



CITY COUNCIL REGULAR MEETING AGENDA
DECEMBER 8, 2020 @ 5:00PM
CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON STREET, CLEBURNE, TX 76031

City Council meetings are open to the public with social distancing and sanitation protocols in place. 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 (800) 731-0285. **Enter Meeting ID 995-6991-0537 and then press #.**

I. ROLL CALL AND CALL TO ORDER BY MAYOR

City Council:

Scott Cain, Mayor

Dr. Bob Kelly, 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 Dean Elliott, Cleburne Bible Church

III. PLEDGE OF ALLEGIANCE

IV. CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL

V. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

☆ Presentation – Service Recognition of Honorable Councilman Dr. Robert Kelly

CONSENT ITEMS

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 NOVEMBER 10, 2020 REGULAR COUNCIL MEETING.

MN2. CONSIDER MINUTES FOR THE NOVEMBER 17, 2020 SPECIAL COUNCIL MEETING.

BQ1. CONSIDER PURCHASE OF AN ALL-FLEX MOWER FROM ZIMMERER KUBOTA (MANUFACTURING DESIGNED DEALER, LAND PRIDE, DIVISION OF GREAT PLAINS MFG) FOR AN AMOUNT NOT TO EXCEED \$15,214.25; AS RECOMMENDED BY THE CLEBURNE 4B ECONOMIC DEVELOPMENT CORPORATION.

Presented by: Aaron Dobson, Director of Parks and Recreation

SUMMARY: This item is to replace the ten-year-old flex mower at the Sports Complex. The new flex mower will function in the same manner as the current mower to ensure our facility meets our community's needs. The current flex mower has seen extended time out of service as repairs are made. Zimmerer Kubota was awarded this project utilizing a BuyBoard contract (#611-20) for an amount not to exceed \$15,214.25. The 4B Economic Development Board of Directors considered and unanimously recommended this purchase at the November 19, 2020 meeting.

RS1. CONSIDER A RESOLUTION CONSENTING TO THE EXTENSION OF THE DECLARATION OF LOCAL DISASTER UNTIL JANUARY 12, 2021.

Presented by: Steve Polasek, City Manager

SUMMARY: On March 13, 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 Declaration to the next regular council meeting date of January 12, 2021 at 11:59 p.m. central standard time.

RS2. CONSIDER A RESOLUTION AUTHORIZING RENEWAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PERMIT FOR 2021 TO PDK TRANSPORTATIONS, LLC PROVIDING TRANSPORTATION SERVICES-FOR-HIRE IN THE CITY OF CLEBURNE.

Presented by: Ivy Peterson, City Secretary

SUMMARY: PDK Transportations, LLC has submitted an application for a permit renewal to continue operating a transportation-for-hire business in Cleburne for 2021. To continue mitigating the spread of COVID-19, earlier in 2020 PDK implemented the following protocols:

- Drivers will be required to wear masks
- The partition will be closed between the driver and the passengers

- The vehicle's interior will be completely sanitized after each use and all the interior glass and windows washed
- There will be signage posted that each customer is requested to wear a mask except when eating or drinking. There will be a maximum of 10 people to a group and that will only be family or friends of the person renting the vehicle

Title XI: Business Regulations, Chapter 117 of the Code of Ordinances regulates taxis and buses. Some provisions in the code do not apply to a reservation-type transportation service; however, the applicant has complied with all the relevant requirements with no changes from the 2020 permit.

RS3. CONSIDER A RESOLUTION AUTHORIZING A 380 AGREEMENT WITH ROBERT L. WARD UNDER THE TERMS OF THE CITY OF CLEBURNE FAÇADE IMPROVEMENT ECONOMIC DEVELOPMENT INCENTIVE PROGRAM.

