



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 **27th day of February, 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.

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) January 2024 Financial Report: P. Langford

1.2) Annual Traffic Stop Data Report: B. Lee

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 February 13, 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 ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS 105 E THIRD STREET**

AND 300 E THIRD STREET FROM LIGHT COMMERCIAL – DISTRICT “C-1” TO MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”: L. Kimbler

4.2) Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ESTABLISHING NEW SPEED LIMITS FOR THOSE SEGMENTS STATE HIGHWAY 29 FROM ITS INTERSECTION WITH HOOVER VALLEY ROAD WESTWARDLY TO ITS INTERSECTION WITH THE CITY LIMITS LINE AND PROVIDING FOR PENALTY: D. Vaughn

4.3) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE PURCHASE OF LOT ONE KROEGER SUBDIVISION, AS SHOWN BY PLAT RECORDED AS DOCUMENT NO. 201400549, IN THE PUBLIC RECORDS OF BURNET COUNTY, TEXAS FROM THE BURNET ECONOMIC DEVELOPMENT CORPORATION: H. Erkan Jr.

4.4) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE CONTRACTUAL AGREEMENT TO ALLOW THE LCRA TO CONTINUE PERFORMING REGULAR MAINTENANCE, INSPECTIONS, AND TESTING ON THE CITY OWNED SUBSTATION EQUIPMENT CONTAINED WITHIN THE BURNET SUBSTATION FOR THE NEXT 5 YEARS. AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT AGREEMENT ON BEHALF OF THE CITY: T. Stuckey

4.5) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING A LETTER OF INTENT WITH CAREFLITE TO GROUND LEASE PROPERTY AT THE BURNET MUNICIPAL AIRPORT: A. Field

4.6) Discuss and consideration: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING CODE OF ORDINANCES BY ADOPTION OF A COMPREHENSIVE FEE SCHEDULE AND AMENDING VARIOUS CHAPTERS OF THE CITY CODE TO INCORPORATE SERVICE, PERMIT AND OTHER CITY FEES INTO THE FEE SCHEDULE; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.

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 23rd day of February, 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 February 23, 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).

City of Burnet

Financial Report



FYTD January 31, 2024



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	<p style="text-align: center;">CITY OF BURNET FYTD JANUARY FINANCIAL SUMMARY</p>	<p style="text-align: center;">FY 2024</p>
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GENERAL FUND

The General Fund ended the period with a profit of \$1,543,184. Total revenues are tracking above the average budget for the period mainly because of the timing of property tax collections.

The General Fund's primary revenues include:

- **Property tax collections** – ended the period at 69% of budget and increased by \$287,284 over last year.
- **Sales tax collections** – ended the period at 34% of budget and increased by \$65,385 over the same period last year.
- **EMS transfer collections** – ended the period at 37% of budget and increased by \$101,184,000 over the same period last year.
 - The hospital transfer call volume has increased by 13% over the same period last year.
- **Transfers In from other funds** – ended the period at 32% of budget and increased by \$46,553 over the same period last year.

Total expenditures ended the period on track at 34% of budget.

GOLF COURSE

The Golf Course ended the period with a profit of \$119,288 which is down \$67,851 from this time last year mainly because of increasing expenses.

Total revenues ended the period at 37% of budget. Compared to last year, revenues have increased \$46,865 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 period on track at 33% of budget. Compared to last year, expenses have increased by \$114,716 for the first quarter mainly because of increasing personnel costs, the early purchase of supplies including range balls and chemicals and increasing maintenance costs of the irrigation system and bunkers.

ELECTRIC FUND

The Electric fund ended the period with a profit of \$74,657 and total revenues and expenses are tracking as expected with the budget. Compared to last year, electric consumption has increased by 2.45% mainly due to colder than normal temperatures in January.

	CITY OF BURNET FYTD JANUARY FINANCIAL SUMMARY	FY 2024
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WATER/WASTEWATER

The Water/Wastewater fund ended the quarter with a profit of \$79,158 and total revenues and expenses are tracking as expected with the budget. Compared to last year, water consumption has increased by 2.65%.

AIRPORT (Restricted Fund)

The Airport Fund ended the quarter with a profit of \$25,263 and total revenues and expenses are tracking as expected with the budget.

Compared to last year, both avgas and jet gallons sold are down about 14%.

CASH RESERVES

Total “Unrestricted” cash reserve balance for the city as of January 31, 2024, was \$7,750,015. That is **\$3,250,015** above our 90-day required reserve amount.

Total “Restricted by Council” cash reserve balance for the city as of January 31, 2024, was **\$4,337,610**.

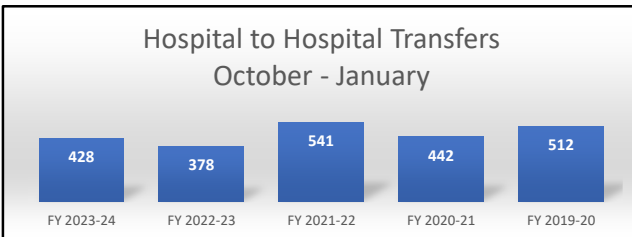
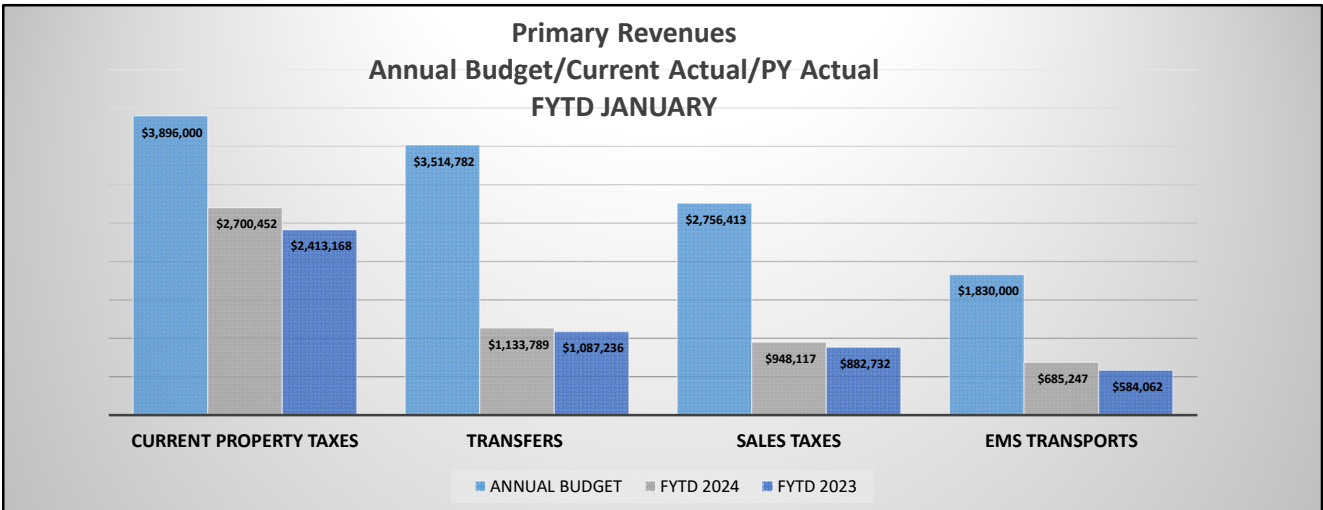
GENERAL FUND DASHBOARD

FYTD JANUARY 2024

CURRENT RESULTS COMPARISON

	ORIGINAL BUDGET	ACTUAL FYTD JAN 2024	% OF BUDGET	PY BUDGET 2022-2023	ACTUAL FYTD JAN 2023	% OF BUDGET
REV	\$ 15,442,407	\$ 6,580,042	43%	\$ 14,766,308	\$ 6,066,996	41%
EXPENSES	14,878,137	5,036,858	34%	14,305,521	4,820,615	34%
PROFIT (LOSS)	\$ 564,270	\$ 1,543,184		\$ 460,787	\$ 1,246,380	

TABLES/CHARTS



Hosp to Hosp Transfers		
FYTD 2024	428	
FYTD 2023	378	
Increase (Decrease)	50	13%

City of Burnet, Texas
 General Fund
 Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual (Unaudited)
 FYTD JANUARY 2024

	33% of year complete				PY BUDGET			
	ORIGINAL BUDGET 2023-24	ACTUAL FYTD JAN 2024	% OF BUDGET		2022-2023	PY ACTUAL FYTD JAN 2023	% OF BUDGET	
REVENUE								
Ad valorem taxes	\$ 3,896,000	\$ 2,700,452	69%	\$	3,476,000	\$ 2,413,168	69%	
Sales taxes	2,756,413	948,117	34%		2,782,000	882,732	32%	
Interfund Transfers	3,514,782	1,133,789	32%		3,396,724	1,087,236	32%	
EMS Transfers	1,830,000	685,247	37%		2,072,000	584,062	28%	
Franchise and other taxes	264,000	50,074	19%		162,000	38,097	24%	
Court Fines and Fees	163,000	46,270	28%		140,000	54,567	39%	
Grants & Donations	3,000	1,937	65%		9,500	1,550	16%	
Licenses & Permits	176,500	38,367	22%		153,300	61,110	40%	
Charges for Services	2,486,812	830,123	33%		2,369,684	780,901	33%	
Other Revenue	351,900	145,666	41%		205,100	163,572	80%	
Use of Fund Balance (for Abatements)	30,000	-			-	-	#DIV/0!	
Total Revenue	\$ 15,472,407	\$ 6,580,042	43%		\$ 14,766,308	\$ 6,066,996	41%	
<i>Total Revenue less fund balance</i>	<i>\$ 15,442,407</i>	<i>\$ 6,580,042</i>	<i>43%</i>		<i>\$ 14,766,308</i>	<i>\$ 6,066,996</i>	<i>41%</i>	
EXPENDITURES								
Personnel Services	\$ 9,966,970	\$ 3,289,000	33%	\$	9,592,515	\$ 3,168,018	33%	
Supplies & Materials	589,175	170,482	29%		591,175	180,808	31%	
Repairs & Maint	652,520	203,191	31%		612,211	219,251	36%	
Contractual Services	2,200,015	803,359	37%		2,102,170	713,219	34%	
Other Designated Expenses	752,047	310,865	41%		686,568	289,410	42%	
Transfers to Self-funded	511,937	170,646	33%		514,037	171,345	33%	
Capital Outlay	-	10,286			-	-		
Transfers to Golf Admin	205,473	79,030	38%		206,845	78,563	38%	
Sub-total	<u>\$ 14,878,137</u>	<u>\$ 5,036,858</u>	<u>34%</u>		<u>\$ 14,305,521</u>	<u>\$ 4,820,615</u>	<u>34%</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	\$ 5,036,858	34%		\$ 14,305,521	\$ 4,820,615	34%	
<i>Total Expenditures less Capital/Other</i>	<i>\$ 14,878,137</i>	<i>\$ 5,036,858</i>	<i>34%</i>		<i>\$ 14,305,521</i>	<i>\$ 4,820,615</i>	<i>34%</i>	
NET CHANGE IN FUND BALANCE	\$ 564,270	\$ 1,543,184			\$ 460,787	\$ 1,246,380		

KEY VARIANCES - BUDGET vs ACTUAL (33% of Year Complete)

Revenues

-Ad valorem taxes are tracking above the average budget for the period because of the timing of collections. This is expected given that the majority of collections are typically received in December or January each year.

- Franchise fee revenues are tracking lower than expected because of the timing of collections (paid quarterly and annually). Fourth quarter payments and the annual Atmos payment were not received until February.

-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 JANUARY 2024

33% of year complete

	ORIGINAL BUDGET			ACTUAL			PY BUDGET			PY ACTUAL		
	2023-24			FYTD JAN 2024			2022-2023			FYTD JAN 2023		
						% OF BUDGET						% OF BUDGET
EXPENDITURES (Less transfers to capital/other):												
City Council												
Personnel Services	\$	450	\$	-			\$	-	\$	-		
Supplies & Materials		1,550		462		30%		2,000		-		0%
Repairs & Maint		1,000		85		9%		1,000		126		13%
Contractual Services		8,020		7,884		98%		7,020		2,038		29%
Other Designated Expenses		9,075		4,938		54%		8,575		4,895		57%
Total Expenditures		20,095		13,369		67%		18,595		7,059		38%
General Administration												
Personnel Services		1,330,989		414,475		31%		1,277,069		411,566		32%
Supplies & Materials		20,400		8,822		43%		21,700		7,286		34%
Repairs & Maint		109,000		32,972		30%		91,000		30,999		34%
Contractual Services		281,090		130,838		47%		260,303		104,924		40%
Other Designated Expenses		475,964		214,735		45%		423,581		196,117		46%
Transfers for Golf Admin		205,473		79,030		38%		206,845		78,563		38%
Total Expenditures		2,422,916		880,871		36%		2,280,498		829,455		36%
Municipal Court												
Personnel Services		75,689		32,531		43%		73,658		24,996		34%
Supplies & Materials		675		372		55% imm.		675		42		6%
Repairs & Maint		6,500		-		0%		8,500		-		0%
Contractual Services		27,500		11,409		41%		15,300		6,855		45%
Other Designated Expenses		7,150		3,600		50%		5,050		2,466		49%
Total Expenditures		117,514		47,912		41%		103,183		34,359		33%
Police/Animal Shelter/K-9												
Personnel Services		2,748,870		879,045		32%		2,610,113		861,341		33%
Supplies & Materials		130,300		39,712		30%		138,200		42,547		31%
Repairs & Maint		121,370		29,904		25%		113,950		41,204		36%
Contractual Services		243,584		99,167		41%		228,350		83,941		37%
Other Designated Expenses		91,308		49,308		54%		99,162		31,495		32%
Transfers to Self-funded		174,839		58,280		33%		181,341		60,447		33%
Capital Outlay		-		10,286				-		-		
Total Expenditures		3,510,271		1,165,701		33%		3,371,116		1,120,974		33%
Fire/EMS												
Personnel Services		3,684,261		1,312,294		36%		3,584,056		1,196,446		33%
Supplies & Materials		249,050		76,443		31%		243,650		73,913		30%
Repairs & Maint		176,000		69,284		39%		174,500		65,108		37%
Contractual Services		324,518		114,802		35%		302,070		102,916		34%
Other Designated Expenses		93,600		20,415		22%		74,600		34,673		46%
Transfers to Self-funded		260,079		86,693		33%		267,868		89,289		33%
Capital Outlay		-		-				-		-		
Total Expenditures		4,787,508		1,679,931		35%		4,646,744		1,562,345		34%
Streets												
Personnel Services		791,616		265,174		33%		753,705		270,827		36%
Supplies & Materials		80,550		15,439		19%		77,300		31,595		41%
Repairs & Maint		94,000		30,467		32%		89,400		26,639		30%
Contractual Services		7,350		4,097		56%		8,750		1,753		20%
Other Designated Expenses		6,000		57		1%		5,000		195		4%
Transfers to Self-funded		34,504		11,501		33%		26,611		8,870		33%
Capital Outlay		-		-				-		-		
Total Expenditures		1,014,020		326,735		32%		960,766		339,878		35%
City Shop												
Personnel Services		72,756		23,860		33%		78,439		21,495		27%
Supplies & Materials		17,850		3,777		21%		15,000		6,870		46%
Repairs & Maint		12,200		1,810		15%		12,500		837		7%
Contractual Services		6,380		2,280		36%		6,380		1,964		31%
Other Designated Expenses		5,000		1,096		22%		5,050		1,494		30%
Total Expenditures		114,186		32,823		29%		117,369		32,659		28%
Sanitation												
Contractual Services		1,002,573		326,985		33%		974,947		320,945		33%
Other Designated Expenses		25,000		5,233		21%		25,000		5,563		22%
Total Expenditures		1,027,573		332,218		32%		999,947		326,508		33%
PW Admin												
Personnel Services		169,543		57,478		34%		164,985		55,065		33%
Supplies & Materials		2,700		449		17%		1,800		547		30%
Repairs & Maint		500		579		116% i		200		85		43%
Contractual Services		1,000		1,373		137%		-		385		#DIV/O!
Other Designated Expenses		4,000		2,117		53%		850		2,344		276%
Transfers to Self-funded		-		-				-		-		#DIV/O!
Total Expenditures		177,743		61,996		35%		167,835		58,426		35%

City of Burnet, Texas
 General Fund
 Expenditures by Department/Category
 FYTD JANUARY 2024

33% of year complete

	33% of year complete			PY BUDGET 2022-2023	PY ACTUAL FYTD JAN 2023	% OF BUDGET
	ORIGINAL BUDGET 2023-24	ACTUAL FYTD JAN 2024	% OF BUDGET			
EXPENDITURES (Less transfers to capital/other):						
Parks						
Personnel Services	629,305	174,378	28%	589,046	177,804	30%
Supplies & Materials	76,500	21,344	28%	79,000	16,893	21%
Repairs & Maint	108,450	29,619	27%	101,650	36,520	36%
Contractual Services	87,900	32,146	37%	88,650	26,548	30%
Other Designated Expenses	9,150	3,116	34%	8,500	503	6%
Capital Outlay		-			-	
Transfers to Self-funded	32,367	10,789	33%	28,069	9,356	33%
Total Expenditures	943,672	271,392	29%	894,915	267,625	30%
Galloway Hammond						
Repairs & Maint	5,000	1,353	27%	5,000	13,626	273%
Contractual Services	100,000	33,333	33%	100,000	33,333	33%
Capital Outlay	-	-	0%	-	-	0%
Total Expenditures	105,000	34,686	33%	105,000	46,959	45%
Development Services						
Personnel Services	188,510	54,041	29%	187,774	61,019	32%
Supplies & Materials	6,000	2,965	49%	5,650	657	12%
Repairs & Maint	8,000	1,867	23%	8,261	1,948	24%
Contractual Services	102,300	36,415	36%	99,050	26,412	27%
Other Designated Expenses	20,250	4,796	24%	28,200	6,598	23%
Capital Outlay		-		-	-	
Total Expenditures	325,060	100,084	31%	328,935	96,633	29%
Engineering						
Personnel Services	274,981	75,724	28%	273,670	87,459	32%
Supplies & Materials	3,600	697	19%	6,200	460	7%
Repairs & Maint	10,500	5,252	50%	6,250	2,160	35%
Contractual Services	7,800	2,631	34%	11,350	1,206	11%
Other Designated Expenses	5,550	1,455	26%	3,000	3,068	102%
Transfers to Self-funded	10,148	3,383	33%	10,148	3,383	33%
Total Expenditures	312,579	89,141	29%	310,618	97,735	
TOTAL EXPENDITURES	\$ 14,878,137	\$ 5,036,858	34%	\$ 14,305,521	\$ 4,820,615	34%

KEY EXPENDITURE VARIANCES - BUDGET vs ACTUAL (33% 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 - Supplies are tracking higher than the average budget mainly because of postage refill costs.</i>
<i>ADMIN - Contractual Services are tracking above budget because of the timing of the Audit (majority of work is performed in Dec) and increasing City Attorney services.</i>
<i>ADMIN - Designated expenses are tracking higher than the average budget because of the timing of the insurance payments which are paid quarterly.</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 period are tracking 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, the timing of the quarterly insurance payments, and travel expenses including payment for the Administrative Officers Course (AOC) program and per diem in advance for officer</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>DEVELOPMENT SERVICES - Office supplies are tracking higher than the average budget because of postage costs for required notifications.</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>

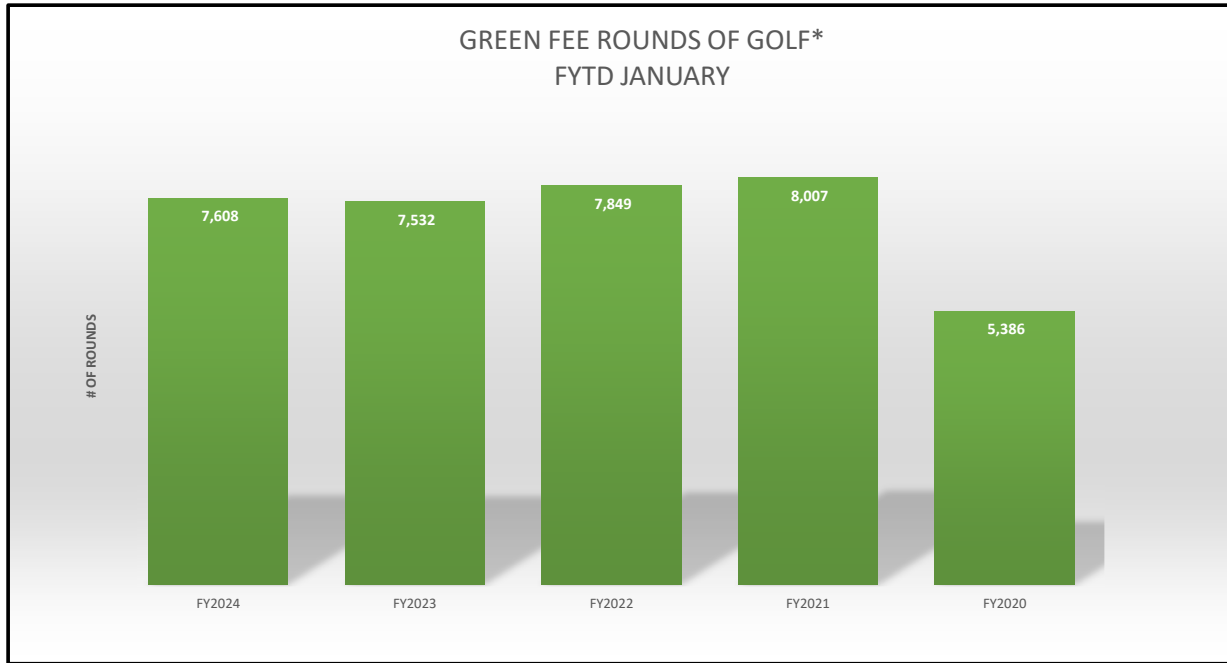
GOLF COURSE FUND DASHBOARD

FYTD JANUARY 2024

CURRENT RESULTS COMPARISON

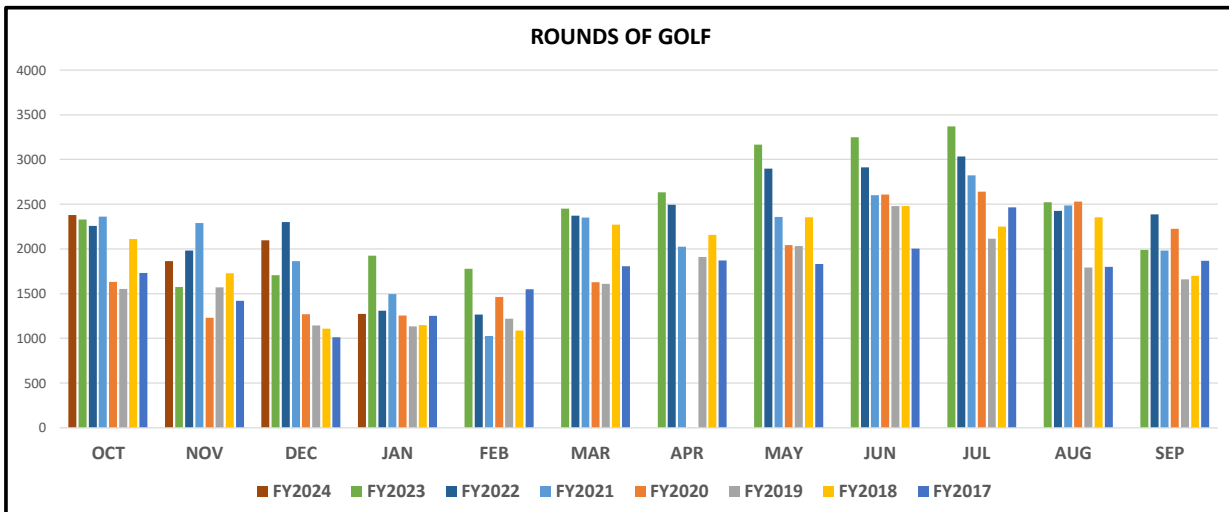
	ORIGINAL BUDGET	ACTUAL FYTD JAN 2024	% OF BUDGET	PY BUDGET 2022-2023	ACTUAL FYTD JAN 2023	% OF BUDGET
REV (net of cogs/tourn exp)	\$ 2,144,918	\$ 797,243	37%	\$ 1,860,895	\$ 750,378	40%
EXPENSES	2,077,634	677,955	33%	1,778,214	563,239	32%
PROFIT (LOSS)	\$ 67,284	\$ 119,288		\$ 82,681	\$ 187,139	

TABLES/CHARTS



Rounds of Golf*	FYTD
2023-2024	7,608
2022-2023	7,532
OVER (UNDER)	76
	1.01%

*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 JANUARY 2024

	33% of year complete			PY BUDGET 2022-2023	PY ACTUAL FYTD JAN 2023	% OF BUDGET
	ORIGINAL BUDGET 2023-24	ACTUAL FYTD JAN 2024	% OF BUDGET			
Revenues						
Charges for Services:						
Green Fees/Cart Rentals	\$ 1,075,000	\$ 332,052	31%	\$ 947,205	\$ 298,469	32%
Member Charges	257,500	203,191	79%	232,000	202,271	87%
Net Tournament Fees	190,000	55,755	29%	144,000	51,763	36%
Driving Range	82,000	25,768	31%	62,000	17,457	28%
Net Charges for Services	1,604,500	616,766	38%	1,385,205	569,960	41%
Pro Shop Merchandise Sales (Net)	78,420	20,358	26%	72,655	20,734	29%
Snack Bar Sales (Net)	180,000	53,112	30%	147,744	46,375	31%
Transfer from GF (Admin/Use of FB)	205,473	79,030	38%	206,845	78,563	38%
Other Revenue	76,525	27,977	37%	48,446	34,746	72%
Total Revenues	2,144,918	797,243	37%	1,860,895	750,378	40%
Expenses						
Personnel Services	1,255,258	376,348	30%	1,067,824	340,692	32%
Supplies & Materials	147,800	54,197	37%	129,550	25,717	20%
Repairs & Maint	100,500	50,350	50%	84,300	25,232	30%
Contractual Services	99,950	23,059	23%	67,600	16,567	25%
Other Designated Expenses	69,150	28,470	41%	52,750	20,019	38%
Transfers to Self-funded	149,503	49,834	33%	169,345	56,448	33%
Admin Allocation	255,473	95,696	37%	206,845	78,563	38%
Total Expenses	2,077,634	677,955	33%	1,778,214	863,239	32%
Change in Net Position	67,284	119,288		82,681	187,139	
Operating Subsidy from General Fund	-	-		-	-	
Net Position	67,284	119,288		82,681	187,139	
Green Fee Rounds		7,608			7,532	
Green Fee Rev Per Round	\$	43.65		\$	39.63	

KEY VARIANCES - BUDGET vs ACTUAL (33% 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.
- Transfer from General Fund (GF) is used to offset the admin allocation less \$4,167 monthly (or \$50,000 annually).
- Other Revenue includes Interest Income which is coming in higher than expected because of high interest rates at Texpool. As of January, Texpool was averaging just over 5.3% interest.

Expenses

- Supplies and Materials are tracking higher than the average budget because of the early purchase of chemicals in October and new Range Balls in January.
- R&M Expenses are tracking higher than the average straight-lined budget because of equipment and irrigation repairs, along with the early purchase of bunker sand including higher than expected freight charges.
- Other Designated Expenses are tracking higher than the average budget because of increasing credit card fees associated with increasing revenues and insurance expenses.
- Admin allocation is offset by the Transfer from GF less \$4,167 monthly (or \$50,000 annually).

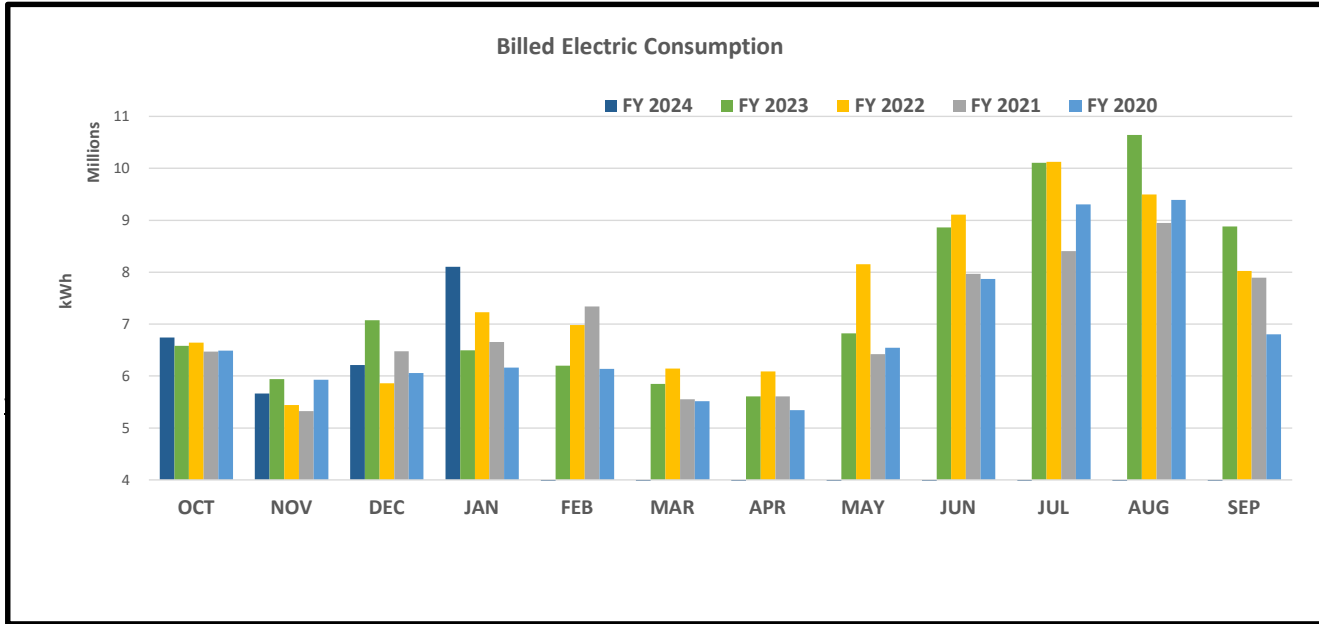
ELECTRIC FUND DASHBOARD

FYTD JANUARY 2024

CURRENT RESULTS COMPARISON

	ORIGINAL BUDGET	ACTUAL FYTD JAN 2024	% OF BUDGET	PY BUDGET 2022-2023	ACTUAL FYTD JAN 2023	% OF BUDGET
REV (net of cogs)	\$ 4,300,026	\$ 1,390,150	32%	\$ 4,089,298	\$ 1,263,101	31%
EXPENSES	3,926,232	1,315,494	34%	3,786,446	1,180,875	31%
PROFIT (LOSS)	\$ 373,794	\$ 74,657		\$ 302,852	\$ 82,226	

TABLES/CHARTS



FYTD 2024	26,724,012
FYTD 2023	26,085,993
ytd variance	638,019
% variance	2.45%

City of Burnet, Texas
 Electric Fund
 Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)
 FYTD JANUARY 2024

33% of year complete						
	ORIGINAL BUDGET 2023-24	ACTUAL FYTD JAN 2024	% OF BUDGET	PY BUDGET 2022-2023	PY ACTUAL FYTD JAN 2023	% OF BUDGET
REVENUES						
Electric Sales	\$ 9,781,915	\$ 3,171,787		\$ 9,090,778	\$ 2,953,760	
Less Cost of Power	5,776,753	1,888,811		5,237,806	1,748,825	
Net Electric Sales	4,005,162	1,282,976	32%	3,852,972	1,204,935	31%
Penalties	94,446	35,011	37%	87,766	28,812	33%
Pole Rental	48,750		0%	48,400	-	0%
Credit Card Convenience Fees	56,668	18,074	32%	52,660	16,944	
Other Revenue	65,000	24,090	37%	47,500	12,410	26%
Transfer from Hotel/Motel Fund*	30,000	30,000	100%	-	-	
Use of Fund Balance		-		-	-	
Total Revenue	\$ 4,300,026	\$ 1,390,150	32%	\$ 4,089,298	\$ 1,263,101	31%
<i>Total Revenue less fund balance</i>	<i>\$ 4,300,026</i>	<i>\$ 1,390,150</i>	<i>32%</i>	<i>\$ 4,089,298</i>	<i>\$ 1,263,101</i>	<i>31%</i>
EXPENSES						
Personnel Services	1,015,932	313,508	31%	945,807	293,083	31%
Supplies & Materials	74,700	16,578	22%	77,100	15,549	20%
Repairs & Maint	198,500	69,590	35%	191,000	40,220	21%
Contractual Services	171,200	66,885	39%	158,400	79,136	50%
Other Designated Expenses	83,500	39,223	47%	89,050	29,065	33%
Capital Outlay *	55,000	62,742	114%	25,000	1,654	7%
Transfers to Debt Service	51,500	17,167	33%	53,000	17,667	33%
Transfers to Self-funded	23,546	7,849	33%	25,418	8,473	33%
Return on Investment	1,675,657	534,480	32%	1,678,174	521,720	31%
Admin Allocation	463,570	151,752	33%	432,742	138,843	32%
Shop Allocation	28,546	8,206	29%	29,342	8,165	28%
PW Admin Allocation	53,323	18,599	35%	50,351	17,528	35%
Engineering Allocation	31,258	8,914	29%	31,062	9,774	31%
Transfer to Capital				-	-	
Total Expenses	\$ 3,926,232	\$ 1,315,494	34%	\$ 3,786,446	\$ 1,180,875	31%
<i>Total Expenses less xfers to capital and other uses of fund balance</i>	<i>\$ 3,926,232</i>	<i>\$ 1,315,494</i>	<i>34%</i>	<i>\$ 3,786,446</i>	<i>\$ 1,180,875</i>	<i>31%</i>
Change in Net Position	\$ 373,794	\$ 74,657		\$ 302,852	\$ 82,226	

KEY VARIANCES - BUDGET vs ACTUAL (33% 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 along with \$30,000 from Hotel Motel fund for Christmas decorations.

