



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

Notice is hereby given that a **Regular Council Meeting** will be held by the governing body of the above named City on the **27<sup>th</sup> day of February, 2018** at **6:00** p.m. in the Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, at which time the following subjects will be discussed, to-wit:

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

### **CALL TO ORDER:**

### **INVOCATION:**

### **PLEDGE OF ALLEGIANCE:**

### **PLEDGE TO TEXAS FLAG:**

## **1. PUBLIC RECOGNITION/SPECIAL REPORTS:**

1.1) Chamber of Commerce Report

1.2) YMCA Update Report

## **2. CONSENT AGENDA ITEMS:**

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

2.1) Approval of the February 13, 2018 Council Workshop Meeting minutes

2.2) Approval of the February 13, 2018 Regular Council Meeting minutes

## **3. PUBLIC HEARINGS: None.**

## **4. ACTION ITEMS:**

4.1) Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, PROVIDING FOR THE ANNEXATION, OF 1.874 ACRES OF LAND SITUATED IN BURNET COUNTY, TEXAS, OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672,

THE LEMUEL TAYLOR SURVEY NO. 8, ABSTRACT NO. 800 AND THE SAM HAZLOTT SURVEY NO. 6, ABSTRACT NO. 401, ALSO BEING OUT OF THE OCCUPIED RIGHT-OF-WAY OF JOHN W. HOOVER PARKWAY, BURNET COUNTY, TEXAS; DIRECTING THE CITY SECRETARY TO FILE THIS ORDINANCE WITH THE COUNTY CLERK OF THE COUNTY OF BURNET; ADOPTING A SERVICE PLAN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: E. Milliorn

4.2) Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 94 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES BY ESTABLISHING A NEW ARTICLE III. – “WIRELESS NETWORK PROVIDERS” FOR THE PURPOSE OF REGULATION THE USE, OCCUPANCY AND MAINTENANCE OF CITY RIGHTS-OF-WAY BY WIRELESS NETWORK PROVIDERS; DESCRIBING THE PURPOSE; PROVIDING DEFINITIONS; CREATING AND REQUIRING COMPLIANCE WITH THE CITY DESIGN MANUAL AND APPLICABLE CODES FOR THE INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES PURSUANT TO CHAPTER 284 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING PROCEDURES AND TIME PERIODS FOR ACCEPTING AND PROCESSING PERMIT APPLICATIONS; PROVIDING APPLICATION AND ANNUAL PUBLIC RIGHT-OF-WAY RENTAL FEES; RESTRICTING PLACEMENT OF NETWORK NODES AND NODE SUPPORT POLES IN MUNICIPAL PARKS; RESIDENTIAL AREAS, AND HISTORIC DISTRICTS; PROVIDING INDEMNITY FOR THE CITY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: G. Courtney

4.3) Discuss and consider action: Request to include City of Burnet part-time employees to the Teladoc benefit program: D. Fipps

4.4) Discuss and consider action: A contract with Austin Turf and Tractor for equipment purchases for Delaware Springs Golf Course. D. Fipps

4.5) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET DELEGATING AUTHORITY TO THE CITY MANAGER TO DETERMINE WHETHER ALTERNATE PROJECT DELIVERY METHODS USED TO CONSTRUCT VARIOUS PUBLIC WORKS PROJECTS PROVIDES THE BEST VALUE FOR THE CITY, IN ACCORDANCE WITH TEXAS GOVERNMENT CODE CHAPTER 2269: D. Vaughn

4.6) Discuss and consider action: Discuss and consider action: Approval/Disapproval of Candidate Eligibility for the May 5<sup>th</sup>, 2018 General Election: K. Dix

4.7) Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS, CANCELLING THE MAY 5, 2018 GENERAL ELECTION FOR THREE CITY COUNCIL MEMBER POSITIONS; DECLARING CANDIDATES ELECTED AT

LARGE; MAKING FINDINGS OF FACT; PROVIDING AN OPEN MEETINGS  
CLAUSE AND FOR OTHER MATTERS: K. Dix

4.8) Discuss and consider action: Acceptance of a grant from the National Rifle Association (NRA): P. Nelson

4.9) Discuss and consider action: AN ORDINANCE OF THE CITY OF BURNET, TEXAS, RESCINDING ANY PREVIOUS ORDINANCE, RESOLUTION, ORDER, OR DECREE THAT AUTHORIZED THE TAXATION OF FREEPORT GOODS AND GRANTING A FREEPORT TAX EXEMPTION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE: D. Vaughn

## **5. REPORTS:**

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

5.1(B.3) Financial Update Report for January 2018: P. Langford

5.2 (J) Development Services Department Report: M. Lewis

## **6. REQUESTS FROM COUNCIL FOR FUTURE REPORTS:**

## **7. ADJOURN:**

Dated this 23<sup>rd</sup> day, of February, 2018

**CITY OF BURNET**

**CRISTA GOBLE BROMLEY, MAYOR**

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the governing body of the above named City, BURNET, is a true and correct copy of said NOTICE and that I posted a true and correct copy of said NOTICE on the bulletin board, in the City Hall of said City, BURNET, TEXAS, a place convenient and readily accessible to the general public at all times, and said NOTICE was posted on February 23, 2018, at or before 5 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

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Evan Milliorn, Deputy City Secretary

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

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

*faxed to the City Secretary at 512.756.8560.*

***RIGHT TO ENTER INTO EXECUTIVE SESSION:***

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

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

On this the 13<sup>th</sup> day of February, 2018, the City Council of the City of Burnet convened in Workshop Session, at 5:00 p.m. at the Council Chambers, Burnet Municipal Airport, 2402 S. Water Street, Burnet, TX thereof with the following members present, to-wit:

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

Guests: James B. Wilson, Mark Lewis, Evan Milliron, Gene Courtney, Mark Ingram, Patricia Langford, Paul Nelson, Connie Maxwell, Alan Burdell, Leslie Baugh, Ron Faulkenberry, Jonny Simons, Stacey Moore

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

Freeport Tax Exemptions: D. Vaughn: City Manager David Vaughn explained Freeport Tax Exemptions and the effect on revenue should Council choose to institute a a Freeport Tax exemption for the City.

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

\_\_\_\_\_  
Crista Goble Bromley, Mayor

ATTEST:

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

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

On this the 13<sup>th</sup> day of February, 2018, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m., at the regular meeting place thereof with the following members present, to-wit:

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

Guests: James B. Wilson, Mark Lewis, Evan Milliorn, Gene Courtney, Mark Ingram, Patricia Langford, Paul Nelson, Alan Burdell, Wade Langley, Ricky Langley, Ron Faulkenberry, Lesley Baugh, Jonny Simons, Austin Travis Williams, Craig Lindholm Paul Shell, Stacey Moore

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

INVOCATION: Council Member Paul Farmer

PLEDGE OF ALLEGIANCE: Council Member Danny Lester

PLEDGE TO TEXAS FLAG: Council Member Danny Lester

CITIZEN INPUT ITEM:

Live Oak Park Renovation Project: Austin Travis Williams of 801 CR 2001, Burnet, Texas, addressed the Council pertaining to the home he owns adjacent to Live Oak Park. Mr. Williams voiced his opinion about the size of the proposed pavilion, his feeling it is too big and would like the City to consider a smaller structure. He also would like the City to consider an alternate location for the proposed restrooms as they will back up to his property fence.

PUBLIC RECOGNITION/SPECIAL REPORTS:

Langley Construction Update Report: Wade Langley: Wade Langley informed the Council that the Cottages at Westfall project is on schedule and on budget. Advertising has not started for the lots yet, however, they have already sold one and will break ground on that in the next two weeks

CONSENT AGENDA ITEMS:

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

Approval of the January 23, 2018 Regular City Council Meeting minutes

Council Member Cindia Talamantez moved to approve the consent agenda as presented. Council Member Milton Phair seconded, the motion carried unanimously.

PUBLIC HEARING:

Public Hearing: The City Council will conduct a public hearing regarding the proposed annexation of 1.874 acres of land situated in Burnet County, Texas, out of the Eugenio Perez Survey No. 41, Abstract No. 672, the Lemuel Taylor Survey No. 8, Abstract No. 800, and the Sam Hazlott Survey No. 6, Abstract No. 401, also being out of the occupied right-of-way of Burnet County Road No. 340-A, Burnet County, Texas, and further described as being the 100 through 400 blocks of John W. Hoover Prky. E. Milliorn; Mayor Bromley opened the public hearing and invited anyone

interested in speaking to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

ACTION ITEMS:

5.1) Discuss and consider action: SECOND READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 2, ARTICLE II, SECTION 2-27 OF THE CODE OF ORDINANCES IN ITS ENTIRETY; PROVIDING A SEVERABILITY CLAUSE PROVIDING AN EFFECTIVE DATE AND AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS: D.VAUGHN; Council Member Paul Farmer made a motion to approve and adopt Ordinance 2018-02 eliminating Council Member compensation as presented. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: SECOND READING OF AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD ON THE QUESTION OF THE ADOPTION OF AMENDMENTS TO THE CHARTER OF THE CITY OF BURNET; DESIGNATING MAY 5, 2018 AS THE DATE OF THE SPECIAL ELECTION; PRESCRIBING THE FORM OF THE BALLOT; DESIGNATING THE POLLING PLACE; PROVIDING FOR THE METHOD OF VOTING; PROVIDING FOR ABSENTEE VOTING; PROVIDING FOR NOTICE OF THE ELECTION; AND PROVIDING AN EFFECTIVE DATE: K. Dix

SEGUNDA Y ÚLTIMA LECTURA DE UNA ORDENANZA ORDENAR UNA ELECCIÓN ESPECIAL A REALIZARSE EN LA CUESTIÓN DE LA ADOPCIÓN DE ENMIENDAS A LA CONSTITUCIÓN DE LA CIUDAD DE PIMPINELA; DESIGNACIÓN DE 05 DE MAYO DE 2018 COMO LA FECHA DE LA ELECCIÓN ESPECIAL; PRESCRIPCIÓN DE LA FORMA DE LA BOLETA; DESIGNAR EL LUGAR DE VOTACIÓN; PROPORCIONAR EL MÉTODO DE VOTACIÓN; PREVENIR VOTACIÓN DE AUSENTE; PROPORCIONAR AVISO DE LA ELECCIÓN; Y PROPORCIONAR UNA FECHA EFECTIVA: K. Dix; Council Member Milton Phair made a motion to approve and adopt ordinance 2018-03 calling the Special Election to be held in conjunction with the May 5, 2018 General Election. The ballot will include seventeen amendments to the City of Burnet Charter. Council Member Cindia Talamantez seconded, the motion carried unanimously.

Discuss and consider action: Planning and Zoning Commission Appointments: M. Lewis; Director of Development Services, Mark Lewis informed the Council that Caryn Paye and Dana DelGado's positions on the Planning and Zoning Board were up for re-appointment. Both expressed an interest in continuing to serve. Another position was open due to the resignation of a board member earlier in the year. Applications were also received from Ricky Langley and Calib Williams for consideration. Council completed ballots to determine appointments. Mayor Crista Bromley made a motion to appoint Caryn Paye, Ricky Langley and Calib Williams to the City of Burnet Planning and Zoning Commission. Council Member Danny Lester seconded, the motion carried.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, PROVIDING FOR THE ANNEXATION, OF 1.874 ACRES OF LAND SITUATED IN BURNET COUNTY, TEXAS, OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672, THE LEMUEL TAYLOR SURVEY NO. 8, ABSTRACT NO. 800 AND THE SAM HAZLOTT SURVEY NO. 6, ABSTRACT NO. 401, ALSO BEING OUT OF THE OCCUPIED RIGHT-OF-WAY OF JOHN W. HOOVER PARKWAY, BURNET COUNTY, TEXAS; DIRECTING THE CITY SECRETARY TO FILE THIS ORDINANCE WITH THE COUNTY CLERK OF THE COUNTY OF BURNET; ADOPTING A SERVICE PLAN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: E. Milliorn; Council Member Danny Lester made a motion to approve the first reading of Ordinance

2018-05 as presented. Council Member Tres Clinton seconded, the motion carried unanimously. Discuss and consider action: Authorizing repairs and improvements to the City of Burnet Animal Shelter: P. Nelson: Council Member Danny Lester made a motion to wait on consideration of this matter until the State Inspector submitted their report. Council Member Tres Clinton seconded, the motion carried unanimously.

Discuss and consider action: Appointment to Police Department Facility Committee: D. Vaughn: City Manager David Vaughn informed the Council that Council Member Milton Phair had asked to step down from the Police Department Facility Committee as he would not be seeking re-election and that he would like Council Member Tres Clinton to be appointed in his stead. Mayor Crista Bromley made a motion to appoint Tres Clinton to the Police Department Facility Committee. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Direction to staff regarding the Freeport Tax Exemption: D. Vaughn: Council Member Tres Clinton directed Staff to prepare an ordinance for Council consideration for the next Regular Council Meeting. Mayor Crista Bromley seconded, the motion carried unanimously

Discuss and consider action: A RESOLUTION ADOPTING THE CITY OF BURNET, TX, INVESTMENT POLICY AND NAMING THE INVESTMENT OFFICERS: P. Langford: Council Member Milton Phair made a motion to adopt Resolution R2018-02 as presented. Council Member Tres Clinton seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 94 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES BY ESTABLISHING A NEW ARTICLE III. – “WIRELESS NETWORK PROVIDERS” FOR THE PURPOSE OF REGULATION THE USE, OCCUPANCY AND MAINTENANCE OF CITY RIGHTS-OF-WAY BY WIRELESS NETWORK PROVIDERS; DESCRIBING THE PURPOSE; PROVIDING DEFINITIONS; CREATING AND REQUIRING COMPLIANCE WITH THE CITY DESIGN MANUAL AND APPLICABLE CODES FOR THE INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES PURSUANT TO CHAPTER 284 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING PROCEDURES AND TIME PERIODS FOR ACCEPTING AND PROCESSING PERMIT APPLICATIONS; PROVIDING APPLICATION AND ANNUAL PUBLIC RIGHT-OF-WAY RENTAL FEES; RESTRICTING PLACEMENT OF NETWORK NODES AND NODE SUPPORT POLES IN MUNICIPAL PARKS; RESIDENTIAL AREAS, AND HISTORIC DISTRICTS; PROVIDING INDEMNITY FOR THE CITY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: G. Courtney: Council Member Milton Phair made a motion to approve the first reading of Ordinance 2018-06 as presented. Council Member Paul Farmer seconded, the motion carried unanimously.

Discuss and consider action: Authorize the City Manager to execute an agreement for maintenance of the cemeteries: G. Courtney: Council Member Milton Phair made a motion to authorize the City Manager to execute an agreement for cemetery maintenance with Texas Land Care. Mayor Bromley seconded, the motion carried unanimously.

Discuss and consider action: SECOND READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2017-18; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017, AND ENDING SEPTEMBER 30, 2018, FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY: C. Maxwell: Council Member Paul Farmer made a



motion to adopt Ordinance 2018-04 as presented. Council Member Cindia Talamantez seconded, the motion carried unanimously.

REPORTS:

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

Police Department Racial Profiling Report: P. Nelson: Police Chief Paul Nelson presented the 2018 Racial Profiling report. Chief informed Council that the format would be different next year as the State has implemented a new process for submission.

CONVENE TO EXECUTIVE SESSION: No action taken.

Executive Session: The Council reserves the right to enter into closed session in accordance with the provision of the Open Meetings Act, Texas Government Code, Chapter 551, Subsection 551.086; Deliberations concerning municipally owned utility: pertaining to LCRA wholesale power purchasing options: G. Courtney

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

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION: Council did not enter Executive Session.

Discuss and consider action: LCRA purchasing options for wholesale power: G. Courtney: Council Member Danny Lester made a motion to continue with ARO pricing with LCRA. Council Member Milton Phair seconded, the motion carried unanimously.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Danny Lester at 7:29 p.m., seconded by Council Member Milton Phair. The motion carried unanimously.

ATTEST:

\_\_\_\_\_  
Crista Goble Bromley, Mayor

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



## Administration

## ITEM 4.1

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

### Agenda Item Brief

**Meeting Date:** February 27, 2018

**Agenda Item:** Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, PROVIDING FOR THE ANNEXATION, OF 1.874 ACRES OF LAND SITUATED IN BURNET COUNTY, TEXAS, OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672, THE LEMUEL TAYLOR SURVEY NO. 8, ABSTRACT NO. 800 AND THE SAM HAZLOTT SURVEY NO. 6, ABSTRACT NO. 401, ALSO BEING OUT OF THE OCCUPIED RIGHT-OF-WAY OF JOHN W. HOOVER PARKWAY, BURNET COUNTY, TEXAS; DIRECTING THE CITY SECRETARY TO FILE THIS ORDINANCE WITH THE COUNTY CLERK OF THE COUNTY OF BURNET; ADOPTING A SERVICE PLAN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: E. Milliorn

**Background:** The annexation ordinance and associated service plan are attached for your review.

**Information:** This is the second and final reading of the ordinance that will annex John W. Hoover Parkway. This annexation consists of public right-of-way. No private property is being annexed and the service plan shows that the City, utilizing existing resources, will be able to provide services to the annexed area at a level comparable to similar areas of the City.

There have been no changes to Ordinance 2018-05 since the first reading on February 13, 2018.

