

# **CITY OF MANSFIELD**

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

# **Meeting Agenda**

# **City Council**

Monday, April 25, 2022 3:00 PM Council Chambers

#### **REGULAR MEETING**

- 1. 3:00 P.M. CALL MEETING TO ORDER
- 2. WORK SESSION

Discussion Regarding South Mansfield Form Based Development District

Discussion Regarding Ordinance Revisions

#### 3. 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

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

Land Acquisition for Future Development

C. Personnel Matters Pursuant to Section 551.074

City Manager's Quarterly Update

D. Deliberation Regarding Commercial or Financial Information Received From or the Offer of a Financial or Other Incentive Made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is Conducting Economic Development Negotiations Pursuant to Section 551.087

Economic Development Project #21-28

Economic Development Project #22-07

Economic Development Project #22-12

Economic Development Project #22-16

#### 4. 6:30 P.M. – MEET AND GREET WITH MANSFIELD PURPLE HEART FAMILIES

- 5. <u>7:00 PM OR IMMEDIATELY FOLLOWING MEET AND GREET RECONVENE INTO REGULAR BUSINESS SESSION</u>
- 6. <u>INVOCATION</u>
- 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. PROCLAMATION

22-4642 Child Abuse Prevention Month

Attachments: Child Abuse Prevention Month 2022

22-4645 Purple Heart City

**Attachments:** Purple Heart City

<u>22-4646</u> Historic Preservation Month

Attachments: Historic Preservation Month 2022

#### 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. Due to regulations of the Texas Open Meetings Act, please do not expect a response from the Council as they are not able to do so. THIS WILL BE YOUR ONLY OPPORTUNITY TO SPEAK UNLESS YOU ARE SPEAKING ON A SCHEDULED PUBLIC HEARING ITEM. After the close of the citizen comments portion of the meeting only comments related to public hearings will be heard. All comments are limited to five (5) minutes.

In order to be recognized during the "Citizen Comments" or during a Public Hearing (applicants included), please complete a blue or yellow card located at the entrance of the Council Chambers. Please present the card to the Assistant City Secretary prior to the start of the meeting.

#### 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

#### В. **Business Services Department Report**

22-4648 Presentation of the Monthly Financial Report for the Period Ending March

31, 2022

**Presenters:** Troy Lestina

Attachments: Monthly Financials - March 2022

#### 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

22-4635 Ordinance - Consideration and Approval of an Ordinance to Adopt a Proposed Modification to the Mansfield Code of Ordinances Chapter 94 "Food Establishment Regulations"

Presenters: Nicolette Ricciuti

Attachments: Ordinance

Exhibit A

**Exhibit A Redline** 

Exhibits B-D

Resolution - A Resolution Authorizing Funding for the Replacement of the 22-4632

> Brown St. Sewer Line to NO-DIGTEC, LLC through the Interlocal Purchasing System (TIPS) for an Amount Not to Exceed Ninety-Six Thousand One Hundred and Ninety-Five Dollars (\$96,195.00)

Presenters: Jeff Price and Alex Whiteway

Attachments: Resolution

22-4633 Resolution - A Resolution Ratifying the Expenditure of Funds in the Amount of Fifty-Seven Thousand and Eight Hundred Dollars (\$57,800.00), for the Rebuilding of Pump 310 at the Bud Ervin Water Treatment Plant.

**Presenters:** Jeff Price and Alex Whiteway

**Attachments:** Resolution

22-4641

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Approving a Contingent Fee Contract with Perdue, Brandon, Fielder, Collins, and Mott, LLP Pursuant to Section 6.30 of the Texas Property Tax Codem Said Contract Being for the Collection of Delinquent Government Receivables Owed to the City and to End the City's Relationship with the Current Firm

Presenters: Troy Lestina

Attachments: Resolution

Contract

<u>22-4647</u> Minutes - Approval of the April 11, 2022 Regular City Council Meeting

Minutes

Presenters: Susana Marin

Attachments: 4-11-22 DRAFT Meeting Minutes

#### **END OF CONSENT AGENDA**

#### 15. PUBLIC HEARING

22-4640 Public Hearing - Public Hearing Regarding the Submittal of a Request to Tarrant County for Community Development Block Grant Funding for Park Improvements at James McKnight Park West to Combat the Effects of COVID-19

**Presenters:** Matt Young

#### 16. PUBLIC HEARING AND FIRST READING

Ordinance - Public Hearing Continuation and First Reading of an Ordinance Approving a Zoning Change from C-2, Community Business District to PD, Planned Development for Attached Townhome Single-Family and Community Business Commercial on 14.156 acres of land in the Henry McGehee Survey, Abstract No. 998, generally located at the southeast intersection of Debbie Lane and North Walnut Creek Drive on property at 1700 North Walnut Creek Drive; Skorburg Company, Developer (ZC#21-023).

<u>Presenters:</u> Jason Alexander <u>Attachments:</u> Ordinance

Maps and Supporting Information

Exhibit A - Legal Description

Exhibit B - Development Plan

Exhibit C - Building Elevations

Exhibit D - Updated Layout with Landscape Plan

Exhibit E - PD Conditions

#### 17. PUBLIC HEARING CONTINUATION AND SECOND READING

22-4614

Ordinance - Public Hearing Continuation and Second and Final Reading of an Ordinance Approving a Zoning Change from PR, Pre-Development District to PD, Planned Development District for a Mixed Lot Single-family Residential Development (427 homes) and Community Business Commercial on 121.459 Acres of Land in the Thomas J. Hanks Survey, Abstract No. 644, Tarrant County, TX and Abstract No. 1109, Johnson County, TX, Located at 1101 W Broad St.; Mary Ann Johnston, Owner, Terrance Jobe Alluvium Development, Developer (ZC#21-020)

**Presenters:** Jason Alexander

Attachments: Ordinance

Maps and Supporting Information

**Exhibit A - Property Description** 

Exhibit B - Starlin Ranch PD Regulations

Exhibit C-E - Starlin Ranch Exhibits

Exhibit F - Commercial Elevations

**Table 1 Attachments** 

#### 18. ADJOURN

#### **CERTIFICATION**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the April 25, 2022 Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, mansfieldtexas.gov, on Thursday, April 21, 2022 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

Susana Marin, City Secreta	ry	
Approved as to form:		
City Attorney		
DATE OF POSTING: DATE TAKEN DOWN:	TIME: TIME:	am/pm am/pm

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call (817) 473-0211 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.



# **CITY OF MANSFIELD**

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# **STAFF REPORT**

**File Number: 22-4642** 

Agenda Date: 4/25/2022 Version: 1 Status: To Be Presented

In Control: City Council File Type: Proclamation

Agenda Number:

Title

Child Abuse Prevention Month

**WHEREAS,** more than 6,511 children in Tarrant County were confirmed as victims of child abuse or neglect in 2021; and,

**WHEREAS,** Alliance For Children provided trauma-informed services to 2,497 children in 2021; which includes children in the Mansfield and Arlington communities; and,

**WHEREAS,** since finding solutions and preventing child abuse is a community responsibility, Alliance For Children continues to provide prevention education to more adults and children in Tarrant County; and,

**WHEREAS,** effective child abuse prevention programs succeed because of partnerships among agencies, schools, religious organizations, law enforcement agencies and the business community; and,

**WHEREAS,** the City of Mansfield is grateful to the Alliance For Children for its 20plus years serving as Tarrant County's children's advocacy center;

**NOW THEREFORE,** I, Michael Evans, Mayor of Mansfield, Texas, join with members of the City Council, to hereby proclaim April 2022

#### CHILD ABUSE PREVENTION MONTH

in Mansfield and call upon all citizens, community agencies, faith groups, medical facilities and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

**IN WITNESS WHEREOF**, I do hereby set my hand and cause the official seal of the City of Mansfield to be affixed this 25<sup>th</sup> day of April, 2022.



# **CITY OF MANSFIELD**

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#### **STAFF REPORT**

**File Number: 22-4645** 

Agenda Date: 4/25/2022 Version: 1 Status: To Be Presented

In Control: City Council File Type: Proclamation

Agenda Number:

Title

**Purple Heart City** 

Prepared By Andrew Clark, Communications Manager Communications & Outreach 817-276-4292

# A Proclamation

### By the Mayor of the City of Mansfield

WHEREAS, the City of Mansfield has deep admiration and the utmost gratitude for the men and women who have selflessly served in the United States Armed Forces; and

WHEREAS, the Purple Heart is the oldest military decoration currently in use and was initially created by George Washington in 1782 as the Badge of Military Merit; and

WHEREAS, the Purple Heart was the first American service award or decoration made available to the common soldier, and is specifically awarded to members of the Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America; and

WHEREAS, the contributions and sacrifices of the men and women from the City of Mansfield, Texas, who have served in the Armed Forces have been vital in maintaining our freedoms and the way of life we enjoy; and

WHEREAS, many men and women have given their lives while serving in the Armed Forces;

NOW, THEREFORE, I, Michael Evans, Mayor of City of Mansfield, join with the members of the City Council to hereby proclaim the City of Mansfield a

#### PURPLE HEART CITY

The City of Mansfield is proud to be home to thousands of veterans, and we are eternally grateful for the sacrifices each of them made to serve our nation. The City of Mansfield staunchly supports those who have served in our nation's military.

IN WITNESS WHEREOF, I do hereby set my hand and cause the official seal of the City of Mansfield to be affixed this 25th day of April, 2022.

9 1	Mayor	



# **CITY OF MANSFIELD**

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#### **STAFF REPORT**

File Number: 22-4646

Agenda Date: 4/25/2022 Version: 1 Status: To Be Presented

In Control: City Council File Type: Proclamation

Agenda Number:

Title

Historic Preservation Month

Prepared By Andrew Clark, Communications Manager Communications & Outreach 817-276-4292

# A Proclamation

By the Mayor of the City of Mansfield

WHEREAS, historic preservation is an effective tool for managing growth and development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, many Mansfield residents and organizations work hard to preserve Mansfield's heritage for future generations;

**NOW, THEREFORE,** I, Michael Evans, Mayor of the City of Mansfield, Texas, join with members of the City Council to hereby proclaim May 2022 as

#### HISTORIC PRESERVATION MONTH

in Mansfield, and I encourage Mansfield residents to join their fellow history-lovers across the United States of America in recognizing this special observance.

IN WITNESS WHEREOF, I do hereby set my hand and cause the official seal of the City of Mansfield to be affixed this 25th day of April, 2022.

Mayor	



# **CITY OF MANSFIELD**

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#### **STAFF REPORT**

**File Number: 22-4648** 

Agenda Date: 4/25/2022 Version: 1 Status: To Be Presented

In Control: City Council File Type: Consideration Item

#### Agenda Number:

#### Title

Presentation of the Monthly Financial Report for the Period Ending March 31, 2022

#### **Requested Action**

Attached is the Monthly Financial Report for the period ending February 28, 2022 for Council's review.

#### Recommendation

Review the Financial Statement for the period ending March 31, 2022.

#### **Description/History**

Monthly Financial Report

#### Justification

To advise the Council of the city's financial condition.

#### **Funding Source**

N/A

#### **Prepared By**

Troy Lestina, Chief Financial Officer 817-276-4258

# INTERIM DISCUSSION OF THE CITY'S FINANCIAL CONDITION

#### **Statement of Financial Condition**

The City of Mansfield, Texas is in solid financial condition as of and through the six months ending March 31, 2022 of the fiscal year ending September 30, 2022.

## Significant Financial Activity through the Period

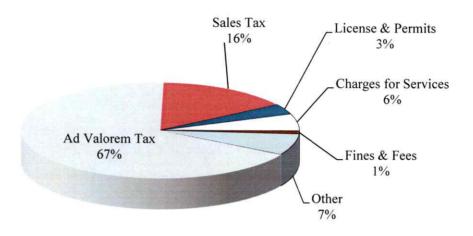
- Capital Improvements
  - · Equipment replaced, \$1,966,700
  - · Streets, \$2,001,894
  - · Fire Station #5 (including land), \$5,856,404, current year \$70,398
  - · Man House renovation, \$1,447,596, current year \$4,679
  - · Police Station, \$971,073, current year \$381,300
  - · Library Expansion, \$787,912, current year \$634,942
  - · Tactical Training Facility, \$956,086, current year \$810,680

# General Fund Financial Activity

Overall general fund revenue collected as of March 31, 2022 is 76.77% of anticipated collections. Expenditures as of March 31, 2022 are in line with budgeted expectations or 46.91% of the expected expenditures have been spent as of March 31, 2022. As of March 31, 2022 the City's current net assets are at estimated results.

# City of Mansfield, Texas interim unaudited financial report for the month and six (6) month period ended March, 2022

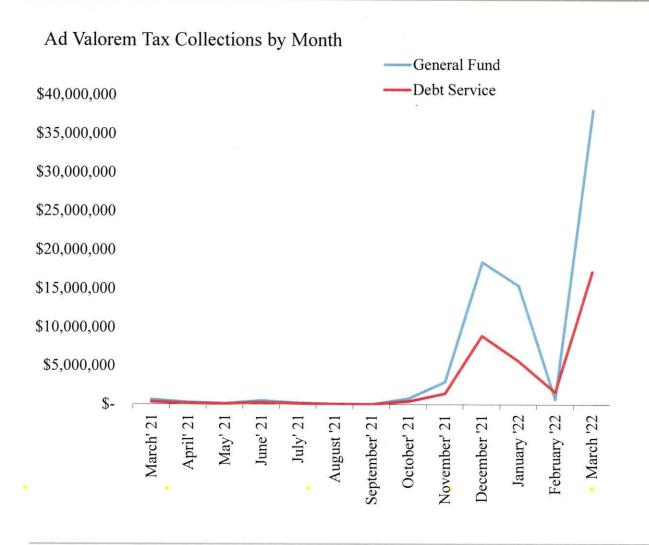
General Fund Revenues Allocation of Receipts as of March 31, 2022



### **Property Tax Collections**

Most of the City's property tax is collected in the first four or six months of the fiscal year as property tax bills are generally due within the first four months of the City's fiscal year. Property tax collections through March 31, 2022 are \$38,135,159. Last year's collections were \$39,231,898 for the same period, a -2.80% decrease over the prior year. The decrease is due to contributions from the General Fund to TIRZ #1 and TIRZ #2 of \$2,651,754 and \$587,068, respectively. These contributions represent a 48.77% increase over the prior year.

