

**ORDINANCE NO. 2024-32**

**AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 110, ARTICLE IV., SECTION 110-144 (ENTITLED "PURCHASED POWER COST ADJUSTMENT CLAUSE") OF THE CODE OF ORDINANCES; PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR OTHER RELATED MATTERS**

**WHEREAS**, the City provides, or causes to be provided electrical services to all residences and businesses within the City; and

**WHEREAS**, it is necessary to amend Section 110-144 of the Code of Ordinances to allow for adjustments in the energy charges based on the actual power costs incurred by the City, including accounting for power loss.

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

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

**Section Two. Amendment.** Section 110-144 of the Code of Ordinances of the City of Burnet shall be amended and replaced in its entirety as follows:

**ARTICLE IV. SECTION 110-144 PURCHASED POWER COST ADJUSTMENT CLAUSE:**

**Sec. 110-144. Purchased power cost adjustment clause.**

- (a) *Purchased power cost adjustment:* The energy charge per kilowatt-hour (kWh) shall be adjusted upward or downward each month in accordance with the provisions set forth below:
- (1) The City Manager, and/or his/her designee, shall have the authority to adjust the purchased power cost adjustment (PPCA) as needed to reflect changes in the electricity supplier's generation, transmission, ERCOT, and other related expenses charged by the City's wholesale provider(s), hereafter referred to as "power costs", and may not change the City's revenues other than the amount necessary to pay the City's power costs from wholesale provider(s). Prior to each billing cycle, the City Manager, or designee, shall determine the purchased power cost adjustment to be billed for that cycle by combining all power costs from wholesale provider(s) and divide said amount by the Adjusted kWh's Purchased during said billing cycle. In order to account for lost power, the Adjusted kWh Purchased shall be equal to 93.75% of the total kWh's purchased during said billing cycle.
  - (2) In the event the City is unable to calculate the exact PPCA for a specific billing cycle, the City staff shall prepare an estimate of the PPCA per kWh for said cycle to be billed and shall adjust the next billing cycle to reflect any over/under collections from the estimated PPCA. The adjustment to the estimate will reflect variances in the estimated and actual power costs billed by the City's wholesale supplier(s) by the City.

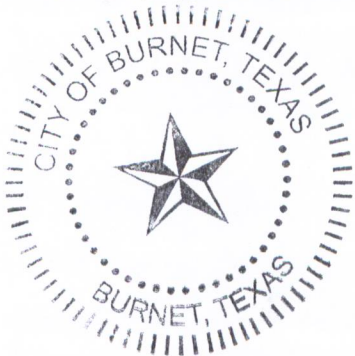
**Section Three. Severability.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City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

**Section Four. Open Meeting.** 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.

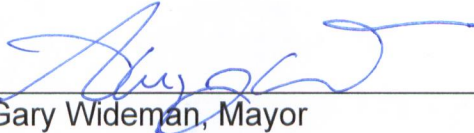
**Section Five. Publication.** The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

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


**PASSED, APPROVED, AND ADOPTED** on this 27th day of August 2024.



**CITY OF BURNET, TEXAS**

  
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Gary Wideman, Mayor

**ATTEST:**

  
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Maria Gonzales, City Secretary