



## 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 **11<sup>th</sup> day of July, 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) Engineering Department Quarterly Report: E. Belaj

1.2) Golf Course Quarterly Report: T. Nash

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

2.1) Approval of the June 27, 2023 Council Regular Meeting minutes

**3. PUBLIC HEARINGS/ACTION:**

3.1) Public hearing and consideration of the following items:

A) FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 98 (ENTITLED "SUBDIVISIONS"), SECTION 98-7 (ENTITLED "DEFINITIONS"), BY AMENDING THE DEFINITION OF SIGNIFICANT TREE; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: C. Pearson

- (1) Staff Presentation:
- (2) Public Hearing:
- (3) Consideration and action:

B) FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING"), ARTICLE II (ENTITLED "ZONING DISTRICTS"), BY REMOVING THE USE "MINI STORAGE WAREHOUSE AND STORAGE GARAGE" FROM MEDIUM COMMERCIAL – DISTRICT "C-2" AND AUTHORIZING THE USE MINI STORAGE WAREHOUSE AND STORAGE GARAGE IN THE LIGHT INDUSTRIAL – DISTRICT "I-1": L. Kimbler

- (1) Staff Presentation:
- (2) Public Hearing:
- (3) Consideration and action:

C) FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: BEING 26.085 ACRES, OUT OF

EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1-4” CLASSIFICATION; AND PROPERTY LEGALLY DESCRIBED AS: BEING 16.610 ACRES, OUT OF EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1-2” CLASSIFICATION: L. Kimbler

- (1) Staff Presentation:
- (2) Public Hearing:
- (3) Consideration and action:

D) FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES FROM ITS PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, 4.5 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; AND PROPERTY KNOWN AS THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT: L. Kimbler

- (1) Staff Presentation:
- (2) Public Hearing:
- (3) Consideration and action:

E) FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY LEGALLY DESCRIBED AS: PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY LEGALLY DESCRIBED AS: PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, 4.5 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY KNOWN AS THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY AS IDENTIFIED ON THE CITY OF BURNET PLAT ACCEPTED BY ORDINANCE NO. 320 WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION: L. Kimbler

- (1) Staff Presentation:
- (2) Public Hearing:
- (3) Consideration and action:

F) FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LOCATED AT 1811 E POLK STREET (LEGALLY DESCRIBED AS: ABS A1525 SARAH ANN GUEST, 20.82 ACRES) FROM ITS PRESENT DESIGNATION OF INDUSTRIAL TO A DESIGNATION OF RESIDENTIAL; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler

- (1) Staff Presentation:
- (2) Public Hearing:
- (3) Consideration and action:

G) FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS: 1811 E POLK STREET (LEGALLY DESCRIBED AS: ABS A1525 SARAH ANN GUEST, 20.82 ACRES) WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” CLASSIFICATION: L. Kimbler

- (1) Staff Presentation:
- (2) Public Hearing:
- (3) Consideration and action:

3.2) Public Hearing: The City Council of the City of Burnet, Texas shall conduct a public hearing to receive public testimony and comments on the merits of a proposed “Preliminary Plat” for approximately 76.06 acres out of John Hamilton Survey Abs. No. 405. The proposed “Preliminary Plat” will establish Hilltop Oaks Subdivision, consisting of 92 residential lots: L. Kimbler

3.3) Public Hearing: The City Council of the City of Burnet, Texas shall conduct a public hearing to receive public testimony and comments on the merits of a proposed “Re-plat” for approximately 10.686 acres. The proposed plat will establish lots 17-A, 19-A, 21-B and 22-B of Highland Acres East, Section No. Four, and Lots 1-A and 2-A out of John Hamilton Survey No. 1, Abs. No. 405, consisting of 6 residential lots: L. Kimbler

#### **4. ACTION ITEMS:**

4.1) Discuss and consider action. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING A VARIANCE TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS AND LOTS FOR THE PROPOSED PRELIMINARY PLAT OF HILLTOP OAKS SUBDIVISION: L. Kimbler

4.2) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE "PRELIMINARY PLAT" OF HILLTOP OAKS SUBDIVISION, A PROPOSED 92-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 76.06 ACRES: L. Kimbler

4.3) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE "REPLAT" OF LOTS 17-A, 19-A, 21-B AND 22-B OF HIGHLAND ACRES EAST, SECTION NO. FOUR, AND LOTS 1-A AND 2-A OUT OF JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405, A PROPOSED 6-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 10.686 ACRES: L. Kimbler

4.4) Discuss and consider action: Award Request for Proposal (RFP) 2023-005 Pump Maintenance for Treatment Plant and Water Well Project bid: E. Belaj

4.5) Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING THE CITY CODE OF ORDINANCES SECTION 74-38 GOLF COURSE RATES; PROVIDING FOR SEVERABILITY AND OPEN MEETINGS CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER RELATED MATTERS. T. Nash

4.6) Discuss and consider action: Direction to Staff regarding the FY 2023-2024 Fiscal Year Budget tax rate, current I&S debt, and the possible issuance of additional I&S supported debt: D. Vaughn

4.7) Discuss and consider action: Request for property legally described as being 16.610 acres out of the Eugenio Perez Survey No. 41, ABS. No. 672, a portion of Springside Estates, to be served by on-site sewage facilities (septics). D. Vaughn

4.8) Discuss and consider action: Appointment of Council Members to a committee to review applications received for a vacant board position on the Burnet Economic Development Corporation (BEDC) Board of Directors: D. Vaughn

4.9) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO ACCEPT A GOLF COURSE GREENBELT EASEMENT, AN AVIGATION EASEMENT AND A WATER WARRANTY DEED FROM THE OWNER OF TWO TRACTS OF LAND ABUTTING BURNET MUNICIPAL GOLF COUSE HOLES FOUR, FIVE AND SIX: D. Vaughn

**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 7<sup>th</sup> day of July, 2023

**City of Burnet**

**Mayor Gary Wideman**

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 July 7<sup>th</sup>, 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.

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Kelly Dix, City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:**

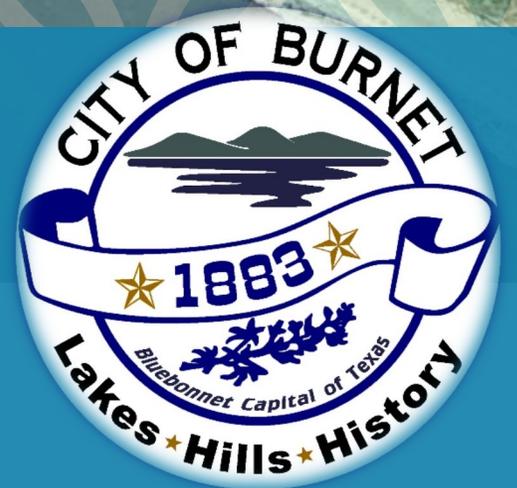
*The City of Burnet Council Chambers is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's 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).*



# ENGINEERING REPORT - JUNE 2023





# ENGINEERING REPORT

- Paving: 36,331 SY of Roads or 12,000 LF
  - N Main St
  - N Pierce St
  - Harvey and Lewis Drive
  - N West Street
  - E League St

# ENGINEERING REPORT

Houston-Clinton: Finished Culverts

Del Springs Blvd: Started Bid Process

Inks Lake Generator: Under Contract.  
Generator ETA 2024.

Coke St. Realignment: Under Design

Pump Station and Generators: Under  
Design

Airport Hangar: Ready for Bid. Est.  
\$1.5MM

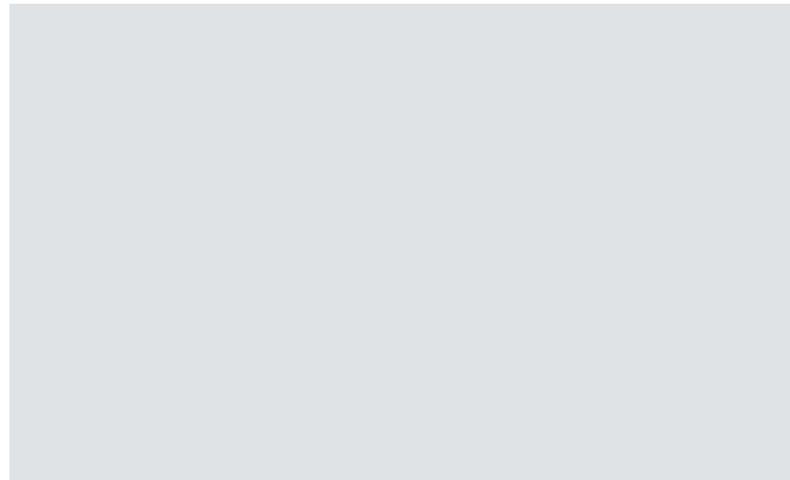
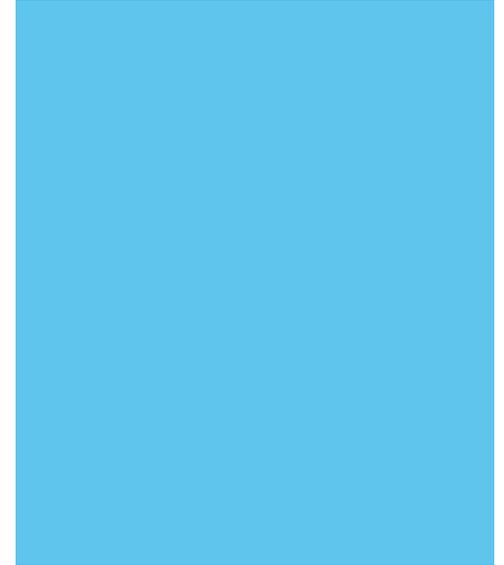
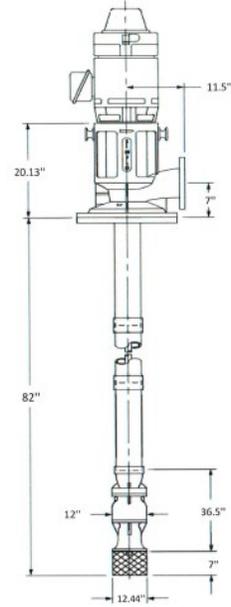


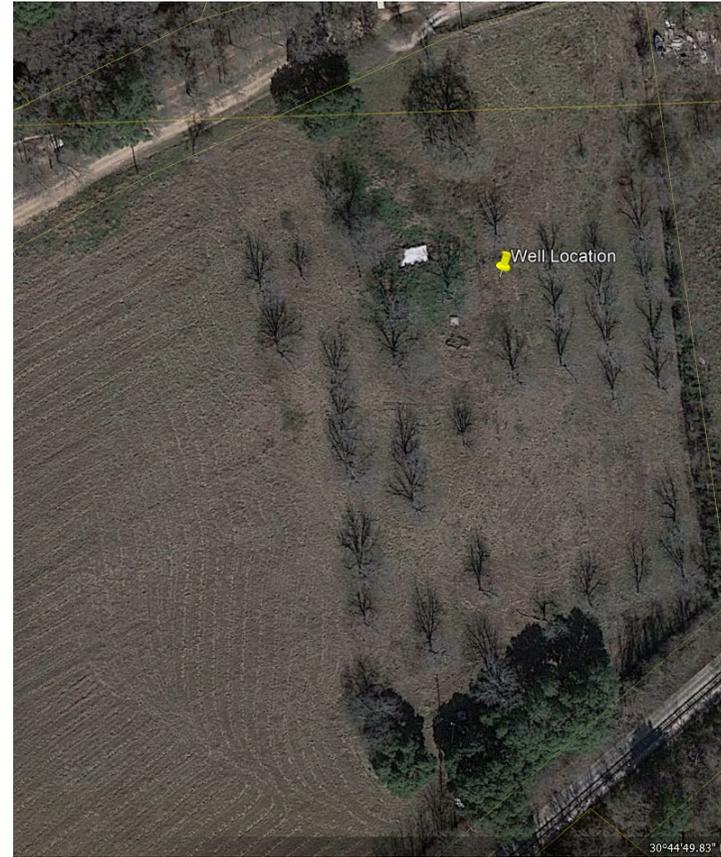
# ENGINEERING REPORT

City Hall: Start Engineering  
Redesign

Electric: Engineering RFQ  
Completed

Valley Well: Awaiting Award





- Valley St. Well: Wait Eng Selection

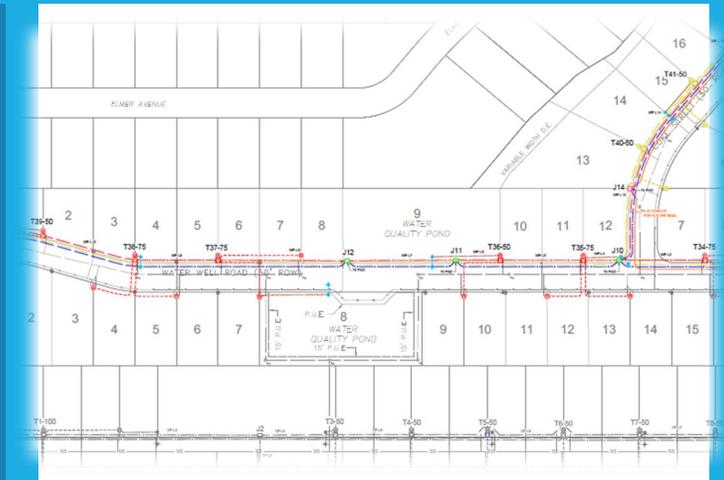
- Discussed with ground district
- Re use well or relocate within 50'
- Will discuss option with new engineer.

ENGINEERING REPORT

# ENGINEERING REPORT

## Project Mgmt. Developments/Inspections

- CreekFall Phase 1 & 2: Re-Start August
- Eagles Nest Section 3: No Activity
- Headwaters Phase 2: No Activity
- Sunday Drive: Final Punch List (No Activity)
- Westfall Ph 3: Started Utilities Phase
- Children Adv. Center: Awaiting Contract Review.
- HEB: Finished Storm, working on entryway



# QUESTIONS





# Delaware Springs Golf Course

QUARTERLY  
REPORT



Fraze  
mow  
Collars

Level Tee  
boxes



Start Date: July 10, 2023



Cart Path Improvements



Drainage Improvement  
on Hole #1



**Trim trees to raise canopy-  
and remove dead trees**

New  
Red Oak Tree  
Installation  
on  
Hole #8 per the original design





New Billboards Complete

# Food and Beverage Equipment Upgrades





# Golf Camp Sponsored by “The House Foundation”

- June, July and August
- One week a Month
- 8am - 9am and 9am - 10am
- Average 15 kids a day

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**Questions / Comments ??**

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

On this the 27<sup>th</sup> day of June, 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                               Gary Wideman  
Council Members               Dennis Langley, Mary Jane Shanes, Ricky Langley, Philip Thurman, Tres Clinton,  
  Joyce Laudenschlager  
City Manager                    David Vaughn  
City Secretary                 Kelly Dix

Guests: Patricia Langford, Eric Belaj, Maria Gonzales, Leslie Kimbler, Carly Pearson, Mark Ingram, Tony Nash, Adrienne Feild, Joy Biscotto, Wade Langley

Call to Order: Mayor Wideman 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

CONVENE TO DANGEROUS STRUCTURE BOARD OF APPEALS: Council Member Mary Jane Shanes moved to convene as Dangerous Structure Board of Appeals at 6:01 p.m. Council Member Philip Thurman seconded the motion carried unanimously.

City Council shall recess from its regular meeting session and convene as the Dangerous Structure Board of Appeals to conduct a public hearing and consider whether the building located at 300 N. Water Street, Burnet Texas is a dangerous structure. The hearing shall be conducted as follows: Chief Lee updated all present on the current situation with the property that sustained substantial fire damage and has been deemed structurally unsafe.

Public Hearing: To receive comments and testimony from the property owner, and other interested parties: Mayor Gary Wideman opened the public hearing at 6:11 p.m. for anyone wishing to speak in favor or against this item to please approach the podium and state your name and address for the record. There being now one requesting to speak, Mayor Wideman closed the public hearing at 6:12 p.m.

Discuss and consider action: An Order of the Dangerous Structure Board determining whether the building located at 300 N. Water Street, Burnet Texas, is a dangerous structure: Council Member Ricky Langley made a motion to approve and execute Order No. 2023-06-27-001 as presented. Council Member Dennis Langley seconded. The motion carried unanimously.

RECONVENE TO REGULAR SESSION: Council Member Mary Jane Shanes moved to convene to regular session. Council Member Philip Thurman seconded. The motion carried unanimously.

SPECIAL REPORTS/RECOGNITION:

May 2023 Financial Report: P. Langford: Director of Finance, Patricia Langford reviewed the May 2023 Financial Report for all present to include revenue received, expenses and fund balance for all funds. All funds are currently tracking with budget.

Fire Department Quarterly Report: M. Ingram: Fire Chief Mark Ingram reviewed current staffing levels, call volumes by the day, week, and area for the quarter. Chief Ingram also updated all present on the current fleet status and fire calls for the quarter.

CONSENT AGENDA: *(All of the following items on the Consent Agenda are considered to be self-explanatory 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 June 13, 2023 Council Regular Meeting minutes

Approval of the June 13, 2023 Council Workshop Meeting minutes

Member Philip Thurman moved to approve the consent agenda as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

PUBLIC HEARINGS/ACTION:

Public Hearing and consideration of the following items:

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUCIL OF THE CITY OF BURNET, TEXAS, AMENDING CODE OF ORDINANCES, CHAPTER 118 (ENTITLED “ZONING”) FOR THE PURPOSE OF ESTABLISHING THE FOLLOWING NEW RESIDENTIAL SINGLE-FAMILY ZONING CLASSIFICATIONS: “R-1-17”; “R-1-10”; “R-1-4”; “R-1-4E”; “R-1-3”; “R-1-3E”; “R-1-2”; AND “R-1-2E: D. Vaughn: David Vaughn, City Manager, presented the item to Council to conduct the second public hearing, discuss, and take action on the first reading of Ordinance 2023-17.

Public Hearing: Mayor Wideman opened the public hearing at 6:30 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:31 p.m.

Consideration and action: Council Member Philip Thurman moved to approve and adopt Ordinance No. 2023-17 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

ACTION ITEMS:

Discuss and consider action. SECOND AND FINAL READING OF A RESOLUTION BY THE CITY COUNCIL AUTHORIZING THE CONSTRUCTION OF A HOTEL AT THE CROSSING AT 281 SUBDIVISION AS A PROJECT THE BURNET ECONOMIC DEVELOPMENT CORPORATION MAY INCENTIVIZE THROUGH A PERFORMANCE AGREEMENT WITH THE HOTEL DEVELOPER: D. Vaughn: Council Member Mary Jane Shanes moved to approve and adopt Resolution No. R2023-42 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET TEXAS APPROVING THE CONSTRUCTION OF PUBLIC RESTROOMS ON THE PUBLIC PARKING LOT OWNED BY THE BURNET ECONOMIC DEVELOPMENT CORPORATION AS A PROJECT UNDER THE TEXAS ECONOMIC DEVELOPMENT ACT AND APPROVING A CHAPTER 380 AGREEMENT WITH SAID CORPORATION TO PROVIDE THE FUNDING FROM HOTEL OCCUPANCY TAX REVENUE AND THE GENERAL FUND REVENUE TO COMPLETE THE PROJECT TO PROMOTE THE CREATION OF JOBS AND NEW AND EXPANDED BUSINESS OPPORTUNITIES IN THE CITY OF BURNET: D. Vaughn: Council Member Philip Thurman moved to approve and adopt Resolution No. R2023-40 as presented. Council Member Mary Jane Shanes seconded. Mayor Gary Wideman called for a roll vote following Council discussion of the item. Council Members Philip Thurman, Mary Jane Shanes, Joyce Laudenschlager, Ricky Langley, and Mayor Gary Wideman voted in favor. Council Members Dennis Langley and Tres Clinton voted against. The motion carried with five in favor and two opposed.

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING THE CODE OF ORDINANCE TO RECODIFY HISTORIC PRESERVATION REGULATIONS IN CHAPTER 118 (ENTITLED “ZONING”) AND MAKING SUBSTANTIVE REVISIONS TO ESTABLISH THE POSITION OF HISTORIC PRESERVATION OFFICER TO ADMINISTER THE REGULATIONS AND ESTABLISHING A CERTIFICATE OF APPROPRIATENESS PERMIT FEE; MAKING REVISIONS TO CITY CODE CHAPTERS 2 (ENTITLED “ADMINISTRATION”) AND CHAPTER 22 (ENTITLED “SIGNS”) TO COMPORT WITH THE RECODIFICATION; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2023-18 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY CURRENTLY ZONED SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1”, LOCATED AT THE CORNER OF EAST BRIER LANE AND NORTH WOOD STREET, LEGALLY DESCRIBED AS: LOT 3-A, BLOCK 11, PETER KERR DONATION, WITH DUPLEX – DISTRICT “R-2”: L. Kimbler: Council Member Tres Clinton moved to approve the first reading of Ordinance No. 2023-20 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE

CITY BY ASSIGNING THE PROPERTY CURRENTLY ZONED HEAVY COMMERCIAL – DISTRICT “C-3”, LEGALLY DESCRIBED AS: LOT 2B, BLOCK B, THE CROSSINGS AT 281 SUBDIVISION, WITH LIGHT COMMERCIAL – DISTRICT “C-1”: L. Kimbler: Council Member Philip Thurman moved to approve the first reading of Ordinance No. 2023-21 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: S4150 KERR DONATION, BLOCKS 2 AND 7, 8.75 ACRES FROM ITS’ CURRENT DESIGNATION OF “AGRICULTURE” TO A DESIGNATION OF “GOVERNMENT”: L. Kimbler: Council Member Tres Clinton moved to approve the first reading of Ordinance No. 2023-22 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY CURRENTLY ZONED LIGHT COMMERCIAL – DISTRICT “C-1” AND AGRICULTURE – DISTRICT “A” LEGALLY DESCRIBED AS: S4150 KERR DONATION, BLOCKS 2 AND 7, 8.75 ACRES WITH GOVERNMENT – DISTRICT “G”: L. Kimbler: Council Member Tres Clinton moved to approve the first reading of Ordinance No. 2023-23 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 98 (ENTITLED “SUBDIVISIONS”), BY AMENDING THE REQUIREMENT FOR BUILDING SETBACK LINES ON PLATS: L. Kimbler: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2023-24 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

Discuss and consider action: Authorization and approval to purchase Sig Pro P320 handguns and related equipment: B. Lee: Council Member Tres Clinton moved to approve and authorize the purchase of the Sig Pro P320 handguns and related equipment for the Burnet Police Department as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING A LETTER OF INTENT WITH CAREFLITE TO GROUND LEASE PROPERTY AT THE BURNET MUNICIPAL AIRPORT: A. Field: Council Member Tres Clinton moved to approve and adopt Resolution No. R2023-49 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: Appointments to the Burnet Police Department Citizen Advisory Board: K. Dix: Council Member Mary Jane Shanes move to appoint Buddy Coker, Cindia Talamantez and Lance Gunn to the Burnet Police Department Citizen Advisory Board for a two year term to end June 30, 2025, as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

Discuss and consider action: Burnet Economic Development Corporation (BEDC) board appointments: K. Dix: Council Member Mary Jane Shanes made a motion to appoint Ricky Langley to the Council position vacated by Crista Goble Bromley at the end of her Mayoral term on the BEDC Board and to re-appoint City Manager David Vaughn for a term of two years that will end on June 30, 2025; and to pass on appointment of a member to fill the at large position vacated by Wayne Brown until City Council has established a committee to review the applications submitted for board appointments. Council Member Philip Thurman seconded. The motion carried unanimously.