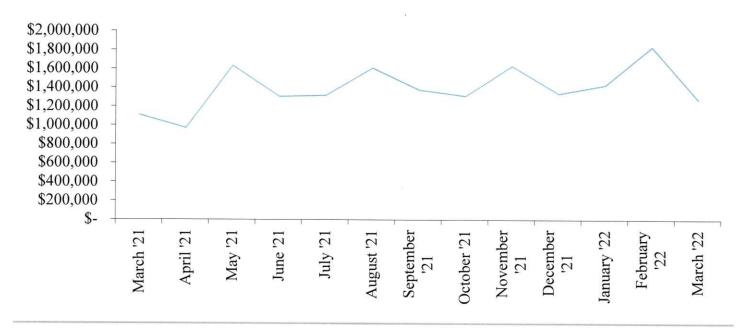
As of March 31, 2022, actual debt service property tax collections were \$18,257,587. For the same period last year, property tax collections were \$17,322,317 an increase of 5.40%.



# Sales Tax

Sales tax per capita is \$200 as budgeted. Sales Tax collections for the period March 1, 2022 through March 31, 2022, total \$1,281,261 as compared to \$1,112,385 for the same period last year. This is an increase of 15.18% over the same period as last year.

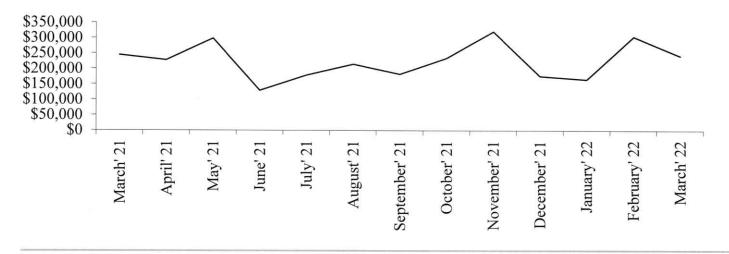




# **Building Permits**

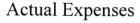
Building activity has increased in year over year comparisons. Building permits revenues in March 2022 compared to March 2021 are \$242,963 and \$244,952 respectively, representing a decrease of \$1,989 or 0.81% less than the same period last year. Building activity for the year is in line with budgeted estimates.

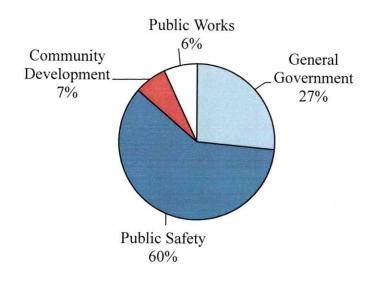
Building Permits Collections by Month



## Expenditure/Uses

The City has spent \$34,308,903 of its expected expenditures of \$73,140,492 or 46.91% of the City total operating budget. The majority of the City's General Operating Fund is for the purposes of servicing the needs of the public's safety. A total of \$42,362,806 will be spent on the policing needs and fire needs of the City. Expenditures are at expectations as of March 31, 2022.

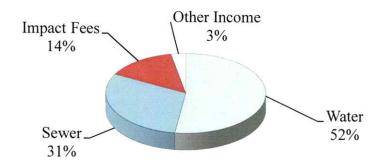




# Water & Sewer Financial Activity

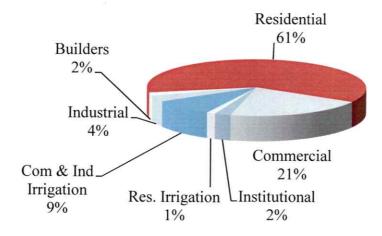
Currently the Fund has collected 59.21% of its Budgeted Revenue to date or \$22,560,730 of \$38,104,975 in Budgeted Revenue.

### Revenues



Consumption to date is up over prior year's consumption due to increasing connections. In a year over year comparison, customer accounts have increased by 1,108 new connections.

# Average Consumption Per Account



The Department's expenses are at anticipated levels to date. The overall expenditure activity of the fund (excluding depreciation) indicates 50.52% of the budgeted expenses to date. The costs of raw water and sewer treatment are within budgeted estimates.

#### **INVESTMENT SCHEDULE:**

A schedule of investments is included in your packet for period ended March 31, 2022.

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# GENERAL FUND

The General Fund is used to account for resources traditionally associated with government which are not legally required to be accounted for in another fund.

#### Comparative Statement of Net Position March 31, 2022 and 2021 (Unaudited)

General Fund	Fiscal 2022	Fiscal 2021
ASSETS		
Cash and Investments	\$ 46,032,891	\$ 44,119,989
Receivables: Current Year Taxes		
Delinquent Taxes (Net of	707,656	1,345,320
Allowance of \$1,561,222)		
Accounts (Net of Allowance of \$254.026)	1 742 170	
Ambulance	1,742,170 1,569,584	828,667
Municipal Court	42,342	1,149,344 28,122
Due From Other Funds	1,791,139	20,122
Capital Assets (net of accumulated	1,771,137	
depreciation)	483,749,129 *	453,053,593
Total Assets	\$ 535,634,911	\$ 500,525,035
DEFERRED OUTFLOW OF RESOURCES		
Deferred Pension Contributions	\$ 3,955,241	\$ 3,925,423
Deferred OPEB Contributions	689,754	2,145,464
Deferred Investment Losses		387,125
Deferred Assumption Changes	408,728	242,190
Deferred Actuarial Experience	7,153,795	9,121,809
Deferred Loss on Refunding	2,073,598 *	2,357,349
Total Deferred Outflows of Resources	14,281,116	18,179,360
Total Assets and Deferred Outflows of Resources	549,916,027	518,704,395
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES		
LIABILITIES:		
Accounts Payable	\$ 498,656	\$ 414,120
Accrued Liabilities	578,190	475,711
Deferred Revenue	2,319,581	2,522,785
Noncurrent liabilities:		
Due within one year	16,071,071 *	15,512,302
Due in more than one year	184,342,253 *	246,182,830
Total Liabilities	203,809,751	265,107,748
DEFERRED INFLOWS OF RESOURCES		
Prepaid Rent	1,253,333 *	1,333,333
Deferred Assumption Changes	618,550	1,216,897
Deferred Investment Gains	5,634,688	3,800,551
Deferred actuarial experience	602,921	-,,
Plan Changes	18,550,639	
Deferred gain of refunding	13,366 *	9,068
Total Deferred Inflows of Resources	26,673,497	6,359,849
FUND BALANCES:		
invested in capital assets.		
net of related debt	283,335,805 *	191,358,461
Assigned for deferred outflows/inflows	(12,392,381)	11,819,511
Unassigned	48,489,355	44,058,826
Total Fund Balances	319,432,779	247,236,798
Catal I Sabilities Duffered I C		
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	\$ 549,916,027	\$ 518,704,395
	3 347,710,027	3 310,704,393

<sup>\*</sup> Current year presentation only, does not include current year depreciation expense.

<sup>\*</sup> Does not conform with Generally Accepted Accounting Principals or Governmental Accounting Standards

<sup>\*</sup>For presentation purposes the capital assets and outstanding debt of the Governmental Funds have been consolidated into the General Operating Fund of the City.

Summary Statement of Activites
For the Month and Six Months Ended March 31, 2022 and 2021 (Unaudited)

Fo	r the Month and S	Six Months En-	ded March 31,	2022 and 2021	(Unaudited)		
General Fund	FY22 MONTH TO DATE	FY21 MONTH TO DATE	FY22 YEAR TO DATE	FY21 YEAR TO DATE	FY22 ORIGINAL BUDGET	FY22 POSITIVE (NEGATIVE) BUDGET	FY22 PERCENT COLLECTED TO BUDGET
REVENUES:							
Taxes	¢ 4051.250		with the southern of				
License And Permits	\$ 4,051,358	\$ 4,332,940	\$ 50,371,762	\$ 49,267,741	\$ 62,625,967	\$ (12,254,205)	80.43%
Grant Revenue	337,248	313,773	1,956,080	1,716,493	2,368,344	(412,264)	82.59%
Charges For Services	-	102,716	159,223	104,405	200,000	(40,777)	79.61%
Fines And Fees	681,148	618,777	3,244,429	3,136,308	6,302,012	(3,057,583)	51.48%
Interest Earnings	109,997	109,948	591,084	488,994	1,228,878	(637,794)	48.10%
Contributions	359	250	3,218	6,181	50,000	(46,782)	6.44%
Miscellaneous	- -	<b>*</b> 1	=	Ë	1 <b>5</b> (4)	-	0.00%
Miscenaneous	83,867	48,814	767,858	453,869	1,597,273	(829,415)	48.07%
Total Revenues	5,263,977	5,527,218	57,093,654	55,173,991	74,372,474	(17,278,820)	76.77%
EXPENDITURES:							
General Government	1,393,965	1,488,331	9,099,592	9,154,362	19,101,216	10,001,626	47.64%
Public Safety	3,288,395	3,119,828	20,517,550	19,464,783	42,362,806	21,845,257	48.43%
Public Works	659,061	281,605	2,389,459	1,244,035	5,857,019	3,467,560	40.80%
Community Development	351,282	292,379	2,302,302	2,017,398	5,819,451	3,517,149	39.56%
Total Expenditures	5,692,703	5,182,143	34,308,903	31,880,578	73,140,492	38,831,592	46.91%
EXCESS REVENUES OVER(UNDER) EXPENDITURES	(428,726)	345,075	22,784,751	23,293,413	1,231,982	,	
OTHER FINANCING SOURCES (USES)							
Reserve/Contingency	2				((1.170)	7. 7. 7	
Sale of Capital Assets, net		120	-	-	(61,178)	(141,861)	0.00%
Financing, net	_	-		-	-	*	0.00%
Sources		_	-	. <del></del>	2 750 061		0.00%
(Uses)	(111,383)	(595,905)	(1,689,301)	(1,421,886)	2,759,961	2,759,961	0.00%
	(111,505)	(373,703)	(1,089,301)	(1,421,880)	(3,930,765)	2,550,234	42.98%
Total Other Financing Sources (Uses)	(111,383)	(595,905)	(1,689,301)	(1,421,886)	(1,231,982)	5,168,334	137.12%
EXCESS OF REVENUES AND OTHER							
FINANCING SOURCES OVER (UNDER)							
EXPENDITURES AND OTHER							
FINANCING USES	(540,109)	(250, 920)	21 005 450	21 071 527			
distribution of the control of the c	(340,109)	(250,830)	21,095,450	21,871,527	·#0		
FUND BALANCE							
BEGINNING	49,029,464	44,309,656	27,393,905	22,187,299	21,934,063		
	· · · · · · · · · · · · · · · · · · ·						
ENDING	\$ 48,489,355	\$ 44,058,826	\$ 48,489,355	\$ 44,058,826	\$ 21,934,063		

Statement of Activites - Budget and Actual
For the Month and Six Months Ended March 31, 2022 and 2021 (Unaudited)

