



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

Notice is hereby given that a **Special Meeting** will be held by the governing body of the City of Burnet on the **2nd day of July, 2020** at **3:00 p.m.** in the Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, Tx. In order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19), a Declaration of a Public Health Emergency was executed by Mayor Bromley on March 19, 2020. The Council Chambers will be closed to public attendance. A Zoom Webinar with toll free conference call capability has been established for access as follows:

Computer: Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82533491974?pwd=NlpYbThwY3pyMDVYRUFXMHorZnhydz09>

OR: Go to: www.zoom.us

Enter Webinar ID when prompted: 825 3349 1974 #

Enter Password when prompted: 940149 #

If you would like to address the Council with a Public Comment while logged-in online, please use the “raise your hand” feature.

By Telephone Call: 888-475-4499 or 877-853-5257 (Toll Free Numbers)

Enter Webinar ID when prompted: 825 3349 1974 #

Enter Password when prompted: 940149 #

If you would like to address the Council with a Public Comment while dialed in via telephone, please use the “raise your hand” feature, by pressing ***9** while on the phone.

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

The following subjects will be discussed, to-wit:

CALL TO ORDER:

1. SPECIAL REPORTS/RECOGNITION:

- 1.1) Proclamation-Facial Masks: Mayor Crista Goble Bromley

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 June 23rd, 2020 Regular City Council Meeting Minutes

3. ACTION ITEMS:

3.1) Discuss and consider action: Direction to staff and authorization for the City Manager to execute processes/plans due to the COVID-19 response: D. Vaughn

3.2) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE RESIDENTIAL UTILITY CUSTOMER PAYMENT ASSISTANCE PROGRAM AUTHORIZING UTILITY PAYMENT ASSISTANCE TO RESIDENTIAL CUSTOMERS EXPERIENCING FINANCIAL HARDSHIP DUE TO THE COVID-19 PANDEMIC: D. Vaughn

3.3) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING AN ECONOMIC STIMULUS PROGRAM PROVIDING COMMERCIAL CUSTOMERS EXPERIENCING FINANCIAL HARDSHIP DUE TO THE COVID-19 PANDEMIC PUBLIC UTILITY PAYMENT ASSISTANCE: D. Vaughn

3.4) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE PROVISION OF A PERFORMANCE LETTER OF CREDIT AS AN ALTERNATIVE TO COMPLETING CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS REQUIRED FOR THE HILLS OF SHADY GROVE, SECTION 7 SUBDIVISION; AND FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. J. Lutz

4. DISCUSS AND REVIEW:

4.1) Discuss and Review: Proposed 2020/2021 Fiscal Year Budget: D. Vaughn

5. ADJOURN:

Dated this the 29th day of June, 2020

**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 June 29, 2020 at or before 3 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

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).



Proclamation

OF THE MAYOR AND CITY COUNCIL FOR THE CITY OF BURNET

Whereas, a public health emergency was declared for the United States, and a disaster declaration, due to public health emergency caused by the novel Coronavirus ("COVID-19") was declared for the State of Texas; and

Whereas, on March 19, 2020 the City of Burnet declared a disaster due to public health emergency, which has been extended by City Council and continues currently; and

Whereas, over 101 cases of COVID-19 existed in Burnet County as of June 22, 2020; and

Whereas, the City of Burnet continues to see an increase in COVID-19 cases at an exponential rate and has been advised by the Burnet County health officer that masks and social distancing are necessary to curb this increase and prevent Burnet County and the City of Burnet healthcare providers from becoming overwhelmed; and

Whereas, Governor's Order GA-26 impacting a local jurisdiction's authority under Chapter 418 of the Texas Government Code remains in effect at this time;

Now, therefore, be it proclaimed, that I, Crista Goble Bromley, Mayor of the City of Burnet on behalf of the City Council, of the City of Burnet, Texas, do hereby

