



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

Notice is hereby given that a **Regular City Council Meeting** will be held by the governing body of the City of Burnet on the **14th day of March, 2023**, at **6:00 p.m.**, in the City of Burnet Council Chambers located at 2402 S. Water Street (Hwy. 281 South, Burnet Municipal Airport) Burnet, TX.

The City of Burnet City Council Meeting will be available for live viewing via the following media connections.

City of Burnet Facebook Page: <https://www.facebook.com/cityofburnet>

City of Burnet Website via Zoom as follows:

<https://us02web.zoom.us/j/81278669602>

Or One tap mobile :

US: 8778535257,,81278669602# (Toll Free) or 8884754499,,81278669602# (Toll Free)

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)

Webinar ID: 812 7866 9602

International numbers available: <https://us02web.zoom.us/j/81278669602>

The Zoom connection is a live broadcast viewing option only. The option for comments will not be available.

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

The following subjects will be discussed, to wit:

CALL TO ORDER:

ROLL CALL:

INVOCATION:

PLEDGES (US & TEXAS):

1. SPECIAL REPORTS/RECOGNITION:

- 1.1) Burnet Municipal Airport Quarterly Report: A. Feild
- 1.2) Burnet Police Department Quarterly Report: B. Lee
- 1.3) Development Services Operational Needs Report: C. Kehoe

2. CONSENT AGENDA:

- 2.1) Approval of the February 28, 2023 Regular City Council Meeting minutes

3. PUBLIC HEARINGS/ACTION: None.

4. ACTION ITEMS:

4.1) Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2022-38; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY: P. Langford

4.2) Discuss and consider action: A RESOLUTION BY THE CITY OF BURNET, TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF ATMOS ENERGY CORPORATION – MIDTEX DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY TO CONTINUE TO PARTICIPATE IN A COALITION OF CITIES KNOWN AS THE "ATMOS TEXAS MUNICIPALITIES;" DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE: D. Vaughn

4.3) Discuss and consider action: Appointment to the Comprehensive Plan Committee: D. Vaughn

4.4) Discuss and consider action: Discuss the adoption of a Golf Course Vegetation Buffer Tree Preservation Ordinance as an amendment to City Code Section 118-63. D. Vaughn

4.5) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, DENYING THE PRELIMINARY PLAT OF HILLTOP OAKS SUBDIVISION CONSISTING OF APPROXIMATELY 92 RESIDENTIAL LOTS ON 76.06 ACRES OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405: C. Pearson

4.6) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE STREET REHAB PROGRAM, AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE PROGRAM: E. Belaj

5. REQUESTS FROM COUNCIL FOR FUTURE REPORTS: In accordance with Resolution 2020-28 Council Members may request the City Manager to prepare and present future reports on matter of public interest.

6. ADJOURN:

Dated this 10th day of March, 2023

City of Burnet

Mayor Crista Goble Bromley

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 March 10, 2023 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 of Burnet Council Chambers 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).



BURNET MUNICIPAL AIRPORT

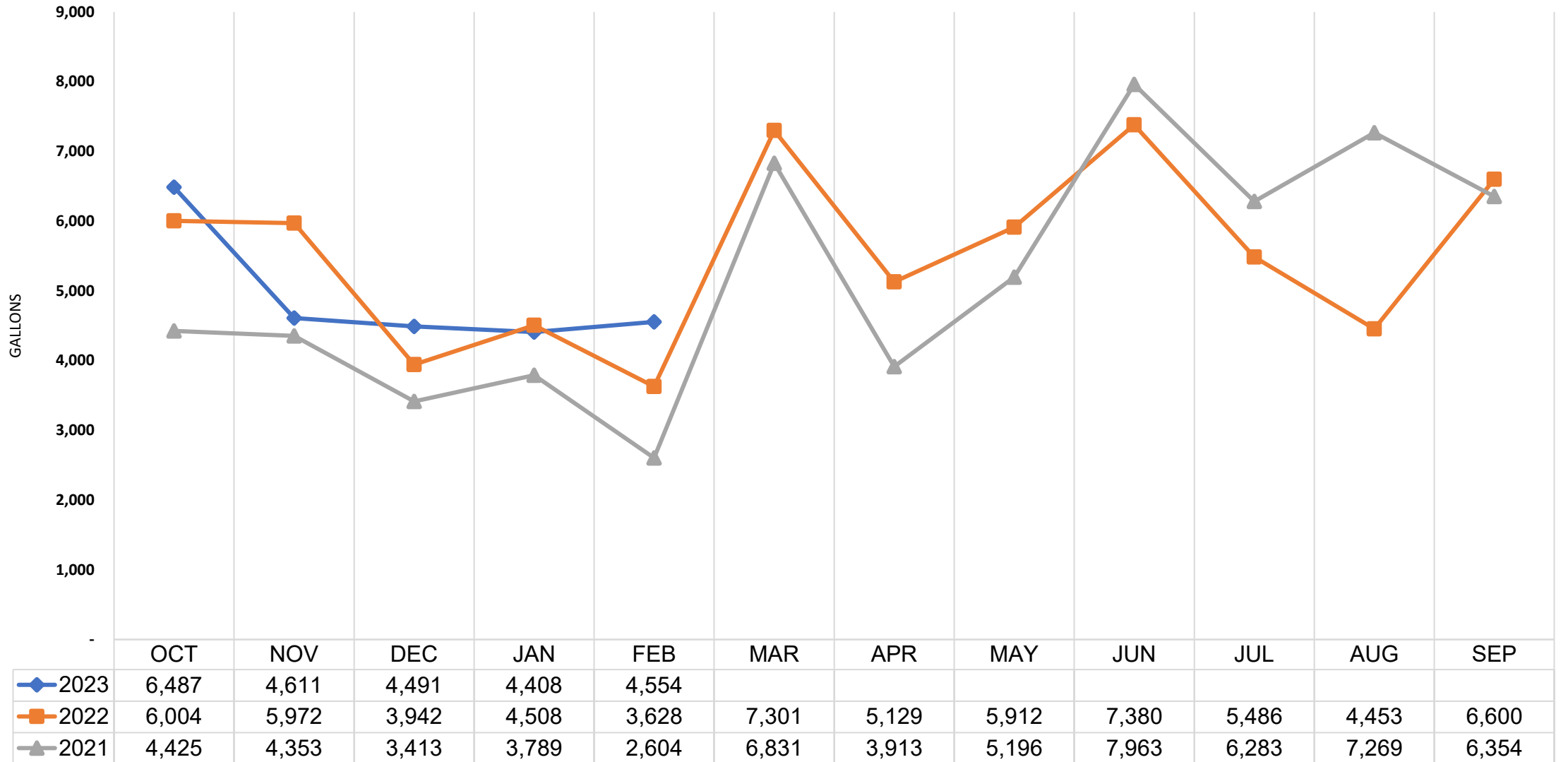
QUARTERLY REPORT

MARCH 14, 2023

AVGAS 100LL GALLONS SOLD

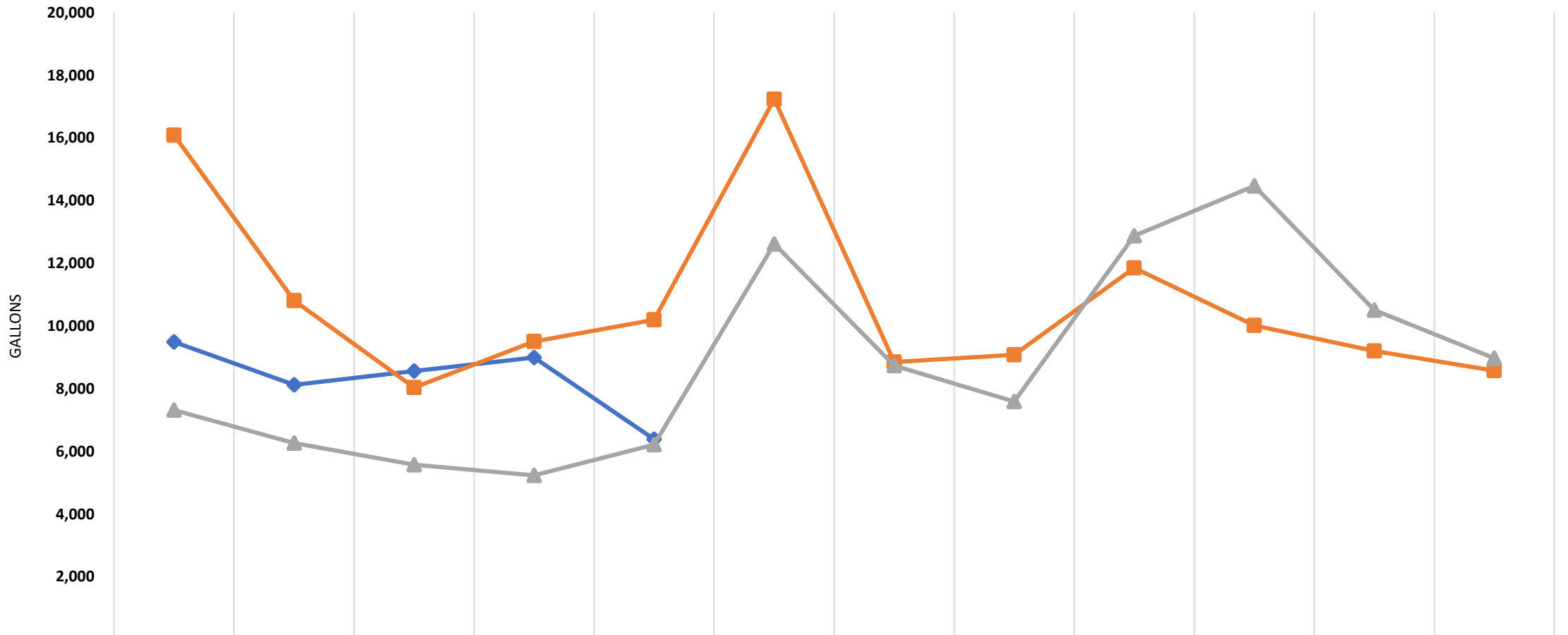
FYTD FEBRUARY 2023

◆ 2023 ■ 2022 ▲ 2021



JET FUEL GALLONS SOLD **FYTD FEBRUARY 2023**

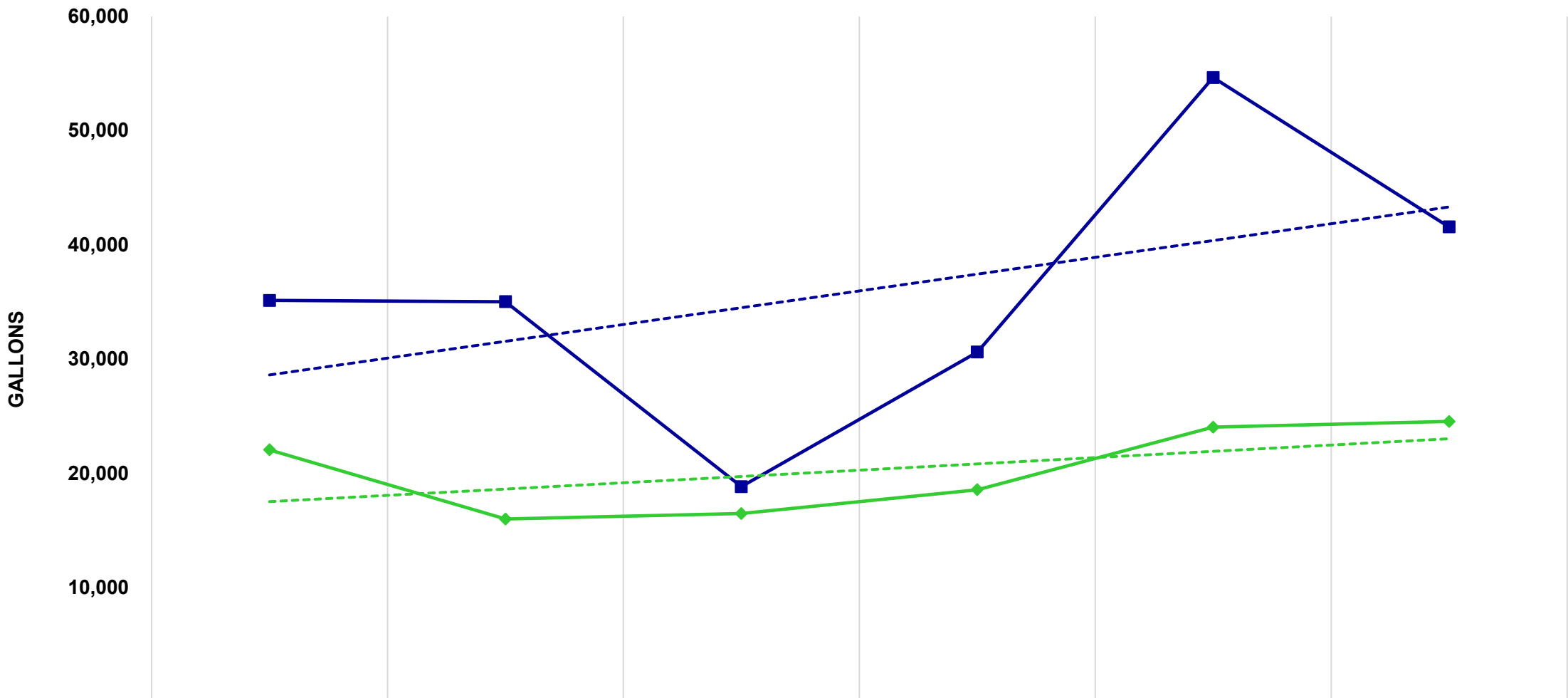
◆ 2023
■ 2022
▲ 2021



◆ 2023	9,493	8,128	8,566	8,996	6,395							
■ 2022	16,092	10,815	8,043	9,511	10,198	17,238	8,857	9,085	11,855	10,022	9,204	8,582
▲ 2021	7,317	6,270	5,580	5,238	6,221	12,619	8,737	7,597	12,878	14,470	10,510	8,975

GALLONS SOLD 6-YEAR TREND
FYTD FEBRUARY 2023

◆ Av Gas ■ Jet Fuel - - - Linear (Av Gas) - - - Linear (Jet Fuel)

