



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 **12th day of September, 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. PUBLIC RECOGNITION/SPECIAL REPORTS:

- 1.1) Update report on the Cottages at Westfall: Rick Langley, Langley Homes
- 1.2) Proclamation: Hunger Awareness Month: Mayor Crista Goble Bromley
- 1.3) Proclamation: Texas Strong Month: Mayor Crista Goble Bromley

2. CONSENT AGENDA ITEMS:

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

- 2.1) Approval of the August 22nd, 2017 City Council Workshop minutes
- 2.2) Approval of the August 22nd, 2017 Regular Council Meeting minutes

3. PUBLIC HEARINGS:

- 3.1) Public Hearing: Second Public Hearing on a proposal to increase total tax

revenues from properties on the tax roll in the preceding tax year by 10.05 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted: D. Vaughn

3.2) Public Hearing: The City Council will conduct a public hearing regarding a request to rezone Lot 1E; Block 4 (Pt of 5 AC); Kerr Donation S4150, which is further described as 305 N. Rhomberg Street, from its present zoning designation of Single-family Residential 1 – District R-1, to a designation of Duplex – District R-2: M. Lewis

3.3) Public Hearing: The City Council will conduct a public hearing regarding a Conditional Use Permit requested for a 1.92 Acre, Transmitter Site located in the John Hamilton Survey No. 1 Abstract No 405, and further described as 1008 Sherrard Street. The Conditional Use Permit is being requested for the purpose of allowing construction of a communication tower that is to be erected as a replacement to the tower currently located on this site: M. Lewis

3.4) 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: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2016-23; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS PROVIDING FOR SAVINGS AND SEVERABILITY: C. Maxwell

4.2) Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS, PROVIDING FOR THE SUBMISSION OF NOMINATIONS FOR THE ELECTION OF DIRECTORS OF THE BURNET CENTRAL APPRAISAL DISTRICT FOR THE YEARS 2018-2019; AND PROVIDING FOR OPEN MEETINGS CLAUSES: D. Vaughn

4.3) Discuss and consider action: Appoint a Council Member to the Capital Area Council of Governments (CAPCOG) General Assembly Representative: K. Dix

4.4) Discuss and consider action: Request for a fee waiver for 301 South Hill Street for a multi family project: D. Vaughn

4.5) Discuss and consider action: Award of Asphalt bids for the Westfall Project:
G. Courtney

4.6) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, DESIGNATING THAT BUILDING LOCATED AT 304 S. MAIN STREET, WHICH IS FURTHER DESCRIBED AS LOT 1-B; BLOCK 2, PETER KERR PORTION S7150 AND THE PUBLIC SIDEWALK LOCATED ADJACENT TO SAID 304 S MAIN STREET TO BE HISTORIC LANDMARKS OF THE CITY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW: M. Lewis

4.7) Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING DUPLEX – DISTRICT R-2 ZONING TO LOT 1E; BLOCK 4 (PT OF 5 AC); KERR DONATION S4150, WHICH IS FURTHER DESCRIBED AS 305 N RHOMBERG STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis

4.8) Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY GRANTING A CONDITIONAL USE PERMIT FOR ERECTION AND OPERATION OF A COMMUNICATION TOWER TO BE LOCATED ON A 1.92 ACRE TRACT LOCATED IN THE JOHN HAMILTON SURVEY NO. 1; ABSTRACT NO. 405 WHICH IS FURTHER DESCRIBED AS 1008 SHERRARD STREET; ESTABLISHING CONDITIONS FOR SAID PERMIT; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis

4.9) 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

4.10) Discuss and consider action: Acceptance of Utility Easements for 1001 East Polk and 1015 East Polk: G. Courtney

4.11) Discuss and consider action: Acceptance of a Utility and Drainage Easement for CR 200 and Hills of Shady Grove: G. Courtney

4.12) Discuss and consider action: Cancellation of the November 28th, 2017 and the December 26th, 2017 Regular City Council meetings: K. Dix

4.13) Discuss and consider action: Authorize the Mayor to execute a letter of engagement with Jaynes, Reitmier, Boyd & Therrell, P. C. for audit services for the 2016/2017 fiscal year audit: D. Vaughn

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(G.2) Public Works MDM Report: G. Courtney

6. CONVENE TO EXECUTIVE SESSION

6.1) 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

6.2) 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 the possible purchase of approximately 2.657 acres of land from the Burnet Housing Authority: D. Vaughn

6.3) 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 the Morris property located at 2600 and 2708 North Water Street: D. Vaughn

The City Council may take action on any of the matters considered in executive session once the City Council reconvenes in open session.

7. RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

7.1) Discuss and consider action: Regarding economic development negotiations with Entegris: D. Vaughn

7.2) Discuss and consider action: Purchase of 2.657 acres of land from the Burnet Housing Authority. E. Milliorn

7.3) Discuss and consider action: Regarding the Morris property located at 2600 and 2708 North Water: D. Vaughn

8. REQUESTS FROM COUNCIL FOR FUTURE REPORTS:

9. ADJOURN:

Dated this 8th day, of September, 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 September 8, 2017, at or before 6 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Kelly Dix, City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

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

RIGHT TO ENTER INTO EXECUTIVE SESSION:

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



Proclamation

OF THE MAYOR AND CITY COUNCIL FOR THE
CITY OF BURNET

Whereas, the Burnet County Hunger Alliance was organized in July 2016, and

Whereas, the Burnet County Hunger Alliance is a Volunteer group of community leaders and organizations committed to ending hunger in our county, and

Whereas, September is Texas Hunger Action Month, and Burnet County will join the State efforts to eliminate Hunger in the State of Texas, and

Whereas, through a national effort, Burnet County Hunger Alliance with Burnet County Citizens and community members are encouraged to join together to raise awareness of Hunger and reduce hunger in Burnet County, State of Texas and nationally, and

Whereas, each year in September we encourage all Burnet County citizens to join the Burnet County Hunger Alliance in increasing awareness to eliminating hunger in Burnet County by

- Donating to Local Food Banks and Charities;
- Volunteering at your Local Food Bank;
- Volunteering at your Local Meals on Wheels and churches providing Community Meals;
- Taking a tour of Local Food Banks; and

Donating funds you would spend on lunch to your Local Food Bank, and

Whereas, this effort will give Burnet County neighbors and community members an improved knowledge of resources and how to help reduce hunger in Burnet County.

Now, therefore, be it proclaimed, that I, Crista Goble Bromley, Mayor of the City of Burnet on behalf of the City Council, of the City of Burnet, Texas, do hereby declare September 2017 to be observed as

Burnet County Hunger Awareness Month

in the City of Burnet, Texas.

In witness thereof, I hereunto set my hand and caused the seal of the City of Burnet to be affixed this 12th day of September 2017.

Crista Goble Bromley



Proclamation

OF THE MAYOR AND CITY COUNCIL FOR THE
CITY OF BURNET

Whereas, the State of Texas has long been known as a community of people who are proud to call Texas home whether they have family roots going back for generations or they were born somewhere else and “got here as fast as they could”; and

Whereas, the people of Texas have faced many challenges over the years including hurricanes, floods, tornados, explosions and fires; and

Whereas, the people of Texas have always recovered and rebuilt their communities and their lives by working together and supporting each other in extraordinary ways; and

Whereas, on August 25, 2017 Hurricane Harvey, a category 4 hurricane, made landfall near Rockport, Texas, at peak intensity, causing unprecedented and catastrophic flooding and destruction along the Texas coast, and flooding as far inland as Austin, Texas, with estimated economic losses ranging up to \$160 billion; and

Whereas, while the world watched news reports and videos of the ongoing destruction and images of shattered homes, schools and businesses, the people of Texas moved in strength and numbers without hesitation to help their neighbors in need; and

Whereas, first responders, volunteers, businesses and non-profits worked together to get food, water, clothing and other necessities to those who were displaced by the storm, and rushed to the coast with hundreds of boats and other equipment to rescue those who were still trapped by the high water and widespread damage; and

Whereas, as the month of September 2017 began, the people of Texas were united in their compassion and determination to save and comfort every member of our state-wide community, and to rebuild our communities, exemplifying the phrase “Texas Strong” by their acts of sacrifice, selflessness, and generosity.



Now, therefore, be it proclaimed, that I, Crista Goble Bromley, Mayor of the City of Burnet on behalf of the City Council, of the City of Burnet, Texas, do hereby declare September 2017 to be observed as

Texas Strong Month

in the City of Burnet, Texas, all citizens are urged to take interest in and give full support to our fellow Texans.

In witness thereof, I hereunto set my hand and caused the seal of the City of Burnet to be affixed this 12th day of September 2017.

Crista Goble Bromley, Mayor

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

ITEM 2.1

On this the 22nd day of August, 2017, the City Council of the City of Burnet convened in Workshop Session, at 5:00 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: Crista Goble Bromley at 5:00 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 projects prioritized by the Council, and the funding of each of the items. Mr. Vaughn presented and discussed the Police Department Building Project funding options.

Adjourn: There being no further business the workshop was adjourned at 5:52 p.m.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix , City Secretary

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

ITEM 2.2

On this the 22nd day of August 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, Milton Phair, Paul Farmer, Cindia Talamantez, Tres Clinton
Joyce Laudenschlager
City Manager David Vaughn
City Secretary Kelly Dix

Guests: Leslie Baugh, Jonny Simons, Paul Nelson, Craig Lindholm, Gene Courtney, James Wilson, Doug Fipps, Alan Burdell, Mary Jane Shanes, Bettye Foulds, Harold Smith, Dennis Friedrich, Gloria Friedrich

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 Joyce Laudenschlager

PLEDGE TO TEXAS FLAG: Council Member Joyce Laudenschlager

CITIZEN COMMENT/PUBLIC RECOGNITION:

Chamber of Commerce Report: Chamber Board Member Roger Moore informed Council that the recent Job Fair had a record number of attendees. The Chamber is currently working on the Christmas on the square events which will include a real Snow slide play area this year. Mr. Moore informed Council that footage from the Bluebonnet festival and our very own Miss Bluebonnet will be featured in a soon to be released movie that stars Jennifer Aniston. All present were reminded of the upcoming Air Show at Kate Craddock field on September 9th and Kids Day Out which will be held at the YMCA on the same day.

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 August 8, 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:

Public Hearing: First Public Hearing on 2017-2018 Fiscal Year Budget for the City of Burnet: D. Vaughn: Mayor Bromley opened the public hearing and invited anyone interested in speaking in favor of or against the item to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

Public Hearing: First Public Hearing on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 10.05 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted: D. Vaughn: Mayor Bromley opened the public hearing and invited anyone interested in speaking in favor of or against the item to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

ACTION ITEMS:

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE 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: Council Member Milton Phair made a motion to approve and adopt Ordinance 2017-16 as presented. Council member Tres Clinton seconded, the motion carried unanimously.

Discuss and consider action: SECOND AND FINAL 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: Council Member Joyce Laudenschlager made a motion to approve and adopt Ordinance 2017-17 as presented. Council member Cindia Talamantez seconded, the motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ACCCEPTING PUBLIC STREET, WATER, AND WASTEWATER IMPROVEMENTS CONSTRUCTED WITHIN THE CRAWFORD SUBDIVISION; ACCEPTING AN IRREVOCABLE LETTER OF CREDIT AGAINST FAILURE TO COMPLETE NON-POINT SOURCE POLLUTION BEST MANAGEMENT PRACTICES; ACCEPTING AN IRREVOCABLE LETTER OF CREDIT AS WARRANTY AND MAINTENANCE BOND AGAINST DEFECT OR FAILURE OF ACCEPTED IMPROVEMENTS, SAID LETTER OF CREDIT TO REMAIN IN EFFECT FOR A PERIOD OF ONE CALENDAR YEAR FOLLOWING ITS EXECUTION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW: M. Lewis: Council Member Milton Phair made a motion to approve Resolution R2017-16 as presented. Council Member Cindia Talamantez seconded. Mayor Bromley called for a roll vote. Council Members Laudenschlager, Phair, Clinton, Farmer Talamantez, and Mayor Bromley voted in favor. Council Member Lester voted against. The motion carried with a vote of six in favor and one against.

Discuss and consider action: FIRST READING OF AN ORDINANCE ADOPTING THE OFFICIAL BUDGET FOR THE CITY OF BURNET, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017, AND ENDING SEPTEMBER 30, 2018, PROVIDING FOR THE INVESTMENT OF FUNDS; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: D. Vaughn: Council Member Joyce Laudenschlager made a motion to approve the first reading of Ordinance 2017-18. Council Member Milton Phair seconded. Council Member Paul Farmer requested the motion be amended to remove the funding of the Warning Notification System and the Delaware Springs improvements from the 2017-18 FY Budget. Mayor Bromley called for a roll vote. Council Members Lester, Laudenschlager, Phair, and Mayor Bromley voted against. Council Members Clinton, Farmer, Talamantez, voted in favor. The motion failed with a vote of four against and three in favor. Council Member Joyce Laudenschlager made a second motion to approve the first reading of Ordinance 2017-18 with a caveat that requires all expenditures in excess of \$25,000, for the 2017-2018 FY Budget, be approved by the Council. Council Member Danny Lester seconded. Mayor Bromley called for a roll vote. Council Members Lester, Laudenschlager, Phair, and Mayor Bromley voted in favor. Council Members Clinton,

Farmer, Talamantez, voted in against. The motion carried with a vote of four in favor and three against.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND TERMINATING SEPTEMBER 30, 2018; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; AND PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME SHALL BECOME DELINQUENT IF NOT PAID; PROVIDING OPEN MEETINGS CLAUSES AND PROVIDING FOR AN EFFECTIVE DATE: D. Vaughn: Council Member Danny Lester made a motion to approve the first reading of Ordinance 2017-19 as presented. Council member Tres Clinton seconded, the motion carried unanimously.