Presented by: Grady Easdon, Economic Development Manager

SUMMARY: Mr. Ward has submitted an application under the terms of the City's Façade Improvement program seeking funding for upgrades and enhancements to exterior street-facing facades on his property located at 15 North Main Street. Repairs and upgrades include installation of a new bronze storefront consisting of new entry door and installation of a new window. Under the terms of the Façade Improvement Incentive Program, up to 50% of eligible project costs are reimbursable up to a maximum of \$5,000. Total cost of this project for improvements is approximately \$8,310.00; therefore \$4,155.00 would be the maximum match by the City.

RS4. CONSIDER A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE CITY OF MIDLOTHIAN FOR COOPERATIVE PURCHASING.

Presented by: Troy Lestina, Director of Finance

SUMMARY: The City of Cleburne and the City of Midlothian desire to cooperate on select governmental purchases in order to enjoy greater economy of scale and thereby reduce prices for certain commodities and services used by both governmental entities. The City of Cleburne and the City of Midlothian will engage in the purchase of items and services that are used by both entities and as jointly agreed upon by the purchasing officers of both entities. As a general rule, the governmental entity that used the most of a particular commodity or service will be the lead agent in making a joint purchase. Each entity will be responsible for payment of its portion of the proportionate purchase costs directly to the vendor.

RS5. CONSIDER A RESOLUTION AUTHORIZING AN AGREEMENT WITH SUNBELT POOLS, INC FOR REPLACING FILTER SAND FOR THE EIGHT ASTRAL FILTERS AT SPLASH STATION FOR AN AMOUNT NOT TO EXCEED \$37,379; AS RECOMMENDED BY THE CLEBURNE 4B ECONOMIC DEVELOPMENT CORPORATION.

Presented by: Aaron Dobson, Director of Parks and Recreation

SUMMARY: The purpose of this item is to remove sand from existing sand change filters at Splash Station and haul off. The current material is original to the facility and is at the end of its usage. While the sand is being removed, an inspection of the internal components will be performed.

Following the inspection, new sand will be installed in all the filters. Sun Belt Pools, Inc is a Buy Board company and the total amount for the project is \$37,379. The 4B Economic Development Board of Directors considered and unanimously recommended this purchase at their November 19, 2020 meeting.

RS6. CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE “ENCROACHMENT ON EASEMENT” DOCUMENT BETWEEN THE CITY OF CLEBURNE AND ONCOR ELECTRIC DELIVERY FOR THE CONSTRUCTION OF THE WASTEWATER TREATMENT PLANT EXPANSION PROJECT.

Presented by: Jeremy Hutt, Public Works Director

SUMMARY: The City of Cleburne operates a wastewater treatment plant (WWTP) on property that is bisected by an electrical transmission line. Oncor Electric Delivery has exclusive rights to the land that is traversed by the transmission line. As a result of the upcoming WWTP expansion project, improvements are proposed within the Oncor easement, which require coordination with Oncor Electric Delivery and ultimately an approved easement encroachment.

The City’s design team has worked with Oncor to reach an agreement on the improvements that will be allowed to encroach and the terms required. The improvement include, five (5) pipe line crossings, 3 electrical conduit crossings and paved access drives inside Oncor’s easement. This is specified in the in the “Encroachment on Easement” document.

OC1. CONSIDER ACCOUNTS PAYABLE FOR THE MONTH OF OCTOBER 2020.

Presented by: Troy Lestina, Director of Finance

RESOLUTIONS

RS7. CONSIDER A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR A MAXIMUM OF \$227,628 IN FURTHERANCE OF PROJECT #14 AS LISTED ON THE APPROVED PROJECT PLAN FOR THE TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO.

Presented by: Aaron Dobson, Director of Parks & Recreation

SUMMARY: The Tax Increment Financing District Reinvestment Zone No. 2 (TIF 2) Board of Directors met on November 5, 2020, where they unanimously approved the expenditure of \$227,628 from project #14 line item: TIF # 2 sidewalk and landscape improvements. The purpose of this expenditure is to continue improvements in the core downtown area that will include the installation of pots, plants, planting materials, benches, railing, as well as some contract labor. The base bid is \$137,945, which includes the areas of Henderson St. and Chambers St. between Mill St. and Robinson St. An add alternate of \$36,745 is recommended for portions of Main St. and Caddo St. Staff recommends additional replacement pots and benches be purchased for \$15,000. A 20% contingency is included in the total amount.

