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City Hall Council Chambers, 141 W. Renfro, Burleson, TX 76028

The City Council will not discuss or take action on any public hearings, or items listed in Section 3 “Public Presentations”, Section 5 “Citizens Appearances”, Section 7 “Development Applications”, or Section 8 “Chisholm Summit”, prior to 5:30 p.m.

1. CALL TO ORDER

Invocation

Pledge of Allegiance to the US Flag

Texas Pledge:

Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God; one and indivisible

2. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion, and give staff direction regarding the Jayellen and Wintercrest Sidewalk Improvements Project. *(Staff Contact: Errick Thompson, Public Works Deputy Director)*
- B. Receive a report, hold a discussion and provide staff direction regarding public art. *(Staff Presenter: Jen Basham, Director of Parks and Recreation).*

3. PUBLIC PRESENTATIONS

- A. Proclamations
- B. Presentations
- C. Community Interest Items
This is a standing item on the agenda of every regular meeting of the City Council. An “item of community interest” includes the following:
 - Expression of thanks, congratulations, or condolence;
 - Information regarding holiday schedules;
 - Honorary recognitions of city officials, employees, or other citizens;
 - Reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city official or city employee; and
 - Announcements involving imminent public health and safety threats to the city.

4. CHANGES TO POSTED AGENDA

- A. Items to be continued or withdrawn.
- B. Items to be withdrawn from the Consent Agenda for separate discussion by the City Council, staff, or members of the public in attendance. Items to be added to the Consent Agenda require an official vote by the City Council.

5. CITIZENS APPEARANCES

Each person in attendance who desires to speak to the City Council on an item NOT posted on the agenda, shall speak during this section.

A speaker card must be filled out and turned in to the City Secretary prior to addressing the City Council. Each speaker will be allowed three (3) minutes.

Please note that City Council may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the City Council from deliberating or taking action on an item not listed on the agenda. City Council may, however, receive your comments on the unlisted item, ask clarifying questions, respond with facts, and explain policy.

Each person in attendance who desires to speak to the City Council on an item posted on the agenda, shall speak when the item is called forward for consideration.

6. CONSENT AGENDA

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items. Approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff recommendations.

- A. Consider approval of the minutes from the September 19, 2022 regular council meeting. (*Staff Contact: Amanda Campos, City Secretary*).
- B. Consider approval of a minute order ratifying the 4B Community Development Service Corporation Board's action requesting the City Council pass an intention to reimburse resolution that includes an amount not to exceed \$14,915,000 for various parks and trails capital improvements as reflected in the Park and Recreation 5 year Capital Improvement Plan (CIP). (*Staff Contact: Martin Avila, Finance Director*)
- C. Consider approval of a minute order ratifying the Burleson 4A Economic Development Corporation's approval of a resolution requesting the voluntary annexation of approximately 106 acres of land lying contiguous to Burleson city limits. (*Staff Contact: Tony McIlwain, Development Services Director*)
- D. Consider approval of a minute order ratifying the 4A Economic Development Corporation Board's actions taken on the resolution approving the acquisition of real property along and around County Road 914 for right of way and other purposes in the name of the City of Burleson and authorizing the expenditure of funds at their October 3, 2022 meeting. (*Staff Contact: Alex Philips, Economic Development Director*)
- E. Consider approval of a minute order ratifying the 4A Economic Development Corporation Board's action on a resolution authorizing the reimbursement of R.A. Development, Ltd., for roadway construction costs and for the limited authorization for grading, stormwater infrastructure, and roadway construction for R.A. Development, Ltd., pursuant to an existing

Chapter 380 and Economic Development and Performance Agreement in an amount not to exceed \$17,980,956.61 including contingency. *(Staff Contact: Eric Oscarson, Public Works Director)*

