



CITY COUNCIL REGULAR MEETING AGENDA
AUGUST 9, 2022 @ 5:00PM
CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON STREET, CLEBURNE, TX 76031

A member of the public wishing to participate in the meeting may do so via the options below or view the [live broadcast](#).

- *In person*: Complete a speaker/comment registration card and turn in to the City Secretary before the meeting begins.
- *Submit questions/comments online*: Complete a speaker/comment registration card found on the [City's online Agenda Center](#). Registration cards received by 4:00 p.m. the same day will be distributed to the Council for consideration.
- *Address the Council by phone*: Submit a registration card as directed above and by 4:45p.m. call [\(346\) 248-7799](tel:3462487799) or (888) 788-0099. **Enter Meeting ID 995-6991-0537 and then press #.**

I. ROLL CALL AND CALL TO ORDER BY MAYOR

City Council:

Scott Cain, Mayor

Derek Weathers, SMD 1

Chris Boedeker, Mayor Pro Tem/SMD 2

Mike Mann, SMD 3

John Warren, SMD 4

Administration:

Steve Polasek, City Manager

Ashley Dierker, City Attorney

Ivy Peterson, City Secretary

II. INVOCATION by Pastor Andrew Tyler, St Mark United Methodist Church

III. PLEDGE OF ALLEGIANCE

IV. CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL

V. CITIZENS COMMENTS

An opportunity for the public to make comments or address concerns for any matter whether or not posted on the agenda.

VI. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

CMPI. Presentation - Council Commendation to Miss Katelyn Lail

CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be routine and self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests. For a citizen to

request removal of an item, a speaker card must be filled out and submitted to the City Secretary prior to the beginning of the meeting.

MN1. CONSIDER MINUTES FOR THE JULY 26, 2022 REGULAR COUNCIL MEETING.

RS1. CONSIDER A RESOLUTION CONSENTING TO THE EXTENSION OF THE DECLARATION OF LOCAL DISASTER UNTIL AUGUST 23, 2022.

Presented by: Steve Polasek, City Manager

Summary: On March 23, 2020, the Mayor executed a Declaration of Local Disaster (“Declaration”) for the City of Cleburne pursuant to Section 418.108(a) of the Texas Government Code, which was for a period of seven days. In accordance with 418.108(b) of the Texas Government Code and following Governor Greg Abbott’s executive orders, the City Council has approved extensions to said Declaration, and continues to take actions to promote health and safety, and suppress the spread of COVID-19 in the community. This resolution for your consideration is to extend the existing Declaration to the next regular council meeting date of August 23, 2022 at 11:59 p.m. central daylight time.

RS2. CONSIDER A RESOLUTION AUTHORIZING A RIGHT-OF-WAY DEDICATION ON CITY PROPERTY FOR THE SPARKS DRIVE CONNECTION PROJECT.

Presented by: Jeremy Hutt, Director of Public Works

Summary: The Sparks Drive connection to the Chisholm Trail Parkway traverses land owned by the City of Cleburne. It is proposed that right-of-way (ROW) for Sparks Drive be legally separated and dedicated by the City as ROW. Having the roadway facility within dedicated ROW will establish and protect the roadway corridor during any future development of the surrounding land. In addition, having ROW will allow franchise utilities to install electric lines, streetlight poles and other facilities without the need for multiple separate utility easements.

RS3. CONSIDER A RESOLUTION ACCEPTING THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE’S SEMI-ANNUAL REPORT, MID-YEAR 2022, AS TO THE PROGRESS OF THE CAPITAL IMPROVEMENT PLAN OF THE CITY OF CLEBURNE WATER, WASTEWATER, AND ROADWAY IMPACT FEE ORDINANCE.

Presented by: Jeremy Hutt, Director of Public Works

Summary: Pursuant to Chapter 395 of the Texas Local Government Code, the City of Cleburne Capital Improvements Advisory Committee (CIAC) is required to file semi-annual reports to the City Council on the administration of the city’s impact fee program. Staff provided the semi-annual presentation of revenues and expenditures for water, wastewater, and roadway impact fees to the CIAC on July 25, 2022. The CIAC’s recommendation on the City of Cleburne’s water, wastewater, and roadway impact fee program is to continue forward with no changes at this time, and is included in their report to the City Council.