**Fiscal Impact:** None.

**Recommendation:** Approve and adopt Ordinance 2018-05 as presented.

## **ORDINANCE NO. 2018-05**

**AN ORDINANCE OF THE CITY OF BURNET, TEXAS, PROVIDING FOR THE ANNEXATION, OF 1.874 ACRES OF LAND SITUATED IN BURNET COUNTY, TEXAS, OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672, THE LEMUEL TAYLOR SURVEY NO. 8, ABSTRACT NO. 800, AND THE SAM HAZLOTT SURVEY NO. 6, ABSTRACT NO. 401, ALSO BEING OUT OF THE OCCUPIED RIGHT-OF-WAY OF JOHN W. HOOVER PARKWAY, BURNET COUNTY, TEXAS; DIRECTING THE CITY SECRETARY TO FILE THIS ORDINANCE WITH THE COUNTY CLERK OF THE COUNTY OF BURNET; ADOPTING A SERVICE PLAN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Burnet, Texas (the "City") is authorized to annex territory in accordance with Texas Local Government Code, Section 43.021 and the City's home-rule charter; and

**WHEREAS**, the territory to be annexed consists of that 1.874 acre portion of John W. Hoover Parkway located west of the City of Austin Railroad right-of-way and extending in a westerly direction to the existing City of Burnet corporate boundaries ("Annexation Area") and is adjacent to the City of Burnet corporate boundaries and within the extraterritorial jurisdiction of the City, under the terms of Chapter 43 of the Texas Local Government Code; and

**WHEREAS**, the City Council of the City of Burnet, Texas (the "City Council") has found it necessary and in the public interest to expand the city limits to include the Annexation Area as more particularly described on Exhibit "A" and by metes and bounds on Exhibit "B"; and

**WHEREAS**, the Annexation Area is exempt from the City's municipal annexation plan pursuant to Texas Local Government Code 43.052 (h) (1); and

**WHEREAS**, the City has prepared a Service Plan for the Annexation Area attached hereto as Exhibit "C"; and

**WHEREAS**, written notice of the City Council's intent to annex the Annexation Area was mailed in accordance to Texas Local Government Code 43.062; and

**WHEREAS**, the City Council held public hearings in accordance with Texas Local Government Code, Section 43.063 on January 23, 2018 and February 13, 2018; and

**WHEREAS**, the City Council conducted two public readings of this ordinance in accordance with Texas Local Government Code on February 13, 2018 and February 27, 2018.

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

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

**SECTION 2: Annexation.** The tract of land and territory more particularly described on Exhibit "A" and by metes and bounds on Exhibit "B," copies of which are attached hereto and incorporated for all purposes herein, is hereby annexed to the City of Burnet, Burnet County, Texas. The boundary limits of the City of Burnet, Texas, are hereby extended to include the above described territory within the Municipal Limits of the City of Burnet, Texas, and persons residing within the same shall be inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City of Burnet, Texas, and shall be bound by the acts, ordinances, resolutions and regulations of the City of Burnet.

**SECTION 3: Service Plan.** The Service Plan provided for in Exhibit "C", a copy of which is attached hereto and incorporated for all purposes herein, is hereby adopted.

**SECTION 4: Filing.** The City Secretary is hereby directed to file with the County Clerk of Burnet County, Texas, a certified copy of this Ordinance.

**SECTION 5: Severability.** If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Council that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

**SECTION 6: Effective Date.** This ordinance becomes effective upon its approval by City Council at second and final reading.

**PASSED AND APPROVED** on First Reading this the 13 day of February, 2018.

**FINALLY PASSED AND APPROVED** on this 27 day of February, 2018.

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Crista Goble Bromley, Mayor

ATTEST:

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Kelly Dix, City Secretary

LEGEND
1/2" IRON PIN FOUND
UNLESS NOTED
CALC POINT
TWO-TYPE CONC
3/4" IRON PIN FOUND
VOLUME/PAGE: 788
P.L.C. PLAT RECORDS BURNET CO.
O.R.C. DEED RECORDS BURNET CO.
O.P.R.C. BURNET COUNTY RECORDS
( ) RECORD INFO/SUBJECT

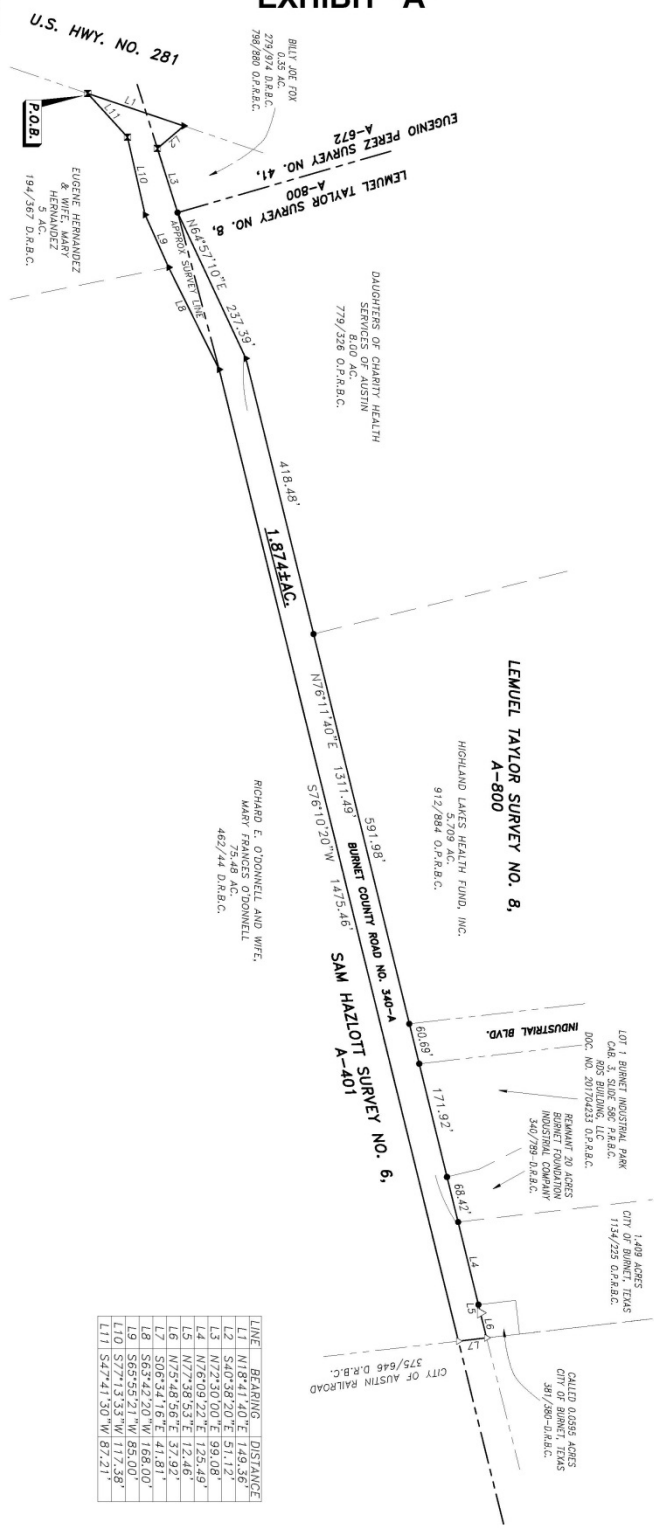
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S
W

EXHIBIT "A"
CITY OF BURNET ANNEXATION TRACT

BEING 1.874 ACRES OF LAND SITUATED IN BURNET COUNTY, TEXAS, OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672, THE LEMUEL TAYLOR SURVEY NO. 8, ABSTRACT NO. 800, AND THE SAM HAZLOTT SURVEY NO. 6, ABSTRACT NO. 401, ALSO BEING OUT OF THE OCCUPIED RIGHT-OF-WAY OF BURNET COUNTY ROAD NO. 340-A, SAID 1.874 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION OF EVEN DATE TO ACCOMPANY THIS EXHIBIT.



# EXHIBIT "A"



LINE	BEARING	DISTANCE
L1	N18°41'40"E	149.36'
L2	S40°38'20"E	51.12'
L3	N72°38'20"E	19.08'
L4	S72°38'20"E	19.08'
L5	N72°38'53"E	12.46'
L6	N75°48'56"E	37.92'
L7	S06°34'16"E	41.81'
L8	S63°42'20"W	168.00'
L9	S65°55'21"W	85.00'
L10	S77°13'35"W	177.58'
L11	S47°41'50"W	87.21'

NOTES:  
1) BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983.  
TEXAS COORDINATE SYSTEM, CENTRAL ZONE.  
THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN LAND. IT IS A PRELIMINARY PREPARATION OF A SURVEY AND IS NOT TO BE USED FOR THE CREATION OR RECONSTRUCTION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

KYLE P. CUPLIN, R.P.L.S. NO. 5938

DATED 11/06/2017



1 OF 3
SHEET

PROJ. NO. 171404  
PREPARED FOR: CITY OF BURNET  
TECH: KC LUST  
APPROVED: K. CUPLIN  
FIELDWORK PERFORMED ON: 9/18/2017  
COPYRIGHT: 2017

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

SCALE 1" = 150'  
0 75 150

2  
1

DATE  
NO.

DESCRIPTION  
REVISIONS

## EXHIBIT "B"



Prepared For: City of Burnet, Texas  
Project No.: 171404  
Date: 11/06/2017

### CITY OF BURNET ANNEXATION DESCRIPTION

**BEING 1.874 ACRES OF LAND SITUATED IN BURNET COUNTY, TEXAS, OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672, THE LEMUEL TAYLOR SURVEY NO. 8, ABSTRACT NO. 800, AND THE SAM HAZLOTT SURVEY NO. 6, ABSTRACT NO. 401, ALSO BEING OUT OF THE OCCUPIED RIGHT-OF-WAY OF BURNET COUNTY ROAD NO. 340-A, SAID 1.874 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS:**

**BEGINNING** at a concrete right-of-way monument found in the east right-of-way of US Highway No. 281 at the most westerly northwest corner of a called 5 acre tract described in a document to Eugene Hernandez and wife, Mary Hernandez, recorded in Volume 194, Page 367, Deed Records of Burnet County, Texas, said place of beginning also being in the southerly right-of-way line of County Road No. 340-A;

**THENCE** North 18°41'40" East, with the easterly right-of-way line of said US Highway No. 281, and the westerly line hereof, a distance of 149.36' to a calculated point in the easterly right-of-way line of said highway, at it's intersection with the northerly right-of-way line of said County Road No. 340-A, at the westerly southwest corner of a called 0.35 acre tract described in a document to Billy Joe Fox, recorded in Volume 279, Page 974, Deed Records of Burnet County, Texas and in Volume 798, Page 880, Official Public Records, Burnet County, Texas;

**THENCE** South 40°38'20" East, along the northerly right-of-way line of said County Road, a westerly line of said 0.35 acre tract, and a northerly line hereof, a distance of 51.12' to a concrete right-of-way monument found in the northerly right-of-way line of said County Road;

**THENCE** along the occupied northerly line hereof, and the northerly right-of-way line of said County Road No. 340-A, the following six courses and distances:

- 1) North 72°30'00" East, with the southerly line of said 0.35 acre tract, a distance of 99.08' to a 1/2" iron pin found at the southeast corner of said 0.35 acre tract, and at the southwest corner of an 8.00 acre tract described in a document to Daughters of Charity Health Services of Austin, recorded in Volume 779, Page 326, Official Public Records, Burnet County, Texas;
- 2) North 64°57'10" East, along the southerly line of said 8.00 acre tract, a distance of 237.39' to a calculated point at an angle point of said 8.00 acre tract, and hereof;
- 3) North 76°11'40" East, along the southerly line of said 8.00 acre tract, at 418.48' pass a 1/2" iron pin at the southeast corner of said 8.00 acres, the southwest corner of a called 5.709 acre tract, described in a document to Highland Lakes Health Fund, Inc., at 1010.46' pass a 1/2" iron pin found at the southeast corner of said 5.709 acre tract and at the intersection of the westerly right-of-way line of Industrial Boulevard with the north right-of-way line of said County Road No. 340-A, at 1071.15' pass a 1/2" iron pin found in the easterly right-of-way line of said Industrial Boulevard at its intersection with the northerly right-of-way line of said County Road No. 340-A, at the southwest corner of Lot 1, Burnet Industrial Park, a subdivision recorded in Cabinet 3, Slide 58C of the Plat Records of Burnet County, Texas, at 1243.07' pass a 1/2" iron pin found at the southeast corner of said Lot 1, and the southwest corner of the remnant of a called 20 acre tract described in a document

## EXHIBIT "B"

to Burnet Foundation Industrial Company, recorded in Volume 340, Page 789, Deed Records of Burnet County, Texas, and in all, a distance of 1311.49' to a 1/2" iron pin found at the southeast corner of said remnant tract, and the southwest corner of a called 1.409 acre tract described in a document to the City of Burnet, recorded in Volume 1134, Page 225, Official Public Records, Burnet County, Texas;


- 4) North 76°09'22" East, along the southerly line of said 1.409 acre tract, a distance of 125.49' to a 1/2" iron pin found at the most southerly southeast corner of said 1.409 acre tract, and the southwest corner of a called 0.0595 acre tract described in a document to the City of Burnet, recorded in Volume 381, Page 380, Deed Records of Burnet County, Texas;
- 5) North 77°38'53" East, a distance of 12.46' to a calculated point in the southerly line of said 0.0595 acre tract;
- 6) North 75°48'56" East, a distance of 37.92' to a calculated point at the southeast corner of said 0.0595 acre tract, in the westerly right-of-way line of a City of Austin Railroad tract, recorded in Volume 375, Page 646, Deed Records of Burnet County, Texas, for the most easterly northeast corner hereof;

**THENCE** South 06°34'16" East, over and across said County Road No. 340-A, the westerly right-of-way line of said Railroad tract (not located on the ground), and the easterly line hereof, a distance of 41.81' to a calculated point (not located on the ground) for the northeast corner of a called 75.48 acre tract described in a document to Richard E. O'Donnell and wife, Mary Frances O'Donnell, recorded in Volume 462, Page 44, Deed Records of Burnet County, Texas, in the southerly right-of-way line of said County Road No. 340-A;

**THENCE** with the southerly right-of-way line of said County Road No. 340-A(not located on the ground), and hereof, the following five courses and distances:

- 1) South 76°10'20" West, along the northerly line of said 75.48 acre tract (not located on the ground), a distance of 1475.46' to a calculated point at an angle point in the northerly line of said 75.48 acre tract;
- 2) South 63°42'20" West, a distance of 168.00' to a calculated point at the northwest corner of said 75.48 acre tract, and the northeast corner of said Hernandez tract (not located on the ground);
- 3) South 65°55'21" West, along a northerly line of said Hernandez tract(not located on the ground), a distance of 85.00' to a calculated point;
- 4) South 77°13'33" West, along a northerly line of said Hernandez tract, a distance of 117.38' to a concrete right-of-way marker found;
- 5) South 47°41'30" West, along a northerly line of said Hernandez tract, a distance of 87.21' to the Point of Beginning, containing 1.874 acres, more or less.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. Basis of Bearings are to Texas Coordinate System, Central Zone. A exhibit of even date was prepared as is intended to accompany the above described tract of land.

  
Dated: 11/06/2017  
\_\_\_\_\_  
Kyle P. Cuplin  
Registered Professional Land Surveyor No. 5938





**EXHIBIT “C”**  
**MUNICIPAL SERVICES PLAN**  
**CITY OF BURNET, TEXAS**

THIS IS A SERVICE PLAN FOR THAT 1.874 ACRES OF LAND SITUATED IN BURNET COUNTY, TEXAS, OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672, THE LEMUEL TAYLOR SURVEY NO. 8, ABSTRACT NO. 800, AND THE SAM HAZLOTT SURVEY NO. 6, ABSTRACT NO. 401, ALSO BEING OUT OF THE OCCUPIED RIGHT-OF-WAY OF JOHN W. HOOVER PARKWAY.

Upon annexation of the area identified above and as identified on Exhibit “A”, the City of Burnet will provide City services utilizing methods by which it extends services to any other equivalent area of the City.

SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION:

**1. POLICE PROTECTION:**

The City of Burnet, Texas and its Police Department will provide police protection to the newly annexed area at the same or similar level of service now being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed area. The Police Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed area based on the availability of resources at the time the request for services is received.

**2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES:**

The City of Burnet, Texas will provide fire protection to the newly annexed area at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed area.

The City of Burnet, Texas will provide Emergency Medical Services to the newly annexed area at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed area. The Fire Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed area based on the availability of resources at the time the request for services is received.

**3. MAINTENANCE OF WATER AND WASTEWATER FACILITIES:**

All water and wastewater facilities owned or maintained by the City of Burnet at

the time of the proposed annexation shall continue to be maintained by the City of Burnet. All water and wastewater facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City of Burnet to the extent of its ownership. The now existing water and wastewater mains at existing locations shall be available for the point of use extension based upon the City of Burnet's standard extension policy now existing or as may be amended. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances.

**4. SOLID WASTE COLLECTION:**

Solid waste collection will be provided to citizens in the newly annexed area at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed area. The City will allow continued services with an existing solid waste management provider to all annexed areas.

**5. MAINTENANCE OF ROADS AND STREETS:**

Any and all public roads, streets, alleyways shall be maintained to the same degree and extent that other public roads, streets, and alleyways are maintained in areas of the City with like topography, land use and population density as those found within the newly annexed area.

**6. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS:**

The City of Burnet, Texas is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed area of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and population density as those found within the newly annexed area.

**7. MAINTENANCE OF ANY PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE:**

The City of Burnet, Texas is not aware of the existence of any publicly owned facility, building, or other municipal service now located in the proposed area of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and populations density as those found within the newly annexed area.

**8. OTHER SERVICES:**

The City of Burnet, Texas, finds and determines that such services as planning, code enforcement, animal control, library, parks and recreation, court and general administration will be made available after the effective date of annexation at the same or similar level of service now being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed area.

**CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2-1/2 YEARS**

**1. POLICE AND FIRE PROTECTION AND SOLID WASTE COLLECTION:**

The City of Burnet, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2-1/2 years of the effective date of the annexation of the particular annexed area for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Burnet, Texas with like topography, land use and population density as those found within the newly annexed area.

**2. WATER AND WASTEWATER FACILITIES:**

For the next 2-1/2 years, the City of Burnet, Texas finds and determines that there is sufficient capacity for water and wastewater to provide services to the annexed area pursuant to the City of Burnet's extension policies.

**3. ROADS AND STREETS:**

The City of Burnet, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2-1/2 years of the effective date of the annexation of the particular annexed area.

**4. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS AND ANY PUBLICLY OWNED FACILITY, BUILDING OR SERVICE:**

The City of Burnet, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2-1/2 years of the effective date of the annexation of the particular annexed area for the purpose of parks, maintenance, playgrounds, swimming pools and other publicly owned facility, building or service.

**5. SPECIFIC FINDINGS**

The City of Burnet, Texas, finds and determines the Service Plan will not provide any fewer services and will not provide a lower level of service in the area being considered for annexation that were in existence in the proposed area at the time immediately preceding the annexation process. Given the proposed annexation area's topography, land utilization and population density, the service levels to be provided in the newly annexed area will be equivalent to those provided to other areas of the City with similar characteristics.

**6. TERMS**

This Service Plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the discretion of the City of Burnet, Texas.

**7. LEVEL OF SERVICE**

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

**8. AMENDMENTS**

The Service Plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.



## Public Works

## ITEM 4.2

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

### Agenda Item Brief

**Meeting Date:** February 27, 2018

**Agenda Item:** Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 94 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES BY ESTABLISHING A NEW ARTICLE III. – “WIRELESS NETWORK PROVIDERS” FOR THE PURPOSE OF REGULATION THE USE, OCCUPANCY AND MAINTENANCE OF CITY RIGHTS-OF-WAY BY WIRELESS NETWORK PROVIDERS; DESCRIBING THE PURPOSE; PROVIDING DEFINITIONS; CREATING AND REQUIRING COMPLIANCE WITH THE CITY DESIGN MANUAL AND APPLICABLE CODES FOR THE INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES PURSUANT TO CHAPTER 284 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING PROCEDURES AND TIME PERIODS FOR ACCEPTING AND PROCESSING PERMIT APPLICATIONS; PROVIDING APPLICATION AND ANNUAL PUBLIC RIGHT-OF-WAY RENTAL FEES; RESTRICTING PLACEMENT OF NETWORK NODES AND NODE SUPPORT POLES IN MUNICIPAL PARKS; RESIDENTIAL AREAS, AND HISTORIC DISTRICTS; PROVIDING INDEMNITY FOR THE CITY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: G. Courtney

**Background:** “Network node” means equipment at a fixed location that enables wireless communications between user equipment and a communications network. The term includes:

(A) Equipment associated with wireless communications; a radio transceiver, an antenna, a battery-only backup power supply, and comparable equipment, regardless of technological configuration; and coaxial

or fiber-optic cable that is immediately adjacent to and directly associated with a particular collocation

**Information:**

Chapter 284 of the Texas Local Government Code “Deployment of Network Node in a Public Right-of-Way” became Law in September 1, 2017

There have been no changes to Ordinance 2018-06 since the first reading on February 13, 2018

**Fiscal Impact:**

None

**Recommendation:**

A motion to adopt Ordinance 2018-06 as presented.

## ORDINANCE NO. 2018-06

**AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 94 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES BY ESTABLISHING A NEW ARTICLE III. – “WIRELESS NETWORK PROVIDERS” FOR THE PURPOSE OF REGULATION THE USE, OCCUPANCY AND MAINTENANCE OF CITY RIGHTS-OF-WAY BY WIRELESS NETWORK PROVIDERS; DESCRIBING THE PURPOSE; PROVIDING DEFINITIONS; CREATING AND REQUIRING COMPLIANCE WITH THE CITY DESIGN MANUAL AND APPLICABLE CODES FOR THE INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES PURSUANT TO CHAPTER 284 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING PROCEDURES AND TIME PERIODS FOR ACCEPTING AND PROCESSING PERMIT APPLICATIONS; PROVIDING APPLICATION AND ANNUAL PUBLIC RIGHT-OF-WAY RENTAL FEES; RESTRICTING PLACEMENT OF NETWORK NODES AND NODE SUPPORT POLES IN MUNICIPAL PARKS; RESIDENTIAL AREAS, AND HISTORIC DISTRICTS; PROVIDING INDEMNITY FOR THE CITY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Burnet (City) recognizes that the State of Texas has delegated to the City the fiduciary duty, as a trustee, to manage the public right-of-way for the health, safety, and welfare of the public to Texas municipalities; and

**WHEREAS**, Chapter 284 of the Texas Local Government Code (the Code) allows certain wireless network providers to install in the City’s public rights-of-way their wireless facilities, described and defined in Section 284.002 of the Code as “Micro Network Nodes,” “Network Nodes,” “Node Support Poles,” and Transport Facilities; and

**WHEREAS**, as expressly allowed by Section 284.108 of the Code and pursuant to its police power authority reserved in Sec. 284.301 of the Code, the City has enacted a *Design Manual for the Installation of Network Nodes, Node Support Poles and Transport Facilities* (the Design Manual) in order to meet its fiduciary duty to the citizens of the City, and to give assistance and guidance to wireless telecommunications network providers to assist such companies in the timely, efficient, safe and aesthetically pleasing installation of technologically competitive equipment; and

**WHEREAS**, the City Council desires to regulate the installation of Network Nodes, Network Support Poles and Transport Facilities pursuant to Chapter 284 of the Code in a way that is fair, reasonable and nondiscriminatory.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR 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. Chapter 94, Article III – Wireless Network Providers Established.**  
A new Chapter 94, Article III – Wireless Network Providers is hereby established as follows:

Sec. 94-40 – 94-50 Reserved

Sec. 94-51. Purpose

The purpose of this article is to:

- (a) Assist the City in the competitively neutral and nondiscriminatory management of the physical use, occupancy and maintenance of its public rights-of-way by wireless network providers;
- (b) Secure fair and reasonable compensation for the physical use and occupancy of the public rights-of-way by wireless network providers in a nondiscriminatory and competitively neutral manner; and
- (c) Assist the City in protecting the public health, safety, and welfare.

Sec. 94-52. Governing Law

This chapter shall be construed in accordance with Chapter 284 of the Texas Local Government Code (the Code) to the extent not in conflict with the Constitution and laws of the United States or the State of Texas.

Sec. 94-53. Definitions

For the purpose of this article, the definitions found in the City *Design Manual for the Installation of Network Nodes, Node Support Poles, and Transport Facilities* (the Design Manual) are hereby incorporated into this article and shall apply unless the context clearly indicates or requires a different meaning. The following definitions as found in the Design Manual are specifically applicable to this article.

*Applicable Codes* means

- (a) the building, fire, electrical, plumbing, or mechanical codes promulgated by a recognized national code organization and adopted by the City; and
- (b) local amendments to those codes to the extent not inconsistent with Chapter 284.



*City* means the City of Burnet, Texas.

*City Council* means the municipal governing body of the City of Burnet, Texas.

*City Manager* means the Manager or his/her designee for the City of Burnet, Texas.

*Chapter 284* means Texas Local Government Code, Chapter 284.

*Code* means the Texas Local Government Code.

*Collocate and collocation* mean the installation, mounting, maintenance, modification, operation, or replacement of Network Nodes in a public right-of-way on or adjacent to a pole.

*Decorative pole* means a streetlight pole specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specially designed informational or directional signage or temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory City codes and ordinances.

*Easement* means and shall include any public easement or other compatible use created by dedication, or by other means, to the City for public utility purposes or any other purpose whatsoever. "Easement" shall include a private easement used for the provision of utilities.

*Federal Communications Commission or FCC* means the Federal Administrative Agency, or lawful successor, authorized to oversee cable television and other multi-channel regulation on a national level.

*Highway right-of-way* means right-of-way adjacent to a state or federal highway.

*Historic district* means an area that is zoned or otherwise designated as a historic district under municipal, state, or federal law.

*Law* means common law or a federal, state, or local law, statute, code, rule, regulation, order, or ordinance.

*Local* means within the geographical boundaries of the City.

*Location* means the City-approved and lawfully permitted location of the Network Node.

*Mayor* means the mayor of the City of Burnet, Texas, or designee.

*Micro network node* means a Network Node that is not larger in dimension than 24-inches in length, 15-inches in width, and 12-inches in height, and that has an exterior antenna, if any, not longer than 11-inches.

*Municipal park* means an area that is zoned or otherwise designated by the City as a public park for the purpose or recreational activity.

*Network node* means equipment at a fixed location that enables wireless communications between user equipment and a communications network. The term:

(a) includes:

- (1) equipment associated with wireless communications;
- (2) a radio transceiver, an antenna, a batter-only backup power supply, and comparable equipment, regardless of technological configuration; and
- (3) coaxial or fiber-optic cable that is immediately adjacent to and directly associated with a particular collocation; and

(b) does not include:

- (1) an electric generator;
- (2) a pole; or
- (3) a macro tower

*Network provider* means:

(a) a wireless service provider; or

(b) a person that does not provide wireless services and that is not an electric utility but builds or installs on behalf of a wireless service provider:

- (1) Network Nodes; or
- (2) Node Support Poles or any other structure that supports or is capable of supporting a network node; or
- (3) Transport Facilities

*Node support pole* means a pole installed by a network provider for the primary purpose of supporting a Network Node.

*Permit* means a written authorization for the use of the public right-of-way or collocation on a service pole required from the City before a network provider may perform an action or initiate, continue, or complete a project over which the municipality has police power authority.

*Pole* means a service pole, City-owned utility pole, node support pole, or utility pole.

*Private easement* means an easement or other real property right that is only for the benefit of the grantor and grantee and their successors and assigns.

*Provider* has the same meaning as “Network Provider.”

*Public right-of-way* means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the City has an interest. The term does not include:

- (a) A private easement; or
- (b) The airwaves above a public right-of-way with regard to wireless telecommunications.

*Service pole* means a pole, other than a City-owned utility pole, owned or operated by the City and located in a public right-of-way, including:

- (a) A pole that supports traffic control functions;
- (b) A structure for signage;
- (c) A pole that supports lighting, other than a decorative pole; and
- (d) A pole or similar structure owned or operated by a municipality and supporting only network nodes.

*Street* means only the paved portion of the right-of-way used for vehicular travel, being the area between the inside of the curb to the inside of the opposite curb, or the area between the two parallel edges of the paved roadway for vehicular travel where there is no curb. A “Street” is generally part of, but smaller in width than the width of the entire right-of-way, while a right-of-way may include sidewalks and utility easements. A “Street” does not include the curb or the sidewalk, if either are present at the time of a permit application or if added later.

*Traffic Signal* means any device, whether manually, electrically, or mechanically operated by which traffic is alternately directed to stop and to proceed.

*Transport facility* means each transmission path physically within a public right-of-way, extending with a physical line from a Network Node directly to the network, for the purpose of providing backhaul for network nodes.

*User* means a person or organization which conducts a business over facilities occupying the whole or part of a public street or right-of-way, depending on the context.

*Utility pole* means a pole that provides:

- (a) electric distribution with a voltage rating of not more than 34.5 kilovolts; or
- (b) services of a telecommunications provider, as defined by Chapter 284, Section 51.002, Utilities Code.

*Wireless service* means any service, using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public using a Network Node.

*Wireless service provider* means a person that provides wireless service to the public.

*Wireless facilities* mean “Micro Network Nodes,” “Network Nodes,” “Node Support Poles,” and “Transport Facilities” as defined in Texas Local Government Code, Chapter 284.

#### Sec. 94-54. Use and occupancy of Public Rights-of-Way

Pursuant to this chapter and subject to the Design Manual and the Code, a wireless network provider that the nonexclusive right to use and occupy the public rights-of-way in the City for the purpose of constructing, maintaining, and operating its facilities used in the provision of Wireless Facilities.

The terms of this chapter shall apply to all wireless network providers; facilities used, in whole or part, in the provision of wireless services throughout the City, including any annexed areas upon the effective date of annexation or the date the City provides the company written notice, whichever date occurs later.

#### Sec. 94-55. Compliance with Design Manual and Applicable Codes

All wireless network providers shall comply with the terms of this right-of-way management ordinance, City applicable codes, and the terms and conditions of the City’s Design Manual a copy of which is attached hereto and incorporated for all purposes herein.

#### Sec. 94-56. General construction and maintenance requirements

A network provider shall construct and maintain Network Nodes, Network Support Poles and Transport Facilities described in the Code in a manner that does not:

- (a) Obstruct, impede, or hinder the usual travel or public safety on a public right-of-way;
- (b) Obstruct the legal use of a public right-of-way by other utility providers;
- (c) Violate nondiscriminatory applicable codes;

- (d) Violate or conflict with the City's publicly disclosed public right-of-way design specifications; or
- (e) Violate the federal Americans with Disabilities Act of 1990 (ADA).

#### Sec. 94-57. Permit applications

- (a) Except as otherwise provided in Chapter 284 of the Code, a network provider shall obtain a permit or permits from the City to install a Network Node, Node Support Pole, or Transport Facility in a City public right-of-way.
- (b) As required by Chapter 284 of the Code, the City shall not require a network provider to perform services for the City for which the permit is sought.
- (c) A network provider that wants to install or collocate multiple Network Nodes inside the municipal limits of the City is entitled to file a consolidated permit application with the City for not more than thirty (30) Network Nodes and upon payment of the applicable fee(s), receive a permit or permits for the installation of collection of those Network Nodes.
- (d) The network provider shall provide the following information in its permit applications:
  - (1) Applicable construction and engineering drawings and information to confirm that the applicant will comply with the City's Design Manual and applicable codes;
  - (2) Any additional information reasonably related to the network provider's use of the public rights-of-way to ensure compliance with the Design Manual and this chapter;
  - (3) A certificate that the Network Node(s) complies with the applicable regulations of the Federal Communications Commission; and certification that the proposed Network Node(s) will be placed into active commercial service by or for the network provider not later than the 60<sup>th</sup> day after the date of construction and final testing or each Network Node is completed.
  - (4) A certificate of insurance that provides that the Network Provider and its contractor has at least \$1,000,000.00 (one-million dollars) in general liability coverage.
- (e) **Exception:** As provided in Section 284. 157 of the Code, a Network Provider is not required to apply, obtain a permit, or pay a rate to the City for:
  - (1) Routine maintenance that does not require excavation or closing of sidewalks, recreational trails, or vehicular lanes in a public right-of-way;
  - (2) Replacing or upgrading a Network Node or Network Pole with a node or pole that is substantially similar in size or smaller and that does not require excavation or closing of sidewalks, recreational trails, or vehicular lanes in a public right-of-way;
  - (3) The installation, placement, maintenance, operation or replacement of Micro Network Nodes that are strung on cables between existing poles or Node Support Poles in compliance with the National Electrical Safety Code; or
  - (4) Notwithstanding Subdivision (e) above, the network provider or its contractors shall notify the City at least twenty-four (24) hours in advance of work described in this Subdivision (e).

#### Sec. 94-58. Installation in Historic Districts

A Network Provider must obtain advance written consent from the City Council before collocating new Network Nodes or installing new Node Support Poles in an area of the City that has been zoned or otherwise designated as a Historic District. The network provider shall be required to comply with the General Aesthetic Requirements described in the City's Design Manual. The City has the authority to designate new Historic Districts at a future date.

#### Sec. 94-59. Installation in Municipal Parks and residential areas.

A network provider may not install a new Node Support Pole in a public right-of-way without the City Council's discretionary, nondiscriminatory and written consent if the public right-of-way:

- (1) Is in a municipal park; or
- (2) Is adjacent to a street or thoroughfare that is:
  - (A) Not more than fifty (50) feet wide; and
  - (B) Adjacent to single-family residential lots or other multifamily residences or undeveloped land that is designated for residential use by zoning or deed restrictions.
- (3) In addition to the above, a Network Provider installing a Network Node, Node Support Pole, or Transport Facilities in a public Right-of-Way shall comply with private deed restrictions and other private restrictions in the area that apply to those facilities.
- (4) The Network Provider shall be further required to comply with guidelines set out in the City's Design Manual

#### Sec. 94.60. Municipal review process by the City.

- (a) **Determination of Application Completeness:** The City shall determine whether the permit application is complete and notify the applicant of that determination:
  - (1) *For Network Nodes and Node Support Poles:* No later than thirty (30) days after the date the City receives the permit application.
  - (2) *For a Transport Facility:* No later than ten (10) days after the date the City receives the permit application.
- (b) **Approval or denial of application:** The City shall approve or deny a completed application after the date it is submitted to the City:
  - (1) *For Network Nodes:* No later than sixty (60) days after the date the City receives the complete application.
  - (2) *For Network Support Poles:* No later than one-hundred-fifty (150) days after the date the City receives the complete application.
  - (3) *For Transport Facilities:* No later than twenty-one (21) days after the City receives the complete application.

- (c) **Basis for denial of application:** If an application is denied by the City, the City shall document the basis for the denial, including the specific applicable City code provisions or other City rules, regulations, or other law on which the denial is based. The documentation for the denial must be sent by electronic mail to the applicant on or before the date that the City denies the application.
- (d) **Resubmission of denied application:** The applicant may cure the deficiencies identified in the denied application.
  - (1) The applicant has thirty (30) days from the date the City denies the completed application to cure the deficiencies identified in the denial documentation without paying an additional application fee, other than any fee for actual costs incurred by the City.
  - (2) The City shall approve or deny the revised completed application after a denial not later than the ninetieth (90<sup>th</sup>) day aft the City receives the revised completed application. The City's review shall be limited to the deficiencies cited in the denial documentation.
- (e) **Nondiscriminatory review:** Each completed application shall be processed by the City on a nondiscriminatory basis.

