



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 **23rd day of January, 2024**, 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) Municipal Court Quarterly Report: Judge Tamara Tinney
- 1.2) Chamber of Commerce Quarterly Report: Allison McKee
- 1.3) 1ST Quarter Fiscal Year 2023-2024 Financial Report: P. Langford
- 1.4) Voyent Alert System: A. Field/M. Gonzalez

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

- 2.1) Approval of the January 9th, 2024 City Council Workshop Meeting Minutes
- 2.2) Approval of the January 9th, 2024 City Council Regular Meeting Minutes

3. PUBLIC HEARINGS/ACTION: None.

4. ACTION ITEMS:

4.1) 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, CHAPTER 118 (ENTITLED "ZONING"), SEC.118-5 & 118-68 PROVIDING FOR DEFINITIONS AND REGULATIONS FOR SHORT TERM RENTAL USES; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: C. Kehoe Pearson

4.2) Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING PROPERTY KNOWN 506 E LEAGUE ST. AND 410 S SILVER ST. FROM ITS PRESENT DESIGNATION OF LIGHT INDUSTRIAL – "I-1" TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – "NC"; PROPERTY KNOWN AS 801 NORTHINGTON FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – "C-1" TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – "R-1"; PROPERTY KNOWN AS 303 S BOUNDARY FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – "C-1" TO A DESIGNATION OF GOVERNMENT – "G"; PROPERTY KNOWN AS 208 S VANDEVEER ST. FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – "C-1" TO A DESIGNATION OF GOVERNMENT – "G"; PROPERTY KNOWN AS 403 S SILVER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – "C-1" TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – "NC"; PROPERTY

KNOWN AS THE RANDY LONGORIA PARK FROM ITS PRESENT DESIGNATION OF AGRICULTURE – “A” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 800 AND 802 S VANDEVEER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF DUPLEX – “R-2”; AND PROPERTY KNOWN AS 808 S BOUNDARY ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – “R-1”: L. Kimbler

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 NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS 611 S WATER STREET FROM SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO LIGHT COMMERCIAL – DISTRICT “C-1”: L. Kimbler

4.4) Discuss and consider action: Request for assistance from the Burnet County Rodeo Association for a light replacement project: D. Vaughn

4.5) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING ADOPTION OF A REVISED PAY SCALE FOR THE POSITION OF FIELD TRAINING OFFICER IN THE POLICE DEPARTMENT; AND AUTHORIZE THE CITY MANAGER TO ADOPT RULES AND REGULATIONS FOR THE EFFICIENT IMPLEMENTATION: J. Stewart

4.6) Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2023-36; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY: P. Langford

4.7) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ADOPTING THE INVESTMENT POLICY AND INVESTMENT STRATEGIES AND APPROVING SAID POLICY AS FULFILLMENT OF CHAPTERS 2256.005 AND 2256.025, GOVERNMENT CODE, THE PUBLIC FUNDS INVESTMENT ACT: P. Langford

4.8) Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 4, 2024, TO ELECT THREE CITY COUNCIL MEMBERS; ESTABLISHING THE ELECTION PROCEDURE; AND PROVIDING FOR RELATED MATTERS. UNA RESOLUCIÓN DE LA CIUDAD DE BURNET, TEXAS, ORDENANDO UNA ELECCIÓN GENERAL A LLEVARSE A CABO EL 4 DE MAYO DE 2024, PARA ELEGIR TRES MIEMBROS DEL CONSEJO (CONCEJALES); ESTABLECIENDO LOS PROCEDIMIENTOS PARA LA ELECCIÓN; Y PROVEYENDO OTROS ASUNTOS RELACIONADOS: K. Dix

4.9) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, RESTATING AND EXPANDING THE CHARGE OF THE CITY HALL CONSTRUCTION CONTRACTOR SELECTION SUBCOMMITTEE: D. Vaughn

4.10) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AUTHORIZING A CREDIT TO THE DEVELOPER OF WESTFALL SUBDIVISION SECTION THREE FOR THE INSTALLATION OF THREE PHASE IN PLACE OF SINGLE-PHASE ELECTRIC CONDUIT: 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 19th day of January, 2024

City of Burnet

Mayor Gary Wideman

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the governing body of the above named City, BURNET, is a true and correct copy of said NOTICE and that I posted a true and correct copy of said NOTICE on the bulletin board, in the City Hall of said City, BURNET, TEXAS, a place convenient and readily accessible to the general public at all times, and said NOTICE was posted on January 19th, 2024 at or before 6 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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).

BURNET MUNICIPAL COURT

QUARTERLY REPORT – 04/2023

In the fourth quarter of 2023, we took in 289 new cases, disposed of 186 cases and ended December with 478 active cases. There were 3 appeals this quarter, all without a trial. We currently have 2 cases to be set for trial.

The 289 new cases are comprised of the following:

- Traffic – 250
- Criminal/Non-Traffic – 35
- City Ordinance – 4

I have also included a breakdown of the cases for last year.

Heather Sutton is our new Court Administrator as of January 22nd. She came to us from Shertz Municipal Court.

Tamara Tinney

Burnet Municipal Judge

2022 - 2023 FISCAL YEAR CASE BREAKDOWN

	October	November	December	January	February	March	April	May	June	July	August	September	TOTAL CASES
Citations	135	84	91	98	101	148	117	116	136	139	88	77	1330
PC/On View Arrest	3	1	2	4	3	4	4	6	1	7	4	5	44
City Ordinance	6	3	5	0	4	9	3	0	2	1	4	4	41

Updates



BURNET
CHAMBER OF COMMERCE

Final Chamber Events of 2023

November 2nd – Business After Hours @ Torr Na Lochs

November 9th – Women in Business Meet Up @ Decadent Saint

November 14th – Quarterly Membership Luncheon





Christmas Window Decorating Contest



Lighting of the Square



Christmas on the Square



2024

HELLO!

New Members!

2024 New Members

Living Grace Canine Ranch
Freedom Lives Ranch RV Resort
3 Lakes Driving School
Danna Tree & Lawn Service
Wagon Spring Wine Room
Inman's BBQ

Includes 3 new gold members!



BURNET
CHAMBER OF COMMERCE

Coffee & Conversation



BURNET
Consolidated ISD

CRAFTING *the* FUTURE

Tuesday, January 23
8am-9am

**BCISD Updates from
Superintendent of Schools
Keith McBurnett**

Content Marketing & Social Media Best Practices

Tuesday, February 6th, 11a-1p

➔ **Create captivating & useful content**

➔ **Get found by more people on social media**

➔ **Understanding algorithms and audience metrics**

Location: Hill Country Community Foundation,
\$10 members/ \$15 non-members, includes lunch

Candidate Forum



**PRIMARY
ELECTION 2024**

VOTE

CANDIDATE FORUM
FEBRUARY 8, 2024
BURNET COMMUNITY CENTER
401 E. JACKSON • BURNET
MINGLE WITH CANDIDATES @ 5:00 PM
FORUM BEGINS @ 6:00 PM

Sponsored by the Burnet Chamber of Commerce, Burnet County Republican Club and Burnet County Republican Women

The poster features a blue top section with white text and orange horizontal lines. Below is a red section with the word 'VOTE' in large white letters, with a blue envelope icon containing a red checkmark. A white box with black text and stars provides the event details. The bottom of the poster has a blue and white striped border.

Chamber Banquet – Feb. 24





*Vendor booths filled (300)

*Logistics mostly solidified

*Working on sponsorship

City of Burnet

Financial Report



First Quarter Ended December 31, 2023



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GENERAL FUND

The General Fund ended the first quarter with a loss of (\$191,729). Total revenues are tracking slightly below the average budget for the period because of the timing of property tax collections.

The General Fund's primary revenues include:

- **Property tax collections** – ended the quarter at 19% of budget and decreased by (\$645,000) over last year because of the timing of collections. The majority of property tax collections were received in January this year and December last year.
- **Sales tax collections** – ended the quarter at 26% of budget and increased by \$31,000 over the same period last year.
- **EMS transfer collections** – ended the quarter at 27% of budget and increased by \$52,000 over the same period last year.
 - The hospital transfer call volume has increased by 15% over the same period last year.
- **Transfers in from other funds** – ended the quarter at 24% of budget and increased by almost \$18,000 over the same period last year.

Total expenditures ended the quarter on track at 25% of budget.

GOLF COURSE

The Golf Course ended the quarter with a profit of \$180,361 which is down about \$12,000 from this time last year mainly because of increasing expenses.

Total revenues ended the quarter at 33% of budget. Compared to last year, revenues have increased \$85,567 mainly because of the rate increases that went into effect in July of 2023 and an increase in the number of green fee rounds.

Operating Expenses ended the quarter on track at 25% of budget. Compared to last year, expenses have increased by \$97,501 for the first quarter mainly because of increasing personnel costs and the early purchase of maintenance supplies including chemicals, sod, and sand.

ELECTRIC FUND

The Electric fund ended the quarter with a profit of \$55,202.

Total revenues ended the quarter on track for the period at 23% of budget. Compared to last year, electric consumption has decreased by about 5% but net electric sales have remained fairly consistent



CITY OF BURNET
FYTD DECEMBER FINANCIAL SUMMARY

FY 2024

with last year because of the increase in the customer charge rate that went into effect on October 1, 2023.

Total expenses ended the quarter on track at 24% of budget.

WATER/WASTEWATER

The Water/Wastewater fund ended the quarter with a profit of \$76,476.

Total revenues ended the quarter at 24% of budget. Compared to last year, both water sales and consumption are running fairly consistent.

Total expenses ended the quarter at 24% of budget and have decreased from last year mainly because of personnel savings this year from vacancies and maintenance savings. Last year, the fund incurred significant water plant repairs and chemical purchases during the first quarter.

AIRPORT (Restricted Fund)

The Airport Fund ended the quarter with a profit of \$21,812.

Total revenues ended the quarter at 24% of budget. Hangar Lease revenues are on track for the period, but jet flowage fees are tracking below budget because October jet sales were down.

Total expenses ended the quarter on track at 23% of budget.

CASH RESERVES

Total "Unrestricted" cash reserve balance for the city as of December 31, 2023, was \$6,407,747. That is **\$1,907,747** above our 90-day required reserve amount.

Total "Restricted by Council" cash reserve balance for the city as of December 31, 2023, was **\$4,310,542**.

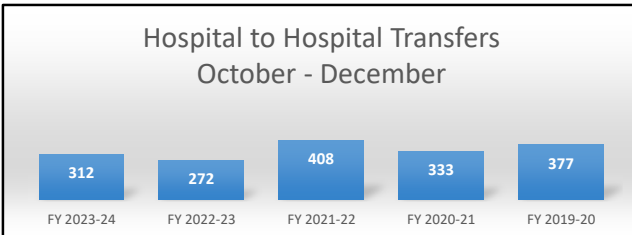
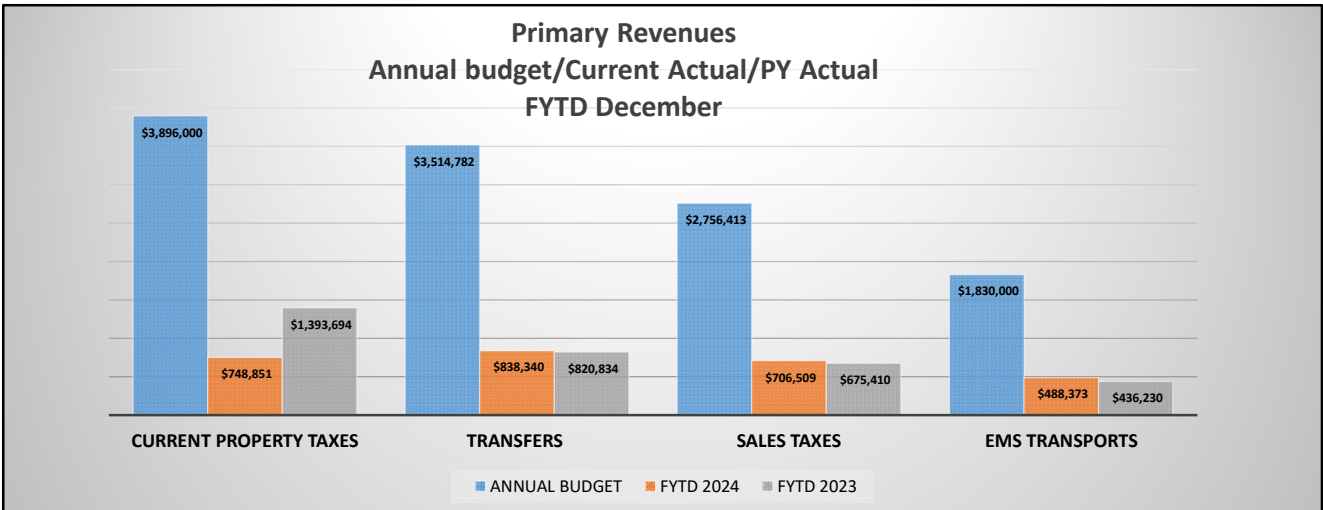
GENERAL FUND DASHBOARD

FYTD DECEMBER 2023

CURRENT RESULTS COMPARISON

	ORIGINAL BUDGET	ACTUAL FYTD DEC 2023	% OF BUDGET	PY BUDGET 2022-2023	ACTUAL FYTD DEC 2022	% OF BUDGET
REV	\$ 15,442,407	\$ 3,565,162	23%	\$ 14,766,308	\$ 4,126,045	28%
EXPENSES	14,878,137	3,756,891	25%	14,305,521	3,605,396	25%
PROFIT (LOSS)	\$ 564,270	\$ (191,729)		\$ 460,787	\$ 520,649	

TABLES/CHARTS



Hosp to Hosp Transfers		
FYTD 2024	312	
FYTD 2023	272	
Increase (Decrease)	40	15%

City of Burnet, Texas
 General Fund
 Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual (Unaudited)
 FYTD DECEMBER 2023

	25% of year complete					
	ORIGINAL BUDGET 2023-24	ACTUAL FYTD DEC 2023	% OF BUDGET	PY BUDGET 2022-2023	PY ACTUAL FYTD DEC 2022	% OF BUDGET
REVENUE						
Ad valorem taxes	\$ 3,896,000	\$ 748,851	19%	\$ 3,476,000	\$ 1,393,694	40%
Sales taxes	2,756,413	706,509	26%	2,782,000	675,410	24%
Interfund Transfers	3,514,782	838,340	24%	3,396,724	820,834	24%
EMS Transfers	1,830,000	488,373	27%	2,072,000	436,230	21%
Franchise and other taxes	264,000	45,196	17%	162,000	31,656	20%
Court Fines and Fees	163,000	34,353	21%	140,000	41,813	30%
Grants & Donations	3,000	700	23%	9,500	806	8%
Licenses & Permits	176,500	33,493	19%	153,300	54,331	35%
Charges for Services	2,486,812	556,942	22%	2,369,684	565,051	24%
Other Revenue	351,900	112,404	32%	205,100	106,220	52%
Use of Fund Balance (for Abatements)	30,000	-		-	-	#DIV/0!
Total Revenue	\$ 15,472,407	\$ 3,565,162	23%	\$ 14,766,308	\$ 4,126,045	28%
<i>Total Revenue less fund balance</i>	<i>\$ 15,442,407</i>	<i>\$ 3,565,162</i>	<i>23%</i>	<i>\$ 14,766,308</i>	<i>\$ 4,126,045</i>	<i>28%</i>
EXPENDITURES						
Personnel Services	\$ 9,966,970	\$ 2,491,966	25%	\$ 9,592,515	\$ 2,410,754	25%
Supplies & Materials	589,175	124,845	21%	591,175	139,344	24%
Repairs & Maint	652,520	180,731	28%	612,211	170,540	28%
Contractual Services	2,200,015	554,620	25%	2,102,170	526,422	25%
Other Designated Expenses	752,047	203,147	27%	686,568	169,717	25%
Transfers to Self-funded	511,937	127,984	25%	514,037	128,509	25%
Capital Outlay	-	10,286		-	-	
Transfers to Golf Admin	205,473	63,312	31%	206,845	60,110	29%
Sub-total	<u>\$ 14,878,137</u>	<u>\$ 3,756,891</u>	<u>25%</u>	<u>\$ 14,305,521</u>	<u>\$ 3,605,396</u>	<u>25%</u>
CAPITAL/OTHER EXP (USES OF FUND BAL)						
Transfers - Capital/Other Uses of FB	30,000	-		\$ -	\$ -	#DIV/0!
	<u>\$ 30,000</u>	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>	<u>#DIV/0!</u>
Total Expenditures	\$ 14,908,137	\$ 3,756,891	25%	\$ 14,305,521	\$ 3,605,396	25%
<i>Total Expenditures less Capital/Other</i>	<i>\$ 14,878,137</i>	<i>\$ 3,756,891</i>	<i>25%</i>	<i>\$ 14,305,521</i>	<i>\$ 3,605,396</i>	<i>25%</i>
NET CHANGE IN FUND BALANCE	\$ 564,270	\$ (191,729)		\$ 460,787	\$ 520,649	

KEY VARIANCES - BUDGET vs ACTUAL (25% of Year Complete)

Revenues

- Ad valorem taxes are tracking below the average budget for the period because of the timing of collections. This year, the majority of collections were not received until January while last year, the majority of collections were received in December.
- Franchise fee revenues are tracking lower than expected because of the timing of collections (paid quarterly and annually). First quarter payments were not received until January.
- Licenses & Permits are tracking below the average budget and last year mainly because last year the City received the inspection fees for Westfall Village in December. The City is still anticipating receiving the full amount budgeted by the end of the year.

Expenditures

- See Expenditures by Department/Category for more detail.

City of Burnet, Texas
 General Fund
 Expenditures by Department/Category
 FYTD DECEMBER 2023

25% of year complete

	25% of year complete			PY BUDGET		
	ORIGINAL BUDGET 2023-24	ACTUAL FYTD DEC 2023	% OF BUDGET	2022-2023	PY ACTUAL FYTD DEC 2022	% OF BUDGET
EXPENDITURES (Less transfers to capital/other):						
City Council						
Personnel Services	\$ 450	\$ -		\$ -	\$ -	
Supplies & Materials	1,550.00	304.20	0.20	2,000	-	0%
Repairs & Maint	1,000.00	85.00	0.09	1,000.00	126.00	13%
Contractual Services	8,020	7,249	90%	7,020	1,587	23%
Other Designated Expenses	9,075	4,773	53%	8,575	4,895	57%
Total Expenditures	20,095	12,411	62%	18,595	6,608	36%
General Administration						
Personnel Services	1,330,989	316,267	24%	1,277,069	313,662	25%
Supplies & Materials	20,400	6,324	31%	21,700	4,810	22%
Repairs & Maint	109,000	29,894	27%	91,000	28,126	31%
Contractual Services	281,090	87,248	31%	260,303	76,655	29%
Other Designated Expenses	475,964	133,870	28%	423,581	113,638	27%
Transfers for Golf Admin	205,473	63,312	31%	206,845	60,110	29%
Total Expenditures	2,422,916	636,915	26%	2,280,498	597,001	26%
Municipal Court						
Personnel Services	75,689	26,971	36%	73,658	19,072	26%
Supplies & Materials	675	276	41% imm.	675	42	6%
Repairs & Maint	6,500	-	0%	8,500	-	0%
Contractual Services	27,500	4,664	17%	15,300	5,655	37%
Other Designated Expenses	7,150	2,556	36%	5,050	1,667	33%
Total Expenditures	117,514	34,466	29%	103,183	26,436	26%
Police/Animal Shelter/K-9						
Personnel Services	2,748,870	657,920	24%	2,610,113	656,137	25%
Supplies & Materials	130,300	25,297	19%	138,200	31,935	23%
Repairs & Maint	121,370	26,193	22%	113,950	21,380	19%
Contractual Services	243,584	58,447	24%	228,350	56,752	25%
Other Designated Expenses	91,308	38,088	42%	99,162	22,580	23%
Transfers to Self-funded	174,839	43,710	25%	181,341	45,335	25%
Capital Outlay	-	10,286		-	-	
Total Expenditures	3,510,271	859,941	24%	3,371,116	834,119	25%
Fire/EMS						
Personnel Services	3,684,261	998,831	27%	3,584,056	909,072	25%
Supplies & Materials	249,050	57,838	23%	243,650	55,864	23%
Repairs & Maint	176,000	66,808	38%	174,500	59,429	34%
Contractual Services	324,518	72,710	22%	302,070	72,346	24%
Other Designated Expenses	93,600	9,081	10%	74,600	8,432	11%
Transfers to Self-funded	260,079	65,020	25%	267,868	66,967	25%
Capital Outlay	-	-		-	-	
Total Expenditures	4,787,508	1,270,287	27%	4,646,744	1,172,109	25%
Streets						
Personnel Services	791,616	192,461	24%	753,705	207,633	28%
Supplies & Materials	80,550	10,868	13%	77,300	25,823	33%
Repairs & Maint	94,000	28,744	31%	89,400	20,888	23%
Contractual Services	7,350	3,888	53%	8,750	1,545	18%
Other Designated Expenses	6,000	57	1%	5,000	103	2%
Transfers to Self-funded	34,504	8,626	25%	26,611	6,653	25%
Capital Outlay	-	-		-	-	
Total Expenditures	1,014,020	244,644	24%	960,766	262,645	27%
City Shop						
Personnel Services	72,756	18,182	25%	78,439	16,257	21%
Supplies & Materials	17,850	2,742	15%	15,000	6,307	42%
Repairs & Maint	12,200	1,479	12%	12,500	798	6%
Contractual Services	6,380	1,802	28%	6,380	1,487	23%
Other Designated Expenses	5,000	822	16%	5,050	1,494	30%
Total Expenditures	114,186	25,027	22%	117,369	26,343	22%
Sanitation						
Contractual Services	1,002,573	246,985	25%	974,947	240,945	25%
Other Designated Expenses	25,000	5,233	21%	25,000	5,563	22%
Total Expenditures	1,027,573	252,218	25%	999,947	246,508	25%
PW Admin						
Personnel Services	169,543	43,596	26%	164,985	41,643	25%
Supplies & Materials	2,700	305	11%	1,800	391	22%
Repairs & Maint	500	579	116% i	200	-	0%
Contractual Services	1,000	1,126	113%	-	345	#DIV/O!
Other Designated Expenses	4,000	2,117	53%	850	1,962	231%
Transfers to Self-funded	-	-		-	-	#DIV/O!
Total Expenditures	177,743	47,723	27%	167,835	44,341	26%

City of Burnet, Texas
 General Fund
 Expenditures by Department/Category
 FYTD DECEMBER 2023

25% of year complete

	ORIGINAL BUDGET 2023-24	ACTUAL FYTD DEC 2023	% OF BUDGET	PY BUDGET 2022-2023	PY ACTUAL FYTD DEC 2022	% OF BUDGET
EXPENDITURES (Less transfers to capital/other):						
Parks						
Personnel Services	629,305	132,787	21%	589,046	134,798	23%
Supplies & Materials	76,500	18,768	25%	79,000	13,760	17%
Repairs & Maint	108,450	19,410	18%	101,650	28,441	28%
Contractual Services	87,900	23,417	27%	88,650	20,688	23%
Other Designated Expenses	9,150	1,760	19%	8,500	159	2%
Capital Outlay						
Transfers to Self-funded	32,367	8,092	25%	28,069	7,017	25%
Total Expenditures	943,672	204,234	22%	894,915	204,863	23%
Galloway Hammond						
Repairs & Maint	5,000	1,353	27%	5,000	7,711	154%
Contractual Services	100,000	25,000	25%	100,000	25,000	25%
Capital Outlay	-	-	0%	-	-	0%
Total Expenditures	105,000	26,353	25%	105,000	32,711	31%
Development Services						
Personnel Services	188,510	43,180	23%	187,774	46,451	25%
Supplies & Materials	6,000	1,547	26%	5,650	380	7%
Repairs & Maint	8,000	933	12%	8,261	1,481	18%
Contractual Services	102,300	20,208	20%	99,050	22,255	22%
Other Designated Expenses	20,250	4,431	22%	28,200	5,957	21%
Capital Outlay				-	-	
Total Expenditures	325,060	70,299	22%	328,935	76,524	23%
Engineering						
Personnel Services	274,981	61,772	22%	273,670	66,030	24%
Supplies & Materials	3,600	577	16%	6,200	32	1%
Repairs & Maint	10,500	5,252	50%	6,250	2,160	35%
Contractual Services	7,800	1,875	24%	11,350	1,162	10%
Other Designated Expenses	5,550	361	7%	3,000	3,267	109%
Transfers to Self-funded	10,148	2,537	25%	10,148	2,537	25%
Total Expenditures	312,579	72,374	23%	310,618	75,188	
TOTAL EXPENDITURES	\$ 14,878,137	\$ 3,756,891	25%	\$ 14,305,521	\$ 3,605,396	25%

KEY EXPENDITURE VARIANCES - BUDGET vs ACTUAL (25% of Year Complete)

<i>CITY COUNCIL - Contractual Services are tracking higher than the average budget because they include expenses for the new Council SharePoint site which was not part of the original budget.</i>
<i>CITY COUNCIL - Other Designated Expenses are tracking higher than the average budget mainly because it includes council's travel and conference expenses for the 2023 TML Conference held in October.</i>
<i>ADMIN - Transfers to cover the golf admin allocation are tracking higher than the average budget because of increasing admin allocation expenses. Admin allocation expenses are based on revenues and number of employees and the golf course revenues for the first quarter came in above budget.</i>
<i>COURT - Personnel costs are tracking higher than average because the City's long tenured Court Clerk retired in October and received payout for accrued comp, sick, and vacation time.</i>
<i>COURT - Other Designated Expenses include employee programs which are tracking higher than the average budget because the City had a retirement party for the retiring Court Clerk in October.</i>
<i>PD - Designated Expenses include the purchase of non capital assets which are tracking higher than the average mainly because of the replacement of computers and the purchase of four bike racks during the first quarter.</i>
<i>FIRE - R&M Expenses are tracking higher than the average mainly because of the timing of the annual service plan for the cardiac monitors. The monitors were serviced in December.</i>
<i>STREETS - Contractual services include uniforms and are tracking higher than the average budget because of the purchase of replacement boots and uniforms in October and November.</i>
<i>PW ADMIN -Contractual services includes communications which are tracking higher than average due to service contract for new laptops for the department.</i>
<i>PW ADMIN - Other Designated Expenses are tracking higher than the average budget because of travel. Director attended TML in October and APA conference in November.</i>
<i>ENGINEERING - R&M expenses include software expenses which are tracking higher than the average budget because of the timing of software purchases. SmartNet and infrastructure software were purchased during first quarter.</i>