***ENCOURAGE ALL CITIZENS TO WEAR MASKS
IN PUBLIC PLACES AND PRACTICE SOCIAL
DISTANCING, AND HEREBY ENCOURAGE
BUSINESSES AND PROFESSIONAL
ORGANIZATIONS TO ASK THEIR EMPLOYEES,
CUSTOMERS AND CLIENTS TO WEAR MASKS AND
PRACTICE SOCIAL DISTANCING;***

and I do hereby encourage all citizens and businesses and professional organizations to actively adhere to CDC guidelines and the recommendations of the Burnet County Health Authority regarding COVID-19. The City of Burnet will continue to provide masks to the public and to City businesses to the extent the City has masks available in order to assist with this effort. Businesses are encouraged to adopt policies requiring all customers and employees to wear masks while inside the business, to provide for social distancing while shopping, to encourage contactless delivery methods for products and services whenever possible, to take temperatures of employees and/or customers when appropriate, and to promote working from home by employees that have the capability to do so. Citizens are encouraged to wear masks when leaving home and interacting with other people outside of their household in any way. Citizens are further encouraged to avoid participating in social gatherings, especially gatherings of 10 or more people. Finally, Citizens should be conscious that they can potentially spread COVID-19 even when they do not have visible symptoms.

In witness thereof, I hereunto set my hand and caused the seal of the City of Burnet to be affixed this 2nd day of July 2020.

Crista Goble Bromley, Mayor

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

On this the 23rd day of June, 2020, the City Council of the City of Burnet, TX convened in Regular Session, at 6:00 p.m., at the regular meeting place thereof. In order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19), a Declaration of a Public Health Emergency was executed by Mayor Bromley on March 19, 2020. The Council Chambers were closed to public attendance. A toll free conference line was established for access via Zoom by calling 888-475-4499 Password 751570; the following subjects were discussed, to-wit:

Mayor (present in chambers)	Crista Goble Bromley
Council Members (via Zoom call):	Danny Lester, Paul Farmer, Cindia Talamantez, Mary Jane Shanes, Philip Thurman, Tres Clinton
City Manager	David Vaughn
City Secretary	Kelly Dix

Guests: Mark Ingram, Habib Erkan, Adrienne Field, (present in Chambers) Gene Courtney, Jason Davis, Allen Burdell, Ann-Marie Price, James Wilson, Kelli Sames, Patricia Langford, Marcus Horner, Jena Wind

CALL TO ORDER: The meeting was called to order by Mayor Bromley, at 6:03 p.m.

ROLL CALL: City Secretary Kelly Dix called the roll. Mayor Bromley was present in Chambers. Council Member Shanes, Farmer, Talamantez, Lester, Clinton and Thurman called in on the zoom conference. Quorum was established.

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 June 9th, 2020 Special City Council Meeting minutes

Council Member Cindia Talamantez moved to approve the consent agenda as presented. Council Member Mary Jane Shanes seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

PUBLIC HEARINGS: None.

ACTION ITEMS:

Discuss and consider action: Direction to staff and authorization for the City Manager to execute processes/plans due to the COVID-19 response: D. Vaughn: No action taken.

Fire Chief Mark Ingram reported:

- Chief Ingram stated that the number of cases to date is one hundred and one for Burnet County and about one third of the cases are still active.
- There have been three deaths in Burnet County to date COVID-19.
- Corona Virus testing continues at the Fairgrounds.
- Two hundred and ninety-seven antibody tests have been conducted at the Fire Station to date.
- Currently area hospitals are at approximately sixty-eight percent of occupancy.

City Manager David Vaughn reported:

- The City Manager informed all present that the Mighty Thomas Carnival has gone well. Chief Ingram confirmed that they were in compliance with state protocols throughout the event.
- The City Manager discussed businesses and mask requirements due to the increase in cases. Council requested a proclamation be added to the next agenda encouraging mask usage by all citizens.
- Director of Finance Patricia Langford reviewed the May Financial Report, to include revenues and expenses for each fund. Council Member Thurman requested the allocation page to be enhanced to show a clearer picture of each allocation.
- Mr. Vaughn informed all present that items would be prepared for the commercial and residential utility assistance programs for the next agenda.