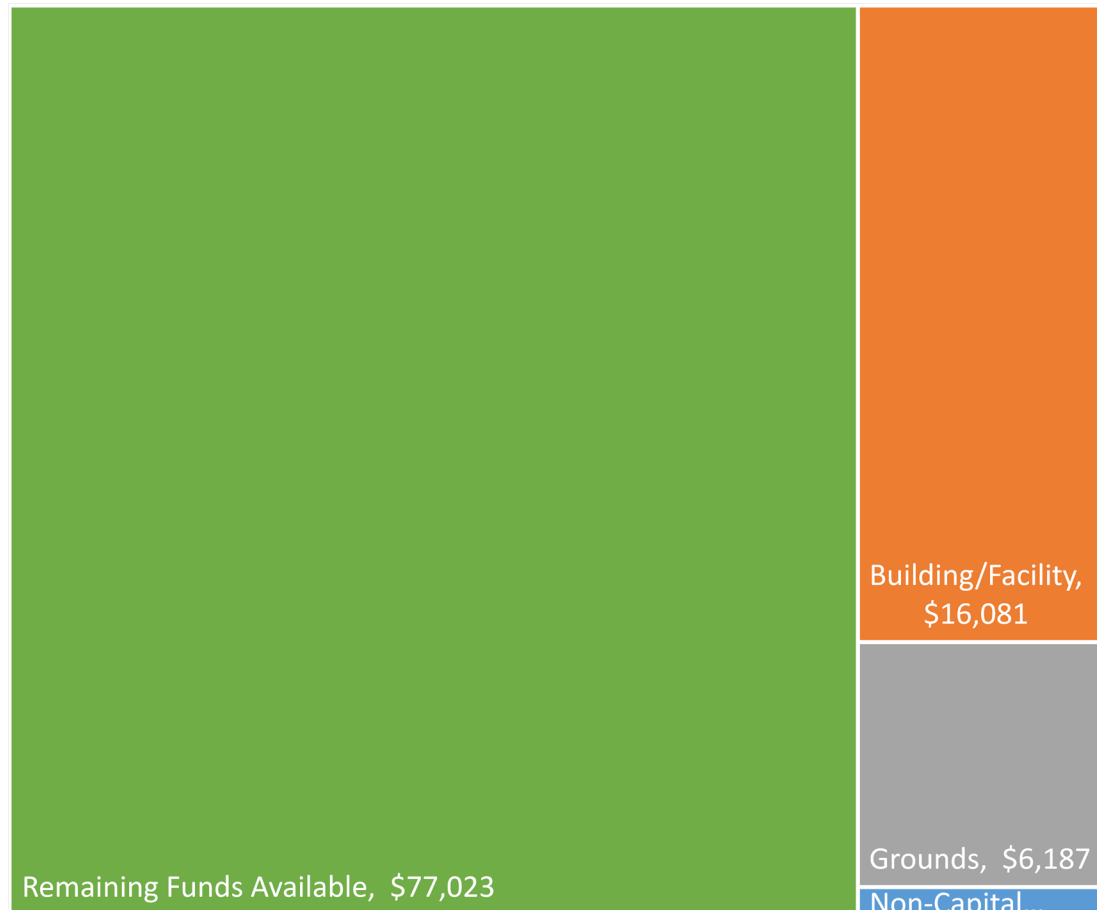


◆ Av Gas	22,068	16,020	16,500	18,584	24,054	24,550
■ Jet Fuel	35,149	35,033	18,845	30,625	54,659	41,578

RAMP GRANT 22/23 (9/1/2022- 8/31/2023)

Routine Airport Maintenance Program (RAMP) grant which is a 50/50 reimbursable grant program

- Equipment
- Building/Facility
- Grounds
- Airside(Pavement)
- Non-Capital Supplies/Equipment
- Remaining Funds Available



Total RAMP Expenditures	
FYTD January 2023	
Equipment	\$ -
Building/Facility	\$ 16,081
Grounds	\$ 6,187
Airside(Pavement)	\$ -
Non-Capital Supplies/Equipment	\$ 708
Remaining Funds Available	\$77,203

Airport Coronavirus Response Grant Program (CRRSAA) / Airport Coronavirus Response

- Grant Program (ACRGP)
\$13,000 (already received and is closed out)
- Airport Rescue Plan Act (ARPA)
\$32,000
- CARES Act Grant
\$30,000
- Bipartisan Infrastructure Law(BIL)
\$795,000 (spilt over 5 years; \$159k/year)

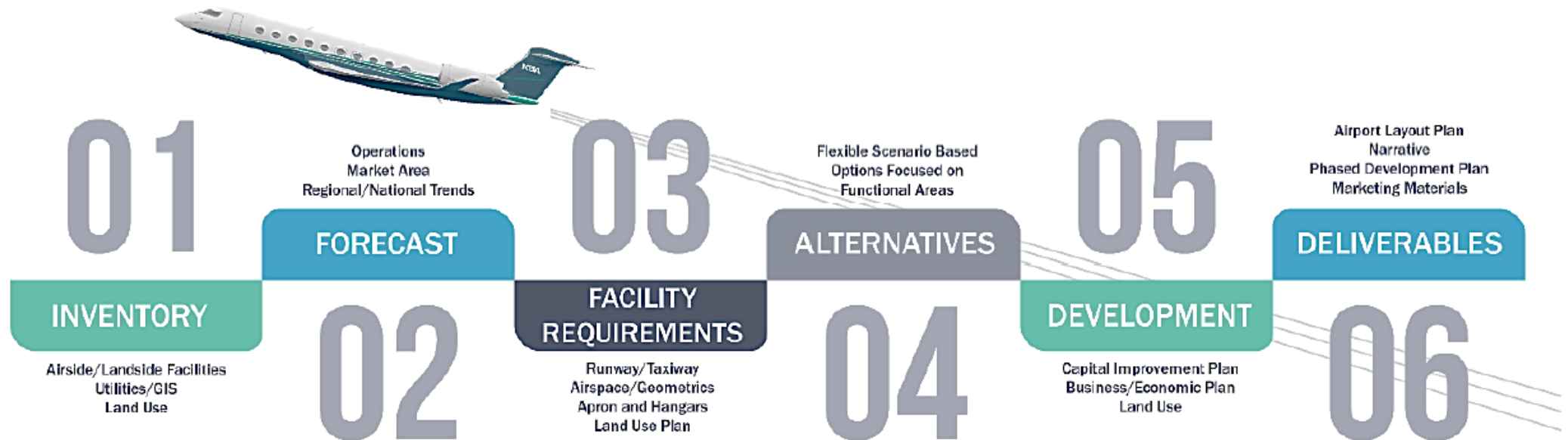
STORAGE HANGARS

Type	Number of Units	Individuals on Waiting List
Sun Shelters	24	19
Standard T-hangars	28	91
Community Hangar	1 (3 tenants)	
Large T-hangar	1	

An aerial photograph of an airport, showing a long runway and taxiway stretching into the distance. The image is overlaid with a semi-transparent blue filter. On the left side of the runway, there are several hangars and other airport buildings. The text "CURRENT PROJECTS & UPDATES" is written in white, serif, all-caps font across the middle-left portion of the image.

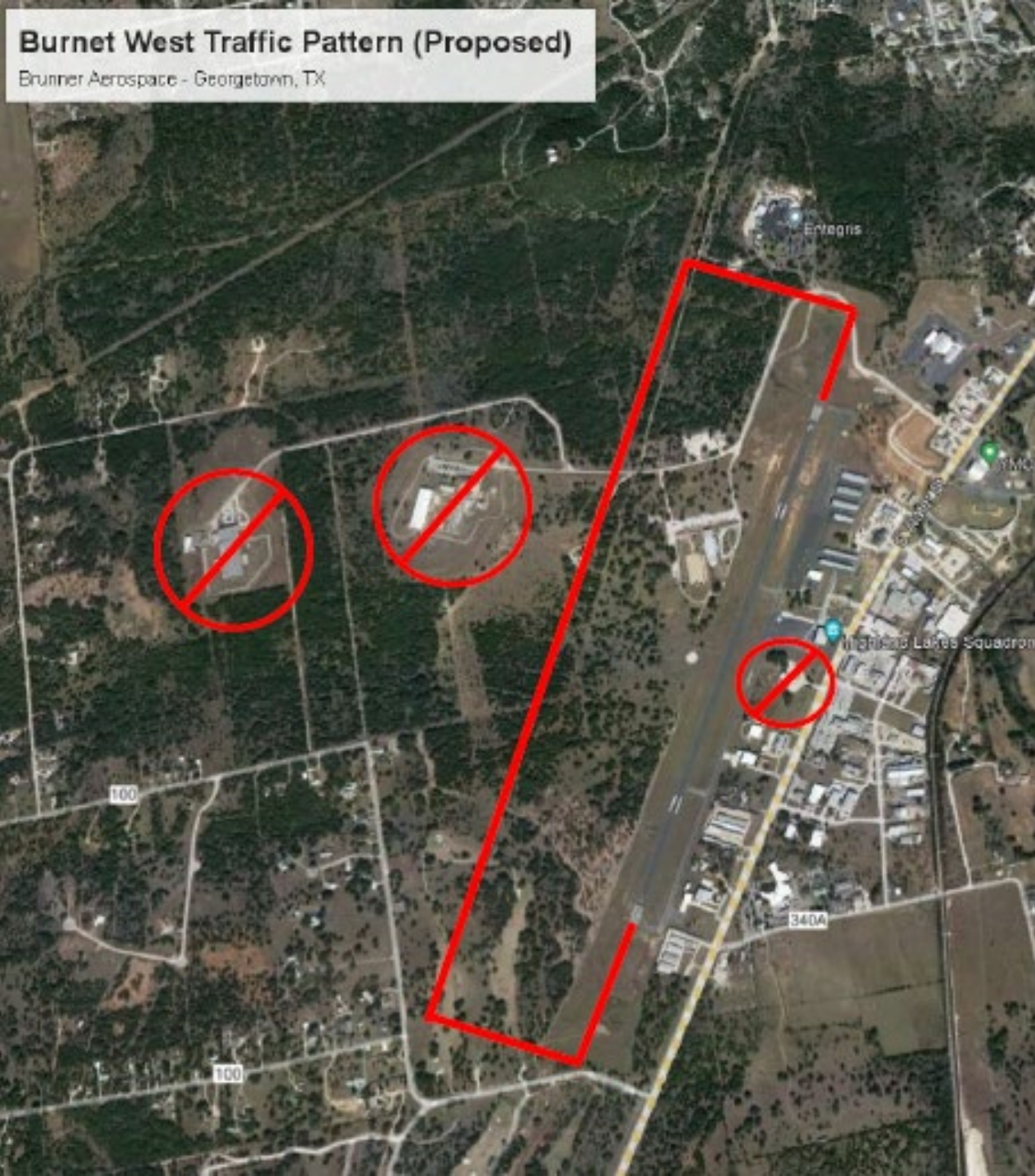
CURRENT PROJECTS & UPDATES

AIRPORT LAYOUT PLAN (ALP) UPDATE WITH NARRATIVE





- ✓ Topographic Survey
- ✓ Geotechnical Investigation
- ✓ Design Phase (100%)
- ☐ Bid Phase
- ☐ Construction Phase
- ☐ Prepare Closeout Documents



Burnet West Traffic Pattern (Proposed)

Brunner Aerospace - Georgetown, TX

PROPOSED
HELICOPTER
OPERATIONS
FLIGHT PATTERN

OTHER PROJECTS & UPDATES

➤ Airport Standards & Operating Policy

➤ Fixed Base Operator(FBO)

Crosby Flying Services, LLC



➤ Ground Lease(s)

Airy Mount Properties, LLC- Letter of Intent

ON THE HORIZON...



TXDOT STATEWIDE PAVEMENT
MAINTENANCE PROJECT



TXDOT AVIATION CONFERENCE
April 12-14, 2023

QUESTIONS/
COMMENTS



A close-up, front-facing view of a police car with its emergency lights flashing. The lights are a mix of blue and red, creating a bright, hazy glow. The car's hood and windshield are visible, and the interior is dimly lit. The text "Burnet Police Quarterly Report" is overlaid in white, sans-serif font across the center of the windshield.

Burnet Police Quarterly Report

Calls for service

3051 Calls for service

- On pace with our annual calls for service.

266 Welfare concerns

- Vary on the type of call for service.

170 911 abandoned/hang ups.

- Continues to be a problem in this area and we respond daily to these types of calls.

94 crashes

- A little higher for the quarter but still in line with the annual numbers of crashes.
- Many of the crashes are minor crashes.
- 18 Major crashes for the year out of 343.

Self-initiated calls

1756 self-initiated calls

1309 traffic stops

72 self-initiated follow up calls

- This is a protocol that was put in place to ensure follow up was done to the greatest extent by initial responding officers to reduce workload on CID.
- CID caseload has been reduced to a level where they can expend appropriate resources on each assigned case.

Accreditation



Application has been accepted

Training has been completed for DT instructors

Mats have been ordered

Policy manual is being reissued electronically

- Each section will be distributed and signed for by each officer with any changes to meet best practices under accreditation.



Marci Russell will be attending training and become the program manager for the accreditation process and renewals.

Oxygen Forensics Highlights



Code enforcement

2022 Cases

280 cases total

- | | |
|-------------------------------|-----|
| • High grass and weeds | 84 |
| • Debris | 120 |
| • RV | 8 |
| • IPMC | 12 |
| • No Permit | 2 |
| • Junked/abandoned vehicles | 49 |
| • Obstruction of right of way | 2 |
| • Living in a vehicle | 1 |

Clean up 600 N. Vanderveer

- This process took over a year to complete.
- Owner was willing to demo the property but failed to clean up.
- City hired a contractor to clean up.





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Clean up 904 N. Main

- Owner clean up
- 4-5 months for completion













TM
VODKA 80

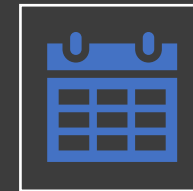
Deluxe

ST PAULI N.A.



Clean up 1102 N.
Water

Owner did the
clean up



Completion took
4 – 5 months.









Lt. Process

The Lt. process consisted of the following:

- Resume
- Command board interview
- Presentation
- Tactical assessment board
- Writing assignment

Utilized 7 external evaluators to score each area.

The resume and writing assignment was scored internally.

Sgt. Stewart was selected and will be promoted to Lt. April 1st.



Questions





Development Services Departmental Review

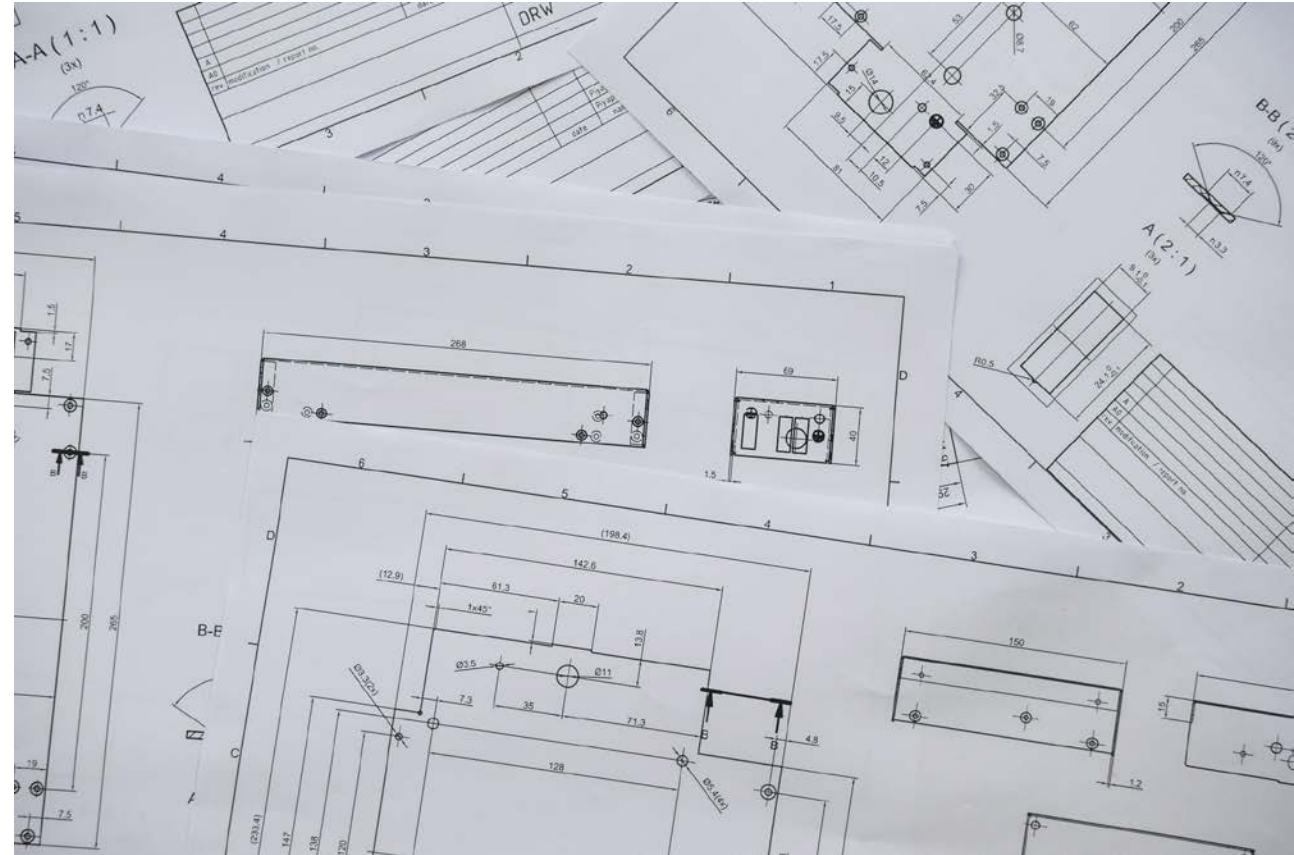
March 9, 2023

Introduction

Development Services Department is optimized for the current workload.