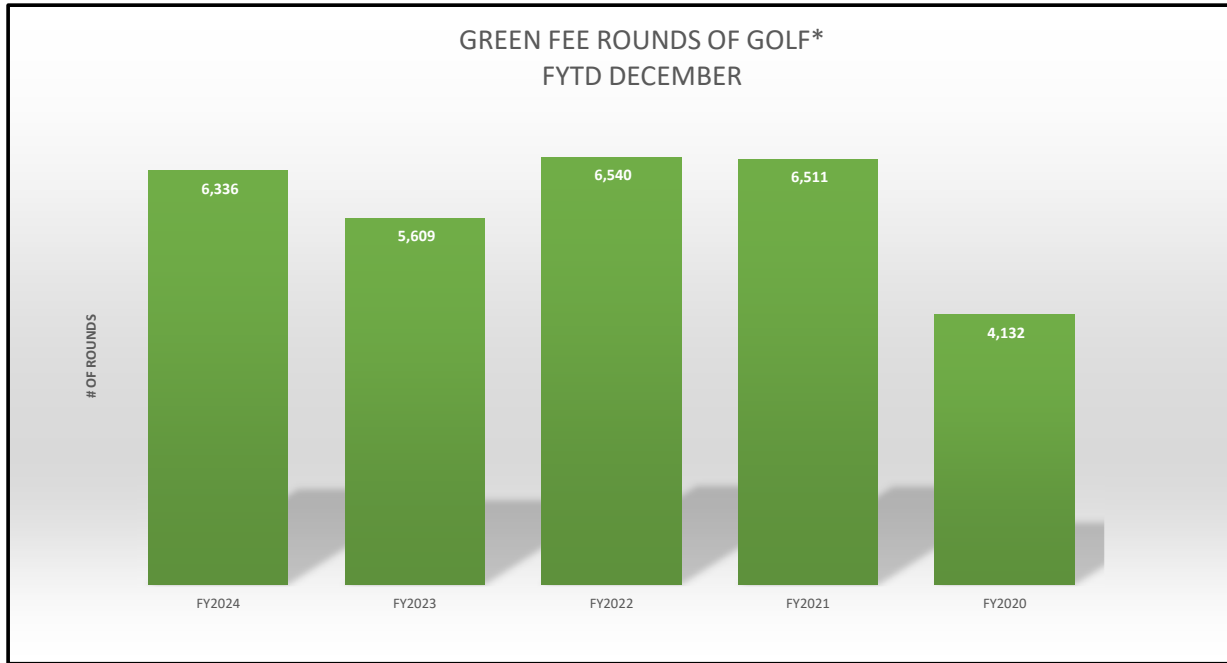
GOLF COURSE FUND DASHBOARD

FYTD DECEMBER 2023

CURRENT RESULTS COMPARISON

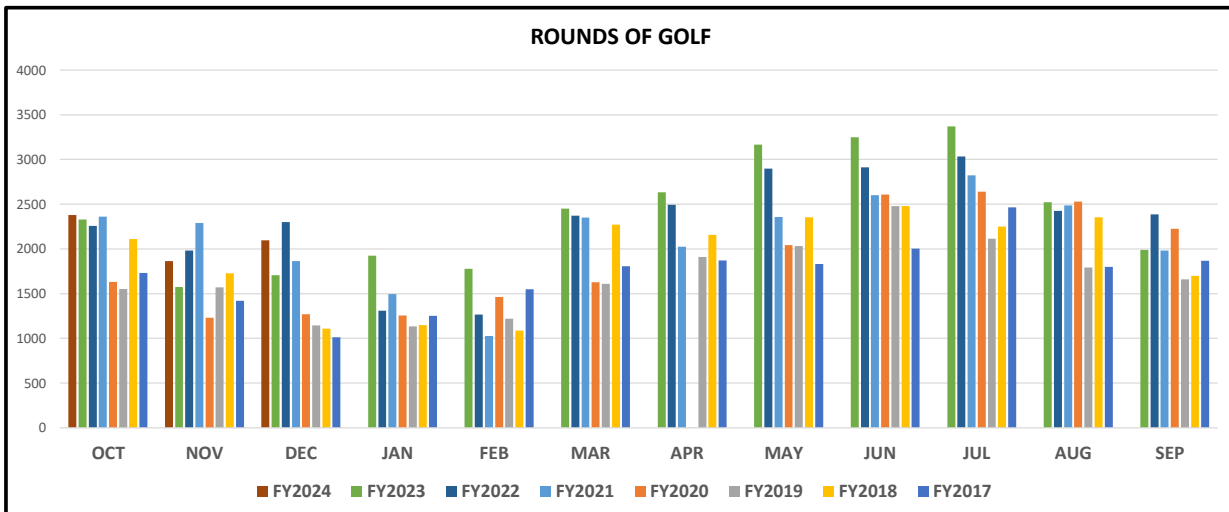
	ORIGINAL BUDGET	ACTUAL FYTD DEC 2023	% OF BUDGET	PY BUDGET 2022-2023	ACTUAL FYTD DEC 2022	% OF BUDGET
REV (net of cogs/tourn exp)	\$ 2,144,918	\$ 703,051	33%	\$ 1,860,895	\$ 617,484	33%
EXPENSES	2,077,634	522,691	25%	1,778,214	425,190	24%
PROFIT (LOSS)	\$ 67,284	\$ 180,361		\$ 82,681	\$ 192,294	

TABLES/CHARTS



Rounds of Golf*	FYTD
2023-2024	6,336
2022-2023	5,609
OVER (UNDER)	727
	12.96%

*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 DECEMBER 2023

	25% of year complete			PY BUDGET 2022-2023	PY ACTUAL FYTD DEC 2022	% OF BUDGET
	ORIGINAL BUDGET 2023-24	ACTUAL FYTD DEC 2023	% OF BUDGET			
Revenues						
Charges for Services:						
Green Fees/Cart Rentals	\$ 1,075,000	\$ 277,322	26%	\$ 947,205	\$ 220,588	23%
Member Charges	257,500	198,653	77%	232,000	195,916	84%
Net Tournament Fees	190,000	55,386	29%	144,000	48,023	33%
Driving Range	82,000	21,432	26%	62,000	12,704	20%
Net Charges for Services	1,604,500	552,793	34%	1,385,205	477,232	34%
Pro Shop Merchandise Sales (Net)	78,420	17,930	23%	72,655	16,282	22%
Snack Bar Sales (Net)	180,000	47,877	27%	147,744	38,700	26%
Transfer from GF (Admin/Use of FB)	205,473	63,312	31%	206,845	60,110	29%
Other Revenue	76,525	21,139	28%	48,446	25,160	52%
Total Revenues	2,144,918	703,051	33%	1,860,895	617,484	33%
Expenses						
Personnel Services	1,255,258	289,887	23%	1,067,824	256,043	24%
Supplies & Materials	147,800	44,635	30%	129,550	21,891	17%
Repairs & Maint	100,500	39,190	39%	84,300	16,175	19%
Contractual Services	99,950	15,710	16%	67,600	12,559	19%
Other Designated Expenses	69,150	20,081	29%	52,750	16,075	30%
Transfers to Self-funded	149,503	37,376	25%	169,345	42,336	25%
Admin Allocation	255,473	75,812	30%	206,845	60,110	29%
Total Expenses	2,077,634	522,691	25%	1,778,214	425,190	24%
Change in Net Position	67,284	180,361		82,681	192,294	
Operating Subsidy from General Fund	-	-		-	-	
Net Position	67,284	180,361		82,681	192,294	
Green Fee Rounds		6,336			5,609	
Green Fee Rev Per Round		\$ 43.77			\$ 39.33	

KEY VARIANCES - BUDGET vs ACTUAL (25% of Year Complete)

Revenues

NOTE: The Golf Course did increase green fee rates by \$3.00 and cart rental rates by \$2.00 at the end of July 2023.

- The majority of Member Charges which include pre-paid green fees, trail fees, annual cart rental and storage are collected in October and April of each year.
- Net Tournament Fees have increased due to additional tournaments and increased tournament rates.
- Transfer from General Fund (GF) is used to offset the admin allocation less \$4,167 monthly (or \$50,000 annually).

Expenses

- Supplies and Materials are tracking higher than the average budget because of the early purchase of chemicals in October.
- R&M Expenses are tracking higher than the average straight-lined budget because of equipment and irrigation repairs, along with the early purchase of sod, sand and landscaping stones.
- Admin allocation is offset by the Transfer from GF less \$4,167 monthly (or \$50,000 annually).

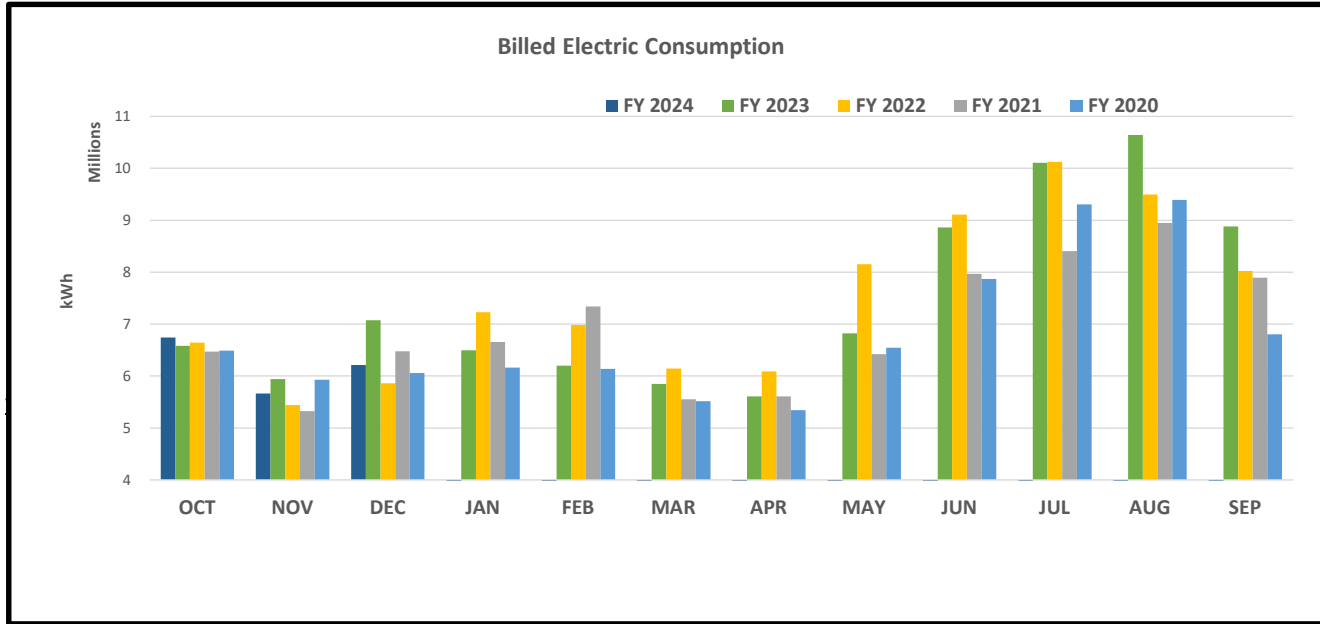
ELECTRIC FUND DASHBOARD

FYTD DECEMBER 2023

CURRENT RESULTS COMPARISON

	ORIGINAL BUDGET	ACTUAL FYTD DEC 2023	% OF BUDGET	PY BUDGET 2022-2023	ACTUAL FYTD DEC 2022	% OF BUDGET
REV (net of cogs)	\$ 4,300,026	\$ 995,551	23%	\$ 4,089,298	\$ 949,779	23%
EXPENSES	3,926,232	940,349	24%	3,786,446	878,127	23%
PROFIT (LOSS)	\$ 373,794	\$ 55,202		\$ 302,852	\$ 71,652	

TABLES/CHARTS



FYTD 2024	18,618,942
FYTD 2023	19,593,331
ytd variance	(974,389)
% variance	-4.97%

City of Burnet, Texas
 Electric Fund
 Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)
 FYTD DECEMBER 2023

	25% of year complete					
	ORIGINAL BUDGET 2023-24	ACTUAL FYTD DEC 2023	% OF BUDGET	PY BUDGET 2022-2023	PY ACTUAL FYTD DEC 2022	% OF BUDGET
REVENUES						
Electric Sales	\$ 9,781,915	\$ 2,237,625		\$ 9,090,778	\$ 2,211,737	
Less Cost of Power	5,776,753	1,333,368		5,237,806	1,306,031	
Net Electric Sales	4,005,162	904,256	23%	3,852,972	905,706	24%
Penalties	94,446	26,314	28%	87,766	21,756	25%
Pole Rental	48,750		0%	48,400	-	0%
Credit Card Convenience Fees	56,668	13,721	24%	52,660	12,683	
Other Revenue	65,000	21,260	33%	47,500	9,634	20%
Transfer from Hotel/Motel Fund*	30,000	30,000	100%	-	-	
Use of Fund Balance		-		-	-	
Total Revenue	\$ 4,300,026	\$ 995,551	23%	\$ 4,089,298	\$ 949,779	23%
<i>Total Revenue less fund balance</i>	<i>\$ 4,300,026</i>	<i>\$ 995,551</i>	<i>23%</i>	<i>\$ 4,089,298</i>	<i>\$ 949,779</i>	<i>23%</i>
EXPENSES						
Personnel Services	1,015,932	233,797	23%	945,807	223,330	24%
Supplies & Materials	74,700	12,820	17%	77,100	11,393	15%
Repairs & Maint	198,500	25,273	13%	191,000	17,107	9%
Contractual Services	171,200	52,445	31%	158,400	67,920	43%
Other Designated Expenses	83,500	26,863	32%	89,050	14,915	17%
Capital Outlay *	55,000	53,053	96%	25,000	1,356	5%
Transfers to Debt Service	51,500	12,875	25%	53,000	13,250	25%
Transfers to Self-funded	23,546	5,887	25%	25,418	6,355	25%
Return on Investment	1,675,657	372,379	22%	1,678,174	391,867	23%
Admin Allocation	463,570	117,147	25%	432,742	103,229	24%
Shop Allocation	28,546	6,257	22%	29,342	6,586	22%
PW Admin Allocation	53,323	14,317	27%	50,351	13,302	26%
Engineering Allocation	31,258	7,237	23%	31,062	7,519	24%
Transfer to Capital				-	-	
Total Expenses	\$ 3,926,232	\$ 940,349	24%	\$ 3,786,446	\$ 878,127	23%
<i>Total Expenses less xfers to capital and other uses of fund balance</i>	<i>\$ 3,926,232</i>	<i>\$ 940,349</i>	<i>24%</i>	<i>\$ 3,786,446</i>	<i>\$ 878,127</i>	<i>23%</i>
Change in Net Position	\$ 373,794	\$ 55,202		\$ 302,852	\$ 71,652	

KEY VARIANCES - BUDGET vs ACTUAL (25% of Year Complete)

Revenues

-Pole Rental Charges are typically invoiced in February and received by April or May.

-Other revenues are tracking higher than expected because it includes \$8,000 of contributions received to help offset the cost of the Christmas nativity scene that was purchased.

-Transfer from Hotel/Motel Fund is to help offset cost of Christmas Decorations which were purchased during first quarter.

Expenses

- Capital Outlay Expenses are tracking above the average budget because of the purchase of several large Christmas decorations early in the year that include new garland with bows, a polar bear, and a nativity scene for the square. The City has received contributions in the amount of \$8,000 to help offset the cost of the nativity scene.

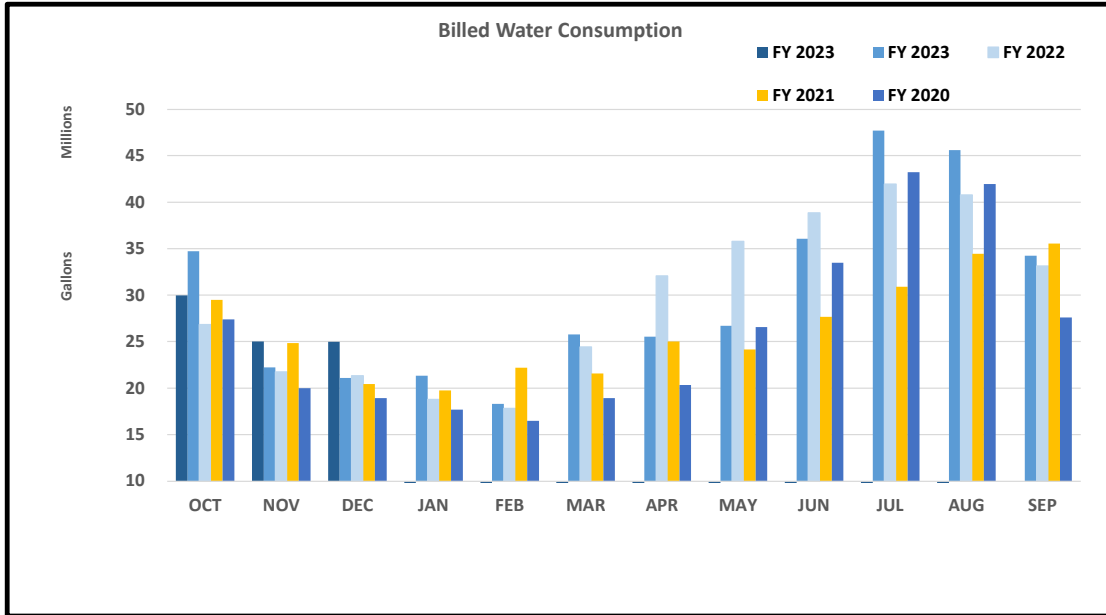
WATER/WW FUND DASHBOARD

FYTD DECEMBER 2023

CURRENT RESULTS COMPARISON

	ORIGINAL	ACTUAL	% OF	PY BUDGET	ACTUAL	% OF
	BUDGET	FYTD DEC 2023	BUDGET	2022-2023	FYTD DEC 2022	BUDGET
REV	\$ 4,707,667	\$ 1,151,127	24%	\$ 4,624,417	\$ 1,124,498	24%
EXPENSES	4,465,763	1,074,651	24%	4,330,936	1,118,180	26%
PROFIT (LOSS)	\$ 241,904	\$ 76,476		\$ 293,481	\$ 6,318	

TABLES/CHARTS



Billed Consumption in gallons:

FYTD 2024	79,992,856
FYTD 2023	78,072,435
Variance	1,920,421
% variance	2.46%

City of Burnet, Texas
Water/Wastewater Fund
Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)
FYTD DECEMBER 2023

	25% of year complete			PY BUDGET 2022-2023	PY ACTUAL FYTD DEC 2022	% OF BUDGET
	ORIGINAL BUDGET 2023-24	ACTUAL FYTD DEC 2023	% OF BUDGET			
REVENUE						
Water Sales	\$ 2,487,867	\$ 607,225	24%	\$ 2,482,303	\$ 618,458	25%
Wastewater Sales	1,975,800	499,429	25%	1,932,000	478,430	25%
Penalties	45,000	12,141	27%	45,072	11,858	26%
Water/Sewer Connects	37,000	1,380	4%	37,000	1,375	4%
Credit Card Convenience Fees	27,000	7,388	27%	25,042	6,832	27%
Other Revenue	60,000	23,564	39%	28,000	7,545	27%
Use Impact Fees	75,000	-	0%	75,000	-	0%
Use of Fund Balance	-	-		1,135,000	-	0%
Total Revenue	\$ 4,707,667	\$ 1,151,127	24%	\$ 5,759,417	\$ 1,124,498	20%
<i>Total Revenue less fund balance</i>	<i>\$ 4,707,667</i>	<i>\$ 1,151,127</i>	<i>24%</i>	<i>\$ 4,624,417</i>	<i>\$ 1,124,498</i>	<i>24%</i>
EXPENSES						
Personnel Services	1,510,138	323,949	21%	\$ 1,410,682	357,290	25%
Supplies & Materials	226,650	54,454	24%	190,300	78,098	41%
Repairs & Maint	365,250	66,873	18%	383,750	85,335	22%
Contractual Services	307,100	96,554	31%	300,050	78,791	26%
Cost of Water	70,000	34,595	49%	70,000	21,994	31%
Other Designated Expenses	113,521	28,182	25%	98,542	30,247	31%
Transfers to Debt Service	931,875	232,969	25%	930,125	232,531	25%
Transfers to Self-funded	10,148	2,537	25%	51,512	12,878	25%
In Lieu of Taxes	370,613	92,090	25%	363,953	89,960	25%
Admin Allocation	329,792	88,153	27%	305,298	76,659	25%
Shop Allocation	28,546	6,257	22%	29,342	6,586	22%
PW Admin Allocation	71,098	19,089	27%	67,134	17,736	26%
Engineering Allocation	125,032	28,950	23%	124,248	30,075	24%
Capital Outlay	6,000	-	0%	6,000	-	0%
Transfer to Capital	-	-		1,135,000	-	0%
Total Expenses	\$ 4,465,763	\$ 1,074,651	24%	\$ 5,465,936	\$ 1,118,180	20%
<i>Total Expenses less Transfers to Capital and other uses of fund balance</i>	<i>\$ 4,465,763</i>	<i>\$ 1,074,651</i>	<i>24%</i>	<i>\$ 4,330,936</i>	<i>\$ 1,118,180</i>	<i>26%</i>
Change in Net Position	\$ 241,904	\$ 76,476		\$ 293,481	\$ 6,318	

KEY VARIANCES - BUDGET vs ACTUAL 25% of Year Complete)

Revenues

-Other Revenues are tracking higher than expected because of increased bulk potable water sales at public works and increased interest income.

Expenses

-Cost of Water is tracking higher than the average budget because the billing for September is paid in October. Consumption was high in September because of the heat/drought and production was higher during the first quarter due to several leaks that have been repaired.

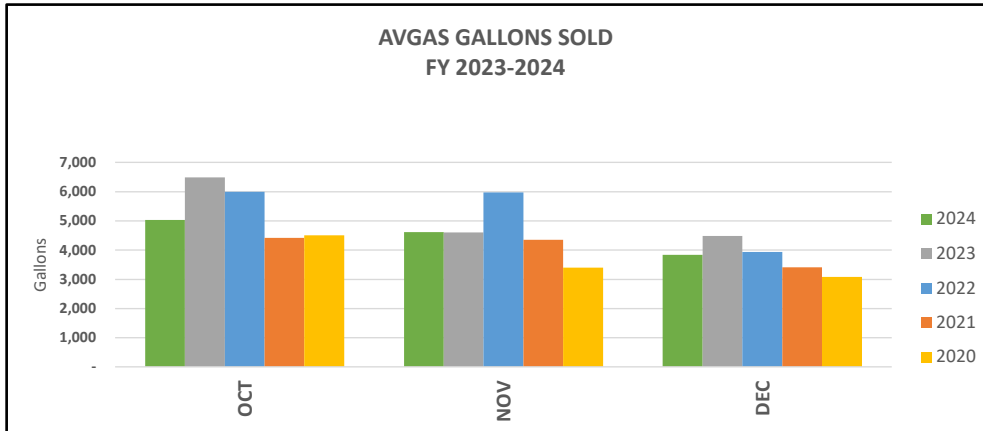
AIRPORT FUND DASHBOARD

FYTD DECEMBER 2023

CURRENT RESULTS COMPARISON

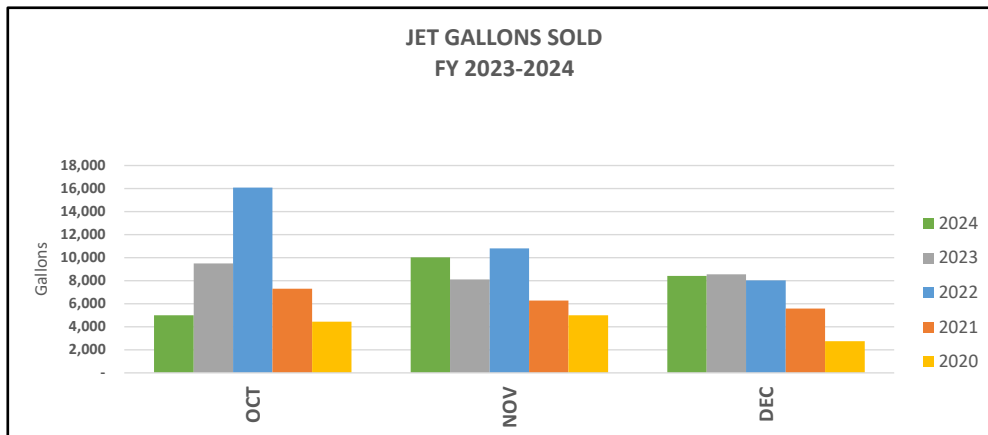
	ORIGINAL BUDGET	ACTUAL FYTD DEC 2023	% OF BUDGET	AMENDED BUDGET 2021-2022	ACTUAL FYTD DEC 2022	% OF BUDGET
REV (net of cogs)	\$ 335,757	\$ 80,601	24%	\$ 339,381	\$ 152,550	45%
EXPENSES	254,246	58,789	23%	258,228	136,328	53%
PROFIT (LOSS)	\$ 81,511	\$ 21,812		\$ 81,153	\$ 16,222	

TABLES/CHARTS



Avgas Gallons Sold:

FYTD 2024	13,482
FYTD 2023	15,589
Increase(decrease)	(2,106)
	-13.51%



Jet Gallons Sold:

FYTD 2024	23,463
FYTD 2023	26,188
Increase(decrease)	(2,725)
	-10.40%

City of Burnet, Texas
 Airport Fund
 Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)
 FYTD DECEMBER 2023

	25% of year complete			AMENDED BUDGET 2022-2023	PY ACTUAL FYTD DEC 2022	% OF BUDGET
	ORIGINAL BUDGET 2023-2024	ACTUAL FYTD DEC 2023	% OF BUDGET			
REVENUE						
Av Gas Sales	\$ -	-		\$ 89,525	\$ 89,527	
Av Gas Purchases				71,575	71,574	
Net Sales				17,950	17,953	100%
Jet Gas Sales		-		156,010	156,012	
Jet Gas Purchases				102,775	102,772	
Net Sales				53,235	53,240	100%
Avgas Flowage Fees	4,000	2,626	66%	3,140	-	0%
Jet Flowage Fees	16,000	3,010	19%	11,122	-	
Penalties		-		-	-	
All Hangar Lease	171,000	42,300	25%	153,600	51,379	33%
CAF Admissions	15,580	1,396	9%	5,066	1,862	37%
McBride Lease	52,562	12,873	24%	48,748	11,508	24%
Thru the Fence Lease	12,020	-	0%	12,020	-	0%
Airport Parking Permit	3,840	-	0%	5,000	375	8%
Hangar Lease - FBO	25,755	6,252	24%	18,755	-	0%
Interest Earned	35,000	12,143	35%	10,745	16,134	150%
Other		-		-	100	
Use of Fund Balance	110,263	15,059	14%	61,863	15,466	25%
Total Revenue	\$ 446,020	\$ 95,660	21%	\$ 401,244	\$ 168,016	42%
<i>Total Revenue less fund balance</i>	<i>\$ 335,757</i>	<i>\$ 80,601</i>	<i>24%</i>	<i>\$ 339,381</i>	<i>\$ 152,550</i>	<i>45%</i>
EXPENSES						
Personnel Services	\$ 103,284	\$ 26,738	26%	\$ 100,502	\$ 31,429	31%
Supplies & Materials	3,000	17	1%	3,000	1,104	37%
Repairs & Maint	3,925	1,470	37%	3,675	292	8%
Contractual Services	32,955	6,980	21%	64,750	57,026	88%
Other Designated Expenses	37,182	17,337	47%	46,527	23,751	51%
Transfers to Debt Service	60,263	15,059	25%	61,863	15,466	25%
Admin Allocation	23,900	6,248	26%	31,874	14,826	47%
Av fuel truck lease	-	-		3,350	3,350	100%
Jet fuel truck lease	-	-		4,550	4,550	100%
Transfers to Capital	100,000	-		-	-	
Total Expenses	\$ 364,509	\$ 73,848	20%	\$ 320,091	\$ 151,793	47%
<i>Total Exp - xfers to capital and debt svc.</i>	<i>\$ 254,246</i>	<i>\$ 58,789</i>	<i>23%</i>	<i>\$ 258,228</i>	<i>\$ 136,328</i>	<i>53%</i>
Change in Net Position	\$ 81,511	\$ 21,812		\$ 81,153	\$ 16,223	

NOTE

The new FBO contract went into effect on January 1, 2023. Therefore, the prior year still contains fuel sales and related expenses for the first quarter.