Discuss and consider action: Appointment of members to the Burnet Airport Advisory Board: K. Dix: Pass. No action taken.

Discuss and consider action: Appointment of members to the City of Burnet Planning and Zoning Commission: K. Dix: Council Member Mary Jane Shanes moved to re-appoint Tommy Gaut, Herve Derek Fortin, and Glenn Teague to another two year term on the Burnet Planning and Zoning Commission as presented. The term will end June 30, 2025. Council Member Joyce Laudenschlager second. The motion carried unanimously.

Discuss and consider action: Appointment of members to the Burnet Historic and Preservation Board: K. Dix: Council Member Philip Thurman moved to appoint Crista Bromley and Jessica Haile to the Burnet Historic and

Preservation Board for a term of two years that will end on June 30, 2025. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: Appointment of members to the City of Burnet Zoning Board of Adjustments: K. Dix: Pass. No action taken.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AUTHORIZING AMERICAN RESCUE PLAN ACT GRANT (ARPA) FUNDING FROM THE FEDERAL AVIATION ADMINISTRATION THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION - AVIATION DIVISION; AND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS AND TAKE ACTIONS TO FACILITATE SUCH ACCEPTANCE: A. Field: Council Member Mary Jane Shanes moved to approve and adopt Resolution No. 2023-50 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH GRECO CONSTRUCTION, INC., FOR THE HILL COUNTRY CHILDREN'S ADVOCACY CENTER BUILDING AS A COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT: D. Vaughn: Council Member Ricky Langley moved to approve and adopt Resolution No. R2023-52 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE PLACEMENT OF ELECTRIC CONDUIT FOR FUTURE DEVELOPMENT OF CREEKFALL SUBDIVISION PHASE THREE AND FOUR AND THE ABUTTING R-3 ZONING CLASSIFICATION PROPERTY: D. Vaughn: Council Member Tres Clinton moved to approve and adopt Resolution No. R2023-51 as presented. Council Member Joyce Laudenschlager seconded. Mayor Wideman stated for the record that Council Member Ricky Langley filed an Affidavit of Conflict of Interest for this item and recused himself from the vote. Council Members Dennis Langley, Philip Thurman, Mary Jane Shanes, Tres Clinton, Joyce Laudenschlager and Mayor Gary Wideman voted in favor; Council Member Ricky Langley recused himself. The motion carried with six in favor and one recusal.

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: Council Member Philip Thurman requested and update report on capital projects related to the revenue from the sale of property to Jordan Shipley.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 7:34 p.m. seconded by Council Member Joyce Laudenschlager. The motion carried unanimously.

**ATTEST:**

\_\_\_\_\_  
Gary Wideman, Mayor

\_\_\_\_\_  
Kelly Dix, City Secretary



## Development Services

## ITEM 3.1 A

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

### Public Hearing and Action

- Meeting Date:** July 11, 2023
- Agenda Item:** Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 98 (ENTITLED "SUBDIVISIONS"), SECTION 98-7 (ENTITLED "DEFINITIONS"), BY AMENDING THE DEFINITION OF SIGNIFICANT TREE; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: C. Pearson
- Background:** City Code, Section 98-22 (Entitled "Preliminary Plat") provides the content required when an applicant submits a preliminary plat for consideration. A part of these requirements is a tree survey of "significant trees", which currently requires applicants to include cedar trees and chinaberry trees. This ordinance amends the definition of "significant tree" by removing cedar (ashe juniper) and chinaberry trees from these requirements.
- Information:** This ordinance amends the definition of "Significant tree", removing cedar and chinaberry trees from requirements.
- Fiscal Impact:** No direct fiscal impact is anticipated.
- P&Z Report:** Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z's recommendation at the City Council meeting.
- Recommendation:** Open the public hearing.  
Discuss and consider the first reading of Ordinance 2023-25.

**ORDINANCE NO. 2023-25**

**AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 98 (ENTITLED "SUBDIVISIONS"), SECTION 98-7 (ENTITLED "DEFINITIONS"), BY AMENDING THE DEFINITION OF SIGNIFICANT TREE; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Council seeks to amend the Code of Ordinances, Chapters 98, incorporating amendments regarding tree preservation to remove Ashe Juniper and Chinaberry trees from preservation requirements; and

**WHEREAS**, the City Council determines that the amendment provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community; and

**WHEREAS**, on July 10, 2023, the Planning and Zoning Commission conducted a public hearing to receive comments and testimony on the merits of the code amendments proposed by this ordinance; and

**WHEREAS**, at the conclusion of the public hearing, the Planning and Zoning Commission made a recommendation to City Council as to the merits of the proposed amendments; and

**WHEREAS**, on June 11, 2023, City Council conducted a public hearing for the purpose of taking public comment regarding the proposed amendments; and

**WHEREAS**, The City Council, based on due consideration of the Planning and Zoning Commission recommendation and citizen testimony, as well as its own deliberations, determine that enacting said Code of Ordinance amendments will serve to promote the public health, safety, morals, and the general welfare of the city and its present and future residents.

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

**Section one. Amendment.** The Code of Ordinances, Chapter 98 (entitled "Subdivisions"), Section 98-7 (entitled "Definitions"), is hereby amended by adding the language that is underlined (underline) and deleting the language that is stricken (~~stricken~~) as follows:

Significant tree means a native, living tree that is equal to or greater than 8 inches in diameter as measured at breast height, 4.5 feet above ground (DBH)the city requires

~~preservation of to the greatest extent possible, not to include Ashe Juniper and Chinaberry trees. A list of significant trees can be provided by city staff.~~

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

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

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

**Section five. Repealer.** All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

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

**Section seven. TOMA Compliance.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was conducted in compliance with the Texas Open Meeting Act as modified by Executive Orders of the Governor of the State of Texas in response to the COVID-19 pandemic.

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

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

**Passed on first reading** on the 11<sup>th</sup> day of July, 2023

**Passed and Adopted** on the 12<sup>th</sup> day of July, 2023

**CITY OF BURNET**

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Philip Thurman, Mayor Pro Tem

**ATTEST:**

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Kelly Dix, City Secretary

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 98 (ENTITLED "SUBDIVISIONS"), SECTION 98-7 (ENTITLED "DEFINITIONS"), BY AMENDING THE DEFINITION OF SIGNIFICANT TREE; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: C. Pearson





**CITY CODE, SECTION 98-22 (ENTITLED "PRELIMINARY PLAT") PROVIDES THE CONTENT REQUIRED WHEN AN APPLICANT SUBMITS A PRELIMINARY PLAT FOR CONSIDERATION.**



**A PART OF THESE REQUIREMENTS IS A TREE SURVEY OF "SIGNIFICANT TREES", WHICH CURRENTLY REQUIRES APPLICANTS TO INCLUDE CEDAR TREES AND CHINABERRY TREES.**



**THIS ORDINANCE AMENDS THE CODE AND DEFINITION OF "SIGNIFICANT TREE" BY REMOVING CEDAR (ASHE JUNIPER) AND CHINABERRY TREES FROM REQUIREMENTS.**



# Public Hearing

- ▶ Public hearing opened by Chair
- ▶ Limit 3 minutes per speaker

## Discussion

- ▶ Discuss and approve the first reading of Ordinance 2023-25 as presented



## Development Services

## ITEM 3.1 B

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

### Public Hearing and Action

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING"), ARTICLE II (ENTITLED "ZONING DISTRICTS"), BY REMOVING THE USE "MINI STORAGE WAREHOUSE AND STORAGE GARAGE" FROM MEDIUM COMMERCIAL – DISTRICT "C-2" AND AUTHORIZING THE USE MINI STORAGE WAREHOUSE AND STORAGE GARAGE IN THE LIGHT INDUSTRIAL – DISTRICT "I-1": L. KIMBLER

**Background:** Currently, the use "Mini Storage Warehouse and Storage Garage" is authorized in the Medium Commercial – District "C-2". This amendment will allow Council to approve the use in a more suitable district where impacts on surrounding property future developments would be less.

**Information:** This ordinance moves the use "Mini Storage Warehouse and Storage Garage" to Light Industrial – District "I-1" where similar uses currently are allowed. Examples of similar allowable "I-1" uses are:

- Warehouse, storage, and distribution centers
- Frozen food lockers and cold storage

**Fiscal Impact:** No direct fiscal impact is anticipated.

**P&Z Report:** Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z's recommendation at the City Council meeting.

**Recommendation:** Open the public hearing  
Discuss and consider the first reading Ordinance 2023-26.

**ORDINANCE NO. 2023-26**

**AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED “ZONING”), ARTICLE II (ENTITLED “ZONING DISTRICTS”), BY REMOVING THE USE “MINI STORAGE WAREHOUSE AND STORAGE GARAGE” FROM MEDIUM COMMERCIAL – DISTRICT “C-2” AND AUTHORIZING THE USE MINI STORAGE WAREHOUSE AND STORAGE GARAGE IN THE LIGHT INDUSTRIAL – DISTRICT “I-1”; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Zoning Administrator proposed certain amendments to the zoning districts and regulations in Section 118-20 of the City Code; and

**WHEREAS**, on July 10, 2023, the Planning and Zoning Commission conducted a public hearing for the purpose of taking public comment regarding the proposed amendments; and

**WHEREAS**, at the conclusion of the public hearing, the Planning and Zoning Commission made a recommendation to City Council as to the merits of the proposed amendments; and

**WHEREAS**, on July 11, 2023, City Council conducted a public hearing for the purpose of taking public comment regarding the proposed amendments; and

**WHEREAS**, The City Council, based on due consideration of the Planning and Zoning Commission recommendation and citizen testimony, as well as its own deliberations, determine that enacting said Code of Ordinance amendments will serve to promote the public health, safety, morals, and the general welfare of the city and its present and future residents.

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

**Section one. Amendment.** The Code of Ordinances, Chapter 118 (entitled “Zoning”) Section 118-46 (entitled “Medium Commercial – District ‘C-2’”) is hereby amended by deleting the language that is italics stricken (~~stricken~~) from Section 118-46(a) as follows:

~~(25) Mini storage warehouse and storage garage.~~

**Note to Publisher:** Existing subsections 118-46(a)(26) to 118-46(a)(39) shall be recodified as subsections 118-46(a)(25) to 118-46(a)(38).

**Section two. Amendment.** The Code of Ordinances, Chapter 118 (entitled “Zoning”) Section 118-48 (entitled “Light Industrial – I-1”) is hereby amended by adding the language that is underlined (underlined) to subsection 118-48(a)(15) as follows:

(15) Mini storage warehouse and storage garage.

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

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

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

**Section six. Repealer.** All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

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

**Section eight. TOMA Compliance.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was conducted in compliance with the Texas Open Meeting Act as modified by Executive Orders of the Governor of the State of Texas in response to the COVID-19 pandemic.

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

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

Passed on first reading on the 11<sup>th</sup> day of July, 2023.

Passed and Adopted on the 12<sup>th</sup> day of July, 2023.

**CITY OF BURNET**

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Gary Wideman, Mayor

**ATTEST:**

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Kelly Dix, City Secretary

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING"), ARTICLE II (ENTITLED "ZONING DISTRICTS"), BY REMOVING THE USE "MINI STORAGE WAREHOUSE AND STORAGE GARAGE" FROM MEDIUM COMMERCIAL – DISTRICT "C-2" AND AUTHORIZING THE USE MINI STORAGE WAREHOUSE AND STORAGE GARAGE IN THE LIGHT INDUSTRIAL – DISTRICT "I-1": L. KIMBLER





**“Mini Storage Warehouse and Storage Garage” is authorized in the Medium Commercial – District “C-2”.**

**This ordinance moves the use “Mini Storage Warehouse and Storage Garage” to Light Industrial – District “I-1”**

**Examples of similar allowable “I-1” uses are:**

- **Warehouse, storage, and distribution centers**
- **Frozen food lockers and cold storage**



# Public Hearing

- ▶ Public hearing opened by Chair
- ▶ Limit 3 minutes per speaker

## Discussion

- ▶ Discuss and approve the first reading of Ordinance 2023-26 as presented



## Development Services

## ITEM 3.1 C

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

### Public Hearing and Action

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: BEING 26.085 ACRES, OUT OF EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1-4” CLASSIFICATION; AND PROPERTY LEGALLY DESCRIBED AS: BEING 16.610 ACRES, OUT OF EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1-2” CLASSIFICATION: L. Kimbler

**Background:** The properties for consideration are currently zoned Single-Family Residential – District “R-1” and the City of Burnet Airport and the Delaware Springs Golf Course, located between holes 5 and 6.

**Information:** The applicant is preparing to submit a preliminary plat and prior to doing so, is requesting to rezone the property to accommodate the types of lots they will be creating. The applicant is requesting to rezone the hourglass shaped property, located between holes 4, 5 and 6 on the golf course, to District “R-1-2” which is a minimum of half-acre lots and minimum of square footage living area of 1750. The property bordering the airport and the golf course hole 4, they are requesting District “R-1-4” allowing for a minimum lot of 10,890 square feet (approximately .25 acres) lots and minimum of square footage living area of 1750.

**Staff Analysis:** The Future Land Use Map (Exhibit B) designation for the area is residential; therefore, the requested Single-Family zoning districts continue to be appropriate.

**Public Notification:** A Notice of Public Hearing was published in the Burnet Bulletin on May 24, 2023, and written notices were mailed to 19 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.

**P&Z Report:** Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z’s recommendation at the City Council meeting.

Exhibit "A"  
Location & Current Zoning Map



## ORDINANCE NO. 2023-27

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: BEING 26.085 ACRES, OUT OF EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1-4” CLASSIFICATION; AND PROPERTY LEGALLY DESCRIBED AS: BEING 16.610 ACRES, OUT OF EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1-2” CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

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

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

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

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

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

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

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

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

**Section two. Property.** The Property that is the subject to this Zoning District Reclassification is LEGALLY DESCRIBED AS: 26.085 ACRES, OUT OF EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 as shown on **Exhibit “A”** hereto.

**Section three Zoning District Reclassification.** SINGLE-FAMILY RESIDENTIAL DISTRICT “R-1-4” Zoning District Classification is hereby assigned to the Property described in section two.

**Section four. Property.** The Property that is the subject to this Zoning District Reclassification is LEGALLY DESCRIBED AS: 16.610 ACRES, OUT OF EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 as shown on **Exhibit “B”** hereto.

**Section five. Zoning District Reclassification.** SINGLE-FAMILY RESIDENTIAL DISTRICT “R-1-2” Zoning District Classification is hereby assigned to the Property described in section four.

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

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

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

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

**PASSED** on First Reading the 11<sup>th</sup> day of July 2023

**PASSED AND APPROVED** on this the 12<sup>th</sup> day of July 2023.

**CITY OF BURNET, TEXAS**

\_\_\_\_\_  
Gary Wideman, Mayor

**ATTEST:**

\_\_\_\_\_  
Kelly Dix, City Secretary

**Exhibit A**

PROPERTY TO BE ZONED SINGLE-FAMILY RESIDENTIAL DISTRICT "R-1-4"



**Exhibit B**

PROPERTY TO BE ZONED SINGLE-FAMILY RESIDENTIAL DISTRICT "R-1-2"



FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: BEING 26.085 ACRES, OUT OF EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1-4” CLASSIFICATION; AND PROPERTY LEGALLY DESCRIBED AS: BEING 16.610 ACRES, OUT OF EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1-2” CLASSIFICATION: L. Kimbler



# Information:



## Current Zoning:

Single-Family Residential –  
“R-1”

Undeveloped property

Abuts Burnet Municipal Airport

Delaware Springs Golf Course  
holes 4, 5 and 6



**R-1-2**

**Minimum half-acre lots  
1750 sq. ft. living area**



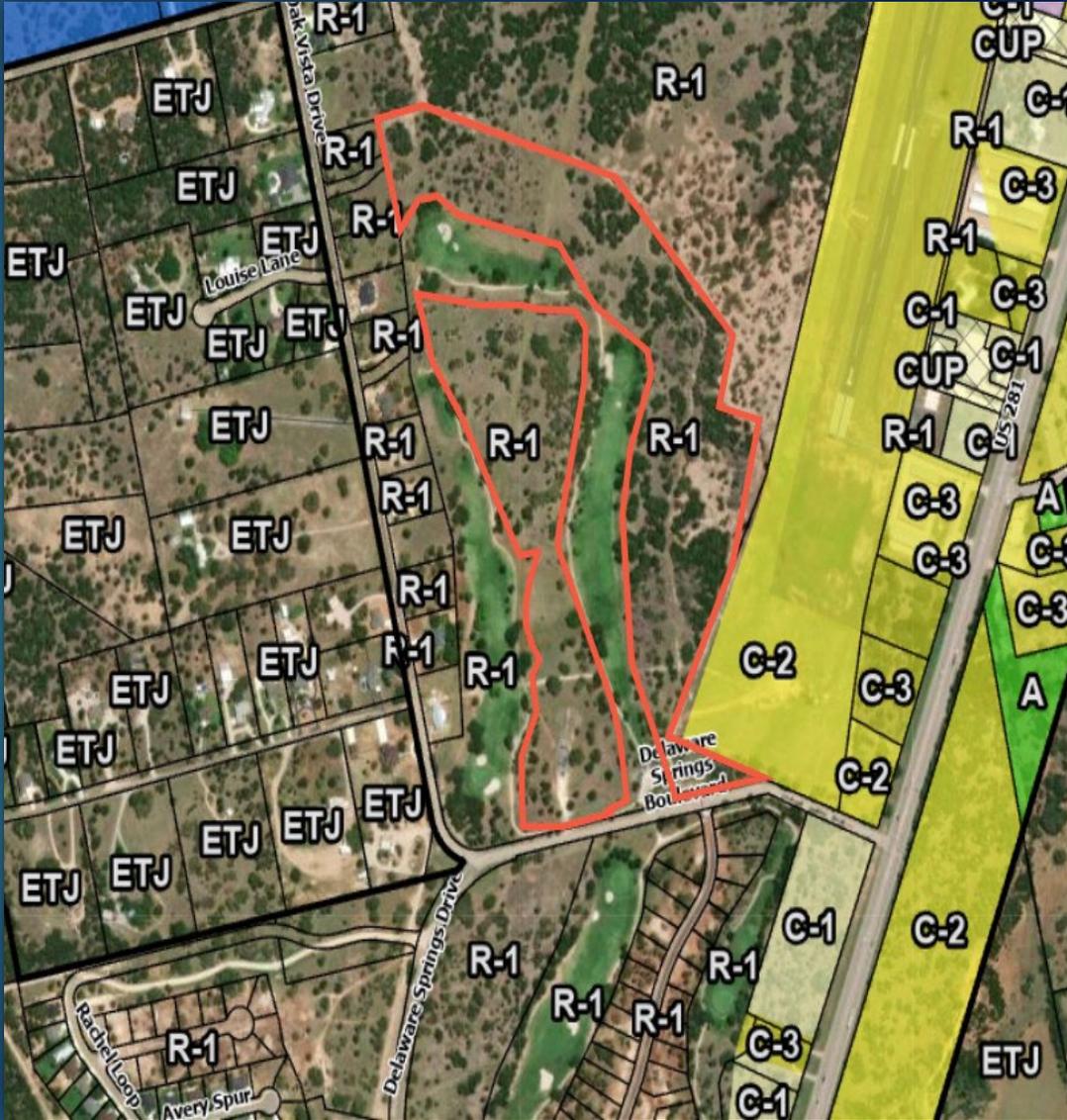
**R-1-4**

**Minimum 10,860 sq ft lots  
1750 sq. ft. living area**

# Public Notice:



A Notice of Public Hearing was published in the Burnet Bulletin on May 24, 2023, and written notices were mailed to 19 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.





# Public Hearing

- ▶ Public hearing opened by Chair
- ▶ Limit 3 minutes per speaker

## Discussion

- ▶ Discuss and approve the first reading of Ordinance 2023-27 as presented



## Development Services

## ITEM 4.1 D

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

### Public Hearing and Action

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES FROM ITS PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, 4.5 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; AND PROPERTY KNOWN AS THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT: L. Kimbler

**Information:** One of the properties for consideration is owned by the State of Texas Department of Transportation. This was previously the location of the roadside park located on Highway 281 South, next to Galloway Hammond and the railroad. The remaining properties for consideration are owned by the City of Burnet. Two properties abut Galloway Hammond YMCA property, and the others are the city owned cemeteries located along South Rhomberg and Cemetery Street.

The City's Future Land Use Plan for the property which abuts the railroad, and the baseball fields is designated as Residential. The Future Land Use Plan for the remaining properties is designated as Open Space. These are city initiated requests in order to allow the properties to be appropriately zoned; therefore, the requested Future Land Use amendment must be approved before the zoning change request can be approved (next item on the agenda).

