



## **NOTICE OF MEETING OF THE GOVERNING BODY OF THE CITY OF BURNET**

Notice is hereby given that a **Regular Council Meeting** will be held by the governing body of the City of Burnet on the **10<sup>th</sup> day of December, 2019** at **6:00** p.m. in the Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, at which time the following subjects will be discussed, to-wit:

This notice is posted pursuant to the Texas Government Code, Chapter §551-Open Meetings.

### **CALL TO ORDER:**

### **INVOCATION:**

### **PLEDGE OF ALLEGIANCE:**

### **PLEDGE TO TEXAS FLAG:**

### **1. REPORTS/SPECIAL PRESENTATIONS:** None.

### **2. CONSENT AGENDA ITEMS:**

*(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Council when the Consent Agenda is opened for Council Action.)*

2.1) Approval of the November 12, 2019 Regular City Council Meeting minutes

### **3. PUBLIC HEARING:**

3.1) Public Hearing: The City Council of the City of Burnet, Texas will conduct a public hearing regarding the Preliminary Plat of Westfall Village, a 51-lot single-family residential subdivision to be generally located in the southeastern quadrant of the intersection of Elm and Westfall Streets: M. Lewis

3.2) Public Hearing: The City Council of the City of Burnet, Texas will conduct a public hearing regarding the Preliminary Plat of Sky View Hill, a nine-lot subdivision located in the 1200-1500 blocks of CR 250: M. Lewis

#### **4 ACTION ITEMS:**

4.1) Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING SINGLE-FAMILY RESIDENTIAL—DISTRICT R-1 ZONING TO THAT PROPERTY DESCRIBED AS BEING 21.97 ACRES OUT OF THE SARAH ANN GUEST SURVEY, NO. 150, ABSTRACT 1525, AND FURTHER IDENTIFIED BY BURNET COUNTY APPRAISAL DISTRICT PROPERTY ID #116346; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis

4.2) Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2018-19; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS PROVIDING FOR SAVINGS AND SEVERABILITY: P. Langford

4.3) Discuss and consider action: A RESOLUTION BY THE CITY OF BURNET, TEXAS AUTHORIZING THE TRANSFER OF FUNDS FROM THE HOTEL MOTEL FUND TO THE BURNET ECONOMIC DEVELOPMENT CORPORATION FOR PURCHASE OF BLUEBONNET SEEDS: Mayor Bromley

4.4) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ABANDONING THOSE UNIMPROVED PORTIONS OF THE HILL, CLARK, LAMAR, COKE, AND WILLOW STREET RIGHTS-OF-WAY; ABANDONING THOSE ALLEY RIGHTS-OF-WAY LOCATED IN BLOCKS 11, 12, 21, 22, 27, 28, 27, AND 38, JOHNSON ADDITION TO THE CITY OF BURNET; DIRECTING THE CITY SECRETARY TO FILE IN THE BURNET COUNTY OFFICE OF DEED RECORDS, A DEED GRANTING OWNERSHIP OF SAID STREET AND ALLEY RIGHTS-OF-WAY TO LANGLEY HOMES, INC; ABANDONING THOSE UNIMPROVED PORTIONS OF THE CACTUS, PRAIRIE, VALLEY, HILL, CLARK, LAMAR, AND COKE STREET RIGHTS-OF-WAY GENERALLY DESCRIBED AS BEING LOCATED SOUTH OF ELM STREET AND EAST OF WESTFALL STREET; ABANDONING THOSE ALLEY RIGHTS-OF-WAY LOCATED IN BLOCKS 9, 10, 23, 24, 25, 26, 29, AND 40, OF THE JOHNSON ADDITION TO THE CITY OF BURNET; AND DIRECTING THE CITY SECRETARY TO FILE IN THE BURNET COUNTY OFFICE OF DEED RECORDS, A DEED GRANTING OWNERSHIP OF SAID STREET AND ALLEY RIGHTS-OF-WAY TO CGG HOLDINGS III, L.L.C.: M. Lewis

4.5) Discuss and consider action: Regarding a variance to the 600-foot maximum block length requirements established by Code of Ordinances Chapter 98, Sec. 98-48 requested for the purpose of allowing Elmer Avenue, a local residential street to be located in the Westfall Village Subdivision, to be constructed with a block length of 900 feet: M. Lewis

4.6) Discuss and consider action: The City Council will discuss and consider action regarding the Preliminary Plat of Westfall Village, a 51-lot single-family residential subdivision

to be generally located in the southeastern quadrant of the intersection of Elm and Westfall Streets: M. Lewis

4.7) Discuss and consider action: Regarding approval of a Preliminary Plat of Sky View Hill, a nine-lot subdivision located in the 1200-1500 blocks of CR 250: M. Lewis

4.8) Discuss and consider action: Regarding the Final Plat of Sky View Hill, Phase 1, a nine-lot subdivision located in the 1200-1500 blocks of CR 250: M. Lewis

4.9) Discuss and consider action: Approve proposed Fire Training Tower location and facility upgrade: M. Ingram

4.10) Discuss and consider action: First amendment to the 380 Agreement with Langley Homes, Inc.: D. Vaughn

4.11) Discuss and consider action: Approval of a contract for the Fixed Base Operation of the Burnet Municipal Airport: D. Vaughn

4.12) Discuss and consider action: Appoint members to the Burnet Zoning Board of Adjustments: M. Lewis

## **5. REPORTS: None.**

5.1) Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

5.1(B.3) September Financial Report: P. Langford

## **6. REQUESTS FROM COUNCIL FOR FUTURE REPORTS:**

## **7. ADJOURN:**

Dated this 6<sup>th</sup>, day, of December, 2019

**CITY OF BURNET**

**CRISTA GOBLE BROMLEY, MAYOR**

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the governing body of the above named City, BURNET, is a true and correct copy of said NOTICE and that I posted a true and correct copy of said NOTICE on the bulletin board, in the City Hall of said City, BURNET, TEXAS, a place convenient and readily accessible to the general public at all times, and said NOTICE was posted on December 6, 2019, at or before 6 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

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Kelly Dix, City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:**

*The City Council Chamber is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's office (512.756.6093) at least two working days prior to the meeting. Requests for information may be faxed to the City Secretary at 512.756.8560.*

**RIGHT TO ENTER INTO EXECUTIVE SESSION:**

*The City Council for the City of Burnet reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).*

STATE OF TEXAS            {}  
COUNTY OF BURNET       {}  
CITY OF BURNET           {}

On this the 12<sup>th</sup> day of November, 2019, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m., at the regular meeting place thereof with the following members present, to-wit:

Mayor	Crista Goble Bromley
Council Members	Danny Lester, Mary Jane Shanes, Tres Clinton, Paul Farmer, Joyce Laudenschlager
Absent	Cindia Talamantez
City Manager	David Vaughn
City Secretary	Kelly Dix

Guests: Gene Courtney, Alan Burdell, Patricia Langford, Doug Fipps, Adrienne Feild, Mark Lewis, Paul Nelson, Brian Hernandez, Savanna Greg, Dianne Tackett

CALL TO ORDER: The meeting was called to order by Mayor Bromley, at 6:00 p.m.

INVOCATION: Council Member Mary Jane Shanes

PLEDGE OF ALLEGIANCE: Council Member Paul Farmer

PLEDGE TO TEXAS FLAG: Council Member Paul Farmer

REPORTS/SPECIAL PRESENTATIONS:

Proclamation: National Apprenticeship Week: Mayor Bromley: Mayor Bromley presented a proclamation declaring November 11-17, 2019, National Apprenticeship Week. Diane Tackett from the Workforce Solutions Regional Capital Area was present to accept. Ms. Tackett thanked the Mayor and Council for supporting apprenticeship opportunities for job seekers in the area.

CONSENT AGENDA ITEMS:

*(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Council when the Consent Agenda is opened for Council Action.)*

Approval of the October 22, 2019 Regular City Council Meeting minutes:

Approval of the November 5, 2019 Special City Council Meeting minutes:

Council Member Joyce Laudenschlager moved to approve the consent agenda as presented. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

PUBLIC HEARINGS:

Public Hearing: The City Council will conduct a public hearing regarding a request to rezone 21.97 acres out of the Sarah Ann Guest Survey, No 150, Abstract 1525 from its current designation of Light Industrial—District I-1, to Single-family Residential—District R-1, said 21.97 acres being further described as being generally located in the southeastern quadrant of the intersection of Elm and Westfall Streets, and identified by Burnet County Appraisal District Property ID#116346: M. Lewis: Mayor Bromley opened the public hearing and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

Public Hearing: The City Council will conduct a public hearing regarding a plat vacating blocks 9-12, 21-28 and 37-40, of the Johnson Addition, City of Burnet, Burnet County, Texas, said blocks being generally located in the southeastern quadrant of the intersection of Elm and Westfall Streets: M. Lewis: Mayor Bromley opened the public hearing and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public

hearing.

ACTION ITEMS:

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE REZONING 300 SOUTH WATER STREET, WHICH IS FURTHER DESCRIBED AS BEING LOT 1, THE EAST 12.6 FEET OF LOT 4, AND THE NORTH 61.3 FEET OF LOT 2, BLOCK 1, PETER KERR PORTION, S7150 FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL—DISTRICT C-1 TO A DESIGNATION OF MEDIUM COMMERCIAL—DISTRICT C-2; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis: Council Member Danny Lester made a motion to approve and adopt Ordinance 2019-29 as presented. Council Member Paul Farmer seconded, the motion carried unanimously.

Discuss and consider action: Acceptance of a Sewer Easement at 102 North Rhomberg: G. Courtney: Council Member Danny Lester moved to approve the sewer easement at 102 North Rhomberg as presented. Council Member Joyce Laudenschlager seconded the motion carried unanimously.

Discuss and consider action: Authorize the purchase of new vehicles and equipment for the Public Works. G. Courtney: Council Member Danny Lester moved to approve the purchase of the 410L John Deere Backhoe and a ¾ ton work truck as presented. Council Member Joyce Laudenschlager seconded the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING SINGLE-FAMILY RESIDENTIAL—DISTRICT R-1 ZONING TO THAT PROPERTY DESCRIBED AS BEING 21.97 ACRES OUT OF THE SARAH ANN GUEST SURVEY, NO. 150, ABSTRACT 1525, AND FURTHER IDENTIFIED BY BURNET COUNTY APPRAISAL DISTRICT PROPERTY ID #116346; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis: Council Member Paul Farmer moved to approve the first reading of Ordinance 2019-30 as presented. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2018-19; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS PROVIDING FOR SAVINGS AND SEVERABILITY: P. Langford: Council Member Danny Lester moved to approve the first reading of Ordinance 2019-31 as presented. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action: The City Council will discuss and consider action regarding a plat vacating Blocks 9-12, 21-28 and 37-40, of the Johnson Addition City of Burnet, Burnet County, Texas, said blocks being generally located in the southeastern quadrant of the intersection of Elm and Westfall Streets: M. Lewis: Council Member Mary Jane Shanes moved to approve the vacate plat as presented. Council Member Joyce Laudenschlager seconded the motion carried unanimously.

Discuss and consider action: Pepper Mill, Phase One Final Plat, an 8.86-acre, 27-lot residential subdivision located at the eastern terminations of Spicewood Drive and Applewood Drive East: M. Lewis: Council Member Joyce Laudenschlager moved to approve the Pepper Mill, Phase One, Final Plat with the condition that the plat shall not be recorded until all improvements have been accepted by the City, or until the City has been provided with a surety instrument in a form specified by Code of Ordinances, Chapter 98, Sec. 98-61 – Assurances for completion of improvements. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action: Pepper Mill, Phase Two, Final Plat, a 5.39-acre, 23-lot residential

subdivision located immediately north of the Heritage Valley Subdivision: M. Lewis: Council Member Joyce Laudenschlager moved to approve the Pepper Mill, Phase Two, Final Plat with the condition that the plat shall not be recorded until all improvements have been accepted by the City, or until the City has been provided with a surety instrument in a form specified by Code of Ordinances, Chapter 98, Sec. 98-61 – Assurances for completion of improvements.

Discuss and consider action: A RESOLUTION OF VOTES CAST BY THE CITY COUNCIL, OF THE CITY OF BURNET, TO ELECT DIRECTORS FOR THE BURNET CENTRAL APPRAISAL DISTRICT FOR THE YEAR 2020-2021: K. Dix: Council Member Danny Lester made a motion to cast the 127 votes allotted to the City of Burnet for Paul Shell. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action Burnet Economic Development Corporation (BEDC) board appointments: K. Dix: A ballot vote was taken by the Council to enable a motion to appoint. Mayor Bromley was in favor of Terry Wilkes; Council Members Farmer and Clinton were in favor of Keith McBurnett; and Council Members Shanes, Laudenschlager and Lester were in favor of Bradley Zehner. Council Member Talamantez was absent. Council Member Paul Famer moved to appoint Bradley Zehner to the Burnet Economic Development Corporation Board. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY OF BURNET, TEXAS AUTHORIZING THE USE OF CAPITAL RESERVE FUNDS FOR THE POLICE STATION PROJECT: D. Vaughn: Council Member Paul Famer moved to approve and adopt Resolution R2019-23 as presented. Council Member Danny Lester seconded, the motion carried unanimously.

REPORTS: None.

Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 6:48 p.m., seconded by Council Member Joyce Laudenschlager. The motion carried unanimously.

**ATTEST:**

\_\_\_\_\_  
Crista Goble Bromley, Mayor

\_\_\_\_\_  
Kelly Dix, City Secretary



## Planning & Zoning

### ITEM 3.1

Mark S. Lewis  
Development Services  
(512)-715-3215  
mlewis@cityofburnet.com

## Agenda Item Brief

**Meeting Date:** December 10, 2019

**Agenda Item:** Public Hearing: The City Council of the City of Burnet, Texas will conduct a public hearing regarding the Preliminary Plat of Westfall Village, a 51-lot single-family residential subdivision to be generally located in the southeastern quadrant of the intersection of Elm and Westfall Streets.

**Background:** On December 2, 2019, the Planning and Zoning Commission conducted a public hearing regarding the Westfall Village Preliminary Plat. The public hearing was closed with no public comment being offered.

Prior to the Commission's deliberation regarding the plat, Vice-Chair Ricky Langley cited a potential conflict of interest and recused himself. Mr. Langley left the Council meeting room and was not present during the deliberation and vote regarding the plat. The Commission, by a unanimous vote of the members present, recommended that the plat be approved "with condition."

Westfall Village will consist of 50-single-family residential lots plus one lot dedicated to stormwater management (See Exhibits A & B). The subdivision will contain two internal streets, one of which—Elmer Avenue—will require a variance due to its proposed 900-foot block length.

The subdivision will have three points of access. "Warner Way" will connect to the existing Westfall right-of-way. "Elmer Avenue" will connect to both Westfall and Elm Streets. Warner Way and Elmer Avenue also intersect within the subdivision.

The plat was determined to be administratively complete on November 5, 2019



**Information:**

The Westfall Village preliminary plat has been reviewed for conformance with Chapter 98 of the City of Burnet Code of Ordinances. Except as noted below, the plat has been found to conform with applicable provisions of Chapter 98, Sec. 98-22 Preliminary Plat.

- The property is being platted to facilitate development as a residential subdivision. City Council has approved the first reading of an ordinance changing the zoning from Light Industrial—District I-1 to Single-family Residential—District R-1. This ordinance must be approved at final reading in order for the plat to be in compliance with applicable zoning regulations.
- Block Length: Elmer Avenue, as designed, exceeds the 600-foot maximum residential block length established by Sec. 98-48.1.b. Item 5.1 to this agenda is a request for variance to the 600-foot block length limitation. A recommendation for approval of the variance is a prerequisite for a recommendation to approve the preliminary plat.
- Public rights-of-way underlying the property being platted must be abandoned.
- The drainage study required by Sec. 98-22.d.4 is currently under review. In advance of the City Engineer's approval of this plan, a recommendation for plat approval must be conditioned on the City Engineer's approval of the drainage study.

Under the terms of Texas Local Government Code Sec. 212.009, the City must *"approve, approve with conditions, or disapprove a plan, or plat within 30 days after the date the plan or plat is filed."* This section continues to state that *"a plan or plat is approved by the governing body of the municipality unless it is disapproved in that period."*

In the case of the Westfall Village Subdivision, the appropriate action is to approve the plat subject to satisfaction of the conditions outlined in the preceding paragraphs.

City Council as part of its December 10 deliberations will consider final reading of the ordinance rezoning the subject property to R-1. The Council will also consider the necessary rights-of-way

abandonment and the applicant's street length variance. Council's action regarding these matters will potentially resolve three of the listed conditions.

A plat approved with condition requires no additional Planning and Zoning Commission, or City Council review or action.

**Recommendation:** N/A

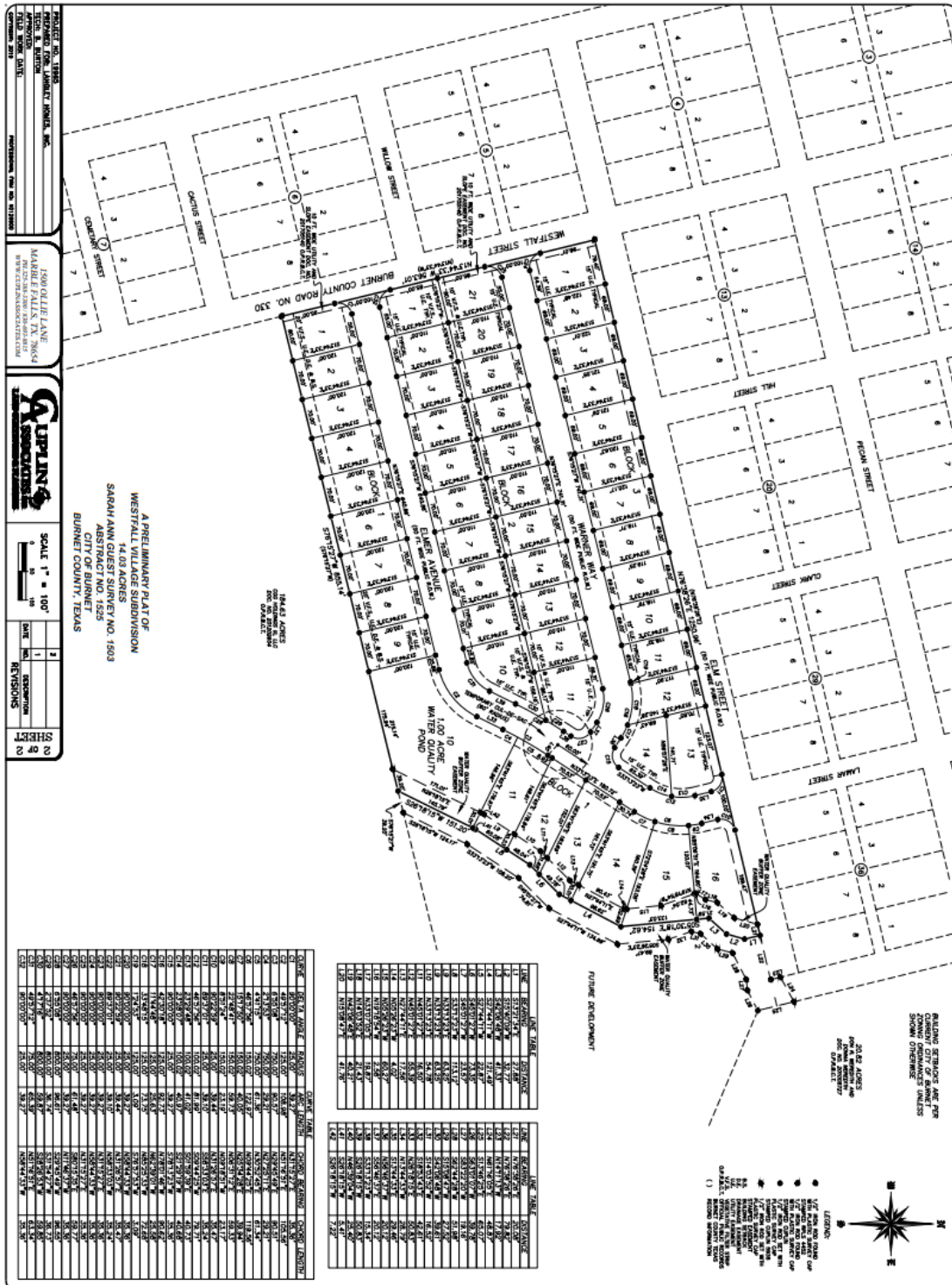
**EXHIBIT A**  
**Westfall Village Location**



# Westfall Village Preliminary Plat (1 of 2)

[illegible]

## Westfall Village Preliminary Plat (2 of 2)







## Planning & Zoning

### Agenda Item Brief

#### ITEM 3.2

Mark Lewis  
Development Services  
(512)-715-3215  
mlewis@cityofburnet.com

**Meeting Date:** December 10, 2019

**Agenda Item:** Public Hearing: The City Council of the City of Burnet, Texas will conduct a public hearing regarding the Preliminary Plat of Sky View Hill, a nine-lot subdivision located in the 1200-1500 blocks of CR 250: M. Lewis

**Background:** The property being platted as Sky View Hill is located in the City's Extra Territorial Jurisdiction (ETJ) (See Exhibit A). Just over twenty-seven acres out of a larger parent tract are to be developed as a nine-lot subdivision (See Exhibit B).

All nine subdivision lots will front on CR 250. The 69.23 remaining acres of the parent tract will retain three points of frontage onto CR 250. No additional roads are proposed for construction in conjunction with the development of this subdivision.

Each lot, when developed, will be served by an individual well and septic (or other form of on-site sanitary facility) system. No new public water or sewer infrastructure are proposed in conjunction with the development of this subdivision.

The Sky View Hill preliminary was determined to be administratively complete on November 20, 2019 and is being brought forward at this time to ensure compliance with applicable provisions of Code of Ordinances, Chapter 98, and applicable provisions of the Texas Local Government Code.

**Information:** Burnet County and the City of Burnet have entered into an Interlocal Agreement that, within its ETJ, grants sole platting authority to the City. This interlocal agreement is the basis for bringing the Sky View Hill plats to the City for review and action.

Even though Sky View Hill is located in the ETJ, it is subject to the provisions of Burnet Code of Ordinances Chapter 98—Subdivision. It will not however, be subject to any of the City's zoning regulations.

Building setback regulations, lot size and configuration standards and other land use regulations established through the City's zoning authority are not applicable in the City's ETJ.

The Sky View Hill has been reviewed and determined to be in conformance with Code of Ordinances provisions that are applicable in the City's ETJ.

On December 2, 2019, the Planning and Zoning Commission conducted a public hearing regarding the Sky View Hill Preliminary Plat. During the public hearing, the Commission heard one opposition from a neighboring resident. The resident's concerns are outlined in the email that was sent prior to the meeting (See Exhibit C).

Following the public hearing, the Planning and Zoning Commission, by an unanimous vote of the members present, recommended approval of the Sky View Hill Preliminary Plat.