RS8. CONSIDER A RESOLUTION AMENDING ARTICLE II, SECTION 2.4 OF THE STADIUM LEASE AGREEMENT WITH CLEBURNE BASEBALL, LLC.

Presented by: Steve Polasek, City Manager

SUMMARY: Due to the COVID-19 pandemic, the Cleburne Railroaders baseball team was unable to participate in the 2020 season of the American Association of Independent Professional Baseball. As a result of the cancelation of their season, they lost the opportunity to host a minimum of fifty (50) home baseball games and failed to realize associated revenues typically generated from ticket sales, concessions, merchandising, advertising, and sponsorships. In an effort to keep as many staff employed as possible and utilize the stadium during this down time the Railroaders organization worked with various youth baseball programs by providing a place for games and tournaments. While not as impactful as a typical Railroaders season, these efforts resulted in bringing over 240 games and an estimated 20,000 people to Cleburne, all of which helped bolster spending at local gas stations, restaurants, hotels, and retail stores.

In an effort to help rebound from the pandemic, the Cleburne Railroaders have submitted a written request to amend their lease agreement with the City allowing the same 2020 rent amount for next year (2021). Section 2.4 of the Agreement provides for the following:

2.4 Annual Rent and Marketing. Tenant shall pay to Landlord for each Lease Year the sum of:

- (1) \$0 annual rent for 2019;
- (2) \$25,000 annual rent for 2020;
- (3) \$50,000 annual rent for 2021;
- (4) \$75,000 annual rent for 2022-23; and
- (5) \$100,000 annual rent for 2024 through the end of the Term(s).

Specifically, the request would amend the lease to allow the 2021 payment to stay at \$25,000 and push all other lease arrangements out one year as shown below:

2.4 Annual Rent and Marketing. Tenant shall pay to Landlord for each Lease Year the sum of:

- (1) \$0 annual rent for 2019;
- (2) \$25,000 annual rent for 2020;
- (3) ***\$25,000 annual rent for 2021;***
- (4) \$50,000 annual rent for ***2022;***
- (5) \$75,000 annual rent for ***2023-24;*** and
- (6) \$100,000 annual rent for ***2025*** through the end of the Term(s).

The current lease commenced on January 1, 2017 and expires on December 31, 2029. Cleburne Railroaders are current on both their lease payment for 2020 (\$25,000) and payment in to the Maintenance and Repair Reserve Fund (\$25,000).

ORDINANCES

OR1. *PUBLIC HEARING* CONSIDER AN ORDINANCE AMENDING TITLE XV: LAND USAGE, CHAPTER 155: ZONING, SECTION 155.571: SEXUALLY ORIENTED BUSINESSES; GENERAL PROVISIONS AND DEFINITIONS, SUBSECTIONS (B) AND (C) OF THE CODE OF ORDINANCES TO AMEND THE DEFINITION OF SEXUALLY ORIENTED BUSINESS, CASE GC20-008.

Presented by: Shane Pace, Executive Director of Development Services

SUMMARY: Staff is proposing an amendment to Section 155.571 – Sexually Oriented Businesses; General Provisions and Definitions to amend the definition of sexually oriented business.

The current definition of a sexually oriented business (SOB) contained in the City's Zoning Ordinance is outdated, and is in need of amendment. The proposed amendments will address a changing industry of sexually oriented businesses, and the need to have clear and definitive parameters, by which to define such businesses. The current language, falls short of the level of detail needed to regulate this sensitive and ever-changing land use.

The current definition includes a multitude of uses, including the following:

"...other commercial enterprise the primary business of which is the offering of a service or the selling, renting or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer."

