



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

Notice is hereby given that a **Regular City Council Meeting** will be held by the governing body of the City of Burnet on the **8<sup>th</sup> day of November, 2022** at **6:00 p.m.**, in the City of Burnet Council Chambers located at 2402 S. Water Street (Hwy. 281 South, Burnet Municipal Airport) Burnet, TX.

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

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

City of Burnet Website via Zoom as follows:

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

Or One tap mobile :

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

Or Telephone:

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

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

Webinar ID: 812 7866 9602

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

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

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

The following subjects will be discussed, to wit:

**CALL TO ORDER:**

**ROLL CALL:**

**INVOCATION:**

**PLEDGES (US & TEXAS):**

**1. SPECIAL REPORTS/RECOGNITION:**

- 1.1) Al Clawson Disposal, Inc. (ACDI) Quarterly Report: Tanya Clawson
- 1.2) Burnet Municipal Airport Quarterly Report: A. Field
- 1.3) Burnet Fire Department Vehicle Update Report: M. Ingram
- 1.4) Burnet Police Department Quarterly Report: B. Lee
- 1.5) September Financial Report: P. Langford

**2. CONSENT AGENDA:**

- 2.1) Approval of the October 25, 2022 Special City Council Meeting minutes

**3. PUBLIC HEARINGS/ACTION:**

3.1) Public Hearing and consideration of the following: adoption and amendments of the Zoning Ordinance and zoning classifications presented by Leslie Kimbler, City Planner

A) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") BY AMENDING SEC. 118-26 (ENTITLED "SINGLE FAMILY RESIDENTIAL ESTATE – DISTRICT 'R-1 E'") BY PROVIDING FOR A ONE-ACRE MINIMUM LOT SIZE AND 2100 SQUARE FOOT MINIMUM LIVING AREA SIZE IN ZONING DISTRICTS CLASSIFIED AS SINGLE-FAMILY RESIDENTIAL ESTATE—DISTRICT "R-1 E"; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE:

- (1) Staff Presentation: H Erkan, Jr.
- (2) Public Hearing:
- (3) Consideration and action:

B) FIRST READING OF AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") SECTION 118-22 (ENTITLED ZONING OF ANNEXED AREAS") BY AUTOMATICALLY CLASSIFYING NEWLY ANNEXED TERRITORY AS RESIDENTIAL DISTRICT "R-1E" SINGLE-FAMILY ESTATE; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE:

- (1) Staff Presentation: H Erkan, Jr.
- (2) Public Hearing:
- (3) Consideration and action:

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

4.1) Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY AT 2947 E HWY 29 (LEGALLY DESCRIBED AS: 8.05 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABS. NO. 1525, AND THE JOSEPH BAKER SURVEY, NO. 28, ABS. NO. 125) WITH LIGHT COMMERCIAL – DISTRICT “C-1” CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE:

4.2) Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES; BY MAKING NUMEROUS AMENDMENTS TO CHAPTER 18 (ENTITLED “AVIATION”) INCLUDING AUTHORIZING THE ADOPTION OF AIRPORT STANDARDS AND OPERATING POLICY BY RESOLUTION; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, CORRELATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan

4.3) Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2021-31; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY: P. Langford

4.4) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING AN INTERLOCAL AGREEMENT WITH BURNET COUNTY FOR MAINTENANCE AND REPAIR OF CITY STREETS FOR THE CURRENT FISCAL YEAR. E. Belaj

4.5) Discuss and consider action: Discuss and consider action: Award Request for Proposal (RFP) 2022-007 Asphalt Materials bid and authorize the City Manager to execute the contract and to purchase up to 1,300 tons: E. Belaj

4.6) Discuss and consider action: Discuss and consider: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, PRELIMINARILY ACCEPTING PUBLIC STREET, WATER, WASTEWATER, AND ELECTRICAL IMPROVEMENTS CONSTRUCTED WITHIN THE DELAWARE SPRINGS, SECTION 19, PHASE THREE SUBDIVISION; AND APPROVING MAINTENANCE LETTER OF CREDIT TO ASSURE THE MAINTENANCE OF THE INFRASTRUCTURE IMPROVEMENTS: L. Kimbler

4.7) Discuss and consider action: Award engineering design contract for Water & Wastewater System Components with associated generators and authorize the City Manager to execute the contract: E. Belaj

4.8) Discuss and consider action: Direction to staff regarding amending City Code Section 118-63 to allow waivers to certain municipal golf buffer requirements: D. Vaughn

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

**6. ADJOURN:**

Dated this 4<sup>th</sup> day of November, 2022

**City of Burnet**

**Mayor Crista Goble Bromley**

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the governing body of the above named City, BURNET, is a true and correct copy of said NOTICE and that I posted a true and correct copy of said NOTICE on the bulletin board, in the City Hall of said City, BURNET, TEXAS, a place convenient and readily accessible to the general public at all times, and said NOTICE was posted on November 4, 2022 at or before 6 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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Kelly Dix, City Secretary

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

*The City of Burnet Council Chambers is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's office (512.756.6093) at least two working days prior to the meeting. Requests for information may be faxed to the City Secretary at 512.756.8560.*

**RIGHT TO ENTER INTO EXECUTIVE SESSION:**

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

City of Burnet  
Solid Waste & Recycling Report

Jul, Aug, Sep  
2022

***ACDI***

**AI Clawson Disposal, Inc.**

# Team ACDI – Operations Director

## MEET THE TEAM!

CHRISTOPHER PHILLIPS

### FAVE WEEKEND ACTIVITY:

I enjoy spending time with my family and eating Texas BBQ!

### FAVE SPORT TO WATCH:

Green Bay Packer football and skateboarding

### WHY ACDI?

I place value on locally owned, family-operated businesses.



## Step 1. What can I recycle?

### Metal

Tin Cans

Aluminum Cans

Aluminum Foil –

No food contamination

*Please rinse*



### Paper

Newspaper

Office Paper

Junk Mail

Phone Books

Brown Paper Bags

Magazines

Cereal Boxes

Cardboard – Flatten

(Must be kept dry)



### Plastic

Soft Drink, Water, and Other Beverage Bottles

Detergent Bottles

Cleaning Containers

Milk and Water Jugs

Detergent Bottles

Shampoo Bottles

Yogurt Containers

Baby Bottles

Clouded Plastic Containers

5-Gallon Water Bottles

Non-Battery Toys

Plastic Buckets and Tubs

*Please rinse and remove lids*



### Glass

Clear

Brown

Green

*Please rinse and remove lids*



## Step 2. When is my collection day?

*Please see  
reverse side for  
collection information.*



## Step 3. Cart Placement

Place your carts at the curb or edge of the street or alley with the wheels and handle facing toward your house (away from the street). Be sure there is a minimum clearance of three (3) feet on all sides of the carts, including mailboxes, trees, cars etc. The trash and recycling carts also need to be placed three (3) feet apart from each other. This will allow the automated truck arm to safely reach the carts and dump them into the trash or recycling truck.

Please have your  
garbage and recycle  
carts out by 7:00AM.



## What if this tag appears on my cart?

Your container has a material that cannot be accepted for recycling. Please contact our office to correct the mistake and schedule a return collection.

Please have your  
garbage and  
recycle carts out  
by 7:00AM.



Our recycle product is continuing to improve with consistent communication and education.

# Common Mistake - Cartons

*Cartons are made of mixed materials.*

- Aseptic (Shelf-Stable Cartons): Paper, plastic, and aluminum
- Gable Top (Refrigerated Cartons): Paper and plastic



This tip comes to us from our recycling partner, Balcones Resources! Follow these tips to stop zombie batteries from attacking waste and recycling facilities.

## DAWN OF THE DEAD OF THE BATTERIES



TAKE + CHARGE

Follow these zombie battery-fighting tips to stop them causing fires at your local recycling and waste facilities

- 1 **Never put batteries in normal rubbish or recycling bins** 
- 2 **Only recycle batteries using a proper battery recycling service** 

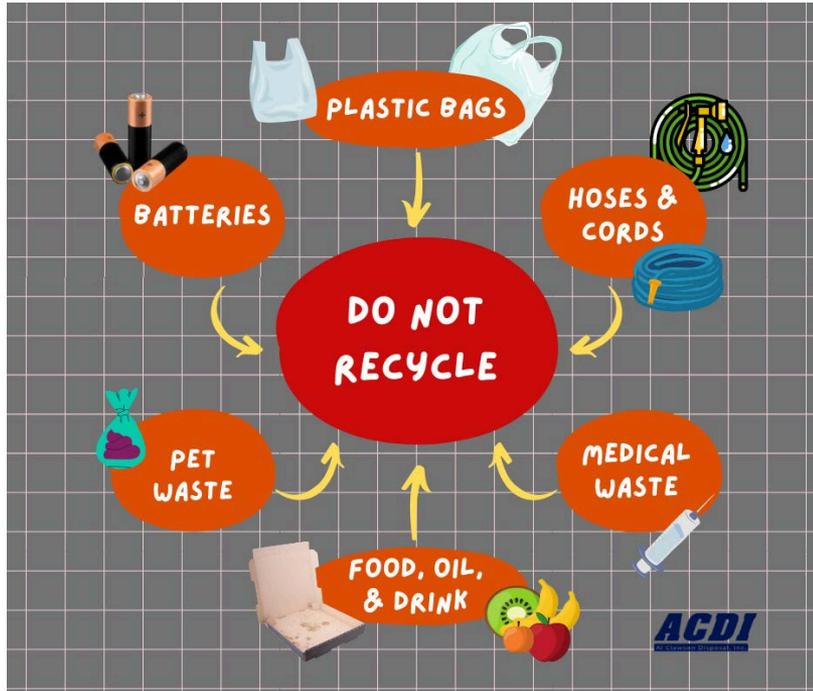
3

Remove batteries from broken devices if you can and recycle both the battery and device separately 

4

If you can't safely remove the battery, recycle the device with the battery inside using a small waste electricals recycling service 

You can reference these graphics when deciding if materials should be placed in your green cart.



# July, August, September 2022 Tonnage Report

\*Average tonnage mixed loads.

	July	August	September
Residential	188.28	223.97	221.24
Recycle*	37.88	35.47	37.39
Commercial	285.74	370.19	347.47
Chunk Your Junk	29.79	46.70	37.39
Chunk Your Junk	240 Cubic Yards	360 Cubic Yards	320 Cubic Yards

# Residential Collection Statistics

July, August, September 2022

Solid Waste Returns: 41

Residential Solid Waste  
Successful Collections: 27,256

**0.99849 Collection Rate**

July, August, September 2022

Recycle Returns: 7

Residential Recycle Successful  
Collections: 13,628

**0.99948 Collection Rate**

Al Clawson Disposal, Inc.  
[www.clawsondisposal.com](http://www.clawsondisposal.com)  
[info@clawsondisposal.com](mailto:info@clawsondisposal.com)  
512-930-5490

2022

***ACDI***

**Al Clawson Disposal, Inc.**



# BURNET MUNICIPAL AIRPORT

QUARTERLY REPORT OF ACTIVITIES

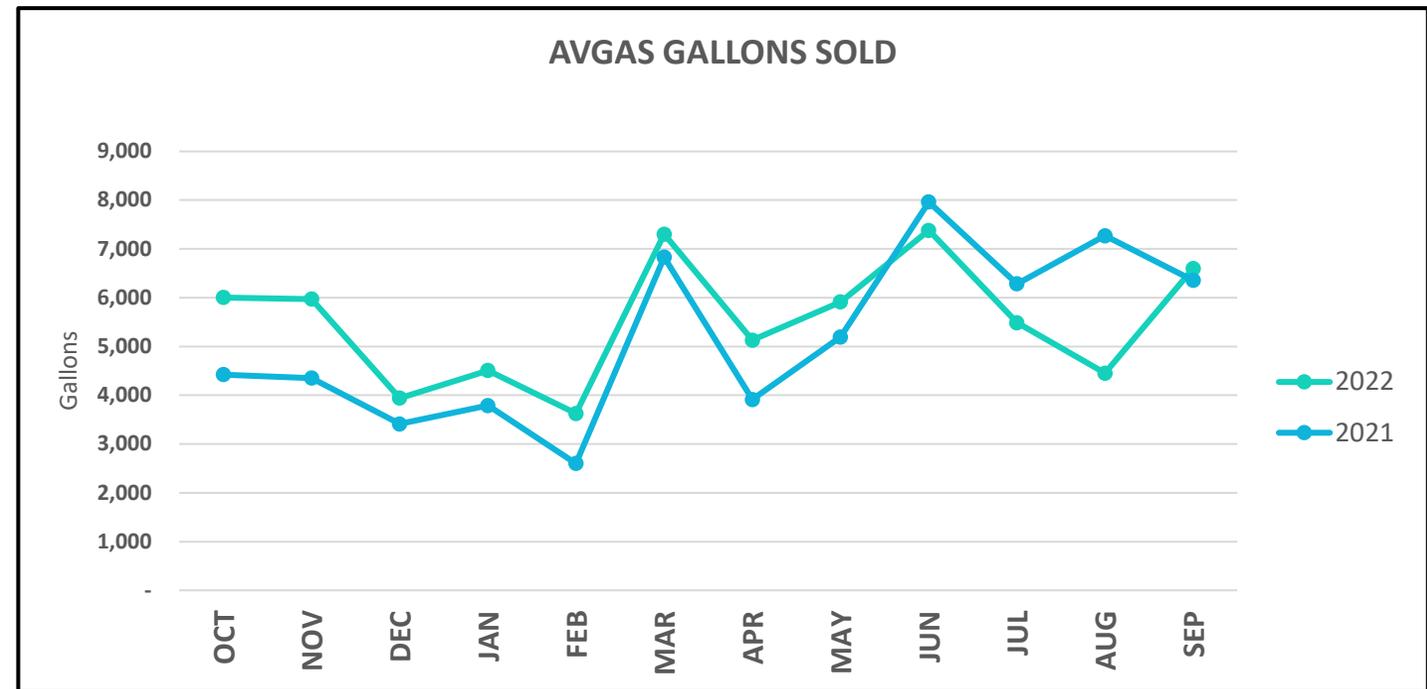
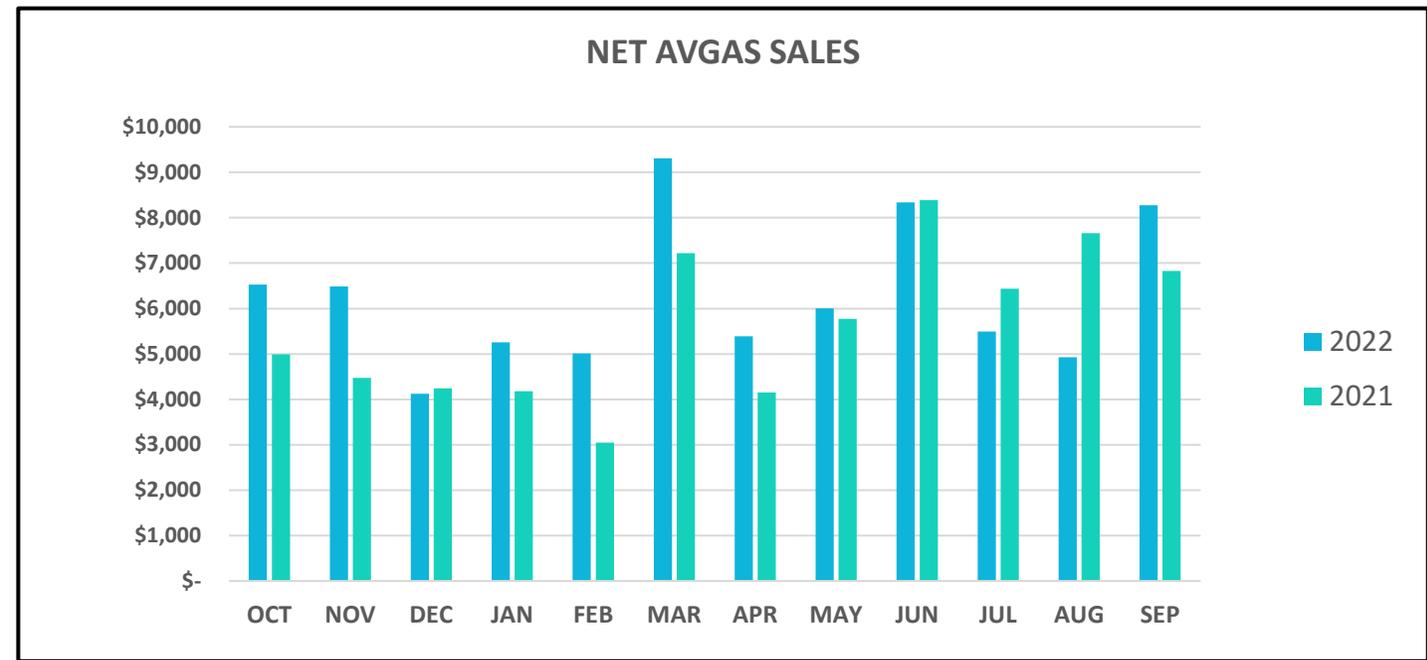
NOVEMBER 8, 2022

# AvGas 100LL

FYTD SEPTEMBER 2022

	FYTD 2022	FYTD 2021
Av Sales	\$ 370,717	\$ 267,007
Av Purchases	295,565	199,617
Profit	\$ 75,152	\$ 67,390
%	20.27%	25.24%

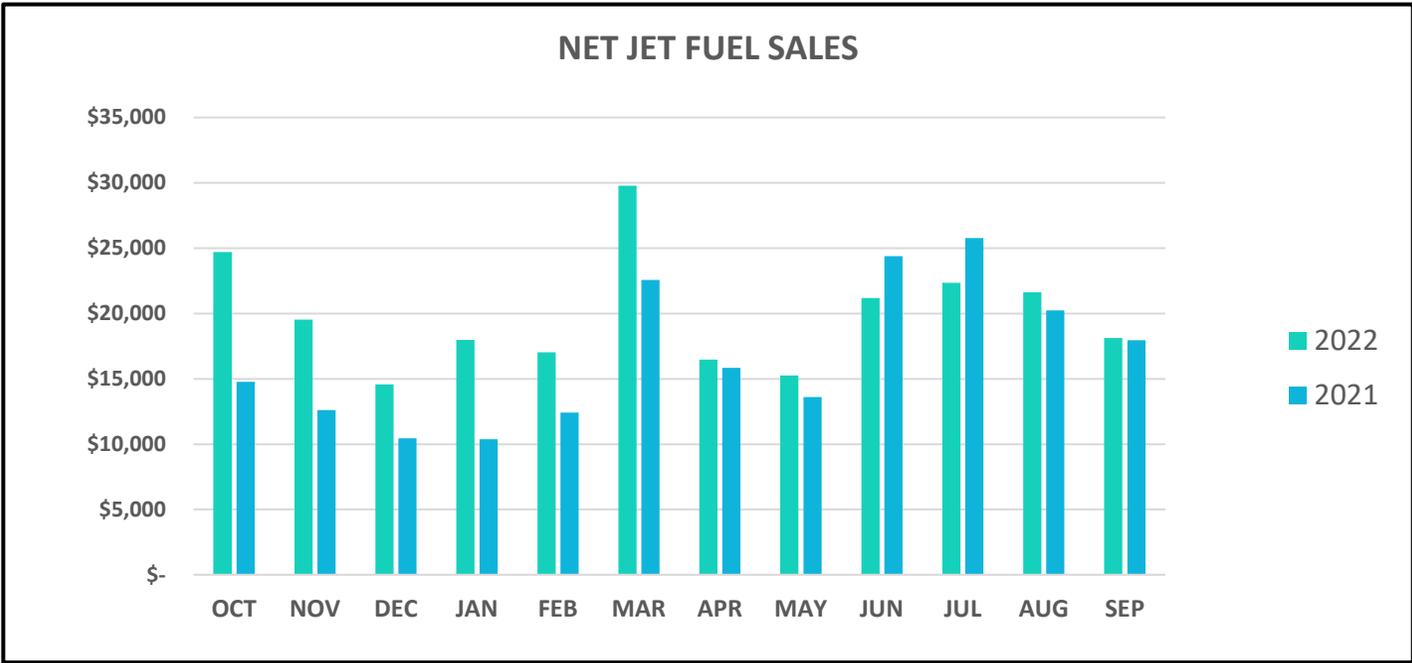
Avgas Gallons Sold:	
FYTD 2022	66,315
FYTD 2021	56,038
Increase(decrease)	10,277
	18.34%



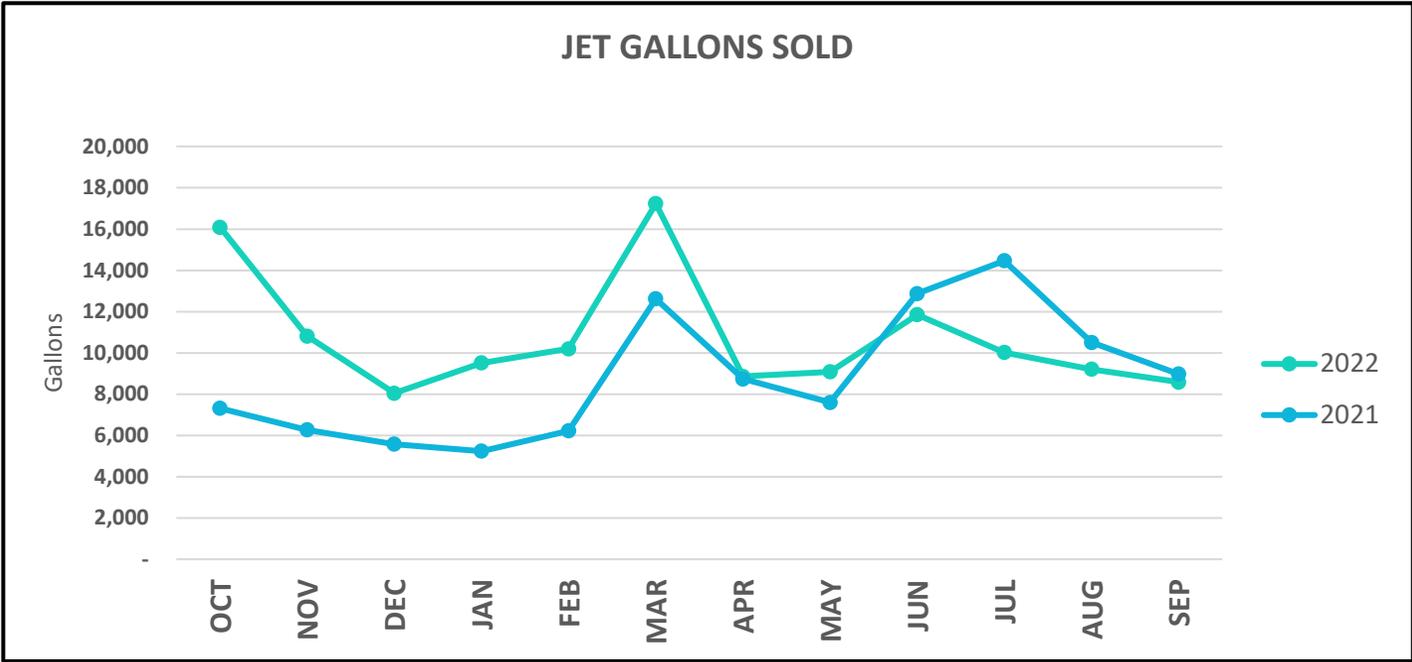
# JetFuel with FSII Additive

FYTD September 2022

	FYTD 2022	FYTD 2021
Jet Sales	\$ 685,172	\$ 416,382
Jet Purchases	446,624	215,396
Profit	\$ 238,548	\$ 200,986
%	34.82%	48.27%



Jet Gallons Sold:	
FYTD 2022	129,503
FYTD 2021	97,435
Increase(decrease)	32,068
	32.91%



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

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



## Total RAMP Expenditures

- Hangar Maintenance = \$-
- Building/Facility Maintenance = \$3,494
- Grounds Maintenance = \$6,295
- Airside(Pavement) Maintenance = \$-
- Fuel System Maintenance = \$-

**Remaining Funds Available = \$90,210**

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

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

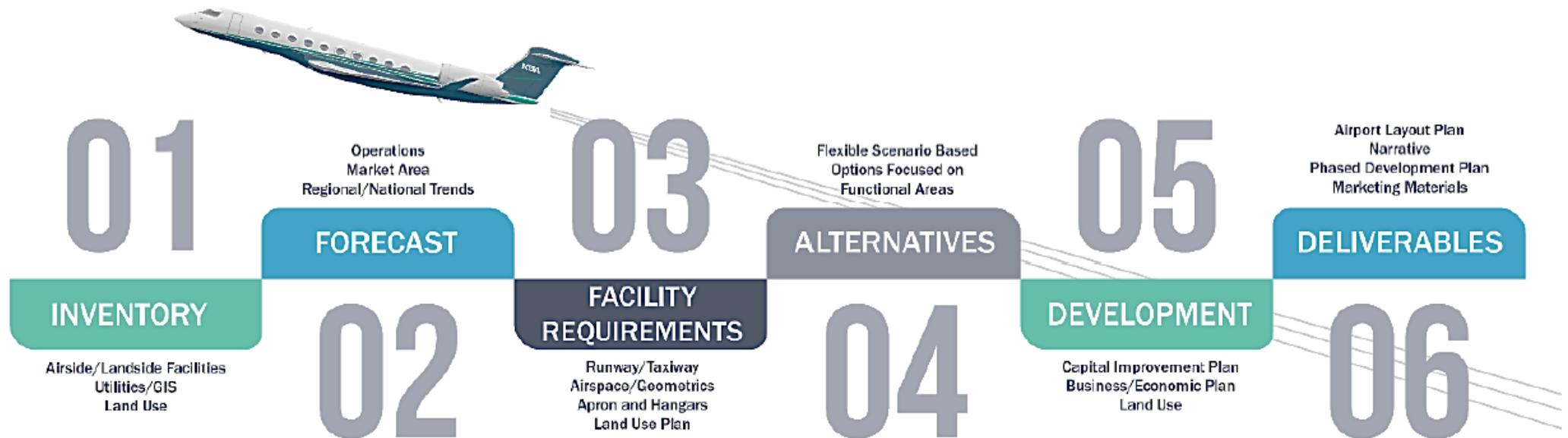
# STORAGE HANGARS

Type	Number of Units	Individuals on Waiting List
Sun Shelters	24	25
Standard T-hangars	28	85
Community Hangar	1	
Large T-hangar	1	

An aerial photograph of an airport runway and taxiway system, overlaid with a dark blue semi-transparent filter. The runway runs vertically through the center of the frame, with taxiways branching off to the left and right. In the background, there are several hangars and airport buildings. The text "CURRENT PROJECTS & UPDATES" is written in white, serif, all-caps font on the left side of the image.

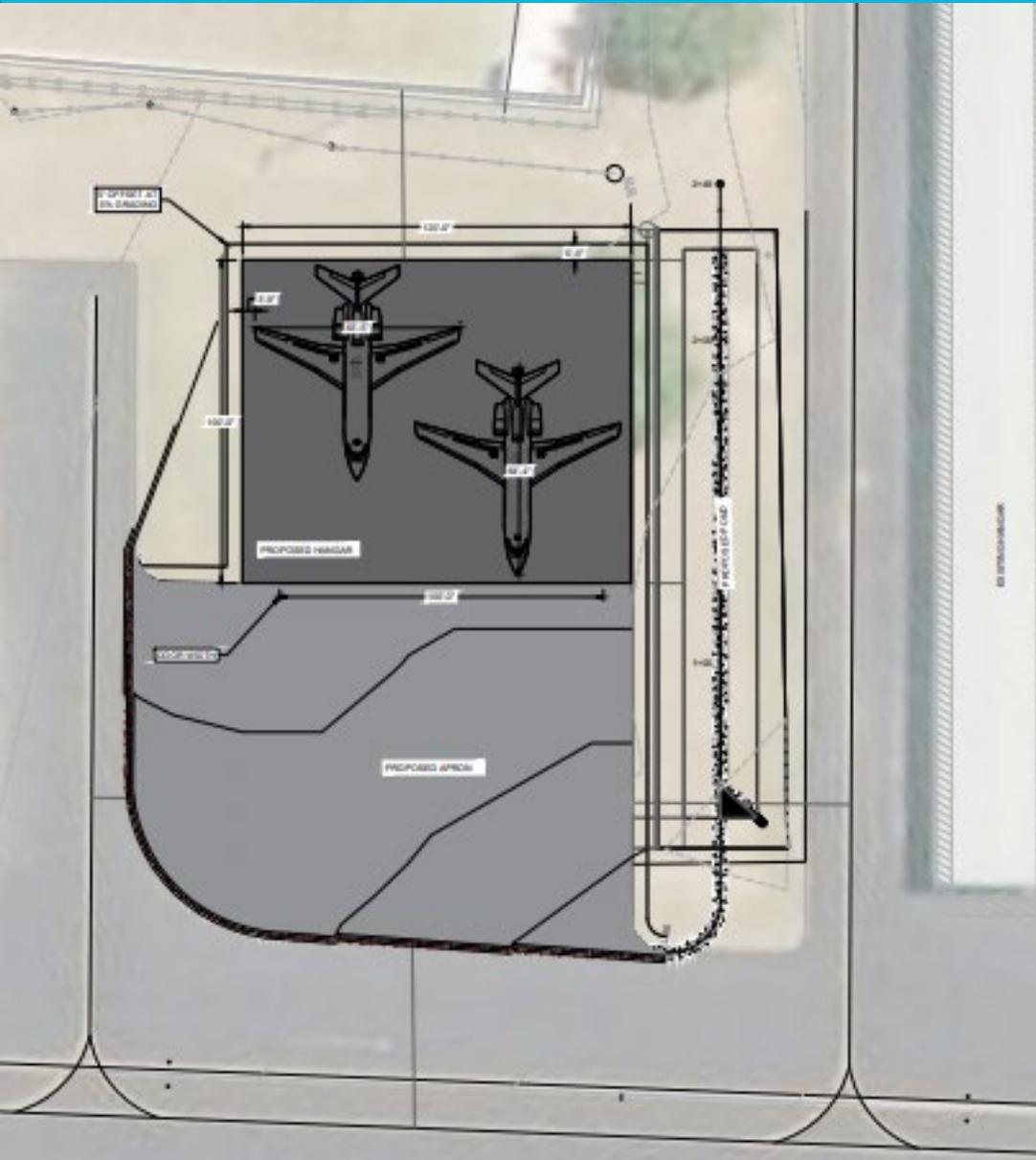
# CURRENT PROJECTS & UPDATES

# AIRPORT LAYOUT PLAN (ALP) UPDATE WITH NARRATIVE



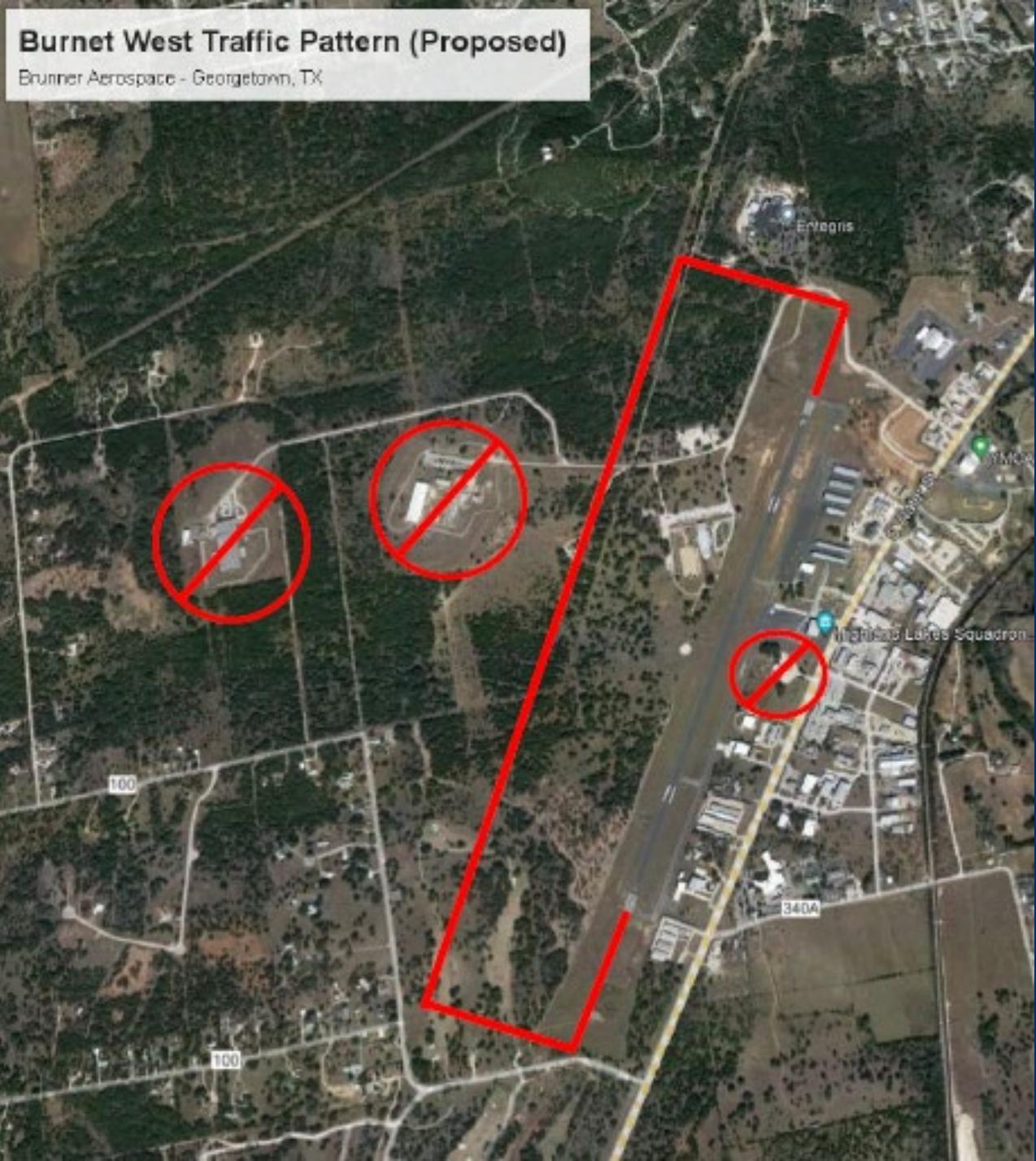
# BOX HANGAR

- ✓ Topographic Survey
- ✓ Geotechnical Investigation
- ✓ Design Phase (90%)
- Bid Phase
- Construction Phase
- Prepare Closeout Documents