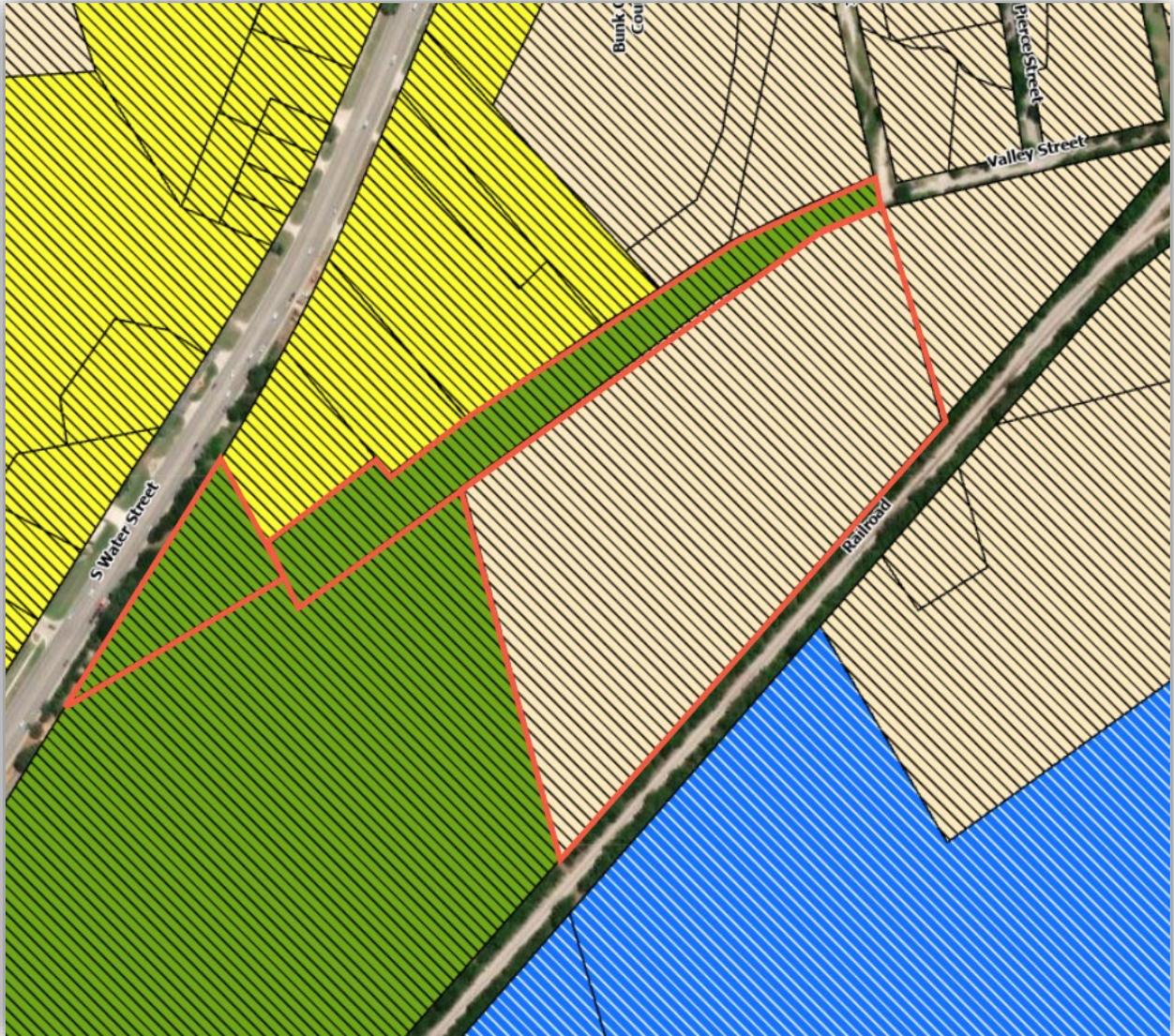
**Public Notice:** Notices were mailed to 52 surrounding property owners within 200' of the subject property and staff has received no comments in opposition to the proposed amendment to the City's Future Land Use Plan.

**P&Z Report:**

Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z's recommendation at the City Council meeting.

**Exhibit A – Future Land Use Map**

ABS A0187 BB Castleberry, Tract 76, 18.47 acres,  
ABS A0187 BB Castleberry, Tract 69, 6.06 acres  
ABS A0187 BB Castleberry, 4.5 acres



Government



Commercial



Residential



Open Space

Burnet Cemetery, Old Burnet Cemetery and IOOF Cemetery



Government



Commercial



Residential



Open Space

## ORDINANCE NO. 2023-28

**AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES FROM ITS PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, 4.5 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; AND PROPERTY KNOWN AS THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council, by the passage and approval of Ordinance No. 2012-09, did assign Future Land Use classifications for property located within the city in accordance with the Official Future Land Use Map as approved with said ordinance; and

**WHEREAS**, the purpose of this Ordinance is to amend the Official Future Land Use Map by amending the Future Land Use classification of the Real Property ("Property") described herein; and

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

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

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

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

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

**Section two. Property.** The Property that is the subject to this Future Land Use Reclassification is legally described as: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES as shown on **Exhibit “A”** hereto.

**Section three. Future Land Use Map.** “Government” Future Land Use is hereby assigned to the Property described in section two.

**Section four. Property.** The Property that is the subject to this Future Land Use Reclassification is legally described as: ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES as shown on **Exhibit “B”** hereto.

**Section five. Future Land Use Map.** “Government” Future Land Use is hereby assigned to the Property described in section two.

**Section six. Property.** The Property that is the subject to this Future Land Use Reclassification is legally described as: ABS A0187 BB CASTLEBERRY, 4.5 ACRES as shown on **Exhibit “C”** hereto.

**Section seven. Future Land Use Map.** “Government” Future Land Use is hereby assigned to the Property described in section two.

**Section eight. Property.** The Property that is the subject to this Future Land Use Reclassification is property known as: THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY as shown on **Exhibit “D”** hereto.

**Section nine. Future Land Use Map.** “Government” Future Land Use is hereby assigned to the Property described in section two.

**Section ten. Future Land Use Map Revision.** The City Secretary is hereby authorized and directed to revise the Official Future Land Use Map to reflect the change in Future Land Use Classification approved by this Ordinance.

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

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

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

**PASSED** on First Reading the 11<sup>th</sup> day of July 2023.

**FINALLY PASSED AND APPROVED** on the 25<sup>th</sup> day of July 2023.

**CITY OF BURNET, TEXAS**

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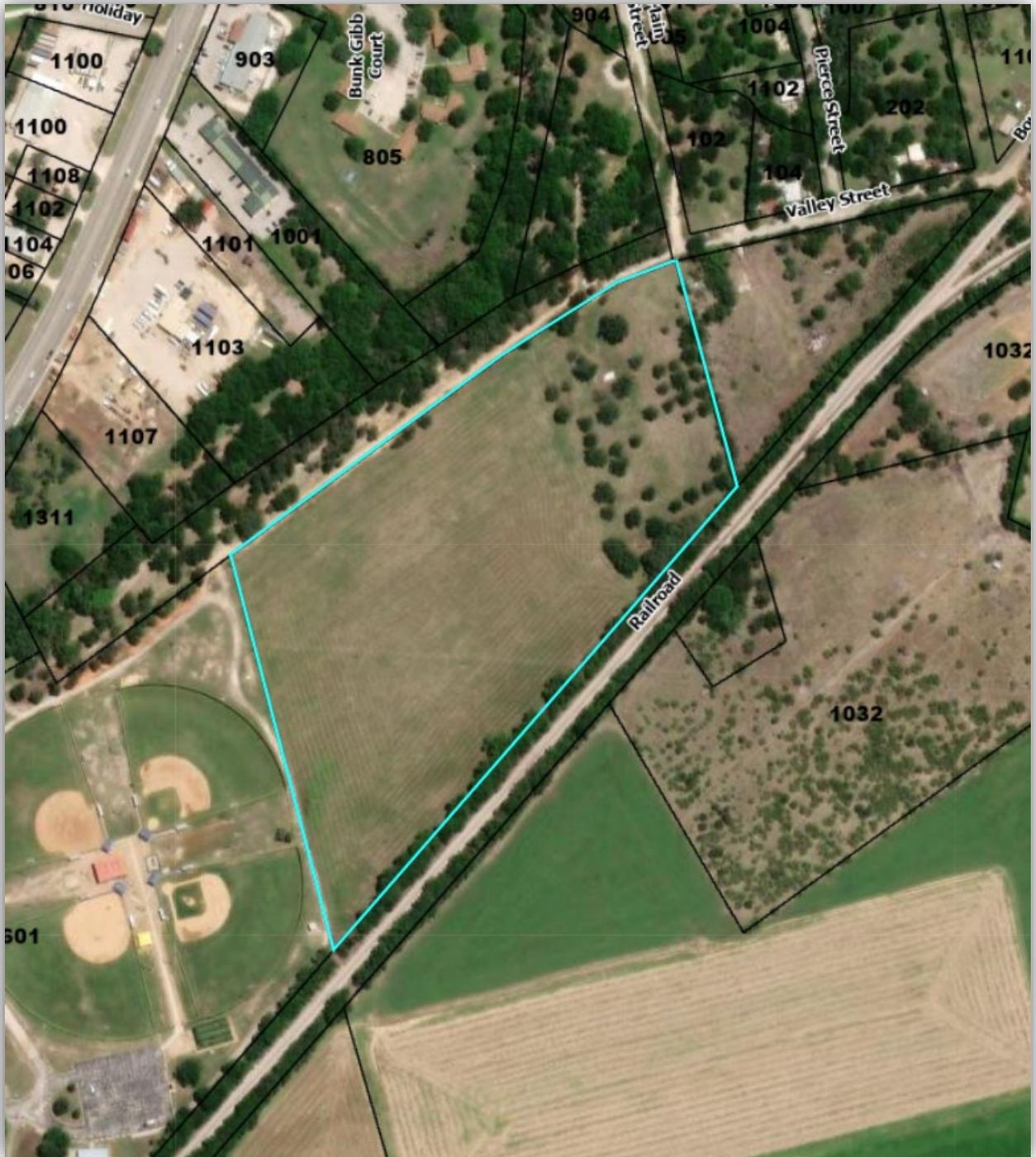
Gary Wideman, Mayor

**ATTEST:**

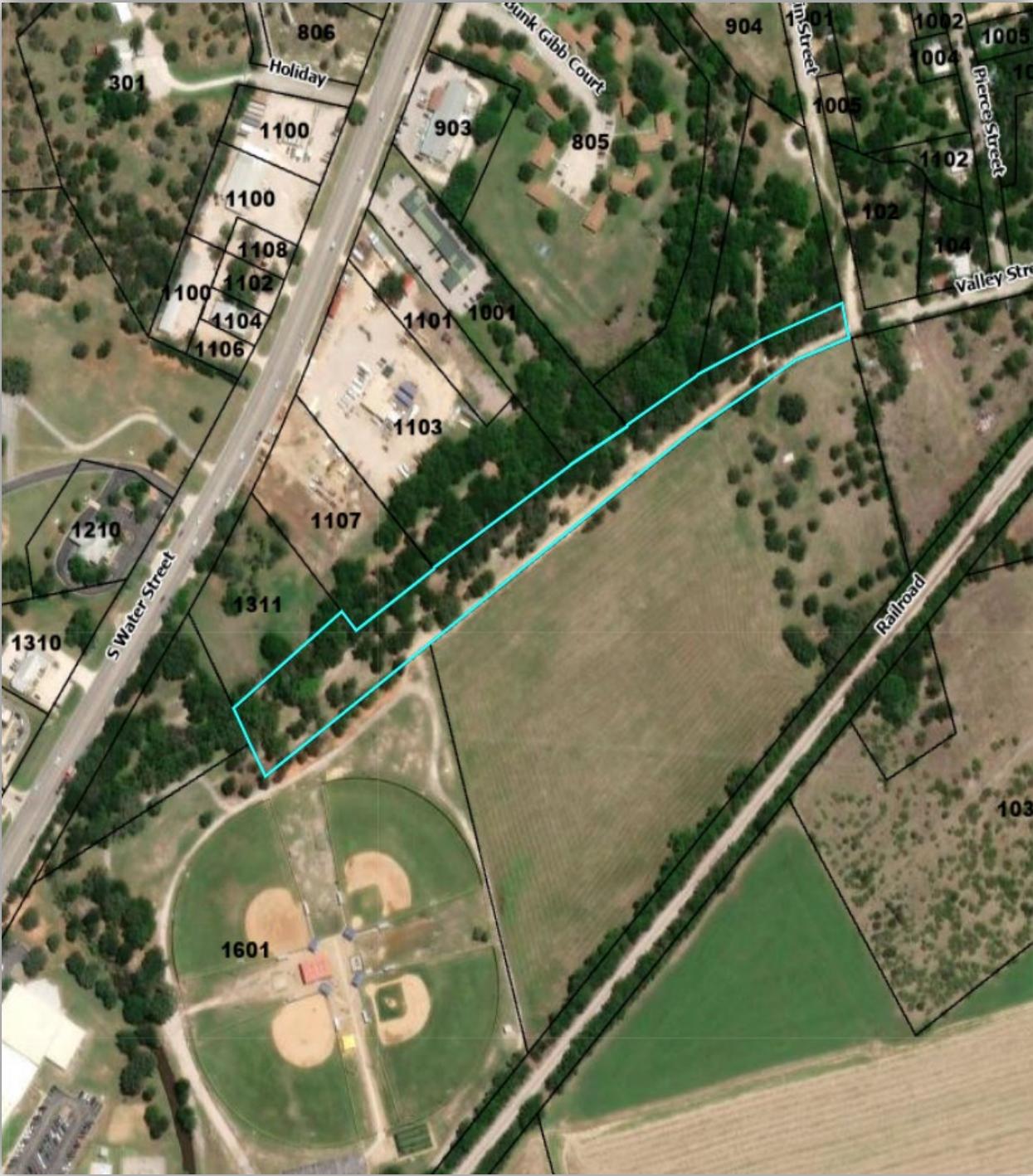
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Kelly Dix, City Secretary

**Exhibit "A"**  
**ABS A0187 BB Castleberry, Tract 76, 18.47 acres**



**Exhibit "B"**  
ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES



**Exhibit "C"**  
**ABS A0187 BB CASTLEBERRY, 4.5 ACRES**



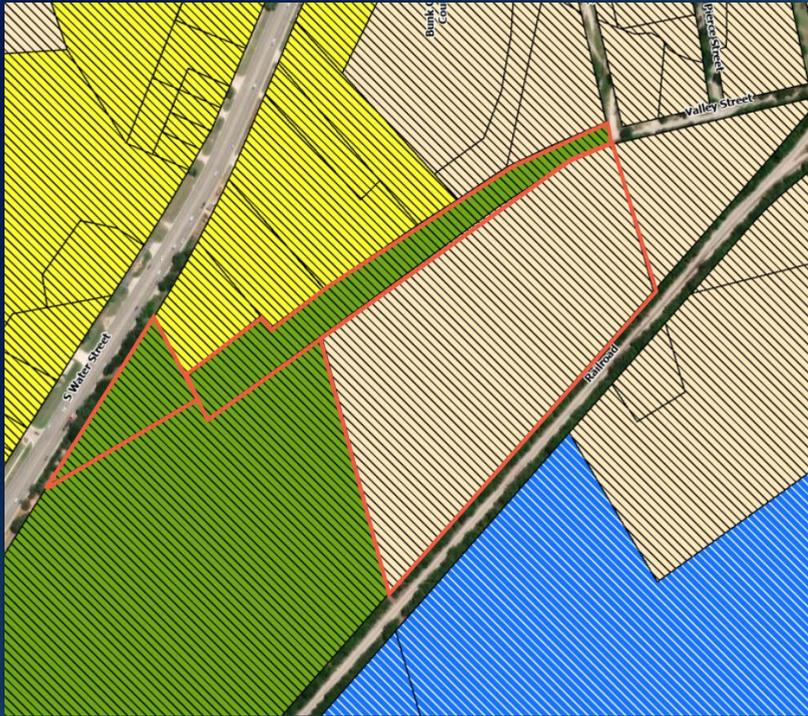
**Exhibit "D"**  
Burnet Cemetery, Old Burnet Cemetery and IOOF Cemetery



FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES FROM ITS PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, 4.5 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; AND PROPERTY KNOWN AS THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT



# City Initiated Request



- ▶ Current FLUM:
  - ▶ Residential & Open Space
- ▶ Requested FLUM:
  - ▶ Government
- ▶ Property is owned by the City of Burnet – City initiated request to allow to rezone property to Government



- ▶ Current FLUM:
  - ▶ Open Space
- ▶ Requested FLUM:
  - ▶ Government
- ▶ Property is owned by the City of Burnet – City initiated request to allow to rezone property to Government

# Public Notice:



A Notice of Public Hearing was published in the Burnet Bulletin on May 24, 2023, and written notices were mailed to 52 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.





# Public Hearing

- ▶ Public hearing opened by Chair
- ▶ Limit 3 minutes per speaker

## Discussion

- ▶ Discuss and approve the first reading of Ordinance 2023-28 as presented



## Development Services

### ITEM 3.1 E

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

## Public Hearing and Action

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY LEGALLY DESCRIBED AS: PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY LEGALLY DESCRIBED AS: PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, 4.5 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY KNOWN AS THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY AS IDENTIFIED ON THE CITY OF BURNET PLAT ACCEPTED BY ORDINANCE NO. 320 WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION: L. Kimbler

**Background:** One of the properties for consideration is owned by the State of Texas Department of Transportation. This was previously the location of the roadside park located on Highway 281 South, next to Galloway Hammond and the railroad. The remaining properties for consideration are owned by the City of Burnet. Two properties abut Galloway Hammond YMCA property, and the others are the city owned cemeteries located along South Rhomberg and Cemetery Street.

**Information:** This request is a city-initiated request to bring the property into compliance with the current zoning code. The requested District “G” (Government and Public Institutional District) is for properties “intended to provide appropriate areas for uses that provide important community services often requiring large amounts of land.”

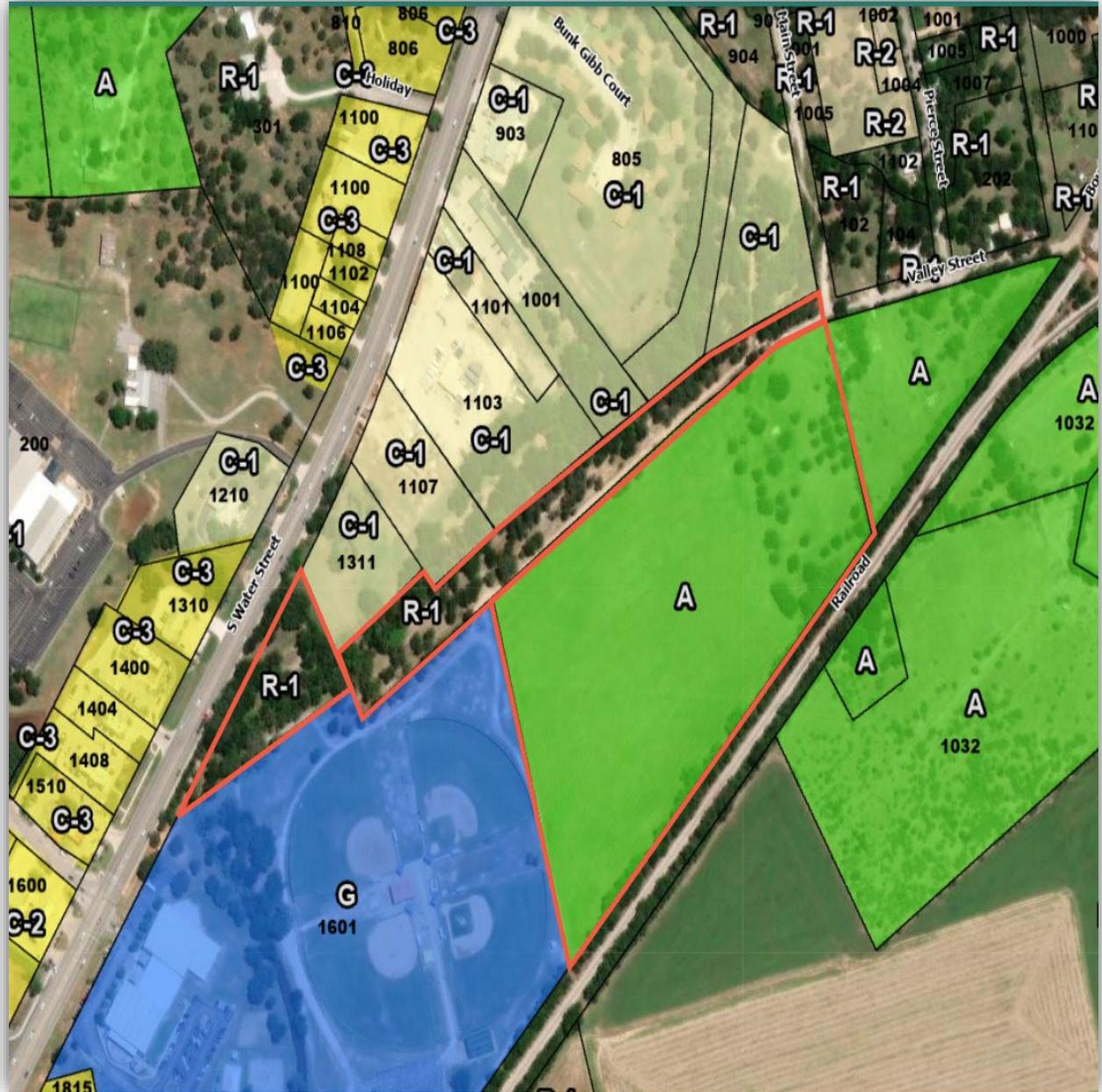
**Staff Analysis:** The item prior to this item on the agenda is a request to amend the City’s Future Land Use Map. If approved Government – District “G” would be appropriate for this area.

**Public Notification:** A Notice of Public Hearing was published in the Burnet Bulletin on June 22, 2023, and written notices were mailed to 52 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.

**P&Z Report** Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z's recommendation at the City Council meeting.

### Exhibit A – Location and Current Zoning

ABS A0187 BB Castleberry, Tract 76, 18.47 acres,  
ABS A0187 BB Castleberry, Tract 69, 6.06 acres  
ABS A0187 BB Castleberry, 4.5 acres





## **ORDINANCE NO. 2023-29**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, 4.5 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY KNOWN AS THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

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

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

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

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

**WHEREAS**, it is further legislatively found that the required amendment to the Future Land Use Plan was, prior to this action, passed and approved by ordinance of this Council; and

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

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

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

**Section two. Property.** The Property that is the subject to this Zoning District Reclassification is legally described as: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES as shown on **Exhibit “A”** hereto.

**Section three. Zoning District Reclassification.** GOVERNMENT – DISTRICT “G” Zoning District Classification is hereby assigned to the Property described in section two.

**Section four. Property.** The Property that is the subject to this Zoning District Reclassification is legally described as: S4150 KERR DONATION, BLOCKS 2 AND 7, 8.75 ACRES as shown on **Exhibit “B”** hereto.

**Section five. Zoning District Reclassification.** GOVERNMENT – DISTRICT “G” Zoning District Classification is hereby assigned to the Property described in section two.

**Section six. Property.** The Property that is the subject to this Zoning District Reclassification is legally described as: ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES as shown on **Exhibit “C”** hereto.

**Section seven. Zoning District Reclassification.** GOVERNMENT – DISTRICT “G” Zoning District Classification is hereby assigned to the Property described in section two.

