



City Council  
City Council Regular Meeting Agenda

Monday, July 18, 2022  
5:30 PM

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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

**1. CALL TO ORDER**

Invocation - Bob Massey, Pastor Emeritus at Grace Bible Fellowship

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. PUBLIC PRESENTATIONS**

A. Proclamations

B. Presentations

- Receive a report to recognize the selected Employee of the Quarter for the 2nd quarter of 2022. (*Staff Presenter: Rick DeOrdio, Director of Human Resources*)

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.

**3. CHANGES TO POSTED AGENDA**

A. Items to be continued or withdrawn.

B. Items to be withdrawn from the Consent Agenda for separate discussion or items to be added to the Consent Agenda.

**4. 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.

## 5. **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 city council minutes from the July 5, 2022 regular council meeting.  
(Staff Contact: Amanda Campos, City Secretary)
- B. Consider approval of an amendment to contract CSO#1713-04-2021 with e-Builder, Inc. in the amount not to exceed \$75,000.00. (Staff Contact: Eric Oscarson, Public Works Director)
- C. Consider approval of a professional services contract with Freese and Nichols, Inc. to update the City's Design Standards Manual and Subdivision and Development Ordinance as it relates to general engineering and construction requirements in the amount not to exceed \$183,004.50.  
(Staff Contact: Eric Oscarson, Public Works Director)
- D. Consider approval of an ordinance amending Section 6-1 (Definitions) and 6-9 (Care and Humane Treatment of Animals) of Chapter 6, (Animal Care and Control) of the Burleson Code of Ordinances by adding definitions for adequate shelter, harness, and adverse weather conditions, and amending the definitions for cruelly treated and properly fitted, and by modifying the manner and location a dog or other animal may be tied or tethered; making this ordinance cumulative of prior ordinances; providing a severability clause; providing for the violation of this ordinance; providing a penalty clause; and providing for an effective date. (First Reading) (Staff Contact: Lisa Duello, Neighborhood Services Director)
- E. Consider approval of a construction contract with Gra Tex Utilities for the construction of the East Renfro Waterline Improvements project in the amount not to exceed \$454,110. (Staff Contact: Eric Oscarson, Public Works Director)
- F. Consider approval of a minute order for the purchase of a new Signal Technician Service Truck and a new Parks ROW Crew Truck using an existing Purchasing Cooperative agreement with Buyboard from Caldwell Country Chevrolet of Caldwell Texas in the amount not to exceed \$104,884.56. (Staff Contact: Eric Oscarson, Public Works Director)
- G. Consider an ordinance amending the City budget for fiscal year 2021-2022 by increasing appropriations in the 4A Economic Development fund in the amount of \$5,000,000, Hotel Motel fund in the amount of \$225,000 for camera production equipment for the plaza, and finding that this ordinance may be considered and approved at only one meeting because time is of essence. (First and Final Reading) (Staff Contact: Martin Avila, Director of Finance)

- H. Consider approval of a minute order ratifying the 4A Economic Development Corporation Board's action approving a resolution authorizing an unimproved property contract with James W. Crouch and Katherine Crouch Halwes purchasing approximately 30 acres in Johnson County, Texas. *(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 increasing appropriations in the 4A Economic Development fund in the amount of \$5,000,000 for FY 2021-2022. *(Staff Contact: Martin Avila, Director of Finance)*
- J. Consider approval of a resolution designating the Johnson County Tax Assessor-Collector perform the required calculation of relevant FY2022-2023 tax rates and designating the City Manager to publish and deliver the tax rate forms in accordance with Chapter 26 of the Texas Tax Code. *(Staff Contact: Martin Avila, Finance Director)*

## **6. DEVELOPMENT APPLICATIONS**

- A. **3936 S Burleson (Case 22-043):** Hold a public hearing and consider approval of an ordinance requesting a zoning change from "A", Agricultural district, to "PD" Planned Development district for future industrial development. (First and Final Reading) *(Staff Presenter: Tony McIlwain, Director of Development Services)*
- B. **8121 CR 1016Z (Case 22-062):** Hold a public hearing and consider approval of an ordinance requesting a zoning change from "A" Agricultural, to "C" Commercial, to allow for future commercial development.(First and Final Reading) *(Staff Presenter: Tony McIlwain, Director of Development Services)*

## **7. GENERAL**

- A. Consider approval of City Council Policy #40, City Boards & Commissions Appointment Process. *(Staff Presenter: Amanda Campos, City Secretary)*

## **8. REPORTS AND PRESENTATIONS**

- A. Receive a report and hold a discussion regarding the 88<sup>th</sup> Texas State Legislature Session and other upcoming state legislative items. *(Presenter: Focused Advocacy, city's legislative consultant)*
- B. Receive a report, hold a discussion and give staff direction regarding an operational overview and proposed FY22-23 citywide budget request for Benefits, Training and Policy changes forecast by the Human Resources Department. *(Staff Presenter: Rick DeOrdio, Director of Human Resources)*

## **9. CITY COUNCIL REQUESTS AND FUTURE AGENDA ITEMS AND REPORTS**

## **10. 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**

- Land use, design standards, and density in the City's transit-oriented development district
- Receive a report, hold a discussion, and receive direction on the City's legal department and the department's goals and priorities.
- Cause No 6:19-cv-345-ADA-JCM, *City of Allen, Texas, et al., v. Time Warner Cable Texas, LLC, d/b/a Spectrum and Charter Communications*
- Cause No 3:19-CV-02126-K, *John Barto Clark v. City of Burleson, Clint Robert Thompson, & Louis Michael Giddings*
- Cause No MDL No. 96-000003-158, *City of Burleson, Texas v. Chesapeake Exploration, LLC, et al.*
- Cause No DC-C202100269, Michael Fagan, et al, v. Homes by Towne of Texas, Inc, et al.
- Code enforcement issues at 105 NE Cindy, Burleson, Texas
- EEOC Charge 450-2022-04011
- HUD Compliant Section 504 Case No. 06-22-4133-4
- Docket No 51998, *Application of the City of Burleson to Amend its Sewer Certificate of Convenience and Necessity in Johnson County*, Public Utility Commission of Texas

**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.
- Discuss and receive direction on certain parcels of real property for public library purposes 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**

**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 **13th of July 2022, by 5:00 p.m.**, on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.

Amanda Campos  
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.