THE CITY OF BURLESON TEXAS

Regular Meeting Agenda

Monday, November 09, 2026
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 - Jesse Shook, Pastor of Ovation Church in Burleson

Pledge of Allegiance to the US Flag

2. PUBLIC PRESENTATIONS

A. Proclamations

B. Presentations

-Recognize the Parks and Recreation Department for achieving national accreditation through the Commission for Accreditation of Park and Recreation Agencies (CAPRA). *(Staff Presenter: Allison Smith, Deputy Director of Parks and Recreation)*

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A. Items to be continued or withdrawn.

B. Items to be withdrawn from the Consent Agenda for separate discussion by the City Council, staff, or members of the public in attendance.

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 and take possible action on the minutes from the October 19, 2026 regular council meeting. *(Staff Contact: Monica Solko, Deputy City Secretary)*

B. Consider and take possible action on a minute order ratifying the Burleson 4A Economic Development Corporation adoption of a resolution authorizing dedication of a variable width right-of-way and associated utility easement to United Electric Cooperative Services, Inc. for electrical facilities associated with the Hooper Business Park Detention Pond project (DV2201). (*Staff Contact: Randy Morrison, PE, Director of Capital Engineering*)

C. Consider and take possible action on amending Council Policy #40 City Boards, Commissions, & Committees Appointment Process by adding a statement of preference for members to only serve on one board if possible. *(Staff Contact: Amanda Campos, City Secretary)*

D. Consider and take possible action on a minute order adopting the 2027 Council Meeting Calendar. *(Staff Contact: Amanda Campos, City Secretary)*

E. Consider and take possible action on an Ordinance amending Chapter 10 Buildings and Building Regulations, Art. II, Division 3 Building Codes and Standard Board, Appendix B, Art. I, Chapter 11 Board of Adjustments, and Chapter 6 Animal Care and Control, Section 6-16 Animal Shelter Advisory Committee. (First Reading) (*Staff Contact: Amanda Campos, City Secretary)*

F. Consider and take possible action on an amended Council Policy 36 delegating authority for determining construction procurement methods under Chapter 2269 of the Texas Government Code and making other minor amendments. *(Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)*

G. Consider and take possible action on a minute order authorizing the expenditure to Taylor, Olson, Adkins, Sralla, & Elam, LLP, for legal services in the amount of $300,000. *(Staff Contact: Matt Ribitzki, Senior Deputy City Attorney/Director of Legal Services)*

H. Consider and take possible action on a resolution establishing the City Council's priorities for the 90th Legislative Session. *(Staff Contact: Janalea Hembree, Director of Strategy and Innovation)*

I. Consider and take possible action on an ordinance amending Chapter 14, "Businesses", of the Code of the Ordinances by amending various sections of Article XII "Short -Term Rental

Registration" to provide for new definitions, to provide that the hotel occupancy tax ordinance be satisfied to receive a short-term rental permit or any renewal, to provide that any short-term rental permit may be denied or revoked for failure to comply with the hotel occupancy ordinance, and to provide that short-term rentals must collect and remit tax pursuant to the City's hotel occupancy tax ordinance. *(Final Reading) (Staff Contact: Tony D. McIlwain, Development Services Director)*

J. Consider and take possible action on an ordinance amending Article II, "Hotel Occupancy Tax" of Chapter 74, "Taxation", of the Code of Ordinances by amending the definitions in the chapter, to provide additional language regarding remittance, to provide that the city manager may request additional documentation for reports, to provide additional remedies to the city for violations and imposing interest and penalties for late payments, to provide language making it a misdemeanor offense to violate the chapter, to provide language specifying the city's use of tax monies received and requiring the city maintain certain books and accounts, and to provide collection procedures upon the sale of a hotel. *(Final Reading) (Staff Contact: Tony D. McIlwain, Development Services Director)*

K. Consider and take possible action on a 3rd amendment to the 1445 Agreement *(i.e. subdivision platting ILA)* with Johnson County (CSO# 6135-05-2026) for platting authority within the city's extraterritorial jurisdiction (ETJ). *(Staff Contact: Tony D. McIlwain, AICP, CFM, Development Services Director) (No Planning and Zoning Commission action was required for this item)*

L. Consider and take possible action on an amendment to the City of Burleson Wholesale Water Contract (CSO#6286-07-2010) between the City of Fort Worth and the City of Burleson to allow the City of Burleson to construct a portion of the proposed Southside II Transmission Main Extension Project with the Stone Rd. / Village Creek Parkway Widening and Reconstruction Project (ST2309). *(Staff Contact: Randy Morrison, PE, Director of Capital Engineering)*

M. Consider and take possible action on an interlocal agreement with Johnson County Special Utility District (JCSUD) and the North Johnson County Municipal Management District No 1 (NJCMMD) regarding placement of JCSUD water facilities within the Tallgrass Master Planned Community. *(Staff Contact: Michelle McCullough, P.E., CFM, City Engineer)*

N. Consider and take possible action on a minute order appointing Errick Thompson, Director of Public Works, as voting member and Michelle McCullough, Deputy Director of Development Services and City Engineer, as alternate member of the City of Fort Worth's Wholesale Water and Wastewater Customer Advisory Committee for fiscal year 2027. *(Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)*

O. Consider and take possible action on a Cooperative Purchasing Agreement with Rush Truck Centers through The BuyBoard Purchasing Cooperative (Contract #724-23) for the purchase of two replacement vehicles in the amount of $177,471.60. *(Staff Contact: Harlan Jefferson, Deputy City Manager)*

P. Consider and take possible action on Repeal of City Ordinance Division 4 "Public Safety Communications Department" to Article III "Departments" of Chapter 2 "Administration", comprised of Section 2-121 Department Created (Public Safety Communications Department) and 2-122 through 2-140 (Reserved). (First Reading) (*Staff Contact: Billy Cordell, Chief of Police*)

Q. Consider and take possible action on a purchasing agreement with Solid Border for maintenance and support of Palo Alto security appliance in the amount of $214,742.50 *(Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)*

R. Consider and take possible action on an interlocal agreement between the City of Burleson and the North Central Texas Council of Governments for the 2027 orthophotography (aerials) in the amount of $2,073.09 *(Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)*

S. Consider and take possible action on a Letter of No Objection (LONO) for an encroachment on easement with Atmos Energy for the Hidden Creek Softball Complex Demolition Project (PC2605). (*Staff Contact: Randy Morrison, PE, Director of Capital Engineering*)

T. Consider and take possible action on Change Order Number 12 with 2L Construction, LLC for construction services on the Old Town – Ellison Parking and Street Realignment with Annex 3 Site (CSO# 5395-02-2024) in the amount of $60,548.80 for a total contract amount of $3,162,516.54 (Project 21PW02). *(Staff Contact: Randy Morrison, Director of Capital Engineering)*

U. Consider and take possible action on the Fifth Amendment to the Professional Services Agreement (CSO#1734-05-2021) with Teague Nall and Perkins, Inc. for the Intersection Improvements at SW Alsbury Blvd. at NW John Jones Dr. project in the amount of $46,170 for a total design cost of $317,070 (Project 197409). *(Staff Contact: Randy Morrison, PE, Director of Capital Engineering)*

V. ETJ Release Petition for 1699 FM 731 (SE John Jones Drive) (REL26-002): Consider and take possible action on a resolution granting a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 19.58 acres of land addressed 1699 FM 731 (John Jones Drive). *(Staff Contact: Tony McIlwain, Development Services Director)* (No Planning and Zoning Commission action was required for this item)

W. Consider and take possible action on an ordinance ratifying the approval of an amended and restated real estate contract (CSO#6297-10-2026) for the purchase of city owned property located at 112 SE Gardens Boulevard, Burleson, Texas in the amount of $500,000 dollars. (First Reading) (*Staff Contact*: Alex *Philips, Director of Economic Development)*

X. Consider and take possible action on an ordinance ratifying the approval of an amended and restated Performance Agreement (CSO#6298-10-2026) between the City of Burleson and BTX Flex, LLC, Inc. for a commercial flex development located at 112 SE Gardens Boulevard in Burleson, Texas. (First Reading) *(Staff Contact: Alex Philips, Director of Economic Development)*

6. DEVELOPMENT APPLICATIONS

A. 114 W. Ellison Street (CSP26-015): Consider and take possible action on a resolution for a Commercial Site Plan with waivers to landscaping and building setback. *(Staff Contact: Tony D. McIlwain, Development Services Director*) *(The Old Town Design Standards Review Committee recommended approval by a vote of 7 to 0) (The Planning and Zoning Commission recommended approval by a vote of 6 to 0)*

7. GENERAL

A. Receive a report, hold a discussion, and provide staff direction on parking at Chisenhall Fields and consider and take possible action on an ordinance amending Article II "Parking" of Chapter 78 "Traffic and Vehicles" of the Code of Ordinances by adding section 78-55 "Standing, Stopping, or Parking Prohibited in Fire Lane," making it unlawful to park in a fire lane. (First Reading) *(Staff Contact: Eric Oscarson, Deputy City Manager)*

B. Consider and take possible action on a resolution authorizing Amendment 2 to the City of Burleson Wholesale Wastewater Contract (CSO#687-08-2017) between the City of Fort Worth and the City of Burleson, and authorizing the city manager to remit payment to the City of Fort Worth in the amount of $3,320,645.57 for the purchase of increased wastewater capacity in the Village Creek Main 257, Part 2B wastewater transmission line. *(Staff Contact: Michelle McCullough, PE, City Engineer)*

8. REPORTS AND PRESENTATIONS

A. Receive a report, hold a discussion, and provide staff direction on proposed projects to submit for FY28 Federal Earmark funds. *(Staff Contact: Janalea Hembree, Director of Strategy and Innovation)*

B. Receive a report, hold a discussion, and provide staff direction regarding the development of the Water and Wastewater Asset Management Plan. *(Staff Contact: Janalea Hembree, Director of Strategy and Innovation)*

C. Receive a report, hold a discussion, and provide staff direction regarding street maintenance operations. *(Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)*

9. CITY COUNCIL REQUESTS FOR 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. 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 the economic development agreement between Windmiller Properties, LLC, and the city of Burleson, Texas

-Receive a report and hold a discussion regarding the contract with the Burleson Youth Association for the operation of youth baseball leagues and tournaments at Chisenhall Fields Sports Complex

-Receive a report and hold a discussion regarding collection procedures on filed Hotel/Motel Occupancy Tax Reports with possible outstanding amounts owed under Chapter 74 of the Code of Ordinances

-Receive a report and hold a discussion regarding TMLIRP Claim No. TX236170; Texas Department of Insurance Division of Workers' Compensation No. 25229233

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

C. Personnel Matters Pursuant to Section 551.074

-Conduct annual evaluation of the City Manager

-Conduct annual evaluation of the City Secretary

D. 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 Paris

11. ADJOURN

CERTIFICATE

I hereby certify that the above agenda was posted on this the **29th of October 2026, by 5:00 p.m.**, on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.

Amanda Campos

City Secretary

BUDGET STATEMENT

*Pursuant to Section 551.043, Government Code, the following taxpayer impact statement must be on the City Council meeting agenda at which the City Council will discuss or adopt a budget for the City of Burleson: *For a median-valued homestead property ($301,997 for tax year 2025, $297,979 for tax year 2026), the City's portion of the property tax bill in dollars for the current fiscal year (FY25-26) is $2,180, the City's portion of the property tax bill for the upcoming fiscal year (FY26-27) for the same property if the proposed budget is adopted is estimated to be $2,175, and the City's portion of the property tax bill in dollars for the upcoming fiscal year (FY26-27) for the same property if a budget funded at the no-new-revenue rate under Chapter 26, Tax Code, is adopted is estimated to be $2,175. A copy of the proposed budget is accessible on the home page of the governmental body's Internet website (www.burlesontx.com).***

**The figures used in the statement are based on information received from the Johnson County Central Appraisal District and Tarrant Appraisal District.*

***The figures used in this statement are based on the budget ordinance approved by the city council.*

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.

City Council Regular Meeting

DEPARTMENT: **City Secretary's Office**

FROM: **Monica Solko, Deputy City Secretary**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on the minutes from the October 19, 2026 regular council meeting. *(Staff Contact: Monica Solko, Deputy City Secretary)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The City Council duly and legally met on the October 19, 2026 regular council meeting.

RECOMMENDATION:

Council may approve the minutes as presented or approve with amendments.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

N/A

STAFF CONTACT:

Monica Solko, TRMC
Deputy City Secretary
msolko@burlesontx.com
817-426-9682

BURLESON CITY COUNCIL REGULAR MEETING
OCTOBER 19, 2026
DRAFT MINUTES

ROLL CALL

COUNCIL PRESENT:
Victoria Johnson
Phil Anderson
Alexa Boedeker
Chris Fletcher
Larry H. Scott
Dan McClendon
Adam Russell

COUNCIL ABSENT:

Staff present
Tommy Ludwig, City Manager
Harlan Jefferson, Deputy City Manager
Eric Oscarson, Deputy City Manager
Amanda Campos, City Secretary
Monica Solko, Deputy City Secretary
Allen Taylor, City Attorney
Matt Ribitzki, Deputy City Attorney

1. CALL TO ORDER - Time 5:30 p.m.

Mayor Fletcher called the meeting to order. **Time: 5:31 p.m.**

Invocation led by Chris Wigley, Pastor at First Baptist Church Burleson

Pledge of Allegiance to the US Flag

2. PUBLIC PRESENTATIONS

A. Proclamations

- None.

B. Presentations

- **Adoptable pet of the quarter *(Staff Contact: DeAnna Phillips, Director of Community Services)***

- **Receive a report to recognize the communication division for national marketing awards. *(Staff Contact: DeAnna Phillips, Director of Community Services)***

- **2026 National Procurement Institute's Achievement of Excellence in Procurement Award *(Presenter: Andrea Anderson, Purchasing Manager)***

- **Recognize the Parks and Recreation team for receiving the National Recreation and Parks Association CAPRA Accreditation. *(Presenter: Allison Smith, Deputy Director of Parks and Recreation)* - MOVED**
    - The Parks and Recreation recognition was moved to the November 9th Council meeting.

C. Community Interest Items

- Keep Burleson Beautiful received the Gold Leaf Landscape Improvement Award for the City's no-mow areas and pollinator gardens.
- Join us for Texas Arbor Day, November 6 at Russell Farm, with 10 trees planted
- Join us for a Plant Swap, December 9, at Burleson Library.
- Join us for Boo Bash, October 24, at Chisholm Hall.
- The Economic Development team was recognized for providing an update at the Chamber's Fall Quarterly Luncheon, highlighting economic development efforts and business growth in Burleson. The team was also recognized for supporting local businesses and achieving Film-Friendly City certification to help promote tourism.
- Thank you to the Parks and Recreation for a successful Dogs and Donuts.
- Encouraged residents to participate in the free Fire and Police Citizens Academies.
- Encouraged residents to support local vendors at the Farmers Market, held every Saturday from 9:00 a.m. to 2:00 p.m.
- Join us for Zumba Nights, October 28, at Mayor Vera Calvin Plaza.

3. CHANGES TO POSTED AGENDA

- **Items to be continued or withdrawn**
    - Removed item 7E from the agenda, to be placed on a future agenda.

- **Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.**
    - Change the dollar amount on item 5I from $260,950.04 to $270,950.04.

4. CITIZEN APPEARANCES

- Kim Jones, 1508 Surry Place Drive, addressed concerns regarding the Johnson County Appraisal District and encouraged council members to attend board meetings and provide oversight of its operations and use of taxpayer funds.

5. CONSENT AGENDA

A. Minutes from the October 5, 2026 regular council meeting. *(Staff Contact: Monica Solko, Deputy City Secretary)*

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

B. CSO#6302-10-2026, Interlocal Cooperative Purchasing Agreement (ILA) with the City of Forney, Texas, allowing each city to utilize the other's competitively bid contracts pursuant to Subchapter F, Chapter 271 of the Texas Local Government Code. *(Staff Contact: Andrea Anderson, Purchasing Manager)*

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

C. CSO#6303-10-2026, ordinance establishing Standards of Care for childcare programs operated by the Parks and Recreation Department. (Final Reading) *(Staff Contact: Eric Oscarson, Deputy City Manager)*

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

D. CSO#6304-10-2026, (1) Temporary Access Agreement, CSO#6305-10-2026, (2) Encroachment on Easement Agreement, and CSO#6306-10-2026, (3) Permanent Easement and Right of Way Agreement in the amount of $14,388.00 with Oncor Electric Delivery Company LLC for the Stone Rd. / Village Creek Parkway Widening and Reconstruction Project (ST2309). *(Staff Contact: Randy Morrison, PE, Director of Capital Engineering)*

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

E. CSO#6307-10-2026, resolution approving the 2026 tax rolls; and declaring an effective date. *(Staff Contact: Kevin Hennessey, Director of Finance)*

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

F. CSO#6308-10-2026, three-year contract with Holiday Design Sisters for holiday lighting in the Old Town district for the 2026-2028 holiday seasons in the

amount of $89,991. *(Staff Contact: Alex Philips, Director of Economic Development)*

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

G. CSO#6309-10-2026, interlocal agreement (ILA) for public improvement district assessment collection between Johnson County, Texas and the City of Burleson, Texas. *(Staff Contact: Tony D. McIlwain, Development Services Director)*

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

H. CSO#6310-10-2026, resolution authorizing the City's 2027 membership application to the Electric Reliability Council of Texas (ERCOT); and authorizing the City Manager to vote on behalf of the City in all ERCOT elections. *(Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)*

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

I. CSO#6311-10-2026, contract with Earthworks Landscape and Maintenance, LLC for Mowing Services in the amount of ~~$260,950.04~~ $270,950.04. (Staff Contact: Eric Oscarson, Deputy City Manager)

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

J. CSO#6312-10-2026, contract with Perfect Finish for Landscaping Services in the amount of $156.000. (Staff Contact: Eric Oscarson, Deputy City Manager)

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

K. CSO#6313-10-2026, contract with Earthworks Landscape and Maintenance, LLC for Litter Services in the amount of $208,532.79. (Staff Contact: Eric Oscarson, Deputy City Manager)

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

L. CSO#6295-10-2026, ordinance amending the text of the city's zoning ordinance codified in Appendix B of the City of Burleson Code of Ordinances. (Final Reading) ***(Staff Contact: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7 to 0)***

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

M. CSO#6314-10-2026, ordinance amending the text of the city's zoning ordinance codified in Appendix B, Zoning, Article V, Supplemental Regulations of the City of Burleson Code of Ordinances. ***(Final Reading) (Staff Contact: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7 to 0)***

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

N. CSO#6315-10-2026, resolution granting a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 115.00 acres of land addressed 8137 FM 1902. ***(Staff Contact: Tony McIlwain, Development Services Director)*** **(No Planning and Zoning Commission action was required for this item)**

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

O. CSO#6316-10-2026, ordinance amending Chapter 58 "Parks and Recreation" by adding electric motorcycles to the list of prohibited motor vehicles in city parks, by adding electric bicycles to the list of wheeled equipment that may be prohibited at city parks if designated by proper signage, and amending Chapter 78 "Traffic and Vehicles" by adding a prohibition of operating an electric

motorcycle, pocket bike, mini-motorbike, and ATVs on city property, by adding a prohibition of any child to operate certain wheeled devices without a helmet, and by adding the prohibition for any parent or guardian to permit a child to operate certain wheeled devices. (Final Reading) ***(Staff Contact: Wes Routson, Deputy Chief of Police)***

Motion made by Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

6. DEVELOPMENT APPLICATIONS

A. CSO#6317-10-2026, resolution for a Commercial Site Plan with a variance to fencing materials allowed in the Business Park Design Standards located at 5500 Vantage Drive (CSP26-019): ***(Staff Contact: Tony D. McIlwain, Development Services Director*****) (The Planning and Zoning Commission recommended approval by a vote of 6 to 0)***

Tony McIlwain, Development Services Director, presented the commercial site plan for KMP Plumbing, located at 5500 Vantage Drive, requesting a variance to the Business Park District security fencing requirements to allow vinyl-coated chain-link fencing instead of wrought iron or decorative metal around the rear laydown yard used to store plumbing materials. City staff reviewed the proposed site plan, building elevations, parking, and landscaping, confirming that the project meets minimum parking standards and exceeds the required landscaping by more than double. Staff supports the request due to the fencing's location at the rear of the property, and the Planning and Zoning Commission recommended approval by a 6-0 vote.

There were no questions from council.

Motion made by Alexa Boedeker and seconded by Larry Scott to approve.

Motion passed 7-0.

B. CSO#6318-10-2026, resolution for a Commercial Site Plan with a variance to the number of minimum parking spaces required for the change of use of the existing commercial building to include a physical therapy clinic, retail and restaurant approximately 725 SW Wilshire BLVD (CSP26-020): Consider and take possible action on a. ***(Staff Contact: Tony D. McIlwain, Development Services Director*****) (The Planning and Zoning Commission recommended approval by a vote of 5 to 1).***

Tony McIlwain, Development Services Director, presented a request for approval of a commercial site plan with a parking variance to accommodate a Wonder dining concept and a physical therapy clinic within an existing building. Wonder offers meals

from celebrity chefs primarily through takeout and delivery, with limited seating and extended evening hours. The proposed uses would occupy a site with 10 existing parking spaces, compared to the 42 spaces typically required for a restaurant, resulting in a deficiency of 32 spaces. Staff supported the variance based on the anticipated takeout-focused business model and the differing operating hours of the two tenants. The Planning and Zoning Commission recommended approval by a 5-1 vote, subject to a condition requiring a new parking variance if a change in use or new certificate of occupancy results in a combined parking requirement exceeding 25 spaces.

Mayor Pro Tem Dan McClendon questioned how the 10 parking spaces were determined and raised concerns that a previously approved shared parking agreement had never been formally filed, potentially creating future conflicts among tenants over parking access. Staff confirmed the agreement was not filed and stated that additional information regarding any private agreements or property owner notifications would need to be verified. Mayor Pro Tem McClendon expressed support for the concept but concerned about potential future disputes. Mayor Chris Fletcher also supported the request and asked whether parking complaints would become a police enforcement issue. Staff explained that the city could address violations such as blocked fire lanes or illegal parking but would not intervene in disputes over parking in front of individual businesses. Staff noted that the businesses' differing operating hours could help manage parking demand.

Motion made by Dan McClendon and seconded by Adam Russell to approve.

Motion passed 7-0.

7. GENERAL

A. CSO#6301-10-2026, resolution authorizing the commencement of negotiations and, if necessary, the filing of eminent domain proceedings for the purpose of acquiring property interests for use by the City for the construction of the Hulen Street Widening Project (ST2306) and for other public purposes permitted by law. *(Staff Contact: Randy Morrison, PE, Director of Capital Engineering)*

Randy Morrison, Director of Capital Engineering, presented a resolution authorizing the acquisition of necessary property interests and, if needed, eminent domain proceedings for the Hulen Street widening project from SH 174 (Wilshire Boulevard) to Candler Drive. The project will expand the roadway to four lanes, add shared-use paths and utility infrastructure, and install a new traffic signal at Hulen Street and Candler Drive. The project requires eleven right-of-way acquisitions, six drainage easements, three water line easements, two sidewalk easements, and eleven temporary grading easements. Staff and the project team are currently negotiating with property owners to obtain the necessary property interests. The presentation included maps identifying the proposed acquisition locations and explained how

adjustments to the roadway alignment would minimize impacts to an existing bank near the Hulen Street and Wilshire Boulevard intersection.

There were no questions from council.

Motion made by Dan McClendon and seconded by Adam Russell to approve that the City Council of the City of Burleson authorize the use of the power of eminent domain to acquire the right-of-way, permanent water line easements, permanent drainage easements, sidewalk easements, and temporary grading easements described in Resolution Number CSO#6301-10-2026, as presented, specifically:

- a 0.298 acre (12,962square foot) water line easement on property described in Instrument Number 2018-33461, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 1 Water Line Easement to the Resolution;
- a 0.750 acre (32,661square foot) right-of-way on property described in Instrument Number 2021-6701, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 2 Right-of-Way to the Resolution;
- a 0.792 acre (34,515 square foot) right-of-way on property described in Instrument Number 2021-6701, Deed Records of Johnson County, Texas (D.R.J.C.T.) , as more fully described in Exhibit A – Parcel 3 Right-of-Way to the Resolution;
- a 25 square foot permanent sidewalk easement on property described as Lot 1, Block 2, Shannon Creek Phase I, on the plat recorded in Volume 009, Page 0647, Plat Records of Johnson County, Texas (P.R.J.C.T.) and in Instrument Number 2007-38044, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 19 Sidewalk Easement to the Resolution;
- a 0.228 acre (9,950 square foot) variable width right-of-way on property described in Instrument Number 2016-7339, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 28 Right-of-Way to the Resolution;
- a 1.140 acre (49,675 square foot) variable width right-of-way on property described in Instrument Number 20120001440, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 29 Right-of-Way to the Resolution;
- a 0.343 acre (14,929 square foot) temporary grading easement on property described in Instrument Number 20120001440, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 29 Temporary Grading Easement to the Resolution;
- a 0.077 acre (3,370 square foot) sidewalk easement on property described in Instrument Number 20120001440, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 29 Sidewalk Easement to the Resolution;
- a 0.029 acre (1,275 square foot) temporary grading easement on property described as Lot 1, Block 1, Tantara Estates on the plat recorded in Volume 008, Page 368 Plat Records of Johnson County, Texas (P.R.J.C.T.), as more fully described in Exhibit A – Parcel 34 Temporary Grading Easement to the Resolution;

- a 0.105 acre (4,585 square foot) variable width right-of-way on property described as Lot 1, Bock 3, Tantara Estates on the plat recorded in Volume 008, Page 368, Plat Records of Johnson County, Texas (P.R.J.C.T.), as more fully described in Exhibit A – Parcel 35A Right-of-Way to the Resolution;
- a 0.124 acre (5,400 square foot) temporary grading easement on property described as Lot 1, Bock 3 on the plat recorded in Volume 008, Page 368, Plat Records of Johnson County, Texas (P.R.J.C.T.), as more fully described in Exhibit A – Parcel 35A Temporary Grading Easement to the Resolution;
- a 0.029 acre (1,264 square foot) drainage easement on property described as Lot 1, Bock 3, Tantara Estates on the plat recorded in Volume 008, Page 368, Plat Records of Johnson County, Texas (P.R.J.C.T.), as more fully described in Exhibit A – Parcel 35A Drainage Easement to the Resolution;
- a 0.038 acre (1,635 square foot) variable width right-of-way on property described in Instrument Number 2019-12861, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 35B Right-of-Way to the Resolution;
- a 0.037 acre (1,618 square foot) temporary grading easement on property described in Instrument Number 2019-12861, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 35B Temporary Grading Easement to the Resolution;
- a 0.014 acre (618 square foot) water line easement on property described in Instrument Number 2019-12861, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 35B Water Line Easement to the Resolution;
- a 0.513 acre (22,336 square foot) variable width right-of-way on property described in deed filed in Volume 3610, Page 114, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 36 Right-of-Way to the Resolution;
- a 0.125 acre (5,464 square foot) temporary grading easement on property described in deed filed in Volume 3610, Page 114, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 36 Temporary Grading Easement to the Resolution;
- a 0.201 acre (8,747 square foot) water line easement on property described in deed filed in Volume 3610, Page 114, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 36 Water Line Easement to the Resolution;
- a 0.662 acre (28,849 square foot) variable width right-of-way on property described in deed filed in Volume 2811, Page 404, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 37 Right-of-Way to the Resolution;
- a 0.212 acre (9,231 square foot) temporary grading easement on property described in deed filed in Volume 2811, Page 404, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 37 Temporary Grading Easement to the Resolution;
- a 0.10 acre (450 square foot) drainage easement on property described in deed filed in Volume 2811, Page 404, Deed Records of Johnson County, Texas

(D.R.J.C.T.), as more fully described in Exhibit A – Parcel 37 Drainage Easement to the Resolution;

- a 0.033 acre (1,457 square foot) variable width right-of-way on property described in deed filed in Volume 010, Page 388, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 38 Right-of-Way to the Resolution;
- a 0.031 acre (1,361 square foot) temporary grading easement on property described in deed filed in Volume 010, Page 388, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 38 Temporary Grading Easement to the Resolution;
- a 2.081 acre (90,649 square foot) variable width right-of-way on property described in Instrument Number 2023-22161, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 39 Right-of-Way to the Resolution;
- a 0.438 acre (19,054 square foot) temporary grading easement on property described in Instrument Number 2023-22161, Deed Records of Johnson County, Texas (D.R.J.C.T.) , as more fully described in Exhibit A – Parcel 39 Temporary Grading Easement to the Resolution;
- a 0.532 acre (23,175 square foot) drainage easement on property described in Instrument Number 2023-22161, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 39 Drainage Easement to the Resolution;
- a 0.005 acre (225 square foot) drainage easement on property described in Instrument Number 2023-22161, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 39 Drainage Easement to the Resolution;
- a 0.041 acre (1,779 square foot) variable width right-of-way on property described in Instrument Number 2011-16721, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 40 Right-of-Way to the Resolution;
- a 0.034 acre (1,467 square foot) temporary grading easement on property described in Instrument Number 2011-16721, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 40 Temporary Grading Easement to the Resolution;
- a 400 square foot temporary grading easement on property described as Lot 1-R-2, Bock 1, Southcliff Addition on the plat recorded in Volume 008, Page 381, Plat Records of Johnson County, Texas (P.R.J.C.T.), and described in Instrument Number 2025-35458, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 62 Temporary Grading Easement to the Resolution;
- a 0.007 acre (300 square foot) drainage easement on property described as Lot 1-R-2, Bock 1, Southcliff Addition on the plat recorded in Volume 008, Page 381, Plat Records of Johnson County, Texas (P.R.J.C.T.), and described in Instrument Number 2025-35438, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 62 Drainage Easement to the Resolution;

- a 840 square foot temporary grading easement on property described as Lot 1-R, Bock 1, Southcliff Addition on the plat recorded in Volume 008, Page 381, Plat Records of Johnson County, Texas (P.R.J.C.T.), and described in deed recorded in Volume 2138, Page 193, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 63 Temporary Grading Easement to the Resolution;
- a 0.017 acre (750 square foot) drainage easement on property described as Lot 1-R, Bock 1, Southcliff Addition on the plat recorded in Volume 008, Page 381, Plat Records of Johnson County, Texas (P.R.J.C.T.), and described in deed recorded in Volume 2138, Page 193, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 63 Drainage Easement to the Resolution; and

for the purpose of construction, operation, and maintenance of the Hulen Street Widening Project to serve existing and new development in the City and for other public purposes as permitted by law, and I further move to adopt Resolution Number CSO#6301-10-2026, as presented. The first record vote will apply to all units of property to be condemned.

Motion passed 7-0.

B. Ordinance amending Chapter 14, "Businesses", of the Code of the Ordinances by amending various sections of Article XII "Short -Term Rental Registration" to provide for new definitions, to provide that the hotel occupancy tax ordinance be satisfied to receive a short-term rental permit or any renewal, to provide that any short-term rental permit may be denied or revoked for failure to comply with the hotel occupancy ordinance, and to provide that short-term rentals must collect and remit tax pursuant to the City's hotel occupancy tax ordinance. *(First Reading) (Staff Contact: Tony D. McIlwain, Development Services Director)*

Tony McIlwain, Development Services Director, presented proposed amendments to Chapter 14 of the Code of Ordinances to clarify hotel occupancy tax requirements for short-term rentals. The amendments would require short-term rental operators to remit the applicable hotel occupancy tax to the City and establish failure to comply with the tax ordinance as grounds for permit revocation. Staff reported 36 approved short-term rentals, with six or seven additional applications under review, and recommended that Development Services and Finance continue working together to collect taxes without third-party assistance or an electronic tax administration system. If approved, staff would notify permitted operators of the changes and revise the permit to clearly identify their tax obligations.

Council discussed when the tax collection requirements should take effect, including concerns about customers who had already booked and paid for reservations at rates that did not include the tax. The City Attorney explained that the tax would be imposed

in addition to the agreed rental fee and suggested delaying the effective date to allow operators sufficient time to notify customers.

Motion made by Dan McClendon and seconded by Alexa Boedeker to approve collecting the tax effective January 1, 2027, and to notify all permitted short-term rental operators so they could inform their customers.

Motion passed 7-0.

C. Ordinance amending Article II, "Hotel Occupancy Tax" of Chapter 74, "Taxation", of the Code of Ordinances by amending the definitions in the chapter, to provide additional language regarding remittance, to provide that the city manager may request additional documentation for reports, to provide additional remedies to the city for violations and imposing interest and penalties for late payments, to provide language making it a misdemeanor offense to violate the chapter, to provide language specifying the city's use of tax monies received and requiring the city maintain certain books and accounts, and to provide collection procedures upon the sale of a hotel. ***(First Reading) (Staff Contact: Tony D. McIlwain, Development Services Director)***

Tony McIlwain, Development Services Director, presented proposed amendments to Chapter 74, Taxation, of the Code of Ordinances to update regulations related to short-term rentals and hotels and maintain compliance with state law. The amendments revise definitions to include short-term rentals and exclude oil field portable units, establish definitions for owner, short-term rental, and tax assessor-collector, and authorize the City Manager to request additional documentation verifying tax reports. Additional provisions address delinquent taxes, including a 15% penalty when taxes remain delinquent for at least one municipal fiscal quarter, a $500 criminal fine, and procedures for tax collection, recordkeeping, and hotel purchases. Staff supported the amendments to update the ordinance and fulfill Council's direction to bring the City's tax regulations into compliance with current state law.

There were no questions from council.

Motion made by Dan McClendon and seconded by Larry Scott to approve.

Motion passed 7-0.

D. CSO#6319-10-2026, resolution approving the city's Americans with Disabilities Act Self-Evaluation and Transition Plan prepared by engineering planning and design consultants, Kimley-Horn. ***(Staff Contact: Cheryl Marthiljohni, Director of Human Resources/ADA Coordinator)***

Cheryl Marthiljohni, Director of Human Resources, introduced Brian Shamburger, with Kimley Horn. Mr. Shamburger presented the City's ADA Self-Evaluation and Transition Plan, developed over the past year to identify barriers and improve

accessibility to City programs, services, buildings, parks, and public rights-of-way. The evaluation included 17 public buildings, 21 parks, and 235 miles of sidewalks, along with a review of City policies and programs, staff training, and public outreach. The plan identifies barriers, recommended solutions, estimated costs, and priorities for corrective actions. The total estimated cost to address identified barriers is approximately $86 million, with more than $60 million associated with sidewalks. Following feedback from the Advisory Council on People with Disabilities, the public, and the Infrastructure and Development Committee, a 40-year implementation schedule was recommended to spread costs over time. The plan is intended to serve as a living document to guide future capital projects, budgeting, and funding opportunities.

There were no questions from council.

Bill Wilson, 457 Irene Street, spoke in support of addressing ADA accessibility needs throughout the city, describing challenges he experiences using a wheelchair, including inaccessible business entrances, steep curb ramps, damaged sidewalks, blocked pedestrian routes, and safety concerns with fast-moving bicycles and e-bikes in parks.

Council members emphasized the importance of addressing accessibility barriers while recognizing the significant long-term financial commitment and the need to prioritize improvements based on severity, usage, and available funding. Members supported addressing smaller, permanent improvements inside public buildings first, followed by sidewalk and other infrastructure improvements as funding allows. Council also discussed the need for stronger enforcement against vehicles blocking sidewalks and requested continued updates on project priorities and funding opportunities.

Motion made by Dan McClendon and seconded by Larry Scott to approve with a 40-year implementation plan.

Motion passed 7-0.

E. ~~**CSO#6320-10-2026, resolution determining the costs of certain authorized improvements to be financed by Chisholm Summit Public Improvement District for Improvement Area #1 thereof; approving a Preliminary Service and Assessment plan, including the proposed assessment roll for Improvement Area #1; calling a regular meeting and noticing a public hearing for November 9, 2026 to consider an ordinance levying assessments on property located within Improvement Area #1 of said District; directing the filing of the proposed assessment roll with the city secretary to make available for public inspection; directing city staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto.** ***(Staff Contact: Tony D. McIlwain, Development Services Director)*** **- REMOVED**

Item 7E was removed from the agenda.

8. REPORTS AND PRESENTATIONS

A. Receive a report, hold a discussion, and provide staff direction on a proposed project for FY27 Community Development Block Grant (CDBG) funds. *(Staff Contact: Janalea Hembree, Director of Strategy and Innovation)*

Janalea Hembree, Director of Strategy and Innovation, presented an overview of the FY 2027–2029 Community Development Block Grant (CDBG) agreement with Tarrant County, which provides approximately $355,000 annually, with 80% (estimated at $285,000) available for eligible City projects and 20% retained by the County for administration. Eligible projects must meet HUD requirements, including low- to moderate-income benefit criteria. Staff recommended the Senior Activity Center as the FY 2027 project due to its extensive interior and exterior ADA improvement needs, including restrooms, signage, flooring, parking, striping, and sidewalks. Additional potential improvements include energy-efficient lighting and solar panels. Staff emphasized the 14-month project completion deadline and the importance of fully expending the allocated funds to maintain future grant eligibility. The proposed timeline includes submitting draft proposals in December, Council consideration in February, and construction completion by April or May of the following year.

Council discussed whether the Senior Activity Center improvements would use the full grant allocation. Staff confirmed that preliminary estimates for interior and exterior ADA improvements total approximately $300,000. Council also suggested considering protective bollards in front of the building due to vehicles striking the structure. The committee recommended moving forward with the Senior Activity Center for FY 2027, beginning discussions early in the new year regarding projects for FY 2028 and FY 2029, and budgeting approximately 15% above the anticipated CDBG allocation for engineering and design to allow work to begin sooner. Council was in favor of the project and asked staff to move forward.

B. Receive a report, hold a discussion, and provide staff direction regarding winter-quarter averaging for utility billing. *(Staff Contact: Lauren Seay, Deputy Director of Administrative Services)*

Lauren Seay, Deputy Director of administrative Services, presented a review of the City's winter quarter averaging methodology for wastewater billing following concerns raised by a resident regarding its impact on new customers. Staff reviewed the City's practices and compared them with peer cities, finding that winter averaging remains the predominant approach. The City calculates the average water consumption for January, February, and March, applying a 12,000-gallon cap, and uses that amount to establish monthly wastewater charges for the year. Customers without an established winter average are billed using the citywide residential average rather than the previous occupant's usage. Staff explained the advantages and limitations of winter averaging compared with billing based on actual consumption, noting that the latter may include outdoor water use that does not enter the sewer system. The review

found that the existing methodology is consistent with practices used by other cities and resulted in lower wastewater charges for the residents who raised the concern.

Council expressed support for the staff's recommendation to continue the current methodology, acknowledging that no billing approach is perfect given the challenges of accurately measuring residential wastewater. There were no questions from council.

9. CITY COUNCIL REQUEST FOR FUTURE AGENDA ITEMS AND REPORTS

- None.

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. 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 a Rule 11 agreement and abatement plan for the property located at 393 S Warren St in Burleson, Johnson County, Texas
- Negotiations and potential eminent domain action for the acquisition of real property interests for the construction, operation, and maintenance of the Hulen Street Widening Project to serve existing and new development in the City and for other public purposes permitted by law

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

- Deliberation regarding the purchase, exchange, lease, or value of real property to be acquired for the construction, operation, and maintenance of the Hulen Street Widening Project to serve existing and new development in the City

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

Mayor Fletcher announced that the Council would convene into Executive Session. **Time: 7:35 p.m.**

Mayor Fletcher announced that the Council would reconvene into open session. **Time: 7:48 p.m**.

11. ADJOURNMENT

Motion made by Adam Russell and seconded by Victoria Johnson to adjourn.

Motion passed 7-0.

Mayor Chris Fletcher adjourned the meeting.

Time: 7:48 p.m.

_____

Monica Solko
Deputy City Secretary

City Council Regular Meeting

DEPARTMENT: **Capital Engineering**

FROM: **Randall Morrison, PE, Director of Capital Engineering**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on a minute order ratifying the Burleson 4A Economic Development Corporation adoption of a resolution authorizing dedication of a variable width right-of-way and associated utility easement to United Electric Cooperative Services, Inc. for electrical facilities associated with the Hooper Business Park Detention Pond project (DV2201). (*Staff Contact: Randy Morrison, PE, Director of Capital Engineering*)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.4 Implement the city's Capital Improvement Program

SUMMARY:

The City is completing the Hooper Business Park improvements and coordinating the remaining electrical service required for the project and associated water well and irrigation facilities.

United Cooperative Services (UCS) requires a utility easement across property associated with the Hooper Business Park before UCS can complete the electrical service. UCS has provided its required Utility Easement and Right-of-Way document and has staked the proposed easement alignment in the field.

CWC Land & Survey, LLC is preparing the legal description and survey exhibit that will be attached to the UCS easement as Exhibit A. Upon approval and execution of the easement, the completed easement documents will be provided to UCS so the remaining electrical service work can proceed.

RECOMMENDATION:

Consider and take possible action on a minute order ratifying the Burleson 4A Economic Development Corporation adoption of a Resolution authorizing dedication of a variable width right-of-way and associated utility easement to United Electric Cooperative Services, Inc. for electrical facilities associated with the Hooper Business Park Detention Pond project (DV2201).

PRIOR ACTION/INPUT (Council, Boards, Citizens):

On November 09, 2026, the Burleson 4A Economic Development Corporation adopted a resolution authorizing dedication of a variable width right-of-way and associated utility easement to United Electric Cooperative Services, Inc. for electrical facilities associated with the Hooper Business Park Detention Pond project (DV2201).

REFERENCE:

None

FISCAL IMPACT:

Proposed Expenditure/Revenue: N/A
Account Number(s): N/A
Fund: N/A
Account Description: N/A
Procurement Method: N/A

STAFF CONTACT:

Randall Morrison, PE
Director of Capital Engineering
rmorrison@burlesontx.com
817-426-9612

Hooper Business Park Detention Pond

UCS Utility Easement 4A Minute Order

City Council
November 9, 2026

Background

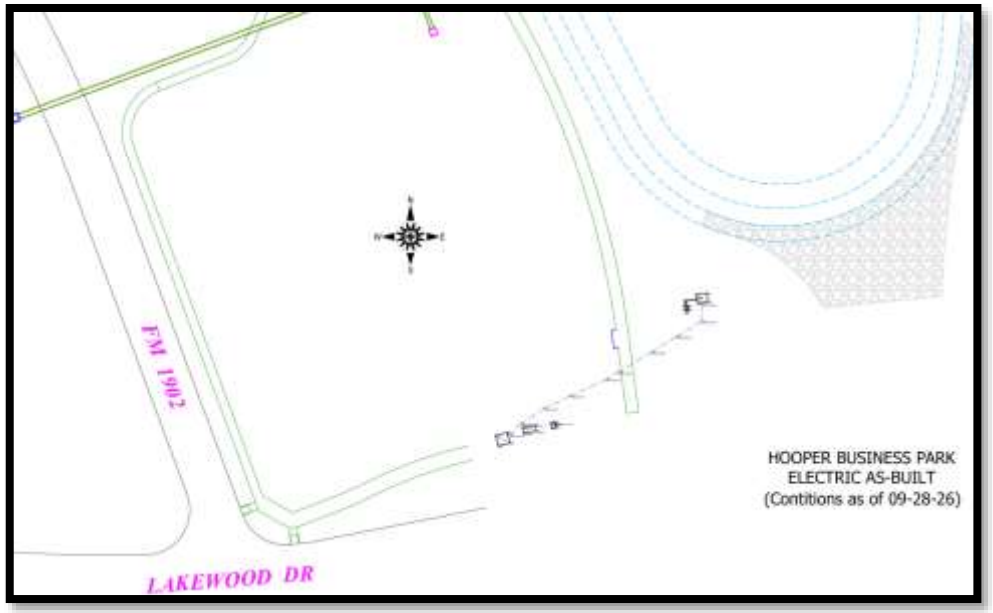
- Hooper Business Park improvements are nearing completion.
- Remaining work includes coordination of electrical service for the water well and related irrigation infrastructure.
- United Cooperative Services (UCS) requires a utility easement before completing the electrical service.



UCS Easement

- The easement will allow UCS to install, operate, maintain, repair, and replace its electrical facilities.
- The easement limits will be defined by the survey and legal description prepared by CWC Land & Survey.
- Execution of the easement is required before UCS will issue its final invoice and proceed with the remaining electrical service work.





Action Requested

Consider and take possible action on a minute order ratifying the Burleson 4A Economic Development Corporation adoption of a Resolution authorizing dedication of a variable width right-of-way and associated utility easement to United Electric Cooperative Services, Inc. for electrical facilities associated with the Hooper Business Park Detention Pond project (DV2201).

Questions / Discussion

Randy Morrison, PE
Director of Capital Engineering
rmorrison@burlesontx.com
817-426-9612

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF BURLESON, TEXAS, AUTHORIZING THE DEDICATION OF A UTILITY EASEMENT AND RIGHT-OF-WAY TO UNITED ELECTRIC COOPERATIVE SERVICES, INC. FOR ELECTRICAL FACILITIES ASSOCIATED WITH THE HOOPER BUSINESS PARK PROJECT; AUTHORIZING CITY STAFF TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE EASEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas (the "City") is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City is completing the Hooper Business Park Detention Pond (the "Project"), including coordination of the remaining electrical service necessary to support project-related water well and irrigation infrastructure; and

WHEREAS, United Electric Cooperative Services, Inc. ("United") requires a utility easement and right-of-way for the placement, construction, operation, maintenance, repair, replacement, and related access to electrical facilities serving the Project; and

WHEREAS, the proposed easement is located across portions of Lot 3, Block 2 and Lot 4, Block 2, Hooper Business Park, as recorded in Instrument No. 2025-174, Plat Records of Johnson County, Texas, and is more particularly described and depicted in Exhibit A attached hereto and incorporated herein for all purposes; and

WHEREAS, the City Council finds that approval of the proposed Utility Easement and Right-of-Way is necessary to facilitate electrical service for the Project and serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

SECTION 1.

The City Council of the City of Burleson, Texas, hereby finds and determines that the recitals made in the preamble of this Resolution are true and correct and incorporates such recitals herein.

SECTION 2.

The City Council hereby approves the dedication of a Utility Easement and Right-of-Way to United Electric Cooperative Services, Inc. over the property more particularly described and depicted in Exhibit A, for the installation, operation, maintenance, repair, replacement, and related access to electrical facilities serving the Hooper Business Park Project.

SECTION 3.

The City Manager, or designee, is authorized to take all actions necessary to effectuate the easement approved by this Resolution, including coordinating execution and recordation of the easement instrument by the appropriate grantor, and to execute any related documents on behalf of the City, subject to review and approval as to form by the City Attorney.

SECTION 4.

This Resolution shall take effect immediately upon its adoption, and it is so resolved.

ADOPTED this ____ day of _____, 2026.

_____

Chris Fletcher, Mayor

ATTEST:

_____

Amanda Campos, City Secretary

EXHIBIT A

Legal Description and Survey Exhibit

[CWC Land & Survey legal description and survey exhibit for the United Electric Cooperative Services, Inc. utility easement to be inserted here upon receipt.]

City Council Regular Meeting

DEPARTMENT: **City Secretary's Office**

FROM: **Amanda Campos, City Secretary**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on amending Council Policy #40 City Boards, Commissions, & Committees Appointment Process by adding a statement of preference for members to only serve on one board if possible. *(Staff Contact: Amanda Campos, City Secretary)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The Council Policies & Valuation Committee met to review several possible amendments to the boards, commissions, and committees and determined that adding a statement to Policy #40 to have a preference not to appoint a member of the public to serve on multiple boards when possible.

Keeping in mind that there are times when special circumstances would dictate a member can or should sever on multiple boards and this change would not prohibit that.

RECOMMENDATION:

N/A

PRIOR ACTION/INPUT (Council, Boards, Citizens):

Council Policy & Valuation Committee recommendation

REFERENCE:

Council Policy #40

FISCAL IMPACT:

N/A

STAFF CONTACT:

Name: Amanda Campos
Title: City Secretary
acampos@burlesontx.com
817-426-9665

THE CITY OF

BURLESON

TEXAS

Boards, Commissions, & Committees

City Council Meeting – November 9, 2026



Appointment to multiple Boards

Service on multiple boards

There are no current guidelines or rules that address an individual serving on multiple city boards. The Council Policy & Valuation Committee reviewed this topic and have the following recommendation:

- Amend section IV (d) of Policy #40 and add members will review all the applications and vacancies, giving attention to the applicants' ranking. The members should give preference for each applicant to only be appointed to one (1) board of service unless circumstances require otherwise.



Next Steps?

Council consider approval of the recommendation from the Council Policy & Valuation Committee

CITY COUNCIL POLICY
40
City Boards, Commissions & Committees Appointment Process

Adopted date	July 18, 2022
Revised date	September 18, 2023, September 2, 2025
Department Name	City Secretary's Office

I. AUTHORITY

a. The City of Burleson Code of Ordinances established the city council's authority to appoint and remove members from the city boards and commissions. Chapter 2 Article II.

II. CITY BOARDS AND COMMISSIONS

a. The City of Burleson Code of Ordinance, City Charter, and Texas Local Government Code establishes the city's Boards and Commissions, the requirements, and the terms.
b. The City Council designates the City Secretary as their representative charged with coordination of appointments, providing updates to the city council, and managing board/commission members for all boards/commissions of the city. This shall include training in Texas Open Meetings Act and the Texas Public Information Act.
c. All appointees must fill out an application and provide to the City Secretary in accordance with this policy.
d. All appointments will be by action of the city council at a city council meeting held in accordance with the Texas Open Meetings Act.

III. APPLICATIONS

a. Applications shall be created by the City Secretary's Office and made available to the public via the city's website, email if requested, and paper copy in-person at city hall.
b. Applications shall be submitted to the City Secretary's Office as directed on the application by July 1 to be considered for appointment in that calendar year.
c. All applications are valid for 3 years; calculated using date received by the City Secretary's Office. After expiration a new application must be submitted in accordance with this policy.
d. Under the Texas Public Information Act (the Act) all applications submitted are open to the public through the public information request. Private emails will be redacted in accordance with the Act. A statement will be placed on the application for disclosure to the applicants.
e. Applicants can apply for as many boards or commissions as they like however they will be forced to rank preference of appointments to provide council full consideration.
f. The City Secretary's Office will notify all applicants annually to confirm continuing interest in appointment or re-appointment.

IV. COMMUNITY & INTERGOVERNMENTAL RELATIONS COMMITTEE

a. The Community & Intergovernmental Relations Committee (C&IR) is a committee of the council consisting of 3 council members chosen by the city council.
b. The City Secretary shall gather all applications, attendance roles, board/commission membership and place in a binder to be provided to the C&IR as soon as applicable after the July 1 deadline.
c. The binder shall provide all information required for the C&IR to make decisions on appointments.
    i. Full membership list of the each board/commission
    ii. Re-appointments will be highlighted
    iii. Attendance
    iv. Terms, requirements, board/commission make-up and any specific requirements
    v. Applications will be categorized by board/commission applied for, if applicant applies for multiple board/commission the application will appear for each board/commission applied for.
d. The C&IR will meet each year the 1st week in August to review vacancies and re-appointments. The members will review all the applications and vacancies, giving attention to the applicants' ranking. The members should give preference for each applicant to only be appointed to one (1) board of service unless circumstances require otherwise. If there are no vacancies or re-appointments the C&IR will not meet unless requested by a member of the C&IR.
e. The C&IR will bring forward recommendations for appointments to the full council for the full council's consideration.

V. APPOINTMENTS

a. The City Council will consider board/commission appointments in a meeting of the city council held in accordance with the Texas Open Meetings Act.
b. The City Secretary will bring forward the appointments for council's consideration as a general item on the council agenda.
c. The City Secretary will include a list of all applicants and board/commission they applied for listed by board/commission.
d. The applications for the recommended appointees will be included in the agenda packet along with the list of all applicants.
e. The City Council shall make the appointments by the last regular meeting in September.
f. The City Secretary shall notify the appointees of their appointment and notify board liaison and director.
    i. Notification includes: term, instruction on required training, staff contact information and a board/commission book specific to their appointment.

VI. Board/Commission/Committee Members responsibilities

a. Members have an obligation to be prepared in advance of all meetings. In order to provide for informed decision making and to instill confidence, each member is expected to:
    i. The members should fully consider the items presented to them at the meeting providing recommendations to be forwarded to the city council or council committee by the Director or designee with consideration given to the necessary timeframe for the item.

ii. All recommendations of the board, commission, or committee should be presented in a report that provides the council full consensus of the members, understanding the recommendations may not all be unanimous. The reports should reflect the discussion and questions of the members present at the meeting in a high level executive summary format. This is not intended to be a verbatim report or minutes.
iii. Study and be familiar with all material in the agenda packet provided by the staff in advance of the meeting
iv. Direct any questions about the agenda to the Board/Commission/Committee staff contact, as provided by the Director, in advanced to allow staff to correct or provide additional information
v. Be respectful to fellow members, staff, applicants, and citizens; allowing everyone a chance to participate in the discussion and provide perspective
vi. Arrive on time for all posted meetings
vii. Provide staff with updated contact information as soon as possible
viii. Use the designated staff contact information provided to each member by staff
ix. Complete any required training assigned within 90 days of notification and presented to the City Secretary for filing

b. Chair & Vice Chair – The Chair is the presiding officer at the meetings and the Vice Chair shall act as Chair during the absence or disability of the Chair
    i. The Chair is responsible beginning the meeting on time and making sure a quorum is present before beginning
    ii. Announce the proper sequence of the meeting according to the posted agenda
    iii. Recognizing members, staff, and citizens who are entitled to speak
    iv. Assure decorum is maintained through the entire meeting
    v. Follow the adopted Burleson Rule of Order found in section VIII
    vi. State, put to vote and announce results on all properly posted agenda item
c. Value expectation of members are listed to assure each member is representing the city reflecting its mission and obligations to the citizens:
    i. Conflict of Interest – members will comply with Texas Conflict of Interest/Disclosure Laws. When in question the City Secretary or the Deputy City Attorney will guide the process
    ii. Confidential information – members will not disclose confidential information provided to them as members of their board, commission, or committee
    iii. Be mindful of neutrality and impartiality rendering equal consideration to all agenda items and citizens
    iv. Actively promote principles of good government and good citizenship, being mindful that each member represents the city as a member of one of its board/commission/committee
d. Absences and notifications are the responsibility of each member.
    i. Members shall notify the city secretary's office (records@burlesontx.com) and the board liaison with at least 72 hour notice of absences due to illness, realizing emergencies arise. If absence is emergency related the member should notify the city secretary's office as soon as possible.
    ii. Scheduled absences shall be notified both the city secretary's office (records@burlesontx.com) and board liaison.

iii. The city secretary will note the absences in the attendance roll presented to the city council during the appointment process.
iv. Chapter 2, Article II Boards, Commissions, Committee Section 2-34 Absence rule governs action pertaining to absences.

VII. Creation of boards, commissions, or committees authority can be found in Chapter 2, Article II, Section 2-38 of the code of ordinances. The following is a comprehensive list of boards and will be amended in this section as needed.

a. Planning and Zoning Commission
b. Board of Adjustments
c. Capital Improvement Advisory
d. Parks & Recreation Board
e. Old Town Development Standards
f. Public Spaces & Cultural Heritage
g. Advisory Committee on People with Disabilities
h. Animal Shelter Advisory
i. Building Codes & Standards Board
j. Library Board

VIII. Quorum. A quorum for the conduct of business of the Public Spaces & Cultural Heritage Board, Advisory Committee on People with Disabilities, and Animal Shelter Advisory Committee shall be at least three (3) members of the board. Action may be taken by any of those boards at which a quorum is present at a duly called meeting by a majority of members present.

IX. Process to address concerns of members in possible violation of Section VI or Chapter 2 Boards, Commissions, Committees

a. Concerns from staff or fellow members should be directed first to the Director and City Secretary for quick resolution
b. If no resolution can be found the City Secretary will notify the City Council at which time the city council will refer to the Community & Intergovernmental Relations Committee for recommendation to be presented to the city council
c. Concerns from the public must be in writing and addressed to the City Secretary @ records@burlesontx.com
d. The City Secretary will work with the public on possible resolution, keeping the city council, director, and city manager informed
e. If no resolution can be found the City Secretary will notify the City Council at which time the city council will refer to the Community & Intergovernmental Relations Committee for recommendation to be presented to the city council
f. All processes shall be in compliance with the Texas Open Meetings Act, city ordinances, state and federal applicable laws
g. City code of ordinance Chapter 2 grants the city council authority to remove any member

X. BURLESON RULES OF ORDER – *For use by Board, Commission and Committee Members.*

All Boards, Commissions, and Committees of the City of Burleson shall follow the Burleson Rules of Order found in City Council Policy #17 in conducting all meetings.

City Council Regular Meeting

DEPARTMENT: **City Secretary's Office**

FROM: **Amanda Campos, City Secretary**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on a minute order adopting the 2027 Council Meeting Calendar. *(Staff Contact: Amanda Campos, City Secretary)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The City Council meets generally on the 1st and 3rd Monday of the month and adopts an annual meeting calendar by December 1st the preceding year in accordance with City Council Policy #17. This calendar will reflect the regularly scheduled meeting with the exception when holidays conflict and the practice of holding only 1 meeting in July, November, and December.

Staff's review of the calendar adopted last year, which included 4A/4B/TIF and Council Committees, posed some confusion due to multiple changes to the adopted schedule to fulfil operational needs. The meetings of the city council outside the regular meetings are largely dependent on operational functions and needs of the community therefore staff recommends the following:

- The adopted 2027 Council Calendar will mark regular council meetings, special meetings needed for budget and tax rate (strict accordance to TNT is necessary), and Holidays that affect city operational hours
- Staff will bring forward items for 4A/4B/TIF on Mondays prior to council meeting when possible, avoiding as much changes as possible

- Staff will designate Wednesdays for Council Committees with standard start times at 9:00am or 1:00pm. Realizing council schedules or local government code may require changes to the schedule.

The City of Burleson's Charter only requires the council to meet once a month and there is no state law for Home Rule cities on how often they must meet. The council can determine the best schedule for conducting meetings. In previous years the council met on Thursday (2nd & 4th of the month).

RECOMMENDATION:

Approved the proposed 2027 Council meeting calendar.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

Council approved 2026 council calendar on November 3, 2025

REFERENCE:

City Council Policy #17

FISCAL IMPACT:

N/A

STAFF CONTACT:

Name: Amanda Campos
Title: City Secretary
acampos@burlesontx.com
817.291.5846

2027 City Council Meeting Calendar

CITY COUNCIL MEETING NOVEMBER 9, 2026

Why are we adopting a calendar for meetings?

- ✓City Council Policy #17
  - ✓Section III – Council Meetings: Rules, Procedures and Conduct; d. Annual Meeting Calendar

  The City Council shall adopt a calendar outlining their scheduled regular meetings for any calendar year no later than December 1st of the preceding year.

- ✓Transparency
  - ✓Providing notice and a resource to the public of when their city council will meet to discuss and take action on city business
  - ✓Staff is adding the Special Meetings concerning the budget and the tax rate adding more visibility to the process

Is there anything besides council meetings scheduled for 2027?

- ✓ Council Committee meetings are NOT scheduled meetings but rather Wednesdays are designated meetings dates- set times to begin 9am or 1pm
- ✓ All committee meetings are posted in compliance with Texas Open Meeting Act – 3 business prior to the meeting
- ✓ All postings are on the city's website

Council Meetings

List of Dates

Month	Day	Day	Day
January	4	19	
February	1	15	
March	1	22	
April	5	19	
May	3	17	
June	7	21	
July	19		
August	2	9	16
September	7	13	20
October	4	18	
November	8		
December	13		

Total number of meetings scheduled: 23

QUESTIONS / COMMENTS

THE CITY OF BURLESON TEXAS

Yearly Schedule of Events

Year	Start Day
2027	1

City of Burleson City Council Meeting Calendar

Council Committee Meetings will be held on Wednesdays as needed either at 9am or 1pm

January 2027						
Su	M	Tu	W	Th	F	Sa
					1	2
3	**4**	5	6	7	8	9
10	11	12	13	14	15	16
17	**18**	**19**	20	21	22	23
24	25	26	27	28	29	30
31						

February 2027						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	**15**	16	17	18	19	20
21	22	23	24	25	26	27
28						

March 2027						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	**22**	23	24	25	26	27
28	29	30	31			

January		
01/01/27 (Fri)	New Year's Day	holiday
01/04/27 (Mon)	Council Meeting	Regular Mtg
01/18/27 (Mon)	Martin Luther King Day	Holiday
01/19/27 (Tue)	Council Meeting	Regular Mtg

February		
02/01/27 (Mon)	Council Meeting	Regular Mtg
02/15/27 (Mon)	Council Meeting	Regular Mtg

March		
03/01/27 (Mon)	Council Meeting	Regular Mtg
03/14/27 (Sun)	Daylight Saving move clocks ahead 1 hour	holiday
03/22/27 (Mon)	Council Meeting	Regular Mtg

City of Burleson City Council Meeting Calendar

Council Committee Meetings will be held on Wednesdays as needed either at 9am or 1pm

April 2027						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	**5**	6	7	8	9	10
11	12	13	14	15	16	17
18	**19**	20	21	22	23	24
25	26	27	28	29	30	

May 2027						
Su	M	Tu	W	Th	F	Sa
						1
2	**3**	4	5	6	7	8
9	10	11	12	13	14	15
16	**17**	18	19	20	21	22
23	24	25	26	27	28	29
30	**31**					

June 2027						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	**7**	8	9	10	11	12
13	14	15	16	17	18	19
20	**21**	22	23	24	25	26
27	28	29	30			

April		
04/05/27 (Mon)	Council Meeting	Regular Mtg
04/19/27 (Mon)	Council Meeting	Regular Mtg

May		
05/03/27 (Mon)	Council Meeting	Regular Mtg
05/09/27 (Sun)	Mother's Day	holiday
05/17/27 (Mon)	Council Meeting	Regular Mtg
05/31/27 (Mon)	Memorial Day	Holiday

June		
06/07/27 (Mon)	Council Meeting	Regular Mtg
06/20/27 (Sun)	Father's Day	holiday
06/21/27 (Mon)	Council Meeting	Regular Mtg

City of Burleson City Council Meeting Calendar

Council Committee Meetings will be held on Wednesdays as needed either at 9am or 1pm

July 2027						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	**5**	6	7	8	9	10
11	12	13	14	15	16	17
18	**19**	20	21	22	23	24
25	26	27	28	29	30	31

August 2027						
Su	M	Tu	W	Th	F	Sa
1	**2**	3	4	5	6	7
8	**9**	10	11	12	13	14
15	**16**	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September 2027						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	**6**	**7**	8	9	10	11
12	**13**	14	15	16	17	18
19	**20**	21	22	23	24	25
26	27	28	29	30		

July		
07/05/27 (Mon)	City Closed for July 4	holiday
07/19/27 (Mon)	Council Meeting	Regular Mtg

August		
08/02/27 (Mon)	Council Meeting	Regular Mtg
08/16/27 (Mon)	Council Meeting	Regular Mtg
08/09/27 (Mon)	Special council Meeting	Special Mtg

September		
09/06/27 (Mon)	Labor Day	holiday
09/07/27 (Tue)	Council Meeting	Regular Mtg
09/20/27 (Mon)	Council Meeting	Regular Mtg
09/13/27 (Mon)	Special Council Meeting	Special

City of Burleson City Council Meeting Calendar

Council Committee Meetings will be held on Wednesdays as needed either at 9am or 1pm

October 2027						
Su	M	Tu	W	Th	F	Sa
					1	2
3	**4**	5	6	7	8	9
10	11	12	13	14	15	16
17	**18**	19	20	21	22	23
24	25	26	27	28	29	30
31						

November 2027						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	**8**	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	**25**	**26**	27
28	29	30				

December 2027						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	**13**	14	15	16	17	18
19	20	21	22	23	**24**	25
26	**27**	28	29	30	**31**	

October		
10/04/27 (Mon)	Council Meeting	Regular Mtg
10/18/27 (Mon)	Council Meeting	Regular Mtg

November		
11/07/27 (Sun)	Daylight Saving move clocks back 1 hour	holiday
11/08/27 (Mon)	Council Meeting	Regular Mtg
11/25/27 (Thu)	Thanksgiving	holiday
11/26/27 (Fri)	City Closed for Thanksgiving	Holiday

December		
12/13/27 (Mon)	Council Meeting	Regular Mtg
12/24/27 (Fri)	Christmas Eve	holiday
12/27/27 (Mon)	City Closed for Christmas	holiday
12/31/27 (Fri)	New Year's Eve	Holiday

CITY COUNCIL POLICY
17
City of Burleson City Council Policy Establishing City Council Rules of Procedure For City Council Meetings

Adopted date	November 11, 1982
Revision dates	May 5, 1985 January 21, 2020; February 22, 2021; August 8, 2021; June 20, 2022; June 27, 2024; March 2, 2026
Department Name	City Council

I. AUTHORITY

Pursuant to the provisions of the Charter of the City of Burleson, Texas, the City Council shall enact rules of procedure for all meetings of the City Council of the City of Burleson, Texas, which shall be in effect upon their adoption by the City Council until such time as they are amended or new rules adopted. These guidelines shall remain flexible and in compliance with the City Charter, the Texas Open Meetings Act, and any other applicable state laws.

Pursuant to the Charter of the City of Burleson, Texas, Section 32; the city council shall meet regularly at times prescribed by its rules but not less frequently than once each month. The city secretary shall call special meetings upon the request of the mayor, city manager, or a majority of the members of the city council. All meetings must be held in accordance with state law.

II. MEETING AGENDAS

a. Preparation & Posting of: The City Manager is responsible for creating the agenda and agenda packet materials for City Council meetings. The City Secretary is responsible for posting the agenda and distributing agenda packets to the City Council.

b. Placing Items on the Agenda: The Mayor or any one Councilmember may request that an item be placed on the agenda by the following means:

i. Request the item during the "Request for Future Agenda Items" during the work session portion of a Council meeting; or
ii. Notify the City Manager, in writing, of the request at least ten (10) business days prior to any regularly scheduled City Council meeting.
iii. The city manager shall add to the agenda all elected official initiated requests for action that incur a cost beyond the approved budget. These items should include appropriate project details and associated costs. These items are beyond and outside routine maintenance and normal operations of the city. This is to ensure complete transparency and efficient budget oversight.

c. <u>Agenda Packet:</u>

i. <u>Contents:</u> The city council agenda packet will include a report and related documents for each item on the Consent Action and/or General Action sections of the agenda. The agenda packet posted online will not include contracts or any other documents that contain financial proposals.
ii. <u>Distribution:</u> In most cases, the agenda packet <u>should</u> be made available to the City Council at least 5 (five) calendar days prior to the regularly scheduled City Council meeting.

d. <u>Agenda Item Pages:</u> Each AIP shall contain all pertinent information on the item of business. Generally, the report shall include the following order of information:

i. Action requested of the City Council
    1. Items concerning an ordinance must identify the proponent of the ordinance in parenthesis following the action requested.
ii. Background and/or historical information
    1. Input/Recommendations received from applicable City Boards or from the public
    2. Financial impact (i.e. source of funds)
    3. Identity of the city departmental staff member whom Council and the public should contact for additional information

e. <u>Consent Agenda Items:</u> The City Manager may place on the consent agenda section of the agenda any items that, in the City Manager's view, are routine in nature. Consent agenda items <u>should not</u> include:

i. An item concerning an election

ii. An item authorizing the issuance (or notice of issuance) of any debt instrument (bonds, certificates of obligation, capital lease agreements, etc.)

Posted consent agenda items may be removed from consent by any one councilmember who request the removal during the open meeting. Any posted item on the agenda that does not require a public hearing or that is not an ordinance supplementing the adopted budget on first and final reading may be added to the consent agenda by any councilmember who requests the addition during the open meeting.

f. <u>Councilmember's Obligations to be Prepared in Advance:</u> In order to provide for informed decision making and to instill confidence in the electorate, in advance of each meeting, each Councilmember is expected to:

i. Study and be familiar with all material in the agenda packet provided by the staff in advance of the meeting.
ii. Include staff and citizen contacts, field observations and inquiries in their preparation.
iii. Direct any questions about the agenda packet to the city manager's office or the staff member designated on the agenda report.

