



City Council
City Council Regular Meeting Agenda

Monday, March 06, 2023
4:30 PM

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

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”, or Section 7 “Development Applications”, prior to 5:30 p.m.

1. CALL TO ORDER

Invocation - Rusty Gilliam, Pastor of Cross Timber Church

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 provide feedback to staff regarding EMS Billing best practices and recommendations. *(Staff Presenter: K.T. Freeman, Fire Chief)*
- B. Receive a report, hold a discussion, and provide feedback regarding a demonstration of the city’s new customer relationship management software and 311 customer service call center launch. *(Staff Contact: Jesse Elizondo, Director of Customer Service)*

3. PUBLIC PRESENTATIONS

A. Proclamations

- A Proclamation recognizing "Theatre in our Schools" for the month of March. *(Recipient: Christian Steele, Burleson Mayors Youth Council Chair and Burleson High School Elk Theatre)*

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- A. Items to be continued or withdrawn.
- B. Items to be withdrawn from the Consent Agenda for separate discussion by the City Council, staff, or members of the public in attendance.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 February 20, 2023 regular council meeting. (*Staff contact: Amanda Campos, City Secretary*).
- B. Consider approval of a professional services agreement with Birkhoff, Hendricks & Carter, LLP for the design of the Lift Station Rehabilitations project in the amount of \$75,500.00. (*Staff Presenter: Errick Thompson, Deputy Director of Public Works - Engineering*)
- C. Consider approval of a facility use agreement with Burleson Farmer's Market for the use of the Mayor Vera Calvin Plaza in Old Town for the upcoming season. (*Staff Contact: Joni Van Noy, Economic Development Coordination*)
- D. Consider approval of a contract with Home Run Construction, LLC for the construction of a parking lot for Oak Valley Park in the amount not to exceed \$169,344.34. (*Staff Contact: Jen Basham, Parks and Recreation Director*)
- E. Consider approval of a professional services contract for an Automated Meter Reading (AMR) / Automated Metering Infrastructure (AMI) feasibility study with Quanta, LLC in the amount \$100,318.00. (*Staff Contact: Eric Oscarson, Director of Public Works*)
- F. Consider approval of a resolution authorizing an advance funding agreement (AFA) with the Texas Department of Transportation for the Highway Safety Improvement Program grant in the amount of \$89,329. (*Staff Contact: Eric Oscarson, Director of Public Works*)

- G. Consider approval of an amendment to the professional services contract (CSO#1353-05-2020) with Freese and Nichols, Inc. for the Water / Wastewater Masterplan, Impact Fee Study, and America's Water Infrastructure Act (AWIA) of 2018 Development Plan in the amount of \$48,500.00 for a total contract amount of \$428,500.00 (*Staff Contact: Errick Thompson, Deputy Director of Public Works*)
- H. Consider approval of a minute order authorizing the City Manager to execute a Settlement Agreement and Mutual Release with Spectrum Gulf Coast, LLC settling a dispute over franchise fees and PEG fees in the case styled *City of Allen, Texas et al., v. Time Warner Cable, Texas, LLC d/b/a Spectrum and Charter Communications*, Case No. 6:10-cv-345-ADA-DTG. (*Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager*)

7. DEVELOPMENT APPLICATIONS

- A. **1101 CR 1021 (Case 23-004):** Hold a public hearing and consider approval of an ordinance for a zoning change request from "A", Agriculture to "SFE" Single-family estate district. (First and Final Reading) (*Staff Presenter: Tony McIlwain, Development Services Director*) (*The Planning and Zoning Commission recommended approval by unanimous vote*)
- B. **Belle Oak Estates (Case 22-169):** Hold a public hearing and consider approval of an ordinance for a zoning change request from "A", Agricultural to "PD", Planned Development for a 39.696 acre site. (*First and Final Reading*) (*Staff Presenter, Tony Mcilwain, Director of Development Services*) (*The Planning and Zoning Commission motion for approval passed 6-0*).
- C. **McNairn Plaza at 826 SW Wilshire Blvd (Case 22-143):** Consider approval of a resolution for a sign variance to the setback of a pylon sign; Chapter 63, Sign Regulations. (*Staff Presenter: Tony McIlwain, Development Services Director*) (*No Planning and Zoning Commission action was required for this item.*)

8. GENERAL

- A. Consider approval of a professional services agreement with Kimley-Horn and Associates, Inc. for design of the Industrial Blvd Pump Station Expansion and Alsbury Pump Station Decommissioning project in the amount of \$1,154,795.00. (*Staff Presenter: Errick Thompson, Deputy Director of Public Works - Engineering*)

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.

Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

-City of Allen, Texas et al., v. Time Warner Cable, Texas, LLC d/b/a Spectrum and Charter Communications, Case No. 6:10-cv-345-ADA-DTG, United States District Court for the Western District of Texas

-Potential abatement and demolition contract for 130 E Renfro St, removal and conveyance of stained glass windows, and Texas Constitution Article III, § 52(a) and Article XI, § 3

Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072

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

Lunchbox

CERTIFICATE

I hereby certify that the above agenda was posted on this the **1st of March 2023, 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.