BURLESON CITY COUNCIL REGULAR MEETING
AUGUST 3, 2026
DRAFT MINUTES

ROLL CALL

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

COUNCIL ABSENT:

Staff present
Tommy Ludwig, City Manager
Harlan Jefferson, Deputy City Manager
Eric Oscarson, Deputy City Manager
Lisandra Leal, Assistant City Secretary
Allen Taylor, City Attorney
Matt Ribitzki, Deputy City Attorney

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

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

Invocation led by Drew Ivy

Pledge of Allegiance to the US Flag

2. PUBLIC PRESENTATIONS

A. Proclamations

- None.

B. Presentations

- **Receive an organizational update from the Burleson Opportunity Fund.** Presenter Daniel Pentikis, President of the Burleson Opportunity Fund and Sam Ross Vice President of the Board provided an organizational recap.

C. Community Interest Items

- Council Member Victoria Johnson was recognized as the 2026 recipient of the Elected Official Leadership Award from the North Texas Commission.
- An update was shared regarding the upcoming TxDOT FM 174 road construction project. Funding is secured, and traffic disruptions are expected to begin around January 2027. Public Works are mapping accessory roads to help mitigate traffic impact.

- Keep Burleson Beautiful is a great program that provides opportunities for citizens to get involved. If you would like to participate or have questions, contact Jessica Martinez with the Parks and Recreation Department.
- The Back to School Bash will be held in the Plaza on August 8 from 4:00 PM to 7:00 PM.
- The Burleson Animal Shelter is partnering with the Cleburne Railroaders baseball team for a benefit game night on August 14, and a portion of the ticket sales will be donated to the Animal Shelter.
- BTX 817 Day is scheduled for August 17th in the Plaza with free ice cream being given out.
- A special thanks to the citizens for their patience and staff for their hard work to get the FM 174 road project going.

3. <u>CHANGES TO POSTED AGENDA</u>

- **Items to be continued or withdrawn**
  - None.

- **Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.**
  - None.

4. <u>CITIZEN APPEARANCES</u>

- Sayeda Syed, 6705 Sapphire Cir, spoke regarding concerns with the Tarrant County Appraisal property values and asked Council to vote for her in the November Board Elections.
- Philip Sanders, 900 Warbler Ct, expressed concerns regarding the timing of public access to city agenda packets, encouraged prioritization of local road maintenance, and opposed the implementation of new stormwater fees.

5. <u>CONSENT AGENDA</u>

Prior to the consent agenda Philip Sanders, 900 Warbler Ct spoke regarding Items 5.C. and 5.F. He expressed concerns that the proposed drought contingency and water conservation ordinance would limit residential watering to two days per week regardless of drought conditions and he questioned whether the restrictions considered the watering needs of different grass types. Mr. Sanders also requested that staff ensure the proposed backflow prevention ordinance language matches Texas Commission on Environmental Quality and City of Fort Worth requirements.

Staff explained that the two-day watering schedule has been in effect for several years, and that the proposed amendments are intended to update enforcement policies to align with the City of Fort Worth's requirements under the City's wholesale water agreement.

A. **Minutes from the July 20, 2026 regular council meeting. *(Staff Contact: Monica Solko, Deputy City Secretary)***

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

Motion passed 7-0.

B. **CSO#6203-08-2026, minute order ratifying the Burleson 4A Economic Development Corporation amendment to Resolution 4A032326AmendAnnualBudget by amending the Capital Improvement Plan. (Staff Contact: Randy Morrison, P.E., Director of Capital Engineering)**

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

Motion passed 7-0.

C. **CSO#6204-08-2026, ordinance amending Section 82-14 "Drought Contingency; Regulations Authorized" of Division 3 "Drought Contingency and Water Conservation" of Article I "In General" of Chapter 82 "Utilities" of the Code of Ordinances concerning drought contingency penalties and enforcement. (Final Reading) (Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)**

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

Motion passed 7-0.