Discuss and consider action: Authorization to submit and accept a TxDot Aviation Routine Airport Maintenance Program (RAMP) grant, and designation of authorized representative: D. Vaughn: Council Member Danny Lester made a motion to authorize the submission and accept a TxDot Aviation Routine Airport Maintenance Program (RAMP) grant, and named Leslie Baugh as the authorized representative. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

Discuss and consider action: Award of the Roadbase/Aggregate bid: J. Simons: Council Member Danny Lester made a motion to award Roadbase/Aggregate bid to Old Castle, Inc. Council Member Milton Phair 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.

July Financial Report: P. Langford: Director of Finance Patricia Langford reviewed the July 2017 Financial report to include revenue and expenses for all funds. All funds are on budget at this time.

CONVENE TO EXECUTIVE SESSION: Council Member Danny Lester made a motion to convene in Executive Session at 6:43 p.m. Council Member Joyce Laudenschlager 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 551.072; Deliberations Regarding Real Property: Pertaining to the possible sale of 1.409 Acres of land out of the Lemuel Taylor Survey, located near the intersection of Industrial Boulevard and CR 340A, owned by the City of Burnet: D. Vaughn

The City Council may take action on any of the matters considered in executive session once the City Council reconvenes in open session.

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION: Council Member Danny Lester made a motion to reconvene to regular session at 6:57p.m. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

Discuss and consider action: The possible sale of 1.409 Acres of land out of the Lemuel Taylor Survey, located near the intersection of Industrial Boulevard and CR 340A, owned by the City of Burnet: D. Vaughn: Council Member Paul Farmer made a motion to approve listing 1.409 Acres of land out of the Lemuel Taylor Survey, located near the intersection of Industrial Boulevard and County Road 340A, owned by the City of Burnet for sale for a period of 60 days with a listing price

of \$15,000 and stipulated that the City retain the 20' easement. Council Member Cindia Talamantez seconded, the motion carried unanimously.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: Council Member Tres Cinton requested a list of Capital Improvement projects by department.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Danny Lester at 7:04 p.m., seconded by Council Member Joyce Laudenschlager. The motion carried unanimously.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Administration

ITEM 3.1

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: Public Hearing: Second Public Hearing on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 10.05 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted: D. Vaughn

Background: This is a required public hearing for the adoption of the calculated rollback rate of \$.06237. This rate reduces both the M&O and I&S tax rates while maintaining a total tax rate that is slightly lower than the rate for the prior year.

Information: The Certified Tax Roll from the Central Appraisal District shows a 15.30 percent increase in the Adjusted Taxable Value for 2017. This increase is the result of new property added and adjusted property values.

Fiscal Impact: Approximately \$295,680 in increased ad valorem tax collected.

Recommendation: N/A



Development Services

ITEM 3.2

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: Public Hearing: The City Council will conduct a public hearing regarding a request to rezone Lot 1E; Block 4 (Pt of 5 AC); Kerr Donation S4150, which is further described as 305 N. Rhomberg Street, from its present zoning designation of Single-family Residential 1 – District R-1, to a designation of Duplex – District R-2: M. Lewis

Background: The property in question is an undeveloped lot addressed as 305 N Rhomberg (See Exhibit A). The Planning and Zoning Commission, at its September 5, 2017 public hearing and regular meeting considered the owner's request to change the property's zoning from R-1 to R-2.

One owner of a nearby property spoke at the public hearing, voicing opposition to the requested zone change. The Commission also considered a written public notice response objecting to the zone change. A copy of the written objection is attached and follows this report.

Following its public hearing, the Commission, acting in regular session, by a vote of five in favor, two in opposition, approved a motion recommending that the zone change be disapproved.

Information: The key factors relating to this request are its location and surroundings (See Exhibit A). Specifically, the property is located in a transitional area where highway oriented commercial development gives way to residential neighborhood. In the case of this property, the transition is particularly clear.

Planning principles support higher density housing as a means of buffering single-family neighborhoods from

commercial development. The subject property's location makes it highly suitable for this buffering function.

The next consideration is the City's Future Land Use Plan (FLUP). The FLUP shows the property to be located in an area intended for residential land use (See Exhibit B). The requested zoning is consistent with FLUP land use intent.

The concern cited by the person who spoke at the public hearing related to lot dimension. The lot is 75ft wide and approximately 140ft deep. It complies with R-2 standards regarding minimum width, depth and lot area per dwelling unit.

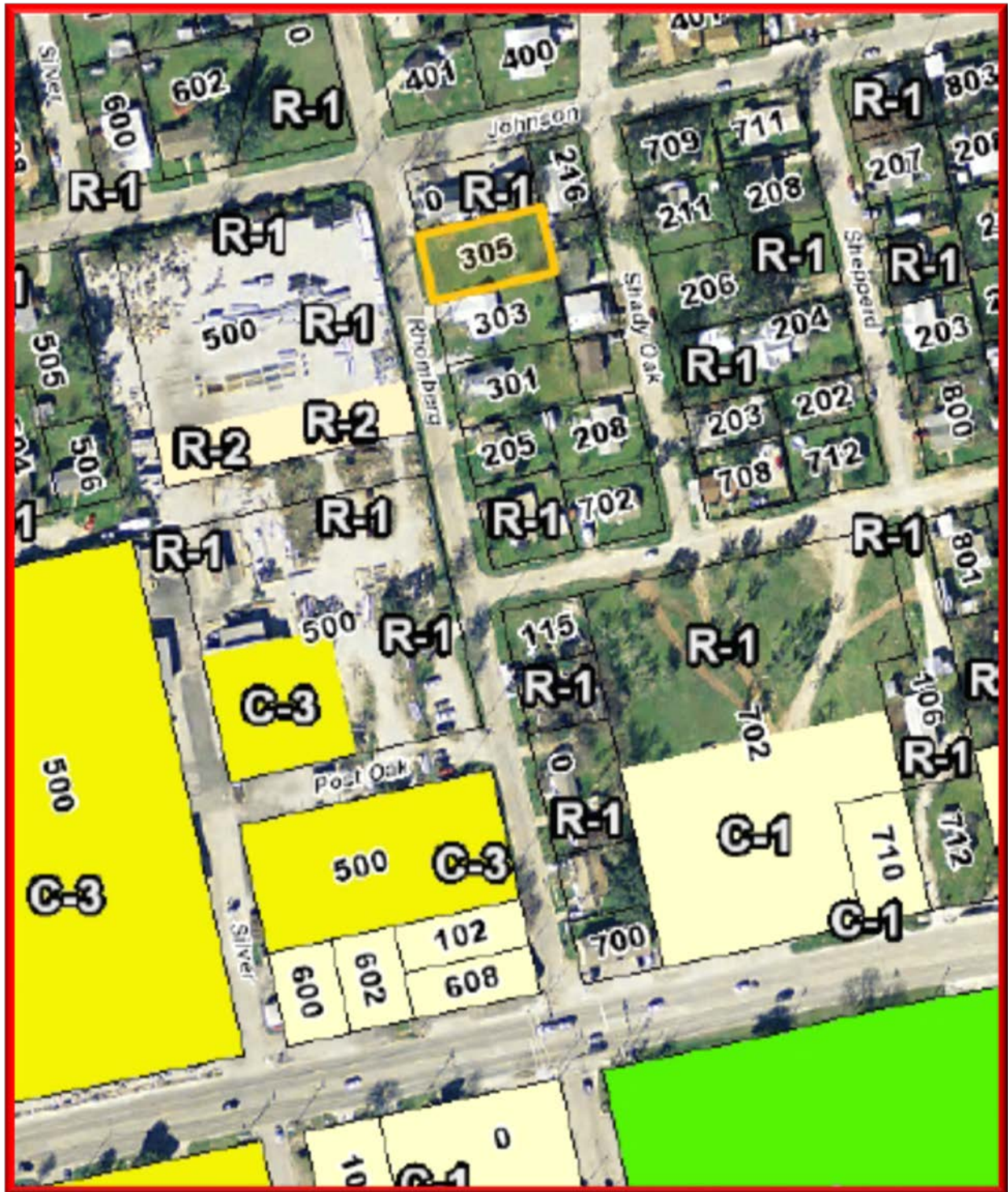
The concern expressed by the citizen was that lot width, even though it complies with ordinance standard would not permit adequate parking and maneuvering for off-street parking. Assuming two-bedroom duplex units, a total of four off-street parking spaces would be required.

Recommendation:

Staff will defer recommendation regarding this request.

EXHIBIT A

305 N Rhomberg – Location & Zoning



Future Land Use



Residential



Commercial

Mark Lewis

From: Bob Tuteur <tuteur@tstar.net>
Sent: Tuesday, September 05, 2017 3:25 PM
To: Mark Lewis
Subject: Planning And Zoning Meeting Toght! I cannot attend....

Mr. Mark Lewis,

I cannot attend tonight's meeting, but would like to voice my opinion and objection to changing the zoning on Lot 1E; Block 4 Pt of 5 AC; Kerr Donation S4150 which is also known as 305 N Rhomberg. Please leave zoned as R-1. Please do not change to Duplex-District, R-2. This neighborhood will be should just be for single family site built homes. It will also bring down property values, etc. Also will bring a trashy element.

Please take this letter/email to the meeting. I own 301 N Rhomberg and do not think this is a good idea at all.

Thank you, Robert Tuteur

Bob Tuteur, REALTOR®
The Bob And Terry Team
RE/MAX of Marble Falls
808 9th Street
Marble Falls, Texas 78654
Cell - (512) 755-4069
Fax - (830) 693-1267
E-Mail - Tuteur@Tstar.net

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Development Services

ITEM 3.3

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: Public Hearing: The City Council will conduct a public hearing regarding a Conditional Use Permit requested for a 1.92 Acre, Transmitter Site located in the John Hamilton Survey No. 1 Abstract No 405, and further described as 1008 Sherrard Street. The Conditional Use Permit is being requested for the purpose of allowing construction of a communication tower that is to be erected as a replacement to the tower currently located on this site: M. Lewis

Background: 1008 Sherrard is the site of two existing communication towers (See Exhibit A). A Conditional Use Permit (CUP) is being sought for the purpose of allowing replacement of one of the towers. The Planning and Zoning Commission considered this request during its September 5, 2017 public hearing and regular meeting.

During the public hearing, the owner's representative spoke in favor of the requested CUP. Nobody spoke in opposition. The Planning and Zoning Commission, by unanimous vote, recommended granting the requested CUP subject to the conditions outlined in the information section of this report.

The structural plans for the proposed tower were reviewed and approved by the City in 2011(See Exhibit B). The project did not go forward at that time. The permit approval expired.

The City's 2012 zoning update introduced Code of Ordinances Section 118-64 which requires Conditional Use Permits for "radio or television broadcasting towers or stations." Obtaining a Conditional Use Permit for this site will be a prerequisite for re-approval of the expired 2011 building permit.

Information:

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

A CUP 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.

The site in question is already the location of two communication towers (See Exhibit C). The taller of the two towers is the one to be removed and replaced. The new

tower will, in a slightly different location, but still within the same site (See Exhibit D).

The tower, as proposed:

- Will be similar in height and will operate in the same manner as the tower that is to be replaced. There should be no additional impact on the surrounding neighborhood.
- Swapping a tower for a tower should not adversely affect value or use of surrounding properties
- Construction of the replacement tower constitutes a continuation of an existing use. There will be no appreciable change in the site's operation. No nuisance factor will be introduced to the neighborhood.
- Following completion of construction, there will be virtually no impact on existing neighborhood traffic patterns.
- Attaching the following recommended conditions to the permit will ensure compliance with other applicable ordinances and regulations.
 - Building and electrical permits shall be obtained from the City of Burnet prior to commencing tower construction.
 - Airport Board and FAA approvals are prerequisite requirements for issuance of a building permit.
 - The permit shall be open-ended, except that a new Conditional Use Permit shall be required for any alteration to the tower requiring additional FAA approval.