Discuss and consider action: The School Resource Officer (SRO) Interlocal Agreement with Burnet Consolidated Independent School District: D. Vaughn: Council Member Paul Farmer made a motion to approve and authorize the City Manager to execute the School Resource Officer Interlocal agreement with Burnet Consolidated

Independent School District as presented. Council Member Mary Jane Shanes seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE BURNET CITY COUNCIL DESIGNATING A DEPUTY CITY ATTORNEY TO SERVE AS MUNICIPAL COURT PROSECUTOR: D. Vaughn: Council Member Danny Lester made a motion to approve and adopt Resolution R2020-25 as presented. Council Member Mary Jane Shanes seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Shanes, Thurman, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Discuss and consider action: Proposed contract with Burnet County for 2020/2021 Election Services: K. Dix: Council Member Mary Jane Shanes moved to approve 2020/2021 Election Services Contract with Burnet County as presented. Council Member Paul Farmer seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Shanes, Thurman, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS, SUPPORTING INCLUSION INTO THE TEXAS COUNTYWIDE POLLING PLACE PROGRAM: K. Dix: Mayor Crista Bromley moved to approve Resolution R2020-24 as presented. Council Member Mary Jane Shanes seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Shanes, Thurman, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, PRELIMINARILY ACCEPTING PUBLIC STREET, WATER, WASTEWATER, AND ELECTRICAL IMPROVEMENTS CONSTRUCTED WITHIN THE HILLS OF SHADY GROVE, SECTION 7 SUBDIVISION; APPROVING THE PROVISION OF A LETTER OF CREDIT FOR THE MAINTENANCE OF THE INFRASTRUCTURE IMPROVEMENTS; AND FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW: J. Lutz: Pass. No action taken.

Discuss and consider action: Direction to Staff regarding Competitive Matters for the Municipally owned Electric utility: D. Vaughn: Council Member Mary Jane Shanes moved to authorize the City Manager to allocate the LCRA Fuel Credit to the Self-funded account as discussed. Council Member Paul Farmer seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Shanes, Thurman, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. 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 7:36 p.m., seconded by Council Member Paul Farmer. City Secretary Kelly Dix called a roll vote. Council Members Lester, Shanes, Thurman, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Administration

ITEM 3.1

David Vaughn
City Manager
512.715.3208
dvaughn@cityofburnet.com

Agenda Item Brief

Meeting Date: July 2nd, 2020

Agenda Item: Discuss and consider action: Direction to staff and authorization for the City Manager to execute processes/plans due to the COVID-19 response: D. Vaughn

Background:

Information:

Fiscal Impact:

Recommendation: To be determined by Council



Administration

ITEM 3.2

David Vaughn
City Manager
512.715.3208
dvaughn@cityofburnet.com

Agenda Item Brief

Meeting Date: July 2, 2020

Agenda Item: Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE RESIDENTIAL UTILITY CUSTOMER PAYMENT ASSISTANCE PROGRAM AUTHORIZING UTILITY PAYMENT ASSISTANCE TO RESIDENTIAL CUSTOMERS EXPERIENCING FINANCIAL HARDSHIP DUE TO THE COVID-19 PANDEMIC: D. Vaughn

Background: On June 9, 2020 City Council responded to the financial devastation caused to residents experiencing financial hardship caused by the COVID-19 pandemic by establishing the Residential Customer Utility Payment Assistance Program. The program provides eligible applicants with assistance equaling 50% of the applicant's utility bills for the months of April and May. The program closure date is June 30, 2020. This amendment would extend the closure date and allow staff to continue to receive applications for April and May assistance until July 10, 2020 and release grants if an approved applicant pays their 50% contribution on or before July 20, 2020.

Moreover, this amendment authorizes the City Manager to accept a donation of \$10,000.00 from the Salvation Army. The purpose of this donation is to extend the program to include the June billing. In addition to the Salvation Army donation the City shall fund \$15,000, to the June billing cycle component of the Program. Applications for June assistance will be accepted until July 31, 2020 and approved grants shall be credited to the utility bills, up to \$250.00, for applicants who pay their 50% contribution on or before August 10, 2020. Applicants who received the maximum \$250.00 grant for the April/May billing cycle would be eligible to up to a \$250.00 grant for the June billing cycle.

Information:	All other provisions of the Residential Customer Utility Payment Assistance Program shall remain the same. Customers who have had more than two service disconnects for non-payment from March 2019 to February 2020 shall be ineligible to participate in the program.
Fiscal Impact:	This amendment does not affect the \$25,000.00 maximum funding of the April and May billing cycle component of the program. This amendment authorizes funding of June billing cycle component in the maximum amount of donated funds received from the Salvation Army and \$15,000.00 from the LCRA refund.
Recommendation:	Approve and adopt Resolution R2020-27 as presented.