**Section eight. Property.** The Property that is the subject to this Zoning District Reclassification is legally described as: ABS A0187 BB CASTLEBERRY, 4.5 ACRES as shown on **Exhibit “D”** hereto.

**Section nine. Zoning District Reclassification.** GOVERNMENT – DISTRICT “G” Zoning District Classification is hereby assigned to the Property described in section two.

**Section ten. Property.** The Property that is the subject to this Zoning District Reclassification is property known as: BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY as shown on **Exhibit “E”** hereto.

**Section eleven. Zoning District Reclassification.** GOVERNMENT – DISTRICT “G” Zoning District Classification is hereby assigned to the Property described in section two.

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

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

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

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

**PASSED** on First Reading the 11<sup>th</sup> day of July 2023

**PASSED AND APPROVED** on this the 25<sup>th</sup> day of July 2023.

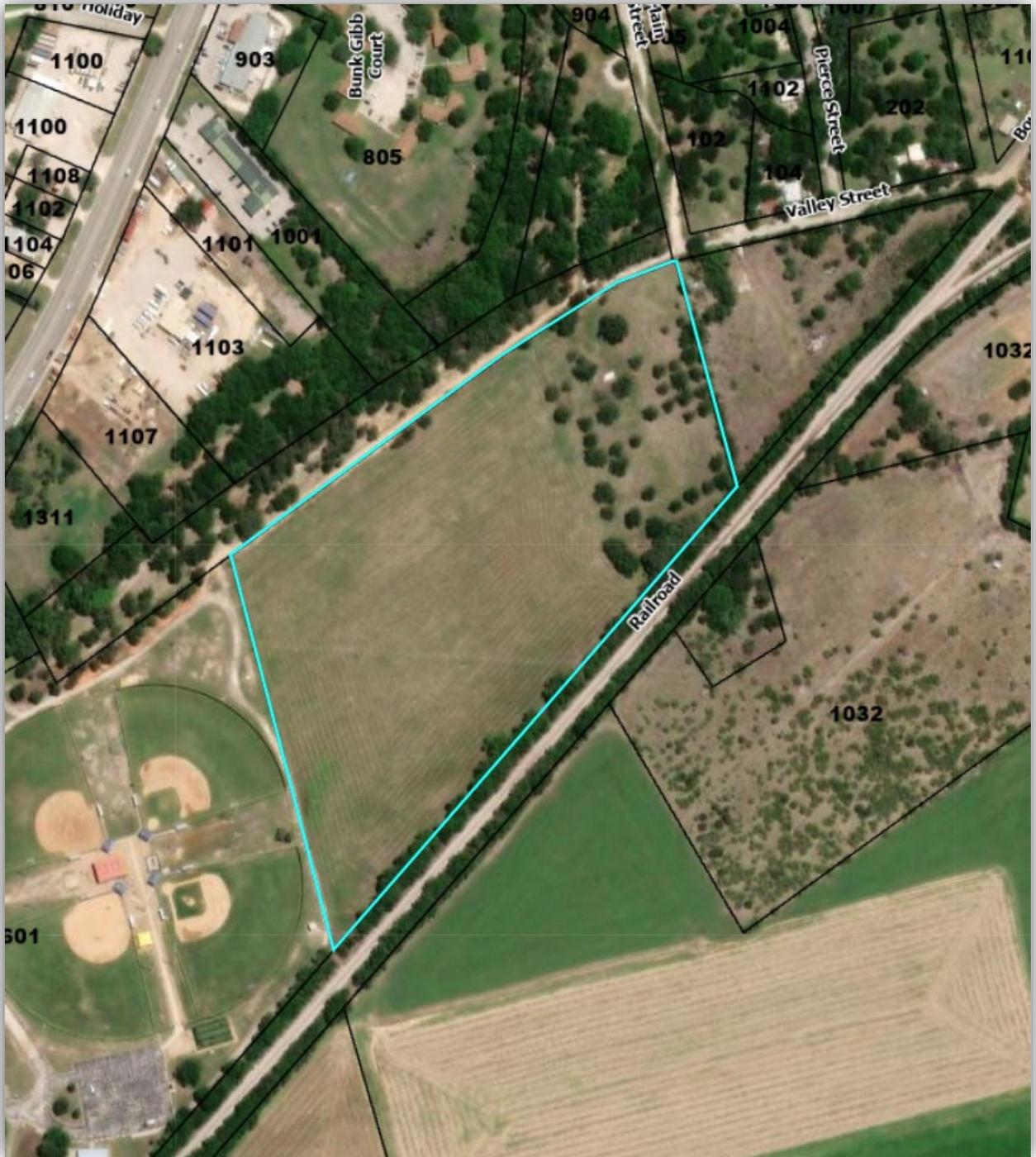
**CITY OF BURNET, TEXAS**

\_\_\_\_\_  
Gary Wideman, Mayor

**ATTEST:**

\_\_\_\_\_  
Kelly Dix, City Secretary

**Exhibit "A"**  
**ABS A0187 BB Castleberry, Tract 76, 18.47 acres**





**Exhibit "C"**  
**ABS A0187 BB CASTLEBERRY, 4.5 ACRES**



**Exhibit "D"**  
Burnet Cemetery, Old Burnet Cemetery and IOOF Cemetery



FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY LEGALLY DESCRIBED AS: PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY LEGALLY DESCRIBED AS: PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, 4.5 ACRES WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; PROPERTY KNOWN AS THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY AS IDENTIFIED ON THE CITY OF BURNET PLAT ACCEPTED BY ORDINANCE NO. 320 WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION; WITH GOVERNMENT – DISTRICT “G” CLASSIFICATION:

L. Kimbler



# Information:



## Current Zoning:

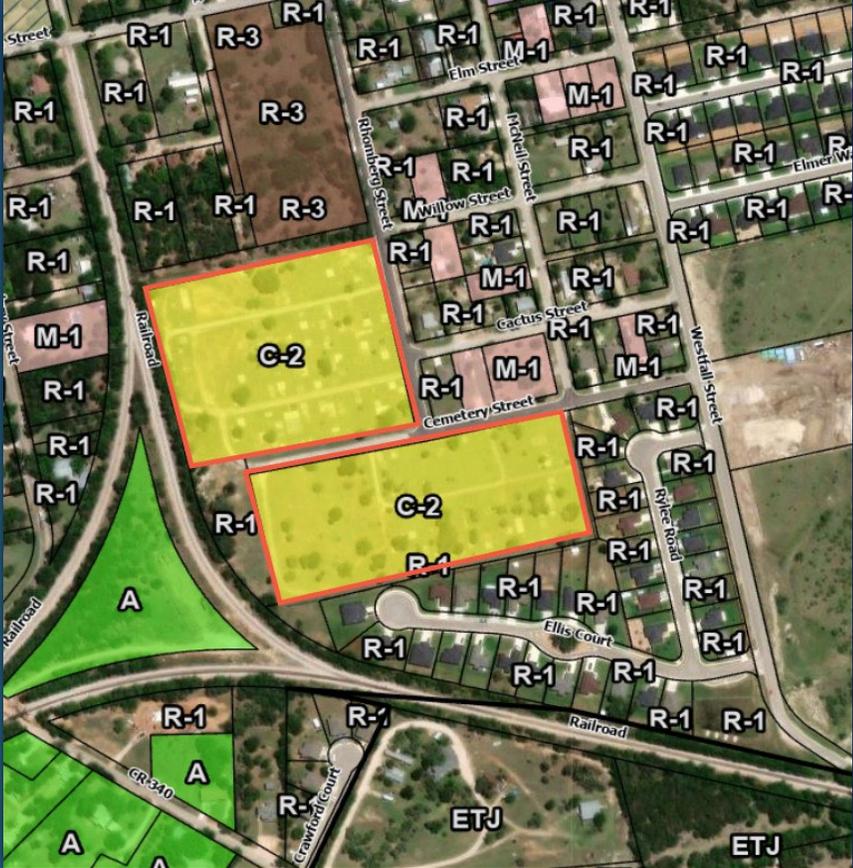
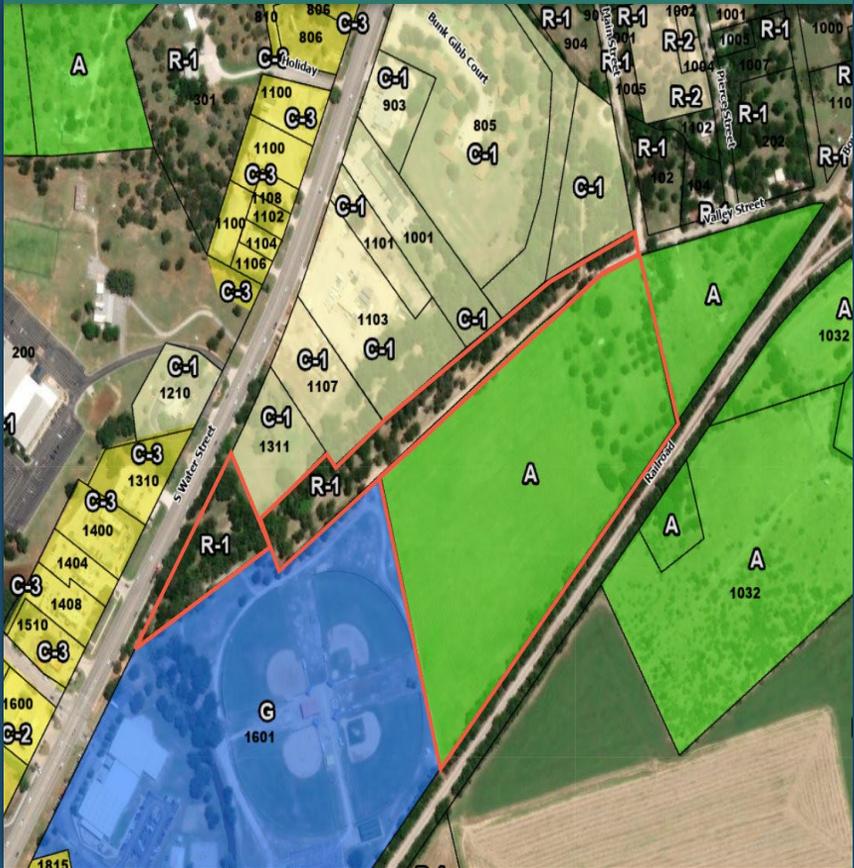
Single-Family Residential –

“R-1”

Agriculture

Medium Commercial – District

C-2



City Initiated Request to  
zone to Government –  
District “G”

# Public Notice:



A Notice of Public Hearing was published in the Burnet Bulletin on May 24, 2023, and written notices were mailed to 52 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.





# Public Hearing

- ▶ Public hearing opened by Chair
- ▶ Limit 3 minutes per speaker

## Discussion

- ▶ Discuss and approve the first reading of Ordinance 2023-29 as presented



## Development Services

## ITEM 3.1 F

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

### Public Hearing and Action

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LOCATED AT 1811 E POLK STREET (LEGALLY DESCRIBED AS: ABS A1525 SARAH ANN GUEST, 20.82 ACRES) FROM ITS PRESENT DESIGNATION OF INDUSTRIAL TO A DESIGNATION OF RESIDENTIAL; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler

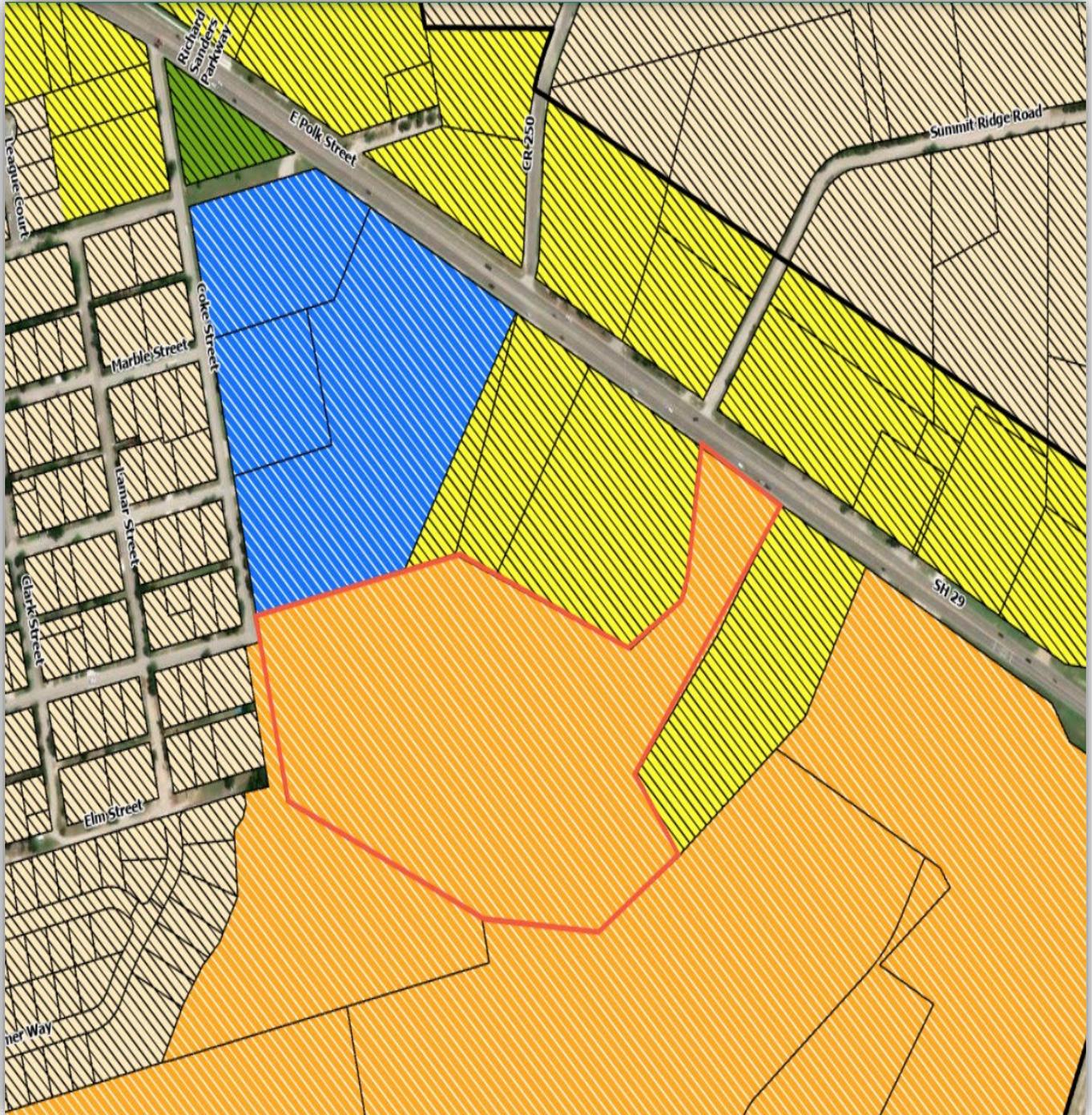
**Information:** This is a city initiated request to bring the property into compliance with the zoning code. The subject property is a single-family residential property. This property abuts the new residential subdivisions, Westfall Villages and Creekfall Subdivision. The current future land use plan of Industrial is not in alignment with the current use or any future use of this property.

Prior to approval of the request for rezone, the Future Land Use Map must be amended.

**Public Notice:** Notices were mailed to 20 surrounding property owners within 200' of the subject property and staff has received no comments in opposition to the proposed amendment to the City's Future Land Use Plan.

**P&Z Report:** Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z's recommendation at the City Council meeting.

**Exhibit "A"**  
**Location & FLUM**



## ORDINANCE NO. 2023-30

**AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LOCATED AT 1811 E POLK STREET (LEGALLY DESCRIBED AS: ABS A1525 SARAH ANN GUEST, 20.82 ACRES) FROM ITS PRESENT DESIGNATION OF INDUSTRIAL TO A DESIGNATION OF RESIDENTIAL; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council, by the passage and approval of Ordinance No. 2012-09, did assign Future Land Use classifications for property located within the city in accordance with the Official Future Land Use Map as approved with said ordinance; and

**WHEREAS**, the purpose of this Ordinance is to amend the Official Future Land Use Map by amending the Future Land Use classification of the Real Property ("Property") described herein; and

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

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

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

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

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

**Section two. Property.** The Property that is the subject to this Future Land Use Reclassification is property located at 1811 E Polk Street (legally described as: Abs A1525 Sarah Ann Guest, 20.82 acres) as shown on **Exhibit "A"** hereto.

**Section three. Future Land Use Map.** "Residential" Future Land Use is hereby assigned to the Property described in section two.

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

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

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

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

**PASSED** on First Reading the 11<sup>th</sup> day of July 2023.

**FINALLY PASSED AND APPROVED** on the 25<sup>th</sup> day of July 2023.

**CITY OF BURNET, TEXAS**

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Gary Wideman, Mayor

**ATTEST:**

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Kelly Dix, City Secretary

**Exhibit A**  
**SUBJECT PROPERTY**

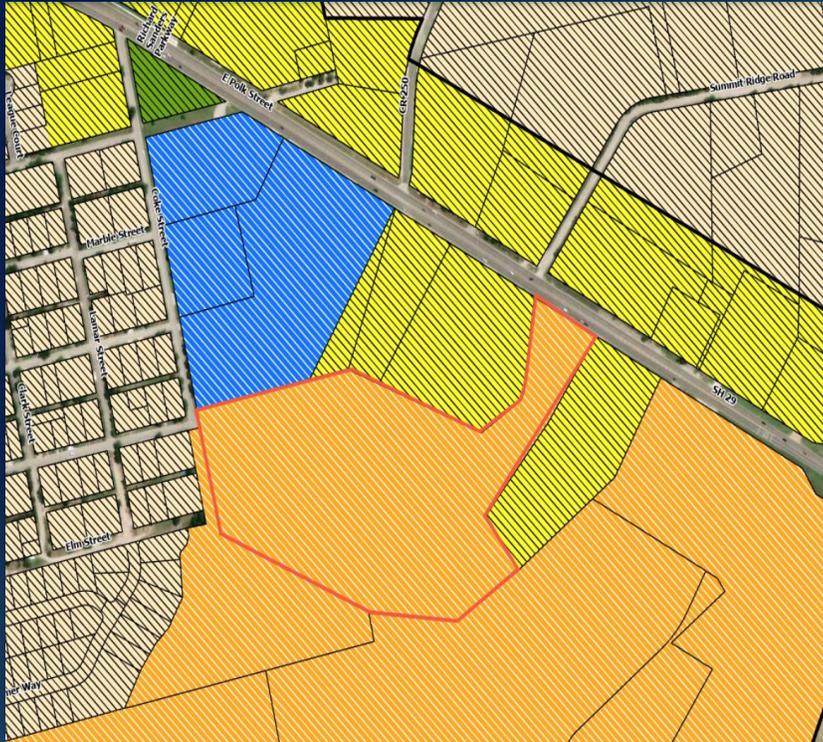




FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LOCATED AT 1811 E POLK STREET (LEGALLY DESCRIBED AS: ABS A1525 SARAH ANN GUEST, 20.82 ACRES) FROM ITS PRESENT DESIGNATION OF INDUSTRIAL TO A DESIGNATION OF RESIDENTIAL; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler



# City Initiated Request



- ▶ Current FLUM:
  - ▶ Industrial
- ▶ Requested FLUM:
  - ▶ Residential
- ▶ Request to bring property into compliance with zoning code

# Public Notice



- ▶ Notices were mailed to 20 surrounding property owners within 200' of the subject property and staff has received no comments in opposition to the proposed amendment to the City's Future Land Use Plan.



# Public Hearing

- ▶ Public hearing opened by Chair
- ▶ Limit 3 minutes per speaker

## Discussion

- ▶ Discuss and approve the first reading of Ordinance 2023-30 as presented



## Development Services

### ITEM 4.1 G

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

## Public Hearing and Action

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS: 1811 E POLK STREET (LEGALLY DESCRIBED AS: ABS A1525 SARAH ANN GUEST, 20.82 ACRES) WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” CLASSIFICATION: L. Kimbler

**Background:** The subject property is located along East State Highway 29, also known as East Polk Street, just west the railroad tracks. The current zoning of the property is Light Industrial – District “I-1”; however, the property has been utilized as a residential property with no prospects of any industrial use. Additionally, if the property continues to be zoned as Industrial, it could be detrimental to the newly developed residential uses that surround it.

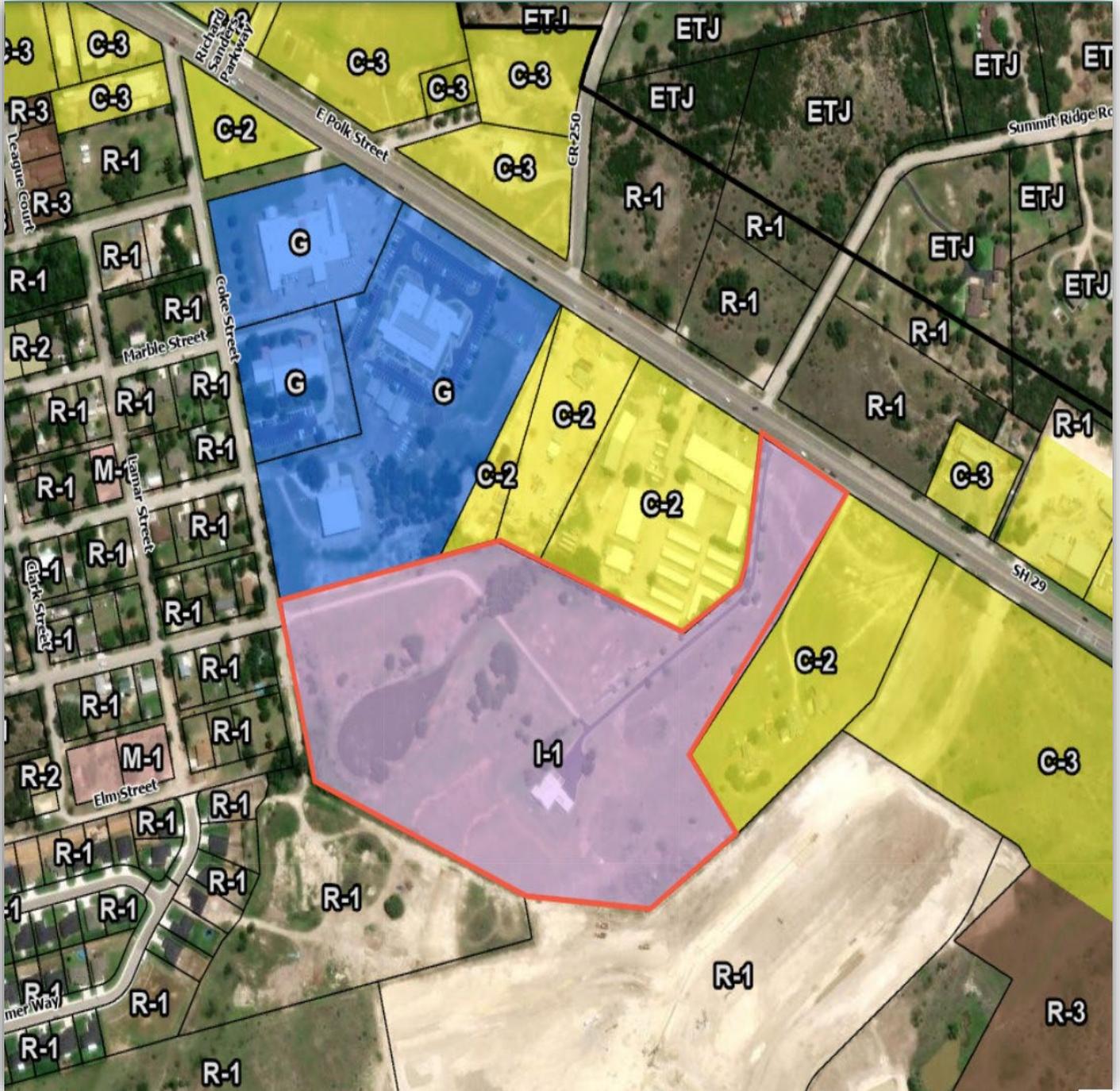
**Information:** This request is a city-initiated request to bring the property into compliance with the current zoning code.

