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Live Stream at <https://www.burlesontx.com/watchlive>

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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, items listed in Section 3 "Public Presentations", or items listed in Section 8 "Budget" prior to 5:30 p.m.**

1. **CALL TO ORDER**

2. **REPORTS AND PRESENTATIONS**

- A. Receive a report, hold a discussion, and give staff direction regarding the Capital Improvements Program Advisory Committee. *(Staff Presenter: Eric Oscarson, Public Works Director)*
- B. Receive a report, hold a discussion, and give staff direction regarding a proposed services contract with the Burleson Area Chamber of Commerce. *(Staff Presenter: Alex Philips, Economic Development Director)*
- C. Receive a report, hold a discussion, and give staff direction regarding the submission of RFP 2022-12, sale or long-term ground lease of real property located at 130 East Renfro Street, Burleson, Texas. *(Staff Presenter: Alex Philips, Economic Development Director)*
- D. Receive a report, hold a discussion, and give staff direction regarding an update of American Rescue Plan Act (ARPA) 2021 stimulus funds. *(Staff Presenter: Martin Avila, Finance Director)*
- E. Receive a report, hold a discussion, and provide staff direction regarding gateway monument signs. *(Staff Presenter: Jen Basham, Director of Parks and Recreation)*
- F. Receive a report, hold a discussion, and give staff direction regarding the discontinuation of services provided by the Burleson Public Health Authority. *(Staff Presenter: K.T. Freeman, Fire Chief)*

3. **PUBLIC PRESENTATIONS**

Invocation - Tom Pickett, A Time to Reconcile Ministry

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*

- A. Proclamations
- B. Presentations

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-Presentation of the Achievement of Excellence in Procurement to the City of Burleson. (*Staff Presenter: Matt Ribitzki, Deputy City Attorney/Compliance Manager*)

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 August 15, 2022 regular council meeting. (*Staff Contact: Amanda Campos, City Secretary*).

B. Consider approval of a contract with Incapsulate Salesforce Solutions for a customer relationship management software supporting the city's 311 system in the amount of \$766,491.60 over five years. (*Staff Contact: Jesse Elizondo, Director of Customer Service*)

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- C. Consider approval of a five-year lease agreement with AT&T Mobility Corporation for the lease space on the City owned monopole located at 231 SW Brushy Mound Road. *(Staff Contact: Justin Scharnhorst, Purchasing Manager)*
- D. Consider approval of a five-year lease agreement and associated access and utility easement with T-Mobile West, LLC, for the lease space on the City owned monopole located at 231 SW Brushy Mound Road. *(Staff Contact: Justin Scharnhorst, Purchasing Manager)*
- E. Consider an ordinance approving the 2022-23 annual service and assessment plan update for the Parks at Panchasarp Farms Public Improvement District No. JC-1 and directing the City Secretary to file this ordinance with the County Clerk. (Final Reading) *(Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)*
- F. Consider approval of a resolution adopting the City of Burleson Fiscal Year 22-23 Strategic Plan. *(Staff Contact: DeAnna Phillips, Director of Community Services)*
- G. Consider approval of an ordinance authorizing a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2022 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of the ordinance to the company and ACSC's legal counsel. (First Reading) *(Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)*
- H. Consider approval of a resolution accepting Burleson Animal Emergency Hospital's offer to provide free care and treatment to Burleson Police Department K-9 Officer Sonic. *(Staff Contact: Billy J. Cordell, Chief of Police)*
- I. Consider approval of a contract for the application of Pavement Rejuvenator by Pavement Restoration Inc. in an amount not to exceed \$300,000. *(Staff Contact: Eric Oscarson, Public Works Director)*
- J. Consider approval of a minute order authorizing the proposed rate increase from Waste Connections Lone Star, Inc. permissible to the terms and conditions of the existing contract to be effective October 1, 2022. *(Staff Contact: Eric Oscarson, Director of Public Works)*
- K. Consider approval of a minute order to increase funds allocation for the utilization of lab services from NMS Labs of Horsham, Pennsylvania in the amount not to exceed \$10,000 through the end of FY21-22 *(Staff Contact: Tim Mabry, Criminal Investigations Sergeant)*
- L. Consider approval of a minute order to increase funds allocation for the utilization of lab services from Armstrong Forensic Laboratory, Inc. of Arlington, Texas in the amount not to exceed \$10,000 through the end of FY21-22 *(Staff Contact: Tim Mabry, Criminal Investigations Sergeant)*.
- M. Consider approval of a resolution supporting grant funding from the Office of the Governor for rifle rated ballistic shields. *(Staff Contact: Tim Mabry, Criminal Investigations Sergeant)*
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- N. Consider approval of a Relocation Scope Reimbursement Agreement with Texas Midstream Gas Services L.L.C. for preliminary design services associated with the relocation of the existing gas pipeline located on the south side of the Burleson Police Department complex in the amount of \$60,000. *(Staff Contact: Eric Oscarson, Public Works Director)*
- O. Consider approval of a change order to purchase order 224796 for the purchase of two True Stair Steppers in the amount of \$16,565 from Comm-Fit (Staff Contact: Jen Basham, Director of Parks and Recreation).
- P. Consider approval of a minute order authorizing the expenditure to Taylor, Olson, Adkins, Sralla, & Elam, LLP, for legal services in the amount not to exceed \$280,000. *(Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)*