RS4. CONSIDER A RESOLUTION AUTHORIZING A CHAPTER 380 AGREEMENT WITH DILLER'S BARBER SHOP UNDER THE TERMS OF CLEBURNE'S FAÇADE IMPROVEMENT ECONOMIC DEVELOPMENT MATCHING INCENTIVE PROGRAM, FOR PROPERTY LOCATED AT 202 EAST CHAMBERS STREET.

Presented by: Grady Easdon, Economic Development Manager

Summary: Diller's Barber Shop, located at 202 East Chambers Street, has submitted an application under the terms of the City's Façade Improvement program seeking funds to replace two broken windows on the Anglin Street side, tint all three windows, replace vinyl "barber pole" sign, and replace double doors on Anglin Street side. Total cost of this project is \$4,604.00. The program provides for up to 50% of eligible project costs are reimbursable up to a maximum of \$5,000.00, therefore, \$2,302.00 would be the maximum match by the City. If this request is approved, there would be \$6,104.00 remaining for other projects for FY2022.

OR1. CONSIDER AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR OCTOBER 1, 2021 TO SEPTEMBER 30, 2022 (#9) BY INCREASING APPROPRIATIONS FOR PROFESSIONAL SERVICES EXPENDITURES IN THE AIRPORT FUND FOR COSTS ASSOCIATED WITH THE LEASE OF HANGAR 98.

Presented by: Rhonda Daugherty, Director of Finance

Summary: At the September 14, 2021 regular council meeting, the Council authorized a contract with Air Space Brokerage services (RS09-2021-119) to locate a viable tenant and negotiate a lease for Hangar 98. This lease was approved at the July 26, 2022 regular council meeting, RS07-2022-96. The fee for the brokerage services is 6% of the value of the lease with the lease value determined to be \$906,000 over the lease term. This budget amendment increases the Professional Services expenditure account (61-54-8664) by \$54,360, increasing from \$8,400 to \$62,760, for the payment of the brokerage fees. The proposed addition will result in total adopted expenditures from \$1,261,760.04 to \$1,316,120.04. The increase in expenditure will reduce the budgeted ending fund balance for the Airport Fund from \$76,627 to \$22,267.

OR2. CONSIDER AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR OCTOBER 1, 2021 TO SEPTEMBER 30, 2022 (#10) BY INCREASING APPROPRIATIONS FOR VEHICLE CAPITAL EXPENDITURES IN THE AMOUNT OF \$36,882 FOR COSTS ASSOCIATED WITH THE PURCHASE OF A REPLACEMENT MOTORCYCLE.

Presented by: Rhonda Daugherty, Director of Finance

Summary: Staff is requesting a budget amendment to the Police Department budget appropriations for Vehicle Capital for the purchase of a replacement motorcycle. One of the police motorcycles used for traffic enforcement was damaged in a crash during a training event in February 2022. Texas Municipal League Intergovernmental Risk Pool evaluated the damage to the motorcycle and determined it to be a total loss. This budget amendment increases the Police Department's Vehicle Capital expenditure account (01-41-8950) in the amount of \$36,882 to replace the fully marked police motorcycle with a similarly equipped 2022 Harley-Davidson

FLHTP Electra Glide motorcycle. The proposed addition will result in total adopted General Fund expenditures from \$44,376,957 to \$44,413,839. The City will receive \$13,107 from TML for the insurance claim.

OC1. CONSIDER CONFIRMING THE APPOINTMENT OF DAVID MAGERS TO THE CLEBURNE POLICE RESERVE FORCE IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE §341.012 AND THE CITY'S CODE OF ORDINANCES §33.03.

Presented by: Craig Huskey, Assistant Chief of Police

Summary: Assistant Chief Craig Huskey and Reserve Deputy Chief Neal Sandin are requesting Council confirm the appointment of David Magers to the Cleburne Police Reserve Force, thereby permitting him to carry a weapon and act as a peace officer at all times, in accordance with Texas Local Government Code §341.012 and City of Cleburne, Texas Code of Ordinances §33.03. David Magers holds a Texas Master Peace Officer certification and Bachelors degree in Criminal Justice.

ACTION AGENDA

OC2. CONSIDER ACCEPTANCE OF RECREATION EQUIPMENT FOR HULEN PARK AS DONATED BY THE CLEBURNE ROTARY CLUB.

