



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 above named City on the **8th day of August, 2017 at 6:00 p.m.** in the Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, at which time the following subjects will be discussed, to-wit:

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

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

PLEDGE TO TEXAS FLAG:

1. CITIZEN COMMENT/PUBLIC RECOGNITION:

1.1) Lonny Hocker: Employee Safety

1.2) Explorers Program: J. Davis & L. Raiford

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 July 25, 2017 Regular City Council Meeting minutes

2.2) Approval of the August 1, 2017 Council Workshop Meeting minutes

3. PUBLIC HEARINGS:

3.1) Public Hearing: The City Council will conduct a public hearing regarding a request to rezone property described as 49.009 acres out of the Joseph Barnhart Survey, No. 35 Abstract A0065 and further described as being located on the east side of the 700 block of FM 2341 from its present designation of Single-family residential 1 – District “R-1” to a designation of Agricultural – District “A.”: M. Lewis

3.2) Public Hearing: The City Council will conduct a public hearing regarding a replat of the City of Burnet Westfall Subdivision for the purpose of creating the Cottages at Westfall Final Plat a property further described as being bounded by Westfall Street, the City of Austin Railroad, Oddfellows and Old Burnet Cemeteries, and Cemetery Street: M. Lewis

3.3) Public Hearing: The City Council will conduct a public hearing regarding a City initiated proposal to rezone Lot 1A; Block 4; Hamilton Creek Addition which is further described as 600 Buchanan Drive from its present designation of Light Commercial—District C-1 to a designation of Medium Commercial—District C-2”: M. Lewis

3.4) Public Hearing: The City Council will conduct a public hearing regarding a request for a conditional use permit to allow a convenience store with alcohol sales in a C-1 zoning district located on lot 1A; Block 4; Hamilton Creek Addition which is further described as 600 Buchanan Drive: M. Lewis

3.5) Public Hearing: The City Council will conduct a public hearing regarding the Heritage Valley North Preliminary Plat which is described as being 22.74 acres out of the John Hamilton Survey No. 1 and is further described as being located at the eastern terminations of Spicewood Drive and Applewood Drive East.: M. Lewis

4. ACTION ITEMS:

4.1) Discuss and consider action: Presentation of the proposed Fiscal Year 2017/2018 Annual Budget per Article VII, Section 7.02 of the Burnet City Charter: D. Vaughn

4.2) Discuss and consider action: Vote for proposed ad-valorem property tax and schedule the public hearings for August 22nd, 2017 Regular Council Meeting and September 12th, 2017 Regular Council Meeting: D. Vaughn

4.3) Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING AGRICULTURAL DISTRICT “A” ZONING TO 49.009 ACRES OUT OF THE JOSEPH BARNHART SURVEY, NO 35, ABSTRACT A0065; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis

4.4) Discuss and consider action: The City Council will consider a replat of the City of Burnet Westfall Subdivision for the purpose of creating the Cottages at Westfall Final Plat a property further described as being bounded by Westfall Street, the City of Austin Railroad, Oddfellows and Old Burnet Cemeteries, and Cemetery Street: M. Lewis

4.5) Discuss and consider action: City Council will discuss and consider action regarding Code of Ordinances, Chapter 118, Article II, Section 118-45.a.11 "uses determined by the [Planning and Zoning] Commission and the [City] Council which are closely related and similar to those listed:" specifically whether a drive-through retail establishment selling beverages is closely related and similar to a "Convenience store, (including gasoline and/or alcohol sales)" or more closely related to a "package store" and other Medium Commercial – District C-2 uses: M. Lewis

4.6) Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING MEDIUM COMMERCIAL – DISTRICT C-2 ZONING TO LOT 1A; BLOCK 4; HAMILTON CREEK ADDITION WHICH IS FURTHER DESCRIBED AS 600 BUCHANAN DRIVE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis

4.7) Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY GRANTING A CONDITIONAL USE PERMIT FOR OPERATION OF A CONVENIENCE STORE WITH ALCOHOL SALES IN A LIGHT COMMERCIAL ZONING DISTRICT LOCATED ON LOT 1A; BLOCK 4; HAMILTON CREEK ADDITION WHICH IS FURTHER DESCRIBED AS 600 BUCHANAN DRIVE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis

4.8) Discuss and consider action: City Council will discuss and consider action regarding the Heritage Valley North Preliminary Plat which is described as being 22.74 acres out of the John Hamilton Survey No. 1 and is further described as being located at the eastern terminations of Spicewood Drive and Applewood Drive East: M. Lewis

4.9) Discuss and consider action: Award employee health, dental, vision, life and ancillary benefits bid for fiscal year 2017/2018: D. Vaughn

4.10) Discuss and consider action: Renewal of Hill Country Humane Society Animal Shelter contract for the 2017-2018 Budget year: P. Nelson

5. REPORTS:

5.1) Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to

give notice to the public that a briefing to the Council on any or all subjects may occur.

5.1(E.3) Police Department K-9 update report: P. Nelson

6. REQUESTS FROM COUNCIL FOR FUTURE REPORTS:

7. ADJOURN:

Dated this 2nd day, of August, 2017

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 August 2, 2017, at or before 5 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Kelly Dix, City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

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

RIGHT TO ENTER INTO EXECUTIVE SESSION:

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



CITY OF BURNET
REQUEST FOR CITIZEN COMMUNICATION ON THE AGENDA

ITEM 1.1

INSTRUCTIONS: The City of Burnet Council Meeting is held on the second and fourth Tuesday of the month in Council Chambers. To request appearance before the Council, please complete and return this form along with all associated documents to the City Secretary of the City of Burnet no later than noon on the Friday prior to the Tuesday Council Meeting. The Council Meeting agenda will be officially posted at City offices and on the City of Burnet website at www.cityofburnet.com by 5:00 p.m. on the Friday prior to the Tuesday Council Meeting. Your request for appearance will be listed on the agenda under Special Reports/Public Recognition. The Mayor will invite you to the podium and you will be given five minutes to complete your presentation. Due to restrictions in the Gov. Code Chapter 551, as amended, Open Meetings Act, deviations from the submitted agenda cannot be heard. In the event you must cancel the appearance, please notify the City Secretary by noon on the day of your scheduled appearance at (512) 715-3209 or by email at kdix@cityofburnet.com

NAME: Lonny Hocker

PHONE: (512) 234-2217
(Where you can be reached M-F, 8-5)

REPRESENTING: Lonny Hocker

ADDRESS: 4242 CR 330 CITY Bertram STATE TX ZIP 78605

REQUESTED DATE OF APPEARANCE: August 8, 2018

PURPOSE OF REQUEST SUMMARY: (include any items or actions you are requesting) _____

Issue with no posting of signs for construction area around Westfall. Feels the City should have the responsibility for posting.

AGENDA: (be as specific as possible) _____

7-27-17

Date of Request

Signature of Applicant

RECEIVED BY PUBLIC INFORMATION OFFICER ON _____

SCHEDULED FOR APPEARANCE ON: _____

CHANGES OR CANCELLATIONS: _____

SIGNATURE OF PIO: _____ Date _____

Time Received: _____

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

ITEM 2.1

On this the 25th day of July 2017, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m., at the regular meeting place thereof with the following members present, to-wit:

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

Guests: Leslie Baugh, Mark Ingram, Jonny Simons, Mark Lewis, Paul Nelson, Ed Holicky, Bettye Foulds, Craig Lindholm, Gene Courtney, Mary Jane Shanes, Harold Smith, John Cashman, James Wilson, Patricia Langford, Doug Fipps, Connie Maxwell, Deborah Page

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

INVOCATION: Council Member Paul Farmer

PLEDGE OF ALLEGIANCE: Council Member Tres Clinton

PLEDGE TO TEXAS FLAG: Council Member Tres Clinton

PUBLIC RECOGNITION/SPECIAL REPORTS:

Chamber of Commerce Report: Deborah Page presented the monthly Chamber of Commerce report which included upcoming events. The Chamber will be hosting a small business training workshop at the end of July. August 9th will be the Burnet Consolidated Independent School District's annual "Welcome Breakfast" for all of the new teachers and staff. The Chamber is currently working on plans for Oktoberfest and will be hosting a job fair at the end of August at the Burnet Community Center. Volunteers are needed for the Summer Series Concert on August 26th. Anyone interested in volunteering can contact the Chamber.

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 July 14, 2017 Regular Council Meeting minutes

Council Member Joyce Laudenschlager moved to approve the consent agenda as presented. Council Member Milton Phair seconded, and the motion carried unanimously.

PUBLIC HEARING: None.

ACTION ITEMS: Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET AMENDING CODE OF ORDINANCES CHAPTER 22 BY REPEALING SECTION 22-160 – ADOPTION OF THE INTERNATIONAL FIRE CODE, 2009 EDITION FOR THE PURPOSE OF ESTABLISHING A NEW SECTION 22-160 – ADOPTION OF THE INTERNATIONAL FIRE CODE, 2015 EDITION; PROVIDING FOR A SEVERABILITY CLAUSE, A REPEALER CLAUSE, AND ESTABLISHING AN EFFECTIVE DATE: Council Member Tres Clinton made a motion to approve and adopt Ordinance 2017-15 as presented. Council Member Paul Farmer seconded, the motion carried unanimously.

Discuss and consider action: The City Council of the City of Burnet, in accordance with Code of Ordinances, Chapter 22, Article IV, Sections 22-81 and 22-82, will convene as the Board of Appeals for the purpose of considering an appeal to the order declaring the structure located at 1407 N. Water Street to be dangerous and unsafe, and therefore a public nuisance; and further ordering

the demolition or removal of said structure: M. Lewis: The City Council convened as the Board of Appeals for the City of Burnet. Mark Lewis, Director of Development Services updated the Council on the status of the Order to Demolish or Repair 1407 N. Water Street. The owner of the structure Mr. Cashman addressed the Council and informed them that the contractor that is hired to replace the roof has not yet started and requested the Council to extend the time frame for compliance. Council Member Danny Lester made a motion to approve option two of the amended Order to Demolish or Repair 1407 N. Water Street, which provides an additional sixty days to meet compliance. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

Discuss and consider action: Authorize the City Manager to grant the EPA access to other city owned property and Rights-of Way: D. Vaughn: Council Member Paul Farmer made a motion to authorize the City Manager to grant the EPA access to other city owned property and rights-of-way for additional testing. Council Member Cindy Talamantez seconded, the motion carried unanimously.

Discuss and consider action: Approve a quote and authorize purchase of an ambulance: M. Ingram: Council Member Danny Lester made a motion to approve and authorize the purchase of a new ambulance. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

Discuss and consider action: Authorize the purchase of a new dump truck: J. Simons: Council Member Milton Phair made a motion to approve the purchase of a new dump truck for the Street Department. Council Member Cindia Talamantez seconded, the motion carried unanimously.

Discuss and consider action: Authorize a community project to renovate and revitalize Live Oak Park: D. Vaughn: Council Member Tres Clinton made a motion to approve the project to renovate and revitalize Live Oak Park and to budget an amount not to exceed \$50,000.00 in the FY 2017/2018 Budget to match the project donation by the Burnet Rotary Club of \$25, 000.00 and the possible approval of a \$25,000.00 grant from LCRA. The City fund contribution is contingent upon the awarding of the LCRA grant. Council Member Danny Lester seconded, the motion carried unanimously.

REPORTS:

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

June 2017 Financial Report: P. Langford: Director of Finance Patricia Langford reviewed the June 2017 Financial statements, to include, revenue, expenses and fund balance for each Department.

Municipal Court Quarterly Report: Judge Simon: Municipal Court Judge Peggy Simon presented the quarterly court report to council. Judge Simon also discussed some of the proposed legislative changes that will be coming in September pertaining to indigence.

CONVENE TO EXECUTIVE SESSION:

Council Member Joyce Laudenschlager made a motion to convene to Executive Session at 6:57 p.m. Council Member Paul Farmer seconded, the motion carried unanimously.

Executive Session: The Council reserves the right to enter into closed session in accordance with the provision of the Open Meetings Act, Texas Government Code, Chapter 551, Subsection 551.087; Deliberation Regarding Economic Development Negotiations-Entegris: D. Vaughn

Executive Session: The Council reserves the right to enter into closed session in accordance with the provision of the Open Meetings Act, Texas Government Code, Chapter 551, Subsection 551.072; Deliberations Regarding Real Property: pertaining to pertaining to the possible purchase of approximately 6 acres of land from the Franklin I. Fickett Charitable Foundation, further

described as four tracts at the corner of Hwy. 29 East and Leffingwell Lane: D. Vaughn
RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION: Council Member Danny Lester made a motion to reconvene to regular session at 8:30 p.m. Council Member Cindy Talamantez seconded, the motion carried unanimously.

Discuss and consider action: Regarding economic development negotiations with Entegris: D. Vaughn: Pass. No action taken.

Discuss and consider action: Authorization to purchase approximately 6 acres of land from the Franklin I. Fickett Charitable Foundation, further described as four tracts of land located at the corner of Hwy. 29 East and Leffingwell Lane: D. Vaughn: Council Member Danny Lester made a motion to cease negotiations with the Franklin I. Fickett Charitable Foundation on the four tracts of land located at the corner of Hwy. 29 East and Leffingwell Lane. Council Member Cindy Talamantez seconded, the motion carried unanimously.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: Council Member Tres Clinton requested a Quarterly Code Enforcement report. Council Member Lester requested a Police Department operations update report.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Joyce Laudenschlager at 8:33 p.m., seconded by Council Member Milton Phair. 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 1st day of August, 2017, the City Council of the City of Burnet convened in Workshop Session, at 3:00 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, Paul Farmer, Tres Clinton, Joyce Laudenschlager, Milton Phair, Cindia Talamantez

City Manager David Vaughn
City Secretary Kelly Dix

Guests: Mark Lewis, Evan Milliorn, Gene Courtney, Jonny Simons, Mark Ingram, Doug Fipps, Patricia Langford, Paul Nelson, Connie Maxwell, Alan Burdell

Call to Order: Mayor Crista Goble Bromley at 3:00 p.m.

Discuss and review: 2017/2018 Fiscal Year Budget: City Manager David Vaughn presented the current version of the proposed 2017/2018 fiscal year budget that includes the Council goals and project lists prioritized by the Council during the June 22nd, 2017 City Council Budget Retreat. Mr. Vaughn discussed and reviewed the projected revenues, expenses, fund balances, employee benefit options and the overall financial forecast for the City's 2017/2018 Fiscal Year Budget. Stan Hemphill, Burnet County Appraisal District was on hand to explain the ad valorem calculations that determine the proposed tax rate.

Adjourn: There being no further business the workshop was adjourned at 5:31 p.m.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix , City Secretary



Development Services

ITEM 3.1

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

Agenda Item Brief

August 8, 2017

Agenda Item:

Public Hearing: The City Council will conduct a public hearing regarding a request to rezone property described as 49.009 acres out of the Joseph Barnhart Survey, No. 35 Abstract A0065 and further described as being located on the east side of the 700 block of FM 2341 from its present designation of Single-family residential 1 – District “R-1” to a designation of Agricultural – District “A.”: M. Lewis

Background:

This is an item rescheduled from City Council's cancelled July 11, 2017 public hearing and regular meeting. Notice of the August 8 hearing was published in the Burnet Bulletin and mailed to surrounding property owners. There has been no written public notice response.

The property described above is part of an approximately 49-acre tract of land located immediately north of the Rancho Viejo Subdivision (See Exhibit A). The zone change request seeks to change zoning from its current R-1 designation to a designation of Agricultural. The property is already under agricultural exemption through the Burnet County Appraisal District.

Public notice of the request to rezone was published in the Burnet Bulletin and mailed to 12-surrounding property owners. There has been no response to the public notice.

The Planning and Zoning Commission considered this request in a July 5, 2017 public hearing. No public comment was offered.

Information:

Following its public hearing, the Planning and Zoning Commission considered this rezone request and found it to

be consistent with both the City's Future Land Use Plan (See Exhibit B), and the surrounding pattern of existing development. Based on these findings, the Commission, by unanimous vote of members present, recommended rezoning 49.009-acres in question to a designation Agricultural – District "A."

Recommendation:

Recommendation will be provided under the action item relating to this request.