III. COUNCIL MEETINGS: RULES, PROCEDURES AND CONDUCT

a. <u>Presiding Officer</u>

i. The Mayor presides at meetings of the City Council (City Charter, Sec. 22(a)).
ii. The Mayor Pro Tem, who shall act as mayor during the absence or disability of the Mayor (City Charter, Sec. 22(b)).
iii. In the event the Mayor and Mayor Pro Tem are absent, the Councilmember in attendance with the longest tenure shall preside over the meeting. In the event of a tie in tenure, the members may draw lots to determine who shall preside.

b. <u>Burleson Rules of Order</u>

i. The rules contained in Section V of this Policy shall govern the Burleson City Council meetings in all cases to which they are applicable and not in direct conflict with State laws. These rules are intended to be fair and complete.

c. Executive Session (Closed Session)

The city council in accordance with Chapter 551 of the Texas Government Code may convene into executive session. Every consideration should be given to not convene into executive session prior to the consent agenda.

i. The Texas Open Meetings Act (TOMA) provides for narrowly drawn exceptions to the requirement that meetings be open to the public. The City Council shall follow TOMA with regards to executive sessions requirements.

ii. The city shall keep a certified agenda or a recording depending on requirements of Chapter 551. The city secretary or designee shall be responsible for the certified agenda and when required by law a recording of the executive session; no one else in attendance may keep a record or recording of executive session

iii. Only members of the governmental body or persons necessary to the matter under consideration in executive session may attend. A person whose interest is against the city may not be admitted to attend executive session

iv. Executive session needed for items posted on consent agenda should be removed from the consent agenda and taken up separately. The remaining consent agenda should be voted on prior to any executive session.

d. Annual Meeting Calendar: The City Council shall adopt a calendar outlining their scheduled regular meetings for any calendar year no later than December 1st of the preceding year.

e. Citizen Appearances: Each person in attendance who desire to speak to Council on an item **not** posted on the agenda, shall speak during this section. Each person in attendance who desire to address the Council on an item posted on the agenda or at a public hearing shall address the council when that item is called forward for consideration.

A speaker card must be filled out and turned in according to speaker rules listed in this section. Under the Texas Open Meeting Act the city council may take action only on legally posted items on the agenda. There will be no discussion of any un-posted items, council will only receive comments, may only ask clarifying questions, and should

refrain from addressing speaker but rather refer them to city management or state policy only.

Speaker Rules

1. Each person will be allowed three (3) minutes and will not be interrupted by Council or staff.
2. Council may request the City Manager place the subject on a future Council meeting agenda or request staff meet with the person for further discussion.
3. Speaker Cards
    a. Speaker cards will be provided at the council meetings for in-person speakers and can be handed directly to the City Secretary Office staff.

f. Speakers at council meetings: Each person who desires to speak to the city council pertaining to an item listed on the agenda or advertised as a public hearing will have two options to address the city council. Each person shall address the council when that item is called forward for consideration.

Speaker Rules

1. A speaker card must be filled out and turned into the City Secretary's staff
2. Each person in attendance will be allowed three (3) minutes and will not be interrupted by Council or staff. The presiding officer may grant additional time to a speaker if requested however the presiding officer will maintain fairness for speakers on the item
3. Applicants be allowed a reasonable time and may be limited to a specific amount of time by the presiding officer (as determined by the presiding officer and the City Attorney) to offer facts of their case and answer questions, however applicant must submit to the City Secretary any hand-outs or material at least 5 days prior to the meeting. Applicants will be cognizance of time and be precise when presenting their case.

IV. COUNCIL MEETINGS: ORDER OF BUSINESS

Council meetings shall generally adhere to the following order of business:

a. **Regular Session:**

i. The City Secretary shall announce a quorum and request the Mayor (presiding officer) Call the Meeting to Order by announcing date and time of the meeting.

1. invocation
2. pledge of allegiance – United States

ii. Public Presentations: Proclamations, recognitions, general reports, and updates from the public or community organizations.

1. See Exhibit "A" Proclamation Process

iii. Community Interest Items: In accordance with the Texas Open Meetings Act, an "item of community interest" includes the following:

1. expressions of thanks, congratulations, or condolence;
2. information regarding holiday schedules;
3. honorary recognitions of city officials, employees, or other citizens;
4. reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city official or city employee; and
5. announcements involving imminent public health and safety threats to the city.

iv. Items to be continued or withdrawn: Any City Councilmember or the City Manager may request an item be removed from consideration and either (1) continued to a future meeting date or (2) withdrawn from consideration altogether or (3) move in the order of the agenda.

v. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the consent agenda

1. Items to be withdrawn from the consent agenda for separate discussion: Any Councilmember wishing to discuss and vote on a consent agenda item individually should make that request in an open meeting.
2. Items to be added to the consent agenda: Any councilmember may request a posted agenda item that does not require a public hearing be moved to the consent agenda.

vi. Citizen Appearances:

It is the policy of the City Council of the City of Burleson to encourage open government and the opportunity for all citizens to address the Council and receive fair consideration for each item listed on the agenda. Therefore, and in the interest of time, decorum and the constraints of the Texas Open Meetings Act, there are rules that must be enforced. On items not posted on the agenda, the Council may receive comments or suggestions. The Council cannot discuss or deliberate on the unposted matter. The Council may, however, ask clarifying questions, respond with facts, explain a policy, and propose that the item be placed on a future agenda.

1. In accordance with Section 551.007 of the Texas Open Meetings Act, the public has a right to speak on items on the agenda either at the beginning of the meeting or during the meeting when an agenda item is being considered.
2. Under the Texas Open Meetings Act and Public Information Act laws of the State of Texas, the City Council may take action only on items legally posted on the agenda.
3. On items not posted on the agenda, the Council may receive comments or suggestions. The Council cannot discuss or deliberate on the unposted matter. The Council may, however, ask clarifying questions, respond with facts, explain a policy, and propose that the item be placed on a future agenda.
4. Each person will be allowed three (3) minutes to comment on any particular subject. Council and staff will not interrupt speaker's time and will ask questions or clarification after the three (3) minutes of time. If the person requires a translator, they will receive six (6) minutes to allow to address the Council.
5. Each person shall fill out a speaker card and present to the City Secretary before speaking.
6. Profanity or threatening language or behavior will not be tolerated and may result in the following:
    i. Cancellation of remaining time;
    ii. Removal from the Council Chambers; and/or
    iii. A contempt citation.

vii. Consent Action Agenda: All items listed 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 unless a Councilmember or citizen

so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

viii. General Action Items: Items may include, but are not limited to: Public Hearings, Ordinances & Resolutions, Contracts & Agreements, Legislative Update, Budget and Tax Rate, etc. Items scheduled for public hearing or which involve outside organizations should, typically, be listed first.

ix. Reports: An opportunity for the City Manager or his/her staff to obtain direction from Council on a future item, provide information on current items, or respond to previous Councilmember requests for information.

x. City council request for future items or reports: An opportunity for any member of the city council to request a future council meeting item.

Executive Session (if needed): The City Council may choose to meet in Executive Session in accordance with state law. Executive Session may be held at any time when a City Council meeting is convened. Every consideration should be given to not convene into executive session prior to the consent agenda.

xi. Adjourn: With no further business the presiding officer shall request a motion to adjourn. Vote is required.

V. BURLESON RULES OF ORDER

The rules contained in this section the policy shall govern the Burleson City Council meetings in all cases to which they are applicable and not in direct conflict with state laws.

a. Presiding Officer: The Mayor, if present, shall be the presiding officer. In the absence of the Mayor the Mayor Pro Tem shall be the presiding officer. In the absence of both the Councilmember with the most senior tenure should preside.

i. Should by statement identify quorum present call the meeting to order according to posted agenda and clearly state date and time.

ii. Should establish the order of the meeting by following the posted agenda and may call items out of order for purpose of functionality.

iii. Shall not make initial motions on items before the Council, however may second a motion.

b. Motion:

i. Motion dies from lack of second
ii. No amendments to original motion, except by the member making the motion
iii. Each item posted on the agenda should be voted on individually

c. Point of Order:

i. Any Councilmember may request to identify procedural defect
ii. Any Councilmember may make call a filibuster point of order
    1. Presiding officer request Councilmember speaking to yield the floor
    2. Presiding officer present to the other members of Council an opportunity to speak
    3. If no other member wishes to speak the officer can return the floor to the original member speaking

d. Point of Information:

i. Any Councilmember may request additional information for other members to consider
ii. There is no debate

e. Call the Question: Only when a motion is on the table for consideration

i. Any Councilmember may call the question
ii. Requires a second but no vote
iii. Ends debate or discussion and requires immediate vote on item

f. Public Hearing:

i. Each person will be allowed three (3) minutes to speak. Council and staff will not interrupt speaker's time and will ask questions or clarification after the three (3) minutes of time. Council may recall speaker if needed. If the person requires a translator, they will receive six (6) minutes to address the Council.
ii. Applicants will be allowed a reasonable time and may be limited to a specific amount of time by the presiding officer (as determined by the presiding officer and the City Attorney) to offer facts of their case and answer questions, however applicant must submit to the

City Secretary any hand-outs or materials at least 5 days prior to the meeting. Applicants will be cognizance of time and be precise when presenting their case.

g. Table:

i. Items will be tabled to a specific date and the request made by applicant, council, or staff
ii. If no date is stated when item is tabled, the item after 180 days will be placed on the next regular agenda and considered

h. Adjourn:

i. Adjournment of the meeting requires a motion and a second and a vote
ii. Presiding officer will announce date and time of adjournment

i. Executive Session:

Can be taken at any time during the meeting with proper notice to the public – presiding officer (or city secretary) shall announce the exceptions and time. Every consideration should be given to not convene into executive session prior to the consent agenda.

i. Any member of the Council present may request to convene into executive session
ii. City Manager, Deputy City Manager, City Secretary, Deputy City Secretary, City Attorney or Deputy City Attorney may request Council convene into executive session
iii. The presiding office shall clearly state the time the city council convenes into executive and clearly state the time the city council returns to open session.

VI. MAYOR/MAYOR PRO-TEM

a. Mayor:

i. Per Sec. 22 of the Charter of the City of Burleson, the Mayor presides at meetings of the City Council and, except in cases involving conflict of interests, must vote upon all items voted on by the City Council.

b. Mayor Pro-Tem:

i. The City Council shall elect in accordance with Sec. 22 of the Charter from among its members, a Mayor Pro Tem, who shall act as Mayor during the absence or disability of the Mayor, and, if a vacancy occurs in the Mayor's place, shall become Mayor until the next general election. (City Charter, Section 22(b))

ii. Qualifications: Any Councilmember who has served at least 2 years on the City Council shall be qualified to serve as Mayor Pro Tem.

iii. Nomination process: Councilmembers interested in serving as Mayor Pro Tem shall, at least five business days prior to the meeting, submit to the City Secretary written notification of their interest of serving. The City Secretary shall present to Council, in executive session, all the names of the interested, qualified, Councilmembers. *(no discussion or vote will take place, this is informational only)*

iv. Election: Each year at a regular meeting by August 31st, an agenda item for Election of Mayor Pro-Tem shall be placed on the Regular Session agenda. All action for election of the Mayor Pro-Tem shall occur during open session.

VII. AUDIO/VIDEO USE

a. Recording of Council meetings on video equipment larger than a cell phone or tablet shall be located at the rear of the chambers so as not to interfere with the sight lines of the seated audience.

Exhibit A

City of Burleson

Proclamation and Certificate of Recognition Policy

I. STATEMENT OF PURPOSE

The City of Burleson recognizes and honors individuals, organizations, programs, and events that contribute to the community through the issuance of proclamations and certificates of recognition. This policy outlines the City's process for requesting, reviewing, and issuing proclamations and certificates of recognition.

II. PROCLAMATION GUIDELINES

Proclamations are ceremonial in nature and are issued on behalf of the Mayor and City Council.

A. Requests will be considered for the following purposes:

- A current or former resident of the City of Burleson who has made a positive impact in the community;
- City-based organizations that contribute through special events, significant issues, or increase awareness through programs rooted in the City;
- Special events or days that promote the City of Burleson or are historically significant to the community;
- Traditionally recognized "Day", "Week" or "Month" requests for organizations or departments that contribute to the City;
- Requests initiated by current or former City employees

B. Requests **WILL NOT** be considered for the following purposes:

- Birthdays, wedding anniversaries, or business anniversaries;
- Family or class reunions'
- Retirements of individuals who are not current or former City of Burleson employees;
- Groundbreaking, openings, endorsement or advertisements for individuals or for-profit businesses;
- Requests received for national or international organizations without an in-City sponsor;
- Campaigns or matters that do not align with the City of Burleson's vision, mission, or guiding principles.

III. REQUESTING A PROCLAMATION

A. Submission Requirements:

All requests must be submitted through the City of Burleson forms portal on the City website and must meet the following requirements:

- Requests must be received at least 30 days prior to the requested date;
- The request must include:
  - The proposed title or event to be proclaimed;

- The event date(s) to be proclaimed;
- A minimum of four facts to support the proclamation;
- The requestor's name, telephone number, or email;
- The preferred method of distribution or date of presentation.

B. Distribution**:**

Approved proclamations may be distributed in one of the following ways:

- Presented at a City Council meeting;
- Presented at a community event;
- Picked up from the City Secretary's Office (CSO);
- Mailed to the requestor (mailing address required).

IV. CERTIFICATE OF RECOGINATION GUIDELINES

In place of a proclamation, the Mayor and City Council may issue a Certificate of Recognition to acknowledge:

- Significant birthdays, anniversaries, celebrations, events, accomplishments, or achievements;
- Contributions to the community or organizations;
- Requests initiated by City of Burleson residents, organizations, or staff.

V. REQUESTING A CERTIFICATE OF RECOGINATION

A. Submission Requirements:

All requests must be submitted through the City of Burleson forms portal on the City website and must meet the following requirements:

- Requests must be received at least 30 days prior to the requested date;
- The request must include:
  - The proposed title or event to be recognized;
  - The event date(s) to be recognized;
  - The requestor's name, telephone number, or email;
  - The preferred method of distribution.

B. Distribution:

Approved certificate of recognitions may be distributed in one of the following ways:

- Picked up from the City Secretary's Office (CSO);
- Mailed to the requestor (mailing address required).

VI. STAFF REVIEW AND ISSUANCE

- Requests will reviewed on a case-by-case basis;
- Submitted language may be edited or revised at the discretion of the City staff;
- Staff may coordinate presentations outside of City Council meetings when appropriate;
- The City reserves the right to deny any request for proclamations or certificates that do not align with the City's vision and mission.

City Council Regular Meeting

DEPARTMENT: **City Secretary's Office**

FROM: **Amanda Campos, City Secretary**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on an Ordinance amending Chapter 10 Buildings and Building Regulations, Art. II, Division 3 Building Codes and Standard Board, Appendix B, Art. I, Chapter 11 Board of Adjustments, and Chapter 6 Animal Care and Control, Section 6-16 Animal Shelter Advisory Committee. (First Reading) (*Staff Contact: Amanda Campos, City Secretary)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The Council Policies and Valuation Committee met on August 26, 2026 to consider amendments to various boards and committee structures, memberships, and terms. Specifically, adding and ADA position to each board, the existing requirements of the Building Codes and Standard members, members serving on more than one board, and the term of the Animal Welfare representative for the Animal Shelter Advisory Board.

The Committee reviewed and discussed on the possible options and what needs were being addressed and what would serve the highest level of good. The following recommendations are being presented to the full council for considerations:

- **Assigning all the duties and responsibilities of the Building Codes and Standard Board to the Board of Adjustments**

11-10 – Appeals to the board of adjustment

(a) Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative official as designated under section 13-100. Such appeal ~~shall~~must be ~~taken~~filed not later than the 20th day after the day of the decision is made ~~within ten business days as provided by the rules of the board~~, by filing with the officer from whom the appeal is taken and with the board of adjustment, a notice of appeal specifying the grounds for the appeal. The officer from whom the appeal is taken shall forthwith transmit to the board of adjustment all the papers constituting the record of the action appealed.

(b) The members of the Board of Adjustment shall also act as members of the Building Codes and Standard Board created in Chapter 10 Section 10-75 to accomplish purposes and perform functions established in Chapter 10, Article II, Division 3.

~~(b c)~~ An appeal stays all proceedings in furtherance of the action appealed unless the officer from whom the appeal is taken certifies to the board of adjustment that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril of life or property. In such a case, proceedings shall not be stayed, otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application and on due cause shown.

- Removing the existing Building Codes and Standard Board membership – there are currently no appointed members to the board today

(a) Membership.

~~The board membership shall be in compliance with chapter 2, article II, section 2-31(e). The building official shall be an ex officio member of and shall act as secretary to the board, but shall have no vote on any matter before the board~~.The members of the Board of Adjustment as created in Appendix B Article I, Section11-100 shall also serve as and be members of the Building Codes and Standards Board.

~~(b) Terms.~~

~~The terms of members shall be in compliance chapter 2, article II, section 2-31(d).~~
~~§ 10-77. Qualifications of members. (Ord. No. B-721, § 1(5-15), 9-23-2004)~~
~~It is the intent of the city council that the board members shall, by reason of diversity of their individual areas of expertise, constitute a board which is broadly representative of various fields of building construction and building standards.~~
~~(1) The board shall, at a minimum, consist of:~~
~~a. Two licensed electricians, at least one of which shall be a master electrician; and~~
~~b. Two licensed plumbers, at least one of which shall be a master plumber; and~~
~~c. One building contractor; and~~
~~d. One person holding a license or certification from the Texas Commission on Fire Protection; and~~
~~e. One licensed heat and air conditioning contractor.~~
~~(2) Members, except for the building official, may not be employees of the City of Burleson. Members will serve without compensation and must be:~~
~~a. Residents of the City; or~~
~~b. Own or be employed by a business located in the City; and~~
~~c. Hold a license or registration under this chapter.~~

- **Modifying the Policy #40 as presented in a separate item before council on this agenda**
- **Removing the term limits for the Animal Welfare Representative – this is in alignment with the other specific positions on the Animal Shelter Advisory committee**.

(c) Number of members; terms.

The committee shall be in compliance with chapter 2, article II, section 2-31(e) for number of members and each member shall serve terms in compliance with chapter 2, article II, section 2-31(d). Notwithstanding the above, term limits shall not apply to the committee seats reserved for the one licensed veterinarian, the one municipal official, one representative of the animal welfare organization, and the one person whose duties include the daily operation of an animal shelter.

RECOMMENDATION:

Council Policies & Valuation Committee recommendations are stated in the summary.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

Council Policy & Valuation – August 26, 2026

REFERENCE:

FISCAL IMPACT:

STAFF CONTACT:

Name: Amanda Campos
Title: City Secretary
acampos@burlesontx.com
817-426-9665

THE CITY OF

BURLESON

TEXAS

Boards, Commissions, & Committees

City Council Meeting – November 9, 2026

Council Policy & Valuation Committee Review August 26, 2026 meeting

Amendments to boards and committee structures, memberships, and terms:	Adding an ADA position to each board? Not recommended – Staff is working on inclusion
	The existing membership requirements of the Building Codes & Standard Board
	Members serving on more than one board – A separate item before council at this meeting
	The term limit of the Animal Welfare Representative on the Animal Shelter Advisory


WORKING IN THE BEST POSITION

Recommendation: Building Codes & Standard **should be** the Board of Adjustment

Both boards work as appeal boards with the instructions to hear appeals all concerning buildings and zoning.

How do we accomplish this?

Amend Ordinance for Appendix B Article I Section 11-110 Appeals to the board of adjustment

Amend Ordinance for Chapter 10 Division 3 Section 10-76 Appointment & terms

WHY LIMIT A GOOD THING



A representative from an Animal Welfare Organization (Animal Welfare Representative) is required but hard to find.

WHY LIMIT A GOOD ONE

Recommendation: Remove the term limits for the Animal Welfare Representative

How do we accomplish this?

Amend Ordinance for Chapter 6 Section 6-16 (c) Number of members; terms

Approve or Deny the Recommendations of the Council Policy & Valuation Committee

ORDINANCE

AN ORDINANCE OF THE CITY OF BURLESON, TEXAS, AMENDING THE CITY'S CODE OF ORDIANCES BY AMENDING APPENDIX B ARTICLE I, ADMINISTRATION, SECTION 11-110 APPEALS TO THE BOARD OF ADJUSTMENT AND AMENDING CHAPTER 6, ANIMAL CARE AND CONTROL, SECTION 6-16 ANIMAL SHELTER ADVISORY COMMITTEE; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS OPEN TO THE PUBLIC AND THAT THE RECITALS ARE TRUE; CONTAINING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, A CUMULATIVE CLAUSE, AND EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Burleson Code of Ordinances Appendix B Article I Administration Section 11 Board of Adjustment sets out the creation, procedure, appeals, powers and vote; and

WHEREAS, the City Council desires to amend Section 11-110 appeals to the board of adjustment by adding the members of the Board of Adjustment shall act as members of the Building Codes and Standards Board; and

WHEREAS, the Burleson Code of Ordinances Chapter 10 Article II Administration Division 3 Building Codes and Standards Board states the membership and duties; and

WHEREAS, there is a need to amend Chapter 10 Section 10-76 Appointment and terms and Section 10-77 Qualification of members to set forth the Board of Adjustment members to act as the Building Codes and Standards Board; and

WHEREAS, Chapter 6 Animal Care and Control, Section 6-16 created the Animal Shelter Advisory Committee pursuant to Texas Health and Safety Code § 823.005; and

WHEREAS, the Animal Shelter Advisory Committee number of members and terms of the members is stated in Section 6-16(c); and

WHEREAS, all members of the Committee hold terms in compliance Chapter 2, Article II, Section 2-31(e) limiting the terms to three consecutive three year terms; and

WHEREAS, the City Council desires the term limits do not apply to the Animal Shelter Advisory Committee, one representative from an animal welfare organization.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS:

Section 1.

Appendix B, Article I Administration, Section 11 Board of Adjustment:

"**§ 11-110 Appeals to the board of adjustment .**

(a) Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative official as designated under section 13-100. Such appeal must be filed not later than the 20th day after the date of the decision is made, by filing with the officer from whom the appeal is taken and with the board of adjustment, a notice of appeal specifying the grounds for the appeal. The officer from whom the appeal is taken shall forthwith transmit to the board of adjustment all the papers constituting the record of the action appealed.

(b) The members of the Board of Adjustment shall also act as members of the Building Codes and Standards Board created in Chapter 10 Section 10-75 to accomplish purpose and perform functions established in Chapter 10, Article II, Division 3.

(c) An appeal stays all proceedings in furtherance of the action appealed unless the officer from whom the appeal is taken certifies to the board of adjustment that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril of life or property. In such a case, proceedings shall not be stayed, otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application and on due cause shown.

(d) The board of adjustment shall fix a reasonable time for the hearing of an appeal, give public notice of the hearing as well as notify real property owners within 200 feet of the subject property. At the hearing, any party may appear in person or by agent or attorney. The board shall render a decision within a reasonable amount of time after the hearing

…"

Section 2

Chapter 10, Article II Administration, Division 3 Building Codes and Standards Board:

"**§ 10-76 Appointment and terms**

(a) **Membership.**

The members of the Board of Adjustment as created in Appendix B Zoning Article I, Section 11-100 shall also serve as and be members of the Building Codes and Standards Board.

…"

Section 3

Chapter 6, Section 6-16 Animal shelter advisory committee:

"**§ Section 6-16 Animal Shelter Advisory Committee**

(c) Number of members; terms.

The committee shall be in compliance with chapter 2, article II, section 2-31(e) for number of members and each member shall serve terms in compliance with chapter 2, article II, section 2-31(d). Notwithstanding the above, term limits shall not apply to the committee seats reserved for the one licensed veterinarian, the one municipal official, one representative from an animal welfare organization, and the one person whose duties include the daily operation of an animal shelter.

…"

Section 4.

The City Council finds and determines that the meeting at which this ordinance is passed was open to the public as required by law and that public notice of the time, place and purpose of said meeting was duly given as required by the Texas Open Meetings Act.

Section 5.

The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life in the City.

Section 6.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 7.

Any complaint, notice, notice of violation, action, cause of action, hearing request, appeal, or claim which prior to the effective date of this Ordinance that has been initiated or arisen under or pursuant to any other ordinance(s) shall continue to be governed by the provision of that ordinance

or ordinances, and for that purpose that ordinance or ordinances shall be deemed to remain and shall continue in full force and effect.

Section 8.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Burleson, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

Section 9.

This ordinance shall become effective immediately upon its passage and publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the City Council of the City of Burleson on this ___ day of _____, 2026.

First Reading: the _____ day of _____, 20_____.

Final Reading: the _____ day of _____, 20_____.

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

_____
Amanda Campos, City Secretary

APPROVED AS TO FORM:

_____
E. Allen Taylor, Jr., City Attorney

ORDINANCE

AN ORDINANCE OF THE CITY OF BURLESON, TEXAS, AMENDING THE CITY'S CODE OF ORDIANCES BY AMENDING APPENDIX B ARTICLE I, ADMINISTRATION, SECTION 11-110 APPEALS TO THE BOARD OF ADJUSTMENT AND AMENDING CHAPTER 6, ANIMAL CARE AND CONTROL, SECTION 6-16 ANIMAL SHELTER ADVISORY COMMITTEE; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS OPEN TO THE PUBLIC AND THAT THE RECITALS ARE TRUE; CONTAINING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, A CUMULATIVE CLAUSE, AND EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Burleson Code of Ordinances Appendix B Article I Administration Section 11 Board of Adjustment sets out the creation, procedure, appeals, powers and vote; and

WHEREAS, the City Council desires to amend Section 11-110 appeals to the board of adjustment by adding the members of the Board of Adjustment shall act as members of the Building Codes and Standards Board; and

WHEREAS, the Burleson Code of Ordinances Chapter 10 Article II Administration Division 3 Building Codes and Standards Board states the membership and duties; and

WHEREAS, there is a need to amend Chapter 10 Section 10-76 Appointment and terms and Section 10-77 Qualification of members to set forth the Board of Adjustment members to act as the Building Codes and Standards Board; and

WHEREAS, Chapter 6 Animal Care and Control, Section 6-16 created the Animal Shelter Advisory Committee pursuant to Texas Health and Safety Code § 823.005; and

WHEREAS, the Animal Shelter Advisory Committee number of members and terms of the members is stated in Section 6-16(c); and

WHEREAS, all members of the Committee hold terms in compliance Chapter 2, Article II, Section 2-31(e) limiting the terms to three consecutive three year terms; and

WHEREAS, the City Council desires the term limits do not apply to the Animal Shelter Advisory Committee, one representative from an animal welfare organization.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS:

Section 1.

Appendix B, Article I Administration, Section 11 Board of Adjustment:

"**§ 11-110 Appeals to the board of adjustment .**

(a) Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative official as designated under section 13-100. Such appeal ~~shall~~ must be ~~taken~~ filed not later than the 20th day after the date of the decision is made ~~within ten business days as provided by the rules of the board~~, by filing with the officer from whom the appeal is taken and with the board of adjustment, a notice of appeal specifying the grounds for the appeal. The officer from whom the appeal is taken shall forthwith transmit to the board of adjustment all the papers constituting the record of the action appealed.

(b) The members of the Board of Adjustment shall also act as members of the Building Codes and Standards Board created in Chapter 10 Section 10-75 to accomplish purpose and perform functions established in Chapter 10, Article II, Division 3.

(~~b~~ c) An appeal stays all proceedings in furtherance of the action appealed unless the officer from whom the appeal is taken certifies to the board of adjustment that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril of life or property. In such a case, proceedings shall not be stayed, otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application and on due cause shown.

(~~c~~ d) The board of adjustment shall fix a reasonable time for the hearing of an appeal, give public notice of the hearing as well as notify real property owners within 200 feet of the subject property. At the hearing, any party may appear in person or by agent or attorney. The board shall render a decision within a reasonable amount of time after the hearing

…"

Section 2

Chapter 10, Article II Administration, Division 3 Building Codes and Standards Board:

"**§ 10-76 Appointment and terms**

(a) **Membership.**

~~The board membership shall be in compliance with chapter 2, article II, section 2-31(e). The building official shall be an ex officio member of and shall act as secretary to the board, but shall have no vote on any matter before the board~~. The members of the Board of Adjustment as created in Appendix B Zoning Article I, Section 11-100 shall also serve as and be members of the Building Codes and Standards Board.

~~(b) **Terms.**~~

~~The terms of members shall be in compliance chapter 2, article II, section 2-31(d).~~

~~**§ 10-77. Qualifications of members. (Ord. No. B-721, § 1(5-15), 9-23-2004)**~~
~~It is the intent of the city council that the board members shall, by reason of diversity of their individual areas of expertise, constitute a board which is broadly representative of various fields of building construction and building standards.~~

~~(1) The board shall, at a minimum, consist of:~~

~~a. Two licensed electricians, at least one of which shall be a master electrician; and~~

~~b. Two licensed plumbers, at least one of which shall be a master plumber; and~~

~~c. One building contractor; and~~

~~d. One person holding a license or certification from the Texas Commission on Fire Protection; and~~

~~e. One licensed heat and air conditioning contractor.~~

~~(2) Members, except for the building official, may not be employees of the City of Burleson. Members will serve without compensation and must be:~~

~~a. Residents of the City; or~~

~~b. Own or be employed by a business located in the City; and~~

c. ~~Hold a license or registration under this chapter.~~

…"

Section 3

Chapter 6, Section 6-16 Animal shelter advisory committee:

"**§ Section 6-16 Animal Shelter Advisory Committee**

(c) Number of members; terms.

The committee shall be in compliance with chapter 2, article II, section 2-31(e) for number of members and each member shall serve terms in compliance with chapter 2, article II, section 2-31(d). Notwithstanding the above, term limits shall not apply to the committee seats reserved for the one licensed veterinarian, the one municipal official, one representative from an animal welfare organization, and the one person whose duties include the daily operation of an animal shelter.

…"

Section 4.

The City Council finds and determines that the meeting at which this ordinance is passed was open to the public as required by law and that public notice of the time, place and purpose of said meeting was duly given as required by the Texas Open Meetings Act.

Section 5.

The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life in the City.

Section 6.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 7.

Any complaint, notice, notice of violation, action, cause of action, hearing request, appeal, or claim which prior to the effective date of this Ordinance that has been initiated or arisen under or pursuant to any other ordinance(s) shall continue to be governed by the provision of that ordinance or ordinances, and for that purpose that ordinance or ordinances shall be deemed to remain and shall continue in full force and effect.

Section 8.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Burleson, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

Section 9.

This ordinance shall become effective immediately upon its passage and publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the City Council of the City of Burleson on this ___ day of _____, 2026.

First Reading: the _____ day of _____, 20_____.

Final Reading: the _____ day of _____, 20_____.

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

_____
Amanda Campos, City Secretary

APPROVED AS TO FORM:

_____
E. Allen Taylor, Jr., City Attorney

City Council Regular Meeting

DEPARTMENT: **Legal**

FROM: **Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on an amended Council Policy 36 delegating authority for determining construction procurement methods under Chapter 2269 of the Texas Government Code and making other minor amendments. *(Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 2.4 Continue to improve the efficiency and productivity of operations

SUMMARY:

Chapter 2269 of the Texas Government Code establishes several alternative procurement methods for construction projects, including competitive sealed proposals, construction manager-at-risk, design-build, and job order contracting, and allows the City Council to delegate its authority to determine the method that provides the best value to the City.

Historically, staff has relied on authority delegated through the City Charter and Council Policy 36 when administering construction procurements. However, currently Council Policy 36 does not expressly address the delegation of authority under Chapter 2269. The proposed amendment would expressly delegate this authority to the City Manager or designee, providing greater clarity and consistency with state law.

Along with the revision to have the policy be consistent with Chapter 2269 and current practices, a couple of minor additional edits to the policy are suggested. A summary of the proposed revisions is below:

Revised Section	Summary of Revision
Revised Date, Page 1	If approved, adds latest revision date of Council Policy 36
Sec. 1.0(a), Page 1	Removes reference to just Chapter 252 and instead lists nine different chapters from the Government Code and Local Government Code that are relevant to procurement. Removes "state and local" law reference to simply state "applicable" law since federal law can also play a role in procurement.
Sec. 3.0, Page 2	Adds language to specify that staff will select the procurement method to be utilized by the city based on applicable law and the best interest of the city. Makes a specific delegation of authority under Chapter 2269. Also, the revision broadens change order language to comply with applicable law instead of referencing one specific code section.
Sec. 8.0, Page 5	Removes "state and local" law reference to simply state "applicable" law since federal law can also play a role in procurement.

A redline copy of the proposed revisions is included as an exhibit.

RECOMMENDATION:

Staff recommends approval of the proposed amendments to Council Policy 36 to expressly delegate authority under Chapter 2269 of the Texas Government Code and update the policy for consistency with applicable procurement laws.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

July 2, 2018: City Council adopts Council Policy 36.

March 3, 2025: City Council approved amendments to Council Policy 36 updating purchasing and signature authority thresholds and clarifying procurement policies and procedures.

REFERENCE:

City Council Policy 36, Burleson Purchasing Policy

FISCAL IMPACT:

NA

STAFF CONTACT:

Matt Ribitzki
Sr. Deputy City Attorney/Director of Legal Services
mribitzki@burlesontx.com
817-426-9664

Council Policy 36 Revision

City Council – November 9, 2026

Matt Ribitzki – Senior Deputy City Attorney/Director of Legal Services

Council Policy 36 Revision

- Recently, the City has been utilizing Chapter 2269 of the Texas Government Code for procurement purposes.
- Chapter 2269 establishes several alternative procurement methods for construction projects, including competitive sealed proposals, construction manager-at-risk, design-build, and job order contracting.
- Under Chapter 2269 the governing body determines the procurement method to be utilized, but the chapter also allows the City Council to delegate its authority to determine the method that provides the best value to the City.
- Historically, staff has generally selected the procurement method utilized by the City pursuant to the City Charter and Council Policy 36; however, Council Policy 36 does not expressly delegate the City Council's authority under Chapter 2269 to City staff.

Council Policy 36 Revision

- The proposed amendment to Council Policy 36 would expressly delegate Council's authority to the City Manager (or designee), providing greater clarity and consistency with state law.
- Along with the revision to have the policy be consistent with Chapter 2269 and current practices, a couple of minor additional edits to the policy are suggested.

Council Policy 36 Revision

Revised Section	Summary of Revision
Revised Date, Page 1	If approved, adds latest revision date of Council Policy 36
Sec. 1.0(a), Page 1	Removes reference to just Chapter 252 and instead lists nine different chapters from the Government Code and Local Government Code that are relevant to procurement. Removes “state and local” law reference to simply state “applicable” law since federal law can also play a role in procurement.
Sec. 3.0, Page 2	Adds language to specify that staff will select the procurement method to be utilized by the city based on applicable law and the best interest of the city. Makes a specific delegation of authority under Chapter 2269. Also, the revision broadens change order language to comply with applicable law instead of referencing one specific code section.
Sec. 8.0, Page 5	Removes “state and local” law reference to simply state “applicable” law since federal law can also play a role in procurement.

Council Policy 36 Revision

- Action requested - Consider approval of an amended Council Policy 36 delegating authority for determining construction procurement methods under Chapter 2269 of the Texas Government Code and making other minor amendments.

  - City staff recommends approval of the proposed amendments to Council Policy 36 to expressly delegate authority under Chapter 2269 and update the policy for consistency with applicable procurement laws.

THE CITY OF BURLESON TEXAS

Questions?

Council Policy 36 Revision

CITY COUNCIL POLICY
36
City of Burleson Purchasing Policy

Adopted date	July 2, 2018
Revised date	March 3, 2025, November 9, 2026

CITY OF BURLESON PURCHASING POLICY

1.0 Governing Authority

(a) The primary governing authority for the City of Burleson's Purchasing Policy shall be the City's Charter in conjunction with applicable state and federal law, including, but not limited to, Texas Local Government Code Chapters 171, 252, and 271, as well as Texas Government Code Chapters 791, 2161, 2252, 2253, 2254, and 2269. All procurement activity shall be governed by the Purchasing Policy, in accordance with applicable law.

(b) All powers of the City vest in the City Council. Authority for purchasing goods and services is delegated to the City Manager provided the purchase does not exceed $100,000. The City Manager's authority may be delegated to a designee in writing, subject to the requirements of this policy and adopted purchasing procedures. In addition, authority for the following payments is delegated to the City Manager:

(1) Payments made pursuant to the City's compensation and benefit plans including: Payroll, TMRS, Contributions, Payments to Deferred Compensation Plans, and Accrued Employee Benefits

(2) Payments to the federal government or its agencies

(3) Transfer payments of employee deductions or garnishments

(4) Health insurance claims and fees

(5) Other insurance premiums

(6) Utility bills including wholesale water and wastewater treatment

(7) Remittance to the state of Texas

(8) Procurement card remittance

(9) Scheduled bond or lease payments

(c) To ensure proper oversight, all purchases and requisitions are monitored through established approval levels at all stages prior to vendor payments, ensuring compliance with purchasing procedures. For transparency, vendor payments are published on the City website, and budget-to-actual reporting is provided by the Finance Department to the Council on a monthly basis.

2.0 Purpose and Scope

The Purchasing Policy applies to the procurement activities of the City of Burleson. All procurement activities for the City shall be administered in accordance with the provisions of this policy, with the express intent to promote open and fair conduct in all aspects of the procurement process.

3.0 Procurement Method and Award of Contract

City staff shall determine the procurement method to be utilized by the City based on the best interests of the City and applicable law. To that end, pursuant to Texas Government Code Section 2269.053, the City Council delegates to the City Manager, or the City Manager's designee, the authority to exercise on behalf of the City Council the authority granted under Chapter 2269, including determining the procurement method that provides the best value to the City for a construction project.

The City of Burleson will award contracts based on the best interests of the City, the selected procurement method, and applicable law. Any resulting change orders or amendments to existing agreements will comply with applicable law and the requirements of this policy.

4.0 Emergency Purchases

Definition and Purpose

Emergency purchases are authorized in situations where immediate procurement is necessary to protect public health, safety, or City assets. The City of Burleson adheres to Texas Local Government Code, Section 252.022(a),

which permits the City to bypass standard competitive bidding in emergency circumstances. This process ensures the City can respond swiftly and effectively to unforeseen events that disrupt essential services. For the emergency procurement process, refer to the Purchasing Procedures.

5.0 Definition of a Valid Emergency Purchase

An emergency purchase is deemed valid if it meets one or more of the following criteria:

Public Calamity: An urgent need resulting from a disaster or event that requires the immediate allocation of funds to relieve a necessity for residents or protect City assets.

Health and Safety Threats: Situations requiring immediate action to protect the health or safety of the public.

Critical Asset Failure: Failures of critical City equipment or infrastructure that require swift intervention to prevent a lapse in essential services.

The City of Burleson emphasizes pre-planning to avoid “self-created emergencies” due to lack of foresight, which could unnecessarily escalate costs. In cases where unforeseen needs arise, these must be verified as emergencies by the City Manager or Purchasing Division.

6.0 Ratification by the City Council

All emergency purchases exceeding $100,000 must be submitted for City Council ratification as soon as practicable under the Texas Open Meetings Act. The ratification process provides an opportunity to review the emergency actions taken and ensures compliance with municipal policies and transparency standards.

City Council will receive a report detailing the nature of the emergency, the items procured, costs incurred, and justification for any expedited purchasing actions taken without competitive bidding.

7.0 Legal Review

City staff shall work with the City Attorney and the Legal Department to review and approve documents, contracts and legal instruments in

which the City may have an interest. Contracts bearing any special terms and conditions not previously approved by the City Attorney should be submitted for review and approval. Review and approval by an attorney hired by the City or by the Deputy City Attorney shall constitute the review and approval by the City Attorney under this Section.

8.0 Signature Authority

(a) Only the City Manager has signature authority to execute contracts of any nature. Such signature authority is detailed and delegated below:

(1) The City Manager has authority to execute contracts under $100,000.

(2) The City Manager has authority to execute contracts equal to or in excess of $100,000 if approved by City Council in the annual budget or as a city council agenda item. Including but not limited to:

a. Payments made pursuant to the City's compensation and benefit plans including: Payroll, TMRS, Contributions, Payments to Deferred Compensation Plans, and Accrued Employee Benefits

b. Payments to the federal government or its agencies

c. Transfer payments of employee deductions or garnishments

d. Health insurance claims and fees

e. Other insurance premiums

f. Utility bills including wholesale water and wastewater treatment

g. Remittance to the state of Texas

h. Procurement card remittance

i. Scheduled bond or lease payments

(3) The Deputy/Assistant City Manager authority to execute contracts under
$50,000;

(4) The Purchasing Manager has authority to execute contracts under

$10,000;

(5) Department Directors have authority to execute contracts under $3,000;

(6) The City Manager may designate in writing a city employee to sign contracts in their absence. All contracts executed under this section must be compliant with the city's purchasing policy and compliant with all retention schedules as designated by the Texas State Library and Archives Commission.

7.0 Recommendation to City Council

The Purchasing Division and the user department make final recommendations to City Council for awarding of contracts, in accordance with approved thresholds, for all solicitations in the stated areas of responsibility.

If the Purchasing Division and the user department decide not to proceed with a competitive solicitation, all submitted bids or proposals must be formally rejected by the City Council before the solicitation can be reissued.

8.0 Purchasing Procedures

The Purchasing Procedures contain expanded explanation and processes for accomplishing the procurement of goods and services in accordance with this policy. The City Manager or designee maintains responsibility for updating the Purchasing Procedures in accordance with applicable law and City Council Policy 36: City of Burleson Purchasing Policy.

CITY COUNCIL POLICY
36
City of Burleson Purchasing Policy

Adopted date	July 2, 2018
Revised date	March 3, 2025, November 9, 2026

CITY OF BURLESON PURCHASING POLICY

1.0 Governing Authority

(a) The primary governing authority for the City of Burleson's Purchasing Policy shall be the City's Charter in conjunction with applicable state and federal law, including, but not limited to, Texas Local Government Code Chapters 171, 252, and 271, as well as Texas Government Code Chapters 791, 2161, 2252, 2253, 2254, and 2269.~~Local Government Code Chapter 252, "Purchasing and Contracting Authority of Municipalities."~~ All procurement activity shall be governed by the Purchasing Policy, in accordance with applicable ~~state and local government codes~~law.

(b) All powers of the City vest in the City Council. Authority for purchasing goods and services is delegated to the City Manager provided the purchase does not exceed $100,000. The City Manager's authority may be delegated to a designee in writing, subject to the requirements of this policy and adopted purchasing procedures. In addition, authority for the following payments is delegated to the City Manager:

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2.0 Purpose and Scope

The Purchasing Policy applies to the procurement activities of the City of Burleson. All procurement activities for the City shall be administered in accordance with the provisions of this policy, with the express intent to promote open and fair conduct in all aspects of the procurement process.

3.0 Procurement Method and Award of Contract

~~The City of Burleson will award contracts based on the procurement method that staff determines to be in the best interest of the City. This determination will align with the processes and requirements outlined in Texas Local Government Code 252 or its successor statute.~~

~~Any resulting change orders or amendments to existing agreements will follow Texas Local Government Code 252.048 or its successor statute, ensuring compliance with state requirements for changes in scope, cost, or timeline.~~City staff shall determine the procurement method to be utilized by the City based on the best interests of the City and applicable law. To that end, pursuant to Texas Government Code Section 2269.053, the City Council delegates to the City Manager, or the City Manager's designee, the authority to exercise on behalf of the City Council the authority granted under Chapter 2269, including determining the procurement method that provides the best value to the City for a construction project.

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The City of Burleson will award contracts based on the best interests of the City, the selected procurement method, and applicable law. Any resulting change orders or amendments to existing agreements will comply with applicable law

and the requirements of this policy.

4.0 Emergency Purchases

Definition and Purpose

Emergency purchases are authorized in situations where immediate procurement is necessary to protect public health, safety, or City assets. The City of Burleson adheres to Texas Local Government Code, Section 252.022(a), which permits the City to bypass standard competitive bidding in emergency circumstances. This process ensures the City can respond swiftly and effectively to unforeseen events that disrupt essential services. For the emergency procurement process, refer to the Purchasing Procedures.

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Health and Safety Threats: Situations requiring immediate action to protect the health or safety of the public.

Critical Asset Failure: Failures of critical City equipment or infrastructure that require swift intervention to prevent a lapse in essential services.

The City of Burleson emphasizes pre-planning to avoid “self-created emergencies” due to lack of foresight, which could unnecessarily escalate costs. In cases where unforeseen needs arise, these must be verified as emergencies by the City Manager or Purchasing Division.

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All emergency purchases exceeding $100,000 must be submitted for City Council ratification as soon as practicable under the Texas Open Meetings Act. The ratification process provides an opportunity to review the emergency actions taken and ensures compliance with municipal policies and transparency standards.

City Council will receive a report detailing the nature of the emergency, the items procured, costs incurred, and justification for any expedited purchasing actions taken without competitive bidding.

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City staff shall work with the City Attorney and the Legal Department to review and approve documents, contracts and legal instruments in which the City may have an interest. Contracts bearing any special terms and conditions not previously approved by the City Attorney should be submitted for review and approval. Review and approval by an attorney hired by the City or by the Deputy City Attorney shall constitute the review and approval by the City Attorney under this Section.

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$50,000;

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(6) The City Manager may designate in writing a city employee to sign contracts in their absence. All contracts executed under this section must be compliant with the city's purchasing policy and compliant with all retention schedules as designated by the Texas State Library and Archives Commission.

7.0 Recommendation to City Council

The Purchasing Division and the user department make final recommendations to City Council for awarding of contracts, in accordance with approved thresholds, for all solicitations in the stated areas of responsibility.

If the Purchasing Division and the user department decide not to proceed with a competitive solicitation, all submitted bids or proposals must be formally rejected by the City Council before the solicitation can be reissued.

8.0 Purchasing Procedures

The Purchasing Procedures contain expanded explanation and processes for accomplishing the procurement of goods and services in accordance with this policy. The City Manager or designee maintains responsibility for updating the Purchasing Procedures in accordance with ~~the~~ applicable ~~state and local~~ law~~s~~ and City Council Policy 36: City of Burleson Purchasing Policy.

City Council Regular Meeting

DEPARTMENT: **Legal**

FROM: **Matt Ribitzki, Senior Deputy City Attorney/Director of Legal Services**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on a minute order authorizing the expenditure to Taylor, Olson, Adkins, Sralla, & Elam, LLP, for legal services in the amount of $300,000. *(Staff Contact: Matt Ribitzki, Senior Deputy City Attorney/Director of Legal Services)*

SUMMARY:

Allen Taylor is appointed by City Council to serve as the City Attorney and has represented the City since 1987. In this minute order, staff is seeking authorization to pay Mr. Taylor's law firm Taylor, Olson, Adkins, Sralla, & Elam, LLP, for legal services rendered to the City during the next fiscal year. TOASE submits invoices to the City monthly for legal services provided to the City. The $300,000 amount includes the budgeted and projected cost of TOASE legal services for the next fiscal year.

OPTIONS:

1) Approve the minute order
2) Approve the minute order with changes
3) Deny the minute order

RECOMMENDATION:

None.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

None.

FISCAL IMPACT:

Budgeted Y/N: Y

Amount: $300,000

Account: 1011002-66010 (Legal Fees)

STAFF CONTACT:

Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services
mribitzki@burlesontx.com
817-426-9664

City Attorney Legal Services Fees

City Council – November 9, 2026

Matt Ribitzki – Senior Deputy City Attorney/Director of Legal Services

City Attorney Legal Services Fees

THE CITY OF BURLESON TEXAS

- City Attorney Allen Taylor has represented the city since 1987

- Taylor, Olson, Adkins, Sralla, & Elam, LLP (TOASE) provides legal services to over 40 public agencies in the state and has over 250 years of combined experience practicing local governmental law

- Areas of practice include municipal law, employment, eminent domain, zoning and land use, economic development, real estate, delinquent tax collection, municipal court prosecution, and elections

City Attorney Legal Services Fees

- Staff anticipates that TOASE legal services fees will be approximately $300,000 in Fiscal Year 26-27

- For Fiscal Year 25-26, the City Council authorized staff to pay TOASE $346,000 for legal services

- Staff seeks spending authorization to pay TOASE up to $300,000 for legal services for Fiscal Year 26-27

THE CITY OF BURLESON TEXAS

Questions?

TOASE Legal Services Fees

City Council Regular Meeting

DEPARTMENT: **City Manager's Office**

FROM: **Janalea Hembree, Director of Strategy and Innovation**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on a resolution establishing the City Council's priorities for the 90th Legislative Session. *(Staff Contact: Janalea Hembree, Director of Strategy and Innovation)*

SUMMARY:

The proposed resolution sets forth the City Council's priorities for the 89th Legislative Session based on the City Council discussion of the topic on September 21, 2026.

On September 21, 2026, the City Council received a report from City staff concerning the Council's legislative priorities. At the conclusion of the presentation, Council directed City staff to bring back a resolution setting forth the City Council's legislative priorities based on their discussion during the item.

Cities and elected officials are occasionally asked to have an opinion on a variety of bills that affect local government. There are also times when elected officials or staff, as subject matter experts, are asked to testify or speak to state legislators on specific issues/proposed legislation, or to pass resolutions in support or opposition to bills.

A legislative program sets forth the City Council's position as a whole, not as individual members, on critical issues that will be discussed during the upcoming legislative session.

OPTIONS:

1) Approve City Council legislative program as proposed
2) Approve City Council legislative program with changes
3) Deny City Council legislative program

RECOMMENDATION:

N/A

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

FISCAL IMPACT:

N/A

STAFF CONTACT:

Janalea Hembree
Director of Strategy and Innovation
jhembree@burlesontx.com
817.426.9299

THE CITY OF BURLESON TEXAS

90th Legislative Policy

PRESENTED TO THE CITY COUNCIL ON

NOVEMBER 9, 2026

90th OVERVIEW

November 3 2026	November 9 2026	January 12 2027	May 31 2027	September 1 2027
General Election	Bill Prefiling Begins	90th Legislature Convenes	Regular Session Ends	FY 2028/2029 Begins

Overview

- The 90th Session of the Texas Legislature begins January 12, 2027 and ends on May 31, 2027.
- State legislators began filing legislation in November 2026.
- During the previous legislative session more than 2,000 bills were introduced that would have affected Texas cities in some substantial way.
- City Council developed a legislative program with their position and priorities on local government-related legislation that occurred in the 89th Session.
- This was performed through a contract with Focused Advocacy.

Why is this important?

- Cities and elected officials are occasionally asked to have opinions on a variety of bills that affect local government.

- There are times when elected officials or staff, as subject matter experts, are asked to testify or speak to State legislators.

- The purpose of a legislative program is to set forth the city council's position as a whole, not as individual members, on key issues that will be discussed during the upcoming session.

- As bills are filed council can request discussion by placing items on the agenda to adopt a resolution for or against specific proposed legislation.

General Legislative Position

- As a general policy, the City will oppose any legislation viewed as detrimental to the City's strategic goals or would limit home rule authority; is contrary to the health, safety, and welfare of its citizens; mandates increased costs or loss of revenues; or would diminish the fundamental authority of the City. Accordingly, the City Council adopted the following positions and hereby authorizes staff and city representatives to take the following actions as necessary:

BASIC HOME RULE AUTHORITY

Oppose legislation that erodes existing:

a. principles of Home Rule and local control including preemption legislation designed to restrict existing municipal regulatory authority,
b. authority to regulate activities that affects the public's health, safety and well-being,
c. Charters or Ordinances or Master Plans,
d. local government immunity, or
e. authority to communicate or advocate with legislators.

PUBLIC FINANCES

Oppose legislation that:

a. requires:
    I. unfunded mandates,
    II. the City to generate revenues for the State, or
    III. a tax exemption (or "freeze") that shifts tax burden to other taxpayers.
b. erodes the City's:
    I. property or sales tax base,
    II. ability to assess fees,
    III. ability to issue timely debt,
    IV. economic development sales tax authority (4A and 4B)
    V. ability to effectively finance the current level of city services by:
        i. imposing a revenue cap, or
        ii. excluding new property from the tax rate calculations.

General Legislative Position

- As a general policy, the City will oppose any legislation viewed as detrimental to the City's strategic goals or would limit home rule authority; is contrary to the health, safety, and welfare of its citizens; mandates increased costs or loss of revenues; or would diminish the fundamental authority of the City. Accordingly, the City Council adopted the following positions and hereby authorizes staff and city representatives to take the following actions as necessary:

DEVELOPMENT, WATER & UTILITIES

Oppose legislation that erodes the City's authority to:

a. deliver quality water at affordable rates,
b. effectively utilize economic development tools,
c. regulate development effectively including "shot clocks," density standards, or automatic releases from the city ETJ,
d. impose fees on developments to pay for infrastructure,
e. regulate short-term rentals,
f. manage public rights-of-way including the authority to:
    I. receive fair market compensation for use of public rights-of-way,
    II. enter into franchise agreements,
    III. participate in utility rate cases, or
    IV. require utilities to pay for relocating their facilities,
g. dedicate parkland,
h. govern and approve proposed public housing and affordable housing projects.

TMRS & LABOR ISSUES

Oppose legislation that:

a. erodes the Texas Municipal Retirement System, or
b. expands collective bargaining or "meet and confer".

90th COUNCIL LEGISLATIVE INITIATIVES

Seek the Introduction

- **Qualified Hotel Project.**
  Legislation that authorized the City of Burleson to establish a qualified hotel project under Chapter 351 of the Texas Tax Code, providing the necessary authority to support the development of a qualified hotel and related facilities.

Oppose the Following

- **Requires a supermajority vote for municipal property tax decisions.**
  Legislation that requires a two-thirds or other supermajority vote of a city council or governing body to approve property tax rates, revenue decisions, or other matters currently decided by a simple majority.
- **Reduces municipal revenues or restricts local revenue authority.**
  Legislation that reduces, eliminates, diverts, or restricts municipal revenue sources, including property tax, sales tax, franchise fees, user fees, or other locally generated revenues, without providing an equivalent replacement revenue source. The City will also oppose legislation that creates unfunded mandates or shifts costs to municipalities without providing adequate funding.
- **Preempts local authority related to data centers.**
  Legislation that establishes statewide regulations or preempts municipal authority over the location, development, land use, infrastructure impacts, utility demands, or other local considerations associated with data centers. The City supports maintaining local decision-making authority so communities can appropriately address the unique impacts of data center development.

Actively Monitor

- **Public Works Employees as First Responders**
  Legislation that designates or recognizes certain municipal Public Works employees as first responders, including any associated changes to benefits, workers' compensation, training requirements, employment protections, or other responsibilities for municipalities.
- **Chapter 380 Economic Development Agreements**
  Legislation that restricts or modifies municipal authority to enter into economic development agreements under Chapter 380 of the Texas Local Government Code, including changes to eligibility, incentives, approval requirements, reporting requirements, or other limitations on the use of these agreements.
- **Extraterritorial Jurisdiction (ETJ)**
  Legislation that modifies municipal extraterritorial jurisdiction boundaries or further limits a municipality's authority to regulate development, infrastructure, land use, subdivision activity, or other matters within its ETJ.
- **Property Tax**
  Legislation that changes the municipal property tax system, including appraisal practices, exemptions, revenue caps, voter-approval requirements, tax-rate calculations, or other provisions that could affect municipal revenues or the City's ability to fund services.

Janalea Hembree
Director of Strategy and Innovation
jhembree@burlesontx.com
817.426.9299

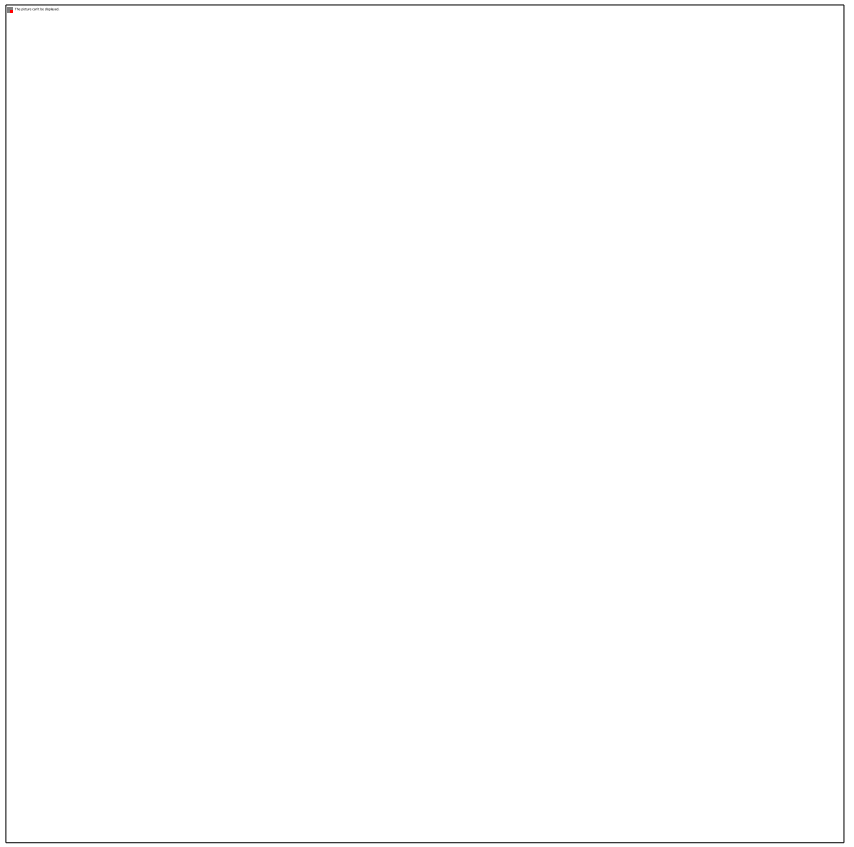


Exhibit A

CITY OF BURLESON LEGISLATIVE POLICY

STATEMENT OF PURPOSE OF LEGISLATIVE POLICY

The fundamental goal of the City of Burleson's legislative activities is to produce positive outcomes for the citizens of Burleson as a whole. Numerous proposals in the Texas Legislature have the potential to seriously impact the ability of the City to carry out its overall mission. By taking a proactive role in monitoring and commenting on proposals in the Texas Legislature, the City is working to ensure that the citizens of Burleson can continue to enjoy the quality of life they have come to expect and deserve.

GENERAL LEGISLATIVE STATEMENT

The City seeks to preserve its authority to govern its citizens and property in alignment with its adopted strategic goals and interests.

The City will oppose any legislation that is detrimental to its strategic goals, erodes municipal authority, negatively impacts operations, is contrary to the health, safety, and welfare of its citizens, results in increased costs or loss of revenue, or diminishes the fundamental authority of the City and its elected City Council.

The City will support any legislation that advances its strategic goals and interests or improves the health, safety, and welfare of its citizens.

GENERAL LEGISLATIVE POSITION

As a general policy, the City will oppose any legislation viewed as detrimental to the City's strategic goals or would limit home rule authority; is contrary to the health, safety, and welfare of its citizens; mandates increased costs or loss of revenues; or would diminish the fundamental authority of the City. Accordingly, the City Council adopted the following positions and hereby authorizes staff and city representatives to take the following actions as necessary:

I. BASIC HOME RULE AUTHORITY

Oppose legislation that erodes existing:

a. principles of Home Rule and local control including preemption legislation designed to restrict existing municipal regulatory authority,
b. authority to regulate activities that affects the public's health, safety and well-being,
c. Charters or Ordinances or Master Plans,
d. local government immunity, or
e. authority to communicate or advocate with legislators.

II. PUBLIC FINANCES

Oppose legislation that:

a. requires:
    i. unfunded mandates,
    ii. the City to generate revenues for the State, or

iii. a tax exemption (or “freeze”) that shifts tax burden to other taxpayers.

b. erodes the City’s:
    i. property or sales tax base,
    ii. ability to assess fees,
    iii. ability to issue timely debt,
    iv. economic development sales tax authority (4A and 4B)
    v. ability to effectively finance the current level of city services by:
        1. imposing a revenue cap, or
        2. excluding new property from the tax rate calculations.

III. DEVELOPMENT, WATER & UTILITIES

Oppose legislation that erodes the City’s authority to:

a. deliver quality water at affordable rates,
b. effectively utilize economic development tools,
c. regulate development effectively including “shot clocks,” density standards, or automatic releases from the city ETJ,
d. impose fees on developments to pay for infrastructure,
e. regulate short-term rentals,
f. manage public rights-of-way including the authority to:
    i. receive fair market compensation for use of public rights-of-way,
    ii. enter into franchise agreements,
    iii. participate in utility rate cases, or
    iv. require utilities to pay for relocating their facilities,
g. dedicate parkland,
h. govern and approve proposed public housing and affordable housing projects.

IV. TMRS & LABOR ISSUES

Oppose legislation that:

a. erodes the Texas Municipal Retirement System, or
b. expands collective bargaining or “meet and confer”.

SPECIFIC LEGISLATIVE INITIATIVES

The City Council adopted the following positions and hereby authorizes staff and city representatives to take the following actions as necessary:

The City will **seek the introduction** of the following legislation:

1. **Qualified Hotel Project**
   Legislation that authorized the City of Burleson to establish a qualified hotel project under Chapter 351 of the Texas Tax Code, providing the necessary authority to support the development of a qualified hotel and related facilities.

The City will **Oppose the following** legislation:

1. **Requires a supermajority vote for municipal property tax decisions**
   Legislation that requires a two-thirds or other supermajority vote of a city council or governing body to approve property tax rates, revenue decisions, or other matters currently decided by a simple majority.
2. **Reduces municipal revenues or restricts local revenue authority**
   Legislation that reduces, eliminates, diverts, or restricts municipal revenue sources, including property tax, sales tax, franchise fees, user fees, or other locally generated revenues, without providing an equivalent replacement revenue source. The City will also oppose legislation that creates unfunded mandates or shifts costs to municipalities without providing adequate funding.
3. **Preempts local authority related to data centers**
   Legislation that establishes statewide regulations or preempts municipal authority over the location, development, land use, infrastructure impacts, utility demands, or other local considerations associated with data centers. The City supports maintaining local decision-making authority so communities can appropriately address the unique impacts of data center development.

The City will **actively monitor** the following legislation:

1. **Public Works Employees as First Responders**
   Legislation that designates or recognizes certain municipal Public Works employees as first responders, including any associated changes to benefits, workers' compensation, training requirements, employment protections, or other responsibilities for municipalities.
2. **Chapter 380 Economic Development Agreements**
   Legislation that restricts or modifies municipal authority to enter into economic development agreements under Chapter 380 of the Texas Local Government Code, including changes to eligibility, incentives, approval requirements, reporting requirements, or other limitations on the use of these agreements.
3. **Extraterritorial Jurisdiction (ETJ)**
   Legislation that modifies municipal extraterritorial jurisdiction boundaries or further limits a municipality's authority to regulate development, infrastructure, land use, subdivision activity, or other matters within its ETJ.
4. **Property Tax**
   Legislation that changes the municipal property tax system, including appraisal practices, exemptions, revenue caps, voter-approval requirements, tax-rate calculations, or other provisions that could affect municipal revenues or the City's ability to fund services.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, ADOPTING A LEGISLATIVE PROGRAM FOR THE 90TH TEXAS LEGISLATURE.

WHEREAS, the 89th Texas Legislature will commence on January 12, 2027; and

WHEREAS, revenue caps, budgeting authority, hotel project bill, presumptive cancers, and many other legislative issues affecting local government will be considered; and

WHEREAS, the City of Burleson desires to adopt its 2027 State Legislative Program for the 90th Texas Legislature; NOW, THEREFORE,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

SECTION1. That the City of Burleson's 2027 State Legislative Program for the 90th Texas Legislature is adopted as set forth in Exhibit A and made a part of this resolution for all purposes.

SECTION 2. That the Mayor and City Council, City Manager and the City Attorney, or their designees, shall communicate the items included in the 2027 State Legislative Program to members of the Texas Legislature.

SECTION 3. The City Manager, or his designee, may draft appropriate resolutions or ordinances in support or opposition for legislation as outlined in the 2027 State Legislative Program.

SECTION 4. The Mayor and City Council, City Manager, and City Staff may provide testimony in support or opposition for legislation as outlined in the 2027 State Legislative Program.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the _____ day of _____, 20_____.

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

_____
Amanda Campos, City Secretary

APPROVED AS TO FORM:

_____
E. Allen Taylor, Jr., City Attorney

City Council Regular Meeting

DEPARTMENT: **Development Services**

FROM: **Tony D. McIlwain, Development Services Director**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on an ordinance amending Chapter 14, "Businesses", of the Code of the Ordinances by amending various sections of Article XII "Short -Term Rental Registration" to provide for new definitions, to provide that the hotel occupancy tax ordinance be satisfied to receive a short-term rental permit or any renewal, to provide that any short-term rental permit may be denied or revoked for failure to comply with the hotel occupancy ordinance, and to provide that short-term rentals must collect and remit tax pursuant to the City's hotel occupancy tax ordinance. *(Final Reading) (Staff Contact: Tony D. McIlwain, Development Services Director)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.2 Promote sustainable residential and commercial development through strategic and long-term planning; providing business – friendly environment; continuing efficient development review process; and enhancing partnership with the development community.

SUMMARY:

The City defines short-term rental as a residential premises, or portion thereof, used for lodging accommodations to occupants for a period of not **less than one or more than thirty (30) consecutive days,** other than an ongoing month-to-month tenancy granted to the same renter for the same premises. The definition of short-term rental does not include a hotel, motel, bed and breakfast, executive suite, or other nonresidential use.

Currently the City does not actively pursue the collection of local hotel occupancy tax (HOT) from short-term rentals (STRs). During the August 3rd City Council meeting, Staff was directed to amend the ordinance regulating short-term rentals to add in the requirement for the payment of local hotel occupancy tax (HOT).

Staff is recommending amendments to the following sections of Chapter 14, “Businesses”, Article XII, “Short-Term Rental Registration”:

§ 14-572. Definitions. *Adds a definition for Hotel Occupancy Tax Ordinance.*

§ 14-574. Short-Term Rental Permit Required. *Adds provision for Hotel Occupancy Tax Ordinance*.

§ 14-577. Expiration of Permit; Renewals. *Adds provision for Hotel Occupancy Tax Ordinance.*

§ 14-582. Revocation of Permit. *Adds provision for failure to comply with the Hotel Occupancy Tax Ordinance.*

§ 14-583. Hotel Occupancy Taxes. *Adds a new section to Chapter 14.*

Staff briefed Council on utilizing 3rd party vendors as an option to assist with the identification of STRs and collection of HOT. Council elected not to move forward with contracting the services of a 3rd party vendor. Should that change, the procurement method of 3rd party services would involve either a:

1) cooperative contract;
2) “piggyback” on an existing contract (e.g. Fort Worth);
3) direct source/obtain proposals; or
4) formal RFP process.

Staff also discussed an electronic tax administration system for HOT/MOT collections. If the City pursues this option, it must also allow the HOT/MOT collectors (hotels, motels, STRs) to withhold from the tax payment one percent of the amount of the tax collected as reimbursement for the cost of collecting the tax. Staff currently receives local HOT/MOT without an electronic tax administration system and is not recommending this option to the Council at this time.

Per Council direction at the October 19, 2026, City Council meeting, the proposed ordinance will take effect on January 1, 2027.

RECOMMENDATION:

Staff recommends the City Council approve the proposed Ordinance amendments to Chapter 14, “Businesses”, Article XII “Short -Term Rental Registration”.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

May 1, 2023: City Council approved the STR registration process, a $150 permit fee, and no direction to actively collect HOT-MOT.

August 3, 2026: Council directed Staff to amend the ordinance regulating short-term rentals to add in the requirement for the payment of local hotel occupancy tax (HOT).

October 19, 2026: Council conducted the first reading of the ordinance.

REFERENCE:

ARTICLE XII: SHORT-TERM RENTAL REGISTRATION - City of Burleson, TX

FISCAL IMPACT:
Proposed Expenditure/Revenue: n/a
Account Number(s): n/a
Fund: n/a
Account Description: n/a
Procurement Method: n/a

STAFF CONTACT:

Tony D. McIlwain, AICP, CFM
Development Services Director
tmcilwain@burlesontx.com
817-426-9684

SHORT-TERM RENTALS

Ordinance revision



- Consider approval of an Ordinance amending Chapter 14, “Businesses”, of the Code of Ordinances by amending various sections of Article XII “Short -Term Rental Registration” to provide for a new definitions and requirements to satisfy the City’s hotel occupancy tax.

Proposed Ordinance Amendments

- The City defines short-term rental as a residential premises, or portion thereof, used for lodging accommodations to occupants for a period of not **less than one or more than thirty (30) consecutive days,** other than an ongoing month-to-month tenancy granted to the same renter for the same premises. The definition of short-term rental does not include a hotel, motel, bed and breakfast, executive suite, or other nonresidential use.
- Currently the City does not actively pursue the collection of local hotel occupancy tax (HOT) from short-term rentals (STRs).
- During the August 3rd City Council meeting, staff was directed to amend the ordinance regulating short-term rentals to add in the requirement for the payment of local hotel occupancy tax (HOT).

Proposed Ordinance Amendments

- Staff is recommending amendments to the following sections of Chapter 14, “Businesses”, Article XII, “Short-Term Rental Registration”:
  - § 14-572. Definitions.
  - § 14-574. Short-Term Rental Permit Required.
  - § 14-577. Expiration of Permit; Renewals.
  - § 14-582. Revocation of Permit.
  - § 14-583. Hotel Occupancy Taxes.

Proposed Ordinance Amendments

- Section 14-572, “Definitions”:

“*Hotel Occupancy Tax Ordinance* means the hotel occupancy tax ordinance(s) as codified in Article II “Hotel Occupancy Tax” of Chapter 74 “Taxation” of the City of Burleson Code of Ordinances (2005), as amended.”