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

EXHIBIT A
1008 Sherrard St

Site Location



2011 Approved Plans



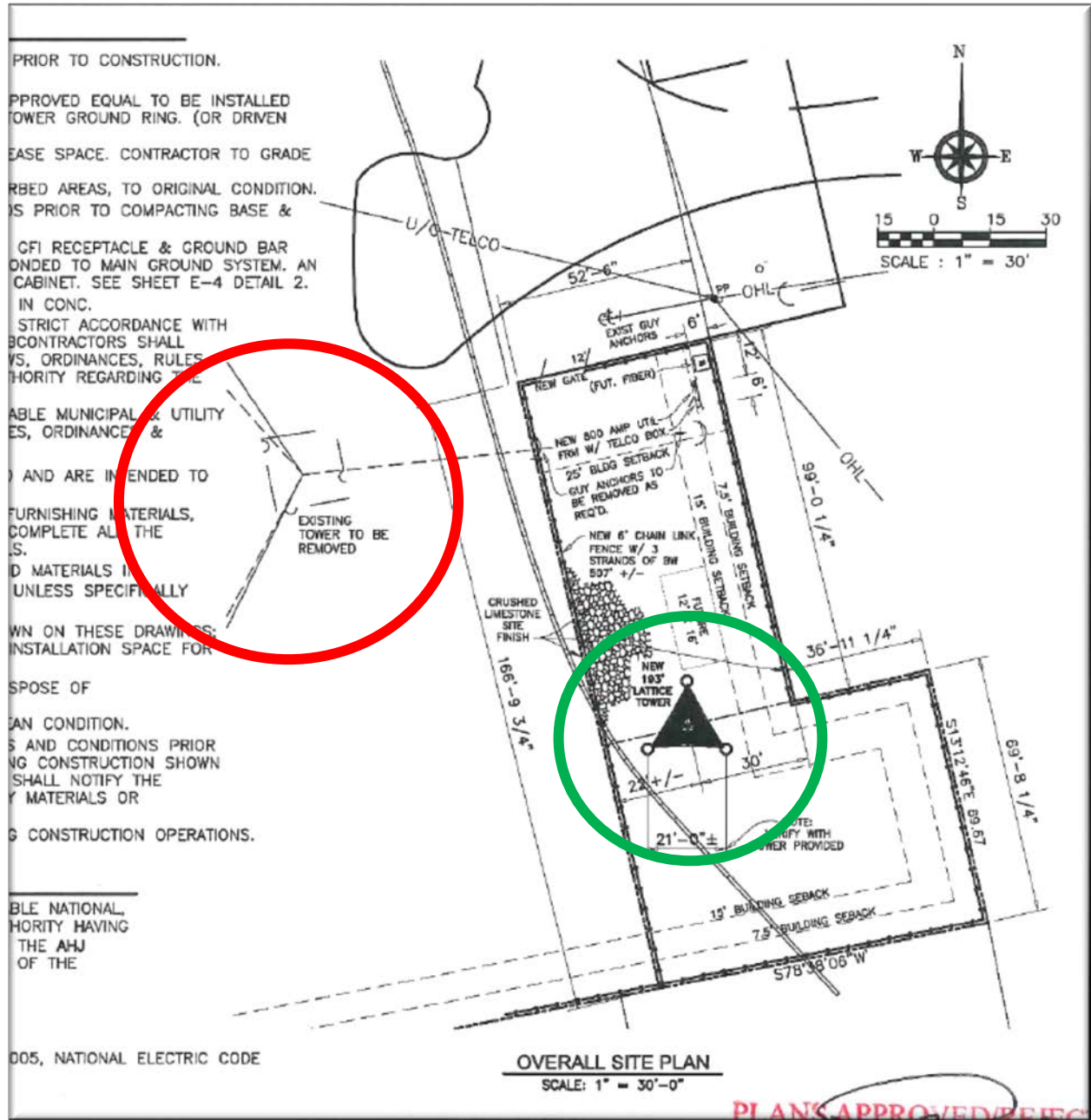
EXHIBIT C
1008 SHERRARD ST

Existing Site – Street View



EXHIBIT D
1008 SHERRARD ST

Tower Location





Development Services

ITEM 3.4

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

Agenda Item Brief

Meeting Date: September 12, 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: On September 5, 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, three citizens addressed the commission.

- A Woodlands resident expressed concern about the impact an increase in traffic would have on the predominantly elderly residents of the Woodlands. The citizen asked speed bumps or other measure could be used to reduce impact of the proposed connecting road. She also asked if traffic could be eased by also building a road to connect the new subdivision to Adam Avenue. The resident did not express a position for or against plat approval.
- Another Woodlands resident asked about stormwater discharge from the Hills of Shady Grove Elementary School site (this discharge is in compliance with an existing LCRA permit and is in no way connected to the Heritage Valley North project). The resident did not express a position for or against the project
- A Hills of Shady Grove resident stated his understanding of the need for the road, and said that he is neither for nor against the project. He

went on to express concern over the increase in traffic on CR 200 and the impact on school traffic. He also expressed concern that housing dissimilar to homes in the Hills of Shady Grove might adversely impact his property's value.

Following its public hearing, the Planning and Zoning Commission, by unanimous vote, recommended approval of the Heritage Valley North Preliminary Plat. The Commission's motion also asked that City Council, "take note of public concerns in regards to traffic flows and possible associated dangers."

Information:

The Heritage Valley North Preliminary Plat has been reviewed using Code of Ordinances Section 98-22 (Preliminary Plats) as a guide. It has been found to comply with ordinance requirements relating to form and content.

The drainage plans submitted in support of the plat have been reviewed by Jones and Carter, the City's Engineers, and found to be in compliance with applicable Code of Ordinances requirements.

Public notice, as required by the Code of Ordinances, has been published in the Burnet Bulletin and provided to owners of all properties located within two-hundred feet of the plat's perimeter.

The Heritage Valley North Preliminary Plat, because it satisfies the criteria outlined above, is in conformance with applicable provisions of the City of Burnet Code of Ordinances. The plat should therefore, be approved.

Recommendation: Staff concurs with the Planning and Zoning Commission recommendation and asks that City Council approve the Heritage Valley North Preliminary Plat.

EXHIBIT A





Administration

ITEM 4.1

Connie Maxwell
Director of Budgets/Special
Projects
(512)-756-6093 ext. 3219
cmaxwell@cityofburnet.com

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2016-23; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS PROVIDING FOR SAVINGS AND SEVERABILITY: C. Maxwell

Background:

Information:

Fiscal Impact: As noted on Attachment "A".

Recommendation: Approve the first reading of Ordinance 2017-20 as presented.

ORDINANCE NO. 2017-20

AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2016-23; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017, FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY.

WHEREAS, the City of Burnet, Texas Fiscal Year 2016-2017 Budget was adopted by Ordinance 2016-23 within the time and in the manner required by State Law; and

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

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

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

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

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

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

Section 1. Findings

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

Section 2. Purpose

The City of Burnet, Texas, Fiscal Year 2016-2017 Budget is hereby amended to reflect effect of unforeseen circumstances,

Section 3. Savings/Repealing Clause

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a

prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

Section 4. Severability

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

PASSED AND APPROVED the First Reading on this the 12th day of September, 2017

FINALLY PASSED AND APPROVED on this 26th day of September, 2017.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

ATTACHEMENT A:

\$32,000 for the Night Approach improvements at the Airport. This will be offset by use of Fund Balance and grant proceeds

\$9,000 of revenue and expense to reflect the funds received by the Fire Department from the ESD for tools on the Brush Truck.

\$400,000 of additional Cost of Power expense to be offset by revenue.



Administration

ITEM 4.2

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS, PROVIDING FOR THE SUBMISSION OF NOMINATIONS FOR THE ELECTION OF DIRECTORS OF THE BURNET CENTRAL APPRAISAL DISTRICT FOR THE YEARS 2018-2019; AND PROVIDING FOR OPEN MEETINGS CLAUSES: D. Vaughn

Background: The terms of all five members of the board of directors of the Burnet Central Appraisal will expire at the end of this year. Each voting unit may nominate one candidate, for each of the five positions to be filled, by written resolution on or before October 15, 2015.

Information: Current serving members are:

- Bobbye Hensley
- Dave Kithil
- Paul Shell
- Calvin Chamness
- Kay Renick

Fiscal Impact: None at this time.

Recommendation: Approve Resolution R2017-18 providing submissions of nominations for the election of directors to the Burnet Central Appraisal District for the 2018-2019 term.

RESOLUTION NO: R2017-18

A RESOLUTION OF THE CITY OF BURNET, TEXAS, PROVIDING FOR THE SUBMISSION OF NOMINATIONS FOR THE ELECTION OF DIRECTORS OF THE BURNET CENTRAL APPRAISAL DISTRICT FOR THE YEARS 2016-2017; AND PROVIDING FOR OPEN MEETINGS CLAUSES.

WHEREAS, SB621, Section 6.03 (h) allows that each taxing unit entitled to vote, nominate by resolution and to submit to the Chief Appraiser of the Burnet Central Appraisal District by October 15, 2017.

NOW, THEREFORE, BE IT RESOLVED 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. Proceedings. The City Council of the City of Burnet submits the attached Board of Directors Nomination Form, stating our nominations for candidates for election of the Board of Directors for the Burnet Central Appraisal District to serve from January 1, 2018 through December 31, 2019.

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

PASSED AND APPROVED this the 12th day of September, 2017.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

BURNET CENTRAL APPRAISAL DISTRICT

Board of Directors Nomination Form

For the 2018-2019 Term

Submitted by:

City of Burnet

P.O. Box 1369

Burnet TX 78611

The City of Burnet has nominated by Resolution (here attached) the following persons(s) for consideration to serve on the Board of Directors of the Burnet Central Appraisal District.

1. Bobbye Hensley	3. Kay Renick
name	name
address	address
city, state, zip	city, state, zip
phone	phone
2. Calvin Chamness	4. Paul Shell
name	name
address	address
city, state, zip	city, state, zip
phone	phone
	5. Dave Kithil
	name
	address
	city, state, zip
	phone

Authorizing Signature

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

July 24, 2017

Mayor
City of Burnet
P.O. Box 1369
Burnet TX 78611

Number of Votes: 126

Dear Mayor:

The terms of all five members of the board of directors of the Burnet Central Appraisal District will expire at the end of this year. Therefore, we must proceed with the selection process of a board to serve from January 1, 2018 through December 31, 2019. Each voting unit may nominate one candidate, for each of the five positions to be filled, by written resolution on or before October 15, 2017. A resolution and a nomination form are enclosed.

I have provided a list of the current Board members. You may contact them to see if they are willing to serve another term. If you submit names other than those listed below, please provide addresses and phone numbers for each name, and attach that information to the written resolution.

Ms. Bobbye	Hensley	830-693-2229	
Mr. Dave	Kithil	830-265-0678	
Mr. Paul	Shell	512-756-6252	
Mr. Calvin	Chamness	830-598-6742	512-563-0875
Ms. Kay	Renick	830-693-3741	

To be eligible to serve on the board of directors, an individual must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes the office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.

Later this year ballots will be sent to each participating taxing unit with the names of the nominees. If you have any questions, please let me know.

Sincerely yours,


Stan Hemphill
Chief Appraiser

City of Burnet
**RESOLUTION OF NOMINATION TO THE DIRECTORS FOR THE
BURNET CENTRAL APPRAISAL DISTRICT FOR THE YEAR
2018– 2019**

WHEREAS, SB621, Section 6.03 (h) allows that each taxing unit entitled to vote, nominate by resolution and to submit to the Chief Appraiser of the Burnet Central Appraisal District by October 15, 2017.

THEREFORE, The City of Burnet submits the attached list of nominees, for candidates for election of the Board of Directors for Burnet Central Appraisal District for 2018 –2019.

ACTION TAKEN, 12 day of September, 2017 in Open Session of the Board of the above mentioned taxing unit, which is entitled under SB 621 to nominate the Board of Directors of the Burnet Central Appraisal District of Burnet County.

By : _____

TITLE

ATTEST:

By: _____

TITLE

BURNET CENTRAL APPRAISAL DISTRICT
Board of Directors Nomination Form
For the 2018-2019 Term

Submitted by:

City of Burnet
P.O. Box 1369
Burnet TX 78611

The City of Burnet has nominated by Resolution (here attached)
the following person(s) for consideration to serve on the Board of
Directors of the Burnet Central Appraisal District.

1.

name

address

city, state, zip

phone

2.

name

address

city, state, zip

phone

3.

name

address

city, state, zip

phone

4.

name

address

city, state, zip

phone

5.

name

address

city, state, zip

phone

Authorizing Signature



City Secretary

ITEM 4.3

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

Agenda Item Brief

Meeting Date:	September 12, 2017
Agenda Item:	Discuss and consider action: Appoint a Council Member to the Capital Area Council of Governments (CAPCOG) General Assembly Representative: K. Dix
Background:	<p>Council Member Tres Clinton was appointed as the City Council's General Assembly representative for CAPCOG. That term has now expired.</p> <p>This position requires attendance at two annual meetings and occasionally for special projects and meetings.</p>
Information:	It will be necessary for the Council to nominate and appoint one Council Member to serve as the City of Burnet representative for the Capital Area Council of Governments (CAPCOG) General Assembly. Council Member Tres Clinton has expressed his desire to remain as representative.
Fiscal Impact:	None at this time.
Recommendation:	To be determined by Council to appoint a Council Member to serve as the City of Burnet representative for the Capital Area Council of Governments (CAPCOG) General Assembly.



Capital Area Council of Governments

6800 Burleson Road, Building 310, Suite 165 Austin, Texas 78744-2306
(p) 512.916.6000 (f) 512.916.6001
www.capcog.org

Betty Voights, Executive Director

BASTROP BLANCO BURNET CALDWELL FAYETTE HAYS LEE LLANO TRAVIS WILLIAMSON

August 16, 2017

The Honorable Crista Goble Bromley
Mayor of the City of Burnet
P. O. Box 1369
Burnet, TX 78611

Dear Mayor Bromley,

CAPCOG's mission is to serve cities and counties in our ten-county region; our programs and services are determined by the state and federal agencies that fund us, but also by the membership that governs us. Each year we reach out to that membership to ask for your continued support and to remind you to stay involved through your members on the General Assembly, the body in charge of our budget and membership dues, operating bylaws and rules, and the Executive Committee membership.