The amended definition will now include additional parameters to define the primary business at the premises. The proposed amended parameters are listed below:

The offering of such service, devices, or other items shall be deemed "the primary business at the premises" if any of the following conditions are met:

- 1) The specified service, devices, or other items generate 20% or more of the gross revenues generated at the premises;*
- 2) The specified service, devices, or other items account for 20% or more of the floor space in the premises; or*
- 3) The specified service, devices, or other items account for 20% or more of the number of items displayed at the premises.*

Amending the definition to include the additional parameters, as detailed above, will assist staff in determining whether a commercial enterprise shall be classified as a sexually oriented business. The proposed ordinance is included in the packet for review.

The Planning and Zoning Commission considered this request at their November 9, 2020 meeting and recommended approval by a vote of 7-0.

OTHER COUNCIL MATTERS

OC2. CONSIDER APPOINTMENTS TO THE TYPE A ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS.

Presented by: Ivy Peterson, City Secretary

SUMMARY: Following the recent election, a vacancy for Director #2, represented by outgoing Councilman Dr. Robert Kelly, was created on the Type A Board and in 2019, Councilman Mike Mann was appointed to serve an unexpired term of one year. Staff presents this item for Council's consideration to appoint Councilman Derek Weathers and reappoint Councilman Mike Mann to the Board of Directors.

The Type A EDC was created in 2015 to act on behalf of the City to develop, implement and manage development of the Cleburne Station project. According to the Certificate of Formation, the Board is appointed by the Council and is composed of five (5) directors serving two-year terms, which begins July 1 of each year. Both terms for Councilman Weathers and Councilman Mann will be effective immediately and expire June 30, 2022.

The Board meets on an as-needed basis at City Hall and is typically scheduled preceding a regular council meeting.

OC3. CONSIDER APPOINTMENT OF A COUNCILMEMBER TO THE TAX INCREMENT FINANCING REINVESTMENT ZONE BOARD OF DIRECTORS FOR DISTRICTS ONE AND TWO.

Presented by: Ivy Peterson, City Secretary

SUMMARY: Following the recent election for Councilmember representing Single Member District One, vacancies were created on the TIF #1 and TIF #2 Boards. Staff presents this item for your consideration appointing a Council representative for both Boards for a two-year term effective immediately and expiring December 2022.

These boards consist of five (5) members and work with staff concerning the project and finance plan for the area encompassed by the boundaries of the TIF Zone: TIF #1 – Industrial Park, and TIF #2 – Downtown. The Board meetings are held on an as-needed basis, usually during the lunch hour at City Hall.

OC4. CONSIDER APPOINTMENTS AND REAPPOINTMENTS OF MEMBERS TO VARIOUS BOARDS AND COMMISSIONS.

Presented by: Ivy Peterson, City Secretary

SUMMARY: At such time when members' terms expire or vacancies occur on City boards, the Board & Commission Recommendation Committee convenes to review applications of potential candidates for the Council's consideration. In accordance with Section 31.02 of the Code of Ordinances, the Committee is prepared to make recommendations for appointment of citizens representing a broad base of the community. The candidates listed below have been contacted and are willing to serve a two-year term beginning January 2021 thru December 2022, with the exception of the Civil Service appointment being a three-year term.

BOARD/COMMISSION	RECOMMENDATIONS	APPOINT/REAPPOINT	Term #
4B EDC	Michelle Kennon	Reappointment	2
4B EDC	Debby Miller	Reappointment	2
4B EDC	Kim Lively	Appointment	1
Airport	Alana "Susie" Sarchet	Appointment	1
Animal Shelter - Veterinarian	Dr Renee Brockett	Reappointment	2
Animal Shelter - Animal Welfare Rep	Benjamin Morris	Appointment	1
Animal Shelter	Colleen Hardy	Appointment	1
Building and Standards	Brent Kiel	Reappointment	2
Building and Standards	Jason Marbut	Appointment	1
Cemetery	Carla Oefinger	Appointment	1
Civil Service	J Lane DuBois	Appointment	1
Museum	Trish Kilburn	Reappointment	2

Museum	Christy Morton	Appointment	1
Parks and Recreation	Steven Shaffer	Appointment	1
Parks and Recreation	Lisa Box	Appointment	1
Planning and Zoning	Chris Saunders	Appointment	1
Zoning Board of Adjustment	Michael Arthurs	Reappointment	2

OC5. CONSIDER APPOINTMENT OF TWO COUNCILMEMBERS TO WORK WITH STAFF FOR THE REVIEW AND UPDATE OF CHAPTER 91: ANIMALS, OF THE CODE OF ORDINANCES.