**Burnet West Traffic Pattern (Proposed)**

Brunner Aerospace - Georgetown, TX



PROPOSED  
HELICOPTER  
OPERATIONS  
FLIGHT PATTERN

# OTHER PROJECTS & UPDATES

➤ Airport Standards & Operating Policy

➤ Fixed Base Operator(FBO) Contract

Crosby Flying Services, LLC



➤ Ground Lease(s)

Airy Mount Properties, LLC- Letter of Intent

# ON THE HORIZON..

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TXDOT STATEWIDE PAVEMENT  
MAINTENANCE PROJECT



TXDOT AVIATION CONFERENCE  
April 12-14, 2023

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QUESTIONS/  
COMMENTS





Engine 3 – Delivered new 2007





- Engine 3 – Delivered 2007
- 15 years old – 87,000 miles driven
- Major breakdown in September 2022





# Burnet PD quarterly report

- Staffing
- Cell phone forensic update
- Training
- SRO program
- Advocacy vehicle
- Key statistics



# Staffing

## Authorized Staffing

- 14 patrol
  - Down 1 patrol position
- 4 SRO
- 2 Investigators
- 1 ACO
- 1 Code Enforcement

Lt. Position

# Oxygen Forensics

- October 1 licensing was effective
- Training will be completed mid-November
- Policy will be finalized by December 1
- Forensic analysis will begin immediately following certification
- Outside agency requests will be on a case-by-case request
  - Determination will be based on our ability to process the phones
  - Severity of the crime
  - Urgency in analysis

# Training

- ALERRT
  - Completed with all our officers attending who have not received the training.
- Defensive Tactics
  - Accreditation
- Radar
  - Radar certification and training will begin in November

# SRO Program

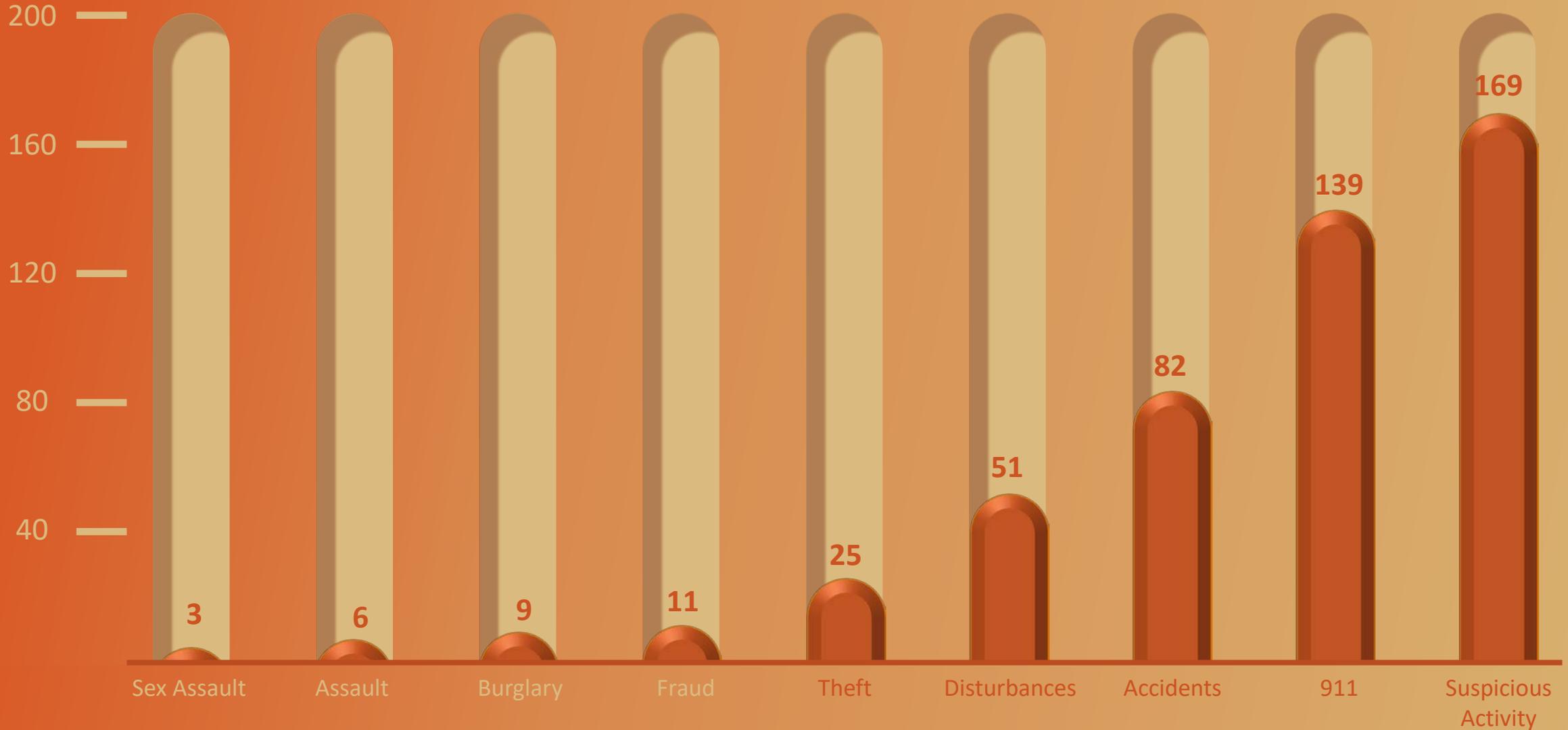
- Expansion to 4 SROs was approved by council
- Officer Courtney Raney was selected to the SRO position
- Transfer date is November 15, 2022
- Provides coverage on all campuses with some shared duties
- 3 SROs and one SRO sergeant

# Advocacy Vehicle

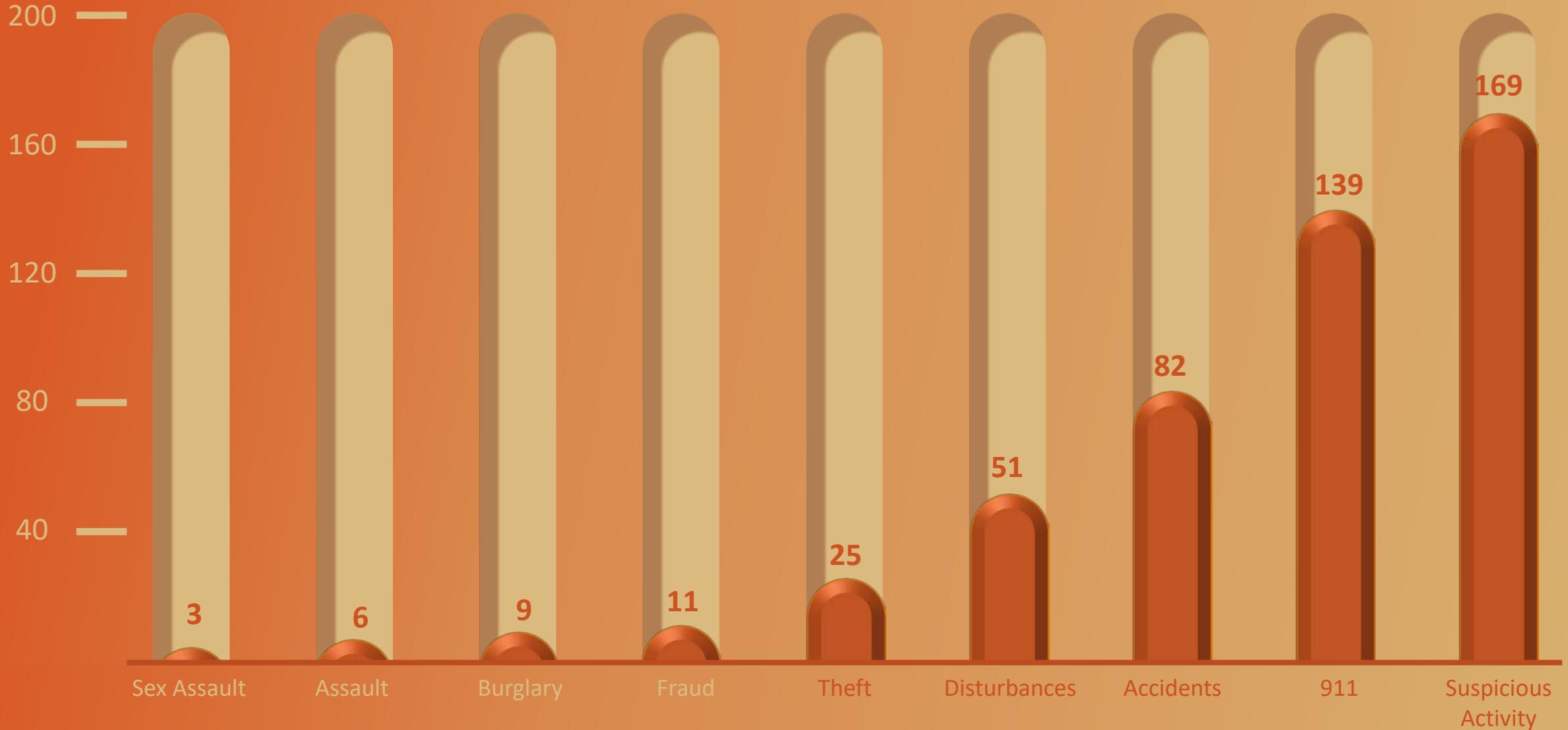


- Themed patrol vehicle
- Community outreach
- Currently at Cap Fleet finishing upfitting
- Will be deployed to the SRO division where it will have more visibility by the children and parents to bring awareness

# Statistics



# Statistics





20

10

10

2021

20

10

12

2022

# Sex Assaults





35

30

32

2021

35

30

31

2022

# Assaults



35

30

33

2021

35

30

29

2022

# Burglaries





40

20

36

2021

40

20

36

2022

Frauds





100

75

93

2021

100

75

74

2022

Thefts





300

269

150

2021

300

169

150

2022

# Disturbances





300

300

150

150

258

259

# Accidents

2021

2022





800

800

400

400

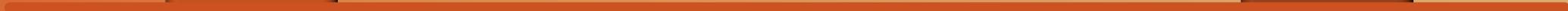
741

465

# 911 Calls

2021

2022





800

800

400

400

742

560

# Suspicious Activity

2021

2022



# Traffic Stops

2021

1270

2022

1557



2021

2633

2022

3267





Questions





# CITY OF BURNET

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FINANCIAL REPORT  
FYTD SEPTEMBER 2022

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*Bluebonnet Capital of Texas - Lakes, Hills, History*



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CITY OF BURNET  
FYTD SEPTEMBER FINANCIAL SUMMARY

FY 2022

Overall, the City's major unrestricted funds ended the year with a bottom line of \$3,261,327 and outperformed the amended budget for the year by \$2,377,183.

### GENERAL FUND

The General Fund ended the year with a profit of \$1,382,693 which was better than expected mainly because of strong revenue collections. Total revenues ended the year at 107% of budget.

The General Fund's primary revenues include:

- **Property tax collections** – ended the year at 102% of budget and increased by \$119,000 over last year.
- **Sales tax collections** – ended the year at 111% of budget and increased by \$354,000 over last year.
- **EMS transport collections** – ended the year at 111% of budget and increased by almost \$173,000 over last year.
- **Transfers In from other funds** – ended the year at 106% of budget and increased by almost \$255,000 over last year.

Total expenditures ended the year at 98% of budget.

### GOLF COURSE

The Golf Course ended the year with a profit of \$369,716 which is more than a \$127,000 improvement over last year and their most profitable year to date.

Total revenues ended the year at 130% of budget mainly because of the increase in Green Fee/Cart Rental revenues. Compared to last year, the average Green Fee "Revenue per Round" increased from \$33.49 to \$37.61, and green fee rounds increased by almost 8%.

Operating Expenses ended the year at 100% of budget. The operating expense budgets related to revenues were amended and offset by the revenue increases. All other expenses ended the year in line with the budget.



CITY OF BURNET  
FYTD SEPTEMBER FINANCIAL SUMMARY

FY 2022

### ELECTRIC FUND

The Electric fund ended the year with a profit of \$669,925. Total revenues ended the year at 108% of budget due to increasing consumption. Electric consumption increased by 7.5% and net electric sales increased by over \$272,000 compared to last year.

Total expenses ended the year at 98% of budget.

### WATER/WASTEWATER

The Water/Wastewater fund ended the year with a profit of \$838,993. Total revenues ended the year at 106% of budget due to increasing consumption. Water consumption increased by almost 12% and water sales increased by almost \$207,000 compared to last year.

Total expenses ended the year at 98% of budget.

### AIRPORT (Restricted Fund)

The Airport Fund ended the year with a profit of \$179,506 which was better than expected because of increasing fuel sales. Total revenues ended the year at 125% of budget. Compared to last year, Avgas gallons sold increased by 6% and jet gallons sold increased by 22%.

Total expenses ended the year at 94% of budget.

### UNRESTRICTED CASH RESERVES

Total unrestricted cash for the city as of September 30, 2022, was \$6,546,654. That is \$2,324,654 above our 90-day required reserve amount.

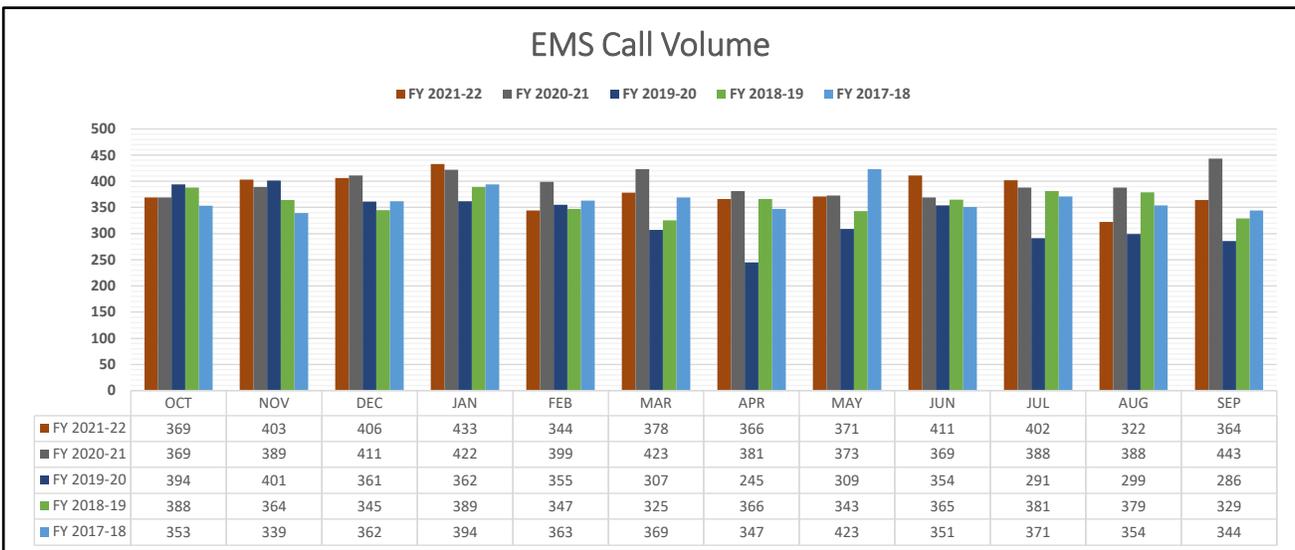
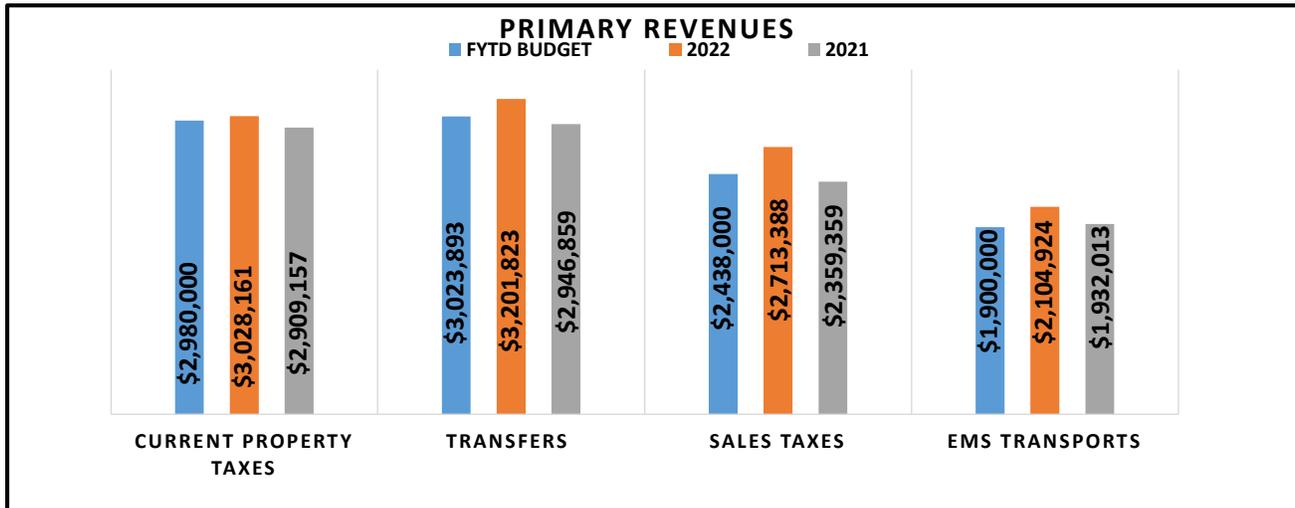
During the month of September, the city transferred funds from the "Unrestricted" cash reserves to both "Restricted by Council" funds and "Restricted by Purpose" funds in accordance with Resolution R2022-68. \$600,094 was transferred to "Restricted by Council" funds to establish capital reserve accounts and \$909,589 was transferred to "Restricted by Purpose" funds for the Golf Course and Street Rehab projects.

# GENERAL FUND DASHBOARD

FYTD SEPTEMBER 2022

## CURRENT RESULTS COMPARISON

	AMENDED BUDGET	ACTUAL FYTD SEPT 2022	% OF BUDGET	PY BUDGET 2020 -2021	ACTUAL FYTD SEPT 2021	% OF BUDGET
REV	\$ 13,131,563	\$ 14,090,031	107%	\$ 11,834,714	\$ 12,792,447	108%
EXPENSES	12,907,890	12,707,338	98%	11,488,859	11,300,918	98%
PROFIT (LOSS)	\$ 223,673	\$ 1,382,693		\$ 345,855	\$ 1,491,528	



	Transports	
FYTD 2022		4,569
FYTD 2021		4,755
Increase (Decrease)		<u>(186)</u>

City of Burnet, Texas  
 General Fund  
 Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual (Unaudited)  
 FYTD SEPTEMBER 2022

	100% of year complete			PY BUDGET 2020 -2021	PY ACTUAL FYTD SEPT 2021	% OF BUDGET
	AMENDED BUDGET 2021-2022	ACTUAL FYTD SEPT 2022	% OF BUDGET			
<b>REVENUE</b>						
Ad valorem taxes	\$ 2,980,000	\$ 3,028,161	102%	\$ 2,820,000	\$ 2,909,157	103%
Sales taxes	2,438,000	2,713,388	111%	1,997,573	2,359,359	118%
Interfund Transfers	3,023,893	3,201,823	106%	2,936,301	2,946,859	100%
EMS Transports	1,900,000	2,104,924	111%	1,620,000	1,932,013	119%
Franchise and other taxes	155,000	180,005	116%	155,000	171,497	111%
Court Fines and Fees	130,000	141,282	109%	115,000	125,135	109%
Grants & Donations	10,200	32,276	316%	10,200	119,350	1170%
Licenses & Permits	132,200	232,002	175%	80,700	96,987	120%
Charges for Services	2,232,595	2,196,200	98%	1,960,640	1,989,027	101%
Other Revenue	129,675	259,970	200%	139,300	143,063	103%
Use of Fund Balance	2,028,500	1,670,226	82%	1,669,347	2,398,190	144%
<b>Total Revenue</b>	<b>\$ 15,160,063</b>	<b>\$ 15,760,256</b>	<b>104%</b>	<b>\$ 13,504,061</b>	<b>\$ 15,190,636</b>	<b>112%</b>
<i>Total Revenue less fund balance</i>	<i>\$ 13,131,563</i>	<i>\$ 14,090,031</i>	<i>107%</i>	<i>\$ 11,834,714</i>	<i>\$ 12,792,447</i>	<i>108%</i>
<b>EXPENDITURES</b>						
Personnel Services	\$ 8,153,889	\$ 8,084,012	99%	\$ 7,370,773	\$ 7,220,439	98%
Supplies & Materials	565,856	564,350	100%	427,850	434,241	101%
Repairs & Maint	582,137	573,461	99%	426,420	515,778	121%
Contractual Services	2,131,071	2,121,714	100%	1,959,812	1,964,744	100%
Other Designated Expenses	694,806	685,495	99%	560,930	577,901	103%
Transfers to Self-funded	486,909	486,907	100%	441,600	441,600	100%
Capital Outlay	23,455	23,454	100%	-	-	-
Transfers to Golf Admin & Subsidy	269,767	167,945	62%	301,474	146,216	49%
Sub-total	<u>\$ 12,907,890</u>	<u>\$ 12,707,338</u>	<u>98%</u>	<u>\$ 11,488,859</u>	<u>\$ 11,300,918</u>	<u>98%</u>
<b>CAPITAL/OTHER EXP (USES OF FUND BAL)</b>						
Transfers - Capital/Other Uses of FB	2,028,500	1,670,226	82%	\$ 1,669,347	\$ 2,398,190	144%
	<u>\$ 2,028,500</u>	<u>\$ 1,670,226</u>	<u>82%</u>	<u>\$ 1,669,347</u>	<u>\$ 2,398,190</u>	<u>144%</u>
<b>Total Expenditures</b>	<b>\$ 14,936,390</b>	<b>\$ 14,377,564</b>	<b>96%</b>	<b>\$ 13,158,206</b>	<b>\$ 13,699,108</b>	<b>104%</b>
<i>Total Expenditures less Capital/Other</i>	<i>\$ 12,907,890</i>	<i>\$ 12,707,338</i>	<i>98%</i>	<i>\$ 11,488,859</i>	<i>\$ 11,300,918</i>	<i>98%</i>
<b>NET CHANGE IN FUND BALANCE</b>	<b>\$ 223,673</b>	<b>\$ 1,382,693</b>		<b>\$ 345,855</b>	<b>\$ 1,491,528</b>	

**KEY VARIANCES - BUDGET vs ACTUAL (100% of Year Complete)**

Revenues

- The bulk of property taxes are collected in December and January of each year.
- Franchise revenues are typically collected quarterly however the largest franchise fee is paid by Atmos annually in February (\$59,659.75).  
Balance is tracking higher than expected because of ACDI delinquent payments received.
- Grant revenues are tracking higher than expected because we received \$7,864 from FEMA related to reimbursements from the 2018 flood that the City partnered on with the County; \$12,711 in donations and Catrac grant for Fire; \$5579 NRA grant for PD; and \$6121 Step grant for PD.
- Licenses & Permits are tracking higher than the average because of an increase in rezones and permits mostly associated with the new subdivisions and the new student activity center.
- Other Revenues are tracking higher than expected mainly because we received \$53,395 in delinquent field rental fees from the YMCA, increasing cemetery plot sales and rental facility revenues, and almost \$66,000 in delinquent property taxes and penalties.
- Use of Fund Balance offsets Transfers to Capital/Other Exp, therefore the net impact of these adjustments is zero.

Expenditures

- See Expenditures by Department/Category for more detail.

City of Burnet, Texas  
 General Fund  
 Expenditures by Department/Category  
 FYTD SEPTEMBER 2022

100% of year complete

	AMENDED BUDGET			PY BUDGET		
	2021-2022	ACTUAL	% OF	2020 -2021	PY ACTUAL	% OF
		FYTD SEPT 2022	BUDGET		FYTD SEPT 2021	BUDGET
<b>EXPENDITURES (Less transfers to capital/other):</b>						
<b>City Council</b>						
Supplies & Materials	\$ 2,111	\$ 2,111	100%	\$ 1,200	\$ 1,020	85%
Repairs & Maint	1,005	1,004	100%	1,000	731	73%
Contractual Services	7,334	7,332	100%	6,620	6,819	103%
Other Designated Expenses	11,456	11,454	100%	7,000	3,751	54%
<b>Total Expenditures</b>	<b>21,906</b>	<b>21,902</b>	<b>100%</b>	<b>15,820</b>	<b>12,320</b>	<b>78%</b>
<b>General Administration</b>						
Personnel Services	1,100,675	1,097,435	100%	1,005,400	1,013,037	101%
Supplies & Materials	22,196	22,125	100%	36,000	22,093	61%
Repairs & Maint	94,150	93,360	99%	78,000	97,961	126%
Contractual Services	258,577	254,340	98%	231,341	221,960	96%
Other Designated Expenses	413,980	410,207	99%	375,730	360,194	96%
Transfers to Golf Admin & Subsidy	269,767	167,945	62%	301,474	146,216	49%
<b>Total Expenditures</b>	<b>2,159,345</b>	<b>2,045,411</b>	<b>95%</b>	<b>2,027,945</b>	<b>1,861,460</b>	<b>92%</b>
<b>Municipal Court</b>						
Personnel Services	72,844	72,839	100%	34,109	35,725	105%
Supplies & Materials	610	576	95%	750	214	29%
Repairs & Maint	6,348	6,347	100%	5,500	8,085	147%
Contractual Services	15,233	15,212	100%	15,050	16,329	108%
Other Designated Expenses	6,031	6,030	100%	4,350	3,990	92%
<b>Total Expenditures</b>	<b>101,066</b>	<b>101,003</b>	<b>100%</b>	<b>59,759</b>	<b>64,343</b>	<b>108%</b>
<b>Police/Animal Shelter/K-9</b>						
Personnel Services	2,150,526	2,150,522	100%	2,003,758	1,890,264	94%
Supplies & Materials	113,293	113,289	100%	96,500	98,803	102%
Repairs & Maint	104,948	104,947	100%	80,420	106,298	132%
Contractual Services	219,200	219,197	100%	192,819	200,973	104%
Other Designated Expenses	121,799	121,795	100%	73,750	85,719	116%
Transfers to Self-funded	196,567	196,567	100%	136,806	136,806	100%
<b>Total Expenditures</b>	<b>2,906,333</b>	<b>2,906,316</b>	<b>100%</b>	<b>2,584,053</b>	<b>2,518,863</b>	<b>97%</b>
<b>Fire/EMS</b>						
Personnel Services	3,256,237	3,215,460	99%	2,999,966	3,077,503	103%
Supplies & Materials	241,125	240,408	100%	175,300	197,524	113%
Repairs & Maint	191,753	189,404	99%	118,000	125,511	106%
Contractual Services	296,883	296,111	100%	269,260	291,163	108%
Other Designated Expenses	57,909	56,677	98%	45,700	52,098	114%
Transfers to Self-funded	254,786	254,786	100%	289,004	289,004	100%
Capital Outlay	11,690	11,689	100%	-	-	-
<b>Total Expenditures</b>	<b>4,310,383</b>	<b>4,264,535</b>	<b>99%</b>	<b>3,897,230</b>	<b>4,032,803</b>	<b>103%</b>
<b>Streets</b>						
Personnel Services	669,542	668,921	100%	571,925	497,804	87%
Supplies & Materials	87,895	87,570	100%	47,500	36,196	76%
Repairs & Maint	58,530	57,136	98%	70,000	70,930	101%
Contractual Services	6,868	5,046	73%	7,000	7,485	107%
Other Designated Expenses	6,138	6,136	100%	2,350	741	32%
Transfers to Self-funded	9,021	9,020	100%	-	-	-
<b>Total Expenditures</b>	<b>837,994</b>	<b>833,829</b>	<b>100%</b>	<b>698,775</b>	<b>613,156</b>	<b>88%</b>
<b>City Shop</b>						
Personnel Services	76,326	72,630	95%	73,364	74,920	102%
Supplies & Materials	11,725	11,521	98%	14,000	12,888	92%
Repairs & Maint	14,739	13,059	89%	10,500	10,600	101%
Contractual Services	7,380	6,260	85%	6,700	6,036	90%
Other Designated Expenses	5,194	3,779	73%	5,050	8,215	163%
<b>Total Expenditures</b>	<b>115,364</b>	<b>107,249</b>	<b>93%</b>	<b>109,614</b>	<b>112,659</b>	<b>103%</b>
<b>Sanitation</b>						
Contractual Services	950,094	949,576	100%	881,822	900,547	102%
Other Designated Expenses	29,100	27,095	93%	20,000	20,620	103%
<b>Total Expenditures</b>	<b>979,194</b>	<b>976,671</b>	<b>100%</b>	<b>901,822</b>	<b>921,167</b>	<b>102%</b>
<b>PW Admin</b>						
Personnel Services	74,269	74,147	100%	-	-	-
Supplies & Materials	1,587	1,585	100%	-	-	-
Repairs & Maint	124	123	99%	-	-	-
Contractual Services	-	-	-	-	-	-
Other Designated Expenses	4,524	4,523	100%	-	-	-
Transfers to Self-funded	-	-	-	-	-	-
<b>Total Expenditures</b>	<b>80,504</b>	<b>80,379</b>	<b>100%</b>	<b>-</b>	<b>-</b>	<b>-</b>

City of Burnet, Texas  
 General Fund  
 Expenditures by Department/Category  
 FYTD SEPTEMBER 2022

100% of year complete

	AMENDED BUDGET 2021-2022	ACTUAL FYTD SEPT 2022	% OF BUDGET	PY BUDGET 2020 -2021	PY ACTUAL FYTD SEPT 2021	% OF BUDGET
<b>EXPENDITURES (Less transfers to capital/other):</b>						
<b>Parks</b>						
Personnel Services	493,781	474,286	96%	415,027	414,612	100%
Supplies & Materials	80,291	80,145	100%	52,500	63,076	120%
Repairs & Maint	96,571	95,785	99%	52,750	87,862	167%
Contractual Services	83,518	82,659	99%	130,700	82,947	63%
Other Designated Expenses	7,530	6,674	89%	7,000	10,970	157%
Transfers to Self-funded	26,535	26,535	100%	15,790	15,790	100%
<b>Total Expenditures</b>	<b>788,226</b>	<b>766,083</b>	<b>97%</b>	<b>673,767</b>	<b>675,255</b>	<b>100%</b>
<b>Galloway Hammond</b>						
Repairs & Maint	4,999	3,331	67%	5,000	281	6%
Contractual Services	100,001	100,000	100%	100,000	100,000	100%
<b>Total Expenditures</b>	<b>105,000</b>	<b>103,331</b>	<b>98%</b>	<b>105,000</b>	<b>100,281</b>	<b>96%</b>
<b>Development Services</b>						
Personnel Services	259,689	257,772	99%	267,224	216,574	81%
Supplies & Materials	5,023	5,020	100%	4,100	2,429	59%
Repairs & Maint	8,970	8,966	100%	5,250	7,520	143%
Contractual Services	185,983	185,980	100%	118,500	130,485	110%
Other Designated Expenses	31,145	31,125	100%	20,000	31,602	158%
Capital Outlay	11,765	11,765	100%	-	-	
<b>Total Expenditures</b>	<b>502,575</b>	<b>500,628</b>	<b>100%</b>	<b>415,074</b>	<b>388,611</b>	<b>94%</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 12,907,890</b>	<b>\$ 12,707,338</b>	<b>98%</b>	<b>\$ 11,488,859</b>	<b>\$ 11,300,918</b>	<b>98%</b>

**KEY VARIANCES - BUDGET vs ACTUAL (100% of Year Complete)**

Expenditures

-Golf Course was profitable; no subsidy from the General Fund was needed.