Proposed Ordinance Amendments

- Subsection (a) of Section 14-574, "Short-Term Rental Permit Required":

"(a) An Owner or Operator who desires to use its Premises as a Short-Term Rental must have valid, active short-term rental permit from the City prior to using, allowing the use of, or advertising the use of said Premises as a Short-Term Rental. Each rentable unit must be permitted. Upon application to the City, a Short-Term Rental permit shall be approved by the Director if the application satisfies all the conditions of this Article, the Zoning Ordinance, and the Hotel Occupancy Tax Ordinance. The Director may place reasonable conditions on Short-Term Rental permits to ensure compliance with the provisions of this Article."

Proposed Ordinance Amendments

- Subsection (a) of Section 14-577, “Expiration of Permit; Renewals”:

“(a) A Short-Term Rental permit shall expire on the last day of the month one year after the date of issuance. No Short-Term Rental permit may be renewed without a completed renewal application submitted by the Owner or Operator and payment of the application fee. If the renewal application satisfies the conditions of this Article and all other provisions of the Code of Ordinances, the Zoning Ordinance , and the Hotel Occupancy Tax Ordinance, an application for renewal of a Short-Term Rental permit shall be approved by the Director or his designee.”

Proposed Ordinance Amendments

§ 14-582. Revocation of Permit.

"(a) A permit may be denied or revoked by the Director for any of the following reasons:

1) Providing false or misleading information on a Short-Term Rental application form.
2) Information required to be provided as part of this Article has changed or is no longer accurate and the permit holder has failed to notify the City.
3) Found guilty in the Municipal Court of two or more violations of the City of Burleson Code of Ordinances, this Article, or any other City ordinance within the preceding twelve-month time period.
4) Failure to timely provide any information, or any corrected information, required under this Article.
5) <u>Failure to comply with the requirements of the Hotel Occupancy Tax Ordinance."</u>

Proposed Ordinance Amendments

§ 14-583. Hotel Occupancy Taxes.

Every person owning, operating, managing or controlling short-term rental shall collect the tax imposed in the Hotel Occupancy Tax Ordinance for the city, and remit the same to the tax assessor-collector on or before the due date and at the same time file the report as required by the Hotel Occupancy Tax Ordinance."

3rd Party Assistance

- During the August 3rd City Council meeting, Staff briefed Council on utilizing a 3rd party vendor as an option to enhance the ability to identify STRs and collect HOT.
- Although Council elected not to move forward with contracting the services of a 3rd party vendor, Staff followed through with researching the procurement method for 3rd party services for informational purposes.
- The procurement method would involve either a:

1) cooperative contract;

2)“piggyback” on an existing contract (e.g. Fort Worth);

3) direct source/obtain proposals; or

4) formal RFP process.

- In lieu of 3rd party services, Development Services and Finance will work collaboratively to enhance collection efforts.

Electronic Tax Administration

- Staff also discussed an electronic tax administration system for HOT/MOT collections.
- If the City pursues this option, it must also allow the HOT/MOT collectors (hotels, STRs) to withhold from the tax payment one percent of the amount of the tax collected as reimbursement for the cost of collecting the tax.
- Finance Department currently receives local HOT/MOT without an electronic tax administration system.
- Staff is not recommending an electronic tax administration system at this time.

Short-Term Rental Permit Application

- If Council approves the amendments to the City's Code, Staff will provide letters to all Operators that will inform them of the updates and provide greater clarity that STRs are required to pay HOT.
- Additionally, Staff will revise the existing permit application to specifically reference the hotel occupancy ordinance and payment provisions.

Staff Recommendation

- Staff recommends the City Council approve the proposed Ordinance amendments to Chapter 14, “Businesses”, Article XII “Short-Term Rental Registration”.
  - Proposed ordinance, if approved, will take effect on 1/1/27

Questions / Comments

Tony D. McIlwain
Development Services Director
tmcilwain@burlesontx.com
817.426.9684

ORDINANCE

AN ORDINANCE AMENDING ARTICLE XII, "SHORT-TERM RENTAL REGISTRATION," OF CHAPTER 14, "BUSINESSES," OF THE CODE OF ORDINANCES, CITY OF BURLESON, TEXAS BY AMENDING SECTION 14-572, "DEFINITIONS," TO ADD A DEFINITION FOR THE CITY'S HOTEL OCCUPANCY TAX ORDINANCE, BY AMENDING SECTION 14-574, "SHORT-TERM RENTAL PERMIT REQUIRED," TO REQUIRE A SHORT-TERM RENTAL PERMIT SATISFY THE CONDITIONS OF THE CITY'S HOTEL OCCUPANCY TAX ORDINANCE, BY AMENDING SECTION 14-577, "EXPIRATION OF PERMIT; RENEWALS," TO REQUIRE A SHORT-TERM RENTAL PERMIT RENEWAL SATISFY THE CONDITIONS OF THE CITY'S HOTEL OCCUPANCY TAX ORDINANCE, BY AMENDING SECTION 14-582, "REVOCATION OF PERMIT," TO ALLOW A PERMIT TO BE DENIED OR REVOKED FOR FAILURE TO COMPLY WITH THE HOTEL OCCUPANCY ORDINANCE, AND BY ADDING SECTION 14-583, "HOTEL OCCUPANCY TAXES," TO REQUIRE SHORT-TERM RENTALS COLLECT AND REMIT THE TAX IMPOSED BY THE CITY'S HOTEL OCCUPANCY TAX ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City") is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council has investigated the nature and extent of short-term rentals in the City and has obtained public input at public meetings regarding the impact of short-term rentals on neighborhoods in the City; and

WHEREAS, the City Council has found that the City has received complaints about short-term rentals from citizens who have contacted code enforcement, police, and City councilmembers about short-term rentals; and

WHEREAS, the City Council has found that when investigating complaints, the City needs adequate contact information for owners of short-term rentals, which would be beneficial in timely responding to complaints and in the event of life, health or safety emergencies; and

WHEREAS, the City Council desires to ensure the health and safety of guests and residents, but also support tourism in a balanced way; and

WHEREAS, the City Council has reviewed a variety of possible regulations for short-

term rentals and determined that enacting a registration program for short-term rentals will serve to balance the rights of all stakeholders through a fair and balanced regulatory framework and ensure that the short-term rentals do not become a nuisance; and

WHEREAS, the City Council, after due and careful consideration, determines that the increase in the number of persons or entities desiring to rent their residential properties has led to the increase of transient and vacation rental uses within neighborhoods; and

WHEREAS, the City Council additionally determines that the use of residential premises by individuals for short periods of time may negatively impact the residential character of many neighborhoods by reducing communication and accountability between permanent residents by partially substituting permanent residents with transient visitors; and

WHEREAS, the City Council wishes to adopt amendments to the regulations requiring the registration of short-term rentals in Burleson, which will allow the City to properly identify the location of short-term rentals and to provide contact information for owners and agents of short-term rentals to aid in responding to complaints and emergencies; and

WHEREAS, the City Council further wishes to adopt regulations requiring the registration of short-term rentals in Burleson to ensure that the short-term rentals are paying all required taxes to the City, including hotel occupancy taxes; and

WHEREAS, the City Council finds and determines that regulating the short-term rental property is necessary for the health, safety and welfare of the general public, the promotion of consistent land uses and development, and the protection of landowners and residents of the City of Burleson;

WHEREAS, the City Council finds and determines that the adoption of this ordinance is necessary and proper and in the best interests of the public health, safety, and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

SECTION I.

Section 14-572, "Definitions," of Article XII, "Short-Term Rental Registration," of Chapter 14, "Businesses," of the Code of Ordinances, City of Burleson, Texas is hereby amended to add the following definition without removing or replacing any of the existing text in the section:

"**§ 14-572. Definitions.**

***

"*Hotel Occupancy Tax Ordinance* means the hotel occupancy tax ordinance(s) as codified in Article II "Hotel Occupancy Tax" of Chapter 74 "Taxation" of the City of Burleson Code of Ordinances (2005), as amended."

***

SECTION II.

Subsection (a) of Section 14-574, "Short-Term Rental Permit Required," of Article XII, "Short-Term Rental Registration," of Chapter 14, "Businesses," of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

§ 14-574. Short-Term Rental Permit Required.

"(a) An Owner or Operator who desires to use its Premises as a Short-Term Rental must have valid, active short-term rental permit from the City prior to using, allowing the use of, or advertising the use of said Premises as a Short-Term Rental. Each rentable unit must be permitted. Upon application to the City, a Short-Term Rental permit shall be approved by the Director if the application satisfies all the conditions of this Article, the Zoning Ordinance, and the Hotel Occupancy Tax Ordinance. The Director may place reasonable conditions on Short-Term Rental permits to ensure compliance with the provisions of this Article."

***

SECTION III.

Subsection (a) of Section 14-577, "Expiration of Permit; Renewals," of Article XII, "Short-Term Rental Registration," of Chapter 14, "Businesses," of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

§ 14-577. Expiration of Permit; Renewals.

"(a) A Short-Term Rental permit shall expire on the last day of the month one year after the date of issuance. No Short-Term Rental permit may be renewed without a completed renewal application submitted by the Owner or Operator and payment of the application fee. If the renewal application satisfies the conditions of this Article and all other provisions of the Code of Ordinances, the Zoning Ordinance , and the Hotel Occupancy Tax Ordinance, an application for renewal of a Short-Term Rental permit shall be approved by the Director or his designee."

***

SECTION IV.

Subsection (a) of Section 14-582, "Revocation of Permit," of Article XII, "Short-Term Rental Registration," of Chapter 14, "Businesses," of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

§ 14-582. Revocation of Permit.

"(a) A permit may be denied or revoked by the Director for any of the following reasons:

(1) Providing false or misleading information on a Short-Term Rental application form.

(2) Information required to be provided as part of this Article has changed or is no longer accurate and the permit holder has failed to notify the City.

(3) Found guilty in the Municipal Court of two or more violations of the City of Burleson Code of Ordinances, this Article, or any other City ordinance within the preceding twelve-month time period.

(4) Failure to timely provide any information, or any corrected information, required under this Article.

(5) Failure to comply with the requirements of the Hotel Occupancy Tax Ordinance."

***

SECTION V.

Article XII, "Short-Term Rental Registration," of Chapter 14, "Businesses," of the Code of Ordinances, City of Burleson, Texas is hereby amended by adding Section 14-583, "Hotel Occupancy Taxes," to read as follows:

"**§ 14-583. Hotel Occupancy Taxes.**

Every person owning, operating, managing or controlling short-term rental shall collect the tax imposed in the Hotel Occupancy Tax Ordinance for the city, and remit the same to the tax assessor-collector on or before the due date and at the same time file the report as required by the Hotel Occupancy Tax Ordinance."

SECTION VI.

This Ordinance shall be cumulative of all provisions of ordinances of the City, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION VII.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable and if any phrase, clauses, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since

the same would have been enacted by the City Council without the incorporation in its ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION VIII.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars ($500.00) for each offense; however, if a culpable mental state is alleged in the charge of the offense and the offense governs fire safety or public health, such offense shall be punishable by a fine not to exceed two thousand dollars ($2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense. Penalties provided for in this ordinance are in addition to any other criminal or civil remedies that the City may pursue under federal, state, or local law.

SECTION IX.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of Chapter 14 of the Code of Ordinances, City of Burleson, Texas and or any other ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION X.

The City Secretary is hereby directed to publish the caption and penalty clause of this Ordinance as required by state law.

SECTION XI.

This Ordinance shall become effective January 1, 2027, after its passage and the publication of the caption of said ordinance as the law and the City Charter in such cases provides.

AND IT IS SO ORDAINED.

PASSED AND APPROVED this _____ day of _____, 20_____.

First Reading: the _____ day of _____, 20_____.

Final Reading: the _____ day of _____, 20_____.

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

_____

Amanda Campos, City Secretary

APPROVED AS TO FORM:

_____

E. Allen Taylor, Jr., City Attorney

City Council Regular Meeting

DEPARTMENT: **Development Services**

FROM: **Tony D. McIlwain, Development Services Director**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on an ordinance amending Article II, "Hotel Occupancy Tax" of Chapter 74, "Taxation", of the Code of Ordinances by amending the definitions in the chapter, to provide additional language regarding remittance, to provide that the city manager may request additional documentation for reports, to provide additional remedies to the city for violations and imposing interest and penalties for late payments, to provide language making it a misdemeanor offense to violate the chapter, to provide language specifying the city's use of tax monies received and requiring the city maintain certain books and accounts, and to provide collection procedures upon the sale of a hotel. *(Final Reading) (Staff Contact: Tony D. McIlwain, Development Services Director)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The purpose of this item is to amend the following sections of Chapter 74, "Taxation", of the Code of Ordinances. The following amendments are being proposed:

§ 74-31. Definitions. Revises the definition to include short-term rentals, while excluding oilfield portable units. Includes new definitions for "Owner", "Short-Term Rental" and "Tax Assessor-Collector".

§ 74-33. Collections. Adds the following language: Every person owning, operating, managing or controlling any hotel shall collect the tax imposed in section 74-32 for the city and remit the same

to the tax assessor-collector on or before the due date, and at the same time file the report required by section 74-34 herein."

§ 74-34. Reports. Adds the following language: On or before the last day of the month following each quarterly period, every person required in section 74-33 to collect the tax imposed herein shall file a report with the city manager or designated agent showing the consideration paid for all room occupancies in the preceding quarter, the amount of the tax collected on such occupancies, and any other information the city manager or his designated agent may reasonably require. The city manager may request, and a person required to collect the tax shall provide within a reasonable time, additional documentation verifying the information contained in the report to the city. Such person shall pay the tax use on such occupancies at the time of filing such report and on and before the due date of such report."

§ 74-37. Penalties for violation of article. Adds the following language:

(a) If any person shall fail to collect the tax imposed herein; or shall fail to file a report as required herein; or shall fail to pay to the tax assessor-collector the tax as imposed herein when said report for payment is due, or shall file a false report, then the city may invoke the provisions of V.T.C.A., Tax Code §§ 111.060, 156.202, 351.004, and 351.0042.

(b) Any person who fails to pay the tax within the time period required in section 74-33 herein shall be charged interest at the maximum rate allowed by state law.

(c) In addition to the tax imposed by this article, a person shall pay a penalty of fifteen percent (15%) of the tax due if the tax has been delinquent for at least one municipal fiscal quarter and if the person: (1) fails to file a report on or before the due date, or (2) fails to pay the tax imposed on or before the due date.

(d) The remedies provided by this section are in addition to all other available remedies at law or in equity."

Additionally, staff recommends adding the following new Code sections:

"§ 74-38. Criminal Penalty.

If any person required by the provisions of this article to collect the tax imposed herein, or make reports as required herein, and pay to the City the tax imposed herein, shall fail to collect such tax, file such report or pay such tax, or if any such person shall files a false report, or such person shall violate any of the provisions of this article, the City is authorized to impose a misdemeanor fine for a violation of this article. A person who violates this article shall be guilty of a misdemeanor and upon conviction shall be assessed a fine not to exceed Five Hundred Dollars ($500.00)."

"§ 74-39. Disposition of tax collection and uses.

Subject to the legislative discretion of the city council, monies from the tax levied herein received by the city may be deposited into an account to be maintained by the city, and the funds and balances of such account shall be managed and invested in compliance with the city's investment policy and state law. All monies from the tax levied herein shall be expended as provided by state law, and, subject to the exercise of legislative discretion and appropriations of the city council, may be set aside, budgeted, and appropriated for use and expenditure by the city for such purposes."

"§ 74-40. City records of tax collection and uses.

The city shall maintain books and accounts that accurately identify the receipt and expenditure of

all monies derived from the tax levied herein as provided in V.T.C.A., Tax Code § 351.108."

"§ 74-41. Collection procedures on purchase of hotel.

(a) If a person who is liable for the remittance of a tax under this article is the owner of a hotel and sells the hotel, the successor to the seller or the seller's assignee shall withhold an amount of the purchase price sufficient to remit the amount due until the seller provides a receipt by an individual designated by the city to provide the receipt showing that the amount has been remitted or to issue a certificate showing that no tax is due.
(b) The purchaser of a hotel who fails to withhold an amount of the purchase price as required by this section is liable for the amount required to be withheld to the extent of the value of the purchase price.
(c) The purchaser of a hotel may request that the individual designated by the city to provide a receipt under subsection (a) above issue a certificate stating that no tax is due or issue a statement of the amount required to be remitted before a certificate may be issued. The individual designated by the city shall issue the certificate or statement not later than the sixtieth day after the date that the individual receives the request.
(d) If the individual designated by the city to provide a receipt under subsection (a) above fails to issue the certificate or statement within the period provided by subsection (c) above, the purchaser is released from the obligation to withhold the purchase price or remit the amount due.
(e) The city manager may designate in writing one or more individuals to act on behalf of the city pursuant to subsections (c) and (d)."

Per Council direction at the October 19, 2026, City Council meeting, the proposed ordinance will take effect on January 1, 2027.

RECOMMENDATION:

Staff recommends City Council approve the proposed Ordinance amendments to Chapter 74, "Taxation".

PRIOR ACTION/INPUT (Council, Boards, Citizens):

May 1, 2023: City Council approved the STR registration process, a $150 permit fee, and no direction to actively collect HOT-MOT.

August 3, 2026: Council directed Staff to amend the ordinance regulating short-term rentals and hotel occupancy tax (HOT).

October 19, 2026: Council conducted the first reading of the ordinance.

REFERENCE:

Chapter 74: Taxation - City of Burleson, TX

FISCAL IMPACT:

Proposed Expenditure/Revenue: n/a
Account Number(s): n/a
Fund: n/a
Account Description: n/a
Procurement Method: n/a

STAFF CONTACT:

Tony D. McIlwain, AICP, CFM
Development Services Director
tmcilwain@burlesontx.com
817-426-9684

Chapter 74 “Taxation”, Article II “Hotel Occupancy Tax”

- During the August 3rd City Council meeting, staff was directed to amend the ordinances regulating short-term rentals and hotel occupancy tax (HOT).
- The purpose of this item is to amend the following sections of Chapter 74, “Taxation”, of the Code of Ordinances.
- The following slides detail the amendments being proposed.

Proposed Ordinance Amendments

- § 74-31. Definitions. *Revises the definition to include short-term rentals, while excluding oilfield portable units. Includes new definitions for "Owner", "Short-Term Rental" and "Tax Assessor-Collector".*

- § 74-33. Collections. *Adds the following language: Every person owning, operating, managing or controlling any hotel shall collect the tax imposed in section 74-32 for the city and remit the same to the tax assessor-collector on or before the due date, and at the same time file the report required by section 74-34 herein."*

Proposed Ordinance Amendments

- § 74-34. Reports. *Adds the following language: On or before the last day of the month following each quarterly period, every person required in section 74-33 to collect the tax imposed herein shall file a report with the city manager or designated agent showing the consideration paid for all room occupancies in the preceding quarter, the amount of the tax collected on such occupancies, and any other information the city manager or his designated agent may reasonably require. The city manager may request, and a person required to collect the tax shall provide within a reasonable time, additional documentation verifying the information contained in the report to the city. Such person shall pay the tax use on such occupancies at the time of filing such report and on and before the due date of such report."*
- *§ 74-37. Penalties for violation of article. Adds the following language:*

a) *If any person shall fail to collect the tax imposed herein; or shall fail to file a report as required herein; or shall fail to pay to the tax assessor-collector the tax as imposed herein when said report for payment is due, or shall file a false report, then the city may invoke the provisions of V.T.C.A., Tax Code §§ 111.060, 156.202, 351.004, and 351.0042.*

b) *Any person who fails to pay the tax within the time period required in section 74-33 herein shall be charged interest at the maximum rate allowed by state law.*

c) *In addition to the tax imposed by this article, a person shall pay a penalty of fifteen percent (15%) of the tax due if the tax has been delinquent for at least one municipal fiscal quarter and if the person: (1) fails to file a report on or before the due date, or (2) fails to pay the tax imposed on or before the due date.*

d) *The remedies provided by this section are in addition to all other available remedies at law or in equity."*

Proposed Ordinance Amendments (new sections)

- *"§ 74-38. Criminal Penalty.*

If any person required by the provisions of this article to collect the tax imposed herein, or make reports as required herein, and pay to the City the tax imposed herein, shall fail to collect such tax, file such report or pay such tax, or if any such person shall files a false report, or such person shall violate any of the provisions of this article, the City is authorized to impose a misdemeanor fine for a violation of this article. A person who violates this article shall be guilty of a misdemeanor and upon conviction shall be assessed a fine not to exceed Five Hundred Dollars ($500.00)."

- *"§ 74-39. Disposition of tax collection and uses.*

Subject to the legislative discretion of the city council, monies from the tax levied herein received by the city may be deposited into an account to be maintained by the city, and the funds and balances of such account shall be managed and invested in compliance with the city's investment policy and state law. All monies from the tax levied herein shall be expended as provided by state law, and, subject to the exercise of legislative discretion and appropriations of the city council, may be set aside, budgeted, and appropriated for use and expenditure by the city for such purposes."

Proposed Ordinance Amendments (new sections)

- *"§ 74-40. City records of tax collection and uses.*

The city shall maintain books and accounts that accurately identify the receipt and expenditure of all monies derived from the tax levied herein as provided in V.T.C.A., Tax Code § 351.108."

- *"§ 74-41. Collection procedures on purchase of hotel.*

a) If a person who is liable for the remittance of a tax under this article is the owner of a hotel and sells the hotel, the successor to the seller or the seller's assignee shall withhold an amount of the purchase price sufficient to remit the amount due until the seller provides a receipt by an individual designated by the city to provide the receipt showing that the amount has been remitted or to issue a certificate showing that no tax is due.

b) The purchaser of a hotel who fails to withhold an amount of the purchase price as required by this section is liable for the amount required to be withheld to the extent of the value of the purchase price.

c) The purchaser of a hotel may request that the individual designated by the city to provide a receipt under subsection (a) above issue a certificate stating that no tax is due or issue a statement of the amount required to be remitted before a certificate may be issued. The individual designated by the city shall issue the certificate or statement not later than the sixtieth day after the date that the individual receives the request.

d) If the individual designated by the city to provide a receipt under subsection (a) above fails to issue the certificate or statement within the period provided by subsection (c) above, the purchaser is released from the obligation to withhold the purchase price or remit the amount due.

e) The city manager may designate in writing one or more individuals to act on behalf of the city pursuant to subsections (c) and (d)."

Staff Recommendation

- Staff recommends the City Council approve the proposed Ordinance amendments to Chapter 74, “Taxation”, Article II “Hotel Occupancy Tax”.
    - Proposed ordinance, if approved, will take effect on 1/1/27

Questions / Comments

Tony D. McIlwain
Development Services Director
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817.426.9684

ORDINANCE

AN ORDINANCE AMENDING ARTICLE II, "HOTEL OCCUPANCY TAX," OF CHAPTER 74, "TAXATION," OF THE CODE OF ORDINANCES, CITY OF BURLESON, TEXAS BY AMENDING SECTION 74-31, "DEFINITIONS," TO AMEND THE DEFINITION FOR HOTEL AND ADD DEFINITIONS FOR OWNER, SHORT-TERM RENTAL, AND TAX ASSESSOR-COLLECTOR, BY AMENDING SECTION 74-33, "COLLECTION," TO REQUIRE REMMITTANCE, BY AMENDING SECTION 74-34, "REPORTS," TO ALLOW THE CITY MANAGER TO REQUEST ADDITIONAL DOCUMENTATION FOR REPORTS, BY AMENDING SECTION 74-37, "PENALTIES FOR VIOLATION OF THIS ARTICLE," TO SPECIFY ADDITIONAL REMEDIES ARE AVAILABLE, AND IMPOSING INTEREST AND PENALITIES FOR LATE PAYMENTS, BY ADDING SECTION 74-38, "CRIMINAL PENALTY," MAKING IT A MISDEMEANOR OFFENSE TO VIOLATE THE PROVISIONS OF THIS ARTICLE PUNISHABLE UPON CONVICTION BY A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS; BY ADDING SECTION 74-39, "DISPOSITION OF TAX COLLECTION AND USES," SPECIFYING THE CITY'S HANDLING AND USE OF TAX MONIES RECEIVED, BY ADDING SECTION 74-40, "CITY RECORDS OF TAX COLLECTION AND USES," REQUIRING THE CITY MAINTAIN BOOKS AND ACCOUNTS, AND BY ADDING SECTION 74-41, "COLLECTION PROCEDURES ON PURCHASE OF HOTEL," REQUIRING THE PURCHASER OF A HOTEL TO WITHHOLD AN AMOUNT OF THE PURCHASE TO PAY THE TAX DUE AND BE LIABLE FOR SUCH AN AMOUNT UNTIL THE SELLER PROVIDES ARE RECEIPT FROM THE CITY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City") is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Section 351.002 of the Texas Tax Code provides for the imposition and collection of a local municipal occupancy tax on a person using a hotel, as that term is defined in Section 156.001 of the Code and in this Ordinance; and

WHEREAS, the City Council has adopted an ordinance levying a local municipal occupancy tax on behalf of the City on a person using a hotel pursuant to Chapter 351 of the Texas Tax Code, which is codified in Article II "Hotel Occupancy Tax" of Chapter 72 "Taxation" of the City of Burleson Code of Ordinances (2005), as amended (the "Hotel Occupancy Tax Ordinance"); and

WHEREAS, the City Council, after due and careful consideration, desires to amend its Hotel Occupancy Tax Ordinance as set forth herein in this ordinance;

WHEREAS, the City Council finds and determines that the adoption of this ordinance is necessary and proper and in the best interests of the public health, safety, and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

SECTION I.

Section 74-31, "Definitions," of Article II, "Hotel Occupancy Tax," of Chapter 74, "Taxation," of the Code of Ordinances, City of Burleson, Texas is hereby amended to amend the definition of "HOTEL" to read as follows without removing or replacing any of the other existing text in the section:

§ 74-31. Definitions.

***

"HOTEL — A building in which members of the public obtain sleeping accommodations for consideration. The term includes a hotel, motel, tourist home, tourist house, tourist court, lodging house, inn, rooming house, or bed and breakfast. Hotel includes a short-term rental. The term does not include:

(1) A hospital, sanitarium, or nursing home;

(2) A dormitory or other housing facility owned or leased and operated by an institution of higher education or a private or independent institution of higher education as those terms are defined by V.T.C.A., Education Code § 61.003, used by the institution for the purpose of providing sleeping accommodations for persons engaged in an educational program or activity at the institution; or

(3) An oilfield portable unit, as defined by V.T.C.A., Tax Code § 152.001."

***

SECTION II.

Section 74-31, "Definitions," of Article II, "Hotel Occupancy Tax," of Chapter 74, "Taxation," of the Code of Ordinances, City of Burleson, Texas is hereby amended to add the following definitions to read as follows without removing or replacing any of the other existing text in the section:

§ 74-31. Definitions.

***

"OWNER — means an individual person, proprietorship, partnership, corporation, association, or other legal entity."

***

"SHORT-TERM RENTAL — The rental of all or part of a residential property to a person who is not a permanent resident under V.T.C.A., Tax Code § 156.101."

***

"TAX ASSESSOR-COLLECTOR – The tax assessor collector of the city. Unless otherwise designated by the city manager in writing, the tax assessor collector of the city shall be the city manager."

SECTION III.

Section 74-33, "Collection," of Article II, "Hotel Occupancy Tax," of Chapter 74, "Taxation," of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

"**§ 74-33. Collection.**

Every person owning, operating, managing or controlling any hotel shall collect the tax imposed in section 74-32 for the city and remit the same to the tax assessor-collector on or before the due date, and at the same time file the report required by section 74-34 herein."

SECTION IV.

Section 74-34, "Reports," of Article II, "Hotel Occupancy Tax," of Chapter 74, "Taxation," of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

"**§ 74-34. Reports.**

On or before the last day of the month following each quarterly period, every person required in section 74-33 to collect the tax imposed herein shall file a report with the city manager or designated agent showing the consideration paid for all room occupancies in the preceding quarter, the amount of the tax collected on such occupancies, and any other information the city manager or his designated agent may reasonably require. The city manager may request, and a person required to collect the tax shall provide within a reasonable time, additional documentation verifying the information contained in the report to the city. Such person shall pay the tax use on such occupancies at the time of filing such report and on and before the due date of such report."

SECTION V.

Section 74-37, "Penalties for violation of article," of Article II, "Hotel Occupancy Tax," of Chapter 74, "Taxation," of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

"**§ 74-37. Penalties for violation of article.**

(a) If any person shall fail to collect the tax imposed herein; or shall fail to file a report as required herein; or shall fail to pay to the tax assessor-collector the tax as imposed herein when said report for payment is due, or shall file a false report, then the city may invoke the provisions of V.T.C.A., Tax Code §§ 111.060, 156.202, 351.004, and 351.0042.
(b) Any person who fails to pay the tax within the time period required in section 74-33 herein shall be charged interest at the maximum rate allowed by state law.
(c) In addition to the tax imposed by this article, a person shall pay a penalty of fifteen percent (15%) of the tax due if the tax has been delinquent for at least one municipal fiscal quarter and if the person: (1) fails to file a report on or before the due date, or (2) fails to pay the tax imposed on or before the due date.
(d) The remedies provided by this section are in addition to all other available remedies at law or in equity."

SECTION VI.

Article II, "Hotel Occupancy Tax," of Chapter 74, "Taxation," of the Code of Ordinances, City of Burleson, Texas is hereby amended by adding Section 74-38, "Criminal Penalty," to read as follows:

"**§ 74-38. Criminal Penalty.**

If any person required by the provisions of this article to collect the tax imposed herein, or make reports as required herein, and pay to the City the tax imposed herein, shall fail to collect such tax, file such report or pay such tax, or if any such person shall files a false report, or such person shall violate any of the provisions of this article, the City is authorized to impose a misdemeanor fine for a violation of this article. A person who violates this article shall be guilty of a misdemeanor and upon conviction shall be assessed a fine not to exceed Five Hundred Dollars ($500.00)."

SECTION VII.

Article II, "Hotel Occupancy Tax," of Chapter 74, "Taxation," of the Code of Ordinances, City of Burleson, Texas is hereby amended by adding Section 74-39, "Disposition of tax collection and uses," to read as follows:

"**§ 74-39. Disposition of tax collection and uses.**

Subject to the legislative discretion of the city council, monies from the tax levied herein received by the city may be deposited into an account to be maintained by the city, and the funds and balances of such account shall be managed and invested in compliance with the city's investment policy and state law. All monies from the tax levied herein shall be expended as provided by state law, and, subject to the exercise of legislative discretion and appropriations of the city council,

may be set aside, budgeted, and appropriated for use and expenditure by the city for such purposes."

SECTION VIII.

Article II, "Hotel Occupancy Tax," of Chapter 74, "Taxation," of the Code of Ordinances, City of Burleson, Texas is hereby amended by adding Section 74-40, "City records of tax collection and uses," to read as follows:

"**§ 74-40. City records of tax collection and uses.**

The city shall maintain books and accounts that accurately identify the receipt and expenditure of all monies derived from the tax levied herein as provided in V.T.C.A., Tax Code § 351.108."

SECTION IX.

Article II, "Hotel Occupancy Tax," of Chapter 74, "Taxation," of the Code of Ordinances, City of Burleson, Texas is hereby amended by adding Section 74-41, "Collection procedures on purchase of hotel," to read as follows:

"**§ 74-41. Collection procedures on purchase of hotel.**

(a) If a person who is liable for the remittance of a tax under this article is the owner of a hotel and sells the hotel, the successor to the seller or the seller's assignee shall withhold an amount of the purchase price sufficient to remit the amount due until the seller provides a receipt by an individual designated by the city to provide the receipt showing that the amount has been remitted or to issue a certificate showing that no tax is due.
(b) The purchaser of a hotel who fails to withhold an amount of the purchase price as required by this section is liable for the amount required to be withheld to the extent of the value of the purchase price.
(c) The purchaser of a hotel may request that the individual designated by the city to provide a receipt under subsection (a) above issue a certificate stating that no tax is due or issue a statement of the amount required to be remitted before a certificate may be issued. The individual designated by the city shall issue the certificate or statement not later than the sixtieth day after the date that the individual receives the request.
(d) If the individual designated by the city to provide a receipt under subsection (a) above fails to issue the certificate or statement within the period provided by subsection (c) above, the purchaser is released from the obligation to withhold the purchase price or remit the amount due.
(e) The city manager may designate in writing one or more individuals to act on behalf of the city pursuant to subsections (c) and (d)."

SECTION X.

This Ordinance shall be cumulative of all provisions of ordinances of the City, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION XI.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable and if any phrase, clauses, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in its ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION XII.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars ($500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. Penalties provided for in this ordinance are in addition to any other criminal or civil remedies that the City may pursue under federal, state, or local law.

SECTION XIII.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of Chapter 74 of the Code of Ordinances, City of Burleson, Texas and or any other ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION XIV.

The City Secretary is hereby directed to publish the caption and penalty clause of this Ordinance as required by state law.

SECTION XV.

This Ordinance shall become effective January 1, 2027, after its passage and the publication of the caption of said ordinance as the law and the City Charter in such cases provides.

AND IT IS SO ORDAINED.

PASSED AND APPROVED this _____ day of _____, 20_____.

First Reading: the _____ day of _____, 20_____.

Final Reading: the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

Amanda Campos, City Secretary

APPROVED AS TO FORM:

E. Allen Taylor, Jr., City Attorney

City Council Regular Meeting

DEPARTMENT: **Development Services**

FROM: **Tony D. McIlwain, Development Services Director**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on a 3rd amendment to the 1445 Agreement (i.e. subdivision platting ILA) with Johnson County (CSO# 6135-05-2026) for platting authority within the city's extraterritorial jurisdiction (ETJ). *(Staff Contact: Tony D. McIlwain, AICP, CFM, Development Services Director) (No Planning and Zoning Commission action was required for this item)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.2 Promote sustainable residential and commercial development through strategic and long-term planning

SUMMARY:

The City adopted an interlocal agreement (ILA) with Johnson County on April 1, 2002. That ILA contained three (3) provisions for development in the ETJ:

- City has authority for subdivision platting and applying its subdivision regulations;
- County has authority for on-site sewage system permitting and floodplain regulations;
- County has responsibility for road maintenance.

An amendment was done to the ILA in November 2019, which added City floodplain management authority within Joshua Farms MMD No. 2 (Silo Mills), and clarified the platting requirement for manufactured home rental communities in the ETJ.

Most recently, a second amendment was approved to provide the City exclusive jurisdiction over the platting and permitting of the TallGrass municipal management district (MMD).

The current ILA amendment proposes the following:

- City and County agree that City shall retain exclusive jurisdiction to regulate all subdivision plats involving ETJ properties covered under an approved Development Agreement entered into by the City, provided City exercises the right to enforce the Development Agreement.
- If City chooses not to enforce the Development Agreement, platting and permitting authority would be under the exclusive jurisdiction of County.
- The City shall make the determination on the Development Agreement within three (3) business days following an alert from Johnson County that an application for platting has been submitted.
- If the City fails to notify County of its determination within three (3) business days following an alert from Johnson County that an application for platting has been submitted, it shall be deemed that City has chosen not to enforce the Development Agreement.

This amendment does not alter the previously approved ILA language relating to TallGrass.

RECOMMENDATION:

Staff recommends approval of the third amendment to the 1445 Agreement with Johnson County.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

April 1, 2002: City Council approved the 1445 Agreement with Johnson County.

November 11, 2019: City Council approved the first amendment to the 1445 Agreement with Johnson County (CSO# 1189-11-2019).

May 18, 2026: City Council approved a 2nd amendment to the 1445 Agreement (CSO# 6135-05-2026).

REFERENCE:

CSO# 6135-05-2026

FISCAL IMPACT:

Proposed Expenditure/Revenue: n/a
Account Number(s): n/a
Fund: n/a
Account Description: n/a
Procurement Method: n/a

STAFF CONTACT:

Tony D. McIlwain, AICP, CFM
Development Services Director
tmcilwain@burlesontx.com
817-426-9684

Johnson County Platting Interlocal Agreement (ILA)

CITY COUNCIL: NOVEMBER 9, 2026

Johnson County Platting ILA

- The City adopted an interlocal agreement (ILA) with Johnson County on April 1, 2002.
- That ILA contained provisions for development in the ETJ:
  - City has authority for subdivision platting and applying its subdivision regulations;
  - County has authority for on-site sewage system permitting and floodplain regulations; and
  - County has responsibility for road maintenance.

Subsequent Amendments

- An amendment was done to the ILA in November 2019, which added City floodplain management authority within Joshua Farms MMD No. 2 (Silo Mills), and clarified the platting requirement for manufactured home rental communities in the ETJ.
- Most recently, a second amendment was approved to provide the City exclusive jurisdiction over the platting and permitting of the TallGrass municipal management district (MMD).

Proposed Amendment

- City and County agree that City shall retain exclusive jurisdiction to regulate all subdivision plats involving ETJ properties covered under an approved Development Agreement entered into by the City, provided City exercises the right to enforce the Development Agreement.
- If City chooses not to enforce the Development Agreement, platting and permitting authority would be under the exclusive jurisdiction of County.
- The City shall make the determination on the Development Agreement within three (3) business days following an alert from Johnson County that an application for platting has been submitted.
- If the City fails to notify County of its determination within three (3) business days following an alert from Johnson County that an application for platting has been submitted, it shall be deemed that City has chosen not to enforce the Development Agreement.

Recommendation

- Staff recommends approval of the 3rd amendment to the 1445 Agreement.
- This amendment does not alter the previously approved ILA language relating to TallGrass.

City Council Regular Meeting

DEPARTMENT: **Capital Engineering**

FROM: **Randy Morrison, PE, Director of Capital Engineering**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on an amendment to the City of Burleson Wholesale Water Contract between the City of Fort Worth and the City of Burleson to allow the City of Burleson to construct a portion of the proposed Southside II Transmission Main Extension Project with the Stone Rd. / Village Creek Parkway Widening and Reconstruction Project (ST2309). *(Staff Contact: Randy Morrison, PE, Director of Capital Engineering)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 **Dynamic & Preferred City** Through Managed Growth	2.4 Implement the city's Capital Improvement Program 2.5 Develop and maintain facilities and utility services

SUMMARY:

Since 1963 the City of Burleson has received its supply of water from the City of Fort Worth. The most recent water agreement between the City of Fort Worth and the City of Burleson has a term of January 1, 2011, through September 30, 2031. Currently, the City of Fort Worth provides 100% of the City of Burleson water and is received at two points of entry. The eastern point of entry includes the Alsbury Pump Station (856 NE Alsbury Blvd) and Industrial Pump Station (101 Industrial Park Blvd), while the western point of entry is the Hulen Pump Station (2250 SW Hulen St).

In 2023, the current wholesale water agreement was amended to increase the City of Burleson's eastern point of entry supply capacity from Fort Worth from two MGD to 13 MGD. The amendment also included the City of Burleson paying a proportionate share of the City of Fort Worth's transmission main expansion project, which is currently in the design and right-of-way acquisition phases.

The proposed amendment allows the City of Burleson to manage and construct a portion of the transmission main expansion project, that directly falls within the footprint of the proposed Stone Rd. / Village Creek Parkway Widening and Reconstruction Project. Due to the schedule of Village Creek Parkway project, the new roadway improvements would be in place prior to the transmission main being installed, and thus would require rework of the new improvements shortly after construction is complete. Therefore, City of Burleson and City of Fort Worth staff have coordinated these improvements and agreed that it is in the best interest of tax payer funding for the City of Burleson to construct a portion of the transmission expansion project ahead of the overall project.

The scope of the Stone Rd. / Village Creek Parkway Widening and Reconstruction Project is to widen and reconstruct approximately 0.5 miles of Stone Rd. / Village Creek Parkway from McCall St. to Alsbury Boulevard. The project will replace the existing two-lane asphalt roadway with a four-lane divided concrete roadway including two lanes in each direction. The project will also include curb and gutter, closed drainage systems, street lights, sidewalks, and a 10' shared use path.

RECOMMENDATION:

Consider and take possible action on an amendment to the City of Burleson Wholesale Water Contract between the City of Fort Worth and the City of Burleson to allow the City of Burleson to construct a portion of the proposed Southside II Transmission Main Extension Project with the Stone Rd. / Village Creek Parkway Widening and Reconstruction Project.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

CSO #6286-07-2010 Agreement for Water Service Between the City of Fort Worth, Texas, and the City of Burleson, Texas

CSO#5347-12-2023 First Amendment to City Secretary Contract No. 41091 City of Burleson Wholesale Water Contract

FISCAL IMPACT:

N/A

STAFF CONTACT:

Randy Morrison, PE
Director of Capital Engineering
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817-426-9612

Amendment 2 to Wholesale Water Agreement with City of Fort Worth

PRESENTED TO THE CITY COUNCIL ON

NOVEMBER 9, 2026

Background

- Burleson has contracted with Fort Worth for water services since 1963

  Current contract term: January 1, 2011 – September 30, 2031

- Two Entry-Points
  - West side entry-point allows up to ten million gallons per day (10 MGD)
  - East side entry-point allows up to thirteen million gallons per day (13 MGD) (Increased with Amendment 1)
    - Ultimate buildout demand 38.98 MGD
- Amendment 1 secured additional capacity for the City of Burleson and laid out the cost sharing arrangement for the proposed Southside II Transmission Main Extension Project
- Proposed Amendment:
  - Allows the City of Burleson to construct a portion of the proposed 24” transmission line with the Stone Rd. / Village Creek Parkway Widening and Reconstruction Project to avoid impacts to the new road improvements being proposed

Amendment 2

- City of Fort Worth is scheduled to construct transmission main in 2028-2030
- Stone Rd. / Village Creek Parkway Widening and Reconstruction Project is scheduled to be constructed between Summer 2027 through Summer 2028
- Without coordination, the City of Fort Worth would potentially be trenching through newly constructed roadway within the first year or two after completion
- City of Burleson will now manage advertisement, bidding, and construction of a portion of the 24" water main for Village Creek Parkway, currently known as Stone Road, between Alsbury Boulevard and Boone Road



WATER AND SEWER PROJECTS													
				5-Year Capital Improvement Plan									
Project #	Project Information	Project Phase	Prior Allocations	Budgeted FY 27	Planned FY 28	Planned FY 29	Planned FY 30	Planned FY 31	5-yr Total Project Cost	Total Programmed Project Cost	Unprogrammed Project Cost	Total Project Cost
WW2_90	**Water & Sewer Rehab Program** Project Limits: Various City Streets & Easements Project Description: Water & Sewer rehab program includes the replacement of aging water & sewer infrastructure and the related trench resurfacing and pavement replacement	Study / Planning	-	-	-	-	-	-	-	-	-	-
		Design	-	-	-	-	-	-	-	-	-	-
		Construction	-	3,489,969	5,493,821	4,762,500	4,762,500	4,762,500	23,271,290	23,271,290	-	23,271,290
		Owner ED&P	-	174,500	406,133	237,500	237,500	237,500	1,293,133	1,293,133	-	1,293,133
		Right of Way / Land	-	-	-	-	-	-	-	-	-	-
		Total Cost	-	**3,664,469**	**5,899,954**	**5,000,000**	**5,000,000**	**5,000,000**	**24,564,423**	**24,564,423**	-	**24,564,423**
WA2302	**12"Willow Creek Waterline Looping** Project Limits: Fairway View Drive to the future Mountain Valley Ph. 3 Project Description: Construction of a 12" water line from the existing 12" water line on Fairway View Drive to the future Mountain Valley Ph. 3	Study / Planning	-	-	-	-	-	-	-	-	-	-
		Design	210,976	-	-	-	-	-	-	210,976	-	210,976
		Construction	800,000	880,000	-	-	-	-	880,000	1,680,000	-	1,680,000
		Owner ED&P	72,927	44,000	-	-	-	-	44,000	116,927	-	116,927
		Right of Way / Land	32,164	-	-	-	-	-	-	32,164	-	32,164
		Total Cost	**1,116,067**	**924,000**	-	-	-	-	**924,000**	**2,040,067**	-	**2,040,067**
WA2308	**Offsite Water Supply from Fort Worth** Project Limits: Transmission main runs along Village Creek Parkway and Boone Road Project Description: Design and construction of a 24" water pipeline to increase the City's water volume on east side entry point from 2MGD to 13MGD	Study / Planning	-	-	-	-	-	-	-	-	-	-
		Design	3,495,699	-	-	-	-	-	-	3,495,699	-	3,495,699
		Construction	-	12,836,298	-	-	-	-	12,836,298	12,836,298	-	12,836,298
		Owner ED&P	507	650,000	-	-	-	-	650,000	650,507	-	650,507
		Right of Way / Land	-	-	-	-	-	-	-	-	-	-
		Total Cost	**3,496,206**	**13,486,298**	-	-	-	-	**13,486,298**	**16,982,504**	-	**16,982,504**
WA2401	**Hulen Ground Storage Tank Rehabilitation** Project Limits: Hulen Pump Station Site Project Description: Design and construction of a rehabilitation improvements to the existing ground storage tanks at Hulen Pump Station	Study / Planning	-	-	-	-	-	-	-	-	-	-
		Design	110,300	-	-	-	-	-	-	110,300	-	110,300
		Construction	34,700	1,291,557	-	-	-	-	1,291,557	1,326,257	-	1,326,257
		Owner ED&P	7,000	63,000	-	-	-	-	63,000	70,000	-	70,000
		Right of Way / Land	-	-	-	-	-	-	-	-	-	-
		Total Cost	**152,000**	**1,354,557**	-	-	-	-	**1,354,557**	**1,506,557**	-	**1,506,557**
WA2403	**Upper Pressure Plane Water Line Looping** Project Limits: High Country to Chiswhell Fields; Everest to Dobson; Dobson to Hidden Ridge Project Description: Design and construction of three waterlines to improve water reliability	Study / Planning	-	-	-	-	-	-	-	-	-	-
		Design	230,653	-	-	-	-	-	-	230,653	-	230,653
		Construction	-	1,077,838	-	-	-	-	1,077,838	1,077,838	-	1,077,838
		Owner ED&P	12,537	100,000	-	-	-	-	100,000	112,537	-	112,537
		Right of Way / Land	60,920	-	-	-	-	-	-	60,920	-	60,920
		Total Cost	**304,110**	**1,177,838**	-	-	-	-	**1,177,838**	**1,481,948**	-	**1,481,948**

THE CITY OF BURLESON TEXAS

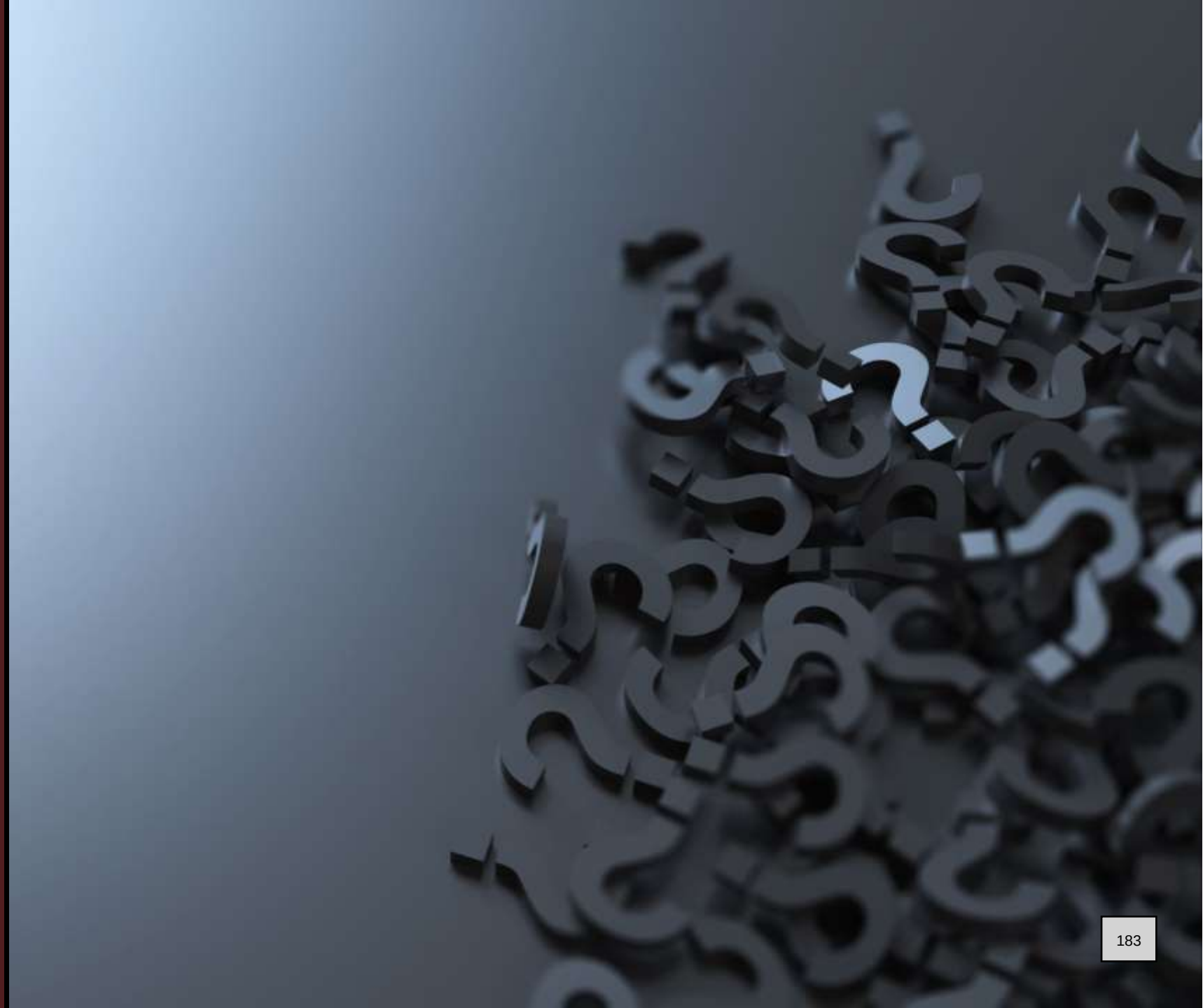
FY27-31 5-Yr CIP

- The City's contribution for construction for the Fort Worth project is in FY27 in the CIP.
- Funds will be diverted to the Stone Rd. / Village Creek Parkway Widening and Reconstruction Project to fund construction of waterline.

Council Considerations

Consider and take possible action on an amendment to the City of Burleson Wholesale Water Contract between the City of Fort Worth and the City of Burleson to allow the City of Burleson to construct a portion of the proposed Southside II Transmission Main Extension Project with the Stone Rd. / Village Creek Parkway Widening and Reconstruction Project (ST2309).

Questions / Comments



City Council Regular Meeting

DEPARTMENT: **Development Services**

FROM: **Michelle McCullough, City Engineer**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on an interlocal agreement with Johnson County Special Utility District (JCSUD) and the North Johnson County Municipal Management District No 1 (NJCMMD) regarding placement of JCSUD water facilities within the Tallgrass Master Planned Community. *(Staff Contact: Michelle McCullough, P.E., CFM, City Engineer)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	1.2 Promote sustainable residential and commercial development through strategic and long-term planning

SUMMARY:

Johnson County Special Utility District is one provider of water service to property owners within the City limits and the City's extraterritorial jurisdiction (ETJ) as allowed by their Certificate of Convenience and Necessity (CCN). A CCN authorizes and requires utilities to provide continuous and adequate service to every customer who requests service within a certified area. The CCN boundary defines the area within which a water provider holds the exclusive right to provide retail water and/or sewer.

Typically, JCSUD requires a separate 20-foot-wide water line easement adjacent to the property line on private property. This standard is appropriate for rural development, but as urban growth moves into JCSUD's CCN area the easement becomes a challenge for smaller lots.

Tallgrass is a master planned development proposed within the City's ETJ and will be managed by the North Johnson County Municipal Management District No. 1 (NJCMMD). The NJCMMD will be responsible for funding, constructing, operating and maintaining the rights of way within the subdivision including the public roadways. NJCMMD will also be responsible for funding the

design and construction of the water line improvements to serve the development, however, JCSUD will be responsible for maintaining their infrastructure once the improvements are completed and accepted.

The City of Burleson (Burleson) could annex all or portions of the Tallgrass development into the city in the future through a strategic partnership agreement. If the rights of way are annexed in the future, Burleson would assume ownership and maintenance of the roadways, sidewalks, signs, etc., therefore, Burleson and NJCMMD have worked with JCSUD on the terms of the interlocal agreement which allows for the following:

- JCSUD's water facilities may be located within the public right-of-way within the subdivision maintained by NJCMMD
- NJCMMD would be financially responsible for any future relocation of JCSUD water facilities if the district realigns any public roadway within the development in the future
- JCSUD will reimburse NJCMMD for the cost to restore grass, sidewalk, curbing, and pavement as a result of the repair/replacement of water facilities. All repairs will be coordinated with NJCMMD

The civil construction plans for the Tallgrass, Phase 1-1, have been reviewed and accepted. Construction is expected to begin late 2026 or early 2027. JCSUD requires the interlocal agreement to be executed before releasing the water line for construction.

JCSUD recognizes the growth the city is experiencing, which is more urban, with larger homes on smaller lots. Staff will continue to work with JCSUD, and as development continues within the JCSUD's CCN boundary, staff anticipates that additional interlocal agreements will be presented to the City Council for consideration.

The City Council has approved similar interlocal agreements for water facilities within the PF Farms Development, Chisholm Summit Master Planned Community and for water facilities located along Lakewood Drive recently constructed as part of the Lakewood Drive roadway improvements.

RECOMMENDATION:

Approve an interlocal agreement with Johnson County Special Utility District (JCSUD) and the North Johnson County Municipal Management District No 1 (NJCMMD) regarding placement of JCSUD water facilities within the Tallgrass Master Planned Community.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

NA

REFERENCE:

NA

FISCAL IMPACT:

NA

STAFF CONTACT:

Michelle McCullough, P.E., CFM
City Engineer
mmccullough@burlesontx.com
817-426-9616

INTERLOCAL AGREEMENT WITH JOHNSON COUNTY SPECIAL UTILITY DISTRICT

Tallgrass Master Planned Community

November 9, 2023

BACKGROUND

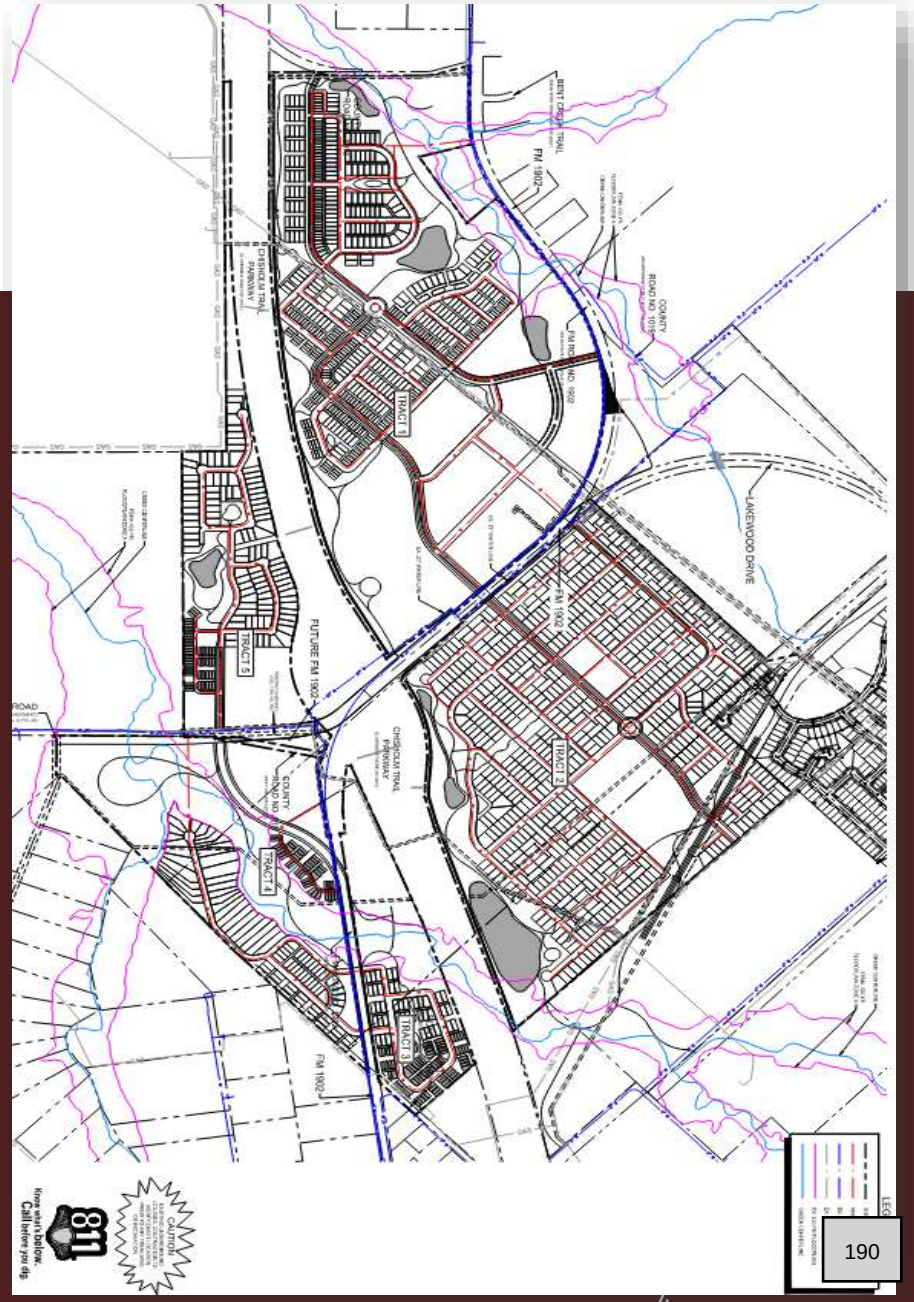
- Tallgrass Master Planned Community
  - 4,000 residential units
  - 1,000,000 square feet of commercial
- Rights of ways owned and maintained by North Johnson County Municipal Management District No. 1 (NJCMMD)
- City and NJCMMD entered into Strategic Partnership Agreement that could allow for all or a portion of the development to be annexed into the city in the future
- If annexation occurs in the future, city will assume ownership and maintenance of right-of-way

INTERLOCAL AGREEMENT

- Allows JCSUD water facilities within right-of-way
  - JCSUD typically requires 20-feet exclusive easement adjacent to property line
  - Agreement eliminates need for exclusive easement
- JCSUD retains maintenance responsibility for all water facilities and will reimburse NJCMMD for cost to restore grass, sidewalk, curbing, and pavement as a result of maintenance of their water lines
  - All repairs coordinated with the NJCMMD
- NJCMMD is financially responsible for all design, construction and easement acquisition for any future relocation of JCSUD water facilities if the district realigns any existing public roadway within the subdivision in the future

STAFF RECOMMENDATION

Approve an interlocal agreement with Johnson County Special Utility District (JCSUD) and the North Johnson County Municipal Management District No 1 (NJCMMD) regarding placement of JCSUD water facilities within the Tallgrass Master Planned Community



QUESTIONS/COMMENTS

Staff Contact

Michelle McCullough, P.E., CFM

Development Services Deputy Director/City Engineer

mmccullough@burlesontx.com

817-426-9616

City Council Regular Meeting

DEPARTMENT: **Public Works**

FROM: **Justin Scharnhorst, Deputy Director**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on a minute order appointing Errick Thompson, Director of Public Works, as voting member and Michelle McCullough, Deputy Director of Development Services and City Engineer, as alternate member of the City of Fort Worth's Wholesale Water and Wastewater Customer Advisory Committee for fiscal year 2027. *(Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)*

STRATEGIC PRIORITY AND GOAL:

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.5 Develop and maintain facilities and utility services

SUMMARY:

The City of Burleson receives all its treated drinking water from the City of Fort Worth and sends all its wastewater for treatment back to the City of Fort Worth. The City entered into an agreement for drinking water service with the City of Fort Worth with a term from January 1, 2011, through September 30, 2031. The City entered into an agreement for wastewater service with the City of Fort Worth with a term from May 8, 2017, through September 30, 2037.

Article 15 of the water agreement and Article 23 of the wastewater agreement provide that the City of Burleson shall annually appoint a representative to be a voting member and an alternate member of the Wholesale Water and Wastewater Customer Advisory Committee. Representatives from wholesale customers make up the committee's membership.

The purpose of the committee is to consult with and advise Fort Worth on matters pertaining to water conservation, wholesale planning, improvements, grants, wholesale rate studies, administration, budgets and additional wholesale customers.

RECOMMENDATION:

Approve a minute order appointing Errick Thompson, Director of Public Works, as voting member and Michelle McCullough, Deputy Director of Development Services and City Engineer, as alternate member of the City of Fort Worth's Wholesale Water and Wastewater Customer Advisory Committee for fiscal year 2027

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

Proposed Expenditure/Revenue:	N/A
Account Number(s):	N/A
Fund:	N/A
Account Description:	N/A
Procurement Method:	N/A

STAFF CONTACT:

Justin Scharnhorst
Deputy Director of Public Works
jscharnhorst@burlesontx.com
817-426-9646

City of Fort Worth Wholesale Water and Wastewater Customer Advisory Committee Appointments for FY27

Background

- City of Burleson is a wholesale customer of the City of Fort Worth for both drinking water and wastewater treatment services
- Current agreements
  - Wholesale Water Agreement – January 2011 through September 2031
  - Wholesale Wastewater Agreement – May 2017 through September 2037
- Both agreements require annual appointments for membership on the Water and Wastewater Wholesale Customer Advisory Committee
  - One primary voting member
  - One alternate member
- Committee purpose:

  Consult with and advise Fort Worth on matters pertaining to water conservation, wholesale planning, improvements, grants, wholesale rate studies, administration, budgets, and additional wholesale customers



Recommendations / Action Requested

Approve FY27 appointments to the City of Fort Worth Wholesale Water and Wastewater Customer Advisory Committee

- Primary: Errick Thompson, Public Works Director
- Alternate: Michelle McCullough, City Engineer / Deputy Director of Development Services

Questions / Discussion

Justin Scharnhorst

Deputy Director of Public Works

jscharnhorst@burlesontx.com

817-426-9600

APPOINTMENT FORM
Wholesale Water and Wastewater Customer Advisory Committee

DATE: November 9, 2026

WHOLESALE CUSTOMER: City of Burleson

Check all that apply: ■ Water ■ Wastewater

The following individuals have been officially appointed by the **CUSTOMER's GOVERNING BODY**, under the terms of the Wholesale Contract for Services as the **VOTING MEMBER** and **ALTERNATE** for the Water and/or Wastewater System Advisory Committee. The term is for the Fiscal Year beginning October 1, 2026 through September 30, 2027.

Voting Member:

Errick Thompson
Name
Director of Public Works
Title
817-426-9610
Office Phone
214-437-3387
Cell Phone
ethompson@burlesontx.com
Email Address

Mailing Address:

725 SE John Jones Drive

Burleson, TX 76028

Alternate Member

Michelle McCullough
Name
Deputy Dir., Development Services / City Engineer
Title
817-426-9616
Office Phone

Cell Phone
mmccullough@burlesontx.com
Email Address

Mailing Address:

135 W. Ellison St., Suite 109

Burleson, TX 76028

Official Seal

Signature of Mayor/Board President

Please complete and return as soon as possible, but no later than October 31, 2026 to:

WaterWholesale@fortworthtexas.gov

or

City of Fort Worth
Water Customer Service/Wholesale
P. O. Box 870
Fort Worth, Texas 76101

City Council Regular Meeting

DEPARTMENT: **Public Works**

FROM: **Harlan Jefferson, Deputy City Manager**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on a Cooperative Purchasing Agreement with Rush Truck Centers through The BuyBoard Purchasing Cooperative (Contract #724-23) for the purchase of two replacement vehicles in the amount of $177,471.60. *(Staff Contact: Harlan Jefferson, Deputy City Manager)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Beautiful, Safe, & Vibrant Community	3.4 Ensure public safety equipment and personnel needs are being met

SUMMARY:

This item includes the purchase of two replacement medium-duty truck cabs and chassis funded in the Governmental Equipment Replacement Fund for FY27. These units were approved for replacement by council action on June 15, 2026, and support daily public safety service delivery as brush trucks in the Fire Department.

This item also includes transferring the chassis-mounted pumps, tanks, and other equipment on the existing units to the new chassis being purchased. Installation of graphics and warning lights will be procured separately under administrative authority (approximately $35,000 for both units) after the equipment transfers have been completed.

On February 17, 2025, City Council approved a resolution establishing the Equipment Replacement Fund (ERF) Program to support long-term financial sustainability and ensure

sufficient funding for the timely replacement of vehicles and equipment. As part of this initiative, departments with ERF-covered assets, in collaboration with representatives from Finance, Purchasing, and the Fleet Division, participated in an internal review committee. The committee evaluated and prioritized vehicles for replacement based on the criteria outlined in the ERF policy.

The internal committee representatives consisted of:

1. Kevin Hennessey, Finance Department
2. Lieutenant Brandon Glass, Police Department
3. Tray Gee, Public Works (Fleet Maintenance)
4. Randy Morrison, Capital Engineering
5. Tony McIlwain, Development Services
6. Kim Peckler, Community Services
7. James Roberts, Parks & Recreation
8. Assistant Chief Brent Sauble, Fire Department
9. Lauren Seay, Purchasing Division
10. Errick Thompson, Public Works

Over the course of several meetings between January and March 2026, the ERF Committee reviewed its role and objectives, finalized replacement request forms, coordinated with departments regarding eligible replacement units, and evaluated all submitted requests. Following detailed discussion of each submission, committee members independently ranked the requests by replacement priority, and the results were compiled into an average prioritization ranking for each unit.

The compiled rankings were presented to the City Manager on April 20 and May 4, 2026. Based on this input, the City Manager developed a recommended list of replacements for review by the City Council Finance Committee. City Council approved the list of vehicles and equipment on June 15, 2026.

PROCUREMENT METHOD:

This purchase is being made through The BuyBoard Cooperative, contract number 724-23, in accordance with Texas Local Government Code Chapter 271, Subchapter F. Cooperative contracts are competitively solicited on behalf of multiple governmental entities, and the City may utilize these contracts to achieve cost savings and efficiency. Staff has confirmed that the cooperative contract was procured in compliance with applicable requirements. In addition, staff compared the proposed vendor's pricing with available cooperative contracts, and concluded that the recommended vendor offers the most competitive pricing available to the City.

RECOMMENDATION:

Approve a Cooperative Purchasing Agreement with Rush Truck Centers through The BuyBoard Purchasing Cooperative (Contract #724-23) for the purchase of two replacement vehicles in the amount of $177,471.60.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

May 27, 2026 – City Council Finance Committee recommended full council approval of the FY27 replacement list and funding for the Governmental Equipment Replacement Fund

June 15, 2026 – City Council approved the FY27 replacement list and funding for the Governmental Equipment Replacement Fund

REFERENCE:

CSO#6159-06-2026

FISCAL IMPACT:

Proposed Expenditure: $177,471.60
Account Number(s): 602-10-13-1302-0000-71001
Fund: Governmental Equipment Replacement Fund
Account Description: ERF Equipment

STAFF CONTACT:

Harlan Jefferson
Deputy City Manager
hjefferson@burlesontx.com
817-426-9651

Acquisition of Replacement Fire Brush Trucks

City Council
November 9, 2026

Background

- May 27, 2026: City Council Finance Committee reviewed and recommended proceeding to City Council with the replacements presented
- June 15, 2026: City Council approved replacements and funding as recommended by the Finance Committee
- June – August 2026: Administrative procurement of approved replacements not requiring council action

Fleet Purchases

This agenda item is for the purchase of two replacement cabs and chassis for the Fire Department included in the previously approved FY27 ERF Replacement List. This item also includes transfer of chassis-mounted pumps, tanks, and other equipment from the existing units to the new chassis.





Recommendations / Actions Requested

Approve a Cooperative Purchasing Agreement with Rush Truck Centers through The BuyBoard Purchasing Cooperative (Contract #724-23) for the purchase of two replacement vehicles in the amount of $177,471.60

Questions / Discussion

Tray Gee

Fleet Superintendent

fgee@burlesontx.com

817-426-9838

City Council Regular Meeting

DEPARTMENT: **Police**

FROM: **Billy Cordell, Chief of Police**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on Repeal of City Ordinance Division 4 “Public Safety Communications Department” to Article III “Departments” of Chapter 2 “Administration”, comprised of Section 2-121 Department Created (Public Safety Communications Department) and 2-122 through 2-140 (Reserved). (First Reading) (*Staff Contact: Billy Cordell, Chief of Police*)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

Public Safety Communications separated from the Burleson Police Department in January 2021, to become a stand-alone department. To obtain their independent TCOLE license, City Council had to pass an ordinance establishing Public Safety Communications (PSC) as an independent department. On July 24, 2023, Burleson City Ordinance CSO#5161-07-2023 was adopted upon final reading. The City of Burleson Public Safety Communications TCOLE agency #251120 was established on January 11, 2024.

