



City Council
City Council Regular Meeting Agenda

Monday, March 20, 2023
5:30 PM

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

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

1. CALL TO ORDER

Invocation - Frank Pace, Minister of the Gospel, Johnson County Prayer Net

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 fiscal year 2021-2022 Annual Comprehensive Financial Report (ACFR), Single Audit Report and the annual audit. *(Staff Presenter: Martin Avila, Director of Finance) (Presented to Finance and Internal Service Committee on March 13, 2023)*
- B. Receive a report, hold a discussion, and give staff direction regarding the Hotel/Motel tax grant policy. *(Staff Presenter: Alex Philips, Economic Development Director)*

3. 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.

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- A. Items to be continued or withdrawn.

- B. Items to be withdrawn from the Consent Agenda for separate discussion by the City Council, staff, or members of the public in attendance.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 March 6, 2023 regular council meeting. (*Staff Contact: Amanda Campos, City Secretary*).
 - B. Consider approval of a Memorandum of Understanding (MOU) between the City of Burleson and the Dallas-Fort Worth Regional Intelligent Transportation System (ITS) partners. (*Staff Contact: Eric Oscarson, Director of Public Works*)
 - C. Consider approval of a minute order to reject proposals for RFP 2022-025 Pavement Management Assessment Solutions. (*Staff Contact: Eric Oscarson, Director of Public Works*)
 - D. Consider approval of a service contract with Fugro USA Land, Inc. through a cooperative purchasing agreement with the North Central Texas Council of Governments to perform a street pavement assessment in the amount of \$151,250. (*Staff Contact: Eric Oscarson, Director of Public Works*)
 - E. Consider approval of a professional services contract with Accessology Too, LLC for the development of a American with Disabilities Act (ADA) transition plan in the amount not to exceed \$65,340 (*Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager*).
 - F. Consider approval of a professional services agreement with Freese and Nichols, Inc. for preliminary design of the Alsbury Phase 3 - Expansion to CR914 project in the amount of \$628,150.00. (*Staff Presenter: Errick Thompson, Deputy Director of Public Works - Engineering*)
 - G. Consider approval of an amendment to CSO#4034-11-2022 modifying the July 2023 City Council regular meeting dates from July 3, 2023 to July 10, 2023 and July 17, 2023 to July 24, 2023. (*Staff Presenter: Amanda Campos, City Secretary*)
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- H. Consider approval of a five-year contract for Employee Performance Management Software services by emPerform in the amount not to exceed \$108,000. *(Staff Presenter: Rick DeOrdio, Director of Human Resources)*
- I. Consider approval of a resolution authorizing a \$1,500 sponsorship expense for the Burleson Character Council Luncheon. *(Staff Contact: Justin Scharnhorst, Assistant to the City Manager)*
- J. Consider approval of a first amendment to a real estate sales contract and lease for the property located at 216 Bransom Street, Burleson, Johnson County, Texas, with First Baptist Church. *(Staff Contact: Alex Philips, Economic Development Manager)*
- K. Consider approval of a resolution authorizing the purchase of 0.35 acres of land from Burleson Independent School District in the amount of \$14,000. *(Staff Contact: Jen Basham, Director of Parks and Recreation)*
- L. Consider approval of a resolution accepting the results of the September 30, 2022 Annual Audit, Annual Comprehensive Financial Report (ACFR) for the period ending September 30, 2022, and the Single Audit Report as of September 30, 2022. *(Staff Presenter: Martin Avila, Director of Finance) (Finance and Internal Service Committee recommended accepting the results of the September 30, 2022 Annual Audit, ACFR for period ending September 30, 2022, and the Single Audit Report as of September 30, 2022 on March 13, 2023)*
- M. Consider approval of a contract with Tarrant County for election services for the May 6, 2023 general election in an amount not to exceed \$14,000. *(Staff Presenter: Amanda Campos, City Secretary)*
- N. Consider approval of a minute order ratifying a resolution of the Burleson 4A Economic Development Corporation Board recommending approval of a professional services contract between the City and Kimley-Horn and Associates, Inc. for design of the extension of Lakewood Drive from FM 1902 to Chisholm Trail Parkway in the amount of \$1,090,915.00. *(Staff Contact: Errick Thompson, Deputy Director of Public Works)*
- O. Consider approval of a minute order ratifying a resolution of the Burleson 4A Economic Development Corporation recommending approval of demolition agreement between the City and Garrett Demolition, Inc. for asbestos abatement and demolition of 130 East Renfro Street in the amount of \$201,462.00. *(Staff Contact: Errick Thompson, Deputy Public Works Director)*
- P. Consider approval of a minute order ratifying a resolution of the Burleson 4A Economic Development Corporation Board recommending approval of a contract with First United Methodist Church Burleson for use of church facilities for community events in exchange for the stained glass windows at 130 E Renfro St. *(Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)*
- Q. Consider approval of a professional services contract with Kimley-Horn and Associates, Inc. for the design of the extension of Lakewood Drive from FM 1902 to Chisholm Trail Parkway in the amount of \$1,090,915.00. *(Staff Contact: Errick Thompson, Deputy Director of Public Works)*