**Sec. 94-61. Time of Installation.**

A Network Provider shall begin installation for which a permit is granted not later than six months after final approval of the application and shall diligently pursue installation to completion. The City Manager may in his/her sole discretion grant reasonable extensions of time as requested by the network provider.

**Sec. 94-62. Applicable fees and rental rates to the city.**

- (a) As compensation for the Network Provider's use and occupancy of the City public rights-of-way, the Network Provider shall pay application fees and annual public right-of-way rental rates as set forth herein, which shall not be in lieu of any lawful tax, license, charge, right-of-way permit, use, construction, street cut or inspection fee; or other right-of-way relate charge or fee, whether charged to the Network Provider or its contractor(s) within the City, except the usual general ad valorem taxes, special assessments and sales tax levied in accordance with state law and equally applicable to all general businesses in the City.
- (b) Schedule of Fees relating to this article shall be as follows:

<b>Network Nodes</b>	
Application fee 1 to 5 nodes	\$ 500.00
Fee for each additional node up to a maximum of 30	\$ 250.00

Annual Public Right-of-Way fee	\$1,000.00
Collocation fee (per pole) for Network Nodes on City Service Poles	\$ 12.00
<b>Transport Facilities</b>	
Application Fee 1 to 5 nodes	\$ 500.00
Fee for each additional node up to a maximum of 30	\$ 250.00
Transport Rental Facility rental fee per device, per month, not to exceed the aggregate “per node “ fee	\$ 28.00

(c) Public Right-of-Way adjustment: As provided in Sec. 284.054 of the Code, the City may adjust the amount of the annual public right-of-way rate not more than annually by an amount equal to one-half the annual change, if any, in the Consumer Price Index (CPI) for all Urban Consumers for Texas. The City shall provide written notice to each network provider of the new rate; and the rate shall apply to the first payment due to the City on or after the sixtieth (60<sup>th</sup>) day following the written notice.

(d) Micro Network Nodes:

(1) No application fee is required for a Micro Network Node if the installation is attached on lines between poles or node support poles.

(e) Collocation of network Nodes on Services Poles:

(1) Subject to the City’s Pole Service Agreement, there shall be a fee assessed per year per pole for collocation of Network Nodes on City service poles.

(f) City-owned municipal utility poles

(1) A Network Provider shall pay an annual pole attachment rate for the collocation of a Network Node supported by or installed on a City-owned utility pole based on the pole attachment rate consistent with Section 54.024 of the Texas Utilities Code, applied on a per-foot basis.

(g) The City shall not seek or accept in-kind services in lieu of or as additional payment or consideration from any user of the public rights-of-way for use of the public rights-of-way.

#### Sec. 94-63. Indemnity



As provided in Section 284.302 of the Code, a wireless Network Provider shall indemnify, defend, and hold the City harmless from and against all liability, damages, cost, and expense, including reasonable attorney's fees, arising from injury to person or property proximately caused by the negligent act or omission of the Network Provider. The City shall promptly notify the Network Provider of any claims, demands, or actions (claims) covered by this indemnity after which the Network Provider shall defend the claims. The Network Provider shall have the right to defend and compromise the claims. The City shall cooperate in the defense of the claims. The foregoing indemnity obligations shall not apply to claims arising solely from the negligence of the City; however, they shall apply in the case of all claims which arise from the joint negligence of the Network Provider and the City; provided that in such cases, the amount of the claims for which the City shall be entitled to indemnification shall be limited to that portion attributable to the Network Provider. Nothing in this section shall be construed as waiving any governmental immunity available to the City under state law or waiving any defenses of the parties under state law.

Sec. 94-64 Effect on other utilities and telecommunication providers.

Nothing in this Ordinance shall govern attachment of Network Notes on poles and other structures owned or operated by investor-owned electric utilities, electric cooperatives, telephone cooperatives, or telecommunication providers.

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

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

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

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

**PASSED AND APPROVED** on First Reading this 13<sup>th</sup> day of February 2018.

**FINALLY PASSED AND APPROVED** on this 27<sup>th</sup> day of February 2018.

**CITY OF BURNET, TEXAS**

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Crista Goble Bromley, Mayor

**ATTEST:**

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Kelly Dix, City Secretary



## City of Burnet

### ITEM 4.3

Doug Fipps  
Golf Course General Manager  
(830)-798-4177  
dsprings@cityofburnet.com

### Agenda Item Brief

<b>Meeting Date:</b>	February 27, 2018
<b>Agenda Item:</b>	Discuss and consider action: Request to include City of Burnet part-time employees to the Teladoc benefit program: D. Fipps
<b>Background:</b>	Teladoc is a virtual care delivery platform that allows employees and their family members to create an account and speak to a board certified physician matched to meet their need for care. Patients will receive care within minutes via the telephone or computer, thus curbing urgent care and emergency room visits and lowering employee health care costs overall for the city and the employee.
<b>Information:</b>	<p>City of Burnet full time employees and their dependents are all eligible for Teledoc services at no cost to the employee, whether they utilize the city health plan insurance program or not.</p> <p>Teledoc would be a very beneficial incentive to offer all part-time employees of the City.</p>
<b>Fiscal Impact:</b>	The cost to add part time employees to the City's plan is \$3.07 per employee. Currently, there are thirty-one part-time employees. Total cost expected to be incurred is \$95.17 per month or \$1,142.04 for the year. This is not a budgeted item.
<b>Recommendation:</b>	Staff recommends inclusion of the City of Burnet Part-time employees to the Teladoc benefit program.



## Delaware Springs Golf Course

### ITEM 4.4

Doug Fipps  
Golf Course General Manager  
830-798-4177  
dfipps@cityofburnet.com

### Agenda Item Brief

<b>Meeting Date:</b>	February 27, 2018
<b>Agenda Item:</b>	Discuss and consider action: A contract with Austin Turf and Tractor for equipment purchases for Delaware Springs Golf Course. D. Fipps
<b>Background:</b>	This agenda item is in reference to equipment replacement at the golf course. The equipment scheduled to be replaced is at the end of its useful life and cost more to repair than the equipment is worth.
<b>Information:</b>	<p>Below is an itemized list of the maintenance equipment scheduled and budgeted for replacement this fiscal year. Attached is the quote prepared by Austin Turf and Tractor through the National Buy Board Contract #447-14 for the new equipment.</p> <ul style="list-style-type: none"><li>(1) JOHN DEERE TC125 Turf Collection System</li><li>(2) JOHN DEERE MY17 ProGator 2020A Gas</li><li>(3) JOHN DEERE HD200 SelectSpray for ProGators 2020A</li></ul>
<b>Fiscal Impact:</b>	The total cost for all the equipment listed above is \$47,931.71.
<b>Recommendation:</b>	Staff recommends approval of the quote prepared by Austin Turf and Tractor through the National Buy Board Contract #447-14 for the purchase of the new equipment.



Quote Id: 16708144

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Prepared For:  
**Delaware Springs Golf Course**

Prepared By: **Terry Harris**

Austin Turf & Tractor  
809 Steve Hawkins Pkwy  
Marble Falls, TX 78654

Tel: 830-693-6477  
Fax: 830-693-7791  
Email: [terry.harris@austinturf.com](mailto:terry.harris@austinturf.com)

Date: 24 January 2018

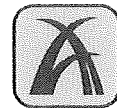
Offer Expires: 28 February 2018

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*Confidential*



**JOHN DEERE**



**Austin**  
TURF & TRACTOR

### Quote Summary

**Prepared For:**

Delaware Springs Golf Course  
600a Delaware Springs Blvd  
Burnet, TX 78611  
Business: 512-756-8471

**Prepared By:**

Terry Harris  
Austin Turf & Tractor  
809 Steve Hawkins Pkwy  
Marble Falls, TX 78654  
Phone: 830-693-6477  
terry.harris@austinturf.com

**TASB Contract Pricing!  
Gov Discount**

**Quote Id:** 16708144  
**Created On:** 24 January 2018  
**Last Modified On:** 24 January 2018  
**Expiration Date:** 28 February 2018

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE TC125 Turf Collection System	\$ 13,369.00	\$ 10,600.55 X	1 =	\$ 10,600.55
<b>Equipment Total</b>				<b>\$ 10,600.55</b>

**Quote Summary**

Equipment Total	\$ 10,600.55
SubTotal	\$ 10,600.55
Est. Service Agreement Tax	\$ 0.00
Total	\$ 10,600.55
Down Payment	(0.00)
Rental Applied	(0.00)
<b>Balance Due</b>	<b>\$ 10,600.55</b>

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

*Confidential*



JOHN DEERE

## Selling Equipment



**Austin**  
TURF & TRACTOR

Quote Id: 16708144

Customer: DELAWARE SPRINGS GOLF COURSE

### JOHN DEERE TC125 Turf Collection System

Hours:

Suggested List

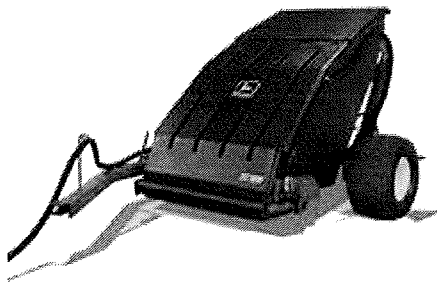
Stock Number:

\$ 13,369.00

Code	Description	Qty
0132TC	TC125 Turf Collection System	1

#### Standard Options - Per Unit

0202	US and Canada	1
1001	Long Hose Kit	1





Quote Id: 16708144

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Prepared For:  
**Delaware Springs Golf Course**

Prepared By: **Terry Harris**

Austin Turf & Tractor  
809 Steve Hawkins Pkwy  
Marble Falls, TX 78654

Tel: 830-693-6477  
Fax: 830-693-7791  
Email: [terry.harris@austinturf.com](mailto:terry.harris@austinturf.com)

Date: 24 January 2018

Offer Expires: 28 February 2018

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*Confidential*





### Quote Summary

**Prepared For:**

Delaware Springs Golf Course  
600a Delaware Springs Blvd  
Burnet, TX 78611  
Business: 512-756-8471

**Prepared By:**

Terry Harris  
Austin Turf & Tractor  
809 Steve Hawkins Pkwy  
Marble Falls, TX 78654  
Phone: 830-693-6477  
terry.harris@austinturf.com

**TASB Contract Pricing!  
Gov Discount**

**Quote Id:** 16708144  
**Created On:** 24 January 2018  
**Last Modified On:** 24 January 2018  
**Expiration Date:** 28 February 2018

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE MY17 ProGator 2020A (Gas)	\$ 27,738.00	\$ 23,604.10 X	1 =	\$ 23,604.10
JOHN DEERE HD200 SelectSpray (for ProGators 2020A, 2020 and 2030A, 2030)	\$ 16,201.00	\$ 13,727.06 X	1 =	\$ 13,727.06
<b>Equipment Total</b>				<b>\$ 37,331.16</b>

**Quote Summary**

Equipment Total	\$ 37,331.16
SubTotal	\$ 37,331.16
Est. Service Agreement Tax	\$ 0.00
Total	\$ 37,331.16
Down Payment	(0.00)
Rental Applied	(0.00)
<b>Balance Due</b>	<b>\$ 37,331.16</b>

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

Confidential

**JOHN DEERE**

# Selling Equipment

**Austin**  
TURF & TRACTOR

Quote Id: 16708144

Customer: DELAWARE SPRINGS GOLF COURSE

## JOHN DEERE MY17 ProGator 2020A (Gas)

Hours:

Suggested List

Stock Number:

\$ 27,738.00

Code	Description	Qty
1404TC	MY17 ProGator 2020A (Gas)	1

**Standard Options - Per Unit**

001A	US/Canada	1
1139	Standard Front Tires 23x10.5-12 (4 PR)	1
1162	Wide Rear Multi-Trac (2) Tires and (2) Wheels, 26 x 14-12 (4 PR)	1
1190	2WD Traction Unit	1
2200	Factory Installed Auxiliary Hydraulics	1
9773	Electronic Multi-Mode Throttle/ Governor Control Kit	1
9778	Quick Connect Kit	1

**Dealer Attachments**

BM19776	Work Light Kit	1
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## JOHN DEERE HD200 SelectSpray (for ProGators 2020A, 2020 and 2030A, 2030)

Hours:

Suggested List

Stock Number:

\$ 16,201.00

Code	Description	Qty
3765M	HD200 SelectSpray (for ProGators 2020A, 2020 and 2030A, 2030)	1

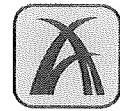
**Standard Options - Per Unit**

0202	US/Canada	1
1004	Stainless Steel Centrifugal Pump	1
2003	Digital Manual Rate Controller for Centrifugal or Diaphragm Pump	1
3000	18 Ft. Spray Boom with Electro-Hydraulic Lift	1



JOHN DEERE

## Selling Equipment



**Austin**  
TURF & TRACTOR

Quote Id: 16708144

Customer: DELAWARE SPRINGS GOLF COURSE

9000	Extended Range Flat-Fan Style Nozzle Package	1
9005	Flood Style Nozzle Package	1
9010	Low Drift Nozzle Kit	1
9031	Electric Foam Maker	1
9050	Manual Reel and 200 Ft. of 1/2 In. Hose, Less Spraygun	1
9060	Spraygun	1





## City Manager

## ITEM 4.5

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

### Agenda Item Brief

**Meeting Date:** February 27, 2018

**Agenda Item:** Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET DELEGATING AUTHORITY TO THE CITY MANAGER TO DETERMINE WHETHER ALTERNATE PROJECT DELIVERY METHODS USED TO CONSTRUCT VARIOUS PUBLIC WORKS PROJECTS PROVIDES THE BEST VALUE FOR THE CITY, IN ACCORDANCE WITH TEXAS GOVERNMENT CODE CHAPTER 2269: D. Vaughn

**Background:**

**Information:** State law provides that a city may utilize the Construction Manager at-Risk (CMR) method of delivery for a construction project, provided that the "City" makes a determination that such method provides the best value to the City prior to entering into such an agreement. State law also provides that the council may delegate such authority either to a committee or to the City Manager. If the Council chose to delegate their authority, it would eliminate the need for the City Council to take formal action prior to every bid process.

**Fiscal Impact:** None at this time.

**Recommendation:** Staff recommends approval of Resolution R2018-03 as presented.

## **RESOLUTION NO. R2018-03**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET DELEGATING AUTHORITY TO THE CITY MANAGER TO DETERMINE WHETHER ALTERNATE PROJECT DELIVERY METHODS USED TO CONSTRUCT VARIOUS PUBLIC WORKS PROJECTS PROVIDES THE BEST VALUE FOR THE CITY, IN ACCORDANCE WITH TEXAS GOVERNMENT CODE CHAPTER 2269**

**WHEREAS**, Texas Local Government Code (LGC) § 252.021 provides that, unless otherwise excepted, before a city may enter into a contract that requires an expenditure of more than \$50,000, the city must: (1) comply with the procedures prescribed in LGC, Chapter 252 for competitive sealed bidding or competitive sealed proposals; (2) use the reverse auction procedure provided in Texas Government Code § 2155.062(d); or (3) comply with a method described in Texas Government Code, Chapter 2269; and

**WHEREAS**, Texas Government Code, Chapter 2269 provides several alternate project delivery methods for the construction of public works, including the construction manager-agent method, the construction manager-at-risk method, the design-build method and the job order contracts method, that in certain circumstances and projects may provide a better value to the City when compared to the standard competitive bidding or competitive proposal methods; and

**WHEREAS**, Texas Government Code § 2269.001 et seq. is applicable to public works contracts, which are defined as the constructing, altering, or repairing a public building or carrying out or completing any public work; and

**WHEREAS**, Texas Government Code § 2269.056 provides that before a city may use a construction contract method provided by Chapter 2269, other than competitive bidding, the city must determine which method provides the best value for the governmental entity; and

**WHEREAS**, Texas Government Code § 2269.053 authorizes the City to delegate its authority to make best value determinations to a designated representative, committee, or other person, provided that notice of such delegation, the limits of such delegation and the name or title of each person so designated are established by the City; and

**WHEREAS**, in certain circumstances depending on the type of a given public works project, alternate delivery methods provide a better product ensuring the effective, efficient and responsible use of City revenues.

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

**Section 1.**

That the foregoing recitals are found to be true and are incorporated herein as findings of fact for all purposes.

**Section 2.**

That the City Council of the City of Burnet, Texas finds it to be in the best interest of the City to delegate its authority and that the City does hereby delegate its authority to the City Manager to determine whether an alternate project delivery method established under Texas Government Code, Chapter 2269 and/or Texas LGC, Chapter 252 provides the best value for the City for public works projects, said determination to be made in accordance with the criteria provided by these State laws.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of February 2018 at a regular meeting of the City Council of the City of Burnet, Texas, which meeting was held in compliance with the Open Meetings Act, Tex. Gov't Code, §551.001, et seq. at which meeting a quorum was present and voting.

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Crista Goble Bromley, Mayor  
City of Burnet

**ATTEST:**

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Kelly Dix, City Secretary  
City of Burnet

**APPROVED AS TO FORM:**

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Denton, Navarro, Rocha, Bernal & Zech, P.C., City Attorney



## City Secretary

## ITEM 4.6

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

### Agenda Item Brief

**Meeting Date:** February 27, 2018

**Agenda Item:** Discuss and consider action: Approval/Disapproval of Candidate Eligibility for the May 5<sup>th</sup>, 2018 General Election: K.Dix

**Background:** The Home Rule Charter of the City of Burnet, Section 3.04. Judge of Election Qualifications: States that the City Council shall be the judge of the election and qualifications of its new members. The City Council shall also, at the first meeting after the filing deadline, by majority vote either approve or disapprove the Section 3.03 qualifications of each candidate. If the City Council finds that a candidate does not meet all qualifications set forth in Section 3.03, such candidate's name shall not be placed on the ballot.

