



WEEKLY REPORT

MAY 7, 2021

TO: MAYOR FLETCHER AND COUNCIL MEMBERS
FROM: BRYAN LANGLEY, CITY MANAGER

THE CITY OF
BURLESON
TEXAS

Weekly Report | May 7, 2021

I. Council Schedule

Meetings

Monday, May 17: City Council Meeting, City Hall Council Chambers. 141 W. Renfro St., 5 p.m. The meeting will be conducted in the council chambers and is also available via live stream, <https://www.burlesontx.com/watchlive>

Work Session Items/Report & Discussion Items

May 17

- Receive a report, hold a discussion, and give staff direction regarding an overview of Public Improvement Districts (PID) and the City's PID Policy. (Staff Presenter: Mandy Clark, Development Services Director)
- Receive a report, hold a discussion, and give staff direction regarding development standards for the Chisholm Summit Master Planned Community. (Staff Presenter: Mandy Clark, Development Services Director)
- Receive a report, hold a discussion, and give staff direction regarding FY 20-21 Strategic Plan Quarterly Update. (Staff Presenter: Martin Avila, Finance Director; DeAnna Phillips, Community Services Director; Aaron Russell, Public Works Director and Jen Basham, Director of Parks & Recreation)
- Receive a report, hold a discussion, and provide staff feedback regarding the conceptual design of Fire Station 16 Memorial Garden. (Staff Presenter: Jen Basham, Director of Parks & Recreation)
- Receive a report, hold a discussion, and give staff direction regarding the expansion of the animal shelter. (Staff Presenter: Aaron Russell, Public Works Director)

II. General Information and Status Updates

A. Mayor Vera Calvin Plaza dedication ceremony

The Mayor Vera Calvin Plaza dedication ceremony is scheduled for Saturday, May 8, at 10 a.m. This event is open to the public and limited seating will be available. Staff recommends using the lot on Warren St. and Bufford St. for parking, and attendees are encouraged to bring their own chairs. Please note that the Burleson Farmer's Market will also be in progress that morning.



The flyer features a dark red header with a circular logo for Mayor Vera Calvin Plaza. The main text is white on a dark background, listing the ceremony's agenda: Introduction by Alex Phillips, Economic Development Director; Presentation of Colors including the National Anthem and performance by 801st Jr. Air Force ROTC and BHS Centennial HS Chamber Singers; Speakers including Chris Fletcher (Mayor), Ken Shetter (Former Mayor), and Vera Calvin (Former Mayor); and Closing by Alex Phillips. A photograph of the plaza with wooden benches is shown on the right. The date and time, Saturday May 8, 2021 at 10:00 A.M., are displayed in a grey box at the bottom right.

MAYOR VERA CALVIN PLAZA
ESTABLISHED 1974

CEREMONY

Introduction
Alex Phillips, Economic Development Director

Presentation of Colors
- National Anthem
801st Jr. Air Force ROTC - BHS Centennial HS Chamber Singers

Speakers
Chris Fletcher, Mayor
Ken Shetter, Former Mayor
Vera Calvin, Former Mayor

Closing
Alex Phillips, Economic Development Director

Dedication Ceremony

SATURDAY
MAY 8, 2021
10:00 A.M.

B. Chisenhall Hike and Bike Trail Kiosks

Three new kiosks have been installed at the trail entrances of the Chisenhall Hike and Bike Trails. The kiosks feature trail maps that include the recently added 2.5 miles of trail. A QR code on the map signage will link you to the online version of the map so you can reference it from anywhere on the trail. The main trailhead entrance at the Chisenhall Fields parking lot features a tri-panel kiosk that also provides information on trail rules, user etiquette, contact information, and a reminder to respect the natural environment of the trail that makes it such a valuable asset.



C. Burleson Community Impact donation drive

The Burleson Community Impact program is a collaborative effort between the City of Burleson and the United Way that provides to-go bags filled with personal care items to Fire, Police, and Code Compliance vehicles, making them available for citizens in need. During the recent winter storms, most of these donated items were delivered to church shelters, leaving the program's storage supplies greatly diminished. Help us replenish those supplies by donating the requested personal care items listed. Donations can be dropped off at the following locations:

- City Hall, 141 W Renfro St
- Municipal Service Center, 725 SE John Jones Blvd
- BRiCK, 550 NW Summercrest Blvd
- Burleson Public Library, 248 SW Johnson Ave
- Burleson Police Department, 1161 SW Wilshire
- Fire Station 1, 828 SW Alsbury Blvd

COMMUNITY IMPACT PROGRAM DONATION DRIVE
Citizen in Need To-Go Bags
Supplies Low after Winter Storm

ITEMS NEEDED

- Shampoo & Conditioner
- Bar Soap or Body Wash
- Liquid Hand Soap
- Toothbrushes
- Toothpaste
- Body Lotion
- Deodorant
- Diapers
- Baby Wipes
- Cleaning Wipes
- Dish Soap
- Bleach
- Paper Towels
- Toilet Paper

DROP-OFF LOCATIONS:
CITY HALL, SERVICE CENTER, BRICK,
LIBRARY, POLICE DEPT, FIRE STATION 1

Cannot accept: trial size, items not listed,
used or open packages

Please note that only full-size, unopened products specifically listed under items needed can be accepted.