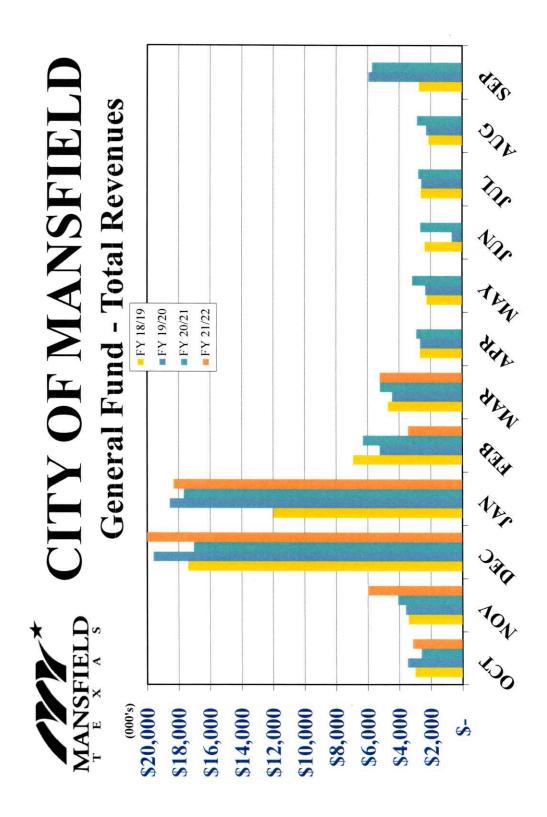
			COLUMN TOWNS OF STREET			
FY22 MONTH TO DATE	FY21 MONTH TO DATE	FY22 YEAR TO DATE	FY21 YEAR TO	FY22 ORIGINAL	FY22 POSITIVE (NEGATIVE)	FY22 PERCENT COLLECTED TO
			DATE	DUDGET	BUDGET	BUDGET
\$ 366,310	\$ 594,224	\$ 37,938,090	\$ 39.139.931	\$ 43,052,467	\$ (5114377)	88.12%
13,781	11,173	197,069	B March March			113.16%
1,607	1,139	430,818		50 History 15	50.000	99.29%
2,331,042	2,550,564	1241650404035		and the second s		75.34%
1,284,670	1,115,839		A11-92-50-113-111-10-10-14			59.19%
22,845	19,468					59.18%
31,103	40,533	113,331	179,387	182,060	(68,729)	62.25%
4,051,358	4,332,940	50,371,762	49,267,741	62.625.967	(12 254 205)	80.43%
						00.1370
242.072	211.052	4 11 12 2 2 7				
			Summed anneal	7	(292,447)	83.19%
94,285	68,821	508,826	423,996	628,643	(119,817)	80.94%
337,248	313,773	1,956,080	1,716,493	2,368,344	(412,264)	82.59%
	102,716	159,223	104,405	200,000	(40,777)	79.61%
250 010	246 107	2.040.027		e component an		
			Call Contain 1991	ARCOCCERER 2000 (0.0)		50.90%
					11900 - 1900 - 1900 - 1900	46.88%
139,383	80,300	307,280	354,167	384,000	(76,720)	80.02%
681,148	618,777	3,244,429	3,136,308	6,302,012	(3,057,583)	34.54%
96,356	76.688	442 773	314 824	858 769	(415 996)	51.56%
13,641	33,260	148,311	174,170	370,109	(221,798)	40.07%
109,997	109,948	591.084	488 994	1 228 878	(637.794)	48.10%
				1,220,070	(037,794)	48.1070
359	250	3,218	6,181	50,000	(46,782)	6.44%
0	0	154,425	147,072	287.937	(133 512)	53.63%
1,620	1,320					48.33%
150	0			-		0.00%
1,883	0			·		0.00%
10,800	0					64.18%
32,500					7. XOVO (N. 6. COSTONA)	20.64%
36,914	47,494	413,182	272,063	633,561	(220,379)	65.22%
83,867	48,814	767,858	453,869			48.07%
\$ 5,263,977	\$ 5,527,218	\$ 57,093,654	\$ 55,173,991	\$ 74,372,474	\$ (17,278,820)	76.77%
	\$ 366,310 13,781 1,607 2,331,042 1,284,670 22,845 31,103 4,051,358  242,963 94,285  337,248  358,018 163,547 159,583 681,148  96,356 13,641 109,997 359  0 1,620 150 1,883 10,800 32,500 36,914  83,867	\$ 366,310 \$ 594,224 13,781 11,173 1,607 1,139 2,331,042 2,550,564 1,284,670 1,115,839 22,845 19,468 31,103 40,533 4,051,358 4,332,940  242,963 244,952 94,285 68,821  337,248 313,773 - 102,716  358,018 346,107 163,547 186,170 159,583 86,500  681,148 618,777  96,356 76,688 13,641 33,260  109,997 109,948  359 250  0 0 1,620 1,320 150 0 1,883 0 10,800 0 32,500 0 36,914 47,494  83,867 48,814	MONTH TO DATE         MONTH TO DATE         YEAR TO DATE           \$ 366,310         \$ 594,224         \$ 37,938,090           13,781         11,173         197,069           1,607         1,139         430,818           2,331,042         2,550,564         2,681,789           1,284,670         1,115,839         8,869,330           22,845         19,468         141,335           31,103         40,533         113,331           4,051,358         4,332,940         50,371,762           242,963         244,952         1,447,254           94,285         68,821         508,826           337,248         313,773         1,956,080           -         102,716         159,223           358,018         346,107         2,060,937           163,547         186,170         876,212           159,583         86,500         307,280           681,148         618,777         3,244,429           96,356         76,688         442,773           13,641         33,260         148,311           109,997         109,948         591,084           359         250         3,218           0         0	MONTH TO DATE         WEAR TO DATE         VEAR TO DATE           \$ 366,310         \$ 594,224         \$ 37,938,090         \$ 39,139,931           13,781         11,173         197,069         91,967           1,607         1,139         430,818         427,692           2,331,042         2,550,564         2,681,789         2,891,145           1,284,670         1,115,839         8,869,330         6,441,768           22,845         19,468         141,335         95,851           31,103         40,533         113,331         179,387           4,051,358         4,332,940         50,371,762         49,267,741           242,963         244,952         1,447,254         1,292,497           94,285         68,821         508,826         423,996           337,248         313,773         1,956,080         1,716,493           -         102,716         159,223         104,405           358,018         346,107         2,060,937         1,965,901           163,547         186,170         876,212         816,240           159,583         86,500         307,280         354,167           681,148         618,777         3,244,429         3,136,308     <	MONTH TO DATE         MONTH TO DATE         VEAR TO DATE         ORIGINAL BUDGET           \$ 366,310         \$ 594,224         \$ 37,938,090         \$ 39,139,931         \$ 43,052,467           13,781         11,173         197,069         91,967         174,114           1,607         1,139         430,818         427,692         433,879           2,331,042         2,550,564         2,681,789         2,891,145         3,559,504           1,284,670         1,115,839         8,869,330         6,441,768         14,985,082           22,845         19,468         141,335         95,851         238,831           31,103         40,533         113,331         179,387         182,060           4,051,358         4,332,940         50,371,762         49,267,741         62,625,967           242,963         244,952         1,447,254         1,292,497         1,739,701           94,285         68,821         508,826         423,996         628,643           337,248         313,773         1,956,080         1,716,493         2,368,344           -         102,716         159,223         104,405         200,000           358,018         346,107         2,060,937         1,965,901         4,	FY22   MONTH TO DATE   DATE

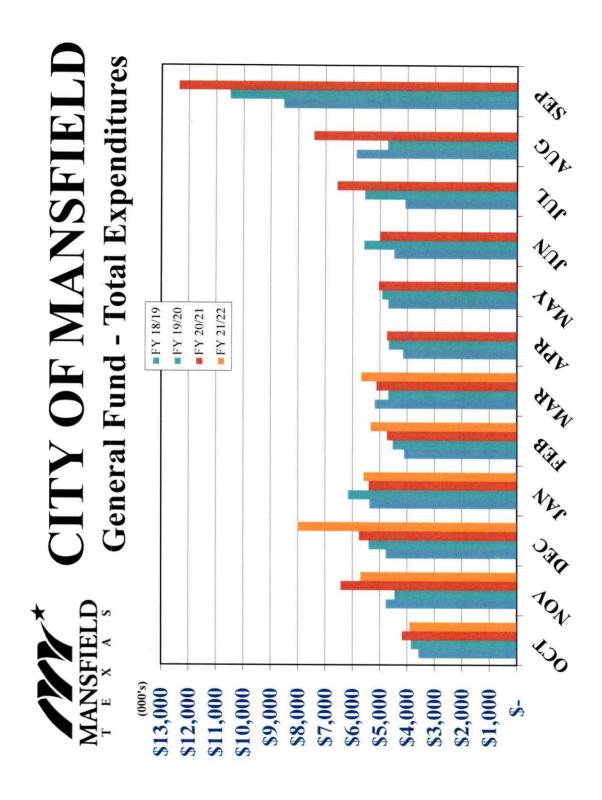
Statement of Activites - Budget and Actual
For the Month and Six Months Ended March 31, 2022 and 2021 (Unaudited)

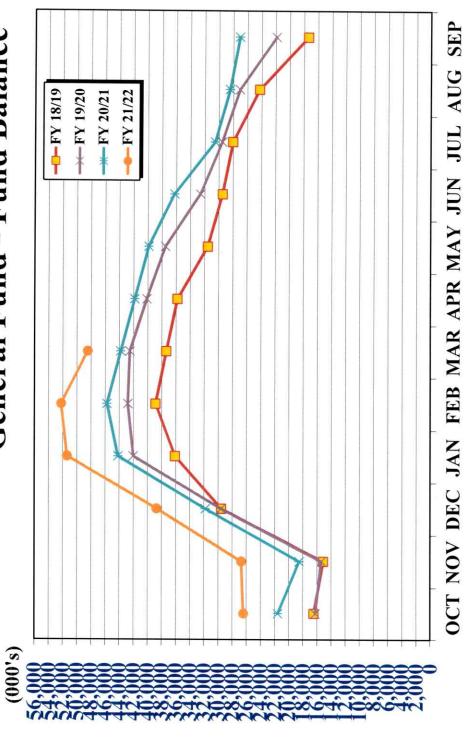
General Fund	FY22 MONTH TO	FY21	FY22	FY21	F3/33	FY22	FY22
General Fund		FYZI	FY22	EV21	T13 / 4 4		AND DESCRIPTION OF THE PERSON NAMED IN COLUMN 1997
General Fund	MONTH TO				FY22	POSITIVE	PERCENT
AT THE TAX POST OF THE PARTY.	DATE	MONTH TO  DATE	YEAR TO DATE	YEAR TO DATE	ORIGINAL BUDGET	(NEGATIVE) BUDGET	COLLECTED TO BUDGET
			The state of the s		Debder	DCDGET	BUDGET
EXPENDITURES:							
GENERAL GOVERNMENT		Van Willelijk Perilini					
Non-departmental	\$ 107,858	\$ 275,115	\$ 1,285,021	\$ 1,745,814	\$ 3,256,867	\$ 1,971,846	39.46%
City Council Intern Program	41,853	13,485	124,833	92,323	231,059	106,226	54.03%
Administration	2,112	2,858	2,112	5,192	51,907	49,795	4.07%
Legal	118,168	108,694	826,292	1,045,952	1,598,654	772,362	51.69%
Human Resources	61,699	54,876	119,453	470,643	332,500	213,047	35.93%
Finance	56,506	140,822	496,362	484,322	839,816	343,454	59.10%
	50,007	22,683	251,780	103,421	497,155	245,375	50.64%
Accounting	29,219	29,444	283,551	195,438	530,667	247,116	53.43%
Purchasing	27,693	25,186	363,937	175,764	394,807	30,870	92.18%
Tax Collection	19,706	15,828	353,651	322,895	366,008	12,357	96.62%
Information Technology	78,140	69,004	571,162	419,903	1,128,882	557,720	50.60%
Sanitation	288,408	277,916	1,448,857	1,369,016	3,316,513	1,867,656	43.69%
Public Records	21,913	10,377	114,611	15,327	299,629	185,018	38.25%
City Secretary	28,990	31,271	212,124	232,924	498,744	286,620	42.53%
Planning Administration	94,266	81,755	579,287	607,632	1,186,623	607,336	48.82%
Construction Codes Boards		~	305	250	30,175	29,870	1.01%
Planning/Zoning Comm	687	182	3,907	2,767	14,021	10,114	27.87%
Engineering	50,232	45,882	314,133	252,375	519,177	205,044	60.51%
Historic Landmark	=		21	339	3,150	3,129	0.67%
Development Services	16,334	15,403	234,846	216,577	368,753	133,907	63.69%
Building Inspection	82,363	90,727	535,697	563,713	1,283,724	748,027	41.73%
Board of Adjustments	350	:*:	1	156	1,948	1,947	0.03%
Code Compliance	42,464	47,467	267,978	296,175	546,261	278,283	49.06%
Rental & Health Inspection	48,157		144,558	-	518,275	373,717	27.89%
Building Maintenance	127,190	129,356	565,061	535,404	1,285,901	720,840	43.94%
Total	1,393,965	1,488,331	9,099,592	9,154,362	19,101,216	10,001,626	47.64%
PUBLIC SAFETY							
Police Administration	122,424	118,834	1,090,027	1,011,365	1,901,909	811,882	57.31%
Communications	299,265	218,975	1,717,252	1,591,773	3,234,850	1,517,598	53.09%
Patrol	719,479	693,511	4,327,881	4,577,595	10,059,714	5,731,833	43.02%
CID And Narcotics	257,959	235,264	1,577,547	1,609,869	3,499,688	1,922,141	45.08%
Jail Operations	196,624	94,858	806,075	602,205	1,437,858	631,783	56.06%
Animal Control	61,107	64,596	390,332	372,447	830,773	440,442	46.98%
CVE Traffic Enforcement	27,388	22,948	158,367	143,187	335,508	177,141	47.20%
Traffic Enforcement	42,744	211,529	302,947	458,286	641,442	338,495	47.23%
K-9 Patrol	10,754	12,199	64,378	62,309	142,687	78,309	45.12%
COPS	71,799	55,709	474,153	340,504	751,191	277,038	63.12%
Municipal Court	33,834	44,839	242,937	294,481	671,626	428,689	36.17%
Training	45,644	56,444	458,191	300,964	790,659	332,468	57.95%
Police Grant Expenditures	29,581	30,137	252,649	325,172	401,473	148,824	62.93%
Fire Administration	150,774	113,317	1,117,484	651,534	2,087,516	970,032	53.53%
Fire Prevention	63,374	49,468	378,216	367,296	848,824	470,608	44.56%
Emergency Management	120,045	86,490	502,772	448,783	895,450	392,678	56.15%
Fire Operations	1,035,600	1,010,710	6,656,342	6,307,013	13,831,638	7,175,296	48.12%
Total	3,288,395	3,119,828	20,517,550	19,464,783	42,362,806	21,845,257	48.43%

