



CITY OF MANSFIELD

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

Meeting Agenda City Council

Monday, September 22, 2014

4:00 PM

Council Chambers

REGULAR MEETING

1. **4:00 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**

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

Seek Advice of City Attorney Regarding Buy Board Contract for Restroom Construction

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

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

Board Interviews

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**

3. **6:00 P.M. - WORK SESSION OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION**

Website Redesign and Digital Communications

4. **7:00 PM - RECONVENE INTO REGULAR BUSINESS SESSION**

5. INVOCATION**6. PLEDGE OF ALLEGIANCE****7. TEXAS PLEDGE**

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

8. PRESENTATION

City-County Communications & Marketing Association (3CMA) Awards to Communications & Marketing, Parks & Recreation and Water Utilities Department

9. PROCLAMATION

[14-1064](#) National Fire Prevention Week

Attachments: [Fire Prevention Week 2014](#)

[14-1077](#) Emergency Nurses Week

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

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

[14-1035](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Adopting the City of Mansfield, Texas Investment Policy; Approving Training of the City's Investment Officer; Approving Investment Pools; and Providing Qualified Broker Dealers and Investment Advisors for Engaging in Investment Transactions for the City

Sponsors: Peter Phillis

Attachments: [2014 Investment Policy Resolution](#)

[Investment Policy](#)

[2014 List of Investment Advisors](#)

[Certificate of Investor Affidavit](#)

[14-1047](#)

Resolution - A Resolution Approving an Engineering Services Agreement for the "Bud Ervin Water Treatment Plant, Clearwell #4 and Miscellaneous Improvements" Design Project with Alan Plummer and Associates. These Services will be Funded by the Utility Operations Fund at a Cost not to Exceed Seven Hundred Forty Thousand Dollars and No Cents (\$740,000.00)

Sponsors: Joe Smolinski

Attachments: [Resolution](#)

[APAI Engineering Services Agreement for Clearwell 4](#)

[14-1051](#)

Resolution - A Resolution Establishing the Fiscal Year 2014-2015 State Asset Forfeiture Budget for the Tri-County Auto Burglary and Theft Prevention Task Force, a Grant Funded Entity, for Funds Received from the Sale of Assets Seized and Cash Seized in Certain Law Enforcement Activities in which the Task Force has Participated Solely or Assisted State Law Enforcement Agencies and which a Budget is now Required by Chapter 59 of the Texas Code of Criminal Procedure to be Adopted by the Governing Body of the Grant Managing Agency (City of Mansfield) and the Board of Governors of the Tri-County Auto Burglary and Theft Prevention Task Force

Sponsors: Tracy Aaron

Attachments: [Resolution](#)

[Budget FY 14-15](#)

[14-1052](#)

Resolution - A Resolution Establishing the Fiscal Year 2014-2015 State Asset Forfeiture Budget for the Mansfield Police Department for Funds Received from the Sale of Assets Seized and Cash Seized in Certain Law Enforcement Activities in which the Department has Participated

Solely or Assisted State Law Enforcement Agencies and which a Budget is now Required by Chapter 59 of the Texas Code of Criminal Procedure to be Adopted by the Governing Body of the Police Department

Sponsors: Tracy Aaron

Attachments: [Resolution](#)
[Budget FY 14-15](#)

[14-1060](#)

Resolution - A Resolution Approving the Assignment of a License Agreement with the City from Texas Energy Midstream to DFW Midstream Services, LLC (OA#14-008)

Sponsors: Steve Freeman and Felix Wong

Attachments: [Resolution](#)
[Maps and support information](#)
[Exhibit A -Resolution Assign Pipeline License to be replaced](#)

[14-1063](#)

Resolution - A Resolution Authorizing the City Manager to Enter Into a Contract with the Trinity River Authority for Industrial Sampling, Inspections, and Analytical Services

Sponsors: Joe Smolinski

Attachments: [Technical Services Agreement TRA Pretreatment 2015](#)
[Resolution](#)

[14-1069](#)