Presented by: Aaron Dobson, Director of Parks & Recreation

Summary: The Cleburne Rotary Club approached the Parks & Recreation Department in January of 2022 with the idea of donating new play elements for Hulen Park. Utilizing the Parks Master Plan as a guide, staff supplied the club with various opportunities. After much consideration, the club decided to support the donation of funds for a Gaga Ball Pit and a Game Board with Benches.

Gaga Ball is a fast-paced, high-energy sport played in an octagonal pit that combines the skills of dodgeball and foursquare and is commonly found at schools, churches, camps, and parks. The location of this play element is proposed to be near the playground and its accompanying pavilion with signage placed near the pit with game rules and notifying the public of the Rotary Clubs donation.

The Game Board and Benches are made of concrete and propose to be placed under a tree canopy on the west side of Hulen Park between the playground and parking lot behind Splash Station. The game board can be utilized for checker, chess, and other games. A Rotary Club logo will be placed on the table, or a sign placed near the board and benches notifying the public of the donation.

The total donation for the Cleburne Rotary Club is not to exceed \$13,000. Working with a contractor, the donation amount will cover the cost of the projects. At their August 1, 2022 meeting, the Parks & Recreation Advisory Board unanimously recommended to accept the donation of funds from the Cleburne Rotary Club for a Gaga Ball Pit, Game Board, and Benches for Hulen Park.

OR3. *PUBLIC HEARING* CONSIDER AN ORDINANCE GRANTING A VARIANCE UNDER CHAPTER 120.04(F)(1) OF THE CLEBURNE CODE OF ORDINANCES TO ALLOW ALCOHOL SALES FROM A BUSINESS LOCATED AT 1001 SOUTH CADDO STREET WITHIN 300 FEET OF A USE LISTED IN CHAPTER 120.04(B), CASE GC22-009.

Presented by: David Jones, Community Development Director

Summary: The applicant, Thaman Enterprise, LLC, represented by Zoe Cannon, submitted an application for a TABC permit to sell beer and wine for off-premise consumption at Caddo Stop, located at 1001 S. Caddo Street. Chapter 120.04 requires that a business selling alcohol be located at least 300 feet from a public school located at 1005 S. Anglin Street.

The location at 1001 S Caddo Street is located within 300 feet of the school as measured in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections.

According to information provided by Cleburne Independent School District, the former Adams Elementary School at 1005 S. Anglin Street will house the Johnson County Juvenile Justice Alternative Education Placement program. This program will serve high school, and possibly middle school, students from several school districts, including CISD.

Because the program and facility is a school operated facility by an independent school district that offers a course of instruction for students in one or more grades from kindergarten through grade 12, the program meets the definition of “public school” under Section 120.01 and alcohol sales are prohibited within 300 feet of the school property line without a variance.

RS5. *PUBLIC HEARING* CONSIDER A RESOLUTION APPROVING THE REPLAT OF J.F. ADDITION, FOR 2 SINGLE-FAMILY RESIDENTIAL LOTS WITH A VARIANCE REQUEST, BEING ±0.317 ACRES, LOCATED AT 709 AND 715 ROBBINS STREET, CASE PC22-048.

Presented by: David Jones, Community Development Director

Summary: The applicant, Trans Texas Surveying, is requesting approval of a residential replat for the J.F. Addition, which consists of two (2) single-family residential lots, located at 709 and 715 Robbins Street. The applicant has requested a variance to the minimum lot size and minimum lot depth for both proposed lots. The variance will be considered as part of the request for plat approval. The Planning and Zoning Commission considered this request at their July 25, 2022 meeting and recommended approval with the variances outlined below with a vote of 6-0:

- i. The minimum lot depth of 100 feet be approved as presented; and
- ii. The minimum lot area of 6,696 square feet be approved as presented.

OR4. *PUBLIC HEARING* CONSIDER AN ORDINANCE REZONING ±138.25 ACRES FROM SF-7 (SINGLE-FAMILY DWELLING DISTRICT) TO SF-6 (SINGLE-FAMILY DWELLING DISTRICT), GENERALLY LOCATED APPROXIMATELY 1,000 FEET WEST OF CHISHOLM TRAIL PARKWAY, SOUTH OF STATE HIGHWAY 171/WEATHERFORD HIGHWAY, CASE ZC22-015.