RESOLUTION 2020-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE RESIDENTIAL UTILITY CUSTOMER PAYMENT ASSISTANCE PROGRAM AUTHORIZING UTILITY PAYMENT ASSISTANCE TO RESIDENTIAL CUSTOMERS EXPERIENCING FINANCIAL HARDSHIP DUE TO THE COVID-19 PANDEMIC.

WHEREAS, on June 7th 2020, City Council established the Residential Utility Customer Payment Assistance Program to provide a grant of 50% of the utility bill amounts for the months of April and May of this year for residential customers significantly adversely impacted by the COVID-19 pandemic; and

WHEREAS, the program was set to expire on June 30, 2020; and

WHEREAS, City Council deems it in the public interest and necessity to extend the expiration date for submission of applications for assistance on the April and May bill and the expiration date for eligible customers payment of their portion of their utility bill; and

WHEREAS, the Salvation Army has offered to donate \$10,000.00 to extend the Residential Utility Customer Payment Assistance Program to provide payment assistance with eligible customer's June utility bills; and

WHEREAS, City Council deems it appropriate to add an additional \$15,000.00, from the LCRA refund, to the Salvation's Army's contribution to provide for up to \$25,000.00 Residential Utility Customer Payment Assistance Program to provide payment assistance for the month of June.

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

Section one. Findings. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section two. Section (3) program amendment. The Residential Customers Public Utility Payment Assistance Program Guidelines are hereby amended by amending Section (3) thereof, in its entirety, to read as follows:

(3) Funding. Grants made under this Program shall be made from an LCRA refund that was deposited in the Electric Fund this fiscal year and a donation from the Salvation Army and shall be distributed as follows:

- (a) **April and May Billing Cycle.** Grants made under this component of the Program shall be made from an LCRA refund that was deposited in the Electric Fund this fiscal year. The maximum municipal expenditure under this component of the Program shall be \$25,000.00 for the April and May billing. Applications shall be administered on a first come first serve basis and the Program shall end when the maximum fund amount is expended or on July 20, 2020, whichever occurs first. Applications shall continue to be accepted until July 10, 2020; however, a grant authorized under this Program shall expire should the applicant fail to pay their 50% contribution to their utility bill on or before July 20, 2020.
- (b) **June Billing Cycle.** Grants under this subsection (b) are predicated on receipt of a grant from the Salvation Army. The maximum municipal expenditure under this component of the Program shall be the total amount of the Salvation Army grant plus \$15,000.00 that shall come from the LCRA refund. Applications shall be administered on a first come first serve basis and this component of the Program shall end when the maximum fund amount is expended or on July 31, 2020, whichever occurs first. Applications received on or before July 31, 2020 shall be eligible for grant consideration provided applicants pay their 50% contribution to their utility bill on or before August 10, 2020.

Section three. Section (4) program amendment. The Residential Customers Public Utility Payment Assistance Program Guidelines are hereby amended by amending Section (3) thereof, in its entirety, to read as follows:

(4) Program Term.

- (a) **Program Term.** The Program shall be instituted for the April and May 2020 utility billing cycles. Upon receipt of a grant from the Salvation Army the Program term shall be extended to include the June 2020 utility billing cycle.

Section four. Section (7) program amendment. The Residential Customers Public Utility Payment Assistance Program Guidelines are hereby amended by amending Section (7) thereof, in its entirety, to read as follows:

- (7) **Maximum Grant Amount.** Grants shall be in the form of a credit of 50% of a recipient's electric, water, sewer, garbage and recycling services charges incurred on their City of Burnet Utility Account during the Program Term, not to exceed \$250.00 total for any residential utility customer for the April/May program period and

\$250.00 total for any residential utility customer for the June program period.

Section five. Unamended terms. Except as expressly amended by this resolution, all terms and conditions of the Residential Customers Public Utility Payment Assistance Program Guidelines established by Resolution No. R2020-23, shall remain in full force and effect.

