



AGENDA
BURLESON CITY COUNCIL
March 18, 2019

BURLESON CITY HALL
141 W. RENFRO
BURLESON, TX 76028

WORK SESSION – 5:30 p.m.

(No public comment will be taken during the work session)

Call to Order

1. **Report of the City Manager** - Robert Ranc, Acting City Manager
 - a. Changes to the City Council Agenda
 - b. Upcoming and Recent Events
 - c. Employee Recognitions
2. **Questions on Current Agenda Items** - City Councilmembers
3. **Responses to Items Tabled or Withdrawn from Previous Meeting** - Robert Ranc, Acting City Manager
4. **Reports and Presentations**
 - a. Stormwater Management Plan Overview (*Mitchell Carpenter*)
 - b. I&D Item Update (*Mandy Clark*)
 - Development Schedule
 - ETJ Policy/Standards
 - Sidewalk Policy
 - Old Town Design Standards Review Committee
5. **City Council Requests for Future Agenda Items or Reports**
6. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated herein. **Executive Session may be held under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting.**
7. Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.
8. As time permits, items from the Presentations and Reports & Discussion sections of the Regular Session may be moved up on the agenda and discussed.

REGULAR SESSION – 7:00 p.m.

Call to Order

Invocation

Pledge of Allegiance to the U.S. Flag

Pledge of Allegiance to the Texas Flag

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible"

1. **Presentations**

A. Proclamations

B. Presentations

- Presentation to Dale Cheatham, City Manager, honoring his years of service.

C. Community Interest Items

This is a standing item on the agenda of every regular meeting of the City Council. (The Texas Open Meetings Act effective September 1, 2009, provides that *"a quorum of the city council may receive from municipal staff, and a member of the governing body may make, a report regarding items of community interest during a council meeting without having given notice of the subject of the report, provided no action is taken or discussed."* The Open Meetings Act does not allow Council to discuss an item concerning pending City Council business unless it is specifically, appropriately posted on the agenda). An "item of community interest" includes the following:

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

D. Citizen Appearances

(Citizens who have signed a card to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the city staff and City Council members are prevented from discussion of the subject and may respond only with statements of factual information or existing city policy. Public comment will not be taken on items that the Council has previously considered in a public hearing).

Items to be continued or withdrawn.

Items to be withdrawn from the consent agenda for separate discussion.

2. **Consent Agenda**

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items unless a Councilmember or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. Approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff recommendations.

General

- A. Minutes from the March 4, 2019 regular council meeting. (*Amanda Campos*)

Council Action Requested:

Approve Minutes from the March 4, 2019 regular council meeting.

- B. Minute Order appointing Jill Allen Murray (Old Town Design Standards Review Committee Alt 2), and Melinda Abbott (Planning & Zoning Commission Place 3) to serve unexpired terms. (*Amanda Campos*)

Council Action Requested:

Approve Minute Order appointing Jill Allen Murray (Old Town Design Standards Review Committee Alt 2), and Melinda Abbott (Planning & Zoning Commission Place 3) to serve unexpired terms.

- C. Amendment to the Russell Farm Use Agreement between City of Burleson and Charlie & Louise Boren. (*Marc Marchand*)

Council Action Requested:

Approve amendment to the Russell Farm Use Agreement between City of Burleson and Charlie & Louise Boren. (Proponent: Staff)

Award of Contracts/Purchasing

- D. Financial Transactions. (*Rhett Clark*)

3. **Development Applications**

- A. Public Hearing and consideration of a Preliminary Plat of Legacy Oaks with associated waivers to Appendix A, Subdivision and Development Ordinance located in the 3500 block of E. Renfro St., north of County Road 604 within the City's Extraterritorial Jurisdiction (ETJ) (Case 18-116) (*Mandy Clark*)

A request has been received from the applicant to table this item to a future meeting. Notices have been sent to the adjoining property owners within 200 feet of the property boundaries notifying them of the new date.

- B. Site Plan and Landscape Plan Amendment for Golden State Foods located at 5601 Vantage Dr. (Case 19-015) (*Mandy Clark*)

Council Action Requested:

Approve a request for a Site Plan and Landscape Plan Amendment for Golden State Foods located at 5601 Vantage Dr. (Case 19-015)

4. **General**

- A. Resolution directing publication of notice of intention to issue certificates of obligation, series 2019; directing the preparation of a preliminary official statement and related material; and providing an effective date. (*Rhett Clark*)

Council Action Requested:

Approve a resolution directing publication of the notice of intention to issue certificates of obligation, series 2019; and directing the preparation of a preliminary official statement and related materials.