EXHIBIT A

49.009 Acres – Location & Zoning

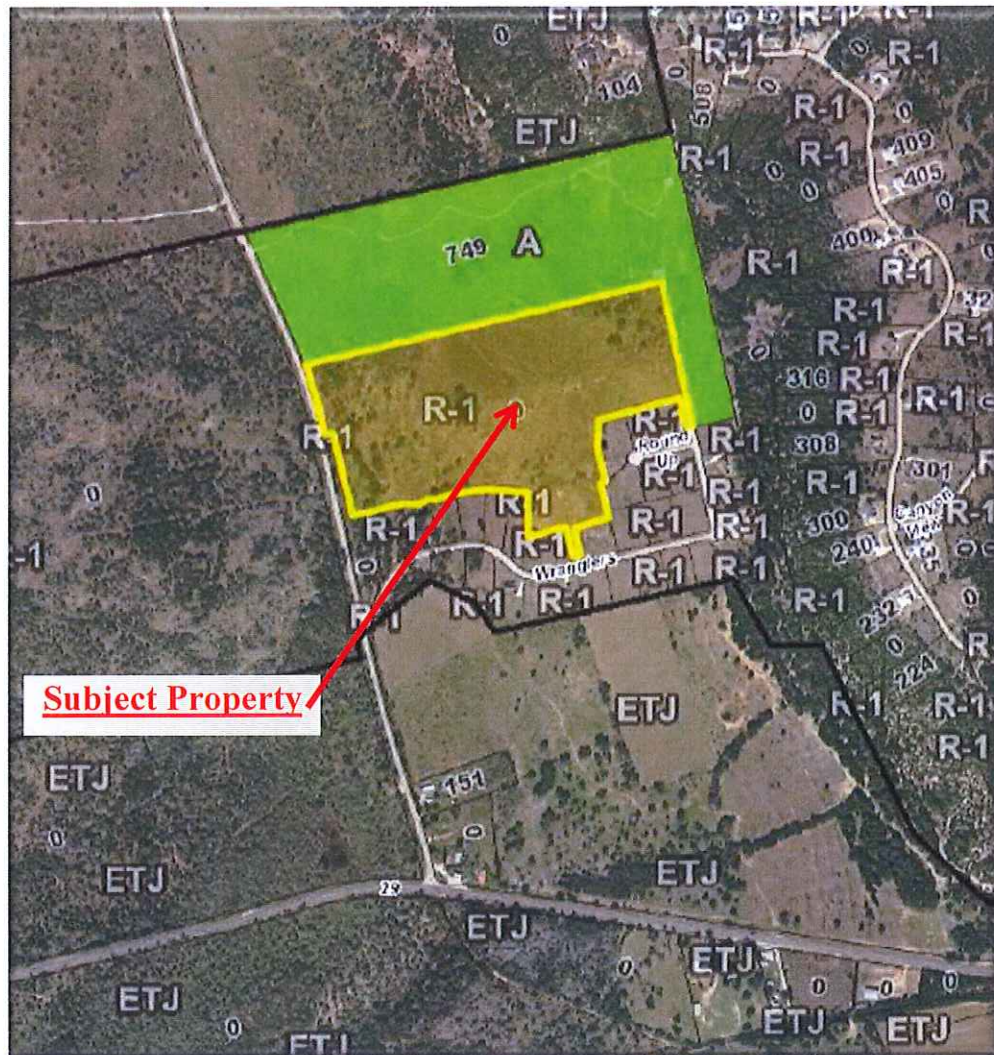
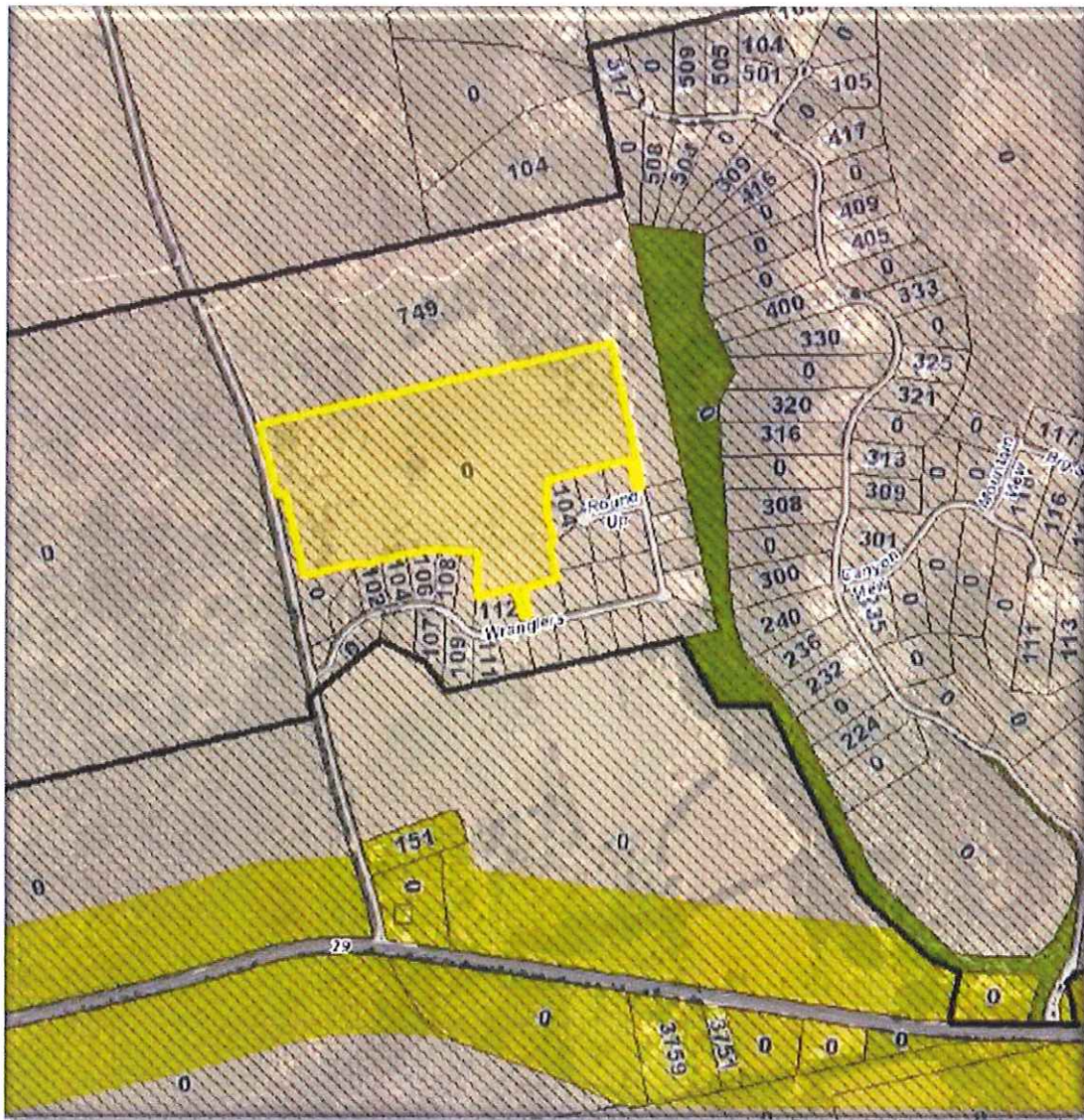


EXHIBIT B

49.009 Acres – Future Land Use



Residential



Commercial



Development Services

ITEM 3.2

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

Agenda Item Brief

Meeting Date: August 8, 2017

Agenda Item: Public Hearing: The City Council will conduct a public hearing regarding a replat of the City of Burnet Westfall Subdivision for the purpose of creating the Cottages at Westfall Final Plat a property further described as being bounded by Westfall Street, the City of Austin Railroad, Oddfellows and Old Burnet Cemeteries, and Cemetery Street: M.Lewis

Background: This is an item rescheduled from City Council's cancelled July 11, 2017 public hearing and regular meeting. Notice of the August 8 hearing was published in the Burnet Bulletin and mailed to surrounding property owners. There has been no written public notice response.

The Cottages at Westfall subdivision will be a thirty-nine lot subdivision created by replatting the recently approved City of Burnet Westfall Subdivision (See Exhibits A & B). The plat is being brought forward to Council as both a replat and a final plat. The Cottages at Westfall Preliminary Plat was approved by City Council on June 14, 2017

Because the final plat is also a replat, it was presented to the Planning and Zoning Commission in a July 5, 2017 public hearing. City Council is also being asked to conduct a public hearing prior to acting on the request for plat approval.

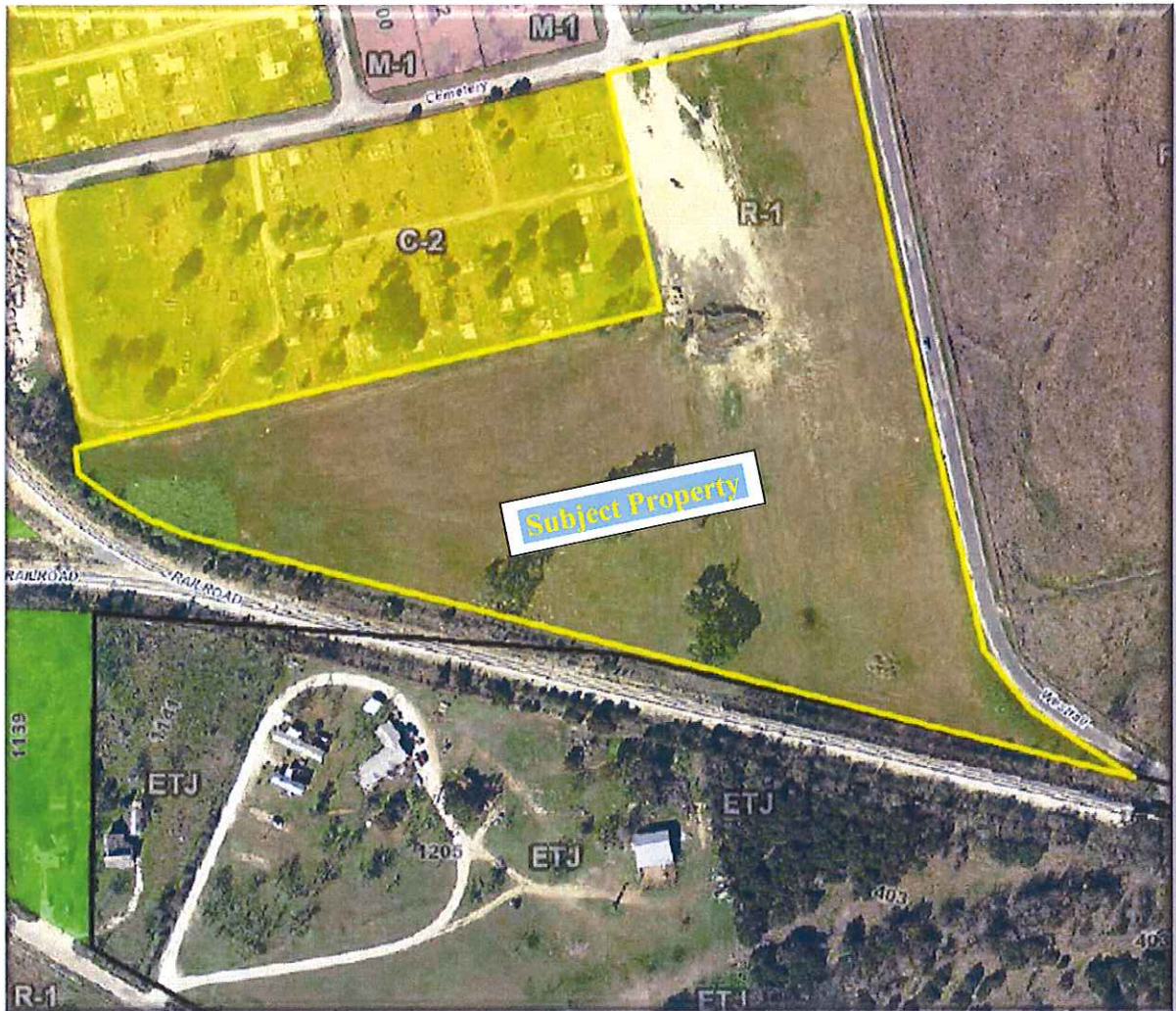
Information: The Planning and Zoning Commission, following its July 5 public hearing found the plat to be consistent with the approved Cottages at Westfall Preliminary Plat Cottages of Westfall preliminary plat and in compliance with applicable provisions of the City Code of Ordinances. Based on these findings, the Planning and Zoning Commission, by unanimous vote of members present, has recommended approval of the Cottages at Westfall Final Plat.

Recommendation:

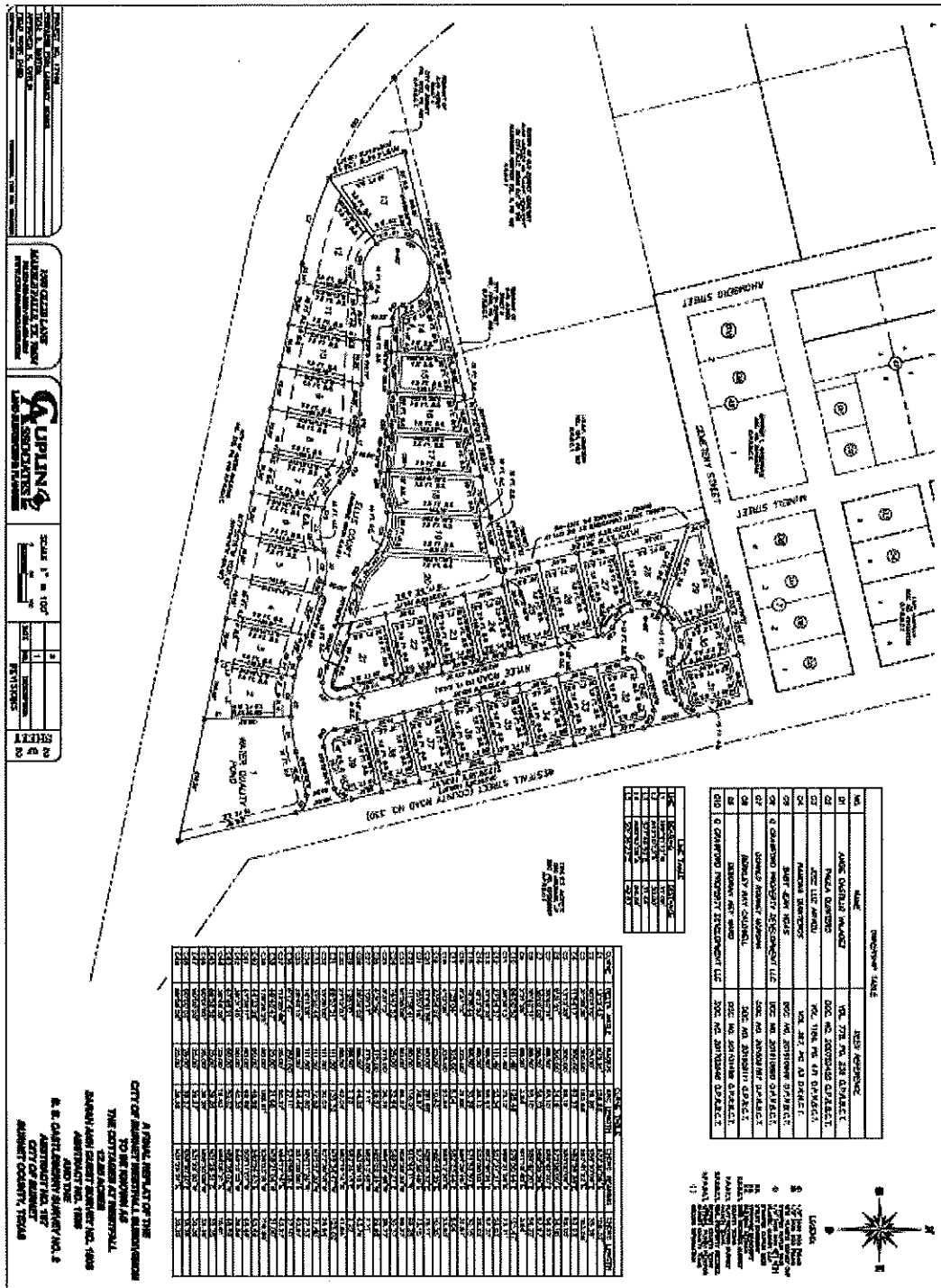
Recommendation will be provided under the action item relating to this request.

EXHIBIT A

COTTAGES AT WESTFALL SUBDIVISION
LOCATION



**COTTAGES AT WESTFALL SUBDIVISION
PLAT**





Development Services

ITEM 3.3

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

Agenda Item Brief

Meeting Date: August 8, 2017

Agenda Item: Public Hearing: The City Council will conduct a public hearing regarding a City initiated proposal to rezone Lot 1A; Block 4; Hamilton Creek Addition which is further described as 600 Buchanan Drive from its present designation of Light Commercial—District C-1 to a designation of Medium Commercial—District C-2": M. Lewis

Background: 600 Buchanan Dr. is currently developed with a drive-through carwash, a convenience store with gas-island, a hair care salon and a storage building. The property is zoned Light Commercial – District C-1 (See Exhibit A). The City proposes to rezone the site to Medium Commercial – District C-2.

One written response to the public notice of this hearing was received. A copy of the response letter is attached and follows this report.

The Planning and Zoning Commission considered this request in a July 31, 2017 public hearing. No public comment was offered. Following the hearing, the Commission, by a vote of four in favor, one in opposition, recommended that zone change be granted.

Information: The City's Future Land Use Plan (FLUP) currently calls for Commercial land use in the area surrounding the subject property (See Exhibit B). C-2 zoning is compatible with FLUP intent for development in this area.

Buchanan Drive (Hwy. 29) is one of the City's two arterial roadways and is a primary commercial corridor that is suited to the broader range of commercial use allowed in C-2 verses C-1 Districts.