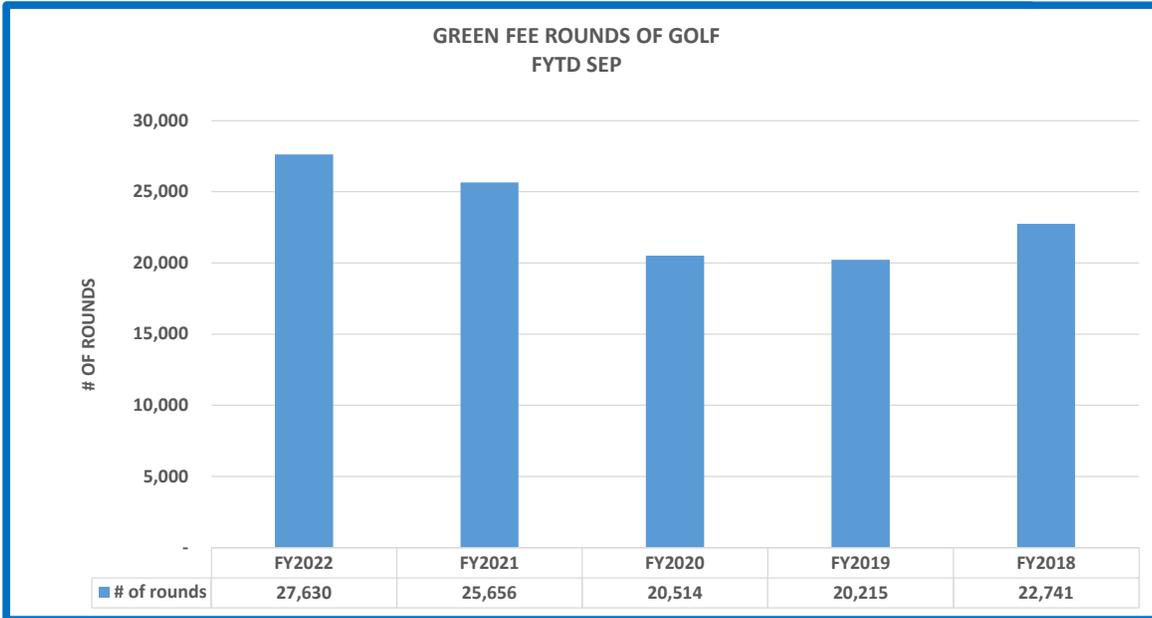
# GOLF COURSE FUND DASHBOARD

FYTD SEPTEMBER 2022

## CURRENT RESULTS COMPARISON

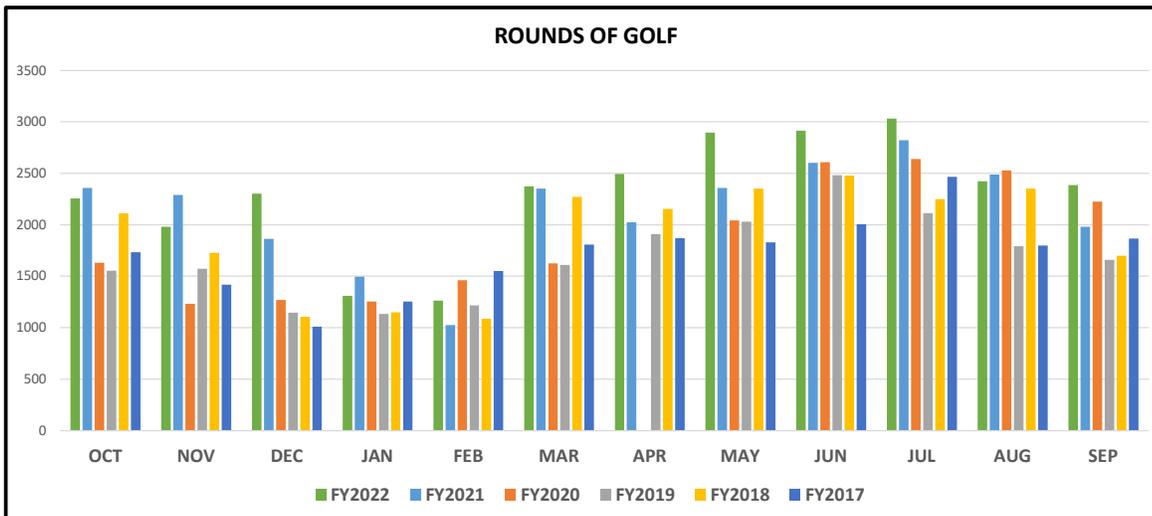
	AMENDED BUDGET	ACTUAL FYTD SEPT 2022	% OF BUDGET	PY BUDGET 2020-2021	ACTUAL FYTD SEPT 2021	% OF BUDGET
REV (net of cogs/tourn exp)	\$ 1,548,673	\$ 2,009,714	130%	\$ 1,325,684	\$ 1,690,854	128%
EXPENSES	1,640,240	1,639,998	100%	1,460,821	1,448,376	99%
PROFIT (LOSS)	\$ (91,567)	\$ 369,716		\$ (135,137)	\$ 242,478	

## TABLES/CHARTS



	FYTD
Rounds of Golf*	
2021-2022	27,630
2020-2021	25,656
OVER (UNDER)	1,974
	7.69%

\*Does not include annual dues or tournament rounds played.



**Notes:**

April of 2020 golf course was closed for the month due to the Covid Pandemic.

Feb of 2021 golf course was closed for 11 days because of Severe Winter Storm.

City of Burnet, Texas  
 Golf Fund (Delaware Springs)  
 Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)  
 FYTD SEPTEMBER 2022

	100% of year complete			PY BUDGET 2020-2021	PY ACTUAL FYTD SEPT 2021	% OF BUDGET
	AMENDED BUDGET 2021-2022	ACTUAL FYTD SEPT 2022	% OF BUDGET			
<b>Revenues</b>						
Charges for Services:						
Green Fees/Cart Rentals	\$ 747,600	\$ 1,039,060	139%	\$ 559,000	\$ 859,308	154%
Annual Charges	224,000	240,489	107%	218,000	234,645	108%
Net Tournament Fees	138,183	178,987	130%	110,000	135,289	123%
Driving Range	53,000	64,453	122%	53,000	58,433	110%
Net Charges for Services	1,162,783	1,522,990	131%	940,000	1,287,675	137%
Pro Shop Merchandise Sales (Net)	51,342	83,818	163%	47,000	63,065	134%
Snack Bar Sales (Net)	127,847	178,049	139%	109,500	111,640	102%
Transfer from GF (Admin/Use of FB)	192,701	179,769	93%	219,684	200,563	91%
Other Revenue	14,000	45,090	322%	9,500	27,912	294%
<b>Total Revenues</b>	<b>1,548,673</b>	<b>2,009,714</b>	<b>130%</b>	<b>1,325,684</b>	<b>1,690,854</b>	<b>128%</b>
<b>Expenses</b>						
Personnel Services	962,009	962,001	100%	896,092	862,263	96%
Supplies & Materials	134,153	134,424	100%	107,300	114,350	107%
Repairs & Maint	94,939	94,748	100%	67,950	90,667	133%
Contractual Services	70,904	70,900	100%	61,500	64,982	106%
Other Designated Expenses	56,702	56,392	99%	43,750	52,008	119%
Transfers to Self-funded	153,588	153,588	100%	117,892	117,892	100%
Admin Allocation	167,945	167,945	100%	166,337	146,215	88%
<b>Total Expenses</b>	<b>1,640,240</b>	<b>1,639,998</b>	<b>100%</b>	<b>1,460,821</b>	<b>1,448,376</b>	<b>99%</b>
<b>Change in Net Position</b>	<b>(91,567)</b>	<b>369,716</b>		<b>(135,137)</b>	<b>242,478</b>	
Operating Subsidy from General Fund	91,567	-		135,137	-	
Net Position	-	369,716		-	242,478	
<b>Green Fee Rounds</b>	<b>21,500</b>	<b>27,630</b>			<b>25,656</b>	
<b>Green Fee Rev Per Round</b>	<b>\$ 34.77</b>	<b>\$ 37.61</b>			<b>\$ 33.49</b>	

**KEY VARIANCES - BUDGET vs ACTUAL (100% of Year Complete)**

**Revenues**

- Green Fee and Cart Rental fees are tracking higher than expected mainly due to the increasing average revenue per round. "Avg Rev per Round" has increased by \$4.12 over last year mainly due to less discounting of rounds during prime tee times.
- The bulk of Annual Charges which include pre-paid green fees, trail fees, annual cart rental and storage are collected in October each year.
- The golf course is seeing an increase in new tournaments this year and has increased tournament charges.
- Transfer from GF is used to offset the admin allocation and includes an additional transfer from fund balance to cover the final payouts to retirees. In the current year the transfer for payouts was \$11,824; in the py the transfer was \$54,347.
- Other revenues include GHIN fees \$6,780, credit card convenience fees \$24,212, club repairs of \$9,586, pavilion rental of \$225, misc revenues of \$4,249, and interest revenue of \$38.

**Expenses**

- Expenses tied to revenues were amended and offset by the revenue increases. All other expenses were in line with the budget.

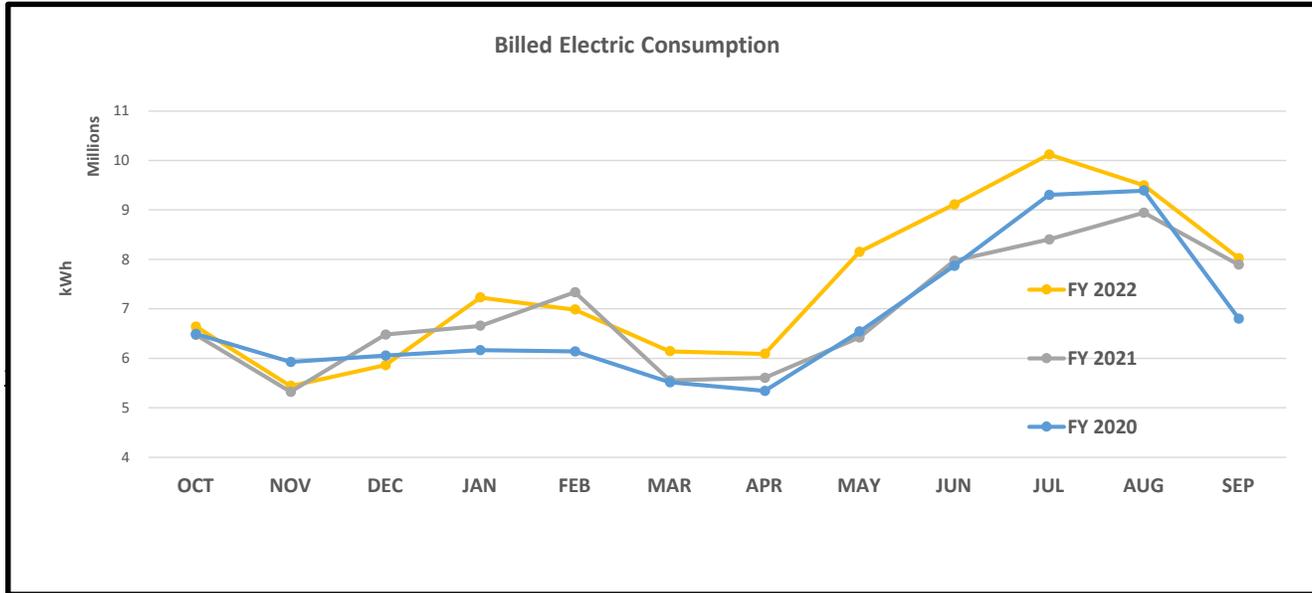
# ELECTRIC FUND DASHBOARD

FYTD SEPTEMBER 2022

## CURRENT RESULTS COMPARISON

	AMENDED BUDGET	ACTUAL FYTD SEPT 2022	% OF BUDGET	PY BUDGET 2020-2021	ACTUAL FYTD SEPT 2021	% OF BUDGET
REV (net of cogs)	\$ 4,059,144	\$ 4,371,926	108%	\$ 4,012,175	\$ 3,978,603	99%
EXPENSES	3,766,501	3,702,000	98%	3,625,824	3,551,626	98%
PROFIT (LOSS)	\$ 292,643	\$ 669,925		\$ 386,351	\$ 426,977	

## TABLES/CHARTS



FYTD 2022	89,296,918
FYTD 2021	<u>83,068,281</u>
ytd variance	<u>6,228,637</u>
% variance	7.50%

City of Burnet, Texas  
 Electric Fund  
 Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)  
 FYTD SEPTEMBER 2022

	100% of year complete					
	AMENDED BUDGET 2021-2022	ACTUAL FYTD SEPT 2022	% OF BUDGET	PY BUDGET 2020-2021	PY ACTUAL FYTD SEPT 2021	% OF BUDGET
<b>REVENUES</b>						
Electric Sales	\$ 9,440,000	\$ 9,695,482		\$ 8,816,400	\$ 8,948,380	
Less Cost of Power	5,606,000	5,604,234		4,959,225	5,129,241	
Net Electric Sales	3,834,000	4,091,248	107%	3,857,175	3,819,139	99%
Penalties	85,000	100,370	118%	85,000	71,079	84%
Pole Rental	47,000	48,397	103%	47,000	48,341	103%
Credit Card Convenience Fees	45,144	43,298	96%	-	-	
Other Revenue	48,000	88,613	185%	23,000	40,044	174%
Use of Fund Balance	141,070	141,070	100%	75,000	52,712	70%
<b>Total Revenue</b>	<b>\$ 4,200,214</b>	<b>\$ 4,512,996</b>	<b>107%</b>	<b>\$ 4,087,175</b>	<b>\$ 4,031,315</b>	<b>99%</b>
<i>Total Revenue less fund balance</i>	<i>\$ 4,059,144</i>	<i>\$ 4,371,926</i>	<i>108%</i>	<i>\$ 4,012,175</i>	<i>\$ 3,978,603</i>	<i>99%</i>
<b>EXPENSES</b>						
Personnel Services	942,504	892,919	95%	\$ 937,909	943,922	101%
Supplies & Materials	61,112	60,941	100%	44,000	51,229	116%
Repairs & Maint	115,578	115,302	100%	208,000	203,565	98%
Contractual Services	155,276	154,307	99%	137,700	118,876	86%
Other Designated Expenses	86,135	79,636	92%	91,810	68,331	74%
Capital Outlay	85,756	78,781	92%	35,000	38,872	111%
Transfers to Debt Service	49,350	49,350	100%	51,740	51,740	100%
Transfers to Self-funded	19,780	19,780	100%	32,999	32,999	100%
Return on Investment	1,784,951	1,784,950	100%	1,665,263	1,661,371	100%
Admin Allocation	419,129	419,128	100%	394,000	385,267	98%
Shop Allocation	26,835	26,812	100%	27,403	28,165	103%
PW Admin Allocation	20,095	20,095	100%			
Transfer to Capital	141,071	141,070	100%	75,000	20,000	27%
<b>Total Expenses</b>	<b>\$ 3,907,572</b>	<b>\$ 3,843,071</b>	<b>98%</b>	<b>\$ 3,700,824</b>	<b>\$ 3,604,338</b>	<b>97%</b>
<i>Total Expenses less xfers to capital and other uses of fund balance</i>	<i>\$ 3,766,501</i>	<i>\$ 3,702,000</i>	<i>98%</i>	<i>\$ 3,625,824</i>	<i>\$ 3,551,626</i>	<i>98%</i>
<b>Change in Net Position</b>	<b>\$ 292,642</b>	<b>\$ 669,925</b>		<b>\$ 386,351</b>	<b>\$ 426,977</b>	

**KEY VARIANCES - BUDGET vs ACTUAL (100% of Year Complete)**

Revenues

- Penalties are tracking higher than normal because of increasing consumption and electric sales.
- Pole Rental Charges are typically invoiced in February and received by April or May.
- Credit Card Convenience fees were not implemented until January 1, 2022.
- Other Revenues are tracking higher than expected mainly because of the connect fees received from new subdivision - Peppermill Phase III.
- Use of Fund Balance offsets Transfers to Capital/Other Exp, therefore the net impact of these adjustments is zero.

Expenses

- On track with budget.

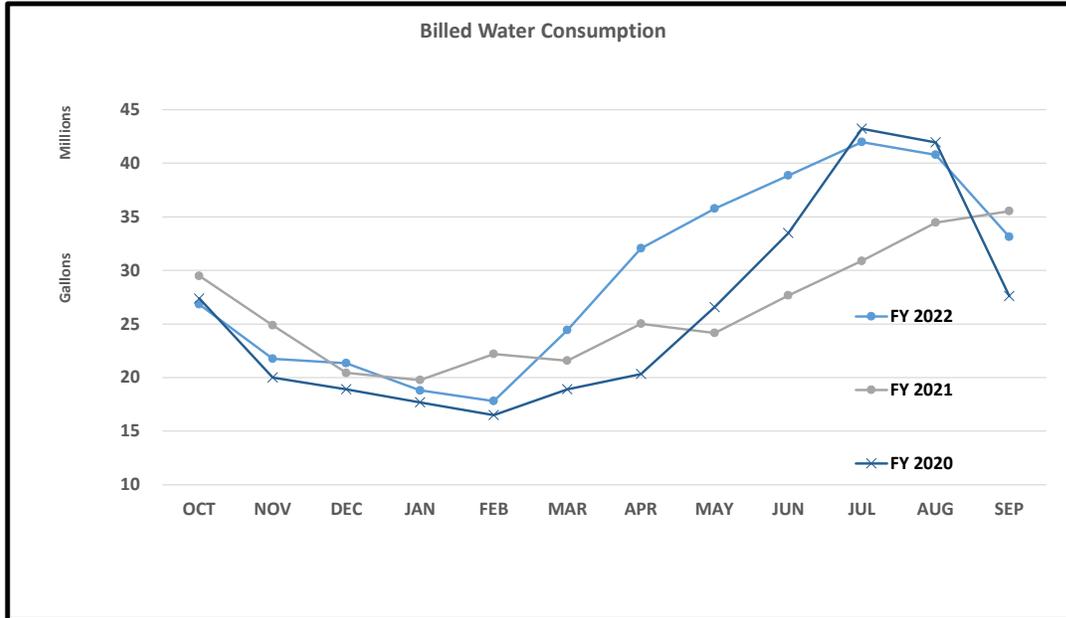
# WATER/WW FUND DASHBOARD

FYTD SEPTEMBER 2022

## CURRENT RESULTS COMPARISON

	AMENDED BUDGET	ACTUAL FYTD SEPT 2022	% OF BUDGET	PY BUDGET 2020-2021	ACTUAL FYTD SEPT 2021	% OF BUDGET
REV	\$ 4,555,420	\$ 4,843,113	106%	\$ 4,265,500	\$ 4,582,652	107%
EXPENSES	4,096,025	4,004,120	98%	3,868,980	3,616,560	93%
PROFIT (LOSS)	\$ 459,395	\$ 838,993		\$ 396,520	\$ 966,092	

## TABLES/CHARTS



### Billed Consumption in gallons:

FYTD 2022	353,513,915
FYTD 2021	316,051,979
Variance	<u>37,461,936</u>
% variance	11.85%

City of Burnet, Texas  
 Water/Wastewater Fund  
 Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)  
 FYTD SEPTEMBER 2022

	100% of year complete				100% of year complete		
	AMENDED BUDGET 2021-2022	ACTUAL FYTD SEPT 2022	% OF BUDGET		PY BUDGET 2020-2021	PY ACTUAL FYTD SEPT 2021	% OF BUDGET
<b>REVENUE</b>							
Water Sales	\$ 2,400,000	\$ 2,633,114	110%	\$ 2,300,000	\$ 2,426,492	105%	
Wastewater Sales	1,920,000	1,913,388	100%	1,840,000	1,893,513	103%	
Penalties	46,000	47,756	104%	46,000	39,190	85%	
Water/Sewer Connects	30,000	41,727	139%	30,000	29,559	99%	
Credit Card Convenience Fees	19,920	22,722	114%	-	-		
Other Revenue	9,500	54,407	573%	9,500	33,899	357%	
Use Impact Fees	130,000	130,000	100%	40,000	160,000	400%	
Use of Fund Balance	1,135,000	681,838	60%	35,000	170,022	486%	
<b>Total Revenue</b>	<b>\$ 5,690,420</b>	<b>\$ 5,524,951</b>	<b>97%</b>	<b>\$ 4,300,500</b>	<b>\$ 4,752,674</b>	<b>111%</b>	
<i>Total Revenue less fund balance</i>	<i>\$ 4,555,420</i>	<i>\$ 4,843,113</i>	<i>106%</i>	<i>\$ 4,265,500</i>	<i>\$ 4,582,652</i>	<i>107%</i>	
<b>EXPENSES</b>							
Personnel Services	1,210,012	1,180,080	98%	\$ 1,104,176	992,697	90%	
Supplies & Materials	199,638	185,804	93%	153,750	145,496	95%	
Repairs & Maint	419,008	398,365	95%	416,500	346,643	83%	
Contractual Services	335,445	325,125	97%	328,500	306,867	93%	
Cost of Water	70,000	69,063	99%	70,000	75,756	108%	
Other Designated Expenses	128,227	120,664	94%	127,942	83,223	65%	
Transfers to Debt Service	945,414	945,414	100%	976,759	976,758	100%	
Transfers to Self-funded	73,692	73,692	100%	68,504	68,504	100%	
In Lieu of Taxes	378,112	377,049	100%	338,040	353,812	105%	
Admin Allocation	265,623	260,555	98%	257,405	244,424	95%	
Shop Allocation	28,768	26,812	93%	27,404	28,165	103%	
PW Admin Allocation	20,096	20,095	100%				
Capital Outlay	21,990	21,403	97%	-	22,749	0%	
Transfer to Capital	1,135,000	681,838	60%	35,000	127,366	364%	
Leak Adjustments					14,123		
<b>Total Expenses</b>	<b>\$ 5,231,025</b>	<b>\$ 4,685,958</b>	<b>90%</b>	<b>\$ 3,903,980</b>	<b>\$ 3,786,583</b>	<b>97%</b>	
<i>Total Expenses less Transfers to Capital and other uses of fund balance</i>	<i>\$ 4,096,025</i>	<i>\$ 4,004,120</i>	<i>98%</i>	<i>\$ 3,868,980</i>	<i>\$ 3,616,560</i>	<i>93%</i>	
<b>Change in Net Position</b>	<b>\$ 459,395</b>	<b>\$ 838,993</b>		<b>\$ 396,520</b>	<b>\$ 966,092</b>		

**KEY VARIANCES - BUDGET vs ACTUAL (100% of Year Complete)**

**Revenues**

- Water Sales are tracking higher than expected because of increased consumption during the summer months.
- Water/Sewer Connects are tracking higher than expected because of the fees received from new subdivision - Peppermill Phase III.
- Credit Card Convenience fees are tracking higher than expected because of increased water sales.
- Other Revenues include Irrigation contract of \$10,000 which was collected in July and bulk water sales to the public.
- Use of Impact fees is based on Impact fee collections which have increased this year due to increasing development.
- Use of Fund Balance offsets Transfers to Capital/Other Exp, therefore the net impact of these adjustments is zero.

**Expenses**

- On track with budget.

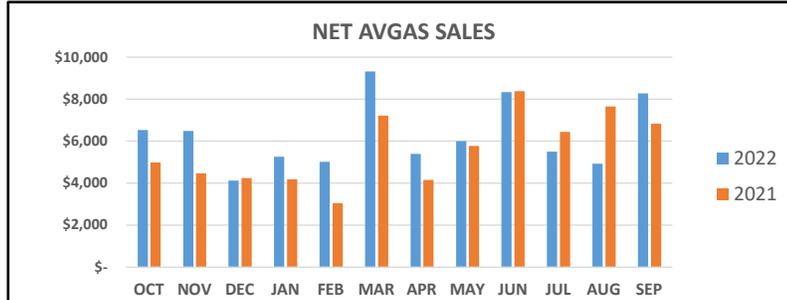
# AIRPORT FUND DASHBOARD

FYTD SEPTEMBER 2022

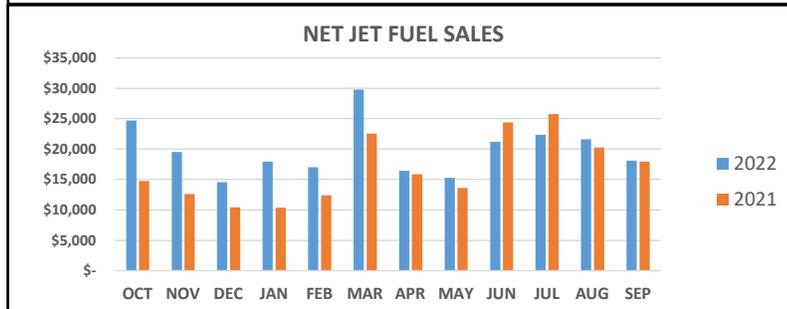
## CURRENT RESULTS COMPARISON

	AMENDED BUDGET	ACTUAL FYTD SEPT 2022	% OF BUDGET	PY BUDGET 2020-2021	ACTUAL FYTD SEPT 2021	% OF BUDGET
REV (net of cogs)	\$ 428,729	\$ 534,011	125%	\$ 347,654	\$ 479,004	138%
EXPENSES	376,818	354,505	94%	254,295	269,701	106%
PROFIT (LOSS)	\$ 51,911	\$ 179,506		\$ 93,359	\$ 209,303	

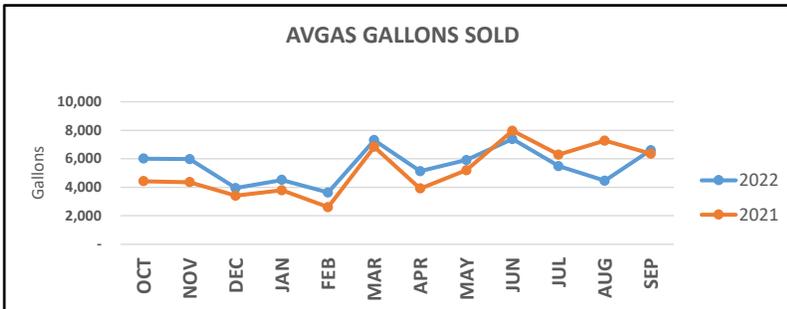
## TABLES/CHARTS



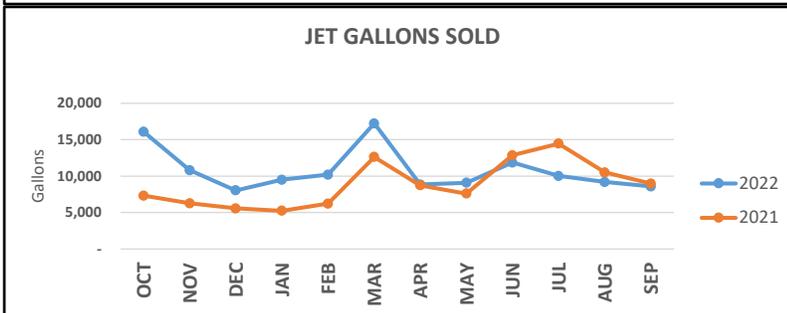
	FYTD 2022	FYTD 2021
Av Sales	\$ 370,717	\$ 267,007
Av Purchases	295,565	199,617
Profit	\$ 75,152	\$ 67,390
%	20.27%	25.24%



	FYTD 2022	FYTD 2021
Jet Sales	\$ 685,172	\$ 416,382
Jet Purchases	446,624	215,396
Profit	\$ 238,548	\$ 200,986
%	34.82%	48.27%



Avgas Gallons Sold:	
FYTD 2022	66,315
FYTD 2021	62,392
Increase(decrease)	3,924
	6.29%



Jet Gallons Sold:	
FYTD 2022	129,503
FYTD 2021	106,410
Increase(decrease)	23,093
	21.70%

City of Burnet, Texas  
 Airport Fund  
 Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)  
 FYTD SEPTEMBER 2022

	100% of year complete			PY BUDGET 2020-2021	PY ACTUAL FYTD SEPT 2021	% OF BUDGET
	AMENDED BUDGET 2021-2022	ACTUAL FYTD SEPT 2022	% OF BUDGET			
<b>REVENUE</b>						
Av Gas Sales	\$ 354,000	\$ 370,717		\$ 170,500	\$ 267,007	
Av Gas Purchases	295,750	295,565		127,875	199,617	
Net Sales	58,250	75,152	129%	42,625	67,390	158%
Jet Gas Sales	612,000	685,172		210,000	416,382	
Jet Gas Purchases	446,850	446,624		115,500	215,396	
Net Sales	165,150	238,548	144%	94,500	200,986	213%
Penalties	450	425	94%	450	600	133%
All Hangar Lease	125,000	132,406	106%	125,000	129,611	104%
CAF Admissions	5,066	5,319	105%	5,066	5,066	100%
McBride Lease	45,893	46,015	100%	45,893	46,050	100%
Thru the Fence Lease	12,020	12,312	102%	12,020	12,312	102%
Airport Parking Permit	2,000	1,055	53%	2,000	2,110	106%
Hanger Lease - Faulkner	14,400	10,800	75%	14,400	14,400	100%
Interest Earned	500	11,471	2294%	5,700	335	6%
Other	-	510		-	145	#DIV/0!
Use of Fund Balance	493,069	242,081	49%	200,000	56,682	28%
<b>Total Revenue</b>	<b>\$ 921,798</b>	<b>\$ 776,093</b>	<b>84%</b>	<b>\$ 547,654</b>	<b>\$ 535,686</b>	<b>98%</b>
<i>Total Revenue less fund balance</i>	<i>\$ 428,729</i>	<i>\$ 534,011</i>	<i>125%</i>	<i>\$ 347,654</i>	<i>\$ 479,004</i>	<i>138%</i>
<b>EXPENSES</b>						
Personnel Services	\$ 98,372	\$ 96,986	99%	\$ 92,879	\$ 94,744	102%
Supplies & Materials	4,000	3,698	92%	3,800	2,558	67%
Repairs & Maint	6,337	6,336	100%	3,000	793	26%
Contractual Services	130,722	119,752	92%	63,400	63,893	101%
Other Designated Expenses	51,011	41,357	81%	30,959	36,059	116%
Transfers to Debt Service	58,069	58,069	100%	-	-	
Admin Allocation	55,176	55,176	100%	31,457	42,854	136%
Av fuel truck lease	13,000	13,000	100%	12,000	12,000	100%
Jet fuel truck lease	18,200	18,200	100%	16,800	16,800	100%
Transfers to Capital	435,000	184,012	42%	200,000	56,682	28%
<b>Total Expenses</b>	<b>\$ 869,887</b>	<b>\$ 596,586</b>	<b>69%</b>	<b>\$ 454,295</b>	<b>\$ 326,383</b>	<b>72%</b>
<i>Total Exp - xfers to capital and debt svc.</i>	<i>\$ 376,818</i>	<i>\$ 354,505</i>	<i>94%</i>	<i>\$ 254,295</i>	<i>\$ 269,701</i>	<i>106%</i>
<b>Change in Net Position</b>	<b>\$ 51,911</b>	<b>\$ 179,506</b>		<b>\$ 93,359</b>	<b>\$ 209,303</b>	

**KEY VARIANCES - BUDGET vs ACTUAL (100% of Year Complete)**

Revenues

-Sales revenues have increased mainly because gallons of fuel sold have increased 6% for av gas and 22% for jet fuel.  
 -Use of Fund Balance offsets Transfers to Capital and Debt Svc, therefore the net impact of these adjustments is zero.

Expenses

-On track with budget.

