



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

Notice is hereby given that a **Regular Meeting** will be held by the governing body of the City of Burnet on the **12th day of January, 2021** at **6:00** p.m. in the **Burnet Community Center**, 401 E. Jackson Street, Burnet, Tx. In order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) and 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 Burnet Community Center will be open for public attendance if preferred, however, masks will be required, hand sanitizer will be provided, temperatures will be taken upon entry and seating will adhere to social distancing guidelines.

A Zoom Webinar with toll free conference call capability has been established as well, for access as follows:

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

<https://us02web.zoom.us/j/83574346245?pwd=MjJ0WjJaWFVYQnN0ak9wSW5YYkFLdz09>

OR: Go to: www.zoom.us

Enter Webinar ID when prompted: 835 7434 6245 #

Enter Password when prompted: 352260 #

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: 835 7434 6245 #

Enter Password when prompted: 352260 #

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:

ROLL CALL:

INVOCATION:

PLEDGE OF ALLEGIANCE:

PLEDGE TO TEXAS FLAG:

1. REPORTS/SPECIAL PRESENTATIONS: None.

1.1) 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.

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 December 8, 2020 Regular City Council Meeting minutes

3. PUBLIC HEARING:

3.1) Public Hearing: The Burnet City Council shall conduct a public hearing to receive public testimony and comments on the merits of rezoning all real property within the City of Burnet by the re-adoption of the official City of Burnet Zoning Map in its entirety as currently published. J. Lutz

3.2) Public Hearing: The Burnet City Council shall conduct a public hearing to receive public testimony and comments on the merits of a request to amend the City's Future Land Use Plan for approximately 2 acres of land from its current designation of "Commercial" to a designation of "Residential" for property located in the 700 Block of White St. (south side of street) between Rhomberg and Shepperd Streets: J. Lutz

3.3) Public Hearing: The Burnet City Council shall conduct a public hearing to receive public testimony and comments on the merits of a request to rezone approximately 2 acres of land from its current designation of Single-family residential 1—District "R-1" and Light commercial—District "C-1" to a designation of Multi-family residential—District "R-3" for property located in the 700 Block of White St. (south side of street) between Rhomberg and Shepperd Streets: J. Lutz

4. ACTION ITEMS:

4.1) Discuss and consider action: City Council shall receive information from the City Manager on the status of the COVID-19 pandemic's impact on the City and may discuss, give direction, or take action to implement, extend, modify or terminate plans or programs in response to the pandemic: D. Vaughn

4.2) Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES CHAPTER 118 (ENTITLED "ZONING") SECTION 118-64 (ENTITLED "CONDITIONAL USE PERMITS") BY EXPANDING CITY COUNCIL'S AUTHORITY TO GRANT A CONDITIONAL USE PERMIT IN COMMERCIAL AND INDUSTRIAL DISTRICTS AND PROVIDING A CRITERIA FOR GRANTS OF CONDITIONAL USE PERMITS; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: J. Lutz

4.3) FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS ADOPTING THE BURNET ZONING MAP IN ITS ENTIRETY AS CURRENTLY PUBLISHED; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: J. Lutz

4.4) Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-09 BY ASSIGNING A FUTURE LAND USE DESIGNATION OF "RESIDENTIAL" FOR APPROXIMATELY TWO ACRES OF LAND LOCATED IN THE 700 BLOCK OF WHITE ST. (SOUTH SIDE OF STREET) BETWEEN RHOMBERG AND SHEPPERD STREETS., AS SHOWN IN EXHIBIT A; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: J. Lutz

4.5) Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING MULTI-FAMILY RESIDENTIAL—DISTRICT "R-3", DESIGNATIONS TO APPROXIMATELY TWO ACRES OF LAND LOCATED IN THE 700 BLOCK OF WHITE ST. (SOUTH SIDE OF STREET) BETWEEN RHOMBERG AND SHEPPERD STREETS., AS SHOWN IN EXHIBIT A; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: J. Lutz

4.6) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO ACCEPT A TEMPORARY EMERGENCY ACCESS EASEMENT TO SERVE DELAWARE SPRINGS, SECTION 19 SUBDIVISION: J. Lutz

4.7) Discuss and consider action: Request for the Police Department to pursue and accept a National Rifle Association (NRA) 2020/2021 Grant for department equipment and/or programs: S. Fuller

4.8) Discuss and consider action: Appointment of the Burnet Planning and Zoning Commission members to director positions one (1) through five (7): K. Dix

4.9) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING PART 9 HOLIDAYS, OF THE PERSONNEL POLICY MANUAL BY UPDATING AND CLARIFYING POLICY REQUIREMENTS: K. Sames

4.10) Discuss and consider action: Improvements to Delaware Springs Golf Course: D. Vaughn

4.11) Discuss and consider action: Authorizing the Burnet Economic Development Corporation to borrow funds for the 13 acre commercial park project located at US Hwy 281 and Houston Clinton Drive: D. Vaughn

4.12) Discuss and consider action: Direction to staff, on the subject of reimbursement of costs to property owners for damages caused by sanitary sewage backups originating in city sanitary sewer mains: H. Erkan

4.13) Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 1, 2021, TO ELECT A MAYOR AND THREE CITY COUNCIL MEMBERS; ESTABLISHING THE ELECTION PROCEDURE; AND PROVIDING FOR RELATED MATTERS: K. Dix

UNA RESOLUCIÓN DE LA CIUDAD DE BURNET, TEXAS, ORDENANDO UNA ELECCIÓN GENERAL A LLEVARSE A CABO EL 7 DE MAYO DE 2021, PARA ELEGIR EL ALCALDE Y TRES MIEMBROS DEL CONSEJO (CONCEJALES); ESTABLECIENDO LOS PROCEDIMIENTOS PARA LA ELECCIÓN; Y PROVEYENDO OTROS ASUNTOS RELACIONADOS: K.Dix

5. REQUESTS FROM COUNCIL FOR FUTURE REPORTS: In accordance with Resolution R2020-28 councilmembers may request the City Manager to prepare and present future report on matters of public interest.

6. ADJOURN:

Dated this the 8th day of January 2021

**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 January

8th, 2021 at or before 6 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).

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

On this the 8th day of December 2020, the City Council of the City of Burnet, TX convened in Regular Session, at 5:30 p.m., at the Burnet Community Center, 401 E. Jackson Street, 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 Burnet Community Center was open to public attendance and the guidelines established by Governor Abbott in Executive Order 32 related to social gatherings and COVID-19 were adhered to.

Mayor Crista Goble Bromley
Council Members: Mary Jane Shanes, Cindia Talamantez, Tres Clinton, Danny Lester
Late Arrival Paul Farmer, Philip Thurman
City Manager David Vaughn
City Secretary Kelly Dix

Guests: Kelli Sames, Sid Fuller, Mark Ingram, Doug Fipps, Jason Lutz, Patricia Langford, Gene Courtney, Habib Erkan, Merri Hall, Shirley Hall, Larry Redding, Michelle Fipps, Kathleen Fipps, Larry Courtney, Lynette Courtney, Shelley Floyd, Cory Courtney, Cortney Swift, Ginger Wilcox Riley, Jennifer Wind, Eric Wind, Dave Hargett

CALL TO ORDER: The meeting was called to order by Mayor Bromley, at 5:30 p.m.

ROLL CALL: City Secretary Kelly Dix called the roll. Mayor Bromley, Council Members Lester, Shanes, Clinton, and Talamantez were present in Chambers. Quorum was established. Council Member Farmer arrived at 5:34 p.m. and Council Member Thurman arrived at 5:56 p.m.

CONVENE TO EXECUTIVE SESSION: Council Member Mary Jane Shanes moved to convene to Executive Session at 5:33 p.m. Council Member Tres Clinton seconded, the motion carried unanimously.

Pursuant to Texas Government Code Section 551.071 (entitled “Consultation with Attorney”) City Council shall convene in executive session to receive legal advice on contemplated litigation, settlement offer, and/or matter in which the duty of the city attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 related to the topics that follow:

- (a) City’s predecessors in title claims of a reversionary interest in the 42 acres of City land located west of the Burnet Municipal Golf Course, said land being the subject of a bid for purchase by Delaware Springs Ranch Investment LLC; and
- (b) The rezoning of all real property within the City of Burnet by the re-adoption of the official City of Burnet Zoning Map in its entirety as currently published for the purpose of alleviating any discrepancies between the City of Burnet Zoning Map and other City records and to cure any potential infirmities in prior rezoning actions.

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION: Council Member Mary Jane Shanes moved to convene to Regular Session at 6:44 p.m. Council Member Cindia Talamantez seconded, the motion carried unanimously.

Discuss and consider action: Regarding 42 acres of City Land located west of the Burnet Municipal Golf Course, said land being the subject of a bid for purchase by Delaware Springs Ranch Investment LLC: No action taken.

Discuss and consider action: Regarding The rezoning of all real property within the City of Burnet by the re-adoption of the official City of Burnet Zoning Map in its entirety as currently published for the purpose of alleviating any discrepancies between the City of Burnet Zoning Map and other City records and to cure any potential infirmities in prior rezoning actions: No action taken.

SPECIAL REPORTS/RECOGNITION: 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.

PUBLIC HEARING:

Public Hearing: The City Council will conduct a public hearing to receive public testimony and comments on the merits of a proposed “Preliminary Plat” for approximately 25.954 acres out of the Eugenio Perez Survey, No.

41, Abstract No. 672, The Susano Hernandez Survey No. 40, Abstract 398 and Washington Anderson Survey 10, abstract 29, and located approximately 830 feet west of the intersection of US Hwy 281 and Delaware Springs Blvd. The proposed "Preliminary Plat" will establish Section 24 of the Delaware Springs Subdivision, consisting of approximately 51 residential lots: J. Lutz: 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 Burnet City Council shall conduct a public hearing to receive public testimony and comments on the merits of a proposed amendment to the City's Code of Ordinances Chapter 118 (entitled "Zoning") Section 118-64 (entitled "Conditional Use Permit"). The proposed amendment would expand City Council's authority to grant conditional use permits in all commercial and industrial districts and provide criteria for granting a conditional use permit: 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.

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 November 10th, 2020 Regular City Council Meeting Minutes: Council Member Philip Thurman moved to approve the consent agenda as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously

ACTION ITEMS:

Discuss and consider action: Authorizing the City Manager to execute a letter of acceptance with the Commemorative Airforce (CAF) and the Army to allow A-10 aircraft to land at the airport for the 2021 airshow: D. Vaughn: City Manager David Vaughn requested Council to move this item to the front of the agenda to accommodate attendees to the meeting. Council Member Tres Clinton moved to approve the City Manager to execute a letter of acceptance as presented. Council Member Paul Farmer seconded. The motion carried unanimously.

Discuss and consider action: City Council shall receive information from the City Manager on the status of the COVID-19 pandemic's impact on the City and may discuss, give direction, or take action to implement, extend, modify or terminate plans or programs in response to the pandemic: D. Vaughn: Fire Chief Mark Ingram updated Council that currently there are approximately 300 people currently tested positive with COVID-19 in Burnet County. Hospitals are still keeping up, but numbers are rising.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2019-24; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020 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 Paul Farmer moved to approve and adopt Ordinance 2020-30 as presented. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING PART 15, GRIEVANCES, OF THE PERSONNEL POLICY MANUAL BY UPDATING AND CLARIFYING POLICY REQUIREMENTS: K. Sames: Council Member Cindia Talamantez moved to approve Resolution R2020-58 as presented Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING RESOLUTION NO. 2020-43 BY EXTENDING THE DATE BY WHICH A REAL ESTATE AGREEMENT WITH DELAWARE SPRINGS RANCH INVESTMENTS LLC, FOR THE SALE OF APPROXIMATELY 42 ACRES OF CITY LAND LOCATED WEST OF THE BURNET MUNICIPAL GOLF COURSE IS TO BE PRESENTED TO CITY COUNCIL AND AUTHORIZING AND DIRECTING THE CITY MANAGE TO NEGOTIATE THE REAL ESTATE AGREEMENT FOR FUTURE CITY COUNCIL

APPROVAL: H. Erkan: Council Member Paul Farmer moved to approve Resolution R2020-59 as presented Council Member Tres Clinton seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS AMENDING RESOLUTION NO. R2020-32 BY EXTENDING THE DATE BY WHICH AN AGREEMENT TO LEASE AN AIRPORT HANGAR IS TO BE PRESENTED TO COUNCIL AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO NEGOTIATE THE LEASE AGREEMENT FOR FUTURE CITY COUNCIL

APPROVAL: H. Erkan: Council Member Philip Thurman moved to approve Resolution R2020-60 as presented Council Member Mary Jane Shanes seconded. Council Member Clinton abstained. Council Members Lester, Thurman, Shanes, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion with six in favor and one abstention.

Discuss and consider action: The City Council will discuss and consider action regarding a proposed "Preliminary Plat" for approximately 25.954 acres out of the Eugenio Perez Survey, No. 41, Abstract No. 672, The Susano Hernandez Survey No. 40, Abstract 398 and Washington Anderson Survey 10, abstract 29, and located approximately 830 feet west of the intersection of US Hwy 281 and Delaware Springs Blvd. The proposed "Preliminary Plat" will establish Section 24 of the Delaware Springs Subdivision, consisting of approximately 51 residential lots:

J. Lutz: Council Member Mary Jane Shanes moved to approve the preliminary plat as presented. Council Member Danny Lester seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES CHAPTER 118 (ENTITLED "ZONING") SECTION 118-64 (ENTITLED "CONDITIONAL USE PERMITS") BY EXPANDING CITY COUNCIL'S AUTHORITY TO GRANT A CONDITIONAL USE PERMIT IN COMMERCIAL AND INDUSTRIAL DISTRICTS AND PROVIDING A CRITERIA FOR GRANTS OF CONDITIONAL USE PERMITS; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: J. Lutz: Council Member Paul Farmer moved to approve the first reading of Ordinance 2020-31 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS ("CITY"), EXPRESSING SUPPORT FOR HOUSE BILL NO. 233 BEING PROPOSED BY REPRESENTATIVE ANDREW MURR DURING THE 87TH LEGISLATIVE SESSION: D. Vaughn: Council Member Philip Thurman moved to approve Resolution R2020-61 as presented. Council Member Paul Farmer seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY OF BURNET, TEXAS DESIGNATING CERTAIN CITY OFFICIALS TO SIGN CHECKS AND OTHER DISBURSEMENTS FOR ANY AUTHORIZED DEPOSITORY OF THE CITY OF BURNET, TEXAS: P. Langford: Council Member Tres Clinton moved to approve Resolution R2020-62 as presented. Council Member Cindia Talamantez seconded. The motion carried unanimously.

Discuss and consider action: Regarding proposed regulations governing the use and operation of Mobile Food Establishments and providing feedback and direction to City staff regarding the proposed regulations: J. Lutz: No action taken.

Discuss and consider action: Appointment of the Burnet Airport Advisory board members to director positions one (1) through five (5): K. Dix: Council Member Danny Lester made a motion to assign position numbers re-appoint JoDean Perry, Robert Vossman and Charles Deitrich to the Burnet Airport Advisory Board for a term of two years ending in June of 2022. Council Member Mary Jane Shanes seconded. The Motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING SECTION 3.14 SEXUAL HARASSMENT POLICY, OF THE PERSONNEL POLICY MANUAL BY UPDATING AND CLARIFYING POLICY REQUIREMENTS: K. Sames: Council Member Mary Jane Shanes moved to approve Resolution R2020-63 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: In accordance with Resolution R2020-28 councilmembers may request the City Manager to prepare and present future report on matters of public interest.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Janes Shanes at 7:56 p.m., seconded by Council Member Paul Farmer. The motion carried unanimously.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 3.1

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

Agenda Item Brief

- Meeting Date:** January 12, 2021
- Agenda Item:** Public Hearing: The Burnet City Council shall conduct a public hearing to receive public testimony and comments on the merits of rezoning all real property within the City of Burnet by the re-adoption of the official City of Burnet Zoning Map in its entirety as currently published. J. Lutz
- Background:** Recently, staff has discovered that in a few instances there are no city records available substantiating the zoning designation of certain properties as shown on the zoning map. Staff has also discovered a few discrepancies between the zoning map and city records regarding the zoning designations of certain properties.
- Staff Analysis:** The zoning map is the municipal record the public generally relies on to ascertain the zoning designation of properties. The proposed ordinance will formalize that zoning classifications for all properties shall be consistent with the current zoning map. The purpose of this ordinance is not to rezone any property. Rather, this ordinance will confirm the current zoning map prevails even when supporting city records are missing or are inconsistent with the map.
- The ordinance provides an opportunity for any landowner to present to the city manager documentation of City Council action re-zoning their property with a zoning classification that is different than the classification on the zoning map. Upon presentation of valid documentation, the city manager shall initiate a zoning case to correct the error, at no charge to the property owner.
- Public Hearing:** Open the public hearing and receive comments.



