



WEEKLY REPORT

FEBRUARY 10, 2023

TO: MAYOR FLETCHER AND COUNCIL MEMBERS

FROM: BRYAN LANGLEY, CITY MANAGER

THE CITY OF
BURLESON
TEXAS

Weekly Report | February 10

I. Council Schedule

Meetings

Monday, February 20, City Council Regular Session, 5:30 p.m.

All meetings will be held at City Hall Council Chambers, 141 W. Renfro St.

The meeting will be conducted in the council chambers and is also available via live stream, <https://www.burlesontx.com/watchlive>

II. General and Status Updates

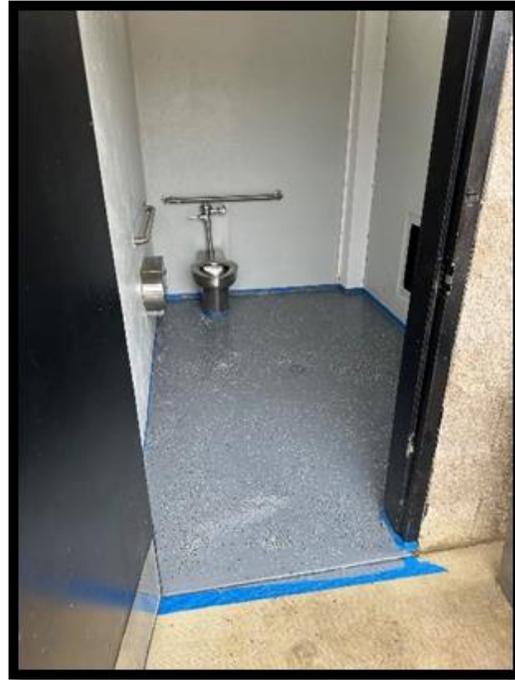
A. Graffiti Incident – Heberle Trail

Monday, February 6 a citizen reported multiple spray-paint taggings on Heberle Trail. Parks staff removed all graffiti the same day and reported the incident to the police department.



B. Park Restroom Renovation Work

Park staff has started to renovate the restroom floors at Centennial, Meadowcrest, Warren Park, and Mayor Vera Calvin Plaza by applying an epoxy floor coating. Restrooms will be closed for 2-3 days to allow epoxy material to cure.



C. Municipal Service Hours Change

Starting Wednesday, February 15, 2023, the Service Center located at 725 SE John Jones, will be changing its hours. Walk-In Hours will be 7 a.m. – 4 p.m. Calls for customer service will be available Monday – Friday until 5:00 p.m. at 817-426-9830.

D. CERT Members Attend Training

On Tuesday, 2/8, six members of the Burleson Community Emergency Response Team (CERT) volunteered their time to attend the National Weather Service's (NWS) SKYWARN® Spotter Program. Members learned basics of thunderstorm development, fundamentals of storm structures, identifying potential severe weather features, information on what and how to report to the NWS, and basic severe weather safety. Spotters are an essential component to ensure community members receive advanced and timely warnings for any severe weather.

E. 2022 Burleson Police Department Racial Profiling Report

In 2001 the Texas Legislature, with the intent of addressing the issue of racial profiling in policing, enacted the Texas Racial Profiling Law. During the last calendar year, the Burleson Police Department, in accordance with the law, has collected and reported traffic and motor vehicle related contact data for the purpose of identifying and addressing (if necessary)

areas of concern regarding racial profiling practices. In the 2009 Texas legislative session, the Racial Profiling Law was modified and additional requirements were implemented. Further, in 2017 the Sandra Bland Act was passed and signed into law (along with HB 3051, which introduced new racial and ethnic designations). The Sandra Bland Law currently requires that law enforcement agencies in the state collect additional data and provide a more detailed analysis. All of these requirements have been met by the Burleson Police Department and are included in this report. The report can be viewed on page 28.

F. Outdoor Warning System Update

Currently, the city of Burleson Outdoor Warning System (OWS) utilizes both a siren and a voice that informs the public to seek shelter. The voice feature could be more confusing than it is helpful. Community members tend to go outside to hear what the voice is saying instead of remaining in a shelter. Burleson is also one of the last remaining municipalities in the region to utilize the voice feature (Crowley just did away with their voice feature last week.) The city's OWS consultant has also informed staff that the voice feature is demanding on the siren speaker system and could blow speakers without the city's knowledge. As a result, Emergency Management has removed the voice portion of the city's OWS effective immediately.

G. Library News

Join us at 6 p.m. Monday, February 20 at the Old Texas Brewing Skybar for our Adult Spelling Bee. Get your team of 2 to 6 together, order some food and drinks and get ready to spell! The winning team will represent Burleson at the regional library adult spelling bee this spring. Call 817-426-9212 to register. Spectators are welcome and all team members must be 18 or older.



H. Senior Center Programming

Sewing Craft Class, February 16

2 to 3:30 p.m.

Learn how to make bookmarks out of leftover fabric. Call 817-295-6611 to register for this free class. The center is open to anyone ages 50 and up.

I. Infrastructure and Development Committee

On February 8, 2023, the Infrastructure and Development Committee met with staff to review the sidewalk portion of the Mobility Plan and a possible grant application as well as an update on the current Capital Improvement Program. The presentations begin on page 98.

J. Traffic Signal Warrant

At the February 6, 2023, city council meeting, city council requested staff to look into the need for a traffic signal at the intersection of Hidden Creek Parkway and Gardens Blvd. This intersection also includes the entrance to The Standard at Chisenhall development. As part of the development of the commercial area, a traffic warrant was completed, which indicated the need for turn lanes with the initial construction of the Standard, which exists today. The study also indicated that when the development was at ultimate buildout a signal would be warranted. It also stated that when the development was at ultimate build out a signal would be warranted. As the project continues construction and nears completion, staff will be requesting funding in the upcoming fiscal year for the installation of a traffic signal.

K. Chisenhall Wayfinding Maps

Staff installed wayfinding kiosks at Chisenhall Fields sports complex this week. The highly visible signs are located at the main pedestrian entrances to the complex along the walkway.

L. Hidden Creek Parkway and Volkswagen Intersection

At the February 6, 2023, city council meeting, a question was raised regarding the timing of the completion of construction of a traffic signal, as well as, concerns over



traffic control causing a site line hazard at the intersection of Hidden Creek Parkway and the new Volkswagen dealership. Staff reviewed the traffic control plan for the dealership and made adjustments to address concerns for left turning traffic from Hidden Creek Parkway to I35W frontage. All site distance concerns were addressed. Signal work should be complete this week, leaving the concrete work for the driveway the factor holding up the removal of the traffic control. The delay in construction was related traffic signal materials, weather, and contractor availability. The driveway should be poured next week and opened the following week, after it has cured. February 21, 2023, is the approximate open date, pending weather.

M. JCSUD Interlocal Agreement for Lakewood Drive

At the February 6, 2023, city council meeting, questions were raised regarding the agreement with Johnson County Special Utility District (JCSUD) regarding the relocation of an existing water line. The city has an ordinance which requires utility companies to relocate their infrastructure, if installed in the city's right of way, in instances where they conflict with a city project. In most cases, staff follows that ordinance and works with utility companies to have them relocate their infrastructure at their own expense. In certain cases, it is more advantageous for the city to pay for relocation expenses, as it can expedite the project and save the city money.

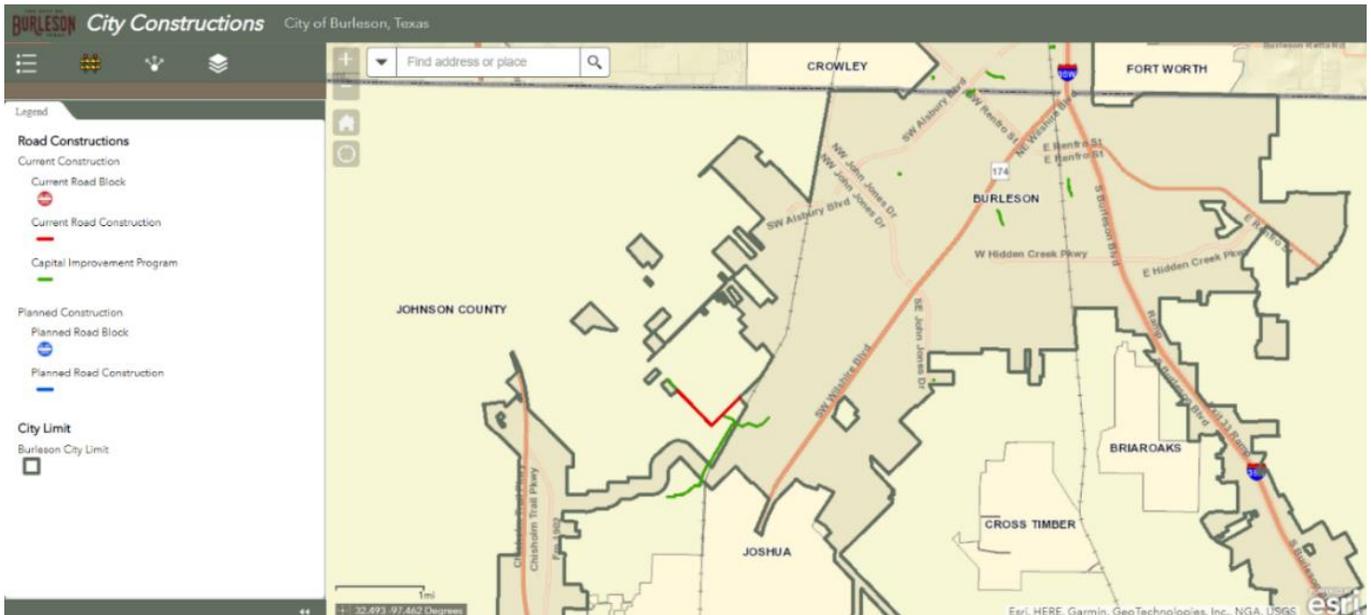
Regarding this agreement, Lakewood Drive (CR 914) is a key component of ongoing development on the west side of Burleson and is currently under construction to extend to FM 1902. As part of the design of the roadway, an existing 8-inch JCSUD water line is in easement and requires relocation since the alignment of the roadway would go over the water line. JCSUD typically requires their water lines to be located within an easement outside of the public right-of-way. JCSUD agreed to allow the City to relocate the existing water line into the proposed parkway within the right-of-way, but required that the City agree to all costs associated with relocation of the water in the future if the road were to be relocated. Staff's support is primarily based on 1) the northwest portion of the City is developing in an urban nature and Lakewood Drive serves as major connection to the east and south, and 2) re-alignment of the Lakewood Drive is highly unlikely.

N. Feel Good Friday

A big thank you to Russell Farm volunteer Bryan Voegele who took care of the farm animals during the ice event last week when staff could not make it in. We are so appreciative to have great members of our community like Bryan. He also took some of these great pictures of the farm.



III. Upcoming Road Construction/Closures ([click to view map](#))



IV. Parks Capital Projects

ESTIMATED TIMELINE				
Projects & Limits	Current Status	Reason for Delay	Original projected completion	Adjusted expected Completion
Claudia Park Improvements (New playground, furnishings, fitness area, and shade structures)	Under Construction	Supply chain issues caused longer lead times in industry	Summer 2022	Winter 2023
Cemetery Expansion	Under Construction	Columbarium, memorial books, infrastructure complete. Shelter 90% complete. Landscaping installation in process.	May 2022	March 2023

V. Events

- **Sweets for Your Sweetie**
February 11, 9 – 11 a.m. or Noon – 2 p.m.
Russell Farm Art Center, 405 W CR 714
Cost: \$25 per person
- **Dogs and Donuts**
March 11, 9:30 – 11 a.m.
Burleson Bark Park, 616 Memorial Plaza
Free event
- **Burleson PD Open House**
March 11, 10 a.m. – 2 p.m.
Burleson Police Department, 1161 SW Wilshire Blvd
Free event

Attachments

- January Building Permit Report.....page 10
- Burleson Police Department 2022 Racial Profiling Report.....page 28
- Infrastructure and Development Committee Reports.....page 98

Residential Building Permit Yearly Comparison

FY-2022	SINGLE FAMILY DWELLING	SQUARE FOOTAGE	AVERAGE SQ. FEET
October-21	6	16,107	2684.5
November-21	15	31,254	2083.6
December-21	5	17,904	3580.8
January-22	34	106,376	3128.7
February-22	13	36,453	2804.1
March-22	54	184,347	3413.8
April-22	69	231,940	3361.4
May-22	39	108,628	2785.3
June-22	20	53,866	2693.3
July-22	18	61,319	3406.6
August-22	17	46,900	2758.8
September-22	22	76,072	3457.8
FY 22 TOTALS:	312	971,166	3112.7

FY-2023	SINGLE FAMILY DWELLING	SQUARE FOOTAGE	AVERAGE SQ. FEET
October-22	18	59,736	3318.7
November-22	10	30,279	3028.0
December-22	18	41,262	2292.0
January-23	32	72,551	2267.0
February-23			
March-23			
April-23			
May-23			
June-23			
July-23			
August-23			
September-23			
FY 23 TOTALS:	78	203,828	2613.2

FISCAL YEAR 2022			
	DWELLINGS	SQUARE FOOTAGE	AVERAGE SQ. FEET
1st Quarter	26	65,265	2510.2
2nd Quarter	101	327,176	3239.4
3rd Quarter	128	394,434	2946.7
4th Quarter	57	184,291	3207.8

FISCAL YEAR 2023			
	DWELLINGS	SQUARE FOOTAGE	AVERAGE SQ. FEET
1st Quarter	46	131,277	2853.8
2nd Quarter	32	72,551	
3rd Quarter	0	-	
4th Quarter	0	-	

FISCAL YEAR 2021-2022 / 2022-2023 COMPARISON			
	DWELLINGS	SQUARE FOOTAGE	AVERAGE SQ. FEET
2022	312	971,166	2976.0
2023	78	203,828	2613.2
DIFFERENCE:	-234	(767,338)	-362.8
PERCENTAGE:	25.0%	21.0%	84.0%



ISSUED RESIDENTIAL PERMITS

Date Range Between 1/1/2023 and 1/31/2023

SITE SUBDIVISIO	Permit #	Issued Date	Address	Subdivision	Builder	Total Sq. Ft.	Living Sq.Ft.	Garage Sq.Ft.	Stories
GALAXY TOWNHOME ADDITION	RES22-00269	1/5/2023	1001 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,191	1532	446	2
	RES22-00272	1/5/2023	1005 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,051	1641	384	2
	RES22-00273	1/5/2023	1009 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,096	1591	380	2
	RES22-00274	1/5/2023	1013 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,222	1710	387	2
	RES22-00275	1/5/2023	1017 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,051	1641	384	2
	RES22-00280	1/5/2023	1021 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,191	1532	446	2
	RES22-00369	1/5/2023	1024 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,191	1532	446	2
	RES22-00370	1/5/2023	1028 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,051	1641	384	2
	RES22-00371	1/5/2023	1032 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,222	1710	387	2
	RES22-00372	1/5/2023	1036 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,096	1591	381	2
	RES22-00373	1/5/2023	1040 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,051	1641	384	2
	RES22-00374	1/5/2023	1044 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,191	1532	446	2
	RES23-00005	1/20/2023	1048 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,192	1532	447	2
	RES23-00006	1/20/2023	1052 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,222	1711	387	2
	RES23-00007	1/20/2023	1056 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,096	1591	381	2
	RES23-00008	1/20/2023	1060 W GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,192	1532	447	2
	RES23-00009	1/20/2023	1049 E GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,192	1532	447	2
RES23-00010	1/20/2023	1053 E GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,096	1591	381	2	
RES23-00011	1/20/2023	1057 E GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,222	1711	387	2	
RES23-00012	1/20/2023	1061 E GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,192	1532	447	2	

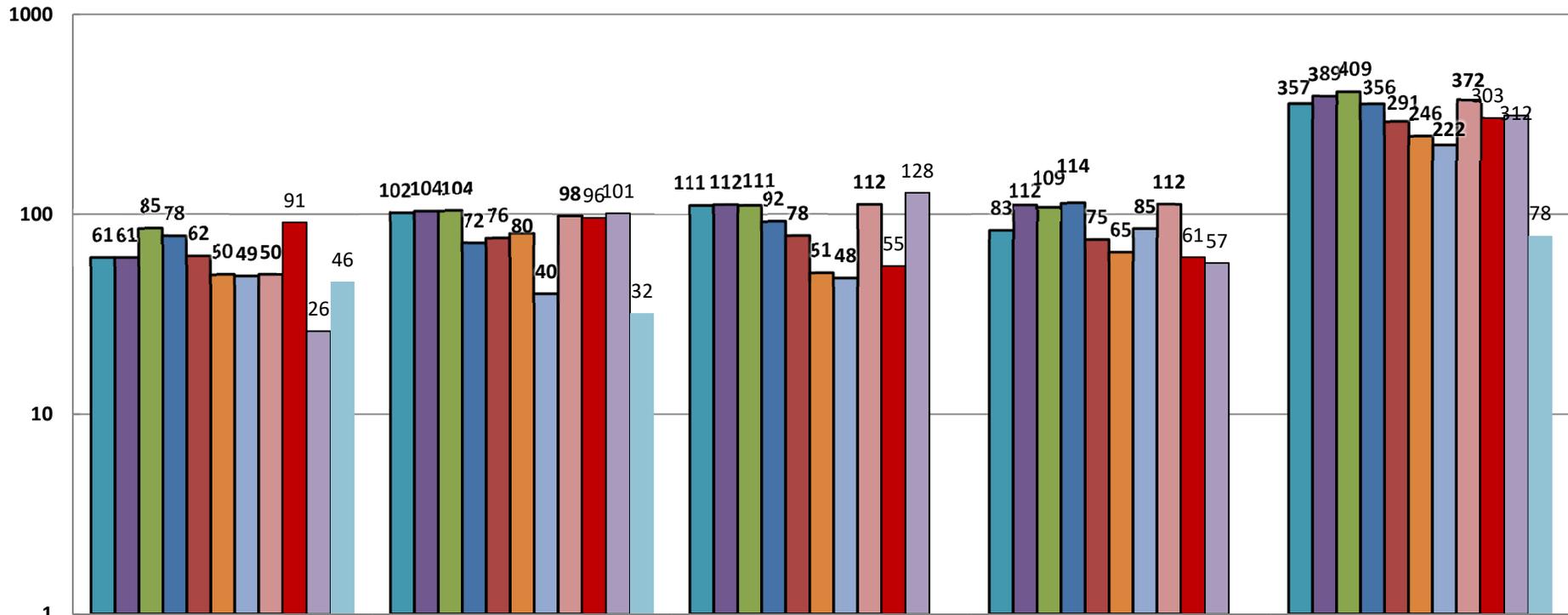


ISSUED RESIDENTIAL PERMITS

Date Range Between 1/1/2023 and 1/31/2023

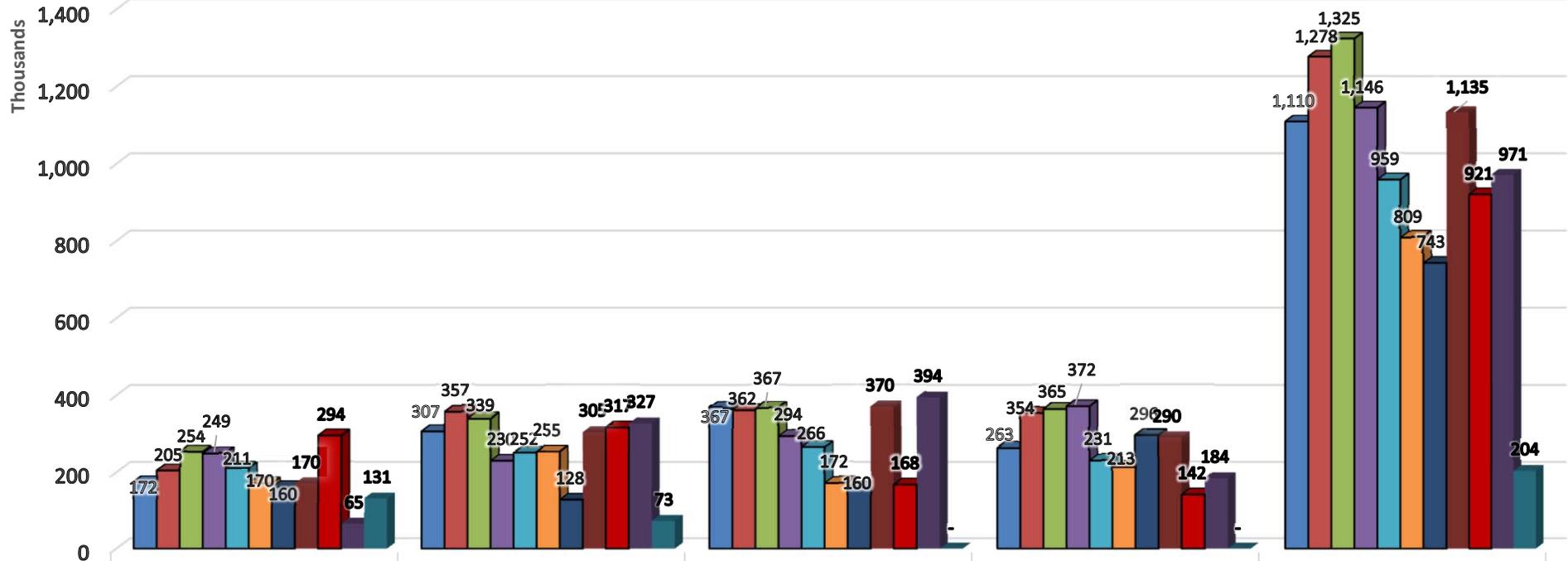
	RES23-00013	1/20/2023	1050 E GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,192	1532	447	2
	RES23-00014	1/20/2023	1054 E GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,222	1711	387	2
	RES23-00015	1/20/2023	1058 E GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,096	1591	381	2
	RES23-00016	1/20/2023	1062 E GOLDEN LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,192	1532	447	2
	RES23-00017	1/20/2023	1201 SILVER LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,192	1532	447	2
	RES23-00018	1/20/2023	1205 SILVER LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,096	1591	381	2
	RES23-00019	1/20/2023	1209 SILVER LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,222	1711	387	2
	RES23-00020	1/20/2023	1213 SILVER LN	GALAXY TOWNHOME ADDITION	Peak Construction Group	2,192	1532	447	2
	Total					60,412	44758	11503	56
MOUNTAIN VALLEY LAKE TRACT D PHASE1	RES23-00001	1/10/2023	2720 STREAMSIDE CT	MOUNTAIN VALLEY LAKE TRACT D PHASE1	Homes by Towne of Texas, Inc.	3,227	2428	441	1
	RES23-00002	1/10/2023	2740 STREAMSIDE CT	MOUNTAIN VALLEY LAKE TRACT D PHASE1	Homes by Towne of Texas, Inc.	3,175	2047	612	1
	Total					6,402	4475	1053	2
SHANNON CREEK DEVELOPMENT	RES22-00352	1/4/2023	1752 RIVER BEND RD	SHANNON CREEK DEVELOPMENT PHASE 1	Silver Leaf Homes	2,724	2000	457	1
	Total					2,724	2000	457	1
THE PARKS AT PANCHASARP FARMS PHASE 2	RES22-00368	1/23/2023	2873 GREENRIDGE DR	THE PARKS AT PANCHASARP FARMS PHASE 2	John Houston Homes	3,013	2242	418	1
	Total					3,013	2242	418	1
			Total Permits Issued	32	Total Square Feet	72,551	Average Square Feet	2,267	

NEW SINGLE FAMILY DWELLINGS



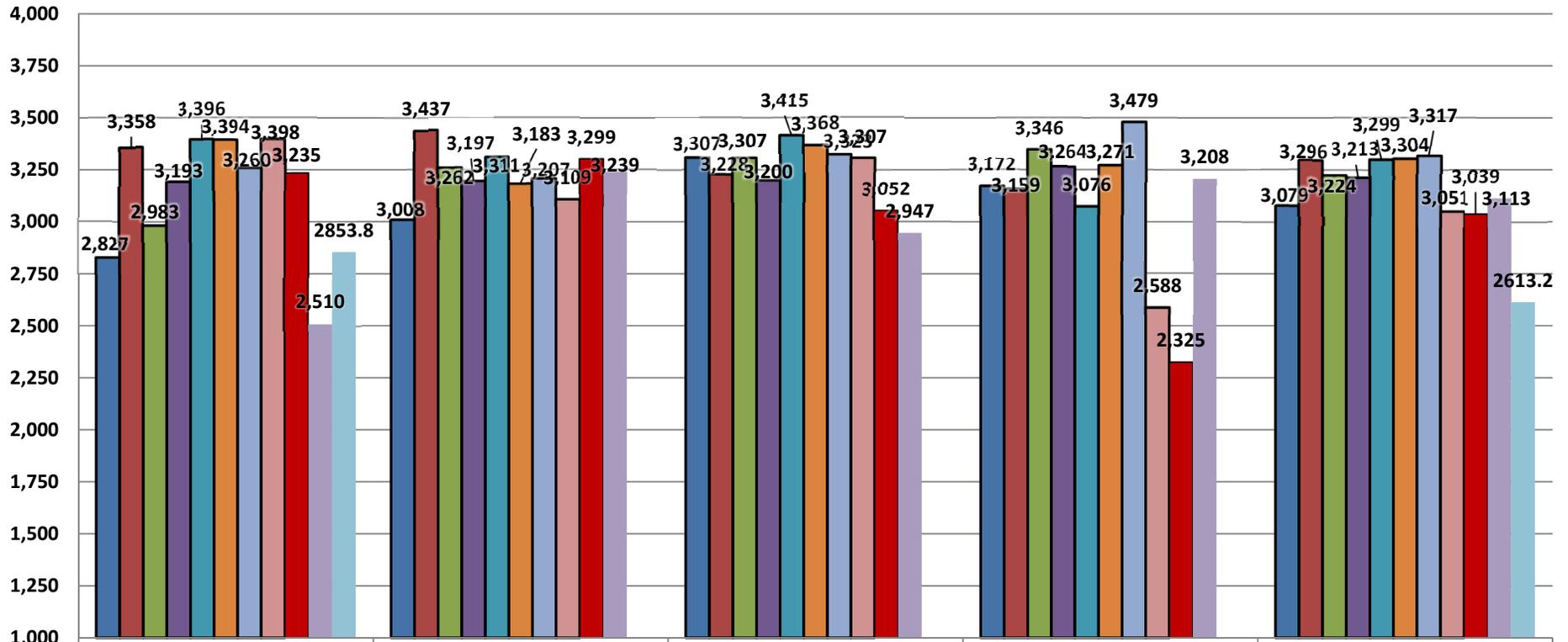
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	TOTALS:
FY 2013	61	102	111	83	357
FY 2014	61	104	112	112	389
FY 2015	85	104	111	109	409
FY 2016	78	72	92	114	356
FY 2017	62	76	78	75	291
FY 2018	50	80	51	65	246
FY 2019	49	40	48	85	222
FY-2020	50	98	112	112	372
FY 2021	91	96	55	61	303
FY 2022	26	101	128	57	312
FY 2023	46	32	0	0	78

TOTAL SQUARE FOOTAGE FOR SINGLE FAMILY DWELLINGS

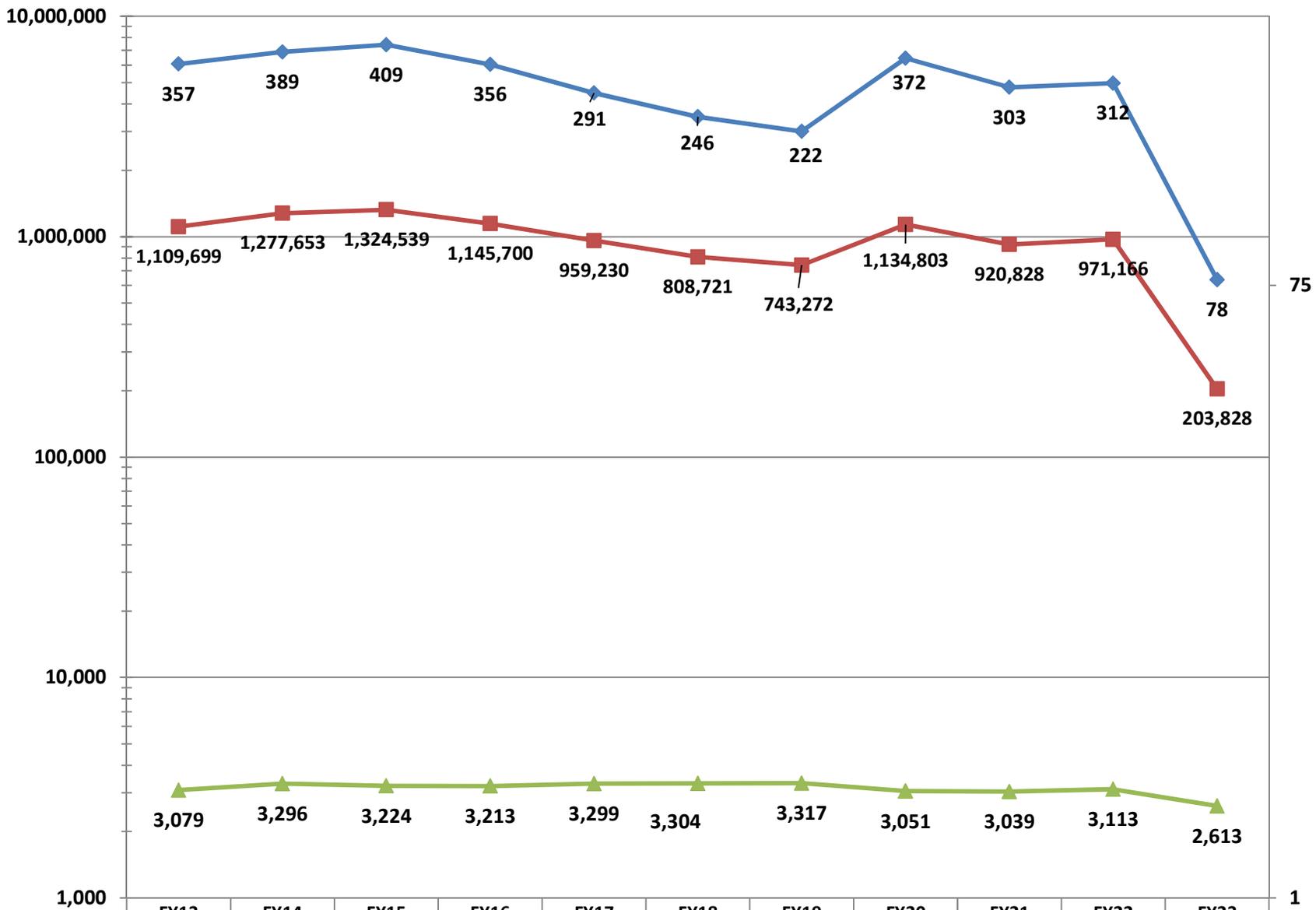


	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total
FY 2013	172,466	306,856	367,129	263,248	1,109,699
FY 2014	204,820	357,491	361,513	353,829	1,277,653
FY 2015	253,550	339,201	367,045	364,743	1,324,539
FY 2016	249,020	230,209	294,429	372,042	1,145,700
FY 2017	210,553	251,605	266,387	230,685	959,230
FY 2018	169,691	254,660	171,750	212,620	808,721
FY 2019	159,750	128,275	159,517	295,730	743,272
FY 2020	169,890	304,652	370,402	289,859	1,134,803
FY 2021	294,368	316,749	167,874	141,837	920,828
FY 2022	65,265	327,176	394,434	184,291	971,166
FY 2023	131,277	72,551	-	-	203,828

AVERAGE SQUARE FOOTAGE FOR SINGLE FAMILY DWELLINGS



	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Overall
FY 2013	2,827.3	3,008.4	3,307.5	3,171.7	3,078.7
FY 2014	3,357.7	3,437.4	3,227.8	3,159.2	3,295.5
FY 2015	2,982.9	3,261.5	3,306.7	3,346.3	3,224.4
FY 2016	3,192.6	3,197.3	3,200.3	3,263.5	3,213.4
FY 2017	3,396.0	3,310.6	3,415.2	3,075.8	3,299.4
FY 2018	3,393.8	3,183.3	3,367.6	3,271.1	3,303.9
FY 2019	3,260.2	3,206.9	3,323.3	3,479.2	3,317.4
FY 2020	3,397.8	3,108.7	3,307.2	2588.0	3,050.5
FY 2021	3234.8	3299.5	3052.3	2325.2	3039.0
FY 2022	2510.2	3239.4	2946.7	3207.8	3112.7
FY 2023	2853.8				2613.2



■ Total Sq. Ft.	1,109,699	1,277,653	1,324,539	1,145,700	959,230	808,721	743,272	1,134,803	920,828	971,166	203,828
▲ Avg Sq. Ft.	3,078.7	3,295.5	3,224.4	3,213.4	3,299.4	3,303.9	3,317.4	3,050.5	3,039.0	3,112.7	2,613.2
◆ # of Single Family Permits	357	389	409	356	291	246	222	372	303	312	78



Plan Reviews

City of Burleson

Date Range Between 1/1/2023 and 1/31/2023

PERMIT NUMBER	ADDRESS	APPLICANT	PERMIT TYPE PERMIT SUBTYPE	APPLIED	REVIEWED	APPROVED	ISSUED	Days to Review	Days to Approve	Days to Issue
RES23-00001	2720 STREAMSIDE CT CPL651799	Homes by Towne of Texas, Inc.	RESIDENTIAL SINGLE FAMILY DETACHED	1/5/2023	1/6/2023	1/6/2023	1/10/2023	2	2	4
RES23-00002	2740 STREAMSIDE CT CPL651804	Homes by Towne of Texas, Inc.	RESIDENTIAL SINGLE FAMILY DETACHED	1/5/2023	1/5/2023	1/5/2023	1/10/2023	1	1	4
RES23-00003	9811 TANTARRA DR	Apex of Texas Homes	RESIDENTIAL SINGLE FAMILY DETACHED	1/9/2023				0	0	0
RES23-00004	1400 KRISTA DR CPL14463	BROOKINS MELODIE A	RESIDENTIAL REMODEL	1/10/2023	1/17/2023	1/24/2023	1/24/2023	6	11	11
RES23-00004	1400 KRISTA DR CPL14463	BROOKINS MELODIE A	RESIDENTIAL REMODEL	1/10/2023	1/24/2023	1/24/2023	1/24/2023	11	11	11
RES23-00005	1048 W GOLDEN LN CPL45757	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/11/2023	1/11/2023	1/20/2023	4	4	11
RES23-00006	1052 W GOLDEN LN CPL45756	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/11/2023	1/11/2023	1/20/2023	4	4	11
RES23-00007	1056 W GOLDEN LN CPL45755	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/11/2023	1/11/2023	1/20/2023	4	4	11
RES23-00008	1060 W GOLDEN LN CPL45753	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/11/2023	1/11/2023	1/20/2023	4	4	11
RES23-00009	1049 E GOLDEN LN CPL45767	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/17/2023	1/17/2023	1/20/2023	8	8	11
RES23-00010	1053 E GOLDEN LN CPL45766	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/17/2023	1/17/2023	1/20/2023	8	8	11
RES23-00011	1057 E GOLDEN LN CPL45765	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/17/2023	1/17/2023	1/20/2023	8	8	11
RES23-00012	1061 E GOLDEN LN CPL45764	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/17/2023	1/17/2023	1/20/2023	8	8	11
RES23-00013	1050 E GOLDEN LN CPL45687	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/13/2023	1/13/2023	1/20/2023	6	6	11
RES23-00014	1054 E GOLDEN LN CPL45686	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/13/2023	1/13/2023	1/20/2023	6	6	11
RES23-00015	1058 E GOLDEN LN CPL45685	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/13/2023	1/13/2023	1/20/2023	6	6	11
RES23-00016	1062 E GOLDEN LN CPL45684	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/13/2023	1/13/2023	1/20/2023	6	6	11
RES23-00017	1201 SILVER LN CPL45689	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/13/2023	1/13/2023	1/20/2023	6	6	11
RES23-00018	1205 SILVER LN CPL45690	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/13/2023	1/13/2023	1/20/2023	6	6	11
RES23-00019	1209 SILVER LN CPL45691	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/13/2023	1/13/2023	1/20/2023	6	6	11
RES23-00020	1213 SILVER LN CPL45692	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/6/2023	1/13/2023	1/13/2023	1/20/2023	6	6	11
RES23-00021	544 NW RENFRO ST CPL10242	SHIPMAN PROPERTIES	RESIDENTIAL REMODEL	1/13/2023	1/17/2023	1/17/2023	1/27/2023	3	3	11
RES23-00022	1407 WINDY MEADOWS DR CPL1788	TOMASI, JUSTIN	RESIDENTIAL SINGLE FAMILY ATTACHED	1/17/2023				0	0	0
RES23-00023	236 S WILSON ST CPL7640	Amy Houston	RESIDENTIAL REMODEL	1/18/2023	1/26/2023	1/26/2023	1/27/2023	7	7	8
RES23-00024	525 JOE ST CPL651220	Bloomfield Homes, L.P	RESIDENTIAL SINGLE FAMILY DETACHED	1/18/2023	1/25/2023	1/26/2023		6	7	0
RES23-00024	525 JOE ST CPL651220	Bloomfield Homes, L.P	RESIDENTIAL SINGLE FAMILY DETACHED	1/18/2023	1/26/2023	1/26/2023		7	7	0
RES23-00025	848 EDGEHILL RD CPL15700	TETTS RONALD W JR ETUX SUSAN P	RESIDENTIAL ADDITION	1/19/2023	1/25/2023			5	0	0
RES23-00026	500 RYER TRL	Bransom Homes	RESIDENTIAL SINGLE FAMILY DETACHED	1/20/2023				0	0	0