At the beginning of this year we solicited interest from our General Assembly members on whether to explore regional water issues; several of you have since been attending meetings of the Water Exploratory Committee. Reviewing and studying issues that impact local governments of our region is an area COGs are typically interested in and can often provide resources to assist with. Our focus continues to be issues that are difficult to address at a local level such as air quality planning and homeland security/emergency management response, but many of our programs are also modeled to achieve an economy of scale such as law enforcement training, emergency communications, and services to seniors.

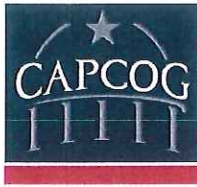
Each COG is only as strong as the cities, counties, and other stakeholders that participate — so we thank you for your support. We now attach a reminder of who you have most recently designated to your slots on the General Assembly — this can be changed at any time by action of your governing body. The General Assembly's first meeting in 2017 will be September 13, so now is a good time to let us know if you would like to change who your representative is.

Also included is the dues invoice for the 2018 calendar year — the December 1st deadline is especially important if you have a city or county elected official intending to serve on our Executive Committee since it's an eligibility requirement for consideration, but it also helps us have revenue to meet matching requirements for several of our programs, particularly the Area Agency on Aging meals and caregiver programs. As always, any of my staff and I are available to make presentations on any of our activities.

Best regards,

Betty Voights

Enc. Membership Invoice
 General Assembly Representation Summary
 General Assembly Appointment Form



Capital Area Council of Governments

6800 Burleson Road, Building 310, Suite 165 Austin, Texas 78744-2306

(p) 512.916.6000 (f) 512.916.6001

www.capcog.org

BASTROP BLANCO BURNET CALDWELL FAYETTE HAYS LEE LLANO TRAVIS WILLIAMSON

General Assembly Representation Summary for the City of Burnet

CAPCOG's General Assembly is the governing body of the organization for purposes of selecting the Executive Committee, adopting operational bylaws and budgets, determining membership dues, and guiding the mission. The General Assembly membership is comprised of local representatives from each member jurisdiction in the ten-county region. According to its bylaws, full members — counties and municipalities — are entitled to appoint at least one representative to the Council's General Assembly, but as shown in the table below full members can have more representatives based on their population.

Counties	Municipalities	No. of Representatives
Under 20,000	Under 10,000	1
20,000-100,000	10,000-50,000	2
100,000+	50,000-100,000	3
-----	100,000+	4

Associate members organizations — special districts, school districts, nonprofits, utilities, chambers of commerce, and other governmental agencies — can have one representative on the General Assembly. Sustaining members, any person or organization with a positive interest in the welfare of the region, can have a non-voting General Assembly representative.

However, at least two-thirds of the General Assembly's voting representatives must be elected officials.

Based on the State Data Center's most recent population estimates the **City of Burnet** qualifies to have **1 representative(s)** on the General Assembly, and its current representatives are:

- **Council Member Tres Clinton**

Review additional information about General Assembly representation, CAPCOG membership and membership dues at www.capcog.org/about-capcog/.



APPOINTMENT FORM - GENERAL ASSEMBLY REPRESENTATIVE CAPITAL AREA COUNCIL OF GOVERNMENTS

The governing bodies of CAPCOG's members designate General Assembly representatives.

Counties: Official appointments are made at Commissioners Court.
Cities, Towns, Villages: Official appointments are made at City Council meetings.
Organizations: Official appointments are made by the Board or other governing body.

PLEASE COMPLETE THE FOLLOWING SECTION

Governing Body:

_____ County Commissioners Court (e.g., Travis County Commissioners Court)
-OR-
Burnet _____ City Council (e.g., Austin City Council)
-OR-
_____ Other (Board or other governing body)

City, County, or Organization being represented

Name of Representative

Position

Address

City, Zip Code

(_____) _____
Telephone Number

(_____) _____
Fax Number

Email address (General Assembly Reps. will be subscribed to the CAPCOG Connections, Training, & Data Points email lists)

Check One:

_____ Reappointment
_____ Filling Vacancy
_____ Changing Representative

Name of Previous Representative

I confirm our governing body appointed the above individual to serve as a CAPCOG General Assembly Representative for the above entity on _____.
Date of Meeting

Signature of Chief Elected Official/Chair of Governing Board

Date

Please fax this form to 512-916-6001 or email to mmooney@capcog.org. Tel. 512-916-6018



City Manager

ITEM 4. 4

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

Agenda Item Brief

Meeting Date:	September 12, 2017
Agenda Item:	Discuss and consider action: Request for a fee waiver for 301 South Hill Street for a multi family project: D. Vaughn
Background:	The City Council previously approved a resolution providing for certain single family and multi-family fee waivers in the Neighborhood Empowerment Zones (NEZ) and throughout the City. The resolution provides for a 100% waiver within the NEZ's, however the multi-family expires in its entirety next year. The multi-family waiver applies to units that are quadplexes or less and does not technically apply when a singular structure exceeds four dwelling units.
Information:	Chester Wilson is in the process of constructing a multi-family housing project on S. Hill Street. A portion of the project which is located at the corner of S. Hill and Northington has two duplexes on the lot and is eligible under the existing resolution. However, the remaining portion of the project on S. Hill has two - six unit structures and is not eligible as currently written. Had the twelve units been constructed as three structures of four units each, the same twelve units would have qualified for the waiver. Mr. Wilson is requesting the remainder of the project be included for eligibility.
Fiscal Impact:	To be determined
Recommendation:	Staff is seeking direction from Council regarding this request.

South Hill Street Multi-Family Housing Fee Waiver Request

	One 2" Meter	Thirteen 5/8" Meters
Impact Fees	\$ 7,517.48	\$ 23,659.50
W/WW Tap Fees	\$ 1,950.00	\$ 7,775.00
Electric Tap Fees	\$ 5,850.00	\$ 5,850.00
Electric Line Extension Fees	\$ 4,899.80	\$ 4,899.80
Asphalt Repair	\$ 1,500.00	\$ 1,500.00
Permits	\$ 3,761.60	\$ 3,761.60
Total Fees	<u>\$ 25,478.88</u>	<u>\$ 47,445.90</u>
Less: Ineligible Item		
Electric Line Extension Fees	<u>\$ 4,899.80</u>	<u>\$ 4,899.80</u>
Requested Waiver	<u><u>\$ 20,579.08</u></u>	<u><u>\$ 42,546.10</u></u>



Public Works

ITEM 4.5

Gene Courtney
Public Works Director
830-743-7597
gcourtney@cityofburnet.com

Agenda Item Brief

Meeting Date:	Sept 12, 2017
Agenda Item:	Discuss and consider action: Award of Asphalt bids for the Westfall Project: G.Courtney
Background:	On Aug. 9, 2017 the City of Burnet went for bid for the Westfall Project.
Information:	Staff will be replacing Westfall St. from Pecan south to the railroad tracks. This project has a design that includes replacing the base, asphalt installing all new curbs and drainage to accommodate the flow of water during a rain event.
Fiscal Impact:	\$73,050.00
Recommendation:	At this time staff recommends awarding Old Castle Materials as the contractors for upcoming CIP Street Projects for the City of Burnet.

BID TABULATION			
2017 Street Paving Project			
08/31/2017			
BIDDER	Unit Price	Total Square Yard Bid	Overage Unit Price
Clark Construction	\$ 15.17	\$ 113,775.00	\$ 72.90
Hinds Paving	\$ 11.34	\$ 85,050.00	\$ 108.00
Smith Paving	\$ 16.00	\$ 120,000.00	\$ 110.00
Lone Star Paving	\$ 11.45	\$ 85,875.00	\$ 85.00
Oldcastle Materials	\$ 9.74	\$ 73,050.00	\$ 50.00
Alpha Paving	\$ 11.65	\$ 87,375.00	\$ 90.00



Development Services

ITEM 4.6

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, DESIGNATING THAT BUILDING LOCATED AT 304 S. MAIN STREET, WHICH IS FURTHER DESCRIBED AS LOT 1-B; BLOCK 2, PETER KERR PORTION S7150 AND THE PUBLIC SIDEWALK LOCATED ADJACENT TO SAID 304 S MAIN STREET TO BE HISTORIC LANDMARKS OF THE CITY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW: M. Lewis

Background: The attached resolution designates the building and adjacent public sidewalk as historic landmarks of the City. The request for designation has been made by the building owners.

Under the terms of Code of Ordinances, Chapter 22, Article X, requests for historic landmark designations are made to the City's Historical Board. The Board then forwards the request, along with a recommendation to the Planning and Zoning Commission. The Commission evaluates and then, along with its own recommendation forwards the request to City Council for final disposition.

The City's Historical Board, which considered the requests for designation of 304 S. Main and the adjoin sidewalk at its August 24, 2017 meeting, has unanimously recommended that the designations be granted.

The Planning and Zoning Commission, at its September 5, 2017 meeting, considered the request, and by unanimous vote also recommended that the designations be granted.

Information:

The following exhibits are attached and follow this report:

- Exhibit A: Petition for Historical Designation & building history
- Exhibit B: Photographs of 304 S. Main Street
- Exhibit C: Photograph of Public Sidewalk.

If the requested, the historic landmark designations are granted, the building and sidewalk will be awarded City of Burnet Historical Plaques. The award also provides a degree of protection of the historical building façade and public sidewalk. A certificate of appropriateness, approved by the Historical Board will be required prior to alteration of either the building's street face, or the sidewalk. In the case of the building, this restriction only applies to the building's street-face.

Fiscal Impact:

N/A

Recommendation:

Approve the resolution designating 304 S. Main St and the adjoining public sidewalk to be Historic Landmarks of the City of Burnet.

RESOLUTION NO. R2017-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, DESIGNATING THAT BUILDING LOCATED AT 304 S. MAIN STREET, WHICH IS FURTHER DESCRIBED AS LOT 1-B; BLOCK 2, PETER KERR PORTION S7150 AND THE PUBIC SIDEWALK LOCATED ADJACENT TO SAID 304 S MAIN STREET TO BE HISTORIC LANDMARKS OF THE CITY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

WHEREAS, the Historical Board of the City of Burnet, on August 24, 2017, did consider the request to designate the building and public sidewalk located at 304 S. Main to be Historic Landmarks of the City: and

WHEREAS, Whereas, upon review, the Historical Board did determine that the building in question was constructed in 1915 and that historically significant elements of building construction and history are worthy of preservation: and

WHEREAS, the Historical Board did further determine that the sidewalk located adjacent to 304 S. Main Street is the last remaining section of the original downtown district stone paving; and

WHEREAS the Planning and Zoning Commission, following its September 5, 2017 consideration of the Historical Board's determinations did recommend that City Council grant the requested determinations; and

WHEREAS City Council following its own deliberation regarding the Historical Board determinations and the Planning and Zoning Commission's recommendation, and acting in accordance with applicable provisions of Code of Ordinances Chapter 22, Article X, Historic Preservation, did find said 304 S. Main Street and the adjoining sidewalk to be of local historical significance and therefore worthy of designation as Historical Landmarks of the City;

NOW, THEREFORE, BE IT RESOLVED 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 resolved by the City Council of the City of Burnet, Texas and made a part hereof for all purposes and findings of fact.

Section 2. Designation as Historic Landmarks.

(a) That building located at 304 S Main Street, further described as being Lot 1-B; block 2; Peter Kerr Portion, S7150 and depicted in A and B attached hereto is hereby designated as a Historic Landmark of the City of Burnet.

(b) That section of public sidewalk located adjacent to said 304 S Main Street and depicted in Exhibits A and C attached hereto is hereby designate to be a Historic Landmark of the City of Burnet.

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

PASSED, ADOPTED AND APPROVED by the **City Council of the City of Burnet** this the 12th day of September 2017

CITY OF BURNET

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

EXHIBIT A

PETITION FOR HISTORIC DESIGNATION AND BUILDING HISTORY



CITY OF BURNET
PETITION FOR HISTORIC DESIGNATION

P.O. Box 1369, Burnet, TX 78611
(512) 756-6093 Fax (512) 756-8560

INSTRUCTIONS: Complete this form. Attach copies (do not send originals) of any documentation which will help the board to determine the historical significance of your property. Return the petition to the Planning and Zoning department at the City of Burnet.

Date of Petition: August 28, 2017

The undersigned owner of the tract of parcel described as Lot Part of Lot 1 (1-B),
Block 2 in the subdivision of S7150 Peter Kerr Portion
or otherwise described as (Metes and Bounds) (attach additional pages if necessary).
N/A

Which site is in the C-2 Zoning District, heretofore petitions the
City Historical Board to enter a recommendation to the City Planning and Zoning
Commission, that this property / building / site be designated as Historic under the
guidelines of the City of Burnet Historical Ordinance.

List the reasons this property should be designated as Historical:
Constructed in 1915

Roof construction Long Leaf Pine

Elixer Bottles from late 1800's-early 1900's under floor panels

Early 20th century advertising found on walls after plaster layer removed

It is agreed that the use of drawings, photographs, and/or additional information will be
furnished to the board as needed to make a decision on the recommendation. Exhibits
included with this petition are:
See attached documentation

It is requested that this petition be considered by the City of Burnet Historical Board at
its first regular meeting after the required due public notice period.