Development Services

ITEM 3.2

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

Agenda Item Brief

Meeting Date: January 12, 2021

Agenda Item: Public Hearing: The Burnet City Council shall conduct a public hearing to receive public testimony and comments on the merits of a request to amend the City's Future Land Use Plan for approximately 2 acres of land from its current designation of "Commercial" to a designation of "Residential" for property located in the 700 Block of White St. (south side of street) between Rhomberg and Shepperd Streets: J. Lutz

Background: The subject area is currently zoned Light commercial—District "C-1" & Single-family residential 1—District "R-1" and consists of multiple lots. The applicant is requesting to rezone a portion of the property in order to construct a multi-family facility, as the owner does not see this portion of the property as a viable commercial area.

The City's Future Land Use Plan for this property is designated as commercial and the requested Future Land Use amendment must be approved before the zoning change request can be approved (next item on the agenda).

Staff Analysis: The property is utilized as a convenience store fronting Hwy 29 with a large vacant portion of the property in the rear with access off White St.

The property would consist of approximately 2 acres of land that would be enough to handle a proposed multi-family project.

The subject property is bound by C-1 zoning to the south and Single-family residential 1—District "R-1" to the west, north, and east (see Exhibit A).

The Future Land Use Plan calls for the subject tract to be Commercial. This tract would be bounded by other Future Land Uses of Commercial on the west, south, and east sides. The property would be bounded to the north by a Future Land Use designation of Residential (see Exhibit B).

Changing the Future Land Use Classification from Commercial to Residential would not create an issue of incompatible uses next to each other.

The existing water, sewer, and electric services in the area are adequate to serve the proposed project, and the existing street network consists of 25' wide roads on White St. and 30' wide roads on Rhomberg.

Public Hearing: Open the public hearing and receive comments.

Exhibit A – Zoning Map

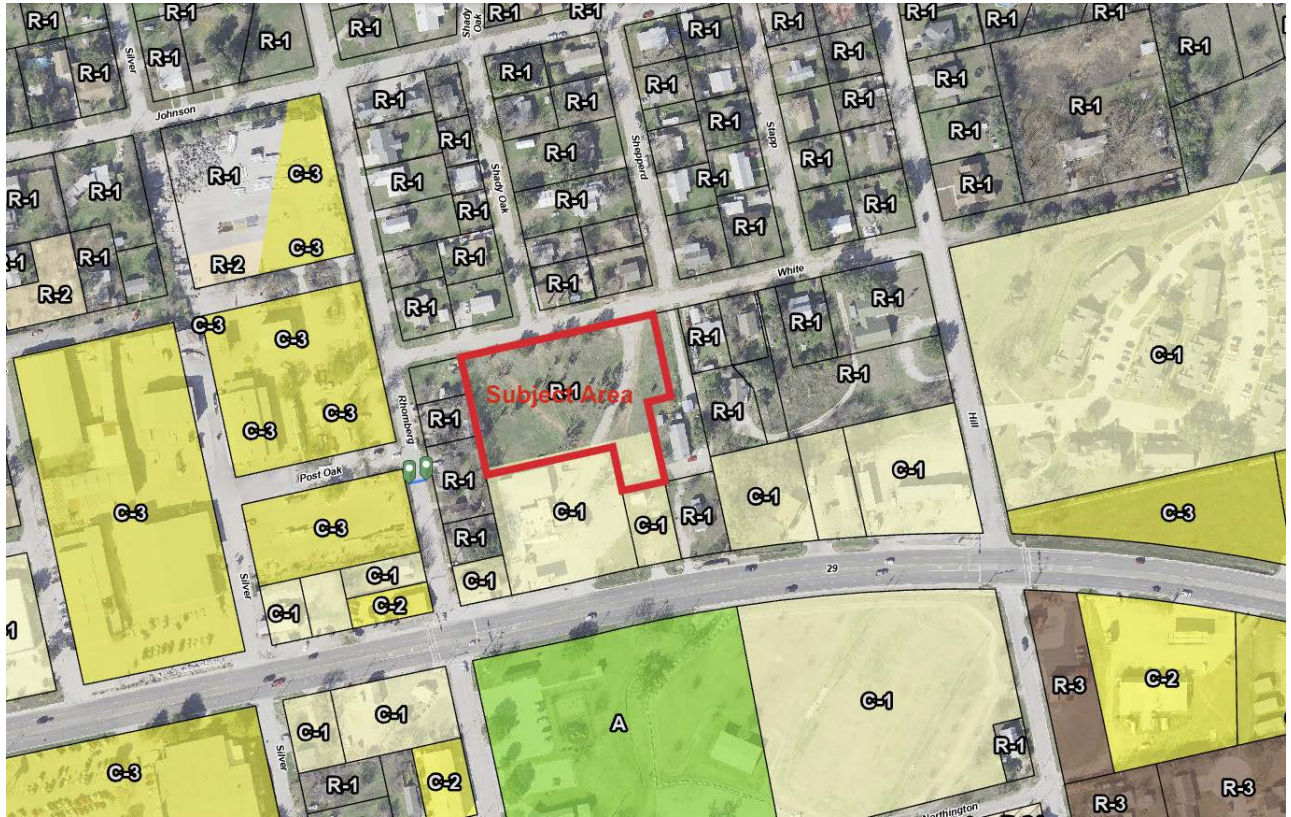
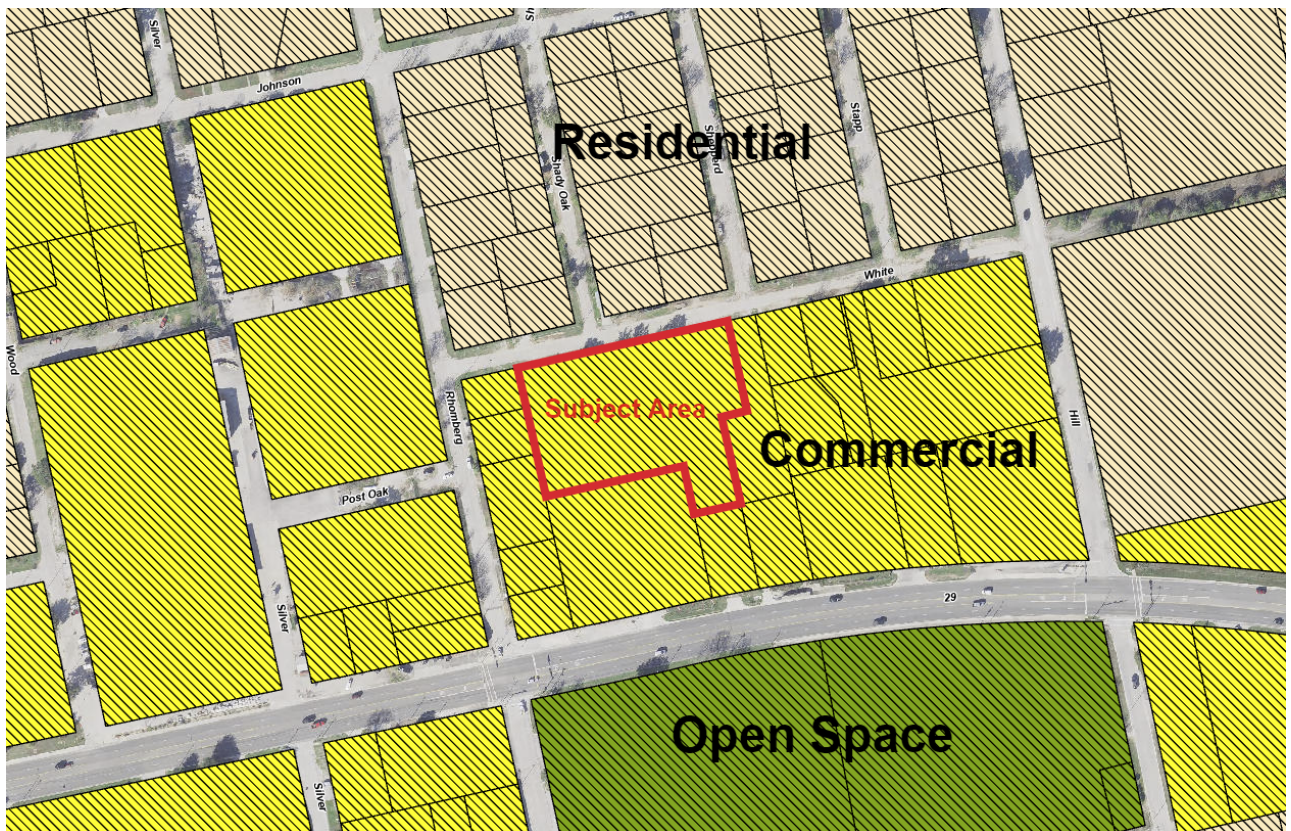


Exhibit B – Future Land Use Map





Development Services

ITEM 3.3

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

Agenda Item Brief

Meeting Date: January 12, 2021

Agenda Item: Public Hearing: The Burnet City Council shall conduct a public hearing to receive public testimony and comments on the merits of a request to rezone approximately 2 acres of land from its current designation of Single-family residential 1—District "R-1" and Light commercial—District "C-1" to a designation of Multi-family residential—District "R-3" for property located in the 700 Block of White St. (south side of street) between Rhomberg and Shepperd Streets: J. Lutz

Background: The property is currently zoned Light commercial—District "C-1" & Single-family residential 1—District "R-1" and consists of multiple lots. The applicant is requesting to rezone a portion of the property in order to construct a multi-family facility, as the owner does not see this portion of the property as a viable commercial area.

The City's Future Land Use Plan for this property is designated as commercial and the requested Future Land Use amendment (prior item on the agenda) must be approved before the zoning change request can be approved.

The applicant has provided a concept plan (see Exhibit A) for the facility, but this plan has not been reviewed or approved by City staff for adherence to zoning code regulations.

Staff Analysis: The property is utilized as a convenience store, fronting Hwy 29, with a large vacant portion of the property in the rear with access off White St.

The property would consist of approximately 2 acres of land that would be enough to handle a proposed multi-family project. The project density would be limited to the zoning code regulations and allow a maximum of 40 units (20 per acre).

This density would further be limited by water quality, detention, impervious cover, and parking regulations (2 spaces per unit) found within the City's codes. Currently the applicant is proposing 30 units.

The subject property is bound by C-1 zoning to the south and Single-family residential 1—District "R-1" to the west, north, and east (see Exhibit B).

The existing water, sewer, and electric services in the area adequate to serve the proposed project and the existing street network consists of 25' wide roads on White St. and 30' wide road on Rhomberg.

Public Hearing: Open the public hearing and receive comments.

Exhibit A – Concept Plan

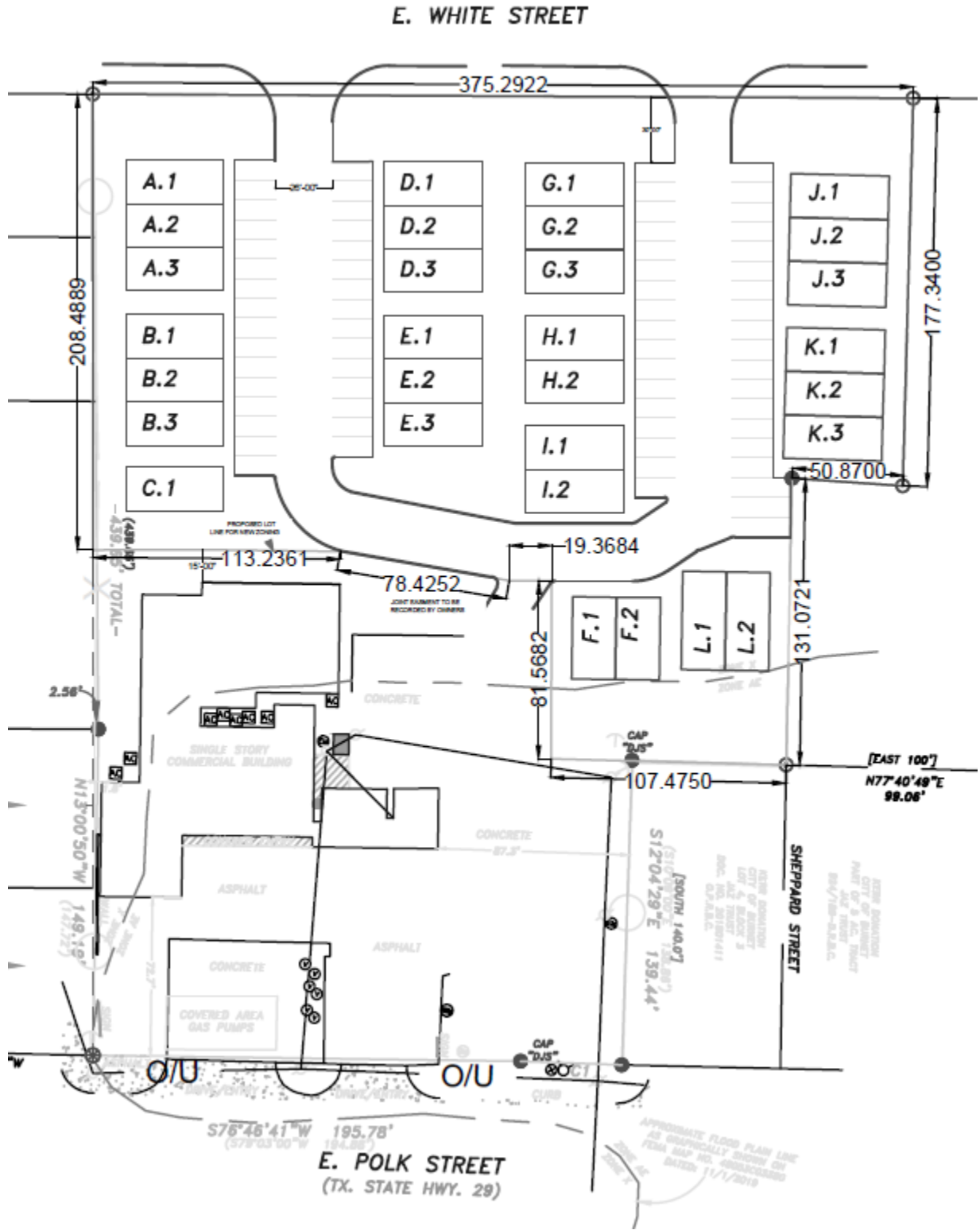


Exhibit B – Zoning Map





Administration

ITEM 4.1

David Vaughn
City Manager
512.715.3208
dvaughn@cityofburnet.com

Agenda Item Brief

Meeting Date:	January 12, 2021
Agenda Item:	Discuss and consider action: City Council shall receive information from the City Manager on the status of the COVID-19 pandemic's impact on the City and may discuss, give direction, or take action to implement, extend, modify or terminate plans or programs in response to the pandemic: D. Vaughn
Background:	
Information:	
Fiscal Impact:	
Recommendation:	To be determined by Council



Development Services

ITEM 4.2

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

Agenda Item Brief

Meeting Date: January 12, 2021

Agenda Item: Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES CHAPTER 118 (ENTITLED "ZONING") SECTION 118-64 (ENTITLED "CONDITIONAL USE PERMITS") BY EXPANDING CITY COUNCIL'S AUTHORITY TO GRANT A CONDITIONAL USE PERMIT IN COMMERCIAL AND INDUSTRIAL DISTRICTS AND PROVIDING A CRITERIA FOR GRANTS OF CONDITIONAL USE PERMITS; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: J. Lutz

Background: Over the last several months the City Council has received multiple zoning requests to up zone commercial properties. During the public hearing process, both P&Z and City Council have indicated their desire to allow the up zoning but had concerns regarding other uses that the higher commercial category would allow by right. Staff is proposing the following amendments to allow for greater flexibility regarding land uses and authority to grant conditional use permits in all commercial and industrial districts and provide a criteria for granting a conditions use permit.

Information: Staff has considered Council's desire to allow certain uses found in a higher commercial or industrial zoning category while also limiting the wide range of additional uses allowed by moving the zoning district from one classification to another.

Staff is proposing the following sections of code to allow Council the authority to give a CUP for any land use found one category above the current zoning district, without requiring a zoning change to a higher category, which would open up more land uses than Council may be comfortable granting.

Proposed Code Modifications:

1. *Purpose.* Language was modified (see attached ordinance with redlines).
2. *General conditional uses.* Section was renamed to “Applicability” and language was modified (see attached ordinance with redlines).

Proposed Code Additions:

1. *Applicability.*

(1) A use authorized in Sec. 118-45 in a Light Commercial – District “C-1” may be authorized in a Neighborhood commercial—District “NC” with a Conditional Use Permit.