On October 7, 2024, Public Safety Communications was realigned and placed under the command of the Burleson Police Department. All active members that were under the PSC agency #251120 have been moved under the Police Department’s TCOLE agency #251203. To continue maintaining a TCOLE agency requires the City to maintain all TCOLE and Texas Administrative requirements and reporting standards for that agency even though there are no active members under that agency. The independent PSC agency no longer serves a practical function for the City or Departments.

RECOMMENDATION:

Repeal of ordinance establishing independent Public Safety Communications Department.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

July 10, 2023 - First Reading of Ordinance

July 24, 2023 - Final Reading of Ordinance

REFERENCE:

CSO#5161-07-2023

FISCAL IMPACT:

Proposed Expenditure/Revenue: None
Account Number(s): NA
Fund: NA
Account Description: NA
Procurement Method: NA

STAFF CONTACT:

Billy Cordell
Chief of Police
bcordell@burlesontx.com
817-426-9913

THE CITY OF BURLESON TEXAS

Burleson Police Department

Repeal of Ordinance Creating Independent Public Safety Communications Department

History

- Public Safety Communications (PSC) was under the command of the Police Department until January 2021.
- July 24, 2023, PSC independent agency was created by City of Burleson Ordinance.
- October 07, 2024, PSC was realigned back under the command of the Police Department.

TCOLE & Texas Administrative Code Compliance

- To maintain a TCOLE authorized agency (active or inactive), the responsible Head of Agency must maintain reporting and training compliance with all applicable TCOLE Rules and the Texas Administrative Code.
- All PSC compliance requirements are met under the Police Department's TCOLE agency number.
- Maintaining the PSC agency number, with no active employees requires double reporting and auditing.

Industry Norms

- Most PSC agencies in the state are under command of their respective Police Departments.

- There are no identified benefits that necessitates keeping the independent PSC agency.

Requested Action

- Approve repeal of City Ordinance CSO#5161-07-2023 eliminating ordinance that created the independent PSC agency.

- Staff recommends repealing the ordinance.

Questions / Comments

ORDINANCE

AN ORDINANCE OF THE CITY OF BURLESON, TEXAS, AMENDING THE CODE OF ORDINANCES BY REPEALING SECTION 2-121 "DEPARTMENT CREATED" AND DIVISION 4 "PUBLIC SAFETY COMMUNICATIONS DEPARTMENT" OF ARTICLE III "DEPARTMENTS" OF CHAPTER 2 "ADMINISTRATION"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City") is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council, after due and careful consideration, has determined that it is reasonable and appropriate to repeal section 2-121 "Department Created" and Division 4 "Public Safety Communications Department" of Article III "Departments" of Chapter 2 "Administration" of the City of Burleson Code of Ordinances; and

WHEREAS, the City Council hereby finds and determines that the amendments and regulations set forth herein are in the best interest of the public and are adopted in furtherance of the public health, safety, welfare, morals, and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

SECTION I.

Division 4 "Public Safety Communications Department," including section 2-121 "Department Created," of Article III "Departments" of Chapter 2 "Administration" of the City of Burleson Code of Ordinances is hereby repealed in its entirety.

SECTION II.

This Ordinance shall be cumulative of all provisions of ordinances of the City, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION III.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable and if any phrase, clauses, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since

the same would have been enacted by the City Council without the incorporation in its ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION IV.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of Division 4 "Public Safety Communications Department," including section 2-121 "Department Created," of Article III "Departments" of Chapter 2 "Administration" of the Code of Ordinances, City of Burleson, Texas and or any other ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION V.

The City Secretary is hereby directed to publish this Ordinance as required by state law.

SECTION VI.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

AND IT IS SO ORDAINED.

PASSED AND APPROVED this _____ day of _____, 20_____.

First Reading: the _____ day of _____, 20_____.

Final Reading: the _____ day of _____, 20_____.

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

_____
Amanda Campos, City Secretary

APPROVED AS TO FORM:

_____
E. Allen Taylor, Jr., City Attorney

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 2, "ADMINISTRATION" OF THE CODE OF ORDINANCES OF THE CITY OF BURLESON, TEXAS (2005), AS AMENDED, BY ADDING DIVISION 4, ENTITLED "PUBLIC SAFETY COMMUNICATIONS DEPARTMENT" TO ARTICLE III "DEPARTMENTS" AND ESTABLISHING THE CREATION OF THE DEPARTMENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson ("City") is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, in January of 2021 the City's telecommunications and dispatch center was separated from the Burleson Police Department; and

WHEREAS, since that time the department has been operating as a standalone department named the "Public Safety Communications Department" that is managed separately from the Burleson Police Department and Burleson Fire Department; and

WHEREAS, the City desires that the Public Safety Communications Department register with the Texas Commission on Law Enforcement as a law enforcement telecommunication center; and

WHEREAS, the Texas Commission on Law Enforcement requires the City adopt an ordinance creating the Public Safety Communications Department; and

WHEREAS, the City desires to adopt an ordinance creating the Public Safety Communications Department; and

WHEREAS, the City Council finds and determines that the adoption of this ordinance is necessary and proper and in the best interests of the public health, safety, and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

SECTION 1.

The Code of Ordinances of Burleson, Texas (2005) is hereby amended by adding a new division, entitled Division 4 "Public Safety Communications Department" to Article III "Departments" of Chapter 2 "Administration", comprised of Section 2-141 which reads as follows:

"**DIVISION 3: PUBLIC SAFETY COMMUNICATIONS DEPARTMENT**

Sec. 2-141. Department Created.

There is created a Public Safety Communications Department. The city manager shall appoint the director of the Public Safety Communications Department."

SECTION 2.
CUMULATIVE

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Burleson, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed. This ordinance is consistent with and is not intended to repeal any provision in the zoning ordinance.

SECTION 3.
SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.
PUBLICATION

Pursuant to Section 36 of the Charter of the City of Burleson, that this ordinance shall take effect after its passage and publication, and that the City Secretary is hereby directed to give notice of the passage of this ordinance by causing the captain or title and the penalty clause of this ordinance to be published once in a newspaper of general circulation in the city and on the city's website.

SECTION 5.
EFFECTIVE DATE

This ordinance shall become effective immediately upon its passage and publication as required by law.

First Reading: the 10th day of July, 2023.

Final Reading: the 24th day of July, 2023.

PASSED AND APPROVED this the 24th day of July, 2023.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

Amanda Campos, City Secretary

APPROVED AS TO FORM:

E. Allen Taylor, Jr., City Attorney

TEXAS COMMISSION ON LAW ENFORCEMENT

6330 E. Highway 290, STE. 200, Austin, Texas 78723-1035
Phone: (512) 936-7700
http://www.tcole.texas.gov

LAW ENFORCEMENT TELECOMMUNICATION NUMBER APPLICATION

Return form with non-refundable fee of $1,000.00. Agency, cashier's check or money order. (5519)

PROPOSED AGENCY INFORMATION

1. Proposed Agency Name	2. Proposed Agency Address		
Burleson Public Safety Communications Department	1161 SW Wilshire Blvd		
3. City	4. State	5. County	6. Zip Code
Burleson	TX	Johnson	76028
7. Phone Number	8. Fax Number	9. E-mail	
817-426-9903	817-426-9385	dispatch911@burlesontx.com	

PROPOSED AGENCY CHIEF ADMINISTRATOR INFORMATION

10. Title	11. First Name	12. M.I.	13. Last Name	14. Suffix (Jr.Etc)
PSC Director	Paul	F	Bradley	
15. TCOLE PID	16. Date of Birth	17. Race / Ethnicity		18. Gender
371742	XX/XX/XXXX	☐ American Indian or Alaskan Native ☐ Asian ☐ Black ☐ Hispanic ☐ Multicultural ☒ White		☒ Male ☐ Female

Cite applicable statute providing legislative authority
(i.e., Local Government Code, Education Code): TX Admin. Code, Title 37 Statute Number: 211.16(d)

The entity shall submit to the commission on creation of the law enforcement telecommunication center information regarding:

_____(1) The need for the law enforcement telecommunication center in the community;
_____(2) The funding sources for the law enforcement telecommunication center;
_____(3) The physical resources available to tele communicators;
_____(4) The physical facilities that the law enforcement telecommunication center will operate, including descriptions of the secured dispatch/clerk area, and public area;
_____(5) Telecommunication policies of the law enforcement telecommunication center, including policies on:
- ____(A) General Rules/Professional Conduct of Tele communicators;
- ____(B) Dispatch Procedures/Training;
- ____(C) Access to Communication Area;
- ____(D) Call Taking/Radio Log protocols;
- ____(E) General Broadcasting-Emergency Alerts;
- ____(F) Lane/Road Closures; and Accidents
- ____(G) In Progress Incidents;
- ____(H) Violation Alerts
- ____(I) Emergency Transmissions

_____(6) The administrative structure of the law enforcement telecommunication center;
_____(7) Liability insurance;
_____(8) Documents from the governing body authorizing creation of agency: Example(s): Municipal Code/Ordinance, School District Resolution, and;
_____(9) Minutes approving ordinance.

REQUESTING GOVERNMENTAL BODY

19. Governing Body			20. Mailing Address	
City of Burleson			141 W Renfro St	
21. City	22. State	23. Zip Code	24. Phone Number	25. Fax Number
Burleson	TX	76028	817-426-9600	817-426-9376
26. Governing Body Administrator		27. Title		29. Phone Number
Tommy Ludwig		City Manager		817-426-9683

I, the administrator of the governmental body making request, am fully aware that this application is a government document and under penalties of perjury I declare the foregoing information to be true and correct.

Tommy Ludwig
Administrator (Type or Print)

Signature

July 24, 2023
Date

Sworn to and subscribed before me, this 24th day of Month, July 4, 2023 Year

Notary public in and for, State of Texas

My Commission expires /Month/Year December 21, 2025

LISANDRA LEAL
Notary Public
STATE OF TEXAS
ID# 131389326
My Comm. Exp. Dec. 21, 2025

Lisandra Leal
Printed Name of Notary

Lisandra Leal
Signature of Notary

City Council Regular Meeting

DEPARTMENT: **Information Technology**

FROM: **Hugo Rodriguez, Deputy Chief Technology Officer**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on a purchasing agreement with Solid Border for maintenance and support of Palo Alto security appliance in the amount of $214,742.50 *(Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The City has used Palo Alto security appliances for its defense-in-depth strategy. The appliances are key components of the City's security infrastructure, helping with management and security of our network topology and retention of our logs.

The proposed agreement would purchase Palo Alto maintenance and support services through Solid Border, which offers better pricing and support. These services help staff address technical issues and maintain the appliance's effectiveness in protecting City systems and supporting daily operations.

The total cost of $214,742.50 is included in the BTX-IT annual budget.

PROCUREMENT METHOD:

This purchase is being made through the Texas Department of Information Resources (DIR), contract number DIR-CPO-4850, in accordance with Texas Local Government Code Chapter 271, Subchapter F. Cooperative contracts are competitively solicited on behalf of multiple governmental entities, and the City may utilize these contracts to achieve cost savings and efficiency. Staff has confirmed that the cooperative contract was procured in compliance with

applicable requirements. In addition, staff compared the proposed vendor's pricing to current market rates and concluded that the recommended vendor offers the most competitive pricing available to the City.

RECOMMENDATION:

Approve a purchasing agreement with Solid Border for maintenance and support of Palo Alto security appliance in the amount of $214,742.50.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

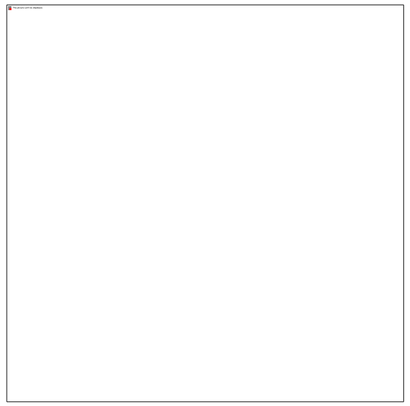
Proposed Expenditure/Revenue: $214,742.50
Account Number(s): 6108001-63506
Fund: Support Services Fund (610)
Account Description: Computer Software M&R
Procurement Method: DIR-CPO-4850

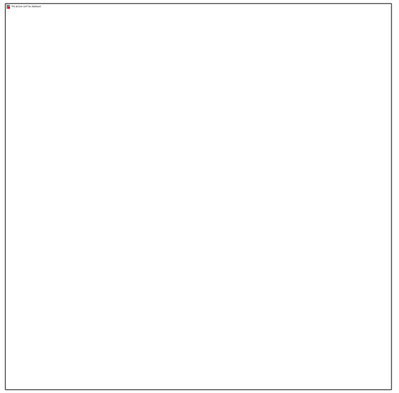
STAFF CONTACT:

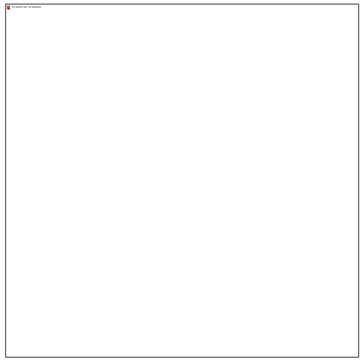
Hugo Rodriguez
Deputy Chief Technology Officer
hrodriguez@burlesontx.com
682-312-2766

Solid Border Purchase Agreement

THE CITY OF BURLESON TEXAS | Information Technology







Background

- The City has used Palo Alto security appliances for its defense-in-depth strategy.
- The appliances are key components of the City’s security infrastructure, helping with management and security of our network topology and retention of our logs.
- The City will purchase Palo Alto services through Solid Border for better pricing and support.

Purchase Agreement Details

Vendor: Solid Border.
Purpose: Purchase Palo Alto maintenance and support services for the City’s security appliance.
Services included: Security patches and technical support to maintain protection and resolve issues.
Vendor selection: Solid Border offers better pricing and support.

Total cost: $214,742.50.
Funding: Included in the City’s annual budget.

Recommendation

Approve a purchasing agreement with Solid Border for maintenance and support of Palo Alto security appliance in the amount of $214,742.50.

City Council Regular Meeting

DEPARTMENT: **Information Technology**

FROM: **Hugo Rodriguez, Deputy Chief Technology Officer**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on an interlocal agreement between the City of Burleson and the North Central Texas Council of Governments for the 2027 orthophotography (aerials) in the amount of $2,073.09 *(Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The City of Burleson has participated in the North Central Texas Council of Governments (NCTCOG) orthophotography program since 2003. This regional cooperative program allows participating local governments to share the cost of acquiring updated aerial imagery.

The proposed interlocal agreement would provide 2027 aerial imagery for use in the City's Geographic Information System (GIS). Updated imagery helps staff evaluate development, identify changes to properties and infrastructure, maintain GIS data, and support planning and departmental operations.

The $2,073.09 cost is included in the BTX-IT annual budget. Continued participation provides a cost-effective approach to obtaining updated imagery that supports City operations and decision-making.

PROCUREMENT METHOD:

This agreement is being entered into under the authority of Texas Government Code Chapter 791, the Interlocal Cooperation Act. The City of Burleson is partnering with the North Central Texas Council of Governments (NCTCOG) to obtain aerial orthophotography through its Spatial

Data Cooperative Program (SDCP), which is utilized by a majority of local governments in North Central Texas. Interlocal agreements allow political subdivisions to share resources and participate in cooperative programs to achieve operational efficiencies and cost savings. Purchases under Section 791.025 satisfy applicable competitive bidding requirements.

RECOMMENDATION:

Approve an interlocal agreement between the City of Burleson and the North Central Texas Council of Governments for the 2027 orthophotography in the amount of $2,073.09.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

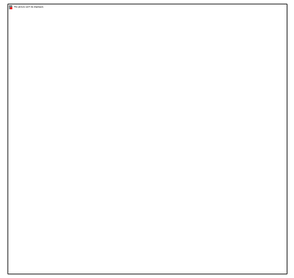
Proposed Expenditure/Revenue: $2,073.09
Account Number(s): 6108001-63505
Fund: Support Services Fund (610)
Account Description: Computer Hardware M&R
Procurement Method: Interlocal Agreement

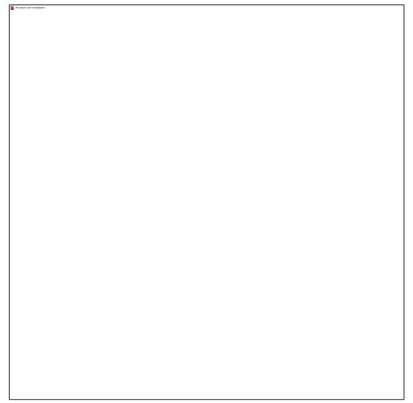
STAFF CONTACT:

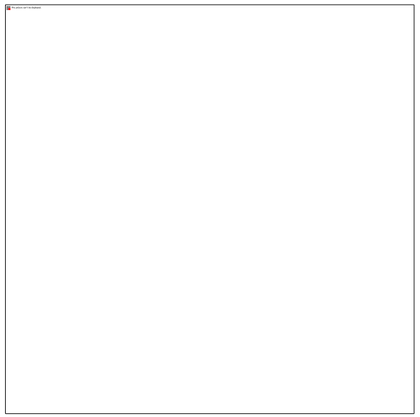
Hugo Rodriguez
Deputy Chief Technology Officer
hrodriguez@burlesontx.com
682-312-2766

GIS Aerials Interlocal

THE CITY OF BURLESON TEXAS | Information Technology







Background

- NCTCOG has coordinated the Spatial Data Cooperative Program (SDCP) since 2001.
- Burleson has participated since the program began.
- Cities, counties, and public agencies share costs to acquire high-quality geographic data at a lower cost than purchasing individually.
- Aerial imagery is captured annually, with some commercial partnerships providing updates two to three times per year.
- The 2027 imagery supports GIS, development planning, and property and infrastructure reviews.

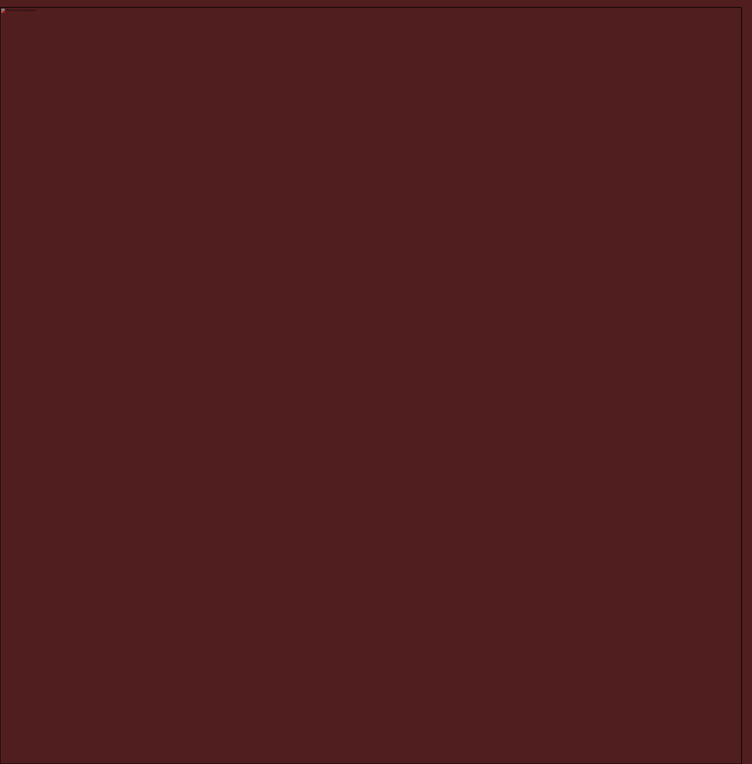
Interlocal Details

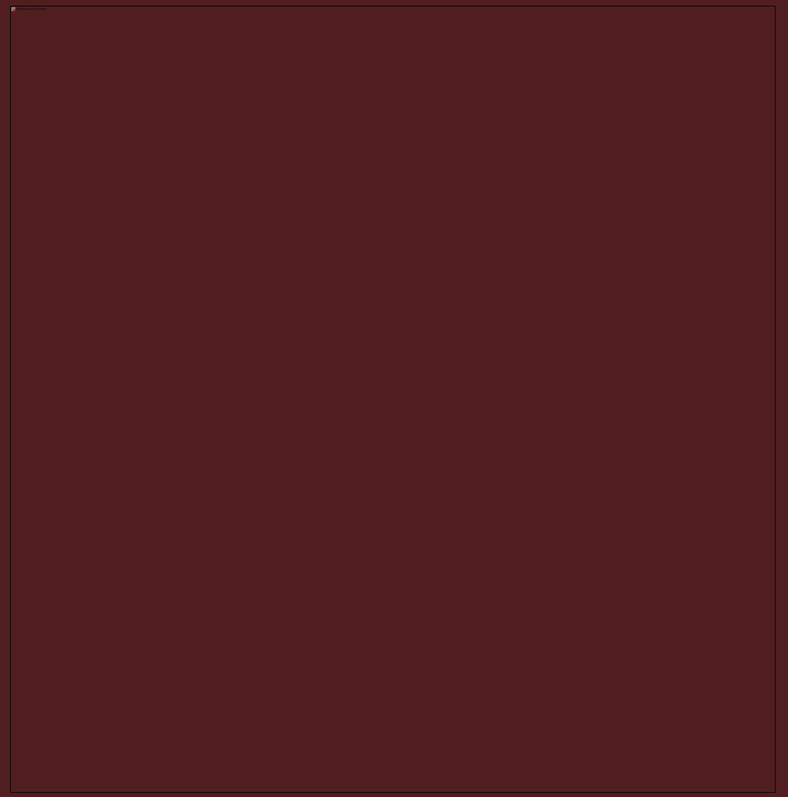
- **Parties:** City of Burleson and the North Central Texas Council of Governments (NCTCOG).
- **Purpose:** Purchase 2027 orthophotography through the Spatial Data Cooperative Program.
- **City use:** Updated aerial imagery for GIS, development planning, and property and infrastructure reviews.

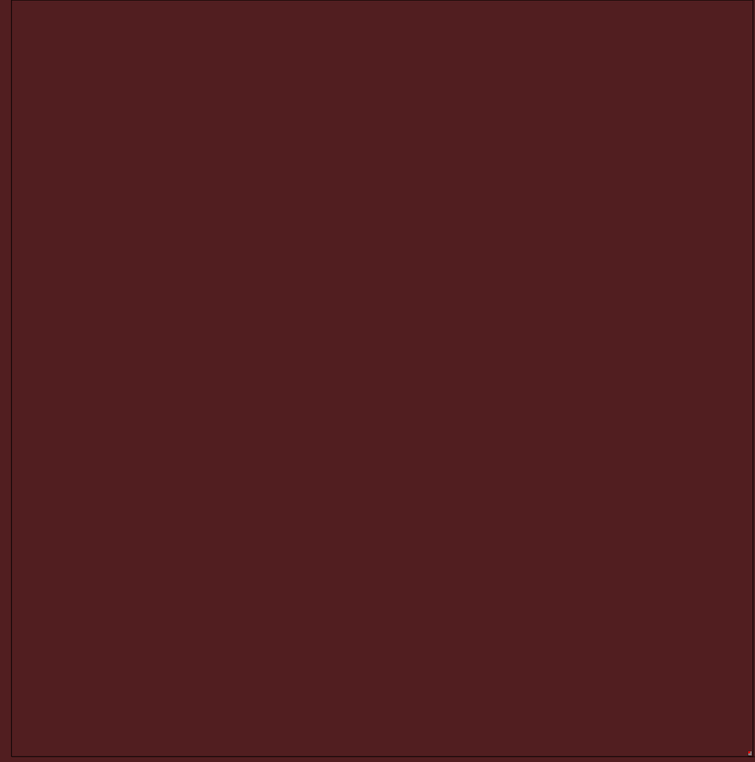
- **Total cost:** $2,073.09.
- **Funding:** Included in the BTX-IT annual budget.

Recommendation

Approve an interlocal agreement between the City of Burleson and the North Central Texas Council of Governments for the 2027 orthophotography in the amount of $2,073.09.







City Council Regular Meeting

DEPARTMENT: **Capital Engineering**

FROM: **Randy Morrison, PE, Director of Capital Engineering**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on a Letter of No Objection (LONO) for an encroachment on easement with Atmos Energy for the Hidden Creek Softball Complex Demolition Project (PC2605). (*Staff Contact: Randy Morrison, PE, Director of Capital Engineering*)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.4 Implement the city's Capital Improvement Program 2.5 Develop and maintain facilities and utility services

SUMMARY:

The project includes the complete demolition and site stabilization of the Hidden Creek Softball Complex located at 295 E. Hidden Creek Parkway in Burleson, Texas. The existing facility encompasses three (3) softball fields that include field lighting systems, scoreboards, dugouts, foul poles, softball field turf surfaces, fencing, two buildings, concrete and asphalt hardscapes and other related appurtenances that are to be removed in their entirety. Following demolition the site will be smooth graded and hydro-mulched to establish a vegetative surface. The site will remain as green space until future development plans are identified by the City.

There is an existing 24-inch steel high pressure natural gas pipeline that resides in a thirty (30') foot wide permanent pipeline easement, which is owned by Atmos Energy that falls within the project limits. Atmos Energy has reviewed our proposed construction documents and has agreed to allow the encroachment over their easement with the proposed City work, conditioned upon the adherence of specified conditions within the LONO.

RECOMMENDATION:

Consider and take possible action on a Letter of No Objection (LONO) for an encroachment on easement with Atmos Energy for the Hidden Creek Softball Complex Demolition Project (PC2605).

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

N/A

STAFF CONTACT:

Randy Morrison, PE
Director of Capital Engineering
rmorrison@burlesontx.com
817-426-9612

HIDDEN CREEK SOFTBALL COMPLEX DEMOLITION

Atmos Energy Letter of No Objection (LONO)



PRESENTED TO THE CITY COUNCIL ON

NOVEMBER 9, 2026

Project Background



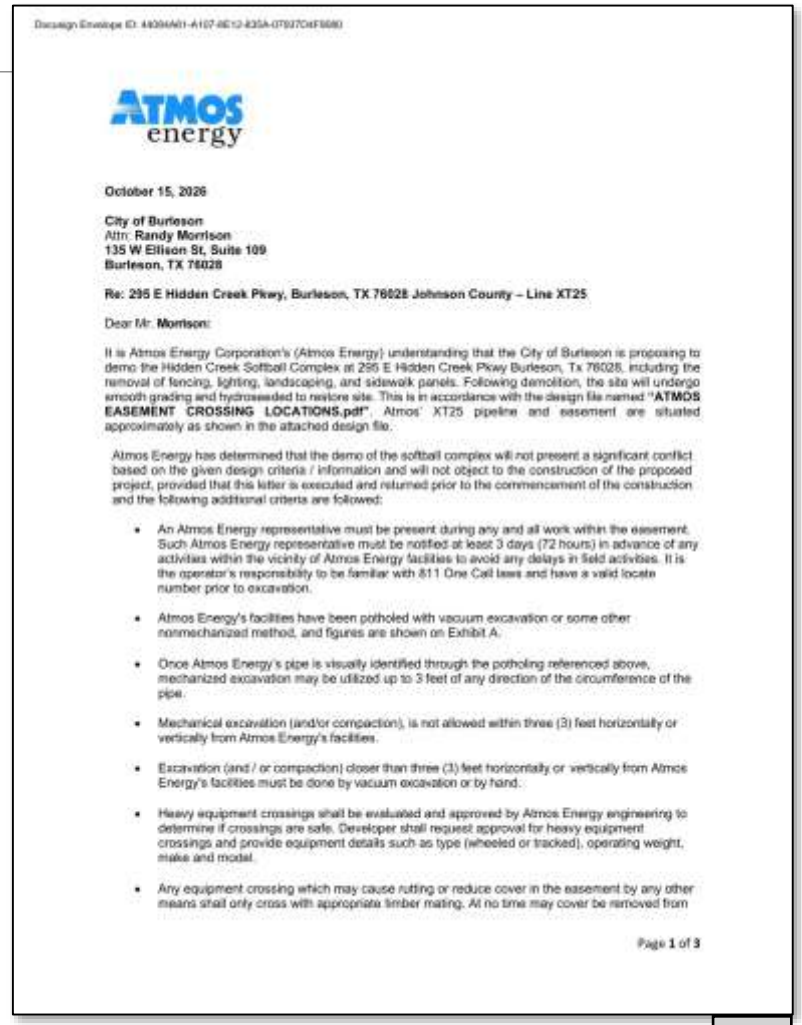
- Project added to the CIP on April 20, 2026 based on City Council's direction.
- The Hidden Creek Softball Complex was closed to the public on June 1, 2026 following the conclusion of the Spring season.
- The demolition contract was awarded by City Council on July 20, 2026.
  - Notice to Proceed issued September 3, 2026
  - Current Contract Completion December 2, 2026
- Initiated coordination with Atmos on May 12, 2026 in order to protect their 24" high pressure gas main and 30' easement.
  - Contractor potholed the line October 7, 2026.

Letter of No Objection (LONO) for Easement Encroachment

Required when proposed facilities cross Atmos's easement.

Includes limitations and regulations such as the following –

- An Atmos field representative must have the opportunity to be present
- Gas Pipeline must be positively located
- Excavation restrictions and requirements
- City of Burleson indemnification



ATMOS energy

October 15, 2026

City of Burleson
Attn: Randy Morrison
135 W Ellison St, Suite 109
Burleson, TX 76028

Re: 295 E Hidden Creek Pkwy, Burleson, TX 76028 Johnson County – Line XT25

Dear Mr. Morrison:

It is Atmos Energy Corporation's (Atmos Energy) understanding that the City of Burleson is proposing to demo the Hidden Creek Softball Complex at 295 E Hidden Creek Pkwy Burleson, Tx 76028, including the removal of fencing, lighting, landscaping, and sidewalk panels. Following demolition, the site will undergo smooth grading and hydroseeded to restore site. This is in accordance with the design file named "**ATMOS EASEMENT CROSSING LOCATIONS.pdf**". Atmos' XT25 pipeline and easement are situated approximately as shown in the attached design file.

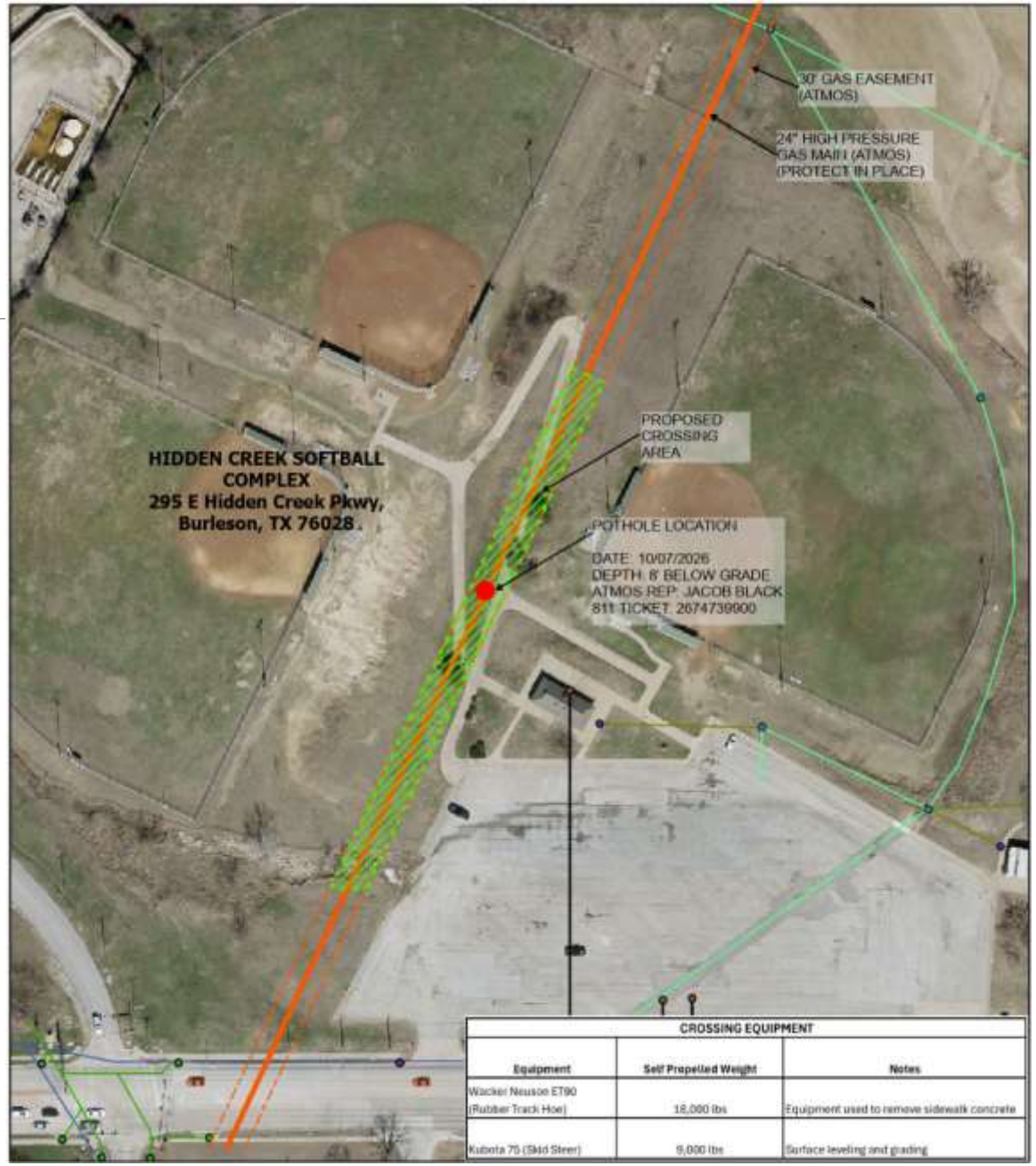
Atmos Energy has determined that the demo of the softball complex will not present a significant conflict based on the given design criteria / information and will not object to the construction of the proposed project, provided that this letter is executed and returned prior to the commencement of the construction and the following additional criteria are followed:

- An Atmos Energy representative must be present during any and all work within the easement. Such Atmos Energy representative must be notified at least 3 days (72 hours) in advance of any activities within the vicinity of Atmos Energy facilities to avoid any delays in field activities. It is the operator's responsibility to be familiar with 811 One Call laws and have a valid locate number prior to excavation.
- Atmos Energy's facilities have been potholed with vacuum excavation or some other nonmechanized method, and figures are shown on Exhibit A.
- Once Atmos Energy's pipe is visually identified through the potholing referenced above, mechanized excavation may be utilized up to 3 feet of any direction of the circumference of the pipe.
- Mechanical excavation (and/or compaction), is not allowed within three (3) feet horizontally or vertically from Atmos Energy's facilities.
- Excavation (and / or compaction) closer than three (3) feet horizontally or vertically from Atmos Energy's facilities must be done by vacuum excavation or by hand.
- Heavy equipment crossings shall be evaluated and approved by Atmos Energy engineering to determine if crossings are safe. Developer shall request approval for heavy equipment crossings and provide equipment details such as type (wheeled or tracked), operating weight, make and model.
- Any equipment crossing which may cause rutting or reduce cover in the easement by any other means shall only cross with appropriate timber matting. At no time may cover be removed from

Page 1 of 3

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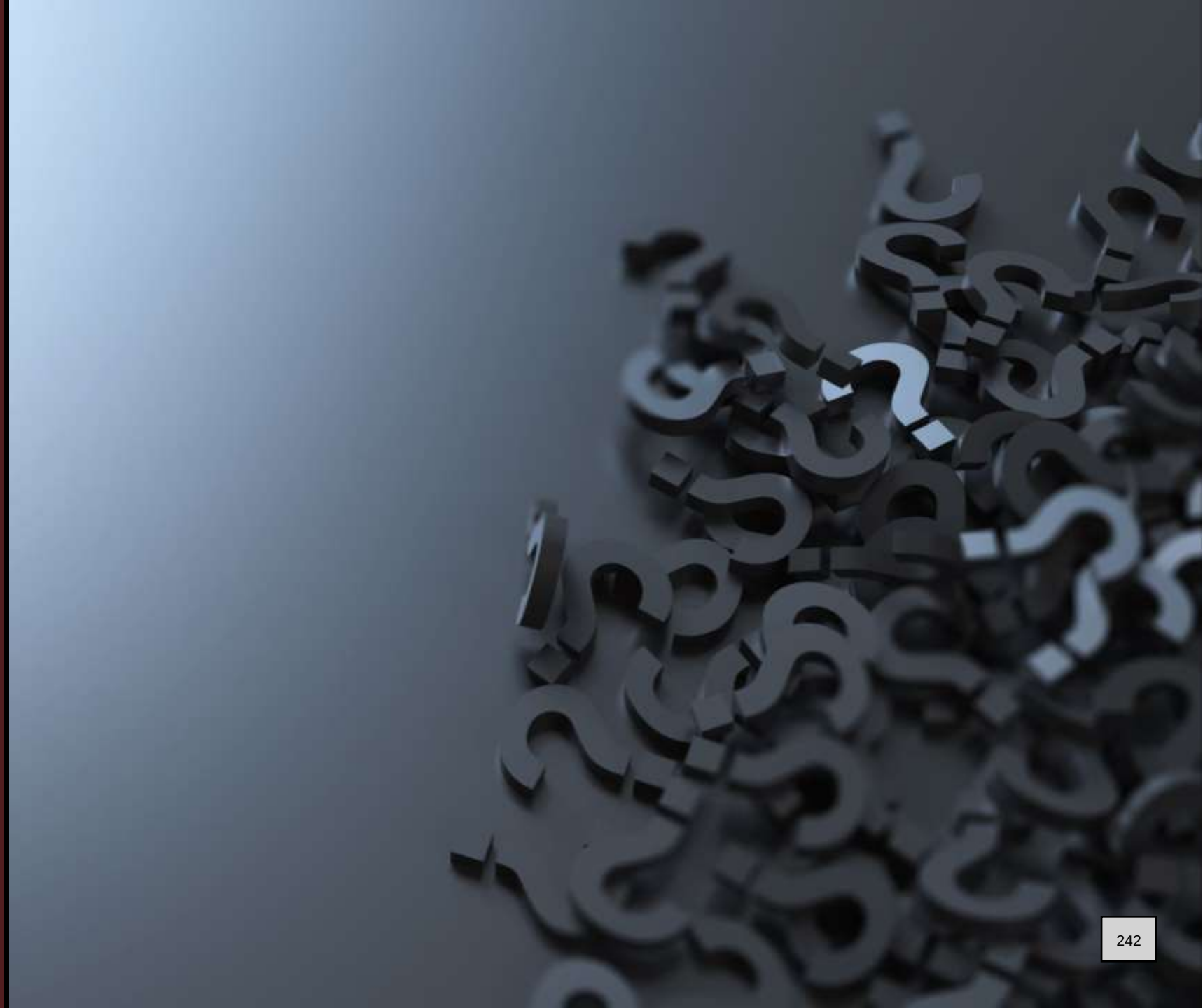
Area of Easement Encroachment



Council Considerations

Consider and take possible action on a Letter of No Objection (LONO) for an encroachment on easement with Atmos Energy for the Hidden Creek Softball Complex Demolition Project (PC2605).

Questions / Comments



10/22/2026

The City of Burleson
Attn: **Tommy Ludwig**
135 W Ellison St, Suite 109
Burleson, TX 76028

Re: Line **Line XT25**
295 E Hidden Creek Pkwy, Burleson, TX 76028 Johnson County

Dear **Mr. Ludwig**:

It is Atmos Energy Corporation's (Atmos Energy) understanding that the **City of Burleson** is proposing to demo the Hidden Creek Softball Complex at 295 E Hidden Creek Pkwy Burleson, TX 76028, including the removal of fencing, lighting, landscaping, and sidewalk panels. Following demolition, the site will undergo smooth grading and hydroseeded to restore site. This is in accordance with the design file named **"ATMOS EASEMENT CROSSING LOCATIONS.pdf"**. Atmos' XT25 pipeline and easement are situated approximately as shown in the attached design file.

Atmos Energy has determined that the demo of the softball complex will not present a significant conflict based on the given design criteria / information and will not object to the construction of the proposed project, provided that this letter is executed and returned prior to the commencement of the construction and the following additional criteria are followed:

- An Atmos Energy representative must be present during any and all work within Atmos Energy's easement. Such Atmos Energy representative must be notified at least 3 days (72 hours) in advance of any activities within the vicinity of Atmos Energy facilities to avoid any delays in field activities. It is the operator's responsibility to be familiar with 811 One Call laws and have a valid locate number prior to excavation.

- Atmos Energy's facilities have been potholed with vacuum excavation or some other nonmechanized method, and figures are shown on Exhibit A.

- Once Atmos Energy's pipe is visually identified through the potholing referenced above, mechanized excavation may be utilized up to 3 feet of any direction of the circumference of the pipe.

- Mechanical excavation (and/or compaction), is not allowed within three (3) feet horizontally or vertically from Atmos Energy's facilities.

- Excavation (and / or compaction) closer than three (3) feet horizontally or vertically from Atmos Energy's facilities must be done by vacuum excavation or by hand.

- Heavy equipment crossings shall be evaluated and approved by Atmos Energy engineering to determine if crossings are safe. Developer shall request approval for heavy equipment crossings and provide equipment details such as type (wheeled or tracked), operating weight, make and model. Any equipment crossing which may cause rutting or reduce cover in the easement by any other means shall only cross with appropriate timber matting.

- At no time may cover be removed from the easement or right-of-way without the prior written approval of an authorized representative of Atmos Energy.

- There shall be a minimum of 8 feet from top of grade to top of pipe at designated matted temporary construction crossings.

- Atmos Energy's easement will be protected from washing and erosion during construction and/or repairs.

- Equipment, materials, or excess dirt will not be stored on Atmos Energy's easement during construction without the prior written approval of an authorized representative of Atmos Energy.

- Atmos Energy shall not be liable for any damage to the Improvement as a result of Atmos Energy's use or enjoyment of its easement.

- Atmos Energy reserves the right for future uses of this easement, including but not limited to, ingress and egress, reconstructing, removing, relocating, maintaining, operating, etc., of any of its facilities.

- Impact/conflict analysis was based on and is limited to drawings and documents submitted to Atmos Energy, as provided on Exhibit A. Any change in scope of work contained in these drawings is subject to the approval of Atmos Energy in its sole discretion.

- **The City of Burleson** and its successors and assigns will indemnify and hold harmless Atmos Energy for any and all claims, demands, causes of action, loss, damage, liabilities and cost and expenses (including reasonable attorney's fees and court costs) arising out of or in connection with acts and omissions of **The City of Burleson**, including its contractors, subcontractors, and agents, relating to the construction of the project identified in Exhibit A.

- In the event of any inconsistency, conflict, or ambiguity as to the rights and obligations of the parties under this Agreement and the design plans attached herein as Exhibit A, the expressed terms outlined in this Letter of No Objection shall control and supersede any inconsistency, conflict, or ambiguity with Exhibit A.

- Notwithstanding the above, the **City of Burleson** is not required to incur debt in violation of Article XI, Section 5 of the Texas Constitution nor is it required to create a sinking fund to fund any obligations contained herein.

You are not authorized to commence work until we have received a signed copy of this letter.

For further assistance please call **Cameron Tyler-Vann** at **817-965-0782**.

Sincerely,

Saul Balcazar

Engineering Manager
Atmos Energy Corporation
901 Altamesa Blvd
Fort Worth, TX 76134

cc: **Cameron Tyler-Vann**

Signature: _____

Name: Tommy Ludwig

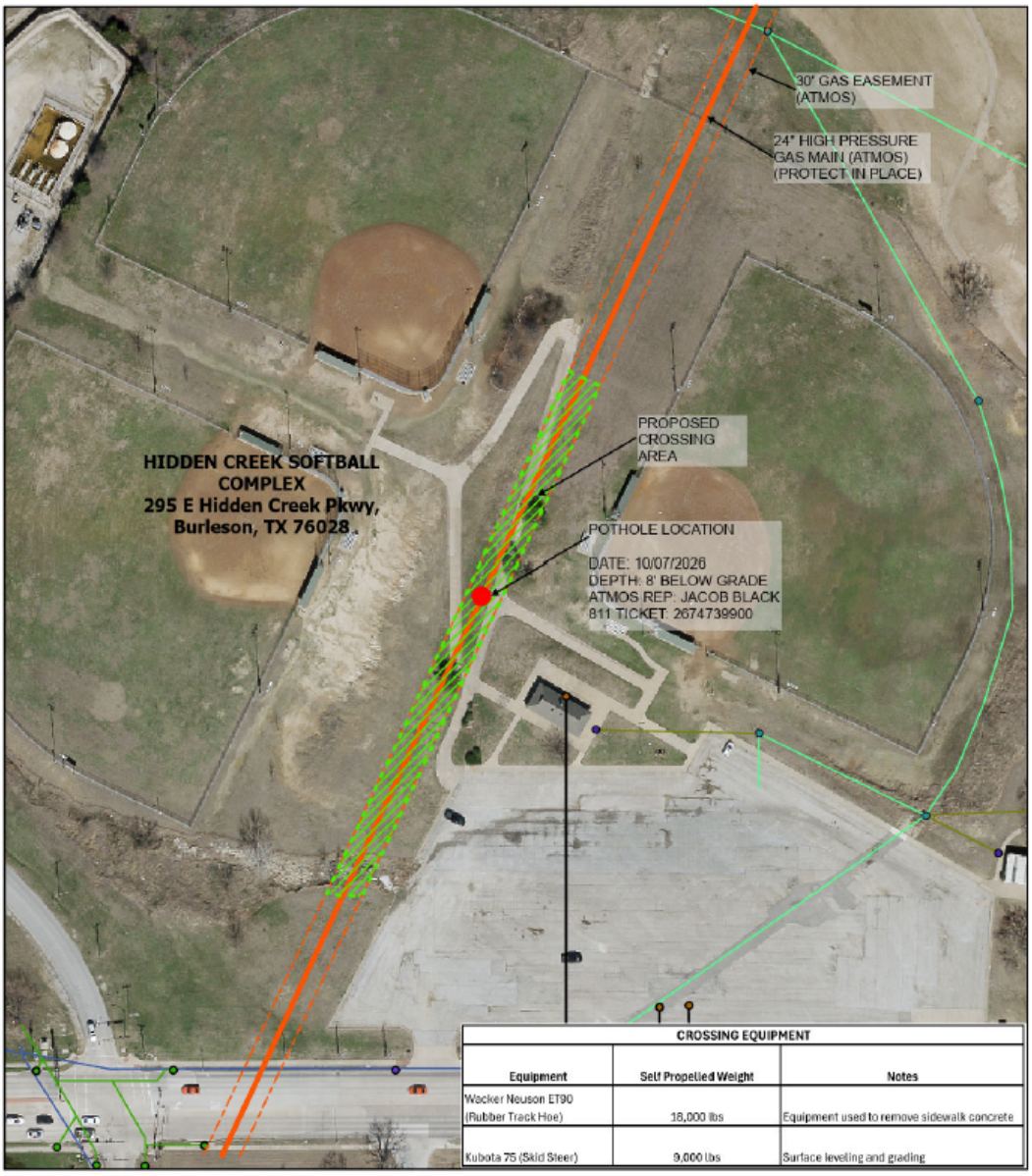
Company: The City of Burleson

Title: City Manager

Date: _____

HIDDEN CREEK SOFTBALL COMPLEX DEMOLITION
Project No. PC2605

ATMOS EASEMENT CROSSING LOCATIONS



CROSSING EQUIPMENT		
Equipment	Self Propelled Weight	Notes
Wacker Neuson ET90 (Rubber Track Hoe)	18,000 lbs	Equipment used to remove sidewalk concrete
Kubota 75 (Skid Steer)	9,000 lbs	Surface leveling and grading

City Council Regular Meeting

DEPARTMENT: **Capital Engineering**

FROM: **Randy Morrison, Director of Capital Engineering**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on Change Order Number 12 with 2L Construction, LLC for construction services on the Old Town – Ellison Parking and Street Realignment with Annex 3 Site (CSO# 5395-02-2024) in the amount of $60,548.80 for a total contract amount of $3,162,516.54 (Project 21PW02). *(Staff Contact: Randy Morrison, Director of Capital Engineering)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.3 Enhance connectivity and improve mobility 2.4 Implement the city's Capital Improvement Program

SUMMARY:

The City and BTX Old Town, LLC entered into a Chapter 380 Agreement on December 14, 2020 for a mixed-use development located at 114 and 135 W. Ellison Street. Per the Agreement, the City was obligated to demolish 225 W. Renfro Street (Annex 3), construct a new public parking lot, provide a pad site for future development and provide additional improvements to Ellison Street.

Change Order Number 12 in the amount of $60,548.80 covers adjustments to quantities on specific bid items to reflect the actual quantities constructed on the site. Specific items adjusted include sidewalk, curb and gutter, concrete valley gutter, handrail, hydrated lime, lime treatment, flexible base, asphalt, concrete pavement, concrete drive and excavation and haul off. There were 11 prior change orders to the contract totaling $190,240.34 addressing various items that needed to be modified through the course of the project.

RECOMMENDATION:

Consider and take possible action on Change Order Number 12 with 2L Construction, LLC for construction services on the Old Town – Ellison Parking and Street Realignment with Annex 3 Site (CSO# 5395-02-2024) in the amount of $60,548.80 for a total contract amount of $3,162,516.54 (Project 21PW02).

PRIOR ACTION/INPUT (Council, Boards, Citizens):

City Council approved the original construction contract on February 5, 2024 through CSO# 5395-02-2024.

REFERENCE:

CSO# 5395-02-2024 – Original Contract
CON#274-10-2026 - Change Order Number 1 - $5,700.00
CON#275-10-2026 - Change Order Number 2 - $9,843.34
CON#276-10-2026 - Change Order Number 3 - $4,610.00
CSO#5598-09-2024 - Change Order Number 4 - $103,650.00
CON#277-10-2026 - Change Order Number 5 - $4,980.00
CON#278-10-2026 - Change Order Number 6 - $12,430.00
CON#279-10-2026 - Change Order Number 7 - $2,850.00
CON#280-10-2026 - Change Order Number 8 - $15,400.00
CON#281-10-2026 - Change Order Number 9 - $3,500.00
CON#282-10-2026 - Change Order Number 10 - $2,192.00
CON#283-10-2026 - Change Order Number 11 - $36,485.00

FISCAL IMPACT:

Proposed Expenditure/Revenue: $60,548.80
Account Number(s): 4403101 70020, 4023101 70020
Fund: 4A Bond Construction, 4A NonBond Construction
Account Description: 4ABdConstr, 4ANBConst
Procurement Method: Invitation to Bid

STAFF CONTACT:

Randy Morrison, PE
Director of Capital Engineering
rmorrison@burlesontx.com
817-426-9612

OLD TOWN – ELLISON PARKING AND STREET REALIGNMENT WITH ANNEX 3 SITE (Project 21PW02)

Change Order Number 12

PRESENTED TO THE CITY COUNCIL

NOVEMBER 9, 2026



BACKGROUND

- City and BTX Old Town, LLC entered into Chapter 380 Agreement December 14, 2020 for a mixed use development located at 114 and 135 W. Ellison St.
- Per the Agreement, City was obligated to
  - Demolish 225 W. Renfro St. (Annex 3)
  - Construct a new public parking lot and provide pad site for future development
  - Provide additional improvements to Ellison St



STATUS AND QUANTITY ADJUSTMENTS

- Project Construction is 99% Complete
- Quantities being adjusted with Change Order 12 include:
  - Sidewalk
  - Curb and Gutter
  - Concrete Valley Gutter
  - Handrail
  - Hydrated Lime
  - Lime Treatment
  - Flexible Base
  - Asphalt
  - Concrete Pavement
  - Concrete Drive
  - Excavation and Haul Off

TOTAL ESTIMATED CONSTRUCTION COST

2L Construction, LLC

- Original Contract = $2,911,727.40
- Change Orders 1 through 11 = $190,240.34
- Change Order 12 (under consideration) = $60,548.80
- Total Contract Amount = $3,162,516.54

Construction Budget - $3,243,670.12

ACTION REQUESTED

Consider and take possible action on Change Order Number 12 with 2L Construction, LLC for construction services on the Old Town – Ellison Parking and Street Realignment with Annex 3 Site (CSO# 5395-02-2024) in the amount of $60,548.80 for a total contract amount of $3,162,516.54 (Project 21PW02).

Questions/Comments

Randy Morrison, PE

Director of Capital Engineering

rmorrison@burlesontx.com

817-426-9612

City Council Regular Meeting

DEPARTMENT: **Capital Engineering**

FROM: **Randy Morrison, Director of Capital Engineering**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on the Fifth Amendment to the Professional Services Agreement (CSO#1734-05-2021) with Teague Nall and Perkins, Inc. for the Intersection Improvements at SW Alsbury Blvd. at NW John Jones Dr. project in the amount of $46,170 for a total design cost of $317,070 (Project 197409). *(Staff Contact: Randy Morrison, PE, Director of Capital Engineering)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The Intersection Improvements for SW Alsbury Blvd. at NW John Jones Dr. project will construct new right turn lanes along SW Alsbury Blvd. and along NW John Jones Dr., new traffic signal poles, and a raised median along SW Alsbury Blvd. The new turn lanes, traffic signal poles, and median improvements will improve traffic flow for the area.

The Fifth Amendment will include the following tasks:

- Task 1 – Attending monthly in-person progress meetings each month during construction
- Task 2 – Attending scheduled site visits
- Task 3 – Reviewing all submittals
- Task 4 – Reviewing all Requests for Information (RFIs)

- Task 5 – Reviewing all change orders
- Task 6 – Attending project final walk through and generating Contractor punch list
- Task 7 – Preparing and delivering record drawings upon receipt of Contractor red-line markups

The original design contract approved with Teague Nall and Perkins, Inc. was in the amount of $167,600 with $16,760 in contingency. The First Amendment approved was for $3,800 for additional survey on the south side of the intersection. The Second Amendment was for $55,500 for the preparation of the Local On-System Agreement with TxDOT. The third Amendment was for $39,000 for the design of one additional traffic signal pole for the southeast corner of the intersection. The Fourth Amendment was for $5,000 for bidding support. This Fifth Amendment cost is $46,170 which brings the total contract amount to $317,070.

RECOMMENDATION:

Consider and take possible action on the Fifth Amendment to the Professional Services Agreement (CSO#1734-05-2021) with Teague Nall and Perkins, Inc. for the Intersection Improvements at SW Alsbury Blvd. at NW John Jones Dr. project in the amount of $46,170 for a total design cost of $317,070 (Project 197409).

PRIOR ACTION/INPUT (Council, Boards, Citizens):

May 3, 2021 - City Council approved a Professional Services Agreement (CSO#1734-05-2021) with Teague Nall and Perkins, Inc. for design of the Intersection Improvements for SW Alsbury Blvd. at NW John Jones Dr. project in the amount not to exceed $167,600 with $16,760 contingency.

REFERENCE:
CSO#1734-05-2021 – Original Agreement
CON#289-10-2026 – Amendment No. 1 - $3,800.00
CSO#5351-01-2023 – Amendment No. 2 - $55,500.00
CON#290-10-2026 – Amendment No. 3 - $39,000.00
CON#291-10-2026 – Amendment No. 4 - $5,000.00

FISCAL IMPACT:

Proposed Expenditure/Revenue: $46,170.00
Account Number(s): 4203101 72010
Fund: Street Bond - Design
Account Description: StBdCaDesi
Procurement Method: Request for Qualifications

STAFF CONTACT:

Randy Morrison, PE
Director of Capital Engineering
rmorrison@burlesontx.com
817-426-9612

Intersection Improvements for SW Alsbury Blvd at NW John Jones Dr Project 197409

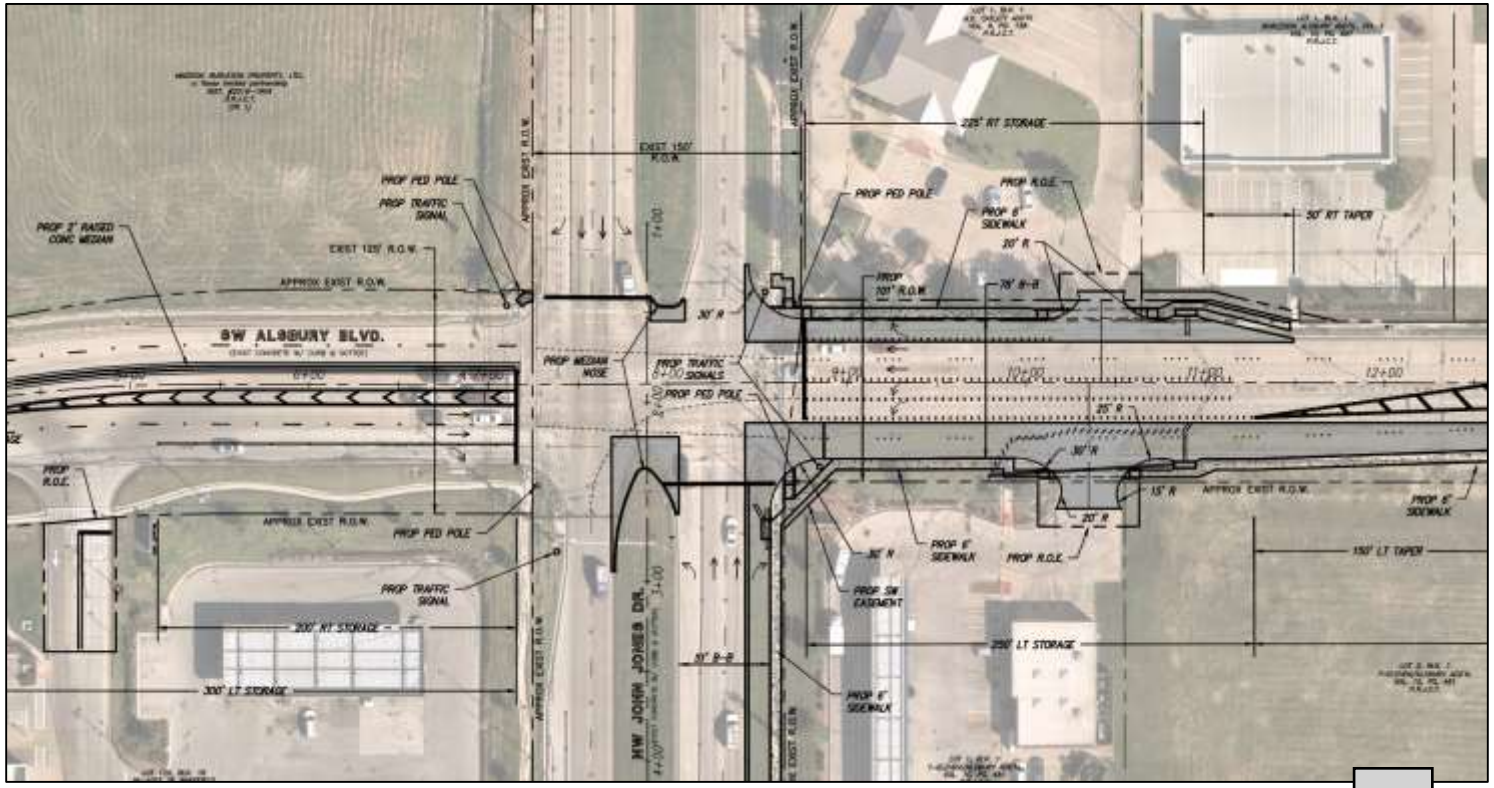
Fifth Amendment to Professional Services Agreement

CITY COUNCIL PRESENTATION

NOVEMBER 9, 2026

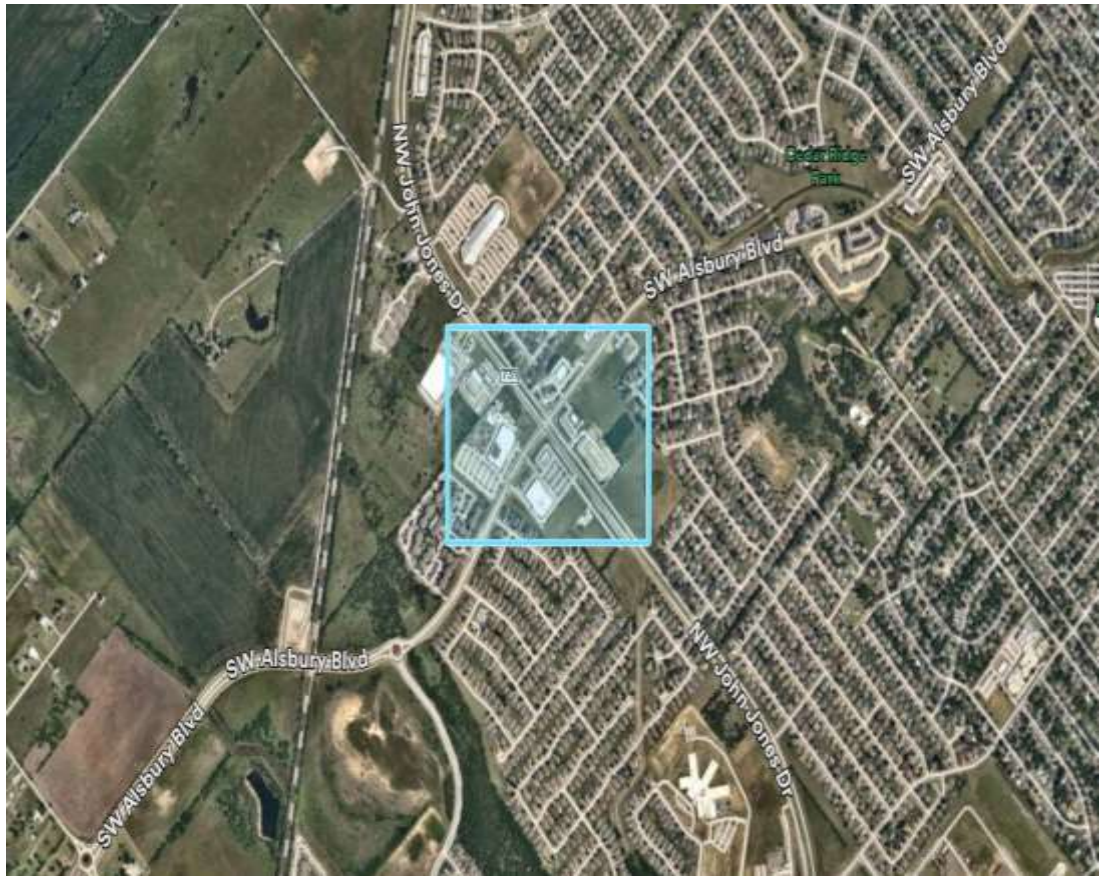
BACKGROUND

- Design funding approved in May 2021
- Texas Department of Transportation Coordination
- Project scope includes:
  - Widening for a right turn lane on NW John Jones Drive in the northwest direction
  - Widening for a right turn lane, two left turn lanes and two thru lanes SW Alsbury Boulevard in the southwest direction
  - New traffic signal poles and appurtenances
- Construction Contract awarded June 15, 2026



BACKGROUND

- In May 2021, the City entered into a professional services agreement (CSO#1734-05-2021) with Teague Nall and Perkins, Inc. to design improvements to the intersections of SW Alsbury Blvd and NW John Jones Dr.
  - First Amendment (October 2023) – Additional Survey
  - Second Amendment (December 2023) - Preparation of the Local On-System Agreement with TxDOT.
  - Third Amendment (May 2025) –Updated plans for black powder coated signal poles
  - Fourth Amendment (February 2026) – Re-Bidding Support



FIFTH AMENDMENT TO PROFESSIONAL SERVICES FOR DESIGN

- Scope of the amendment includes construction support services to attend progress meetings, perform site visits, review RFI's, submittals and change orders, as well as prepare record drawings.

Total Fifth Amendment Cost: $46,170

Design Budget

Original Design Contract – $167,600

- *Amendments One through Four - $103,300*
- *Fifth Amendment Cost: $46,170*

Total Design - $317,070

**Design Budget - $317,070*

➢Construction anticipated between Spring 2027 – Summer 2027

ACTION REQUESTED

Consider and take possible action on the Fifth Amendment to the Professional Services Agreement (CSO#1734-05-2021) with Teague Nall and Perkins, Inc. for the Intersection Improvements at SW Alsbury Blvd. at NW John Jones Dr. project in the amount of $46,170, for a total design cost of $317,070 (Project 197409).

Questions/Comments

Randy Morrison, PE

Director of Capital Engineering

rmorrison@burlesontx.com

817-426-9612

City Council Regular Meeting

DEPARTMENT: **Development Services**

FROM: **Tony McIlwain, Development Services Director**

MEETING: **November 9, 2026**

SUBJECT:

ETJ Release Petition for 1699 FM 731 (SE John Jones Drive) (REL26-002): Consider and take possible action on a resolution granting a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 19.58 acres of land addressed 1699 FM 731 (John Jones Drive). *(Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.2 Promote sustainable residential and commercial development through strategic and long-term planning

SUMMARY:

On April 21, 2026, a petition was submitted by John Drennan on behalf of Gordon and Janet Braley to be released from the extraterritorial jurisdiction (ETJ) of the City of Burleson on approximately 19.58 acres of land addressed as 1699 FM 731 (SE John Jones Drive) as shown on the attached Exhibit 2 and further described in their petition attached as Exhibit 3. On May 18, 2026, the City Council considered the ETJ release petition and took no action.

RECOMMENDATION:

City staff recommends approval.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

On April 6, 2026, the City Council considered the ETJ release petition and took no action.

REFERENCE:

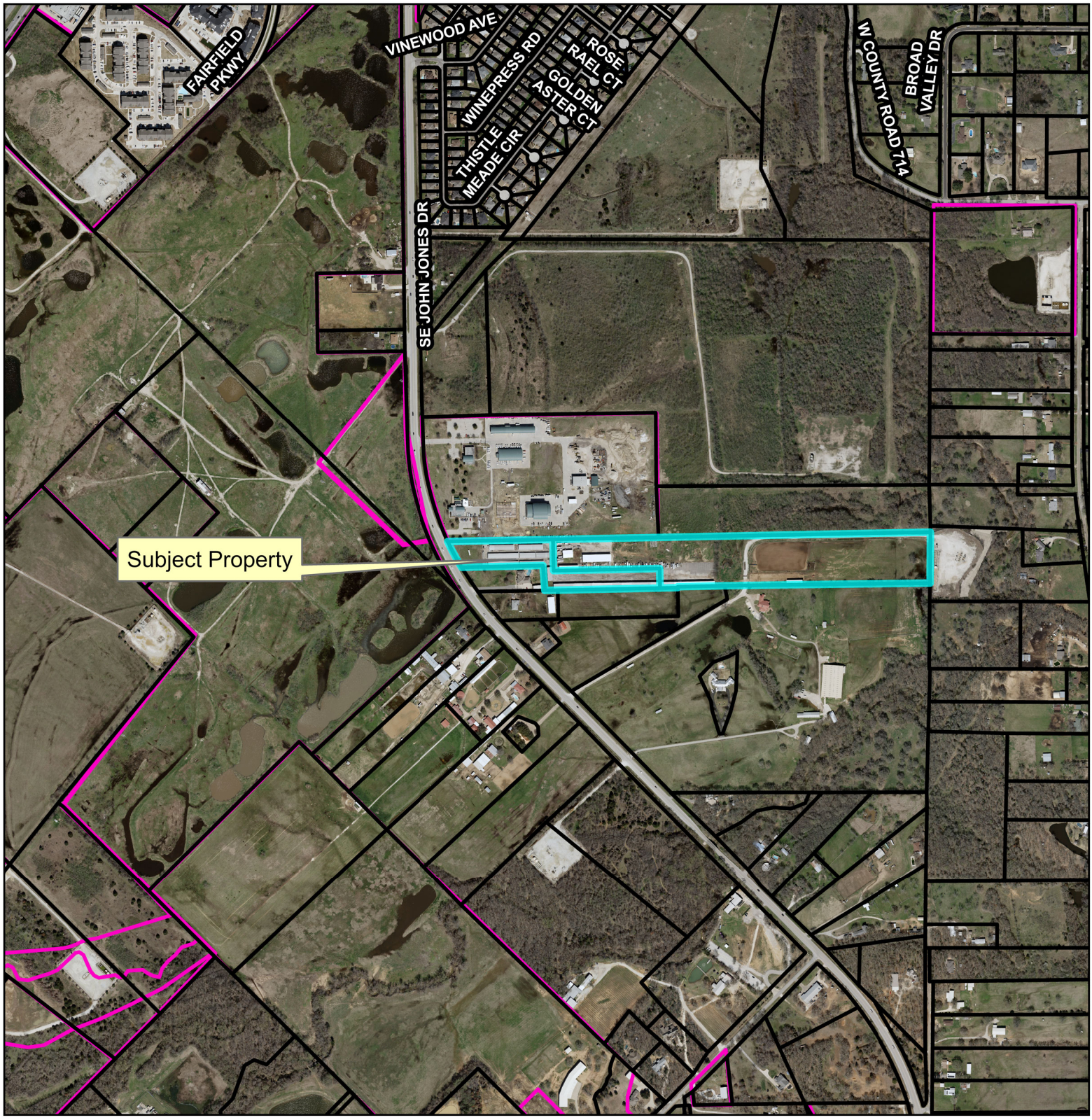
88(R) SB 2038 - Senate Committee Report version - Bill Text (texas.gov)

FISCAL IMPACT:

None.

