



CITY COUNCIL REGULAR MEETING AGENDA
NOVEMBER 14, 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 Joshua Oakley, Lone Willow Baptist 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

COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

CMP1. October 2023 All Star – Clinton Dean, Building Maintenance Department

CMP2. 4B Capital Improvement Projects Update, Aaron Dobson, Director of Parks & Recreation

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 OCTOBER 24, 2023, REGULAR COUNCIL MEETING.

OR1. CONSIDER AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD MAY 4, 2024, FOR ELECTING A COUNCILMEMBER FOR SINGLE MEMBER DISTRICT THREE.

Presented by: Ivy Peterson, City Secretary

Summary: This Ordinance constitutes the official order and calling of a special election to be held on Saturday, May 4, 2024, to fill a vacancy for Councilmember representing Single Member District Three (SMD #3). Pursuant to Section 201.051 of the Texas Election Code, once a vacancy occurs, a special election shall be ordered as soon as practicable. Upon approval of the ordinance, the filing period immediately begins for candidates to submit applications for place on the ballot or as a write-in candidate. The filing period for this council seat ends on Friday, March 1, 2023.

The City is also to hold its general election electing its Mayor and Councilmembers for SMD #1 and SMD #4 on May 4th, for which an item will be presented for Council's consideration in January 2024. Although the filing periods for the special and general elections are different, the May election will be combined using a single ballot for voters.

RS1. CONSIDER A RESOLUTION AUTHORIZING A MICROSOFT ENTERPRISE AGREEMENT AND LICENSING PURCHASES THROUGH SHI GOVERNMENT SOLUTIONS FOR A THREE-YEAR TERM FOR AN AMOUNT NOT TO EXCEED \$268,420.

Presented by: David Raybuck, Director of Information Technology

Summary: The City's information technology environment largely runs on Microsoft software, including Windows desktop and server operating systems, Office, SQL Server, and more aging software must be upgraded to maintain a secure and reliable environment. The City receives discounted volume licensing through a Microsoft Enterprise Agreement (EA). The City executed the current EA on December 1, 2020, and the three-year term expires on November 30, 2023. This EA is between the City and Microsoft, and all purchases occur through a preferred Microsoft reseller, SHI Government Solutions, on the Texas Department of Information Resources (DIR) contract.

This resolution will authorize the execution of the next EA with Microsoft and the purchase of all necessary Microsoft licenses through SHI Government Solutions for a three-year term ending on November 30, 2026 for an amount not to exceed \$268,420.

RS2. CONSIDER A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE ROUTINE AIRPORT MAINTENANCE PROGRAM GRANT FOR ELIGIBLE BUDGETED MAINTENANCE ITEMS AT THE AIRPORT.

Presented by: Garrett Watson, Airport Manager

Summary: This is a matched funds grant through the Texas Department of Transportation that is received annually to help with the grounds, building and weather station maintenance. In previous years, the grant agreement was in the amount of \$50,000 with a 50/50 match. This year it has increased to \$100,000, with a 90/10 match. As a result, the City will be receiving more funding this fiscal year as compared to years past. Staff has the understanding from TxDOT, the funding is likely to continue at the \$100,000 level moving forward.

RS3. CONSIDER A RESOLUTION AUTHORIZING A RIGHT-OF-WAY USE AGREEMENT FOR RIGHT-OF-WAY DEDICATED ON THE MILSTEAD ACREAGE ADDITION PLAT.

Presented by: Jeremy Hutt, Public Works Director

Summary: The development at 2202 N. Main Street required a replat of the Milstead Acreage Addition. As part of the replat, the applicant is required to dedicate five feet (5') of right-of-way (ROW) as necessary to provide their portion of the ultimate 50' ROW for Mulberry Street. The required dedication resulted in existing improvements on the property being located in the future right-of-way, specifically a perimeter fence that the property owner requested to keep in place.

