



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

Notice is hereby given that a **Regular Council Meeting** will be held by the governing body of the City of Burnet on the **22nd day of June, 2021** at **6:00** p.m. in the Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, at which time the following subjects will be discussed, to-wit:

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

The following subjects will be discussed, to-wit:

CALL TO ORDER:

ROLL CALL:

INVOCATION:

PLEDGE OF ALLEGIANCE:

PLEDGE TO TEXAS FLAG:

1. SPECIAL REPORTS/RECOGNITION:

1.1) May 2021 Financial Report: P. Langford

2. CONSENT AGENDA ITEMS:

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

2.1) Approval of the June 8, 2021 City Council Regular Meeting minutes

2.2) Approval of the June 11, 2021 City Council Special Meeting minutes

3. PUBLIC HEARING:

3.1) Public Hearing: City Council will receive testimony and comments from members of the public on an Ordinance amending city code chapter 98 (entitled “subdivisions”) by amending the notification and hearing procedures prescribed in section 98-22: H. Erkan, Jr.

3.2) Public Hearing: City Council will receive testimony and comments from members of the public on an Ordinance amending city code of ordinances chapter 98 (entitled “subdivisions”) by adding a construction plan inspection fee to section 98-23: H. Erkan, Jr.

4. ACTION ITEMS:

4.1) Discuss and consider action: SECOND AND FINAL READING AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY DESCRIBED AS 608 BUCHANAN DR (LEGAL DESCRIPTION: LOT NO. NINE-B (9-B), A SHORT FORM REPLAT OF LOT 9B, 9C, & 9D, BEING A REPLAT OF LOT 9A, HAMILTON CREEK DR) WITH MEDIUM COMMERCIAL – DISTRICT “C-2” ZONING CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler

4.2) Discuss and consider action: Proposed contract with Burnet County for 2021/2022 Election Services: K. Dix

4.3) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS, EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES OF THE CITY OF BURNET, TEXAS: D. Vaughn

4.4) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “FINAL PLAT” OF WESTFALL VILLAGE, PHASE TWO, A PROPOSED 29-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 7.61 ACRES; AND ACCEPTING A LETTER OF CREDIT ASSURING COMPLETION OF SUBDIVISION INFRASTRUCTURE: L. Kimbler

4.5) Discuss and consider action: Appointment of Council Members to serve on the City Hall Building Committee: D. Vaughn

4.6) Discuss and consider action: Direction to staff regarding the creation a technical advisory committee for review of the city’s development codes: P. Thurman.

4.7) Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET TEXAS AMENDING CITY CODE OF ORDINANCES CHAPTER 98 (ENTITLED "SUBDIVISIONS") BY AMENDING THE NOTIFICATION AND HEARING PROCEDURES PRESCRIBED IN SECTION 98-22; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.

4.8) Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, ADDING TO CODE OF ORDINANCE CHAPTER 2 (ENTITLED "ADMINISTRATION"), A NEW ARTICLE III, (ENTITLED "ADVISORY BODIES"); AND ADDING A NEW SECTION 2-42 (ENTITLED "PLANNING AND ZONING COMMISSION"); PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.

4.9) Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET TEXAS AMENDING CITY CODE OF ORDINANCES CHAPTER 98 (ENTITLED "SUBDIVISIONS") BY ADDING A CONSTRUCTION PLAN INSPECTION FEE TO SECTION 98-23 ; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.

4.10) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ACCEPTING THE RESIGNATION OF THE MUNICIPAL COURT PRESIDING JUDGE, EFFECTIVE JUNE 30, 2021, AND DIRECTING THE CITY SECRETARY TO PREPARE AND PUBLISH A REQUEST FOR QUALIFICATIONS FOR A NEW MUNICIPAL COURT PRESIDING JUDGE: H. Erkan, Jr.

4.11) Discuss and consider: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ASSIGNING A MUNICIPAL COURT ASSOCIATE JUDGE TO TEMPORARILY ACT IN THE PLACE OF THE MUNICIPAL COURT PRESIDING JUDGE UNTIL A NEW MUNICIPAL COURT PRESIDING JUDGE IS APPOINTED: H. Erkan, Jr.

4.12) Discuss and consider action: Action to direct staff to proceed in making improvements to streets within the Woodlands Subdivision: D. Vaughn.

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 18th day of June, 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 June 18, 2021, 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).



CITY OF BURNET

FINANCIAL REPORT

FYTD May 2021

Bluebonnet Capital of Texas - Lakes, Hills, History



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CITY OF BURNET FYTD MAY 2021 FINANCIAL SUMMARY

FY 2021

GENERAL FUND

The General Fund ended May with a profit of \$1,454,579. The fund is performing well mainly due to strong revenue collections.

Total revenues ended May at 78% of budget which is above our target for this time. Current Property Tax Collections are at 98% of budget and have increased almost \$223,000 over last year. Sales tax revenues are at 76% of budget and have increased \$241,000 over last year. EMS transport revenues are tracking well at 78% of budget and have increased almost \$95,000 over last year. And finally, Transfers In from other funds are on track for this time at 63% of budget and have increased over \$174,000 compared to last year.

Expenses in total are tracking at 68% of budget which is on target for this time.

Overall, the General Fund is tracking very well with the budget.

GOLF COURSE

The Golf Course ended May with a profit of \$165,857 which is a fiscal year to date improvement of about \$315,000 over this time last year. However, it is important to note that the golf course was negatively impacted by the Coronavirus last year and was closed for the entire month of April. Compared to 2019, the bottom line has improved by almost \$204,000. The fund is performing well mainly due to increased Green Fee/Cart Rental revenues.

Green Fee Rounds for the year are up 50% and Green Fee/Cart Rental revenues per round have increased from \$25.20 to \$32.45. The increase in revenue per rounds is due to the March 2020 rate increase and fewer discounts on green fees.

Total expenses are tracking at 66% of budget which is on track with our target for this time.

Overall, the Golf Course is in great shape and on track to outperform their budget by the end of the year.

ELECTRIC FUND

The Electric fund ended May with a profit of \$197,289. Revenues are on track with the budget for this time of year and year to date consumption is tracking 3% higher than last year mainly due to the spike in consumption in February.

	CITY OF BURNET FYTD MAY 2021 FINANCIAL SUMMARY	FY 2021
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Compared to last year, expenses have increased, and our net profit is down mainly because the transfer to the General Fund for the return on investment (ROI) has increased. This was expected because the calculation for ROI was increased this year from .019 to .020 of billed consumption.

Compared to budget, the electric fund is tracking as expected for this time.

WATER/WASTEWATER

The Water/Wastewater fund ended May with a profit of \$393,685. Revenues are tracking very well with the budget for this time and consumption is up almost 13% compared to last year.

Water/Wastewater expenses are on track for this time at 63% of budget.

Overall, the fund is on track to end the year within budget.

AIRPORT

The Airport Fund ended May with a profit of \$112,679. Revenues are tracking ahead of budget at 83% because of increased fuel sales. Avgas gallons sold are up 22% and Jet gallons sold are up 102% from last year.

Airport expenses are tracking at 69% of budget which is slightly higher than the average for this time because of the expenses associated with the increasing fuel sales. However, that increase is being more than offset by the increase in revenues.

Overall, the airport fund is in great shape.

UNRESTRICTED CASH RESERVES

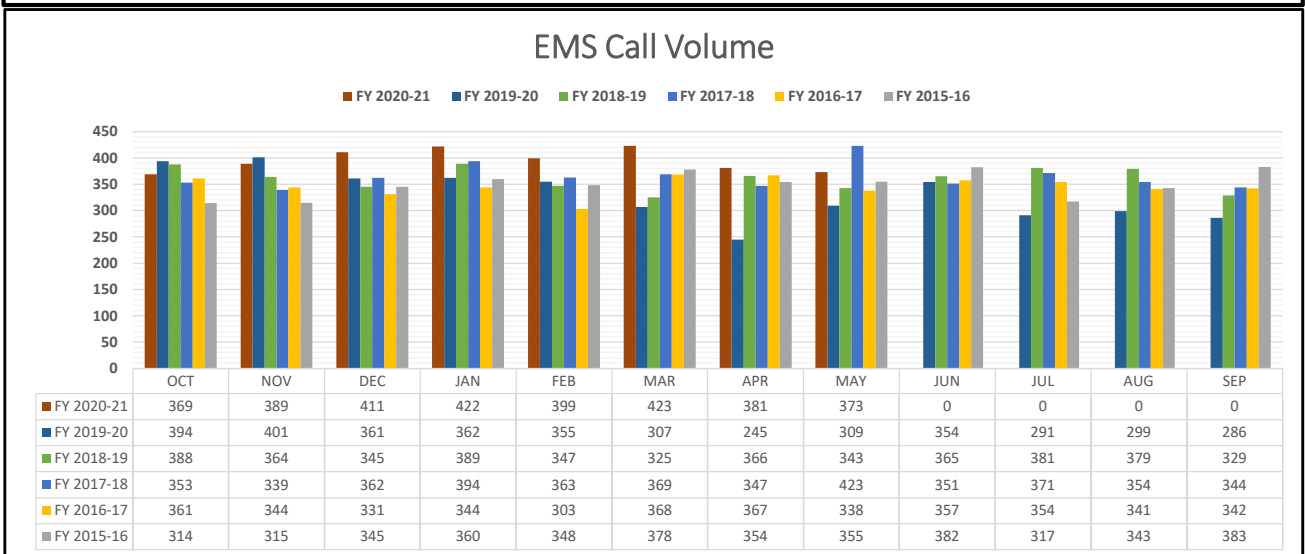
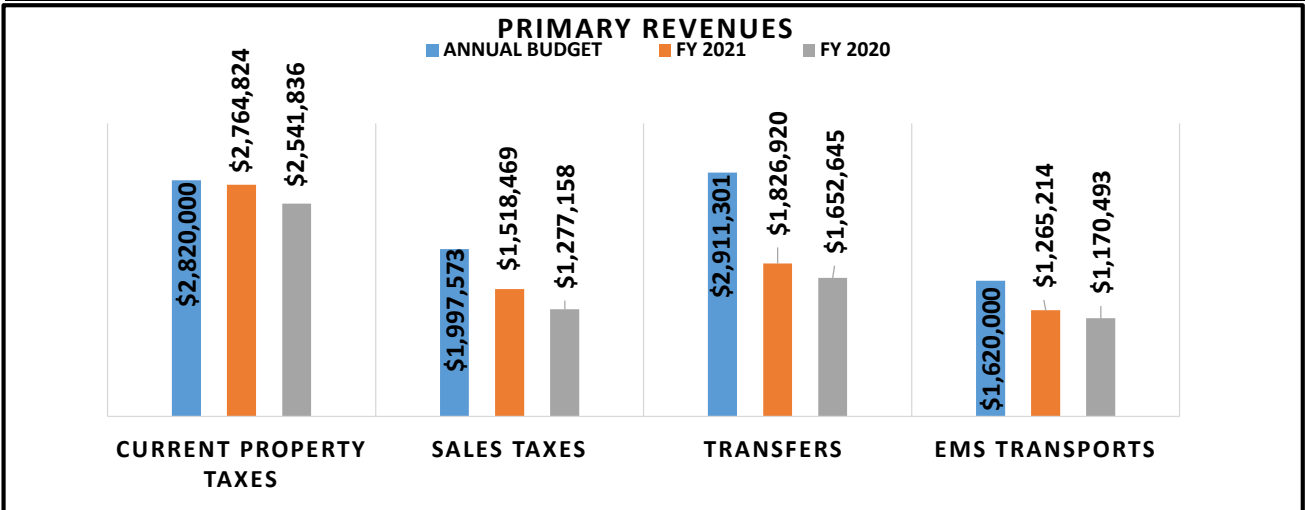
The total unrestricted cash balance for the City as of May 31st was \$7,828,659. That is \$3,794,659 above our 90-day required reserve amount. However, there is approximately \$1,438,000 remaining to be spent from those reserves on budgeted capital projects.

In addition to the unrestricted cash balance, the City has \$2,107,156 remaining in accounts restricted by council. Those accounts include the self-funded equipment reserve, capital equipment reserve, and the LCRA credit reserve.

GENERAL FUND DASHBOARD

CURRENT RESULTS COMPARISON

	ANNUAL BUDGET	ACTUAL FYTD May 2021	% OF BUDGET	PY BUDGET 2019-2020	ACTUAL FYTD May 2020	% OF BUDGET
REV	\$ 11,834,714	\$ 9,210,752	78%	\$ 11,589,698	\$ 8,448,416	73%
EXPENSES	11,488,859	7,756,173	68%	11,245,499	7,593,485	68%
PROFIT (LOSS)	\$ 345,855	\$ 1,454,579		\$ 344,199	\$ 854,931	



EMS CALLS FYTD

2020-2021	3,167
2019-2020	2,734
OVER (UNDER)	433
% increase (decrease)	16%

City of Burnet
Financial Report
FYTD May 2021

% of year completed: 66.67

GENERAL FUND

REVENUE

	ANNUAL BUDGET 2020-2021	ACTUAL FYTD May 2021	% OF BUDGET	PY BUDGET 2019-2020 (ORIGINAL)	PY ACTUAL FYTD May 2020	% OF BUDGET
Ad Valorem Taxes	\$ 2,877,000	\$ 2,812,486	98%	\$ 2,677,000	\$ 2,575,368	96%
Sales Tax	1,997,573	1,518,469	76%	1,810,000	1,277,158	71%
Fire Department Revenue	2,222,788	1,741,874	78%	2,451,713	1,600,384	65%
Planning and Zoning fees	86,200	60,988	71%	86,070	83,381	97%
Allocation Transfers	2,911,301	1,826,920	63%	2,754,977	1,652,645	60%
Trash Collections	1,073,927	726,682	68%	1,011,070	690,623	68%
Police Department Revenue	227,825	183,744	81%	291,768	255,378	88%
Municipal Court Fines	115,000	69,718	61%	115,000	73,286	64%
Other taxes and franchise fees	155,000	134,397	87%	155,000	123,851	80%
BEDC payments for service	85,000	56,667	67%	85,000	56,667	67%
Rental Fees	30,600	10,145	33%	32,600	24,502	75%
Interest Income	25,000	1,814	7%	67,000	24,020	36%
Misc Revenue	2,500	66,848	2674%	2,500	11,153	446%
Transfer from Hotel Motel fund	25,000	-	0%	50,000	-	0%
Use of Fund Balance and Covid Grant	1,669,347	733,945	44%	2,332,000	803,283	34%

Total Revenue

Total Revenue less fund balance

Total Revenue	\$ 13,504,061	\$ 9,944,698	74%	\$ 13,921,698	\$ 9,251,699	66%
<i>Total Revenue less fund balance</i>	<i>\$ 11,834,714</i>	<i>\$ 9,210,752</i>	<i>78%</i>	<i>\$ 11,589,698</i>	<i>\$ 8,448,416</i>	<i>73%</i>

OPERATING EXPENSES

Mayor & Council	\$ 15,820	\$ 7,325	46%	\$ 24,450	\$ 9,291	38%
Admin (including op subsidy to golf)	2,027,945	1,319,777	65%	1,942,911	1,246,400	64%
Police	2,584,053	1,775,742	69%	2,490,996	1,768,044	71%
Municipal Court	59,759	45,667	76%	61,841	48,770	79%
Fire/EMS	3,897,230	2,767,337	71%	3,823,423	2,589,135	68%
Sanitation	901,822	612,684	68%	846,438	577,518	68%
Streets	698,775	387,261	55%	739,478	535,692	72%
Parks	673,767	461,626	69%	696,176	424,479	61%
Development Services	415,074	238,420	57%	405,148	255,960	63%
City Shop	109,614	73,386	67%	109,638	71,384	65%
Community Development	-	-	-	-	-	-
Galloway Hammond	105,000	66,948	64%	105,000	66,812	64%
Sub-total	\$ 11,488,859	\$ 7,756,173	68%	\$ 11,245,499	\$ 7,593,485	68%

CAPITAL/OTHER EXP (USES OF FUND BAL)

Transfers to Capital Funds/Self Fund	\$ 1,615,000	\$ 679,598	42%	\$ 2,332,000	\$ 716,371	31%
Coronavirus expenses	-	-	-	-	86,912	-
Other expenses	54,347	54,347	100%	-	-	-
	\$ 1,669,347	\$ 733,945	44%	\$ 2,332,000	\$ 803,283	34%

Total Expenses

Total Expenses less capital/other

Total Expenses	\$ 13,158,206	\$ 8,490,118	65%	\$ 13,577,499	\$ 8,396,768	62%
<i>Total Expenses less capital/other</i>	<i>\$ 11,488,859</i>	<i>\$ 7,756,173</i>	<i>68%</i>	<i>\$ 11,245,499</i>	<i>\$ 7,593,485</i>	<i>68%</i>

Net Profit (Loss)

Net Profit (Loss)	\$ 345,855	\$ 1,454,579		\$ 344,199	\$ 854,931	
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City of Burnet
Financial Report
FYTD May 2021

% of year completed: 66.67

GENERAL FUND

	ANNUAL BUDGET 2020-2021	ACTUAL FYTD May 2021	% OF BUDGET		PY BUDGET 2019-2020 (ORIGINAL)	PY ACTUAL FYTD May 2020	% OF BUDGET
REVENUE							
Ad Valorem Taxes:							
Current Taxes Real Property	\$ 2,820,000	\$ 2,764,824	98% A	\$	2,620,000	\$ 2,541,836	97%
Delinquent Taxes Real Property	35,000	29,264	84%		35,000	19,756	56%
Penalty & Interest	22,000	18,399	84%		22,000	13,776	63%
Sub-total	2,877,000	2,812,486	98%		2,677,000	2,575,368	96%
Sales Tax	1,997,573	1,518,469	76% B		1,810,000	1,277,158	71%
Fire Department Revenue:							
EMS fees	1,620,000	1,265,214	78%		1,875,000	1,170,493	62%
Fire/EMS interdepartmental fees	584,588	355,008	61% C		556,513	356,843	64%
Misc Fire Revenue	18,200	121,652	668% D		20,200	73,048	362%
Sub-total Fire Revenue	2,222,788	1,741,874	78%		2,451,713	1,600,384	65%
Planning and Zoning fees	86,200	60,988	71%		86,070	83,381	97%
Allocation Transfers In:							
Return on Investment	1,665,263	997,192	60%		1,550,000	915,606	59%
In-Lieu of Property Tax	126,765	84,768	67%		124,905	81,101	65%
In-Lieu of franchise	211,275	141,280	67%		208,175	135,169	65%
Admin Allocations	853,191	566,987	66%		817,078	485,152	59%
Shop Allocations	54,807	36,693	67%		54,819	35,616	65%
Sub-total Allocation Transfers	2,911,301	1,826,920	63%		2,754,977	1,652,645	60%
Trash Collections	1,073,927	726,682	68%		1,011,070	690,623	68%
Police Department Revenue:							
Interlocal School Resource Officers	217,125	168,875	78% E		281,068	249,839	89%
Misc PD Revenue	10,700	14,869	139% F		10,700	5,539	52%
Sub-total Police Department Rev	227,825	183,744	81%		291,768	255,378	88%
Municipal Court Fines	115,000	69,718	61%		115,000	73,286	64%
Other taxes and franchise fees	155,000	134,397	87% G		155,000	123,851	80%
BEDC payments for service	85,000	56,667	67%		85,000	56,667	67%
Rental Fees	30,600	10,145	33% H		32,600	24,502	75%
Interest Income	25,000	1,814	7% I		67,000	24,020	36%
Misc Revenue	2,500	66,848	2674% J		2,500	11,153	446%
Transfer from Hotel Motel fund	25,000	-	0%		50,000	-	0%
Use of Fund Balance	1,669,347	733,945	44%		2,332,000	803,283	34%
Total Revenue	\$ 13,504,061	\$ 9,944,698	74%		\$ 13,921,698	\$ 9,251,699	66%
<i>Total Revenue less fund balance</i>	<i>\$ 11,834,714</i>	<i>\$ 9,210,752</i>	<i>78%</i>		<i>\$ 11,589,698</i>	<i>\$ 8,448,416</i>	<i>73%</i>

OPERATING EXPENSES

Personnel Costs							
Mayor & Council	\$ -	\$ -		\$ -	\$ -		
Admin	1,004,900	702,991	70%		918,839	550,989	60%
Police	2,002,258	1,359,006	68%		1,944,683	1,380,217	71%
Municipal Court	34,109	24,432	72%		33,191	24,045	72%
Fire/EMS	2,997,466	2,116,314	71%		2,874,391	1,990,868	69%
Streets	571,375	331,510	58%		560,478	371,169	66%
Parks	414,827	285,054	69%		409,577	257,023	63%
Development Services	267,224	148,081	55%		334,298	213,806	64%
City Shop	73,364	52,656	72%		73,388	50,304	69%
Community Development	-	-			-	-	
Sub-total	7,365,523	5,020,044	68% K		7,148,845	4,838,422	68%
Supplies							
Mayor & Council	1,200	534	45%		1,200	860	72%
Admin	75,050	54,470	73% L		80,450	53,412	66%
Police	182,750	131,217	72% M		168,750	109,527	65%
Municipal Court	4,300	2,108	49%		3,850	2,190	57%
Fire/EMS	214,800	164,950	77% N		221,900	132,916	60%
Sanitation	-	-			1,000	-	0%
Streets	55,400	21,206	38%		48,900	45,211	92%
Parks	64,200	52,277	81% O		64,200	31,662	49%
Development Services	10,100	9,064	90% P		8,100	4,555	56%