Department is fully staffed. Staff is receiving training to enhance capacity and efficiencies.

Workflow is improved and efficient.



Staff Workload By Month 2023

	Building Permits	Plats Received	Customer Service Inquiries	Special Projects
Month 1	18	3	~300	Drone Training
Month 2	27	2	~285	Checklist & Form Diagnostic
Month 3 (so far)	7	2	~105	Comp Plan Component Training

Our team



Habib

Assistant City Manager



Carly

Director of Development
Services



Leslie

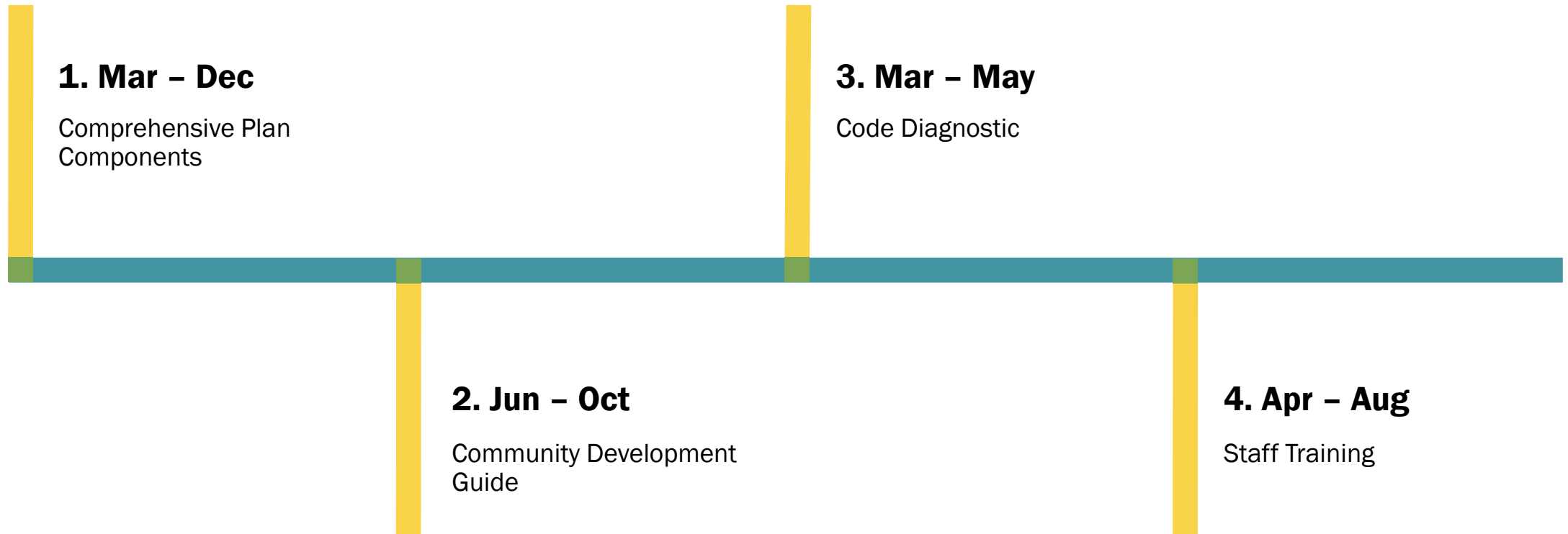
Planning Manager



Bryce

Planner I

Upcoming Enhanced Initiatives



Summary



Our business is good

Customer Service inquiries and building applications are picking up from last year. Our workflow is improved with new review practices, training and policy priorities.

We're getting our work done

We are fully staffed at this time for the current and anticipated workload

We're delivering for our customers

We have consistently been receiving and handling approximately 300 customer inquiries per month



Thank you

Development Services Department

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

On this the 28th day of February, 2023, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m. the City of Burnet Council Chambers located at 2402 S. Water Street (Hwy 281 South, Burnet Municipal Airport) Burnet, Tx. thereof with the following members present, to-wit:

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

Guests: Mark Ingram, Patricia Langford, Tony Nash, Brian Lee, Eric Belaj, Maria Gonzales, Adrienne Field, Mark Miller, Haley Archer, Bryce Van Arsdale, Jimmy Crain, Tommy Gaut, Hillary Sotello

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

INVOCATION: Led by Council Member Mary Jane Shanes

PLEDGES (US & TEXAS): Led by Council Member Philip Thurman

SPECIAL REPORTS/RECOGNITION: None.

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 February 14, 2023 Regular City Council Meeting Minutes

Council Member Mary Jane Shanes moved to approve the consent agenda as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

REPORTS:

January 2023 Financial Report: P. Langford: Director of Finance Patricia Langford presented the January 2023 Financial Report, to include a review of all revenues, expenses, and current tracking with budget for the General Fund, Golf Fund, Utility Funds and Cash Reserves.

Annual Traffic Stop Data Report: B. Lee: Police Chief Brian Lee reviewed the statistical information for the 2022 Traffic Stop Data with all present as required by the Code of Criminal Procedure.

Presentation of TDHCA CDBG-CV Section 3 Goals and Concepts as related to the CDBG-CV CARES Act Program and Grant Contract 70800001002 - Child Advocacy Center: A. Field: Hillary Sotello, Grant Works, Inc. reviewed the THDCA CDBG-CV Section 3 goals and concepts that require grant recipients to direct economic opportunities generated by CDGB Funds to low and very low income. Ms. Sotello stated that Grant Works, Inc. is responsible for providing the assistance to the City to meet the compliance requirements.

PUBLIC HEARINGS/ACTION: None.

ACTION ITEMS:

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY GENERALLY DESCRIBED AS 805 NORTHINGTON: 0.22-ACRE TRACT LOT NUMBER 3, LUNA PARK). WITH SINGLE-FAMILY RESIDENTIAL “R-1” PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler: Council Member Philip Thurman moved to approve and adopt Ordinance 2023-04 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING

MAP OF THE CITY BY ASSIGNING THE PROPERTY LOCATED AT 5409 S US HWY 281 (LEGALLY DESCRIBED AS: BEING 16.72 ACRES OF LAND (INSIDE CITY LIMITS), MORE OR LESS, OUT OF AND PART OF THE FRANCISCO YBARBO SURVEY NO. 39, ABST. NO. 1018, AND THE SUSANO HERNANDEZ SURVEY NO 40, ABST. NO 398) WITH MEDIUM COMMERCIAL – DISTRICT “C-2” CLASSIFICATION WITH CONDITIONAL USE PERMIT TO ALLOW FOR “LANDSCAPE YARD AND BUILDING MATERIALS YARD”; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler: Council Member Joyce Laudenschlager moved to approve and adopt Ordinance 2023-05 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ELECTING TO PARTICIPATE IN THE TEXAS ATTORNEY GENERAL’S OPIOID SETTLEMENTS; AUTHORIZING THE CITY MANAGER TO TAKE REASONABLY NECESSARY ACTIONS TO FACILITATE THE CITY’S PARTICIPATION; AND DIRECTING FUNDS RECEIVED FROM SUCH SETTLEMENT BE BUDGETED FOR POLICE DEPARTMENT DRUG INTERDICTION PROGRAMS: H. Erkan: Council Member Philip Thurman moved to approve Resolution R2023-14 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: A request for the addition of a full-time Food and Beverage Attendant position to replace a part-time position at the Delaware Springs Golf Course and consider an increase to Golf Course Food and Beverage salaries budget: T. Nash: Council Member Philip Thurman moved to approve the addition of a full-time snack bar position for the Delaware Springs Golf Course as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: An amendment to the Planning and Zoning Commission By-Laws: L. Kimbler: Pass. No action taken.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: In accordance with Resolution R2020-28 councilmembers may request the City Manager to prepare and present future report on matters of public interest: No requests.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 6:36 p.m. seconded by Council Member Joyce Laudenschlager. The motion carried unanimously.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

City of Burnet Budget Amendments Fiscal Year 2022-2023

1st reading of the Ordinance
March 14, 2023

Attachment A

1. \$260,530 increase in **Airport Fund** expenses and a \$247,940 increase in Airport Fund revenues due to the extension of the interim FBO contract.
2. \$73,000 increase in **Self-funded Fund** expenses to purchase new police vehicles due to higher than anticipated vehicle and outfitting costs.
3. \$580,000 increase in **General Capital Project Fund** expenses to purchase a new Pumper Truck with equipment for the Fire department.

Attachment A (Continued)

4. \$122,500 increase in **Airport Capital Project Fund** expenses for paving project.
5. \$65,000 increase in **General Capital Project Fund** expenses for range improvements.
6. \$1,115,000 increase in **BEDC Fund** expenses to purchase the Beall's building.
7. \$9,524 increase in **Golf Fund** expenses for benefit costs of adding an additional full-time food and beverage position.



Questions?



Finance

ITEM 4.1

Patricia Langford
Director of Finance
(512)-715-3205
plangford@cityofburnet.com

Action

Meeting Date: March 14, 2023

Agenda Item: Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2022-38; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY: P. Langford

Background:

Information: This ordinance provides for fiscal year 2022-2023 budget amendments as listed on Attachment "A". The items that were previously presented to and approved by the City Council have been noted.

Fiscal Impact: As noted on Attachment "A"

Recommendation: Approve and adopt Ordinance 2023-06 as presented

ORDINANCE NO. 2023-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2022-38; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY.

WHEREAS, the City of Burnet, Texas Fiscal Year 2022-2023 Budget was adopted by Ordinance 2022-38 within the time and in the manner required by State Law; and

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

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

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

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

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

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

Section 1. Findings

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

Section 2. Purpose

The City of Burnet, Texas, Fiscal Year 2022-2023 Budget is hereby amended to reflect the effect of unforeseen circumstances, as reflected in attachment "A",

Section 3. Savings/Repealing Clause

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

Section 4. Severability

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

PASSED AND APPROVED the First Reading on this the 14th day of March, 2023.

FINALLY PASSED AND APPROVED on this the 28th day of March, 2023.

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

1. **\$260,530 increase in the Airport Fund expenses and a \$247,940 increase in revenues mainly due to the extension of the interim FBO contract through December 2022.** The following is a breakdown of the revenue and expense increases:

○ Revenues	
• AvGas Sales	\$88,950
• Jet Fuel Sales	\$152,320
• Property Lease	\$6,670
○ Expenses	
• Contract Labor FBO	\$54,000
• AvGas Fuel Purchases	\$102,775
• Jet Fuel Purchases	\$71,575
• Fuel Truck Leases	\$7,900
• Credit Card Service Charges	\$6,775
• Property Tax	\$6,670
• Admin Allocation	\$10,835

The net difference of \$12,590 will be covered by current operations. (Extension of the interim FBO contract was presented to City Council on October 25, 2022).

2. **\$73,000 increase in the Self-funded Fund expenses to purchase new police vehicles and the related increase in the transfer to Self-funded expense in the Police department budget for higher than anticipated vehicle costs and outfitting.** The cost will be covered by fund balance. Budgeted funds to purchase three 2023 Chevy Tahoes and a 2023 Chevy 1500 truck are about \$60,000 less than the total estimated expense and the budgeted funds carried over for the purchase of the three 2022 Chevy Tahoes and the 2022 ACO truck are about \$13,000 less than the actual expense. (2023 proposed purchase was presented to City Council on December 13, 2022).
3. **\$580,000 increase in General Capital Project Fund expenses to purchase a new Pumper Truck with equipment for the Fire department.** \$130,000 of the cost will be provided by Burnet County Emergency Services District No. 7 per the cost sharing agreement and the balance will be funded from the City's capital equipment reserve account as previously approved by the City Council. (Presented to City Council on January 10, 2023).
4. **\$122,500 increase in the Airport Capital Project Fund expenses for the airport paving project CSJ-2314BRNET.** The cost will be covered by airport fund reserves. (Presented to City Council on January 10, 2023).
5. **\$65,000 increase in the General Capital Project Fund expenses for the Police department's shooting range improvements to include concrete surfacing of the shooting area and a new target system.** The City anticipates receiving approximately \$30,000 in opioid settlement money which if received will be applied to offset the cost. The balance is to be funded from fund balance. (Presented to City Council on January 10, 2023).

6. **\$1,115,000 increase in the Burnet Economic Development Corporation expenses for the purchase of the Bealls property.** The cost will be covered by fund balance. (Presented to City Council on January 24, 2023).
7. **\$9,524 increase in Golf Course Fund expenses for the remaining benefit costs of adding an additional full-time food and beverage position.** The cost will be covered by increased revenues from snack bar sales. (Presented to City Council on February 28, 2023).



Administration

ITEM 4.2

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

Action

Meeting Date: March 14, 2023

Agenda Item: Discuss and consider action: A RESOLUTION BY THE CITY OF BURNET, TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF ATMOS ENERGY CORPORATION – MIDTEX DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY TO CONTINUE TO PARTICIPATE IN A COALITION OF CITIES KNOWN AS THE "ATMOS TEXAS MUNICIPALITIES;" DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE: D. Vaughn

Background: On February 24, 2023 Atmos-MidTex filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program ("GRIP"), as its "2022" interim adjustment because, the increase in rates Atmos-MidTex presents in its application is based on capital expenditures it made from January 1, 2022 through December 31, 2022.

Atmos Energy's application if approved by the Commission will result in an increase in the monthly customer charges as shown in the graph below:

Rate Schedule	Current Customer Charge	Proposed 2022 Interim Rate Adjustment	Adjusted Charge	Increase Per Bill
Rate R – Residential Sales	\$34.29 per customer per month	\$5.09 per customer per month	\$39.38 per customer per month	\$5.09
Rate C – Commercial Sales	\$94.22 per customer per month	\$16.63 per customer per month	\$110.85 per customer per month	\$16.63

Rate I – Industrial Sales	\$1,772.54 per meter per month	\$306.86 per meter per month	\$2,079.40 per meter per month	\$306.86
Rate T – Transportation	\$1,772.54 per meter per month	\$306.86 per meter per month	\$2,079.40 per meter per month	\$306.86

Information: This is a Resolution suspending the effective date of April 25, 2023, proposed by Atmos-MidTex in its application filed on or about February 24, 2023, pursuant to section 104.301 of the Gas Utility Regulatory Act, sometimes also referred to as the “GRIP” statute.

The execution of the forty-five day suspension Resolution by the City will provide the time needed for the City’s due diligence with regard to the proposed rate increases requested under the GRIP.

Fiscal Impact: None at this time.