Under the new FBO contract:

-Net fuel sales are replaced by flowage fees.

-Fuel truck lease expenses are assumed by the FBO.

-FBO contract payments which were \$18,000 per month under the Interim FBO contract will be \$0 under the new FBO contract.

REVENUES:

NOTE: The timing of the Hangar Lease billing was changed during December of 2022 to begin billing ahead for the month. Therefore, last year's first quarter contains an extra billing period for leases.

- Jet flowage fees are tracking below average because October sales were down significantly.

- CAF lease revenue is tracking below average because of their new lease agreement. Monthly rent for Oct - Dec is \$465.39 but then increases to \$2,667 for the remainder of the year beginning in January.

EXPENSES:

- R&M expenses are tracking above the average budget mainly because of fence repairs done in October.

- Designated expenses are tracking above the average budget mainly because they include property tax payments which were paid in full in October.

City of Burnet, Texas
 Other Funds
 Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)
 FYTD DECEMBER 2023

	ANNUAL BUDGET 2023-24			ACTUAL FYTD DEC 2023			PY BUDGET 2022-2023			PY ACTUAL FYTD DEC 2022		
			% OF BUDGET								% OF BUDGET	
HOTEL/MOTEL FUND												
Revenues	\$	240,600	\$	120,371	50.03%	\$	191,900	\$	62,797	32.72%		
Expenses		210,074		51,841	24.68%		168,795		19,598	11.61%		
Net Profit (Loss)	\$	30,526	\$	68,530		\$	23,105	\$	43,199			
BEDC												
Revenues	\$	1,065,130	\$	282,785	26.55%	\$	4,015,333	\$	253,885	6.32%		
Expenses		911,698		161,840	17.75%		3,722,497		181,793	4.88%		
Net Profit (Loss)	\$	153,432	\$	120,945		\$	292,836	\$	72,092			
SELF FUNDED EQUIPMENT FUND												
Revenues	\$	767,600	\$	182,214	23.74%	\$	1,539,000	\$	197,267	12.82%		
Expenses		767,600		58,440	7.61%		1,539,000		439,463	28.56%		
Net Profit (Loss)	\$	-	\$	123,775		\$	-	\$	(242,196)			
DEBT SERVICE FUND												
Revenues	\$	1,046,638	\$	265,738	25.39%	\$	1,046,528	\$	261,313	24.97%		
Expenses		1,045,438		1,050	0.10%		1,046,328		-	0.00%		
Net Profit (Loss)	\$	1,200	\$	264,688		\$	200	\$	261,313			
INTEREST & SINKING DEBT FUND												
Revenues	\$	1,118,660	\$	229,744	20.54%	\$	796,782	\$	310,867	39.02%		
Expenses		1,105,660		-	0.00%		796,582		-	0.00%		
Net Profit (Loss)	\$	13,000	\$	229,744		\$	200	\$	310,867			

City of Burnet, Texas
Cash and Investment Accounts
FYTD DECEMBER 2023

Acct #	Bank	Account Name	Account Type	Balance as of DECEMBER 2023
Unrestricted Accounts				
984/2410	FSB	Operating Cash	Checking	\$ 2,274,041.25
		Add or Subtract Claim on Cash for Airport		(13,888.37)
2329	FSB	Golf Course Petty Cash	Checking	406.95
2711100002	TexPool	Operating Reserve	Investment	4,147,187.19
Total Unrestricted				\$ 6,407,747.02

<i>75 Day Reserve Requirement</i>	3,750,000.00
<i>Unrestricted Cash over 75 day reserve</i>	\$ 2,657,747.02
<i>90 Day Reserve Requirement</i>	4,500,000.00
<i>Unrestricted Cash over 90 day reserve</i>	\$ 1,907,747.02

Restricted by Council Action

2711100011	TexPool	Capital Equipment Reserve	Investment	\$ 138,556.61
2188	FSB	Self Funded Equipment	M/M	163,746.79
2711100014	TexPool	Self Funded Equipment Reserve	Investment	555,287.16
2711100021	TexPool	YMCA/GHRC Capital Improvement	Investment	106,073.08
2711100029	TexPool	YMCA Land Sale Proceeds	Investment	115,708.70
2711100022	TexPool	Electric Capital Improvement	Investment	309,747.63
2711100020	TexPool	Street Rehab/Replacement Reserve	Investment	424,258.21
2711100023	TexPool	Water/WW Improvement	Investment	106,073.08
2711100018	TexPool	Golf Course Ops Reserve	Investment	647,730.89
2711100019	TexPool	Golf Course Capital Improvement Reserve	Investment	86,444.38
2711100031	TexPool	City Hall Reserve	Investment	1,656,915.60
Total Restricted by Council Action				\$ 4,310,542.13

City of Burnet, Texas
Cash and Investment Accounts
FYTD DECEMBER 2023

Restricted by Purpose or Law

Acct #	Bank	Account Name	Account Type	Balance as of DECEMBER 2023
1453	FSB	Bond Reserve	M/M	\$ 693,963.24
2402	FSB	Hotel Motel	M/M	179,731.15
2711100005	TexPool	Hotel Motel	Investment	55,455.64
2485	FSB	PD Seizure	M/M	123.85
2711100027	TexPool	Municipal Court Special Revenue	Investment	99,255.13
2711100025	TexPool	Impact Fees - Water	Investment	509,629.08
2543	FSB	Airport Reserve	M/M	-
		Add or Subtract Airport Claim on Cash		13,888.37
2711100009	TexPool	Airport Reserve	Investment	905,802.83
2711100030	TexPool	Airport Bond Proceeds	Investment	1,067,971.72
2576	FSB	Interest & Sinking Acct	M/M	372,969.78
2711100026	TexPool	Impact Fees - Wastewater	Investment	69,711.50
2592	FSB	BEDC	Super NOW	62,626.69
2711100010	TexPool	BEDC	Investment	1,624,700.67
70516	FSB	BEDC Commercial Park Project	M/M	123,289.58
2675	FSB	Police Department Explorer Program	M/M	6,271.50
2691	FSB	Fire Department Explorer Program	M/M	3,545.81
2711100028	TexPool	Franchise Fee Account	Investment	155,124.97
3053	FSB	Parks Fund	M/M	30,235.43
58776	FSB	Fire Dept. Community Acct	M/M	13,876.27
2711100007	TexPool	TWDB	Investment	1,272.16
2711100006	TexPool	TWDB	Investment	1,116.89
143033000	US Bank	City of Burnet, Texas Combination Tax and Surplus	Investment	3,394.90
82-020-01-0	Bank of	City of Burnet 2012 TWDB Escrow	Investment	21,368.71
2711100017	TexPool	2021 CO - City Hall	Investment	4,951,106.04
62315	FSB	BEDC Bond Fund	Checking	82,767.85
2711100024	TexPool	Street Bond Reserve	Investment	905,554.13
TX01-0440-0004	Texas Class	2023 CO Adm/Street	Investment	4,063,405.64
Total Restricted Cash				\$ 16,018,159.53
Total All Cash				\$ 26,736,448.68

ACCOUNT NUMBER	INVESTMENT TYPE	DESCRIPT/LOC	MATURITY	BEGINNING BALANCES 10/01/2023	QUARTERLY ACTIVITY	INTEREST EARNINGS	ENDING BALANCE 12/31/2023	BEGINNING MARKET 04/01/2023	ENDING MARKET 06/30/2023	CHANGE IN MARKET VALUE	AVG YIELD
984 & 2410	OPERATING	FIRST STATE BANK	na	\$ 2,658,660.31	\$ (410,769.12)	\$ 26,150.06	\$ 2,274,041.25	na	na	na	0.0421
1453	DEBT SERVICE	FIRST STATE BANK	na	429,275.15	259,852.77	4,835.32	693,963.24	na	na	na	0.0342
2188	SELF FUNDED ACCT	FIRST STATE BANK	na	106,002.01	56,758.32	986.46	163,746.79	na	na	na	0.0290
2329	GOLF COURSE PETTY CASH	FIRST STATE BANK	na	445.20	(38.25)	-	406.95	na	na	na	-
2402	HOTEL/MOTEL	FIRST STATE BANK	na	60,721.01	117,939.12	1,071.02	179,731.15	na	na	na	0.0353
2485	PD SEIZURE	FIRST STATE BANK	na	122.71	-	1.14	123.85	na	na	na	0.0367
2576	I & S SINKING FUND	FIRST STATE BANK	na	143,225.68	227,811.64	1,932.46	372,969.78	na	na	na	0.0297
2592	BEDC	FIRST STATE BANK	na	182,463.84	(121,458.16)	1,621.01	62,626.69	na	na	na	0.0525
2675	PD EXPLORER PROGRAM	FIRST STATE BANK	na	6,214.01	(0.02)	57.51	6,271.50	na	na	na	0.0365
2691	FD EXPLORER PROGRAM	FIRST STATE BANK	na	3,513.31	-	32.50	3,545.81	na	na	na	0.0365
3053	PARKS FUND	FIRST STATE BANK	na	29,710.47	250.00	274.96	30,235.43	na	na	na	0.0364
58776	FD COMMUNITY FUND	FIRST STATE BANK	na	13,876.27	-	-	13,876.27	na	na	na	-
62315	BEDC BOND FUND	FIRST STATE BANK	na	34,055.13	48,237.51	475.21	82,767.85	na	na	na	0.0323
70516	281 COMM PARK PROJECT	FIRST STATE BANK	na	128,415.48	(6,304.06)	1,178.16	123,289.58	na	na	na	0.0371
	SUBTOTAL - FIRST STATE BANK			\$ 3,796,700.58	\$ 172,279.75	\$ 38,615.81	\$ 4,007,596.14	\$ -	\$ -	\$ -	0.0313

2711100002	GF RESERVE	TEXPOOL	na	\$ 4,091,588.78	\$ 0.00	\$ 55,598.41	\$ 4,147,187.19	\$ 4,091,588.78	\$ 4,147,187.19	\$ 55,598.41	0.0535
2711100005	HOT	TEXPOOL	na	54,712.22	(0.00)	743.42	55,455.64	54,712.22	55,455.64	743.42	0.0535
2711100006	TWDB	TEXPOOL	na	1,102.17	0.00	14.72	1,116.89	1,102.17	1,116.89	14.72	0.0526
2711100007	TWDB	TEXPOOL	na	1,254.99	0.00	17.17	1,272.16	1,254.99	1,272.16	17.17	0.0539
2711100009	AIRPORT*	TEXPOOL	na	893,659.36	(0.00)	12,143.47	905,802.83	893,659.36	905,802.83	12,143.47	0.0535
2711100010	BEDC RESERVE	TEXPOOL	na	1,901,340.23	(301,102.68)	24,463.12	1,624,700.67	1,901,340.23	1,624,700.67	(276,639.56)	0.0551
2711100011	CAPITAL EQUIPMENT RESERVE	TEXPOOL	na	86,585.13	50,549.45	1,422.03	138,556.61	86,585.13	138,556.61	51,971.48	0.0501
2711100014	SELF FUNDED EQUIPMENT	TEXPOOL	na	547,842.83	0.00	7,444.33	555,287.16	547,842.83	555,287.16	7,444.33	0.05
2711100017	2021 CO - CITY HALL	TEXPOOL	na	4,884,730.08	-	66,375.96	4,951,106.04	4,884,730.08	4,951,106.04	66,375.96	0.05
2711100018	GOLF COURSE OPS RESERVE	TEXPOOL	na	639,047.23	0.00	8,683.66	647,730.89	639,047.23	647,730.89	8,683.66	0.0535
2711100019	GOLF COURSE CAPITAL RESERVE	TEXPOOL	na	85,285.53	0.00	1,158.85	86,444.38	85,285.53	86,444.38	1,158.85	0.0535
2711100020	STREET REHAB/REPLACE RESERVE	TEXPOOL	na	418,570.53	(0.00)	5,687.68	424,258.21	418,570.53	424,258.21	5,687.68	0.0535
2711100021	YMCA/GHRC CAPITAL RESERVE	TEXPOOL	na	104,651.00	0.00	1,422.08	106,073.08	104,651.00	106,073.08	1,422.08	0.0535
2711100022	ELECTRIC CAPITAL IMPROVEMENT	TEXPOOL	na	305,595.10	0.00	4,152.53	309,747.63	305,595.10	309,747.63	4,152.53	0.0535
2711100023	WATER/WW CAPITAL IMPRVMENT	TEXPOOL	na	104,651.00	0.00	1,422.08	106,073.08	104,651.00	106,073.08	1,422.08	0.0535
2711100024	STREET BOND RESERVE	TEXPOOL	na	3,042,396.31	(2,175,325.04)	38,482.86	905,554.13	3,042,396.31	905,554.13	(2,136,842.18)	0.0773
2711100025	WATER IMPACT FEE	TEXPOOL	na	495,616.92	7,233.52	6,778.64	509,629.08	495,616.92	509,629.08	14,012.16	0.0535
2711100026	WASTWATER IMPACT FEE	TEXPOOL	na	62,922.65	5,895.56	893.29	69,711.50	62,922.65	69,711.50	6,788.85	0.0534
2711100027	COURT SPECIAL REVENUE	TEXPOOL	na	95,069.35	2,867.72	1,318.06	99,255.13	95,069.35	99,255.13	4,185.78	0.0538
2711100028	FRANCHISE FEE	TEXPOOL	na	149,253.21	3,823.12	2,048.64	155,124.97	131,999.41	155,124.97	23,125.56	0.0534
2711100029	YMCA LAND SALE PROCEEDS	TEXPOOL	na	114,157.45	-	1,551.25	115,708.70	114,157.45	115,708.70	1,551.25	0.0535
2711100030	AIRPORT BOND PROCEEDS*	TEXPOOL	na	1,053,654.14	0.00	14,317.58	1,067,971.72	1,053,654.14	1,067,971.72	14,317.58	0.0535
2711100031	CITY HALL RESERVE	TEXPOOL	na	1,634,702.52	0.00	22,213.08	1,656,915.60	1,634,702.52	1,656,915.60	22,213.08	0.0535
TX-01-0440-0004	STREET BOND	TEXAS CLASS	na	4,044,213.81	(35,035.02)	54,226.85	4,063,405.64	4,044,213.81	4,063,405.64	19,191.83	0.0531
	SUBTOTAL - TEXPOOL			\$ 20,768,388.73	\$ (2,406,058.35)	\$ 332,579.76	\$ 22,704,088.93	\$ 20,751,134.93	\$ 18,640,683.29	\$ (2,110,451.64)	0.0544

143033000	US BANK LOAN		na	\$ 3,351.00	\$ 0.00	\$ 43.90	\$ 3,394.90	\$ 3,351.00	\$ 3,394.90	\$ 43.90	0.0516
82-0220-01-0	BANK OF TEXAS - TWDB #2		na	21,100.60	0.00	268.11	21,368.71	21,100.60	21,368.71	268.11	0.0501
	SUBTOTAL - OTHERS			\$ 24,451.60	\$ 0.00	\$ 312.01	\$ 24,763.61	\$ 24,451.60	\$ 24,763.61	\$ 312.01	0.0509

	TOTALS			\$ 24,589,540.91	\$ (2,233,778.60)	\$ 371,507.58	\$ 26,736,448.68	\$ 20,775,586.53	\$ 18,665,446.90	\$ (2,110,139.63)	0.0510
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* Airport reserves and bond proceeds were previously comingled. Opened separate account for bond proceeds during the quarter and reclassified interest income earned to date.

PERFORMANCE MEASURES:		Benchmark	Actual
Avg Yield		5.2000%	5.1000%
Benchmark=90 day T-Bill Rate (12/29/2023)			
WAM		Max 365	
Diversification:			
Other			0.09%
FSB			14.99%
TexPool/TexasClass		Max 100%	84.92%

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

Stephani Wright
 Stephani Wright, Senior Accountant

01-17-2024
 Date

CITY OF BURNET
 CAPITAL FUND PROJECTS
 2023-2024 BUDGET

Project	Budget Amount	YTD exp as of 12/31/2023	Balance
---------	---------------	--------------------------	---------

Fund 45 - WATER & WASTEWATER CAPITAL PROJECT FUND

Water Plant Generator	\$ 310,000	\$ -	\$ 310,000
Generators for SB3 Compliance	200,000	-	200,000
Dump Truck for Water Department	160,000	-	160,000
Water Meters	40,000	-	40,000
Creekfall Water Line Oversize Project	155,000	-	155,000
CDBG Water Line Project	755,976	-	755,976
Well and Pump Upgrades	100,000	-	100,000
Valley Street Well Engineering/Evaluation	25,000	1,098	23,902
Ranch Lift Station/ Eagles Nest Upgrade/East Tank Upgrade	35,000	2,849	32,152
Use WW Impact Fees - transfer to 42 for debt	75,000	-	75,000
Total Water & Wastewater Capital Project Fund	\$ 1,855,976	\$ 3,947	\$ 1,852,030

Fund 46 - GENERAL CAPITAL PROJECT FUND

ADMIN

Server Upgrade	\$ 50,000	\$ -	\$ 50,000
Incode 10 Upgrade for Court	17,000	-	17,000
Comp Plan	10,000	-	10,000
Eclipse Planning	100,000	-	100,000
Beautification Project	70,000	8,338	61,663
New City Hall	8,600,000	13,036	8,586,964

POLICE/K-9

Red Dot Upgrade - carryover	20,000	1,110	18,890
2 K-9's including training and equipment	30,000	13,409	16,591
Dispatch software	250,000	-	250,000
Monument Sign for PD - carryover	10,000	2,106	7,894
Shooting Range Improvements	30,000	-	30,000
Use of Opioid Settlement Funds	45,000	-	45,000

FIRE/EMS

Fire Station 1 Roof Repairs - carryover from py hail storm	48,000	-	48,000
Use of Donated Funds from S. Pelej (Carryover)	50,000	4,469	45,531

CITY OF BURNET
 CAPITAL FUND PROJECTS
 2023-2024 BUDGET

Project	Budget Amount	YTD exp as of 12/31/2023	Balance
Water Truck for Fire and Street Departments	200,000	-	200,000
SCBA Equipment	100,000	-	100,000
Fire Department Drone	20,000	-	20,000
Fire Department CAD Laptops	50,000	39,234	10,766
EMS Professional Services to apply for TASSPP	12,000	-	12,000
STREETS			
Street Repair/Rehabilitation	6,000,000	2,157,274	3,842,726
Roller for Street Patching	60,000	58,821	1,179
PARKS			
Park Improvements	50,000	-	50,000
GALLOWAY HAMMOND REC CENTER			
GHRC Teen Center Annual Payment	20,000	-	20,000
GHRC Capital Maint	50,000	7,800	42,200
GHRC Capital Maint 2023 Carryover	275,000	-	275,000
GHRC Capital Maint 2024 improvement plan	109,500	-	109,500
Total General Capital Project Fund	\$ 16,276,500	\$ 2,305,596	\$ 13,970,904

Fund 47 - AIRPORT CAPITAL PROJECT FUND

Paving Project (runway and taxiway)	\$ 30,000	\$ 30,000	\$ -
Jet Hangar	1,500,000	12,237	1,487,763
Decel Lane into Airport	100,000	-	100,000
Other Improvements	200,000	-	200,000
Ramp Grant Improvements	200,000	45	199,955
Total Airport Capital Project Fund	\$ 2,030,000	\$ 42,282	\$ 1,987,718

Fund 48 - ELECTRIC CAPITAL PROJECT FUND

Utility Maps and Models	\$ 50,000	\$ 7,599	\$ 42,401
Subdivision Electrical Costs	150,000	7,181	142,819
Creekfall Conduit Costs	50,000	32,000	18,000
Digger Truck for Electric Dept.	350,000	-	350,000
Bucket Truck for Electric Dept.	275,000	-	275,000

CITY OF BURNET
 CAPITAL FUND PROJECTS
 2023-2024 BUDGET

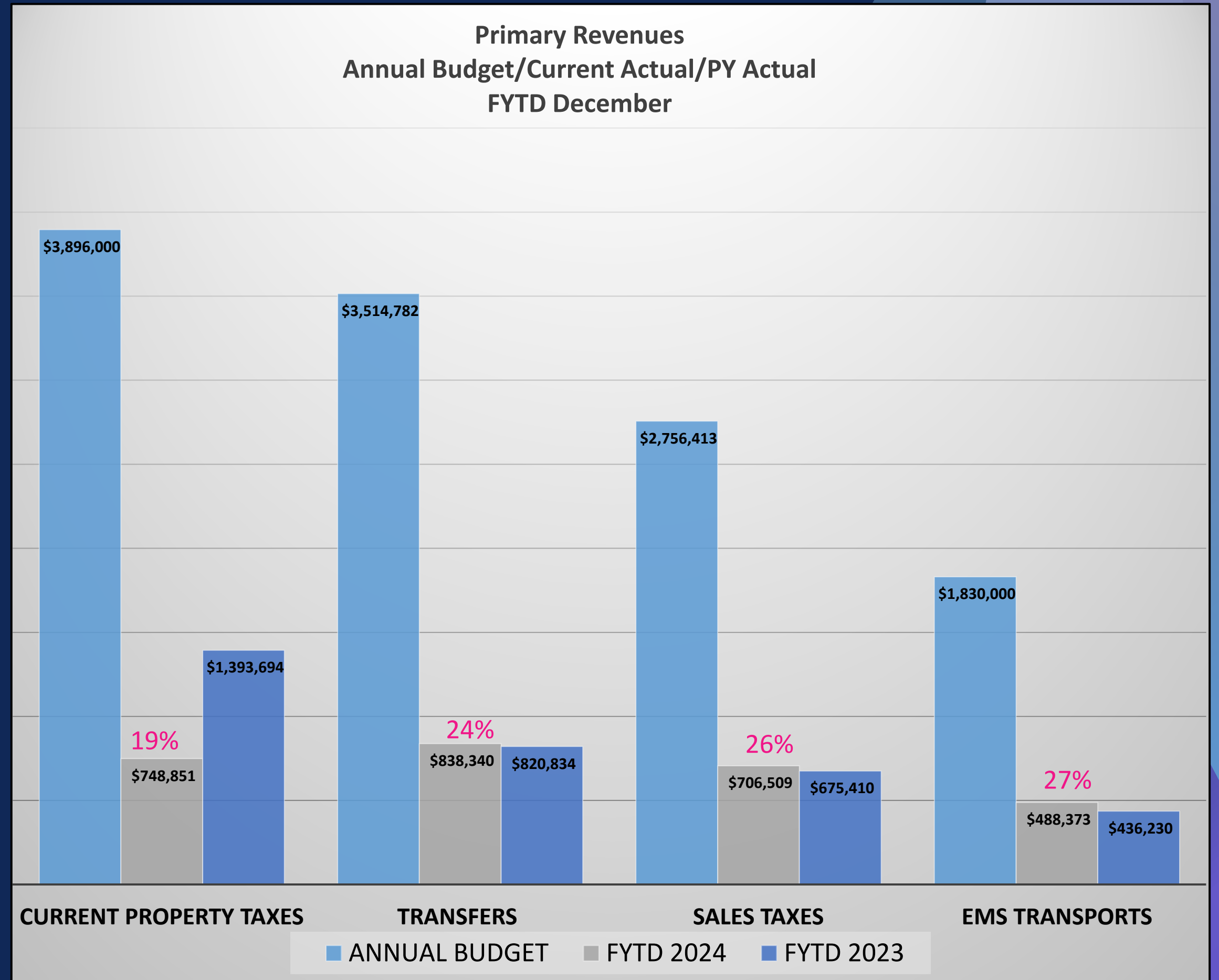
Project	Budget Amount	YTD exp as of 12/31/2023	Balance
Total Electric Capital Project Fund	\$ 875,000	\$ 46,780	\$ 828,220
Fund 49 - GOLF CAPITAL PROJECT FUND			
Golf Course Improvements	\$ 275,000	\$ 44,353	\$ 230,647
Total Golf Capital Project Fund	\$ 275,000	\$ 44,353	\$ 230,647
Fund 53 - BEDC CAPITAL PROJECT FUND			
Debt Service Payoff - 281 Comm Park	\$ 999,119	\$ -	\$ 999,119
Land Acquisition - Kroger Property - 400 N West Street	312,500	156,988	155,512
Land Acquisition - Kroger Property - 29W/102 E Polk Street	312,500	156,988	155,512
13 Acre Commercial Tract - 281S	250,000	246	249,754
Retail Incentive - Tractor Supply	551,000	-	551,000
Hotel Incentive	436,000	-	436,000
Downtown Bathroom - Jackson Street	600,000	197,172	402,828
Property Acquisitions	500,000	-	500,000
Beautification Funding	100,000	-	100,000
Beall's Bldg Payment	1,115,000	-	1,115,000
Coke Street Project	350,000	-	350,000
Total BEDC Capital Project Fund	\$ 5,526,119	\$ 511,395	\$ 5,014,724
TOTAL CAPITAL PROJECT FUNDS	\$ 26,838,595	\$ 2,954,352	\$ 23,884,243

