u>246,988</u>	

CITY OF BOERNE
INTERNAL SERVICE FUND
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 9/30/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
REVENUES				
Charges for Services	\$ 3,217,357	3,250,097	\$ 32,740	101.02%
TOTAL REVENUES	<u>3,217,357</u>	<u>3,250,097</u>	<u>32,740</u>	<u>101.02%</u>
EXPENDITURES				
Human Resources				
Personnel	213,635	223,242	(9,607)	104.50%
Maintenance	25,000	8,963	16,037	35.85%
Professional Services	3,000	(4,875)	7,875	-162.49%
General	43,200	54,929	(11,729)	127.15%
Capital Outlay	1,000	-	1,000	0.00%
Total Human Resources Expenditures	<u>285,835</u>	<u>282,260</u>	<u>3,575</u>	<u>98.75%</u>
Legal				
Personnel	277,920	266,410	11,510	95.86%
Professional Services	55,000	64,774	(9,774)	117.77%
General	25,590	11,196	14,394	43.75%
Capital Outlay	1,000	2,348	(1,348)	234.81%
Total Legal Expenditures	<u>359,510</u>	<u>344,727</u>	<u>14,783</u>	<u>95.89%</u>
Devl Services				
Personnel	944,299	854,975	89,324	90.54%
Supplies	-	6,890	(6,890)	
Professional Services	36,000	15,110	20,890	41.97%
General	33,500	26,505	6,995	79.12%
Capital Outlay	37,000	7,503	29,497	20.28%
Total Devl Services Expenditures	<u>1,050,799</u>	<u>910,983</u>	<u>139,816</u>	<u>86.69%</u>
Facility Maintenance				
Personnel	799,021	725,931	73,090	90.85%
Supplies	13,850	19,494	(5,644)	140.75%
Maintenance	249,708	242,919	6,789	97.28%
General	12,150	17,114	(4,964)	140.86%
Capital Outlay	-	-	-	0.00%
Total Facility Maint Expenditures	<u>1,074,729</u>	<u>1,005,458</u>	<u>69,271</u>	<u>93.55%</u>

CITY OF BOERNE
INTERNAL SERVICE FUND
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	CURRENT BUDGET	ACTUAL AT 9/30/2021	VARIANCE FROM BUDGET	PERCENT OF BUDGET
Fleet Maintenance				
Personnel	378,162	304,900	73,262	80.63%
Supplies	45,000	27,626	17,374	61.39%
Maintenance	196,360	155,865	40,495	79.38%
General	24,100	12,124	11,976	50.31%
Capital Outlay	2,000	-	2,000	0.00%
Total Fleet Maint Expenditures	<u>645,622</u>	<u>500,515</u>	<u>145,107</u>	<u>77.52%</u>
 TOTAL EXPENDITURES	 <u>3,416,495</u>	 <u>3,043,942</u>	 <u>214,378</u>	 <u>89.10%</u>
 BUDGETED FUND BALANCE	 <u>199,138</u>	 <u>-</u>	 <u>199,138</u>	
 BALANCE	 <u>\$ -</u>	 <u>\$ 206,154</u>	 <u>\$ 206,154</u>	

CITY OF BOERNE
ELECTRIC UTILITY FUND
STATEMENT OF REVENUES AND EXPENSES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Operating Revenues				
Current Revenues	\$ 17,031,546	17,002,664	\$ (28,882)	99.83%
Transfer from other funds	-	-	-	0.00%
TOTAL OPERATING REVENUES	<u>17,031,546</u>	<u>17,002,664</u>	<u>(28,882)</u>	<u>99.83%</u>
Operating Expenses				
Personnel	2,017,176	1,948,091	69,085	96.58%
Cost of Goods/Services Sold	10,855,720	9,900,298	955,422	91.20%
Supplies	37,000	30,129	6,871	81.43%
Maintenance	335,615	411,177	(75,562)	122.51%
Professional Services/Fees	142,350	129,262	13,088	90.81%
General	392,656	348,693	43,963	88.80%
Shared Services	531,899	531,899	0	100.00%
Other Contracts	25,000	25,000	-	100.00%
Depreciation	675,000	718,226	(43,226)	106.40%
Debt Service	70,369	72,423	(2,054)	102.92%
TOTAL OPERATING EXPENSES	<u>15,082,786</u>	<u>14,115,197</u>	<u>967,589</u>	<u>93.58%</u>
Non-Recurring Expenses				
Transfers to Other Funds	1,665,863	1,320,030	345,833	79.24%
Capital Outlay	1,229,975	620,149	609,826	50.42%
Transfer to Capital Reserve	300,000	800,000	(500,000)	266.67%
Transfer to QOL Reserve	1,000,000	844,004	155,996	84.40%
TOTAL NON-RECURRING EXPENSES	<u>4,195,838</u>	<u>3,584,183</u>	<u>611,655</u>	<u>85.42%</u>
Adjustments For Cash Flow Purposes:				
Depreciation	675,000	718,226	43,226	106.40%
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>1,718,226</u>	<u>(916,774)</u>	<u>-34.79%</u>
Net-Modified Cash Basis	387,922	1,021,510	633,588	
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>\$ 5,762,873</u>		
Projected Unreserved Fund Balance at 9/30/21	<u>\$ 5,129,285</u>			