**Staff Analysis:** The item prior to this item on the agenda is a request to amend the City’s Future Land Use Map. If approved, the requested Single-family Residential – District “R-1” zoning would be appropriate for this area.

**Public Notification:** A Notice of Public Hearing was published in the Burnet Bulletin on June 22, 2023, and written notices were mailed to 20 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.

**P&Z Report:** Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z’s recommendation at the City Council meeting.

Exhibit A – Location and Current Zoning



## ORDINANCE NO. 2023-31

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS: 1811 E POLK STREET (LEGALLY DESCRIBED AS: ABS A1525 SARAH ANN GUEST, 20.82 ACRES) WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

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

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

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

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

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

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

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

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

**Section two. Property.** The Property that is the subject to this Zoning District Reclassification is property known as: 1811 E POLK STREET (LEGALLY DESCRIBED AS: ABS A1525 SARAH ANN GUEST, 20.82 ACRES) as shown on **Exhibit “A”** hereto.

**Section three Zoning District Reclassification.** SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” Zoning District Classification is hereby assigned to the Property described in section two.

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

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

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

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

**PASSED** on First Reading the 11<sup>th</sup> day of July 2023

**PASSED AND APPROVED** on this the 25<sup>th</sup> day of July 2023.

**CITY OF BURNET, TEXAS**

\_\_\_\_\_  
Gary Wideman, Mayor

**ATTEST:**

\_\_\_\_\_  
Kelly Dix, City Secretary

**Exhibit "A"**  
Subject Property



FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS: 1811 E POLK STREET (LEGALLY DESCRIBED AS: ABS A1525 SARAH ANN GUEST, 20.82 ACRES) WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” CLASSIFICATION: L. Kimbler



# Information:



## Current Zoning:

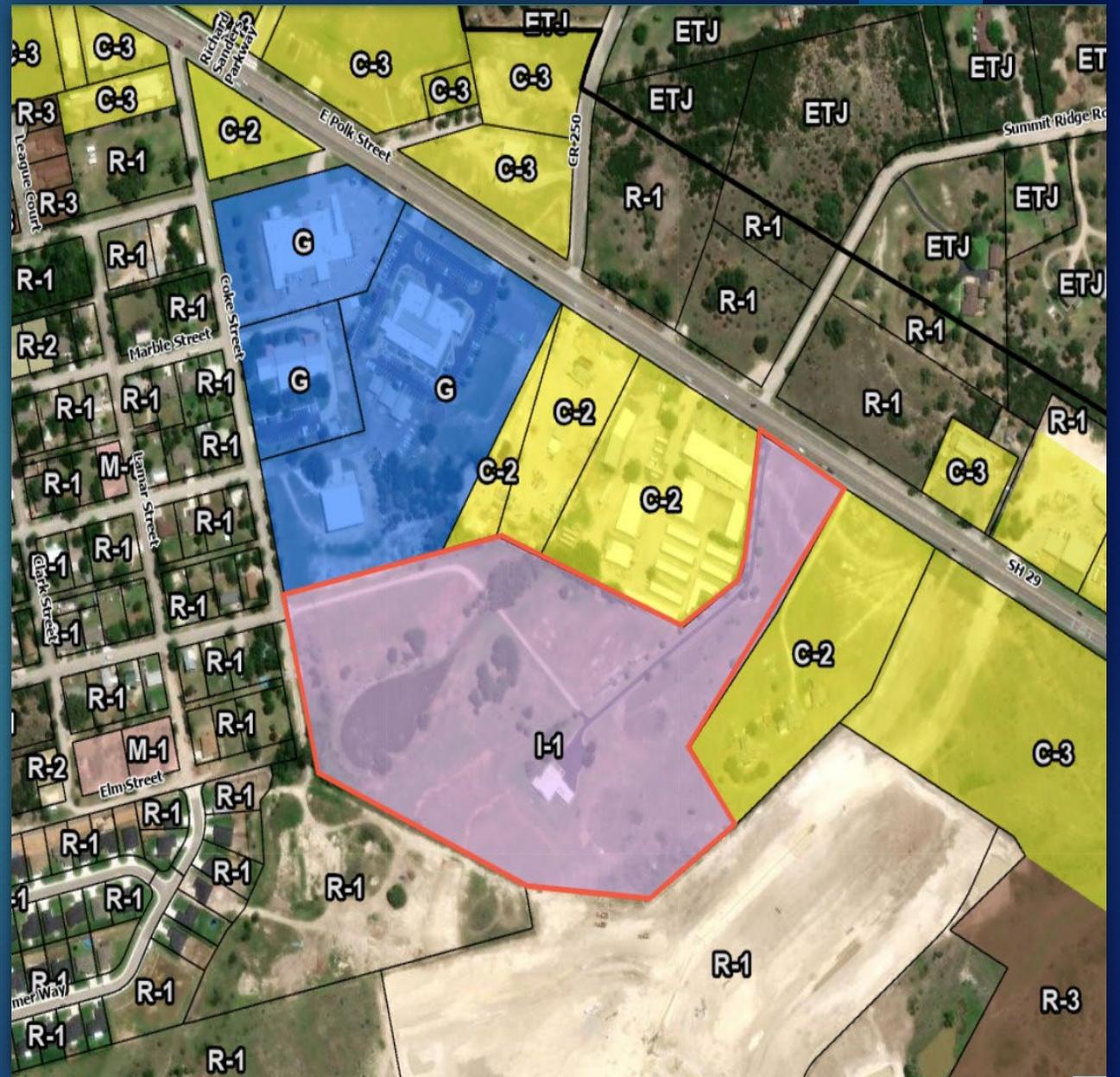
Light Industrial – District  
“I-1”

Property is a single-  
family residential  
property



## Requested Zoning:

Single-Family Residential  
– District “R-1”



# Public Notice:



A Notice of Public Hearing was published in the Burnet Bulletin on May 24, 2023, and written notices were mailed to 20 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.





# Public Hearing

- ▶ Public hearing opened by Chair
- ▶ Limit 3 minutes per speaker

## Discussion

- ▶ Discuss and approve the first reading of Ordinance 2023-31 as presented



## Development Services

## ITEM 3.2

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

### Public Hearing

**Meeting Date:** July 11, 2023

**Public Hearing:** The City Council of the City of Burnet, Texas shall conduct a public hearing to receive public testimony and comments on the merits of a proposed "Preliminary Plat" for approximately 76.06 acres out of John Hamilton Survey Abs. No. 405. The proposed "Preliminary Plat" will establish Hilltop Oaks Subdivision, consisting of 92 residential lots: L. Kimbler

**Information:** The proposed subdivision, zoned with a Planned Unit Development/Manufactured Housing, is located south of West Highway 29 at the southern termination of Southland Drive (Exhibit A). The applicant is proposing to subdivide the tract to create 92 residential lots, for manufactured housing, with two detention ponds (Exhibit B).

All lots within the subdivision are a minimum of half-acre. Three private streets will be created to be maintained by the subdivision's POA. The subdivision block lengths do exceed the allowable length in the City of Burnet's code of ordinances, Sec. 98-42, and therefore will require approval of a subdivision variance.

Water service will be provided to the subdivided lots by the extension of the City of Burnet water line which runs adjacent to the property. All lots will be served by On-Site Septic Facilities and will receive electricity with Pedernales Electric Coop.

**Staff Analysis:** City staff and city engineer have reviewed the plat in accordance with Sec. 98-22 (entitled "Preliminary Plats") and have found the plat does generally meet the requirements as outlined in the code.

**P&Z Report:** Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z's recommendation at the City Council meeting.

**Recommendation:** Open the public hearing.

**Exhibit "A"**

# Tract







The City Council of the City of Burnet, Texas shall conduct a public hearing to receive public testimony and comments on the merits of a proposed “Preliminary Plat” for approximately 76.06 acres out of John Hamilton Survey Abs. No. 405. The proposed “Preliminary Plat” will establish Hilltop Oaks Subdivision, consisting of 92 residential lots: L. Kimbler





# Hilltop Oaks Subdivision

## Project Details

- 76.06 acres
- PUD/Manufactured Homes zoning
- 92 single-family residential lots
- All lots range approx. half-acres in size
- All lots within the proposed subdivision will be served by private wells and septic systems.
- The roads will be private maintained roads owned and maintained by the HOA

**City staff and city engineer have reviewed the plat in accordance with Sec. 98-22 and have found the plat does meet the requirements as outlined in the code.**



# Public Hearing

- ▶ Public hearing opened by *Mayor*
- ▶ Limit 3 minutes per speaker





## Development Services

## ITEM 3.3

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

### Public Hearing

**Meeting Date:** July 11, 2023

**Public Hearing:** The City Council of the City of Burnet, Texas shall conduct a public hearing to receive public testimony and comments on the merits of a proposed "Re-plat" for approximately 10.686 acres. The proposed plat will establish lots 17-A, 19-A, 21-B and 22-B of Highland Acres East, Section No. Four, and Lots 1-A and 2-A out of John Hamilton Survey No. 1, Abs. No. 405, consisting of 6 residential lots: L. Kimbler

**Information:** The proposed properties have previously been platted; however, LGC 212.0065 does not allow replats involving more than four lots to be approved as minor plats and therefore must go before the governing body for approval.

Currently, there is a strip of land at the backs of lots 17-22 and lots 1, 2 and 3 which was reserved by the developer of the lots. Additionally, several owners have purchased more than one lot and their home has been built in the middle of two, or more, of the lots. This plat cleans up the lots where the homes have been built in between lots. In addition, the developer is now deeding the strip of land at the back of the lots to all the property owners and the plat is properly platting the land. This plat is also combining lots 2 and 3 into Lot 2-A.

No new roads or infrastructure is required to accommodate this re-plat.

**Staff Analysis:** City staff and city engineer have reviewed the plat in accordance with Chapter 98 (entitled "Subdivision") and have found the plat does generally meet the requirements as outlined in the code.

**P&Z Report:** Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z's recommendation at the City Council meeting.

**Recommendation:** Open the public hearing.

**Exhibit "A"**  
**Tract**



**Exhibit "B"**



The City Council of the City of Burnet, Texas shall conduct a public hearing to receive public testimony and comments on the merits of a proposed “Re-plat” for approximately 10.686 acres. The proposed plat will establish lots 17-A, 19-A, 21-B and 22-B of Highland Acres East, Section No. Four, and Lots 1-A and 2-A out of John Hamilton Survey No. 1, Abs. No. 405, consisting of 6 residential lots: L. Kimbler





LOCATION MAP  
NOT TO SCALE

NO.	DESCRIPTION
1	REPLAT OF LOTS 17, 18 & 19, HIGHLAND ACRES EAST, SECTION NO. FOUR, AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS, AS SHOWN ON PLAT RECORDED IN CABINET 1, SLIDE 92-B OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, A 0.626 ACRE PORTION OF LOT 20, HIGHLAND ACRES EAST, SECTION NO. FOUR, AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS, FURTHER DESCRIBED IN DOCUMENT NO. 201507901 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, & 0.039 ACRE PORTION OF LOT 20, HIGHLAND ACRES EAST, SECTION NO. FOUR, AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS, FURTHER DESCRIBED IN VOLUME 1146, PAGE 747 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, LOTS 21-A & 22-A, REPLAT OF LOT NOS. 21, 22 AND 23, HIGHLAND ACRES EAST, SECTION NO. FOUR, CITY OF BURNET, BURNET COUNTY, TEXAS, AS SHOWN ON PLAT RECORDED IN CABINET 2, SLIDE 145-B OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, AND LOTS 1, 2 & 3, AMENDED PLAT OF 5.980 ACRES OUT OF JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, AS SHOWN ON PLAT RECORDED IN DOCUMENT NO. 200710365 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.

**LEGEND**

- 100' HIGH SPOT
- 200' HIGH SPOT
- 300' HIGH SPOT
- 400' HIGH SPOT
- 500' HIGH SPOT
- 600' HIGH SPOT
- 700' HIGH SPOT
- 800' HIGH SPOT
- 900' HIGH SPOT
- 1000' HIGH SPOT
- 1100' HIGH SPOT
- 1200' HIGH SPOT
- 1300' HIGH SPOT
- 1400' HIGH SPOT
- 1500' HIGH SPOT
- 1600' HIGH SPOT
- 1700' HIGH SPOT
- 1800' HIGH SPOT
- 1900' HIGH SPOT
- 2000' HIGH SPOT
- 2100' HIGH SPOT
- 2200' HIGH SPOT
- 2300' HIGH SPOT
- 2400' HIGH SPOT
- 2500' HIGH SPOT
- 2600' HIGH SPOT
- 2700' HIGH SPOT
- 2800' HIGH SPOT
- 2900' HIGH SPOT
- 3000' HIGH SPOT
- 3100' HIGH SPOT
- 3200' HIGH SPOT
- 3300' HIGH SPOT
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- 3700' HIGH SPOT
- 3800' HIGH SPOT
- 3900' HIGH SPOT
- 4000' HIGH SPOT
- 4100' HIGH SPOT
- 4200' HIGH SPOT
- 4300' HIGH SPOT
- 4400' HIGH SPOT
- 4500' HIGH SPOT
- 4600' HIGH SPOT
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- 4800' HIGH SPOT
- 4900' HIGH SPOT
- 5000' HIGH SPOT
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- 6100' HIGH SPOT
- 6200' HIGH SPOT
- 6300' HIGH SPOT
- 6400' HIGH SPOT
- 6500' HIGH SPOT
- 6600' HIGH SPOT
- 6700' HIGH SPOT
- 6800' HIGH SPOT
- 6900' HIGH SPOT
- 7000' HIGH SPOT
- 7100' HIGH SPOT
- 7200' HIGH SPOT
- 7300' HIGH SPOT
- 7400' HIGH SPOT
- 7500' HIGH SPOT
- 7600' HIGH SPOT
- 7700' HIGH SPOT
- 7800' HIGH SPOT
- 7900' HIGH SPOT
- 8000' HIGH SPOT
- 8100' HIGH SPOT
- 8200' HIGH SPOT
- 8300' HIGH SPOT
- 8400' HIGH SPOT
- 8500' HIGH SPOT
- 8600' HIGH SPOT
- 8700' HIGH SPOT
- 8800' HIGH SPOT
- 8900' HIGH SPOT
- 9000' HIGH SPOT
- 9100' HIGH SPOT
- 9200' HIGH SPOT
- 9300' HIGH SPOT
- 9400' HIGH SPOT
- 9500' HIGH SPOT
- 9600' HIGH SPOT
- 9700' HIGH SPOT
- 9800' HIGH SPOT
- 9900' HIGH SPOT
- 10000' HIGH SPOT



BEING A REPLAT OF LOTS 17, 18 & 19, HIGHLAND ACRES EAST, SECTION NO. FOUR, AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS, AS SHOWN ON PLAT RECORDED IN CABINET 1, SLIDE 92-B OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, A 0.626 ACRE PORTION OF LOT 20, HIGHLAND ACRES EAST, SECTION NO. FOUR, AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS, FURTHER DESCRIBED IN DOCUMENT NO. 201507901 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, & 0.039 ACRE PORTION OF LOT 20, HIGHLAND ACRES EAST, SECTION NO. FOUR, AN ADDITION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS, FURTHER DESCRIBED IN VOLUME 1146, PAGE 747 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, LOTS 21-A & 22-A, REPLAT OF LOT NOS. 21, 22 AND 23, HIGHLAND ACRES EAST, SECTION NO. FOUR, CITY OF BURNET, BURNET COUNTY, TEXAS, AS SHOWN ON PLAT RECORDED IN CABINET 2, SLIDE 145-B OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, AND LOTS 1, 2 & 3, AMENDED PLAT OF 5.980 ACRES OUT OF JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, AS SHOWN ON PLAT RECORDED IN DOCUMENT NO. 200710365 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, TO BE KNOWN AS

**REPLAT OF LOTS 17-22A, HIGHLAND ACRES EAST, SECTION NO. FOUR, CITY OF BURNET, AND OF AMENDED PLAT OF 5.980 ACRES OUT OF JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405, BURNET COUNTY, TEXAS.**

**PRELIMINARY FOR ADMINISTRATIVE REVIEW**  
PURSUANT TO THE STATE OF TEXAS ADMINISTRATIVE CODE SECTION 136.236(a), THIS DOCUMENT IS PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

PLAT NO. 215218	1500 OLLIE LANE
PREPARED FOR: HANET BENTON	MARBLE FALLS, TX 78654
DATE: 03/29/2023	PH: 325-386-3300/304-693-8015
PREPARED BY: E. F. FORTNEY, INC.	WWW.CUPLINASSOCIATES.COM
DATE: 03/29/2023	

SCALE: 1" = 100'	DATE: 03/29/2023
	REVISIONS:

NO.	DATE	DESCRIPTION

Replat lots 17-A,  
19-A, 21-B and  
22-B of  
Highland Acres  
East, Section  
No. Four, and  
Lots 1-A and 2-  
A out of John  
Hamilton  
Survey No. 1,  
Abs. No. 405

## Project Details

- 10.686 acres
- 6 single-family lots
- LGC 212.0065 does not allow replats involving more than four lots to be approved as minor plats and therefore must go before the governing body for approval.
- Plat cleans up lot lines and allows original developer to deed remaining land to current owners.
- No new roads or infrastructure.

**City staff and city engineer have reviewed the plat in accordance with Sec. 98 and have found the plat does meet the requirements as outlined in the code.**



# Public Hearing

- ▶ Public hearing opened by *Mayor*
- ▶ Limit 3 minutes per speaker





## Development Services

## ITEM 4.1

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

### Agenda Item Brief

**Meeting Date:** July 11, 2023

**Action Item:** Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING A VARIANCE TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS AND LOTS FOR THE PROPOSED PRELIMINARY PLAT OF HILLTOP OAKS SUBDIVISION: L. Kimbler

**Background:** The proposed Preliminary Plat of Hilltop Oaks Subdivision (Exhibit A) is a single-family manufactured home subdivision on approximately 75 acres of property west of the city limits and south of Hwy 29 (Exhibit A). The proposed subdivision will create 92 half-acre residential manufactured home lots.

This subdivision was annexed into the City limits in September 2021. The land to be subdivided is a symmetrical property that will gain access from one private road, called Southland Drive which is a private road located outside the city limits, and a private easement that will be required to be developed to City code.

**Information:** The requested variance pertains to the requirements outlined in Code of Ordinances Sec. 98-48(1)(b) which states: “Residential blocks shall not exceed 600 feet nor be less than 300 feet in length.” The City of Burnet Code of Ordinances Sec. 98-82 states the following regarding variances to the subdivision standards:

“In granting approval of a request for variance, the Commission and Council shall conclude that the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the variance observes the spirit of this chapter and concludes that substantial justice is done. The Commission and Council shall meet these requirements by making findings that:

a. The public convenience and welfare will be substantially served;

- b. The appropriate use of surrounding property will not be substantially or permanently impaired or diminished;
- c. The applicant has not created the hardship from which relief is sought;
- d. The variance will not confer upon the applicant a special right or privilege not commonly shared or available to the owners of similar and surrounding property;
- e. The hardship from which relief is sought is not solely of an economic nature;
- f. The variance is not contrary to the public interest;
- g. Due to special conditions, the literal enforcement of this chapter would result in an unnecessary hardship; and
- h. In granting the variance the spirit of the ordinance is observed and substantial justice is done.

**Staff Analysis:** Staff has evaluated the variance requests and has determined that, the applicant has made additional accommodations for future connectivity and provided adequate circulation within the subdivision; and due to the property's symmetrical shape and configuration, the limited access onto the property, the agreement with the City and the Developer to which the roads to be developed will be private roads, and the rural nature of the surrounding properties, the requested variance would meet the criterion of the code.

**P&Z Report:** Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z's recommendation at the City Council meeting.

**Recommendation:** Staff recommends approval of the applicant's request for the variance to the Code of Ordinances, Section 98-48 – Blocks and Lots for the proposed Preliminary Plat of Patriot Oaks Subdivision.





## RESOLUTION NO. R2023-53

### A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING A VARIANCE TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS AND LOTS FOR THE PROPOSED PRELIMINARY PLAT OF HILLTOP OAKS SUBDIVISION.