**Recommendation:** N/A

**EXHIBIT "A"**  
**Location**

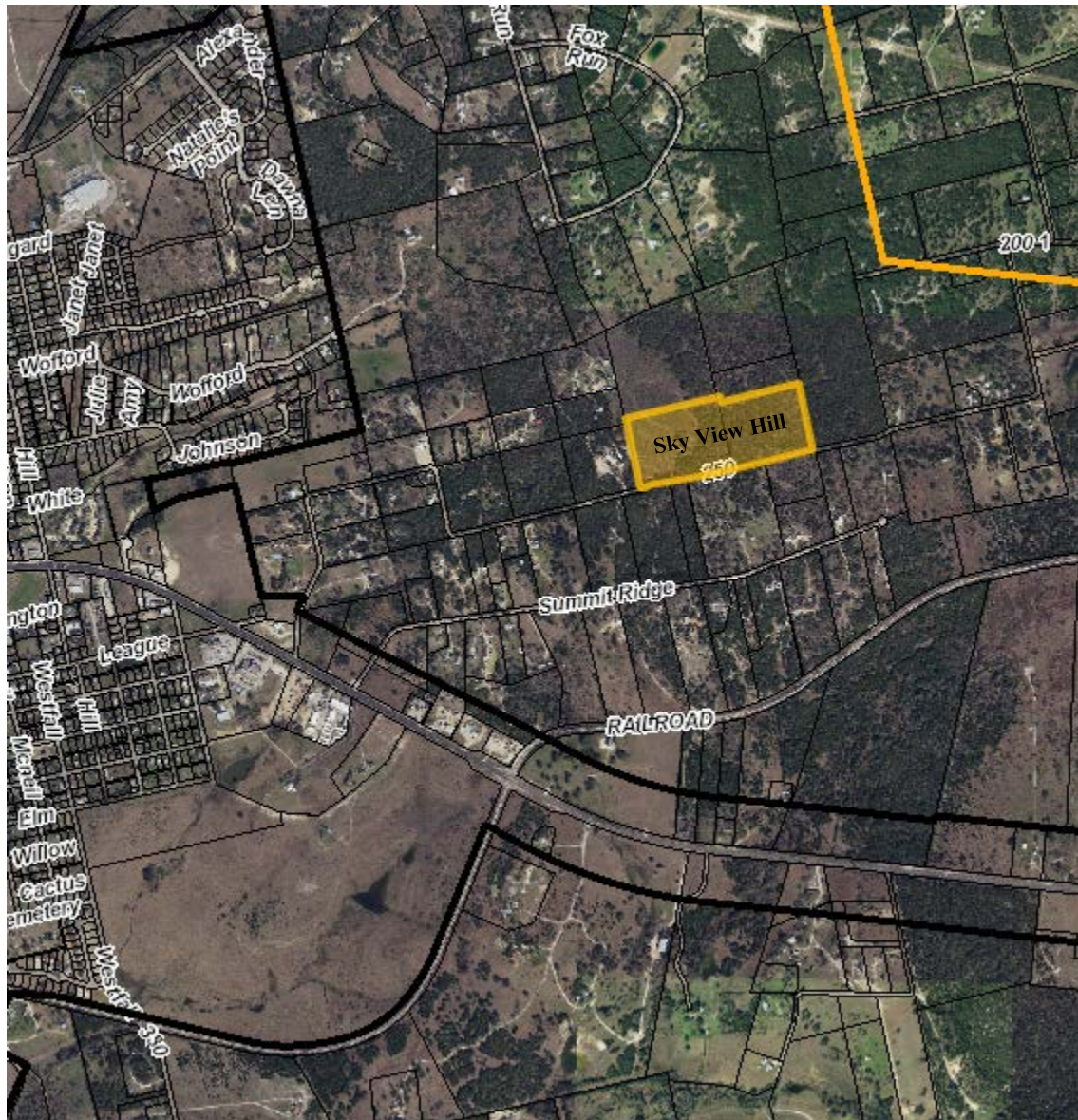




Exhibit B  
Plat  
1 of 2

STATE OF TEXAS  
COUNTY OF BURNET  
THE ATTACHED PRELIMINARY PLAT OF "SKY VIEW HILL," HAS BEEN SUBMITTED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AT ITS MEETING ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018.  
THIS PRELIMINARY PLAT SHALL NOT BE FILED IN THE CLERK AND RECORDS OFFICE FOR BURNET COUNTY, TEXAS.

DAVID L. LUTZ, PRESIDENT OF PLANNING AND DEVELOPMENT DEPARTMENT, CITY OF BURNET, TEXAS.

1:400 OLLIE LANE  
MARBLE FALLS, TX 78644  
BURNET COUNTY, TEXAS

**CUPPLIN & ASSOCIATES**  
PLANNING AND DEVELOPMENT

DATE	NO.	REVISIONS
	1	CREATION
	2	

SHEET 1  
OF 2

DEVELOPER:  
JAMES H. COLE  
JAMES H. COLE  
502-247-4713

ENGINEER:  
WILLIAM H. ENGINEERING  
1001 BURNHAM DRIVE  
BURNET, TEXAS 78611  
512-351-1030

**A PRELIMINARY PLAT OF  
SKY VIEW HILL, (PHASE I)  
A PRIVATE SUBDIVISION  
27.02 ACRES OUT OF THE  
W. O. JAMISON SURVEY NO. 1353  
ABSTRACT NO. 1246 AND  
THE S. S. JAMISON SURVEY NO. 1249  
BURNET COUNTY, TEXAS**

NOTES:

1. THE PROPERTY SHOWN HEREON APPEARS NOT TO BE WITHIN ANY DEED FLOOD PLAIN AREA, AS SHOWN ON THE BURNET COUNTY FLOOD INSURANCE RATE MAP NO. 4002000400.
2. A. A PORTION OF THE PROPERTY HEREIN IS SUBJECT TO THE LUTZ CO. COASTAL FLOOD INSURANCE RATE MAP NO. 4002000400. B. THE PROPERTY HEREIN IS SUBJECT TO THE LUTZ CO. COASTAL FLOOD INSURANCE RATE MAP NO. 4002000400. C. THE PROPERTY HEREIN IS SUBJECT TO THE LUTZ CO. COASTAL FLOOD INSURANCE RATE MAP NO. 4002000400.
3. EACH BUILDING CONSTRUCTED ON PLATS ON THE SUBDIVISION SHALL BE CONNECTED TO A PRIVATE SEWER SYSTEM SERVING THE SUBDIVISION AND TO THE MAIN SEWER SYSTEM OF THE CITY OF BURNET, TEXAS, BY A PRIVATE SEWER LINE.
4. WATER IS PROVIDED BY PRIVATE WELLS.
5. THE COUNTY SHALL NOT BE RESPONSIBLE FOR THE QUALITY OF WATER SUPPLY.
6. CABLE TV IS AVAILABLE BY A COMMERCIAL FIRM.
7. ALL UTILITIES ARE SHOWN ON THE PLAT AND ARE TO BE MAINTAINED AND PROTECTED BY THE SUBDIVISION.
8. THE PROPERTY HEREIN IS SUBJECT TO THE LUTZ CO. COASTAL FLOOD INSURANCE RATE MAP NO. 4002000400.
9. THERE ARE NO NEW POWERS.
10. THERE ARE 9 NEW LOTS WITHIN THE SUBDIVISION.
11. THERE ARE 9 NEW LOTS WITHIN THE SUBDIVISION.
12. THERE ARE 9 NEW LOTS WITHIN THE SUBDIVISION.
13. THERE ARE 9 NEW LOTS WITHIN THE SUBDIVISION.
14. THERE ARE 9 NEW LOTS WITHIN THE SUBDIVISION.
15. THERE ARE 9 NEW LOTS WITHIN THE SUBDIVISION.
16. THERE ARE 9 NEW LOTS WITHIN THE SUBDIVISION.
17. THERE ARE 9 NEW LOTS WITHIN THE SUBDIVISION.
18. THERE ARE 9 NEW LOTS WITHIN THE SUBDIVISION.
19. THERE ARE 9 NEW LOTS WITHIN THE SUBDIVISION.
20. THERE ARE 9 NEW LOTS WITHIN THE SUBDIVISION.

[illegible]

## Exhibit C Opposition Email

**From:** Slick Sixguns <[slicksixguns@gmail.com](mailto:slicksixguns@gmail.com)>  
**Sent:** Friday, November 29, 2019 9:49 AM  
**To:** Mark Lewis <[mlewis@cityofburnet.com](mailto:mlewis@cityofburnet.com)>  
**Subject:** lot subdivision located in the 1200-1500 blocks of CR 250

Dear Mr Lewis,

I am writing you to request that you hear my opposition and concern of this plan. I oppose this plan for the following reasons.

1: We have had a few fires in the area over the last several years and where you are planning to build the subdivision puts alot more people at risk to not escape should a fire block off the county road to the 29. What is the alternate route for people to escape if a fire should block off CR 250? Our house/property is directly across the street from your building plot and we have a drive way that connects the Summit Ridge Road to the CR 250. If you are planning on using that route as an alternate escape for the subdivision you do not have our permission to do so as that is private property.

2: The subdivision is surrounded by plots that are ten acres or more including our own. Under Texas state law if a citizen owns ten acres or more they may use firearms on their property without giving permission to authorities. a lot of people in a subdivision surrounded by these types of properties would experience gun fire and I feel would result in several noise complaints that police would be wasting there time making calls to.

3. Finally, a subdivision in this area directly behind our property of 740 Summit Ridge Road, would be grotesque to look at every day as it would intervene with our properties natural beauty. My suggestion is that you sell the property to a single home owner to build there ranch on.

Respectfully,  
Scott Severance  
5598369209



## Development Services

### ITEM 4.1

Mark S. Lewis  
Development Services  
(512)-715-3215  
mlewis@cityofburnet.com

## Agenda Item Brief

**Meeting Date:** December 10, 2019

**Agenda Item:** Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING SINGLE-FAMILY RESIDENTIAL—DISTRICT R-1 ZONING TO THAT PROPERTY DESCRIBED AS BEING 21.97 ACRES OUT OF THE SARAH ANN GUEST SURVEY, NO. 150, ABSTRACT 1525, AND FURTHER IDENTIFIED BY BURNET COUNTY APPRAISAL DISTRICT PROPERTY ID #116346; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis

**Background:** The attached ordinance assigns Single-family Residential—District R-1 zoning to the property described in the above caption.

**Information:** The Planning and Zoning Commission, considered this request in a November 4, 2019 public hearing.

The public hearing was opened and closed with no public comment being offered.

Following the hearing, the Commission, by unanimous vote of members present, recommended zoning the subject property to Single-family Residential—District R-1.

Staff concurs with the Commission's recommendation.

There has been no change to Ordinance 2019-29 since the first reading on November 12, 2019.

**Fiscal Impact:** None

**Recommendation:** Approve and adopt Ordinance 2019-30 as presented.

## **ORDINANCE NO. 2019-30**

**AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING SINGLE-FAMILY RESIDENTIAL—DISTRICT R-1 ZONING TO THAT PROPERTY DESCRIBED AS BEING 21.97 ACRES OUT OF THE SARAH ANN GUEST SURVEY, NO. 150, ABSTRACT 1525, AND FURTHER IDENTIFIED BY BURNET COUNTY APPRAISAL DISTRICT PROPERTY ID #116346; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, The Planning and Zoning Commission of the City of Burnet, on November 4, 2019, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assign Single-family Residential zoning to that 21.97 acres out of the Sarah Ann Guest Survey identified by Burnet County Appraisal District ID #116346; and

**WHEREAS**, The Planning and Zoning Commission in open deliberation found that applying Single-family Residential—District R-1 zoning to the subject property would be consistent with the City's Future Land Use Plan, Consistent with existing development patterns in the area, and Consistent with the best public interest; and

**WHEREAS**, The Planning and Zoning Commission did then, by unanimous vote of members present, recommend zoning said property to Single-family Residential—District R-1; and

**WHEREAS**, The City Council of the City of Burnet, on November 12, 2019 did conduct its own public hearing for the purpose of taking public comment regarding the proposal to assign Single-family Residential—District R-1 zoning to said property; and

**WHEREAS**, The City Council, based on due consideration of the Planning and Zoning Commission recommendation, as well as its own deliberations, did determine that assigning Single-family Residential—District R-1 zoning to the subject property to be consistent with Future Land Use Plan intent, and therefore consistent the public health, safety, morals, and the general welfare of the city and its present and future residents;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Zoning Changed.** Single-family Residential—District Zoning is hereby assigned to that 21.97 acre tract of land out of the Sarah Ann Guest Survey, No 150,

Abstract 1525 which is further is further identified by the Burnet County Appraisal District Property ID #116346.

**Section 3. Repealer.** Other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

**Section 4. Severability.** Should any provisions of this ordinance 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 5. Effective Date.** This ordinance is effective upon final passage and approval.

**Section 6. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act, Chapter. 551, Loc. Gov't. Code.

**PASSED AND APPROVED** on First Reading this 12<sup>th</sup> day of November, 2019.

**FINALLY PASSED AND APPROVED** on this 10<sup>th</sup> day of December, 2019.

**CITY OF BURNET, TEXAS**

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Crista Goble Bromley, Mayor

**ATTEST:**

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Kelly Dix, City Secretary



## Finance

## ITEM 4.2

Patricia Langford  
Director of Finance  
(512)-715-3205  
plangford@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** December 10, 2019

**Agenda Item:** Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2018-19; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS PROVIDING FOR SAVINGS AND SEVERABILITY: P. Langford

**Background:**

**Information:** This ordinance provides for end-of-the-year budget amendments, many of which were previously approved by Council.

There have been no changes to Ordinance 2019-30 since the first reading on November 12, 2019.

**Fiscal Impact:** As noted on Attachment "A".

**Recommendation:** Approve and adopt Ordinance 2019-31 as presented.

## **ORDINANCE NO. 2019-31**

**AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2018-19; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019, FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY.**

**WHEREAS**, the City of Burnet, Texas Fiscal Year 2018-2019 Budget was adopted by Ordinance 2018-19 within the time and in the manner required by State Law; and

**WHEREAS**, the City of Burnet, Texas has reviewed the Budget; and

**WHEREAS**, the City Council of the City of Burnet, Texas has considered the status of the Capital Improvement Projects for the rest of the fiscal year; and

**WHEREAS**, the City Council of the City of Burnet, Texas hereby finds and determines that it is prudent to amend the line items due to unforeseen situations that have occurred in the City; and

**WHEREAS**, the City Council of the City of Burnet, Texas further finds that these amendments will serve in the public interest; and

**WHEREAS**, the City Council of the City of Burnet, Texas finds and determines that the change in the Budget for the stated municipal purpose is warranted and necessary, and that the amendment of the Budget to fund these line items due to unforeseen situations and a matter of public necessity warranting action at this time;

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

### **Section 1. Findings**

The facts and matters set out above are found to be true and correct.

### **Section 2. Purpose**

The City of Burnet, Texas, Fiscal Year 2018-2019 Budget is hereby amended to reflect effect of unforeseen circumstances,

### **Section 3. Savings/Repealing Clause**

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

### **Section 4. Severability**



It is hereby declared to be the intention of the City Council that if any of the sections, paragraphs, sentences, clauses, and phrases of the Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of unconstitutional or invalid phrases, clauses, sentences, paragraphs, or sections..

**PASSED AND APPROVED** the First Reading on this the 12<sup>th</sup> day of November 2019

**FINALLY PASSED AND APPROVED** on this 10<sup>th</sup> day of December 2019.

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Crista Goble Bromley, Mayor

**ATTEST:**

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Kelly Dix, City Secretary

ATTACHMENT A (COUNCIL MEETING 11/12/19):

1. \$113,000 increase in Fire Department personnel costs to hire three additional Fire Department personnel. The cost will be covered by the increases in EMS transport revenues and County EMS coverage contract revenues. (Approved at 2/26/19 Council Meeting).
2. \$10,000 increase to remodel the Utility/Municipal Court counter. The cost will be covered by Municipal Court Special revenue funds. (Approved at 5/14/19 Council Meeting).
3. \$23,265 increase in Police Department budget to purchase (3) patrol unit cameras and (3) body cameras by using fund balance. (Approved at 5/14/19 Council Meeting).
4. \$10,000 use of impact fee revenues to fund a Water/Wastewater Impact Fee Study. (Approved 6/11/19 Council Meeting).
5. \$65,000 increase in Airport capital projects to cover cost of maintenance needs including the FBO remodel, A/C unit replacements, and runway light replacements. The cost will be covered by use of airport fund balance in the amount of \$47,424 and insurance proceeds in the amount of \$17,576. (Approved 8/13/19 Council Meeting).
6. \$75,000 increase in Airport capital projects to cover the cost of fire hydrants and asphalt repairs. 50% of the asphalt repairs which totals \$27,101 will be covered by the 2019-2020 Ramp Grant and the remaining balance of \$47,899 will be covered by use of airport fund balance. (Approved 8/27/19 Council Meeting).
7. \$34,000 increase in Police department capital expenses for CJIS security upgrade. The cost will be covered by using fund balance. (Approved 8/27/19 Council Meeting).
8. A \$104,885 increase in "Transfers out" of Capital fund 45; offset by an increase in "Transfers in" to the Self-Funded Equipment fund 63. This was the result of closing out the Construction fund bank account and transferring the balance to the Self-Funded Equipment bank account to be used for the early prepayment of \$100,000 to pay-off certain golf course equipment. (Approved 8/13/19 Council Meeting).
9. \$5,000 increase in use of Municipal Court Special Revenue Child Safety funds to approve funding request by Burnet County Child Welfare Board. (Approved 7/23/19 Council Meeting).
10. \$5,115 increase in Police department small equipment expenses to purchase body cameras for SRO officers. The cost will be covered by using fund balance.
11. \$32,500 increase in Garbage Collection expenses. The cost will be covered by an increase in Garbage revenue collections.
12. \$21,000 increase in Wastewater transfer to Debt Service. Timing change to ensure funds are available prior to due date. The cost will be covered by current revenues.
13. \$39,000 increase in Electric Capital improvement expenses. The cost will be covered by Developer contributions.

14. \$362,000 increase in BEDC Badger Building Expenses. Cost to be covered by \$75,000 contribution from Hotel Motel and use of fund balance.



## City Council

## ITEM 4.3

Crista Goble Bromley  
Mayor  
830-613-6549  
Mayor@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** December 10, 2019

**Agenda Item:** Discuss and consider action: A RESOLUTION BY THE CITY OF BURNET, TEXAS AUTHORIZING THE TRANSFER OF FUNDS FROM THE HOTEL MOTEL FUND TO THE BURNET ECONOMIC DEVELOPMENT CORPORATION FOR PURCHASE OF BLUEBONNET SEEDS: Mayor Bromley

**Background:** The City of Burnet is referred to as the “Bluebonnet Capital of Texas” and the annual spring Bluebonnet Festival is one of the largest tourism events held in the City. In an effort to increase tourism in the City of Burnet, the Burnet Economic Development Corporation (BEDC) would like to purchase and plant bluebonnet seeds in several park and open areas throughout the City of Burnet to entice visitors to the community.

**Information:** Estimated cost of the bluebonnet seeds is \$10,000 from the Hotel/Motel Fund to the BEDC.

**Fiscal Impact:**

**Recommendation:** Staff recommends approval of Resolution R2019-24 as presented

**RESOLUTION NO. R2019-24**

**A RESOLUTION BY THE CITY OF BURNET, TEXAS  
AUTHORIZING THE TRANSFER OF FUNDS FROM THE  
HOTEL MOTEL FUND TO THE BURNET ECONOMIC  
DEVELOPMENT CORPORATION FOR THE PURCHASE  
OF BLUEBONNET SEEDS.**

**Whereas**, the City of Burnet is referred to as the “Bluebonnet Capital of Texas” and the annual spring Bluebonnet Festival is one of the largest tourism events held in the City; and

**Whereas**, in an effort to increase tourism in the City of Burnet, the Burnet Economic Development Corporation (BEDC) would like to purchase and plant bluebonnet seeds in several park and open areas throughout the City of Burnet to provide beautiful scenery and opportunities to entice visitors to the community.

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section 1.      Findings.** The foregoing recitals are hereby found to be true and correct and are hereby resolved by the City Council of the City of Burnet, Texas (the “City Council”) and made a part hereof for all purposes as findings of fact.

**Section 2.      Proceedings.** The City Council does hereby authorize the transfer of Ten Thousand Dollars (\$10,000) from the Hotel Motel Fund to the Burnet Economic Development Corporation to assist with the beautification of the City of Burnet.

**Section 3.      Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov’t. Code*.

**PASSED AND APPROVED** this the 10<sup>th</sup> day of December, 2019.

**CITY OF BURNET, TEXAS**

**ATTEST:**

\_\_\_\_\_  
**Crista Goble Bromley, Mayor**

\_\_\_\_\_  
**Kelly Dix, City Secretary**



## Development Services

### ITEM 4.4

Mark S. Lewis  
Development Services  
(512)-715-3215  
mlewis@cityofburnet.com

## Agenda Item Brief

**Meeting Date:** December 10, 2019

**Agenda Item:** Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ABANDONING THOSE UNIMPROVED PORTIONS OF THE HILL, CLARK, LAMAR, COKE, AND WILLOW STREET RIGHTS-OF-WAY; ABANDONING THOSE ALLEY RIGHTS-OF-WAY LOCATED IN BLOCKS 11, 12, 21, 22, 27, 28, 27, AND 38, JOHNSON ADDITION TO THE CITY OF BURNET; DIRECTING THE CITY SECRETARY TO FILE IN THE BURNET COUNTY OFFICE OF DEED RECORDS, A DEED GRANTING OWNERSHIP OF SAID STREET AND ALLEY RIGHTS-OF-WAY TO LANGLEY HOMES, INC; ABANDONING THOSE UNIMPROVED PORTIONS OF THE CACTUS, PRAIRIE, VALLEY, HILL, CLARK, LAMAR, AND COKE STREET RIGHTS-OF-WAY GENERALLY DESCRIBED AS BEING LOCATED SOUTH OF ELM STREET AND EAST OF WESTFALL STREET; ABANDONING THOSE ALLEY RIGHTS-OF-WAY LOCATED IN BLOCKS 9, 10, 23, 24, 25, 26, 29, AND 40, OF THE JOHNSON ADDITION TO THE CITY OF BURNET; AND DIRECTING THE CITY SECRETARY TO FILE IN THE BURNET COUNTY OFFICE OF DEED RECORDS, A DEED GRANTING OWNERSHIP OF SAID STREET AND ALLEY RIGHTS-OF-WAY TO CGG HOLDINGS III, L.L.C.: M. Lewis

**Background:** The attached resolution abandons undeveloped street and alley rights-of-way located within the portion of the Johnson addition described in the above caption.

The abandonment request is being brought as a means of facilitating development of the Westfall Village Subdivision.

**Information:** The City's last Charter election eliminated the requirements pertaining to right-of-way and easement abandonment.

In the absence of local Charter or ordinance provisions, the abandonment process defaults back to requirements by State law, which simply requires action by City Council.

Staff, working with the City Attorney's office has determined that abandonment by City Council resolution will satisfy applicable provisions of State law.

**Recommendation:** Approve and adopt Resolution R2019-25 as presented.

## **RESOLUTION NO. R2019-25**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ABANDONING THOSE UNIMPROVED PORTIONS OF THE HILL, CLARK, LAMAR, COKE, AND WILLOW STREET RIGHTS-OF-WAY; ABANDONING THOSE ALLEY RIGHTS-OF-WAY LOCATED IN BLOCKS 11, 12, 21, 22, 27, 28, 27, AND 38, JOHNSON ADDITION TO THE CITY OF BURNET; DIRECTING THE CITY SECRETARY TO FILE IN THE BURNET COUNTY OFFICE OF DEED RECORDS, A DEED GRANTING OWNERSHIP OF SAID STREET AND ALLEY RIGHTS-OF-WAY TO LANGLEY HOMES, INC; ABANDONING THOSE UNIMPROVED PORTIONS OF THE CACTUS, PRAIRIE, VALLEY, HILL, CLARK, LAMAR, AND COKE STREET RIGHTS-OF-WAY GENERALLY DESCRIBED AS BEING LOCATED SOUTH OF ELM STREET AND EAST OF WESTFALL STREET; ABANDONING THOSE ALLEY RIGHTS-OF-WAY LOCATED IN BLOCKS 9, 10, 23, 24, 25, 26, 29, AND 40, OF THE JOHNSON ADDITION TO THE CITY OF BURNET; AND DIRECTING THE CITY SECRETARY TO FILE IN THE BURNET COUNTY OFFICE OF DEED RECORDS, A DEED GRANTING OWNERSHIP OF SAID STREET AND ALLEY RIGHTS-OF-WAY TO CGG HOLDINGS III, L.L.C.**

**Whereas**, the City Council of Burnet Texas ("City Council") desires to continue to protect and ensure the public health, safety and welfare of its citizens by effectively managing the City's real property interests that are held in trust for the public; and

**Whereas**, Section 311.007 of the Texas Transportation Code provides a "home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality"; and

**Whereas**, Section 272.001(b) of the Texas Local Government Code authorizes the sale of a municipality's interest in real property for less than market value if the municipality's interest in the real property is by easement and the conveyance, sale, or exchange is with one or more abutting property owners who own the underlying fee simple; and

**Whereas**, City Council has received a request from the abutting property owners, Langley Homes Inc. and CGG Holdings III L.L.C. to abandon a portion of public right-of-way; and

**Whereas**, the street and alley rights-of-way are undeveloped; and

**Whereas**, City Council has determined that abandonment of said rights-of-way will facilitate development of the underlying land in a manner that provides for the orderly extension of streets and utilities necessary to the orderly and beneficial growth of the City of Burnet; and



**Whereas**, City Council has further determined that extension of said streets and utilities will promote the health, safety, and general welfare of the citizens of Burnet;

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section 1.        Findings.** The foregoing recitals are hereby found to be true and correct and are hereby resolved by City Council to be made a part hereof for all purposes as findings of fact.

