



City Council
City Council Regular Meeting Agenda

Monday, December 12,
2022
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 - Bob Massey, Pastor emeritus 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. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion, and give staff direction regarding the City Council's priorities for the 88th Legislative Session (*Staff Presenter: Justin Scharnhorst, Assistant to the City Manager*).

3. PUBLIC PRESENTATIONS

- A. Proclamations

- B. Presentations

-Presentation of Texas Municipal Clerks Association Office of Excellence Award. (*Presenters: Dr. Amy Holt, Education Director, TMCA and Miriam Sheehan, Administrative Director, TMCA*)

-Recognition of Employee of the 4th Quarter 2022. (*Staff Presenter: Rick DeOrdio, Director of Human Resources*)

-Recognition of Employee of the Year 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.

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- A. Items to be continued or withdrawn.
- B. Items to be withdrawn from the Consent Agenda for separate discussion by the City Council, staff, or members of the public in attendance.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 November 14, 2022 regular council meeting. (*Staff Contact: Amanda Campos, City Secretary*).
- B. Consider approval of an ordinance amending the City of Burleson code of ordinances Chapters 2, 6, 10, 18, 44, 46, 62, and 86 amending the number of voting members and terms of members. (First Reading) (*Staff Contact: Amanda Campos, City Secretary*)
- C. Ordinance Modification for text amendments to Section 100-115 of Article IV – Overlay Zoning Districts of Appendix B, of the Code of Ordinances of the City of Burleson (Case 22-124): Consider approval of an ordinance amendment to add “restaurant or cafeteria (drive through type)” to the list of allowable uses with a specific use permit, with conditions within the Old Town Overlay District. (Final Reading) (*Staff Contact: Tony McIlwain, Development Services Director*) (*The Planning and Zoning Commission recommended approval by unanimous vote*)
- D. Consider approval of a minute order continuing and renewing the 13th Declaration of Local Disaster and Public Health Emergency regarding Covid-19 dated March 7, 2022, through December 31, 2022. (*Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager*)

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- E. Consider approval of a resolution authorizing a one-year contingency fee contract with McCall Parkhurst & Horton LLP to provide bond counsel services. (*Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager.*)
 - F. Consider approval of a minute order extending the contract with Mansfield Oil Company of Gainesville through an inter-local agreement with the City of Fort Worth in the amount not to exceed \$711,712. (*Staff Contact: Kip Dernovich, Deputy Director – Operations, Public Works*)
 - G. Consider approval of a contract for the purchase of fleet vehicles with Caldwell Country Chevrolet through the BuyBoard Cooperative in the amount not to exceed \$1,000,412.25. (*Staff Contact: Kip Dernovich, Deputy Director – Operations Public Works*)
 - H. Consider approval of an ordinance amending Chapter 70 “Streets, Sidewalks and Other Public Places” of the Code of Ordinances, City of Burleson, by repealing and replacing Article V “Public Events” to require permits for public events; providing for procedures for the issuance of a permit; requiring the City Council to approve portions of certain permit applications involving certain street closures or in-kind sponsorships; providing for water, health and sanitation facilities for the event; providing for police protection and emergency medical services for the event; requiring the permit application and permittee to carry liability insurance of a certain amount and indemnify the city. (Final Reading) (*Staff Contact: DeAnna Phillips, Director of Community Services*)
 - I. Consider approval of a resolution creating a special citizens public art committee to make recommendations to the City Council regarding the creation, implementation, and management of a public art masterplan to display public art throughout the city; appointing committee members; and establishing a charge for the committee. (*Staff Contact: Jen Basham, Director of Parks and Recreation*).
 - J. Consider approval of a three-year contract with SHI International Corp for Artic Wolf Security Operations Center as a Service (SOCaaS) through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount not to exceed \$276,298.70. (*Staff Contact: James Grommersch, Chief Technology Officer, IT*)
 - K. Consider approval of a three-year contract with AT&T for Switched Ethernet Services for in the amount not to exceed \$361,457. (*Staff Contact: James Grommersch, Chief Technology Officer, IT*)
 - L. Consider approval of a minute order ratifying the Burleson 4A Economic Development Corporation Board’s action to approve a Second Amendment to the commercial lease between FWAVE, Inc., and the Burleson 4A Economic Development Corporation located at 921 South Burleson Boulevard. (*Staff Contact: Alex Philips, Economic Development Director*)
 - M. Consider approval of a contract with The Brandt Companies, LLC. through a cooperative purchasing agreement with BuyBoard for the purchase of a new AC control software and computer boards for the Burleson Recreation Center in the amount not to exceed \$160,255. (*Staff Contact: Jen Basham, Director of Parks and Recreation*)
 - N. Consider approval of a contract with Progressive Commercial Aquatics, Inc. through a cooperative purchasing agreement with BuyBoard for the purchase of replacement outdoor pool sand filters for the Burleson Recreation Center in the amount not to exceed \$99,667.50. (*Staff Contact: Jen Basham, Director of Parks and Recreation*)
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- O. Consider approval of a contract with Focused Advocacy for legislative consulting services in the amount not to exceed \$54,199.92. *(Staff Contact: Justin Scharnhorst, Assistant to the City Manager)*

7. DEVELOPMENT APPLICATIONS

- A. **2220 W FM 917 (Case 22-125):** Hold a public hearing and consider approval of an ordinance for a zoning change request from "A", Agricultural to "GR", General Retail for a 13.20 acre site. *(First and Final Reading) (Staff Presenter, Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission motion for approval passed 7-0).*

8. GENERAL

- A. Consider approval of a five-year professional services agreement with Emergicon, LLC for Automated Ambulance Billing Services to be provided to the city for a fee not to exceed 6.5% of all net revenues collected. *(Staff Presenter: K.T. Freeman, Fire Chief)*
- B. Consider an ordinance amending the City budget for fiscal year 2022-2023 by increasing appropriations in the Golf Fund in the amount of \$628,000 for equipment and improvements at Hidden Creek Golf Course, and finding that this ordinance may be considered and approved at only one meeting because time is of essence. *(First and Final Reading) (Staff Presenters: Martin Avila, Director of Finance; Jen Basham, Director of Parks & Recreation)*
- C. Consider approval of a contract with Fleetwood Services for furnishing and replacement of 16 bunkers at Hidden Creek Golf Course in the amount not to exceed \$331,606. *(Staff Presenter: Jen Basham, Director of Parks and Recreation)*
- D. Consider approval of a minute order ratifying the Burleson Community Service Development Corporation's action to approve a resolution authorizing a contract with Marilyn Bleeker for the acquisition of approximately 13 acres of real property at or near 2410 SW Hulen St, Burleson, Johnson County, Texas and authorizing the expenditure of funds. *(Staff Presenter: Jen Basham, Director of Parks and Recreation)*

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**
- 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 in Johnson County, Texas 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 in Johnson County and Tarrant County, Texas for community park 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 in Johnson County, Texas 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 in Johnson County, Texas 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 Facelift
- 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 **7th of December 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.