Name of Applicant: Danny & Berenice Dugain

Address: 304 South Main St., Burnet, Texas 78611

Phone: 512-234-8354

Fax: _____

Email: _____

Signature [Signature] 9-5-2017

For Office Use Only:

Request Approved or Disapproved: _____

Date: _____ 9.5.17

BURNET — The Dugains could have chosen a modern site for Berenice Dugain's shop, The Napping Mouse, but they wanted a location that reflected Burnet's charm and history. Berenice and husband Danny found what they were looking for in a 1915 building on Main Street just south of the courthouse square.

"We appreciate what this building is," Danny Dugain said as he recounted the couple's restoration work.

"So much of Burnet's history is gone," Berenice Dugain added. "We weren't going to let that happen to this building."

They reclaimed a piece of Burnet's disappearing history, even uncovering a part that was probably last seen when the structure was built in the early part of last century.

About four years ago, the two Burnet transplants went to work returning the old, rundown building to its former self while making sure it would last for another 100 years. The main focus was creating an inviting atmosphere for The Napping Mouse, which specializes in fine stationary, paper creations, vintage finds, and more. Danny, who works in logistics, also wanted an office for his business in the back.

The Dugains linked up with several longtime residents, including John Goble, whose family goes back to the city's founding. He was able to offer extensive insight into the building's history as the Dugains began the renovation process. They learned the structure was actually built in an alley between two other shops, including a long-gone pharmacy on the north side.

As Danny began the construction work, he realized the old structure had issues — the biggest being the roof. Sometime during the 1980s, someone had put another roof on top of the original. When Danny checked, both roofs looked near collapse.

That's when he found the first of several treasures: the original wood used for the roof and ceiling.

"I thought it was oak, at first," he said, "but it turned out to be longleaf pine."

Longleaf pine is a highly desirable wood but extremely hard to find. Instead of having to work with reclaimers or specialty dealers, the Dugains hit the mother lode at home. Danny used the pine for the interior ceiling. More reclaimed wood from the building was used to accent the entrance doors.

The couple also tore out the original pier-and-beam floor and foundation in favor of concrete. While peeling back the floor, they discovered more treasures: a number of old bottles of elixirs once sold by the pharmacy next door.

"And bones, lots of dead animal bones," Danny added. They salvaged the bottles but didn't keep the bones. The discoveries continued outside, where they spied cobblestones peeking through the worn concrete. At first, Danny wanted to cover the rough spots, but someone pointed out their significance.

At one time, the city's sidewalks were all cobblestone. They've since been covered in concrete.

"They're some of the original cobblestones," Danny said.

"Except this little spot," Berenice pointed out.

Perhaps the ultimate find came when the Dugains turned their attention to the walls. Goble recommended Danny expose the original stone, which had been plastered over. As he began renovations on the bottom of the interior south wall, he noticed something underneath: words.

Pulling off the plaster, those words took meaning. The Dugains uncovered two early 20th-century advertisements. One read, "Hooper's Herblon for Puny People," while the other touted "Tetter," admonishing folks not to scratch their saddle itch but use its cream instead.

"They were advertisements for the pharmacy," Berenice said.

The wall bore a number of bullet holes as well.

The Dugains left the advertisements and the remnants of an old gun battle intact.

Looking back, Danny said the restoration was more work than he first anticipated, but he and Berenice have no regrets.

"I tried to bring back the building to its original look," Danny said.

The Dugains see the effort as preserving a part of Burnet that might have otherwise faded into the past.

"We had to do this," Berenice said. "There are so many wonderful buildings we lose, we couldn't let that happen to this one."

The Napping Mouse is located at 304 S. Main St. in Burnet. Along with the old advertising murals and historic fixtures, visitors can check out a wide range of products.

EXHIBIT B

304 S. Main Street - Building



EXHIBIT C

304 S. Main Street - Sidewalk





Development Services

ITEM 4.7

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING DUPLEX – DISTRICT R-2 ZONING TO LOT 1E; BLOCK 4 (PT OF 5 AC); KERR DONATION S4150, WHICH IS FURTHER DESCRIBED AS 305 N RHOMBERG STREET; 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 Duplex – District R-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: No recommendation

ORDINANCE NO. 2017-22

AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING DUPLEX – DISTRICT R-2 ZONING TO LOT 1E; BLOCK 4 (PT OF 5 AC); KERR DONATION S4150, WHICH IS FURTHER DESCRIBED AS 305 N RHOMBERG STREET; 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 September 5, 2017, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assign Duplex – District R-2 zoning to Lot 1E; Block 4 (Pt of 5 AC); Kerr Donation S4150 which is further described as 3015 N Rhomberg Street; and

WHEREAS, The City Council of the City of Burnet, on September 12, 2017 did conduct its own public hearing for the purpose of taking public comment regarding the same proposal to assign Duplex – District R-2 zoning to Lot 1E; Block 4 (Pt of 5 AC); Kerr Donation S4150; 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 Duplex – District R-2 zoning to Lot 1E; Block 4 (Pt of 5 AC); Kerr Donation S4150 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. Duplex – District R-2 zoning to Lot 1E; Block 4 (Pt of 5 AC); Kerr Donation S4150 which is further described as 305 N Rhomberg Street.

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 12th day of September 2017.

FINALLY PASSED AND APPROVED on this 26th day of September, 2017.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 4.8

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY GRANTING A CONDITIONAL USE PERMIT FOR ERECTION AND OPERATION OF A COMMUNICATION TOWER TO BE LOCATED ON A 1.92 ACRE TRACT LOCATED IN THE JOHN HAMILTON SURVEY NO. 1; ABSTRACT NO. 405 WHICH IS FURTHER DESCRIBED AS 1008 SHERRARD STREET; ESTABLISHING CONDITIONS FOR SAID PERMIT; 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 erection and operation of a communication tower to be located at 1008 Sherrard Street. The Tower will replace an existing tower already located on the site.

Information: On September 5, 2017, the Planning and Zoning Commission, by unanimous vote, recommended approving the requested Conditional Use Permit with the conditions detailed in the attached ordinance.

Fiscal Impact: None

Recommendation: Staff concurs with the Planning and Zoning Commission and recommends approval of the first reading of Ordinance 2017-21 granting the requested Conditional Use Permit.

ORDINANCE NO. 2017-21

AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY GRANTING A CONDITIONAL USE PERMIT FOR ERECTION AND OPERATION OF A COMMUNICATION TOWER TO BE LOCATED ON A 1.92 ACRE TRACT LOCATED IN THE JOHN HAMILTON SURVEY NO. 1; ABSTRACT NO. 405 WHICH IS FURTHER DESCRIBED AS 1008 SHERRARD STREET; ESTABLISHING CONDITIONS FOR SAID PERMIT; 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 September 5, 2017, did conduct a public hearing for the purpose of taking public comment regarding the proposal to grant a Conditional Use Permit for erection and operation of a communication tower to be located on a 1.92 acre tract out of the John Hamilton Survey No.1, Abstract No. 405. Which is further described as 1008 Sherrard Street; and

WHEREAS, The City Council of the City of Burnet, on September 12, 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 erection and operation of a communication tower to be located on said 1008 Sherrard Street; 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 for erection and operation of a communication tower to be located on said 1008 Sherrard Street 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 erection and construction of a communication tower substantially configured as illustrated on Exhibits A and B, copies of which is attached hereto and incorporated for all purposes herein, said tower to be located on that 1.92 acre tract out of the John Hamilton Survey No. 1, Abstract No. 405 which is further described as 1008 Sherrard Street.

Section 3. Permit Conditions. The communication tower to be erected and operated under the Conditional Use Permit granted hereby shall be subject to the following conditions:

- (a) Building and electrical permits shall be obtained from the City of Burnet prior to commencing tower construction.
- (b) Airport Board and FAA approvals are prerequisite requirements for issuance of a building permit.
- (c) The permit shall be open-ended, except that a new Conditional Use Permit shall be required for any alteration to the tower requiring additional FAA approval.

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 12th day of September 2017.

FINALLY PASSED AND APPROVED on this 26th day of September, 2017.

CITY OF BURNET, TEXAS

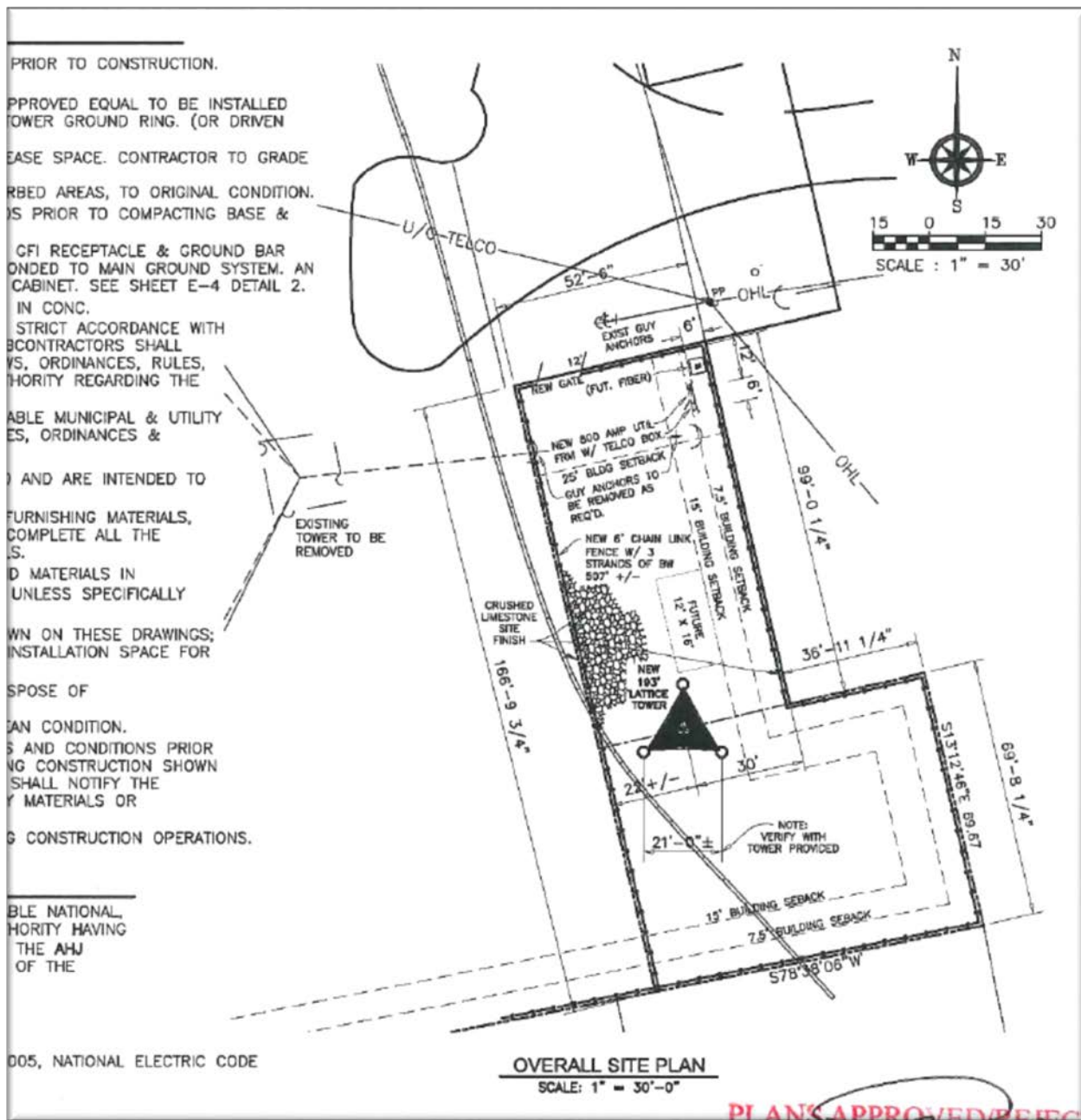
Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

EXHIBIT A 1008 SHERRARD STREET

Tower Location



Tower Elevation





Development Services

ITEM 4.9

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: 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: The Planning and Zoning Commission has forwarded the Heritage Valley North Preliminary Plat with a unanimous recommendation for approval.

Information: Staff concurs with the Planning and Zoning Commission's determination and also recommends that the preliminary plat be approved.

Recommendation: Approve the Heritage Valley North Preliminary Plat.

EXHIBIT A





Public Works Department

ITEM 4.10

Gene Courtney
Director of Public Works
(512)-756-2402
gcourtney@cityofburnet.com

Agenda Item Brief

Meeting Date:	September 12, 2017
Agenda Item:	Discuss and consider action: Acceptance of Utility Easements for 1001 East Polk and 1015 East Polk: G. Courtney
Background:	Three phase electric is needed.
Information:	Dave Wolf owner of the ice machine located at the corner of Hill and Polk is moving the machine to the Shell station parking lot located at 1015 East Polk. In order to install and service the machine with three phase power we requested a Utility Easement along the property line between 1001 and 1015 East Polk.
Fiscal Impact:	None
Recommendation:	A motion to approve the Utility Easements as presented.