D. **CSO#6205-08-2026, ordinance amending Section 82-41 "Definitions" of Article II "Industrial Waste Discharge" of Chapter 82 "Utilities" of the Code of Ordinances to provide definitions for PFAS-related terms (Final Reading) (Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)**

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

Motion passed 7-0.

E. **CSO#6206-08-2026, ordinance amending Section 82-43 "Discharge Prohibitions and Limitations" of Article II "Industrial Waste Discharge" of Chapter 82 "Utilities" of the Code of Ordinances to limit hauling or trucking waste with detectable quantities of PFAS and prohibiting PFAS or PFAS-related substances above baseline concentrations without a plan of correction implementing best management practices. (Final Reading) (Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)**

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

Motion passed 7-0.

F. CSO#6207-08-2026, ordinance amending Section 82-233 “Testing of Assemblies” of Article V “Cross Connection Control Policy” of Chapter 82 “Utilities” of the Code of Ordinances to require backflow prevention assembly testing reports to be filed online. (Final Reading) (Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)

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

Motion passed 7-0.

G. CSO#6208-08-2026, ordinance amending Section 82-240 “Backflow Prevention Assembly Testers” of Article V “Cross Connection Control Policy” of Chapter 82 “Utilities” of the Code of Ordinances to require backflow prevention assembly testers to be registered to submit test reports online. (Final Reading) (Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)

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

Motion passed 7-0.

6. GENERAL

A. CSO#6209-08-2026, minute order authorizing the rate increase proposed by Waste Connections, Inc., as permitted under the existing contract, effective October 1, 2026. (Staff Contact: Lauren Seay, Deputy Director, Administrative Services)

Lauren Seay, Deputy Director, Administrative Services, presented the rate increase proposed by Waste Connections, Inc. as permitted under the existing contract, effective October 1, 2026. She explained that the annual rate adjustment is routine and is based on the Consumer Price Index (CPI) and fuel index, which are calculated separately and then combined to determine the adjustment. The proposed rate increase was originally 4.50%; however, staff negotiated the increase down to 4.25%. Staff noted that the contract does not include a cap on rate increases.

Philip Sanders, 900 Warbler Ct, questioned whether rates would decrease if fuel prices declined and who determines when a reduction would occur.

Staff explained that the adjustment is based on the contract formula using CPI and fuel index data reviewed annually from June to June and may increase or decrease based on those calculations. Staff confirmed the City may request a lower rate, as it did this year, but Waste Connections may deny the request under the contract.

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

Motion passed 7-0.

B. **CSO#6210-08-2026, two-year contract with Anderson Asphalt & Concrete Paving, LLC. for roadway maintenance and preservation services in the amount of $3,500,000. (Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)**

Justin Scharnhorst, Deputy Director of Public Works, presented a two-year contract with Anderson Asphalt and Concrete Paving, LLC for roadway maintenance and preservation services. He explained that the contract supports the City's dedicated Street Maintenance Fund and continues the City's efforts to advance street maintenance activities. Anderson Asphalt was recommended based on their previous work with the City through a formal RFP process and their experience with municipal contracts throughout the DFW area. The contract would be procured through The Interlocal Purchasing System (TIPS) and would provide services on an as-needed basis, not to exceed $3,500,000 over the two-year term.

Motion made by Alexa Boedeker and seconded by Victoria Johnson to approve.

Motion passed 7-0.

C. **CSO#6211-08-2026, ordinance amending the five-year Capital Improvement Plan (CIP) for Fiscal Year 2026-2030 (CSO#6165-06-2026) (First and Final Reading). (Staff Contact: Randy Morrison, P.E., Director of Capital Engineering)**

Randy Morrison, P.E., Director of Capital Engineering, presented items 7C, 7D, and 7E as one presentation to the city council.

Randy Morrison, Director of Capital Engineering, presented items related to the Hulen Street Extension Project (STE2605) from SH 174 (Wilshire Boulevard) to John Jones Drive (FM 731), including an amendment to the FY 2026-2030 Capital Improvement Plan, a reimbursement resolution, and a professional engineering services agreement with Halff Associates, Inc. He explained that the project will extend Hulen Street as a principal arterial roadway to support future development along the corridor.