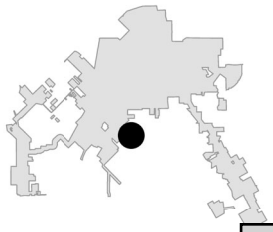
STAFF CONTACT:

Tony McIlwain
Development Services Director
tmcilwain@burlesontx.com
817-426-9684



1699 SE John Jones (FM 731)
ETJ Release Petition
REL26-002

THE CITY OF BURLESON TEXAS



Vicinity Map

THE CITY OF
BURLESON
TEXAS

Release from Extraterritorial Jurisdiction (ETJ) Petition

The required fee is $200

APPLICANT / OWNER		
	Applicant or Authorized Agent	Owner
Name:	John Drennan	Name: Gordon + Janet Baley
Company::	[illegible]	Company:
Address::		Address::
Telephone:	81[illegible]	Telephone: 817 [illegible]
Email:	jt drennan@acai.[illegible]	Email: janetad42759@sbcglobal.net
Signature:		Signature: Gordon Baley Janet Baley

Janetad42759@sbcglobal.net

SITE INFORMATION	
Number of properties within the area to be released:	2 1699 SE
General location or address of area to be released:	[illegible] SE John Jones Dr. Burleson, TX
Total Acres to be released:	19.51
County of Request	Johnson

REQUIRED ITEMS FOR PETITION (Applicant must initial next to each item)	
	Completed Application
	Exact Property description in the form of: 1) Metes and Bounds, or 2) Identification of the property (Lot and Block) on a Recorded Plat
	Signed "Release from ETJ Petition" (see next page) 50% of all owners within the area to be released must provide a NOTARIZED signature
	If property is owned by an entity, estate, trust, etc. – provide proof of authority to sign on behalf of the entity, estate, trust, etc.
	If current ownership differs from data available on the Appraisal District website provide deed(s) as proof of ownership
	Owner of the property acknowledges that with the submittal of this petition, that they may no longer assume they will have the ability to receive City of Burleson utility or emergency services for the property being removed for the extraterritorial jurisdiction (ETJ) of the City of Burleson. This petition may also trigger CCN discountenance efforts by the City of Burleson. **Owners signature required:** Gordon Baley Janet Baley

CITY OF BURLESON RELEASE FROM ETJ PETITION

By signing this petition, I hereby request to be removed from the City of Burleson Extraterritorial Jurisdiction (ETJ). I hereby affirm that I am the legal owner of the property identified below (attach additional pages as required).

Tax ID # and Physical Address	Property Owners Signature	Notary
R0000796555 1017 St John Jones Dr, Burleson, TX 76028	Cal Braley Janet Braley	State of Texas County of Parker The instrument was signed or acknowledged before me on 4/18/2026 By Print name of signer(s) Janet Braley Gordon Braley Notary Signature Matthew Connor Adcock My Commission Expires 9/5/2029 Notary ID 135531138
R0000270101 1017 St John Jones Dr, Burleson, TX 76028	Cal Braley Janet Braley	State of Texas County of Parker The instrument was signed or acknowledged before me on 4/18/2026 By Print name of signer(s) Janet Braley Gordon Braley Notary Signature Matthew Connor Adcock My Commission Expires 9/5/2029 Notary ID 135531138

2701 SUNSET RIDGE DRIVE, STE 303
ROCKWALL, TEXAS 75032
FIRM REGISTRATION NO. 10194366

BOUNDARY SURVEY

BURNS SURVEYING

BARRY D. RHODES Registered Professional Land Surveyor (214) 326-1050
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 1699 FARM TO MARKET 731, in the City of BURLESON, JOHNSON County, Texas.

STATE OF TEXAS:
COUNTY OF JOHNSON

BEING all that certain lot, tract or parcel of land situated in the B. Bransom Survey, Abstract No. 58, Johnson County, Texas, being a tract of land described in deed to Gordon O. Braley and Janet A. Braley, recorded in Volume 2027, Page 876, Deed Records, Johnson County, Texas (D.R.J.C.T.), and being more particularly described by the following metes and bounds description:

BEGINNING at a 3/8 inch iron rod found for corner in the East line of Farm to Market Road 731, at the Southwest corner of Lot 1, Block 1 of Burleson Service Center Addition, an addition to the City of Burleson, Johnson County, Texas, according to the Plat thereof recorded in Cabinet B, Slide 612, Plat Records, Johnson County, Texas (P.R.J.C.T.), being the Northwest corner of said Braley tract and being more particularly described by the following metes and bounds description;

THENCE North 88 deg. 58 min. 30 sec. East, passing a 1 inch iron rod found for reference at the Southeast corner of said Lot 1, Block 1 and continuing for a total distance of 2985.60 feet to a 1/2 inch iron rod found for corner in the West line of a tract of land described in deed to Misty Ivey, an unmarried woman, recorded under Instrument No. 2020-5217 (D.R.J.C.T.), at the Southeast corner of a tract of land described in deed to 731 Prop LLC., a Texas limited liability company, recorded under Instrument No. 2018-16045 (D.R.J.C.T.);

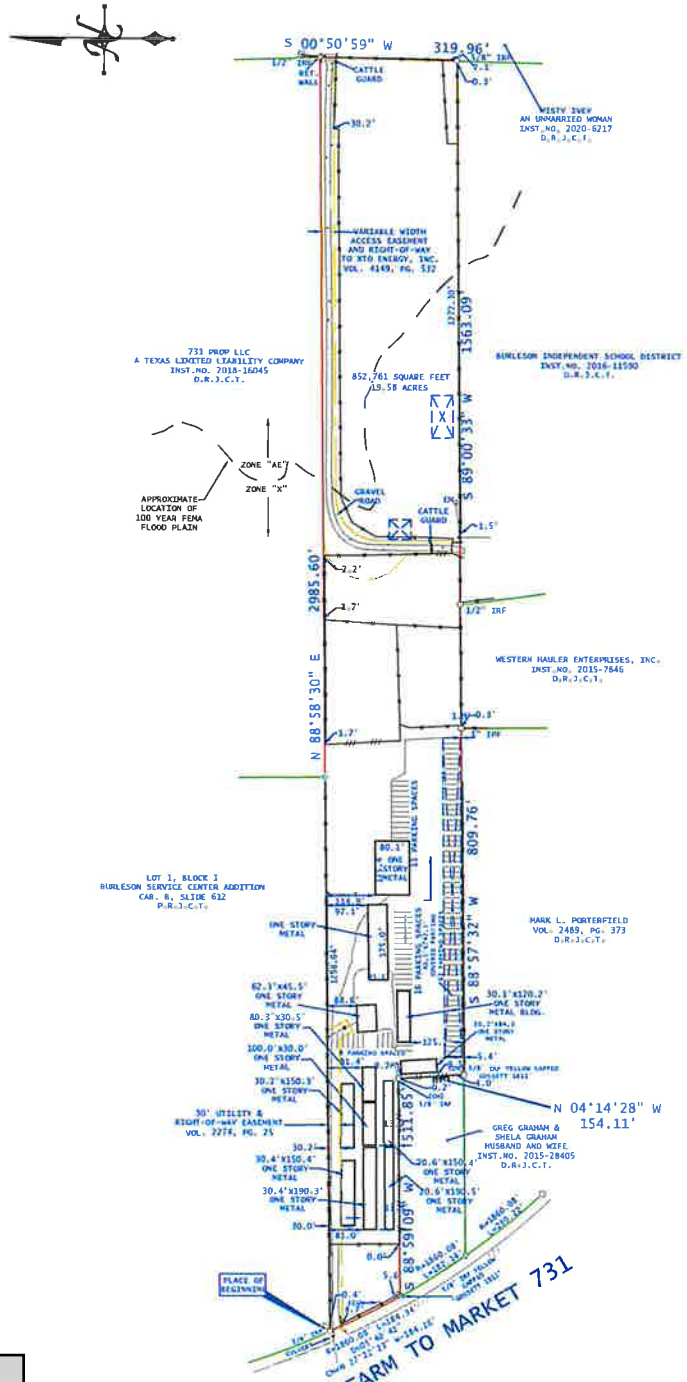
THENCE South 00 deg. 50 min. 59 sec. West, with the said West line a distance of 319.96 feet to a 5/8 inch iron rod found for corner at the Northeast corner of a tract of land described in deed to Burleson Independent School District, recorded under Instrument No. 2015-11590 (D.R.J.C.T.);

THENCE South 89 deg. 00 min. 33 sec. West, passing at a distance of 1272.33 feet a 1/2 inch iron rod found for corner at the Northwest corner of said Burleson Independent School District, and continuing for a total distance of 1563.09 feet to a 1 inch iron rod found for corner at the Northwest corner of a tract of land described in deed to Western Hauler Enterprises, INC., recorded under Instrument No. 2015-7846 (D.R.J.C.T.);

THENCE South 88 deg. 57 min. 32 sec. West, a distance of 809.75 feet to a 5/8 inch iron rod found for corner in the North line of a tract of land described in deed to Mark L. Porterfield, recorded in Volume 2489, Page 373 (D.R.J.C.T.), at the Southeast corner of a tract of land described in deed to Greg Graham and Sheila Graham, recorded under Instrument No. 2015-28405 (D.R.J.C.T.);

THENCE North 04 deg. 14 min. 29 sec. West, a distance of 154.11 feet to a 5/8 inch iron rod found for corner at the Northeast corner of said Graham tract;

THENCE South 88 deg. 59 min. 09 sec. West, a distance of 511.85 feet to a 5/8 inch iron rod found for corner at the Northwest corner of said Graham tract, being the beginning of a curve right having a central angle of 05 deg. 40 min. 42 sec., a radius of 1860.08 feet, having a chord bearing and distance of North 27 deg. 22 min. 23 sec. West, 184.26 feet;



2701 SUNSET RIDGE DRIVE, STE 303
ROCKWALL, TEXAS 75032
FIRM REGISTRATION NO. 10194366

BOUNDARY SURVEY

BURNS SURVEYING

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 1699 FARM TO MARKET 731, in the City of BURLESON, JOHNSON County, Texas.

STATE OF TEXAS
COUNTY OF JOHNSON

BEING all that certain lot, tract or parcel of land situated in the B. Branson Survey, Abstract No. 58, Johnson County, Texas, being a tract of land described in deed to Gordon O. Bralley and Janet A. Bralley, recorded in Volume 2027, Page 876, Deed Records, Johnson County, Texas (D.R.J.C.T.), and being more particularly described by the following metes and bounds description:

BEGINNING at a 3/8 inch iron rod found for corner in the East line of Farm to Market Road 731, at the Southwest corner of Lot 1, Block 1 of Burleson Service Center Addition, an addition to the City of Burleson, Johnson County, Texas, according to the Plat thereof recorded in Cabinet B, Slide 612, Plat Records, Johnson County, Texas (P.R.J.C.T.), being the Northwest corner of said Bralley tract and being more particularly described by the following metes and bounds description;

THENCE North 88 deg. 58 min. 30 sec. East, passing a 1 inch iron rod found for reference at the Southeast corner of said Lot 1, Block 1 and continuing for a total distance of 2985.60 feet to a 1/2 inch iron rod found for corner in the West line of a tract of land described in deed to Maty Ivey, an unmarried woman, recorded under Instrument No. 2020-6217 (D.R.J.C.T.), at the Southeast corner of a tract of land described in deed to 731 Prop LLC., a Texas limited liability company, recorded under Instrument No. 2018-16045 (D.R.J.C.T.);

THENCE South 00 deg. 50 min. 59 sec. West, with the said West line a distance of 319.96 feet to a 5/8 inch iron rod found for corner at the Northeast corner of a tract of land described in deed to Burleson Independent School District recorded under Instrument No. 2016-11590 (D.R.J.C.T.);

THENCE South 89 deg. 00 min. 33 sec. West, passing at a distance of 1272.30 feet a 1/2 inch iron rod found for corner at the Northwest corner of said Burleson Independent School District, and continuing for a total distance of 1563.09 feet to a 1 inch iron rod found for corner at the Northwest corner of a tract of land described in deed to Western Hauler Enterprises, INC., recorded under Instrument No. 2015-7846 (D.R.J.C.T.);

THENCE South 88 deg. 57 min. 32 sec. West, a distance of 809.76 feet to a 5/8 inch iron rod found for corner in the North line of a tract of land described in deed to Mark L. Porterfield, recorded in Volume 2469, Page 373 (D.R.J.C.T.), at the Southeast corner of a tract of land described in deed to Greg Graham and Shela Graham, recorded under Instrument No. 2015-28405 (D.R.J.C.T.);

THENCE North 04 deg. 14 min. 28 sec. West, a distance of 154.11 feet to a 5/8 inch iron rod found for corner at the Northeast corner of said Graham tract;

THENCE South 88 deg. 59 min. 09 sec. West, a distance of 511.85 feet to a 5/8 inch iron rod found for corner at the Northwest corner of said Graham tract, being the beginning of a curve right having a central angle of 05 deg. 40 min. 42 sec., a radius of 1860.08 feet, having a chord bearing and distance of North 27 deg. 22 min. 23 sec. West, 184.26 feet;

THENCE Northwesterly along said curve to the right an arc distance of 184.34 feet to the PLACE OF BEGINNING and containing 852,761 square feet or 19.58 acres of land.



THE ABOVE DESCRIBED PROPERTY DOES LIE IN A FLOOD HAZARD AREA ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48251C0065J

BEARINGS ARE BASED ON NAD 83 DATUM, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE
CM'S SHOWN HEREON ARE BASIS FOR DIRECTIONAL CONTROL

PROPERTY SUBJECT TO EASEMENTS AND RESTRICTIONS Volume 2027, Page 876, County Clerk's File No. 2016-5709, 2022-9280, VOLUME 459, PAGE 57, 2256, PAGE 719, VOLUME 4405, PAGE 403, VOLUME 2207, PAGE 87

ACCEPTED BY: _____

LEGEND

This parcel depicted hereon is a true, correct, and accurate representation of the property as determined by survey; The lines and dimensions of said property being as indicated by the plat; The size, location, and type(s) of building(s) are as shown, all improvements being within the boundaries of the property setback from the property lines the distance indicated.
TITLE AND ABSTRACTING WORK FURNISHED BY TRULY TITLE
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 200'
Date: 03-11-2026
G. F. No.: 26001738-32
Job no.: 202104155-01
Drawn by: BM

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR TRULY TITLE

TRULY TITLE

STATE OF TEXAS REGISTERED BARRY S. RHODES 2691 PROFESSIONAL LAND SURVEYOR

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS GRANTING A PETITION FILED BY JOHN DRENNAN, ON BEHALF OF GORDON AND JANET BRALEY UNDER SECTION 42.102 OF THE LOCAL GOVERNMENT CODE AND REMOVING APPROXIMATELY 19.58 ACRES OF LAND ADDRESSED AS 1699 FM 731 (SE JOHN JONES DRIVE), BURLESON, TEXAS, 76028, AND AS FURTHER DESCRIBED IN THE PETITION FROM THE CITY'S EXTRATERRITORIAL JURISDICTION.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Subchapter D "Release of Area by Petition of Landowner or Resident from Extraterritorial Jurisdiction" of Chapter 42 of the Local Government Code became effective on September 1, 2023; and

WHEREAS, on March 20, 2026, the City received a petition in accordance with Subchapter D from John Drennan on behalf of Gordon and Janet Braley, a copy of said petition being attached to this resolution as Exhibit "A" and incorporated herein by reference for all purposes; and

WHEREAS, the petition requests the City release the real properties commonly known as 1699 FM 731 (SE John Jones Drive), Burleson, TX 76028, and that is more fully described in the petition from the City's extraterritorial jurisdiction (the "Property"),

WHEREAS, the City Council finds that Subchapter D applies to the Property, that the petitioner has the authority to file the petition, and that the petition meets all of the requirements of Subchapter D; and

WHEREAS, in accordance with Section 42.105 of the Local Government Code, the City Council desires to release the real property described in the petition from the City's extraterritorial jurisdiction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

Section 1.

In accordance with Section 42.105 of the Local Government Code, the City hereby grants the petition and releases the Property from the City's extraterritorial jurisdiction.

Section 2.

The City Manager is hereby directed to amend the official city map to reflect the removal of real property from the City's extraterritorial jurisdiction, in accordance with Section 41.001 of the Local Government Code. Additionally, the City Manager is hereby further directed to deliver a copy of this

resolution to the petitioner, in accordance with Section 42.105 of the Local Government Code.

Section 3.

The foregoing recitals are adopted and incorporated herein for all purposes.

Section 4.

This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the_____day of_____, 20_____.

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

_____
Amanda Campos, City Secretary

APPROVED AS TO FORM:

_____
E. Allen Taylor, Jr., City Attorney

Exhibits:

Exhibit "A" – Release from Extraterritorial Jurisdiction (ETJ) Petition

Exhibit "A"
Release from Extraterritorial Jurisdiction (ETJ) Petition

THE CITY OF
BURLESON
TEXAS

Release from Extraterritorial Jurisdiction (ETJ) Petition

The required fee is $200

APPLICANT / OWNER	
Applicant or Authorized Agent	Owner
Name: John Dorman	Name: Gordon + Janet Baley
Company:: [illegible]	Company:
Address::	Address::
Telephone: 817 938 1686	Telephone: 817 926 9164
Email: jt dorman@acai.avant.net	Email: janetad42759@sbcglobal.net
Signature:	Signature: Janetad42759@sbcglobal.net

SITE INFORMATION	
Number of properties within the area to be released:	2 1609 SE
General location or address of area to be released:	1609 SE John Jones Dr. Burleson, TX
Total Acres to be released:	19.51
County of Request	Johnson

REQUIRED ITEMS FOR PETITION (Applicant must initial next to each item)	
	Completed Application
	Exact Property description in the form of: 1) Metes and Bounds, or 2) Identification of the property (Lot and Block) on a Recorded Plat
	Signed "Release from ETJ Petition" (see next page) 50% of all owners within the area to be released must provide a NOTARIZED signature
	If property is owned by an entity, estate, trust, etc. – provide proof of authority to sign on behalf of the entity, estate, trust, etc.
	If current ownership differs from data available on the Appraisal District website provide deed(s) as proof of ownership
	Owner of the property acknowledges that with the submittal of this petition, that they may no longer assume they will have the ability to receive City of Burleson utility or emergency services for the property being removed for the extraterritorial jurisdiction (ETJ) of the City of Burleson. This petition may also trigger CCN discountenance efforts by the City of Burleson. **Owners signature required:** Gordon Baley Janet Baley

13

CITY OF BURLESON RELEASE FROM ETJ PETITION

By signing this petition, I hereby request to be removed from the City of Burleson Extraterritorial Jurisdiction (ETJ). I hereby affirm that I am the legal owner of the property identified below (attach additional pages as required).

Tax ID # and Physical Address	Property Owners Signature	Notary
R0000796 55 1691 St John's Jones Dr, Burleson, TX 76028	Cal Braly Janet Braly	State of Texas County of Parker The instrument was signed or acknowledged before me on 4/18/2026 By Print name of signer(s) Janet Braley Gordon Braley Notary Signature Matthew Connor Adcock My Commission Expires 9/5/2029 Notary ID 135531138
R0000270 1 1691 St John's Jones Dr, Burleson, TX 76028	Cal Braly Janet Braly	State of Texas County of Parker The instrument was signed or acknowledged before me on 4/18/2026 By Print name of signer(s) Janet Braley Gordon Braley Notary Signature Matthew Connor Adcock My Commission Expires 9/5/2029 Notary ID 135531138

2701 SUNSET RIDGE DRIVE, STE 303
ROCKWALL, TEXAS 75032
FIRM REGISTRATION NO. 10194366

BOUNDARY SURVEY

BURNS SURVEYING

BARRY D. RHODES Registered Professional Land Surveyor (214) 326-1096
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 1699 FARM TO MARKET 731, in the City of BURLESON, JOHNSON County, Texas.

STATE OF TEXAS:
COUNTY OF JOHNSON:

BEING all that certain lot, tract or parcel of land situated in the B. Branson Survey, Abstract No. 58, Johnson County, Texas, being a tract of land described in deed to Gordon O. Braley and Janet A. Braley, recorded in Volume 2027, Page 876, Deed Records, Johnson County, Texas (D.R.J.C.T.), and being more particularly described by the following metes and bounds description:

BEGINNING at a 3/8 inch iron rod found for corner in the East line of Farm to Market Road 731, at the Southwest corner of Lot 1, Block 1 of Burleson Service Center Addition, an addition to the City of Burleson, Johnson County, Texas, according to the Plat thereof recorded in Cabinet B, Slide 612, Plat Records, Johnson County, Texas (P.R.J.C.T.), being the Northwest corner of said Braley tract and being more particularly described by the following metes and bounds description;

THENCE North 88 deg. 58 min. 30 sec. East, passing a 1 inch iron rod found for reference at the Southeast corner of said Lot 1, Block 1 and continuing for a total distance of 2985.60 feet to a 1/2 inch iron rod found for corner in the West line of a tract of land described in deed to Misty Ivey, an unmarried woman, recorded under Instrument No. 2020-6217 (D.R.J.C.T.), at the Southeast corner of a tract of land described in deed to 731 Prop LLC., a Texas limited liability company, recorded under Instrument No. 2018-16045 (D.R.J.C.T.);

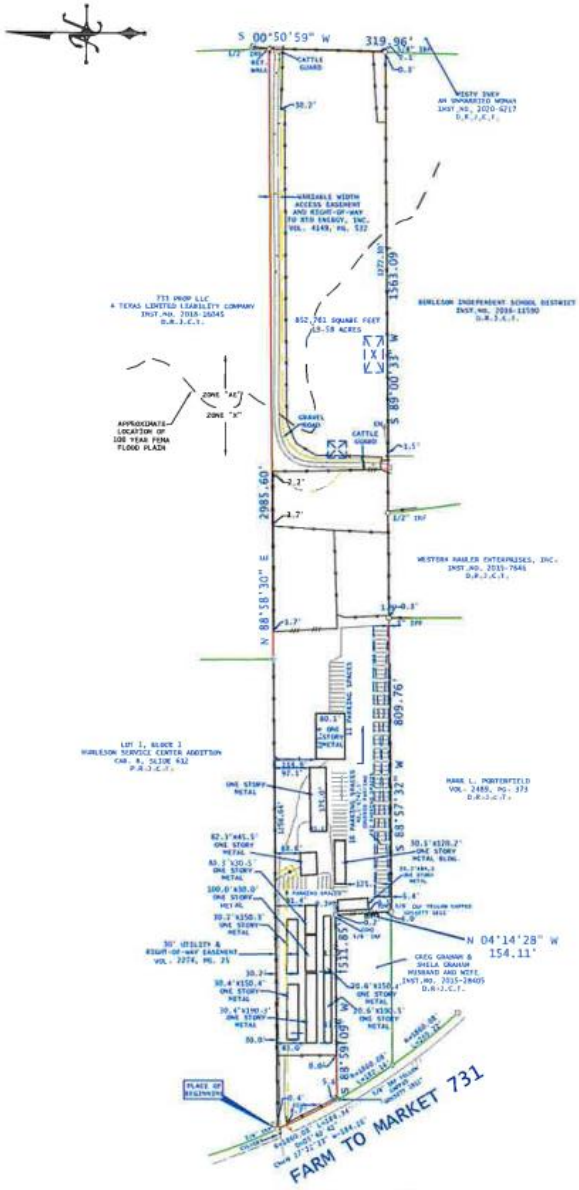
THENCE South 00 deg. 50 min. 59 sec. West, with the said West line a distance of 319.96 feet to a 5/8 inch iron rod found for corner at the Northeast corner of a tract of land described in deed to Burleson Independent School District, recorded under Instrument No. 2015-11590 (D.R.J.C.T.);

THENCE South 89 deg. 50 min. 33 sec. West, passing at a distance of 1272.33 feet a 1/2 inch iron rod found for corner at the Northwest corner of said Burleson Independent School District, and continuing for a total distance of 1563.09 feet to a 1 inch iron rod found for corner at the Northwest corner of a tract of land described in deed to Western Hauler Enterprises, INC., recorded under Instrument No. 2015-7846 (D.R.J.C.T.);

THENCE South 88 deg. 57 min. 32 sec. West, a distance of 939.76 feet to a 5/8 inch iron rod found for corner in the North line of a tract of land described in deed to Mark L. Porterfield, recorded in Volume 2489, Page 373 (D.R.J.C.T.), at the Southeast corner of a tract of land described in deed to Greg Graham and Sheila Graham, recorded under Instrument No. 2015-29405 (D.R.J.C.T.);

THENCE North 04 deg. 14 min. 28 sec. West, a distance of 154.11 feet to a 5/8 inch iron rod found for corner at the Northeast corner of said Graham tract;

THENCE South 88 deg. 59 min. 09 sec. West, a distance of 511.85 feet to a 5/8 inch iron rod found for corner at the Northwest corner of said Graham tract, being the beginning of a curve right having a central angle of 05 deg. 40 min. 42 sec., a radius of 1860.08 feet, having a chord bearing and distance of North 27 deg. 22 min. 23 sec. West, 184.26 feet;



2701 SUNSET RIDGE DRIVE, STE 303
ROCKWALL, TEXAS 75032
FIRM REGISTRATION NO. 10194386

BOUNDARY SURVEY

BURNS SURVEYING

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1030
This is to certify that I have, this date, made a correct and accurate survey on the ground of property located at 1688 FARM TO MARKET 731, in the City of BURLESON, JOHNSON County, Texas.

STATE OF TEXAS
COUNTY OF JOHNSON

BEING all that certain lot, tract or parcel of land situated in the B. Brinson Survey, Abstract No. 58, Johnson County, Texas, being a tract of land described in deed to Gordon O. Bailey and Janet A. Bailey, recorded in Volume 2027, Page 876, Deed Records, Johnson County, Texas (D.R.J.C.T.), and being more particularly described by the following metes and bounds description:

BEGINNING at a 3/8 inch iron rod found for corner in the East line of Farm to Market Road 731, at the Southwest corner of Lot 1, Block 1 of Burleson Service Center Addition, an addition to the City of Burleson, Johnson County, Texas, according to the Plat thereof recorded in Cabinet B, Slide 612, Plat Records, Johnson County, Texas (P.R.J.C.T.), being the Northwest corner of said Bailey tract and being more particularly described by the following metes and bounds description;

THENCE North 88 deg. 58 min. 30 sec. East, passing a 1 inch iron rod found for reference at the Southeast corner of said Lot 1, Block 1 and continuing for a total distance of 2985.60 feet to a 1/2 inch iron rod found for corner in the West line of a tract of land described in deed to Misty Ivey, an unmarried woman, recorded under Instrument No. 2020-6217 (D.R.J.C.T.), at the Southeast corner of a tract of land described in deed to 731 Prop LLC, a Texas limited liability company, recorded under Instrument No. 2016-16045 (D.R.J.C.T.);

THENCE South 00 deg. 50 min. 59 sec. West, with the said West line a distance of 319.96 feet to a 5/8 inch iron rod found for corner at the Northeast corner of a tract of land described in deed to Burleson Independent School District, recorded under Instrument No. 2016-11590 (D.R.J.C.T.);

THENCE South 89 deg. 00 min. 33 sec. West, passing at a distance of 1272.30 feet a 1/2 inch iron rod found for corner at the Northwest corner of said Burleson Independent School District, and continuing for a total distance of 1563.09 feet to a 1 inch iron rod found for corner at the Northwest corner of a tract of land described in deed to Western Hauler Enterprises, INC., recorded under Instrument No. 2015-7645 (D.R.J.C.T.);

THENCE South 88 deg. 57 min. 32 sec. West, a distance of 809.76 feet to a 5/8 inch iron rod found for corner in the North line of a tract of land described in deed to Mark L. Porterfield, recorded in Volume 2489, Page 373 (D.R.J.C.T.), at the Southeast corner of a tract of land described in deed to Greg Graham and Shela Grimkin, recorded under Instrument No. 2015-28405 (D.R.J.C.T.);

THENCE North 04 deg. 14 min. 28 sec. West, a distance of 154.11 feet to a 5/8 inch iron rod found for corner at the Northeast corner of said Graham tract;

THENCE South 89 deg. 09 min. 09 sec. West, a distance of 511.65 feet to a 5/8 inch iron rod found for corner at the Northwest corner of said Graham tract, being the beginning of a curve right having a central angle of 05 deg. 40 min. 42 sec., a radius of 1860.08 feet, having a chord bearing and distance of North 27 deg. 22 min. 23 sec. West, 184.26 feet;

THENCE Northwesterly along said curve to the right an arc distance of 184.34 feet to the PLACE OF BEGINNING and containing 852,761 square feet or 19.58 acres of land.



THE ABOVE DESCRIBED PROPERTY DOES LIE IN A FLOOD HAZARD AREA ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. _____ (APPROXIMATE)

PROPERTY SUBJECT TO EASEMENTS AND RESTRICTIONS
Volume 2027, Page 876, County Clerk's File no. 2016-9709, 2022-9190, VOLUME 459, PAGE 57, 2256, PAGE 715, VOLUME 4405, PAGE 403, VOLUME 2207, PAGE 87

BEARINGS ARE BASED ON NAD 83 DATUM, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE
ON'S SHOWN HEREON ARE BASIS FOR DIRECTIONAL CONTROL

ACCEPTED BY: _____

LEGEND

This parcel depicted hereon is a true, correct, and accurate representation of the property as determined by survey; the lines and dimensions of said property being as indicated by the plat; the size, location, and type(s) of building(s) are as shown, all improvements being within the boundaries of the property setback from the property lines the distance indicated.
TITLE AND ABSTRACTING WORK FURNISHED BY TRULY TITLE
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 200'
Date: 03-11-2026
G. F. No.: 26001738-32
Job no.: 202104155-01
Drawn by: BR

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR TRULY TITLE

TRULY TITLE

STATE OF TEXAS
BARRY S. RHODES
2091
REGISTERED
LAND SURVEYOR

City Council Regular Meeting

DEPARTMENT: **Economic Development**

FROM: **Alex Philips, Director of Economic Development**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on an ordinance ratifying the approval of an amended and restated real estate contract (CSO#6297-10-2026) for the purchase of city owned property located at 112 SE Gardens Boulevard, Burleson, Texas in the amount of $500,000 dollars. (First Reading) (*Staff Contact*: Alex *Philips, Director of Economic Development)*

STRATEGIC PRIORITY AND GOAL(S):

Dynamic & Preferred City Through Managed Growth	Strategic Goal
	2.1 Attract and retain top-tier businesses
	2.2 Promote sustainable residential and commercial development through strategic and long-term planning
	2.3 Enhance connectivity and improve mobility
	2.4 Implement the city's Capital Improvement Program
	Develop and maintain facilities and utility services

SUMMARY:

The City Council approved this contract on October 5, 2026, but it did not do so via an ordinance. The purpose of this agenda item is to ratify the approval of the contract via an ordinance. The terms of the contract remain unchanged.

The City of Burleson released a request for proposal on the property on August 1, 2025. The site is 2.45 acres and is located at 112 SE Gardens Boulevard. The minimum bid for the proposal was $500,000 with a development scenario that would include multiple commercial buildings and have a compatible architecture to the surrounding area.

At the September 15, 2025 Council meeting BTX Flex, LLC was awarded the project from the request for proposal.

The proposal includes a commercial development that would have users that are currently in the City's code of ordinances. The minimum capital investment for the development would be at least $2,000,000 and would include 4-5 buildings ranging from 2,800 square feet to 5,900 square feet in size.

Earlier this year in March, City Council approved the performance agreement and the real estate contract for the development at 112 S.E. Gardens Boulevard. The amendment to the contract is due to the developers needing more time to zone the property for full development. The developers have been working with staff to create a planned development zoning document.

The amendment is changing dates within the real estate contract and the agreement as follows:

BTX Flex Obligations

- BTX Flex to obtain a building permit for the first building by April 30, 2027.
- BTX Flex to commence construction by May 31, 2027.
- BTX Flex to obtain the certificate of occupancy for the first building by April 1, 2028.
- BTX Flex to obtain the certificate of occupancy for the final building by January 1, 2030.

City of Burleson Obligations

- City of Burleson to issue a cash grant in the amount of $96,667 once a building permit for the first building is obtained.
- City of Burleson to issue a cash grant in the amount of $96,667 once the certificate of occupancy for the first building is obtained.
- City of Burleson to issue a cash grant in the amount of $96,666 once the certificate of occupancy for the final building is obtained.

RECOMMENDATION:

Staff recommends approval

PRIOR ACTION/INPUT (Council, Boards, Citizens):

City Council approved the real estate contract on April 6, 2026 and the amended and restated contract on October 5, 2026.

REFERENCE:

FISCAL IMPACT:

Proposed Expenditure/Revenue: $500,000
Account Number(s): 1014201-47700, 1014201-66045

Fund: GF
Account Description: Land Sale, GF Economic Incentives

STAFF CONTACT:

Alex Philips
Director of Economic Development
aphilips@burlesontx.com
817-426-9613

ORDINANCE

AN ORDINANCE OF THE CITY OF BURLESON, TEXAS, RATIFYING THE APPROVAL OF A REAL ESTATE CONTRACT BETWEEN THE CITY OF BURLESON, AS SELLER, AND BTX FLEX, LLC, AS BUYER, TO SELL FEE SIMPLE TITLE TO A 2.453 ACRE, MORE OR LESS, TRACT OF LAND SITUATED IN JOHNSON COUNTY, TEXAS, COMMONLY KNOWN AS 112 SE GARDENS BLVD IN BURLESON, JOHNSON COUNTY, TEXAS, FOR THE SALES PRICE OF $500,000.00 AND OTHER CONSIDERATION, AS PRESCRIBED IN THE REAL ESTATE CONTRACT AS ATTACHED IN EXHIBIT "A" (THE "CONTRACT"); AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO CLOSE ON THE CONTRACT; AUTHORIZING THE EXPENDITURE OF FUNDS; INCORPORATING THE RECITALS; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City owns vacant land that has no building or City facility, such land is not part of a public square or park, and the City did not acquire the land from previous owner by the exercise of eminent domain or the threat of eminent domain, such real property being further described in the Contract; and

WHEREAS, the City Council finds and determines that City has entered or will soon enter into an economic development agreement authorized by Chapter 380 of Texas Local Government Code with the Buyer, and such agreement contains the consideration set forth in and meets the requirements of Section 253.0125 of the Texas Local Government Code; and

WHEREAS, the City Council finds and determines that the City published the notice required by Section 253.0125(e) of the Texas Local Government Code in the *Cleburne Times Review*, a newspaper of general circulation in the county in which the real property is located, on two separate days within the time period required by that section; and

WHEREAS, the City desires to approve and enter into the Contract; and

WHEREAS, the City desires to close the real estate transaction described in the Contract; and

WHEREAS, the City desires the City Manager execute all documents necessary to close the real estate transaction described in the Contract; and

WHEREAS, the City desires to expend funds pursuant to the Contract that are necessary to close the real estate transaction described therein; and

WHEREAS, the City Council finds that the Company and City entered into an original version of the Contract (CSO#6102-04-2026) at a duly called and noticed meeting on April 6, 2026, which the City Council authorized via ordinance; and

WHEREAS, the City Council finds that the City Council approved the Contract (CSO#6297-10-2026), which is an amended and restated version of the original contract, at a duly called and noticed meeting on October 5, 2026, but it did not approve the Contract via an ordinance; and

WHEREAS, the City Council desires to ratify the approval of the Contract via ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

Section 1.

The approval of the Contract is hereby ratified and the City Manager, Tommy Ludwig, is authorized: (a) to execute on behalf of the City (i) the Contract between the City and the Buyer, substantially in the form attached as Exhibit "A", with the purchase price of $500,000 and other consideration, and (ii) any other documents necessary for closing the transaction contemplated by the Contract; and (b) to make expenditures in accordance with the terms of the Contract and in closing the transaction contemplated by the Contract.

Section 2.

The foregoing recitals are adopted and incorporated herein for all purposes.

Section 3.

It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

Section 4.

The terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 5.

This ordinance shall become effective immediately upon its passage and publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED this _____day of _____, 20_____.

First Reading: the _____day of _____, 20_____.

Final Reading: the _____day of _____, 20_____.

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

_____
Amanda Campos, City Secretary

APPROVED AS TO FORM:

_____
E. Allen Taylor, Jr., City Attorney

ATTACHMENTS:

Exhibit "A" – Real Estate Contract between the city of Burleson and BTX Flex, LLC

City Council Regular Meeting

DEPARTMENT: **Economic Development**

FROM: **Alex Philips, Director of Economic Development**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on an ordinance ratifying the approval of an amended and restated Performance Agreement (CSO#6298-10-2026) between the City of Burleson and BTX Flex, LLC, Inc. for a commercial flex development located at 112 SE Gardens Boulevard in Burleson, Texas. (First Reading) *(Staff Contact: Alex Philips, Director of Economic Development)*

STRATEGIC PRIORITY AND GOAL(S):

	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.1 Attract and retain top-tier businesses 2.2 Promote sustainable residential and commercial development through strategic and long-term planning 2.3 Enhance connectivity and improve mobility 2.4 Implement the city's Capital Improvement Program Develop and maintain facilities and utility services

SUMMARY:

The City Council approved this agreement on October 5, 2026, but it did not do so via an ordinance. The purpose of this agenda item is to ratify the approval of the agreement via an ordinance. The terms of the agreement remain unchanged.

The City of Burleson released a request for proposal on the property on August 1, 2025. The site is 2.45 acres and is located at 112 SE Gardens Boulevard. The minimum bid for the proposal was $500,000 with a development scenario that would include multiple commercial buildings and have a compatible architecture to the surrounding area.

At the September 15, 2025 Council meeting BTX Flex, LLC was awarded the project from the request for proposal.

The proposal includes a commercial development that would have users that are currently in the City's code of ordinances. The minimum capital investment for the development would be at least $2,000,000 and would include 4-5 buildings ranging from 2,800 square feet to 5,900 square feet in size.

Earlier this year in March, City Council approved the performance agreement and the real estate contract for the development at 112 S.E. Gardens Boulevard. The amendment to the contract is due to the developers needing more time to zone the property for full development. The developers have been working with staff to create a planned development zoning document.

The amendment is changing dates within the real estate contract, and the agreement is as follows:

BTX Flex Obligations

- BTX Flex to obtain a building permit for the first building by April 30, 2027.
- BTX Flex to commence construction by May 31, 2027.
- BTX Flex to obtain the certificate of occupancy for the first building by April 1, 2028.
- BTX Flex to obtain the certificate of occupancy for the final building by January 1, 2030.

City of Burleson Obligations

- City of Burleson to issue a cash grant in the amount of $96,667 once a building permit for the first building is obtained.
- City of Burleson to issue a cash grant in the amount of $96,667 once the certificate of occupancy for the first building is obtained.
- City of Burleson to issue a cash grant in the amount of $96,666 once the certificate of occupancy for the final building is obtained.

We anticipate only paying $96,667 in incentive this fiscal year, and that amount was budgeted in the 4A Fund. At the December 14, 2026, City Council meeting, when the second reading of the ordinance will be considered, we will also ask the Council to consider approving a budget amendment to reallocate the budgeted funds from the 4A Fund to the General Fund.

RECOMMENDATION:

Staff recommends approval

PRIOR ACTION/INPUT (Council, Boards, Citizens):

City Council approved the agreement on April 6, 2026 and the amended and restated agreement on October 5, 2026.

REFERENCE:

FISCAL IMPACT:

Proposed Expenditure/Revenue: Total - $290,000, FY27 – $96,666.66
Account Number(s): 1014201-66045
Fund: GF
Account Description: GF Economic Incentives

STAFF CONTACT:

Alex Philips
Director of Economic Development
aphilips@burlesontx.com
817-426-9613

ORDINANCE

AN ORDINANCE OF THE CITY OF BURLESON, TEXAS, RATIFYING THE APPROVAL A CHAPTER 380 AGREEMENT WITH BTX FLEX, LLC; INCORPORATING THE RECITALS INTO THE BODY OF THE ORDINANCE; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas (the "City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, City owns approximately 2.43 acres of land located at 112 SE Gardens Blvd in Burleson, Johnson County, Texas (the "Property"); and

WHEREAS, City issued Request for Proposal RFP 2025-06 seeking the sale and development of the Property; and

WHEREAS, BTX Flex, LLC ("Company") submitted a proposal in response to the RFP seeking to purchase and develop the Property; and

WHEREAS, the City is authorized by Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code to provide economic development grants and incentives to promote state and local economic development and to stimulate business and commercial activity in the City; and

WHEREAS, on May 27, 1993, the City adopted Resolution No. 583 establishing an Economic Development Program (the "Program") pursuant to Chapter 380 of the Texas Local Government Code; and

WHEREAS, Company desires to participate in the Program by entering into an economic development agreement with the City, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes (the "Agreement"); and

WHEREAS, Company is seeking an economic development incentive to develop the Property in accordance with this Agreement under the Program; and

WHEREAS, pursuant to the Agreement, Company agrees, after acquiring the Property under the Land Purchase Agreement, to develop the Property by constructing a minimum of four (4) buildings ranging in size from 2,500 to 6,000 square feet on the Property and the requisite drainage improvements for the Property required by law (the "Project"); and

WHEREAS, the City desires to provide the City Grant, as defined or further described in the Agreement, to Company pursuant to Chapter 380 of the Texas Local Government Code in consideration of Company bringing the Project to the City; and

WHEREAS, the City Council hereby finds and determines that the Agreement promotes economic development in the City, and, as such, meets the requirements of Article III, Section 52-a of the Texas Constitution, by assisting in the development and diversification of the economy of the State of Texas and City, by eliminating unemployment or underemployment in the State of Texas and City, and will enhance the City's real property and sales tax base, and will enhance business and commercial activity within the State of Texas and City; and

WHEREAS, pursuant to the Agreement, the Company and City intend to enter into a real estate contract under which the Company would acquire the Property from the City; and

WHEREAS, the City Council finds and determines that the Agreement requires Company to use the Property in a manner that primarily promotes a public purpose of the City relating to economic development and that the Agreement includes provisions under which the City is granted sufficient control to ensure that the public purpose is accomplished and that the City receives a return benefit; and

WHEREAS, the City Council finds and determines that the Property has never been owned, held, or claimed, by the City as a public square or park; and

WHEREAS, the City Council finds and determines that the City published notice on two separate days of the proposed conveyance of the Property to Company as required by Section 253.0125 of the Texas Local Government Code in the *Cleburne Times Review*, a newspaper of general circulation in the county in which the Property is located, within the time period required by that section; and

WHEREAS, the City Council finds that the Company and City entered into an original version of the agreement (CSO#6104-04-2026) at a duly called and noticed meeting on April 6, 2026, which the City Council authorized via ordinance; and

WHEREAS, the City Council finds that the City Council approved the Agreement (CSO#6298-10-2026), which is an amended and restated version of the original agreement, at a duly called and noticed meeting on October 5, 2026, but it did not approve the Agreement via an ordinance; and

WHEREAS, the City Council desires to ratify the approval of the Agreement via ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

Section 1.

The approval of the Agreement is hereby ratified and the City Manager, Tommy Ludwig, is authorized: (a) to execute on behalf of the City (i) the Agreement between the City and Company, substantially in the form attached as Exhibit "A", and (ii) any other documents necessary for the City for the completion of the Project contemplated in the Agreement; and (b) to make expenditures in accordance with the terms of the Agreement.

Section 2.

The foregoing recitals are adopted and incorporated herein for all purposes.

Section 3.

It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

Section 4.

The terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 5.

This ordinance shall become effective immediately upon its passage and publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED this _____day of _____, 20_____.

First Reading: the _____day of _____, 20_____.

Final Reading: the _____day of _____, 20_____.

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

_____
Amanda Campos, City Secretary

APPROVED AS TO FORM:

_____
E. Allen Taylor, Jr., City Attorney

Attachments:

Exhibit "A" – Chapter 380 Economic Development Agreement between the city of Burleson and BTX Flex, LLC

City Council Regular Meeting

DEPARTMENT: **Development Services**

FROM: **Tony D. McIlwain, Development Services Director**

MEETING: **November 9, 2026**

SUBJECT:

114 W. Ellison Street (CSP26-015): Consider and take possible action on a resolution for a Commercial Site Plan with waivers to landscaping and building setback. *(Staff Contact: Tony D. McIlwain, Development Services Director*) *(The Old Town Design Standards Review Committee recommended approval by a vote of 7 to 0) (The Planning and Zoning Commission recommended approval by a vote of 6 to 0)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.2 Promote sustainable residential and commercial development through strategic and long-term planning

SUMMARY:

On June 8, 2026, a development plan was submitted by Brad Berry with Form Studios, on behalf of Shipman Companies (Owners), of approximately 0.153 acres of land addressed as 114 W. Ellison Street. The applicants are proposing a new two-story commercial building in the "Neoclassical/Georgian Revival" architectural style.

Site Plan:

The applicants have submitted a site plan concurrently with the development plan, which does not conform to the landscaping, general yard requirements and sidewalk width requirements as outlined in the Central Commercial zoning district and the OT, Old Town overlay district.

The applicants are requesting waivers to the following:

Landscaping requirements-applicants propose to add landscaping to the Right-of-Way adjacent to the building to meet the required 20% of the total site square footage. Site is required to provide 1,332 square feet of landscaping and the applicants are proposing 1,437 square feet of landscaping improvements in the right-of-way.

Building setbacks- the building will be setback two feet from the property line. The applicants request the encroachment of awnings, canopies and balconies to extend beyond the property line and into the adjacent right-of-way. These features will hang over the sidewalk.

City Council's approval of a *Right-of-Way Use Agreement* is required for the landscaping improvements, architectural encroachments, and any other anticipated encroachments. This is a similar approach that was taken with the Ellison Street buildings, adjacent to the Mayor Vera Calvin Plaza.

Proposed Architectural Style: Neoclassical/Georgian Revival (1880s to 1950)

Building Characteristics of Neoclassical/Georgian Revival

Two-to-four stories in height.	Contains this building characteristic
Full-height entrance porch, full-façade portico, or porch with round columns with complex capitals.	Does not contain this building characteristic
Flat roof with parapet and metal or cast stone cornice; or low-pitched hip roof, with roof-line balustrades, dormers in Classical style.	Contains this building characteristic
Rectangular windows (sometimes arched) with double-hung sashes, symmetrical, multipaned.	Contains this building characteristic
Prominent center window on second story often arched or curved.	Contains this building characteristic
Decorative pediments, brackets, cantilevered wall extensions, masonry columns and quoins, botanic garlands, rosettes, trim and brackets.	Contains this building characteristic
Exterior walls of brick, quarried stone and granite, limestone panels.	Contains this building characteristic

The Statement of Architectural and Contextual Compatibility (SACC), variance request, development plan, and building elevations are attached as Exhibit 4.

RECOMMENDATION:

Staff recommends approval of a recommendation on a resolution for a Commercial Site Plan with waivers to landscaping and building setback.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

9.23.2026: The Old Town Design Standards Review Committee recommended approval by a vote of 7 to 0.

10.13.26: The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

REFERENCE:

https://ecode360.com/39940294

FISCAL IMPACT:

N/A

STAFF CONTACT:

Tony D. McIlwain, AICP, CFM
Development Services Director
tmcilwain@burlesontx.com
817-426-9684

Case CSP26-015

PRESENTED TO CITY COUNCIL: 11.09.2026

TONY D. MCILWAIN, AICP, CFM

DEVELOPMENT SERVICES DIRECTOR

CSP26-015– 114 W Ellison Street

Location:

- 114 W Ellison Street

Applicant:

- Brad Berry with Form Studios
- David Shipman with Shipman Companies (Owners)

Item for approval:

Commercial Site Plan with waivers to landscaping and building setbacks for a new commercial building.



Property Information

Property Information:

- Zoned CC, Central Commercial District
- Located in the OT, Old Town Overlay District

Summary:

The applicant is proposing a new two-story Commercial Building in the "Neoclassical/Georgian Revival" architectural style with waivers to landscaping and setbacks.

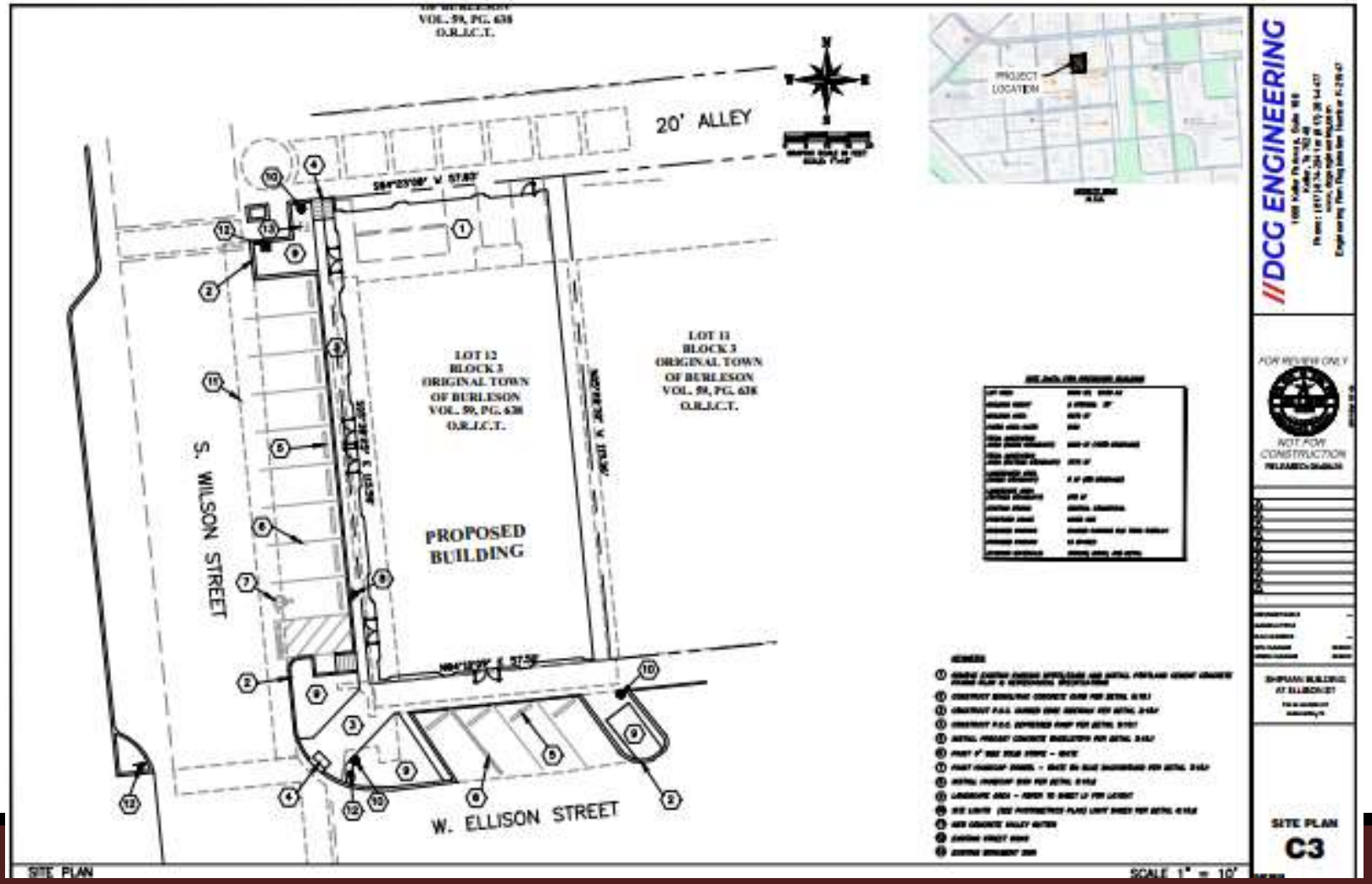




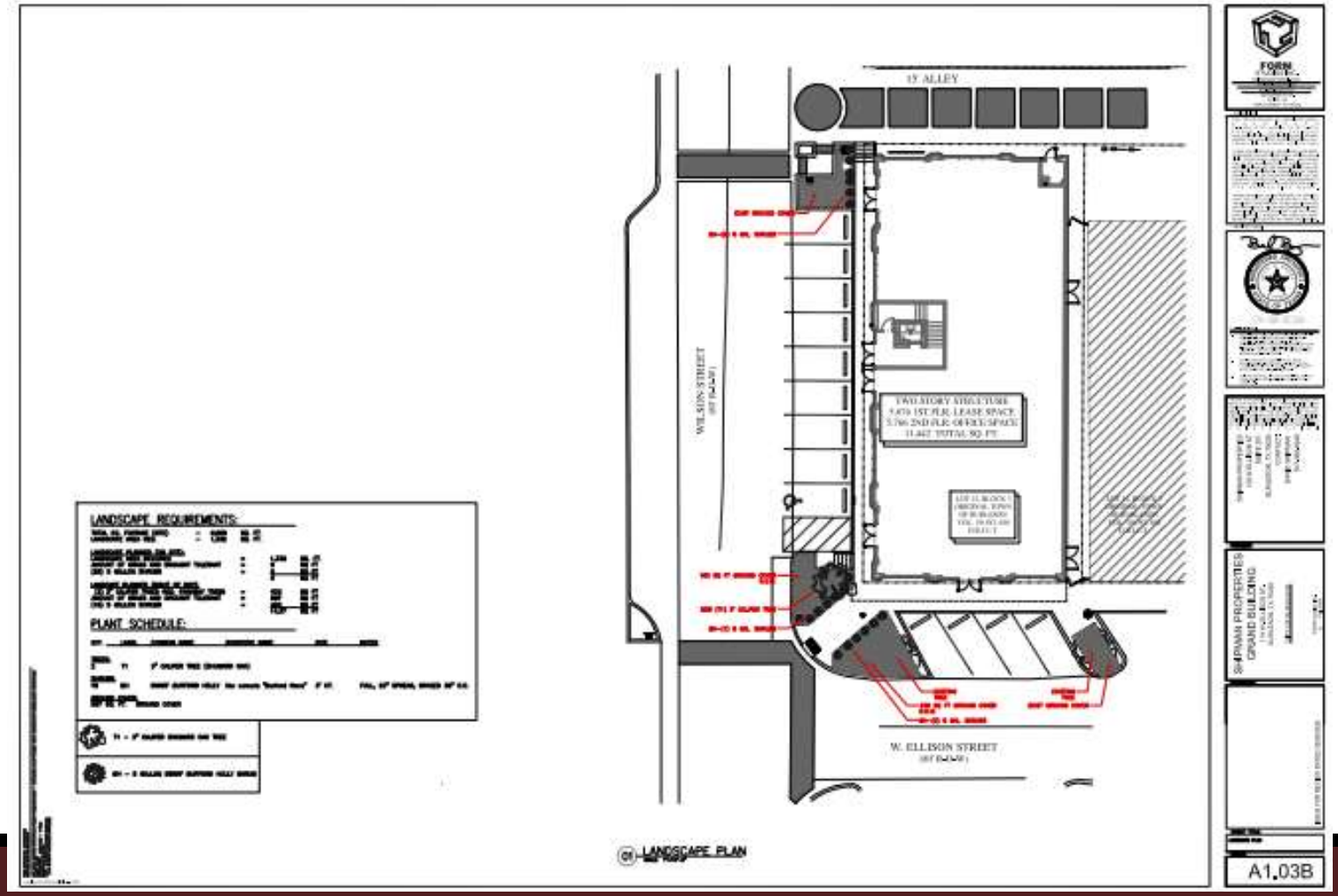
Neoclassical/Georgian Revival Building Characteristics

Old Town Design Standard Building Characteristics	Contains this Characteristic
Two to four stories in height.	Yes
Full-height entrance porch, full-façade portico or porch with round columns with complex capitals	No
Flat roof with parapet and metal or cast stone cornice; or low-pitched hip roof, with roof-line balustrades, dormers in Classical style.	Yes
Rectangular windows (sometimes arched) with double-hung sashes, symmetrical, multipaned.	Yes
Prominent center window on second story often arched or curved.	Yes
Decorative pediments, brackets, cantilevered wall extensions, masonry columns and quoins, botanic garlands, rosettes, trim and brackets.	Yes
Exterior walls of brick, quarried stone and granite, limestone panels.	Yes

114 W Ellison Street
Site Plan



114 W Ellison Street Landscape Plan



114 W Ellison Street Building Rendering



114 W Ellison Street Building Elevations



114 W Ellison Street
Building Elevations



114 W Ellison Street

Old Town Design Standards Committee discussion:

- The Committee inquired about the building setback and landscaping as well as color.
- There were no speakers other than the applicant.
- The Committee recommended approval by a vote of 7 to 0.

Planning and Zoning Commission discussion

- The Commission questioned if the development would have on-site parking and if an alley would be placed behind the building.
- There were no speakers other than the applicant.
- The Commission recommended approval by a vote of 6 to 0.



114 W Ellison Street

Staff Recommendation:

Staff recommends approval of a Commercial Site Plan with waivers to landscaping and building setbacks for a new commercial building.







Recommend Approval

Recommend Denial

Questions / Comments

Tony D. McIlwain, AICP, CFM
Development Services Director
tmcilwain@burlesontx.com
817.426.9684

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, FOR APPROVAL OF A COMMERCIAL SITE PLAN FOR A NEW OLD TOWN COMMERCIAL BUILDING AND GRANTING A LANDSCAPING AND BUILDING SETBACK WAIVER FOR THE DEVELOPMNENT AT 114 W. ELLISON STREET.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, an application for commercial site plan with landscaping and building setback waivers was filed by **Shipman Companies;** on **June 8, 2026**, under **Case Number CSP26-015**, on property described herein below filed application with the City; and

WHEREAS, on September 23, 2026, the City's Old Town Design Standards Review Committee made an inquiry into the matter and reviewed all relevant information and made a recommendation to the Planning and Zoning Commission and City Council; and

WHEREAS, on October 12, 2026, the City's Planning and Zoning Commission made an inquiry into the matter and reviewed all relevant information and made a recommendation to the City Council; and

WHEREAS, on November 9, 2026, the City Council made an inquiry into the matter and reviewed all the relevant information, and

WHEREAS, City Council has determined that the commercial site plan meets the requirements of Section 131 of Article V of Appendix B, Site Plan Requirements.; and

WHEREAS, section 4-62 of Article IV of Appendix C, Private land and developments; (A) Private amenities; (3) Materials. Paving material shall be decorative paving or patterned concrete. Landscape material shall include trees planted no farther apart than 36 feet divided by the percentage of pavement coverage of the courtyard or plaza. (Example 1: Trees 36 feet apart divided by 100 percent pavement = trees 36 feet apart; Example 2: Trees 36 feet apart divided by 50 percent pavement = trees 72 feet apart.) Areas not paved shall be covered with turf or other landscaping material. Paving must be bounded on at least one side by plantings; and

WHEREAS, section 4-62 of Article IV of Appendix C, Private land and developments; (B) Front setback; (1) Dimensions. Minimum two feet; maximum 15 feet; and

WHEREAS, on November 9, 2026, the City Council made an inquiry into the matter and reviewed all the relevant information, and

WHEREAS, the City Council finds and determines that special conditions exist that are peculiar to the land, structure or building involved and are not applicable to other lands, buildings

or structures in the same vicinity; and

WHEREAS, City Council finds and determines that the strict interpretation of section 4-62 of Article IV of Appendix C, Private land and developments; (A) Private amenities; (3) Materials. Paving material shall be decorative paving or patterned concrete. Landscape material shall include trees planted no farther apart than 36 feet divided by the percentage of pavement coverage of the courtyard or plaza. (Example 1: Trees 36 feet apart divided by 100 percent pavement = trees 36 feet apart; Example 2: Trees 36 feet apart divided by 50 percent pavement = trees 72 feet apart.) Areas not paved shall be covered with turf or other landscaping material. Paving must be bounded on at least one side by plantings; and

WHEREAS, City Council finds and determines that the strict interpretation of section 4-62 of Article IV of Appendix C, Private land and developments; (B) Front setback; (1) Dimensions. Minimum two feet; maximum 15 feet; and

WHEREAS, City Council finds and determines that the special conditions and circumstances do not result from the actions of the applicant(s) and such conditions and circumstances do not merely constitute pecuniary hardship or inconveniences; and

WHEREAS, City Council finds and determines that granting the waivers will meet the objectives of the ordinance and not be injurious to the adjoining property owners or otherwise detrimental to the public welfare; and

WHEREAS, City Council finds and determines that the request will be the minimum waiver necessary to alleviate the special hardship or practical difficulties faced by the applicant in meeting the requirements of section 4-62 of Article IV of Appendix C, Private land and developments; (A) Private amenities; (3) Materials. Paving material shall be decorative paving or patterned concrete. Landscape material shall include trees planted no farther apart than 36 feet divided by the percentage of pavement coverage of the courtyard or plaza. (Example 1: Trees 36 feet apart divided by 100 percent pavement = trees 36 feet apart; Example 2: Trees 36 feet apart divided by 50 percent pavement = trees 72 feet apart.) Areas not paved shall be covered with turf or other landscaping material. Paving must be bounded on at least one side by plantings; and

WHEREAS, City Council finds and determines that the request will be the minimum waiver necessary to alleviate the special hardship or practical difficulties faced by the applicant in meeting the requirements of section 4-62 of Article IV of Appendix C, Private land and developments; (B) Front setback; (1) Dimensions. Minimum two feet; maximum 15 feet; and

WHEREAS, City Council has determined that granting the waivers will be in harmony with the spirit and purpose of section 4-62 of Article IV of Appendix C, Private land and developments; (A) Private amenities; (3) Materials. Paving material shall be decorative paving or patterned concrete. Landscape material shall include trees planted no farther apart than 36 feet divided by the percentage of pavement coverage of the courtyard or plaza. (Example 1: Trees 36 feet apart divided by 100 percent pavement = trees 36 feet apart; Example 2: Trees 36 feet apart divided by 50 percent pavement = trees 72 feet apart.) Areas not paved shall be covered with turf or other landscaping material. Paving must be bounded on at least one side by plantings; and

WHEREAS, City Council has determined that granting the waivers will be in harmony with the spirit and purpose of section 4-62 of Article IV of Appendix C, Private land and developments; (B) Front setback; (1) Dimensions. Minimum two feet; maximum 15 feet; and

WHEREAS, the City Council finds and determines the conditions attached to the waiver, if any, are necessary to achieve the purpose of section 4-62 of Article IV of Appendix C, Private land and developments; (A) Private amenities; (3) Materials; and

WHEREAS, the City Council finds and determines the conditions attached to the waiver, if any, are necessary to achieve the purpose of section 4-62 of Article IV of Appendix C, Private land and developments; (B) Front setback; (1) Dimensions

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

Section 1.

City Council hereby approves a commercial site plan (CSP26-015) for a new Old Town Commercial Building at 114 W Ellison Street shown on Exhibit "A"; and

City Council hereby grants waivers to section 4-62 of Article IV of Appendix C, Private land and developments; (A) Private amenities; (3) Materials; to provide no landscaping within the property line but rather withing the Right-of-Way; and (B) Front setback; (1) Dimensions; 2 feet building setback with balconies and awnings covering the sidewalk and encroaching into the Right-of-Way.

Except as otherwise specified above or as shown on Exhibit "A", all other conditions, regulations, procedures, and rules section 4-62 of Article IV of Appendix C, and of the City of Burleson Code of Ordinances (2005), as amended, shall apply to the buildings at 114 W. Ellison Street.

Section 2.

This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the _____ day of _____, 20____.