Statement of Activites - Budget and Actual
For the Month and Six Months Ended March 31, 2022 and 2021 (Unaudited)

	or the Month:	and Six Months	Ended March	31, 2022 and 2	021 (Unaudited	)	
General Fund	FY22 MONTH TO DATE	FY21 MONTH TO DATE	FY22 YEAR TO DATE	FY21 YEAR TO DATE	FY22 ORIGINAL BUDGET	FY22 POSITIVE (NEGATIVE) BUDGET	FY22 PERCENT COLLECTED TO BUDGET
PUBLIC WORKS		100			DODGET	DCDGLI	DUDGET
Street Maintenance Traffic Control	659,061	281,605	2,389,459	1,244,035	5,857,019	3,467,560	40.80% 0.00%
Total	659,061	281,605	2,389,459	1,244,035	5,857,019	3,467,560	40.80%
COMMUNITY SERVICES							
Parks & Recreation Operations	136,716	114,136	859,504	793,184	2,403,505	1,544,001	25.7(0/
Communications & Marketing	43,133	36,362	314,850	188,789	729,532		35.76%
Downtown Parking	16	16	16	166,789		414,682	43.16%
Senior Citizens	25,195	18,938	152,610		222 (04	(16)	0.00%
Cultural Services	34,443	25,340		115,218	332,684	180,074	45.87%
Library	111,779		311,453	214,928	729,374	417,921	42.70%
210.111	111,779	97,587	663,869	705,261	1,624,356	960,487	40.87%
Total	351,282	292,379	2,302,302	2,017,398	5,819,451	3,517,149	39.56%
TOTAL EXPENDITURES	\$ 5,692,703	\$ 5,182,143	\$ 34,308,903	\$ 31,880,578	\$ 73,140,492	\$ 38,831,592	46.91%
EXCESS REVENUES OVER(UNDER) EXPENDITURES	(428,726)	345,075	22,784,751	23,293,413	1,231,982		
OTHER FINANCING SOURCES (USES)	ì						
SOURCES:							
Utility Fund-Transfer		(±)		2	2,518,561	2,518,561	0.000/
MEDC - Transfer		·•		(5) (2)	241,400		0.00%
TIF #1 - Transfer	-	_	-	_	241,400	241,400	0.00%
Bond Proceeds		327		•	-	=	0.00%
Premuims on Bond Issuance			150	-	-	2	0.00%
Sale of Capital Assets, net	-	-			ė.		0.00%
•				<u> </u>	- <u> </u>		0.00%
Total Other Financing Sources	127				2,759,961	2,759,961	0.00%
(USES):							
Land	(*)	*:	-	2	_		0.00%
MPFDC	-	.a.i	-	_	(221,132)	499,592	0.00%
Transfers			-		(1,924,648)	1,535,772	0.00%
PFA Insurance	(89,993)	27	(870,859)	(805,488)	(848,985)	(71,837)	109.99%
Economic Incentives	(21,390)	(595,905)	(818,442)	(616,398)	(936,000)	586,707	
Discount on Bond Issuance	a. a a.	-		(010,570)	(250,000)	380,707	3.38%
Bond Issuance Costs	=	_	_		155 ons		0.00%
Reserve/Contingency		-			(61,178)	(141,861)	0.00% 575.52%
Total Other Financing Uses	(111,383)	(595,905)	(1,689,301)	(1,421,886)	(3,991,943)	2,408,373	28,99%
Total Other Financing Sources (Uses)	(111,383)	(595,905)	(1,689,301)	(1,421,886)	(1,231,982)	5,168,334	-
EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER EXPENDITURES AND OTHER FINANCING USES	(540,109)	(250,830)	21,095,450	21,871,527			
UNRESERVED FUND BALANCE BEGINNING	49,029,464	44,309,656	27,393,905	22,187,299	21,934,063		
ENDING =	\$ 48,489,355	\$ 44,058,826	\$ 48,489,355	\$ 44,058,826	\$ 21,934,063		







#### SPECIAL REVENUE FUNDS

The Special Revenue Funds are used to account for specific revenues that are legally restricted to expenditure for particular purposes defined by the City.

The TIF Number One Fund or Tax Incremental Financing Fund Number One is used to account for taxes generated in the designated TIF Zone. These taxes will be used to reimburse developers for infrastructure costs.

The TIF Number Two Fund or Tax Incremental Financing Fund Number Two is used to account for taxes generated in the designated TIF Zone. These taxes will be used to revitalize the downtown area of Mansfield. The revitalization will come through the use of public funds for public improvements in the area.

The Hotel/Motel Fund is used to account for the occupancy taxes generated from the local hotels that are used to promote the City of Mansfield and events in the City that further promote hotel stays.

The Mansfield Parks Facility Development Corporation Fund – This fund is used to account for the construction and development of sports and recreation facilities, equipment, and miscellaneous improvements to the City's Park System. These projects will be financed through sales tax supported bonds.

The Mansfield Economic Development Corporation Fund – This fund is used to account for the  $\frac{1}{2}$  cent Sales Tax used for the promotion of Economic Development within the City.

The South Pointe Public Improvement District (PID) Fund – This fund is used to account for the improvement or maintenance within a defined area.

# Comparative Statement of Net Position March 31, 2022 and 2021 (Unaudited)

Tax Increment Reinvestment Zone Fund One	F	iscal 2022	Fi	scal 2021
<u>ASSETS</u>				
Cash And Investments	\$	7,920,993	\$	4,840,256
Due From Other Funds		24,581		24,581
Total Assets	\$	7,945,574	\$	4,864,837
LIABILITIES & FUND BALANCES				
LIABILITIES: Accounts Payable Retainage Payable	\$	524,769	\$	685,575
Total Liabilities		524,769		685,575
FUND BALANCES: Fund Balance Excess Revenues Over Expenditures		5,252,236 2,168,569		4,178,778
Total Fund Balances		7,420,805		4,179,262
Total Liabilities And Fund Balances	\$	7,945,574	\$	4,864,837

# Comparative Statement of Activites For the Month and Six Months Ended March 31, 2022 and 2021 (Unaudited)

Tax Increment Reinvestment Zone Fund Number One		FY22 MONTH TO DATE		FY21 MONTH TO DATE		FY22 YEAR TO DATE		FY21 YEAR TO DATE	
REVENUES:									
Taxes, Penalties, And Interest Interest Income	\$	-	\$	27		2,651,754 67	iyo <u>.</u>	484	
Total Revenues			• [	27		2,651,821	- 50 <del>-</del>	484	
EXPENDITURES:									
General Government Debt Service -		-4		-		483,252		-	
Principal Retirement		<del>20</del> 1				<b>=</b> 3		_	
Interest		-		-		-		-	
Lease Payments		<u> </u>		-		=		-	
Bond Issuance Cost		-		-		_		-	
Fiscal Charges				-		*			
Total Expenditures		-		121		483,252	·		
Excess Of Revenues Over									
(Under) Expenditures		-		27		2,168,569		484	
OTHER FINANCING SOURCES (USES)									
Transfers Out		<u> </u>		-		-		-	
Bonds Issued		-		-		27		-	
Premium on Bonds Issued		-		-		- 1		-	
Discounts on Bonds Issued		-						-	
Payment to Refunded Bond Escrow Agent		7 <b>%</b> .		¥					
Total Other Financing Sources (Uses)		2		-		_		_	
Net Change in Fund Balances		_		27	963	2,168,569	-	484	
FUND BALANCE, BEGINNING	-	7,420,805		4,179,235	000	5,252,236		4,178,778	
FUND BALANCE, ENDING	\$	7,420,805	\$	4,179,262	\$	7,420,805	\$	4,179,262	

# Comparative Statement of Net Position March 31, 2022 and 2021 (Unaudited)

Tax Increment Reinvestment Zone Fund Two		Fiscal 2022		Fiscal 2021
ASSETS				
Cash And Investments	\$	439,229	\$	389,497
Receivable		700,000		-
Total Assets	\$	1,139,229	\$	389,497
LIABILITIES & FUND BALANCES				
LIABILITIES: Accounts Payable Due To Other Funds Retainage Payable	\$	1,791,139	\$	-: -: -:
Total Liabilities		1,791,139	<u></u>	-
FUND BALANCES: Fund Balance Excess Revenues Over Expenditures		(814,140) 162,230		389,497
Total Fund Balances	-	(651,910)	<u></u>	389,497
Total Liabilities And Fund Balances	\$	1,139,229	\$	389,497

# **Comparative Statement of Activites**

# For the Month and Six Months Ended March 31, 2022 and 2021 (Unaudited)

Tax Increment Reinvestment Zone Fund Number Two	М	FY22 ONTH TO DATE		FY21 ONTH TO DATE		FY22 YEAR TO DATE		FY21 EAR TO DATE
REVENUES: Taxes, Penalties, And Interest Interest Income	\$	ě	\$		\$	587,068	\$	-
Total Revenues		:-				587,068		•
EXPENDITURES: General Government		_		<b>■</b> 0		424,838		
Debt Service - Principal Retirement Interest		-		-		-		. <u>.</u>
Lease Payments Bond Issuance Cost		-		-		-		-
Fiscal Charges  Total Expenditures	-		-	<del></del>	( <u>*</u>	424,838		<del></del>
Excess Of Revenues Over (Under) Expenditures								
OTHER FINANCING SOURCES (USES)				-		162,230		-
Transfers In / (Out) Premium on Bonds Issued		-		-		-		
Discounts on Bonds Issued Payment to Refunded Bond Escrow Agent						-		
Total Other Financing Sources (Uses) Net Change in Fund Balances					<u></u>	162,230	7	
FUND BALANCE, BEGINNING		(651,910)		389,497		(814,140)		389,497
FUND BALANCE, ENDING	\$	(651,910)	\$	389,497	\$	(651,910)	\$	389,497

# Comparative Statement of Net Position March 31, 2022 and 2021 (Unaudited)

Hotel/Motel Occupancy Tax Fund	Fiscal 2022	Fiscal 2021		
ASSETS				
Cash And Investments Accounts Receivable	\$ 1,668,465 2,577	\$ 1,142,807 2,577		
Total Assets	\$ 1,671,042	\$ 1,145,384		
LIABILITIES & FUND BALANCES				
LIABILITIES: Accrued Liabilities	\$ 17,760	\$ 13,772		
Total Liabilities	17,760	13,772		
FUND BALANCES: Fund Balance Excess Revenues Over Expenditures	1,492,875 160,407	1,034,174 97,438		
Total Fund Balances	1,653,282	1,131,612		
Total Liabilities And Fund Balances	\$ 1,671,042	\$ 1,145,384		

# Statement of Activites - Budget and Actual For the Month and Six Months Ended March 31, 2022 and 2021 (Unaudited)

Hotel/Motel Occupancy Tax Fund	. M	FY22 ONTH TO DATE	M	FY21 ONTH TO DATE	`	FY22 EAR TO DATE		FY21 YEAR TO DATE		FY22 RIGINAL BUDGET	FY22 POSITIVE (NEGATIVE) BUDGET	FY22 PERCENT COLLECTED BUDGET
REVENUES: Hotel Occupancy Tax Miscellaneous Income	\$	88,291 6,059	\$	121,884 1,331	s	363,986 16,478	\$	273,022 5,956	s	725,000	\$ (361,014) 16,478	50.2
Total Revenues		94,350	Xi <del>-</del>	123,215		380,464		278,978		725,000	(344,536)	52.4
EXPENDITURES:												
Mansfield Historical Society		2		-		-		-		(2)	2	0.0
Mansfield Invitational		8		3		-		-			5	0.0
The LOT						170		5=6		-	*	0.0
Mansfield Rotary Club		-		A		-				177		0.0
Farr Best Theater		315		72		2,365		508		-	(2,365)	0.0
Discover Historic Mansfield		-		4		-		-		-	-	0.0
Mansfield Tourism		51,297		24,881		188,596		159,394		395,613	207,017	47.6
Pickled Mansfield Society		2		12		148		ē <b>≟</b> )		68,100	68,100	0.0
Mansfield Commission for the Arts		14,238		1,461		16,252		1,803		47,100	30,848	34.5
Historic Landmark Commission		-		-		-		( <del>-</del> )		-	-	0.0
Man House Museum		=		· ·		: <b>=</b> 0		199			<del>=</del>	0.0
Tommy King Foundation		=		·		:52		1.5		-	=	0.0
Sister Cities Celebration		8		=		-		-		€.	*	0.0
Friends of the Library		-		8		-		-		¥1	E CARROL STORY	0.0
Championship Basketball		2		-		ALES CALABOROUS		(12)		10,000	10,000	0.0
Wayfinding Program		_				4,844		19,835		-	(4,844)	0.0
Reserve						8,000				204,187	196,187	3.93
Total Expenditures		65,850		26,414		220,057		181,540		725,000	504,943	30.3:
Excess Of Revenues Over (Under) Expenditures		28,500		96,801		160,407		97,438				
FUND BALANCE, BEGINNING		1,624,782		1,034,811		1,492,875	_	1,034,174				
FUND BALANCE, ENDING	\$	1,653,282	\$	1,131,612	\$	1,653,282	\$	1,131,612		*		

# Comparative Budget and Cash Analysis For the Month and Six Months Ended March 31, 2022 and 2021 (Unaudited)

Hotel/Motel Occupancy Tax Fund	Budgeted Request		2 Amount o Date	Available Budget	FY22 PERCENT COLLECTED TO BUDGET
REVENUES: Hotel Occupancy Tax Rental of Facilities Interest Income	\$ 725,000	\$	363,985 16,453 26	\$ 361,015 (16,453) (26)	50.20% 0.00%
Total Revenues	 725,000	-	380,464	 344,536	52.48%
EXPENDITURES:  Mansfield Historical Society Mansfield Invitational The LOT Discover Historic Mansfield - Farr Best Concerts Mansfield Tourism Pickled Mansfield Society Manfield Police Dept. Mansfield Commission for the Arts Historic Landmark Commission Desert Love Film Festival Man House Museum Tommy King Foundation Sister Cities Celebration Wayfinding Program Friends of the Library Championship Basketball Reserve  Total Expenditures	395,613 68,100 - 47,100 - - - - - 10,000 204,187		2,365 188,597 - - 16,251 - - - 4,844 - 8,000	 2,365 (207,016) (68,100) - (30,849) - - - 4,844 - (10,000) (196,187)	0.00% 0.00% 0.00% 47.67% 0.00% 0.00% 34.50% 0.00% 0.00% 0.00% 0.00% 0.00% 0.00% 0.00% 3.92%
Revenues / (Expenditures)	 		160,407	(160,407)	
SUPPLEMENTAL INFORMATION: CASH ANALYSIS					
Beginning Cash Balance for Fiscal Year 2022	1,508,058				
Plus: FY2022 Cash Collections Less: FY2022 Cash Expenditures	380,464 (220,057)				
Cash Balance as of March 31, 2022	1,668,465				
Remaining Hotel/Motel Occupancy Funds to Collect Remaining Hotel/Motel Occupancy Funds to Expend	361,015 (504,943)				
Projected Cash Balance at September 30, 2022	1,524,537				