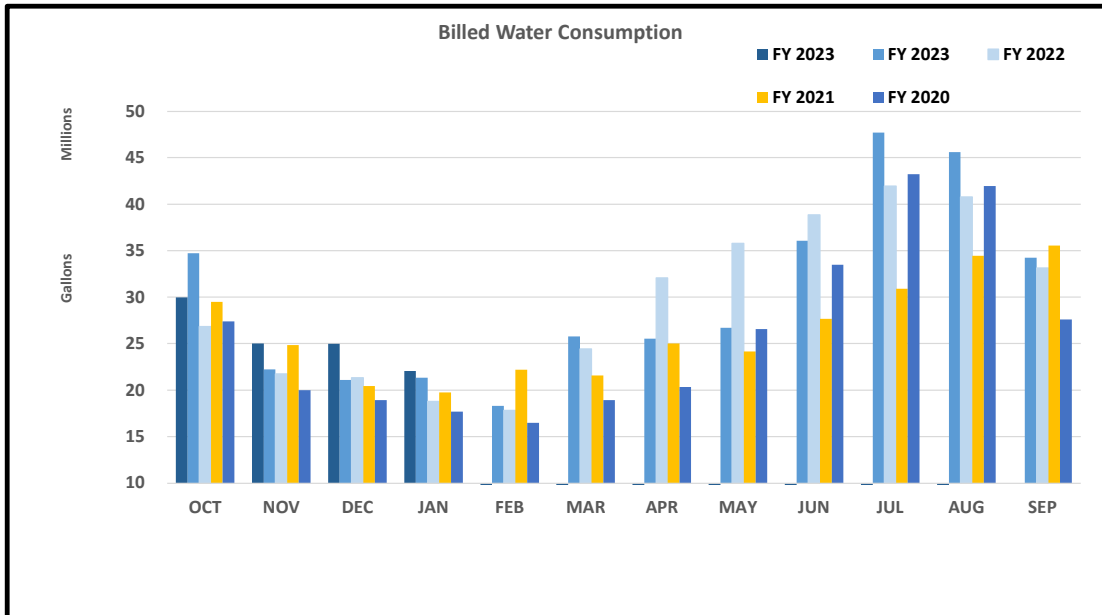
WATER/WW FUND DASHBOARD

FYTD JANUARY 2024

CURRENT RESULTS COMPARISON

	ORIGINAL	ACTUAL	% OF	PY BUDGET	ACTUAL	% OF
	BUDGET	FYTD JAN 2024	BUDGET	2022-2023	FYTD JAN 2023	BUDGET
REV	\$ 4,707,667	\$ 1,512,654	32%	\$ 4,624,417	\$ 1,477,009	32%
EXPENSES	4,465,763	1,433,496	32%	4,330,936	1,453,032	34%
PROFIT (LOSS)	\$ 241,904	\$ 79,158		\$ 293,481	\$ 23,976	

TABLES/CHARTS



Billed Consumption in gallons:

FYTD 2024	102,052,001
FYTD 2023	99,419,211
Variance	2,632,790
% variance	2.65%

City of Burnet, Texas
 Water/Wastewater Fund
 Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)
 FYTD JANUARY 2024

	33% of year complete			PY BUDGET 2022-2023	PY ACTUAL FYTD JAN 2023	% OF BUDGET
	ORIGINAL BUDGET 2023-24	ACTUAL FYTD JAN 2024	% OF BUDGET			
REVENUE						
Water Sales	\$ 2,487,867	\$ 789,929	32%	\$ 2,482,303	\$ 801,543	32%
Wastewater Sales	1,975,800	665,312	34%	1,932,000	637,603	33%
Penalties	45,000	16,105	36%	45,072	14,961	33%
Water/Sewer Connects	37,000	2,955	8%	37,000	2,425	7%
Credit Card Convenience Fees	27,000	9,732	36%	25,042	9,126	36%
Other Revenue	60,000	28,621	48%	28,000	11,350	41%
Use Impact Fees	75,000	-	0%	75,000	-	0%
Use of Fund Balance	-	-		1,135,000	-	0%
Total Revenue	\$ 4,707,667	\$ 1,512,654	32%	\$ 5,759,417	\$ 1,477,009	26%
<i>Total Revenue less fund balance</i>	<i>\$ 4,707,667</i>	<i>\$ 1,512,654</i>	<i>32%</i>	<i>\$ 4,624,417</i>	<i>\$ 1,477,009</i>	<i>32%</i>
EXPENSES						
Personnel Services	1,510,138	443,191	29%	\$ 1,410,682	467,480	33%
Supplies & Materials	226,650	71,412	32%	190,300	86,245	45%
Repairs & Maint	365,250	93,690	26%	383,750	113,475	30%
Contractual Services	307,100	124,728	41%	300,050	103,044	34%
Cost of Water	70,000	44,256	63%	70,000	27,358	39%
Other Designated Expenses	113,521	38,602	34%	98,542	36,325	37%
Transfers to Debt Service	931,875	310,625	33%	930,125	310,042	33%
Transfers to Self-funded	10,148	3,383	33%	51,512	17,171	33%
In Lieu of Taxes	370,613	121,012	33%	363,953	118,161	32%
Admin Allocation	329,792	113,938	35%	305,298	103,104	34%
Shop Allocation	28,546	8,206	29%	29,342	8,165	28%
PW Admin Allocation	71,098	24,799	35%	67,134	23,370	35%
Engineering Allocation	125,032	35,656	29%	124,248	39,094	31%
Capital Outlay	6,000	-	0%	6,000	-	0%
Transfer to Capital	-	-		1,135,000	-	0%
Total Expenses	\$ 4,465,763	\$ 1,433,496	32%	\$ 5,465,936	\$ 1,453,032	27%
<i>Total Expenses less Transfers to Capital and other uses of fund balance</i>	<i>\$ 4,465,763</i>	<i>\$ 1,433,496</i>	<i>32%</i>	<i>\$ 4,330,936</i>	<i>\$ 1,453,032</i>	<i>34%</i>
Change in Net Position	\$ 241,904	\$ 79,158		\$ 293,481	\$ 23,976	

KEY VARIANCES - BUDGET vs ACTUAL 33% 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

-Contractual Services are tracking higher than the average budget because of increasing utility costs during December and January.

-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.

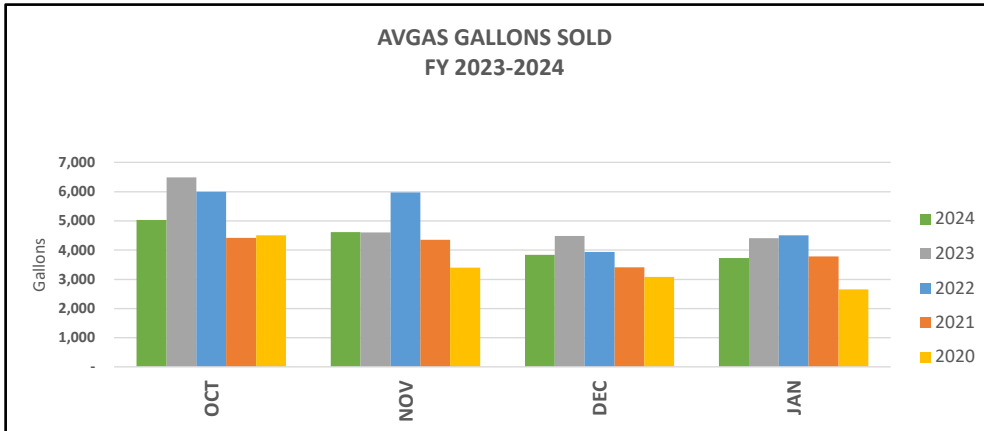
AIRPORT FUND DASHBOARD

FYTD JANUARY 2024

CURRENT RESULTS COMPARISON

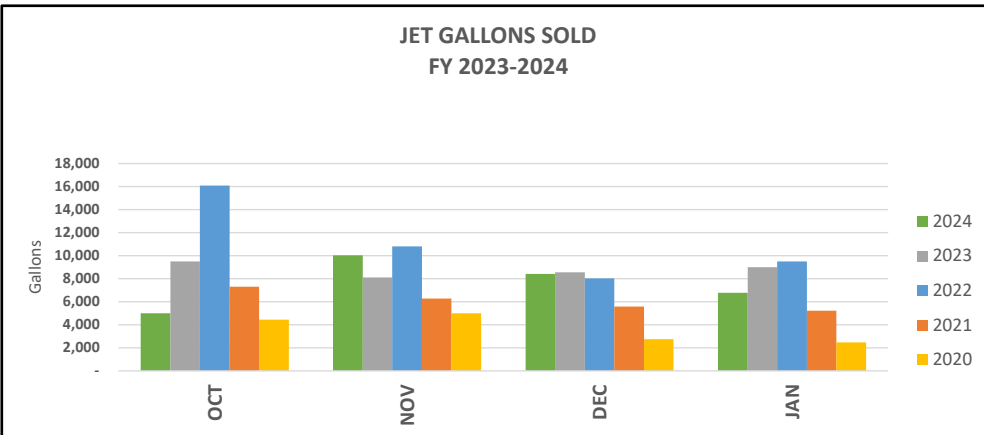
	ORIGINAL BUDGET	ACTUAL FYTD JAN 2024	% OF BUDGET	AMENDED BUDGET 2021-2022	ACTUAL FYTD JAN 2023	% OF BUDGET
REV (net of cogs)	\$ 335,757	\$ 102,830	31%	\$ 339,381	\$ 179,888	53%
EXPENSES	254,246	77,567	31%	258,228	157,335	61%
PROFIT (LOSS)	\$ 81,511	\$ 25,263		\$ 81,153	\$ 22,554	

TABLES/CHARTS



Avgas Gallons Sold:

FYTD 2024	17,211
FYTD 2023	19,997
Increase(decrease)	(2,786)
	-13.93%



Jet Gallons Sold:

FYTD 2024	30,244
FYTD 2023	35,184
Increase(decrease)	(4,940)
	-14.04%

City of Burnet, Texas
 Airport Fund
 Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)
 FYTD JANUARY 2024

	33% of year complete			AMENDED BUDGET 2022-2023	PY ACTUAL FYTD JAN 2023	% OF BUDGET
	ORIGINAL BUDGET 2023-2024	ACTUAL FYTD JAN 2024	% 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	2,887	72%	3,140	309	10%
Jet Flowage Fees	16,000	4,366	27%	11,122	1,799	
Penalties				-	-	
All Hangar Lease	171,000	56,250	33%	153,600	63,605	41%
CAF Admissions	15,580	1,862	12%	5,066	2,327	46%
McBride Lease	52,562	12,873	24%	48,748	15,343	31%
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	8,336	32%	18,755	2,084	11%
Interest Earned	35,000	16,256	46%	10,745	22,752	212%
Other				-	101	
Use of Fund Balance	110,263	20,079	18%	61,863	20,621	33%
Total Revenue	\$ 446,020	\$ 122,909	28%	\$ 401,244	\$ 200,509	50%
<i>Total Revenue less fund balance</i>	<i>\$ 335,757</i>	<i>\$ 102,830</i>	<i>31%</i>	<i>\$ 339,381</i>	<i>\$ 179,888</i>	<i>53%</i>
EXPENSES						
Personnel Services	\$ 103,284	\$ 35,124	34%	\$ 100,502	\$ 41,809	42%
Supplies & Materials	3,000	17	1%	3,000	1,104	37%
Repairs & Maint	3,925	1,500	38%	3,675	841	23%
Contractual Services	32,955	7,951	24%	64,750	58,134	90%
Other Designated Expenses	37,182	24,969	67%	46,527	29,771	64%
Transfers to Debt Service	60,263	20,079	33%	61,863	20,621	33%
Admin Allocation	23,900	8,007	34%	31,874	17,775	56%
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	\$ 97,646	27%	\$ 320,091	\$ 177,956	56%
<i>Total Exp - xfers to capital and debt svc.</i>	<i>\$ 254,246</i>	<i>\$ 77,567</i>	<i>31%</i>	<i>\$ 258,228</i>	<i>\$ 157,335</i>	<i>61%</i>
Change in Net Position	\$ 81,511	\$ 25,263		\$ 81,153	\$ 22,554	

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 were \$18,000 per month last year under the Interim FBO contract and are \$0 this year 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 mainly 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.

- Interest income is tracking above budget because of higher than expected interest rates at Texpool. As of January, the pool was paying 5.3% interest.

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 and the timing of the quarterly insurance payments.

City of Burnet, Texas
Other Funds
Revenues, Expenses, and Changes in Fund Net Position - Budget and Actual (Unaudited)
FYTD JANUARY 2024

	ANNUAL BUDGET 2023-24			ACTUAL FYTD JAN 2024			PY BUDGET 2022-2023			PY ACTUAL FYTD JAN 2023		
			% OF BUDGET			% OF BUDGET			% OF BUDGET			% OF BUDGET
HOTEL/MOTEL FUND												
Revenues	\$	240,600	\$	124,705	51.83%	\$	191,900	\$	79,379	41.36%		
Expenses		210,074		74,879	35.64%		168,795		24,721	14.65%		
Net Profit (Loss)	\$	30,526	\$	49,826		\$	23,105	\$	54,658			
BEDC												
Revenues	\$	1,065,130	\$	376,467	35.34%	\$	4,015,333	\$	334,633	8.33%		
Expenses		911,698		245,823	26.96%		3,722,497		268,270	7.21%		
Net Profit (Loss)	\$	153,432	\$	130,644		\$	292,836	\$	66,363			
SELF FUNDED EQUIPMENT FUND												
Revenues	\$	767,600	\$	243,136	31.67%	\$	1,539,000	\$	782,235	50.83%		
Expenses		767,600		162,289	21.14%		1,539,000		782,235	50.83%		
Net Profit (Loss)	\$	-	\$	80,847		\$	-	\$	-			
DEBT SERVICE FUND												
Revenues	\$	1,046,638	\$	441,529	42.19%	\$	1,046,528	\$	348,442	33.30%		
Expenses		1,045,438		788,619	75.43%		1,046,328		735,150	70.26%		
Net Profit (Loss)	\$	1,200	\$	(347,090)		\$	200	\$	(386,708)			
INTEREST & SINKING DEBT FUND												
Revenues	\$	1,118,660	\$	821,002	73.39%	\$	796,782	\$	537,112	67.41%		
Expenses		1,105,660		233,230	21.09%		796,582		-	0.00%		
Net Profit (Loss)	\$	13,000	\$	587,773		\$	200	\$	537,112			

City of Burnet, Texas
 Cash and Investment Accounts
 FYTD JANUARY 2024

Acct #	Bank	Account Name	Account Type	Balance as of JANUARY 2024
Unrestricted Accounts				
984/2410	FSB	Operating Cash	Checking	\$ 3,601,827.19
		Add or Subtract Claim on Cash for Airport		(18,052.88)
2329	FSB	Golf Course Petty Cash	Checking	225.67
2711100002	TexPool	Operating Reserve	Investment	4,166,015.32
Total Unrestricted				\$ 7,750,015.30

<i>75 Day Reserve Requirement</i>	3,750,000.00
<i>Unrestricted Cash over 75 day reserve</i>	\$ 4,000,015.30
<i>90 Day Reserve Requirement</i>	4,500,000.00
<i>Unrestricted Cash over 90 day reserve</i>	\$ 3,250,015.30

Restricted by Council Action

2711100011	TexPool	Capital Equipment Reserve	Investment	\$ 139,185.65
2188	FSB	Self Funded Equipment	M/M	171,989.79
2711100014	TexPool	Self Funded Equipment Reserve	Investment	557,808.16
2711100021	TexPool	YMCA/GHRC Capital Improvement	Investment	106,554.65
2711100029	TexPool	YMCA Land Sale Proceeds	Investment	116,234.01
2711100022	TexPool	Electric Capital Improvement	Investment	311,153.91
2711100020	TexPool	Street Rehab/Replacement Reserve	Investment	426,184.32
2711100023	TexPool	Water/WW Improvement	Investment	106,554.65
2711100018	TexPool	Golf Course Ops Reserve	Investment	650,671.60
2711100019	TexPool	Golf Course Capital Improvement Reserve	Investment	86,836.83
2711100031	TexPool	City Hall Reserve	Investment	1,664,437.38
Total Restricted by Council Action				\$ 4,337,610.95

City of Burnet, Texas
Cash and Investment Accounts
FYTD JANUARY 2024

Restricted by Purpose or Law

Acct #	Bank	Account Name	Account Type	Balance as of JANUARY 2024
1453	FSB	Bond Reserve	M/M	\$ 82,185.34
2402	FSB	Hotel Motel	M/M	168,345.70
2711100005	TexPool	Hotel Motel	Investment	55,707.40
2485	FSB	PD Seizure	M/M	124.21
2711100027	TexPool	Municipal Court Special Revenue	Investment	102,175.26
2711100025	TexPool	Impact Fees - Water	Investment	515,196.74
2543	FSB	Airport Reserve	M/M	-
		Add or Subtract Airport Claim on Cash		18,052.88
2711100009	TexPool	Airport Reserve	Investment	909,915.14
2711100030	TexPool	Airport Bond Proceeds	Investment	1,072,820.28
2576	FSB	Interest & Sinking Acct	M/M	730,998.54
2711100026	TexPool	Impact Fees - Wastewater	Investment	73,547.53
2592	FSB	BEDC	Super NOW	82,522.28
2711100010	TexPool	BEDC	Investment	1,330,802.75
70516	FSB	BEDC Commercial Park Project	M/M	123,655.32
2675	FSB	Police Department Explorer Program	M/M	6,289.84
2691	FSB	Fire Department Explorer Program	M/M	3,556.18
2711100028	TexPool	Franchise Fee Account	Investment	156,254.79
3053	FSB	Parks Fund	M/M	30,323.85
58776	FSB	Fire Dept. Community Acct	M/M	30,884.72
2711100007	TexPool	TWDB	Investment	1,278.05
2711100006	TexPool	TWDB	Investment	1,121.85
143033000	US Bank	City of Burnet, Texas Combination Tax and Surplus	Investment	3,410.01
82-020-01-0	Bank of	City of Burnet 2012 TWDB Escrow	Investment	21,461.08
2711100017	TexPool	2021 CO - City Hall	Investment	4,973,583.96
62315	FSB	BEDC Bond Fund	Checking	65,109.01
2711100024	TexPool	Street Bond Reserve	Investment	776,846.13
TX01-0440-0004	Texas Class	2023 CO Adm/Street	Investment	4,082,514.25
Total Restricted Cash				\$ 15,418,683.09
Total All Cash				\$ 27,506,309.34

**CITY OF BURNET
CAPITAL FUND PROJECTS
2023-2024 BUDGET**

Updated: 1/31/2024

Budgeted Projects	Original Budget	Budget Amendment	Total Budget	YTD exp 1/31/2024	Balance
Fund 45 - WATER & WASTEWATER CAPITAL PROJECT FUND					
Water Plant Generator	\$ 310,000		\$ 310,000	\$ -	\$ 310,000
Generators for SB3 Compliance	200,000		200,000	-	200,000
Dump Truck for Water Department	160,000		160,000	-	160,000
Water Meters	40,000		40,000	-	40,000
Creekfall Water Line Oversize Project	155,000		155,000	-	155,000
CDBG Water Line Project	755,976		755,976	-	755,976
Well and Pump Upgrades	100,000		100,000	-	100,000
Valley Street Well Engineering/Evaluation	25,000		25,000	1,098	23,902
Ranch Lift Station/ Eagles Nest Upgrade/East Tank Upgrade	35,000		35,000	2,849	32,152
Water Leak Repair - 805 Buchanan Drive		250,000	250,000	37,507	212,493
Use WW Impact Fees - transfer to 42 for debt	75,000		75,000	-	75,000
Total Water & Wastewater Capital Project Fund	\$ 1,855,976	\$ 250,000	\$ 2,105,976	\$ 41,454	\$ 2,064,522
Fund 46 - GENERAL CAPITAL PROJECT FUND					
ADMIN					
Server Upgrade	\$ 50,000		\$ 50,000	\$ -	\$ 50,000
Incode 10 Upgrade for Court	17,000		17,000	-	17,000
Comp Plan	10,000		10,000	-	10,000
Eclipse Planning	100,000		100,000	705	99,295
Beautification Project	70,000		70,000	8,338	61,663
New City Hall	8,600,000		8,600,000	13,036	8,586,964
POLICE/K-9					
Red Dot Upgrade - carryover	20,000		20,000	13,459	6,541
2 K-9's including training and equipment	30,000		30,000	20,405	9,595
Dispatch software	250,000		250,000	-	250,000
Monument Sign for PD - carryover	10,000		10,000	2,106	7,894
Shooting Range Improvements	30,000		30,000	-	30,000
Use of Opioid Settlement Funds	45,000		45,000	-	45,000
FIRE/EMS					
Fire Station 1 Roof Repairs - carryover from py hail storm	48,000	9,000	57,000	-	57,000
Use of Donated Funds from S. Pelej (Carryover)	50,000	-	50,000	4,469	45,531
Water Truck for Fire and Street Departments	200,000		200,000	-	200,000
SCBA Equipment	100,000		100,000	-	100,000
Fire Department Drone	20,000		20,000	-	20,000
Fire Department CAD Laptops	50,000		50,000	45,988	4,012
EMS Professional Services to apply for TASSPP	12,000		12,000	-	12,000
Fire Wild Land Utility Task Vehicle		32,000	32,000	26,115	5,885
STREETS					
Street Repair/Rehabilitation	6,000,000		6,000,000	2,470,615	3,529,385
Roller for Street Patching	60,000		60,000	58,821	1,179
PARKS					
Park Improvements	50,000		50,000	-	50,000
Purch 6 Acre tract on N. West St from BEDC (Addition to Park system)		305,000	305,000		305,000
GALLOWAY HAMMOND REC CENTER					
GHRC Teen Center Annual Payment	20,000		20,000	20,000	-
GHRC Capital Maint	50,000		50,000	7,800	42,200
GHRC Capital Maint 2023 Carryover	275,000		275,000	-	275,000
GHRC Capital Maint 2024 improvement plan	109,500		109,500	-	109,500
Total General Capital Project Fund	\$ 16,276,500	\$ 346,000	\$ 16,622,500	\$ 2,691,856	\$ 13,930,644
Fund 47 - AIRPORT CAPITAL PROJECT FUND					
Paving Project (runway and taxiway)	\$ 30,000		\$ 30,000	\$ 30,000	\$ -
Jet Hangar	1,500,000	400,000	1,900,000	12,040	1,887,960
Decel Lane into Airport	100,000		100,000	-	100,000
Other Improvements	200,000		200,000	-	200,000
Ramp Grant Improvements	200,000		200,000	1,332	198,668
Total Airport Capital Project Fund	\$ 2,030,000	\$ 400,000	\$ 2,430,000	\$ 43,372	\$ 2,386,628

CITY OF BURNET
 CAPITAL FUND PROJECTS
 2023-2024 BUDGET

Updated: 1/31/2024

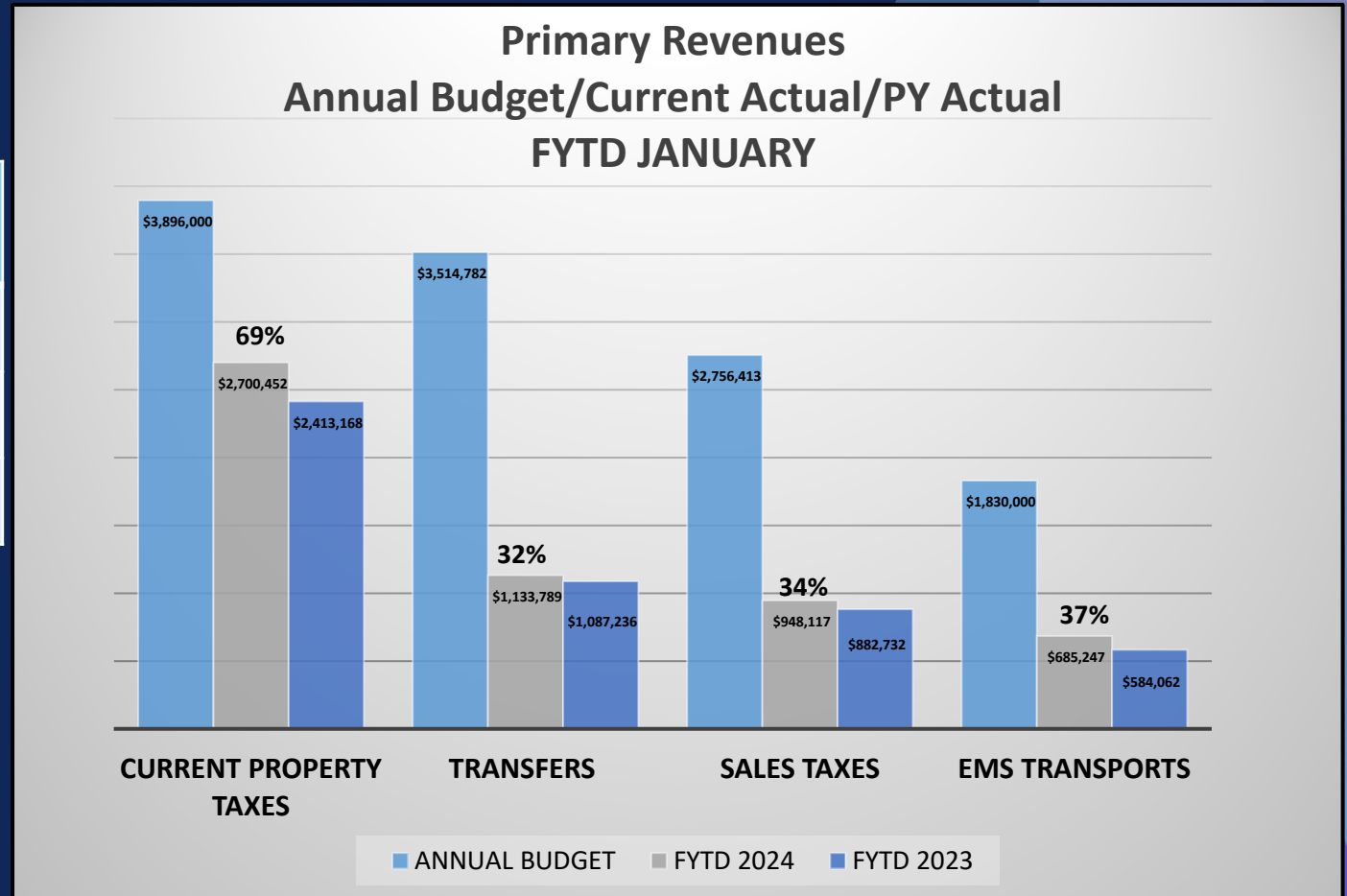
Budgeted Projects	Original Budget	Budget Amendment	Total Budget	YTD exp 1/31/2024	Balance
Fund 48 - ELECTRIC CAPITAL PROJECT FUND					
Utility Maps and Models	\$ 50,000		\$ 50,000	\$ 7,599	\$ 42,401
Subdivision Electrical Costs	150,000		150,000	93,860	56,140
Creekfall Conduit Costs	50,000		50,000	37,512	12,488
Digger Truck for Electric Dept.	350,000		350,000	-	350,000
Bucket Truck for Electric Dept.	275,000		275,000	-	275,000
Light Replacement at Burnet County Fair Grounds	-	7,000	7,000	-	7,000
Arc reflection System w/Thumper (to minimize underground outages)	-	18,000	18,000	-	18,000
Total Electric Capital Project Fund	\$ 875,000	\$ 25,000	\$ 900,000	\$ 138,971	\$ 761,029
Fund 49 - GOLF CAPITAL PROJECT FUND					
Golf Course Improvements	\$ 275,000	\$ -	\$ 275,000	\$ 44,353	\$ 230,647
Total Golf Capital Project Fund	\$ 275,000	\$ -	\$ 275,000	\$ 44,353	\$ 230,647
Fund 53 - BEDC CAPITAL PROJECT FUND					
Debt Service Payoff - 281 Comm Park	\$ 999,119		\$ 999,119	\$ -	\$ 999,119
Land Acquisition - Kroger Property - 400 N West Street	312,500		312,500	303,697	8,803
Land Acquisition - Kroger Property - 29W/102 E Polk Street	312,500		312,500	303,697	8,803
13 Acre Commercial Tract - 281S	250,000		250,000	246	249,754
Retail Incentive - Tractor Supply	551,000		551,000	-	551,000
Hotel Incentive	436,000		436,000	-	436,000
Downtown Bathroom - Jackson Street	600,000		600,000	197,172	402,828
Property Acquisitions	500,000		500,000	-	500,000
Beautification Funding	100,000		100,000	-	100,000
Beall's Bldg Payment	1,115,000		1,115,000	-	1,115,000
Coke Street Project	350,000		350,000	-	350,000
Total BEDC Capital Project Fund	\$ 5,526,119		\$ 5,526,119	\$ 804,811	\$ 4,721,308
TOTAL CAPITAL PROJECT FUNDS	\$ 26,838,595	\$ 1,021,000	\$ 27,859,595	\$ 3,764,817	\$ 24,094,778