- R. Consider approval of a demolition agreement with Garrett Demolition, Inc. for asbestos abatement and demolition of 130 East Renfro Street in the amount of \$201,462.00. *(Staff Contact: Errick Thompson, Deputy Public Works Director)*
- S. Consider approval of a contract with First United Methodist Church Burleson for use of church facilities for community events in exchange for the stained glass windows at 130 E Renfro St. *(Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)*

7. DEVELOPMENT APPLICATIONS

- A. **5917 W FM 917 (Case 23-007):** Hold a public hearing and consider approval of an ordinance for a zoning change request from "A", Agriculture to "GR" General Retail. *(First and Final Reading) (Staff Presenter: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by unanimous vote)*
- B. **2500 SW Hulen St (TOD Mixed-Use) (Case 22-131):** Continue the public hearing and consider an ordinance for a zoning change request from "PD" Planned Development district, to "PD" Planned Development district, to allow for retail and single-family attached residential development on 35.20 acres. *(First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended approval by unanimous vote) (Public hearing continued from the January 23, 2023 and February 20, 2023 City Council meetings)*

8. GENERAL

- A. Consider approval of a resolution authorizing street closures for the upcoming Honey Tour community event. *(Staff Contact: Jen Basham, Director of Parks and Recreation)*
- B. Consider approval of a professional services agreement with Teague Nall and Perkins, Inc. for the design of the SW Hulen Street Widening – Candler Dr. to SH174 project in the amount of \$2,107,413. *(Staff Presenter: Errick Thompson, Deputy Director of Public Works - Engineering)*
- C. Consider approval of a minute order appointing members to City of Burleson boards, commissions, and committees to fill vacancies due to added positions and vacancies on all boards/commission/committees. *(Staff Presenter: Amanda Campos, City Secretary)*
- D. Consider approval of a letter of admonishment and reprimand addressed to City Council member Place 3 concerning his conduct in response to an event at the Library in February of 2023. *(Staff Presenter: Allen Taylor, City Attorney)*

9. CITY COUNCIL REQUESTS AND FUTURE AGENDA ITEMS AND REPORTS

10. 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.

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

- Real estate contract dated April 18, 2022, with Paul and Darlene Karmy selling fee simple title to 430 N Burleson Blvd, Burleson, Johnson County, Texas for a sales price of \$900,000 and other good and valuable consideration
- Drainage pipeline agreement with Union Pacific Railroad for the use of Union Pacific Railroad property adjacent to N Main St, Burleson, Johnson County, Texas
- 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 real property commonly known as 116 Warren St in Burleson, Johnson County, Texas for municipal purposes
- C. Deliberation regarding a negotiated contract for a prospective gift or donation to the state or the governmental body Pursuant to Section 551.073, Texas Government Code**
- D. Personnel matters pursuant to Section 551.074, Texas Government Code**
- 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, Texas Government Code**
- 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, Texas Government Code**
 - Project Workforce
 - Project Lunchbox
- G. Pursuant to Sec. 418.183(f), Texas Government Code, 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 date the 15th 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.