Plan Reviews

City of Burleson

Date Range Between 1/1/2023 and 1/31/2023

RES23-00027	504 RYER TRL	Bransom Homes	RESIDENTIAL SINGLE FAMILY DETACHED	1/20/2023			0	0	0
RES23-00028	3140 BLUE HILL CT CPL652023	Antares Homes	RESIDENTIAL SINGLE FAMILY DETACHED	1/20/2023			0	0	0
RES23-00029	1200 SUNNYVALE LN CPL45682	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/25/2023		4	0	0
RES23-00030	1204 SUNNYVALE LN CPL45681	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/25/2023		4	0	0
RES23-00031	1208 SUNNYVALE LN CPL45680	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/25/2023		4	0	0
RES23-00032	1212 SUNNYVALE LN CPL45679	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/25/2023		4	0	0
RES23-00033	1216 SUNNYVALE LN CPL45678	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/25/2023		4	0	0
RES23-00034	1220 SUNNYVALE LN CPL45677	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/25/2023		4	0	0
RES23-00035	1224 SUNNYVALE LN CPL45676	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/25/2023		4	0	0
RES23-00036	1228 SUNNYVALE LN CPL45675	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/25/2023		4	0	0
RES23-00037	1232 SUNNYVALE LN CPL45674	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/25/2023		4	0	0
RES23-00038	1236 SUNNYVALE LN CPL45673	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00039	1240 SUNNYVALE LN CPL45672	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00040	1244 SUNNYVALE LN CPL45671	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00041	1248 SUNNYVALE LN CPL45670	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00042	1252 SUNNYVALE LN CPL45669	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00043	1256 SUNNYVALE LN CPL45668	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00044	1260 SUNNYVALE LN CPL45667	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00045	1264 SUNNYVALE LN CPL45666	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00046	1268 SUNNYVALE LN CPL45665	PEAK BURLESON 85 BFR PROPERTY LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00047	1231 SUNNYVALE LN CPL45760	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00048	1235 SUNNYVALE LN CPL45761	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00049	1239 SUNNYVALE LN CPL45759	Peak Burleson 85 BFR Property, LLC	RESIDENTIAL SINGLE FAMILY ATTACHED	1/20/2023	1/26/2023		5	0	0
RES23-00050	3117 BLUE HILL DR	Antares Homes	RESIDENTIAL SINGLE FAMILY DETACHED	1/23/2023			0	0	0
RES23-00051	3117 BLUE HILL DR CPL652039	Bob	RESIDENTIAL SINGLE FAMILY DETACHED	1/23/2023			0	0	0
RES23-00052	3205 SIGNAL HILL DR CPL652048	Antares Homes	RESIDENTIAL SINGLE FAMILY DETACHED	1/23/2023			0	0	0
RES23-00053	341 NE TODD ST CPL3341	OREDSON, KEVIN W	RESIDENTIAL REMODEL	1/24/2023			0	0	0
RES23-00054	404 MARION LN CPL9347	MATHEWS CARRIE A	RESIDENTIAL REMODEL	1/24/2023			0	0	0
			Total Submitted	56		Average:	4.29	3	4

Subdivision Name	Phase #	Open Spaces	Total Lots	Permits Issued	Available Lots
Castle Hill Estates	5	0	8	6	2
Flamingo Estates	2	0	23	21	2
Hampton Place	N/A	0	88 (SF7) 29 (SFA)	88 20	0 9
Hidden Vistas	3C	0	13	11	2
Hidden Vistas	4A	2	35	28	7
Hidden Vistas	4B	4	31	23	8
Hidden Vistas	6	1	33	33	0
Hidden Vistas	8	1	66	65	1
Hidden Visatas	9	3	33	31	2
High Country	1	3	132	49	83
High Country	2	0	86	0	86
Moad Addition	5	0	5	4	1
Mtn Valley Lake Tract A	4	3	131	130	1
Mtn Valley Lake Tract D		4	139	6	133
Oak Hills	1	4	70	68	2
Oak Hills	2	3	59	0	59
Park Place	N/A	4	17	13	4
Parks at Panchasarp Farms	1	5	98	91	7
Parks at Panchasarp Farms	2	5	130	62	68
Pinnacle Estates	1	3	46	44	2
Prairie Timber Estates	N/A	2	157	157	0
Quiddity	N/A	0	2	1	1
Reverie	2	1	47	0	47
Reverie	3	3	69	64	5
Shannon Creek Development	1	3	39	21	18
Taylor Bridge Estates	N/A	0	19	16	3
Trailside @ Reed Parke	N/A	9	73	73	0
TOTALS		63	1678	1125	553

**Commercial Activity Report
January 2023**

NEW COMMERCIAL PERMITS ISSUED							
PERMIT #	Project Name	ADDRESS	VALUATION	SUBMITTAL DATE	APPROVAL DATE	DATE ISSUED	
1	COMM23-00002	Crafton Communications - Addition	145 W Bethesda Rd	\$ 50,000.00	1/6/2023	1/11/2023	1/17/2023
2	COMM22-00070	Harvest House - Remodel	349 NW Renfro St	\$ 47,000.00	12/12/2022	1/23/2023	1/25/2023
3	COMM22-00074	Snatched Body Works - Remodel	485 W Hidden Creek Pkwy 2103	\$ 5,600.00	12/27/2022	1/19/2023	1/19/2023
4	COMM22-00067	Windmill Properties - Remodel	279 W Hidden Creek Pkwy 1105	\$ 30,000.00	11/14/2022	12/22/2022	1/11/2023
5	COMM22-00071	Speed Fab-Crete - Remodel	4200 S Burlison Blvd	\$ 298,400.00	12/13/2022	1/19/2023	1/23/2023
6	COMM22-00073	Galliant Autism Care - Remodel	120 NW Wilshire Blvd	\$ 381,000.00	12/27/2022	1/27/2023	1/27/2023
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ACTIVE PERMITS							
PERMIT #	Project Name	ADDRESS	VALUATION	SUBMITTAL DATE	APPROVAL DATE	DATE ISSUED	
1	19-3088	Abby Development - Independent Living Apartments	1640 Greenridge Dr	\$ 14,300,536.00	11/13/2017	7/18/2019	8/21/2019
2	19-1430	Ballard Plaza - New	115 SW Anderson St	\$ 370,000.00	10/29/2018	4/18/2019	10/18/2019
3	19-1433	Ballard Plaza - New	119 SW Anderson St	\$ 260,000.00	10/29/2018	4/18/2019	10/18/2019
4	20-2069	Burlison Land Company Inc	329 NW Renfro St	\$ 10,000.00	3/11/2020	6/4/2020	6/11/2020
5	COMM21-00041	Ellison Building	225 W Ellison St	\$ 850,000.00	8/25/2020	2/10/2021	5/10/2021
6	APTS21-00010	Riley Apartments Building 1	480 Commons Dr	\$ 6,735,035.00	10/28/2020	6/7/2021	9/8/2021
7	APTS21-00011	Riley Apartments Building 2	480 Commons Dr	\$ 5,876,234.00	10/28/2020	6/7/2021	9/8/2021
8	APTS21-00012	Riley Apartments Building 3	480 Commons Dr	\$ 5,876,234.00	10/28/2020	6/7/2021	9/8/2021
9	COMM21-00058	Family VW Automobile Dealership	901 S Burlison Blvd	\$ 7,900,000.00	7/13/2021	10/22/2021	12/10/2021
10	COMM21-00066	Standard at Chisenhall	317 W Hidden Creek Pkwy	\$ 990,000.00	8/27/2021	12/17/2021	1/6/2022
11	COMM21-00059	Centennial Village	817 E Renfro St	\$ 1,350,000.00	7/15/2021	10/18/2021	1/28/2022
12	COMM21-00083	Suite Remodel	104 E Ellison St B	\$ 10,000.00	12/17/2021	12/29/2021	1/5/2022
13	COMM22-00008	Ellison on the Plaza Building 1	135 W Ellison St	\$ 2,000,000.00	12/14/2021	1/14/2022	2/28/2022
14	COMM22-00009	Ellison on the Plaza Building 2	139 W Ellison St	\$ 1,000,000.00	12/14/2021	1/14/2022	2/28/2022
15	APTS21-00008	Depot on Main Building 1	151 N Main St	\$ 15,150,100.00	5/13/2021	2/10/2022	2/28/2022
16	APTS21-00009	Depot on Main Building 2	151 N Main St	\$ 17,784,900.00	5/13/2021	2/10/2022	2/28/2022
17	COMM22-00021	Wireless Tower	620 SW Wilshire Blvd	\$ 115,000.00	4/21/2022	4/26/2022	4/29/2022
18	COMM22-00010	Hillside Counseling - Shell Completion	225 W Ellison St 113	\$ 49,200.00	2/15/2022	3/30/2022	4/18/2022
19	COMM22-00034	Project Yukon	4051 Vantage Dr - Bldg 1	\$ 42,499,996.00	2/11/2022	5/5/2022	6/15/2022
20	COMM22-00014	Hiley Hyundai - Remodel	320 N Burlison Blvd	\$ 900,000.00	3/23/2022	6/6/2022	6/10/2022
21	COMM22-00020	Dino's Cell Phone Repair - Remodel	805 NE Alsbury Blvd B	\$ 5,000.00	4/20/2022	6/17/2022	6/22/2022
22	COMM22-00038	Remodel	104 NW Renfro St	\$ 10,000.00	6/14/2022	6/14/2022	6/14/2022
23	COMM22-00015	Purselley Car Wash	236 Loy St		3/25/2022	5/3/2022	7/20/2022
24	COMM22-00042	Shell Bldg - McNairn Plaza	826 SW Wilshire Blvd	\$ 912,000.00	1/19/2022	7/7/2022	7/25/2022
25	COMM22-00045	Tropical Smoothie Café	826 SW Wilshire Blvd 116	\$ 150,000.00	11/22/2021	7/22/2022	8/4/2022
26	COMM22-00043	Razzoo's Cajun Café	135 W Ellison St 101	\$ 3,000,000.00	6/20/2022	8/14/2022	9/30/2022
27	COMM21-00061	First United Methodist Church - Remodel	590 NE McAlister Rd	\$ 3,000.00	10/3/2022	10/3/2022	10/5/2022
28	COMM22-00026	Station 330	210 S Main St	\$ 2,200,000.00	5/16/2022	6/24/2022	10/6/2022
29	COMM22-00047	Burlison Service Center	725 SE John Jones Dr 700	\$ 4,000,000.00	5/23/2022	8/3/2022	10/31/2022
30	COMM22-00051	151 Coffee	1484 SW Wilshire Blvd	\$ 500,000.00	8/9/2022	9/28/2022	10/5/2022
31	COMM22-00057	Firestation #2 - Remodel	620 Memorial Plaza	\$ 38,443.00	9/13/2022	10/19/2022	10/19/2022
32	COMM22-00060	Airrosti	295 E Renfro St 215	\$ 179,993.00	8/1/2022	9/26/2022	10/6/2022
33	COMM22-00065	City Hall - Shell Completion	135 W Ellison St 109	\$ 6,000,000.00	10/12/2022	11/3/2022	11/30/2022
34	COMM21-00073	All State Properties Inc - Addition	2004 W FM 917	\$ 40,000.00	8/16/2021	10/5/2021	11/3/2022
35	COMM22-00046	Tea 2 Go	330 NW John Jones Blvd	\$ 3,000,000.00	7/22/2022	9/1/2022	11/21/2022
36	COMM22-00033	Roasted Beanery Coffee - Shell Completion	317 W Hidden Creek PKWY 101	\$ 50,000.00	6/8/2022	11/14/2022	11/17/2022
37	COMM22-00056	Sulak Auto Collision - Remodel	950 S Dobson St	\$ 6,000.00	8/26/2022	10/28/2022	11/15/2022
38	COMM22-00054	Telos Construction Services - Addition	501 S Burlison Blvd	\$ 1,790,000.00	8/24/2022	11/3/2022	11/11/2022
39	COMM22-00055	Jermiah's Italian Ice - Shell Completion	826 SW Wilshire Blvd	\$ 120,000.00	8/24/2022	12/2/2022	12/2/2022
40	COMM22-00041	AACA Parts & Supplies - Addition	118 NW Hillery St	\$ 450,000.00	6/30/2022	11/3/2022	12/2/2022
41	COMM23-00002	Crafton Communications - Addition	145 W Bethesda Rd	\$ 50,000.00	1/6/2023	1/11/2023	1/17/2023
42	COMM22-00070	Harvest House - Remodel	349 NW Renfro St	\$ 47,000.00	12/12/2022	1/23/2023	1/25/2023
43	COMM22-00074	Snatched Body Works - Remodel	485 W Hidden Creek Pkwy 2103	\$ 5,600.00	12/27/2022	1/19/2023	1/19/2023
44	COMM22-00067	Windmill Properties - Remodel	279 W Hidden Creek Pkwy 1105	\$ 30,000.00	11/14/2022	12/22/2022	1/11/2023
45	COMM22-00071	Speed Fab-Crete - Remodel	4200 S Burlison Blvd	\$ 298,400.00	12/13/2022	1/19/2023	1/23/2023
46	COMM22-00073	Galliant Autism Care - Remodel	120 NW Wilshire Blvd	\$ 381,000.00	12/27/2022	1/27/2023	1/27/2023
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			TOTAL	\$ 147,293,671.00			

COMPLETED PROJECTS						
PERMIT #	Project Name	ADDRESS	VALUATION	DATE ISSUED	DATE COMPLETED	
1	COMM22-00064	Burlison Highpoint East - Shell Completion	7000 Highridge Dr	\$ 435,918.00	12/6/2022	1/18/2023
2	COMM22-00022	Torchy's Taco - Shell Completion	257 NW John Jones Dr	\$ 900,000.00	7/25/2022	1/23/2023
3	COMM22-00048	CVS - Remodel	1421 SW Wilshire Blvd	\$ 235,000.00	11/2/2022	1/20/2023
4	COMM22-00012	Torchy's Taco - Shell Building	257 NW John Jones Dr	\$ 600,000.00	5/12/2022	1/19/2023
5	COMM22-00024	Highpoint East Cold Storage - Shell Building	7000 Highridge Dr	\$ 37,000.00	5/13/2022	1/18/2023
6						
7						

COMMERCIAL CERTIFICATES OF OCCUPANCY APPLICATIONS					
PERMIT #	Business Name	ADDRESS	BUSINESS TYPE	APPLICATION DATE	
1	CO23-00001	Beitler	7000 Highridge Dr	Warehouse & Distribution	1/4/2023
2	CO23-00003	Beitler -Temp CO	7000 Highridge Dr	Warehouse & Distribution	1/4/2023
3	CO23-00002	DripBar Burlison	295 E Renfro St 207	Healthcare Office	1/4/2023
4	CO23-00004	Allen Speech & Psychological Services P.C	212 NE Wilshire Blvd	Healthcare Office	1/12/2023
5	CO23-00005	Texbraska Supply	395 N Commerce St	Office Space	1/12/2023
6	CO23-00006	Total Point ER	300 SE John Jones Dr	Emergency Room	1/13/2023
7	CO23-00007	Children's Therapy Solutions	295 E Renfro St 211	Therapy Office	1/13/2023
8	CO23-00008	The Pina Agency	780 NE Alsbury Blvd A	Insurance Agency	1/19/2023
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Commercial Building Permit Yearly Comparison

FY-2022	NEW COMMERCIAL	VALUATION	SQUARE FEET	AVERAGE \$ / SQ. FT.
October-21	1	\$ 1,600,000.00	3,100	\$ 516.13
November-21	1	\$ 30,000.00	3,504	\$ 8.56
December-21	2	\$ 8,796,000.00	35,535	\$ 247.53
January-22	2	\$ 1,370,000.00	4,335	\$ 316.03
February-22	2	\$ 32,935,000.00	276,095	\$ 119.29
March-22	1	\$ 600,000.00	1,105	\$ 542.99
April-22	1	\$ 365,000.00	950	\$ 384.21
May-22	2	\$ 2,400,000.00	5,640	\$ 425.53
June-22	2	\$ 65,469,793.00	427,028	\$ 153.31
July-22	2	\$ 2,000,000.00	4,509	\$443.56
August-22	0	\$ -	0	
September-22	0	\$ -	0	
TOTALS:	16	\$115,565,793.00	761,801	\$ 151.70

FISCAL YEAR 2022			
	TOTAL	VALUATION	SQUARE FEET
1st Quarter	4	\$ 10,426,000.00	42,139
2nd Quarter	5	\$ 34,905,000.00	281,535
3rd Quarter	5	\$ 68,234,793.00	433,618
4th Quarter	2	\$ 2,000,000.00	4,509

FY-2023	NEW COMMERCIAL	VALUATION	SQUARE FEET	AVERAGE \$ / SQ. FT.
October-22	3	\$ 6,700,000.00	24,932	\$ 268.73
November-22	1	\$ 300,000.00	684	\$ 438.60
December-22	0			
January-23	0			
February-23				
March-23				
April-23				
May-23				
June-23				
July-23				
August-23		\$ -	0	
September-23		\$ -	0	
TOTALS:	4	\$7,000,000.00	25,616	\$ 273.27

FISCAL YEAR 2022			
	TOTAL	VALUATION	SQUARE FEET
1st Quarter	4	\$ 7,000,000.00	25,616
2nd Quarter	0	\$ -	0
3rd Quarter	0	\$ -	0
4th Quarter	0	\$ -	0

FISCAL YEAR 2020-2021 / 2021-2022 COMPARISON			
	TOTALS	VALUATION	SQUARE FEET
2022	16	\$ 115,565,793.00	761,801
2023	4	\$ 7,000,000.00	25,616
DIFFERENCE:	-12	-\$108,565,793.00	(736,185)
PERCENTAGE:	25.0%	6.1%	3.4%

Commercial Building Permit Yearly Comparison

FY-2022	COMMERCIAL ADDITIONS	VALUATION	SQUARE FEET	AVERAGE \$ / SQ. FT.
October-21	0	\$ -	0	
November-21	0	\$ -	0	
December-21	1	\$ 250,000.00	2,685	\$ 93.11
January-22	0	\$ -	0	
February-22	0	\$ -	0	
March-22	1	\$ 125,000.00	4,345	\$ 28.77
April-22	1	\$ 90,000.00	308	\$ 292.21
May-22	0	\$ -	0	
June-22	0	\$ -	0	
July-22	0	\$ -	0	
August-22	0	\$ -	0	
September-22	0	\$ -	0	
TOTALS:	3	\$465,000.00	7,338	\$63.37

FISCAL YEAR 2022			
	TOTAL	VALUATION	SQUARE FEET
1st Quarter	1	\$ 250,000.00	2,685
2nd Quarter	1	\$ 125,000.00	4,345
3rd Quarter	1	\$ 90,000.00	308
4th Quarter	0	\$ -	0

FY-2023	COMMERCIAL ADDITIONS	VALUATION	SQUARE FEET	AVERAGE \$ / SQ. FT.
October-22	0	\$ -	0	
November-22	1	\$ 1,790,000.00	25,553	\$ 66.90
December-22	1	\$ 450,000.00	7,761	\$ 57.98
January-23	1	\$ 50,000.00	48	\$ 1,041.67
February-23		\$ -		
March-23				
April-23				
May-23		\$ -		
June-23		\$ -		
July-23		\$ -		
August-23		\$ -		
September-23		\$ -		
TOTALS:	3	\$2,290,000.00	33,362	\$66.90

FISCAL YEAR 2022			
	TOTAL	VALUATION	SQUARE FEET
1st Quarter	2	\$ 2,240,000.00	33,314
2nd Quarter	1	\$ 50,000.00	48
3rd Quarter	0	\$ -	0
4th Quarter	0	\$ -	0

FISCAL YEAR 2020-2021 / 2021-2022 COMPARISON			
	TOTALS	VALUATION	SQUARE FEET
2022	3	\$ 465,000.00	7,338
2023	3	\$ 2,290,000.00	33,362
DIFFERENCE:	0	\$1,825,000.00	26,024
PERCENTAGE:	100.0%	492.5%	454.6%

Commercial Building Permit Yearly Comparison

FY-2022	SHELL BUILDINGS	VALUATION	SQUARE FEET	AVERAGE \$ / SQ.FT.
October-21	0	\$ -	0	
November-21	0	\$ -	0	
December-21	0	\$ -	0	
January-22	1	\$ 990,000.00	5,795	\$ 170.84
February-22	2	\$ 3,000,000.00	48,141	\$ 62.32
March-22	0	\$ -	0	
April-22	1	\$ 235,000.00	2,325	\$ 101.08
May-22	1	\$ 11,500,000.00	158,281	\$ 72.66
June-22	0	\$ -	0	
July-22	1	\$ 912,000.00	7,614	\$ 119.78
August-22	0	\$ -	0	
September-22	0	\$ -		
TOTALS:	6	\$16,637,000.00	222,156	\$ 74.89

FY-2023	SHELL BUILDINGS	VALUATION	SQUARE FEET	AVERAGE \$ / SQ.FT.
October-22	0	\$ -		
November-22	0	\$ -		
December-22	0	\$ -		
January-23	0			
February-23				
March-23				
April-23				
May-23				
June-23		\$ -		
July-23				
August-23		\$ -		
September-23		\$ -		
TOTALS:	0	\$0.00	0	#DIV/0!

FISCAL YEAR 2022			
	TOTAL	VALUATION	SQUARE FEET
1st Quarter	0	\$ -	0
2nd Quarter	3	\$ 3,990,000.00	53,936
3rd Quarter	2	\$ 11,735,000.00	160,606
4th Quarter	1	\$ 912,000.00	7,614

FISCAL YEAR 2022			
	TOTAL	VALUATION	SQUARE FEET
1st Quarter	0	\$ -	0
2nd Quarter	0	\$ -	0
3rd Quarter	0	\$ -	0
4th Quarter	0	\$ -	0

FISCAL YEAR 2020-2021 / 2021-2022 COMPARISON			
	TOTAL	VALUATION	SQUARE FEET
2022	6	\$ 16,637,000.00	222,156
2023	0	\$ -	0
DIFFERENCE:	-6	-\$16,637,000.00	(222,156)
PERCENTAGE	0.0%	0.0%	0.0%

Commercial Building Permit Yearly Comparison

FY-2022	SHELL COMPLETIONS	VALUATION	SQUARE FEET	AVERAGE \$ / SQ.FT.
October-21	0	\$ -	0	
November-21	0	\$ -	0	
December-21	0	\$ -	0	
January-22	0	\$ -	0	
February-22	0	\$ -	0	
March-22	0	\$ -	0	
April-22	2	\$ 569,200.00	5,165	\$ 110.20
May-22	0			
June-22	1	\$ 7,500.00	1,155	\$ 6.49
July-22	1	\$ 900,000.00	4,120	\$ 218.45
August-22	1	\$ 150,000.00	1,640	\$ 91.46
September-22	1	\$ 3,000,000.00	7,391	\$ 405.90
TOTALS:	6	\$4,626,700.00	19,471	\$ 237.62

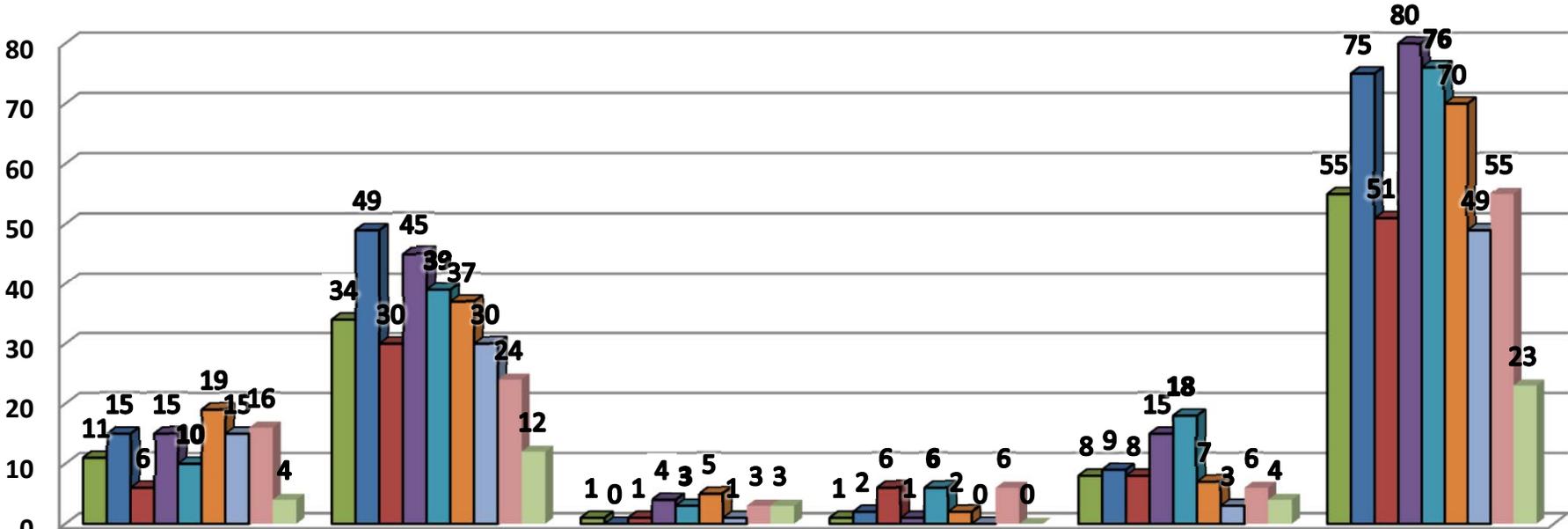
FISCAL YEAR 2022			
	TOTAL	VALUATION	SQUARE FEET
1st Quarter	0	\$ -	0
2nd Quarter	0	\$ -	0
3rd Quarter	3	\$ 576,700.00	6,320
4th Quarter	3	\$ 4,050,000.00	13,151

FY-2023	SHELL COMPLETIONS	VALUATION	SQUARE FEET	AVERAGE \$ / SQ.FT.
October-22	0	\$ -	0	
November-22	2	\$ 650,000.00	13,299	\$ 48.88
December-22	2	\$ 555,918.00	4,152	\$ 133.89
January-23	0	\$ -	0	
February-23		\$ -	0	
March-23		\$ -	0	
April-23				
May-23				
June-23				
July-23				
August-23				
September-23				
TOTALS:	4	\$1,205,918.00	17,451	\$ 69.10

FISCAL YEAR 2022			
	TOTAL	VALUATION	SQUARE FEET
1st Quarter	4	\$ 1,205,918.00	17,451
2nd Quarter	0	\$ -	0
3rd Quarter	0	\$ -	0
4th Quarter	0	\$ -	0

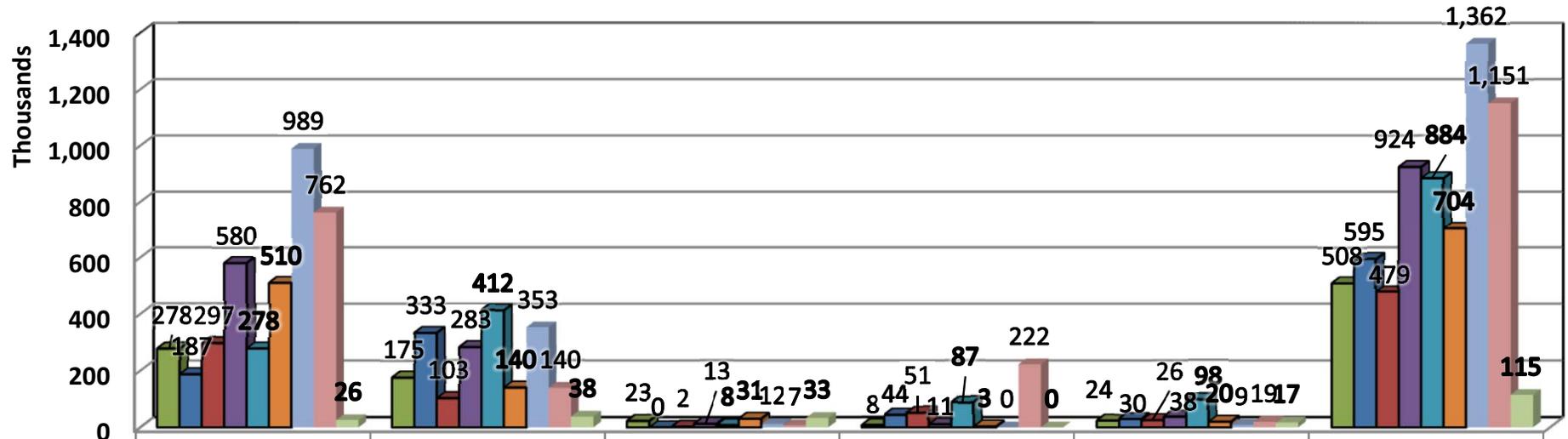
FISCAL YEAR 2020-2021 / 2021-2022 COMPARISON			
	TOTALS	VALUATION	SQUARE FEET
2022	6	\$4,626,700.00	19,471
2023	4	\$1,205,918.00	17,451
DIFFERENCE:	-2	-\$3,420,782.00	-2,020
PERCENTAGE:	66.7%	26.1%	89.6%

Commercial Permits Issued



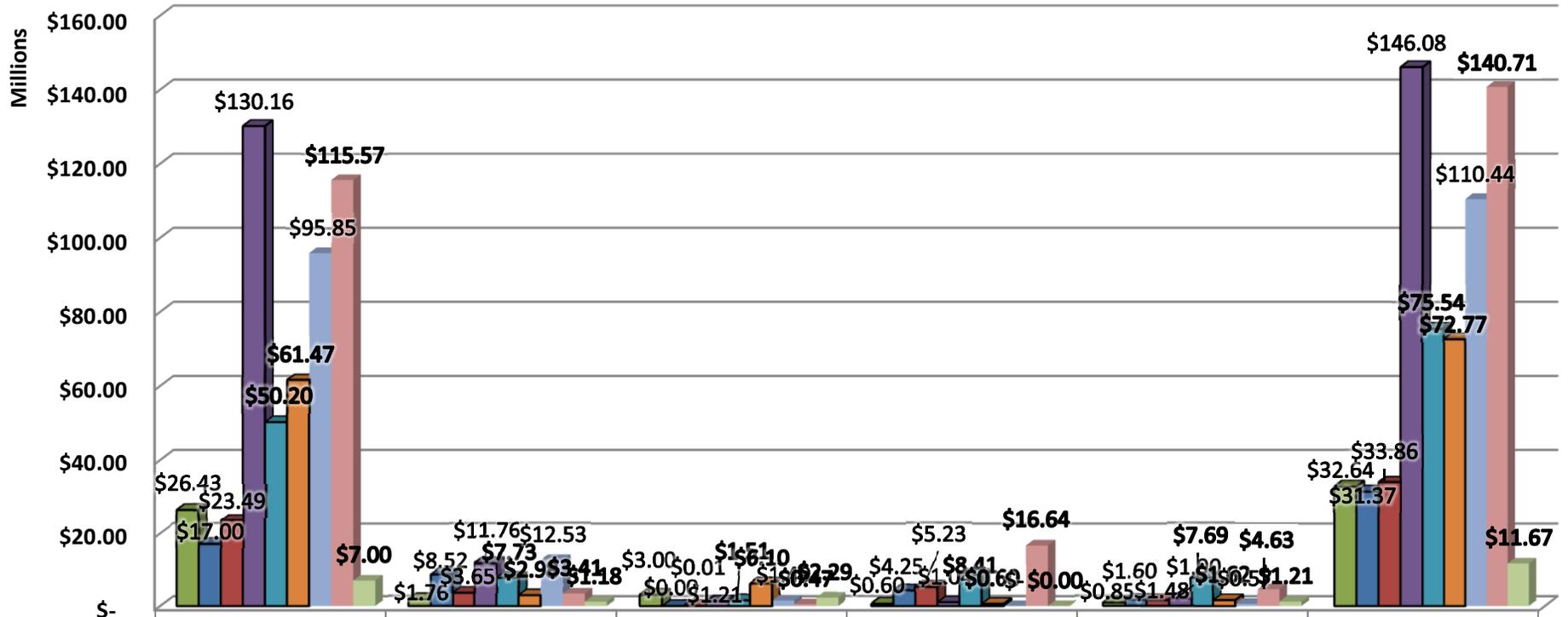
	Ground Up New Commercial	Commercial Remodel	Commercial Addition	Shell Building	Shell Finish Out	Total
FY 15	11	34	1	1	8	55
FY 16	15	49	0	2	9	75
FY 17	6	30	1	6	8	51
FY 18	15	45	4	1	15	80
FY 19	10	39	3	6	18	76
FY 20	19	37	5	2	7	70
FY 21	15	30	1	0	3	49
FY 22	16	24	3	6	6	55
FY 23	4	12	3	0	4	23

Total Square Feet for Commercial Permits



	Ground Up New Commercial	Commercial Remodel	Commercial Addition	Shell Building	Shell Finish Out	Total
FY 15	277,762	175,400	22,700	8,361	23,841	508,064
FY 16	187,287	333,051	0	44,389	29,919	594,646
FY 17	296,832	103,073	2,220	51,241	25,782	479,148
FY 18	579,791	282,931	12,588	10,785	37,910	924,005
FY 19	278,247	412,329	8,062	87,060	98,245	883,943
FY 20	509,696	140,361	30,508	3,104	19,949	703,618
FY 21	988,913	352,811	11,720	0	8,559	1,362,003
FY 22	761,801	139,792	7,338	222,156	19,471	1,150,558
FY 23	25,616	38,152	33,362	0	17,451	114,581