CITY OF BURNET FINANCIAL REPORT

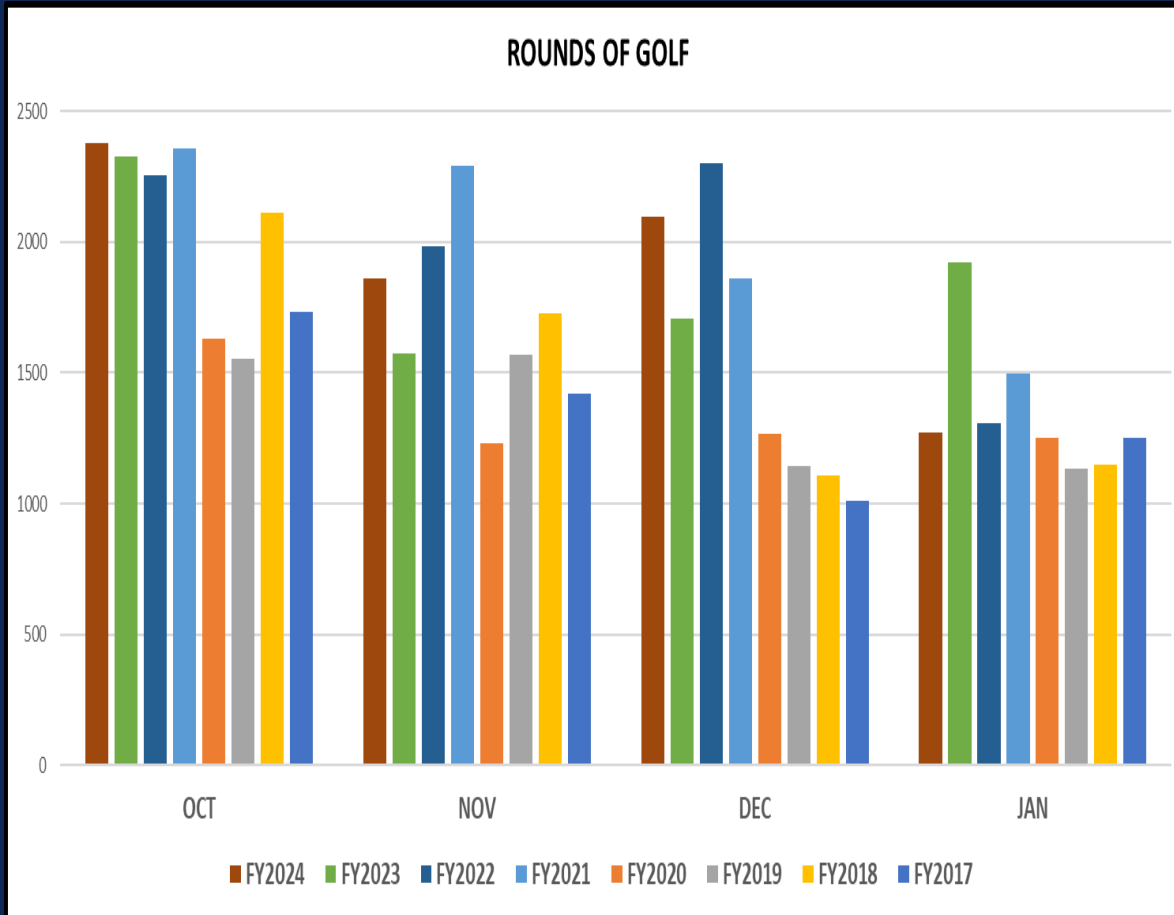
For the Period Ended January 31, 2024

GENERAL FUND

	ANNUAL BUDGET	ACTUAL FYTD JAN 2024	% OF BUDGET
REVENUES	\$15,442,407	\$6,580,042	43%
EXPENDITURES	14,878,137	\$5,036,858	34%
PROFIT (LOSS)	\$564,270	\$1,543,184	



GOLF FUND



	ANNUAL BUDGET	ACTUAL FYTD JAN 2024	% OF BUDGET
REVENUES	\$2,144,918	\$797,243	37%
EXPENSES	2,077,634	677,955	33%
PROFIT (LOSS)	\$67,284	\$119,288	

AVERAGE REVENUE PER ROUND:

FYTD JAN 24 \$43.65

FYTD JAN 23 \$39.63

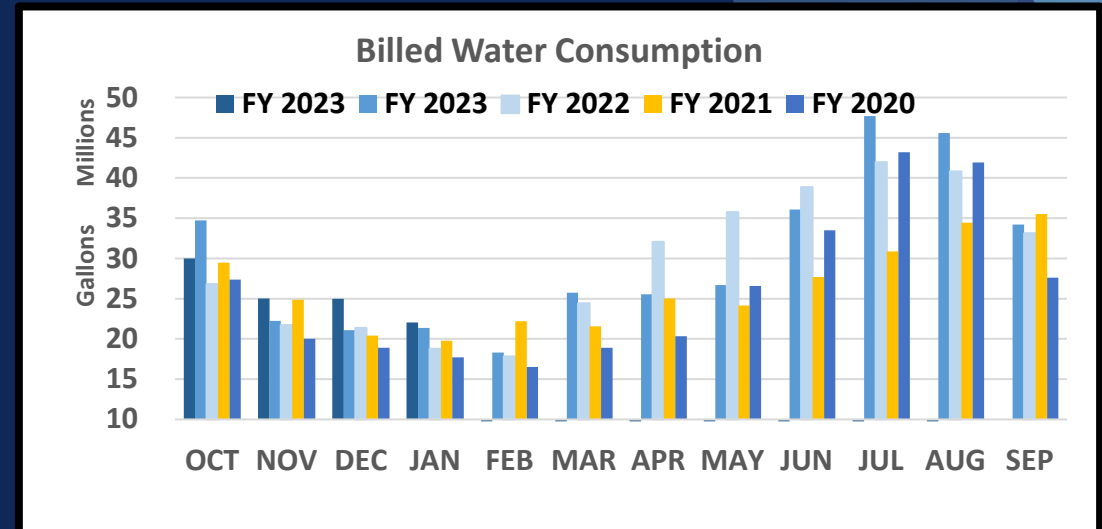
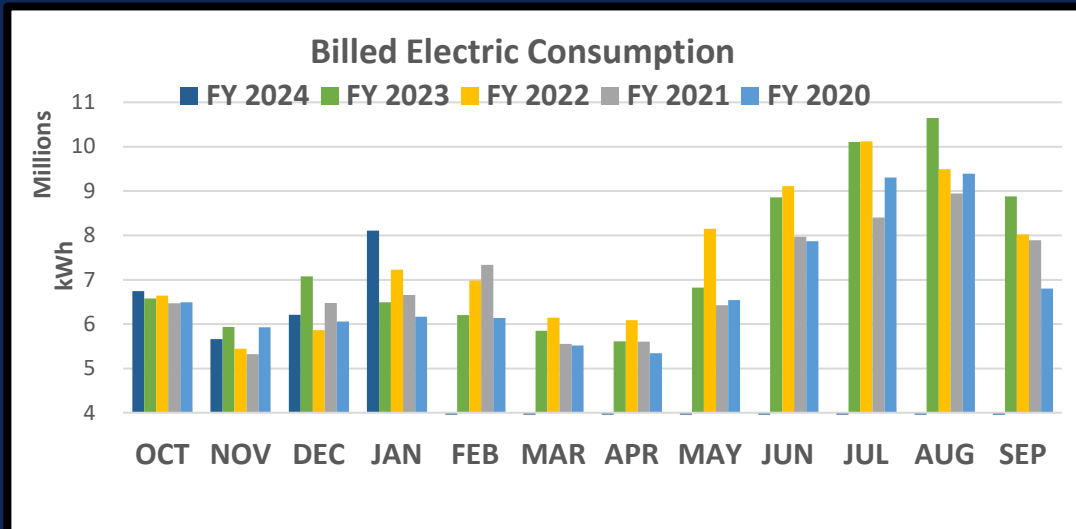
UTILITY FUNDS

ELECTRIC

	ANNUAL BUDGET	ACTUAL FYTD JAN 2024	% OF BUDGET
REVENUES	\$4,300,026	\$1,390,150	32%
EXPENSES	3,926,232	1,315,494	34%
PROFIT (LOSS)	\$373,794	\$74,657	

WATER/WASTEWATER

	ANNUAL BUDGET	ACTUAL FYTD JAN 2024	% OF BUDGET
REVENUES	\$4,707,667	\$1,512,654	32%
EXPENSES	4,465,763	1,433,496	32%
PROFIT (LOSS)	\$241,904	\$79,158	



AIRPORT FUND

	ANNUAL BUDGET	ACTUAL FYTD JAN 2024	% OF BUDGET
REVENUES	\$335,757	\$102,830	31%
EXPENSES	254,246	77,567	31%
PROFIT (LOSS)	\$81,511	\$25,263	



CASH RESERVES AS OF JANUARY 31, 2024

UNRESTRICTED CASH RESERVE BALANCE	\$7,750,015
90 RESERVE REQUIREMENT	<u>4,500,000</u>
➤ UNRESTRICTED CASH BALANCE OVER 90 DAY RESERVE	<u>\$3,250,015</u>
➤ RESTRICTED BY COUNCIL CASH BALANCE	<u>\$4,337,610</u>



QUESTIONS





Police Department

Item 1.2

Brian Lee
Chief of Police
512-756-6404
blee@cityofburnet.com

Agenda Item Brief

Meeting Date: February 27, 2024

Agenda Item: Annual Traffic Stop Data Report: B. Lee

Background: Texas Code of Criminal Procedure requires law enforcement agencies to collect and report data related to traffic stops to their governing body. This is a report of data gathered during the calendar year 2023.

Information: There is no action required by Council. This report of incident -based data related to traffic stops and the analysis of the data is submitted to Council and Texas Commission on Law Enforcement.

Article 2.132 of the Texas Code of Criminal Procedure requires all law enforcement agencies to collect specific data on all traffic stops. Further, Article 2.132 CCP requires all agencies to have a policy prohibiting racial profiling and to submit the traffic stop data to the State and the local governing body. Finally, law enforcement agencies are required to;

“evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities”. TXCCP 2.134

This report is submitted to demonstrate the Burnet Police Department is in full compliance with the requirements of the Texas CCP.

Fiscal Impact: None.

Recommendation: N/A

Comparative Analysis
2023 Traffic Stop Data
Burnet Police Department

This report details the Burnet Police Department’s statistical information on traffic stops for the year 2023. This report is a requirement to comply with Article 2.132, 2.133, and 2.134 of the Texas Code of Criminal Procedure (CCP) regarding the analysis of traffic stop data. The full copies of the applicable laws and supporting documents are contained in this report.

The Burnet Police Department has a specific policy prohibiting racial profiling and providing for disciplinary action if an employee is found engaging in racial profiling. The Burnet Police Department also has process for making a racial profiling complaint.

The Burnet Police Department collects all data required by the Code of Criminal Procedure on every traffic stop. The aggregate data and an analysis of the data is provided in the report.

Analysis of the Data

Comparative Analysis: Texas Code of Criminal Procedure Article 2.134(c)(1)(A) requires agencies to:

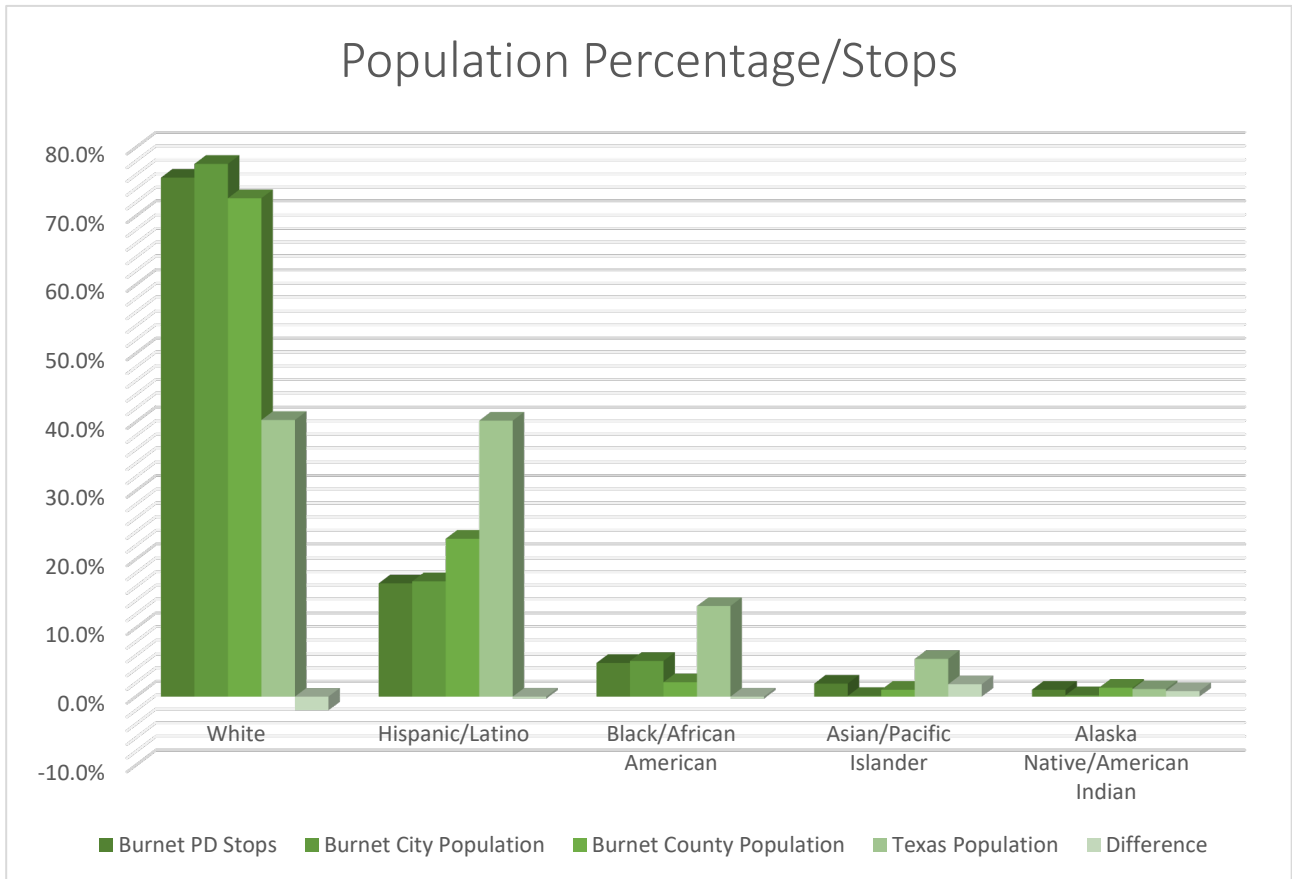
Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities.

The first chart is a breakdown of the population percentages of our area and the state. It is important to note that many violators who are stopped may not be residents of the city. With the major arterial roads used to travel through Burnet we encounter many drivers who live outside the city. Therefore, a comparison of stops to local demographics only, would be inaccurate.

Population Percentages

	City of Burnet	Burnet County	State of Texas
White	77.6%	71.9%	40.1%
Black/African American	5.2%	2.2%	12.0%
Hispanic	16.8%	22.7%	41.4%
Asian	0.1%	1.4%	5.5%
American Indian or Alaska Native	0.2%	1.7%	0.9%

This chart depicts the percentages of people stopped by race/ethnicity among the total 4,945 motor vehicle stops in which a ticket, citation, or warning was issued, including arrests made, in 2023.



White drivers represented 75.6 percent of all drivers stopped, whereas the white population constitutes 77.6 percent of the city population, 72.6 percent of the county population, and 40.3 percent of the state population.

African American drivers constituted 4.8 percent of all drivers stopped, whereas African Americans represent 5.2 percent of the city population, 2.2 percent of the county population, and 12.0 percent of the state population.

Hispanic drivers constituted 16.5 percent of all drivers stopped, whereas Hispanics constitute 16.8 percent of the city population, 22.7 percent of the county population, and 41.4 percent of the state population.

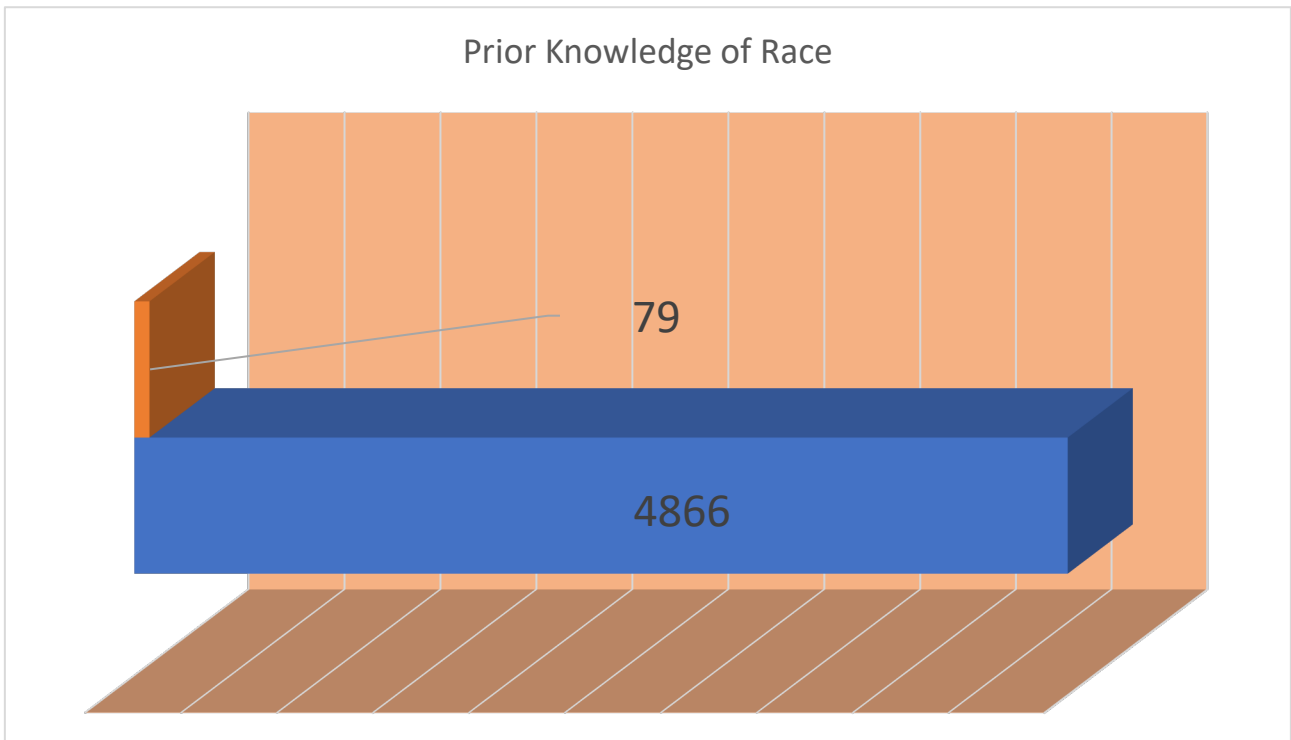
Asian drivers constituted 1.9 percent of all drivers stopped, whereas Asians constitute 0.1 percent of the city population, 1.4 percent of the county population, and 5.5 percent of the state population.

Texas Code of Criminal Procedure Article 2.132(c)(1)(B) requires an agency to:
Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches.

This is a breakdown of searches that resulted from traffic stops of each ethnic group. The percentages identified are specific to those groups number of stops and searches. A total of 97 searches were done in 2023 consisting of consent, incident to arrest, probable cause, and inventories. 97 searches constitute 2% of all stops resulted in a search. Of the searches that were conducted 72 percent were conducted on white drivers, 21% were conducted on Hispanic drivers and 7 percent was conducted on black drivers. In the searches conducted in 2023, officers discovered contraband was discovered in 76 percent of all searches. Contraband discovered included drugs, alcohol, and weapons. Drugs were in 62 percent of those instances.

TXCCP requires agencies to:
Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction. Texas Code of Criminal Procedure Article 2.134(c)(1)(B)

There was a total of 4,945 motor vehicle stops in 2023 in which a citation, or warning was issued. Roughly 79 percent of stops resulted in a written warning and roughly 21 percent resulted in a citation. his next chart is critical when analyzing data as it relates to race/ethnicity in traffic stops. Officers are required by the TXCCP to report if they knew of the race or ethnicity of the driver prior to making the decision to stop a vehicle. In Burnet, 98.4% of the stop's officers did not know the race or ethnicity of the driver prior to the stop.



TXCCP requires *Information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. Texas Code of Criminal Procedure Article 2.134(c)(2)* In researching Internal Affairs files for Burnet Police Department there were **no (0)** complaints of racial profiling filed in 2023.


TXCCP Art 2.133(b)(9)(c) requires:

The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b) to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

Burnet Police mandates written warnings on every stop regardless of citation issuance. The use of electronic ticket writing software requires the collection of stop data when issuing either a citation or warning. This requirement enables us to collect appropriate data to report. Supervisors are required to audit performance by policy.

Supervisors will randomly review at least three videos per officer (either body camera and/or in-car camera video) per quarter, reviewing the footage is intended to gain an understanding of that officer's performance and adherence to policy. Supervisors will document the random review of the video in their daily supervisory notes and any violations of policy or law will be addressed using existing internal affairs policy.

APPENDIX A Burnet Police Dept Policy

	BURNET POLICE DEPARTMENT	
	Policy 100-09 Biased Based Policing	
	Effective Date: 3/1/2023	Replaces: 100-09 Racial Profiling
	Approved: <u><i>Brian Lee</i></u> Chief of Police	

I POLICY

We are committed to a respect for constitutional rights in the performance of our duties. Our success is based on the respect we give to our communities, and the respect members of the community observe toward law enforcement. To this end, we shall exercise our sworn duties, responsibilities, and obligations in a manner that does not discriminate based on race, sex, gender, sexual orientation, national origin, ethnicity, age, or religion. Respect for diversity and equitable enforcement of the law are essential to our mission.

All enforcement actions shall be based on the standards of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and by statutory authority. In all enforcement decisions, officers shall be able to articulate specific facts, circumstances, and conclusions that support probable cause or reasonable suspicion for arrests, searches, seizures, and stops of individuals. Officers shall not stop, detain, arrest, search, or attempt to search anyone based solely upon the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

II PURPOSE

The purpose of this order is to inform officers that bias-based policing is prohibited by the department. Additionally, this order will assist officers in identifying key contexts in which bias may influence these actions and emphasize the importance of the constitutional guidelines within which we operate.

III DEFINITIONS

- A Most of the following terms appear in this policy statement. In any case, these terms appear in the larger public discourse about alleged biased enforcement behavior and in other orders. These definitions are intended to facilitate on-going discussion and analysis of our enforcement practices.
- 1 Bias: Prejudice or partiality based on preconceived ideas, a person's upbringing, culture, experience, or education.
 - 2 Biased-based policing: Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
 - 3 Ethnicity: A cluster of characteristics that may include race but also cultural characteristics or traits that are shared by a group with a common experience or history.
 - 4 Probable cause: Specific facts and circumstances within an officer's knowledge that would lead a reasonable officer to believe that a specific offense has been or is being committed, and that the suspect has committed it.
 - 5 Race: A category of people of a particular decent, including Caucasian, African, Hispanic, Asian, Middle Eastern, or Native American descent. As distinct from ethnicity, race refers only to physical characteristics sufficiently

- distinctive to group people under a classification.
- 6 Racial profiling: A law-enforcement initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
 - 7 Reasonable suspicion: Specific facts and circumstances that would lead a reasonable officer to believe criminal activity is afoot and the person to be detained is somehow involved.
 - 8 Sex: A biological classification, male, or female, based on physical and genetic characteristics.
 - 9 Stop: An investigative detention of a person for a brief period, based on reasonable suspicion.

IV PROCEDURES

A General responsibilities

- 1 Officers are prohibited from engaging in bias-based profiling or stopping, detaining, searching, arresting, or taking any enforcement action including seizure or forfeiture activities, against any person based solely on the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. These characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect with one or more of these attributes.
- 2 Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, subject stops, arrests, nonconsensual searches, and property seizures. Except as provided in number 3 below, officers shall not consider race/ethnicity in establishing either reasonable suspicion or probable cause. Similarly, except as provided below, officers shall not consider race/ethnicity in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search.
- 3 Officers may consider the reported race or ethnicity of a specific suspect or suspects based on relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s). Individuals shall be subjected to stops, seizures, or detentions only upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports.
- 4 Officers shall observe all constitutional safeguards and shall respect the constitutional rights of all persons.
- 5 All personnel shall treat everyone with the same courtesy and respect that they would have others observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect generates a future willingness to cooperate with law enforcement.

- 6 When feasible, all personnel shall identify themselves by name. When a person requests the information, personnel shall give their departmental identification number, name of the immediate supervisor, or any other reasonable information.
 - 7 All personnel are accountable for their actions. Personnel shall justify their actions when required.
- B Supervisory responsibilities**
- 1 Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties and those of their subordinates. Supervisors shall identify and correct instances of bias in the work of their subordinates.
 - 2 Supervisors shall facilitate the filing of any complaints about law enforcement service.
 - 3 Supervisors will randomly review at least three videos per officer (either body camera and/or in-car camera video) per quarter, reviewing the footage is intended to gain an understanding of that officer's performance and adherence to policy. Supervisors will document the random review of the video in Quickbase and any violations of policy or law will be addressed using existing internal affairs policy.
 - 4 This policy applies only to first-line uniformed officers and their immediate supervisors. In the absence of a first-line supervisor this responsibility will move to the patrol captain.
- C Disciplinary consequences**
- 1 Actions prohibited by this order shall be cause for disciplinary action, up to and including dismissal.
- D Training**
- 1 Officers shall complete all training required by state law regarding bias-based profiling.

V COMPLAINTS

- A** The department's complaint process will be posted on the department's website and printed on the back of citations. The information shall include, but is not limited to, the email, physical address, and telephone contact information for making a complaint against an employee. Whenever possible, the media will be used to inform the public of the department's policy and complaint process.
- B** Complaints alleging incidents of bias-based profiling will be fully investigated as described under policy.

VI All complaints will be logged into the Internal Affairs data base in Quick Base.RECORD KEEPING

- A** The department will maintain all required records on traffic stops where a citation or warning is issued or where an arrest is made.
- B** The information collected above will be reported to the city council as required by law.
- C** The information will also be reported to TCOLE in the required format.

Appendix B: Racial Profiling Laws

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS. (a) In this article, "race or ethnicity" has the meaning assigned by Article [2.132](#)(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation

of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop;

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section [1.07](#), Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b) to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 26, eff. September 1, 2009.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.02, eff. September 1, 2017.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED. (a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article [2.132](#)(a).

(2) "Race or ethnicity" has the meaning assigned by Article [2.132](#)(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article [2.133](#). Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the

governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article [2.133](#) to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article [2.133](#)(b)(1).

(e) The Texas Commission on Law Enforcement, in accordance with Section [1701.162](#), Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.03, eff. September 1, 2017.



Burnet Police 2022 Stop Data

Chief Brian Lee

Background

- Texas CCP Article 2.132
 - Requires all law enforcement to collect specific data on traffic stops
 - Includes a requirement that we have a policy prohibiting racial profiling
 - Requires presentation of the data to the local governing body
 - Requires the agency to evaluate the data

Traffic Stop Total



Higher number of stops is attributed to increased staffing and direction.

2021 2,674

2022 4,291

2023 4,945

Increase in traffic stops by 15.2% in 2023 and 45.9% since 2021.

Citation issuance has remained steady over the past two years.

Stop Data

- 3,740 stops conducted were on white drivers
- 75.6% of all stops
- Burnet population is 77.6% white
- 70 searches were conducted
- Approximately 1.9% of stops concluded with a search
- 817 stops conducted were on Hispanic drivers
- 16.5% of all stops
- Burnet population is 16.8% Hispanic
- 20 searches were conducted
- Approximately 2.4% of stops concluded with a search



Stop Data Continued

- 242 stops conducted were on Black/African American drivers
- 4.8% of all stops
- Burnet population is 5.2% Black
- 7 searches were conducted
- Approximately 2.9% of stops concluded with a search
- 96 stops conducted were on Asian drivers
- 1.98% of all stops
- Burnet population is .1% Asian
- 0 searches were conducted



Alaskan/Native American Stops

- 50 stops conducted were on Alaskan/Native American Drivers
- 1.03% of all stops
- Burnet population is .2% Alaskan/Native American
- 0 searches were conducted



Searches and Citations

- 97 Searches were conducted in 2023
- 76% searches yielded contraband
- 62% of the searches yielded drugs

Citations issued in 2022

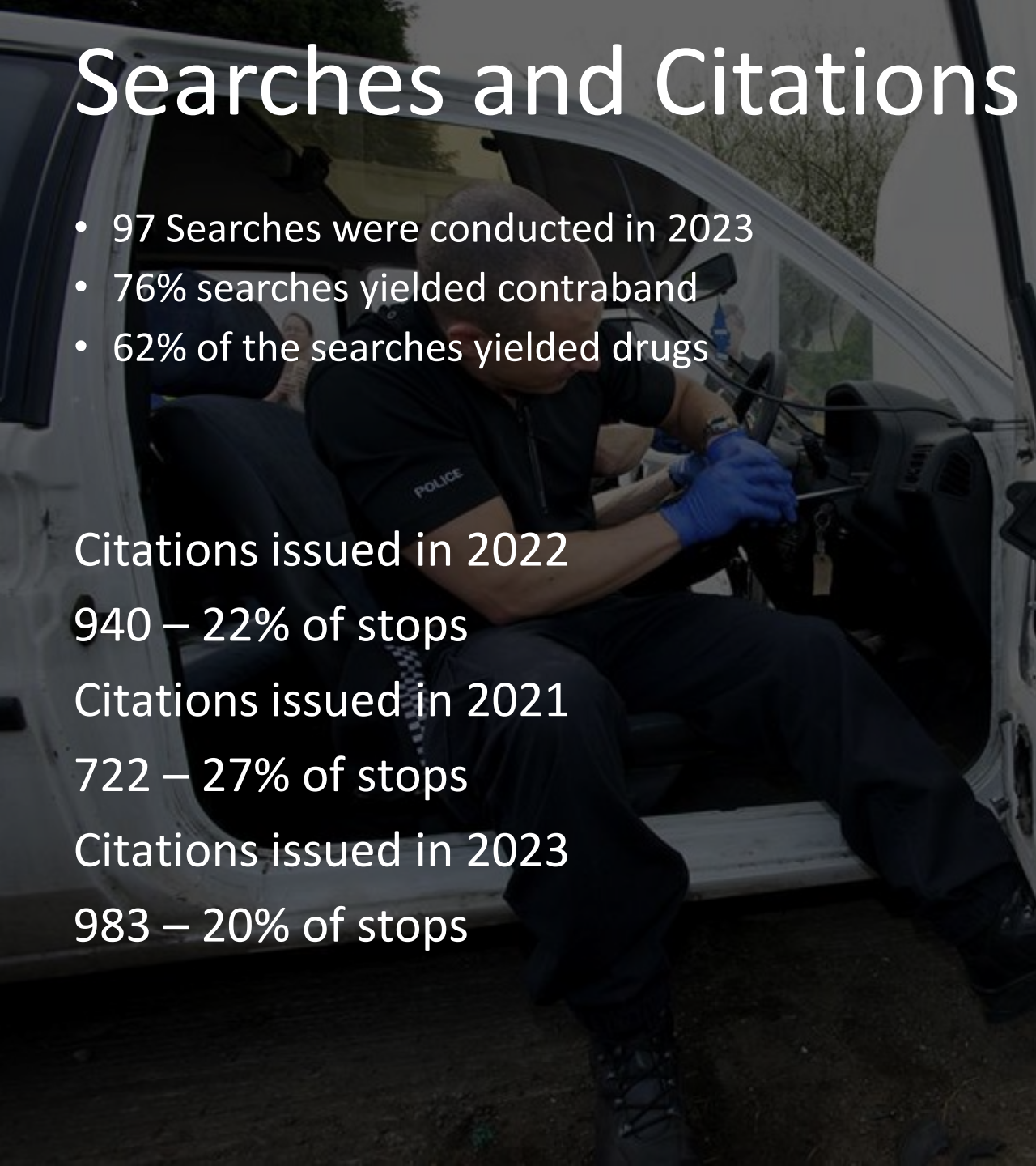
940 – 22% of stops

Citations issued in 2021

722 – 27% of stops

Citations issued in 2023

983 – 20% of stops



REQUIRED document(s) attached: Yes No N/A

TENDANT: COMPLAINT ON _____, 20____ AT _____ Ave/Pk, YOU
Vehicle/Passenger/Parked/Walked a Passenger Motorcycle Bicycle Other _____
Gross Weight DOT# _____ <26,001 lbs. <16 Pass. Bus >16 Pass. Bus Haz. Mat.
VEHICLE MAKE _____ MODEL _____
LICENSE # _____ STATE _____
HIGHWAY, NAMELY _____ (M.P. _____)
CITY OF _____ ELEVELAND IN _____ CUYAHOGA
M.O.I. _____ STATE OF OHIO AND COMMITTED THE FOLLOWING OFFENSE(SI).
MPH is _____ MPH zone ORC ORD T.P.
 Over limits Unsafe for conditions ACDA
 Radar Air VASCAR Pace Laser Stationary Moving
OVI: Under the influence of alcohol/drug or abuse. ORC ORD T.P.
 Prohibited blood alcohol concentration. _____ BAC
 Blood Breath Urine Refused
Prior OVI(s): # of prior OVI(s) _____ Years of prior OVI(s) _____
DRIVER LICENSE: None Not on person Revoked Suspended ORC ORD T.P.
EXPIRES: <6 months >6 months Failure to Reinstale
Suspension Type: _____
SAFETY BELT: Failure to wear Improper wear ORC ORD T.P.
 Driver Passenger Child Restraint Booster Seat
OTHER OFFENSE: _____ ORC ORD T.P.
OTHER OFFENSE: _____ ORC ORD T.P.
DRIVER LICENSE HELD VEHICLE SEIZED JUVENILE OFFENDER
WEATHER: Dry Wet Snow Ice # of Lanes _____ Construction Zone
VISIBILITY: Clear Cloudy Dust Night Dawn
PRECIPITATION: Rain Snow Fog No Adverse
WIND: Heavy Moderate Light None
ROAD TYPE: Business Rural Residential Industry School Freeway

SIGNATURE _____
CORRES. _____



Questions



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

On this the 13th day of February, 2024, the City Council of the City of Burnet convened in Regular Session, at 2:00 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, Joyce Laudenschlager, Tres Clinton

Absent Mary Jane Shanes

City Manager David Vaughn

City Secretary Kelly Dix

Guests: Eric Belaj, Maria Gonzales, Habib Erkan, Jr., Mark Ingram, Tony Nash, Patricia Langford, Dan Stewart, Wanda Kauffman, Bette Kish, Glenn Labhart Sr., Dennis Hoover, Benjamin Farmer, Stacy Smith

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

INVOCATION: Led by Mayor Gary Wideman

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

SPECIAL REPORTS/RECOGNITION: None

CONSENT AGENDA:

Approval of the January 23rd, 2024 City Council Regular Meeting Minutes:

Approval of the February 6, 2024 City Council Special 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:

Public hearing and consideration of the following items:

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 105 E THIRD STREET AND 300 E THIRD STREET FROM LIGHT COMMERCIAL – DISTRICT “C-1” TO MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”: L. Kimbler:

Staff Presentation: Leslie Kimbler, Planning Manager presented the item.