City of Burnet
Financial Report
FYTD May 2021

% of year completed: 66.67						
GENERAL FUND	ANNUAL BUDGET 2020-2021	ACTUAL FYTD May 2021	% OF BUDGET	PY BUDGET 2019-2020 (ORIGINAL)	PY ACTUAL FYTD May 2020	% OF BUDGET
City Shop	20,200	13,028	64%	20,200	13,161	65%
Community Development	-	-		-	-	
Sub-total	628,000	448,852	71%	618,550	393,493	64%
Repairs & Maintenance						
Mayor & Council	4,120	2,551	62%	4,000	2,438	61%
Admin	90,000	72,057	80% Q	93,000	37,753	41%
Police	90,920	75,791	83% R	63,500	66,052	104%
Municipal Court	5,500	8,016	146% S	5,500	5,323	97%
Fire/EMS	118,000	103,574	88% T	122,500	77,977	64%
Sanitation	-	-		-	-	
Streets	70,000	30,982	44%	70,000	78,947	113%
Parks	52,750	35,290	67%	53,750	33,418	62%
Development Services	5,250	1,920	37%	5,250	876	17%
City Shop	10,500	5,065	48%	10,500	4,680	45%
Community Development	-	-		-	-	
Galloway Hammond	5,000	281	6%	5,000	145	3%
Sub-total	452,040	335,526	74%	433,000	307,609	71%
Services/Other						
Mayor & Council	10,500	4,240	40%	19,250	5,993	31%
Admin	556,521	386,707	69% U	550,095	375,646	68%
Police	163,819	117,353	72% V	138,413	99,147	72%
Municipal Court	15,850	11,112	70%	19,300	17,213	89%
Fire/EMS	277,960	189,830	68%	294,221	180,433	61%
Sanitation	901,822	612,684	68%	845,438	577,518	68%
Streets	2,000	3,564	178%	2,000	1,632	82%
Parks	126,200	78,479	62%	126,200	74,077	59%
Development Services	132,500	79,356	60%	57,500	36,723	64%
City Shop	5,550	2,637	48%	5,550	3,239	58%
Community Development	-	-		-	-	
Sub-total	2,192,722	1,485,962	68%	2,057,967	1,371,621	67%
Transfers to Self-funded						
Mayor & Council	-	-		-	-	
Admin	-	-		-	-	
Police	136,806	91,204	67%	169,650	113,100	67%
Municipal Court	-	-		-	-	
Fire/EMS	289,004	192,669	67%	310,411	206,941	67%
Sanitation	-	-		-	-	
Streets	-	-		58,100	38,733	67%
Parks	15,790	10,527	67%	42,449	28,299	67%
Development Services	-	-		-	-	
City Shop	-	-		-	-	
Community Development	-	-		-	-	
Sub-total	441,600	294,400	67%	580,610	387,074	67%
Capital Outlay						
Admin	-	-		-	-	
Police	7,500	1,171	16%	6,000	-	0%
Parks	-	-		-	-	
Sub-total	7,500	1,171	16%	6,000	-	0%
Transfer to Golf - Admin & Op Subsidy	301,474	103,551	34%	300,527	228,600	76%
YMCA Operating Subsidy	100,000	66,667		100,000	66,667	67%
CAPITAL/OTHER EXP (USES OF FUND BAL)						
Transfer to Gen Cap Project Fund	1,515,000	582,681	38%	2,232,000	632,902	28%
Transfer to Golf Cap Project Fund	100,000	96,918	97%	100,000	83,469	83%
Transfer to Self Funded	-	-		-	-	
Transfer to Debt Service (early defeasance)	-	-		-	-	
Coronavirus Expenses (Net of Grant Reimbursements)	-	-		-	86,912	
Transfer for Personnel	54,347	54,347		-	-	
Sub-total	1,669,347	733,945	44%	2,332,000	803,283	34%
Total Expenses	\$ 13,158,206	\$ 8,490,118	65%	\$ 13,577,499	\$ 8,396,768	62%
<i>Total Expenses less use of fund balance</i>	<i>\$ 11,488,859</i>	<i>\$ 7,756,173</i>	<i>68%</i>	<i>\$ 11,245,499</i>	<i>\$ 7,593,485</i>	<i>68%</i>

% of year completed: 66.67

GENERAL FUND

	ANNUAL BUDGET 2020-2021	ACTUAL FYTD May 2021	% OF BUDGET	PY BUDGET 2019-2020 (ORIGINAL)	PY ACTUAL FYTD May 2020	% OF BUDGET
Net Profit (Loss)	\$ 345,855	\$ 1,454,579		\$ 344,199	\$ 854,931	

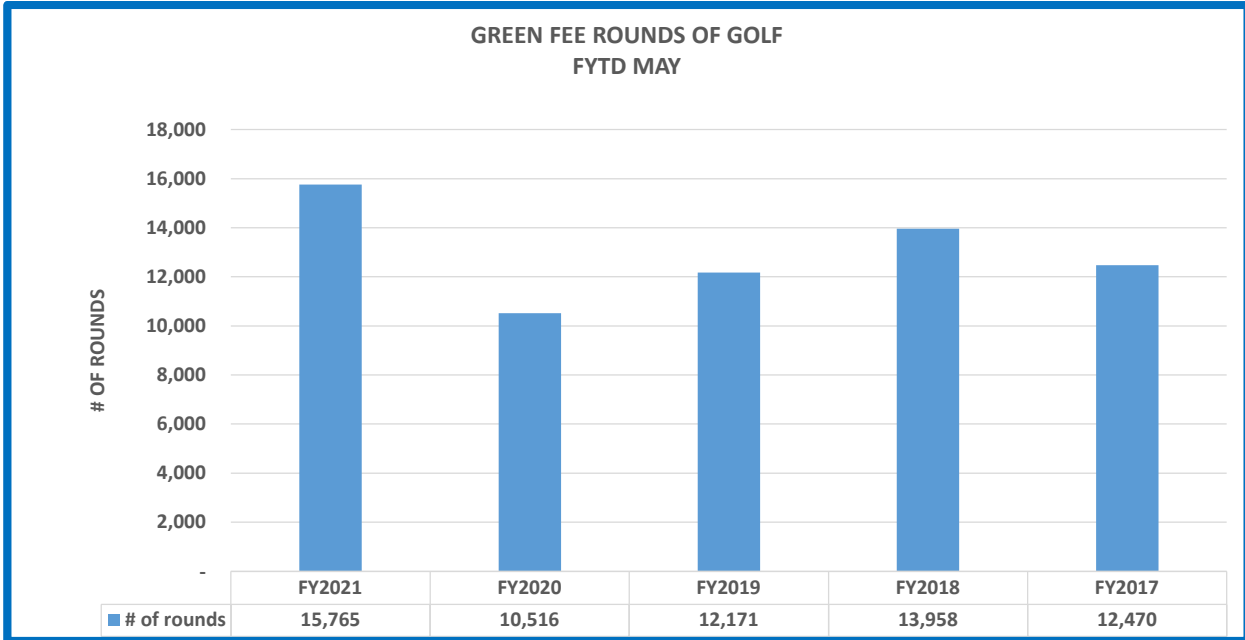
A. Current Property Tax Collections are on track with our target budget for this period. The bulk of property taxes are collected between December and February.
B. Sales tax collections have continued to outperform our targets. The increase is mainly due to on-line sales and the changes in sales tax compliance laws for remote sellers and marketplace facilitators that went into effect on October 1, 2019.
C. Timing difference - Most of the interdepartmental fees are collected on a quarterly basis which is the main reason why collections are tracking below the average run rate. We anticipate collecting the full amount as budgeted by the end of the year.
D. Misc Fire Revenue includes the HHS Stimulus grant in the amount of \$88,525.70 for lost EMS revenues, the CATRAC grant for Fire in the amount of \$8,697, and the TDEMS grant in the amount of \$8,676 for labor reimbursements related to COVID 19.
E. The SRO revenue is based on our current contract with BCISD. The total contract is for \$217,125 and we are to collect \$24,125 monthly for 9 months. As of May, we have only collected seven payments but are confident that we will collect the full contract amount before year end. The prior year revenue included a delinquent payment from 2018.
F. Misc PD Revenue is tracking higher than expected because they received the NRA grant in November in the amount of \$4,377 and a grant for gas station skimmer surveillance in the amount of \$1,131.84.
G. Franchise fee collection % should be tracking higher than the normal run rate for the period because the annual Atmos franchise fee in the amount of \$46,099 was received in February.
H. The City is not currently renting out it's facilities because of COVID19.
I. Interest rates have dropped significantly more than we were anticipating during the budget process.
J. Misc Rev is tracking higher than expected because we received insurance reimbursements for Fleet repairs and for replacement of the Covid 19 Tent that was destroyed by bad weather.
K. Overall Personnel costs are on track with the budget for this time.
L. Admin supplies are tracking above normal for this time mainly because of expenses for Teladoc and Ameriflex which were underbudgeted.
M. PD Supplies are tracking higher than normal mainly because of expenses associated with the new Police Chief search.
N. FD Supplies are tracking higher than normal due to ground ladder testing that was completed this year in February at a cost of \$4,487 and the purchase of EMS uniforms earlier in the year.
O. Park supplies are up mainly due to purchase of temporary fencing for the baseball fields and increased cleaning supplies.
P. Development Services supplies are tracking higher than expected due to increases in credit card service charges for the increase in online payments.
Q. Admin R&M is tracking higher than the average due to the timing of the software maintenance payments. We anticipate the total will be within budget at the end of the year.
R. PD R&M are tracking higher than expected due to timing differences. It includes mobile cad software payments and ammunition supplies which were purchased earlier in the year but are still within their budgeted amount for the year.
S. Court R&M are tracking higher than expected because of increases in software expenses. Increases were mainly the result of the Court moving to a "paperless" system.
T. Fire/EMS repairs and maintenance are tracking higher than expected mainly due to repairs for Quint 1, Fire Engine 1, Fire Engine 3, and ambulance repairs.
U. Admin services are tracking slightly higher than average mainly due to the timing of payments. The majority of insurance, audit, and actuary fees have already been incurred for the year.
V. PD professional services are tracking higher than the average run-rate mainly because Trauma and Resilience counseling services are being used more than in previous years.

GOLF COURSE FUND DASHBOARD

CURRENT RESULTS COMPARISON

	ANNUAL BUDGET	ACTUAL FYTD May 2021	% OF BUDGET	PY BUDGET 2019-2020	ACTUAL FYTD May 2020	% OF BUDGET
REV (net of cogs/tourn exp)	\$ 1,326,684	\$ 1,124,865	85%	\$ 1,222,918	\$ 686,130	56%
EXPENSES	1,461,821	959,008	66%	1,366,027	835,591	61%
PROFIT (LOSS)	\$ (135,137)	\$ 165,857		\$ (143,109)	\$ (149,461)	

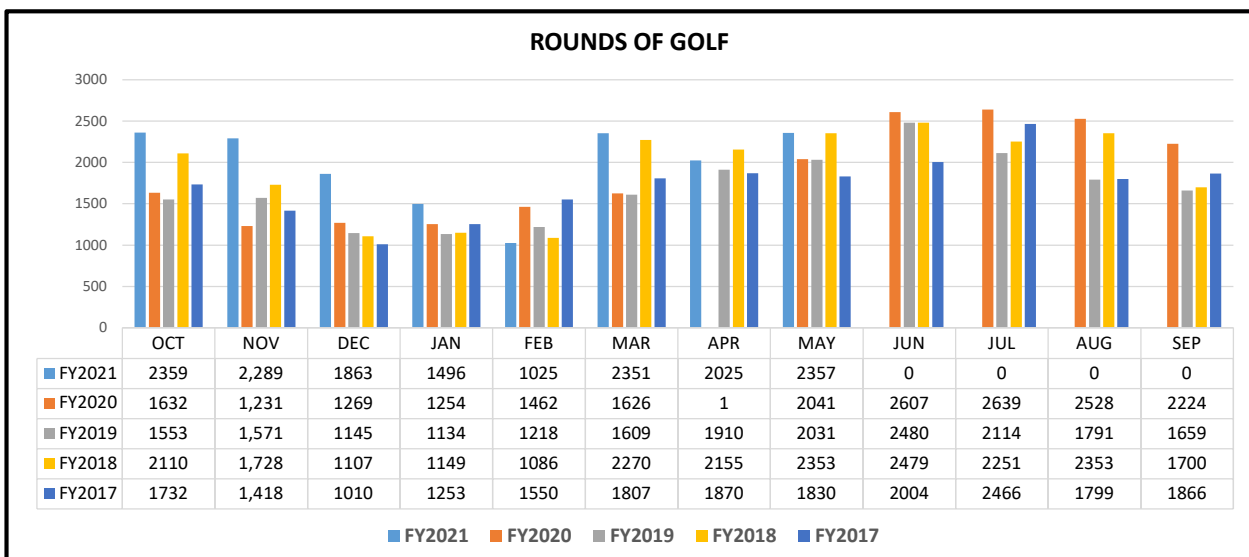
TABLES/CHARTS



Rounds of Golf*

	OCT - MAY
2020-2021	15,765
2019-2020	10,516
OVER (UNDER)	5,249
	49.91%

*Does not include annual dues or tournament rounds played.



City of Burnet
Financial Report
FYTD May 2021

% of year completed: 66.67

GOLF COURSE	ANNUAL BUDGET 2020-2021	ACTUAL FYTD May 2021	% OF BUDGET		PY BUDGET 2019-2020 (ORIGINAL)	PY ACTUAL FYTD May 2020	% OF BUDGET
REVENUE							
<u>Charges for Services</u>							
Green Fees/Cart Rentals	\$ 559,000	\$ 511,635	92% A	\$	510,000	\$ 264,965	52%
Prepaid Green Fees/ Annual Cart Rentals/ Trail fees and Cart Storage	218,000	213,809	98%		210,000	199,325	95%
Net Tournament	110,000	87,158	79%		145,000	48,432	33%
Pavilion Revenue	500	-	0%		500	600	120%
Driving Range	53,000	36,294	68%		35,000	18,575	53%
Net Charges for Services	940,500	848,896	90%		900,500	531,897	59%
<u>Sales less Cost of Goods Sold</u>							
Pro Shop Sales	184,000	116,277			184,000	91,232	
Cost of Merchandise	137,000	84,645			137,000	70,273	
Net Pro Shop Sales	47,000	31,632	67%		47,000	20,959	45%
Snack Bar/Beer Cart Sales	245,000	149,837			242,000	109,726	
Cost of Merchandise	135,500	77,942			132,500	62,767	
Net Snack Bar/Beer Cart Sales	109,500	71,895	66%		109,500	46,959	43%
<u>Transfer - Overhead</u>	220,684	157,898	72% B		157,418	79,139	50%
<u>Misc. Income/Repairs</u>	9,000	14,543	162%		8,500	7,176	84%
Total Revenue	\$ 1,326,684	\$ 1,124,865	85%		\$ 1,222,918	\$ 686,130	56%
EXPENSES							
Personnel Costs	\$ 896,092	\$ 596,926	67%	\$	827,643	\$ 524,833	63%
Supplies	82,800	57,186	69%		81,500	43,435	53%
Repairs & Maintenance	129,950	81,041	62%		118,450	71,688	61%
Services	68,750	41,708	61%		64,250	38,652	60%
Transfer to Self funded equipment	117,892	78,595	67%		116,766	77,844	67%
Admin Allocation	166,337	103,551	62%		157,418	79,139	50%
Total Expenses	\$ 1,461,821	\$ 959,008	66%		\$ 1,366,027	\$ 835,591	61%
Net Profit (Loss)	\$ (135,137)	\$ 165,857			\$ (143,109)	\$ (149,461)	
Operating Subsidy from General Fund	\$ 135,137	\$ -		\$	143,109	\$ 149,461	
Net Profit (Loss)	\$ -	\$ 165,857		\$	-	\$ -	

A. Green Fee/Cart Rental Revenues are at 92% of budget which is better than expected and \$246,670 above the same point in FY 2020. Green fee rounds are up 50% compared to last year and rates were increased over last year. On March 24th, 2020 Council approved a rate increase of \$2.00 in green fees, cart rentals, and range balls.

B. Transfer - Overhead includes a transfer from General Fund to offset the admin allocation and an additional transfer of \$54,347 this year to offset the lump benefit pay-outs to retirees.

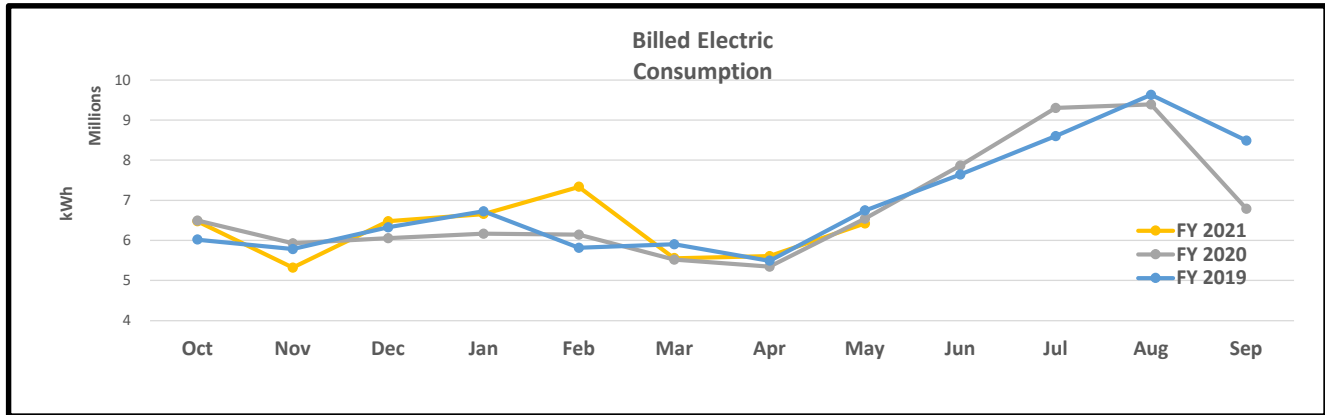
ELECTRIC FUND DASHBOARD

CURRENT RESULTS COMPARISON

	ANNUAL BUDGET	ACTUAL FYTD May 2021	% OF BUDGET	PY BUDGET 2019-2020	ACTUAL* FYTD May 2020	% OF BUDGET
REV (net of cogs)	\$ 4,012,175	\$ 2,422,652	60%	\$ 3,973,147	\$ 2,360,682	59%
EXPENSES	3,625,824	2,225,363	61%	3,462,621	2,089,959	60%
PROFIT (LOSS)	\$ 386,351	\$ 197,289		\$ 510,526	\$ 270,723	

*Restated to exclude the one-time LCRA credits received in the amount of \$316,276.

TABLES/CHARTS



FYTD 2021	49,853,390
FYTD 2020	48,179,073
ytd variance	1,674,317
% variance	3.48%

% of year completed: 66.67

ELECTRIC FUND

	ANNUAL BUDGET 2020-2021	ACTUAL FYTD May 2021	% OF BUDGET		PY BUDGET 2019-2020 (ORIGINAL)	PY ACTUAL FYTD May 2020 (1)	% OF BUDGET
REVENUE							
Electric Sales	\$ 8,816,400	\$ 5,422,968			\$ 8,670,051	\$ 5,284,117	
Cost of Power	4,959,225	3,114,126			4,876,904	3,035,257	
Net Sales	3,857,175	2,308,842	60%		3,793,147	2,248,861	59%
Penalties	85,000	40,295	47% A		85,000	31,761	37%
Electric Connects	3,000	14,540	485% B		3,000	8,225	274%
Pole Rental	47,000	48,341	103% C		47,000	36,848	78%
Other Revenue	15,000	9,370	62% D		15,000	19,355	129%
Interest Income	5,000	1,264	25% E		20,000	15,634	78%
Transfer from HOT	-	-	0%		10,000	-	0%
Use of Fund Balance	75,000	40,065	53% F		75,000	42,822	57%
Total Revenue	\$ 4,087,175	\$ 2,462,717	60%		\$ 4,048,147	\$ 2,403,504	59%
<i>Total Revenue less fund balance</i>	<i>\$ 4,012,175</i>	<i>\$ 2,422,652</i>	<i>60%</i>		<i>\$ 3,973,147</i>	<i>\$ 2,360,682</i>	<i>59%</i>
EXPENSES							
Personnel Costs	\$ 936,909	\$ 662,847	71% G	\$	912,085	\$ 605,529	66%
Supplies	123,260	72,608	59%		114,250	74,090	65%
Repairs & Maintenance	208,000	92,510	44%		199,000	76,581	38%
Services	73,550	40,380	55%		73,550	33,833	46%
Transfer to Self-funded equipment	32,999	21,999	67%		31,697	21,132	67%
Community Outreach	77,700	56,442	73% H		77,700	57,976	75%
Capital Outlay	35,000	3,259	9%		55,000	23,868	43%
Transfer to Capital Project Fund	75,000	7,353	10% F		75,000	42,822	57%
Transfers to Debt Service	51,740	34,493	67%		49,041	32,694	67%
Transfer to GF - ROI	1,665,263	997,192	60%		1,550,000	915,606	59%
Transfer to GF- Admin Allocation	394,000	257,998	65%		372,889	230,841	62%
Transfer to GF- Shop Allocation	27,403	18,346	67%		27,409	17,808	65%
Total Expenses	\$ 3,700,824	\$ 2,265,428	61%		\$ 3,537,621	\$ 2,132,781	60%
<i>Total Expenses less xfers from fund balance</i>	<i>\$ 3,625,824</i>	<i>\$ 2,225,363</i>	<i>61%</i>		<i>\$ 3,462,621</i>	<i>\$ 2,089,959</i>	<i>60%</i>
Net Profit (Loss)	\$ 386,351	\$ 197,289			\$ 510,526	\$ 270,723	

(1) Restated to exclude the one-time LCRA credits received in the amount of \$316,276.

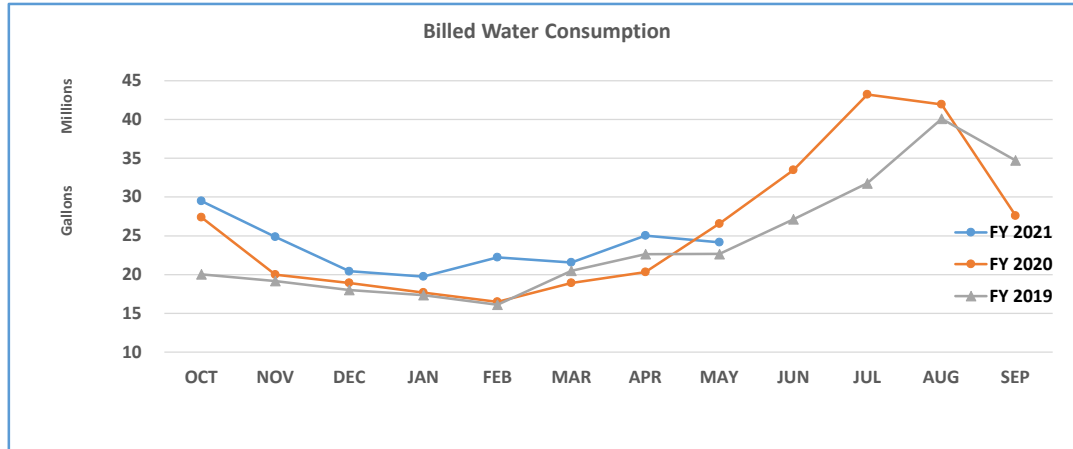
A. Penalties are tracking below budget because we did not assess penalties for January or February because of the impacts of the winter storm.
B. Electric Connect revenues are higher than expected mainly because of the Westfall Villages subdivision. Standard electric connect fees did increase from \$450 to \$500 in June 2020.
C. Pole Rental fees are invoiced annually in March. They have been fully collected.
D. Other revenue is tracking slightly below budget because we did not do disconnects during the Winter Storm and therefore no reconnect fees were charged. Last year other revenue was higher than normal because the department earned scrap/recycle revenue in December.
E. Interest rates have dropped significantly more than we were anticipating during the budget process.
F. "Use of Fund Balance" offsets "Transfers to the Capital Project Fund" \$7,353, and winter storm salary expense of \$32,712. Net effect to operations is \$0.
G. The target budget for Personnel costs through May is 70% (18/26 ppds plus 1% longevity) . Tracking slightly higher than expected due to additional staffing and overtime incurred during the winter storm but that is being offset by "use of fund balance" on the revenue side.
H. Community Outreach is at 73% of budget which is inline with our target for this period. It includes one-time lump payments to non-profits which are made in October and monthly utility payments for non-profits per interlocal agreements.