Section six. Authorization. The City Manager is authorized to manage all aspects of the Program; and, is authorized and directed to take those actions that are reasonably necessary to facilitate the purpose of this Resolution, including but not limited to accepting the Salvation Army donation.

Section seven. Severability. The sections, paragraphs, sentences, clauses and phrases of this Resolution are severable and if any phrase, clause, sentence, paragraph or section should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections that can be given effect without the invalid provision, and to this end the provisions are severable.

Section eight. Notice. This Resolution shall be given prompt and general publicity.

Section nine. Effective date. This Resolution shall take effect immediately from and after its issuance.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 2nd DAY of July, 2020.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Administration

ITEM 3.3

David Vaughn
City Manager
512.715.3208
dvaughn@cityofburnet.com

Agenda Item Brief

Meeting Date: July 2, 2020

Agenda Item: Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING AN ECONOMIC STIMULUS PROGRAM PROVIDING COMMERCIAL CUSTOMERS EXPERIENCING FINANCIAL HARDSHIP DUE TO THE COVID-19 PANDEMIC PUBLIC UTILITY PAYMENT ASSISTANCE: D. Vaughn

Background: On May 26, 2020 City Council responded to the financial devastation caused to businesses experiencing financial hardship caused by the COVID-19 pandemic by establishing the Commercial Customer Utility Payment Assistance Program. The program provides eligible applicants with assistance equaling 50% of the applicant's utility bills for the month May. This amendment would expand the program to include assistance with the June utility bill. Recipients of assistance for the May utility bill would be allowed to request assistance for the June utility bill. Commercial utility customers who did not receive assistance with their May utility bills may apply for assistance with their June utility bills; however they may not retroactively request assistance for their May utility bill

An amendment to the program is proposed as follows:

- (4) Program term. The program shall be instituted for a two-month period beginning in May of 2020 and ending on June 30, 2020. Acceptance of applications for assistance for the May utility bills is closed on June 30, 2020. However, any commercial customer significantly adversely financially impacted by the COVID-19 pandemic may submit an application for Public Utility Payment Assistance for the June billing cycle; provided the application is received and payment of the customer's

50% portion of their utility bill is received on or before July 31, 2020.

Information: All other provisions of the Commercial Customer Utility Payment Assistance Program shall remain the same.

Fiscal Impact: Costs for implementation of this program depends on the number of participants. It is anticipated such costs will not exceed \$200,000.00

Recommendation: Approve and adopt Resolution R2020-26 as presented.

RESOLUTION NO. R2020-26

A RESOLUTION OF THE CITY OF BURNET AMENDING AN ECONOMIC STIMULUS PROGRAM PROVIDING COMMERCIAL CUSTOMERS PUBLIC UTILITY PAYMENT ASSISTANCE.

WHEREAS, pursuant to Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code City Council established a program to provide public utility payment assistance to commercial customers; and

WHEREAS, certain local businesses are still experiencing significant revenue loss and/or cost increases due to the COVIT-19 pandemic and the governor's shelter in place orders; and

WHEREAS, City Council desires to extend the adopted program to stimulate business and commercial activity within the city limits by providing struggling businesses with utility payment assistance.

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

Section one. 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 two. Program amended. The Commercial Customers Public Utility Payment Assistance Program is hereby amended by amending Section (4) in its entirety to read as follows:

- (5) Program term. The program shall be instituted for a two-month period beginning in May of 2020 and ending on June 30, 2020. Acceptance of applications for assistance for the May utility bills is closed on June 30, 2020. However, any commercial customer significantly adversely financially impacted by the COVID-19 pandemic may submit an application for Public Utility Payment Assistance for the June billing cycle; provided the application is received and payment of the customer's 50% portion of their utility bill is received on or before July 31, 2020.**

All other terms and conditions of the Commercial Customers Public Utility Payment Assistance Program established by Resolution No. R2020-18, shall remain in full force and effect.

Section three. Authorization. The City Manager is authorized to manage all aspects of the program; and, is authorized and directed to take those actions that are reasonably necessary to facilitate the purpose of this Resolution.

Section four. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, as modified by the governor's orders in response to the COVID-19 pandemic.

Section five. Effective Date. This resolution shall take effect upon approval and adoption by City Council.