5. **Award of Contracts/Purchasing**

- A. Award Annual Contract for Janitorial Services (ITB 2019-007) (*Aaron Russell*)

Council Action Requested:

Award the Annual Contract for Janitorial Services (ITB 2019-007) with Members Building Maintenance, LLC, at an annual cost of \$131,122.77.

- B. Construction and Maintenance Agreement with BNSF for the new crossing at Lakewood Drive (*Laura Melton*)

Council Action Requested:

Approve a Construction and Maintenance Agreement with BNSF for the Lakewood Drive crossing, including costs of \$472,236 for construction and \$35,250 for ROW.

- C. Bid Award and Construction Contract for the Old Town Quiet Zones Project (4 locations) (*Laura Melton*)

Council Action Requested:

Approve Bid Award and a Construction Contract for the Old Town Quiet Zones Project (4 locations) with The Fain Group, Inc., in the amount of \$424,219

- D. Bid Award and Construction Contract for the NW Renfro Street (SH174 to Alsbury) Right Turn Lane and Traffic Calming Project (*Laura Melton*)

Council Action Requested:

Approve the Bid Award and Construction Contract for the Renfro Street (SH174 to Alsbury) Right Turn Lane and Traffic Calming Project to Fort Worth Civil Constructors, LLC, for the base bid amount of \$887,963.

6. **Reports & Discussion Items**

- A. City Council Committees

This is a standing item on the agenda of every regular meeting of the Council so that the Staff and Council Committee Members may make a report to the full body of the City Council.

(The City Council has established committees of the Council that meet from time-to-time to consider recommendations to forward to the full body of the City Council regarding business of the City. The committees are as follows: Appointments & Council Policies Committee; Community & Intergovernmental Relations Committee; Community Services Committee; Finance & Internal Services Committee; Governance & Stewardship Committee; Infrastructure & Development Committee; Public Safety & Court Committee. Meetings of Council Committees are public meetings posted as required by the Texas Open Meetings Act).

7. **Executive Session**

- A. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated here in. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting.**

Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

CERTIFICATE

I hereby certify that the above agenda was posted on this the 13th of March 2019, by 5:00 p.m., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

Amanda Campos
City Secretary

ACCESSIBILITY STATEMENT

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building. Accessible parking spaces are also available in that area. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.

EXECUTIVE SESSION

The City Council reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas: Pursuant to Sec. 551.071(1)a, (1)b, and (2), consultation with its Attorney:

1. The City Council may conduct private consultations with its attorneys when the City Council seeks the advice of its attorney concerning any item on this agenda, about pending and contemplated litigation, or a settlement offer; or a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code. This consultation includes, but is not limited to, the following:
 - Pending litigation or claims by/against the City
 - Seek advice of city attorney on legal issues related to:
 - a. Expenditure of city funds
 - b. Public finance corporations
 - c. The City's authority to regulate location and construction of education facilities
 - d. Agreement with educational entities
 - e. Intergovernmental agreements for government services and related issues
 - f. Responsibility of HOAs, property owners, and the city for infrastructure and related issues
 - g. City Charter and related issues
 - h. Witness protection
2. Pursuant to Sec. 551.072, deliberation regarding the purchase, exchange, lease, or value of real property.
 - Right of way acquisition for roadway, trails and utility line extension.
 - Purchase or lease of property for municipal and/or park use.
 - Purchase, lease, exchange or value of municipal property.
3. Pursuant to Sec. 551.073, deliberation regarding a negotiated contract for a prospective gift or donation to the state or the governmental body.
4. Pursuant to Sec. 551.074, personnel matters related to the appointment, employment, evaluation, contract and duties of a public officer or employee, municipal judge, associate judge, city secretary, and city manager.
5. Pursuant to Sec. 551.076, deliberation regarding (1) the deployment, or specific occasions for implementation of security personnel or devices; or (2) a security audit.
6. Pursuant to Sec. 551.087, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to said business prospect.
7. Pursuant to Sec. 418.0183(f), deliberation of information related to managing emergencies and disasters including those caused by terroristic acts (must be tape recorded).