CITY OF BOERNE
WATER UTILITY FUND
STATEMENT OF REVENUES AND EXPENSES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Operating Revenues				
Current Revenues	\$ 6,574,117	6,819,700	\$ 245,582	103.74%
Transfer from other funds	-	-	-	0.00%
TOTAL OPERATING REVENUES	<u>6,574,117</u>	<u>6,819,700</u>	<u>245,582</u>	<u>103.74%</u>
Operating Expenses				
Personnel	1,916,791	1,835,298	81,493	95.75%
Cost of Goods/Services Sold	2,001,585	1,949,012	52,573	97.37%
Supplies	80,000	98,972	(18,972)	123.71%
Maintenance	334,105	314,895	19,210	94.25%
Professional Services/Fees	277,420	253,854	23,566	91.51%
General	339,850	314,846	25,004	92.64%
Shared Services	585,454	585,454	(0)	100.00%
Other Contracts	10,000	10,000	-	100.00%
Depreciation	1,750,000	1,963,782	(213,782)	112.22%
Debt Service	-	-	-	0.00%
TOTAL OPERATING EXPENSES	<u>7,295,205</u>	<u>7,326,113</u>	<u>(30,908)</u>	<u>100.42%</u>
Non-Recurring Expenses				
Transfers to Other Funds	465,863	465,863	(0)	100.00%
Capital Outlay	864,464	198,733	665,731	22.99%
Transfer to Capital Reserve	200,000	200,000	-	100.00%
TOTAL NON-RECURRING EXPENSES	<u>1,530,327</u>	<u>864,596</u>	<u>665,731</u>	<u>56.50%</u>
Adjustments for Cash Flow Purposes:				
Depreciation	1,750,000	1,963,782	213,782	112.22%
Transfer from Capital Reserve	450,000	-	450,000	0.00%
TOTAL CASH FLOW ADJUSTMENTS	<u>2,200,000</u>	<u>1,963,782</u>	<u>663,782</u>	<u>89.26%</u>
Net-Modified Cash Basis	(51,415)	592,773	644,187	
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>\$ 5,579,269</u>		
Projected Unreserved Fund Balance at 9/30/21	<u>\$ 4,935,081</u>			

CITY OF BOERNE
WASTEWATER UTILITY FUND
STATEMENT OF REVENUES AND EXPENSES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Operating Revenues				
Current Revenues	\$ 5,630,529	7,167,011	\$ 1,536,482	127.29%
Transfers from Other Funds	<u>1,250,000</u>	<u>1,331,640</u>	<u>81,640</u>	<u>106.53%</u>
TOTAL OPERATING REVENUES	<u>6,880,529</u>	<u>8,498,651</u>	<u>1,618,122</u>	<u>123.52%</u>
Operating Expenses				
Personnel	1,563,923	1,514,715	49,208	96.85%
Cost of Goods/Services Sold	339,601	360,536	(20,935)	106.16%
Supplies	140,000	92,361	47,639	65.97%
Maintenance	467,600	432,765	34,835	92.55%
Professional Services/Fees	88,000	53,898	34,102	61.25%
General	553,730	559,982	(6,252)	101.13%
Shared Services	606,414	606,413	1	100.00%
Other Contracts	160,000	208,745	(48,745)	130.47%
Depreciation	3,250,000	3,450,675	(200,675)	106.17%
Debt Service	<u>2,613,954</u>	<u>2,613,954</u>	<u>-</u>	<u>100.00%</u>
TOTAL OPERATING EXPENSES	<u>9,783,222</u>	<u>9,894,045</u>	<u>(110,823)</u>	<u>101.13%</u>
Non-Recurring Expenses				
Transfers to Other Funds	10,575	10,575	-	100.00%
Capital Outlay	884,569	382,509	502,060	43.24%
Transfer to Capital Reserve	<u>175,000</u>	<u>2,729,522</u>	<u>(2,554,522)</u>	<u>1559.73%</u>
TOTAL NON-RECURRING EXPENSES	<u>1,070,144</u>	<u>3,122,606</u>	<u>(2,052,462)</u>	<u>291.79%</u>
Adjustments for Cash Flow Purposes:				
Depreciation	3,250,000	3,450,675	200,675	106.17%
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>3,450,675</u>	<u>800,675</u>	<u>89.63%</u>
Net-Modified Cash Basis	(122,837)	(1,067,325)	(944,489)	
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>\$ 3,430,434</u>		
Projected Unreserved Fund Balance at 9/30/21	<u>\$ 4,374,922</u>			

