



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 **9th day of April, 2019** 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) Proclamation: Child Abuse Prevention Month: Marsha Neel
- 1.2) Chamber of Commerce Report

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 March 26th, 2019 Council Workshop Meeting minutes
- 2.2) Approval of the March 26th, 2019 Regular Council Meeting minutes

3. PUBLIC HEARINGS:

- 3.1) Public Hearing: The City Council of the City of Burnet, Texas will hold a public hearing regarding a request to rezone approximately 0.44 acre, legally described as Block 16, Lots 5 and 6, Johnson Addition, from its present designation of Single-

Family Residential – District “R-1” to a designation of Manufactured Home – District “M-1,” said property being generally located on the northeast corner of Westfall Street and East Marble Street: W. Meshier

3.2) Public Hearing: The City Council of the City of Burnet, Texas will hold a public hearing regarding a request to rezone approximately 4.010 acres, legally described as Lot 4-D out of the Administrative Replat of Lot 4, Algerita Heights, Phase One, from its present designation of Medium Commercial – District “C-2” to a designation of Heavy Commercial – District “C-3,” AND being generally located on the southwest corner of East Polk Street (State Hwy. 29) and Algerita Hill: W. Meshier

4. ACTION ITEMS:

4.1) Discuss and consider action: Award of Wastewater Manhole Rehabilitation Project B: A. Burdell

4.2) Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET ADOPTING A DROUGHT CONTINGENCY PLAN AND WATER EMERGENCY PLAN; REPEALING ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS: A. Burdell

4.3) Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 0.44 ACR, LEGALLY DESCRIBED AS BLOCK 16, LOTS 5 AND 6, JOHNSON ADDITION, FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF MANUFACTURED HOME – DISTRICT “M-1,” AND BEING GENERALLY LOCATED ON THE NORTHEAST CORNER OF WESTFALL STREET AND EAST MARBLE STREET: W. Meshier

4.4) Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 4.010 ACRES, LEGALLY DESCRIBED AS LOT 4-D OUT OF THE ADMINISTRATIVE REPLAT OF LOT 4, ALGERITA HEIGHTS, PHASE ONE, FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF HEAVY COMMERCIAL – DISTRICT “C-3,” AND BEING GENERALLY LOCATED ON THE SOUTHWEST CORNER OF EAST POLK STREET (STATE HWY. 29) AND ALGERITA HILL: W. Meshier

4.5) Discuss and consider action: Final Plat of Eagle’s Nest Section 3, consisting of approximately 17.45 acres, legally described as Lot 76R out of Eagle’s Nest Section 2, and being generally located on the east side of Eagle Ridge, approximately 1,100 feet north of the intersection with Buchanan Drive (State Hwy. 29): W. Meshier

4.6) Discuss and consider action: A request for approval of a proposed septic system on a 1.039 acre tract, legally described as Lot 1D out of the Flight Line Boulevard

Subdivision, being generally located on the west side of South Water St. (State Hwy. 281), north of the intersection with County Road 340A, as required by City of Burnet Code of Ordinances Sec. 98-45(a) (2): W. Meshier

4.7) Discuss and consider action: Authorization and approval for the City of Burnet to participate in an Employee Assistance Program (EAP) with Alliance Work Partners: D. Vaughn

4.8) Discuss and consider action: Approval of Street Committee List: J. Simons

4.9) Discuss and consider action: Acceptance of the award of the LCRA Community Development Partnership Program (CDPP) grant in the amount of \$50,000: L. Baugh

4.10) Discuss and consider action: Approve and authorize City Manager to sign a contract with LCRA to perform substation inspection, maintenance and testing. G. Courtney

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.

Item 5.1(A.3) Commemorative Air Force Report: D. Bonorgen

6. REQUESTS FROM COUNCIL FOR FUTURE REPORTS:

7. ADJOURN:

Dated this 4th day, of April, 2019

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 April 4, 2019, 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 City of Burnet prides itself on giving back to our communities, contributing to the quality of life among our citizens; and

Whereas, the Burnet County Child Welfare Board and Texas Department of Family Protective Services provide assistance and services for abused and neglected children; and has the cooperation of other agencies such as CASA and the Hill Country Children's Advocacy Center; and

Whereas, Burnet County has an extraordinary number of children who suffer some form of abuse or neglect each year; and

Whereas, through a national effort, Burnet County community members are encouraged to join together to raise awareness for those children fallen victim to abuse and neglect throughout the month of April; and

Whereas, this effort will give abused and neglected children in our community, and around the country, a chance for a safe and positive future.



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, urge all citizens to join in a national effort to raise awareness and to help prevent child abuse and neglect, and as support for that effort, do hereby declare the month of April 2019 as

Burnet County Child Abuse Prevention and Awareness Month

In witness thereof, I have hereunto set my hand and caused the seal of the City of Burnet to be affixed this, the 9th day of April, 2019.

Crista Goble Bromley, Mayor

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

On this the 26th day of March, 2019, 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	Paul Farmer, Joyce Laudenschlager, Mary Jane Shanes, Tres Clinton
Absent	Danny Lester, Cindia Talamantez
City Manager	David Vaughn
City Secretary	Kelly Dix

Guests: Wallis Meshier, Evan Milliorn, Gene Courtney, Patricia Langford, Paul Nelson, Jonny Simons, Doug Fipps, Craig Lindholm, Bettye Foulds

Call to Order: Mayor Bromley called the meeting to order at 5:00 p.m.

Proposed Tree Ordinance: Development Services Director Wallis Meshier presented Council with proposed changes to the subdivision and zoning sections of the Code of Ordinances pertaining to tree preservation, mitigation and removal. Several options were discussed. Ms. Meshier will provide Council with a draft of the proposed ordinance amendments at a future council meeting.

Adjourn: There being no further business the workshop was adjourned at 5:58 p.m.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix , City Secretary

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

On this the 26th day of March, 2019, 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 Paul Farmer, Joyce Laudenschlager, Mary Jane Shanes, Danny
 Lester, Tres Clinton

Absent Cindia Talamantez

City Manager David Vaughn

City Secretary Kelly Dix

Guests: Evan Milliorn, Gene Courtney, Paul Nelson, Alan Burdell, Jonny Simons, Doug Fipps, Patricia Langford, Craig Lindholm, Bettye Foulds, Savanna Gregg

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

INVOCATION: Council Member Mary Jane Shanes

PLEDGE OF ALLEGIANCE: Council Member Tres Clinton

PLEDGE TO TEXAS FLAG: Council Member Tres Clinton

PUBLIC RECOGNITION/SPECIAL REPORTS:

Chamber of Commerce Report: Chamber Director Kim Winkler requested the report to be moved to the April 9, 2018 regular City Council Meeting.

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 March 12th, 2019 Regular City Council Meeting minutes

Council Member Joyce Laudenschlager moved to approve the consent agenda as presented.

Council Member Mary Jane Shanes seconded, the motion carried unanimously.

PUBLIC HEARING: None.

ACTION ITEMS:

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 15.789 ACRES OUT OF THE SARAH ANN GUEST SURVEY, PART OF TRACT 29 (INSIDE CITY), ABSTRACT NUMBER A1525, FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL—DISTRICT “R-1” TO A DESIGNATION OF HEAVY COMMERCIAL—DISTRICT “C-3,” SAID TRACT BEING ADDRESSED AS 2050 EAST POLK STREET (STATE HWY. 29), AND BEING GENERALLY LOCATED EAST OF THE INTERSECTION OF EAST POLK STREET (STATE HWY. 29) AND THE RAILROAD: W. Meshier: Council Member Joyce Laudenschlager moved to approve and adopt Ordinance 2019-08 as presented. Council Member Danny Lester seconded the motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 6.84 ACRES FROM ITS PRESENT DESIGNATION OF HEAVY COMMERCIAL—DISTRICT “C-3” TO A

DESIGNATION OF PLANNED UNIT DEVELOPMENT–DISTRICT “PUD,” SAID PROPERTY BEING LEGALLY DESCRIBED AS LOT 7-E OF THE REPLAT OF LOT NO. 7-C EAST SIDE COMMERCIAL PARK, AND GENERALLY LOCATED ON THE NORTH SIDE OF EAST POLK STREET (STATE HWY. 29), IMMEDIATELY EAST OF THE INTERSECTION WITH COKE STREET; ADOPTING A PLANNED UNIT DEVELOPMENT PLAN KNOWN AS EAST SIDE COMMERCIAL PUD NO. 1: W. Meshier: Council Member Danny Lester moved to approve and adopt Ordinance 2019-09 as presented. Council Member Joyce Laudenschlager seconded the motion carried unanimously.

Discuss and consider action: Authorize the sale of Lot 7-E of the Eastside Commercial Park to R&L Partnership, LLC and the extension of the roads and other infrastructure as an authorized project of the Burnet Economic Development Corporation: D. Vaughn: Council Member Danny Lester made a motion to authorize the sale of Lot 7-E of the Eastside Commercial Park to R&L Partnership, LLC and the extension of the roads and other infrastructure as an authorized project of the Burnet Economic Development Corporation as presented. Council Member Paul Farmer seconded, the motion carried unanimously.

Discuss and consider action: Burnet County Memorandum of Understanding with the City of Burnet for Blood Draw Services: D. Vaughn: Council Member Mary Jane Shanes moved to approve the Memorandum of Understanding between Burnet County and the City of Burnet for Blood Draw Services as presented. Council Member Tres Clinton seconded, the motion carried unanimously.

Discuss and consider action: A Memorandum of Understanding with Burnet County and the City of Burnet as a participating agency: D. Vaughn: Council Member Paul Farmer made a motion to approve the Memorandum of Understanding between Burnet County and the City of Burnet to designating the Burnet Police Department as a participating agency. Council Member Tres Clinton seconded the motion carried unanimously.

REPORTS:

February 2019 Financial Report: P. Langford: Director of Finance Patricia Langford reviewed the February 2019 Financial Report to include revenue, expenses, and fund balances for all of the department funds. Ms. Langford reported that all departments are tracking with budget projections.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 6:25 p.m., seconded by Council Member Joyce Laudenschlager. The motion carried unanimously.

ATTEST:

Crista Goble Bromley, Mayor

Kelly Dix, City Secretary



Development Services

ITEM 3.1

Wallis Meshier
Director of Development Services
(512) 715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: April 9, 2019

Agenda Item: Public Hearing: The City Council of the City of Burnet, Texas will hold a public hearing regarding a request to rezone approximately 0.44 acre, legally described as Block 16, Lots 5 and 6, Johnson Addition, from its present designation of Single-Family Residential – District “R-1” to a designation of Manufactured Home – District “M-1,” said property being generally located on the northeast corner of Westfall Street and East Marble Street: W. Meshier

Background: This item is for consideration of a request to rezone the tract of land located on the northeast corner of East Marble Street and Westfall Street, (see Exhibit A). The tract is currently undeveloped and zoned “R-1” (Single-Family Residential) (see Exhibit B). The property owner has submitted a request to have the tract rezoned to a designation of “M-1” (Manufactured Home).

Information: District “M-1” (Single-Family Residential) is governed by Sec. 118-38 of the Code of Ordinances and allows “detached single-family manufactured homes and single family detached dwellings with a minimum of 1,100 square feet of living area, and related accessory structures, on a minimum lot size of 7,600 square foot.”

When acting on a zone change request, the usual factors considered include consistency with the Future Land Use Map (FLUM) and existing patterns of development. The zoning requested for this property is consistent with the FLUM recommendation for this area.

Chapter 1 of the City’s Comprehensive Development Plan includes the following statements:

The Comprehensive Plan is the “official statement of a municipal governing body which sets forth its major policies concerning desirable future physical development of the community.”

The [Comprehensive Development] Plan [...] provides general policy guidelines and principles for achieving physical development goals.

[The Comprehensive Plan] is an instrument to guide the physical development of the community in an orderly and constructive manner. [...] The plan is intended to provide local elected officials with a foundation upon which sound decisions can be made regarding the future physical development of the City of Burnet.

Chapter 5 of the Plan notes the following regarding future land use:

The primary purpose of land use planning is to set forth policies regarding existing and future uses of public and private property. The plan establishes the types of relationships among land uses that a city would like to encourage.

The plan should recognize the need for diversity of types of development.

Staff Analysis: The Future Land Use Map identifies the subject parcel as being intended for residential use (See Exhibit C). The Future Land Use Map assumptions in this area are generally correct, and should be supported.

The subject property is abutted on the east, west, and south sides by property zoned “R-1” (Single-Family Residential). The property immediately to the north is zoned “R-2” (Duplex). In addition, there are approximately twenty-four (24) properties within 1,000 feet of the subject property that are currently zoned “M-1” (Manufactured Home).

Staff finds that the requested “M-1” (Manufactured Home) zoning is consistent with the adopted Future Land Use Map, and is in keeping with the neighboring land uses.

Public Notice: A Notice of Public Hearing was published in the Burnet Bulletin on March 20, 2019 and written notices were mailed to twenty-one (21) surrounding property owners regarding this request. As of the date of this report, one letter in opposition to the request has been received.