Staff recommended Halff Associates based on their previous work on the corridor and familiarity with the project. The proposed agreement includes design services, construction documents, bidding assistance, and construction support. The project improvements include roadway extension, shared-use paths, landscaping, lighting, and intersection improvements.

Staff requested approval of the CIP amendment adding $1,585,500 in FY 2026 funding, the reimbursement resolution for future debt proceeds, and the professional engineering services agreement with Halff Associates, Inc. in the amount of $1,294,300, with a 10% contingency of $129,430, for a total design cost of $1,423,730.

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

Motion passed 7-0.

D. CSO#6212-08-2026, resolution declaring intention to reimburse an amount not to exceed $1,585,500 for certain capital expenditures with proceeds from debt; and placing time restrictions on the issuance of tax-exempt obligations for a Capital Improvement Plan project to extend Hulen Street from the intersection of Wilshire Boulevard (SH 174) to John Jones Drive (FM 731). (Staff Contact: Kevin Hennessey, Director of Finance)

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

Motion passed 7-0.

E. CSO#6213-08-2026, professional engineering services agreement with Halff Associates, Inc. for the design of the Hulen St. Extension Project from SH 174 (Wilshire Blvd.) to FM 731 (John Jones Dr.), in the amount of $1,294,300.00, with a contingency of $129,430.00, for a total design cost of $1,423,730.00 (Project ST2605). (Staff Contact: Randy Morrison, PE, Director of Capital Engineering)

Motion made by Victoria Johnson and seconded by Alexa Boedeker to approve.

Motion passed 7-0.

7. REPORTS AND PRESENTATIONS

A. Receive a report, hold a discussion, and provide staff direction regarding the FY 2026-2027 (tax year 2026) property tax rates, and receive any additional feedback from the City Council regarding the annual budget for FY 2026-2027. (Staff Contact: Kevin Hennessey, Director of Finance)

Kevin Hennessey, Director of Finance, presented an overview of the FY 2026-2027 tax year, proposed property tax rates, and budget considerations. He explained that the City received the Truth-in-Taxation (TNT) calculations from the Johnson County Tax Assessor and reviewed the calculated no-new-revenue rate and voter-approval rate. Staff explained the differences between the no-new revenue rate and voter-approval rate, including the factors used in calculating each rate. Staff noted that the proposed budget includes maintaining the current tax rate assumptions.

Philip Sanders, 900 Warbler Ct, questioned the difference between the proposed tax rate and the no-new revenue rate, the impact on residents' tax bills, and the use of City funds for other priorities.

Staff clarified that the tax bill calculation is based on both the tax rate and taxable property value, and the projected decrease is based on the average taxable value provided by the appraisal districts.

Council directed staff to maintain the current tax rate assumptions included in the proposed FY 2026-2027 budget.

B. Receive a report, hold a discussion, and provide staff direction regarding the proposed Fiscal Year 2026-2027 5-Year Capital Improvement Plan (CIP). (Staff Contact: Randy Morrison, Capital Engineering Director)

Randy Morrison, Director of Capital Engineering, presented the proposed FY 2026-2027 Five-Year Capital Improvement Plan (CIP). He provided an overview of updates from the previous CIP presentation, including funding adjustments, project additions, and changes to project timelines.

Staff reviewed updates to several projects, including the addition of the Hulen Street Extension Project, funding changes for the Hulen Widening Project, adjustments to water and sewer projects, and new projects added during the budget process. Staff also reviewed updates to the unprogrammed project list, including stormwater projects identified through the stormwater fee analysis.

Council discussed the Russell Farm fireplace repair project and questioned potential repair options. Staff explained that a structural assessment would be completed and that the City's use agreement limits significant modifications to the property, including removal of the fireplace.

Council had no additional questions and were in favor of the proposed Capital Improvement Plan being included in the FY2026-2027 proposed budget.

