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

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

1. **CALL TO ORDER**

Invocation - Kevin Walkowiak, Pastor of Adventist Church of Burleson

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

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A. Items to be continued or withdrawn.

B. Items to be withdrawn from the Consent Agenda for separate discussion by the City Council, staff, or members of the public in attendance.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.

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 minutes from the August 15, 2024 special council meeting, August 19, 2024 regular council meeting and September 3, 2024 special council meeting. *(Staff Contact: Amanda Campos, City Secretary)*
- B. Consider approval of an interlocal agreement with the Texas Municipal League Intergovernmental Risk Pool to be a member of the Texas Municipal League Joint Cyber Liability and Data Breach Response Self-Insurance Fund. *(Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)*
- C. 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 Michael J. Moore and Debra Moore, as seller, to purchase fee simple title to approximately 0.317 acres of land, out of the H.G. Catlett Survey Abstract No. 180 in Johnson County, Texas, and necessary adjacent easements. *(Staff Contact: Eric Oscarson, Deputy City Manager)*
- D. Consider approval of a contract with CDW-G, LLC for the purchase of Aruba Switches and support through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount of \$87,321.92 *(Staff Contact: James Grommersch, Chief Technology Officer, IT)*
- E. Consider the approval of a minute order with Johnson County for the Radio Communications System Agreement cost in the amount of \$92,333.04 for Fiscal Year 24/25 *(Staff Contact: James Grommersch, Chief Technology Officer, IT)*
- F. Consider approval of a resolution authorizing street closures for an annual Fall Festival hosted by Open Door Church. *(Staff Contact: Joni Van Noy, Economic Development Coordinator)*
- G. Consider approval of a change order to contract CSO#5395-02-2024 with 2L Construction, LLC for additional pavement work in the amount of \$103,650 for a total authorization of \$3,075,377.40. *(Staff Contact: Eric Oscarson, Deputy City Manager)*
- H. Consider approval of a minute order authorizing placing a fence around the perimeter of an electric panel adjacent to the Burleson Memorial Cemetery in the amount of \$1,100, in accordance of Council Policy 17. *(Staff Contact: Jen Basham, Director of Parks and Recreation)*

- I. Consider approval of an ordinance of the approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2024 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 ACSCs 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 this ordinance to the company and the ACSC’s legal counsel. (First Reading) *(Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)*
- J. Consider approval of an amendment to Chapter 6 Animal Care and Control, Section 6-16 Animal Shelter Advisory Committee, (c) Number of members; terms, exempting the licensed veterinarian, municipal officer, and daily operations position from term limits. (Final Reading) *(Staff Contact: Amanda Campos, City Secretary)*
- K. ETJ Release Petition for 7200 CR 802 (Case 24-236): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 12.879 acres of land addressed as 7200 CR 802. *(Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)*

6. **BUDGET**

- A. Consider approval of an ordinance adopting the budget for Fiscal Year 2024-2025 beginning October 1, 2024, and terminating September 30, 2025, and making appropriations for each fund; repealing conflicting ordinances; providing a savings clause and an effective date; and finding that the meeting at which this ordinance is passed is open to the public. This budget will raise more property taxes than last year’s budget by an amount of \$4,381,461 which is an 11.57 percent increase, and of that amount \$1,258,438 is tax revenue to be raised from new property added to the tax roll this year. (Final Reading) *(Staff Contact: Harlan Jefferson, Deputy City Manager)*
- B. Consider approval of a minute order ratifying the adoption of the Fiscal Year 2024-2025 annual operating budget beginning October 1, 2024, and terminating September 30, 2025. *(Staff Contact: Harlan Jefferson, Deputy City Manager)*
- C. Consider approval of an ordinance levying the ad valorem property tax of the City of Burleson for Tax Year 2024 on all taxable property within the corporate limits of the city on January 1, 2024, and adopting a tax rate of \$0.6627 per \$100 of valuation for Tax Year 2024; providing for 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 and an effective date; and finding that the meeting at which this ordinance is passed is open to the public. The proposed tax rate exceeds the no-new-revenue tax rate. (Final Reading) *(Staff Contact: Harlan Jefferson, Deputy City Manager)*
- D. Consider approval of an ordinance approving the 2024 tax rolls; and declaring an effective date. (Final Reading) *(Staff Contact: Harlan Jefferson, Deputy City Manager)*