Exhibit "A"
Location Map



Exhibit "B"
Zoning Map

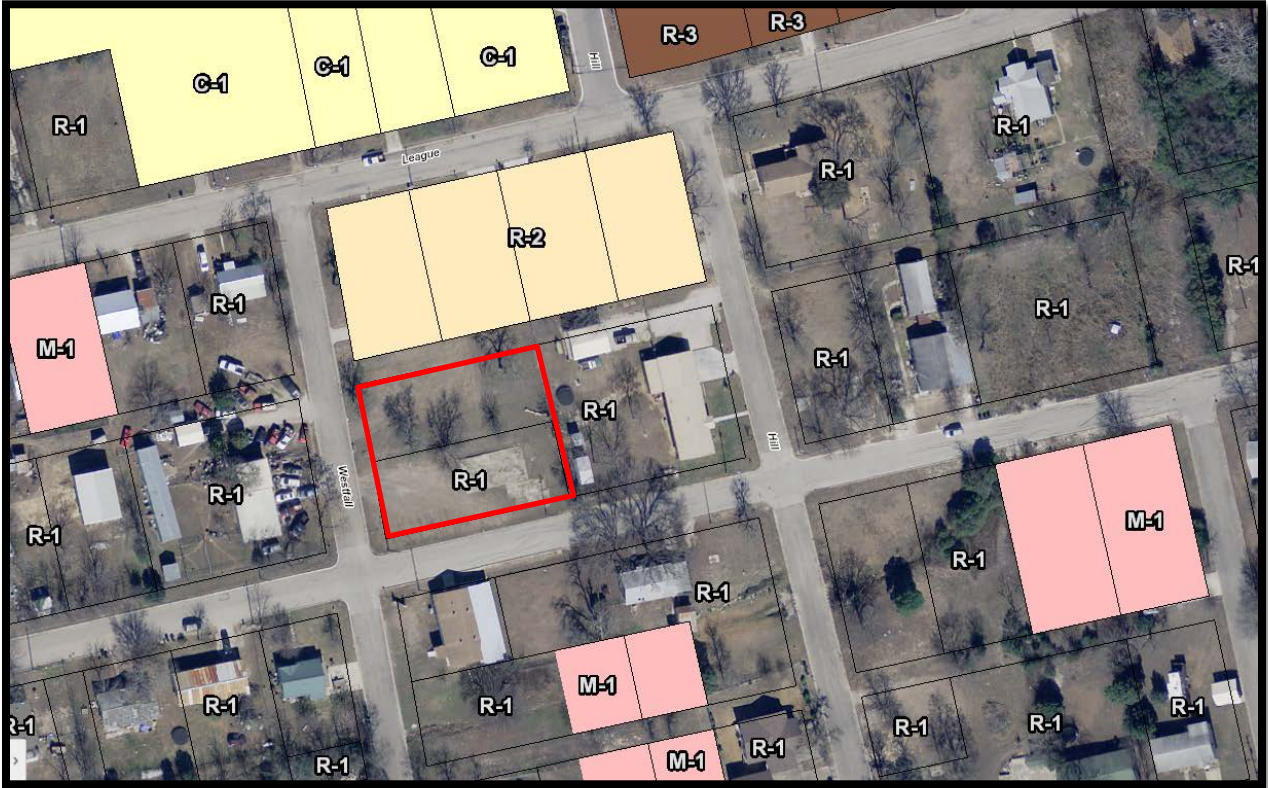
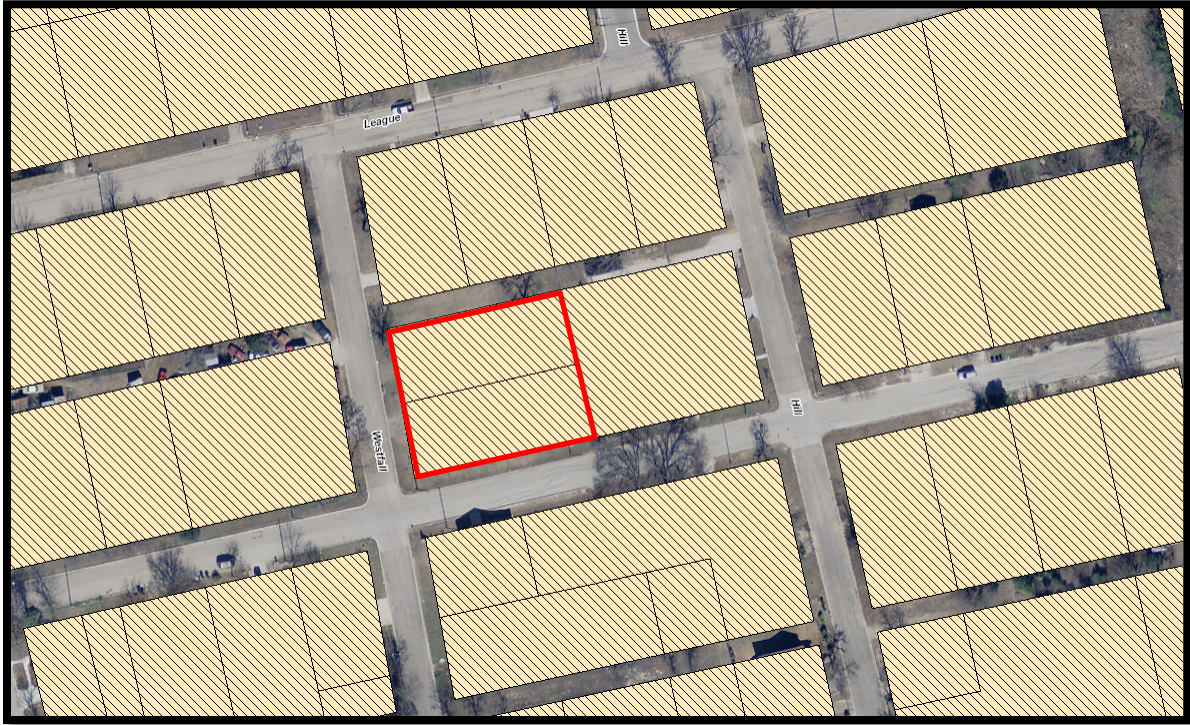


Exhibit "C"
Future Land Use Map (FLUM)



Residential



Development Services

ITEM 3.2

Wallis Meshier
Director of Development Services
(512) 715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: April 9, 2019

Agenda Item: Public Hearing: The City Council of the City of Burnet, Texas will hold a public hearing on a request to rezone approximately 4.010 acres, legally described as Lot 4-D out of the Administrative Replat of Lot 4, Algerita Heights, Phase One, from its present designation of Medium Commercial – District “C-2” to a designation of Heavy Commercial – District “C-3,” said property being generally located on the southwest corner of East Polk Street (State Hwy. 29) and Algerita Hill.

Background: This item is for consideration of a request to rezone the tract of land located on the southwest corner of East Polk Street (State Hwy. 29) and Algerita Hill, (see Exhibit A). The tract is currently undeveloped and zoned “C-2” (Medium Commercial) (see Exhibit B). The property was rezoned from “A-1” (Agriculture) to “C-2” (Medium Commercial) in May 2012. The property owner has submitted a request to have the tract rezoned from “C-2” (Medium Commercial) to a designation of “C-3” (Heavy Commercial) for purposes of operating an RV storage facility.

Information: District “C-3” (Heavy Commercial) is governed by Sec. 118-47 of the Code of Ordinances and allows automobile repair, RV parks, lumber yards, truck stops, heavy machinery sales and storage, and other similar heavy commercial uses.

When acting on a zone change request, the usual factors considered include consistency with the Future Land Use Map (FLUM) and existing patterns of development. The zoning requested for this property is consistent with the FLUM recommendation for this area.

Chapter 1 of the City’s Comprehensive Development Plan includes the following statements:

The Comprehensive Plan is the “official statement of a municipal governing body which sets forth its major policies concerning desirable future physical development of the community.”

The [Comprehensive Development] Plan [...] provides general policy guidelines and principles for achieving physical development goals.

[The Comprehensive Plan] is an instrument to guide the physical development of the community in an orderly and constructive manner. [...] The plan is intended to provide local elected officials with a foundation upon which sound decisions can be made regarding the future physical development of the City of Burnet.

Chapter 5 of the Plan notes the following regarding future land use:

The primary purpose of land use planning is to set forth policies regarding existing and future uses of public and private property. The plan establishes the types of relationships among land uses that a city would like to encourage.

The plan should recognize the need for diversity of types of development.

Staff Analysis: The Future Land Use Map identifies the subject parcel as being intended for commercial use (See Exhibit C). The Future Land Use Map assumptions in this area are generally correct, and should be supported.

An analysis of the property adjacent to the subject parcel is as follows:

	North	South	East	West
Zoning	R-1	C-2	R-1	R-1
FLUM	Commercial	Commercial	Commercial	Commercial
Land Use	Undeveloped	Low-Density Res.	Undeveloped	Low-Density Res.

Staff finds that the requested “C-3” (Heavy Commercial) zoning is consistent with the adopted Future Land Use Map. In addition, staff finds that the requested “C-3” (Heavy Commercial) zoning is appropriate for the subject property, given that it has direct frontage on East Polk Street (State Hwy. 29).

Public Notification: A Notice of Public Hearing was published in the Burnet Bulletin on March 20, 2019 and written notices were mailed to eight (8) surrounding property owners regarding this request. As of the date of this report, one letter in opposition to the request has been received.

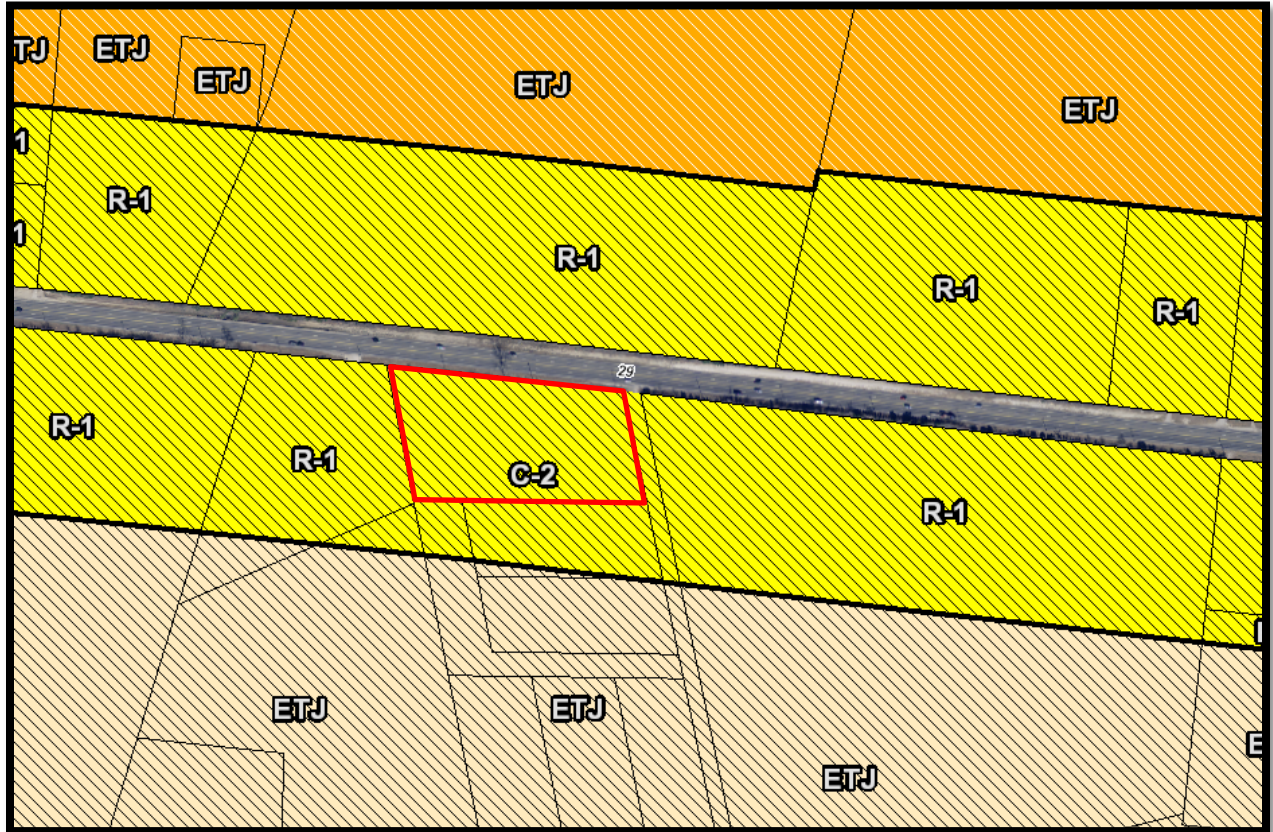
Exhibit "A"
Location Map



Exhibit "B"
Zoning Map



Exhibit "C"
Future Land Use Map (FLUM)



Commercial



Residential



Industrial



Water/Wastewater

ITEM 4.1

Alan Burdell
Water/Wastewater
Operations Manager
(512)-756-2402
aburdell@cityofburnet.com

Agenda Item Brief

Meeting Date:	April 9, 2019
Agenda Item:	Discuss and consider action: Award of Wastewater Manhole Rehabilitation Project B: A. Burdell
Background:	The TCEQ-SSES agreement requires rehabilitation of the manholes identified in Project B.
Information:	Project B is the final TCEQ required item in the SSES agreement.
Fiscal Impact:	(\$250,900.00)
Recommendation:	Staff recommends awarding base bid contract to Lewis Concrete Restoration.



3100 Alvin Devane Boulevard, Suite 150
Austin, Texas 78741-7425
Tel: 512.441.9493
Fax: 512.445.2286
www.jonescarter.com

April 3, 2019

Mr. David Vaughn, City Manager
City of Burnet
1001 Buchanan Drive, Suite 4
Burnet, Texas 78611

Re: Project B - Burnet Manhole Rehabilitation
Jones and Carter, Inc. Project Number 0A737-0005-00

Dear Mr. Vaughn:

We received bids for the referenced contract in the City of Burnet City Hall Conference Room on March 25, 2019 at 2:00 P.M. Bids were publicly opened and read at that time.

Five (5) contractors submitted proposals for this work. A copy of the bid tabulation is enclosed for your review. Lewis Concrete Restoration Corporation submitted the lowest bid proposal in the amount of \$250,900.00 for the base bid and a contract time of 75 calendar days.

Although we have not worked with Lewis Concrete Restoration Corporation in the past, we verified the references provided and find Lewis Concrete Restoration Corporation to be an acceptable contractor. We recommend that the referenced contract be awarded to Lewis Concrete Restoration Corp. on the basis of their proposal in the amount of \$250,900.00 with a contract duration of 75 calendar days.

Sincerely,


Jeff C. Haeber, PE, CFM
Manager
Hydrology and Hydraulics

JCH:jlb

K:\0A737\0A737-0005-00 2018 Sanitary Sewer Manhole Rehabilitation\3 Construction Phase\2. Bids and Bid Tab\ROA Project B Burnet Manhole Rehab 040319.docx

Enclosure

cc: Mr. Gene Courtney, Public Works Director – City of Burnet

		BID TABULATION SHEET			BIDS WERE RECEIVED IN THE OFFICE OF		
		City of Burnet		City of Burnet, Texas			
		Project B - Burnet Sanitary Sewer Manhole Rehabilitation				Time:	2:00 PM
		0A737-0005-00				Date:	March 25, 2019
	BIDDERS						
	Lewis Concrete Restoration Corp.	Redina Construction Company, Inc.	T. Gray Utility & Rehab Co., LLC	Facilities Rehabilitation Inc.	Southern Trenchless Solutions, LLC		
Total Base Bid	\$250,900.00	\$257,570.00	\$291,000.00	\$294,000.00	\$315,250.00		
Base Bid Calendar Days	75	120	145	90	90		
Total Alternate Items	\$50,625.00	\$39,600.00	\$30,600.00	\$33,750.00	\$37,350.00		
Alternate Calendar Days	30	30	30	60	30		
Bid Bond	X	X	X	X	X		
Addendum No. 1	X	X	X	X	X		
Addendum No. 2	X	X	X	X	X		
Addendum No. 3	X	X	X	X	X		



Water/Wastewater

ITEM 4.2

Alan Burdell
Water/Wastewater
Operations Manager
(512)-756-2402
aburdell@cityofburnet.com

Agenda Item Brief

Meeting Date:	April 9, 2019
Agenda Item:	Disucuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET ADOPTING A DROUGHT CONTINGENCY PLAN AND WATER EMERGENCY PLAN; REPEALING ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS: A. Burdell
Background:	Texas Water Code requires review and adoption of the Drought Contingency Plan and Water Emergency Plan every 5 years.
Information:	Section 12.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a drought contingency plan.
Fiscal Impact:	None
Recommendation:	Approve first reading of Ordinance 2019-10 as presented.