(2) A use authorized in Sec. 118-46 in a 118-46. - Medium commercial—District “C-2” may be authorized in a Light Commercial – District “C-1” with a Conditional Use Permit.

(3) A use authorized in Sec. 118-47 in a Heavy commercial—District “C-3” may be authorized in Medium commercial—District “C-2” with a Conditional Use Permit.

(4) A use authorized in Sec. 118-48 in a Light industrial—District “I-1” may be authorized in Heavy commercial—District “C-3” with a Conditional Use Permit.

(5) A use authorized in Sec. 118-49 in a Heavy industrial—District “I-2” may be authorized in a Light commercial—District “I-1” with a Conditional Use Permit.

(6) Uses that may only be authorized by Conditional Use Permit are as follows:

2. (f) Approval Criteria. City council may impose appropriate conditions and safeguards, including a specified period of time for the permit, to protect the comprehensive plan and to conserve and protect property and property values in the neighborhood.
 - The language found in this section of code was actually moved from the original “*Purpose*” section.

Staff Analysis:

The proposed changes will give Council more flexibility regarding land uses within zoning districts without requiring the need to re-zone properties.

The CUP process will continue to require public notice to each landowner within 200 feet to allow affected properties to voice their concerns to City Council.

There have been no changes to Ordinance 2020-31 since the first reading on December 8, 2020.

P&Z

Recommendation: P&Z recommended approval of the proposed amendments by a vote of 5-0

Recommendation: Approve and adopt Ordinance 2020-31 as presented.

ORDINANCE NO. 2020-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES CHAPTER 118 (ENTITLED "ZONING") SECTION 118-64 (ENTITLED "CONDITIONAL USE PERMITS") BY EXPANDING CITY COUNCIL'S AUTHORITY TO GRANT A CONDITIONAL USE PERMIT IN COMMERCIAL AND INDUSTRIAL DISTRICTS AND PROVIDING A CRITERIA FOR GRANTS OF CONDITIONAL USE PERMITS; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The Planning and Zoning Commission of the City of Burnet, on December 7, 2020, did conduct a public hearing for the purpose of taking public comment regarding proposed amendment to the City's Code of Ordinances Chapter 118 (entitled "Zoning") Section 118-64 (entitled "Conditional Use Permit"). The proposed amendment would expand City Council's authority to grant conditional use permits in all commercial and industrial districts and provide a criteria for granting a conditions use permit as shown in Exhibit A; and

WHEREAS, The Planning and Zoning Commission in open deliberation found that proposed amendments to be consistent with the City's adopted comprehensive plan and consistent with the best public interest; and

WHEREAS, The Planning and Zoning Commission did then, by a 5-0 vote of members present, recommended approval of the proposed amendments as shown in Exhibit A; and

WHEREAS, The City Council of the City of Burnet, on December 8, 2020 did conduct its own public hearing for the purpose of taking public comment regarding proposed amendment to the City's Code of Ordinances Chapter 118 (entitled "Zoning") Section 118-64 (entitled "Conditional Use Permit"). The proposed amendment would expand City Council's authority to grant conditional use permits in all commercial and industrial districts and provide a criteria for granting a conditions use permit as shown in Exhibit A; 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 the proposed amendments to be consistent with the City's adopted comprehensive plan and consistent with the best public interest;

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 Code Amendments. The Code of Ordinances, Chapter 118 (entitled "zoning") Section 118-64 (entitled "conditional use permits") is amended by adding the underlined (underlined) language shown in blue font and deleting the stricken (~~stricken~~) language shown in red font as shown in Exhibit A.

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 shall become effective upon passage, adoption and publication as required by law.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was conducted in compliance with the Texas Open Meeting Act as modified by Executive Orders of the Governor of the State of Texas in response to the COVID-19 pandemic.

PASSED AND APPROVED on First Reading this 8th day of December 2020.

FINALLY PASSED AND APPROVED on this 12th day of January 2021.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

Exhibit "A" Zoning Code Amendments

Insertions identified in blue and deletions identified in red.

Sec. 118-64. - Conditional use permits.

- (a) *Purpose.* Conditional use permits provide a planning mechanism to authorize certain uses, which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right; but which may, under the right set of circumstances and conditions be acceptable in certain specific locations. These uses are permitted only through the issuance of conditional use authorization by city council after ensuring that the use can be appropriately accommodated on the specific property, will be in conformance with the comprehensive plan, can be constructed and operated in a manner which is compatible with the surrounding land uses and overall character of the community, and that the public interest and general welfare of the citizens of the city will be protected. No inherent right exists to receive a conditional use authorization; and such authorization shall only be granted by the city council under a specific set of circumstances and conditions, and each application and situation is unique. ~~The city council may by ordinance, adopted by a majority of affirmative votes after receiving the recommendation of the commission, grant a conditional use permit in compliance with this section for the conditional uses as listed in (b) and (c) below. The city council may impose appropriate conditions and safeguards, including a specified period of time for the permit, to protect the comprehensive plan and to conserve and protect property and property values in the neighborhood.~~
- (b) ~~General conditional uses~~ *Applicability.* Provided the procedures, criteria and conditions prescribed in this Section are met, the following listed conditional uses, and those indicated in a specific zoning district as a permitted use with a conditional use permit, and none other, may be authorized as a conditional use: ~~The following listed conditional uses and those indicated in a specific zoning district as a permitted use with a conditional use permit, and none other, may be authorized subject to the terms of this subsection and compliance with all conditional terms, regulations and requirements established by the city council.~~
- (1) A use authorized in Sec. 118-45 in a Light Commercial – District "C-1" may be authorized in a Neighborhood commercial—District "NC" with a Conditional Use Permit.
 - (2) A used authorized in Sec. 118-46 in a 118-46. - Medium commercial—District "C-2" may be authorized in a Light Commercial – District "C-1" with a Conditional Use Permit.
 - (3) A used authorized in Sec. 118-47 in a Heavy commercial—District "C-3" may be authorized in Medium commercial—District "C-2" with a Conditional Use Permit.
 - (4) A used authorized in Sec. 118-48 in a Light industrial—District "I-1" may be authorized in Heavy commercial—District "C-3" with a Conditional Use Permit.
 - (5) A used authorized in Sec. 118-49 in a Heavy industrial—District "I-2" may be authorized in Light Industrial—District "I-1" with Conditional Use Permit.
 - (6) Uses that may only be authorized by Conditional Use Permit are as follows:
 - (4a) Airport, landing field, landing strip or heliport for aircraft; municipal service facilities and buildings.
 - (2b) Amusement park, but not within 300 feet of any residential district.
 - (3c) Circus, carnival or zoo grounds, but not within 300 feet of any residential district.
 - (4d) Commercial, recreational or amusement development for temporary or seasonal periods.

- (~~5~~e) Hospital, clinic or institution, provided that any hospital or institution permitted in any residential district shall be located on a site of not less than five acres, shall not occupy more than ten percent of the total lot area and shall be set back from all property lines at least two feet for each foot of building height.
 - (~~6~~f) Horse race track and riding stables.
 - (~~7~~g) Private operated community building or recreation field.
 - (~~8~~h) Radio or television broadcasting towers or station.
 - (~~9~~) Cemeteries.
 - (~~10~~) Schools—Public and denominational.
 - (~~11~~k) Gasoline sales.
 - (~~12~~) Alcoholic beverages-on premises and alcoholic beverages-mixed drink for those specific uses and in the specific zoning districts as provided by this chapter, including a bar, nightclub, tavern and private club.
 - (~~13~~m) Sexually oriented business (See permit requirements subsection [118-67](g)), including other uses as identified in the specific district or definition of the use.
- (c) *Conditional uses in newly annexed areas.* Residential and industrial uses and/or structures that were in operation prior to the effective date of annexation and may become nonconforming uses as a result of the property being permanently zoned C-1, C-2 or C-3, may request a conditional use permit for the use existing at the time of annexation during the initial permanent zoning process if the property is proposed to be permanently zoned C-1, C-2 or C-3. The existing use shall be specifically identified in the application for a conditional use permit and, if granted, may be continued as set forth in the conditional use permit as a permitted additional use to the C-1, C-2 or C-3 zoning without being deemed nonconforming while continuing in compliance with the conditional use permit.
- (d) *Procedure.* Before authorization of any of the above conditional uses, public notice shall be given and public hearings shall be held as provided in V.T.C.A., Local Government Code ch. 211; provided that a conditional use permit for a period not to exceed seven calendar days may be given for a use set forth in subsections (b)(3) or (b)(4) above after a public hearing is held by the city council after having received a report and recommendation from the commission concerning the effect of the proposed use on the adjacent and neighboring properties and neighborhoods.
- (1) *Permit required.* No conditional use shall be established, operated or maintained except as authorized by a conditional use permit issued in accordance with the requirements of this section.
 - (2) *Conditional use permit issued by city council.* A conditional use permit may be issued only for the special uses specified in this section, and only for the district where it is authorized.
 - (3) The city council shall determine whether the proposed special use complies with each of the general criteria in subsection (e) of this section and with each of the criteria for the district applicable to the proposed use and shall make separate findings thereon or adopt the findings made by the commission.
 - (4) The city council may condition its approval of an application on the applicant's adoption of specified changes, additions, limitations, safeguards or effective time periods designed to assure compliance with the criteria.
 - (5) *Application.* An application for a conditional use permit shall be made in writing in a form prescribed by the city building official and shall be accompanied by such information as may be requested (including a site plan, if required) in order to properly review the proposed use. Such information may include, but is not limited to, site and building plans, drawings and elevations, and operational data.

- (e) *General criteria applicable to all conditional uses.* A proposed conditional use permit must comply with all the following criteria:
- (1) The appearance, size, density and operating characteristics of the proposed conditional use are compatible with the surrounding neighborhood and uses;
 - (2) The proposed use will not have an adverse effect on the value of surrounding properties nor impede their proper development;
 - (3) The proposed use will not create a nuisance factor nor otherwise interfere with a neighbor's enjoyment of his property or operation of his business;
 - (4) The traffic that the proposed use can reasonably be expected to generate on existing streets will not create nor add significantly to congestion, a safety hazard, or a parking problem in the area, nor will it disturb the peace and quiet of the neighborhood; and
 - (5) The proposed use complies with all other applicable ordinances and regulations.
- (f) *Approval Criteria.* City council may impose appropriate conditions and safeguards, including a specified period of time for the permit, to protect the comprehensive plan and to conserve and protect property and property values in the neighborhood.



Development Services

ITEM 4.3

Jason Lutz
Development Services
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Agenda Item Brief

Meeting Date: January 12, 2021

Agenda Item: Discuss and consider Action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS ADOPTING THE BURNET ZONING MAP IN ITS ENTIRETY AS CURRENTLY PUBLISHED; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: J. Lutz

Background: Recently, staff has discovered that in a few instances there are no city records available substantiating the zoning designation of certain properties as shown on the zoning map. Staff has also discovered a few discrepancies between the zoning map and city records regarding the zoning designations of certain properties.

Staff Analysis: The zoning map is the municipal record the public generally relies on to ascertain the zoning designation of properties. The proposed ordinance will formalize that zoning classifications for all properties shall be consistent with the current zoning map. The purpose of this ordinance is not to rezone any property. Rather, this ordinance will confirm the current zoning map prevails even when supporting city records are missing or are inconsistent with the map.

The ordinance provides an opportunity for any landowner to present to the city manager documentation of City Council action re-zoning their property with a zoning classification that is different than the classification on the zoning map. Upon presentation of valid documentation, the city manager shall initiate a zoning case to correct the error, at no charge to the property owner.

P&Z

Recommendation: P&Z held a public hearing on January 4, 2021 and recommended approval of the ordinance by a vote of 6-0, with a recommendation to extend the date in which landowners can provide evidence or documentation to the city of a previous zoning change. One person from the public objected to the proposed ordinance.

Staff

Recommendation: Staff recommends approval of the first reading of Ordinance 2021-01 as presented.

ORDINANCE NO. 2021-01

ADOPTING THE BURNET ZONING MAP IN ITS ENTIRETY AS CURRENTLY PUBLISHED; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, in accordance with Texas Local Government Code Chapter 211, City Council adopted zoning regulations as codified in Chapter 118 of the Code of Ordinances; and

WHEREAS, City Council authorized the creation of a zoning map to memorialize the zoning classifications of each parcel of real property within the city's corporate limits; and

WHEREAS, it has come to City Council's attention that in a few instances city records of rezonings, reflected in the zoning map do not exist; or there are other discrepancies between the zoning map and city records regarding the zoning designations of certain properties; and

WHEREAS, the zoning map is the municipal record the public generally relies on to ascertain the zoning designation of properties; and

WHEREAS, to cure the few discovered zoning infirmities, as well as any undiscovered zoning infirmities that might exist, and to provide certainty as to the zoning designation of all properties going forward City Council determines it appropriate and necessary to readopt the zoning map pursuant to the notice and hearing requirements of Texas Local Government Code Chapter 211, the City Charter and Code of Ordinances Chapter 118; and

WHEREAS, in accordance with the requirements of the aforementioned authorities, City Council finds:

- Notice of Public Hearings on this Zoning Ordinance were timely published in the Burnet Bulletin; and delivered by United States Postal Service first class mail to every owner of property shown on the city's most recent tax rolls; and
- The Caption of this Ordinance was timely published in the Burnet Bulletin;
- The Planning and Zoning Commission conducted a public hearing on this Zoning Ordinance on Monday, January 4, 2020, and took action to make its recommendation to City Council at the conclusion of the public hearing;
- City Council conducted a public hearing on this Zoning Ordinance on Tuesday, January 12, 2021, and passed the first reading of this Ordinance at the conclusion of the public hearing; and
- City Council, passed and approved this Ordinance on second reading on Tuesday, January 26, 2020.

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

Section 1. Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of City Council.

Section 2. Zoning Map. The Geographic Information System Zoning Map dated [REDACTED] is attached hereto as **Exhibit "A"** and incorporated in this Ordinance for all purposes.

Section 3. Action. **Exhibit "A"** is hereby readopted and adopted as the Official Zoning Map of the City and each zoning classification that corresponds with a property on said map is, and shall continue to be, the zoning classification for such corresponding property.

Section 4. Conditional Use Permit Ordinances. This ordinance is cumulative of Ordinances Nos. 2014-16, and 2017-21, and said ordinances shall remain in full force and effect unless expressly repealed by future action of City Council.

Section 5. City initiated rezoning. The City Manager is hereby authorized and directed to initiate a case to rezoning any property where it is discovered in the city's records that City Council took prior formal action to rezone the property with a classification contrary to the classification shown for the property on **Exhibit "A"**; and where there is no explanation in the city's record for the discrepancy between the formal action and the **Exhibit "A"**. This Section 5 shall expire and no longer be of any effect after the third anniversary of the effective date of this ordinance.

Section 6. Repealer. All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 7. 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 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was conducted in compliance with the Texas Open Meeting Act as modified by Executive Orders of the Governor of the State of Texas in response to the COVID-19 pandemic.

Section 5. Effective Date. This ordinance is effective upon final passage and approval.

PASSED on First Reading this the 12th day of January 2021.

PASSED AND APPROVED on Second Reading this the 26th day of January 2021.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

Exhibit A – Zoning Map

(36x42 Zoning Map to be Inserted)



Development Services

ITEM 4.4

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

Agenda Item Brief

Meeting Date: January 12, 2021

Agenda Item: Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-09 BY ASSIGNING A FUTURE LAND USE DESIGNATION OF "RESIDENTIAL" FOR APPROXIMATELY TWO ACRES OF LAND LOCATED IN THE 700 BLOCK OF WHITE ST. (SOUTH SIDE OF STREET) BETWEEN RHOMBERG AND SHEPPERD STREETS., AS SHOWN IN EXHIBIT A; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: J. Lutz

Background: The property is currently zoned Light commercial—District "C-1" & Single-family residential 1—District "R-1" and consists of multiple lots. The applicant is requesting to rezone a portion of the property in order to construct a multi-family facility, as the owner does not see this portion of the property as a viable commercial area.

The City's Future Land Use Plan for this property is designated as commercial and the requested Future Land Use amendment must be approved before the zoning change request can be approved (next item on the agenda).

Staff Analysis: The property is utilized as a convenience store fronting Hwy 29 with a large vacant portion of the property in the rear with access off White St.

The property would consist of approximately 2 acres of land that would be enough to handle a proposed multi-family project.

The subject property is bound by C-1 zoning to the south and Single-family residential 1—District "R-1" to the west, north, and east (see Exhibit A).

The Future Land Use Plan calls for the subject tract to be Commercial. This tract would be bounded by other Future Land Uses of Commercial on the west, south, and east sides. The property would be bounded to the north by a Future Land Use designation of Residential (see Exhibit B). Changing the Future Land Use Classification from Commercial to Residential would not create an issue of incompatible uses next to each other.