The Home Rule Charter of the City of Burnet, Section 3.03. Qualifications: States that a citizen who desires to become a candidate for an elective City office shall file with the City Secretary a signed, sworn application for the citizen's name to appear on the ballot. The application shall represent that the citizen meets each qualification for the office. The application shall be filed not less than forty-five (45) calendar days prior to the date of the election. Each candidate for an elective City office shall have the following qualifications as of the time and date the candidate files the application:

- Shall be a U.S. citizen.
- Shall be a registered voter of the City, and twenty-one (21) years of age or over.
- Shall have resided for at least twelve (12) months preceding the election within the corporate limits of the City or within an area having been annexed into the City.

- Shall not be in arrears in the payment of any taxes or other liabilities due the City. "In arrears" is defined herein to mean that payment has not been received within ninety (90) days from due date.
- Shall not have been finally convicted of a felony from which the candidate has not been pardoned or otherwise released from the resulting disabilities.
- Shall be disqualified by reason of having been judged incompetent by a final judgment of court, or by reason of any provision of any other section of this Charter or by any provision of State law.
- Shall not be a candidate for any other office in the same election.
- Shall not be an employee of the City at the time of filing for office.

**Information:**

The candidate applications received to date for the three Council Member positions for the May 5<sup>th</sup>, 2018 General Election are as follows:

- Danny Lester
- Mary Jane Shanes
- Joyce Laudenschlager

**Fiscal Impact:**

None.

**Recommendation:**

Staff recommends approval of the candidate applications for Danny Lester, Joyce Laudenschlager and Mary Jane Shanes for the May 5<sup>th</sup>, 2018 General Election.





## City Secretary

## ITEM 4.7

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

### Agenda Item Brief

**Meeting Date:** February 27, 2018

**Agenda Item:** Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS, CANCELLING THE MAY 5, 2018 GENERAL ELECTION FOR THREE CITY COUNCIL MEMBER POSITIONS; DECLARING CANDIDATES ELECTED AT LARGE; MAKING FINDINGS OF FACT; PROVIDING AN OPEN MEETINGS CLAUSE AND FOR OTHER MATTERS: K. Dix

**Background:** Three candidates filed applications for the three Council Member positions listed for the May 5<sup>th</sup>, 2018 General Election by the deadline date of February 16<sup>th</sup>, 2018 at 5:00 p.m. The candidates are:

- Danny Lester
- Mary Jane Shanes
- Joyce Laudenschlager

All Three candidates met the eligibility requirements established by the City of Burnet Charter.

**Information:** The three candidates are running unopposed and therefore declared elected. All requirements for cancellation of the May 5, 2018 General Election have been met. Candidates will be sworn in during the uniformed election dates after the canvassing of the election.

**Fiscal Impact:** Cancellation of the election will save the City approximately \$500.00.

**Recommendation:** Staff recommends approval of Resolution No. R2018-04 cancelling the General Election to be held on May 5, 2018, to elect three Council Members for the City of Burnet.

## **RESOLUTION NO. R2018-04**

### **A RESOLUTION OF THE CITY OF BURNET, TEXAS, CANCELLING THE MAY 5, 2018 GENERAL ELECTION FOR THREE CITY COUNCIL MEMBER POSITIONS; DECLARING CANDIDATES ELECTED AT LARGE; MAKING FINDINGS OF FACT; PROVIDING AN OPEN MEETINGS CLAUSE AND FOR OTHER MATTERS.**

**Whereas**, SubChapt. C, Chapt. 2, Tex. Elec. Code, authorizes candidates who are unopposed for election to the governing body, to be declared elected;

**Whereas**, Section 2.052, Tex. Elec. Code, requires the City Secretary to certify in writing that a candidate is unopposed if only one candidate name is to be placed on the ballot for an office pursuant to Section 52.003, Tex. Elec. Code, and no candidate's name is to be placed on the ballot as a write-in for such office;

**Whereas**, Section 2.054, Tex. Elec. Code, authorizes the governing body of cities to declare unopposed candidates to be elected, upon receipt of the Section 2.052 certification;

**Whereas**, the City Secretary has certified that Danny Lester, Joyce Laudenschlager and Mary Jane Shanes applied to be on the ballot for the office of City Council Member and are unopposed for such three offices; and

**Whereas**, the governing body is elected at-large and there are no contests for the three offices of City Council Members for the May 5, 2018 General City Election, and it is deemed unnecessary and cancellation thereof will serve the public convenience and save public funds;

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

**Section 1. Findings of Fact.** All of the above premises and recitations are found to be true and correct and are incorporated into the body of this ordinance as findings of fact, as if copied herein in their entirety.

**Section 2. Candidates Elected.** Danny Lester is hereby declared to be elected to the city council for City Council Member, office for which he filed. Joyce Laudenschlager, is hereby declared to be elected to the city council for City Council Member, office for which she filed. Mary Jane Shanes is hereby declared to be elected to the city council for City Council Member, office for which she filed.

**Section 3. General Election.** There being no contest for the three offices of City Councilmember and the declaration in Section 2 above having been made, pursuant to the

authority of Section 2.053(b), Tex. Elec. Code, the May 5, 2018 General Election of the City is hereby cancelled.

**Section 4. Directions to City Secretary.** The City Secretary is hereby directed to post a copy of this resolution on the bulletin board at the city hall and, on Election Day, a copy of this resolution shall be posted on the door of the polling place. Such posting at the polling place shall be made in a manner to be readable to persons outside the polling place. The City Secretary shall further issue to each person declared elected, as named in Section 2, a certificate of election as provided in Section 2.053(c), Tex. Elec. Code.

**Section 5. Open Meetings.** It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**PASSED, APPROVED AND ADOPTED** this the 27<sup>th</sup> day of February, 2018.

**THE CITY OF BURNET, TEXAS**

---

Crista Goble Bromley, Mayor

ATTEST:

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Kelly Dix, City Secretary



## Police Department

### ITEM 4.8

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

## Agenda Item Brief

**Meeting Date:** February 27, 2018

**Agenda Item:** Discuss and consider action: Acceptance of a grant from the National Rifle Association (NRA): P. Nelson

**Background:** In October 2017, Burnet Police applied for the NRA grant to assist with the purchase of FN 15 Tactical Carbine Law Enforcement rifles that will be issued to officers within the department.

**Information:** The grant amount is \$6,696.00. The Police Department plans to purchase the following:

- (4) Four FN Tactical Carbine Law Enforcement Rifles; and
- (4) Four Aim Point Pro Red Dot scopes for each rifle.

**Fiscal Impact:** There is no cost to the City for the purchase of the rifles.

**Recommendation:** The staff recommends approval to accept the NRA grant.



## City Manager

## ITEM 4.9

David Vaughn  
City Manager  
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### Agenda Item Brief

**Meeting Date:** February 27, 2018

**Agenda Item:** Discuss and consider action: AN ORDINANCE OF THE CITY OF BURNET, TEXAS, RESCINDING ANY PREVIOUS ORDINANCE, RESOLUTION, ORDER, OR DECREE THAT AUTHORIZED THE TAXATION OF FREEPORT GOODS AND GRANTING A FREEPORT TAX EXEMPTION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE: D. Vaughn

**Background:** In 1990 the City Council voted to exempt freeport goods from taxation, however they failed to follow-up with an ordinance to formally adopt the freeport exemption. Late last year the city realized the exemption had not been properly adopted, which resulted in two businesses being taxed on freeport goods that had been exempted the previous year.

**Information:** Recently, city staff learned of a business that is relocating from Marble Falls to Burnet, where they currently receive the exemption (Gibraltar). The exemption is currently offered by Burnet County, both MFISD and BCISD, and the City of Marble Falls. Once the freeport exemption is adopted, it cannot be rescinded. Council directed staff to present an ordinance for consideration at the last council meeting.

**Fiscal Impact:** For tax year 2017, the City received approximately \$56,500 that would be exempt in future years if the exemption is adopted. If Council chooses not to adopt the exemption, and Gibraltar proceeds with relocation to Burnet, their taxes would increase by an estimated \$20,000.

**Recommendation:** Staff recommends adoption of Ordinance 2018-07 providing an exemption on freeport goods as presented.

**ORDINANCE NO. 2018-07**

**AN ORDINANCE OF THE CITY OF BURNET, TEXAS, RESCINDING ANY PREVIOUS ORDINANCE, RESOLUTION, ORDER, OR DECREE THAT AUTHORIZED THE TAXATION OF FREEPORT GOODS AND GRANTING A FREEPORT TAX EXEMPTION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Texas Tax Code § 11.251 and Texas Constitution Article VIII, Section 1-j provide for the exemption of certain tangible personal property from ad valorem taxation; and

**WHEREAS**, “Freeport Goods” as referred to herein shall mean that property as defined by Texas Tax Code § 11.251 and Texas Constitution Article VIII, Section 1-j; and

**WHEREAS**, the City of Burnet adopted Ordinance/Resolution 89-8 on December 12, 1989, to deny tax exempt status to Freeport Goods; and

**WHEREAS**, Texas Constitution Article VIII, Section 1-j(b) provides that (1) the City may subsequently exempt Freeport Goods from taxation by rescinding its action to tax Freeport Goods; (2) the exemption applies to each tax year that begins after the date the action is taken and applies to the tax year in which the action is taken if the governing body so provides; and (3) the City may not take action to tax such Freeport Goods after the rescission; and

**WHEREAS**, the City Council of the City of Burnet, Texas finds that rescinding its prior action to tax Freeport Goods is in the best interest of the City and thereby grant the exemption for Freeport Goods for companies eligible for such exemption.

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

**Section 1. Findings.** The findings and recitations set out hereinabove are 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. Rescission.** The City of Burnet, Texas hereby rescinds any all prior actions to tax Freeport Goods in accordance with Texas Constitution Article VIII, Section 1-j(b).

**Section 3. Exemption.** The City of Burnet, Texas does hereby exercise its authority under Texas Constitution Article VIII, Section 1-j(b) and exempts Freeport Goods from ad valorem taxation.

**Section 4. Tax-Exempt Effective Date.** The City of Burnet, Texas does hereby make the tax-exempt status of qualified Freeport Goods effective and applicable to the tax year in which this Ordinance is adopted and to each tax year after the date of adoption of this Ordinance.

**Section 5. Repeal of Conflicting Ordinances.** All Ordinances or parts thereof in conflict herewith are amended to the extent of such conflict only.

**Section 6. Severability.** If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**Section 7. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Local Government Code.

**Section 8. Effective Date.** This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code.

**PASSED AND APPROVED** on First Reading this the 27<sup>TH</sup> day of February, 2018.

**FINALLY PASSED AND APPROVED** on this the 13<sup>TH</sup> day of March, 2018.

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Crista Goble Bromley, Mayor

ATTEST:

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Kelly Dix, City Secretary

# **City of Burnet Financial Update**

**February 27, 2018**



## **Year to Date through January 2018**

**Patricia Langford  
Finance Director**

**Connie Maxwell  
Budget Director**





## FINANCIAL HIGHLIGHTS

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### General Fund Revenue

Ad Valorem Taxes = \$1,665,997, increase of 15.45% over last year

Sales Tax = \$547,979 , 6.09% over last year

EMS Patient Billing Collections = \$557,183 , \$16,708 or 2.91% decrease from last year

Allocation Transfers = \$841,692 , 31.93% of annual budget

Use of Fund Balance = \$306,362 , 16.47% of annual budget; determined by expenditures

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### Golf Course Revenue

Fees for Services = \$349,219 , \$24,303 increase over last year

Operating Transfer from General Fund = \$0

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### Airport Revenue

Fuel Sales = \$182,694 , \$29,783 or 19.48% greater than last year

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### Electric Fund Revenue

Fees for Services = \$2,742,227, \$150,114 or 5.79% increase over last year

Use of Fund Balance = \$5,211 , will increase as capital project expenditures are incurred

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### Water/Wastewater Fund Revenue

Fees for Water Services = \$703,701 , 2.65% increase over last year

Fees for Sewer Services = \$598,149 , 2.47% more than last year

Use of Fund Balance = \$0 , will be used as capital project expenditures are incurred



**City of Burnet**

**Finance Department**

**Year to Date Actual as of January 2018**

Category	General Fund	Electric Fund	Water/Wastewater Fund	Golf	Airport	Total
Ad Velorem Taxes	\$ 1,665,997	\$ —	\$ —	\$ —	\$ —	1,665,997
Sales Tax Revenue	\$ 547,979	\$ —	\$ —	\$ —	\$ —	547,979
Other Taxes	\$ 23,957	\$ —	\$ —	\$ —	\$ —	23,957
Allocation Transfer In	\$ 841,692	\$ —	\$ —	\$ —	\$ —	841,692
Use of Fund Balance	\$ 306,362	\$ 5,211	\$ —	\$ —	\$ —	311,573
Fees for Services	\$ 893,530	\$ 2,742,227	\$ 1,301,850	\$ 349,219	\$ 182,694	5,469,520
Municipal Court Fines	\$ 116,728	\$ —	\$ —	\$ —	\$ —	116,728
County Coverage	\$ 193,665	\$ —	\$ —	\$ —	\$ —	193,665
Other Revenue	\$ 48,621	\$ 2,934	\$ 1,877	\$ 400	\$ 209	54,041
Contributions	\$ 1,294	\$ —	\$ —	\$ —	\$ —	1,294
Interest Earned	\$ 8,071	\$ 290	\$ 450	\$ —	\$ 2,030	10,841
Penalties	\$ —	\$ 51,273	\$ 20,127	\$ —	\$ —	71,400
Connection Fees	\$ —	\$ 8,717	\$ 13,056	\$ —	\$ —	21,773
Transfers	\$ —	\$ —	\$ —	\$ 38,596	\$ —	38,596
Other Operating Revenue	\$ —	\$ —	\$ —	\$ 73	\$ —	73
Sale of Merchandise - Pro Shop	\$ —	\$ —	\$ —	\$ 34,098	\$ —	34,098
Sale of Merchandise - Snack Bar	\$ —	\$ —	\$ —	\$ 62,635	\$ —	62,635
Hanger Lease	\$ —	\$ —	\$ —	\$ —	\$ 62,514	62,514
Grant Revenue	\$ —	\$ —	\$ —	\$ —	\$ 28,662	28,662
<b>Total Revenue</b>	<b>\$ 4,647,896</b>	<b>\$ 2,810,652</b>	<b>\$ 1,337,360</b>	<b>\$ 485,021</b>	<b>\$ 276,109</b>	<b>9,557,038</b>
Personnel	\$ 2,020,258	\$ 272,067	\$ 352,915	\$ 249,414	\$ 22,545	2,917,199
Supplies	\$ 189,299	\$ 25,186	\$ 67,580	\$ 28,176	\$ 3,709	313,950
Repairs & Maintenance	\$ 114,173	\$ 37,159	\$ 103,298	\$ 21,908	\$ 17,384	293,922
Services	\$ 832,459	\$ 46,395	\$ 136,227	\$ 63,646	\$ 33,394	1,112,121
Other Expense	\$ 777	\$ —	\$ —	\$ —	\$ —	777
Property Acquisition	\$ 770	\$ —	\$ —	\$ —	\$ —	770
Capital Outlay	\$ 24,767	\$ 7,561	\$ 11,809	\$ —	\$ —	44,137
Transfers to Other Funds	\$ 344,958	\$ 5,211	\$ —	\$ —	\$ —	350,169
Purchases for Resale	\$ —	\$ 1,573,385	\$ 24,377	\$ 60,386	\$ 113,909	1,772,057
Tournaments	\$ —	\$ —	\$ —	\$ 263	\$ —	263
Community Outreach	\$ —	\$ 52,108	\$ —	\$ —	\$ —	52,108
Transfers to Debt Service	\$ —	\$ 16,185	\$ 302,753	\$ —	\$ 8,758	327,696
Allocation Transfers	\$ —	\$ 599,154	\$ 189,455	\$ 38,596	\$ 12,422	839,627
<b>Total Expenditures</b>	<b>\$ 3,527,461</b>	<b>\$ 2,634,411</b>	<b>\$ 1,188,414</b>	<b>\$ 462,389</b>	<b>\$ 212,121</b>	<b>8,024,796</b>
<b>Net Profit / (Loss)</b>	<b>\$ 1,120,435</b>	<b>\$ 176,241</b>	<b>\$ 148,946</b>	<b>\$ 22,632</b>	<b>\$ 63,988</b>	<b>1,532,242</b>





## **City of Burnet**

### **Finance Department**

# **Financial Report for the Period Ending January 2018**

## Overview

The monthly financial report is directed at providing a snapshot of revenues and expenditures as well as other important financial information through the month of January 2018. Attached to this report are financial summaries that indicate the annual budget, year-to-date budget, financial activity for the fiscal year-to-date and comparison to the prior year at the same time.

## **General Fund Revenues**

As of January 2018, General Fund revenues total \$4,647,896 or 38.53% of the annual budget. This is a significant increase; mainly driven by property taxes received during the month of January. The majority of property tax revenue is collected during the months of December - February. Since this is a large source of income for the General Fund, the timing of collections has a significant impact on the overall revenue collections. During the budgeting process, the Central Appraisal District sends the City a certified tax roll that is used to calculate the anticipated property taxes to be levied and collected in the next budget cycle. This year, that tax roll contained a 15% increase mainly as the result of new property added and valuation changes that had occurred and that has been reflected in the budget for FY 2017-18. \$1,665,997 of property taxes have been collected which is 15.45% more than last year. While we expect this difference to level out in February, we will still see a large increase in this year compared to last year because of the changes in the tax roll itself.