The city has no immediate or pending plans for widening Mulberry or other improvements that would require the use of the newly dedicated right-of-way at this time. A Right-of-Way Use Agreement with the property owner could be granted to allow for the use of the property, and will clarify the authorization of continued use of the fence. The agreement will prohibit new permits, including fencing, to be issued for any work within the ROW. This agreement will allow the required right-of-way dedication to occur at the time of platting, while allowing the property owner to maintain the existing fencing until such time the land is needed for public improvements. This proposed agreement allows for the future needs of the City while accommodating the property in its current state.

RS4. CONSIDER A RESOLUTION APPROVING THE TAX INCREMENT REINVESTMENT ZONE 1 BOARD'S RECOMMENDATION TO SPEND AN AMOUNT NOT TO EXCEED \$1,700,000 FROM THE SPARKS DRIVE PROJECT LINE ITEM.

Presented by: Jeremy Hutt, Public Works Director

Summary: The Tax Increment Reinvestment Zone No. 1 Board of Directors met on November 6, 2023. At the meeting, the Board unanimously agreed to the spending of an amount not to exceed \$1,700,000 from the Sparks Drive project line item for costs associated with the construction of the Sparks Drive extension. The construction contract with McMahon Contracting, LP was approved by City Council at their August 9, 2022, meeting.

RS5. CONSIDER A RESOLUTION AUTHORIZING A CONTRACT WITH PARAGON SPORTS CONSTRUCTORS FOR THE INFELD AND FOUL TERRITORY TURF REMOVAL AND REPLACEMENT PROJECT FOR A TOTAL PROJECT AMOUNT NOT TO EXCEED \$245,000.

Presented by: Jeremy Hutt, Public Works Director

Summary: The City owns a sports stadium and the existing turf is beginning to show significant wear and tear from heavy usage over the last seven years the facility has been in operation. The existing turf has seams that are separating, field divots developing, and holes and wear spots around some bases and home plate. The replacement of the infield turf is necessary for safety and professional appearance.

This project is included in the Fiscal Year 2024 budget and is funded through 4A funds. The project is proposed to move forward with construction utilizing a Buyboard contract with Paragon Sport Constructors. The contracted price to replace the infield and foul territory is \$226,028. The proposed resolution will authorize the City Manager to execute the main contract and any subsequent ancillary items (change orders, miscellaneous expenses, Buyboard fees, etc.) up to a total amount of \$245,000.

RS6. CONSIDER A RESOLUTION AUTHORIZING THE PURCHASE OF UTILITY SYSTEM CHLORINE AUTO SHUTOFFS FROM ENVIRONMENTAL IMPROVEMENTS, INC FOR AN AMOUNT NOT TO EXCEED \$123,660.

Presented by: Jeremy Hutt, Public Works Director

Summary: The City of Cleburne Water Utility uses chlorine at both the water (WTP) and wastewater (WWTP) treatment plants. The chlorine is delivered in a liquefied state stored in one-ton steel cylinders. The liquid chlorine is converted to gas for disinfection purposes.

Based on maintenance records with the WWTP chlorine automatic valve shutoff system, the utility conducted a quality assurance inspection of both the treatment plants' chlorination systems. The inspection revealed the auto cutoff system at the WTP was malfunctioning and needs to be replaced. The unit at the WWTP is approaching 20 years of service, and also needs replacing.

The Halogen Hexacon III Chlorine Emergency Shutoff System is the proposed replacement system and adds a new level of safety to a chlorine feed system. This unit is able to stop a chlorine leak within seconds of detection by automatically closing the ton container or cylinder valve. The actuator quickly mounts to the valve without the use of any tools, and still allows the valve to be manually opened or closed. Funding for this purchase is available in the M&R budget approved in the city's Fiscal Year 2024 Budget.

RS7. CONSIDER A RESOLUTION AUTHORIZING PROCUREMENT OF SERVICES BY MUSCO LIGHTING FOR REPLACEMENT OF ATHLETIC FIELD LIGHTING AT CARVER PARK FOR AN AMOUNT NOT TO EXCEED \$277,838.40.