City of Burnet, Texas  
 Other Funds  
 Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)  
 FYTD SEPTEMBER 2022

	ANNUAL BUDGET 2021-2022			ACTUAL FYTD SEPT 2022			PY BUDGET 2020-2021			PY ACTUAL FYTD SEPT 2021		
			% OF BUDGET			% OF BUDGET			% OF BUDGET			% OF BUDGET
<b>HOTEL/MOTEL FUND</b>												
Revenues	\$	171,281		\$	222,873	130.12%	\$	111,000		\$	191,704	172.71%
Expenses		172,465			150,557	87.30%		107,191			133,043	124.12%
Net Profit (Loss)	\$	(1,184)		\$	72,316		\$	3,809		\$	58,662	
<b>BEDC</b>												
Revenues	\$	4,009,417		\$	1,966,619	49.05%	\$	3,020,858		\$	1,438,326	47.61%
Expenses		3,795,481			1,480,228	39.00%		2,743,111			824,627	30.06%
Net Profit (Loss)	\$	213,936		\$	486,391		\$	277,747		\$	613,699	
<b>SELF FUNDED EQUIPMENT FUND</b>												
Revenues	\$	1,034,800		\$	767,556	74.17%	\$	708,000		\$	661,799	93.47%
Expenses		1,034,800			443,336	42.84%		708,000			368,384	52.03%
Net Profit (Loss)	\$	-		\$	324,219		\$	-		\$	293,416	
<b>DEBT SERVICE FUND</b>												
Revenues	\$	1,052,683		\$	1,053,004	100.03%	\$	1,029,098		\$	1,028,945	99.99%
Expenses		1,052,183			1,052,930	100.07%		1,028,499			1,028,642	100.01%
Net Profit (Loss)	\$	500		\$	74		\$	599		\$	303	
<b>INTEREST &amp; SINKING DEBT FUND</b>												
Revenues	\$	490,178		\$	538,655	109.89%	\$	366,049		\$	1,512,984	413.33%
Expenses		489,978			489,978	100.00%		366,049			1,512,984	413.33%
Net Profit (Loss)	\$	200		\$	48,677		\$	-		\$	(0)	

City of Burnet, Texas  
Cash and Investment Accounts  
FYTD SEPTEMBER 2022

Acct #	Bank	Account Name	Account Type	Balance as of SEPTEMBER 2022
<b>Unrestricted Accounts</b>				
984/2410	FSB	Operating Cash	Checking	\$ 2,355,332.39
		Add or Subtract Claim on Cash for Airport		(18,839.12)
2329	FSB	Golf Course Petty Cash	Checking	326.47
2535	FSB	Operating Reserve	M/M	-
2352	FSB	Delaware Springs-Credit Card Acct	Checking	-
2378	FSB	Airport - Credit Card Acct	Checking	-
2386	FSB	Utility - Credit Card Acct	Checking	-
2469	FSB	Court - Credit Card Acct	Checking	-
2711100002	TexPool	Operating Reserve	Investment	4,209,834.68
<b>Total Unrestricted</b>				<b>\$ 6,546,654.42</b>

<b>75 Day Reserve Requirement</b>	<b>3,518,000.00</b>
<b>Unrestricted Cash over 75 day reserve</b>	<b>\$ 3,028,654.42</b>
<b>90 Day Reserve Requirement</b>	<b>4,222,000.00</b>
<b>Unrestricted Cash over 90 day reserve</b>	<b>\$ 2,324,654.42</b>

**Restricted by Council**

2711100004	TexPool	Capital Reserve	Investment	\$ -
2711100011	TexPool	Capital Equipment Reserve	Investment	554,583.71
2711100012	TexPool	Capital - LCRA Credit	Investment	-
2188	FSB	Self Funded Equipment	M/M	744,360.04
2711100014	TexPool	Self Funded Equipment Reserve	Investment	669,006.59
2711100016	TexPool	CLFRF - American Rescue Plan	Investment	1,596,246.43
2711100021	TexPool	YMCA/GHRC Capital Improvement	Investment	100,015.60
2711100022	TexPool	Electric Capital Improvement	Investment	400,062.39
2711100023	TexPool	Water/WW Improvement	Investment	100,015.60
<b>Total Restricted by Council Action</b>				<b>\$ 4,164,290.36</b>

City of Burnet, Texas  
Cash and Investment Accounts  
FYTD SEPTEMBER 2022

**Restricted by Purpose or Law**

Acct #	Bank	Account Name	Account Type	Balance as of SEPTEMBER 2022
1453	FSB	Bond Reserve	M/M	\$ 427,719.46
2402	FSB	Hotel Motel	M/M	165,766.47
2711100005	TexPool	Hotel Motel	Investment	60,698.84
2451	FSB	Construction Account	Checking	
2485	FSB	PD Seizure	M/M	119.87
2493	FSB	Municipal Court Special Revenue	M/M	77,810.18
2519	FSB	Impact Fees - Water	M/M	424,417.07
2543	FSB	Airport Reserve	M/M	-
		Add or Subtract Airport Claim on Cash		18,839.12
2711100009	TexPool	Airport Reserve	Investment	1,819,883.55
2568	FSB	Benevolent Fund	Checking	-
2576	FSB	Interest & Sinking Acct	M/M	121,664.77
2584	FSB	Impact Fees - Wastewater	M/M	7,555.99
2592	FSB	BEDC	Super NOW	1,098,708.67
2711100008	TexPool	BEDC Project Fund	Investment	-
2711100010	TexPool	BEDC	Investment	634,060.42
70516	FSB	BEDC Commercial Park Project	M/M	190,028.98
2634	FSB	Benefit Trust Account	M/M	-
2675	FSB	Police Department Explorer Program	M/M	6,069.67
2691	FSB	Fire Department Explorer Program	M/M	3,528.89
3012	FSB	Franchise Fee Account	Super NOW	127,128.12
3053	FSB	Parks Fund	M/M	27,289.41
58776	FSB	Fire Dept. Community Acct	M/M	12,905.14
2711100007	TexPool	TWDB	Investment	1,199.69
2711100006	TexPool	TWDB	Investment	1,053.48
		City of Burnet, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2010		
143033000	US Bank	Escrow Account	Investment	3,213.17
82-020-01-0	Bank of	City of Burnet 2012 TWDB Escrow	Investment	20,271.03
2711100013	TexPool	PD Bonds	Investment	-
2711100017	TexPool	2021 CO - City Hall	Investment	4,034,106.98
62026	FSB	Escrow Honey Rock Phase #2	M/M	16,213.66
62315	FSB	BEDC Bond Fund (Badger Bldg DS)	Checking	31,621.66
62364	FSB	BEDC Project Fund	Checking	-
2711100018	TexPool	Golf Course Ops Reserve	Investment	242,515.82
2711100019	TexPool	Golf Course Capital Improvement Reserve	Investment	267,041.64
2711100020	TexPool	Street Rehab/Replacement Reserve	Investment	400,031.19
2711100024	TexPool	Street Bond Reserve	Investment	
<b>Total Restricted Cash</b>				<b>\$ 10,241,462.94</b>
<b>Total All Cash</b>				<b>\$ 20,952,407.72</b>

ACCOUNT NUMBER	INVESTMENT TYPE	DESCRIPT/LOC	MATURITY	BEGINNING BALANCES 07/01/2022	QUARTERLY ACTIVITY	INTEREST EARNINGS	ENDING BALANCE 09/30/2022	BEGINNING MARKET 01/01/2022	ENDING MARKET 03/31/2022	CHANGE IN MARKET VALUE	AVG YIELD
984 & 2410	OPERATING	FIRST STATE BANK	na	\$ 4,580,538.00	\$ (2,225,547.36)	\$ 341.75	\$ 2,355,332.39	na	na	na	0.0004
1453	DEBT SERVICE	FIRST STATE BANK	na	423,041.31	4,632.06	46.09	427,719.46	na	na	na	0.0004
2188	SELF FUNDED ACCT	FIRST STATE BANK	na	742,838.05	1,426.05	95.94	744,360.04	na	na	na	0.0005
2329	GOLF COURSE PETTY CASH	FIRST STATE BANK	na	597.63	(271.16)	-	326.47	na	na	na	-
2402	HOTEL/MOTEL	FIRST STATE BANK	na	181,245.18	(15,502.18)	23.47	165,766.47	na	na	na	0.0005
2485	PD SEIZURE	FIRST STATE BANK	na	119.87	-	-	119.87	na	na	na	-
2493	COURT MONIES	FIRST STATE BANK	na	70,804.45	6,996.29	9.44	77,810.18	na	na	na	0.0005
2519	IMPACT FEES WATER	FIRST STATE BANK	na	412,799.63	11,565.00	52.44	424,417.07	na	na	na	0.0005
2576	I & S SINKING FUND	FIRST STATE BANK	na	507,439.23	(385,809.73)	35.27	121,664.77	na	na	na	0.0004
2584	IMPACT FEE W/W	FIRST STATE BANK	na	128,161.00	(120,616.00)	10.99	7,555.99	na	na	na	0.0006
2592	BEDC	FIRST STATE BANK	na	984,396.10	114,230.69	81.88	1,098,708.67	na	na	na	0.0003
2675	PD EXPLORER PROGRAM	FIRST STATE BANK	na	6,069.20	(0.99)	1.46	6,069.67	na	na	na	0.0010
2691	FD EXPLORER PROGRAM	FIRST STATE BANK	na	3,528.62	(0.60)	0.87	3,528.89	na	na	na	0.0010
3012	CABLE FRANCHISE FEES	FIRST STATE BANK	na	123,574.79	3,543.84	9.49	127,128.12	na	na	na	0.0003
3053	PARKS FUND	FIRST STATE BANK	na	18,286.99	9,000.00	2.42	27,289.41	na	na	na	0.0004
58776	FD COMMUNITY FUND	FIRST STATE BANK	na	12,015.39	889.75	-	12,905.14	na	na	na	-
62315	BEDC BOND FUND	FIRST STATE BANK	na	172,666.17	(141,047.92)	3.41	31,621.66	na	na	na	0.0001
70516	281 COMM PARK PROJECT	FIRST STATE BANK	na	191,178.73	(1,173.80)	24.05	190,028.98	na	na	na	0.0005
62026	ESCROW HONEY ROCK PHASE 2	FIRST STATE BANK	na	\$ 16,211.61	\$ (0.00)	\$ 2.05	\$ 16,213.66				
SUBTOTAL - FIRST STATE BANK				\$ 8,575,511.95	\$ (2,737,686.06)	\$ 741.02	\$ 5,838,566.91	\$ -	\$ -	\$ -	0.0004
2711100002	TEXPOOL - GF RESERVE	TEXPOOL	na	\$ 4,188,390.70	\$ (0.00)	\$ 21,443.98	\$ 4,209,834.68	\$ 4,188,390.70	\$ 4,209,834.68	\$ 21,443.98	0.0203
2711100005	TEXPOOL - HOT	TEXPOOL	na	60,389.64	(0.00)	309.20	60,698.84	60,389.64	60,698.84	309.20	0.0203
2711100006	TEXPOOL - TWDB	TEXPOOL	na	1,048.32	0.00	5.16	1,053.48	1,048.32	1,053.48	5.16	0.0195
2711100007	TEXPOOL - TWDB	TEXPOOL	na	1,193.66	(0.00)	6.03	1,199.69	1,193.66	1,199.69	6.03	0.0200
2711100008	TEXPOOL - BEDC PROJECT FUND	TEXPOOL	na	-	-	-	-	-	-	-	#DIV/0!
2711100009	TEXPOOL - AIRPORT	TEXPOOL	na	1,629,136.17	182,378.02	8,369.36	1,819,883.55	1,629,136.17	1,819,883.55	190,747.38	0.0193
2711100010	TEXPOOL - BEDC RESERVE	TEXPOOL	na	630,830.67	-	3,229.75	634,060.42	630,830.67	634,060.42	3,229.75	0.0203
2711100011	TEXPOOL - CAPITAL EQUIPMENT RESERVE	TEXPOOL	na	551,758.80	(0.00)	2,824.91	554,583.71	551,758.80	554,583.71	2,824.91	0.0203
2711100012	TEXPOOL - ELECTRIC RESERVE	TEXPOOL	na	-	-	-	-	-	-	-	#DIV/0!
2711100013	TEXPOOL - PD BOND PROCEEDS	TEXPOOL	na	-	-	-	-	-	-	-	#DIV/0!
2711100014	TEXPOOL - SELF FUNDED EQUIPMENT	TEXPOOL	na	665,598.81	(0.00)	3,407.78	669,006.59	665,598.81	669,006.59	3,407.78	0.0203
2711100017	TEXPOOL - 2021 CO - CITY HALL	TEXPOOL	na	4,013,558.09	16,291.46	4,257.43	4,034,106.98	\$ 4,013,558.09	\$ 4,034,106.98	\$ 20,548.89	0.0042
2711100016	TEXPOOL - CLFRF AMERICAN RESCUE PLAN	TEXPOOL	na	795,193.57	780,503.97	20,548.89	1,596,246.43	\$ 795,193.57	\$ 1,596,246.43	\$ 801,052.86	0.0682
2711100018	TEXPOOL - GOLF COURSE OPS RESERVE	TEXPOOL	na	\$ 242,478.00	\$ 37.82	\$ -	\$ 242,515.82	\$ -	\$ 242,515.82	\$ 242,515.82	0.0012
2711100019	TEXPOOL - GOLF COURSE CAPITAL RESERVE	TEXPOOL	na	\$ 267,000.00	\$ 41.64	\$ -	\$ 267,041.64	\$ -	\$ 267,041.64	\$ 267,041.64	0.0012
2711100020	TEXPOOL - STREET REHAB/REPLACE RESERVE	TEXPOOL	na	\$ 400,000.00	\$ 31.19	\$ -	\$ 400,031.19	\$ -	\$ 400,031.19	\$ 400,031.19	0.0006
2711100021	YMCA/GHRC CAPITAL RESERVE	TEXPOOL	na	\$ 100,000.00	\$ 15.60	\$ -	\$ 100,015.60	\$ -	\$ 100,015.60	\$ 100,015.60	0.0012
2711100022	ELECTRIC CAPITAL IMPROVEMENT	TEXPOOL	na	\$ 400,000.00	\$ 62.39	\$ -	\$ 400,062.39	\$ -	\$ 400,062.39	\$ 400,062.39	0.0012
2711100023	WATER/WW CAPITAL IMPROVEMENT	TEXPOOL	na	\$ 100,000.00	\$ 15.60	\$ -	\$ 100,015.60	\$ -	\$ 100,015.60	\$ 100,015.60	0.0012
2711100024	STREET BOND RESERVE	TEXPOOL	na	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
SUBTOTAL - TEXPOOL				\$ 12,537,098.43	\$ 2,488,651.45	\$ 64,606.73	\$ 15,090,356.61	\$ 12,537,098.43	\$ 15,090,356.61	\$ 2,553,258.18	0.0186
143033000	US BANK LOAN		na	\$ 3,201.61	\$ (26.53)	\$ 38.09	\$ 3,213.17	\$ 3,201.61	\$ 3,213.17	\$ 11.56	0.0471
82-0220-01-0	BANK OF TEXAS - TWDB #2		na	20,206.52	26.53	37.98	20,271.03	20,206.52	20,271.03	64.51	0.0074
SUBTOTAL - OTHERS				\$ 23,408.13	\$ (0.00)	\$ 76.07	\$ 23,484.20	\$ 23,408.13	\$ 23,484.20	\$ 76.07	0.0129
TOTALS				\$ 21,136,018.51	\$ (249,034.61)	\$ 65,423.82	\$ 20,952,407.72	\$ 12,560,506.56	\$ 15,113,840.81	\$ 2,553,334.25	0.0123
PERFORMANCE MEASURES:					Benchmark	Actual					
				Avg Yield (Benchmark at 12/31/20)	0.1000%	1.2334%					
				Benchmark=90 day T-Bill Rate							
				WAM	Max 365						
				Diversification:							
				Other		0.11%					
				FSB		27.87%					
				TexPool	Max 100%	72.02%					

Collateral Adequacy - All funds are fully collateralized and/or insured.  
 Statement of Compliance - All investment transactions of the City meet the requirements set forth in Chapter 2256, Texas Govt. Code, as amended and are in compliance with the City's Investment Policy.

*Patricia Langford*  
 Patricia Langford, Finance Director

*Stefani Wright*  
 Stefani Wright, Senior Accountant

*11/2/2022*  
 Date

City of Burnet, Texas  
 Capital Projects  
 FYTD SEPTEMBER 2022

GENERAL CAPITAL PROJECT FUND						BALANCE TO BE FUNDED FROM:			
DESCRIPTION			CURRENT BUDGET 2021-2022	FYTD SEPTEMBER ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2021-2022	OPERATING RESERVES	OTHER SOURCES	TOTAL
<u>CAPITAL PROJECTS:</u>									
INCODE 10 UPGRADE	ADMIN	46-1111-58397	\$ 38,000	\$ 21,160	56%	\$ 16,840	\$ 16,840	\$ -	\$ 16,840
CITY COMP PLAN/UTILITY MAPS	ADMIN	46-1111-58560	300,000	23,307	8%	276,693	276,693	-	276,693
SERVERS AND COMPUTERS	ADMIN	46-1111-58000	75,000	47,577	63%	27,423	27,423	-	27,423
NEW CITY HALL	ADMIN	46-1111-58810	5,000,000	228,973	5%	4,771,027	771,027	4,000,000	4,771,027
EASEMENT - DS24 <sup>2</sup>	ADMIN	46-1111-58500	14,000	14,000	100%	-	-	-	-
PD Tasers	POLICE	46-1600-58000	60,000	57,304	96%	2,696	2,696	-	2,696
PD Ticket Writers	POLICE	46-1600-58399	26,000	23,042	89%	2,958	2,958	-	2,958
PD FORENSIC SOFTWARE & COMPUTER <sup>2</sup>	POLICE	46-1600-58300	15,324	15,324	100%	0	0	-	0
PD BREACHING EQUIPMENT <sup>2</sup>	POLICE	46-1600-57000	25,000	25,000	100%	-	-	-	-
REMODEL FD SUBSTATION	FIRE	46-1640-58489	100,000	46,730	47%	53,270	53,270	-	53,270
COVID EXPENSES <sup>1</sup>	FIRE	46-1640-57030	146,000	98,723	68%	47,277	47,277	-	47,277
FIRE TRUCK <sup>1</sup>	FIRE	46-1640-58000	850,000	849,971	100%	-	-	-	-
DONATED FUNDS PD <sup>1</sup>	POLICE		50,000	-	0%	50,000	50,000	-	50,000
DONATED FUNDS FD <sup>1</sup>	FIRE		50,000	-	0%	50,000	50,000	-	50,000
TASSPP ANNUAL FEE	FIRE	46-1640-54500	47,250	37,322	79%	-	-	-	-
FIRE AUTO PULSE RESUSCITATION <sup>2</sup>	FIRE	46-1641-58000	75,850	75,850	100%	-	-	-	-
STREETS <sup>2</sup>	STREETS	46-1700-58700	660,000	658,716	100%	-	-	-	-
TRACKED SKID STEER - STREETS <sup>1</sup>	STREETS	46-1700-58000	155,250	134,286	86%	20,964	20,964	-	20,964
LOADER - STREETS	STREETS	46-1700-58000	175,000	175,133	100%	-	-	-	-
DE-ICING EQUIP STREETS	STREETS	46-1700-58000	30,000	20,921	70%	9,079	9,079	-	9,079
PARK IMPROVEMENTS	PARKS	46-1800-58800	100,000	32,565	33%	67,435	67,435	-	67,435
COMMUNITY CENTER IMPROVEMENTS	PARKS	46-1800-58800	100,000	-	0%	100,000	100,000	-	100,000
DOWNTOWN RESTROOMS	PARKS	46-1800-58400	100,000	-	0%	100,000	100,000	-	100,000
ENGINEERING SOFTWARE <sup>1</sup>	ENG		65,000	52,958	81%	12,042	12,042	-	12,042
GHRC IMPROVEMENTS	GHRC	46-1813-58478	50,000	-	0%	50,000	50,000	-	50,000
GHRC TEEN CENTER	GHRC	46-1813-58461	20,000	20,000	100%	-	-	-	-
<b>TOTAL</b>			<b>\$ 8,327,674</b>	<b>\$ 2,658,863</b>	<b>32%</b>	<b>\$ 5,657,703</b>	<b>\$ 1,657,703</b>	<b>\$ 4,000,000</b>	<b>\$ 5,657,703</b>

GOLF COURSE CAPITAL PROJECT FUND						BALANCE TO BE FUNDED FROM:			
DESCRIPTION			CURRENT BUDGET 2021-2022	FYTD SEPTEMBER ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2021-2022	OPERATING RESERVES	OTHER SOURCES	TOTAL
<u>CAPITAL PROJECTS:</u>									
CLUB HOUSE IMPROVEMENTS			\$ 250,000	\$ 146,065	58%	\$ 103,935	\$ 103,935	\$ -	\$ 103,935
OTHER IMPROVEMENTS			370,000	-	0%	370,000	370,000	-	370,000
			<b>\$ 620,000</b>	<b>\$ 146,065</b>	<b>24%</b>	<b>\$ 473,935</b>	<b>\$ 473,935</b>	<b>\$ -</b>	<b>\$ 473,935</b>

ELECTRIC CAPITAL PROJECT FUND						BALANCE TO BE FUNDED FROM:			
DESCRIPTION			CURRENT BUDGET 2021-2022	FYTD SEPTEMBER ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2021-2022	OPERATING RESERVES	OTHER SOURCES	TOTAL
<u>CAPITAL PROJECTS:</u>									
SOFTWARE - ELSTER UPGRADES			\$ 55,000	\$ 8,648	16%	\$ 46,352	\$ 46,352	\$ -	\$ 46,352
SCADA/RE Closers			100,000	27,025	27%	72,975	72,975	-	72,975
DEVELOPMENT PROJECTS			150,000	144,560	96%	5,440	5,440	-	5,440
			<b>\$ 305,000</b>	<b>\$ 180,233</b>	<b>59%</b>	<b>\$ 124,767</b>	<b>\$ 124,767</b>	<b>\$ -</b>	<b>\$ 124,767</b>

W/WW CAPITAL PROJECT FUND						BALANCE TO BE FUNDED FROM:			
DESCRIPTION			CURRENT BUDGET 2021-2022	FYTD SEPTEMBER ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2021-2022	OPERATING RESERVES	OTHER SOURCES	TOTAL
<u>CAPITAL PROJECTS:</u>									
CAMERA TRUCK		45-4210-58000	\$ 225,000	226,500	101%	\$ -	\$ -	\$ -	\$ -
VAC TRUCK		45-4210-58000	450,000	420,004	93%	29,996	29,996	-	29,996
GENERATORS - WATER FUND BAL		45-4210-58000	200,000	30,317	15%	169,683	169,683	-	169,683
GENERATORS - WATER IMPACT FEES		45-4210-58000	300,000	-	0%	300,000	-	300,000	300,000
FACILITY UPGRADES FOR ZEBRA MUSSELS		45-4200-58400	50,000	-	0%	50,000	-	50,000	50,000
HWY 29 WATER LINE EXT		45-4210-58600	100,000	2,747	3%	97,253	97,253	-	97,253
VFW SEWER UPGRADE		45-4210-58800	30,000	-	0%	30,000	30,000	-	30,000
RANCH LIFT STATION UPGRADE		45-4210-58800	100,000	-	0%	100,000	100,000	-	100,000
RISK AND RESILIENCE STUDY		45-4200-58551	30,000	5,018	17%	24,983	24,983	-	24,983
OVERSIZE WATER MAIN TO CREEKFALL <sup>1</sup>		45-4210-58600	102,301	-	0%	102,301	102,301	-	102,301
WATER SYSTEM IMPROVEMENTS		45-4200-58880	10,000	6,500	65%	3,500	-	3,500	3,500
TRANSFER OUT WW IMPACT FEES <sup>2</sup>		45-4210-59042	130,000	130,000	100%	-	-	-	-
			<b>\$ 1,727,301</b>	<b>\$ 821,086</b>	<b>48%</b>	<b>\$ 907,715</b>	<b>\$ 554,215</b>	<b>\$ 353,500</b>	<b>\$ 907,715</b>

City of Burnet, Texas  
 Capital Projects  
 FYTD SEPTEMBER 2022

AIRPORT CAPITAL PROJECT FUND					
DESCRIPTION		CURRENT BUDGET 2021-2022	FYTD SEPTEMBER ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2021-2022
<u>CAPITAL PROJECTS:</u>					
RAMP GRANT	47-2310-53300	\$ 100,000	\$ 107,791.91	108%	\$ (7,792)
C/O EQUIPMENT - JET TUG AND GPU	47-2300-58000	75,000	-	0%	75,000
CAPITAL OUTLAY	47-2300-58174	200,000	59,345	30%	140,656
C/O BLDG & FACILITY - JET HANGAR	47-2300-58400	1,000,000	50,553	5%	949,447
C/O LAND - DECEL LANE	47-2300-58500	90,000	-	0%	90,000
GUIDING DOCUMENTS	47-2300-58550	22,000	16,876	77%	5,124
FUTURE PLAN	47-2300-58550	20,000	-	0%	20,000
CARES ACT GRANT	47-2300-58550	30,000	-	0%	30,000
		<u>1,537,000</u>	<u>234,566</u>	<u>15%</u>	<u>\$ 1,302,434</u>
		-			

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
\$ -	\$ (7,792)	\$ (7,792)
-	75,000	75,000
-	140,656	140,656
-	949,447	949,447
-	90,000	90,000
-	5,124	5,124
-	20,000	20,000
-	30,000	30,000
<u>\$ -</u>	<u>\$ 1,302,434</u>	<u>\$ 1,302,434</u>

TOTAL CAPITAL/OTHER PROJECTS					
		CURRENT BUDGET 2021-2022	FYTD SEPTEMBER ACTUAL EXPENSES	% complete	REMAINING BALANCE FOR 2021-2022
TOTAL CAPITAL/OTHER PROJECTS		\$ 12,516,975	\$ 4,040,812	32%	\$ 8,466,554
TRANSFER TO CAP EQUIP RESERVES		-	-	0%	-
TOTAL CAPITAL/OTHER		<u>\$ 12,516,975</u>	<u>\$ 4,040,812</u>	<u>32%</u>	<u>\$ 8,466,554</u>

BALANCE TO BE FUNDED FROM:		
OPERATING RESERVES	OTHER SOURCES	TOTAL
\$ 2,810,620	\$ 5,655,934	\$ 8,466,554
-	-	-
<u>\$ 2,810,620</u>	<u>\$ 5,655,934</u>	<u>\$ 8,466,554</u>

<sup>1</sup> Updated per Budget Amendments.  
<sup>2</sup> Pending Budget Amendment.

# City of Burnet

## Financial Report

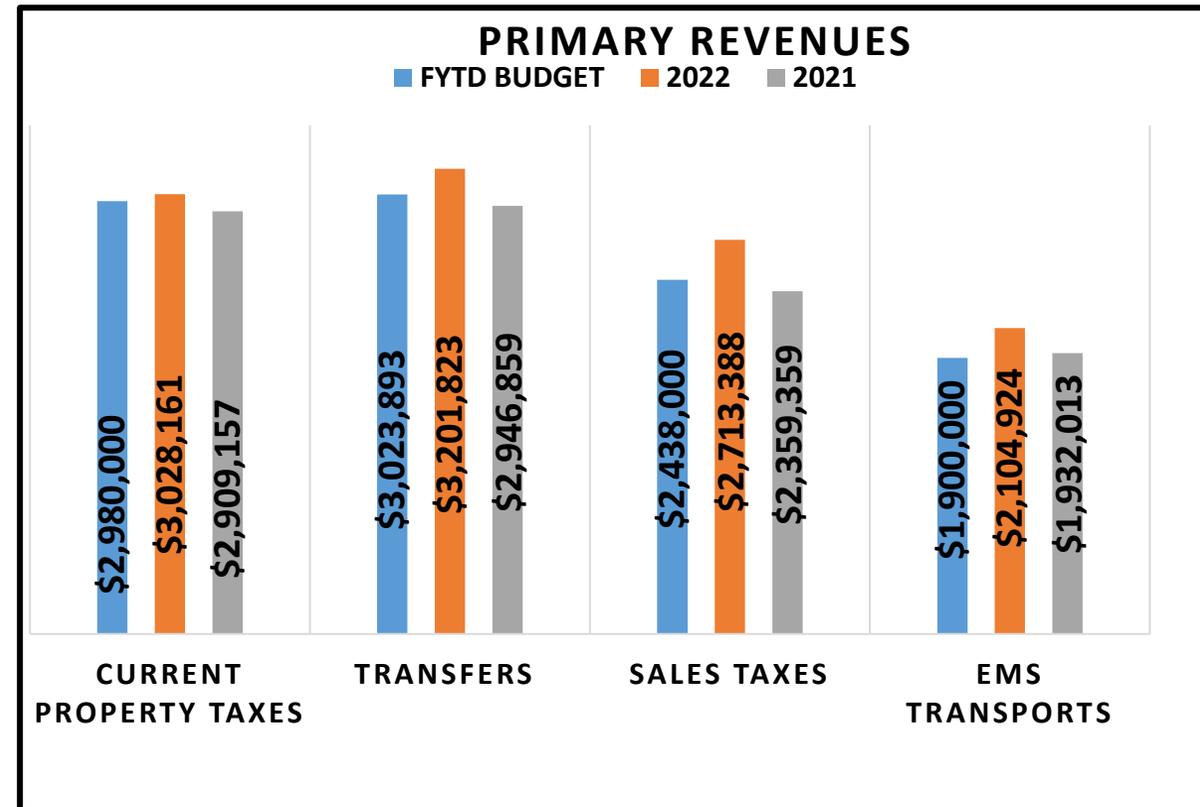
### YTD September 30, 2022

FY 2022

# General Fund

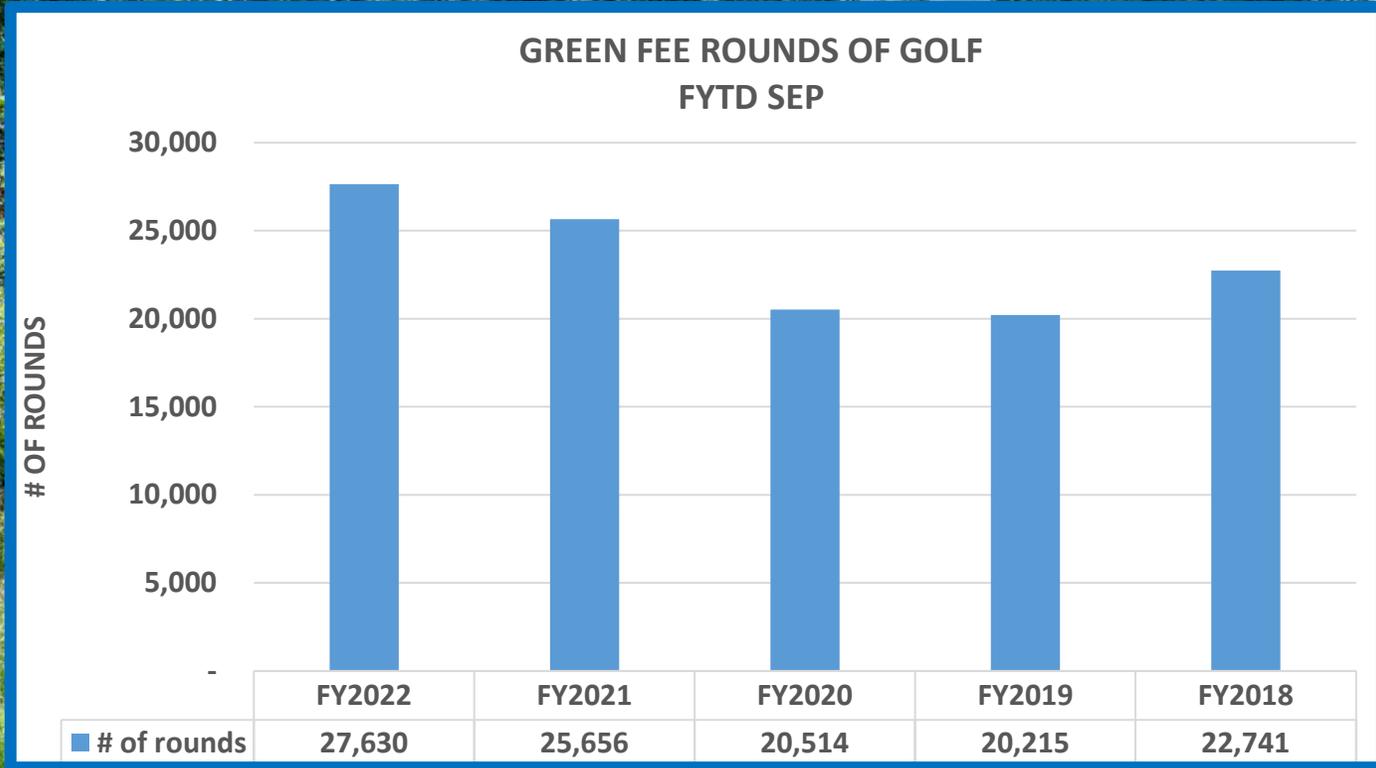
	Annual Budget	Actual FYTD Sep 2022	% of Budget
Revenues	\$13,131,563	\$14,090,031	107%
Expenses	12,907,890	12,707,338	98%
Profit(Loss)	\$223,673	<b>\$1,382,693</b>	

- Total Revenues – ended the year above budget at 107%
  - *Property Tax Collections*  
*Equal to 102% of budget; Increased \$119,000 over prior year*
  - *Transfers In*  
*Equal to 106% of budget; increased \$255,000 over prior year*
  - *Sales Tax Collections*  
*Equal to 111% of budget; increased \$354,000 over prior year*
  - *EMS Transport Revenues*  
*Equal to 111% of budget; increased \$173,000 over prior year*
  
- Total Expenses – ended the year at 98% of budget.



