



CITY COUNCIL REGULAR MEETING AGENDA
JULY 11, 2023 @ 5:00 PM
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 PM the same day will be distributed to the Council for consideration.

I. ROLL CALL AND CALL TO ORDER

City Council:

Scott Cain, Mayor
Derek Weathers, SMD 1
Blake Jones, SMD 2
Mike Mann, Mayor Pro Tem/SMD 3
John Warren, SMD 4

Administration:

Steve Polasek, City Manager
Ashley Dierker, City Attorney
Ivy Peterson, City Secretary

II. INVOCATION by Pastor Johnathan Halton, Cleburne Full Gospel Holy Temple

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

CMP1. PROCLAMATION - Parks and Recreation Month, July 2023

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 JUNE 27, 2023 REGULAR COUNCIL MEETING.

OR1. CONSIDER AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2023 (#8) BY REINSTATING FISCAL YEAR 2022 APPROPRIATIONS BY \$407,444 FROM FISCAL YEAR 2023 UNDESIGNATED RETAINED EARNINGS IN THE WATER AND SEWER FUND (FUND 60) TO PROVIDE ADDITIONAL FUNDING FOR METERS AND SETTINGS.

Presented by: Rhonda Daugherty, CFO/Director of Finance

Summary: This budget amendment is being requested to fund the purchase of additional meters and settings in the Water & Sewer Fund (Fund 60). In September 2022, Council approved the purchase of water meters from Master Meter, a sole-source vendor, for an amount not to exceed \$407,444. Due to delays in product delivery, orders funded in FY22, including the order approved in September, were received and expensed throughout FY23, utilizing the FY23 funding allocation. The request for a carryover of the FY22 funds into FY23 was not completed, therefore the unspent budget allocation rolled into the Water & Sewer retained earnings as of September 30, 2022.

The funding allocation for meters & settings approved in the FY23 budget is needed by the Public Works/Meter Services division to purchase additional meters & settings, therefore a budget amendment for the amount that should have been carried over from FY22 is being requested here. This budget amendment results in an increase to the FY23 appropriations in an amount of \$407,444. The proposed additions to the Water & Wastewater Fund (Fund 60) will be funded from fund balance reserves, increasing total adopted expenditures for FY23 from \$40,392,672 to \$40,800,116.

OR2. CONSIDER AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2023 (#9) BY INCREASING APPROPRIATIONS BY \$10,000 WITH AN EQUAL INCREASE IN NON-OPERATING REVENUE FOR COSTS ASSOCIATED WITH WELLNESS COMMUNICATIONS.

Presented by: Rhonda Daugherty, CFO/Director of Finance

Summary: This budget amendment is being requested to record the revenue and corresponding expense for wellness communications. Aetna, the city's medical benefits provider, has offered an additional allowance for employee wellness communications, to be received on a reimbursement basis. The Cleburne Human Resources Department plans to use these funds to increase communication on open enrollment and plan information through post card mail outs, wallet cards and a texting application. The proposed amendment will revise the total adopted General Fund budget for revenue and expenditures by \$10,000, resulting in a net zero effect on budgeted fund balance.

BQ1. CONSIDER AUTHORIZING PURCHASE OF WATER METERS AND ASSOCIATED ACCESSORIES FROM MASTER METER, A SOLE-SOURCE VENDOR, FOR AN AMOUNT NOT TO EXCEED \$313,829.28.

Presented by: Jeremy Hutt, Director of Public Works

Summary: This purchase will allow the City to have meters in stock and ready for new installs and replaced meters on an as needed basis. This order will contain a total of 1,152 meters:

850 - ¾" Meters	50 - 2" Meter
150 - 1" Meters	2 - 12" Meters
100 - 1 ½" Meters	

There is currently a 12+ week lead-time on these meters. Funding for the meters was provided in the FY2023 budget, however due to budgeting methods, a budget amendment is needed to reallocate the funding. This is due to the FY2022 purchase of meters that was not delivered until FY2023, resulting in FY2023 funds being utilized to purchase the FY2022 order. The budget amendment, by separate action, will reassign the funds that were not expended this past fiscal year and remain in the utility fund.

RS1. CONSIDER A RESOLUTION AUTHORIZING THE ASSIGNMENT OF AN EXISTING LEASE AGREEMENT WITH NATIONWIDE AVIATION, LLC TO JAMES NOE FOR HANGAR 102 AT THE CLEBURNE REGIONAL AIRPORT.