Presented by: David Jones, Community Development Director

Summary: The applicant, Mark Allen, has requested to rezone approximately 138.25 acres from SF-7 (Single-Family Dwelling District) to SF-6 (Single-Family Dwelling District) for the property generally located approximately 1,000 feet west of Chisholm Trail Parkway, south of State Highway 171/Weatherford Highway. The applicant intends to rezone the subject property for a single-family residential development and has submitted an accompanying preliminary plat for Planning and Zoning Commission consideration. The Planning and Zoning Commission considered this request at their July 25, 2022 meeting and recommended denial by a vote of 5-1. The recommendation of denial triggers the requirement of a supermajority vote of Council to approve the request.

RS6. CONSIDER A RESOLUTION APPROVING THE PRELIMINARY PLAT OF CLEBURNE 135, CONSISTING OF 438 SINGLE-FAMILY RESIDENTIAL LOTS AND 7 OPEN SPACE LOTS, ON ±138.25 ACRES GENERALLY LOCATED 1,000 FEET WEST OF CHISHOLM TRAIL PARKWAY, SOUTH OF STATE HIGHWAY 171/WEATHERFORD HIGHWAY, CASE PC22-047.

Presented by: David Jones, Community Development Director

Summary: The applicant, Mark Allen, is requesting approval of the preliminary plat of Cleburne 135, which consists of 438 single-family residential lots and seven (7) open space lots, which include a dog park, a picnic area, a playground area, trails, and ponds. The Cleburne 135 residential subdivision is generally located approximately 1,000 feet west of Chisholm Trail Parkway, south of State Highway 171/Weatherford Highway.

The applicant has an accompanying rezoning request to the SF-6 (Single-Family Dwelling District). If the rezoning request is approved by City Council, the proposed plat will conform with the SF-6 zoning district as well as Chapters 154 and 155 of the City's Code of Ordinances. As such, the proposed plat will require approval with the condition that the associated rezoning request is approved. If the request to rezone is denied, the preliminary plat would be recommended for disapproval on the basis that it does not comply with the current SF-7 zoning district.

The Planning and Zoning Commission considered this request at their July 25, 2022 meeting and recommended disapproval with a vote of 5-1 due to the plat not meeting the requirements of the SF-7 zoning district.

OR5. *PUBLIC HEARING* CONSIDER AN ORDINANCE REZONING ±5.08 ACRES LOCATED SOUTH OF CR 904 AND APPROXIMATELY 650 FEET WEST OF CHISHOLM TRAIL PARKWAY FROM IH (INTERIM HOLDING DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT) FOR THE CONSTRUCTION OF DETACHED SINGLE-FAMILY HOMES AND OPEN SPACE IN A PORTION OF THE WRIGHT FARMS MUNICIPAL MANAGEMENT DISTRICT, CASE ZC22-017.

Presented by: David Jones, Community Development Director

Summary: The Wright Farms development consists of 1,508 single-family residential lots and 22 open space lots that includes an amenity center, trails, ponds, and gas wells. The Wright Farms residential subdivision is primarily within the City's Extraterritorial Jurisdiction (ETJ), and is generally located on the south side of County Road 904 and approximately ¼ mile west of

Chisholm Trail Parkway. This request is to incorporate the Concept Plan and development standards from the Wright Farms Development Agreement into a PD (Planned Development District) that will serve as zoning for a 5-acre portion of Wright Farms that lies within the City Limits. The Planning and Zoning Commission considered this request at their July 25, 2022 meeting and recommended approval by a vote of 6-0.

RS7. CONSIDER A RESOLUTION APPROVING THE PRELIMINARY PLAT OF CONLEY ESTATES, FOR 15 RESIDENTIAL LOTS, BEING ±17.664 ACRES, GENERALLY LOCATED AT 2620 COUNTY ROAD 317, CASE PC22-018.

Presented by: David Jones, Community Development Director

Summary: The applicant, Marshall Miller, is requesting approval of the Preliminary Plat of Conley Estates, consisting of 15 residential lots generally located at 2620 County Road 317, within the City's Extraterritorial Jurisdiction (ETJ). The preliminary plat meets all of the minimum requirements as outlined in Chapter 154 of the Code of Ordinances. The Planning and Zoning Commission considered this request at their July 25, 2022 meeting and recommended approval with a vote of 6-0.