D. Residences at Alsbury Retaining Wall

The Residences at Alsbury is a senior living apartment development across Alsbury Blvd. From Fire Station No. 1. Due to topography in the area, retaining walls have been constructed along the boundary of the development. In March, cracks in the lower wall were identified by the contractor and staff and the contractor began repairing the wall. They had not completed the repairs as of this past Monday evening when the significant storms occurred. The storms caused a significant failure of the portion of the wall that had not been repaired yet. The developer has been contacted and indicated that they knew this was a possibility since they weren't complete with the repairs. They will repair the failed wall with methods identified by their engineer.

The developer has provided staff with his contact information and has instructed us that anyone concerned may call him directly. Staff will provide the developer's contact information on request. The developer will keep staff updated and this information will be provided as available. Please contact Mandy Clark, Development Services Director, at 817-426-9684 or at mclark@burlson.tx.com with questions.

E. Hidden Creek Clubhouse Repairs

Repairs to the clubhouse at Hidden Creek Golf Course continue to progress. Rough framing and electrical work was completed on 4/30. Drywall installation began on 5/3 and is expected to be complete by 5/10. The ceiling contractor will begin installing the ceiling on Monday 5/10 with work expected to take one to two weeks. Completion of the entire repair process is still expected to be complete in June.

F. Village Creek Trail connection to the Standard

Staff met with Mr. Windmiller on May 5, regarding the decomposed granite path that connects the Standard to the trail. Mr. Windmiller is creating a plan to have the path repaired and constructed by May 15, 2021. The improved path will include flagstone at the base and decomposed granite with a polymer to stabilize the path. The vegetation will also be mowed in the next week. If additional alterations to the grade or surfacing need to be made Mr. Windmiller is on board to ensure that it is a safe and usable path.



G. Feel Good Friday

The next time you step outside and drive through our safe community, drink a glass of clean water, enjoy a swim at the BRiCK, take a hike on a beautiful nature trail, enjoy a delicious meal at a well-planned area restaurant, get city information from social media remember to thank those public servants who help to make all of this and more possible.

Special shout out to our Mayor, City Council, Boards and Commission members, City Volunteers, City Staff, Public Safety Teams, the list goes on and on. At the May 3 City Council meeting, Mayor Fletcher and city council recognized this week as Public Service Recognition Week and today we celebrated our employees on their lunch breaks with a cook-out at Russell Farm.



Happy National Public Service Recognition Week to ALL public servants.



III. Upcoming Road Construction/Closures

UPCOMING ROAD CONSTRUCTION / CLOSURES			
Projects & Limits	Current Status	Traffic Affected	Estimated Completion
Turkey Peak Ground Storage Tank Construction & Brushy Mound Tank Demolition at existing City Facilities	General Contractor is at both Turkey Peak and Brushy Mound Sites.	Intermittent construction traffic to and from both sites. Anticipated Routes include: NW Renfro, SW Brushy Mound Rd, SW Alsbury Blvd, NW Summercrest Blvd, Nicole Dr & NW Jayellen Ave.	Fall 2021
Fire Station #16	Work on building at finish-out stage.	None anticipated	May 2021
Irene/Gardens Safe Routes to School	Construction underway	Outside lanes of Gardens, Irene, Gregory & Johnson Ave will be closed in areas of construction. Closures to move with construction progress	November 2021
SH174 (Wilshire) Landscape Enhancements	Construction underway Flashing message boards are in place.	Construction will require temporary daytime lane closures as necessary. These closures will only affect the inside lanes. Remaining lanes, including left-turn lanes, will always remain open.	July 2021

IV. Events

- **Mayor Vera Calvin Plaza in Old Town dedication**
May 8, 10 a.m. at Mayor Vera Calvin Plaza
- **Hot Sounds of Summer – Le Freak**
May 28, 7:30 p.m. at Mayor Vera Calvin Plaza