Presented by: Mindi Henry, Animal Services Manager

SUMMARY: Staff requests Council to appoint two members to work with staff to review and update Chapter 91 (Animals) of the Code of Ordinances:

- Add definitions to clarify terminology
- Amend enforcement procedures to be less ambiguous
- Add provisions to improve public and employee safety

OC6. CONSIDER THE FINAL PLAT OF LOT 1, BLOCK 1, OF VICTRON ADDITION, BEING ±2.736 ACRES LOCATED AT THE SOUTHWEST CORNER OF NORTH NOLAN RIVER ROAD AND U.S. HIGHWAY 67; AS REQUESTED BY VICTRON ENERGY, REPRESENTED BY MELINDA NELSON, CASE PC20-036.

Presented by: Shane Pace, Executive Director of Development Services

SUMMARY: The applicant is requesting approval of a Final Plat for Lot 1, Block 1, of the Victron Addition. The lot is approximately 2.736 acres in size, is currently zoned C3 (Commercial District) and is undeveloped.

As submitted, the final plat meets all of the minimum requirements of Chapter 154 of the Code of Ordinances. The Planning and Zoning Commission considered this request at their November 9, 2020 meeting and recommended approval with a vote of 7-0.

OC7. CONSIDER THE PRELIMINARY PLAT OF THE CHISHOLM HILLS ADDITION, BEING ±22.812 ACRES GENERALLY LOCATED ON THE SOUTH SIDE OF WOODARD AVENUE AND EAST OF DOTY ROAD; AS REQUESTED BY SHELBY MICKEY AND TRACY KLINT, REPRESENTED BY TEMPUS DEVELOPMENT, LLC, CASE PC20-042.

Presented by: Shane Pace, Executive Director of Development Services

SUMMARY: The applicant is requesting approval of the preliminary plat for the Chisholm Hills Addition, a proposed single-family residential development comprised of 99 single-family residential lots and three (3) common area lots.

The applicant requested a PD (Planned Development District) rezone for the subject property for the proposed single-family development. At the October 27, 2020 meeting, City Council voted 5-0 to approve a rezoning request to the PD (Planned Development District), OR10-2020-61.

The minimum standards for the subdivision include the following:

PD Development Standards	
Description	PD – Proposed Standards
Minimum Lot Area (SF)	5,000 ¹
Minimum Lot Width (Feet)	50
Minimum Lot Width for Corner Lots (Feet)	60
Minimum Lot Depth (Feet)	100
Front Yard Setback (Feet)	20
Front Yard Setback around Cul-de-sac (Feet)	10 ²
Rear Yard Setback (Feet)	20 ³
Side Yard Setback (Feet)	5
Side Yard - Adjacent to Street (Feet)	10
Minimum Living Area (SF)	1,400 (A/C Space) ⁴

¹Minimum Lot Area (SF): A maximum of 5 lots may be a minimum of 5,000 square feet. This standard is reserved for lots on corners, street ends, or cul-de-sacs where adjustments to lot dimensions may be required to accommodate grading or drainage needs. The remaining lots will be a minimum of 5,500 square feet in size.

²Minimum Front Yard Setback around Cul-de-sac (Feet): The face of garage doors must be 20 feet setback from the property line.

³Minimum Rear Yard Setback (Feet): The back patios may encroach a maximum of 10 feet.

⁴Minimum Living Area (SF): A total of 75 homes will be greater than 1,550 square feet (A/C space).