A review of similarly situated businesses reveals several C-2 compatible uses along the corridor. On this basis, Medium Commercial – District C-2 zoning is consistent with existing patterns of surrounding development.

Recommendation:

Recommendation will be provided under the action item relating to this request.

EXHIBIT A

600 Buchanan Dr. – Location & Zoning



EXHIBIT B

49.009 Acres – Future Land Use



Residential



Commercial

To ,
City of burnet

Subject:Rezoning Property

Dear sir,

This is Hafiz Farooq Owner of 600 Buchanan Dr Burnet TX 78611.
Miss Laura Craig is my tenant and she will applied rezoning on this property to open liquor Store and i
have no concern no objection if you accept this request.
So please accept this rezoning application for 600 Buchanan dr burnet TX 78611.

Best Regard.
Hafiz Farooq

A handwritten signature in blue ink, appearing to read "Hafiz", with a stylized flourish extending from the end.



Development Services

ITEM 3.4

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

Agenda Item Brief

Meeting Date: August 8, 2017

Agenda Item: Public Hearing: The City Council will conduct a public hearing regarding a request for a conditional use permit to allow a convenience store with alcohol sales in a C-1 zoning district located on lot 1A; Block 4; Hamilton Creek Addition which is further described as 600 Buchanan Drive: M. Lewis

Background: 600 Buchanan Drive is the site of a closed convenience store (See Exhibit A). The property containing the store is zoned "Light Commercial—District C-1." Convenience stores, retail food stores, grocery stores and supermarkets (including gasoline and/or alcohol sales) can be located in C-1 districts, if the City grants the business a Conditional Use Permit.

The applicants are proposing to gut the building and open two pairs of roll-up doors for the purpose of creating customer drive-through lanes that will pass through the building (See Exhibits B & C).

Conditional Use Permits are considered for approval by the Planning and Zoning Commission and City Council. A Conditional Use Permit can be viewed as a type of operational permit.

A Conditional Use Permit is a zoning permit, but it does not change a property's underlying zoning. Conditions can be attached to the permit. A permit can be open-ended, or be granted for a finite period of time.

The Conditional Use Permit review/approval process is established by Code of Ordinances Sec. 118-64. Key points from this section follow:

Purpose. The City Council, by ordinance, may grant a conditional use permit. The Council may impose appropriate conditions and safeguards, including a specified period of time for the permit.

Procedure. Public notice and public hearings are required.

General Criteria. A Conditional Use Permit must be shown to satisfy the following:

- Appearance, size, density and operating characteristics are compatible with surrounding neighborhood and uses;
- Proposed use will not adversely affect value of surrounding properties nor impede their proper development;
- Proposed use will not create a nuisance factor nor otherwise interfere with a neighbor's enjoyment of property or operation of business;
- Traffic generated on existing streets will not create nor add significantly to congestion, safety hazards, or parking problems, and will not disturb peace and quiet of neighborhood;
- Comply with other applicable ordinances and regulations.

Information:

On July 31, 2017, the Planning and Zoning Commission conducted a public hearing on the Conditional use permit described above. Following the public hearing, the Commission, based on its determination that the establishment being proposed is not a convenience store found that the proposed business is not eligible for the requested Conditional Use Permit.

On this basis, the Planning and Zoning Commission voted to deny the requested permit. Four Commissioners voted to deny the permit. One Commissioner opposed the vote to deny.

Recommendation:

Recommendation will be provided under the action item relating to this request.

EXHIBIT A

600 Buchanan Dr. – Location & Zoning



EXHIBIT B

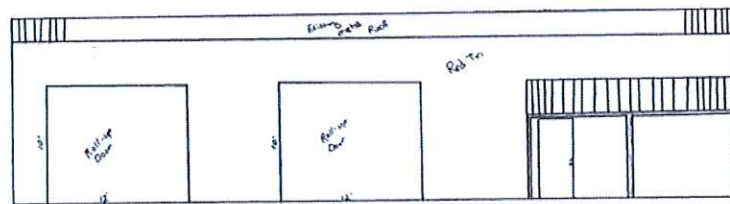
600 Buchanan – Existing Building



EXHIBIT C
1 of 3

600 Buchanan Drive – Proposed Facility

Front Elevation



1/4" Scale

EXHIBIT C
2 of 3

600 Buchanan Drive – Proposed Facility

Site Plan

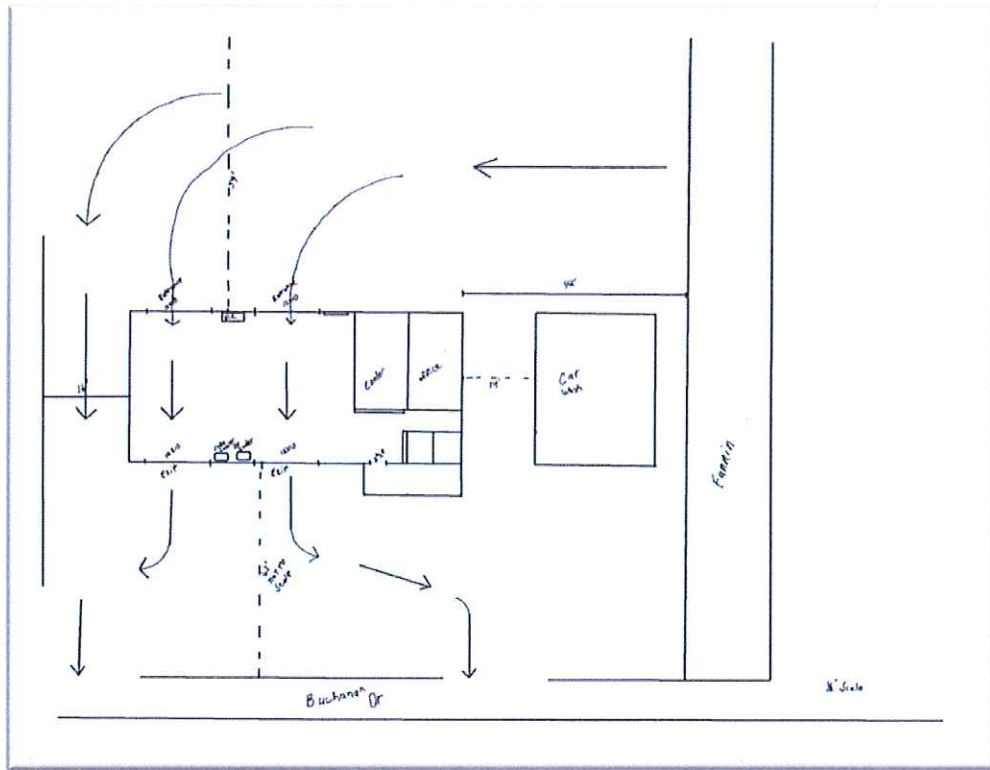
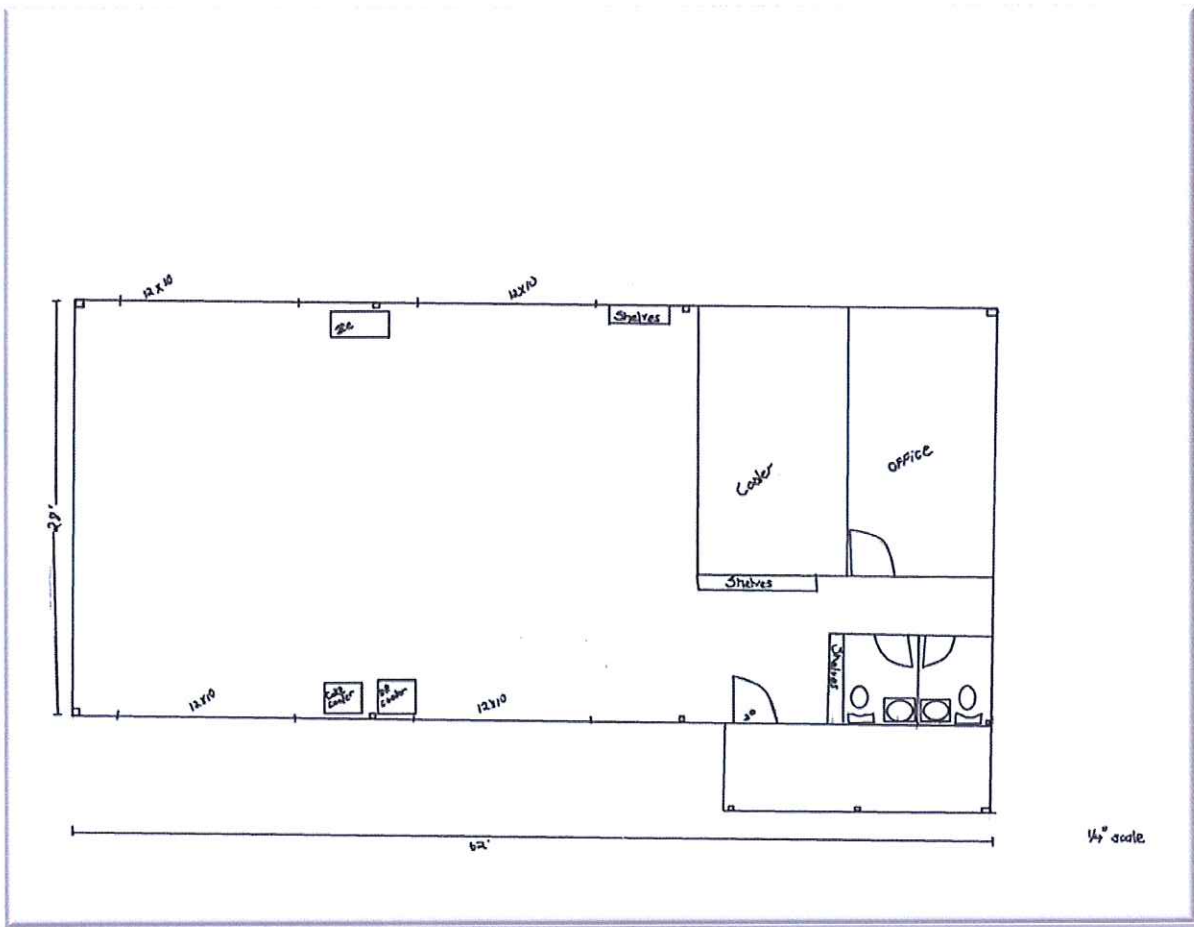


EXHIBIT C
3 of 3

600 Buchanan Drive – Proposed Facility

Floor Plan





Development Services

ITEM 3.5

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

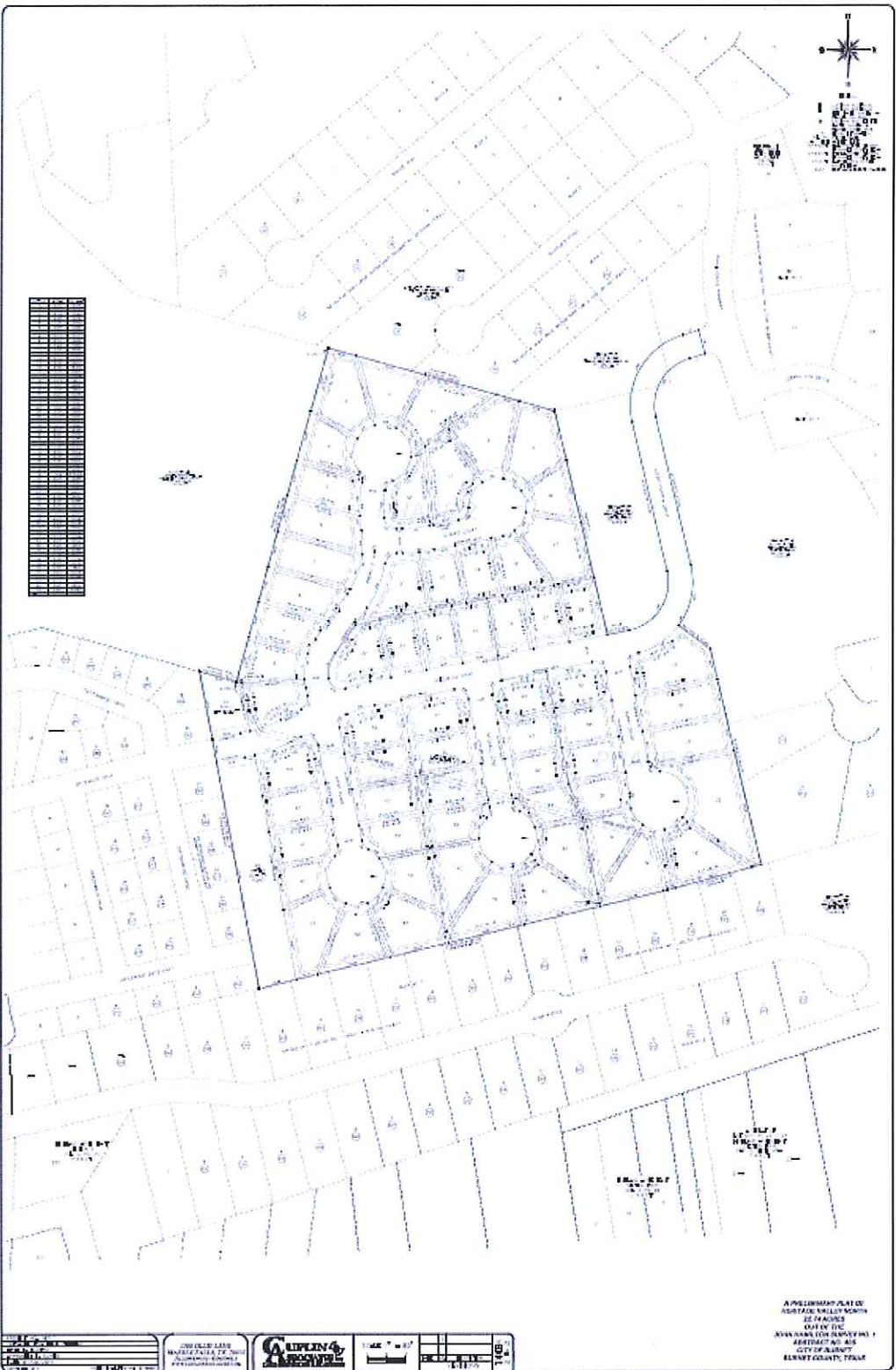
Agenda Item Brief

Meeting Date:	August 8, 2017
Agenda Item:	Public Hearing: The City Council will conduct a public hearing regarding the Heritage Valley North Preliminary Plat which is described as being 22.74 acres out of the John Hamilton Survey No. 1 and is further described as being located at the eastern terminations of Spicewood Drive and Applewood Drive East.: M. Lewis
Background:	<p>On July 31, 2017, the Planning and Zoning Commission conducted a public hearing regarding the Heritage Valley North Preliminary Plat (See Exhibit A). Heritage Valley North is to be a 63-lot, single-family, residential subdivision. It is to be located on the approximately 22.74-acres located between the Woodlands and Hills of Shady Grove subdivisions.</p> <p>During the public hearing, two Hills of Shady Grove residents questioned the impact that a Fire Code required street might have on their neighborhood. A Heritage Park resident expressed concern that the plat would prevent resolution of an existing drainage problem within his neighborhood.</p>
Information:	<p>If a plat is not acted on within 30-days of being found to be administratively complete, state law gives the property owner the right to have the plat declared approved by default.</p> <p>Following its public hearing, the Planning and Zoning Commission, for the purpose of allowing the drainage concern to be researched, voted to deny the plat without prejudice and requested that staff bring the plat back for a new public hearing at the regularly scheduled September 5, 2017 Commission meeting.</p> <p>The vote to deny rather than table was intended to avoid possible complications relating to the State's thirty-day rule.</p>

Recommendation:

Staff concurs with the Planning and Zoning Commission recommendation and asks that City Council deny the preliminary plat without prejudice.

EXHIBIT A





City Manager

ITEM 4.1

David Vaughn
City Manager
(512)-756-6093 ext. 3208
dvaughn@cityofburnet.com

Agenda Item Brief

Meeting Date:	August 8, 2017
Agenda Item:	Discuss and consider: Presentation of the proposed Fiscal Year 2017/2018 Annual Budget per Article VII, Section 7.02 of the Burnet City Charter: D. Vaughn
Background:	As required by Article VII, Section 7.02 of the Burnet City Charter, the City Manager is required to present the annual budget on or before the 15th day of August of each year.
Information:	A Budget workshop was held on August 1 st , 2017 to discuss the proposed 2017-18 FY budget with Council.
Fiscal Impact:	If the City Council does not adopt a budget prior to October 1 st of each year, the City Manager's budget goes into effect until such time that a new budget is adopted.
Recommendation:	No action is necessary at this time.