Public Hearing: Mayor Gary Wideman opened the public hearing at 6:04 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 6:05 p.m.

Consideration and action: Council Member Tres Clinton moved to approve the first reading of Ordinance No. 2024-06 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

ACTION ITEMS:

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 4, 2024, FOR THE PURPOSE OF SUBMITTING PROPOSITIONS TO VOTERS FOR PROPOSED AMENDMENTS TO THE CITY CHARTER; SAID ELECTION TO BE HELD IN CONJUNCTION WITH THE CITY’S GENERAL ELECTION: K. Dix

PRIMERA LECTURA DE UNA ORDENANZA QUE ORDENA QUE SE CELEBRE UNA ELECCIÓN ESPECIAL EL 4 DE MAYO DE 2024, CON EL FIN DE PRESENTAR PROPUESTAS A LOS VOTANTES PARA LAS ENMIENDAS PROPUESTAS A LA CARTA CONSTITUCIONAL DE LA CIUDAD; DICHA ELECCIÓN SE LLEVARÁ A CABO EN CONJUNTO CON LAS ELECCIONES GENERALES DE LA CIUDAD: K. Dix:

Council Member Philip Thurman moved to approve and adopt Ordinance 2024-05 as presented. Council Member Dennis Langley seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “FINAL PLAT” OF WESTFALL VILLAGE SUBDIVISION, PHASE 3, A PROPOSED 44-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 14.68 ACRES;

AND ACCEPTING A LETTER OF CREDIT ASSURING COMPLETION OF SUBDIVISION INFRASTRUCTURE: L. Kimbler: Council Member Philip Thurman moved to approve and adopt Resolution No. R2024-12 as presented. Council Member Joyce Laudenschlager seconded. Council Member Ricky Langley filed an Affidavit of Conflict with the City Secretary and recused himself from the vote. A Roll vote was called with Council Members Dennis Langley, Philip Thurman, Tres Clinton, Joyce Laudenschlager and Mayor Gary Wideman voting in favor. There were no votes opposed. The motion carried with five in favor, one absent and one recused.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ESTABLISHING NEW SPEED LIMITS FOR THOSE SEGMENTS STATE HIGHWAY 29 FROM ITS INTERSECTION WITH HOOVER VALLEY ROAD WESTWARDLY TO ITS INTERSECTION WITH THE CITY LIMITS LINE AND PROVIDING FOR PENALTY: D. Vaughn: Several presentations were presented from Tommy Gaut, Glenn Labhart, Wanda Kaufman, Dan Stewart and Linda Stewart requesting City Staff to work with TxDot officials to lower the speed limit around the Eagles Nest area to fifty miles per hour due to safety concerns for the residents of the sub-division. Council Member Philip Thurman moved to approve and adopt Resolution No. R2024-07 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, WAIVING TWO-HUNDRED AND FIFTY DOLLARS IN PERMIT FEES FOR THE IN SUPPORT OF NEW CONSTRUCTION OF AFFORDABLE RENTAL HOUSING AT 310 EAST THIRD STREET: D. Vaughn: Council Member Philip Thurman moved to approve and adopt Resolution No. R2024-13 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

Discuss and consider action: Authorizing approval for the Burnet Police Department to purchase Lenslock on body and in car camera systems with cloud storage: Council Member Philip Thurman moved to approve the purchase of the Lenslock body and in car camera systems with cloud storage as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF BURNET, TEXAS, RESTRICTING THE USE OF CERTAIN FUNDS BY COUNCIL FOR GOLF COURSE RESERVES: P. Langford: Council Member Ricky Langley moved to approve and adopt Resolution No. R2024-14 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

Discuss and consider action: Authorizing City Manager to purchase items needed for the upcoming total eclipse: D. Vaughn: Council Member Philip Thurman moved to approve and authorize the City Manager to purchase items needed for the Eclipse in an amount not to exceed \$120,000.00 as presented. Council Member Joyce Laudenschlager 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 Joyce Laudenschlager at 7:12 p.m. seconded by Philip Thurman. The motion carried unanimously.

ATTEST:

Gary Wideman, Mayor

Kelly Dix, City Secretary



Development Services

ITEM 4.1

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

Public Hearing and Action Item

Meeting Date: February 27, 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 105 E THIRD STREET AND 300 E THIRD STREET FROM LIGHT COMMERCIAL – DISTRICT “C-1” TO MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”: 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 2024-06 since the first reading on February 13, 2023.

Public Notification: Written notices were mailed to 6 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, February 12th; staff will present P&Z’s recommendation at the City Council meeting.

Exhibit A – Location and Current Zoning
105 E THIRD ST & 300 E THIRD ST



ORDINANCE NO. 2024-06

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 105 E THIRD STREET AND 300 E THIRD STREET FROM LIGHT COMMERCIAL – DISTRICT “C-1” TO MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”

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: 105 E THIRD STREET (LEGALLY DESCRIBED AS: BEING 4.307 ACRES OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO 405) as shown on **Exhibit “A”** hereto.

Section three. Zoning District Reclassification. MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” 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: 300 E THIRD STREET (LEGALLY DESCRIBED AS: BEING TRACT 3 & PT OF 2, 3.6 ACRES, OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405) as shown on **Exhibit “B”** hereto.

Section five. Zoning District Reclassification. MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” 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 PROPERTY LEGALLY DESCRIBED AS: BEING TRACT 3 & PT OF 2, 2.09 ACRES, OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405 as shown on **Exhibit “C”** hereto.

Section seven. Zoning District Reclassification. MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” Zoning District Classification is hereby assigned to the Property described in section six.

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 13th day of February 2024.

PASSED AND APPROVED on this the 27th day of February 2024.

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary

Exhibit "A"

105 E THIRD STREET (LEGALLY DESCRIBED AS: BEING 4.307 ACRES OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO 405)



Exhibit "B"

300 E THIRD STREET (LEGALLY DESCRIBED AS: BEING 3.6 ACRES, TRACT 3 & PT OF 2, OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405)



Exhibit "C"

PROPERTY LEGALLY DESCRIBED AS: BEING TRACT 3 & PT OF 2, 2.09 ACRES,
OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405



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 105 E THIRD STREET AND 300 E THIRD STREET FROM LIGHT COMMERCIAL – DISTRICT “C-1” TO MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”: L. Kimbler





Current Zoning:

Light Commercial – District “C-1”

Located along E Third Street

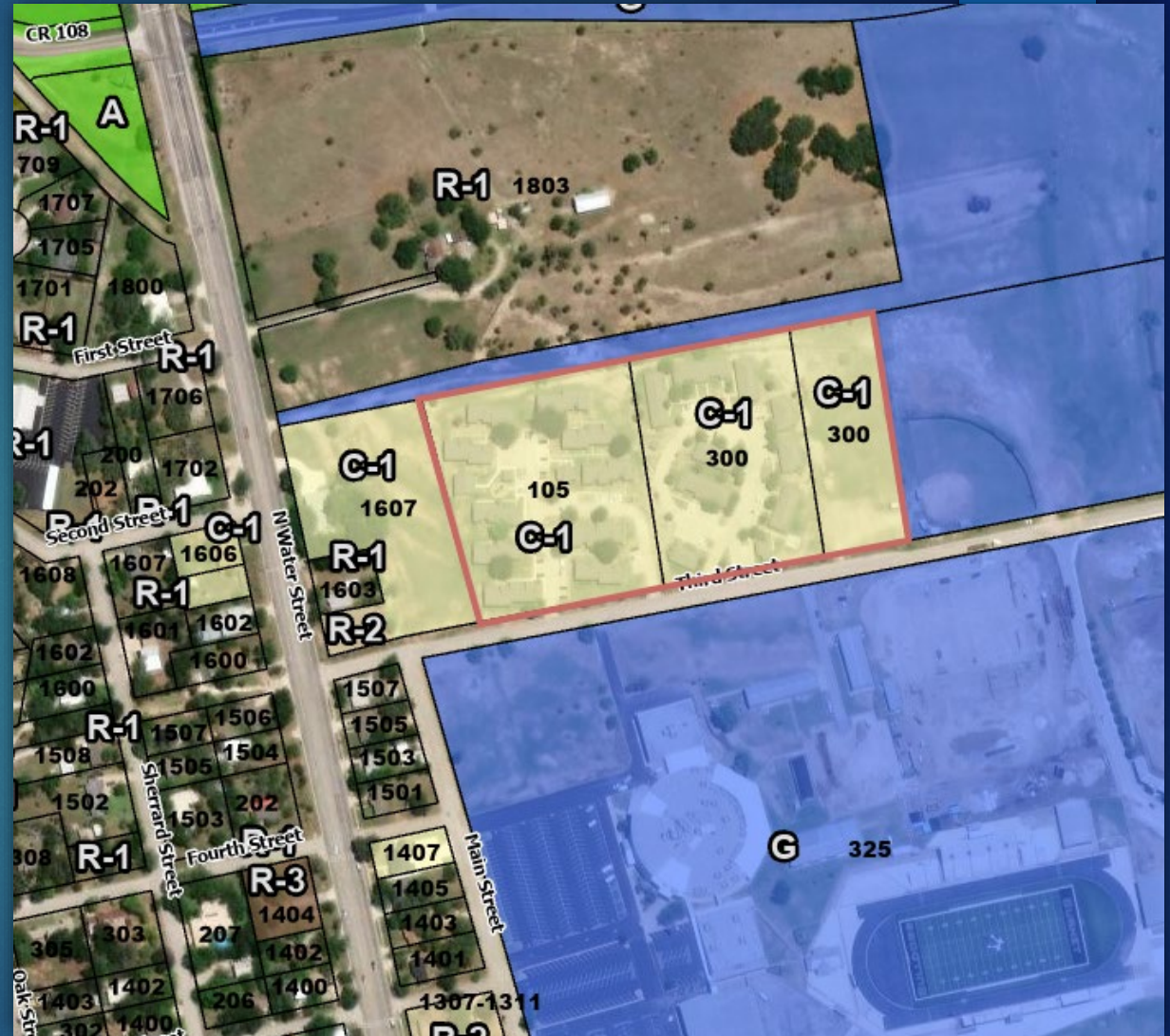
Location of the Northgate
Apartments



City Initiated Request:

Multi-family Residential – District “R-3”

Brings the properties into compliance with
their current use



Public Notification:

Notices were mailed to 6 surrounding property owners. Zero responses have been received in favor or opposition

P&Z report:

Planning and Zoning will meet on Monday, February 12th; staff will present P&Z recommendation at the City Council meeting





Discussion

- ▶ Discuss and consider action on the second and final reading of ordinance 2024-06 as presented.



Administration

ITEM 4.2

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

Action

Meeting Date: February 27, 2024

Agenda Item: Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ESTABLISHING NEW SPEED LIMITS FOR THOSE SEGMENTS STATE HIGHWAY 29 FROM ITS INTERSECTION WITH HOOVER VALLEY ROAD WESTWARDLY TO ITS INTERSECTION WITH THE CITY LIMITS LINE AND PROVIDING FOR PENALTY: D. Vaughn

Background:

Information: There have been no changes to Ordinance No. 2024-07 since the first reading on February 13, 2024.

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

Recommendation: Approval and adopt Ordinance No. 2024-07 as presented.

ORDINANCE NO. 2024-07

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ESTABLISHING NEW SPEED LIMITS FOR THOSE SEGMENTS STATE HIGHWAY 29 FROM ITS INTERSECTION WITH HOOVER VALLEY ROAD WESTWARDLY TO ITS INTERSECTION WITH THE CITY LIMITS LINE AND PROVIDING FOR PENALTY

WHEREAS, the Texas Department of Transportation has established State Highway 29 as an East/West corridor through the City of Burnet that intersects with US Route 281; and

WHEREAS, an engineering and traffic investigation has been conducted by the Texas Department of Transportation to determine the reasonable and safe prima facie maximum speed of motor vehicles on that certain section of Texas Highway 29 between its intersection with Hoover Valley Road westwardly to its intersection with the city limit line; and

WHEREAS, it has been determined by the engineering study and traffic investigation that the reasonable and safe prima facie maximum speed for motor vehicles on Texas Highway 29 should be hereinafter reduced from 65-mph to 60-mph; and

WHEREAS, City Council deems it beneficial to public health, safety and welfare to adopt the findings of the engineering study and traffic investigation in this Ordinance; and

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

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

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

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

Section two. Speed Limit Application. This Ordinance shall apply to Texas Highway 29, in both easterly and westwardly directions from its intersection with Hoover Valley Road to its intersection with the western city limits line.

Section three. Speed Limit Established. It is hereby found, determined and declared that the reasonable and safe prima facie maximum speed for motor vehicles traveling on the segment of Texas Highway 29, described in section two immediately above, shall hereinafter be 60-mph.

Section four. Speed Limit Signs. The City Manager is hereby authorized and directed to coordinate with the Texas Department of Transportation to have signs placed on Texas Highway 29 advising motorists of the speed limit imposed by this ordinance.

Section five. Penalty. Violation of this Ordinance is a class C misdemeanor subject to criminal penalty in a monetary amount not to exceed \$200.00.

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 the more restrictive provision shall apply.

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

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

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

Section ten. Effective Date. This ordinance shall be effective upon final passage, approval, and adoption.

Passed and approved on first reading on the 13th day of February, 2024.

Passed, approved, and adopted on the 27th day of February, 2024.

CITY OF BURNET

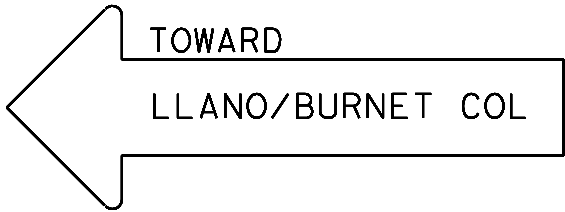
Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary

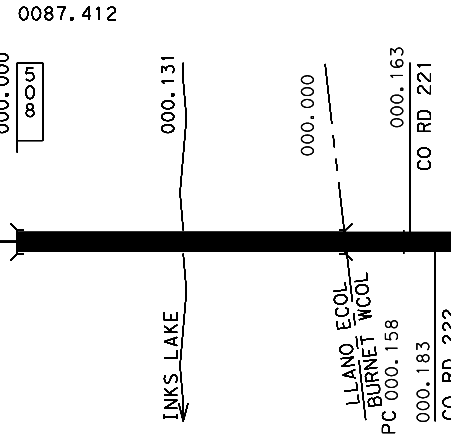
MAP 1 OF 5

DEVELOPMENT		} SEE BELOW	
RES. SIGHT DISTANCE			
BALL BANK or ADVISORY SPEED			
CURVES OVER 2°			
GRADES OVER 3%			
SURFACE WIDTH AND TYPE			
R.O.W. AND RDBD. WIDTH			
ACCIDENTS			
ZONE LENGTHS	MILE		00.000
ZONE SPEEDS	MPH		150-05

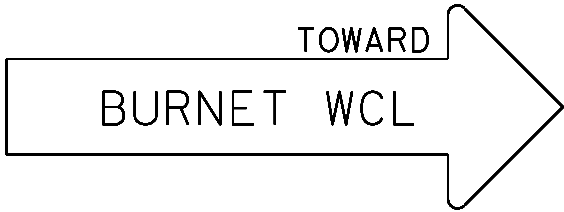


C.L. BEARINGS

SH 29



CONTROL/SECTION 150-05



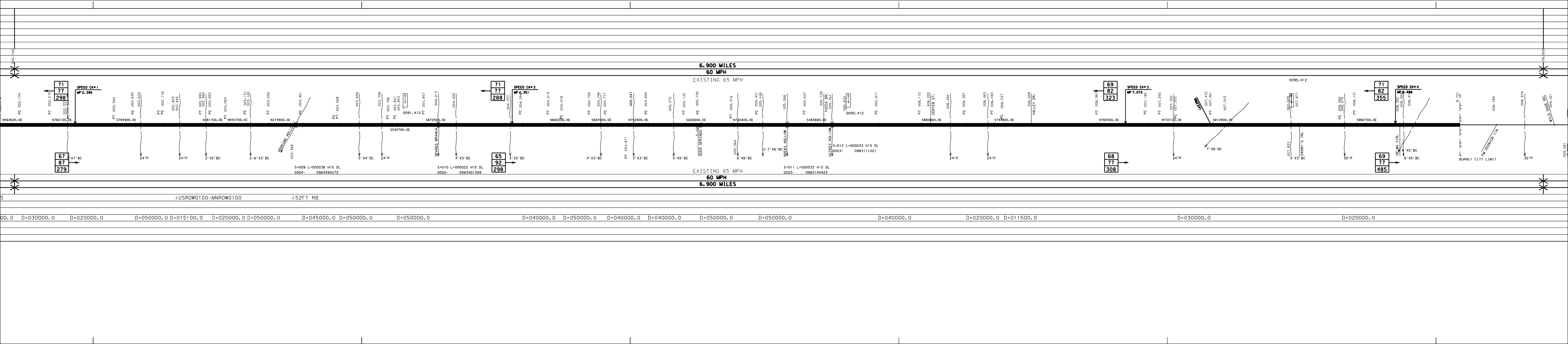
S=013 L=001379 H15 DL
0015-VAR TRUSS SPA

ZONE SPEEDS	MPH		
ZONE LENGTHS	MILE		
ACCIDENTS		NOT RECORDED	
R.O.W. AND RDBD WIDTH			<USROW0100-MNROW0100 < 34
SURFACE WIDTH AND TYPE			<024FT-61 ACPSURF
GRADES OVER 3%			
CURVES OVER 2°			D=0
BALL BANK or ADVISORY SPEED			
RES. SIGHT DISTANCE			
DEVELOPMENT			

DIST. AUSTIN COUNTY BURNET		MINUTE NO. 106832	DATE 05 /30 /96
HIGHWAY SH 29 CITY RURAL		REPLACES	DATE / /
DATE OF SURVEY 04/18/22 SCALE 1" = 800'		REPLACED BY	DATE / /
		CANCELED BY	DATE / /

LIMITS OF ZONE

SECTION ONE				SECTION TWO				SECTION THREE			
LENGTH 2.100 MILES				LENGTH 6.900 MILES							
BEGINS	STA. OR M.P.	CONT. & SECT.	PROJECT	BEGINS	STA. OR M.P.	CONT. & SECT.	PROJECT	BEGINS	STA.		
	0.000	150-5			2.100	150-5			9.		
ENDS	STA. OR M.P.	CONT. & SECT.	PROJECT	ENDS	STA. OR M.P.	CONT. & SECT.	PROJECT	ENDS	STA.		
	2.100	150-5			9.000	150-5			10		



Wild Sage Dr

W State Hwy 29

Smart Start Ignition Interlock

Auto Hail Repair

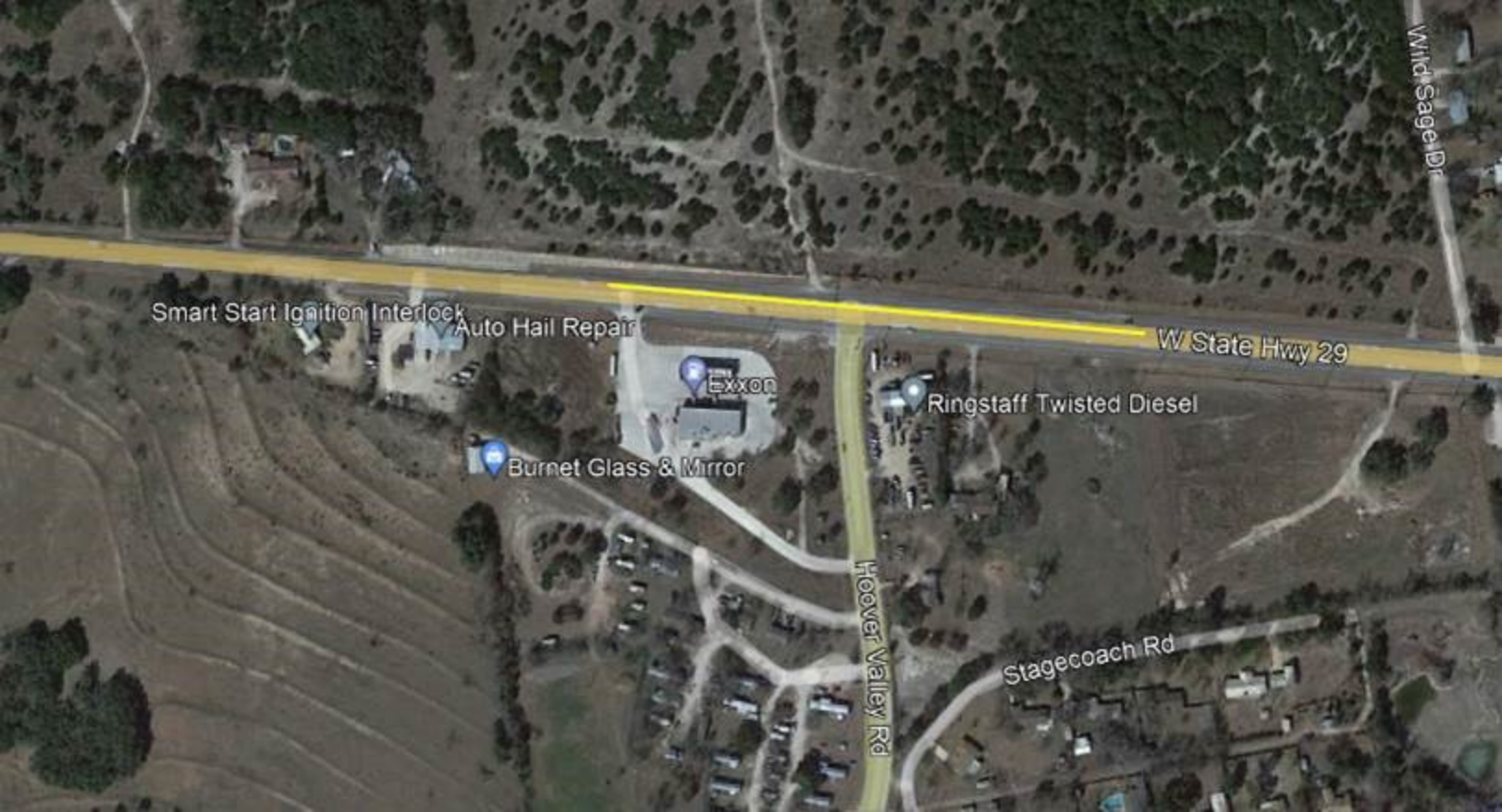
Exxon

Ringstaff Twisted Diesel

Burnet Glass & Mirror

Hoover Valley Rd

Stagecoach Rd

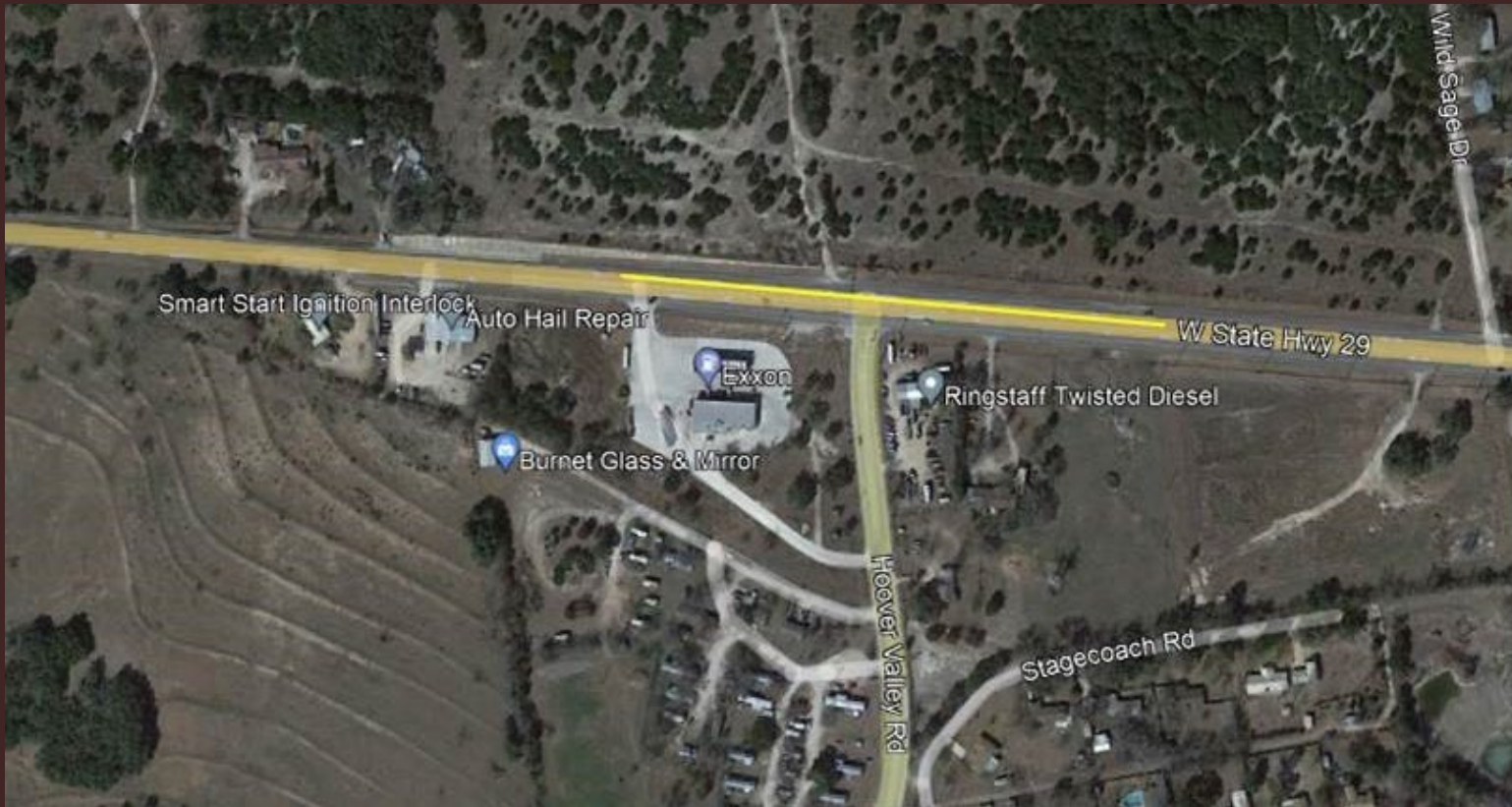




*Speed Limit
Ordinance*

City Manager David Vaughn

Speed Limit Change



→ The highlighted line reflects the area that will be changed under the new ordinance.



Questions?



Administration

ITEM 4.3

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

Action

Meeting Date: February 27, 2024

Agenda Item: Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE PURCHASE OF LOT ONE KROEGER SUBDIVISION, AS SHOWN BY PLAT RECORDED AS DOCUMENT NO. 201400549, IN THE PUBLIC RECORDS OF BURNET COUNTY, TEXAS FROM THE BURNET ECONOMIC DEVELOPMENT CORPORATION: H. Erkan Jr.

Background: On December 1, 2023, the BEDC closed on the purchase of a 0.37-acre lot adjoining the Bealls Building and a 6.16-acre lot located on the east banks of Hamilton Creek, north of State Highway 29. The purpose of this transaction was to acquire the 0.37-acre lot and consolidate it with the Bealls Building lot, making both lots more desirable for redevelopment. Seller conditioned the sale of the 0.37-acre lot on the BEDC also purchasing the 6.16-acre lot. As the 6.16-acre lot is located in a residential area it is not a candidate for BEDC redevelopment or marketing. However, its proximity to Hamilton Creek and Haley-Nelson Park makes it desirable to the City for park and open space development.

Information: This resolution approves an agreement to purchase the 6.16-acre lot from the BEDC for a purchase price of \$300,000.00; and the form of the special warranty deed. Moreover, this resolution authorizes the mayor to execute the agreement and the special warranty deed, and close on the sale without further council action; provided the transaction documents are substantively the same as approved by this resolution and the sales price is \$300,000.00.

Fiscal Impact The City shall be obligated to pay the BEDC \$300,000.00, at closing of the sale.

Recommendation: Approve Resolution No. R2024-15 as presented.