C. Receive a report, hold a discussion, and provide staff direction on Short-Term Rentals. (Staff Contact: Tony D. McIlwain, Development Services Director)

Tony McIlwain, Director of Development Services, provided an update on the City's short-term rental (STR) registration process, code compliance efforts, potential collection of Hotel/Motel Occupancy Tax (HOT/MOT) from short-term rentals, and third-party vendor options. Staff reviewed the current registration requirements, inspection process, and ongoing efforts to identify and bring short-term rental operators into compliance. Staff noted that the city currently has short-term rentals and additional applications under review. Additionally, staff explained that identifying and monitoring short-term rentals requires significant Code Compliance staff time, including researching potential short term rentals and following up with property owners.

Staff discussed options for actively collecting hotel/motel occupancy tax from short-term rental operators, including the potential use of an electronic tax administration system or third-party vendor. Staff noted that third-party services could assist with identifying short-term rentals and tax collections but would require additional costs. Staff also confirmed the current short-term rental registration process and fee would remain unchanged.

Sherry Scott, resident, spoke regarding the list of potential short-term rentals she compiled and expressed support for collecting HOT/MOT from short-term rental operators.

Council discussed the continued growth of short-term rentals and the importance of managing them within the city. Council directed staff to move forward with efforts to collect HOT/MOT tax and evaluate the results of those efforts before considering the use of a third-party vendor.

D. Receive a report, hold a discussion, and provide staff direction regarding Tax Increment Reinvestment Zones (TIRZ) and Tax Increment Financing (TIF). (Staff Contact: Eric Oscarson, Deputy City Manager)

Eric Oscarson, Deputy City Manager, provided an overview of Tax Increment Reinvestment Zones (TIRZ) and Tax Increment Financing (TIF), explaining that a TIRZ establishes the geographic area where the tax increment is captured, while TIF is the financing mechanism used to fund eligible improvements through future increases in property tax revenue generated within the zone. Staff reviewed how these tools may be used to support infrastructure, public improvements, development incentives, and certain operational costs, as well as the limitations associated with dedicating captured revenue to a specific area.

Staff provided an overview of the City's existing TIF #2, including its history, completed projects, current obligations, and potential future opportunities. Staff discussed how TIF #2 has been used to support Old Town improvements and reviewed considerations for maintaining, modifying, or creating future TIF areas to support development where significant infrastructure investment may be needed.

Council discussed the purpose and use of TIFs, including whether the existing TIF #2 boundaries continue to align with the original intent of supporting Old Town development. Council discussed potential boundary modifications and the future use of TIFs as a development tool.

Council directed staff to review potential boundary adjustments and return with additional information regarding impacts and considerations.

8. CITY COUNCIL REQUEST FOR FUTURE AGENDA ITEMS AND REPORTS

- None.

9. RECESS INTO EXECUTIVE SESSION

In accordance with Chapter 551 of the Texas Government Code, the City Council may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda. The City Council may reconvene into open session and take action on posted items.

A. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071, Texas Government Code

- Cause No. DC-C202500492; City of Burleson, et at., vs. Pecos Housing Finance Corporation, et al., in the District Court, 18th Judicial District, Johnson County, TexasReceive a report and hold a discussion regarding Chapter 311 of the Texas Tax Code and Tax Increment Reinvestment Zone Number Two, City of Burleson, Texas

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

C. Deliberation regarding commercial or financial information received from or the offer of a financial or other incentive made to a business prospect seeking to locate, stay or expand in or near the territory of the City and with which the City is conducting economic development negotiations pursuant to Section 551.087, Texas Government Code

Mayor Fletcher announced that the Council would convene into Executive Session.
Time: 8:14 p.m.

Mayor Fletcher announced that the Council would reconvene into open session.
Time: 8:23 p.m.

10. ADJOURNMENT

Motion made by Victoria and seconded by Dan McClendon to adjourn.

Motion passed 7-0.

Mayor Chris Fletcher adjourned the meeting.

Time: 8:24 p.m.

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Lisandra Leal
Assistant City Secretary