ORDINANCE NO. 2019-10

**AN ORDINANCE OF THE CITY OF BURNET, TEXAS,
AMENDING ORDINANCE 2015-16 AND SECTION 110-40
DROUGHT CONTINGENCY AND WATER EMERGENCY PLAN
OF THE BURNET CODE OF ORDINANCES IN ITS ENTIRETY;
ADOPTING A DROUGHT CONTINGENCY AND WATER
EMERGENCY PLAN; REPEALING ORDINANCES IN CONFLICT;
PROVIDING SEVERABILITY; ESTABLISHING AN EFFECTIVE
DATE; PROVIDING AN OPEN MEETINGS CLAUSE; AND
PROVIDING FOR RELATED MATTERS.**

WHEREAS, the City of Burnet, Texas recognizes that the amount of water available to the city and its water utility customers is limited and subject to depletion during periods of extended drought; and

WHEREAS, the City recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes; and

WHEREAS, Section 12-1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the citizens of Texas, the Burnet City Council deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

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

SECTION 1. Plan. That the City of Burnet, Texas Drought Contingency and Water Emergency Plan attached hereto and made part hereof for all purposes, is hereby amended in its entirety and adopted as the official policy of the City of Burnet.

SECTION 2. Ordinances in Conflict. That all ordinances that are in conflict with the provisions of the ordinance are, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. Severability. Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudicated or held unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 4. Effective Date. This ordinance shall take effect immediately from and after its passage upon final reading and the publication of the caption, as the law in such cases provides.

SECTION 5. 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, chapt. 551, Loc. Gov't Code.

PASSED AND APPROVED on First Reading this 9th day of April, 2019.

FINALLY PASSED AND APPROVED on this 16th day of April, 2019.

Crista Goble, Mayor
City of Burnet

ATTEST:

Kelly Dix, City Secretary
City of Burnet

APPROVED AS TO FORM:

Habib Erkan Jr. City Attorney
City of Burnet

The City of Burnet

Drought Contingency and Water Emergency Plan

SECTION 1. Approval of the Plan

The City Council hereby approves the City of Burnet's Drought Contingency and Water Emergency Plan (the "Plan"). The City commits to implement the program changes according to the procedures set forth in the Plan.

SECTION 2. Declaration of policy, purpose, and intent

(a) It is hereby declared that, because of the water conditions prevailing in the City, the water resources available to the City shall be put to the maximum beneficial use and that the waste, unreasonable use, or unreasonable method of use of water be prevented, and the conservation of such water to be extended with a view to the reasonable and beneficial use thereof in the interests of the people of the city and for the public health and welfare.

(b) Water uses regulated or prohibited under the Plan are considered to be nonessential uses, and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute Water Waste which subjects the offender(s) to enforcement as defined in Section 12 of this Plan.

SECTION 3. Public education

The City will periodically provide its employees, City Council, and the general public with information about this Plan, including the importance of the Plan, information about the conditions under which each stage of the Plan is to be initiated, processes used to reduce water use, and impending or current drought conditions.

SECTION 4. Coordination and compliance with regional groups

The City shall provide a copy of this Plan to the regional water planning groups for the service area of the City of Burnet to ensure consistency and coordination of drought contingency planning with the regional water planning groups.

SECTION 5. Authorization

The City Manager is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager shall have the authority to initiate or terminate drought response stages or other water supply emergency response measures as required for public health, safety and welfare.

SECTION 6. Application

The provisions of this Plan shall apply to all Customers and properties utilizing water provided by the City.

SECTION 7. Definitions

For the purpose of this Plan, the following definitions shall apply:

Auxiliary Source. A source of water other than the City's public water system which may include reuse effluent, raw, ground or well water or other such source as approved by the City.

City. The City of Burnet, Texas.

City Manager. The City Manager or any designated person acting on the City Manager's behalf.

Commercial/Nonresidential Customer. All other customers not classified as residential customer, including but not limited to businesses, industry, schools, churches, large properties, athletic fields, municipally sponsored public gatherings, government entities, multifamily developments larger than triplexes, and property management associations (e.g. homeowners associations).

Customer. Any person, company, organization, corporation, partnership, association or entity receiving water supplied by the City.

Drip Irrigation. A method of irrigation which is typically installed below ground and consists of porous piping or emitters which allow the application of water at a slow and constant rate.

Efficient Irrigation Technology. Irrigation techniques that use the latest technology with variables such as, but not limited to, soil moisture sensors, rain shutoff devices, and evapotranspiration based watering system controllers.

Outdoor Water Use. Includes, but is not limited to, watering lawns, shrubs, vegetables, athletic fields, large properties, and other types of outdoor vegetation; washing vehicles, boats, and trailers; use of landscape irrigation systems; refilling or adding water to swimming pools or wading pools or ponds; the operation of aesthetic or recreational devices such as water slides; the watering of patios, driveways, parking areas, streets, tennis courts, sidewalks or other paved areas; and the watering of ground for foundations.

Residential Customer. Any person, company, organization, or other legal type entity receiving water supplied by the City at a location where the principal use of the property is for single-family, duplex, or triplex habitation.

Soaker Hose. A perforated or permeable garden-type hose or pipe that is laid above ground that provides irrigation at a slow and constant rate.

Water Conservation. Those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or Water Waste, improve the efficiency in the use of water or increase

the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Water Waste. The following uses constitute a Water Waste:

- (a) Washing sidewalks, walkways, driveways, parking lots, tennis courts, patios or other hard-surfaced areas except to alleviate immediate health or safety hazards.
- (b) Allowing water to run off a property, or allowing water to pond in the street or parking.
- (c) Operating a permanently installed irrigation system with broken heads, with heads that are out of adjustment that spray more than 10% of the spray on street or parking lots, or that are misting.
- (d) Failure to repair a controllable leak(s) within ten (10) business days after having been given notice directing the repair of such leak(s).
- (e) Washing an automobile, truck, trailer, boat, airplane, or other mobile equipment with a handheld hose not equipped with a pistol grip nozzle or other device that automatically shuts off water flow when the hose is not being used.

SECTION 8. Triggering and termination criteria for drought response stages

- (a) The City Manager shall monitor the water supply and/or production and shall determine when conditions warrant initiation or termination of each drought response stage of the Plan.
- (b) The triggering criteria described below are based on Customer water consumption and water production/distribution system capacity; however, the stated triggering criteria are not intended as an exhaustive or finite listing, and regardless of whether any stated triggering criteria are present. The City Manager may initiate and/or terminate each drought response stage of the Plan to protect the public health, safety, and welfare, or as otherwise determined to be in the best interest of the City.

(1) Stage 1—Voluntary Water Conservation conditions.

(A) Requirements for initiation. This stage shall be considered the baseline Water Conservation stage for all customers of the City and will be implemented at all times when stages 2–4 are not in effect. Customers are requested to adhere to a voluntary twice-per-week outdoor watering schedule and adhere to the water restrictions, as provided for in Section 9 of this Plan, at all times. This stage is designed to promote water efficiency throughout the City.

(B) Target reduction goal. During this stage, the target reduction goal is 5-10%.

(2) Stage 2—Moderate water shortage conditions.

(A) Requirements for initiation. Customers shall be required to comply with the requirements and restrictions as provided for in Section 9 of this Plan from May 1 through September 30 of each year, and at such times when one or a combination of the following triggering criteria occurs:

(i) Total daily water demand equals or exceeds 80% of the total system distribution or treatment capacity for three consecutive days;

(ii) Weather conditions have occurred and/or are predicted to occur which could jeopardize the long-term sustainability of the City's water supply;

(iii) Any other system demand or supply factors that, in the opinion of the City Manager, could jeopardize the health, safety and welfare of the public.

(B) Target reduction goal. During this stage, the target reduction goal is 10%–20%.

(C) Requirements for termination. Stage 2 of the Plan shall automatically terminate on September 30th of each year, unless otherwise determined by the City Manager. Upon termination of Stage 2, Stage 1 becomes operative, unless otherwise determined by the City Manager.

(3) Stage 3—Severe water shortage conditions.

(A) Requirements for initiation. Customers shall be required to comply with the requirements and water use restrictions provided for in Section 9 for Stage 3 of this Plan when one or a combination of such triggering criteria occurs:

(i) Total daily water demand equals or exceeds 90% of the total system distribution or treatment capacity for three consecutive days;

(ii) Any other system demand or supply factors that, in the opinion of the City Manager, could jeopardize the health, safety and welfare of the public;

(iii) Weather conditions have occurred and/or are predicted to occur which could jeopardize the long-term sustainability of the City's water supply;

(iv) The declaration of a Drought Worse than the Drought of Record by the Lower Colorado River Authority.

(B) Target reduction goal. During this stage, the target reduction goal is a minimum of 20%.

(C) Requirements for termination. Stage 3 of the Plan may be rescinded by the City Manager when the total daily water demand is less than 90% of the total system distribution or treatment capacity for three consecutive days or as otherwise determined by the City Manager. Upon termination of Stage 3, Stage 2 becomes operative, unless otherwise determined by the City Manager.

(4) Stage 4—Emergency water shortage conditions.

(A) Requirements for initiation.

(i) Customers shall be required to comply with the requirements and restrictions for Stage 4 of this Plan when the City Manager declares it is in the best interest of the City due to emergency situations, or system demand/supply factors that could jeopardize the health, safety and welfare of the public.

(ii) Weather conditions have occurred and/or are predicted to occur which could jeopardize the long-term sustainability of the City's water supply;

(iii) The declaration of a Drought Worse than the Drought of Record by the Lower Colorado River Authority.

(B) Target reduction goal. During this stage, the target reduction goal is a minimum of 30%.

(C) Requirements for termination. Stage 4 of the Plan may be rescinded by the City Manager upon his/her determination that conditions that initiated Stage 4 have either improved or no longer exist. Upon termination of Stage 4, Stage 3 becomes operative unless otherwise determined by the City Manager.

SECTION 9. Drought response stages

The City shall monitor the water supply and/or production as needed and, in accordance with the triggering criteria set forth in Section 8 of the Plan, shall determine if a moderate, severe, or extreme condition exists and shall implement the following actions upon public notification:

(1) Stage 1—Voluntary Water Conservation stage. The goal for Stage 1 of the Plan is to maintain baseline Water Conservation measures and raise public and Customer awareness of water demand conditions. This stage is designed to promote water efficiency throughout the City.

(A) Voluntary water use measures.

(i) Water Customers shall voluntarily limit Outdoor Water Use by participating in the Twice-Per-Week watering schedule. Customers are encouraged to use the designated outdoor watering days, as provided for in Section 10 of this Plan.

(ii) Outdoor Water Use is discouraged between the hours of 10:00 a.m. and 7:00 p.m. except with handheld hoses equipped with a positive pistol grip nozzle or other device that automatically shuts off water flow when the hose is not being used, or handheld buckets. The following Outdoor Water Uses are exempt from the voluntary Twice-Per-Week watering schedule and can be done at any time of day:

- a. The irrigation of Commercial plant nurseries.
- b. Irrigation using an Auxiliary Source.
- c. Irrigation using a soaker hose or drip irrigation.
- d. New landscape installation during installation and the first twenty-one (21) days.
- e. The testing of new irrigation systems or existing irrigation systems being tested or under repair.

(iii) Water Customers are requested to practice Water Conservation and adhere to the restrictions provided for in each stage.

(iv) Water Waste is discouraged.

(2) Stage 2–Moderate water shortage conditions.

(A) Water use restrictions. Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

(i) Water Customers shall be required to limit Outdoor Water Use by participating in the Twice-Per-Week watering schedule for Outdoor Water Use. Outdoor Water Use shall only occur on designated outdoor watering days, and at designated times, as provided for in Section 10 of this Plan.

(ii) Drip Irrigation and soaker hoses are permitted for use at all times and are exempt from the weekly watering schedule and daily watering time restrictions. Soaker Hoses may be used at any time to water vegetable gardens or trees. Drip Irrigation attached to an automatic sprinkler system must have spray head zones turned off.

(iii) Notwithstanding other provisions to the contrary, Outdoor Water Use is prohibited between the hours of 10:00 a.m. and 7:00 p.m. except with handheld buckets or handheld hoses equipped with a positive pistol grip nozzle or other device that automatically shuts off water flow when the hose is not being used. Handheld watering can be done on any day without time restrictions. The following Outdoor Water Uses are exempt from the Twice-Per-Week watering schedule and can be done at any time of day:

- a. The irrigation of Commercial plant nurseries.
- b. Irrigation using an Auxiliary Source.
- c. Irrigation using a Soaker Hose or Drip Irrigation.
- d. New landscape installation during installation and the first twenty-one (21) days.
- e. The testing of new irrigation systems or existing irrigation systems being tested or under repair.

(iv) The washing of any motor vehicle, motorbikes, boats, trailers, airplanes and other vehicles is allowed on any day and can be done at any time of day. The washing shall be done with a handheld bucket or handheld hose equipped with a pistol grip nozzle or other device that automatically shuts off water flow when the hose is not being used.

(v) Splash pads and other Commercial recreational water devices are allowed to operate during this stage.

(vi) Commercially operated cosmetic power/pressure washing equipment is allowed providing it is fitted with a spray nozzle using no more than 3.5 gallons of water per minute and employing a working trigger shutoff with a protective weep mechanism. Equipment fitted with this technology is exempt from the watering schedule and is permitted for use at any time of day.

(vii) Use of water from fire hydrants shall be limited to firefighting and activities necessary to maintain public health, safety, and welfare. Use of water from designated fire hydrants for construction purposes may be allowed under special conditions and requires a meter.

(viii) Publicly owned parks, green spaces, athletic fields, golf courses and other similar public facilities shall be exempted from these restrictions.

(3) Stage 3—Severe water shortage conditions.