**Section 2.        Abandonment Authorized.**

**A.** City Council does hereby authorize the abandonment in favor of Langley Homes, Inc.:

- I. Those undeveloped portions of the Willow, Hill, Clark, Lamar, and Coke Street rights-of-way generally described as being located south of Elm Street and East of Westfall Street, said rights-of-way being more particularly described by Exhibit A, a copy of which is attached hereto and incorporated for all purposes herein., and
- II. Those alley rights-of-way located in Blocks 11, 12, 21, 22, 27, 28, 27, and 38, Johnsons addition to the City of Burnet, said rights-of-way being more particularly described by Exhibit A, a copy of which is attached hereto and incorporated for all purposes herein.

**B.** City Council does hereby authorize the abandonment in favor of CGG Holding III, L.L.C.:

- I. Those undeveloped portions of the Cactus, Prairie, Valley, Hill, Clark, Lamar, and Coke Street rights-of-way generally located south of Elm Street and east of Westfall Street, said rights-of-way being more particularly described by Exhibit A, a copy of which is attached hereto and incorporated for all purposes herein.
- II. Those undeveloped alley rights-of-way located in Blocks 9, 10, 23, 24, 25, 26, 39, AND 40, Johnson Addition to the City of Burnet, said rights-of-way being more particularly described by Exhibit A, a copy of which is attached hereto and incorporated for all purposes herein.

**Section 3.        City Manager Directed to Execute Deeds**

- A.** The Manager is hereby authorized and directed to execute an instrument, along with any other such instrument and document reasonably necessary to facilitate the purpose of this resolution, granting ownership to Langley Homes, Inc., those rights of way described in Section 2.A I and Section 2.A.II above, and further directing, upon such execution, the City Secretary to record said instrument(s) in the Real Property Records of Burnet County, Texas.

- B. The Manager is hereby authorized and directed to execute an instrument, along with any other such instrument and document reasonably necessary to facilitate the purpose of this resolution, granting ownership to CGG Holdings III, L.L.C., those rights of way described in Section 2BA I and Section 2.B.II above, and further directing, upon such execution, the City Secretary to record said instrument(s) in the Real Property Records of Burnet County, Texas.

**Section . Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

**PASSED AND APPROVED** this the 10<sup>th</sup> day of December, 2019.

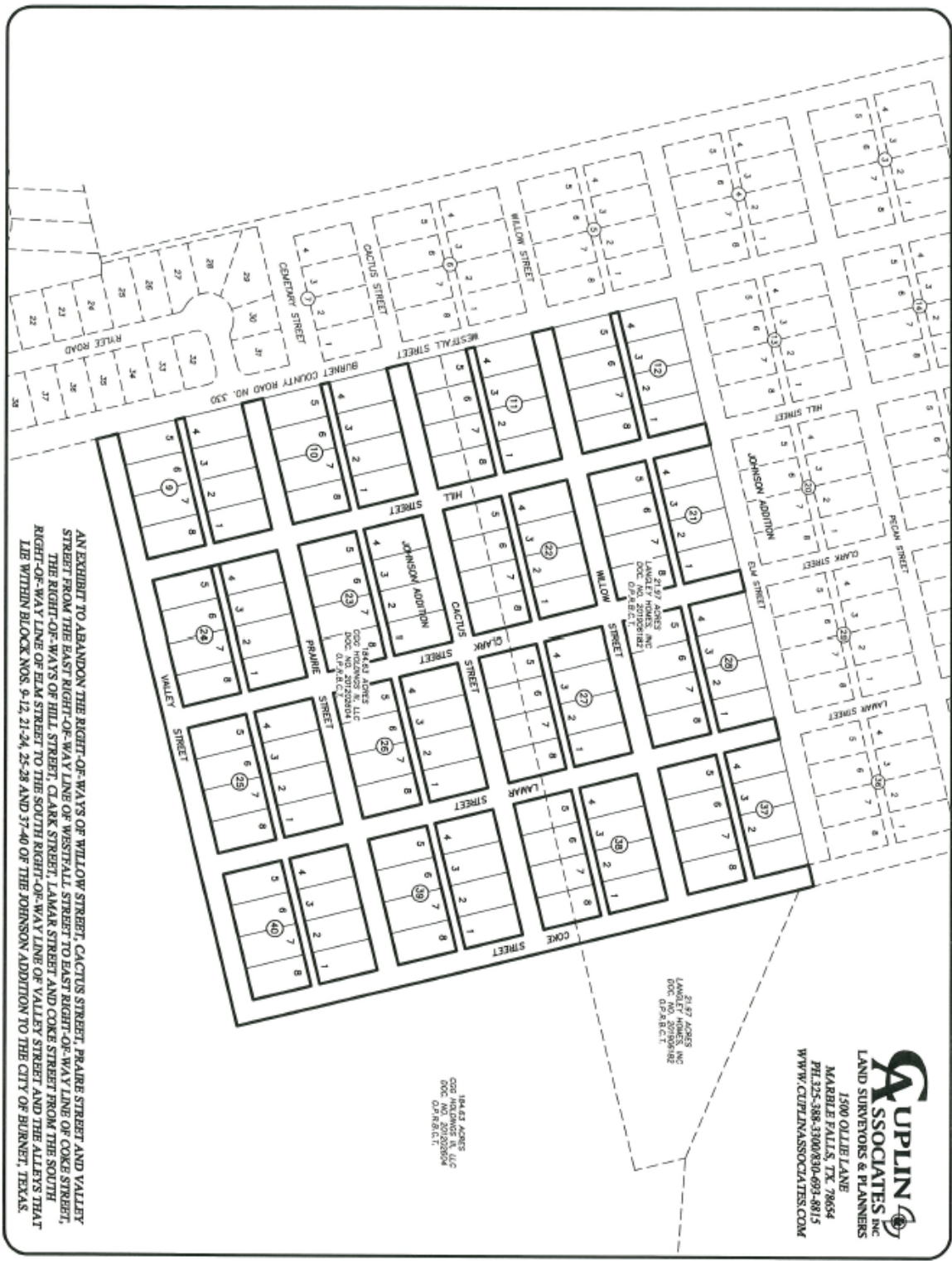
**CITY OF BURNET, TEXAS**

**ATTEST:**

\_\_\_\_\_  
Crista Goble Bromley, Mayor

\_\_\_\_\_  
Kelly Dix, City Secretary

# Exhibit "A" Rights-of-Way to be Abandoned





## Planning & Zoning

### Agenda Item Brief

#### ITEM 4.5

Mark S. Lewis  
Development Services  
(512)-715-3215  
mlewis@cityofburnet.com

**Meeting Date:** December 2, 2019

**Agenda Item:** Discuss and consider action: Regarding a variance to the 600-foot maximum block length requirements established by Code of Ordinances Chapter 98, Sec. 98-48 requested for the purpose of allowing Elmer Avenue, a local residential street to be located in the Westfall Village Subdivision, to be constructed with a block length of 900 feet: M. Lewis

**Background:** Westfall Village is a 14.03-acre tract that is being platted as a single-family residential subdivision (See Exhibit A).

Langley Homes, Inc., the property owner, is requesting a subdivision variance to allow Elmer Avenue, a street within the proposed subdivision, to be dedicated and constructed as proposed (See Exhibit B).

Code of Ordinances Sec. 98-48.1.b, states *residential blocks shall not exceed 600 feet nor be less than 300 feet in length, except as otherwise provided for herein.*

Elmer Avenue will be a local residential street within the proposed Westfall Village subdivision. The street's length, as measured from its intersection with Westfall Street to its intersection with Warner Way is approximately 900-feet (See Exhibit C).

A subdivision variance is needed to allow Elmer Avenue to be constructed as designed.

**Information:** Subdivision variances are governed by Code of Ordinance Sec. 98-82. Under the terms of this section, a variance can be requested when *"a tract to be developed is... surrounded by development of such unusual conditions that the strict application of the requirements contained in this chapter would result in hardship or inequity."*

The circumstances relating to this request are as follows:

- Westfall Village, including Elmer Avenue has been designed to provide efficient connection with the existing street system that borders to the north and west (See Exhibits A & C).
- To the east, the subdivision is bordered by a dry creek channel that will be contained within a dedicated “Water Quality Buffer Zone Easement (See Exhibits A & C).”
- Block length has the effect of limiting the number of home-sites that can be located along a single block. The property in question is being zoned Single-family Residential—District R-1. This comes into play as follows:
  - Minimum R-1 lot width has been set a 60ft.
  - The minimum lot width standard effectively sets a 20-lot per block cap (10-lots per street side)
  - Due to proposed widths of lots intended as home-sites (70ft or more) and the presence of lot 10, a one-acre water quality pond, the section of Elmer Avenue in question will contain 20 ½ buildable lots.

The Planning and Zoning Commission and City Council are authorized to grant a subdivision variance if the following findings can be made.

- *The public convenience and welfare will be substantially served;*

Because of lot width and the presence of the Lot 19 water quality pond, the number of homesites served by Elmer Avenue are consistent with the number of minimum width lots that could be served by a 600-foot block. This means that traffic patterns and volumes will be consistent with ordinance design parameters. In this regard, granting the variance will be consistent with the public convenience and welfare.

- *The appropriate use of surrounding property will not be substantially or permanently impaired or diminished;*

The Westfall Village subdivision design is driven by constraints imposed by topographic features, existing street system, and the subject property's size and configuration. The subdivision's design smoothly meshes with the existing street system and topographic features. This meshing will help ensure that the use of surrounding properties will not be substantially, or permanently impaired or diminished.

- *The applicant has not created the hardship from which relief is sought;*

Design constraints are imposed by topography, property configuration, and an existing street network. The hardship is therefore, not self-imposed.

- *The variance will not confer upon the applicant a special right or privilege not commonly shared or available to the owners of similar and surrounding property;*

Granting the variance will allow for a subdivision design that meshes with existing street and drainage patterns. In this way it will preserve the right of development or use afforded to other developments within the City.

- *The hardship from which relief is sought is not solely of an economic nature;*

The subdivision design is based on topographic constraints, property size and configuration, and existing street patterns. These factors are not economic in nature.

- *The variance is not contrary to the public interest;*

Based on factors already addressed in this report, granting the variance will not be contrary to the public interest.

- *Due to special conditions, the literal enforcement of this chapter would result in an unnecessary hardship; and*

This is a relatively small and hemmed in property. The subdivision design is intended to provide efficient use of

the land available to the property owners, while protecting the value, use, and enjoyment of surrounding properties. Strict enforcement of block length standards would significantly impact drainage design and require a street reconfiguration that could significantly impact overall project viability. This would impose an unnecessary hardship.

- *In granting the variance the spirit of the ordinance is observed and substantial justice is done.*

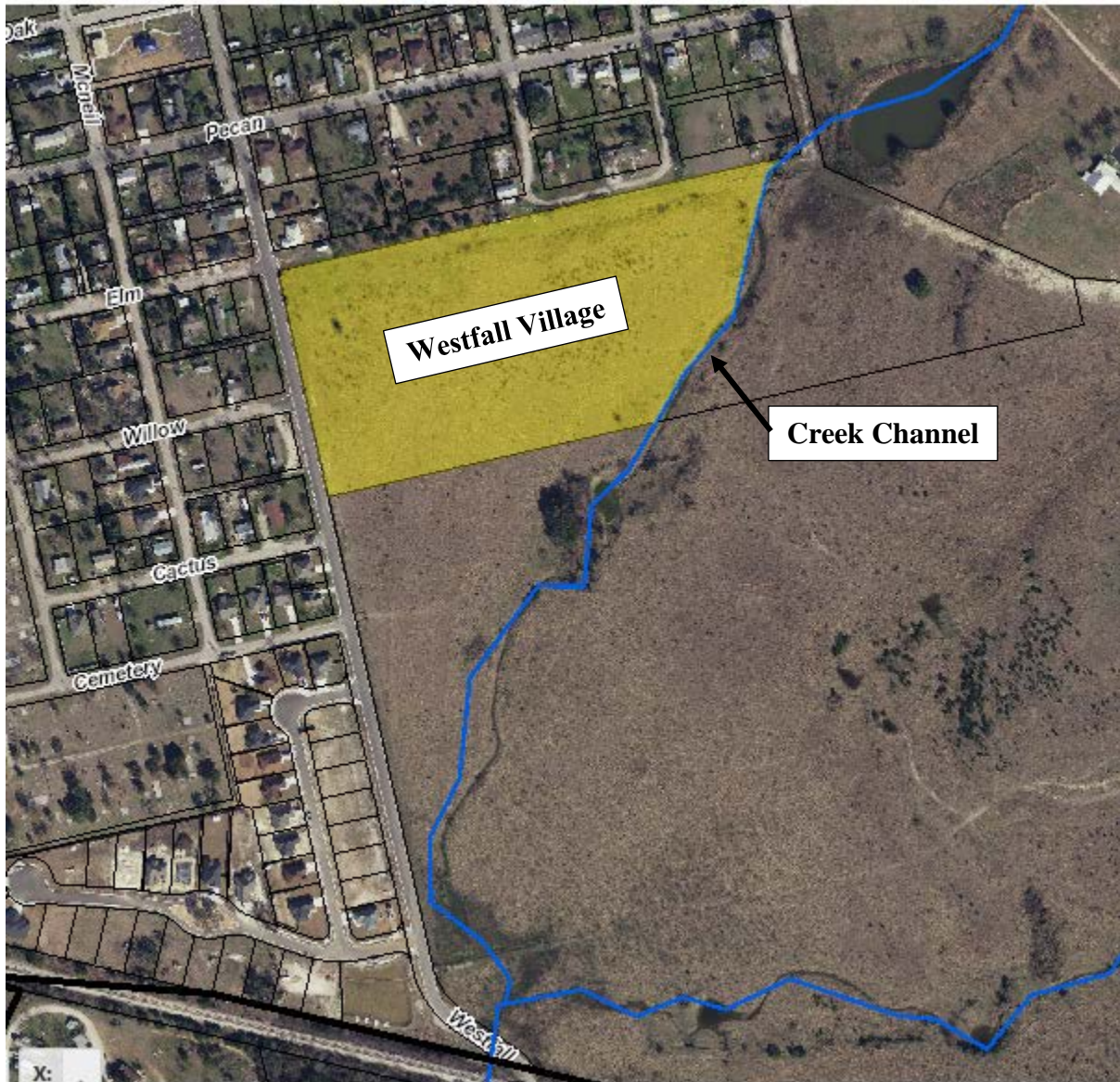
Granting the variance observes the spirit of the City's development regulations and will maintain the quality of development sought by City regulations. The Planning and Zoning Commission recommended unanimously to approve the variance as presented.

**Recommendation:**

Recommend approval of a variance allowing the portion of Elmer Avenue located between Westfall Street and Warner Way to be constructed with a 900-foot block length.



**EXHIBIT "A"**  
**Subdivision and Creek Location**





**EXHIBIT B**  
**Request for Variance**



Ricky Langley, President  
ricky@langleyhomesinc.com

(512) 734-3171  
717 N Water Street  
Burnet, TX 78611

Wade Langley, Vice President  
wade@langleyhomesinc.com

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Building Quality Homes Since 1985

October 1, 2019

Mark Lewis  
Development Director  
City of Burnet, TX

RE: Block Length Variance Westfall Village

Langley Homes, Inc. would like to request a variance to the block length requirement listed in the City of Burnet ordinances.

Our designers and consultants have orchestrated our proposed streets to maximize usable space and better align proposed streets with current improved roads owned and maintained by the City of Burnet.

Please contact us with any questions that you may have, and we look forward to following the request through the appropriate channels.

Thank you,

A handwritten signature in blue ink, appearing to read "Wade Langley", is positioned above the printed name.

Wade Langley  
Langley Homes, Inc.

# Exhibit C Block Length





## Planning & Zoning

### ITEM 4.6

Mark S. Lewis  
Development Services  
(512)-715-3215  
mlewis@cityofburnet.com

## Agenda Item Brief

**Meeting Date:** December 10, 2019

**Agenda Item:** Discuss and consider action: The City Council will discuss and consider action regarding the Preliminary Plat of Westfall Village, a 51-lot single-family residential subdivision to be generally located in the southeastern quadrant of the intersection of Elm and Westfall Streets: M. Lewis

**Background:** The Westfall Village Preliminary Plat has been forwarded to City Council with a unanimous Planning and Zoning Commission recommendation for approval “with condition.”

Three of the items included on City Council’s December 10, 2019 agenda also relate to the Westfall Village preliminary plat. Council’s actions regarding these items may have satisfied one or more of the conditions recommended by this report.

**Information:** The Westfall Village Preliminary Plat, subject to the conditions outlined below is in conformance with applicable provisions of Code of Ordinances Chapter 98-Subdivisions.

**Recommendation:** Approve the Westfall Village Preliminary Plat Westfall Village Subdivision Preliminary Plat subject to satisfaction of the following conditions:

- City Council approval of the ordinance assigning Single-family Residential—District R-1 zoning to the property being platted; and
- City Council approval of the Elmer Avenue block length variance;
- City Council approval of resolution abandoning street and alley rights-of-way located within the bounds of the proposed plat; and
- City Engineer’s approval of the subdivision drainage study.



## Development Services

### ITEM 4.7

Mark Lewis  
Development Services  
(512)-715-3215  
mlewis@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** December 10, 2019

**Agenda Item:** Discuss and consider action: Regarding approval of a Preliminary Plat of Sky View Hill, a nine-lot subdivision located in the 1200-1500 blocks of CR 250: M. Lewis

**Background:** The property being platted as Sky View Hill is located in the City's Extra Territorial Jurisdiction (ETJ) (See Exhibit A). Just over twenty-seven acres out of a larger parent tract are to be developed as a nine-lot subdivision (See Exhibit B).

All nine subdivision lots will front on CR 250. The 69.23 remaining acres of the parent tract will retain three points of frontage onto CR 250. No additional roads are proposed for construction in conjunction with the development of this subdivision.

Each lot, when developed, will be served by an individual well and septic (or other form of on-site sanitary facility) system. No new public water or sewer infrastructure are proposed in conjunction with the development of this subdivision.

The Sky View Hill preliminary was determined to be administratively complete on November 20, 2019 and is being brought forward at this time to ensure compliance with applicable provisions of Code of Ordinances, Chapter 98, and applicable provisions of the Texas Local Government Code.

**Information:** Burnet County and the City of Burnet have entered into an Interlocal Agreement that, within its ETJ, grants sole platting authority to the City. This interlocal agreement is the basis for bringing the Sky View Hill plats to the City for review and action.

Even though Sky View Hill is located in the ETJ, it is subject to the provisions of Burnet Code of Ordinances Chapter 98—Subdivision. It will not however, be subject to any of the City's zoning regulations. Building setback regulations, lot size and configuration standards and other land use regulations established through the City's zoning authority are not applicable in the City's ETJ.

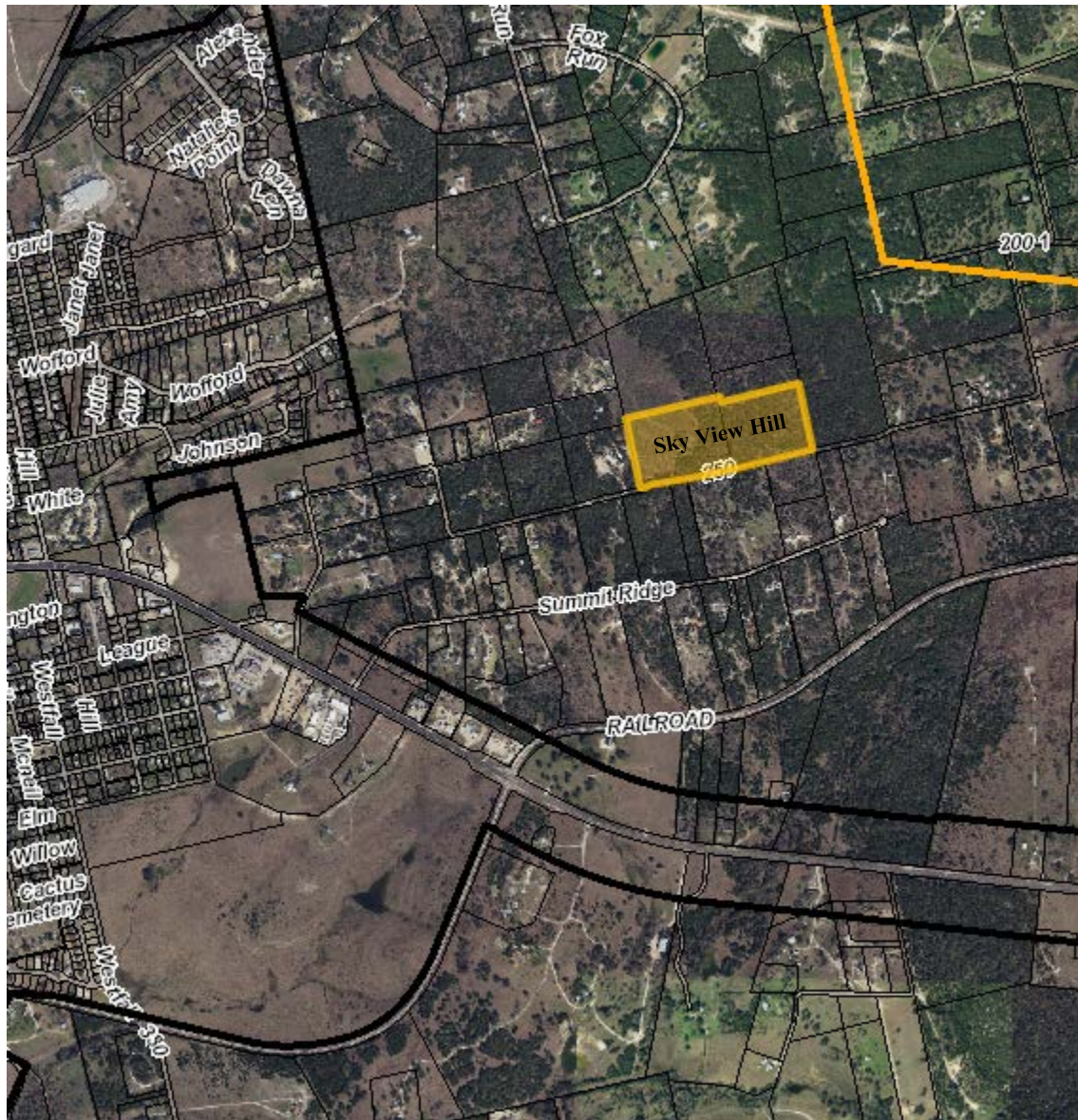
The Sky View Hill has been reviewed and determined to be in conformance with Code of Ordinances provisions that are applicable in the City's ETJ.

The Planning and Zoning Commission voted unanimously to approve the Sky View Hill Preliminary Plat on December 2, 2019.

**Recommendation:** Recommend City Council approval of the Sky View Hill Preliminary Plat as presented.



**EXHIBIT "A"**  
**Location**



STATE OF TEXAS  
COUNTY OF BERNET

THE ATTACHED PRELIMINARY PLAT OF "RAY VIEW HILL," HAS BEEN SUBMITTED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BERNET, TEXAS, AT ITS MEETING ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

THIS PRELIMINARY PLAT SHALL NOT BE FILED IN THE CLERK AND RECORDS' OFFICE FOR BERNET COUNTY, TEXAS.

SEVEN (2) SETS, DIVISION OF PLANNING AND  
DEVELOPMENT SERVICES, CITY OF AUSTIN, TEXAS.