Presented by: Garrett Watson, Airport Manager

Summary: Mr. Trevor Hall, of Nationwide Aviation, LLC would like to assign the remainder of their existing lease to Mr. James Noe. Mr. Hall entered into the ten (10) year lease earlier this year and then decided to move his flight school company. His current lease has approximately nine and a half years remaining.

The current rates presented in the existing lease are as follows:

- i. \$0.22 per square foot per month, which is calculated as follows: 3,641 square feet x \$0.22 = \$801.02 and paid to Landlord on a monthly basis no later than the last day of the month in which the lease assignment is commenced.

Mr. Noe will use the hanger for the storage of aircraft and aviation related equipment. Per the current lease agreement, city authorization must be provided in order to assign a lease.

RS2. CONSIDER A RESOLUTION AUTHORIZING A 40-YEAR LEASE AGREEMENT WITH RONALD BOWYER FOR TRACT 502 AT CLEBURNE REGIONAL AIRPORT FOR THE CONSTRUCTION OF A PRIVATE USE HANGAR.

Presented by: Garrett Watson, Airport Manager

Summary: Ronald (Ronnie) Bowyer, owner of Jelly Stone Park in Burleson, is requesting a land lease with the city in order to build a 10,355 square foot steel beam and metal hangar. If approved, the hangar would become Hangar 502 and referenced as Tract 502. Also included in the proposed total lease footprint is a concrete pad that will serve as the ramp for aircraft access to the hangar as depicted in the survey, bringing the total lease area to 18,561 square feet. The hangar will also include two bathrooms and have running water, sewer, and electric. There will be doors on three sides of the hangar, which will be hydraulic automatic bi-fold doors. Mr. Bowyer is requesting a standard 40-year land lease with an additional 10-year extension option. At the end of the lease term(s), ownership of the hangar would revert to the city. The land lease pricing, based on the city's recent appraisals, is \$0.25/square foot. It will generate \$4,640 per year in revenue, in addition to anticipated fuel sales.

RS3. CONSIDER A RESOLUTION AUTHORIZING AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR THE REPLACEMENT OF THE AUTOMATED WEATHER OBSERVATION SYSTEM AT THE CLEBURNE REGIONAL AIRPORT.

Presented by: Garrett Watson, Airport Manager

Summary: The Texas Department of Transportation Aviation Division (TxDOT) included in their Capital Improvement Plan a full replacement of the instruments on our Automated Weather Observation System (AWOS) at the airport. It was originally a 75/25 grant match with the City being required to provide 100% of the funding up front and reimbursed 75% following completion of the project. The City was recently contacted by TxDOT and informed that due to access to additional funds, they are able to offer this as a 90/10 match grant. The City would be required to initiate the work and pay 100% upfront. Then, following completion, the state would reimburse 90% of the total cost, up to \$200,000. The useful life of an AWOS system is between 10 to 15 years and the current system is 12 years old. The grant will not be awarded until August. However, if authorized by Council, the City can begin the bid process and general contracting for the service. A future budget amendment accounting for the upfront costs and offsetting revenue may be required unless the timing results in the project rolling to the next fiscal year (FY 2024).

RS4. CONSIDER A RESOLUTION AUTHORIZING AN AGREEMENT WITH JML INVESTMENTS, LTD UNDER THE TERMS OF THE FAÇADE IMPROVEMENT MATCHING INCENTIVE PROGRAM, FOR PROPERTY LOCATED AT 424-A WEST HENDERSON STREET.

Presented by: Grady Easdon, Economic Development Manager

Summary: Mr. James Lemons, representing JML Investments Ltd., has submitted an application under the City of Cleburne's Economic Development Façade Improvement Matching Incentive Program seeking reimbursement of expenditures for improvements to his property located at 424-A West Henderson Street. The scope of work for this project includes power washing & repainting the building exterior, repair existing metal awning, and re-striping the parking lot. Under the terms of the Program, up to 50% of eligible project costs are reimbursable up to a maximum of \$5,000. Total cost of this project is estimated to be \$8,900.00, so the maximum reimbursement would be \$4,450.00. Should this request be approved, there will be \$26,082.00 in remaining funds for other projects under the Program.

RS5. CONSIDER A RESOLUTION AUTHORIZING AN AGREEMENT WITH JML INVESTMENTS, LTD UNDER THE TERMS OF THE FAÇADE IMPROVEMENT MATCHING INCENTIVE PROGRAM, FOR PROPERTY LOCATED AT 424-B WEST HENDERSON STREET.