Mansfield Parks Facility Development Corp	F	iscal 2022	F	Fiscal 2021			
ASSETS:							
Cash And Investments Restricted Cash and Investments Receivables:	\$	7,872,309 5,998,568	\$	5,429,864 4,546,817			
Accounts		771,994		305,463			
Total Assets	\$	14,642,871	\$	10,282,144			
LIABILITIES & FUND BALANCES:							
LIABILITIES: Accounts Payable Other Liabilities Deferred Revenue	\$	166,278 1,000,000 1,421,395	\$	161,843 1,000,000 1,694,514			
Total Liabilities		2,587,673		2,856,357			
FUND BALANCES: Fund Balance Excess Revenues Over (Under) Expenditures	,	9,776,670 2,278,528		5,758,216 1,667,571			
Total Fund Balances		12,055,198	•	7,425,787			
Total Liabilities And Fund Balances	\$	14,642,871	\$	10,282,144			

# Statement of Activites - Budget and Actual For the Month and Six Months Ended March 31, 2022 and 2021 (Unaudited)

Mansfield Parks Facility Development Corporation			FY22 YEAR TO DATE	YEAR TO YEAR TO		FY22 POSITIVE (NEGATIVE) BUDGET	FY22 PERCENT COLLECTED TO BUDGET	
REVENUES:								
Sales Tax Revenue	\$ 378,042	\$ 294,205	\$ 2,849,520	\$ 1,642,725	\$ 4,333,942	\$ (1,484,422)	65.75%	
Contributions	-		3,084	9,659	32,862	(29,778)		
Interest Earnings	-	129	410	1,479	12,000	(11,590)		
Other Income	646	6,517	4,428	8,212		4,428	0.00%	
MAC Revenue	112,730	170,023	1,139,508	930,774	2,153,000	(1,013,492)		
Lease Royalties	19,497	12,075	91,456	48,635	100,000	(8,544)		
Park Land Dedication Revenue	64,500	348,000	801,500	1,120,250		801,500	0.00%	
Total Revenues	575,415	830,949	4,889,906	3,761,734	6,631,804	(1,741,898)	73.73%	
EXPENDITURES:								
Administration	218,572	155,886	877,193	850,647	1,903,318	1,026,125	46.09%	
Field Operations	52,949	40,978	323,409	290,436	842,991	519,582	38.36%	
Community Park Operations	85,524	72,942	493,167	442,790	1,217,808	724,641	40.50%	
Nature Education Operations	8,105	9,038	51,013	56,273	227.089	176,076	22.46%	
Recreational Center	63,909	53,412	391,776	296,704	1,039,701	647,925	37.68%	
Neighborhood Park Operations	14,251	7,484	94,119	49,726	259,245	165,126	36.31%	
Quadrants	2	-	282,000			(282,000)	0.00%	
Non-Departmental	16,715	24,849	98,701	107,587	1,362,783	1,264,082	7.24%	
Total Expenditures	460,025	364,589	2,611,378	2,094,163	6,852,935	4,241,557	38.11%	
EXCESS (DEFICIENCY) OF								
REVENUES OVER EXPENDITURES	115,390	466,360	2,278,528	1,667,571	(221,131)	2,499,659	-1030.40%	
OTHER FINANCING SOURCES (USES):								
Operating Transfers In				=	221,132	(221,132)	0.00%	
Operating Transfers (Out)	021		4	-			0.00%	
Cash Reserves	7/ <u>2</u>	-	•	<u> </u>	-	: • ·	0.00%	
Bond Proceeds	12		•	-	5		0.00%	
Premium on Bonds issued Discounts on Bond issued			-				0.00% 0.00%	
Discoults on Bolid Issued							0.00%	
Total Other Financing Sources (Uses)	198				221,132	(221,132)	0.00%	
EXCESS (DEFICIENCY) OF REVENUES AND OTHER FINANCING SOURCES OVER EXPENDITURES AND		100 000						
OTHER FINANCING USES	115,390	466,360	2,278,528	1,667,571				
FUND BALANCE, BEGINNING	11,939,808	6,959,427	9,776,670	5,758,216				
FUND BALANCE, ENDING	\$ 12,055,198	\$ 7,425,787	\$ 12,055,198	\$ 7,425,787				

Mansfield Economic Development Corporation		Fiscal 2022		Fiscal 2021
ASSETS				
Cash And Investments Accounts Receivable	\$	10,180,627 660,152	\$	12,974,617 1,764
Restricted Assets: Cash and Investments, Projects		1,128,674		1,771,933
Fixed Assets (net of accumulated depreciation)	_	36,758,068		10,360,105
Total Assets	\$	48,727,521	\$	25,108,419
LIABILITIES AND NET ASSETS				
LIABILITIES: Accounts Payable Accrued Liabilities Retainage Payable Bonds Payable Unamortized Discounts on Bonds Unamortized Premiums Deferred Amount on Refunding Contract Commitments  Total Liabilities	\$	7,989 3,240 20,133 21,635,000 (138,685) 964,103 (64,821) 34,014,146 *	\$	1,284 3,240 235,325 23,430,000 (152,080) 1,030,757 (92,602) 24,596,139 49,052,063
NET ASSETS: Restricted Unassigned		1,128,674 (8,842,258)	,	1,771,933 (25,715,577)
Total Net Assets	_	(7,713,584)	_	(23,943,644)
Total Liabilities & Net Assets	\$	48,727,521	\$	25,108,419

<sup>\*</sup>Does not conform with Generally Accepted Accounting Principals or Governmental Accounting Standards This is the GASB 34 presentation and is different from the fund level presentation per GAAP.

OPERATING REVENUES:         \$ 642,335         \$ 557,919         \$           Gas Royalties         -         -         -           Miscellaneous         -         -         -           Rental Of Facilities         -         -         -           Total Operating Revenues         642,335         557,919           OPERATING EXPENDITURES:         34,389         4,816           Administration         41         -           Promotions         4,389         4,816           Retention         41         -           Development Plan         -         -           Projects         304,067         1,034,551           Non-Departmental         15,301         1,462           Depreciation         -         -           Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         Interest Revenue         -         71           Gain or (loss) on sale of property         -         -           Bonds issued         -         -         -           Premiums on bonds issued         -         -         -	4,434,665 10,608 	\$ 3,777,076 - - 3,777,076 291,640 13,387 32 8 1,135,475
Gas Royalties         -         -           Miscellaneous         -         -           Rental Of Facilities         -         -           Total Operating Revenues         642,335         557,919           OPERATING EXPENDITURES:         -         -           Administration         76,811         64,131           Promotions         4,389         4,816           Retention         41         -           Development Plan         -         -           Projects         304,067         1,034,551           Non-Departmental         15,301         1,462           Depreciation         -         -           Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         Interest Revenue         -         71           Gain or (loss) on sale of property         -         -           Bonds issued         -         -           Premiums on bonds issued         -         -	10,608 - 4,445,273 461,513 31,432 75 32 1,385,091	3,777,076 291,640 13,387 32 8
Miscellaneous         -         -           Rental Of Facilities         -         -           Total Operating Revenues         642,335         557,919           OPERATING EXPENDITURES:         4         -           Administration         76,811         64,131           Promotions         4,389         4,816           Retention         41         -           Development Plan         -         -           Projects         304,067         1,034,551           Non-Departmental         15,301         1,462           Depreciation         -         -           Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         Interest Revenue         -         71           Gain or (loss) on sale of property         -         -           Bonds issued         -         -           Premiums on bonds issued         -         -	4,445,273 461,513 31,432 75 32 1,385,091	291,640 13,387 32 8
Rental Of Facilities         -         -           Total Operating Revenues         642,335         557,919           OPERATING EXPENDITURES:         -         -           Administration         76,811         64,131           Promotions         4,389         4,816           Retention         41         -           Development Plan         -         -           Projects         304,067         1,034,551           Non-Departmental         15,301         1,462           Depreciation         -         -           Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         Interest Revenue         -         71           Gain or (loss) on sale of property         -         -           Bonds issued         -         -           Premiums on bonds issued         -         -	4,445,273 461,513 31,432 75 32 1,385,091	291,640 13,387 32 8
Total Operating Revenues         642,335         557,919           OPERATING EXPENDITURES:         76,811         64,131           Administration         76,811         64,131           Promotions         4,389         4,816           Retention         41         -           Development Plan         -         -           Projects         304,067         1,034,551           Non-Departmental         15,301         1,462           Depreciation         -         -           Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         Interest Revenue         -         71           Gain or (loss) on sale of property         -         -         -           Bonds issued         -         -         -           Premiums on bonds issued         -         -         -	461,513 31,432 75 32 1,385,091	291,640 13,387 32 8
OPERATING EXPENDITURES:         76,811         64,131           Administration         76,811         64,131           Promotions         4,389         4,816           Retention         41         -           Development Plan         -         -           Projects         304,067         1,034,551           Non-Departmental         15,301         1,462           Depreciation         -         -           Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         Interest Revenue         -         71           Gain or (loss) on sale of property         -         -           Bonds issued         -         -           Premiums on bonds issued         -         -	461,513 31,432 75 32 1,385,091	291,640 13,387 32 8
Administration         76,811         64,131           Promotions         4,389         4,816           Retention         41         -           Development Plan         -         -           Projects         304,067         1,034,551           Non-Departmental         15,301         1,462           Depreciation         -         -           Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         Interest Revenue         -         71           Gain or (loss) on sale of property         -         -           Bonds issued         -         -           Premiums on bonds issued         -         -	31,432 75 32 1,385,091	13,387 32 8
Promotions         4,389         4,816           Retention         41         -           Development Plan         -         -           Projects         304,067         1,034,551           Non-Departmental         15,301         1,462           Depreciation         -         -           Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         Interest Revenue         -         71           Gain or (loss) on sale of property         -         -         -           Bonds issued         -         -         -           Premiums on bonds issued         -         -         -	31,432 75 32 1,385,091	13,387 32 8
Retention         41         -           Development Plan         -         -           Projects         304,067         1,034,551           Non-Departmental         15,301         1,462           Depreciation         -         -           Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         -         71           Gain or (loss) on sale of property         -         -           Bonds issued         -         -           Premiums on bonds issued         -         -	75 32 1,385,091	32 8
Development Plan	32 1,385,091	8
Projects         304,067         1,034,551           Non-Departmental         15,301         1,462           Depreciation         -         -           Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         -         71           Gain or (loss) on sale of property         -         -           Bonds issued         -         -           Premiums on bonds issued         -         -	1,385,091	
Non-Departmental         15,301         1,462           Depreciation         -         -           Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         -         71           Gain or (loss) on sale of property         -         -           Bonds issued         -         -           Premiums on bonds issued         -         -		1,135,475
Total Operating Expenditures	49,643	
Total Operating Expenditures         400,609         1,104,960           OPERATING INCOME         241,726         (547,041)           NONOPERATING REVENUES (EXPENSES):         -         71           Gain or (loss) on sale of property         -         -           Bonds issued         -         -           Premiums on bonds issued         -         -		2,808,298
OPERATING INCOME 241,726 (547,041)  NONOPERATING REVENUES (EXPENSES): Interest Revenue - 71 Gain or (loss) on sale of property Bonds issued Premiums on bonds issued		
NONOPERATING REVENUES (EXPENSES): Interest Revenue - 71 Gain or (loss) on sale of property Bonds issued Premiums on bonds issued	1,927,786	4,248,840
Interest Revenue - 71 Gain or (loss) on sale of property Bonds issued Premiums on bonds issued	2,517,487	(471,764)
Interest Revenue - 71 Gain or (loss) on sale of property Bonds issued Premiums on bonds issued		
Bonds issued	186	1,064
Premiums on bonds issued		6,181,329
	-	-
	-	180
Discounts on bonds issued	-	-
Amortization	(405 428)	(426.466)
Interest and fiscal charges	(405,428)	(436,466)
Total Nonoperating Revenue - 71	(405,242)	5,745,927
INCOME BEFORE OPERATING		
TRANSFERS - 241,726 (546,970)	2,112,245	5,274,163
OPERATING TRANSFERS:		
Operating Transfers In (Out)		-
CHANGE IN NET ASSETS 241,726 (546,970)	2,112,245	5,274,163
NET ASSETS, BEGINNING NET ASSETS, PROJECTS  (7,955,310) ** (23,396,674)	(9,825,829)	(9,788,636) (19,429,171)
NET ASSETS, ENDING \$ (7,713,584) \$ (23,943,644) \$	(7,713,584)	\$ (23,943,644)

<sup>\*\*</sup>Project Fund Balance represents funds that have been contractually obligated by the City Council and MEDC. These expenses will be recognized upon realization of the expense.

South Pointe PID		Fiscal 2022	Fiscal 2021		
ASSETS					
Cash And Investments Receivables: Current Year PID Assessment	\$	275,535	\$	244,347	
Total Assets	\$	275,535	\$	244,347	
LIABILITIES & FUND BALANCES					
LIABILITIES: Accounts Payable Deferred Revenue	\$	24,582	\$	24,582 1,000	
Total Liabilities		24,582		25,582	
FUND BALANCES: Fund Balance Excess Revenues Over		(23,582)		(12,287)	
Expenditures	Ø	274,535	1	231,052	
Total Fund Balances	9	250,953	-	218,765	
Total Liabilities And Fund Balances	\$	275,535	\$	244,347	

South Pointe PID	M	FY22 MONTH TO DATE		FY21 MONTH TO DATE		FY22 YEAR TO DATE		FY21 EAR TO DATE
REVENUES: PID Assessment Penalties & Interest	\$	8,720	\$	13,220	\$	444,064 2,440	\$	304,469 1,923
Total Revenues		8,720	N <del></del>	13,220	ī.	446,504	37	306,392
EXPENDITURES: General government Public safety Public works Culture and recreation		52,501		23,201	-	171,969 - - -		75,340 - - -
Total Expenditures	3	52,501		23,201		171,969		75,340
Excess Of Revenues Over (Under) Expenditures		(43,781)		(9,981)		274,535	1	231,052
Net Change in Fund Balances		(43,781)		(9,981)		274,535		231,052
FUND BALANCE, BEGINNING		294,734		228,746		(23,582)		(12,287)
FUND BALANCE, ENDING	\$	250,953	\$	218,765	\$	250,953	\$	218,765

#### **DEBT SERVICE FUNDS**

The Debt Service Funds are used to account for the accumulation of resources and payment of general obligation debt principal and interest from governmental resources and special revenue bond principal and interest from a sales tax levy when the City is obligated in some manner for the payment.