## 7. **DEVELOPMENT APPLICATIONS**

- A. **2301 CR 805E. (Case 22-096):** Hold a public hearing and consider a waiver to Section 5.1.a “Street and right-of-way basic policies” of the Design Standards Manual for the design criteria for streets within the Good Farms Subdivision. *(Staff Presenter: Michelle McCullough, Public Works Assistant Director) (Planning and Zoning Commission recommended denial by a vote of 3-1.)*

***A request was received from the applicant to withdraw the application for consideration.***

## 8. **BUDGET**

- A. Hold a public hearing on the Fiscal Year 2022-2023 proposed annual budget. This budget will raise more total property taxes than last year’s budget by an amount of \$1,749,741, a 7.78 percent increase, and of that amount \$944,179 is tax revenue to be raised from new property added to the tax roll this year. *(Staff Presenter: Martin Avila, Finance Director)*
- B. Hold a public hearing on a proposal to adopt a Tax Year 2022 ad valorem property tax rate of \$0.6572 per \$100 valuation. The proposed tax rate exceeds the no-new-revenue tax rate. *(Staff Presenter: Martin Avila, Finance Director)*
- C. Consider approval of an ordinance adopting the budget for fiscal year 2022-2023 beginning October 1, 2022, and terminating September 30, 2023, and making appropriations for each fund; repealing conflicting ordinances; providing a savings clause, severability clause, declaring an effective date; and finding that the meeting at which this ordinance is passed is open to the public. (First Reading) *(Staff Presenter: Martin Avila, Finance Director)*
- D. Consider approval of an ordinance levying the ad valorem property tax of the City of Burleson for Tax Year 2022 on all taxable property within the corporate limits of the city on January 1, 2022, and adopting a tax rate of \$0.6572 per \$100 of valuation for Tax Year 2022; providing revenues for payment of current municipal maintenance and operation expenses and for payment of interest and principal on outstanding City of Burleson debt; providing for enforcement of collections; repealing conflicting ordinances; providing a savings clause; declaring an effective date; and finding that the at which this ordinance is passed is open to the public. (First Reading) *(Staff Presenter: Martin Avila, Finance Director)*

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- E. Consider approval of an ordinance approving the 2022 tax rolls; and declaring an effective date. (First Reading) *(Staff Presenter: Martin Avila, Finance Director)*
  - F. Consider approval of an ordinance providing a FY 2022-23 schedule of fees for various city services; incorporating the recitals into the body of the ordinance; providing a severability clause, cumulative clause, and savings clause; finding that the meeting at which this ordinance is passed is open to the public; and declaring an effective date. (First Reading) *(Staff Presenter: Martin Avila, Finance Director)*
  - G. Consider approval of an ordinance establishing FY 2022-23 rates for water and wastewater service; repealing conflicting ordinances; providing a savings clause; declaring an effective date; and finding that the meeting at which this ordinance is passed is open to the public. (First Reading) *(Staff Presenter: Martin Avila, Finance Director)*
  - H. Consider approval of an ordinance establishing FY 2022-23 rates for collection and disposal of residential and non-residential solid waste, recyclables, and trash; repealing conflicting ordinances; providing a savings clause, declaring an effective date; and finding that the meeting at which this ordinance is passed is open to the public. (First Reading) *(Staff Presenter: Martin Avila, Finance Director)*
  - I. Consider approval of an ordinance amending Ordinance No. CSO#1857-09-2021 by providing for a residential homestead exemption from the ad valorem property tax for Tax Year 2023 and all future years unless revised of an amount equal to two percent of the appraised value; repealing conflicting ordinances; providing a savings clause; incorporating the recitals; finding that the meeting at which this ordinance is passed is open the public; declaring an effective date. (First Reading) *(Staff Presenter: Martin Avila, Finance Director)*

## **9. GENERAL**

- A. Hold a public hearing and consider approval of an ordinance establishing curfew hours for minors under Article IV. Chapter 54 "Curfew". *(First Reading) (Staff Presenter: Tim Mabry, Criminal Investigations Sergeant)*
- B. Consider approval of a minute order electing a councilmember to serve as Mayor Pro Tem. *(Staff Presenter: Amanda Campos, City Secretary)*
- C. Consider an ordinance amending the City budget for fiscal year 2021-2022 by increasing appropriations in the General Fund in the amount of \$850,000 for land purchase, and finding that this ordinance may be considered and approved at only one meeting because time is of essence. (First and Final Reading) *(Staff Presenter: Martin Avila, Director of Finance)*
- D. 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, Burseson, Johnson County, Texas. *(Staff Presenter: DeAnna Phillips, Director of Community Services)*

## **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**
- Extraterritorial Jurisdiction between the cities of Burleson, Crowley, and Fort Worth
  - Discuss Burleson Police Department 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**
- Hyder Ranch
  - Project Boomer
- 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 **31st of August 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.