PROJECT NO. 18184  
PREPARED FOR JOHATHAN CORWELL  
TECH. L. BEER  
APPROVED BY D. STAM  
DATE: \_\_\_\_\_  
COMMISSION 2005

POSTED FOR MR. STAM

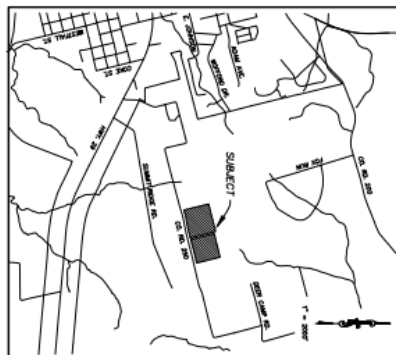
1500 OLLIE LANE  
MARBLE FALLS, TX. 78654  
PH: 325-388-1100 / 855-693-8815  
WWW.CRYSTALNASSOCIATES.COM



2		DESCRIPTION	1 OF 2 SHEET
1			
DATE			
REVISIONS			

DEVELOPER:  
JONATHAN COLLINS  
5905 1ST. ST.  
AUSTIN, TEXAS 78745  
512-947-4713

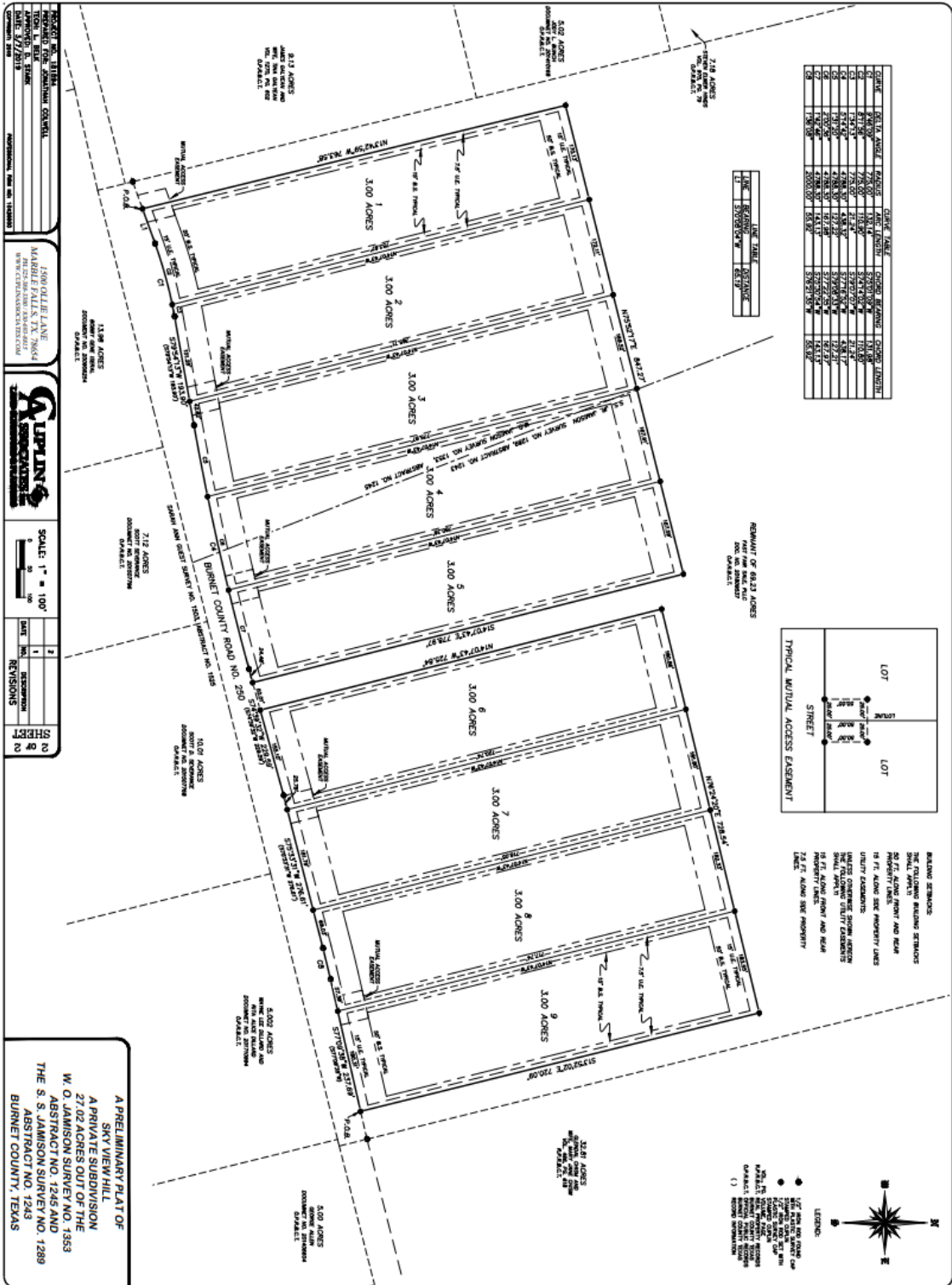
ENGINEER:  
WILLIAM H. ENGINEERING  
1007 BUCHANAN DRIVE  
SLATE 2  
BLUMET, TEXAS 79611  
512-553-1555



- [illegible]

A PRELIMINARY PLAT OF  
SKY VIEW HILL, PHASE I  
A PRIVATE SUBDIVISION  
27.02 ACRES OUT OF THE  
W. O. JAMISON SURVEY NO. 1353  
ABSTRACT NO. 1245 AND  
THE S. S. JAMISON SURVEY NO. 1203  
ABSTRACT NO. 1243  
BURNET COUNTY, TEXAS

# Exhibit B Plat 2 of 2







## Development Services

### ITEM 4.8

Mark Lewis  
Development Services  
(512)-715-3215  
mlewis@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** December 10, 2019

**Agenda Item:** Discuss and consider action: Regarding the Final Plat of Sky View Hill, Phase 1, a nine-lot subdivision located in the 1200-1500 blocks of CR 250: M. Lewis

**Background:** The property being platted as Sky View Hill is located in the City's Extra Territorial Jurisdiction (ETJ) (See Exhibit A). Just over twenty-seven acres out of a larger parent tract are to be developed as a nine-lot subdivision (See Exhibit B).

All nine subdivision lots will front on CR 250. The 69.23 remaining acres of the parent tract will retain three points of frontage onto CR 250. No additional roads are proposed for construction in conjunction with the development of this subdivision.

Each lot, when developed, will be served by an individual well and septic (or other form of on-site sanitary facility) system. No new public water or sewer infrastructure are proposed in conjunction with the development of this subdivision.

The Sky View Hill Final Plat was determined to be administratively complete on November 20, 2019 and is being brought forward at this time to ensure compliance with applicable provisions of Code of Ordinances, Chapter 98, and applicable provisions of the Texas Local Government Code.

The Sky View Hill **Preliminary** Plat is also under consideration. An approval of the preliminary plat is a prerequisite for to approve the Sky View Hill **Final** Plat.

**Information:** Burnet County and the City of Burnet have entered into an Interlocal Agreement that, within its ETJ, grants sole platting authority to the City. This interlocal agreement is the basis for bringing the Sky View Hill plats to the City for review and action.

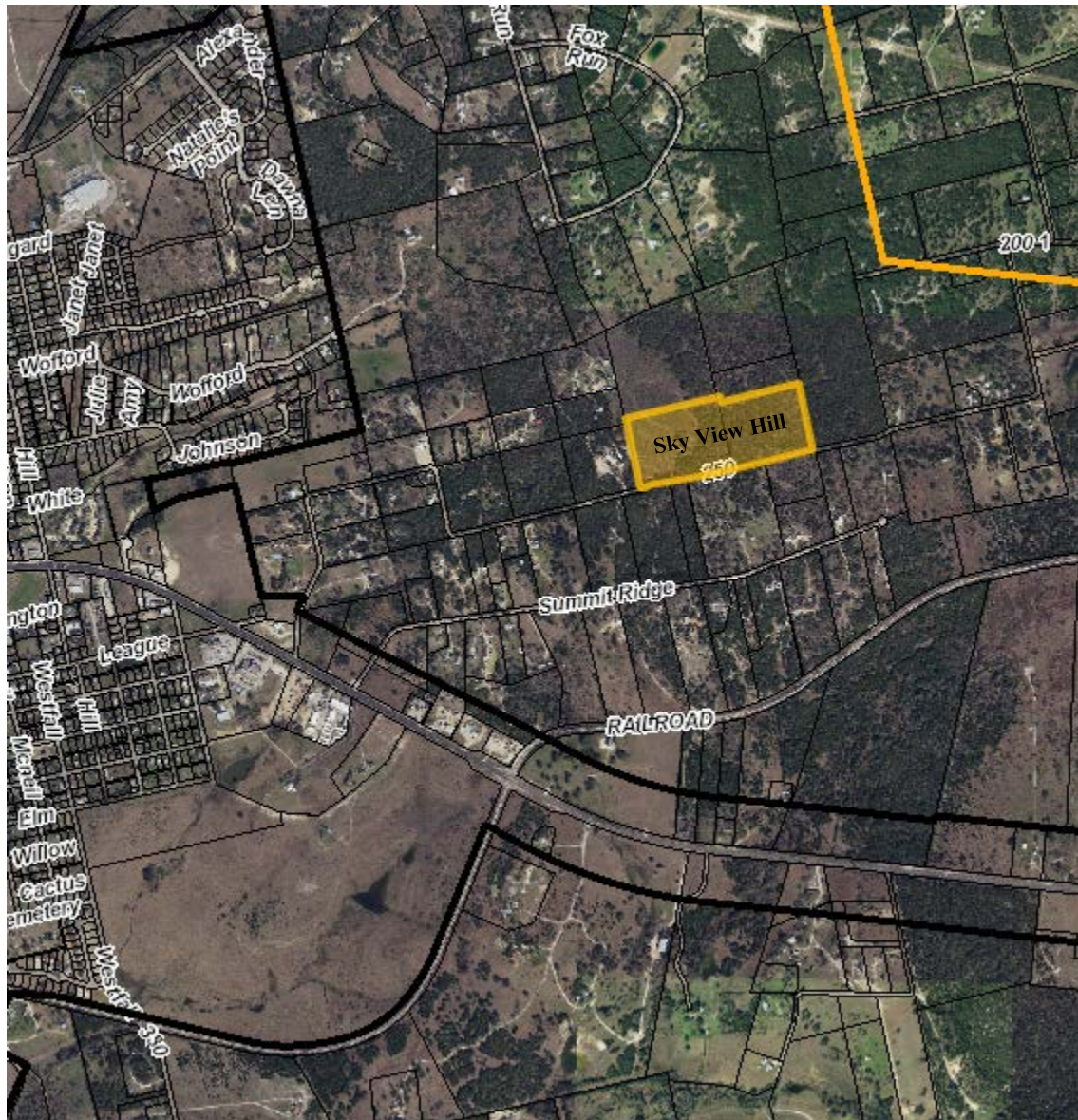
Even though Sky View Hill is located in the ETJ, it is subject to the provisions of Burnet Code of Ordinances Chapter 98—Subdivision. It will not however, be subject to any of the City's zoning regulations. Building setback regulations, lot size and configuration standards and other land use regulations established through the City's zoning authority are not applicable in the City's ETJ.

The Sky View Hill Final Plat, been reviewed and determined to be in compliance with all Code of Ordinances provisions applicable in the City's ETJ.

The Planning and Zoning Commission voted unanimously to approve the Sky View Hill Final Plat on December 2, 2019.

**Recommendation:** Recommend City Council approval of the Sky View Hill Final Plat as presented.

**EXHIBIT "A"**  
**Location**



[illegible]



[illegible]



## Fire Department

## ITEM 4.9

Mark Ingram  
Fire Chief  
(512)-756-6202  
mingram@cityofburnet.com

### Agenda Item Brief

<b>Meeting Date:</b>	December 10, 2019
<b>Agenda Item:</b>	Discuss and consider action: Approve proposed Fire Training Tower location and facility upgrade: M. Ingram
<b>Background:</b>	
<b>Information:</b>	The City previously received an LCRA grant for \$50,000 to a fire training tower, which was included in the FY 2020 budget at a total cost of \$130,000. The training tower that was quoted was a very basic structure. Since that time, ESD #7 has indicated they will contribute \$50,000 as well, which gives us the opportunity to upgrade the tower to a more aesthetic and functional facility. Staff will make a full presentation at the time of the meeting.
<b>Fiscal Impact:</b>	Approximately \$215,000 from cash reserves, of which \$80,000 is currently budgeted.
<b>Recommendation:</b>	Staff requests authorization to proceed with purchase of the upgraded tower as presented.



## Administration

### ITEM 4.10

David Vaughn  
City Manager  
(512)-715-3208  
dvaughn@cityofburnet.com

## Agenda Item Brief

**Meeting Date:** December 10, 2019

**Agenda Item:** Discuss and consider action: First amendment to the 380 Agreement with Langley Homes, Inc.: D. Vaughn.

**Background:**

**Information:** .

**Fiscal Impact:**

**Recommendation:** Approval of the first amendment to the 380 Agreement with Langley Homes as presented.

**FIRST AMENDMENT TO THE CHAPTER 380 ECONOMIC DEVELOPMENT  
AGREEMENT BETWEEN THE CITY OF BURNET AND LANGLEY HOMES, INC.**

This First Amendment (“First Amendment”) to the CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT (the “*Agreement*”) entered into as of the 4<sup>th</sup> day of October, 2019 by and between the City of Burnet, Texas (the “*City*”), a Texas municipal corporation located in Burnet County, Texas, and Langley Homes, Inc., a corporation formed under the laws of the State of Texas (the “*Developer*”), shall serve to amend the Agreement as follows:

**AMENDMENT I**

Exhibit “B” of the Agreement is hereby replaced in its’ entirety with Exhibit “B” attached hereto.

**AMENDMENT II**

Section 3.5 of the Agreement is hereby amended by replacing the existing language with the language (in *italics*) that follows:

**SECTION 3.5 Road Construction.** *The City shall reconstruct one block of Lamar Street from Pecan Street to Elm Street within one year of recordation of the Plat for Phase II of the Project as shown on Exhibit “B”, or by December 31, 2023, whichever shall come later. However, the City shall have no obligation to construct said roads if the Developer fails to record the Plat for Phase II prior to the expiration of this Agreement.*

EXCEPT AS HEREBY MODIFIED OR AMENDED, the remaining provisions of the Agreement not inconsistent with the terms hereof shall remain in full force and effect for all purposes.

(Signatures on next page)



CITY OF BURNET:

By: \_\_\_\_\_

Date: \_\_\_\_\_

City of Burnet  
David Vaughn, City Manager  
1001 Buchanan Drive, Suite 4  
Burnet, Texas 78611

AGREED AND ACCEPTED:  
DEVELOPER:

By: \_\_\_\_\_

Date: \_\_\_\_\_

Langley Homes, Inc.  
Ricky Langley, President  
717 N Water Street  
Burnet, Texas 78611

# Exhibit "B" The Project





## Administration

### ITEM 4.11

David Vaughn  
City Manager  
(512)-715-3208  
dvaughn@cityofburnet.com

### Agenda Item Brief

<b>Meeting Date:</b>	December 10, 2019
<b>Agenda Item:</b>	Discuss and consider action: Approval of a contract for the Fixed Base Operation of the Burnet Municipal Airport: D. Vaughn.
<b>Background:</b>	
<b>Information:</b>	The previous contract with the FBO has expired and is currently month-to-month. The proposed agreement eliminates the per-gallon flowage fee and provides for a set monthly payment for services.
<b>Fiscal Impact:</b>	Under the previous agreement, the annual flowage fees would range between \$27,000 to \$40,000. While revenues would fluctuate with consumption, staffing levels and expenses remained fixed for the FBO. Providing a flat fee for services provides more consistency for the FBO, as well as more flexibility for the City when it comes to self-serve and full-serve pricing.
<b>Recommendation:</b>	Staff recommends approval of the FBO contract as presented.

# **FIXED BASE OPERATOR CONTRACT**

**STATE OF TEXAS**

**KNOW ALL MEN BY THESE PRESENTS:**

**COUNTY OF BURNET**

This contract ("Contract") entered into between City of Burnet, a home rule municipality ("City"), and Faulkner's Air Shop, Inc. ("FBO"), who may be individually referred to herein as "Party" or collectively as "Parties".

## **WITNESSETH**

For and in consideration of the monthly cash consideration payments by and between the Parties and further consideration of the mutual covenants, benefits, agreements and obligations between the Parties, City and the FBO agree as follows:

## **CONSIDERATION**

City shall pay a fixed based operator's fee to the FBO, the cash sum of FOUR THOUSAND, FIVE HUNDRED THIRTY-THREE AND 33/100 (\$4,533.33) DOLLARS per month, the first such monthly payment to be paid on the first day of December, 2019 and a like payment on the 1<sup>st</sup> day of each month thereafter during the term of this Contract, for services as a fixed based operator at Burnet Municipal Airport ("Airport").

The FBO shall pay as a hangar rental fee to City, the cash sum of ONE THOUSAND, TWO HUNDRED AND NO/100 (\$1,200.00) DOLLARS per month; the first such monthly payment to be paid on the first day of December, 2019 and a like payment on the 1<sup>st</sup> day of each month thereafter during the term of this Contract. Said hangar is an eighty (80) foot by eighty (80) foot metal building for use as a hangar-shop-office-terminal building ("Premises"), as shown in Exhibit "A". The City reserves the right to relocate the FBO at any time during the term of the Contract to similar or better facilities as deemed necessary by the City.

**The FBO shall track and report all fuel dispensed and shall note all gallons pumped, both self-service and full-service. The FBO shall pay to City the entire proceeds of the sale of all fuel sales collected by the FBO.**

## **TERM**

This Contract shall be effective as of December 1, 2019 (the "Effective Date"), and shall end on the last day of November, 2020. Such term will be renewed automatically for consecutive additional terms of one year not to exceed four additional terms.

## **TERMINATION**

1. The City shall have the right to terminate this Contract, in whole or in part, on the occurrence of any of the following events:
  - a. Failure on the part of the FBO (1) to pay rent when due unless such failure is corrected within a ten (10) day period of the date due, or (2) failure of the FBO to pay the City any monies that become due and owing to the City by the FBO under any other lease or agreement that is at that time in effect between FBO and City.
  - b. Filing by or the final adjudication of the FBO of any petition in bankruptcy or the making of any transfer of general assignment for the benefit of creditors which has not been previously authorized by City.
  - c. Should the Premises cease to be used for purpose, be used for unauthorized purposes, be abandoned by the FBO, FBO files bankruptcy, dissolves or forfeits its corporate charter, or FBO fails to adhere to the terms of this Contract, City shall have the authority to suspend or terminate this Contract except that FBO shall have the opportunity to cure as defined herein. In the event of the abandonment of the Premises or any portion thereof, or discontinuance of the FBO's business operations, or any portion thereof, City shall not be responsible for the custodial protection of merchandise, fixtures, or equipment abandoned even though it is necessary for the City to remove same from the Premises for storage or disposal.
  - d. Loss by the FBO due to expiration or revocation of any special licenses, permit or certificate necessary for conducting activities as defined herein at the level of service required by terms contained herein.
  - e. The failure of the FBO to perform substantially or keep or observe any of the terms, covenants, and conditions which FBO is obligated to perform, keep or observe under this Contract after the expiration of the thirty (30) day period after written warning or ultimatum given by the City to the FBO to correct any such deficiency or default. Should the remedy of any breach reasonably require more than thirty (30) days in execution, FBO shall be given such additional time as may be deemed necessary by City.

Provided, however, that as to those actions or circumstances which FBO should do or discontinue doing or correct which create a danger or are derogatory to aviation activities, the delinquency shall be cured by FBO immediately, without notice by City. Conditions or circumstances creating a dangerous situation or which are or may be derogatory to aviation activities shall be conclusive if such determination is made by the Federal Aviation Administration, Texas Department of Transportation, or City. The term derogatory as herein used, shall mean those things which do or reasonably appear to hinder aviation activities.

2. The Contract may be terminated for convenience by either the FBO or the City upon written notice of either Party of its intent to terminate at least one hundred eighty days (180) prior to the ending date of the current term.
3. This Contract may be terminated for convenience at any time without cause and without notice upon mutual agreement between City and FBO.
4. It is understood and agreed, by and between the Parties hereto, that the continuing use of the Airport as an airport for general aviation is essential to the operation of FBO, and that failure to continue the use of the Airport for airport and aviation purposes shall constitute a default in the

Contract by City; and upon giving notice to City by FBO of such default and failure to cure such default within thirty (30) days after the giving of such notice, the Contract shall terminate and end as of the date ninety (90) days after such notice shall have been given. FBO's remedy shall be limited to such cancellation and removal or relocation of personal property owned by FBO. The City shall not be responsible or liable for any actual or consequential damages that may arise from such cancellation.

### **PURPOSE**

The purpose of the Contract is for an FBO to provide twenty-four (24) hour services to pilots and aircraft which use the Airport including but not limited to the dispensing of fuel and the operation of an aircraft repair facility in compliance with Federal Aviation Administration (FAA) regulations and approved practices.

The FBO shall have the exclusive use of the Premises located on Airport except that City shall have access and use of the meeting room, pilot's lounge, restrooms and lobby for use as a terminal building and for City related events.

The FBO shall not exclude the general public or any persons desiring to avail themselves of the services of the FBO and of the use of the Airport facilities, except that the FBO shall have the authority to refuse service when, in his or her opinion, such service could result in a danger to employees, visitors, the City, state or United States government or to the general public, or FBO believes such service is an illegal act. The FBO shall not give preferential treatment to its customers but any and all persons shall be given impartial access to and use of the Airport facilities and services, subject to the rights of the FBO as provided herein.

### **SERVICES BY FBO**

1. The FBO shall service customers and their airplanes with aviation grade fuels provided by the City. The FBO shall report fuel dispensed on a weekly basis and shall pay to City, within ten (10) business days, the entire proceeds of the sale of all fuel sales during the reporting period.
2. The FBO shall provide the general services of an FBO as that term and said services are usually agreed to and understood in the management and operation of an Airport within the Central Texas area and in addition, the FBO shall service aircraft needing fuel and supplies on a twenty-four (24) hour a day basis.
3. The FBO shall operate an aircraft repair facility in compliance with FAA regulations and approved practices.
4. The FBO shall maintain the Premises in a neat, orderly and attractive condition and shall maintain the area immediately adjacent to and surrounding the Premises building.
5. The FBO shall set such reasonable fees and rates for services consistent with standard practices for similarly positioned providers except that such fees and rates shall not be detrimental to the operation of the Airport. The FBO will provide the City with a list of charges upon request.
6. The FBO shall purchase and maintain in force the following insurance coverage:

a. Comprehensive General (Public) Liability Insurance policy covering its operation as FBO, in the minimum amount of \$1,000,000 combined single limit coverage, on a per occurrence or claims made basis and \$1,000,000 aggregate limit.

b. Aircraft Liability Insurance policy to cover all flight operations of FBO in the minimum amount of \$1,000,000 combined single limit coverage, on a per occurrence or claims made basis and \$1,000,000 aggregate limit.

c. All policies shall name City as an additional named insured and provide for a minimum of thirty (30) days written notice to the City prior to the effective date of any cancellation, material change, or lapse of such policies. The City shall be named as an additionally insured to protect against losses the City may suffer. Should the City have sustained damages, the City shall be paid first for its loss against all other claimants. FBO shall provide Certificates of Insurance and enforcement to the City for approval before work commences. Notwithstanding other provisions herein contained, City may cancel this Contract with or without notice to FBO should FBO's insurance lapse for a period of thirty (30) days or more. City may elect to reinstate and revive such Contract after such insurance obligation is cured by FBO. City shall be listed as a Certificate Holder on FBO's insurance and shall receive notification of any lapse.

d. A copy of said policies shall be provided to City by the FBO at the beginning of the term of this Contract, together with a paid receipt showing said policy premium paid for one (1) year in advance, and a paid receipt showing one (1) year paid in advance annually thereafter. City shall be named as an additionally insured in the FBO's policy.

7. The FBO shall indemnify City against loss and hold City harmless from any loss or damages occurring as a result of the negligence of the FBO in the operation of this Contract.

8. The FBO shall submit to the City all daily inspection records and other records that shall be required by City including but not limited to all records required by the fuel supplier, State of Texas and the Federal Government.

9. The FBO shall pay to City the applicable rate for utilities used in the operation of the Premises and the operation of the business of the FBO, with said payments to be made to City as required by City ordinance.

### **SERVICES BY CITY**

City shall provide services as included herein subject to appropriations as noted herein, except that City shall no longer provide such services in the event that City ceases to operate the Airport.

1. City shall provide fuel storage tanks and shall purchase sufficient aviation grade fuel for fuel for re-sale, provided that such fuel is available or allotted to City.

2. City shall provide, at no cost to the FBO, the utilities needed to operate the lighting and other systems operated and maintained by the City.

### **ENFORCEMENT OF CONTRACT PROVISIONS**

In the event City or the FBO shall waive the enforcement of any of the terms or conditions of the Contract, said waiver shall not prevent City or the FBO from any subsequent enforcement of any term or condition thereafter and such waiver shall not be considered a course of conduct on which the other Party may rely.

### **ASSIGNMENT OR SUBLETTING**

FBO may not assign this Contract or sublease any part of Premises without the consent of the City. Any attempt to assign or sublease without City consent shall be null and void. Neither the acceptance of rent from any assignee or sublessee, nor the passage of time after any such assignment or sublease, shall constitute a waiver of this prohibition. City's written approval to any particular such assignment or sublease shall not constitute City's approval of any subsequent assignment or sublease and shall not relieve FBO from the performance of its obligations hereunder, including, but not limited to, the payment of lease payments. Sale, assignment or change in the principals of the FBO's corporation shall be considered as an assignment for purposes of this section. Any assignment or sublease approved by the City must remain in compliance with the terms and provisions of this Contract.