V. Attachments

Legislative Updates..... page 7

May 7, 2021 Legislative Update

- **Super Preemption:** [H.B. 610](#) by Swanson would prevent cities from regulating occupations that are licensed by state law if the city regulation would have an adverse economic impact on the license holder. The bill opens the door to nearly unlimited litigation against cities regarding the impact of local regulations. The bill was passed by the House Judiciary and Civil Jurisprudence Committee, and is now in House Calendars committee. TML submitted [this letter](#) in opposition to H.B. 610 in House committee.
- **Community Censorship:** [S.B. 10](#) by Bettencourt limits cities' ability to fully participate in the state legislative process. The [committee substitute](#) that passed the Senate contains language that would allow a city or county to provide compensation to a nonprofit state association or organization to advocate for or against or otherwise influence the outcome of legislation, so long as the association or organization does not contract with lobbyists or attempt to influence legislation related to property taxation. The committee substitute is otherwise nearly the same as the as-filed version, and still contains extremely problematic language that creates liability for a city if city funds are used *in any manner* to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature. The bill prohibits cities from hiring contract lobbyists or government relations staff. S.B. 10 has been referred to the House State Affairs Committee. TML submitted [this letter](#) in opposition to S.B. 10 in Senate committee.
- **Debt Restrictions:** [H.B. 1869](#) by Burrows, as filed, would have modified the definition of "debt" for purposes of the debt service property tax rate calculation to only include debt approved at an election. This change would mean that all non-voter approved debt, such as certificates of obligation and tax notes, would have to be financed from a city's maintenance and operations property tax rate instead of the debt service tax rate. The [committee substitute](#) adopted by the House Ways and Means Committee modified the as-filed version to give cities the ability to debt finance certain infrastructure and equipment, even if the debt wasn't first approved by the voters. H.B. 1869 was approved by the full House after [several additional beneficial amendments](#) were added to the bill on the House floor.
- **Law Enforcement Funding:** At the moment, two bills are moving through the legislative process that would penalize cities that "defund" their police departments – S.B. 23 and H.B. 1900. [S.B. 23](#) by Huffman has been approved by the full Senate and heard in the House State Affairs Committee. As approved by the Senate, the bill would require a city to receive voter approval in order to adopt a budget that reduces police funding or the number of officers from the previous year (with exceptions). If a city fails to receive voter approval, a person may file a complaint with the governor's office, and the comptroller can ultimately make a determination that the city reduced police funding, in which case property tax rate limitations apply to the city. On Thursday morning, a committee substitute for S.B. 23 was heard in House State Affairs committee that applied only to county governments in counties with a population over one million.

[H.B. 1900](#) by Goldman was passed by the House this week. Like S.B. 23, H.B. 1900 would penalize cities for lowering budget appropriations to police departments. Unlike S.B. 23, which, at least initially, was generally applicable to all cities, H.B. 1900 only applies to cities with populations of 250,000 and above. Further, the bill would impose numerous additional penalties on a "defunding" city in addition to a property tax rate limitation, including sales tax withholding, annexation restrictions, and a requirement to pay for and hold disannexation elections in every area annexed by the city over the preceding 30 years.

Both chambers appear to be committed to their own versions of these defunding bills, setting up a potential late session negotiation on compromise language in conference committee. TML submitted [this letter](#) on S.B. 23 in Senate Jurisprudence Committee (and a similar one for H.B. 1900).

- **Partisan City Elections:** [H.B. 2092](#) by Sanford would require candidates for city office to declare a political party affiliation. The bill was voted out of House Elections Committee on a 5-4 vote. The next stop for the bill is the House Calendars Committee. TML submitted [this letter](#) opposing H.B. 2092 in House Elections Committee.
- **Sales Tax Sourcing:** [H.B. 4072](#) by Meyer would shift city sales tax sourcing from origin-based (where the order is received) to destination-based (where the item is shipped or where customer takes possession of an item). This is a significant shift that has the potential to impact many cities, both positively and negatively. The bill is in the House Calendars Committee. TML, at the direction of our membership, is neutral on the bill because of the city-versus-city nature of city sales tax sourcing changes.
- **Property Tax Rate Calculation During Disaster:** [S.B. 1438](#) by Bettencourt passed both the House and the Senate, though in different forms. The bill, as filed and as it passed the Senate, would modify the tax rate calculation provision for taxing units during a disaster to restrict a city from opting into an 8 percent voter-approval rate calculation during a pandemic or other disaster in which property is not physically damaged. However, two floor amendments were added to the bill in the House that are potentially damaging to city recovery efforts following a disaster.

[One amendment](#), by Murphy, would lower a city's voter-approval property tax rate in the first year following the city's use of a higher voter-approval rate calculation due to a disaster. The [other amendment](#), by Guillen, would make a property tax exemption for property damaged in a disaster a mandatory exemption after the adoption of a city's tax rate. (Note: current law provides that the tax exemption is local option after the adoption of local tax rates in order to provide some budget predictability.) S.B. 1438 returns to the Senate, where Senator Bettencourt can choose to concur in the House amendments, or go to conference committee to negotiate on the differences between the House and Senate versions.
- **COVID Presumption:** [S.B. 22](#) by Springer and [H.B. 541](#) by Patterson would both establish a presumption that first responders that contracted or contract COVID-19 did so while on the job for purposes of certain benefits and compensation. Cities generally support COVID-19 presumption for first responders, and at this point H.B. 541 establishes additional guardrails that are not present in S.B. 22 providing more certainty that COVID-19 was actually contracted on the job. Both bills have been approved by the first chamber and crossed over to the other.