PUBLIC UTILITY EASEMENT

DATE: **September 11, 2017**

GRANTOR: **Preecha Wanapun, an individual.**

GRANTOR'S MAILING ADDRESS (including County): **1015 East Polk, Burnet, Burnet
County, Texas 78611**

GRANTEE: **City of Burnet, Texas**

GRANTEE'S MAILING ADDRESS (including County): **1001 Buchanan Drive Suite 4, Burnet,
Burnet County, Texas 78611**

LIENHOLDER: **None**

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY:

TRACT ONE, BEING A 3,267 SQUARE FEET EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 1.739 ACRE TRAC DESCRIBED IN A DOCUMENT TO PREECHA WANAPUN, RECORDED IN DOCUMENT NO. 200711786, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 3,267 SQUARE FEET EASEMENT BEING MORE PARTICULARLY DESCRIBED BY THE SURVEY ATTACHED HERETO AS EXHIBIT "A" AND THE METES AND BOUNDS DESCRIPTION ATTACHED HERETO AS EXHIBIT "B";

GRANTOR, for the **CONSIDERATION** paid to **GRANTOR**, hereby grants, sells, and conveys to **GRANTEE**, its successors and assigns, an exclusive, perpetual easement for all purposes necessary for installing, operating and maintaining any and all desired utility services within said easement, including but not limited to placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed, constructed, operated, repaired, maintained, rebuilt, replaced, relocated and removed structures or improvements reasonably necessary for the supplying of electric, water and/or sanitary sewer service and all other utility services deemed necessary by the **GRANTEE** in, upon, under and across the **PROPERTY** more fully described and as shown in Exhibit "A" attached hereto.

GRANTOR and **GRANTOR's** heirs, successors, and assigns shall retain the right to use all or part of the **PROPERTY** as long as such use does not interfere with **GRANTEE's** use of the **PROPERTY** for the purposes provided for herein. **GRANTEE** shall have the right to eliminate any encroachments into the **PROPERTY** that interfere with **GRANTEE's** use of the **PROPERTY** as a Public Utility Easement.

TO HAVE AND TO HOLD the above-described easement, together with all and singular the rights and appurtenances thereto in anyway belonging unto **GRANTEE**, and **GRANTEE's** successors

and assigns forever; and **GRANTOR** does hereby bind itself, its successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto **GRANTEE**, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

When the context requires, singular nouns and pronouns include the plural.

GRANTOR:

By: Preecha Wanapun, an individual

THE STATE OF TEXAS §
 §
COUNTY OF BURNET §

This instrument was acknowledged before me the _____ day of _____, 2017, by Preecha Wanapun, an individual.

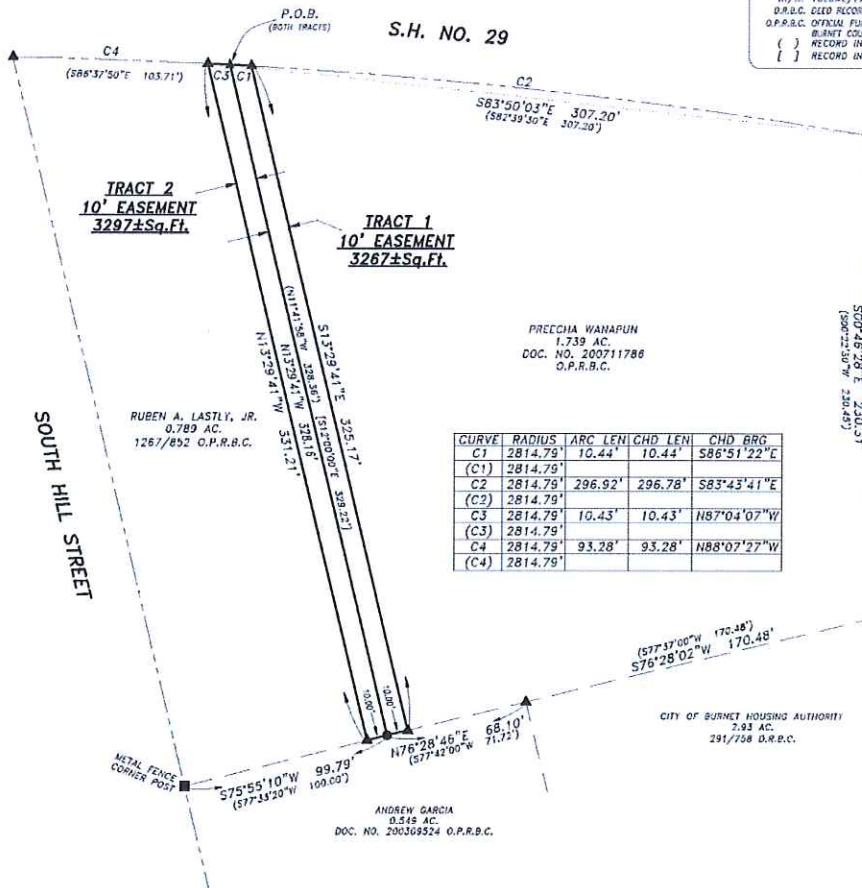
NOTARY PUBLIC STATE OF TEXAS

After recording return to:
City of Burnet, Texas
P.O. Box 1369
Burnet, Texas 78611

EXHIBIT "A"



LEGEND	
●	1/2" IRON PIN FOUND (UNLESS NOTED)
▲	MAG NAIL FOUND
△	CALC POINT
...	VOLUME/PAGE
D.B.C.	DEED RECORDS BURNET CO.
O.P.R.B.C.	OFFICIAL PUBLIC RECORDS BURNET COUNTY
()	RECORD INFO/SUBJECT
[]	RECORD INFO/ADJOINER



NOTES:
1) SUBJECT PROPERTY IS LOCATED WITHIN ZONE 3 (AREAS OUTSIDE THE 100 YR FLOOD) AS GRAPHICALLY IDENTIFIED ON FEMA F.I.R.M., MAP NO. 46050C0340F, EFFECTIVE 03/15/2012.
2) BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE.

EASEMENT LOCATIVE EXHIBIT

LOCAL ADDRESS: S.H. 29, BURNET, BURNET COUNTY, TEXAS.

LEGAL DESCRIPTION:

TRACT 1: BEING A 3267 SQUARE FEET EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 1.739 ACRE TRACT DESCRIBED IN A DOCUMENT TO PRECCHA WANAPUN, RECORDED IN DOCUMENT NO. 200711786, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 3267 SQUARE FEET EASEMENT BEING MORE PARTICULARLY DESCRIBED BY SEPARATE METES AND BOUNDS DESCRIPTION OF EVEN DATE TO ACCOMPANY THIS SURVEY.

TRACT 2: BEING A 3297 SQUARE FEET EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 0.789 ACRE TRACT DESCRIBED IN A DOCUMENT TO RUBEN A. LASTLY, JR., RECORDED IN VOLUME 1267, PAGE 852, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 3297 SQUARE FEET EASEMENT BEING MORE PARTICULARLY DESCRIBED BY SEPARATE METES AND BOUNDS DESCRIPTION OF EVEN DATE TO ACCOMPANY THIS SURVEY.

SUBJECT TO CURRENT CITY OF BURNET LAND USE AND SUBDIVISION ORDINANCES

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND MAY HAVE ADDITIONAL ENCUMBRANCES, SURVEYOR NOT RESPONSIBLE FOR ANY ENCUMBRANCES THAT A TITLE COMMITMENT MAY DISCLOSE.

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THIS PROFESSIONAL SERVICE MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS OF PRACTICE AS ESTABLISHED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

Kyle P. Cuplin DATED 08/22/2017
KYLE P. CUPLIN, R.P.L.S. NO. 5938



1 SHEET OF 3	PROJ. NO. 171051	1500 OLLIE LANE MARBLE FALLS, TX. 78654 PH.325-388-3300/830-693-8815 WWW.CUPLINASSOCIATES.COM	SCALE 1" = 50'	2
	PREPARED FOR: DAVID WOLFE			1
	TECH: KC LUST			DATE
	APPROVED: K.CUPLIN			DESCRIPTION
	FIELDWORK PERFORMED ON: 8/18/2017			REVISIONS
	COPYRIGHT © 2017			
	PROFESSIONAL FIRM NO: 10126950			

EXHIBIT "B"
TRACT 1

Prepared For: David Wolfe
Project No.: 171051
Date: 8/22/2017

BEING A 3267 SQUARE FEET EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 1.739 ACRE TRACT DESCRIBED IN A DOCUMENT TO PREECHA WANAPUN, RECORDED IN DOCUMENT NO. 200711786, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 3267 SQUARE FEET EASEMENT BEING MORE PARTICULARLY DESCRIBED IN METES AND BOUNDS DESCRIPTION AS FOLLOWS:

BEGINNING at a mag nail found at the northwest corner of said 1.739 acre tract, and hereof, in the south right-of-way line of State Highway No. 29, and at the northeast corner of a called 0.789 acre tract described in a document to Ruben A. Lastly, Jr., recorded in Volume 1267, Page 852, Official Public Records, Burnet County, Texas, from whence a 1/2" iron pin found at the northeast corner of said 1.739 acre tract bears South 83°50'03" East, a distance of 307.20', at the beginning of a curve to the right;

THENCE along the south right-of-way line of said State Highway, the north line of said 1.739 acre tract, and hereof, and along said curve to the right having an arc length of 10.44', a radius of 2814.79', a chord bearing of South 86°51'22" East, and a chord length of 10.44' to a point for corner;

THENCE South 13°29'41" East, over and across said 1.739 acre tract, 10' east of and parallel with the west line of said 1.739 acre tract, a distance of 325.17' to a point for corner in the south line of said 1.736 acre tract, at the southeast corner hereof, in the north line of a called 0.549 acre tract described in a document to Andrew Garcia, recorded in Document No. 200309524, Official Public Records, Burnet County, Texas;

THENCE South 76°28'46" West, along the north line of said Garcia tract, the south line of said 1.739 acre tract, and hereof, a distance of 10.00' to a 1/2" iron pin found at the southwest corner of said 1.739 acre tract, and hereof, and the southeast corner of said 0.789 acre tract, from whence a metal fence corner post found at the southwest corner of said 0.789 acre tract bears South 75°55'10" West, a distance of 99.79';

THENCE North 13°29'41" West, along the east line of said 0.789 acre tract, the west line of said 1.739 acre tract, and hereof, a distance of 328.16' to the Point of Beginning, containing 3267 square feet, more or less.

PUBLIC UTILITY EASEMENT

DATE: **September 11, 2017**

GRANTOR: **Ruben A. Lastly, Jr., an individual.**

GRANTOR'S MAILING ADDRESS (including County): **716 North Vanderveer, Burnet, Burnet County, Texas 78611.**

GRANTEE: **City of Burnet, Texas**

GRANTEE'S MAILING ADDRESS (including County): **1001 Buchanan Drive Suite 4, Burnet, Burnet County, Texas 78611**

LIENHOLDER: **None**

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY:

TRACT TWO, BEING A 3,297 SQUARE FEET EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 0.789 ACRE TRACT DESCRIBED IN A DOCUMENT TO RUBEN A. LASTLY, JR., RECORDED IN VOLUME 1267, PAGE 852, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 3,297 SQUARE FEET EASEMENT BEING MORE PARTICULARLY DESCRIBED BY THE SURVEY ATTACHED HERETO AS EXHIBIT "A" AND THE METES AND BOUNDS DESCRIPTION ATTACHED HERETO AS EXHIBIT "B".

GRANTOR, for the **CONSIDERATION** paid to **GRANTOR**, hereby grants, sells, and conveys to **GRANTEE**, its successors and assigns, an exclusive, perpetual easement for all purposes necessary for installing, operating and maintaining any and all desired utility services within said easement, including but not limited to placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed, constructed, operated, repaired, maintained, rebuilt, replaced, relocated and removed structures or improvements reasonably necessary for the supplying of electric, water and/or sanitary sewer service and all other utility services deemed necessary by the **GRANTEE** in, upon, under and across the **PROPERTY** more fully described and as shown in Exhibit "A" attached hereto.

GRANTOR and **GRANTOR's** heirs, successors, and assigns shall retain the right to use all or part of the **PROPERTY** as long as such use does not interfere with **GRANTEE's** use of the **PROPERTY** for the purposes provided for herein. **GRANTEE** shall have the right to eliminate any encroachments into the **PROPERTY** that interfere with **GRANTEE's** use of the **PROPERTY** as a Public Utility Easement.

TO HAVE AND TO HOLD the above-described easement, together with all and singular the rights and appurtenances thereto in anyway belonging unto **GRANTEE**, and **GRANTEE's** successors

and assigns forever; and **GRANTOR** does hereby bind itself, its successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto **GRANTEE**, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

When the context requires, singular nouns and pronouns include the plural.

GRANTOR:

By: Ruben A. Lastly, Jr., an individual

THE STATE OF TEXAS §
 §
COUNTY OF BURNET §

This instrument was acknowledged before me the ____ day of _____, 2017, by Ruben A. Lastly, Jr., an individual.

