



CITY OF MANSFIELD

1200 East. Broad St.
Mansfield, TX 76063
www.mansfield-tx.gov

Meeting Agenda City Council

Tuesday, May 28, 2013

5:00 PM

Council Chambers

REGULAR MEETING

1. **5:00 P.M. - CALL MEETING TO ORDER**

2. **RECESS INTO EXECUTIVE SESSION**

Pursuant to Section 551.071, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

A. **Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**

B. **Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**

Consider Possible Purchase of Certain Properties for Future Development/Use

Property Acquisition - 651 Justice Ln.

C. **Personnel Matters Pursuant to Section 551.074**

D. **Deliberation Regarding Negotiations of the Industrial Development Corporation of an Offer of a Financial or Other Incentives to a Business Prospect Pursuant to Section 551.087**

Update on Mansfield Economic Development Corporation Projects

3. **6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**

4. **7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**

5. **OATH OF OFFICE: DAVID L. COOK, BRENT NEWSOM**

6. **INVOCATION**

7. PLEDGE OF ALLEGIANCE**8. TEXAS PLEDGE**

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God; One and Indivisible"

9. PRESENTATION

Keep Mansfield Beautiful Commission - Certificates to Honorary Members 2012-2013

10. CITIZEN COMMENTS

Citizens wishing to address the Council on non-public hearing agenda items and items not on the agenda may do so at this time. Once the business portion of the meeting begins, only comments related to public hearings will be heard. All comments are limited to 5 minutes. Please refrain from "personal criticisms."

In order to be recognized during the "Citizen Comments" or during a Public Hearing (applicants included), please complete a blue or yellow "Appearance Card" located at the entry to the City Council Chamber and present it to the City Secretary.

11. COUNCIL ANNOUNCEMENTS**12. STAFF COMMENTS**

In addition to matters specifically listed below, Staff comments may include updates on ongoing or proposed projects and address of posted agenda items.

A. City Manager Report or Authorized Representative

Current/Future Agenda Items

Implementation of Stage 1 of the Drought Plan

U.S. Highway 287 Update

Code Enforcement Program

Mansfield Community Park Update; Shelly Lanners

Big League Dreams Update

Hawaiian Falls Update

Household Hazardous Waste Collection Day Update; Howard Redfearn

13. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**14. CONSENT AGENDA**

All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are considered to be routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff's recommendation.

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[13-0537](#) Ordinance - Second Reading of a Proposed Ordinance of The City Of Mansfield, Texas, ("City") Approving and Adopting Rate Schedule "RRM - Rate Review Mechanism" for Atmos Energy Corporation, Mid-Tex Division to be in Force in The City for a Period of Time as Specified in the Rate Schedule; Adopting a Savings Clause; Determining that this Ordinance was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Declaring an Effective Date; and Requiring Delivery of This Ordinance to the Company and ACSC Legal Counsel

Sponsors: Joe Smolinski

Attachments: [Attachment A](#)
[Ordinance](#)

[13-0539](#) Ordinance - Second Reading of an Ordinance to Abandon a Portion of Right-of-Way along the South Side of Cannon Drive East of Miller Road

Sponsors: Steve Freeman

Attachments: [Ordinance](#)
[Quit Claim Deed](#)

[13-0538](#) Resolution - A Resolution of the City of Mansfield, Texas Expressing the Intent of the City of Mansfield, Texas to Finance Capital Expenditures with the Proceeds of Future Debt Obligations for the Purpose of Funding Public Improvements including Streets, Public Safety Dispatch Facilities and a Public Safety Tactical Training Facility

Sponsors: Peter Phillis

Attachments: [Mansfield Reimbursement Resolution 2013](#)

[13-0547](#) Resolution - A Resolution Authorizing the City Manager and the Mansfield Police Department to make Application, Receive and Expend Funds from the Target & BLUE Law Enforcement Grant Program 2013 (\$5,000 Maximum/No City Match)

Sponsors: Gary Fowler

Attachments: [Resolution](#)