The existing water, sewer, and electric services in the area are adequate to serve the proposed project, and the existing street network consists of 25' wide roads on White St. and 30' wide roads on Rhomberg.

P&Z

Recommendation: P&Z held a public hearing on January 4, 2021 and recommended approval of the ordinance by a vote of 6-0.

Staff

Recommendation: Staff recommends approval of the ordinance as presented.

Exhibit A – Current Zoning Map

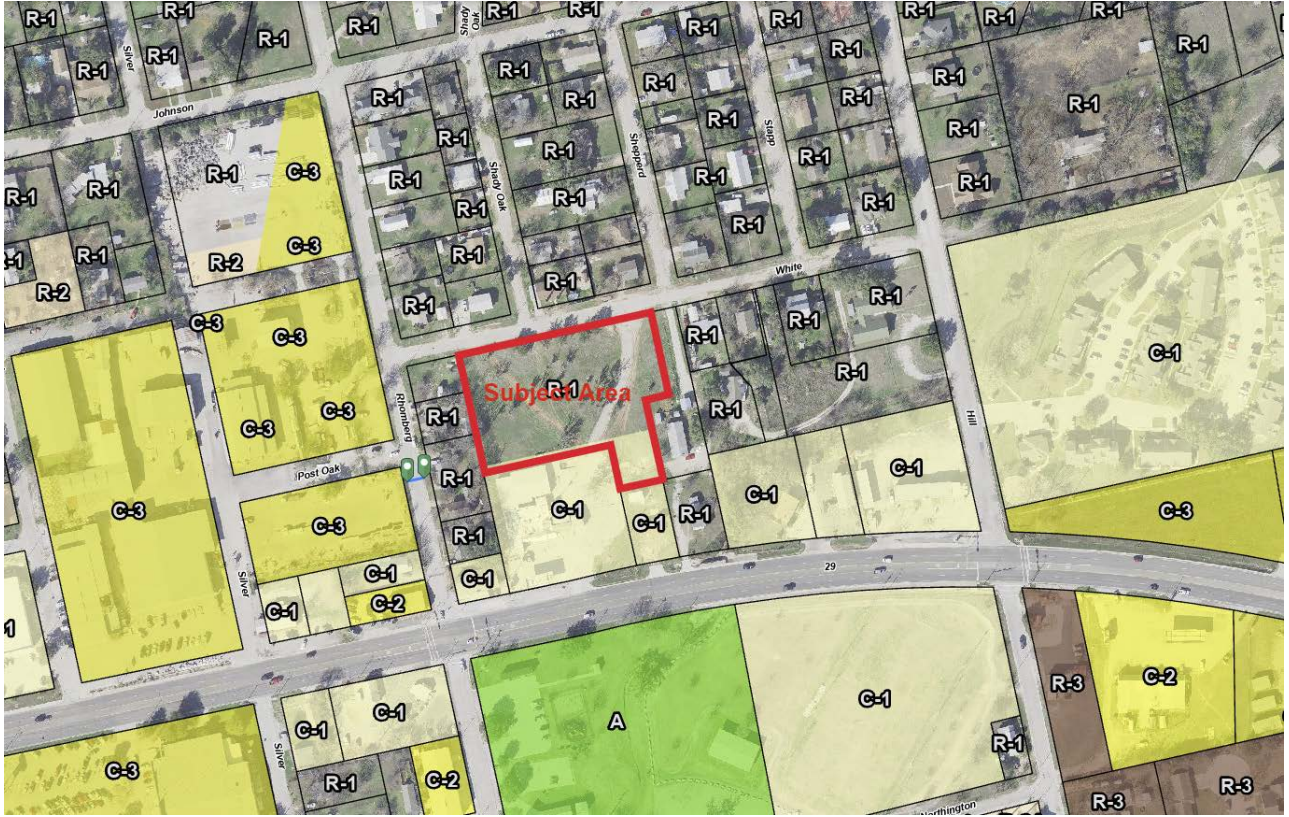
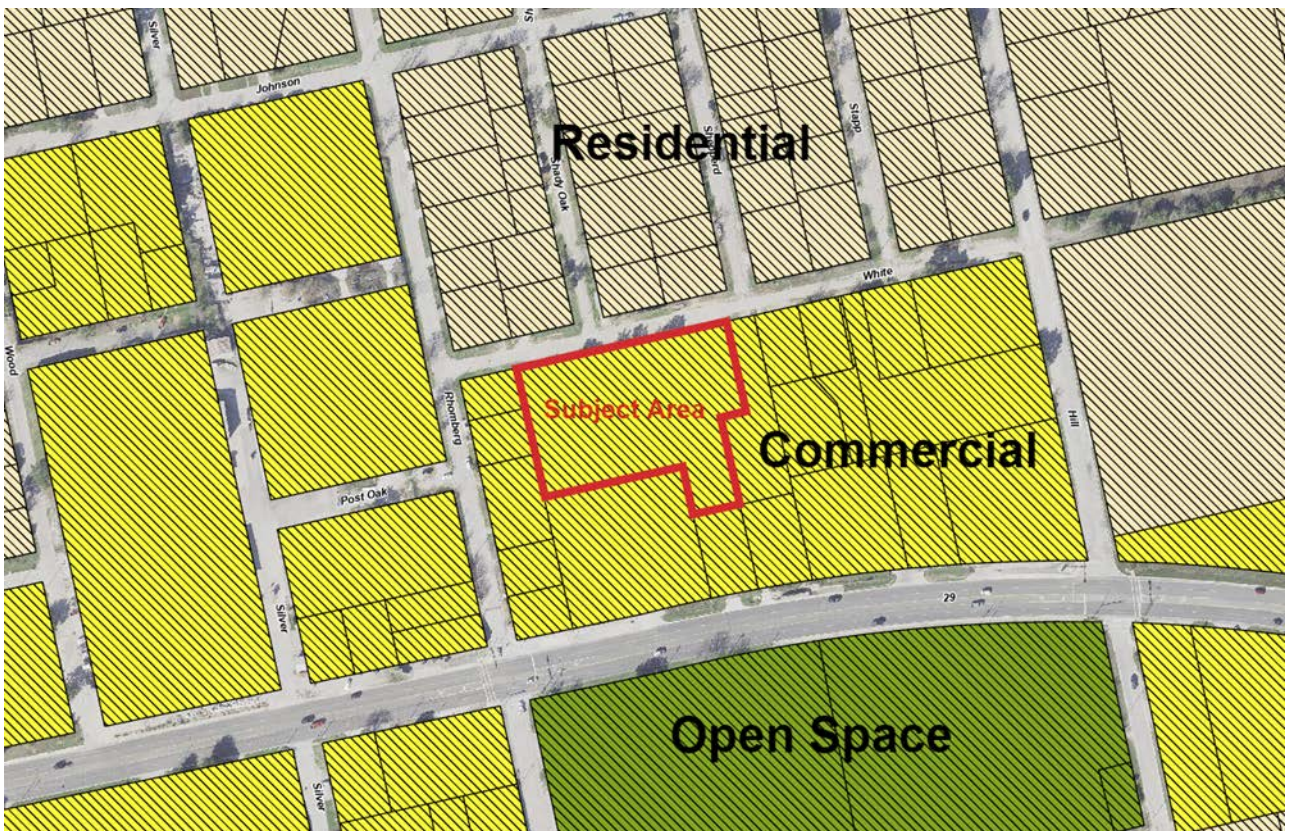


Exhibit B – Future Land Use Map



ORDINANCE NO. 2021-02

AN ORDINANCE AMENDING ORDINANCE NO. 2012-09 BY ASSIGNING A FUTURE LAND USE DESIGNATION OF “RESIDENTIAL” FOR APPROXIMATELY TWO ACRES OF LAND LOCATED IN THE 700 BLOCK OF WHITE ST. (SOUTH SIDE OF STREET) BETWEEN RHOMBERG AND SHEPPERD STREETS., AS SHOWN IN EXHIBIT A; 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 January 4, 2021, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assigning a Future Land Use designation of “Residential” for approximately 2 acres of land located in the 700 block of White St. (south side of street) between Rhomberg and Shepperd Streets, as shown in Exhibit A; and

WHEREAS, The Planning and Zoning Commission in open deliberation found that applying Future Land Use designation of “Residential” for approximately 2 acres of land located in the 700 block of White St. (south side of street) between Rhomberg and Shepperd Streets; as shown in Exhibit A, 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 a 6-0 vote of members present, recommended approval of assigning a Future Land Use designation of “Residential” for approximately 2 acres of land located in the 700 block of White St. (south side of street) between Rhomberg and Shepperd Streets; as shown in Exhibit A; and

WHEREAS, The City Council of the City of Burnet, on January 12, 2021 did conduct its own public hearing for the purpose of taking public comment regarding the proposal to assigning a Future Land Use designation of “Residential” for approximately 2 acres of land located in the 700 block of White St. (south side of street) between Rhomberg and Shepperd Streets; as shown in Exhibit A; 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 a Future Land Use designation of “Residential” for approximately 2 acres of land located in the 700 block of White St. (south side of street) between Rhomberg and Shepperd Streets; as shown in Exhibit A; to be consistent with existing development patterns in the area, 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. Future Land Use Plan. “Residential” Future Land Uses are hereby assigned to approximately 2 acres of land located in the 700 block of White St. (south side of street) between Rhomberg and Shepperd Streets; as shown in Exhibit A.

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 shall become effective upon passage, adoption and publication as required by law.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was conducted in compliance with the Texas Open Meeting Act as modified by Executive Orders of the Governor of the State of Texas in response to the COVID-19 pandemic.

PASSED AND APPROVED on First Reading this 12th day of January 2021.

FINALLY PASSED AND APPROVED on this 26th day of January 2021.

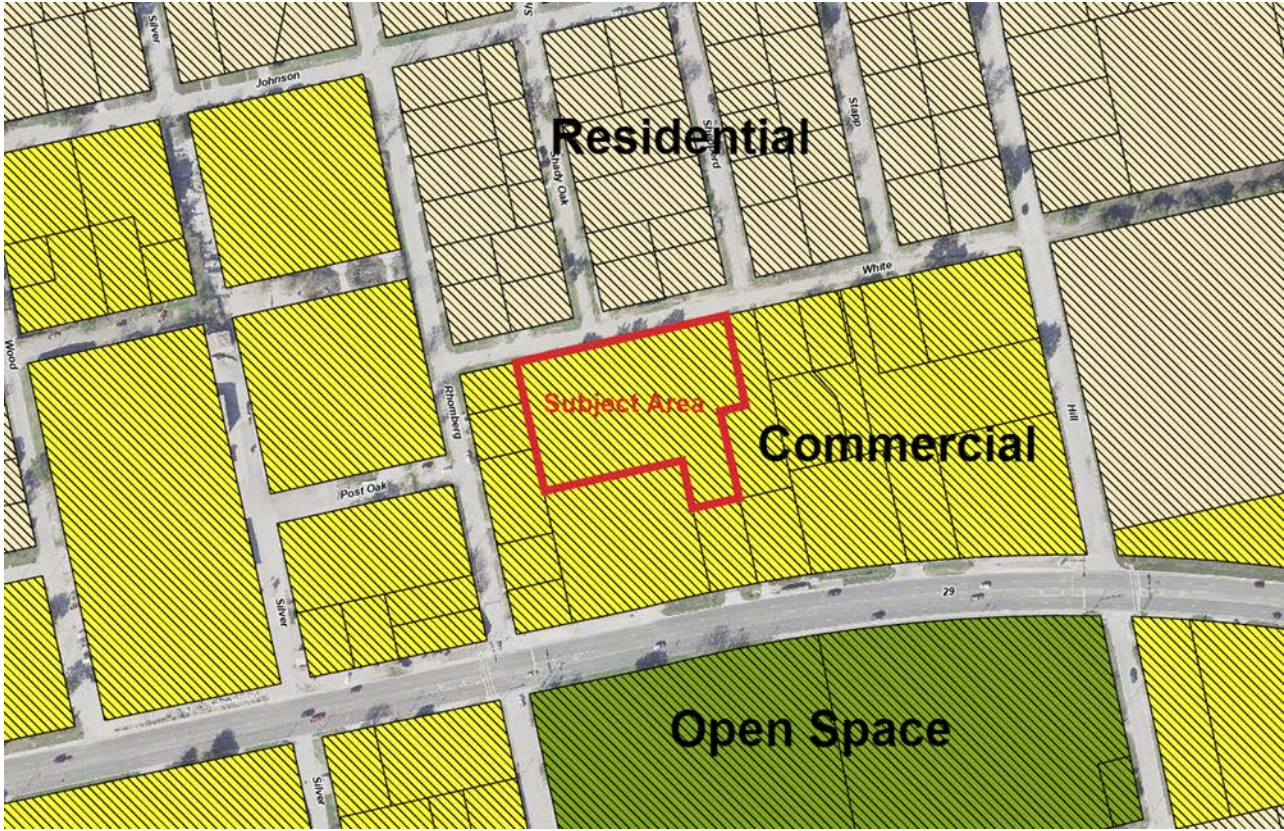
CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

Exhibit A.2 – Subject Area Location





Development Services

ITEM 4.5

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

Agenda Item Brief

Meeting Date: January 12, 2021

Agenda Item: Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING MULTI-FAMILY RESIDENTIAL—DISTRICT "R-3", DESIGNATIONS TO APPROXIMATELY TWO ACRES OF LAND LOCATED IN THE 700 BLOCK OF WHITE ST. (SOUTH SIDE OF STREET) BETWEEN RHOMBERG AND SHEPPERD STREETS., AS SHOWN IN EXHIBIT A;; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: J. Lutz

Background: The property is currently zoned Light commercial—District "C-1" & Single-family residential 1—District "R-1" and consists of multiple lots. The applicant is requesting to rezone a portion of the property in order to construct a multi-family facility, as the owner does not see this portion of the property as a viable commercial area.

The City's Future Land Use Plan for this property is designated as commercial and the requested Future Land Use amendment (prior item on the agenda) must be approved before the zoning change request can be approved.

The applicant has provided a concept plan (see Exhibit A) for the facility, but this plan has not been reviewed or approved by City staff for adherence to zoning code regulations.

Staff Analysis: The property is utilized as a convenience store fronting Hwy 29 with a large vacant portion of the property in the rear with access off White St.

The property would consist of approximately 2 acres of land that would be enough to handle a proposed multi-family project. The project density would be limited to the zoning code regulations and allow a maximum of 40 units (20 per acre).

This density would further be limited by water quality, detention, impervious cover, and parking regulations (2 spaces per unit) found within the City's codes. Currently the applicant is proposing 30 units.

The subject property is bound by C-1 zoning to the south and Single-family residential 1—District "R-1" to the west, north, and east (see Exhibit B).

The existing water, sewer, and electric services in the area adequate to serve the proposed project and the existing street network consists of 25' wide roads on White St. and 30' wide roads on Rhomberg.

At the time this packet was distributed staff has received no comments in opposition to the proposed zoning change.

P&Z

Recommendation: P&Z held a public hearing on January 4, 2021 and recommended approval of the ordinance by a vote of 6-0.

Staff

Recommendation: Staff recommends approval of the first reading of Ordinance 2021-03 as presented.

Exhibit B – Current Zoning Map



ORDINANCE NO. 2021-03

AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING MULTI-FAMILY RESIDENTIAL—DISTRICT "R-3", DESIGNATIONS TO APPROXIMATELY TWO ACRES OF LAND LOCATED IN THE 700 BLOCK OF WHITE ST. (SOUTH SIDE OF STREET) BETWEEN RHOMBERG AND SHEPPERD STREETS., AS SHOWN IN EXHIBIT A;; 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 January 4, 2021, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assign Multi-Family Residential—District "R-3", zoning to property located in the 700 block of White St. (south side of street) between Rhomberg and Shepperd Streets., as shown in Exhibit A; and

WHEREAS, The Planning and Zoning Commission in open deliberation found that applying Multi-Family Residential—District "R-3" 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 a 6-0 vote of members present, recommend approval zoning said property to Multi-Family Residential—District "R-3"; and

WHEREAS, The City Council of the City of Burnet, on January 12, 2021 did conduct its own public hearing for the purpose of taking public comment regarding the proposal to assign Multi-Family Residential—District "R-3" 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 Multi-Family Residential—District "R-3" 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. Multi-Family Residential—District "R-3" Zoning is hereby assigned to property located in the 700 block of White St. (south side of street) between Rhomberg and Shepperd Streets, as shown in Exhibit A.

Section 3. Zoning Map Revision. The City Manager is hereby authorized and directed to revise the Official Zoning Map to reflect the rezoning approved by this Ordinance.