NOTARY PUBLIC STATE OF TEXAS

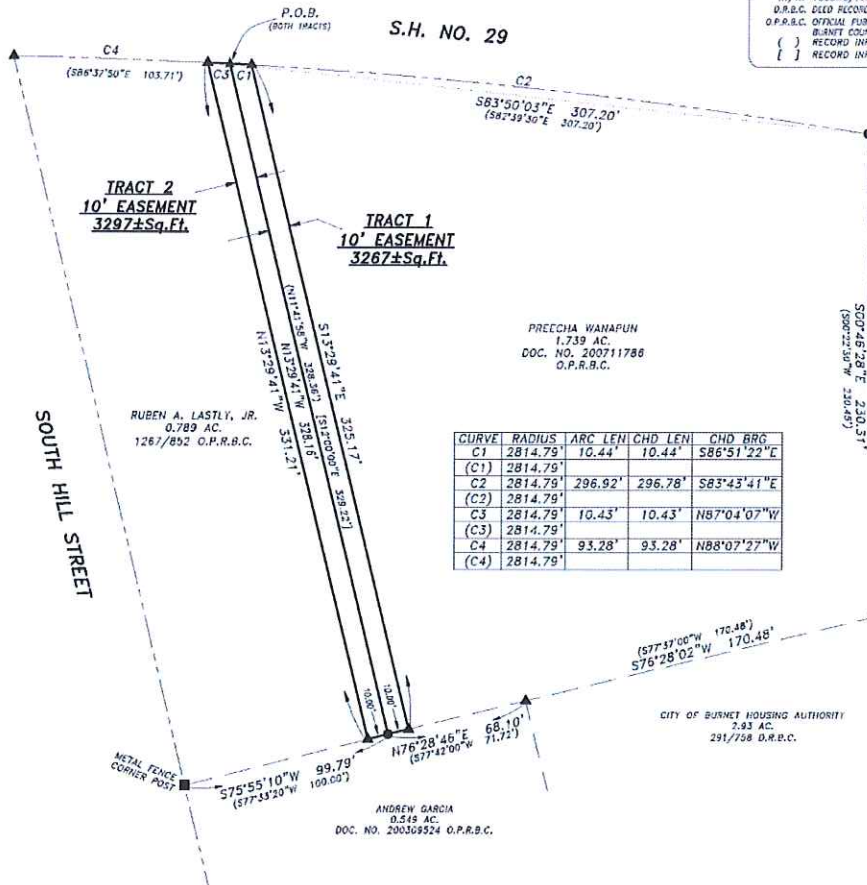
After recording return to:
City of Burnet, Texas
P.O. Box 1369
Burnet, Texas 78611

EXHIBIT "A"



LEGEND

- 1/2" IRON PIN FOUND (UNLESS NOTED)
- ▲ MAG NAIL FOUND
- △ CALC POINT
- ... VOLUME/PAGE
- O.P.B.C. DEED RECORDS BURNET CO.
- O.P.B.C. OFFICIAL PUBLIC RECORDS
- BURNET COUNTY
- () RECORD INFO/SUBJECT
- [] RECORD INFO/ADJOINER



NOTES:
1) SUBJECT PROPERTY IS LOCATED WITHIN ZONE X (AREAS OUTSIDE THE 100 YR FLOOD) AS GRAPHICALLY IDENTIFIED ON FEMA F.I.R.M., MAP NO. 46050C0340F, EFFECTIVE 03/15/2012.
2) BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE.

EASEMENT LOCATIVE EXHIBIT

LOCAL ADDRESS: S.H. 29, BURNET, BURNET COUNTY, TEXAS.

LEGAL DESCRIPTION:

TRACT 1: BEING A 3267 SQUARE FEET EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 1.739 ACRE TRACT DESCRIBED IN A DOCUMENT TO PRECCHA WANAPUN, RECORDED IN DOCUMENT NO. 200711786, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 3267 SQUARE FEET EASEMENT BEING MORE PARTICULARLY DESCRIBED BY SEPARATE METES AND BOUNDS DESCRIPTION OF EVEN DATE TO ACCOMPANY THIS SURVEY.

TRACT 2: BEING A 3297 SQUARE FEET EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 0.789 ACRE TRACT DESCRIBED IN A DOCUMENT TO RUBEN A. LASTLY, JR., RECORDED IN VOLUME 1267, PAGE 852, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 3297 SQUARE FEET EASEMENT BEING MORE PARTICULARLY DESCRIBED BY SEPARATE METES AND BOUNDS DESCRIPTION OF EVEN DATE TO ACCOMPANY THIS SURVEY.

SUBJECT TO CURRENT CITY OF BURNET LAND USE AND SUBDIVISION ORDINANCES

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND MAY HAVE ADDITIONAL ENCUMBRANCES, SURVEYOR NOT RESPONSIBLE FOR ANY ENCUMBRANCES THAT A TITLE COMMITMENT MAY DISCLOSE.

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THIS PROFESSIONAL SERVICE MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS OF PRACTICE AS ESTABLISHED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

Kyle P. Cuplin
KYLE P. CUPLIN, R.P.L.S. NO. 5938 DATED 08/22/2017



SHEET
1 OF 3

PROJ. NO. 171051
PREPARED FOR: DAVID WOLFE
TECH: KC LUST
APPROVED: K. CUPLIN
FIELDWORK PERFORMED ON: 8/18/2017
COPYRIGHT: 2017 PROFESSIONAL FIRM NO: 10124900

1500 OLLIE LANE
MARBLE FALLS, TX. 78654
PH. 325-388-3300/830-693-8815
WWW.CUPLINASSOCIATES.COM

SCALE 1" = 50'
0 25 50

2	
1	
DATE	NO.
REVISIONS	

EXHIBIT "B"

TRACT 2

BEING A 3297 SQUARE FEET EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 0.789 ACRE TRACT DESCRIBED IN A DOCUMENT TO RUBEN A. LASTLY, JR., RECORDED IN VOLUME 1267, PAGE 852, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 3297 SQUARE FEET EASEMENT BEING MORE PARTICULARLY DESCRIBED IN METES AND BOUNDS DESCRIPTION

BEGINNING at a mag nail found at the northeast corner of said 0.789 acre tract, and hereof, in the south right-of-way line of State Highway No. 29, and at the northwest corner of a called 1.739 acre tract described in a document to Preecha Wanapun recorded in Document No. 200711786, Official Public Records, Burnet County, Texas, from whence a 1/2" iron pin found at the northeast corner of said 1.739 acre tract bears South 83°50'03" East, a distance of 307.20',

THENCE South 13°29'41" East, with the west line of said 1.739 acre tract, the east line of said 0.789 acre tract, and hereof, a distance of 328.16' to a 1/2" iron pin found at the southwest corner of said 1.739 acre tract, the southeast corner of said 0.789 acre tract, and hereof, in the north line of a called 0.549 acre tract described in a document to Andrew Garcia, recorded in Document No. 200309524, Official Public Records, Burnet County, Texas, from whence a metal fence corner post found at the southwest corner of said 0.789 acre tract bears South 75°55'10" West, a distance of 99.79';

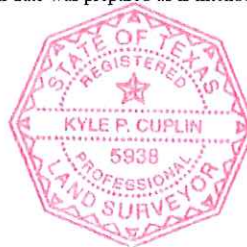
THENCE South 75°55'10" West, with the north line of said Garcia tract, the south line of said 0.789 acre tract, and hereof, a distance of 10.00' to point at the southwest corner hereof;

THENCE North 13°29'41" West, over and across said 0.789 acre tract, 10' west of and parallel with the east line of said 0.789, a distance of 331.21' to a point in the south right-of-way line of said State Highway, in the north line of said 0.789 acre tract, at the northwest corner hereof, at the beginning of a curve to the right;

THENCE along said highway right-of-way line, the north line of said 0.789 acre tract, and hereof, and along said curve to the right having an arc length of 10.43', a radius of 2814.79', a chord bearing of South 87°04'07" East, and a chord length of 10.43' to the Point of Beginning, containing 3297 square feet, more or less.

I hereby certify that this survey was prepared on the ground and was surveyed by me or under my direct supervision and that this professional service meets or exceeds the current minimum standards of practice as established by the Texas Board of Professional Land Surveying. Basis of Bearings are to Texas Coordinate System, Central Zone. A Plat of Survey of even date was prepared as is intended to accompany the above described tract of land.


Dated: 08/22/2017
Kyle P. Cuplin
Registered Professional Land Surveyor No. 5938



1500 Ollie Lane, Marble Falls, Texas 78654
PH: 325.388.3300 Fax: 325.388.3320 Prof. Firm No. 10126900
www.cuplinassociates.com



Public Works Department

ITEM 4.11

Gene Courtney
Director of Public Works
(512)-756-2402
gcourtney@cityofburnet.com

Agenda Item Brief

Meeting Date:	Sept 12, 2017
Agenda Item:	Discuss and consider action: Acceptance of a Utility and Drainage Easement for CR 200 and Hills of Shady Grove: G. Courtney
Background:	The utilities were installed along CR 200 during phase 1 construction of the Hills of Shady Grove subdivision.
Information:	During a planning review of the CR 200 drainage project staff noticed there was no Utility or Drainage Easement on record. We have met with the developer and he has signed off on the easement as proposed.
Fiscal Impact:	None
Recommendation:	A motion to approve the Utility and Drainage Easement, as presented.

PUBLIC UTILITY AND DRAINAGE EASEMENT

DATE: **[DATE]**

GRANTOR: **Stehling Ways and Means, Inc.**

GRANTOR'S MAILING ADDRESS (including County): **19 Beaver Island, Marble Falls, Burnet County, Texas 78654**

GRANTEE: **City of Burnet, Texas**

GRANTEE'S MAILING ADDRESS (including County): **1001 Buchanan Drive Suite 4, Burnet, Burnet County, Texas 78611**

LIENHOLDER: **None**

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY:

TRACT ONE, BEING A 0.032 ACRE (1,413 SQUARE FEET) EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, BEING OUT OF A 20.012 ACRE TRACT DESCRIBED IN A DOCUMENT TO STEHLING WAYS AND MEANS, INC., RECORDED IN VOLUME 1099, PAGE 945, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 0.032 ACRE EASEMENT LYING CONTIGUOUS WITH AND SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BURNET COUNTY ROAD NO. 200 AND BEING MORE PARTICULARLY DESCRIBED BY THE SURVEY ATTACHED HERETO AS EXHIBIT "A" AND THE METES AND BOUNDS DESCRIPTION ATTACHED HERETO AS EXHIBIT "B"; and

TRACT TWO, BEING A 0.304 ACRE (13,231 SQUARE FEET) EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, BEING OUT OF A CALLED 20.012 ACRE TRACT DESCRIBED IN A DOCUMENT TO STEHLING WAYS AND MEANS, INC., RECORDED IN VOLUME 1099, PAGE 945, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 0.304 ACRE EASEMENT LYING CONTIGUOUS WITH AND SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BURNET COUNTY ROAD NO. 200 AND BEING MORE PARTICULARLY DESCRIBED BY THE SURVEY ATTACHED HERETO AS EXHIBIT "A" AND THE METES AND BOUNDS DESCRIPTION ATTACHED HERETO AS EXHIBIT "C".

GRANTOR, for the **CONSIDERATION** paid to **GRANTOR**, hereby grants, sells, and conveys to **GRANTEE**, its successors and assigns, an exclusive, perpetual easement for all purposes necessary for installing, operating and maintaining any and all desired utility services within said easement, including but not limited to placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed, constructed, operated, repaired,

maintained, rebuilt, replaced, relocated and removed structures or improvements reasonably necessary for the supplying of electric, water and/or sanitary sewer service and all other utility services deemed necessary by the **GRANTEE**; and for all purposes necessary to install, construct, maintain, repair, modify, upgrade, monitor, inspect, replace, make connections with, remove, and decommission drainage channels, drainage conveyance structures, and detention and water quality controls with all associated roads, gates, bridges, culverts, erosion control structures, and other appurtenances in, upon, under and across the **PROPERTY**.

GRANTOR and **GRANTOR's** heirs, successors, and assigns shall retain the right to use all or part of the **PROPERTY** as long as such use does not interfere with **GRANTEE's** use of the **PROPERTY** for the purposes provided for herein. **GRANTEE** shall have the right to eliminate any encroachments into the **PROPERTY** that interfere with **GRANTEE's** use of the **PROPERTY** as a Public Utility and Drainage Easement.

TO HAVE AND TO HOLD the above-described easement, together with all and singular the rights and appurtenances thereto in anyway belonging unto **GRANTEE**, and **GRANTEE's** successors and assigns forever; and **GRANTOR** does hereby bind itself, its successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto **GRANTEE**, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

When the context requires, singular nouns and pronouns include the plural.

GRANTOR:

Stehling Ways and Means, Inc., a Texas corporation

By: Herbert R. Stehling, President

THE STATE OF TEXAS §
 §
COUNTY OF BURNET §

This instrument was acknowledged before me the ____ day of _____, 2017, by Herbert R. Stehling, President of Stehling Ways and Means, Inc., a Texas corporation.