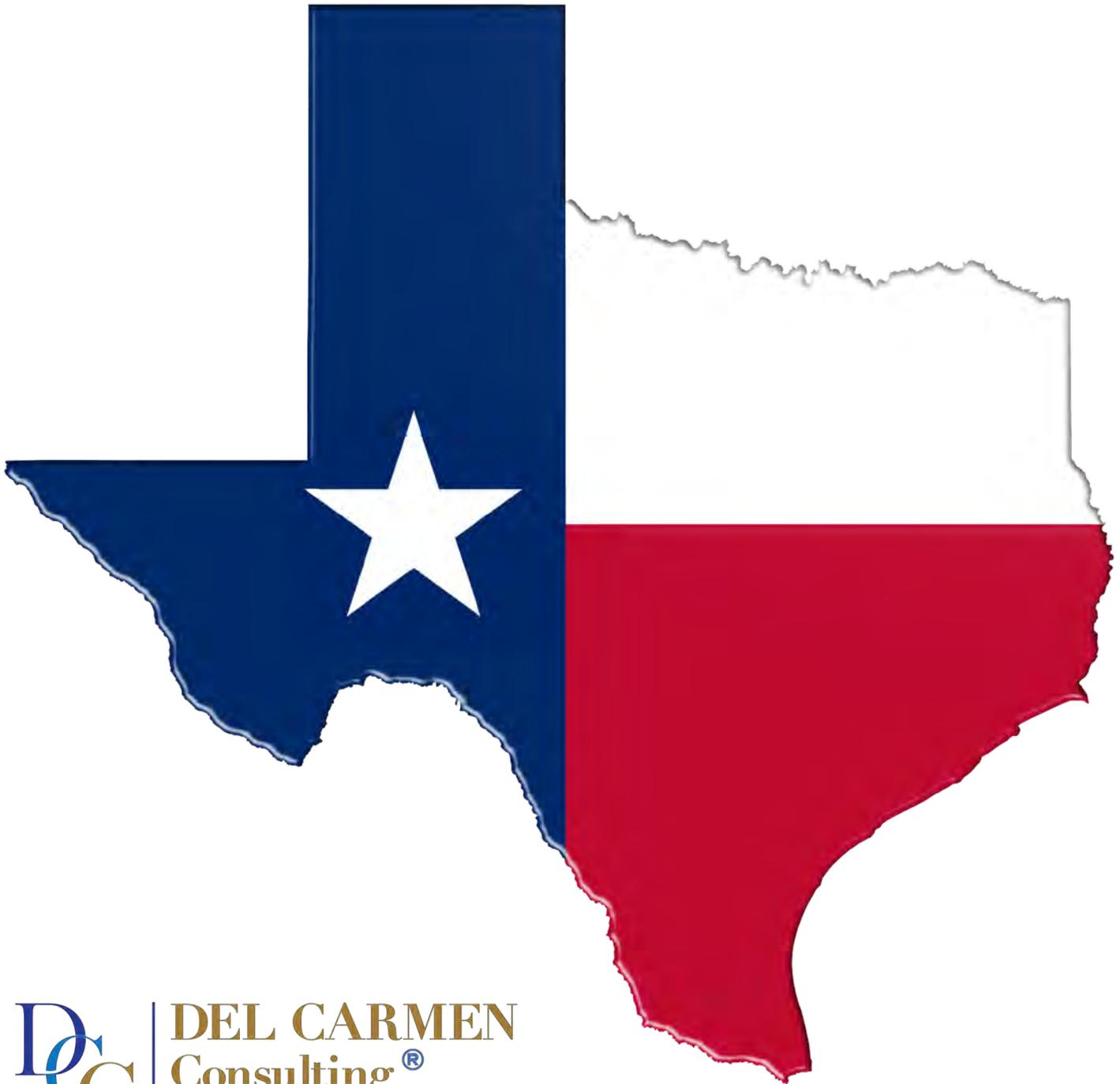
Total Value of Commercial Permits Issued



	Ground Up New Commercial	Commercial Remodel	Commercial Addition	Shell Building	Shell Finish Out	Total
FY 15	\$26,429,015.00	\$1,763,989.00	\$3,000,790.00	\$600,000.00	\$847,700.00	\$32,641,494.00
FY 16	\$16,996,060.00	\$8,523,341.00	\$-	\$4,250,000.00	\$1,597,850.00	\$31,367,251.00
FY 17	\$23,485,837.00	\$3,653,187.00	\$10,000.00	\$5,230,210.00	\$1,477,820.00	\$33,857,054.00
FY 18	\$130,159,924.00	\$11,762,592.00	\$1,210,000.00	\$1,043,140.00	\$1,900,130.00	\$146,075,786.00
FY 19	\$50,200,660.00	\$7,734,225.00	\$1,507,300.00	\$8,411,000.00	\$7,686,760.00	\$75,539,945.00
FY 20	\$61,468,744.00	\$2,982,403.00	\$6,098,750.00	\$600,000.00	\$1,622,628.00	\$72,772,525.00
FY 21	\$95,846,414.00	\$12,527,343.00	\$1,494,546.00	\$-	\$570,000.00	\$110,438,303.00
FY 22	\$115,565,793.00	\$3,413,116.00	\$465,000.00	\$16,637,000.00	\$4,626,700.00	\$140,707,609.00
FY 23	\$7,000,000.00	\$1,178,436.00	\$2,290,000.00	\$0.00	\$1,205,918.00	\$11,674,354.00

2022 Racial Profiling Report

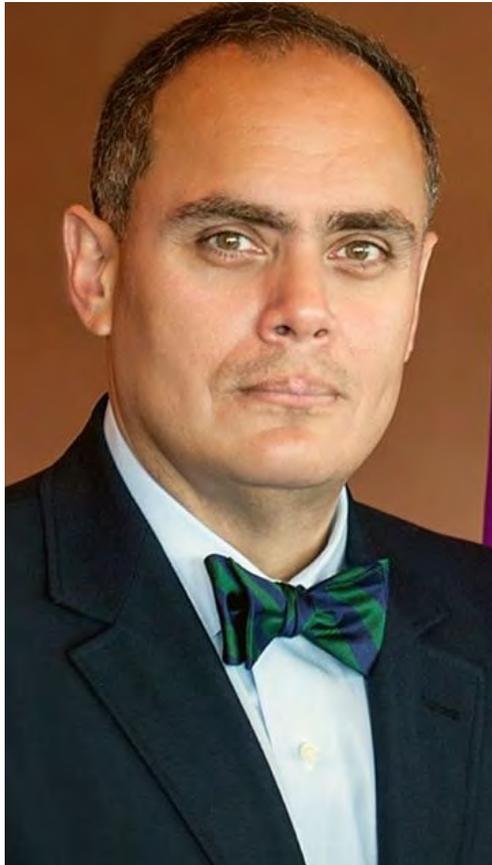
Burleson Police Department



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LAW ENFORCEMENT EXPERTS

"Dr. Alex del Carmen's work on racial profiling exemplifies the very best of the Sandra Bland Act, named after my daughter. My daughter's pledge to fight for injustice is best represented in the high quality of Dr. del Carmen's reports which include, as required by law, the data analysis, audits, findings and recommendations. I commend the agencies that work with him as it is clear that they have embraced transparency and adherence to the law."

-Quote by Geneva Reed (Mother of Sandra Bland)



January 27, 2023

Burleson City Council
1161 SW Wilshire Blvd.
Burleson, TX 76028

Dear Distinguished Members of the City Council,

In 2001 the Texas Legislature, with the intent of addressing the issue of racial profiling in policing, enacted the Texas Racial Profiling Law. During the last calendar year, the Burleson Police Department, in accordance with the law, has collected and reported traffic and motor vehicle related contact data for the purpose of identifying and addressing (if necessary) areas of concern regarding racial profiling practices. In the 2009 Texas legislative session, the Racial Profiling Law was modified and additional requirements were implemented. Further, in 2017 the Sandra Bland Act was passed and signed into law (along with HB 3051, which introduced new racial and ethnic designations). The Sandra Bland Law currently requires that law enforcement agencies in the state collect additional data and provide a more detailed analysis. All of these requirements have been met by the Burleson Police Department and are included in this report.

This report consists of three sections with information on motor vehicle-related contacts. In addition, when appropriate, documentation is included which demonstrates the manner in which the Burleson Police Department has complied with the Texas Racial Profiling Law. In section one, you will find the table of contents. Section two documents compliance by the Burleson Police Department relevant to the requirements established in the Texas Racial Profiling Law. That is, you will find documents relevant to the training of all police personnel on racial profiling prevention and the institutionalization of the compliment and complaint processes, as required by law.

Finally, section three contains statistical data relevant to contacts (as defined by the law) which were made during the course of motor vehicle stops that took place between 1/1/22 and 12/31/22. Further, this section contains the Tier 2 form, which is required to be submitted to this particular organization and the law enforcement agency's local governing authority by March 1 of each year. The data in this report has been analyzed and compared to information derived from the U.S. Census Bureau's Fair Roads Standard. The final analysis and recommendations are also included in this report.

The last section of the report includes the original draft of the Texas Racial Profiling Law, SB1074, as well as the Sandra Bland Act (current law). Also in this section, a list of requirements relevant to the Racial Profiling Law, as established by TCOLE (Texas Commission on Law Enforcement), is included. The findings in this report support the Burleson Police Department's commitment to comply with the Texas Racial Profiling Law.

Sincerely,

Alex del Carmen, Ph.D.

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Public Education on Responding to Compliments and Complaints

Informing the Public on the Process of Filing a Compliment or Complaint with the Burleson Police Department

The Texas Racial Profiling Law requires that police agencies provide information to the public regarding the manner in which to file a compliment or racial profiling complaint. In an effort to comply with this particular component, the Burleson Police Department launched an educational campaign aimed at informing the public on issues relevant to the racial profiling complaint process.

The police department made available, in the lobby area and on its web site, information relevant to filing a compliment and complaint on a racial profiling violation by a Burleson Police Officer. In addition, each time an officer issues a citation, ticket or warning, information on how to file a compliment or complaint is given to the individual cited. This information is in the form of a web address (including in the document issued to the citizen), which has instructions and details specifics related to the compliment or complaint processes.

It is believed that through these efforts, the community has been properly informed of the new policies and the complaint processes relevant to racial profiling.

All Burleson Police Officers have been instructed, as specified in the Texas Racial Profiling Law, to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements. To date, all sworn officers of the Burleson Police Department have completed the TCOLE basic training on racial profiling. The main outline used to train the officers of Burleson has been included in this report.

It is important to recognize that the Chief of the Burleson Police Department has also met the training requirements, as specified by the Texas Racial Profiling Law, in the completion of the LEMIT program on racial profiling. The satisfactory completion of the racial profiling training by the sworn personnel of the Burleson Police Department fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Law.

Racial Profiling Course 3256
Texas Commission on Law Enforcement
September 2001

Racial Profiling 3256

Instructor's Note:

You may wish to teach this course in conjunction with Asset Forfeiture 3255 because of the related subject matter and applicability of the courses. If this course is taught in conjunction with Asset Forfeiture, you may report it under Combined Profiling and Forfeiture 3257 to reduce data entry.

Abstract

This instructor guide is designed to meet the educational requirement for racial profiling established by legislative mandate: 77R-SB1074.

Target Population: Licensed law enforcement personnel in Texas

Prerequisites: Experience as a law enforcement officer

Length of Course: A suggested instructional time of 4 hours

Material Requirements: Overhead projector, chalkboard and/or flip charts, video tape player, handouts, practical exercises, and demonstrations

Instructor Qualifications: Instructors should be very knowledgeable about traffic stop procedures and law enforcement issues

Evaluation Process and Procedures

An examination should be given. The instructor may decide upon the nature and content of the examination. It must, however, sufficiently demonstrate the mastery of the subject content by the student.

Reference Materials

Reference materials are located at the end of the course. An electronic copy of this instructor guide may be downloaded from our web site at <http://www.tcleose.state.tx.us>.

Racial Profiling 3256

1.0 RACIAL PROFILING AND THE LAW

1.1 UNIT GOAL: The student will be able to identify the legal aspects of racial profiling.

1.1.1 LEARNING OBJECTIVE: The student will be able to identify the legislative requirements placed upon peace officers and law enforcement agencies regarding racial profiling.

Racial Profiling Requirements:

Racial profiling CCP 3.05

Racial profiling prohibited CCP 2.131

Law enforcement policy on racial profiling CCP 2.132

Reports required for traffic and pedestrian stops CCP 2.133

Liability CCP 2.136

Racial profiling education for police chiefs Education Code 96.641

Training program Occupations Code 1701.253

Training required for intermediate certificate Occupations Code 1701.402

Definition of "race or ethnicity" for form Transportation Code 543.202

A. Written departmental policies

1. Definition of what constitutes racial profiling
2. Prohibition of racial profiling
3. Complaint process
4. Public education
5. Corrective action
6. Collection of traffic-stop statistics
7. Annual reports

B. Not prima facie evidence

C. Feasibility of use of video equipment

D. Data does not identify officer

E. Copy of complaint-related video evidence to officer in question

F. Vehicle stop report

1. Physical description of detainees: gender, race or ethnicity
2. Alleged violation
3. Consent to search
4. Contraband
5. Facts supporting probable cause
6. Arrest
7. Warning or citation issued

G. Compilation and analysis of data

H. Exemption from reporting - audio/video equipment

I. Officer non-liability

J. Funding

K. Required training in racial profiling

1. Police chiefs
2. All holders of intermediate certificates and/or two-year-old licenses as of 09/01/2001 (training to be completed no later than 09/01/2003) - see legislation 77R-SB1074

1.1.2 LEARNING OBJECTIVE: The student will become familiar with Supreme Court decisions and other court decisions involving appropriate actions in traffic stops.

A. Whren v. United States, 517 U.S. 806, 116 S.Ct. 1769 (1996)

1. Motor vehicle search exemption
2. Traffic violation acceptable as pretext for further investigation
3. Selective enforcement can be challenged

B. Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868 (1968)

1. Stop & Frisk doctrine
2. Stopping and briefly detaining a person
3. Frisk and pat down

C. Other cases

1. Pennsylvania v. Mimms, 434 U.S. 106, 98 S.Ct. 330 (1977)
2. Maryland v. Wilson, 117 S.Ct. 882 (1997)
3. Graham v. State, 119 MdApp 444, 705 A.2d 82 (1998)
4. Pryor v. State, 122 Md.App. 671 (1997) cert. denied 352 Md. 312, 721 A.2d 990 (1998)
5. Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999)
6. New York v. Belton, 453 U.S. 454 (1981)



2.0 RACIAL PROFILING AND THE COMMUNITY

2.1 UNIT GOAL: The student will be able to identify logical and social arguments against racial profiling.

2.1.1 LEARNING OBJECTIVE: The student will be able to identify logical and social arguments against racial profiling.

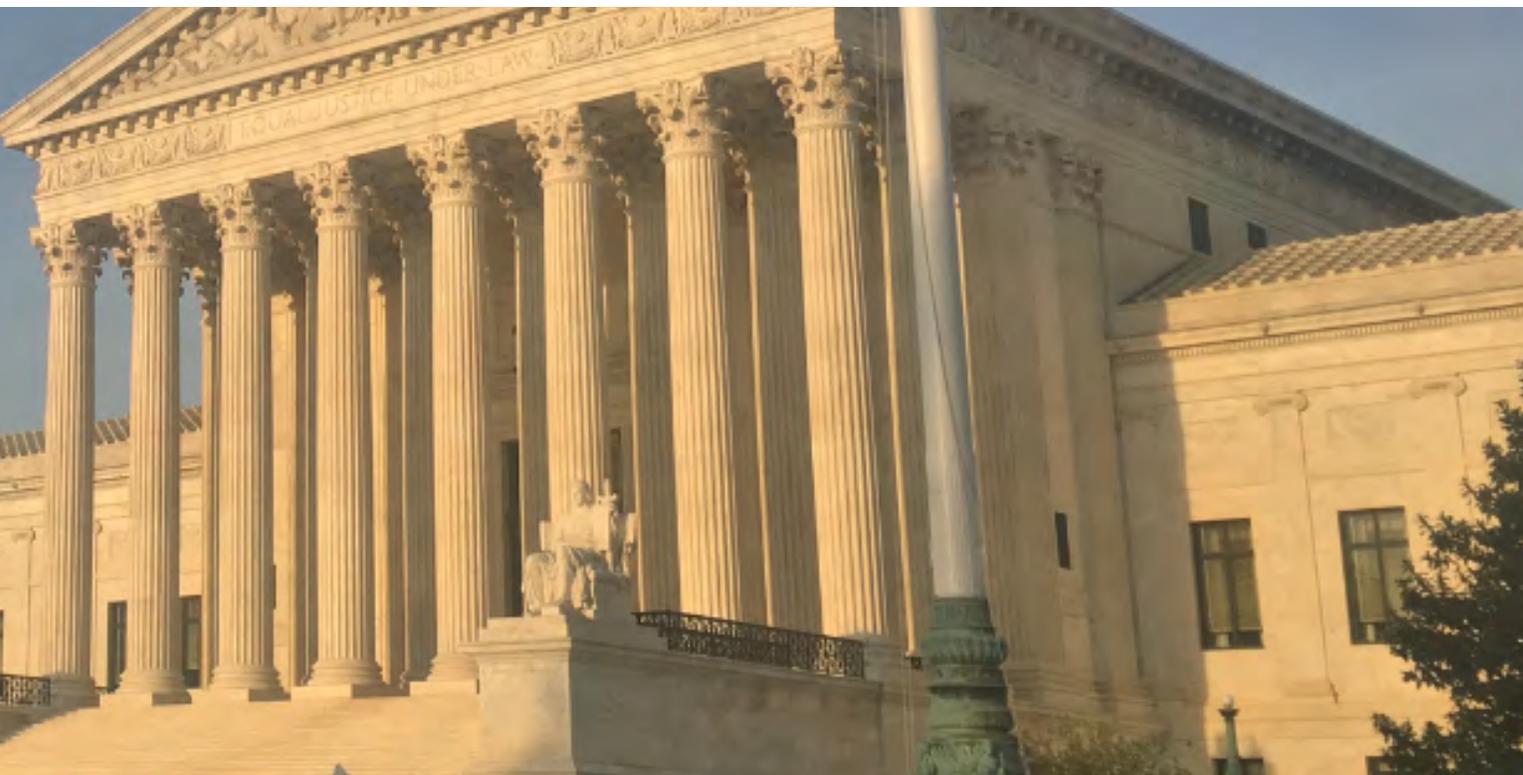
A. There are appropriate reasons for unusual traffic stops (suspicious behavior, the officer's intuition, MOs, etc.), but police work must stop short of cultural stereotyping and racism.

B. Racial profiling would result in criminal arrests, but only because it would target all members of a race randomly – the minor benefits would be far outweighed by the distrust and anger towards law enforcement by minorities and the public as a whole .

C. Racial profiling is self-fulfilling bad logic: if you believed that minorities committed more crimes, then you might look for more minority criminals, and find them in disproportionate numbers.

D. Inappropriate traffic stops generate suspicion and antagonism towards officers and make future stops more volatile – a racially-based stop today can throw suspicion on tomorrow's legitimate stop.

E. By focusing on race, you would not only be harassing innocent citizens, but overlooking criminals of all races and backgrounds – it is a waste of law enforcement resources.



3.0 RACIAL PROFILING VERSUS REASONABLE SUSPICION

3.1 UNIT GOAL: The student will be able to identify the elements of both inappropriate and appropriate traffic stops.

3.1.1 LEARNING OBJECTIVE: The student will be able to identify elements of a racially motivated traffic stop.

- A. Most race-based complaints come from vehicle stops, often since race is used as an inappropriate substitute for drug courier profile elements
- B. "DWB" – "Driving While Black" – a nickname for the public perception that a Black person may be stopped solely because of their race (especially with the suspicion that they are a drug courier), often extended to other minority groups or activities as well ("Driving While Brown," "Flying While Black," etc.)
- C. A typical traffic stop resulting from racial profiling
 1. The vehicle is stopped on the basis of a minor or contrived traffic violation which is used as a pretext for closer inspection of the vehicle, driver, and passengers
 2. The driver and passengers are questioned about things that do not relate to the traffic violation
 3. The driver and passengers are ordered out of the vehicle
 4. The officers visually check all observable parts of the vehicle
 5. The officers proceed on the assumption that drug courier work is involved by detaining the driver and passengers by the roadside
 6. The driver is asked to consent to a vehicle search – if the driver refuses, the officers use other procedures (waiting on a canine unit, criminal record checks, license-plate checks, etc.), and intimidate the driver (with the threat of detaining him/her, obtaining a warrant, etc.)



3.1.2 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which would constitute reasonable suspicion of drug courier activity.

- A. Drug courier profile (adapted from a profile developed by the DEA)
 1. Driver is nervous or anxious beyond the ordinary anxiety and cultural communication styles
 2. Signs of long-term driving (driver is unshaven, has empty food containers, etc.)
 3. Vehicle is rented
 4. Driver is a young male, 20-35
 5. No visible luggage, even though driver is traveling
 6. Driver was over-reckless or over-cautious in driving and responding to signals
 7. Use of air fresheners

- B. Drug courier activity indicators by themselves are usually not sufficient to justify a stop

3.1.3 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which could constitute reasonable suspicion of criminal activity.

- A. Thinking about the totality of circumstances in a vehicle stop

- B. Vehicle exterior
 1. Non-standard repainting (esp. on a new vehicle)
 2. Signs of hidden cargo (heavy weight in trunk, windows do not roll down, etc.)
 3. Unusual license plate suggesting a switch (dirty plate, bugs on back plate, etc.)
 4. Unusual circumstances (pulling a camper at night, kids' bikes with no kids, etc.)

- C. Pre-stop indicators
 1. Not consistent with traffic flow
 2. Driver is overly cautious, or driver/passengers repeatedly look at police car
 3. Driver begins using a car- or cell-phone when signaled to stop
 4. Unusual pull-over behavior (ignores signals, hesitates, pulls onto new street, moves objects in car, etc.)

- D. Vehicle interior
 1. Rear seat or interior panels have been opened, there are tools or spare tire, etc.
 2. Inconsistent items (anti-theft club with a rental, unexpected luggage, etc.)

Resources

Proactive Field Stops Training Unit – Instructor's Guide, Maryland Police and Correctional Training Commissions, 2001. (See Appendix A.)

Web address for legislation 77R-SB1074: <http://tlo2.tlc.state.tx.us/tlo/77r/billtext/SB01074F.htm>

*Report on
Compliments
and Racial
Profiling
Complaints*



Report on Complaints

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/22-12/31/22 based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.

A check above indicates that the Burleson Police Department has not received any complaints, on any members of its police services, for having violated the Texas Racial Profiling Law during the time period of 1/1/22-12/31/22.

Complaints Filed for Possible Violations of The Texas Racial Profiling Law

Complaint Number	Alleged Violation	Disposition of the Case
1	Racial Profiling	Not Sustained

Additional Comments:

Tables Illustrating Motor Vehicle-Related Contacts

TIER 2 DATA

TOTAL STOPS: 18,704

STREET ADDRESS OR APPROXIMATE LOCATION OF STOP.

City Street	14,184
US Highway	1,402
State Highway	62
County Road	3,043
Private Property	13

WAS RACE OR ETHNICITY KNOWN PRIOR TO STOP?

Yes	912
No	17,792

RACE OR ETHNICITY

Alaska Native/American Indian	22
Asian/Pacific Islander	210
Black	2,222
White	13,850
Hispanic/Latino	2,400

GENDER

Female Total: 7,258

Alaska Native/American Indian	5
Asian/Pacific Islander	73
Black	838
White	5,543
Hispanic/Latino	799

Male Total: 11,446

Alaska Native/American Indian	17
Asian/Pacific Islander	137
Black	1,384
White	8,307
Hispanic/Latino	1,601

REASON FOR STOP?

Violation of Law Total: 376

Alaska Native/American Indian	0
Asian/Pacific Islander	6
Black	52
White	292
Hispanic/Latino	26

Pre-existing Knowledge Total: 215

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	37
White	151
Hispanic/Latino	26

Moving Traffic Violation Total: 10,727

Alaska Native/American Indian	16
Asian/Pacific Islander	136
Black	1,229
White	7,947
Hispanic/Latino	1,399

TIER 2 DATA

Vehicle Traffic Violation Total: 7,386

Alaska Native/American Indian	6
Asian/Pacific Islander	67
Black	904
White	5,460
Hispanic/Latino	949

Contraband (in plain view) Total: 42

Alaska Native/American Indian	0
Asian/Pacific Islander	3
Black	6
White	27
Hispanic/Latino	6

WAS SEARCH CONDUCTED?

	YES	NO
Alaska Native/American Indian	0	22
Asian/Pacific Islander	8	202
Black	187	2,035
White	729	13,121
Hispanic/Latino	156	2,244
TOTAL	1,080	17,624

Probable Cause Total: 598

Alaska Native/American Indian	0
Asian/Pacific Islander	4
Black	149
White	354
Hispanic/Latino	91

Inventory Total: 31

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	3
White	24
Hispanic/Latino	4

REASON FOR SEARCH?

Consent Total: 357

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	28
White	281
Hispanic/Latino	47

Incident to Arrest Total: 52

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	43
Hispanic/Latino	8

TIER 2 DATA

WAS CONTRABAND DISCOVERED?

	YES	NO
Alaska Native/American Indian	0	0
Asian/Pacific Islander	7	1
Black	157	30
White	520	209
Hispanic/Latino	112	44
TOTAL	796	284

Did the finding result in arrest?

	YES	NO
Alaska Native/American Indian	0	0
Asian/Pacific Islander	1	6
Black	20	137
White	82	438
Hispanic/Latino	16	96
TOTAL	119	677

DESCRIPTION OF CONTRABAND

Drugs Total: 614

Alaska Native/American Indian	0
Asian/Pacific Islander	6
Black	136
White	398
Hispanic/Latino	74

Currency Total: 1

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	1
Hispanic/Latino	0

Weapons Total: 12

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	4
White	5
Hispanic/Latino	3

Alcohol Total: 59

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	6
White	37
Hispanic/Latino	15

TIER 2 DATA

Stolen Property Total: 6

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	3
Hispanic/Latino	2

Other Total: 104

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	10
White	76
Hispanic/Latino	18

RESULT OF THE STOP

Verbal Warning Total: 13,275

Alaska Native/American Indian	16
Asian/Pacific Islander	157
Black	1,581
White	9,919
Hispanic/Latino	1,602

Written Warning Total: 276

Alaska Native/American Indian	1
Asian/Pacific Islander	7
Black	39
White	195
Hispanic/Latino	34

Citation Total: 4,718

Alaska Native/American Indian	5
Asian/Pacific Islander	44
Black	525
White	3,439
Hispanic/Latino	705

Written Warning and Arrest Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Citation and Arrest Total: 13

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	2
White	9
Hispanic/Latino	2

Arrest Total: 422

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	75
White	288
Hispanic/Latino	57

TIER 2 DATA

ARREST BASED ON

Violation of Penal Code Total: 195

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	24
White	140
Hispanic/Latino	29

Violation of Traffic Law Total: 17

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	14
Hispanic/Latino	2

Violation of City Ordinance Total: 1

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	0
Hispanic/Latino	0

Outstanding Warrant Total: 222

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	51
White	143
Hispanic/Latino	28

Was physical force used resulting in bodily injury during the stop?

	YES	NO
Alaska Native/American Indian	0	22
Asian/Pacific Islander	0	210
Black	0	2,222
White	1	13,849
Hispanic/Latino	0	2,400
TOTAL	1	18,703

Tables Illustrating Motor Vehicle Related Contact Data

Table 1. Citations and Warnings

Race/ Ethnicity	All Contacts	Citations	Verbal Warning	Written Warning	Contact Percent	Citation Percent	Verbal Percent	Written Percent
Alaska Native/ American Indian	22	5	16	1	0%	0%	0%	0%
Asian/ Pacific Islander	210	44	157	7	1%	1%	1%	3%
Black	2,222	527	1,581	39	12%	11%	12%	14%
White	13,850	3,448	9,919	195	74%	73%	75%	71%
Hispanic/ Latino	2,400	707	1,602	34	13%	15%	12%	12%
TOTAL	18,704	4,731	13,275	276	100%	100%	100%	100%

Table 2. Motor Vehicle Contacts and Fair Roads Standard Comparison

Comparison of motor vehicle-related contacts with households that have vehicle access.

Race/Ethnicity	Contact Percentage	Households with Vehicle Access
Alaska Native/American Indian	0%	0%
Asian/Pacific Islander	1%	5%
Black	12%	14%
White	74%	60%
Hispanic/Latino	13%	19%
TOTAL	100%	98%

Table 3. Motor Vehicle Searches and Arrests.

Race/Ethnicity	Searches	Consent Searches	Arrests
Alaska Native/American Indian	0	0	0
Asian/Pacific Islander	8	1	2
Black	187	28	77
White	729	281	297
Hispanic/Latino	156	47	59
TOTAL	1,080	357	435

Table 4. Instances Where Peace Officers Used Physical Force Resulting in Bodily Injury

Instances Where Peace Officers Used Physical Force that Resulted in Bodily Injury	Arrest	Location of Stop	Reason for Stop
1	02/07/22	5400 Highpoint Parkway	Vehicle Traffic Violation

Table 5. Search Data

Race/Ethnicity	Searches	Contraband Found Yes	Contraband Found No	Arrests	Percent Searches	Percent Contraband Found	Percent No Contraband	Percent Arrest
Alaska Native/American Indian	0	0	0	0	0%	0%	0%	0%
Asian/Pacific Islander	8	7	1	2	1%	1%	0%	0%
Black	187	157	30	77	17%	20%	11%	18%
White	729	520	209	297	68%	65%	74%	68%
Hispanic/Latino	156	112	44	59	14%	14%	15%	14%
TOTAL	1,080	796	284	435	100%	100%	100%	100%

Table 6. Report on Audits.

The following table contains data regarding the number and outcome of required data audits during the period of 1/1/22-12/31/22.

Number of Data Audits Completed	Date of Completion	Outcome of Audit
1	03/01/22	Data was valid and reliable
2	06/01/22	Data was valid and reliable
3	09/01/22	Data was valid and reliable
4	12/01/22	Data was valid and reliable

ADDITIONAL COMMENTS:

Table 7. Instance Where Force Resulted in Bodily Injury.

Race/Ethnicity	Number	Percent
Alaska Native/American Indian	0	0%
Asian/Pacific Islander	0	0%
Black	0	0%
White	1	100%
Hispanic/Latino	0	0%
TOTAL	1	100%

Table 8. Reason for Arrests from Vehicle Contact

Race/ Ethnicity	Violation of Penal Code	Violation of Traffic Law	Violation of City Ordinance	Outstanding Warrant	Percent Penal Code	Percent Traffic Law	Percent City Ordinance	Percent Warrant
Alaska Native/ American Indian	0	0	0	0	0%	0%	0%	0%
Asian/ Pacific Islander	2	0	0	0	1%	0%	0%	0%
Black	24	1	1	51	12%	6%	100%	23%
White	140	14	0	143	72%	82%	0%	64%
Hispanic/ Latino	29	2	0	28	15%	12%	0%	13%
TOTAL	195	17	1	222	100%	100%	100%	100%

Table 9. Contraband Hit Rate

Race/ Ethnicity	Searches	Contraband Found Yes	Contraband Hit Rate	Search Percent	Contraband Percent
Alaska Native/ American Indian	0	0	0%	0%	0%
Asian/ Pacific Islander	8	7	88%	1%	1%
Black	187	157	84%	17%	20%
White	729	520	71%	68%	65%
Hispanic/Latino	156	112	72%	14%	14%

Analysis and Interpretation of Data

In 2001, the Texas Legislature passed Senate Bill 1074, which eventually became the Texas Racial Profiling Law. This particular law came into effect on January 1, 2002 and required all police departments in Texas to collect traffic-related data and report this information to their local governing authority by March 1 of each year. This law remained in place until 2009, when it was modified to include the collection and reporting of all motor vehicle-related contacts in which a citation was issued or an arrest was made. Further, the modification to the law further requires that all police officers indicate whether or not they knew the race or ethnicity of the individuals before detaining them. In addition, it became a requirement that agencies report motor vehicle-related data to their local governing authority and to the Texas Commission on Law Enforcement (TCOLE) by March 1 of each year. The purpose in collecting and disclosing this information is to determine if police officers in any particular municipality are engaging in the practice of racially profiling minority motorists.

One of the central requirements of the law is that police departments interpret motor vehicle-related data. Even though most researchers would likely agree that it is within the confines of good practice for police departments to be accountable to the citizenry while carrying a transparent image before the community, it is in fact very difficult to determine if individual police officers are engaging in racial profiling from a review and analysis of aggregate/institutional data. In other words, it is challenging for a reputable researcher to identify specific "individual" racist behavior from aggregate-level "institutional" data on traffic or motor vehicle-related contacts.

As previously noted, in 2009 the Texas Legislature passed House Bill 3389, which modified the Racial Profiling Law by adding new requirements; this took effect on January 1, 2010. The changes included, but are not limited to, the re-definition of a contact to include motor vehicle-related contacts in which a citation was issued or an arrest was made. In addition, it required police officers to indicate if they knew the race or ethnicity of the individual before detaining them. The 2009 law also required adding "Middle Eastern" to the racial and ethnic category and submitting the annual data report to TCOLE before March 1 of each year.

More recently, in 2017 the Texas Legislators passed HB 3051 which removed the Middle Eastern data requirement while standardizing the racial and ethnic categories relevant to the individuals that came in contact with police. In addition, the Sandra Bland Act (SB 1849) was passed and became law. Thus, the most significant legislative mandate (Sandra Bland Act) in Texas history regarding data requirements on law enforcement contacts became law and took effect on January 1, 2018. The Sandra Bland Act not only currently requires the extensive collection of data relevant to police motor vehicle contacts, but it also mandates for the data to be analyzed while addressing the following:

1. A comparative analysis of the information compiled (under Article 2.133):

- a. Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;*
- b. Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;*
- c. Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches.*

2. Information related to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

As part of their effort to comply with The Texas Racial Profiling/Sandra Bland Law, the Burleson Police Department commissioned the analysis of its 2022 contact data. Hence, two different types of data analyses were performed. The first of these involved a careful evaluation of the 2022 motor vehicle-related data. This particular analysis measured, as required by the law, the number and percentage of Whites, Blacks, Hispanics or Latinos, Asians and Pacific Islanders, Alaska Natives and American Indians (Middle Easterners and individuals belonging to the “other” category, as optional categories), who came in contact with police in the course of a motor vehicle-related contact and were either issued a ticket, citation, or warning or an arrest was made. Also included in this data were instances when a motor vehicle contact took place for an alleged violation of the law or ordinance. The Tier 2 data analysis included, but was not limited to, information relevant to the number and percentage of contacts by race/ethnicity, gender, reason for the stop, location of stop, searches while indicating the type of search performed, result of stop, basis of an arrest, and use of physical force resulting in bodily injury.

The additional data analysis performed was based on a comparison of the 2022 motor vehicle contact data with a specific baseline. When reading this particular analysis, one should consider that there is disagreement in the literature regarding the appropriate baseline to be used when analyzing motor vehicle-related contact information. Of the baseline measures available, the Burleson Police Department accepted our recommendation to rely, as a baseline measure, on the Fair Roads Standard. This particular baseline is established on data obtained through the U.S. Census Bureau (2020) relevant to the number of households that have access to vehicles while controlling for the race and ethnicity of the heads of households.

It should be noted that the census data presents challenges to any effort made at establishing a fair and accurate racial profiling analysis. That is, census data contains information on all residents of a particular community, regardless whether they are among the driving population. Further, census data, when used as a baseline of comparison, presents the challenge that it captures information related to city residents only, thus excluding individuals who may have come in contact with the Burleson Police Department in 2022 but live outside city limits. In some jurisdictions the percentage of the population that comes in contact with the police but lives outside city limits represents a substantial volume of all motor vehicle-related contacts made in a given year.

In 2002, some civil rights groups in Texas expressed their concern and made recommendations to the effect that all police departments should rely, in their data analysis, on the Fair Roads Standard. This source contains census data specific to the number of “households” that have access to vehicles. Thus, proposing to compare “households” (which may have multiple residents and only a few vehicles) with “contacts” (an individual-based count). In essence this constitutes a comparison that may result in ecological fallacy. Despite this risk, as noted earlier, the Burleson Police Department accepted the recommendation to utilize this form of comparison (i.e., census data relevant to households with vehicles) in an attempt to demonstrate its “good will” and “transparency” before the community. Thus, the Fair Roads Standard data obtained and used in this study is specifically relevant to the Dallas Fort-Worth (DFW) Metroplex.

Tier 2 (2022) Motor Vehicle-Related Contact Analysis

When examining the enhanced and more detailed Tier 2 data collected in 2022, it was evident that most motor vehicle-related contacts were made with Whites, followed by Hispanics. Of those who came in contact with police, most tickets or citations were issued to Whites and Hispanics; this was followed by Blacks. However, in terms of written warnings, most of these were issued to Whites, followed by Blacks.