Presented by: Aaron Dobson, Director of Parks & Recreation

Summary: The existing light system is of indeterminate age, and frequently has fixtures burnt out requiring replacement and does not provide acceptable footcandle levels. The new system will be LED lighting, using only six (6) poles versus the current eight (8), and reduce glare and light spillover while providing footcandle levels of fifty (50) in the infield and thirty (30) in the outfield, which is standard. Lights will be warrantied for 25 years, with automatic remote controls, cost-free repairs and will be the first LED athletic field lights in the park system.

Additionally, this project will relocate the electrical power panels and controls to a new location separate and apart from the cinderblock structure behind the backstop. Staff will remove that structure upon completion of the lighting installation.

Musco Sports Lighting, LLC is the recommended supplier and installer utilizing BuyBoard Contract #677-22 for an amount not to exceed \$277,838.40. The proposed amount includes the base proposal of \$264,608 and 5% contingency of \$13,230.40. The removal and replacement of the lighting system at the Carver Park athletic field was approved in the Fiscal Year 2024 Budget.

OR2. CONSIDER AN ORDINANCE AMENDING CHAPTER 92: CEMETERIES OF THE CODE OF ORDINANCES ADOPTING REGULATIONS AND CHARGES FOR MAUSOLEUM, COLUMBARIUM, STATUE, AND FAMILY LOT CONSTRUCTION.

Presented by: Aaron Dobson, Director of Parks & Recreation

Summary: The proposed Ordinance provides regulations for lots that can accommodate Mausoleums, Columbariums, and Family Lots, along with a lot fee. This change stems from requests from the community, and discussions with the Cemetery Advisory Board. The City Council was presented this proposal during the Cemetery Development Update in March 2023.

The fee for a Mausoleum, Columbarium, or Family Lot is recommended by the Cemetery Advisory Board to be \$25,000. This price is comparable to other municipal and private cemeteries' lower rates.

RS8. CONSIDER A RESOLUTION APPROVING THE FINAL PLAT OF CATES RANCH PHASE 2, FOR SIX (6) RESIDENTIAL LOTS, BEING ±14.21 ACRES IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF CLEBURNE, GENERALLY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1229 AND APPROXIMATELY 3,000 FEET NORTH OF WEST FM 4, CASE PC23-052.

Presented by: Danielle Castillo, Planning Manager

Summary: The applicant, Topographic, represented by Forrest Nance, requests approval of the final plat for Cates Ranch Phase 2, consisting of six (6) residential lots, generally located on the east side of County Road 1229 and approximately 3,000 feet north of West FM 4, within the City's Extraterritorial Jurisdiction (ETJ). The final plat of Cates Ranch Phase 2 conforms with the approved preliminary plat and with the requirements as outlined in Chapter 154 of the Code of Ordinances. The Planning and Zoning Commission will consider this request at its November 13, 2023 meeting.

RS9. CONSIDER A RESOLUTION APPROVING THE REPLAT OF CLEBURNE BUSINESS PARK ADDITION, FOR FOUR (4) INDUSTRIAL LOTS AND ONE (1) COMMON AREA LOT, BEING ±27.21 ACRES ZONED I (INDUSTRIAL DISTRICT) AND PD (PLANNED DEVELOPMENT DISTRICT), LOCATED AT 1811 SPARKS DRIVE, CASE PC23-044.

Presented by: Danielle Castillo, Planning Manager

Summary: The applicant, MMA Inc., represented by Douglas Cooper, requests approval of the replat for Cleburne Business Park Addition, which consists of four (4) industrial lots and one (1) common area lot for future industrial development located at 1811 Sparks Drive. The replat complies with the requirements as outlined in Chapters 154 and 155 of the City's Code of Ordinances and PD Ordinance OR04-2023-29. The Planning and Zoning Commission will consider this request at its November 13, 2023, meeting.

ACTION AGENDA

RS10. CONSIDER A RESOLUTION AFFIRMING THE CASTING OF VOTES IN THE 2024-2025 ELECTION OF THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF JOHNSON COUNTY, TEXAS.

Presented by: Ivy Peterson, City Secretary

Summary: Based on nominations Johnson County taxing entities submitted in October to the Central Appraisal District, the chief appraiser prepared a ballot, alphabetically listing the eligible candidates, and they are: Don Beeson, Sr, Vance Castles, Toby Ford, Duaine Goulding, Paul Jones, Amy Lingo, Jeannie Prazak, Brenda Webb, and John Wood.