- F. Consider approval of a minute order ratifying the 4A Economic Development Corporation Board's actions taken on the professional services contract with MMA, Inc in the amount of \$105,000 at their October 3, 2022 meeting. *(Staff Contact: Alex Philips, Economic Development Director)*
- G. Consider approval of a minute order ratifying the 4A Economic Development Corporation Board's action requesting the City Council pass an intention to reimburse resolution that includes an amount not to exceed \$30,000,000 for capital projects related to Chisholm Summit roadway infrastructure and industrial business park capital improvements. *(Staff Contact: Martin Avila, Finance Director)*
- H. Consider approval of a minute order ratifying the 4A Economic Development Corporation Board's actions approving an amendment to the Burleson Works agreement with the Burleson Opportunity Fund. *(Staff Contact: Alex Philips, Economic Development Director)*
- I. Consider approval of a minute order ratifying the 4A Economic Development Corporation Board's actions on the approval of a one-year services contract with the Burleson Area Chamber of Commerce. *(Staff Contact: Alex Philips, Economic Development Director)*
- J. Consider approval of a resolution authorizing the City Manager to execute all necessary documents and make necessary expenditures to enter into and close on a real estate contract with Melba W. Monroe, as seller, to purchase fee simple title to approximately 48,177.36 square feet of land out of the H.G. Catlett Survey Abstract No. 185 in Johnson County, Texas. *(Staff Contact: Michelle McCullough, Assistant Director of Public Works)*
- K. Consider approval of a minute order for the lease and/or purchase of library books through an existing agreement with the State of Texas Cooperative Purchasing Program from Brodart Books & Library Services in the amount not to exceed \$67,415. *(Staff Contact: Sara Miller, Deputy Director-Library)*
- L. Consider approval of an amendment to an existing professional services contract with 720 Design, Inc. for year two of the Burleson Public Library's master plan and facility study in the amount not to exceed \$40,000. *(Staff Contact: Sara Miller, Deputy Director-Library)*
- M. Consider approval of a first amendment to the Pre-Development Services and Cost Sharing Agreement with Jackson-Shaw Company (CSO#2070-05-2022) for the development of 555 and 295 Hidden Creek in Burleson, Texas. *(Staff Contact: Alex Philips, Economic Development Director)*
- N. Consider approval of a contract with Business Interiors for the purchase, delivery, and installation of furniture for the future parks annex facility through an interlocal cooperative purchasing agreement with Omnia Partners in the amount not to exceed \$63,887.56 *(Staff Contact: Justin Scharnhorst, Purchasing Manager)*
- O. Consider approval of a resolution finding that Oncor Electric Delivery Company LLC's application to change rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this

resolution is passed is open to the public as required by law; and requiring notice of this resolution to the company and legal counsel. *(Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)*

- P. Consider approval of a resolution authorizing participation in Tarrant County's 2022- 23 HOME Investment Partnership Program that assist citizen's with homeowner rehabilitation in an amount not to exceed \$9,600. *(Staff Contact: Lisa Duello, Neighborhood Services Director)*
- Q. Consider approval of a one-year services contract with the Burleson Area Chamber of Commerce in an amount not to exceed \$30,000 of HOT/MOT Occupancy Tax Funds. *(Staff Contact: Alex Philips, Economic Development Director)*
- R. Consider approval of a minute order excusing council member place 3 Jimmy Stanford's absence from the October 3, 2022, October 17, 2022, and November 14, 2022 council meetings. *(Staff Contact: Amanda Campos, City Secretary)*

7. DEVELOPMENT APPLICATIONS

- A. **4139 S Burleson Blvd (Case 22-122):** Hold a public hearing and consider approval of an ordinance for a zoning change request from "A", Agricultural to "I", Industrial for a 4.13 acre site. *(First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission motion for approval passed 4-1).*

8. CHISHOLM SUMMIT

- A. **Chisholm Summit at 9517 CR 1016, Voluntary Annexation (Case 22-094):** Hold a public hearing and consider approval of an ordinance for voluntary annexation of approximately 234.304 acres tracts of land out of the Francis A Claridge survey, and Stephen Townsend survey, addressed as 9517 CR 1016 and located in the exclusive Extraterritorial Jurisdiction (ETJ) of the City of Burleson, related to a previously approved development agreement. *(First and Final Reading) (Staff Presenter: Tony McIlwain, Development Services Director)*
- B. **Hooper Business Park at FM 1902 & CR 1019, Voluntary Annexation (Case 21-128):** Hold a public hearing and consider approval of an ordinance for voluntary annexation of approximately 106.582 acres addressed as 9640 FM 1902 and 9028 CR 1019, and located in the exclusive Extraterritorial Jurisdiction (ETJ) of the City of Burleson, related to a previously approved development agreement. *(First and Final Reading) (Staff Presenter: Tony McIlwain, Development Services Director)*
- C. **Chisholm Summit at 9517 CR 1016 (Case 22-093):** Hold a public hearing and consider approval of an ordinance for a zoning change request from defaulted "A", Agriculture, to "PD" Planned Development District for properties addressed as 9517 CR 1016 for the Chisholm Summit master planned community. *(First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended approval unanimously).*
- D. **Hooper Business Park at FM 1902 & CR 1019 (Case 21-127):** Hold a public hearing and consider approval of an ordinance for a zoning change request from defaulted "A", Agriculture, to "PD" Planned Development District for properties addressed as 9640 FM 1902 and 9028 CR 1019 for a future business park. *(First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended approval unanimously)*