The General Debt Service Fund – The purpose of this fund is to account for the accumulation of resources for and the payment of, principal and interest on the City's general obligation debt payable from a property tax levy with the exception of the MPFDC debt.

The Mansfield Parks Facilities Development Corporation Debt Service Fund – The purpose of this fund is to account for the accumulation of resources for and the payment of, principal and interest on the MPFDC long-term debt from a sales tax levy.

General Obligation Debt	Fiscal 2022		Fi	scal 2021
ASSETS				
Cash And Investments Receivables: Current Year Taxes Delinquent Taxes (Net of Allowance of \$837,176)	\$	7,392,829 346,510	\$	<b>7,569,333</b> 667,165
Total Assets	\$	7,739,339	\$	8,236,498
LIABILITIES & FUND BALANCES				
LIABILITIES: Accounts Payable Deferred Revenue	\$	346,510	\$	667,165
Total Liabilities		346,510		667,165
FUND BALANCES: Fund Balance Excess Revenues Over Expenditures	<u></u>	5,365,013 2,027,816	· .	3,888,921 3,680,412
Total Fund Balances		7,392,829		7,569,333
Total Liabilities And Fund Balances	\$	7,739,339	\$	8,236,498

General Obligation Debt	FY22 MONTH TO DATE	FY21 MONTH TO DATE	FY22 YEAR TO DATE	FY21 YEAR TO DATE	FY22 ORIGINAL BUDGET	FY22 OVER (UNDER) BUDGET	FY22 PERCENT COLLECTED TO BUDGET
REVENUES: Taxes, Penalties, And Interest Miscellaneous Interest Income	\$ 198,267 -	\$ 319,914 \$ 200	\$ 18,257,587 76 49	\$ 17.322,317 \$ 200 89		\$ 1,847,555 76 49	111.26% 0.00% 0.00%
Total Revenues	198,267	320,125	18,257,712	17,322,606	16,410,032	1,847,679	111.26%
EXPENDITURES Debt Service - Principal Retirement Interest Lease Payments Bond Issuance Cost Fiscal Charges	2.500,000 4.008 1.900	1,450	13,310,000 2,909,819 - 10,077	10,660,000 2,972,873	Committee of the commit	3,100,032 (2,909,819) - - (10,077)	81.11% 0.00% 0.00% 0.00%
Total Expenditures	2,505,908	1.450	16,229,896	13,642,194	16,410,032	180,136	98.90%
Excess Of Revenues Over (Under) Expenditures	(2,307,641)	318,675	2,027,816	3,680,412			
OTHER FINANCING SOURCES (USES) Refunding Bonds Issued Premium on Bonds Issued Discounts on Bonds Issued Payment to Refunded Bond Escrow Agent	.5 % 185						
Total Other Financing Sources (Uses) Net Change in Fund Balances	(2,307,641)	318.675	2,027,816	3,680,412	-		
FUND BALANCE, BEGINNING	9,700,470	7,250,658	5,365,013	3,888,921	_		
FUND BALANCE, ENDING	\$ 7,392,829	\$ 7,569,333	\$ 7,392,829	\$ 7,569,333	3		

Mansfield Parks Facility Development Corp. Debt Service	F	iscal 2022	Fi	Fiscal 2021		
ASSETS						
Cash And Investments	\$	1,478,570	\$	1,441,023		
Total Assets	\$	1,478,570	\$	1,441,023		
LIABILITIES AND FUND BALANCES						
LIABILITIES: Accrued Interest Payable	\$	4,650	\$	4,650		
Total Liabilities		4,650	îi <del>-</del>	4,650		
FUND BALANCES: Fund Balance Excess Revenues Over (Under) Expenditures	2	521,661 952,259		510,814 925,559		
Total Fund Balances		1,473,920		1,436,373		
Total Liabilities And Fund Balances	\$	1,478,570	\$	1,441,023		

# Statement of Activites - Budget and Actual For the Month and Six Months Ended March 31, 2022 and 2021 (Unaudited)

Mansfield Parks Facility Development Corp. Debt Service	FY22 MONTH TO DATE	FY21 MONTH TO DATE	FY22 YEAR TO DATE	FY21 YEAR TO DATE	FY22 ORIGINAL BUDGET	FY22 POSITIVE (NEGATIVE) BUDGET	FY22 PERCENT COLLECTED TO BUDGET
REVENUES: Taxes, Penalties, And Interest Other Income	\$ 263,155	\$ 262,780	\$ 1,578,931	\$ 1,576,680	\$ 3,157,861	\$ (1,578,930)	50.00% 0.00%
Total Revenues	263,155	262,780	1,578,931	1,576,680	3,157,861	(1,578,930)	50.00%
EXPENDITURES: Debt Service Principal Retirement Interest And Fiscal Charges Non-departmental	1,350	900	626,672	651,121	1,910,000 1,247,861	1,910,000 621,189	0.00% 50.22% 0.00%
Total Expenditures	1,350	900	626,672	651,121	3,157,861	2,531,189	19.84%
Excess Of Revenues Over (Under) Expenditures	261,805	261,880	952,259	925,559			
OTHER FINANCING SOURCES (USES): Bond Proceeds		æ.	<u>:</u> €	175			
Total Other Financing Sources (Uses)							
FUND BALANCE, BEGINNING	1,212,115	1,174,493	521,661	510,814			
FUND BALANCE, ENDING	\$ 1,473,920	\$ 1,436,373	\$ 1,473,920	\$ 1,436,373			

#### CAPITAL PROJECTS FUNDS

The Capital Projects Funds are used to account for the acquisition and construction of major capital facilities other than those financed by proprietary funds and trust funds.

The Street Construction Fund – The purpose of this fund is to account for the construction and improvement of various streets in the City. General Obligation Bonds, Certificates of Obligation, and Street Assessments are used to finance the construction.

The Building Construction Fund – The purpose of this fund is to account for the construction of City facilities funded by General Obligation Bonds and Certificates of Obligation.

The Equipment Replacement Fund – The purpose of this fund is used to account for the purchase of capital equipment funded from the issuance of notes through the City of Mansfield Property Finance Authority Corporation or other sources.

The Park Construction Fund – The purpose of this fund is to account for the construction of City facilities funded by Mansfield Park Facilities Development Corporation Sales Tax Revenue Bonds.

Street Construction Fund	F	iscal 2022	Fi	scal 2021
<u>ASSETS</u>				
Cash And Investments	\$	22,654,615	\$	24,462,363
Receivables		£ <b>-</b>		-
Projects In Process		2 001 004		606.000
Current Year		2,001,894		686,089
Prior Year		12,689,757	-	10,890,226
Total Assets	\$	37,346,266	\$	36,038,678
LIABILITIES AND FUND BALANCES LIABILITIES: Accounts Payable Deposits Retainage Payable Other Liabilities	\$	55,418 538,694 151,201 - 745,313	\$	55,618 354,203 210,772
FUND BALANCES:		743,313		020,373
Fund Balance		34,875,197		33,411,130
Excess Revenues Over (Under)				
Expenditures		1,725,756	-	2,006,955
Total Fund Balance		36,600,953		35,418,085
Total Liabilities And Fund Balance	\$	37,346,266	\$	36,038,678

Street Construction Fund	FY22 MONTH TO DATE	FY21 MONTH TO DATE	FY22 YEAR TO DATE	FY21 YEAR TO DATE	
REVENUES:					
Recoveries	\$ -	\$ -	\$ -	\$ -	
Contributions	( <del>-</del>		*	*	
Intergovernmental	-		-		
Roadway Impact Fees	311,729	614,577	2,003,245	2,267,726	
Interest Income	0 <del>-</del>	261	893	3,387	
Total Revenues	311,729	614,838	2,004,138	2,271,113	
EXPENDITURES:					
Administrative	39,777	42,098	278,382	264,158	
Street Improvements					
Total Expenditures	39,777	42,098	278,382	264,158	
EXCESS OF REVENUES OVER(UNDER) EXPENDITURES	271,952	572,740	1,725,756	2,006,955	
OTHER FINANCING SOURCES (USES):					
Transfers	•	• *	· ·	<b>=</b> 0	
Bond Proceeds	2.5		*	-	
Bond Issuance Costs Premiums on Bond Issuance	: <b>-</b>		•		
Discounts on Bond Issuance	-	-	-	-	
Discounts on Bond Issuance				140	
Total Other Financing Sources (Uses)		<del></del>	-	-	
EXCESS (DEFICIENCY) OF REVENUES AND OTHER FINANCING SOURCES					
OVER (UNDER) EXPENDITURES AND OTHER USES	271,952	572,740	1,725,756	2,006,955	
FUND BALANCE, BEGINNING	36,329,001	34,845,345	34,875,197	33,411,130	
FUND BALANCE, ENDING	\$ 36,600,953	\$ 35,418,085	\$ 36,600,953	\$ 35,418,085	

<b>Building Construction Fund</b>	Fi	scal 2022		Fiscal 2021			
<u>ASSETS</u>							
Cash And Investments Construction in Progress	\$	16,061,256	\$	11,462,741			
Total Assets	\$	16,061,256	\$	11,462,741			
LIABILITIES AND FUND BALANCE							
LIABILITIES:							
Accounts Payable	\$	1,532	\$	5,967			
Due to Other Funds		822		<u>=</u> 9			
Retainage Payable	8	344,003	2	212,060			
Total Liabilities	N-	345,535		218,027			
FUND BALANCE:		17,693,965		13,760,605			
Excess Revenues Over (Under)							
Expenditures		(1,978,244)		(2,515,891)			
Total Fund Balance	la.	15,715,721		11,244,714			
Total Liabilities And Fund Balance	\$	16,061,256	\$	11,462,741			

Building Construction Fund	FY22 MONTH TO DATE	FY21 MONTH TO DATE	FY22 YEAR TO DATE	FY21 YEAR TO DATE	
REVENUES:					
Interest Income	\$ -	\$ 38	\$ 174	\$ 285	
Rental Of Facilities	-	-	-		
Contributions Miscellaneous Income	7,909	-	7 000	22.226	
Grant Revenue		-	7,909	22,236	
Total Revenues	7,909	38_	8,083	22,521	
EXPENDITURES:			860		
Administration	( <del>a</del>	33,887	-	33,887	
Library	195,679	5,745	634,942	38,570	
Fire Station #5	7,200	274,556	70,398	1,792,349	
Man House	10-	996	4,679	256,534	
Wayfinding	26,694	Service to the	84,328	4,905	
Police Station	66,750	72,915	381,300	370,353	
Tactical Training Facility	174,638	13,913	810,680	41,814	
Total Expenditures	470,961	402,012	1,986,327	2,538,412	
				€	
Excess Revenues Over (Under)	////2 052V	V401-054V	(1.050.211)	/2 *** OO!	
Expenditures	(463,052)	(401,974)	(1,978,244)	(2,515,891)	
OTHER FINANCING SOURCES (USES):					
Bond Proceeds		•	-	-	
Bond Issuance Costs	3€	i =	=	-	
Premiums on Bond Issuance	浸	-	-	· 0	
Discounts on Bond Issuance	d=				
Operating Transfer In (Out)			<u> </u>	<u>-</u>	
Total Other Financing Sources (Uses)	-	-	-		
EXCESS (DEFICIENCY) OF REVENUES					
AND OTHER FINANCING SOURCES					
OVER (UNDER) EXPENDITURES					
AND OTHER FINANCING USES	(463,052)	(401,974)	(1,978,244)	(2,515,891)	
FUND BALANCE, BEGINNING	16,178,773	11,646,688	17,693,965	13,760,605	
FUND BALANCE, ENDING	\$ 15,715,721	\$ 11,244,714	\$ 15,715,721	\$ 11,244,714	

Equipment Replacement Fund	Fi	scal 2022		Fiscal 2021			
<u>ASSETS</u>							
Cash And Investments	\$	428,131	\$	3,821,347			
Total Assets	\$	428,131	\$	3,821,347			
LIABIITIES AND FUND BALANCES							
LIABILITIES: Accounts Payable Retainage Payable	\$		\$	<u>.</u>			
Total Liabilities	\$		_\$_				
FUND BALANCE:		2,338,999		4,247,249			
Excess Revenues Over Expenditures		(1,910,868)		(425,902)			
Total Fund Balance		428,131		3,821,347			
Total Liabilities And Fund Balance	\$	428,131	\$	3,821,347			

Equipment Replacement Fund	FY22 MONTH TO DATE	FY21 MONTH TO DATE	FY22 YEAR TO DATE	FY21 YEAR TO DATE	
REVENUES:					
Contributions	\$ -	\$ -	\$ -	\$ -	
Grants	•	-	-		
Other Income	22,186	1,633	55,832	41,206	
Interest Income				1_	
Total Revenues	22,186	1,633	55,832	41,207	
EXPENDITURES:					
Administration	( <u>*</u>				
Information Services	562	•	67,945	40,655	
Code Enforcement		-		-	
Planning	60,545	15,070	224,167	43,830	
Streets	(E)	<b>=</b>	10,446	-	
Animal Control	-	**	24	66,345	
City Hall		3.00	21.010	170 526	
Parks Department		•	31,818	178,526 3,395	
Library Fire	5,043	15,588	1,359,159	22,518	
Police Department	78,250	68,049	273,165	226,490	
Total Expenditures	144,400	98,707	1,966,700	581,759	
•			•	•	
EVOESS (DEFICIENCY) OF					
EXCESS (DEFICIENCY) OF					
REVENUES OVER (UNDER) EXPENDITURES	(122,214)	(97,074)	(1,910,868)	(540,552)	
EXPENDITURES	(122,214)	(77,074)	(1,710,000)	(510,552)	
OTHER FINANCING SOURCES (USES):					
Bond Proceeds	-		<u> </u>	÷	
Bond Issuance Costs	-	_	-	-	
Premium on Bond Issuance	))=)	Х=	-	-	
Discounts on Bond Issuance				2	
Sale of city property Transfer In (Out)		-	-	114,650	
	-			8	
Total Other Financing Sources (Uses)	· · · · · · · · · · · · · · · · · · ·			114,650	
EXCESS (DEFICIENCY) OF REVENUES AND OTHER FINANCING SOURCES OVER					
(UNDER) EXPENDITURES AND OTHER FINANCING USES	(122,214)	(97,074)	(1,910,868)	(425,902)	
FUND BALANCE, BEGINNING	550,345	3,918,421	2,338,999	4,247,249	
FUND BALANCE, ENDING	\$ 428,131	\$ 3,821,347	\$ 428,131	\$ 3,821,347	