(SEAL)

After recording return to:
City of Burnet, Texas
P.O. Box 1369
Burnet, Texas 78611

NOTARY PUBLIC, STATE OF TEXAS

[illegible]

EXHIBIT "B"
TRACT 1

Prepared For: City of Burnet
Project No.: 17688
Date: 7/14/2017

BEING A 0.032 ACRE (1,413 SQUARE FEET) EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, BEING OUT OF A 20.012 ACRE TRACT DESCRIBED IN A DOCUMENT TO STEHLING WAYS AND MEANS, INC., RECORDED IN VOLUME 1099, PAGE 945, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 0.032 ACRE EASEMENT LYING CONTIGUOUS WITH AND SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BURNET COUNTY ROAD NO. 200, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS:

BEGINNING at a 1/2" iron pin set at the northwest corner hereof, in the south right-of-way line of said County Road No. 200, at the northwest corner of said 20.012 acre tract and at the northeast corner of a called 0.305 acre tract described in a document to Pedro A. Salazar, recorded in Document No. 201203827, Official Public Records, Burnet County, Texas;

THENCE North 50°08'37" East, with the southerly right-of-way line of said County Road 200, the northerly line of said 20.012 acre tract, and the northerly line hereof, a distance of 48.32' to a 1/2" iron pin set with easement cap at the northwest corner of a called 15' x 50' access easement described in a document to the City of Burnet, recorded in Volume 1327, Page 191, Official Public Records, Burnet County, Texas;

THENCE South 39°51'23" East, along the easterly line hereof, the westerly line of said City of Burnet access easement, and the westerly line of a called 0.06 acre tract described in a document to the City of Burnet, recorded in Volume 1327, Page 191, Official Public Records, Burnet County, Texas, a distance of 24.74' to a 1/2" iron pin set with easement cap in the westerly line of said 0.06 acre tract;

THENCE South 50°23'41" West, over and across said 20.012 acre tract, a distance of 66.52' to a 1/2" iron pin set with easement cap in the east line of said Salazar tract, the west line of said 20.012 acre tract, and hereof;

THENCE North 03°11'00" West, along the east line of said Salazar tract, the west line of said 20.012 acre tract, and hereof, a distance of 30.48' to the **POINT OF BEGINNING**, containing 0.032 acres(1413 square feet), more or less.

EXHIBIT "C"
TRACT 2

BEING A 0.304 ACRE (13,231 SQUARE FEET) EASEMENT OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, BEING OUT OF A CALLED 20.012 DESCRIBED IN A DOCUMENT TO STEHLING WAYS AND MEANS, INC., RECORDED IN VOLUME 1099, PAGE 945, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 0.304 ACRE EASEMENT LYING CONTIGUOUS WITH AND SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BURNET COUNTY ROAD NO. 200, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS:

BEGINNING at a 1/2" iron pin found in the south right-of-way line of said County Road No. 200, at its intersection with the west right-of-way line of Shady Grove Parkway, a public road described in The Hills of Shady Grove, Section One, a subdivision in Burnet County, Texas, recorded in Cabinet 3, Slide 102D, Plat Records of Burnet County, Texas, and in the north line of the remnant of said 20.012 acre tract;

THENCE South 39°50'56" East, along the west right-of-way line of said Shady Grove Parkway and the east line hereof, a distance of 23.23' to a 1/2" iron pin set with easement cap;

THENCE South 49°40'12" West, over and across said 20.012 acre tract and the southerly line hereof, a distance of 320.96' to a point for 1/2" iron pin set with easement cap;

THENCE South 50°23'41" West, continuing across said 20.012 acre tract, and the southerly line hereof, a distance of 210.54' to a 1/2" iron pin set with easement cap in the east line of a called 0.06 acre tract described in a document to the City of Burnet, recorded in Volume 1327, Page 191, Official Public Records, Burnet County, Texas;

THENCE North 39°51'23" West, along the easterly line of said 0.06 acre tract, and the westerly line hereof, a distance of 24.95' to a 1/2" iron pin set with easement cap at the northeast corner of a called 15' x 50' access easement described in a document to the City of Burnet, recorded in Volume 1327, Page 191, Official Public Records, Burnet County, Texas, in the south right-of-way line of said County Road No. 200, and the northerly line of said 20.012 acre tract;

THENCE North 50°08'37" East, along the southerly right-of-way line of said County Road No. 200 the northerly line of said 20.012 acre tract, and hereof, a distance of 531.49' to the **POINT OF BEGINNING**, containing 0.304 acres(13,231 square feet), more or less.

I hereby certify that this survey was prepared on the ground and was surveyed by me or under my direct supervision and that this professional service meets or exceeds the current minimum standards of practice as established by the Texas Board of Professional Land Surveying. Basis of Bearings are to Texas Coordinate System, Central Zone. A Plat of Survey of even date was prepared as is intended to accompany the above described tract of land.



Dated: 07/14/2017
Kyle P. Cuplin
Registered Professional Land Surveyor No. 5938



1500 Ollie Lane, Marble Falls, Texas 78654
PH: 325.388.3300 Fax: 325.388.3320 Prof. Firm No. 10126900
www.cuplinassociates.com

Page 3 of 3



Administration

ITEM 4.12

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

Agenda Item Brief

Meeting Date:	September 12, 2017
Agenda Item:	Discuss and consider action: Cancellation of the November 28 th , 2017 and the December 26 th , 2017 Regular City Council meetings: K. Dix
Background:	
Information:	Several Council Members will be unavailable due to the Thanksgiving and Christmas Holidays.
Fiscal Impact:	None.
Recommendation:	Staff recommends cancellation of the November 28 th , 2017 December 26 th , 2017 regular City Council Meeting.



Administration

ITEM 4.13

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: Discuss and consider action: Authorize the Mayor to execute a letter of engagement with Jaynes, Reitmier, Boyd & Therrell, P. C. for audit services for the 2016/2017 fiscal year audit: D. Vaughn

Background:

Information: The City Auditors, Jaynes, Reitmier, Boyd & Therrell, P.C. have submitted a letter of engagement to conduct the 2016/2017 Fiscal Year Audit for the City of Burnet.

Fiscal Impact Estimated cost of the audit will be \$36,500. This is a budgeted item.

Recommendation: Recommend approval.



JAYNES REITMEIER BOYD & THERRELL, P.C.
Certified Public Accountants
5400 Bosque Blvd., Ste. 500 | Waco, TX 76710
P.O. Box 7616 | Waco, TX 76714
Main 254.776.4190 | Fax 254.776.8489 | jrbt.com

August 28, 2017

PRIVATE

The City Council and City Manager
City of Burnet, Texas
P.O. Box 1369
Burnet, Texas 78611

Ladies and Gentlemen:

The following represents our understanding of the services we will provide the City of Burnet, Texas (the "City").

You have requested that we audit the governmental activities, the business-type activities, each major fund, and the aggregate discretely presented component unit and remaining fund information of the City as of September 30, 2017, and for the year then ended and the related notes to the financial statements, which collectively comprise the City's basic financial statements listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of expressing an opinion on each opinion unit applicable to those basic financial statements.

Accounting principles generally accepted in the United States of America ("U.S. GAAP"), as promulgated by the Governmental Accounting Standards Board ("GASB"), require that management's discussion and analysis and certain information related to the net pension liability (collectively, the "RSI") be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the RSI in accordance with auditing standards generally accepted in the United States of America ("U.S. GAAS"). These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by U.S. GAAP. The following RSI will be subjected to certain limited procedures, but will not be audited:

- Management's Discussion and Analysis
- Schedule of Changes in the City's Net Pension Liability and Related Ratios
- Schedule of Contributions

Supplementary information other than RSI will accompany the City's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves and additional procedures in accordance with U.S. GAAS. We intend to provide an opinion on the following supplementary information in relation to the financial statements as a whole:

- Combining Balance Sheet – Nonmajor Governmental Funds
- Combining Statement of Revenues, Expenditures, and Changes in Fund Balances
– Nonmajor Governmental Funds

Auditor Responsibilities

We will conduct our audit in accordance with U.S. GAAS. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements.

An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. If appropriate, our procedures will therefore include tests of documentary evidence that support the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of cash, investments, and certain other assets and liabilities by correspondence with creditors and financial institutions. As part of our audit process, we will request written representations from your attorneys, and they may bill you for responding. At the conclusion of our audit, we will also request certain written representations from you about the basic financial statements and related matters.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements (whether caused by errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations) may not be detected exists, even though the audit is properly planned and performed in accordance with U.S. GAAS.

In making our risk assessments, we consider internal control relevant to the City's preparation and fair presentation of the basic financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the basic financial

statements that we have identified during the audit. Our responsibility as auditors is, of course, limited to the period covered by our audit and does not extend to any other periods.

We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Compliance with Laws and Regulations

As previously discussed, as part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we will perform tests of the City's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Other Services

We will also assist in preparing the financial statements and related notes of the City in conformity with U.S. generally accepted accounting principles based on information provided by you. With respect to any nonattest services we perform, the City's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Management Responsibilities

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance, acknowledge and understand that they have responsibility:

- a. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
- b. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements; and
- c. To provide us with:

- i. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements such as records, documentation, and other matters;
 - ii. Additional information that we may request from management for the purpose of the audit; and
 - iii. Unrestricted access to persons within the City from whom we determine it necessary to obtain audit evidence.
- d. For including the auditor's report in any document containing financial statements that indicates that such financial statements have been audited by the City's auditor;
- e. For identifying and ensuring that the City complies with the laws and regulations applicable to its activities;
- f. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole; and
- g. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited financial statements, or if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management written confirmation concerning representations made to us in connection with the audit.

Reporting

We will issue a written report upon completion of our audit of the City's basic financial statements. Our report will be addressed to the City Council of Burnet, Texas. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

Other

We understand that your employees will prepare all confirmations we request and will locate any documents or support for any other transactions we select for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications. Additionally, our firm may transmit confidential information that you provided us to third parties in order to facilitate delivering our services to you. We have obtained confidentiality agreements with all our service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have the appropriate procedures in place to prevent the unauthorized release of confidential information to others. We will remain responsible for the work provided by any third-party service providers used under this agreement. By your signature below, you consent to having confidential information transmitted to entities outside the firm. Please feel free to inquire if you would like additional information regarding the transmission of confidential information to entities outside the firm.

Engagement Administration, Timing and Fees

We expect to begin our audit on approximately September 5, 2017 for interim fieldwork, on approximately November 27, 2017 for year-end fieldwork, and to issue our reports no later than February 28, 2018. Diana Ward is the engagement partner for the audit services specified in this letter. Her responsibilities include supervising Jaynes, Reitmeier, Boyd & Therrell, P.C.'s (JRBT) services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fee for these services, which is based on our standard hourly rates discounted for the City, will be approximately \$33,500 plus out-of-pocket costs (such as postage and travel), except that we agree our all-inclusive gross fee (including out-of-pocket costs), will not exceed \$36,500. Our hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to the City's audit. The fee estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Our invoices for these fees will be rendered monthly as work progresses and are payable on presentation. Service fees will be assessed on any amount outstanding more than 30 days after the invoice date at a rate equal to one and one-half percent per month. Further, in accordance with our firm policies, work may be suspended if the City's account becomes 30 days or more overdue and will not be resumed until the City's account is paid in full. If we elect to terminate

our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. The City will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket expenditures through the date of termination.

Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

You agree to inform us of facts that may affect the basic financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

At the conclusion of our audit engagement, we will communicate to the City Council the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

City of Burnet, Texas
August 28, 2017
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The audit documentation for this engagement is the property of JRBT and constitutes confidential information. However, we may be requested to make certain audit documentation available to federal and state agencies providing direct or indirect funding or the U.S. Government Accountability Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such documentation will be provided under the supervision of JRBT personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,

Jaynes. Reitmeier, Boyd + Therrell, P.C.

RESPONSE:

Acknowledged and agreed on behalf of the City of Burnet, Texas by:

Governance Signature: _____

Title: _____

Date: _____

Management Signature: _____

Title: _____

Date: _____



City Manager

ITEM 6.1

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: 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

Background:

Information:

Fiscal Impact:

Recommendation: To be determined by Council.



City Manager

ITEM 6.2

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: 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 the possible purchase of approximately 2.657 acres of land from the Burnet Housing Authority: D. Vaughn

Background:

Information:

Fiscal Impact:

Recommendation: To be determined by Council.



City Manager

ITEM 6.3

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: 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 the Morris property located at 2600 and 2708 North Water Street: D. Vaughn

Background:

Information:

Fiscal Impact:

Recommendation: To be determined by Council.



City Manager

ITEM 7.1

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: Discuss and consider action: Regarding economic development negotiations with Entegris: D. Vaughn

Background:

Information: This executive session is to receive information from Entegris regarding their request for economic incentives.

Fiscal Impact: To be determined

Recommendation: No action is requested at this time.



Administration

ITEM 7.2

Evan Milliorn
Administrative Services
(512) 715 - 3200
emilliorn@cityofburnet.com

Agenda Item Brief

Meeting Date:	September 12, 2017
Agenda Item:	Discuss and consider action: Purchase of 2.657 acres of land from the Burnet Housing Authority. E. Milliorn
Background:	Connecting Hamilton Creek Park to the Galloway Hammond property was established as a City Council goal at the 2017 Budget Retreat.
Information:	<p>Staff's initial approach was to obtain a walking trail easement connecting the two parks. After several conversations with the Burnet Housing Authority, staff realized obtaining an easement presented more challenges and instead proposed to purchase the property.</p> <p>The property currently has a walking trail on it along with several mature oak trees. There is also very dense vegetation that needs to be removed at some point in the future.</p>
Fiscal Impact:	None.
Recommendation:	Staff recommends approval of property purchase.



City Manager

ITEM 7.3

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

Agenda Item Brief

Meeting Date: September 12, 2017

Agenda Item: Discuss and consider action: Regarding the Morris property located at 2600 and 2708 North Water: D. Vaughn

Background:

Information: TxDOT has funds remaining in the airport grant for land acquisition. Staff has recently become aware that property owned by the Morris family, next to the vet clinic, may be available for acquisition. This parcel is the only property eligible for acquisition with the remaining grant funding.

Fiscal Impact: To be Determined

Recommendation: To be discussed in executive session.