(A) Water use restrictions. Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (i) All requirements of Stage 2 shall remain in effect during Stage 3 except:
 - a. Water Customers shall be required to limit Outdoor Water Use by participating in the Once-Per-Week watering schedule for Outdoor Water Use. Outdoor Water Use shall only occur on designated outdoor watering days, and at designated times, as provided for in Section 10 of this Plan.
 - b. Water Use for the installation of new landscaping and the first twenty-one (21) days thereafter shall be exempted from the restrictions of this stage, except watering of new landscaping shall not be permitted between the hours of 10:00 am and 7:00 pm.
 - c. The operation of decorative water features is allowed if the fountain supports life and/or recirculates water.
 - d. Only those splash pads and other Commercial recreational water devices equipped with recirculating devices are allowed to operate during this stage.
 - e. Events involving the use of water such as festivals, parties, water slides, and other activities involving the use of water are permitted if the water being used drains to a recirculating device, or onto a pervious surface to prevent Water Waste.
 - f. The washing of any motor vehicle, motorbikes, boats, trailers, airplanes and other vehicles is allowed only on the Once-Per-Week watering schedule as provided for in Section 10. The washing shall be done with a handheld bucket or handheld hose equipped with a pistol grip nozzle or other device that automatically shuts off water flow when the hose is not being used.
 - g. Charity carwashes are allowed on any day at any time with a handheld hose equipped with a pistol grip nozzle or other device that automatically shuts off water flow when the hose is not being used.
 - h. Use of water for the irrigation of publicly owned parks, green spaces, athletic fields, golf courses and other similar public facilities may seek a variance to these restrictions, provided the variance provides for alternative methods to achieve the target reduction goals of this stage.

(4) Stage 4—Emergency water supply conditions.

(A) Water use restrictions. Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (i) All requirements of Stage 3 shall remain in effect during Stage 4 except:
 - a. Unless otherwise provided for herein, all outdoor irrigation using individual sprinklers or sprinkler systems is prohibited. All outdoor irrigation of vegetation must be done by hand-held hose equipped with a positive shut-off nozzle, drip irrigation, or a hand-held bucket on designated Outdoor Water Use days as outlined in the Once-Per-Week 5-Day Watering Schedule as provided for in Section 10. Use will be prohibited between the hours of 10:00 am and 7:00 pm.
 - b. Commercial plant nurseries may use only handheld hoses equipped with a positive pistol grip nozzle or other device that automatically shuts off water flow when the hose is not being used or handheld buckets.
 - c. All irrigation of landscaped areas is prohibited, including the use of drip and soaker hoses.
 - d. Commercial car washing facilities may operate for health and safety purposes only.
 - e. Use of water from fire hydrants shall be limited to firefighting and activities necessary to maintain public health, safety, and welfare only.
 - f. All cosmetic power/pressure washing is prohibited.
 - g. The washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment is prohibited.
 - h. Water use at events such as festivals, parties, water slides, and other activities is prohibited.
 - i. Operation of a splash pad or other similar aesthetic or recreational use of water is prohibited.
 - j. The use of ornamental fountains is prohibited unless the water is necessary to support aquatic life.
 - k. No permits shall be issued for the establishment of landscaping in new Residential and Commercial property.
 - l. Use of water for the irrigation of publicly owned parks, green spaces, athletic fields, golf courses and other similar public facilities shall may

seek a variance to these restrictions, provided the variance provides for alternative methods to achieve the target reduction goals of this stage.

m. Filling of all swimming pools, hot tubs, and wading pools, is prohibited except as otherwise provided for herein.

n. Replenishing of all swimming pools, hot tubs, and wading pools to maintenance level is permitted. Draining is permitted only onto pervious surfaces or onto a surface where water will be transmitted directly to a pervious surface, and only if:

1. Draining excess water from pool due to rain in order to lower water to maintenance level; or

2. Repairing, maintaining or replacing pool components that have become hazardous; or

3. Repair of a pool leak.

A. Single-family and Commercial pools. The automatic filling, refilling, or adding of potable water to Residential and Commercial swimming or wading pools and hot tubs due to a leak is prohibited. Residential swimming or wading pools and hot tubs may be refilled manually on the designated watering day before 10:00 a.m. and after 7:00 p.m., or may be refilled using an Auxiliary Source with no restriction.

B. Public pools. Refilling of public swimming pools as needed due to a leak is permitted on the designated watering day before 10:00 a.m. and after 7:00 p.m., or may be refilled using an Auxiliary Source with no restriction.

(B) In the event that severe water shortage conditions persist (Stage 4) for an extended period of time, the City Manager may order water rationing and/or terminate service to selected users of the system in accordance with the following sequence:

(i) Recreational users.

(ii) Commercial users (non-industrial).

(iii) Industrial users

(iv) Schools

(v) Residential users.

(vi) Hospitals

SECTION 10. Watering Schedules

Outdoor Water Use shall only occur on designated days, dependent upon the last digit of the address which appears on the utility bill for the property in question. The schedule is as follows:

Twice-Per-Week Watering Schedule

	Mon/Thur	Tue/Fri	Wed/Sat
Address Ending with #:	1,2, 5 or 6	3,4, 7 or 8	9 or 0

Once-Per-Week Watering Schedule

	Monday	Tuesday	Wednesday	Thursday	Friday
Address Ending with #:	1 or 2	3 or 4	5 or 6	7 or 8	9 or 0

Outdoor Water Use should not occur between the hours of 10:00 am and 7:00 pm.

SECTION 11. Variances

(a) The City Manager may, in writing, grant a variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, primary business, or fire protection for the public or the person requesting such variance or if one or more of the following conditions are met:

(1) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.

(2) Alternative methods can be implemented which will achieve the same level of reduction in water use.

(b) Persons requesting a variance from the provisions of this article shall file a petition for variance with the City Manager after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager and shall include the following:

(1) Name and address of the petitioner(s);

(2) Purpose of water use;

(3) Specific provision(s) of the Plan from which the petitioner is requesting relief;

(4) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan;

(5) Description of the relief requested;

(6) Period of time for which the variance is sought;

(7) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date; and

(8) Other pertinent information.

(c) Variances granted by the City Manager shall be subject to the following conditions, unless waived or modified by the City Manager:

(1) Variances granted shall include a start and end date for compliance;

(2) Variance requests must be submitted no more than two (2) months prior to the requested start date, and no less than 48 hours prior to the requested start date; and

(3) Variances granted shall expire on the date set at the time when the application was granted.

(d) Additionally, variances may be granted when a Customer is using Efficient Irrigation Technology for outdoor irrigation purposes. In order to receive this variance the requestor must have a master valve or flow sensor, the irrigation controller must have a cycle and soak capability, and will be subject to annual random irrigation checks by the City.

SECTION 12. Enforcement

(a) No person shall knowingly or intentionally allow the use of water from the City of Burnet for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the City Manager, or his/her designee, in accordance with provisions of this Plan.

(b) Enforcement action for violations of the Plan during mandatory conservation will be taken by city law enforcement officials. A citation will be issued requiring the offending party to appear in the City of Burnet Municipal Court. Penalties for each violation shall consist of a possible fine of no less than \$50.00 and not to exceed \$ 1,000.00, termination of water service and/or both. Each day that an offense continues shall be a separate offense.

(c) Emergency Termination. If an officer charged with enforcement of this article determines that a violation of this Ordinance constitutes an immediate threat to the public health,

safety and welfare, and the owner, occupant, or person in control of the property (the “responsible party”) is absent or fails to immediately remedy the violation, the officer may terminate water services to such property. The City Manager shall hold a hearing within 72 hours after termination of service to determine whether the responsible party violated the ordinance, unless a later hearing date is requested by the responsible party or the responsible party is unable to be located, in which case the hearing shall be held as soon as possible. Promptly after terminating service, the officer charged with enforcement of this article shall give the responsible party written notice of the termination and hearing in compliance with TAC, Title 30, Section 291.88(b) by personal delivery or posting notice of the hearing on or near the front door of each building on the property. If it is determined at the hearing that the responsible party did not violate this article, the responsible party’s utilities shall be immediately reconnected without charge to the responsible party.

(d) Nonemergency Termination. An officer charged with enforcement of this article who determines that a violation of this article is present may seek termination of wastewater service to the property at which the violation is present after notice and hearing as provided in this subsection. The officer charged with enforcement of this article shall give written notice of the violation of this article to the responsible party and the requirement that the violation be remedied within ten (10) days or water service will be disconnected, such notice to comply with TAC, Title 30, Section 291.88(a). If the responsible party fails to shall remedy the violation within the time specified in the notice, the officer charged with enforcement of this article may terminate water service. The responsible party may request a hearing by the City Manager regarding termination of service. Written notice of the time and date of the hearing shall be given to the responsible party at least ten days before the hearing date. Notices required by this subsection shall be delivered to the responsible party by in person service, by letter addressed to the responsible party at his/her post office address.



Development Services

ITEM 4.3

Wallis Meshier
Director of Development Services
(512) 715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: April 9, 2019

Agenda Item: Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 0.44 ACRE, LEGALLY DESCRIBED AS BLOCK 16, LOTS 5 AND 6, JOHNSON ADDITION, FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF MANUFACTURED HOME – DISTRICT “M-1,” AND BEING GENERALLY LOCATED ON THE NORTHEAST CORNER OF WESTFALL STREET AND EAST MARBLE STREET: W. Meshier

Background: This item is for consideration of a request to rezone the tract of land located on the northeast corner of East Marble Street and Westfall Street. The tract is currently undeveloped and zoned “R-1” (Single-Family Residential). The property owner has submitted a request to have the tract rezoned to a designation of “M-1” (Manufactured Home).

Recommendation: Staff recommends approval of the first reading of Ordinance 2019-11 as presented.

ORDINANCE NO. 2019-11

AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 0.44 ACRE, LEGALLY DESCRIBED AS BLOCK 16, LOTS 5 AND 6, JOHNSON ADDITION, FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF MANUFACTURED HOME – DISTRICT “M-1,” AND BEING GENERALLY LOCATED ON THE NORTHEAST CORNER OF WESTFALL STREET AND EAST MARBLE 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 April 8, 2019, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assign Manufactured Home — District “M-1” to approximately 0.44 acre legally described as Block 16, Lots 5 and 6, Johnson Addition, said tract being generally located on the northeast corner of Westfall Street and East Marble Street; and

WHEREAS, The City Council of the City of Burnet, on April 9, 2019 did conduct its own public hearing for the purpose of taking public comment the proposal to assign Manufactured Home — District “M-1” to approximately 0.44 acre legally described as Block 16, Lots 5 and 6, Johnson Addition, said tract being generally located on the northeast corner of Westfall Street and East Marble Street; and

WHEREAS, The City Council, based on due consideration of the Planning and Zoning Commission recommendation, and its own findings, did determine that assigning Manufactured Home — District “M-1” to approximately 0.44 acre legally described as Block 16, Lots 5 and 6, Johnson Addition, said tract being generally located on the northeast corner of Westfall Street and East Marble Street to be 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. Approximately 0.44 acre legally described as Block 16, Lots 5 and 6, Johnson Addition, said tract being generally located on the northeast corner of Westfall Street and East Marble Street is hereby assigned a zoning designation of Manufactured Home — District “M-1”.

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

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

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

Section 6. Open Meetings. 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 9th day of April, 2019.

FINALLY PASSED AND APPROVED on this 23rd day of April, 2019.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 4.4

Wallis Meshier
Director of Development Services
(512) 715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: April 9, 2019

Agenda Item: Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 4.010 ACRES, LEGALLY DESCRIBED AS LOT 4-D OUT OF THE ADMINISTRATIVE REPLAT OF LOT 4, ALGERITA HEIGHTS, PHASE ONE, FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF HEAVY COMMERCIAL – DISTRICT “C-3,” SAID PROPERTY BEING GENERALLY LOCATED ON THE SOUTHWEST CORNER OF EAST POLK STREET (STATE HWY. 29) AND ALGERITA HILL: W. Meshier

Background: This item is for consideration of a request to rezone the tract of land located on the southwest corner of East Polk Street (State Hwy. 29) and Algerita Hill. The tract is currently undeveloped and zoned “C-2” (Medium Commercial). The property owner has submitted a request to have the tract rezoned to a designation of “C-3” (Heavy Commercial).

Recommendation: Staff recommends approval of the first reading of Ordinance 2019-12 as presented.

ORDINANCE NO. 2019-12

AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 4.010 ACRES, LEGALLY DESCRIBED AS LOT 4-D OUT OF THE ADMINISTRATIVE REPLAT OF LOT 4, ALGERITA HEIGHTS, PHASE ONE, FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF HEAVY COMMERCIAL – DISTRICT “C-3,” SAID PROPERTY BEING GENERALLY LOCATED ON THE SOUTHWEST CORNER OF EAST POLK STREET (STATE HWY. 29) AND ALGERITA HILL; 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 April 8, 2019, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assign Heavy Commercial — District “C-3” to approximately 4.010 acres, legally described as Lot 4-D out of the Administrative Replat of Lot 4, Algerita Heights, Phase One, said tract being generally located on the southwest corner of East Polk Street (State Hwy. 29) and Algerita Hill; and

WHEREAS, The City Council of the City of Burnet, on April 9, 2019 did conduct its own public hearing for the purpose of taking public comment the proposal to assign Heavy Commercial — District “C-3” to approximately 4.010 acres, legally described as Lot 4-D out of the Administrative Replat of Lot 4, Algerita Heights, Phase One, said tract being generally located on the southwest corner of East Polk Street (State Hwy. 29) and Algerita Hill; and

WHEREAS, The City Council, based on due consideration of the Planning and Zoning Commission recommendation, and its own findings, did determine that assigning Heavy Commercial — District “C-3” to approximately 4.010 acres, legally described as Lot 4-D out of the Administrative Replat of Lot 4, Algerita Heights, Phase One, said tract being generally located on the southwest corner of East Polk Street (State Hwy. 29) and Algerita Hill to be 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. Approximately 4.010 acres, legally described as Lot 4-D out of the Administrative Replat of Lot 4, Algerita Heights, Phase One, said tract being generally located on the southwest corner of East Polk Street (State Hwy. 29) and

Algerita Hill is hereby assigned a zoning designation of Heavy Commercial — District “C-3”.

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

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

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

Section 6. Open Meetings. 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 9th day of April, 2019.

FINALLY PASSED AND APPROVED on this 23rd day of April, 2019.

CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary



Development Services

ITEM 4.5

Wallis Meshier, CNU-A
Director of Development Services
(512)-715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: April 9, 2019

Agenda Item: Discuss and consider action: Final Plat of Eagle's Nest Section 3, consisting of approximately 17.45 acres, legally described as Lot 76R out of Eagle's Nest Section 2, and being generally located on the east side of Eagle Ridge, approximately 1,100 feet north of the intersection with Buchanan Drive (State Hwy. 29): W. Meshier

Background: The proposed Eagle's Nest Section 3 Final Plat is a single-family residential subdivision located on 17.45 acres of property located on the east side of Eagle Ridge (Exhibit A). The proposed subdivision will include thirteen (13) residential lots ranging in size from 1.01 acres to 2.63 acres.