Finance Department

ITEM 4.2

Connie Maxwell
Budget Director
(512)-756-6093 ext. 3219
cmawell@cityofburnet.com

Agenda Item Brief

Meeting Date:	August 8, 2017
Agenda Item:	Discuss and consider action: Vote for proposed ad-valorem property tax and schedule the public hearings for August 22 nd , 2017 Regular Council Meeting and September 12 th , 2017 Regular Council Meeting: C. Maxwell
Background:	Stan Hemphill, Burnet County Chief Appraiser, has provided the City of Burnet with the 2017 property tax rates, attached are copies for your review.
Information:	As presented to Council this proposed budget is based on a total tax rate of \$0.6237, which is the calculated rollback rate. The proposed rate reduces both the M&O tax rate and the I&S tax rate, while maintaining a total tax rate that is slightly lower than the rate for the prior year.
Fiscal Impact:	If the City of Burnet holds the tax rate at the calculated rollback tax rate, the city would receive approximately \$295,680 more in total ad valorem tax due to increased valuations and new property added to the tax roll.
Recommendation:	Staff recommends approving the proposed ad valorem tax rate of \$0.6237 presented and schedule the public hearings for August 22 nd and September 12 th , 2017.

BURNET CENTRAL APPRAISAL DISTRICT

P. O. BOX 908 / 223 SOUTH PIERCE
BURNET, TEXAS 78611
PHONE (512) 756-8291 - FAX (512) 756-7873

**CERTIFICATION OF
2017 APPRAISAL ROLL
*CITY OF BURNET**

I, Stan Hemphill, Chief Appraiser for the Burnet Central Appraisal District, do solemnly swear that the attached is that portion of the approved appraisal roll of the Burnet Central Appraisal District which lists property taxable by the «Entity».

2017 Appraisal Roll Information:

Market Value	\$682,761,832
Taxable Value	\$437,823,060
Taxable Value-Over-65	\$94,824,023
Value Under Protest	\$8,101,270
Owner's Estimate of Value	\$6,075,952
Adjusted Taxable Value	\$340,973,719
Freeze Levy	\$457,230

2017 Anticipated Collection Rate: 100%
(Includes Current & Delinquent Tax, Penalty & Interest)

Stan Hemphill
Stan Hemphill, Chief Appraiser

7/24/17
Date

Connie Matwee
Received By:

7/25/17
Date

2017 Property Tax Rates in City of Burnet

This notice concerns 2017 property tax rates for City of Burnet. It presents information about three tax rates. Last year's tax rate is the actual rate the taxing unit used to determine property taxes last year. This year's *effective* tax rate would impose the same total taxes as last year if you compare properties taxed in both years. This year's *rollback* tax rate is the highest tax rate the taxing unit can set before taxpayers can start tax rollback procedures. In each case these rates are found by dividing the total amount of taxes by the tax base (the total value of taxable property) with adjustments as required by state law. The rates are given per \$100 of property value.

Last year's tax rate:

Last year's operating taxes	\$1,955,448
Last year's debt taxes	\$316,600
Last year's total taxes	\$2,272,048
Last year's tax base	\$294,812,192
Last year's total tax rate	0.626500/\$100

This year's effective tax rate:

Last year's adjusted taxes (after subtracting taxes on lost property)	\$1,848,534
÷ This year's adjusted tax base (after subtracting value of new property)	\$329,470,101
= This year's effective tax rate	0.561000/\$100

This year's rollback tax rate:

Last year's adjusted operating taxes (after subtracting taxes on lost property and adjusting for any transferred function, tax increment financing, state criminal justice mandate and/or enhanced indigent health care expenditures)	\$2,137,275
÷ This year's adjusted tax base	\$329,470,101
= This year's effective operating rate	0.648700/\$100
× 1.08 = this year's maximum operating rate	0.700500/\$100
+ This year's debt rate	0.083400/\$100
= This year's rollback rate	0.783900/\$100

A hospital district or city that collects the additional sales tax to reduce property taxes, including one that collects the tax for the first time this year, must insert the following lines:

- Sales tax adjustment rate	0.160200/\$100
= Rollback tax rate	0.623700/\$100

NOTICE OF 2017 TAX YEAR PROPOSED PROPERTY TAX RATE FOR

A tax rate of \$.6237 per \$100 valuation has been proposed for adoption by the governing body of City of Burnet, Texas. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of City of Burnet, Texas proposes to use revenue attributable to the tax rate increase for the purpose of maintenance and operations.

PROPOSED TAX RATE	\$ <u>.6237</u> per \$100
PRECEDING YEAR'S TAX RATE	\$ <u>.6265</u> per \$100
EFFECTIVE TAX RATE	\$ <u>.5610</u> per \$100
ROLLBACK TAX RATE	\$ <u>.6237</u> per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for City of Burnet, Texas from the same properties in both the 2016 tax year and the 2017 tax year.

The rollback tax rate is the highest tax rate that City of Burnet, Texas may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

$$\text{property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

For assistance or detailed information about tax calculations, please contact:

Burnet Central Appraisal District

Stan Hemphill tax assessor-collector

P. O. Box 908, Burnet, Texas 78611

(512) 756-8291

burnetad@nctv.com

www.burnet-cad.org

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: August 22, 2017 at 6:00 pm at City Council Chambers

Second Hearing: September 12, 2017 at 6:00 pm at City Council Chambers



Development Services

ITEM 4.3

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

Agenda Item Brief

Meeting Date:	August 8, 2017
Agenda Item:	Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING AGRICULTURAL —DISTRICT “A” ZONING TO 49.009 ACRES OUT OF THE JOSEPH BARNHART SURVEY, NO 35, ABSTRACT A0065; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis
Background:	The attached ordinance, if approved by City Council, will assign Agricultural—District “A” zoning to the 49.009-acres of property described in the above caption.
Information:	All necessary precursor actions in the zoning process, including public notice, Planning and Zoning Commission public hearing, and City Council public hearing have been completed. It is appropriate that Council take action on the zone change ordinance at this time.
Fiscal Impact:	None
Recommendation:	Approve the first reading of Ordinance 2017-16 assigning 49.009-acres out of the Joseph Barnhart Survey, No. 35, Abstract A0065.

ORDINANCE NO. 2017-16

AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING AGRICULTURAL —DISTRICT A ZONING TO 49.009 ACRES OUT OF THE JOSEPH BARNHART SURVEY, NO 35, ABSTRACT A0065; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The Planning and Zoning Commission of the City of Burnet, on July 5, 2017, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assign Agricultural – District A zoning to 49.009-acres out of the Joseph Barnhart Survey; and

WHEREAS, The City Council of the City of Burnet, on July 11, 2017 did conduct its own public hearing for the purpose of taking public comment regarding the same proposal to assign Agricultural – District A zoning to 49.009-acres out of the Joseph Barnhart Survey; and

WHEREAS, The City Council, based on due consideration of the Planning and Zoning Commission recommendation as well as its own deliberations did determine that assigning Agricultural – District A zoning to said 49.009-acres out of the Joseph Barnhart Survey to be consistent with the City of Burnet Future Land Use Plan, consistent with development patterns in the surrounding area and consistent with the best public interest of the City;

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

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

Section 2. Zoning Changed. Agricultural – District “A” zoning is hereby assigned to that 49.009-acres out of the Joseph Barnhart Survey, No. 35, Abstract A0065 which is further identified by Burnet County Appraisal District Identification Number 48504.

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

Section 4. Severability. That should any provisions of this ordinance be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

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

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

PASSED AND APPROVED on First Reading this 8th day of August 2017.

FINALLY PASSED AND APPROVED on this 22nd day of August, 2017.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 4.4

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

Agenda Item Brief

Meeting Date:	August 8, 2017
Agenda Item:	Discuss and consider action: The City Council will consider a replat of the City of Burnet Westfall Subdivision for the purpose of creating the Cottages at Westfall Final Plat a property further described as being bounded by Westfall Street, the City of Austin Railroad, Oddfellows and Old Burnet Cemeteries, and Cemetery Street: M. Lewis
Background:	The Cottages at Westfall Final Plat has been reviewed and found to be in compliance with applicable provisions of the City of Burnet Code of Ordinances. The plat has been brought forward to City Council with a unanimous Planning and Zoning Commission recommendation for approval.
Information:	N/A
Recommendation:	Approve the Cottages at Westfall Final Plat.



Development Services

ITEM 4.5

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

Agenda Item Brief

Meeting Date: August 8, 2017

Agenda Item: Discuss and consider action: City Council will discuss and consider action regarding Code of Ordinances, Chapter 118, Article II, Section 118-45.a.11 “uses determined by the [Planning and Zoning] Commission and the [City] Council which are closely related and similar to those listed:” specifically whether a drive-through retail establishment selling beverages is closely related and similar to a “Convenience store, (including gasoline and/or alcohol sales)” or more closely related to a “package store” and other Medium Commercial – District C-2 uses: M. Lewis

Background: Code of Ordinances Section 118-45 establishes uses allowed in the City’s Light Commercial – District C-1 zoning district. One of the uses listed as being allowable, with Conditional Use Permit is “Convenience stores, retail food stores, grocery stores and supermarkets (including gasoline and/or alcohol sales).”

This section also states:

Uses as determined by the commission and the council which are closely related and similar to those listed and that are not likely to create any more offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences than the minimum amount normally resulting from listed uses permitted.

The Planning and Zoning Commission, at its July 31, 2017 meeting considered this matter and by a vote of four in favor, one in opposition, recommended that a drive-through retail establishment selling beverages is closely related and similar to a “package store and should be allowed as a use permitted in Medium Commercial – District C-2 zoning districts.

Information:

Although both convenience stores and drive-through retail establishment selling beverages are establishments that sell various types of beverages, the two uses are separate and distinct from each other. Differences include:

- *Focus of sales:* Convenience stores and other retail food stores sell a variety of food and miscellaneous products with beverages comprising only a portion of sales.

A drive-through retail establishment selling beverages primarily sells beverages and is much more akin to a "package store" which is listed as a permitted use in the City's C-2 zoning districts.

- *Method of sales:* Convenience stores typically have designated parking areas and are designed to accommodate walk in traffic.

A drive-through retail establishment selling beverages is designed to move a high volume of vehicles through the site and the building itself. In this regard it is similar to a number of automotive based uses allowed in C-2 districts including the drive-through fueling stations such as the one located in the HEB parking lot.

Based on these and other considerations, a drive-through retail establishment selling beverages is similar to uses permitted in C-2 districts.

Recommendation:

Find that drive-through beverage marts are similar to package stores and other C-2 uses intended to generate higher volumes of automotive traffic.



Development Services

ITEM 4.6

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

Agenda Item Brief

Meeting Date:	August 8, 2017
Agenda Item:	Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING MEDIUM COMMERCIAL – DISTRICT C-2 ZONING TO LOT 1A; BLOCK 4; HAMILTON CREEK ADDITION WHICH IS FURTHER DESCRIBED AS 600 BUCHANAN DRIVE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis
Background:	The attached ordinance, if approved by City Council, will assign Medium Commercial – District C-2 zoning to the property described in the above caption.
Information:	All necessary precursor actions in the zoning process, including public notice, Planning and Zoning Commission public hearing, and City Council public hearing have been completed. It is appropriate that Council take action on the zone change ordinance at this time.
Fiscal Impact:	None
Recommendation:	Approve the first reading of Ordinance 2017-17 assigning Medium Commercial – District C-2 zoning to Lot 1A; Block 4; Hamilton Creek Addition which is further described as 600 Buchanan Drive.

ORDINANCE NO. 2017-17

AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING MEDIUM COMMERCIAL – DISTRICT C-2 ZONING TO LOT 1A; BLOCK 4; HAMILTON CREEK ADDITION WHICH IS FURTHER DESCRIBED AS 600 BUCHANAN DRIVE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The Planning and Zoning Commission of the City of Burnet, on July 31, 2017, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assign Medium Commercial – District C-2 zoning to Lot 1A; Block 4; Hamilton Creek Addition which is further described as 600 Buchanan Drive; and

WHEREAS, The City Council of the City of Burnet, on August 8, 2017 did conduct its own public hearing for the purpose of taking public comment regarding the same proposal to assign Medium Commercial – District C-2 zoning to said Lot 1A; Block 4; Hamilton Creek Addition; and

WHEREAS, The City Council, based on due consideration of the Planning and Zoning Commission recommendation as well as its own deliberations did determine that assigning Medium Commercial – District C-2 zoning to Lot 1A; Block 4; Hamilton Creek Addition to be consistent with the City of Burnet Future Land Use Plan, consistent with development patterns in the surrounding area and consistent with the best public interest of the City;

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

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

Section 2. Zoning Changed. Medium Commercial – District C-2 zoning is hereby assigned to Lot 1A; Block 4; Hamilton Creek Addition which is further described as 600 Buchanan Drive.

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

Section 4. Severability. That should any provisions of this ordinance be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

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

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

PASSED AND APPROVED on first reading this 8th day of August 2017.

FINALLY PASSED AND APPROVED on this 22nd day of August, 2017.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 4.7

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

Agenda Item Brief

Meeting Date:	August 8, 2017
Agenda Item:	Discuss and Consider Action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY GRANTING A CONDITIONAL USE PERMIT FOR OPERATION OF A CONVENIENCE STORE WITH ALCOHOL SALES IN A LIGHT COMMERCIAL ZONING DISTRICT LOCATED ON LOT 1A; BLOCK 4; HAMILTON CREEK ADDITION WHICH IS FURTHER DESCRIBED AS 600 BUCHANAN DRIVE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis
Background:	The attached ordinance, if approved by City Council, will grant a Conditional Use Permit allowing a drive-through retail establishment intended for the sale of beverages to operate as a convenience store with alcohol sales in a Light-Commercial – District C-1 zoning district.
Information:	On July 31, 2017, the Planning and Zoning Commission recommended against granting the requested Conditional Use Permit. Four Commission members voted for disapproval of the requested permit. One Commission member voted for its approval.
Fiscal Impact:	None
Recommendation:	Staff concurs with the Planning and Zoning Commission and recommends against approval of the ordinance granting the requested Conditional Use Permit for a convenience store with alcohol sales to be operated at 600 Buchanan Drive.

ORDINANCE NO. 2017-18

AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY GRANTING A CONDITIONAL USE PERMIT FOR OPERATION OF A CONVENIENCE STORE WITH ALCOHOL SALES IN A LIGHT COMMERCIAL ZONING DISTRICT LOCATED ON LOT 1A; BLOCK 4; HAMILTON CREEK ADDITION WHICH IS FURTHER DESCRIBED AS 600 BUCHANAN DRIVE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The Planning and Zoning Commission of the City of Burnet, on July 31, 2017, did conduct a public hearing for the purpose of taking public comment regarding the proposal to grant a Conditional Use Permit for operation of a Convenience Store with Alcohol Sales on 1A; Block 4; Hamilton Creek Addition which is further described as 600 Buchanan Drive; and

WHEREAS, The City Council of the City of Burnet, on August 8, 2017 did conduct its own public hearing for the purpose of taking public comment regarding the same proposal to grant a Conditional Use Permit for operation of a Convenience Store with Alcohol Sales on 1A; Block 4; Hamilton Creek Addition which is further described as 600 Buchanan Drive; and

WHEREAS, The City Council, based on due consideration of the Planning and Zoning Commission recommendation as well as its own deliberations did determine that granting a Conditional Use Permit allowing a drive through retail establishment to function as a convenience store with alcohol sales in a Light Commercial – District C-1 zoning district to be in the public interest;

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

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

Section 2. Permit Granted. This ordinance shall serve as a Conditional Use Permit allowing a drive through retail establishment, substantially configured as illustrated on Exhibit A, a copy of which is attached hereto and incorporated for all purposes herein, to operate as a convenience store with alcohol sales, such establishment being permitted to operate on Lot 1A: Block 4: Hamilton Creek Addition which is further described as 600 Buchanan Drive.

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

Section 4. Severability. That should any provisions of this ordinance be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

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

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

PASSED AND APPROVED on First Reading this 8th day of August 2017.