### **TAXES**

FBO shall pay, before delinquency, any and all taxes, license fees, occupational taxes or assessments lawfully levied on account of FBO's occupancy and all taxes upon FBO's fixtures, equipment and personal property in and on the Premises, whether or not affixed to the real property. In addition, FBO agrees to pay any ad valorem taxes assessed on the Premises.

### **NON-DISCRIMINATION**

The FBO, for himself and his personal representatives, as a part of the consideration hereof, does hereby covenant and agree as a covenant that:

1. No person on the grounds of race, color, sex, religion, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination; and,
2. That in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, sex, religion or nation origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; and,
3. That the FBO shall use the Premises in compliance with all other requirements imposed by or pursuant to Code of Federal Regulations, Title 49, Transportation Subtitle A, Office of the Secretary of Transportation, Part 21, Non-Discrimination in Federally Assisted Programs of the Department of Transportation -- Effectuation of Title VI of the Civil Rights Act of 1964, Section 21.5 Discrimination prohibited; and,
4. That the FBO shall at all times use the Premises in compliance with all Non-Discrimination laws, either in effect at the present time or those promulgated in the future, of the United States of America, the State of Texas, the City of Burnet, and the Federal Aviation Administration, or their successors.



## **ABIDE BY LAWS**

FBO agrees to abide by all laws, statutes, ordinances, rules and regulations of the Federal Aviation Administration, Texas Department of Transportation, Division of Aviation, State of Texas, Texas Commission on Environmental Quality, the Environmental Protection Agency, City of Burnet and of all other duly constituted public authorities having jurisdiction. No provision in this Contract shall be construed as being in conflict with Federal Aviation Administration Rules or other laws; and this Contract shall be construed as being in harmony with such laws in the case of any conflict. FBO agrees to conduct all activities on the Premises in accordance with the standards now established or that may be established later by any competent and lawful authority.

Further, FBO agrees to abide by the manufacturer's direction in regards to the use, storage and disposal of pesticides, herbicides, hazardous chemicals, fuel, oil and other chemicals including their containers except for a conflict with a superior law which shall be adhered to strictly.

Notwithstanding anything herein contained that may be or appear to the contrary, it is expressly understood and agreed that the rights granted under this Contract are non-exclusive, and City herein reserves the right to grant similar privileges to other fixed based operators on other parts of the Airport.

## **STORM WATER COMPLIANCE**

1. Notwithstanding any other provisions or terms of the Contract, FBO acknowledges that the Airport is subject to federal storm water regulations, 40 C.F.R. Part 122, for "vehicle maintenance shops" (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations and/or deicing operations that occur at the Airport, as defined in these regulations, and state law concerning the prohibition against water pollution, as provided for in TEX. WATER CODE ANN. 26.121, as amended. FBO further acknowledges that it is familiar with these storm water regulations, that it conducts or operates "vehicle maintenance" (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations and/or deicing activities as defined in the federal storm water regulations; and that it is aware that there are significant penalties for submitting false information, including fines and imprisonment for knowing violations. For purposes of this section "vehicle" shall include but not be limited to aircraft.

2. Notwithstanding any other provisions or terms of this Contract, including the FBO's right to quiet enjoyment, City and FBO both acknowledge that close cooperation is necessary to ensure compliance with any storm water discharge permit terms and conditions, as well as to ensure safety and to minimize costs. FBO acknowledges that, as discussed more fully below, it may be required to undertake steps to minimize the exposure of storm water (and snow melt) to "significant materials" generated, stored, handled or otherwise used by the FBO, as defined in the federal storm water regulations, by implementing and maintaining "Best Management Practices."

3. FBO acknowledges that the Airport's storm water discharge permit is incorporated by reference into this Contract and any subsequent renewals.

## **PROTECTION OF AIRPORT**

City reserves the right to take any action it considers necessary to protect the aerial approaches of the Airport against obstructions, together with the right to prevent FBO from erecting, or permitting

to be erected, any building or other structure on or adjacent to the Airport which, in the opinion of City, would limit the usefulness of the Airport or constitute a hazard to aircraft. Height locations shall be specifically identified based upon location of the demised premises and safety requirements of Federal and State Governments and Aviation Administrators.

City reserves the right to further develop the Airport as approved by the City Council. City expressly reserves the right to grant to others additional leases or contracts and privileges with respect to said Airport facility even though the purposes for which such additional leases or contracts are given are the same and duplicates of those contained in this Contract.

### **GENERAL PROVISIONS**

1. Appropriations. Notwithstanding any provision contained herein, the financial obligations of City contained herein are subject to and contingent upon appropriations by the governing body of City of such funds or other revenues being available, received and appropriated by City in amounts sufficient to satisfy said obligations. In no event shall this instrument be construed to be a debt of City.
2. Attorney's Fees. In the event there should be a default under any of the provisions of this Contract and the City should retain attorney's or incur other expenses for the collection of rent for the enforcement of performance of observance of any obligation or agreement on the part of the FBO herein contained, FBO agrees that it shall, upon demand therefore, pay to the City the reasonable fees of such attorneys and such other reasonable expenses incurred.
3. Right of Flight. City reserves unto itself, its patrons, visitors, and other fixed based operators and their patrons, visitors, and employees, the right of flight for the passage of aircraft above the surface of the Premises, together with the right to cause in such air space such noise, dust, interference as may be inherent in the operation of aircraft now known or hereafter in use, including the right of using said air space for landing at, taking off from, or operating at or near the Airport.
4. Access. City shall allow access to and from the Premises to the existing taxiway at no cost to FBO.
5. Changes or Additions to Premises. FBO may not make any changes or additions to the Premises without the written consent of the City. Prior to any changes or additions to the Premises or any other part of the Airport under FBO's control, FBO shall be obligated to secure, in writing, the consent of City as to location, type and method of construction or improvement securing the proper building permits and providing an adequate site plan.
6. No Joint Venture, Agency, Joint Enterprise. This Contract shall not be construed to establish a partnership, joint venture, agency, or joint enterprise, express or implied, nor any employer-employee or borrowed servant relationship by and among the Parties hereto. Nor shall this Contract be construed to create or grant rights, contractual or otherwise, to any other person or entity not a party to this Contract. Each Party shall remain solely responsible for the proper direction of its employees and an employee of one shall not be deemed an employee or borrowed servant of the other for any reason.
7. No Third-Party Beneficiaries. Nothing herein shall ever be construed to confer upon any third person any rights, benefits or remedies, contractual or otherwise, as a third-party beneficiary by reason of this Contract.

8. Governmental Immunity. Nothing in this Contract shall be deemed to waive, modify or amend any legal defense available at law or in equity to either City or its officers and employees. Neither City, nor its officers and employees waive, modify or alter to any extent whatsoever the availability of the defense of governmental immunity under the laws of the State of Texas.
9. Force Majeure. Neither the City nor FBO shall be deemed in violation of this Contract if it is prevented from performing any of its obligations hereunder by reasons of strikes, boycotts, labor disputes, embargoes, shortages of material, force majeure, acts of the public enemy, acts of superior governmental authority, weather conditions, floods, riots, rebellions, acts of sabotage, or any other circumstances for which it is not responsible or which are not in its control; provided, however, that this section shall not apply to failures by FBO to pay rental, fees and charges specified herein.
10. Parking. City reserves the right to restrict and designate parking areas for all surface vehicles on all areas of the Airport. Automotive vehicles shall park only in parking areas designated for that purpose by the City.
11. Venue. This Contract shall be interpreted pursuant to the laws of the State of Texas and venue shall lie exclusively in Burnet County, Texas.
12. Entire Agreement. This Contract constitutes the entire understanding between the Parties and as of its Effective Date supersedes all prior or independent contracts or agreements between the Parties covering the subject matter hereof. Any change or modification hereof shall be in writing signed by both Parties.
13. Severability. If any part, provision, term, condition, obligation or portion of this Contract is found to be illegal or void by a court of final jurisdiction, the entire Contract shall not be void, but the voided provision shall be struck and the remainder of the Contract shall continue in full force and effect as nearly as possible in accordance with the original intent of the Parties
14. Timeliness of Execution. FBO shall execute Contract within thirty (30) days of approval by the City Council or the offer shall be rescinded.
15. Sovereign Immunity. Nothing in this Contract shall be determined to waive the City's sovereign immunity.
16. Multiple Copies. It is agreed that this Contract may be executed in multiple copies each having the force and effect of an original

[Signatures On Next Page]

ATTEST:

CITY OF BURNET, TEXAS

\_\_\_\_\_  
Kelly Dix  
City Secretary

\_\_\_\_\_  
Crista Goble Bromley  
Mayor

Signed this 10<sup>th</sup> day of December, 2019.

FBO  
FAULKNER'S AIR SHOP, INC.

\_\_\_\_\_  
Dale Faulkner

\_\_\_\_\_  
Johanna Faulkner

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.



## Exhibit "A"



Disclaimer: The City of Burnet makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further agrees to not hold the City of Burnet liable from any damage, loss, or liability arising from any use of the map product. Independent verification of all information contained on this map should be obtained by the end user.



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**CITY OF BURNET**  
EXHIBIT A



1" = 258'



## Development Services

## ITEM 4.12

Mark Lewis  
Director of Community  
Development  
(512)-756-6093 ext. 3215  
mlewis@cityofburnet.com

### Agenda Item Brief

<b>Meeting Date:</b>	December 10, 2019
<b>Agenda Item:</b>	Discuss and consider action: Appoint members to the Burnet Zoning Board of Adjustments: M. Lewis
<b>Background:</b>	The Zoning Board of Adjustments is a board with five members and two alternates. Currently the two alternate positions are open.
<b>Information:</b>	City Council is being asked to consider appointment of Calib Williams and Cesar Arreaza to the alternate positions on the Zoning Board of Adjustments. Both have volunteered to serve on this board and are current board members on the Planning and Zoning Commission.
<b>Fiscal Impact:</b>	None.
<b>Recommendation:</b>	To be determined by Council



# CITY OF BURNET

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Financial Report  
YTD September 30, 2019

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*Bluebonnet Capital of Texas - Lakes, Hills, History*



# *Table of Contents*

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	CITY OF BURNET YTD SEPTEMBER FINANCIAL SUMMARY	FY 2019
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The City as a whole, outperformed the budget for the year.

## GENERAL FUND

The General Fund ended the year with a profit of \$1,133,114 which outperformed our budget projection for the year by \$612,060 mainly due to strong revenue collections throughout the year.

Revenues (excluding the Use of Fund Balance) came in at 103% of budget for the year and increased \$616,070 over last year. The most significant increases over last year included: Current Property Tax Collections, they were up \$198,502; EMS collections were up \$53,316; Sales Tax Collections were up \$126,982; and Inter-local revenues from the school resource officer program were up \$141,812.

Expenses (excluding capital and other transfers) finished the year at 98% of budget and increased \$608,853 over last year. The most significant increases over last year were in personnel costs for both the Fire and Police department and the operating subsidy transferred to the golf course.

## GOLF COURSE

The Golf Course Fund ended the year with a loss of \$153,437. They outperformed our projected loss for year of \$169,743 by \$16,306.

Total revenues (less cogs) came in at 95.09% of budget. Green Fee and Cart Rental revenues were down mainly because of increased rain earlier in the year and Prepaid Fees were down due to a slight drop in memberships.

Total expenses (net of cogs) finished the year at 94.52% of budget mainly due to savings in personnel costs resulting from turnover.

## ELECTRIC FUND

The Electric Fund ended the year with a profit of \$849,094 which outperformed our budget projection for the year by \$421,809 due to increased revenue collections.

Net Electric Sales came in at 105% of budget. Compared to last year, both Net Electric Sales and consumption were consistent. Total Revenues (less use of fund balance) came in at 109% of the budget mainly because included in Other Revenue was the Over/Under FPRCRF credit received from LCRA in the amount of \$158,138.24.

Expenses (less cost of power and transfers to capital projects) finished the year at 98% of the budget and were up \$33,059 or 1% over last year.

## WATER/WASTEWATER

The Water and Wastewater Fund ended the year with a profit of \$566,983 which outperformed our budget projection for the year by \$182,353.



## CITY OF BURNET YTD SEPTEMBER FINANCIAL SUMMARY

**FY 2019**

Revenues (less the use of fund balance) came in at 102% of budget. Compared to last year, revenues were down \$48,275 mainly because of decreased water sales. Billed water consumption was down 5% because of increased rain throughout the year.

Expenses (less transfers to capital projects) ended the year at 97% of budget and were up just over 4% from last year mainly due to costly pump repairs at both the water and sewer plant.

### AIRPORT

The Airport Fund ended the year with a profit of \$199,606 which outperformed our budget projection by \$98,944.

Revenues (less cogs and the use of fund balance) came in at 118% of budget. Net fuel sales for both Avgas and Jet exceeded our budget expectations. Compared to last year, Net Avgas sales were down 21% and Net Jet sales were up 11%.

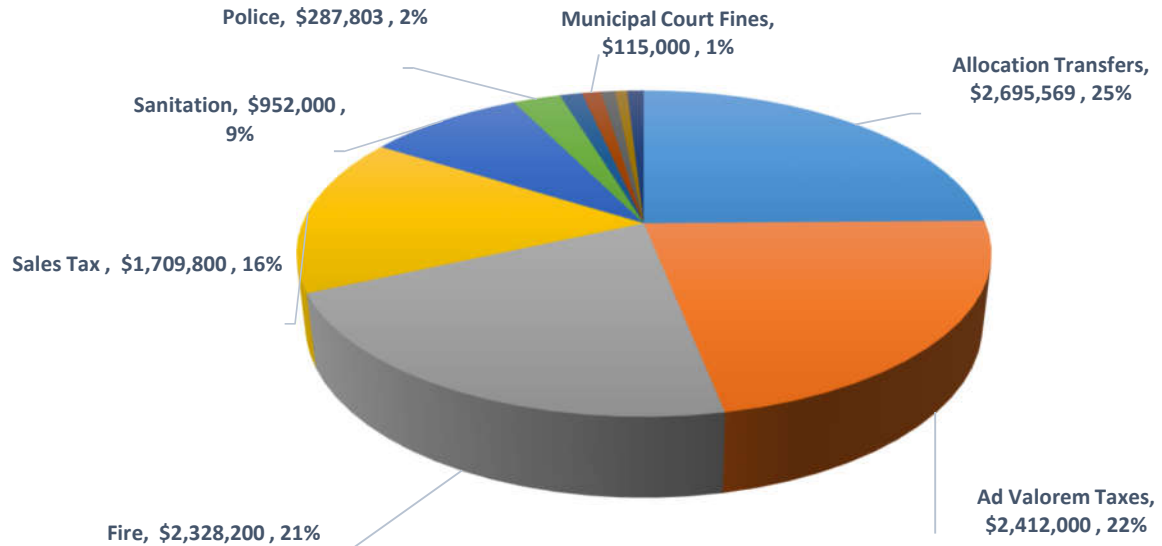
Expenses (less cogs and transfers to capital projects) ended the year at 89% of budget. Fuel sale commissions and professional services came in under budget.

### UNRESTRICTED CASH RESERVES

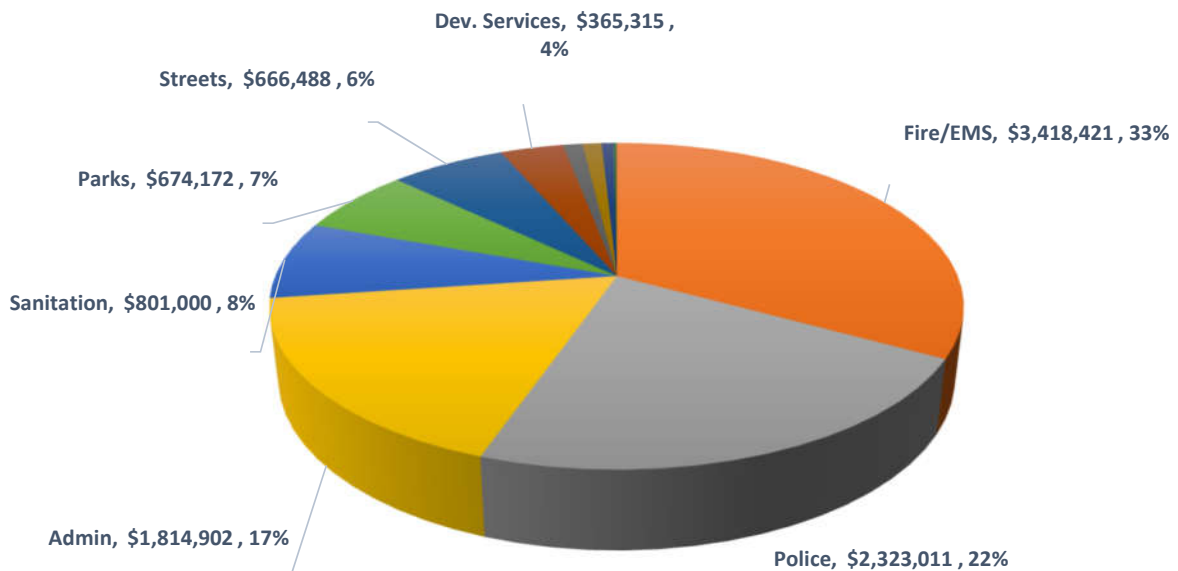
Total unrestricted cash for the City as of September 30, 2019 was \$5,984,483. That is \$2,824,283 above our 75 day required reserve amount and \$2,191,636 above our 90 day required reserve amount.

## GENERAL FUND ORIGINAL BUDGET 2018-19

### Revenues (Less Use of Fund Balance)



### Expenses (Less Capital/Other)

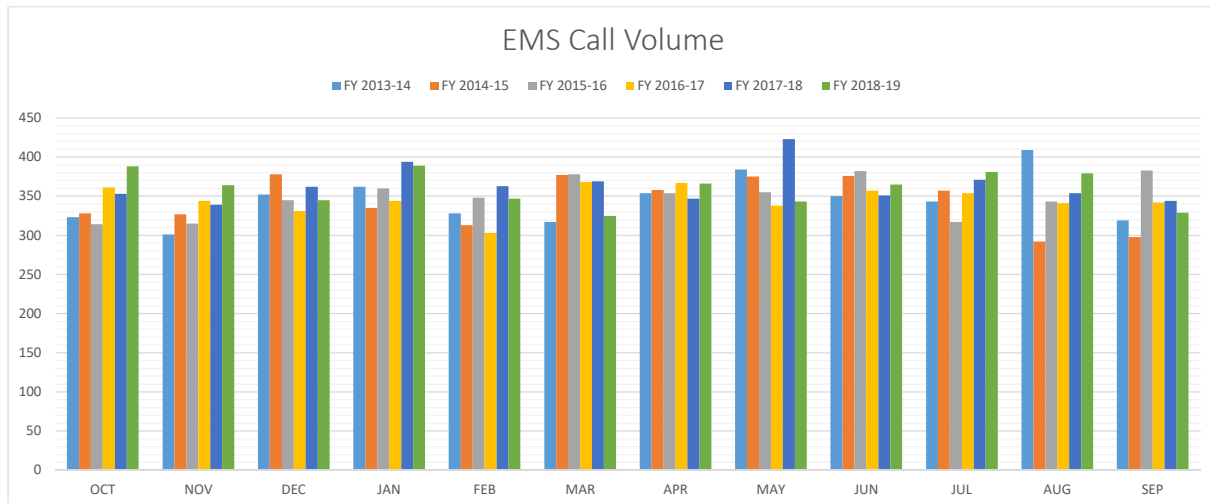
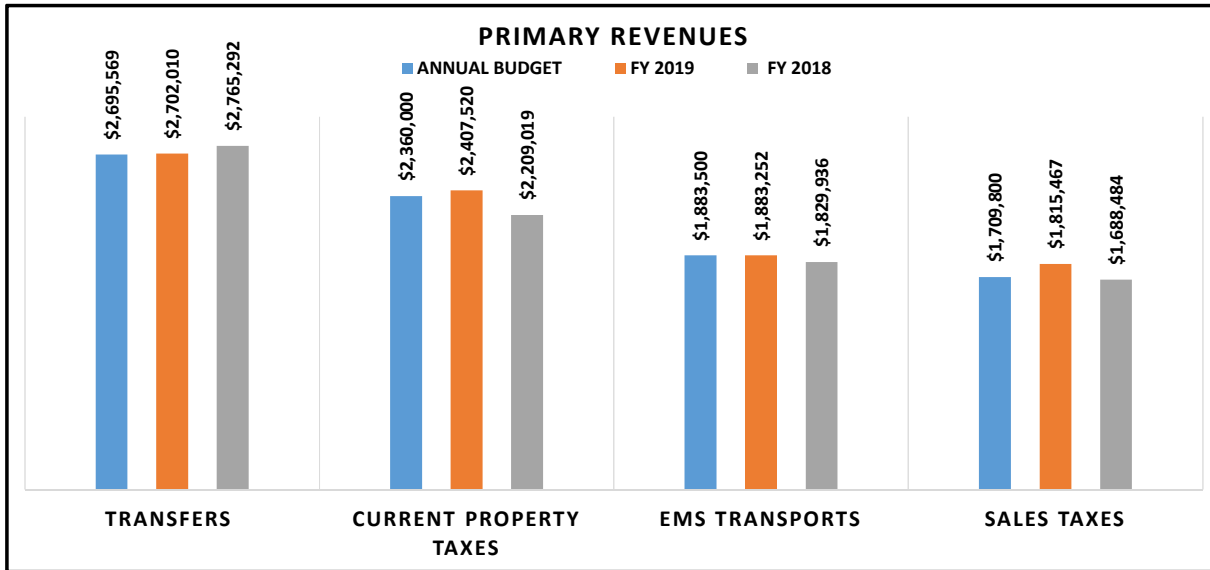


## GENERAL FUND DASHBOARD

### SUMMARY COMPARISON:

	ANNUAL BUDGET	ACTUAL YTD SEP 2019	% OF BUDGET	PY ACTUAL YTD SEP 2018	VARIANCE OVER PY	% OVER PY
REV (less fund balance)	\$ 11,040,531	\$ 11,407,207	103.32%	\$ 10,791,137	\$ 616,070	5.71%
EXP (less capital/other)	10,519,477	10,274,093	97.67%	9,665,242	608,852	6.30%
NET PROFIT (LOSS)	\$ 521,054	\$ 1,133,114	217.47%	\$ 1,125,896	\$ 7,218	0.64%

### CHARTS/TABLES:



EMS Call Volume												
	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
FY 2013-14	323	301	352	362	328	317	354	384	350	343	409	319
FY 2014-15	328	327	378	335	313	377	358	375	376	357	292	298
FY 2015-16	314	315	345	360	348	378	354	355	382	317	343	383
FY 2016-17	361	344	331	344	303	368	367	338	357	354	341	342
FY 2017-18	353	339	362	394	363	369	347	423	351	371	354	344
FY 2018-19	388	364	345	389	347	325	366	343	365	381	379	329

CITY OF BURNET  
FINANCIAL REPORT  
YTD SEPTEMBER 2019

% of year completed: 100

**GENERAL FUND**

**REVENUE**

	ANNUAL BUDGET 2018-2019	ACTUAL YTD SEP 2019	% OF BUDGET	PRIOR YEAR YTD SEP 2018	VARIANCE OVER PY	% OVER PY
Ad Valorem Taxes	\$ 2,412,000	\$ 2,466,138	102.24%	\$ 2,314,849	\$ 151,289	6.54%
Sales Tax	1,709,800	1,815,467	106.18%	1,688,484	126,982	7.52%
Fire Department Revenue	2,441,200	2,474,768	101.38%	2,363,724	111,044	4.70%
Planning and Zoning fees	74,070	113,654	153.44%	86,133	27,521	31.95%
Allocation Transfers	2,695,569	2,702,010	100.24%	2,765,292	(63,281)	-2.29%
Trash Collections	984,500	983,390	99.89%	955,761	27,629	2.89%
Police Department Revenue	287,803	288,251	100.16%	165,146	123,104	74.54%
Municipal Court Fines	115,000	114,447	99.52%	115,241	(794)	-0.69%
Other taxes and franchise fees	134,989	182,809	135.42%	138,231	44,578	32.25%
BEDC payments for service	85,000	85,000	100.00%	81,000	4,000	4.94%
Rental Fees	33,100	43,890	132.60%	37,165	6,726	18.10%
Interest Income	25,000	53,698	214.79%	20,452	33,246	162.56%
Misc Revenue	2,500	43,684	1747.38%	24,660	19,024	77.15%
Transfer from Hotel Motel fund	40,000	40,000	100.00%	35,000	5,000	
Use of Fund Balance	1,668,130	1,319,316	79.09%	1,372,300	(52,984)	-3.86%