On searches and arrests, the data showed that most searches took place among Whites. When considering all searches, most were consented by Whites and Hispanics, while most custody arrests were also of Whites. Overall, most searches resulted in contraband; of those that produced contraband, most were of Whites; this was followed by Blacks. Of the searches that did not produce contraband, most were of Whites. Most arrests were made of Whites. Most of the arrests that originated from a violation of the penal code involved Whites. Overall, the police department reports one instance where force was used that resulted in bodily injury.

Comparative Analysis

A comprehensive analysis of the motor vehicle contacts to the census data relevant to the number of “households” in DFW who indicated in the 2020 census that they had access to vehicles, produced interesting findings. Specifically, the percentage of Blacks, Hispanics, Asians, and American Indians who came in contact with police was the same or lower than the percentage of Black, Hispanic, Asian, and American Indian households in DFW that claimed in the 2020 census to have access to vehicles. The opposite was true of Whites. That is, a higher percentage of Whites came in contact with police than the percentage of White households in DFW that claimed in the 2020 census to have access to vehicles.

The comprehensive analysis of the searches resulting in contraband shows that the most significant contraband hit rate is of Asians. This was followed by Blacks and Hispanics. This means that among all searches performed in 2022, the most significant percentage of these that resulted in contraband was among Asians. The lowest contraband hit rate was among Whites.

Summary of Findings

As referenced earlier, the most recent Texas Racial Profiling Law requires that police departments perform data audits in order to validate the data being reported. Consistent with this requirement, the Burleson Police Department has engaged del Carmen Consulting, LLC in order to perform these audits in a manner consistent with normative statistical practices. As shown in Table 6, the audit performed reveals that the data is valid and reliable. Further, as required by law, this report also includes an analysis on the searches performed. This analysis includes information on whether contraband was found as a result of the search while controlling for race/ethnicity. The search analysis demonstrates that the police department is engaging in search practices consistent with national trends in law enforcement.

While considering the findings produced as a result of this analysis, it is recommended that the Burleson Police Department should continue to collect and evaluate additional information on motor vehicle contact data (i.e., reason for probable cause searches, contraband detected), which may prove to be useful when determining the nature of the contacts police officers are making with all individuals.

As part of this effort, the Burleson Police Department should continue to:

- 1) Perform an independent analysis on contact and search data in the upcoming year.
- 2) Commission data audits in 2023 in order to assess data integrity; that is, to ensure that the data collected is consistent with the data being reported.

The comprehensive data analysis included in this report serves as evidence that the Burleson Police Department has complied with the Texas Racial Profiling Law and all of its requirements. Further, the report demonstrates that the police department has incorporated a comprehensive racial profiling policy, currently offers information to the public on how to file a compliment or complaint, commissions quarterly data audits in order to ensure validity and reliability, collects and commissions the analysis of Tier 2 data, and ensures that the practice of racial profiling will not be tolerated.

Checklist

The following requirements were met by the Burleson Police Department in accordance with The Texas Racial Profiling Law:

- ✔ Implement a Racial Profiling Policy citing act or actions that constitute racial profiling.
- ✔ Include in the racial profiling policy, a statement indicating prohibition of any peace officer employed by the Burleson Police Department from engaging in racial profiling.
- ✔ Implement a process by which an individual may file a complaint regarding racial profiling violations.
- ✔ Provide public education related to the compliment and complaint process.
- ✔ Implement disciplinary guidelines for officers found in violation of the Texas Racial Profiling Law.
- ✔ Collect, report and analyze motor vehicle data (Tier 2).
- ✔ Commission Data Audits and a Search Analysis.
- ✔ Indicate total number of officers who knew and did not know, the race/ethnicity of individuals before being detained.
- ✔ Produce an annual report on police contacts (Tier 2) and present this to the local governing body and TCOLE by March 1, 2023.
- ✔ Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation.

Legislative & Administrative
Addendum



TCOLE GUIDELINES

Guidelines for Compiling and Reporting Data under Senate Bill 1074

Background

Senate Bill 1074 of the 77th Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of *what* must be accomplished by an agency but allows wide latitude in determining *how* the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an “agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers’ official duties.”

The article further defines race or ethnicity as being of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American.” The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

Standard 2

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person’s race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer’s best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Commentary

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, “the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.”

Standard 3

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

Commentary

Senate Bill 1074 from the 77th Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide and analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for “tier one” data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American”);
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on “tier two” reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person’s gender and race or ethnicity;
- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops

including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

Standard 4

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

Commentary

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

Standard 5

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

Commentary

None

Standard 6

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

Commentary

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

Standard 7

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

Commentary

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

The Texas Law on Racial Profiling

S.B. No. 1074 - An Act relating to the prevention of racial profiling by certain peace officers.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the

policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled

during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and
(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling;
and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

(1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;

(2) the registration number of the vehicle involved;

(3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;

(4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;

(5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) [~~7~~] the date of conviction; and

(9) [~~8~~] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

Modifications to the Original Law (H.B. 3389)

Amend CSHB 3389 (Senate committee report) as follows:

(1) Strike the following SECTIONS of the bill:

(A) SECTION 8, adding Section 1701.164, Occupations Code (page 4, lines 61-66);

(B) SECTION 24, amending Article 2.132(b), Code of Criminal Procedure (page 8, lines 19-53);

(C) SECTION 25, amending Article 2.134(b), Code of Criminal Procedure (page 8, lines 54-64);

(D) SECTION 28, providing transition language for the amendments to Articles 2.132(b) and 2.134(b), Code of Criminal Procedure (page 9, lines 40-47).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly: SECTION _____. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (a),(b), (d), and (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle~~[traffic]~~ stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, ~~[or]~~ Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle ~~[traffic]~~ stops in which a citation is issued and to arrests made as a result of ~~[resulting from]~~ those ~~[traffic]~~ stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the individual ~~[person]~~ detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit ~~[to the governing body of each county or~~

~~municipality served by the agency]~~ an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement Officer Standards and Education; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle ~~[traffic]~~ stops and transmitter activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle ~~[traffic]~~ stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle ~~[traffic]~~ stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

SECTION _____. Article 2.133, Code of Criminal Procedure, is amended to read as follows:

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE ~~[TRAFFIC AND PEDESTRIAN]~~ STOPS. (a) In this article, "race ~~[:~~

~~[(1) "Race]~~ or ethnicity" has the meaning assigned by Article 2.132(a).

~~[(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.]~~

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance ~~[regulating traffic or who stops a pedestrian for any suspected offense]~~ shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any ~~[each]~~ person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop ~~[traffic law or ordinance alleged to have been violated or the suspected offense];~~

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description ~~[the type]~~ of the contraband or evidence ~~[discovered];~~

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle [existed and the facts supporting the existence of that probable cause];

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a written warning or a citation as a result of the stop[, including a description of the warning or a statement of the violation charged].

SECTION _____. Article 2.134, Code of Criminal Procedure, is amended by amending Subsections (a) through (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Motor vehicle[, "pedestrian] stop" has the meaning assigned by Article 2.132(a) [means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest].

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each [~~local~~] law enforcement agency shall submit a report containing the incident-based data [information] compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency [in a manner approved by the agency].

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities [determine the prevalence of racial profiling by peace officers employed by the agency]; and

(B) examine the disposition of motor vehicle [traffic and pedestrian] stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from [the] stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle [traffic or pedestrian] stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

SECTION _____. Article 2.135, Code of Criminal Procedure, is amended to read as follows:

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle [~~traffic and pedestrian~~] stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle [~~traffic and pedestrian~~] stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle [~~traffic or pedestrian~~] stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

SECTION _____. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1385 to read as follows:

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based

data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

SECTION _____. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:

Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE. (a) In this article, "moving violation" means an offense that:

(1) involves the operation of a motor vehicle; and

(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.

(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.

(c) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

(3) the court defers final disposition of the person's case.

(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as appropriate.

(e) The custodian of a county or municipal treasury shall:

(1) keep records of the amount of funds on deposit collected under this article; and

(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.

(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).

(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.

(h) The comptroller shall deposit the funds received under this article to the credit of the Civil Justice Data Repository fund in the general revenue fund, to be used only by the Commission on Law Enforcement Officer Standards and Education to implement duties under Section 1701.162, Occupations Code.

(i) Funds collected under this article are subject to audit by the comptroller.

SECTION _____. (a) Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.061, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;

(2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . \$40;

- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.061, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION _____. (a) Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;
- (2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . \$40;
- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.081, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION _____. Section 102.101, Government Code, is amended to read as follows:

Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$4;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . \$4;
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5;
- (7) a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed \$30; ~~and~~
- (8) a court cost on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed \$7; and
- (9) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION _____. Section 102.121, Government Code, is amended to read as follows:

Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a municipal court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4; ~~and~~
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION _____. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.164 to read as follows:

Sec. 1701.164. COLLECTION OF CERTAIN INCIDENT-BASED DATA SUBMITTED BY LAW ENFORCEMENT AGENCIES. The commission shall collect and maintain incident-based data submitted to the commission under Article 2.134, Code of Criminal Procedure, including incident-based data compiled by a law enforcement agency from reports received by the law enforcement agency under Article 2.133 of that code. The commission in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth, Jr., Police Institute at Dallas, and the Texas Police Chiefs Association shall develop guidelines for submitting in a standard format the report containing incident-based data as required by Article 2.134, Code of Criminal Procedure.

SECTION _____. Subsection (a), Section 1701.501, Occupations Code, is amended to read as follows:

- (a) Except as provided by Subsection (d), the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:
 - (1) this chapter;

(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure;
or

(3) a commission rule.

SECTION _____. (a) The requirements of Articles 2.132, 2.133, and 2.134, Code of Criminal Procedure, as amended by this Act, relating to the compilation, analysis, and submission of incident-based data apply only to information based on a motor vehicle stop occurring on or after January 1, 2010.

(b) The imposition of a cost of court under Article 102.022, Code of Criminal Procedure, as added by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

Racial and Ethnic Designations (H.B. 3051)

H.B. No. 3051 - An Act relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.132(a)(3), Code of Criminal Procedure, is amended to read as follows:

(3) "Race or ethnicity" means the following categories:

(A) Alaska native or American Indian;

(B) ~~[of a particular descent, including Caucasian, African, Hispanic,]~~ Asian or Pacific Islander;

(C) black;

(D) white; and

(E) Hispanic or Latino ~~[, Native American, or Middle Eastern descent].~~

SECTION 2. Section 543.202(a), Transportation Code, is amended to read as follows:

(a) In this section, "race or ethnicity" means the following categories:

(1) Alaska native or American Indian;

(2) ~~[of a particular descent, including Caucasian, African, Hispanic,]~~ Asian or Pacific Islander;

(3) black;

(4) white; and

(5) Hispanic or Latino ~~[, or Native American descent].~~

SECTION 3. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 3051 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3051 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

The Sandra Bland Act

(S.B. 1849)

S.B. No. 1849

An Act relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. SHORT TITLE

SECTION 1.01. SHORT TITLE. This Act shall be known as the Sandra Bland Act, in memory of Sandra Bland.

ARTICLE 2. IDENTIFICATION AND DIVERSION OF AND SERVICES FOR PERSONS SUSPECTED OF HAVING A MENTAL ILLNESS, AN INTELLECTUAL DISABILITY, OR A SUBSTANCE ABUSE ISSUE

SECTION 2.01. Article 16.22, Code of Criminal Procedure, is amended to read as follows:

Art. 16.22. EARLY IDENTIFICATION OF DEFENDANT SUSPECTED OF HAVING MENTAL ILLNESS OR INTELLECTUAL DISABILITY [MENTAL RETARDATION]. (a)(1) Not later than 12 [72] hours after receiving credible information that may establish reasonable cause to believe that a defendant committed to the sheriff's custody has a mental illness or is a person with an intellectual disability [mental retardation], including observation of the defendant's behavior immediately before, during, and after the defendant's arrest and the results of any previous assessment of the defendant, the sheriff shall provide written or electronic notice of the information to the magistrate. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability [mental retardation], the magistrate, except as provided by Subdivision

(2), shall order the local mental health or intellectual and developmental disability [mental retardation] authority or another qualified mental health or intellectual disability [mental retardation] expert to:

(A) collect information regarding whether the defendant has a mental illness as defined by Section 571.003,

Health and Safety Code, or is a person with an intellectual disability [mental retardation] as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant; and

(B) provide to the magistrate a written assessment of the information collected under Paragraph (A).

(2) The magistrate is not required to order the collection of information under Subdivision

(1) if the defendant in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability [mental retardation] by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health or intellectual disability [mental retardation] expert described by Subdivision

(1). A court that elects to use the results of that previous determination may proceed under Subsection (c).

(3) If the defendant fails or refuses to submit to the collection of information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a mental health facility determined to be appropriate by the local mental health or intellectual and developmental disability [mental retardation] authority for a reasonable period not to exceed 21 days. The magistrate may order a defendant to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination only on request of the local mental health or intellectual and developmental disability [mental retardation] authority and with the consent of the head of the facility. If a defendant who has been ordered to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination remains in the facility for a period exceeding 21 days, the head of that facility shall cause the defendant to be immediately transported to the committing court and placed in the custody of the sheriff of the county in which the committing court is located. That county shall reimburse the facility for the mileage and per diem expenses of the personnel required to transport the defendant calculated in accordance with the state travel regulations in effect at the time.

(b) A written assessment of the information collected under Subsection (a)(1)(A) shall be provided to the magistrate not later than the 30th day after the date of any order issued under Subsection (a) in a felony case and not later than the 10th day after the date of any order issued under that subsection in a misdemeanor case, and the magistrate shall provide copies of the written assessment to the defense counsel, the prosecuting attorney, and the trial court. The written assessment must include a description of the procedures used in the collection of information under Subsection (a)(1)(A) and the applicable expert's observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability [mental retardation];

(2) whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) recommended treatment.

(c) After the trial court receives the applicable expert's written assessment relating to the defendant under Subsection (b) or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1) resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032;

(2) resume or initiate competency proceedings, if required, as provided by Chapter 46B

or other proceedings affecting the defendant's receipt of appropriate court-ordered mental health or intellectual disability [mental retardation] services, including proceedings related to the defendant's receipt of outpatient mental health services under Section 574.034, Health and Safety Code; or

(3) consider the written assessment during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision.

(d) This article does not prevent the applicable court from, before, during, or after the collection of information regarding the defendant as described by this article: (1) releasing a defendant who has a mental illness [mentally ill] or is a person with an intellectual disability [mentally retarded defendant] from custody on personal or surety bond; or

(2) ordering an examination regarding the defendant's competency to stand trial.

SECTION 2.02. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.23 to read as follows:

Art. 16.23. DIVERSION OF PERSONS SUFFERING MENTAL HEALTH CRISIS OR SUBSTANCE ABUSE ISSUE. (a) Each law enforcement agency shall make a good faith effort to divert a person suffering a mental health crisis or suffering from the effects of substance abuse to a proper treatment center in the agency's jurisdiction if:

(1) there is an available and appropriate treatment center in the agency's jurisdiction to which the agency may divert the person;

(2) it is reasonable to divert the person;

(3) the offense that the person is accused of is a misdemeanor, other than a misdemeanor involving violence; and

(4) the mental health crisis or substance abuse issue is suspected to be the reason the person committed the alleged offense.

(b) Subsection (a) does not apply to a person who is accused of an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code.

SECTION 2.03. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES. (a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or [and] mental illness. [The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.] In awarding grants, the department shall give special consideration to entities:

(1) establishing [a] new collaboratives; or

(2) establishing or expanding collaboratives that serve two or more counties, each with a population of less than 100,000 [collaborative].

(b) The department shall require each entity awarded a grant under this section to:

(1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; [and]

(2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for the purpose of providing services to those persons.

SECTION 2.04. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care or substance abuse treatment.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

(c) Two or more counties, each with a population of less than 100,000, may form a joint plan under Subsection (a).

ARTICLE 3. BAIL, PRETRIAL RELEASE, AND COUNTY JAIL STANDARDS

SECTION 3.01. The heading to Article 17.032, Code of Criminal Procedure, is amended to read as follows:

Art. 17.032. RELEASE ON PERSONAL BOND OF CERTAIN [MENTALLY ILL] DEFENDANTS WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY.

SECTION 3.02. Articles 17.032(b) and (c), Code of Criminal Procedure, are amended to read as follows:

(b) A magistrate shall release a defendant on personal bond unless good cause is shown

otherwise if the:

(1) defendant is not charged with and has not been previously convicted of a violent offense;

(2) defendant is examined by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health expert under Article 16.22 [of this code];

(3) applicable expert, in a written assessment submitted to the magistrate under Article 16.22:

(A) concludes that the defendant has a mental illness or is a person with an intellectual disability [mental retardation] and is nonetheless competent to stand trial; and

(B) recommends mental health treatment or intellectual disability treatment for the defendant, as applicable; and

(4) magistrate determines, in consultation with the local mental health or intellectual and developmental disability [mental retardation] authority, that appropriate community-based mental health or intellectual disability [mental retardation] services for the defendant are available through the [Texas] Department of State [Mental] Health Services [and Mental Retardation] under Section 534.053, Health and Safety Code, or through another mental health or intellectual disability [mental retardation] services provider.

(c) The magistrate, unless good cause is shown for not requiring treatment, shall require as a condition of release on personal bond under this article that the defendant submit to outpatient or inpatient mental health or intellectual disability [mental retardation] treatment as recommended by the local mental health or intellectual and developmental disability [mental retardation] authority if the defendant's:

(1) mental illness or intellectual disability [mental retardation] is chronic in nature; or

(2) ability to function independently will continue to deteriorate if the defendant is not treated.

SECTION 3.03. Article 25.03, Code of Criminal Procedure, is amended to read as follows:

Art. 25.03. IF ON BAIL IN FELONY. When the accused, in case of felony, is on bail at the time the indictment is presented, [it is not necessary to serve him with a copy, but] the clerk shall [on request] deliver a copy of the indictment [same] to the accused or the accused's [his] counsel[,] at the earliest possible time.

SECTION 3.04. Article 25.04, Code of Criminal Procedure, is amended to read as follows:

Art. 25.04. IN MISDEMEANOR. In misdemeanors, the clerk shall deliver a copy of the indictment or information to the accused or the accused's counsel at the earliest possible time before trial [it shall not be necessary before trial to furnish the accused with a copy of the indictment or information; but he or his counsel may demand a copy, which shall be given as early as possible

SECTION 3.05. Section 511.009(a), Government Code, as amended by Chapters 281 (H.B. 875), 648 (H.B. 549), and 688 (H.B. 634), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

- (a) The commission shall:
- (1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;
 - (2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;
 - (3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;
 - (4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;
 - (5) revise, amend, or change rules and procedures if necessary;
 - (6) provide to local government officials consultation on and technical assistance for county jails;
 - (7) review and comment on plans for the construction and major modification or renovation of county jails;
 - (8) require that the sheriff and commissioners of each county submit to the commission, on a form prescribed by the commission, an annual report on the conditions in each county jail within their jurisdiction, including all information necessary to determine compliance with state law, commission orders, and the rules adopted under this chapter;
 - (9) review the reports submitted under Subdivision (8) and require commission employees to inspect county jails regularly to ensure compliance with state law, commission orders, and rules and procedures adopted under this chapter;
 - (10) adopt a classification system to assist sheriffs and judges in determining which defendants are low-risk and consequently suitable participants in a county jail work release program under Article 42.034, Code of Criminal Procedure;
 - (11) adopt rules relating to requirements for segregation of classes of inmates and to capacities for county jails;
 - (12) require that the chief jailer of each municipal lockup submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the lockup, including all information necessary to determine compliance with state law concerning secure confinement of children in municipal lockups;
 - (13) at least annually determine whether each county jail is in compliance with the rules and procedures adopted under this chapter;
 - (14) require that the sheriff and commissioners court of each county submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the county jail, including all information necessary to determine compliance with state law concerning secure confinement of children in county jails;
 - (15) schedule announced and unannounced inspections of jails under the commission's jurisdiction using the risk assessment plan established under Section 511.0085 to guide the inspections process;
 - (16) adopt a policy for gathering and distributing to jails under the commission's jurisdiction information regarding:
 - (A) common issues concerning jail administration;
 - (B) examples of successful strategies for maintaining compliance with state law and the rules,

standards, and procedures of the commission; and

(C) solutions to operational challenges for jails;

(17) report to the Texas Correctional Office on Offenders with Medical or Mental Impairments on a jail's compliance with Article 16.22, Code of Criminal Procedure;

(18) adopt reasonable rules and procedures establishing minimum requirements for jails to:

(A) determine if a prisoner is pregnant; and

(B) ensure that the jail's health services plan addresses medical and mental health care, including nutritional requirements, and any special housing or work assignment needs for persons who are confined in the jail and are known or determined to be pregnant;

(19) provide guidelines to sheriffs regarding contracts between a sheriff and another entity for the provision of food services to or the operation of a commissary in a jail under the commission's jurisdiction, including specific provisions regarding conflicts of interest and avoiding the appearance of impropriety; [and]

(20) adopt reasonable rules and procedures establishing minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each;

(21) [(20)] require the sheriff of each county to:

(A) investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service; and

(B) use the data described by Paragraph (A) to assist prisoners who are veterans in applying for federal benefits or compensation for which the prisoners may be eligible under a program administered by the United States Department of Veterans Affairs;

(22) [(20)] adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian, as defined by Section 1002.012, Estates Code, that:

(A) allow visitation by a guardian to the same extent as the prisoner's next of kin, including placing the guardian on the prisoner's approved visitors list on the guardian's request and providing the guardian access to the prisoner during a facility's standard visitation hours if the prisoner is otherwise eligible to receive visitors; and

(B) require the guardian to provide the sheriff with letters of guardianship issued as provided by Section 1106.001, Estates Code, before being allowed to visit the prisoner; and

(23) adopt reasonable rules and procedures to ensure the safety of prisoners, including rules and procedures that require a county jail to:

(A) give prisoners the ability to access a mental health professional at the jail through a telemental health service 24 hours a day;

(B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional; and

(C) if funding is available under Section 511.019, install automated electronic sensors or cameras to ensure accurate and timely in-person checks of cells or groups of cells confining at-risk individuals.

SECTION 3.06. Section 511.009, Government Code, is amended by adding Subsection (d) to read

as follows:

(d) The commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody.

SECTION 3.07. Chapter 511, Government Code, is amended by adding Sections 511.019, 511.020, and 511.021 to read as follows:

Sec. 511.019. PRISONER SAFETY FUND. (a) The prisoner safety fund is a dedicated account in the general revenue fund.

(b) The prisoner safety fund consists of:

(1) appropriations of money to the fund by the legislature; and

(2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) Money in the fund may be appropriated only to the commission to pay for capital improvements that are required under Section 511.009(a)(23).

(d) The commission by rule may establish a grant program to provide grants to counties to fund capital improvements described by Subsection (c). The commission may only provide a grant to a county for capital improvements to a county jail with a capacity of not more than 96 prisoners.

Sec. 511.020. SERIOUS INCIDENTS REPORT. (a) On or before the fifth day of each month, the sheriff of each county shall report to the commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail:

(1) a suicide;

(2) an attempted suicide;

(3) a death;

(4) a serious bodily injury, as that term is defined by

Section 1.07, Penal Code;

(5) an assault;

(6) an escape;

(7) a sexual assault; and

(8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code.

(b) The commission shall prescribe a form for the report required by Subsection (a).

(c) The information required to be reported under Subsection (a)(8) may not include the name or other identifying information of a county jailer or jail employee.

(d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552.

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other

than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible.

(b) The commission shall adopt any rules necessary relating to the appointment of a law enforcement agency under Subsection

(a), including rules relating to cooperation between law enforcement agencies and to procedures for handling evidence.

SECTION 3.08. The changes in law made by this article to Article 17.032, Code of Criminal Procedure, apply only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of executed, and the former law is continued in effect for that purpose.

SECTION 3.09. Not later than January 1, 2018, the Commission on Jail Standards shall:

(1) adopt the rules and procedures required by Section 511.009(d), Government Code, as added by this article, and the rules required by Section 511.021(b), Government Code, as added by this article; and

(2) prescribe the form required by Section 511.020(b), Government Code, as added by this article.

SECTION 3.10. Not later than September 1, 2018, the Commission on Jail Standards shall adopt the rules and procedures required by Section 511.009(a)(23), Government Code, as added by this article. On and after September 1, 2020, a county jail shall comply with any rule or procedure adopted by the Commission on Jail Standards under that subdivision.

SECTION 3.11. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to non-substantive additions to and corrections in enacted codes.

ARTICLE 4. PEACE OFFICER AND COUNTY JAILER TRAINING

SECTION 4.01. Chapter 511, Government Code, is amended by adding Section 511.00905 to read as follows:

Sec. 511.00905. JAIL ADMINISTRATOR POSITION; EXAMINATION REQUIRED. (a) The Texas Commission on Law Enforcement shall develop and the commission shall approve an examination for a person assigned to the jail administrator position overseeing a county jail.

(b) The commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination.

(c) The sheriff of a county shall perform the duties of the jail administrator position at any time there is not a person available who satisfies the examination requirements of this

section.

(d) A person other than a sheriff may not serve in the jail administrator position of a county jail unless the person satisfies the examination requirement of this section.

SECTION 4.02. Section 1701.253, Occupations Code, is amended by amending Subsection (j) and adding Subsection (n) to read as follows: commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this subsection [section] or Section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

SECTION 4.03. Section 1701.310(a), Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (e), a person may not be appointed as a county jailer, except on a temporary basis, unless the person has satisfactorily completed a preparatory training program, as required by the commission, in the operation of a county jail at a school operated or licensed by the commission. The training program must consist of at least eight hours of mental health training approved by the commission and the Commission on Jail Standards.

SECTION 4.04. Section 1701.352(b), Occupations Code, is amended to read as follows:

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

(1) topics selected by the agency; and

(2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:

(A) civil rights, racial sensitivity, and cultural diversity;

(B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; [and]

(C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and

(D) unless determined by the agency head to be inconsistent with the officer's assigned duties:

(i) the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and

(ii) issues concerning sex offender characteristics.

SECTION 4.05. Section 1701.402, Occupations Code, is amended by adding Subsection (n) to read

as follows:

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section 1701.253(n).

SECTION 4.06. Not later than March 1, 2018, the Texas Commission on Law Enforcement shall develop and the Commission on Jail Standards shall approve the examination required by Section 511.00905, Government Code, as added by this article.

SECTION 4.07. (a) Not later than March 1, 2018, the Texas Commission on Law Enforcement shall establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this article.

(b) The minimum curriculum requirements under Section 1701.253(j), Occupations Code, as amended by this article, apply only to a peace officer who first begins to satisfy those requirements on or after April 1, 2018.

SECTION 4.08. (a) Section 1701.310, Occupations Code, as amended by this article, takes effect January 1, 2018.

(b) A person in the position of county jailer on September 1, 2017, must comply with Section 1701.310(a), Occupations Code, as amended by this article, not later than August 31, 2021.

ARTICLE 5. MOTOR VEHICLE STOPS, RACIAL PROFILING, AND ISSUANCE OF CITATIONS

SECTION 5.01. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsection (h) to read as follows:

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information

relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; [and]
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
- (E) the location of the stop; and
- (F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

- (A) the Texas Commission on Law Enforcement; and
- (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

SECTION 5.02. Article 2.133, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

- (A) the person's gender; and
- (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search

and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; [and]

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b)

to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

SECTION 5.03. Article 2.134(c), Code of Criminal Procedure, is amended to read as follows:

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; [and]

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

SECTION 5.04. Article 2.137, Code of Criminal Procedure, is amended to read as follows:

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship,

available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)]. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using [installed] video and audio equipment and body worn cameras for those purposes [as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1)].

SECTION 5.05. Article 2.1385(a), Code of Criminal Procedure, is amended to read as follows:

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an [the] amount not to exceed \$5,000 [of \$1,000] for each violation. The attorney general may sue to collect a civil penalty under this subsection.

SECTION 5.06. Article 2.135, Code of Criminal Procedure, is repealed.

SECTION 5.07. Articles 2.132 and 2.134, Code of Criminal Procedure, as amended by this article, apply only to a report covering a calendar year beginning on or after January 1, 2018.

SECTION 5.08. Not later than September 1, 2018, the Texas Commission on Law Enforcement shall:

(1) evaluate and change the guidelines for compiling and reporting information required under Article 2.134, Code of Criminal Procedure, as amended by this article, to enable the guidelines to better withstand academic scrutiny; and

(2) make accessible online:

(A) a downloadable format of any information submitted under Article 2.134(b), Code of Criminal

Procedure, that is not exempt from public disclosure under Chapter 552, Government Code; and
(B) a glossary of terms relating to the information to make the information readily understandable to the public. This Act takes effect September 1, 2017.

Senate Speaker of the House

President of the

I hereby certify that S.B. No. 1849 passed the Senate on May 11, 2017, by the following vote:
Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1849 passed the House on May 20, 2017, by the following vote:
Yeas 137, Nays 0, one present not voting.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Except as otherwise provided by this Act,

Approved:

Date

Governor

Chief Clerk of the House

**BURLESON
POLICE DEPARTMENT
RACIAL PROFILING POLICY**

Burleson Police Department

Administrative Policy and Procedures

Number: 04-010

Document Title: Biased Based Profiling

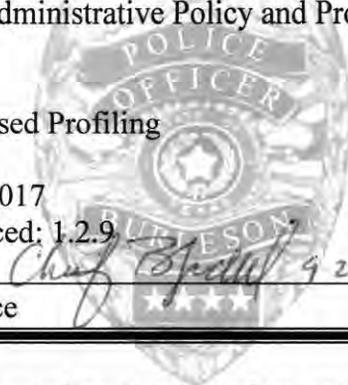
Effective Date: 4/2001

Last Revised Date: 09/22/2017

CALEA Standards Referenced: 1.2.9

ISSUING AUTHORITY:

Billy Cordell, Chief of Police



This Biased Based Profiling policy is adopted in compliance with the requirements of Article 2.131 through 2.1.3.7 of the Code of Criminal Procedures prohibiting Texas Police Officers from engaging in biased based policing. Biased based policing undermines legitimate law enforcement efforts and may lead to claims of civil rights violations. It often alienates citizens and may foster distrust of law enforcement within the community.

I. Policy [1.2.9a/c]

Members of the Burleson Police Department will not engage in activities that are discriminatory or practice bias based policing. Personnel will focus on the behavior(s) of the individual and/or specific information before taking police action. Allegations of Biases Based Profiling will be thoroughly investigated and appropriate action will be taken up to termination.

II. Definitions:

A. **Biased Based Profiling:**

A law enforcement initiated action based on an individual(s) race, ethnicity, gender, sexual orientation, religion, economic status, age, or other bias. For purpose of this directive the term "racial profiling" is a part of Biased Based Profiling.

B. **Race or Ethnicity:**

Heritage of a particular descent, including White (W), Black (B), Hispanic or Latino (H), Asian or Pacific Islander (A), Alaska Native or Native American (NA),.

C. **Seizure:**

Taking of property from an individual without the individual's consent or any restriction of an individual's liberty without the individual's consent. A detention will be considered a seizure, as will an arrest. Seizure also includes any filing of documents with the District Attorney for the purpose of asset forfeiture.

D. **Traffic Stop:**

The stopping of a motor vehicle by a peace officer for an alleged violation of law or ordinance regulating traffic.

E. **Pedestrian Stop:**

An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

III. Prohibited action [1.2.9a]

Peace officers of the City of Burleson are strictly prohibited from engaging in biased based profiling. The prohibition against biased based profiling does not preclude the use of race, ethnicity, or national origin as factors in a detention decision by a peace officer. Race, ethnicity, or national origin may be legitimate factors in such a decision when used as part of a description of a suspect or witness for whom a peace officer is searching.

IV. Complaint Process and Public Education

- A. Any person alleging biased based profiling may file a complaint in accordance with Burleson Police Department Internal Affairs policies. No person shall be discouraged, intimidated, or coerced from filing such a complaint, or be discriminated against because they have filed such a complaint.
- B. Any member of the department who receives a citizen complaint alleging biased based profiling shall forward the complaint to Internal Affairs or their direct supervisor within 12 hours. Receipt and processing of the complaint will be in accordance with departmental policy.
- C. The police department of the City of Burleson shall provide education to the public concerning the biased based profiling complaint process or complaint with respect to each citation, or warning issued by a police officer, including but not limited to the telephone number, mailing address and email address. A summary of the public education efforts made during the preceding year shall be included with the annual report filed with the governing body of the City of Burleson.

V. Corrective Action [1.2.9c]

Any peace officer who is found, to have engaged in biased based profiling in violation of this policy shall be subject to corrective action, termination, or other appropriate action as determined by the Chief of Police.

VI. Collection of information and annual report when citation(s) are issued or arrest(s) are made. [1.2.9d]

- A. For each traffic stop in which a citation is issued and for each arrest resulting from such traffic stops, a peace officer involved in the stop shall collect information:

1. Identifying the race or ethnicity of the person detained.
2. Stating whether the race of the subject was known before the stop.
3. If a search was conducted
4. Whether the person detained consented to the search.
5. Whether the peace officer used physical force that resulted in bodily injury, as the term is defined by Section 1.07, Penal Code ("means physical pain, illness, or any impairment to physical condition), during the stop.
6. The location of the stop.
7. The reason for the stop.

- B. In January of each year a consulting firm contracted by the City of Burleson will compile this information in an annual report to the Chief of Police for review. This report covering the period January 1 through December 31 of the previous year, will then be submitted by the Chief of Police to the governing body of the City of Burleson and to the T.C.O.L.E no later than March 1. The annual report shall not include indentifying information about any individual stopped or arrested, and shall not include identifying information about any law enforcement officer involved in a stop or arrest.
- C. The Support Bureau Captain will compile a statistical summary of all bias based complaints which will include the disposition of the case and will be included in the above mentioned report.
- D. Vehicle used by officers to make traffic and pedestrian stops shall be equipped with video camera and transmitter-activated equipment. Motorcycles will be equipped with an audio recording device. Audio and video equipment will be activated each time a violator/suspect contact is made. Malfunctioning equipment will be reported immediately to the shift supervisor. Recordings will be kept a minimum of 90 days unless a complaint is made, in which case such recordings will be kept until final resolution of the complaint.
- E. Supervisors shall periodically conduct quarterly reviews of randomly-selected recordings to determine if patterns of biased based profiling exist and report their results through their chain of command.

VII. Training [1.2.9b]

- A. The Burleson Police Department Training Coordinator will ensure all officers and employees receive on-going training on laws governing biased based profiling as well as asset seizure and forfeiture as required by T.C.O.L.E.