FINALLY PASSED AND APPROVED on this 22nd day of August, 2017.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

EXHIBIT A
1 of 3

600 Buchanan Drive – Proposed Facility

Front Elevation

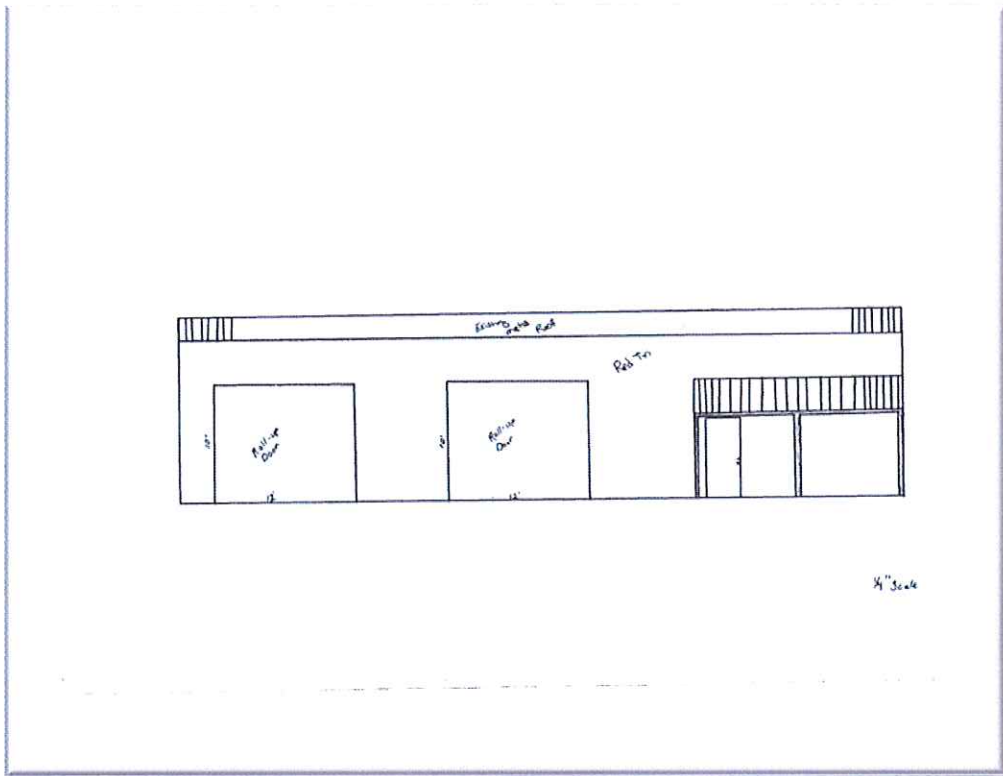


EXHIBIT A
2 of 3

600 Buchanan Drive – Proposed Facility

Site Plan

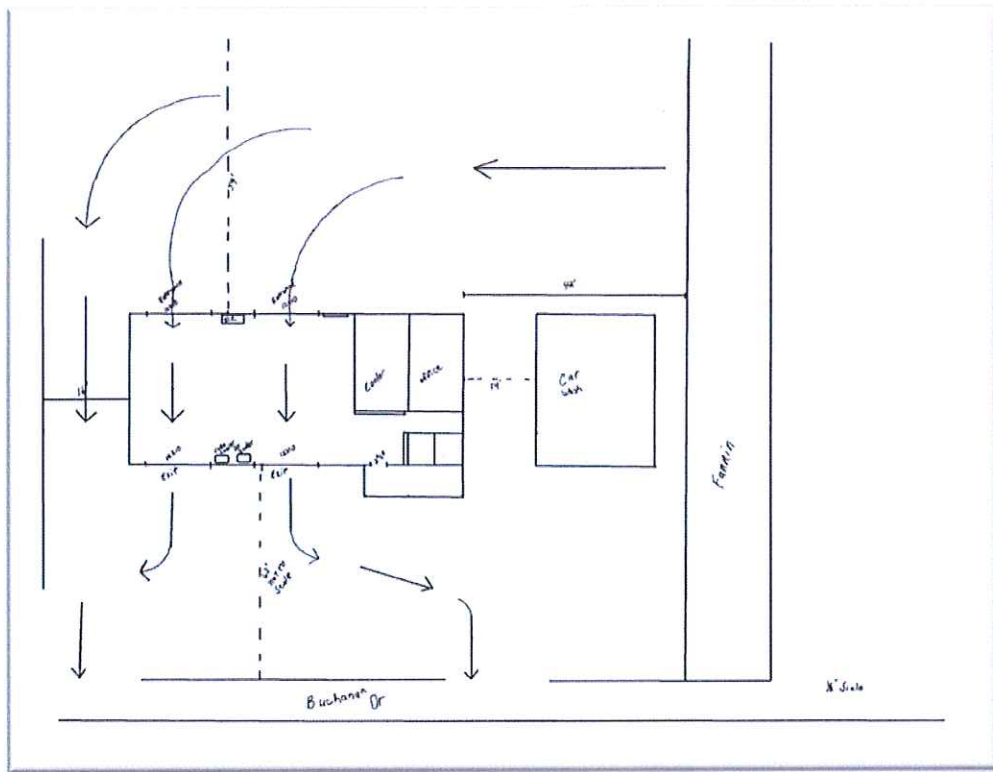
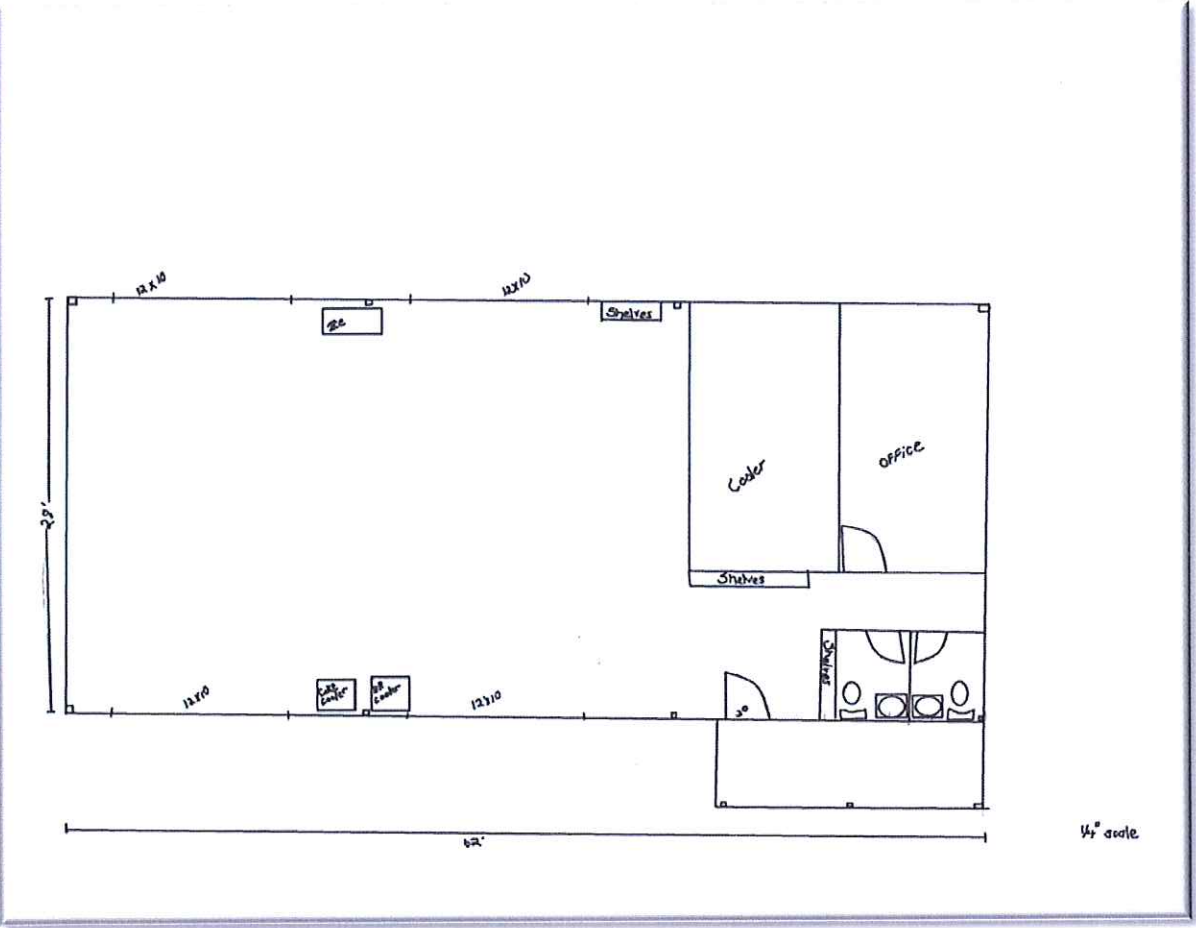


EXHIBIT A
3 of 3

600 Buchanan Drive – Proposed Facility
Floor Plan





Development Services

ITEM 4.8

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

Agenda Item Brief

Meeting Date: August 8, 2017

Agenda Item: Discuss and consider action: City Council will discuss and consider action regarding the Heritage Valley North Preliminary Plat which is described as being 22.74 acres out of the John Hamilton Survey No. 1 and is further described as being located at the eastern terminations of Spicewood Drive and Applewood Drive East.: M. Lewis

Background: On July 31, 2017, the Planning and Zoning Commission conducted a public hearing regarding the Heritage Valley North Preliminary Plat (See Exhibit A). Heritage Valley North is to be a 63-lot, single-family, residential subdivision. It is to be located on the approximately 22.74-acres located between the Woodlands and Hills of Shady Grove subdivisions.

During the public hearing, two Hills of Shady Grove residents questioned the impact that a Fire Code required street might have on their neighborhood. A Heritage Park resident expressed concern that the plat would prevent resolution of an existing drainage problem within his neighborhood.

Information: If a plat is not acted on within 30-days of being found to be administratively complete, state law gives the property owner the right to have the plat declared approved by default.

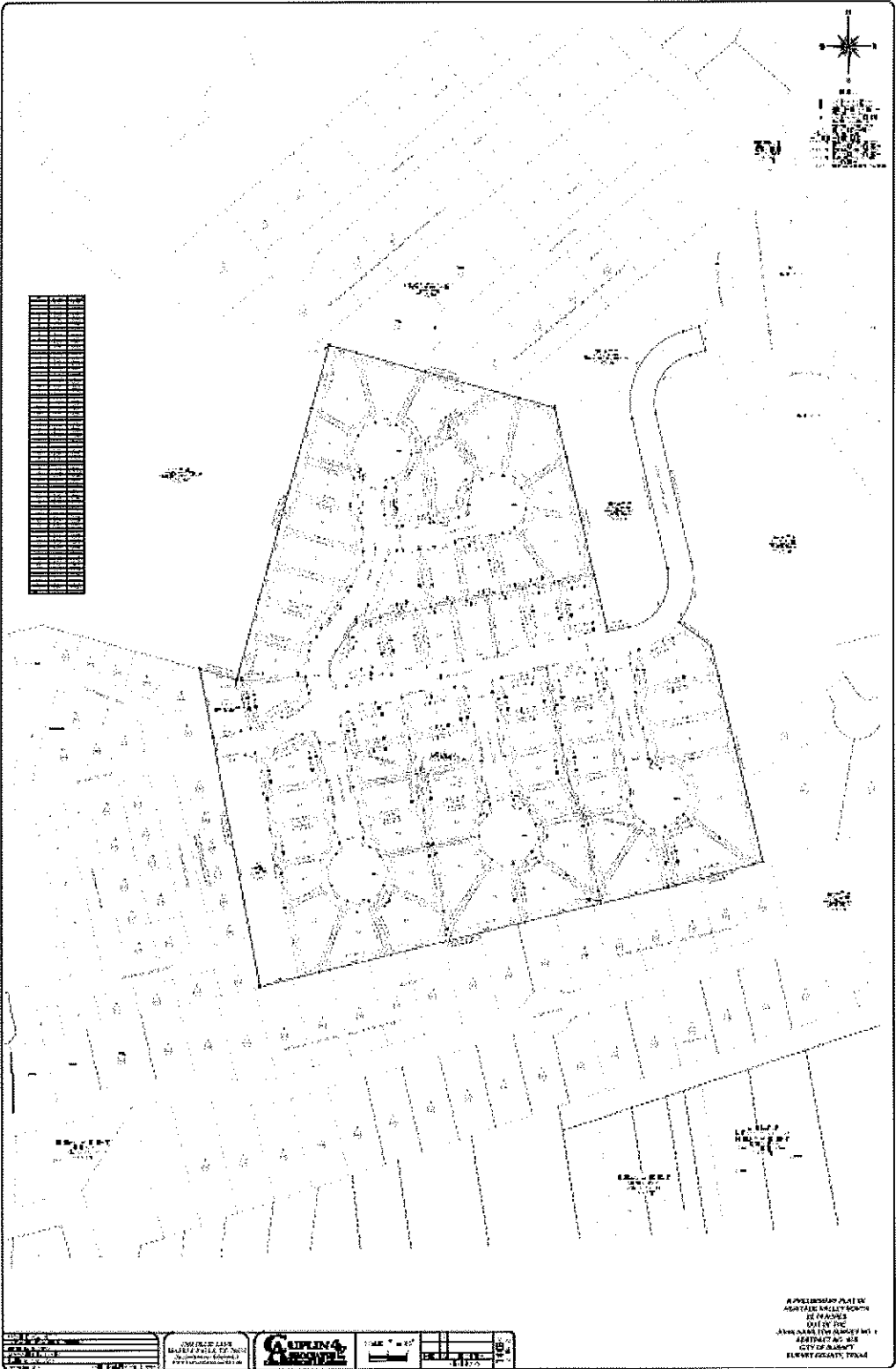
Following its public hearing, the Planning and Zoning Commission, for the purpose of allowing the drainage concern to be researched, voted to deny the plat without prejudice and requested that staff bring the plat back for a new public hearing at the regularly scheduled September 5, 2017 Commission meeting.

The vote to deny rather than table was intended to avoid possible complications relating to the State's thirty-day rule.

Recommendation:

Staff concurs with the Planning and Zoning Commission recommendation and asks that City Council deny the preliminary plat without prejudice.

EXHIBIT A





City Manager

ITEM 4.9

David Vaughn
City Manager
(512)-756-6093 ext. 3208
dvaughn@cityofburnet.com

Agenda Item Brief

Meeting Date: August 8, 2017

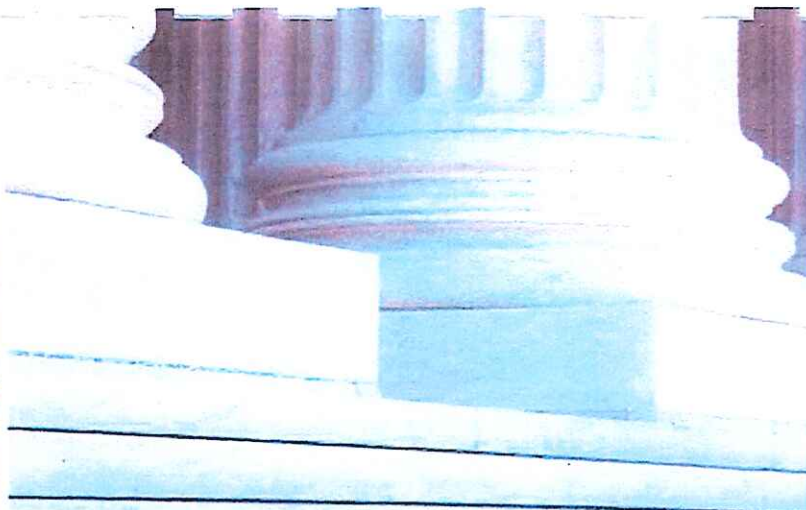
Agenda Item: Discuss and consider: Award employee health, dental, vision, life and ancillary benefits bid for fiscal year 2017/2018: D. Vaughn

Background:

Information: The City's broker, USI, solicited proposal for employee health, dental, vision, life insurance, and other ancillary services. See Attached.

Fiscal Impact:

Recommendation: Staff will present a recommendation at the Council Meeting.