Recommendation: Approve and adopt Resolution R2023-18 as presented.

RESOLUTION NO. R2023-18

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF ATMOS ENERGY – MID-TEX DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY'S PARTICIPATION IN COORDINATION WITH OTHER CITIES IN A COALITION OF CITIES KNOWN AS THE ATMOS TEXAS MUNICIPALITIES; REQUIRING THE REIMBURSEMENT OF COSTS; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS: on or about February 24, 2023, Atmos Energy – Mid-Tex Division (Atmos-MidTex) filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program ("GRIP"), resulting in a requested increase in the monthly customer charge as shown in the table below, and;

Rate Schedule	Current Customer Charge	Proposed 2022 Interim Rate Adjustment	Adjusted Charge	Increase Per Bill
Rate R – Residential Sales	\$34.29 per customer per month	\$5.09 per customer per month	\$39.38 per customer per month	\$5.09
Rate C – Commercial Sales	\$94.22 per customer per month	\$16.63 per customer per month	\$110.85 per customer per month	\$16.63
Rate I – Industrial Sales	\$1,772.54 per meter per month	\$306.86 per meter per month	\$2,079.40 per meter per month	\$306.86
Rate T – Transportation	\$1,772.54 per meter per month	\$306.86 per meter per month	\$2,079.40 per meter per month	\$306.86

WHEREAS: the City has a special responsibility to exercise due diligence with regard to rate increases of monopoly utilities who operate within its boundaries; and

WHEREAS: the application to increase rates by Atmos-MidTex is complex; and

WHEREAS: it is necessary to suspend the effective date for the increase in rates for forty-five days, so that the City can assure itself that the data and calculations in Atmos-MidTex' rate application are correctly done, and whether Atmos-MidTex' application otherwise conforms to the requirements of Texas Utilities Code § 104.301, commonly referred to as the GRIP statute; and

WHEREAS: the effective date proposed by Atmos-MidTex is April 25, 2023, but a suspension by the City will mean that the rate increase cannot go into effect prior to June 9, 2023.

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

Section 1. That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. The City suspends the requested effective date by Atmos-MidTex for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application, and to determine whether Atmos-MidTex' application otherwise conforms to the requirements of the GRIP statute.

Section 3. The City continues to act in coordination with a group of cities known as the Atmos Texas Municipalities in its review of Atmos-MidTex' rates.

Section 4. The City authorizes the law firm of Herrera Law & Associates, PLLC, to represent the City in connection with Atmos-MidTex' application to increase rates.

Section 5. Atmos-MidTex is ordered to reimburse the City's reasonable rate case expenses incurred in response to Atmos-MidTex' rate increase application within 30 days of receipt of invoices for such expenses to the extent allowed by law.

Section 6. The meeting at which this resolution was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 7. This resolution shall be effective immediately upon passage.

PASSED AND APPROVED this 14th day of March, 2023.

CITY OF BURNET, TEXAS

ATTEST:

Kelly Dix, City Secretary

Crista Goble Bromley, Mayor



Proposed Rate Increase

Rate Schedule	Current Customer Charge	Proposed 2022 Interim Rate Adjustment	Adjusted Charge	Increase Per Bill
Rate R – Residential Sales	\$34.29 per customer per month	\$5.09 per customer per month	\$39.38 per customer per month	\$5.09
Rate C – Commercial Sales	\$94.22 per customer per month	\$16.63 per customer per month	\$110.85 per customer per month	\$16.63
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Rate T – Transportation	\$1,772.54 per meter per month	\$306.86 per meter per month	\$2,079.40 per meter per month	\$306.86



Administration

ITEM 4.3

David Vaughn
City Manager
512.715.3208
dvaughn@cityofburnet.com

Action

- Meeting Date:** March 14, 2023
- Agenda Item:** Discuss and consider action: Appointment to the Comprehensive Plan Committee: D. Vaughn
- Background:** On July 27, 2021 Mayor Crista Goble Bromley, Council Members Ricky Langley and Philip Thurman were appointed by Council to serve with Staff on the Comprehensive Plan Committee.
- Information:** Due to the impending end of Mayor Bromley's term of service on the Burnet City Council in May 2023, the Mayor has requested her removal from the committee and appointment of Gary Wideman to serve in her place.
- Fiscal Impact:** N/A
- Recommendation:** Staff recommends the appointment of Gary Wideman to serve with staff on the Comprehensive Plan Committee.

Comp Plan Committee





Development Services

ITEM 4.4

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

Action

Meeting Date: March 14, 2023

Agenda Item: Discuss and consider action: Discuss the adoption of a Golf Course Vegetation Buffer Tree Preservation Ordinance as an amendment to City Code Section 118-63. D. Vaughn

Background: In February of last year City Council adopted municipal golf course vegetative buffer requirements. The buffer applies to lots abutting the golf course as shown on Map 118-63 City Code. The restrictive buffer is 25-feet in width and prohibits fences or structures. The municipal golf course vegetation buffer may be maintained in its natural state or may be landscaped by the planting of non-native vegetation and decorative stones; provided such stones do not create a wall or other barrier between the buffer and municipal golf course.

Information: A Golf Course Vegetation Buffer Tree Preservation Ordinance would prohibit the removal of existing trees within the vegetative buffer area.

Fiscal Impact Adoption of a Golf Course Vegetative Buffer Tree Preservation Ordinance would have a negligible impact on the city's fiscal budget.

Recommendation: Provide city staff with direction whether or not to move forward with initiating proceedings to adopt a Golf Course Vegetative Buffer Tree Preservation Ordinance.



Discuss the adoption of a Golf Course Vegetation Buffer Tree Preservation Ordinance as an amendment to City Code Section 118-63.

Discussion item

City Council regular meeting

March 14, 2023

An aerial photograph of a golf course and surrounding residential area. The golf course is on the left, with several green buffer zones outlined in green. These zones are located along the edges of the golf course, particularly near the residential areas. The residential area is on the right, with a road and several houses visible. The buffer zones are irregular in shape, following the contours of the land and the edges of the golf course.

Background

- Sec. 118-63
 - Buffer applies to lots abutting the golf course as shown on Map
 - Buffer is 25-feet in width
 - Buffer prohibits fences or structures
 - Buffer may be maintained in its natural state or may be landscaped by the planting of non-native vegetation and decorative stones



Proposed code amendment

- Question: does council deem it appropriate to prohibit removal of trees within golf course vegetative buffer area?
- If the answer is yes, staff will schedule public hearings and present a proposed ordinance to the planning and zoning commission for recommendation and to council for action.

Path forward

- Steps to adoption of amendatory zoning ordinance
 - Staff drafts proposed ordinance
 - Mailed notice to affected property owners of planning and zoning commission public hearing
 - Planning and zoning commission public hearing and recommendation to council
 - Newspaper notice of city council public hearing and newspaper publication of ordinance caption
 - City council public hearing and first reading of ordinance
 - City council adoption of ordinance on second reading



Questions?



Development Services

ITEM 4.5

Carly Kehoe-Pearson
Director of Public Works &
Development Services
512-715-3515
ckehoer@cityofburnet.com

Action

Meeting Date: March 14, 2023

Discussion Item: Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, DENYING THE PRELIMINARY PLAT OF HILLTOP OAKS SUBDIVISION CONSISTING OF APPROXIMATELY 92 RESIDENTIAL LOTS ON 76.06 ACRES OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405: C. Kehoe-Pearson

Information: The Hilltop Oaks property is 75 acres located south of West Highway 29 at the southern termination of Southland Drive. In September of 2021, City Council approved the annexation of the 75 acres and, in July of 2022, approved a Planned Unit Development/Manufactured Housing zoning setting the parameters of the development of the subdivision. Recently, the applicant submitted the preliminary plat of Hilltop Oaks Subdivision proposing to subdivide the tract to create 92 residential lots, for manufactured housing, with two detention ponds (Exhibit A).

Staff Analysis: As required by Sec. 98-42(b)(1) of the City Code and the International Fire Code Section D107, any residential subdivision, with more than 30 residential lots, must have a minimum of two means of ingress/egress. The subdivision code requires these two means to comply with all the regulatory requirements of the city code.

At the time of the submittal, the applicant submitted an easement which provide the Hilltop Oaks property with a secondary means of ingress/egress by access to Hilltop Drive. After exhaustive research by the applicant, city staff and the city attorney, no evidence was found that conclusively shows the status of Hilltop Drive, and it cannot be determined that it is a public road or a private road that the applicant has a legal right to access. The legal right to ingress and egress across Hilltop Drive is essential to connecting the property to the Highway 29 to meet City Code Sec. 98-42(b)(1) and 2015 IFC Sec. D107.

Additionally, the proposed block length for the streets identified on the preliminary subdivision plat application as SPAULDING LOOP (BLOCK B) is 1103.47 FEET, SPAULDING LOOP (BLOCK C) is 841.83 FEET, BOWEN PASS (BLOCK E) is 822.3 FEET, and RET ROAD (BLOCK F) is 989.34 FEET, which exceeds the maximum length authorized under Sec.

98-48(1)(b). The applicant has submitted a variance to this section of the code, to which the Commission and the Council will consider once the ingress/egress issue has been resolved.

P&Z Report:

Due to the above deficiencies, at the Planning and Zoning Commission's February 6th meeting, the Commission unanimously recommended approval of a resolution denying the preliminary plat application of the Hilltop Oaks Subdivision (Exhibit B).

The approved resolution outlines the following cures to move the plat forward:

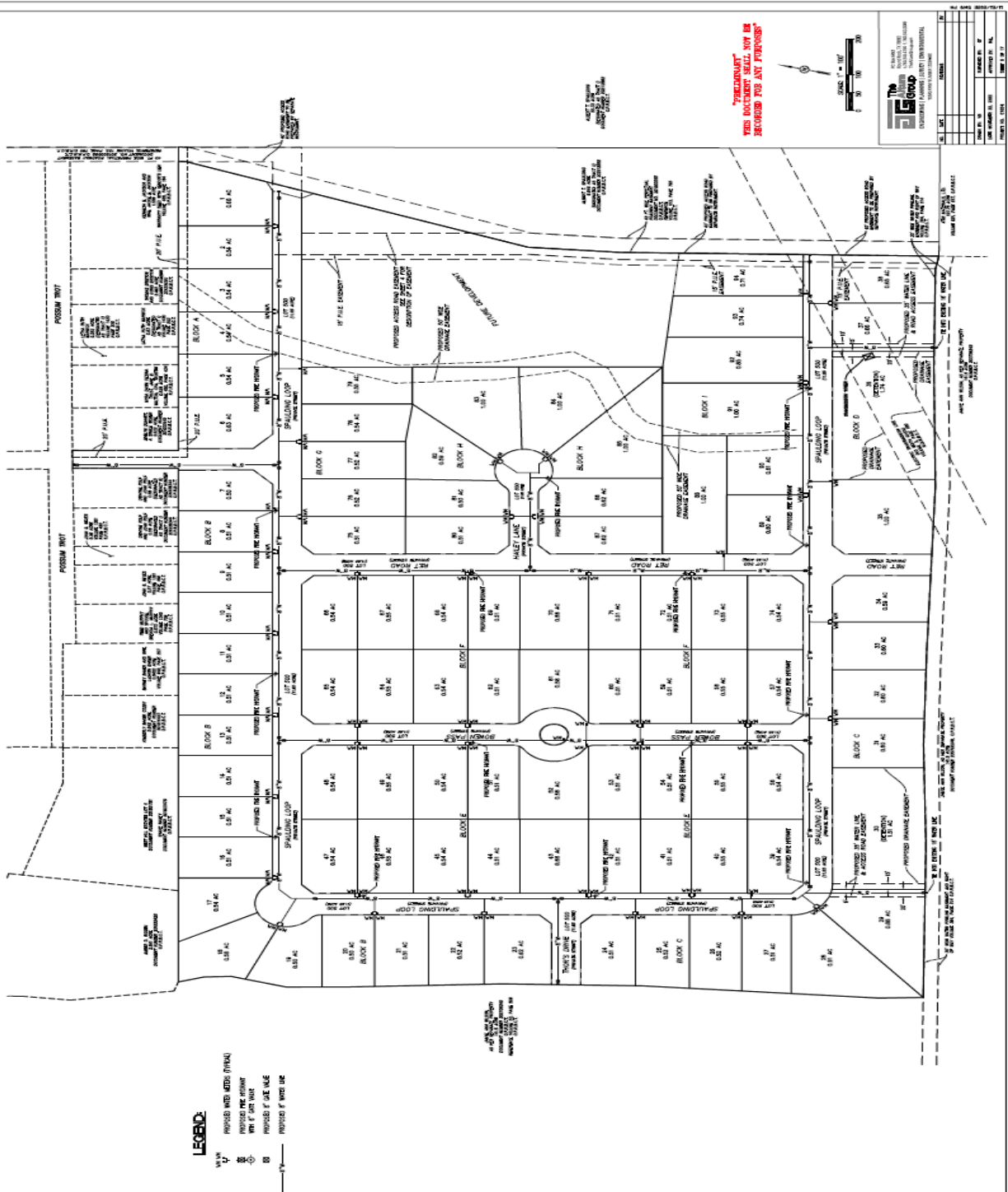
Revise the preliminary plat application to show the location of the proposed secondary access connects to a public road and by provision of a plat note showing a legal right of the future residents of the proposed subdivision to ingress and egress across the aforementioned Hilltop Drive or other way. Such evidence shall be made by either:

- (a) Proof of public acceptance of public rights-of-way connecting to a public road by either:
 - (1) order of acceptance of the right-of-way by the Burnet County Commissioner's Court, prior to annexation of the aforementioned Hilltop Drive; or
 - (2) ordinance, resolution or order of acceptance of the right-of-way by the City Council subsequent to annexation of the aforementioned Hilltop Drive;
- or
- (b) Proof of a private right of ingress and egress to the public road granted by an easement instrument executed by all required interested parties authorized to grant such rights, and which has been recorded in the Official Public Records of Burnet County; or
- (c) Proof of an implied dedication of public right-of-way as determined by final action of a court of appropriate jurisdiction.

The preliminary plat application shall be revised to include, as an exhibit, evidence of compliance with items (a)(1), (a)(2), (b), or (c), as may be applicable; and provide block lengths that comply with Sec. 98-48(1)(b).

Recommendation: Staff recommends approval of Resolution R2023-17 as presented.

Exhibit “A” Plat



RESOLUTION NO. R2023-17

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, DENYING THE PRELIMINARY PLAT OF HILLTOP OAKS SUBDIVISION CONSISTING OF APPROXIMATELY 92 RESIDENTIAL LOTS ON 76.06 ACRES OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405.

Whereas, The Planning and Zoning Commission conducted a public hearing on February 6, 2023;

Whereas, Planning and Zoning recommended denial of the application on February 6, 2023;

Whereas, City Council conducted a public hearing on this application on February 28, 2023.

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

Section 1. Findings. That the recitals to this Resolution are found to be true and correct and incorporated herein for all purposes as the findings of the City Council.