**Total Revenue**

<b>\$ 12,708,661</b>	<b>\$ 12,726,523</b>	<b>100.14%</b>	<b>\$ 12,163,437</b>	<b>\$ 563,086</b>	<b>4.63%</b>
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*Total Revenue less fund balance*

<i>\$ 11,040,531</i>	<i>\$ 11,407,207</i>	<i>103.32%</i>	<i>\$ 10,791,137</i>	<i>\$ 616,070</i>	<i>5.71%</i>
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**OPERATING EXPENSES**

Mayor & Council	\$ 19,550	\$ 11,784	60.28%	\$ 32,711	\$ (20,927)	-63.97%
Admin (including op subsidy to golf )	1,807,402	1,721,216	95.23%	1,651,889	69,327	4.20%
Police	2,330,511	2,315,815	99.37%	1,973,202	342,613	17.36%
Municipal Court	68,992	72,245	104.72%	69,148	3,097	4.48%
Fire/EMS	3,531,421	3,544,560	100.37%	3,220,176	324,384	10.07%
Sanitation	833,500	844,095	101.27%	801,328	42,767	5.34%
Streets	666,488	569,634	85.47%	604,609	(34,975)	-5.78%
Parks	674,172	609,778	90.45%	653,858	(44,080)	-6.74%
Development Services	365,315	375,078	102.67%	370,921	4,157	1.12%
City Shop	110,126	106,682	96.87%	105,813	868	0.82%
Community Development	-	1		60,425	(60,424)	
Galloway Hammond	112,000	103,204	92.15%	121,162	(17,957)	-14.82%
Sub-total	<u>\$ 10,519,477</u>	<u>\$ 10,274,093</u>	<u>97.67%</u>	<u>\$ 9,665,242</u>	<u>\$ 608,852</u>	<u>6.30%</u>

**CAPITAL/OTHER EXP (USES OF FUND BAL)**

Transfers to Capital Funds/Self Fund	\$ 859,000	\$ 586,186	68.24%	\$ 1,331,790	\$ (745,604)	-55.99%
Loan Defeasance	716,000	640,000	89.39%	-	640,000	
Other expenses	93,130	93,130	100.00%	40,510	52,620	
	<u>\$ 1,668,130</u>	<u>\$ 1,319,316</u>	<u>79.09%</u>	<u>\$ 1,372,300</u>	<u>\$ (52,984)</u>	<u>-3.86%</u>

**Total Expenses**

<b>\$ 12,187,607</b>	<b>\$ 11,593,409</b>	<b>95.12%</b>	<b>\$ 11,037,542</b>	<b>\$ 555,868</b>	<b>5.04%</b>
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*Total Expenses less capital/other*

<i>\$ 10,519,477</i>	<i>\$ 10,274,093</i>	<i>97.67%</i>	<i>\$ 9,665,242</i>	<i>\$ 608,852</i>	<i>6.30%</i>
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**Net Profit (Loss)**

<b>\$ 521,054</b>	<b>\$ 1,133,114</b>	<b>217.47%</b>	<b>\$ 1,125,896</b>	<b>\$ 7,218</b>	<b>0.64%</b>
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CITY OF BURNET  
FINANCIAL REPORT  
YTD SEPTEMBER 2019

% of year completed: 100

**GENERAL FUND**

**REVENUE**

Ad Valorem Taxes:

	ANNUAL BUDGET 2018-2019	ACTUAL YTD SEP 2019	% OF BUDGET	PY ACTUAL YTD SEP 2018	VARIANCE OVER PY	% OVER PY
Current Taxes Real Property	\$ 2,360,000	\$ 2,407,520	102.01%	\$ 2,209,019	\$ 198,502	8.99% A
Delinquent Taxes Real Property	30,000	36,216	120.72%	82,085	(45,869)	-55.88% B
Penalty & Interest	22,000	22,402	101.83%	23,745	(1,343)	-5.66%
Sub-total	2,412,000	2,466,138	102.24%	2,314,849	151,289	6.54%

Sales Tax	1,709,800	1,815,467	106.18%	1,688,484	126,982	7.52% C
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Fire Department Revenue:

EMS fees	1,883,500	1,883,252	99.99%	1,829,936	53,316	2.91% D
Fire/EMS interdepartmental fees	546,500	566,718	103.70%	519,042	47,676	9.19% E
Misc Fire Revenue	11,200	24,798	221.41%	14,746	10,052	68.17%
Sub-total Fire Revenue	2,441,200	2,474,768	101.38%	2,363,724	111,044	4.70%

Planning and Zoning fees	74,070	113,654	153.44%	86,133	27,521	31.95%
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Allocation Transfers In:

Return on Investment	1,520,000	1,582,135	104.09%	1,576,120	6,015	0.38%
In-Lieu of Property Tax	126,801	127,194	100.31%	128,248	(1,054)	-0.82%
In-Lieu of franchise	211,335	211,990	100.31%	213,747	(1,756)	-0.82%
Admin Allocations	778,520	727,350	93.43%	794,561	(67,211)	-8.46%
Shop Allocations	58,913	53,341	90.54%	52,617	724	1.38%
Sub-total Allocation Transfers	2,695,569	2,702,010	100.24%	2,765,292	(63,281)	-2.29% F

Trash Collections	984,500	983,390	99.89%	955,761	27,629	2.89%
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Police Department Revenue:

Interlocal School Resource Officers	277,193	277,193	100.00%	135,381	141,812	104.75% G
Misc PD Revenue	10,610	11,058	104.22%	29,766	(18,707)	-62.85%
Sub-total Police Department Rev	287,803	288,251	100.16%	165,146	123,104	74.54%

Municipal Court Fines	115,000	114,447	99.52%	115,241	(794)	-0.69%
Other taxes and franchise fees	134,989	182,809	135.42%	138,231	44,578	32.25% H
BEDC payments for service	85,000	85,000	100.00%	81,000	4,000	4.94%
Rental Fees	33,100	43,890	132.60%	37,165	6,726	18.10%
Interest Income	25,000	53,698	214.79%	20,452	33,246	162.56% I
Misc Revenue	2,500	43,684	1747.38%	24,660	19,024	77.15%
Transfer from Hotel Motel fund	40,000	40,000	100.00%	35,000	5,000	
Use of Fund Balance	1,668,130	1,319,316	79.09%	1,372,300	(52,984)	-3.86% J

<b>Total Revenue</b>	<b>\$ 12,708,661</b>	<b>\$ 12,726,523</b>	<b>100.14%</b>	<b>\$ 12,163,437</b>	<b>\$ 563,086</b>	<b>4.63%</b>
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<i>Total Revenue less fund balance</i>	<i>\$ 11,040,531</i>	<i>\$ 11,407,207</i>	<i>103.32%</i>	<i>\$ 10,791,137</i>	<i>\$ 616,070</i>	<i>5.71%</i>
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**OPERATING EXPENSES**

Personnel Costs

Mayor & Council	\$ -	\$ -		\$ 345	\$ (345)	-100.00%
Admin	739,530	711,997	96.28%	772,105	(60,108)	-7.78% K
Police	1,834,158	1,778,101	96.94%	1,484,335	293,766	19.79% L
Municipal Court	32,342	33,440	103.39%	32,535	905	2.78%
Fire/EMS	2,678,542	2,678,068	99.98%	2,399,164	278,904	11.63% M
Streets	464,278	386,337	83.21%	401,206	(14,869)	-3.71%
Parks	367,285	312,566	85.10%	364,859	(52,293)	-14.33% N
Development Services	262,715	280,258	106.68%	256,747	23,511	9.16% O
City Shop	72,676	70,330	96.77%	67,774	2,556	3.77%
Community Development	-	1		56,245	(56,244)	-100.00% P
Sub-total	6,451,526	6,251,098	96.89%	5,835,315	415,783	7.13%



CITY OF BURNET  
FINANCIAL REPORT  
YTD SEPTEMBER 2019

% of year completed: 100

**GENERAL FUND**

	ANNUAL BUDGET 2018-2019	ACTUAL YTD SEP 2019	% OF BUDGET	PY ACTUAL YTD SEP 2018	VARIANCE OVER PY	% OVER PY
Supplies						
Mayor & Council	1,200	649	54.07%	1,769	(1,120)	-63.32%
Admin	69,700	72,473	103.98%	80,483	(8,010)	-9.95%
Police	145,750	161,697	110.94%	139,259	22,437	16.11% Q
Municipal Court	4,250	3,220	75.77%	3,553	(333)	-9.37%
Fire/EMS	199,400	223,111	111.89%	199,043	24,068	12.09% R
Sanitation	19,000	21,116	111.14%	19,193	1,923	10.02%
Streets	48,750	46,634	95.66%	42,235	4,399	10.42%
Parks	57,700	72,238	125.20%	39,986	32,252	80.66% S
Development Services	7,100	13,122	184.81%	9,577	3,545	37.02%
City Shop	21,150	20,264	95.81%	19,877	387	1.95%
Community Development	-	-		512	(512)	-100.00%
Sub-total	574,000	634,524	110.54%	555,486	79,037	14.23%
Repairs & Maintenance						
Mayor & Council	3,850	3,916	101.72%	3,757	159	4.24%
Admin	129,800	87,632	67.51%	107,216	(19,584)	-18.27% T
Police	61,500	76,397	124.22%	46,243	30,153	65.21% U
Municipal Court	5,200	5,602	107.74%	5,393	210	3.89%
Fire/EMS	115,000	108,561	94.40%	95,782	12,780	13.34%
Sanitation	-	-		-	-	
Streets	75,000	57,389	76.52%	61,321	(3,931)	-6.41%
Parks	73,100	58,299	79.75%	88,990	(30,691)	-34.49% V
Development Services	6,500	4,221	64.93%	4,420	(199)	-4.51%
City Shop	10,500	10,611	101.06%	12,617	(2,006)	-15.90%
Community Development	-	-		-	-	
Galloway Hammond	12,000	3,204	26.70%	21,162	(17,957)	-84.86%
Sub-total	492,450	415,833	84.44%	446,900	(31,067)	-6.95%
Services/Other						
Mayor & Council	14,500	7,219	49.79%	26,840	(19,621)	-73.10%
Admin	549,395	575,242	104.70%	548,397	26,845	4.90% W
Police	132,180	148,698	112.50%	118,308	30,390	25.69% X
Municipal Court	27,200	29,983	110.23%	27,667	2,316	8.37%
Fire/EMS	283,650	279,990	98.71%	282,142	(2,151)	-0.76%
Sanitation	814,500	822,979	101.04%	782,136	40,844	5.22% Y
Streets	2,000	2,813	140.66%	2,599	214	8.23%
Parks	130,950	121,538	92.81%	114,935	6,603	5.75%
Development Services	89,000	77,478	87.05%	100,177	(22,699)	-22.66% Z
City Shop	5,800	5,476	94.42%	5,546	(69)	-1.25%
Community Development	-	1		3,668	(3,667)	-99.97%
Sub-total	2,049,175	2,071,419	101.09%	2,012,414	59,004	2.93%
Transfers to Self-funded						
Mayor & Council	-	-		-	-	
Admin	-	-		-	-	
Police	150,923	150,923	100.00%	163,408	(12,485)	-7.64%
Municipal Court	-	-		-	-	
Fire/EMS	254,829	254,829	100.00%	244,046	10,783	4.42%
Sanitation	-	-		-	-	
Streets	76,460	76,460	100.00%	97,248	(20,788)	-21.38%
Parks	45,137	45,137	100.00%	39,629	5,508	13.90%
Development Services	-	-		-	-	
City Shop	-	-		-	-	
Community Development	-	-		-	-	
Sub-total	527,349	527,349	100.00%	544,331	(16,982)	-3.12%
Capital Outlay						
Admin	-	-		14,258	(14,258)	-100.00%
Police	6,000	-	0.00%	21,648	(21,648)	-100.00%

CITY OF BURNET  
FINANCIAL REPORT  
YTD SEPTEMBER 2019

% of year completed: 100

GENERAL FUND	ANNUAL BUDGET 2018-2019	ACTUAL YTD SEP 2019	% OF BUDGET	PY ACTUAL YTD SEP 2018	VARIANCE OVER PY	% OVER PY
Parks	-	-		5,459	(5,459)	-100.00%
Sub-total	6,000	-	0.00%	41,365	(41,365)	-100.00%
Transfer to Golf - Admin & Op Subsidy	318,977	273,872	85.86%	129,430	144,442	111.60% ZZ
YMCA Operating Subsidy	100,000	100,000		100,000	-	0.00%
<b>CAPITAL/OTHER EXP (USES OF FUND BAL)</b>						
Transfer to Gen Cap Project Fund	759,000	499,640	65.83%	1,084,076	(584,436)	-53.91%
Transfer to Golf Cap Project Fund	100,000	86,547	86.55%	196,714	(110,168)	-56.00%
Transfer to Self Funded	-	-		51,000	(51,000)	-100.00%
Transfer to Debt Service	716,000	640,000	89.39%	-	640,000	
Development Services Staffing	93,130	93,130		40,510	52,620	
Sub-total	1,668,130	1,319,316	79.09%	1,372,300	(52,984)	-3.86% J
<b>Total Expenses</b>	<b>\$ 12,187,607</b>	<b>\$ 11,593,410</b>	<b>95.12%</b>	<b>\$ 11,037,542</b>	<b>\$ 555,869</b>	<b>5.04%</b>
<i>Total Expenses less capital/other</i>	<i>\$ 10,519,477</i>	<i>\$ 10,274,094</i>	<i>97.67%</i>	<i>\$ 9,665,242</i>	<i>\$ 608,853</i>	<i>6.30%</i>
<b>Net Profit (Loss)</b>	<b>\$ 521,054</b>	<b>\$ 1,133,113</b>	<b>217.47%</b>	<b>\$ 1,125,896</b>	<b>\$ 7,217</b>	<b>0.64%</b>

A Increase over last year expected due to increased appraisal values.

B Last year the City received a large delinquent collection in December.

C Increase in Sales Tax collections percentage excluding audit payments received is consistent with prior year trends.

Current year collections include audit payments in the amount of \$58K from a local retail store.

D EMS collections are up over last year mainly due to increased transport calls.

E Increase mainly due to an increase in ESD revenue.

F Transfers are down mainly due to a decrease in allocable administrative expenses and decreased revenues in the utility funds.

G BCISD reimburses the City for a portion of the School Resource Officer Program expenses per an interlocal agreement.

The current year reimbursement increased because they added two additional school resource officers this year.

H Increased due to collection of delinquent franchise fees from Clawson for the period Nov 2016 - June 2019.

I Interest Income is up due to Texpool investments.

J Fund balance is used to offset transfers to the Capital Project Fund/Other expenses; net effect to operations is \$0.

K Admin personnel costs are down mainly because the Budget Director position was eliminated and is being offset by the Senior Accountant position.

L Police personnel costs are on track with the budget but are up over last year because they added two school resource officer positions.

M EMS personnel costs are up over last year because increased transport and 911 calls have increased overtime hours.

N Down from the prior year mainly due to the loss of the Parks supervisor and staff turnover.

O Increased because paid previous director and his replacement during the transition period and added a building inspector position.

P Community Development salaries were reallocated to admin. In May the position was vacated and has not been replaced.

Q Police increased mainly due to increase in contract with HCHS; uniform expenses increased also.

R Fire/EMS supplies are up due to increased medical supplies and EMS fuel; consistent with an increase in EMS transports.

S Parks supplies are up due to increased chemicals for the Turf Management Program.

T Software maintenance is down due to savings from eliminating the Opengov software.

U Repairs and Maintenance are up mainly due to fleet repairs.

V Parks maintenance is down mainly because during the prior year City replaced hvac at complex and spent \$6,685 in bluebonnets.

W Admin services are up due to increases in phones, professional services for OPEB calculation, and insurance and bond expense.

X Training up in current year mostly due to certification of K-9 officer and SRO training.

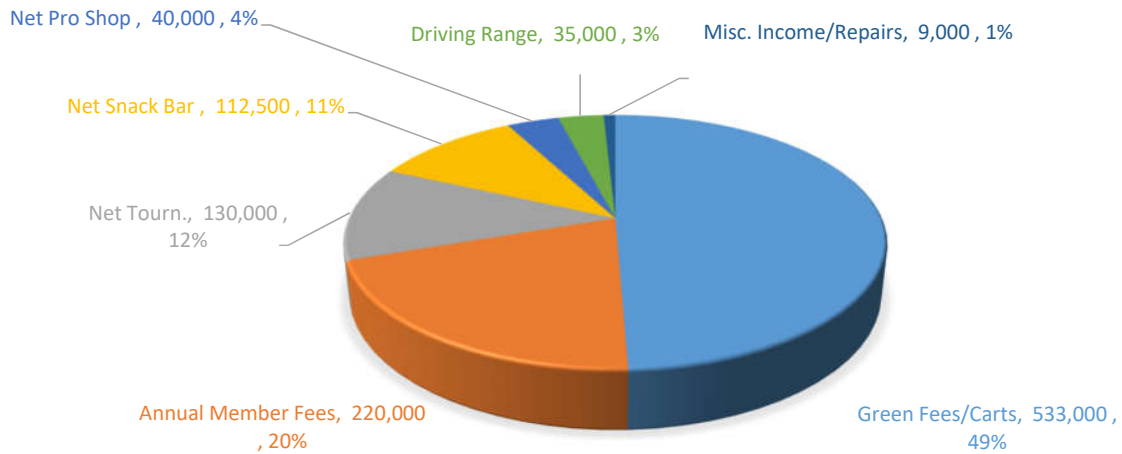
Y Expenses are up due to increased disposal services; revenue collections are up as well. In addition, expenses are up due to the addition of the monthly City Wide Clean Up which began last year in April.

Z Professional services are down because the City hired a Building Inspector and eliminated the need to contract inspector services.

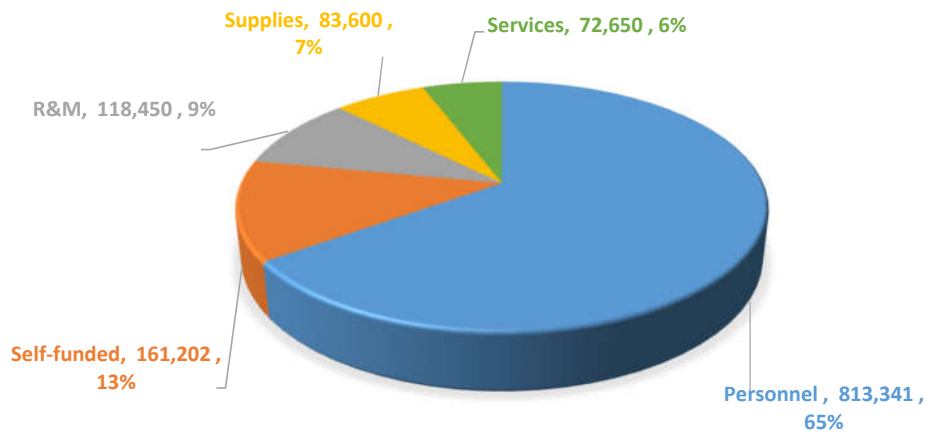
ZZ The general fund subsidizes operating losses at the golf course. Transfers increased in the current year because the golf course is showing a loss of \$(153,437); during the prior year, they were showing a gain of 1,664. In addition, admin transfers are down \$7,331.

## ***GOLF COURSE ORIGINAL BUDGET 2018-19***

### **NET REVENUES (EXCLUDES TRANSFERS FROM GENERAL )**



### **NET EXPENSES (EXCLUDES ADMIN ALLOCATION)**

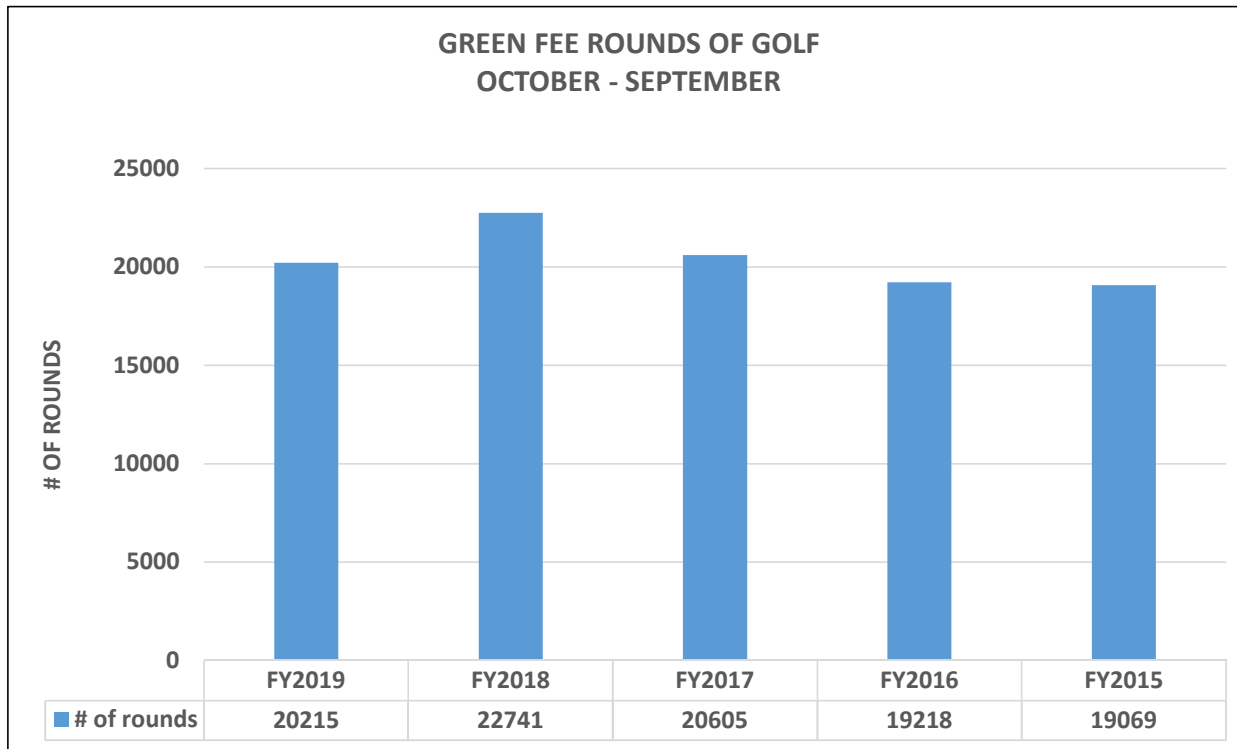


## GOLF COURSE FUND DASHBOARD

### CURRENT RESULTS COMPARISON

	ANNUAL BUDGET	ACTUAL YTD SEP 2019	% OF BUDGET	PRIOR YR YTD SEP 2018	VARIANCE OVER PY	% OVER PY
REV (net of cogs/tourn exp)	\$ 1,228,733	\$ 1,168,411	95.09%	\$ 1,252,737	\$ (84,326)	-6.73%
EXPENSES	1,398,476	1,321,848	94.52%	1,254,401	67,447	5.38%
PROFIT (LOSS)	\$ (169,743)	\$ (153,437)	90.39%	\$ (1,664)	\$ (151,773)	9121.75%

### TABLES/CHARTS



Rounds of Golf\*

2018-2019

2017-2018

OVER (UNDER)

OCT - SEP
20,215
22,741
(2,526)
-11.11%

\*Does not include annual dues or tournament rounds played.