CITY OF BURNET FINANCIAL REPORT

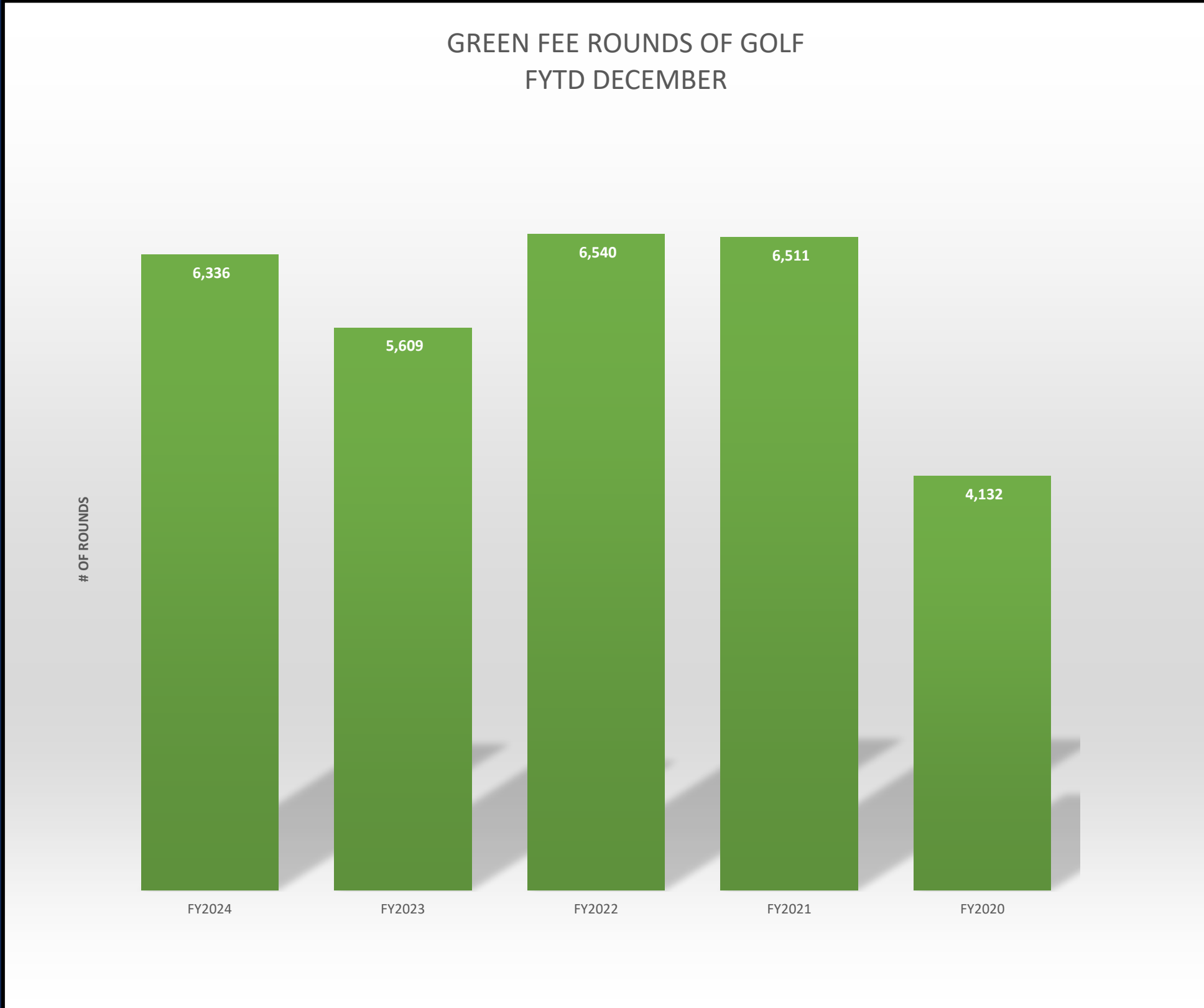
For the First Quarter Ended December 31, 2023

GENERAL FUND

	ANNUAL BUDGET	ACTUAL FYTD DEC 2023	% OF BUDGET
REVENUES	\$15,442,407	\$3,565,162	23%
EXPENDITURES	14,878,137	\$3,756,891	25%
PROFIT (LOSS)	\$564,270	(\$191,729)	



GOLF FUND



	ANNUAL BUDGET	ACTUAL FYTD DEC 2023	% OF BUDGET
REVENUES	\$2,144,918	\$703,051	33%
EXPENSES	2,077,634	522,691	24%
PROFIT (LOSS)	\$67,284	\$180,361	

AVERAGE REVENUE PER ROUND:

FYTD DEC 23 \$43.77
 FYTD DEC 22 \$39.33

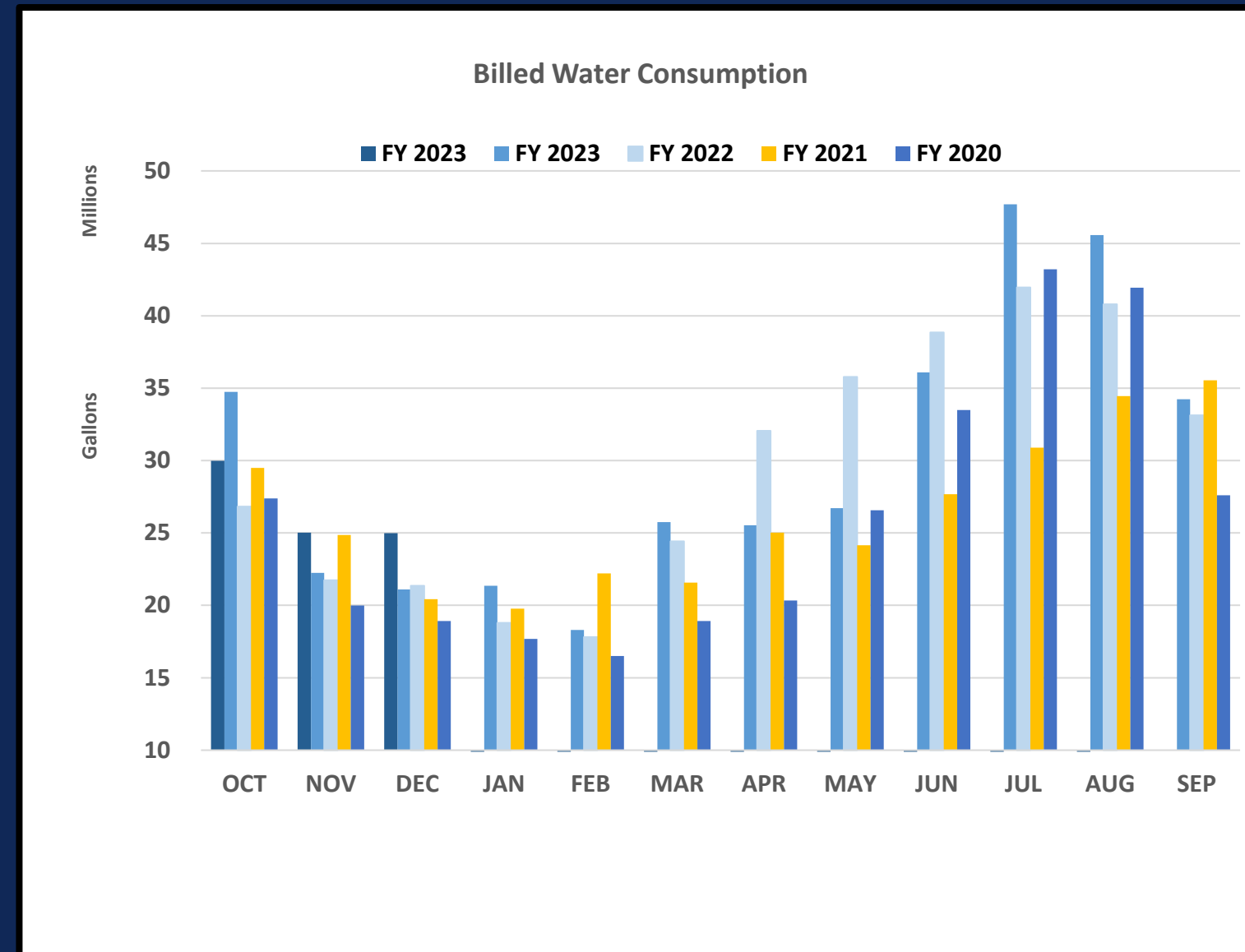
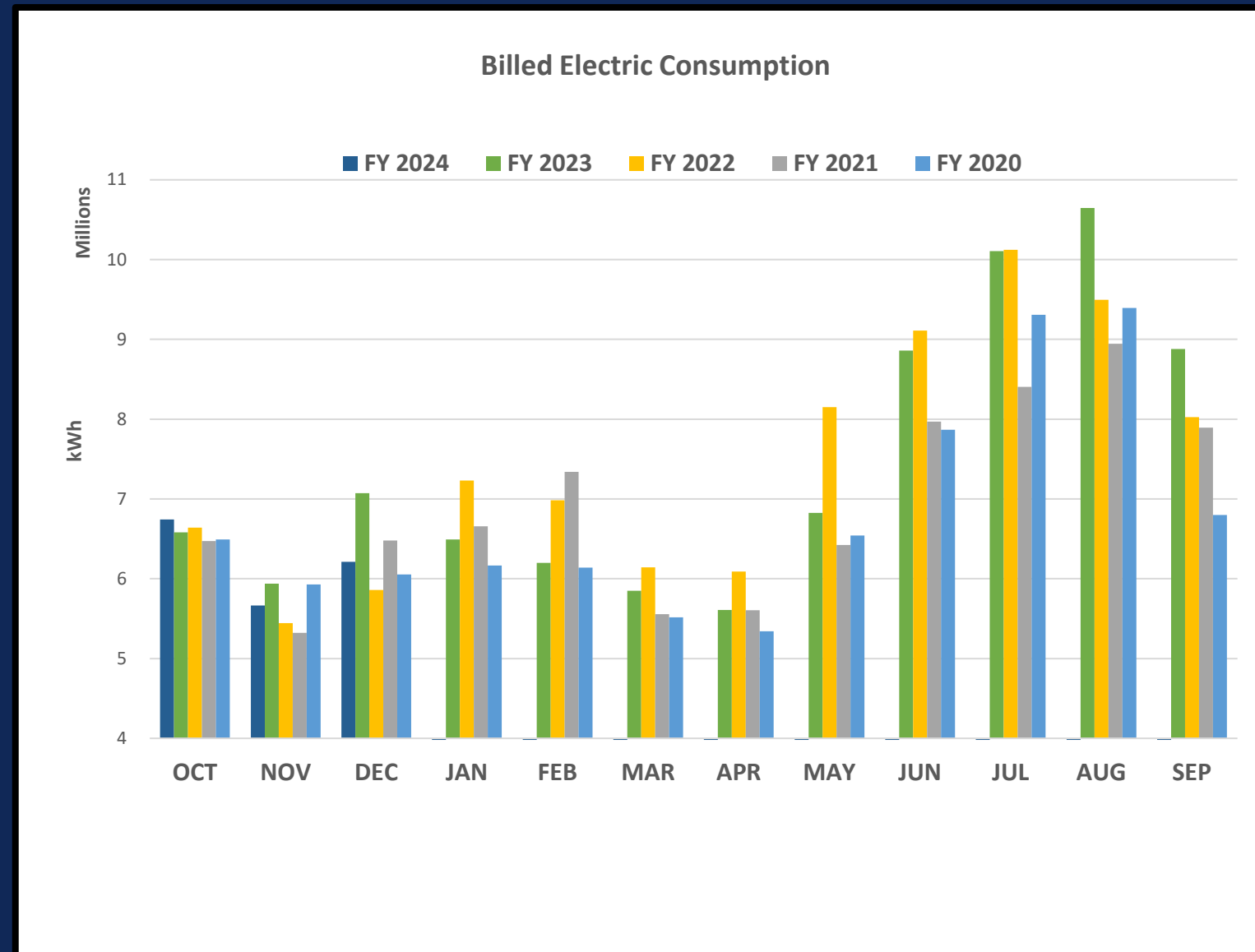
UTILITY FUNDS

ELECTRIC

	ANNUAL BUDGET	ACTUAL FYTD DEC 2023	% OF BUDGET
REVENUES	\$4,300,026	\$995,551	23%
EXPENSES	3,926,232	940,349	24%
PROFIT (LOSS)	\$373,794	\$55,202	

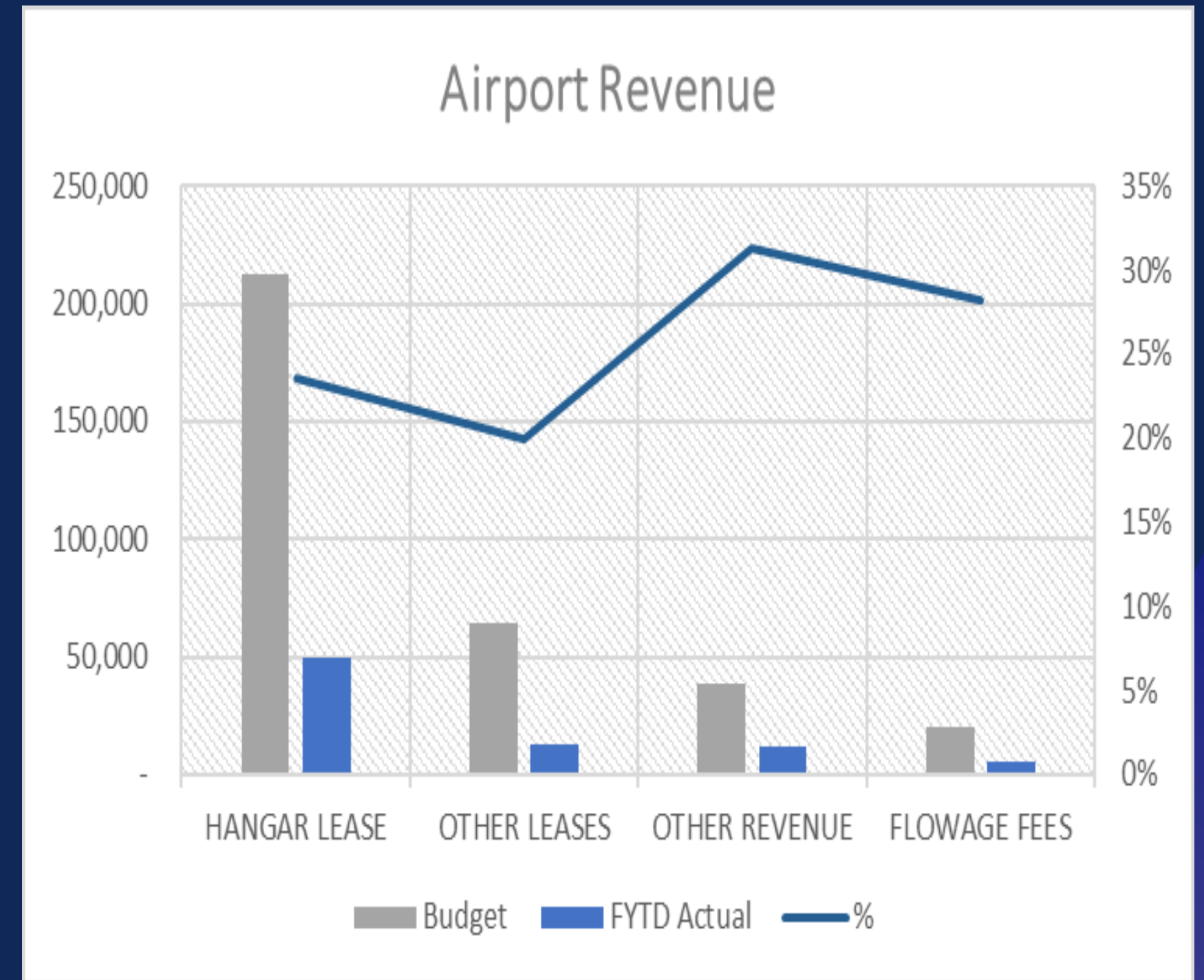
WATER/WASTEWATER

	ANNUAL BUDGET	ACTUAL FYTD DEC 2023	% OF BUDGET
REVENUES	\$4,707,667	\$1,151,127	24%
EXPENSES	4,465,763	1,074,651	24%
PROFIT (LOSS)	\$241,904	\$76,476	



AIRPORT FUND

	ANNUAL BUDGET	ACTUAL FYTD DEC 2023	% OF BUDGET
REVENUES	\$335,757	\$80,601	24%
EXPENSES	254,246	58,789	23%
PROFIT (LOSS)	\$81,511	\$21,812	



CASH RESERVES AS OF DECEMBER 31, 2023

UNRESTRICTED CASH RESERVE BALANCE \$6,407,747
90 RESERVE REQUIREMENT 4,500,000

➤ UNRESTRICTED CASH BALANCE OVER 90 DAY RESERVE \$1,907,747

➤ RESTRICTED BY COUNCIL CASH BALANCE \$4,310,542



QUESTIONS



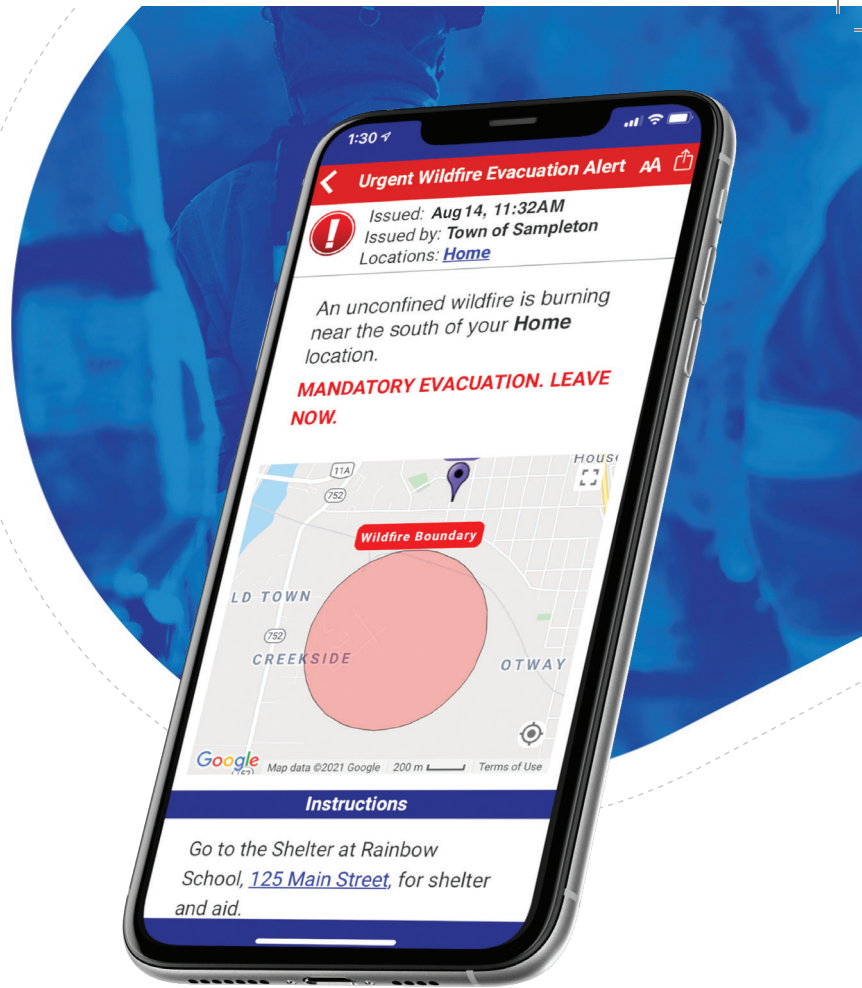


REGISTER FOR FREE TODAY

WHAT IS VOYENT ALERT!?

Voyent Alert! Is a multi-purpose communication service provided by the City of Burnet to keep you informed of critical events like fires or floods as well as day-to-day communications such as road maintenance and closures, water advisories, etc.

NOTIFICATION SERVICE



WHAT CAN YOU EXPECT

PERSONALIZED COMMUNICATIONS

Voyent Alert! provides informative communications. Critical information such as the distance and direction from an incident, and preferred evacuation routes from your followed locations may be provided.

FOLLOW MULTIPLE LOCATIONS

Voyent Alert! allows you to create and follow multiple locations such as "Kids School" or "Mom's House." Any event or communication related to your followed locations will be forwarded to you along your preferred communication channel.

COMMUNICATIONS YOUR WAY

Receive alerts over a wide variety of communication channels including mobile apps, text/SMS alerting, email or voice dial. You can register for one or more communication channels.

NO MESSAGE FATIGUE

Smart alerting capabilities ensure that you will only get notified when a communication is relevant to you or one of the locations you are following.

EASY REGISTRATION

Registration for the service is FREE, simple and anonymous.

REGISTER NOW!



MOBILE APP USERS



Download and install the Voyent Alert! app from the Apple App or Google Play stores.



Register online to receive email, voice or text-based alerts at: register.voyent-alert.us



VOYENT**ALERT!**



CITY OF BURNET 
ALERTS

Urgent Wildfire Evacuation Alert AA

Issued: Dec 11 2020 12:38PM MST
Issued by: Town of Sampleton
Locations: [Home](#)

An unconfined wildfire is burning 280 meters south of your Home location.
MANDATORY EVACUATION. LEAVE NOW.

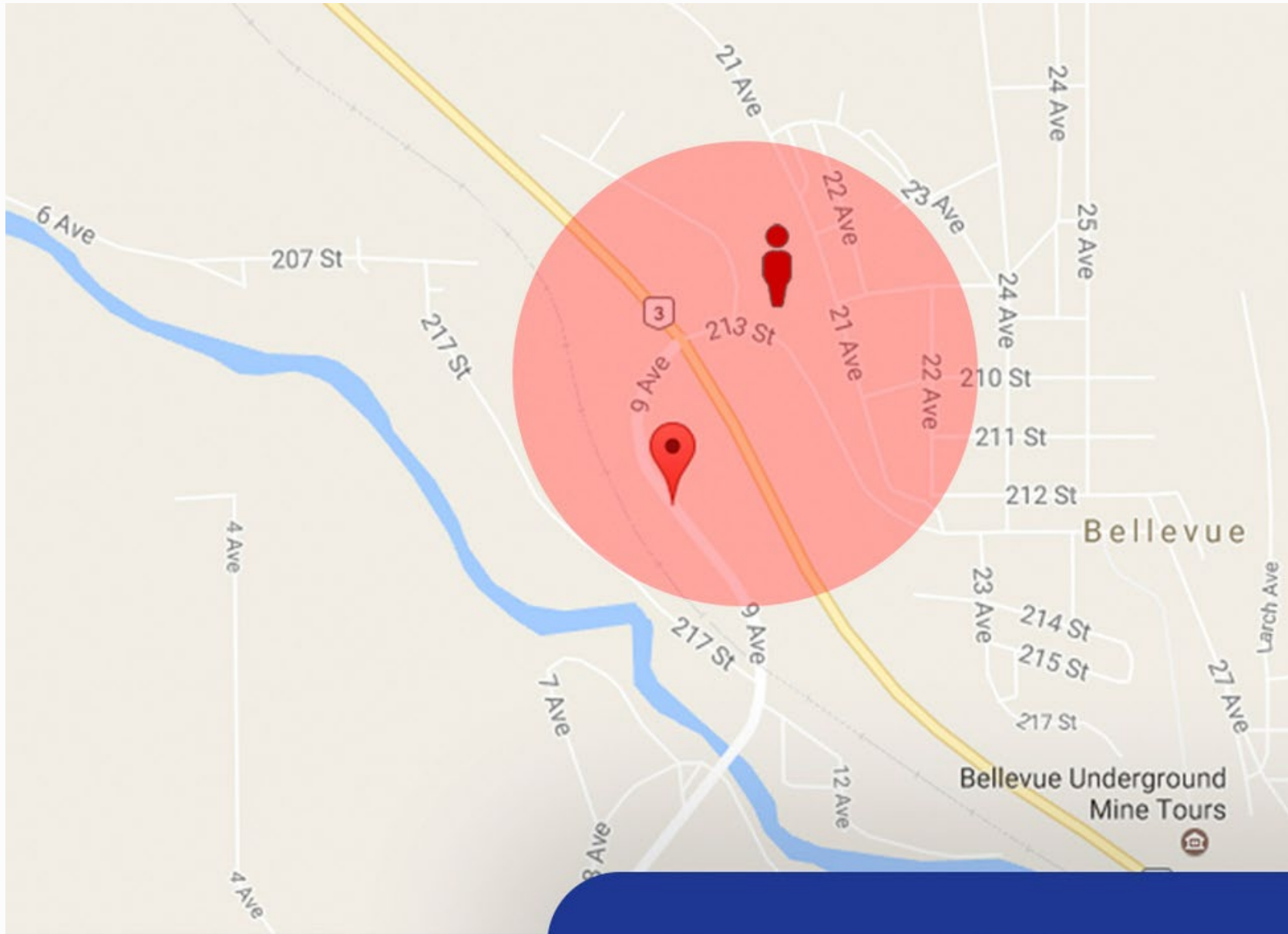
LD TOWN
CREEKSIDE
OTWAY

VOYENTALERT!

 CITY OF BURNET
1888
Lakes - Hills - History

WHAT IS VOYENT ALERT!?

- Personalized communications
- Follow multiple locations
- Communications your way
- No message fatigue
- Easy registration



CRITICAL INCIDENT NOTIFICATIONS



VOYENT **ALERT!**





Questions

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

On this the 9th day of January, 2024, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m. the City of Burnet Council Chambers located at 2402 S. Water Street (Hwy 281 South, Burnet Municipal Airport) Burnet, Tx. thereof with the following members present, to-wit:

Mayor Gary Wideman
Council Members Dennis Langley, Ricky Langley, Philip Thurman, Philip Thurman, Mary Jane Shanes, Joyce Laudenschlager, Tres Clinton
City Manager David Vaughn
City Secretary Kelly Dix

Guests: Eric Belaj, Maria Gonzales, Carly Pearson, Mark Ingram, Tony Nash, Adrienne Feild, Brian Lee, Habib Erkan, Jr., Haley Archer, Sarah Ray, Leslie Ray, Rachel Bryson, Tommy Gaut, Ken Graham, Nicole Westhoff, Patrick Lawson, Nathan Bush, Stephen Cox, Rhonda Martin, Kenneth Reagor, Richard Snook, Jeremy Stewart

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

INVOCATION: Led by Council Member Mary Jane Shanes

PLEDGES (US & TEXAS): Led by Council Member Philip Thurman

SPECIAL REPORTS/RECOGNITION:

Delaware Springs Quarterly Report: Tony Nash, Delaware Springs General Manager, updated all present on current projects underway at the Golf Course to include; cutting down trees and raising the canopies, drainage and cart path repairs, replacement of fencing, and addressing erosion issues in the creek areas. Winterization is in process as well. Mr. Nash reported that the new Promotional software has been highly effective to date.

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

Approval of the December 12th, 2023 City Council Workshop Meeting Minutes:

Approval of the December 12th, 2023 City Council Regular Meeting Minutes:

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

PUBLIC HEARINGS/ACTION:

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING"), SEC.118-5 & 118-68 PROVIDING FOR DEFINITIONS AND REGULATIONS FOR SHORT TERM RENTAL USES; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: C. Kehoe Pearson: Public Works/Development Services Director Carly Pearson presented the item.

Public Hearing: Mayor Gary Wideman opened the public hearing at 6:06 p.m. and asked if anyone was interested in speaking, if so to approach the podium. The following citizen's spoke:

- Kenneth Graham approached the podium and presented his support of the Council establishing the ordinance to regulate Short Term Rentals.
- Richard Lawson requested clarification of the effect on his property. Ms. Pearson established that his property is not in the City limits of Burnet and that this ordinance would not apply.

There being no one else wishing to speak, Mayor Wideman closed the public hearing at 6:10 p.m.

Consideration and action: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2024-01 as presented. Council Member Philip Thurman seconded. Mayor Gary Wideman called for a roll vote. Council Members Dennis Langley, Tres Clinton and Ricky Langley voted against. Council Members Philip Thurman, Mary Jane Shanes, Joyce Laudenschlager and Mayor Gary Wideman voted in favor. The motion carried with four in favor and three opposed.

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

ASSIGNING PROPERTY KNOWN 506 E LEAGUE ST. AND 410 S SILVER ST. FROM ITS PRESENT DESIGNATION OF LIGHT INDUSTRIAL – “I-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – “NC”; PROPERTY KNOWN AS 801 NORTHINGTON FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – “R-1”; PROPERTY KNOWN AS 303 S BOUNDARY FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 208 S VANDEVEER ST. FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 403 S SILVER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – “NC”; PROPERTY KNOWN AS THE RANDY LONGORIA PARK FROM ITS PRESENT DESIGNATION OF AGRICULTURE – “A” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 800 AND 802 S VANDEVEER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF DUPLEX – “R-2”; AND PROPERTY KNOWN AS 808 S BOUNDARY ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – “R-1”; L. Kimbler: Planning Manager Leslie Kimbler presented the item. This is a City initiated rezone to clarify the city zoning maps.