Renewal & Marketing Analysis

City of Burnet
Medical Plan
Benefit Outline and Cost Summary
October 1, 2017

Benefit Outline	Current			Negotiated Renewal		
	POS80	HDHP CC100	HMO40 Value	POS80	HDHP CC100	HMO40 Value
Carrier	Scott & White	Scott & White	Scott & White	Scott & White	Scott & White	Scott & White
Plan Type, Name, Network	POS	HDHP	HMO	POS	HDHP	HMO
Deductible (Individual / Family)	\$2,500 / \$5,000	\$3,500 / \$7,000	\$0 / \$0	\$2,500 / \$5,000	\$3,500 / \$7,000	\$0 / \$0
Deductible Embedded / Non-embedded	Embedded	Embedded	Embedded	Embedded	Embedded	Embedded
Out-of-Pocket Maximum (Individual /	\$5,000 / \$10,000	\$3,500 / \$7,000	\$3,000 / \$6,000	\$5,000 / \$10,000	\$3,500 / \$7,000	\$3,000 / \$6,000
Coinurance (In/Out)	80% / 50%	100% / 70%	80%	80% / 50%	100% / 70%	80%
Wellness / Preventive Care	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100%	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100%
Primary Care Office Visit	\$30 / 100% (dw)	100% (ad)	\$40 / 100%	\$30 / 100% (dw)	100% (ad)	\$40 / 100%
Specialist Office Visit	\$50 / 100% (dw)	100% (ad)	\$40 / 100%	\$50 / 100% (dw)	100% (ad)	\$40 / 100%
Walk-in / Urgent Care Visit	\$75 / 100% (dw)	100% (ad)	\$75 / 100%	\$75 / 100% (dw)	100% (ad)	\$75 / 100%
Emergency Room	\$250 / 80% (ad)	100% (ad)	80% coins.	\$250 / 80% (ad)	100% (ad)	80% coins.
Outpatient Lab / X-Ray	\$0 / 100% (dw)	100% (ad)	\$0 / 100%	\$0 / 100% (dw)	100% (ad)	\$0 / 100%
Complex Imaging (MRI, CAT, PET, et.al.)	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% coins.
Outpatient Surgical Facility	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% coins.
Inpatient Hospital Facility	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% coins.
Retail Prescription Drug Copays	\$10 / \$40 / \$70	100% (ad)	\$10 / \$40 / \$70	\$10 / \$40 / \$70	100% (ad)	\$10 / \$40 / \$70
Mail Order Prescription Drug Copays	\$20 / \$80 / \$210	100% (ad)	\$20 / \$80 / \$210	\$20 / \$80 / \$210	100% (ad)	\$20 / \$80 / \$210
Rates & Total Cost	POS80	HDHP CC100	HMO40 Value			
Employee	92	6	1	509.03	535.58	590.00
Employee + Spouse	3	0	0	1,196.22	1,258.60	1,386.49
Employee + Child(ren)	17	0	0	865.35	910.48	1,002.99
Employee + Family	3	0	0	1,460.92	1,537.10	1,693.29
Total Employees	115	6	1			
Annual Total				\$879,799		\$946,117
Change from Current						66,318
Percentage Change						7.5%
Notes						
1. (dw) = deductible waived						
2. (ad) = after deductible						

City of Burnet
Medical Plan
Benefit Outline and Cost Summary
October 1, 2017

Benefit Outline	POS80	HDHP CC100	Current HMO40 Value	Option 1		
				PP \$2500	PP \$3500	PP \$0
Carrier	Scott & White	Scott & White	Scott & White	Cigna	Cigna	Cigna
Plan Type, Name, Network	POS	HDHP	HMO	OAP	OAP	OAP
Deductible (Individual / Family)	\$2,500 / \$5,000	\$3,500 / \$7,000	\$0 / \$0	\$2,500 / \$5,000	\$3,500 / \$7,000	\$0 / \$0
Deductible Embedded / Non-embedded	Embedded	Embedded	Embedded	Embedded	Embedded	Embedded
Out-of-Pocket Maximum (Individual / Family)	\$5,000 / \$10,000	\$3,500 / \$7,000	\$3,000 / \$6,000	\$5,000 / \$10,000	\$3,500 / \$7,000	\$3,000 / \$6,000
Coinsurance (In/Out)	80% / 50%	100% / 70%	80%	80% / 50%	100% / 70%	80% / 50%
Wellness / Preventive Care	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100%	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100%
Primary Care Office Visit	\$30 / 100% (dw)	100% (ad)	\$40 / 100%	\$30 / 100% (dw)	100% (ad)	\$40 / 100%
Specialist Office Visit	\$50 / 100% (dw)	100% (ad)	\$40 / 100%	\$50 / 100% (dw)	100% (ad)	\$40 / 100%
Walk-In / Urgent Care Visit	\$75 / 100% (dw)	100% (ad)	\$75 / 100%	\$75 / 100% (dw)	100% (ad)	\$75 / 100%
Emergency Room	\$250 / 80% (ad)	100% (ad)	80% coins.	\$250 / 100% (dw)	100% (ad)	80% coins.
Outpatient Lab / X-Ray	\$0 / 100% (dw)	100% (ad)	\$0 / 100%	\$0 / 100% (dw)	100% (ad)	\$0 / 100%
Complex Imaging (MRI, CAT, PET, et.al.)	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% coins.
Outpatient Surgical Facility	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% coins.
Inpatient Hospital Facility	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% coins.
Retail Prescription Drug Copays	\$10 / \$40 / \$70	100% (ad)	\$10 / \$40 / \$70	\$10 / \$40 / \$70	100% (ad)	\$10 / \$40 / \$70
Mail Order Prescription Drug Copays	\$20 / \$80 / \$210	100% (ad)	\$20 / \$80 / \$210	\$20 / \$80 / \$210	100% (ad)	\$20 / \$80 / \$210

Rates & Total Cost	POS80	HDHP CC100	HMO40 Value	Seton Service Area Rates					
				Employee	Employee + Spouse	Employee + Child(ren)	Employee + Family	Total Employees	
Employee	76	4	1	509.03	1,196.22	865.35	1,460.92	95	650.02
Employee + Spouse	2	0	0	1,386.49	1,002.99	1,693.29			1,527.54
Employee + Child(ren)	14	0	0	1,341.25	970.26	1,638.04			1,105.03
Employee + Family	3	0	0	590.00	1,002.99	1,693.29			1,865.55
Total Employees	95	4	1	570.74	1,341.25	1,638.04			

Rates & Total Cost	POS80	HDHP CC100	HMO40 Value	Out of Area Rates					
				Employee	Employee + Spouse	Employee + Child(ren)	Employee + Family	Total Employees	
Employee	16	2	1	509.03	1,196.22	865.35	1,460.92	19	687.31
Employee + Spouse	1	0	0	1,386.49	1,002.99	1,693.29			1,615.18
Employee + Child(ren)	2	0	0	1,341.25	970.26	1,638.04			1,168.43
Employee + Family	0	0	0	590.00	1,002.99	1,693.29			1,972.58
Total Employees	19	2	1	602.80	1,416.59	1,730.05			

Annual Total				\$879,799					\$986,744
Change from Current									106,945
Percentage Change									12.2%

Notes

- (dw) = deductible waived
- (ad) = after deductible
- Cigna's Seton program has different cost share for Hospitals only and is broken out in 2 Tiers for In-Network. The benefits illustrated above are for Tier 1 benefits. Tier 2 is greater out-of-pocket for employees. For members that are not in the Seton area, they have access to the exact same plans, but the Out-of-Area (OOA) plans do not have tiered hospital structure.

City of Burnet
Medical Plan
Benefit Outline and Cost Summary
October 1, 2017

	POS80	HDHP CC100	Current HMO40 Value	MM26	MMH9	Option 2 Mplan 39			
Benefit Outline									
Carrier	Scott & White	Scott & White	Scott & White	BCBSTX	BCBSTX	BCBSTX			
Plan Type, Name, Network	POS	HDHP	HMO	PPO	HSA	HMO			
Deductible (Individual / Family)	\$2,500 / \$5,000	\$3,500 / \$7,000	\$0 / \$0	\$3,000 / \$9,000	\$3,500 / \$7,000	\$0 / \$0			
Deductible Embedded / Non-embedded	Embedded	Embedded	Embedded	Embedded	Embedded	Embedded			
Out-of-Pocket Maximum (Individual /	\$5,000 / \$10,000	\$3,500 / \$7,000	\$3,000 / \$6,000	\$5,600 / \$10,200	\$3,500 / \$7,000	\$4,000 / \$8,000			
Prescription OOP Max (Individual / Family)	Included w/ medical	Included w/ medical	Included w/ medical	\$1,000 / \$3,000	Included w/ medical	\$1,000 / \$3,000			
Coinsurance (In/Out)	80% / 50%	100% / 70%	80%	70% / 50%	100% / 70%	80%			
Wellness / Preventive Care	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100%	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100%			
Primary Care Office Visit	\$30 / 100% (dw)	100% (ad)	\$40 / 100%	\$40 / 100% (dw)	100% (ad)	\$40 / 100%			
Specialist Office Visit	\$50 / 100% (dw)	100% (ad)	\$40 / 100%	\$40 / 100% (dw)	100% (ad)	\$60 / 100%			
Walk-In / Urgent Care Visit	\$75 / 100% (dw)	100% (ad)	\$75 / 100%	\$65 / 100% (dw)	100% (ad)	\$75 / 100%			
Emergency Room	\$250 / 80% (ad)	100% (ad)	80% coins.	\$100 / 70% (ad)	100% (ad)	\$150 / 100%			
Outpatient Lab / X-Ray	\$0 / 100% (dw)	100% (ad)	\$0 / 100%	\$0 / 100% (dw)	100% (ad)	\$0 / 100%			
Complex Imaging (MRI, CAT, PET, et.al.)	80% (ad)	100% (ad)	80% coins.	70% (ad)	100% (ad)	\$250 / 100%			
Outpatient Surgical Facility	80% (ad)	100% (ad)	80% coins.	70% (ad)	100% (ad)	\$750 / 100%			
Inpatient Hospital Facility	80% (ad)	100% (ad)	80% coins.	70% (ad)	100% (ad)	\$1,500 / 100%			
Retail Prescription Drug Copays	\$10 / \$40 / \$70	100% (ad)	\$10 / \$40 / \$70	\$25 / \$50 / \$70	100% (ad)	\$25 / \$50 / \$70			
Mail Order Prescription Drug Copays	\$20 / \$80 / \$210	100% (ad)	\$20 / \$80 / \$210	\$60 / \$120 / \$180	100% (ad)	\$60 / \$120 / \$180			
Rates & Total Cost	POS80	HDHP CC100	HMO40 Value						
Employee	92	6	1	509.03	535.58	590.00	544.86	498.49	729.84
Employee + Spouse	3	0	0	1,196.22	1,258.60	1,386.49	1,282.27	1,173.15	1,717.60
Employee + Child(ren)	17	0	0	865.35	910.48	1,002.99	926.25	847.43	1,240.72
Employee + Family	3	0	0	1,460.92	1,537.10	1,693.29	1,563.75	1,430.68	2,094.64
Total Employees	115	6	1						
Annual Total						\$879,799			\$937,587
Change from Current									57,787
Percentage Change									6.6%

Notes

- (dw) = deductible waived
- (ad) = after deductible
- BCBSTX has a separate Out of Pocket Maximum for Pharmacy

City of Burnet
Medical Plan
Benefit Outline and Cost Summary
October 1, 2017

Benefit Outline	Current						Option 3		
	POS80	HDHP CC100	HMO40 Value	TX OTS 17 500/80-50	TX 17 HSA 3000/100-70	TX OTS 17 2500/80-50			
Carrier	Scott & White	Scott & White	Scott & White	Aetna	Aetna	Aetna			
Plan Type, Name, Network	POS	HDHP	HMO	OAMC	HSA	OAMC			
Deductible (Individual / Family)	\$2,500 / \$5,000	\$3,500 / \$7,000	\$0 / \$0	\$500 / \$1,000	\$3,000 / \$6,000	\$2,500 / \$5,000			
Deductible Embedded / Non-embedded	Embedded	Embedded	Embedded	Embedded	Embedded	Embedded			
Out-of-Pocket Maximum (Individual /	\$5,000 / \$10,000	\$3,500 / \$7,000	\$3,000 / \$6,000	\$3,000 / \$6,000	\$4,000 / \$8,000	\$6,600 / \$13,200			
Coinurance (In/Out)	80% / 50%	100% / 70%	80%	80% / 50%	100% / 70%	80% / 50%			
Wellness / Preventive Care	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100%	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100% (dw)			
Primary Care Office Visit	\$30 / 100% (dw)	100% (ad)	\$40 / 100%	\$25 / 100% (dw)	100% (ad)	\$30 / 100% (dw)			
Specialist Office Visit	\$50 / 100% (dw)	100% (ad)	\$40 / 100%	\$50 / 100% (dw)	100% (ad)	\$50 / 100% (dw)			
Walk-In / Urgent Care Visit	\$75 / 100% (dw)	100% (ad)	\$75 / 100%	\$75 / 100% (dw)	100% (ad)	\$75 / 100% (dw)			
Emergency Room	\$250 / 80% (ad)	100% (ad)	80% coins.	\$300 / 80% (ad)	100% (ad)	\$300 / 80% (ad)			
Outpatient Lab / X-Ray	\$0 / 100% (dw)	100% (ad)	\$0 / 100%	\$0 / 100% (dw)	100% (ad)	\$0 / 100% (dw)			
Complex Imaging (MRI, CAT, PET, et.al.)	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% (ad)			
Outpatient Surgical Facility	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% (ad)			
Inpatient Hospital Facility	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% (ad)			
Retail Prescription Drug Copays	\$10 / \$40 / \$70	100% (ad)	\$10 / \$40 / \$70	\$15 / \$50 / \$90 / \$150	\$15 / \$50 / \$90 / \$150	\$15 / \$50 / \$90 / \$150			
Mail Order Prescription Drug Copays	\$20 / \$80 / \$210	100% (ad)	\$20 / \$80 / \$210	2.5x retail	2.5x retail	2.5x retail			
Rates & Total Cost	POS80	HDHP CC100	HMO40 Value						
Employee	92	6	1	509.03	535.58	590.00	710.57	643.10	617.10
Employee + Spouse	3	0	0	1,196.22	1,258.60	1,386.49	1,669.85	1,511.28	1,450.17
Employee + Child(ren)	17	0	0	865.35	910.48	1,002.99	1,207.97	1,093.26	1,049.05
Employee + Family	3	0	0	1,460.92	1,537.10	1,693.29	2,039.34	1,845.69	1,771.06
Total Employees	115	6	1						
Annual Total						\$879,799			\$1,218,134
Change from Current									338,335
Percentage Change									38.5%

Notes

- (dw) = deductible waived
- (ad) = after deductible

City of Burnet
Medical Plan
Benefit Outline and Cost Summary
October 1, 2017

Benefit Outline	Current			Option 3 - Alternates		
	POS80	HDHP CC100	HMO40 Value	TX OTS 17 500/80-50	TX 17 HSA 5000/100-70	TX 17 EPO 1000/80
Carrier	Scott & White	Scott & White	Scott & White	Aetna	Aetna	Aetna
Plan Type, Name, Network	POS	HDHP	HMO	OAMC	HSA	EPO
Deductible (Individual / Family)	\$2,500 / \$5,000	\$3,500 / \$7,000	\$0 / \$0	\$500 / \$1,000	\$5,000 / \$10,000	\$1,000 / \$2,000
Deductible Embedded / Non-embedded	Embedded	Embedded	Embedded	Embedded	Embedded	Embedded
Out-of-Pocket Maximum (Individual /	\$5,000 / \$10,000	\$3,500 / \$7,000	\$3,000 / \$6,000	\$3,000 / \$6,000	\$6,000 / \$12,000	\$3,000 / \$6,000
Coinurance (In/Out)	80% / 50%	100% / 70%	80%	80% / 50%	100% / 70%	80%
Wellness / Preventive Care	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100%	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100% (dw)
Primary Care Office Visit	\$30 / 100% (dw)	100% (ad)	\$40 / 100%	\$25 / 100% (dw)	100% (ad)	\$25 / 100% (dw)
Specialist Office Visit	\$50 / 100% (dw)	100% (ad)	\$40 / 100%	\$50 / 100% (dw)	100% (ad)	\$50 / 100% (dw)
Walk-In / Urgent Care Visit	\$75 / 100% (dw)	100% (ad)	\$75 / 100%	\$75 / 100% (dw)	100% (ad)	\$75 / 100% (dw)
Emergency Room	\$250 / 80% (ad)	100% (ad)	80% coins.	\$300 / 80% (ad)	100% (ad)	\$300 / 80% (ad)
Outpatient Lab / X-Ray	\$0 / 100% (dw)	100% (ad)	\$0 / 100%	\$0 / 100% (dw)	100% (ad)	\$0 / 100% (dw)
Complex Imaging (MRI, CAT, PET, et.al.)	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% coins.
Outpatient Surgical Facility	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% coins.
Inpatient Hospital Facility	\$10 / \$40 / \$70	100% (ad)	\$10 / \$40 / \$70	\$15 / \$50 / \$90 / \$150	\$15 / \$50 / \$90 / \$150	\$15 / \$50 / \$90 / \$150
Retail Prescription Drug Copays	\$20 / \$80 / \$210	100% (ad)	\$20 / \$80 / \$210	2.5x retail	2.5x retail	2.5x retail
Mail Order Prescription Drug Copays						
Rates & Total Cost	POS80	HDHP CC100	HMO40 Value			
Employee	92	6	1	509.03	535.58	590.00
Employee + Spouse	3	0	0	1,196.22	1,258.60	1,386.49
Employee + Child(ren)	17	0	0	865.35	910.48	1,002.99
Employee + Family	3	0	0	1,460.92	1,537.10	1,693.29
Total Employees	115	6	1			
Annual Total				\$879,799		\$1,209,993
Change from Current						330,193
Percentage Change						37.5%