[13-0551](#) Resolution - A Resolution to Award a Contract for Construction to CPS Civil for the National Parkway Phase 1 Paving and Drainage Improvements and Authorization of Funding for an Amount not to

Exceed \$300,367.73 (Street Bond Fund)

Sponsors: Steve Freeman

Attachments: [Bid Tab](#)

[Location Map](#)

[Resolution](#)

[13-0553](#)

Resolution - A Resolution Amending the Surveying Services Contract with Brittain and Crawford for the West Broad Street Phase II (Cotton Dr. to Retta Rd.) Paving, Drainage, & Utility Improvements for an Amount not to Exceed \$30,000.00 (Street Bond Fund)

Sponsors: Steve Freeman

Attachments: [Resolution](#)

[13-0559](#)

Resolution - A Resolution Authorizing the City Manager and the City of Mansfield Fire Department to make Application and Receive Funds from the Texas Department of State Health Services on Competitive RFP for EMS Local Projects Grant FY 2014 after the Purchase of an Ambulance and Cardiac Monitors

Sponsors: Barry Bondurant

Attachments: [Resolution](#)

[13-0554](#)

Minutes - Approval of the May 13, 2013 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [5-13-13 DRAFT Meeting Minutes](#)

END OF CONSENT AGENDA

15. PUBLIC HEARING AND FIRST READING

[13-0555](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Zoning Change from an Existing PD for Single-Family Residential to a new PD for Single-Family Residential on Approximately 15 acres, located at 2001 and 2011 Callender Road; TCCI Land Development, Inc. (ZC#13-004)

Sponsors: Felix Wong

Attachments: [Maps & Supporting Information](#)

[Ordinance](#)

[Exhibits A-F](#)

[13-0540](#)

Ordinance - Public Hearing and First Reading of an Ordinance to Consider Proposed Changes to the Mansfield, Texas Code of Ordinances: Chapter 96: Parks and Recreation

Sponsors: Shelly Lanners

Attachments: [Parks and Recreation Ordinances - redline Ordinance](#)

16. NEW BUSINESS

[13-0550](#) Resolution - A Resolution of the City of Mansfield, Texas Approving an Amendment to the Economic Development and Performance Agreement by and Between the Mansfield Economic Development Corporation ("MEDC") and Lonejack LLC (Sellmark Corp.) and Authorizing its Execution by the President of the MEDC and Providing an Effective Date

Sponsors: Scott Welmaker

Attachments: [Economic Development and Performance Agreement Amendment 1](#)
[Binks Construction Estimates](#)
[Site Plan](#)
[Phase 2 site plan](#)
[Resolution MEDC Lonejack Amendment 2](#)
[Amendment MEDC Agreement Lonejack LLC 6](#)

[13-0557](#) Board Appointment; Keep Mansfield Beautiful Commission

Sponsors: Arianne Shipley

17. ELECTION OF MAYOR PRO TEM

18. ADJOURN

CERTIFICATION

I, the undersigned authority do hereby certify that the above agenda was posted on the bulletin board next to the main entrance of the City Hall, 1200 East Broad Street, of the City of Mansfield, Texas, in a place convenient and readily accessible to the general public at all times and said Agenda was posted on the following date and time: Friday, May 24, 2013 by 5:00 p.m., and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Vicki Collins, City Secretary

Approved as to form:

Craig Magnuson, Attorney, City of Mansfield

1. This building is wheelchair accessible. Parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting. To make arrangements, call (817) 473-0211 or (TDD) 1-800-RELAY TX, 1-800-735-2989.

2. In deciding a zoning change application, the Planning and Zoning required to determine the highest and best use of the property in question. The Planning and Zoning Commission may recommend and the Council may approve a change in zoning to the category or district requested by the applicant or to any zoning category or district of lesser intensity. Notice is presumed sufficient for every district up to the intensity set forth in the zoning change application.

This public notice was removed from the official posting location at the Mansfield City Hall on the following date and time:

By: _____
City Secretary's Office