WATER/WW FUND DASHBOARD

CURRENT RESULTS COMPARISON

	ANNUAL BUDGET	ACTUAL FYTD May 2021	% OF BUDGET	PY BUDGET 2019-2020	ACTUAL FYTD May 2020	% OF BUDGET
REV	\$ 4,265,500	\$ 2,825,591	66%	\$ 4,213,500	\$ 2,703,383	64%
EXPENSES	3,868,980	2,431,907	63%	3,872,856	2,369,843	61%
PROFIT (LOSS)	\$ 396,520	\$ 393,685		\$ 340,644	\$ 333,540	

TABLES/CHARTS



Billed Consumption in gallons:

FYTD 2021	187,513,677
FYTD 2020	166,299,444
Variance	21,214,233
% variance	12.76%

% of year completed: 66.67

WATER/WASTEWATER	ANNUAL BUDGET 2020-2021			ACTUAL FYTD May 2021	% OF BUDGET	PY BUDGET 2019-2020 (ORIGINAL)			PY ACTUAL FYTD May 2020	% OF BUDGET
REVENUE										
Water Sales	\$	2,300,000	\$	1,517,161	66%	\$	2,235,000	\$	1,430,145	64%
Wastewater Sales		1,840,000		1,251,846	68%		1,825,000		1,216,578	67%
Penalties		46,000		23,385	51%		46,000		18,677	41%
Water/Sewer Connects		30,000		13,900	46%		30,000		15,498	52%
Irrigation Revenue		2,500		8,768	351%		2,500		-	0%
Other Revenue		4,000		9,723	243%		4,000		2,777	69%
Interest Income		3,000		809	27%		21,000		19,708	94%
Use Impact Fees		40,000		-	0%		50,000		-	0%
Use of Fund Balance		35,000		75,890	217%		185,000		82,602	45%
Total Revenue	\$	4,300,500	\$	2,901,481	67%	\$	4,398,500	\$	2,785,985	63%
Total Revenue less fund balance	\$	4,265,500	\$	2,825,591	66%	\$	4,213,500	\$	2,703,383	64%
EXPENSES										
Personnel Costs	\$	1,103,426	\$	722,296	65%	\$	1,091,494	\$	703,604	64%
Supplies		216,442		125,622	58%		209,750		113,480	54%
Repairs & Maintenance		416,500		235,116	56%		416,500		187,168	45%
Services		394,500		216,864	55%		414,500		222,191	54%
Transfer to Self-funded equipment		68,504		45,669	67%		92,466		61,645	67%
Cost of Water		70,000		45,848	65%		70,000		40,958	59%
Transfers to Capital Fund		35,000		33,233	95%		185,000		82,602	45%
Winter Storm Leak Adjustments		-		14,123			-		-	
Capital Outlay		-		-			-		5,777	
Transfers to Debt Service		976,759		651,172	67%		973,873		649,498	67%
Transfer to GF - In Lieu of Property Tax		126,765		84,768	67%		124,905		81,102	65%
Transfer to GF - In Lieu of Franchise		211,275		141,280	67%		208,175		135,169	65%
Transfer to GF- Admin Allocation		257,405		173,459	67%		243,783		151,443	62%
Transfer to GF- Shop Allocation		27,404		18,346	67%		27,410		17,808	65%
Total Expenses	\$	3,903,980	\$	2,507,796	64%	\$	4,057,856	\$	2,452,445	60%
Total Expenses less xfers from fund balance	\$	3,868,980	\$	2,431,907	63%	\$	3,872,856	\$	2,369,843	61%
Net Profit (Loss)	\$	396,520	\$	393,685		\$	340,644	\$	333,540	

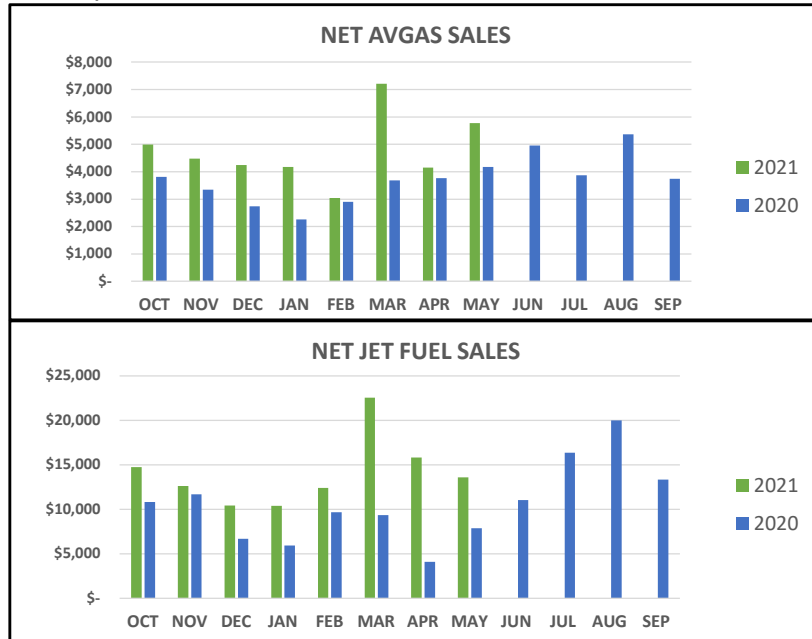
A. Penalties are tracking below budget because we did not assess penalties for January or February because of the impacts of the winter storm.
B. Budget for 2020-2021 should have been lowered because connect fees were lowered from \$525 to \$425 in January 2020.
C. Irrigation Revenue is derived from the Hay contract and is running higher than originally expected because the contract was renegotiated at the end of the last fiscal year and has been increased to \$10,000 going forward.
D. Other Revenue is running higher than expected due to an increase in the bulk water rates that went into effect this fiscal year.
E. Interest rates have dropped significantly more than we were anticipating during the budget process.
F. "Use of Fund Balance" offsets "Transfers to the Capital Project Fund" \$33,233, "Winter Storm Water Leak Adjustments" \$14,123, and winter storm salary expense of \$28,533. Net effect to operations is \$0.
G. Personnel costs should be tracking at 70% of budget through May. Tracking below expected mainly because of vacancies.

AIRPORT FUND DASHBOARD

CURRENT RESULTS COMPARISON

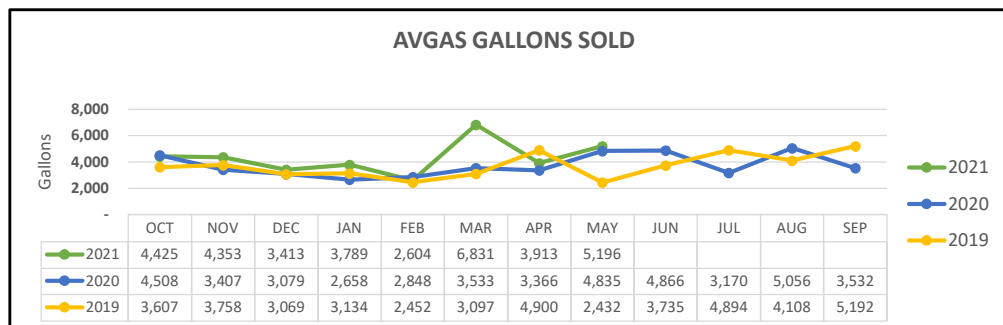
	ANNUAL BUDGET	ACTUAL FYTD May 2021	% OF BUDGET	PY BUDGET 2019-2020	ACTUAL FYTD May 2020	% OF BUDGET
REV (net of cogs)	\$ 347,654	\$ 287,705	83%	\$ 418,595	\$ 237,852	57%
EXPENSES	254,295	175,027	69%	316,741	157,714	50%
PROFIT (LOSS)	\$ 93,359	\$ 112,679		\$ 101,854	\$ 80,139	

TABLES/CHARTS



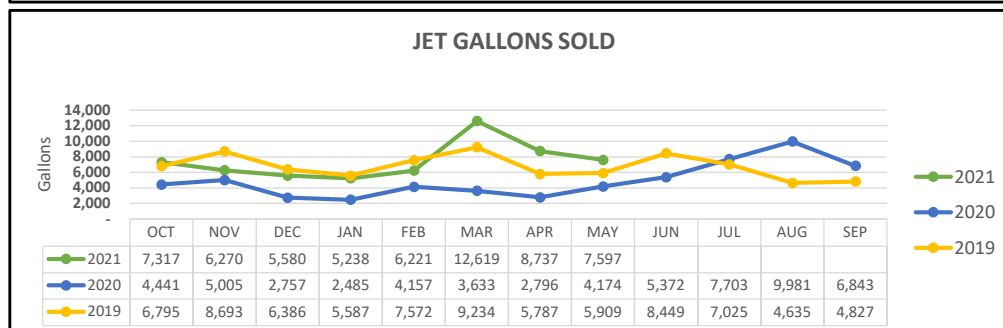
	2021	2020
AvSales	\$ 138,712.10	\$ 113,552.90
Av Purchases	100,632.40	86,864.81
Profit	\$ 38,079.70	\$ 26,688.09
Profit Margin %	27.45%	23.50%

	2021	2020
Jet Sales	\$ 222,643.14	\$ 129,626.51
Jet Purchases	109,999.84	63,542.75
Profit	\$ 112,643.30	\$ 66,083.76
Profit Margin %	50.59%	50.98%



Avgas Gallons Sold:

FYTD 2021	34,523
FYTD 2020	28,233
Increase(decrease)	6,290
	22.28%



Jet Gallons Sold:

FYTD 2021	59,578
FYTD 2020	29,448
Increase(decrease)	30,130
	102.32%

% of year completed: 66.67

AIRPORT FUND

REVENUE

	ANNUAL BUDGET 2020-2021	ACTUAL FYTD May 2021	% OF BUDGET		PY BUDGET 2019-2020 (ORIGINAL)	PY ACTUAL FYTD May 2020	% OF BUDGET
Av Gas Sales	\$ 170,500	\$ 138,712			\$ 215,000	\$ 113,553	
Av Gas Purchases	127,875	100,632			161,250	86,865	
Net Sales	42,625	38,080	89%	A	53,750	26,688	50%
Jet Gas Sales	210,000	222,643			355,000	129,627	
Jet Gas Purchases	115,500	110,000			209,000	63,543	
Net Sales	94,500	112,643	119%	A	146,000	66,084	45%

Contributions/Misc Rev	-	-			-	375	
Sign Rental Revenue	-	-	0%		500	-	0%
Penalties	450	300	67%		775	475	61%
All Hangar Lease	125,000	86,313	69%		125,000	83,784	67%
CAF Admissions	5,066	3,377	67%		4,000	2,917	73%
Rental of Council Chambers	-	-			-	70	
McBride Lease	45,893	26,897	59%		48,000	30,866	64%
Thru the Fence Lease	12,020	8,479	71%	B	12,020	10,257	85%
Airport Parking Permit	2,000	1,750	88%	C	150	1,520	1013%
Hanger Lease - Faulkner	14,400	9,600	67%		14,400	9,600	67%
Insurance Reimbursement	-	-			-	-	
Interest Earned	5,700	266	5%	D	14,000	5,217	37%
Use of Fund Balance	200,000	21,949	11%	E	250,000	140,739	56%

Total Revenue	\$ 547,654	\$ 309,654	57%		\$ 668,595	\$ 378,592	57%
<i>Total Revenue less fund balance</i>	<i>\$ 347,654</i>	<i>\$ 287,705</i>	<i>83%</i>		<i>\$ 418,595</i>	<i>\$ 237,852</i>	<i>57%</i>

EXPENSES

Personnel Costs	\$ 92,879	\$ 66,422	72%	F	\$ 89,342	\$ 62,975	70%
Supplies	15,059	14,020	93%	G	26,000	7,904	30%
Repairs & Maintenance	3,000	538	18%		4,000	212	5%
Contract Labor - FBO	14,400	9,600	67%		14,400	9,600	67%
Commission on Fuel Sal	40,000	26,667	67%		40,000	24,325	61%
Schools/Seminars	4,000	-	0%		4,000	-	0%
Insurance & Bonds	9,000	610	7%	H	17,310	610	4%
Professional Services (Mowing Contract)	-	-			43,000	-	0%
Property Taxes	6,700	3,968	59%		5,000	6,632	133%
Utilities	9,000	6,381	71%	I	8,000	6,001	75%
Av fuel truck lease	12,000	8,000	67%		12,000	8,000	67%
Jet fuel truck lease	16,800	11,200	67%		16,800	11,200	67%
Transfers to Debt Service	-	-			-	-	
Transfers to Capital/Uses of Fund Bal	200,000	21,949	11%	E	250,000	140,739	56%
Admin Allocation	31,457	27,622	88%	J	36,889	20,255	55%

Total Expenses	\$ 454,295	\$ 196,975	43%		\$ 566,741	\$ 298,453	53%
<i>Total Expense less xfers to capital project</i>	<i>\$ 254,295</i>	<i>\$ 175,027</i>	<i>69%</i>		<i>\$ 316,741</i>	<i>\$ 157,714</i>	<i>50%</i>

Net Profit (Loss)	\$ 93,359	\$ 112,679			\$ 101,854	\$ 80,139	
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A Fuel Sales are tracking above budget; Avgas gallons sold are up 22% and Jet gallons sold are up 102% compared to last year.
B Through the Fence payments are made in three lump sum payments through out the year. We anticipate collecting the full budgeted amount by the end of the year.
C Bulk of airport parking permits are paid in advance for the year.
D Interest rates have dropped significantly more than we were anticipating during the budget process.
E Fund Balance is used to offset transfers to the Capital Project Fund; net effect to operations is \$0.
F The target budget for Personnel costs through May is 70% (18/26 ppds plus 1% longevity) . Tracking slightly higher than expected due to overtime.
G Supplies include credit card service charges which have increased due to increased fuel charges.
H Annual runway insurance premium expense is typically not paid until July.
I Utilities are tracking slightly above the average run rate for the period because of the addition of two new water accounts. The Water department discovered two water meters that were being used by Hangers A and C that had never been included in billing. The airport billing was corrected going forward beginning in January 2021.
J Admin allocation is higher than the average run rate because it is based on revenues. As revenues increase, the admin allocation increases.

City of Burnet
Financial Report
FYTD May 2021

OTHER FUNDS

	ANNUAL BUDGET 2020-2021 (AMENDED)	ACTUAL FYTD May 2021	% OF BUDGET	PY BUDGET 2019-2020 (ORIGINAL)	PY ACTUAL FYTD May 2020	% OF BUDGET
HOTEL/MOTEL FUND						
Revenues	\$ 156,000	\$ 113,971	73.06%	\$ 247,000	\$ 103,974	42.09%
Expenses	152,191	47,040	30.91%	238,098	117,148	49.20%
Net Profit (Loss)	<u>\$ 3,809</u>	<u>\$ 66,932</u>		<u>\$ 8,902</u>	<u>\$ (13,174)</u>	
BEDC						
Revenues	\$ 3,020,858	\$ 606,354	20.07%	\$ 1,900,000	\$ 1,291,835	67.99%
Expenses	2,743,111	214,653	7.83%	1,619,150	1,010,656	62.42%
Net Profit (Loss)	<u>\$ 277,747</u>	<u>\$ 391,701</u>		<u>\$ 280,850</u>	<u>\$ 281,179</u>	
SELF FUNDED EQUIPMENT FUND						
Revenues	\$ 708,000	\$ 441,349	62.34%	\$ 985,492	\$ 549,654	55.77%
Expenses	708,000	225,393	31.84%	743,341	76,298	10.26%
Net Profit (Loss)	<u>\$ -</u>	<u>\$ 215,956</u>		<u>\$ 242,151</u>	<u>\$ 473,356</u>	
DEBT SERVICE FUND						
Revenues	\$ 1,029,098	\$ 686,058	66.67%	\$ 1,023,513	\$ 682,689	66.70%
Expenses	1,028,499	827,921	80.50%	1,022,914	805,274	78.72%
Net Profit (Loss)	<u>\$ 599</u>	<u>\$ (141,863)</u>		<u>\$ 599</u>	<u>\$ (122,585)</u>	
INTEREST & SINKING DEBT FUND						
Revenues	\$ 366,049	\$ 340,766	93.09%	\$ 376,661	\$ 381,597	101.31%
Expenses	366,049	206,346	56.37%	376,512	190,478	50.59%
Net Profit (Loss)	<u>\$ -</u>	<u>\$ 134,420</u>		<u>\$ 149</u>	<u>\$ 191,119</u>	

City of Burnet
Cash Investment Report
FYTD May 2021

Acct #	Bank	Account Name	Account Type	Balance May 2021
Unrestricted Accounts				
984/2410	FSB	Operating Cash	Checking	\$ 3,732,412.84
		Add or Subtract Claim on Cash for Airport		(85,625.61)
2329	FSB	Golf Course Petty Cash	Checking	1,741.37
2535	FSB	Operating Reserve	M/M	-
2352	FSB	Delaware Springs-Credit Card Acct	Checking	-
2378	FSB	Airport - Credit Card Acct	Checking	-
2386	FSB	Utility - Credit Card Acct	Checking	-
2469	FSB	Court - Credit Card Acct	Checking	-
2711100002	TexPool	Operating Reserve	Investment	4,180,130.59
Total Unrestricted				\$ 7,828,659.19
<div><div>75 Day Reserve Requirement3,361,000.00</div><div>Unrestricted Cash over 75 day reserve\$ 4,467,659.19</div><div>90 Day Reserve Requirement4,034,000.00</div><div>Unrestricted Cash over 90 day reserve\$ 3,794,659.19</div></div>				
Restricted by Council				
2711100004	TexPool	Capital Reserve	Investment	\$ -
2711100011	TexPool	Capital Equipment Reserve	Investment	584,907.62
2711100012	TexPool	Capital - LCRA Credit	Investment	442,029.97
2188	FSB	Self Funded Equipment	M/M	415,931.77
2711100014	TexPool	Self Funded Equipment Reserve	Investment	664,286.19
Total Restricted by Council				\$ 2,107,155.55
Restricted by Purpose or Law				
Acct #	Bank	Account Name	Account Type	Balance May 2021
1453	FSB	Bond Reserve	M/M	\$ 278,342.28
2402	FSB	Hotel Motel	M/M	107,132.34
2711100005	TexPool	Hotel Motel	Investment	60,270.49
2451	FSB	Construction Account	Checking	-
2485	FSB	PD Seizure	M/M	119.87
2493	FSB	Municipal Court Special Revenue	M/M	52,505.42
2519	FSB	Impact Fees - Water	M/M	263,964.60
2543	FSB	Airport Reserve	M/M	-
		Add or Subtract Airport Claim on Cash		85,625.61
2711100009	TexPool	Airport Reserve	Investment	620,965.22
2568	FSB	Benevolent Fund	Checking	-
2576	FSB	Interest & Sinking Acct	M/M	220,738.01
2584	FSB	Impact Fees - Wastewater	M/M	141,338.33
2592	FSB	BEDC	Super NOW	490,638.25
2711100008	TexPool	BEDC Project Fund	Investment	-
2711100010	TexPool	BEDC	Investment	629,586.75
2634	FSB	Benefit Trust Account	M/M	-
2675	FSB	Police Department Explorer Program	M/M	6,928.58
2691	FSB	Fire Department Explorer Program	M/M	4,190.63
3012	FSB	Franchise Fee Account	Super NOW	104,655.68
3053	FSB	Parks Fund	M/M	44,274.06
58776	FSB	Fire Dept. Community Acct	M/M	10,515.39
2711100007	TexPool	TWDB	Investment	1,191.75
2711100006	TexPool	TWDB	Investment	1,046.41
		City of Burnet, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2010		
143033000	US Bank	Escrow Account	Investment	3,199.32
82-020-01-0	Bank of	City of Burnet 2012 TWDB Escrow	Investment	20,194.14
2711100013	TexPool	PD Bonds	Investment	-
62315	FSB	BEDC Bond Fund	Checking	119,104.02
62364	FSB	BEDC Project Fund	Checking	-
Total Restricted Cash				\$ 3,266,527.15
Total All Cash				\$ 13,202,341.89

City of Burnet
Capital Project Report
FYTD May 2021

GENERAL CAPITAL PROJECT FUND					
	ORIGINAL BUDGET 2020-2021	CURRENT BUDGET 2020-2021	FYTD MAY ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2020-2021
DESCRIPTION					
<u>CAPITAL PROJECTS:</u>					
Incode 10 Upgrade	60,000	60,000	18,493	31%	41,508
Police Department Facility	800,000	800,000	169,664	21%	630,337
PD Ticket Writers	40,000	40,000	14,340	36%	25,660
FD - Remodel FD Substation	250,000	350,000	179,977	51%	170,023
FD - Covid 19 Supplies/Equipment	100,000	100,000	32,145	32%	67,855
FD-Equipment Needs	-	22,000	3,924	18%	18,076
FD-Training Tower	-	68	68	100%	-
Winter Storm Expenses	-	35,000	7,712	22%	27,288
Street Overlay	200,000	200,000	126,675	63%	73,325
Park Improvements	25,000	55,000	20,420	37%	34,580
GHRC Capital Maintenance	20,000	20,000	21,408	107%	(1,408)
GHRC Teen Center	20,000	20,000	20,000	100%	-
	<u>\$ 1,515,000</u>	<u>\$ 1,702,068</u>	<u>\$ 614,825</u>	36%	<u>\$ 1,087,243</u>

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
41,508	-	41,508
630,337	-	630,337
25,660	-	25,660
170,023	-	170,023
67,855	-	67,855
18,076	-	18,076
-	-	-
27,288	-	27,288
73,325	-	73,325
4,580	30,000	34,580
(1,408)	-	(1,408)
-	-	-
<u>\$ 1,057,243</u>	<u>\$ 30,000</u>	<u>\$ 1,087,243</u>

GOLF COURSE CAPITAL PROJECT FUND					
	ORIGINAL BUDGET 2020-2021	CURRENT BUDGET 2020-2021	FYTD MAY ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2020-2021
DESCRIPTION					
<u>CAPITAL PROJECTS:</u>					
C/O - Course Improvement	<u>\$ 100,000</u>	<u>\$ 200,000</u>	<u>\$ 94,996</u>	47%	<u>\$ 105,004</u>

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
<u>\$ 105,004</u>	<u>\$ -</u>	<u>\$ 105,004</u>

ELECTRIC CAPITAL PROJECT FUND					
	ORIGINAL BUDGET 2020-2021	CURRENT BUDGET 2020-2021	FYTD MAY ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2020-2021
DESCRIPTION					
<u>CAPITAL PROJECTS:</u>					
Subdivision Electrical Costs	<u>\$ 150,000</u>	<u>\$ 150,000</u>	<u>\$ 25,831</u>	17%	<u>\$ 124,169</u>

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
<u>\$ 124,169</u>	<u>\$ -</u>	<u>\$ 124,169</u>

W/WW CAPITAL PROJECT FUND					
	ORIGINAL BUDGET 2020-2021	CURRENT BUDGET 2020-2021	FYTD MAY ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2020-2021
DESCRIPTION					
<u>CAPITAL PROJECTS:</u>					
Water System Improvements	\$ 20,000	\$ 20,000	\$ -	0%	\$ 20,000
Sewer Backup Reimbursements	-	20,000	17,733	89%	2,267
Wofford Street Water Line	20,000	20,000	-	0%	20,000
Oak Vista/CR 100 water line expansion	15,000	15,000	13,464	90%	1,536
North Vandever Sewer repair	-	90,000	-	0%	90,000
East Elm Street Sewer Extension	-	2,036	2,036	100%	(0)
Risk and Resilience Assessment	-	17,730	-	0%	17,730
Transfer Impact Fees	40,000	40,000	-	0%	40,000
	<u>\$ 95,000</u>	<u>\$ 224,766</u>	<u>\$ 33,233</u>	15%	<u>\$ 191,533</u>


BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
\$ 20,000	\$ -	\$ 20,000
2,267	-	2,267
20,000	-	20,000
1,536	-	1,536
90,000	-	90,000
(0)	-	-
17,730	-	17,730
-	40,000	40,000
<u>\$ 151,533</u>	<u>\$ 40,000</u>	<u>\$ 191,533</u>

AIRPORT CAPITAL PROJECT FUND					
	ORIGINAL BUDGET 2020-2021	CURRENT BUDGET 2020-2021	FYTD MAY ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2020-2021
DESCRIPTION					
<u>CAPITAL PROJECTS:</u>					
Ramp Grant	\$ 100,000	\$ 100,000	\$ 24,191	24%	\$ 75,809
Land Purchase (TDCI)	\$ -	\$ 54,000	\$ -	0%	\$ 54,000
Cares Grant	30,000	30,000	-	0%	30,000
Capital Projects	150,000	150,000	12,758	9%	137,242
	<u>\$ 280,000</u>	<u>\$ 334,000</u>	<u>\$ 36,949</u>	11%	<u>\$ 297,051</u>

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
\$ -	\$ 75,809	\$ 75,809
-	54,000	54,000
-	30,000	30,000
-	137,242	137,242
<u>\$ -</u>	<u>\$ 297,051</u>	<u>\$ 297,051</u>

TOTAL CAPITAL/OTHER PROJECTS					
	ORIGINAL BUDGET 2020-2021	CURRENT BUDGET 2020-2021	FYTD MAY ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2020-2021
DESCRIPTION					
TOTAL CAPITAL/OTHER PROJECTS	<u>\$ 2,140,000</u>	<u>\$ 2,610,834</u>	<u>\$ 805,835</u>	31%	<u>\$ 1,804,999</u>
TRANSFER TO CAP EQUIP RESERVES	-	-	-	0%	-
TOTAL CAPITAL/OTHER	<u>\$ 2,140,000</u>	<u>\$ 2,610,834</u>	<u>\$ 805,835</u>	31%	<u>\$ 1,804,999</u>

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
<u>\$ 1,437,949</u>	<u>\$ 367,051</u>	<u>\$ 1,804,999</u>
-	-	-
<u>\$ 1,437,949</u>	<u>\$ 367,051</u>	<u>\$ 1,804,999</u>



City of Burnet Financial Report FYTD May

FY 2021

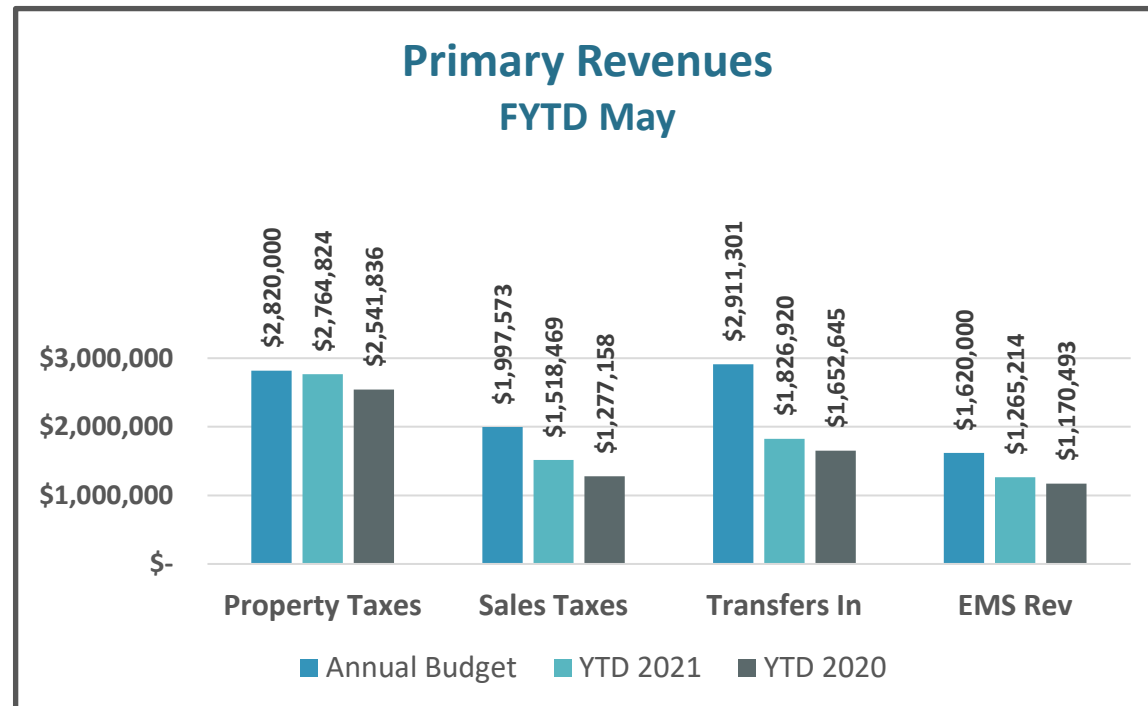
General Fund

	Annual Budget	Actual FYTD May 2021	% of Budget
Revenues	\$11,834,714	\$9,210,752	78%
Expenses	11,488,859	7,756,173	68%
Profit(Loss)	\$ 345,855	\$1,454,579	

○ Revenues – tracking above budget target

- Property Tax Collections – 98%
Increased \$223,000 over last year
- Sales Tax Collections – 76%
Increased 241,000 over last year
- Transfers In – 63%
Increased \$174,000 over last year
- EMS Transport Revenues – 78%
Increased \$95,000 over last year

○ Expenses - on track with budget



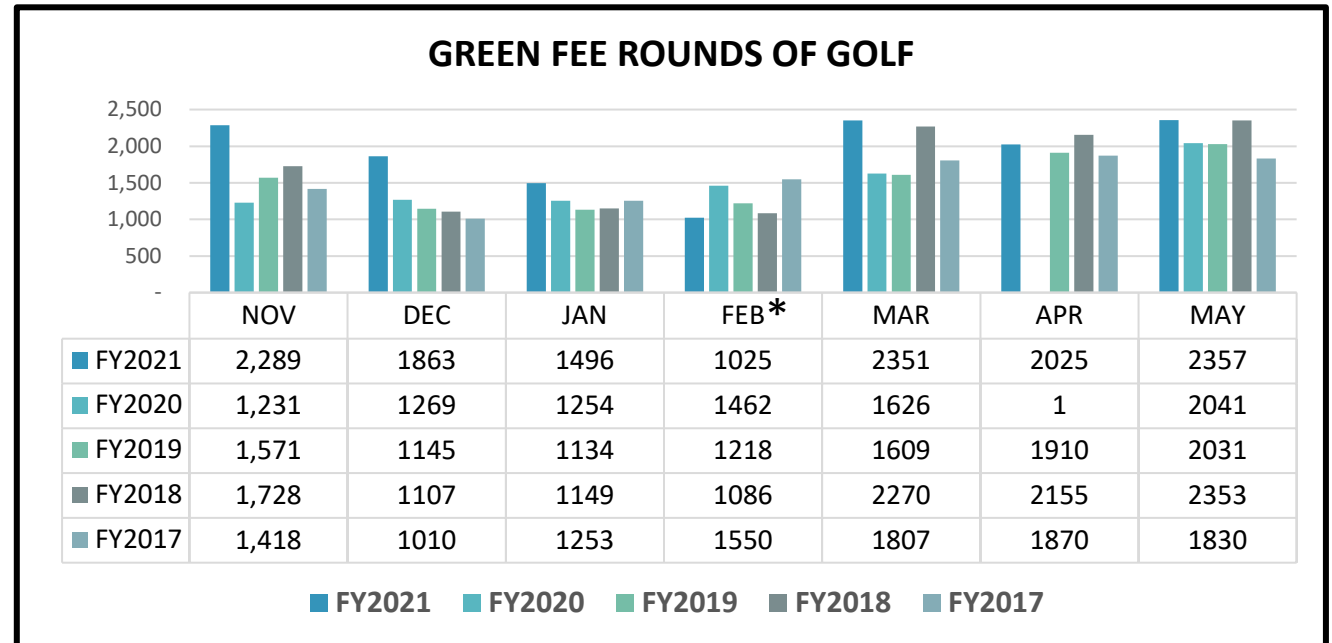
Golf Course Fund

	Annual Budget	Actual FYTD May 2021	% of Budget
Revenues	\$1,326,684	\$ 1,124,865	85%
Expenses	1,461,821	959,008	66%
Profit(Loss)	\$ (135,137)	\$ 165,857	

○ Revenues – above target due to Green Fee/Cart Rental revenues

- *Green Fee Rounds increased 50% over this period last year*
- *Green Fee revenue per round has increased from \$25.20 to \$32.45 over this period last year*

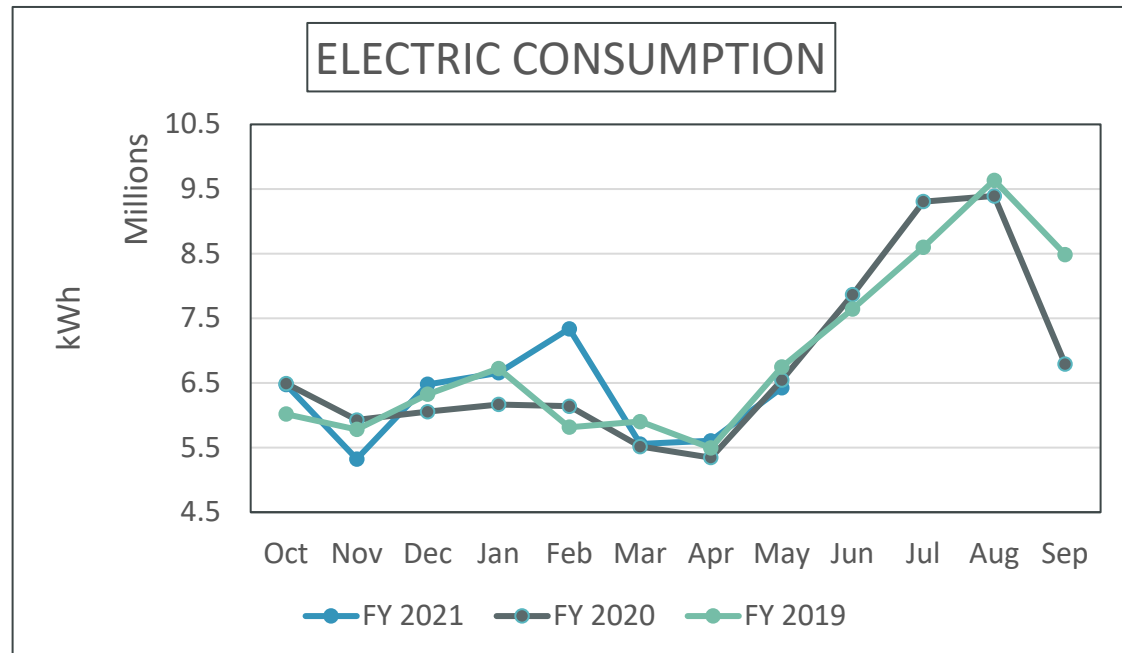
○ Expenses – on track with budget



**Winter storm caused the course to be closed for 11 days during February 2021.*

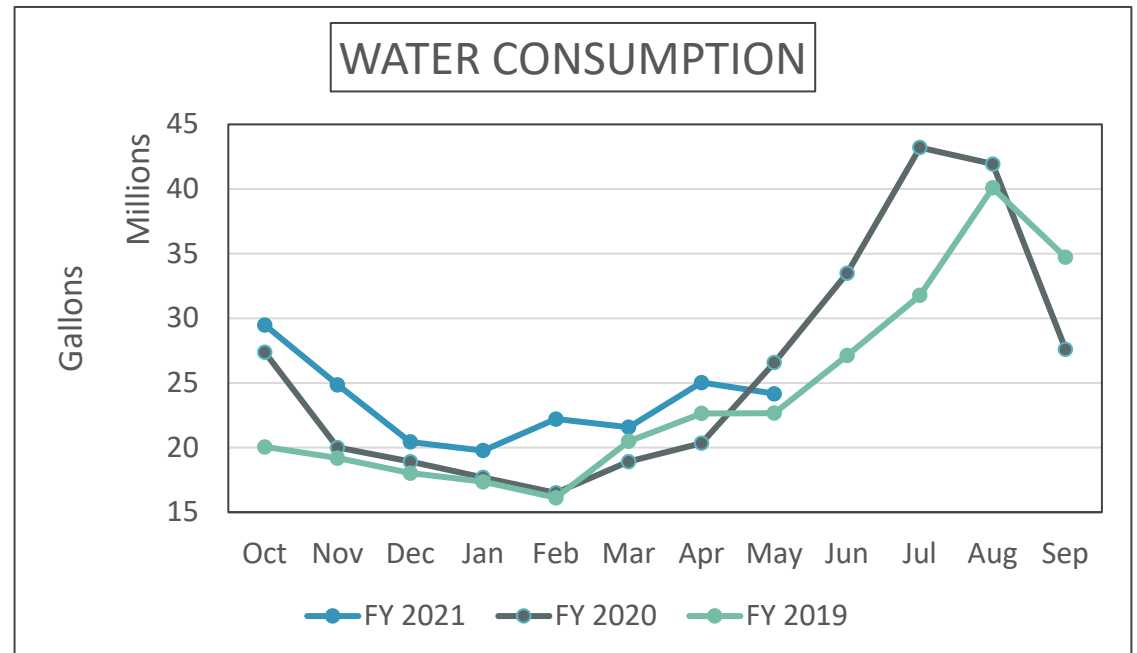
Electric Fund

	Annual Budget	Actual FYTD May 2021	% of Budget
Revenues	\$4,012,175	\$2,422,652	60%
Expenses	3,625,824	2,225,363	61%
Profit(Loss)	\$ 386,351	\$ 197,289	



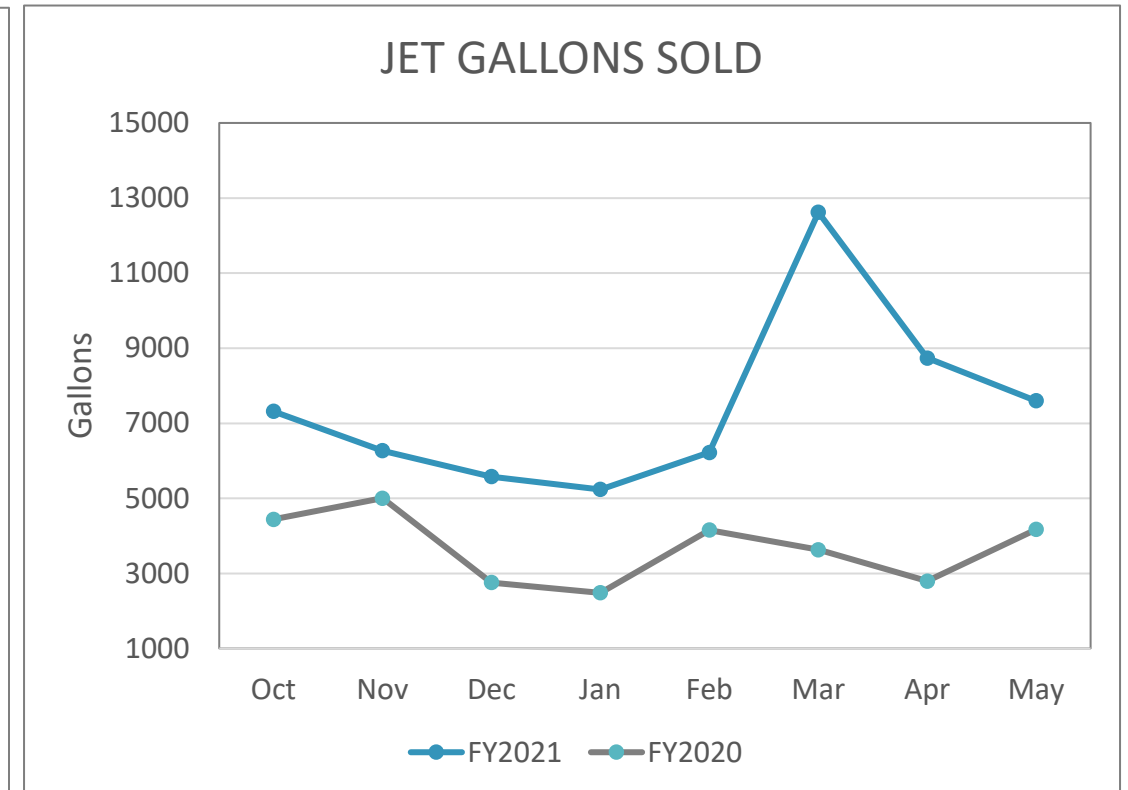
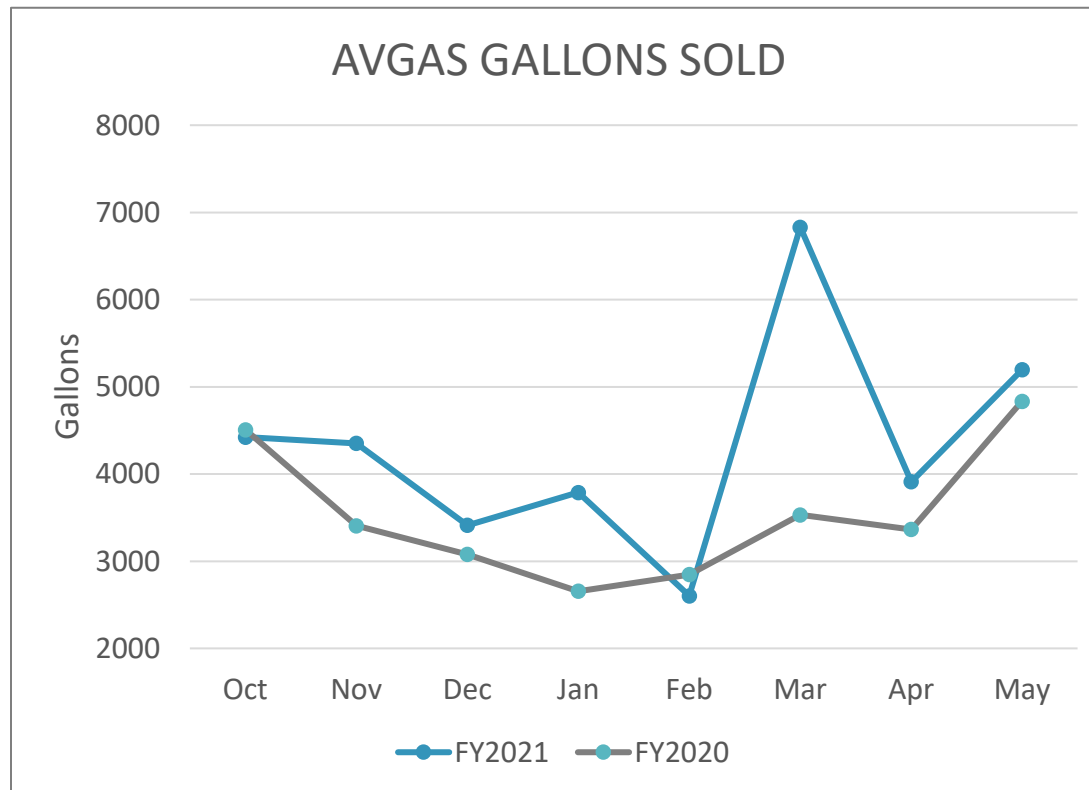
Water/WW Fund

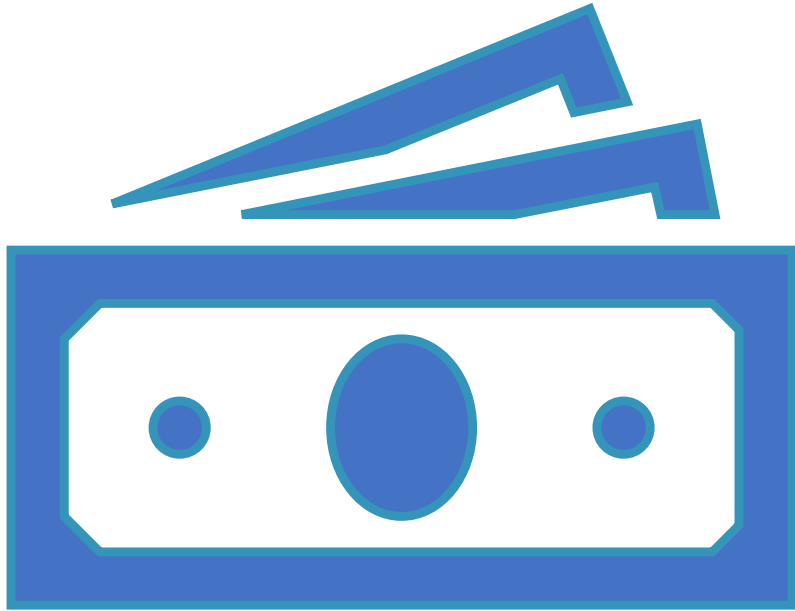
	Annual Budget	Actual FYTD May 2021	% of Budget
Revenues	\$4,265,500	\$2,825,591	66%
Expenses	3,868,980	2,431,907	63%
Profit(Loss)	\$ 396,520	\$ 393,685	



Airport Fund

	Annual Budget	Actual FYTD May 2021	% of Budget
Revenues	\$347,654	\$287,705	83%
Expenses	254,295	175,027	69%
Profit(Loss)	\$ 93,359	\$112,679	





Unrestricted Cash May 31, 2021

Unrestricted Cash	\$ 7,828,659
Less 90-day Reserve	<u>4,034,000</u>
Unrestricted Cash Over Reserve	<u>\$ 3,794,659</u>

Questions?



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

On this the 8th day of June, 2021, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m. at the Council Chambers, Burnet Municipal Airport, 2402 S. Water Street, Burnet, TX thereof with the following members present, to-wit:

Mayor Crista Goble Bromley

Council Members Philip Thurman, Mary Jane Shanes, Ricky Langley, Danny Lester, Cindia Talamantez, Joyce Laudenschlager

City Manager David Vaughn

City Secretary Kelly Dix

Guests: Gene Courtney, Patricia Langford, Alan Burdell, Mark Ingram, Brian Lee, Tony Nash, Mark Miller, Kelli Sames, Adrienne Field, Alan Snider, Dan Case, Matt Imrie

Call to Order: Mayor Bromley called the meeting to order at 6:00 p.m.

INVOCATION: Led by Mayor Bromley

PLEDGE OF ALLEGIANCE:

PLEDGE TO TEXAS FLAG: Pledges led by Council Member Philip Thurman

SPECIAL REPORTS/RECOGNITION:

Development Services Report: M. Imrie: Mr. Imrie reviewed a comparative chart of the residential and commercial permits issued monthly from 2018 through 2021 with all present. A comparative chart of Code Enforcement activities described as abandoned vehicles, debris, weeds/tall grass and other from October 2020 to May 2021 was presented to all.

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 May 25, 2021 City Council Workshop Meeting minutes:

Approval of the May 25, 2021 City Council Regular Meeting minutes: Council Member Cindia Talamantez moved to approve the consent agenda as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

PUBLIC HEARING:

Public Hearing: The City Council of the City of Burnet, Texas will hold a public hearing to receive testimony and comments from members of the public on the merits of a request to rezone property located at 608 Buchanan Dr. (Legal Description: Lot No. Nine-B (9-B), a Short Form Replat of Lot 9B, 9C & 9D, being a Replat of Lot 9A, Hamilton Creek Addition). The request is to rezone the property from its present designation of Light Commercial – District “C-1” to a designation of Medium Commercial – District “C-2”: L. Kimbler: Mayor Bromley opened the public hearing and asked if anyone was interested in speaking, if so to approach the podium. Alan Snider introduced himself as the real estate agent representing the owner. Mr. Snider informed all present that the request for the rezone was to allow the owner to put in a laundromat at the location, along with office space. There being no one else wishing to speak, Mayor Bromley closed the public hearing.