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- E. Consider approval of an ordinance to authorize charging credit card processing and non-sufficient funds fees to customers. (Final Reading). *(Staff Contact: Richard B. Abernethy, Director of Administrative Services)*
 - F. Consider approval of an ordinance providing a Fiscal Year 2024-2025 schedule of fees for various City of Burleson services. (Final Reading) *(Staff Contact: Harlan Jefferson, Deputy City Manager)*
 - G. Consider approval of an ordinance providing Fiscal Year 2024-2025 rates for water and wastewater service. (Final Reading) *(Staff Contact: Harlan Jefferson, Deputy City Manager)*
 - H. Consider approval of an ordinance providing Fiscal Year 2024-2025 rates for collection and disposal of residential and non-residential solid waste, recyclables, and trash. (Final Reading) *(Staff Contact: Harlan Jefferson, Deputy City Manager)*
 - I. Consider approval of an ordinance providing for a residential homestead exemption from the ad valorem tax for Tax Year 2025 and all future years unless revised of an amount equal to five 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 to the public; and declaring an effective date. (Final Reading) *(Staff Contact: Harlan Jefferson, Deputy City Manager)*
 - J. Consider approval of a resolution adopting the City of Burleson Fiscal Year 24-25 Strategic Plan. *(Staff Contact: Janalea Hembree, Assistant to the City Manager)*
 - K. Consider a resolution adopting the updates to the employee handbook and the city's compensation structures for FY 2024-2025. *(Staff Contact: Cheryl Marthiljohni, Director of Human Resources)*

7. **GENERAL**

- A. Consider recommending approval of a construction contract with Jasco Construction LLC for the construction for the parking lot addition and trailhead improvement at Oak Valley South Scott trailhead in the amount of \$442,734.98 with project contingency of \$28,600.54 for a total amount of \$471,335.52. *(Staff Contact: Jen Basham, Director of Parks and Recreation)*
- B. Consider approval of a contract with C1S for a mechanical equipment package for the Burleson Recreation Center at the guaranteed max price of \$4,079,342. *(Staff Contact: Jen Basham, Director of Parks and Recreation)*
- C. Consider approval of a minute order rejecting bids for ITB 2024-019 Advertisement of City Notices. *(Staff Contact: Richard Abernethy, Director of Administrative Services)*
- D. Consider approval of a contract with McClatchy Shared Services (The Fort Worth Star-Telegram) in the amount of \$45,000 for the advertisement of legal notices for one year. *(Staff Contact: Richard Abernethy, Director of Administrative Services)*
- E. Consider approval of a resolution casting the City of Burleson's vote in the Texas Municipal League Intergovernmental Risk Pool Board of Trustees 2024 Election. *(Staff Contact: Amanda Campos, City Secretary)*

8. **REPORTS AND PRESENTATIONS**

- A. Receive a report, hold a discussion, and give staff direction, on updates to the FY 2024-2025 Health Fund and benefit plan changes for 2025. (*Staff Contact: Cheryl Marthiljohni, Director of Human Resources*)
- B. Receive a report and hold a discussion regarding the Johnson County Bond Program. (*Contact: Jennifer VanderLaan, Director, Johnson County Public Works*)

9. **LEGISLATIVE - REPORTS AND RELATED ACTION ITEMS**

This is a standing item on the agenda of every regular meeting of the City Council that allows the City Council to receive reports, hold discussions, and give staff direction regarding any legislative matters pertaining to the 89th Texas legislative session. Additional action items may be specifically listed below when required.

- A. Consider approval of a resolution establishing the City Council's priorities for the 89th Legislative Session. (*Staff Contact: Janalea Hembree, Assistant to the City Manager*)

10. **CITY COUNCIL REQUESTS AND FUTURE AGENDA ITEMS AND REPORTS**

11. **RECESS INTO EXECUTIVE SESSION**

In accordance with Chapter 551 of the Texas Government Code, the City Council may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda. The City Council may reconvene into open session and take action on posted items.

A. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071, Texas Government Code

- Receive a report and hold a discussion regarding liabilities associated with the Hidden Creek Sports Complex, including the fields, parking lot, and the real property known as commonly known as 295 E Hidden Creek Pkwy in Burleson, Johnson County, Texas
- Receive a report and hold a discussion regarding Case 3:24-CV-01894-B, *Danny R. Mitchell v. City of Burleson, et al.*, in the U.S. District Court, Northern District of Texas
- Receive a report and hold a discussion regarding Case MDL No. 218-mn-2873, *In Re: Aqueous Film-Forming Foams Products Liability Litigation*, in the U.S. District Court, South Carolina District, Charleston Division

B. Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072, Texas Government Code

- Discuss and receive direction on an approximately ninety-acre tract of real property commonly known as 295 E Hidden Creek Pkwy and 555 E Hidden Creek Pkwy, Burleson, Johnson County, Texas
- Discuss and receive direction on real property commonly known as 2140 SW Hulen Street, Burleson, Johnson County, Texas
- Discuss and receive direction on real property commonly known as 2270 SW Hulen Street, Burleson, Johnson County, Texas
- Discuss and receive direction on real property commonly known as 1303 SW Alsbury Blvd, Burleson, Johnson County, Texas

C. 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, Texas Government Code

- Project Birdie

-Project Jump

12. ADJOURNMENT

CERTIFICATE

I hereby certify that the above agenda was posted on this the 4th of September 2024, by 6:00 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.