**Whereas**, Code of Ordinances, Section 98-48, imposes lengths for residential blocks within the Subdivision; and

**Whereas**, the applicant has petitioned for a variance to allow for future connectivity with surrounding properties and to provide for better circulation within the subdivision; and

**Whereas**, the Planning and Zoning Commission has recommended the variance be granted:

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

**Section one. Recitals.** That the recitals to this Resolution are incorporated herein for all purposes.

**Section two. Findings.** As required by City Code Sec. 98-82 City Council finds:

- Granting the variance is not contrary to the public interest: **the proposed design provides for adequate circulation within the subdivision and future connection which is not contrary to the public interest.**
- The literal enforcement of this chapter would result in unnecessary hardship: **as the City and the Developer have entered into an agreement for the streets to be private streets, maintained by the property owners of the subdivision; approving the variance ensures there is no unnecessary hardship placed on the property owners.**
- The variance observes the spirit of the ordinance and concludes that substantial justice is done: **staff has determined that all other requirements of the code are adhered to and therefore, the spirit of the ordinance is observed and substantial justice is done.**

**Section three. Approval.** The variance request is hereby approved and granted.

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

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

**PASSED AND APPROVED** this the 11<sup>th</sup> day of July 2023.

**CITY OF BURNET, TEXAS**

**ATTEST:**

\_\_\_\_\_  
Gary Wideman, Mayor

\_\_\_\_\_  
Kelly Dix, City Secretary

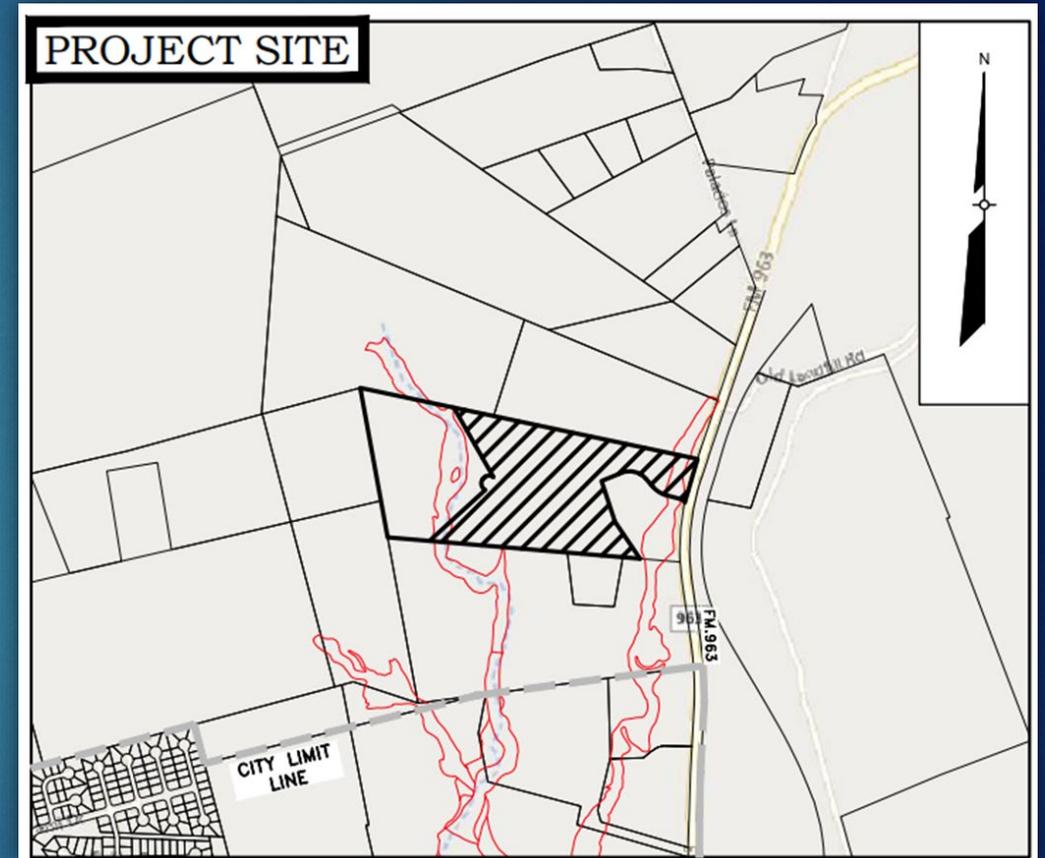
**Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING A VARIANCE TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS AND LOTS FOR THE PROPOSED PRELIMINARY PLAT OF HILLTOP OAKS SUBDIVISION: L. Kimbler**



# Variance Requests

This Patriot Oaks Subdivision will be served by a private road. The private road does not meet the allowable length in the City of Burnet's code of ordinances, Sec. 98-48, and therefore will require approval of a subdivision variance prior to the plat's consideration.

- Sec. 98-48(1)(b) states: "Residential blocks shall not exceed 600 feet nor be less than 300 feet in length."
- The City of Burnet Code of Ordinances Sec. 98-82 states the following regarding variances to the subdivision standards: *"In granting approval of a request for variance, the Commission and Council shall conclude that the variance is not contrary to the public interest and due to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the variance observes the spirit of this chapter and concludes that substantial justice is done."*



# Staff Analysis

Staff has evaluated the variance requests and has determined that, the applicant has made additional accommodations for future connectivity and provided adequate circulation within the subdivision; and due to the property's symmetrical shape and configuration, the limited access onto the property, the agreement with the City and the Developer to which the roads to be developed will be private roads, and the rural nature of the surrounding properties, the requested variance would meet the criterion of the code.



## Development Services

## ITEM 4.2

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

### Agenda Item Brief

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE "PRELIMINARY PLAT" OF HILLTOP OAKS SUBDIVISION, A PROPOSED 92-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 76.06 ACRES: L. Kimbler

**Information:** The proposed subdivision, zoned with a Planned Unit Development/Manufactured Housing, is located south of West Highway 29 at the southern termination of Southland Drive (Exhibit A). The applicant is proposing to subdivide the tract to create 92 residential lots, for manufactured housing, with two detention ponds (Exhibit B).

All lots within the subdivision are a minimum of half-acre. Three private streets will be created to be maintained by the subdivision's POA. The subdivision block lengths do exceed the allowable length in the City of Burnet's code of ordinances, Sec. 98-42, and therefore will require approval of a subdivision variance.

Water service will be provided to the subdivided lots by the extension of the City of Burnet water line which runs adjacent to the property. All lots will be served by On-Site Septic Facilities and will receive electricity with Pedernales Electric Coop.

**Staff Analysis:** City staff and city engineer have reviewed the plat in accordance with Sec. 98-22 (entitled "Preliminary Plats") and have found the plat does generally meet the requirements as outlined in the code.

**P&Z Report:** Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z's recommendation at the City Council meeting.

**Recommendation:** Staff recommends approval of the Preliminary Plat of Hilltop Oaks Subdivision and Resolution R2023-54 as presented.





**RESOLUTION NO. R2023-54**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “PRELIMINARY PLAT” OF HILLTOP OAKS SUBDIVISION, A PROPOSED 92-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 76.06 ACRES**

**Whereas**, the Planning and Zoning Commission conducted a public hearing on this application on July 10, 2023; and

**Whereas**, the Planning and Zoning Commission recommended approval of the application on July 10, 2023; and

**Whereas**, City Council conducted a public hearing on this application on July 11, 2023.

**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 preliminary plat of the Hilltop Oaks Subdivision is hereby approved.

**Section 3. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

**Section 4. Effective Date.** That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

**PASSED AND APPROVED** this the 11<sup>th</sup> day of July 2023.

**CITY OF BURNET, TEXAS**

**ATTEST:**

\_\_\_\_\_  
Gary Wideman, Mayor

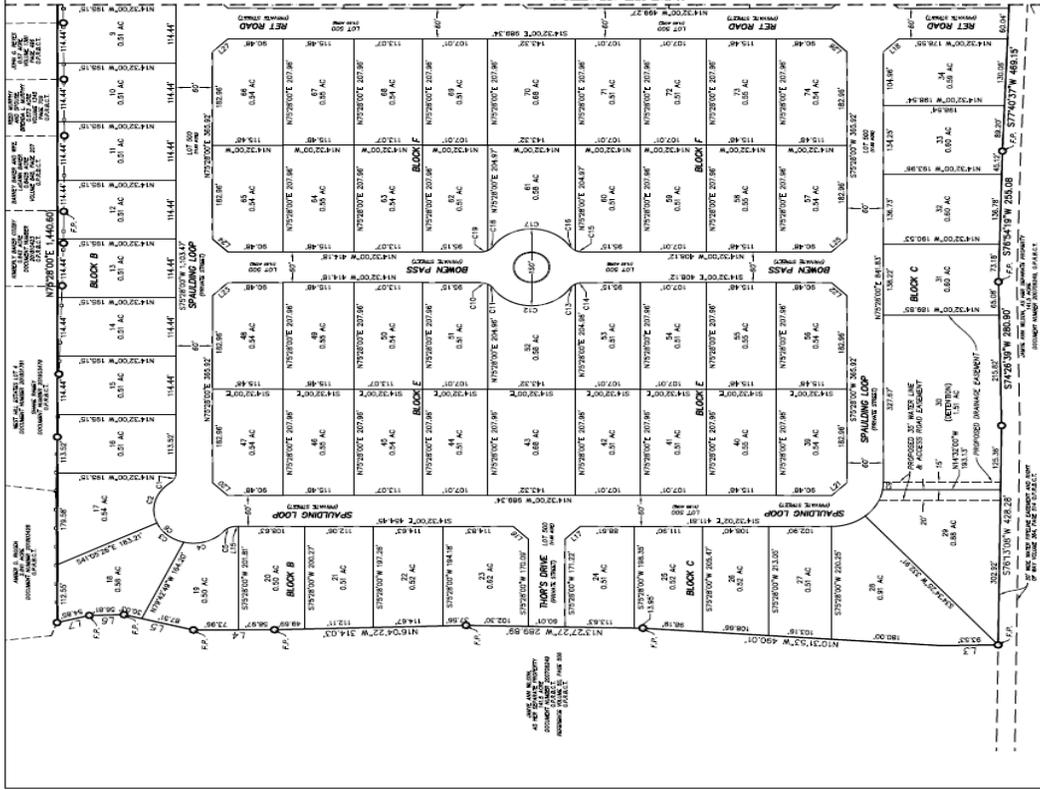
\_\_\_\_\_  
Kelly Dix, City Secretary

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “PRELIMINARY PLAT” OF HILLTOP OAKS SUBDIVISION, A PROPOSED 92-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 76.06 ACRES:  
L. Kimbler



**PRELIMINARY PLAT FOR HILLTOP OAKS SUBDIVISION**

A 76.06-ACRE TRACT OF LAND  
DESCRIBED IN DEED  
RECORDED UNDER DOCUMENT NUMBER 202103659  
OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS  
JOHN HAMILTON SURVEY, ABSTRACT NO. 405,  
CITY OF BURNET, BURNET COUNTY, TEXAS

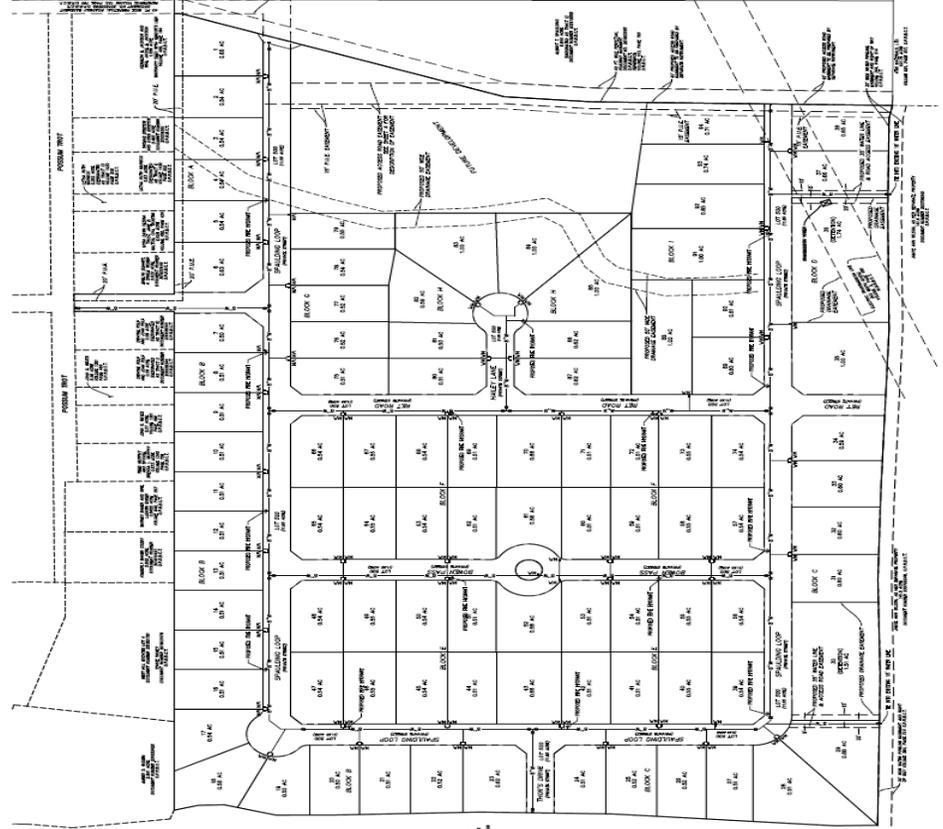


**"PRELIMINARY"**  
THIS DOCUMENT SHALL NOT BE  
RECORDED FOR ANY PURPOSES



**PRELIMINARY WATER PLAN  
FOR HILLTOP OAKS SUBDIVISION**

A 76.06-ACRE TRACT OF LAND  
RECORDED UNDER DOCUMENT NUMBER 202103659  
OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS  
JOHN HAMILTON SURVEY, ABSTRACT NO. 405,  
CITY OF BURNET, BURNET COUNTY, TEXAS



**"PRELIMINARY"**  
THIS DOCUMENT SHALL NOT BE  
RECORDED FOR ANY PURPOSES



Recommendation:

**Staff recommends approval of the Preliminary Plat establishing the Hilltop Oaks Subdivision and draft Resolution as presented.**



## Development Services

## ITEM 4.3

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

### Action

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “REPLAT” OF LOTS 17-A, 19-A, 21-B AND 22-B OF HIGHLAND ACRES EAST, SECTION NO. FOUR, AND LOTS 1-A AND 2-A OUT OF JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405, A PROPOSED 6-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 10.686 ACRES: L. Kimbler

**Information:** The proposed properties have previously been platted; however, LGC 212.0065 does not allow replats involving more than four lots to be approved as minor plats and therefore must go before the governing body for approval.

Currently, there is a strip of land at the backs of lots 17-22 and lots 1, 2 and 3 which was reserved by the developer of the lots. Additionally, several owners have purchased more than one lot and their home has been built in the middle of two, or more, of the lots. This plat cleans up the lots where the homes have been built in between lots. In addition, the developer is now deeding the strip of land at the back of the lots to all the property owners and the plat is properly platting the land. This plat is also combining lots 2 and 3 into Lot 2-A.

No new roads or infrastructure is required to accommodate this re-plat.

**Staff Analysis:** City staff and city engineer have reviewed the plat in accordance with Chapter 98 (entitled “Subdivision”) and have found the plat does generally meet the requirements as outlined in the code.

**P&Z Report:** Planning and Zoning is meeting on Monday, July 10<sup>th</sup>; staff will present P&Z’s recommendation at the City Council meeting.

**Recommendation:** Staff recommends approval of the replat of lots 17-A, 19-A, 21-B and 22-B of Highland Acres East, Section No. Four, and Lots 1-A and 2-A out of John Hamilton Survey No. 1, Abs. No. 405 and Resolution R2023-XX.



**RESOLUTION NO. R2023-55**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “REPLAT” OF LOTS 17-A, 19-A, 21-B AND 22-B OF HIGHLAND ACRES EAST, SECTION NO. FOUR, AND LOTS 1-A AND 2-A OUT OF JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405, A PROPOSED 6-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 10.686 ACRES**

**Whereas**, the Planning and Zoning Commission conducted a public hearing on this application on July 10, 2023; and

**Whereas**, the Planning and Zoning Commission recommended approval of the application on July 10, 2023; and

**Whereas**, City Council conducted a public hearing on this application on July 11, 2023.

**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 Replat of Lots 17-A, 19-A, 21-B and 22-B of Highland Acres East, Section No. Four, and Lots 1-A and 2-A out of John Hamilton Survey No. 1, Abs. No. 405 is hereby approved.

**Section 3. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

**Section 4. Effective Date.** That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

**PASSED AND APPROVED** this the 11<sup>th</sup> day of July 2023.

**CITY OF BURNET, TEXAS**

**ATTEST:**

\_\_\_\_\_  
Philip Thurman, Mayor Pro Tem

\_\_\_\_\_  
Kelly Dix, City Secretary

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “REPLAT” OF lots 17-A, 19-A, 21-B AND 22-B OF HIGHLAND ACRES EAST, SECTION NO. FOUR, AND LOTS 1-A AND 2-A OUT OF JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405, A PROPOSED 6-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 10.686 ACRES: L. Kimbler





## Recommendation:

**Staff recommends approval of the replat of lots 17-A, 19-A, 21-B and 22-B of Highland Acres East, Section No. Four, and Lots 1-A and 2-A out of John Hamilton Survey No. 1, Abs. No. 405 draft Resolution as presented.**



## Development Services

## ITEM 4.4

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

### Action

- Meeting Date:** July 11, 2023
- Agenda Item:** Discuss and consider action: Award Request for Proposal (RFP) 2023-005 Pump Maintenance for Treatment Plant and Water Well Project bid: E. Belaj
- Background:** The City Council had previously budgeted adequate funds to replace or rehab the pumps and motors of the City's groundwater well. The well system is currently operating; the project entails installing a new pump, and rehab the existing pumps and motors. Additionally, staff included an added alternate in the bid to see about rehabilitating or replacing the pumps and motor at Main Street Water Plant.
- Information:** The City recently had bid opening for this project. The bid opening was on June 29, 2023, at 11 A.M. where one bid was received. A second bid was received after the deadline but was not opened and ultimately rejected.
- Bids:** **Jurgensen Pumps** was the sole bidder offered the best value to the City with a base bid at **\$48,420**. The bid does not include added alternates for the Water Plant and other rehab costs which total:
1. Bid Alt 2 Rehab Well 2: \$21,100
  2. Bid Alt 3 Rehab WTP Pump: \$17,200 (Intend to use only partially)
  3. Bid Alt 4: New WTP Pump: \$19,320
- The estimate for rehabbing the pumps and motors is currently set as a contingency. The actual cost may change slightly depending on the severity of the maintenance needed after the pumps are pulled out.
- Qualification:** City staff determined that this construction company has constructed many similar projects around the Central Texas area. Council may elect to take staff's recommendation below, reject all bids, or proceed with further evaluation.

**Fiscal Impact:** City has the budgeted \$100K from utility funds for this project.

**Recommendation:** Staff Recommendation: Award Base Bid including bid alternates 2-4 along not to exceed \$100,000.

## PROPOSAL INSTRUCTIONS

Project supplements to general conditions and standard specifications manual can be found on the City's website at [www.cityofburnet.com](http://www.cityofburnet.com).

### 1. PROJECT

Objective of Request for Competitive Sealed Bids process is to competitively procure services with a qualified contractor whose Proposal provides best value for Owner for the project description below:

RFP 2023-005: Pump Maintenance for Treatment Plant and Water Well Project, in the City of Burnet, Texas

**Base Bid:** Replace Cheatham Well Motor and Pump as noted below. Contractor to provide all materials, manpower, and equipment needed. Bidders are strongly encouraged to visit the site. The project Base Bid and Alternate No. 1 is estimated to cost \$50K. Contractor may provide a contingency amount and revise the quote after inspection for any of the alternates. Contractor may provide a contingency amount and revise the quote after inspection. Below is the quote description to tune up Pump/motor for well #1:

1. Inspect and disassemble Well 1 Pump and Motor.
2. Tune-up Motor and repaint.
3. Clean up, repaint, and tune up pump, replace bearing and other components.
4. Generate PMG repair report.
5. Properly Wrap Pump/Motor and Deliver to City for Install or Storage.

**Added Bid Alt1:** Quote to install new pump.

1. Install City's stored 40-hp Motor. The motor has 1-3/16" shaft. Motor is 60-Hz 3-Phase.
2. Perform tune-up of existing motor.
3. Provide new 800 gpm @141 TDH 3 or 4 Stage Pump
4. Install Static Level reader.
5. New Cone Strainer, Column Pipe, bearing, shaft and all associated components.
6. Remove old pump and motor and ready it for maintenance.
7. Install new Pump and Motor, and startup procedures.

**Added Bid Alt2:** Contractor may provide a contingency amount and revise the quote after inspection. Below is the quote description to tune up Pump/motor for well #2:

1. Remove, Disassemble, and Inspect Well 2 Pump, Motor and Assoc. Components.
2. Install tunned-up Pump/Motor from well 1 and Assoc. Components.
3. Tune-up Motor and repaint.
4. Clean up, repaint, and tune up pump, replace bearing and other components.
5. Generate PMG repair report.
6. Properly Wrap Pump/Motor and Deliver to City for Install or Storage.

**Added Bid Alt3:** Contractor may provide a contingency amount and revise the quote after inspection. Below is the quote description to tune up Pump/motors for Main Street Water Plant. Existing water plant has 3-125Hp 600 gpm @ 230' TDH 6" Motors and shaft pumps. One of the pumps may be smaller. Please field verify. Pump and Motor removal shall be done one at a time. The second removal shall not be done until the first one removed is back in place and operational.

1. Remove, Disassemble, and Inspect Pumps, Motor and Assoc. Components.
2. Install tunned-up Pump/Motor from well 1 and Assoc. Components.
3. Tune-up Motor and repaint.
4. Clean up, repaint, and tune up pump, replace bearing and other components.
5. Generate PMG repair report.
6. Properly Wrap Pump/Motor and Deliver to City for Install.

**Added Bid Alt4:** Contractor may provide a contingency amount and revise the quote after inspection. Same components as Bid Alternate No. 3 except provide a new Pump and Motor on one of the locations.

**BID SHORT FORM**

Project name: **Pump Maintenance for Treatment Plant and Water Well**

Construction Description: Provide a proposal along with the items laid out in the Scope of Work attached hereto.

We, the undersigned, propose to furnish all materials, labor, and equipment for the completion of this project and guarantee that if we are awarded the bid, we will furnish the goods in accordance with the attached specification. THIS FORM MAY BE COPIED

TOTAL PROPOSAL PRICE: See Attached Quote

By submitting this proposal, the submitter understands that they must enter into an agreement with the City for the award of this contract. The City may enter into a contract that restricts the total contract amount, total contract time, or number of accounts served.

EXCEPTIONS:

BID PRICE IS GUARANTEED FOR 90 (NINETY) DAYS AFTER BID OPENING BY CITY

MINIMUM BID SPECIFICATIONS BID FORM: Construction of the project title noted above for the City of Burnet.

We, the undersigned, propose to furnish the item listed below and guarantee that if we are awarded the bid, we will furnish the goods in accordance with the attached documents and the City’s Technical Construction Standard Manual.

Authorized Signature Name of Firm:  6/27/23  
Signature Date

Printed Name of Signee: JOSH JURGENSEN

Firm Address: 18099 N HWY 6 Valley Mills TX 76689  
Street No & Suite, City, State, Zip Code

Telephone Number: 254-932-6251, Fax Number: 254-932-6770

All Bids shall be submitted on forms supplied by the City of Burnet (City).