ACTION ITEMS:

Discuss and Consider: SECOND AND FINAL READING OF AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED “ZONING”) SECTION 118-61 (ENTITLED “CONSTRUCTION PLANS”); PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan: Council Member Philip Thurman moved to approve and adopt Ordinance No. 2021-17 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

Discuss and Consider: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET AMENDING THE CODE OF ORDINANCES SECTION 118-74 (ENTITLED “BOARD OF ADJUSTMENT”) BY CODIFYING THE BOARD OF ADJUSTMENT’S COMPOSITION;

TERM; AND SCOPE OF AUTHORITY PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan: Council Member Joyce Laudenschlager moved to approve and adopt Ordinance No. 2021-18 as presented. Council Member Cindia Talamantez seconded. The motion carried unanimously.

Discuss and Consider: SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED “ZONING”) FOR THE PURPOSE OF AUTHORIZING BOAT AND RECREATIONAL VEHICLE SALES, SERVICE AND STORAGE IN THE HEAVY COMMERCIAL – DISTRICT “C-3”; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan: Council Member Mary Jane Shanes moved to approve and adopt Ordinance No. 2021-19 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

Discuss and consider action: Appointment of three Commissioners to the Housing Authority of the City of Burnet: K. Dix: Council Member Cindia Talamantez moved to appoint Roy Hallmark, James Herbort and Jack Butler to the Burnet Housing Authority Board for a term of two years ending in June of 2023 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: Burnet Historic Preservation Board appointment: K. Dix: Council member Mary Jane Shanes made moved to appoint Jennifer Cowfer to the Burnet Historic and Preservation Board as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: FIRST READING AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY DESCRIBED AS 608 BUCHANAN DR (LEGAL DESCRIPTION: LOT NO. NINE-B (9-B), A SHORT FORM REPLAT OF LOT 9B, 9C, & 9D, BEING A REPLAT OF LOT 9A, HAMILTON CREEK DR) WITH MEDIUM COMMERCIAL – DISTRICT “C-2” ZONING CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler: Council Member Philip Thurman moved to approve the first reading of Ordinance No. 2021-20 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS, TO ENTER INTO A GRANT AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION, AVIATION DIVISION (TXDOT) TO MAKE CERTAIN IMPROVEMENTS TO THE BURNET MUNICIPAL AIRPORT; AGREEING TO PROVIDE 10% OF THE TOTAL PROJECT COSTS; NAMING TXDOT AS THE AGENT FOR THE CITY; AND APPOINTING A DESIGNATED REPRESENTATIVE: A. Field: Council Member Cindia Talamantez moved to approve Resolution No. R2021-27 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF BURNET, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH GOLFNOW FOR DELAWARE SPRINGS GOLF COURSE: D. Vaughn: Council Member Philip Thurman moved to approve Resolution No. R2021-28 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: Interlocal Agreement between the Burnet Consolidated Independent School District and the City of Burnet for School Resource Officers: B. Lee: Council Member Cindia Talamantez moved to approve the Interlocal Agreement between the Burnet Consolidated Independent School District and the City of Burnet for School Resource Officers as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH GRANITE PARTNERS LLC FOR THE PROVISION OF WHOLESALE WATER TO SERVE REED RANCH AND PROVIDE CONFIRMATION OF THE PROVISION OF WHOLESALE WATER TO THE BURNET COUNTY COMMISSIONERS COURT: D. Vaughn: Council Member Danny Lester moved to approve Resolution No. R2021-29 as presented. Council Member Mary Jane Shanes 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: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 6:59 p.m., seconded by Council Member Joyce Laudenschlager. The motion carried unanimously.

.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

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

On this the 11th day of June 2021, the City Council of the City of Burnet, TX convened in Special Session, at 2:00 p.m., at the Council Chambers, Burnet Municipal Airport, 2402 S. Water Street, Burnet, TX thereof with the following members present, to-wit:

Mayor Crista Goble Bromley
Council Members: Danny Lester, Philip Thurman, Mary Jane Shanes
Absent: Cindia Talamantez, Joyce Laudenschlager, Ricky Langley
City Manager David Vaughn
City Secretary Kelly Dix

Guests: Habib Erkan, Phil Reynolds

CALL TO ORDER: The meeting was called to order by Mayor Bromley, at 2:00 p.m.

ROLL CALL: City Secretary Kelly Dix called the roll. Council Members Lester, Thurman, Shanes, and Mayor Bromley were present. Council Members Talamantez, Laudenschlager and Langley were absent. Quorum was established.

EXECUTIVE SESSION: Pass. No action taken.

Executive Session: Pursuant to Texas Government Code Sec. 551.072 the City Council of the City of Burnet shall convene in executive session to deliberate on the value of real property and related issues: D. Vaughn

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE PURCHASE OF REAL PROPERTY LOCATED AT 118 EAST POLK STREET, BURNET TEXAS AND AUTHORIZING THE MAYOR TO EXECUTE AN ASSIGNMENT OF AN EXISTING SALES CONTRACT FOR SAID PROPERTY FOR A TOTAL ACQUISITION COST OF NOT MORE THAN ONE-MILLION DOLLARS: D.

Vaughn: Council Member Danny Lester moved to approve and adopt Resolution R2021-30 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: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Danny Lester at 2:10 p.m., seconded by Council Member Mary Janes Shanes. The motion carried unanimously.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 3.1

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

Public Hearing Brief

Meeting Date: June 22, 2021

Public Hearing: Public Hearing: City Council will receive testimony and comments from members of the public on an Ordinance amending city code chapter 98 (entitled "subdivisions") by amending the notification and hearing procedures prescribed in section 98-22: H. Erkan, Jr.

Background: The review and approval of subdivision plat applications are governed by Texas Local Government Code Chapter 212 and City Code Chapter 98. Chapter 212 prescribes strict timelines for the planning and zoning commission and city council to take action on administratively complete plat applications. Additionally, chapter 212, in most cases does not impose any additional notice of the commission's or council's consideration and action on a plat application than is required under the Texas Open Meetings Act. City code chapter 98 imposes public hearing and notice of such public hearing not earlier than 30 days and not later than 15 days before consideration on a plat application. This notice requirement both causes unnecessary delay for the plat application; and, makes it difficult for the city to comply with the chapter 212 action deadlines.

Information: This ordinance would align the city's notice requirements for consideration of subdivision plats by the commission and council with the state requirements found in chapter 212. It should be noted that unlike action on a zoning application, which is legislative in nature, action on a subdivision plat application is ministerial in nature, unless a variance is requested, and providing the additional public notice and providing for public hearings give the false impression that the commission and council have more discretion than state law allows.

Fiscal Impact: This amendment will have a positive financial impact in that there will no longer be an expense for publication of subdivision plat application public notices.

Recommendation: Open the public hearing.



Development Services

ITEM 3.2

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

Public Hearing Brief

Meeting Date: June 22, 2021

Public Hearing: Public Hearing: City Council will receive testimony and comments from members of the public on an Ordinance amending city code of ordinances chapter 98 (entitled “subdivisions”) by adding a construction plan inspection fee to section 98-23: H. Erkan, Jr.

Background: As council is aware the subdivision of land into buildable commercial and residential lots in many cases involves the dedication of street, water, sewer and electric infrastructure for public maintenance and use. To assure the infrastructure to be dedicated is designed correctly council adopted the city’s construction manual. To assure the infrastructure is constructed in accordance to the approved designed, the public works department, in coordination with the city engineer, make periodic onsite inspections of the work site.

Information: This ordinance would allow the city to recoup some of the costs associated with the aforementioned onsite inspections. The proposed fee would be 3.0% of the estimated construction cost for the roads, water, sewer, and drainage facilities, according to calculations by the project engineer and verified by the city engineer.

The chart below was prepared by our city engineer and compares development fees charged by Austin, Buda, Georgetown, Hutto, Kyle, Leander, Marble Falls, Round Rock, and San Marcus. Burnet is the only city in the list not charging an infrastructure inspection fee and the average fee charged is 3%.

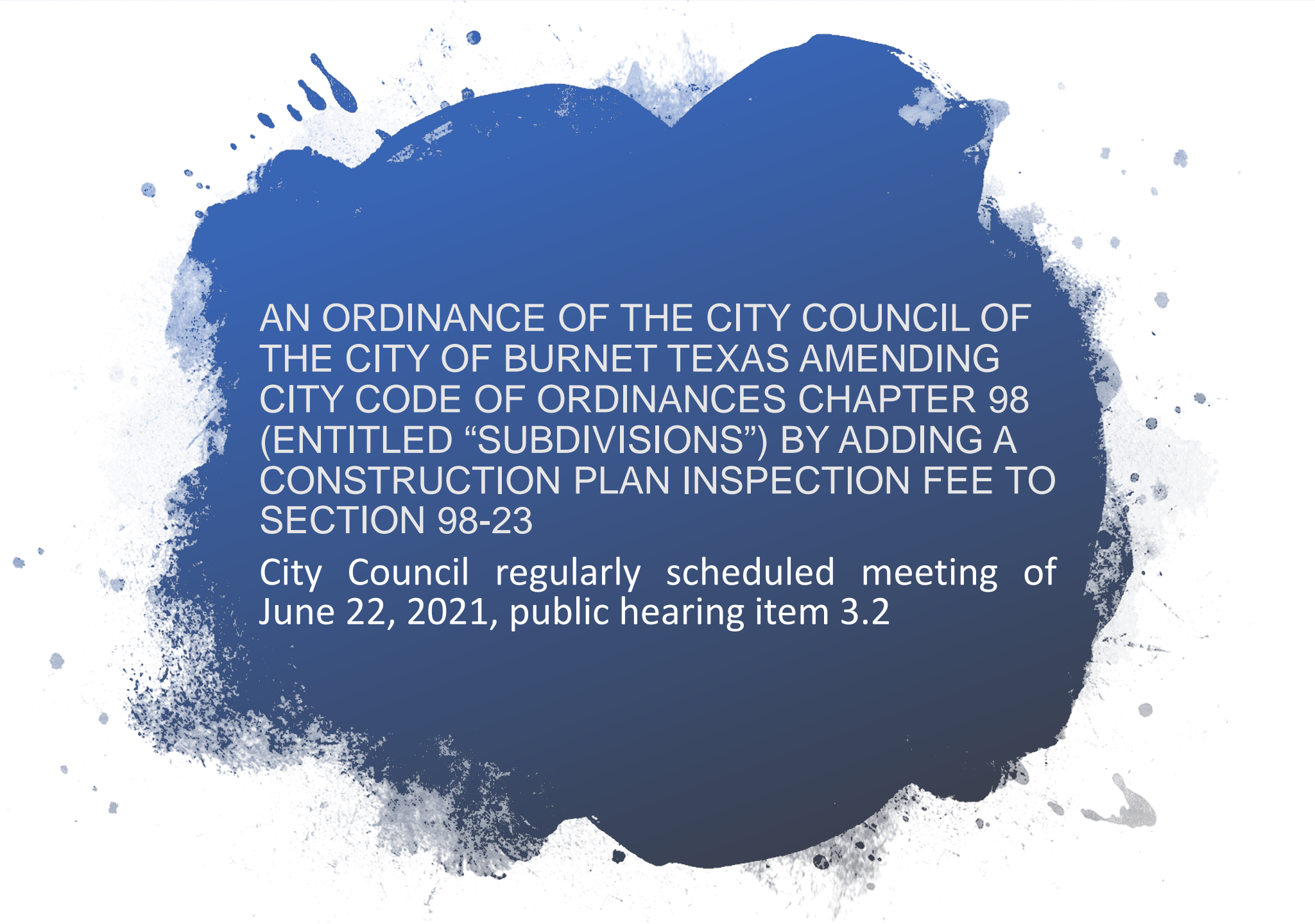
<i>City</i>	<i>Water Impact*</i>	<i>Wastewater Impact*</i>	<i>Total Impact Fees*</i>	<i>Subdivision Inspection Fees</i>
Austin	\$4,700.00	\$2,500.00	\$7,200.00	\$201.76 per hour for ~5% of OPC
Buda	\$2,187.00	\$2,531.00	\$4,718.00	\$500 + 3.5% of OPC
Georgetown	\$4,616.31	\$2,077.71	\$6,694.02	\$1,000/Lot** ~ 3% of OPC
Hutto	\$3,625.00	\$2,128.00	\$5,753.00	3% of OPC
Kyle	\$3,535.00	\$2,826.00	\$6,361.00	2% of OPC
Leander	\$3,880.00	\$1,615.00	\$5,495.00	3.5% of OPC
Marble Falls	\$2,761.00	\$3,293.00	\$6,054.00	\$500 + \$70 per acre up to 100 acres + \$50 per acre for each acre over 100 acres
Round Rock	\$4,234.00	\$1,799.00	\$6,033.00	1.5% of OPC
San Marcos	\$3,801.00	\$2,684.00	\$6,485.00	\$2,378 plus \$50 per acre
Average	\$3,704.37	\$2,383.75	\$6,088.11	~3% of OPC
<u>Burnet -Current</u>	<u>\$1,084.50</u>	<u>\$1,173.00</u>	<u>\$2,257.50</u>	<u>\$0</u>
Difference	\$2,619.87	\$1,210.75	\$3,830.61	~3% of OPC

Fiscal Impact:

Passage of this ordinance will have a positive fiscal impact as it will allow city inspection costs to be recouped from the applicant requesting infrastructure dedication.

Recommendation:

Open the public hearing.



AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF BURNET TEXAS AMENDING
CITY CODE OF ORDINANCES CHAPTER 98
(ENTITLED "SUBDIVISIONS") BY ADDING A
CONSTRUCTION PLAN INSPECTION FEE TO
SECTION 98-23

City Council regularly scheduled meeting of
June 22, 2021, public hearing item 3.2

Background

- With the approval of subdivisions there may be the dedication of public infrastructure:
 - Streets and sidewalks;
 - Water, sewer and electric utilities
- Acceptance of dedication two step process
 - Preliminary acceptance initiates one year warranty period
 - Final acceptance after one year warranty period if infrastructure passes final inspection resolution will be presented to city council authorizing final acceptance
- Upon final acceptance city takes over responsibility for maintenance of dedicated infrastructure

Background

- Design
 - Design of public infrastructure falls under city's construction manual
 - Project engineer designs public infrastructure and city engineer reviews and approves the proposed design
- Construction
 - City public works department and the city engineer conducts periodic inspections of infrastructure construction to assure compliance with the approved design plans

Purpose of ordinance

- This ordinance allows the city to recoup some of the costs associated with inspections of public infrastructure construction
 - The proposed fee would be 3.0% of the estimated infrastructure construction cost
 - Estimated costs would be submitted by project engineer and verified by city engineer

Fee comparison

City	Water Impact*	Wastewater Impact*	Total Impact Fees*	Subdivision Inspection Fees	
Austin	\$4,700.00	\$2,500.00	\$7,200.00	\$201.76 per hour for ~5% of OPC	
Buda	\$2,187.00	\$2,531.00	\$4,718.00	\$500 + 3.5% of OPC	
Georgetown	\$4,616.31	\$2,077.71	\$6,694.02	\$1,000/Lot** ~ 3% of OPC	
Hutto	\$3,625.00	\$2,128.00	\$5,753.00	3% of OPC	
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Leander	\$3,880.00	\$1,615.00	\$5,495.00	3.5% of OPC	
Marble Falls	\$2,761.00	\$3,293.00	\$6,054.00	\$500 + \$70 per acre up to 100 acres + \$50 per acre for each acre over 100 acres	
Round Rock	\$4,234.00	\$1,799.00	\$6,033.00	1.5% of OPC	
San Marcos	\$3,801.00	\$2,684.00	\$6,485.00	\$2,378 plus \$50 per acre	
Average	\$3,704.37	\$2,383.75	\$6,088.11	~3% of OPC	
<u>Burnet -Current</u>	<u>\$1,084.50</u>	<u>\$1,173.00</u>	<u>\$2,257.50</u>	<u>\$0</u>	
Difference	\$2,619.87	\$1,210.75	\$3,830.61	~3% of OPC	

Thank you.

The public hearing may be opened.



Development Services

ITEM 4.1

Leslie Kimbler
Planner I
512-715-3215
lkimbler@cityofburnet.com

Agenda Item Brief

Meeting Date: June 22, 2021

Action Item: Discuss and Consider: SECOND AND FINAL READING AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY DESCRIBED AS 608 BUCHANAN DR (LEGAL DESCRIPTION: LOT NO. NINE-B (9-B), A SHORT FORM REPLAT OF LOT 9B, 9C, & 9D, BEING A REPLAT OF LOT 9A, HAMILTON CREEK DR) WITH MEDIUM COMMERCIAL – DISTRICT “C-2” ZONING CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler

Background: The subject property is located on the north side of west Highway 29, also known as Buchanan Drive (Exhibit A). The property was previously known as Lakes Area Pharmacy and is currently zoned as Light Commercial – District “C-1”. The property has not had utility service since January 2020.

Information: The applicant is seeking the requested rezone to re-develop the existing building into a multi-suite business with a laundromat. Code of Ordinance, Sec. 118-46 states “Cleaning or laundry self-service shop and cleaning shop or laundry (small)” is an allowable use in Medium Commercial – District “C-2”.

There have been no changes to Ordinance 2021-20 since the first reading of the Ordinance on June 8, 2021

Staff Analysis: The Future Land Use Map designation for the area is commercial. The proposed Medium Commercial – District “C-2” zoning is appropriate in this area.

Properties adjacent to the subject property are zoned as follows:

	North	South	East	West
Zoning	“C-1”	“C-1”	“R-1”	“C-1”
FLUM	Residential	Commercial	Residential	Commercial
Land Use	Single-Family Residential	Business	Single-Family Residential	Automobile Repair

Public Notification: Written notices were mailed to 19 surrounding property owners within 200 feet of the subject property. Staff has received zero responses in favor and zero responses in opposition.

Recommendation: Staff recommends approval and adoption of Ordinance 2021-20 as presented.

ORDINANCE NO. 2021-20

AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY DESCRIBED AS 608 BUCHANAN DR (LEGAL DESCRIPTION: LOT NO. NINE-B (9-B), A SHORT FORM REPLAT OF LOT 9B, 9C, & 9D, BEING A REPLAT OF LOT 9A, HAMILTON CREEK DR) WITH MEDIUM COMMERCIAL – DISTRICT “C-2” ZONING CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council, by the passage and approval of Ordinance No. 2021-001, affixed the zoning classifications for each and every property located within the city in accordance with the Official Zoning Map as approved with said ordinance; and

WHEREAS, the purpose of this Ordinance is to amend the Official Zoning Map by amending the zoning classification of the Real Property (“Property”) described herein; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on the matter, deliberated the merits of the proposed amendment of zoning classification and has made a report and recommendation to City Council; and

WHEREAS, in passing and approving this ordinance it is legislatively found the Planning and Zoning Commission and City Council complied with all notice, hearing and meetings requirements set forth in Texas Local Government Chapter 211; Texas Government Code Chapter 551, the City Charter; and Chapter 118, of the Code of Ordinances; and

WHEREAS, it is further legislatively found that this proposed zoning reclassification of property does not require an amendment to the Future Land Use Plan; and

WHEREAS, City Council, after considering the testimony and comments of the public, reports and recommendations of City Staff and the Planning and Zoning Commission, and the deliberation of its members, by passage and approval of this Ordinance hereby determines the action taken herein is meritorious and beneficial to the public health, safety, and welfare.

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

Section one. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted and made a part hereof for all purposes as findings of fact.

Section two. Property. The Property that is the subject to this Zoning District Reclassification is 608 BUCHANAN DR (LEGAL DESCRIPTION: LOT NO. NINE-B (9-B), A SHORT FORM REPLAT OF LOT 9B, 9C, & 9D, BEING A REPLAT OF LOT 9A, HAMILTON CREEK DR) as shown on **Exhibit “A”** hereto.

Section three Zoning District Reclassification. MEDIUM COMMERCIAL – DISTRICT “C-2” Zoning District Classification is hereby assigned to the Property described in section two.

Section four. Zoning Map Revision. The City Secretary is hereby authorized and directed to revise the Official Zoning Map to reflect the change in Zoning District Classification approved by this Ordinance.

Section five. Repealer. Other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such conflict.

Section six. Severability. This Ordinance is severable as provided in City Code Section 1-7 as same may be amended, recodified or otherwise revised.

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

PASSED on First Reading the 8th day of June 2021.

PASSED AND APPROVED on this the 22nd day of June 2021.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

Exhibit "A"
Location Map



Item 4.1

Discuss and Consider: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY DESCRIBED AS 608 BUCHANAN DR (LEGAL DESCRIPTION: LOT NO. NINE-B (9-B), A SHORT FORM REPLAT OF LOT 9B, 9C, & 9D, BEING A REPLAT OF LOT 9A, HAMILTON CREEEK DR) WITH MEDIUM COMMERCIAL – DISTRICT “C-2” ZONING CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Item 4.1

Information:

- Current Zoning:
Light Commercial – District “C-1”
- Requested Zoning:
Medium Commercial – District “C-2”

The applicant is requesting District “C-2” zoning to allow for the re-development of the existing building into a multi-suite business with a laundromat.

