

RESOLUTION NO. R2019-11

A RESOLUTION OF THE CITY OF BURNET FINDING PUBLIC NECESSITY TO USE COLLECTED IMPACT FEES TO FUND A WATER AND WASTEWATER IMPACT FEE UPDATE STUDY

WHEREAS, the City Council has adopted a Capital Improvement Plan ("CIP") describing the existing capital improvements within the service area and the costs to upgrade, update, improve, expand, or replace the improvements to meet existing needs and usage and stricter safety, efficiency, environmental, or regulatory standards as prepared by a qualified professional engineer.

WHEREAS, the City Council has determined the CIP serves as a guide to provide infrastructure services to the future population; and

WHEREAS, the City Council has collected impact fees in accordance with State law; and

WHEREAS, the City is required by state law to update the impact fee study every five years; and

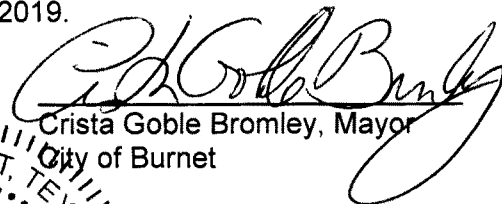
WHEREAS, the City Council has determined it necessary to expend such funds on updating the impact fee study; and

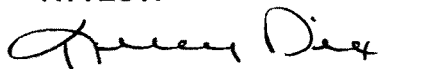
WHEREAS, this Resolution is necessary for the imposition of expenditure of impact fees to prevent undue burden on its citizens and to adequately address infrastructure growth as a result of new development.

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

Section one. The City Council of the City of Burnet hereby authorizes the City Manager to enter into a contract to update the Water and Wastewater Impact Fee Update Study as further shown on Exhibit "A" and further authorized the use of impact fees previously collected to fund the update study, in an amount not to exceed Ten Thousand Dollars (\$10,000) without further Council approval. Such funds shall be expensed equally out of the water and wastewater impact fee accounts of the City.

PASSED AND ADOPTED this 11th day of June, 2019.


Crista Goble Bromley, Mayor
City of Burnet

ATTEST:

Kelly Dix, City Secretary

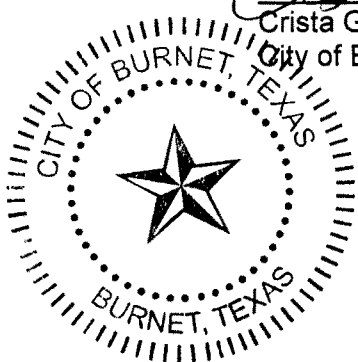


Exhibit "A"



275 W Campbell Road
Suite 440
Richardson, TX 75080
Phone: (972) 680-2000

May 29, 2019

Mr. David Vaughn
City Manager
City of Burnet
P.O. Box 1369
Burnet, Texas 78611

Subject: 2019 Water and Wastewater Impact Fee Update

Dear Mr. Vaughn:

Based on our prior discussions, NewGen Strategies and Solutions, LLC (NewGen) is pleased to have this opportunity to assist the City of Burnet (City) in performing an update to the City's current Water and Wastewater Impact Fees. In particular, it is our understanding that the City desires NewGen to provide the following scope of services:

- Perform an update to the City's Water and Wastewater Impact Fees in compliance with the requirements of Chapter 395 of the Texas Local Government Code (LGC). At this time, the Project Team understands that there have not been any changes to the City's Land Use Assumptions or Impact Fee Capital Improvement Plan since the prior study, so it is anticipated that the update will be conducted under the requirements of Chapter 395.0575;
- Prepare a timeline and schedule of key events for the City in accordance with LGC 395.0575;
- Prepare and facilitate the submission and publication of notices as required under LGC 395.0575;
- Prepare and provide to City Attorney for review appropriate ordinances under LGC 395.0575; and,
- Participate in one (1) meeting with either the Capital Improvements Advisory Commission or City Council to discuss the requirements of the Local Government Code and discuss the City's current competitive position as it relates to water and wastewater impact fees.

For this engagement, Mr. Chris Ekrut will serve as the Project Manager and be responsible for the overall successful completion of the project. Mr. Ekrut will be assisted by Mr. Matthew Garrett. Dependent upon scheduling and availability, either Mr. Ekrut or Mr. Garrett will participate in the presentations included within the scope, unless otherwise requested by the City.

Based on the above outlined scope of services, NewGen will provide these services for a total not-to-exceed price of \$8,500.00. NewGen will invoice the City monthly for actual hours worked at our standard hourly billing rates, plus out of pocket expenses incurred at cost. NewGen's hourly billing rates, effective through December 31, 2019, are as follows:

**NewGen Strategies & Solutions
2019 Billing Rates**

| Position | Billing Rate |
|--|---------------|
| GM | \$315 |
| President | \$270 - \$315 |
| Director/Executive Consultant/Vice President | \$195 - \$315 |
| Senior Consultant | \$175 - \$195 |
| Staff Consultant | \$130 - \$175 |
| Analyst | \$100 - \$175 |
| Administrative Assistant | \$90 |

Note: Billing rates are subject to change based on annual reviews and salary increases.

Please note that the not-to-exceed pricing outlined above includes one on-site meeting. Additional meetings will be provided on a time and expense basis.

The City may cancel this agreement at any time by providing written notification to NewGen, within thirty (30) days of the desired cancellation. All charges outstanding will be due at the time of cancellation.

By executing this letter, you agree that the services rendered by NewGen will be performed in accordance with instructions or specifications received by the City and will be provided with the degree of skill and judgment exercised by recognized professionals performing services of similar nature and consistent with the applicable industry best practices.

All payments made under this engagement should be remitted to:

NewGen Strategies and Solutions, LLC
275 W Campbell Road, Suite 440
Richardson, Texas 75080

If this letter is in agreement with your understanding of the scope of services to be provided, and our proposal terms and conditions are acceptable, please execute one copy and return to our Richardson, Texas office. Again, we appreciate the opportunity to once again assist the City. Should you, City staff, or the City Council have any questions regarding this proposal, please do not hesitate to contact me at 972.232.2234 or at cekrut@newgenstrategies.net.

Sincerely,

NewGen Strategies and Solutions, LLC



Chris Ekrut
Director

Mr. David Vaughn

May 29, 2019

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Accepted By:



Title:

CITY MANAGER

Date:

6/18/19