# Golf Fund

	Annual Budget	Actual FYTD Sep 2022	% of Budget
Revenues	\$1,548,673	\$2,009,714	130%
Expenses	1,640,240	1,639,998	100%
Profit(Loss)	\$(91,567)	<b>\$369,716</b>	



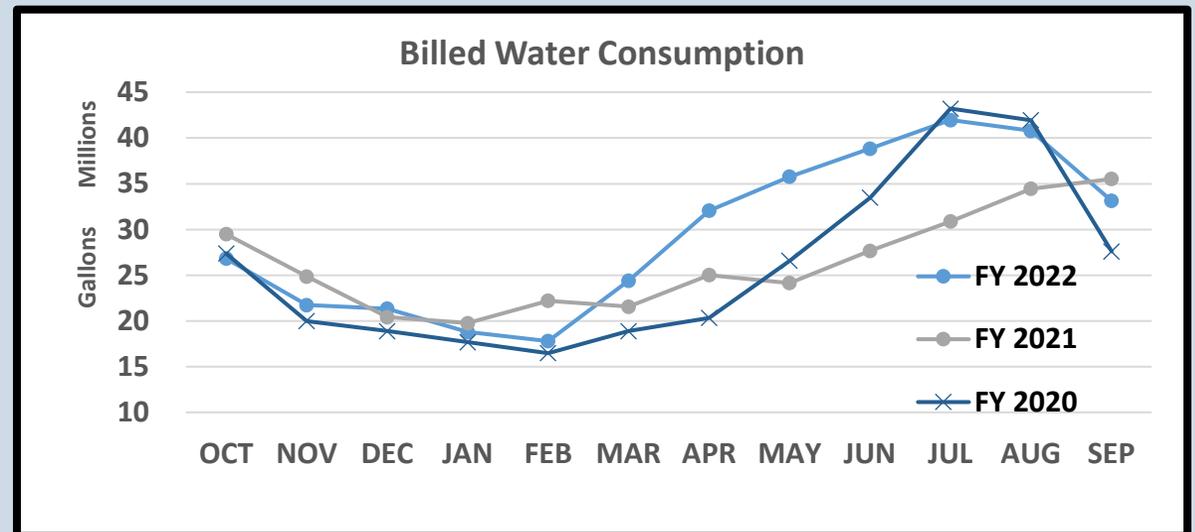
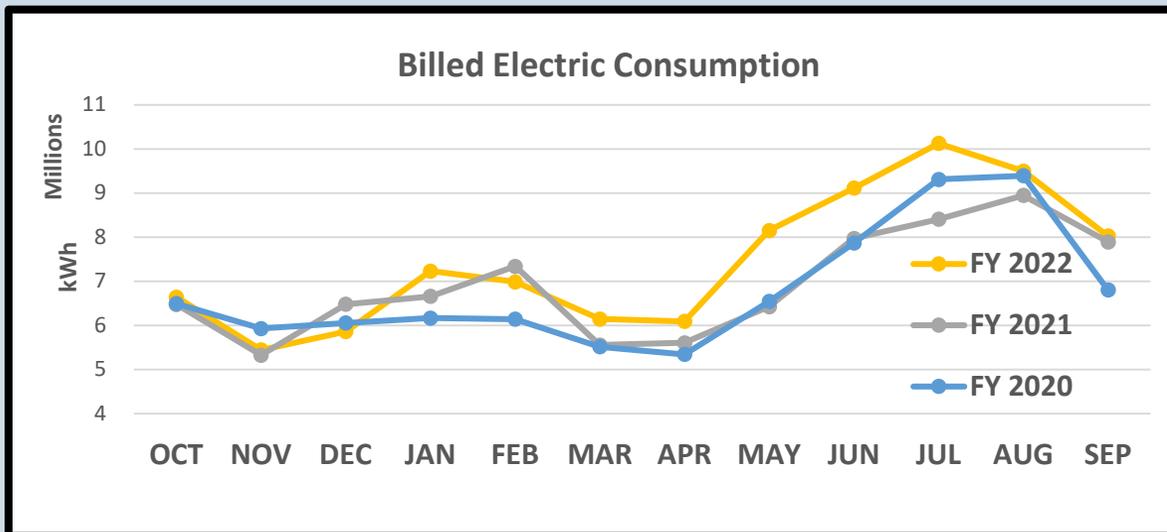
YTD Average Revenue Per Round\*  
 Current Year \$37.61  
 Prior Year \$33.49

*\*Increase due to fewer rounds being traded with Golf Now; and a decrease in the number of "prime time" green fee rounds being discounted.*

# Utility Funds

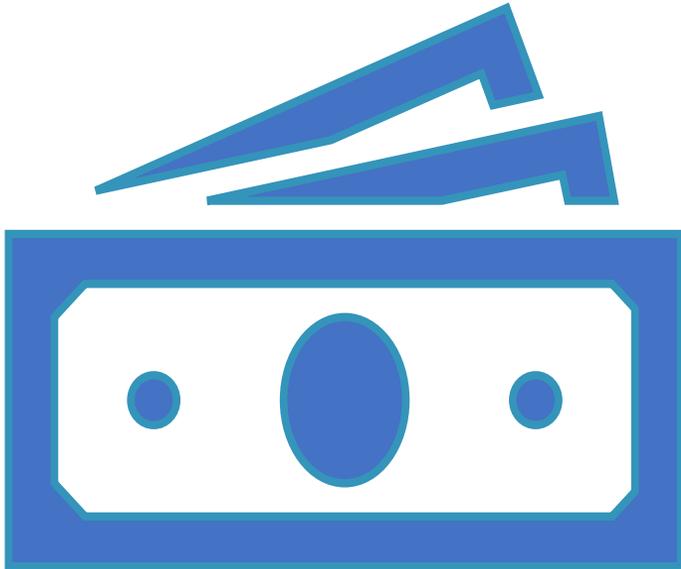
ELECTRIC FUND	Annual Budget	Actual FYTD Sep 2022	% of Budget
Revenues	\$4,059,144	\$4,371,926	108%
Expenses	3,766,501	3,702,000	98%
Profit(Loss)	\$292,643	<b>\$669,925</b>	

WATER FUND	Annual Budget	Actual FYTD Sep 2022	% of Budget
Revenues	\$4,555,420	\$4,843,113	106%
Expenses	4,096,025	4,004,120	98%
Profit(Loss)	\$459,395	<b>\$838,993</b>	



# The “Bottom Line” for fiscal year 2021-2022

	Amended Budget	Actual FYTD Sep 2022
General Fund	\$223,673	\$1,382,693
Golf Course	(91,567)	369,716
Electric Fund	292,643	669,925
Water/WW Fund	459,395	838,993
<b>Total</b>	<b>\$884,144</b>	<b>\$3,261,327</b>



## As of September 30, 2022

### Unrestricted Cash Balance

Unrestricted Cash	\$ 6,546,654
Less 90-day Reserve	<u>4,222,000</u>
Unrestricted Cash Over Reserve	<u>\$ 2,324,654</u>

### Restricted by Council Cash Balance

GF Capital Reserve	\$ 554,584
YMCA Reserve	100,015
Electric Capital Reserve	400,062
Water WW Capital Reserve	100,016
Self Funded Equip. Reserve	1,413,367
SLFRF – American Rescue Plan Funds	<u>1,596,246</u>
	<u>\$ 4,164,290</u>

Questions?



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

On this the 25<sup>th</sup> day of October, 2022, the City Council of the City of Burnet convened in Regular Session, at 11:00 a.m. the City of Burnet Council Chambers located at 2402 S. Water Street (Hwy 281 South, Burnet Municipal Airport) Burnet, Tx. thereof with the following members present, to-wit:

Mayor Crista Goble Bromley  
Council Members Mary Jane Shanes, Philip Thurman, Ricky Langley, Joyce Laudenschlager, Cindia Talamantez

Absent Dennis Langley

City Manager David Vaughn

Assistant City Secretary Leslie Kimbler

Guests: Mark Ingram, Patricia Langford, Tony Nash, Brice Van Arsdale, Mark Miller, Alan Burdell, Brian Lee, Eric Belaj, Shawn Nelson, Katy Randall, Jen Banton, Habib Erkan, Maria Gonzales, Adrienne Feild

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

INVOCATION: Led by Council Member Mary Jane Shanes

PLEDGES (US & TEXAS): Led by Council Member Ricky Langley

SPECIAL REPORTS/RECOGNITION:

Hill Country Smiles (Dental Program): Jen Banton: Jan Benton gave a presentation on the community-led SMART Smiles Program that provides oral health education and preventive dental care to underserved, school-aged children in the local area.

Burnet Chamber of Commerce Report: Allison McKee: Allison McKee, Burnet Chamber of Commerce Director presented the Chamber's annual report. The Chamber of Commerce implemented the Coffee & Conversation, After Hours Business Mixer, and the Lunch & Learn Programs this year. As well as forming a tourism committee that focuses on increasing tourism in Burnet. Current events underway are Christmas on the Square, Lighting of the Square and Halloween in Burnet. The Bluebonnet Festival Committee has begun to meet in preparation of the 40<sup>th</sup> annual Bluebonnet Festival.

Engineering-Water Supply Report: E. Belaj: City Engineer Eric Belaj presented the Water System-Water Capacity Overview Report to all present. Mr. Belaj discussed the sources the city receives water from and the current use levels and demand. The City will continue to monitor and update the water models, and associated areas to ensure ample water is available for the expected growth of the City.

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 September 27, 2022 City Council Workshop Meeting Minutes

Approval of the September 27, 2022 Regular City Council Meeting Minutes

Approval of the October 11, 2002 Special City Council Meeting Minutes

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

PUBLIC HEARINGS/ACTION:

Public Hearing and consideration of the following: adoption and amendments of the Zoning Ordinance and zoning classifications presented by Leslie Kimbler, City Planner:

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY AT 2947 E HWY 29 (LEGALLY DESCRIBED AS: 8.05 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABS. NO. 1525, AND THE JOSEPH BAKER SURVEY, NO. 28, ABS. NO. 125) WITH LIGHT COMMERCIAL – DISTRICT “C-1” CLASSIFICATION; PROVIDING A REPEALER CLAUSE;

PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: Leslie Kimbler, City Planner presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2022-35.

Public Hearing: Mayor Bromley opened the public hearing at 6:49 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing at 6:50 p.m.

Consideration and action: Council Member Joyce Laudenschlager moved to approve the first reading of Ordinance No. 2022-46 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

ACTION ITEMS:

Discuss and consider action: The 2022/2023 Public Safety Dispatch Agreement: B. Lee: Council Member Philip Thurman moved to approve the 2022/2023 Public Safety Dispatch Agreement with Burnet County as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING ACCEPTANCE OF A PUBLIC UTILITY EASEMENT FROM THE HERITAGE VALLEY POA; AND AUTHORIZING THE MAYOR'S EXECUTION OF SAID INSTRUMENT ON BEHALF OF THE CITY. H. Erkan: Council Member Cindia Talamantez moved to adopt Resolution R2022-75 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET TEXAS, APPROVING THE EXPENDITURE OF BURNET ECONOMIC DEVELOPMENT CORPORATION FUNDS FOR THE REALIGNMENT OF A SEGMENT OF THE PUBLIC ROAD KNOWN AS COKE STREET AS AN INFRASTRUCTURE IMPROVEMENT PROJECT IN AN AMOUNT EXCEEDING TEN THOUSAND DOLLARS (\$10,000); APPROVING A COST SHARING AGREEMENT WITH THE BURNET ECONOMIC DEVELOPMENT CORPORATION FOR SAID PROJECT; AND PROVIDING AN EFFECTIVE DATE: D. Vaughn: Council Member Cindia Talamantez moved to adopt Resolution R2022-76 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING THE FIRST AMENDMENT TO AN INTERIM CONTRACT FOR FIXED BASE OPERATION SERVICES FOR THE BURNET MUNICIPAL AIRPORT: A. Field: Council Member Mary Jane Shanes moved to adopt Resolution R2022-77 as presented. Council Member Cindia Talamantez seconded. The motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CODE OF ORDINANCES CHAPTER 118 (ENTITLED "ZONING") BY ADDING A NEW SECTION 118-9 ESTABLISHING A PROCESS TO CHANGE ZONING CLASSIFICATION AND ZONING CLASSIFICATION RULES; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.: Council Member Cindia Talamantez move to approve and adopt Ordinance No. 2022-44 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES; BY MAKING NUMEROUS AMENDMENTS TO CHAPTER 18 (ENTITLED "AVIATION") INCLUDING AUTHORIZING THE ADOPTION OF AIRPORT STANDARDS AND OPERATING POLICY BY RESOLUTION; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, CORRELATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan: Council Member Philip Thurman moved to approve the first reading of Ordinance No. 2022-45 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2021-31; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY: P. Langford: Council

Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2022-47 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AUTHORIZING THE CITY MANAGER TO SIGN A VENDOR AGREEMENT BETWEEN THE CITY OF BURNET AND OPPORTUNITIES FOR WILLIAMSON AND BURNET COUNTIES TO PROVIDE AN ENERGY ASSISTANCE PROGRAM FOR ELIGIBLE LOW-INCOME CLIENTS: P. Langford: Council Member Cindia Talamantez moved to adopt Resolution R2022-77 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: Authorize the City Manager to sign interlocal agreements with the Texas Sheriff's Procurement Board and TIPS (The Interlocal Purchasing System): B. Lee: Council Member Cindia Talamantez moved to approve and authorize the City Manager to sign interlocal agreements with the Texas Sheriff's Procurement Board and TIPS (The Interlocal Purchasing System) as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: Methodology for determination of street repair processes: E. Belaj: Council Member Joyce Laudenschlager made a motion to proceed as presented on the methodology of the street repair processes. Council Member Philip Thurman seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS TAKING ACTION PETITION FOR ANNEXATION OF A 151.11 ACRE TRACT OF LAND LOCATED WEST OF U.S. ROUTE 281 AND SOUTH OF RAMSEY'S WAY; AND AUTHORIZING THE INITIATION OF PROCEEDINGS TO ANNEX THE REAL PROPERTY: D. Vaughn: Council Member Philip Thurman moved to adopt Resolution R2022-79 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

CONVENE TO EXECUTIVE SESSION:

Council Member Mary Jane Shanes moved to convene to Executive Session at 8:10 p.m. Council Member Dennis Langley seconded. The motion carried unanimously.

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 551.087; Deliberation Regarding Economic Development Negotiations-Entegris: D. Vaughn:

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 Member Mary Jane Shanes moved to convene to Executive Session at 8:40 p.m. Council Member Cindia Talamantez seconded. The motion carried unanimously.

Discuss and consider action: Regarding economic development negotiations with Entegris: D. Vaughn: Council Member Mary Jane Shanes move to proceed as discussed in Executive Session. Council Member Cindia Talamantez seconded. The motion carried unanimously.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: In accordance with Resolution R2020-28 councilmembers may request the City Manager to prepare and present future report on matters of public interest: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 8:41 p.m. seconded by Council Member Cindia Talamantez. The motion carried unanimously.

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Crista Goble Bromley, Mayor

**ATTEST:**

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Kelly Dix, City Secretary



## Development Services

## ITEM 3.1 A

Habib Erkan  
Assistant City Manager  
512-715-3201  
HErkan@cityofburnet.com

### Public Hearing and Action

**Meeting Date:** November 8, 2022

**Agenda Item:** AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") BY AMENDING SEC. 118-26 (ENTITLED "SINGLE FAMILY RESIDENTIAL ESTATE – DISTRICT 'R-1 E'") BY PROVIDING FOR A ONE-ACRE MINIMUM LOT SIZE AND 2100 SQUARE FOOT MINIMUM LIVING AREA SIZE IN ZONING DISTRICTS CLASSIFIED AS SINGLE-FAMILY RESIDENTIAL ESTATE—DISTRICT "R-1 E"; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H Erkan, Jr.

**Background:** "R1-E" is an estate lot single family zoning classification. As to lot size, there is a discrepancy in the code, between section 118-20 (minimum lot size one-acre) and section 118-26 (minimum lot size 60,000 square feet).

**Information:** This ordinance resolves the discrepancy by applying the minimum lot size of (1) acre (43,560 square feet) to section 118-26. Additionally, the ordinance amends the code by increasing the required minimum living area from 1100 square feet to 2100 square feet, which is more appropriate for the zoning district.

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

**Recommendation:** Open the public hearing. Take action on the first reading of Ordinance No. 2022-48

**ORDINANCE NO. 2022-48**

**AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") BY AMENDING SEC. 118-26 (ENTITLED "SINGLE FAMILY RESIDENTIAL ESTATE – DISTRICT 'R-1 E'") BY PROVIDING FOR A ONE-ACRE MINIMUM LOT SIZE AND 2100 SQUARE FOOT MINIMUM LIVING AREA SIZE IN ZONING DISTRICTS CLASSIFIED AS SINGLE-FAMILY RESIDENTIAL ESTATE—DISTRICT "R-1 E"; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Code of Ordinances provides for "R-1 E" single family zoning districts; and

**WHEREAS**, City Council finds that no property within the City was assigned an "R-1 E" single family zoning classification; and

**WHEREAS**, City Council finds that "R-1 E" single family is a zoning classification that can be applied to future development to preserve the community's agrarian, hill country atmosphere, prevent the overtaxing of utilities and roadways, and provide protection both to underground aquifers and against stormwater flooding; and

**WHEREAS**, City Council finds it appropriate to update the "R-1 E" single family zoning classification; and

**WHEREAS**, on November 7, 2022, the Planning and Zoning Commission conducted a public hearing to receive comments and testimony on the merits of the code amendments proposed by this Ordinance; and

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

**WHEREAS**, on November 8, 2022, City Council conducted a public hearing; to receive comments and testimony on the merits of the proposed code amendments; and

**WHEREAS**, City Council, after due consideration of the Planning and Zoning Commission recommendation; the comments and testimony of public; and the recommendation of City staff; finds adoption of the proposed code amendments will promote the public health, safety, morals, and the general welfare; and

**WHEREAS**, City Council, finds, determines, and declares that publication of notice of this Ordinance, as required by Section 3.14 of the City Charter and the laws of the State of Texas, was made by the City Secretary; and

**WHEREAS**, City Council, finds, determines, and declares that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given as required by Chapter 551 of the Texas Government Code and Chapter 211 of the Texas Local Government Code.

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

**Section one. Amendment.** The City Code of Ordinances Sec. 118-26 (entitled "*Single-family residential estate—District 'R-1 E'*") is hereby amended by amending subsection (a) therein, (entitled "*purpose and permitted uses*") by adding the language that is underlined (underline) and deleting the language that is stricken (~~stricken~~) as follows:

**Sec. 118-26. Single-family residential estate—District "R-1 E".**

- (a) *Purpose and permitted uses.* Permits detached single-family dwellings with a minimum of ~~4,400~~ 2,100 square feet of living area, ~~and related accessory structures,~~ on a minimum lot size of one-acre ~~60,000 square foot.~~

**Note to editor:** Subsections (b) through (d) of Section 118-26 shall remain in full force and effect as stated prior to the adoption of this ordinance. This note shall not be published in Code.

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

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

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

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

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

**Section seven. Effective Date.** This Ordinance shall be effective upon the date of final adoption hereof.

R-1 E Zoning District

Passed on first reading on the 8th day of November 2022

Passed, Approved and Adopted on the 13 day of December 2022

**CITY OF BURNET**

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Crista Goble Bromley, Mayor

**ATTEST:**

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Kelly Dix, City Secretary



**Development Services**

**Item 3.1 B**

Habib Erkan  
Assistant City Manager  
512-715-3201  
HErkan@cityofburnet.com

**Public Hearing and Action**

**Meeting Date:** November 8, 2022

**Agenda Item:** FIRST READING OF AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") SECTION 118-22 (ENTITLED ZONING OF ANNEXED AREAS") BY AUTOMATICALLY CLASSIFYING NEWLY ANNEXED TERRITORY AS RESIDENTIAL DISTRICT "R-1E" SINGLE-FAMILY ESTATE; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan Jr.

**Background:** Due to legislative amendment to Texas Local Government Code Chapter 42, virtually all annexations are now initiated by petition of the property owner. The City Code currently provides that when newly annexed areas become part of the city, those areas are designated with an interim residential-single family "R-1" zoning classification. Interim zoning classifications are intended to be temporary until City Council can impose permanent zoning either by initiation of the City or upon request by the property owner.

**Information:** This ordinance changes the interim zoning classification to residential estate "R-1E". This change assures that newly annexed areas will come into the city with a zoning classification requiring a one-acre minimum lot size. After annexation, City Council can impose the "R-1E" zoning classification as the permanent zoning classification or impose a different zoning classification as appropriate.

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

**Recommendation:** Open the public hearing. Approve the first reading of Ordinance 2022-49 as presented.

**ORDINANCE NO. 2022-49**

**AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") SECTION 118-22 (ENTITLED "ZONING OF ANNEXED AREAS") BY AUTOMATICALLY CLASSIFYING NEWLY ANNEXED TERRITORY AS RESIDENTIAL DISTRICT "R-1 E" SINGLE-FAMILY ESTATE; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, due to legislative amendment to Texas Local Government Code Chapter 42 virtually all annexations are now initiated by petition of the property owner; and

**WHEREAS**, this code amendment facilitates the implementation of a low-density zoning district, at the time of such annexation, as an interim measure until the appropriate permanent zoning can be placed on the newly annexed territory; and

**WHEREAS**, on November 7, 2022, the Planning and Zoning Commission conducted a public hearing to receive comments and testimony on the merits of the code amendments proposed by this Ordinance; and

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

**WHEREAS**, on November 8, 2022, City Council conducted a public hearing; to receive comments and testimony on the merits of the proposed code amendments; and

**WHEREAS**, The City Council, after due consideration of the Planning and Zoning Commission recommendation; the comments and testimony of public; and the recommendation of City staff; finds adoption of the proposed code amendments will promote the public health, safety, morals, and the general welfare; and

**WHEREAS**, City Council, finds, determines, and declares that publication of notice of this Ordinance, as required by Section 3.14 of the City Charter and the laws of the State of Texas, was made by the City Secretary; and

**WHEREAS**, City Council, finds, determines, and declares that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given as required by Chapter 551 of the Texas Government Code and Texas Local Government Code Chapter 211.

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

**Section one. Amendment.** The Code of Ordinances, Chapter 118 (entitled “*zoning*”) Section 118-22 (entitled “*zoning of annexed areas*”) is hereby amended by replacing the existing language with the language that follows:

**Sec. 118-22. Zoning of annexed areas.**

- (a) *Interim zoning district.* All territory hereafter annexed to the city shall be automatically classified as residential district "R-1 E" Single-Family Estate, pending subsequent action by the commission and council for permanent zoning; provided that upon application, by either the City or the property owner of the land being annexed, for zoning other than agricultural, notice may be given and hearings held in compliance with Texas Local Government Code Chapter 211 and, upon annexation, such property may be permanently zoned as determined by the City Council after considering the Commission's recommendation.
- (b) *Permits in interim zoned areas.* In an area temporarily classified as residential district "R-1 E" Single-Family Estate, no permits for the construction of a building or use of land other than uses allowed in said district under this chapter shall be issued by the city building official nor shall any subdivision plat be approved under chapter 98 for any other lot dimensions than the dimensions authorized in the residential district "R-1 E" Single-Family Estate.

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

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

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

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

**Section six. Severability.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance

Interim zoning

and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

**Section nine. Effective Date.** This Ordinance shall be effective upon the date of final adoption hereof.

Passed on first reading on the 8<sup>th</sup> day of November 2022

Passed, Approved and Adopted on the 13<sup>th</sup> day of December 2022

**CITY OF BURNET**

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Crista Goble Bromley, Mayor

**ATTEST:**

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Kelly Dix, City Secretary

AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") BY PROVIDING FOR A ONE-ACRE MINIMUM LOT SIZE AND 2100 SQUARE FOOT MINIMUM LIVING AREA SIZE IN ZONING DISTRICTS CLASSIFIED AS SINGLE-FAMILY RESIDENTIAL ESTATE—DISTRICT "R-1 E"; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE (H. Erkan Jr.)

City Council Regular  
Meeting November 8,  
2022

Public Hearing and  
First Reading

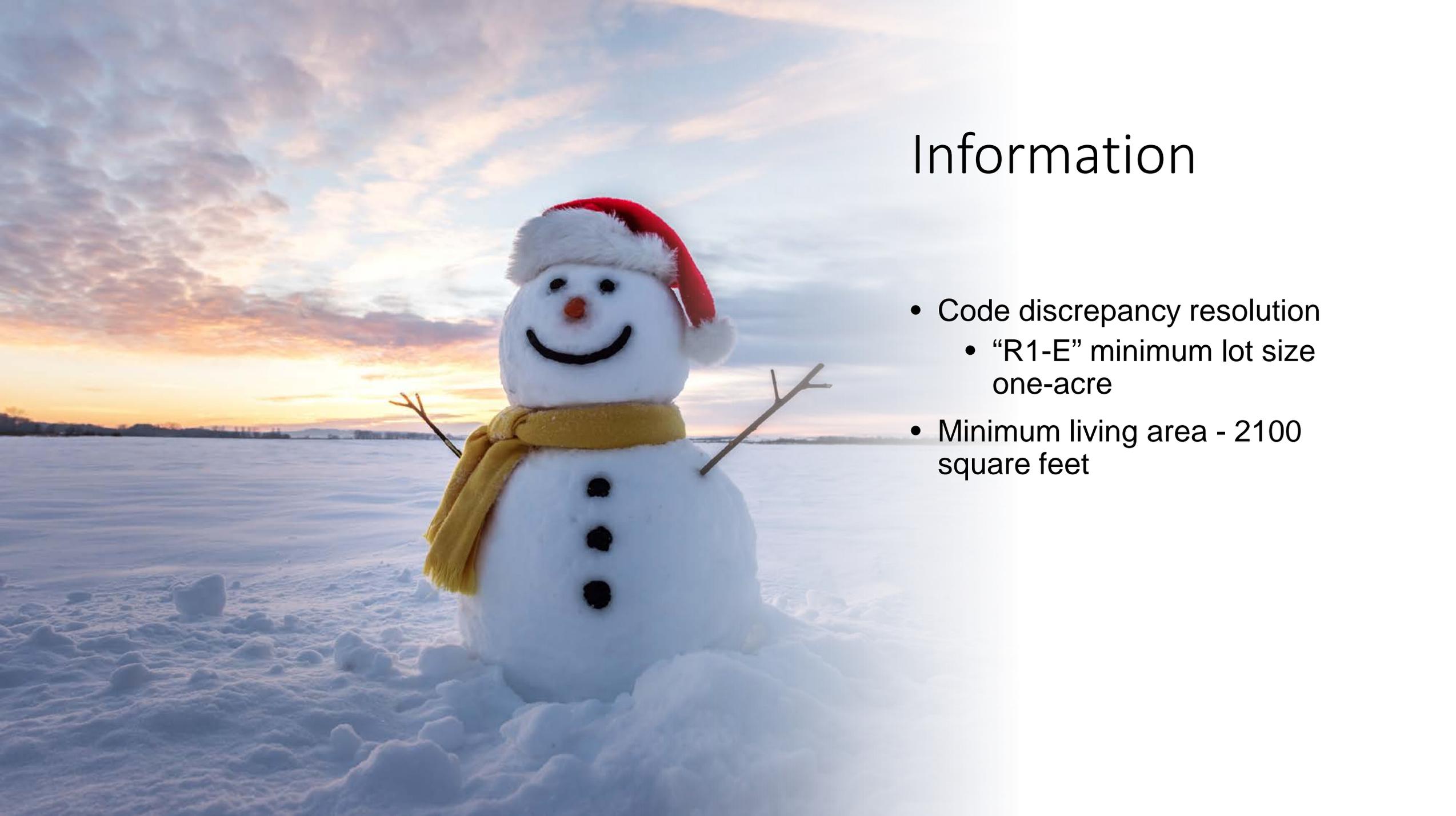
# Background

- “R1-E” is an estate lot single family zoning classification
- Code discrepancy:
  - Section 118-20 (minimum lot size one-acre)
  - section 118-26 (minimum lot size 60,000 square feet)
- Minimum living space requirement (1100 square feet)



# Information

- Code discrepancy resolution
  - “R1-E” minimum lot size one-acre
- Minimum living area - 2100 square feet





Large square equals  
60,000 square feet

Small square equals 43,560  
square feet

# Lot Size Comparison

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Living Area Comparison



Questions?

AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") SECTION 118-22 (ENTITLED ZONING OF ANNEXED AREAS") BY AUTOMATICALLY CLASSIFYING NEWLY ANNEXED TERRITORY AS RESIDENTIAL DISTRICT "R-1E" SINGLE-FAMILY ESTATE; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE (H. Erkan Jr.)

City Council Regular Meeting

November 8, 2022

Public Hearing and First Reading

# Background

Newly annexed land assigned an interim zoning classification



Current interim zoning classification “R-1”



Minimum lots size - 9000 square feet

Minimum living area – 1350 square feet

# Information

Ordinance establishes R1-E as interim zoning classification

Minimum lot size one acre

Minimum living area 2,100 square feet\*

\*These measurements assume acceptance of Ordinance presented beforehand



# Lot Size Comparison

Large square equals one acre  
Small square equals 9000  
square feet



Questions?



**Development Services**

**ITEM 4.1**

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

**Action**

**Meeting Date:** November 8, 2022

**Agenda Item:** Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY AT 2947 E HWY 29 (LEGALLY DESCRIBED AS: 8.05 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABS. NO. 1525, AND THE JOSEPH BAKER SURVEY, NO. 28, ABS. NO. 125) WITH LIGHT COMMERCIAL – DISTRICT “C-1” CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler

**Background:** The subject property is approximately 8 acres located along State Highway 29 East (Exhibit A). The property is currently zoned as Single-Family Residential – District “R-1” with an un-occupied single-family home located on the lot. The property abuts the city limits as well as the Texas Department of Transportation office and laydown yard.

**Information:** The applicant is seeking the requested zoning for marketing purposes. Additionally, due to other commercial uses that abut the property or are in the general area, the applicant feels they reduce the residential value substantially. Surrounding property are currently zoned Single-family Residential – “R-1” however, some of the uses are commercial or industrial like uses.

**Staff Analysis:** The Future Land Use Map (Exhibit B) designation for the area is Commercial. The request for the Commercial designation is appropriate.

Properties adjacent to the subject property are zoned as follows:

	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<b>Zoning</b>	“R-1”	“ETJ”	“R-1”	“R-1”
<b>FLUM</b>	Commercial	Residential	Commercial	Commercial
<b>Land Use</b>	Residential	Cell Tower	TxDOT property	Undeveloped

Light Commercial – District “C-1” is governed by code of ordinances, Sec. 118-45, and allows for a mix of commercial uses including retail, office, light commercial, and similar uses excluding residential and multifamily. This district also includes those uses permitted in the “NC” Neighborhood Commercial district.

An example of some allowable uses would be:

- Banks
- Personal Services uses including barber shops, beauty parlors, etc.
- Restaurant or other drive-in eating establishment
- Retail sale of goods and products

Section 118-20, Chart 1, states properties zoned “C-1” must be a minimum of 10,000 square feet with a minimum lot width of 50 feet. The subject property does exceed both requirements.

Currently, the property is serviced by an existing well and on-site septic facility; it is also serviced by PEC Electric as it is not inside the City of Burnet’s electrical service area.

There have been no changes to Ordinance 2022-46 since the first reading on October 25, 2022.

**Public Notification:** Written notices were mailed to eleven (11) surrounding property owners within 200 feet of the subject property within the city limits. There have been zero responses in favor and zero responses in opposition.

**P&Z Report** Planning and Zoning met at their regular meeting on Monday, October 3<sup>rd</sup> and did recommend approval of the proposed zoning amendment ordinance.

**Recommendation:** Approve and adopt Ordinance 2022-46 as presented.

Exhibit "A"  
Location & Current Zoning Map

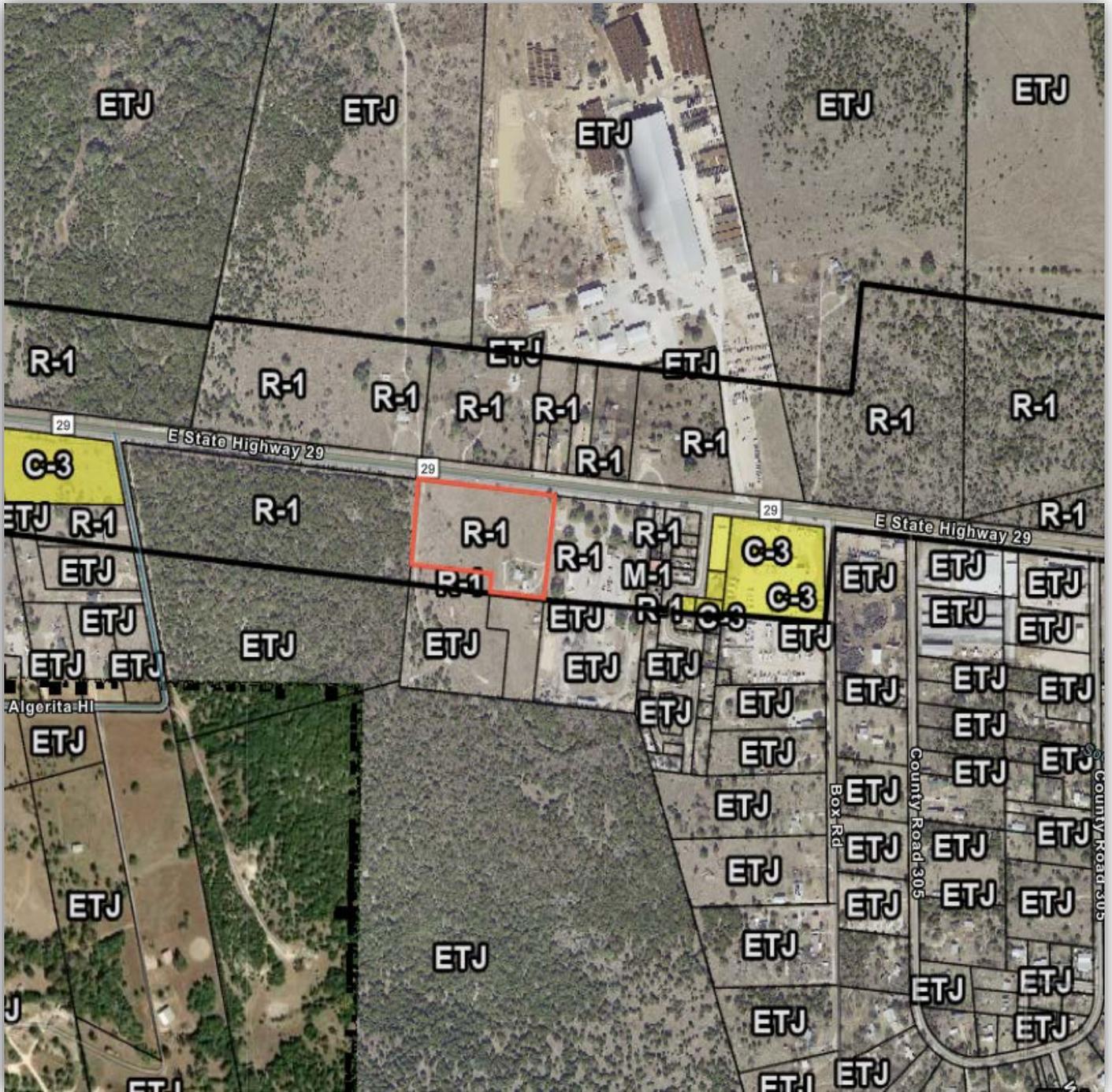
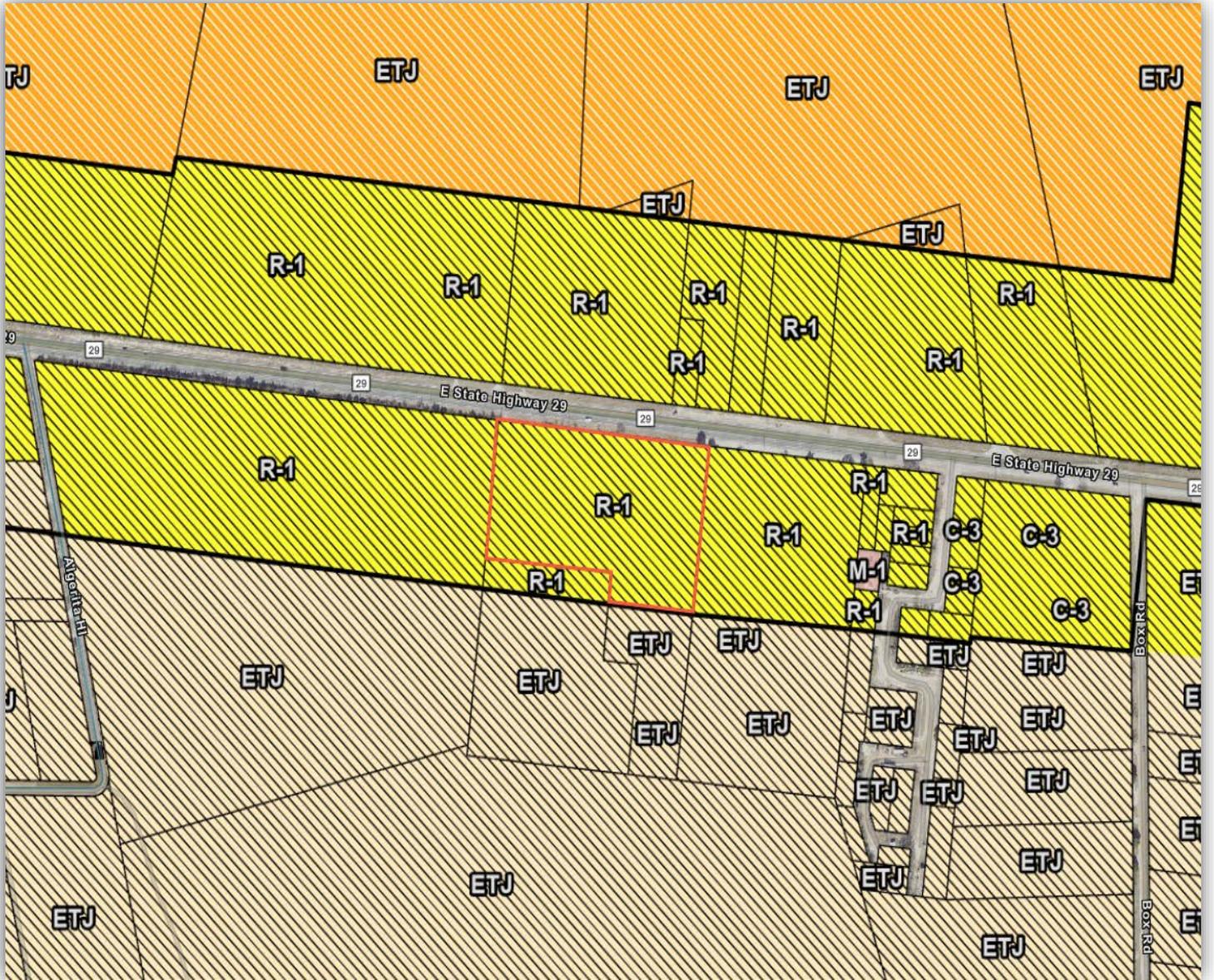


Exhibit "B"  
Future Land Use Map



**ORDINANCE NO. 2022-46**

**AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY AT 2947 E HWY 29 (LEGALLY DESCRIBED AS: 8.05 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABS. NO. 1525, AND THE JOSEPH BAKER SURVEY, NO. 28, ABS. NO. 125) WITH LIGHT COMMERCIAL – DISTRICT “C-1” CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

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

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

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

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

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

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

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

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

**Section two. Property.** The Property that is the subject to this Zoning District Reclassification is 2947 E Highway 29 (LEGALLY DESCRIBED AS: 8.05 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABS. NO. 1525, AND THE JOSEPH BAKER SURVEY, NO. 28, ABS. NO. 125) as shown on **Exhibit “A”** hereto.