Public Hearing: Mayor Gary Wideman opened the public hearing at 6:28 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:29 p.m.

Consideration and action: Council Member Philip Thurman moved to approve the first reading of Ordinance No. 2024-02 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS 611 S WATER STREET FROM SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO LIGHT COMMERCIAL – DISTRICT “C-1”; L. Kimbler: Planning Manager Leslie Kimbler presented the item.

Public Hearing: Mayor Gary Wideman opened the public hearing at 6:32 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:33 p.m.

Consideration and action: Council Member Tres Clinton moved to approve the first reading of Ordinance No. 2024-03 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

The City Council shall conduct a public hearing to receive public testimony and comments on the merits of a proposed “Preliminary Plat” for approximately 25.88 acres out of Abstract A0398 Susano Hernandez Tract and Abstract 1018 & 29. The proposed “Preliminary Plat” will establish The Ranch at Delaware Creek, Phase 5, consisting of 52 residential lots; L. Kimbler: Planning Manager Leslie Kimbler presented the item.

Public Hearing: Mayor Gary Wideman opened the public hearing at 6:34 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:35 p.m.

CITY COUNCIL SHALL CONVENE AS THE DANGEROUS BUILDINGS BOARD OF APPEALS TO CONDUCT A PUBLIC HEARING TO DELIBERATE AND TAKE ACTION ON A PROPOSED ORDER FINDING THE STRUCTURE LOCATED AT 300 N. WATER STREET TO BE A DANGEROUS STRUCTURE AND ORDERING THE DEMOLITION OF SAID STRUCTURE. B. Lee: Council Member Mary Jane Shanes made a motion for Council to convene as the Dangerous Building Board of Appeals at 6:35 p.m. Council Member Philip Thurman seconded. The motion carried unanimously.

Public Hearing: Mayor Gary Wideman opened the public hearing at 6:43 p.m. and asked if anyone was interested in speaking, if so to approach the podium. The following citizens approached the podium to speak:

- Kenneth Reagor stated he and his sister are the owners of the building located at 300 N. Water Street and due to his health Ms. Rhonda Martin would be presenting for him.
- Rhonda Martin approached the podium and presented Council with her findings and her plan to secure and obtain historic preservation on the building in question.
- Rachel Bryson with the Burnet County Historic Commission stated her support for the historic

preservation of the building and requested the Council to consider extending the period ninety days to allow time for the historic preservation process to be evaluated.

There being no one else wishing to speak, Mayor Wideman closed the public hearing at 7:12 p.m.

Consideration and action: Council Member Ricky Langley moved to approve and execute Order No. 2024-01-09-001 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

RECONVENE TO REGULAR SESSION:

Council Member Mary Jane Shanes move to reconvene to regular session at 7:57 p.m. Council Member Dennis Langley seconded. The motion carried unanimously.

ACTION ITEMS:

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 2 (ENTITLED “ADMINISTRATION”) BY AMENDING SECTION 2-100 EMERGENCY MEDICAL SERVICE FEES: M. Ingram:

Council Member Philip Thurman moved to approve and adopt Ordinance 2023-49 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE ACCEPTANCE OF THE DONATION OF 18 BALLISTIC HELMETS, FOUR IFAK KITS, AND 24 TOURNIQUETS FROM MARILIE WALKER: B. Lee: Council Member Tres Clinton moved to approve and adopt Resolution No. R2024-01 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 VARIANCES TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS FOR THE PROPOSED PRELIMINARY PLAT OF THE RANCH AT DELAWARE CREEK, PHASE 5 SUBDIVISION: L. Kimbler: Council Member Tres Clinton moved to approve and adopt Resolution No. R2024-02 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 PRELIMINARY PLAT OF THE RANCH AT DELAWARE CREEK, PHASE 5 SUBDIVISION, A PROPOSED 52-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 25.88 ACRES: L. Kimbler: Council Member Ricky Langley moved to approve and adopt Resolution No. R2024-03 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 PURCHASE OF A NEW SST15-832 VON UNIT FOR THE BURNET ELECTRIC DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE AGREEMENT ON BEHALF OF THE CITY: C. Pearson: Council Member Mary Jane Shanes moved to approve and adopt Resolution No. R2024-04 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 ORDINANCE 2023-36; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, 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 Tres Clinton moved to dis-approve Ordinance 2024-04 as presented. For lack of a second, the motion failed. Council Member Philip Thurman moved to approve the first reading of Ordinance 2024-04 as presented. Council Member Mary Jane Shanes seconded. Mayor Gary Wideman called for a roll vote. Council Members Dennis Langley, Philip Thurman, Mary Jane Shanes, Joyce Laudenschlager, Ricky Langley, and Mayor Gary Wideman voted in favor. Council Member Tres Clinton voted against. The motion carried with a vote of six in favor and one opposed.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS SELECTING THE PROPOSAL OF DON JACKSON CONSTRUCTION UNDER REQUEST FOR PROPOSAL 2023-007 AIRPORT BOX HANGAR PROJECT; AWARDED A CONTRACT TO SAID CONTRACTOR IN THE AMOUNT OF \$1,782,970.00; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY ON OR AFTER JANUARY 25, 2024: E. Belaj:

Council Member Joyce Laudenschlager moved to approve and adopt Resolution No. R2024-05 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: Golf Course Advisory Committee Appointments: D. Vaughn: Council Member Ricky Langley move to approve the appointments of Martha Underwood, Joe Cava, Lance Gunn, Robert Musselman and Matt Kelley to the Delaware Springs Golf Course Advisory Committee as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: Acceptance of proposed Charter Commission Report for the May 2024 Election Ballot: D. Vaughn: Council Member Joyce Laudenschlager moved to accept the proposed Charter Commission Report for the May 2024 Election Ballot as presented. Council Member Mary Jane Shanes 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 8:24 p.m. seconded by Mayor Gary Wideman. The motion carried unanimously.

ATTEST:

Gary Wideman, Mayor

Kelly Dix, City Secretary



Development Services

ITEM 4.1

Carly Kehoe Pearson
Director Public Works &
Development Services
(512)756-2402 Ext 3515
ckehoe@cityofburnet.com

Public Hearing and Action

Meeting Date: January 23, 2024

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, CHAPTER 118 (ENTITLED "ZONING"), SEC.118-5 & 118-68 PROVIDING FOR DEFINITIONS AND REGULATIONS FOR SHORT TERM RENTAL USES; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: C. Kehoe Pearson

Background: The City of Burnet has received numerous and increasing inquiries for short term rental units from companies and agents that specialize in utilizing existing housing stock and building new units to be utilized as commercial hotel alternative businesses. The City of Burnet has identified that the Code does not currently address short term rentals. The proposed amendment would update the current Code to address short term rental units within the jurisdiction of the City of Burnet in order to promote the viability of the community and its housing market while encouraging tourism in a balanced way that allows such uses in the same manner that other bed-and-breakfast/hotel accommodations are required to operate.

Information: Requesting Council to approve amending Chapter 118, Sections 118-5 and 118-68, adding industry standard definition of Short Term Rental and providing a process for Council approval for such uses.

There have been no changes to Ordinance 2024-01 since the first reading on January 9, 2024.

Fiscal Impact: This ordinance has a no fiscal impact.

Recommendation: Discuss and consider adoption of Ordinance 2024-01 as presented.

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING"), SECS. 118-5 & 118-68 PROVIDING REGULATIONS FOR SHORT TERM RENTAL USES; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; 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 Code of Ordinances Ch. 118 (entitled "Zoning") by adding provision for Short Term Rental uses within zoning districts within the jurisdiction of the City of Burnet; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on the matter, deliberated the merits of the proposed amendment of Ch. 118 (entitled "Zoning") and has made a report and recommendation to City Council; and

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

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

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

Section one. Findings. The City Council finds all matters stated hereinabove are true and correct and are incorporated herein by reference as if copied in their entirety.

Section two. Amendment. The Code of Ordinances, Chapter 118 (entitled "Zoning") Section 118-5 (entitled "Definitions"), is hereby amended by deleting the struck-out language below and adding the underlined language below that follows:

Bed and breakfast means an establishment engaged in providing rooms or groups of rooms in a dwelling unit for temporary lodging for overnight transient guests on a paying basis. Or means a historic or otherwise architecturally unique building where lodging for

overnight transient guests is provided by prearrangement for definite periods, for compensation, for not more than seven rooms to let and where breakfast is included in the rates charged to guests. Lodging of transient guest is generally for periods of less than 30 days.

~~*Boarding House* means a building other than a hotel, occupied as a single housekeeping unit where lodging or meals are provided for three or more persons for compensation, pursuant to previous arrangements for definite periods, but not to the general public or transients.~~

Hotel means a building in which lodging is provided and offered to individual transient guests, but not excluding permanent guests, and may include a cafe, drugstore, clothes, pressing shop, barber shop or other service facilities for guests for compensation, and in which ingress and egress to and from all rooms is made through and inside a lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradiction to a boarding house, a lodging house, or an apartment. To be classified as a hotel an establishment shall contain a minimum of six individual guest rooms or units and shall furnish customary hotel services such as linen, maid service, telephone, and the use and upkeep of furniture. The term includes a hotel, motel, tourist home, tourist house, tourist court, lodging house, inn, rooming house, or bed and breakfast. The term does not include a hospital, sanitarium, nursing home, or a dormitory as defined in V.T.C.A., Tax Code § 156.001.

~~*Motel* means a building or group of detached, semi-detached or attached buildings containing guest rooms or apartments with automobile storage space provided in connection therewith, which building or group is designed, intended or used primarily for the accommodation of automobile travelers, including groups designated as auto cabins, motor courts, motels and similar designations.~~

Bed and Breakfast means an establishment used by the record owner of the property and who is also a resident of the property, with not more than 7 rooms for let, engaged in providing rooms or groups of rooms, for compensation, for temporary lodging for overnight transient or prearranged guests for definite periods. Where hot meals are provided and served on-site per day and included in the lodging rate charged. Where lodging of guests is for periods of less than 30 days. Bed and Breakfasts shall be classified as a Lodging Facility. Bed and Breakfasts shall not be classified as a home-based business.

Hotel or Motel means a building in which lodging is provided and offered to individual transient guests, and may include a cafe, drugstore, clothes, pressing shop, barber shop or other service facilities for guests for compensation, and in which ingress and egress to and from all rooms is made through a lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradiction to a boarding house or bed and breakfast, a short-term rental unit such as a residential structure or apartment, or a long-term rental unit such as a residential structure or an apartment. To be classified as a hotel an establishment shall contain a minimum of six individual guest rooms or units and shall

furnish customary hotel services such as linen, maid service, telephone, and the use and upkeep of furniture. The term includes a hotel, motel, tourist home, tourist house, tourist court, lodging house, inn, rooming house, or bed and breakfast. The term does not include a hospital, sanitarium, nursing home, or a dormitory as defined in V.T.C.A., Tax Code § 156.001. Hotels and motels shall be classified as a Lodging Facility.

Lodging Facilities means for-profit facilities where lodging is provided to transient or prearranged visitors and guests for a defined period of time shorter than 30 days for compensation.

Short-term rental (STR) means the rental for compensation of dwellings or accessory dwelling units or portions thereof for the purpose of overnight lodging for a period of not less than one night and not more than 29 consecutive days, other than ongoing month-to-month tenancy granted to the same renter for the same unit as their primary residence. This is not applicable to rentals made for less than thirty days upon the sale of a dwelling when the tenancy is by the former owner. Short-term rentals shall be classified as a Lodging Facility. Short-term rentals shall not be classified as a home-based business. (See STR Overlay, Sec.118-68)

Section three. Amendment. The Code of Ordinances, Chapter 118 (entitled “Zoning”) Section 118-68 (entitled “Overlays”), is hereby replaced in its entirety with the language that follows:

The city hereby establishes the following overlay districts which shall be governed by all of the uniform use and area requirements of this chapter. Within these overlay districts, additional requirements are imposed on certain properties within one or more underlying general or conditional zoning districts. The overlay districts established by this chapter, including the symbol for each type of district is as follows:

IR- Infill redevelopment overlay

H- Historical overlay

MX- Multi-story mixed use overlay

AH- Airport hazard zoning overlay

STR- Short Term Rental overlay

- (a) *IR infill redevelopment overlay.* Where there is an existing lot that otherwise conforms to the restrictions of R-1 zoning located in the geographic area if the IR overlay as defined in the city infill ordinance, the city may grant a building permit for a lot that has less than a 20 feet front setback, 15 feet rear setback or is less than 7,600 square feet. The living area may be less than 1,100 square feet upon submission of a house plan and approval from the planning and zoning commission and the city council. The city will grant the building permit only for those lots that are not adjacent to any collector or arterial streets.
- (b) *H-Historical overlay.* In addition to the requirements of this chapter. The area located in the geographic location of the H overlay will be subject to the city historical district ordinance.

- (c) *MX-Multi-story* mixed use. Those areas zoned commercial that are located in the MX overlay and have more than one story may allow for residential use except in the story or basement abutting street grade.
- (d) STR – Short-term rental overlay. Unless authorized by STR Overlay, short-term rentals are prohibited in all zoning districts. Those properties with the STR Overlay may allow for short-term rental use in accordance with the City of Burnet short-term rental ordinance.

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 7, (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. Effective Date. This Ordinance shall be effective upon the date of final adoption hereof.

Passed on first reading on the 9th day of January 2024.

Passed, Approved and Adopted on the 23rd day of January 2024.

CITY OF BURNET

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary

AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING"), SEC.118-5 & 118-68 PROVIDING FOR DEFINITIONS AND REGULATIONS FOR SHORT TERM RENTAL USES; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE



The City of Burnet has received numerous and increasing inquiries for short term rental units from companies and agents that specialize in utilizing existing housing stock and building new units to be utilized as commercial hotel alternative businesses.

The City of Burnet has identified that the Code does not currently address short term rentals.

The proposed amendment would update the current Code to address short term rental units within the jurisdiction of the City of Burnet in order to promote the viability of the community and its housing market while encouraging tourism in a balanced way that allows such uses in the same manner that other bed-and-breakfast/hotel accommodations are required to operate.

Requesting Council to approve amending Chapter 118, Sections 118-5 and 118-68, adding industry standard definition of Short Term Rental and providing a process for Council approval for such uses.



Action

- ▶ Discuss and consider final adoption of Ordinance 2024-01 as presented.



Development Services

ITEM 4.2

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

Action

Meeting Date: January 23, 2024

Agenda Item: Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING PROPERTY KNOWN 506 E LEAGUE ST. AND 410 S SILVER ST. FROM ITS PRESENT DESIGNATION OF LIGHT INDUSTRIAL – “I-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – “NC”; PROPERTY KNOWN AS 801 NORTHINGTON FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – “R-1”; PROPERTY KNOWN AS 303 S BOUNDARY FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 208 S VANDEVEER ST. FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 403 S SILVER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – “NC”; PROPERTY KNOWN AS THE RANDY LONGORIA PARK FROM ITS PRESENT DESIGNATION OF AGRICULTURE – “A” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 800 AND 802 S VANDEVEER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF DUPLEX – “R-2”; AND PROPERTY KNOWN AS 808 S BOUNDARY ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – “R-1”: L. Kimbler

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

Information: In the continued effort to clean up the zoning map to ensure each property is zoned appropriately for the use as well as the surrounding area, staff is bringing this request forward for consideration.

There have been no changes to Ordinance 2024-02 since the first reading on January 9, 2024

Public Notification: Written notices were mailed to 120 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.

P&Z Report: Planning and Zoning is meeting on Monday, January 8th; staff will present P&Z's recommendation at the City Council meeting.

Recommendation: Approve and adopt Ordinance 2024-02 as presented

Exhibit A – Location and Current Zoning (cont.)
801 NORTHINGTON ST



Exhibit A – Location and Current Zoning (cont.)
RANDY LONGORIA PARK

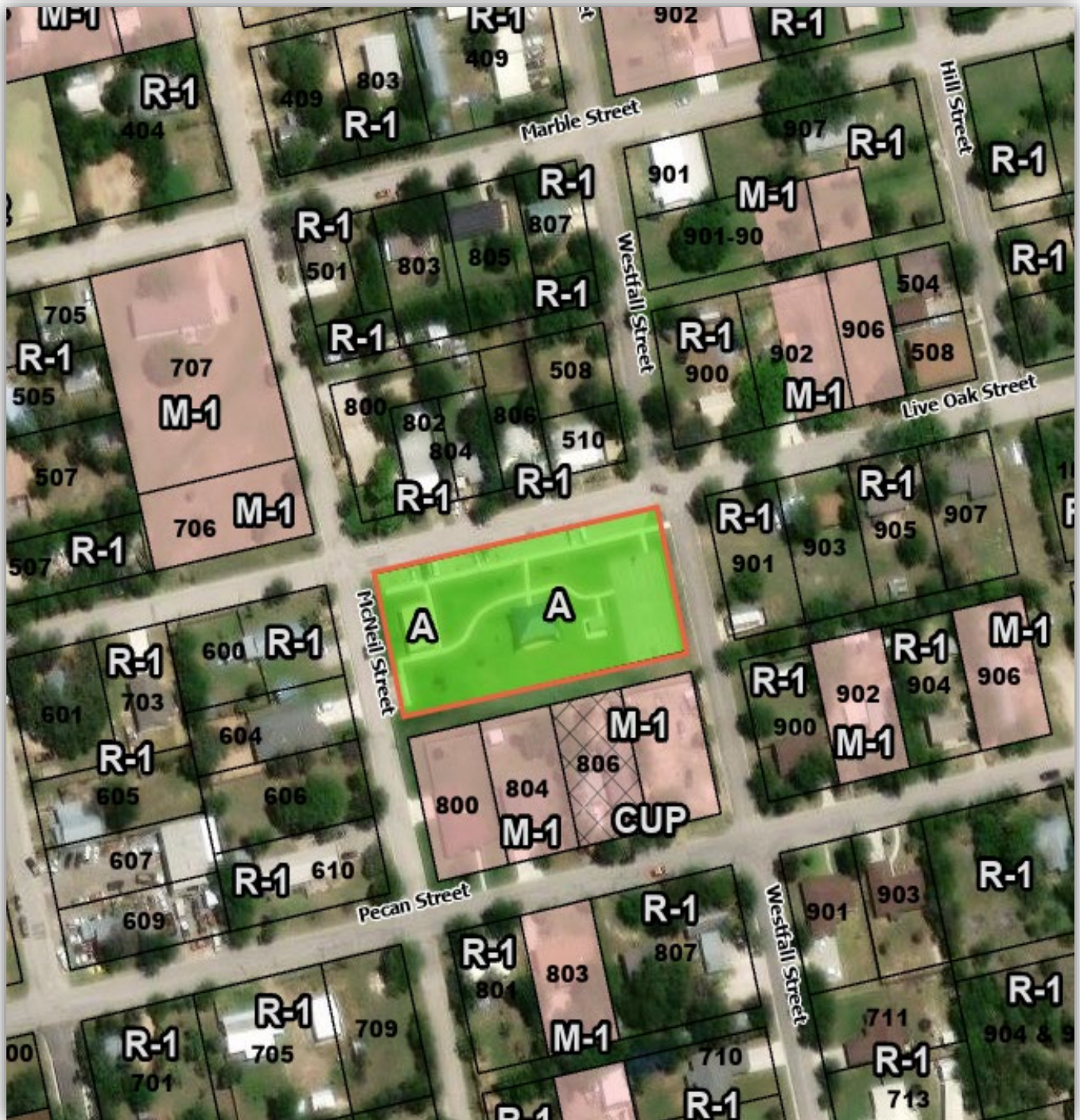


Exhibit A – Location and Current Zoning (cont.)
800 AND 802 S VANDEVEER ST
808 S BOUNDARY ST



ORDINANCE NO. 2024-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING PROPERTY KNOWN 506 E LEAGUE ST. AND 410 S SILVER ST. FROM ITS PRESENT DESIGNATION OF LIGHT INDUSTRIAL – “I-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – “NC”; PROPERTY KNOWN AS 801 NORTHINGTON FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – “R-1”; PROPERTY KNOWN AS 303 S BOUNDARY FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 208 S VANDEVEER ST. FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 403 S SILVER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – “NC”; PROPERTY KNOWN AS THE RANDY LONGORIA PARK FROM ITS PRESENT DESIGNATION OF AGRICULTURE – “A” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 800 AND 802 S VANDEVEER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF DUPLEX – “R-2”; AND PROPERTY KNOWN AS 808 S BOUNDARY ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – “R-1”

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 known as: 506 E LEAGUE ST (LEGALLY DESCRIBED AS: LOTS 1, 3 AND 4, VANDEVEER/ALEXANDER ADDITION) as shown on **Exhibit “A”** hereto.

Section three. Zoning District Reclassification. NEIGHBORHOOD COMMERCIAL – DISTRICT “NC” Zoning District Classification is hereby assigned to the Property described in section two.

Section four. Property. The Property that is the subject to this Zoning District Reclassification is known as: 410 S SILVER ST (LEGALLY DESCRIBED AS: LOT 2 VANDEVEER/ALEXANDER ADDITION) as shown on **Exhibit “B”** hereto.

Section five. Zoning District Reclassification. NEIGHBORHOOD COMMERCIAL – DISTRICT “NC” Zoning District Classification is hereby assigned to the Property described in section four.

Section six. Property. The Property that is the subject to this Zoning District Reclassification is known as 403 S SILVER ST, (LEGALLY DESCRIBED AS: BEING ALL OF LOT THREE AND PART OF LOT FOUR, BLOCK 41, ALEXANDER ADDITION) as shown on **Exhibit “C”** hereto.

Section seven. Zoning District Reclassification. NEIGHBORHOOD COMMERCIAL – DISTRICT “NC” Zoning District Classification is hereby assigned to the Property described in section six.

Section eight. Property. The Property that is the subject to this Zoning District Reclassification is known as: 303 S BOUNDARY ST (LEGALLY DESCRIBED AS: BEING 0.285 ACRES OF LAND, OUT OF JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405, AND BEING A PORTION OF LOT NOS. ONE, TWO, THREE AND FOUR, BLOCK NO. ONE, PETER KERR DONATION) as shown on **Exhibit “D”** hereto.

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

Section ten. Property. The Property that is the subject to this Zoning District Reclassification is known as: 208 S VANDEVEER ST, (LEGALLY DESCRIBED AS: PART OF LOT NO. 2, BLK. 4, KERR PORTION) as shown on **Exhibit “E”** hereto.

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

Section twelve. Property. The Property that is the subject to this Zoning District Reclassification known as: 801 NORTHINGTON ST, (LEGALLY DESCRIBED AS: BEING 1 ACRE TAKEN FROM THE NORTHWEST CORNER OF FIVE-ACRES BLOCK NO. EIGHT, PETER KERR DONATION) as shown on **Exhibit “F”** hereto.

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

Section fourteen. Property. The Property that is the subject to this Zoning District Reclassification is known as: RANDY LONGORIA PARK (LEGALLY DESCRIBED AS: LOT 1A, BLK 3, JOHNSON ADDITION) as shown on **Exhibit “G”** hereto.

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

Section sixteen. Property. The Property that is the subject to this Zoning District Reclassification is known as: 800 AND 802 S VANDEVEER ST (LEGALLY DESCRIBED AS: NORTHEAST CORNER OF LOT NO. ONE, BLK. NO. 29, ALEXANDER ADDITION) as shown on **Exhibit “H”** hereto.

Section seventeen. Zoning District Reclassification. DUPLEX – DISTRICT “R-2” Zoning District Classification is hereby assigned to the Property described in section fifteen.

Section eighteen. Property. The Property that is the subject to this Zoning District Reclassification is known as: 808 S BOUNDARY ST (LEGALLY DESCRIBED AS: LOT 2, BLK 26, ALEXANDER ADDITION) as shown on **Exhibit “I”** hereto.

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

Section twenty. 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 twenty-one. Repealer. Other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such conflict.

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

Section twenty-three. Effective Date. This ordinance is effective upon final passage and approval.

PASSED on First Reading the 9th day of January 2024.