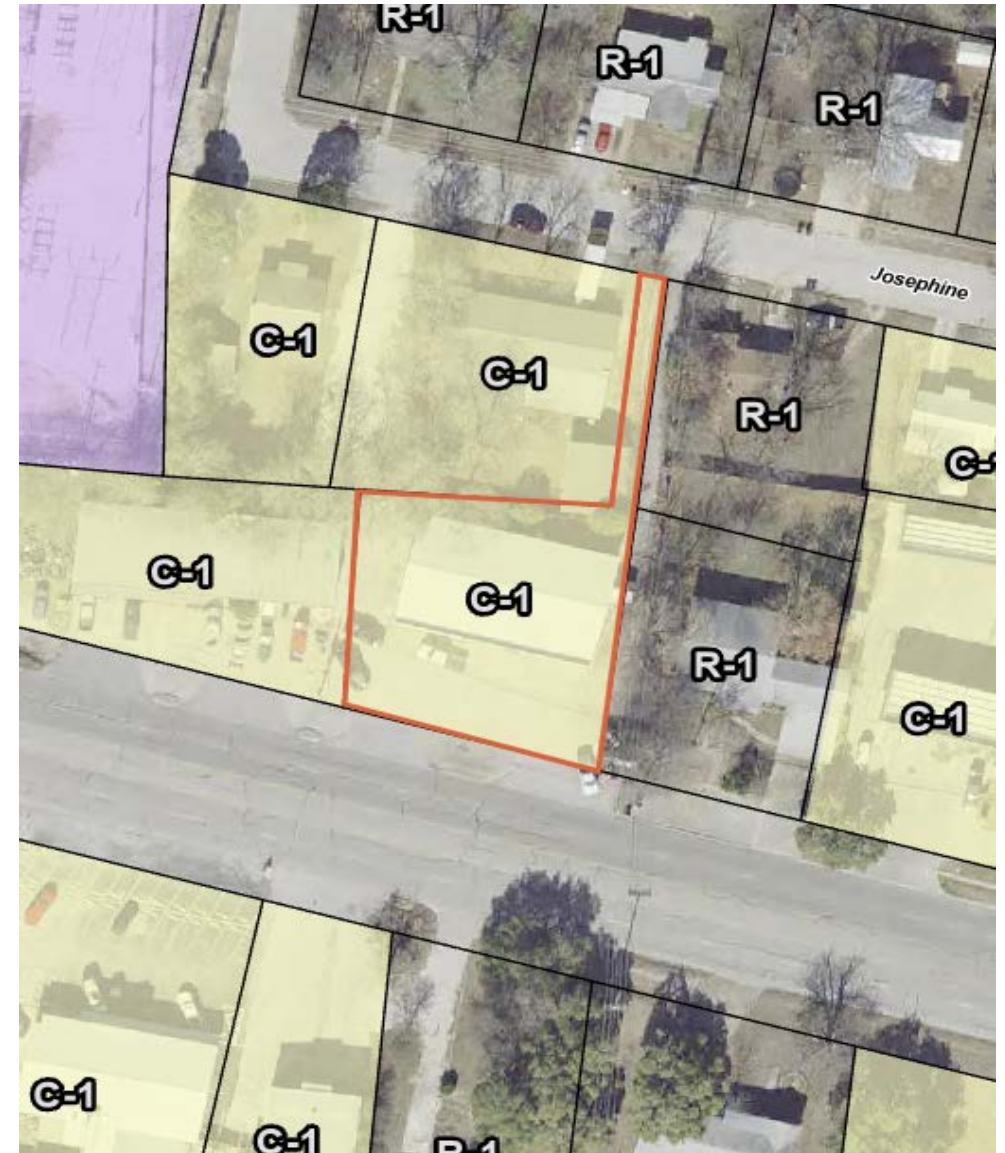
Future Land Use Map:

The Future Land Use Map designation for the area is commercial. The proposed Medium Commercial – District “C-2” zoning is appropriate in this area.



Questions?

Staff recommends approval of the second and final reading of the ordinance to rezone the property from its present designation of Light Commercial – District “C-1” to a designation of Medium Commercial – District “C-2”.





Administration

ITEM 4.2

Kelly Dix
City Secretary
(512)-756-6093 ext. 3209
kdix@cityofburnet.com

Agenda Item Brief

Meeting Date:	June 22, 2021
Agenda Item:	Discuss and consider action: Proposed contract with Burnet County for 2021/2022 Election Services: K. Dix
Background:	The shared polling locations provided by the joint election procedure with Burnet County, enables “One Stop Voting” for the citizens of Burnet County, Burnet School District, and the City of Burnet. The simplicity of the “One Stop Voting” encourages citizen participation in the voting process.
Information:	The County provides a once a year contract for each of the contracting entities instead of individual contracts for each individual election. This streamlines the processes Burnet County uses with the individual entities that contract for election services. A copy of the drafted contract with Burnet County for the 2021/2022 Joint Agreement Contract and Election Services contract for all election services provided by the Burnet County Election Administration from August 1, 2021 to July 21, 2022.
Fiscal Impact	Fees and charges assessed by the Burnet County Election Administration office is based on participation of all local political subdivisions in the specified election. Average annual cost of election services is \$1,000.00 per year.
Recommendation:	Staff recommends approval of the Contract for Election Services with Burnet County Elections Administration for the 2021/2022 Fiscal year.

JOINT ELECTION AGREEMENT 2021-2022

FOR BURNET COUNTY LOCAL POLITICAL SUBDIVISIONS

Whereas, the undersigned local political subdivisions, collectively referred to hereafter as the “LPSs”, each anticipate holding election(s) from August 2021 to July 2022; and

Whereas, each of the LPSs is located partially or entirely within Burnet County, Texas (the “County”); and

Whereas, the County has contracted or is contracting with each LPS to conduct and provide election services for such LPS’s election(s) from August 2021 to July 2022; and

Whereas, the LPSs all desire to enter into a joint election agreement for the purpose of sharing election equipment, costs, services of election officials, and sharing precinct polling locations and election ballots where appropriate.

NOW THEREFORE, the LPSs agree as follows:

- I. **Scope of Joint Election Agreement.** The LPSs enter this Joint Election Agreement (“Agreement”) for the conduct of the elections to be held from August 2021 through July 2022.
- II. **Appoint Election Officer.** The LPSs appoint the Burnet County Elections Administrator to serve as the Election Officer for each LPS in order to perform and supervise the duties and responsibilities of the Election Officer for any election from August 2021 through July 2022.
- III. **Early Voting Polling Locations.** The Early Voting locations for the elections will be at the AgriLife Auditorium, 607 N. Vandever St., Burnet, TX 78611 and the Courthouse South Annex in Marble Falls, 810 Steve Hawkins Pkwy., Marble Falls, TX 78654. The costs incurred in connection with the AgriLife Auditorium Early Voting location will be shared only by the Burnet Consolidated Independent School District, the City of Burnet, the City of Bertram, the Central Texas Groundwater Conservation District (CTGCD) and Burnet County. The costs incurred in connection with the Courthouse South Annex Early Voting location will be shared only by the Marble Falls Independent School District, the City of Marble Falls, the City of Granite Shoals, the City of Cottonwood Shores, the City of Meadowlakes, the City of Highland Haven, the City of Horseshoe Bay, the City of Double Horn, CTGCD and Burnet County.
- IV. **Election Day Polling Locations.** Election Day voting shall be held in common precincts where appropriate at the dates, times, and locations recommended by the Election Officer and authorized and ordered by the governing body of each LPS. Those will be decided within one week after the last day to order an election.
- V. **Cost Sharing.** The LPSs agree to the cost sharing provisions below. This includes Burnet County, the school districts of the county, the cities of the county, and the Central Texas Groundwater Conservation District. Other entities pay a lump sum of \$1,000 for their election.
- VI. **Effective Date.** This Agreement becomes effective upon execution by the participating LPSs.
- VII. **Amendments.** This Agreement may not be amended or modified except in writing and executed by each LPS.

COST SHARING – NOVEMBER UNIFORM ELECTION DATE

- I. The following expenses will be shared equally by all LPSs holding an election including Burnet County: the newspaper notice for the Logic and Accuracy Test of the ballots, consumable election supplies, and ballot programming.
- II. The user fees for the voting equipment, election worker payroll, and mileage payments to poll workers will follow these cost sharing arrangements:
 - a. The county will bear at least 70% of these election costs at each voting location. The remaining 30% will be shared so that 20% is paid by the Independent School District (ISD) or CTGCD associated with the polling place and the remaining 10% is paid by any/all cities equally sharing the costs. If both the ISD and CTGCD are holding elections, they each pay 10%, with any/all cities equally sharing the remaining 10%.
 - b. If there is no city election, the ISD or CTGCD associated with the polling place pays 20% or 10% each and the county the remaining 80%. Subsequently, if there is no ISD or CTGCD election, any/all cities pay 10% of the costs associated with the polling place and the county pays 90%.
 - c. If there is no city, no ISD and no CTGCD election, the county pays 100% of the costs.
- III. It is acknowledged that cost sharing expenses will fluctuate depending upon the number of required polling locations and poll workers required as General Elections, held on even-numbered years, typically require more resources than Constitutional Amendment elections, held on odd-numbered years.

COST SHARING – MAY UNIFORM ELECTION DATE

- I. The following expenses will be shared equally by all LPSs holding an election including Burnet County: the newspaper notice for the Logic and Accuracy Test of the ballots, consumable election supplies, and ballot programming.
- II. The user fees for the voting equipment, election worker payroll, and mileage payments to poll workers will follow these cost sharing arrangements:
 - a. For polling locations conducting elections of the county: the county will bear 50% of the election costs at each voting location. The remaining 50% will be shared so that 40% is paid by the Independent School District (ISD) associated with the polling place and the remaining 10% is paid by any/all cities equally sharing the costs.
 - b. If there is no city election, the ISD associated with the polling place pays 50%. Subsequently, if there is no ISD election, any/all cities pay 50% of the costs equally.
 - c. If there is no city or ISD election the county pays 100%.
 - d. For polling locations NOT conducting elections of the county: the ISD pays 80% and any/all cities pay 20% equally.
 - e. If there is no city election, the ISD pays 100%.
 - f. If there is no ISD election, any/all cities pay 100% equally.

A cost estimate for the LPS election will be submitted upon request.

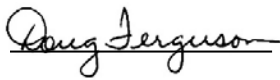
APPROVED BY THE GOVERNING BODY OF _____ in its meeting held the
_____ day of _____, 202_, and executed by its authorized representative.

By: _____

Name: _____

Title: _____

ACKNOWLEDGED BY:



Doug Ferguson
Elections Administrator, Burnet County, Texas

June 7, 2021

Date

CONTRACT FOR ELECTION SERVICES

THIS CONTRACT FOR ELECTION SERVICES (this "Contract") is made and entered into by and between the ELECTIONS ADMINISTRATOR OF BURNET COUNTY, TEXAS ("Contracting Officer") and the Local Political Subdivision set forth on the signature page of this Contract (the "LPS") pursuant to the authority under Section 31.092(a) of the Texas Election Code.

RECITALS

WHEREAS, the LPS expects to order an election during the term of this Contract and during any renewal term of this Contract (the "Election");

WHEREAS, the LPS desires that certain election services for the Election be provided by the Contracting Officer pursuant to Chapter 31, Subchapter D of the Texas Election Code and;

WHEREAS, the Contracting Officer and the LPS desire to enter into a contract setting out the respective responsibilities of the parties;

NOW, THEREFORE, the parties to this Contract agree as follows with respect to the coordination, supervision, and conduct of the Election.

I. GENERAL PROVISIONS.

- A. The purpose of this Contract is to maintain consistency and accessibility in voting practices, polling places, and election procedures to best assist the voters of the LPS. For purposes of this Contract the term "Election" will include any resulting recount or election contest. It will also apply to any election to resolve a tie.
- B. The Contracting Officer is hereby appointed to serve as the LPS's Election Officer and Early Voting Clerk to conduct the Election for those areas of the LPS located in Burnet County. As Election Officer and Early Voting Clerk, the Contracting Officer will coordinate, supervise and conduct all aspects of administering voting in connection with the Election in compliance with all applicable law except as otherwise provided in this Contract.
- C. The LPS agrees to commit the funds necessary to pay for election-related expenses for the LPS's election.
- D. The Contracting Officer has the right to enter into agreements with other entities at any time and may require that authorities of LPSs holding elections on the same day in all or part of the same territory to enter into a joint election agreement as authorized in Chapter 271 of the Texas Election Code. The LPS agrees to enter into a joint election agreement required by Burnet County.

II. RESPONSIBILITIES OF CONTRACTING OFFICER. The Contracting Officer shall be responsible for performing the following services and furnishing the following materials and equipment in connection with the election:

- A. ***Nomination of Presiding Judges and Alternate Judges.*** The Contracting Officer shall recruit and appoint Election Day presiding and alternate judges, central accumulation station

judges, and the Early Voting Ballot Board (EVBB) presiding judge, all of which shall meet the eligibility requirements in Subchapter C of Chapter 32 of the Texas Election Code.

B. *Notification to LPS.* The Contracting Officer shall provide the LPS with the most up-to-date list of presiding and alternate judges three weeks before the statutory deadline to order the election and again three weeks before Election Day. LPS acknowledges that the information provided may not be final or complete.

C. *Notification to Presiding and Alternate Judges; Appointment of Clerks.*

1. The Contracting Officer shall notify each presiding and alternate judge of his or her appointment. The notification will also include the assigned polling location, the date of the election training(s), the date and time of the election, the rate of compensation, the number of clerks the judge may appoint, the eligibility requirements for election workers, and the name of the presiding or alternate judge as appropriate.
2. The election judge will make the clerk appointments in consultation with the Contracting Officer. If a presiding judge or the alternate judge does not speak both English and Spanish, and the election precinct is one subject to Sections 272.002 and 272.009 of the Texas Election Code, the Contracting Officer shall ensure that a bilingual election clerk is appointed. The Contracting Officer shall notify the clerks of the same information that the judges receive under this section.

D. *Election Training.* The Contracting Officer shall be responsible for conducting election training for the presiding judges, alternate judges, clerks, and Early Voting deputies in the operation and troubleshooting of the direct record electronic (DRE) voting system and the conduct of elections, including qualifying voters, issuing ballot style codes, maintaining order at the polling location, conducting provisional voting and counting votes.

E. *Logic and Accuracy Testing.* In advance of Early Voting (including the sending out of any mail ballots), the Contracting Officer, the tabulation supervisor, and other members the Contracting Officer designates for the testing board shall conduct all logic and accuracy testing in accordance with the procedures set forth by the Texas Election Code and under guidelines provided by the Secretary of State's office. The Contracting Officer shall also be responsible for the publication of the required notice of such testing.

F. *Election Supplies.* The Contracting Officer shall procure, prepare, and distribute to the presiding judges for use at the polling locations on Election Day (and to the Early Voting clerks during Early Voting) the following election supplies: election and early voting kits (including the appropriate envelopes, lists, forms, name tags, posters, and signage described in Chapters 51, 61, and 62, and Subchapter B of Chapter 66 of the Texas Election Code) seals, sample ballots, thermal paper rolls for use in the Judge's Booth Controllers (JBCs), batteries for use in the JBCs and eSlates, labels for the electronic poll books, and all consumable-type office supplies necessary to hold an election.

G. *Registered Voter List.* The Contracting Officer shall provide lists of registered voters required by law for use on Election Day and for the Early Voting period.

H. Notice at Previous Polling Place. The Contracting Officer shall post notices of a change in a polling place at the entrance to the previous polling location. Section 43.062 of the Texas Election Code provides that the notice shall state the location has changed and give the location of the new polling place.

I. Election Equipment. The Contracting Officer shall prepare and distribute the Direct Record Electronic (DRE) voting system components from Hart InterCivic, Inc. ("Hart") for the election. This voting system includes the equipment referred to as "eSlates" and "Judge's Booth Controllers" (JBCs). Each polling location will have at least one voting machine that is accessible to disabled voters and provides a practical and effective means for voters with disabilities to cast a secret ballot.

J. Ballots. The Contracting Officer or designee shall be responsible for the preparation, printing, programming and distribution of English and Spanish ballots and sample ballots, including the mail ballots, based on the information provided by the LPS, including names of the candidates, names of the offices sought, order of names on the ballot, propositions on the ballot, and the Spanish translation of the offices and any propositions. The ballot will be prepared in these formats: DRE, paper and auditory.

K. Early Voting. In accordance with Sections 31.096 and 32.097(b) of the Texas Election Code, the Contracting Officer shall serve as Early Voting Clerk for the election.

1. The Contracting Officer shall supervise and conduct early voting by mail and by personal appearance and shall secure personnel to serve as Early Voting Deputies.
2. Early Voting by personal appearance for the election shall be conducted during the hours and time period and at the locations as determined by the Contracting Officer.
3. The Contracting Officer shall receive mail ballot applications on behalf of the LPS. All applications for mail ballots shall be processed in accordance with Title 7 of the Texas Election Code by the Contracting Officer or deputies at the Elections Office, located at 106 W. Washington St., Burnet, TX. Applications for mail ballots erroneously sent to the LPS shall be faxed promptly to the Contracting Officer for timely processing then the original application shall be forwarded to the Contracting Officer for proper retention.
4. Early voting ballots shall be secured and maintained at the Elections Office, located at 106 W. Washington St., Burnet, TX and in accordance with Chapter 87 of the Texas Election Code. The Early Voting Ballot Board shall meet at the same location unless posted differently.

L. Election Day Polling Locations. The Election Day polling locations are determined by the Contracting Officer in consultation with the LPS and in accordance with the Texas Election Code. The Contracting Officer shall arrange for the use of all Election Day polling places and shall arrange for the setting up of the polling location including tables, chairs and voting booths.

M. Election Day Activities.

1. The Contracting Officer and staff shall be available from 6:00 am until the completion of vote counting on Election Day to render technical support and assistance to voters and

election workers.

2. The Contracting Officer and staff shall prepare and conduct Election Night intake of election equipment, supplies and records.
3. The Contracting Officer and designee shall serve as central counting station manager and tabulation supervisor, counting the votes in conjunction with the Early Voting Ballot Board and the Central Counting Station judges.

N. Election Night Reports. The Contracting Officer shall prepare the unofficial and official tabulation of precinct results under Section 66.056(a) of the Texas Election Code. The unofficial tabulation of Early Voting precinct results and Election Day precinct results shall be made available to the LPS via e-mail as soon as they are prepared and may be released under law, but no earlier than 7:05 pm on Election Day. The tabulation reports may also be provided to other counties as necessary for the election.

O. Provisional Votes/Determination of Mail Ballots Timely Received under Section 86.007(d) of the Texas Election Code. The Contracting Officer, serving as voter registrar, shall retain the provisional voting affidavits and shall provide factual information on each of the provisional voters' status. The Contracting Officer shall reconvene the EVBB after the election within the time set forth in Section 65.051 of the Texas Election Code for the purpose of determining the disposition of the provisional votes. At the same time, the EVBB will review mail ballots timely received under Section 86.007(d) of the Texas Election Code to determine whether such will be counted and to resolve any issues with such ballots.

P. Canvass Material Preparation. Promptly after determination of the provisional votes and resolution of any mail ballots, the Contracting Officer shall work with the EVBB to tally the accepted provisional votes and resolved mail ballots, amend the unofficial tabulations, and submit new unofficial tabulations to the LPS. The reports will serve as the canvass materials for the LPS.

Q. Custodian of Election Records. The election records will be submitted to the LPS except for those records that must be maintained by the Contracting Officer as Voter Registrar in accordance with Section 66.051 of the Texas Election Code. The Contracting Officer is hereby appointed the custodian of voted ballots (which in the case of the ballots cast on the DRE voting system consists of the DVD backup) and shall preserve them in accordance with Chapter 66 of the Texas Election Code and other applicable law. The Contracting Officer shall also maintain custody of the records pertaining to the operation of the JBCs and eSlates.

R. Recount.

1. If required by law, the Contracting Officer shall perform a partial manual count of electronic voting system ballots in accordance with section 127.201 of the Texas Election Code. A recount may also be requested in accordance with Chapter 212 of the Texas Election Code.
2. The LPS shall advise the Contracting Officer if a recount is required by law or requested and the Contracting Officer and the LPS shall discuss how such recount is

to be conducted. The LPS shall reimburse the Contracting Officer for the cost of such count which is not included in the original invoice.

S. *Schedule for Performance of Services.* The Contracting Officer shall perform all election services in accordance and compliance with the time requirements set out in the Texas Election Code.

T. *Contracting with Third Parties.* In accordance with Section 31.098 of the Texas Election Code, the Contracting Officer is authorized to contract with third parties for election services and supplies. The cost of such third-party services and supplies will be paid by the Contracting Officer and reimbursed by the LPS.

U. *Department of Justice Preclearance for General Elections.* If required by law, any changes to the general conduct of voting in Burnet County will be pre-cleared through the United States Department of Justice by the Contracting Officer with copies of the submission and response e-mailed to the LPS.

III. RESPONSIBILITIES OF THE LPS. The LPS shall perform the following responsibilities:

A. *Applications for Mail Ballots.* The LPS shall date stamp and then as promptly as possible fax to the Contracting Officer all applications for mail ballots that it receives. Promptly thereafter, the LPS shall deliver or send by mail the original mail ballot applications to the Contracting Officer.

B. *Election Orders, Election Notices, and Canvass.* The LPS shall be responsible for preparing, adopting, publishing, and posting all required election orders, resolutions, notices and other documents, including bilingual materials, evidencing action by the governing authority of the LPS necessary to the conduct of the election. The LPS shall be responsible for conducting the official canvass of the election.

C. *Map/ Annexations.* The LPS shall provide the Contracting Officer with an updated map and street index of its jurisdiction in an electronic or printed format and shall advise the Contracting Officer of any annexations or de-annexations.

D. *Department of Justice Preclearance for Special Elections.* If required by law, the LPS shall be individually responsible for obtaining appropriate preclearance from the United States Department of Justice for any special elections.

E. *Ballot Information.* The LPS shall prepare the text for the LPS's official ballot in English and Spanish and provide to the Contracting Officer as soon as possible at the end of the period for ordering the election or filing for candidacy. The ballot information shall include a list of propositions showing the order and the exact manner in which the candidates' names and the propositions are to appear on the ballot. The LPS shall promptly review for correctness the ballot when requested by the Contracting Officer to do so prior to finalization and shall approve by e-mail or by signature in person.

F. *Precinct Reports to the Texas Secretary of State.* Based on information provided by the Contracting Officer, the LPS shall prepare and file all required precinct reports with the Texas Secretary of State.

G. *Annual Voting Report.* The LPS shall be responsible for filing its annual voting system report to the Texas Secretary of State as required under Chapter 123 *et seq.* of the Texas Election Code.

IV. SPECIAL PROVISIONS RELATING TO ELECTION WORKERS

A. *Number of Election Workers at Election Day Polling Locations.* It is agreed by the Contracting Officer and the LPS that there will be at least three election workers at each Election Day polling location: the presiding judge, an alternate judge, and at least one election clerk appointed by the presiding judge. The number of necessary clerks is derived from the number of elections at the poll and the number of registered voters for that poll.

B. *Compensation for Election Workers.* The Contracting Officer shall compensate all election workers in accordance with the Contracting Officer's established compensation policies, in accordance with the Texas Election Code and using the rates set by Burnet County Commissioners Court for county elections. The Contracting Officer shall pay the workers and be reimbursed by the entities sharing the polling location unless a polling place is open for only one LPS holding an election. In this case, the LPS shall pay the election workers directly.

V. PAYMENT

A. *Charges and Distribution of Costs.* In consideration of the joint election services provided by the Contracting Officer, the LPS will be charged a share of election costs and an administrative fee. The costs distribution is set forth in the Joint Election Agreement. A cost estimate shall be provided upon request only after all entities participating in the election are identified.

B. *Administrative Fee.* The Contracting Officer shall charge a fee equal to 10% of the LPS's share of the cost of the election or a minimum of \$75.00.

C. *Equipment Rental Fee.* Per Section 123.032(d) of the Texas Election Code, the Burnet County Commissioners Court has set the equipment rental fee at \$150 per JBC and per eSlate. There is no charge for Early Voting rental of equipment. If the County acquires additional equipment, different voting equipment, or upgrades existing equipment during the term of this Contract, the charge for the use of the equipment may be reset by the Burnet County Commissioners Court.

D. *Fixed Lump Sum Price for Districts other than Cities, School Districts and Central Texas Groundwater Conservation District.* A LPS that is not a city, school district or the Central Texas Groundwater Conservation District shall pay the Contracting Officer a fixed lump sum price to administer its election. The only item not included in the lump sum price is the cost of any recount.

E. *Payment.* The Contracting Officer's invoice shall be due and payable to the address set forth in the invoice within 30 days from the date of receipt by the LPS.

