

ORDINANCE NO. 2016-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, AMENDING SECTION 18-42, ADDING SECTION (2) h. OF THE CITY OF BURNET CODE OF ORDINANCES, SETTING FEES FOR FUEL SALES; PROVIDING AN EFFECTIVE DATE, PROVIDING OPEN MEETINGS CLAUSE(S); AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Burnet (City) is the owner of the airport located in Burnet, Texas known as the Kate Craddock Field (Airport); and

WHEREAS, the City provides for the sale of aviation fuel to airport customers through a Field Based Operator; and

WHEREAS, the City provides for fee to be added to each gallon of fuel sold as revenue for the airport.

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 a part hereof for all purposes as findings of fact.

Section 2. Amendments. Section 18-42 (2). h. Fuel Rates, of the City of Burnet Code of Ordinances is hereby added as follows:

h. Fuel Rates

1. **Definitions.** For the purposes of this subsection the following terms shall be defined as follows:

"Costs" shall mean City's actual acquisition costs for AvGas and Jet Fuel, including, but not be limited to, the price the city pays to the distributor, merchant credit card fees, taxes, flowage fees and any other charges applied by the fuel supplier.

"Margins" shall mean the amount that shall be added to the costs AvGAS and Jet Fuel before offered by the City for retail sale.

2. **Minimum Margin.** Unless otherwise provided for contractually, the Minimum Margin collected shall be as follows:

- i. AvGas a minimum of thirty (30) cents per gallon.
 - ii. Jet Fuel a minimum of sixty five (65) cents per gallon.
3. **Maximum Margin.** The City Manager, or his/her designee, is delegated the authority to increase AvGas prices up to one dollar and fifty cents (\$1.50) and Jet Fuel prices up to two dollars (\$2.00) above the Minimum Margin, for the purpose of keeping airport pricing competitive with surrounding aviation facilities.

Section 3. Severability. If any of the provisions of these regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of these regulations which can be given effect without the invalid provision or application and to this end, the provisions of these regulations are declared to be severable.

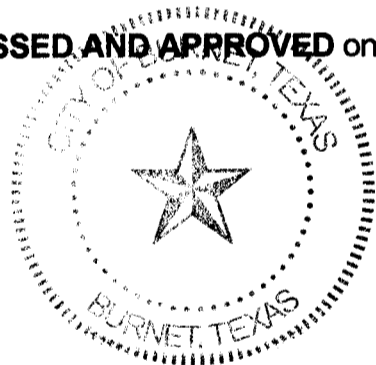
Section 4. Conflicts. This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the provisions of this ordinance control.

Section 5. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

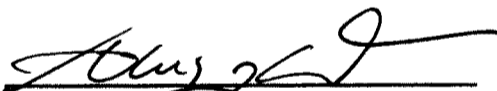
Section 6. Open Meetings. It is hereby officially found and determined that the meeting(s) where this ordinance was considered and passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND APPROVED on First Reading this 10th day of May, 2016.

FINALLY PASSED AND APPROVED on this the 24th day of May, 2016.



CITY OF BURNET, TEXAS


Gary Wideman, Mayor

ATTEST:


Kelly Dix, City Secretary