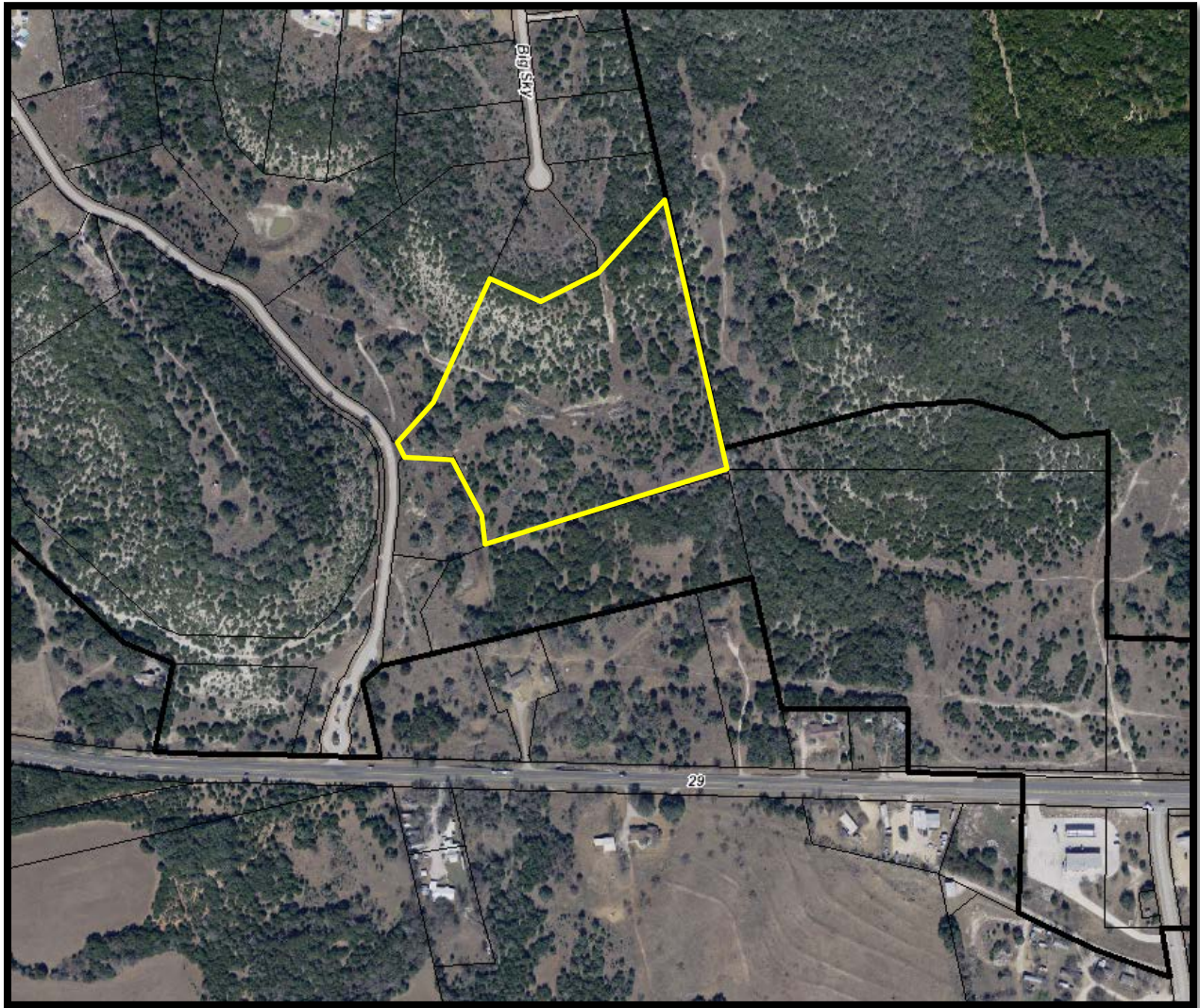
Information: The Preliminary Plat for Eagle's Nest Section 3 was approved by City Council on February 12, 2019. Construction plans for the proposed subdivision were approved by staff on March 26, 2019.

The proposed Final Plat of Eagle's Nest Section 3 has been reviewed for conformance with Chapter 98 of the City of Burnet Code of Ordinances, and has been found to comply with all requirements relating to form and content.

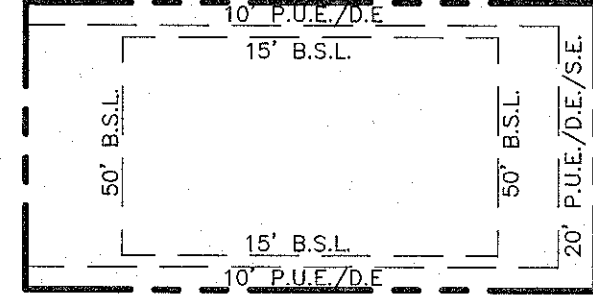
A notice of public hearing was published in the Burnet Bulletin on March 20, 2019 in accordance with Local Government Code Sec. 212.015. Written notices were mailed to the owners of all eight (8) properties located within 200 feet of the subject property. As of the date of this report, no written responses have been received in support or opposition.

Recommendation: Staff recommends approval of the Final Plat of Eagle's Nest, Section 3 Preliminary Plat as proposed.

EXHIBIT "A"
Location



A topographic map of the Eagle's Nest Subdivision area. The map features contour lines indicating elevation, with labels such as 100, 120, 140, 160, 180, 200, 220, 240, 260, 280, 300, 320, 340, 360, 380, 400, 420, 440, 460, 480, 500, 520, 540, 560, 580, 600, 620, 640, 660, 680, 700, 720, 740, 760, 780, 800, 820, 840, 860, 880, 900, 920, 940, 960, 980, 1000, 1020, 1040, 1060, 1080, 1100, 1120, 1140, 1160, 1180, 1200, 1220, 1240, 1260, 1280, 1300, 1320, 1340, 1360, 1380, 1400, 1420, 1440, 1460, 1480, 1500, 1520, 1540, 1560, 1580, 1600, 1620, 1640, 1660, 1680, 1700, 1720, 1740, 1760, 1780, 1800, 1820, 1840, 1860, 1880, 1900, 1920, 1940, 1960, 1980, 2000, 2020, 2040, 2060, 2080, 2100, 2120, 2140, 2160, 2180, 2200, 2220, 2240, 2260, 2280, 2300, 2320, 2340, 2360, 2380, 2400, 2420, 2440, 2460, 2480, 2500, 2520, 2540, 2560, 2580, 2600, 2620, 2640, 2660, 2680, 2700, 2720, 2740, 2760, 2780, 2800, 2820, 2840, 2860, 2880, 2900, 2920, 2940, 2960, 2980, 3000, 3020, 3040, 3060, 3080, 3100, 3120, 3140, 3160, 3180, 3200, 3220, 3240, 3260, 3280, 3300, 3320, 3340, 3360, 3380, 3400, 3420, 3440, 3460, 3480, 3500, 3520, 3540, 3560, 3580, 3600, 3620, 3640, 3660, 3680, 3700, 3720, 3740, 3760, 3780, 3800, 3820, 3840, 3860, 3880, 3900, 3920, 3940, 3960, 3980, 4000, 4020, 4040, 4060, 4080, 4100, 4120, 4140, 4160, 4180, 4200, 4220, 4240, 4260, 4280, 4300, 4320, 4340, 4360, 4380, 4400, 4420, 4440, 4460, 4480, 4500, 4520, 4540, 4560, 4580, 4600, 4620, 4640, 4660, 4680, 4700, 4720, 4740, 4760, 4780, 4800, 4820, 4840, 4860, 4880, 4900, 4920, 4940, 4960, 4980, 5000, 5020, 5040, 5060, 5080, 5100, 5120, 5140, 5160, 5180, 5200, 5220, 5240, 5260, 5280, 5300, 5320, 5340, 5360, 5380, 5400, 5420, 5440, 5460, 5480, 5500, 5520, 5540, 5560, 5580, 5600, 5620, 5640, 5660, 5680, 5700, 5720, 5740, 5760, 5780, 5800, 5820, 5840, 5860, 5880, 5900, 5920, 5940, 5960, 5980, 6000, 6020, 6040, 6060, 6080, 6100, 6120, 6140, 6160, 6180, 6200, 6220, 6240, 6260, 6280, 6300, 6320, 6340, 6360, 6380, 6400, 6420, 6440, 6460, 6480, 6500, 6520, 6540, 6560, 6580, 6600, 6620, 6640, 6660, 6680, 6700, 6720, 6740, 6760, 6780, 6800, 6820, 6840, 6860, 6880, 6900, 6920, 6940, 6960, 6980, 7000, 7020, 7040, 7060, 7080, 7100, 7120, 7140, 7160, 7180, 7200, 7220, 7240, 7260, 7280, 7300, 7320, 7340, 7360, 7380, 7400, 7420, 7440, 7460, 7480, 7500, 7520, 7540, 7560, 7580, 7600, 7620, 7640, 7660, 7680, 7700, 7720, 7740, 7760, 7780, 7800, 7820, 7840, 7860, 7880, 7900, 7920, 7940, 7960, 7980, 8000, 8020, 8040, 8060, 8080, 8100, 8120, 8140, 8160, 8180, 8200, 8220, 8240, 8260, 8280, 8300, 8320, 8340, 8360, 8380, 8400, 8420, 8440, 8460, 8480, 8500, 8520, 8540, 8560, 8580, 8600, 8620, 8640, 8660, 8680, 8700, 8720, 8740, 8760, 8780, 8800, 8820, 8840, 8860, 8880, 8900, 8920, 8940, 8960, 8980, 9000, 9020, 9040, 9060, 9080, 9100, 9120, 9140, 9160, 9180, 9200, 9220, 9240, 9260, 9280, 9300, 9320, 9340, 9360, 9380, 9400, 9420, 9440, 9460, 9480, 9500, 9520, 9540, 9560, 9580, 9600, 9620, 9640, 9660, 9680, 9700, 9720, 9740, 9760, 9780, 9800, 9820, 9840, 9860, 9880, 9900, 9920, 9940, 9960, 9980, 10000. A north arrow is located in the upper left corner. A black outline highlights the 'PROJECT SITE' area. Labels include 'EAGLE'S NEST SUBDIVISION', 'PROJECT SITE', 'US 281', and 'STATE HIGHWAY 29'.



LINE TABLE		
Line #	Length	Direction
L1	48.62'	S66°37'34"W
L2	130.68'	N11°48'17"W
L3	53.49'	N24°13'24"W
L4	60.05'	S37°52'36"W
L5	48.47'	S15°43'15"E
L101	43.19'	N77°07'58"E
L102	39.95'	N77°08'43"E
L103	83.84'	N77°07'58"E

CURVE #		CURVE TABLE				CHORD LENGTH		DETA	
CURVE #	TANGENT	ARC LENGTH	BEARING	CHORD LENGTH	DETA	CURVE #	TANGENT	ARC LENGTH	BEARING
C2	325.00'	67.18'	132.48'	S86°49'16"E	131.57'	C271	223.33'	37.71'	009°25'31"
C3	225.00'	18.92'	211.28'	N86°18'26"W	37.71'	C272	207.20'	205.98'	044°38'15"
C101	425.00'	43.44'	86.58'	N76°42'00"E	86.43'	C101	425.00'	86.43'	011°40'20"
C103	425.00'	43.44'	86.58'	S87°04'54"E	86.92'	C103	425.00'	86.92'	013°58'41"
C104	275.00'	33.71'	67.08'	S87°04'54"E	100.00'	C104	275.00'	100.00'	013°30'46"
C105	425.00'	50.35'	100.23'	N85°03'50"E	79.50'	C105	425.00'	79.50'	014°04'40"
C106	425.00'	39.93'	79.62'	N85°03'50"E	38.62'	C106	425.00'	38.62'	004°39'34"
C107	475.00'	19.22'	38.43'	N88°06'04"E	20.40'	C107	475.00'	20.40'	008°11'35"00"
C108	250.00'	11.17'	21.01'	S52°18'59"W	50.93'	C108	250.00'	50.93'	041°40'00"
C109	50.00'	29.99'	53.43'	S59°18'59"W	29.61'	C109	50.00'	29.61'	034°07'74"88"
C110	50.00'	19.03'	36.36'	N68°14'06"W	35.56'	C110	50.00'	35.56'	047°74'08"
C111	50.00'	15.50'	30.07'	N67°11'32"E	29.61'	C111	50.00'	29.61'	034°07'74"88"
C112	50.00'	16.35'	35.17'	N06°11'56"E	75.88'	C112	50.00'	75.88'	008°43'06"
C113	50.00'	58.25'	86.15'	N75°42'23"E	70.55'	C113	50.00'	70.55'	047°72'01"
C114	250.00'	10.92'	21.62'	N78°15'28"W	21.02'	C114	250.00'	21.02'	008°43'14"
C115	47.30'	35.88'	71.98'	N81°12'07"E	52.71'	C115	47.30'	52.71'	009°45'19"
C116	525.00'	26.39'	52.74'	N89°00'36"E	66.07'	C116	525.00'	66.07'	007°29'35"
C117	525.00'	34.61'	66.12'	N85°31'09"E	64.21'	C117	525.00'	64.21'	009°49'23"
C118	375.00'	32.22'	64.29'	N86°31'09"E	122.98'	C118	375.00'	122.98'	018°52'32"
C119	375.00'	62.33'	123.54'	N71°10'12"E	47.30'	C119	375.00'	47.30'	027°35'55"
C120	375.00'	23.70'	47.33'	N85°06'58"E	116.42'	C120	375.00'	116.42'	027°35'55"
C121	334.14'	96.11'	117.02'	N6°45'12"E		C121	334.14'	96.11'	

**PLAT OF
EAGLE'S NEST SUBDIVISION, SECTION 3
BEING A REPLAT OF LOT 76R
OUT OF EAGLE'S NEST SUBDIVISION SECTION 2
A PRIVATE SUBDIVISION
BURNET COUNTY, TEXAS**

WITNESS MY HAND THIS _____ DAY OF _____, 20____

STATE OF TEXAS: _____
COUNTY OF BURNET: _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED COE PRATT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

LEGAL DESCRIPTION:
BEING 17.45 ACRES OF LAND, KNOWN AS LOT SEVENTY-SIX R (766), SECTION TWO (2), REPLAT OF LOTS 74 AND 75, SECTION 2, EAGLE'S NEST SUBDIVISION, AS SHOWN BY PLAT RECORDED IN DOCUMENT NO. 201809631, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AS CONVEYED BY WARRANTY DEED WITH VENDOR'S LIEN TO C/O CRAWFORD PROPERTY DEVELOPMENT, L.L.C., AS RECORDED IN DOCUMENT NO. 201811879 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1 1/2 INCH IRON ROD FOUND IN THE SOUTHWEST CORNER OF LOT 799, EAGLE'S WEST SUBDIVISION, SECTION 2, A PRIVATE SUBDIVISION AS RECORDED IN DOCUMENT NO. 201808931, OF THE OFFICIAL PUBLIC RECORDS OF BLUMET COUNTY, NEBRASKA, AND THENCE S81°E 1/4 SEC. 16, T.14N. R.10E. AS RECORDED IN DOCUMENT NO. 19990496, PAGE 126 OF THE OFFICIAL PUBLIC RECORDS OF BLUMET COUNTY, NEBRASKA, MARKING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 12°42'02" EAST, ALONG THE EAST LINE OF THIS TRACT, COMMON WITH THE WEST LINE OF SAID TRACT, 1/4 SECTION 16, T.14N. R.10E. BEING THE SOUTHWEST CORNER OF SAID 1/4 SECTION 16, T.14N. R.10E. TO THE CORNER OF A 3.87 ACRE TRACT CONVEYED TO JOHN C. WILSON, ET UX AS RECORDED IN VOLUME 803, PAGE 762, PAGE 762 OF THE OFFICIAL PUBLIC RECORDS OF BLUMET COUNTY, NEBRASKA, MARKING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT.