Presented by: Grady Easdon, Economic Development Manager

Summary: Mr. James Lemons, representing JML Investments Ltd., has submitted an application under the City of Cleburne's Economic Development Façade Improvement Matching Incentive Program seeking reimbursement of expenditures for improvements to his property located at 424-B West Henderson Street. The scope of work for this project includes power washing &

repainting the building exterior and re-striping the parking lot. Under the terms of the Program, up to 50% of eligible project costs are reimbursable up to a maximum of \$5,000. Total cost of this project is estimated to be \$7,800.00, so the maximum reimbursement would be \$3,900.00. Should this request be approved, there will be \$22,182.00 in remaining funds for other projects under the Program.

RS6. CONSIDER A RESOLUTION AUTHORIZING AN AGREEMENT WITH MOTOR-TECH CORPORATION UNDER THE TERMS OF THE FAÇADE IMPROVEMENT MATCHING INCENTIVE PROGRAM, FOR PROPERTY LOCATED AT 1119 & 1121 NORTH MAIN STREET.

Presented by: Grady Easdon, Economic Development Manager

Summary: Mr. Gary Graff, representing Motor-Tech Corporation, has submitted an application under the City of Cleburne's Economic Development Façade Improvement Matching Incentive Program seeking reimbursement of expenditures for improvements to property located at 1119 & 1121 North Main Street. The scope of work for this project includes power washing, surface prep and repainting the building exterior & trim, repair/replace soffit and fascia, and fabrication/installation of 2 new signs. Under the terms of the Program, up to 50% of eligible project costs are reimbursable up to a maximum of \$5,000. Total cost of this project is estimated to be \$11,265.00, so the maximum reimbursement would be \$5,000.00. Should this request be approved, there will be \$17,182.00 in remaining funds for other projects under the Program.

RS7. CONSIDER A RESOLUTION APPROVING THE FINAL PLAT OF CLEBURNE ACRES PHASE ONE FOR 6 RESIDENTIAL LOTS, BEING ±7.15 ACRES IN THE EXTRATERRITORIAL JURISDICTION OF CLEBURNE, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF FARM TO MARKET ROAD 1434 AND COUNTY ROAD 1224, CASE PC23-027.

Presented by David Jones, Community Development Director

Summary: The applicant, Phil Essex, is requesting approval of the final plat for Cleburne Acres Phase One, which consists of six (6) residential lots, generally located near the southeast corner of the intersection of Farm to Market Road 1434 and County Road 1224, within the City's Extraterritorial Jurisdiction (ETJ). The final 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 its June 26, 2023 and recommended approval with a vote of 7-0.

ACTION AGENDA

OR3. **PUBLIC HEARING CONSIDER AN ORDINANCE APPROVING A SPECIFIC USE PERMIT FOR AN AUTOMOBILE SERVICE GARAGE FOR A PORTION OF ±7.60 ACRES ZONED CI (COMMERCIAL/INDUSTRIAL FLEX DISTRICT) WITHIN AN EXISTING BUILDING LOCATED AT 1748 NORTH MAIN STREET, SUITE B, CASE ZC23-025.**

Presented by: David Jones, Community Development Director

Summary: The applicant, David Robison, has submitted a request for a Specific Use Permit (SUP) to utilize a portion of an existing building located at 1748 N. Main Street, Suite B as a major automobile service garage. The applicant's company, D.R. Performance Fabrication, specializes in building vehicles from the ground up and performing upgrades on newer production vehicles. The applicant has provided a letter of intent and floor plan detailing the use of the building as a major automobile service garage.

Section 155.7 of the Zoning Ordinance defines an Automobile Service Garage (Major) as: *"A facility for repairs involving removal, disassembly, and rebuilding of major engine and drivetrain components including engine, transmission, differential, drive axle, or other lubricated components, electrical, or hybrid or electric vehicle battery components, with all work being conducted inside a building and often spanning multiple days."*

The Planning and Zoning Commission considered this request at their June 26, 2023 meeting and recommended approval by a vote of 7-0 with the following condition:

- i. The two (2) required parking spaces are marked clearly.

OR4. *PUBLIC HEARING* CONSIDER AN ORDINANCE REZONING ±2.82 ACRES FROM RC (REGIONAL COMMERCIAL DISTRICT) AND SF-7 (SINGLE-FAMILY DWELLING DISTRICT) TO RC (REGIONAL COMMERCIAL DISTRICT) AT 1808 WEST HENDERSON STREET, CASE ZC23-026.