RS8. CONSIDER A RESOLUTION AUTHORIZING A CONTRACT WITH TEXAS MATERIALS GROUP, INC, TEXASBIT, UTILIZING THE INTERLOCAL AGREEMENT WITH THE CITY OF FORT WORTH, FOR THE CITY OF CLEBURNE'S - 2022 ASPHALT MAINTENANCE PROJECT FOR AN AMOUNT NOT TO EXCEED \$1,500,000.

Presented by: Jeremy Hutt, Director of Public Works

Summary: This is a contract between the City of Cleburne and Texas Materials Group, Inc, TexasBit, for the City of Cleburne - 2022 Asphalt Maintenance Project. The agreement allows the City to use a third party contractor to perform large scale asphalt maintenance projects throughout the City.

The streets identified to receive maintenance work for the FY 22 Project Cycle will be done in two phases. This contract will address the streets that do not have utility renewals: Yellow Jacket, Third Street, Turner Street, Oran Avenue, Nolan River Road, Peacock Street, Willow Creek Road, and Holloway Street. This amounts to approximately 4.65 miles of streets that will be resurfaced with this initial project.

The next phase, to be bid and awarded at a later date, will address utility renewals and associated street work. This phase will include: Anglin Street, Misc. Cemetery, Euclid Street, George Street, Wilhite Street, Whitenack Street, Wilson Street, and Kouns Street.

The City of Fort Worth bid a similar contract at much larger quantities resulting in lower unit pricing and the contract was awarded to Texas Materials Group, Inc, TexasBit. The City of Cleburne, through its interlocal agreement with the City of Fort Worth, is able to utilize unit prices with Texas Materials Group, Inc, TexasBit so that all state and local bidding requirements are met.

Funding is allocated for this project in General Capital Projects Fund (Fund 53) Streets - M&R Streets, Curbs, and Alleys account in the amount of \$2,500,000, which exceeds the proposed contract amount. The proposed contract amount is \$1,500,000 and the current estimate

for the project is \$1,423,767.13 allowing \$76,232.87 to be available for any field changes that may arise during construction.

RS9. CONSIDER A RESOLUTION AUTHORIZING A CONTRACT WITH MCMAHON CONTRACTING, LP, FOR THE SPARKS DRIVE CONNECTION PROJECT IN AN AMOUNT OF \$3,333,819.32, AUTHORIZING THE CITY MANAGER TO EXECUTE ANY SUBSEQUENT CHANGE ORDERS, AND ESTABLISHING A TOTAL PROJECT BUDGET IN AN AMOUNT NOT TO EXCEED \$3,650,000.00.

Presented by: Jeremy Hutt, Director of Public Works

Summary: In June of 2015, the City Council authorized a design contract with Childress Engineers for the design of the Sparks Drive Connection Project. The project completes the Sparks Drive connection to the Chisholm Trail, including a 2,000 LF bridge over West Buffalo Creek. The project will provide a significant improvement to major truck traffic routes in the industrial area of the City.

To offset construction costs, staff began working with the Economic Development Administration (EDA) to be considered for a Public Works Economic Adjustment Assistance Program Grant in June of 2020. In September of 2021, the City of Cleburne was awarded a \$1,400,000 EDA grant.

After completion of all environmental permitting and receiving required approvals from the EDA to advertise, the project was let in June of 2022. Two bids were received, and McMahon Contracting, LP was the apparent low bidder. Childress Engineers prepared the bid tabulation and evaluated the contractor, and has recommended bid award to McMahon Contracting, LP. The total bid price of \$3,330,819.32 is approximately \$483,000 over the final engineer's estimate of \$2,850,000. However, due to current economics and construction inflation costs, this price is considered to be fair and reasonable.

The proposed resolution will award the contract to McMahon Contracting, LP, authorize the City Manager to execute the contract documents and authorize the City Manager to utilize contingency funds in the amount of \$319,180.68 to execute change orders that may be required to complete the project, as well as provide for construction testing services. If approved, the total project budget will be \$3,650,000. Funding for the project budget will ultimately be provided from the EDA grant (\$1.4M) and Tax Increment Financing Zone #1 funding (\$2.25M). A Reimbursement Resolution containing the financial details is a companion item on tonight's agenda.

RS10. CONSIDER A RESOLUTION DECLARING INTENT TO REIMBURSE AN AMOUNT NOT TO EXCEED \$1.4 MILLION FOR CAPITAL PROJECT EXPENDITURES RELATED TO THE SPARKS DRIVE CONNECTION PROJECT.