CITY OF BOERNE
GAS UTILITY FUND
STATEMENT OF REVENUES AND EXPENSES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Operating Revenues				
Current Revenues	\$ 3,129,570	2,972,174	\$ (157,396)	94.97%
Transfers from other funds	350,000	-	(350,000)	0.00%
TOTAL OPERATING REVENUES	<u>3,479,570</u>	<u>2,972,174</u>	<u>(507,396)</u>	<u>85.42%</u>
Operating Expenses				
Personnel	921,798	909,249	12,549	98.64%
Cost of Goods/Services Sold	1,023,326	969,141	54,185	94.70%
Supplies	22,500	19,506	2,994	86.69%
Maintenance	120,355	128,775	(8,420)	107.00%
Professional Services/Fees	20,600	18,357	2,243	89.11%
General	112,118	109,780	2,338	97.91%
Shared Services	282,170	282,171	(0)	100.00%
Other Contracts	10,000	10,000	-	100.00%
Depreciation	525,000	607,755	(82,755)	115.76%
Debt Service	187,652	187,652	-	100.00%
TOTAL OPERATING EXPENSES	<u>3,225,519</u>	<u>3,242,385</u>	<u>(16,866)</u>	<u>100.52%</u>
Non-Recurring Expenses				
Transfers to Other Funds	10,575	10,575	-	100.00%
Gain/Loss on Sale of Assets	-	-	-	0.00%
Capital Outlay	624,564	302,943	321,621	48.50%
TOTAL NON-RECURRING EXPENSES	<u>635,139</u>	<u>313,518</u>	<u>321,621</u>	<u>49.36%</u>
Adjustments for Cash Flow Purposes:				
Depreciation	525,000	607,755	82,755	115.76%
TOTAL CASH FLOW ADJUSTMENTS	<u>525,000</u>	<u>607,755</u>	<u>82,755</u>	<u>115.76%</u>
Net-Modified Cash Basis	143,912	24,026	(119,886)	
Unreserved Fund Balance at 10/1/20	<u>(38,325)</u>	<u>(38,325)</u>		
Unreserved Fund Balance at 9/30/21		\$ <u>(14,299)</u>		
Projected Unreserved Fund Balance at 9/30/21	\$ <u>105,587</u>			

CITY OF BOERNE
STORMWATER FUND
STATEMENT OF REVENUES AND EXPENSES
BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Revenues				
Current Revenues	\$ 335,609	481,030	\$ 145,421	143.33%
Transfer from other funds	-	-	-	0.00%
TOTAL REVENUES	<u>335,609</u>	<u>481,030</u>	<u>145,421</u>	<u>143.33%</u>
Expenses				
Professional Services/Fees	85,609	-	85,609	0.00%
General	-	150	(150)	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>150</u>	<u>335,459</u>	<u>0.04%</u>
Net Income/(Loss)	-	480,880	480,880	
Adjustments for Cash Flow Purposes:				
Depreciation	<u>-</u>	<u>-</u>	<u>-</u>	
Net-Modified Cash Basis	-	480,880	480,880	
Unreserved Fund Balance at 10/1/20	<u>-</u>	<u>-</u>		
Unreserved Fund Balance at 9/30/21		<u>\$ 480,880</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 TWELVE MONTHS ENDED SEPTEMBER 30, 2021
(100% OF FISCAL YEAR)

