

RESOLUTION NO. R2024-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AUTHORIZING A CREDIT TO THE DEVELOPER OF WESTFALL SUBDIVISION PHASE THREE FOR THE INSTALLATION OF THREE-PHASE IN PLACE OF SINGLE-PHASE ELECTRIC CONDUIT

Whereas, Section 110-148(h)(5) City Code (entitled “electric line extension policy”) provides: “All electric line extensions shall be three-phase, unless otherwise approved by the city” ; and

Whereas, pursuant to said section Langley Homes, Inc., as the developer of the Westfall Subdivision Phase Three installed three-phase electric conduit within the subdivision; and.

Whereas, it has now been determined that the Westfall Subdivision Phase Three can be more than adequately served by single-phase electric; and; moreover, the installation of the three-phase electric conduit is beneficial only to an adjoining subdivision; and

Whereas, by installing three conduits, to support the three-phase, instead of one conduit, which would have supported single-phase, the developer incurred an additional \$43,375.00, in costs; and

Whereas, pursuant to Section 2-33 City Code (entitled “*remuneration of fees*”) City Council deems it appropriate to provide a credit to the developer as provided below.

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

Section one. Findings. The recitals to this resolution are deemed to be the true and correct findings of the board of directors and are incorporated herein for all purposes.

Section two. Credit. The City Manager is authorized to reduce the costs to developer for city’s provision of the single-phase service to the Westfall Unit 3 Subdivision by \$43,375.00; and execute such ancillary documents and take such actions as may be reasonably necessary to facilitate the purpose of this resolution.

Section three. No cash value. This resolution shall have no cash value nor create any monetary obligation against the city. Any action whether in the courts or otherwise to compel the city to make any cash payment to developer or any party under this resolution shall cause this resolution to be void ab initiation. No provision has been made in the city budget to make any monetary payment under this resolution; and the only value this resolution provides to developer is that which is described in section two, above.

Section four. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice

Resolution: Westfall Unit 3 monetary credit


of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

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

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PASSED AND APPROVED this the 23rd day of January 2024.

CITY OF BURNET, TEXAS



Gary Wideman, Mayor

ATTEST:



Kelly Dix, City Secretary