Bid documents shall be submitted via mail. An electronic copy of the bid can be submitted in addition to a hard copy via postal mail addressed to: Burnet City Hall, Office of Kelly Dix, 001 Buchanan Dr, Suite 4, Burnet TX. It is the sole responsibility of the bidder to see that his bid is received on time.



**JURGENSEN PUMP, LLC**  
**PO Box 710**  
**Valley Mills, TX 76689**

<b>Date</b>	<b>Estimate #</b>
6/27/2023	6172

Phone # 254-932-6251 Fax # 254-932-6770

REGULATED BY THE TEXAS  
 DEPARTMENT OF LICENSING &  
 REGULATIONS PO BOX 12157  
 AUSTIN, TX 78711  
 LICENSE #54576

<b>Name / Address</b>
City of Burnet P.O. Box 1369 Burnet, TX 78611

**WARRANTY:** New well equipment is covered by  
 Manufacturer's Warranties and these warranties are  
 the responsibility of the Manufacturers.  
**LABOR WARRANTY:** Is 30-days from  
 installation of new well equipment

			Project
Description	Qty	Cost	Total
Cheatam Well 1 - 40HP Product Lube VTP SWL = 26 FT TPL = 99 FT Total Well Depth = 483 FT (Open Hole) 750 GPM @ 140 FT TDH			
BASE BID:			
40HP Motor Repair	1	2,500.00	2,500.00
Labor- VTP T/D & Inspection	1	2,500.00	2,500.00
Pump Repair - Replace bearings, shafts, assemble	1	7,500.00	7,500.00
BID ALT1:			
Labor Crew and 60Ton Crane to Pull Well Pump	1	4,100.00	4,100.00
40HP Motor Repair	1	2,500.00	2,500.00
New Well Pump - Product Lube VTP	1	22,000.00	22,000.00
- Simflo SM10H-3 Stage Bowl Assembly			
- Cone Strainer			
- (9) 6" x 10' Column Pipe T&C			
- (1) 6" x 5' Column Pipe T&C			
- 1-1/4" 416SS Shafting T&C			
- 304SS drop-in spiders with rubber bearings			
- 6" Ductile Iron Discharge Head with stuffing box assembly			
- Install City's stored Motor			
6" x 119-1/4" column pipe straight thread	3	460.00	1,380.00
1-1/4" x 120" 416SS Shaft T&C	3	290.00	870.00
1-1/4" x 6" drop in spider with rubber bearing	3	130.00	390.00
Labor Crew and 60Ton Crane to Install Well Pump	1	4,500.00	4,500.00
- Includes Start-Up Services			
Quote valid for 30 days!		<b>Subtotal</b>	\$48,240.00
		<b>Sales Tax (0.00)</b>	\$0.00
		<b>Total</b>	\$48,240.00



**JURGENSEN PUMP, LLC**  
**PO Box 710**  
**Valley Mills, TX 76689**

<b>Date</b>	<b>Estimate #</b>
6/27/2023	6297

Phone # 254-932-6251 Fax # 254-932-6770

REGULATED BY THE TEXAS  
 DEPARTMENT OF LICENSING &  
 REGULATIONS PO BOX 12157  
 AUSTIN, TX 78711  
 LICENSE #54576

<b>Name / Address</b>
City of Burnet P.O. Box 1369 Burnet, TX 78611

**WARRANTY:** New well equipment is covered by  
 Manufacturer's Warranties and these warranties are  
 the responsibility of the Manufacturers.  
**LABOR WARRANTY:** Is 30-days from  
 installation of new well equipment

<b>Project</b>

Description	Qty	Cost	Total
Cheatam Well 2 - 40HP Product Lube VTP SWL = 26 FT TPL = 99 FT Total Well Depth = 483 FT (Open Hole) 750 GPM @ 140 FT TDH			
BID ALT2: Labor Crew and 60Ton Crane to Pull Well Pump	1	4,100.00	4,100.00
Labor- VTP T/D & Inspection	1	2,500.00	2,500.00
40HP Motor Repair	1	2,500.00	2,500.00
Pump Repair - Replace bearings, shafts, assemble	1	7,500.00	7,500.00
Labor Crew and 60Ton Crane to Install Well Pump - Includes Start-Up Services	1	4,500.00	4,500.00

Quote valid for 30 days!	<b>Subtotal</b>	\$21,100.00
	<b>Sales Tax (0.00)</b>	\$0.00
	<b>Total</b>	\$21,100.00



**JURGENSEN PUMP, LLC**  
**PO Box 710**  
**Valley Mills, TX 76689**

Phone # 254-932-6251 Fax # 254-932-6770

<b>Date</b>	<b>Estimate #</b>
6/27/2023	6298

REGULATED BY THE TEXAS  
 DEPARTMENT OF LICENSING &  
 REGULATIONS PO BOX 12157  
 AUSTIN, TX 78711  
 LICENSE #54576

<b>Name / Address</b>
City of Burnet P.O. Box 1369 Burnet, TX 78611

WARRANTY: New well equipment is covered by  
 Manufacturer's Warranties and these warranties are  
 the responsibility of the Manufacturers.  
**LABOR WARRANTY: Is 30-days from  
 installation of new well equipment**

			Project
Description	Qty	Cost	Total
Main Street Water Plant 40HP Vertical Turbine Pump Fairbanks Morse 10D-4 Stage 600 GPM @ 195 FT TDH BB = 82"			
BID ALT 3:			
Labor Crane Truck to Pull Pump / Motor	1	2,850.00	2,850.00
Labor- VTP T/D & Inspection	1	1,250.00	1,250.00
40HP Motor Repair	1	2,500.00	2,500.00
Pump Repair to include new bearings, shafts, etc	1	7,500.00	7,500.00
Labor Crane Truck to Install Pump / Motor - Start-Up Services	1	3,100.00	3,100.00
Quote valid for 30 days!		<b>Subtotal</b>	\$17,200.00
		<b>Sales Tax (0.00)</b>	\$0.00
		<b>Total</b>	\$17,200.00



**JURGENSEN PUMP, LLC**  
**PO Box 710**  
**Valley Mills, TX 76689**

Phone # 254-932-6251 Fax # 254-932-6770

<b>Date</b>	<b>Estimate #</b>
6/27/2023	6299

REGULATED BY THE TEXAS  
 DEPARTMENT OF LICENSING &  
 REGULATIONS PO BOX 12157  
 AUSTIN, TX 78711  
 LICENSE #54576

<b>Name / Address</b>
City of Burnet P.O. Box 1369 Burnet, TX 78611

**WARRANTY:** New well equipment is covered by  
 Manufacturer's Warranties and these warranties are  
 the responsibility of the Manufacturers.  
**LABOR WARRANTY:** Is 30-days from  
 installation of new well equipment

			Project
Description	Qty	Cost	Total
Main Street Water Plant 40HP Vertical Turbine Pump Fairbanks Morse 10D-4 Stage 600 GPM @ 195 FT TDH BB = 82"  BID ALT 4: New Vertical Turbine Pump - Product Lube - Simflo SW12M-3 Stage Bowl Assembly - 6" Column Pipe threaded - 1" 416SS Shafting - 6" Ductile Iron Discharge Head - Reuse existing soleplate  Nidec 50HP VHS WP-1 1800RPM Motor - NRR, 3-Phase, 460V, 326TP Frame - Premium Eff, Inverter Duty  Lead time is 3 weeks on Pump and 8 weeks on Motor	1	12,725.00	12,725.00
	1	6,595.00	6,595.00
Quote valid for 30 days!		<b>Subtotal</b>	\$19,320.00
		<b>Sales Tax (0.00)</b>	\$0.00
		<b>Total</b>	\$19,320.00





# WATER WELL BID AWARD

FUNDING

## FUNDING APPROPRIATION

- FY 22/23 BUDGETED \$100K for Pump and Motor repair/replacement
- Base Bid: Cheatham Well \$48,420

- Bid Alt Cheatham Well \$21,100
- Bid Alt Main St WTP \$26,520

Costs may change some depending on pump condition to be rehabilitated.

Estimate to remain under \$100K.



JURGENSEN PUMP, LLC  
PO Box 710  
Valley Mills, TX 76689

Phone # 254-932-6251 Fax # 254-932-6770

Date	Estimate #
6/27/2023	6172

REGULATED BY THE TEXAS  
DEPARTMENT OF LICENSING &  
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AUSTIN, TX 78711  
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WARRANTY: New well equipment is covered by  
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LABOR WARRANTY: Is 30-days from  
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Name / Address
City of Burnet P.O. Box 1369 Burnet, TX 78611

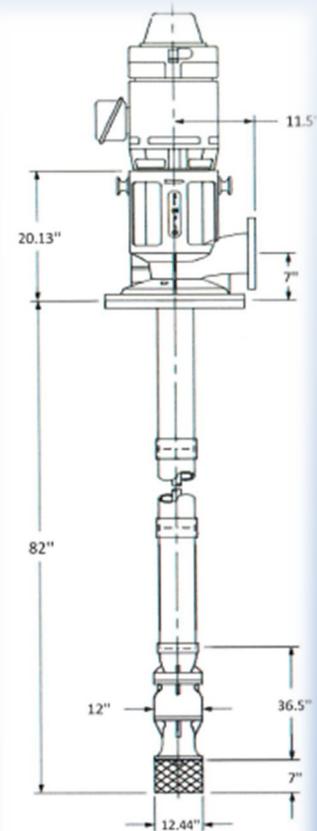
Description	Qty	Cost	Total	Project
Cheatham Well 1 - 40HP Product Lube VTP SWL = 26 FT TPL = 99 FT Total Well Depth = 483 FT (Open Hole) 750 GPM @ 140 FT TDH				
BASE BID:				
40HP Motor Repair	1	2,500.00	2,500.00	
Labor- VTP T/D & Inspection	1	2,500.00	2,500.00	
Pump Repair - Replace bearings, shafts, assemble	1	7,500.00	7,500.00	
BID ALT1:				
Labor Crew and 60Ton Crane to Pull Well Pump	1	4,100.00	4,100.00	
40HP Motor Repair	1	2,500.00	2,500.00	
New Well Pump - Product Lube VTP - Simflo SM10H-3 Stage Bowl Assembly - Cone Strainer - (9) 6" x 10' Column Pipe T&C - (1) 6" x 5' Column Pipe T&C - 1-1/4" 416SS Shafting T&C - 304SS drop-in spiders with rubber bearings - 6" Ductile Iron Discharge Head with stuffing box assembly - Install City's stored Motor	1	22,000.00	22,000.00	
8" x 119-1/4" column pipe straight thread	3	460.00	1,380.00	
1-1/4" x 120" 416SS Shaft T&C	3	290.00	870.00	
1-1/4" x 6" drop in spider with rubber bearing	3	130.00	390.00	
Labor Crew and 60Ton Crane to Install Well Pump - Includes Start-Up Services	1	4,500.00	4,500.00	
Quote valid for 30 days!				
		<b>Subtotal</b>	<b>\$48,240.00</b>	
		<b>Sales Tax (0.00)</b>	<b>\$0.00</b>	
		<b>Total</b>	<b>\$48,240.00</b>	

# WATER WELL BID AWARD

*TIMELINE*

## Once Awarded:

- 2-months lead
- 2-months rehab
- Cheatham well will always have two operating pumps.
- Main St Water Plant will be operating with two instead of 3 pumps.
- Will coordinate with contractor to schedule start work in Sept/October.

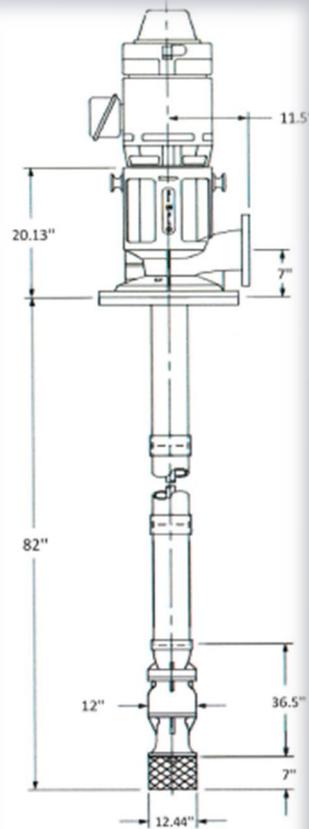


# WATER WELL BID AWARD

*AWARD*

## **Award Option:**

Award project to Jurgensen Pumps for Base Bid and Added Alternates



# Questions



## Delaware Springs Golf Course

## ITEM 4.5

Tony Nash  
Golf Course General Manager  
830-285-9660  
tnash@cityofburnet.com

### Action

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING THE CITY CODE OF ORDINANCES SECTION 74-38 GOLF COURSE RATES; PROVIDING FOR SEVERABILITY AND OPEN MEETINGS CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER RELATED MATTERS: T. Nash

**Background:**

**Information:** The purpose of this increase would be to cover the overall expenses of maintaining the course and increase in golf cart replacements.

**Fiscal Impact:** Raising the 18 hole rate by \$3.00 per round, and increasing the cart rate by \$2.00 per round, will have an estimated revenue increase of \$197,046.00 annually.

Raising the 9 hole rate by \$3.00 per round and increasing the cart rate by \$2.00 per round, will have an estimated revenue increase of \$4,362.00 annually.

**Recommendation:** Approve the first reading of Ordinance 2023-32 as presented.

**ORDINANCE NO. 2023-32**

**AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING THE CITY CODE OF ORDINANCES SECTION 74-38 GOLF COURSE RATES; PROVIDING FOR SEVERABILITY AND OPEN MEETINGS CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER RELATED MATTERS.**

**WHEREAS**, the City provides, or causes to be provided, golf services to the citizens of the City of Burnet and to the general public; and

**WHEREAS**, in order to administer the operations of the course, facilitate the efficient implementation of this Article, provide an inviting golfing experience, and protect the best interest of the city, City Council delegates course rule making authority to the City Manager; and

**WHEREAS**, in order to properly manage the golf course and remain fiscally responsible to its citizens certain reasonable daily rates and dues are proper to assess; and

**WHEREAS** City Council finds that the following dues and rates are reasonable and fair given the golf services provided.

**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. Amendment.** Section 74-38 Golf Course Rates of the City of Burnet Code of Ordinance shall be amended in its entirety as follows:

**Section 74-38 Golf Course Rates. Rates established for use of the Golf Course do not include applicable sales tax and are as follows:**

**(a) DAILY RATES**

<b>GREEN FEES</b>	<b>Weekday Rate</b>	<b>Friday Rate</b>	<b>Weekend/Holiday Rate</b>
18 Holes*	\$ 32.00	\$37.00	\$42.00
9 Holes**	\$20.00	\$23.00	\$25.00
Twilight Rate***	\$22.00	\$26.00	\$30.00

\*Seniors, Juniors, Active-Military and First Responders shall receive a \$5.00 discount off 18-hole rates. Discounts do not apply to Twilight Rates or discounted rates.

\*\*Seniors, Juniors, Active-Military and First Responders shall receive a \$2.00 discount off 9-hole rates. Discounts do not apply to Twilight Rates or discounted rates.

\*\*\*Children fourteen (14) years of age and under shall receive a free Green Fee and Cart during Twilight hours with a paying adult (1 child for each paying adult).

Members of the BCISD Junior High and High School Golf Teams shall receive a free Green Fee during Twilight hours (Cart not included).

<b>RANGE BALLS*</b>	<b>Rate</b>
Standard Rate	\$6.46
Junior Rate	\$2.77

*\*Sales tax not included*

### **CART/TRAIL FEES**

The Cart Fees for use of a Public Cart are:

Cart 18 Holes - per person*	\$18.00
Cart 9 Holes - per person*	\$15.00
Twilight Cart – per person*	\$14.00
Private Cart Trail Fee - per cart 9 or 18 Holes	\$15.00

*\*Sales tax not included*

All players who use a City owned cart must pay a Cart Fee. Anyone over the age of 14 riding in a City owned cart not playing shall be required to pay the applicable Cart Fee.

All players who use a Private Cart must pay a Trail Fee.

## (b) ANNUAL DUES AND MONTHLY RATES

The following rates are charged to permit play in lieu of posted daily rates.

Type	ANNUAL DUES* (12 Month Commitment)			NON COMMITMENT
	Annual Payment	Semi-annual Payment	Monthly Payment	Monthly Payment**
Single	\$ 1,082.00	\$ 568.00	\$ 99.00	\$ 124.00
Spouse	\$ 541.00	\$ 284.00	\$ 50.00	\$ 63.00
Junior	\$ 361.00	\$ 190.00	\$ 33.00	\$ 42.00
Trail Fee – Single Cart	\$ 578.00	\$ 303.00	\$ 53.00	\$ 67.00
Trail Fee – Second Cart	\$ 289.00	\$ 152.00	\$ 27.00	\$ 34.00
Cart Storage – Single Stall***	\$ 509.00	\$ 266.98	\$ 47.11	\$ 59.12
Cart Storage – Second Stall***	\$ 254.97	\$ 133.95	\$ 23.09	\$ 29.56
Cart Rental – Single Cart***	\$ 969.98	\$ 509.00	\$ 88.68	\$ 110.86
Cart Rental – Second Cart***	\$ 484.99	\$ 254.97	\$ 44.34	\$ 55.43

\* When player commits to a twelve (12) month program (October through September of the current year).

\*\*The non-commitment rate applies to players who wish to pay a monthly rate but do not want to commit to a 12-month program. The non-commitment rate is based on calendar months.

\*\*\*Does not include sales tax.

### ANNUAL DUES AND MONTHLY RATE RESTRICTIONS:

- Spouse rate only applies to spouse of Annual Dues and Monthly Single Player.
- Annual and Monthly dues are non-transferable.
- Annual Dues Player must commit to twelve (12) month program (October through September) of the current fiscal year to be eligible for semi-annual or monthly payments.
- Second Cart must be owned and/or operated by the Spouse or minor child of the Single Player.
- New Annual Dues Players who join after the beginning of the fiscal year and have not been an Annual Dues Player in the last twelve (12) months, shall be eligible to enroll on the semi-annual or monthly payment plan for the remainder of the current fiscal year.

- Annual Dues and Monthly Players may be subject to designated tee times as established by the Administrator.
- Annual Dues Players and Monthly Players who use a private cart must pay a Trail Fee.
- Annual Dues Players and Monthly Players who use a City owned cart must pay a Cart Fee.
- In the event an Annual Dues Player is unable to play for a period of thirty (30) consecutive days or more due to an illness or injury, then with medical verification of said illness or injury, the Administrator shall have the authority to suspend, or in the event of pre-payment refund, that portion of the fees incurred during the period of absence.

**(c) GENERAL RATE PROVISIONS**

- (1) The Administrator, as he or she may reasonably determine to be in the best interest of the City, is authorized to do any of the following:
- A. establish Promotional Rates and implement Dynamic Pricing to effectively manage utilization and income generation of the Golf Course;
  - B. establish player programs as the Administrator finds appropriate; and
  - C. establish fees and charges for other goods and services not specifically established by ordinance.
- (2) This Article does not constitute an offer of contract between the City and any person and shall not be construed as such.
- (3) Payment of a fee or dues as prescribe by this Article gives the payer a license to use the Golf Course which is revocable, without refund, by the Administrator for violation of any law, ordinance or Golf Course Administrative Rule.

**Section 3. Severability.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**Section 4. Effective Date.** This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

**Section 5. Open Meetings.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code; as suspended, or otherwise modified, by executive orders of the governor of this state in response to the COVID-19 pandemic.

**PASSED AND APPROVED** on first reading this the 11<sup>th</sup> day of July, 2023.

**FINALLY PASSED AND APPROVED** on this the 11<sup>th</sup> day of July, 2023.

**CITY OF BURNET, TEXAS**

\_\_\_\_\_  
Gary Wideman, Mayor

**ATTEST:**

\_\_\_\_\_  
Kelly Dix, City Secretary

A white golf ball sits on a vibrant green lawn. In the background, the lower legs and white athletic shoes of a person are visible, slightly out of focus. The scene is set outdoors, likely on a golf course, with a soft, natural light source. The text 'Delaware Springs' is written in a white, elegant cursive font on the right side of the image.

Delaware

Springs

Rate Increase

	Delaware Springs			Delaware Springs Increase			Legends			Crystal Falls		
	Monday-Thursday	Friday	Saturday & Sunday	Monday-Thursday	Friday	Saturday & Sunday	Monday-Thursday	Friday	Saturday & Sunday	Monday-Thursday	Friday	Saturday & Sunday
18 Holes												
Regular	\$29.00	\$34.00	\$39.00	\$32.00	\$37.00	\$42.00	\$42.00	\$59.00	\$59.00	\$42.00	\$50.00	\$50.00
Cart	\$16.00	\$16.00	\$16.00	\$18.00	\$18.00	\$18.00	Included	Included	Included	\$47.00	\$60.00	\$60.00
										1/2 Cart	1/2 Cart	1/2 Cart
Twilight	\$19.00	\$23.00	\$27.00	\$22.00	\$26.00	\$30.00				\$38.00	\$45.00	\$45.00
Twilight Cart	\$12.00	\$12.00	\$12.00	\$14.00	\$14.00	\$14.00				1/2 Cart	1/2 Cart	1/2 Cart
				Date Range: 10/01/22-09/30/23*								
				Round Increase - \$123,882.00*								
				Cart Increase- \$73,594.00*								
				TOTAL INCREASE - \$197,476.00 *								
9 Holes												
Regular	\$17.00	\$20.00	\$22.00	\$20.00	\$23.00	\$25.00				\$28.00	\$32.00	\$32.00
Cart	\$13.00	\$13.00	\$13.00	\$15.00	\$15.00	\$15.00				\$30.00	\$35.00	\$35.00
										1/2 Cart	1/2 Cart	1/2 Cart
				Date Range: 10/01/22-09/30/23*								
				Round Increase - \$2,809.00*								
				Cart Increase- \$1793.00*								
				TOTAL INCREASE - \$4,362.00 *								

Questions or  
Comments??





## Administration

## ITEM 4.6

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

## Action

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: Direction to Staff regarding the FY 2023-2024 Fiscal Year Budget tax rate, current I&S debt, and the possible issuance of additional I&S supported debt: D. Vaughn

**Background:**

**Information:** Staff is in the process of developing the first draft of the FY 23/24 fiscal operating budget and would like to seek guidance pertaining to next year's tax rate and the possible issuance of additional debt for streets and/or other project.