**Section three Zoning District Reclassification.** LIGHT COMMERCIAL – DISTRICT “C-1” Zoning District Classification is hereby assigned to the Property described in section two.

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

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

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

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

**PASSED** on First Reading the 25<sup>th</sup> day of October 2022

**PASSED AND APPROVED** on this the 8<sup>th</sup> day of November 2022.

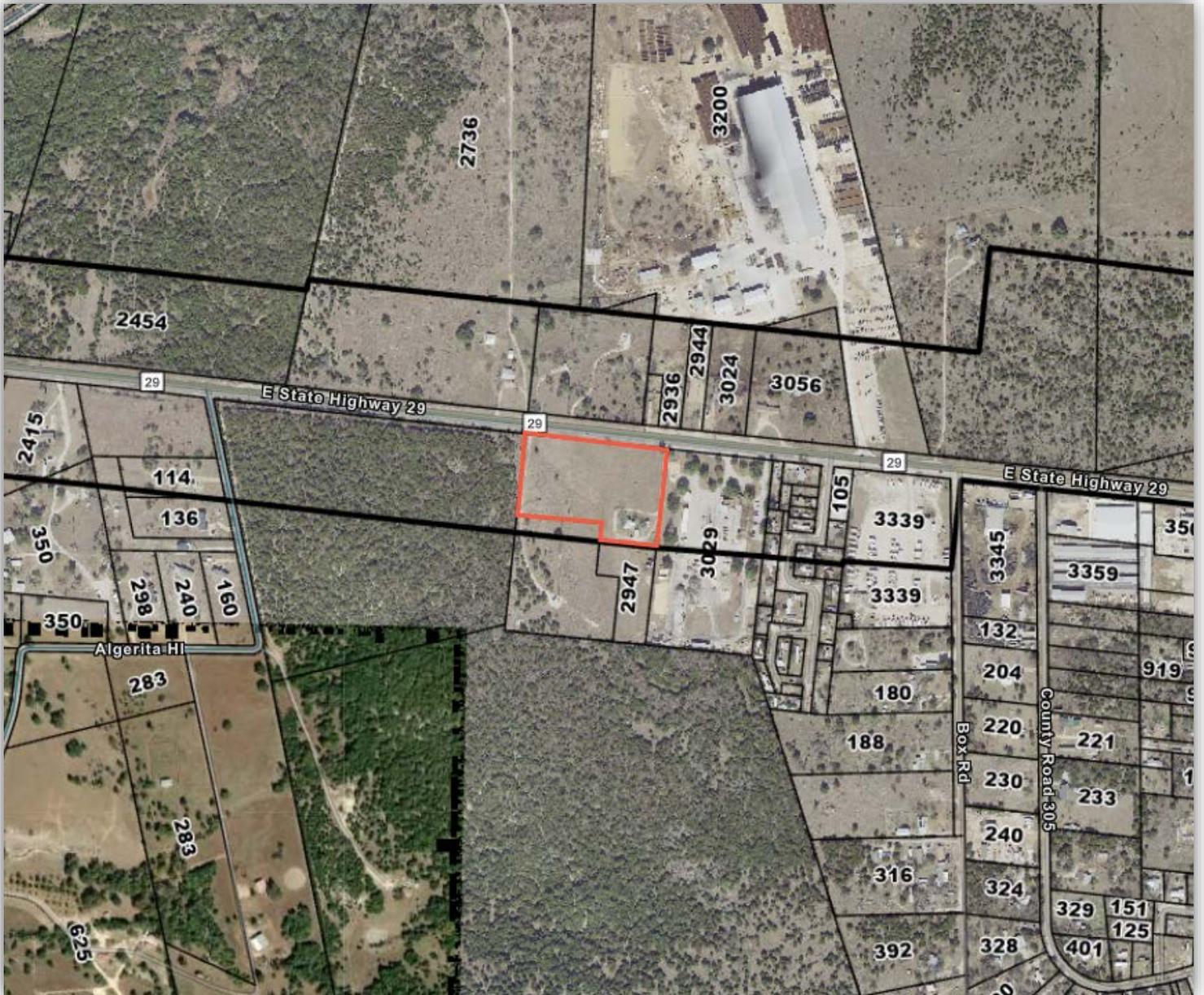
**CITY OF BURNET, TEXAS**

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

**ATTEST:**

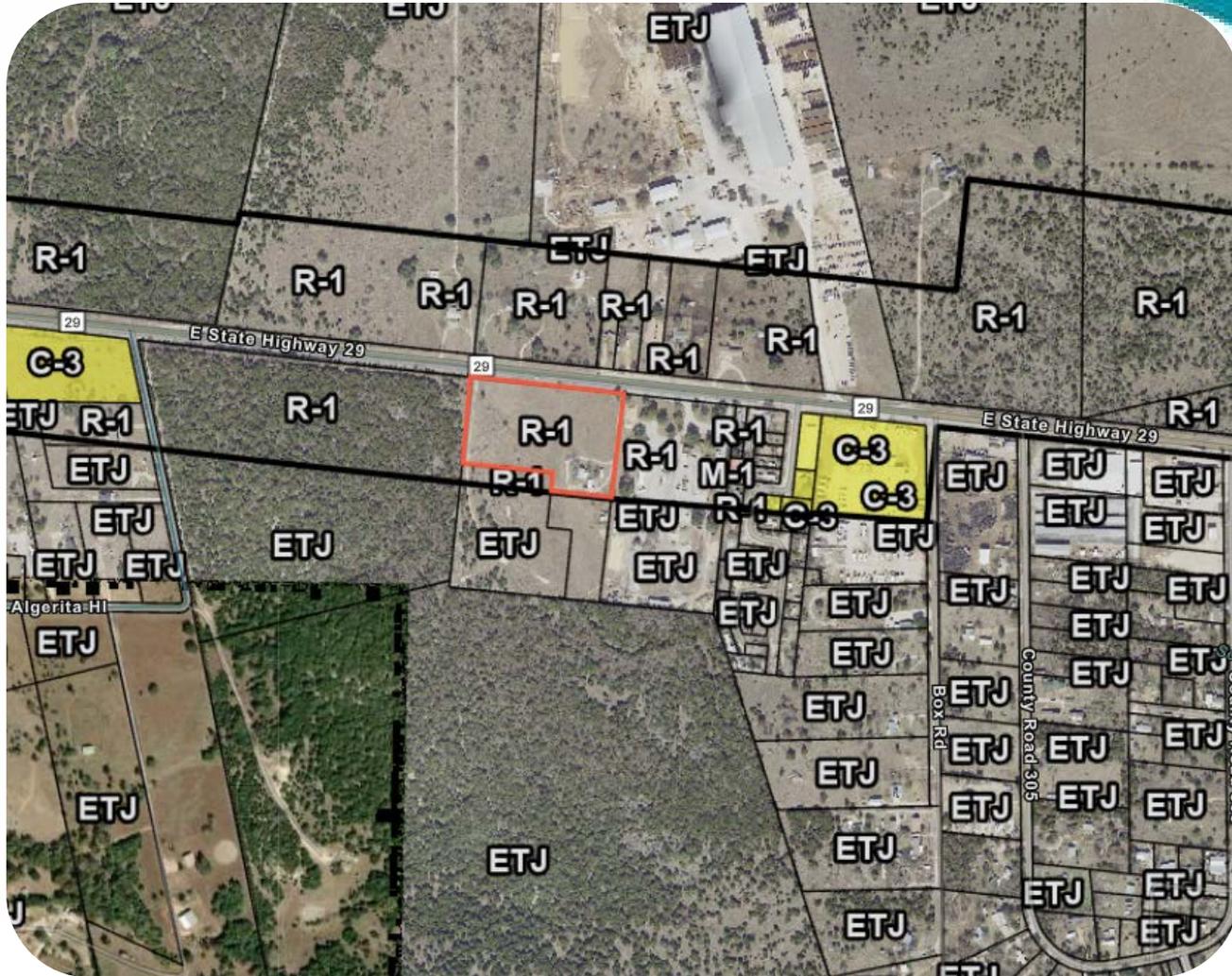
\_\_\_\_\_  
Kelly Dix, City Secretary

Exhibit "A"  
Location





AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY AT 2947 E HWY 29 (LEGALLY DESCRIBED AS: 8.05 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABS. NO. 1525, AND THE JOSEPH BAKER SURVEY, NO. 28, ABS. NO. 125) WITH LIGHT COMMERCIAL – DISTRICT “C-1” CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE



► **Information:**

► Current Zoning:

- Single-Family Residential – District “R-1”

► Requested Zoning:

- Light Commercial – District “C-1”

► Applicant is seeking the rezone for marketing purposes and to be more in line with the use of surrounding properties



The Future Land Use Map designation for the area is Commercial. The proposed zoning is appropriate for this area.

**P&Z Recommendation:**

- Planning and Zoning met on Monday, October 3<sup>rd</sup> and did recommend approval of the proposed Ordinance #2022-46 as presented.

**There have been no changes since the first reading**



## Administration

## ITEM 4.2

Habib Erkan Jr.  
Assistant City Manager  
512-715-3201  
herkan@cityofburnet.com

## Action

**Meeting Date:** November 8, 2022

**Agenda Item:** Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES; BY MAKING NUMEROUS AMENDMENTS TO CHAPTER 18 (ENTITLED "AVIATION") INCLUDING AUTHORIZING THE ADOPTION OF AIRPORT STANDARDS AND OPERATING POLICY BY RESOLUTION; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, CORRELATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan

**Background:** City Council tasked staff to make comprehensive revision to City Code Chapter 18, Articles I, II and III for, among other purposes, address the engagement of a new FBO. To that end, City Council authorized the engagement of KSA Engineering to assist with the revision. On July 26, 2022, City Council approved the first component of the revisions (the "fee schedule"). Upon recommendation of the consultant the ordinance before City Council amends Chapter 18 to allow the adoption of the "Airport Standards and Operating Policy for Burnet Municipal Airport/Kate Craddock Field" by resolution. Revisions in this Ordinance also acknowledges the termination of the joint airport zoning board.

**Information:** This ordinance was presented to the Airport Advisory Board on October 21, 2022 to receive their recommendation to Council.

There is one change to Ordinance 2022-45 since the first reading on October 25, 2022. Section eight now provides the ordinance shall be effective upon adoption of the Minimum Standards; provided that should the minimum standards not be effective within 180 days of the adoption of this ordinance, this ordinance shall become void.

**Fiscal Impact** This ordinance should have no direct impact on the budget.

**Recommendation:** Approve and adopt Ordinance No. 2022-45 as presented.

**ORDINANCE NO. 2022-45**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES; BY MAKING NUMEROUS AMENDMENTS TO CHAPTER 18 (ENTITLED “AVIATION”) INCLUDING AUTHORIZING THE ADOPTION OF AIRPORT STANDARDS AND OPERATING POLICY BY RESOLUTION; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, CORRELATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, City Council tasks staff to make comprehensive revision to City Code Chapter 18, Articles I and II to update the minimum standards for operators at the airport; and

**WHEREAS**, City Council authorized the engagement of KSA Engineering to assist with the revision; and

**WHEREAS**, City Council adopted the new fee schedule on July 26, 2022; and

**WHEREAS**, upon recommendation of the City’s consultant, this Ordinance amends Chapter 18 to authorize the adoption of the minimum standards by separate resolution, or ordinance, as a standalone document; and

**WHEREAS**, this Ordinance removes reference to the joint airport zoning board as the term of that board expired; and makes minor non-substantive amendments to Articles I, II, and IV eliminate duplicate provisions and for recodification purposes; and,

**WHEREAS**, these amendments were presented to the Airport Advisory Board on October 21, 2022 for recommendation; and

**WHEREAS**, City Council, finds, determines, and declares that publication of notice of this Ordinance, as required by Section 3.14 of the City Charter and the laws of the State of Texas, was made by the City Secretary within the period prescribed by Section 3.14; and

**WHEREAS**, City Council, finds, determines, and declares that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given as required by Chapter 551 of the Texas Government Code.

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

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

**Section two. Amendment.** The Code of Ordinances, Chapter 18 (entitled “*aviation*”) is hereby amended by replacing the existing language with the language set out in **Exhibit “A”** hereto, which is incorporated in this Ordinance for all purposes as if written herein word for word.

**Section three. Penalty.** A violation of Chapter 18 as adopted by this ordinance is unlawful and subject to the penalties prescribed in City Code Section 1-6.

**Section four. Cumulative.** This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

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

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

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

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

**Section eight. Effective Date.** This Ordinance shall be effective, without the need for further City Council action, upon the approval of a resolution adopting Minimum Standards as provided in **Exhibit “A”**; provided that should such resolution not be approved within 180 days after adoption of this ordinance this ordinance shall be void and of no further effect.

Passed and approved on first reading on the 25<sup>th</sup> day of October 2022

Passed, approved, and adopted on the 8<sup>th</sup> day of November 2022

**CITY OF BURNET**

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Crista Goble Bromley, Mayor

**ATTEST:**

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Kelly Dix, City Secretary

The remainder of this page intentionally blank and **Exhibit “A”** follows.

**Exhibit “A” to Ordinance No.  
Chapter 18 AVIATION**

ARTICLE I. GENERAL PROVISIONS

**Sec. 18-1. Short title.** The chapter may be referred as the Aviation Rules.

**Sec. 18-2. Scope.** To the extent allowed under federal and state law this chapter regulates all aspects of aviation activities within the jurisdictional limits of the City.

**Sec. 18-3. Joint airport zoning board.** The term of the joint airport zoning board expired pursuant to the terms of Ordinance No. 2006-21 passed and approved by City Council on August 22, 2006.

**Sec. 18-4. Airport advisory board.** There is hereby established an airport advisory board.

- (a) *Name.* The Burnet Municipal Airport Advisory Board.
- (b) *Scope.* The purpose of the board is to provide advice and recommendations to city council related to the operation and development of the airport and the formulation of policy related to such operations and development.
- (c) *Composition.* There shall be five (5) regular voting members. Two (2) Ex Officio members shall also serve who shall be selected either from the City Council, City Staff or the Field Based Operator.
- (d) *Chairperson.* At the first meeting each year, the board shall elect a member who shall serve as chairperson for the calendar year so elected. There is no restriction on the number of terms a member may serve as chairperson.
- (e) *Administration.* The board may adopt such operational rules and appoint such other officers as may be deem reasonably necessary for the effective and efficient operations of the board.

**Sec. 18-5. Enforcement.** This chapter may be enforced by criminal penalty or civil action as prescribed in City Code Sec. 1-6(a)

**Sec. 18-5. Definitions.** The definitions stated in City Code Sec. 1-2 are incorporated herein. In addition, in the application of this chapter the words in italics (*italics*) shall have the meanings that follow:

*Advisory Board* means the Burnet Municipal Airport Advisory Board.

*Administrative Agency* means the appropriate person or office of a political

subdivision which is responsible for the administration and enforcement of the regulations prescribed herein. In appropriate context the term refers to City, the State, FAA, local and State fire marshals, and such unnamed political subdivisions that may have authority over certain aspects of operation and management of the Airport.

*Administrator* means the City Manager; or such person as the City Manager may designate to assume administration of (i) this Chapter, (ii) components hereof, or (iii) policies adopted pursuant to Division II herein.

*Aeronautical Activity* means any activity or service commonly conducted at airports that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of Aircraft.

*Aeronautical Service* means any Aeronautical Activity provided by an Entity under an Airport lease, sublease, license, permit, or Agreement authorizing the provision of such service.

*Agreement* means a written contract between the City and another party stating the terms and conditions by which said party may engage in Aeronautical Activity or Service.

*Aircraft* means any contrivance now known or hereafter invented which is used or designed for navigation of or flight in air, except a parachute or other contrivance designed for such navigation but used primarily as safety equipment. This includes, but is not limited to, airplanes, airships, balloons, dirigibles, rockets, helicopters, gliders, gyrocopters, ground-effect machines, sailplanes, amphibians, and seaplanes.

*Aircraft Maintenance* means the repair, adjustment, maintenance, alteration, preservation, and/or inspection of Aircraft airframe or powerplant, including the replacement of parts. Major repairs include major alterations to the airframe, powerplant, or propeller. Minor repairs include normal, routine annual inspection, calibration, or adjustment of Aircraft airframe or powerplant and associated accessories. Preventive maintenance means simple or minor preservation operations and the replacement of small standard parts not involving complex assembly operations.

*Aircraft Operator* means a person who uses, causes to be used, or authorizes to be used an Aircraft, with or without the right of legal control (as owner, Operator, or otherwise), for the purpose of air navigation including the piloting of Aircraft, or on any part of the surface of the Airport.

*Airframe and Powerplant Mechanic* means a person, certificated by the FAA, that performs and/or supervises the maintenance, preventive maintenance or alteration of an Aircraft or appliance, or a part thereof, for which he/she is rated,

and may perform additional duties in accordance with certain Regulatory Measures.

*Airport* means the Burnet Municipal Airport, Kate Craddock Field, Burnet, Texas; including the ultimate development of that facility.

*Airport Elevation* means the established elevation of the highest point on the runway either existing or planned, at the airport measured in feet above mean sea level (MSL). The airport elevation of the Burnet Municipal Airport, Kate Craddock Field Airport is 1284.1 feet above mean sea level (MSL).

*Airport Hazard* means any structure, tree, or use of land which obstructs the airspace required for the flight of aircraft or obstructs or interferes with the control, tracking, and/or data acquisition in the landing, takeoff, or flight at an airport or any installation or facility relating to flight, tracking, and/or data acquisition of the flight craft; is hazardous to, interferes with, or obstructs such landing, takeoff, or flight of aircraft; or is hazardous to or interferes with tracking and/or data acquisition pertaining to flight and flight vehicles.

*Airport Layout Plan (ALP)* means the version of a drawing, most currently approved by TxDOT Aviation, and depicting the physical layout of the Airport and identifying the location and configuration of current and proposed runways, taxiways, buildings, roadways, utilities, nav aids, and related structures, facilities, and improvements.

*Airport Operations Area (AOA)* means a restricted area of the Airport, either fenced or posted, where Aircraft are parked or operated, or operations not open to the public are conducted. Areas include, but are not limited to, the Aircraft Ramps and Aprons, hangar areas, taxiways, runways, safety areas, and contiguous areas delineated for the protection and security of the Airport.

*Approach surface* means a surface longitudinally centered on the extended runway centerline, extending outward and upward from each end of the primary surface and at the same slope as the approach zone height limitation slope set forth in section 18-105 of these regulations. In plan view, the perimeter of the approach surface coincides with the perimeter of the approach zone.

*Approach, Conical, Horizontal and Transitional Zones* means these zones are set forth in section 18-104 of this Chapter.

*Board of Adjustment* means the board appointed by City Council pursuant to Texas Local Government Code Section 211.008

*City* means the City of Burnet, Burnet County, Texas.

*City Council* means the elected governing body of the City.

*City Manager* means the person City Council appoints to serve such role.

*Conical Surface* means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet horizontally for each one foot vertically for a horizontal distance of 4,000 feet.

*Commercial Operator* means an Entity whose intended airport operations purpose is primarily for securing revenue, earnings, income, and/or compensation (including exchange for service), and/or profit, whether or not such objectives are accomplished. An Entity who exchanges, trades, buys, hire, provide, or sells commodities, goods, services, or property on the Airport is included in the meaning of Commercial Operator.

*Compliance*, the term *Compliance* is applicable to all Operators and means the abidance to all laws, rules, regulations, guidelines, terms, and conditions of all Administrative Entities, in regard to the use and storage of pesticides, or other dangerous chemicals, the storage and dispensing of aircraft fuel, the storage, dispensing, and disposal of engine oil, the maintenance and upkeep of the airport facilities, the operation of the Operator's business, and the general safety and operation of the Airport.

*Costs* means the 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.

*Entity* means a person, sole proprietorship, joint venture, partnership, limited partnership, limited liability company, corporation, or any similar entity authorized under the laws of the State to enter into a binding Agreement.

*FAA* means the Federal Aviation Administration.

*FBO* means a Fixed Base Operator.

*Fee Schedule* means the rates and charges City Council establishes for the operation of the Airport.

*Grant Assurance* means any obligation undertaken by a public airport sponsor as a condition of receipt of a federal airport development grant.

*Hazard to Air Navigation* means an obstruction or use of land determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.

*Height* means for the purpose of determining the height limits in all zones set forth in these regulations and shown on the hazard zoning map, the datum shall be

height above mean sea level (MSL) elevation as measured in feet.

*Horizontal surface* means a horizontal plane 150 feet above the established airport elevation which in plan view coincides with the perimeter of the horizontal zone.

*Improvements* means all buildings, structures, facilities, including pavement, concrete, fencing, signs, lighting, and landscaping, constructed, installed, or placed on, under, or above any land on the Airport.

*Landing Area* means the surface area of the airport used for the landing, take-off or taxiing of aircraft.

*Lease Applicant* means an Entity who has completed an application for a lease of a Storage Hangar and paid the applicable application fee.

*Lessee* means an Entity who is granted certain operating rights at the Airport, to the extent such rights are specified by Agreement.

*Minimum Standards* means, as set forth in this chapter or in a policy adopted pursuant to this chapter, those criteria, qualifications, requirements, and standards, that must be met as a condition to obtain and retain the right or privilege to engage in Aeronautical Activities or Services at the Airport.

*Non-aviation Vehicles* means any vehicle that is not an Aircraft, or an Aircraft tug or tow tractor. The term “*Non-aviation Vehicles*” includes, but not limited to, cars, trucks, trailers, motor homes, and watercraft.

*Non-precision instrument runway* means a runway having an existing instrument approach procedure utilizing air navigation facilities or other equipment that provides only horizontal guidance or area type navigation equipment. This also includes a runway for which a non-precision instrument approach procedure has been approved or planned. Runway 1—Runway 19 are considered non-precision instrument runways.

*Obstruction* means any structure, tree, or other object, including a mobile object, which exceeds a limiting height set forth in section 18-105 of these regulations or is an airport hazard.

*Operator* means an Entity that has entered into an Agreement with the Airport or has subleased office, shop, hangar, or land from the Airport to engage in Aeronautical Activities or Services (Commercial or Non-commercial), and who shall be subject to the Minimum Standards set forth herein.

*Other than utility runway* means a runway designed for and intended to be used by propeller driven aircraft of more than 12,500 pounds maximum gross weight and jet powered aircraft. Runway 1—Runway 19 at the Burnet Municipal, Kate

Craddock Field is considered an other than utility runway.

*Person* means an Entity.

*Precision instrument runway* means a runway having an existing instrument approach procedure utilizing air navigation facilities or other equipment which provide both horizontal and vertical guidance. This also includes a runway for which a precision instrument approach procedure has been approved or planned.

*Premises* means a parcel of land and the improvements on it.

*Primary surface* means a 500-foot wide surface longitudinally centered on the runway extending the full length of the ultimate runway configuration plus 200 feet beyond each ultimate end of the runway. The elevation of any point on the primary surface is the same as the nearest point on the existing or ultimate runway centerline.

*Private Flying Club* means a private non-commercial organization, whose members own equal shares, established to promote flying, develop skills in aeronautics, air navigation, and appreciation of aviation requirements.

*Ramp* or *Apron* means an area of the Airport within the AOA designated for the loading, unloading, servicing, or parking of Aircraft.

*Regulatory Measures* means any Administrative Agency law, statute, code, ordinance, policy, standard, rule, or regulation as may be in existence, hereafter enacted, and amended from time to time, and which are applicable to the use of the Airport and an Operator's activities, operations, or utilization of any Leased Premises thereon.

*Runway* means a defined area on the airport prepared for the landing and taking off of aircraft along its length.

*SASO* means Specialized Aviation Service Operator.

*Self-fueling* means the fueling or servicing of an Aircraft by the owner of the Aircraft or the owner's employee using their own vehicles, equipment, and resources.

*Short Term Tie-down* means the use of tie-down spaces for less than seven consecutive days but not more than 15 non-consecutive days in any given month.

*State* means the state of Texas.

*Storage Hangars* means T-hangars, sun shelters, large box hangars or apron space (tie-downs) owned by the Airport.

*Structure* means an object, including a mobile object, constructed or installed by man including, but not limited to, buildings, towers, cranes, smokestacks, poles, earth formations, overhead power lines, and traverse ways. Traverse ways are considered to be the heights set forth in 14 C.F.R. Part 77.23.

*Substantial change* means any change that constitutes more than five percent change in the current height or location of any structure.

*Transitional surfaces* means surfaces extending perpendicular to the runway centerline and the extended runway centerline outward from the edges of the primary surface and the approach surfaces at a slope of seven feet horizontally for each one foot vertically to where they intersect the horizontal surface. Transitional surfaces for those portions of the precision approach surface which extend through and beyond the limits of the conical surface extend at a slope of seven feet horizontally for each one foot vertically for a distance of 5,000 feet measured horizontally from either edge of the approach surface and at 90 degrees to the extended runway centerline.

*Through-the-Fence Operation* means direct access to the Airport from private property located contiguous to the Airport which provides access to the Airport's runway and taxiway system or other infrastructure.

*Tree* means any type flora and an object of natural growth.

**Reserved. Secs. 18-6 through 8-20.**

## ARTICLE II. MUNICIPAL AIRPORT

### *DIVISION 1. GENERALLY*

**Sec. 18-21. Use restricted.** No Entity, incorporated or otherwise, shall use the airport for any commercial activity, unless approved by a written permit from the City Council or the Administrator .

**Sec. 18-22. Knowledge of article rules implied by printing and posting.** By publication of this article, as required by law, all persons having equipment based at Burnet Municipal Airport will be deemed to have knowledge of its contents. The Administrator is directed to have copies of this article printed and posted where appropriate. Copies will be available during normal business hours in the office of the City Secretary, and upon request copies will be furnished by mail to owners and operators of all aircraft based at the airport.

**Sec. 18-23. Conflict of article provisions with FAR.** If and where there is conflict in this article and the Federal Aviation Rules (FAR), the latter shall prevail.

**Reserved. Secs. 18-24 through 18-30.**

*DIVISION 2. AIRPORT ADMINISTRATION.*

**Sec. 18-41. Scope.** This Division 2 shall apply to Articles I, II, and IV of this Chapter as well as any policies City Council may adopt to assist in the governance of the Airport.

**Sec. 18-42. Administrator.** The City Manager shall serve as the Administrator of the Airport. The City Manager may delegate such responsibility to an employee under his or her supervision and may designate said employee as the Airport Manager. Within this Chapter, and any policy adopted pursuant to this Chapter, the term “Administrator” shall refer to the City Manager or the City Manager’s designee as the case may be.

**Sec. 18-43. Airport Standards and Operating Policy.** City Council by ordinance or resolution may adopt a policy which shall serve to provide further governance of Airport operations and standards. In the event of a conflict between this Chapter and such policy this Chapter shall prevail.

**Sec. 18-44. Rules interpretation.** The Administrator is vested with the authority to interpret the Rules and Regulations set out in this Chapter as well as the policies adopted by reference in this Division.

**Sec. 18-45. Dispute resolution.** City Council is vested with the authority to resolve any disputes, disagreements, or conflicts between an FBO, SASO, or other Commercial Operator and any party; and City Council’s resolution shall be final and binding.

**Reserved. Secs. 18-46 through 18-50.**

*DIVISION 3. COMMERCIAL OPERATORS.*

**Sec. 18-51 FBO requirements.** A Commercial Operator may serve as an FBO; provide the Commercial Operator complies with applicable requirements of this Chapter and the Airport Standards and Operating Policy adopted by ordinance of resolution pursuant to this Chapter.

**Sec. 18-52 SASO requirements.** A Commercial Operator may serve as an SASO; provide the Commercial Operator complies with applicable requirements of this Chapter and the Airport Standards and Operating Policy adopted by ordinance of resolution pursuant to this Chapter.

**Secs. 18-43—18-50. Reserved.**

*DIVISION 4. AIRPORT NUISANCES*

**Sec. 18-61. Restricted nuisances.**

- (a) It is hereby declared that certain activities on or within 100 feet of the airport

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or the taxiways of the airport constitutes a nuisance to aircraft utilizing the taxiways and runways and are hereby prohibited:

- (1) Outdoor laser or other high intensity light shows;
- (2) Tethered or free balloon, kite or model aircraft operations, antenna structures or any other vertical obstacle or fireworks displays higher than 20 feet above ground level;
- (3) Harboring, feeding or keeping of any species of bird or deer;
- (4) Constructing or maintaining a structure, land use practice or human-made or natural geographical feature that can attract or sustain hazardous wildlife within the landing or departure airspace, aircraft movement area, loading ramps or aircraft parking areas as further defined in AC 150/5200-33;
- (5) Posting, attaching or placement of signs, flyers or other similar object to the interior or exterior fence surrounding the airport.

- (b) It shall be unlawful to drive or operate aircraft upon a public street. Driving or operating of aircraft, on the ground, shall be restricted to designated taxiways, runways and paved areas designated on the airport or the taxiway of VSAC.

**Secs. 18-62—18-70. Reserved.**

*ARTICLE III. RESERVED*

**Secs. 18-71—18-100. Reserved.**

*ARTICLE IV. AIRPORT HAZARD ZONING REGULATIONS*

**Sec. 18-101. Short Title.** These regulations shall be known and may be cited as the "Burnet Municipal Airport Hazard Zoning Regulations."

**Sec. 18-102. Reserved.**

**Sec. 18-103. Administrative agency.** The City Manager for the City of Burnet, or his/her designee, shall be the official responsible for the administration and enforcement of the airport height hazard zoning regulations and to hear and decide all applications for permits. The office of the City Manager is hereby designated as the administrative agency.