Notes

- (dw) = deductible waived
- (ad) = after deductible

City of Burnet
Medical Plan
Benefit Outline and Cost Summary
October 1, 2017

Benefit Outline	POS80	HDHP CC100	Current HMO40 Value	AG Z3 Rx 01	AE 3K Rx 2V	Option 4 AG Y7 Rx 01
Carrier	Scott & White	Scott & White	Scott & White	UHC	UHC	UHC
Plan Type, Name, Network	POS	HDHP	HMO	PPO	HSA	HMO Navigate
Deductible (Individual / Family)	\$2,500 / \$5,000	\$3,500 / \$7,000	\$0 / \$0	\$2,500 / \$5,000	\$3,000 / \$6,000	\$0 / \$0
Deductible Embedded / Non-embedded	Embedded	Embedded	Embedded	Embedded	Embedded	Embedded
Out-of-Pocket Maximum (Individual /	\$5,000 / \$10,000	\$3,500 / \$7,000	\$3,000 / \$6,000	\$6,000 / \$12,000	\$4,000 / \$8,000	\$6,600 / \$13,200
Coinsurance (In/Out)	80% / 50%	100% / 70%	80%	80% / 50%	100% / 70%	80%
Wellness / Preventive Care	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100%	\$0 / 100% (dw)	\$0 / 100% (dw)	\$0 / 100%
Primary Care Office Visit	\$30 / 100% (dw)	100% (ad)	\$40 / 100%	\$30 / 100% (dw)	100% (ad)	\$25 / 100%
Specialist Office Visit	\$50 / 100% (dw)	100% (ad)	\$40 / 100%	\$60 / 100% (dw)	100% (ad)	\$75 / 100%
Walk-in / Urgent Care Visit	\$75 / 100% (dw)	100% (ad)	\$75 / 100%	\$75 / 100% (dw)	100% (ad)	\$100 / 100%
Emergency Room	\$250 / 80% (ad)	100% (ad)	80% coins.	\$250 / 80% (ad)	100% (ad)	\$500 / 100%
Outpatient Lab / X-Ray	\$0 / 100% (dw)	100% (ad)	\$0 / 100%	\$0 / 100% (dw)	100% (ad)	80% coins.
Complex Imaging (MRI, CAT, PET, et.al.)	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	\$500 / 100%
Outpatient Surgical Facility	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% coins.
Inpatient Hospital Facility	80% (ad)	100% (ad)	80% coins.	80% (ad)	100% (ad)	80% coins.
Retail Prescription Drug Copays	\$10 / \$40 / \$70	100% (ad)	\$10 / \$40 / \$70	\$10 / \$35 / \$70	\$10 / \$35 / \$60	\$10 / \$35 / \$70
Mail Order Prescription Drug Copays	\$20 / \$80 / \$210	100% (ad)	\$20 / \$80 / \$210	2.5x retail	2.5x retail	2.5x retail

Rates & Total Cost	POS80	HDHP CC100	HMO40 Value				
Employee	92	6	1	509.03	535.58	590.00	675.66
Employee + Spouse	3	0	0	1,196.22	1,258.60	1,386.49	1,587.80
Employee + Child(ren)	17	0	0	865.35	910.48	1,002.99	1,148.61
Employee + Family	3	0	0	1,460.92	1,537.10	1,693.29	1,939.14
Total Employees	115	6	1				
Annual Total						\$879,799	\$1,159,038
Change from Current							279,238
Percentage Change							31.7%

Notes

1. (dw) = deductible waived
2. (ad) = after deductible



Ancillary Renewals & Options

City of Burnet
Dental Plan
Benefit Outline and Cost Summary
October 1, 2017

Benefit Outline	Current	Renewal	Option 1	Option 2	Option 3	Option 4	Option 5
Carrier	Principal	Principal	Humana	Lincoln	Metlife	The Standard	UNUM
Plan Type / Name	PPO	PPO	PPO	PPO	PPO	PPO	PPO
Deductible (Individual / Family)	\$50 / \$150	\$50 / \$150	\$50 / \$150	\$50 / \$150	\$50 / \$150	\$50 / \$150	\$50 / \$150
Waived for Preventive	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Annual Maximum	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,000	\$1,500
Preventive Services	100%	100%	100%	100%	100%	100%	100%
Basic Services	80%	80%	80%	80%	80%	80%	80%
Major Services	50%	50%	50%	50%	50%	50%	50%
Endodontics/Periodontics	Major	Major	Major	Major	Major	Major	Major
Implants	Not Covered	Not Covered	Not Covered	Not Covered	Covered	Not Covered	Not Covered
Orthodontia	50%	50%	50%	50%	50%	50%	50%
Eligibility	Children Only	Children Only	Children Only	Children Only	Adult & Child	Children Only	Children Only
Lifetime Maximum	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
Waiting Periods (Prev / Basic / Major)	None	None	None	None	None	None	None
Non-network	MAC	MAC	90th UCR	90th UCR	90th UCR	90th UCR	90th UCR
Non-Network Reimbursements	MAC	MAC	90th UCR	90th UCR	90th UCR	90th UCR	90th UCR
Deductible (Individual / Family)	\$50 / \$150	\$50 / \$150	\$50 / \$150	\$50 / \$150	\$50 / \$150	\$50 / \$150	\$50 / \$150
Prev / Basic / Major	100% / 80% / 50%	100% / 80% / 50%	100% / 80% / 50%	100% / 80% / 50%	100% / 80% / 50%	100% / 80% / 50%	100% / 80% / 50%
Dependent Age Limit	To age 26	To age 26	To age 26	To age 26	To age 26	To age 26	To age 26
Participation (Required / Actual)	— / 97%	— / 97%	50% / 97%	97% / 97%	96% / 97%	60% / 97%	90% / 97%
Rate Guarantee	12 months (Until 10/1/17)	12 months (Until 10/1/18)	12 months (Until 10/1/18)	12 months (Until 10/1/18)	12 months (Until 10/1/18)	12 months (Until 10/1/18)	12 months (Until 10/1/18)

Rates & Total Cost

Employee	86	23.91	25.82	26.58	25.22	27.24	24.45	27.50
Employee + Spouse	7	47.10	50.86	53.16	49.67	57.65	50.02	54.17
Employee + Child(ren)	17	62.96	67.99	73.46	66.40	66.25	69.46	72.40
Employee + Spouse & Child(ren)	18	90.82	98.08	101.18	95.78	103.96	95.04	104.44
Total Employees	128							
Annual Total		\$61,092	\$65,974	\$68,737	\$64,433	\$68,925	\$64,133	\$70,259
Change from Current			4,881	7,644	3,341	7,832	3,040	9,166
Percentage Change			8.0%	12.5%	5.5%	12.8%	5.0%	15.0%

City of Burnet
Vision Plan
Benefit Outline and Cost Summary
October 1, 2017

Benefit Outline	Current / Renewal	Option 1	Option 2	Option 3	Option 4	Option 5	Option 6
	Principal	Humana	Lincoln	Metlife	The Standard	UNUM	VSP
Carrier / Plan Name							
Exam Copay	\$10	\$10	\$10	\$10	\$10	\$10	\$10
Materials Copay	\$25	\$15	\$25	\$25	\$25	\$25	\$25
Exam	100%	100%	100%	100%	100%	100%	100%
Lenses							
Single	100%	100%	100%	100%	100%	100%	100%
Bifocal	100%	100%	100%	100%	100%	100%	100%
Trifocal	100%	100%	100%	100%	100%	100%	100%
Lenticular	100%	100%	100%	100%	100%	100%	100%
Frames	\$150 allowance	\$130 allowance	\$130 allowance	\$150 allowance	\$150 allowance	\$150 allowance	\$130 allowance
Elective Contacts	\$150 allowance	\$130 allowance	\$25 / 100%	\$150 allowance	\$150 allowance	\$150 allowance	\$130 allowance
Benefit Frequencies (E/L/F/C)	12 / 12 / 12 / 12	12 / 12 / 12 / 12	12 / 12 / 12 / 12	12 / 12 / 12 / 12	12 / 12 / 12 / 12	12 / 12 / 12 / 12	12 / 12 / 12 / 12
Non-network Benefits	Schedule	Schedule	Schedule	Schedule	Schedule	Schedule	Schedule
Participation (Required / Actual)	--- / 98%	98% / 98%	2% / 98%	72% / 98%	75% / 98%	10% / 98%	--- / 98%
Rate Guarantee	12 months (Until 10/1/18)	24 months (Until 10/1/19)	24 months (Until 10/1/19)	24 months (Until 10/1/19)	24 months (Until 10/1/19)	48 months (Until 10/1/21)	24 months (Until 10/1/19)

Rates & Total Cost

Employee	38	7.73	6.59	6.81	8.24	7.26	6.94	8.86
Employee + Spouse	8	15.69	13.18	12.92	16.51	14.62	14.09	14.18
Employee + Child(ren)	8	16.79	14.02	15.15	13.98	14.54	15.07	14.47
Employee + Spouse & Child(ren)	22	27.01	21.18	21.31	23.05	22.00	24.25	23.34
Total Employees	76							
Annual Total		\$13,774	\$11,208	\$11,426	\$12,770	\$11,918	\$12,366	\$12,952
Change from Current		0	-2,566	-2,348	-1,004	-1,856	-1,408	-821
Percentage Change		0.0%	-18.6%	-17.0%	-7.3%	-13.5%	-10.2%	-6.0%

Notes

¹ Contact Lenses - The following are covered in full after applicable copay: fitting/evaluation fees, up to 4 boxes of disposable contacts and up to 2 follow-up visits.

City of Burnet
Life/AD&D Plan
Benefit Outline and Cost Summary
October 1, 2017

Benefit Outline	Current	Renewal	Option 1	Option 2	Option 3	Option 4	Option 5
Carrier	Principal	Principal	Humana	Lincoln	MetLife	UNUM	Dearborn National
Contributory/Non-Contributory	Non-Contributory	Non-Contributory	Non-Contributory	Non-Contributory	Non-Contributory	Non-Contributory	Non-Contributory
Eligibility	All active FTE's, ≥ 30 hpw	All active FTE's, ≥ 30 hpw	All active FTE's, ≥ 30 hpw	All active FTE's, ≥ 30 hpw	All active FTE's, ≥ 30 hpw	All active FTE's, ≥ 30 hpw	All active FTE's, ≥ 30 hpw
Benefit Amount	Flat \$40,000	Flat \$40,000	Flat \$40,000	Flat \$40,000	Flat \$40,000	Flat \$40,000	Flat \$40,000
Maximum Benefit	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
Guarantee Issue	Full Benefit	Full Benefit	Full Benefit	Full Benefit	Full Benefit	Full Benefit	Full Benefit
Benefit Reductions	Reduces to: 35% at age 65; 15% at age 70	Reduces to: 35% at age 65; 15% at age 70	Reduces to: 35% at age 65; 50% at age 70	Reduces to: 35% at age 65; 15% at age 70	Reduces to: 35% at age 65; 50% at age 70	Reduces to: 35% at age 65; 50% at age 70	Reduces to: 35% at age 65; 50% at age 70
Waiver of Premium	9 month EP; If disabled prior to age 60, benefits extend to age 65	9 month EP; If disabled prior to age 60, benefits extend to age 65	Waiver to age 65	6 month EP; If disabled prior to age 60, benefits extend to age 65	9 month EP; If disabled prior to age 60, benefits extend to age 65	EP applies; benefits extend to age 65	EP applies; benefits extend to age 65
Accelerated Benefits	Terminal condition and < 12 months life expectancy, able to access up to 75% of benefit	Terminal condition and < 12 months life expectancy, able to access up to 75% of benefit	Terminal condition and < 24 months life expectancy, able to access up to 50% of benefit	Terminal condition and < 12 months life expectancy, able to access up to 75% of benefit	Terminal condition and < 24 months life expectancy, able to access up to 80% of benefit	Terminal condition and < 12 months life expectancy, able to access up to 75% of benefit	Terminal condition and < 12 months life expectancy, able to access up to 75% of benefit
Portability	Not Included	Not Included	Not Included	Not Included	Included	Included	Included
Conversion	Included	Included	Included	Included	Included	Included	Included
Rate Guarantee	12 months (Until 10/1/17)	12 months (Until 10/1/18)	24 months (Until 10/1/19)	24 months (Until 10/1/19)	24 months (Until 10/1/19)	36 months (Until 10/1/20)	36 months (Until 10/1/20)
Volumes, Rates & Total Cost							
Number of Employees	109	109	109	109	109	109	109
Benefit Volume	4,360,000	4,360,000	4,360,000	4,360,000	4,360,000	4,360,000	4,360,000
Number of Family Units							
Life Rate per \$1,000	0.129	0.148	0.150	0.130	0.145	0.160	0.160
AD&D Rate per \$1,000	0.031	0.031	0.030	0.030	0.034	0.030	0.030
Rate per Family Unit							
Annual Total	\$9,371	\$9,365	\$9,418	\$8,371	\$9,365	\$9,941	\$9,941
Change from Current		994	1,046	0	994	1,570	1,570
Percentage Change		11.9%	12.5%	0.0%	11.9%	18.8%	18.8%

City of Burnet
Voluntary Life/AD&D Plan
Benefit Outline and Cost Summary
October 1, 2017

Benefit Outline	Current / Renewal	Option 1	Option 2	Option 3	Option 4	Option 5
Carrier	Principal	Humans	Lincoln	Medlife	UNUM	Dearborn National
Eligibility	All active FTE's working ≥ 30 hpw	All active FTE's working ≥ 30 hpw	All active FTE's working ≥ 30 hpw	All active FTE's working ≥ 30 hpw	All active FTE's working ≥ 30 hpw	All active FTE's working ≥ 30 hpw
Child Age Requirement	15 days to age 26	15 days to age 26	1 day to age 26	1 day to age 26 if full time student	1 day to age 26	1 day to age 26
Benefit Increments						
Employee	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Spouse	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Children	\$10,000	\$10,000	\$10,000	\$10,000	\$2,000	\$2,000
Benefit Maximums						
Employee	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000
Spouse	100% of EE Amt to \$150,000	\$150,000	100% of EE Amt to \$150,000	50% of EE Amt to \$100,000	100% of EE Amt to \$150,000	100% of EE Amt to \$150,000
Children	Flat \$10,000	Flat \$10,000	Flat \$10,000	Flat \$10,000	Flat \$10,000	Flat \$10,000
Guarantee Issue						
Employee	\$130,000	\$100,000	\$130,000	\$100,000	\$100,000	\$100,000
Spouse	\$30,000	\$30,000	\$30,000	\$25,000	\$25,000	\$25,000
Children	Full benefit amount	Full benefit amount	Full benefit amount	Full benefit amount	Full benefit amount	Full benefit amount
Benefit Reductions	Reduces to: 35% at age 65; 15% at age 70	Reduces to: 35% at age 65; 50% at age 70	Reduces to: 35% at age 65; 15% at age 70	None	Reduces to: 35% at age 65; 50% at age 70	Reduces to: 35% at age 65; 50% at age 70
Portability	Included	Included	Included	Included	Included	Included
Conversion	Included	Not Included	Included	Included	Included	Included
Participation (Required / Actual)	— / 17%	75% / 17%	— / 17%	16% / 17%	17% / 17%	17% / 17%
Rate Guarantee	12 months (Until 10/1/18)	24 months (Until 10/1/19)	24 months (Until 10/1/19)	24 months (Until 10/1/19)	36 months (Until 10/1/20)	36 months (Until 10/1/20)
Life per \$1,000	Employee/Spouse	Employee/Spouse	Employee/Spouse	Employee/Spouse	Employee/Spouse	Employee/Spouse
Under age 25	0.079	0.06 / 0.04	0.079	0.079	0.079	0.079
25-29	0.079	0.06 / 0.04	0.079	0.079	0.079	0.079
30-34	0.089	0.07 / 0.05	0.089	0.089	0.089	0.089
35-39	0.109	0.09 / 0.06	0.109	0.109	0.109	0.109
40-44	0.159	0.14 / 0.10	0.159	0.159	0.159	0.159
45-49	0.269	0.21 / 0.15	0.269	0.269	0.269	0.269
50-54	0.529	0.34 / 0.24	0.529	0.529	0.529	0.529
55-59	0.859	0.54 / 0.38	0.859	0.859	0.859	0.859
60-64	1.049	0.76 / 0.53	1.049	1.049	1.049	1.049
65-69	1.819	1.25 / 0.87	1.819	1.819	1.819	1.819
70-74	4.259	2.44 / 1.70	4.259	4.259	4.259	4.259
75-79	4.249	4.71 / 3.28	4.259	4.249	4.249	4.249
80 and over	4.249	8.78 / 6.12	4.259	4.249	4.249	4.249
Child(ren)	2.00	2.00	2.000	0.240	0.163	0.163
AD&D Per \$1,000						
Employee/Spouse	N / A	0.030	N / A	0.035	0.0751 / 0.079	0.0751 / 0.079
Child	N / A	0.030	N / A	0.051	0.037	0.037

Notes

- 1.
- 2.



Police Department

ITEM 4.10

Paul Nelson
Police Chief
(512)-756-6404
pnelson@cityofburnet.com

Agenda Item Brief

Meeting Date:	August 8, 2017
Agenda Item:	Discuss and consider action: Renewal of Hill Country Humane Society Animal Shelter contract for the 2017-2018 Budget year: P. Nelson
Background:	The Hill Country Humane Society Animal Shelter, once known as 'Christ Yoder', has been in business for several years, and the Police Department has used the shelter to house stray animals such as cats/dogs from the beginning. The Hill Country Humane Society Animal Shelter, not only used by the Burnet Police Department, but also by the surrounding agencies.
Information:	The contract between the City of Burnet and The Hill Country Humane Society Animal Shelter will start October 1, 2017 and ending September 30, 2018.
Fiscal Impact:	The annual cost to the City of Burnet will be \$33,653.00, in quarterly payments of \$8,314.25.
Recommendation:	The staff recommends approval of the Hill Country Humane Society contract for the 2017-2018 Budget year.