RESOLUTION NO. R2024-15

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE PURCHASE OF LOT ONE KROEGER SUBDIVISION, AS SHOWN BY PLAT RECORDED AS DOCUMENT NO. 201400549, IN THE PUBLIC RECORDS OF BURNET COUNTY, TEXAS FROM THE BURNET ECONOMIC DEVELOPMENT CORPORATION

Whereas, on December 1, 2023, the BEDC closed on the purchase of a 0.37-acre lot adjoining the Bealls Building and a 6.16-acre lot located on the east banks of Hamilton Creek, north of State Highway 29; and

Whereas, the purpose of this transaction was to acquire the 0.37-acre lot and consolidate it with the Bealls Building lot, making both lots more desirable for redevelopment; and

Whereas, seller conditioned the sale of the 0.37-acre lot on the BEDC also purchasing the 6.16-acre lot; and

Whereas, as the 6.16-acre lot is located in a residential area it is not a candidate for BEDC redevelopment or marking; and

Whereas, however, City Council finds its proximity to Hamilton Creek and Haley-Nelson Park makes it desirable to the City for park and open space development; and

Whereas, City Council adopts this resolution to facilitate the purchase of the 6.16-acre lot from the BEDC.

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

Section one. Approval. The following transactional documents, attached hereto, are hereby approved:

- (a) The agreement to purchase the Property from the BEDC for a purchase price of \$300,000.00; and
- (b) the form of the sales agreement and the special warranty deed.

Section two. Authorization. The mayor is hereby authorized to execute instruments in substantial form as the transactional documents, attached hereto, and take such further action, and execute such ancillary documents, as may be reasonably necessary to facilitate the close of the transaction authorized by this resolution. In that regard the mayor is hereby authorized to close on the sale without further Council action provided; the final sales price is \$300,000.00.

Resolution approving sale of Bealls Property to BEDC

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

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 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 27th day of February, 2024.

CITY OF BURNET, TEXAS

ATTEST:

Gary Wideman, Mayor

Kelly Dix, City Secretary

STATE OF TEXAS §

§ **KNOW ALL PERSONS BY THESE PRESENTS:**

COUNTY OF BURNET §

PURCHASE AGREEMENT

THAT, the Burnet Economic Development Corporation, a 4B established pursuant to the Development Corporation Act of 1979, acting by and through its Board of Directors President, hereinafter referred to as “**SELLERS**”, for and in consideration of the agreed purchase price of Three-Hundred-Thousand 00/100 United States Dollars (\$300,000.00) (the “Purchase Price”) and upon the terms and conditions hereof, contracts to **GRANT, SELL** and **CONVEY** by Special Warranty Deed to, the City of Burnet, a Texas home rule municipality acting through its mayor, hereinafter referred to as “**PURCHASER**”; a good and marketable title, free and clear of all liens and encumbrances of every kind (except liens for current taxes and assessments), to the following described Property in the City of Burnet, Burnet County, Texas, to-wit:

BEING Lot One (1) KROGER SUBDIVISION, a subdivision in the City of Burnet, Burnet County, Texas, as shown by plat recorded in Document No. 201400549, Official Public Records of Burnet County Texas.

Together with all improvements incident or belonging thereto.

Purchase and Sale Agreement. Seller agrees to sell and convey the Property to Buyer, and Buyer agrees to buy and pay Seller for the Property. The promises by Buyer and Seller stated in this contract are the consideration for the formation of this contract.

SELLER hereby agrees to furnish **PURCHASER** a Release, Partial Release or Subordination of Lien, if applicable.

Special Conditions:

- (a) **Special Warranty Deed.** The form of the Special Warranty Deed attached hereto as **Exhibit “A”** is hereby approved by the Parties, and an instrument of conveyance, in substantial form as **Exhibit “A”** shall be duly executed by the Parties representatives and recorded in the Burnet County Public Records.
- (b) **Closing Costs.** All closing costs, including the costs of recordation of the Special Warranty Deed and Deed of Trust, shall be paid by **PURCHASER**.
- (c) **Dispute Resolution.** Any dispute arising between the Parties regarding any aspect of this Agreement, or transaction, shall be resolved by the Burnet City Council, whose decision shall be final and binding.

Resolution approving sale of Bealls Property to BEDC

Until title has been conveyed to the **PURCHASER**, loss, or damage to the property by fire or other casualty, except that caused by **PURCHASER**, shall be at the risk of the **SELLER** and the amount thereof shall be deducted from the Purchase Price. In the event this purchase fails to close through no fault of **SELLER**, **PURCHASER** shall repair any damage caused by **PURCHASER'S** entry on the Property.

The **PURCHASER** may take possession of the Property and begin construction immediately upon the **SELLER'S** execution of this contract.

PURCHASER takes the Property "As Is Where Is" with all faults both latent and patent.

EXECUTED to be EFFECTIVE this the _____ day of January 2024.

**PURCHASER:
CITY OF BURNET**

**SELLER:
BURNET ECONOMIC
DEVELOPMENT CORPORATION**

BY: _____
Gary Wideman, Mayor

BY: _____
Cary Johnson, President

ADDRESS: City of Burnet
P. O. Box 1369
1001 Buchanan Drive, Suite 4
Burnet, Texas 78611

ADDRESS: Burnet Economic
Development Corp.
P. O. Box 1369
1001 Buchanan Drive,
Suite 4
Burnet, Texas 78611

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver’s license number.

SPECIAL WARRANTY DEED

**STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF BURNET §**

DATE: February 27, 2024

GRANTOR: Burnet Economic Development Corporation

GRANTOR’S MAILING ADDRESS P. O. Box 1369 Burnet, Burnet County, Texas
78611

GRANTEE: City of Burnet

GRANTOR’S MAILING ADDRESS: P. O. Box 1369 Burnet, Burnet County, Texas
78611

PROPERTY (including improvements): Being Lot One (1) KROGER SUBDIVISION, a subdivision in the City of Burnet, Burnet County, Texas, as shown by plat recorded as Document No. 201400549, in the Public Records of Burnet County, Texas.

CONSIDERATION: Ten dollars cash and other good and valuable consideration.

RESERVATIONS. None.

EXCEPTIONS. This conveyance is made and accepted subject to all easements, right-of-way, and prescriptive rights, whether of record or not; all presently recorded instruments, other than liens and conveyances; and all applicable zoning laws, regulations, and ordinances of municipal or other governmental authorities. .

Grantor in consideration of the valuable consideration paid by Grantee, to Grantor, the receipt and sufficiency of which is hereby acknowledged, has granted, sold, and conveyed and by these presents does grant, sell, and convey to Grantee, all of the Property, together with all and singular the rights and appurtenances thereto in any wise belonging to have and to hold it to Grantee, Grantee’s successors or assigns forever. Grantor binds Grantor, Grantor’s heirs, executors, administrators, and successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, though, or under Grantor but not otherwise, subject to the reservations from and exceptions to conveyance and warranty.

Resolution approving sale of Bealls Property to BEDC

Ad valorem taxes on the Property for the current year having been prorated between Grantor and Grantee, payment is assumed by Grantee.

GRANTEE ACCEPTS THE PROPERTY "AS IS" AND "WHERE IS", WITH ALL FAULTS, AND , EXCEPT FOR THE WARRANTIES OF TITLE CONTAINED IN THIS DEED AND THE LIMITED EXPRESS WRITTEN REPRESENTATIONS CONTAINED IN THE SURVIVING LANGUAGE OF THE CONTRACT FOR SALE OF THE PROPERTY.

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

Resolution approving sale of Bealls Property to BEDC

When the context requires, singular nouns and pronouns include the plural.

**GRANTOR
BURNET ECONOMIC DEVELOPMENT
CORPORATION**

By _____
Cary Johnson, President

STATE OF TEXAS
COUNTY OF BURNET

This instrument was acknowledged before me on the ____ day of _____ 2024 by Cary Johnson, as president of the Burnet Economic Development Corporation's board of directors, and on behalf of said corporation.

(Personalized Seal)

Notary Public in and for the State
of Texas

ACCEPTED BY:

**GRANTEE
CITY OF BURNET**


By _____
Gary Wideman, Mayor

STATE OF TEXAS
COUNTY OF BURNET

This instrument was acknowledged before me on the ____ day of _____ 2024 by Gary Wideman, as mayor of the City of Burnet and on behalf of said municipality.

(Personalized Seal)

Notary Public in and for the State
of Texas



PURCHASE OF LOT ONE KROEGER
SUBDIVISION (6.16-ACRE LOT) FROM
BEDC

BEDC Regular Meeting – February 20, 2024



Background

- December 1, 2023, BEDC closed on 0.37-acre lot adjoining the Bealls Building and a 6.16-acre lot located on the east banks of Hamilton Creek, north of State Highway 29.
- The purpose of this transaction was to acquire the 0.37-acre lot and consolidate it with the Bealls Building lot, making both lots more desirable for redevelopment.
- Seller conditioned the sale of the 0.37-acre lot on the BEDC also purchasing the 6.16-acre lot.
- Its proximity to Hamilton Creek and Haley-Nelson Park makes it desirable to the City for park and open space development.

Map



Information

- This resolution approves:
 - Purchase of property for \$300,000.00
 - Form of Special Warranty Deed



Questions/Comments



TITLE SURVEY

SCHEDULE B - 10:

- a. RIGHT OF PARTIES IN POSSESSION. (OWNER TITLE POLICY ONLY)
- b. ANY VISIBLE AND APPARENT ROADWAYS OR EASEMENTS OVER OR ACROSS THE SUBJECT PROPERTY, THE EXISTENCE OF WHICH DOES NOT APPEAR OF RECORD.
- c. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS, BUT WHICH WOULD BE SHOWN ON A CURRENT SURVEY.
- d. ANY PORTION OF THE HEREIN DESCRIBED PROPERTY THAT MAY LIE WITHIN THE BOUNDARIES OF A STREET ALLEY OR RIGHT OF WAY.
- e. THIS POLICY DOES NOT INSURE COMPLIANCE OF THE SUBJECT PROPERTY WITH SEPTIC SYSTEM REGULATIONS OF ANY CITY, COUNTY, OR OTHER GOVERNMENTAL AUTHORITY.
- f. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.

UPON RECEIPT OF A SURVEY ACCEPTABLE TO THE COMPANY, THIS EXCEPTION WILL BE DELETED. COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL EXCEPTIONS PER ITS EXAMINATION OF SAID SURVEY.)

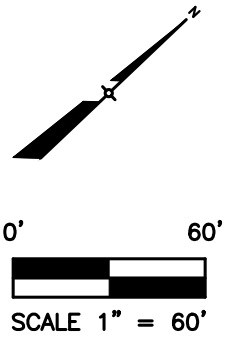
g. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS AND OTHER MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN SCHEDULE B OR NOT, THERE MAY BE LEASES, GRANTS, EXCEPTIONS, OR RESERVATIONS OF MINERAL INTEREST THAT ARE NOT LISTED. **MAY AFFECT THIS TRACT, UNABLE TO PLOT**

h. SUBJECT TO THAT CERTAIN ORDER DATED JANUARY 28, 2002, ADOPTING BURNET COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, AND RECORDED IN VOLUME 1043, PAGE 85 AND AMENDED IN VOLUME 1377, PAGE 722 AND UNDER DOCUMENT NO. 201100417 RECORDED UNDER DOCUMENT NO. 201100547, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS. **DOES AFFECT THIS TRACT, UNABLE TO PLOT**

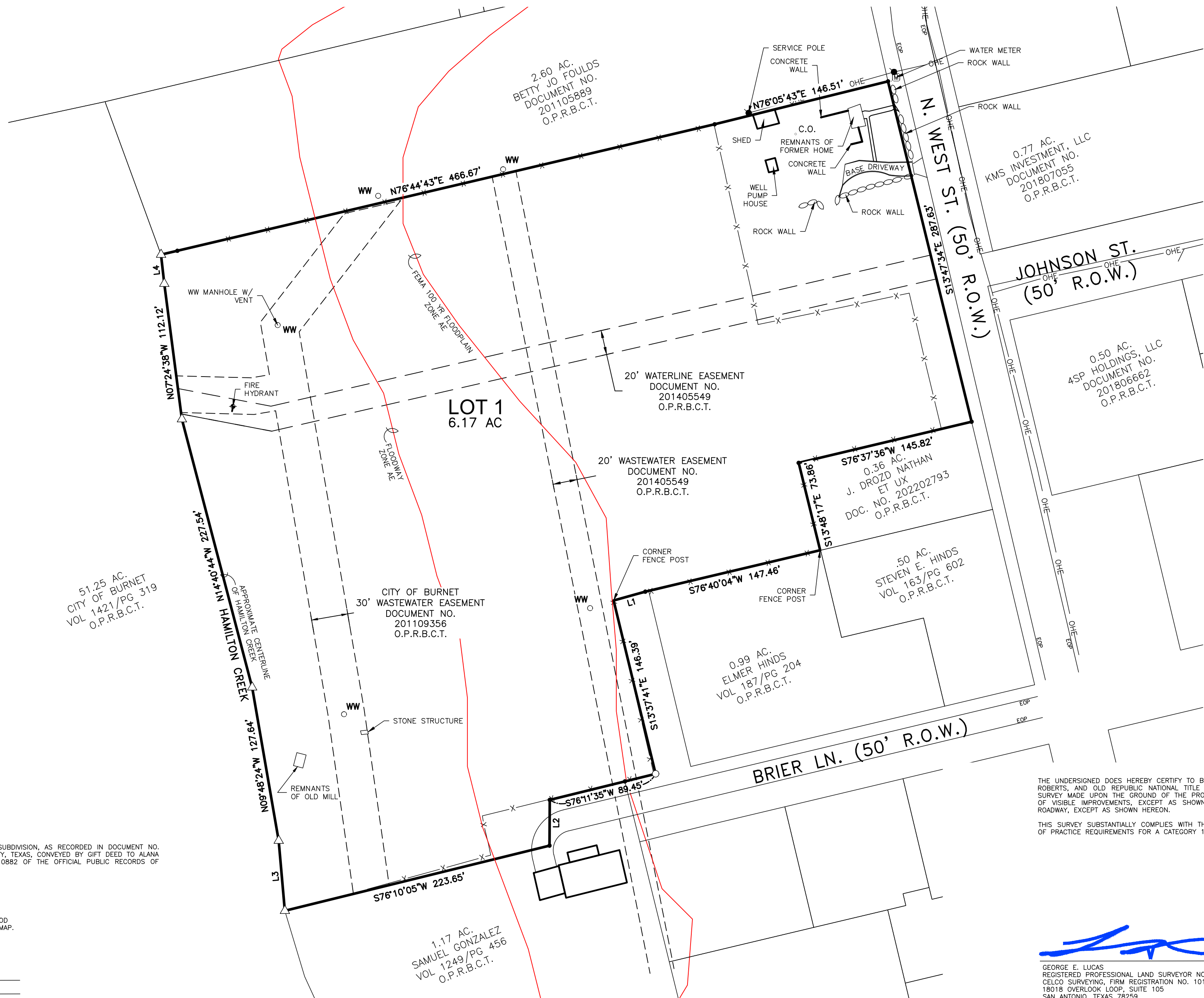
i. SUBJECT TO THE ISSUANCE FROM THE TEXAS HIGHWAY DEPARTMENT OR BURNET COUNTY OF PERMITS FOR HIGHWAY ENTRANCES TO OR FROM ANY STATE OR COUNTY ROAD.

j. SUBJECT TO THE ORDINANCES, SETBACKS, EASEMENTS, CONDITIONS, AND RESTRICTIONS TO THE CITY OF BURNET. **DOES AFFECT THIS TRACT, SHOWN ON PLOT**

k. SUBJECT TO ALL EASEMENTS, ROADWAYS AND RESTRICTIONS AS SET OUT ON PLAT OF SUBDIVISION RECORDED IN DOCUMENT NO. 201405549 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS. **DOES AFFECT THIS TRACT, SHOWN ON PLOT**



- LEGEND**
- ⊙ DENOTES BENCHMARK
 - DENOTES 1/2" ST. SK. SET
 - DENOTES 1/2" ST. SK. FND.
 - △ DENOTES CALCULATED POINT
 - D.E. DRAINAGE EASEMENT
 - PROPERTY LINE
 - EXISTING PROPERTY LINE
 - R.O.W. LINE
 - - - EXISTING EASEMENT
 - - - EXISTING WASTEWATER LINE
 - WL- EXISTING WATERLINE
 - X-X- EXISTING WIRE/MESH FENCE
 - OHE- EXISTING OVERHEAD ELECTRIC
 - EXISTING POWER POLE
 - Ⓜ WATER METER
 - B.S.L. BUILDING SETBACK LINE
 - O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.
- BEARING BASIS: TEXAS LAMBERT GRID, CENTRAL ZONE, NAD 83



LINE #	LENGTH	BEARING
L1	26.98'	S74°27'06"W
L2	37.56'	S0°17'30"W
L3	57.77'	N5°01'27"W
L4	24.00'	N6°22'07"W

LEGAL DESCRIPTION

BEING A 6.16 ACRE TRACT OF LAND, KNOWN AS THE KROEGER SUBDIVISION, AS RECORDED IN DOCUMENT NO. 201405549 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, CONVEYED BY GIFT DEED TO ALANA KAY KROEGER ROBERTS, AS RECORDED IN VOLUME 1115, PAGE 0882 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.

FLOOD INFORMATION:

A PORTION OF THIS PROJECT IS LOCATED WITHIN A 100 YEAR FLOOD HAZARD ZONE, ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP.

COMMUNITY PANEL NUMBER: 48053003386
FLOOD MAP DATED: NOVEMBER 1, 2019

BORROWER: BURNET ECONOMIC DEVELOPMENT CORPORATION
TITLE CO.: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
G.F. NO.: 09-23-15356

THE UNDERSIGNED DOES HEREBY CERTIFY TO BURNET ECONOMIC DEVELOPMENT CORPORATION, ALANA KAY KROEGER ROBERTS, AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UPON THE GROUND OF THE PROPERTY SHOWN HEREON, AND THAT THERE ARE NO ENCROACHMENTS OF VISIBLE IMPROVEMENTS, EXCEPT AS SHOWN HEREON, AND THAT THIS PROPERTY HAS ACCESS TO A PUBLIC ROADWAY, EXCEPT AS SHOWN HEREON.

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1A, CONDITION II, TSPS LAND TITLE SURVEY.



GEORGE E. LUCAS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4160
CELCO SURVEYING, FIRM REGISTRATION NO. 10193975
18018 OVERLOOK LOOP, SUITE 105
SAN ANTONIO, TEXAS 78259
OFFICE (512) 635-4857

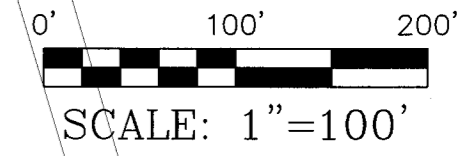
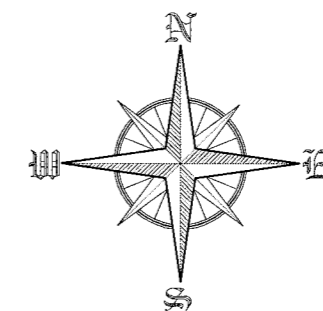
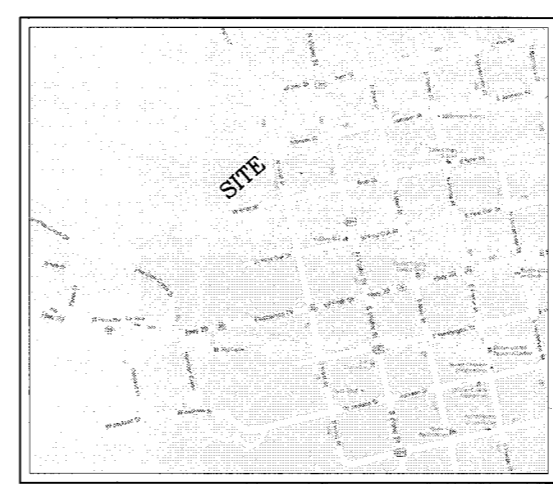
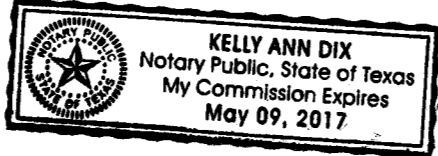
DATE: 11-09-2023



KNOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT ALANA KAY KROEGER ROBERTS, BEING THE OWNER OF ALL OF A 6.164 ACRE TRACT OF LAND, CONSISTING OF ALL OF A CALLED 5.12 ACRE TRACT OF LAND, OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405 OF THE CITY OF BURNET, TEXAS, AS RECORDED IN VOLUME 1115, PAGE 882 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, BEING ALL OF LOT 3 AND A PORTION OF LOT 4 OF BLOCK NO. 44, ALL OF LOT 4 OF BLOCK NO. 43 OF THE PETER KERR PORTION OF THE CITY OF BURNET, ALL OF BLOCK NO. 19, 20, 21 AND A PORTION OF BLOCK NO. 22 OF CREEK ADDITION TO THE CITY OF BURNET, AND CONTAINING ALL OF A CALLED 1.212 ACRE TRACT OF LAND, BEING THE ABANDONED RIGHT-OF-WAY FOR JOHNSON STREET, WATTS STREET AND BRIER LANE, ACCORDING TO THE CITY OF BURNET ORDINANCE NO. 2013-12, ALSO, CONSISTING OF THE NORTH HALF OF LOT 1 OF BLOCK NO. 43 AND ALL OF LOT 2 OF BLOCK NO. 44 OF THE PETER KERR PORTION TO THE CITY OF BURNET, AS RECORDED IN INSTRUMENT NO. 201002578 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND CONSISTING OF ALL OF A TRACT OF LAND AS DESCRIBED IN AFFIDAVIT OF OWNERSHIP AND USE OF ADVERSE POSSESSION AS RECORDED IN INSTRUMENT NO. 201402120 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND DOES HEREBY SUBDIVIDE SAME AND DO HEREBY DEDICATE THE ATTACHED PLAT TO BE KNOWN AS "A SHORT FORM PLAT OF KROEGER SUBDIVISION" AS THE OFFICIAL PLAT OF SAME AND DO HEREBY DEDICATE THE EASEMENTS TO THE USE OF THE PUBLIC FOREVER.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF BURNET, TEXAS.

WITNESS MY HAND THIS 6 DAY OF June 2014. Alana Kay Kroeger Roberts ALANA KAY KROEGER ROBERTS, OWNER



STATE OF TEXAS: COUNTY OF BURNET:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ALANA KAY KROEGER ROBERTS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FORGOING INSTRUMENT AND ACKNOWLEDGED THAT SHE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 6 DAY OF June 2014. Kelly Ann Dix NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS: CITY OF BURNET:

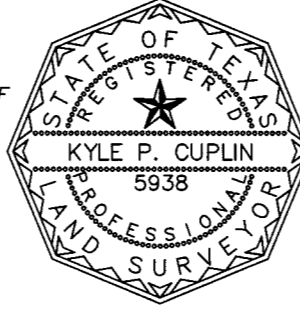
THE ATTACHED "A SHORT FORM PLAT OF KROEGER SUBDIVISION" HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY ENGINEER AND HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION ORDINANCES OF THE CITY OF BURNET, TEXAS. I, THE DIRECTOR OF PLANNING AND DEVELOPMENT FOR THE CITY OF BURNET, TEXAS, HAVE APPROVED THIS PLAT ON 6 DAY OF June 2014. THIS SHORT FORM PLAT SHALL BE FILED WITH THE CLERK AND RECORDER'S OFFICE FOR BURNET COUNTY, TEXAS.

John C. Beale BUILDING OFFICIAL, CITY OF BURNET, TEXAS

STATE OF TEXAS: COUNTY OF BURNET:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT OF "A SHORT FORM PLAT OF KROEGER SUBDIVISION", WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAME AS I LOCATED ITS COMPONENT PARTS ON THE GROUND.

K.P. Cuppl KYLE P. CUPLIN, TEXAS R.P.L.S. NO. 5938



WITNESS MY HAND AND OFFICIAL SEAL THIS 23 DAY OF May 2014.

- GENERAL NOTES: 1. THERE ARE NO NEW ROADS. 2. ALL PROPERTY HEREIN IS SUBJECT TO THE CITY OF BURNET'S, NON POINT-SOURCE POLLUTION CONTROL ORDINANCE. WRITTEN NOTIFICATION AND/OR PERMITS ARE REQUIRED. PRIOR TO COMMENCING ANY DEVELOPMENT ACTIVITIES, CONTACT THE CITY OF BURNET, ITS ASSIGNS, OR OTHER GOVERNMENTAL ENTITY WITH PROPER AUTHORITY. 3. ALL UTILITY EASEMENTS HEREIN ARE DEDICATED EXCLUSIVELY TO THE CITY OF BURNET AND THE ERECTION OR INSTALLATION OF BUILDINGS, STRUCTURES AND IMPROVEMENTS IS STRICTLY PROHIBITED, UNLESS SPECIFICALLY AUTHORIZED IN WRITING BY THE CITY OF BURNET. 4. THE CITY OF BURNET, HEREBY RESERVES AN ADDITIONAL 20' WATERLINE EASEMENT AND AN ADDITIONAL 20' WIDE SANITARY SEWER LINE EASEMENTS, AS SHOWN HEREON. 5. ALL PROPERTY HEREIN IS SUBJECT TO THE CURRENT ADOPTED CITY OF BURNET SUBDIVISION REGULATIONS, LAND USE AND/OR ZONING ORDINANCE. 6. THIS PROPERTY IS CURRENTLY ZONED C-1 (LIGHT COMMERCIAL) AND R-1 (SINGLE FAMILY RESIDENTIAL) AS DEPICTED HEREON. 7. SELLING A PORTION OF THIS AREA BY METES AND BOUNDS IS A VIOLATION OF STATE LAW, AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS. 8. THE BASIS OF BEARINGS FOR THE SURVEY SHOWN HEREON IS TEXAS COORDINATE SYSTEM - CENTRAL ZONE. 9. THE STATE PLANE COORDINATES SHOWN HEREON ARE GRID VALUES AND FOR DESCRIPTIVE PURPOSES ONLY. 10. VERTICAL DATUM: NAVD 88 11. PORTIONS OF THE PROPERTY SHOWN HEREON ARE LOCATED WITHIN ZONE AE (AREAS WITHIN THE 100 YR FLOOD) AS GRAPHICALLY IDENTIFIED ON FEMA F.I.R.M., MAP NO. 480530340F, EFFECTIVE 03/15/2012.