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO LEGAL FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

Exhibit "A"

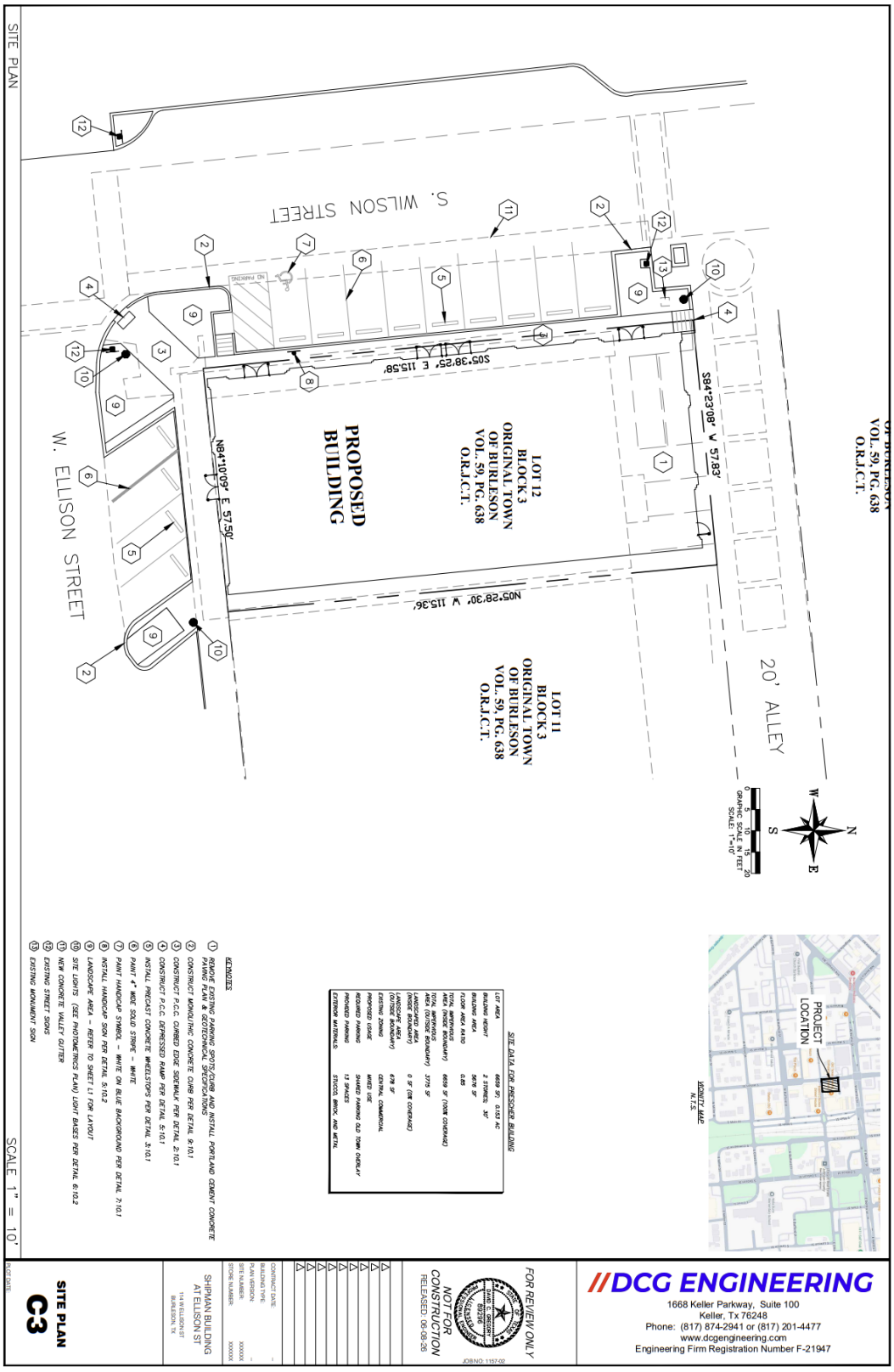

SITE PLAN
SCALE 1" = 10'
S. WILSON STREET
W. ELLISON STREET
20' ALLEY
PROPOSED BUILDING
LOT 12 BLOCK 3 ORIGINAL TOWN OF BURLESON VOL. 59, PG. 638 O.R.J.C.T.
LOT 11 BLOCK 3 ORIGINAL TOWN OF BURLESON VOL. 59, PG. 638 O.R.J.C.T.
S84°23'08" W 57.83'
N84°10'09" E 57.50'
S05°38'25" E 115.58'
N05°28'30" W 115.36'
NO PARKING
PROJECT LOCATION
VICINITY MAP
N.T.S.
GRAPHIC SCALE IN FEET
SCALE 1"=10'
SITE DATA FOR PROPOSED BUILDING
LOT AREA 4659 SF; 0.107 AC
BUILDING HEIGHT 2 STORIES; 30'
FLOOR AREA RATIO 0.85
TOTAL IMPERVIOUS AREA (INSIDE BOUNDARY) 4659 SF (100% COVERAGE)
TOTAL PERVIOUS AREA (OUTSIDE BOUNDARY) 375 SF
LANDSCAPED AREA (INSIDE BOUNDARY) 0 SF (0% COVERAGE)
LANDSCAPED AREA (OUTSIDE BOUNDARY) 678 SF
EXISTING ZONING CENTRAL COMMERCIAL
PROPOSED USAGE MIXED USE
REQUIRED PARKING SHARED PARKING OLD TOWN OVERLAY
PROVIDED PARKING 13 SPACES
EXTERIOR MATERIALS STUCCO, BRICK, AND METAL
DEMOLITION
1 REMOVE EXISTING PARKING SPOTS,CURB AND INSTALL PORTLAND CEMENT CONCRETE PAVING PLAN & GEOTECHNICAL SPECIFICATIONS
2 CONSTRUCT MONOLITHIC CONCRETE CURB PER DETAIL 9/10.1
3 CONSTRUCT P.C.C. CURBED EDGE SIDEWALK PER DETAIL 2/10.1
4 CONSTRUCT P.C.C. DEPRESSED RAMP PER DETAIL 5/10.1
5 INSTALL PRECAST CONCRETE WHEELSTOPS PER DETAIL 3/10.1
6 PAINT 4" WIDE SOLID STRIPE – WHITE
7 PAINT HANDICAP SYMBOL – WHITE ON BLUE BACKGROUND PER DETAIL 7/10.1
8 INSTALL HANDICAP SIGN PER DETAIL 5/10.2
9 LANDSCAPE AREA – REFER TO SHEET L1 FOR LAYOUT
10 SITE LIGHTS (SEE PHOTOMETRICS PLAN) LIGHT BASES PER DETAIL 6/10.2
11 NEW CONCRETE VALLEY GUTTER
12 EXISTING STREET SIGNS
13 EXISTING MONUMENT SIGN
//DCG ENGINEERING
1668 Keller Parkway, Suite 100
Keller, Tx 76248
Phone: (817) 874-2941 or (817) 201-4477
www.dcgengineering.com
Engineering Firm Registration Number F-21947
FOR REVIEW ONLY
NOT FOR CONSTRUCTION
RELEASED: 06-08-26
JOB NO: 1157-02
CONTRACT DATE:
BUILDING TYPE:
PLAN VERSION:
SITE NUMBER:
STORE NUMBER:
SHIPMAN BUILDING AT ELLISON ST
114 W ELLISON ST
BURLESON, TX
SITE PLAN
C3

Exhibit "A"
Continued

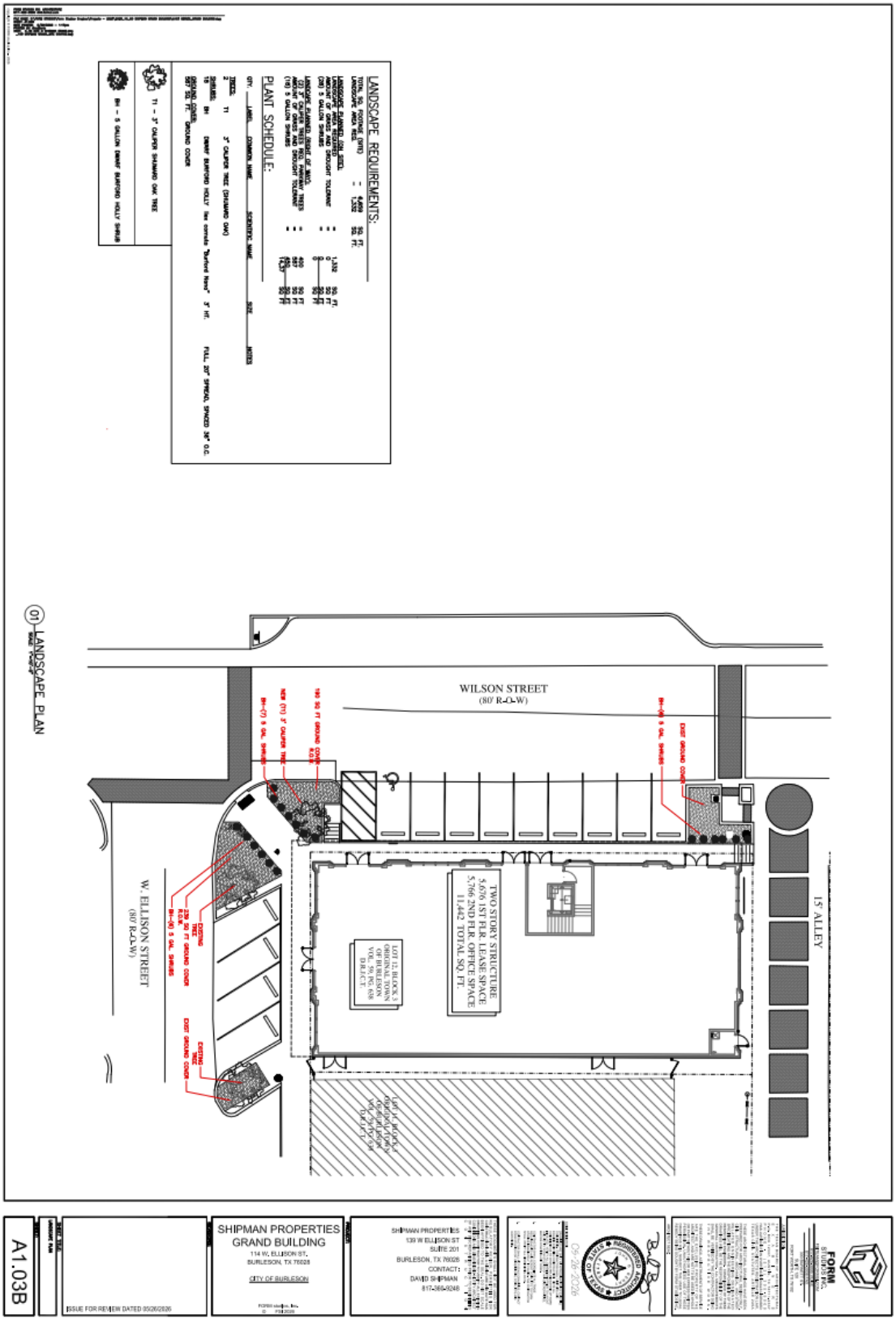


Exhibit "A"
Continued

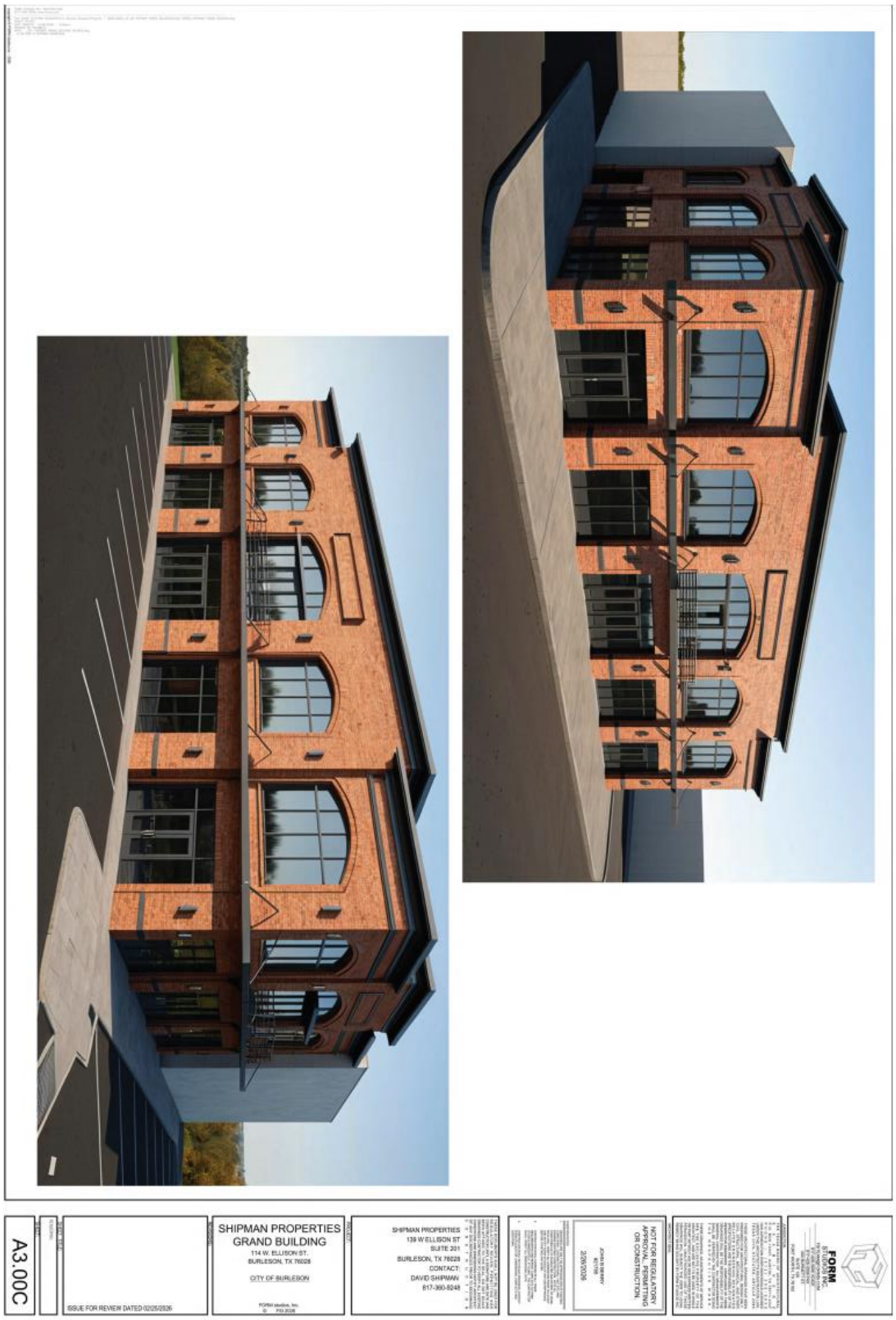


Exhibit "A"
Continued

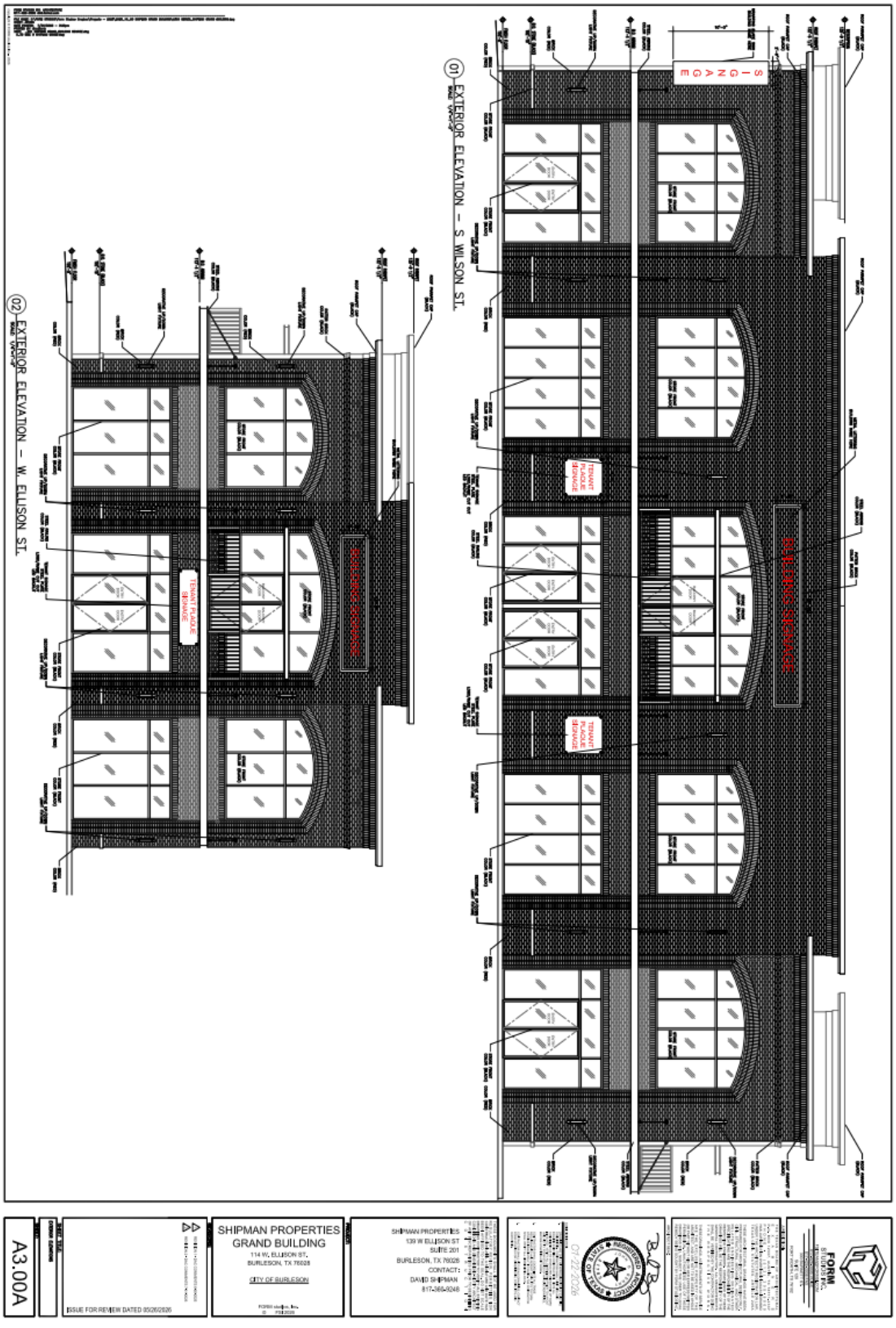
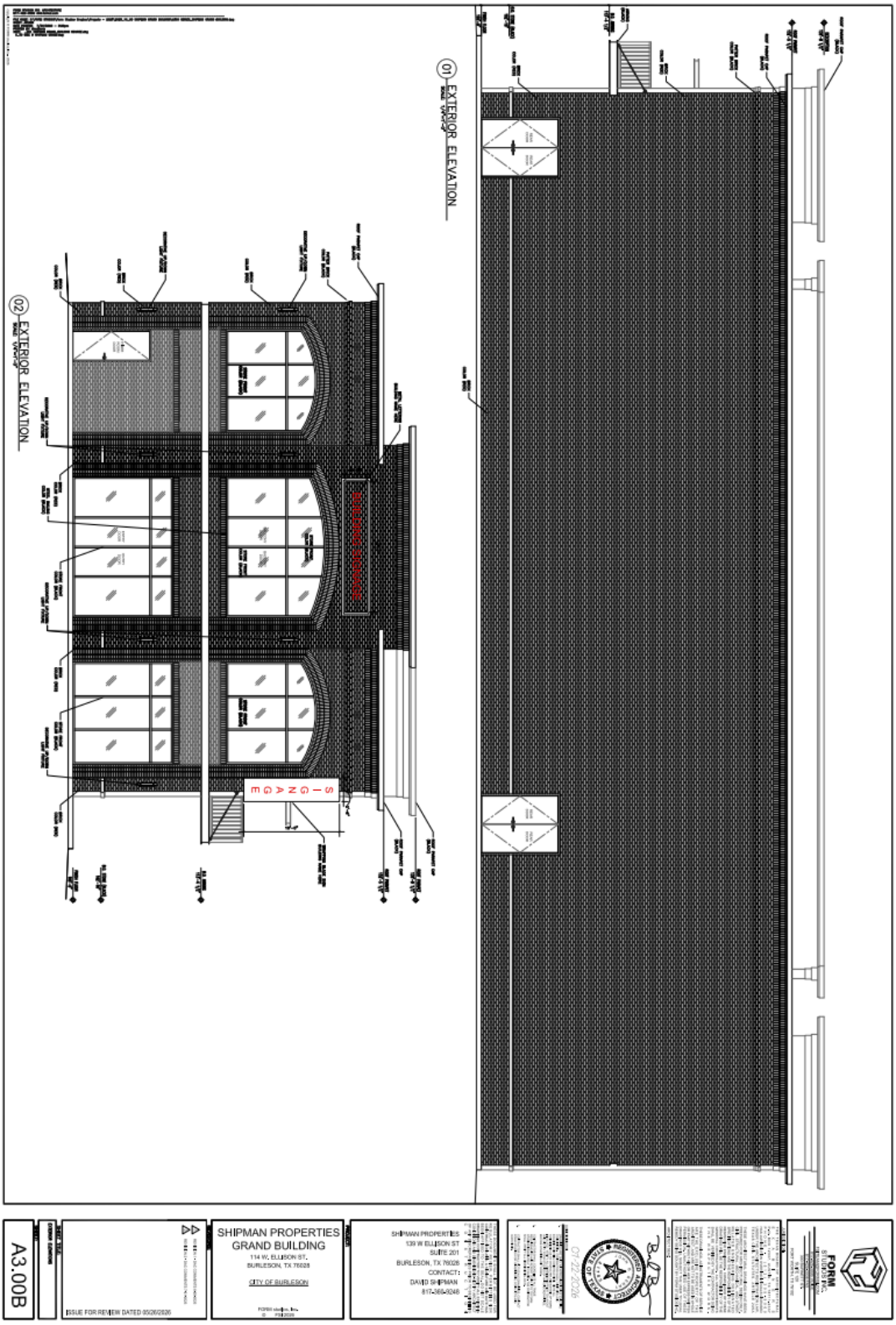


Exhibit "A"
Continued



STATEMENT OF ARCHITECTURAL AND CONTEXTUAL COMPATIBILITY

ADDRESS OF PROPOSED PROJECT:
114 W. ELLISON STREET
BURLESON, TX 76028

OWNER INFO:
SHIPMAN PROPERTIES
139 W. ELLISON ST.
SUITE 201
BURLESON, TX 76028

ARCHITECT:
FORM studios, LLC
Brad Berry
300 Burnett Street
Suite 120
Fort Worth, TX 76102

PROJECT INFO:
We are proposing a two-story brick building structure that is total of 11,442 square feet of mixed-use space, located at the corner of Ellison and Wilson Street. First floor lease space of 5,676 sq. ft. to be leased to Old Texas Brewing Company for expansion space. Second floor space of 5,766 sq. ft. to be new office space for Shipman Companies.

Placement of Building:

The building to be located two feet from property line along Wilson Street, two feet from alley way, façade to be on the property line along Ellison Street, and 4'-2-1/2" from property line next to Old Texas Brewing.

Parking:

Nine new parking stalls are planned on Wilson Street with one of them being a T.A.S. parking stall. Parking along Ellison is the four existing stalls.

Building Façade:

Architectural style of the building would be Neoclassical/Georgian revival. Building facades along Wilson Stree, Ellison Street, and north side of the building to be considered as Type A facades, and the Type B façade will be on the east side of the building. The materials proposed for this building will be red, and black, with black steel awnings and railings, black storefront, and black parapet cap.

Type A façade along Wilson Street contains the following:

- Main entrances into the lease space on the first floor and the main entry into stair/elevator vestibule for the second floor (Shipman Companies).
- Large storefront windows on the first and second floor.
- Continuous steel awning along Wilson Street façade with a porch and railing for second floor porch.
- Taller parapet at center portion of the building at 35’-9 ½”.
- End parapets will be 32’-5 /2” tall.
- At each window/door bay, the brick steps back three courses to give added depth and shadow line to the façade.
- Arched brick work above each window bay on the second floor.
- Each entrance has double 3’X8’ glass doors and storefront glass next to the doors.
- Steel awning above doors for the second floor porch.
- There will be a brick detailed sign band at center of the building on the second floor.
- Ornate horizontal brick work near the roof parapet.
- Decorative Up/Down lighting fixture at each column.
- Ornate brick at the heads and sills of each window.
- Solider brick work to be installed below all parapet caps.
- Continuous solider brick band above windows along façade.

Type A façade along Ellison Street contains the following:

- Main entrances into the lease space on the first floor.
- Large storefront windows on the first and second floor.
- Continuous steel awning along Ellison Street façade with a porch and railing for second floor porch.
- Taller parapet at center portion of the building at 35’-9 ½”.
- End parapets will be 32’-5 /2” tall.

- At each window/door bay, the brick steps back three courses to give added depth and shadow line to the façade.
- Arched bricks work above each window bay on the second floor.
- Each entrance has double 3'X8' glass doors and storefront glass next to the doors.
- Steel awning above doors for the second-floor porch.
- There will be a detailed brick sign band at center of the building on the second floor.
- Ornate horizontal bricks work near the roof parapet.
- Decorative Up/Down lighting fixture at each column.
- Ornate brick at the heads and sills of each window.
- Solider brick work to be installed below all parapet caps.
- Continuous solider brick band above windows along façade.

Type A facade along North side of the building facing the alley way contains the following:

- Large storefront windows on the first and second floor.
- Continuous steel channel relief in brick separating from the first to second floor. Will be aligned with the steel awning that runs continuously along Wilson and Ellison Street.
- Taller parapet at center portion of the building at 35'-9 ½".
- End parapets will be 32'-5 /2" tall.
- At each window bay, the brick steps back three courses to give added depth and shadow line to the façade.
- Arched bricks work above each window bay on the second floor.
- There will be a detailed brick sign band at center of the building on the second floor.
- Ornate horizontal bricks work near the roof parapet.
- Decorative Up/Down lighting fixture at each column.
- Ornate brick at the heads and sills of each window.
- Solider brick work to be installed below all parapet caps.
- Access door to the riser room.

Type B façade that is next to Brewery contains:

- The parapet wall at the back of the building is continuous at 32'-5 ½".
- Ornate horizontal bricks work near the roof parapet.
- Solider brick work to be installed below all parapet caps.
- Doors in the façade will be: two double 3'x8' steel doors painted black.

Roofing:

- TPO membrane roof with roof sloping to the rear of the building.
- Four downspouts along backside of the building
- Parapet walls to be five feet taller than roof, to block visibility of rooftop mechanical units.

Thank you,

Brad Berry
Principal
FORM studios, LLC.

Variance Request – Burleson

Variance Request #1 – Landscaping Ordinance.

City of Burleson Landscaping Ordinance requires that landscaping equally at least 20% of the site be provided. Of that 20%, not less than 40% shall be located in the front yard.

Request – Development respectfully request that this requirement be waived as the site is located in the Old Town Overlay with the building pressed up to the property lines as customary in said district. The applicant is proposed an enhanced landscaping within the right-of-way to help compensate for lack of landscape area within the proposed development lot.

Variance Request # 2 – Awnings / Canopies

City of Burleson code requires that awnings and canopies are contained within the subject property and do not cross over property lines / right-of-way.

Request – Development requests that awnings / canopies are allowed to cross over the right-of-way line and cover the sidewalks as shown. This will keep in line and spirit with other buildings within the Old Town District of the City.





FORM
STUDIOS INC.
FSITEAM@FORMSI.COM
817-426-3006 VOICE
817-426-3008 FAX
300 BURNETT ST.
SUITE 120
FORT WORTH, TX 76102

JURISDICTION:

THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS P.O. BOX 12337, AUSTIN, TX 78711-2337 PHONE (512) 305-9000 HAS JURISDICTION OVER INDIVIDUALS LICENSED UNDER THE ARCHITECT'S REGISTRATION LAW, TEXAS CIVIL STATUTES, ARTICLE 249A

THESE ARCHITECTURAL DRAWINGS HAVE BEEN PREPARED FOR ARCHITECTURAL DESIGN ONLY. CIVIL, STRUCTURAL, MECHANICAL, AND OTHER RELATED ENGINEERING DESIGNATED SPECIFICATIONS ARE THE RESPONSIBILITY OF THE RESPECTIVE ENGINEERS. COMPLIANCE OF THESE DRAWINGS WILL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. ALL MEASUREMENTS SHALL BE VERIFIED BY THE CONTRACTOR DOING THE RESPECTIVE WORK.

THESE DRAWINGS, AS INSTRUMENTS OF SERVICE ARE THE EXCLUSIVE PROPERTY OF THE ARCHITECT, AND ARE NOT TO BE USED IN WHOLE OR PART WITHOUT HIS OR HER EXPRESS WRITTEN PERMISSION. UNAUTHORIZED USE OF THESE DRAWINGS WILL SUBJECT THE USER TO LEGAL REMEDY BEING SOUGHT BY FORM STUDIOS INC.

ARCHITECT SEAL:

NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION.

JOHN B BERRY
#21785

2/26/2026

CONDITION NOTES:

1. DRAWINGS ARE ONLY AN APPROXIMATION OF EXISTING CONDITIONS. CONTRACTOR SHALL VISIT SITE AND EXAMINE EXISTING CONSTRUCTION. NOTE ALL CONDITIONS AS TO CHARACTER AND EXTENT OF WORK INVOLVED. VERIFY ALL DIMENSIONS PRIOR TO LAYOUT AND NOTIFY FORM STUDIOS OF ANY DISCREPANCIES, BEFORE STARTING ANY WORK.
2. CONTRACTOR SHALL COORDINATE ALL TRADE REQUIREMENTS AND REPORT CONFLICTS TO FORM STUDIOS IMMEDIATELY, IF FOUND. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONAL DATA.
3. CONTRACTOR SHALL NOT SCALE DRAWINGS. CONTACT FORM STUDIOS FOR DIMENSIONAL CONFLICTS AND QUESTIONS.

THESE DOCUMENTS SHALL NOT BE USED FOR REGULATORY REVIEW, PERMITTING NOR CONSTRUCTION UNTIL A SIGNATURE AND DATE HAS BEEN AFFIXED TO THE SEAL. DO NOT SCALE DRAWINGS CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS-NOTIFY ARCHITECT OF ANY DISCREPANCIES PRIOR TO BEGINNING CONSTRUCTION

SHIPMAN PROPERTIES
139 W ELLISON ST
SUITE 201
BURLESON, TX 76028
CONTACT:
DAVID SHIPMAN
817-360-9248

PROJECT:

SHIPMAN PROPERTIES GRAND BUILDING

114 W. ELLISON ST:
BURLESON, TX 76028

CITY OF BURLESON

FORM studios, Inc.
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REVISIONS:

ISSUE FOR REVIEW DATED 02/25/2026

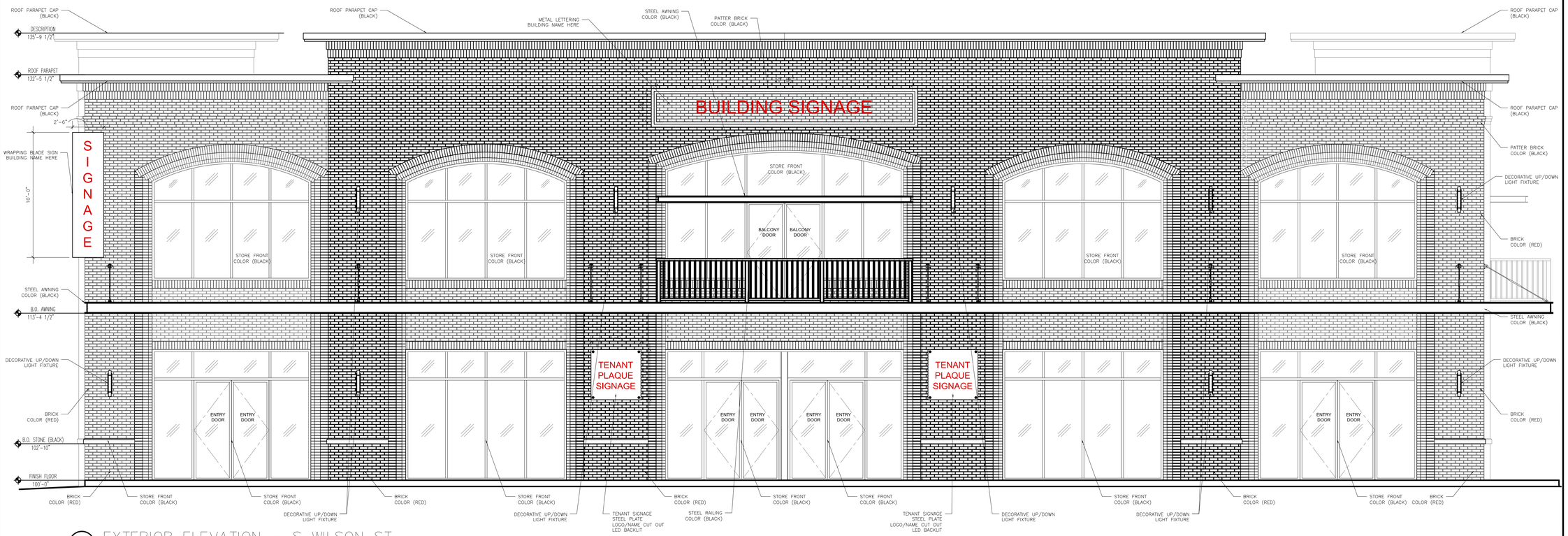
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RENDERING

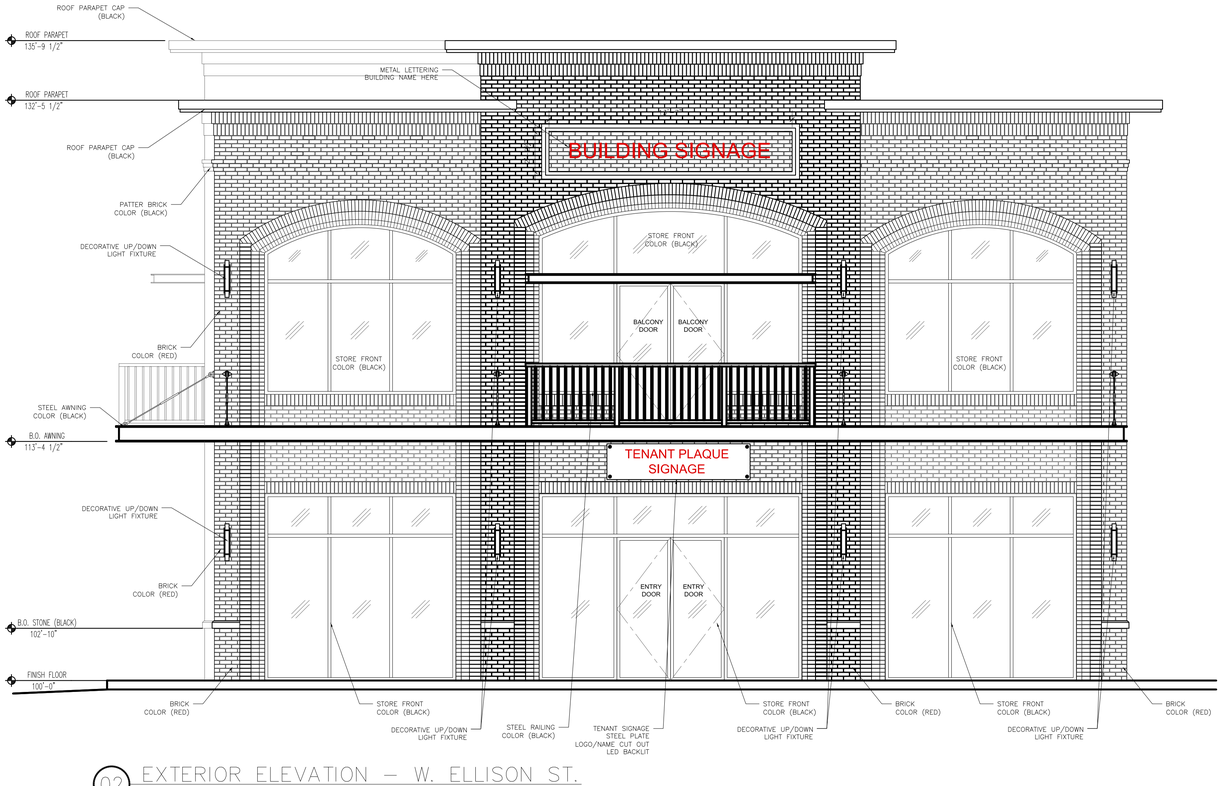
SHEET:

A3.00C

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01 EXTERIOR ELEVATION – S WILSON ST.
SCALE: 1/4"=1'-0"



02 EXTERIOR ELEVATION – W. ELLISON ST.
SCALE: 1/4"=1'-0"

FORM STUDIOS INC. ARCHITECTURE
817-426-3008 www.formsi.com
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PLOTTED WITH: SHIPMAN GRAND BUILDING_ELEVATIONS.ctb
X_SI SIZE @ SHIPMAN GRAND.dwg

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FORM
STUDIOS INC.
FSITEAM@FORMSI.COM
817-426-3008 VOICE
817-426-3008 FAX
300 BURNETT ST.
SUITE 120
FORT WORTH, TX 76102

JURISDICTION:

THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS
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ARCHITECT SEAL:

REGISTERED ARCHITECT
JOHN B. BARNES
21785
STATE OF TEXAS

01-22-2026

CONDITION NOTES:

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CONTACT:
DAVID SHIPMAN
817-360-9248

PROJECT:

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BURLESON, TX 76028
CITY OF BURLESON

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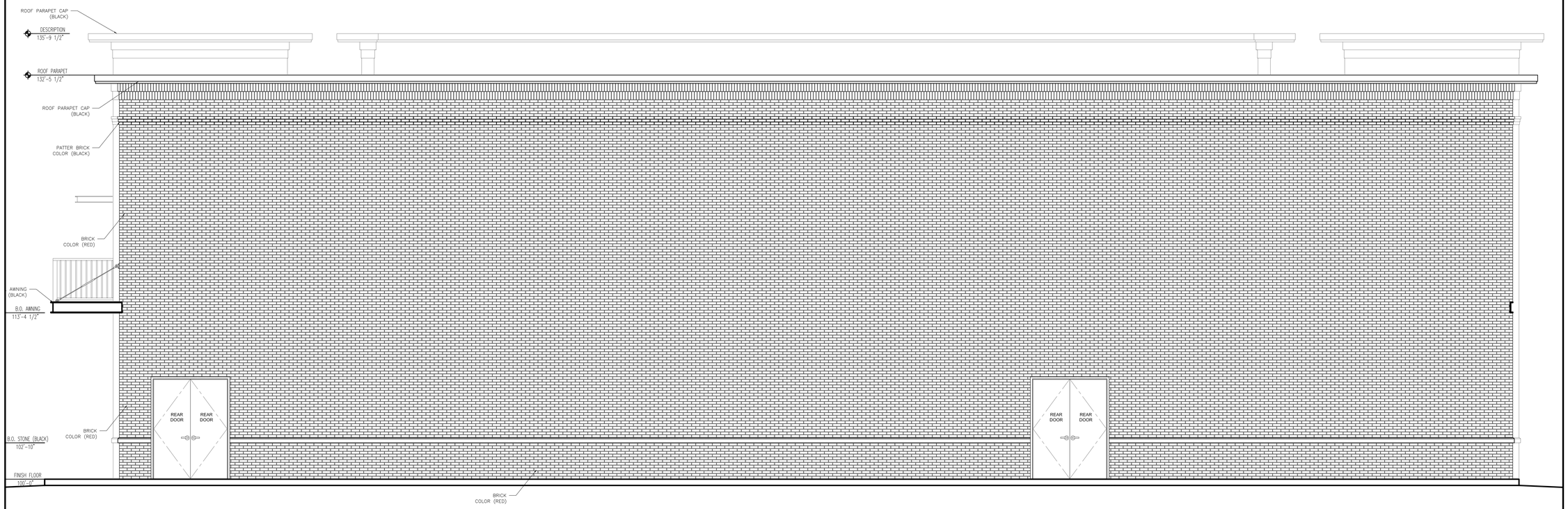
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1 REVISION 1 - DAC COMMENTS 6-26-2026
2 REVISION 2 - DAC COMMENTS 7-21-2026

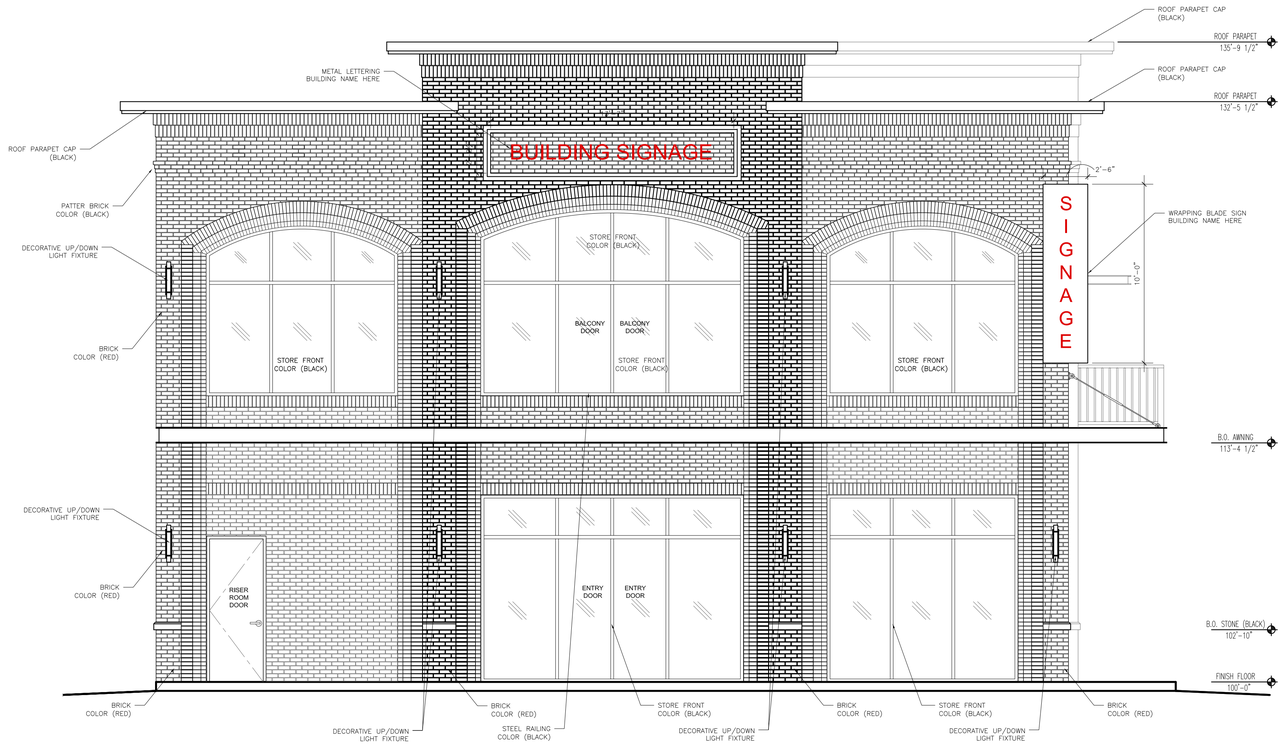
ISSUE FOR REVIEW DATED 05/26/2026

SHEET TITLE:
EXTERIOR ELEVATIONS

SHEET:
A3.00A



01 EXTERIOR ELEVATION
SCALE: 1/4"=1'-0"



02 EXTERIOR ELEVATION
SCALE: 1/4"=1'-0"

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PRINTED DATE: 01-22-2026 - 3:34pm
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PHONE (512) 305-9000
HAS JURISDICTION OVER INDIVIDUALS LICENSED UNDER THE ARCHITECT'S REGISTRATION LAW, TEXAS CIVIL STATUTES, ARTICLE 249A

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REGISTERED ARCHITECT
JOHN B BERRY
21785
STATE OF TEXAS

01-22-2026

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EXTERIOR ELEVATIONS

SHEET:
A3.00B



02 SITE MAP
SCALE: NTS

NOTE 1 – T.A.S. CHANGE IN LEVELS

1 IF AN ACCESSIBLE ROUTE HAS CHANGES GREATER THAN ¼", THEN A CURB RAMP, RAMP, ELEVATOR OR PLATFORM LIFT SHALL BE PROVIDED.

2 AT ENTRY OR DOORWAY MAX. VERTICAL DISTANCE IS ¼" TOTAL HEIGHT INCLUDING ANY DOOR HARDWARE OR THRESHOLD.

3 AT CHANGES IN FLOORING MATERIAL MAX. CHANGE IN HEIGHT IS ½" (TOTAL HEIGHT).

T.A.S. CONCRETE SURFACE

1. SURFACES OF CURB RAMPS SHALL COMPLY WITH SECTION 4.5 ABOVE.
(1)TEXTURES SHALL CONSIST OF EXPOSED CRUSHED STONE AGGREGATE, ROUGHENED CONCRETE, RUBBER, RAISED ABRASIVE STRIPS, OR GROOVES EXTENDING THE FULL WIDTH AND DEPTH OF THE CURB RAMP. SURFACES THAT ARE RAISED, ETCHED, OR GROOVED IN A WAY THAT WOULD ALLOW WATER TO ACCUMULATE ARE PROHIBITED.
(2) FOR PURPOSES OF WARNING, THE FULL WIDTH AND DEPTH OF CURB RAMPS SHALL HAVE A LIGHT REFLECTIVE VALUE AND TEXTURE THAT SIGNIFICANTLY CONTRASTS WITH THAT OF ADJOINING PEDESTRIAN ROUTES.

T.A.S. PAVING SLOPE REQUIREMENTS

1	ACCESSIBLE ROUTE	<5% SLOPE <2% CROSS SLOPE
2	RAMP & CURB RAMP	<8.33% (1:12) <2% CROSS SLOPE
3	TAS PARKING & ACCESS AISLE	<2% SLOPE IN ANY DIRECTION

< = LESS THAN

LOT SQUARE FOOTAGE:

TOTAL SQ. FOOTAGE (SITE)	– 6,659	SQ. FT.
BUILDING PAD SQ. FOOTAGE	– 5,676	SQ. FT.

PARKING IN R-O-W:

PARKING PLANNED	–	13
HANDICAP STALLS	–	1

SITE LIGHTING / BUILDING LIGHTING:

1 POWER TO BE CONTROLLED BY ELECTRIC EYE.
2 REFER TO A2.04 SERIES LIGHT LEGEND FOR FIXTURE SPECIFICATIONS.

GENERAL NOTES: T.A.S.

1 ALL PAVING AND CURBING TO COMPLY WITH T.A.S. GUIDELINES FOR SURFACES, SLOPE, AND CROSS SLOPE. T.A.S. 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.3.6, 4.3.7, 4.3.8, 4.5.1, 4.5.2, AND 4.5.3.

2 PARKING TO COMPLY WITH T.A.S. 4.6.1, 4.6.2, AND 4.6.3.

3 RAMPS TO COMPLY WITH T.A.S. 4.7.1, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.7.6, 4.7.8, 4.7.9, 4.7.10, 4.8.

SITE IRRIGATION:

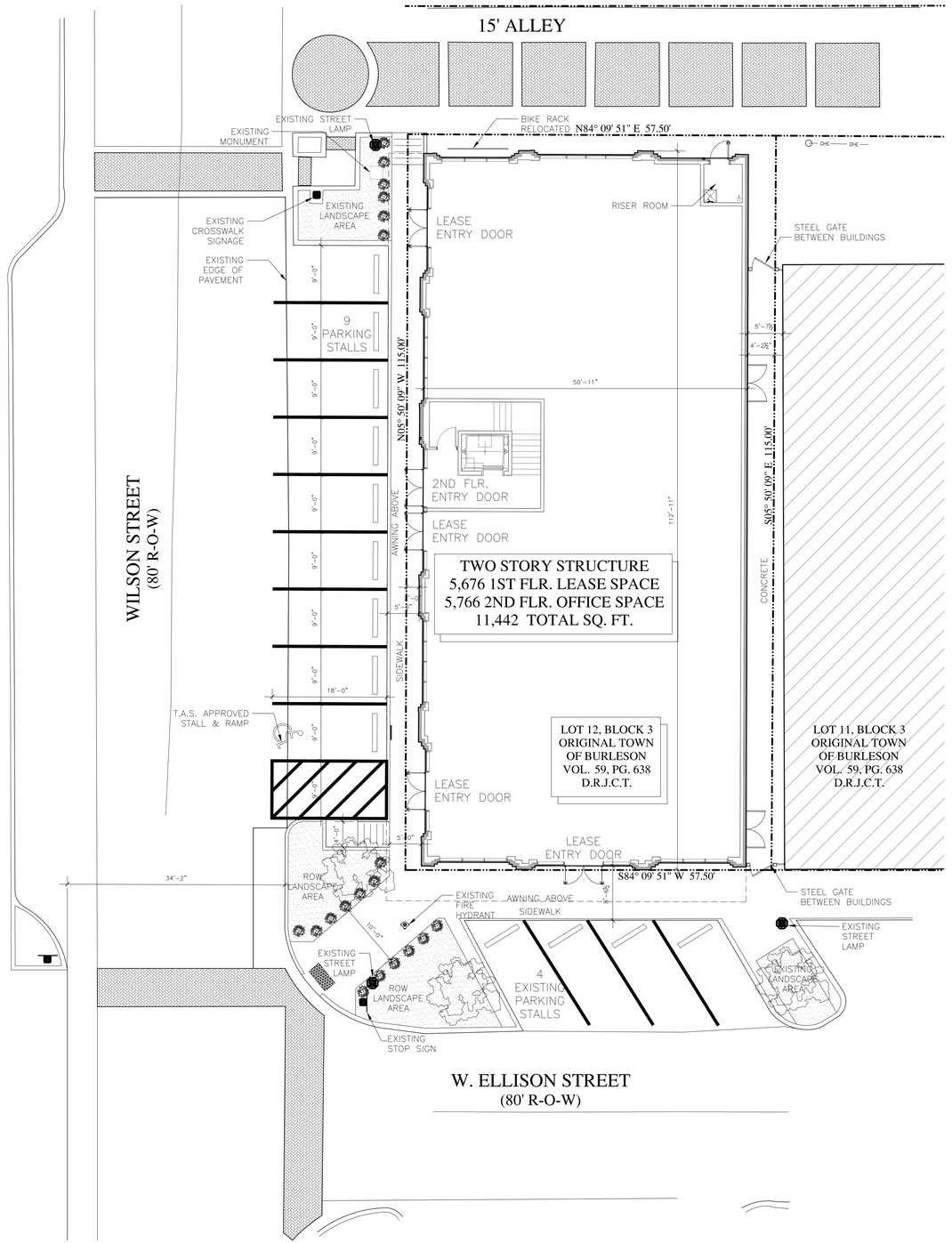
1. A LOW VOLUME IRRIGATION SYSTEM, THAT PROVIDES 100% COVERAGE TO ALL PROPOSED PLANTINGS, WILL BE DESIGNED AND INSTALLED BY THE CONTRACTOR AND WILL BE MAINTAINED BY OWNER.

2. THE PROPOSED IRRIGATION SYSTEM MUST MEET OR EXCEED ALL APPLICABLE CITY CODE REQUIREMENTS. (I.E., BACK FLOW PREVENTION, AUTOMATIC RAIN SHUTOFF DEVICE, ETC...)

3. IRRIGATION SHOP DRAWINGS MUST BE SUBMITTED AND APPROVED BY THE CITY PRIOR TO THE COMMENCEMENT OF WORK.

4. IRRIGATION SYSTEM MUST BE INSPECTED AND ACCEPTED BY CITY PROJECT MANAGER PRIOR TO INSTALLATION OF MULCH.

5. UNDERGROUND IRRIGATION SYSTEM PLANS DESIGNED BY A LICENSED IRRIGATOR WILL BE SUBMITTED WITH THE BUILDING PERMIT APPLICATION.



02 SITE PLAN
SCALE: 1"=10'-0"

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05-26-2026

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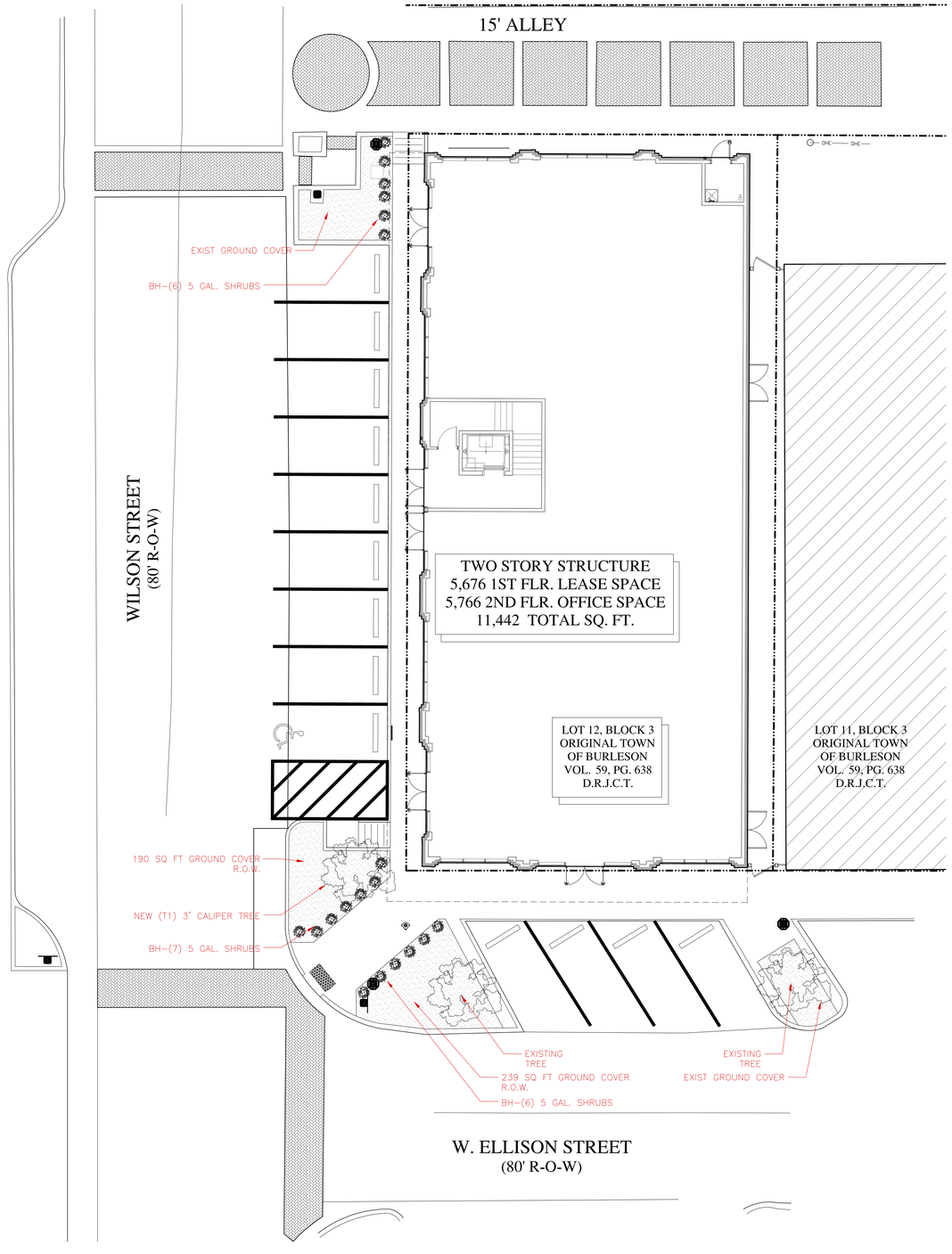
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CITY OF BURLESON

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REVISIONS:
ISSUE FOR REVIEW DATED 05/26/2026

SHEET TITLE:
SITE PLAN

SHEET:
A1.03A



01 LANDSCAPE PLAN
SCALE: 1"=10'-0"

LANDSCAPE REQUIREMENTS:

TOTAL SQ. FOOTAGE (SITE)	–	6,659	SQ. FT.
LANDSCAPE AREA REQ.	–	1,332	SQ. FT.

LANDSCAPE PLANNED (ON SITE):			
LANDSCAPE AREA REQUIRED	=	1,332	SQ. FT.
AMOUNT OF GRASS AND DROUGHT TOLERANT	=	0	SQ FT
(28) 5 GALLON SHRUBS	=	0	SQ FT
		0	SQ FT
LANDCAPE PLANNED (RIGHT OF WAY):			
(2) 3" CALIPER TREES REQ. PARKWAY TREES	=	400	SQ FT
AMOUNT OF GRASS AND DROUGHT TOLERANT	=	587	SQ FT
(18) 5 GALLON SHRUBS	=	450	SQ FT
		14,37	SQ FT

PLANT SCHEDULE:

QTY.	LABEL	COMMON NAME	SCIENTIFIC NAME	SIZE	NOTES
TREES:					
2	T1	3" CALIPER TREE (SHUMARD OAK)			
SHRUBS:					
18	BH	DWARF BURFORD HOLLY	Ilex comuta "Burford Nana"	3' HT.	FULL, 20" SPREAD, SPACED 36" O.C.
GROUND COVER:					
587 SQ. FT.		GROUND COVER			

T1 – 3" CALIPER SHUMARD OAK TREE

BH – 5 GALLON DWARF BURFORD HOLLY SHRUB

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FILE NAME: Z:\FORM STUDIOS\Form Studios Dropbox\Projects - 2025\2025_15_09 SHIPMAN GRAND BUILDING\A103 SERIES_GRAND BUILDING.dwg
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PLOTTED ON: 5/26/2026 - 11:17am
XREF'S: SHIPMAN GRAND_SITE 05262026.dwg

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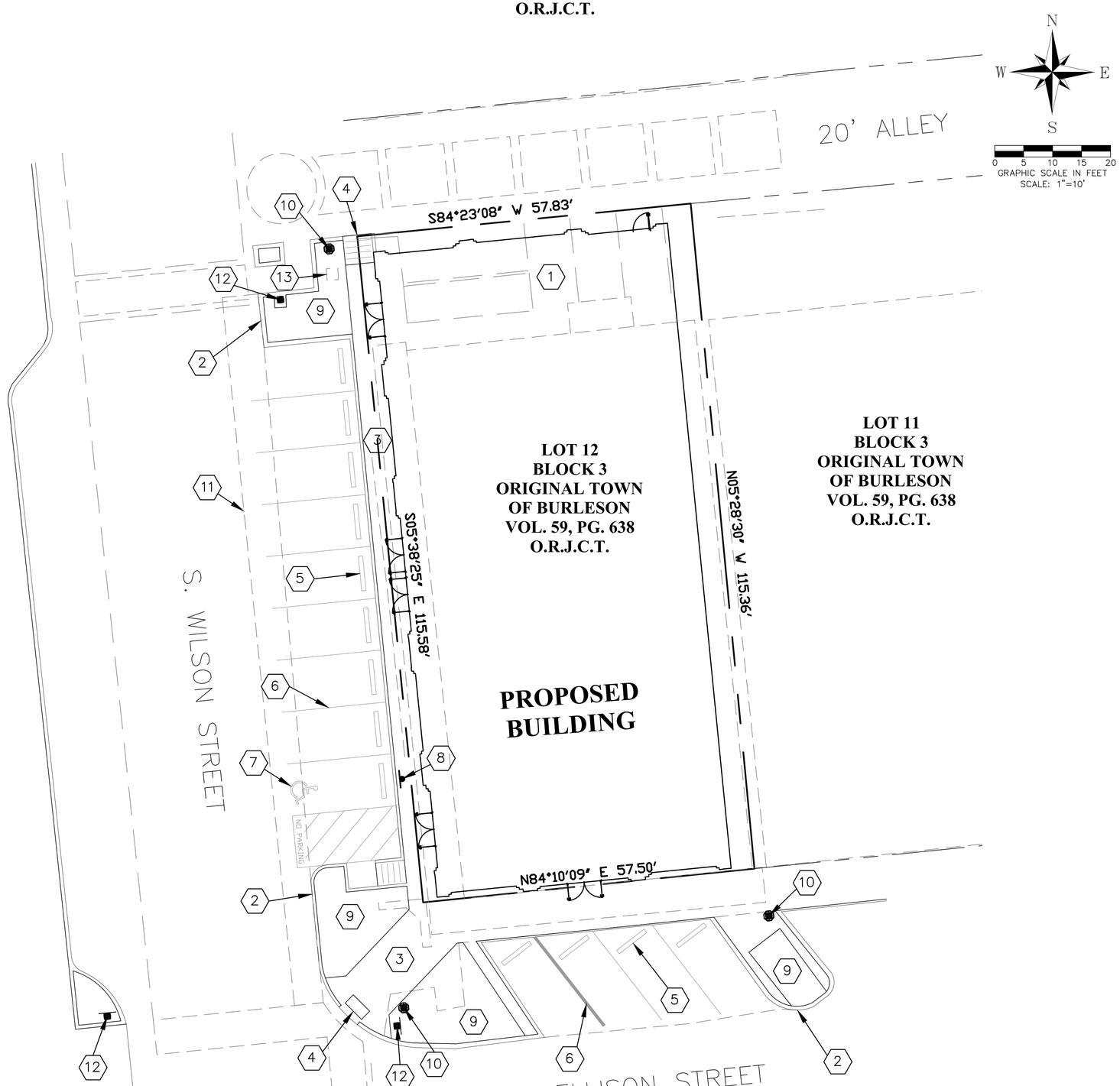
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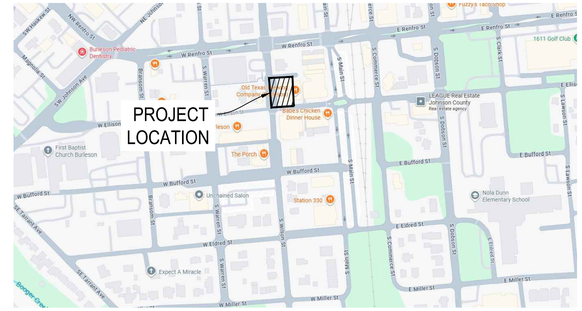
ISSUE FOR REVIEW DATED 05/26/2026

SHEET TITLE:
LANDSCAPE PLAN

SHEET:
A1.03B

OF BURLESON
VOL. 59, PG. 638
O.R.J.C.T.





VICINITY MAP
N.T.S.

SITE DATA FOR PRESCHER BUILDING

LOT AREA	6659 SF; 0.153 AC
BUILDING HEIGHT	2 STORIES; 30'
BUILDING AREA	5676 SF
FLOOR AREA RATIO	0.85
TOTAL IMPERVIOUS AREA (INSIDE BOUNDARY)	6659 SF (100% COVERAGE)
TOTAL IMPERVIOUS AREA (OUTSIDE BOUNDARY)	3775 SF
LANDSCAPED AREA (INSIDE BOUNDARY)	0 SF (0% COVERAGE)
LANDSCAPE AREA (OUTSIDE BOUNDARY)	678 SF
EXISTING ZONING	CENTRAL COMMERCIAL
PROPOSED USAGE	MIXED USE
REQUIRED PARKING	SHARED PARKING OLD TOWN OVERLAY
PROVIDED PARKING	13 SPACES
EXTERIOR MATERIALS:	STUCCO, BRICK, AND METAL

KEYNOTES

1. REMOVE EXISTING PARKING SPOTS/CURB AND INSTALL PORTLAND CEMENT CONCRETE PAVING PLAN & GEOTECHNICAL SPECIFICATIONS
2. CONSTRUCT MONOLITHIC CONCRETE CURB PER DETAIL 9:10.1
3. CONSTRUCT P.C.C. CURBED EDGE SIDEWALK PER DETAIL 2:10.1
4. CONSTRUCT P.C.C. DEPRESSED RAMP PER DETAIL 5:10.1
5. INSTALL PRECAST CONCRETE WHEELSTOPS PER DETAIL 3:10.1
6. PAINT 4" WIDE SOLID STRIPE – WHITE
7. PAINT HANDICAP SYMBOL – WHITE ON BLUE BACKGROUND PER DETAIL 7:10.1
8. INSTALL HANDICAP SIGN PER DETAIL 5:10.2
9. LANDSCAPE AREA – REFER TO SHEET L1 FOR LAYOUT
10. SITE LIGHTS (SEE PHOTOMETRICS PLAN) LIGHT BASES PER DETAIL 6:10.2
11. NEW CONCRETE VALLEY GUTTER
12. EXISTING STREET SIGNS
13. EXISTING MONUMENT SIGN

SITE PLAN

SCALE 1" = 10'

//DCG ENGINEERING
1668 Keller Parkway, Suite 100
Keller, Tx 76248
Phone: (817) 874-2941 or (817) 201-4477
www.dcgengineering.com
Engineering Firm Registration Number F-21947

FOR REVIEW ONLY

STATE OF TEXAS
DAVID C. GREGORY
89296
LICENSED
PROFESSIONAL ENGINEER

JOB NO: 1157.02

NOT FOR CONSTRUCTION
RELEASED: 06-08-26

CONTRACT DATE:	--
BUILDING TYPE:	
PLAN VERSION:	--
SITE NUMBER:	XXXXXX
STORE NUMBER:	XXXXXX

SHIPMAN BUILDING
AT ELLISON ST

114 W ELLISON ST
BURLESON, TX

SITE PLAN

C3

PLOT DATE:

City Council Regular Meeting

DEPARTMENT: **Parks and Recreation**

FROM: **Eric Oscarson, Deputy City Manager**

MEETING: **November 9, 2026**

SUBJECT:

Receive a report, hold a discussion, and provide staff direction on parking at Chisenhall Fields and consider and take possible action on an ordinance amending Article II "Parking" of Chapter 78 "Traffic and Vehicles" of the Code of Ordinances by adding section 78-55 "Standing, Stopping, or Parking Prohibited in Fire Lane," making it unlawful to park in a fire lane. (First Reading) *(Staff Contact: Eric Oscarson, Deputy City Manager)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Great Place to Live Through Expanded Quality of Life Amenities	4.2 Provide high-quality recreation opportunities, events and facilities for residents

SUMMARY:

Recently, parking at Chisenhall Fields has become more of an issue during the fall and spring sprot seasons. The complex was originally constructed with 623 parking spots and in 2023, and additional 141 spots were constructed. Today, the complex has issues with patrons utilizing the fire lanes, non-designated parking areas, and non-paved areas for parking. Staff recommend amending the fire lane ordinance to allow for ticketing and towing, establishing over flow parking lots, engaging the consultant to begin design of the additional parking, and pass an ordinance identifying the areas available for parking.

RECOMMENDATION:

Recommend approval.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/a

REFERENCE:

Insert CSO# if applicable
Insert resolution or ordinance change

FISCAL IMPACT:

Proposed Expenditure/Revenue: N/A
Account Number(s):
Fund:
Account Description:
Procurement Method:

STAFF CONTACT:

Eric Oscarson
Deputy City Manager
eoscarson@burlesontx.com
817-426-9837

Chisenhall Fields Parking

November 9, 2026

Staff Presenter: Eric Oscarson, Deputy City Manager



Overview

- Background
- Current Parking
- Current Parking Concerns
- Future Parking Plans
- Immediate Recommendations
- Enforcement
- Council Action



Background

- Fall 2010 – Chisenhall Fields opens with 10 baseball fields, 5 softball fields, a football field, concessions facilities, and parking
- Winter 2023- Converted 1 field to synthetic turf infield
- Fall of 2023 – Additional Parking completed
- Summer of 2024- Converted 7 fields to synthetic turf infields
- Summer of 2025 – Remaining 7 fields converted to synthetic turf infields
- Fall 2025 – City contracted with SFC to manage complex in support of sports tourism initiative

Background



2011

Background



2023

Background



2024

Background



2025

Current Parking

- Initial Parking Lot (2011)
  - 602 Parking Spots
  - 21 Handicapped Spots
  - 623 Total Spots
- Additional Parking (2023)
  - 136 Parking Spots
  - 5 Handicapped Spots
  - 141 Total Spots
- Total Parking (2026)
  - 738 Parking Spots
  - 26 Handicapped Spots
  - 764 Total Spots



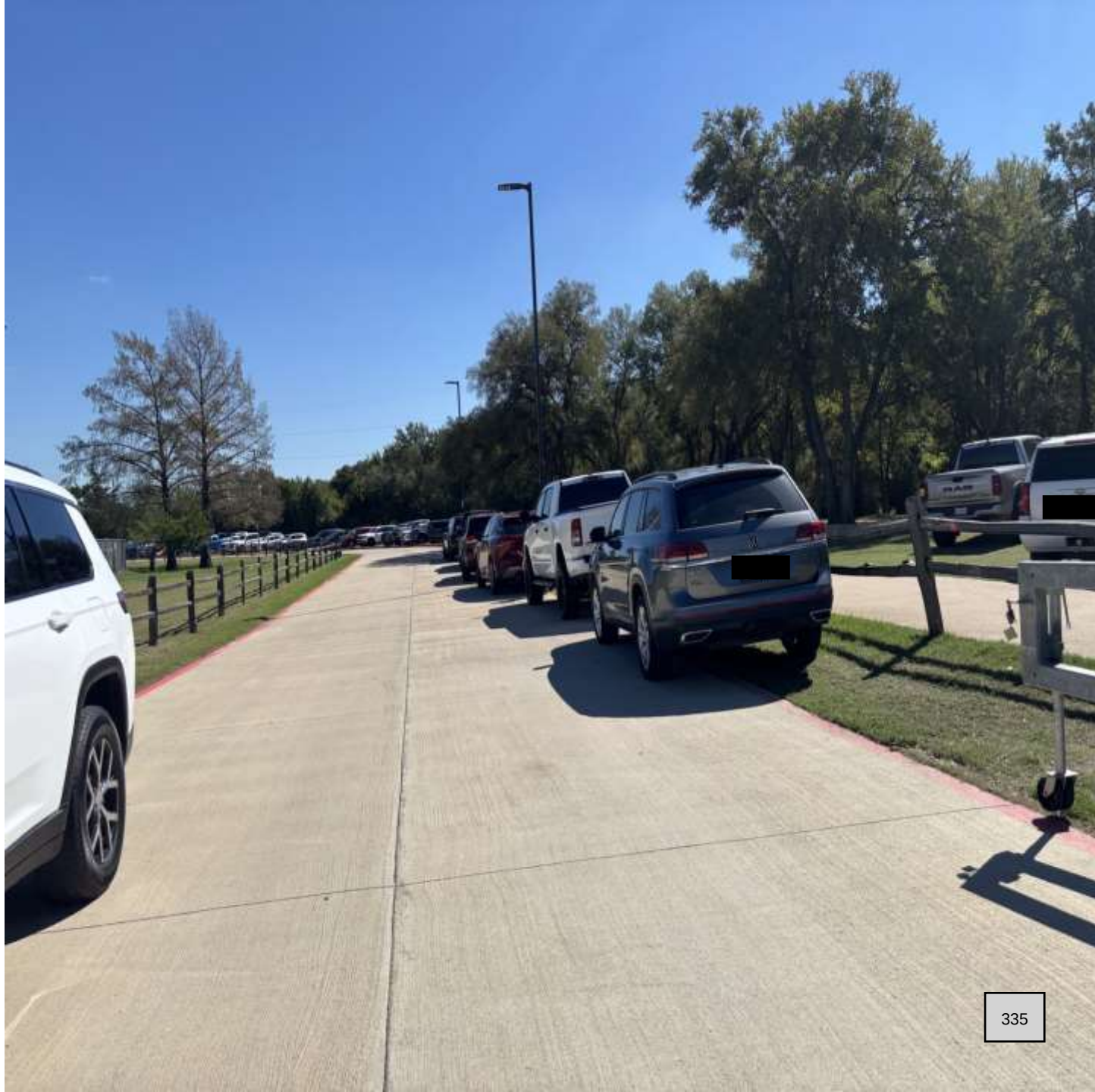
Current Parking Concerns

- Parking in Fire Lanes
- Parking in non-designated areas
- Parking on non-paved surfaces
- Insufficient Parking



Parking in Fire Lanes
Life/Safety Concerns





Parking in Non-Designated Areas

Traffic Issues/Pedestrian Restriction



Parking in Non-Paved Areas

Damage to Infrastructure





Insufficient Parking

- Concerns have been raised that there is insufficient parking on the site
- Staff collected data from September 22 – October 19
- Data collected was to identify number of vehicles parked in areas that are restricted and the number of empty parking spots
- Data was collected hourly M-F from 6-9PM and Saturday and Sunday from 9AM – 9PM
- In cases of vehicles parked in restricted areas, there were an average of 259 available parking spaces
- Of the data collected, only once was there a time where all paved spots were full, but overflow lot was only 75% full



Future Parking Plans

158 Additional Parking Spots
4 Additional Handicapped Spots

Not in current CIP
Estimated $1,000,000



Immediate Recommendations

- Fire Lane Enforcement
  - Update Ordinance to allow police enforcement
    - Current Ordinance needs modification
    - Ticketing
    - Towing
- Communication/Notification
  - Repaint Fire Lanes
  - Additional Signage
  - Digital Communication
    - City/BYA/Chisenhall

Immediate Recommendations

- Designate Overflow Parking
  - Current area being utilized & not compliant
  - Approximately 300 spots available
  - Requires variance approval from P&Z and City Council
  - Posted as “Overflow Parking”
  - Barriers to limit where parking is allowed



Immediate Recommendations

- Additional Overflow Parking
  - Patrons are jumping the curb and parking
  - Identified as future parking
  - 75-100 spots
  - Curb cuts and barriers to identify where parking is allowed.
  - Requires variance approval from P&Z and City Council



Immediate Recommendations

- Updated Ordinance
  - Identify Allowed Parking
    - Paved/marked spaces
    - Overflow Parking Lots
  - Identify Prohibited Parking
    - Non-designated paved areas
      - Drive Aisles
      - Pedestrian Walkways
      - Trails
    - Non-Paved Surfaces
      - Not Designated “Overflow Parking”



Enforcement of New Ordinance

- Burleson Police Department
  - Issue Citations for Illegal Parking
  - Towing Vehicles if Consistent Issues Persist

- Communication/Notification
  - Paint curbs yellow where no parking is identified
  - Additional Signage
  - COPS/Chisenhall Staff education/notification
  - Digital Communication
    - City/BYA/Chisenhall

Initiate Future Parking Plans

158 Additional Parking Spots
4 Additional Handicapped Spots

Engage consultant to begin designing next phase.