REFERENCE SOUTH 77°57'41" WEST ALONG THE SOUTH LINE OF THIS TRACT AND THE NORTH LINE OF SAID TRACT, PASSING A 1/2 INCH IRON ROD FOUND ON THE COMMON LINE BETWEEN BOTH TRACTS, A DISTANCE OF 428.60, CONTINUING FOR A TOTAL DISTANCE OF 844.13 FEET TO A 1/2 INCH IRON ROD Lying ON THE NORTH LINE OF SAID ACRES TRACT, 8.97 ACRES TRACT AND POINT FOR ANGLE TO THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 65°37'34" WEST ALONG THE SOUTH LINE OF THIS TRACT COMMON WITH THE NORTH LINE OF SAID REFERENCE ACRES TRACT, A DISTANCE OF 45.92 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID ACRES TRACT, KNOWN AS LOT 8 OF THE EAGLE'S NEST SUBDIVISION, SECTION 1 AS RECORDED IN CABINET 3, PLAT 174A-177A OF THE PUBLIC RECORD OF BURNET COUNTY, TEXAS, MARKING THE SOUTHWEST CORNER OF THE SAID ACRES TRACT;

1. NORTH 11°48'17" WEST, A DISTANCE OF 130.68 FEET TO A 1/2 INCH IRON FOUND FOR AN ANGLE CORNER OF THIS TRACT.

2. NORTH $250^{\circ}29'$ WEST, A DISTANCE OF 188.69 FEET TO A $1/2$ INCH IRON FOUND FOR AN ANGLE CORNER OF THIS TRACT;

3. WITH A CURVE TO THE RIGHT, A RADIUS OF 325.03 FEET, AN ARC LENGTH OF 6.718 FEET, AND A CHORD BEARING SOUTH $86^{\circ}49'$ WEST, AT A DISTANCE OF 13.57 FEET TO A $1/2$ INCH IRON ROD FOUND FOR AN INTERIOR CORNER OF THIS TRACT;

4. WITH A CURVE TO THE LEFT, A RADIUS OF 225.00 FEET, AN ARC LENGTH OF 37.75 FEET, AND A DISTANCE OF 85.16 FEET TO A $1/2$ INCH IRON ROD FOUND;

5. WITH A CURVE TO THE RIGHT, A RADIUS OF 27.71 FEET, AN ARC LENGTH OF 1.77 FEET, MARKING THE MOST WESTLY SOUTHWEST CORNER OF THE HEREIN DISCLOSED TRACT.

THENCE NORTH 24°13'24" WEST, ALONG THE WEST LINE OF THIS TRACT AND THE EAST RIGHT-OF-WAY LINE OF EAGLE RIDGE, AT A DISTANCE OF 53.49 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE SOUTHEAST CORNER OF LOT 73 OF SAID EAGLE'S WEST SUBDIVISION, SECTION 2, AND FOR THE MOST WESTERLY NORTHWEST CORNER OF THIS TRACT.

REFERENCE WITH THE COMMON WEST LINE OF THIS TRACT, SAME BEING THE EAST LINE OF SAID LOT 73 THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. NORTH 75°52'39" EAST, A DISTANCE OF 184.15 FEET TO A 1/2 INCH IRON FOUND FOR AN INTERIOR CORNER OF THIS TRACT;
2. NORTH 26°32'09" EAST, A DISTANCE OF 475.62 FEET TO A 1/2 INCH IRON FOUND LYING ON THE SOUTHEAST LINE OF LOT 73 AND SOUTHWEST CORNER OF LOT 74R OF SAID EAKLE'S WEST SUBDIVISION, SECTION 2, MARKING THE NORTHWEST CORNER OF THIS TRACT;

THENCE WITH THE COMMON NORTH LINE OF THIS TRACT, SAME BEING THE SOUTH LINE OF SAID LOT 74R THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. SOUTH 65°41'57" EAST, A DISTANCE OF 205.25 FEET TO A 1/2 INCH IRON FOUND FOR AN INTERIOR CORNER OF THIS TRACT;
2. NORTH 61°08'08" EAST, A DISTANCE OF 220.06 FEET TO A 1/2 INCH IRON FOUND LYING ON THE SOUTHWEST CORNER OF LOT 74R, AND THE SOUTHWEST CORNER OF SAID LOT 75R FOR AN INTERIOR CORNER OF THIS TRACT.

THENCE NORTH 41°10'56" EAST, ALONG THE NORTH LINE OF THIS TRACT AND THE SOUTH LINE OF SAID LOT 75R, A DISTANCE OF 356.92 FEET TO THE POINT OF BEGINNING, CONTAINING 17.45 ACRES OF LAND MORE OR LESS.

PLAT NOTES:	INSURANCE	RATE	MAP	COMMUNITY	PANEL	NO.
1. ACCORDING TO THE NATIONAL FLOOD						

1. ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 480502032025F DATED MARCH 15, 2012, NO PORTION OF THIS TRACT IS WITHIN THE 100 YEAR REGULATORY FLOODPLAIN.
2. EACH DWELLING CONSTRUCTED OR PLACED ON THE SUBDIVISION SHALL BE CONNECTED TO A SEWERAGE SYSTEM AND TO THE SANITARY SEWERS OF THE CITY OF BURNETT, TEXAS, AS COMMISSION ON ENVIRONMENTAL QUALITY AND THE CITY OF BURNETT, TEXAS.
3. BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS LAMBERT GRID, CENTRAL ZONE, NAD83.
4. THERE ARE 847 LINEAR FEET OF NEW ROADS.
5. THERE ARE 1.04 ACRES OF NEW ROADS HEREBY DEDICATED TO AND MAINTAINED BY THE EAGLE'S NEST HOME OWNERS ASSOCIATION.
6. THE STREETS AND DRAINAGE IMPROVEMENTS SHOWN HEREON SHALL BE MAINTAINED BY THE EAGLE'S NEST HOME OWNERS ASSOCIATION.
7. THE CITY OF BURNETT SHALL RETAIN A UTILITY EASEMENT ALONG ALL STREETS AND UTILITY MAINTENANCE AREAS. THE CITY OF BURNETT SHALL BE RESPONSIBLE FOR INSTALLING AND MAINTAINING WATERLINES OR OTHER UTILITIES THAT MAY BECOME AVAILABLE.

SURVEYOR:
STATE OF TEXAS
COUNTY OF HAYS

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SET OR FOUND AS SHOWN HEREIN.

GEORGE E. LUCAS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4160
STATE OF TEXAS
CELCO SURVEYING FIRM REGISTRATION NO.10193975
2205 STONECREST PATH
NEW BRAUNSFELS, TEXAS 78130
OFFICE (512) 635-4857

ENGINEER:
STATE OF
COUNTY OF

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAN.

HUGO ELIZONDO, JR., REGISTERED PROFESSIONAL ENGINEER NO. 69781
CUATRO CONSULTANTS, LTD. FIRM REGISTRATION NO. F-3524
3601 KYLE CROSSING, SUITE A
KYLE, TEXAS 78640
OFFICE: (512) 312-5040

KYLE, TEXAS 78640.
OFFICE; (512) 312-5040

STATE OF TEXAS:
COUNTY OF BURNET:

THE ATTACHED PLAT OF "EAGLES NEST SUBDIVISION, SECTION 3" HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BURNET, TEXAS AT ITS MEETING ON THE _____ DAY OF _____, 2019, AND IS HEREBY RECOMMENDED BY SUCH COMMISSION TO THE CITY COUNCIL OF BURNET, TEXAS FOR ITS CONSIDERATION FOR ACCEPTANCE OF THE DEDICATION OF LANDS FOR PUBLIC USE AS INDICATED AND APPROVAL OF THE PLAT.

CRAIG LINDHOLM, PLANNING AND ZONING COMMISSION CHAIRMAN

STATE OF TEXAS:
CITY OF BURNET:

THE ATTACHED PLAT OF "EAGLES NEST SUBDIVISION, SECTION 3" HAS BEEN SUBMITTED TO THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AT ITS MEETING ON THE _____ DAY OF _____, 2019, AND WAS DULY CONSIDERED AND FOUND TO COMPLY WITH THE LAWS AND STATUTES OF THE STATE OF TEXAS AND THE CITY ORDINANCES OF THE CITY OF BURNET, TEXAS. THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS THEREFORE ACCEPTS THE DEDICATION OF LANDS FOR PUBLIC USE AS INDICATED AND APPROVES THIS PLAT.

ATTEST: _____
KELLY DIX, CITY SECRETARY

CHRISTA BROMLEY, MAYOR

COUNTY:

STATE OF TEXAS
COUNTY OF HAYS

I, JANET PARKER, COUNTY CLERK OF BURNET COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE

ON THE _____ DAY OF _____, A.D., _____ O'CLOCK _____ M., IN THE PLAT RECORDS OF BURNET COUNTY,

DOC. _____

WITNESS MY HAND AND SEAL OF OFFICE THIS THIRTEENTH DAY OF _____ A.D. 20_____

JANET PARKER
COUNTY CLERK
BURNET COUNTY, TEXAS



Development Services

ITEM 4.6

Wallis Meshier
Director of Development Services
(512) 715-3215
wmeshier@cityofburnet.com

Agenda Item Brief

Meeting Date: April 9, 2019

Agenda Item: Discuss and consider action: A request for approval of a proposed septic system on a 1.039 acre tract, legally described as part of Lot 1D out of the Flight Line Boulevard Subdivision, being generally located on the west side of South Water St. (State Hwy. 281), north of the intersection with County Road 340A, as required by City of Burnet Code of Ordinances Sec. 98-45(a)(2): W. Meshier

Background: City of Burnet Code of Ordinances Sec. 98-45(a)(2) states in part: "In those cases where an approved public wastewater collection main is not located within a reasonable distance, an alternative wastewater system may be constructed with City Council approval."

Information: This item is for consideration of a request to install an alternative wastewater system on the subject property. The applicant has proposed a septic tank and trench field, as opposed to installing a gravity sewer line to the property.

The closest gravity sewer line terminates approximately 1,670 feet north of the subject property. Therefore, extension of the gravity sewer line would be cost prohibitive. There is an existing 8-inch force main adjacent to the property to the west. However, tapping into the existing force main is not advisable due to the risk of the sewer main backing up and flooding the property.

Recommendation: Staff recommends approval of the request for the alternative wastewater system as proposed. The proposed septic system is the most reasonable and cost effective alternative to extending gravity sewer to the site.

EXHIBIT "A"
Location





City Manager

ITEM 4.7

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

Agenda Item Brief

Meeting Date:	April 9, 2019
Agenda Item:	Discuss and consider action: Authorization and approval for the City of Burnet to participate in an Employee Assistance Program (EAP) with Alliance Work Partners: D. Vaughn
Background:	Council previously approved an agreement for counseling services for police, fire and ems.
Information:	The program provided by Alliance Work Partners could be extend to all full-time and/or part-time employees of the city. The program includes benefits such as substance abuse counseling, psychological counseling, management training, financial and legal assistance, as well as a safe ride home program which reimburses transportation expenses for those too impaired to drive.
Fiscal Impact:	If the benefit were provided to all employees, the total annual cost would be approximately \$2,700 per year. While the utilization is expected to be low, for those that need the assistance it can be invaluable.
Recommendation:	Staff requests a motion to approve entering into an agreement with AWP for an Employee Assistance Program.



A **wap** Program

alliance work partners

workplace solutions since 1977



An Alliance Work Partners

Proposal Prepared for

City of Burnet

March 4, 2019

Rick Dielman, Chief Account Executive:

2525 Wallingwood Drive, Bldg 5

Austin, Texas 78746

Toll Free: 888.327.4636

512.328.8519

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All information, descriptions, and materials contained in this proposal are proprietary, confidential and subject to copyright protection.



It will be a privilege to serve City of Burnet and work with USI and your HR department to:
Elevate employee wellbeing, increase productivity, improve attendance, support your mission and lower healthcare costs.

You can look forward to a 4:1 return on investment (ROI) or better, which we gladly detail and report each year.

High quality training, Safe-Ride, CISD, US DOT services, PlanWell and unlimited HR support and consultation are just some of the premium services, that come standard in all our programs.

alliance work partners

A **wap** Program

ABOUT ALLIANCE WORK PARTNERS

Alliance Work Partners (AWP) is much more than an employee assistance program (EAP). We are your full-service, workplace partner, providing fully integrated Employee Assistance Program, Wellness and Work-Life solutions, nationwide. Our over thirty seven years of experience allows us to offer a wide range of workplace services from which to choose in customizing a program that fits your organization's goals and budget.

AWP is a trusted partner of employers across the country, providing services that give you the greatest return to your bottom line. AWP delivers individual and organizational services by providing a two tier approach. **AWP supports management by increasing productivity and retention, reducing absenteeism and managing health care costs.** AWP supports employees and their family members by promoting wellness both physically and emotionally with individual assessment; solution-focused, evidence based counseling; training and referral services. In addition, we offer a full range of professional, leadership, managerial, and wellness training and programs.