Parks Construction Fund	Fis	scal 2022	Fiscal 2021		
<u>ASSETS</u>					
Cash And Investments	\$		\$	65,924	
Total Assets	\$	<u>-</u> _	\$	65,924	
LIABILITIES AND FUND BALANCE					
LIABILITIES: Accounts Payable Retainage Payable	\$	226,795	\$	±	
Total Liabilities		226,795		-	
FUND BALANCE:		(116,948)		66,306	
Excess Revenues Over Expenditures		(109,847)		(382)	
Total Fund Balance		(226,795)		65,924	
Total Liabilities And Fund Balance	\$	-	\$	65,924	

Parks Construction Fund	FY22 MONTH TO DATE	FY21 MONTH TO DATE	FY22 YEAR TO DATE	FY21 YEAR TO DATE	
REVENUES:	s -	\$ -	\$ -	s -	
Contributions Recoveries	· -	<b>.</b>	• - -	<b>.</b>	
Interest Income		-	:-	- S <del>=</del>	
Total Revenues	-				
EXPENDITURES:					
Parks Administration Building	-	-	-	- 202	
Dog Park FieldHouse		56	56	382	
Matlock Community Park	-		-	- 	
Gertie Barrett Park	46,317		97,791		
Pond Branch	12,000	-	12,000		
Total Expenditures	58,317	56_	109,847	382	
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES	(58,317)	(56)	(109,847)	(382)	
OTHER FINANCING SOURCES (USES):					
Bond Proceeds	-		( <b>≌</b>	-	
Bond Issuance Costs Premiums on Bond Issuance	1 <del>=</del> 1		1.50 <u>-</u>		
Discounts on Bond Issuance		· ·	2		
Transfer In (out)	1-1	(#			
Total Other Financing Sources (Uses)	:				
EXCESS (DEFICIENCY) OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER					
FINANCING USES	(58,317)	(56)	(109,847)	(382)	
FUND BALANCE, BEGINNING	(168,478)	65,980	(116,948)	66,306	
FUND BALANCE, ENDING	\$ (226,795)	\$ 65,924	\$ (226,795)	\$ 65,924	

## ENTERPRISE FUNDS

The Enterprise Funds are used to account for the operations that are financed and operated in a manner similar to private business enterprises. The intent is that the cost of providing goods or services to the general public be financed or recovered primarily through user charges.

The Utility Fund – The purpose of this fund is to account for the activities of providing water and sewer services to the citizens of Mansfield, Texas.

The Drainage Utility Fund – The purpose of this fund is used to account for the revenues and expenditures for services related to the preparing of a master drainage plan.

Utility Fund	Fiscal 2022	Fiscal 2021
ASSETS		
Cash And Investments	\$ 29,613,874	\$ 26,078,362
Receivables:	22,013,074	20,076,302
Accounts (net of allowance of \$1,360,337)	3,218,410	4,414,148
Inventory	496,893	616,154
Restricted Assets: Cash and Investments	16,065,647	12,107,077
Fixed Assets (net of		
accumulated depreciation)	223,101,753	211,389,296
Total Assets	272,496,577	254,605,037
DEFERRED OUTFLOWS OF RESOURCES		
Deferred pension contributions	456,569	453,665
Deferred OPEB contributions	84,782	240,655
Deferred investment losses	-	43,398
Deferred accumption changes	866,023 - 47,163	1,091,859
Deferred assumption changes Deferred loss on refunding	2,265,334	28,656 2,434,143
Total deferred outflows of resources	3,719,871	4,292,376
Total Assets and Deferred Outflows of Resources	\$ 276,216,448	\$ 258,897,413
LIABILITIES		
Accounts Payable	\$ 48,820	\$ 14,511
Accrued Liabilities	193,447	\$ 14,511 181,621
Payable From Restricted Assets:		101,021
Deposits	1,751,057	1,638,838
Accrued Interest	188,481	239,312
Retainage Payable	499,793	728,750
From Unrestricted Assets:		
Current	3,806,836	3,461,961
Long-Term, Net	27,293,240	31,046,123
Compensated Absences	639,041	619,460
Net OPEB liability Total OPEB liability	1,681,547 165,767	4,675,403 118,618
Net pension liability	1,941,335	1,977,194
the employee and the property of the property		
Total Liabilities	38,209,364	44,701,791
DEFERRED INFLOWS OF RESOURCES		
Deferred assumption changes	75,422	108,403
Deferred investment gains	661,777	473,309
Deferred actuarial experience	70,470	*
Plan Change Total deferred inflows of resources	2,287,734 3,095,403	581,712
NET POSTION	3,073,403	361,712
Invested In Capital Assets (net of		
related debt)	194,267,012	179,315,354
Reserved for Debt Service	5,456,936	5,351,283
Reserved for Capital Projects	10,608,710	6,755,794
Unreserved	24,579,023	22,191,479
Total Net Positon	234,911,681	213,613,910
Total Liabilities, Deferred Inflows of		
Resources, and Net Position	\$ 276,216,448	\$ 258,897,413

Statement of Activites - Budget and Actual
For the Month and Six Months Ended March 31, 2022 and 2021 (Unaudited)

		For the M	1onth	and Six Mo	onth	s Ended Mar	ch 3	1, 2022 and 2	021 (	(Unaudited)			
Utility Fund		FY22 MONTH TO DATE		FY21 IONTH TO DATE		FY22 YEAR TO DATE		FY21 YEAR TO DATE		FY22 ORIGINAL BUDGET		FY22 POSITIVE (NEGATIVE) BUDGET	FY22 PERCENT COLLECTED TO BUDGET
OPERATING REVENUES:													
Water Service	\$	1,577,809	\$	1,560,631	\$	11,763,582	\$	10,337,068	S	22.216.266	•	(10.550.604)	
Sewer Service		1,011,205	7	1,059,567	9	6,900,975	Φ.		Þ	22,316,266	\$	(10,552,684)	52.71%
Water Penalties		50,599		1,039,307				6,641,188		13,519,835		(6,618,860)	51.04%
Water Taps		50,599		-		126,626		-		250,000		(123,374)	50.65%
Meter Set Fee		54,140		20.000		100.000				18,811		(18,811)	0.00%
Utility Miscellaneous				20,800		198,270		130,960		98,940		99,330	200.39%
- Salara de la marca de la marca de la companya del companya del companya de la c		3,020		12,812		29,949		42,146		60,000		(30,051)	49.92%
Restore Service Fee		8,347		405		20,085		2,378		90,000		(69,915)	22.32%
Sewer Tap						7		-		2,000		(2,000)	0.00%
Water Impact Fees		411,000		63,000		2,173,480		1,599,080		900,000		1,273,480	241.50%
Sewer Impact Fees		202,950		30,000		1,047,020		673,458		600,000		447,020	174.50%
Pretreatment Fees		41,249		-		203,076		72,770		60,000		143,076	338.46%
Other Income		7,795		11,677		97,667		160,586		189,123		(91,456)	51.64%
Contribution			-		_		(b)				_	X - 1, - 1	0.00%
Total Revenues	S	3,368,114	_\$	2,758,892	\$	22,560,730	_\$_	19,659,634	\$	38,104,975	\$	(15,544,245)	59.21%
OPERATING EXPENSES:													
		05.520		100 (00				10200000200					
Administration		95,528		128,688		658,392		634,491		1,517,105		858,713	43.40%
Billing And Collection		77,944		66,692		405,909		439,436		986,221		580,312	41.16%
Meter Reading/Repairs		100,758		73,346		572,813		513,110		1,216,799		643,986	47.08%
Water Distribution		87,950		77,274		482,744		390,631		1,137,244		654,500	42.45%
Wastewater Collection		1,285,679		769,563		5,148,415		4,250,891		9,251,077		4,102,662	55.65%
Water Treatment		928,255		899,070		5,223,723		4,753,363		10,591,924		5,368,201	49.32%
Water Quality		49,571		44,330		282,215		266,236		565,347		283,132	49.92%
Water Demand Management		10,817		10,082		71,136		58,732		160,543		89,407	44.31%
Depreciation		324,696		317,507		1,908,209		1,890,808	_			(1,908,209)	0.00%
Total Operating Expenses	_	2,961,198		2,386,552	_	14,753,556		13,197,698		25,426,260		10,672,704	58.02%
OPERATING INCOME (LOSS)		406,916		372,340		7,807,174		6,461,936		12,678,715		(4,871,541)	
NONOPERATING REVENUES (	EXPE	NSES):											
Non-Departmental		(96,103)		(101,688)		(662,514)		(503,212)		(6,671,154)		6,008,640	9.93%
Interest Revenue		(,,,,,,,		552		1,054		7,597		24,000			
Debt Service		(94,241)		(119,656)		(565,445)						(22,946)	4.39%
Bad Debt Expense		(>4,241)		(115,050)		(303,443)		(717,938)		(3,465,000)		2,899,555	16.32%
Dad Debt Lapense					_		_		_	(48,000)	_	48,000	0.00%
Net Nonoperating Revenues													
(Expenses)		(190,344)		(220,792)		(1,226,905)		(1,213,553)	_	(10,160,154)	_	8,933,249	12.08%
DICOME (LOSS) DEPODE													
INCOME (LOSS) BEFORE OPERATING TRANSFERS		216 572		151 540		( 590 3/0		5 240 202		2510561			201220
OFERATING TRANSFERS		216,572		151,548		6,580,269		5,248,383		2,518,561		4,061,708	261.27%
OPERATING TRANSFERS:													
Transfers In (Out)		- 2						(221.005)		(2.510.5(1)		2.510.561	0.000/
Net Operating Transfers	-				_			(331,095)		(2,518,561)	_	2,518,561	0.00%
Net Operating Transfers								(331,095)		(2,518,561)	-	2,518,561	0.00%
CHANGE IN NET POSITION		216,572		151,548		6,580,269		4,917,288				6,580,269	
										220.201.115		2,000,207	
NET POSITION, BEGINNING		234,695,109		213,462,362	_	228,331,412		208,696,622	_	228,331,412			
NET POSITON, ENDING	\$	234,911,681	\$	213,613,910	\$	234,911,681	\$	213,613,910	\$	228,331,412	\$	6,580,269	
741							_		=		=	0,000,207	

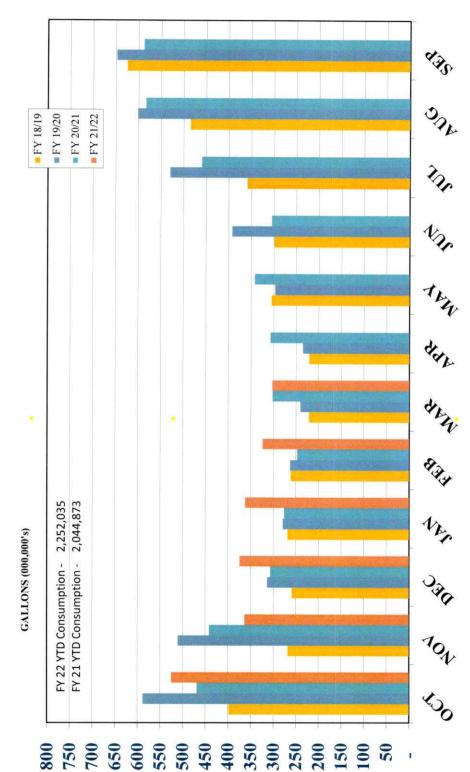
#### CITY OF MANSFIELD UTILITY FUND REVENUE BOND COVERAGE

#### **Definition of Bond Coverage:**

The ordinance authorizing the issuance of Water and Sewer System revenue bonds requires that the City establish a sinking fund (Revenue Bond Sinking and Reserve Fund) in an amount not less than the average annual requirement for the payment of principal and interest on all the revenue bonds. At September 30, 2021, the sinking fund balance was sufficient to satisfy such bond ordinance requirements. The bond ordinance also contains provisions which, among other items, restricts the issuance of additional revenue bonds unless the special funds noted above contain the required amounts and the pledged revenues are equal to or greater than 1.25 times the average annual debt service requirements after giving effect to the proposed additional bonds and any proposed rate increases. The bond ordinance also requires that the annual gross revenues of the Water and Sewer System, less annual operation and maintenance expenses (excluding depreciation and amortization expense), be at least 1.10 times the annual principal and interest requirements of all then outstanding revenue bonds. The governing body has adopted a resolution stating that they want a coverage factor in excess of 1.30. During 2021, the City achieved a 3.82 bond coverage ratio which exceeded the 1.10 required by the bond ordinance. For fiscal year 2022, the bond coverage ratio is projected at 3.67.