Section 4. Repealer. Other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

Section 5. 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 6. Effective Date. This ordinance is effective upon final passage and approval.

Section 7. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was conducted in compliance with the Texas Open Meeting Act as modified by Executive Orders of the Governor of the State of Texas in response to the COVID-19 pandemic.

PASSED AND APPROVED on First Reading this the 12th day of January 2021.

FINALLY PASSED AND APPROVED on this the 26th day of January 2021.

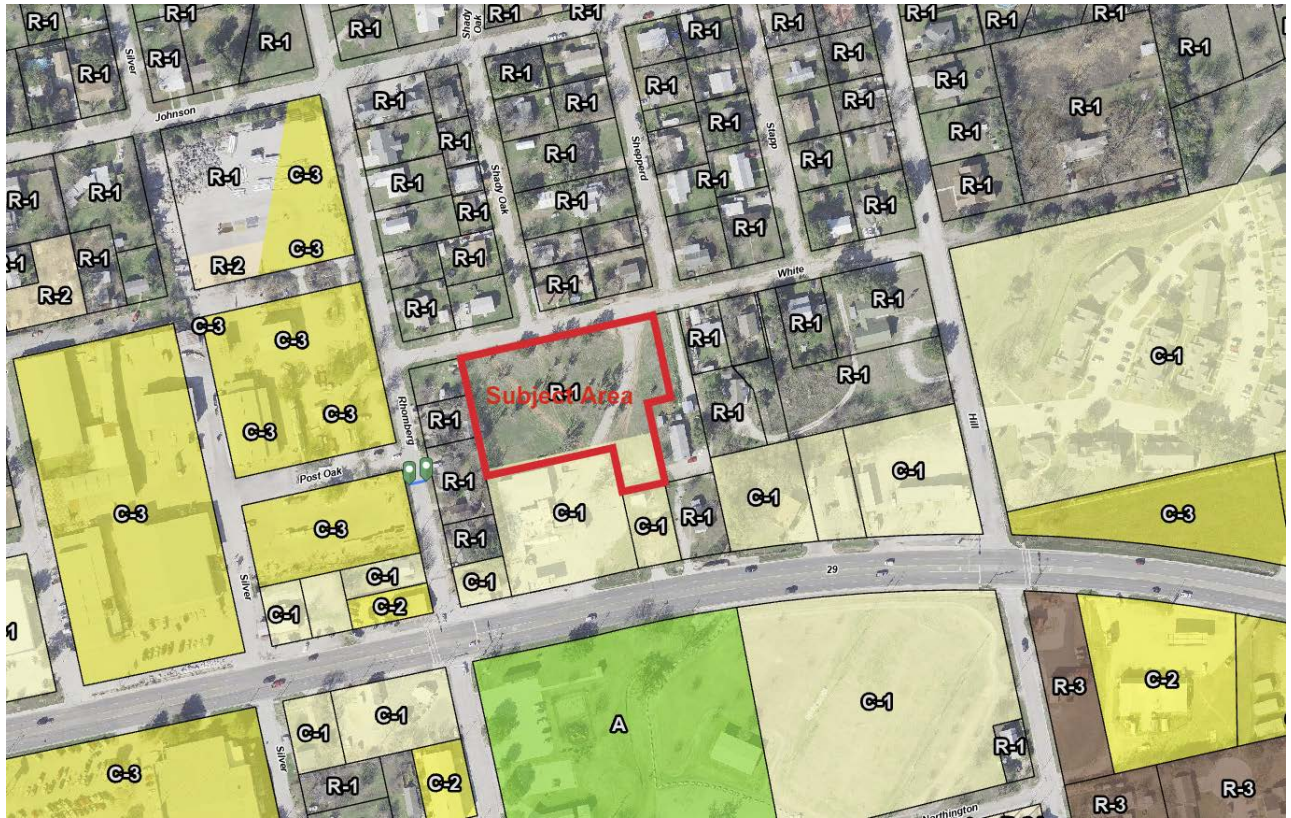
CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

Exhibit A.2 – Current Zoning Map





Development Services

ITEM 4.6

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

Agenda Item Brief

Meeting Date: January 12, 2021

Agenda Item: Discuss and consider Action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO ACCEPT A TEMPORARY EMERGENCY ACCESS EASEMENT TO SERVE DELAWARE SPRINGS, SECTION 19 SUBDIVISION: J. Lutz

Background: Delaware Springs, Section 19, Phase Two is a residential subdivision located at the northern termination of Rachel Loop (See Exhibit A). The subdivision consists of twenty-two lots intended for single-family homes.

Development of the property was limited to 30 homes. Once the developer began construction of the 31st home, the extension of Rachel Loop would need to be platted and constructed for the required secondary fire access.

The developer is looking to proceed with construction of additional homes that would require this extension. However, there are no current plans to move forward with the next phase of development that would be serviced by this extension.

Since there are no plans for the next phase, the applicant would like to improve and dedicate the existing fire access route to the City until such time as a preliminary & final plat for the next phase is submitted and approved by the City.

Staff Analysis: This resolution will accept the existing fire access road, located in an easement, and allow for the construction of additional homes within the existing subdivision.

The easement will be granted to the City for Emergency Access and is considered a temporary easement that may be released pending submittal and approval of the next phase of the development.

The applicant has submitted construction plans, which the City has approved, to improve the existing fire access route and bring it into compliance with the City's adopted Fire Code. This road will be

maintained by the landowner in order to provide the secondary means of access to the subdivision.

Staff

Recommendation: Staff recommends approval of the proposed resolution.

RESOLUTION NO. R2021-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO ACCEPT A TEMPORARY EMERGENCY ACCESS EASEMENT TO SERVE DELAWARE SPRINGS, SECTION 19 SUBDIVISION

Whereas, Series DS-19 OF BJV Fox properties LLC, is the developer of Delaware Springs, Section 19, a single family subdivision (the subdivision); and

Whereas, the subdivision is served by an improved local street designated as “Rachel Loop,”; and

Whereas, the improve segment of Rachel Loop intersects with Delaware Springs Boulevard and terminates at block 2, lot 13 of the subdivision; and

Whereas, the remaining segment of Rachel Loop (from block 2, lot 13 back to Delaware Springs Boulevard) is a gravel road; and

Whereas, the developer intends to relocate the remaining segment of Rachel Loop when platting a future phase of development; and

Whereas, the city’s code of ordinances requires the subdivision to have two points of emergency access; and

Whereas, the developer has requested the city to allow the gravel surfaced segment of Rachel Loop temporarily serve as the second emergency access point until the future phase of development of that section which will front the final segment of Rachel Loop, is platted; and

Whereas, the developer has agreed to maintain gravel surfaced segment of Rachel Loop in the condition necessary to accommodate emergency vehicle traffic until construction on the permanent road segment begins.

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

Section one. Acceptance. That the Temporary Emergency Access Easement described in the Easement Agreement attached hereto is hereby accepted.

Section two. Authorization. That the mayor is hereby authorized to execute the attached agreement; and, execute such other documents and take such other actions reasonably necessary to facilitate the purpose of this Resolution.

Section three. Recordation. That the City Secretary is hereby authorized and directed to have the executed Easement Instrument recorded in the Public Records of the Office of the Burnet County Clerk and the official records of the City.

Section four. Release. Upon the dedication and acceptance, by the City, of permanent secondary access road serving the subdivision established by the Final Plat of Delaware Springs 19 Phase 2, the mayor is authorized to take such action reasonably necessary to release the Temporary Emergency Access Easement without further city council action.

Section five. Findings. The findings of this resolution are deemed to be true, correct, and incorporated herein for all purposes.

Section six. Open Meetings. That 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 AND APPROVED to be effective this the 12th day of January, 2021.

CITY OF BURNET

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

Exhibit A – Emergency Access Easement Documents

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

TEMPORARY EMERGENCY ACCESS EASEMENT AGREEMENT

**THE STATE OF TEXAS §
 § KNOW ALL PEOPLE BY THESE PRESENTS
COUNTY OF BURNET §**

THAT, SERIES DS-19 OF BJV FOX PROPERTIES LLC, a Texas limited liability company, with mailing address %John Grigsby, 836 S. Curry St, #1308 Portland, Or. (“Grantor”) as a condition of approval of the subdivision plat of Final Plat of Delaware Springs 19 Phase 2, approved by the City of Burnet Planning and Zoning Commission on November 21, 2019, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, does hereby grant, sell and convey unto the **City of Burnet**, a Texas home-rule municipality, P.O. Box 1369, 1001 Buchanan Drive, Suite 4, Burnet, Burnet County, Texas, (“Grantee”), an easement and rights-of-way in, on, over, and through the lands located in Burnet County Texas, described and referred to as the “Easement Area” as follows:

BEING A 1.76 ACRE EMERGENCY ACCESS EASEMENT AND BEING A PORTION OF THAT CERTAIN EMERGENCY ACCESS AND FUTURE ROADWAY AS SHOWN ON THE PLAT OF DELAWARE SPRINGS, SECTION 19, PHASE TWO AS RECORDED IN DOCUMENT NO. 201912625 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, A PORTION OF THAT CERTAIN 3.740 ACRE TRACT OF LAND, KNOWN AS TRACT 4, AS CONVEYED TO BJV FOX HOLDINGS, LP IN DOCUMENT NO. 201304346 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS AND A PORTION OF THAT CERTAIN TRACT 19 AS CONVEYED TO SERIES DS-19 OF BJV FOX PROPERTIES LLC IN DOCUMENT NO. 201304345 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, and being more particularly described and/or depicted in Exhibit “A” attached hereto and made a part hereof.

For the purpose of using the Easement Area for any and all things necessary for emergency access for police, fire and emergency medical service vehicles and personnel (hereinafter “emergency access”) over and upon the existing gravel road located within the Easement Area. Grantor expressly includes with this conveyance the promise and covenant to keep the Easement Area clear of obstructions of any kind and to maintain the existing gravel road in a condition reasonably required by the Burnet Fire Chief for emergency access. All

maintenance of the Easement Area, including but not limited to the mowing and tending of vegetation shall remain an obligation of Grantor.

The term of this Easement shall continue until such time as a permanent secondary access road serving the subdivision established by the Final Plat of Delaware Springs 19 Phase 2, approved by the City of Burnet Planning and Zoning Commission on November 21, 2019 is dedicated to the Grantee, at which time Grantee's City Council shall by resolution abandoned Grantee's rights, under this instrument, to the Easement Area.

TO HAVE AND TO HOLD the above describe easement, rights of way and rights unto said Grantee, its successors, and assigns, until the use of the easement is abandoned by resolution of Grantee's City Council. And, Grantor does hereby bind itself, its legal representatives, successors and/or assigns to warrant and defend all and singular the above described easement, rights of way and rights unto Grantee, its successors and assigns, against ever person whomsoever lawfully claiming or to claim the same or any part thereof for the entire term this Temporary Easement is effective.

This Easement Instrument may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

Signature pages to follow.

This instrument is executed as of the dates witnessed below.

GRANTOR:
SERIES DS-19 OF BJV FOX
PROPERTIES LLC

By: _____
John Grigsby, Manager

THE STATE OF TEXAS §
§
COUNTY OF BURNET §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared John Grigsby, of **SERIES DS-19 OF BJV FOX PROPERTIES LLC**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ___ day of _____, 2021.

Seal

Notary Public Signature

Grantee's acceptance signature page and exhibits to follow.

GRANTEE:

AGREED AND ACCEPTED:
CITY OF BURNET, TEXAS,
a Texas home-rule municipality

By: _____
Crista Goble Bromley, Mayor

THE STATE OF TEXAS §
 §
COUNTY OF BURNET §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Crista Goble Bromley, mayor of the City of Burnet, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ___ day of _____, 2021.

Seal

Notary Public Signature

Exhibit A – Legal Description

LEGAL DESCRIPTION:

BEING A 1.745 ACRE EMERGENCY ACCESS EASEMENT AND BEING A PORTION OF THAT CERTAIN EMERGENCY ACCESS AND FUTURE ROADWAY AS SHOWN ON THE PLAT OF DELAWARE SPRINGS, SECTION 19, PHASE TWO AS RECORDED IN DOCUMENT NO. 201912625 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, A PORTION OF THAT CERTAIN 3.740 ACRE TRACT OF LAND, KNOWN AS TRACT 4, AS CONVEYED TO BJV FOX HOLDINGS, LP IN DOCUMENT NO. 201304346 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS AND A PORTION OF THAT CERTAIN TRACT 19 AS CONVEYED TO SERIES DS-19 OF BJV FOX PROPERTIES LLC IN DOCUMENT NO. 201304345 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 1.745 ACRE EASEMENT BEING DESCRIBED AS FOLLOWS.

BEGINNING at a 1/2" iron rod found with Cuplin property cap in the east line of that certain Lot No. 13 as shown on said plat of said Delaware Springs, Section 19, Phase Two and at the northeasterly corner of Rachel Loop, for an angle point of said Lot No. 13, the northwest corner of said existing Emergency Access and Future Roadway, at the P.C. of a curve to the right and the northwest corner hereof;

THENCE over and across said existing Emergency Access and Future Roadway, said Tract 19 and said Tract 4, and with the north line hereof, with (12) courses and distances as follows:

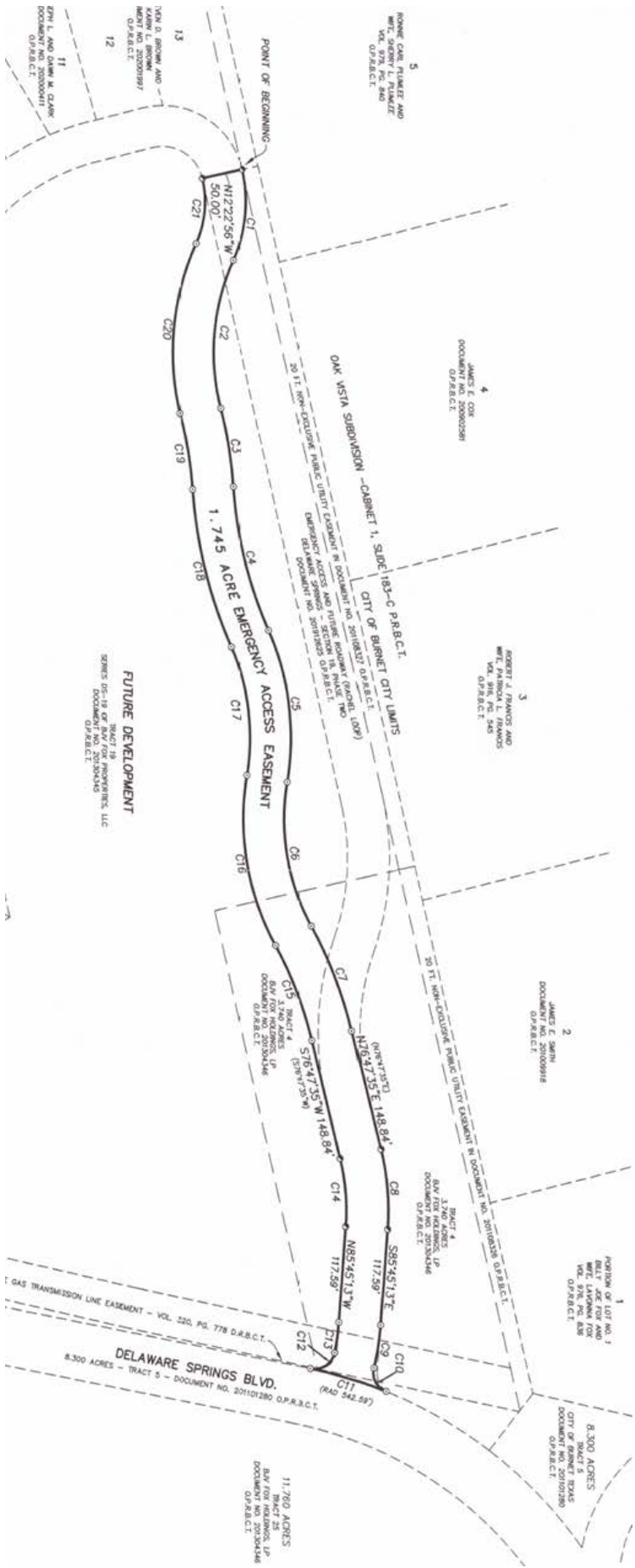
- 1) Along said curve to the right, having a delta angle of 37°13'56"; an arc length of 113.72', a radius of 175.00', a chord bearing of South 84°22'16" East, and a chord length of 111.73' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the left;
- 2) Along said reverse curve to the left, having a delta angle of 38°30'49"; an arc length of 185.52', a radius of 276.00', a chord bearing of South 85°00'43" East, and a chord length of 182.05' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the right;
- 3) Along said reverse curve to the right, having a delta angle of 10°38'34"; an arc length of 97.51', a radius of 524.93', a chord bearing of North 81°03'09" East, and a chord length of 97.37' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the left;
- 4) Along said reverse curve to the left, having a delta angle of 19°55'07"; an arc length of 182.49', a radius of 524.92', a chord bearing of North 76°24'53" East, and a chord length of 181.57' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the right;
- 5) Along said reverse curve to the right, having a delta angle of 33°13'59"; an arc length of 188.51', a radius of 325.00', a chord bearing of North 83°04'18" East, and a chord length of 185.88' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the left;
- 6) Along said reverse curve to the left, having a delta angle of 37°59'13"; an arc length of 182.32', a radius of 275.00', a chord bearing of North 80°41'41" East, and a chord length of 179.00' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the right;
- 7) Along said reverse curve to the right, having a delta angle of 15°05'30"; an arc length of 138.29', a radius of 525.00', a chord bearing of North 69°14'50" East, and a chord length of 137.89' to a 1/2" iron pin set with plastic cap stamped "CUPLIN";
- 8) North 76°47'35" East, a distance of 148.84' to a 1/2" iron pin found with CUPLIN property cap, on the northerly line of said existing Emergency Access and Future Roadway, at the P.C. of a curve to the right;
- 9) Along said curve to the right, along the northerly line of said existing Emergency Access and Future Roadway, having a delta angle of 17°27'12"; an arc length of 99.00', a radius of 325.00', a chord bearing of North 85°31'11" East, and a chord length of 98.62' to a 1/2" iron pin found with CUPLIN property cap;
- 10) South 85°45'13" East, along the northerly line of said existing Emergency Access and Future Roadway, a distance of 117.59' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a curve to the right;
- 11) Along said curve to the right, having a delta angle of 09°22'04"; an arc length of 53.14', a radius of 325.00', a chord bearing of South 81°04'11" East, and a chord length of 53.08' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the left;
- 12) Along said reverse curve to the left, having a delta angle of 81°75'03"; an arc length of 35.45', a radius of 25.00', a chord bearing of North 62°59'19" East, and a chord length of 32.56' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; along the northwesterly right-of-way line in a curve to the left of Delaware Springs Boulevard, and being the most northeasterly corner hereof;