CITY OF BURNET  
FINANCIAL REPORT  
YTD SEPTEMBER 2019

% of year completed: 100

**GOLF COURSE**

**REVENUE**

**Charges for Services**

	ANNUAL BUDGET 2018-2019	ACTUAL YTD SEP 2019	% OF BUDGET	PRIOR YEAR YTD SEP 2018	VARIANCE OVER PY	% OVER PY
Green Fees/Cart Rentals	\$ 533,000	\$ 495,662	92.99%	\$ 551,455	\$ (55,794)	-10.12% A
Prepaid Green Fees/ Annual Cart Rentals/ Trail fees and Cart Storage	220,000	208,376	94.72%	221,311	(12,936)	-5.84% B
Net Tournament	130,000	137,211	105.55%	133,773	3,438	2.57%
Pavilion Revenue	-	600	-	1,100	(500)	-45.45%
Driving Range	35,000	34,649	99.00%	36,597	(1,949)	-5.32%
Net Charges for Services	918,000	876,497	95.48%	944,237	(67,740)	-7.17%

**Sales less Cost of Goods Sold**

Pro Shop Sales	167,000	187,138		176,960	10,177	
Cost of Merchandise	127,000	136,600		130,273	6,327	
Net Pro Shop Sales	40,000	50,537	126.34%	46,687	3,850	8.25%
	-	-		-		
Snack Bar/Beer Cart Sales	247,000	251,450		256,130	(4,680)	
Cost of Merchandise	134,500	139,679		136,164	3,516	
Net Snack Bar/Beer Cart Sales	112,500	111,771	99.35%	119,966	(8,195)	-6.83%

**Transfer - Overhead**

	149,233	120,435	80.70%	127,766	(7,331)	-5.74%
<b><u>Misc. Income/Repairs</u></b>	9,000	9,171	101.90%	14,081	(4,910)	-34.87%

**Total Revenue**

	\$ 1,228,733	\$ 1,168,411	95.09%	\$ 1,252,737	\$ (84,326)	-6.73%
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**EXPENSES**

Personnel Costs	\$ 813,341	\$ 782,859	96.25%	\$ 740,682	\$ 42,178	5.69% C
Supplies	83,600	84,394	100.95%	82,066	2,328	2.84%
Repairs & Maintenance	118,450	107,845	91.05%	114,386	(6,541)	-5.72%
Services	72,650	65,113	89.62%	68,355	(3,242)	-4.74%
Transfer to Self funded equipment	161,202	161,202	100.00%	121,147	40,055	33.06% D
Admin Allocation	149,233	120,435	80.70%	127,766	(7,331)	-5.74%

**Total Expenses**

	\$ 1,398,476	\$ 1,321,848	94.52%	\$ 1,254,401	\$ 67,447	5.38%
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**Net Profit (Loss)**

	\$ (169,743)	\$ (153,437)	90.39%	\$ (1,664)	\$ (151,773)	9121.75%
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Operating Subsidy from General Fund \$ 169,744 \$ 153,437 90.39% \$ 1,664

Net Profit (Loss) \$ 1 \$ (0) \$ (0)

A Decrease due to green fee rounds played being down. Increased rain at the beginning of the year has impacted play.

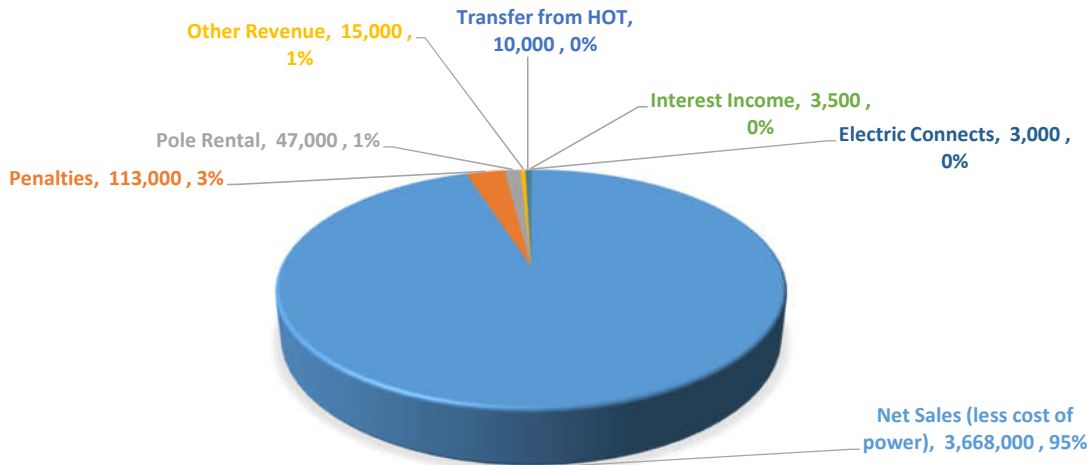
B Decrease due to a slight drop in memberships.

C Personnel costs are below budget because of turnover but are up over last year mainly because of the addition of a maintenance position.

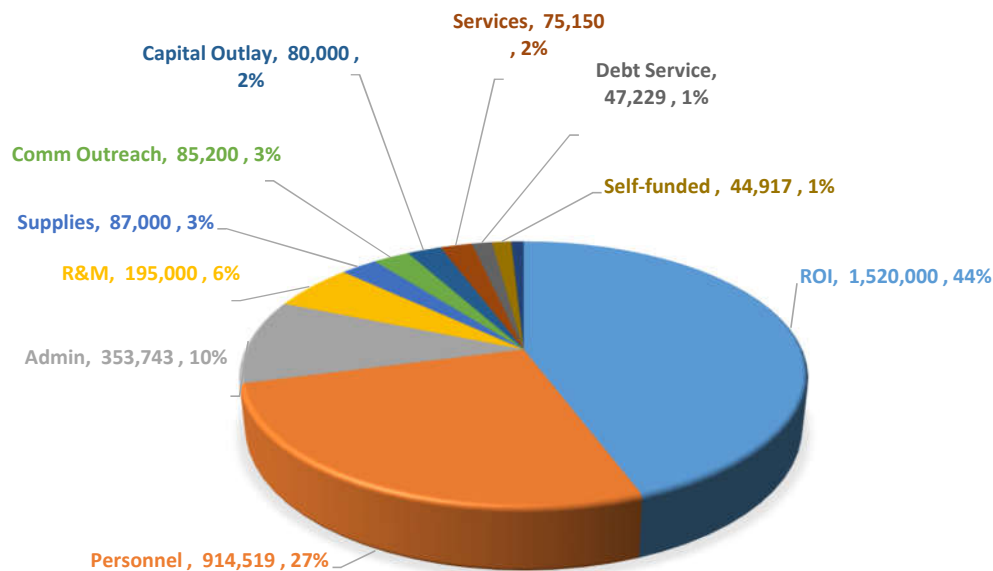
D Increased over last year for new equipment purchases but on track with budget.

## ***ELECTRIC FUND ORIGINAL BUDGET 2018-19***

**NET REVENUES \$3,859,500**  
**(EXCLUDES USE OF FUND BALANCE)**



**NET EXPENSES \$3,432,215**  
**(EXCLUDES XFER TO CAPITAL FUND)**

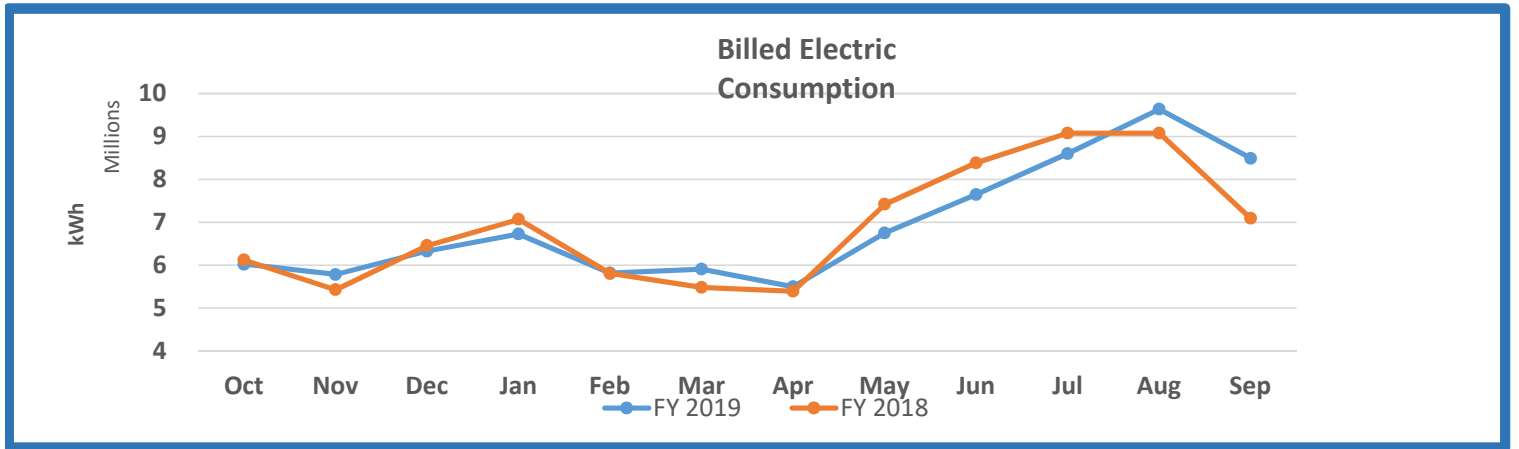


# ELECTRIC FUND DASHBOARD

## CURRENT RESULTS COMPARISON

	ANNUAL BUDGET	ACTUAL YTD SEP 2019	% OF BUDGET	PRIOR YR YTD SEP 2018	VARIANCE OVER PY	% OVER PY
REV (less cogs and fund bal)	\$ 3,859,500	\$ 4,223,827	109.44%	\$ 4,110,254	\$ 113,572	2.76%
EXP (less cogs and cap xfers)	3,432,215	3,374,733	98.33%	3,341,674	33,059	0.99%
PROFIT (LOSS)	\$ 427,285	\$ 849,094	198.72%	\$ 768,581	\$ 80,513	10.48%

## TABLES/CHARTS



### YTD Billed Consumption in kWh:

Oct18 - Sep19	83,166,626
Oct 17 -Sep18	82,775,933
ytd variance	390,693
	0.47%



CITY OF BURNET  
FINANCIAL REPORT  
YTD SEPTEMBER 2019

% of year completed: 100

**ELECTRIC FUND**

	ANNUAL BUDGET 2018-2019			ACTUAL YTD SEP 2019			% OF BUDGET			PRIOR YEAR YTD SEP 2018			VARIANCE OVER PY			% OVER PY		
<b>REVENUE</b>																		
Electric Sales	\$	8,384,000		\$	8,918,839					\$	8,873,872		\$	44,968				
Cost of Power		4,716,000			5,054,913						4,979,851			75,062				
Net Sales		3,668,000			3,863,926		105.34%				3,894,020			(30,094)		-0.77%	A	
Penalties		113,000			88,802		78.59%				110,577			(21,775)		-19.69%	B	
Electric Connects		3,000			17,017		567.23%				29,274			(12,258)		-41.87%		
Pole Rental		47,000			48,251		102.66%				48,102			149				
Other Revenue		15,000			172,079		1147.19%				12,280			159,799		1301.29%	C	
Interest Income		3,500			23,752		678.61%				6,000			17,751		295.85%		
Transfer from HOT		10,000			10,000		100.00%				10,000			-				
Use of Fund Balance		75,000			46,891		62.52%				98,907			(52,016)		-52.59%	D	
<b>Total Revenue</b>	\$	3,934,500		\$	4,270,718		108.55%			\$	4,209,162		\$	61,556		1.46%		
<i>Total Revenue less fund balance</i>	\$	3,859,500		\$	4,223,827		109.44%			\$	4,110,254		\$	113,572		2.76%		
<b>EXPENSES</b>																		
Personnel Costs	\$	914,519		\$	838,060		91.64%			\$	808,505		\$	29,554		3.66%	E	
Supplies		87,000			91,948		105.69%				83,577			8,371		10.02%		
Repairs & Maintenance		195,000			230,942		118.43%				157,365			73,576		46.76%		
Services		75,150			52,166		69.42%				59,604			(7,439)		-12.48%		
Transfer to Self-funded equipment		44,917			44,917		100.00%				66,344			(21,427)		-32.30%		
Community Outreach		85,200			71,785		84.25%				78,423			(6,638)		-8.46%		
Capital Outlay		80,000			49,452		61.82%				66,222			(16,770)		-25.32%		
Transfer to Capital Project Fund		75,000			46,891		62.52%				98,907			(52,016)		-52.59%	C	
Transfers to Debt Service		47,229			47,229		100.00%				48,554			(1,325)		-2.73%		
Transfer to GF - ROI		1,520,000			1,582,135		104.09%				1,576,120			6,015		0.38%		
Transfer to GF- Admin Allocation		353,743			339,430		95.95%				370,651			(31,221)		-8.42%	F	
Transfer to GF- Shop Allocation		29,457			26,670		90.54%				26,308			362		1.38%		
<b>Total Expenses</b>	\$	3,507,215		\$	3,421,624		97.56%			\$	3,440,581		\$	(18,957)		-0.55%		
<i>Total Expenses less xfers to capital project</i>	\$	3,432,215		\$	3,374,733		98.33%			\$	3,341,674		\$	33,059		0.99%		
<b>Net Profit (Loss)</b>	\$	427,285		\$	849,094		198.72%			\$	768,581		\$	80,513		10.48%		

A Billed consumption is consistent with last year; net sales are down less than 1%.

B Penalties are down mainly because our largest commercial customer paid late fees in December and January of the prior year.

C Includes \$158,138.24 over under FPCRF credit received from LCRA in September.

D Fund Balance is used to offset transfers to the Capital Project Fund; net effect to operations is \$0.

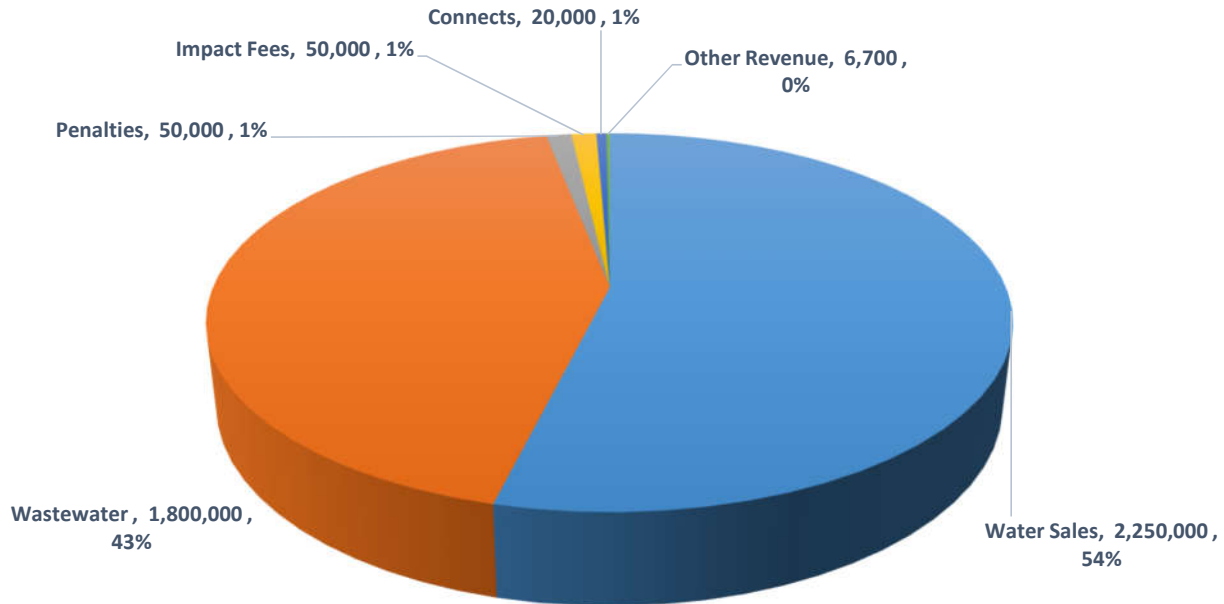
E Personnel costs are up over last year because of pay increases in the Lineman Program; running below budget because not all of the employees in the program have fulfilled their requirements.

F Admin allocation is based on revenue and personnel count. Allocable admin expenses are down and electric revenues excluding the LCRA credit are down \$44,566.

## ***WATER/WW FUND ORIGINAL BUDGET 2018-19***

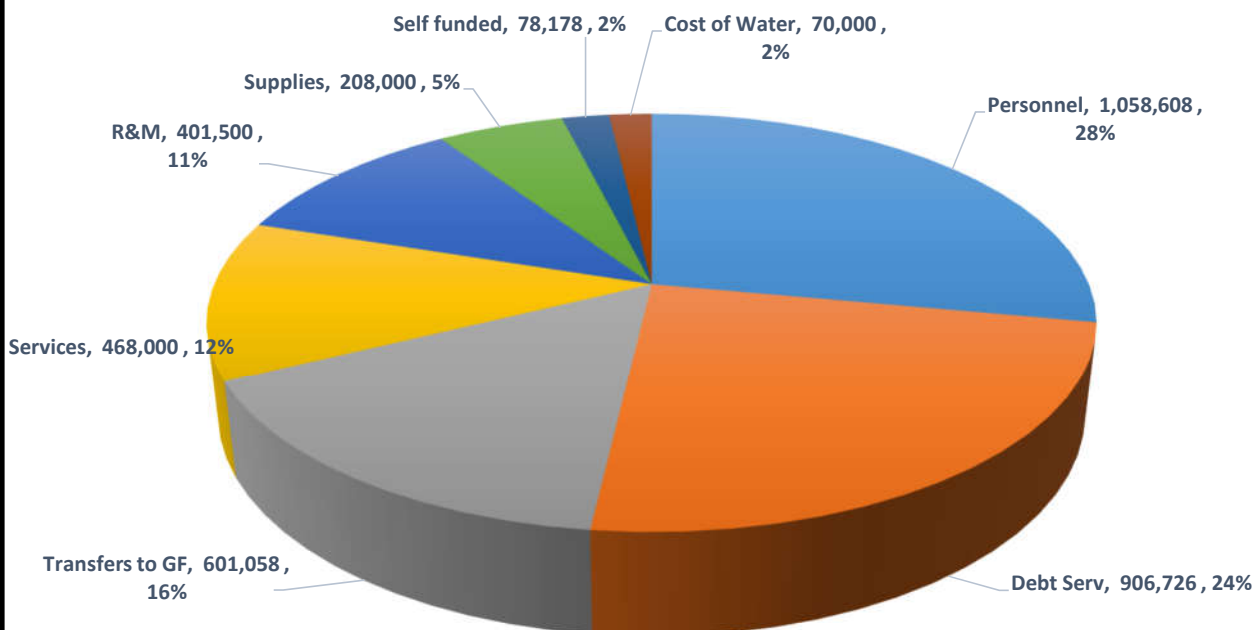
### **Revenues**

(less use of fund balance)



### **Expenses**

(less capital xfers)

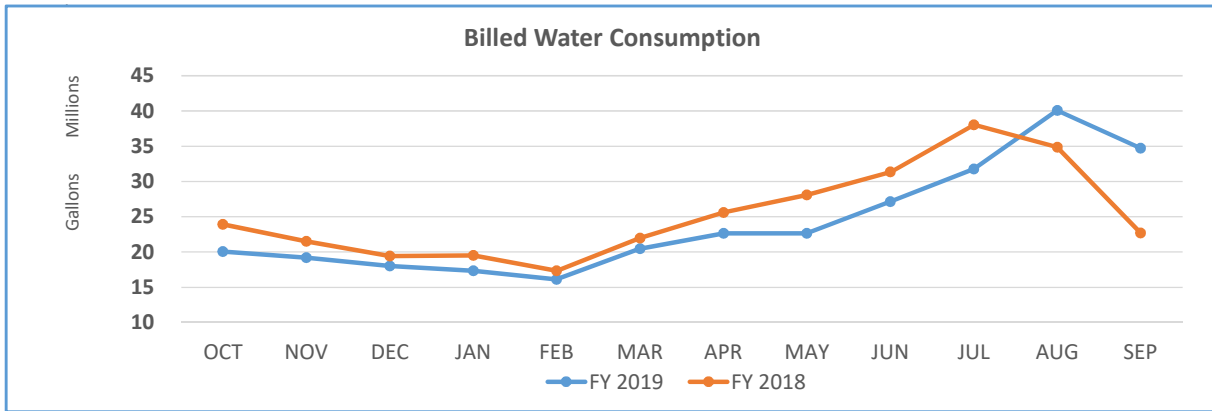


## WATER/WW FUND DASHBOARD

### CURRENT RESULTS COMPARISON

	ANNUAL	ACTUAL	% OF	PRIOR YR	VARIANCE	%
	BUDGET	YTD SEP 2019	BUDGET	YTD SEP 2018	OVER PY	OVER PY
REV (less use of fund bal)	\$ 4,197,700	\$ 4,277,546	101.90%	\$ 4,325,821	\$ (48,275)	-1.12%
EXP (less capital xfers)	3,813,070	3,710,563	97.31%	3,563,254	147,309	4.13%
PROFIT (LOSS)	\$ 384,630	\$ 566,983	147.41%	\$ 762,567	\$ (195,584)	-25.65%

### TABLES/CHARTS



#### YTD Billed Consumption in gallons:

Oct18 - Sep19	290,192,807
Oct 17 -Sep18	304,351,105
ytd variance	(14,158,298)
	-4.65%

CITY OF BURNET  
FINANCIAL REPORT  
YTD SEPTEMBER 2019

% of year completed: 100

**WATER/WASTEWATER**

WATER/WASTEWATER		ANNUAL BUDGET 2018-2019		ACTUAL YTD SEP 2019	% OF BUDGET	PRIOR YEAR YTD SEP 2018		VARIANCE OVER PY	% OVER PY	
REVENUE										
Water Sales	\$	2,250,000	\$	2,288,911	101.73%	\$	2,326,884	\$ (37,973)	-1.63% A	
Wastewater Sales		1,821,000		1,822,717	100.09%		1,829,793	(7,076)	-0.39%	
Penalties		50,000		46,315	92.63%		51,847	(5,532)	-10.67%	
Water/Sewer Connects		20,000		33,200	166.00%		48,436	(15,236)	-31.46%	
Irrigation Revenue		2,500		2,250	90.00%		1,095	1,155	105.48%	
Other Revenue		3,000		14,057	468.55%		5,500	8,557	155.59%	
Interest Income		1,200		20,097	1674.75%		20,267	(170)	-0.84%	
Use Impact Fees		50,000		50,000	100.00%		42,000	8,000		
Use of Fund Balance		177,400		43,847	24.72%		-	43,847	B	
Total Revenue		\$	4,375,100	\$	4,321,393	98.77%	\$	4,325,821	\$ (4,428)	-0.10%
Total Revenue less fund balance		\$	4,197,700	\$	4,277,546	101.90%	\$	4,325,821	\$ (48,275)	-1.12%
EXPENSES										
Personnel Costs	\$	1,058,608	\$	1,003,371	94.78%	\$	998,886	\$ 4,485	0.45%	
Supplies		208,000		212,991	102.40%		184,267	28,724	15.59%	
Repairs & Maintenance		401,500		444,271	110.65%		342,215	102,056	29.82% C	
Services		468,000		394,814	84.36%		388,984	5,830	1.50%	
Transfer to Self-funded equipment		78,178		78,178	100.00%		42,230	35,948	85.12% D	
Cost of Water		70,000		57,659	82.37%		69,478	(11,819)	-17.01%	
Transfers to Capital Fund		177,400		43,847	24.72%		-	43,847	B	
Capital Outlay		-		-			11,809	(11,809)	-100.00%	
Transfers to Debt Service		927,726		927,726	100.00%		908,259	19,467	2.14%	
Transfer to GF - In Lieu of Property Tax		126,801		127,194	100.31%		128,248	(1,054)	-0.82%	
Transfer to GF - In Lieu of Franchise		211,335		211,990	100.31%		213,747	(1,756)		
Transfer to GF- Admin Allocation		233,466		225,698	96.67%		248,822	(23,124)	-9.29%	
Transfer to GF- Shop Allocation		29,456		26,670	90.54%		26,308	362	1.38%	
Total Expenses		\$	3,990,470	\$	3,754,410	94.08%	\$	3,563,254	\$ 191,156	5.36%
Total Expenses less xfers to capital project		\$	3,813,070	\$	3,710,563	97.31%	\$	3,563,254	\$ 147,309	4.13%
Net Profit (Loss)		\$	384,630	\$	566,983	147.41%	\$	762,567	\$ (195,584)	-25.65%

A Water sales are down over prior year due to decreased water consumption resulting from increased rainfall.

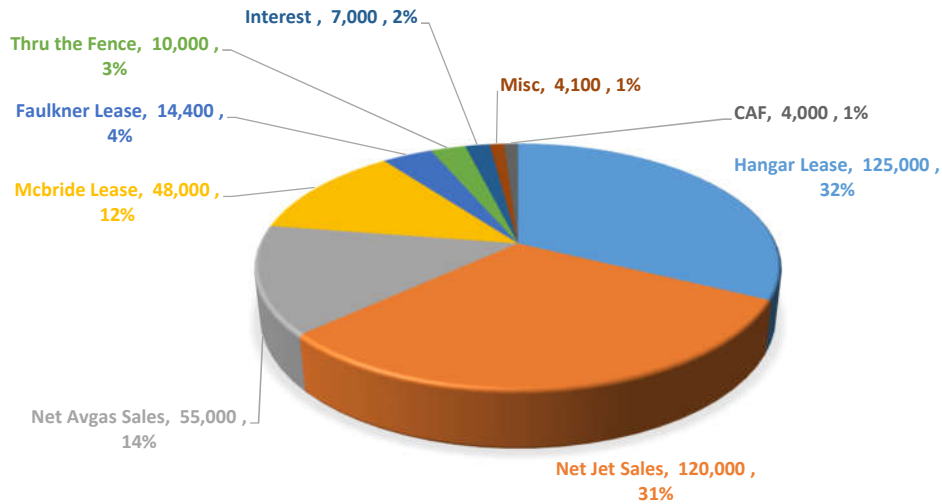
B Fund Balance is used to offset transfers to the Capital Project Fund; net effect to operations is \$0.