**Sec. 18-104. Zones.** In order to carry out the provisions of these regulations, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, conical surface, horizontal surface, and transitional surfaces as they apply to the airport. Such surfaces are shown on the Burnet Municipal Airport, Kate Craddock Field Airport Hazard Zoning Map prepared by the Texas Department of Transportation, Aviation Division, dated June 2006, consisting of one sheet which is hereby attached to these regulations and made a part hereof. An area located in more

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than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- (a) *Approach zones.* Approach zones are hereby established beneath the approach surfaces at each end of Runway 1—19 at the airport for any other than utility runway with non-precision instrument approaches and landings. The approach surface shall have an inner edge of 500 feet, which coincides with the width of the primary surface, at a distance of 200 feet beyond each runway end, widening thereafter uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet beyond the end of the primary surface. The centerline of the approach surface is the continuation of the centerline of the runway.
- (b) *Conical zone.* A conical zone is hereby established beneath the conical surface at the airport which extends outward from the periphery of the horizontal surface for a horizontal distance of 4,000 feet.
- (c) *Horizontal zone.* A horizontal zone is hereby established beneath the horizontal surface at the airport which is a plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 10,000 feet radii from the center of each end of the primary surface and connecting the adjacent arcs by lines tangent to those arcs.
- (d) *Transitional zone.* Transitional zones are hereby established beneath the transitional surfaces at the airport. Transitional surfaces, symmetrically located on either side of the runway, have variable widths as shown on the Burnet Municipal Airport, Kate Craddock Field Airport Hazard Zoning Map. Transitional surfaces extend outward perpendicular to the runway centerline and the extended runway centerline from the periphery of the primary surface and the approach surfaces to where they intersect the horizontal surface.

**Sec. 18-105. Height limitations.** Except as otherwise provided in section 18-105 of these regulations, no structure shall be erected, altered, or replaced and no tree shall be allowed to grow in any zone created by these regulations to a height in excess of the applicable height limitations herein established for such zone except as provided in subsection (5) of this section. Such applicable height limitations are hereby established for each of the zones in question as follows:

- (a) *Approach zones.* Slope one foot in height for each 34 feet in horizontal distance beginning at the end of and at the same elevation as the primary surface and extending to a point 10,000 feet beyond the end of the primary surface.
- (b) *Conical zone.* Slopes one foot in height for each 20 feet in horizontal distance beginning at the periphery of the horizontal zone and at 150 feet

above the airport elevation and extending to a height of 350 feet above the airport elevation, or to a height of 1,634.10 feet above mean sea level.

- (c) *Horizontal zone.* Established at 150 feet above the airport elevation, or at a height of 1,434.10 feet above mean sea level.
- (d) *Transitional zones.* Slope one foot in height for each seven feet in horizontal distance beginning at the sides of and at the same elevations as the primary surface and the approach surfaces.
- (e) *Excepted height limitation.* Nothing contained in these regulations shall be construed as prohibiting the growth, construction, or maintenance of any structure or tree to a height of up to 35 feet above the natural surface of the land at its location.

**Sec. 18-106. Land use restrictions.** Except as provided in section 18-107 of these regulations, no use may be made of land or water within any zone established by these regulations in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create potential bird strike hazards, or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the airport.

**Sec. 18-107. Nonconforming uses, structures, and trees.**

- (a) *Nonconforming uses.* Nothing contained in these regulations shall be construed as requiring changes in or interference with the continuance of any nonconforming use of land before the date of adoption of Ordinance No. 2006-21, said date being August 22, 2006.
- (b) *Nonconforming structures.* Nothing contained in these regulations shall be construed as to require the removal, lowering, or other change to any existing nonconforming structure including all phases or elements of a multiphase structure the construction of which was begun prior to August 6, 2006, and is diligently prosecuted as planned.
- (c) *Nonconforming trees.* Nothing in these regulations shall be construed as to require the removal, lowering, or other change to any nonconforming tree. However, any nonconforming tree which grows to a greater height than it was as of the August 22, 2006, is subject to the provisions of these regulations as described in section 18-105 herein above.

**Sec. 18-108. Permits and variances.**

- (a) *Permits.* Any person who desires to replace, rebuild, substantially change, repair, or increase the height of a nonconforming structure or replace or

replant a nonconforming tree in any zone hereby created must apply for and receive a permit from the administrative agency. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. No permit shall be granted which would allow the establishment of an airport hazard or allow a nonconforming structure or tree to exceed its original height or become a greater hazard to air navigation than it was at the time of the adoption of these regulations. Applications for permit shall be applied to and issued by the administrative agency.

- (b) *Variances.* Any person who desires to erect, substantially change, or increase the height of any structure; establish or allow the growth of any tree which would exceed the height limitations set forth in section 18-105 of these regulations; or change the use of property in such a way as to create a hazardous condition as described in section 18-106 of these regulations must apply to the board of adjustment and receive a variance prior to exceeding the height restrictions. The application for variance to the BOA must be accompanied by a "No Hazard" determination from the Federal Aviation Administration ("FAA") under 14 C.F.R. Part 77 as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Where a FAA determination of "No Hazard to Air Navigation" is presented, such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in practical difficulty or unnecessary hardship and the granting of relief would result in substantial justice, not be contrary to the public interest, and be in accordance with the spirit of these regulations.
  
- (c) *Requirements and reasonable conditions.*
  - (1) Any permit granted may, at the discretion of the administrative agency, impose a requirement to allow the installation and maintenance, at the expense of the administrative agency, of any markers or lights as may be necessary to indicate to flyers the presence of an airport hazard.
  - (2) Any variance granted may, at the discretion of the board of adjustment, impose any reasonable conditions as may be necessary to accomplish the purpose of these regulations.

**Sec. 18-109. Board of adjustment.** The Board of Adjustment of the City of Burnet is hereby designated as the board of adjustment for the purposes of these regulations and shall have the powers and duties as provided in § 211.008 and § 241.034 of the Texas Local Government Code, in the City of Burnet Home Rule Charter and Ordinance Number 2005-21.

**Sec. 18-110. Appeals.**

- (a) Any person aggrieved or any taxpayer affected by a decision of the administrative agency made in the administration of these regulations may appeal to the board of adjustment if that person or taxpayer is of the opinion that a decision of the administrative agency is an improper application of these regulations. This same right of appeal is extended City Council.
- (b) All appeals hereunder must be initiated within 30 days of date of notification of an adverse decision as provided by the rules of the board of adjustment by filing a written notice of appeal with the board of adjustment and the administrative agency specifying the grounds for the appeal. The administrative agency shall forthwith transmit to the board of adjustment all papers constituting the record upon which the action appealed was taken.
- (c) An appeal shall stay all proceedings in furtherance of the action appealed unless the administrative agency certifies in writing to the board of adjustment that by reason of the facts stated in the certificate, a stay would, in the opinion of the administrative agency, cause imminent peril of life or property. In such case, proceedings shall not be stayed except by order of the board of adjustment on notice to the administrative agency and on due cause being shown.
- (d) The board of adjustment shall fix a time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent, and/or by attorney.
- (e) The board of adjustment may reverse or affirm, in whole or in part, or modify the administrative agency's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for this purpose the board of adjustment has the same authority as the administrative agency.

**Sec. 18-111. Judicial review.** Any person aggrieved or any taxpayer affected by a decision of the board of adjustment may, within ten days of the date of the decision, present to a court of record a petition stating that the decision of the board of adjustment is illegal and specifying the grounds of the illegality as provided by and in accordance with the provisions of Texas Local Government Code, § 241.041. This same right of appeal is extended to City Council.

**Sec. 18-112. Enforcement and remedies.** The governing body of the City of Burnet, Texas, or the Burnet Municipal, Kate Craddock Field Airport Zoning Board may institute in a court of competent jurisdiction an action to prevent, restrain, correct, or abate any violation of these regulations or of any order or ruling made in connection with their administration or enforcement including, but not limited to, an action for injunctive relief.

**Sec. 18-113. Penalties.** Each violation of these regulations or of any order or ruling

promulgated hereunder shall constitute a misdemeanor and upon conviction shall be punishable by a fine of not more than \$200.00 and each day a violation continues to exist shall constitute a separate offense.

**Sec. 18-114. Conflicting regulations.** Where there exists a conflict between any of the regulations or limitations prescribed herein and any other regulation applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall control.

**Sec. 18-115. 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.

**Sec. 18-116. Adherence with state laws.** Any actions brought forth by any person or taxpayer as a result of the administration, enforcement, or the contesting of these regulations will be in accordance with the provisions of Texas Local Government Code, § 241.001 et seq and other applicable state laws.

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**Sec. 18-117. Reserved.**

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES; BY MAKING NUMEROUS AMENDMENTS TO CHAPTER 18 (ENTITLED "AVIATION") INCLUDING AUTHORIZING THE ADOPTION OF AIRPORT STANDARDS AND OPERATING POLICY BY RESOLUTION

City Council Regular  
Meeting  
November 8, 2022

# Background

- Council tasked staff to comprehensive revision to City Code Chapter 18, Articles I, II and III
  - revise minimum standards
  - update fee schedule
- Fee schedule update approved by Council on July 22, 2022
- Council authorized engagement of KSA Engineering
  - Staff and consultant collaboration on revised minimum standards.

## Consultant's Recommendations

- Chapter 18 breakout
  - Approve minimum standards by resolution
  - Provide minimum standards for Fixed Based Operators (FBO)
    - Required/additional services
    - Performance standards
    - Require agreement with City
    - Bonding
  - Establish Specialized Aviation Service Operator (SASO)
    - Limit services to be provided by SASO
    - Performance standards
    - City approval required
  - Self-fueling – not purchased from FBO
    - City authorization required
    - Minimum infrastructure requirements

# Chapter 18 Amendments

- Terminates joint airport zoning board
- General, airport hazard zoning regulations, and minimum standards definitions placed in one section
- Minimum standards to be approved by separate resolution
- Rules interpretation vested with City Manage
- Dispute resolution vested with City Council



## Finance

## ITEM 4.3

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

### Action

**Meeting Date:** November 8, 2022

**Agenda Item:** Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2021-31; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY: P. Langford

**Background:**

**Information:** This ordinance provides for fiscal year 2021-2022 budget amendments as listed on Attachment "A". The items that were previously presented to and approved by the City Council have been noted.

There have been two changes to Attachment A of Ordinance 2022-47 since the first reading on October 25, 2022. Item sixteen was added for airport fuel purchases and item nine was increased by \$11,000 to cover additional year end operating expenses at the golf course.

**Fiscal Impact:** As noted on Attachment "A"

**Recommendation:** Approve and adopt Ordinance 2022-47 as presented

**ORDINANCE NO. 2022-47**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2021-31; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY.**

**WHEREAS**, the City of Burnet, Texas Fiscal Year 2021-2022 Budget was adopted by Ordinance 2021-31 within the time and in the manner required by State Law; and

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

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

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

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

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

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

**Section 1. Findings**

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

**Section 2. Purpose**

The City of Burnet, Texas, Fiscal Year 2021-2022 Budget is hereby amended to reflect the effect of unforeseen circumstances, as reflected in attachment "A",

**Section 3. Savings/Repealing Clause**

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

**Section 4. Severability**

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

**PASSED AND APPROVED** the First Reading on this the 25<sup>th</sup> day of October, 2022.

**FINALLY PASSED AND APPROVED** on this the 8<sup>th</sup> day of November, 2022.

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Crista Goble Bromley, Mayor

**ATTEST:**

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Kelly Dix, City Secretary

## Attachment A

1. **\$55,000 increase in transfer of wastewater impact fees to offset sewer plant debt service.** The increase is being offset by the increase in wastewater impact fees collected. Every year the City budgets the use of wastewater impact fees to offset the sewer plant debt service and this year the wastewater impact fees came in higher than anticipated.
2. **\$600,000 increase in Electric fund expenses to transfer excess reserves to the General Fund.** The cost will be covered by fund balance.
3. **\$900,000 increase in Water and Wastewater fund expenses to transfer excess reserves to the General Fund.** The cost will be covered by fund balance.
4. **\$260,000 increase in General Fund Capital Budget for street improvements.** The cost will be covered by general fund reserves.
5. **\$4,375 increase to Self-Funded budget for the increase over budget to purchase a stretcher.** The cost will be covered by use of fund balance.
6. **\$440,000 increase to Electric operating budget for increase in cost of power.** The cost will be covered by increased revenues from electric sales.
7. **\$33,000 increase in the General Fund Sanitation department budget for increases in the solid waste disposal contract.** The cost will be covered by the increase in sanitation collection revenues.
8. **\$102,000 increase in Golf Course operating budget for increases in Purchases for Resale.** The cost will be covered by increased revenues from Pro shop and Snack Bar sales.
9. **\$51,000 increase in Golf Course operating budget for increases in salaries, credit card service charges, and repairs and maintenance costs.** The cost will be covered by increasing revenues from Charges for Services.
10. **\$750 increase in Debt Service Fund for increasing service fees.** The cost will be covered by transfers from the Water and Wastewater operating fund.
11. **\$14,000 increase to the General Fund Capital Budget to purchase an easement to assist the developer of Delaware Springs 24 address ongoing drainage issues.** The cost will be covered by the developer. (Presented to council on August 23, 2022).
12. **\$25,000 increase to the General Fund Capital Budget for the purchase of breaching equipment, shields, and distractionary devices for the police department.** The purpose of this equipment is to enhance the officer's ability to respond to active shooter situations. The cost will be covered by general fund reserves. (Presented to council July 12,2022).
13. **\$15,500 increase to the General Fund Capital Budget for the purchase of new software, training, and a new computer with external storage to enable the police department to conduct forensic evaluations of cell phones.** The cost will be covered by general fund reserves.

(Presented to council on June 28,2022).

14. **\$75,850 increase in General Fund Capital Budget for the purchase of five Zoll Auto Pulse Resuscitation Systems for the fire department.** The cost will be covered by general fund reserves. (Presented to council June 28, 2022).
15. **\$71,500 increase to BEDC capital budget for purchase of approximately 1.67 acres of land for Eastside Commercial Park property.** The cost will be covered by BEDC fund reserves. (Presented to BEDC board August 16, 2022).
16. **\$366,000 increase to the Airport budget for the purchase of fuel.** The cost will be covered by increased fuel sales.

The background of the slide is a dense, repeating pattern of gold-colored currency symbols, including the dollar sign (\$), euro symbol (€), yen symbol (¥), and pound sterling symbol (£). The symbols are rendered in a 3D, embossed style, creating a textured, metallic appearance. The central text is set against a plain white background.

# Year End Budget Amendment Fiscal Year 2021-2022

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Second and final reading of the Ordinance  
November 8, 2022

# Attachment A

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1. **\$55,000 increase in transfer of wastewater impact fees to offset sewer plant debt service.** The increase is being offset by the increase in wastewater impact fees collected.
2. **\$600,000 increase in Electric fund expenses to transfer excess reserves to the General Fund.**
3. **\$900,000 increase in Water and Wastewater fund expenses to transfer excess reserves to the General Fund.**
4. **\$260,000 increase in General Fund Capital Budget for street improvements.**
5. **\$4,375 increase to Self-Funded budget for the increase over budget to purchase a stretcher.**

# Attachment A (Continued)

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6. **\$440,000 increase to Electric operating budget for increase in cost of power.** The cost will be covered by increased revenues from electric sales.
7. **\$33,000 increase in the General Fund Sanitation department budget for increases in the solid waste disposal contract.** The cost will be covered by the increase in sanitation collection revenues.
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10. **\$750 increase in Debt Service Fund for increasing service fees.** The cost will be covered by transfers from the Water and Wastewater operating fund.

# Attachment A (Continued)

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11. **\$14,000 increase to the General Fund Capital Budget to purchase an easement to assist the developer of Delaware Springs 24 address ongoing drainage issues.** The cost will be covered by the developer. (Presented to council on August 23, 2022).
12. **\$25,000 increase to the General Fund Capital Budget for the purchase of breaching equipment, shields, and distractionary devices for the police department.** The purpose of this equipment is to enhance the officer's ability to respond to active shooter situations. (Presented to council July 12, 2022).
13. **\$15,500 increase to the General Fund Capital Budget for the purchase of new software, training, and a new computer with external storage to enable the police department to conduct forensic evaluations of cell phones.** (Presented to council on June 28, 2022).
14. **\$75,850 increase in General Fund Capital Budget for the purchase of five Zoll Auto Pulse Resuscitation Systems for the fire department.** (Presented to council June 28, 2022).
15. **\$71,500 increase to BEDC capital budget for purchase of approximately 1.67 acres of land for Eastside Commercial Park property.** The cost will be covered by BEDC fund reserves. (Presented to BEDC board August 16, 2022).
16. **\$366,000 increase to Airport budget for purchase of fuel.** The cost will be covered by increasing fuel sales.

Questions?

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## Public Works

## ITEM 4.4

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

### Action

- Meeting Date:** November 8, 2022
- Agenda Item:** Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING AN INTERLOCAL AGREEMENT WITH BURNET COUNTY FOR MAINTENANCE AND REPAIR OF CITY STREETS FOR THE CURRENT FISCAL YEAR. E. Belaj
- Background:** The City of Burnet and Burnet County have partnered up over past several years to resurface (chip seal) some of the streets within the city that have become dilapidated over time. The agreement is based on the County contributing labor and equipment up to \$15,000 and the City of Burnet purchasing the materials to complete the job chosen. For this year the City is asking the county to pave with approximately 1,000 Tons of Asphal.
- Information:** This is simply our annual renewal of this agreement. This year's project is still to be determined.
- Fiscal Impact:** Based on the approved project, and it will be funded out of Capital Street Improvements.
- Recommendation:** Staff recommends approving Resolution R2022-80 as presented.

**RESOLUTION NO. R2022-80**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING AN INTERLOCAL AGREEMENT WITH BURNET COUNTY FOR MAINTENANCE AND REPAIR OF CITY STREETS FOR THE CURRENT FISCAL YEAR.**

**Whereas**, the City and County are authorized under Texas Government Code Chapter 791 to enter into agreements for the performance of governmental services and functions; and

**Whereas**, the Commissioner's Court has approved the attached Inter-Local Agreement for the County to provide manpower and equipment in an amount not to exceed \$15,000.00 for maintenance and repair of City Streets for the current fiscal year; and

**Whereas**, City Council deems it within the Public Interest to enter into said agreement.

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

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

**Section 2. Agreement approved.** The Inter-Local Agreement by and between the City and County of Burnet, and attached hereto, is hereby approved.

**Section 3. Authorization.** The mayor is hereby authorized to execute the attached agreement on behalf of the City and execute ancillary documents and take such action as is reasonably necessary to facilitate the purposes of this Resolution.

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

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

**PASSED AND APPROVED** this the 8<sup>th</sup> day of November, 2022.

**ATTEST:**

**CITY OF BURNET, TEXAS**

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

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

INTER-LOCAL AGREEMENT BETWEEN  
BURNET COUNTY, TEXAS  
AND

THE CITY OF BURNET, TEXAS

This Agreement is made on the 8th day of November, 2022 by and between the COUNTY OF BURNET, a political subdivision of the State of Texas, hereinafter referred to as "BURNET COUNTY" and the CITY OF BURNET, a municipal corporation, hereinafter referred to as the "CITY".

WHEREAS, the Inter-local Cooperation Act, Chapter 791 of the Texas Government Code authorizes units of local government to contract with one or more units of local government to perform government functions and services; and

WHEREAS, this Agreement is entered into pursuant to the authority, under the provisions of, and in accordance with, Chapters 791 of the Texas Government Code, for the performance of governmental functions and services and in accordance with Section 251.012 of the Texas Transportation Code. BURNET COUNTY will provide manpower and equipment for the project in an amount not to exceed a value of \$15,000, per state statute; and

WHEREAS, BURNET COUNTY provides these services to the citizens of BURNET COUNTY, and has the capacity to service the needs of the public citizens within the city limits of CITY; and

WHEREAS, BURNET COUNTY and CITY have investigated and determined the project discussed in this agreement would be advantageous and beneficial to both CITY and to BURNET COUNTY as public roadways are commonly used by county residents and thus said project serves a public purpose. The Burnet County Commissioners Court deems that this project results in benefits to the county; and

WHEREAS, the governing bodies of CITY and BURNET COUNTY desire to foster goodwill and cooperation between the two entities; and

WHEREAS, CITY and BURNET COUNTY, deem it to be in the best interest of both entities to enter into this Agreement relative to the project described above and for such other and additional services as the parties may subsequently agree to by the execution of separate agreements and in consideration of the mutual covenants contained herein, CITY and BURNET COUNTY agree as follows:

SERVICES TO BE PERFORMED

CITY agrees to engage BURNET COUNTY to assist the CITY with a Hotmix Overlay Lamon St, E Kerr St (N. Rohmberg to Shady Oak), N. Pierce St (Tate to Johnson), Tate St (East of Pierce) and Lamon (Main to Pierce). BURNET COUNTY will provide manpower and equipment for the project in an amount not to exceed a value of \$15,000, together with all incidental acts, procedures, and methods necessary to accomplish the ends of such project.

#### DURATION OF AGREEMENT

Unless mutually initiated, cancelled, or terminated earlier than thirty (30) days written notice, this Agreement shall commence on the date of execution and shall expire upon the completion of the work performed and the compensation being provided over a maximum one year period or September 30, 2023, whichever occurs first.

#### COMPENSATION

BURNET COUNTY recognizes that "in kind" services shall be provided by CITY in consideration of this agreement. These "in kind" services may take place in the form of various acts and contributions. Amongst these types of services, CITY may provide excess material, equipment, manpower, or other resources it may possess for use on any COUNTY project that is deemed to serve a public purpose. Such compensation shall be provided upon request of COUNTY and upon a determination by CITY that said "in kind" services are available for use by COUNTY during the duration of this agreement. CITY's "in kind" compensation shall be limited to an amount not to exceed \$15,000 in value, per state statute.

#### RELATIONSHIP OF PARTIES

The parties intend that BURNET COUNTY, in performing services specified in this agreement, shall act as an independent contractor and shall have control of its work and the manner in which it is performed. Neither BURNET COUNTY, its agents, employees, volunteer help or any other person operating under this AGREEMENT, shall not be entitled to participate in any pension or other benefits that BURNET COUNTY provides it employees.

#### NOTICE TO PARTIES

Any notice given hereunder by either party to the other shall be in writing and may be affected by personal delivery in writing or by certified mail, return receipt requested. Notice to BURNET COUNTY shall be sufficient if made or addressed to the office of the County Judge.

Notice to CITY shall be sufficient if made or addressed to the office of its City Manager/Administrator.

#### MISCELLANEOUS PROVISIONS

Indemnification:

CITY and COUNTY each agree to the extent allowed by law to promptly defend, indemnify and hold each other harmless from and against any and all claims, demands, suits causes of action, and judgments for (a) damages to the loss of property of any person; and/or (b) death, bodily injury, illness, disease, loss of services, or loss of income or wages to any person, arising out of incident to, concerning or resulting from the negligent or willful act or omissions of either party and their respective agents, officers, and or employees in the performance of their activities or duties pursuant to this Agreement.

Entire Agreement

This document contains the entire Agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no effect except in a subsequent modification in writing signed by both parties.

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.

No assignment of this Agreement or of any right accrued hereunder shall be made, in whole or part, by either party without the prior written consent of the other party. Venue shall be in BURNET COUNTY, TEXAS.

The undersigned officer and/or agents of the parties hereto are the properly authorized officials of the party presented and have the necessary authority to execute this Agreement on behalf of the parties hereto and each party hereby certifies to the other that any necessary resolutions extending said authority have duly passed and approved and are now in full force and effect.

EXECUTED by the parties hereto, each respective entity acting by and through its duly authorized official as required by law, on the date specified on the multiple counterpart executed by such entity.

The City of Burnet, Texas

Burnet County, Texas

BY: \_\_\_\_\_  
David Vaughn, City Manager

BY: \_\_\_\_\_  
James Oakley, Burnet County Judge

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST:

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

IN THE COMMISSIONERS' COURT OF  
BURNET COUNTY, TEXAS

ORDER OF APPROVAL OF INTERLOCAL COOPERATION CONTRACT WITH  
the CITY OF BURNET

FOR

Assisting City with Hotmix Overlay during FY 23

The Commissioners' Court of BURNET COUNTY, TEXAS, in compliance with §791.015 of the Texas Government Code, otherwise known as the Inter-local Cooperation Act, and before the commencement of any work to construct, improve, or repair the subject matter of an Inter-local Contract with the CITY OF BURNET hereby authorizes and approves this separate specific written approval for the proposed project. In this regard, the following provisions apply to such proposed Inter-local Cooperation Contract:

1. This approval is separate and distinct from the Inter-local Cooperation Contract itself.  
The proposed project is for BURNET COUNTY to: Hotmix Overlay Lamon St, E Kerr St (N. Rohmberg to Shady Oak), N. Pierce St (Tate to Johnson), Tate St (East of Pierce) and Lamon (Main to Pierce).
2. The Commissioners' Court of BURNET COUNTY, TEXAS specifically finds that herein described project would serve a public purpose and would be beneficial to the citizens of BURNET COUNTY, TEXAS.

Date: \_\_\_\_\_

\_\_\_\_\_  
County Judge, James Oakley

Attest:

\_\_\_\_\_  
County Clerk, Janet Parker

Ex officio clerk of the Burnet County Commissioners' Court

## BURNET COUNTY 2022 PAVING INTERLOCAL

ENGINEERING

Previous Street Paving:

- N Rhomberg
- Shady Oak
- E Kerr

# BURNET COUNTY 2023 PAVING INTERLOCAL

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ENGINEERING

Current Street Paving:

- Lamon
- E Kerr
- N Pierce





## Engineering

## ITEM 4.5

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

### Action

- Meeting Date:** November 8, 2022
- Agenda Item:** Discuss and consider action: Award Request for Proposal (RFP) 2022-007 Asphalt Materials bid and authorize the City Manager to execute the contract and to purchase up to 1,300 tons: E. Belaj
- Background:** The City previously signed an interlocal agreement with burnet County to pave three streets, of which the City was to purchase and provide the materials while the County to provide equipment and manpower. Because the cost of the materials exceed the statutory limit of \$50,000, the City prompted to seek bids for the asphaltic material. Staff is estimating approximately 1,100 Tons of asphalt required to pave the three of Lamon, N Pierce, and E Kerr. Staff, however, is requesting council to authorize the City Manager to purchase up to 1,300 Tons if needed.
- Information:** The City recently had bid opening for this Project. The bid opening was on October 27, 2022, at 11 A.M. where 1 bid(s) were received. The proposed improvements up for bid consist of providing Hot Mix Asphaltic Material (HMAC) at an authorized plant within 50-miles from the City. HMAC material had to comply with the City and TxDOT specifications.
- Bids:** **Lone Star Paving** offered the best value to the City at **\$79.50 per TON of HMAC**. The project was estimated to use approximately 1,000 Tons or \$79,500.
- Qualification:** City staff determined that this construction company has constructed many similar projects around the Central Texas area. Council may elect to take staff's recommendation below, reject all bids, or proceed with further evaluation.

**Fiscal Impact:**

City has budgeted for this project through the Street Capital Project Item.

**Recommendation:**

Staff Recommends selecting Lone Star Paving and Authorize the City Manager to purchase of up to 1,300 Tons of Asphalt at \$79.50 per Ton.

## BURNET COUNTY 2022 PAVING INTERLOCAL

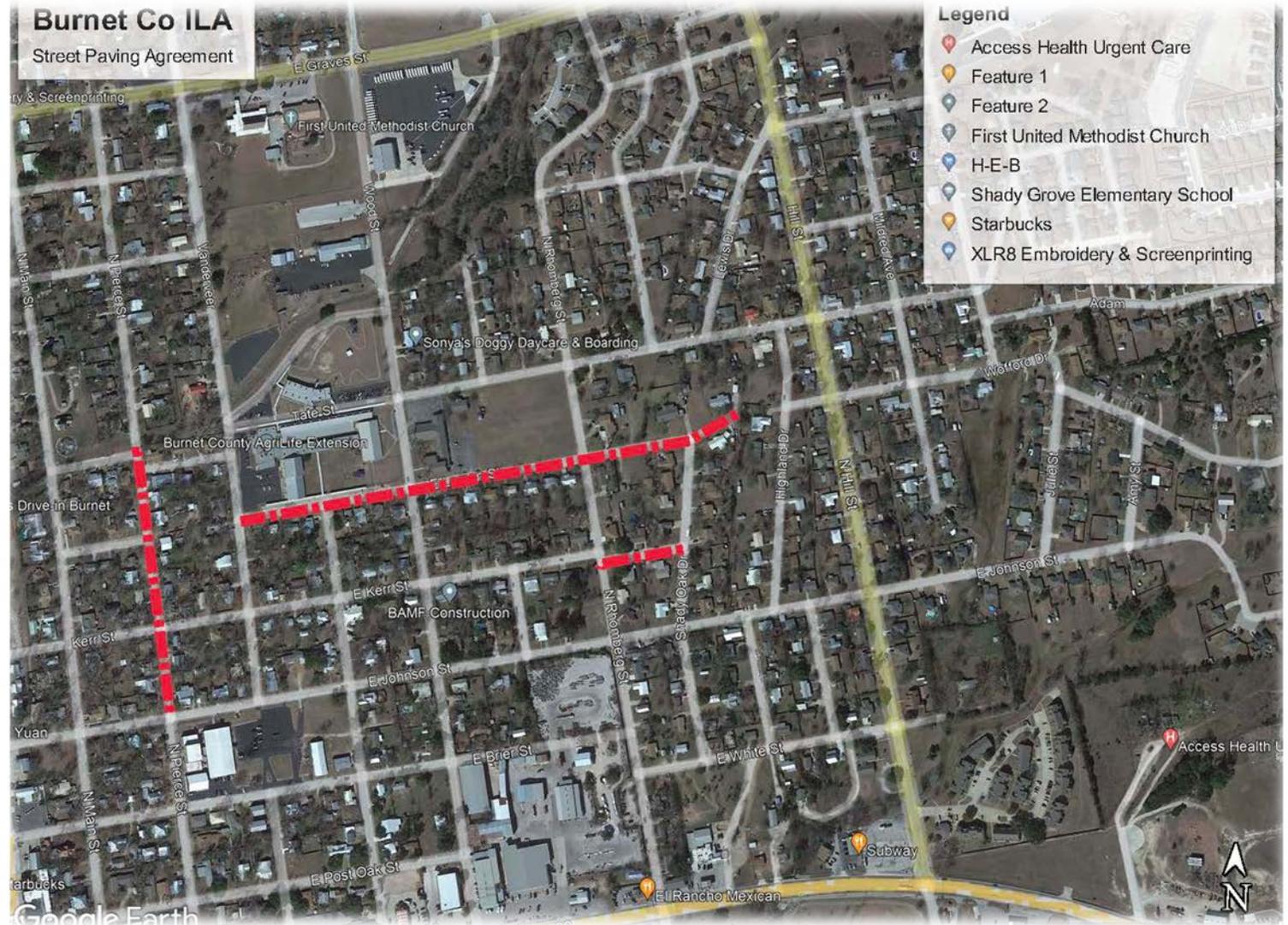
ENGINEERING

Street Paving:

- Lamon
- E Kerr
- N Pierce

# ENGINEERING

## Street Map



## ASPHALT QUANTITIES

# ENGINEERING

3 STREET BIDS: Approx. 1,000T Total

- Lamon 7,136 SY or 650 Tons.
- E Kerr St from N Rhomberg to Shady Oak Dr 1,233 SY or 112 Tons of Asphalt.
- N Pierce from Tate to Johnson. Total 3,060 SY or 280 Tons.
- Option: Tate east of Pierce .

## ASPHALT MATERIAL BIDS

ENGINEERING

1 STREET BID(S): 1,000 Tons HMA/C

- Lone Star Paving:  
\$79,500
- Texas Materials:  
No Bid

## ASPHALT MATERIAL BIDS

ENGINEERING

3 STREETS: 1,000 Tons HMAC

- ILA for 1,000 Tons
- Request Up to 1,300 Tons



## Development Services

## ITEM 4.6

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

### Action

**Meeting Date:** November 8, 2022

**Action Item:** Discuss and consider: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, PRELIMINARILY ACCEPTING PUBLIC STREET, WATER, WASTEWATER, AND ELECTRICAL IMPROVEMENTS CONSTRUCTED WITHIN THE DELAWARE SPRINGS, SECTION 19, PHASE THREE SUBDIVISION; AND APPROVING MAINTENANCE LETTER OF CREDIT TO ASSURE THE MAINTENANCE OF THE INFRASTRUCTURE IMPROVEMENTS.: L. Kimbler

**Background:** Delaware Springs, Section 19, Phase Three is a single-family subdivision consisting of 15 residential lots with on internal street called Aidan Court. The final plat was approved on June 14, 2022. The City Engineer has confirmed the infrastructure meets all requirements of Chapter 98.

Pursuant to Chapter 98 the Developer shall warranty the infrastructure for a period of one year. The Developer proposes to assure this warranty by Letter of Credit with the City in an amount equal to the costs of the infrastructure as certified by the Project Engineer and approved by the City Engineer.

**Information:** This resolution authorizes the preliminary acceptance of the infrastructure and approves the Letter of Credit as the means to assure the Developer's warranty shall be honored. The resolution further:

- (1) requires the City Engineer to inspect the infrastructure before the end of the one-year warranty period; and
- (2) authorizes the City Engineer to issue a letter of acknowledgement of final acceptance of the improvements if the final inspection finds such improvements free of defect or failure; and

- (3) requires the Developer to cure any discovered defect or failure, and
- (4) authorize the City to use the cash to cure such defect or failure should the Developer fail to do so; and
- (5) extend the warranty period for any defective defect or failure for an additional year after the defect or failure is discovered; and
- (6) authorizes the City Manager to return the unused portion of the Letter of Credit at the expiration of the warranty period.

Prior to final acceptance, the developer shall provide a copy of the POA documents for the proper and continuous operation, maintenance, and supervision of necessary drainage and common areas of the subdivision.