THENCE along the northwesterly right-of-way line of said Delaware Springs Boulevard, and the southeasterly line hereof, along said curve to the left, having a delta angle of 10°08'18"; an arc length of 96.00', a radius of 542.52', a chord bearing of South 171°7'39" West, and a chord length of 95.87' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a curve to the left, and being the most southeasterly corner hereof;

THENCE over and across said existing Emergency Access and Future Roadway, said Tract 19 and said Tract 4, and with the south line hereof, with (12) courses and distances as follows:

- 1) Along said curve to the left, having a delta angle of 90°05'10"; an arc length of 39.31', a radius of 25.00', a chord bearing of North 32°49'05" West, and a chord length of 35.38' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a compound curve to the left;
- 2) Along said compound curve to the left, having a delta angle of 07°53'33"; an arc length of 37.88', a radius of 275.00', a chord bearing of North 81°48'27" West, and a chord length of 37.85' to a 1/2" iron pin set with plastic cap stamped "CUPLIN" along the southerly line of said existing Emergency Access and Future Roadway;
- 3) North 85°45'13" West, along the southerly line of said existing Emergency Access and Future Roadway, a distance of 117.59' to a 1/2" iron pin found with CUPLIN property cap, at the P.C. of a curve to the left;
- 4) Along said curve to the left, along the southerly line of said existing Emergency Access and Future Roadway, having a delta angle of 17°27'12"; an arc length of 83.77', a radius of 275.00', a chord bearing of South 85°31'11" West, and a chord length of 83.45' to a 1/2" iron pin found with CUPLIN property cap;
- 5) South 76°47'35" West, a distance of 148.84' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a curve to the left;
- 6) Along said curve to the left, having a delta angle of 15°05'30"; an arc length of 125.12', a radius of 475.00', a chord bearing of South 69°14'50" West, and a chord length of 124.75' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the right;
- 7) Along said reverse curve to the right, having a delta angle of 37°59'13"; an arc length of 215.47', a radius of 325.00', a chord bearing of South 80°41'41" West, and a chord length of 211.55' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the left;
- 8) Along said reverse curve to the left, having a delta angle of 33°13'59"; an arc length of 159.51', a radius of 275.00', a chord bearing of South 83°04'18" West, and a chord length of 157.28' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the right;
- 9) Along said reverse curve to the right, having a delta angle of 19°55'07"; an arc length of 199.87', a radius of 574.92', a chord bearing of South 76°24'53" West, and a chord length of 198.86' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the left;
- 10) Along said reverse curve to the left, having a delta angle of 10°38'34"; an arc length of 88.22', a radius of 474.93', a chord bearing of South 81°03'09" West, and a chord length of 88.09' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the right;
- 11) Along said reverse curve to the right, having a delta angle of 38°30'49"; an arc length of 219.13', a radius of 326.00', a chord bearing of North 85°00'43" West, and a chord length of 215.03' to a 1/2" iron pin set with plastic cap stamped "CUPLIN"; at the P.C. of a reverse curve to the left;
- 12) Along said reverse curve to the left, having a delta angle of 37°28'27"; an arc length of 81.76', a radius of 125.00', a chord bearing of North 84°29'31" West, and a chord length of 80.31' to a 1/2" iron pin found with CUPLIN property cap, at a southeasterly corner of said Rachel Loop, at the southwesterly corner of said existing Emergency Access and Future Roadway, and being the most southwesterly corner hereof;

THENCE North 12°22'56" West, along the easterly line of said Rachel Loop, the westerly line of said existing Emergency access and Future Roadway, and hereof, a distance of 50.00' to the POINT OF BEGINNING, containing 1.745 acres, more or less.



5
RICHARD G. HARTZ AND
WIFE SIOBEN L. HARTZ
VOL. 974, PG. 540
O.P.R.B.C.T.

4
JAMES E. COX
DOCUMENT NO. 20000258
O.P.R.B.C.T.

3
ROBERT J. HANCOCK AND
WIFE PATRICIA L. HANCOCK
VOL. 916, PG. 545
O.P.R.B.C.T.

2
JAMES E. SMITH
DOCUMENT NO. 20000988
O.P.R.B.C.T.

1
PORTION OF LOT NO. 1
BILLY J. JOE FOR AND
WIFE SIOBEN L. JOE
VOL. 974, PG. 540
O.P.R.B.C.T.

8.300 ACRES
TRACT 2
CITY OF BURNETT TEXAS
DOCUMENT NO. 20101280
O.P.R.B.C.T.

11.780 ACRES
TRACT 25
BLV FOX HOLDINGS, LP
DOCUMENT NO. 20104444
O.P.R.B.C.T.

FUTURE DEVELOPMENT
TRACT 19
SERIES 05-18 OF TRACT 19 PROPERTIES, LLC
DOCUMENT NO. 20128240
O.P.R.B.C.T.

13
TRUDY D. BROWN AND
KIMMY L. BROWN
MONEY NO. 200009917
O.P.R.B.C.T.

12
TRUDY D. BROWN AND
KIMMY L. BROWN
MONEY NO. 200009917
O.P.R.B.C.T.

11
DREW L. AND JENNIFER M. CLARK
DOCUMENT NO. 20000411
O.P.R.B.C.T.

DELAWARE SPRINGS BLVD.
8.300 ACRES - TRACT 2 - DOCUMENT NO. 20101280 O.P.R.B.C.T.

GAS TRANSMISSION LINE EASEMENT - VOL. 220, PG. 778 D.R.B.C.T.

OAK VISTA SUBDIVISION - CABINET 1, SLIDE 183-C P.R.B.C.T.
CITY OF BURNETT CITY LIMITS
20 FT. NON-EXCLUSIVE PUBLIC UTILITY EASEMENT IN DOCUMENT NO. 20100139 O.P.R.B.C.T.
DEPENDENCY EASEMENTS AND FUTURE JOINDER (JOP) DEPENDENCY EASEMENTS ARE REFERRED TO IN THIS DOCUMENT.

TRACT 4
BLV FOX HOLDINGS, LP
DOCUMENT NO. 20104444
O.P.R.B.C.T.

TRACT 4
BLV FOX HOLDINGS, LP
DOCUMENT NO. 20104444
O.P.R.B.C.T.

TRACT 4
BLV FOX HOLDINGS, LP
DOCUMENT NO. 20104444
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TRACT 4
BLV FOX HOLDINGS, LP
DOCUMENT NO. 20104444
O.P.R.B.C.T.

TRACT 4
BLV FOX HOLDINGS, LP
DOCUMENT NO. 20104444
O.P.R.B.C.T.



Police Department

ITEM 4.7

Sid Fuller
Interim Chief of Police
(512) 553-3483
sfuller@cityofburnet.com

Agenda Item Brief

- Meeting Date:** January 12, 2021
- Agenda Item:** Discuss and consider action: Request for the Police Department to pursue and accept a National Rifle Association (NRA) 2020/2021 Grant for department equipment and/or programs: S. Fuller
- Background:** The NRA awards Law Enforcement Agencies grant money for new equipment and or to assist with starting up new programs. The police department began issuing patrol rifles purchased with NRA grant funds five years ago. This grant will move the department closer to the goal of issuing a rifle to every sworn officer.
- Information:** The police department is requesting approval from Council, to allow the police department to apply for and accept the grant if awarded.
- High powered, high-capacity rifles are a critical piece of equipment for all officers to have available. Across the nation, police departments are supplying these weapons to their officers. Patrol rifles have shown to save lives in situations involving heavily armed suspects, active shooters, or situations where an accurate distant shot is required. In this day of active shooters and heavily armed suspects, officers are trained to move in and engage the suspect immediately. They cannot wait for a specially equipped team to respond. To intervene in these situations with only a sidearm puts the officer at a distinct disadvantage.
- A shoulder fired weapon is far more accurate and in today's environment **all law enforcement officers** must be supplied with and trained to use high-powered patrol rifles to simply match the firepower of weaponry used by violent offenders.

Fiscal Impact:

The NRA grant is not a matching grant therefore there will be no impact on the 2020/2021 Budget.

Recommendation:

Staff recommends authorizing the Police Department to move forward with the National Rifle Association grant application process.

THE NRA FOUNDATION

TEACH FREEDOM

(/sp/nraf_state_fund_grants_2021)

Application ▾

[Close \(/sp/workflow/nraf_state_fund_grants_2021?path=23547927\)](/sp/workflow/nraf_state_fund_grants_2021?path=23547927)

Please complete all required fields.

You can save this application as a draft and return later to complete it by clicking "Save Draft" at the bottom of the page.

When you are ready to submit this application, please click the blue "Mark Complete" button at the bottom of the page.

State Fund Grant Application

Project Title

Title this project in 10 words or less

Patrol Rifles for officers

***Note:** The Answer to the Question Below Determines What Questions Will Be Asked Throughout the Remainder of the Application. Changing this Answer will affect the Application Form Below.

A Capital Improvement includes projects that seek to improve a facility, including clubhouse or classroom improvements, commercial grade trap machines, or any other permanent improvement to an organization's property. This does NOT include most JROTC/ROTC air rifle ranges.

Which Best Describes This Grant Request?

Support for Law Enforcement Activities

Applying Organization

Instructions:

- Please first attempt to link your organization to this application. You can use the field below to search for your organization in our system. If you cannot find it, please select **Other** and then complete the required information.

If you cannot find your organization, please select "Other" and enter your details below.

Search for my Organization

Search Organization via name, or TID

Burnet Police Department - 74-6000460

Name

Tax ID

Request Contact Information

First Name

Jason

Last Name

Davis

Email

Correspondence regarding this request will sent to this email account

jdavis@cityofburnet.com

Secondary Email

Correspondence regarding this request will sent to this email account in addition to the one listed above.

sfuller@cityofburnet.com

Phone

(xxx) xxx-xxxx

830-798-4784

Phone Extention

Phone Type

Mobile

Title/Position within Organization

Captain

Grant Proposal Information

Overview of the Program

Please give a brief overview of the program associated with this grant request.

We have been in the process for the last 5 years obtaining patrol rifles for all of our officers. we have been fortunate enough to receive 4 grants from the NRA to keep moving forward with this project.

Detailed Description for this Project

Please provide a detailed description for this project. How this will this serve the general public or benefit the community at large? What are the goals and objectives of the project? How will this further 2nd Amendment rights for Americans?

This project will continue to equip all officers at the police department with department issued rifles. Currently officers who do not have one of the 12 grant funded riffles they are requested to carry their own if they have one. if we are awarded the grant again we will continue to purchase department rifles in the hope to take all personally owned rifles out of rotation as well as to make sure all officers are equipped with one.

Impact of the Program

How will you measure the impact of this project/program? Describe the criteria to be used in determining the success and impact of the project/program. How will this affect the shooting/hunting/2nd Amendment community?

The project can be measured as successful in the event an officers did not have a rifle and was able to be issued one. Being awarded the grant shows the community that we still stand by the 2nd amendment.

Award Recognition

If this request is funded, how will The NRA Foundation and/or its Friends of NRA program by recognized for its contribution?

We will utilize the city Fb page which has over 5,000 likes. We will also do a press release of the the award.

Project Cost

What is the total estimated cost of the project?

\$10,000

Project Completion Date

Estimated date in which the project will be completed.

06/01/2021

Revenue Sources

Aside from NRA Foundation grants, how will this project be funded? Describe other sources of revenue such as grants from other organizations, fundraisers, member dues, sponsorships, participation fees, in-kind donations, Pittman-Robertson Funds, etc.

Right now we do not have any other funding sources for this project.

Partial Funding

If this grant request is not fully awarded, how will this affect the outcome of the program/project? Will the event/project be able to proceed at all? Would this impact participation fees? How does the organization plan to fill any budgetary shortfalls?

If the grant is not fully funded we will still continue with the project and will continue to deploy what rifles we are able to obtain.

Participants and Users

Number of Participants

How many people do you expect to participate in the program/event? Numbers only please.

9

Target Audience

Who is the target audience? Will non-club/organization members be allowed to participate? How will this program be marketed or advertised to potential users?

This will be limited to the police department as we will not have a target audience.

Which Groups Would be Affected by this Grant?

Mark all that apply

Law Enforcement Officers

Primary County Served

This project/program will affect users primarily from this county. You may select "State Wide" for projects such as State Competitions, State YES, State YHEC, etc.

Burnet, TX

If the project/program significantly or equally benefits people from other counties you may add up to 4 additional counties served.

Secondary County Served

Third County Served

Fourth County Served

Fifth County Served

Funding Request

EACH GRANT APPLICATION MUST HAVE A UNIQUE FUNDING REQUEST ID FOR THIS GRANT YEAR. If multiple applications are being submitted requesting the same items, a new funding request must be created for each application. Requests cannot be duplicated, merged or manipulated once the Funding Request ID is generated. Make sure to enter the correct ID for this grant application.

Click HERE

**(<https://fundingrequest.nrafoundation.org/#/index>)
to Access the Funding Request Development
Tool**


Fund Request ID

LS3DVV

Notes Regarding Request Priority

In addition to setting the priority of items in your funding request, provide any notes regarding the needs of for this project. Example: would prefer 70/30 split of 12GA vs 20GA shells.

Rifles are the most important and then everything else can come later or 2nd.


(<http://www.wizohive.com/>)



Administration

ITEM 4.8

Kelly Dix
City Secretary
512.715.3209
kdix@cityofburnet.com

Agenda Item Brief

- Meeting Date:** January 12, 2021
- Agenda Item:** Discuss and consider action: Appointment of the Burnet Planning and Zoning Commission members to director positions one (1) through five (7): K. Dix
- Background:** Currently the following members of the Burnet Planning and Zoning Commission, Tommy Gaut, Herve Derek Fortin and Cesar E. Arreaza have all completed their term on the board and are eligible for re-appointment. Mr. Gaut and Mr. Fortin have expressed their desire to serve another term and have requested re-appointment. Mr. Arreaza has agreed to remain on the Planning and Zoning Commission to term end in June 2021 (upon approval of the requested term end date by Council). Re-appointment of Mr. Gaut and Mr. Fortin to the Burnet Planning and Zoning Commission will be a two year term that will end in 2023.
- Additionally, staff would like to align the term end dates and assigned positions of the Burnet Planning and Zoning Commission with other Boards and Commissions of the City to provide continuity.
- Information:** Staff is requesting the following:
1. Approval to appoint positions one through 7 and establish the term end date for the month of June with staggered years.
 2. Re-appoint Board Members Ricky Langley, Calib Williams and Jena Wind to a term end date of June 2022. (pending approval of the June uniform term end date by Council)
 3. Re-appointment of the current Planning and Zoning Commission members Tommy Gaut, Herve Derek Fortin to the Burnet Planning and Zoning Commission for a two year term that will expire in June 2023 (pending approval of the June uniform term end date by Council).