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	<u>PERCENT</u>
Revenues				
Current Revenues	\$ 1,093,986	1,117,124	\$ 23,138	102.12%
Recycling Grant	-	-	-	0.00%
TOTAL REVENUES	<u>1,093,986</u>	<u>1,117,124</u>	<u>23,138</u>	<u>102.12%</u>
Expenses				
Cost of Goods/Services Sold	987,827	987,033	794	99.92%
General	33,600	31,294	2,306	93.14%
Other Contracts	18,000	18,000	-	100.00%
Non-Operating	-	-	-	0.00%
TOTAL EXPENSES	<u>1,039,427</u>	<u>1,036,328</u>	<u>3,099</u>	<u>99.70%</u>
Net Income/(Loss)	54,559	80,796	26,237	148.09%
Adjustments for Cash Flow Purposes:				
Depreciation	<u>-</u>	<u>-</u>	<u>-</u>	
Net-Modified Cash Basis	54,559	80,796	26,237	
Unreserved Fund Balance at 10/1/20	<u>239,225</u>	<u>239,225</u>		
Unreserved Fund Balance at 9/30/21		<u>\$ 320,022</u>		
Projected Unreserved Fund Balance at 9/30/21	<u>\$ 293,784</u>			



QUARTERLY INVESTMENT REPORT FINANCE DEPARTMENT

DATE: January 11, 2022

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

FROM: Sandra Mattick, CPA, CGFO, Finance Director

RE: Fourth 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.

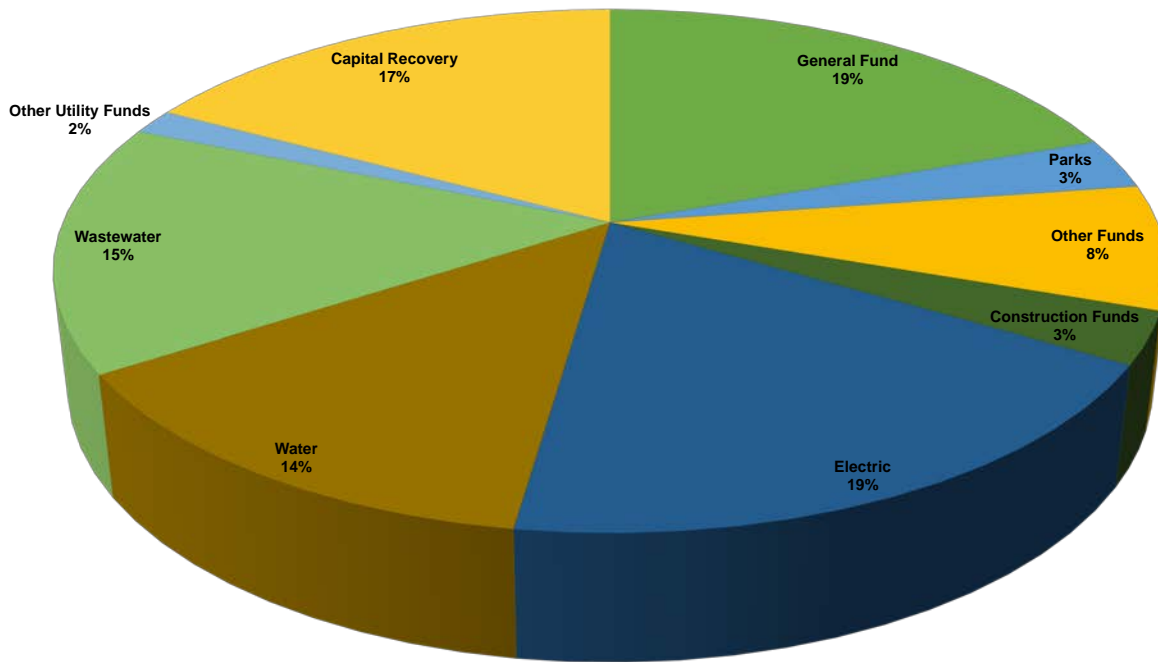
During this quarter, and as reflected in the Investment Report, the City of Boerne invested in TexPool, MBIA, Texas TERM, TexStar, Municipal bonds, Commercial Paper, and Certificates of Deposit (CD'S). Interest earned for this quarter totaled \$73,606. The weighted-average interest rate for the quarter was 0.20%, 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 0.04% for 3-month T-bills, 0.05% for 6-month T-bills, and 0.09% for 1-year T-bills. The first page of the Investment Report, Page 25, shows the makeup of the portfolio with 51% invested in TexPool, 23% in Texas Class, 3% in other State pools, 10% in Municipal Bonds, 4% 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 September 30, 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.