As submitted, the preliminary plat meets all of the minimum requirements of the PD – OR10-2020-61 and Chapter 154 of the Code of Ordinances. The Planning and Zoning Commission considered this request at their November 9, 2020 meeting and recommended approval with a vote of 7-0.

OC8. CONSIDER THE FINAL PLAT OF MW LANDING, PHASE I, BEING ±7.39 ACRES LOCATED AT THE NORTHEAST CORNER OF PEARL STREET AND SECOND STREET; AS REQUESTED BY MW TEXAN STAR HOMES, LLC, REPRESENTED BY KIMBERLY MALONE, CASE PC20-044.

Presented by: Shane Pace, Executive Director of Development Services

SUMMARY: The applicant is requesting approval of the final plat for MW Landing, Phase I, comprised of sixteen (16) single-family residential lots and one (1) common area lot. The Planning and Zoning Commission considered this request at their November 9, 2020 meeting and recommended conditional approval with a vote of 7-0 with the following conditions:

1. Revise the title block to state: Lots 1 thru 16, Block 1 and Lot 26X, Block 8.
2. Add Block 8 to Lot 26X on the plat exhibit.
3. Civil construction plans shall be approved and accepted prior to filing of the plat.

The plat had been reviewed and generally complied with the requirements as outlined in Chapter 154 of the Code of Ordinances, with the exception of a few minor text amendments to the plat exhibit and minor modifications to the submitted civil construction plans. Section 212.009 of the Local Government Code allows the governing body that approves plats to approve, approve with conditions or disapprove the plat.

Following the 11/9 Planning and Zoning Commission meeting, the applicant has submitted a revised plat exhibit and revised civil construction plans meeting all of the conditions as outlined above. The revised plat exhibit is included in the attachments for this agenda item. As such, this plat now meets all of the requirements as outlined in Chapter 154 of the Code of Ordinances.

OC9. CONSIDER THE FINAL PLAT OF LOT 1, BLOCK 1, OF HUNT CLEBURNE ADDITION, BEING ±13.162 ACRES LOCATED ±640 FEET SOUTH OF WEST HENDERSON STREET AND ON THE SOUTH SIDE OF MAYFIELD PARKWAY; AS REQUESTED BY MAYFIELD FAMILY L.P., REPRESENTED BY CROSS ENGINEERING CONSULTANTS, CASE PC20-045.

Presented by: Shane Pace, Executive Director of Development Services

SUMMARY: The applicant is requesting approval of the final plat for Lot 1, Block 1, of the Hunt Cleburne Addition. The lot is approximately 13.162 acres in size and the applicant is proposing a construct a multi-family development.

As submitted, the final plat meets all of the minimum requirements of Chapter 154 of the Code of Ordinances. The Planning and Zoning Commission considered this request at their November 9, 2020 meeting and recommended approval with a vote of 7-0.

OC10. DISCUSS TAX INCREMENT FINANCING REINVESTMENT ZONE #1 (TIF #1) EXTENSION.

Presented by: Chris Fuller, Deputy City Manager

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 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:

- EXE1. Discuss Cause No. D-1-GN-005686, City of Cleburne, Texas and Johnson County, Texas vs. Texas Commission Environmental Quality, in the 353rd District Court of Travis County, Texas, concerning the registration held by Reitz Environmental Services, LLC to land apply domestic septage within the watershed of Lake Pat Cleburne – Steve Polasek, City Manager
- EXE2. Cause no. DC-C201900937; RT General, LLC v. City of Cleburne / Case No. 10-20-0037-CV; City of Cleburne v. RT General, LLC – Steve Polasek, City Manager

Section 551.072. Deliberation Regarding Real Property The City Council will convene into executive session to deliberate the purchase, exchange, lease, or value of real property on the

following matter if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person:

- EXE3. Discuss city-owned real property located at 1903 North Granbury Street – Grady Easdon, Economic Development Manager

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, December 4, 2020**, 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



City Hall is wheelchair accessible. 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.