The number of votes the City of Cleburne is entitled is based on a calculation outlined in the Texas Tax Code 6.03(d). The city is entitled to **258** votes, which can be cast for one or more candidates. Securing a candidate on the board requires at least 834 votes. The official ballot and resolution are to be submitted before December 15, 2023. The chief appraiser shall then count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31, 2023, to the governing body of each taxing unit in the district and to the candidates.

OR3. *PUBLIC HEARING* CONSIDER AN ORDINANCE GRANTING A SPECIFIC USE PERMIT (SUP) FOR A TEMPORARY CONSTRUCTION TRAILER FOR THE EXPANSION OF THE EDEN GREEN FACILITY, LOCATED AT 1845 SPARKS DRIVE, CASE ZC23-041.

Presented by: Danielle Castillo, Planning Manager

Summary: The applicant, Arco Murray, represented by Collin Ramani, has submitted a request for a Specific Use Permit (SUP) for a temporary construction trailer for the expansion of the Eden Green facility located at 1845 Sparks Drive.

The temporary construction trailer will be located within the security gate that perimeters the existing facility for a duration of 18 months until construction of Phase 3 is complete. Should the construction extend past 18 months, staff may grant a one (1) time administrative extension for up to 12 months. The SUP would be required to be amended to allow any additional time extensions greater than 12 months. The applicant has provided a Letter of Intent, Site Plan, and a Building Elevation describing and showing the location and design of the temporary construction trailer. The Planning and Zoning Commission considered this request at its October 23, 2023, meeting and recommended approval with a vote of 5-0.

OR4. *PUBLIC HEARING* CONSIDER AN ORDINANCE GRANTING A SPECIFIC USE PERMIT (SUP) FOR THE PLACEMENT OF A MANUFACTURED HOME

**ON ±0.29 ACRES, ZONED SF-7 (SINGLE-FAMILY DWELLING DISTRICT),
LOCATED AT 1401 OLD BRIDGE ROAD IN AN EXISTING MANUFACTURED
HOME SUBDIVISION, CASE ZC23-038.**

Presented by: Danielle Castillo, Planning Manager

Summary: The applicant, Steven Troy Riza, has submitted a request for a Specific Use Permit (SUP) for the placement of a manufactured home for the property at 1401 Old Bridge Road, located within an existing manufactured home subdivision. The applicant has provided a Letter of Intent, Site Plan (**Exhibit “A”**), and a Building Elevation (**Exhibit “B”**) detailing the proposed manufactured home. The Planning and Zoning Commission considered this request at its October 23, 2023, meeting and recommended approval with a vote of 5-0 with the following condition:

- i. Construct a concrete sidewalk from Old Bridge Road to the front door of the house.

**RS11. *PUBLIC HEARING* CONSIDER A RESOLUTION APPROVING THE MINOR
REPLAT OF LOTS 1 AND 2, BLOCK 1 OF MILADY HOMES ADDITION, FOR
TWO (2) SINGLE-FAMILY RESIDENTIAL LOTS WITH A VARIANCE
REQUEST TO THE MINIMUM RIGHT-OF-WAY DEDICATION
REQUIREMENT FOR A COLLECTOR STREET, BEING ±0.28 ACRES,
LOCATED AT 1521 NORTH BRAZOS AVENUE, CASE PC23-045.**

Presented by: Danielle Castillo, Planning Manager

Summary: The applicant, Milady Homes Inc, represented by Martha Miranda, requests approval of the minor replat for Lots 1 and 2, Block 1 of Milady Homes Addition, for two (2) single-family residential lots, located at 1521 N. Brazos Avenue. The applicant is requesting a variance to the minimum right-of-way dedication requirement for a collector street to be considered as part of this request for plat approval. The Planning and Zoning Commission considered this request at its October 23, 2023, meeting and recommended approval with a vote of 4-1 to approve the plat with the variance to the ROW dedication as presented.