Discussion

- Capital Plan
- Ordinance Update for Parking Locations
- Parking Variances
  - P&Z in January
  - Council in February

Staff Recommendation

- Recommend:
  - Approve ordinance amendment on first reading.



ORDINANCE

AN ORDINANCE OF THE CITY OF BURLESON, TEXAS, AMENDING DIVISION 1 "PUBLIC STREETS" OF ARTICLE II "PARKING" OF CHAPTER 78 "TRAFFIC AND VEHICLES" OF THE CITY OF BURLESON CODE OF ORDINANCES BY ADDING NEW SECTION 78-55 "STANDING, STOPPING, OR PARKING PROHIBITED IN FIRE LANE" MAKING IT GENERALLY UNLAWFUL TO PARK IN A FIRE LANE; INCORPORATING THE RECITALS INTO THE BODY OF THE ORDINANCE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City") is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council desires to set forth parking restrictions fire lanes in the city as set forth in this ordinance; and

WHEREAS, the City Council hereby finds and determines that the parking restrictions set forth in this ordinance are reasonable and safe, in the best interest of the public, and are adopted in furtherance of the public health, safety, morals, and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

SECTION 1.

Division 1 "Public Streets," of Article II "Parking," of Chapter 78 "Traffic and Vehicles," of the Code of Ordinances, City of Burleson, Texas to read amended to add Section 78-55 "Standing, Stopping, or Parking Prohibited in Fire Lane" to read as follows:

"**§ 78-55 Standing, Stopping, or Parking Prohibited in Fire Lane.**

It shall be unlawful for any person to park, place, allow, permit or cause to be parked, placed, or remain unattended, any vehicle or similar obstruction within or upon an area designated as fire lane, whether on public or private property, and marked by an appropriate sign or curb marking. Any vehicle or similar obstruction found stood, stopped, parked or unoccupied within an area designated and marked as a fire lane as set forth above is declared a nuisance and may be towed without notice in accordance with section 78-51 of this article."

SECTION 2.

The findings set forth above in the recitals of this ordinance are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 3.

It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

SECTION 4.

This ordinance shall be cumulative of all provisions of all existing ordinances of the City, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 5.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6.

All rights or remedies of the City are expressly saved as to any and all violations of the City Code or any amendments thereto regarding parking and chapter 78 of the Code of Ordinances that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 7.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars ($500.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

The City Secretary is hereby directed to publish the caption, penalty clause, and effective date of this ordinance in one issue of the official newspaper of the City, as required by Section 52.013 of the Local Government Code.

SECTION 9.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED the ____ day of_____, 20_____.

First Reading: the ____ day of_____, 20_____.

Final Reading: the ____ day of_____, 20_____.

_____
Mayor

ATTEST:

_____
City Secretary

APPROVED AS TO FORM:

_____
City Attorney

City Council Regular Meeting

DEPARTMENT: **Development Services**

FROM: **Michelle McCullough, PE, City Engineer**

MEETING: **November 9, 2026**

SUBJECT:

Consider and take possible action on a resolution authorizing Amendment 2 to the City of Burleson Wholesale Wastewater Contract (CSO#687-08-2017) between the City of Fort Worth and the City of Burleson, and authorizing the city manager to remit payment to the City of Fort Worth in the amount of $3,320,645.57 for the purchase of increased wastewater capacity in the Village Creek Main 257, Part 2B wastewater transmission line. *(Staff Contact: Michelle McCullough, PE, City Engineer)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.4 Implement the city's Capital Improvement Program 2.5 Develop and maintain facilities and utility services

SUMMARY:

Since 1972, the City of Fort Worth (Fort Worth) has provided wholesale wastewater services to the City of Burleson (Burleson) and treats 100% of the wastewater from the city. The most recent wastewater agreement between Fort Worth and Burleson has a term of May 8, 2017 through September 30, 2037. On October 16, 2016, the City Council approved an amendment to the contract setting the terms and conditions for various items including Burleson's required capacity, and cost participation, in Fort Worth's Village Creek Parallel Relief Sewer Line.

Burleson wastewater masterplan currently estimates a peak build out flow of 41.33 MGD. This includes PF Farms, Chisholm Summit, Hyder Ranch, Bear Ridge, The Lakes, and various other anticipated development along IH 35. The city acknowledges the need for additional capacity to serve the anticipated growth in the city and selected properties within the extraterritorial jurisdiction (ETJ) under current development agreements with the city.

Burleson originally purchased 8.7 million gallons per day ("MGD") in the 1970's from Fort Worth and purchased additional capacity in 2017. The total current Burleson capacity available is stated below –

- 25 MGD – Village Creek Parallel Relief line (VCPR), Part 2B
- 35 MGD – Village Creek Parallel Relief line (VCPR), Part 1 and 2A

The VCPR, Part 2B wastewater line is located between the Burleson meter station and the City of Crowley (Crowley) meter station. Burleson currently has an available capacity of 25 MGD within this wastewater line. Burleson has a total of 35 MGD of capacity from the Crowley meter station to the Fort Worth treatment plant.

If Burleson desired to increase the capacity in the VCPR, Part 2B line, Burleson would be solely responsible for all costs associated with design, easement acquisition, construction etc. of a parallel line, however, Fort Worth currently has an existing capacity of 10 MGD available in the VCPR, Part 2B wastewater line which they have agreed to sell to Burleson increasing Burleson's capacity to a total of 35 MGD. Purchase of an additional 10 MGD would eliminate the need to construct a parallel line between the Burleson meter station and the Crowley meter station.

Burleson is required to pay the original cost of the capacity, plus four years of anticipated interest at 3.46%, for bonds issued by Fort Worth in 2017. The original cost per the final invoices is $2,898,228.50 with a total cost of $3,320,645.57 after interest escalation.

In addition to the additional capacity, the amendment revises the service area map allowing Burleson to provide sanitary sewer service to areas outside of the city limits where development agreements are currently in place.

The city currently is evaluating options for increased wastewater capacity that include purchasing additional capacity through Fort Worth, partnering with Johnson County Special Utility District, or other additional improvements within the city's existing system.

Staff anticipates beginning the process to update the current masterplan early 2027 and will incorporate options into the overall masterplan.

RECOMMENDATION:

Approve a resolution authorizing Amendment 2 to the City of Burleson Wholesale Wastewater Contract (CSO#687-08-2017) between the City of Fort Worth and the City of Burleson, and authorizing the city manager to remit payment to the City of Fort Worth in the amount of $3,320,645.57 for the purchase of increased wastewater capacity in the Village Creek Main 257, Part 2B wastewater transmission line.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

CSO #687-08-2017
Agreement for Wastewater Service
Between the City of Fort Worth, Texas,
and the City of Burleson, Texas

CSO#726-10-2017
Amendment No. 1 to City Secretary
Contract No. 49533 Agreement for
Wastewater Service (Village Creek
Parallel Relief Sewer Line)

FISCAL IMPACT:

Proposed Expenditure: $3,320,645.57
Account Number: 5203101-70002
Fund: WSBond
Account Description: WW2701-50-WSBond, W&S Bond - ROW

STAFF CONTACT:

Michelle McCullough, PE, CFM
City Engineer
mmccullough@burlesontx.com
817-426-9616

Amendment 2 to Wholesale Wastewater Agreement with City of Fort Worth

PRESENTED TO THE CITY COUNCIL ON

NOVEMBER 9, 2026

Background

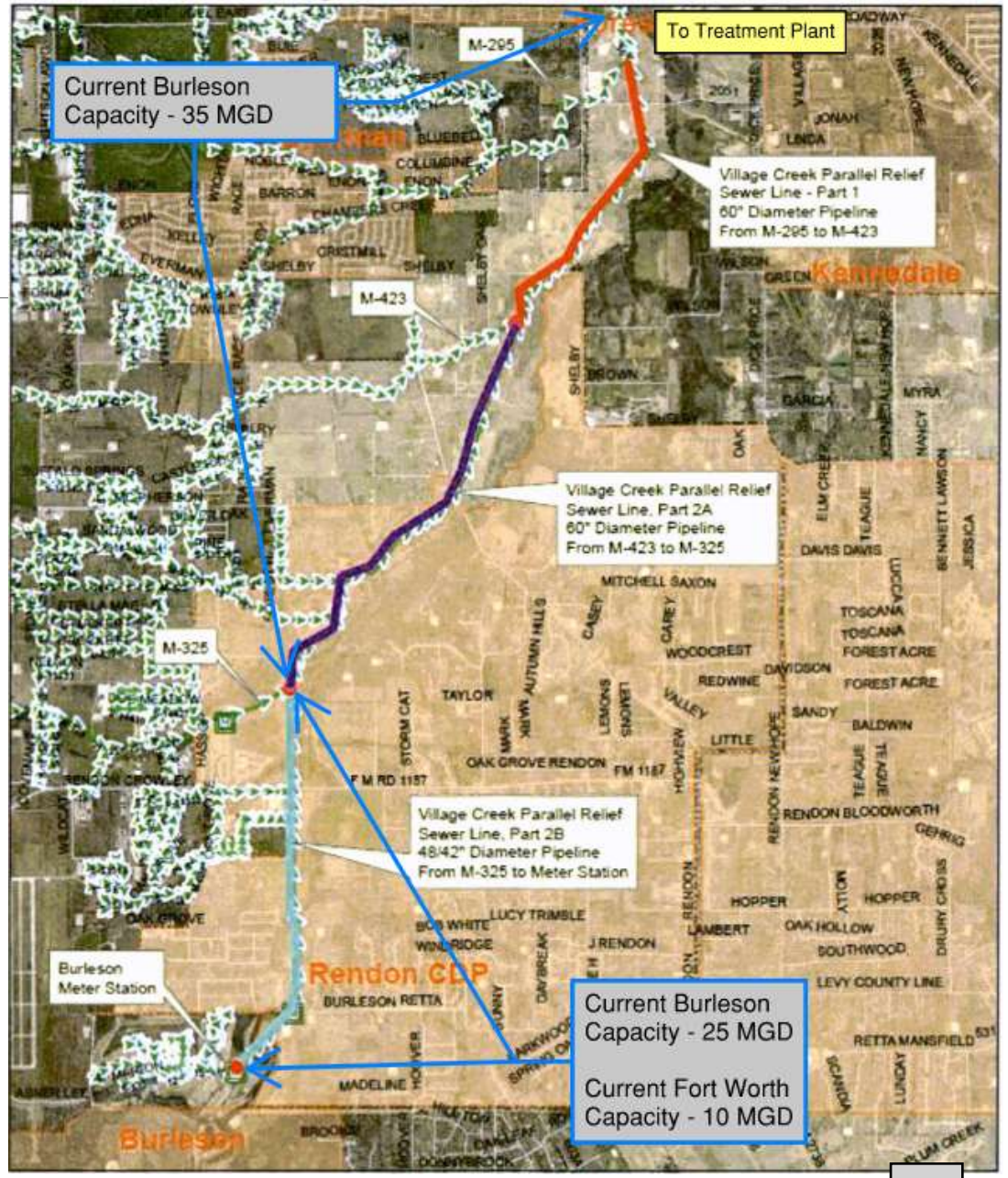
- Burleson has contracted with Fort Worth for wastewater services since 1972

  Current contract term: May 8, 2017 – September 30, 2037

- One wastewater delivery point located within Southern Oaks Golf Course
- Current adopted masterplan estimates 41.3 MGD build out peak flow and includes anticipated development 20 years and beyond
  - PF Farms
  - Bear Ridge
  - Chisholm Summit
  - Hyder Ranch
  - Various other anticipated developments along IH 35

Background

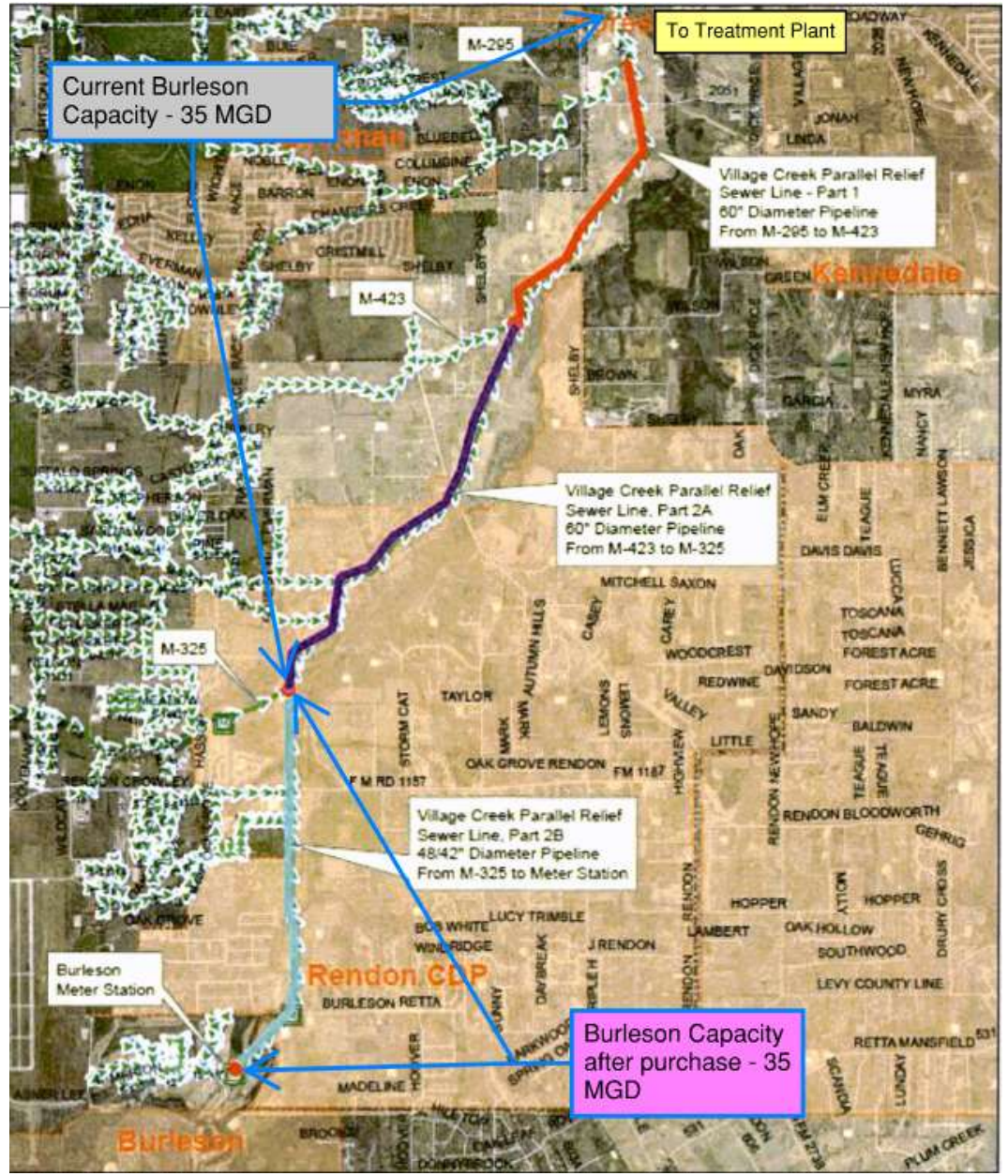
- Originally purchased 8.7 MGD in the 1970's
- Additional capacity established with 2017 Amendment 1
- **Burleson's** current capacity
  - 25 MGD Village Creek Relief Line (Part 2B)
  - 35 MGD Village Creek Relief Line (Part 1 and 2A)
- If Burleson desired additional capacity, all costs for design, easement acquisition, construction, etc. would be solely Burleson's responsibility
  - Parallel line required between Burleson meter station and Crowley meter station
- Fort Worth currently owns 10 MGD capacity in wastewater line Part 2B and has agreed to sell Burleson the 10 MGD capacity



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Amendment 2

- Increases Burleson's capacity through the Village Creek Part 2B from 25 MGD to 35 MGD
- Burleson to pay Fort Worth's original cost ($2,898,228.50) of the capacity plus 4 years of interest at 3.46% for Bonds issued in 2017
- Total cost to Burleson - $3,320,645.57



Funding

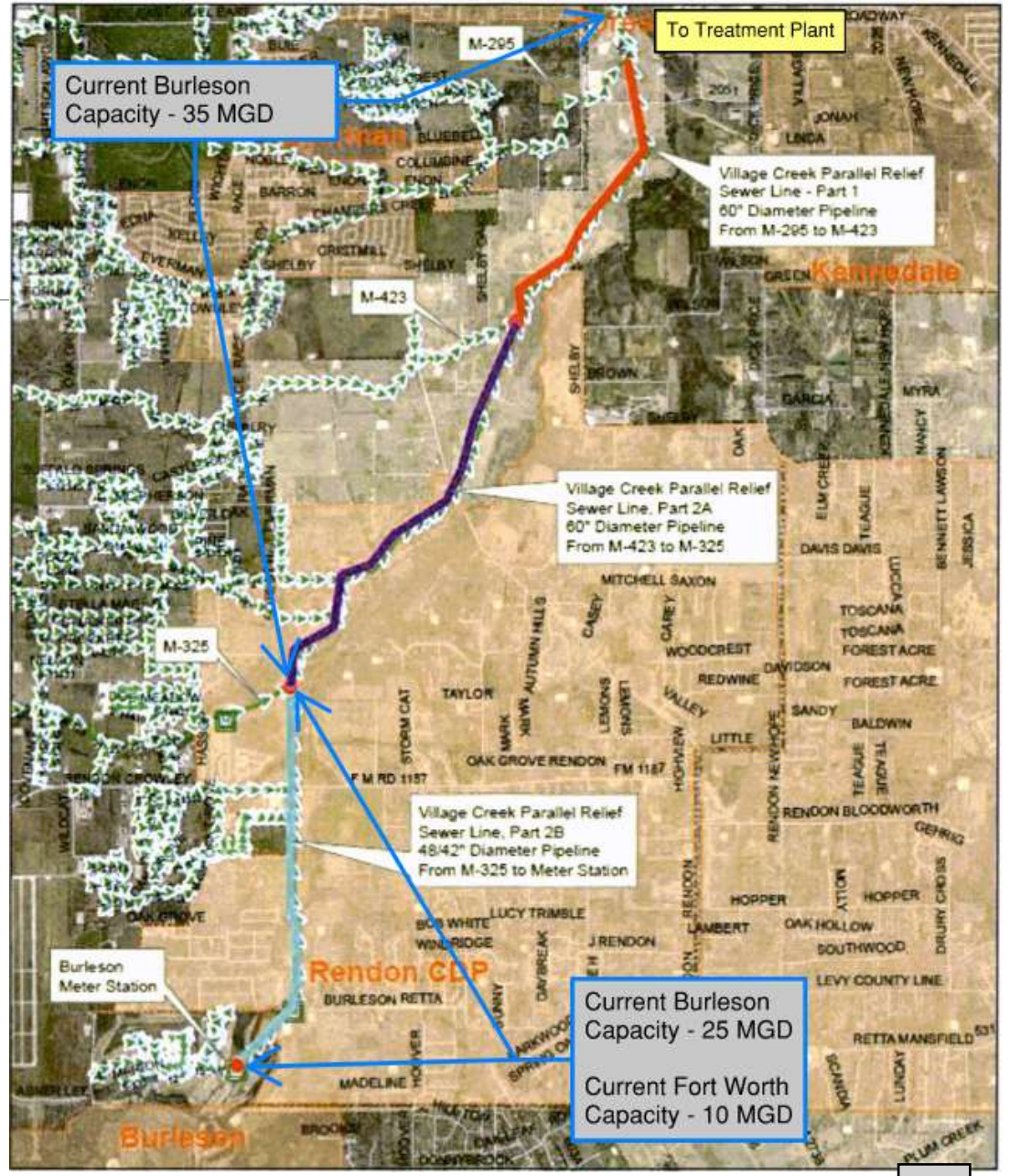
WATER AND SEWER PROJECTS													
				5-Year Capital Improvement Plan									
Project #	Project Information	Project Phase	Prior Allocations	Budgeted FY 27	Planned FY 28	Planned FY 29	Planned FY 30	Planned FY 31	5-yr Total Project Cost	Total Programmed Project Cost	Unprogrammed Project Cost	Total Project Cost
WW2602	**FM 917 and I35W Lift Station and Force Main** Project Limits: FM 917 (Conveyor Dr.) from s/o I35W to Vantage Dr. Project Description: Design and construction of a 1 MGD sewer lift station located adjacent to I35W and FM917 and a new 8" sewer force main	Study / Planning	-	-	-	-	-	-	-	-	-	-
		Design	579,462	-	-	-	-	-	-	579,462	-	579,462
		Construction	-	3,562,030	-	-	-	-	3,562,030	3,562,030	-	3,562,030
		Owner ED&P	39,958	119,066	-	-	-	-	119,066	159,024	-	159,024
		Right of Way / Land	229,700	-	-	-	-	-	-	229,700	-	229,700
		Total Cost	**849,120**	**3,681,096**	**-**	**-**	**-**	**-**	**3,681,096**	**4,530,216**	**-**	**4,530,216**
WW2603	**Chisholm West Lift Station Force Main / Collector** Project Limits: Chisholm West lift station site within Chisholm Summit Development Project Description: Design and construction of the Chisholm West Lift Station with a 2.5-6 MGD capacity and force main near the Chisolm Summit development and the Chisholm Trail Parkway	Study / Planning	-	-	-	-	-	-	-	-	-	-
		Design	870,000	-	-	-	-	-	-	870,000	-	870,000
		Construction	-	6,200,000	-	-	-	-	6,200,000	6,200,000	-	6,200,000
		Owner ED&P	43,500	310,000	-	-	-	-	310,000	353,500	-	353,500
		Right of Way / Land	-	-	-	-	-	-	-	-	-	-
		Total Cost	**913,500**	**6,510,000**	**-**	**-**	**-**	**-**	**6,510,000**	**7,423,500**	**-**	**7,423,500**
WW2701	**Sewer Capacity Increase from Fort Worth** Project Limits: City Wide Project Description: The purchase of additional sewer capacity from the City of Fort Worth	Study / Planning	-	-	-	-	-	-	-	-	-	-
		Design	-	-	-	-	-	-	-	-	-	-
		Construction	-	-	-	-	-	-	-	-	-	-
		Owner ED&P	-	-	-	-	-	-	-	-	-	-
		Right of Way / Land	-	3,700,000	-	-	-	-	3,700,000	3,700,000	-	3,700,000
		Total Cost	**-**	**3,700,000**	**-**	**-**	**-**	**-**	**3,700,000**	**3,700,000**	**-**	**3,700,000**
Water and Sewer Total Fiscal Year Cost:			**37,403,335**	**40,564,258**	**6,600,158**	**6,437,171**	**5,630,600**	**19,528,800**	**78,760,987**	**116,172,322**	**8,161,000**	**124,333,322**

FY27-31 5-Yr CIP

- Funds are allocated in FY27 from the water and sewer bond fund

Future Considerations

- Burleson's masterplan currently exceeds 35 MGD
- Purchase of additional capacity will provide for projected 15 – 20-year growth patterns
- Additional system improvements are still required to convey estimated flows from growth and will be programed into future CIP program
- Alternative wastewater analysis currently underway with options for increased capacity
- Staff is preparing to move forward with update to the masterplan in FY 27
    - Anticipate current peak flow will increase with update due to Tall Grass and additional recent potential development



Recommendation

Approve a resolution authorizing Amendment 2 to the City of Burleson Wholesale Wastewater Contract (CSO#687-08-2017) between the City of Fort Worth and the City of Burleson, and authorizing the city manager to remit payment to the City of Fort Worth in the amount of $3,320,645.57 for the purchase of increased wastewater capacity in the Village Creek Main 257 Part 2B wastewater transmission line.

Questions/Comments

Staff Contact:

Michelle McCullough, P.E., CFM

City Engineer

817-426-9616

mmccullough@burlesontx.com

THE CITY OF BURLESON TEXAS

Exhibit A

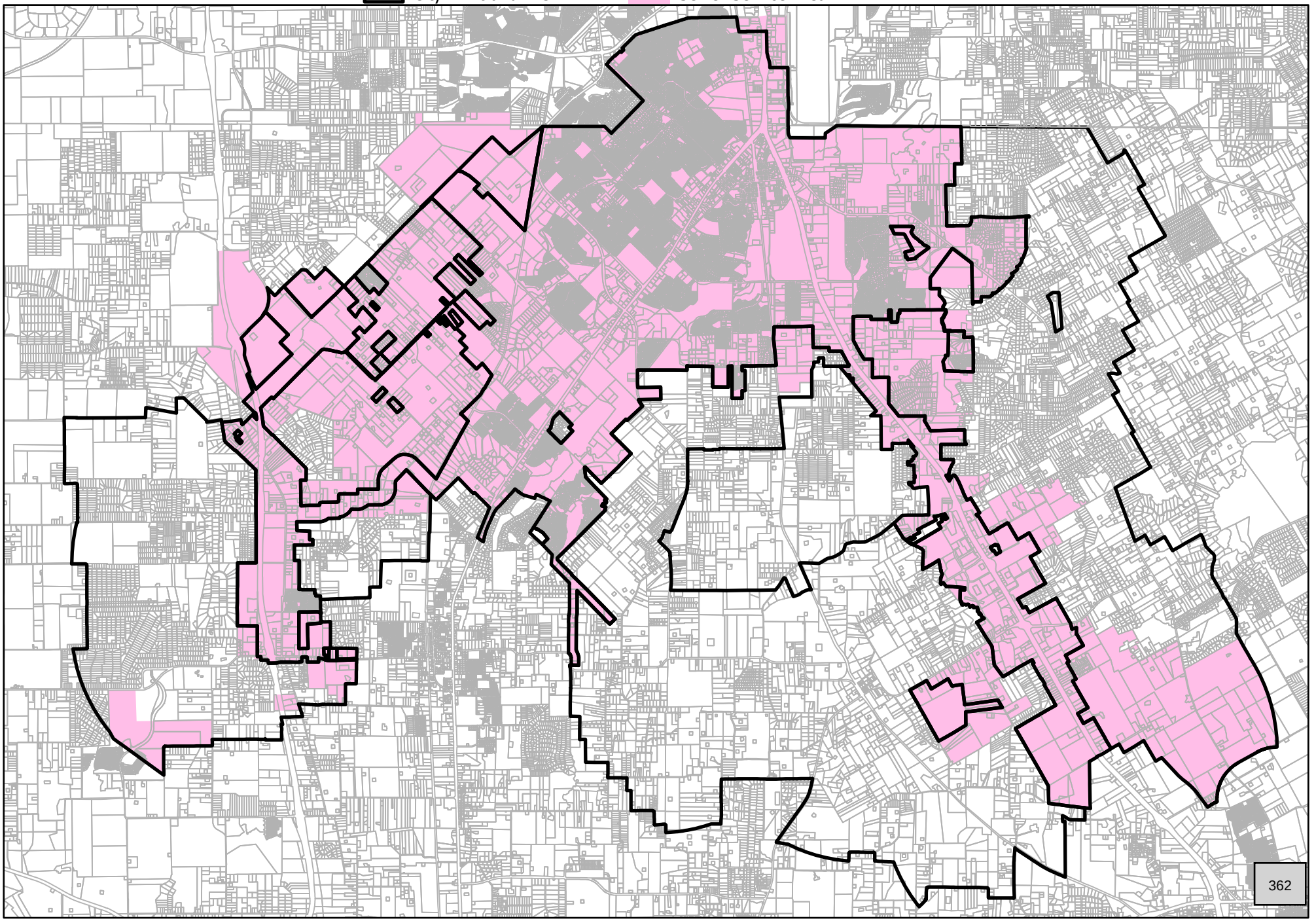
Sewer Service Area

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4/7/2026

City Limit and ETJ

Sewer Service Area



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Infrastructure & Development Committee

DEPARTMENT: **City Manager's Office**

FROM: **Janalea Hembree, Director of Strategy and Innovation**

MEETING: **November 9, 2026**

SUBJECT:

Receive a report, hold a discussion, and provide staff direction on proposed projects to submit for FY28 Federal Earmark funds. *(Staff Contact: Janalea Hembree, Director of Strategy and Innovation)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.2 Promote sustainable residential and commercial development through strategic and long-term planning

SUMMARY:

The City of Burleson continues to pursue federal funding opportunities to support priority capital improvement projects and reduce the financial burden on local funding sources. One of these opportunities is through the federal appropriations process, commonly referred to as Federal Earmarks or Community Project Funding (CPF).

Federal Earmarks allow members of Congress to request funding for specific projects within their districts as part of the annual federal appropriations process. These funds can assist local governments with infrastructure improvements, public safety initiatives, transportation projects, and other eligible community needs.

As part of the FY28 federal appropriations process, City staff is reviewing potential projects for submission to the City's congressional representatives. Projects are evaluated based on community needs, alignment with City Council priorities, project readiness, estimated costs, potential matching fund requirements, and eligibility under applicable federal funding programs.

Federal Earmark funding is competitive and subject to congressional approval and the federal appropriations process. Submission of a project does not guarantee funding.

RECOMMENDATION:

N/A

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

20%-25% city match might be required

STAFF CONTACT:

Janalea Hembree
Director of Strategy and Innovation
jhembree@burlesontx.com
817-426-9299

Federal Earmark FY28 Project Submission

PRESENTED TO THE CITY COUNCIL – NOVEMBER 9, 2026

JANALEA HEMBREE, DIRECTOR OF STRATEGY AND INNOVATION

FEDERAL EARMARK FUNDS

Federal earmarks allow members of Congress to request federal funding for specific projects that benefit their communities.

- Funding is requested through the annual federal appropriations process.
- Projects must demonstrate a clear public purpose and community benefit.
- Requests are submitted through congressional offices for consideration.
- Funding opportunities are generally focused on infrastructure, public safety, transportation, utilities, and other eligible community needs.
- Projects must meet the eligibility requirements of the applicable federal agency and appropriations account.

FEDERAL EARMARK PROJECT GENERAL INFORMATION

Funding Requests

- Federal nexus: The project must fit an existing, federally authorized program, and it must follow that program's stewardship requirements, such as cost share and audits.
- Capital, not operations: Construction, equipment, and design for a specific capital project. Staffing and operating costs are not eligible.
- Community support is required: Letters of support from elected leaders, county, council, etc.
- Hard exclusions: Memorials, museums, and commemoratives are not eligible. Under the HUD account, pools, water parks, golf courses, healthcare facilities, and entertainment-only venues are also excluded, as are buildings for the general conduct of government such as courthouses and town halls.
- Competition: Each House Member can submit a maximum of 20 requests across all bills, so every submission competes for a limited number of slots.

FY28 ANTICIPATED TIMELINE

November 2026	December 2026	January 2027	February 2027	March 2027	Summer 2027	Late 2027
Council to identify potential projects	Staff to coordinate with federal lobbyist and congressional representatives	Staff to prepare project descriptions, cost estimates, and supporting documentation	Watch for FY2028 guidance to be released	Anticipated submission of FY2028 funding requests	Congressional offices review and potentially advance selected projects	Federal appropriations approval

- The March 2027 submission period is a planning target, not a confirmed federal deadline. Congressional offices establish their own application deadlines, which may precede committee deadlines.
- For comparison, the FY2027 House appropriations process opened February 25, 2026, with various Community Project Funding deadlines in March.

PREVIOUS SUBMISSIONS

FY2026 SUBMISSIONS

Hulen Street Widening
Improve roadway capacity, connectivity, and transportation safety.

Village Creek Parkway
Expand roadway infrastructure to accommodate growth and improve mobility.

Alsbury / John Jones Turn Lanes
Improve intersection operations, turning movements, and traffic safety.

Fire Department Ambulances
Expand emergency medical response capacity.

FY2027 SUBMISSIONS

Police Vehicle Bullet-Resistant Doors and Glass*
Improve officer safety.

Mountain Valley Elevated Storage Tank
Improve water system reliability, capacity, and fire protection.

Fire Station 4 Apparatus
Support emergency response needs in growing areas of the City.

Backup Generator for Warming/Cooling Center
Improve emergency preparedness and continuity of community services.

*Approved in the FY2027 Appropriations Bill; Budget not yet approved

RECOMMENDED PARAMETERS FOR FY2028

PROJECT PARAMETERS

Request Size:
$750K to $2.5M per project. Requests in this range are competitive and realistic. Larger projects should be broken into a fundable phase.

City Match
Budget 20–25% local match for most projects.

Readiness
Favor projects that already have design underway, cost estimates, and a clear path through environmental review.

Plan Alignment
Favor projects already in the City's Capital Improvement Plan, hazard mitigation plan, STIP/TIP, or the state water Intended Use Plan.

PROJECT TYPES AND CONSIDERATIONS

PROJECT TYPES*

Transportation Infrastructure
Roadway improvements, intersections, traffic safety, and pedestrian infrastructure.

Water and Wastewater
Water system improvements, wastewater infrastructure, and certain utility replacement projects.

Public Safety
Eligible law enforcement equipment, public safety technology, and emergency preparedness projects.

Community Development
Certain public facilities, infrastructure improvements, and community development initiatives.

Emergency Management
Emergency operations facilities and qualifying hazard mitigation improvements.

*Based on FY2027 Committee Guidance

KEY CONSIDERATIONS

Community Impact
Addresses a community need, benefits residents or critical public services, or provides measurable improvements to safety, reliability, or quality of life.

Project Readiness
Has a clearly defined scope and estimated cost with anticipated timelines.

Financial Considerations
Demonstrates the ability to meet ongoing operations and maintenance costs.

Strategic Alignment
Supports the Strategic Plan, aligns with the Capital Improvement Plan, or advances infrastructure or public safety.

POSSIBLE PROJECT SUBMISSIONS

Drainage Projects

Lorna Channel Drainage Improvements – Estimated Cost: $2,500,000

- South Burleson Boulevard, beneath Hillary Street, to the railroad behind Depot on Main.
- Frequent maintenance is required to maintain drainage capacity.
- Stabilize and concrete-line approximately 1,195 linear feet of drainage channel.
- Improve stormwater conveyance and reduce erosion.
- Reduce long-term maintenance costs and improve drainage system durability.
- Identified on the City's Stormwater Project List

South Warren Street Box Culvert Replacement – Estimated Cost: $1,500,000

- Existing box culverts are experiencing structural deterioration.
- Gaps have developed between the roadway and the tops of the box culverts.
- Replace both existing box culverts and install bank armoring to prevent future erosion.
- Improve structural stability and protect the roadway

*City match funds can come from Stormwater Utility Funding

Capital Water Projects

Turkey Peak Elevated Storage Tank Rehab – Estimated Cost: $1,637,000

- Rehabilitation is needed to maintain the tank's long-term reliability and functionality.
- Design and construct rehabilitation improvements to the existing elevated storage tank.
- Extend the useful life of the existing infrastructure.
- Support continued water storage capacity and service to the community.

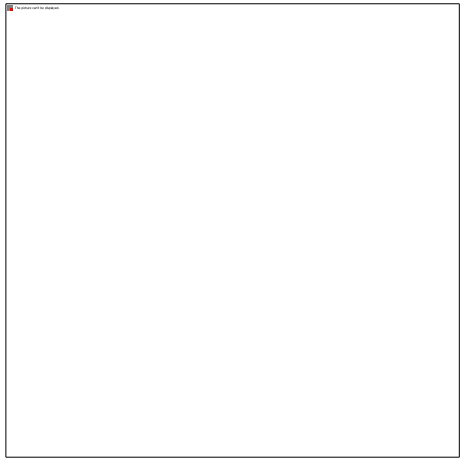
*City match funds can come from approved CIP project

Other Projects

ADA Improvements Identified in the Transition Plan
Backup Generator for Warming/Cooling Center

*City match funds are not budgeted

Question / Comments



Janalea Hembree
Director of Strategy and Innovation
jhembree@burlesontx.com
817.426.9299

Infrastructure & Development Committee

DEPARTMENT: **City Manager's Office**

FROM: **Janalea Hembree, Director of Strategy and Innovation**

MEETING: **November 9, 2026**

SUBJECT:

Receive a report, hold a discussion, and provide staff direction regarding the development of the Water and Wastewater Asset Management Plan. *(Staff Contact: Janalea Hembree, Director of Strategy and Innovation)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Dynamic & Preferred City Through Managed Growth	2.2 Promote sustainable residential and commercial development through strategic and long-term planning

SUMMARY:

The City of Burleson continues to advance its Asset Management Program through the development of a Water and Wastewater Asset Management Plan (AMP). In April 2025, City Council considered a professional services agreement with Freese and Nichols, Inc. (FNI) to develop a comprehensive plan for evaluating the condition, risk, and long-term replacement needs of the City's water distribution and wastewater collection systems.

The Water and Wastewater AMP builds upon the City's existing Pavement Management Program by incorporating underground infrastructure into the Cartegraph Enterprise Asset Management System. This approach will provide staff with additional tools to evaluate infrastructure conditions, prioritize improvements, and make data-driven decisions regarding future infrastructure investments.

The project includes the following key components:

- **Risk and Condition Assessments:** Evaluating water and wastewater infrastructure based on asset material, age, maintenance history, performance, and associated risks.

- **Infrastructure Renewal Planning:** Developing short-term and long-term strategies for maintenance, rehabilitation, and replacement of water and wastewater assets.

- **Cartegraph Integration:** Incorporating asset condition assessments, risk scoring, and renewal scenarios into the City's existing asset management system.

- **Coordinated Infrastructure Planning:** Developing a coordinated infrastructure renewal decision tree to align water and wastewater improvements with planned roadway maintenance and rehabilitation projects.

A significant component of this initiative is improving coordination between underground utility replacements and roadway improvements. By evaluating water, wastewater, and pavement infrastructure together, the City can identify opportunities to complete underground utility improvements before scheduled roadway rehabilitation. This coordinated approach will help minimize repeated construction activities, reduce unnecessary pavement disturbances, and maximize the City's infrastructure investments.

RECOMMENDATION:

N/A

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

N/A

STAFF CONTACT:

Janalea Hembree
Director of Strategy and Innovation
jhembree@burlesontx.com
817-426-9299

Water / Wastewater Asset Management

JANALEA HEMBREE, DIRECTOR OF STRATEGY AND INNOVATION

FREESE AND NICHOLS

NOVEMBER 9, 2026

Project Background

Stakeholder/Community Expectations

ORGANIZATIONAL STRATEGIC GOALS

CORPORATE RISK MATRIX AND AM POLICY

ASSET MANAGEMENT PLANS

WATER SYSTEM | WASTEWATER SYSTEM | STORMWATER SYSTEM | ROADWAY NETWORK | CITY FACILITIES | PARKS/REC



2025/2026

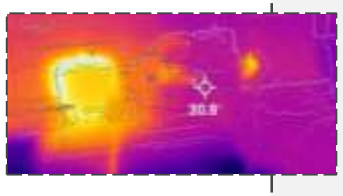
2024

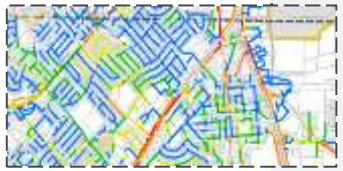
FUTURE

FINANCIAL PLAN

Project Methodology







Risk-based Assessment Frameworks for Linear and Vertical Assets

Water (W) Mains and Facilities

Wastewater (WW) Mains and Facilities

Condition

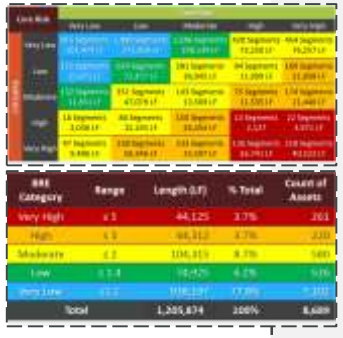
Criticality

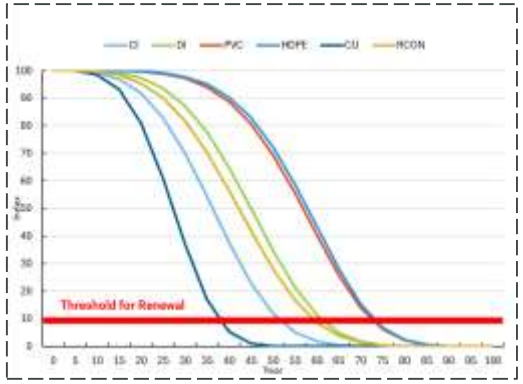
Core Risk

Risk Mitigation

Business Risk Exposure







W/WW Infrastructure Lifecycle Assessment

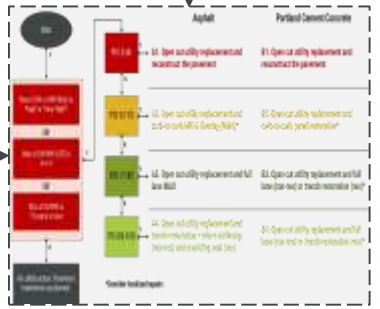


W/WW Infrastructure Renewal Needs

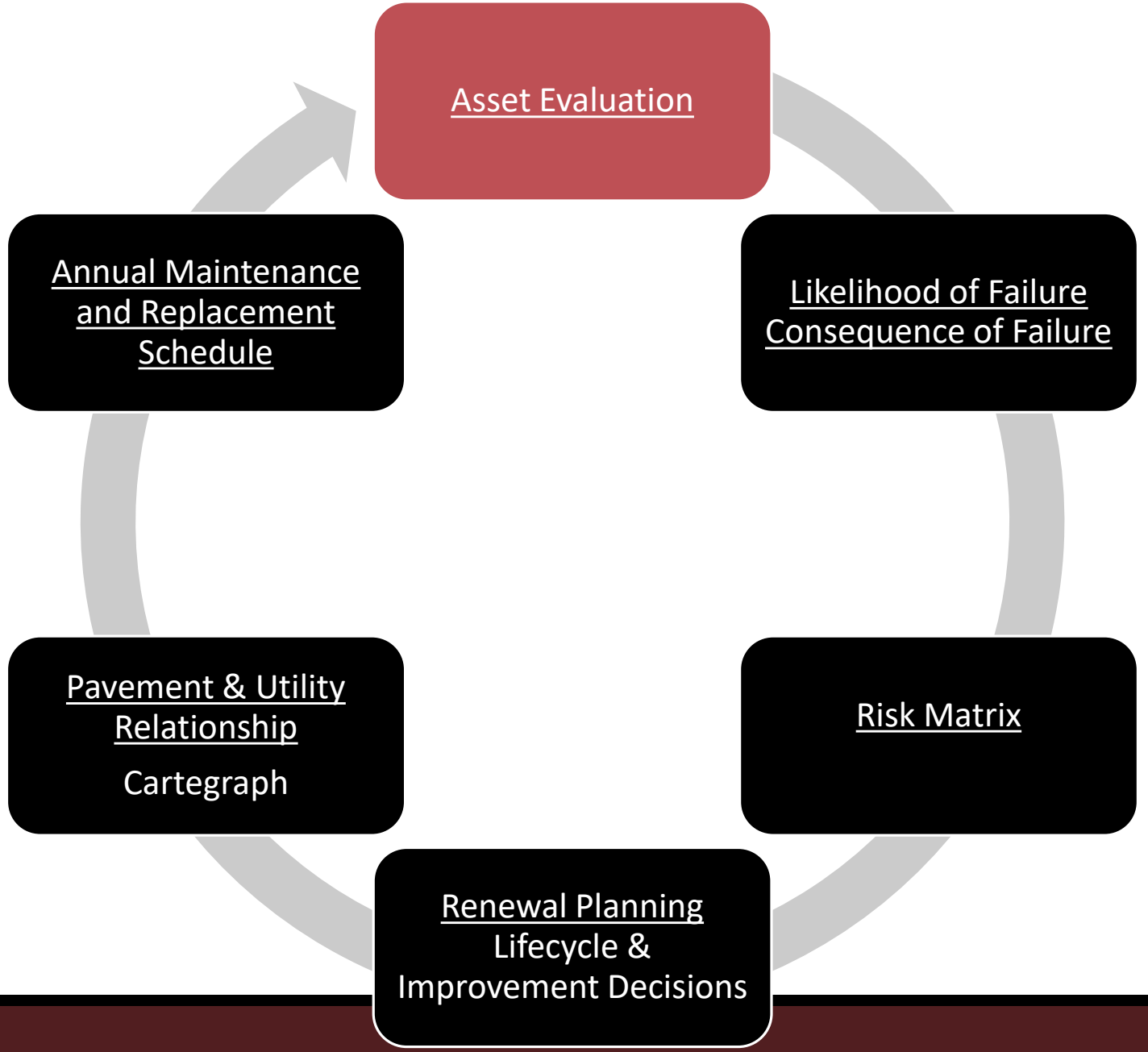


Pavement Renewal Needs

2024 Study



Coordinated Infrastructure Right-of-Way Renewal Planning


Asset Evaluation
Likelihood of Failure
Consequence of Failure
Risk Matrix
Renewal Planning
Lifecycle &
Improvement Decisions
Pavement & Utility
Relationship
Cartegraph
Annual Maintenance
and Replacement
Schedule

WATER MAINS

8908 SEGMENTS - 233 MILES

WASTEWATER GRAVITY MAINS

4480 SEGMENTS - 237 MILES

WASTEWATER FORCE MAINS

5 SEGMENTS - 0.56 MILES

6,099 Water Valves

1,831 Fire Hydrants

23 Water Pumps

6 Sewer Pumps

14,770 Residential

962 Commercial

4 Sewer Lift Stations

4 Water Pump Stations

4 Elevated Storage Tanks

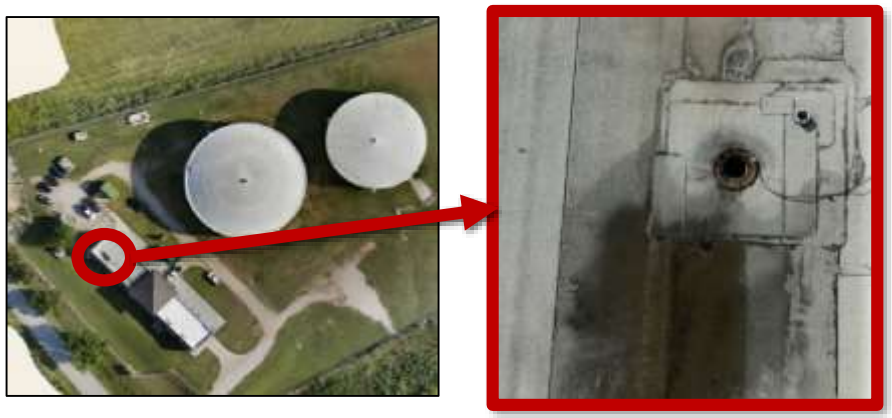
5 Ground Storage Tanks

ASSET ASSESSMENT

THE CITY OF BURLESON TEXAS

Facility Site Visits

- Drones captured high-resolution photos
- Mobile field map applications used to collect condition data during site visits
- FLIR camera captured thermal images of pumps

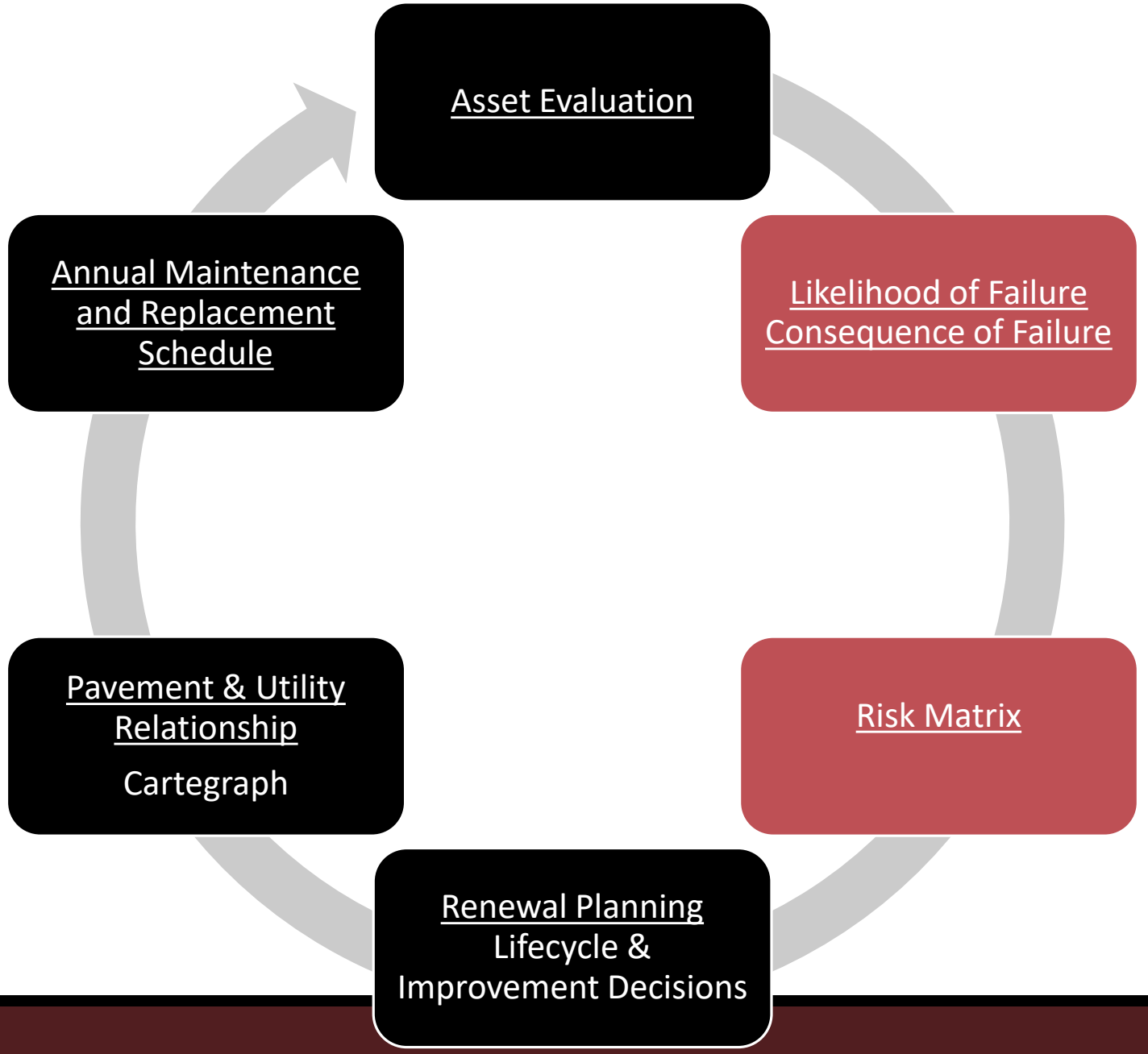






Condition Assessment

- Asset data
  - Material type, age, W/O history, satellite leak detection data, and PACP defects
- Apply condition assessment framework to determine condition scores for water and wastewater


Asset Evaluation
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RISK EVALUATION

THE CITY OF BURLESON TEXAS

PROBABILITY OF FAILURE (Condition): Likelihood that an asset will fail at a given time and an important part of effective risk analyses.

CONSEQUENCE OF FAILURE (Criticality): Consequences in safety, economy, and environment that is evaluated as the outcomes of a failure based on the assumptions that such a failure will occur.

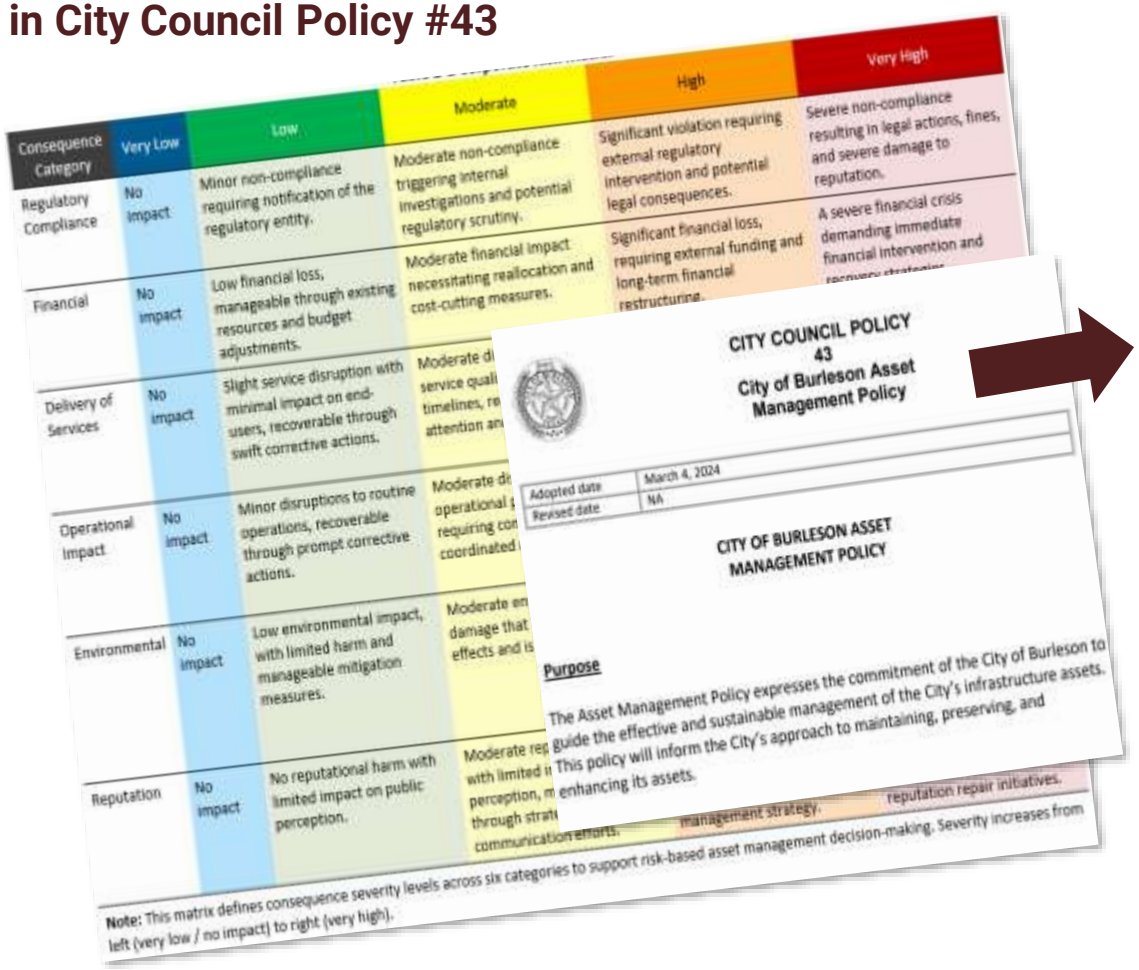
RISK MATRIX: The Consequence of Failure (CoF), calculated together with the Probability of Failure (PoF), helps establish the risk level for a particular piece of equipment and set inspection intervals based on the calculated risk.

Core Risk		Condition				
		Very Low	Low	Moderate	High	Very High
Criticality	Very Low	VERY LOW	VERY LOW	LOW	MODERATE	MODERATE
	Low	VERY LOW	LOW	MODERATE	MODERATE	HIGH
	Moderate	LOW	MODERATE	MODERATE	HIGH	HIGH
	High	MODERATE	MODERATE	HIGH	VERY HIGH	VERY HIGH
	Very High	MODERATE	HIGH	HIGH	VERY HIGH	VERY HIGH

Condition PoF  *Criticality CoF*  *Risk of Failure*

Criticality of Water & Wastewater System

The criticality framework aligns with the City's Corporate Risk Matrix, as outlined in City Council Policy #43



Consequence Category	Very Low	Low	Moderate	High	Very High
Regulatory Compliance	No impact	Minor non-compliance requiring notification of the regulatory entity.	Moderate non-compliance triggering internal investigations and potential regulatory scrutiny.	Significant violation requiring external regulatory intervention and potential legal consequences.	Severe non-compliance resulting in legal actions, fines, and severe damage to reputation.
Financial	No impact	Low financial loss, manageable through existing resources and budget adjustments.	Moderate financial impact necessitating reallocation and cost-cutting measures.	Significant financial loss, requiring external funding and long-term financial restructuring.	A severe financial crisis demanding immediate financial intervention and
Delivery of Services	No impact	Slight service disruption with minimal impact on end-users, recoverable through swift corrective actions.	Moderate di service quali timelines, re attention an		
Operational Impact	No impact	Minor disruptions to routine operations, recoverable through prompt corrective actions.	Moderate di operational requiring cor coordinated		
Environmental	No impact	Low environmental impact, with limited harm and manageable mitigation measures.	Moderate en damage that effects and is		
Reputation	No impact	No reputational harm with limited impact on public perception.	Moderate rep with limited i perception, m through strat communication efforts.	management strategy.	reputation repair initiatives.

Note: This matrix defines consequence severity levels across six categories to support risk-based asset management decision-making. Severity increases from left (very low / no impact) to right (very high).

CITY COUNCIL POLICY
43
City of Burleson Asset Management Policy

Adopted date	March 4, 2024
Revised date	NA

CITY OF BURLESON ASSET MANAGEMENT POLICY

Purpose

The Asset Management Policy expresses the commitment of the City of Burleson to guide the effective and sustainable management of the City's infrastructure assets. This policy will inform the City's approach to maintaining, preserving, and enhancing its assets.

https://burlesontx.com/DocumentCenter/View/33501/AM-City-Policy-43

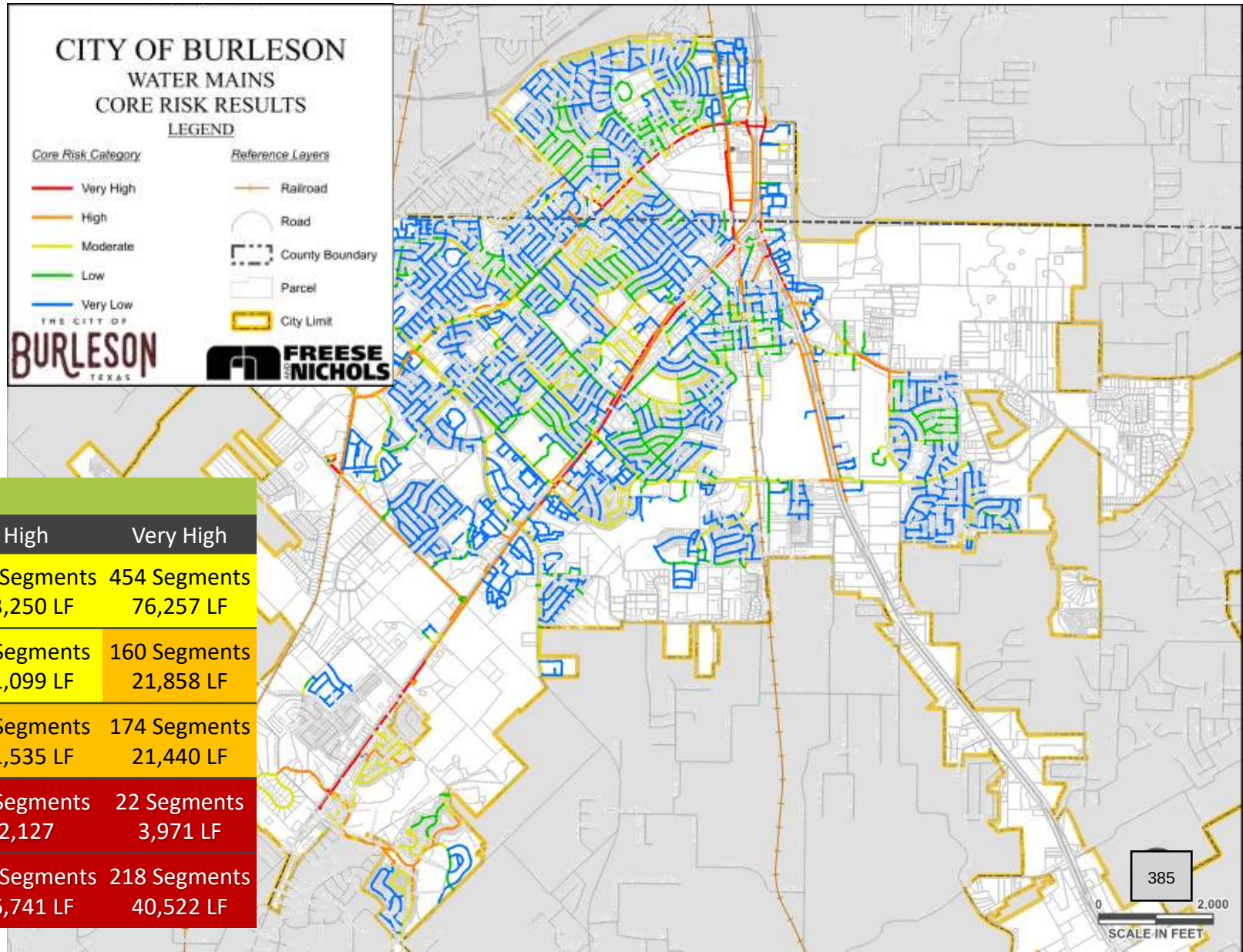
Corporate Risk	Criticality Parameter
Delivery of Service: The estimated impact to the City's ability to deliver its services.	Pipe Diameter
Health & Safety: The estimated impact to the safety of staff and the general public.	Proximity to Critical Customers
Operational Impact: The estimated impact on the City's operations	Proximity to Major Thoroughfare Infrastructure

Corporate Risk	Criticality Parameter
Delivery of Service: The estimated impact to the City's ability to deliver its services.	Service Disruption
Health & Safety: The estimated impact to the safety of staff and the general public.	Potential for Injury
Operational Impact: The estimated impact on the City's operations	Tolerance to Operational Disruption
Environmental: The estimated impact on the environment.	Magnitude of Environmental Impact
Reputation: The estimated impact on the City's image and relationships.	Level of External Awareness

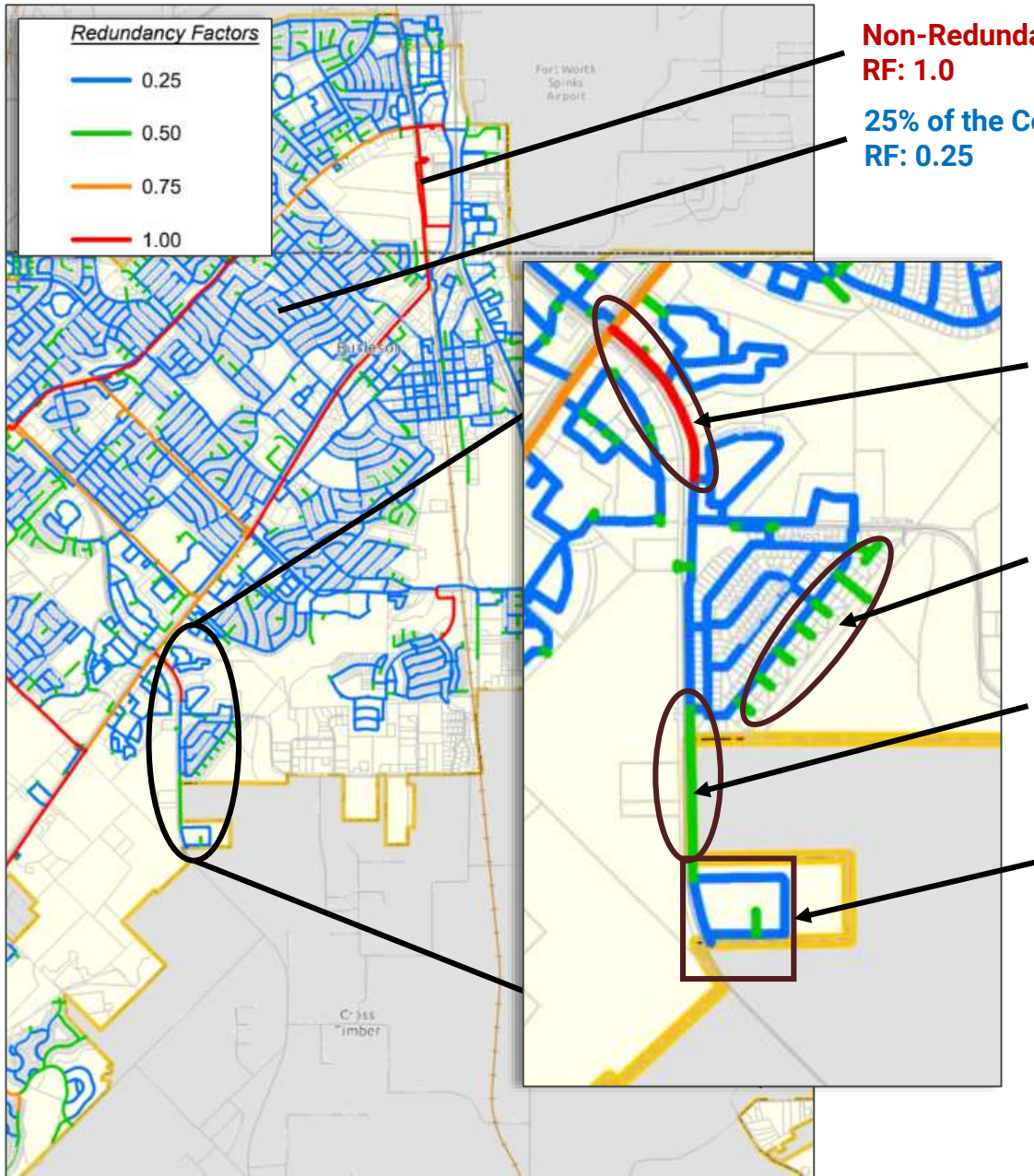
Core Risk of Water Mains

- **Core Risk = Condition x Criticality**
- Condition based on modeled pressures, install year, and material.
- Criticality based on impacts on health & safety, service delivery, and operations.
- **The core risk does not always reflect the actual risk exposure of the assets.**

Core Risk		Condition				
		Very Low	Low	Moderate	High	Very High
Criticality	Very Low	915 Segments 101,470 LF	1,980 Segments 273,859 LF	1,586 Segments 208,139 LF	420 Segments 73,250 LF	454 Segments 76,257 LF
	Low	151 Segments 15,471 LF	634 Segments 71,477 LF	281 Segments 36,045 LF	84 Segments 11,099 LF	160 Segments 21,858 LF
	Moderate	132 Segments 11,851 LF	351 Segments 47,079 LF	143 Segments 13,569 LF	75 Segments 11,535 LF	174 Segments 21,440 LF
	High	16 Segments 2,036 LF	86 Segments 15,193 LF	150 Segments 26,454 LF	13 Segments 2,127	22 Segments 3,971 LF
	Very High	47 Segments 9,486 LF	238 Segments 59,346 LF	233 Segments 25,597 LF	126 Segments 26,741 LF	218 Segments 40,522 LF



Risk Exposure of Water Mains



Non-Redundant,
RF: 1.0

25% of the Core Risk is retained,
RF: 0.25

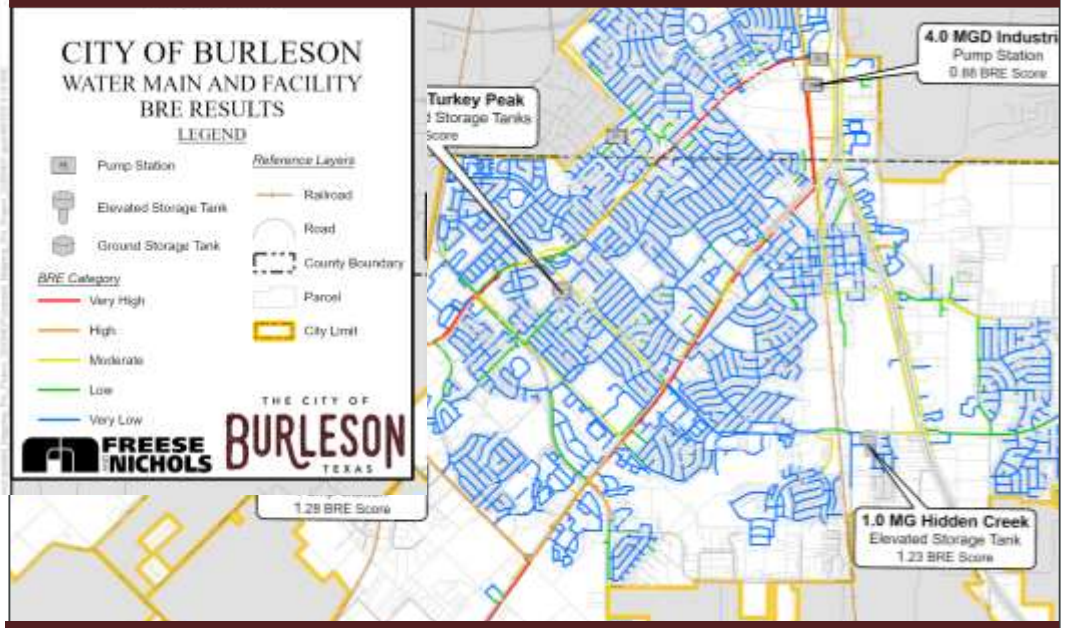
Non-Redundant,
RF: 1.00

Dead-end Pipes,
RF: 0.5

Non-Redundant,
RF: 0.5

Isolated Demand,
RF: 0.25

Core Risk x Redundancy Factor = Business Risk Exposure (BRE)