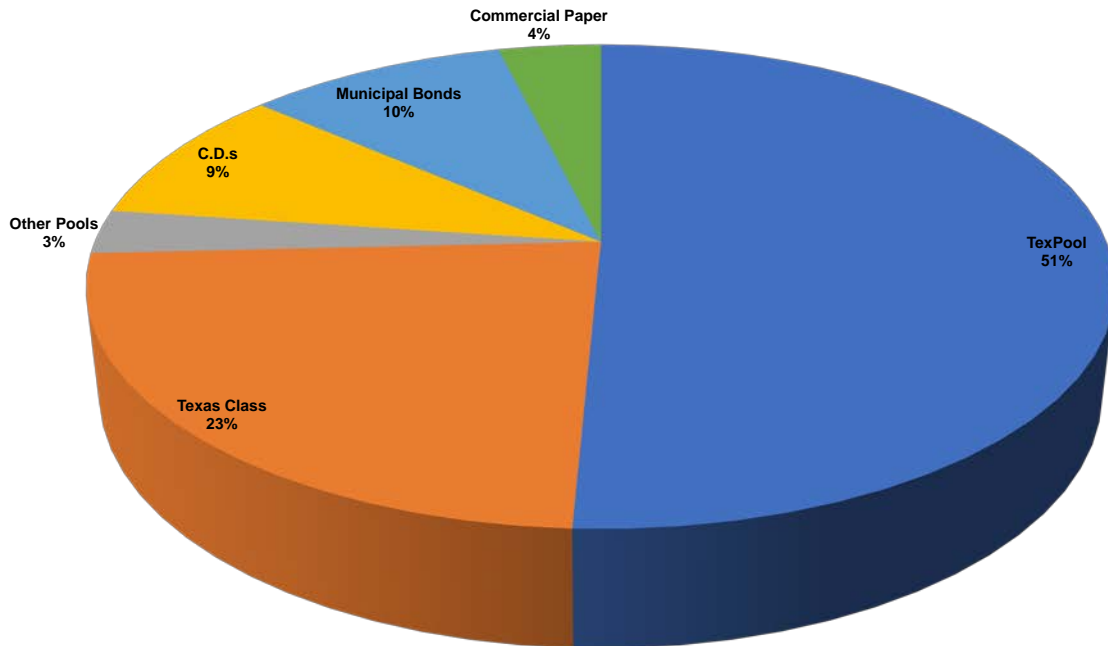

Sandra Mattick, CPA, CGFO, Finance Director

City of Boerne
Investment Report
For the Quarter Ended September 30, 2021

INVESTMENTS BY FUND



INVESTMENTS BY TYPE

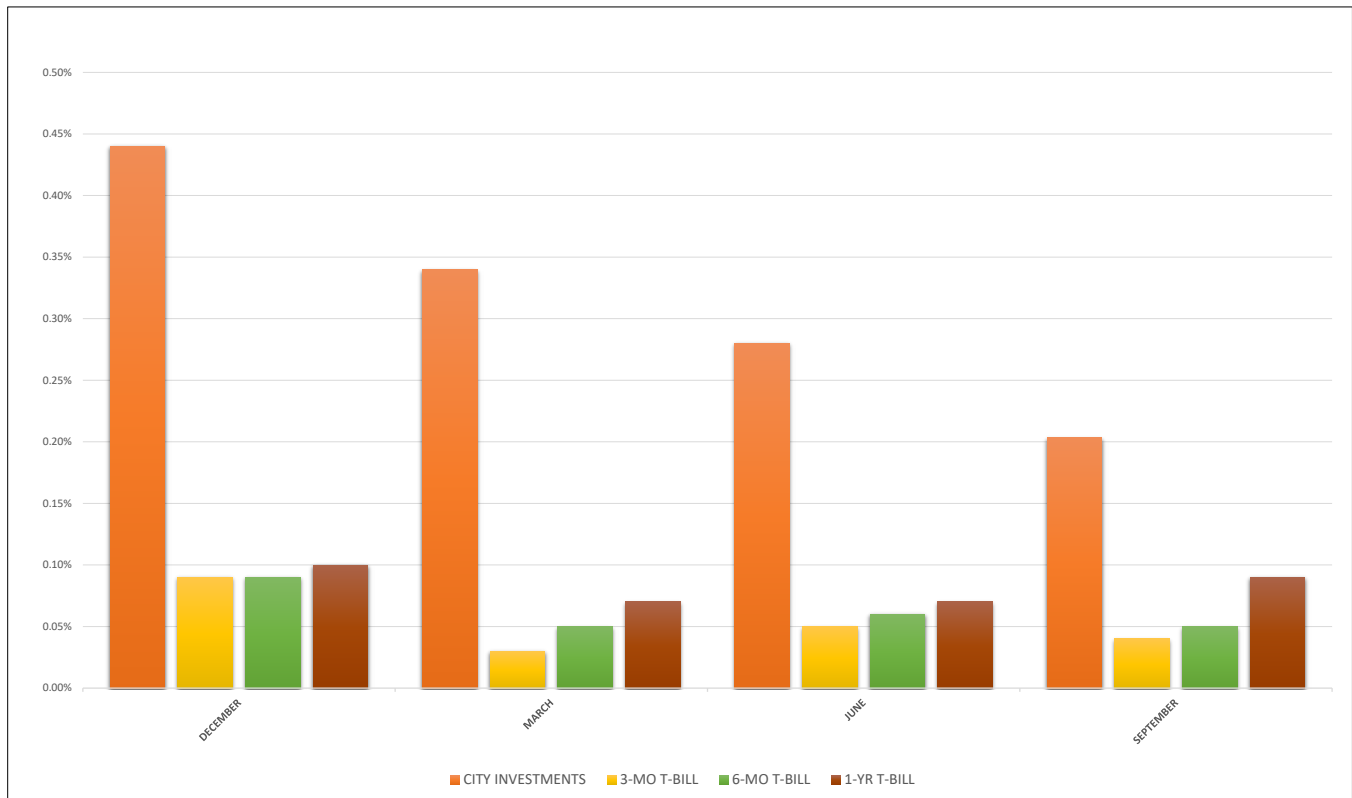


City of Boerne
Investment Report
For the Quarter Ended September 30, 2021

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	0.28%	0.05%	0.06%	0.07%
SEPTEMBER	0.20%	0.04%	0.05%	0.09%

HIGH	0.44%	0.09%	0.09%	0.10%
LOW	0.20%	0.03%	0.05%	0.07%



City of Boerne
Investment Report
For the Quarter Ended September 30, 2021

DESCRIPTION	BOOK VALUE	MARKET VALUE	QTD INTEREST	YTD INTEREST	WAIR	WAM
TexPool	39,672,571	39,672,571	2,217	16,816	0.02	18
Texas Class	18,379,451	18,379,451	2,422	17,175	0.06	12
Texas Range	2,272,389	2,272,389	184	2,075	0.01	1
TexStar	22,086	22,086	1	9	0.01	0
Commercial Paper	3,000,000	3,000,000	1,014	3,563	0.15	45
CDs	7,212,702	7,239,841	23,604	121,895	0.68	166
Municipal Bonds	7,641,255	7,544,046	44,164	224,497	1.13	252
Government Agencies	-	-	-	-	-	-
Total Investments	78,200,455	78,130,384	73,606	386,030		

Total Investments by Fund

DESCRIPTION	MATURITY DATE	INTEREST RATE	BOOK VALUE	MARKET VALUE	QTD INTEREST	YTD INTEREST
General Fund						
TexPool	N/A	0.020	4,383,056	4,383,056	160	966
Texas Class	N/A	0.040	2,710,912	2,710,912	388	2,943
Texas Term	N/A	0.010	977,942	977,942	54	1,286
TexStar	N/A	0.010	22,086	22,086	1	9
W Palm Beach FL Txbi 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	-	-	-	3,929
TX Univ of Houston Rev	2/15/2021	2.500	-	-	-	3,333
Broadway Bank	04/26/2021	1.700	-	-	-	2,078
Cornerstone Bank	7/27/2021	2.550	-	-	478	5,260