As a professional service of Workers Assistance Program, Inc., we have provided leadership at the national level since 1977 to improve the employee assistance program industry, while continually upgrading the services we provide to our customers. **As a nonprofit, we have worked for over four decades to reinvest in your communities by funding at-risk youth programs, substance abuse educational programs, children's food programs and a nationally recognized youth leadership program.**

We are committed to your organization's success and to delivering the maximum return on your investment. We welcome the opportunity to provide customized workplace solutions for City of Burnet (COB).

Alliance Work Partners Headquarters
2525 Wallingwood Drive, Bldg 5
Austin, Texas 78746
Toll Free 888-327-4636
Phone 512-328-8519
Fax 512-338-0939
Website: www.awpnow.com

24-Hour call center
Toll Free: 800-343-3822
TDD: 800-448-1823
Teen Hotline: 800-334-TEEN(8336)
E-Mail: eap@alliancewp.com
Website: www.alliancewp.com



WORKPLACE SOLUTIONS & FEATURES

EAP Program Orientation for Employees provides information on how to access services through AWP and encourages participants to seek and accept appropriate help for all types of issues that may affect work or well-being.

EAP Program Orientation for Supervisors provides a clear understanding of AWP workplace services, benefits to participants, impact on working conditions, instructions on how to identify and intervene when an employee is experiencing job performance problems, and procedures for participants and managers to access services.

Trending and Reports including utilization, follow-up, and statistical information on a quarterly and annual basis that meet standards for ethics, legality, and confidentiality. Includes annual ROI analysis.



Frontline Supervisor is a monthly electronic newsletter providing questions and answers to managers' most pressing questions, including how to deal with troubled employees, implementing procedural referrals, leadership skills, and workplace policies and procedures. This publication is an invaluable tool for supervisors with difficult employees or who are

Health and Benefit Fair Participation informs and educates employees about AWP services to promote participant engagement.

Ongoing Support provides oversight and ongoing technical assistance for HR policy coordination and review, unlimited management consultations, and workplace-related activities.



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WORKPLACE SOLUTIONS & FEATURES

Workplace Protection that develops drug-free workplace policies and procedures integrated with current human resource policies that meet all applicable state and federal requirements, including U.S. DOT regulations.

National Network of Substance Abuse Professionals (SAPs) who meet U.S. DOT's criteria to perform all required SAP duties through AWP's turnkey coordination of SAP and case management services. US DOT SAP services are included at no additional charge.

Drug and Alcohol Awareness Training for employees, U.S. DOT reasonable suspicion training for all modes of transportation, and non-U.S. DOT reasonable suspicion training for supervisors.

Return to Work Programs ensures a smooth re-entry to work for any employee returning to work after having experienced a treatment episode or disciplinary action (i.e. positive drug test).

Dedicated Account Management Team serves as advocate of customer relations, representing AWP services in their entirety (from I&R to claims) and taking full responsibility for every element of the business relationship.

Transition and Implementation in the form of support and technical assistance for integrating services into workplace policies and procedures, transitioning services, and an awareness campaign to acquaint City of Burnet's employees with AWP services.



Promotional Materials provided are an EAP orientation video or DVD, brochures, wallet cards, flyers, posters and a 24-hour, toll free resource line.

Trained Crisis Intervention Staff: In August of 2015, the Alliance Work Partners Intake and Referral Department adopted the crisis intervention protocol of The American Association of Suicidology. Employers can rest a bit easier knowing that their employees, who may be in life-threatening and other crises, are obtaining services in accordance with rigorous nationally recognized standards and from staff who benefit from ongoing training and education.

WORKPLACE SOLUTIONS & FEATURES

Three monthly electronic newsletters provide excellent tips on wellness, workplace problem solving, and work-life balance, boosting participant engagement.

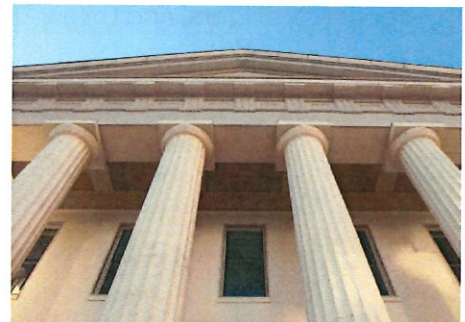
Online Resources at www.alliancewp.com offers useful links for HR professionals, personnel managers, drug and alcohol-free workplace administrators. Includes password-protected access to AWP's monthly publications: Frontline Supervisor, Balanced Living and Wellness News.



SafeRide Program encourages employees and their immediate family members whose driving may be impaired to call a cab. With a saved receipt, participants will be reimbursed by AWP.

Workplace Toolkits address specific workplace issues, affecting supervisors and employees such as returning to work after a long absence.

Legal and Financial Assistance through **LawAccess**, offers free consultations by phone or in person per issue, per year, and a discount of up to 25% on continued face-to-face consultation. Includes ID-theft monitoring and recovery assistance (enrollment required).



HelpNet your customized EAP web site provides participants with a summary of your service package, training, orientation, resource articles, tips and tools on balancing work and family life.

PlanWell is an online financial wellness program to help improve finances. It combines online videos with goal-based challenges and rewards. Some sample topics include: Retirement, Taxes, Aging Parents, Investments, Buying vs. Leasing a car, Wills and trusts and more!

WORKPLACE SOLUTIONS & FEATURES

Management Consultations can include situations such as:

"A team member has been in the hospital for several weeks to treat obesity. He is coming back to work next week. Is there anything I should do to prepare for his return?"

"I have an employee who demonstrates ongoing problems with ambition, avoidance in making tough decisions, procrastination, and does not appear interested in doing her best work. What can I do?"

"My employee recently told me that he has been struggling with grief and depression following his father's death last year. He is having trouble concentrating at work and he feels as if he's falling apart. What do I do?"

"An employee says she is "bullied" by a coworker and is becoming depressed. I have never seen the coworker acting inappropriately. How can I best approach this situation?"

Case Management Services including crisis intervention, referral to outside treatment resources, referral to community resources, consultation with treatment and service providers, and follow-up support for each client.



Extended Care Referrals, assistance with transition as needed for substance abuse treatment and mental health care, with assurance that AWP counselors are knowledgeable of City of Burnet's health plan network.

Critical Incident Stress Response (CISR) Rapid response is provided on an unlimited and as-needed basis to address stress and trauma induced by any crisis impacting the work group.



24-Hour Resources and Referrals provides access to over 500,000 community resources and includes follow-up to determine if services were received, appropriate, and useful.

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INTEGRATED EAP, WORK-LIFE AND WELLNESS PROGRAMS AND FEATURES



24-Hour Call Center staffed and live-answered by, trained counselors (24/7/365) available to all clients, including TDD (Telecommunications Device for the Deaf) service and language translation into more than 150 languages for non-English speakers.

Solution-Focused Counseling and problem resolution sessions that are short-term and cover all types of issues including, but not limited to: marital, family, elder care, child care, domestic violence, sexual orientation, pre-retirement, HIV, literacy, psychological, emotional, vocational, stress-related, and other concerns that affect job performance and personal wellbeing.

Access to Nationwide Provider Network of over 14,000 affiliates nationwide.

Convenient Counseling Locations accessible and geo-matched from home and/or work.



Procedural Referrals for managers and supervisors who need assistance with troubled employees exhibiting work-related problems. Includes intake, referral, case management, Return-To-Duty and follow-up services.



Management Consultations AWP account management provides - at no extra charge - unlimited coaching and telephone consultation to City of Burnet's management on how to confront troubled employees for possible referral to the AWP program. Depending on the extent and nature of the problem, and the requirements of COB's policies and procedures, AWP staff will consult on referral decisions, alternatives to a procedural referral, appropriate intervention techniques, follow-up, impact on the work team, and confidentiality. Assistance will be provided immediately and if further research is needed, assistance will be provided within one (1) working day of the request.

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WHAT OUR CUSTOMERS HAVE SAID

"The time management seminar was a good reminder to motivate me to be more organized.
It helped me to structure my activities."

State Office of Administrative Hearings

"This is a wonderful program that truly helped me find myself
again."

Dell

"Thank you so much for this service.
It is essential and hopefully will be around a good long time."

Teacher Retirement System

"AWP Services made all the difference!"

Protective and Regulatory Commission

"Great Counselor, very happy with results."

City of Austin

"Your Counselor was so kind and helpful. He has made a huge difference in my life.
Thanks so much!"

Texas Department of Transportation

"My daughter and I could not have asked for a more compassionate professional and caring
counselor."

Texas Rehabilitation Commission

MEASURABLE DISTINCTIONS

Cost Containment 95% of all employees/family members using EAP are retained in the EAP system, resulting in only 5% being referred to the health plan or other resources for 2017. Outcome studies show 92% of management referred employees with job performance problems are successfully returned to work and are retained and productive 1 year after the referral. AWP demonstrates an average return on investment across our full-service EAPs of 5.8:1.

Customer Satisfaction 2017 Customer Satisfaction Survey showed 97 percent of AWP Clients were so satisfied with the services received that they would use AWP again, if needed.

Experience A leader in setting the highest standards in the industry since 1977. With strong financial condition, high reserves and low debt, AWP has an "A" rating from Dun and Bradstreet.

Quality Management AWP ensures quality management and customer satisfaction by using a quality improvement (QI) model endorsed by the Institute of Medicine that breaks the variables affecting health care services in structure, process and outcome and includes a grievance procedure for effectively resolving client complaints as quickly as possible, ensuring each client is satisfied with the outcome. We back this process up with direct feedback opportunities and client satisfaction surveys to ensure that participants receive the very best care and service possible. AWP has never been the subject of a lawsuit with a customer or client.

Case Management With frequent case monitoring and reviews, we provide flexible, client-centered counseling services. Client confidentiality rights are protected at all times.

AWP's Client Satisfaction

According to 2017 satisfaction survey results, 97% of AWP clients were so satisfied with the services received that they said they would use AWP if the need arose again.

AWP's Book of Business

Ninety five percent of our clients address their issues at AWP in 2017. Less than 5% of clients are referred to insurance or other resources.

AWP's Utilization Rate

Because our clients find continued value in our services, the overall utilization rate of AWP of full service EAP is consistently higher than the national average, with utilization at 8%.



MEASURABLE DIFFERENCES & DISTINCTIONS

AWP Provides the Maximum Return on Your Largest Investment: Your Employees

THE AWP DIFFERENCE

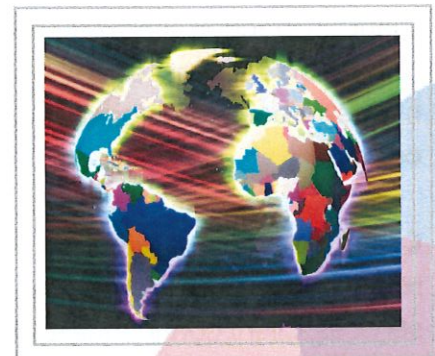
AWP is a freestanding, independent EAP, worklife and wellness provider. We have no conflicts of interest. Unlike integrated service models, AWP is not part of a mental health network business with ties to any insurance or managed health treatment system. We are vested in you and your employees success. We do not refer participants into managed care or insurance provider networks, where workplace services are secondary or non-existent. We are not part of a larger whole that makes profits from counseling or treatment insurance claims. Free from any conflict-of-interest, AWP counselors and case managers make referral decisions based solely on the best interest of the client. This approach speeds recovery, saves insurance dollars, reduces out-of-pocket expense for participants, and increases employee retention and productivity.

Account Management AWP's Account Management and Business Development team has a broad range of backgrounds and skills. They are all dedicated to outstanding customer service and have over 255 years of combined EAP and HR experience. Each organization is served by a dedicated primary account manager and supported by this experienced team.

Call Center AWP's call center is staffed by professional counselors, 24 hours a day, 7 days a week, 365 days a year, including TDD (Telecommunications Device for the Deaf) service and language translation into more than 150 languages for non-English speakers. AWP has less than a 1 percent abandonment rate.

Face to Face Counseling 97.3% of all employees/family members report "improved" or "resolved" from EAP visits in 2017 & 97% of customers report EAP services were "helpful" or "very helpful".

Network Nationwide network of over 14,000 EAP counselors in all 50 states, Canada, Puerto Rico, and other international locations who are credentialed, licensed and qualified. We qualify counselors by requiring a minimum of three or more years of post-license experience. No interns or doctoral candidates are allowed to counsel your employees and our average counselor seniority is 15 years. These high standards ensure a network of the best-qualified counselors in the industry.



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TRAINING & EDUCATIONAL SEMINARS

Supervisory and Management Training provides supervisors and managers with specialized skills including working with difficult employees, managing change, and dealing with violence in the workplace.

Professional Development Seminars provide useful information and practical skills for employees and supervisors on topics including workplace communication, cube etiquette, dynamic problem solving, effective listening, and strategic time management.

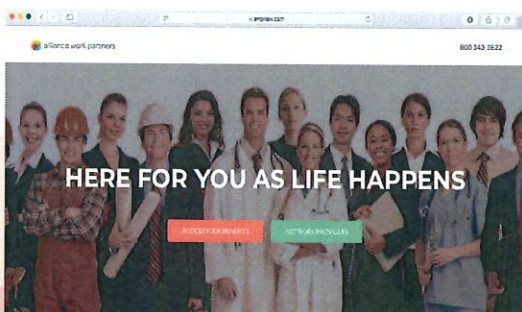


Personal Growth and Development Seminars provides useful information and practical skills for employees and supervisors on topics including but not limited to stress management, smoking cessation, retirement, and healthy relationships.

Organizational Training reduces risk or liability for companies and organizations. Topics include sexual harassment, cultural diversity, substance abuse, and downsizing.

Organizational Development and Customized Training are also available on request.

Drug-Free Workplace Seminars offers training for employees and supervisors to inform and educate them on drug and alcohol issues that may affect the workplace. Includes US DOT compliance training.



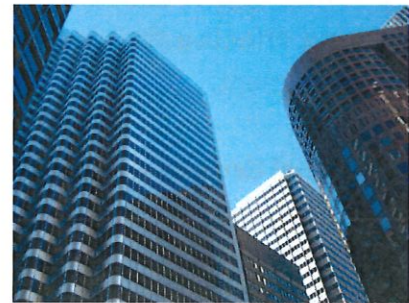
Customized EAP Website / Learning Center: Self-Directed Online Training provides self-assessment modules to ask questions, summarize responses, and provide recommendations for addressing specific areas of interest such as relationship satisfaction, depression, conflict management, emotional intelligence, nutrition, and goal setting.

Online Training and Resources provides useful links and lists of trainings for HR professionals, personnel managers, and drug- and alcohol-free workplace administrators. Plus, free live and interactive webcast training events every month.