**Recommendation:** Staff recommends approval of the Resolution R2022-81 as presented.

**RESOLUTION NO. R2022-81**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, PRELIMINARILY ACCEPTING PUBLIC STREET, WATER, WASTEWATER, AND ELECTRICAL IMPROVEMENTS CONSTRUCTED WITHIN THE DELAWARE SPRINGS, SECTION 19, PHASE THREE SUBDIVISION; AND APPROVING MAINTENANCE LETTER OF CREDIT TO ASSURE THE MAINTENANCE OF THE INFRASTRUCTURE IMPROVEMENTS**

**WHEREAS**, the final plat of Delaware Springs, Section 19, Phase Three Subdivision, constitutes a subdivision of land falling under the purview of Chapter 98 (entitled “Subdivisions”) and was approved by City Council on June 14, 2022; and

**WHEREAS**, the developer of the Delaware Springs, Section 19, Phase Three Subdivision, has caused streets, water, wastewater and electrical improvements (collectively “infrastructure”) to be constructed to serve the subdivision; and

**WHEREAS**, the developer desires the infrastructure to be dedicate for public maintenance and use in accordance with the City’s Subdivision Ordinance; and

**WHEREAS**, Section 98-61(g) of the Subdivision Ordinance provides City Council may accept the infrastructure for public dedication provided all improvements were satisfactorily completed, copies of as-built plans, and computer generated drawings, were prepared and submitted to the City by the design engineer, a statement sealed by a licensed engineers stating all improvements have been installed and constructed in accordance with the submitted as-built plans, Copies of all inspection reports, and certified test results of construction materials that were submitted to and approved by the design engineer, the required maintenance guarantee was provided, and any and all other requirements identified in the platting process have been satisfied; and

**WHEREAS**, the City Engineer has confirmed the developer has complied with the requirements of chapter 98; and

**WHEREAS**, the City Engineer has conducted a preliminary inspection of the infrastructure and determined that there are no substantive defects preventing acceptance.

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

**Section one. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby resolved by the City Council of the City of Burnet, Texas and made a part hereof for all purposes and findings of fact.

**Section two. Preliminary Acceptance of Improvements.** The City Council hereby preliminarily accepts for public use and maintenance, that infrastructure constructed within the Delaware Springs, Section 19, Phase Three Subdivision, and shown on the plat of the subdivision to be subject to public dedication.

**Section three. Maintenance guarantee accepted.** The Letter of Credit of \$30,061.50 provided by Langley Homes, Inc. to assure the warranty and maintenance of the infrastructure is hereby approved subject to the conditions that follows:

- (a) the warranty period shall commence on November 9, 2022 and end on November 9, 2023;
- (b) should a defect or failure of the infrastructure occur within the warranty period, the defect or failure shall be cured by the Developer;
- (c) should the Developer fail to cure, the City may utilize the Letter of Credit to cure; and
- (d) the warranty period shall extend for an additional year after any cure of a defect or failure and the Developer shall provide fiscal security for the extended warranty period.

**Section four. Final Acceptance of Improvements.** Prior to the date of expiration of the Letter of Credit, the preliminarily accepted improvements shall be inspected by the City Engineer. Should the inspection find such improvements free of defect or failure the City Engineer may issue a letter of acknowledgement of final acceptance of the improvements. However, should a defect or failure be discovered such defect or failure shall be addressed in accordance with section three herein.

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

**Section six. Effective Date.** This resolution shall take immediate effect.

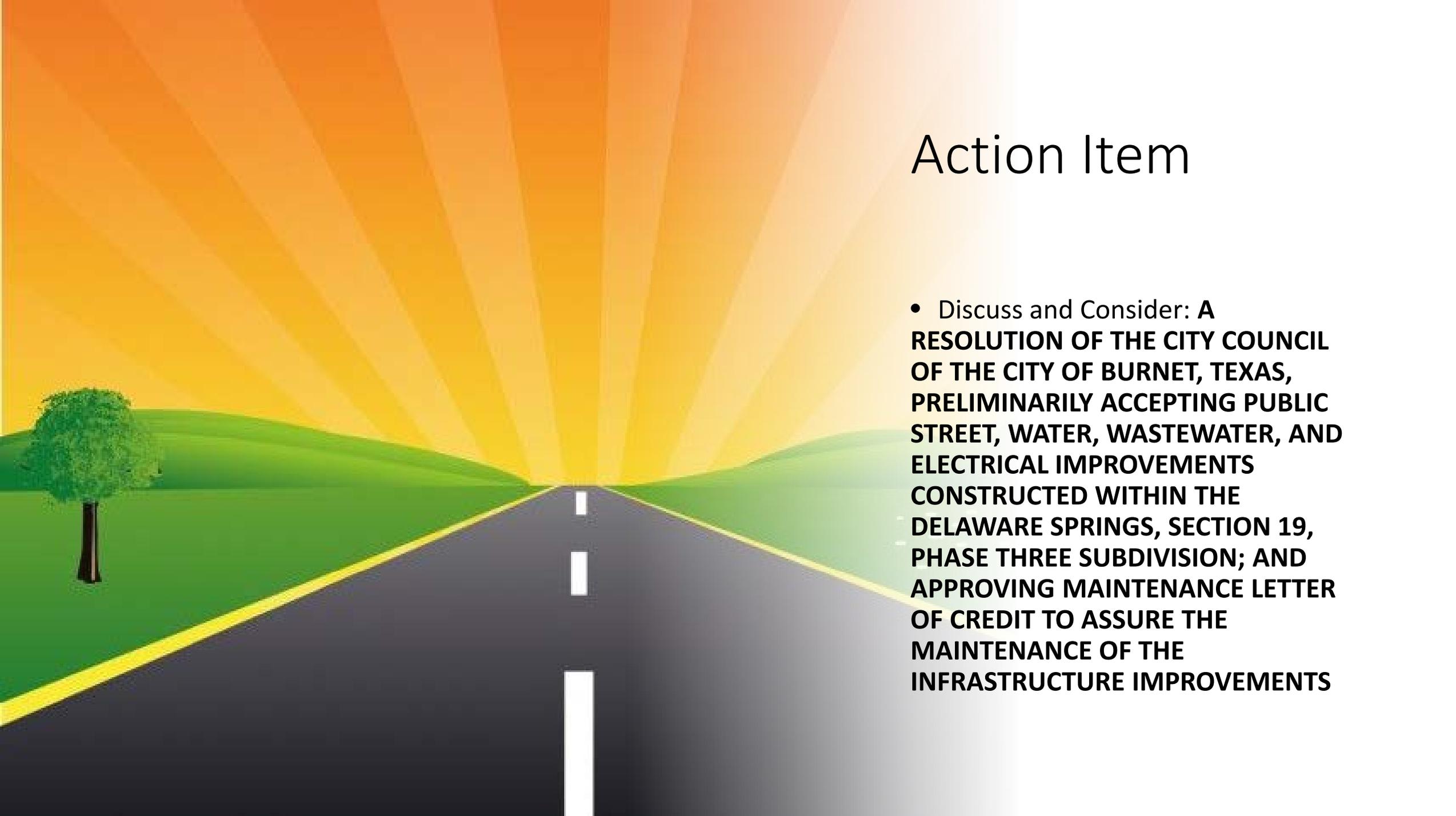
**PASSED, ADOPTED AND APPROVED by the City Council of the City of Burnet** this the 9<sup>th</sup> day of November, 2022.

**CITY OF BURNET**

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

**ATTEST:**

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



# Action Item

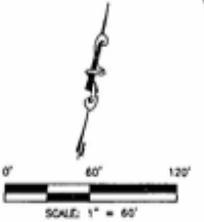
- Discuss and Consider: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, PRELIMINARILY ACCEPTING PUBLIC STREET, WATER, WASTEWATER, AND ELECTRICAL IMPROVEMENTS CONSTRUCTED WITHIN THE DELAWARE SPRINGS, SECTION 19, PHASE THREE SUBDIVISION; AND APPROVING MAINTENANCE LETTER OF CREDIT TO ASSURE THE MAINTENANCE OF THE INFRASTRUCTURE IMPROVEMENTS**

# FINAL PLAT OF DELAWARE SPRINGS SUBDIVISION SECTION 19, PHASE 3

5.45 ACRES

OUT OF THE EUGENIO PEREZ SURVEY, SURVEY NO. 41, ABSTRACT NO. 672  
BURNET COUNTY, TEXAS

NAME	U.S. M. DIMENSION	TRAVEL WAY DIMENSION	CURB THICK.	SPEED
AIDAN COURT	50'	27'	SEARCH	30 MPH



**LEGEND**

●	CONCRETE BENCH MARK (SEE NOTE)
○	BOUNDS 1/2" ST. DI. SET
●	BOUNDS 1/2" ST. DI. P.V.E.
●	DRAINAGE EASEMENT
P.V.E.	PUBLIC UTILITY EASEMENT
B.S.L.	BUILDING SETBACK LINE
C.C.S.L.	CITY OF BURNET CREAMED EASEMENT
O.P.A.B.C.T.	OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS
■	CONCRETE MARKING
—	BOUNDARY LINE
—	PROPERTY LINE
—	R.O.W. LINE
---	UTILITY OR DRAINAGE EASEMENTS
---	BUILDING SETBACK LINE
1	BLOCK IDENTIFICATION

**NOTES**

UNLESS SHOWN OTHERWISE HEREON, THE FOLLOWING BUILDING SETBACKS SHALL APPLY:

FRONT YARD - 30 FT.  
SIDE STREET - 15 FT.  
SIDE YARD - 7.5 FT.  
REAR YARD - 15 FT.

UNLESS SHOWN OTHERWISE HEREON, THE FOLLOWING UTILITY EASEMENTS SHALL APPLY:

FRONT YARD - 15 FT.  
SIDE STREET - 15 FT.  
SIDE YARD - 7.5 FT.  
REAR YARD - 15 FT.

• **Delaware Springs, Sec. 19, Ph 3:**

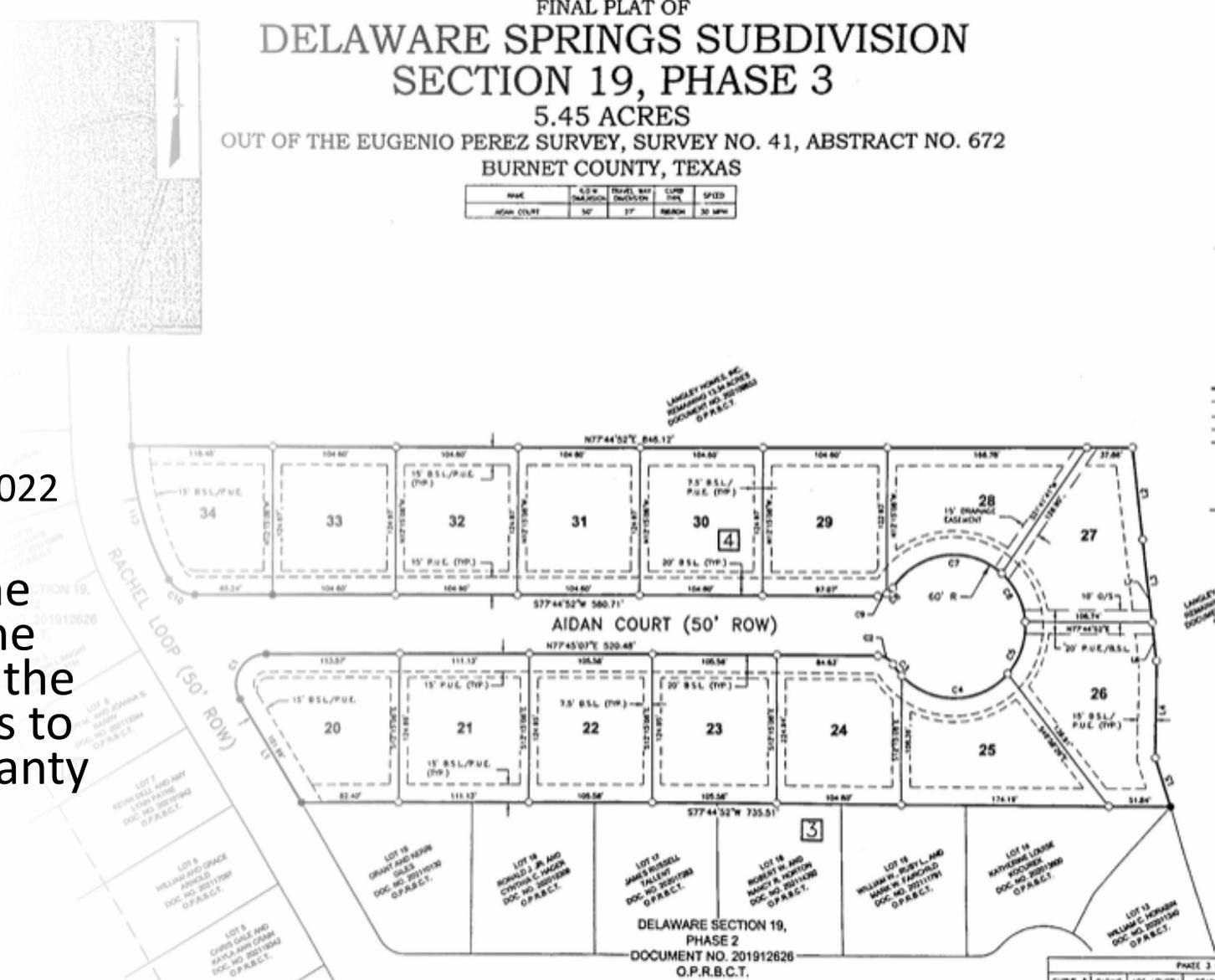
- 15 single-family residential lots

• One new street—

- Aidan Court

• Final plat approved on June 14, 2022

This resolution authorizes the preliminary acceptance of the infrastructure and approves the Letter of Credit as the means to assure the Developer's warranty shall be honored



**PHASE 3 CURVE TABLE**

CURVE #	RADIUS	ARC LENGTH	BEARING	CHORD LENGTH	TANGENT	DELTA
C1	25.00'	32.85'	N77°10'58"E	43.55'	44.30'	121°07'49"
C2	15.00'	15.11'	S73°23'05"E	14.48'	8.21'	05°44'05"
C3	60.00'	12.15'	S50°18'11"E	12.13'	6.10'	01°12'31.17"
C4	60.00'	89.89'	N78°16'40"E	88.63'	65.71'	09°12'03"
C5	60.00'	48.93'	N00°16'10"E	45.34'	24.74'	044°48'53"
C6	80.00'	48.36'	S38°16'26"W	45.22'	24.45'	044°18'14"
C7	60.00'	104.25'	S69°48'02"W	81.64'	70.88'	059°24'51"
C8	15.00'	7.25'	S53°41'32"W	7.18'	3.70'	027°40'38"
C9	15.00'	7.86'	S62°36'06"W	7.80'	4.04'	030°08'52"
C10	25.00'	28.57'	N11°48'21"W	25.34'	14.48'	060°45'22"

**PHASE 3 CURVE TABLE**

LINE #	LENGTH	BEARING
L1	101.68'	N43°22'57"W
L2	77.38'	S18°15'18"E
L3	102.00'	S19°12'08"E
L4	81.00'	S11°48'24"E
L5	42.76'	S29°50'34"E
L6	32.44'	S19°12'08"E

The background features several thick, wavy, parallel stripes in shades of yellow and orange, curving from the top left towards the bottom right. The stripes are set against a light, gradient background that transitions from white on the left to a pale yellow on the right.

Staff recommends approval of  
Resolution R2022-81



## Development Services

## ITEM 4.7

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

### Action

- Meeting Date:** November 8, 2022
- Agenda Item:** Discuss and consider action: Award engineering design contract for Water & Wastewater System Components with associated generators and authorize the City Manager to execute the contract: E. Belaj
- Background:** The City previously created an emergency preparedness plan in response to the requirements of SB3. As part of that plan was to install a generator at the East Pump Station, Eagles Nest Pump Station, and Delaware Wastewater Lift Station. Currently there is no back-up power for these sites. Moreover, previous high-level engineering analysis from Quatro Consultants revealed system upgrade needs at these sites such as upsizing tanks and pumps.
- Information:** The attached contract and scope of work includes the Design, Bid, and Construction Administration of the utility components along with the sizing and design specifications for the generator at each site.
- Fiscal Impact:** City has budgeted \$677K dedicated for this project. The Engineering design portion is \$43,200.
- Recommendation:** Award the design contract to Quatro Consultants and authorize the City Manager to execute the contract.



October 21, 2022

David Vaughn, City Manager  
City of Burnet  
PO Box 1369  
Burnet, TX 78611

**RE: PUMP/CONTROL UPGRADES AND GENERATOR ADDITIONS:  
Eagles Nest Pump Station, East Tank Pump Station, and The Ranch  
WW Lift Station**

**CITY OF BURNET, TEXAS**

**Subject: Proposal for Engineering Services (Revised)**

Dear Mr. Vaughn:

Cuatro Consultants, Ltd. appreciates the opportunity to submit this revised proposal for providing basic engineering for various facility upgrades at the Eagles Nest Pump Station, East Tank Pump Station, and the Ranch at Delaware WW Lift Station.

Below, we set forth our scope of services and budget for the referenced tasks.

**A. SCOPE OF SERVICE AND BUDGET**

Per various discussions, the scope of services includes the following:

1. East Pump Station

- Providing all system component design and specifications to upgrade or replace the 2 existing 40 HP pumps with 3 each - 75 HP service pumps, upgrade existing suction and discharge piping and valves, electrical controls/starter panels, and adding 2 each - 5,000-gallon hydropneumatic pressure tanks and related controls, air lines, air compressor upgrade, and foundations for the new tanks. The work will also include the design and specification of 1 each - 275 KW diesel backup generator with 400-amp automatic transfer switch and related conduits/conductors to allow connection to the existing electrical panel/ service. *Note: This will require new electrical service entrance upgrade at this location from 200 amp to 400 amp.*

## 2. Eagles Nest Pump Station

- Providing all system component design and specifications to upgrade or replace the 3 existing 40 HP pumps with 3 each - 50 HP service pumps, upgrade existing suction and discharge piping and valves, electrical controls/starter panels, and adding 1 each - 48,000-gallon bolted steel ground storage tank with foundation, connect to existing yard piping, new valving to manifold to existing ground storage tank and level controls. The work will also include the design and specification of 1 each - 230 KW diesel backup generator with 400-amp automatic transfer switch and related conduits/conductors to allow connection to the existing electrical panel/service. *Note: This will require new electrical service entrance upgrade at this location from 200 amp to 400 amp.*

## 3. The Ranch at Delaware Wastewater Lift Station

- Providing all system component design and specifications to upgrade or replace the 3 existing service pumps with 3-each 50 HP service pumps rated 600 gpm at 128' TDH, upgrade electrical controls/starter panels and conductor upgrades as needed at existing wastewater wet well, stake corners of actual City tract and adjust fence as needed to install new fixed diesel backup generator. The work will also include the design and specification of 1 each - 230 KW diesel backup generator with 400-amp automatic transfer switch and related conduits/conductors to allow connection to the existing electrical panel/service. *Note: Need to confirm if service entrance upgrade is required at this location.*

Our scope includes the preparation of plans and specifications for the water and wastewater facility upgrades, electrical and control upgrades, interconnecting piping, and level and pump control additions as required. We include field survey to verify size and dimensions of existing buildings and piping to develop drawings for the facilities. Our scope relies on access to existing drawings the City may have for each of these facilities to utilize in plan development. We include submittal of the Project design report, plans and specifications to the TCEQ for approval.

Our scope includes preparation of a public bid packet for the referenced facility improvements. We will prepare bid notice and contract documents, conduct the public bid opening, tabulate the bids, and recommend award to the lowest, qualified bidder.

The scope includes review and approval of the submittal literature for all equipment and components to be incorporated into the Project by the Contractor. We also include 3 site visits to each facility during the construction phase including a pre-construction conference, mid-construction inspection, and a pre-final inspection. We also include submitting post-construction verification to the TCEQ once all com-

ponents and improvements are installed, substantially complete and accepted by the City.

**BUDGET (NOT TO EXCEED):** **\$43,200.00**

**Clarifications of Scope:**

1. Other Facilities - Our scope **does not** include design of other or offsite facilities.
2. Fees - Our scope **does not** include payment of any and all review and inspection fees.
3. Construction Phase - Our scope **includes** 3 site visits during the construction phase as described above.
4. Copies to City - Multiple plan sets for City submittals. These will be invoiced based on in-house printing.
5. Complete Scope - Our Cost is developed for a complete scope. If certain elements are deleted from our scope, we reserve the right to renegotiate our pricing.
6. Compensation for Additional Services - If the Owner and Cuatro Consultants, Ltd. agree that additional services are required, then the Owner shall compensate Cuatro per the Standard Rate Schedule set forth in Attachment I.

**B. PERFORMANCE SCHEDULE AND PAYMENT**

We will pursue the work diligently and perform timely upon authorization to proceed. In our opinion, the design work will require approximately 120 calendar days to complete for the first submittal to TCEQ. Then approximately 75 days are required for initial review and update filing(s), prior to obtaining approval and completing the bidding process. We will invoice monthly, by the 25<sup>th</sup>, on a percent complete basis.

**C. TERMINATION/OWNERSHIP OF DOCUMENTS**

Either party may terminate this Agreement upon giving written notice to the other party at least thirty (30) days prior to the date of termination. In the event of termination, the Engineer shall deliver to the Client one reproducible copy and one

electronic data file of all finished or unfinished documents, data, studies, surveys, drawings, maps, models, reports, etc., prepared by the Engineer under this Agreement. The Engineer shall be entitled to receive just and equitable compensation for any work satisfactorily completed in accordance with the provisions of this Agreement prior to termination.

If the Engineer has completed the Construction Phase prior to termination, Engineer will be entitled to the fee stipulated under the Agreement for such completed phases.

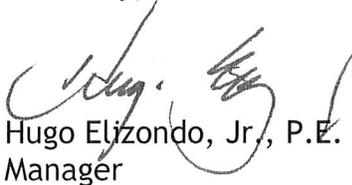
All original documents, including plans, exhibits, and reports, shall remain the property of the Engineer, but copies thereof shall be furnished to Client and may be used by Client in connection with the Project provided that the Engineer has been paid for original documents, plans, specification, exhibits and reports in accordance with the terms of this Agreement.

#### D. LIMITATION OF LIABILITY

In recognition of the relative risks, rewards, and benefits of the project to both the Client and Cuatro Consultants, Ltd, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, Cuatro Consultants' total liability to the Client for any and all errors, omissions, or other act that causes liability in the performance of professional services arising out of this agreement, shall not exceed \$1,000,000.00.

Please review and advise if you have any questions. We will be glad to meet with you to discuss the matter. If satisfactory, please acknowledge acceptance by signing below.

Sincerely,

  
Hugo Elizondo, Jr., P.E.  
Manager

Accepted By: City of Burnet

---

David Vaughn, City Manager

Date

ATTACHMENT 1

STANDARD RATE SCHEDULE

The following are Cuatro Consultants, Ltd. rates for work performed on an hourly-charge basis. Rates include company overhead and profit for services accomplished during regular working hours.

1. DIRECT LABOR

• OFFICE PERSONNEL SERVICES

<u>Classification</u>	<u>Rates</u>
Principal.....	\$ 225.00 per hour
Senior Project Manager.....	\$ 198.00 per hour
Project Manager.....	\$ 180.00 per hour
Project Engineer IV.....	\$ 171.00 per hour
Project Engineer III .....	\$ 162.00 per hour
Project Engineer II.....	\$ 153.00 per hour
Project Engineer I. ....	\$ 144.00 per hour
Construction Coordinator/Inspector .....	\$ 135.00 per hour
CADD Manager .....	\$ 135.00 per hour
Senior Designer / Lead .....	\$ 126.00 per hour
CADD Technician .....	\$ 117.00 per hour
CADD Designer .....	\$ 108.00 per hour
CADD Draftsman.....	\$ 99.00 per hour
Executive Assistant .....	\$ 99.00 per hour
Administrative Assistant.....	\$ 72.00 per hour

• FIELD PARTY SERVICES

Rates

1-Man Field Party .....	\$ 126.00 per hour
2-Man Field Party .....	\$ 153.00 per hour

2. DIRECT EXPENSES

Transportation

By Firm's Passenger Vehicles (Note 1) .....	\$ 0.62 per mile
Subsistence of out-of-city work .....	\$ Direct Expenses

Note:

A mileage charge will be billed from and to the meeting site from our Kyle office location.

# CONTRACT AWARD



## Award Engineering Contract

- 3 GENERATORS
- UPGRADE EAGLES NEST PUMP STATION
- UPGRADE EAST TANK
- UPGRADE DEL SPRINGS LIFT STATION

# CONTRACT AWARD

## Delaware Lift Station

- ▶ PUMPS (3-50 HP 600 GPM)
- ▶ ELECTRIC PANEL
- ▶ PIPING AND VALVES
- ▶ FENCING
- ▶ NEW GENERATOR (275KW)



# CONTRACT AWARD

## Eagle Nest

- ▶ NEW STORAGE STEEL TANK (48K GAL)
- ▶ PUMPS (3-40 HP)
- ▶ PIPING AND VALVES
- ▶ NEW GENERATOR (275 KW)



# CONTRACT AWARD

## East Tank

- ▶ 2 HYDRO TANKS (5K EA)
- ▶ BIGGER PUMPS (75 HP)
- ▶ ELECTRIC, PIPING, AND VALVES
- ▶ NEW GENERATOR (275 KW)



WATER SYSTEM

# Questions & Answers





## Development Services

## ITEM 4.8

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

### Action

- Meeting Date:** November 8, 2022
- Agenda Item:** Discussion and consider action: Direction to staff regarding amending City Code Section 118-63 to allow waivers to certain municipal golf buffer requirements: D. Vaughn
- Background:** The municipal golf course vegetative buffer was established by Ordinance No. 2022-12. The ordinance established a 25-foot-wide municipal golf course vegetation buffer where no fence or structure are permitted.
- Information:** Recently a property owner has asked to install a wrought iron fence on his property. Staff has reviewed the request and determined that there are lots where decorative fences could be allowed on the golf course property line without undermining the purpose of Ordinance No. 2022-12. This item is brought to Council's attention for discussion and direction.
- Fiscal Impact** No direct fiscal impact is anticipated.
- Recommendation:** Discuss and provide direction to staff pertaining to amendments to Ordinance No. 2022-12 to allow waivers to the fence prohibition in certain circumstances.

**ORDINANCE NO. 2022-50 PENDING**

**AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") FOR THE PURPOSE OF AMENDING THE MUNICIPAL GOLF COURSE VEGETATIVE BUFFER DEFINITIONS AND REQUIREMENTS; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City owns and operates the Delaware Springs municipal golf course; and

**WHEREAS**, pursuant to Ordinance No. 2022-12, City Council established a 25-foot-wide municipal golf course vegetation buffer, (hereinafter sometimes the "buffer") on properties adjoining the golf course; and

**WHEREAS**, the purpose of the buffer is to protect and preserve the function and aesthetics of the municipal golf course; and to protect the rights and interest of owners of properties abutting the municipal golf course to unobstructive views of the course from their properties; and

**WHEREAS**, the construction of fences or other structures is prohibited in the buffer area; and

**WHEREAS**, City Council has determined that a waiver of the fence prohibition may be warranted in certain circumstances; and

**WHEREAS**, on December 5, 2022, the Planning and Zoning Commission conducted a public hearing to receive comments and testimony on the merits of the code amendments proposed by this ordinance; and

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

**WHEREAS**, on December 13, 2022, City Council conducted a public hearing; to receive comments and testimony on the merits of the proposed code amendments; and

**WHEREAS**, The City Council, after due consideration of the Planning and Zoning Commission recommendation; the comments and testimony of public; and the recommendation of City staff; finds adoption of the proposed code amendments will promote the public health, safety, morals, and the general welfare; and

**WHEREAS**, City Council, finds, determines, and declares that publication of notice of this Ordinance, as required by Section 3.14 of the City Charter and the laws of the State of

Texas, was made by the City Secretary within the periods prescribed by Section 3.14 and state law; and

**WHEREAS**, City Council, finds, determines, and declares that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given as required by Chapter 551 of the Texas Government Code.

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

**Section one. Amendment.** The Code of Ordinances, Chapter 118 (entitled “*Zoning*”) Section is hereby amended by correcting a scrivener’s error in Section 118-5 (entitled “*Definitions*”) by adding language that is underlined (underlined) as follows:

**Sec. 118-5. Definitions.**

*Boundary Agreement* means that certain written instrument recorded in the Public Records of Burnet County as Document No. 201401086.

**Section two. Amendment.** The Code of Ordinances, Chapter 118 (entitled “*Zoning*”) Section is hereby amended by adding the underlined (underlined) language to Section 118-63 (entitled “*Municipal Golf Course Vegetative Buffer Requirements*”) subsection (d) (entitled “*use Limitations*”) as follows:

- (d) **Use Limitations.** The use of the municipal golf course vegetation buffer, within a Golf Course Lot, shall be restricted to a vegetation buffer and, except as provided subsection (f) below, no fence or structure shall be permitted therein. The municipal golf course vegetation buffer may be maintained in its natural state or may be landscaped by the planting of non-native vegetation and decorative stones; provided such stones do not create a wall or other barrier between the buffer and municipal golf course.

**Section three. Amendment.** The Code of Ordinances, Chapter 118 (entitled “*Zoning*”) Section is hereby amended by adding to Section 118-63 (entitled “*Municipal Golf Course Vegetative Buffer Requirements*”) new subsections (f) (entitled “*Decorative Fence Waivers*”) and (g) (“*Administration*”) to read as follows:

- (f) **Decorative fence waivers.** The City Manager is authorized to issue waivers to the prohibition against fences in the Municipal Golf Course Vegetative Buffer subject to all of the following:
  - (1) The City Manager finds the location where the lot to be fenced abuts the golf course is not in an area adjoining a tee-boxes, fairways, putting greens and irrigation terminals, or is of such distance from

tee-boxes, fairways, putting greens, and irrigation terminals as to not interfere with play or irrigation;

- (2) The proposed fence must be constructed of decorative iron or similar materials;
- (3) Privacy fencing shall not be approved; and
- (4) The subject lot shall comply with all other requirements of subsection (d) above.

Commentary: The installation of a fence on the golf course property line raises the potential for barking dogs disturbing golfers. Therefore, the purpose of the limitation stated in subsection (f) (1) is to alleviate that potential from arising near areas where golfing actions (e.g. teeing off, driving, putting) occur.

- (g) *Administration.* In the administration of subsection (f) above, the City Manager shall consult with the Golf Course Supervisor regarding the appropriateness of granting any application for waiver. Moreover, the City Manager is authorized to establish procedures and forms to process applications for decorative fence waivers.

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

**Section five. Penalty.** A violation of this ordinance is unlawful and subject to City Code of Ordinances Sec. 1-6 (entitled "*General Penalty*").

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

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

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

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

**Section ten. Notice.** The City Manager is hereby authorized and directed to record in the public records of Burnet County notice of the properties effected by the vegetative buffer requirement.

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

**Passed** on first reading on the 13<sup>th</sup> day of December 2022

**Passed, Approved and Adopted** on the 10<sup>th</sup> day of January 2023

**CITY OF BURNET**

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

**ATTEST:**

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

DRAFT

## Notice of Public Hearing

The City of Burnet's Planning & Zoning Commission and City Council shall conduct separate hearings on the merits proposed amendments to City Code of Ordinances Chapter 118 (entitled "Zoning") as follows:

AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") FOR THE PURPOSE OF AMENDING THE MUNICIPAL GOLF COURSE VEGETATIVE BUFFER DEFINITIONS AND REQUIREMENTS PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION.

The purpose of this ordinance is to authorize the City Manager to grant decorative fence waivers in the Golf Course Vegetative Buffer Area, where it is found that the proposed fence does not adjoin tee-boxes, fairways, putting greens or irrigation terminals, or is of such distance from tee-boxes, fairways, putting greens or irrigation terminals as to not interfere with play or irrigation.

This ordinance corrects a scrivener's error regarding the recorded document number for the Golf Course Boundary Agreement and clarifies the golf course vegetative buffer is located on Golf Course Lots.

Any person wishing to make their opinions known to either the Planning and Zoning Commission, or City Council, or both on the proposed zoning amendments may speak at the public hearings. The Planning and Zoning Commission's public hearing shall be held at **6:00 p.m. on Tuesday, December 5, 2022**. City Council's public hearing shall be held at **6:00 p.m. on Tuesday, December 13, 2022**. Both public hearings shall be held in the City of Burnet's City Council Chambers located at 2402 South Water Street Burnet, Texas 78611.

Members of the public may also provide written comments and testimony to the Planning & Zoning Commission and City Council prior to the public hearings by submitting same to City Planner Leslie Kimbler, at P.O. Box 1369, Burnet, Texas 78611, or by email at [lkimbler@cityofburnet.com](mailto:lkimbler@cityofburnet.com). Members of the public having questions about any aspect of the public hearings, or the proposed zoning amendments may submit their inquiries to Ms. Kimbler by regular or electronic mail at the same mailing and email addresses.



Proposed amendment to City Code Section 118-63 to allow waivers to certain municipal golf buffer requirements.

City Council Regular  
Meeting November 8,  
2022

Discussion and  
Direction

# Background

- Ordinance No. 2022-22
  - Establishes 25-foot-wide golf course vegetative buffer
    - Applies to lots abutting golf course
    - Does not apply to older sections that were fully developed years ago.
    - Landscaped or natural vegetation, landscaping stones permitted
  - Property owner installed wrought iron fence and has requested waiver

# The Property



# The Property



# Information

- Proposed ordinance
  - Authorize City Manager to issue decorative fence waivers if:
  - In consultation with the Golf Course Manager the lot does not adjoin a tee-boxes, fairways, putting greens and irrigation terminals, or
  - Distance from a tee-boxes, fairways, putting greens and irrigation terminals will not cause a fence to interfere with play; and
  - The subject lot complies with all other vegetative buffer requirements.

Privacy fences are prohibited.

A 3D rendering of a field of dark grey question marks. In the center, one question mark is highlighted in a bright yellow color. The word "Questions?" is written in white, sans-serif font across the yellow question mark.

Questions?