Sales Tax is another large source of income for the fund. Currently, the City has received \$547,979 of Sales Tax revenue which is an increase of 6.09% over the same period last year.

EMS Billing Collections are not only a significant source of revenue, but can be very volatile and difficult to predict. Many factors can influence collections such as the number of EMS runs each month, the number of private pay patients vs the number of patients with insurance, insurance rule changes, and the type of insurance the patient may have. When these collections are below budget, it has a major effect on the overall revenue and it becomes important to offset the reduced revenue with a reduction in expenses. Collections are currently \$557,183 representing a \$16,708 or 2.91% decrease from last year at the same time.

The final major revenue source for the General Fund are the Allocation Transfers. The majority of this revenue comes from fees assessed to the Electric Fund and the Water/Wastewater Fund in the form of Return on Investment, In-Lieu of Property Tax and In-Lieu of Franchise Tax. Since these utilities are owned by the City they are not assessed taxes that would be required if they were held by private ownership. The fees are based on the revenue of the utility fund and help maintain the health of the General Fund. Other fees are assessed to funds for a proportionate amount of the Administration and Mayor and Council departments and the Shop Department. The current revenue is \$841,692 or 31.93% of the annual budget.

## **Expenditures**

General Fund Expenditures total \$3,527,461 and are in line with budget. The major variable to the expenditures is the Transfers to Other Funds. These transfers are going to the Golf Course to cover the Administration Allocation and operating losses in the fund, and to the Capital Project Funds for Golf and General Government. Timing of the capital projects will have a significant effect on the actual year to date expenditures reported. Currently, the Golf Course is showing a profit, therefore, no transfer has been made for operating losses.



## City of Burnet

### Finance Department

#### General Fund Expenditures

Category	FY 2017-2018 Annual Budget	Budget January 2018	January 2018	% of Annual Budget	January 2017
Personnel	\$ 5,914,485	\$ 2,141,661	\$ 2,020,258	34.16%	\$ 2,026,363
Supplies	\$ 532,853	\$ 200,791	\$ 189,299	35.53%	\$ 198,163
Repairs & Maintenance	\$ 438,350	\$ 157,786	\$ 114,173	26.05%	\$ 166,444
Services	\$ 2,521,891	\$ 860,249	\$ 832,459	33.01%	\$ 841,212
Other Expense	\$ 12,250	\$ 1,356	\$ 777	6.34%	\$ 2,805
Property Acquisition	\$ —	\$ —	\$ 770	100.00%	\$ —
Capital Outlay	\$ 15,000	\$ 3,357	\$ 24,767	165.11%	\$ 10,388
Transfers to Other Funds	\$ 2,135,955	\$ 555,862	\$ 344,958	16.15%	\$ 336,141
<b>Total</b>	<b>\$ 11,570,784</b>	<b>\$ 3,921,062</b>	<b>\$ 3,527,461</b>	<b>30.49%</b>	<b>\$ 3,581,516</b>

### Delaware Springs Golf Course

#### Revenues

The total revenue for the Golf Course are currently \$485,021. Since the Golf Course is showing a profit of \$22,632, there has been no transfer from the General Fund to cover operating losses. At this time last year, the General Fund had transferred \$27,462.

Two other revenue categories are showing significant increases over last year. Fees for Services are \$349,219 which is \$24,303 more than last year. Snack Bar sales are \$14,302 greater than last year. However, Sales of Merchandise is showing a decrease of \$11,058 from last year.

#### Expenditures

Expenditures are \$462,389 and well within the year to date budget of \$495,910. This also represents a decrease of \$25,398 from last year at the same time.



## City of Burnet

### Finance Department

#### Electric Fund

##### Revenues

Total revenues from Electric Sales are \$2,742,227 which is an increase of \$150,114 over last year. Each dollar of Electric Sales is made up of two components. The first is the LCRA (Lower Colorado River Authority) purchase price derived by dividing the total dollar amount billed by LCRA by the kWh purchased. That rate is applied to each class of electric customers equally and can vary depending on the charges from LCRA. The second component of the amount is the Customer Distribution Charge or CDC. This charge was adopted by Council several years ago and remains consistent until the Council votes to make a change. The CDC represents the cost of providing electric service to our customers and vary by Customer Class. Customer Class is determined by the type of use and the kWh used by the individual customer.

Since a portion of the monthly electric rate is simply a pass-through to the customer based on what the City has been charged by LCRA, the Net Sales amount is a more valuable measurement than just looking at the sales dollars. Net Sales are exactly what they imply: total sales dollars less the cost of power. The result is the true amount that the City receives to cover the expenses of the Fund. Net Sales are \$1,168,842 this year.

##### Expenditures

Expenditures excluding Cost of Power are \$1,061,026 and well within the budget of \$1,183,036.

#### Electric Fund Net Sales

Category	FY 2017-2018 Annual Budget	Budget January 2018	January 2018	% of Annual Budget	January 2017
Electric Sales	\$ 8,384,000	\$ 2,564,969	\$ 2,742,227	32.71%	\$ 2,592,113
Cost of Power	\$ 4,716,000	\$ 1,463,479	\$ 1,573,385	33.36%	\$ 1,461,715
Net Sales	\$ 3,668,000	\$ 1,101,490	\$ 1,168,842	31.87%	\$ 1,130,398
kWh Sold			25,120,779		23,378,891





## City of Burnet

### Finance Department

#### Water/Wastewater Fund

##### Revenue

Year to date revenue net of Fund Balance is \$1,337,360, which exceeds the budget of \$1,274,379 by \$62,981. Lack of significant rain has caused the area to return to drought status. Should conservation methods become necessary, the revenue could be negatively impacted.

##### Expenditures

Expenditures for the reporting period are \$1,188,414 and well within budget. The fund has not experienced any major expenditures that are not budgeted.

#### Water/Wastewater Sales and Production

Category	FY 2017-2018 Annual Budget	Budget January 2018	January 2018	% of Annual Budget	January 2017
Water Sales	\$ 2,215,000	\$ 680,006	\$ 703,701	31.77%	\$ 685,518
Wastewater Revenue	\$ 1,760,000	\$ 573,495	\$ 598,149	33.99%	\$ 583,753
Surface Water			63,026,000		41,690,000
Ground Water			35,308,000		50,113,000
Total Gallons Produced			98,334,000		91,803,000

#### Airport Fund

##### Revenue

Current Airport revenue is \$276,109. Sales of AvGas remain steady while sales of Jet fuel show a significant increase.

##### Expenditures

Current expenditures are \$212,121. The primary factor effecting the increase in expenditures are repairs made to hangers and the facility as a part of the RAMP grant. The RAMP grant reimbursement is received in the following year.

#### Airport Fuel Sales and Gallons Sold

Category	FY 2017-2018 Annual Budget	Budget January 2018	January 2018	% of Annual Budget	January 2017
Fuel Sales	\$ 555,000	\$ 148,825	\$ 182,694	32.92%	\$ 152,911
AvGas			19,371		19,167
Jet			27,904		23,864
Total Gallons Sold			47,275		43,031



## Cash & Investment Report January 2018

Acct #	Bank	Account Name	Account Type	Balance January 2018	Date Purchased	Maturity Date	Interest Rate
Unrestricted Accounts							
984	FSB	Operating Cash	Checking	\$ 4,272,609.92	N/A	N/A	0.10%
2329	FSB	Golf Course Petty Cash	Checking	\$ 1,122.81	N/A	N/A	—%
2535	FSB	Operating Reserve	M/M	\$ 383,458.22	N/A	N/A	0.20%
2352	FSB	Delaware Springs-Credit Card Acct	Checking	\$ —	N/A	N/A	—%
2378	FSB	Airport - Credit Card Acct	Checking	\$ —	N/A	N/A	—%
2386	FSB	Utility - Credit Card Acct	Checking	\$ —	N/A	N/A	—%
2469	FSB	Court - Credit Card Acct	Checking	\$ —	N/A	N/A	—%
33139	FSB	Operating	CD	\$ 502,718.75	1/9/2018	4/8/2018	0.55%
33140	FSB	Operating	CD	\$ 502,966.13	1/12/2018	7/7/2018	0.70%
33141	FSB	Operating	CD	\$ 502,966.13	1/12/2018	7/7/2018	0.70%
Total				<u>\$ 6,165,841.96</u>			
Restricted by Council Action							
33144	FSB	Operating Reserve	CD	\$ 251,730.49	1/12/2018	7/11/2018	0.70%
33145	FSB	Operating Reserve	CD	\$ 251,730.49	1/12/2018	7/11/2018	0.70%
33146	FSB	Operating Reserve	CD	\$ 503,460.99	1/12/2018	7/11/2018	0.70%
Total Restricted by Council Action				<u>\$ 1,006,921.97</u>			
Total Unrestricted Cash				<u>\$ 7,172,763.93</u>			
75 Day Reserve Requirement				\$ 2,956,612	\$ 3,111,588.83		
90 Day Reserve Requirement				\$ 3,548,502	\$ 2,519,698.83		



# City of Burnet

## Finance Department

Acct #	Bank	Account Name	Account Type	Balance January 2018	Date Purchased	Maturity Date	Interest Rate
Restricted by Purpose or Law							
1453	FSB	Bond Reserve	M/M	\$ (12,362.15)	N/A	N/A	0.20%
2188	FSB	Self Funded Equipment	M/M	\$ 302,291.08	N/A	N/A	0.20%
2402	FSB	Hotel / Motel	M/M	\$ 82,006.69	N/A	N/A	0.20%
33142	FSB	Hotel / Motel	CD	\$ 301,631.25	10/25/2017	4/12/2018	0.55%
2451	FSB	Construction Account	Checking	\$ 104,884.47	N/A	N/A	—%
2485	FSB	PD Seizure	M/M	\$ 7,902.07	N/A	N/A	0.20%
2493	FSB	Municipal Court Special Revenue	M/M	\$ 47,196.30	N/A	N/A	0.20%
2519	FSB	Impact Fees - Water	M/M	\$ 12,756.46	N/A	N/A	0.20%
2543	FSB	Airport Reserve	M/M	\$ 35,307.32	N/A	N/A	0.20%
33143	FSB	Airport Reserve	CD	\$ 402,768.79	01/26/1/8	7/11/18	0.70%
33211	FSB	Airport Reserve	CD	\$ 180,516.78	8/2/2017	2/2/2018	0.70%
2568	FSB	Benevolent Fund	Checking	\$ 2,366.38	N/A	N/A	—%
2576	FSB	Interest & Sinking Acct	M/M	\$ 144,922.03	N/A	N/A	0.20%
2584	FSB	Impact Fees - Wastewater	M/M	\$ 20,096.54	N/A	N/A	0.20%
2592	FSB	BEDC	Super NOW	\$ 521,170.22	N/A	N/A	0.10%
33181	FSB	BEDC	CD	\$ 250,863.01	9/18/2017	3/17/2018	0.70%
2634	FSB	Benefit Trust Account	M/M	\$ —	N/A	N/A	—%
2675	FSB	Police Department Explorer Program	M/M	\$ 8,628.54	N/A	N/A	—%
2691	FSB	Fire Department Explorer Program	M/M	\$ 2,857.43	N/A	N/A	0.20%
3012	FSB	Franchise Fee Account	Super NOW	\$ 65,885.23	N/A	N/A	0.10%
58776	FSB	Fire Dept Community Acct	M/M	\$ 18,425.59	N/A	N/A	—%
2711100007	TexPool	TWDB	Investment	\$ 65,659.99	N/A	N/A	0.7121%
2711100006	TexPool	TWDB	Investment	\$ 39,864.71	N/A	N/A	0.7121%
143033000	US Bank	City of Burnet, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2010 Escrow Account	Investment	\$ 3,070.02	N/A	N/A	0.34%
82-020-01-0	Bank of Texas	City of Burnet Ctr 2012 TWDB Escrow	Investment	\$ 263,554.58	N/A	N/A	0.37%
Total Restricted Cash				\$ 2,872,263.33			
Total All Cash				\$ 10,045,027.26			





## Use of Cash Reserves

Project	Budget	Funds from Other Sources	Net Cost	YTD January 2018			Remaining	Estimated EOY Cash
				Received from Other Sources	Expense	Encumbered		
<b>Cash Reserves in excess of 90 days</b>								\$ 2,519,699
<b>General Fund</b>								
Contingency	\$ 100,000		\$ 100,000				\$ 100,000	
City Hall Remodel	\$ 10,000		\$ 10,000	\$ —	\$ 3,849		\$ 6,151	
CR 200 Drainage	\$ 10,000		\$ 10,000	\$ —	\$ 22,603		\$ (12,603)	
Police Facility Reserve Account	\$ 500,000		\$ 500,000				\$ 500,000	
Christ-Yoder Animal Shelter	\$ 10,000		\$ 10,000				\$ 10,000	
Streets	\$ 450,000		\$ 450,000					
Westfall Street				\$ —	\$ 91,533	\$ —		
Other				\$ —	\$ 26,971	\$ 19,000	\$ 331,496	
Bruce Cove Drainage	\$ 25,000		\$ 25,000	\$ —	\$ 3,200		\$ 21,800	
New Dump Trucks (3)	\$ 380,000		\$ 380,000	\$ —	\$ —	\$ 370,720	\$ 380,000	
Parks Improvements	\$ 150,000	\$ 50,000	\$ 100,000					
Live Oak Park				\$ —	\$ —	\$ —		
Hamilton Creek Walking Trail				\$ —	\$ 2,438	\$ —		
Basketball Goals				\$ —	\$ 2,956	\$ —	\$ 94,606	
YMCA Capital Maintenance	\$ 50,000		\$ 50,000				\$ 50,000	
Total General Fund	\$ 1,685,000	\$ 50,000	\$ 1,635,000	\$ —	\$ 153,550	\$ 389,720	\$ 1,481,450	\$ 1,038,249
<b>Water/Wastewater Fund</b>			\$ —					
SSES Line Improvements	\$ 850,000	\$ 350,000	\$ 500,000	\$ —	\$ 8,219	\$ —	\$ 491,781	
SSES Project F Line Replacement	\$ 1,300,000	\$ 1,300,000	\$ —	\$ —	\$ —	\$ —	\$ —	
Use of Wastewater Impact Fees	\$ 40,000	\$ —	\$ 40,000	\$ —	\$ —	\$ —	\$ 40,000	
Total Water/Wastewater Fund	\$ 2,190,000	\$ 1,650,000	\$ 540,000	\$ —	\$ 8,219	\$ —	\$ 531,781	\$ 506,468



**City of Burnet**

**Finance Department**

Project	Budget	Funds from Other Sources	Net Cost	YTD January 2018			Remaining	Estimated EOY Cash
				Received from Other Sources	Expense	Encumbered		
<b>Electric Fund</b>			\$	—				
Electric Subdivision Costs	\$ 175,000	\$ 50,000	\$ 125,000					
Westfall Cottages					\$ 5,211		\$ 119,789	
Total Electric Fund	\$ 175,000	\$ 50,000	\$ 125,000	\$ —	\$ 5,211	\$ —	\$ 119,789	\$ 386,679
<b>Golf Course</b>								
Delaware Springs Improvements	\$ 200,000	\$ —	\$ 200,000					
Bunker Renovation					\$ 132,772			
Irrigation System					\$ 14,997			
Maintenance Barn Lights					\$ 8,000		\$ 44,231	
Total Golf Course	\$ 200,000	\$ —	\$ 200,000	\$ —	\$ 155,769	\$ —	\$ 44,231	\$ 342,448
<b>Total Use of Reserve Cash</b>	<b>\$ 4,250,000</b>	<b>\$ 1,750,000</b>	<b>\$ 2,500,000</b>	<b>\$ —</b>	<b>\$ 322,749</b>	<b>\$ 389,720</b>	<b>\$ 2,177,251</b>	<b>\$ 342,448</b>



# City of Burnet

## Finance Department

### FINANCIAL REPORT

January 2018

	Budget		Actual		
	Annual Budget	YTD January 2018	YTD Jan 2018	% of Annual Budget	YTD Jan 2017
<b>UNRESTRICTED FUNDS</b>					
<b>GOVERNMENTAL ORGANIZATIONAL UNIT</b>					
<b>General Fund</b>					
Operating Revenues	\$ 10,204,027	\$ 4,178,647	\$ 4,341,534	42.55 %	\$ 4,065,280
Use of Fund Balance	\$ 1,860,000	\$ 495,675	\$ 306,362	16.47 %	\$ 266,788
Total Revenue	\$ 12,064,027	\$ 4,674,322	\$ 4,647,896	38.53 %	\$ 4,332,068
Operating Expenditures	\$ 9,555,576	\$ 3,405,636	\$ 3,221,099	33.71 %	\$ 3,287,266
Debt Service	\$ —	\$ —	\$ —	— %	\$ —
Total Operating Expense	\$ 9,555,576	\$ 3,405,636	\$ 3,221,099	33.71 %	\$ 3,287,266
Transfers to Capital Project Funds	\$ 1,860,000	\$ 305,030	\$ 306,362	16.47 %	\$ 266,788
Net Operating Profit / (Loss)	\$ 648,451	\$ 963,656	\$ 1,120,435	172.79 %	\$ 778,014
Transfer to Golf - Operating	\$ 155,208	\$ 60,386	\$ —	— %	\$ 27,462
Net Excess/(Deficit)	\$ 493,243	\$ 903,270	\$ 1,120,435	227.16 %	\$ 750,552
<b>Delaware Springs Golf Course</b>					
Operating Revenues	\$ 1,435,748	\$ 449,290	\$ 485,021	33.78 %	\$ 460,324
Operating Expenditures	\$ 1,590,955	\$ 495,910	\$ 462,389	29.06 %	\$ 487,787
Debt Service	\$ —	\$ —	\$ —	— %	\$ —
Total Operating Expense	\$ 1,590,955	\$ 495,910	\$ 462,389	29.06 %	\$ 487,787
Net Operating Profit / (Loss)	\$ (155,207)	\$ (46,620)	\$ 22,632	(14.58) %	\$ (27,463)
Operating Transfer from General Fund	\$ 155,208	\$ 60,386	\$ —	— %	\$ 27,462
Net Excess/(Deficit)	\$ —	\$ 13,766	\$ 22,632	22,632.00 %	\$ (1)
<b>General Government Capital Fund</b>					
Operating Revenues	\$ 50,000	\$ —	\$ 50,000	100.00 %	\$ —
Transfer from General Fund	\$ 1,635,000	\$ —	\$ 150,593	9.21 %	\$ 170,075
Total Revenue	\$ 1,685,000	\$ —	\$ 200,593	11.90 %	\$ 170,075