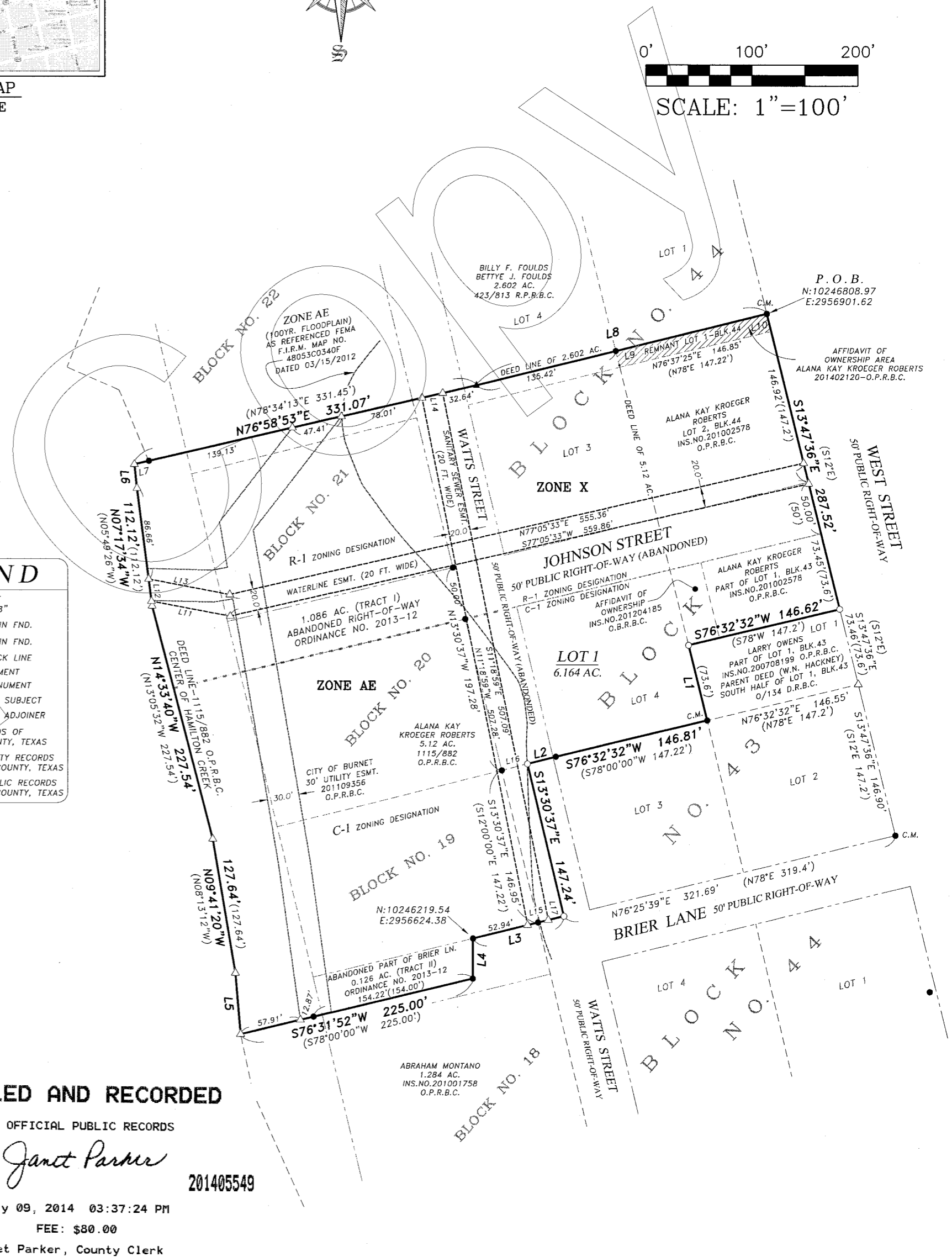
LEGAL DESCRIPTION: BEING A 6.164 ACRE TRACT OF LAND, OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405 OF THE CITY OF BURNET, BEING ALL OF A CALLED 5.12 ACRE TRACT OF LAND, CONSISTING OF ALL OF LOT 3 AND A PORTION OF LOT 4 OF BLOCK NO. 44, ALL OF LOT 4 OF BLOCK NO. 43 OF THE PETER KERR PORTION OF THE CITY OF BURNET, ALL OF BLOCK NO. 19, 20, 21 AND A PORTION OF BLOCK NO. 22 OF CREEK ADDITION TO THE CITY OF BURNET, AS CONVEYED TO ALANA KAY KROEGER ROBERTS IN VOLUME 1115, PAGE 882 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND BEING THE NORTH HALF OF LOT 1 OF BLOCK NO. 43 AND ALL OF LOT 2 OF BLOCK NO. 44 OF THE PETER KERR PORTION TO THE CITY OF BURNET, AS DESCRIBED TO ALANA KAY KROEGER ROBERTS IN INSTRUMENT NO. 201002578 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND ALL OF AN AREA OF LAND WITHIN THE NORTH HALF OF SAID LOT ONE AS DESCRIBED IN AFFIDAVIT OF OWNERSHIP AND USE OF ADVERSE POSSESSION AS RECORDED IN INSTRUMENT NO. 201204185 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS ALSO CONTAINING ALL OF A CALLED 1.212 ACRE TRACT OF LAND, BEING THE ABANDONED RIGHT-OF-WAY FOR JOHNSON STREET, WATTS STREET AND BRIER LANE, ACCORDING TO THE CITY OF BURNET ORDINANCE NO. 2013-12, AND ALL OF A TRACT OF LAND AS DESCRIBED IN AFFIDAVIT OF OWNERSHIP AND USE OF ADVERSE POSSESSION AS RECORDED IN INSTRUMENT NO. 201402120 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS SAID 6.164 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON PIN SET, ALONG THE WEST RIGHT-OF-WAY LINE OF WEST STREET, AT THE SOUTHEAST CORNER OF A CALLED 2.602 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO BILLY F. FOULDS AND BETTYE J. FOULDS, AS RECORDED IN VOLUME 423, PAGE 813 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, BEING THE NORTHEAST CORNER OF SAID TRACT AS DESCRIBED IN INSTRUMENT NO. 201402120 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND BEING THE NORTHEAST CORNER HEREOF, FROM WHENCE THE COMMON EAST CORNER OF LOT 1 AND LOT 2 OF SAID BLOCK NO. 44, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WEST STREET, BEING ALONG THE EAST LINE OF SAID BLOCK NO. 44, BEARS SOUTH 13°47'36" EAST, A DISTANCE OF 17.15 FEET; THENCE SOUTH 13°47'36" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WEST STREET, BEING THE EAST LINE OF SAID BLOCK NO. 44, FOR AN EASTERLY LINE HEREOF, PASSING AT A DISTANCE OF 164.07 FEET, THE SOUTHEAST CORNER OF LOT 2 OF SAID BLOCK NO. 44, BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID WEST STREET AND THE NORTH RIGHT-OF-WAY LINE OF SAID JOHNSON STREET, THENCE OVER AND ACROSS SAID JOHNSON STREET, PASSING AT A DISTANCE OF 214.07 FEET, THE NORTHEAST CORNER OF LOT 1 OF SAID BLOCK NO. 43, BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID WEST STREET AND THE SOUTH RIGHT-OF-WAY LINE OF SAID JOHNSON STREET, AND CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WEST STREET, BEING THE EAST LINE OF SAID BLOCK NO. 43, FOR A TOTAL DISTANCE OF 287.52 FEET, TO A 1/2-INCH IRON PIN SET, FOR THE SOUTHEAST CORNER OF THE NORTH HALF OF LOT 1 OF SAID BLOCK NO. 43; THENCE SOUTH 76°32'32" WEST, OVER AND ACROSS SAID LOT 1 OF SAID BLOCK NO. 43, FOR A SOUTHERLY LINE HEREOF, A DISTANCE OF 146.62 FEET, TO A 1/2-INCH IRON PIN SET, ALONG THE COMMON LINE OF LOT 4 AND LOT 1 OF SAID BLOCK NO. 43, BEING ALONG THE EAST LINE OF SAID 5.12 ACRE TRACT OF LAND, FOR THE SOUTHWEST CORNER OF THE NORTH HALF OF LOT 1 OF SAID BLOCK NO. 43; THENCE SOUTH 13°50'44" EAST, ALONG THE COMMON LINE OF LOT 1 AND LOT 4 OF SAID BLOCK NO. 43, THE EAST LINE OF SAID 5.12 ACRE TRACT, FOR AN EASTERLY LINE HEREOF, A DISTANCE OF 73.46 FEET, TO A 1/2-INCH IRON PIN FOUND, FOR THE COMMON CORNER OF LOT 1, LOT 2, LOT 3 AND LOT 4 OF SAID BLOCK NO. 43, BEING THE SOUTHWEST CORNER OF THE SOUTH HALF OF LOT 1 OF SAID BLOCK NO. 43 AND THE MOST EASTERLY SOUTHEAST CORNER OF SAID 5.12 ACRE TRACT; THENCE SOUTH 76°32'32" WEST, ALONG THE COMMON LINE OF LOT 3 AND LOT 4 OF SAID BLOCK NO. 43, A SOUTHERLY LINE OF SAID 5.12 ACRE TRACT, FOR A SOUTHERLY LINE HEREOF, A DISTANCE OF 146.81 FEET, TO A 1/2-INCH IRON PIN FOUND, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID WATTS STREET, A 50-FT. PUBLIC RIGHT-OF-WAY, FOR THE COMMON WEST CORNER OF LOT 3 AND LOT 4 OF SAID BLOCK NO. 43 THENCE SOUTH 75°54'54" WEST, OVER AND ACROSS SAID WATTS STREET, ALONG A SOUTHERLY LINE OF SAID 5.12 ACRE TRACT, FOR A SOUTHERLY LINE HEREOF, A DISTANCE OF 27.61 FEET, TO A 1/2-INCH IRON PIN SET; THENCE SOUTH 13°30'37" EAST, OVER AND ACROSS SAID WATTS STREET, FOR AN EASTERLY LINE HEREOF, A DISTANCE OF 147.24 FEET, TO A 1/2-INCH IRON PIN SET; THENCE SOUTH 13°30'37" EAST, OVER AND ACROSS SAID WATTS STREET, FOR A SOUTHERLY LINE HEREOF, PASSING AT A DISTANCE OF 25.00 FEET, A 5/8-INCH IRON PIN FOUND, AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID WATTS STREET AND THE NORTH RIGHT-OF-WAY LINE OF BRIER LANE, A 50 FT. PUBLIC RIGHT-OF-WAY, FOR THE SOUTHEAST CORNER OF SAID BLOCK NO. 19, BEING A SOUTHERLY CORNER OF SAID 5.12 ACRE TRACT AND HEREOF, AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID BRIER LANE, BEING THE SOUTH LINE OF SAID BLOCK NO. 19, AND A SOUTHERLY LINE OF SAID 5.12 ACRE TRACT, FOR A SOUTHERLY LINE HEREOF, A TOTAL DISTANCE OF 88.09 FEET, TO A 5/8-INCH IRON PIN FOUND; THENCE OVER AND ACROSS SAID BRIER LANE, ALONG A SOUTHERLY LINE OF SAID 5.12 ACRE TRACT, FOR A SOUTHERLY LINE HEREOF, THE FOLLOWING COURSES AND DISTANCES: 1) SOUTH 00°18'55" WEST, A DISTANCE OF 37.85 FEET, TO A 5/8-INCH IRON PIN FOUND; 2) SOUTH 76°31'52" WEST, PASSING AT A DISTANCE OF 154.22 FEET, A 1/2-INCH IRON PIN FOUND, AND CONTINUING FOR A TOTAL DISTANCE OF 225.00 FEET, TO A POINT ALONG THE APPROXIMATE CENTERLINE OF HAMILTON CREEK, BEING THE SOUTHWEST CORNER OF SAID 5.12 ACRE TRACT, AS CALLED IN VOLUME 1115, PAGE 882 O.P.R.B.C.; THENCE ALONG THE APPROXIMATE CENTERLINE OF SAID HAMILTON CREEK, AS CALLED IN VOLUME 1115, PAGE 882 O.P.R.B.C., BEING THE WEST LINE OF SAID 5.12 ACRE TRACT HEREOF, THE FOLLOWING COURSES AND DISTANCES: 1) NORTH 04°54'23" WEST, A DISTANCE OF 57.77 FEET, TO A POINT; 2) NORTH 09°41'20" WEST, A DISTANCE OF 127.64 FEET, TO A POINT; 3) NORTH 14°33'40" WEST, A DISTANCE OF 227.54 FEET, TO A POINT; 4) NORTH 07°17'34" WEST, A DISTANCE OF 112.12 FEET, TO A POINT; 5) NORTH 06°15'03" WEST, A DISTANCE OF 22.70 FEET, TO A POINT FOR THE NORTHWEST CORNER OF SAID 5.12 ACRE TRACT AND HEREOF; THENCE NORTH 76°58'53" EAST, ALONG THE NORTH LINE OF SAID 5.12 ACRE TRACT, FOR THE NORTH LINE HEREOF, PASSING AT A DISTANCE OF 14.13 FEET, A 1/2-INCH IRON PIN FOUND, FOR THE SOUTHWEST CORNER OF SAID 2.602 ACRE TRACT, AND CONTINUING ALONG THE SOUTH LINE OF SAID 2.602 ACRE TRACT, FOR A TOTAL DISTANCE OF 331.07 FEET, TO A 60d NAIL FOUND; THENCE NORTH 76°07'28" EAST, ALONG THE SOUTH LINE OF SAID 2.602 ACRE TRACT, THE NORTH LINE OF SAID 5.12 ACRE TRACT, AND THEN ALONG THE NORTH LINE OF SAID TRACT DESCRIBED IN INSTRUMENT NO. 201402120 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, FOR THE NORTH LINE HEREOF, A DISTANCE OF 282.28 FEET, TO A 1/2-INCH IRON PIN FOUND, ALONG THE COMMON LINE OF LOT 4 AND LOT 1 OF SAID BLOCK NO. 44, BEING THE NORTHEAST CORNER OF SAID 5.12 ACRE TRACT; TO THE POINT OF BEGINNING, CONTAINING 6.164 ACRES OF LAND, MORE OR LESS.

Table with columns: LINE, BEARING, DISTANCE. Lists survey points L1 through L17 with their respective bearings and distances.

LEGEND

- IRON PIN SET "CUPLIN 5938"
1/2" IRON PIN FND.
5/8" IRON PIN FND.
R.S.L. BLDG. SETBACK LINE
U.E. UTILITY EASEMENT
C.M. CONTROL MONUMENT
[...] RECORD INFO SUBJECT
[...] RECORD INFO ADJOINER
D.R.B.C. DEED RECORDS OF BURNET COUNTY, TEXAS
R.P.R.B.C. REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS
O.P.R.B.C. OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS



FILED AND RECORDED

Official Public Records stamp for Burnet County, Texas, signed by Janet Parker, County Clerk, dated July 09, 2014, 03:37:24 PM, Fee: \$80.00.

A SHORT FORM PLAT OF KROEGER SUBDIVISION

BEING A 6.164 ACRE TRACT OF LAND, OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT NO. 405 OF THE CITY OF BURNET, BEING ALL OF A CALLED 5.12 ACRE TRACT OF LAND, CONSISTING OF ALL OF LOT 3 AND A PORTION OF LOT 4 OF BLOCK NO. 44, ALL OF LOT 4 OF BLOCK NO. 43 OF THE PETER KERR PORTION OF THE CITY OF BURNET, ALL OF BLOCK NO. 19, 20, 21 AND A PORTION OF BLOCK NO. 22 OF CREEK ADDITION TO THE CITY OF BURNET, AND CONTAINING ALL OF A CALLED 1.212 ACRE TRACT OF LAND, BEING THE ABANDONED RIGHT-OF-WAY FOR JOHNSON STREET, WATTS STREET AND BRIER LANE, ALL OF A TRACT OF LAND AS DESCRIBED IN AFFIDAVIT OF OWNERSHIP AND USE OF ADVERSE POSSESSION IN INSTRUMENT NO. 201402120, AND ALSO CONSISTING OF THE NORTH HALF OF LOT 1 OF BLOCK NO. 43 AND ALL OF LOT 2 OF BLOCK NO. 44 OF THE PETER KERR PORTION TO THE CITY OF BURNET, BURNET COUNTY, TEXAS.

Table with columns: PROJ. NO., PREPARED FOR, TECH, APPROVED, FIELDWORK PERFORMED ON, COPYRIGHT, 1932 WEST RR 1431 PO BOX 1095 KINGSLAND, TX. 78639, PH. 325-388-3300 FAX 325-388-3320 WWW.CUPLINASSOCIATES.COM, SCALE 1"=100', SHEET 1 OF 1, REVISIONS.

Issued By:

BURNET CENTRAL APPRAISAL DIST
223 S PIERCE
P O BOX 908
BURNET, TX 78611

Property Information

Property ID: 11596 Geo ID: 03950-0000-00019-000
Legal Acres: 0.0000
Legal Desc: S3950 CREEK BLK 19.20.21, SO 15' OF 22 & 1.78 AC
 ALONG CREEK & JNC
Situs: WATTS ST UNCUT BURNET, TX 78611
DBA:
Exemptions:

Owner ID: 41693 100.00%
ROBERTS ALANA KAY KROEGER
9485 W US HIGHWAY 84
GATESVILLE, TX 76528-3753

For Entities

**WATER CONSERV DIST OF CENT
*BURNET COUNTY
*BURNET ISD
*CITY OF BURNET
*CO SPECIAL, ROAD & BRIDGE

Value Information

Improvement HS: 0
Improvement NHS: 0
Land HS: 0
Land NHS: 15,263
Productivity Market: 0
Productivity Use: 0
Assessed Value: 15,263

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Effective Date: 07/09/2014

Total Due if paid by: 07/31/2014 0.00

Tax Certificate Issued for:

*CITY OF BURNET
*BURNET COUNTY
*CO SPECIAL, ROAD & BRIDGE
*BURNET ISD
**WATER CONSERV DIST OF CENT

Taxes Paid in 2013

95.62
53.93
6.38
192.70
1.50

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

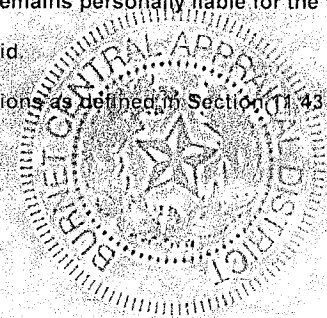
A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 07/09/2014
Requested By: ROBERTS ALANA KAY KROEGER
Fee Amount: 10.00
Reference #:

Tammy Goodman
Signature of Authorized Officer of Collecting Office



Issued By:

BURNET CENTRAL APPRAISAL DIST
223 S PIERCE
P O BOX 908
BURNET, TX 78611

Property Information

Property ID: 35621 Geo ID: 07150-0043-00001-000
Legal Acres: 0.0000
Legal Desc: S7150 PETER KERR PORTION LOT NE PT OF 1 Bk 43
Situs:
DBA:
Exemptions:

Owner ID: 41693 100.00%
ROBERTS ALANA KAY KROEGER
9485 W US HIGHWAY 84
GATESVILLE, TX 76528-3753

For Entities

**WATER CONSERV DIST OF CENT
*BURNET COUNTY
*BURNET ISD
*CITY OF BURNET
*CO SPECIAL, ROAD & BRIDGE

Value Information

Improvement HS: 0
Improvement NHS: 0
Land HS: 0
Land NHS: 11,885
Productivity Market: 0
Productivity Use: 0
Assessed Value: 11,885

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Effective Date: 07/09/2014

Total Due if paid by: 07/31/2014

0.00

Tax Certificate Issued for:

*CITY OF BURNET
*BURNET COUNTY
*CO SPECIAL, ROAD & BRIDGE
*BURNET ISD
**WATER CONSERV DIST OF CENT

Taxes Paid in 2013

74.46
41.99
4.97
150.04
1.16

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 07/09/2014
Requested By: ROBERTS ALANA KAY KROEGER
Fee Amount: 5.00
Reference #:

Tammy Goodman
Signature of Authorized Officer of Collecting Office



Issued By:

BURNET CENTRAL APPRAISAL DIST
223 S PIERCE
P O BOX 908
BURNET, TX 78611

Property Information

Property ID: 35625 Geo ID: 07150-0043-00004-000
Legal Acres: 0.0000
Legal Desc: S7150 PETER KERR PORTION LOT 4 & BLK 44 LOT 3 +
15 FT OF 4 BLK 43
Situs: N WEST ST BURNET, TX 78611
DBA:
Exemptions:

Owner ID: 41693 100.00%
ROBERTS ALANA KAY KROEGER
9485 W US HIGHWAY 84
GATESVILLE, TX 76528-3753

For Entities

**WATER CONSERV DIST OF CENT
*BURNET COUNTY
*BURNET ISD
*CITY OF BURNET
*CO SPECIAL, ROAD & BRIDGE

Value Information

Improvement HS: 0
Improvement NHS: 0
Land HS: 0
Land NHS: 15,750
Productivity Market: 0
Productivity Use: 0
Assessed Value: 15,750

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Effective Date: 07/09/2014

Total Due if paid by: 07/31/2014 0.00

Tax Certificate Issued for:

	Taxes Paid in 2013
*CITY OF BURNET	98.67
*BURNET COUNTY	55.65
*CO SPECIAL, ROAD & BRIDGE	6.58
*BURNET ISD	198.84
**WATER CONSERV DIST OF CENT	1.54

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

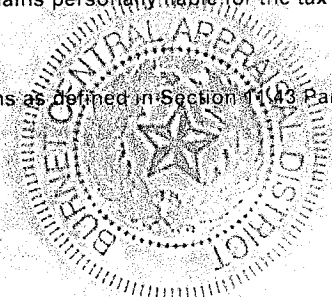
A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of issue: 07/09/2014
Requested By: ROBERTS ALANA KAY KROEGER
Fee Amount: 5.00
Reference #:

Tammy Goodman
Signature of Authorized Officer of Collecting Office



Issued By:

BURNET CENTRAL APPRAISAL DIST
223 S PIERCE
P O BOX 908
BURNET, TX 78611

Property Information

Property ID: 35626 Geo ID: 07150-0044-00002-000
Legal Acres: 0.0000
Legal Desc: S7150 PETER KERR PORTION LOT 2 BLK 44
Situs: 400 N WEST BURNET, TX 78611
DBA:
Exemptions:

Owner ID: 41693 100.00%
ROBERTS ALANA KAY KROEGER
9485 W US HIGHWAY 84
GATESVILLE, TX 76528-3753

For Entities

**WATER CONSERV DIST OF CENT
*BURNET COUNTY
*BURNET ISD
*CITY OF BURNET
*CO SPECIAL, ROAD & BRIDGE

Value Information

Improvement HS: 65,357
Improvement NHS: 0
Land HS: 11,979
Land NHS: 0
Productivity Market: 0
Productivity Use: 0
Assessed Value 77,336

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:		0.00	0.00	0.00	0.00

Effective Date: 07/09/2014

Total Due if paid by: 07/31/2014

0.00

Tax Certificate Issued for:

*CITY OF BURNET
*BURNET COUNTY
*CO SPECIAL, ROAD & BRIDGE
*BURNET ISD
**WATER CONSERV DIST OF CENT

Taxes Paid in 2013

484.51
273.23
32.33
976.36
7.58

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

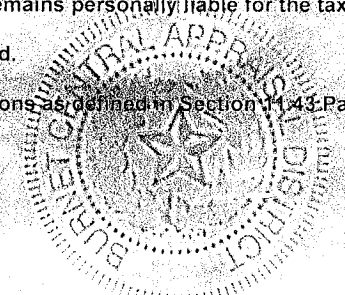
A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 07/09/2014
Requested By: ROBERTS ALANA KAY KROEGER
Fee Amount: 5.00
Reference #:

Tammy Goodman
Signature of Authorized Officer of Collecting Office



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GF# 09-23-15356

Warranty Deed with Vendor's Lien

Date: November 30, 2023 to be effective December 1, 2023
Grantor: Alana Kay Kroeger Roberts and Ben L. Roberts, a married couple
Grantor's Mailing Address: 9485 W US HWY 84, Gatesville, TX 76528
Grantee: Burnet Economic Development Corporation, a Texas non-profit corporation
Grantee's Mailing Address: P.O. Box 1369, Burnet, TX 78611
Consideration:

Cash and a note of even date executed by Grantee and payable to the order of Grantor in the principal amount of THREE HUNDRED THOUSAND AND NO/100 DOLLARS (\$300,000.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed and by a first-lien deed of trust of even date from Grantee to Tyler Rockafellow, trustee.

Property (including any improvements):

TRACT I:

BEING a 0.37 acre tract of land out of a portion of Lots Three (3) and Four (4), Block Seventeen (17), PETER KERR PORTION, City of Burnet, Burnet County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

TRACT II:

BEING Lot One (1), KROEGER SUBDIVISION, a subdivision in the City of Burnet, Burnet County, Texas, as shown by plat recorded in Document No. 201405549, Official Public Records of Burnet County, Texas.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2023, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES, EXCEPT FOR THOSE CONTAINED IN THE PURCHASE CONTRACT, THIS DEED, AND THE OTHER CLOSING DOCUMENTS. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION AND THE REPRESENTATIONS AND WARRANTIES EXPRESSLY CONTAINED IN THE PURCHASE CONTRACT, THIS DEED, AND THE OTHER CLOSING DOCUMENTS.

When the context requires, singular nouns and pronouns include the plural.



Alana Kay Kroeger Roberts

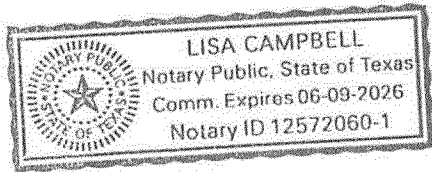
Ben L. Roberts

Ben L. Roberts

STATE OF TEXAS)

COUNTY OF BURNET)

This instrument was acknowledged before me on November 30, 2023, by Alana Kay Kroeger Roberts.



Lisa Campbell

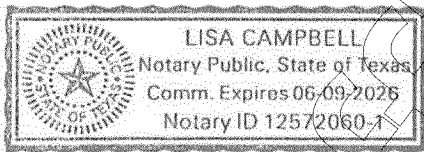
Notary Public, State of Texas

My commission expires: _____

STATE OF TEXAS)

COUNTY OF BURNET)

This instrument was acknowledged before me on November 30, 2023, by Ben L. Roberts.



Lisa Campbell

Notary Public, State of Texas

My commission expires: _____

AFTER RECORDING RETURN TO:

The Rockafellow Law Firm, PLLC
117 E. Jackson St.
Burnet, Texas 78611
Tel: (512) 756-4100
Fax: (512) 756-2900

EXHIBIT A

FIELD NOTE DESCRIPTION FOR A 0.37 ACRE TRACT OF LAND, SITUATED IN BURNET COUNTY, TEXAS:

BEING A 0.37 ACRE TRACT, BEING A 0.27 ACRE PORTION OF LOT 3, BLOCK 17 AND A 0.10 ACRE PORTION OF LOT 4, BLOCK 17, OF THE PETER KERR ADDITION IN BURNET COUNTY, TEXAS, CONVEYED BY GIFT DEED TO ALANA KAY KROEGER ROBERTS, AS RECORDED IN VOLUME 1208, PAGE 411 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.

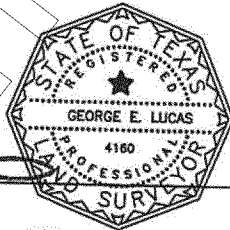
BEGINNING at a 1/2" iron rod found, lying in the north right-of-way line of Polk Street, a public road, marking the southwest corner of a 1.177 acre lot, as recorded in Document No. 202213519 of the Official Public Records of Burnet County, Texas, conveyed by Special Warranty Deed with Vendor's Lien to Burnet Economic Development Corporation, as recorded in Document No. 202300889 of the Official Public Records of Burnet County, Texas, for the southeast corner of this tract;

THENCE, South 76°48'37" West, along the south line of this tract, common with the north right-of-way line of Polk Street, a distance of 92.67 feet, to a 60D Magnail found, lying in the north right-of-way line of Polk Street, common with the east right-of-way line Main Street, a public road, for the southwest corner of this tract;

THENCE, North 13°10'00" West, along the west line of this tract, common with the east right-of-way line of Main Street, a distance of 174.41 feet, to a 1/2" iron rod found, lying in the southeast corner of a 0.34 acre tract of land conveyed by Special Warranty Deed to Jenkins Family Funeral Home, LLC, as recorded in Document No. 201401738 of the Official Public Records of Burnet County, Texas, for the northwest corner of this tract;

THENCE, North 76°30'33" East, along the north line of this tract, common with a south line of said Jenkins Family Funeral Home tract, a distance of 90.10 feet, to a 1/2" iron rod found, marking an angle corner of said Jenkins Family Funeral Home tract, common with an angle corner of said Burnet Economic Development Corporation tract, for the northeast corner of this tract;

THENCE, South 14°00'37" East, along the east line of this tract, common with west line of said Burnet Economic Development Corporation tract, a distance of 174.90 feet, to the POINT OF BEGINNING, containing 0.37 acres of land, more or less.



George E. Lucas
Registered Professional Land Surveyor No. 4160
Celco Surveying, Firm Registration No. 10193975
18018 Overlook Loop, Suite 105
San Antonio, Texas 78259
Date: November 10, 2023

**THE STATE OF TEXAS
COUNTY OF BURNET**

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Burnet County, Texas.

202311830 D
12/01/2023 12:59:54 PM Total Fees: \$38.00

Vicinta Stafford, County Clerk
Burnet County, Texas

Vicinta Stafford



Unofficial Copy



Electric Department

ITEM 4.4

Taylor Stuckey
Electric Superintendent
512-755-9997
tstuckey@cityofburnet.com

Action

Meeting Date: February 27, 2024

Agenda Item: Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE CONTRACTUAL AGREEMENT TO ALLOW THE LCRA TO CONTINUE PERFORMING REGULAR MAINTENANCE, INSPECTIONS, AND TESTING ON THE CITY OWNED SUBSTATION EQUIPMENT CONTAINED WITHIN THE BURNET SUBSTATION FOR THE NEXT 5 YEARS. AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT AGREEMENT ON BEHALF OF THE CITY: T. Stuckey

Background: The substation inspection, maintenance, and testing has been a service completed for the City of Burnet over the last several decades by the LCRA. This maintenance schedule helps ensure that the citizens and businesses in the city continue to have reliable power provided out of the substation.

Information: The Electric Department is seeking authorization to continue using the LCRA's services that will consist of inspecting and testing city owned substation equipment for \$30,156.36 over the next 5 years. The previous agreement was for \$15,750.00 over 5 years, but the LCRA completed research and found that it was costing a significant amount more to perform these services. This agreement also enables the LCRA to perform maintenance on any damaged findings at the cost of time and material only and during an emergency situation. The LCRA would not perform maintenance on the city's facilities should we decline to sign the agreement.

Fiscal Impact: . The net fiscal impact to the Electric fund would be \$0 because this cost is passed on to the customer in their utility bill as part of the LCRA Power Cost rate. The monthly increase per customer would be negligible (approximately .20 cents based on 2,000 kWh used)

Recommendation: Approve Resolution No. R2024-17 as presented.

RESOLUTION NO. R2024-17

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE CONTRACTUAL AGREEMENT TO ALLOW THE LCRA TO CONTINUE PERFORMING REGULAR MAINTENANCE, INSPECTIONS, AND TESTING ON THE CITY OWNED SUBSTATION EQUIPMENT CONTAINED WITHIN THE BURNET SUBSTATION FOR THE NEXT 5 YEARS. AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE AGREEMENT ON BEHALF OF THE CITY

Whereas, the City of Burnet Electric Department does not have a substation department; and

Whereas, The City of Burnet Electric Department has received a quote from the LCRA for the contractual agreement in the amount of \$30,156.36; and

Whereas, this is a five year contractual agreement for testing, inspection, and maintenance in the amount of \$30,156.36;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby resolved by the City Council of the City of Burnet, Texas (the "City Council") and made a part hereof for all purposes as findings of fact.

Section 2. Proceedings. The City Council does hereby approve the contractual agreement with the LCRA to proceed with the testing, inspection, and maintenance of the city owned facilities within the Burnet Substation to be funded as follows:

Year 1: March 1, 2024-February 28, 2025 \$362.22 per month

Year 2: March 1, 2025-February 28, 2026 \$460.81 per month

Year 3: March 1, 2026-February 28, 2027 \$563.33 per month

Year 4: March 1, 2027-February 29, 2028 \$563.33 per month

Year 5: March 1, 2028-February 28, 2029 \$563.33 per month

Section 3. Authorization. The City Council does hereby authorize the City Manager and the Finance Director to take such actions reasonably necessary to facilitate the purpose of this Resolution.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of

the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED this the 27th day of February, 2024.

ATTEST:

CITY OF BURNET, TEXAS

Kelly Dix, City Secretary

Gary Wideman, Mayor



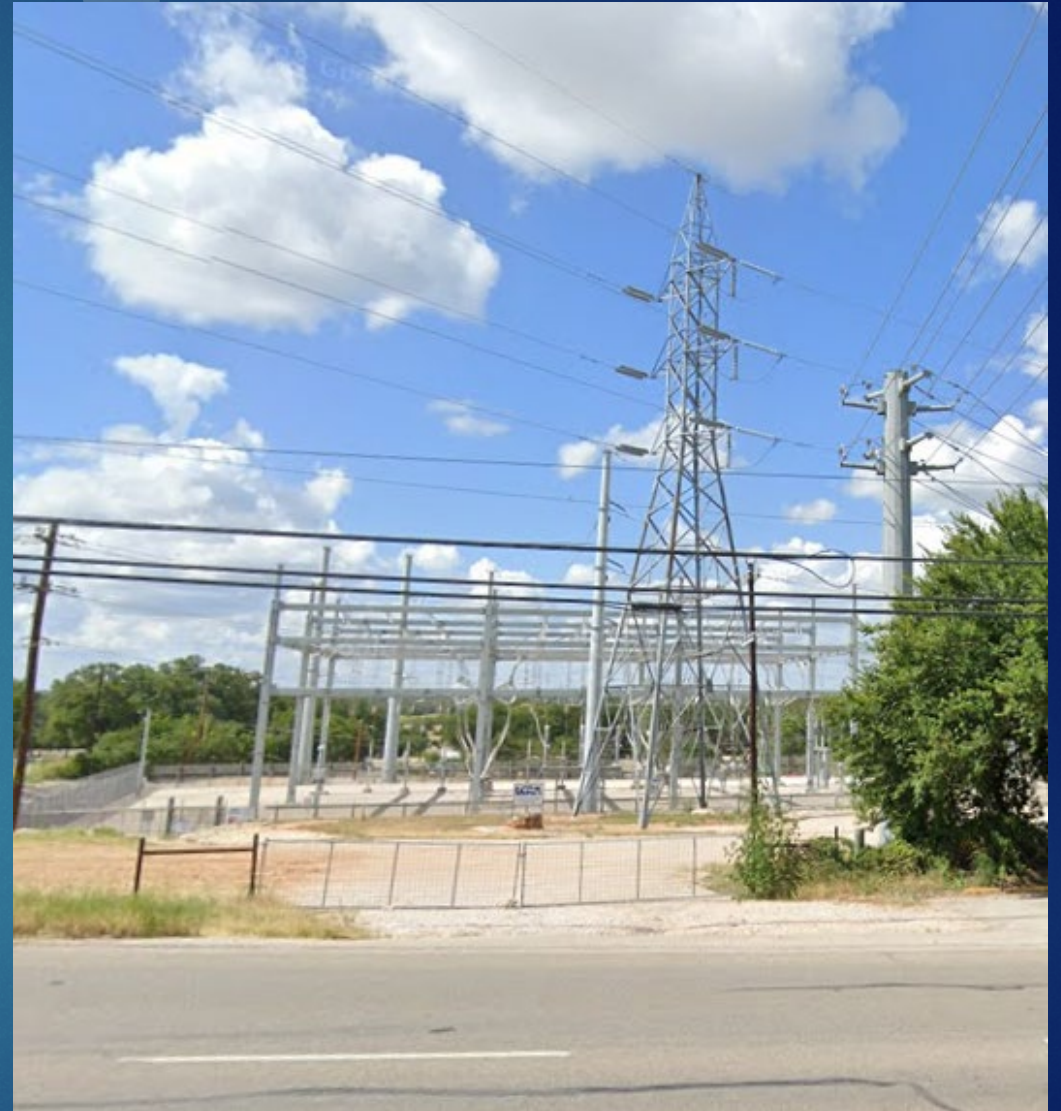
**CITY COUNCIL
MEETING**

FEBRUARY 27, 2024

ITEM

▶ DISCUSS AND CONSIDER ACTION: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE CONTRACTUAL AGREEMENT TO ALLOW THE LCRA TO CONTINUE PERFORMING REGULAR MAINTENANCE, INSPECTIONS, AND TESTING ON THE CITY OWNED SUBSTATION EQUIPMENT CONTAINED WITHIN THE BURNET SUBSTATION FOR THE NEXT 5 YEARS. AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT AGREEMENT ON BEHALF OF THE CITY.

▶ THIS MAINTENANCE SCHEDULE HELPS ENSURE THAT THE CITIZENS AND BUSINESSES IN THE CITY OF BURNET CONTINUE TO HAVE RELIABLE POWER PROVIDED OUT OF THE SUBSTATION.