**RS12. CONSIDER A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT
WITH CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR UTILIZING
THE CLEBURNE CONFERENCE CENTER AS A REUNIFICATION SITE AND
THE CLEBURNE SPORTS COMPLEX AS A RALLY POINT IN THE CASE OF
A PUBLIC EMERGENCY.**

Presented by: Aaron Dobson, Director of Parks & Recreation

Summary: Cleburne Independent School District (CISD) has identified the need for additional options for reunification and rally points for students in the district, and approached the City with the request to utilize the Conference Center and Sports Complex. A reunification location is a designed location that allows schools the process of reuniting students with their families in a public emergency, whereas a rally point is a location that allows schools to transport students to a reunification location. In the proposed agreement, a public emergency can be natural or man-made. The terms of the agreement are for one year and shall automatically renew for additional one-year terms unless terminated by giving a thirty days' notice to the other party.

RS13. CONSIDER A RESOLUTION ESTABLISHING THE CLEBURNE PRIDE HOME IMPROVEMENT INCENTIVE PROGRAM.

Presented by: Grady Easdon, Economic Development Manager

Summary: The Cleburne Pride Home Improvement Incentive Program is designed to encourage investment in Cleburne's single-family housing stock by providing homeowners with financial incentives for making certain exterior improvements to their properties through a matching funds incentive program. The Program applies to single-family homes that are at least thirty (30) years of age. Objectives of the Program include:

- Improving neighborhood "curb appeal"
- Supporting community pride in ownership
- Revitalizing and rehabilitating older residential structures for the purpose of preservation and protection of the ad valorem tax base
- Offering the potential for energy cost savings as a byproduct of certain improvements

In general, the Program provides a thirty percent (30%) matching reimbursement to the property owner for costs associated with eligible exterior improvements to single-family homes located within the city limits of Cleburne. The maximum reimbursement award will be five thousand dollars (\$5,000.00), and eligible projects must have a minimum cost of four thousand dollars (\$4,000.00). City Council shall have the discretion to increase or decrease the award amount based on the scope of the project or other extenuating factors.

RS14. CONSIDER A RESOLUTION AUTHORIZING THE USE OF NOT MORE THAN \$9,400 FROM THE NON-DEPARTMENTAL OVERTIME ACCOUNT TO PROVIDE CITY SERVICES FOR THE WHISTLE STOP CHRISTMAS TREE LIGHTING CEREMONY AND PARADE.

Presented by: Rob Severance, Chief of Police

Summary: The Cleburne Chamber of Commerce is requesting Council to waive or modify certain fees pursuant to Section 14 of the Special Events Policy adopted by Council on August 23, 2022 (RS08-2022-115). The annual Whistle Stop Christmas celebration will begin with a lighting ceremony at Hulen Park on November 20, 2023, and the Christmas Parade will be on December 1, 2023. Various city departments provide services for these events, and in many cases, the services are provided outside of normal business hours and require overtime expenditures. The Fiscal Year 2024 Budget includes \$12,000 in a non-departmental special events account. The current balance is \$12,000.

RS15. CONSIDER A RESOLUTION DIRECTING CITY STAFF TO APPLY TO THE TEXAS PUBLIC UTILITY COMMISSION FOR THE PARTIAL DECERTIFICATION OF THE CITY'S CERTIFICATE OF CONVENIENCE AND NECESSITY FOR WATER AND SEWER SERVICES FOR THE AREAS CURRENTLY CERTIFIED THAT LAY OUTSIDE OF THE CITY'S CORPORATE LIMITS.

Presented by: Jeremy Hutt, Public Works Director

Summary: The City of Cleburne currently holds certificates of convenience and necessity ("CCN") for water and sewer services (CCN Nos. 10917 and 20362, respectively). The City's

water and sewer CCNs currently include areas that extend beyond the City's corporate limits into the City's extraterritorial jurisdiction.