# City of Burnet

## Finance Department

	Budget		Actual		
	Annual Budget	YTD January 2018	YTD Jan 2018	% of Annual Budget	YTD Jan 2017
Operating Expenditures	\$ 1,685,000	\$ —	\$ 153,550	9.11 %	\$ 171,316
Capital Project Gain/(Loss)	\$ —	\$ —	\$ 47,043	47,043.00 %	\$ (1,241)
<b>Golf Course Capital Fund</b>				— %	
Transfer from General Fund	\$ 225,000	\$ —	\$ 155,769	69.23 %	\$ 96,713
Operating Expenditures	\$ 225,000	\$ —	\$ 155,769	69.23 %	\$ 96,713
Capital Project Gain/(Loss)	\$ —	\$ —	\$ —	— %	\$ —
<b>ORGANIZATIONAL UNIT NET CHANGE</b>	<b>\$ 493,243</b>	<b>\$ 917,036</b>	<b>\$ 1,190,110</b>	<b>241.28 %</b>	<b>\$ 749,310</b>
<b>ELECTRIC ORGANIZATIONAL UNIT</b>					
<b>Electric Fund</b>					
Operating Revenues	\$ 8,561,200	\$ 2,601,742	\$ 2,805,441	32.77 %	\$ 2,636,002
Use of Fund Balance	\$ 125,000	\$ 69,198	\$ 5,211	4.17 %	\$ 102,512
Total Revenue	\$ 8,686,200	\$ 2,670,940	\$ 2,810,652	32.36 %	\$ 2,738,514
Operating Expenditures	\$ 8,049,656	\$ 2,561,132	\$ 2,613,015	32.46 %	\$ 2,540,758
Debt Service	\$ 48,554	\$ 16,185	\$ 16,185	33.33 %	\$ 22,434
Total Operating Expense	\$ 8,098,210	\$ 2,577,317	\$ 2,629,200	32.47 %	\$ 2,563,192
Transfers to Capital Project Fund	\$ 125,000	\$ 69,198	\$ 5,211	4.17 %	\$ 102,512
Net Operating Profit / (Loss)	\$ 462,990	\$ 24,425	\$ 176,241	38.07 %	\$ 72,810
<b>Electric Capital Project Fund</b>					
Contributions	\$ 50,000	\$ —	\$ —	— %	\$ 57,399
Transfer from Electric Fund	\$ 125,000	\$ —	\$ 5,211	4.17 %	\$ 102,512
Total Revenue	\$ 175,000	\$ —	\$ 5,211	2.98 %	\$ 159,911
Operating Expenditures	\$ 175,000	\$ —	\$ 5,211	2.98 %	\$ 159,911
Capital Project Gain/(Loss)	\$ —	\$ —	\$ —	— %	\$ —
<b>ORGANIZATIONAL UNIT NET CHANGE</b>	<b>\$ 462,990</b>	<b>\$ 24,425</b>	<b>\$ 176,241</b>	<b>38.07 %</b>	<b>\$ 72,810</b>



# City of Burnet

## Finance Department

Budget		Actual		
Annual Budget	YTD January 2018	YTD Jan 2018	% of Annual Budget	YTD Jan 2017

### WATER/WASTEWATER ORGANIZATIONAL UNIT

#### Water/Wastewater

Operating Revenues	\$ 4,076,700	\$ 1,285,647	\$ 1,337,360	32.80 %	\$ 1,306,218
Use of Fund Balance	\$ 500,000	\$ 166,667	\$ —	— %	\$ 33,150
Total Revenue	\$ 4,576,700	\$ 1,452,314	\$ 1,337,360	29.22 %	\$ 1,339,368
Operating Expenditures	\$ 2,648,678	\$ 849,059	\$ 885,661	33.44 %	\$ 807,020
Debt Service	\$ 1,055,035	\$ 351,778	\$ 302,753	28.70 %	\$ 339,974
Total Operating Expense	\$ 3,703,713	\$ 1,200,837	\$ 1,188,414	32.09 %	\$ 1,146,994
Transfers to Capital Project Fund	\$ 500,000	\$ 166,667	\$ —	— %	\$ 33,150
Net Operating Profit / (Loss)	\$ 372,987	\$ 84,810	\$ 148,946	39.93 %	\$ 159,224

#### Water/Wastewater Capital Project Fund

Transfer from Water/Wastewater Fund	\$ 500,000	\$ —	\$ —	— %	\$ 33,150
Other Revenue	\$ 40,000	\$ —	\$ 27,371	68.43 %	\$ 43,804
Use of Loan Proceeds	\$ 1,650,000	\$ —	\$ 8,219	0.50 %	\$ 153,736
Total Revenue	\$ 2,190,000	\$ —	\$ 35,590	1.63 %	\$ 230,690
Operating Expenditures	\$ 2,190,000	\$ —	\$ 8,219	0.38 %	\$ 215,961
Capital Project Gain/(Loss)	\$ —	\$ —	\$ 27,371	27,371.00 %	\$ 14,729

#### ORGANIZATIONAL UNIT NET CHANGE

\$ 372,987	\$ 84,810	\$ 176,317	47.27 %	\$ 173,953
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### AIRPORT ORGANIZATIONAL UNIT

#### Airport Fund

Operating Revenues	\$ 791,050	\$ 244,704	\$ 276,109	34.90 %	\$ 228,156
Use of Fund Balance	\$ —	\$ —	\$ —	— %	\$ —
Total Revenue	\$ 791,050	\$ 244,704	\$ 276,109	34.90 %	\$ 228,156
Operating Expenditures	\$ 669,083	\$ 200,809	\$ 203,363	30.39 %	\$ 182,069
Debt Service	\$ 26,275	\$ 8,758	\$ 8,758	33.33 %	\$ 7,432



# City of Burnet

## Finance Department

	Budget		Actual		
	Annual Budget	YTD January 2018	YTD Jan 2018	% of Annual Budget	YTD Jan 2017
Total Expense	\$ 695,358	\$ 209,567	\$ 212,121	30.51 %	\$ 189,501
Operating Excess/(Deficit)	\$ 95,692	\$ 35,137	\$ 63,988	66.87 %	\$ 38,655
Transfers to Capital Project Fund	\$ —	\$ —	\$ —	— %	\$ —
<b>ORGANIZATIONAL UNIT NET CHANGE</b>	<b>\$ 95,692</b>	<b>\$ 35,137</b>	<b>\$ 63,988</b>	<b>66.87 %</b>	<b>\$ 38,655</b>
<b>UNRESTRICTED FUND EXCESS/ (DEFICIT)</b>	<b>\$ 1,424,912</b>	<b>\$ 1,061,408</b>	<b>\$ 1,606,656</b>	<b>112.75 %</b>	<b>\$ 1,034,728</b>
<b>OTHER ORGANIZATIONAL UNITS</b>					
<b>Hotel/Motel Fund</b>					
Revenues	\$ 325,475	\$ 45,221	\$ 68,352	21.00 %	\$ 48,979
Expenses	\$ 323,746	\$ 25,270	\$ 44,819	13.84 %	\$ 25,183
Net Excess/(Deficit)	\$ 1,729	\$ 19,951	\$ 23,533	1,361.08 %	\$ 23,796
				— %	
<b>Burnet Economic Development Corporation</b>					
Revenues	\$ 946,450	\$ 173,983	\$ 206,921	21.86 %	\$ 186,194
Use of Fund Balance	\$ 700,000	\$ —	\$ —	— %	\$ —
Use of Loan Proceeds	\$ 1,500,000	\$ —	\$ —	— %	\$ —
Total Revenue	\$ 3,146,450	\$ 173,983	\$ 206,921	6.58 %	\$ 186,194
Expenses	\$ 2,952,080	\$ 232,171	\$ 322,065	10.91 %	\$ 132,634
Net Excess/(Deficit)	\$ 194,370	\$ (58,188)	\$ (115,144)	(59.24) %	\$ 53,560
				— %	
<b>Debt Service Fund</b>					
Revenues	\$ 1,130,613	\$ 384,656	\$ 328,057	29.02 %	\$ 370,221
Expenses	\$ 1,130,612	\$ 747,956	\$ 747,723	66.13 %	\$ 750,055
Net Excess/(Deficit)	\$ —	\$ (363,300)	\$ (419,666)	(419,666.00) %	\$ (379,834)



## City of Burnet

### Finance Department

	Budget		Actual		
	Annual Budget	YTD January 2018	YTD Jan 2018	% of Annual Budget	YTD Jan 2017
<b>Self Funded Equipment Fund</b>					
Revenues	\$ 775,052	\$ —	\$ 259,173	33.44 %	\$ 247,596
Expenses	\$ 710,300	\$ —	\$ 332,674	46.84 %	\$ 194,800
Net Excess/(Deficit)	\$ 64,752	\$ —	\$ (73,501)	(113.51)%	\$ 52,796
<b>Interest &amp; Sinking Fund</b>					
Revenues	\$ 345,686	\$ 208,951	\$ 257,491	74.49 %	\$ 232,931
Expenses	\$ 345,686	\$ 174,855	\$ 174,855	50.58 %	\$ 173,874
Net Excess/(Deficit)	\$ —	\$ 34,096	\$ 82,636	82,636.00 %	\$ 59,057





# City of Burnet

## Finance Department

### General Fund by Department

January 2018

Description	Mayor & Council	Administration	Interfund Transfers	Police	Municipal Court	Fire/EMS	Sanitation	Streets	Parks	Development Services	City Shop	Economic Development	Galloway Hammond	Total
Ad Velorem Taxes	\$ —	\$ 1,665,997	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	1,665,997
Sales Tax Revenue	\$ —	\$ 547,979	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	547,979
Other Taxes	\$ —	\$ 23,957	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	23,957
Allocation Transfer In	\$ —	\$ 841,692	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	841,692
Use of Fund Balance	\$ —	\$ 306,362	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	306,362
Fees for Services	\$ —	\$ —	\$ —	\$ —	\$ —	\$ 557,183	\$ 314,364	\$ —	\$ 15,189	\$ 6,794	\$ —	\$ —	\$ —	893,530
Municipal Court Fines	\$ —	\$ —	\$ —	\$ 78,636	\$ 38,092	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	116,728
County Coverage	\$ —	\$ —	\$ —	\$ —	\$ —	\$ 193,665	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	193,665
Other Revenue	\$ —	\$ 523	\$ —	\$ —	\$ —	\$ 3,205	\$ —	\$ —	\$ —	\$ 17,893	\$ —	\$ 27,000	\$ —	48,621
Contributions	\$ —	\$ —	\$ —	\$ —	\$ —	\$ 1,294	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	1,294
Interest Earned	\$ —	\$ 8,071	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	8,071
<b>Total Revenue</b>	<b>\$ —</b>	<b>\$ 3,394,581</b>	<b>\$ —</b>	<b>\$ 78,636</b>	<b>\$ 38,092</b>	<b>\$ 755,347</b>	<b>\$ 314,364</b>	<b>\$ —</b>	<b>\$ 15,189</b>	<b>\$ 24,687</b>	<b>\$ —</b>	<b>\$ 27,000</b>	<b>\$ —</b>	<b>4,647,896</b>
Personnel	\$ 345	\$ 234,495	\$ —	\$ 516,289	\$ 11,101	\$ 853,215	\$ —	\$ 140,033	\$ 132,298	\$ 89,596	\$ 23,525	\$ 19,361	\$ —	2,020,258
Supplies	\$ 1,055	\$ 30,152	\$ —	\$ 55,395	\$ 1,110	\$ 64,210	\$ 5,693	\$ 11,711	\$ 9,465	\$ 4,389	\$ 5,971	\$ 148	\$ —	189,299
Repairs & Maintenance	\$ 233	\$ 19,396	\$ —	\$ 8,201	\$ 4,593	\$ 34,014	\$ —	\$ 20,848	\$ 17,615	\$ 1,498	\$ 1,147	\$ —	\$ 6,628	114,173
Services	\$ 7,067	\$ 174,725	\$ —	\$ 94,854	\$ 6,041	\$ 165,739	\$ 246,735	\$ 33,644	\$ 42,158	\$ 23,361	\$ 1,627	\$ 3,175	\$ 33,333	832,459
Other Expense	\$ 377	\$ —	\$ —	\$ 400	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	777
Property Acquisition	\$ 770	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	770
Capital Outlay	\$ —	\$ 12,508	\$ —	\$ 12,259	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	24,767
Transfers to Other Funds	\$ —	\$ —	\$ 344,958	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	344,958
Transfers to Debt Service	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	—
<b>Total Expenditures</b>	<b>\$ 9,847</b>	<b>\$ 471,276</b>	<b>\$ 344,958</b>	<b>\$ 687,398</b>	<b>\$ 22,845</b>	<b>\$ 1,117,178</b>	<b>\$ 252,428</b>	<b>\$ 206,236</b>	<b>\$ 201,536</b>	<b>\$ 118,844</b>	<b>\$ 32,270</b>	<b>\$ 22,684</b>	<b>\$ 39,961</b>	<b>3,527,461</b>
<b>Excess / (Deficit)</b>	<b>(9,847)</b>	<b>2,923,305</b>	<b>(344,958)</b>	<b>(608,762)</b>	<b>15,247</b>	<b>(361,831)</b>	<b>61,936</b>	<b>(206,236)</b>	<b>(186,347)</b>	<b>(94,157)</b>	<b>(32,270)</b>	<b>4,316</b>	<b>(39,961)</b>	<b>1,120,435</b>





## Electric Fund

Category	FY 2017-2018 Annual Budget	Budget January 2018	January 2018	% of Annual Budget	January 2017
Electric Sales	\$ 8,384,000	\$ 2,564,969	\$ 2,742,227	32.71%	\$ 2,592,113
Cost of Power	\$ 4,716,000	\$ 1,463,479	\$ 1,573,385	33.36%	\$ 1,461,715
Net Sales	\$ 3,668,000	\$ 1,101,490	\$ 1,168,842	31.87%	\$ 1,130,398
Other Revenue	\$ 177,200	\$ 36,773	\$ 63,214	35.67%	\$ 43,889
Use of Fund Balance	\$ 125,000	\$ 69,198	\$ 5,211	4.17%	\$ 102,512
<b>Revenue</b>	<b>\$ 3,970,200</b>	<b>\$ 1,207,461</b>	<b>\$ 1,237,267</b>	<b>31.16%</b>	<b>\$ 1,276,799</b>
Personnel	\$ 855,499	\$ 304,696	\$ 272,067	31.80%	\$ 245,396
Supplies	\$ 80,000	\$ 28,893	\$ 25,186	31.48%	\$ 36,046
Repairs & Maintenance	\$ 193,000	\$ 33,139	\$ 37,159	19.25%	\$ 21,845
Services	\$ 148,494	\$ 59,730	\$ 46,395	31.24%	\$ 88,062
Community Outreach	\$ 85,200	\$ 51,572	\$ 52,108	61.16%	\$ 49,540
Capital Outlay	\$ 80,000	\$ 36,507	\$ 7,561	9.45%	\$ 72,510
Transfer to Capital Project Fund	\$ 125,000	\$ 69,198	\$ 5,211	4.17%	\$ 102,512
Transfers to Debt Service	\$ 48,554	\$ 16,185	\$ 16,185	33.33%	\$ 22,434
Allocation Transfers	\$ 1,891,463	\$ 583,116	\$ 599,154	31.68%	\$ 565,644
<b>Expenditures</b>	<b>\$ 3,507,210</b>	<b>\$ 1,183,036</b>	<b>\$ 1,061,026</b>	<b>30.25%</b>	<b>\$ 1,203,989</b>
<b>Net Profit / (Loss)</b>	<b>\$ 462,990</b>	<b>\$ 24,425</b>	<b>\$ 176,241</b>	<b>38.07%</b>	<b>\$ 72,810</b>
<b>kWh Sold</b>			25,120,779		23,378,891