4. Extension of Cesar E. Arreaza's term to June 2021 (pending approval of the June uniform term end date by Council)

Currently there is one position vacant (vacated by Craig Lindholm) that would also have a term end date of June 2023 as presented in Attachment "A".

Fiscal Impact: No fiscal impact

Recommendation: Staff recommends re-appointment of the Burnet Planning and Zoning Commission as presented

Attachment (A)

PLANNING AND ZONING COMMISSION

(As of: January 2021)

<u>NAME</u>	<u>ADDRESS</u>	<u>EMAIL</u>	<u>PHONE</u>	<u>APPOINTED</u>	<u>EXPIRES</u>
1. Tommy J. Gaut (Chair)	113 Canyon View	tjgaut@swbell.net	(713)-542-6087	January 2021	June 2023
2. Ricky Langley (Vice Chair)	840 Oak Vista	ricky@lanleyhomesinc.com	(512)-734-3171 (H) (512)-734-3170 (W)	February 2020	June 2022
3. Herve Derek Fortin (Secretary)	115 Fox Circle P.O. Box 885	hderek.Fortin@gmail.com	(512)-588-9180 (H)	January 2021	June 2023
4. Calib Williams (Member)	245 Sunday Drive	calib@traxion82.com	(432)-296-2204 (H) (432)-687-9165	February 2020	June 2022
5. Cesar E. Arreaza (Member)	116 Big Sky	carreaza56@gmail.com	(713)-826-9065	January 2019	June 2021
6. Jena Wind (Member)	305 E. Live Oak St.	jena.wind@gmail.com	(512)573-1580 (W)	January 2020	June 2022
7. Vacant (Lindholm)				January 2019	June 2023



Human Resources Department

ITEM 4.9

Kelli Sames
Director of Human Resources
(512)-715-3213
ksames@cityofburnet.com

Agenda Item Brief

- Meeting Date:** January 12, 2021
- Agenda Item:** Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING PART 9 HOLIDAYS, OF THE PERSONNEL POLICY MANUAL BY UPDATING AND CLARIFYING POLICY REQUIREMENTS: K. Sames
- Background:** The City of Burnet currently has in effect an Employee Personnel Policy Manual that was adopted by City Council on December 8, 2009 with an effective date of December 8, 2009. Since the original adoption, recommended revisions to the Personnel Policy have occurred from time to time.
- Information:** Personnel Policy Part 9, Holidays has been updated and now includes a section regarding holiday leave for School Resource Officers and other religious holidays. A section has also been added regarding exempt employees required to work a holiday. The number of holidays and holiday leave granted for full time employees has not changed.
- Both the current and proposed policy are attached as Exhibit A.
- Fiscal Impact:** N/A
- Recommendation:** City staff recommends approval of Resolution No. 2021-01 as presented, updating Personnel Policy Part 9 Holidays.

RESOLUTION NO. 2021-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING PART 9 HOLIDAYS, OF THE PERSONNEL POLICY MANUAL BY UPDATING AND CLARIFYING POLICY REQUIREMENTS.

Whereas, the City Council believes its personnel policies should reflect the needs of the City and meet all applicable state and federal labor laws; and

Whereas, it is necessary to update, revise, and clarify language in the City of Burnet Personnel Policies consistent with laws, regulations, and industry standard practices; and

Whereas, the City of Burnet has previously adopted Ordinance No. 2009-31, Personnel Policy Manual on December 8, 2009; and

Whereas, the Personnel Policy Manual was last revised on December 8, 2020; and

Whereas, the City Council believes it is in the best interest of the City and its employees to make additional amendments to said Personnel Policy Manual; and

Whereas, the City Council has reviewed the proposed amendments to the Personnel Policy Manual and has determined the need to update and clarify those sections.

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

Section 1. The City Council hereby accepts and adopts the amendment to the Personnel Policy to include Part 9 Holidays as attached hereto as Exhibit "A" with an effective date of January 12, 2021.

Section 2. The findings and recitations set out herein above are 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 3. If any provision of this resolution or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

Section 4. That 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, Loc. Gov't. Code.

PASSED AND APPROVED on this 12th day of January 2021.

CITY OF BURNET, TEXAS

ATTEST:

Crista Goble Bromley, Mayor

Kelly Dix, City Secretary

Exhibit A

Proposed Policy

PART 9.00

HOLIDAYS (Revised 1-12-2021 Resolution 2021-**)

9.01 GENERAL

The following are official holidays for regular full-time employees:

New Year's Day
Martin Luther King Day
President's Day
Good Friday
Memorial Day
Independence Day
Labor Day
911 Remembrance Day September 11th (emergency personnel only)
Columbus Day October (non-emergency personnel only)
Veterans Day
Thanksgiving Day
Friday after Thanksgiving
Christmas Eve
Christmas

Holidays. All regular full-time employees will receive holiday benefits in accordance with this policy. With the exception of emergency personnel, the first day of employment shall not fall on a holiday. Part-time, temporary and seasonal employees are not entitled to holiday leave or pay.

Holiday leave shall be taken on official paid holidays except as provided for herein. For continuity in operations, the department head and/or City Manager may require the holiday be observed for certain employees on a day other than the normal paid holiday.

The City Manager may alter the holiday schedule when it is in the best interest of the public.

Holiday leave for non-emergency and emergency employees scheduled to work 8/10-hours shifts (i.e., traditional work week).

Calculation of Holiday Hours. Depending on the employee's schedule a holiday shall be defined as a period of eight (8) hours or (10) hours.

Emergency support personnel who do not work shifts but have a regular work schedule during normal business hours (Monday – Friday 8 AM – 5 PM) will be required to take leave on the official paid holiday for their respective department, unless otherwise directed by the department head or City Manager.

Holiday leave for emergency employees (police and fire) scheduled to work 12/24-hour shifts.

Calculation of Holiday Hours. Emergency personnel who work shifts (such as a twelve (12) or twenty-four (24) hour shift) will be paid twelve hours of holiday leave for each holiday.

Holiday leave for School Resource Officers (SROs)

Calculation of Holiday Hours. In order to effectively coordinate time off in accordance with the Burnet Consolidated Independent School District (BCISD) school calendar, SRO's will receive 104 hours of holiday earned leave on August 15th of each year (8 hours x 13 holidays = 104). SRO's will have until August 15th of the following year in which to use the accrued "holiday earned" leave time. If the SRO has not used their earned holiday within the year, it will be forfeited. Upon resignation or transfer to another non-SRO position, holiday earned leave will not be paid. New SROs hired/transferred after August 15th shall receive holiday earned leave at a prorated amount equivalent to the number of holidays remaining through August 15th of the following year.

Exempt Employees Required to Work on a Holiday. Employees that are exempt under FLSA and who are required to work on a holiday may utilize their holiday leave on an alternate day, within the pay period or the following pay period. Holiday leave not taken will be forfeited.

Non-Exempt Employees Required to Work on a Holiday.

- Regular non-emergency employees that are non-exempt under FLSA and who are required to work or who are called in to work on an emergency basis on a holiday will be paid for all hours worked on the holiday. They may utilize their holiday leave on an alternate day, within the pay period, as approved by the department head. If an alternate day off is not possible or practical as determined by the department head, then the employee will be paid holiday pay. Holiday pay will not be included in the employee's overtime calculation and will be paid at straight time.
- All employees scheduled to work on a holiday must report to duty as scheduled unless specifically authorized by the department head. An employee scheduled to work on a holiday and who calls in sick due to illness may be required to provide a doctor's note immediately upon returning to work. If the employee is unable to provide a doctor's note, the employee may be subject to disciplinary action and may not be paid for the holiday.

Ineligibility for Holiday Pay. Employees on unpaid leave are not eligible for holiday pay. Likewise, non-exempt employees who are absent without authorized leave on the workday immediately preceding or following a scheduled holiday will not be paid for the holiday.

Other Religious Holidays. Employees may request an approved absence to celebrate a holiday, that is not a scheduled City holiday, but any such request is subject to the approval of the supervisor after consulting with the Human Resources Department. If approved, the employee must charge the time to their vacation leave, compensatory time, or an excused absence without pay.

9.02 HOLIDAYS FALLING ON SAT/SUN

For employees, other than shift working emergency personnel, the observed holiday will be the paid holiday. If a legal holiday listed above falls on a Saturday, the Friday before will be the paid holiday. If the holiday falls on a Sunday, the following Monday will be the paid holiday. If Christmas Eve falls on a Sunday, then Monday will be the paid holiday for Christmas Eve and Tuesday will be the paid holiday for Christmas day.

9.03 HOLIDAY DURING VACATION

A holiday that falls within an employee's approved vacation day will be counted as a holiday in lieu of a day of vacation.

PART 9.00

HOLIDAYS

9.01 GENERAL

The following are official holidays for regular full-time employees:

New Year's Day*	January 1st
Martin Luther King Day*	Third Monday in January
President's Day*	Third Monday in February
Good Friday	Friday before Easter
Memorial Day*	Last Monday in May
Independence Day*	July 4th
Labor Day*	1st Monday in September
9/11	September 11th (emergency personnel only)
Columbus Day*	2nd Monday in October (non-emergency personnel only)
Veterans Day*	November 11th
Thanksgiving Day*	4th Thurs in November
Friday after Thanksgiving	4th Friday in November
Christmas Eve	December 24th
Christmas*	December 25th

*Denotes federal holiday

The City Manager may designate other holidays he or she deems appropriate. All regular full-time employees will receive holiday benefits in accordance with this policy unless the holiday falls on their first day of employment with the City of Burnet. Part-time employees are not entitled to holiday leave or pay.

If an employee's regular work schedule falls on a holiday, that employee may, with the approval of his/her supervisor, trade working schedules with a co-worker providing the trade does not result in additional overtime for either employee.

All regular full-time employees shall be entitled to receive holiday leave equal to the number of hours regularly scheduled to work, per shift, except as provided for herein. Holiday leave shall be taken on official paid holidays except as provided for herein. For continuity in operations, the department head and/or City Manager may require the holiday be observed for certain employees on a day other than the normal paid holiday for non-emergency shift employees.

Regular non-emergency employees that are exempt under FLSA and who are required to work on a holiday may utilize their holiday leave on an alternate day, as approved by the department head and/or their supervisor.

Regular non-emergency employees that are non-exempt under FLSA and who are required to work on a holiday may utilize their holiday leave on an alternate day, as approved by the department head. If an alternate day off is not possible or practical as determined by the department head, then the employee may be paid holiday pay in accordance with this policy, at the sole discretion of the department head and the City Manager. If the employee is on overtime status at the time of the holiday, and is required to work the holiday, the employee shall receive their holiday pay at straight time plus the overtime rate of 1.5 for a total of 2.5 times their regular hourly rate of pay. Holiday pay will not be included in the employee's overtime calculation.

Emergency personnel who are regular full-time employees and work shifts (such as a twelve- or twenty-four-hour shift) will be granted twelve hours of holiday leave for each holiday. However, an emergency employee may elect to receive twelve hours of pay at straight time in lieu of holiday leave.

Emergency personnel, and emergency support personnel, who are regular full-time employees and do not work shifts but have a regular work schedule during normal business hours of the City will be required to take leave on the official paid holiday for their respective department, unless otherwise directed by the department head or City Manager.

All employees scheduled to work on a holiday must report to duty as scheduled unless specifically authorized by the department head in accordance with this policy. An employee scheduled to work on a holiday “calling in sick” may be required to provide a doctor’s note immediately upon returning to work at the sole discretion of the department head. If the employee is unable to provide a doctor’s note upon request, the employee shall be subject to disciplinary action.

Holiday leave is not compensatory. Each fiscal year end, any holiday leave balance in excess of 48 hours, is dropped from the records without compensation to the employee.

9.02 HOLIDAYS FALLING ON SAT/SUN

For employees, other than emergency personnel, the observed holiday will be the paid holiday. If a legal holiday listed above falls on a Saturday, the Friday before will be the paid holiday. If the Holiday falls on a Sunday, the following Monday will be the holiday. For emergency personnel, the actual holiday will be the paid holiday. If Christmas Eve falls on a Sunday, then Monday will be the paid holiday for Christmas Eve and Tuesday will be the paid holiday for Christmas day.

9.03 HOLIDAY DURING VACATION

If an official holiday falls within a regular employee’s vacation, the employee will be granted the holiday and not charged for a day of vacation.



Administration

ITEM 4.10

David Vaughn
City Manager
512.715.3208
dvaughn@cityofburnet.com

Agenda Item Brief

- Meeting Date:** January 12, 2021
- Agenda Item:** Discuss and consider action: Improvements to Delaware Springs Golf Course: D. Vaughn
- Background:** There are a number of significant repairs and improvements that need to be made to the clubhouse. Staff is in the process of evaluating a new point of sale system (POS), which is desperately needed to replace the aging system currently being used. As a result, we will have to purchase new touchscreen computers and iPads. While there are a number of benefits of a new POS system, perhaps the greatest advantage is that we will be able to provide our own online booking system and will no longer need Golf Now for that service.
- Additionally, the flooring is in very bad shape and is in desperate need of being replaced and the building is leaking in several areas.
- Information:** At the time of the agenda posting, staff is still waiting on several estimates to determine the anticipated cost of repairs/improvements.
- Fiscal Impact:** To be determined.
- Recommendation:** Staff requests authorization to proceed with the repairs/improvements.



Administration

ITEM 4.11

David Vaughn
City Manager
512.715.3208
dvaughn@cityofburnet.com

Agenda Item Brief

- Meeting Date:** January 12, 2021
- Agenda Item:** Discuss and consider action: Authorizing the Burnet Economic Development Corporation to borrow funds for the 13 acre commercial park project located at US Hwy 281 and Houston Clinton Drive: D. Vaughn
- Background:**
- Information:** The EDC is considering the possibility of borrowing approximately \$1.1-\$1.4 million to complete the improvements to the 13 acre commercial park located at Houston Clinton and Hwy 281 South. The City's depository, FSB of Burnet has indicated they would be willing to loan funds at 2% interest on a 10 year amortization, with the interest rate locked in for the first 5 years. However, they are requesting the City agree to back the debt to ensure repayment in the unlikely event the EDC were to default.
- Fiscal Impact:** The loan would cost the EDC approximately \$12,000 annually per \$100,000 in debt. There would be no expense to the City unless the EDC were to default.
- Recommendation:** Staff is seeking Council's guidance on this matter.



Administration

ITEM 4.12

Habib Erkan Jr.
Assistant City Manager
512-715-3201
herkan@cityofburnet.com

Agenda Item Brief

- Meeting Date:** January 12, 2021
- Agenda Item:** Discuss and consider action: Direction to staff, on the subject of reimbursement of costs to property owners for damages caused by sanitary sewage backups originating in city sanitary sewer mains: H. Erkan
- Background:** A recent sanitary sewer line backup caused sewage to spill into a home, which caused significant monetary damages to the home. Unfortunately, the homeowner's insurance policy excluded coverage for the claim against the policy. In investigating the claim made against the city, staff discovered that many insurance policies have excluded coverage without a specific rider being added to the policy. Even if a homeowner elects to add such coverage, many times the limits of coverage are relatively small and not enough to cover actual damages. Given that the City has governmental immunity, this leaves the homeowner in a very difficult situation.
- Information:** The legislature adopted Texas Local Government Code Section 552.912 allowing cities to voluntarily pay actual property damages caused by sanitary sewer system backups regardless of whether the city is immune from such liability. While sewer backups rarely result in damage to a home, Council may want to consider adopting a policy to help homeowners that are in such a precarious situation rather than dealing with claims on a case-by-case basis.
- Fiscal Impact** The financial impact would ultimately depend on the number of backups and the limits established in the policy adopted by Council. It is recommended the policy include a provision, excluding from reimbursement eligibility, applicants who caused the sanitary sewer backup in whole or part.

Recommendation:

Should City Council determine it to be in the public interest to reimburse property owners for damage caused by sanitary sewer backups, it is recommended staff be directed to develop a policy for City Council's future consideration. Recommended motion "Move to direct the City Manager to develop a sanitary sewer backup reimbursement policy for City Council's future consideration."



Administration

ITEM 4.13

Kelly Dix
City Secretary
(512)-756-6093 ext. 209
kdix@cityofburnet.com

Agenda Item Brief

Meeting Date: January 12, 2021

Agenda Item: Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 1, 2021, TO ELECT A MAYOR AND THREE CITY COUNCIL MEMBERS; ESTABLISHING THE ELECTION PROCEDURE; AND PROVIDING FOR RELATED MATTERS: K. Dix

UNA RESOLUCIÓN DE LA CIUDAD DE BURNET, TEXAS, ORDENANDO UNA ELECCIÓN GENERAL A LLEVARSE A CABO EL 7 DE MAYO DE 2017, PARA ELEGIR EL ALCALDE Y TRES MIEMBROS DEL CONSEJO (CONCEJALES); ESTABLECIENDO LOS PROCEDIMIENTOS PARA LA ELECCIÓN; Y PROVEYENDO OTROS ASUNTOS RELACIONADOS.