**Fiscal Impact** To be determined.

**Recommendation:** To be determined.



## Development Services

## ITEM 4.7

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

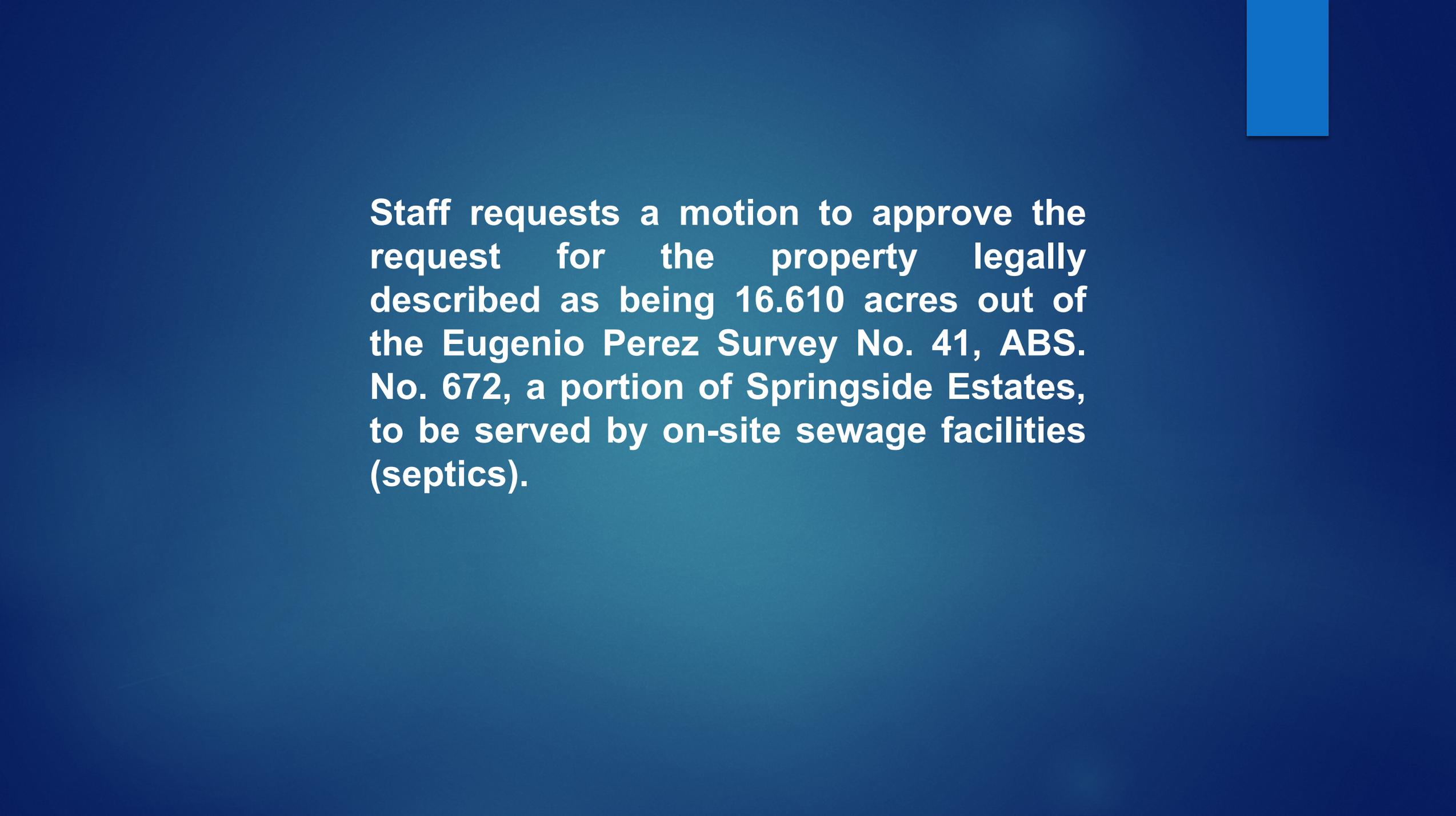
### Action

- Meeting Date:** July 11, 2023
- Agenda Item:** Discuss and consider action: Request for property legally described as being 16.610 acres out of the Eugenio Perez Survey No. 41, ABS. No. 672, a portion of Springside Estates, to be served by on-site sewage facilities (septics). D. Vaughn
- Background:** Springside Estates Subdivision is proposed to be established near the intersection of Delaware Springs Blvd. and Oak Vista Drive, abutting Delaware Springs Golf Course holes four, five and six. Because the land is located within the City's corporate limits City Code Section 110-2 allows premises to utilize on-site sewage facilities (OSSF) where connection to the city sewage system is not feasible.
- Information:** Due to the topography and location of the property, connection to current city facilities would require an extensive trench to be dug across the Delaware Springs Golf Course, creating significant impact and extended closure of the course. Due to the non-feasibility of installing and connecting to city wastewater facilities in this location, and in order to preserve the golf course, the applicant is requesting to be allowed to utilize on-site sewage facilities for the lots to be developed on the property that lies in between golf course holes four, five and six. This method will be required to comply with City Code Chapter 23 (entitled "On-Site Sewage Facilities").
- Fiscal Impact** No direct fiscal impact is anticipated.
- Recommendation:** Approve the request from the property legally described as being 16.610 acres out of the Eugenio Perez Survey No. 41, ABS. No. 672, a portion of Springside Estates, to be served by on-site sewage facilities (septics).

Discuss and consider action: Request for property legally described as being 16.610 acres out of the Eugenio Perez Survey No. 41, ABS. No. 672, a portion of Springside Estates, to be served by on-site sewage facilities (septics). D. Vaughn







**Staff requests a motion to approve the request for the property legally described as being 16.610 acres out of the Eugenio Perez Survey No. 41, ABS. No. 672, a portion of Springside Estates, to be served by on-site sewage facilities (septics).**



## Administration

## ITEM 4.8

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

## Action

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: Appointment of Council Members to a committee to review applications received for a vacant board position on the Burnet Economic Development Corporation (BEDC) Board of Directors: D. Vaughn

**Background:**

**Information:** City Council discussed forming a committee to review applications submitted for consideration of the vacant board seat on the BEDC Board at the June 27, 2023 Regular City Council Meeting. Staff is requesting appointment of the review committee to begin the process. This committee's charge is limited to reviewing applicants for the current vacant position only and does not pertain to any other appointments or committees.

**Fiscal Impact** None.

**Recommendation:** To be determined by Council.



## Administration

## ITEM 4.9

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

## Action

**Meeting Date:** July 11, 2023

**Agenda Item:** Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO ACCEPT A GOLF COURSE GREENBELT EASEMENT, AN AVIGATION EASEMENT AND A WATER WARRANTY DEED FROM THE OWNER OF TWO TRACTS OF LAND ABUTTING BURNET MUNICIPAL GOLF COUSE HOLES FOUR, FIVE AND SIX: D. Vaughn

**Background:**

**Information:** The developers of the property are willing to dedicate a greenbelt easement for the protection of the golf course and an avigation easement for the benefit of the city and the developer. Additionally, the developers are willing to grant the city the water rights to the property, which could be extremely beneficial to the city in the future.

**Fiscal Impact** None

**Recommendation:** Approve and adopt Resolution No. R2023-56 as presented.

**RESOLUTION NO. R2023-56**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO ACCEPT A GOLF COURSE GREENBELT EASEMENT, AN AVIGATION EASEMENT AND A WATER WARRANTY DEED FROM THE OWNER OF TWO TRACTS OF LAND ABUTTING BURNET MUNICIPAL GOLF COUSE HOLES FOUR, FIVE AND SIX.**

**WHEREAS**, D3D Burnet Sub 1, LLC (hereinafter “Grantor”) owns two tracts of land abutting Burnet Municipal Golf Course holes four, five, and six; and

**WHEREAS**, Grantor desires to develop the tracts as the Springside Estates Subdivision; and

**WHEREAS**, in furtherance of the development of the Springside Estates Subdivision, Grantor has offered certain easement and water rights conveyance instruments to the City.

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

**Section one. Acceptance.** The Golf Course Greenbelt Easement, Avigation Easement, and Water Warranty Deed (collectively the “Instruments”) described in the instruments attached hereto is hereby accepted.

**Section two. Authorization.** The mayor is hereby authorized to execute Golf Course Greenbelt Easement, Avigation Easement, and Water Warranty Deed in substantially the same form as the attached Instruments; and, execute such other documents and take such other actions reasonably necessary to facilitate the purpose of this Resolution.

**Section three. Direction.** The City Secretary is hereby authorized and directed to have the executed Easement Instrument recorded in the Public Records of the Office of the Burnet County Clerk and the official records of the City.

**Section four. Open Meetings.** That 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.

Signature page to follow:

PASSED AND APPROVED to be effective this the 11<sup>th</sup> day of July, 2023.

CITY OF BURNET

---

Philip Thurman, Mayor Pro Tem

**ATTEST:**

---

Kelly Dix, City Secretary

Attachments: Golf Course Greenbelt Easement,  
Avigation Easement, and  
Water Warranty Deed



Water Deed

governmental authority or entity or any court with jurisdiction over the property.

GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good valuable consideration in hand paid by Grantee to Grantor, the receipt and sufficiency of which Grantor acknowledges, grants, sells, and conveys to Grantee the "Water Rights", together with all and singular the rights and appurtenances thereto, to have and to hold the above described "Water Rights"; and Grantor does hereby bind Grantor's heirs, executors, administrators, and/or assigns, to warrant and forever defend all and singular the said Water Rights unto Grantee, Grantee's successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof by, through and under Grantor, but not otherwise.

The remainder of this page is intentionally blank and the signature page follows.

Water Deed

IN WITNESS WHEREOF this instrument is executed on behalf of Grantor by its duly authorized agent as of the 5 day of July 2023.

GRANTOR:

D3D Burnet Sub 1, LLC. A limited liability company formed under the laws of the state of Texas.

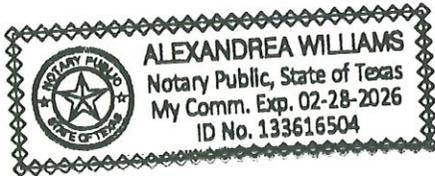
By: *Andrew Brewer*  
Andrew Brewer, Manager

THE STATE OF TEXAS    §  
§  
COUNTY OF BURNET    §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Andrew Brewer, manager of D3D Burnet Sub 1, LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 5<sup>th</sup> day of July, 2023.

Seal



*Alexandra Williams*  
Notary Public Signature

Grantee's acceptance signature page to follow.

Water Deed

GRANTEE:

AGREED AND ACCEPTED:  
CITY OF BURNET, TEXAS,  
a Texas home-rule municipality

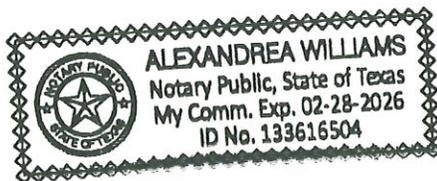
By: \_\_\_\_\_  
Gary Wideman, Mayor

THE STATE OF TEXAS    §  
§  
COUNTY OF BURNET    §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Gary Wideman, mayor of the City of Burnet, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 5<sup>th</sup> day of  
July, 2023.

Seal



*Alexandra Williams*  
Notary Public Signature

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**AVIGATION EASEMENT**

**THE STATE OF TEXAS**

§

**KNOW ALL PEOPLE BY THESE PRESENTS**

**COUNTY OF BURNET**

§

§

Date:

*July*  
~~June~~ 5, 2023

Grantor:

D3D Burnet Sub 1, LLC.

Grantor 's Address:

D3D Burnet Sub 1 LLC,  
%Andrew Brewer, 204 Settlers Valley Dr.,  
Pflugerville, Travis County, Texas 78660

Grantee:

City of Burnet, Texas

Grantee's Address:

City of Burnet  
% City Manager  
P.O. Box 1369  
Burnet, Burnet County, Texas 78611

Property: Grantor is the legal owner in fee of those certain parcels of land more particularly described as follows:

Tract I:

Being 26.085 acers of land, more or less, out of the Eugenio Perez Survey No. 41, Abstract No. 672, in the City of Burnet, Burnet County, Texas and being more fully described as Tract I in that certain Warranty Deed with Vendor's Lien recorded as Document No. 202209940 in the Public Records of Burnet County, Texas; and

Tract II

Being 16.010 acers of land, more or less, out of the Eugenio Perez Survey No. 41, Abstract No. 672, in the City of Burnet, Burnet County, Texas and being more fully described as Tract II in that certain Warranty Deed with Vendor's Lien recorded as Document No. 202209940 in the Public Records of Burnet County, Texas.

Consideration: Cash and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged by Grantor.

Grant of Easement: Grantors, for themselves, their heirs, administrators, executors, successors and assigns, do hereby grant, bargain, sell and convey unto Grantee, its successors and assigns, for the use and benefit of the public, as easement and right of way, appurtenant to the **Burnet Municipal Airport** (a.k.a. Kate Craddock Field and hereinafter referred to as "*Airport*") for the unobstructed use and passage of all types of aircraft whether now in existence or hereafter manufactured and developed, to include, but not be limited to, jet aircraft, propeller driven aircraft, civil aircraft, military aircraft, commercial aircraft, helicopters and all types of aircraft or vehicles now in existence or hereafter developed, regardless of existing or future noise levels, for the purpose of transporting persons or property through the air by whomsoever owned or operated, in and through the air space above Grantors property described above as Tracts I and II.

Said easement shall be appurtenant to and for the benefit of the Airport, including any additions thereto wherever located, hereafter made by Grantee or its successors and assigns, guests, and invites, including any and all persons, firms, or corporations operating aircraft to or from the Airport.

Said easement and burden, together with all things which may be alleged to be incident to or resulting from the use and enjoyment of said easement, including, but not limited to, the right to cause in all air space above or in the vicinity of the surface of Grantors property such noise, vibrations, flume, deposits or dust or other particulate matter; fuel particles (which are incidental to the normal operation of said aircraft), fear interference with sleep and communication, and any and all other effects that may be alleged to be incident to or caused by the operation of aircraft over or in the vicinity of Grantors property or in landing at or taking off from, or operating at or in said Airport; and Grantors do hereby fully waive remise and release any right or cause of action which they may now have or which they may have in the future against Grantee, its successor and assigns, due to such noise vibrations, fumes, dust, fuel particles and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating at or on said Airport.

The easement and right of way hereby granted includes the continuing right of Grantee to prevent the erection or growth upon Grantors property of any buildings structure, tree or other object extending into the air space above thirty feet (30'); and to remove from said air space, or at the sole option of Grantee, as an alternative, to mark and light as obstructions to air navigation, any such building, structure, tree or other objects now upon, or which in the future may be upon Grantors property, together with the right of ingress and egress over Grantors remaining property for the above purpose.

TO HAVE AND TO HOLD said easement and right of way, and all rights appertaining thereto unto Grantee, its successors and assigns, until said Airport shall be abandoned and shall cease to be used for the consideration herein above set forth, the Grantors for themselves, their heirs, administrators, executors, successors and assigns, do hereby

agree that for and during the life of said easement and right of way, Grantors will not hereafter erect, permit the erection or growth of; or permit or suffer to remain upon Grantors property any building, structure, tree or other object extending into the aforesaid prohibited air space, and that they shall not hereafter use or permit or suffer the use of Grantors property in such a manner as to create electrical interference with radio communications between any installation upon said Airport and aircraft, or as to make it difficult for flyers to distinguish between airport lights and others, or to permit any use of the Grantors land that causes a discharge of fumes, dust or smoke so as to impair visibility in the vicinity of the Airport or as otherwise to endanger the landing, taking off or maneuvering of aircraft. Grantors further waive all damages and claims for damages caused or alleged to be caused by or incidental to such activities and public purposes.

Signature page to follow.

IN WITNESS WHEREOF this instrument is executed on behalf of Grantor by its duly authorized agent as of the date first stated above.

**GRANTOR:**

D3D Burnet Sub 1, LLC. A limited liability company formed under the laws of the state of Texas.

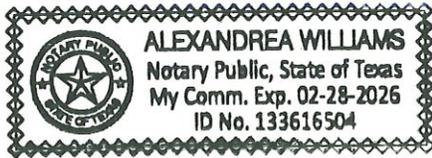
By: Andrew Brewer  
Andrew Brewer, Manager

THE STATE OF TEXAS §  
  §  
COUNTY OF BURNET §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Andrew Brewer, manager of D3D Burnet Sub 1, LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 5<sup>th</sup> day of July, 2023.

Seal



Alexandra Williams  
Notary Public Signature

Grantee's acceptance signature page to follow.

**GRANTEE:**

**AGREED AND ACCEPTED:**  
CITY OF BURNET, TEXAS,  
a Texas home-rule municipality

By: \_\_\_\_\_  
Gary Wideman, Mayor

**THE STATE OF TEXAS   §**  
                                  **§**  
**COUNTY OF BURNET    §**

**BEFORE ME**, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Gary Wideman, mayor of the City of Burnet, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE** on this the \_\_\_ day of \_\_\_\_\_, 2023.

Seal

\_\_\_\_\_  
Notary Public Signature



promote an "open space" atmosphere and viewshed for the benefit of the Golf Course, any fence, wall or barrier of any kind permitted on lots subject to the Golf Course Greenbelt Easement in any case shall not be greater than 30 percent solid or more than four feet in height.

- Requiring the Easement Property to be maintain in a natural vegetative state or landscaped with non-native or native vegetation; and
- Prohibiting the removal of any Live Oak tree from the Easement Property without the prior written approval of the City of Burnet's City Manager on behalf of the Burnet Municipal Golf Course.
- Owners of the Lots subject to the Golf Course Greenbelt Easement and those permitted by the City to erect any Authorized Improvement in the Easement Property shall be obligated to mitigate any actions which would distract from the playing and/or enjoyment qualities of the Golf Course, or the development of an attractive overall landscape.

**Authorized Improvements:** The prohibition against placement of any building, structure, fence, or other improvement shall not apply to the installation of wrought iron fence boundary fence, or installation of landscaping stones, provided that that such installation receives the approval of the Burnet City Manager acting on behalf of the Burnet Municipal Golf Course.

**Consideration:** Ten Dollars and other good and valuable considerations the receipt and sufficiency of which are acknowledged by Grantor.

**Reservations from Conveyance:** None.

**Exceptions to Warranty:** All matters of record or apparent on the ground.

**Terms and Conditions:** The following terms and conditions apply to the Easement granted by this agreement:

1. *Transfer of Easement.* The Easement rights herein granted shall pass to Grantee's successors and assigns, subject to all of the Terms hereof. The Easement rights of use granted herein are nonexclusive and irrevocable.
2. *Duration of easement.* The duration of the Easement is perpetual, unless and until it is relinquished or abandoned by ordinance by the City of Burnet.
3. *Reservation of Rights.* Grantee's right to use the Easement Property is nonexclusive, and Grantor and Grantor's heirs, successors, and assigns have the right to use all or part of the Easement Property in conjunction with Grantee as long as such use by Grantor and Grantor's heirs, successors, and assigns is limited to underground improvements at or below the existing grade and does not interfere with the use of the Easement Property by Grantee for the Easement Purpose, and the Easement Property is kept open and free of obstructions, including but not limited to buildings,

fences, structures or other obstructions of place or "open space" view upon or from the Easement Property.

4. *Maintenance of Easement Property.* Maintenance of the Easement Property will be at the sole expense of Grantor and Grantor's successors and assigns, except that Grantee has the right to maintain the Easement Property at its sole discretion. Grantee has the right to eliminate any encroachments into the Easement Property.
5. *Use of Easement Property.* The Easement shall be used solely for the Easement Purpose and for the construction of structures and/or facilities necessary for meeting the Lower Colorado River Authority Highland Lakes Watershed Ordinance, the City of Burnet Non-Point Source Pollution Control Requirements and the City of Burnet Storm Water Detention Requirements.
6. *Equitable Rights of Enforcement; Liability.* This Easement is for the reciprocal burden and benefit of all current and future owner of property subject to the Easement, and may be enforced by the City of Burnet, Texas, by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this agreement; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law or in equity.
7. *Attorney's Fees.* If either party retains an attorney to enforce this agreement, the party prevailing in litigation is entitled to recover reasonable attorney's fees and court and other costs.
8. *Binding Effect.* This agreement binds and inures to the benefit of the parties and their respective heirs, successors, and permitted assigns.
9. *Choice of Law.* This agreement will be construed under the laws of the state of Texas, without regard to choice-of-law rules of any jurisdiction. Venue is in Burnet County.
10. *Counterparts.* This agreement may be executed in any number of counterparts with the same effect as if all signatory parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.
11. *Waiver of Default.* It is not a waiver of or consent to default if the nondefaulting party fails to declare immediately default or delays in taking any action. Pursuit of any remedies set forth in this agreement does not preclude pursuit of other remedies in this agreement or provided by law.

12. *Further Assurances.* Each signatory party agrees to execute and deliver any additional documents and instruments and to perform any additional acts necessary or appropriate to perform the terms, provisions, and conditions of this agreement and all transactions contemplated by this agreement.
13. *Integration.* This agreement contains the complete agreement of the parties and cannot be varied except by written agreement of the parties. The parties agree that there are no oral agreements, representations, or warranties that are not expressly set forth in this agreement.
14. *Legal Construction.* If any provision in this agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this agreement will be construed as if the unenforceable provision had never been a part of the agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Article and section headings in this agreement are for reference only and are not intended to restrict or define the text of any section. This agreement will not be construed more or less favorably between the parties by reason of authorship or origin of language.
15. *Notices.* Any notice required or permitted under this agreement must be in writing. Any notice required by this agreement will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this agreement. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein.

Remainder of page intentionally blank and signature page follows.

IN WITNESS WHEREOF, this instrument, is effective as of the date first stated above.

**NAME OF PROPERTY OWNER**

By: Andrew D3D Burnet SUB 1 LLC  
**Type printed name**  
Andrew Brewer, Managing Member

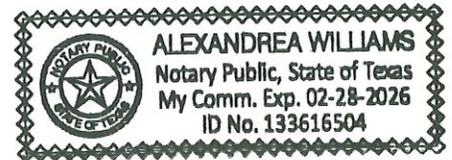
THE STATE OF TEXAS §

COUNTY OF BURNET §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Andrew Brewer known to me to the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in his/her capacity as INSERT TITLE for and on behalf of INSERT NAME OF OWNER.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 5<sup>th</sup> day of July, 2023.

Alexandra Williams  
Notary Public in and for the State of Texas



**Accepted  
City of Burnet**

By: \_\_\_\_\_  
Gary Wideman, Mayor

THE STATE OF TEXAS §

COUNTY OF BURNET §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared, known to me to the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public in and for the State of Texas

**Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, to ACCEPT A GOLF COURSE GREENBELT EASEMENT, AN AVIGATION EASEMENT AND A WATER WARRANTY DEED FROM THE OWNER OF TWO TRACTS OF LAND ABUTTING BURNET MUNICIPAL GOLF COURSE HOLES FOUR, FIVE AND SIX: D. Vaughn**





**Staff requests a motion to approve  
Resolution R2023-56 as presented.**