## Water/Wastewater Fund

Category	FY 2017-2018 Annual Budget	Budget January 2018	January 2018	% of Annual Budget	January 2017
Water Sales	\$ 2,215,000	\$ 680,006	\$ 703,701	31.77%	\$ 685,518
Wastewater Revenue	\$ 1,760,000	\$ 573,495	\$ 598,149	33.99%	\$ 583,753
Other Revenue	\$ 61,700	\$ 20,878	\$ 35,510	57.55%	\$ 36,947
Use of Fund Balance	\$ 540,000	\$ 177,935	\$ —	—%	\$ 33,150
Revenue	\$ 4,576,700	\$ 1,452,314	\$ 1,337,360	29.22%	\$ 1,339,368
Personnel	\$ 1,012,610	\$ 345,268	\$ 352,915	34.85%	\$ 322,329
Supplies	\$ 192,500	\$ 55,517	\$ 67,580	35.11%	\$ 50,970
Repairs & Maintenance	\$ 336,500	\$ 91,066	\$ 103,298	30.70%	\$ 98,677
Services	\$ 454,730	\$ 144,050	\$ 136,227	29.96%	\$ 122,725
Purchases for Resale	\$ 70,000	\$ 22,318	\$ 24,377	34.82%	\$ 17,522
Capital Outlay	\$ —	\$ —	\$ 11,809	100.00%	\$ —
Transfer to Capital Project Fund	\$ 500,000	\$ 166,667	\$ —	—%	\$ 33,150
Allocation Transfers	\$ 582,338	\$ 190,840	\$ 189,455	32.53%	\$ 194,797
Transfers to Debt Service	\$ 1,055,035	\$ 351,778	\$ 302,753	28.70%	\$ 339,974
Expenditures	\$ 4,203,713	\$ 1,367,504	\$ 1,188,414	28.27%	\$ 1,180,144
Net Profit / (Loss)	\$ 372,987	\$ 84,810	\$ 148,946	39.93%	\$ 159,224
Surface Water			63,026,000		41,690,000
Ground Water			35,308,000		50,113,000
Total Gallons Produced			98,334,000		91,803,000



## Delaware Springs Golf Course

Category	FY 2017-2018 Annual Budget	Budget January 2018	January 2018	% of Annual Budget	January 2017
Charges For Golf Services	\$ 922,000	\$ 320,446	\$ 349,219	37.88%	\$ 324,916
Other Operating Revenue	\$ —	\$ —	\$ 400	100.00%	\$ —
Other Revenue	\$ —	\$ —	\$ 73	100.00%	\$ 28
Pro Shop	\$ 170,000	\$ 39,631	\$ 34,098	20.06%	\$ 45,156
Snack Bar	\$ 223,000	\$ 46,791	\$ 62,635	28.09%	\$ 48,333
Transfer from General Fund - Overhead	\$ 120,748	\$ 42,422	\$ 38,596	31.96%	\$ 41,891
Transfer from General Fund - Operations	\$ 155,208	\$ 60,386	\$ —	—%	\$ 27,462
Revenue	\$ 1,590,956	\$ 509,676	\$ 485,021	30.49%	\$ 487,786
Personnel	\$ 779,447	\$ 269,617	\$ 249,414	32.00%	\$ 257,328
Supplies	\$ 83,200	\$ 26,960	\$ 28,176	33.87%	\$ 28,804
Repairs & Maintenance	\$ 125,450	\$ 36,662	\$ 21,908	17.46%	\$ 35,339
Services	\$ 184,700	\$ 61,209	\$ 63,646	34.46%	\$ 60,631
Purchases for Resale	\$ 252,410	\$ 58,521	\$ 60,386	23.92%	\$ 63,090
Tournaments	\$ 45,000	\$ 519	\$ 263	0.58%	\$ 704
Allocation Transfers	\$ 120,748	\$ 42,422	\$ 38,596	31.96%	\$ 41,891
Expenditures	\$ 1,590,956	\$ 495,910	\$ 462,389	29.06%	\$ 487,787
Net Profit / (Loss)	\$ —	\$ 13,766	\$ 22,632	100.00%	\$ (1)



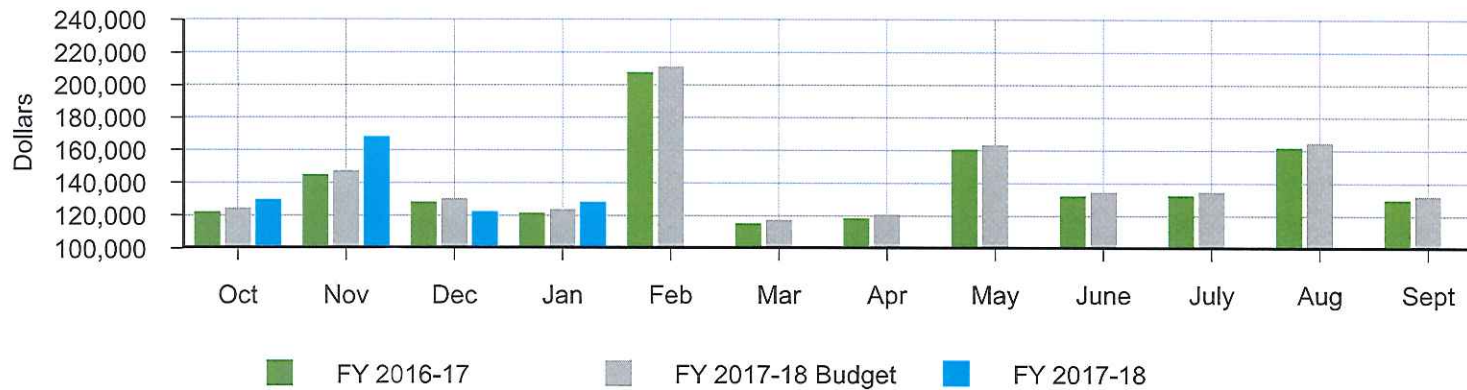
## Airport Fund

Category	FY 2017-2018 Annual Budget	Budget January 2018	January 2018	% of Annual Budget	January 2017
Fuel Sales	\$ 555,000	\$ 148,825	\$ 182,694	32.92%	\$ 152,911
Other Revenue	\$ 1,900	\$ 333	\$ 209	11.00%	\$ 1,955
Hanger Lease	\$ 203,600	\$ 65,462	\$ 62,514	30.70%	\$ 65,683
Interest Earned	\$ 550	\$ 84	\$ 2,030	369.09%	\$ 258
Grant Revenue	\$ 30,000	\$ 30,000	\$ 28,662	95.54%	\$ 7,349
Revenue	\$ 791,050	\$ 244,704	\$ 276,109	34.90%	\$ 228,156
Personnel	\$ 93,850	\$ 48,534	\$ 22,545	24.02%	\$ 30,005
Supplies	\$ 23,250	\$ 7,242	\$ 3,709	15.95%	\$ 7,821
Repairs & Maintenance	\$ 63,000	\$ 14,710	\$ 17,384	27.59%	\$ 14,004
Services	\$ 102,950	\$ 28,712	\$ 33,394	32.44%	\$ 28,043
Purchases for Resale	\$ 349,180	\$ 89,009	\$ 113,909	32.62%	\$ 92,319
Transfers to Debt Service	\$ 26,275	\$ 8,758	\$ 8,758	33.33%	\$ 7,432
Allocation Transfers	\$ 36,853	\$ 12,602	\$ 12,422	33.71%	\$ 9,877
Expenditures	\$ 695,358	\$ 209,567	\$ 212,121	30.51%	\$ 189,501
Net Profit / (Loss)	\$ 95,692	\$ 35,137	\$ 63,988	66.87%	\$ 38,655
AvGas			19,371		19,167
Jet			27,904		23,864
Total Gallons Sold			47,275		43,031



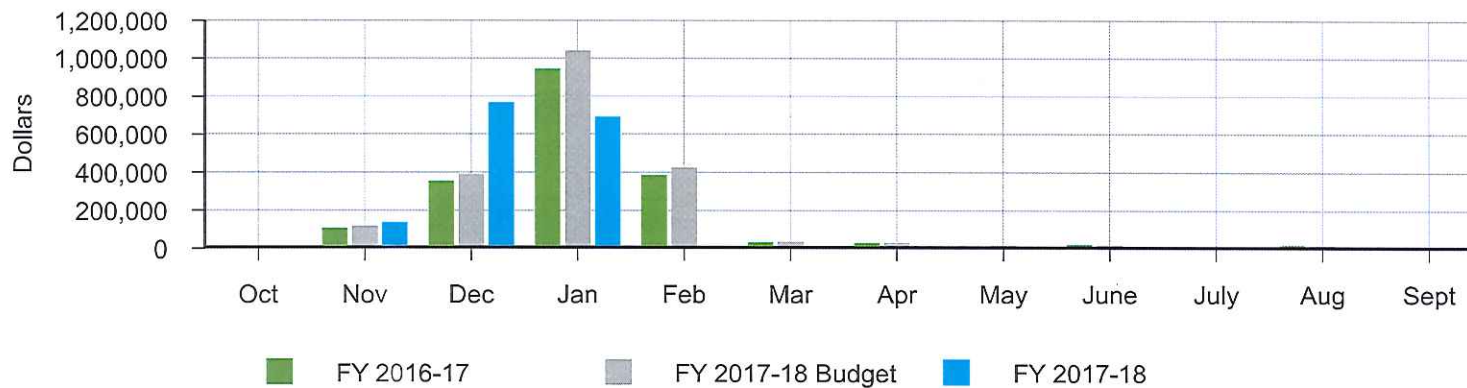


### Sales Tax Revenue



Sales Tax collected by the state is remitted to the City two months later. Therefore, the spike in Sales Tax Revenue shown in February reflects the tax collected in December.

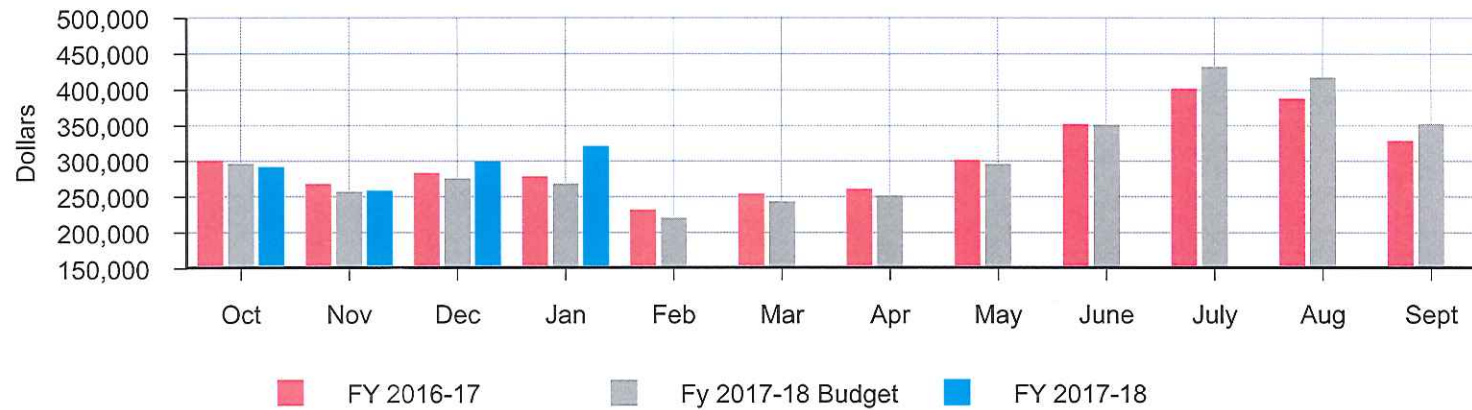
### Property Tax Revenue



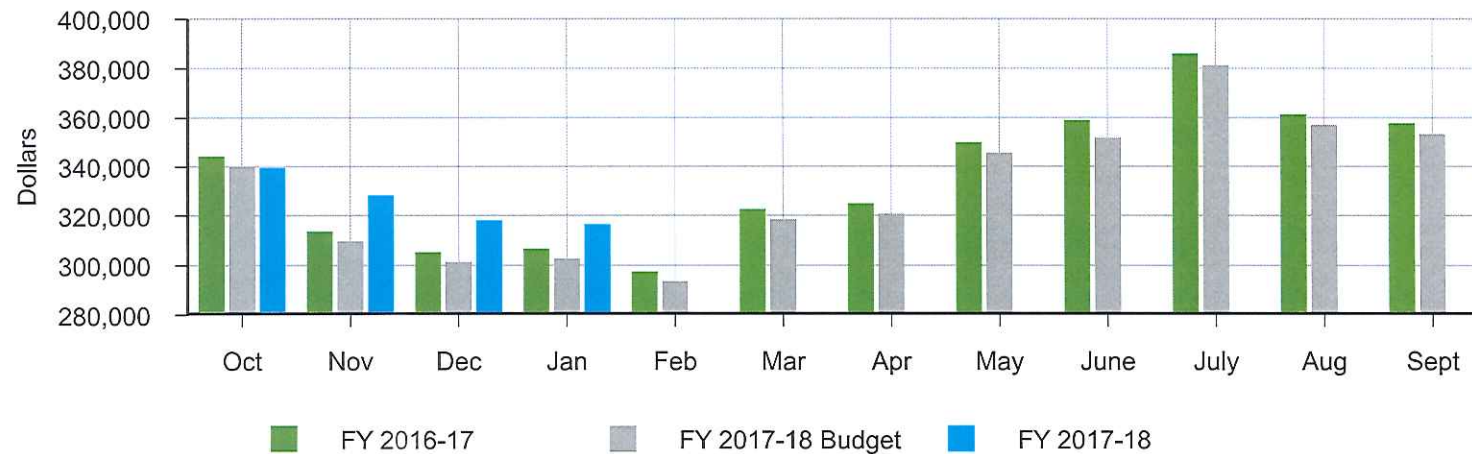
Property Taxes are collected by the Central Appraisal District and remitted to the City. Fluctuations in monthly numbers are the result of when the taxes are paid.



### Electric Sales Net Revenue



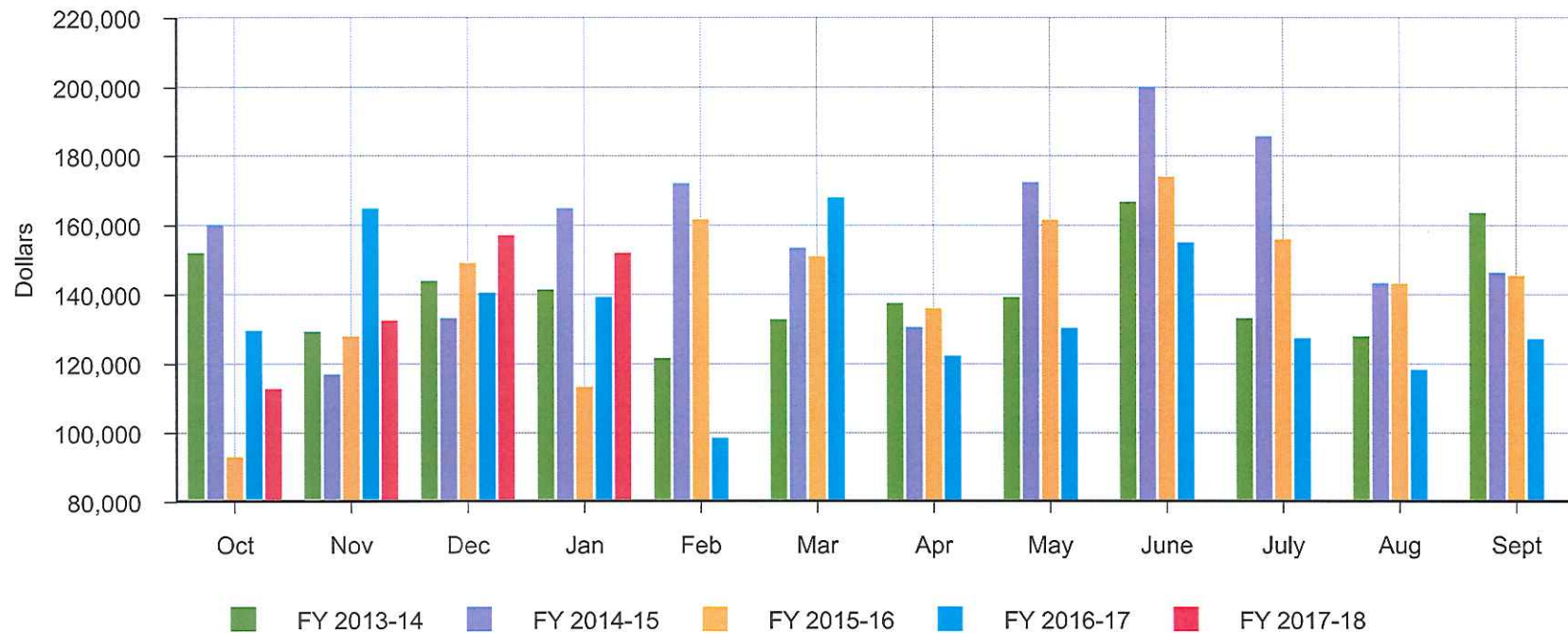
### Water / Wastewater Sales Revenue



Utility revenue from month to month can be very volatile depending on weather and consumption patterns.



## EMS Patient Billing Collections



	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Total
FY 2013-14	\$151,962.82	\$129,263.98	\$143,843.54	\$141,387.97	\$121,652.84	\$132,770.94	\$137,460.44	\$139,256.56	\$166,800.56	\$133,167.80	\$127,998.41	\$163,576.21	\$1,689,142.07
FY 2014-15	\$160,062.21	\$116,890.14	\$133,098.44	\$164,846.42	\$172,025.94	\$153,381.45	\$130,582.82	\$172,361.34	\$200,075.77	\$185,666.65	\$143,267.10	\$146,297.84	\$1,878,556.12
FY 2015-16	\$ 93,006.55	\$127,968.30	\$149,001.74	\$113,172.73	\$161,756.31	\$150,980.36	\$135,994.20	\$161,624.69	\$174,077.52	\$155,931.11	\$143,193.09	\$145,449.14	\$1,712,155.74
FY 2016-17	\$129,477.14	\$164,728.83	\$140,445.15	\$139,240.23	\$ 98,537.83	\$167,924.75	\$122,251.53	\$130,355.06	\$154,984.24	\$127,354.64	\$118,199.90	\$127,170.36	\$1,620,669.66
FY 2017-18	\$112,652.61	\$132,518.13	\$157,064.44	\$152,025.44									\$ 554,260.62

EMS patient billing collections are the reflection of the number of ambulance runs, the type of insurance the patient may have, uninsured patients and changes to insurance rules. The result can be a significant fluctuation from month to month and year to year.