Presented by: David Jones, Community Development Director

Summary: The applicant, 3 P Properties, LLC, has requested to rezone approximately 2.82 acres from SF-7 (Single-Family Dwelling District) and RC (Regional Commercial District) to RC (Regional Commercial District) for the property located at 1808 W. Henderson Street. The applicant's intent is to rezone the property to an appropriate commercial zoning district classification for the purpose of future commercial development. The Planning and Zoning Commission considered this request at its June 26, 2023 meeting and recommended approval by a vote of 7-0.

RS8. CONSIDER A RESOLUTION APPROVING THE FINAL PLAT FOR BAKER FARMS FOR 271 SINGLE-FAMILY RESIDENTIAL LOTS AND 5 OPEN SPACE LOTS, BEING ±60.43 ACRES ZONED PD (PLANNED DEVELOPMENT DISTRICT), GENERALLY LOCATED NORTH OF WEST HENDERSON STREET, SOUTH OF SKYLAR LANE, AND APPROXIMATELY 1,800 FEET WEST OF NORTH NOLAN RIVER ROAD, CASE PC23-025.

Presented by David Jones, Community Development Director

Summary: The applicant, Claymoore Engineering, represented by Drew Donosky, requests approval of the final plat for Baker Farms, which consists of 271 single-family residential lots and five (5) open space lots. The final plat of Baker Farms generally complies with the requirements as outlined in Chapter 154 of the Code of Ordinances and PD Ordinance OR01-2020-10, with the exception of including additional easements needed for the installed infrastructure prior to recordation. The Planning and Zoning Commission considered this request at its June 26, 2023 meeting and recommended conditional approval by a vote of 7-0, with the following condition:

- i. Prior to filing the plat for recordation at the Johnson County Clerk's office, include additional easements needed for the installed infrastructure, per Section 154.025(C)(6) of the Subdivision Ordinance.

OR5. *CONTINUE PUBLIC HEARING* CONSIDER AN ORDINANCE REZONING FROM I (INDUSTRIAL DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT) FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENT ON ±33.89 ACRES LOCATED AT 496 WEST VAUGHN ROAD, CASE ZC23-022.

Presented by David Jones, Community Development Director

Summary: Since the June 12, 2023 Planning and Zoning Commission Meeting, the applicant has requested to table this case to the July 11, 2023 City Council Meeting.

The applicant, Shafiqul Abed, has requested the rezone for a single-family residential development to be known as Country Meadow Estates Phase II, located at 496 W. Vaughn Road. The applicant is proposing a single-family, patio home-style development that utilizes smaller-than-average lot sizes. These are zero-lot line homes with one side of the home positioned along the lot line and the other side employing a minimum setback from the lot line. The subdivision will consist of 248 single-family detached lots and five (5) open space lots that contain community amenities including a playground, gazebo, volleyball courts, walking trails, and a retention pond with aerating fountain feature. The applicant is requesting a base zoning of SF-6 (Single-Family Dwelling District) with the following deviations:

- The reduction of the minimum lot size from 6,000 square feet to 2,450 square feet, with an average lot size of 3,500 square feet;
- The reduction of the front yard setback from 25 feet to 20 feet;
- The allowance of a zero-side yard setback on one side of the home;
- The reduction of the rear yard setback from 20 feet to 10 feet; and
- The reduction of the tree canopy caliper from three-inches (3") to two-inches (2").

The Planning and Zoning Commission considered this request at their June 12, 2023 meeting and recommended denial by a vote of 5-1, which will require a super-majority vote of the council to approve. **The applicant requested this request be tabled to the July 11th City Council meeting, and at the June 27, 2023 City Council meeting, Council made a motion to continue the public hearing and table the case to the July 11, 2023 meeting.**

RS9. CONSIDER A RESOLUTION AUTHORIZING A CONTRACT WITH TEXAS MATERIALS GROUP, INC, TEXASBIT, UTILIZING THE INTERLOCAL AGREEMENT WITH THE CITY OF FORT WORTH FOR THE 2023 ASPHALT STREET 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 - 2023 Asphalt Street 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 FY23 Project Cycle total approximately 3.3 miles of streets that will be resurfaced and include:

- Gatrix Avenue
- Adams Street
- Willanna Court
- Holloway Street
- Meadowbrook Drive
- Boone Street
- Berry Drive
- Berry Court
- Ivanhoe Street
- Chaucer Drive
- Emerson Drive
- Tennyson Lane
- Wordsworth Drive
- Browning Lane
- Hyde Park Blvd
- Longfellow Lane
- Misc. Cemetery

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 this vendor so 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. The proposed contract amount is \$1,500,000 and the current estimate for the project is \$1,319,548.06 allowing \$180,451.94 to be available for any field changes that may arise during construction.