Discussion

- ▶ Discuss and approve Resolution R2024-17 as presented

PROJECT PROPOSAL

**LCRA Transmission Strategic Services
CUSTOMER SERVICES CONTRACT**

Form CSC revised 06/22/2020

CUSTOMER:

**City of Burnet
P.O. Box 1369
Burnet, TX 78611
Attn: Taylor Stuckey**

PROJECT:

Burnet - Substation Inspection, Maintenance and Testing 2024-2029

DATE SUBMITTED

February 1, 2024

SCOPE OF SERVICES:

LCRA will perform substation maintenance for the City. Scope of Services and Pricing Sheet Attached. Price will increase in Year 1, Year 2 and Year 3 and then maintain for Years 4 and 5. Monthly amount added to the Power Bill.

Pricing as follows:

Year 1: March 1, 2024 - February 28, 2025 = \$ 362.22 per month

Year 2: March 1, 2025 - February 28, 2026 = \$ 460.81 per month

Year 3: March 1, 2026 - February 28, 2027 = \$ 563.33 per month

Year 4: March 1, 2027 - February 29, 2028 = \$ 563.33 per month

Year 5: March 1, 2028 - February 28, 2029 = \$ 563.33 per month

PROJECT SCHEDULE:

Start:

Effective Date: March 1, 2024

Complete:

Completion Date: February 28 2029

LCRA CONTACT

Bill Jerram

bill.jerram@lcra.org

512-940-6713

Lower Colorado River Authority

3700 Lake Austin Blvd.

Austin, TX 78767-0220

Attn: Transmission Strategic Services

CONTRACT TYPE & ESTIMATED COST:

Contract Type: Independent Contract

Billing Method: Fixed Price

Total Cost: \$30,156.36

Reference Contract:

(Please note that if this is an independent contract, terms and conditions should be attached.)

Customer and the Lower Colorado River Authority agree that the work described above shall be performed in accordance with the terms and conditions in this contract. This proposal is valid for 60 days after submittal.

Parties:

City of Burnet

Lower Colorado River Authority

By:

Printed Name _____

Title:

Date: _____

By:

Printed Name Sam Woolard

Title: VP, Transmission Field Service

OFFICE USE ONLY

Job Description: Burnet - Substation Inspection, Maintenance and Testing 2024-2029

Project ID: _____

Work Order: _____

Contract Owner: Bill Jerram

Contract Coordinator: Catherine Hempfling

Distribution Breaker Maintenance Scope of Work

This agreement shall cover, Per Distribution Breaker: See attached spreadsheet for details.

1. A monthly visual inspection.
2. A Yearly trip/close check.
3. One internal/external/relay test/inspection every 5 years.

Circuit Breaker Maintenance – Distribution

- Clean components of lift rods/cross-arms, check for wear, damage, looseness and check alignment
- Inspect bushing CT's for damage and loose wiring
- Inspect gaskets
- Perform leak test
- Verify ground connections
- Inspect bushings for damage and clean
- Filter oil
- Tighten high voltage line/load connections
- Hi-pot vacuum bottle
- Measure contact resistance

Relay Circuit Breaker - Distribution

Relay Calibration, including UFLS relays.

- For verification of relay settings the customer must provide the settings unless LCRA TSC Systems Protection has previously provided
 - Verify operational settings according to latest transmission system requirements
 - Verify relay case grounding
 - Verify indication lights
 - For non-digital relays test and calibrate if necessary
 - Verify proper operation and pickup of trip indications
 - Verify timers for correct settings
 - Verify correct operations of alarms to SOCC/annunciator
 - Verify control, CT, and PT wiring connections on relays and terminal blocks are tight
 - Verify the A/D converters, if included, within the relay by testing or comparing values against other devices
 - Verify operations of all relay inputs and outputs essential to proper function not covered above
 - For instrument transformers verify presence, rotation and direction/polarity of all voltage and current inputs and compare to another instrument transformer on the same circuit
 - Verify sync check voltage for applicable automatic reclosing schemes
 - For auxiliary equipment check AC and DC voltage inputs to all relays, carrier and aux equipment
- Function test/Trip check
- Verify correct operation of all switching devices under relay control
 - Verify proper operation of all relay panel trip/control circuits
 - Verify electrical operation of electromechanical lockout
 - Verify the pressure or flow sensing mechanism is operable in sudden pressure tripping relays

LCRA SUBSTATION SERVICES

Scope of Services

This Contract shall cover substation services for assets listed in Exhibit A for substation equipment and facilities owned by Customer. All inspections shall be performed in accordance with the Standards for Inspection and Maintenance of LCRA Transmission Services Corporation Equipment and Facilities or the manufacturer's service manual, unless otherwise requested in writing by the Customer. LCRA shall provide copies of all applicable reports to the Customer after work completion. All services will be invoiced after the work is performed. All pricing is based on the attached Schedule (Exhibit A).

Additional maintenance on assets not included in Exhibit A must be requested in writing (email is sufficient) or added as an amendment to this agreement. LCRA Transmission Substation Maintenance personnel may also be available for corrective maintenance and/or emergency repair work depending on availability and LCRA Agreement. This work will be charged at Customer Service prevailing rates. These services will be invoiced each time they are required after the work is performed.

LCRA will perform tests and report findings, following the guidelines of standard testing and best practices.

If applicable, Customer shall remain solely responsible for all liabilities and obligations related to the Bulk Electric System ("BES") protection elements, including any regulatory requirements associated with such elements or any fines or penalties resulting therefrom. Notwithstanding anything to the contrary in this Contract, including the Interlocal, LCRA makes no representations or warranties, express or implied, as to the completeness or accuracy of the BES protection elements test reports or their suitability for a particular purpose, and LCRA will not be liable for errors or omissions in, or delays in providing, the BES protection elements test reports.

Either party may terminate this Contract by giving ninety (90) days advance written notice, which shall include an effective date for termination of the Agreement. Written notice shall be provided by email or mail.

CUSTOMER SERVICES CONTRACT

1. Agreement. This Customer Services Contract, including these terms and conditions, the Project Proposal, and any other documents attached hereto (collectively, the “Contract”), contains the entire agreement and understanding between LCRA and Customer with respect to the subject matter of this Contract and supersedes any and all prior or contemporaneous oral and written agreements and understandings regarding the defined scope of services. Additional terms and conditions on Customer’s forms (including those accompanying any purchase order, invoice or payment) are a material alteration of this Contract and are rejected and null and void unless expressly agreed to by LCRA in writing. In the case of any conflicts between the terms of this Contract and the terms of any applicable Customer form, the terms of this Contract will control.
2. Services. LCRA will perform services for the Customer as detailed in the Scope of Services section of the Project Proposal (“Services”). Customer will review and respond as appropriate to all reports, studies, recommendations, requests and other submissions of LCRA so as not to delay the performance of the Services.
3. Notices. Correspondence, notices and invoices will be in writing and mailed or delivered to the other party as identified in the Customer and LCRA Contact sections of the Project Proposal, or at such other address as a party may from time to time designate in writing. All notices, correspondence or invoices will be effective upon receipt.
4. Changes Orders. Changes in the scope of the Services may only be made by written agreement of the Customer and LCRA. Verbal changes will not be given or accepted, except in cases of emergencies which pose a risk of personal injury or property damage, and such changes will be followed up with a written confirmation as soon as practicable.
5. Term; Termination. This Contract will commence on the date of the last signature by the parties (“Effective Date”) and will govern LCRA’s performance of the Services. Either party may terminate this Contract for its convenience at any time by providing written notice to the other party. In the event of such termination, Customer will pay LCRA for all Services performed up to the date of termination, plus (in the case of termination by Customer) any cancellation charges or other termination expenses as may be reasonably identified by LCRA.
6. Costs; Invoicing. As compensation for the Services, Customer will pay LCRA in accordance with one of the following, as identified in the Price section of the Project Proposal:
 - (a) All (i) direct costs incurred by LCRA in performing the Services, including, (1) costs for materials and supplies, (2) labor costs, including salary and benefits, paid to LCRA employees, (3) travel, meal and lodging expenses reimbursed or paid on behalf of LCRA employees within established LCRA expense guidelines, and (4) any third party costs, plus (ii) indirect costs that LCRA normally applies to Services of this nature, including general and administrative costs and other internal expenses and contributions; or
 - (b) A fixed price. Any changes to the scope of the Services may require an increase in the fixed price. Such change to the scope and the correlating fixed price will be agreed to in writing by the parties.
- LCRA may invoice Customer for progress payments for the Services completed to date during the term of this Contract. All payments by Customer under this Contract will be due and payable within 30 days after receipt of invoice. If payment is not timely made, interest will accrue on the unpaid balance at the lesser of the maximum lawful rate, or one percent per month, from the due date until paid.
7. Warranty; Disclaimer.
 - (a) During the term of this Contract, and for a period of 30 days after completion of the Services, LCRA will correct or re-perform any Services not conforming to the requirements of this Contract. Upon completion of the Services, LCRA will assign to Customer all contractor, manufacturer and supplier warranties related to the Services, to the extent LCRA has the right to do so. After such assignment, LCRA will have no continuing obligations to Customer with respect to the good or service to which the warranty applies, and Customer will look solely to the applicable contractor, manufacturer or supplier for relief regarding any claims or remedies, whether based on a warranty or otherwise.
 - (b) Any law, code or standard referenced in this Contract will refer to the version of such law, code or standard in effect as of the Effective Date.
 - (c) **THE WARRANTIES CONTAINED IN THIS SECTION 7 ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR GOOD AND WORKMANLIKE PERFORMANCE, AND LCRA’S OBLIGATION UNDER SECTION 7(A) IS CUSTOMER’S SOLE AND EXCLUSIVE REMEDY FOR ANY BREACH OR LIABILITY OF LCRA ARISING UNDER THIS CONTRACT.**
8. Environmental Conditions. Prior to LCRA starting any Services on-site, Customer will provide documentation that identifies the presence and condition of any hazardous materials or environmental conditions existing in or about Customer’s equipment or the site that LCRA may encounter while performing the Services, and will keep LCRA informed of changes in any such conditions. If LCRA encounters hazardous materials in Customer’s equipment or on-site, LCRA is not obligated to perform any Services affected by the hazardous conditions. Customer will indemnify and hold LCRA, its affiliates and their respective directors and employees, harmless for any and all claims, damages, losses, and expenses arising out of or relating to any hazardous materials which are or were (i) present in or about Customer’s equipment or the site prior to the commencement of LCRA’s work, (ii) improperly handled or disposed of by Customer or Customer’s employees, agents, contractors or subcontractors, or (iii) brought, generated, produced or released on-site by parties other than LCRA.
9. Schedule. Unless otherwise expressly stated in the Contract documents, time is *not* of the essence and LCRA will not be liable to Customer for any damages arising out of LCRA’s delay in providing the Services, including any failure to meet schedules contained in this Contract.
10. Force Majeure. Neither party will be responsible or liable for any delay or failure in its performance under this Contract to the extent such delay or failure is caused by conditions or events of Force Majeure. The term “Force Majeure” means causes or

CUSTOMER SERVICES CONTRACT

events beyond the reasonable control of, and without the fault or negligence of the party claiming Force Majeure, including (to the extent satisfying the foregoing requirements) (i) acts of God or sudden actions of the elements such as floods, earthquakes, hurricanes, tornadoes, ice storms, or wildfires; (ii) terrorism; war; riots; blockades; insurrection; strike at a regional level; labor disruption at a regional level (even if such difficulties could be resolved by conceding to the demands of a labor group); (iii) any action by a governmental or regulatory entity, including ERCOT or the PUCT; and (iv) pandemic, including the current Coronavirus Disease 2019 outbreak.

11. **LIMITATION OF LIABILITY.** THE TOTAL LIABILITY OF LCRA ARISING OUT OF THIS CONTRACT AND THE SERVICES WILL NOT EXCEED AN AMOUNT EQUAL TO THE FEES PAID TO LCRA UNDER THIS CONTRACT, AND LCRA WILL NOT BE LIABLE FOR INDIRECT, PUNITIVE, INCIDENTAL, SPECIAL, OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS. IN NO EVENT WILL ANY OFFICER, DIRECTOR, EMPLOYEE OR AFFILIATE (OR AFFILIATE'S OFFICER, DIRECTOR OR EMPLOYEE) OF LCRA BE LIABLE TO CUSTOMER UNDER THIS CONTRACT, AND CUSTOMER'S SOLE RECOURSE UNDER THIS CONTRACT WILL BE AGAINST LCRA AND NOT AGAINST SUCH OTHER PERSONS. THE LIMITATIONS ON LIABILITY AND REMEDIES IN THIS PARAGRAPH WILL APPLY REGARDLESS OF WHETHER THE LIABILITY OR CAUSE OF ACTION ARISES IN CONTRACT, WARRANTY, INDEMNITY, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY OR OTHERWISE. NOTHING IN THIS CONTRACT WILL BE CONSTRUED TO WAIVE LCRA'S GOVERNMENTAL IMMUNITY.

12. **Amendment.** This Contract may only be amended or modified through written agreement of the parties signed by an authorized representative of LCRA and by an authorized representative of the Customer.

13. **Assignment.** This Contract will be binding upon and inure to the benefit of the parties and their respective successors and assigns; provided, however, that neither party may assign this Contract, in whole or part, without the prior written consent of the other party.

14. **Non-Waiver.** No failure or delay on the part of a party to exercise any right or remedy will operate as a waiver of such right or remedy, nor will any single or partial exercise of any right or remedy preclude any further or other exercise of any such right or remedy.

15. **Partial Invalidity.** If any section or part of this Contract is declared invalid by any court of competent jurisdiction, the court's decree will not affect the remainder of this Contract, and the remainder of this Contract will remain in full force and effect with the deletion of the part declared invalid.

16. **Choice of Law; Venue; Waiver of Jury Trial.** This Contract will be governed by and construed in accordance with the laws of the State of Texas, without regard to conflict of law principles. Each party irrevocably consents and agrees that any legal action or proceeding arising out of this Contract will be brought exclusively in a court of competent jurisdiction in Travis County, Texas. LCRA AND CUSTOMER IRREVOCABLY WAIVE ALL RIGHT OF TRIAL BY JURY IN ANY ACTION, PROCEEDING OR COUNTERCLAIM ARISING OUT OF OR IN CONNECTION WITH THIS CONTRACT.

17. **Ownership.** Intellectual property and rights to intellectual property owned by any party on the Effective Date will remain the property of that party. All deliverables, including plans, drawings, designs, specifications, computer programs or applications photographs, studies, data, schedules, test readings, technical reports, and calculations developed or utilized by LCRA or its subcontractors which are developed and specified to be delivered under this Contract and which are paid for by Customer are the property of Customer, but subject to LCRA's intellectual property rights. Customer recognizes that no deliverables will be suitable for reuse at any Customer facility or in connection with any project other than that for which the deliverable was prepared. LCRA DISCLAIMS LIABILITY FOR ANY REUSE OF THE DELIVERABLES ON ANY OTHER FACILITY OR PROJECT THAT IS DONE WITHOUT THE EXPLICIT, WRITTEN APPROVAL OF LCRA.

18. **Confidentiality.** "Confidential Information" means information marked or otherwise designated as "confidential" by a party. Confidential Information may only be used by the parties for purposes related to the performance of this Contract, and each party agrees not to disclose Confidential Information of the other party to any other person (other than its affiliates, and the party's and affiliate's respective employees and directors, or to contractors who agree to be bound by the provisions of this Section), provided that either party may disclose Confidential Information if and to the extent such disclosure is required by law (including the Texas Public Information Act). In the event a party is requested under law to disclose Confidential Information, such party will to the extent possible notify the other party within three business days of such request.

19. **Municipally Owned Utilities.** If Customer is a municipally owned utility, the following additional terms will apply:

- (a) This Contract is entered into under the authority of Chapter 791 of the Texas Government Code;
- (b) Customer pledges the revenues of its electric utility system to pay its obligations under this Contract. In addition, the amounts payable by Customer to LCRA under this Contract are operation and maintenance expenses as contemplated by Section 1502.056 of the Texas Government Code and, as a result, are a first lien against the revenues of Customer to secure the Customer's payment obligations to LCRA hereunder. Customer agrees that it will not request Services for which funds have not been appropriated and are not available.
- (c) Payments made under this Contract (1) are based on cost recovery, (2) will fairly compensate LCRA for the Services, and (3) will be made from current revenues available to Customer.

20. **Survival.** Termination or expiration of this Contract will not relieve, reduce, or impair any rights or obligations of a party which expressly or by implication survive termination or expiration of this Contract. Without limiting the generality of the foregoing, the following sections will survive the termination or expiration of this Contract: Costs; Invoicing, Warranty; Disclaimer, Environmental Conditions, Schedule, Limitation of Liability, Choice of Law; Venue; Waiver of Jury Trial, Ownership, Confidentiality, and Municipally Owned Utilities.



Distribution Breaker Maintenance Scope of Work

This agreement shall cover, Per Distribution Breaker: See attached spreadsheet for details.

1. A monthly visual inspection.

- Check for leaks
- Check oil levels
- Record counter readings
- Inspect for breaker overall damage, insulators/flash marks, compare to other breakers for abnormalities
- Verify ground connections
- Listen/check for noises indicating issues
- Review alarms/gauges to be in normal configuration
- Check for water leaks/damage in upper/lower cabinets; check door gaskets/seals
- Lubricate hinges as needed
- Check animal deterrent fencing, remove debris in snake fencing, and bird nests as needed
- Check for fire ants, wasp nests or other nuisance damage
- Check for rust/paint damage
- Review/reset relay targets
- Review panel lights for proper operation
- Review control switches are in the normal position
- Note any odors that indicate arcing or burned trip/close coils/loose connections
- Verify cabinet heaters are operating properly
- Check foundations/gravel for erosion

2. A Yearly trip/close check.

- All items included above, plus:
- Bypass low-side breaker
- Open breaker
- Operate load and line switches
- Close load and line switches
- Close breaker
- Open bypass

3. One internal/external/relay test/inspection every 5 years.

Circuit Breaker Maintenance – Distribution

- Clean components of lift rods/cross-arms, check for wear, damage, looseness and check alignment
- Inspect bushing CT's for damage and loose wiring
- Inspect gaskets
- Perform leak test
- Verify ground connections
- Inspect bushings for damage and clean
- Filter oil

- Tighten high voltage line/load connections
- Hi-pot vacuum bottle
- Measure contact resistance

Relay Circuit Breaker - Distribution

- Relay Calibration, including UFLS relays.
- For verification of relay settings the customer must provide the settings unless LCRA TSC Systems Protection has previously provided
- Verify operational settings according to latest transmission system requirements
- Verify relay case grounding
- Verify indication lights
- For non-digital relays test and calibrate if necessary
- Verify proper operation and pickup of trip indications
- Verify timers for correct settings
- Verify correct operations of alarms to SOCC/annunciator
- Verify control, CT, and PT wiring connections on relays and terminal blocks are tight
- Verify the A/D converters, if included, within the relay by testing or comparing values against other devices
- Verify operations of all relay inputs and outputs essential to proper function not covered above
- For instrument transformers verify presence, rotation and direction/polarity of all voltage and current inputs and compare to another instrument transformer on the same circuit
- Verify sync check voltage for applicable automatic reclosing schemes
- For auxiliary equipment check AC and DC voltage inputs to all relays, carrier and aux equipment
- Function test/Trip check
- Verify correct operation of all switching devices under relay control
- Verify proper operation of all relay panel trip/control circuits
- Verify electrical operation of electromechanical lockout
- Verify the pressure or flow sensing mechanism is operable in sudden pressure tripping relays



Airport

ITEM 4.5

Adrienne Feild
Admin Services/Airport
Manager
512.715.3214
afeild@cityofburnet.com

Action

Meeting Date: February 27, 2024

Agenda Item: Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING A LETTER OF INTENT WITH CAREFLITE TO GROUND LEASE PROPERTY AT THE BURNET MUNICIPAL AIRPORT: A. Feild

Background: Careflite, has offered to enter into a Letter of Intent to ground lease 0.972 +/- acres located at the south end of the Burnet Municipal Airport runway. The purpose of the ground lease would be the construction and operation of an airport hangar and office facilities.

Information: By Resolution No. R2023-49 City Council approved a letter of intent with Careflite, to ground lease 0.972 +/- acres located at the south end of the Burnet Municipal Airport runway. The purpose of the ground lease would be the construction and operation of Careflite facilities. The letter of intent expired on January 1, 2024. Additional time is needed to negotiate the lease agreement due to delays.

Should this resolution be approved, the City Manager would continue negotiations of the terms and conditions of the ground lease for presentation to Council for approval. Should the ground lease not be executed for whatever reason, during the term or extension of the Letter of Intent, neither party shall have any further obligation to the other.

Fiscal Impact: The fiscal impact will not be known unless and until Council approves Ground Lease.

Recommendation: Approve Resolution No. R2024-16 as presented.

RESOLUTION NO. R2024-16

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING A LETTER OF INTENT WITH CAREFLITE TO GROUND LEASE PROPERTY AT THE BURNET MUNICIPAL AIRPORT.

Whereas, by resolution no. R2023-49 City Council authorized a letter of intent with Careflite, to negotiate ground leases for 0.972 +/- acres located at the south end of the Burnet Municipal Airport runway; and

Whereas, the term of the Letter of Intent expired on January 1, 2024, and City Council desires to enter into an additional Letter of Tenet to extent the negotiate period; and

Whereas, the Letter of Intent authorizes the City Manager to continue negotiations of the terms and conditions of ground leases for a term up to forty-years; and

Whereas, any ground lease negotiated by the City Manager would require Council approval before becoming binding on the City; and

Whereas, should the parties not come to an agreement as to the terms and conditions of the ground leases before the expiration of the term of the Letter of Intent, or any extension thereof, neither party shall have any further obligation to the other under the Letter of Intent.

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

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

Section two. Approval. The Letter of Intent attached hereto are hereby approved.

Section three. Authorization. The Mayor is hereby authorized to execute instruments in substantial form as the attachment and execute such ancillary documents and take such related actions reasonably necessary to facilitate the intent of this Resolution. The City Manager is authorized to extend the term an additional ninety days without further City Council action.

Section four. Direction. Upon full execution of the Letter of Intent the City Manager is directed to pursue negotiations of a Ground Lease with Careflite for future Council consideration and action.

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

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

PASSED AND APPROVED this the 27th day of February, 2024.

CITY OF BURNET, TEXAS

ATTEST:

Gary Wideman, Mayor

Kelly Dix, City Secretary

CareFlite
311-S Great
Southwest
Parkway
Grand Prairie,
Texas 75052

February 27, 2024

Gary Wideman, Mayor
City of Burnet Texas
1001 Buchanan Drive, Suite 4
Burnet, Texas 78611

RE: Letter of Intent

The Honorable Gary Wideman Mayor, City of Burnet, Texas:

This letter will serve as a Letter of Intent (“LOI”) for ground lease for a parcel of land at the Burnet Municipal Airport by and between CareFlite, or assign (“Tenant”) and the City of Burnet, Texas (“Landlord”).

The following expresses our understanding with respect to the matters described herein, but, unless provided otherwise herein, it is expressly understood that this Letter of Intent does not constitute a complete statement of the terms of the ground lease.

- 1. Ground Lease.** The Landlord and Tenant shall enter into a written ground lease on which Tenant shall have constructed an aircraft hangar.
 - a. Within ninety (90) days from the execution of this letter of intent, the parties hereto shall negotiate and enter into a ground lease for the Parcel described herein. The term of the lease shall be for forty (40) years, and any structure constructed thereon shall become the property of the City of Burnet at the expiration of the ground lease.
 - b. Tenant shall pay rentals and any other airport fees as provided in the ground lease.
 - c. The parties hereto shall negotiate other lease provisions that are mutually agreeable and typical of other ground leases at the Burnet Municipal Airport.
- 2. Earnest Money.** The City of Burnet acknowledges receipt from Tenant of a fully refundable earnest money fee of \$500.00 for the Landlord to hold the parcels for ninety (90) days or until the ground lease is executed, whichever first occurs.
- 3. Parcel.** The parcel to be included under the separate ground lease between the parties are:
 - a. .972 +/- acres known as Lot 2A as found on the attached survey and located at the south end of the Burnet Municipal Airport runway.

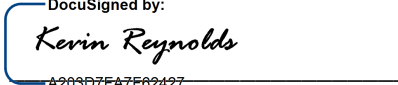
4. **Environmental Study.** Landlord shall provide to Tenant a copy of any environmental study conducted at the Burnet Municipal Airport.
5. **Broker's Commission.** Neither Landlord nor Tenant shall be represented by a broker for which a commission is paid based on the ground lease or otherwise.
6. **Due Diligence Period.** Tenant shall conduct due diligence on the parcel during the ninety (90) days commencing on the execution of this LOI by the City of Burnet.

Furthermore, Landlord agrees as follows: (i) no other third party has any contractual or other rights related to the Parcel; (ii) Landlord shall not market the parcel for lease or sale to any other third party during the Due Diligence Period noted above; and (iii) at the end of the Due Diligence Period this LOI may be extended in writing by the parties for an additional ninety (90) days or this LOI shall automatically expire.

Should this LOI expire, neither party hereto shall have any liability arising under this LOI as to the other party. Upon execution of this LOI, it shall be binding on the parties during the Due Diligence Period or the execution of the ground leases, whichever first occurs.

Sincerely,
CareFlite

By: CareFlite

By: 
A203D7FA7F62427...
Kevin Reynolds
Chief Operating Officer

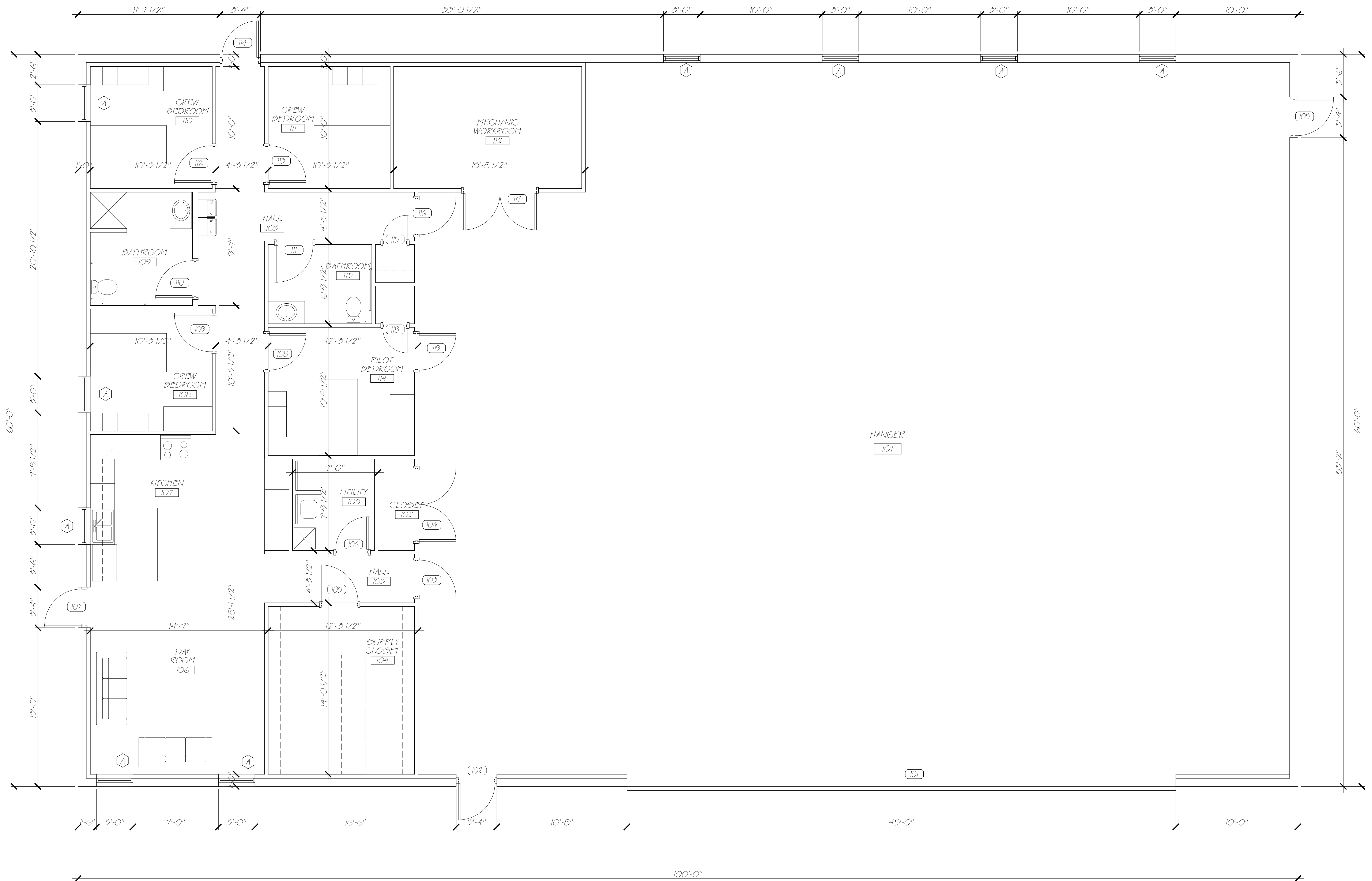
Read and Agreed to:

City of Burnet, Texas

By: _____
Gary Wideman, Mayor

Date: _____

Attachment - Survey





Administration

ITEM 4.6

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

Agenda Item Brief

Meeting Date: February 27, 2024

Agenda Item: Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING CODE OF ORDINANCES BY ADOPTION OF A COMPREHENSIVE FEE SCHEDULE AND AMENDING VARIOUS CHAPTERS OF THE CITY CODE TO INCORPORATE SERVICE, PERMIT AND OTHER CITY FEES INTO THE FEE SCHEDULE; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.

Background: Currently city fees are stated throughout the city code. This can cause inconvenience to the council, staff, and the public, in accessing and reviewing city fees, particularly during budget adoption.

Information: This ordinance adopts a comprehensive fee schedule, which shall become Appendix B of the code. Additionally, this ordinance incorporates service, permit, and other fees into the fee schedule as follows:

Article II – Service fees. Credit card processing, service charges, bad check fees and EMS Service Fees are found in this article.

Article VI – City Code Fees.

- Chapter 10 - Amusements and Entertainments
- Chapter 14 - Animals
- Chapter 26 – Businesses
- Chapter 78 - Peddlers and Solicitors
- Chapter 83 - Recreational Vehicle and Travel Trailer Parks
- Chapter 86 - Secondhand Goods
- Chapter 90 - Solid Waste
- Chapter 106 - Traffic and Vehicles

Appendix B Article III is reserved for utility customer fees; Article IV is reserved for development services fees collectively those fees found in Chapters 21, 22, 23, 46, 50, 62, 66, 98, and 118); and Article

V is reserved for Parks and Recreation fees. Those fees shall remain in their respective chapter at this time. An ordinance, or ordinances, may be presented in the future to incorporate those fees into the fee schedule.

Fiscal Impact: Passage of this ordinance will cause no fiscal impact.

Recommendation: Approve the first reading of Ordinance No. 2024-08 as presented.

ORDINANCE NO. 2024-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING CODE OF ORDINANCES BY ADOPTION OF A COMPREHENSIVE FEE SCHEDULE AND AMENDING VARIOUS CHAPTERS OF THE CITY CODE TO INCORPORATE SERVICE, PERMIT AND OTHER CITY FEES INTO THE FEE SCHEDULE; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, heretofore, city fees are stated throughout the city code; and this can cause an inconvenience to the council, staff, and the public, in accessing and reviewing city fees, particularly during budget adoption; and

WHEREAS, this can cause inconvenience to the council, staff, and the public, in accessing and reviewing city fees, particularly during budget adoption; and

WHEREAS, therefore, City Council deems it in the public interest to adopt a comprehensive fee schedule for publication in the city code; and

WHEREAS, it is the intent of City Council to incorporate those fees, not incorporated by this ordinance, into the fee scheduled by subsequent action; and

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

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

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

Section one. Code amendment. The City Code is hereby amended by adopting the Fee Schedule attached hereto as Appendix B to the Burnet Code of Ordinances.