Pacific Western Bank	08/10/2021	1.600	-	-	353	3,528
Midlothian Tx Cmnty Dev	09/01/2021	0.600	-	-	148	1,198
Kentucky Asset/Liab	09/01/2021	0.700	-	-	705	7,250
First Bank of McGregor	9/24/2021	1.950	-	-	1,251	5,005
Texas Term CP	11/14/2021	0.150	2,000,000	2,000,000	657	1,534
Oakland CA Pension Rev	12/15/2021	1.700	252,112	259,667	1,092	4,339
Uinta Bank CD	01/06/2022	1.850	241,000	241,000	1,115	4,458
Landmark Community Bank	01/06/2022	1.850	241,000	241,000	743	1,240
Financial Federal Savings	1/19/2022	0.250	248,000	248,000	248	11,254
Miami Beach FL Redev	02/01/2022	0.600	572,803	554,186	2,408	6,638
Rainbow City AL Util	02/01/2022	0.700	242,574	236,951	1,763	5,363
Farmers & Merchants Union Bank	02/09/2022	1.850	240,000	240,000	1,200	4,544
T Bank	9/27/2023	0.120	248,000	248,000	-	2,840
Axos Bank CD	03/28/2022	1.550	245,000	246,756	635	2,949
Compton CA Comm Redev	08/01/2022	2.154	141,771	147,410	771	4,800
W Covina CA Public	08/01/2022	1.250	318,701	318,219	1,455	2,505
Midlothian Tx Cmnty Dev	09/01/2022	0.720	31,891	30,888	350	3,654
BMW BK of NA	11/22/2022	1.826	244,816	249,648	1,112	6,972
Thornton Dev Auth	12/01/2022	1.720	270,500	263,230	1,985	2,409
Calhoun CO	12/01/2022	0.320	285,881	285,430	212	391
Murphy-Wall St Bk & Trust	6/28/2023	0.320	99,873	100,004	50	236
Prospect Bank	4/26/2023	0.300	248,000	248,000	186	606
First National Bank Spearman	7/27/2023	0.100	248,000	248,000	155	155
NY Community Bank	11/09/2023	0.280	244,755	244,252	154	154
Preferred Bank	8/11/2022	0.100	248,000	248,000	85	85
First Bank of Ohio	8/11/2023	0.150	248,000	248,000	102	102
Total General Fund			15,254,673	15,240,637	20,014	108,766