OR6. CONSIDER AN ORDINANCE AMENDING TITLE XV: LAND USAGE, CHAPTER 151: FLOODPLAIN MANAGEMENT, SECTION 151.07: BASIS FOR ESTABLISHING THE AREA OF SPECIAL FLOOD HAZARD OF THE CODE OF ORDINANCES.

Presented by: Jeremy Hutt, Director of Public Works

Summary: The Department of Homeland Security's Federal Emergency Management Agency (FEMA) has notified the City the Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) for our community has been updated and will become effective on September 21, 2023. All the standards specified in 44 CFR Part 60.3(d) of the National Flood Insurance Program (NFIP) regulations must be enacted in a legally enforceable document and this includes adoption of the new effective FIS report and FIRM. The proposed ordinance will adopt the new effective map and recognize the new data that has been issued by FEMA for this portion of the community. The proposed update will amend the existing ordinance language to reference the new FIS and FIRM documents.

OC1. CONSIDER APPOINTMENTS AND REAPPOINTMENTS OF COMMUNITY MEMBERS TO CITY OF CLEBURNE 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 members recommended for reappointment have fulfilled their previous term and are willing to continue service, and the new candidates were contacted and willing to serve if appointed. The terms will begin July 1, 2023.

Board/Commission	Recommendations	Appoint/ Reappoint	Term #
Airport Advisory Board	Austin Lindert	Reappointment	2
Airport Advisory Board	Keith Moreland	Reappointment	2
Building and Standards Commission	Christi Bradley	Reappointment	2
Building and Standards Commission	Aaron Keen	Reappointment	3
Building and Standards Commission	Tony Stevens	Appointment	1
Cemetery Advisory Board	Angie Boldt	Reappointment	2
Cemetery Advisory Board	Sue Rebstock	Reappointment	2
Cemetery Advisory Board	Carol Wray	Reappointment	2
Civil Service Commission	Michael Reagan	Appointment	1
Library Advisory Board	Alisa Carter	Appointment	1
Library Advisory Board	Janet Helmcamp	Reappointment	3
Library Advisory Board	Sarah Jo Hill	Reappointment	2
Library Advisory Board	Helen Knight	Reappointment	3
Library Advisory Board	Diann Wallace	Reappointment	2
Museum Advisory Board	Gissell Hall	Appointment	1
Parks and Recreation Advisory Board	Tiffany Howard	Reappointment	2
Planning and Zoning Commission	Robert Walker	Reappointment	3
Zoning Board of Adjustment	Virgil (Ross) Green	Reappointment	2
Zoning Board of Adjustment	Adam Mathews	Reappointment	2
Zoning Board of Adjustment	Raydean White	Reappointment	2

OC2. CONSIDER CITY COUNCIL/STAFF APPOINTMENTS TO CERTAIN BOARDS AND COMMITTEES.

Presented by: Ivy Peterson, City Secretary

Summary: In accordance with Chapter 31: Boards, Commissions and Public Bodies, Section 31.11 of the Code of Ordinances, city staff is to notify the Council through the agenda of the expiration of terms of appointments, or vacancies, in the membership of boards, commissions, committees. The following positions are presented for Council consideration and that such appointment is for a term of two years beginning July 1, 2023.

Board/Commission	Recommendations	Appoint/Reappoint	Term #
Audit Committee	Scott Cain	Reappointment	6
Audit Committee	Mike Mann	Reappointment	2
Audit Committee	Steve Polasek	Reappointment	4
TIRZ #1 Board	John Warren	Reappointment	8
TIRZ #1 Board	Vacant	Appointment	
TIRZ #3 Board	Mike Mann	Reappointment	3
TIRZ #3 Board	Vacant	Appointment	

Type A EDC Board	Scott Cain	Reappointment	5
Type A EDC Board	John Warren	Reappointment	5
Type A EDC Board	Vacant	Appointment	

DISCUSSION & UPDATES

- OC3.** **PRESENTATION** - Public Works Projects and Operations Update, Jeremy Hutt, Director of Public Works

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.** Seek legal advice regarding the Cleburne Station Development and Incentive Agreement and options for termination or modification of said Agreement
- 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)

Section 551.087. Deliberation Regarding Economic Development Negotiations This chapter does not require a governmental body to conduct an open meeting: (1) 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 (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

- EX3.** Discuss Request for economic development incentives for Project Newcomer

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

CERTIFICATION

THIS IS TO CERTIFY 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, as well as the City's official website at www.cleburne.net and said Notice was posted on **Friday, July 7, 2023**, 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, 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.