At the time, the City acquired the water and sewer CCN outside its City limits. It had the ability and intent to utilize such services to facilitate long-term growth and utility planning in areas that were anticipated to become a part of the City through the annexation process. In 2017, the 85th Legislature restructured statutory annexation regulations by eliminating the power of a Home Rule Town to involuntarily annex property, thereby curtailing the ability of the City to control growth. In 2023, the 88th Legislature further eroded the ability of a Home Rule City to ensure orderly construction of public infrastructure that directly affects the quality of life of City residents in areas outside the City limits, but adjacent to or surrounded by the corporate limits. The provision of water and sewer services to areas in the City's CCN, but outside of the City limits and the City's regulatory control can lead to the acceleration of urban sprawl that is detrimental to the orderly growth of such areas and is contrary to sound planning practices.

The continued maintenance of CCN in the City's extraterritorial jurisdiction will allow property owners to develop their property by utilizing City water and sewer service without being subject to City ordinances, regulations, or development standards, but more importantly without contributing to welfare of the City by avoiding general taxes. The City recognizes that extending water and sewer services to areas outside the City limits that are not subject to City controls would create significant long-term operational issues if said areas are not capable of being annexed.

This resolution will direct staff to prepare and take necessary actions to apply to the Texas Public Utility Commission for the partial decertification of the City's Certificates of Convenience and Necessity for water and sewer services for the areas currently certified that lay outside of the City's corporate limits.

OR5. CONSIDER AN ORDINANCE ACCEPTING THE DEDICATION OF BENTLEY DRIVE, ALSO KNOWN AS MARTI DRIVE, AS REQUESTED BY TOTAL ENERGIES E&P BARNETT USA, LLC.

Presented by: Jeremy Hutt, Public Works Director

Summary: This is a request to accept and convert a private street to a public street. The Marti-Bentley Subdivision was originally platted in 1995 and the road was developed as a public street. The road was originally named Bentley Drive and was subsequently changed to Marti Drive.

In 2012 Chesapeake Energy, who at the time owned all property surrounding Marti Drive, requested Marti Drive be closed and revert to the owners of the adjacent property. City Council approved OR08-2012-31 that abandoned Marti Drive as public property except for retaining a utility and ingress/egress easement along the width and length of the entire street. Since 2012, sections of the property along Marti Drive have been sold to different entities and there is now a desire to have Marti Drive rededicated to the City as a Public Street. The city is now being asked by the owner of the asset, Total Energies E&P Barnett USA, LLC, to accept the right-of-way of Marti Drive for the purpose of having and maintaining a public street.

The Special Warranty Deed includes a comprehensive release and waiver, and has been reviewed by the City Attorney. If approved, the City is accepting full responsibility for the roadway (without a title search or insurance), limiting any recourse in the event an environmental problem occurs on the subject property.

OR6. CONSIDER AN ORDINANCE ESTABLISHING CRITERIA AND PAYMENT OF MONETARY RECRUITMENT AND REFERRAL INCENTIVES FOR NEW LATERAL POLICE OFFICER HIRES.

Presented by: Debra Powledge, Director of Human Resources

Summary: The City of Cleburne is seeking to be competitive in the market for Texas Commission of Law Enforcement (TCOLE) certified and qualified police applicants, because, in part, of the availability of other types of employment and other employer's willingness to provide signing and other hiring incentives. Staff desires to increase the applicant interest by offering a financial incentive to these TCOLE certified and qualified lateral entry police candidates that will benefit the City by recruiting and retaining police officers. Staff has seen that offering a financial incentive to those referring qualified candidates to the City has been beneficial and desires to implement a program to hire lateral TCOLE certified and qualified police candidates will benefit the City by recruiting and retaining police officers.

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:

- EX1.** 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)
- EX2.** Discuss Cleburne Airport Hangar 99

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 Project Sunrise
- EX4.** Discuss amendment of the Chapter 380 Economic Development Agreement with 201 East Chambers, LLC

EX5. Discuss economic development incentives related to Project Cypress

Section 551.074. Deliberation regarding Personnel Matters, and Section 551.071. Consultation with Attorney - The City Council may convene in 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 and/or to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee, including deliberation regarding the following officers or employees:

EX6. Discuss City Manager transition and succession planning for city management

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, November 10, 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: Christina Wilson
Christina Wilson, Sr Asst to the 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.