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For additional questions regarding the information presented in this report, please contact:

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817.681.7840
www.texasracialprofiling.com
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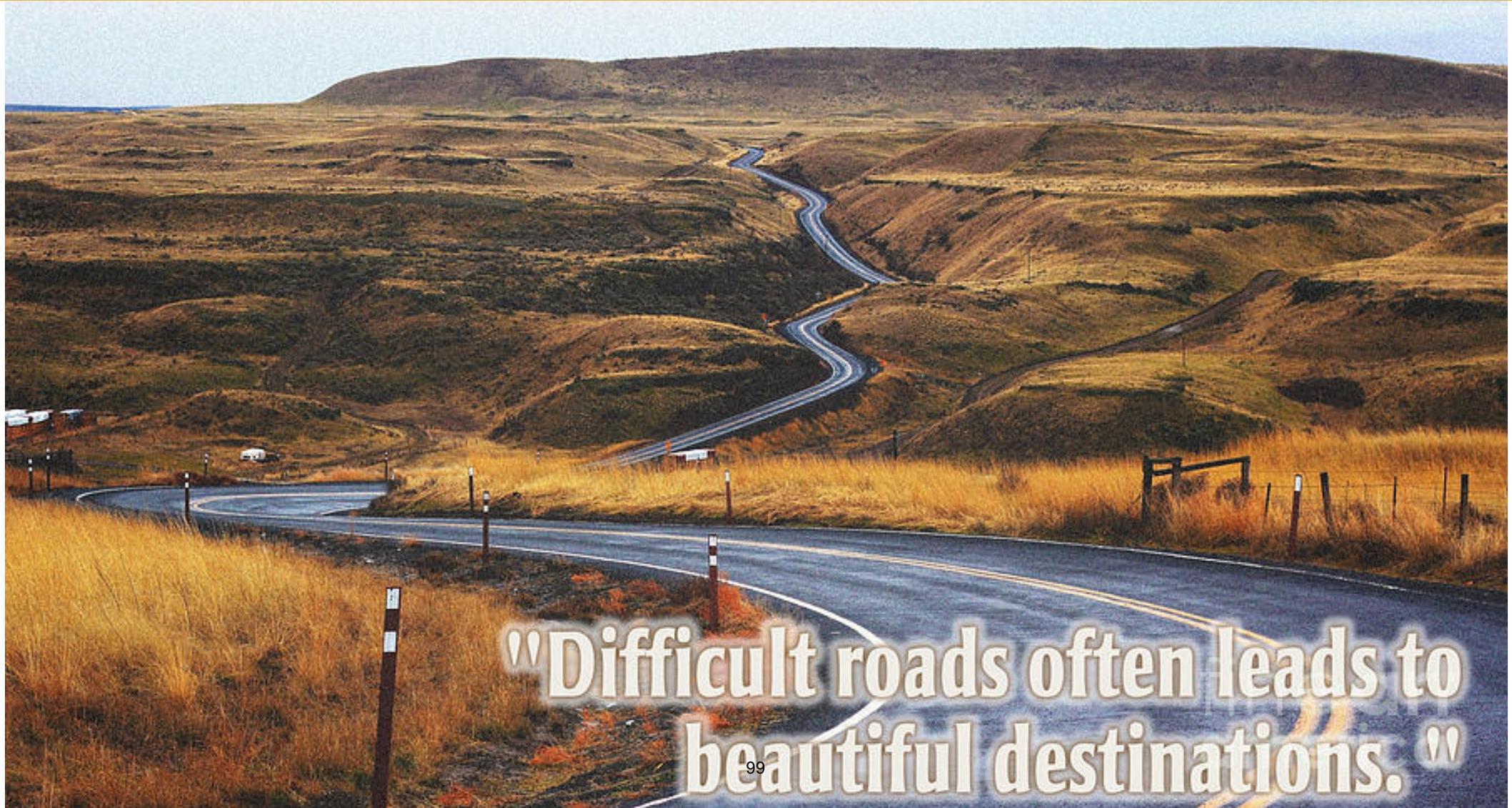
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Public Works Capital Project Update

February 8, 2023

Street Project Summaries



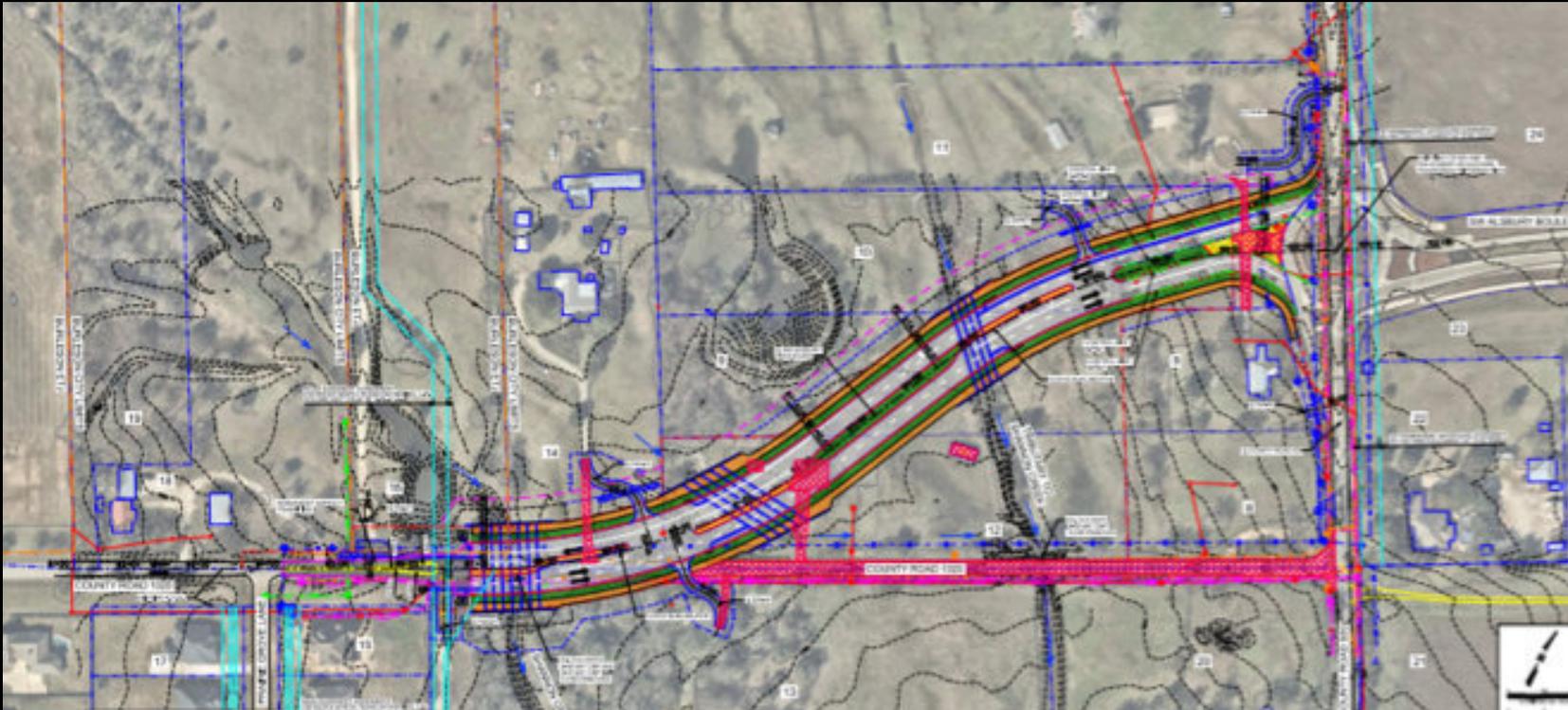
"Difficult roads often leads to beautiful destinations."

Alsbury Ph. 2 -Hulen to CR1020 (Bridge) ST2202

2022 GO Bond Project

Status

- 4 ROW Easement needed
- 3 Parcels Acquired
- Consultant addressing 60% plan review comments from staff and JCSUD
- 90% plans anticipated Feb 2023
- 100% plans anticipated July 2023; initiate construction Oct 2023
- Design - \$606,750
- Const. Budget - \$6,678,029



Design in Progress



Previously Project #167364

Lakewood Drive Connection to Chisholm Trail Pkwy

ROW, Design and Construction

Description

- Permanent Connection from Lakewood to FM1902
- Design Funding Included in Lakewood Drive Construction Estimates

Status

- Staff selected Kimley Horn to complete design and environmental
- Design Cost of approx. \$1,100,000
- Council action - Feb. 20, 2023
- Estimated Construction Cost - \$16M
- Estimated Construction beginning in FY26
- Possible COG Funding

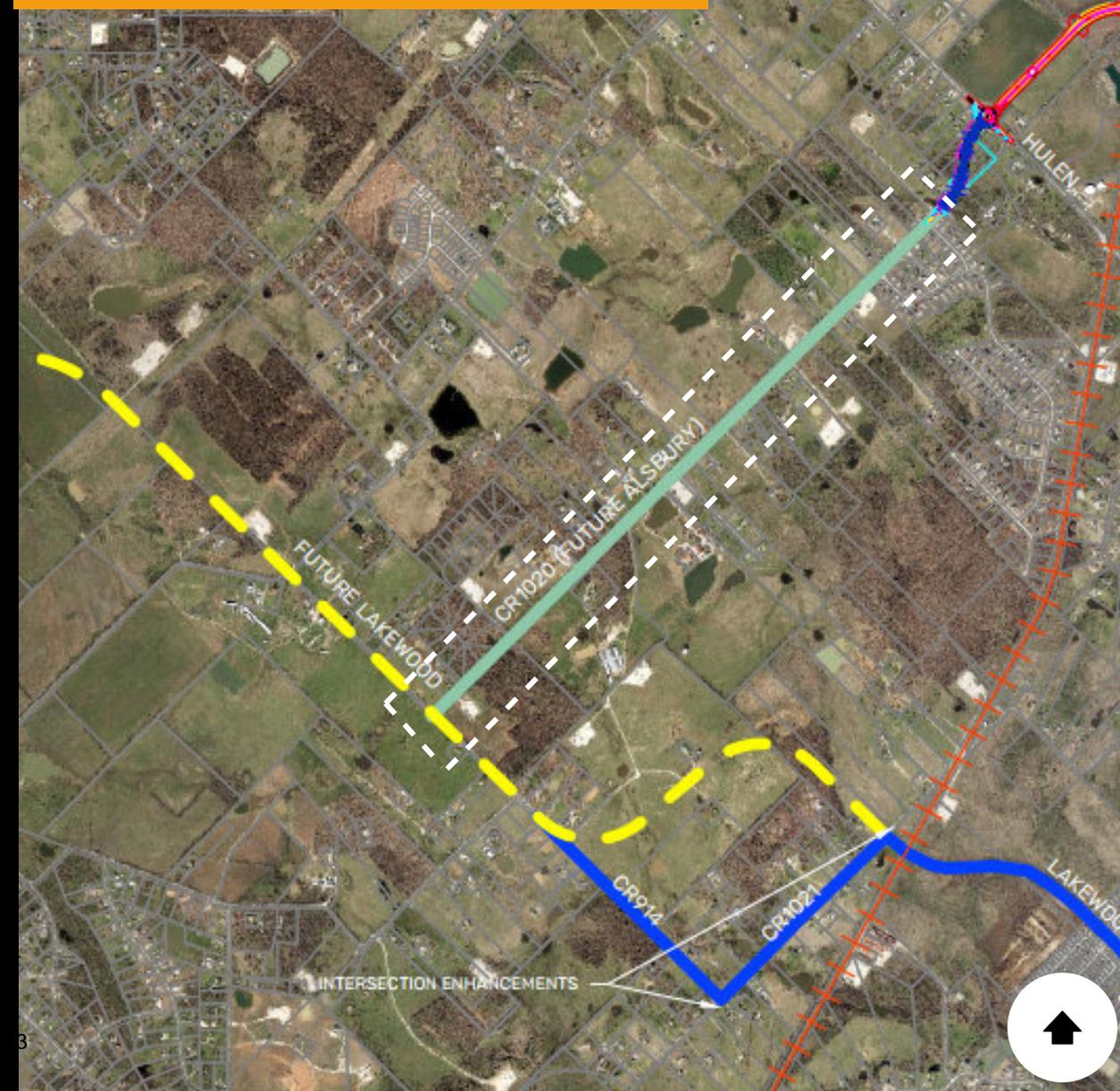


Description

- Extension of Alsbury Blvd by ultimately increasing from 2-lanes to 4-lanes
- Portion of design funded by 2022 GO Bond (FY23 & FY24), additional design funding in FY24

Status

- Staff to begin identifying ROW acquisition opportunities
- Shortlisted firm interviews conducted 1/5/2023 - Freese and Nichols selected
- Council Approval - Feb. 20, 2023
- Design Budget - \$4,333,000
- Property acquisition from over 40 property owners
- ROW Agent included in design

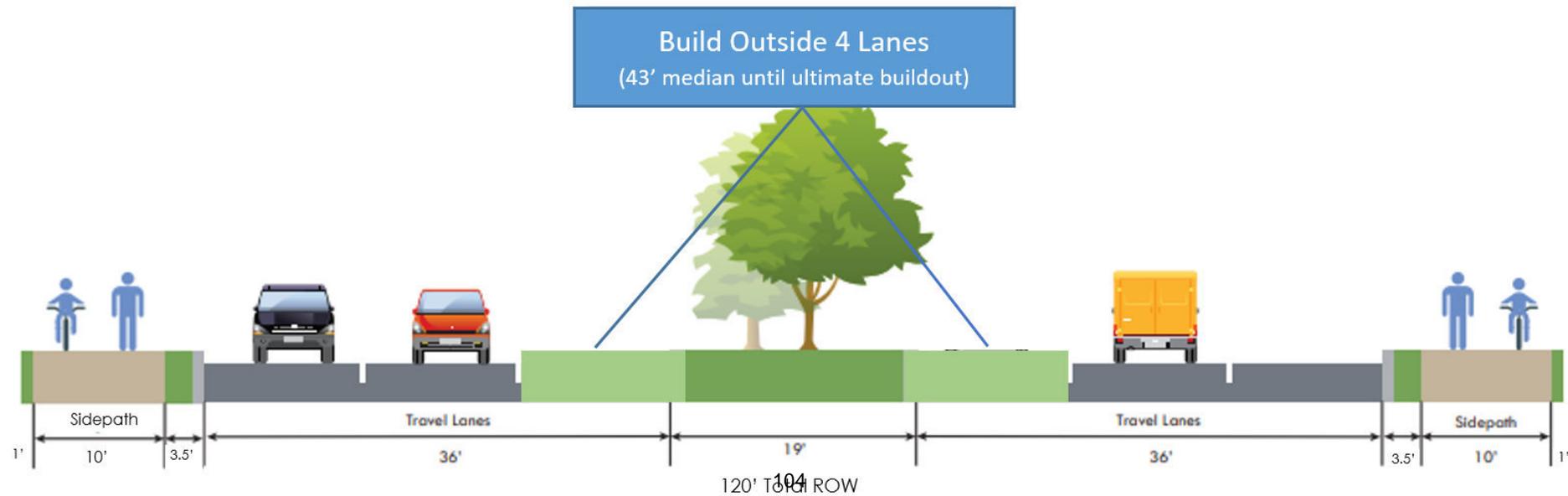
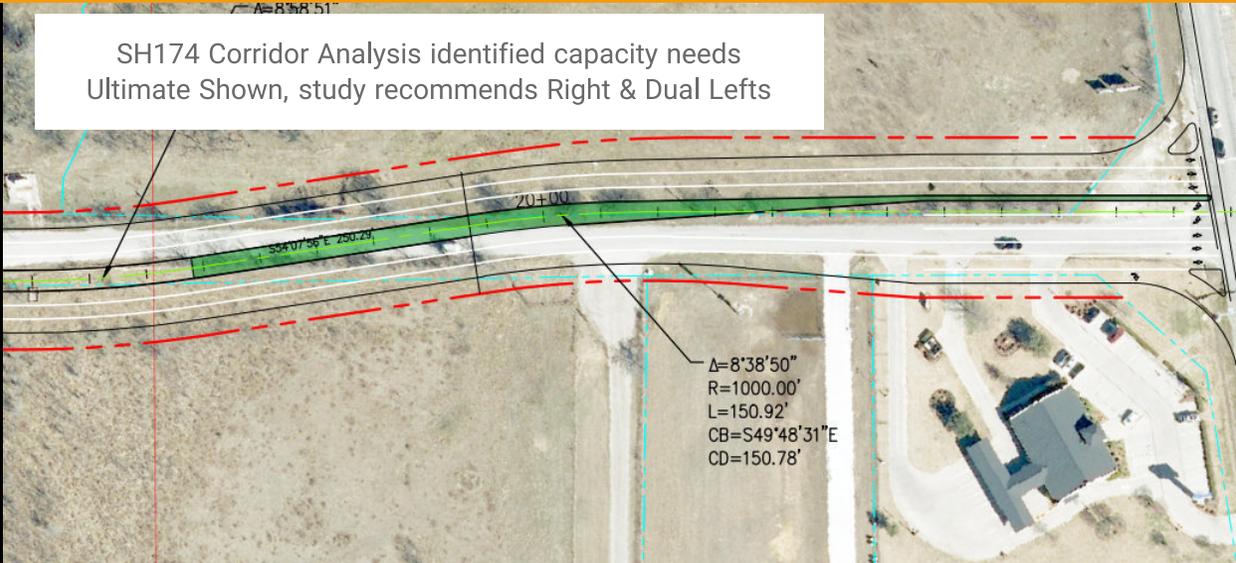


Status

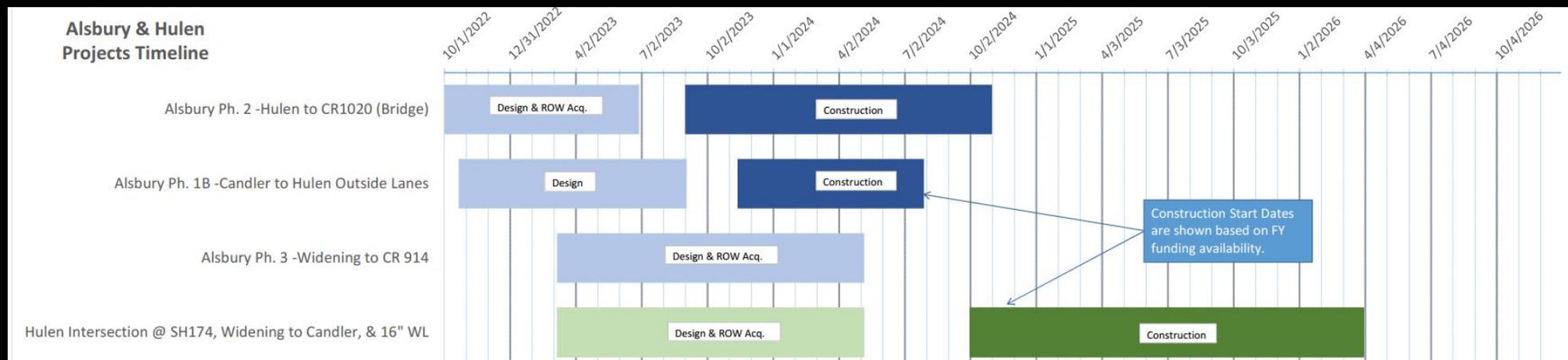
- Combined three projects into a single project
- Shortlisted firm interviews conducted 1/4/2023 - Teague, Nall and Perkins selected
- Council Action - February 20, 2023
- Design Budget - \$1,620,000

Challenges

- ROW Acquisition, TxDOT Coordination and approval



Project #	Project Name	Status or Future Funding	Est. Design Time (months)	Design Est. Start	Design Est. End	Est. Const. Time (months)	Construction Est. Start	Construction Est. End
ST2202	Alsbury Ph. 2 -Hulen to CR1020 (Bridge)	In design (FNI). Right of way, easements, and parcels are being aquired. Existing (\$606,750); GO Bond- FY22 \$948k; FY24 \$6,434,496	12.5	6/13/2022	6/29/2023	14	9/1/2023	11/1/2024
ST2302	Alsbury Ph. 1B -Candler to Hulen Outside Lanes	In design (FNI). Add'l CMO Budget- FY23 \$323,545; FY24 \$3.5M	10.4	10/21/2022	9/3/2023	8.5	11/13/2023	7/29/2024
ST2301	Alsbury Ph. 3 -Widening to CR 914	FNI selected from RFQ process. Deisgn contract anticipated Mar 6th City Council. GO Bond- FY23 \$2.5M; Add'l CMO Budget- FY24 \$1,833,091	14	3/7/2023	5/7/2024			
ST2306	Hulen Intersection @ SH174, Widening to Candler, & 16" WL	TNP selected from RFQ process. Deisgn contract anticipated Mar 6th City Council. Existing (197410)- \$1.6M ;GO Bond- FY25 \$1.8M; FY26 \$7,504,680 W.WW CIP- FY25 \$464,889 ; FY26 \$3,299,185 ;Add'l CMO Budget- FY26 \$3,630,029	14	3/7/2023	5/7/2024	18	10/1/2024	4/3/2026



**CIP FY22-27
Alsbury & Hulen
Area Projects**



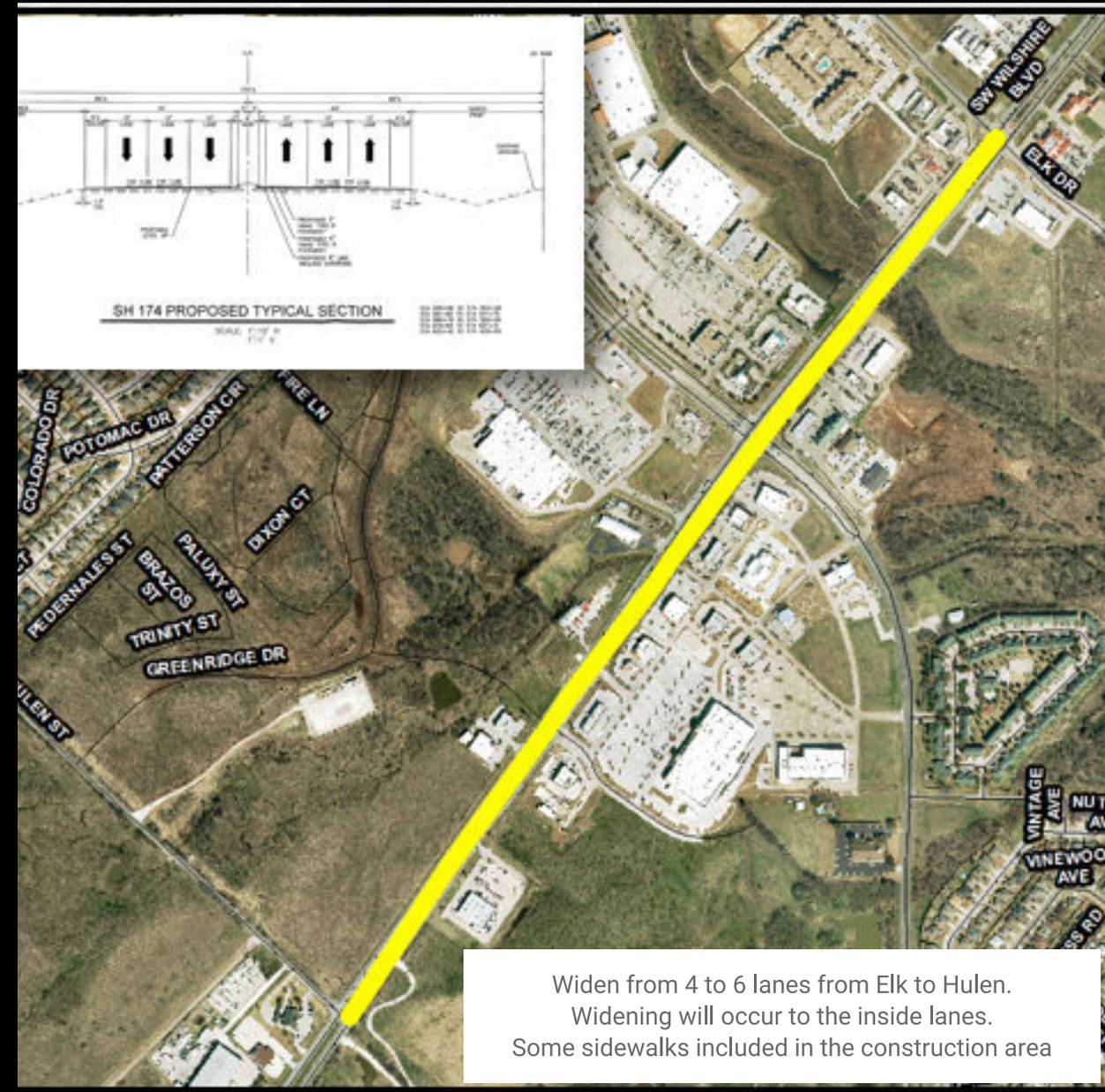
SH174 Widening to 6 Lanes (Elk to Hulen) 197405

Status

- Received 60% PS&E plan comments from TxDOT 11/18/22
- Consultant working on 30% Preliminary Bridge Layout and 60% PS&E comments from TxDOT
- Design is 100% City funded. TxDOT funding & letting 100% of the construction phase
- Letting in March 2024
- 18-24 month construction timeline
- Design Budget - \$885,500
- Const. Budget - \$7,410,000

Challenges

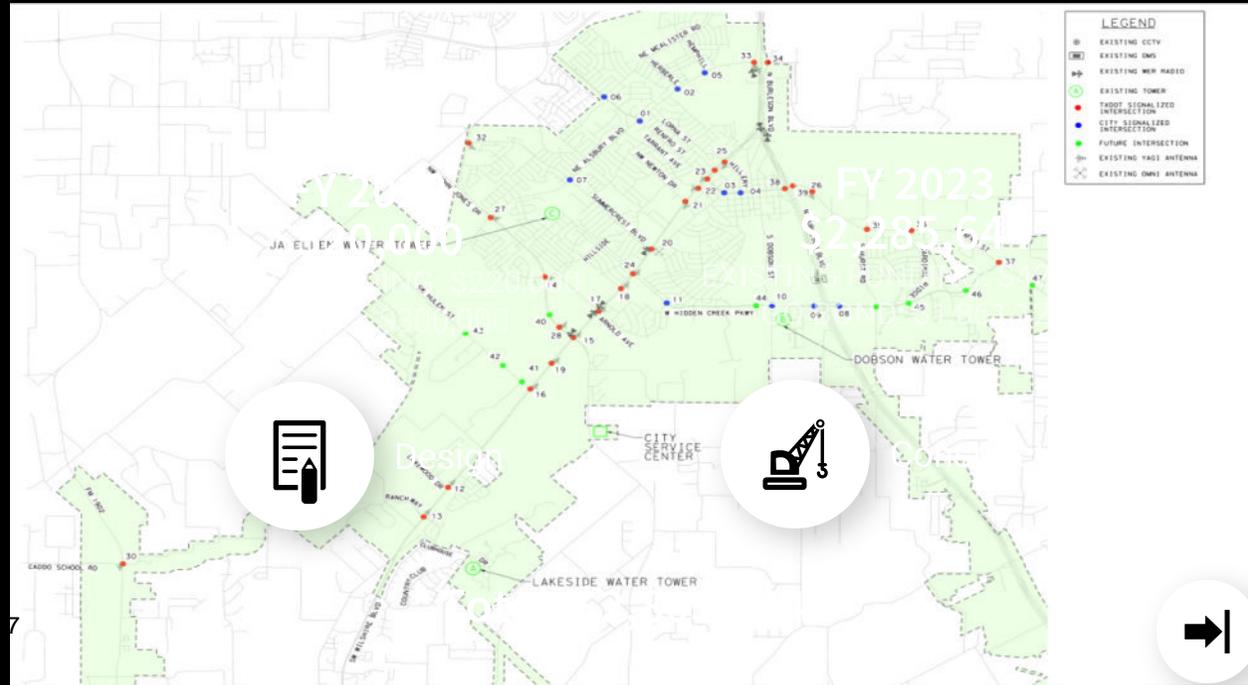
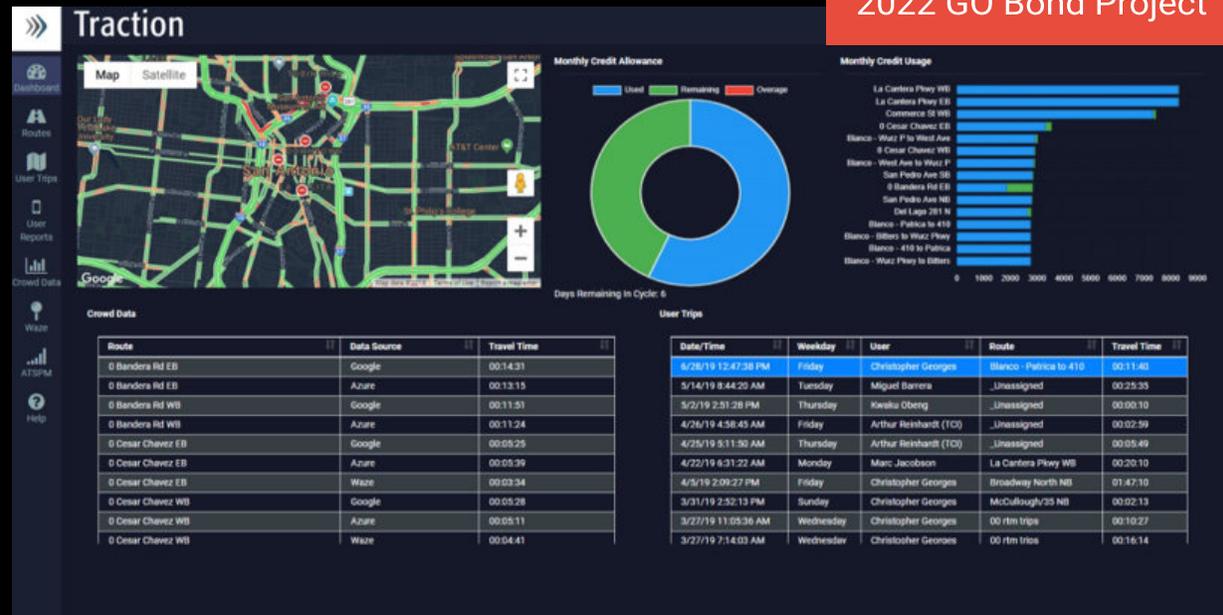
- NCTCOG funding for a portion of TxDOT's Construction Costs available in FY24
- Coordinating construction timeline with Parks' Village Creek Trail (10 Mile Loop) project



Traffic Signal Improvements (ITS) SH174 TR2201

Description

- Design at 100%
- Project will consist of Signal Infrastructure Upgrades, a Traffic Management Center (TMC) and CCTV Cameras
- Design Budget - \$183,244
- Construction Budget - \$2,610,000
- Possible COG Funding
- **HSIP Grant**
- Alsbury Traffic Signal Upgrades will be funded by the grant.
- AFA to City Council in March.



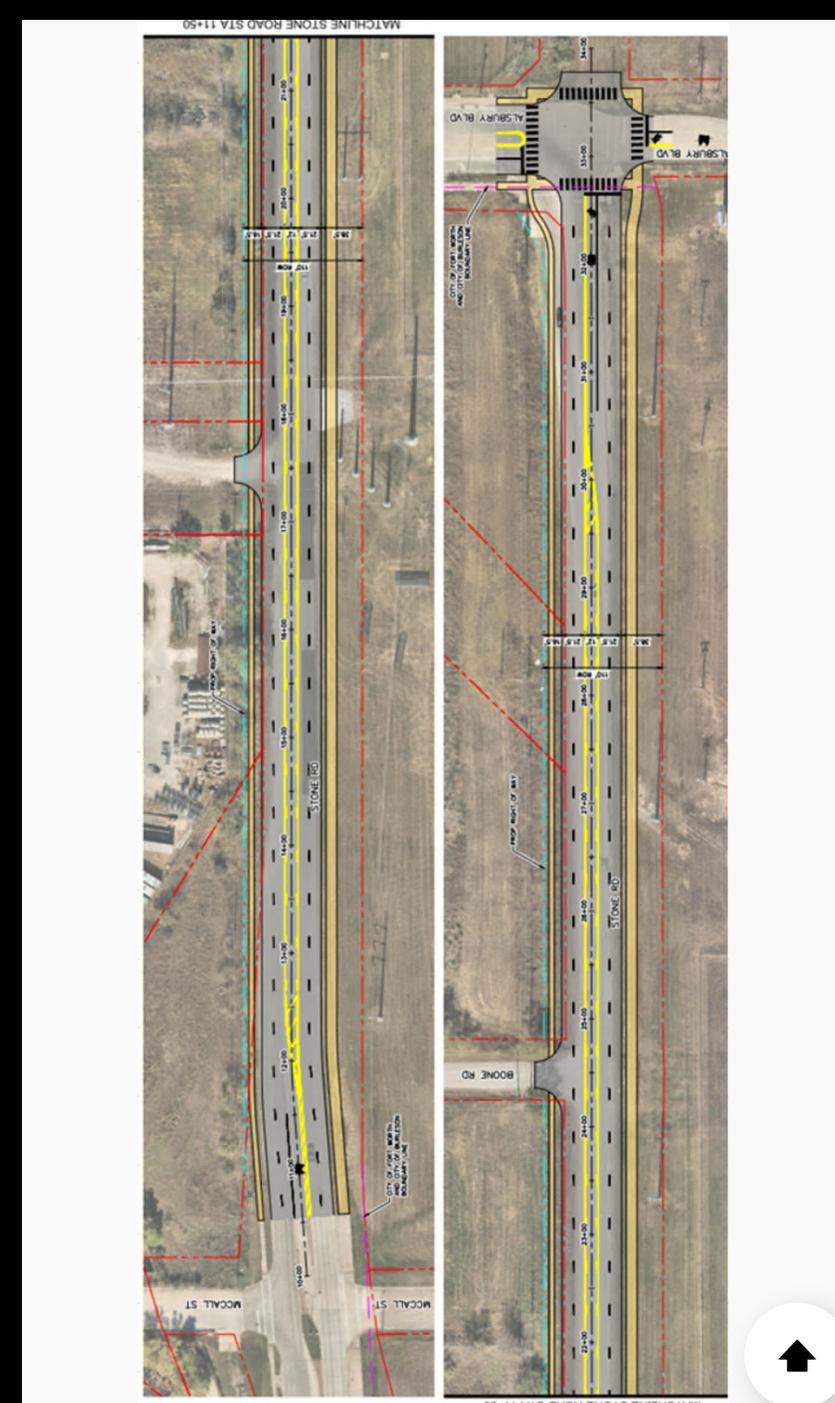
Village Creek Parkway Expansion (Tarrant Co. Bond 50% Match) ST2309

Description

- Tarrant County Bond (50% match) plus \$500k (discretionary funds from Tarrant County Commissioner)
- Reconstruction of existing 2-lane undivided asphalt section to 4 or 5-lane undivided concrete section with curb & gutter, storm drain, street lighting, sidewalk, & 10' shared use trail

Status

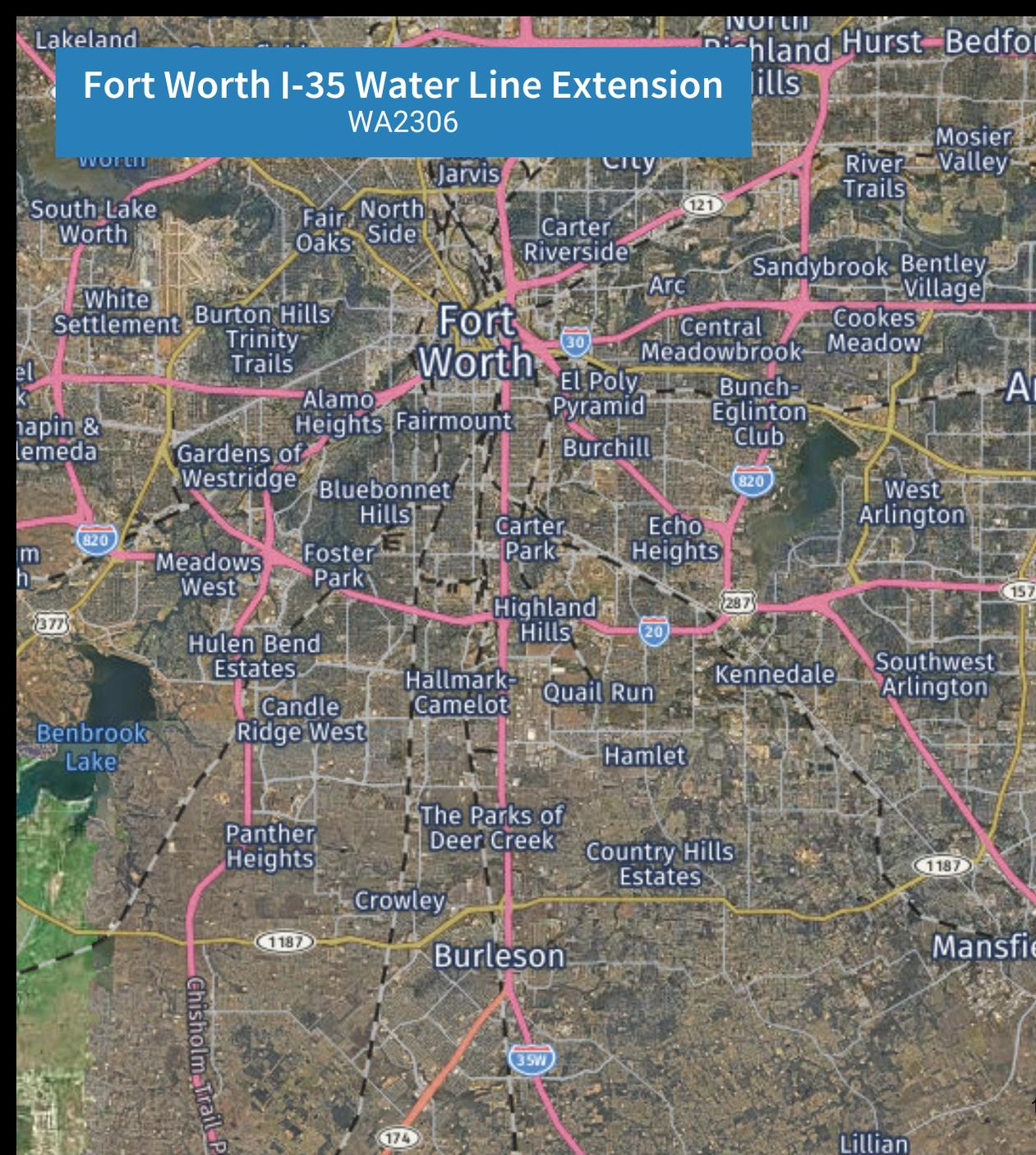
- ILA and design contract approved at 1/9/23 City Council
- Design now underway - preliminary design concepts to be shared based on Council feedback
- Anticipate design completion Oct. 2023
- Design Budget - \$380,595
- Est. Const. Budget - \$6,300,000