Section 2. Additional Findings. Upon receipt of the presentation of this application by city staff, the City Council makes additional findings as follows:

- (a) The preliminary plat application proposes the establishment of 92-single family lots on approximately 75.87 acres (hereinafter the acreage shall be referenced as the "property"); and
- (b) Sec. 98-42(b)(1) of the City Code provides: *"any residential subdivision developments shall have a minimum of two means of ingress/egress when servicing more than 30 residential lots. The two means of ingress/egress shall comply with all the regulatory requirements of the city, including floodplain management"*; and
- (c) Sec. D107 of the 2015 International Fire Code provides as follows:

SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments. *Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.*

Exceptions:

- 1. *Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.*

2. *The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.*

D107.2 Remoteness. *Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.*

- (d) Sec. 98.48(1)(b) provides: “[r]esidential blocks shall not exceed 600 feet nor be less than 300 feet in length, except as otherwise provided for herein”; and
- (e) The City Planner has opined that the requirements of Sec. 98-42(b)(1) of the City Code and Sec. D107 2015 International Fire Code are applicable to this application; and
- (f) The application makes reference to a forty-foot-wide proposed access road established by two instruments recorded as Document No. 20210389 and Volume 153, Page 795 of the Public Records of Burnet County, as satisfying the requirements of Sec. 98-42(b)(1) of the City Code and Sec. D107 2015 International Fire Code; and
- (g) Upon consultation with the city attorney the City Planner has determined that the easement is shown to terminate near a location known as Hilltop Drive; and
- (h) After exhaustive research by the applicant, city staff and the city attorney no evidence was found that conclusively shows the status of Hilltop Drive and it cannot be determined that it is a public road or a private road that the applicant had a legal right to access; and
- (i) The legal right to ingress and egress across Hilltop Drive is essential to connecting the property to the public road (Texas Hwy 29).
- (j) The proposed block length for the streets identified on the preliminary subdivision plat application as SPAULDING LOOP (BLOCK B) is 1103.47 FEET, SPAULDING LOOP (BLOCK C) is 841.83 FEET, BOWEN PASS (BLOCK E) is 822.3 FEET, and RET ROAD (BLOCK F) is 989.34 FEET, which exceeds the maximum length authorized under Sec. 98-48(1)(b).

Section 3. Denial. In accordance with Sec. 212.0091 Local Government Code the City Councils finds the plat application be denied for the conditions that follow:

- (a) The preliminary plat application fails to comply with the requirements of Sec. 98-42(b)(1) of the City Code and Sec. D107 2015 International Fire Code; and
- (b) The preliminary plat violates Sec. 98-48(1)(b) in that proposed block lengths exceeds 600 feet.

Section 4. Cure of conditions. To cure the conditions for denial the applicant is to revise the preliminary plat application to show the location of the proposed secondary access connects to a public road and by provision of a plat note showing a legal right of the future residents of the proposed subdivision to ingress and egress across the aforementioned Hilltop Drive or other way. Such evidence shall be made by either:

- (d) Proof of public acceptance of public rights-of-way connecting to a public road by either:

- (1) order of acceptance of the right-of-way by the Burnet County Commissioner's Court, prior to annexation of the aforementioned Hilltop Drive; or
- (2) ordinance, resolution or order of acceptance of the right-of-way by the City Council subsequent to annexation of the aforementioned Hilltop Drive; or
- (e) Proof of a private right of ingress and egress to the public road granted by an easement instrument executed by all required interested parties authorized to grant such rights, and which has been recorded in the Official Public Records of Burnet County; or
- (f) Proof of an implied dedication of public right-of-way as determined by final action of a court of appropriate jurisdiction.

The preliminary plat application shall be revised to include, as an exhibit, evidence of compliance with items (a)(1), (a)(2), (b), or (c), as may be applicable; and provide block lengths that comply with Sec. 98-48(1)(b).

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act.

Section 6. Effective Date. That this resolution shall take effect immediately upon its passage, and approval.

PASSED AND APPROVED this the 14th day of March, 2023.

CITY OF BURNET, TEXAS

ATTEST:

Crista Goble Bromley, Mayor

Kelly Dix, City Secretary

**A RESOLUTION BY THE
CITY COUNCIL OF THE
CITY OF BURNET, TEXAS,
DENYING THE
PRELIMINARY PLAT OF
HILLTOP OAKS
SUBDIVISION
CONSISTING OF
APPROXIMATELY 92
RESIDENTIAL LOTS ON
76.06 ACRES OUT OF THE
JOHN HAMILTON SURVEY,
ABSTRACT NO. 405**





- Zoned PUD/Manufactured Housing
- Located south of West Highway 29
- 92 residential lots & 2 detention ponds
- Minimum half-acre lots
- 3 New private streets to be maintained by POA

City staff and city engineer have reviewed the plat in accordance with Sec. 98-22 (entitled "Preliminary Plats"). It has been found that the preliminary plat application fails to comply with certain requirements of the City Code and the 2015 International Fire Code.

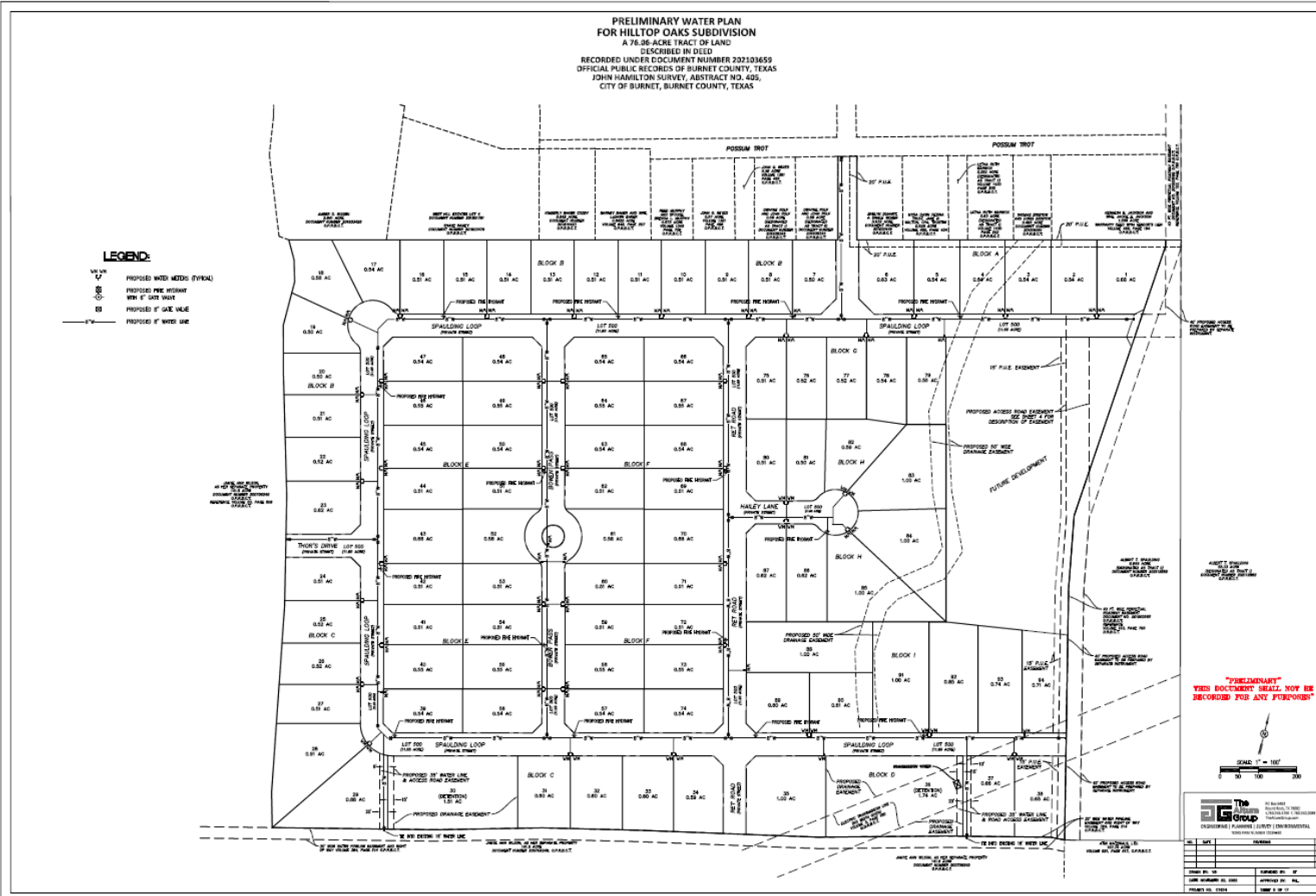
- Sec. 98.48(1)(b) provides: *"[r]esidential blocks shall not exceed 600 feet nor be less than 300 feet in length, except as otherwise provided for herein."*
- Sec. 98-42(b)(1) of the City Code provides: *"any residential subdivision developments shall have a minimum of two means of ingress/egress when servicing more than 30 residential lots. The two means of ingress/egress shall comply with all the regulatory requirements of the city, including floodplain management."*
- Section D107 of the 2015 International Fire Code states: "Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads."

- The proposed block length for the streets identified on the preliminary subdivision plat application as SPAULDING LOOP (BLOCK B) is 1103.47 FEET, SPAULDING LOOP (BLOCK C) is 841.83 FEET, BOWEN PASS (BLOCK E) is 822.3 FEET, and RET ROAD (BLOCK F) is 989.34 FEET, which exceeds the maximum length authorized under Sec. 98-48(1)(b).





- After exhaustive research by the applicant, city staff and the city attorney, no evidence was found that conclusively shows the status of Hilltop Drive, to which the proposed access road would tie into, and it cannot be determined that it is a public road or a private road that the applicant has a legal right to access. The legal right to ingress and egress across Hilltop Drive is essential to connecting the property to the Highway 29 to meet City Code Sec. 98-42(b)(1) and 2015 IFC Sec. D107



Due to deficiencies, at the Planning and Zoning Commission's February 6th meeting, the Commission unanimously recommended approval of a resolution denying the preliminary plat application of the Hilltop Oaks Subdivision

Staff recommends approval of Resolution R2023-17 as presented



Engineering

ITEM 4.6

Eric Belaj
City Engineer
(512)-756-2402
ebelaj@cityofburnet.com

Action

Meeting Date: March 14, 2023

Agenda Item: Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE STREET REHAB PROGRAM, AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE PROGRAM: E. Belaj

Background: The City Council created a Street Committee to work with City staff and prioritize streets that require rehabilitation. City staff determined the rehabilitation method, and the associated costs. The streets were ranked based on their condition, location, and traffic/classification. The streets were separated into Rehabilitation and Preventative groups. The committee was supportive of allowing staff to implement the preventative plan, as it was considered more maintenance related rather than repaving. However, on the rehabilitation group, the committee selected streets for only years 2022-2023 and requests authorization to begin engineering of future projects. The proposed street rehabilitation list for FY 22/23 includes those streets that are relatively easy to complete, while allowing staff to move forward with engineering for future projects.

Information: This resolution authorizes the City Manager to move forward on the approved street list.

Fiscal Impact: The city currently has \$4MM from the bond proceeds and is on track to add approximately \$400K-\$500K each year. The total funding available by FY 25/26 should be approximately \$6MM.

Recommendation: Staff recommends approving Resolution R2023-19 as presented.

RESOLUTION NO. R2023-19

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE APPROVING THE STREET REHAB PROGRAM, AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE PROGRAM.

WHEREAS, City of Burnet (City) seeks to improve the conditions for the City's streets; and,

WHEREAS, the City has laid out a plan detailing the type of maintenance and timeframe for each street; and,

WHEREAS, the City has previously created a Street Committee to work with City Staff and prioritize streets based on funding availability; and,

WHEREAS, the City Council wishes to support the City's Street Committee advocacy for approval of the street plan, and authorizing the City's Manager or his designee to also implement a preventative street program; and,

WHEREAS, the City Council seeks to support and approve such roadway rehabilitation.

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

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

Section 2. Approval. The City Council of the City of Burnet hereby ratifies any and all actions taken by it to approve and does approve the Street Rehab program as outlined in the Street rehab Program attached hereto.

Section 3. Authorization. The City council authorizes the City Manager or his Designee to implement a street rehab plan, to effectuate any additional requisite actions to accomplish this resolution and create a preventative plan in accordance with current and future authorized appropriations.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, as modified by the governor's orders in response to the COVID-19 pandemic.

Section 5. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED this the 14th day of March 2023.

CITY OF BURNET, TEXAS

ATTEST:

Crista Goble Bromley, Mayor

Kelly Dix, City Secretary



FUNDING

PROPOSED 22-26 STREET PLAN

YEAR	Preventative Cost	Rehab Cost	Total Cost
22/23	\$ 663,781	\$ 678,804	\$ 1,342,585
23/24	\$ 636,117	\$ 1,105,603	\$ 1,741,720
24/25	\$ 350,848	\$ 1,080,016	\$ 1,430,864
25/26	\$ 400,000	\$ 1,221,091	\$ 1,621,091
EST. TOTAL	\$ 2,050,746	\$ 4,085,514	\$ 6,136,260

The shown costs above are for reference only as a possible option and are rough estimates not accounting for yearly inflation. By approving this program, the City Council does not approve the above sums as shown. They are shown as a guidance for future council consideration.

REHAB PROJECT LIST

The list below depicts streets and projects which the Streets Committee considered significant for the community which were ranked accordingly.

<u>REHAB PROJECT LIST</u>		
STREET NAME	TENTATIVE SCHEDULE	TENTATIVE FISCAL YEAR
Harvey & Lewis Dr. Area	This Year	22/23
West Street	This Year	22/23
N. Main & Pierce St.	This Year	22/23
Post Mount. Cemetery Entrance	TBD	TBD
East League St.	This Year	22/23

REHAB PROJECT LIST: ENGINEERING REQUIRED

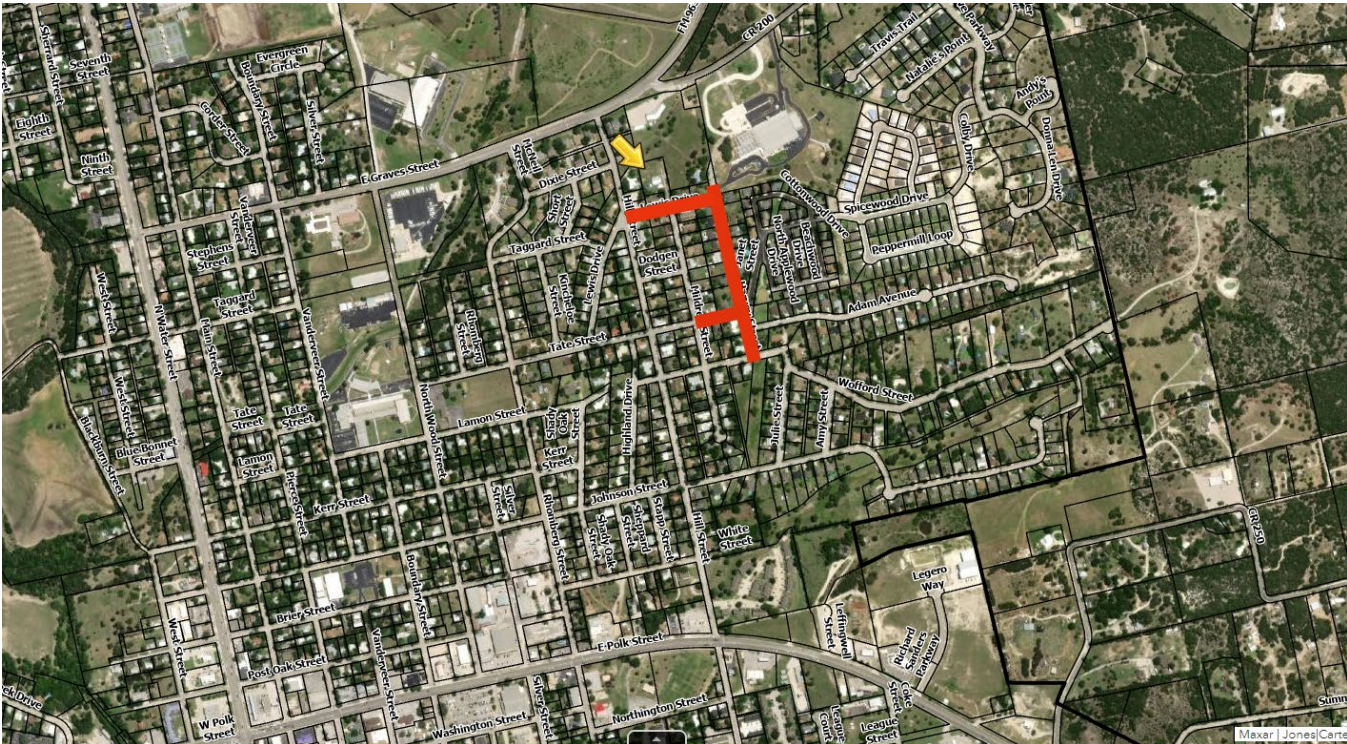
STREET NAME	TENTATIVE SCHEDULE	TENTATIVE FISCAL YEAR
N. Wood St.	Next Year	23/24
Ft. Croghan Dr.	Next Year	23/24
Surecast Dr.	Two Years	24/25
Bluebonnet Dr.	Two Years	24/25
Northington St.	Two Years	24/25
White St. Area	Three Years	25/26
Elm St. Area	Three Years	25/26

FY 2022-2023 PROJECT LIST

The projects below are scheduled to be completed within fiscal year 2022-2023. Uncompleted projects to be scheduled the following year.