Presented by: Rhonda Daugherty, Director of Finance

Summary: On this evening's Council agenda is a construction contract with McMahon Contracting, LP for the Sparks Drive Connection Project. Funding for the project budget will ultimately be provided from a \$1.4M Public Works Economic Adjustment Assistance Program Grant awarded by the Economic Development Administration (EDA) and \$2.25M from the Tax

Increment Financing Zone #1. In order to award the contract, the city must demonstrate full funding of the project prior to the receipt of the funds from the reimbursement grant. The General Fund will advance fund the expenditures that are eligible for grant reimbursement. When the grant funds are received, the General Fund will be reimbursed for those advanced expenditures.

BUDGET AND TAX RATE

CMP2. DISTINGUISHED BUDGET PRESENTATION AWARD BY THE GOVERNMENT FINANCE OFFICERS ASSOCIATION

OC3. BUDGET WORKSHOP SESSION TO DISCUSS THE PROPOSED FISCAL YEAR 2023 BUDGET AND CAPITAL IMPROVEMENTS PLAN.

Presented by: Steve Polasek, City Manager

OC4. SCHEDULE AND HOLD A PUBLIC HEARING FOR THE FISCAL YEAR 2023 BUDGET ON AUGUST 23, 2022, AT 5:00 PM, DURING THE REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL.

Presented by: Rhonda Daugherty, Director of Finance

Summary: Section 6.4 (Public Hearing on Budget) of the City of Cleburne Charter states, “At the time and place so advertised, or at any time and place to which such public hearing shall from time to time be adjourned, the Council shall hold a public hearing on the budget as submitted, at which all interested persons shall be given an opportunity to be heard for or against the estimates of any budget item thereof.” For compliance with this Charter requirement, the City Council is stating its intent to schedule and hold a public hearing for the Fiscal Year 23 budget on August 23, 2022, at 5:00 pm, which is a regularly scheduled meeting of the City Council in the City Council Chambers.

OC5. CONSIDER APPROVING AND ADOPTING THE 2022 CERTIFIED APPRAISAL ROLL AS PRESENTED BY THE JOHNSON COUNTY CENTRAL APPRAISAL DISTRICT.

Presented by: Rhonda Daugherty, Director of Finance

Summary: Chapter 26 of the Texas Property Tax Code outlines several property tax related items that must be presented to council. These are the certified appraisal roll, the certified collection rate and the No New Revenue and Voter Approval tax rates. The Chief Appraiser of Johnson County Central Appraisal District (JCCAD) certified the City’s 2022 appraisal roll on July 25, 2022. In accordance with Section 26.04 (b) of the Texas Property Tax Code, the following values are submitted:

Total Appraised/Assessed Value	\$3,206,325,446
Total Exemptions	204,019,136
Total Taxable Value (Includes values under protest and new value)	3,002,306,310
Total Estimated Value Loss on Protests	(35,487,518)

Total Taxable Value of New Property	78,839,047
Total Taxable Value of Property Newly Annexed	57,766
Total Tax Increment Financing Captured Appraised Value	69,122,271

Including the anticipated values for properties under protest, the total anticipated certified value for the City of Cleburne for Fiscal Year 2023 is \$2,966,818,792, a 13.6% increase over the Fiscal Year 2022 certified values.

The City's Tax Assessor Collector presented the Excess Debt Collections and the Anticipated Debt Collections Rate on July 18, 2022 and presented the No New Revenue and Voter Approval tax rates on August 1, 2022. The anticipated debt collection rate is 117%. The No-New-Revenue rate is calculated as \$0.635579 and the Voter-Approval rate is \$0.640476. The Interest and Sinking (Debt Service) component of the tax rate is \$0.029790 for the repayment of debt service.

RS11. CONSIDER A RESOLUTION STATING THE CITY COUNCIL'S INTENT TO ADOPT A TAX RATE OF \$0.640476 PER HUNDRED DOLLARS OF VALUATION FOR FISCAL YEAR 2023 AT THE TUESDAY, SEPTEMBER 13, 2022 REGULAR COUNCIL MEETING.

Presented by: Rhonda Daugherty, Director of Finance

Summary: Texas Tax Code, Chapter 26, requires taxing units to comply with "Truth-in-Taxation" laws in setting ad valorem tax rates, and that a no-new-revenue tax rate and voter-approval tax rate calculations are performed. The calculated rates for Fiscal Year 2023 (FY 2023) / Tax Year 2022 utilized the July 25, 2022 certified appraisal roll as the basis for calculation.