Water Project Summaries



Fort Worth I-35 Water Line Extension WA2306



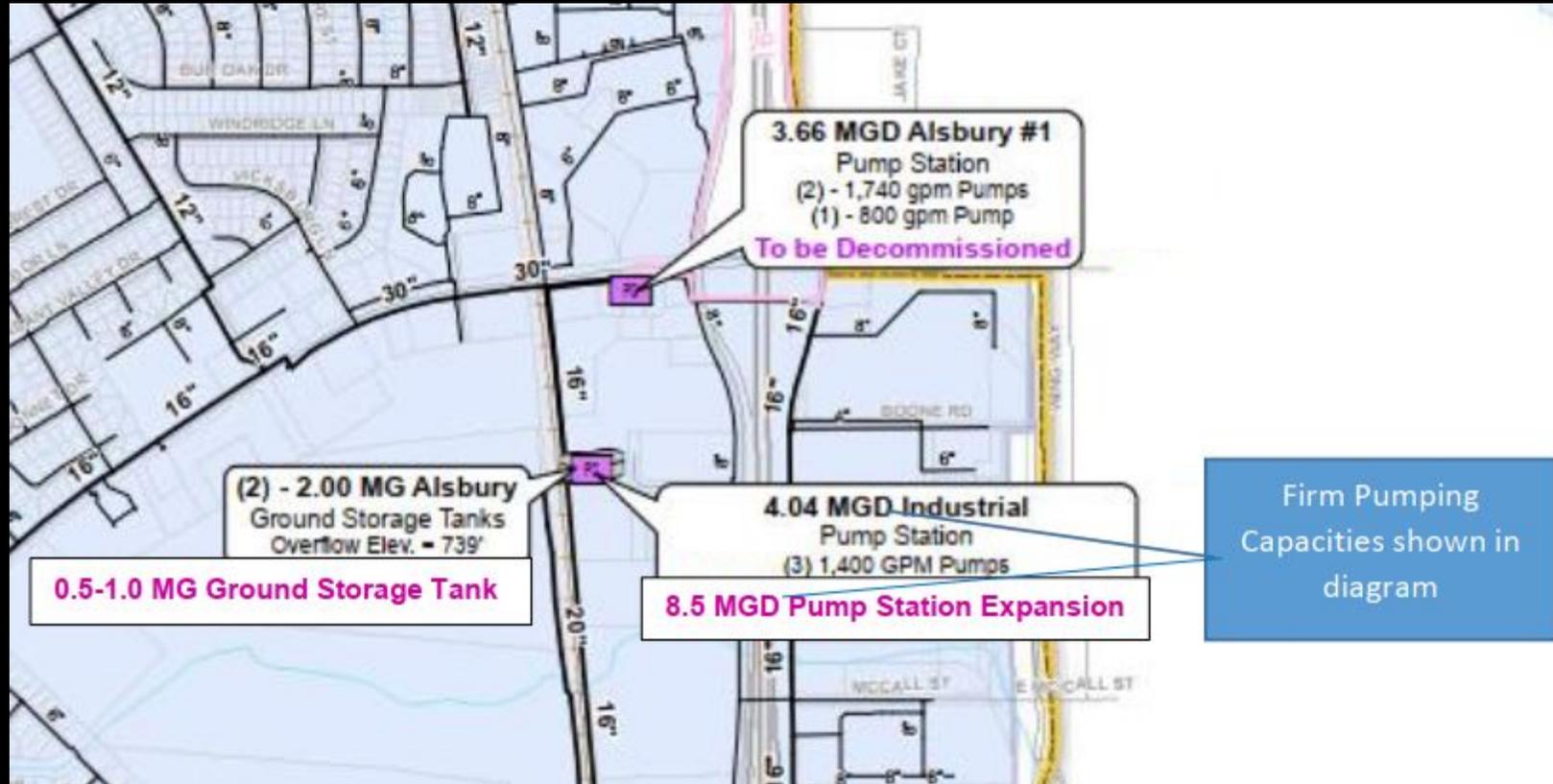
Description

- Extension of additional high volume water main from City of Fort Worth for additional City of Burleson water service capacity
- Additional capacity will provide enough water for ultimate build-out of City.
- City will only be involved financially, not with design or construction elements
- City is obligated to reimburse our proportional share.
- Estimated City Participation - \$16,268,425



Industrial Pump Station Exp. & Alsbury Pump Station Decom.

WA2301

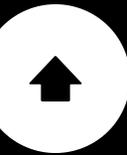


Description

- Construction of 4-4.5 MGD pump station expansion at the Industrial Pump Station to serve the Lower Pressure Plane
- Decommissioning the Alsbury #1 Pump Station

Status

- Shortlisted firms' interviews were conducted 1/5/23. Kimley-Horn chosen by interview panel.
- FY23 Design Budget - \$1,288,380
- FY24-25 Construction - \$5,337,652



Facility Project Summaries



Description

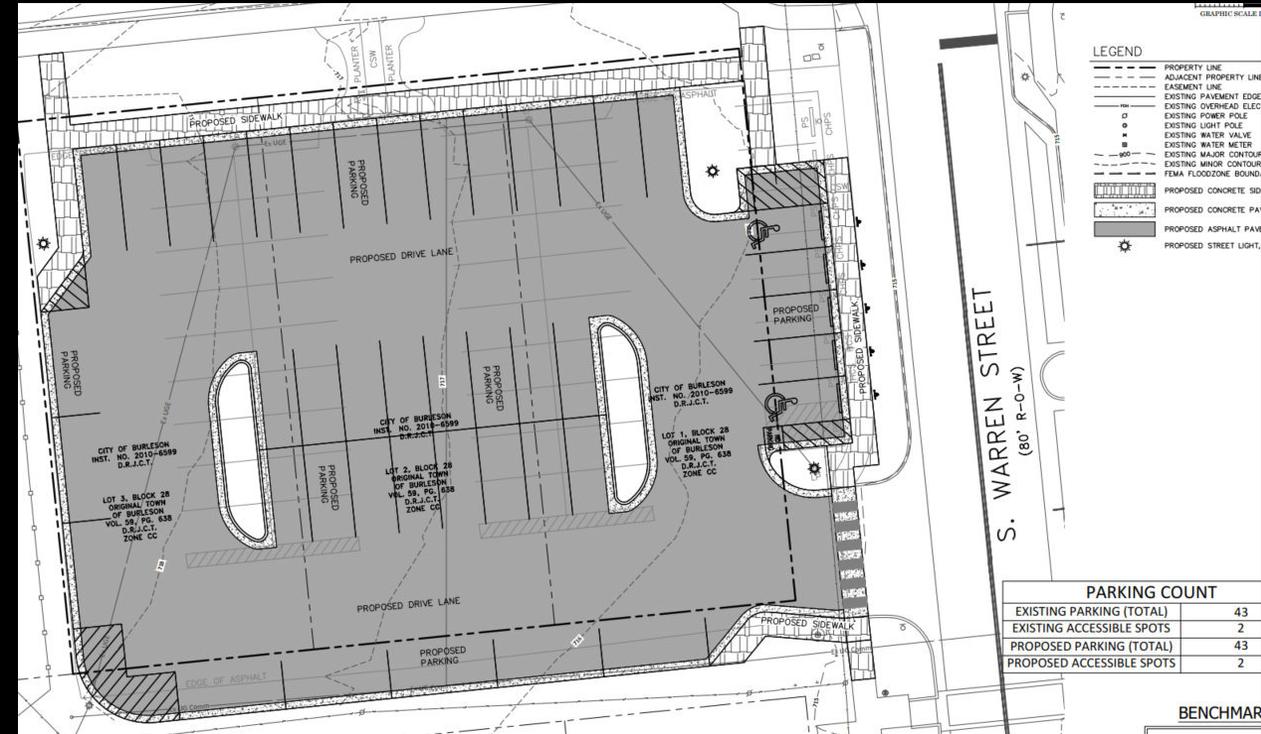
Redesign City Hall West Parking lot to improve circulation and match aesthetics of the Bufford parking lot

Status

- Construction contract awarded 1/9/2023
- Construction Started: 1/30. Scheduled to complete construction before 2023 Hot Sounds of Summer Concerts
- Notifications going out to public and staff week of 1/24.
- Const. Budget - \$437,487.30



Old Town- Plaza Visitor Parking Lot ST2303



Old Town- Ellison Parking & Street Re-alignment w/ Annex 3 Site 21PW02

Status

- Design underway with Dunaway
- 90% plans received
- Final 100% plans anticipated Feb / Mar 2023
- Construction Phasing will include roadway and parking lot first with demolition of building last.
- Design Budget - \$232,383
- Const. Budget - \$2.8M



Old Town- Ellison Street Development (Plaza Building) 21GN01

Status

Portions of the buildings are starting to go vertical.

Estimated completion - June 2023

Const. Budget - \$4,844,470



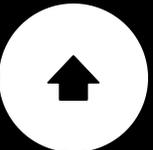
City Hall Renovation FA2303

Description

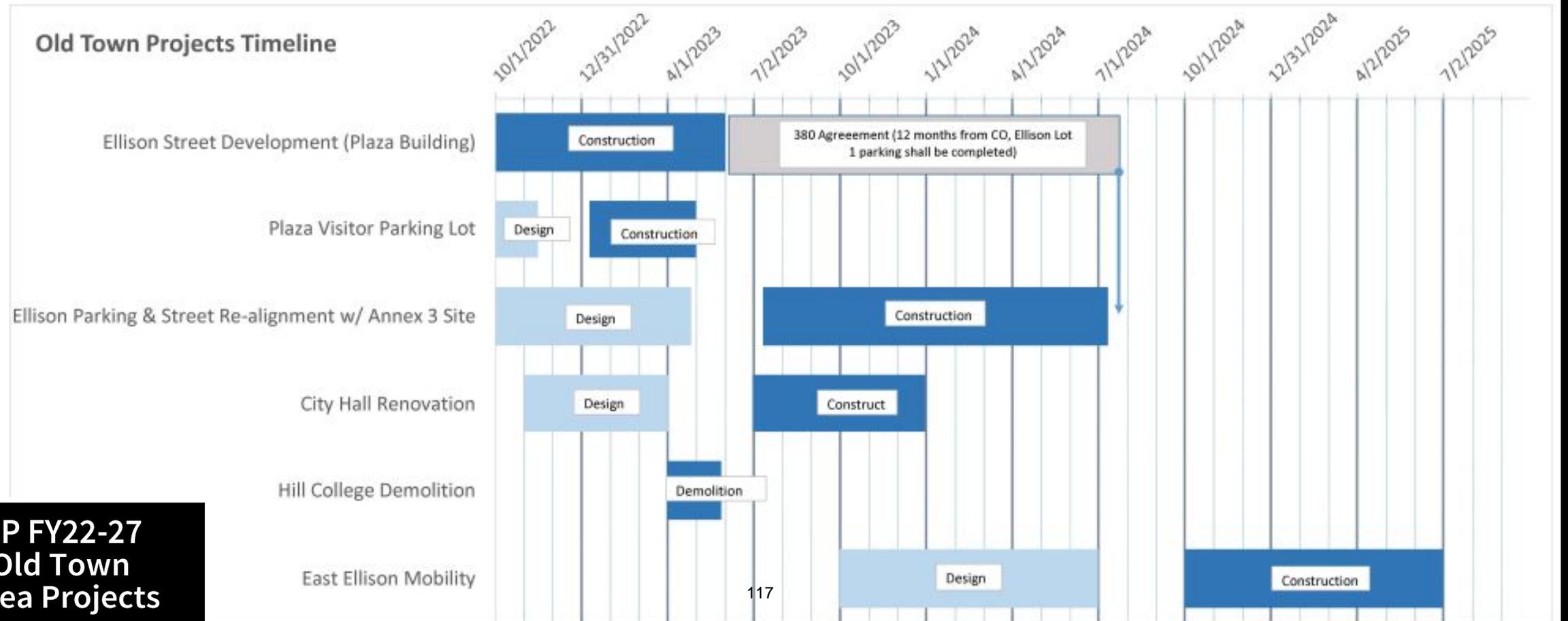
Reconfigure existing facilities to better house staff after Ellison on the Plaza construction is complete

Status

- Design contract with Brinkley Sargent Wiginton Architects approved 9/19/2022
- Design 60%, Estimate complete design in May 2023
- Construction will commence after Ellison on the Plaza is completed.
- Design Contract - \$283,392
- Const Budget - \$2,500,000



Project #	Project Name	Status	Est. Design Time (months)	Design Est. Start	Design Est. End	Est. Const. Time (months)	Construction Est. Start	Construction Est. End
21GN01	Ellison Street Development (Plaza Building)	In Construction				12	June-22	June-23
ST2303	Plaza Visitor Parking Lot	Construction to begin 1/30/23	2.5	August-22	November-22	4	January-23	May-23
21PW02	Ellison Parking & Street Re-alignment w/ Annex 3 Site	In Design (60% plan set comments returned to Consultant)	8	August-22	April-23	12	July-23	July-24
FA2303	City Hall Renovation	In Design	5	November-22	April-23	6	July-23	December-23
FA2304	Hill College Demolition	In Design				2	April-23	May-23
ST2304	East Ellison Mobility	Design scheduled to start Fall 2023.	9	October-23	July-24	9	October-24	July-25



**CIP FY22-27
Old Town
Area Projects**

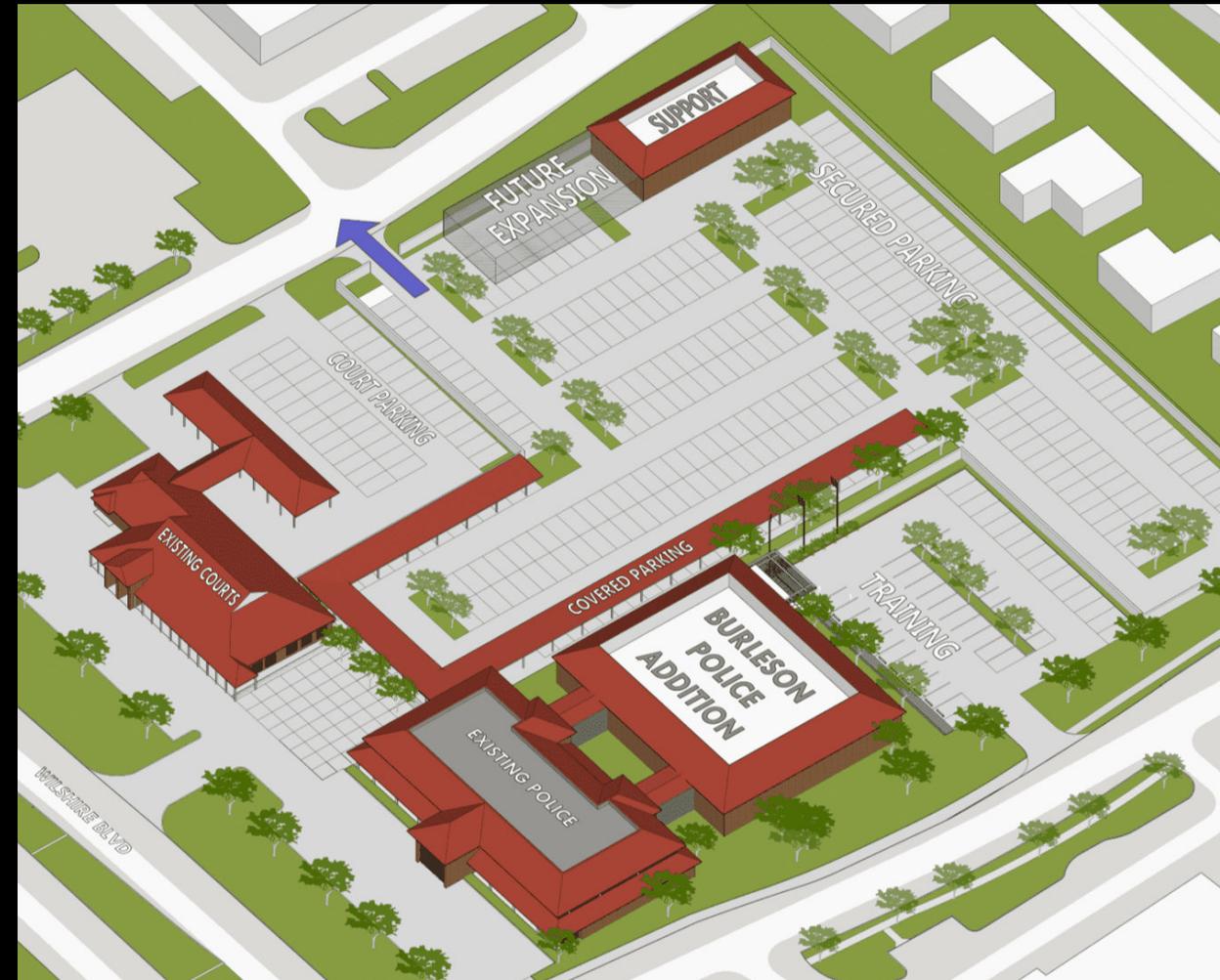
Police Headquarters Expansion FA2301

Description

- Expansion of police department headquarters
- Remodeling existing facility

Status

- Williams Pipeline gas line relocation design contract approved by City Council 9/6/2022
- Williams preliminary alignment design received
- Williams expects to complete relocation by end of Summer 2023
- Architect's design contract approved at 1/18/23 Council special session.
- Design Contract - \$2,581,495



Questions?

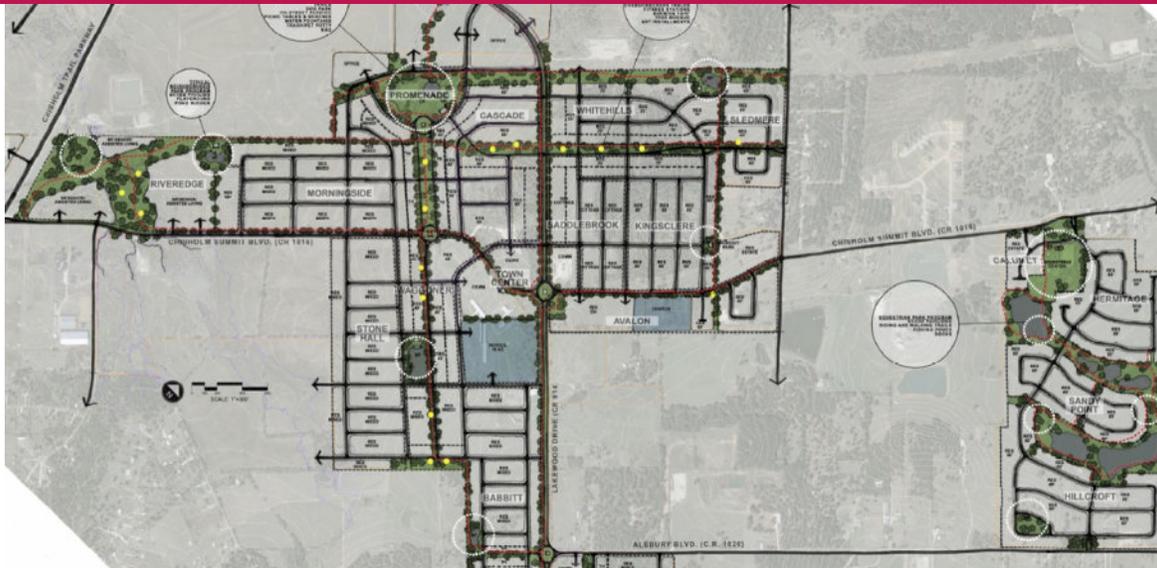
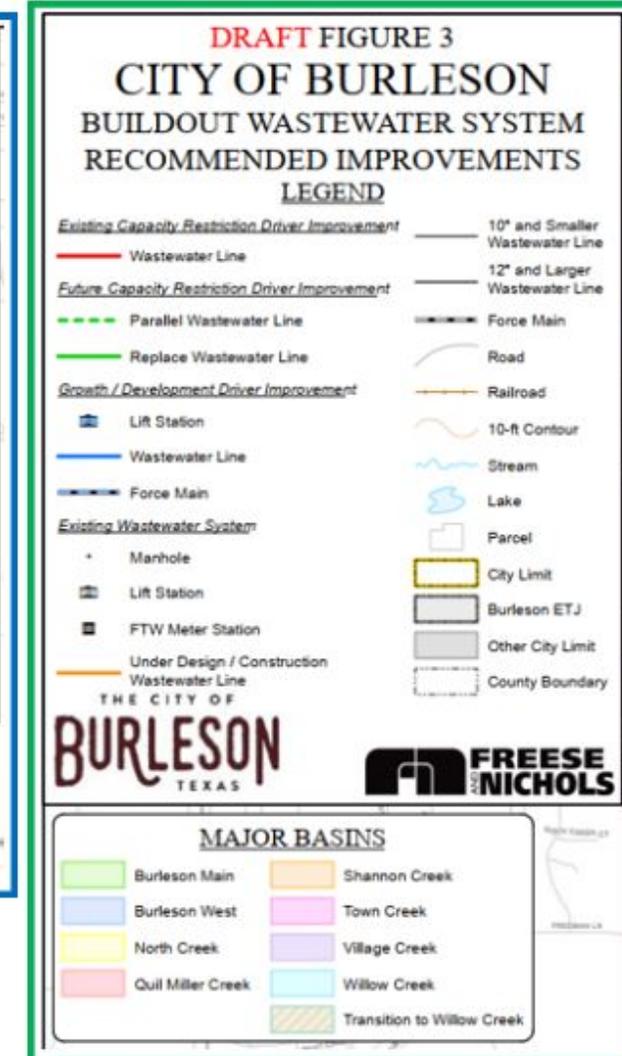
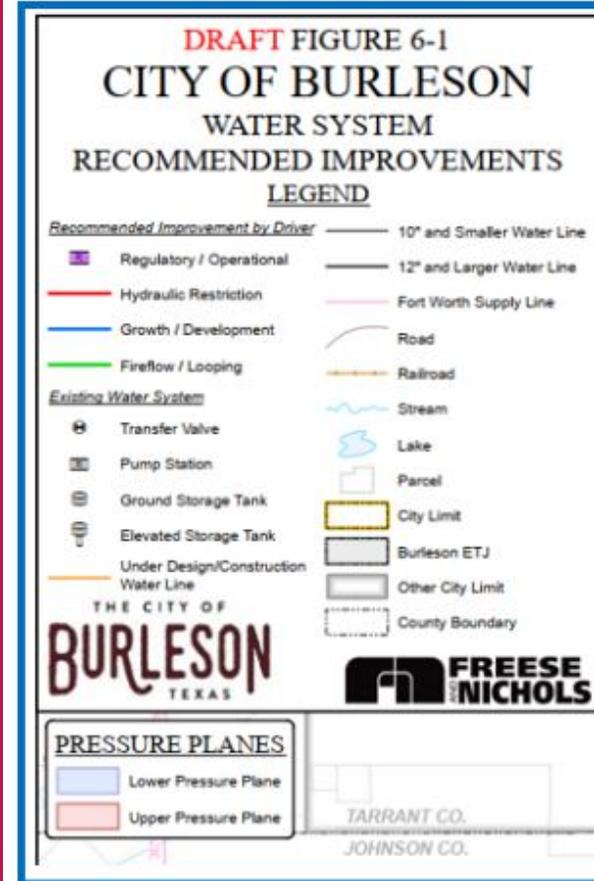
Additional Projects

BTX MOVES

Burleson Mobility Plan
2022 Update

BURLESON TEXAS

Kimley»Horn



Alsbury Blvd at John Jones (FM731) Right Turn Lanes

197409

Status

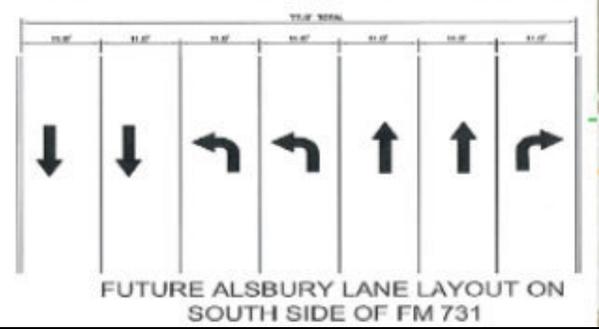
- Paused until City takes over signals to avoid lengthy TxDOT review (estimated Apr. 2023)
- Finalized ROW and easement documents - acquisition underway

Challenges

- ROW/ easement acquisition (Credit Union, 7-Eleven, Shopping Center)
- Utility relocation
- TxDOT intersection & signals coordination



Adding RTL from FM731 to SW Alsbury
Adding RTL from SW Alsbury to FM 731
Relocating sidewalk along SW Alsbury
Restriping of SW Alsbury



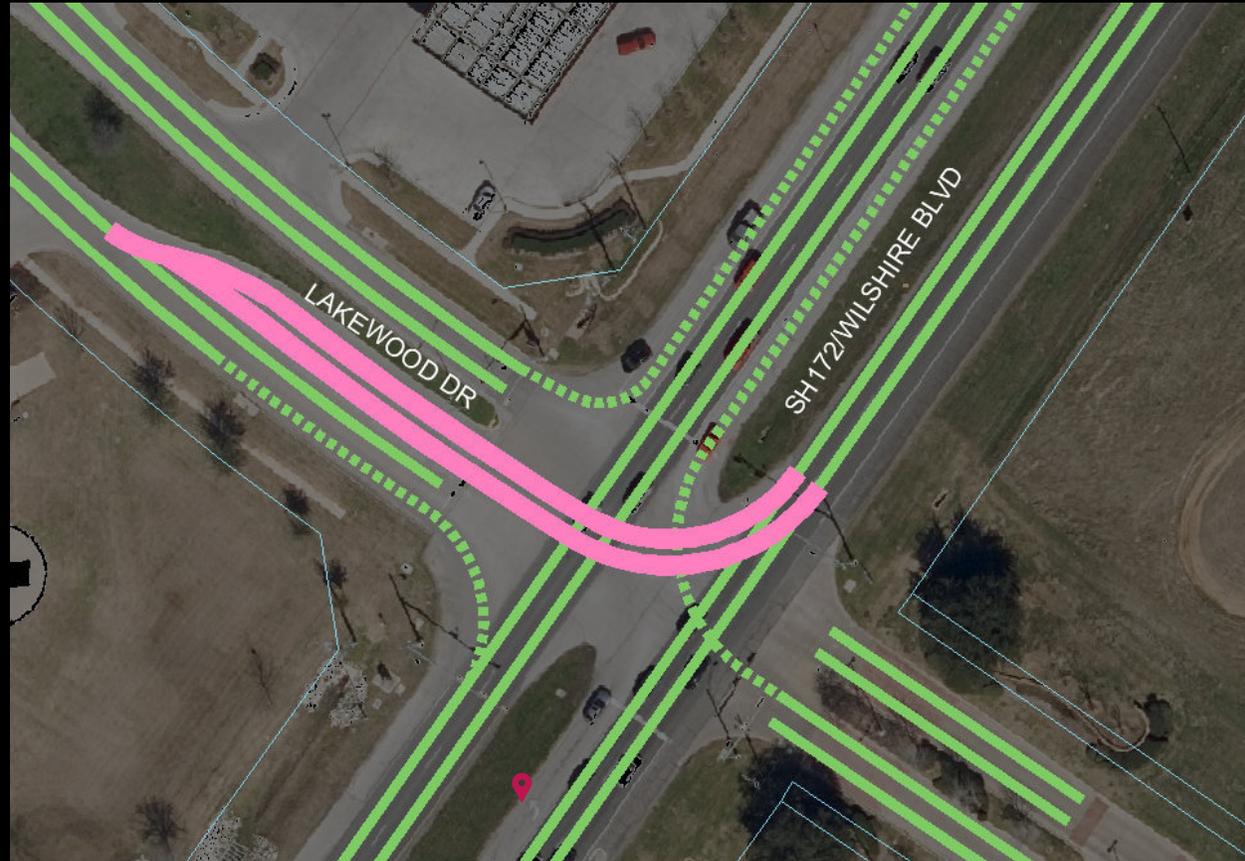
Lakewood Dual Left Turn Lanes at SH174 ST2204

Description

- Current intersection pavement accommodates two left turn lanes but is striped for one
- Project will update striping and signal to create second left turn lane onto northbound SH 174

Status

- TxDOT issued work order for pole and armature replacement to begin 12/5/2022 (anticipate 30 working days)
- TxDOT will also include striping with separate contract



Neighborhood Street Rebuild (King, Warren, Johnson) 177372

Status

- Construction contract awarded 1/9/2023 City Council
- Construction anticipated to begin 2/6/2023 and last 180 days

Challenges

- Working around residents and commercial business
- Maintaining access and ROW parking areas
- Drainage concerns

Reconstruct Pavement, Replace Water and Wastewater Infrastructure



Neighborhood Street Rebuilds (Streets Only)

20PC03

Legend

Street-Only Rebuilds

STREET NAME

BROAD VALLEY SUBDIVISION

CONCORD DR

~~DOBSON ST~~

FRANCINE CT

~~NW NEWTON DR~~

RUDD ST

SW HASKEW ST

BEVERLY DR

MARY ANN LN

Removed S. Dobson street work from this project. Project completes sewer, sidewalk, RRFB crossing, and parking area.

Removed

Added

Added

NEIGHBORHOOD STREET REBUILD
STREET-ONLY REVISED LOCATIONS

125

Status

- Streets included with current project: Broad Valley, Concord, Francine, Rudd, Dobson Sewer (Renfro to Town Creek), Beverly, & Mary Ann
- Dobson paving moving to separate contract to be accomplished Summer 2023, (reducing impact on Nola Dunn Elementary)
- Contractor has completed all street construction and S. Dobson sewer
- **Remaining item: RRFBs for S. Dobson**



Neighborhood Street Rebuilds FY22

ST2250

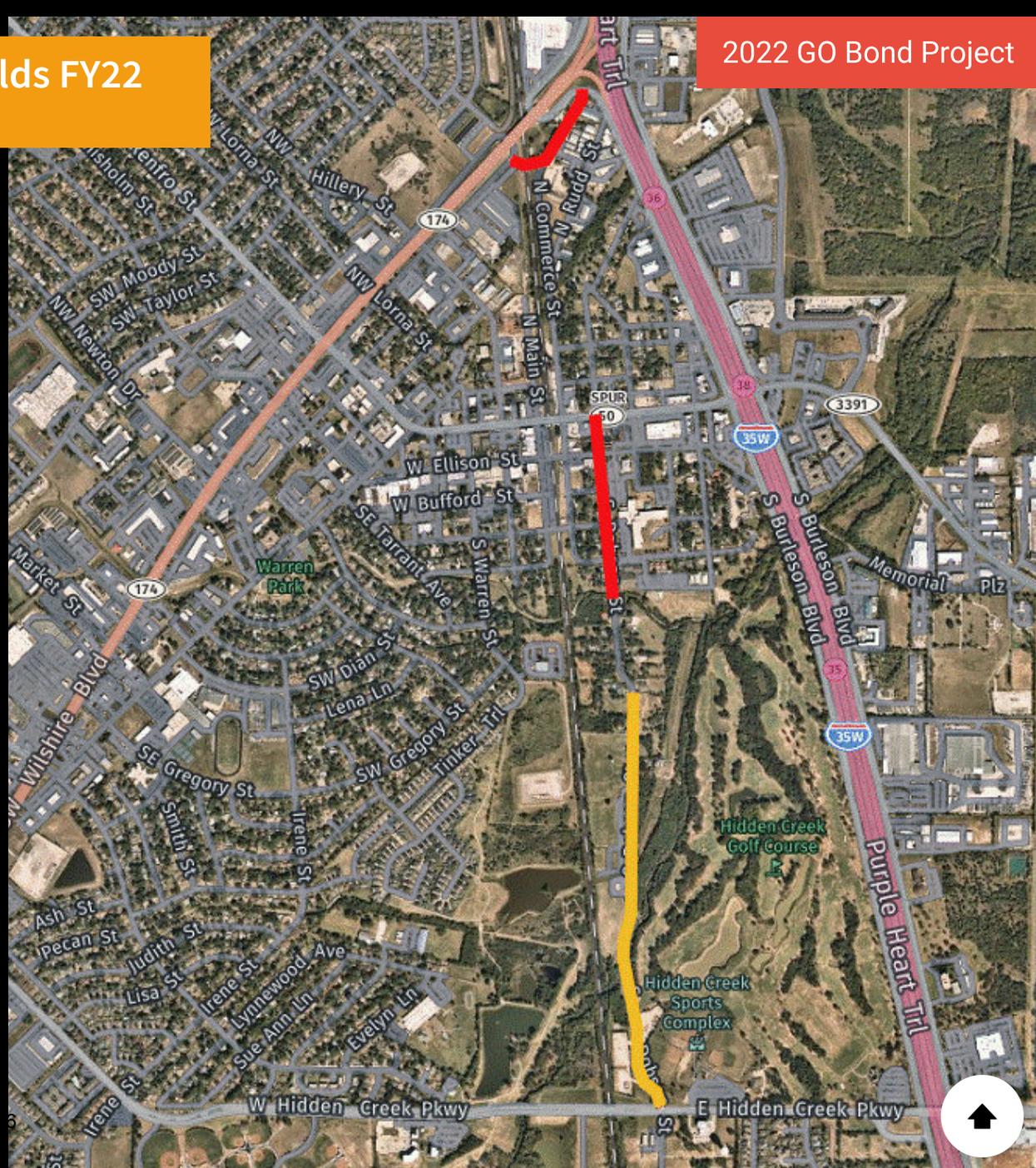
2022 GO Bond Project

Description

- First of the 5-YR Bond Program Projects
- Includes the rebuild of portions of the following streets: Commerce St, Dobson St
- Beverly Dr., Mary Ann Ln., and Murphy Rd (Ann Lois to Newton) have been moved to current NSR project 20PC03
- Full-depth rebuild of the pavement
- Commerce St. from the railroad tracks to SH174 frontage road will be widened due to tight turning movements from quiet zone elements