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

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary

Exhibit "A"

506 E LEAGUE ST (LEGALLY DESCRIBED AS: LOTS 1, 3 AND 4,
VANDEVEER/ALEXANDER ADDITION)



Exhibit "B"
410 S SILVER ST (LEGALLY DESCRIBED AS: LOT2 VANDEVEER/ALEXANDER
ADDITION)



Exhibit "C"

403 S SILVER ST, (LEGALLY DESCRIBED AS: BEING ALL OF LOT THREE AND PART OF LOT FOUR, BLOCK 41, ALEXANDER ADDITION)



Exhibit "D"

303 S BOUNDARY ST (LEGALLY DESCRIBED AS: BEING 0.285 ACRES OF LAND, OUT OF JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405, AND BEING A PORTION OF LOT NOS. ONE, TWO, THREE AND FOUR, BLOCK NO. ONE, PETER KERR DONTATION)



Exhibit "E"
208 S VANDEVEER ST, (LEGALLY DESCRIBED AS: PART OF LOT NO. 2, BLK. 4,
KERR PORTION)



Exhibit "F"

801 NORTHINGTON ST, (LEGALLY DESCRIBED AS: BEING 1 ACRE TAKEN FROM THE NORTHWEST CORNER OF FIVE-ACRES BLOCK NO. EIGHT, PETER KERR DONATION)



Exhibit "G"
RANDY LONGORIA PARK (LEGALLY DESCRIBED AS: LOT 1A, BLK 3, JOHNSON
ADDITION)

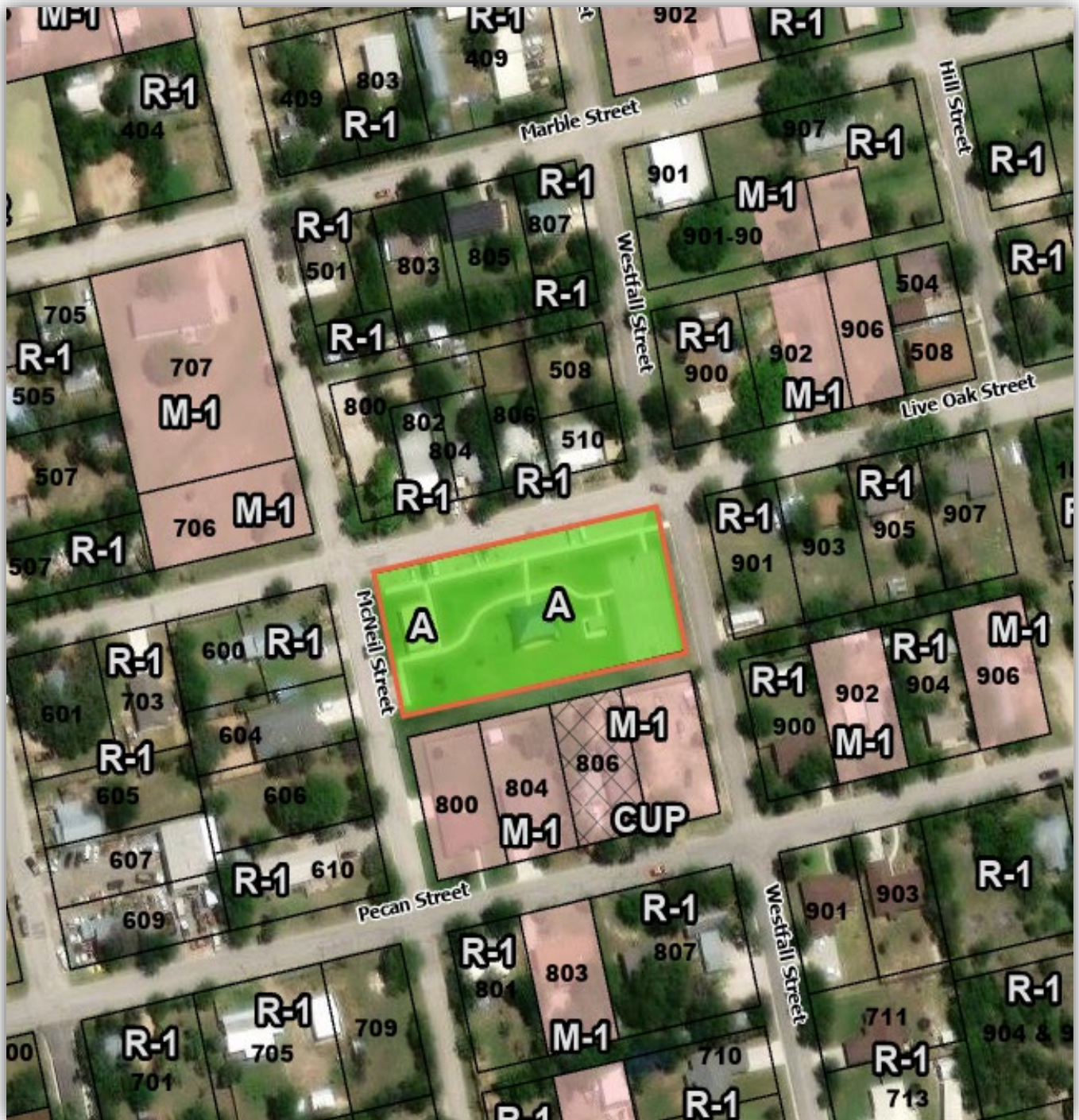


Exhibit "H"

800 AND 802 S VANDEVEER ST (LEGALLY DESCRIBED AS: NORTHEAST CORNER OF LOT NO. ONE, BLK. NO. 29, ALEXANDER ADDITION)

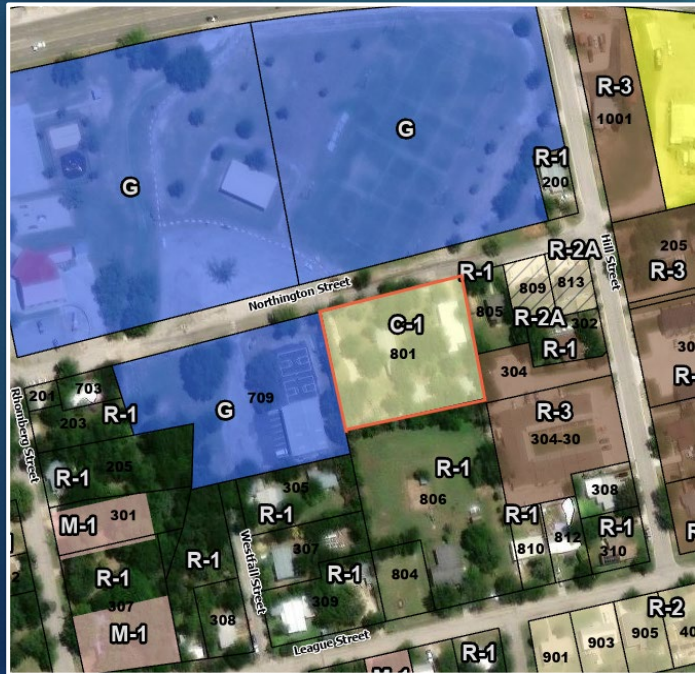
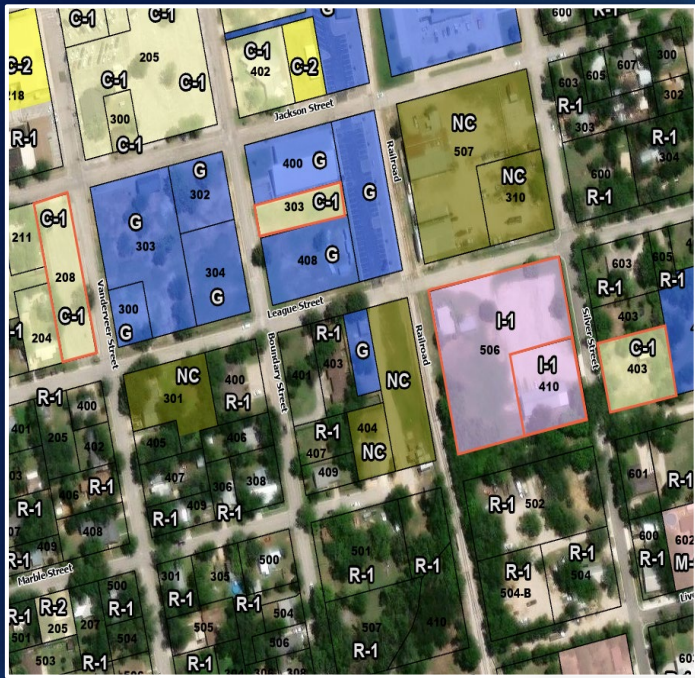


Exhibit "I"
808 S BOUNDARY ST (LEGALLY DESCRIBED AS: LOT 2, BLK 26, ALEXANDER ADDITION)



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING PROPERTY KNOWN 506 E LEAGUE ST. AND 410 S SILVER ST. FROM ITS PRESENT DESIGNATION OF LIGHT INDUSTRIAL – “I-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – “NC”; PROPERTY KNOWN AS 801 NORTHINGTON FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – “R-1”; PROPERTY KNOWN AS 303 S BOUNDARY FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 208 S VANDEVEER ST. FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 403 S SILVER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – “NC”; PROPERTY KNOWN AS THE RANDY LONGORIA PARK FROM ITS PRESENT DESIGNATION OF AGRICULTURE – “A” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 800 AND 802 S VANDEVEER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF DUPLEX – “R-2”; AND PROPERTY KNOWN AS 808 S BOUNDARY ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – “R-1”.







City Initiated Request

Continued Effort to clean up the zoning map to ensure each property is zoned appropriately for the use as well as the surrounding area



Public Notification

Notices were mailed to 120 surrounding property owners. Zero responses have been received in favor or opposition



P&Z Report

Planning and Zoning met on Monday, January 8th; No one spoke in favor or against.



Action

- ▶ Approve and adopt Ordinance 2024-02 as presented.



Development Services

ITEM 4.3

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

Public Hearing and Action

Meeting Date: January 23, 2024

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 NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS 611 S WATER STREET FROM SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO LIGHT COMMERCIAL – DISTRICT “C-1”: L. Kimbler

Background: Located along south Highway 281, also known as Water Street, the subject property is currently zoned R-1. The property has previously been pre-existing non-conforming as a commercial business but has been unoccupied since 2019. Recently, the owner applied for utilities to utilize the building for commercial purposes again, when staff noticed it was inappropriately zoned for such use. Although the property had previously been utilized as a non-conforming use, Sec. 118-66 does state that any nonconforming use that is discontinued or abandoned or ceases for a period of 90 days shall terminate.

Information: The applicant is requesting to change the zoning district to Light Commercial – District “C-1” to allow the building to be utilized as a small office space.

There have been no changes to Ordinance 2024-03 since the first reading on January 9, 2024

Staff Analysis: Light Commercial – District “C-1” is governed by code of ordinances, Sect. 118-45, and allows for a mix of commercial uses including small retail, offices, and similar uses excluding residential and multifamily. Some examples of these types of uses include banks, convenience stores, barber shops & beauty parlors, legal services, and restaurants.

Uses in this zoning district must have paved sidewalks, driveways, and parking areas to which this property does already have.

Public Notification: Written notices were mailed to 15 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.

P&Z Report: Planning and Zoning is meeting on Monday, January 8th; staff will present P&Z's recommendation at the City Council meeting.

Recommendation: Approve and adopt Ordinance 2024-03 as presented.

Exhibit A – Location and Current Zoning



ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS 611 S WATER STREET FROM SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO LIGHT COMMERCIAL – DISTRICT “C-1”; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

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

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

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

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

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

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

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

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

Section two. Property. The Property that is the subject to this Zoning District Reclassification is property known as: 611 S WATER ST (LEGALLY DESCRIBED AS: S8450 VANDEVEER/ALEXANDER LOT SOUTH PART OF 3, BLK. 3) 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 9th day of January 2024.

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

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary

Exhibit "A"
Subject Property



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS 611 S WATER STREET FROM SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO LIGHT COMMERCIAL – DISTRICT “C-1”.





Current Zoning:

Single-family Residential – District “R-1”

Located along south Highway 281, at corner of east Pecan St.



Requested Zoning:

Light Commercial – District “C-1”

Allow the existing building to be utilized as a small office space

Sec. 118-45 -

“C-1” allows for a mix of commercial uses including small retail, offices, and similar uses excluding residential and multifamily.

Uses in this zoning district must have paved driveways, and parking areas to which this property does already have.

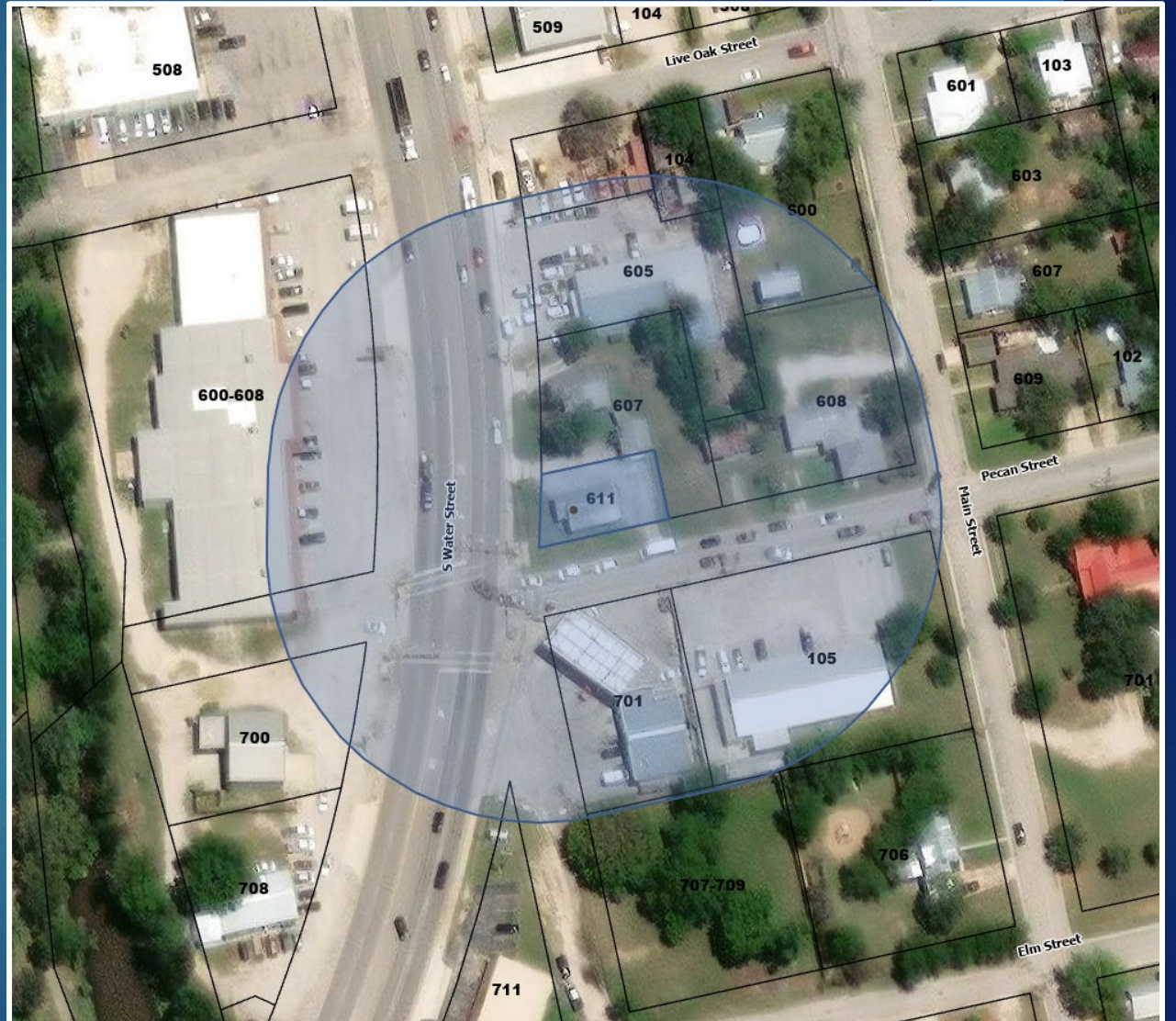


Public Notification:

Notices were mailed to 15 surrounding property owners. Zero responses have been received in favor or opposition

P&Z report:

Planning and Zoning met on Monday, January 8th; No one spoke in favor or against.





Action

- ▶ Approve and adopt Ordinance 2024-03 as presented.



Administration

ITEM 4.6

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

Action

Meeting Date: January 23, 2024

Agenda Item: Discuss and consider action: Request for assistance from the Burnet County Rodeo Association for a light replacement project: D. Vaughn

Background: The Burnet County Rodeo Association is upgrading the lighting at the rodeo arena.

Information: The Association has recently purchased new arena lights that will require removal of nine existing electric poles and wiring, reset of nine new poles, and relocation of one service pole behind the arena.

The Burnet County Rodeo Association is requesting funding assistance in the amount of \$6,714.00 for completion of the light replacement project. There is a possibility that a company may donate the poles, however that still remains unknown at the time of the agenda posting.

Fiscal Impact: Funding of the \$6,714.00 would be from the Electric Fund. This is an unbudgeted item for FY 2023-2024 and has been included in the pending budget amendment ordinance.

Recommendation: To be determined by Council



**Texas Electric
Cooperatives**

Your Touchstone Energy® Partner 

100 Cooperative Way
Georgetown, TX 78626

Quote

Quote QTE0091815

Date 12/13/2023

BILL TO: City Of Burnet
Accounts Payable
P.O. Box 1369
Burnet, TX 78611

SHIP TO: City Of Burnet
Accounts Payable
P.O. Box 1369
Burnet, TX 78611

Purchase Order No.				Payment Terms	Cust Required Date	Master No.
			DROP SHIP	NET 15	01/18/2024	2042104
Quantity	Item Number	Cust Item	Description	UOM	Unit Price	Ext. Price
9	CRE0454W		POLE WOOD 45FT CL 4 CREOSOTE <i>8-10 WEEKS ARO</i>	EA	\$746.0000	\$6,714.00

UJA2023317

Subtotal	\$6,714.00
Misc	\$0.00
Tax	\$0.00
Freight	\$0.00
Total	\$6,714.00



**Texas Electric
Cooperatives**

Your Touchstone Energy® Partner 

100 Cooperative Way
Georgetown, TX 78626

Quote

Quote QTE0091815

Date 12/13/2023

Last Revision Date 11/23/2011

**TERMS AND CONDITIONS FOR PURCHASE OF GOODS
FROM
TEXAS ELECTRIC COOPERATIVES, INC.**

THE FOLLOWING TERMS AND CONDITIONS SHALL APPLY TO THE ATTACHED ORDER, QUOTE OR PROPOSAL (HEREAFTER, "ORDER"). FAILURE OF BUYER TO ACKNOWLEDGE RECEIPT OF THESE TERMS AND CONDITIONS SHALL NOT EXEMPT BUYER FROM COMPLIANCE WITH THESE TERMS AND CONDITIONS.

Texas Electric Cooperatives, Inc. (the "Seller"), agrees to sell the goods described in the attached Order (the "Goods") to Buyer on the following terms and conditions of sale (the "Terms and Conditions") which supersede any other prior terms or agreements, whether written or oral between Seller and Buyer.

1. Pricing:

- All prices and terms are subject to change without notice.
- All prices are subject to correction of clerical errors.
- Prices provided in an Order must be accepted within 30 days, unless otherwise stated.
- Prices are for shipments of standard package quantities, unless otherwise stated.

2. Acceptance: An Order shall not be binding upon Seller until accepted by an authorized representative of Seller. Acceptance of an Order by Seller, whether oral or written, is based on the express condition that Buyer agrees to all of these Terms and Conditions. Any of the following acts shall constitute Buyer's acceptance of these Terms and Conditions in their entirety: (i) signing and returning a copy of the Order; (ii) tendering of payment to Seller for the Goods; or (iii) acceptance of delivery by Buyer.

3. Delivery: Delivery dates are based on Seller's commercially reasonable estimates from sources available to Seller at the time of approximate delivery, and are not a guarantee of a specified date or dates. When approval of drawings or other factors contribute to a delay, the date of shipment shall be extended for a like period of time. All Orders are subject to the acceptance of management.

- Shipments from Stock: Delivery is F.O.B. destination for material shipped from any TEC warehouse. Freight charges may apply when included with the order or quote.
- Direct shipments from a manufacturer: Delivery is F.O.B shipping point and will include charges for freight, handling, small order, broken package, etc., these charges will be passed on to the Purchaser. The Purchaser's invoice will include the above charge or charges as a separate charge. If shipping charges are billed to the Buyer separately, Buyer will invoice shipping charges when they become available.

4. Payment Terms: Buyer shall pay to Seller the amount indicated on the Order not later than 15 days after receipt of the Goods. Interest on past-due amounts shall accrue at the rate of the lesser of 18% per month, or the highest amount allowed by applicable law.

5. Cancellation, Changes and Returns: Items for shipment of Goods from Seller's stock may be cancelled or changed by Buyer without penalty prior to shipment from the manufacturer. After shipment, a cancellation charge of up to 25 percent (25%) may be imposed on Buyer to recover costs associated with transportation, restocking and resale of the Goods. Buyer may exchange or return all or part of the Goods only upon (i) prior written authorization from Seller and (ii) the return of the Goods in its original cartons and in new condition.

6. Force Majeure: Seller shall not be liable for any expense, loss or damage resulting from delay in delivery or failure to perform any obligation under this Agreement if such delay or failure is caused by fires, floods, acts of God, strikes, labor disputes, labor shortages, lack of or inability to obtain materials, fuels, supplies or equipment, riots, accidents, transportation delays, acts or failures to act of any government or of Buyer, or any other cause whatsoever, provided that such cause is beyond the reasonable control of Seller. Seller shall have such additional time for performance as may be reasonably necessary under the circumstances and may adjust the price to reflect increases occasioned by such delay.

7. Deferred Delivery: Upon request by Buyer for deferred delivery, Seller shall have the right to (i) agree to deferred delivery and charge Buyer for the completed portion of the order and to warehouse all completed Goods at Buyer's expense and risk of loss; (ii) refuse deferred delivery and ship the Goods in accordance with the Order; or (iii) cancel the Order, or any portion of the Order that has not been shipped.

8. Warranty: Limitation of Liability; Buyer's Remedies: Seller warrants that the Goods delivered hereunder shall be of the kind described in the Order and free from defects in material and workmanship under conditions of normal use. Seller reserves the right to make any modifications required by production conditions to the information set forth in Seller's catalogues and advertising literature. Seller shall not be liable or responsible for (A) any defects attributed to normal wear and tear, erosion or corrosion or improper storage, use or maintenance, or (B) defects in any portion or part of the Goods manufactured by others. If (B) above is applicable, Seller will, as an accommodation to Buyer, assign to Buyer any warranties given to it by any such other manufacturers. Any claim by Buyer against Seller with regard to the Goods for any defect shall be deemed waived by Buyer, unless Buyer submits such claim to Seller in writing within ten (10) days from the date Buyer discovered, or should have discovered, any claimed defect. Provided that Buyer provides to Seller notice of any defect pursuant to this paragraph and an opportunity to inspect the alleged defect, Seller shall, at its option and in its sole discretion:



**Texas Electric
Cooperatives**

Your Touchstone Energy® Partner 

100 Cooperative Way
Georgetown, TX 78626

Quote

Quote QTE0091815

Date 12/13/2023

(i) repair the defective or non-conforming Goods, (ii) replace the nonconforming Goods, or part thereof, within sixty (60) days after receipt of the nonconforming Goods by Seller, or (iii) refund to Buyer the amount paid for the non-conforming Goods and cancel any obligation to pay any unpaid portions of the purchase price for the nonconforming Goods. In no event shall any obligation to pay or refund exceed the purchase price actually paid by Buyer. Repair and/or replacement as provided above shall be at Seller's plant and shipped FOB Destination unless otherwise agreed to by Seller. Transportation will be coordinated and paid by Seller and, unless otherwise agreed to in writing, will not be reimbursed by the Buyer. Seller shall not be responsible for any labor, removal or installation charges that may result from the above-described repair and/or replacement of any Goods. The warranty provided in this Section does not include failure of any part or parts manufactured by others, the failure of any part or parts from external forces, including but not limited to earthquake, installation, vandalism, vehicular or other impact, or frost heave. The exclusive remedy of Buyer and the sole liability of Seller, for any loss, damage, injury or expense of any kind arising from or related to the manufacture, delivery, sale, installation, use or shipment of the Goods and whether based on contract, warranty, tort or any other basis of recovery whatsoever, shall be, at the election of Seller, the remedies described above. The foregoing is intended as a complete allocation of the risks between the parties and Buyer understands that it will not be able to recover consequential damages even though it may suffer such damages in substantial amounts. Because this agreement and the price paid reflect such allocation, this limitation will not have failed of its essential purpose even if it operates to bar recovery for such consequential damages. **IN NO EVENT SHALL SELLER BE LIABLE OR RESPONSIBLE TO BUYER FOR ANY INCIDENTAL, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES WHATSOEVER, EVEN IF SELLER HAS BEEN ADVISED, KNEW OF OR SHOULD HAVE KNOWN OF THE POSSIBILITY THEREOF. BUYER EXPRESSLY WAIVES ANY CLAIMS DESCRIBED IN THIS SECTION. IN NO EVENT SHALL SELLER BE LIABLE TO BUYER FOR ANY AMOUNT GREATER THAN THE AGGREGATE OF ALL PAYMENTS RECEIVED BY SELLER FROM BUYER UNDER THE ORDER. THE FOREGOING WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES WHETHER EXPRESS OR IMPLIED BY LAW. THERE IS NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT, WHETHER AS A RESULT OF BREACH OF CONTRACT, WARRANTY, TORT (INCLUDING NEGLIGENCE) OR STRICT LIABILITY, SHALL SELLER BE LIABLE FOR ANY PUNITIVE, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES INCLUDING, BUT NOT LIMITED TO, LOSS OF PROFIT, LOSS OF USE OF THE GOODS OR OTHER PROPERTY OR EQUIPMENT, DAMAGE TO OTHER PROPERTY, COST OF CAPITAL, COST OF SUBSTITUTE GOODS, DOWNTIME, OR THE CLAIMS OF BUYER'S CUSTOMERS FOR ANY OF THE AFORESAID DAMAGES. SELLER SHALL NOT BE LIABLE FOR AND BUYER AGREES TO INDEMNIFY SELLER FOR ALL PERSONAL INJURY, PROPERTY DAMAGE OR OTHER LIABILITY RESULTING IN WHOLE OR IN PART FROM THE NEGLIGENCE OF BUYER.** In any contract by Buyer for resale of the Goods, Buyer shall effectively disclaim, as against Seller, any implied warranty of merchantability and all liability for property damage or personal injury resulting from the handling, possession or use of the Goods, and shall exclude, as against Seller, any liability for special or consequential damages.

9. Controlling Law: This Agreement and all rights and obligations hereunder shall be governed by the laws of the State of Texas. The venue for all disputes between the parties shall be the courts of Texas to which jurisdiction Buyer hereby submits.

10. Dispute Resolution: At the option or election of Seller, any dispute, claim or controversy ("Dispute") between Seller or Buyer relating to the transactions contemplated by this agreement, including without limitation any claim based on or arising from an alleged tort, shall be resolved by binding arbitration in accordance with Title 9 of the U.S. Code and the Commercial Arbitration Rules of the American Arbitration Association (the Defenses based on statutes of limitation and similar doctrines shall be applicable in any such proceeding, and the commencement of an arbitration proceeding under this Agreement shall be deemed the commencement of an action for such purposes. Seller's right to elect arbitration to resolve any Dispute hereunder shall not limit any right of Seller to pursue any other available remedies.

11. Waiver: No delay or failure by Seller to exercise any right or remedy under these Terms and Conditions shall be construed to be a waiver thereof. Waiver by Seller of any breach shall be limited to the specific breach so waived and shall not be construed as a waiver of any subsequent breach.

12. Assignment: Buyer may not assign this order or any rights hereunder without the prior written consent of Seller. This Agreement, and the Terms and Conditions contained herein, are enforceable, however, against the successors and assigns of Buyer.

13. Taxes: Seller's prices do not include sales, use, excise or other similar taxes. Consequently, in addition to the price specified herein, the amount of any present or future such tax shall be paid by Buyer, or in lieu thereof, Buyer shall provide Seller with all tax-exemption certificates required by the taxing authorities, at the time of sale.

14. Entire Agreement: This contract constitutes the entire agreement between parties with respect to the Goods, and this Agreement may not be modified, amended or waived in any way except in writing signed by an authorized representative of Seller. No representation, promise or term not set forth herein has been nor may be relied upon by Buyer. All references by Seller to Buyer's specifications and similar requirements are only to describe the products and work covered hereby and no warranties or other terms therein shall have any force or effect.



Police Department

ITEM 4.5

Captain Jeremy Stewart
(512)-756-6404
jstewart@cityofburnet.com

Action

Meeting Date: January 23, 2024

Agenda Item: Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING ADOPTION OF A REVISED PAY SCALE FOR THE POSITION OF FIELD TRAINING OFFICER IN THE POLICE DEPARTMENT; AND AUTHORIZE THE CITY MANAGER TO ADOPT RULES AND REGULATIONS FOR THE EFFICIENT IMPLEMENTATION: J. Stewart

Background: During a recent pay scale revision, FTO pay was allocated to dedicated FTO's who do not hold the rank of Sergeant. The pay is a flat rate paid continuously regardless of training status. The structure is effective when training occurs regularly but has limited the amount of FTO's. Structuring pay where it is earned only during training cycles allows more FTO's and gives the police department the ability to develop more leadership in the rank and file.

Information: This resolution authorizes the adoption of a new pay method for field training officers for the police department. The current flat rate pay will be replaced by an hourly increase of three dollar per hour while engaged in a training cycle. Further it authorizes the City Manager to adopt rules and regulations for the efficient implementation of the pay.

Fiscal Impact: If adopted, the fiscal impact should be minimal as the flat ray pay will end and FTO pay will only be administered during the actual training cycles. Unless an officer is engaged in training there will be no additional pay.

Recommendation: Approve Resolution No. R2024-06 as presented.

