
City Council Regular Meeting

DEPARTMENT: Development Services

FROM: Lisa Duello, Deputy Director of Development Services

MEETING: March 24, 2025

SUBJECT:

Consider and take possible action on a resolution approving the termination of an interlocal agreement (ILA) between the City of Burleson and Tarrant County for the inspection and permitting of certain on-site sewage disposal systems in the City of Burleson. (*Staff Contact: Lisa Duello, Deputy Director of Development Services*)

SUMMARY:

On March 20, 2000, the City of Burleson was authorized by the Texas Natural Resource Conservation Commission, now called the Texas Commission On Environmental Quality (TCEQ), to implement Ordinance No. B-637 (attached) to regulate on-site sewage facilities (OSSF). This 2000 order and ordinance designated the City of Burleson as Authorized Agents through the TCEQ allowing the City to administer the program.

In May of 2005, the City of Burleson signed an interlocal agreement (attached) with Tarrant County for inspections and permitting of OSSF's.

On February 29, 2024, in accordance with provisions of the *Health and Safety Code, Chapter 366, On-Site Sewage Disposal Systems*, the TCEQ conducted a compliance review of the City of Burleson's On-Site Sewage Facility (OSSF) Program. The compliance review was conducted to evaluate the administrative procedures and determine if the City of Burleson's program is in compliance with minimum state standards. According to *The Summary of Investigation Findings* (attached), Investigation #1973535 notes, there were "No Violations Associated to this Investigation." Additional comments suggest that the "AA (City of Burleson) should consider updating and /or revising their Order in some areas, etc."

TCEQ has implemented new reporting guidelines relevant to OSSF's. Since Burleson has corporate limits in both Tarrant and Johnson counties, the new procedures are cumbersome for Tarrant County. Therefore, Tarrant County officials decided, based on the new requirements and the fact that only 30 or so permits/ inspections had been completed in 2 years for Burleson, they did not want to continue allocating resources for the ILA agreement.

As such, in a meeting with Tarrant County in April 2024, they respectfully requested that we consider other options for administering the program.

Staff initially consulted with Johnson County Public Works regarding an ILA for the OSSF program, but they opted not to pursue this option. Therefore, Development Services–Environmental Services staff is prepared to administer the program. Currently, staff has three (3) TCEQ certified Designated Representative (OSSF inspector). Environmental Services plans on assuming inspection and permitting duties on or about June 23, 2025.

The TCEQ Compliance review from February 2024 suggested that, although not required, the City should update the order and ordinance. According to the TCEQ staff, the 2000 order is current and can be used to administer the program. However, as suggested by the TCEQ, staff will update the OSSF order/ordinance in the Fall 2025.

The agreement with Tarrant County requires a 90-day cancellation notice for discontinuance of inspection and permitting services. The City Manager’s Office plans to notify the Tarrant County Public Health Department regarding the contract cancellation (see attachment), and the Environmental Services will assume inspection and permitting duties on or about June 23, 2025.

April 7, 2025 – Staff will bring an ordinance to City Council to amend the Fee Schedule removing Tarrant County Authority to determine the fees.

April 21, 2025 – Second reading of Fee Amendment Ordinance.

May – June 2025 – Staff will notify stakeholders (OSSF installers, PE & RS designers, maintenance Companies) of the changes.

As suggested by the TCEQ, staff will update the OSSF order/ ordinance in the Fall 2025 with the changes suggestions in the Summary of Investigation Findings

RECOMMENDATION:

Approve the resolution approving the termination of an Interlocal Agreement between the City of Burleson and Tarrant County for the inspection and permitting of certain on-site sewage disposal systems in the City of Burleson.

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

N/A

REFERENCE:

- Ordinance B- 637
- Interlocal Agreement
- TCEQ Compliance Review
- City Manager letter
- Resolution

FISCAL IMPACT:

Proposed Expenditure/Revenue: Estimated Annual Revenue \$3,750 (@15 permits yr. at \$250)
Account Number(s): 10014002 - TBD

Fund: General Revenue
Account Description:

STAFF CONTACT:

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