City of Boerne
Investment Report
For the Quarter Ended September 30, 2021

DESCRIPTION	MATURITY DATE	INTEREST RATE	BOOK VALUE	MARKET VALUE	QTD INTEREST	YTD INTEREST
Cemetery Fund						
TexPool Operating	N/A	0.020	560,490	560,490	24	222
TexPool Endowment	N/A	0.020	21,643	21,643	1	11
Texas Class Endowment	N/A	0.060	321,366	321,366	42	319
Wells Fargo Bank NA	10/18/2022	1.800	244,829	249,577	778	4,260
Brooks Cnt ISD	8/15/2022	1.900	189,958	198,376	930	3,690
Total Cemetery Endowment			1,338,285	1,351,451	1,776	8,501
Capital Recovery Fund						
TexPool	N/A	0.020	9,733,858	9,733,858	531	3,710
Texas Class	N/A	0.040	803,414	803,414	106	797
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	-	-	-	2,259
Sonoma Marin Area Rail	03/02/2021	1.200	-	-	-	9,917
State of Connecticut	10/01/2021	1.250	262,835	250,000	1,299	7,781
Johnstown OH	12/01/2021	1.250	218,612	211,140	2,100	7,980
Dayton, TX	02/01/2022	1.250	123,617	123,096	900	3,260
Camino Real TX Mobility Purch	06/01/2022	0.750	324,528	308,613	3,750	15,000
Duquesne PA Sch Dist	06/01/2022	0.550	193,411	191,818	285	666
Capital One Bank	7/18/2022	2.100	243,959	248,988	1,290	5,145
Cook Cnty IL Sch Dist 101	11/01/2022	0.350	178,063	174,833	1,120	3,184
Bedford Park II Tax Inc Rev	12/30/2022	1.900	529,025	520,700	4,875	19,500
Vance Govt Etc Rev	06/01/2023	0.700	185,479	185,960	370	1,014
Oklahoma Dev Fin Auth	06/01/2023	0.720	407,223	408,438	962	2,886
Gary IN Cmnty Sch	07/15/2023	0.565	197,759	190,512	450	4,580
Total Capital Recovery Fund			13,401,782	13,349,371	18,038	92,043
Electric Fund						
TexPool	N/A	0.020	5,226,179	5,226,179	272	2,315
Texas Class	N/A	0.040	3,403,341	3,403,341	448	3,290
Texas Range	N/A	0.010	1,294,447	1,294,447	131	789
UBS Bank	10/20/2020	2.900	-	-	-	662
First Mid-Illinois Bank	3/8/2021	2.950	-	-	-	3,743
Bankunited	03/26/2021	1.830	-	-	-	2,309
First Western Fed Savings Bank	04/13/2021	0.860	-	-	-	1,336
Fifth Third Bank	04/22/2021	1.150	-	-	-	1,630
State of Connecticut GO	06/15/2021	1.700	-	-	-	4,844
Mainstreet Bank	7/14/2021	2.250	-	-	446	4,463
American Ntnl Bank of MN	7/14/2021	2.100	-	-	1,043	4,835
Jersey City NJ	9/1/2021	2.000	-	-	2,113	11,622
Bank Leumi	9/17/2021	1.850	-	-	989	4,324
First Capital Bank	11/12/2021	1.800	240,000	240,000	1,167	4,667
Texas Term CP	11/14/2021	0.150	1,000,000	1,000,000	356	831
Synovus Bank	11/29/2021	0.020	245,000	245,612	981	3,924
Jackson Cnty Mo Spl Ob	12/01/2021	1.200	468,134	442,939	5,500	22,000
Ohio St Turnpike	02/15/2022	1.700	250,000	251,105	1,073	4,293
Traditional Bank	03/09/2022	1.200	243,000	243,000	820	3,381
Hidalgo Cnty TX Unrefunded	8/15/2022	1.803	237,036	234,823	1,709	6,838
Pennsylvania Turnpike	12/01/2022	2.170	149,750	153,053	792	3,167
Hammonton ISD	07/01/2022	0.400	187,229	184,525	1,618	2,354
Carlstadt Borough GO	06/15/2023	0.335	253,185	252,110	212	212
Wells Fargo Nat Bk	01/17/2023	1.900	245,000	250,448	778	4,260
Third Coast Bank	4/14/2022	0.100	248,000	248,000	155	286
Greenstate CR Union	06/15/2024	0.450	245,000	244,222	139	139
Western Alliance	07/14/2023	0.100	248,000	248,000	155	155
Goldman Sachs	08/21/2023	0.250	244,471	244,604	141	141
Global Bank	09/20/2023	0.200	248,000	248,000	24	24
Total Electric Fund			14,675,770	14,654,407	21,062	102,831