Location: 9150 Hwy 1431 W.
Buchanan Dam TX 78609

P.O. Box 1041
Marble Falls TX 78654

512 793-5463
512 793-5203 fax
Email: Hillcountryhs@gmail.com

Hill Country Humane Society
9150 RR 1431 W
Buchanan Dam, TX 78609
512-793-5463

As the new fiscal year approaches we again look forward to offering you, your residents and the dogs and cats of your area, the progressive services of the Hill Country Humane Society (HCHS) Animal Shelter/Adoption Center.

The HCHS Animal Shelter/Adoption Center is the official quarantine facility of Burnet County and Llano County. Thus the facility, staff and operation procedures undergo unannounced yearly inspections by the Texas Department of Health Zoonosis Department. Each year the facility has passed with the highest scores and is considered exemplary in the state of Texas.

The Shelter and Staff provide 24 hour services, either on site or on call to take in animals that have bitten someone and need quarantine, animals requiring legal or court declared impound or cruelty charges or dogs declared dangerous.

The Shelter contract provides the citizens a place to bring stray animals without charging them a fee. Because stray animals are held a minimum of 5 days it gives citizens a chance to contact the Shelter and reclaim their pets that may have been lost.

Before releasing pets to their owners, Shelter staff confirms that the animal has a current Rabies vaccine verified by Veterinarian or an appointment is made for that animal to receive a current Rabies vaccine. Owners are educated on County/State laws, given advice on keeping their animal secure/confined to their property and encouraged to have their pet microchipped before leaving. Owner information is recorded and available to Law Enforcement and for the Shelter to contact the individual if the animal ends up in the Shelter again.

Shelter staff is available to testify in court regarding impound animals and animal cruelty charges. All Animals coming into the Shelter are given an intake number and documented. Final dispositions are recorded and all data input into the computer for records and statistics.

Staff is certified by the Texas Department of Health in euthanasia and available to euthanize animals seriously injured and suffering or animals that need Rabies testing.

Hill Country Humane Society is a nonprofit 501 (c) (3) EIN # 74-2377542
No goods or services were provided to you as a result of this donation.
Please keep this letter as your tax deductible receipt.

Shelter provides a vital service for the public, Law Enforcement, homeless, neglected, lost, stray and abused animals.

In keeping current with public views on animal care and welfare, the Shelter works diligently with animal rescue groups and/or to find good responsible homes for adoptable animals and to provide care, training, attention and minor medical care to animals while in the Shelter.

The focus of the HCHS Animal Shelter/Adoption Center is domestic dogs and cats. The facility is not equipped to handle other domestic or wild animals. In the past year the staff has received increasing number of wild animals from Law Enforcement/ACO for decapitation and head submission to Texas Department of Health. While it is true the Shelter provides quarantine facilities, head decapitation, packaging and shipping to the Texas Department of Health does not fall among that service. Section 2 K addresses this in the contract.

Our Shelter expenses have increased due to the number of animals that they are taking in; therefore we are requesting 5% increase to cover some of these expenses. The Shelter has raised quarantine fees to \$30 per day for individuals requiring 10 day rabies quarantine per law. The Shelter has also increased the Owner Reclaim to \$50 for the first day and \$20 for each additional day in an effort to meet expenses.

OCTOBER 2017 – SEPTEMBER 2018 BUDGET

ESTIMATED SHELTER EXPENSES*	\$345,961
ESTIMATED SHELTER REVENUES*	96,713
CONTRIBUTIONS/DONATIONS	62,237
ANNUAL AMT REQUESTED FROM CITIES & COUNTIES	157,491

*BASED ON July 2016 TO June 2017 EXPENSES AND REVENUES

There is no cap or limit on the number of stray animals that may be brought to the Shelter under this contract.

Your contract is also included. It only needs to be signed and returned to us.

Response is requested by September 30, 2017. If you have any questions do not hesitate to call me.

I will be looking forward to hearing from you.

Thank you,



Dr. Dan McBride – HCHS President
512-756-2802
drdanmcbride@mac.com

ANIMAL SHELTER/ADOPTION CENTER AGREEMENT
owned & operated by the
HILL COUNTRY HUMANE SOCIETY

This agreement made this day by and between the CITY OF BURNET (herein called "City") and the HILL COUNTRY HUMANE SOCIETY (herein called "Contractor") as follows:

WHEREAS, the City is authorized pursuant to §826.016, Tex. Health and Safety Code, to enter a contract for services; and,

WHEREAS, Contractor is a non-profit charitable organization dedicated to the prevention of cruelty to animals and is subject to the Texas Charitable Immunity and Liability Act;

1 Animal Shelter/Adoption Center Contractor shall furnish an animal shelter/adoption center sufficient to meet the State requirements, and enable Contractor to provide the services stated herein. Animal shelter and adoption services shall be provided citizens of the City.

2 Operation Contractor shall own, operate, and maintain the animal shelter/adoption center in a businesslike manner, in compliance with State regulations and in a manner comparable with other similar shelters. Without limiting the generality of the foregoing, operation shall include:

A. The shelter shall be open for the delivery of animals by Animal Control Officers (ACO'S) or other City designated agents seven (7) days per week during normal shelter working hours **7:00 am – 5:00 pm** (animals need to be delivered to the shelter no later than 5:00 pm to permit processing and evaluation of the animal and kennel set-up) with the exception of Thanksgiving Day, Christmas Day, New Years Day and Easter when the shelter will be open for delivery between 7:00 am - 10:00 am and 2:00 pm - 4:00 pm.

B. The shelter shall be open to the public to surrender owned or stray animals and to reclaim or adopt animals from 11:00 a m to 4:00 p m Thursday through Monday.

C. The Contractor shall provide routine daily care of animals at the shelter, including weekends and holidays.

D. The Contractor will render euthanasia services and animal disposal services (cremation) such that State law and City ordinances will be observed, and such that the shelter will be operated on a businesslike and uncrowded basis.

E. Fees have been established for group and individual (private) cremations since June 25, 1999. Fees are payable to the Contractor at the time of service.

F. The Contractor agrees to accept every animal from the City delivered to the shelter located at 9150 W Hwy 1431, Buchanan Dam.

G. The Contractor will require those persons adopting an animal to sign an agreement to spay/neuter the adopted animal.

H. The Contractor agrees to provide the City with a yearly record to include the following:

1. The number of dogs, cats and miscellaneous animals received by the shelter.
2. The number of animals euthanized .
3. The number of animals in rabies observation, to be broken down as to number redeemed by owners and number of days in custody (quarantine).
4. The number of impoundments.
5. The number of adoptions.
6. The number of reclaims.

I. It is mutually agreed that any and all donations, contributions, or any other thing of value given to the shelter or its agents, as a result of any service performed in carrying out the provisions of this contract (agreement), and which is in excess of the amounts properly chargeable for such service shall be credited to the operating and maintenance account of the shelter. In the event such donations or contributions exceed the amount required to operate and maintain the shelter then such donations and contributions shall be deposited in the capital improvements account of the shelter.

J. It is mutually agreed that the Contractor shall provide facilities for rabies observation (quarantine) for eight dogs and four cats. Animals delivered to the shelter by the City for rabies observation (quarantine) shall be quarantined for a period of not less than ten days (240 hours), as mandated by state law.

K. Wild (non-domestic) and/or cats/dogs (domestic animals) brought in for decapitation and/or submission to Texas Department of Health will be charged per animal at a rate of **\$75 per animal**. Shelter staff will not decapitate and submit animals that have been dead, unrefrigerated and/or began decomposition or frozen. **Initial _____**

L. It is mutually agreed that the Contractor shall have the sole and exclusive right to determine the responsibility of persons offering to become owners of unclaimed animals and the suitability of homes offered. The Contractor shall have the sole and exclusive right to accept or reject such applicants for unclaimed animals.

3. **Shelter Fees.** The initial fees charged those persons adopting an animal shall be determined by the Contractor. Persons seeking to reclaim an animal brought to the shelter by the City shall at a minimum pay the impound fees and additional fees set by the shelter. The Contractor is authorized to charge, collect, and retain all fees collected. Further, the Contractor shall require the owner of every impounded animal to pay all applicable fees including vaccination fees of an impounded animal which has not been inoculated as appropriate and to have such animal inoculated against rabies before redeeming such animal.

4. **Animal Control.** The City shall maintain the animal control program and the Contractor shall have no responsibility therefore. The Contractor's responsibility for any animal shall not commence until such animal has been delivered to the shelter.

5. **Impoundment.** The City agrees that all animals seized within its jurisdiction by its duly appointed agents may be delivered to the shelter, there to be impounded under the exclusive control and custody of the Contractor for periods of time as required by State Law and the applicable ordinances. Every animal, not claimed and redeemed by the owner

before the expiration of five (5) days from the date of impoundment shall become the sole and exclusive property of the Contractor. Animals not claimed after the five-day holding period, and deemed adoptable, will be sheltered as long as space is available.

No County, agency, institution, corporation nor individual shall have any claim or right to any animal not claimed or redeemed.

The City agrees that the Contractor shall have the undisputed right, consistent with the respective ordinances of the City and state law requirements, to humanely dispose of every animal given into its custody in accordance with the Contractor's principals as follows:

- a To place animals in the care, custody and control of new responsible owners; and
- b To humanely destroy animals which are not claimed by owners and which are not suitable for placement in the care, custody and control of new responsible owners.

Save and except, the Contractor shall hold an animal the City officials believe is dangerous until disposition of the animal is determined according to state law. The Contractor shall not destroy the animal without a release from the owner or an order of the court of competent jurisdiction upon final appeal.

6. City Fees. The shelter budget for fiscal year 2017-2018 is based upon income and expenses July 2016 – June 2017. The City agrees to pay \$33,653.00 for the fiscal year October 1, 2017 through Sept 30, 2018 in quarterly payments of \$8,314.25. The payments shall begin October 1, 2017 through Sept 30, 2018.

7. Annual Records. The Contractor shall, each year, establish a budget which shall cover the time period from October 1 – September 30. Such budget shall be submitted to the City on or before July 15 of each year.

8. Annual Compilation. An annual compilation report performed by a Certified Public Accountant or Licensed Public Accountant will be provided to the City on, a review level or higher level. The City shall have the right, at its own option and expense, to require the performance of a complete audit in accordance with the usual, customary and recognized accounting procedures.

9. Records. The animal shelter/adoption center, its operation, books, and records shall be available for inspection and copying by the City at reasonable times and upon reasonable request. The shelter shall further be accessible for inspection, without notice, by the Texas Department of Health.

10. Default. In the event the shelter fails to pass a State inspection conducted by State Officials, with written notice thereof to the Contractor, the Contractor shall have thirty (30) days within which to cure the same. If at the end of such thirty (30) days the default has not been cured then this agreement may be terminated by the City.

11. Insurance. The Contractor shall obtain a policy of fire and extended coverage insurance on the shelter improvements. The coverage of such policy shall be in the amount of the replacement cost of the improvements. The Contractor shall also obtain a policy of liability insurance, insuring the Contractor against liabilities arising

out of the shelter operations. A copy of the current policies shall be available to the City upon request as well as proof that all current premiums have been paid.

12. Maintenance. The Contractor shall maintain the shelter and tangible personal property incident thereto in a first-class condition substantially odor free, and in a well kept appearance, reasonable wear and tear excepted.

13. Independent Contractor. The Contractor, in the performance of its obligation hereunder, is an independent contractor. No employee or representative of the Contractor shall ever be deemed to be an employee or an agent of the City for any purpose whatsoever.

14. Term. This agreement shall begin on October 1, 2017 and end on September 30, 2018.

15. Notice. All notices sent hereunder to the Contractor shall be sent in the United States Mail, postage prepaid to:

Contractor: Hill Country Humane Society
P O Box 1041
Marble Falls, TX 78654

Notices to the City shall be sent to: City of Burnet
Chief of Police
1001 W. Buchanan, Ste. 4
Burnet, TX 78611

16. Indemnification.

A. Contractor Indemnification. The City shall have no liability whatsoever for the actions of, or failure to act by, any employees, subcontractors, agents or assigns of the Contractor and the Contractor covenants and agrees that:

(i) The Contractor shall be solely responsible, as between the Contractor and the City and the agents, officers and employees of the City, for and with respect to any claim or cause of action arising out of or with respect to any act, omission or failure to act by the Contractor or its agents, officers, employees and subcontractors, while performing any function or providing or delivering any service undertaken by the Contractor pursuant to this Agreement; and

(ii) To the fullest extent permitted by law, the Contractor hereby agrees to indemnify and hold the City and its agents, officers and employees harmless from all costs, claims, expenses, and liabilities (including attorney's fees) whatsoever that may be incurred by the City, its agents, officers, employees, arising from any and all acts done or omitted to be done by Contractor, or the employees, agents, subcontractors or assigns of Contractor, in connection with the operation of the Contractor or the provision of service by the Contractor pursuant to this Agreement

B. City Indemnification. The contractor shall have no liability whatsoever for the actions of, or failure to act by, any employees, subcontractors, agents or assigns of the City and the City covenants and agrees that:

- (i) The City Shall be solely responsible, as between the Contractor and the City and the agents, officers and employees of the contractor, for and with respect to any claim or cause of action arising out of or with respect to any act, omission or failure to act by the City or its agents, officers, employees and subcontractors, while performing any function or providing or delivering any service undertaken by the City pursuant to this Agreement; and
- (ii) To the fullest extent permitted by law, the City hereby agrees to indemnify and hold the Contractor and its agents, officers and employees harmless from all costs, claims, expenses, and liabilities (including attorney's fees) whatsoever that may be incurred by the Contractor, its agents, officers, employees, arising from any and all acts done or omitted to be done by City, or the employees, agents, subcontractors or assigns of City, in connection with animal control of the City.

17. Immunity: No Third Party Beneficiaries. Nothing in this Agreement shall be deemed to waive, modify or amend any legal defense available at law or in equity to either the City or the Contractor nor to create any legal rights or claims, contractual or otherwise, on behalf of any third party. Neither the Contractor, nor the City waives, modifies, or alters to any extent whatsoever the availability of the defense of governmental immunity or charitable immunity under the laws of the State of Texas or other legal defense to either contracting party as to any third party, under the laws of this State and/or the City Charter of the City.

18. No Joint Venture, Agency, Joint Enterprise. This Agreement shall not be construed to establish a partnership, joint venture, agency, or joint enterprise, express or implied, nor any employer-employee or borrowed servant relationship by and among the parties hereto. Nor shall this Agreement be construed to create or grant rights, contractual or otherwise to any other person or entity not a party to this contract. Each party shall remain solely responsible for the proper direction of its employees and an employee of one shall not be deemed an employee or borrowed servant of the other for any reason.

19. Amendments and Modifications. This Agreement may not be amended or modified except by written amendment executed by the City and the Contractor and authorized by their respective governing bodies.

20. Entire Agreement. This agreement sets forth all of the agreements between the parties, and there are no other agreements, conditions, and understandings or representations, oral or written, other than those set forth herein. This agreement may only be amended by a written instrument signed by both parties. This agreement supersedes and cancels any prior agreements.

21. Nonfunding Clause. In the event no funds or insufficient funds are appropriated and budgeted, regardless of any other term in this agreement, in any fiscal year for payment(s) due under this agreement, the City will immediately notify the Contractor of such occurrence and this agreement shall terminate within 60 days of notice without penalty or expense to the City.

22. Non Waiver. Failure of any party hereto to terminate this agreement or take any other action regarding a default, shall never have the effect of waiving any act of default, nor shall either party ever be estopped to claim an act of default.

23. Texas Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and shall be performable in BURNET, Texas. Venue shall lie exclusively in BURNET, Texas.

Print name

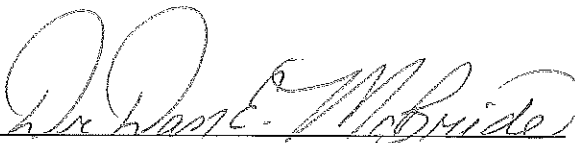
Title

Signature

SIGNED AND EFFECTIVE this ____ day of _____ 2017.

ATTEST:

HILL COUNTRY HUMANE SOCIETY



President, HCHS (Dr. Dan McBride)

Activity Level- K9	
Kuso	Total
SERVICE	
Calls for Service	53
Calls by Outside Agency	11
Self Initiated Calls	9
# of Acutal Deployments	55
# of Deployments	
Contraband Located	25
ARRESTS	
Felony Arrests	8
Misd Arrests	12
Non-Traffic Citation	12
HOURS	
Community Service Hours	
Training Hours	37.25
PATROL WORK	
Deployments	5
Criminal Search	1
Citizen Search	1
Patrol Bites	
SCHOOL LOCATION	
Burnet H.S.	1
Quest	1
Burnet M.S.	1
RJ Richie	
Shady Grove Elem.	
Other School Loc.	
AGENCY ASSISTED	
BCSO	7
SOU	
Bertram PD	
Marble Falls PD	
DPS	3
Llano County	
Other (List)	1
DRUGS FOUND	
Marijuana (grams)	118.9
Meth (grams)	50.8
Cocaine (grams)	
Heroin (grams)	
Other(Describe)	2.1
Paraphernalia	12
TOTAL HOURS DEPLOYED	50.25