RESOLUTION NO. R2024-06

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING ADOPTION OF A REVISED PAY SCALE FOR THE POSITION OF FIELD TRAINING OFFICER IN THE POLICE DEPARTMENT; AND AUTHORIZE THE CITY MANAGER TO ADOPT RULES AND REGULATIONS FOR THE EFFICIENT IMPLEMENTATION

Whereas, the Police Department has a flat rate pay for FTO regardless of the training activity; and

Whereas, the Police Department understands the importance of the FTO program and utilizing it to create well rounded officers and create growth opportunities for current officers; and

Whereas, the current system limits the number of FTO's the police department can have which makes it difficult to provide growth opportunities for officers and well-rounded recruit training; and

Whereas, City Council deems it advisable to adopt a new pay scale for FTO's; and

Whereas, the City Council desires have the City Manager develop rules and regulations for the fair and efficient implementation of the pay.

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

Section one. Findings. The recitals to this Resolution are incorporated herein for all purposes.

Section two. Adoption. The pay scales attached hereto is hereby adopted and shall become effective on February 26, 2024; and shall apply to the police department, fire department and water/wastewater services personnel.

Section three. Authorization. The City Manager is hereby authorized to develop rules and regulations for the fair and equitable implementation of the pay.

Section three. 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 four. Effective date. This resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED this the 23rd day of February, 2024.

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary

Increased 2022-2023 0.03

Experience Modifier	1.03	1.06	1.09	1.12	1.15	1.18	1.21
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Patrol Officer/SRO Scale

Step	Base	1	2	3	4	5	6	7
Certification Requirement	Basic	Basic	Intermediate	Advanced	Advanced	Advanced	Master	Master
Experience Requirement (Years)		1-3 years	4-6 years	7-9 years	10-12 years	13-15 years	16-18 years	19+ years
Hours Worked	2392	2392	2392	2392	2392	2392	2392	2392
Patrol Hourly Amount	\$25.79	\$26.56	\$27.34	\$28.11	\$28.89	\$29.66	\$30.43	\$31.21
Annual Base Amount	\$61,692.55	\$63,543.33	\$65,394.10	\$67,244.88	\$69,095.66	\$70,946.43	\$72,797.21	\$74,647.99
Longevity	\$616.93	\$635.43	\$653.94	\$672.45	\$690.96	\$709.46	\$727.97	\$746.48
Total Annual Amount	\$62,309.48	\$64,178.76	\$66,048.04	\$67,917.33	\$69,786.61	\$71,655.90	\$73,525.18	\$75,394.47
SRO Hours Worked	2,080	2,080	2,080	2,080	2,080	2,080	2,080	2,080
SRO Hourly Amount	\$29.66	\$30.55	\$31.44	\$32.33	\$33.22	\$34.11	\$35.00	\$35.89

Patrol Corporal

Step	Base	1	2	3	4	5	6	7
Certification Requirement	Intermediate	Intermediate	Advanced	Advanced	Advanced	Master	Master	Master
Experience Requirement (Years)		1-3 years	4-6 years	7-9 years	10-12 years	13-15 years	16-18 years	19+ years
Hours Worked	2392	2392	2392	2392	2392	2392	2392	2392
Patrol Hourly Amount	\$29.66	\$30.55	\$31.44	\$32.33	\$33.22	\$34.11	\$35.00	\$35.89
Annual Base Amount	\$70,956.29	\$73,084.98	\$75,213.67	\$77,342.35	\$79,471.04	\$81,599.73	\$83,728.42	\$85,857.11
Longevity	\$709.56	\$730.85	\$752.14	\$773.42	\$794.71	\$816.00	\$837.28	\$858.57
Total Annual Amount	\$71,665.85	\$73,815.83	\$75,965.80	\$78,115.78	\$80,265.75	\$82,415.73	\$84,565.70	\$86,715.68

Patrol Sgt. Scale

Step	Base	1	2	3	4	5	6	7
Certification Requirement	Intermediate	Advanced	Advanced	Advanced	Master	Master	Master	Master
Experience Requirement (Years)		1-3 years	4-6 years	7-9 years	10-12 years	13-15 years	16-18 years	19+ years
Hours Worked	2392	2392	2392	2392	2392	2392	2392	2392
Hourly Amount	\$34.10	\$35.13	\$36.15	\$37.17	\$38.20	\$39.22	\$40.24	\$41.26
Annual Base Amount	\$81,575.09	\$84,022.35	\$86,469.60	\$88,916.85	\$91,364.10	\$93,811.36	\$96,258.61	\$98,705.86
Longevity	\$815.75	\$840.22	\$864.70	\$889.17	\$913.64	\$938.11	\$962.59	\$987.06
Total Annual Amount	\$82,390.84	\$84,862.57	\$87,334.30	\$89,806.02	\$92,277.75	\$94,749.47	\$97,221.20	\$99,692.92

Investigator Scale

Step	Base	1	2	3	4	5	6	7
Certification Requirement	Intermediate	Intermediate	Advanced	Advanced	Advanced	Master	Master	Master
Experience Requirement (Years)		1-3 years	4-6 years	7-9 years	10-12 years	13-15 years	16-18 years	19+ years

Hours Worked	2080	2080	2080	2080	2080	2080	2080	2080
Hourly Amount	\$32.89	\$33.87	\$34.86	\$35.85	\$36.83	\$37.82	\$38.81	\$39.79
Annual Base Amount	\$68,406.83	\$70,459.04	\$72,511.24	\$74,563.45	\$76,615.65	\$78,667.86	\$80,720.06	\$82,772.27
Longevity	\$684.07	\$704.59	\$725.11	\$745.63	\$766.16	\$786.68	\$807.20	\$827.72
Total Annual Amount	\$69,090.90	\$71,163.63	\$73,236.35	\$75,309.08	\$77,381.81	\$79,454.54	\$81,527.26	\$83,599.99

	SRO/Investigator Sgt.							
Step	Base	1	2	3	4	5	6	7
Certification Requirement	Intermediate	Advanced	Advanced	Advanced	Master	Master	Master	Master
Experience Requirement (Years)		1-3 years	4-6 years	7-9 years	10-12 years	13-15 years	16-18 years	19+ years
Hours Worked	2080	2080	2080	2080	2080	2080	2080	2080
Hourly Amount	\$37.82	\$38.96	\$40.09	\$41.23	\$42.36	\$43.49	\$44.63	\$45.76
Annual Base Amount	\$78,668.93	\$81,029.00	\$83,389.06	\$85,749.13	\$88,109.20	\$90,469.27	\$92,829.34	\$95,189.40
Longevity	\$786.69	\$810.29	\$833.89	\$857.49	\$881.09	\$904.69	\$928.29	\$951.89
Total Annual Amount	\$79,455.62	\$81,839.29	\$84,222.95	\$86,606.62	\$88,990.29	\$91,373.96	\$93,757.63	\$96,141.30

Experience Requirement (Years)			0	1-3 years	4-6 years	7-9 years	10-12 years	13-15 years	16-18 years	19+ years
	Annual	Hours								
Patrol										
FTO	\$1,545	2392	\$0.65	\$0.67	\$0.68	\$0.70	\$0.72	\$0.74	\$0.76	\$0.78

Prior service time with other entities will be credited at 50% for entry into the pay scale. Partial years of service will be rounded down.

Promotion to a new position starts at the base pay. Prior years of service at a lower position/scale do not transfer forward.

FTO pay will only be available to patrol officers. Corporals, Sergeants or other positions will be required to train new officers as part of their duties.

Years of service will be calculated as of October 1st of the then current fiscal year.

Any COLA approved by the City Council will adjust the base pay and the scale will move accordingly.

The City Manager may authorize pay higher than the minimums provided for herein for merit or other public purposes when it is deemed to be in the best interest of the City.

Pay Scale is subject to annual appropriations by the City Council

Night Shift Differential Pay may be amended annually within the adopted budget as approved by the City Council. (Currently \$1 per hour)

Certification levels are required at each step as indicated on the scale. If certification is not obtained by October 1st of the current fiscal year, progress in the scale will stop until certification is gained and the employee will not be eligible for the next step until the beginning of the next fiscal year.

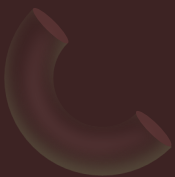
FTO

Captain Jeremy Stewart



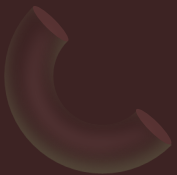
FTO Program

- How many weeks
- How many FTO's
- Currently have 4 Sgt's
- We had 2 FTO's



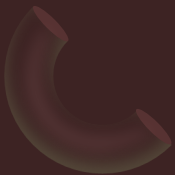
Importance of the program

- The FTO program is the most important program in every law enforcement agency. It is responsible for preserving culture and ensuring new officers meet the standards of the agency.
- Meets the standard for TPCA accreditation.



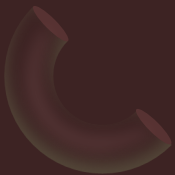
Pay Structure

- Currently the Sgt's do not receive additional pay for training.
 - It was determined it was an essential function of their position and was considered in the last pay raise when the pay scale was adjusted.
- Currently we pay \$1,545 annually for FTO and we had two assigned in that role.
- Approximately \$3,100 per year is budgeted for additional pay to train officers.
- Proposed pay would be an additional \$3 per hour increase.



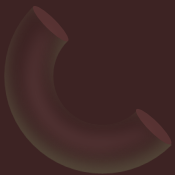
Training cycles

- New recruit with no experience
- 3 phases of 166 hours
- 2 evaluation phases
- If we implement the FTO pay the total to train one officer would be 498 hours or \$1,494.
 - We currently pay the two FTO's \$1,545 each annually regardless of training assignments.
 - Evaluation phases will be conducted by Sergeants.




FTO Program

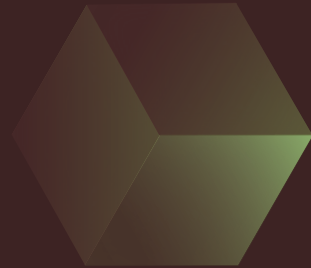
- Two new recruits per year would cost the same as we currently allocate.
- The new pay method would allow us to develop numerous FTO's with little to no additional cost to the city.
 - The only increase would be in a year where we have more than two new recruits and would be approximately \$1,500 per officer to train.
 - Salary savings from the vacancies would cover any budget shortfall in personnel expenses.



Conclusion

- FTO is one of the most important positions in the department.
 - We have talented officers we would like to make FTO
 - Provides growth opportunities for younger officers serving in a first line supervisory position.
 - Ease of scheduling with training.
 - Ability for us to match strengths of an FTO with a recruit who may be struggling in a particular area.
 - Availability of rotating FTOs and giving them a break in the training cycles. This prevents burn out in the FTOs from constantly training new officers.
- 

Questions





Finance

ITEM 4.6

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

Action

Meeting Date: January 23, 2024

Agenda Item: Discuss and consider action: SECOND READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2023-36; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, 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 2023-2024 budget amendments as listed on Attachment "A". Items seven through nine have been added to Attachment "A" since the first reading to cover the increase in the box hangar project over budget, the water leak on Buchanan Drive, and light replacements at the Burnet County Fairgrounds.

Fiscal Impact: As noted on Attachment "A".

Recommendation: Approve final reading and adopt Ordinance 2024-04 as presented.

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2023-36; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, 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 2023-2024 Budget was adopted by Ordinance 2023-36 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 is 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 2023-2024 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 9th day of January 2024.

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

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary

Attachment A

1. **\$68,000 increase in Self-funded budget to carryover the purchase of a replacement truck (\$38K), mower (\$15K), and toro cart (\$15K) for the Parks Department that was approved in the 2022-2023 budget.** The cost will be covered by budgeted transfers from the Parks department to the self-funded account.
2. **\$45,000 increase in Self-funded budget to carryover the purchase of a replacement flatbed truck for the Street department that was approved in the 2022-2023 budget.** The cost will be covered by budgeted transfers from the Street department to the self-funded account.
3. **\$32,000 increase in General Fund Capital Project budget for the purchase of a wild land utility task vehicle for the Fire Department.** The cost will be covered by general fund reserves. (Presented to council on October 24, 2023).
4. **\$9,000 increase in the General Fund Capital Project budget for the increase in the Fire Station Roof Replacement Project bid over budget.** The cost will be covered by insurance proceeds and general fund reserves. (Presented to council on 11/14/2023).
5. **\$305,000 increase in the General Fund Capital Project budget to purchase the 6-acre tract on N. West Street from the BEDC as an addition to the City's park system.** The cost will be covered by general fund reserves. (Presented to council on November 14, 2023).
6. **\$18,000 increase in the Electric Capital Project budget to purchase equipment to minimize underground outage times (Arc reflection system with thumper).** The cost will be covered by electric fund reserves. (Presented to council on January 9, 2024).
7. **\$400,000 increase in the Airport Capital Project budget to cover the increase in the Box Hangar bid over budget.** The cost will be covered by bond proceeds, airport reserves, and possible TxDot grant reimbursements if approved. (Presented to council on January 9, 2024).
8. **\$250,000 increase in the Water/Wastewater Capital Project budget to cover the water leak at 805 Buchanan Drive.** The cost will be covered by water fund reserves.
9. **\$7,000 increase in the Electric Capital Project budget to replace lights at the Burnet County Fair Grounds.** The cost will be covered by electric fund reserves. (Presented to council on January 23, 2024).

CITY OF BURNET
FIRST QUARTER FISCAL YEAR 2024
BUDGET AMENDMENTS

Final reading January 23, 2024

ATTACHMENT A

1. \$68,000 increase in Self-Funded Budget for carryover of Parks equipment approved in the FY2023 Budget.
2. \$45,000 increase in Self-Funded Budget for carryover of Streets equipment approved in the FY 2023 Budget.
3. \$32,000 increase in General Fund Capital Project Budget for purchase of a UTV for Fire Department.

ATTACHMENT A (CONTINUED)

4. \$9,000 increase in General Fund Capital Budget for the increase in the Fire Station Roof Replacement Project bid over budget.
5. \$305,000 increase in General Fund Capital Budget to purchase 6-acre Park property from the BEDC.
6. \$18,000 increase in Electric Capital Budget for purchase of Arc reflection system with thumper.

ATTACHMENT A (CONTINUED)

7. *NEW \$400,000 increase in the Airport Capital Budget to cover the increase in the Box Hangar project bid over budget.
8. *NEW \$250,000 increase in the Water/Wastewater Capital Project Budget to cover the water leak at 805 Buchanan Drive.
9. *NEW \$7,000 increase in the Water/Wastewater Capital Project Budget to replace lights at the Burnet County Fair Grounds.

*Items 7 -9 were added to 2nd reading of the ordinance.

STAFF RECOMMENDATION

- Approve final reading and adopt Ordinance 2024-04 as presented.

QUESTIONS





Finance Department

ITEM 4.7

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

Action

Meeting Date: January 23, 2024

Agenda Item: Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ADOPTING THE INVESTMENT POLICY AND INVESTMENT STRATEGIES AND APPROVING SAID POLICY AS FULFILLMENT OF CHAPTERS 2256.005 AND 2256.025, GOVERNMENT CODE, THE PUBLIC FUNDS INVESTMENT ACT: P. Langford.

Background: Chapter 2256 of the Government Code, commonly known as “The Public Funds Investment Act” (PFIA) requires that the governing body adopt a written Investment Policy and that they review its investment policy not less than annually.

Information: Staff has reviewed the current policy for compliance with “The Public Funds Investment Act” and no significant changes were made.

Fiscal Impact: None.

Recommendation: Staff recommends approval of resolution number R2024-07 adopting the Investment Policy for the City of Burnet as presented.

RESOLUTION NO. R2024-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ADOPTING THE INVESTMENT POLICY AND INVESTMENT STRATEGIES AND APPROVING SAID POLICY AS FULFILLMENT OF CHAPTERS 2256.005 AND 2256.025, GOVERNMENT CODE, THE PUBLIC FUNDS INVESTMENT ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 2256 of the Government Code, commonly known as the “Public Funds Investment Act, “requires that the governing body of an investment entity shall adopt by rule, order, ordinance, or resolution, as appropriate, a written Investment Policy regarding the investment of its funds and funds under its control, and,

WHEREAS, the Public Funds Investment Act requires that the Investment Policy, including a list of authorized investments and investment strategies, must be approved annually, and,

WHEREAS, the attached Investment Policy complies with the provisions of the Public Funds Investment Act.

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

That the City of Burnet has complied with the requirements of the Public Funds Investment Act, and the Investment Policy, attached hereto as “Exhibit A,” is hereby officially reviewed and adopted as the investment policy of the city effective January 23, 2024.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Burnet this the 23rd day of January 2024.

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary

“Exhibit A”

CITY OF BURNET INVESTMENT POLICY

The investment policy of the City of Burnet (the City) is to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the City and conforming with all state and local statutes governing the investment of public funds.

I. GOVERNING AUTHORITY

The investment program shall be operated in conformance with Chapter 2256 of the State of Texas Government Code, known as the “Public Funds Investment Act” (PFIA) and any other governing legislation or legal requirements.

II. SCOPE

The investment policy applies to investment activities of all funds of the City and all funds under the control of the City, excluding the investment of employees’ retirement funds.

- (a) **Pooling of Funds.** Except for cash in certain restricted and special funds, the City will consolidate cash and reserve balances from all funds to maximize investment earnings and to increase efficiencies regarding investment pricing, safekeeping, and administration. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

III. OBJECTIVES

The primary objectives, in priority order, of investment activities shall be safety, liquidity, and return:

- (a) **Safety.** The foremost and primary objective of the City’s investment program is the preservation and safety of principal in the overall portfolio. Each investment transaction will seek first to ensure that capital losses are avoided, whether the loss occurs from the default of a security or from erosion of market value. The objectives will be to mitigate credit risk and interest rate risk.

- (1) Credit Risk: The City will minimize credit risk, which is the risk of loss of all or part of the investment due to the failure of the security issuer or backer, by:

- (A) Limiting investments to the safest types of securities authorized under this investment policy.
- (B) Pre-qualifying and conducting ongoing due diligence of financial institutions, brokers/dealers, intermediaries, and advisers with which the City will do business.
- (C) Diversifying the investment portfolio so that the impact of potential losses from any one type of security or from any one individual issuer will be minimized.

- (2) Interest Rate Risk: The City will minimize interest rate risk, which is the risk that

the market value of securities in the portfolio will fail due to changes in market interest rates, by:

- (A) Structuring the investment portfolio so that security maturities match cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.
- (B) Investing operating funds primarily in shorter-term securities, money market mutual funds, or similar investment pools and limiting individual security maturity as well as the average maturity of the portfolio in accordance with this policy.

- (b) **Liquidity.** The City's investment portfolio shall remain sufficiently liquid to enable the City to meet all operating requirements, which might be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity). Alternatively, a portion of the portfolio may be placed in money market mutual funds or local government investment pools which offer same-day liquidity for short-term funds.
- (c) **Return on investment.** The City's investment portfolio will be designed with the objective of attaining a rate of return commensurate with the City's investment risk restraints and the cash flow operating requirements. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The core investments are limited to relatively minimal risk securities in anticipation of earning a fair return relative to the risk being assumed.

IV. STANDARDS OF CARE

- (a) **Prudence.** The standard of prudence to be used by investment officers shall be the "uniform prudent investor act" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are conducted in accordance with the terms of this policy.
- (b) **Ethics and Conflicts of Interest.** Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business, in accordance with applicable laws. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.
- (c) **Delegation of Authority.** Authority to manage the City's investment program is granted to the Finance Director and the Senior Accountant (hereinafter referred to

as the investment officers) and is derived from state statutes and City resolutions. Responsibility for the operation of the investment program is hereby delegated to the investment officers, who shall act in accordance with established written procedures and internal controls for the operation of the investment program consistent with this investment policy. At a minimum, procedures should include references to the following: safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, and collateral/depository agreements. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officers. The investment officers shall be responsible for all transactions undertaken and must attend training relating to investment responsibilities as required by Section 2256.008 of the Public Funds Investment Act and approved by this policy in appendix A.

V. AUTHORIZED FINANCIAL INSTITUTIONS, DEPOSITORIES, AND BROKER/DEALERS

- (a) A list will be maintained of financial institutions and depositories authorized to provide investment services. In addition, if applicable, a list will be maintained of approved security broker/dealers selected by creditworthiness and other factors.
- (b) Depositories should be selected through the City's banking services procurement process, which shall include a formal request for proposal (RFP) issued not less than every five years. No public deposit shall be made except in a qualified depository as established by state depository laws. The depository bank bid should not include bids for investment rates on certificates of deposits. Certificate of deposit rates will be bid competitively between financial institutions in accordance with the way all other types of securities are purchased.
- (c) All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:
 - (1) Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines.
 - (2) Proof of Financial Industry Regulatory Authority (FINRA) certification (not applicable to Certificate of Deposit counterparties).
 - (3) Proof of state registration.
 - (4) Completed broker/dealer questionnaire (not applicable to Certificate of Deposit counterparties).
 - (5) Certification of having read and understood and agreeing to comply with the City's investment policy.
 - (6) Evidence of adequate insurance coverage.

An annual review of the financial condition and registration of all qualified financial institutions and broker/dealers will be conducted by the investment officers.

VI. SAFEKEEPING AND CUSTODY

- (a) **Delivery vs. Payment.** All trades of marketable securities will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible custody account prior to the release of funds.

- (b) **Safekeeping.** Securities will be held by an independent third-party custodian approved by the City and evidenced by safekeeping receipts. A safekeeping agreement must be in place which clearly defines the responsibilities of the safekeeping bank.
- (c) **Collateral.** All funds must be insured by the FDIC or FSLIC or by collateral pledged to the extent of the fair market value of any amount not insured. To the extent not insured by the FDIC or FSLIC, City funds must be secured by direct obligations of the United States backed by the full faith and credit of the government or by governmental securities or obligations issued by the State of Texas, its agencies, or political subdivisions. Collateral will be held by an independent third party, and a safekeeping receipt will be supplied to the City. The City's bank depository will provide the City with a report on the collateral pledged, and a City representative will have the right to inspect the pledged collateral at any time. Collateral may be substituted; however, the City must approve any substitution of collateral in writing.
- (d) **Internal Controls.** The investment officers are responsible for establishing and maintaining an internal control structure designed to protect the assets of the City of Burnet. The controls shall be designated to prevent the loss of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees of the City.

Controls and managerial emphasis deemed most important that shall be employed where practical are:

- (1) Control of collusion.
- (2) Separation of duties.
- (3) Separation of transaction authority from accounting and record keeping.
- (4) Custodian safekeeping receipts and records management.
- (5) Dual authorization of wire transfers.
- (6) Avoidance of physical delivery securities.
- (7) Documentation of investment bidding.
- (8) Written confirmation from broker/dealers and financial institutions.
- (9) Reconciliations of security receipts with the investment subsidiary records.
- (10) Compliance with investment policies.
- (11) Accurate and timely investment reports.
- (12) Adequate training and development of investment officers.
- (13) Verification of all investment income and security purchases and sell computations.
- (14) Review of financial condition of all broker/dealers and depository institutions.

The above internal controls represent only a partial list of a system of internal control. An annual process of independent review by an external auditor shall be established. This review will provide internal control by assuring compliance with laws, policies, and procedures. This annual compliance audit is required by Section 2256.005(m) of the PFIA.

VII. SUITABLE AND AUTHORIZED INVESTMENTS

Investment type funds of the City may be invested in the following investments, consistent with the PFIA and as authorized by this investment policy. Investments not specifically listed below will not be permitted by this policy.

(a) **Financial Institution Deposits.** Certificates of Deposits and other evidence of deposit at a financial institution that:

- (1) has its main office or a branch office in Texas and is guaranteed or insured by the Federal Deposit Insurance Corporation (FDIC) or its successor,
- (2) is secured by obligations or in any other manner and amount provided by law for deposits of the City, or
- (3) is executed through a depository institution or approved broker that has its main office or a branch office in Texas that meets the requirements of the PFIA. All financial institution deposits in excess of the FDIC insured amount must be collateralized as described in the policy under Section VI (c)"Collateral."

(b) **U.S. Treasuries and Agencies.** Obligations of the United States of America, its agencies, and instrumentalities, including other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of the United States or its agencies and instrumentalities including obligations that are fully guaranteed or insured by the FDIC or by the explicit full faith and credit of the United States. Such obligations include letters of credit of the United States or its agencies and instrumentalities, including the Federal Home Loan Banks.

(c) **Investment Pools.** The City may invest its funds through an eligible investment pool if the Burnet City Council by resolution authorizes investment in the pool. Eligible investment pools must:

- (1) Provide an offering circular or other similar disclosure instruments and provide monthly and transaction reporting as required by Section 2256.016 of the PFIA.
- (2) Be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

(d) **Money Market Mutual Funds.** No-load government money market mutual funds are eligible investments if the fund:

- (1) Is compliant with the PFIA.
- (2) Is registered with and regulated by the Securities and Exchange Commission.
- (3) Has an average weighted maturity of less than 180 days and meets the liquidity requirements of the City.

(e) **Repurchase Agreements.** Fully collateralized repurchase agreements that:

- (1) Have a defined termination date.
- (2) Are secured by cash or obligations as allowed by the PFIA and this Policy.
- (3) Require independent third-party safekeeping of all securities prior to the release of any funds.
- (4) Are placed through a primary dealer or financial institution doing business in Texas.
- (5) Do not create a reverse repurchase agreement by the City.

(f) **Municipal Issuers.** Obligations of:

- (1) The State of Texas or its agencies and instrumentalities; and
- (2) Counties, cities, and other political subdivisions of the State of Texas rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent.

(g) **Commercial Paper.** Commercial Paper with a stated maturity of 180 days or fewer from the date of its issuance, rated not less than A-1 or P-1, or an equivalent rating by at least two nationally recognized credit rating agencies, or by one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state. No more than 20% of any one portfolio should be invested in commercial paper and no more than 5% should be invested in the securities of a single paper issuer.

(h) **Securities Lending Program.** A securities lending program is an authorized investment under this policy if it meets the conditions provided in PFIA Sec. 2256.0115.

(i) **Banker's Acceptances.** A bankers' acceptance is an authorized investment under this policy if it meets the conditions provided in PFIA Sec. 2256.0012. No more than 20% of any one portfolio should be invested in banker's acceptances and no more than 5% should be invested in the securities of a single banker's acceptances issuer.

(j) **Guaranteed Investment Contracts.** A guaranteed investment contract is an authorized investment for bond proceeds under this policy if it meets the conditions provided in PFIA Sec. 2256.0015.

The following investments are specifically **not** authorized under the PFIA:

- (a) Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principle.
- (b) Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
- (c) Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.
- (d) Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

An investment that requires a minimum rating under the PFIA does not qualify as an authorized investment during the period the investment does not have the minimum rating. The City shall at least quarterly obtain from a reliable source the current credit rating for each held investment that has a PFIA required minimum rating and shall take all prudent measures to liquidate an investment that does not have the minimum rating.