City of Boerne
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For the Quarter Ended September 30, 2021

DESCRIPTION	MATURITY DATE	INTEREST RATE	BOOK VALUE	MARKET VALUE	QTD INTEREST	YTD INTEREST
Water Fund						
TexPool	N/A	0.020	4,085,193	4,085,193	556	3,666
Texas Class	N/A	0.040	4,129,932	4,129,932	543	4,010
JP Morgan Chase	11/19/2020	0.500	-	-	-	309
US Alliance Fed Credit Union	3/1/2021	0.600	-	-	-	608
Essa Bank	3/5/2021	1.000	-	-	-	1,184
Preferred Bank	3/5/2021	0.950	-	-	-	1,168
UT Ogden City Redevel Agy Rev Bonds	4/1/2021	3.000	-	-	-	13,325
First Internet Bank	7/22/2021	2.220	-	-	1,713	5,517
Alliant	7/22/2021	2.200	-	-	1,358	5,162
Iowa Std Loan Rev Bonds	12/1/2021	2.479	502,985	501,380	2,066	11,362
Prudential Bank	3/4/2022	1.100	243,000	243,000	758	3,033
United Bank of Iowa	3/4/2022	1.000	244,000	244,000	701	2,802
Ally Bank	4/18/2022	1.200	245,000	246,491	708	2,328
CFG Community Bank	7/14/2023	0.150	248,000	248,000	186	387
GBC International Bank	7/27/2023	0.150	248,000	248,000	155	202
Wimberly ISD - CABS	8/15/2022	0.230	272,025	272,220	603	1,496
Midland ISD - Ref	2/15/2023	0.320	149,171	149,399	120	120
Carpinteria CA Ref	8/1/2023	0.400	245,000	245,025	429	429
Total Water Fund			10,612,305	10,612,638	9,895	57,108
Wastewater Fund						
TexPool	N/A	0.020	9,564,915	9,564,915	206	1,926
Texas Class	N/A	0.040	2,247,253	2,247,253	296	2,205
Capital One National Assoc Bank	8/15/2022	2.050	245,000	249,241	1,252	5,036
Total Wastewater Fund			12,057,168	12,061,409	1,754	9,167
Other Funds						
Hotel/Motel	N/A	0.020	61,052	61,052	1	15
Park	N/A	0.020	2,457,685	2,457,685	179	1,471
Library	N/A	0.020	577,356	577,356	84	596
Economic Development	N/A	0.020	1,156,485	1,156,485	82	440
2017 Tax Notes Construction	N/A	0.020	-	-	-	585
Capital Projects Construction	N/A	0.020	2,504,312	2,504,312	495	2,923
Debt Service	N/A	0.020	617,367	617,367	61	889
Gas	N/A	0.020	525,814	525,814	31	340
Garbage	N/A	0.020	701,479	701,479	29	249
American Rescue Plan	N/A	0.040	2,258,922	2,258,922	105	105
Total Other Funds			10,860,471	10,860,471	1,068	7,613
Total All Funds			78,200,455	78,130,384	73,606	386,030