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Agenda Item Request Form

BURNET COUNTY COMMISSIONER'S COURT

Meetings – 9:00am – 2nd and 4th Tuesday of Every Month

**NO ITEM WILL BE ON AN AGENDA
WITHOUT PRIOR APPROVAL BY A MEMBER OF COMMISSIONER'S COURT**

All **Contracts** must be approved by County Auditor's
And County Attorney's office prior to being on the Agenda

Agenda items and supporting documents are due to Court Coordinator's Office (Rm. 201) no later than noon on Thursday prior to the meeting date requested.

Ph: 512-715-5276 Fax: 512-715-5217 email: comcrt@burnetcountytexas.org

Presenters are to limit presentation time to no more than 5 minutes.

Today's Date: 01/03/2024

Requested by: KARIN SMITH

MEETING DATE REQUESTED: JANUARY 9, 2024

AGENDA ITEM(S):

Discussion/action regarding the approval of: Interlocal Cooperation Agreement between City OF Burnet and Burnet County to provide support to the Herman Brown Library

County Judge James Oakley

Commissioner Pct. 1 Jim Luther

Commissioner Pct. 2 Damon Beierle

Commissioner Pct. 3 Billy Wall

Commissioner Pct. 4 Joe Don Dockery

COUNTY OF BURNET §
STATE OF TEXAS §

INTERLOCAL COOPERATION CONTRACT

This **INTERLOCAL COOPERATION CONTRACT** ("Contract") is executed by and between, **BURNET COUNTY**, hereinafter referred to as the "County," and the **CITY OF BURNET**, Texas, a home rule municipal corporation organized under the laws of the State of Texas, hereinafter referred to as the "City," acting by and through their duly authorized representatives.

WHEREAS, the City of Burnet and Burnet County are local governments as defined in §791.003 of the Texas Government Code, and

WHEREAS, the County owns and operates the Herman Brown Free Library in Burnet, and

WHEREAS, the Interlocal Cooperation Act specifically lists library services as a governmental service, and provides for interlocal contracts for library services, and

WHEREAS, both the County and the City desire to enter into an Interlocal Cooperation Contract, pursuant to the Interlocal Cooperation Act, Chapter 791, Texas Government Code, with the stated purpose of providing financial support for the Herman Brown Free Library.

NOW, THEREFORE, for and in consideration of the covenants, conditions, and undertakings, hereinafter described, and the benefits to accrue to the citizens of the City, the parties' contract, covenant and agree to provide certain governmental services and functions as follows:

Section 1. Purpose.

The purpose of this Contract is to provide support for the County's Herman Brown Free Library, which provides library services to the residents of the City of Burnet.

Section 2. Duties of the City.

a. Utility Credits. The City agrees to provide utility credits to the Herman Brown Free Library, Burnet, Texas, in an amount not to exceed \$11,000.00 for the term of this contract.

b. Contribution: The City agrees to provide a five thousand dollar (\$5,000.00) contribution to the Herman Brown Free Library, Burnet, Texas.

Section 3. Duties of the County.

a. Conflict of Interests. County covenants and agrees that it presently has no interest and will not acquire, direct or indirect which conflict with its efficient, diligent faithful performance of the terms of this contract and agreement. This agreement shall not be assigned or transferred by County without prior written consent of the City.

b. Use of City Funds. County covenants to use the funds provided by the City pursuant to Section (1)(b) this Contract solely for the purchase of books at the Herman Brown Free Library.

c. Reporting. The County will provide the City with an annual report on the use of the funds or credit allocated to them by September 1st of each year. The report shall include the number of City of Burnet citizens who have benefitted directly from the donation as well as a general statement of the use of funds.

Section 4. Term. This Contract shall commence on October 1, 2023 and shall continue in effect until September 30, 2024 unless terminated in writing by the City or the County.

Section 5. Authorization by Governing Bodies. The parties agree that, in order for this Contract to take effect, it must be authorized by each governing body in conformance with Texas Government Code 791.011(d)(1).

Section 6. Use of Current Revenues. The City and County covenant that each party paying for the performance of governmental functions or services pursuant to this Contract must make those payments from current revenues available to the paying party in conformance with Texas Local Government Code 701.011(d)(3).

Section 7. Amendments and Modifications. This Contract may not be amended or modified except in writing executed by the City and County and authorized by both parties.

Section 8. Captions. The descriptive captions of this Contract are for informational purposes only and shall in no way limit or effect the terms or conditions of the paragraphs.

Section 9. Severability. The sections, paragraphs, clauses, and phrases of this Contract are severable and, if any phrase, clause, sentence, paragraph, or section of this Contract should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, or paragraphs, and sections of this Contract.

IN WITNESS WHEREOF, the parties hereto have executed this Contract by their duly authorized agents and officers.

SIGNED AND APPROVED this the 26th day of September, 2023.

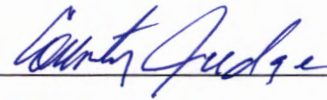


Gary Wideman, Mayor

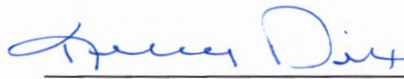


County Judge, Burnet County

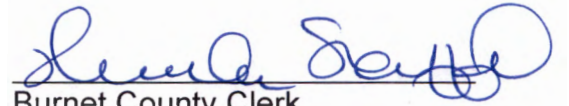
ATTEST:



Title



Kelly Dix, City Secretary



Burnet County Clerk





City of Burnet

(512) 756-6093
FAX (512) 756-8560
www.cityofburnet.com

P.O. Box 1369
1001 Buchanan Drive, Suite 4
Burnet, TX 78611

September 27, 2023

Herman Brown Free Library
200 Pierce
Burnet, TX 78611

Re: Utility Funding & Program Funding

Dear Sirs:

The City of Burnet has completed the 2023/2024 fiscal year annual budget process.

Enclosed are two copies of the Interlocal Agreement that was approved by the City Council. Please sign both copies and return the copy marked "original" in the enclosed stamped envelope for our records.

The City of Burnet will apply credit as applicable to the utility account of the Herman Brown Free Library located at 100 E., Washington Street, Burnet, Texas, in an amount not to exceed \$11,000.00 and program funding in the amount of \$5,000.00 as budgeted in the 2022/2023 FY Budget.

Please feel free to contact my office at (512)-715-3209 or by email at kdix@cityofburnet.com should additional information be needed.

Sincerely,

Kelly Dix
City Secretary