Resolution - A Resolution Awarding the Bid for the Purchase of Granular Activated Carbon Filter Media for the Bud Ervin Water Treatment Plant in an Amount not to Exceed \$668,587.92 (Utility Operations Fund)

Sponsors: Joe Smolinski

Attachments: [Resolution](#)
[2014 Bid Tab List](#)

[14-1076](#)

Resolution - A Resolution to Consider an Addendum Allowing the City Manager and the Police Department to Receive and Expend Grant Funding from the Criminal Justice Division of the Governor's Office of the State of Texas for Criminal Justice Projects that Reduce Crime and Improve the Criminal Justice System During FY2015 in an Amount not to Exceed \$69,432 with no Match Required

Sponsors: Gary Fowler

Attachments: [Previous resolution](#)
[Addendum Resolution](#)

[14-1042](#)

Request for Special Event Permit; Run with Heart 2014

Attachments: [Run with Heart event](#)
[Approvals and comments](#)
[MISD parking agreement](#)

[14-1048](#) Minutes - Approval of the September 8, 2014 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [9-8-14 DRAFT Meeting Minutes](#)

[14-1049](#) Minutes - Approval of the September 9, 2014 Special City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [9-9-14 DRAFT Meeting Minutes](#)

[14-1050](#) Minutes - Approval of the September 10, 2014 Special City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [9-10-14 DRAFT Meeting Minutes](#)

END OF CONSENT AGENDA

15. PUBLIC HEARING AND FIRST READING

[14-1054](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR to PD for C-2 Uses Daycare & General Services and Office Type Uses on Approximately 5.5711 Acres, Generally Located at 151, 155 and 159 N. Holland Road; James Mills (ZC#14-009)

Sponsors: Felix Wong

Attachments: [Ordinance](#)

[Maps and Supporting Info.](#)

[EXHIBIT A](#)

[EXHIBIT B](#)

[14-1055](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR to SF7.5/16 on Approximately 13.737 Acres, Generally Located South of Cowtown Drive, West of S US 287, North of Willow Bend Drive and East of Lacey Oak Drive; Don Dykstra (ZC#14-010)

Sponsors: Felix Wong

Attachments: [Maps and Supporting Info.](#)

[Ordinance](#)

[Exhibit A](#)

16. NEW BUSINESS

[14-1070](#) Review and Consideration of a Request for Variance to the Moratorium on Restaurants or Food Service Operations Where more than 10% of the Business Activities is Provided by Food Service Delivery to Drive Through Lanes; Valley Bell Enterprises, LLC and Multifoods, Inc, a Taco

Bell Franchisee

Sponsors: Felix Wong

Attachments: [Letter of request & exhibits](#)

[14-1071](#)

Consideration of a Request to Revise the Development Plan for Broad Street Medical, a Planned Development for Office, Medical Office, Retail, Assisted Living and Associated Land Uses, Generally Located at the Northeast Corner of the Intersection of Matlock Road and East Broad Street, Winkelmann & Associates (ZC#10-005B)

Sponsors: Felix Wong

Attachments: [Previously approved site plan BROAD STREET MEDICAL PD](#)
[Revised development plan](#)

[14-1061](#)

Board Appointments - Mansfield Park Facilities Development Corporation

Sponsors: Shelly Lanners

[14-1062](#)

Board Appointments - Library Advisory Board

Sponsors: Steve Standefer

[14-1065](#)

Board Appointments - Mansfield Economic Development Corporation

Sponsors: Scott Welmaker

[14-1068](#)

Board Appointments - Keep Mansfield Beautiful Commission

Sponsors: Arianne Shipley

[14-1072](#)

Board Appointments - Planning and Zoning Commission

Sponsors: Felix Wong

[14-1073](#)

Board Appointments - Zoning Board of Adjustment

Sponsors: Felix Wong

[14-1074](#)

Board Appointments - Historic Landmark Commission

Sponsors: Felix Wong

17. 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: Thursday, September 18, 2014 by 4:00 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