

**MODIFICATION TO SERVICE PROVIDER CONTRACT  
BETWEEN COMAL COUNTY EMERGENCY SERVICES DISTRICT NO. 7  
AND THE CITY OF NEW BRAUNFELS, TEXAS**

THE STATE OF TEXAS     §  
                                     §  
COUNTY OF COMAL       §

WHEREAS, Comal County Emergency Services District No. 7 ("District") and the City of New Braunfels, Texas ("City") entered into a Service Provider Contract for "Fire and EMS Services" for a period of seven (7) years commencing October 1, 2013 (the "Agreement"); and

WHEREAS, Section 2 of the Agreement provides for the payment of the Fire and EMS services provided by City to District; and

WHEREAS, it has been determined that the District has experienced and will continue to experience a rapid population growth as has all of Comal County, and the District desires to maintain the same or better level of service for all the residents of the District; and

WHEREAS, the District recognizes that the continuing population growth will lead to greater demand for service runs within the District; and

WHEREAS, the City has offered to modify the Agreement for the District to achieve its goal of maintaining or increasing its current level of service; and

WHEREAS, because of the Modification of the Agreement, the City will be able to provide the services required under the Agreement with better maintained vehicles.

WHEREAS, the parties desire to provide through this Modification the method by which the District shall pay for an additional \$80,000 for the fiscal year 2017-2018 as set forth under the quarterly payments set forth under Section 2.02; and

WHEREAS, the parties further agree that this additional \$80,000 for maintenance expenses for Fire Department apparatus shall be incorporated into each of the remaining fiscal years of the Agreement, and that the District shall continue to have no ownership right or liability in any City equipment; and

WHEREAS, Exhibit A setting forth the City's cost factors for services provided to the District by the City for fiscal year 2017-2018 is hereby amended and attached hereto; and

WHEREAS, the additional increase of \$80,000 per year as set forth in the amended Exhibit A to be paid by the District will not exceed the 95 percent of annual collections of the District;

WHEREAS, the City has agreed to place this additional revenue in a separate fund for the City's Fire Department use only and such account will be available to the District's Board to inspect on reasonable notice and an account review will be presented annually to the District.

NOW, THEREFORE:

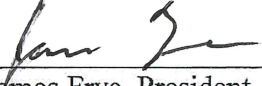
1. The foregoing Whereas provisions are incorporated into this Modification of the Agreement as if set out at length.
2. The City and District do hereby agree as follows:

City shall be entitled to additional payments due for services rendered to District by City in the amount of \$80,000 for the fiscal year 2017-2018. The payments shall be applied to the payments due City by District for the remaining years of the Agreement (October 1, 2017 through September 30, 2020) so that the District shall add the amount of \$20,000 to each of the twelve (12) quarterly payments due the City under the Agreement. The attached amended Exhibit A for the fiscal year 2017-2018 representing the cost factors for services is hereby adopted for the current fiscal year. These additional payments shall be placed in a separate fund for use by the City's Fire Department only and for the purposes of providing services to the District.

3. All the remaining provisions contained in the Agreement remain valid and binding upon the parties.

This Modification is executed and signed on this \_\_\_\_ day of February, 2018 with an effective date of October 1, 2017.

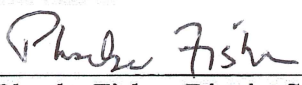
COMAL COUNTY EMERGENCY  
SERVICES DISTRICT NO. 7

By:   
James Frye, President

CITY OF NEW BRAUNFELS, TEXAS

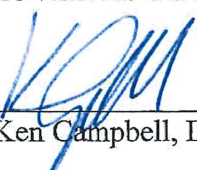
By: \_\_\_\_\_  
Robert Camareno, City Manager

ATTEST:

  
Phoebe Fisher, District Secretary

\_\_\_\_\_  
Patrick Aten, City Secretary

APPROVED AS TO FORM:

By:   
Ken Campbell, District Attorney

By:   
Valeria Acevedo, City Attorney

**Exhibit A**

**ESD #7 Cost of Service**

	FY 2016-17		FY 2017-18	
<b><u>Calculation</u></b>				
Fire Department base budget	\$	16,781,350	\$	17,994,574
Fire Department Budget	\$	16,781,350	\$	17,994,574
Total General Fund Budget	\$	59,746,880	\$	63,681,976
Total Enterprise Funds' and River Activities Budget	\$	15,490,810	\$	15,260,677
Total Budget	\$	75,237,690	\$	78,942,653
Fire Department as % of Total Budget		22.3%		22.8%
Administrative Support Departments' Budgets	\$	6,098,541	\$	6,756,274
City Council	\$	51,645	\$	38,189
City Administration	\$	783,546	\$	989,248
City Attorney	\$	930,283	\$	907,482
City Secretary	\$	291,937	\$	306,760
Human Resources	\$	690,141	\$	824,499
Finance	\$	1,008,023	\$	1,049,814
Information Technology and Gis	\$	1,648,192	\$	1,948,152
Facilities Maintenance	\$	694,774	\$	692,130
Fire Department's share of Administrative Costs	\$	1,360,246	\$	1,540,058
Total - Fire Department Budget plus Admin Support contribution	\$	18,141,596	\$	19,534,632
Ambulance Billing Revenue	\$	2,190,000	\$	2,625,000
Facilities Cost	\$	15,000,000	\$	15,000,000
Equipment Cost	\$	9,357,000	\$	9,357,000
Fire apparatus		7,517,000		7,517,000
EMS apparatus		1,840,000		1,840,000
<b><u>ESD call percentage</u></b>				
		<b>2016 Estimate</b>		<b>2017 Estimate</b>
		<b>Total</b>		<b>Total</b>
Fire calls		4,770		4,516
EMS calls		7,492		7,656
Weighted average		12,262		12,172
ESD #7 contribution for operating expenditures including Administrative Costs (uses weighted average)	\$	1,208,483	\$	1,362,224
ESD #7 contribution for equipment				
Fire	\$	41,989	\$	44,298
EMS	\$	22,280	\$	23,361
Total	\$	64,269	\$	67,658
ESD #7 revenue offset - uses EMS %	\$	(132,591)	\$	(166,634)
ESD #7 facilities contribution - uses weighted average	\$	33,307	\$	34,867
Total calculated contribution	\$	1,173,468	\$	1,298,115
<b><u>Adjustment</u></b>				
Net Payment	\$	1,173,468	\$	1,298,115
Additional Vehicle Maintenance Cost				80,000
Adjusted Net Payment				1,378,115