Background: Mayor Crista Goble Bromley and Council Member Cindia Talamantez have completed their second term and are eligible for re-election. Council Member Paul Farmer and Tres Clinton have completed their third terms and are not eligible for re-election to a council member seat.

Information: A General Election will be held on May 1, 2021, to fill the vacancies. This election will be held in compliance with the laws established by the Texas Election Code and the State of Texas.

Fiscal Impact: The total estimated election expense is expected not to exceed \$2,000.

Recommendation: Staff recommends approval of Resolution No. R2021-02 ordering a General Election to be held on May 1, 2021, to elect three Council Members and one Mayor for the City of Burnet.

RESOLUTION R2021-03

A RESOLUTION OF THE CITY OF BURNET, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 1, 2021, TO ELECT A MAYOR AND THREE CITY COUNCIL MEMBERS; ESTABLISHING THE ELECTION PROCEDURE; AND PROVIDING FOR RELATED MATTERS.

UNA RESOLUCIÓN DE LA CIUDAD DE BURNET, TEXAS, ORDENANDO UNA ELECCIÓN GENERAL A LLEVARSE A CABO EL 1 DE MAYO DE 2021, PARA ELEGIR EL ALCALDE Y TRES MIEMBROS DEL CONSEJO (CONCEJALES); ESTABLECIENDO LOS PROCEDIMIENTOS PARA LA ELECCIÓN; Y PROVEYENDO OTROS ASUNTOS RELACIONADOS.

WHEREAS, on May 1, 2021 there shall be elected the following officials for this City: a Mayor and three City Council members;

POR CUANTO, *el 1 de mayo de 2021 se elegirán los siguientes oficiales para esta Ciudad: Alcalde y tres Miembros del Consejo (Concejales) de la Ciudad.*

WHEREAS, the Texas Election Code is applicable to said election and this resolution establishes procedures consistent with the Code, and designates the voting place for the election; and

POR CUANTO, *el Código Electoral de Texas aplica para dicha elección, y esta resolución establece los procedimientos conformes con el Código, y designa el lugar de votación para la elección; y*

WHEREAS, the City of Burnet, Texas (hereinafter the "City") has made provision to contract with Burnet County to conduct the City's general election, pursuant to *Chapter 31, Tex. Elec. Code, and Chapter 791, Tex. Gov't Code* (the "Election Agreement" or "contract"), jointly with Burnet Independent School District and any other political subdivisions that hold elections on the same day in all or part of the same territory of the City, as authorized in *Chapter 271, Tex. Elec. Code*;

POR CUANTO, *la Ciudad de Burnet, Texas (más adelante identificado como la "Ciudad"), ha provisto contratar con el Condado de Burnet para conducir la elección general, según el Capítulo 31, Código Electoral de Texas, y el Capítulo 791, Código Gubernamental de Texas (el "Contrato de Elección" o "contrato"), conjuntamente con el Distrito Escolar Independiente de Burnet y cualquier otras subdivisiones políticas que celebran elecciones el mismo día en todo o en parte del mismo territorio de la Ciudad, según lo autoriza el Capítulo 271, Código Electoral de Texas;*

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

AHORA, POR LO TANTO, QUEDE RESUELTO Y ORDENADO POR EL CONSEJO DE LA CIUDAD DE BURNET, TEXAS:

SECTION 1. General Election. The General Election of the City shall be held on Saturday, May 1, 2021, to elect a Mayor and three City Council Members, to serve a term of two (2) years

each. Candidates at the election for the above offices shall file their application to become candidates with the City Secretary of the City of Burnet, at City Hall, 1001 W. Buchanan, Ste. 4, Burnet, Texas 78611, between 8:00 a.m. on January 13, 2021 and 5:00 p.m. on February 12, 2021. All applications for candidacy shall be on a form as prescribed by the *Tex. Elec. Code*. The order in which the names of the candidates for each office are to be printed on the ballot shall be determined by a drawing conducted by the City Secretary.

SECCIÓN 1. Elección General. *La Elección General de la Ciudad se llevará a cabo el sábado, 1 de mayo de 2021, para elegir el Alcalde y tres Miembros del Consejo (Concejales) de la Ciudad, para servir un término de dos (2) años cada uno. Los candidatos en la elección para los puestos antes mencionados deberán someter su solicitud para candidatos a la Secretaria de la Ciudad, en la Casa Municipal (Alcaldía), 1001 W. Buchanan, Salón (Suite) 4, Burnet, Texas 78611, entre las 8:00 a.m. el 13 de enero de 2021 y las 5:00 p.m. el 12 de febrero de 2021. Todas las solicitudes para candidatura deberán estar en una forma prescrita por el Código Electoral de Texas. El orden en el cual los nombres de los candidatos para cada puesto será impreso en la boleta se determinará por un sorteo a conducirse por la Secretaria de la Ciudad.*

SECTION 2. Notice of the election shall be given and the election shall be held in compliance with the provisions of the *Tex. Elec. Code* in all respects. The ballots for the election shall comply with the *Tex. Elec. Code* and be in the form provided by the City to the Burnet County Clerk for use on the voting devices and ballots used by Burnet County.

SECCIÓN 2. *El aviso de la elección será dado y la elección será celebrada conforme a las provisiones del Código Electoral de Texas en todos los aspectos. Las boletas para la elección serán conformes al Código Electoral de Texas y deberán ser en la forma provista por la Ciudad al Secretario del Condado de Burnet para ser usadas en los equipos de votación y las boletas usadas por el Condado de Burnet.*

SECTION 3. The Burnet County Clerk and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in the manner provided by contract with the City and the law governing the holding of general elections by home rule cities of the State of Texas; and the official ballots, together with such other election materials as are required by the *Tex. Elec. Code*, shall be prepared in both the English and Spanish languages and shall contain such provisions, markings and language as is required by law.

SECCIÓN 3. *El Secretario del Condado de Burnet y sus empleados y nombrados asistentes, y los jueces electorales, jueces alternos, y escribientes debidamente nombrados para la elección, celebrarán y conducirán la elección de la manera provista por el contrato con la Ciudad y por la ley que gobierna el conducir elecciones por ciudades autónomas del Estado de Texas; y las boletas oficiales, junto con todos materiales electorales requeridos por el Código Electoral de Texas, serán preparados en ambos inglés y español y deberán tener tales provisiones, marcas, y lenguaje según lo requiere la ley.*

SECTION 4. Early voting, both by personal appearance and by mail, will be conducted by the Burnet County Elections Administrator, who is designated and appointed as the Early Voting Clerk, in accordance with the *Texas Election Code*. Early voting by personal appearance shall be conducted at the times, places, and locations authorized by state law and

the Burnet County Election Administrator. Early voting shall commence on Monday, April 19, 2021, and continue through Tuesday, April 27, 2021. Early voting shall also be held at any time and location authorized by the Burnet County Clerk.

SECCIÓN 4. *La votación adelantada/temprana, en persona y por correo, se conducirá por el Secretario del Condado de Burnet, quien es designado y nombrado como el Escribiente de la Votación Adelantada/temprana, de acuerdo con el Código Electoral de Texas. La votación adelantada/temprana en persona se conducirá durante las horas, los lugares, y locales autorizados por la ley estatal y por el Secretario del Condado de Burnet. La votación adelantada/temprana comenzará el lunes, 19 de abril de 2021, y continuará hasta el martes, 27 de abril de 2021.*

SECTION 5. The election precincts for the election shall be the election precincts established by Burnet County, provided that each shall contain and include geographic area that is within the City. The polling place for each such election precinct shall be the polling place established by Burnet County for such election precincts in Burnet County and voting by residents of the City. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m. The returns for precincts in Burnet County will be provided by precinct and the Burnet County Clerk shall tabulate and provide the election returns for the election.

SECCIÓN 5. *Los recintos electorales para la elección serán los recintos electorales establecidos por el Condado de Burnet, proveyendo de que cada uno tenga e incluya el area geográfica que está dentro de la ciudad. El lugar de votación para dicho recinto electoral será el lugar de votación establecido por el Condado de Burnet para dichos recintos electorales en el Condado de Burnet y para votar por residentes de la Ciudad. Los lugares de votación se mantendrán abiertos el día de la elección desde las 7:00 a.m. hasta las 7:00 p.m. Los resultados por recintos en el Condado de Burnet serán provistos por recinto, y el Secretario del Condado de Burnet deberá tabular y proveer los resultados electorales para la elección.*

SECTION 6. The City Secretary, or designee, is instructed to aide the Burnet County Elections Administrator in the acquisition and furnishing of all election supplies and materials necessary to conduct the election as provided by the Election Agreement. The City Secretary is further authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Tex. Elec. Code* and *City Charter*, provided that, pursuant to the Election Agreement between Burnet County and the City, the Burnet County Clerk shall have the duty and be responsible for organizing and conducting the election in compliance with the *Tex. Elec. Code*; and for providing all services specified to be provided in the Election Agreement. The Burnet County Clerk shall give the notices required by the *Tex. Elec. Code* to be given for the election not required to be given by the City under the Election Agreement.

SECCIÓN 6. *La Secretaria de la Ciudad, o su designado, queda por este medio instruída a proveer ayuda al Secretario del Condado de Burnet en la adquisición y provisión de todos los materiales y provisiones necesarios para conducir la elección, según lo provee el Contrato de Elección. La Secretaria de la Ciudad está además autorizada a dar o a causar que se den los avisos requeridos para la elección, y a tomar cualquier otra acción adicional según se requiera para conducir la elección conforme con el Código Electoral de Texas y la Carta Constitucional, proveyendo que, de acuerdo con el Contrato de Elección entre el*

Condado de Burnet y la Ciudad, el Secretario del Condado de Burnet tendrá la obligación y será responsable de organizar y conducir la elección cumpliendo con el Código Electoral de Texas; y de proveer todos los servicios especificados a ser provistos en el Contrato de Elección. El Secretario del Condado de Burnet dará los avisos requeridos por el Código Electoral de Texas a ser dados para la elección que no seab requeridos a darse por la Ciudad bajo el Contrato de Elección.

SECTION 7. The presiding judges, alternate presiding judges and clerks for the election shall be selected and appointed by Burnet County and its appointees in compliance with the requirements of state law, and such judges and clerks so selected by Burnet County and its appointees are hereby designated and appointed by the city council as the election officers, judges and clerks, respectively, for the holding of said general election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law. The city council will further confirm and appoint the election judges and alternate election judges that are appointed by Burnet County for the election.

SECCIÓN 7. *Los jueces presidentes, jueces presidentes alternos, y escribientes para la elección serán seleccionados y nombrados por el Condado de Burnet y sus funcionarios de acuerdo con los requisitos de la ley estatal, y dichos jueces y escribientes seleccionados por el Condado de Burnet y sus funcionarios quedan por este medio designados y nombrados por el consejo de la ciudad como los oficiales electorales, jueces y escribientes, respectivamente, para llevar a cabo dicha elección general. Los jueces presidentes, jueces presidentes alternos, y escribientes deberán desempeñar las funciones y deberes de sus respectivas posiciones según lo provee la ley estatal. El consejo de la ciudad confirmará y nombrará los jueces electorales y jueces electorales alternos que sean nombrados por el Condado de Burnet para la elección.*

SECTION 8. Notice of the election shall be given by posting a notice containing a substantial copy of this resolution on the bulletin board used for posting notice of meetings of the governing body at the City Hall and at the aforesaid election day polling places not later than the twenty-first (21st) day before the election, and by publishing said Notice of Election at least one time, not earlier than thirty (30) days nor later than ten (10) days prior to said election, in a newspaper of general circulation in the City. The notice that is posted, and the notice that is published in a newspaper of general circulation within the city, will be written in both English and Spanish.

SECCIÓN 8. *El aviso de la elección se dará fijando un aviso que contenga una copia substancial de esta resolución en el tablón de edictos que se usa para dar aviso de reuniones del cuerpo gubernamental en la Casa Municipal (Alcaldía) y en los antedichos lugares de votación el día de la elección no más tarde del vigésimo-primer (21) día antes de la elección, y publicando dicho Aviso de la Elección por lo menos una vez, no antes de treinta (30) días ni más tarde de diez (10) días antes de dicha elección, en un periódico de circulación general en la Ciudad. El aviso que se fije, y el aviso que se publique en el periódico de circulación general en la ciudad, será escrito en ambos inglés y español.*

SECTION 9. The election shall be held and conducted by the Burnet County Election Administrator in compliance with state law and the Election Agreement. And, this Resolution shall be in force and effect from and after its passage on the date shown below.

SECCIÓN 9. *La elección se llevará a cabo y se conducirá por el Secretario del Condado de Burnet de acuerdo con la ley estatal y el Contrato de Elección. Y, esta Resolución estará vigente y tomará efecto desde y luego de haberse pasado en la fecha mostrada abajo.*

SECTION 10. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapter 551, Texas Government Code.*

SECCIÓN 10. *Queda por este medio establecido y determinado oficialmente que esta reunión se condujo abierta al público, y que se dio aviso público de la hora, el lugar, y el propósito de dicha reunión, todo como lo requiere la Ley de Reuniones Abiertas (Open Meetings Act), Capítulo 551 del Código Gubernamental de Texas.*

**AND, IT IS SO RESOLVED.
Y ASI SE HA RESUELTO.**

PASSED AND APPROVED this 12th day of January, 2021.
PASADO Y APROBADO este día 12 de enero, 2021.

**CITY OF BURNET, TEXAS
CIUDAD DE BURNET, TEXAS**

Crista Goble Bromley, Mayor
Crista Goble Bromely, Alcalde

ATTEST:
ATESTIGUA:

Kelly Dix, City Secretary
Kelly Dix, Secretaria de la Ciudad

ORDER OF ELECTION FOR MUNICIPALITIES

An election is hereby ordered to be held on **May 1, 2021** for the purpose of:
General Election to elect one Mayor and three Council Members.

Early voting by personal appearance will be conducted each weekday at:
Burnet County Courthouse, located at 220 S. Pierce Street, Burnet, Texas

April 19, 2021	8am-5pm
April 20, 2021	8am-5pm
April 21, 2021	8am-5pm
April 22, 2021	7am-7pm
April 23, 2021	8am-5pm
April 26, 2021	7am-7pm
April 27, 2021	8am-5pm

Applications for ballot by mail shall be mailed to:

Doug Ferguson
Elections Administrator, Burnet County
1701 E. Polk Street
Burnet, TX 78611

Applications for ballots by mail must be received no later than the close of business on:
May 1, 2021.

Issued this the 12th day of January, 2021

Crista Goble Bromley
Mayor

Danny Lester
Council Member

Philip Thurman
Council Member

Mary Jane Shanes
Council Member

Tres Clinton
Council Member

Paul Farmer, Council Member
Council Member

Cindia Talamantez
Council Member

ORDEN DE ELECCION PARA MUNICIPIOS

Por la presente se ordena que se llevará a cabo una elección el:
**UNA ELECCIÓN GENERAL A LLEVARSE A CABO EL 1 DE MAYO DE 2021,
PARA ELEGIR UN ALCALDE Y TRES MIEMBROS DEL CONSEJO (CONCEJALES).**

La votación adelantada en persona se llevará a cabo de lunes a viernes en:

Corte del Condado de Burnet, 220 S. Pierce Street, Burnet, Texas

19 de abril de 2021	8am-5pm
20 de abril de 2021	8am-5pm
21 de abril de 2021	8am-5pm
22 de abril de 2021	7am-7pm
23 de abril de 2021	8am-5pm
26 de abril de 2021	7am-7pm
27 de abril de 2021	8am-5pm

Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:

**Doug Furgeson
Elections Administrator, Burnet County
1701 E. Polk Street
Burnet, TX 78611**

*Las solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de las horas de negocio el **1 de mayo de 2021.***

Emitida este día 12 de Enero de 2021.

Crista Goble Bromley
del Alcalde

Danny Lester
Persona del Concilio

Philip Thurman
Persona del Concilio

Mary Jane Shanes,
Persona del Concilio

Tres Clinton
Persona del Concilio

Paul Farmer
Persona del Concilio

Cindia Talamantez
Persona del Concilio

Nota de instrucción: Se deberá entregar una copia de esta orden de elección al/a la Secretario(a) del Condado/Administrador(a) de Elecciones y el/la Registrador(a) de Votantes a más tardar 60 días antes del día de elección.