VIII. INVESTMENT PARAMETERS

- (a) **Bidding Process for Investments.** Investment officers for the City may accept bids for certificates of deposit and for all marketable securities either orally, in writing, electronically, or in any combination of these methods. The investment officers will strive to receive three price quotes on marketable securities being sold but may allow one broker/dealer to sell at a predetermined price under certain market conditions. Investments purchased shall be shopped competitively between approved financial institutions and broker/dealers.
- (b) **Diversification.** The City recognizes that investment risks can result from issuer defaults and market price changes. Risk is partly controlled through portfolio diversification that shall be achieved by the following general guidelines:
- (1) Limiting investment to avoid overconcentration in investments from a specific issuer or business sector (excluding U.S. Treasury securities and certificates of deposit that are fully insured and collateralized in accordance with state and federal law).
 - (2) Limiting investment in investments that have higher credit risks (example: commercial paper).
 - (3) Investing in investments with varying maturities.
 - (4) Continuously investing a portion of the portfolio in readily available funds such as local government investment pools to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.
- (c) **Maximum Maturities.** To the extent possible, the City shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than 365 days from the date of purchase. The City shall adopt weighted average maturity limitations consistent with the investment objectives.

IX. INVESTMENT STRATEGY

The portfolio will be structured to benefit from anticipated market conditions and to achieve a reasonable return. Relative value between asset groups shall be analyzed and pursued as part of the active investment program within the restrictions set forth by this policy. Asset types with higher credit risk shall be limited to no more than 20% of each portfolio. In addition, commercial paper and bankers' acceptances shall be limited to no more than 5% of each portfolio held in any individual issuer name to limit credit risk.

Specific strategies for each type of fund group of the city are as follows.

- (a) **Operating Funds.** Operating funds are defined as cash and investments used for day-to-day operations. Operating funds are to be invested in a manner suitable to provide adequate liquidity for the anticipated operating needs of the City. Investments of the Operating Funds shall be limited to a weighted average maturity of no greater than 180 days. All investment instruments must meet credit and safety criteria as required by the PFIA and this policy. All investments shall be of high quality with no perceived default risk. Operating funds will remain sufficiently liquid to enable the City to meet operating requirements that may be reasonably anticipated. Operating funds' maturities will be staggered based on

the City's anticipated operating needs, and the investments may include financial institution deposits, U.S. treasuries and agencies, state and municipal debt instruments, investment pools, and money market mutual funds. Investment of Operating funds will be structured to attain the optimal yield given the liquidity and safety requirements.

- (b) **Capital Project Funds and Special Purpose Funds.** Capital project funds and special purpose funds shall have as their primary objective to assure that anticipated cash outflows are matched with adequate investment liquidity. These portfolios should have liquid securities to allow for unanticipated project expenditures or accelerated project outlays due to a better than expected or changed construction schedule. The portfolios shall be invested based on cash flow estimates to be supplied by the capital projects managers and finance estimates. The dollar-weighted average life of the portfolio should be matched to that of the duration of the liabilities. A secondary objective of these funds is to achieve a yield equal or greater than the arbitrage yield of the applicable bond.
- (c) **Debt Service Funds.** Debt service funds shall have as the primary objective, the assurance of investment liquidity adequate to cover the debt service obligation on the required payment dates. Securities purchased shall not have a stated final maturity date which exceeds the debt service payment date.

X. REPORTING

- (a) **Quarterly Reporting.** No less than quarterly, the investment officers shall prepare and submit to the City Council a written investment report. The report must describe in detail the investment position of the City on the date of the report, state the book value and fair market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested. State the maturity date of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested. State the compliance of the investment portfolio of the City as it relates to the investment policies and investment strategies expressed in the City's Investment Policy and the PFIA.
- (b) **Performance Standards.** The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. A series of treasury benchmarks whose final maturity most closely matches the weighted average maturity (WAM) of the portfolio shall be established against which portfolio performance shall be compared on a regular basis.
- (c) **Marking to Market.** The market value of the portfolio shall be calculated at least monthly and a statement of the market value of the portfolio shall be issued at least quarterly. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed.

XI. INVESTMENT POLICY CONSIDERATIONS

- (a) **Amendments.** This policy shall be reviewed on an annual basis. Any changes must be approved by the investment officers, City Manager and City Council. The

City Council should adopt a written instrument, not less than annually, stating the City Council has reviewed and authorized the investment strategies and the amendments, to this Investment Policy.

APPENDIX A

AUTHORIZED BROKER/DEALERS, FINANCIAL INSTITUTIONS,
GOVERNMENT POOLS, AND APPROVED PROVIDERS OF PFIA
TRAINING

**BROKER/DEALERS AND FINANCIAL INSTITUTIONS AUTHORIZED TO
DO BUSINESS WITH THE CITY OF BURNET**

First State Bank of Burnet

**GOVERNMENT POOLS AUTHORIZED BY CITY COUNCIL
RESOLUTION**

(TEXPOOL) Texpool Local Government Investment Pool

Texas Class Local Government Investment Pool

APPROVED PROVIDERS OF PFIA TRAINING

University of North Texas
Government Finance Officers Association
Government Finance Officers Association of Texas
Government Treasurer's Organization of Texas
Texas Municipal League



City Secretary

ITEM 4.8

Kelly Dix
City Secretary
(512)-756-6093 ext. 209
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Agenda Item Brief

Meeting Date: January 23, 2024

Agenda Item: Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 4, 2024, TO ELECT THREE CITY COUNCIL MEMBERS; ESTABLISHING THE ELECTION PROCEDURE; AND PROVIDING FOR RELATED MATTERS.
UNA RESOLUCIÓN DE LA CIUDAD DE BURNET, TEXAS, ORDENANDO UNA ELECCIÓN GENERAL A LLEVARSE A CABO EL 4 DE MAYO DE 2024, PARA ELEGIR TRES MIEMBROS DEL CONSEJO (CONCEJALES); ESTABLECIENDO LOS PROCEDIMIENTOS PARA LA ELECCIÓN; Y PROVEYENDO OTROS ASUNTOS RELACIONADOS: K. Dix

Background: Council Member Mary Jane Shanes is completing her third and final term and is ineligible for re-election. Council Member Philip Thurman is completing his second term on Council and is eligible for re-election. Council Member Dennis Langley is completing his first term and is eligible for re-election..

Information: A General Election will be held on May 4, 2024, to fill the vacancies. This election will be held in compliance with the laws established by the Texas Election Code and the State of Texas.

Fiscal Impact: The total estimated election expense is expected not to exceed \$2,000.

Recommendation: Staff recommends approval of Resolution No. R2024-08 ordering a General Election to be held on May 4, 2024, to elect three Council Members for the City of Burnet as presented.

RESOLUTION R2024-08

A RESOLUTION OF THE CITY OF BURNET, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 4, 2024, TO ELECT THREE CITY COUNCIL MEMBERS; ESTABLISHING THE ELECTION PROCEDURE; AND PROVIDING FOR RELATED MATTERS.

UNA RESOLUCIÓN DE LA CIUDAD DE BURNET, TEXAS, ORDENANDO UNA ELECCIÓN GENERAL A LLEVARSE A CABO EL 4 DE MAYO DE 2024, PARA ELEGIR TRES MIEMBROS DEL CONSEJO (CONCEJALES); ESTABLECIENDO LOS PROCEDIMIENTOS PARA LA ELECCIÓN; Y PROVEYENDO OTROS ASUNTOS RELACIONADOS.

WHEREAS, on May 4, 2024 there shall be elected the following officials for this City: three City Council Members;

CONSIDERANDO QUE, el 4 de mayo de 2024 se elegirán los siguientes funcionarios para esta Ciudad: un Alcalde y tres Miembros del Concejo Municipal;

WHEREAS, the Texas Election Code is applicable to said election and this resolution establishes procedures consistent with the Code, and designates the voting place for the election; and

POR CUANTO, el Código Electoral de Texas aplica para dicha elección, y esta resolución establece los procedimientos conformes con el Código, y designa el lugar de votación para la elección; y

WHEREAS, the City of Burnet, Texas (hereinafter the "City") has made provision to contract with Burnet County Election Administrator to conduct the City's general election, pursuant to *Chapter 31, Tex. Elec. Code, and Chapter 791, Tex. Gov't Code* (the "Election Agreement" or "contract"), jointly with Burnet Independent School District and any other political subdivisions that hold elections on the same day in all or part of the same territory of the City, as authorized in *Chapter 271, Tex. Elec. Code*;

POR CUANTO, la Ciudad de Burnet, Texas (más adelante identificado como la "Ciudad"), ha provisto contratar con el Condado de Burnet para conducir la elección general, según el *Capítulo 31, Código Electoral de Texas, y el Capítulo 791, Código Gubernamental de Texas* (el "Contrato de Elección" o "contrato"), conjuntamente con el Distrito Escolar Independiente de Burnet y cualquier otras subdivisiones políticas que celebran elecciones el mismo día en todo o en parte del mismo territorio de la Ciudad, según lo autoriza el *Capítulo 271, Código Electoral de Texas*;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS

AHORA, POR LO TANTO, QUEDE RESUELTO Y ORDENADO POR EL CONSEJO DE LA CIUDAD DE BURNET, TEXAS:

SECTION 1. General Election. The General Election of the City shall be held on Saturday, May 4, 2024, to elect three City Council Members, to serve a term of two (2) years each. Candidates at the election for the above offices shall file their application to become

candidates with the City Secretary of the City of Burnet, at City Hall, 1001 W. Buchanan, Ste. 4, Burnet, Texas 78611, between 8:00 a.m. on January 17, 2024 and 5:00 p.m. on February 16, 2024. All applications for candidacy shall be on a form as prescribed by the *Tex. Elec. Code*. The order in which the names of the candidates for each office are to be printed on the ballot shall be determined by a drawing conducted by the City Secretary.

SECCIÓN 1. Elecciones generales. La Elección General de la Ciudad se llevará a cabo el sábado 4 de mayo de 2024, para elegir un Alcalde y tres Miembros del Concejo Municipal, para servir un término de dos (2) años cada uno. Los candidatos en la elección para los cargos anteriores deberán presentar su solicitud para convertirse en candidatos ante el Secretario de la Ciudad de Burnet, en el Ayuntamiento, 1001 W. Buchanan, , Ste. 4, entre las 8:00 a.m. del 17 de enero de 2024 Burnet, Texas 78611 y las 5:00 p.m. del 16 de febrero de 2024. Todas las solicitudes de candidatura deberán estar en un formulario según lo prescrito por el *Código Elec*. El orden en que los nombres de los candidatos para cada cargo deben imprimirse en la boleta se determinará mediante un sorteo realizado por el Secretario de la Ciudad.

SECTION 2. Notice of the election shall be given and the election shall be held in compliance with the provisions of the *Tex. Elec. Code* in all respects. The ballots for the election shall comply with the *Tex. Elec. Code* and be in the form provided by the City to the Burnet County Election Administrator for use on the voting devices and ballots used by Burnet County.

SECCIÓN 2. El aviso de la elección será dado y la elección será celebrada conforme a las provisiones del *Código Electoral de Texas* en todos los aspectos. Las boletas para la elección serán conformes al *Código Electoral de Texas* y deberán ser en la forma provista por la Ciudad al Secretario del Condado de Burnet para ser usadas en los equipos de votación y las boletas usadas por el Condado de Burnet.

SECTION 3. The Burnet County Election Administrator and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in the manner provided by contract with the City and the law governing the holding of general elections by home rule cities of the State of Texas; and the official ballots, together with such other election materials as are required by the *Tex. Elec. Code*, shall be prepared in both the English and Spanish languages and shall contain such provisions, markings and language as is required by law.

SECCIÓN 3. El Secretario del Condado de Burnet y sus empleados y nombrados asistentes, y los jueces electorales, jueces alternos, y escribientes debidamente nombrados para la elección, celebrarán y conducirán la elección de la manera provista por el contrato con la Ciudad y por la ley que gobierna el conducir elecciones por ciudades autónomas del Estado de Texas; y las boletas oficiales, junto con todos materiales electorales requeridos por el *Código Electoral de Texas*, serán preparados en ambos inglés y español y deberán tener tales provisiones, marcas, y lenguaje según lo requiere la ley.

SECTION 4. Early voting, both by personal appearance and by mail, will be conducted by the Burnet County Election Administrator, who is designated and appointed as the Early Voting Clerk, in accordance with the *Texas Election Code*. Early voting by personal appearance shall be conducted at the times, places, and locations authorized by state law and the Burnet County Clerk. Early voting shall commence on Monday, April 22nd, 2024 and

continue through Tuesday, April 30, 2024. Early voting shall also be held at any time and location authorized by the Burnet County Clerk.

SECCIÓN 4. La votación adelantada/temprana, en persona y por correo, se conducirá por el Secretario del Condado de Burnet, quien es designado y nombrado como el Escribiente de la Votación Adelantada/temprana, de acuerdo con el *Código Electoral de Texas*. La votación adelantada/temprana en persona se conducirá durante las horas, los lugares, y locales autorizados por la ley estatal y por el Secretario del Condado de Burnet. La votación adelantada/temprana comenzará el lunes, 22 de Abril de 2024, y continuará hasta el martes, 30 de Abril de 2024.

SECTION 5. The polling place for each such election precinct shall be the polling place established by Burnet County for such election precincts in Burnet County and voting by residents of the City. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m. The returns for precincts in Burnet County will be provided by precinct and the Burnet County Clerk shall tabulate and provide the election returns for the election.

SECCIÓN 5. Los recintos electorales para la elección serán los recintos electorales establecidos por el Condado de Burnet, proveyendo de que cada uno tenga e incluya el área geográfica que está dentro de la ciudad. El lugar de votación para dicho recinto electoral será el lugar de votación establecido por el Condado de Burnet para dichos recintos electorales en el Condado de Burnet y para votar por residentes de la Ciudad. Los lugares de votación se mantendrán abiertos el día de la elección desde las 7:00 a.m. hasta las 7:00 p.m. Los resultados por recintos en el Condado de Burnet serán provistos por recinto, y el Secretario del Condado de Burnet deberá tabular y proveer los resultados electorales para la elección.

SECTION 6. The City Secretary, or designee, is instructed to aid the Burnet County Election Administrator in the acquisition and furnishing of all election supplies and materials necessary to conduct the election as provided by the Election Agreement. The City Secretary is further authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Tex. Elec. Code* and *City Charter*; provided that, pursuant to the Election Agreement between Burnet County and the City, the Burnet County Election Administrator shall have the duty and be responsible for organizing and conducting the election in compliance with the *Tex. Elec. Code*; and for providing all services specified to be provided in the Election Agreement. The Burnet County Clerk shall give the notices required by the *Tex. Elec. Code* to be given for the election not required to be given by the City under the Election Agreement.

SECCIÓN 6. La Secretaria de la Ciudad, o su designado, queda por este medio instruída a proveer ayuda al Secretario del Condado de Burnet en la adquisición y provisión de todos los materiales y provisiones necesarios para conducir la elección, según lo provee el Contrato de Elección. La Secretaria de la Ciudad está además autorizada a dar o a causar que se den los avisos requeridos para la elección, y a tomar cualquier otra acción adicional según se requiera para conducir la elección conforme con el Código Electoral de Texas y la Carta Constitucional, proveyendo que, de acuerdo con el Contrato de Elección entre el Condado de Burnet y la Ciudad, el Secretario del Condado de Burnet tendrá la obligación y será responsable de organizar y conducir la elección cumpliendo con el Código Electoral de Texas; y de proveer todos los servicios especificados a ser provistos en el Contrato de

Elección. El Secretario del Condado de Burnet dará los avisos requeridos por el *Código Electoral de Texas* a ser dados para la elección que no seab requeridos a darse por la Ciudad bajo el Contrato de Elección.

SECTION 7. The presiding judges, alternate presiding judges and clerks for the election shall be selected and appointed by the Burnet County Election Administrator and its appointees in compliance with the requirements of state law, and such judges and clerks so selected by Burnet County and its appointees are hereby designated and appointed by the city council as the election officers, judges and clerks, respectively, for the holding of said general election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law. The city council will further confirm and appoint the election judges and alternate election judges that are appointed by Burnet County for the election.

SECCIÓN 7. Los jueces presidentes, jueces presidentes alternos, y escribientes para la elección serán seleccionados y nombrados por el Condado de Burnet y sus funcionarios de acuerdo con los requisitos de la ley estatal, y dichos jueces y escribientes seleccionados por el Condado de Burnet y sus funcionarios quedan por este medio designados y nombrados por el consejo de la ciudad como los oficiales electorales, jueces y escribientes, respectivamente, para llevar a cabo dicha elección general. Los jueces presidentes, jueces presidentes alternos, y escribientes deberán desempeñar las funciones y deberes de sus respectivas posiciones según lo provee la ley estatal. El consejo de la ciudad confirmará y nombrará los jueces electorales y jueces electorales alternos que sean nombrados por el Condado de Burnet para la elección.

SECTION 8. Notice of the election shall be given by posting a notice containing a substantial copy of this resolution on the bulletin board used for posting notice of meetings of the governing body at the City Hall and at the aforesaid election day polling places not later than the twenty-first (21st) day before the election, and by publishing said Notice of Election at least one time, not earlier than thirty (30) days no later than ten (10) days prior to said election, in a newspaper of general circulation in the City. The notice that is posted, and the notice that is published in a newspaper of general circulation within the city, will be written in both English and Spanish.

SECCIÓN 8. El aviso de la elección se dará fijando un aviso que contenga una copia substancial de esta resolución en el tablón de edictos que se usa para dar aviso de reuniones del cuerpo gubernamental en la Casa Municipal (Alcaldía) y en los antedichos lugares de votación el día de la elección no más tarde del vigésimo-primer (21) día antes de la elección, y publicando dicho Aviso de la Elección por lo menos una vez, no antes de treinta (30) días ni más tarde de diez (10) días antes de dicha elección, en un periódico de circulación general en la Ciudad. El aviso que se fije, y el aviso que se publique en el periódico de circulación general en la ciudad, será escrito en ambos inglés y español.

SECTION 9. The election shall be held and conducted by the Burnet County Elections Administrator in compliance with state law and the Election Agreement. And, this Resolution shall be in force and effect from and after its passage on the date shown below.

SECCIÓN 9. La elección se llevará a cabo y se conducirá por el Secretario del Condado de Burnet de acuerdo con la ley estatal y el Contrato de Elección. Y, esta Resolución estará vigente y tomará efecto desde y luego de haberse pasado en la fecha mostrada abajo.

SECTION 10. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapter 551, Texas Government Code*.

SECCIÓN 10. Queda por este medio establecido y determinado oficialmente que esta reunión se condujo abierta al público, y que se dio aviso público de la hora, el lugar, y el propósito de dicha reunión, todo como lo requiere la Ley de Reuniones Abiertas (Open Meetings Act), *Capítulo 551 del Código Gubernamental de Texas*.

**AND, IT IS SO RESOLVED.
Y ASI SE HA RESUELTO.**

PASSED AND APPROVED this 23rd day of January, 2024.
PASADO Y APROBADO este día 23rd de Enero, 2024.

**CITY OF BURNET, TEXAS
CIUDAD DE BURNET, TEXAS**

Gary Wideman, Mayor
Gary Wideman, Alcalde

**ATTEST:
ATESTIGUAR:**

Kelly Dix, City Secretary
Kelly Dix, Secretaria de la Ciudad

ORDER OF ELECTION FOR MUNICIPALITIES

An election is hereby ordered to be held on **May 4, 2023** for the purpose of:
A General Election to elect one Mayor and three Council Members.

Early voting by personal appearance will be conducted each weekday at:
**AgrLife Auditorium, located at 607 N. Vandever Street, Burnet, Texas and the
Marble Falls Courthouse S. Annex, located at 810 Steve Pkwy., Marble Falls, TX
78654.**

April 22, 2024	8am-5pm
April 23, 2024	8am-5pm
April 24, 2024	8am-5pm
April 25, 2024	7am-7pm
April 26, 2024	8am-5pm
April 29, 2024	7am-7pm
April 30, 2024	8am-5pm

Applications for ballot by mail shall be mailed to:

**Douglas Ferguson
Burnet County Elections Administrator
220 South Pierce Street
Burnet, TX 78611**

Applications for ballots by mail and federal Post Card Applications must be received no
later than the close of business on: **April 23, 2024**

Issued this the 23rd day of January, 2024.

Gary Wideman, Mayor

Dennis Langley, Council Member

Joyce Laudenschlager, Council Member

Mary Jane Shanes, Council Member

Philip Thurman, Council Member

Ricky Langley, Council Member

Tres Clinton, Council Member

*Instruction Note: A copy of this election order must be delivered to the County Clerk/Elections Administrator and Voter Registrar
not later than 60 days before election day.*

ORDEN DE ELECCION PARA MUNICIPIOS

Por la presente se ordena que se celebren elecciones el **6 de mayo de 2023** con el propósito de:

Una elección general para elegir un alcalde y tres concejales.

La votación adelantada en persona se llevará a cabo de lunes a viernes en:

Auditorio AgrLife, ubicado en 607 N. Vandever Street, Burnet, Texas y de Marble Falls Palacio de Justicia S. Anexo, ubicado en 810 Steve Pkwy., Marble Falls, TX 78654.

24 de abril de 2024	8am-5pm
25 de abril de 2024	8am-5pm
26 de abril de 2024	8am-5pm
27 de abril de 2024	7am-7pm
28 de abril de 2024	8am-5pm
29 de abril de 2024	7am-7pm
30 de abril de 2024	8am-5pm

Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:

**Doug Ferguson
Burnet County Elections Administrator
220 South Pierce Street
Burnet, TX 78611**

Las solicitudes de boletas por correo y tarjetas postales federales deben recibirse a más tardar al cierre de los negocios el: **23 de abril de 2024**

Emitida este día 23 de enero de 2024.

Gary Wideman, del Alcalde

Dennis Langley, Persona del Concilio

Joyce Laudenschlager, Persona del Concilio

Mary Jane Shanes, Persona del Concilio

Philip Thurman, Persona del Concilio

Ricky Langely, Persona del Concilio

Tres Clinton, Persona del Concilio

Nota de instrucción: Se deberá entregar una copia de esta orden de elección al/a la Secretario(a) del Condado/Administrador(a) de Elecciones y el/la Registrador(a) de Votantes a más tardar 60 días antes del día de elección.



Administration

ITEM 4.9

David Vaughn
City Manager
512.715.3208
dvaughn@cityofburnet.com

Action

Meeting Date: January 23, 2024

Agenda Item: Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, RESTATING AND EXPANDING THE CHARGE OF THE CITY HALL CONSTRUCTION CONTRACTOR SELECTION SUBCOMMITTEE: D. Vaughn

Background: Last year, City Council authorized the solicitation of proposals for the construction of a new city hall pursuant to the competitive sealed proposals and appointed a selection committee. There were eight responsive proposals, and the subcommittee task was to review each proposal, interview each respondent, and score the proposals under the criteria established as part of the solicitation process. As of the date of the publication of this draft of the agenda brief the subcommittee is still evaluating the responses. The statutory deadline to rank the proposals is January 28, 2024.

Information: This resolution restates and expands the scope of the subcommittee's charge, authorizing the subcommittee to publish its ranking of the respondents and to negotiate a construction contract with the highest ranked respondent. The negotiated contract shall be presented to the City Council for final approval.

Fiscal Impact: The City has issued certificates of obligation in the amount of five-million dollars to fund this project.

Recommendation: Approve Resolution No. R2024-10 as presented.

RESOLUTION NO. R2024-10

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, RESTATING AND EXPANDING THE CHARGE OF THE CITY HALL CONSTRUCTION CONTRACTOR SELECTION SUBCOMMITTEE

Whereas, last year City Council authorized the solicitation of proposals for the construction of a new city hall pursuant to the competitive sealed proposals; and appointed a committee to evaluate the proposals and make recommendations to City Council; and

Whereas, eight qualified firms responded to the solicitation; and

Whereas, the statutory deadline for the respondents to be ranked is January 28, 2024; and

Whereas, due to the importance of this project, the subcommittee is being deliberate in its evaluations and is not prepared to make recommendations as of the date of the city council meeting where this resolution is being considered.

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

Section one. Findings. That the recitals to this resolution hereby found to be the true and correct findings of City Council and are incorporated herein for all purposes.

Section two. The Subcommittee. The charge of the subcommittee selected to evaluate respondents to the request for proposals for construction of a new city hall is hereby restated and expanded as follows:

- (1) Name: City Hall Contractor Selection Subcommittee.
- (2) Members: Members of the subcommittee are as follows: Mayor Pro-Tem Phillip Thurman; Councilmembers Dennis Langley and Joyce Laudenschlager; City Manager David Vaughn; Assistant City Manager Habib Erkan Jr.; City Engineer Eric Belaj; and Consultant Architect Chad Pierce.
- (3) Charge: The subcommittee is hereby charged to:
 - (a) Evaluate and rank the responses to the Request for Proposals for the construction of the new city hall;
 - (b) Publish the rankings on or before January 28, 2024;
 - (c) Negotiate a construction contract with the highest ranked respondent;
 - (d) Present the negotiated construction contract to City Council for final approval on or before February 13, 2024.
- (4) Term: The subcommittee's term shall expire at the completion of its charge.

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

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

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary



Administration

ITEM 4.10

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

Action Item.

Meeting Date: January 23, 2024

Agenda Item: Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AUTHORIZING A CREDIT TO THE DEVELOPER OF WESTFALL SUBDIVISION SECTION THREE FOR THE INSTALLATION OF THREE PHASE IN PLACE OF SINGLE-PHASE ELECTRIC CONDUIT: D. Vaughn

Background: Section 110-148(h)(5) City Code (entitled "*electric line extension policy*") provides: "*All electric line extensions shall be three-phase, unless otherwise approved by the city.*" Pursuant to said section Langley Homes, Inc., as the developer of the Westfall Unit 3 Subdivision installed three-phase electric conduit within the subdivision. It has now been determined that Phase Three of Westfall Subdivision can be more than adequately served by single-phase electric. Moreover, the installation of the three-phase electric conduit is beneficial only to an adjoining subdivision.

Information: Section 2-33 City Code (entitled "*remuneration of fees*") provides: "*The city council may, by resolution, provide for the waiver, reimbursement, refund, or other financial remuneration of any fee, or portions of any fee, imposed by this Code, not in conflict with state and federal laws and regulations and in accordance with the city home rule charter as amended from time-to-time. For the purposes of this section, the term "fee" shall mean any fee, penalty, fine, or other charge imposed by this Code.*" Application of Section 2-33 in this instance is consistent with state law as Section 212.071, Texas Local Government Code, allows the city to enter into participation contracts with developers to share costs for infrastructure construction that would benefit both the development and the city. This resolution allows the city to provide a credit against costs owed to the city for installation of electric infrastructure serving the subdivision. The passage of this resolution shall not create any monetary obligation by the city to the developer.

Fiscal Impact By installing three conduits to support the three-phase instead of a single conduit, which would support single-phase services, the

Resolution: Westfall Unit 3 monetary credit

developer incurred an additional \$43,375.00, in costs. This resolution credits that amount against developer's costs for the city to install the single-phase service to the subdivision.

Recommendation: Approve Resolution No. R2024-09 as presented.

RESOLUTION NO. R2024-09

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

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

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

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

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

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

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

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

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

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

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

Resolution: Westfall Unit 3 monetary credit

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

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

Remainder of page intentionally blank and signature page follows.

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

CITY OF BURNET, TEXAS

ATTEST:

Gary Wideman, Mayor

Kelly Dix, City Secretary