The proposed rate for FY 2023 is \$0.640476 per \$100 of valuation, which is the rate presented to City Council at the FY 2023 budget workshop on August 09, 2022. The proposed rate of \$0.640476 does not exceed the voter-approval tax rate of \$0.640476, therefore, no public hearings on the tax rate are required by the Texas Property Tax Code.

Section 26.061 of the Texas Tax Code, Notice of Meeting to Vote on Proposed Tax Rate that Does not Exceed Lower of No-New Revenue or Voter-Approval Tax Rate, requires the City Council vote to set the date, time and place of the vote on the tax rate. This notice will be published in the Cleburne Times-Review on Saturday, August 27, 2022.

The allocation for the FY 2023 tax rate for the interest and sinking rate (Debt Service Fund rate) is \$0.029790 and the operations and maintenance (General Fund rate) is \$0.610686. The ordinance adopting the FY 2023 tax rate will reflect these rates.

RS12. CONSIDER A RESOLUTION AUTHORIZING A CONTRACT FOR EMPLOYEE BENEFIT PLANS FOR FISCAL YEAR 2023.

Presented by: Debra Powledge, Director of Human Resources

Summary: Staff and HUB International, the City's Insurance advisor, have worked together evaluating renewals submitted for the City's insurance medical and dental plans. Previous presentations to the Council were presented in April and July providing an overview of the plan status, renewal increases, and recommended plan adjustments. Heath Haigood, Account

Manager with HUB International will provide a brief overview presentation for City Council. The recommended plans are as follows:

- Continue funding 100% of the employee medical premiums under the HDHP and the HDHP- THA value and a variable portion of the dependent subsidy. The difference in the increased premiums for the buy up plans would be 100% employee funded as well as any additional dependent coverage for all plans.
- Dental coverage with United Healthcare with increased annual maximum of \$2,000 to include 50% orthodontia coverage for dependents under 19 years old.
- Continue with Superior Vision for the third year of a three-year rate guarantee.
- Continue with Symetra Life Insurance for Life Insurance, AD&D, and Long Term Disability plans. All voluntary life insurance plans are the responsibility of the employee. This will be the third year of a three-year rate guarantee.
- Continue with Symetra for its voluntary Accident and Critical Illness plans. All premiums are the employee's responsibility. This will be the third year of a three-year rate guarantee.
- Continue with Deer Oaks as the City's Employee Assistance Program. This program is funded by the City and will be the third year of a three-year rate guarantee.
- Continue with Flores and Associates as the City's Flexible Benefits and Section 125 Administrator. This is the third year of a five-year rate guarantee
- Continue with Alight for Concierge Services

EXECUTIVE SESSION

Pursuant to the Open Meetings Act, Chapter 551, and the Texas Disaster Act, Chapter 418 of the Texas Government Code, Executive Session may be held at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to any posted subject matter of this City Council Meeting.

Section 551.071. Consultation with Attorney and Section 551.072. Deliberation Regarding Real Property The City Council will convene into executive session to receive legal advice from the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551 and to deliberate the purchase, exchange, lease, or value of real property related to the following:

EXE1. Discuss City-owned Real Property located at 1801 Sparks Drive

Section 551.071. Consultation with Attorney The City Council will convene into executive session to receive legal advice from the City Attorney on the following matters in which the duty of the City Attorney to the City's governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code:

EXE2. Actions taken and to be taken related to securing the building located at 14 East Chambers Street (further described as the Southwest Corner of Caddo Street and Chambers Street)

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

ADJOURNMENT

ADJOURNED AT:

CERTIFICATION

THIS IS TO CERTIFY that the Notice of Meeting of the Cleburne City Council is a true and correct copy of said Notice and that I posted said Notice on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, as well as the City's official website at www.cleburne.net and said Notice was posted on **Friday, August 5, 2022**, by **5:00 pm** in compliance with Chapter 551, Texas Government Code.

Note: A quorum of any Cleburne board, commission, or committee may participate during this meeting.



City of Cleburne

By: Ivy Peterson
Ivy Peterson, City Secretary



Reasonable accommodations to furnish auxiliary aids or services for persons with special needs will be provided when at least two working days' notice is given. Contact the City Secretary's office at (817) 645-0908 or by fax (817) 556-8848.