Section two. Code amendment. City Code Chapter 1 (entitled "*Penalties, credit card processing fees and bad check fees*"), is hereby amended by replacing the existing language in its entirety with text that follows:

Sec. 1-6. General penalty for violations of Code.

- (a) Whenever in this Code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or

wherever in such Code or ordinance the doing of an act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punished by a fine of not less than \$1.00 and not more than \$500.00 except:

- (1) A fine or penalty for the violation of a rule, ordinance, or police regulation that governs fire safety, zoning, or public health and sanitation, other than the dumping of refuse, may not exceed \$2,000.00; and
 - (2) A fine or penalty for the violation of a rule, ordinance, or police regulation that governs the dumping of refuse may not exceed \$4,000.00.
- (b) However, no penalty shall be greater or less than the penalty provided for the same or similar offense under the laws of the state. Each day any violation of this Code or of any ordinance shall constitute a separate offense.
- (c) The city may bring a civil action, as necessary, to enjoin any threatened violation of this Code for the protection of public health and safety.
- (d) Unless otherwise specifically set forth in the Code of Ordinances of the city, or in state law as adopted, allegations and evidence of culpable mental state are not required for proof of an offense for which the maximum fine is \$500.00 or less.

Section three. Code amendment. City Code Chapter 2 (entitled “*Administration*”), Article IV (entitled “*Officers and Departments*”) is hereby amended by removing Division 5 (entitled “*Emergency Medical Services Department*”) its entirety from therein and moving the fee schedule described in Sec. 2-100 to the fee schedule found in Appendix B of this Code.

Section four. Code amendment. City Code Chapter 10 (entitled “*Amusements and Entertainment*”), Section 10-30 (entitled “permits and inspections of sexually oriented businesses”) subsection (9) is hereby amended by adding the language that is underlined (underlined) and removing the language that is stricken (~~stricken~~) as follows:

(9) *Permit fee.* Each application for a permit, including renewal or transfer, shall be accompanied by an \$50.00 application fee as prescribed in the fee schedule found in Appendix B of this Code. Additionally, for each applicant identified thereon, there shall be an additional \$25.00 fee as prescribed in the fee schedule found in Appendix B of this Code.

Section five. Code amendment. City Code Chapter 14 (entitled “*Animals*”) is hereby amended as stated after each bullet point below:

- Section 14-9 (entitled “*Issuance of license; fee*”) is hereby amended by adding the language that is underlined (underlined) and removing the language that is stricken (~~stricken~~) as follows:

Sec. 14-9. Fees.

The fee schedule found in Appendix B of this Code ~~attached as Appendix "14-A"~~ shall apply to all animals within the city limit. It shall not be construed that the city be required to bear the costs of any animal that has an owner. The owner shall reimburse the city for any actual expenses and shall be responsible for all fees set forth in the fee schedule found in Appendix B of this Code ~~attached Appendix "14-A"~~. The City may recover all fees, costs, and damages incurred as a result of the animal as restitution in a criminal proceeding under the provisions of this chapter or the state statute in addition to a fine being charged. In extraordinary circumstances, certain fees related to redemption of impounded animals may be administratively waived for owners with supervisory approval and approval of the entity providing contract impound services, if any; or pay agreements reached between owners and animal control supervisor(s). Such administrative actions shall be guided by animal control's adopted policies and procedures.

- Section 14-125 (entitled "*certificate of registration of dangerous wild animals and other nondomestic animals on issuance of permit to operate circus or zoo*") is hereby amended by adding the language that is underlined (underlined) and removing the language that is stricken (~~stricken~~) to subsection (f) as follows:
 - (f) Fee for circus/zoo registration and permit shall be according to the schedule established in the fee schedule found in Appendix B of this Code ~~Appendix "14-A"~~, and the permit shall expire one year from date of issuance and shall not be transferable. Major modifications or additions to such facilities' animal containment areas shall require a re-inspection and/or re-permitting of the circus or zoo. In such instances, the original application fee shall be collected.
- Section 14-141 (entitled "*impoundment generally*") is hereby amended by amending by adding the language that is underlined (underlined) and removing the language that is stricken (~~stricken~~) to subsection (b) as follows:
 - (b) Owners of impounded pets are required to pay all fees related to the impoundment as set forth in the fee schedule found in Appendix B of this Code ~~in Appendix "14-A"~~.
- Section 14-143 (entitled "*redemption impounded animal*") is hereby amended by adding the language that is underlined (underlined) and removing the language that is stricken (~~stricken~~) to subsection (a) as follows:
 - (a) Except as may be provided elsewhere in this chapter, the owner of any animal impounded in accordance with this chapter may reclaim, on any workday, such animal upon showing satisfactory proof of ownership and paying all impoundment fees and any other expenses incurred by the city or its agent in keeping the animal or attempting to locate the owner of the

animal. If the owner does not pay such fees, or some alternate fee satisfaction as provided for in the fee schedule found in Appendix B of this Code ~~section 14-9 of this chapter~~, the animal may be sold or otherwise disposed of by the city or its agent.

- Section 14-182 (entitled "*permits*") is hereby amended by adding the language that is underlined (underlined) and removing the language that is stricken (~~stricken~~) to subsection (a) as follows:
 - (a) Permits shall be valid for one year from date of issuance. The permit fee shall be according to the schedule established in the fee schedule found in Appendix B of this Code ~~Appendix "14-A"~~.
- Appendix "14-A" is hereby removed from its existing location in the Code and moved to Appendix B of this Code.

Section six. Code amendment. City Code Chapter 26 (entitled "*Businesses*"), Article IV (entitled "*tree trimming services*") Section 26-84 (entitled "*Application for permit; fees; duration of permit*") subsection (b) is hereby amended by adding the language that is underlined (underlined) and removing the language that is stricken (~~stricken~~) as follows:

- (b) Persons who desire to obtain a permit shall submit a completed permit application in the form provided by the city and payment of the permit fee established in the fee schedule found in Appendix B of this Code to the building official or designee by personal delivery, or by facsimile or email if ~~submitted at least 24 hours~~ at least one business day prior to the time at which tree trimming services commence. Incomplete applications shall not be accepted. The permit application shall contain the address at which tree trimming services will be performed, the name of the person requesting tree trimming services, the date(s) services will be provided, and the method by which brush, branches, limbs, trees, leaves, and other tree trimmings will be removed from the property and disposed of.

Section seven. Code amendment. City Code Chapter 78 (entitled "*Peddlers and Solicitors*"), Section 78-50 (entitled "*fees*") is hereby amended by replacing the existing language it its entirety with text that follows:

Sec. 78-50. Fee.

Before any permit shall be issued under the provisions of this article, the applicant therefore shall pay a fee, based upon the time period he desires to engage in business in the city, as provided in the fee schedule found in Appendix B of this Code.

Section eight. Code amendment. City Code Chapter 83 (entitled "*Recreational Vehicle and Travel Trailer Parks*"), Section 83-35 (entitled "*License fees*") is hereby amended by replacing the existing language it its entirety with text that follows:

Sec. 83-35. License Fee.

Annual license fees required under this chapter are prescribed in the fee schedule found in Appendix B of this Code.

Section nine. Code amendment. City Code Chapter 86 (entitled “*Secondhand Goods*”), Section 86-27 (entitled “*Issuance of license; fee*”) is hereby amended by adding the language that is underlined (underlined) and removing the language that is stricken (~~stricken~~) as follows:

Sec. 86-27. Issuance of license; fee.

Any person desiring to use or maintain any property within the city for any of the purposes mentioned in section 86-26 shall make a written application to the city secretary for a license, which application shall set forth the name and address of the applicant and a legal description of the property or premises upon which the business is to be conducted. The city secretary shall have the power to grant or reject such application. If the application is granted, a license to operate such business shall be issued by the city secretary upon payment of a fee as prescribed in the fee schedule found in Appendix B of this Code ~~of \$5.00 per annum~~. Any license so issued shall expire on January 1 next succeeding the date of its issuance, but may be issued from year to year in the same manner as provided for in the original license.

Section ten. Code amendment. City Code Chapter 90 (entitled “*Solid Waste*”), Article III (entitled “*Rates*”) Section 90-51 (entitled “*Residential refuse collection rates*”) is hereby amended by replacing the existing language with the language that follows:

Sec. 90-51. Refuse collection rates.

- (a) The rates prescribed in the fee schedule found in Appendix B of this Code shall apply to the solid waste collection services authorized under this chapter.
- (b) Residential customers requesting dumpsters shall be billed at the commercial rate found in Appendix B of this Code.
- (c) A franchise fee equal to 15 percent of the gross billing shall be charged for all roll-off services, self-contained compact roll-offs, and temporary dumpsters billed directly by the service provider.
- (d) Except when a reschedule is the fault of the city or the service provider, a double handle fee will be charged:
 - (1) when a haul is rescheduled; or
 - (2) when the container is not ready to be loaded and the hauler must return for the pickup.
- (e) An overload fee will be charged to the customer in the event a dumpster or roll-off is loaded beyond the legal hauling weight.
- (f) The initial billing for new, or final billing for discontinued services, shall be pro-rated based on the number of days for which service was received.

Section eleven. Code amendment. City Code Chapter 106 (entitled “*Traffic and Vehicles*”), Article V (entitled “*Abandoned, Junked and Towing and Impoundment of*”

Vehicles”) Division 4 (entitled “*Towing and Impoundment of Vehicles*”) is hereby amended by replacing Appendix A therein in its entirety with a new section 106-166 to read as follows:

Sec. 106-166. License Fee.

Tow and impoundment fees are prescribed in the fee schedule found in Appendix B of this Code.

Section twelve. Code amendment. City Code Chapter 114 (entitled “*Vehicles for Hire*”), Section 114-45 (entitled “*fees*”) is hereby amended by adding the language that is underlined (underlined) and deleting the language that is stricken (~~stricken~~) as follows:

Sec. 114-45. Vehicles for Hire Fees.

At the time of issuance of a permit, the permittee shall pay to the city secretary the sum of ~~\$25.00~~ prescribed in the fee schedule found in Appendix B of this Code for the first vehicle. If more than one vehicle is proposed to be operated as a taxicab, then ~~\$10.00~~ the fee prescribed in the fee schedule found in Appendix B of this Code for each additional vehicle shall be paid. At the time of the issuance of the permit, the permittee shall file with the city secretary a statement in writing under oath, signed by him, showing the number of vehicles proposed to be operated by him, and the make, model, motor number, and state license number of each. If at any time the holder of a taxicab permit shall desire to use any additional vehicles under the permit, he may do so only after he has made an application to the council for, and been granted by the council, a permit to use such additional vehicles. He shall furnish to the city secretary the same information regarding those covered by the original permit and shall pay to the city secretary the sum of ~~\$10.00~~ prescribed in the fee schedule found in Appendix B of this Code for each such additional vehicle.

Section thirteen. 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 City Council.

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

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

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

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

Passed on first reading on the 27th day of March 2024.

Passed, approved, and adopted on the 12th day of March 2024

CITY OF BURNET

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary

APPENDIX B – FEE SCHEDULE

Article I. General Provisions.

Sec. B1-01. - Generally.

- (a) **Purpose.** The purpose of this appendix is to establish the fee amounts for administrative fees, which are designed to defray the costs incurred by the City for administering this code.
- (b) **Scope.** This Fee Schedule shall apply to all fees established under this Code of Ordinances. Should a fee be stated in text of any chapter of this Code but not stated in this Fee Schedule, the fee stated in the chapter shall prevail. Provided, however, should a fee be stated both in text of any chapter, this Code and in this Fee Schedule, the latter adopted fee shall prevail.
- (c) **Amendment.** The fees established herein may be revised from time to time provided, however, that the fees shall not exceed the reasonably anticipated costs associated with the issuance, investigation and monitoring of permits required by this chapter.
- (d) **Effect.** No application for approval shall be accepted until the applicant has paid all processing fees as set forth herein. Fees paid shall be non-refundable except as provided in subsection (f), below.
- (e) **Refund.** After the approval, conditional approval, or denial of an application for approval as set forth herein, the city shall refund to the applicant any unexpended or unencumbered balance of any escrow account established herein for said application.

Article II. Service Fees.

Sec. B2-01. - Administrative fees. There is hereby established administrative fees as follows:

- (a) **Credit Card Processing Fee.** Whenever in this Code or in any ordinance of the city a utility charge, fee, fine, penalty or other charge is established, the city may accept credit card payments for any and all utility charges, fees, fines, or penalties owed to the city; and a processing fee of two percent is hereby established each time a credit card is used to pay a bill for water, wastewater, electric, garbage and other utility services provided by the city; for purchase of goods or service at the municipal golf course; and all other municipal fees, fines, court costs or other charges.
- (b) **Service Charge.** A service charge, in an amount equivalent to that charged for the collection of a check drawn on an account with insufficient funds, is

hereby established to be charged if, for any reason, a payment by credit card is not honored by the credit card company on which the funds are drawn.

- (c) *Bad check fees.* Whenever a check tendered to the city for payment of water, wastewater, electric, garbage or other utility service; or for payment for any other municipal fees, fines, court costs or other charges, is not honored by the drawee due to non-sufficient funds in the account on which the check is drawn, or for any other reason, a bad check fee in the amount of \$25.00 shall be charged against the drawer of the check.

Sec. B2-02. – EMS Service Fees. There is hereby established EMS service fees as follows:

- (a) Any person who utilizes the services of the emergency medical services department, whether such person requested same or not by reason of emergencies then existing, shall pay the following fees for such services:

Base rate for basic life support service (BLS/NON) \$1,132.00.

Base rate for basic life support service (BLS/EMRG) \$1,342.00.

Base rate for advanced life support service (ALS/NON) \$1,207.00.

Base rate for advanced life support service (ALS1/EMRG) \$1,742.00.

Base rate for advanced life support service (ALS2/SCT) \$2,042.00.

Extra Attendant \$164.00.

Burnet County \$500.00

Treatment No Transport \$150.00.

ALS ambulance stand-by services private events \$150.00 per hour.

ALS/BLS Routine/Disposable Supplies \$52.52

Infection Control \$10.00.

Oxygen/supplies \$135.00

Mileage rate \$21.00 (to be modified periodically to reflect changes in fuel rates.)

Equipment rate—Shall be established for equipment on the ambulance at a rate based on the depreciation of such equipment.

Rates for emergency medical supplies shall be the actual cost of the supply multiplied by 280 percent.

- (b) The city will accept insurance assignments as a method of payment for Medicare and Medicaid and will file or cause to be filed Medicare and Medicaid claims as appropriate.
- (c) The city council from time-to-time contracts to provide services with other entities at rates established in such contract. Rates as established in

approved contracts shall control over this section where there is a conflict between the rates established in such contract and this section.

- (d) The city manager is authorized to make reasonable adjustments from time to time to the mileage and equipment fees for emergency medical services in accordance with subsection (a).

Article III. Water, Wastewater and Electric Utility Fees.

This Article is reserved. Water, Wastewater and Electric Utility Fees are established in Chapter 110 City Code and shall remain set in said Chapter until such time as those fees are placed in this Article by subsequent council action.

Article IV. Development Service Fees.

Fees established in Chapter 21 (entitled "*Sign Regulations and Standards*"); Chapter 22 (entitled "*Building and Building Regulations*"); Chapter 23 (entitled "*On-site Sewage Facilities*"); Chapter 46 (entitled "*Fire Prevention and Protection*"); Chapter 50 (entitled "*Flood Damage Prevention*") Chapter 62 (entitled "*Manufactured Homes and Trailers*"); Chapter 66 (entitled "*Natural Resources*"); Chapter 98 (entitled "*Subdivisions*"); and Chapter 118 (entitled "*Zoning*") are collectively categorized herein as Development Services Fees and shall remain set in each respective chapter until such time as those fees are placed in this Article by subsequent council action.

Article V. Park and Recreation Fees.

Fees established in Chapter 74 (entitled "*Parks and Recreation*") are established in Chapter 74 City Code and shall remain set in said Chapter until such time as those fees are placed in this Article by subsequent council action.

Article VI. City Code fees.

All fees established by the Code that are not addressed in Article III or Article IV are addressed in this article. Subject to the caveat in Sec. B101(c) City Code fees are as follows:

Reserved Secs. B5-01 through B5-05.

Sec. B6-06. – Alcoholic Beverages.

Alcoholic beverages fees are prescribed in Chapter 6 of the Code.

Reserved Secs. B507 through B509.

Sec. B6-10. – Carnivals and related Amusements.

Fees for permits required by Chapter 10 City Code are as follows:

- (a) Exhibition Permit Fee: \$25.00

Note: This fee is referenced in Sec. 10-28 City Code.

- (b) Sexually Oriented Business Permit Fee:
 - (1) Application fee: \$50.00
 - (2) Additional names listed on application. \$25.00 per each additional applicant.

Reserved Secs. B511 through B513.

Sec. B6-14. – Animals Fees.

Fees applicable to Chapter 14 City Code are as follows:

- (a) *Standard city licensing fees:*
 - (1) Unneutered dog or cat - per annum fee of \$10.00
 - (2) Neutered dog or cat – per annum fee \$10.00
 - (3) Other animals – per annum fee \$3.00

- (b) *Permits:* A permit shall be issued after payment of the applicable fee as follows:
 - (1) Circus/zoo \$300.00
 - (2) Commercial animal enterprise \$25.00
 - (3) Multiple animal owner \$10.00
 - (4) Annual renewal fee – same as initial permit fee.

- (c) *Impounding boarding fees:* An impoundment fee must be paid for return of each animal captured as follows:
 - (1) Dogs cats and other small animals
 - (A) For the day animal enters shelter \$20.00
 - (B) Each subsequent day or part thereof \$5.00

 - (2) Livestock and fowl day animal enters shelter \$100.00
 - (A) Each subsequent day or part thereof \$25.00

	(Livestock)	
(B)	Each subsequent day or part thereof (fowl)	\$5.00
(3)	Zoological and/or circus animal:	
(A)	For the day animal enters shelter	\$900.00
(B)	Each subsequent day or part thereof	\$100.00

More than three impoundments within two years of any domestic animal or combination thereof owned by the same person shall be doubled for each impoundment thereafter.

- (d) *Quarantine fees:* A quarantine fee of \$15.00 per day for the ten-day boarding and observation period shall be assessed and paid prior to the release of the animal. (A rabies shot is also required before being released.) No initial impound fee shall be added to quarantine fees. If held in quarantine by a veterinarian or contracted third party, fees shall be set by those parties at the current fair and reasonable rate.
- (e) *Expenses of animal.* In addition to other fees, the owner shall also pay for any veterinarian or drug fees incurred for the animal(s) while in the custody of the animal control officer or animal shelter.
- (f) Voluntary animal surrender fees:
 - (1) Adult/youth: \$55.00
 - (2) Litters of two or more – for each littermate \$10.00

Reserved Secs. B515 through B517.

Sec. B6-18. – Aviation.

Aviation fees are prescribed in Chapter 18 of the Code.

Reserved Secs. B519 through B525.

Sec. B6-26. – Businesses

Fees applicable to Chapter 26 City Code are as follows:

- (a) *License fees.* These fees are applicable to the license referenced in Sec. 26-47.
\$5.00 per day not to exceed \$50.00 per year.
- (b) *Tree Trimming Fees.* These fees are applicable to the permit referenced in Sec. 26-84 City Code.
The tree trimming services permit fee is \$10.00.

Reserved Secs. B527 through B529.

Sec. B6-30. – Cable Communication fees. Reserved.

Reserved Secs. B531 through B533.

Sec. B6-34. – Cemetery fees.

Cemetery fees are prescribed in Chapter 34 of the Code.

Reserved Secs. B535 through B573.

Sec. B6-74. – Parks and Recreation.

Reserved Secs. B575 through B577.

Sec. B6-78. – Peddlers and Solicitors Fees.

Fees applicable to Chapter 78 City Code are referenced in Sec. 78-50 and are as follows:

- | | | |
|-----|------------------|------------|
| (a) | Per week | \$70.00 |
| (b) | Per month | \$225.00 |
| (c) | Per three months | \$600.00 |
| (d) | Per six months | \$1,200.00 |

Reserved Secs. B579 through B582.

Sec. B6-83. – Recreational Vehicle and Travel Trailer Parks License Fees.

This section is applicable to licenses required pursuant to Chapter 83, Article II City Code. The annual license fee for each recreational vehicle and/or travel trailer park shall be one hundred dollars (\$100.00) per year or fraction thereof for the first ten (10) lots or spaces, plus five dollars (\$5.00) for each additional lot or space over ten (10).

Sec. B6-86. – Secondhand Goods Fees.

This section is applicable to licenses required pursuant to Chapter 86, Sec. 86.27 City Code. The annual license fee shall be \$5.00.

Sec. B6-90 – Solid Wastes.

This section is applicable to rates for collection of solid waste as prescribed in Chapter 90, Sec. 90-51(a) City Code. The following rates apply:

STANDARD RESIDENTIAL SOLID WASTE AND RECYCLING RATES:	MONTHLY RATE
One 95-gallon Solid Waste Cart and one 95-gallon Recycling Cart (Every Other Week "EOW" recycling)	23.42
Each additional 95-gallon Solid Waste Cart	4.37
Each additional 95-gallon Recycling Cart	2.87
SENIOR CITIZEN SOLID WASTE AND RECYCLING RATES:	
One 95-gallon Solid Waste Cart and one 95-gallon Recycling Cart (includes EOW recycling)	19.54
Each additional 95-gallon Senior Citizen Solid Waste Cart	3.65
Each additional 95-gallon Senior Citizen Recycling Cart	2.30
COMMERCIAL CURBSIDE RECYCLING RATES:	
One 95-gallon Cart (EOW)	4.90
Additional 95-gallon Recycling Cart	3.45
COMMERCIAL SOLID WASTE COLLECTION RATES:	
CARTS:	
One Time per week — One 95-gallon Cart	23.75
Two Times per week — One 95-gallon Cart	39.51
Three Times per week — One 95-gallon Cart	56.17
Four Times per week — One 95-gallon Cart	74.89
Five Times per week — One 95-gallon Cart	93.63
One Time per week — Two 95-gallon Carts	32.27
Two Times per week — Two 95-gallon Carts	48.04
Three Times per week — Two 95-gallon Carts	70.20
Four Times per week — Two 95-gallon Carts	93.63*

Five Times per week — Two 95-gallon Carts	117.03
TWO-YARD DUMPSTER:	
One Time per week	67.59
Two Times per week	121.32
Three Times per week	173.31
Four Times per week	225.29
Five Times per week	301.60
THREE-YARD DUMPSTER:	
One Time per week	72.80
Two Times per week	133.45
Three Times per week	190.66
Four Times per week	251.31
Five Times per week	319.86
FOUR-YARD DUMPSTER:	
One Time per week	95.32
Two Times per week	171.57
Three Times per week	244.38
Four Times per week	307.72
Five Times per week	382.55
SIX-YARD DUMPSTER:	
One Time per week	119.57
Two Times per week	218.31
Three Times per week	320.62
Four Times per week	412.52
Five Times per week	523.94
EIGHT-YARD DUMPSTER:	
One Time per week	159.28
Two Times per week	290.75
Three Times per week	427.27
Four Times per week	549.45
Five Times per week	697.37
TEN-YARD DUMPSTER:	
One Time per week	185.70
Two Times per week	285.69
Three Times per week	408.15
Four Times per week	544.18
Five Times per week	680.22

DUMPSTER EXTRA LIFTS:	
Two-Yard Dumpster	53.55
Three-Yard Dumpster	60.22
Four-Yard Dumpster	66.93
Six-Yard Dumpster	78.92
Eight-Yard Dumpster	98.18
Ten-Yard Dumpster	115.50
ROLL-OFF RATES:	
Delivery Fee	264.44
Daily Rental Fee	5.59
20 Yard per Haul	591.45
30 Yard per Haul	682.86
40 Yard per Haul	795.77
Double Handle Fee	104.95
Overload Fee/Per Ton	40.16
BRUSH/BULKY COLLECTION FEE OVER 3 CY (per yard):	5.46
BRUSH/BULKY COLLECTION FEE OUTSIDE DESIGNATED COLLECTION PERIOD (per yard):	5.46

Sec. B6-106. – Towing and Impoundment of Vehicles Fees.

These fees are applicable to Chapter 106 Article V City Code.

- (a) *Impound fee.* An impound fee in the amount of \$25.00 shall be imposed at the time of impoundment of a vehicle.
- (b) *Notification fee.* A notification fee in the amount of \$10.00 shall be imposed on the registered owner to notify the registered owner and the primary lien holder that said vehicle will be sold at auction if the vehicle is not retrieved by the vehicle owner within a designated period of time and such other information as required by law.
- (c) *Tow fee.* Tow fees shall be such amount charged by the tow truck operator.
- (d) *Storage fees.* Pre-notice and post notice storage fees shall be such amount charged by the storage facility operator.

Note: Pre-notice storage fees may only be charged for ten days. Once notice is sent, post-notice storage fees can be charged until the vehicle is returned to owner.

Sec. B6-114. - Vehicles for Hire Fees.

These fees are applicable to Chapter 114 City Code:

- (a) Permit fee for first vehicle: \$25.00.

- (b) Permit fee for additional vehicles: \$10.00 per additional vehicle.

Article VII. Default fee.

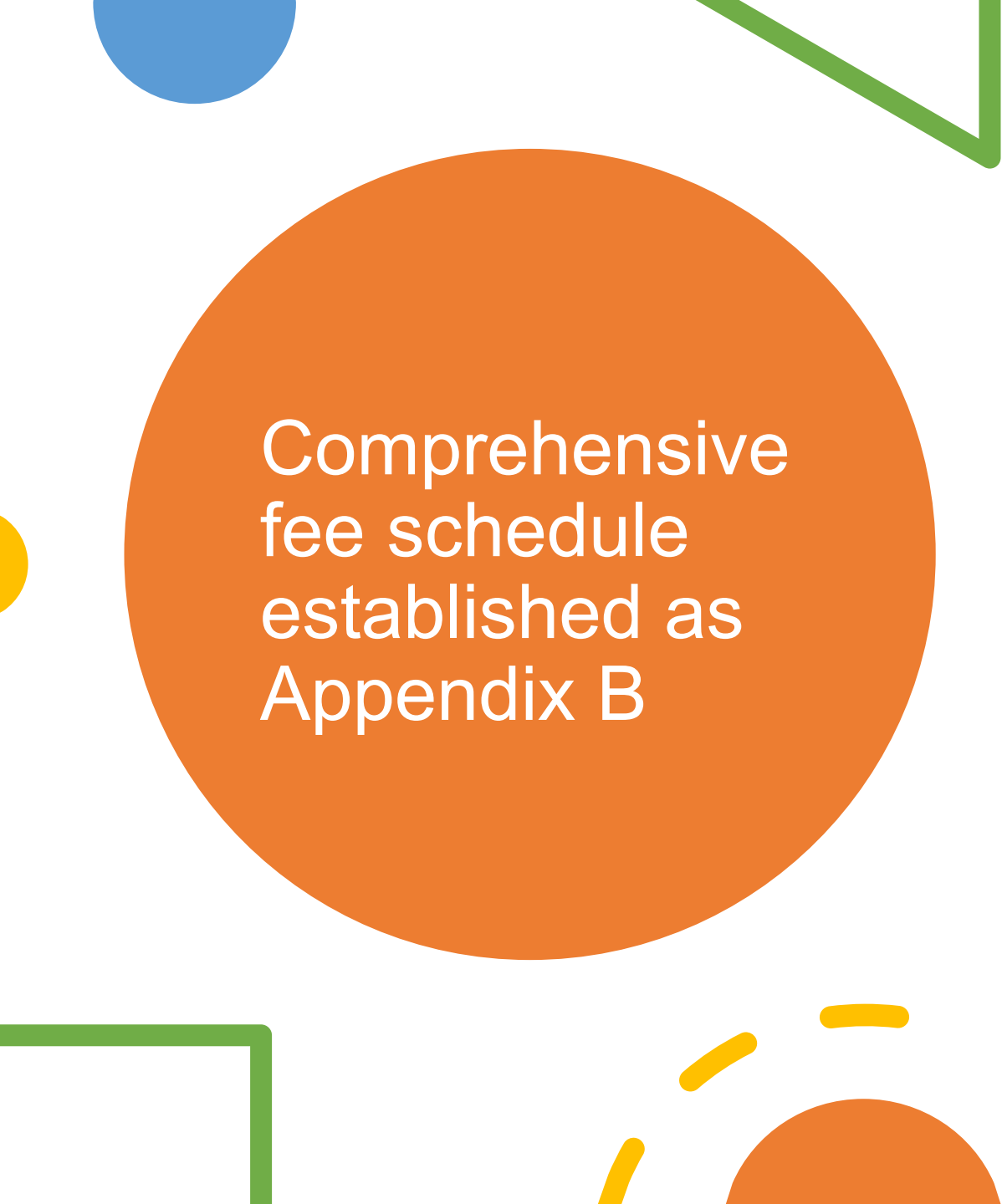
Within the Code reference may be made to a “default fee”, “default application fee” or similar language. In such instances the fee to be collected for the service provided is \$25.00.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING CODE OF ORDINANCES BY ADOPTION OF A COMPREHENSIVE FEE SCHEDULE AND AMENDING VARIOUS CHAPTERS OF THE CITY CODE TO INCORPORATE SERVICE, PERMIT AND OTHER CITY FEES INTO THE FEE SCHEDULE

Background

- Currently City fees are dispersed throughout the Code.
 - Causes inconvenience to the council, staff, and the public
 - Makes updating difficult at budget time
- Propose placing all fees in a fee schedule
 - All city fees are located in one schedule
 - Easy to adjust at budget time





Comprehensive fee schedule established as Appendix B

Article I	Article II	Article III	Article IV	Article VI
General Provisions	Service Fees <ul style="list-style-type: none">•Administrative fees•EMS service fees	Water, Wastewater and Electric Utility Fees*	Development Services fees*	City Code Fees <ul style="list-style-type: none">•All fees in the code except those described in articles II, III and IV•Fees for Alcohol permits, and aviation will be incorporated into the fee schedule later

Ordinance additionally amends various sections of city code to reference fee schedule.

*These fees will be incorporated into the fee schedule later



Article II: Service Fees

- Administrative Fees
 - Credit card processing fee
 - Service charges
 - Bad check fees
- EMS Service Fees



Article III: Water, Wastewater, and Electric Utility Fees

- Water, Wastewater and Electric Utility Fees are established in Chapter 110 City Code and shall remain set in said Chapter until such time as those fees are placed in this Article by subsequent council action

Development Services
Fees:
To be incorporated
into fee schedule at
later date

Chapter 21 (entitled "*Sign Regulations and Standards*");

Chapter 22 (entitled "*Building and Building Regulations*");

Chapter 23 (entitled "*On-site Sewage Facilities*");

Chapter 46 (entitled "*Fire Prevention and Protection*");

Chapter 50 (entitled "*Flood Damage Prevention*")

Chapter 62 (entitled "*Manufactured Homes and Trailers*");

Chapter 66 (entitled "*Natural Resources*");

Chapter 98 (entitled "*Subdivisions*"); and

Chapter 118 (entitled "*Zoning*")

Article V: City Code Fees (Included)

B5-10: Carnivals
and Related
Amusements

B5-14: Animals Fees

B5-26: Businesses

B5-78: Peddlers and
Solicitors Fees

B5-83: Recreational
Vehicle and Travel
Trailer Parks License
Fees

B5-86: Secondhand
Goods Fees

B5-90: Solid Wastes

B5-106: Towing and
Impoundment of
Vehicles Fees

B5-114 Vehicles for
Hire Fees



Article V: City Code Fees (Excluded)

B5-06: Alcoholic
Beverages

B5-18: Aviation

B5-30: Cable
Communications
Fees

B5-34: Cemetery
Fees

B5-74: Parks and
Recreation





Questions?