- E. Consider approval of a resolution approving the final design of the roadway improvements for Lakewood Drive, authorizing the reimbursement of R.A. Development, Ltd., for roadway construction costs and for the limited authorization for grading, stormwater infrastructure, and roadway construction for R.A. Development, Ltd., pursuant to an existing Chapter 380 and Economic Development and Performance Agreement in an amount not to exceed \$17,980,956.61, including contingency. *(Staff Presenter: Eric Oscarson, Public Works Director)*
- F. Consider approval of a resolution authorizing a community facilities contract with RA Development, LTD, for the construction of approximately 8,800 linear feet of Lakewood Drive, authorizing the City Manager to execute the contract on behalf of the City, and authorizing the City Attorney to make any necessary further changes to the contract. *(Staff Presenter: Eric Oscarson, Public Works Director)*
- G. Consider approval of a resolution identifying funds associated with Phase 2 and 3 sewer infrastructure design and construction improvements pursuant to the Chapter 380 Economic Development and Performance Agreement for the Chisholm Summit development. *(Staff Presenter: Eric Oscarson, Public Works Director)*

9. GENERAL

- A. Consider approval of a resolution authorizing the City Manager to execute all necessary documents and make necessary expenditures to enter into and close on a real estate contract with Sebastiano and Cristin Leoni, as sellers, to purchase fee simple title to a tract of land commonly known as 120 NW Newton Drive, Burleson, Johnson County, Texas. *(Staff Presenter: DeAnna Phillips, Community Services Director)*
- B. Consider approval of a resolution declaring intention to reimburse an amount not to exceed \$65,100,000 for capital projects related to Chisholm Summit roadway infrastructure, industrial business park, various parks and trail improvements, improvements in Old Town and Ellison Street project within the Tax Increment Reinvestment Zone #2, improvements and extensions to water and sewer systems, public safety improvements, streets, drainage and public mobility infrastructure improvements including traffic signal improvement, median improvements, and the acquisition of right-of-way throughout the City. The resolution will allow the ability to begin incurring capital expenditure cost on these project with the intent of reimbursing the cost incurred with proceeds from bond debt to be issued at a future date, and placing time restrictions on the issuance of tax-exempt obligations. *(Staff Presenter: Martin Avila, Finance Director)*
- C. Consider approval of a five-year professional services contract with Dr. Joseph Cordova to serve as the Medical Director for the City of Burleson in the amount not to exceed \$300,000. *(Staff Presenter: K.T. Freeman, Fire Chief)*

10. CITY COUNCIL REQUESTS AND FUTURE AGENDA ITEMS AND REPORTS

11. RECESS INTO EXECUTIVE SESSION

Pursuant to Section 551.071, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

- A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**
-Discuss and receive direction on a real estate contract between the Burleson 4A Economic Development Corporation, as buyer, and James Crouch and Katherine Halwes, as sellers, for 30.76 acres in Johnson County, Texas, commonly known as 2140 SW Hulen St, Burleson, Texas.
-Discuss and receive direction on SOAH Docket No. 407-22-09369, *Joshua Lott v. Burleson Police Department*, Before the State Office of Administrative Hearings.
-Discuss and receive direction on Internal Affairs Investigation IA 22-02.
- B. Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**
-Discuss and receive direction on certain parcels of real property for municipal purposes where deliberation in open session would have a detrimental effect on the position of negotiations with third parties.
-Discuss and receive direction on certain parcels of real property for the expansion of Lakewood Drive where deliberation in open session would have a detrimental effect on the position of negotiations with third parties.
-Discuss and receive direction on certain parcels of real property for the expansion of County Road 1020 where deliberation in open session would have a detrimental effect on the position of negotiations with third parties.
- C. Deliberation regarding a negotiated contract for a prospective gift or donation to the state or the governmental body Pursuant to Section 551.073**
- D. Personnel Matters Pursuant to Section 551.074**
- E. Deliberation regarding (1) the deployment, or specific occasions for implementation of security personnel or devices; or (2) a security audit Pursuant to Sec. 551.076**
- F. Deliberation Regarding Commercial or Financial Information Received from or the Offer of a Financial or Other Incentive made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is conducting Economic Development Negotiations Pursuant to Section 551.087**
-Project Workforce
-Project Spec
- G. Pursuant to Sec 418.183(f), deliberation of information related to managing emergencies and disasters including those caused by terroristic acts (must be tape recorded)**

CERTIFICATE

I hereby certify that the above agenda was posted on this the **28th of September 2022, by 5:00 p.m.**, on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.

Amanda Campos
City Secretary



ACCESSIBILITY STATEMENT

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.