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Harvey Area	Harvey, Lewis, Tate	Woodland Subd.	This Year	FY 22/23

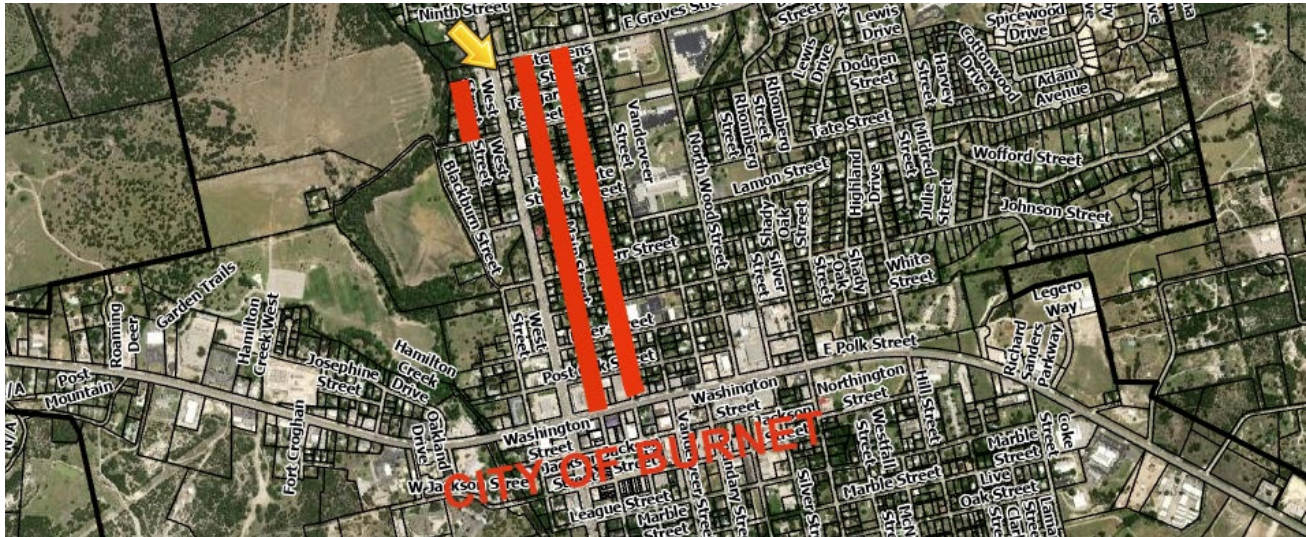
The project includes Harvey, Lewis Drive, and one block of Tate Street. The location of the project is depicted below:



2022-2023 STREET REHAB PROGRAM

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
N. Main and N Pierce	N. West Street	East of SH 281	This Year	FY 22/23

The project includes N. Main, N. Pierce. And N. West Street. The location of the project is depicted below:



Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Post Mount. Cemetery Entrance	Driveway Only	Post Mountain Cemetery	TBD	FY 22/23

The project includes Sunset Drive at Post Mountain Cemetery. This project is a collaboration with the County is and dependent upon their schedule. The location of the project is depicted below:



2022-2023 STREET REHAB PROGRAM

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
E. League St	Westfall & League Ct.	South of SH 29	This Year	FY 22/23

The project includes E. League Street, one block of Westfall, and one block of League Court. The location of the project is depicted below:



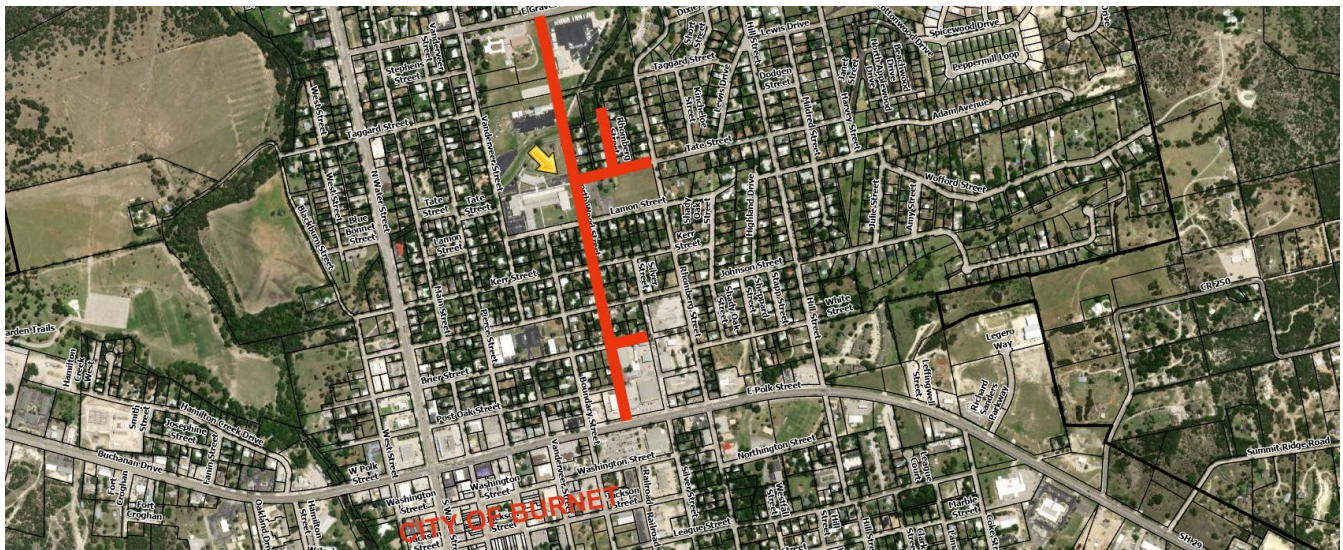
2022-2023 STREET REHAB PROGRAM

FY 2023-2024 PROJECT LIST

The projects below are scheduled to be completed within fiscal year 2023-2024. Uncompleted projects to be scheduled the following year.

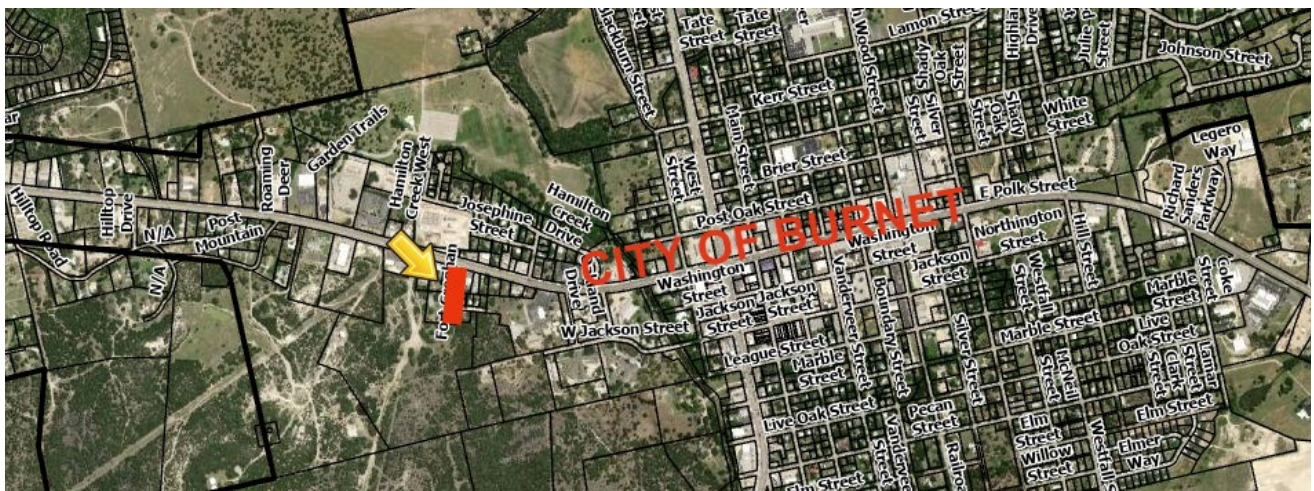
Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
N. Wood Street	Wood, Tate, Silver, & E. Brier	North of SH 29	Next Year	FY 23/24

The project includes N. Woods, two block of Tate Street, N. Silver, and one block of East Brier. The location of the project is depicted below:



Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Ft. Croghan Dr.	Ft. Croghan	South of SH 29	Next Year	FY 23/24

The project includes Fort Croghan Drive. The location of the project is depicted below:



FY 2024-2025 PROJECT LIST

The projects below are scheduled to be completed within fiscal year 2024-2025. Uncompleted projects to be scheduled the following year.

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Sure Cast Drive	Sure Cast Drive	East of 281	Two Years	FY 24/25

The project includes Sure Cast north of the Hospital. The location of the project is depicted below:



Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Bluebonnet Drive	Bluebonnet, North West & Blackburn	West of 281	Two Years	FY 24/25

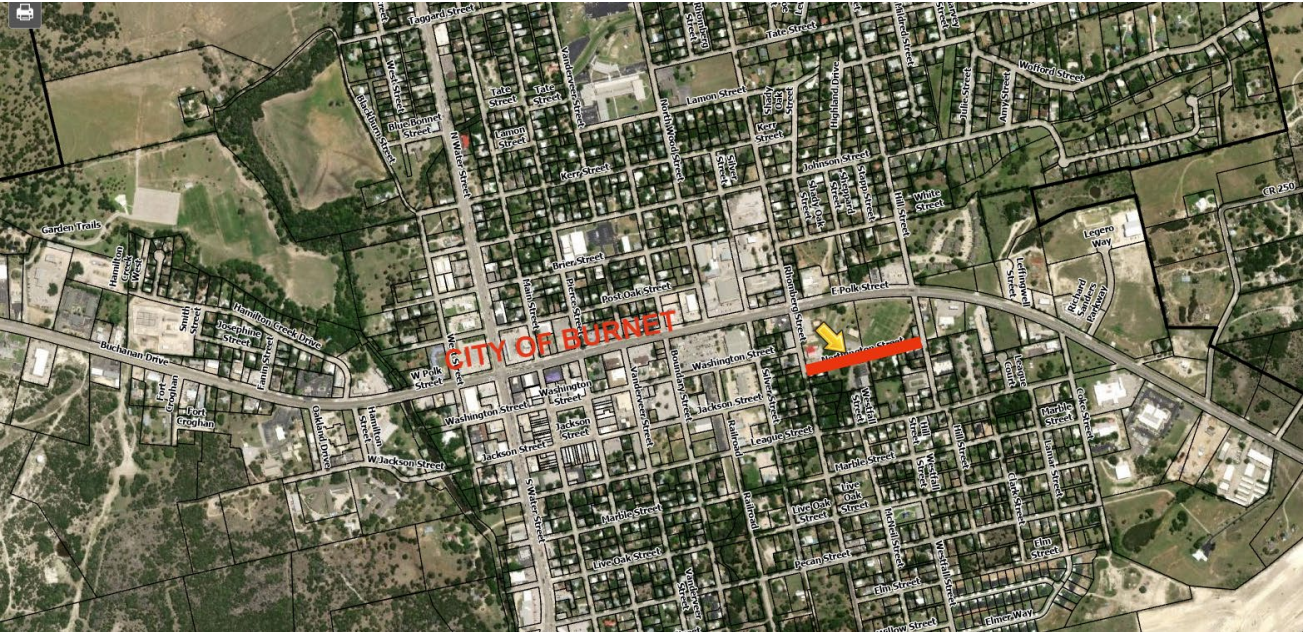
The project includes Bluebonnet, one block of North West Street, & the adjacent Blackburn Street. The location of the project is depicted below:



2022-2023 STREET REHAB PROGRAM

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Northington Street	Northington Street	South of SH 29	Two Years	FY 24/25

The project includes only Northington Street. The location of the project is depicted below:



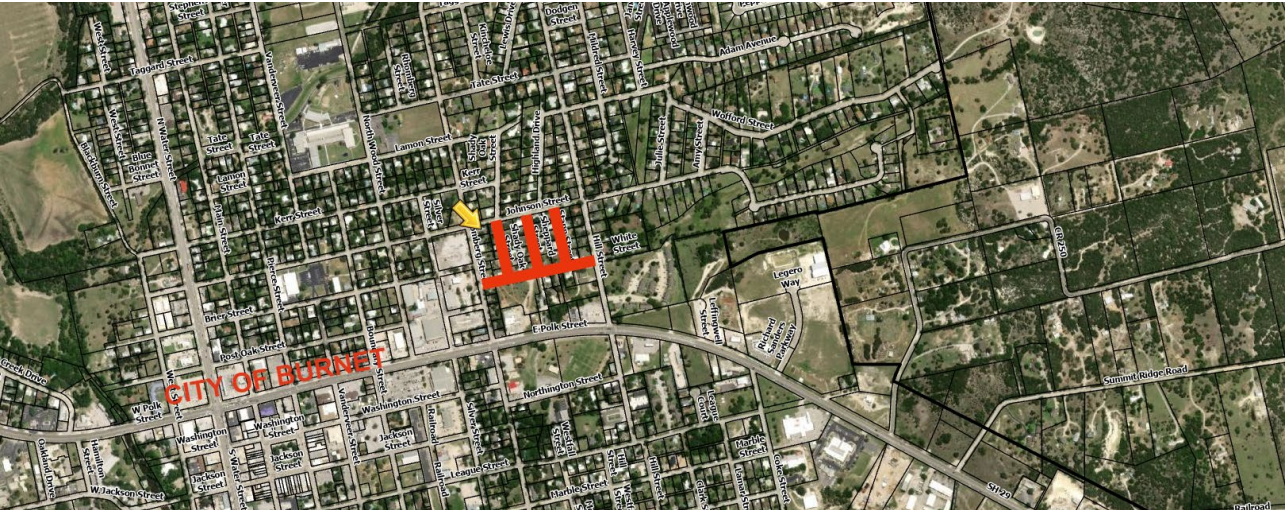
2022-2023 STREET REHAB PROGRAM

FY 2025-2026 PROJECT LIST

The projects below are scheduled to be completed within fiscal year 2025-2026. Uncompleted projects to be scheduled the following year.