APPROVED AND ADOPTED on this the 2nd day of July, 2020.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 3.4

Jason B. Lutz
Development Services Director
(512)-715-3215
jlutz@cityofburnet.com

Agenda Item Brief

Meeting Date: July 2, 2020

Agenda Item: Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE PROVISION OF A PERFORMANCE LETTER OF CREDIT AS AN ALTERNATIVE TO COMPLETING CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS REQUIRED FOR THE HILLS OF SHADY GROVE, SECTION 7 SUBDIVISION; AND FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. J. Lutz

Information: The attached resolution accepts the letter of credit for public improvements not yet completed in support of the Hills of Shady Grove, Section 7 Subdivision.

The Final Plat was approved on June 9, 2020 with the condition that the applicant meet all requirements of Chapter 98 – Subdivision of the City's Code of Ordinances.

City Staff has inspected the infrastructure and found several items that have not been completed. The list of items is attached and includes the cost estimates for each item to be completed and inspect.

The approval of this resolution shall authorize the recordation of the Final Plat.

Fiscal Impact: N/A

Recommendation: Approve and adopt Resolution R2020-22 as presented.

RESOLUTION NO. R2020-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE PROVISION OF A PERFORMANCE LETTER OF CREDIT AS AN ALTERNATIVE TO COMPLETING CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS REQUIRED FOR THE HILLS OF SHADY GROVE, SECTION 7 SUBDIVISION; AND FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Hills of Shady Grove, Section 7, constitutes a subdivision of land falling under the purview of Chapter 98 (entitled "Subdivisions"); and

WHEREAS, the developer desires the Final Plat to be recorded prior to completion of required improvements in accordance with the City's Subdivision Ordinance; and

WHEREAS, Section 98-61(b)(1)(b) of the Subdivision Ordinance provides City Council may accept a surety instrument guaranteeing construction of all improvements required; and

WHEREAS, the Developer has supplied the City with a Performance Letter of Credit and

WHEREAS, the Director of Development Services has, in consultation with the City Engineer, reviewed and approved the proposed cost estimates associated with all unfinished infrastructure found within the subdivision.

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

Section one. 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 and made a part hereof for all purposes and findings of fact.

Section two. Acceptance of a Surety Instrument Guaranteeing Completion. The City Council hereby accepts the Performance Letter of Credit for the Hills of Shady Grove, Section 7 Subdivision.

Section Three. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open

Meetings Act, as modified by the governor's orders in response to the COVID-19 pandemic.

PASSED, ADOPTED AND APPROVED by the **City Council of the City of Burnet** this the 2nd day of July, 2020.

CITY OF BURNET

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

Exhibit A: Cost Estimate / Items To Be Completed

OPINION OF PROBABLE CONSTRUCTION COST
FOR
HILLS OF SHADY GROVE: SECTION 7: PERFORMANCE BOND AMOUNT
CITY OF BURNET, TEXAS
June 24, 2020

A. SUBDIVISION IMPROVEMENTS -OUTSTANDING ITEMS					
1	Align downstream end of channel to Existing channel/daylight to drain	LS	1	\$ 5,000.00	\$ 5,000.00
2	Add stone to slope at vertical cut near tree at U/S end of 2-36 in. HDPE	LS	1	\$ 500.00	\$ 500.00
3	Add handrails at all vertical Headwalls per Plan	LS	1	\$ 1,500.00	\$ 1,500.00
4	Confirm special inlets have 6 1/4" Throat per Plan - u/s and d/s	LS	1	\$ 2,000.00	\$ 2,000.00
5	Regrade/Adjust at water and electric Services	LS	1	\$ 1,500.00	\$ 1,500.00
6	Pour concrete collar at FH valve	LS	1	\$ 500.00	\$ 500.00
				SUBTOTAL BOND AMOUNT: \$ 11,000.00	

Clarifications:

1. This bond amount is for Items identified during walkthrough on 6/23/20.
2. This list is supplemented by photographs attached hereto.
3. This list of outstanding items does not include verification of drainage capacity as designed.

Prepared By:
Hugo Elizondo, Jr., P.E.
Cuatro Consultants, Ltd
3601 Kyle Crossing, Suite A
Kyle, Texas 78640
512-312-5040