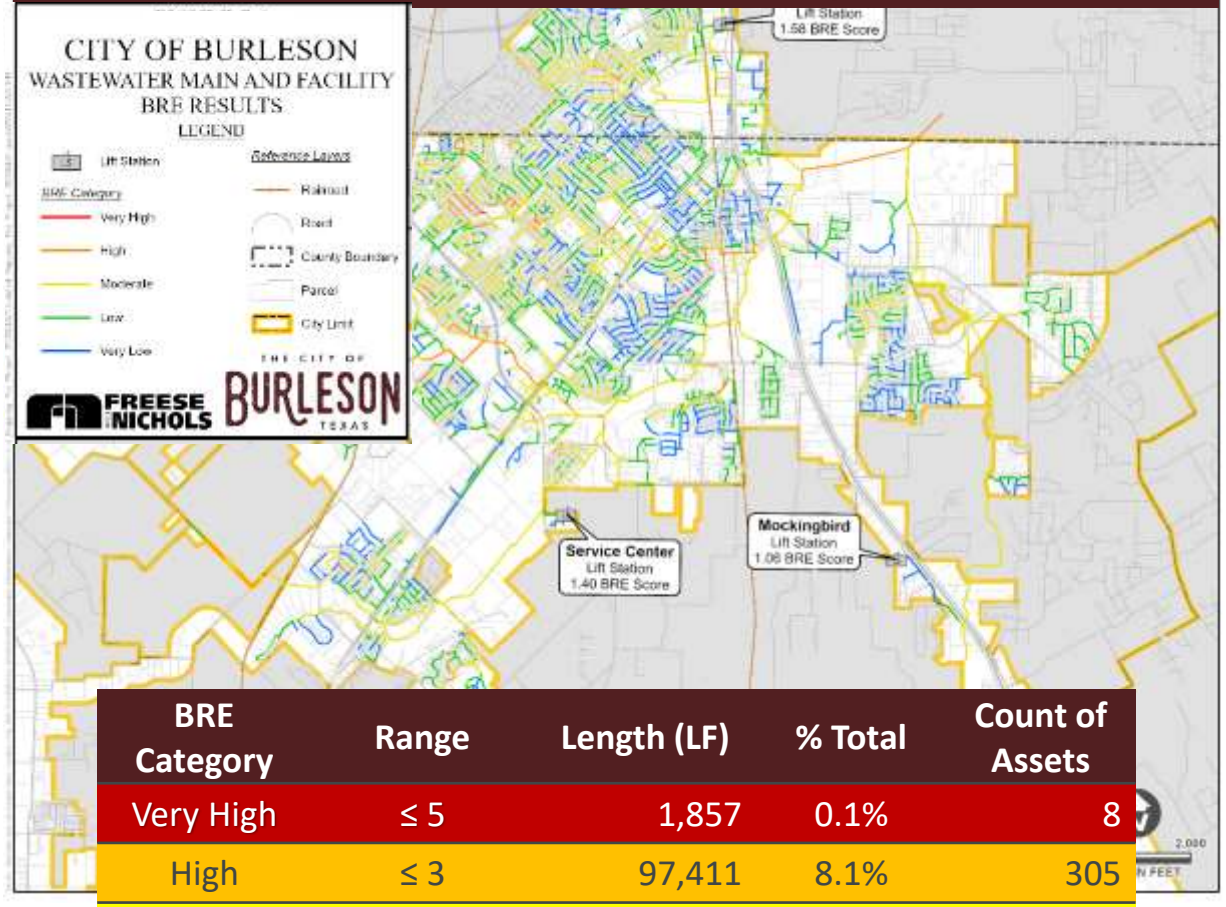
BRE Category	Range	Length (LF)	% Total	Count of Assets
Very High	≤ 5	44,125	3.7%	261
High	≤ 3	44,312	3.7%	220
Moderate	≤ 2	104,315	8.7%	580
Low	≤ 1.4	74,925	6.2%	526
Very Low	≤1.2	938,197	77.8%	2
Total		1,205,874	100%	8,689

Risk Exposure of Wastewater Mains

Core Risk		Condition				
		Very Low	Low	Moderate	High	Very High
Criticality	Very Low	159 Segments 38,108 LF	300 Segments 85,195 LF	178 Segments 59,673 LF	118 Segments 35,744 LF	48 Segments 14,633 LF
	Low	620 Segments 149,697 LF	968 Segments 272,575 LF	122 Segments 36,831 LF	351 Segments 107,864 LF	42 Segments 13,857 LF
	Moderate	290 Segments 63,354 LF	457 Segments 117,786 LF	87 Segments 24,751 LF	64 Segments 20,163 LF	13 Segments 5,229 LF
	High	134 Segments 41,475 LF	155 Segments 39,813 LF	10 Segments 6,288 LF	4 Segments 1,565 LF	Segments 0 LF
	Very High	58 Segments 20,193 LF	163 Segments 48,293 LF	9 Segments 2,016 LF	6 Segments 1,601 LF	2 Segments 256 LF

- Condition based on install year and material.
- Criticality based on impacts on health & safety, service delivery, and operations.
- **No redundancy factors for WW mains.**
- **BRE values are influenced by the data distribution.**

Business Risk Exposure (BRE)



BRE Category	Range	Length (LF)	% Total	Count of Assets
Very High	≤ 5	1,857	0.1%	8
High	≤ 3	97,411	8.1%	305
Moderate	≤ 2	439,092	36.4%	1,530
Low	≤ 1.4	395,603	32.8%	1,436
Very Low	≤1.2	273,000	22.6%	1,079
Total		1,206,963	100%	4,358

W & WW Facilities Risk Exposure

Core Risk	Condition				
	Very Low	Low	Moderate	High	Very High
Very Low	-	-	-	-	-
Low	-	-	-	-	-
Moderate	Industrial Park PS Hulen PS GST#2 Industrial PS GST#1 Industrial PS GST#2 Industrial PS GST#3	Hulen PS - LPP Hulen PS - UPP Turkey Peak GST Hidden Creek EST	Turkey Peak PS Hulen PS GST#1		-
High	-	Turkey Peak EST	-	-	-
Very High	-	-	-	-	-

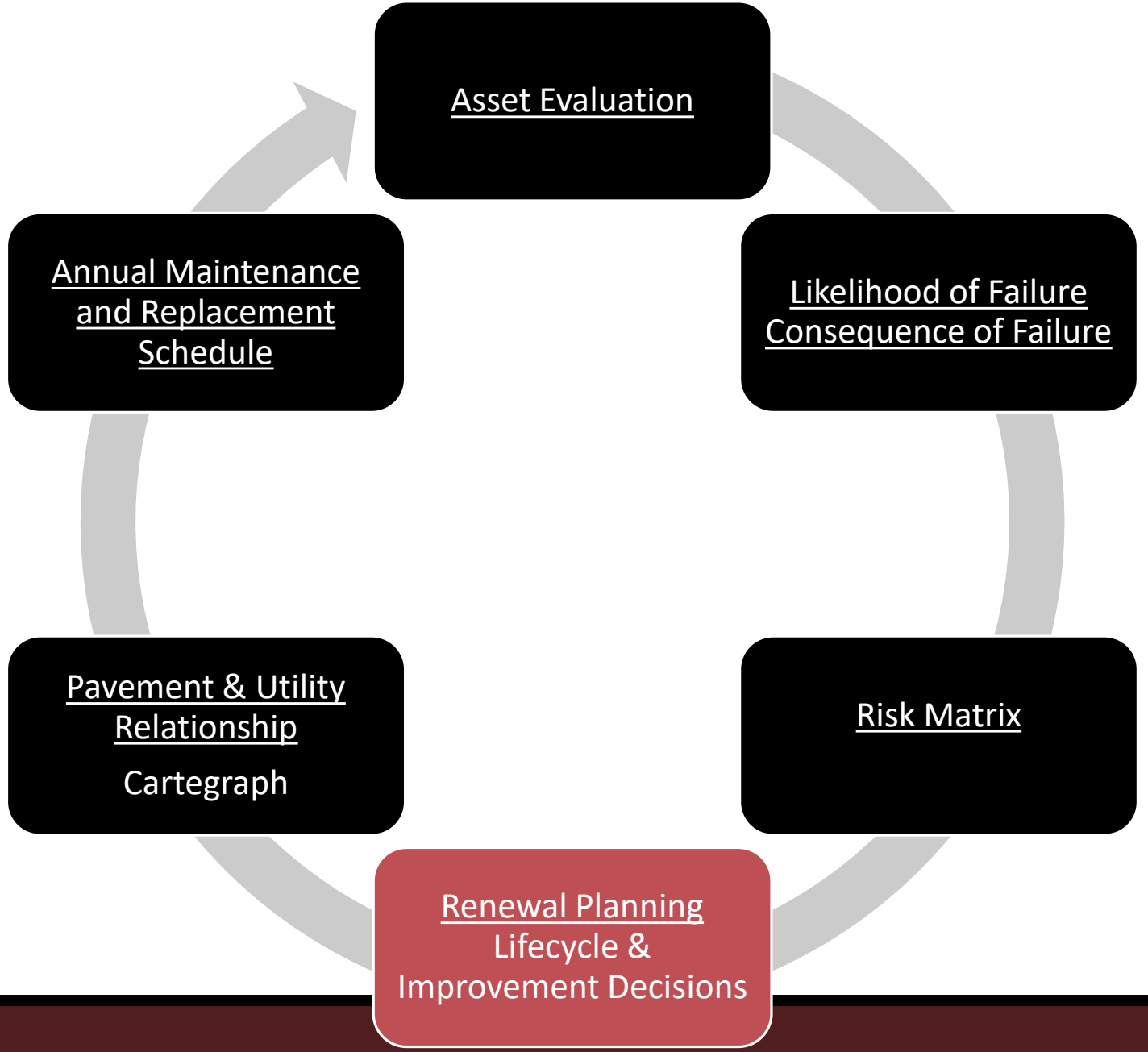
Criticality

Core Risk	Condition				
	Very Low	Low	Moderate	High	Very High
Very Low	Pecan Grove	-	-	-	-
Low	-	-	-	-	-
Moderate	-	-	-	Gateway LS Service Center LS	-
High	-	-	Mockingbird LS	-	-
Very High	-	-	-	-	-

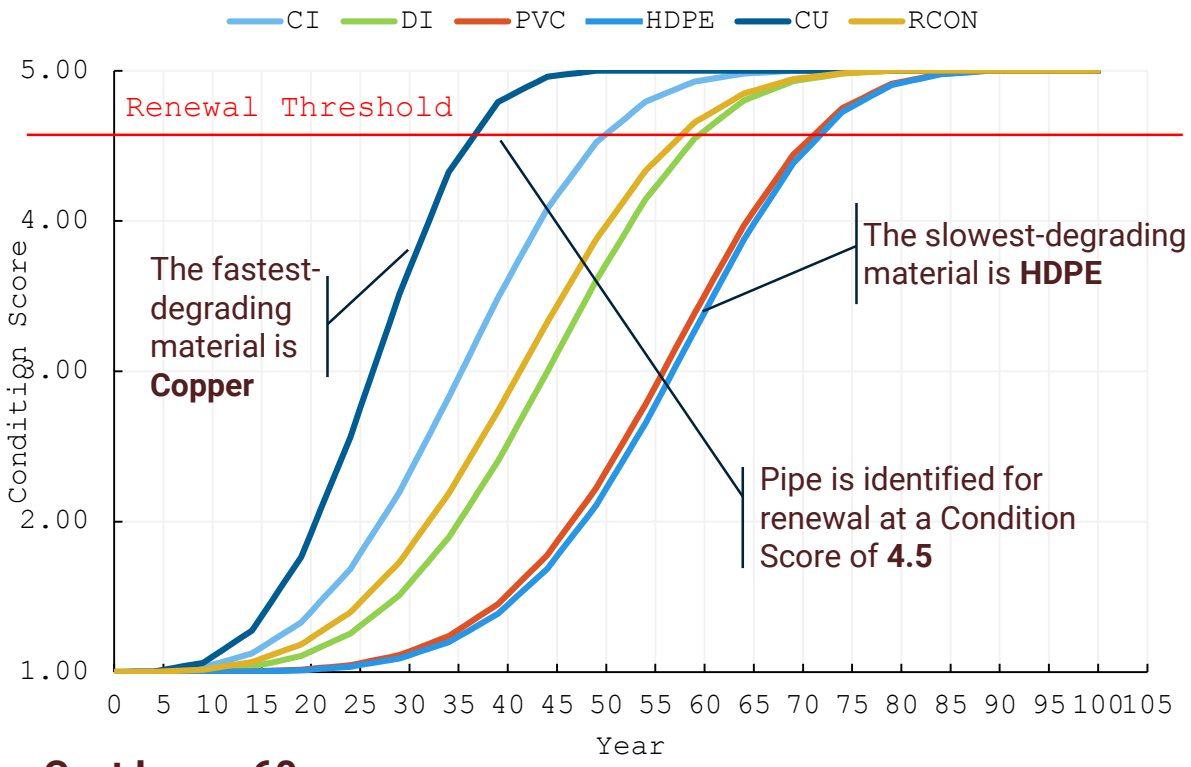
Criticality

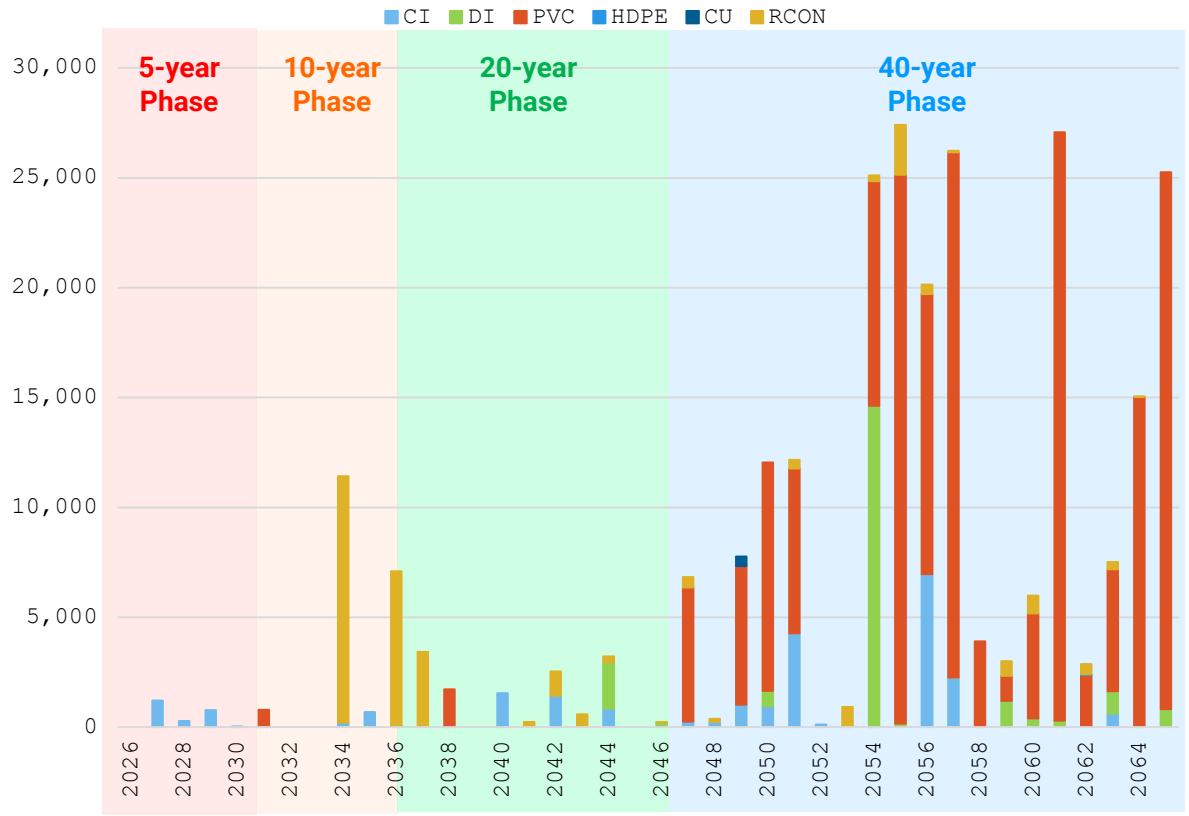
* Three more lift stations coming on in 2027

- **Assigned service life and estimated end of life for all equipment inside each facility**
- **The 2022 condition assessment program identified improvements needed to address the aging infrastructure issues**


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Water Mains Renewal Planning

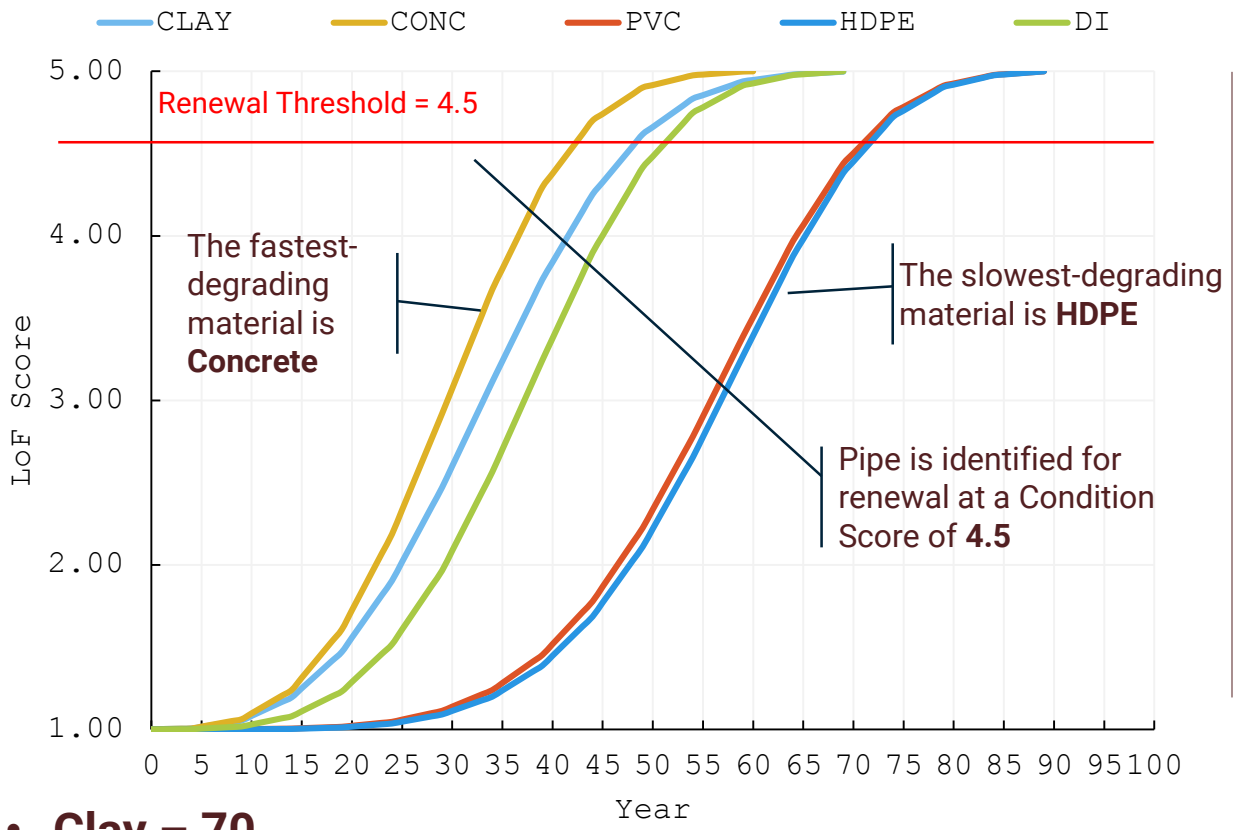


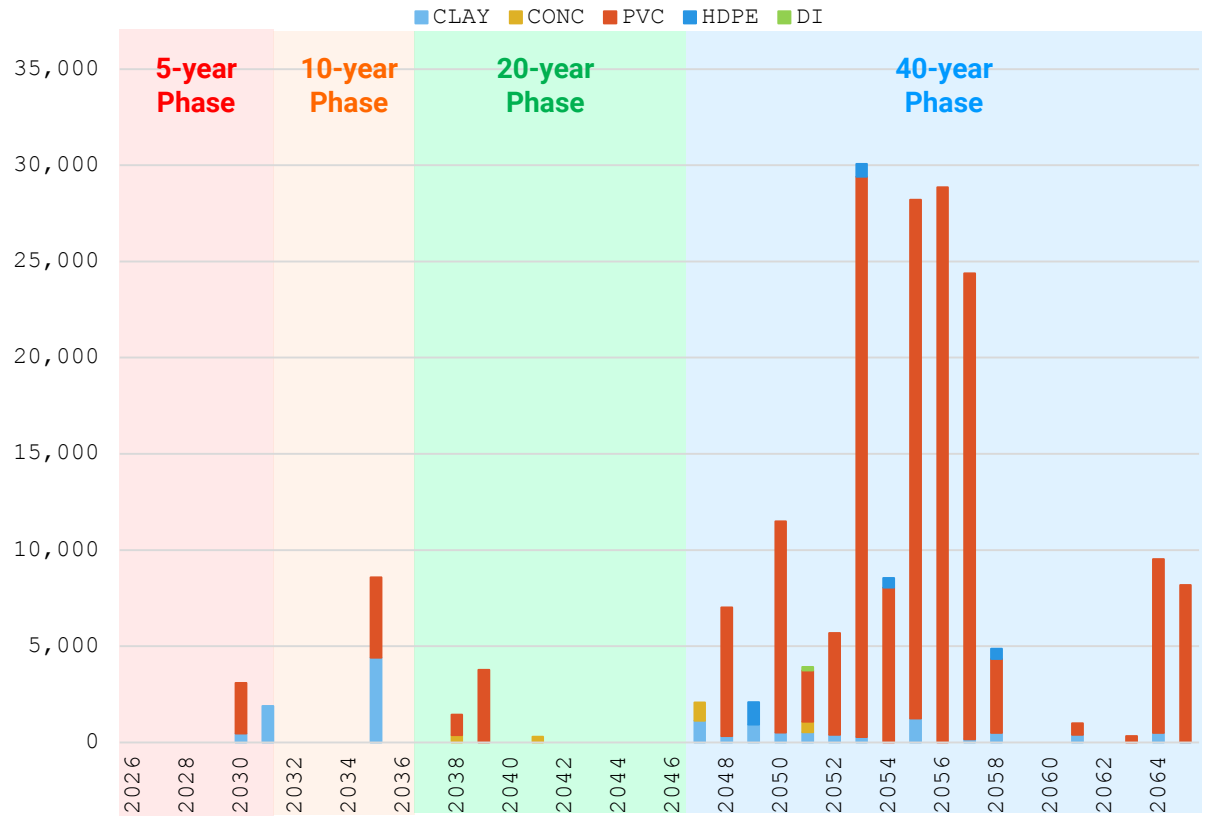


- **Cast Iron – 60**
- **Ductile Iron – 90**
- **Reinforced Concrete Pipe – 120**
- **PVC – 100**
- **High-Density Polyethylene – 120**
- **Copper - 40**

- **Reinforced Concrete pipes are estimated to reach the end of life in the next ten years**
- **Plan a condition assessment program in the next 5 years**
- **PVC pipes start to reach the end of life in the next 40 years**
- **Plan a system-wide water loss leak-detection program to address larg future replacement needs**

Wastewater Mains Renewal Planning

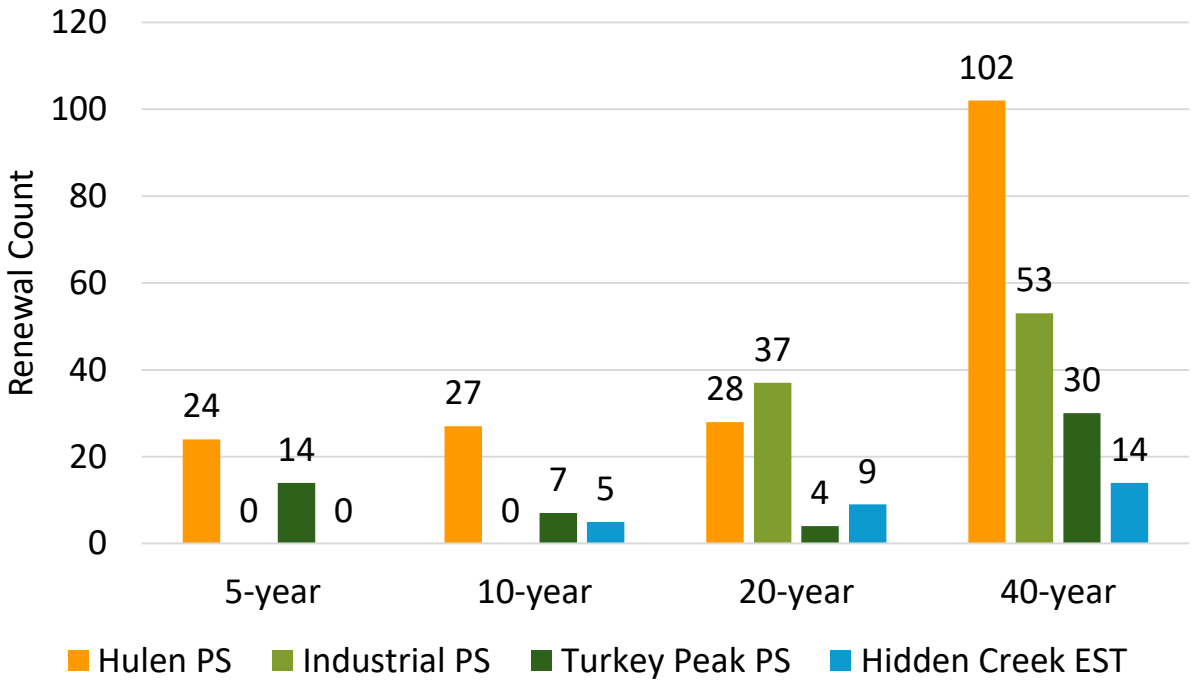


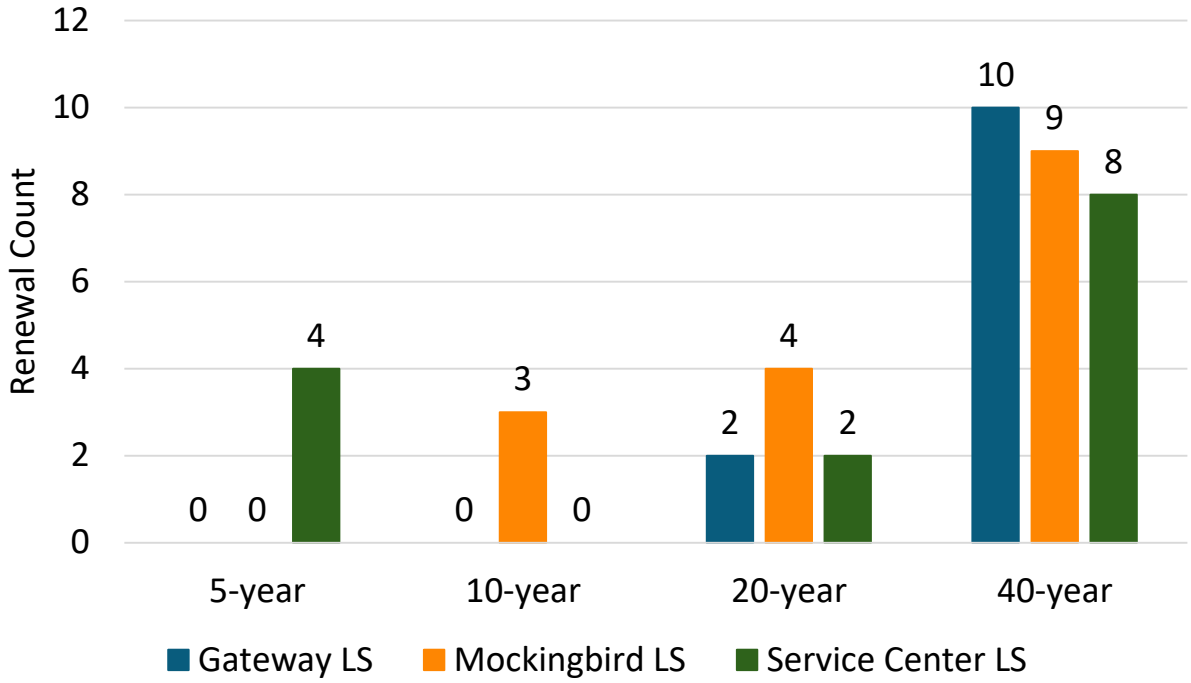


- **Clay – 70**
- **Ductile Iron – 70**
- **Concrete Pipe – 60**
- **PVC – 90**
- **High-Density Polyethylene – 90**

- **A wave of Clay and PVC pipes reaching end of life in the next 5-10 years**
- **Some of the Clay mains may have been misclassified as PVC**
- **Plan a SSES condition assessment program to address large future replacement needs**

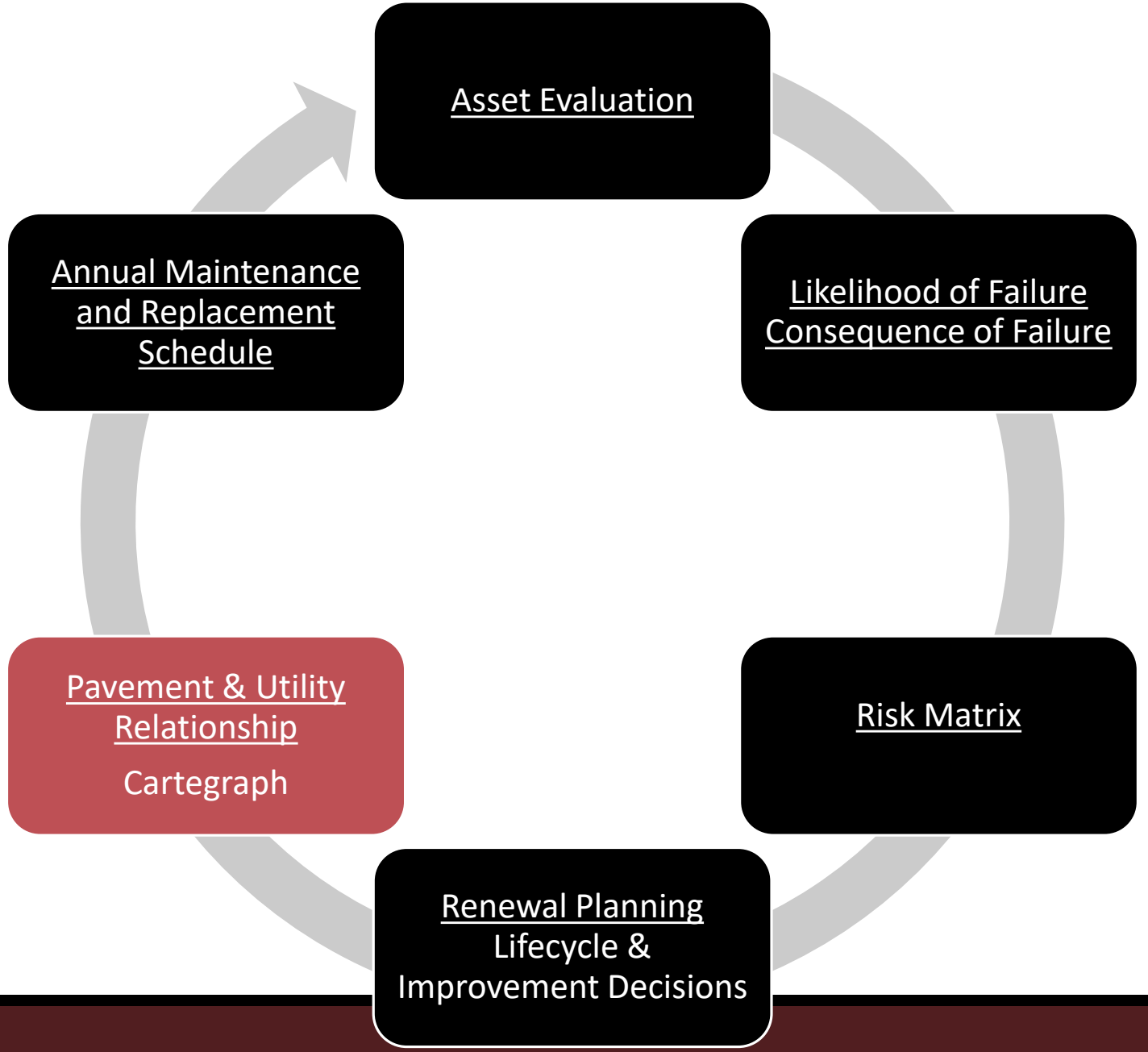
W Facilities BRE and Renewal Needs





- Hulen GST and Turkey Peak EST require paint recoating
- Pump station roof inspection and potential replacement
- MCC and Transfer Switch are at the end of useful life

- Assigned service life and estimated end of life for all equipment inside each facility
- The 2022 condition assessment program identified improvements needed to address the aging infrastructure issues


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BIG WORK BELOW. BIG IMPACT ABOVE.

BEFORE THE CUT



GOOD CONDITION

DAY OF CUT



DISRUPTION BEGINS

AFTER RESTORATION



VULNERABLE POINT

6 MONTHS LATER



CRACKING STARTS

18 MONTHS LATER



POOR CONDITION

THE CHALLENGE:

Renew aging W/WW infrastructure while minimizing community impact and preventing accelerated pavement degradation after cuts are made.

STAKEHOLDER CONCERNS:

- ❑ Traffic Delays
- ❑ Service Interruptions
- ❑ Business Access
- ❑ Economic Impact

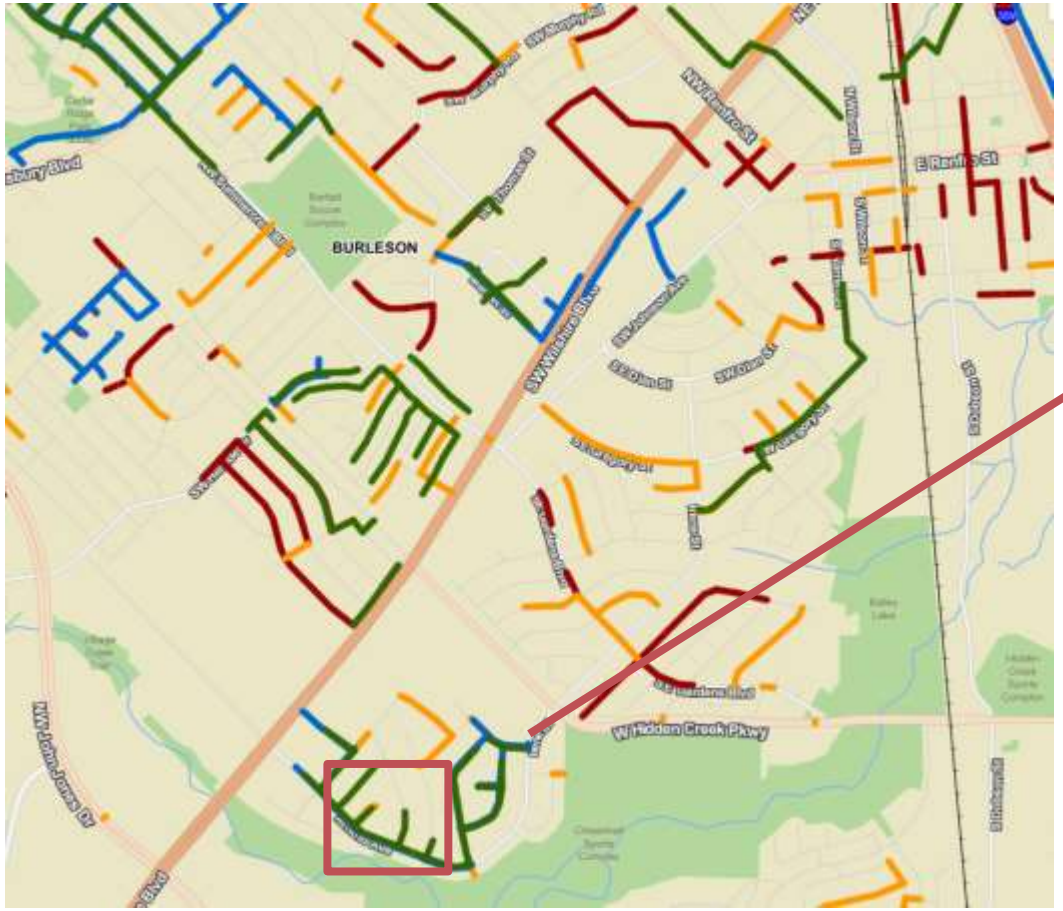
COMMUNITY IMPACTS:

- ❑ Higher Long-Term Maintenance Costs
- ❑ More Disruption for the Community
- ❑ Shorter Pavement Life
- ❑ Inefficient Investment

THE SOLUTION:

Coordinated efforts minimize disruptions and promote stronger, sustainable infrastructure.

ASSET RELATIONSHIP





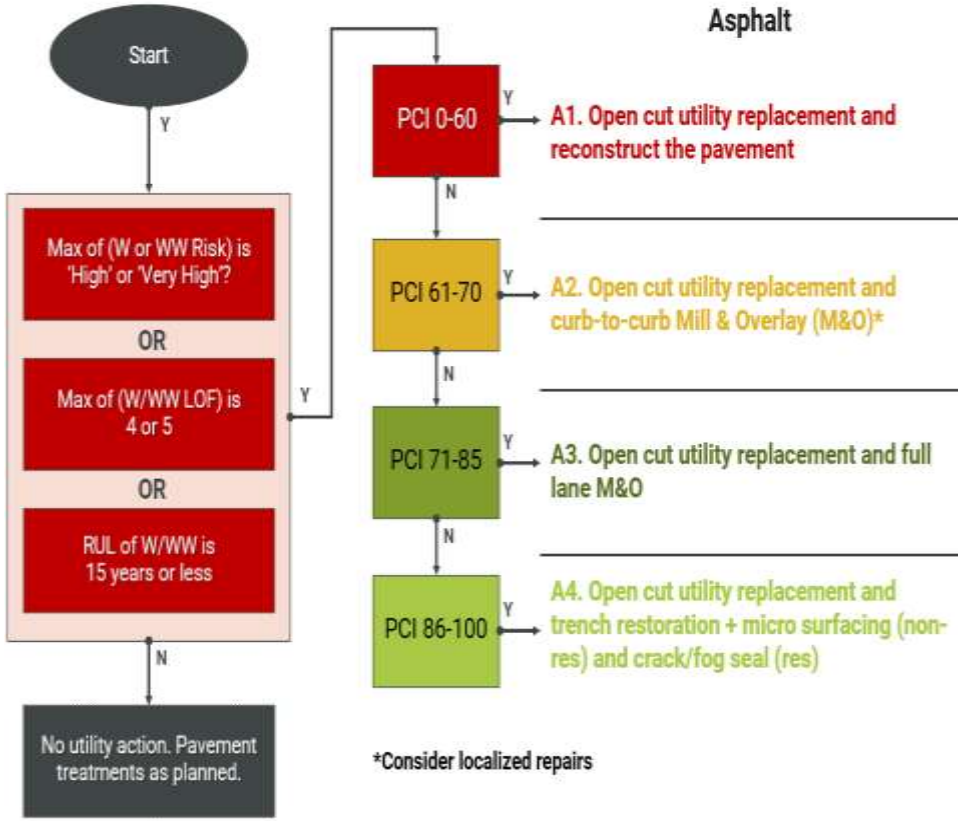
Streets Year 1

Streets Year 2

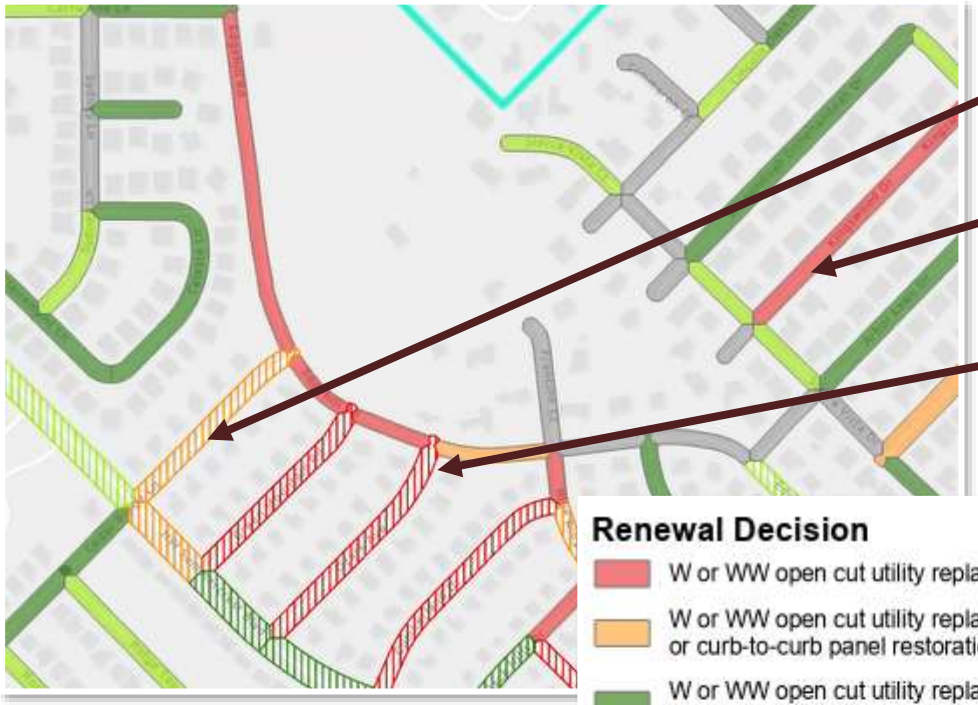
Water Year 1

Sewer Year 1

ASSET COORDINATION



Snapshot of the GIS-based Coordinated Right-of-Way Renewal Planning Tool



Examples:

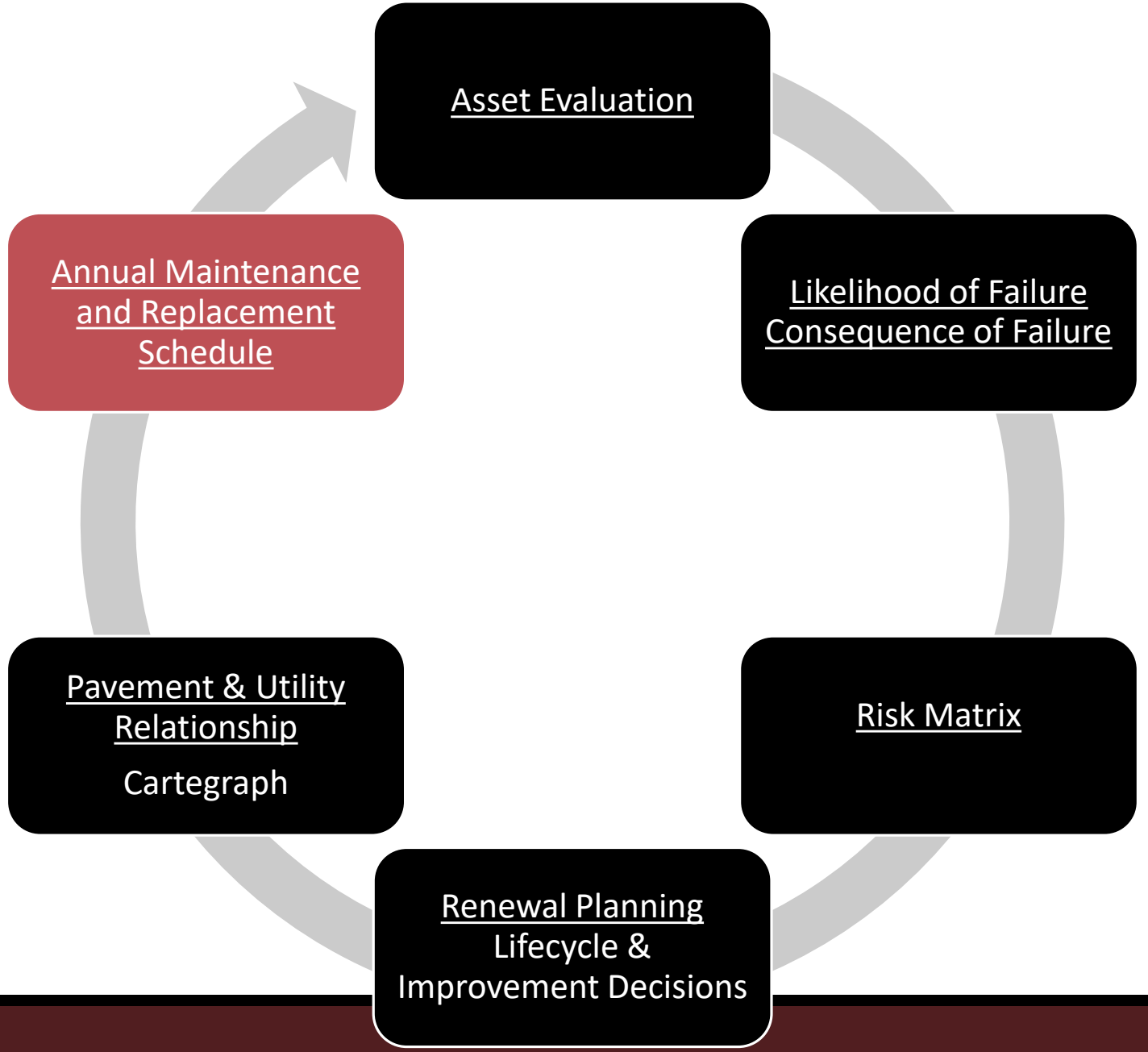
Both W/WW Open cut utility replacement and curb-to-curb Mill & Overlay

W or WW Open cut utility replacement and reconstruct the pavement

Both W/WW Open cut utility replacement and reconstruct the pavement

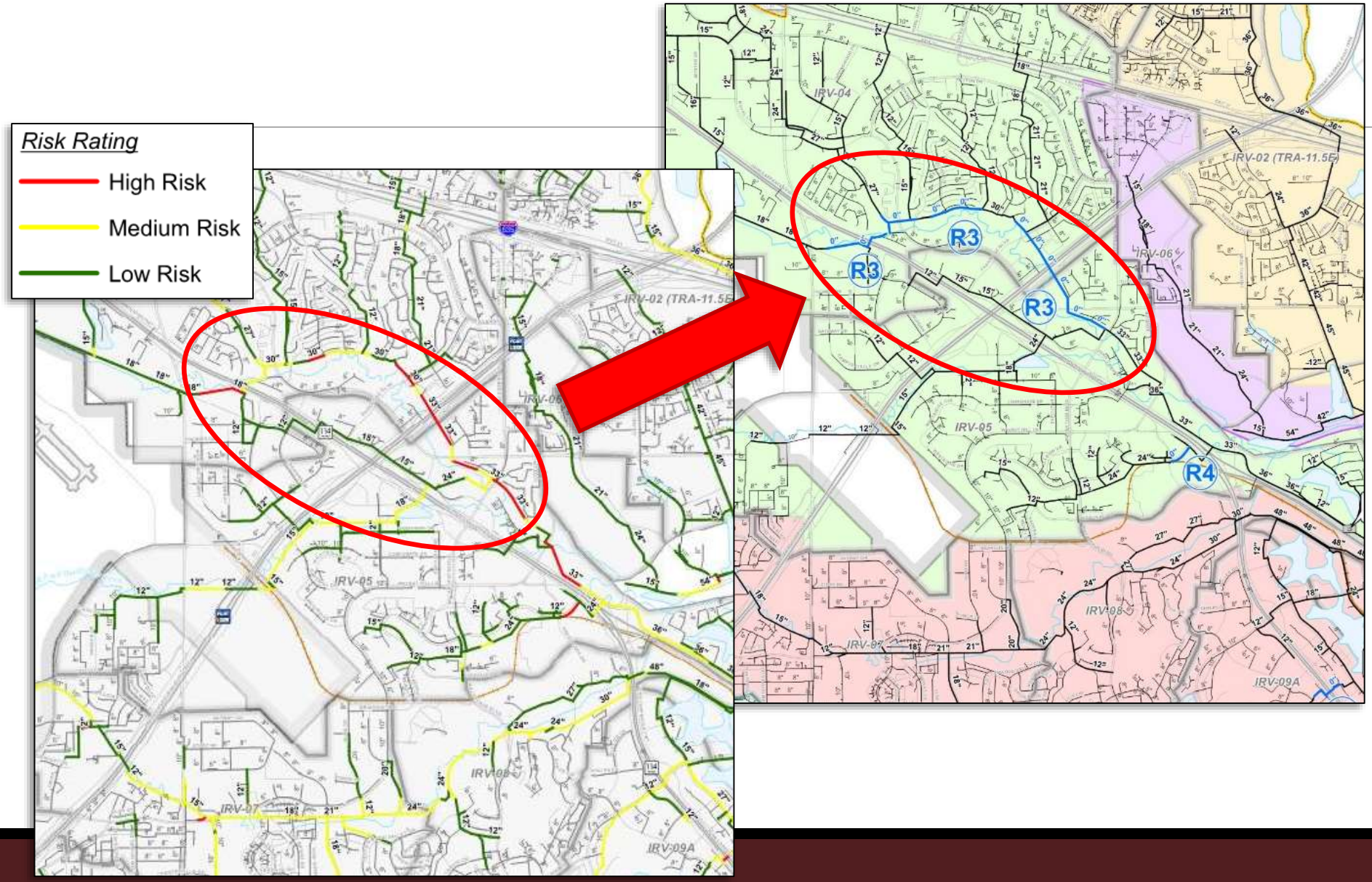
Renewal Decision

- W or WW open cut utility replacement and reconstruct the pavement
- W or WW open cut utility replacement and curb-to-curb Mill & Overlay (Asphalt) or curb-to-curb panel restoration (Concrete)
- W or WW open cut utility replacement and full lane Mill & Overlay (Asphalt) or and full lane (non-res) or trench restoration (res) (Concrete)
- W or WW open cut utility replacement and trench restoration + micro surfacing (non-res) and crack/fog seal (res) (Asphalt) or full lane (non-res) or trench restoration (res) (Concrete)
- Both W and WW open cut utility replacement and reconstruct the pavement or full lane (non-res) or trench restoration (res) (Concrete)
- Both W and WW open cut utility replacement and curb-to-curb Mill & Overlay
- Both W and WW open cut utility replacement and full lane Mill & Overlay (Asphalt) or and full lane (non-res) or trench restoration (res) (Concrete)
- Both W and WW open cut utility replacement and trench restoration + micro surfacing (non-res) and crack/fog seal (res) (Asphalt) or full lane (non-res) or trench restoration (res) (Concrete)
- No utility action. Pavement treatments as planned.


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LIFECYCLE EXAMPLE

THE CITY OF BURLESON TEXAS



PRIORITIZE CONDITION ASSESSMENT & RENEWAL IMPROVEMENTS BASED ON RISK

LIFECYCLE EXAMPLE

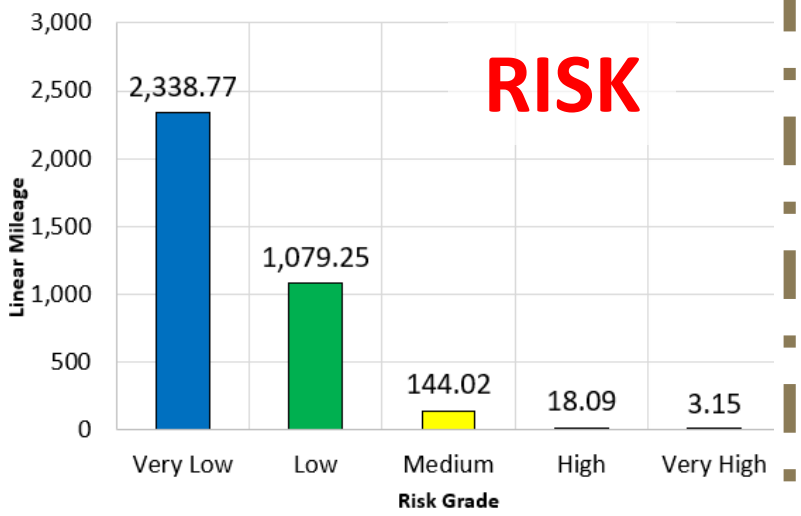
THE CITY OF BURLESON TEXAS

LOF

Weighting	Parameter	Criteria	Score
30%	Material	A.C.	10
		C.I. / Unknown	8
		D.I.	6
		H.D.P.E.	5
		Concrete	4
		Copper / Steel	3
		PVC	1
10%	Age	Older than 50 years	10
		41 – 50 years / Unknown	8
		31 – 40 years	6
		21 – 30 years	4
		0 – 20 years	2
50%	Pipe Work Order History (Last 5 years)	4 and Greater Repairs	10
		3 Repairs	8
		2 Repairs	5
		1 Repair	3
		No Repairs	1
10%	Modeled Pressure Difference	Greater than 20 PSI	10
		10 – 20 PSI	7
		5 – 10 PSI	4
		Less than 5 PSI	1

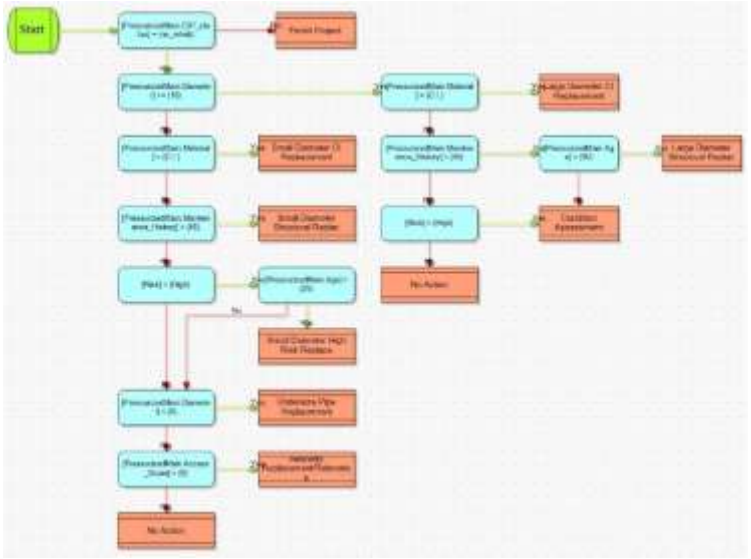
COF

Weighting	Parameter	Criteria	Points
15%	Access Issues	River / Stream / Railroad	10
		Alleyway	9
		Interstate / State Highway	7
		Major Collector / Arterial Road	4
		No Crossing	1
30%	Proximity to Critical Customers	More than 5 customers within ¼ mile	10
		More than 5 customers within ½ mile or 3 to 4 customers within ¼ miles	7
		More than 5 customers within 3/4 mile or 3 to 4 customers within 1/2 miles or 1 to 2 customers within ¼ miles	4
		Remaining Water Lines	1
30%	Customers Served	Greater than 24-inches	10
		20-inches – 24-inches	8
		14-inches – 18-inches	5
		8-inches – 12-inches	3
		Less than 8-inches	1
25%	Resiliency	Non-Redundant Pipe	7
		Redundant Pipe	3



Data Feed

IMPROVEMENT DECISION TREE



Maps

Tables



ENGINEERING & OPERATIONS JUDGEMENT

399

LESSONS LEARNED & MOVING FORWARD

- Asset Management can provide meaningful insights even with imperfect data.
- Lots of technology available but spend time to understand what decisions it does (and doesn't) drive.
- Fully utilize existing software systems to automate asset data management as much as possible.



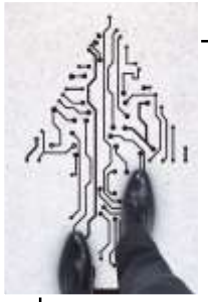
FY 2026

- Streets Timing
- W/WW Model Timing



FY 2027

- Streets Model (Fugro Update)
- W/WW Model with Capital



FY 2028

- Coordination Model
- Future Assets

THE CITY OF

BURLESON

TEXAS





A thriving southern gateway to the Dallas-Fort Worth metroplex – where small-town warmth meets big-city opportunity.

AT A GLANCE

A Community on the Rise

♪♪♪A Perpetual Harmony of Infrastructure Asset Management

Bottom-Up Approach to Achieving Citywide Asset Management and Coordinated Infrastructure Renewal Planning



Janalea Hembree



Steven Rhodes



Tanu Kulkarni

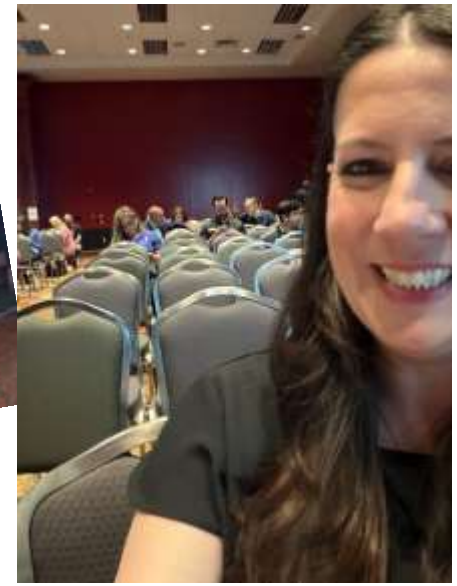
Sharing the BURLESON Story

December 2025



April 2026





- **Largest regional water and wastewater conference in the United States with ~9,000 Attendees**
- **Presented a 30-minute Presentation in an Educational Session**

June 2025

SWAN
SMART WATER NETWORKS FORUM

- SWAN is the leading, global voice for the smart water.
- International Conference with over 400 attendees from 200 unique organizations from 22 countries
- Hosted a full-day interactive workshop roundtable on Bridging the Digital Divide.







August 2026

North Central Texas Council of Governments

Annual Public Works Roundup



- Attended by hundreds of Public Works and Engineering Professionals
- Keynote Speaker in Morning Welcome Session

September 2026

AWWA WATER INFRASTRUCTURE CONFERENCE & EXPOSITION



January 2027

UIC underground infrastructure conference

CONSTRUCTION. REHABILITATION. ASSET MANAGEMENT.

Underground Infrastructure Conference

Questions / Comments

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City Council Regular Meeting

DEPARTMENT: **Public Works**

FROM: **Justin Scharnhorst, Deputy Director of Public Works**

MEETING: **November 9, 2026**

SUBJECT:

Receive a report, hold a discussion, and provide staff direction regarding street maintenance operations. *(Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Focus Area 1	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 2.3 Enhance connectivity and improve mobility 2.5 Develop and maintain facilities and utility services

SUMMARY:

The City's Street Maintenance Program is progressing, with several efforts underway to improve project delivery, increase cost efficiencies, and coordinate construction activities across departments. While some projects have taken longer to initiate than originally anticipated, the timing reflects a deliberate process to planning, procurement, and coordination to ensure the work is completed efficiently and with minimal disruption to the public.

An important part of this year's program has been coordinating street maintenance priorities with the City's broader infrastructure planning efforts. This additional coordination helps ensure projects are sequenced appropriately, account for future utility needs, and protect the City's investment in street improvements over the long term.

The City has also structured its street maintenance contracts to support long-term efficiency. Multi-year, unit-price contracts allow work to be completed under established agreements across multiple fiscal years, reducing the need to repeat procurement efforts. Additionally, the current asphalt program is incorporating both Year 1 and Year 2 street projects into the same

construction effort. Combining this work allows the City to reduce duplicate mobilization costs and make better use of available funding. Looking ahead, the City is preparing to solicit bids for concrete maintenance work that could serve both the Street Maintenance Program and the Stormwater Utility Division.

Project scheduling also requires coordination with other major construction activities, including Capital Improvement Program projects and TxDOT work that affect traffic flow and access throughout the community. Balancing these efforts is important to managing the cumulative impact on residents and the traveling public. For example, upcoming work on Hidden Creek will require a detour to complete the necessary improvements. Staff are evaluating the schedule around the Thanksgiving and Christmas holidays to minimize traffic disruptions as much as practicable while ensuring the work can proceed.

Although the timing of individual projects may vary, the City is advancing the Street Maintenance Program earlier in the fiscal year than in previous years. The combination of multi-year contracting, coordinated construction efforts, and improved alignment with utility and capital projects is intended to strengthen program delivery, reduce avoidable costs, and support a more sustainable approach to maintaining the City's street network.

PROCUREMENT METHOD:

N/A

RECOMMENDATION:

N/A

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

Proposed Expenditure/Revenue:
Project Number:
Fund: General
Account Number(s):
Account Description:

STAFF CONTACT:

Name: Justin Scharnhorst
Title: Deputy Director of Public Works
Email: jscharnhorst@burlesontx.com
817-426-9646

Street Maintenance Operations

PRESENTED TO THE CITY COUNCIL

NOVEMBER 9, 2026

Street Maintenance Program

Over the last two years, City Council has allocated more than $6.5 million toward the City's street maintenance program.

Resident feedback continues to reinforce the importance of maintaining our street network, and the City remains focused on maximizing the value of that investment through coordination, and long-term maintenance planning.

Operational Strategy

- Beginning in October 2025, Public Works initiated administrative and operational activities for the Street Maintenance Fund, prioritizing work that could advance while the asset management model was being finalized.

- Improved coordination between the City Manager's Office, Public Works, and Capital Engineering to better align project schedules and minimize conflicts with future infrastructure work.

- Established multi-year, unit-price contracts for mill and overlay work to provide flexibility and accelerate project delivery, with a similar procurement process underway for concrete work.

Street Maintenance Delivery Timeline FY 25-26



Project coordination and timing is strongly centered around traffic impacts

Asphalt Crack Seal	• Completed November 2025
PressurePave	• Completed May 2026.
Concrete Panel Replacement	• Executed contract – June 2026 • Estimated completion – December 2026 • Estimated $398,426 was rolled into this FY for work that is ongoing.
Mill & Overlay	• Executed contract – August 2026 • Estimated completion – December 2026 • Estimated $1.3M was rolled into this FY for work that is ongoing.

NW Wanda Way to Sunnybrook Dr.





PressurePave Before and After

NW Jayellen to Sunnybrook Dr





PressurePave Before and After

Hidden Creek Parkway





Concrete Panel Replacement Before and After

Hidden Creek Parkway





Concrete Panel Replacement Before and After

Minimizing Public Impacts

- Coordinating cross departmental activities that evaluate street maintenance schedules alongside planned water and wastewater rehabilitation projects, allowing the City to better sequence improvements and avoid conflicts between construction activities

- Coordinating detours and road closures with other planned construction activities to minimize overlapping traffic impacts and conflicts with concurrent City and TxDOT projects.
  - Initiated the Hidden Creek closure near Cardinal Ridge in early July to complete preparations and reopen the roadway before the first day of school on August 12th.
  - Applying the same scheduling approach to future projects, balancing construction needs, school calendars, and impacts to the traveling public.

Upcoming Construction Activities with Public Impact

- Hidden Creek improvements will require a traffic detour.
- Asphalt work on CR 714 will require a detour to expedite project timeline.
- Evaluating construction timing around Thanksgiving and Christmas to minimize disruption.
- Communicating schedules and anticipated impacts as project timelines are finalized.

Upcoming Project Locations

Hidden Creek Projects 1 & 2 – Concrete Panel Replacement

- Replace concrete panels in both lanes at each location.

Estimated timeframe: Thanksgiving and Christmas breaks.

CR 714 – Near Russell Farm

- Stabilize roadway and complete paving improvements.

Estimated timeframe: Following completion of the CR 1020 closure.



West Bound Hidden Creek Parkway

Detouring WB Hidden Creek

- Detouring traffic provides Public Works staff and the contractor with a safer work zone while improving work efficiency.
- High-early strength concrete will be used to shorten curing time and allow repaired sections to reopen to traffic sooner.
- In addition to concrete panel replacement, the contractor will diamond grind panels immediately west of each repair location to improve pavement smoothness.
- **Estimated timeframe:** 3-4 weeks



East Bound Hidden Creek Parkway

Detouring EB Hidden Creek

- Same process, schedule and practice as WB.

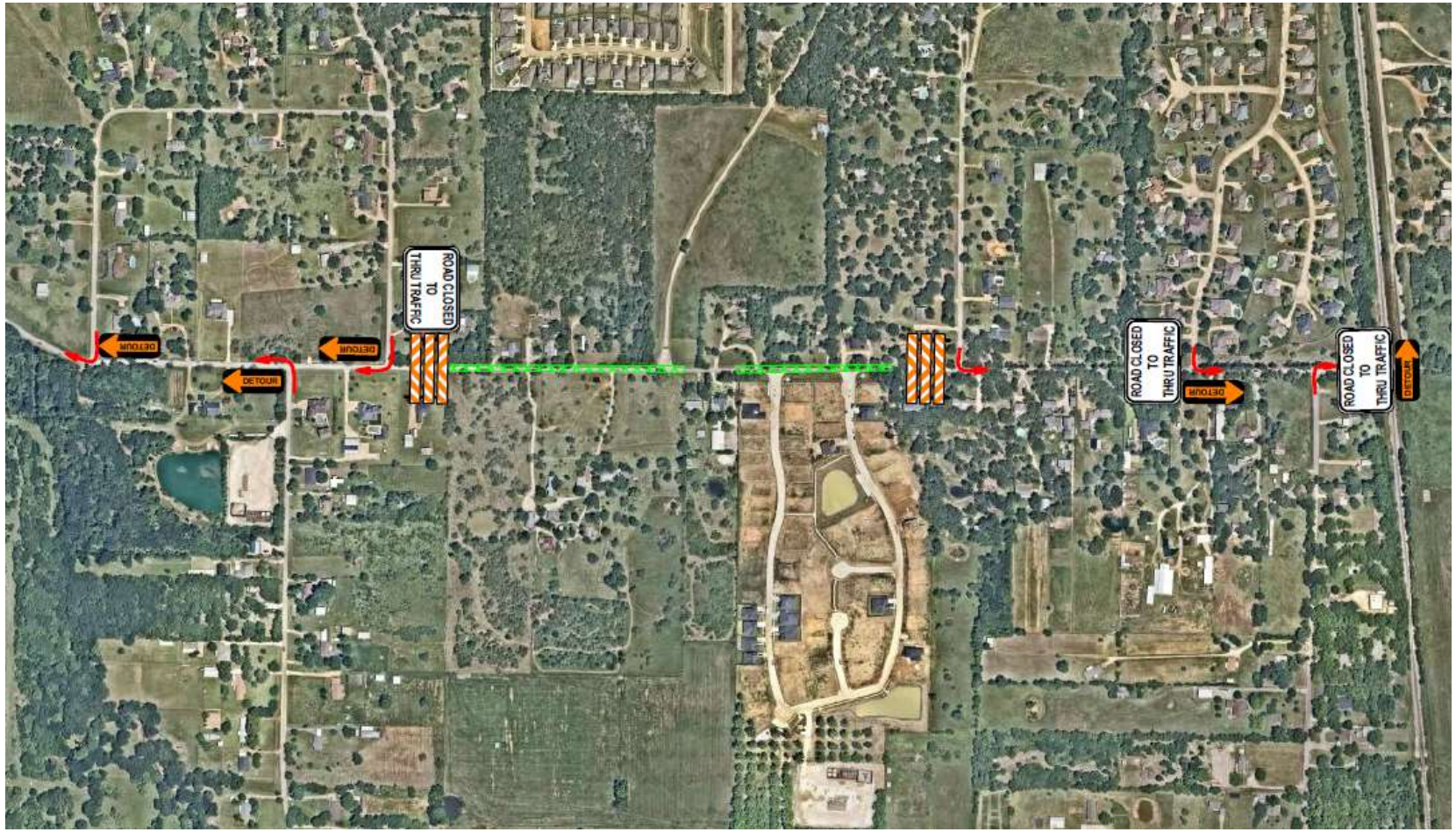


County Road 714 – Near Russell Farm

Closing CR 714

- Closing to through traffic will reduce workdays from 14 to 5 under good weather conditions.

- **Estimated timeframe:** Following completion of the CR 1020 closure.



Next Steps

- Public Works is advancing the bidding process for a unit price contract that is anticipated to come forward to Council in January.
- The solicitation is intended to establish a contract for concrete work across Street Maintenance, and Stormwater Operations.
- Advancing procurement now will support a more efficient transition and project startup in the next fiscal year.
- Funding carried forward from the previous fiscal year is currently being expended on active projects, with several nearing completion and reducing the remaining carryover balance.

Questions/Discussion

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