Status

- Planning phase
- UPRR coordination for Commerce St crossing permit



Neighborhood Street Rebuilds FY23

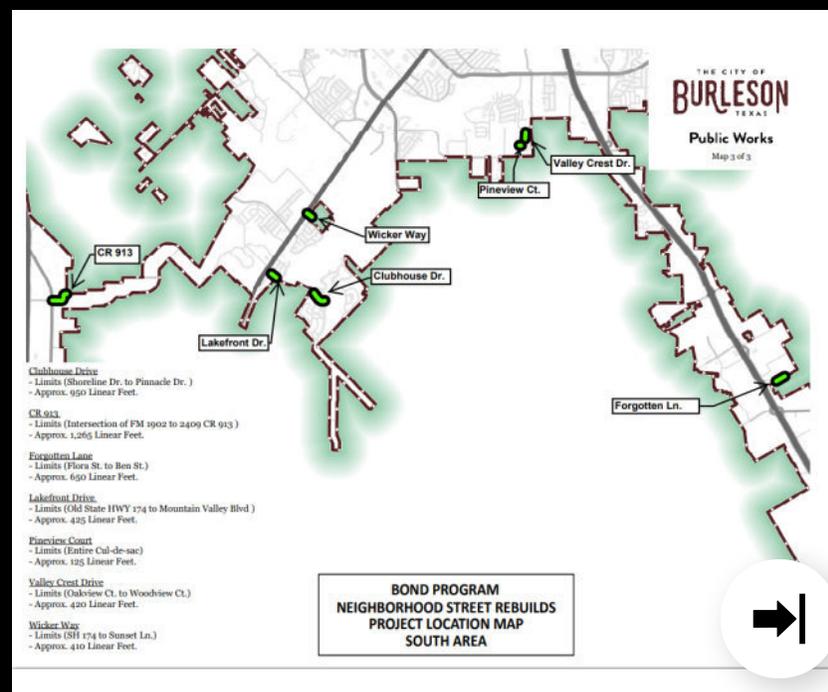
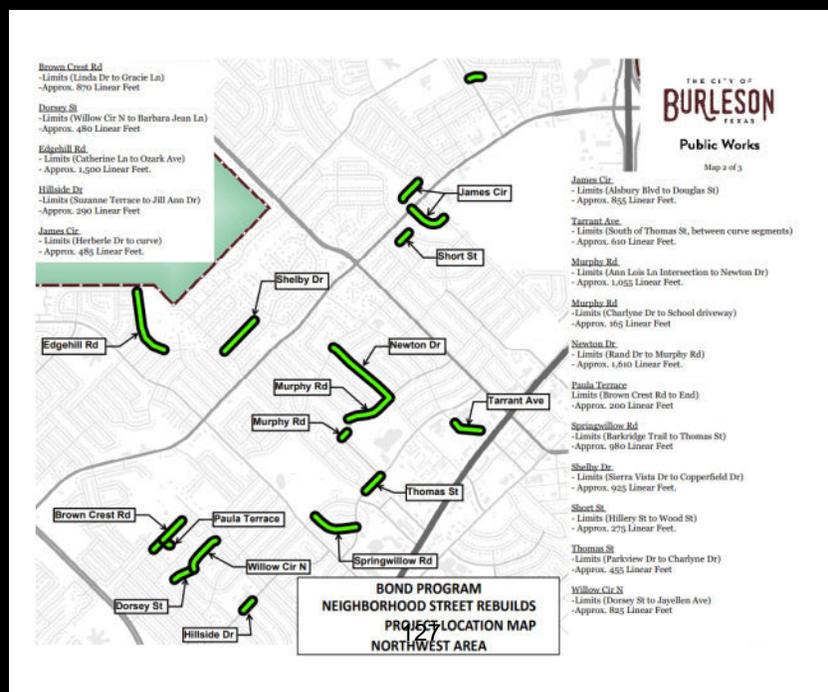
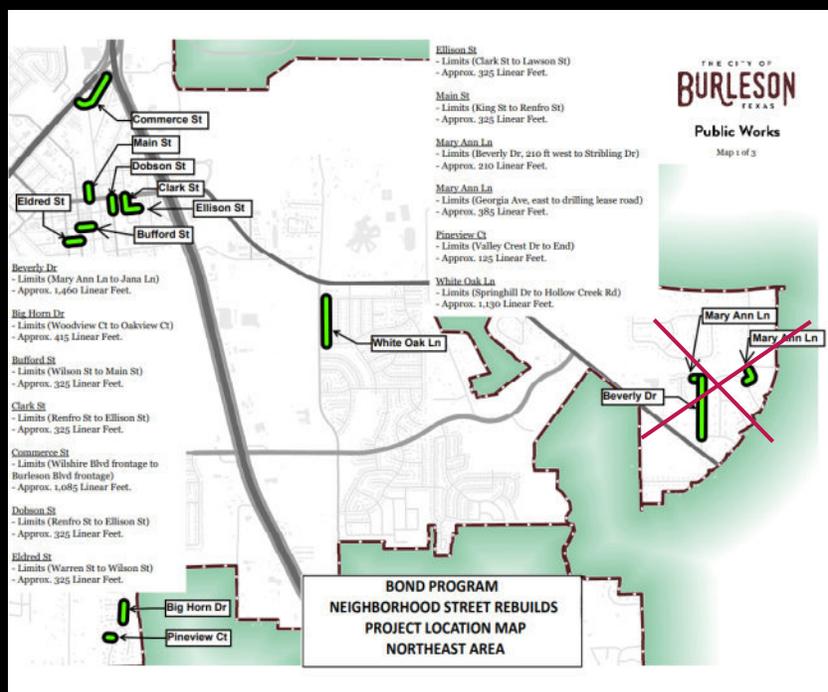
ST2350

Description

- Full depth reconstruction of pavement and subgrade
- Various streets identified in 2022 GO Bond, a portion of which will be completed each year
- Beverly Dr. and Mary Ann Ln. are to be completed with current project (20PC03)

Status

- Planning - staff will begin identifying streets mid-2023
- Construction funding planned for FY24



NSR- Cindy Ct Paving & Drainage ST2205

Status

- Construction bids accepted 1/13/2023, anticipate contract award 2/6/2023
- All Right-of-Entry letters received for driveway approach reconstructions
- Construction completion estimated July 2023



Reconstruct Pavement and make necessary drainage improvements.



Old Town- Hill College Demolition

FA2304

Description

Demolition of the Hill College Site (130 E. Renfro) for re-development through the EDC

Status

- Processing Professional Services Contract for asbestos survey and abatement consulting
- Advertising for demolition week of Jan 23rd



Renfro & Johnson Pedestrian Improvements

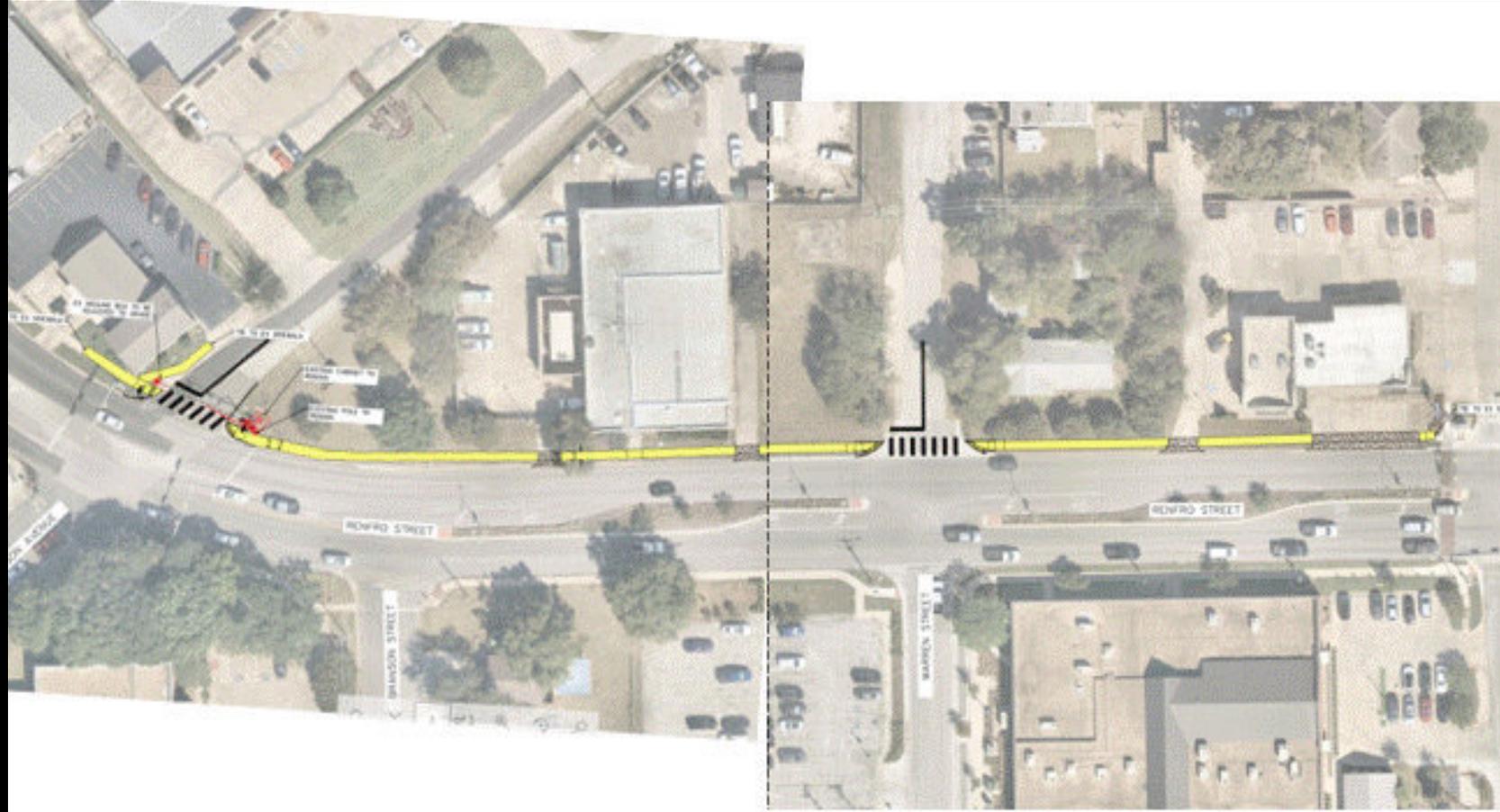
ST2305

Description

Sidewalk improvements and crosswalks along Renfro Street from Johnson Avenue to Wilson Street

Status

Standalone project on hold in order to incorporate into ST2260 Sidewalk Program FY22 with TxDOT grant funding submission



Status

- Remaining FY22 funds identified for application design funds for TxDOT Transportation Alternatives Grant application
- Application due Jan 27th will be for the completion of the 10 Mile Loop and other connecting Pedestrian Projects identified in the Mobility Plan update
- If preliminary application is selected staff will bring forward resolution to City Council (Feb / Mar 2023) for approval in order to submit the Detailed/Final Grant Application

Challenges

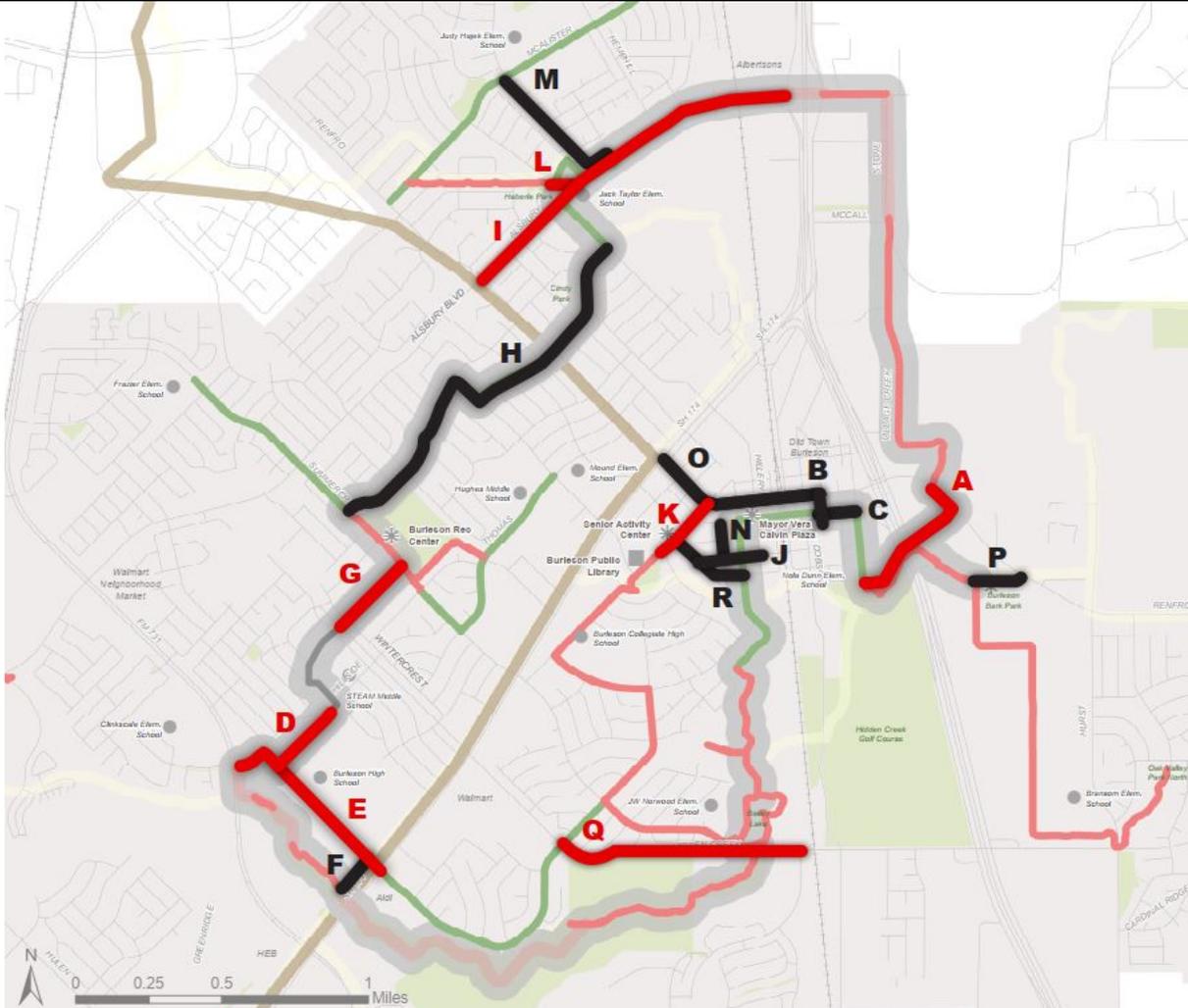
Working in front of resident's homes and possibly adjusting driveways to meet ADA requirements.

Proposed Active Transportation Projects



Legend

- Proposed New Sidewalk Projects
- Proposed Shared Use Path Projects
- Existing Sidewalk (Along 10-Mile Loop)
- Existing Shared-Use Path Facility
- Existing On-Street Bike Facility
- Concurrent City Project
- 10-Mile Loop Highlight
- TxDOT Bicycle Tourism Trail Network
- NCTCOG Veloweb
- Schools
- Community Facility
- Library
- Streets
- Railroads
- Parks
- Burleson City Limits



Sidewalk Program FY23

ST2360

2022 GO Bond Project

Description

- Design and construction of sidewalks throughout the city, replacing damaged sections and filling gaps in sidewalk connectivity
- Sidewalks will coordinate with the Master Mobility Plan and the Parks Masterplan

Status

- Planning and design is funded for FY23
- Construction funds will be available FY24
- Project temporarily on hold in connection with the Sidewalk Program FY22 project. These funds may be used for match funds for the TxDOT TA Grant.
- TA Grant would complete 9 out of 12 of the Short-Term and 2 of the 6 Mid-Term Pedestrian projects currently identified in MTP update.



Traffic Signal Alsbury HSIP Grant TR2301

Description

- This project was selected for the G-Match program within the TxDOT HSIP Grant Program
- City will be responsible for design costs and 5-7% of overall awarded amount
- Traffic Group is managing the project with CIP assistance, as necessary

Status

Design contract in progress



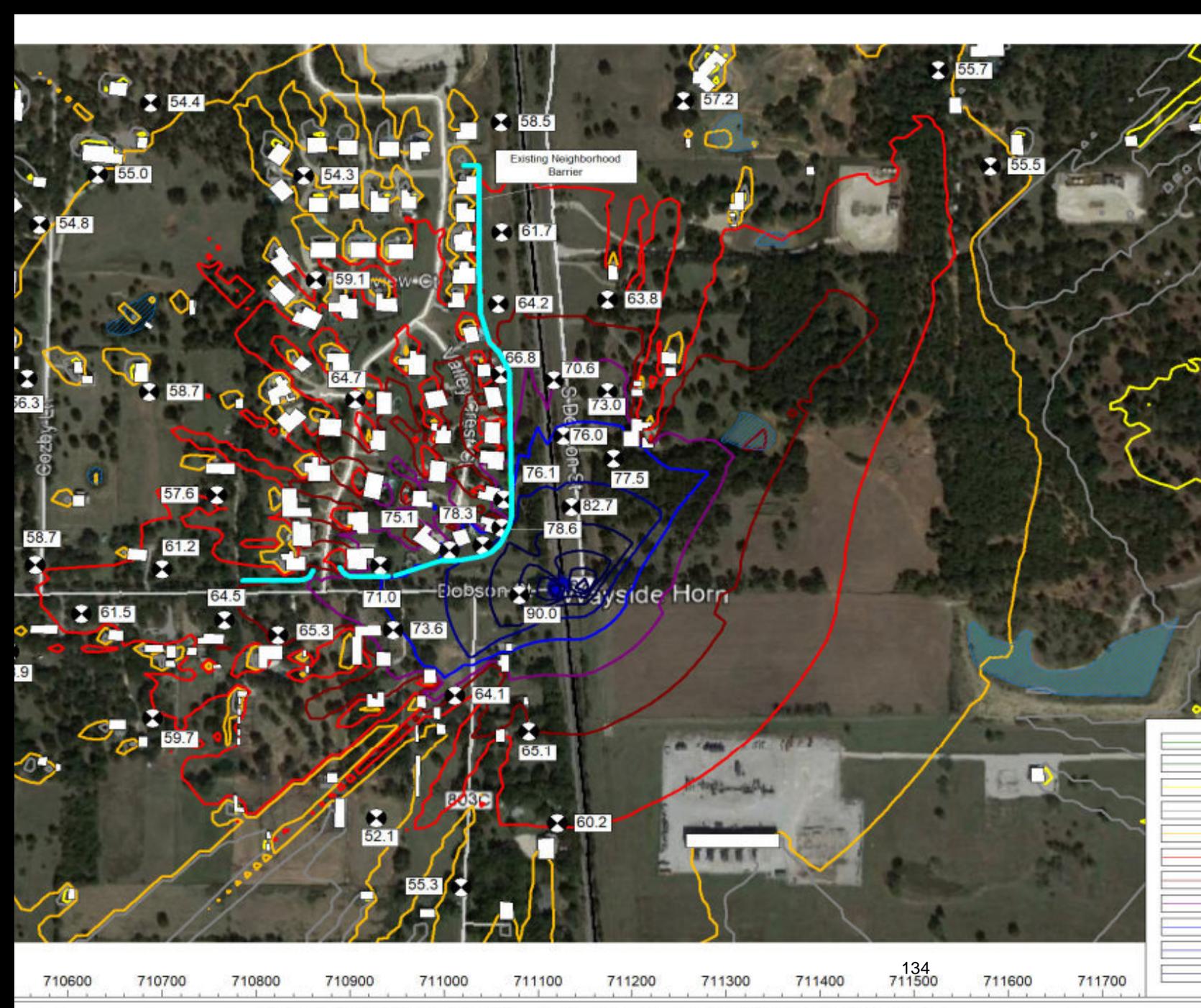
Wayside Horn at Dobson
Street and County Road 714
167361

Status

- Contract with UPRR in place
- Design underway
- Preliminary diagnostic report complete
- Submission to UPRR in Dec 2022

Challenges

Schedule dependent on Union Pacific Railroad



Wastewater Project Summaries



Gateway Station Lift Station Rehabilitation

WW2302



Description

Rehabilitation of existing lift station including SCADA, emergency power, bypass, and other upgrades

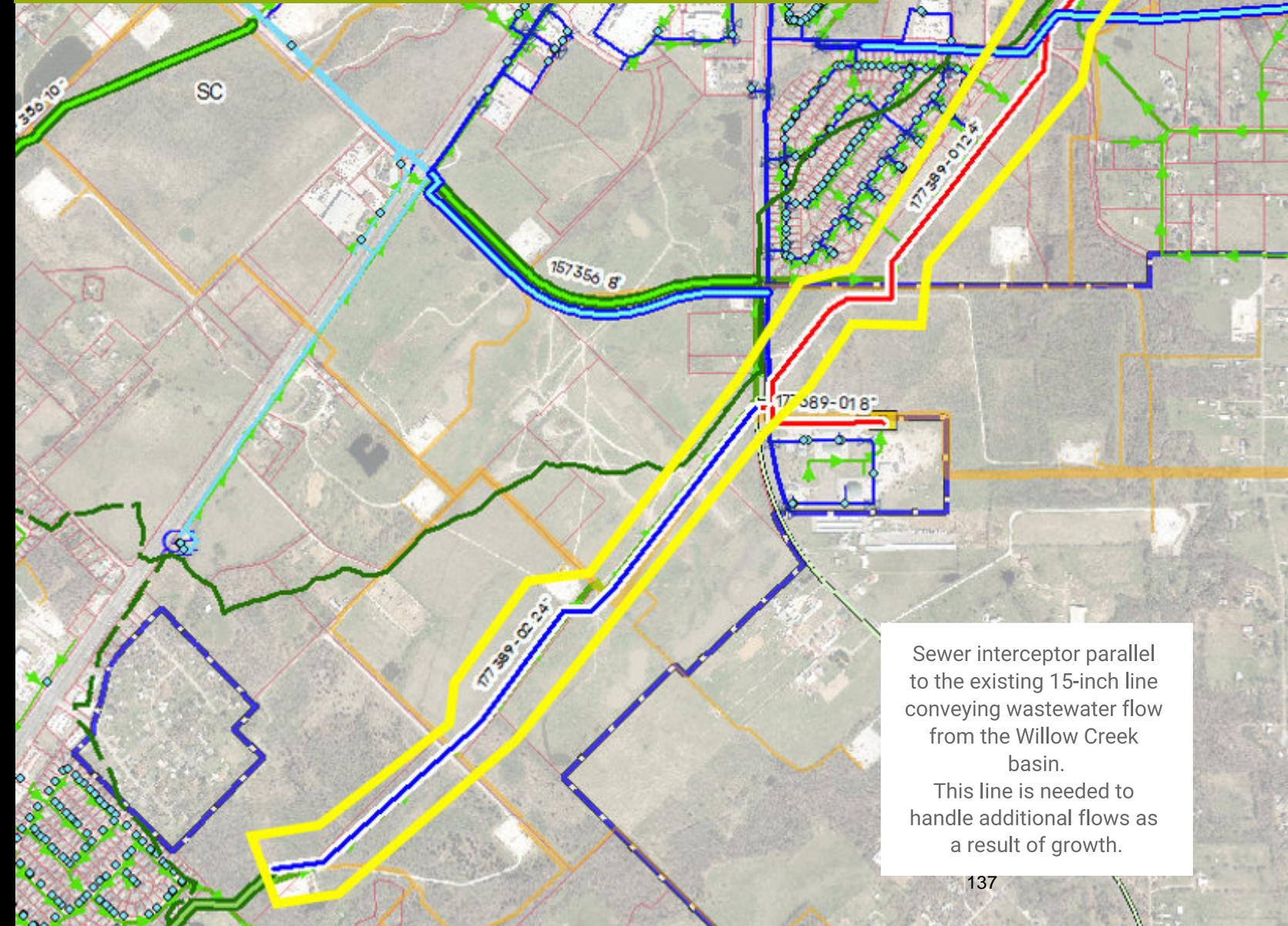
Status

- Planning for FY23 Design and FY24 Construction
- Proposal negotiation in progress



Parallel 24in Sewer Village Creek to Oakbrook Dr. (w/ Bear Ridge & The Lakes)

177389



Sewer interceptor parallel to the existing 15-inch line conveying wastewater flow from the Willow Creek basin.

This line is needed to handle additional flows as a result of growth.

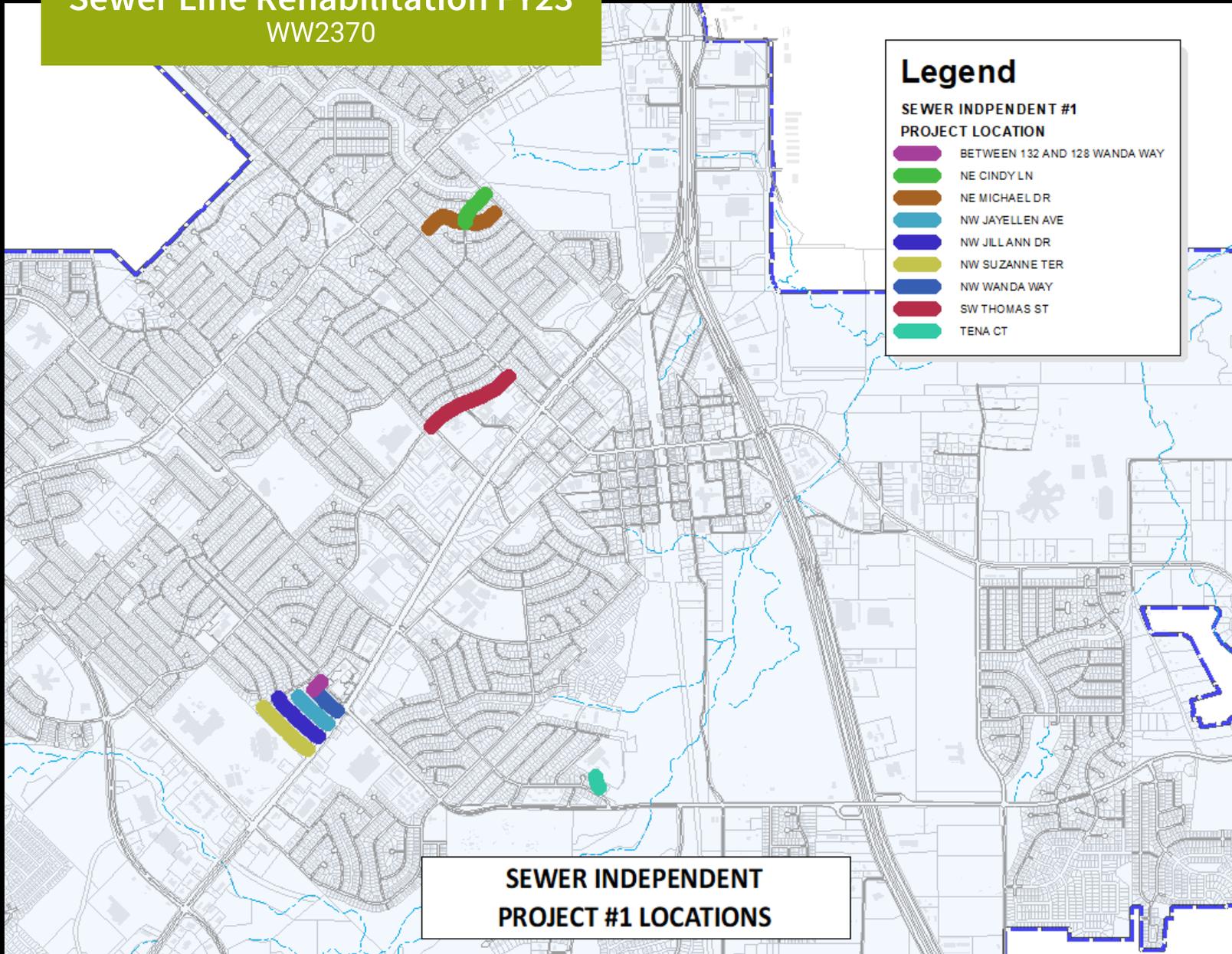
Status

- 60% Design comments returned to consultant
- Evaluating alignment options between Bear Ridge & The Lakes developments for the 2nd phase (blue)
- Construction on hold pending completion of Water/WW Masterplan & and is development driven



Sewer Line Rehabilitation FY23

WW2370



Status

- Combined funding from 20PC10 (SS Rehab PH. 1)
- Under design and evaluating highest priority areas from PW Water/Wastewater division
- FY23 construction

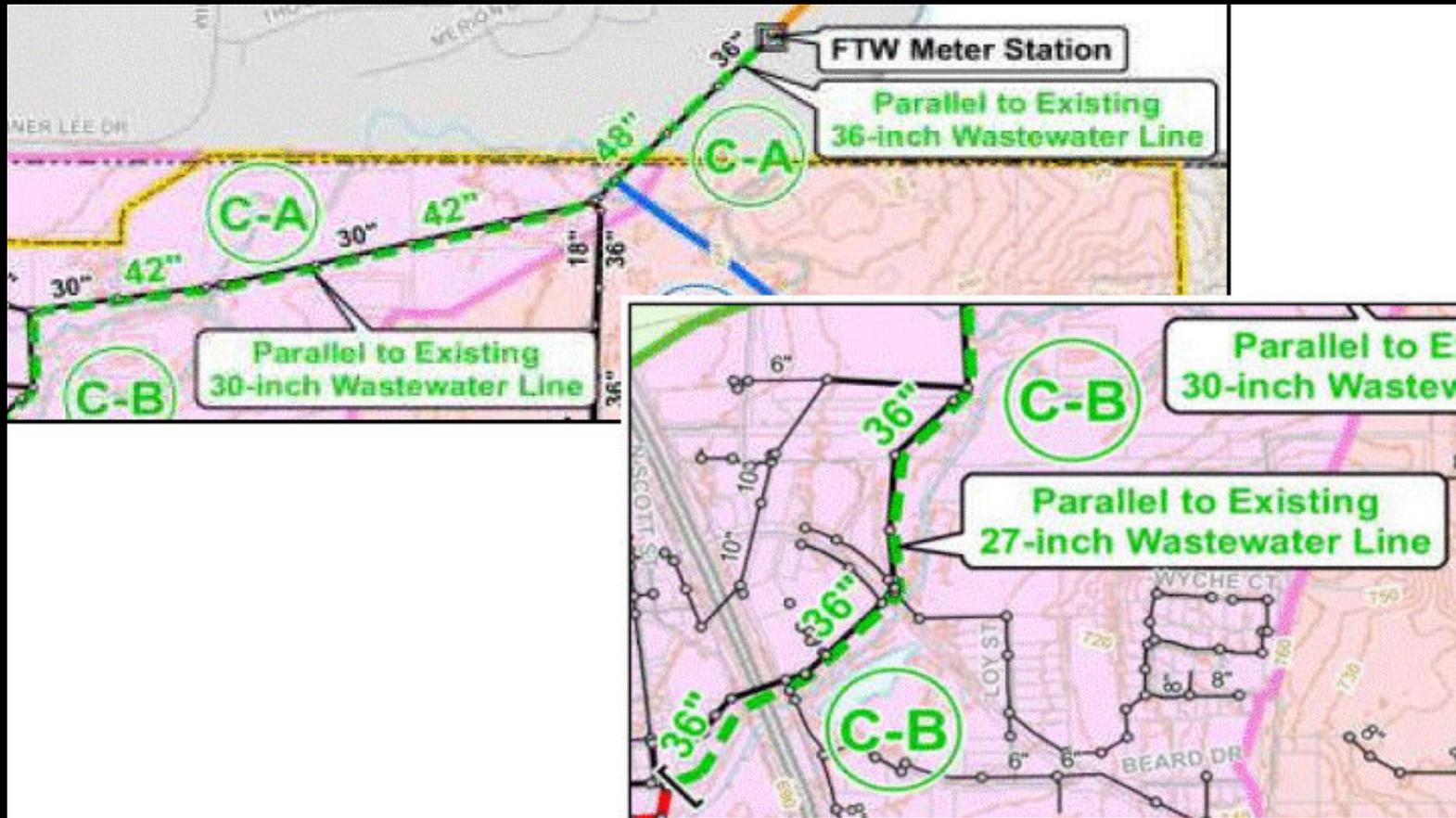
Challenges

Construction in front of residents' homes



Trunk Relief Sewer Line (Town Creek Basin Parallel)

WW2301



Description

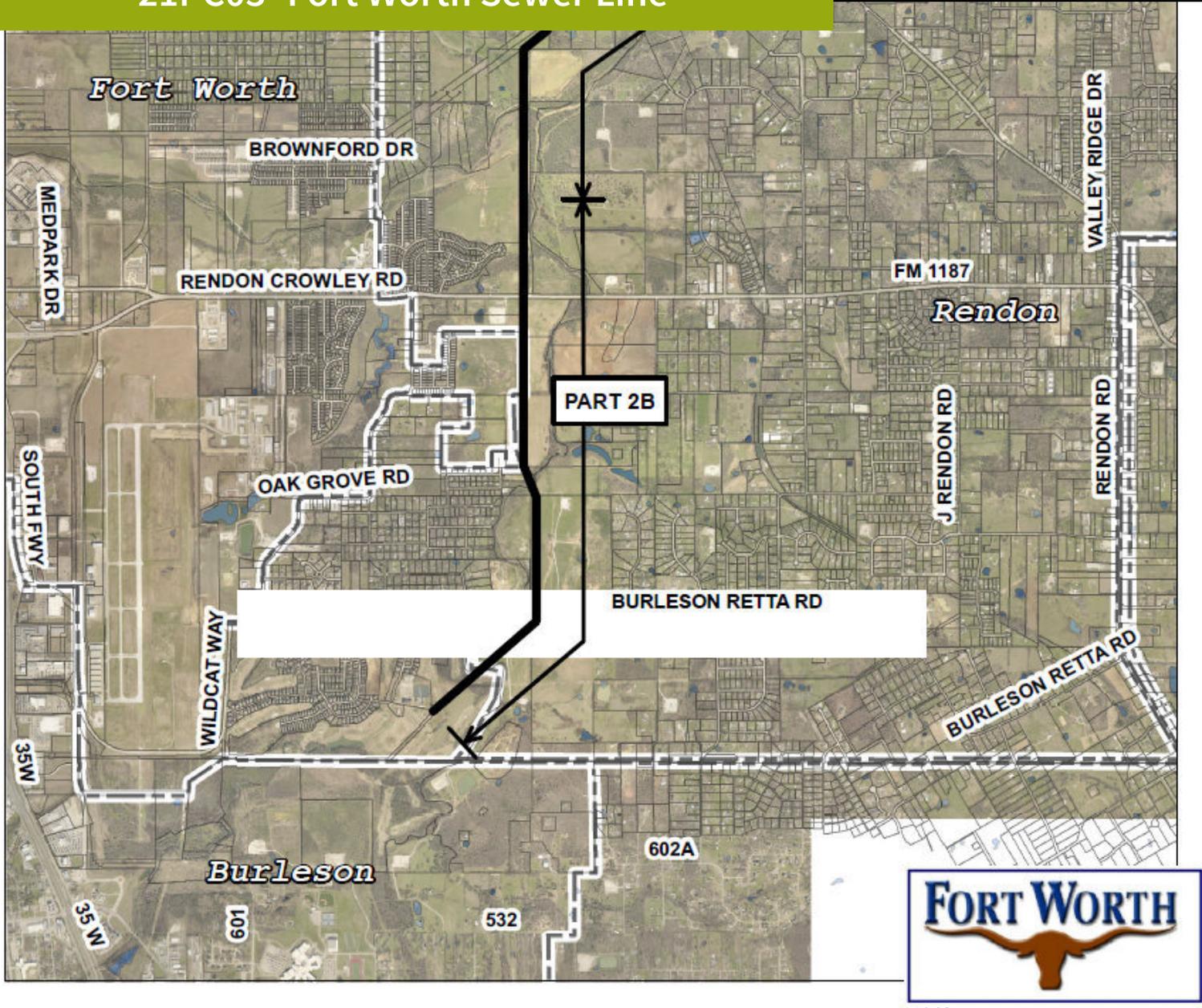
- Build-out construction of 42/48-inch wastewater line parallel to existing 30/36-inch wastewater line along Village Creek from existing 21/27/30-inch wastewater line intersection to Fort Worth Metering Station near Southern Oaks Drive (Proj. C-A)
- Build-out construction of 36-inch wastewater line parallel to existing 18/27-inch wastewater lines along Village Creek from Scott Street to the proposed 27-inch parallel line (Proj. C-B)

Status

- Shortlisted firms' interviews were conducted 1/6/23. Only 2 of the 3 firms arrived for interviews.
- Final interview to be conducted this afternoon.
- FY23 Design and FY24-25 Construction



21PC03- Fort Worth Sewer Line



Status

Finance Coordinating with Fort Worth

Challenges

Coordination with Fort Worth



E Renfro Water Main Replacement 21PC02

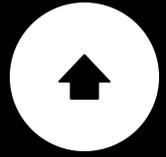
ATTACHMENT 'C'
PROJECT LOCATION MAP

PROPOSED WATER
IMPROVEMENTS



Status

- Final walkthrough completed 1/4/2023
- Contractor working on punch-list items
- Project closeout underway



Turkey Peak Entry Drive & Drainage Flume

WA2201



Status

- Flume completed and tested
- Paving completed
- Change orders processed for time extension and additional asphalt near the flume

Challenges

Paving steep grades



Turkey Peak GST & Brushy Mound Storage Demo

167365



Status

- Turkey Peak Tank complete and online
- Brushy Mound Ground Storage tanks have been removed
- Service providers are working on site work on antenna placement. Red River Construction notified of resuming work in March.