VI. TERM AND TERMINATION

- A. **Initial Term.** The initial term of this Contract shall commence upon the last party's execution hereof and shall continue thereafter in full force and effect for one year, subject to the termination rights set forth herein.
- B. **Renewal.** Subject to the termination rights set forth herein, this Contract shall automatically renew for a one-year term.
- C. **Termination.** If either party wishes to terminate this Contract for convenience or for cause the party must provide thirty (30) business days' written notice to the other party and allow for discussion of the desired outcome and options to reach the desired outcome. In the event of termination, it is understood and agreed that only the amounts due to the Contracting Officer for services provided and expenses incurred will be due and payable.

VII. MISCELLANEOUS PROVISIONS

- A. **Nontransferable Functions.** In accordance with Section 31.096 of the Texas Election Code, nothing in this Contract shall authorize or permit a change in:
 - 1. The authority with whom or the place at which any document or record relating to the election is to be filed;
 - 2. The officers who conduct the official canvass of the election returns;
 - 3. The authority to serve as custodian of voted ballots or other election records; or
 - 4. Any other nontransferable function specified under Section 31.096 or other provisions of Texas law.
- B. **Cancellation of Election.** If the LPS cancels its election pursuant to Section 2.053 of the Texas Election Code, the Contracting Officer shall be entitled to receive an administrative fee of \$75. The Contracting Officer shall submit an invoice for the administrative fee as soon as reasonably possible after the cancellation, and the LPS shall make payment therefore in a manner similar to that set forth in **V. PAYMENT** above.
- C. **Contract Copies to Treasurer and Auditor.** In accordance with Section 31.099 of the Texas Election Code, the Contracting Officer agrees to file copies of this Contract with the County Treasurer and the County Auditor of Burnet County, Texas.
- D. **Election to Resolve a Tie.** In the event that an election is necessary to resolve a tie vote, the terms of this Contract shall extend to the second election, except:
 - 1. The LPS and the Contracting Officer will agree upon the date of the election and the early voting schedule subject to provisions of the Election Code and with regard to other elections conducted by the Contracting Officer.
 - 2. The LPS will be responsible for any Department of Justice preclearance submission under Section 5 of the Federal Voting Rights Act.

3. An attempt will be made to use election workers that worked in the first election; those poll workers will not have additional training provided by the Contracting Officer.
4. The cost of the election will be borne by the LPS; the Contracting Officer will work with the LPS on cost management.

E. Amendment/ Modification. Except as otherwise provided, this Contract may not be amended, modified, or changed in any respect except in writing, duly executed by the parties hereto. Both the Contracting Officer and the LPS may propose necessary amendments or modifications to this Contract in writing in order to conduct the election smoothly and efficiently, except that any such proposals must be approved by the Contracting Officer and the governing body of the LPS or its authorized agent, respectively.

F. Severability. If any provision of this Contract is found to be invalid, illegal, or unenforceable a court of competent jurisdiction, such invalidity, illegality, or unenforceability shall not affect the remaining provisions of this Contract and parties to this Contract shall perform their obligations under this Contract in accordance with the intent of the parties to this Contract as expressed in the terms and provisions.

G. Representatives. For purposes of implementing this Contract and coordinating activities, the Contracting Officer and the LPS designate the following individuals for submission of information, documents and notice:

For the Contracting Officer:

Doug Ferguson
Elections Administrator, Burnet County
220 S. Pierce
Burnet, TX 78611
Tel: (512) 715-5288
Fax: (512) 715-5287
Email: electadmin@burnetcountytexas.org

For the LPS:

* * *

WITNESS BY MY HAND THIS THE 7th DAY OF June, 2021.

CONTRACTING OFFICER:

Doug Ferguson

Doug Ferguson, Elections Administrator
Burnet County, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 20____.

THE LOCAL POLITICAL SUBDIVISION:

Name of Entity: _____

By: _____

Printed Name: _____

Official Capacity: _____

ATTEST: _____



Administration

ITEM 4.3

David Vaughn
City Manager
512.715.3208
dvaughn@cityofburnet.com

Agenda Item Brief

Meeting Date: June 22, 2021

Agenda Item: Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS, EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES OF THE CITY OF BURNET, TEXAS: D. Vaughn

Background:

Information: The attached resolution allows the City to be reimbursed for the purchase of the Beall's building from anticipated loan proceeds.

Fiscal Impact:

Recommendation: Staff recommends approval of Resolution R2021-31 as presented.

RESOLUTION NO. R2021-31

**A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS,
EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN
EXPENDITURES OF THE CITY OF BURNET, TEXAS.**

WHEREAS, the City Council of the City of Burnet, Texas (the "Issuer") expects to pay expenditures in connection with the projects described on Exhibit "A" attached hereto (the "Project") prior to the issuance of obligations to finance the Project;

WHEREAS, the Issuer finds, considers and declares that the reimbursement of the Issuer for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the Issuer and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project;

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

Section 1. The Issuer reasonably expects to incur debt, as one or more separate series of various types of obligations, with an aggregate maximum principal amount not to exceed \$1,200,000 for the purpose of paying the costs of the Project.

Section 2. All costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the Issuer in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

PASSED AND APPROVED this the 22nd day of June 2021.

CITY OF BURNET

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

EXHIBIT “A”

To pay costs related to (1) acquisition of a building and land for a new City Hall facility, and (2) paying professional services in connection therewith including legal, fiscal, consulting, engineering fees and other related costs.

CERTIFICATE FOR RESOLUTION

I, the undersigned City Secretary of the City of Burnet, Texas, hereby certify as follows:

1. The City Council of said City convened in Regular Session on June 22, 2021, at the regular meeting place thereof, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Crista Goble Bromley, Mayor
Mary Jane Shanes, Council Member
Joyce Laudenschlager, Council Member
Cindia Talamantez, Council Member
Danny Lester, Council Member
Philip Thurman, Council Member
Ricky Langley, Council Member

and all of said persons were present, except for the following:
; thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written Resolution entitled

A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS, EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES OF THE CITY OF BURNET, TEXAS.

was duly introduced for the consideration of the City Council. It was then duly moved and seconded that the said Resolution be passed; and, after due discussion, said motion, carrying with it the passage of said Resolution, prevailed and carried by the following vote:

AYES: _____

NOES: _____

ABSTENTIONS:

2. A true, full and correct copy of the aforesaid Resolution passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Resolution has been duly recorded in the official minutes of said City Council; the above and foregoing paragraph is a true, full and correct excerpt from said minutes of said meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph, at the time of said meeting and the passage of said Resolution, were the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of said officers and members was duly and sufficiently notified officially and personally in advance, of the time, place and purpose of the aforesaid meeting and that said Resolution would be introduced and considered for passage at said meeting, and each of said officers and members consented in advance to the holding of said meeting for such purpose; and said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Tex. Gov't Code Ann., ch. 551.

SIGNED AND SEALED this June 22, 2021.

[CITY SEAL]

City Secretary, City of Burnet, Texas



Development Services

ITEM 4.4

Leslie Kimbler
Planner I
512-715-3215
lkimbler@cityofburnet.com

Agenda Item Brief

Meeting Date: June 22, 2021

Action Item: Discuss and consider: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “FINAL PLAT” OF WESTFALL VILLAGE, PHASE TWO, A PROPOSED 29-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 7.61 ACRES; AND ACCEPTING A LETTER OF CREDIT ASSURING COMPLETION OF SUBDIVISION INFRASTRUCTURE: L. Kimbler

Background: The proposed Final Plat of Westfall Village, Phase Two will consist of 29 residential lots with one internal street, Mike Warner Dr.

The preliminary plat was approved by P&Z and City Council in December 2019. Construction plans for Phase Two of Westfall Village were approved January of 2021.

Information: The proposed Final Plat of Westfall Village, Phase Two has been reviewed using Code of Ordinances Section 98-24 (Final Plats) as a guide. It has been found to comply with ordinance requirements relating to form and content. In accordance with City Code Sec.98-61, the applicant has requested the final plat be recorded after approval and that the applicant be allowed to provide a letter of credit to assure applicant's completion of infrastructure after plat recordation.

P&Z Report: The Planning and Zoning Commission voted unanimously to recommend approval of the Westfall Village, Phase Two Final Plat at its scheduled meeting on June 7, 2021.

Recommendation: Staff recommends approval of the Resolution R2021-32.

RESOLUTION NO. R2021-32

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “FINAL PLAT” OF WESTFALL VILLAGE, PHASE TWO, A PROPOSED 29-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 7.61 ACRES; AND ACCEPTING A LETTER OF CREDIT ASSURING COMPLETION OF SUBDIVISION INFRASTRUCTURE

Whereas, City Council has approved a preliminary plat of the Westfall Village Subdivision; and

Whereas, the Planning and Zoning Commission has made its recommendation on the final plat of the Westfall Village, Phase Two; and

Whereas, the city staff and the city engineer have opined the application substantially complies with the subdivision ordinance; and

Whereas, accordance with City Code Sec. 98-61, the applicant has requested the final plat be recorded after approval and that the applicant be allowed to provide a letter of credit to assure applicant's completion of infrastructure after plat recordation.

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

Section 1. Findings. That the recitals to this Resolution are incorporated herein for all purposes.

Section 2. Approval. The final plat of the Westfall Village, Phase Two, is hereby approved.

Section 3. Letter of Credit Accepted. The Letter of Credit issued by First State Bank of Burnet, dated June 1, 2021, for the guaranty of completion of the public improvements required for the Westfall Village Subdivision, Phase Two, is accepted, subject to the following:

- (a) The public improvements are completed and preliminary accepted before June 1, 2022; and
- (b) At the time of preliminary acceptance of the public improvements the subdivider provides a warranty or maintenance bond, assuring the quality of materials and workmanship, and maintenance of all public improvements; and
- (c) Failure to timely complete the public improvements shall cause the city manager to draw on the letter of credit to complete the public improvements; and
- (d) The public improvements shall not be accepted until all improvements have been satisfactory completed; and
- (e) The city shall withhold all city services to the subdivision until the public improvements are satisfactorily completed and accepted.

Section 4. Authorization. The city manager is authorized and directed to take those actions that are reasonably necessary to facilitate the purpose of this Resolution. Further, the city manager is to draw on the letter of credit to complete the public improvements, without any further city council action necessary, should the subdivider fail to complete the public improvements within the period prescribed in this resolution.

Section 5. Recordation. The final plat of the Westfall Village, Phase Two may be recorded in the Public Records of the County Clerk of Burnet County, Texas upon compliance with the requirements of Subdivision Code Sec. 98-24(h) and related regulations.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

Section 7. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED this the 22nd day of June, 2021.

CITY OF BURNET, TEXAS

ATTEST:

Crista Goble Bromley, Mayor

Kelly Dix, City Secretary

|

[illegible]

STATE OF MICHIGAN
COUNTY OF HENRIET
I, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MICHAEL LAMBERT, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the said form for the purposes and consideration therein expressed, and in the capacity therein stated.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2021.

2025: THE SUBDIVISION PLAT SHALL BE FILED WITH THE CLERK AND RECORDS'S OFFICE FOR SHERIDAN COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BARNET
CITY OF BARNET

THE APPROVED PLAT OF A FINAL PLAT OF METTALL VILLAGE SUBDIVISION, PHASE TWO HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BARNET, TEXAS, AT ITS MEETING ON THE _____ DAY OF _____, 2021 AND IS HEREBY RECOMMENDED BY SUCH COMMISSION TO THE CITY COUNCIL OF BARNET, TEXAS FOR ITS CONSIDERATION FOR ADOPTION OF THE DEDICATION OF LANDS FOR PUBLIC USE AS NOTED AND APPROVAL OF THE PLAT.

FRANKLY GAULT, PLANNING & ZONING COMMISSION CHAIRMAN

[illegible]

WELLEY DUK, CITY SECRETARY

CRISTINA DI DONALEY, MAYNOR

THE ATTACHED PLAT OF "A FINAL PLAT OF ORIGINAL UNLASS SUBDIVISION, PLATS TWO" HAS BEEN SUBMITTED AND HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION ORDINANCES OF THE CITY OF BIRMINGHAM. THE DESIGNER OF RECORD FOR WILLIAM H. DOWNSHED BIRMINGHAM, TEXAS, HAS APPROVED THIS PLAT ON THIS _____, 2001. THE SUBDIVISION PLAT SHALL BE FILED WITH THE CLERK AND RECORDER'S OFFICE FOR BIRMINGHAM COUNTY, TEXAS.

MAHMOUD M. HASSANEY, P.E.
ENGINEER OF RECORD

[illegible]

CANYON & STARK, TEXAS P.P.L.S. NO. 5602

1. THE PROBABILITY OF AN EARTHQUAKE OF MAGNITUDE 7.0 OR GREATER IN THE NEXT 100 YEARS IS 10.00 PERCENT, AS SHOWN ON THE GROUND MOTION RECORDING, ON THE NOVEMBER 1, 2008.

2. BASIS OF HEARINGS FOR THIS SURVEY IS THE TEXAS LANDERIT GRID, CENTRAL ZONE, MADDIS

[illegible]

RELEASED BY CITY OF BIRMINGHAM CODE OF ORDINANCES CHAPTER 98, ARTICLE 10, NON-POINT SOURCE POLLUTION AS MAY BE AMENDED.

2. THERE ARE 20 RESIDENTIAL LOTS AROUND CIRCULAR WITH THIS PLAT

9. THERE IS 1140 LINEAR FEET OF NEW ROAD

[illegible]

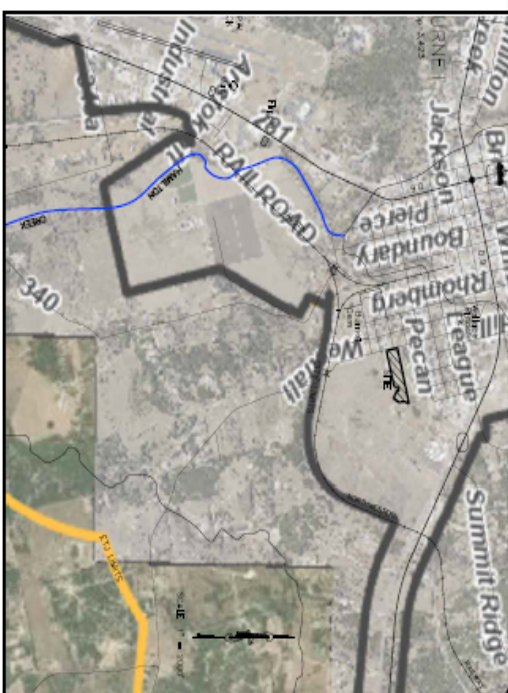
71. AND MANUSCRIPTS HAVE BEEN GRANTED FOR THIS PLAN

PROJECT NO. 19855	100 OLLIE LANE	 AUPLIN ASSOCIATES, INC. LAND DEVELOPERS & MANAGERS	SHEET 1 OF 3
PREPARED FOR: LARSEN, MOORE, INC.	MARBLE FALLS, TX 76654		
TECH. E. DUDSON	PLOTS 38, 39B / RECENT ADD.		
APPROVED BY: LARSEN	WWW.CIVILDATAASSOCIATES.COM		
FIELD WORK: LARSEN			
DATE: 11/1/2003	11/1/2003		
REVISIONS			

DEVELOPER:
LANOLEY HOMES, INC.
717 NORTH WATER ST.
BURNET, TEXAS 76801
(512) 756-6093

COUNTY SEAL AND FILING INFORMATION

**A FINAL PLAT OF
WESTFALL VILLAGE SUBDIVISION
PHASE TWO
7.61 ACRES
OUT OF THE
SARAH ANN GUEST SURVEY NO. 1503
ABSTRACT NO. 1625
CITY OF BURNET
BURNET COUNTY, TEXAS**



WESTFALL VILLAGE - PHASE TWO

BLOCK NO.	LOT NO.	OWNER'S NAME	DEED REFERENCE
1		INVALE BROWNE & L - ESTATE AND BART BROWNE, JR.	90C NO. 202103349 - 0758367
2		DAVID BROWN, JR. ESTATE AND JENNIFER A. BROWN	90C NO. 202104218 - 0758367
1		WILSON, LITA CLARE	90C NO. 202102582 - 0758367
4		WILSON, LITA CLARE	90C NO. 202102582 - 0758367
5		WALSH, EUGENE HOMER	90C NO. 202017116 - 0758367
9		STANLEY, LARRY J. RIVERS	90C NO. 202054829 - 0758367
1		STANLEY, LARRY J. RIVERS	90C NO. 202054829 - 0758367
8		DAVID A. BROWN AND LILLIAN BROWN	90C NO. 202012554 - 0758367
9		JOHN ALAN BROWN AND SARAHAN BROWN	90C NO. 202010750 - 0758367
10		WILLIAM H. BROWN ESTATE AND SISTER LILLIAN BROWN	90C NO. 202010750 - 0758367
11		WILLIAM H. BROWN	90C NO. 202010750 - 0758367
12		WILLIAM H. BROWN	90C NO. 202010750 - 0758367
1		FRANK WILLIAM WATKINS	90C NO. 202103349 - 0758367
2		WATKINS, LARRY LARRY	90C NO. 202103349 - 0758367
3		WATKINS, LARRY LARRY	90C NO. 202103349 - 0758367
4		WATKINS, LARRY LARRY	90C NO. 202103349 - 0758367
5		WATKINS, LARRY LARRY	90C NO. 202103349 - 0758367
6		WATKINS, LARRY LARRY	90C NO. 202103349 - 0758367
7		WATKINS, LARRY LARRY	90C NO. 202103349 - 0758367
8		WATKINS, LARRY LARRY	90C NO. 202103349 - 0758367
9		WATKINS, LARRY LARRY	90C NO. 202103349 - 0758367
10		WATKINS, LARRY LARRY	90C NO. 202103349 - 0758367

RDXC MD 2			
10 ³ SIZE T _{REL}			
10 ³ NO.	$K_{\text{REL}} \times 10^3$	SIZE T _{REL}	NO. T _{REL}
71	0.20	12.298	
12	0.16	7700	
13	0.18	7700	
14	0.16	7700	
15	0.18	7700	
16	0.18	7700	
17	0.16	7700	
18	0.18	7700	
19	0.16	7700	
20	0.18	7700	
21	0.20	8606	

L ⁰ T SIZE TABLE	
RUCOS NO. 3	
L ⁰ T NO.	SOULING FOOTWEAR
1	222 2811
2	219 2425
3	219 2423
4	219 2339
5	219 2337
6	219 2426
7	219 2276
8	219 2544
9	219 2272
10	219 2140
11	219 2141
12	220 2843
13	228 2282
14	222 2603

UPLIN & ASSOCIATES INC.
LAND SUBDIVISIONS & PLANNING

DEVELOPER:
LAUREY HOMES, INC.
77 NORTH WATKINS
BURLET, TEXAS 78611
(512) 756-6093

ENGINEER:
WILLIAM H. SNOWDEN
1001 BLUEBERRY DRIVE
SUITE 2
BURLET, TEXAS 78611
512-550-1555

A FINAL PLAT OF
WESTFALL VILLAGE SUBDIVISION
PHASE TWO
7.64 ACRES
SARAH ANN GUEST SURVEY NO. 150
ABSTRACT NO. 1525
CITY OF BURNET
BURNET COUNTY, TEXAS



Administration

ITEM 4.5

David Vaughn
City Manager
512.715.3208
dvaughn@cityofburnet.com

Agenda Item Brief

Meeting Date:	June 22, 2021
Agenda Item:	Discuss and consider action: Appointment of Council Members to serve on the City Hall Building Committee: D. Vaughn
Background:	
Information:	Staff requests the appoint of up to three (3) Council Members to work with staff on the City Hall Building Committee. If there are more than three appointed to the committee, then all meetings would be required to be posted public meetings.
Fiscal Impact:	N/A
Recommendation:	To be determined by Council.



City Council

ITEM 4.6

Philip Thurman
Council Member
512-715-3209
pthurman@cityofburnet.com

Agenda Item Brief

Meeting Date:	June 22, 2021
Agenda Item:	Discuss and consider action: Direction to staff regarding the creation a technical advisory committee for review of the city's development codes: P. Thurman.
Background:	With the unprecedented growth Burnet is experiencing it is imperative that the city's development codes adequately address the street, drainage, utility requirements for new development. It is equally imperative that the city's development rules are drafted and implemented in a way that will meet the city's objective while causing minimum impact on development costs.
Information:	To assist city council in adopting development rules that both serve the community's needs and minimizing complications and costs to developers many municipalities have appointed technical advisory committees consisting of city staff, developers, private engineering and surveying consultants, and members of the community. These committees have been found to be instrumental to bringing to city council "win/win" regulations, which serve the community's needs with minimal impact on the developer's bottom line.
Fiscal Impact:	The designation of the committee will have no immediate impact on the city budget. It is anticipated that the long-term affect will have a positive impact on the budget as there is an opportunity to formulate development code rules that will more effectively manage the development process.
Recommended Motion:	Direct staff to create a technical advisory committee to review the city's development codes.



Development Services

ITEM 3.1

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

Agenda Item Brief

Meeting Date: June 22, 2021

Agenda Item: Discuss and Consider: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET TEXAS AMENDING CITY CODE OF ORDINANCES CHAPTER 98 (ENTITLED "SUBDIVISIONS") BY AMENDING THE NOTIFICATION AND HEARING PROCEDURES PRESCRIBED IN SECTION 98-22; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.

Background: The review and approval of subdivision plat applications are governed by Texas Local Government Code Chapter 212 and City Code Chapter 98. Chapter 212 prescribes strict timelines for the planning and zoning commission and city council to take action on administratively complete plat applications. Additionally, chapter 212, in most cases does not impose any additional notice of the commission's or council's consideration and action on a plat application than is required under the Texas Open Meetings Act. City code chapter 98 imposes public hearing and notice of such public hearing not earlier than 30 days and not later than 15 days before consideration on a plat application. This notice requirement both causes unnecessary delay for the plat application; and, makes it difficult for the city to comply with the chapter 212 action deadlines.

Information: This ordinance would align the city's notice requirements for consideration of subdivision plats by the commission and council with the state requirements found in chapter 212. It should be noted that unlike action on a zoning application, which is legislative in nature, action on a subdivision plat application is ministerial in nature, unless a variance is requested, and providing the additional public notice and providing for public hearings give the false impression that the commission and council have more discretion than state law allows.

Fiscal Impact: This amendment will have a positive financial impact in that there will no longer be an expense for publication of subdivision plat application public notices.

Recommendation: Approval of the first reading of Ordinance No. 2021-21 as presented.

ORDINANCE NO. 2021-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET TEXAS AMENDING CITY CODE OF ORDINANCES CHAPTER 98 (ENTITLED "SUBDIVISIONS") BY AMENDING THE NOTIFICATION AND HEARING PROCEDURES PRESCRIBED IN SECTION 98-22; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Texas Local Government Code Chapter 212, City Code Chapter 98 (entitled "Subdivisions") was adopted to regulate the subdivision of land within the city's corporate and extraterritorial jurisdiction to protect the health, safety, and welfare of the public; and

WHEREAS, in Section 98-22 thereof city council has adopted procedures for the submission and disposition of preliminary plat applications; and

WHEREAS, in order to facilitate efficient and effective process of plat applications city council deems it appropriate amend the plat application and notification process to conform with state law requirements; and

WHEREAS, city council has conducted a public hearing allowing members of the public to provide testimony and comments on the proposed code amendment.