C Increased mainly due to several pump repairs at the water plant and sewer plant and sediment removal for storage tanks.

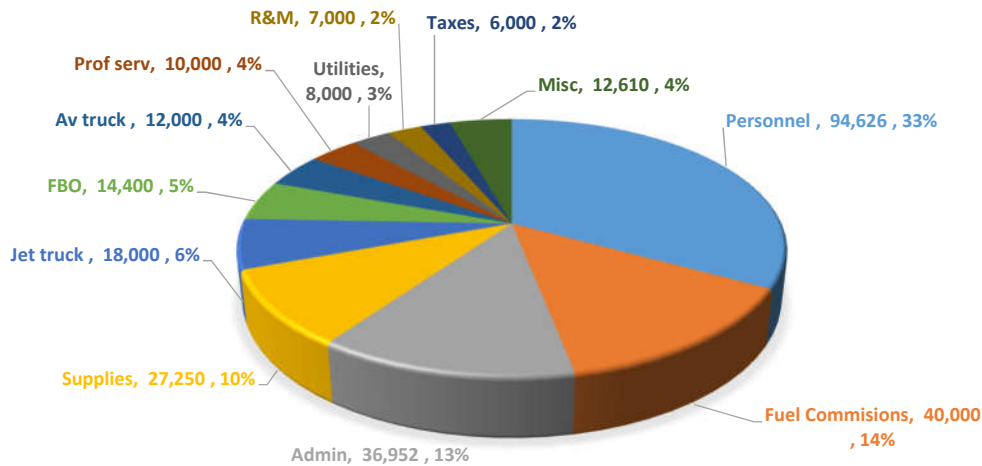
D Increased for new equipment purchases but on track with budget.

## AIRPORT FUND ORIGINAL BUDGET 2018-19

NET REVENUES \$387,500  
(EXCLUDES USE OF FUND BALANCE)



NET EXPENSES \$280,228  
(EXCLUDES XFER TO CAPITAL FUND)

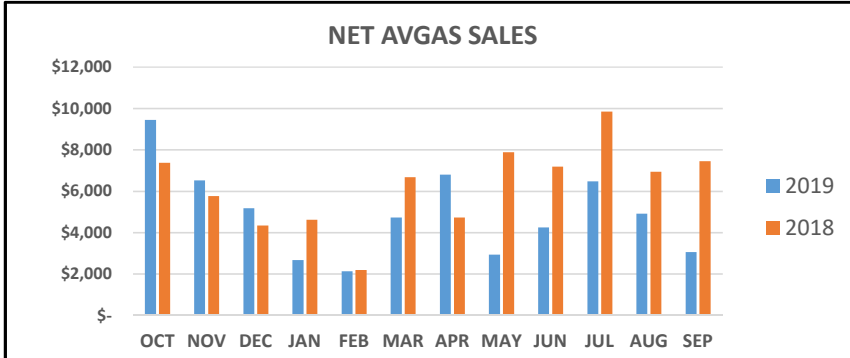


# AIRPORT FUND DASHBOARD

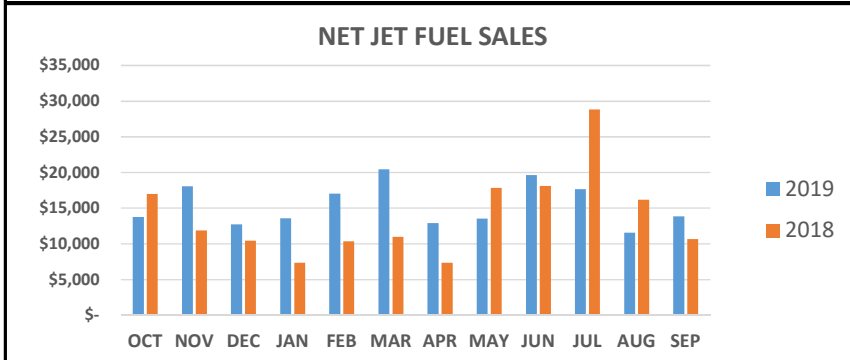
## CURRENT RESULTS COMPARISON

	ANNUAL BUDGET	ACTUAL YTD SEP 2019	% OF BUDGET	PRIOR YR YTD SEP 2018	VARIANCE OVER PY	% OVER PY
REV (less fuel purchases and fund bal)	\$ 387,500	\$ 456,095	117.70%	\$ 452,815	\$ 3,280	0.72%
EXP (less fuel purchases and fund bal)	286,838	256,489	89.42%	286,001	(29,511)	-10.32%
PROFIT (LOSS)	\$ 100,662	\$ 199,606	198.29%	\$ 166,815	\$ 32,791	19.66%

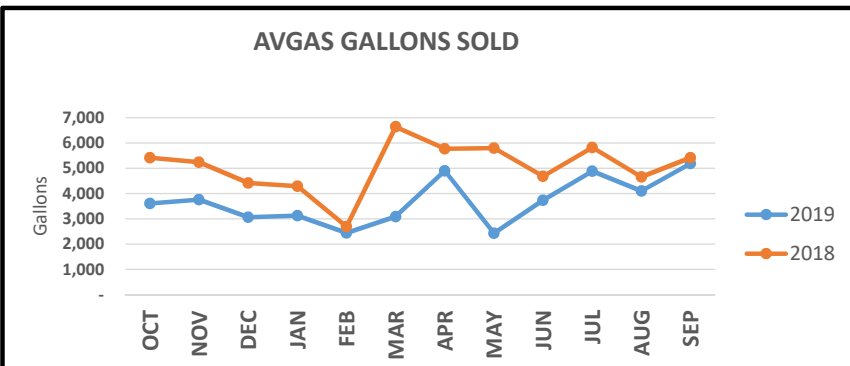
## TABLES/CHARTS



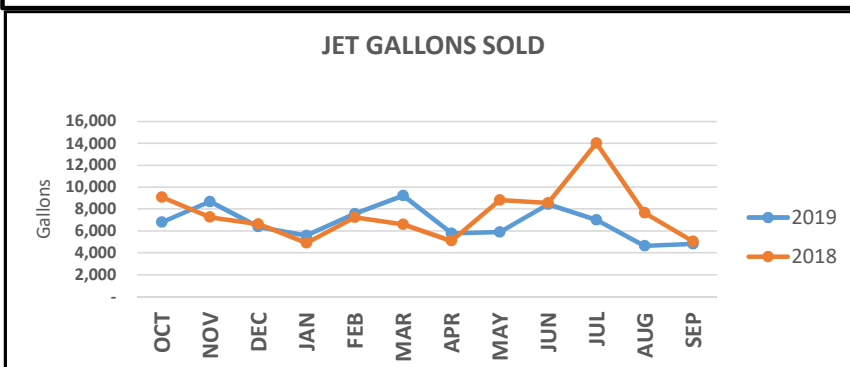
	2019	2018
AvSales	\$ 198,205.24	\$ 267,977.70
Av Purchases	139,077.01	192,957.70
Profit	\$ 59,128.23	\$ 75,020.00
%	29.83%	27.99%



	2019	2018
Jet Sales	\$ 380,650.25	\$ 377,683.93
Jet Purchases	195,906.59	210,628.09
Profit	\$ 184,743.66	\$ 167,055.84
%	48.53%	44.23%



Avgas Gallons Sold:	
2019	44,377
2018	60,862
Increase(decrease)	(16,485)
	-27%



Jet Gallons Sold:	
2019	80,899
2018	90,992
Increase(decrease)	(10,093)
	-11.09%

CITY OF BURNET  
FINANCIAL REPORT  
YTD SEPTEMBER 2019

% of year completed: 100

**AIRPORT FUND**

AIRPORT FUND	ANNUAL BUDGET 2018-2019		ACTUAL YTD SEP 2019	% OF BUDGET	PRIOR YEAR* YTD SEP 2018		VARIANCE OVER PY	% OVER PY		
REVENUE										
Av Gas Sales	\$	255,000	\$	198,205		\$	267,978	\$	(69,772)	
Av Gas Purchases		200,000		139,077			192,958		(53,881)	
Net Sales		55,000		59,128	107.51%		75,020		(15,892)	-21.18% A
Jet Gas Sales		325,000		380,650			377,684		2,966	
Jet Gas Purchases		205,000		195,907			210,628		(14,722)	
Net Sales		120,000		184,744	153.95%		167,056		17,688	10.59% B
Contributions/Misc Rev		-		1,080			104		976	938.41%
Sign Rental Revenue		900		-	0.00%		75		(75)	
Penalties		1,000		1,125	112.50%		325		800	246.15%
All Hangar Lease		125,000		124,695	99.76%		126,116		(1,422)	-1.13%
CAF Admissions		4,000		4,376	109.40%		4,376		-	0.00%
Rental of Council Chambers		-		70	#DIV/0!		-		70	#DIV/0!
McBride Lease		48,000		46,298	96.45%		46,298		(0)	0.00%
Thru the Fence Lease		10,000		5,887	58.87%		9,720		(3,832)	
Airport Parking Permit		2,200		240	10.91%		177		63	35.69%
Hanger Lease - Faulkner		14,400		14,400	100.00%		14,400		-	0.00%
Insurance Reimbursement		-		-	#DIV/0!		1,100		(1,100)	-100.00%
Interest Earned		7,000		14,052	200.74%		8,049		6,003	74.59%
Use of Fund Balance		587,023		300,303	51.16%		95,914		204,389	C
Total Revenue	\$	974,523	\$	756,398	77.62%	\$	548,729	\$	207,669	37.85%
Total Revenue less fund balance	\$	387,500	\$	456,095	117.70%	\$	452,815	\$	3,280	0.72%
EXPENSES										
Personnel Costs	\$	94,626	\$	94,923	100.31%	\$	89,544	\$	5,379	6.01%
Supplies		27,250		26,027	95.51%		20,223		5,804	28.70%
Repairs & Maintenance		7,000		4,022	57.46%		10,172		(6,150)	-60.46%
Contract Labor - FBO		14,400		14,400	100.00%		14,400		-	0.00%
Commission on Fuel Sal		40,000		31,172	77.93%		37,580		(6,408)	-17.05%
Schools/Seminars		2,000		3,957	197.83%		-		3,957	
Insurance & Bonds		10,610		7,871	74.18%		3,927		3,944	100.42%
Professional Services		10,000		42	0.42%		600		(558)	
Property Taxes		6,000		4,461	74.35%		4,219		242	5.73%
Utilities		8,000		7,982	99.78%		7,885		97	1.24%
Av fuel truck lease		12,000		11,000	91.67%		12,000		(1,000)	-8.33%
Jet fuel truck lease		18,000		15,400	85.56%		16,800		(1,400)	-8.33%
Transfers to Debt Service		-		-			26,275		(26,275)	D
Transfers to Capital/Uses of Fund Bal		587,023		300,303	51.16%		95,914		204,389	C
Admin Allocation		36,952		35,232	95.35%		42,375		(7,143)	-16.86%
Total Expenses	\$	873,861	\$	556,792	63.72%	\$	381,914	\$	174,878	45.79%
Total Expense less xfers to capital project	\$	286,838	\$	256,489	89.42%	\$	286,001	\$	(29,512)	-10.32%
Net Profit (Loss)	\$	100,662	\$	199,606	198.29%	\$	166,815	\$	32,791	19.66%

\*Restated prior year to exclude the Ramp Grant revenues and expenses in order to be consistent with current year budget change to move the Ramp Grant activity to the capital fund.

A Net sales are down because gallons sold are down 27% from last year.

B Jet fuel gallons sold are down 11% from last year but net sales are up because profit margins have increased from 44% to 49%.

C Fund Balance is used to offset transfers to the Capital Project Fund; net effect to operations is \$0.

D The airport debt was paid off during the previous year.



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**OTHER FUNDS**

**HOTEL/MOTEL FUND**

	ANNUAL BUDGET 2018-2019	ACTUAL YTD SEP 2019	% OF BUDGET	PRIOR YEAR YTD SEP 2018	VARIANCE OVER PY	% OVER PY
Revenues	\$ 260,475	\$ 290,399	111.49%	\$ 358,771	\$ (68,372)	-19.06%
Expenses	253,927	236,900	93.29%	352,559	(115,659)	-32.81%
Net Profit (Loss)	<u>\$ 6,548</u>	<u>\$ 53,499</u>		<u>\$ 6,212</u>	<u>\$ 47,287</u>	

**BEDC**

Revenues	\$ 5,103,500	\$ 4,718,659	92.46%	\$ 1,496,243	\$ 3,222,416	215.37%
Expenses	4,225,104	3,652,114	86.44%	1,080,269	2,571,844	238.07%
Net Profit (Loss)	<u>\$ 878,396</u>	<u>\$ 1,066,545</u>		<u>\$ 415,973</u>	<u>\$ 650,572</u>	

**SELF FUNDED EQUIPMENT FUND**

Revenues	\$ 964,531	\$ 972,025	100.78%	\$ 931,577	\$ 40,448	4.34%
Expenses	930,200	813,955	87.50%	717,816	96,139	13.39%
Net Profit (Loss)	<u>\$ 34,331</u>	<u>\$ 158,070</u>		<u>\$ 213,761</u>	<u>\$ (55,691)</u>	

**DEBT SERVICE FUND**

Revenues	\$ 1,673,956	\$ 1,615,564	96.51%	\$ 983,735	\$ 631,829	64.23%
Expenses	1,673,956	1,595,420	95.31%	983,423	611,997	62.23%
Net Profit (Loss)	<u>\$ -</u>	<u>\$ 20,144</u>		<u>\$ 312</u>	<u>\$ 19,832</u>	

**INTEREST & SINKING DEBT FUND**

Revenues	\$ 1,030,327	\$ 967,869	93.94%	\$ 357,512	\$ 610,357	170.72%
Expenses	1,030,327	982,704	95.38%	345,610	637,094	184.34%
Net Profit (Loss)	<u>\$ -</u>	<u>\$ (14,835)</u>		<u>\$ 11,903</u>	<u>\$ (26,737)</u>	

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Acct #	Bank	Account Name	Account Type	Balance Sep 2019	Date Purchased	Maturity Date	Interest Rate
<b>Unrestricted Accounts</b>							
984/2410	FSB	Operating Cash	Checking	\$ 1,407,869.41	N/A	N/A	0.10 %
		Less Claim on Cash for Airport		(32,867.99)			
2329	FSB	Golf Course Petty Cash	Checking	1,575.72	N/A	N/A	— %
2535	FSB	Operating Reserve	M/M	-	N/A	N/A	0.20 %
2352	FSB	Delaware Springs-Credit Card Acct	Checking	-	N/A	N/A	— %
2378	FSB	Airport - Credit Card Acct	Checking	-	N/A	N/A	— %
2386	FSB	Utility - Credit Card Acct	Checking	-	N/A	N/A	— %
2469	FSB	Court - Credit Card Acct	Checking	-	N/A	N/A	— %
2711100002	TexPool	Operating Reserve	Investment	4,607,906.08	N/A	N/A	1.8896 %

Total Unrestricted \$ 5,984,483.22

75 Day Reserve Requirement	3,160,200.00
Unrestricted Cash over 75 day reserve	<u>\$ 2,824,283.22</u>
90 Day Reserve Requirement	3,792,847.00
Unrestricted Cash over 90 day reserve	<u>\$ 2,191,636.22</u>

**Restricted by Council Action**

2711100004	TexPool	Capital Reserve	Investment	\$ 272,876.76	N/A	N/A	1.8896 %
Total Restricted by Council				<u>\$ 272,876.76</u>			

**Restricted by Purpose or Law**

Acct #	Bank	Account Name	Account Type	Balance Sep 2019	Date Purchased	Maturity Date	Interest Rate
1453	FSB	Bond Reserve	M/M	\$ 427,760.15	N/A	N/A	0.20 %
2188	FSB	Self Funded Equipment	M/M	729,386.90	N/A	N/A	0.20 %
2402			M/M	50,090.22	N/A	N/A	0.20 %
2711100005			Investment	59,700.68	N/A	N/A	1.8896 %
2451	FSB	Construction Account	Checking	-	N/A	N/A	— %
2485	FSB	PD Seizure	M/M	3,113.79	N/A	N/A	0.20 %
2493	FSB	Municipal Court Special Revenue	M/M	40,658.23	N/A	N/A	0.20 %
2519	FSB	Impact Fees - Water	M/M	119,296.68	N/A	N/A	0.20 %
2543	FSB	Airport Reserve	M/M	-	N/A	N/A	0.20 %
		Plus Airport Claim on Cash		32,867.99	N/A	N/A	
2711100009	TexPool	Airport Reserve	Investment	615,094.45	N/A	N/A	1.8896 %
2568	FSB	Benevolent Fund	Checking	-	N/A	N/A	— %
2576	FSB	Interest & Sinking Acct	M/M	59,354.44	N/A	N/A	0.20 %
2584	FSB	Impact Fees - Wastewater	M/M	12,037.61	N/A	N/A	0.20 %
2592	FSB	BEDC	Super NOW	261,987.39	N/A	N/A	0.10 %
2711100008	TexPool	BEDC Project Fund	Investment	370,526.94	N/A	N/A	1.8896 %
2711100010	TexPool	BEDC	Investment	822,071.81	N/A	N/A	1.8896 %
2634	FSB	Benefit Trust Account	M/M	-	N/A	N/A	— %
2675	FSB	Police Department Explorer Program	M/M	6,409.15	N/A	N/A	— %
2691	FSB	Fire Department Explorer Program	M/M	3,479.44	N/A	N/A	0.20 %
3012	FSB	Franchise Fee Account	Super NOW	90,044.81	N/A	N/A	0.10 %
58776	FSB	Fire Dept. Community Acct	M/M	15,528.55	N/A	N/A	— %
2711100007	TexPool	TWDB	Investment	67,973.28	N/A	N/A	1.8896 %
2711100006	TexPool	TWDB	Investment	41,268.98	N/A	N/A	1.8896 %
City of Burnet, Texas Combination Tax and Surplus Revenue Certificates of							
143033000	US Bank	Obligation, Series 2010 Escrow Account	Investment	3,169.82	N/A	N/A	0.34 %
82-020-01-0	Bank of	City of Burnet Ctr 2012 TWDB Escrow	Investment	272,197.97	N/A	N/A	0.3700 %
62315	FSB	BEDC Bond Fund		32,189.89	N/A	N/A	
62364	FSB	BEDC Project Fund	Investment	-	N/A	N/A	
Total Restricted Cash				<u>\$ 4,136,209.17</u>			

Total All Cash \$ 10,393,569.15

GENERAL CAPITAL PROJECT FUND					
DESCRIPTION	TOTAL PROJECT	2018-2019 BUDGET	YTD SEP ACTUAL	% complete	BALANCE FOR 2018-2019
<b>CAPITAL PROJECTS:</b>					
Police Department Facility	\$ 5,200,000	\$ 2,973,000	\$ 444,213	15%	\$ 2,528,787
HCHS Animal Shelter	10,000	10,000	9,933	100%	-
Public Safety Mobile CAD	95,000	95,000	92,245	100%	-
CJIS Security Upgrade	34,000	34,000	33,536	100%	-
Security Upgrade EMS Nar	30,000	30,000	24,767	100%	-
New Tank on Water Truck	30,000	30,000	-	0%	30,000
Burn Building / Training	130,000	130,000	-	0%	130,000
Street Overlay - JHP	200,000	200,000	189,963	100%	-
Street Overlay	200,000	200,000	92,792	46%	107,208
Community Center Stage	30,000	30,000	27,250	100%	-
Park Improvements	200,000	200,000	178,945	100%	-
Tree Replacements	10,000	10,000	9,641	100%	-
GHRC Capital Maintenance	50,000	50,000	41,689	100%	-
	6,219,000	3,992,000	1,144,974	29%	2,795,996
<b>OTHER PROJECTS:</b>					
LOAN DEFEASANCE	716,000	640,000	640,000	100%	-
DEVELOPMENT SERVICES STAFFING	44,000	44,000	44,000	100%	-
	760,000	684,000	684,000	100%	-
	\$ 6,979,000	\$ 4,676,000	\$ 1,828,974	39%	\$ 2,795,996

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
\$ -	\$ 2,528,787	\$ 2,528,787
-	-	-
-	-	-
-	-	-
-	-	-
30,000	-	30,000
-	130,000	130,000
-	-	-
-	-	-
107,208	-	107,208
-	-	-
-	-	-
-	-	-
-	-	-
137,208	2,658,787	2,795,996
-	-	-
-	-	-
-	-	-
\$ 137,208	\$ 2,658,787	\$ 2,795,996

GOLF COURSE CAPITAL PROJECT FUND					
DESCRIPTION	TOTAL COST	2018-2019 BUDGET	YTD SEP ACTUAL	%	BALANCE FOR 2018-2019
<b>CAPITAL PROJECTS:</b>					
C/O - Course Improvement - Includes new control panel for irrigation pump house, replacement of irrigation heads and valves, and new sodding around irrigation heads and other areas as needed.	\$ 100,000	\$ 100,000	\$ 86,547	87%	\$ 13,453

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
\$ 13,453	\$ -	\$ 13,453

ELECTRIC CAPITAL PROJECT FUND					
DESCRIPTION	TOTAL COST	2018-2019 BUDGET	YTD SEP ACTUAL	%	BALANCE FOR 2018-2019
<b>CAPITAL PROJECTS:</b>					
Subdivision Electrical Costs	\$ 189,000	\$ 189,000	\$ 188,704	100%	\$ -

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
\$ -	\$ -	\$ -

W/WW CAPITAL PROJECT FUND					
DESCRIPTION	TOTAL COST	2018-2019 BUDGET	YTD SEP ACTUAL	%	BALANCE FOR 2018-2019
<b>CAPITAL PROJECTS:</b>					
Water System Improvements - Wofford	\$ 50,000	\$ -	\$ -	0%	\$ -
SSS Line Improvements - Proj F	400,000	400,000	399,333	100%	667
SSS Line Improvements - Proj E	700,000	700,000	700,166	0%	-
Manholes - Proj B	370,000	370,000	265,247	72%	104,753
Oak Vista/CR 100 water line expansion	70,000	70,000	61,447	88%	8,553
LCRA Composting Facility	75,000	-	-	0%	-
	\$ 1,665,000	\$ 1,540,000	\$ 1,426,194	93%	\$ 113,972

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
\$ -	\$ -	\$ -
-	667	667
-	-	-
-	104,753	104,753
8,553	-	8,553
-	-	-
\$ 8,553	\$ 105,419	\$ 113,972

AIRPORT CAPITAL PROJECT FUND					
DESCRIPTION	TOTAL COST	2018-2019 BUDGET	YTD SEP ACTUAL	%	BALANCE FOR 2018-2019
<b>CAPITAL PROJECTS:</b>					
RAMP GRANT EXPENDITURES (2yrs)	\$ 100,000	\$ 100,000	\$ 151,775	152%	\$ 151,775
PURCHASE AIRPORT PROPERTY	400,000	400,000	140,579	35%	259,421
STATIC DISPLAY PROJECT	109,222	109,222	106,859	98%	2,363
FBO REMODEL	75,778	75,778	61,772	82%	14,006
RUNWAY REPAIRS	41,500	41,500	41,000	100%	-
	\$ 726,500	\$ 726,500	\$ 501,984	69%	\$ 427,565

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
\$ 75,887	\$ 75,887	\$ 151,774
-	259,421	259,421
-	2,363	2,363
14,006	-	14,006
-	-	-
\$ 89,893	\$ 337,671	\$ 427,564

TOTAL CAPITAL/OTHER PROJECTS					
DESCRIPTION	TOTAL COST	2018-2019 BUDGET	YTD SEP ACTUAL	%	BALANCE FOR 2018-2019
TOTAL CAPITAL/OTHER PROJECTS	\$ 7,231,500	\$ 4,032,402	\$ 1,828,974	56%	\$ 3,350,986
TRANSFER TO CAPITAL EQUIPMENT RESERVES	500,000	500,000	500,000	100%	-
TOTAL CAPITAL/OTHER	\$ 7,731,500	\$ 4,532,402	\$ 2,328,974	59%	\$ 3,350,986

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
\$ 249,108	\$ 3,101,878	\$ 3,350,986
-	-	-
\$ 249,108	\$ 3,101,878	\$ 3,350,986