Challenges

- Delays to contractor while antennae are transferred

Replace existing tank with 2MG Tank
Demolish 2 existing ground storage tanks at Brushy Mound
Demolish existing elevated tank at Brushy Mound
Site Improvements at Brushy Mound to facilitate completion of monopole & re-install drinking foundation and bench.



Water Line Rehabilitation FY23

WA2380

Legend

WATER INDEPENDENT LOCATION

- ALL
- ALL
- E E
- E M
- LISA
- NC
- NW
- SE
- STE

WATER INDEPENDENT
PROJECT #1 LOCATIONS

Status

- Combined funding from 20PC14 (Ind. Water Rehab)
- Preliminary Design underway, evaluating priority areas with PW Water/Wastewater division
- FY23 design and construction

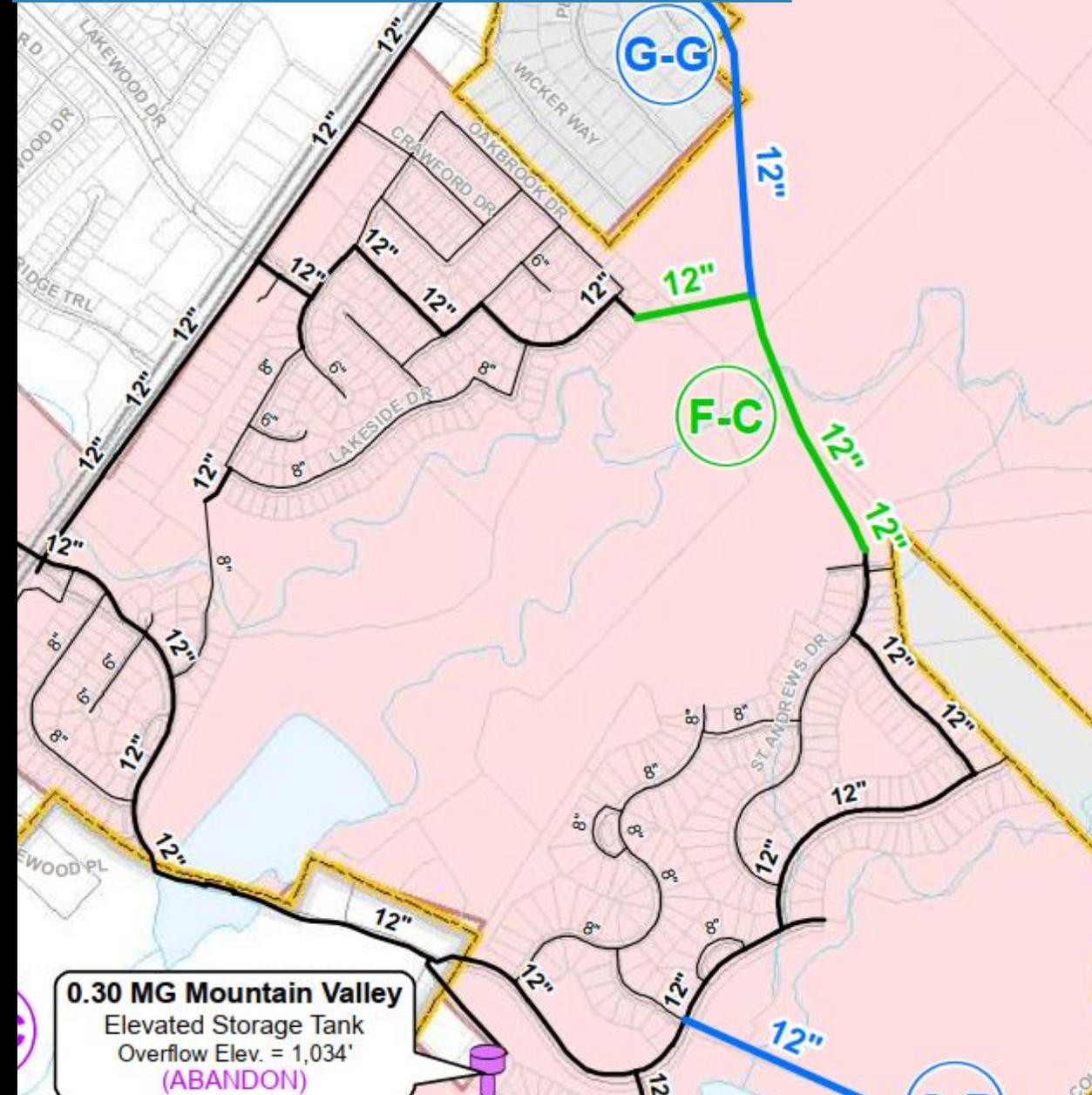
Challenges

Construction in front of resident's homes



Willow Creek 12 in. Water Line Looping

WA2302



Description

Looping project to enhance available fireflow in the Upper Pressure Plane, eliminate a 12-inch dead-end line, and add system resiliency by eliminating a single 12-inch feed to the Mountain Valley area

Status

- FY23 design and FY24 construction
- Design procurement beginning Mar. 2023

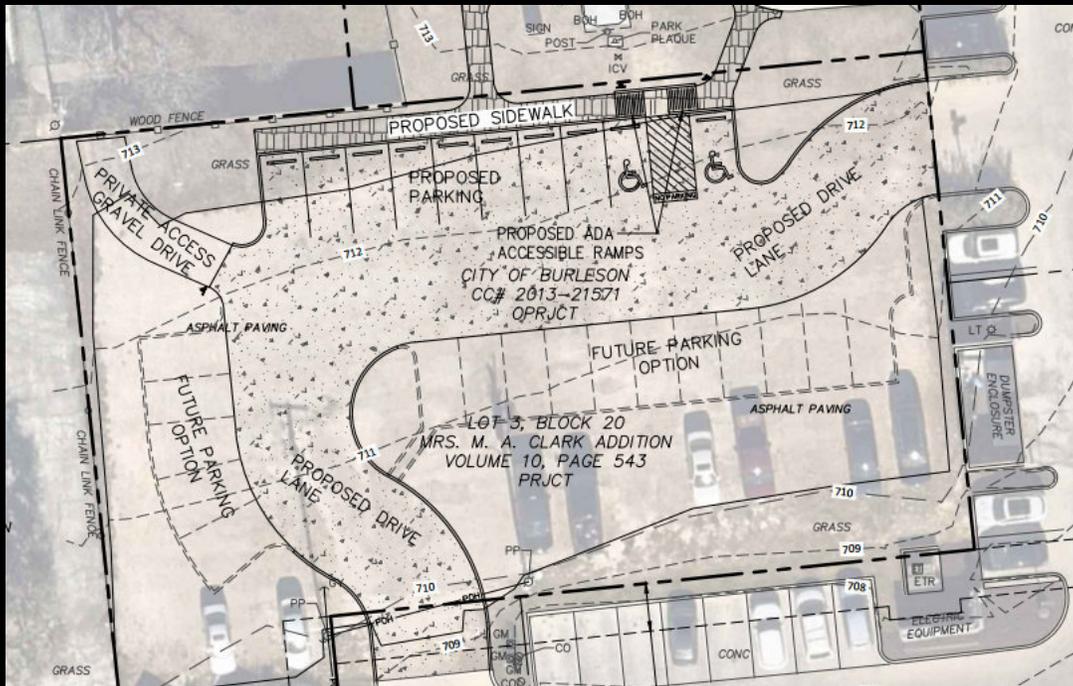


Other Projects

Not listed within CIP Finances

Parks Projects

- PK2201- Parks Annex Building: Under Construction
- PK2006- Clark Park Parking Lot- In House Design Complete. 10/17/22 City Council altered overall plan for this area. New design complete, Park to advertise for bidding Jan. 2023.
- PK2206- Oak Valley Park Parking Lot. In House Design complete. Parks to advertise for bidding Jan. 2023.



Animal Services Expansion

AS1901



Status

- Construction complete.
- Building is occupied.
- Project closeout underway.

Euthanasia/Exam Room
Isolation Kennel (Dogs)
Isolation Room (Cats)





SIDEWALK PLAN UPDATE



WHY MASTERPLAN?

COMPREHENSIVE PLAN

- April 19, 2010: Imagine Burleson 2030 approved
- November 17, 2020: 2020 Midpoint Update to the 2030 plan approved
- Official guide for making decisions about orderly growth and development
- Establishes goals, objectives, policies, strategies, programs and projects
- Utilized as a guide for zoning decisions
- Provides guidance for budget priorities

MASTERPLANS ARE UNDER THE “UMBRELLA” OF THE COMPREHENSIVE PLAN

Aligns with the Comprehensive Plan goals

Serves as the "blueprint" for infrastructure needs

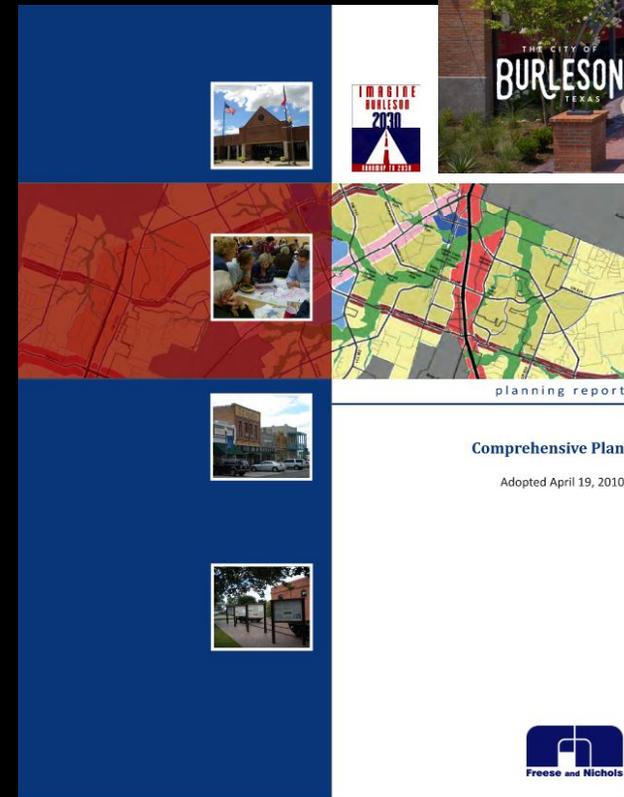
Provides additional guidance for policies and ordinances



Imagine Burleson

Comprehensive Plan

2020 Midpoint Update



planning report

Comprehensive Plan

Adopted April 19, 2010



MOBILITY PLAN UPDATE

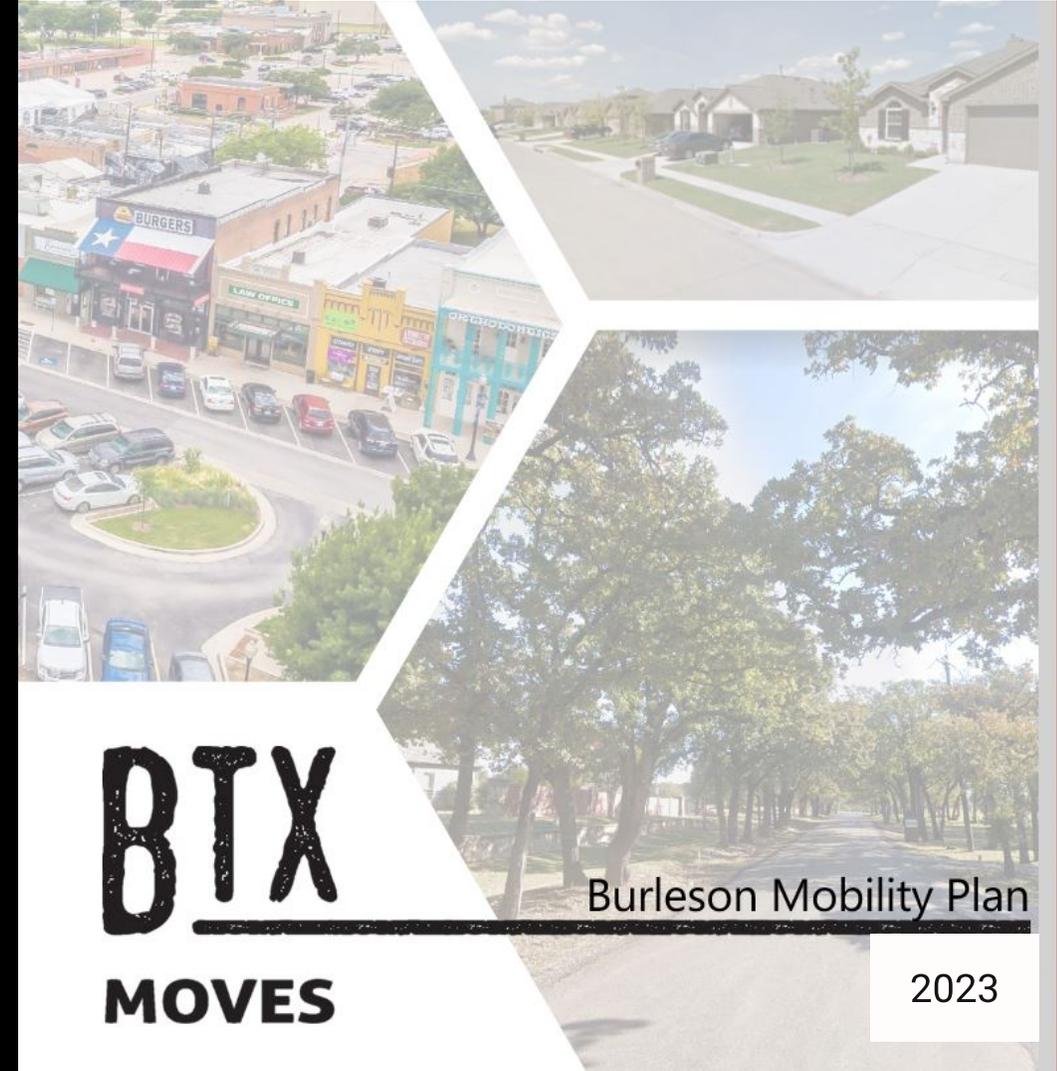
Approach

PAST UPDATES INCLUDED LIMITED ELEMENTS

- Roadway network
- Hike and bike trail network

NEW UPDATES - APRIL 2023

- Public outreach to obtain comments/suggestions from residents and business owners
- Landscape elements for roadways included in mobility plan
- Sidewalk analysis element - older neighborhoods lacked sidewalk connectivity to schools and shopping destinations
- Overall goal is to create a more holistic vehicular and pedestrian friendly connectivity plan that is all inclusive for the City's residents and business owners



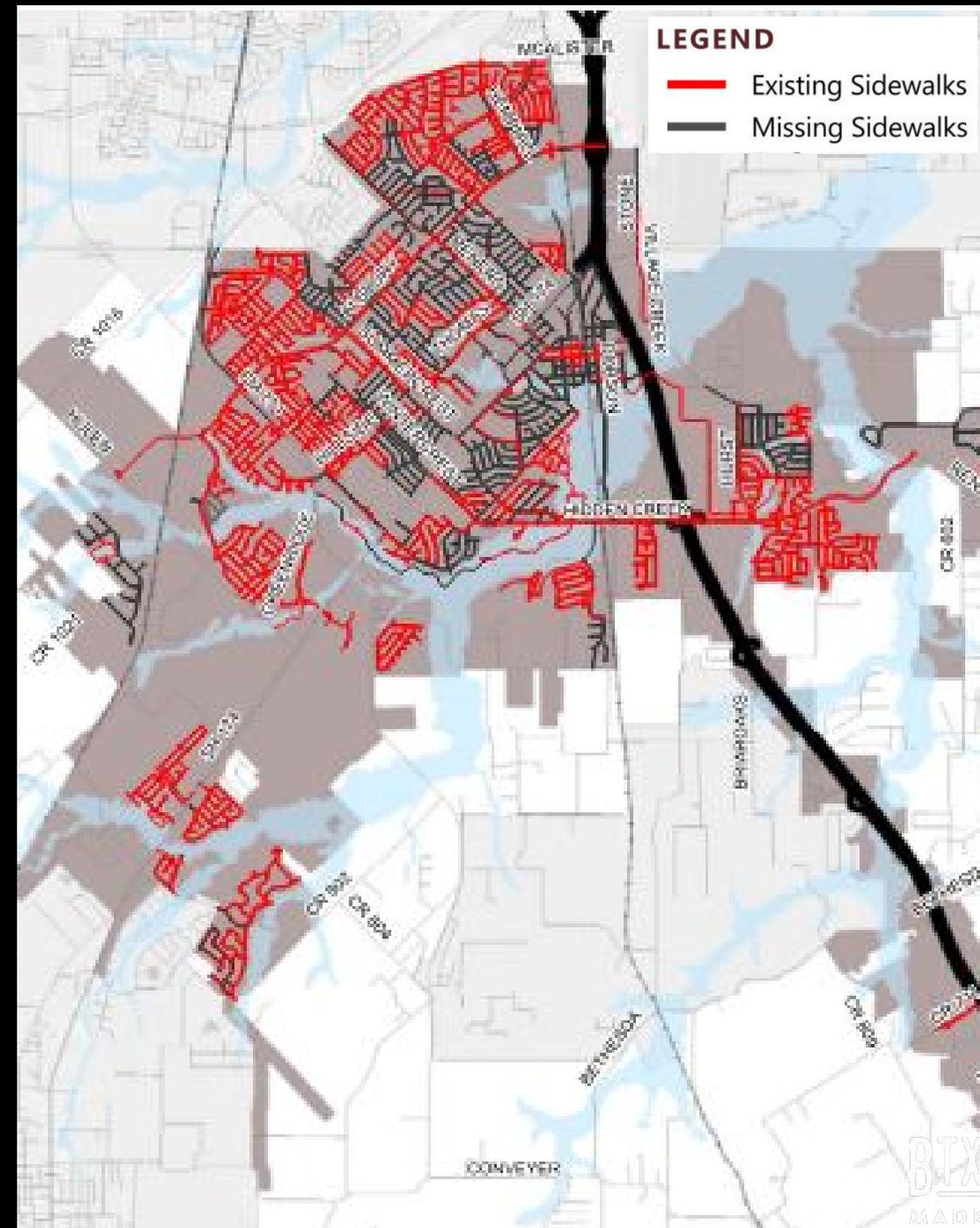
SIDEWALKS

EXISTING NETWORK

- Over 200 miles of existing sidewalks
- Older subdivisions/commercial development - past ordinances did not require sidewalks
- New subdivisions/commercial development - sidewalks required as part of construction

MOBILITY PLAN UPDATE

- Included analysis of missing sidewalks to develop program and criteria to include in CIP program for funding.
- Criteria will also allow for prioritization and phasing of needs
- Initial phases can construct sidewalks that can act as “spines” to connect neighborhoods with schools, facilities, shopping centers, etc. Additional phases can fill in missing sections to create a complete network over time



SIDEWALKS

Screening Criteria for sidewalk improvements

IDENTIFIED SIDEWALK NEEDS

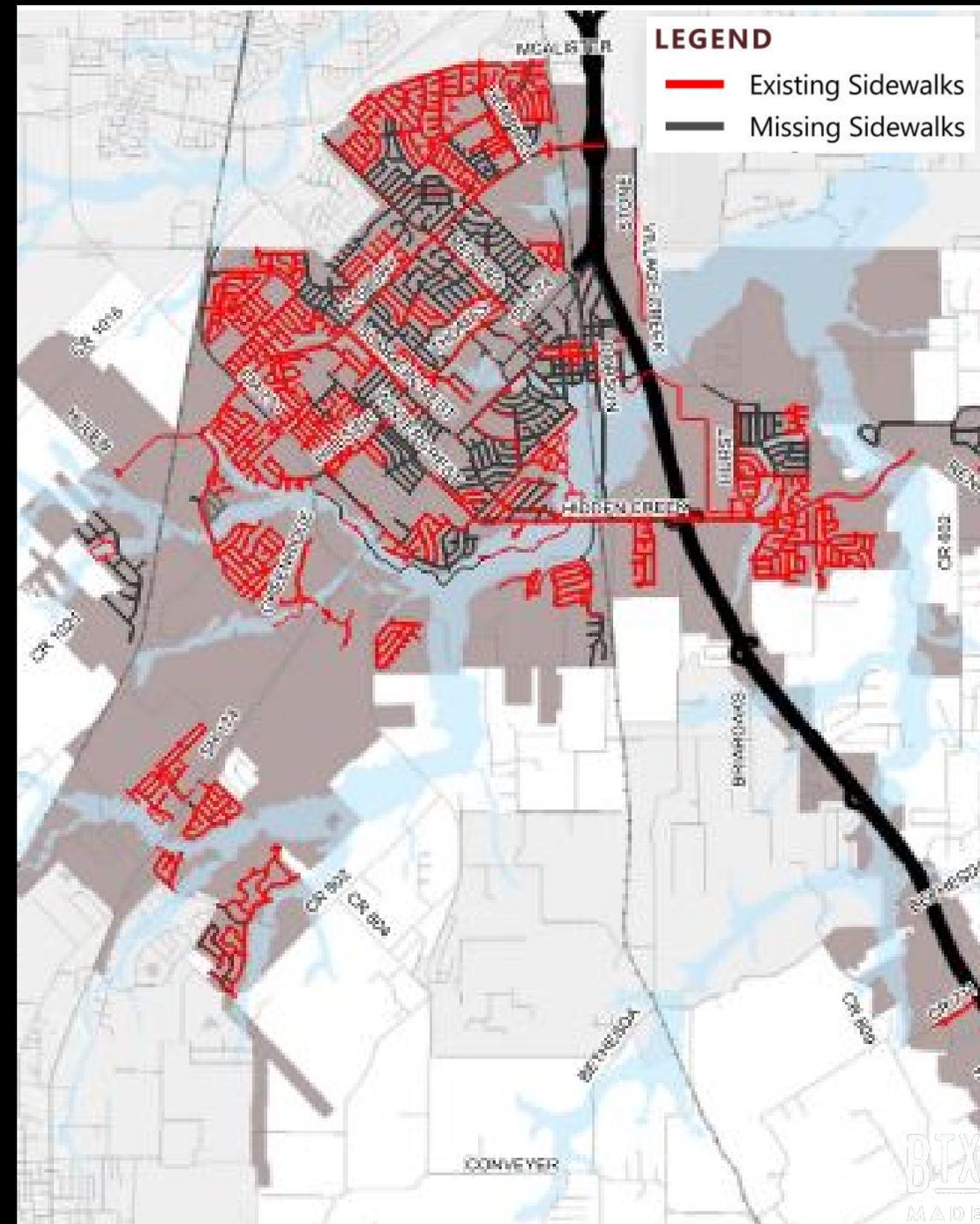
- Neighborhoods without sidewalks
- Approximately 121 miles of sidewalk needs identified
- Estimated cost to complete all missing sidewalk is \$160,000,000 **{includes all construction costs sidewalk, ADA ramps, driveway adjustments, mobilization, contingency}**

PEDESTRIAN SAFETY

- High pedestrian use areas where sidewalk connectivity did not exist

MAJOR CONNECTIONS TO DESTINATIONS

- Schools - coordination with school districts to determine where kids are walking from will need to occur
- Community Facilities - BRiCK, existing parks, trails, activity centers
- Old Town
- Employment Centers - commercial corridors considered important to connect to adjacent neighborhoods
- Shopping/Activity destinations



SIDEWALKS

Prioritization

SHORT - TERM

- Recommended to be completed in the next 1 to 5 years
- Pedestrian Safety
- Provide a “spine linkage” for key missing connections from neighborhood to neighborhood, schools, community facilities, etc. These are longer sections of missing sidewalk that will provide a connection short term until smaller sections of sidewalk are filled in over time completing the network in the neighborhood
- Identified as critical for the overall improvement that would positively affect surrounding neighborhoods

MID-TERM

- Recommended to be completed in the next 5 to 10 years
- Missing sections in sidewalk network begin to be filled in to create more connections between neighborhoods and destinations. These sections begin to fill in the network in neighborhood by connection more pedestrians to the “spine linkage” constructed in the short-term projects

LONG-TERM

- Recommended to be completed in the next 20 years
- Remaining missing sections within the sidewalk network continue to be constructed ultimately providing a complete overall network that is interconnected

SIDEWALK FUNDING

- **SIDEWALK PROGRAM**

GO Bond

\$1,266,946 over 5 years for new sidewalk

Locations TBD by Council

FY23-27

- **FM 1902 AND CR 910
PEDESTRIAN MOBILITY**

GO Bond

\$1,489,901

FY26-27

- **ELK DR, HILLSIDE DR, & FM
931 INTERSECTION AND
SIDEWALK IMPROVEMENTS**

GO Bond

Total \$1,036,509

(50% for intersection improvements, therefore,
sidewalk portion \$518,254)

FY25-26

- **RENFRO PEDESTRIAN
IMPROVEMENT**

TIF Fund

\$192,497

FY23-24

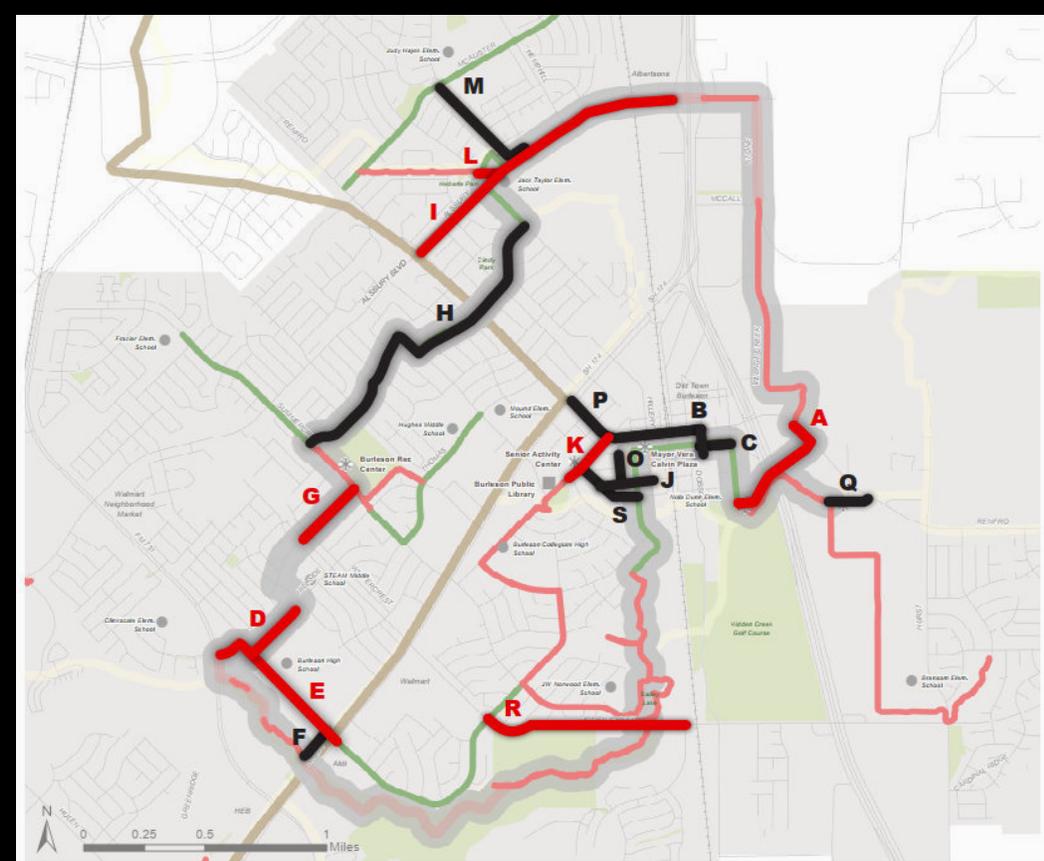
Letter	Project Name	Project Length (In Miles)	Project Length (In Feet)	Estimated Costs	Project Description
A	Park Meadow Lane	0.49	2,700	\$ 675,000.00	Connect southwest sidewalk to existing facilities from Alsbury Boulevard to McAlister Road.
B	Rand Street, Newton Street, and Cindy Lane	1.91	10,100	\$ 2,525,000.00	Fill sidewalk gaps to connect Summercrest Boulevard to Renfro Street. Alignment overlaps with a portion of the existing 10-Mile Loop bicycle and trail route.
C	Elk Drive Driveway	0.21	700	\$ 175,000.00	Add a sidewalk connection from a driveway on Elk Drive to the existing Shannon Creek Trail.
D	Clark Street	0.11	581	\$ 145,200.00	Connect existing sidewalks on Renfro Street to the sidewalk adjacent to Nola Dunn Elementary School.
E	Ellison Street	0.12	634	\$ 158,400.00	Complete the existing sidewalk gap between Clark Street and Scott Street.
F	Bransom Street	0.36	1,901	\$ 475,200.00	Connect existing Renfro Street sidewalks to southern neighborhood.
G	Maple Avenue	0.17	898	\$ 224,400.00	Connect southern neighborhood to the existing sidewalks adjacent to the Burleson Collegiate High School.
H	Vaughn Drive	0.58	3,062	\$ 765,600.00	Add sidewalk connections in a neighborhood with no existing sidewalks. Connect existing sidewalks on the south to the Burleson Recreation Center in the north.
I	Hollow Creek Road	0.37	1,954	\$ 488,400.00	Complete the south sidewalk connection to connect the new trail project (to the west) and the existing sidewalk facilities (on the east).
J	Renfro Street	0.38	2,006	\$ 501,600.00	Complete both north and south sidewalk gaps along Renfro Street.
	Total			\$ 6,133,800.00	
K	Elk Drive	0.49	2,587	\$ 1,036,509.00	Fill sidewalk gap between SH 174 and existing sidewalk near Hillside Drive.
L	FM 1902 and CR 910	0.47	156 2,482	\$ 1,489,901.00	Construct sidewalk on east side of FM 1902 and fill sidewalk gap to connect facility to CR 910.

GRANT OPPORTUNITIES

TxDOT Transportation Alternatives Call for Projects

- Total \$250 Million worth of funding available for FY 22-25 for bicycle and pedestrian projects
- Submitted Preliminary Application for completion of 10-mile loop bicycle and trail route and adjacent sidewalks on the MTP as one single project.
- Design and ROW Acquisition can be part of the grant.
- Potentially leverage GO Bond funds from projects that would be included in our application .

4.6 miles of 5' wide Sidewalk
3.9 miles of 10' wide Shared Use Path/ Trail



Target Project	\$15.3 Million
City Contribution	20% Match (\$3M)
Possible Existing Leverage	\$1,977,697

Preliminary Application Due	January 2023
Notification of Eligibility	March 2023
Detailed Application Due	June 2023
Final Selection	October 2023

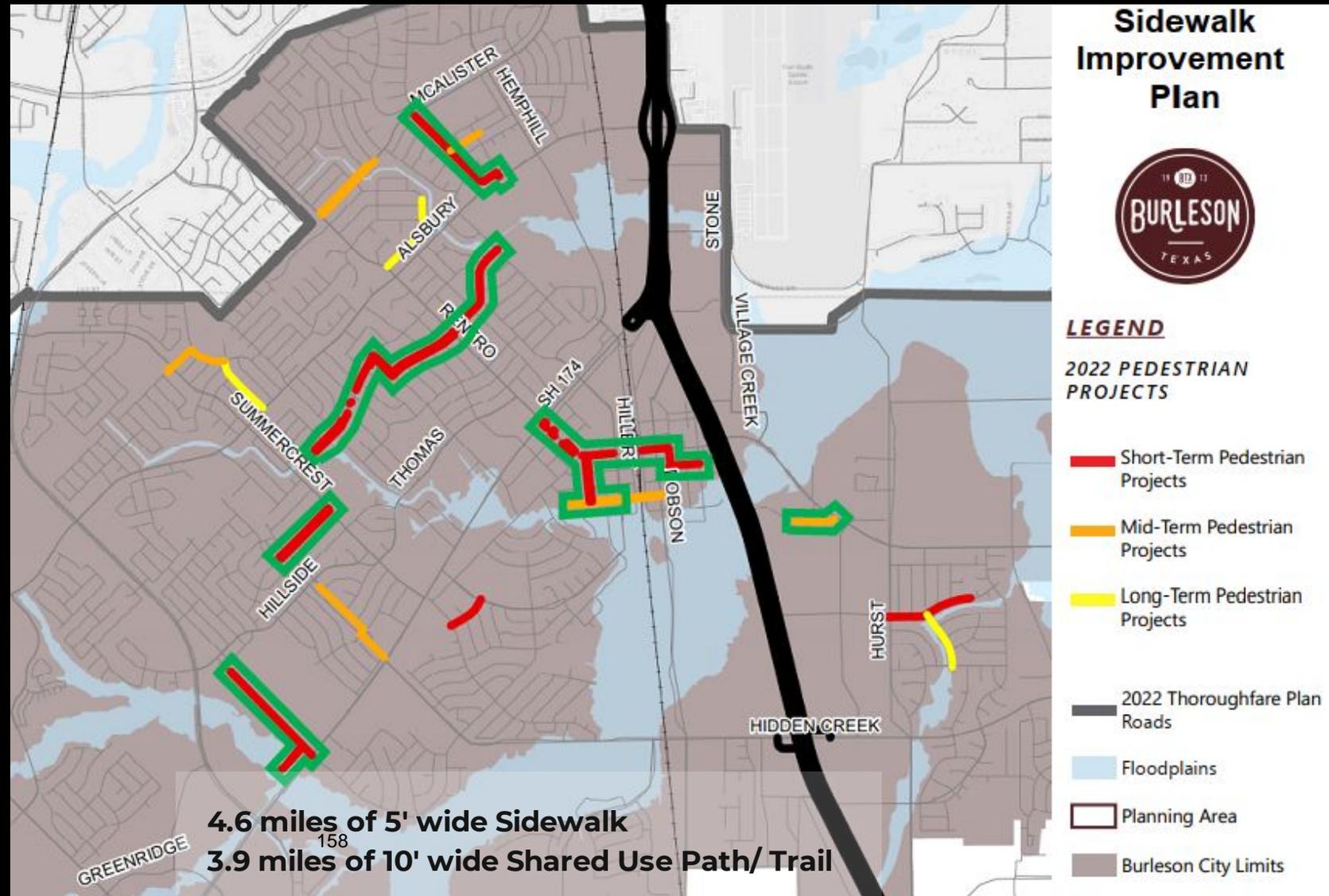
TXDOT TA GRANT'S IMPACT ON MTP

This grant would complete the majority of our short-term and a few mid-term pedestrian projects.

- 9 of the 12 Short-Term Pedestrian Projects would be completed with this Grant.
 - 1 of the 3 remaining projects is within the GO Bond Program (FM1902) for FY27 completion.
- 2 of the 6 Mid-Term Pedestrian Projects would be completed with this Grant

Goal: Complete 10- Mile Loop bicycle and trail route and 80% of the Short - Term Pedestrian Projects with the currently planned City funding.

Result: \$15M worth of pedestrian, bicycle and trail facilities for \$3M of City funds.



TXDOT TA GRANT'S IMPACT ON MTP



DECISION POINTS

- **GENERAL FEEDBACK ON PRELIMINARY MASTER PLAN**
- **MASTER PLAN TO I&D OR TO COUNCIL**
- **APPLICATION TO I&D OR TO COUNCIL**

Questions