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

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

Section two. Code Amendment. The Code of Ordinances, Chapter 98 (entitled "Subdivision") Section 98-22 (entitled "preliminary plats") subsection (f) (entitled "notification") is hereby amended by replacing the existing language with the language that follows:

(f) *Notification.*

- (1) Except as provided in subsection (2), immediately below, notice of the commission's consideration of a preliminary plat application or preliminary replat application shall comply with the Texas Open Meeting Act.
- (2) Notification of commission consideration of an application to replat property zoned within the preceding five years as single family/duplex

residential shall comply with the public notice/hearing requirements of Texas Local Government Code Sec. 212.015.

Section three. Code Amendment. The Code of Ordinances, Chapter 98 (entitled "Subdivision") Section 98-22 (entitled "preliminary plats") subsection (g) (entitled "approval") is hereby amended by adding the language that is underlined (underlined) and deleting the language that is stricken (~~stricken~~) as follows:

- (g) *Approval.* The commission, ~~after holding public hearings in accordance with city ordinances and codes,~~ shall make a recommendation to the city council on the ~~request for preliminary plat application.~~ approval. The plat will be considered at the next regularly scheduled public hearing of the city council, ~~but not earlier than five working days after the commission's hearing.~~
- (1) The ~~planning and zoning~~ commission shall act within 30 days of the preliminary plat filing date to either recommend approval, denial or modification to the application. Failure of the commission to act within the 30 days shall be deemed an approval of the plat, except as otherwise agreed to by the developer. Plans that are disapproved as submitted may be resubmitted without charge within 60 days of disapproval with additional fees being assessed. The city council shall act within 30 days of the approval or inaction of the application by the commission. A plat is considered approved by the city council unless it is disapproved within that period.
 - (2) Zoning of the tract, if applicable, that shall permit the uses proposed by the preliminary plat, or any zoning amendment necessary to permit the proposed uses shall have been adopted prior to or concurrently with the approval of the preliminary plat by the council.
 - (3) Approval of the preliminary plat shall not constitute approval of the final plat but shall constitute a vesting of the right to develop under city ordinances, codes, and policies in effect on the date the requested permit is filed, provided that neither the preliminary plat nor any subsequent plat or permit has been, or is, allowed to expire.
 - (4) The developer may elect to phase the subdivision project.
 - (5) The developer should be aware that specific approvals from other agencies may be required.
 - (6) Upon approval of the preliminary plat and all signatures having been executed, the developer shall furnish one Mylar reproducible copy of the approved plat to be kept on file at the city as public record.

Penalty. A violation of this ordinance is unlawful and subject to City Code of Ordinances Sec. 1-6 (entitled "general penalty").

Section four. Cumulative. This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

Section five. Repealer. All ordinances and codes, 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 six. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be

valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section seven. TOMA Compliance. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, as required by Texas Government Code Chapter 551.

Section eight. Publication. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

Section nine. Effective Date. This Ordinance shall be effective upon the date of final adoption hereof and publication as required by law.

Passed on first reading on the 22nd day of June 2021

Passed, approved and adopted on the 13th day of July, 2021

CITY OF BURNET

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 4.8

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

Agenda Item Brief

Meeting Date: June 22, 2021

Agenda Item: Discuss and Consider: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, ADDING TO CODE OF ORDINANCE CHAPTER 2 (ENTITLED "ADMINISTRATION"), A NEW ARTICLE III, (ENTITLED "ADVISORY BODIES"); AND ADDING A NEW SECTION 2-42 (ENTITLED "PLANNING AND ZONING COMMISSION"); PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.

Background: City council may establish and abolish appointed bodies, as may be mandated by state statute or other law, or as city council deems beneficial or necessary to serve the public good. City council has established several boards and commissions to advise and assist in the governance of the city. Each of the active boards and commissions, except the planning and zoning commission, are established by ordinance codified in the city code. The planning and zoning commission is currently governed by bylaws. All boards and commissions are governed by an uncoded *Policies and Procedures for Advisory Boards and Commissions* adopted by city council in 2015.

Information: This ordinance codifies general advisory body rules related to the establishment of such bodies and terms of appointment of a body's members. In addition, this ordinance codifies specific rules relating to the planning and zoning commission and reduces the number of commissioners from seven to five.

Fiscal Impact: Passage of this ordinance will cause no fiscal impact.

Recommendation: Approve the first reading of ordinance no. 2021-22 as presented.

ORDINANCE NO. 2021-22

AN ORDINANCE OF THE CITY OF BURNET, TEXAS, ADDING TO CODE OF ORDINANCE CHAPTER 2 (ENTITLED “ADMINISTRATION”), A NEW ARTICLE III, (ENTITLED “ADVISORY BODIES”); AND ADDING A NEW SECTION 2-42 (ENTITLED “PLANNING AND ZONING COMMISSION”); PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, city council is imbued with the authority to establish such appointed bodies as it may deem necessary for the conduct of city business and management of municipal affairs; and

WHEREAS, the purpose of this ordinance is to codify the general provisions for the establishment and operations of bodies appointed by council; and

WHEREAS, a further purpose of this ordinance is to provide the public with easy reference to the advisory boards established by council; and

WHEREAS, an additional purpose of this ordinance is to codify the establishment and functions of the planning and zoning commission.

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

Section one. Code amendment. City Code Chapter 2 (entitled “Administration”), is hereby amended by the adoption of a new Article III (entitled “Appointed bodies”) to read as follows:

Article III. – Appointed bodies

Section 2-41 Generally.

- (a) *Authority.* Pursuant to the Charter and the laws of this state, City Council is vested with the authority to establish and abolish appointed bodies, as may be mandated by state statute or other law, or as City Council deems beneficial or necessary to serve the public good.
- (b) *Purpose.* The purpose of this Article is to provide guidance generally as to the establishment, appointment of members, and operations of appointed bodies. The authority, functions and responsibilities of such appointed bodies shall be prescribed by separate ordinance, resolution, or order of City Council.
- (c) *Scope.* This article is applicable to all bodies appointed by city council, whether such body is designated as a board, commission, agency, bureau, committee or by other designation.
- (d) *Establishment.* The authority, functions and responsibilities of such appointed bodies shall be established by city council ordinance, resolution, or order. In its sole prerogative, city council may abolish an appointed body; or modify or alter an appointed body’s authority,

functions, and responsibilities. In the event of a conflict between the ordinance, resolution, or order establishing an advisory body and this section the ordinance, resolution, or order establishing the advisory body shall prevail.

- (e) *Term.* Members shall be appointed for two-year terms. Members may be reappointed to an advisory body and may serve on two or more advisory bodies unless such appointments are prohibited by an incompatibility law.
- (f) *Appointments.* Appointments shall be made in June of each year. Each advisory board positions shall be assigned a place number. Even numbered places shall be appointed in even numbered years and odd numbered places shall be appointed in odd numbered years.
- (g) *At will appointment.* Except as provided by state statute, members appointed to an appointed body serve at the pleasure of city council and a member may be removed by city council with or without cause.
- (h) *Policies and Procedures for Advisory Boards and Commissions.* To the extent not in conflict with this article, qualifications, appointment, term, ethics requirement and meeting procedures shall comply with the *Policies and Procedures for Advisory Boards and Commissions* adopted by city council on August 4, 2015.
- (i) *Rules of order.* Appointed bodies shall conduct business under rules of order adopted by the body and approved by city council.

Section 2-42. Planning and zoning commission.

- (a) *Establishment.* In accordance with Texas Local Government Code Chapter 212, Subchapter A there is hereby established a Planning Commission. In accordance with Texas Local Government Code Chapter 211, Subchapter A the members of the Planning Commission shall serve as the Zoning Commission.
- (b) *Name.* This body is designated as the City of Burnet Planning and Zoning Commission and may be referred to simply as the commission.
- (c) *Duties and authority.* The commission shall have those duties and authority prescribed in city code chapters 98 and 118.
- (d) *Membership.* The commission shall consist of five members. Three members shall constitute a quorum.
- (e) *Officers.* Commission officers shall be the chairperson, vice chairperson and secretary. All officers must be appointed members of the commission except the secretary who may be a member of city staff.
 - (1) The chairperson shall preside over all meetings, may appoint committees, and preside over such committees; certify all commission official documents and minutes; and act in the absence of the secretary.
 - (2) The vice chairperson shall act in the absence of the chairperson, and if both the chairperson and secretary is absent, serve as the secretary.
 - (3) The secretary shall cause a record of meeting attendance and minutes; provide notification of meetings to commission members, file official records and reports

of the commission with the city secretary; and provide notification and publications of commission meetings as prescribed by law.

- (f) *Meetings.* The commission's regular meetings shall occur the first Monday of each month. The chairperson may call special meetings as may be required to comply with statutory plat approval timelines or address other emergency matters.

Section 2-43 Zoning Board of Adjustment.

The Zoning Board of Adjustment is established and governed by City Code Chapter 118, Article IV.

Section 2-44 Historic Preservation Board of Directors.

The Historic Preservation Board of Directors is established and governed by City Code Chapter 22, Article X, Division 2.

Section 2-45 Airport Zoning Board.

The Airport Zoning Board is established and governed by City Code Chapter 18, Article I.

Section 2-46 Economic Development Corporation Board of Directors.

The Economic Development Corporation Board of Directors Board is established and governed by June 11, 2008 Articles of Incorporation and the Burnet Economic Development Corporation Bylaws.

Section 2-47 Parks and Recreation Advisory Board.

The Parks and Recreation Advisory Board is established and governed by City Code Chapter 74, Article II.

Section 2-48 Board of Ethics.

The Board of Ethics is established and governed by City Code Chapter 2, Article VII.

Note to publisher: Existing Chapter 2 Articles III through X are to be recodified follows: Article III – Officers is recodified as Article IV; Article IV – Records Management is recodified as Article V; Article V – Claims Against the City is recodified as Article VI; Article VI – Investment Policy is recodified as Article VII; Article VII – Code of Ethics is recodified as Article VIII; Article VIII – Annual Reports . . . is recodified as Article IX; Article IX – Capital Improvement Plan is recodified as Article X; and Article X – Lost Personal Property is recodified as Article XI.

Section two. 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 the City Council.

Section three. Penalty. A violation of this ordinance is unlawful and subject to City Code of Ordinances Sec. 1-6 (entitled “general penalty”).

Section four. Cumulative. This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event Section 5, (entitled “Repealer”) shall be controlling.

Section five. Repealer. All ordinances and codes, 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 six. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section seven. TOMA Compliance. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was conducted in compliance with the Texas Open Meeting Act.

Section eight. Publication. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

Section nine. Effective Date. This Ordinance shall be effective upon the date of final adoption hereof and publication as required by law.

Passed on first reading on the 22nd day of June, 2021

Passed, approved, and adopted on the 13th day of July, 2021

CITY OF BURNET

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 4.9

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

Agenda Item Brief

Meeting Date: June 22, 2021

Agenda Item: Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET TEXAS AMENDING CITY CODE OF ORDINANCES CHAPTER 98 (ENTITLED "SUBDIVISIONS") BY ADDING A CONSTRUCTION PLAN INSPECTION FEE TO SECTION 98-23; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.

Background: As council is aware the subdivision of land into buildable commercial and residential lots in many cases involves the dedication of street, water, sewer and electric infrastructure for public maintenance and use. To assure the infrastructure to be dedicated is designed correctly council adopted the city's construction manual. To assure the infrastructure is constructed in accordance to the approved designed, the public works department, in coordination with the city engineer, make periodic onsite inspections of the work site.

Information: This ordinance would allow the city to recoup some of the costs associated with the aforementioned onsite inspections. The proposed fee would be 3.0% of the estimated construction cost for the roads, water, sewer and drainage facilities, according to calculations by the project engineer and verified by the city engineer.

The chart below was prepared by our city engineer and compares development fees charged by Austin, Buda, Georgetown, Hutto, Kyle, Leander, Marble Falls, Round Rock, and San Marcus. Burnet is the only city in the list not charging an infrastructure inspection fee and the average fee charged is 3%.

<i>City</i>	<i>Water Impact*</i>	<i>Wastewater Impact*</i>	<i>Total Impact Fees*</i>	<i>Subdivision Inspection Fees</i>
Austin	\$4,700.00	\$2,500.00	\$7,200.00	\$201.76 per hour for ~5% of OPC
Buda	\$2,187.00	\$2,531.00	\$4,718.00	\$500 + 3.5% of OPC
Georgetown	\$4,616.31	\$2,077.71	\$6,694.02	\$1,000/Lot** ~ 3% of OPC
Hutto	\$3,625.00	\$2,128.00	\$5,753.00	3% of OPC
Kyle	\$3,535.00	\$2,826.00	\$6,361.00	2% of OPC
Leander	\$3,880.00	\$1,615.00	\$5,495.00	3.5% of OPC
Marble Falls	\$2,761.00	\$3,293.00	\$6,054.00	\$500 + \$70 per acre up to 100 acres + \$50 per acre for each acre over 100 acres
Round Rock	\$4,234.00	\$1,799.00	\$6,033.00	1.5% of OPC
San Marcos	\$3,801.00	\$2,684.00	\$6,485.00	\$2,378 plus \$50 per acre
Average	\$3,704.37	\$2,383.75	\$6,088.11	~3% of OPC
<u>Burnet -Current</u>	<u>\$1,084.50</u>	<u>\$1,173.00</u>	<u>\$2,257.50</u>	<u>\$0</u>
Difference	\$2,619.87	\$1,210.75	\$3,830.61	~3% of OPC

Fiscal Impact: Passage of this ordinance will have a positive fiscal impact as it will allow city inspection costs to be recouped from the applicant requesting infrastructure dedication.

Recommendation: Approve the first reading of Ordinance 2021-23 as presented.

ORDINANCE NO. 2021-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET TEXAS AMENDING CITY CODE OF ORDINANCES CHAPTER 98 (ENTITLED "SUBDIVISIONS") BY ADDING A CONSTRUCTION PLAN INSPECTION FEE TO SECTION 98-23 ; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Texas Local Government Code Chapter 212, City Code Chapter 98 (entitled "Subdivisions") was adopted to regulate the subdivision of land within the city's corporate and extraterritorial jurisdiction to protect the health, safety and welfare of the public; and

WHEREAS, in Section 98-23 thereof city council has adopted procedures for the submission of construction plans for infrastructure supporting a subdivision; and

WHEREAS, city council has determined that it is of great importance to the proper installation of the infrastructure shown on the construction plans for there to be city inspections of such installation;

WHEREAS, it is necessary to impose a fee to adequately cover the costs of such inspections; and

WHEREAS, city council has conducted a public hearing allowing members of the public to provide testimony and comments on the proposed code amendment.

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

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

Section two. Amendment. The Code of Ordinances, Chapter 98 (entitled "Subdivision") Section 98-23 (entitled "construction plans") is hereby amended by adding the language that is underlined (underlined) to subsection 9-23(d)(4) as follows:

- (d) *Procedure.* After all necessary approvals of the preliminary plat have been granted, construction plans, together with a completed application form, administrative fees, and any other federal, state or local permits required prior to construction (L.C.R.A. NPS permit, SWPPP, etc.) shall be submitted to the city engineer for approval subject to the following:

- (1) Construction plans may be submitted for review and approval simultaneously with a final plat, provided however that the final plat shall not be approved until the construction plans have been approved. If the construction plans and the final plat are to be reviewed simultaneously, a complete application for construction plans and a complete application for final plat must be submitted to the city simultaneously.
- (2) City staff shall review all construction plan submittals for administrative completeness at the time of application. If in the judgment of the city, the construction plan submittal substantially fails to meet the minimal informational requirements as outlined above, it will not be accepted for review and the construction plan shall be deemed rejected. The developer shall have up to 60 days from the date the construction plan is deemed denied to remedy all deficiencies or the construction plan shall be rejected for filing and new filing fees will be required for subsequent submittals.
- (3) The city engineer shall review the construction plans to insure compliance with this chapter, and other applicable city ordinances, codes, standards and specifications, and good engineering practices.
- (4) Upon approval of the construction plans, the applicant shall pay an inspection fee in the amount of 3.0% of the estimated construction cost for the roads, water, sewer and drainage facilities, according to calculations by a Registered Professional Engineer. These calculations must be approved by the City Engineer.

Section three. Penalty. A violation of this ordinance is unlawful and subject to City Code of Ordinances Sec. 1-6 (entitled “general penalty”).

Section four. Cumulative. This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

Section five. Repealer. All ordinances and codes, 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 six. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section seven. TOMA Compliance. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, as required by Texas Government Code Chapter 551.

Section eight. Publication. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

Section nine. Effective Date. This Ordinance shall be effective upon the date of final adoption hereof and publication as required by law.

Passed on first reading on the 22nd day of June 2021

Passed, approved and adopted on the 13th day of May, 2021

CITY OF BURNET

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Municipal Court

ITEM 4.10

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

Agenda Item Brief

Meeting Date: June 22, 2021

Agenda Item: Discuss and Consider: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ACCEPTING THE RESIGNATION OF THE MUNICIPAL COURT PRESIDING JUDGE, EFFECTIVE JUNE 30, 2021, AND DIRECTING THE CITY SECRETARY TO PREPARE AND PUBLISH A REQUEST FOR QUALIFICATIONS FOR A NEW MUNICIPAL COURT PRESIDING JUDGE: H. Erkan, Jr.

Background: The presiding judge of the municipal court serves two-year terms that run concurrently with the mayor's term of office. Judge Peggy Simon was first appointed presiding judge of the municipal court by contract on March 17, 2005. Judge Simon has continuously been reappointed, with her last reappointment occurring in May 2019. Early this month Judge Simon tendered her resignation, effective the last day of this month.

Information: This resolution accepts Judge Simon's resignation and directs the city secretary to prepare and publish request for qualifications for a new municipal court presiding judge to fill the remainder of the current term.

Fiscal Impact: As the office of presiding judge is a budgeted position this resolution will not cause a fiscal impact.

Recommendation: Approve Resolution No.R2021-33 as presented.

RESOLUTION NO. R2021-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ACCEPTING THE RESIGNATION OF THE MUNICIPAL COURT PRESIDING JUDGE, EFFECTIVE JUNE 30, 2021, AND DIRECTING THE CITY SECRETARY TO PREPARE AND PUBLISH A REQUEST FOR QUALIFICATIONS FOR A NEW MUNICIPAL COURT PRESIDING JUDGE.

Whereas, by electronic mail transmission addressed to the mayor and city manager, dated June 9, 2021, municipal court presiding judge the Honorable Peggy Simon, gave notice of her resignation from office effective June 30th of this year; and

Whereas, city council desires to conduct a comprehensive search for the most competent candidate to fill the office.

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

Section one. Resignation accepted. The resignation of the Honorable Peggy Simon from the office of municipal court presiding judge is hereby accepted.

Section two. Request for Qualifications. The city secretary is hereby authorized and directed to prepare and publish request for qualifications soliciting responses from qualified candidates for the position of presiding judge.

Passed, approved, and adopted on the 22nd day of June, 2021

CITY OF BURNET

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Municipal Court

ITEM 4.11

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

Agenda Item Brief

- Meeting Date:** June 22, 2021
- Agenda Item:** Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ASSIGNING A MUNICIPAL COURT ASSOCIATE JUDGE TO TEMPORARILY ACT IN THE PLACE OF THE MUNICIPAL COURT PRESIDING JUDGE UNTIL A NEW MUNICIPAL COURT PRESIDING JUDGE IS APPOINTED: H. Erkan, Jr.
- Background:** With the presiding judge's resignation it is appropriate for council to assign one of the associate judges to temporarily act in the place of the presiding judge until such time as council appoints a new presiding judge.
- Information:** Jane Marie Hurst and Tamara Tinney are the associate judges. The selected associate judge would be assigned the duties, and receive the compensation, of the presiding judge during the period of the temporary assignment.
- Fiscal Impact:** As the office of presiding judge is a budgeted position this resolution will not cause a fiscal impact.
- Recommendation:** Approve Resolution No.R2021-34 and designate either Jane Marie Hurst or Tamara Tinney to serve the temporary presiding judge assignment.

RESOLUTION R2021-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ASSIGNING A MUNICIPAL COURT ASSOCIATE JUDGE TO TEMPORARILY ACT IN THE PLACE OF THE MUNICIPAL COURT PRESIDING JUDGE UNTIL A NEW MUNICIPAL COURT PERMANENT PRESIDING JUDGE IS APPOINTED.

Whereas, Section 4.03.B., of the City Charter, authorizes the city council to appoint a presiding municipal court judge for a term of two years;

Whereas, on this date, city council adopted a resolution accepting the presiding judges resignation and authorizing the solicitation of qualification for her replacement; and

Whereas, the Honorable Jane Marie Hurst and Tamara Tinney, serve as associate municipal court judges; and

Whereas, the purpose of this resolution is to designate an municipal court associate judge to temporarily act in the place of the municipal court presiding judge until a new presiding judge is appointed.

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

Section one. Designation. _____ is hereby designate to temporarily act in the place of the municipal court presiding judge until a new presiding judge is appointed.

Section two. Duties and compensation. The associated judge designated in section one shall have the same duties and receive the same compensation as stated in that certain agreement dated March 17, 2005, by and between the city and the Honorable Peggy Simon, as same may have been amended to date.

Section three. Designation does not create an office. The designation established by this resolution does not create an office and the status of the designee shall always be that as an alternate judge as provided in section 4.03.E., of the city charter; and, upon the appointment of a permanent presiding judge the designation stated in this resolution shall expire.

Passed, approved, and adopted on the 22nd day of June, 2021

CITY OF BURNET

ATTEST:

Crista Goble Bromley, Mayor

Kelly Dix, City Secretary



Administration

ITEM 4.12

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

Agenda Item Brief

Meeting Date:	June 22, 2021
Agenda Item:	Discuss and consider action: Action to direct staff to proceed in making improvements to streets within the Woodlands Subdivision: D. Vaughn.
Background:	Stormwater drainage form Peppermill Subdivision is designed to convey over Applewood and Spicewood streets within the Woodlands subdivision. The current design of the road is not adequate to convey the quantity of water discharged from the subdivisions.
Information:	The city engineer is currently working with the developer's engineer to come up with a redesign for Spicewood and Applewood to increase their carrying capacity, which will likely include new stand-up curbs and repaving the roads. The city previous discussed the need to repave the roads once Peppermill is completed, however the new design will increase the cost due to new curbs and additional base material.
Fiscal Impact:	This total project cost cannot be determined until after the engineering is completed. The current budget was limited due to COVID concerns at the time of adopting the budget and will have to be increased to cover reconstruction of the streets. I have requested the street department to prepare a cost estimate to present to council at the time of the meeting.
Recommended Motion:	Authorize staff to proceed with reconstruction of the streets within the Woodlands subdivision.

City of Burnet

Public Works

Baptist Community Street Pavement Overlay

Material

- Approximately 3350lf
- Approximately 11,167sy
- HMAC Type D @ \$6.89sy
- Total \$77,000

Overview



Spicewood and Applewood Subgrade/Curb Replacement

Material Cost

- Applewood (BLUE)
- 900LF * 30ft Wide
- Base @ \$7.25ton= \$9,722
- Curb @ \$11.00lf = \$19,800
- Spicewood (GREEN)
- 400Lf * 30ft Wide
- Base @ \$7.25ton= \$4,321
- Curb @ \$11.00lf = \$8,800
- Total \$42,600

Overview



Minimum Cost

Material

- HMAC D = \$77,000
- Sub/Curb = \$42,600
- Engineering Design = ???????

Total = \$119,600 min

Without having a design from the engineer staff knows that this is the base cost of the project. Cost will increase when design is done.

Overview





Thank You