VALUE ADDED OPTIONS

WorkLife Premium offers personalized research by Work-Life specialists who gather and research information on a variety of services from child and elder care to academic and convenience services. Research is based on the client's specified criteria after the initial request is placed. Outsource your to-do list! **(Value-added Service)**

Customized Training designed to meet the needs of your specific workplace. May include adapting a wellness or workplace seminar to meet your organization's needs or creating a new presentation tailored to your specifications. **(Optional Training Series)**



Tobacco Cessation Courses help participants quit tobacco use once and for all and improves their health. **(Value-added Service)**



Nurse Support offers 24-hour access to healthcare information to assist users in making more educated decisions about their care, encouraging them to use healthcare resources more judiciously. **(Value-added Service)**

WellCoach delivers unlimited telephonic and online health coaching to address preventive health and complementary care as well as educational services to encourage employees and their families to become and remain healthy, resulting in reduced healthcare costs.

FINANCIAL ASSUMPTIONS

- The effective date of services shall be April 1, 2019
- Quote assumes 110 covered employees.
- Cost of implementation of the program is included in the base fee. AWP does not charge an additional fee for program start up.
- Rate quoted includes all consultation, education, and program promotional materials described in the proposal.
- Onsite Critical Incident Stress Response (CISR) is included and unlimited. Additional onsite, individual counseling will be billed at the rate of \$150 per hour plus travel expenses.
- Bid includes follow-up and statistical reports on a quarterly and annual basis that meet standards for ethics, legality, and confidentiality. In addition to regular reporting, ad hoc reports are available with a 30-day turn around at a cost of \$150 per development hour.
- Bid includes free legal consultations per incident, per participant, per year and free financial consultations per incident, per participant, per year offered under LawAccess. Includes ID Theft monitoring and recovery assistance (enrollment required).
- Bid includes Safe Ride, a confidential reimbursement benefit for the cab fare of any participant whose driving becomes impaired by any means, while away from home.
- Bid includes unlimited access to health coaches for help achieving wellness goals like tobacco cessation, fitness and weight loss, proactively managing chronic illness and promoting healthy living.
- Covered employees shall include part-time, full-time and contract employees, severed employees (for a period up to six months) and retirees. In addition, dependents and individuals residing in the employee's household will be covered.
- This bid is valid for 90 days. If the EAP is not awarded within this period, AWP reserves the right to adjust the proposed rate.
- City of Burnet may terminate their program with a ninety-day written notice to AWP prior to the termination date. Customer satisfaction, as is the case with all AWP contracts, will ultimately determine the length of the relationship.
- Bid includes 1 hours of training and onsite services per year for City of Burnet.
- AWP will also provide COB unlimited access to monthly interactive webcast training, and over 100 e-learning training modules.
- Additional onsite services including orientations, health fair participation, drug and alcohol awareness training and personal and professional development seminars may be purchased at the rate of \$200 per hour, plus travel expenses. Customized training may also be purchased at the rate of \$250 per hour for development time, \$200 per hour for delivery, plus travel expenses.



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RATES, FINANCIAL ASSUMPTIONS, AND SUMMARY

AWP is pleased to offer the following rates for City of Burnet. The offered fees include consultation, program implementation, education, and support materials described in this proposal. The fees are based on a monthly cost per employee covered and invoiced monthly. Clinical services cover employees, their household members and dependents and retirees.

In addition, all employees who sever for any reason are covered for a period of six months at no additional charge.

• <u>Full service EAP with up to three (3) sessions per issue</u> (Includes WorkLife Standard, HelpNet, LawAccess, SafeRide, PlanWell)	<u>\$1.42 PEPM</u>
• <u>Full service EAP with up to six (6) sessions per issue</u> (Includes WorkLife Standard, HelpNet, LawAccess, SafeRide, PlanWell)	<u>\$1.81 PEPM</u>
• <u>Value-added Services (Additional Cost):</u>	
• WorkLife Premium	\$0.49 PEPM
• NurseSupport	\$0.15 PEPM
• WellCoach	\$0.10 PEPM

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WHY ALLIANCE WORK PARTNERS?

- **Alliance Work Partners** offers your company a greater return on your investment with an average 5.8:1 ratio across our book of business.
- **No Conflict of Interest**: At AWP, our first concern is you. We have never charged a participant or an insurance company for our services.
- **One Customer**: AWP works for YOU! As a non-profit organization and freestanding entity, our goal is to **assist** organizations and the individuals of which they are comprised **achieve** optimal levels of performance.

Thank you for considering our proposal. It will be a privilege to serve you!



Public Works

ITEM 4.8

Jonny Simons
Assistant Public Works Director
830-743-7597
jsimons@cityofburnet.com

Agenda Item Brief

Meeting Date:	April 9, 2019
Agenda Item:	Discuss and consider action: Street Committee Recommendations: J. Simons
Background:	The Street Committee held two meetings over the last couple of months to review and discuss recommendations for the next group of streets to be reconstructed.
Information:	The attached list is being recommended by the committee. The streets included in this list will likely take several years to complete, however we need to provide sufficient notice to other utility providers to ensure they have time to relocate/repair their infrastructure if necessary.
Fiscal Impact:	The annual fiscal impact will depend on the level of funding approved by the Council each budget year.
Recommendation:	The committee recommends approval of the list as presented.

Group 1 (in no particular order)

SureCast
Bluebonnet
North Rhomberg (29 to Taggard)
Fort Croghan Drive (between Pizza Hut and Mama's Restaurant)
Tate (Main to Pierce)
Houston Clinton (281 to the airport)

Group 2 (in no particular order)

Shady Oak
Stapp
Sheppard
White
Janet
Applewood
Cottonwood
Spicewood
Beachwood
Elm (Rhomberg to Westfall)
Willow (Rhomberg to Westfall)
Cactus
South McNeil
Harvey



Administration

ITEM 4.9

Leslie Baugh
Administrative Services
(512) 715-3217
lbaugh@cityofburnet.com

Agenda Item Brief

Meeting Date:	April 9, 2019
Agenda Item:	Discuss and consider action: Acceptance of the award of the LCRA Community Development Partnership Program (CDPP) grant in the amount of \$50,000: L. Baugh
Background:	At the December 11, 2018 City Council meeting, City Council approved the LCRA Community Development Partnership Program (CDPP) grant application submittal to construct a live fire training tower in the amount of \$50,000.
Information:	April 1, 2019 the City of Burnet was awarded the LCRA CDPP grant.
Fiscal Impact:	The City will be responsible for all costs exceeding the CDPP grant amount of \$50,000. The 2018/19 Budget includes a total cost of \$130,000, which includes the \$50,000 grant from LCRA.
Recommendation:	Staff recommends acceptance of the award of the LCRA Community Development Partnership Program grant.



Public Works Department

ITEM 4.10

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

Agenda Item Brief

Meeting Date:	April 9, 2019
Agenda Item:	Discuss and consider action: Approve and authorize the City Manager to sign a contract with LCRA to perform Substation Inspection, Maintenance and Testing: G. Courtney
Background:	The City purchased their substation breakers from LCRA in 2010, and LCRA has contracted the maintenance for them ever since. The current contract is set to expire this year.
Information:	The purpose of this is to ensure the adequate operation of the breakers under normal operation, and in an electrical event to minimize damage on the electric system, customer's equipment, and electrical personal when working on the lines.
Fiscal Impact:	The total cost for the service will be \$15,750.00. The monthly amount added to the City's power bill will be \$262.50. The first billing will start April 1, 2019. The last payment will be March 1, 2024 (60 payments).
Recommendation:	A motion to approve and authorize the City Manager to enter into a 60 month contract with LCRA conducting a system study.

LCRA CUSTOMER SERVICES CONTRACT

(Form TS400 rev.12-21-07)

CUSTOMER: City of Burnet
P.O. Box 1369
Burnet, TX 78611
Gene Courtney

PROJECT: Substation Inspection, Maintenance and Testing

DATE SUBMITTED: February 21, 2019

SCOPE OF SERVICES:

Provide Substation Inspection, Maintenance and Testing per the attached Scope. The total cost for the service will be \$15,750.00 The monthly amount added to the City's power bill will be \$262.50. The first billing will start April 1, 2019. The last payment will be March 1, 2024 (60 payments).

SCHEDULE:

Targeted Completion Date:

Friday, March 01, 2024

Begins: Starts April 1, 2019

Completion: Ends March 1, 2024

CONTRACT TYPE & PRICE:

Monthly Amount: \$262.50

Cost: \$15,750.00 over 5 yr

Type: Independent Contract

Billing Method: Power Billing

Note: rates are subject to change based on prevailing LCRA rates.

Customer and the Lower Colorado River Authority agree that the work described above shall be performed in accordance with the terms and conditions in this contract.

City of Burnet

Lower Colorado River Authority

By: _____

By: _____

Title: _____

Title: Rob Seiler
VP, Transmission Field Services

Date: _____

Date: February 21, 2019

OFFICE USE ONLY

Job Description:

Account: 0

LCRA Work Order: _____

Approved By: _____

Actual Completion Date: _____

Assigned Contract Agent: Rob Seiler

Assigned Contract Administrator: Bill Jerram

5-Year Substation Inspection, Maintenance and Testing Scope of Work

This agreement shall cover the routine periodic monthly visual inspections, a yearly visual inspection and trip/close check, and the internal/external inspection every 5 years and any other maintenance requested by the City.

In addition, if needed at a later date, inspections and maintenance (routine or emergency) of City owned substation equipment as requested by the City can be performed. All inspections and maintenance shall be performed in accordance with the equipment manufacturer's guidelines **LCRA Standards for Inspection and Maintenance of LCRA Transmission Services Corporation Equipment and Facilities, Revision 5.7, Effective Date: January 1, 2017,** unless otherwise noted by City personnel. LCRA Transmission Services shall provide copies of all applicable inspection reports to the City.

Each additional task shall be approved by a separate task (e-mail or task order) associated to this contract. Each service work requested shall be invoiced separately. LCRA Transmission Services Substation Maintenance personnel will also be available for routine and emergency repair work at Customer Service prevailing rates. These services will be invoiced each time they are required after the work is performed and all charges are identified.

For any parts or components that have to be replaced we will notify you of the situation and get your approval to invoice at that time.

5-Year Substation Inspection Maintenance and Testing
Burnet

Monthly Visual Inspection (11 per year)	
	AMOUNT
BURNET - (1 each month - total of 11 checks per year for 5 years)	\$5,500.00
	\$5,500.00
Visual Inspection and Trip and Close Breaker on an Annual Basis (1 per year)	
	AMOUNT
BURNET - 4 breakers - one per year for 5 years	\$4,000.00
	\$4,000.00
Internal/External Inspection - 1 time over 5 years (includes relay testing)	
	AMOUNT
BURNET - 2 breakers per day - 4 breakers total	\$6,250.00
	\$6,250.00
TOTAL	\$15,750.00
MONTHS	60
Price/Mo.	\$262.50

CONTRACT TERMS AND CONDITIONS
(Construction Services Firm Rate / Fixed Fee Billing Method)

This Customer Services Contract (Form TS400CS) is subject to the following terms and conditions:

1. LCRA shall perform construction services as described in the attached Scope of Services.
2. LCRA will perform the work for a firm, fixed fee amount. LCRA may invoice the Customer for the entire fixed fee amount during the first month of work or for portions of the fixed fee amount over several months, but in no case shall the aggregate invoicing be for more than the fixed fee amount. All monetary payments under this Contract shall be due and payable within thirty (30) days after receipt of invoice. If payment is not timely made, interest shall accrue on the unpaid balance at the lesser of the maximum lawful rate, or one percent per month, from the due date until paid.
3. Changes in the Scope of Services may be made only by a written change order signed by representatives of Customer and LCRA. Verbal change orders shall not be given nor accepted, except in case of an emergency which endangers people or property and such order shall be followed up with a written confirmation as soon as practicable.
4. The term of this Contract shall be the duration of the work. The Contract may be terminated at any time by either party upon written notice to the other party. When the Contract is terminated by either party, the Customer shall pay for services rendered under this Contract up to the date of termination.
5. There are no third party beneficiaries to this Contract and the provisions of this Contract shall not create any legal or equitable right, remedy or claim enforceable by any person, firm, or organization other than the parties and their permitted successors and permitted assigns.
6. Limited Warranty.
 - (a) LCRA shall perform all services in accordance with acceptable industry practice, in a good and workmanlike manner, and in accordance with installation instructions and requirements of any applicable equipment manufacturer and supplier. During a period of thirty (30) days after acceptance of the work by Customer, LCRA shall correct any work not conforming to the foregoing warranties by reperforming the services.
 - (b) LCRA shall assign to Customer, as the end-user, any applicable equipment or supply warranties provided by LCRA's vendors. All warranty documentation shall be furnished to the Customer.
 - (c) **THE WARRANTIES CONTAINED IN THIS SECTION 6 ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND CUSTOMER'S REMEDIES ARE LIMITED TO LCRA'S OBLIGATIONS AS EXPRESSLY STATED IN THIS SECTION 6.**
7. **THE TOTAL LIABILITY OF LCRA ARISING OUT OF THIS CONTRACT AND THE WORK PERFORMED HEREUNDER WILL NOT EXCEED AN AMOUNT EQUAL TO THE FEES PAID TO LCRA UNDER THIS CONTRACT, AND LCRA WILL NOT BE LIABLE FOR INDIRECT, PUNITIVE, INCIDENTAL, SPECIAL, OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS. IN NO EVENT SHALL ANY OFFICER, DIRECTOR, EMPLOYEE OR AFFILIATE (OR AFFILIATE'S OFFICER, DIRECTOR OR EMPLOYEE) OF LCRA BE LIABLE TO CUSTOMER UNDER THIS CONTRACT, AND CUSTOMER'S SOLE RECOURSE UNDER THIS CONTRACT SHALL BE AGAINST LCRA AND NOT AGAINST SUCH OTHER PERSONS. THE LIMITATIONS ON LIABILITY AND REMEDIES IN THIS PARAGRAPH WILL APPLY REGARDLESS OF WHETHER THE LIABILITY OR CAUSE OF ACTION ARISES IN CONTRACT, WARRANTY, INDEMNITY, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY OR OTHERWISE. NOTHING IN THIS CONTRACT SHALL BE CONSTRUED TO WAIVE LCRA'S GOVERNMENTAL IMMUNITY.**
8. This Contract together represents and contains the entire agreement and understanding between the parties with respect to the subject matter of this Contract and supersedes any and all prior or contemporaneous oral and/or written agreements and understandings. No representations, warranty, condition, understanding or agreement of any kind with respect to the subject matter of this Contract shall be relied upon by the parties unless incorporated into this Contract. This Contract may not be amended or modified except by a writing executed both by an authorized representative of LCRA and by an authorized representative of the Customer.