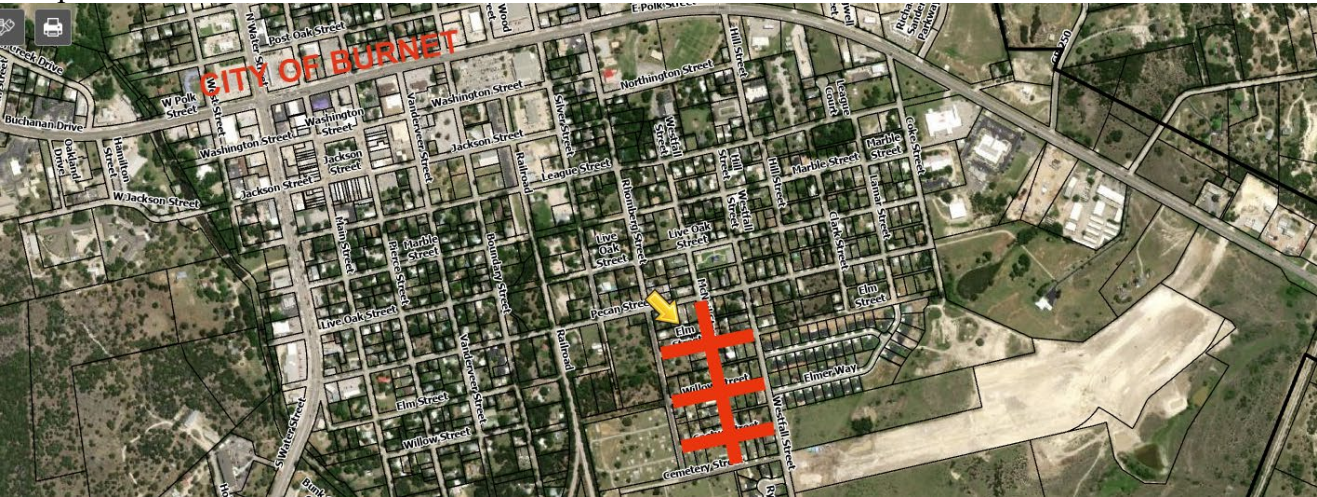
Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
White Street Area	See below	North of SH 29	Three Years	FY 25/26

The project includes White Street, Shady Oak Drive, Shepperd Street, and Stapp Drive. The location of the project is depicted below:



Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Elm Street Area	See below	South of Pecan	Three Years	FY 25/26

The project includes Elm Street, McNeil Street, Willow Street, and Cactus Street. The location of the project is depicted below:

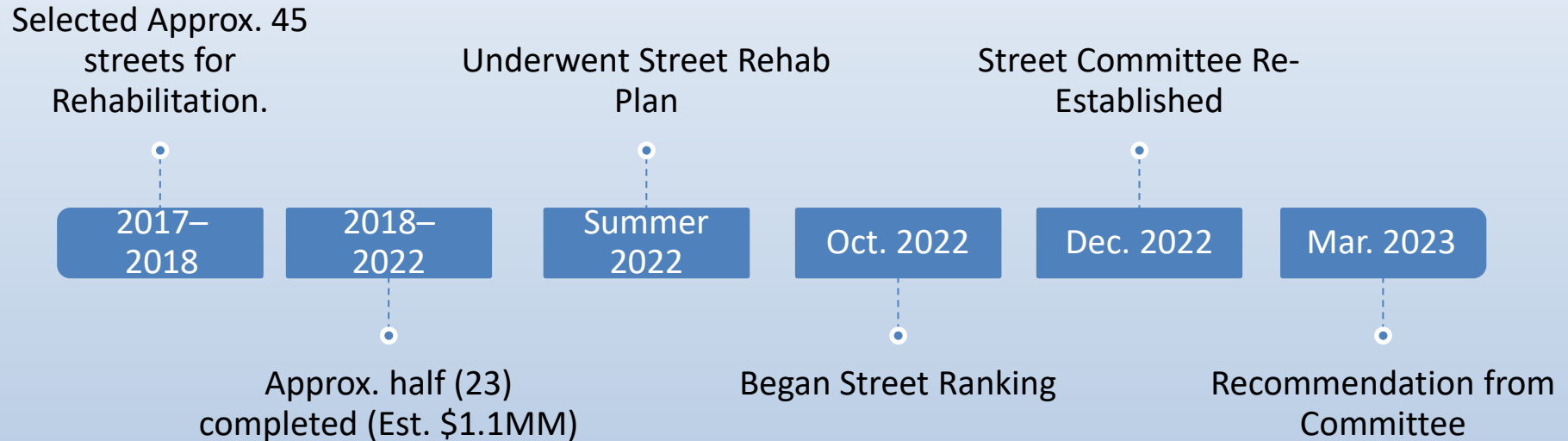


STREET REHAB PLAN



STREET REHAB PLAN

BRIEF HISTORY



STREET REHAB PLAN

COMMITTEE CONSIDERATIONS

Important to create a starting point a bit different than what's previously done.

Discuss roadways that need rehabilitation in lieu of preventative maintenance. Rehabilitation are streets that need asphalt overlays or partial/full reconstruction. Because:

- Most time and money consuming.
- Most visible and concern to public

Preventative Maintenance is Maintenance that should be left up to the discretion of staff under the leadership of the CM. Those are maintenance items like Crack Sealing/Fog Sealing/some chips seals, Etc.

Create a street list for this current year first, present that to Council, and meet again in the future for the next years. This gives the City a Starting Point and sets the tone for future meetings.

Suggest funding for future council consideration at future meetings for the next 3 to 4-years (that is funding available currently plus what we can set aside).

STREET REHAB PLAN

COMMITTEE CONSIDERATIONS

A few other things:

- Decided on 12-streets to start off with some which are easy pickings, and others that require more staff time, engineering, and money.
- The ones that require more staff time and engineering, spread those over 3 to 4-years.
- Future committee meetings to consider adding easier (timewise) to rehab roads to the list for the next 3 to 4-years.
- The timeline proposed for these streets is tentative, such that if hurdles are holding up one project for staff to move things around and possibly start on another project.

STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS

Street List of 12 areas and 28 streets: 10 this FY in 5 areas of town

<u>REHAB PROJECT LIST</u>		
STREET NAME	TENTATIVE SCHEDULE	TENTATIVE FISCAL YEAR
Harvey & Lewis Dr. Area	This Year	22/23
West Street	This Year	22/23
N. Main & Pierce St.	This Year	22/23
Post Mount. Cemetery Entrance	TBD	TBD
East League St.	This Year	22/23
This list represents low hanging fruit that can be done this FY.		

STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS

Partial Street List for future on 7 areas of town. These represent costly and time-consuming projects. Future committee meetings to meet and add other streets that do not require much survey/engineering or staff time.

<u>REHAB PROJECT LIST: ENGINEERING REQUIRED</u>		
STREET NAME	TENTATIVE SCHEDULE	TENTATIVE FISCAL YEAR
N. Wood St.	Next Year	23/24
Ft. Croghan Dr.	Next Year	23/24
Surecast Dr.	Two Years	24/25
Bluebonnet Dr.	Two Years	24/25
Northington St.	Two Years	24/25
White St. Area	Three Years	25/26
Elm St. Area	Three Years	25/26

STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS

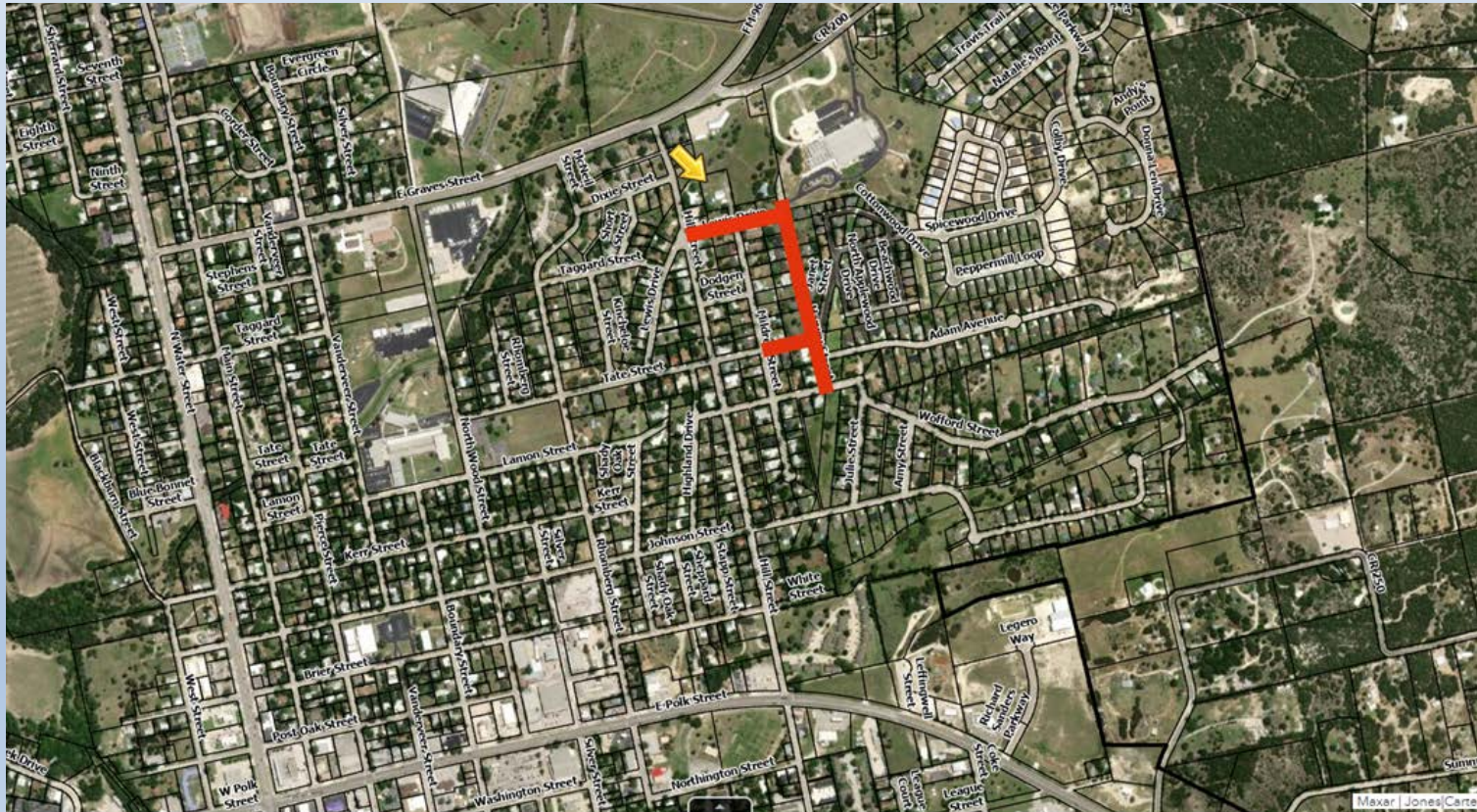
Partial Street List for future on 7 areas of town. These represent costly and time-consuming projects. Future committee meetings to meet and add other streets that do not require much survey/engineering or staff time to this list.

<u>REHAB PROJECT LIST: ENGINEERING REQUIRED</u>		
STREET NAME	TENTATIVE SCHEDULE	TENTATIVE FISCAL YEAR
N. Wood St.	Next Year	23/24
Ft. Croghan Dr.	Next Year	23/24
Surecast Dr.	Two Years	24/25
Bluebonnet Dr.	Two Years	24/25
Northington St.	Two Years	24/25
White St. Area	Three Years	25/26
Elm St. Area	Three Years	25/26

STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS
This FY

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Harvey Area	Harvey, Lewis, Tate	Woodland Subd.	This Year	FY 22/23



STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS This FY

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
N. Main and N Pierce	N. West Street	East of SH 281	This Year	FY 22/23



STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS This FY

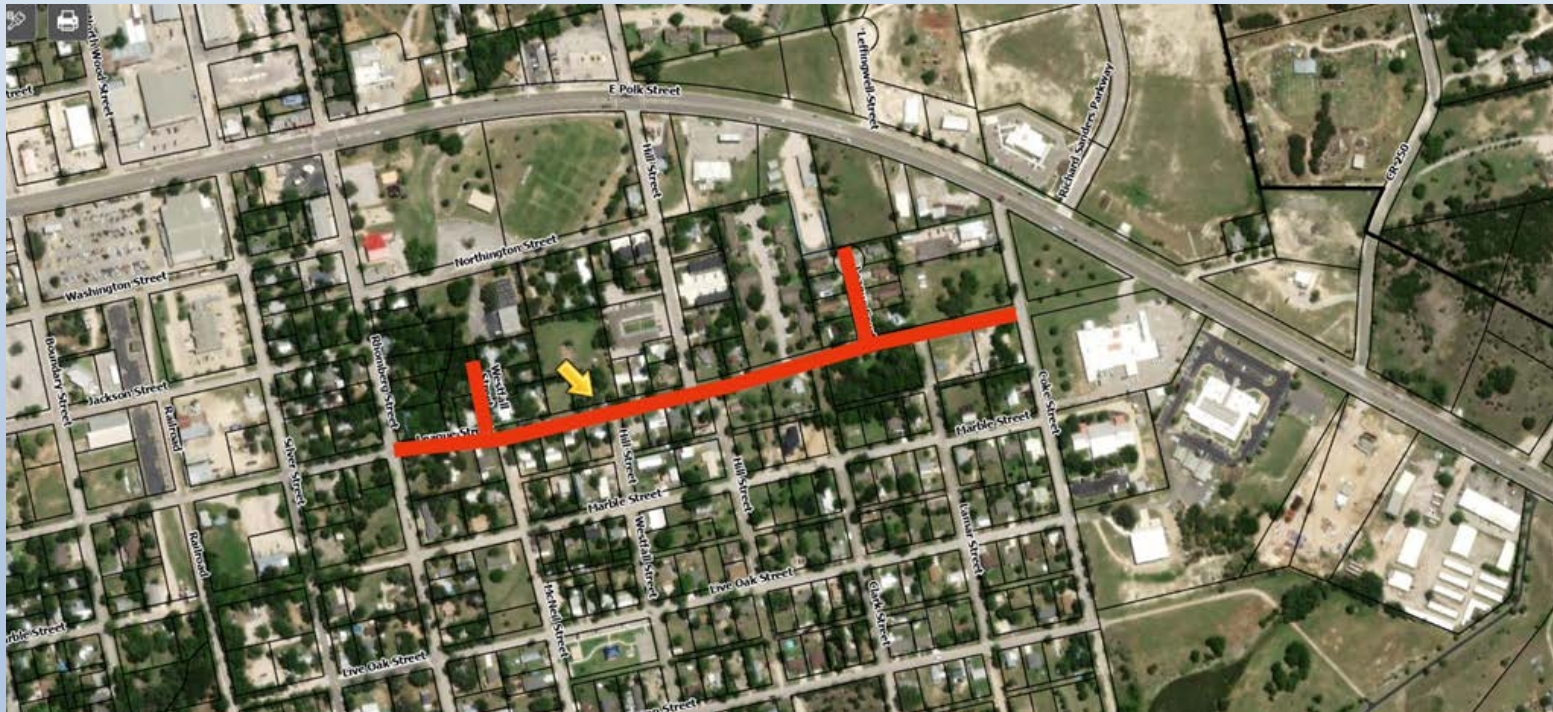
Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Post Mount. Cemetery Entrance	Driveway Only	Post Mountain Cemetery	TBD	FY 22/23



STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS *This FY*

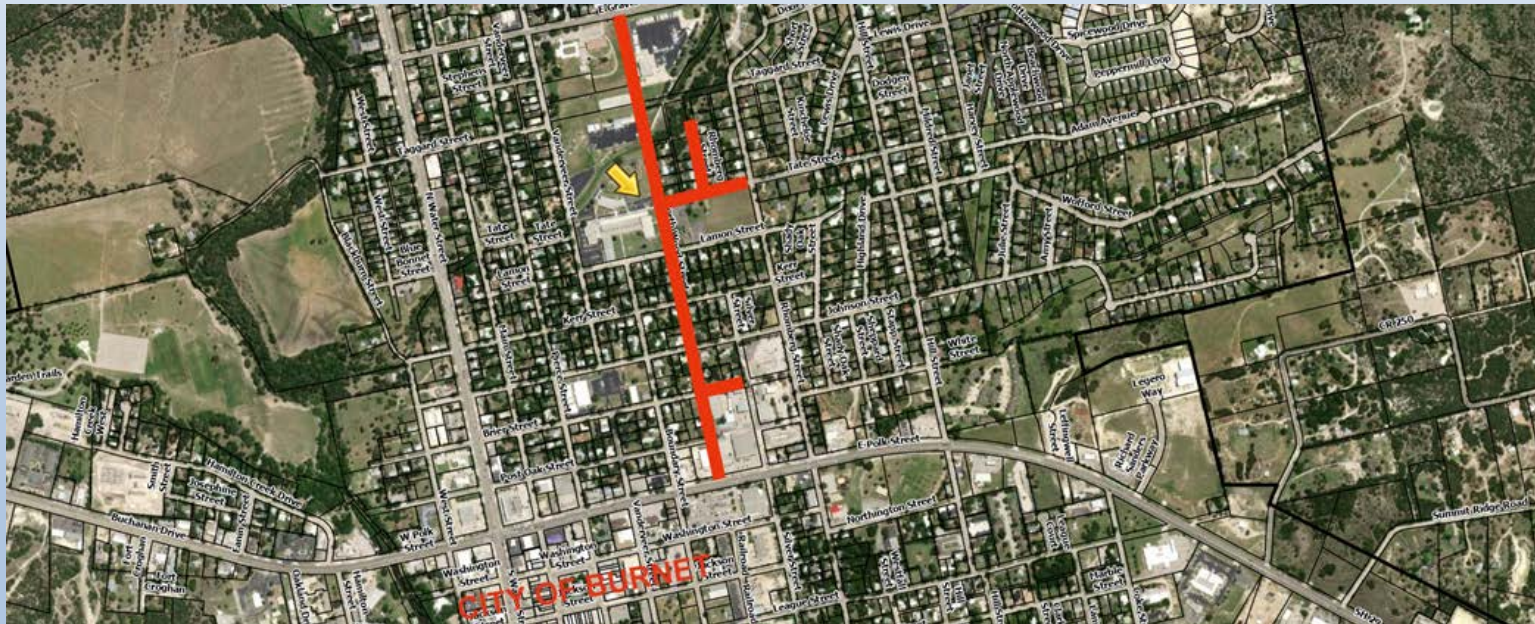
Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
E. League St	Westfall & League Ct.	South of SH 29	This Year	FY 22/23



STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS
Next Year FY 23/24

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
N. Wood Street	Wood, Tate, Silver, & E. Brier	North of SH 29	Next Year	FY 23/24



STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS
Next Year FY 23/24

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Ft. Croghan Dr.	Ft. Croghan	South of SH 29	Next Year	FY 23/24



STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS
Two Years FY 24/25

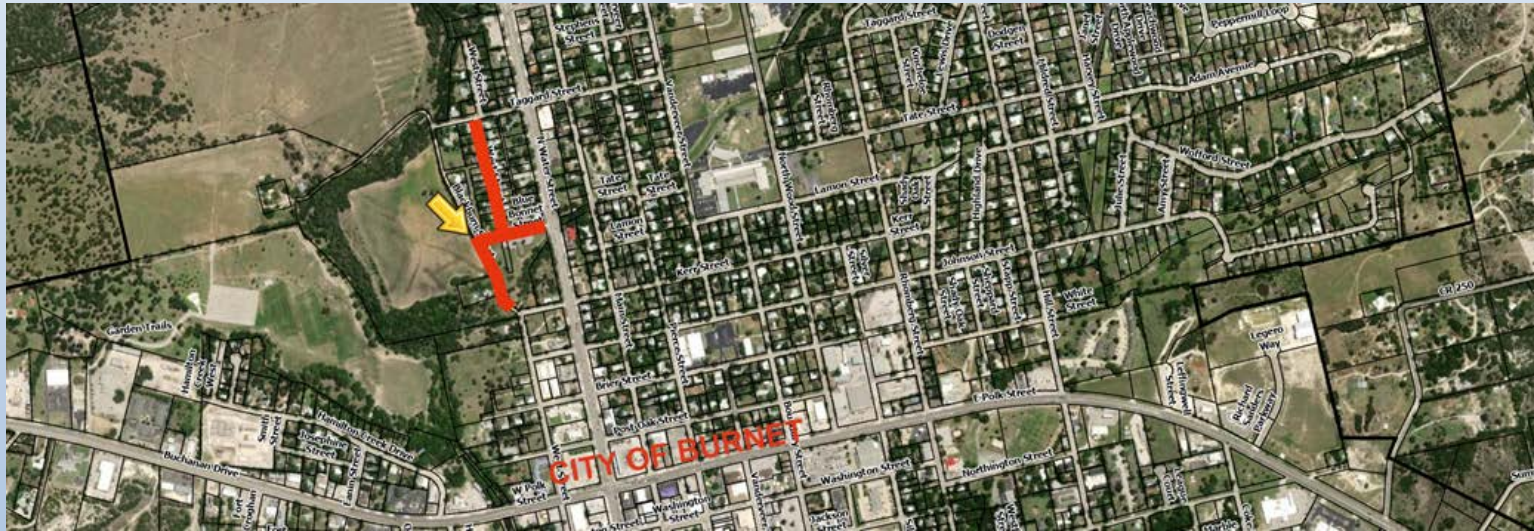
Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Sure Cast Drive	Sure Cast Drive	East of 281	Two Years	FY 24/25



STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS Two Years FY 24/25

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Bluebonnet Drive	Bluebonnet, North-West & Blackburn	West of 281	Two Years	FY 24/25

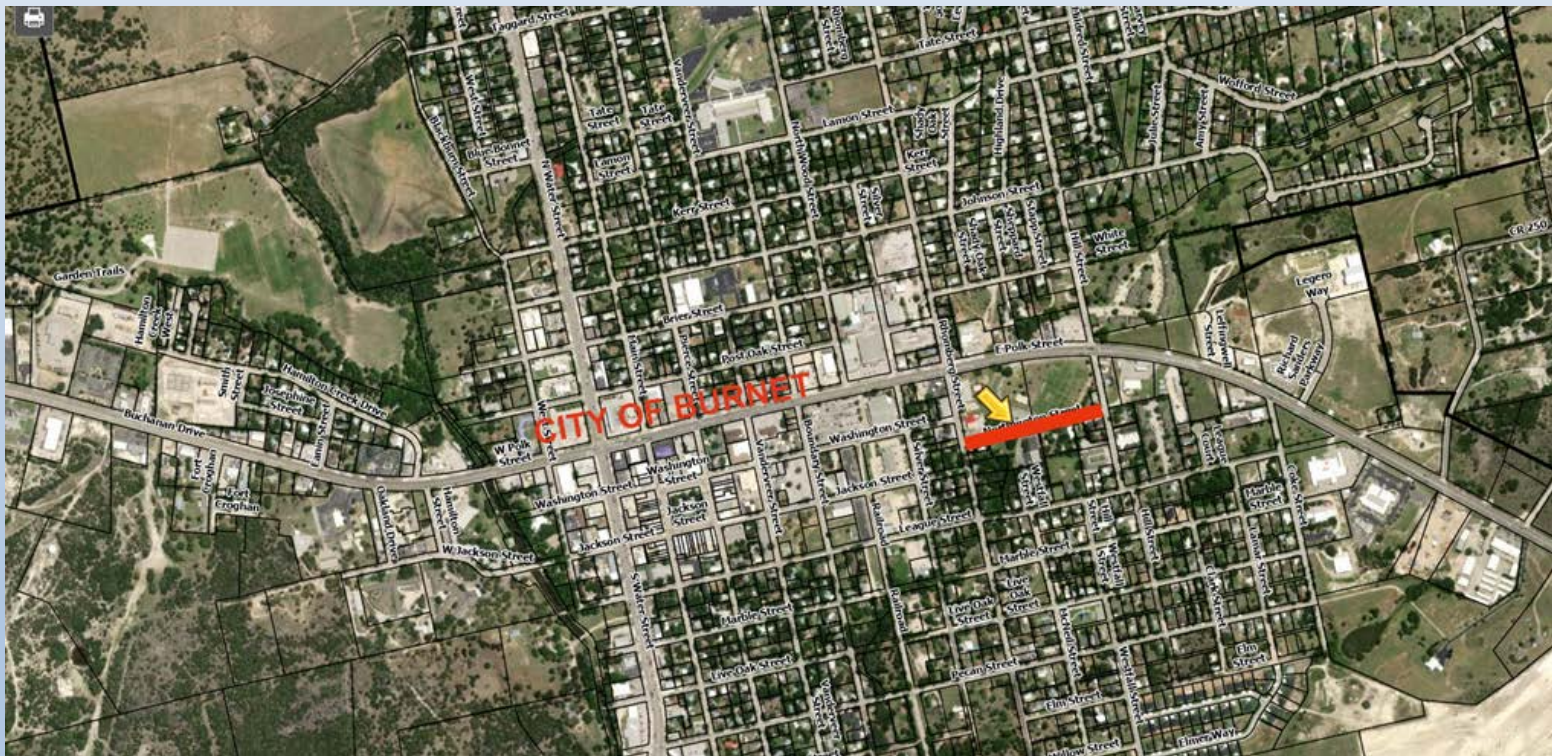


STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS

Two Years FY 24/25

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Northington Street	Northington Street	South of SH 29	Two Years	FY 24/25



STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS Three Years FY 25/26

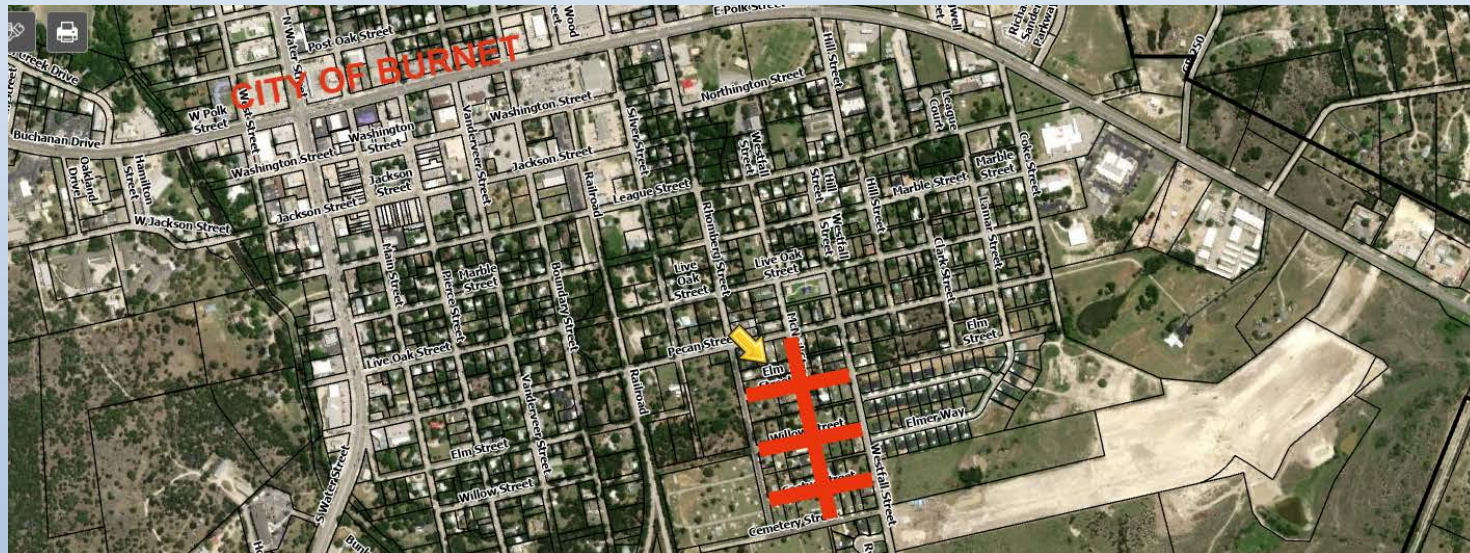
Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
White Street Area	See below	North of SH 29	Three Years	FY 25/26



STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS Three Years FY 25/26

Road Name	Street Included	Approx Location	Scheduled	Fiscal Budget
Elm Street Area	See below	South of Pecan	Three Years	FY 25/26



STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS

Street List 10 this FY in 5 areas of town

<u>REHAB PROJECT LIST</u>		
STREET NAME	TENTATIVE SCHEDULE	TENTATIVE FISCAL YEAR
Harvey & Lewis Dr. Area	This Year	22/23
West Street	This Year	22/23
N. Main & Pierce St.	This Year	22/23
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East League St.	This Year	22/23
This list represents low hanging fruit that can be done this FY.		

STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS

Partial Street List for future on 7 areas of town.

<u>REHAB PROJECT LIST: ENGINEERING REQUIRED</u>		
STREET NAME	TENTATIVE SCHEDULE	TENTATIVE FISCAL YEAR
N. Wood St.	Next Year	23/24
Ft. Croghan Dr.	Next Year	23/24
Surecast Dr.	Two Years	24/25
Bluebonnet Dr.	Two Years	24/25
Northington St.	Two Years	24/25
White St. Area	Three Years	25/26
Elm St. Area	Three Years	25/26

STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS

Shown to make
aware of committee's
intent and for
information only.

Current Funds:

- \$4MM from Bond Issuance
- \$400K from Reserves

Future Funds:
Allocating \$400K-
\$500K per year

Total Est. Funds by FY
25/26: \$6MM

STREET REHAB PLAN

COMMITTEE RECOMMENDATIONS

Table represents funding recommended to council for future adoption for a successful street plan. By adopting this resolution council is NOT adopting or tied to this funding.

Shown to make aware of committee's intent and for information only.

<u>PROPOSED 22-26 STREET FUNDING</u>			
YEAR	Preventative Cost	Rehab Cost	Total Cost
22/23	\$ 663,781	\$ 678,804	\$ 1,342,585
23/24	\$ 636,117	\$ 1,105,603	\$ 1,741,720
24/25	\$ 350,848	\$ 1,080,016	\$ 1,430,864
25/26	\$ 400,000	\$ 1,221,091	\$ 1,621,091
EST. TOTAL	\$ 2,050,746	\$ 4,085,514	\$ 6,136,260

STREET REHAB PLAN

WHAT DOES THE RESOLUTION DO?

RESOLUTION NO. R2023-19

Not Binding to future councils like an Ordinance. It shows that council supports it.

Authorizes the City Staff to move in the direction of making these projects happen.

Authorizes staff to create an internal street preventative/maintenance plan and implement it so long that there is approved funding.

It DOES NOT approve future funding but rather sets a vision for the future Council.

STREET REHAB PLAN

QUESTIONS AND ANSWERS



That's all Folks!