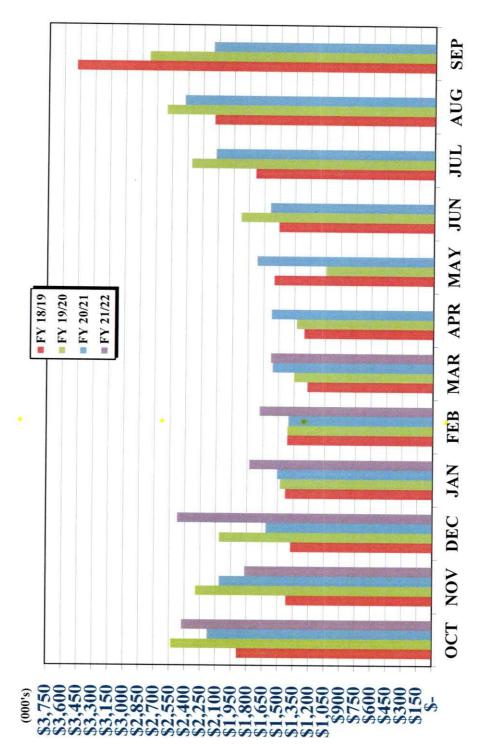


# CITY OF MANSFIELD WATER CONSUMPTION



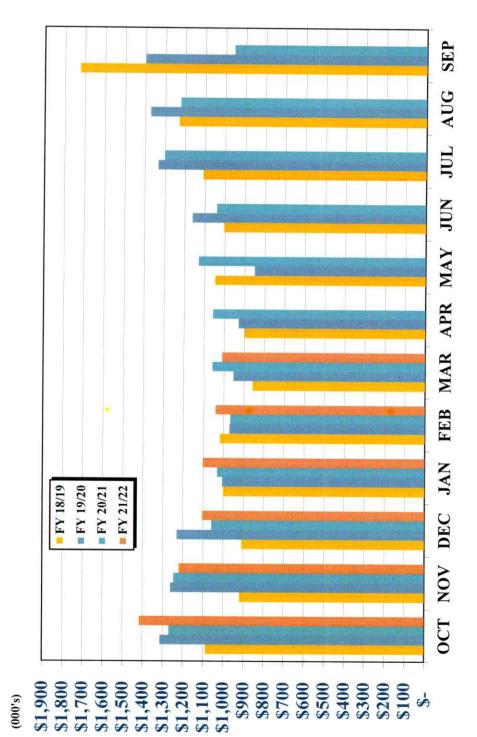


# CITY OF MANSFIELD UTILITY FUND - WATER SALES



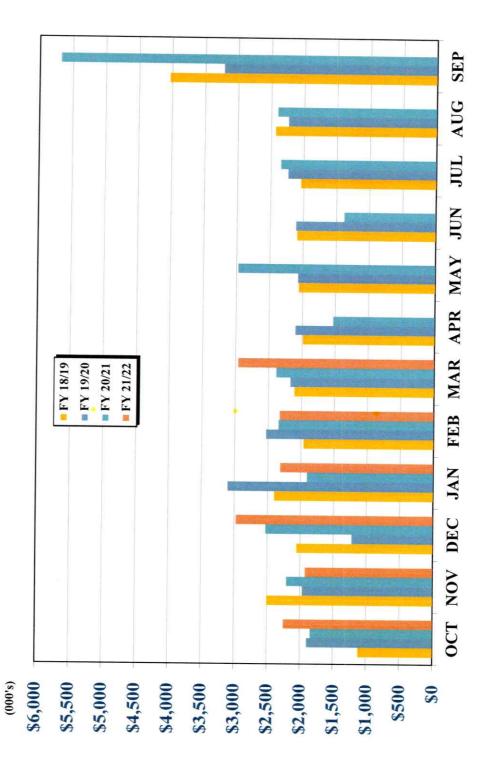


# CITY OF MANSFIELD UTILITY FUND - SEWER SERVICE





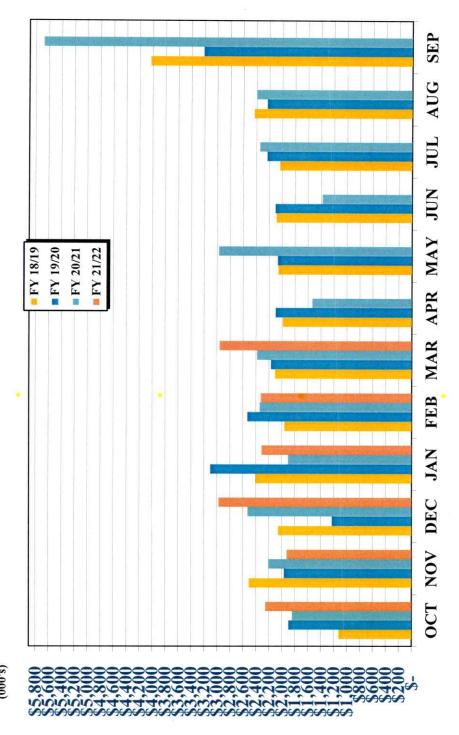
# CITY OF MANSFIELD UTILITY FUND - TOTAL REVENUES



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# CITY OF MANSFIELD UTILITY OPERATING EXPENDITURES



Drainage Utility Fund	Fiscal 2022	Fiscal 2021
<u>ASSETS</u>		
Cash And Investments	\$ 5,528,440	\$ 5,016,047
Accounts Receivable	228,713	288,589
Restricted Assets:		
Cash and Investments	299,929	293,960
Fixed Assets (Net of		
accumulated depreciation)	8,633,947	8,680,721
Total Assets	14,691,029	14,279,317
DEFERRED OUTFLOWS OF RESOURCES		
Deferred pension contributions	54,279	47,806
Deferred OPEB contributions	10,912	23,151
Deferred investment losses	***	4,167
Deferred assumption changes	5,626	3,020
Deferred actuarial experience	109,438	113,466
Deferred loss on refunding	71,480	95,307
Total deferred outflows of resources	251,735	286,917
Total Assets and Deferred Outflows of Resources	\$ 14,942,764	\$ 14,566,234
LIABILITIES		
Accounts Payable	\$ 4,460	\$ 2,092
Accrued Liabilities	78,935	57,335
Retainage Payable	9,261	5,126
Rand Davable	1,875,000	2,315,000
Accrued Interest Payable	11,118	13,292
Unamortized Discounts on Bonds	(14,363)	(18,334)
Unamortized Premiums on Bonds	16,662	23,134
Total OPEB liability	19,781	12,500
Net OPEB liability	217,226	448,915
Net pension liability	230,794	
Total Liabilities	2,448,874	208,350 3,067,410
Total Liabilities	2,440,074	3,007,410
DEFERRED INFLOWS OF RESOURCES		
Deferred assumption changes	9,616	10,611
Deferred investment gains	80,501	49,875
Deferred actuarial experience	8,526	6,017
Plan Changes	295,535	
Total deferred inflows of resources	394,178	66,503
NET POSITION		
Invested in Capital Assets (net of		
related debt)	6,521,461	6,456,827
Reserved for Debt Service	311,047	307,252
Unrestricted	5,267,204	4,668,242
Total Net Position	12,099,712	11,432,321
Total Liabilities, Deferred Inflows of		

Drainage Utility Fund	FY22 MONTH TO DATE	FY21 MONTH TO DATE	FY22 YEAR TO DATE	FY21 YEAR TO DATE
OPERATING REVENUES:				
Contributions	\$ -	\$ -	\$ -	\$ -
Licenses Fee-Gaswells/Pipelines Drainage Fee	-		100 mg	-
Diamage ree	231,364	222,881	1,379,265	1,345,225
Total Operating Revenues	231,364	222,881	1,379,265	1,345,225
OPERATING EXPENSES:				
Administration	74,322	59,320	155 (75	
General Maintenance	35,720	(222,992)	455,675 142,870	409,411
Depreciation	18,179	15,228	105,928	(2,738) 89,095
			100,720	89,093
Total Operating Expenses	128,221	(148,444)	704,473	495,768
OPERATING INCOME (LOSS)	103,143	371,325	674,792	849,457
NONOPERATING REVENUES (EXPENSES):				
Interest Revenue	2	18	45	22.5
Other Income	8,650	-	8,997	325
Amortization		1 <del>,</del> 0	5,277	2,464
Interest and fiscal charges	(5,559)	(6,646)	(35,046)	(41,566)
Net Nonoperating Revenue	3,091	(6,628)	(26,004)	(38,777)
INCOME (LOSS) BEFORE OPERATING		•	0.00	: •
TRANSFERS	106,234	364,697	648,788	810,680
OPERATING TRANSFERS				
Operating Transfers In	=	-	927	
Operating Transfers Out	<u> </u>	-		-
Net Operating Transfers	Ä1	-	-	
CHANGE IN NET POSITION	106,234	364,697	648,788	810,680
NET POSITION, BEGINNING	11,993,478	11,067,624	11,450,924	10,621,641
NET POSITION, ENDING	\$ 12,099,712	\$ 11,432,321	\$ 12,099,712	\$ 11,432,321

# CITY OF MANSFIELD, TEXAS SALES TAX COMPARISON INFORMATION

## GENERAL FUND YEAR TO DATE SALES TAX COMPARISON OCTOBER 2021 TO SEPTEMBER 2022

MONTH	FY21	FY22	DOLLAR VALUE INCREASE (DECREASE) FY 2021/2022	PERCENTAGE INCREASE (DECREASE) FY 2021/2022
OCTOBER	1,088,496.91	1,316,775.91	228,279.00	20.97%
NOVEMBER	1,419,747.37	1,635,390.33	215,642.96	15.19%
DECEMBER	1,137,620.48	1,341,435.44	203,814.96	17.92%
JANUARY	1,158,578.39	1,433,583.81	275,005.42	23.74%
FEBRUARY	1,595,982.42	1,842,127.98	246,145.56	15.42%
MARCH	1,112,384.55	1,281,261.21	168,876.66	15.18%
Subtotal	7,512,810.12	8,850,574.68	1,337,764.56	17.81%
APRIL		8	0.00	
MAY			0.00	
JUNE			0.00	
JULY			0.00	
AUGUST			0.00	
SEPTEMBER			0.00	
YTD TOTAL	7,512,810.12	8,850,574.68	1,337,764.56	17.81%
BUDGET		14,951,607.00		
OVER/(UNDER) BUDGET		(6,101,032.33)		

# MANSFIELD PARKS FACILITIES DEVELOPMENT CORP. YEAR TO DATE SALES TAX COMPARISON OCTOBER 2021 TO SEPTEMBER 2022

MONTH	FY21	FY22	DOLLAR VALUE INCREASE (DECREASE) FY 2021/2022	PERCENTAGE INCREASE (DECREASE)
Moniti	1121	F 1 2 2	F Y 2021/2022	FY 2021/2022
OCTOBER	544,248.46	658,387.96	114,139.50	20.97%
NOVEMBER	709,873.69	817,695.17	107,821.48	15.19%
DECEMBER	568,810.24	670,717.72	101,907.48	17.92%
JANUARY	579,289.19	716,791.90	137,502.71	23.74%
FEBRUARY	797,991.21	921,063.98	123,072.77	15.42%
MARCH	556,192.28	640,630.60	84,438.32	15.18%
Subtotal	3,756,405.07	4,425,287.33	668,882.26	17.81%
APRIL			0.00	
MAY			0.00	
JUNE			0.00	
JULY			0.00	
AUGUST			0.00	
SEPTEMBER			0.00	
YTD TOTAL	3,756,405.07	4,425,287.33	668,882.26	17.81%

# MANSFIELD ECONOMIC DEVELOPMENT CORP. YEAR TO DATE SALES TAX COMPARISON OCTOBER 2021 TO SEPTEMBER 2022

MONTH	FY21	FY22	DOLLAR VALUE INCREASE (DECREASE) FY 2021/2022	PERCENTAGE INCREASE (DECREASE) FY 2021/2022
OCTOBER	544,248.46	658,387.96	114,139.50	20.97%
NOVEMBER	709,873.69	817,695.16	107,821.47	15.19%
DECEMBER	568,810.24	670,712.72	101,902.48	17.92%
JANUARY	579,289.19	716,791.90	137,502.71	23.74%
FEBRUARY	797,991.21	921,063.99	123,072.78	15.42%
MARCH	556,192.28	640,630.60	84,438.32	15.18%
Subtotal	3,756,405.07	4,425,282.33	668,877.26	17.81%
APRIL			0.00	
MAY			0.00	
JUNE			0.00	
JULY			0.00	
AUGUST			0.00	
SEPTEMBER			0.00	
YTD TOTAL	3,756,405.07	4,425,282.33	668,877.26	17.81%

# $\begin{array}{c} {\sf GENERAL\ FUND} \\ {\sf MANSFIELD\ PARKS\ DEVELOPMENT\ CORP.} \\ {\sf AND} \end{array}$

# MANSFIELD ECONOMIC DEVELOPMENT CORP. COMBINED TOTAL YEAR TO DATE SALES TAX COMPARISON OCTOBER 2021 TO SEPTEMBER 2022

MONTH	FY21	FY22	DOLLAR VALUE INCREASE (DECREASE) FY 2021/2022	PERCENTAGE INCREASE (DECREASE) FY 2021/2022
OCTOBER	2,176,993.83	2,633,551.82	456,557.99	20.97%
NOVEMBER	2,839,494.75	3,270,780.66	431,285.91	15.19%
DECEMBER	2,275,240.96	2,682,870.88		
			407,629.92	17.92%
JANUARY	2,317,156.77	2,867,167.61	550,010.84	23.74%
FEBRUARY	3,191,964.84	3,684,255.95	492,291.11	15.42%
MARCH	2,224,769.10	2,562,522.41	337,753.31	15.18%
Subtotal	15,025,620.25	17,701,149.33	2,675,529.08	17.81%
APRIL			0.00	
MAY			0.00	
JUNE			0.00	
JULY			0.00	
AUGUST			0.00	
SEPTEMBER			0.00	;
YTD TOTAL	15,025,620.25	17,701,149.33	2,675,529.08	17.81%
BUDGET		29,903,214.00		
OVER/(UNDER) BUDGET		(12,202,064.67)		

SCHEDULE OF INVESTMENTS



# INVESTMENT OFFICERS' REPORT

This report is prepared in accordance with the Public funds Investment Act ("Act"), Chapter 2256 of Title 10 of the Government Code. This Act prescribes the investment of funds in the custody of a district or authority created under Article XVI, Section 59, of the Texas Constitution. Section 2256.023(a) of the Act states that "not less than quarterly the investment officers shall prepare and submit to the governing body of the entity a written report of investment transactions for all funds covered by this chapter for the preceding reporting period." This report covers the month of March for Fiscal Year 2022.

Bryan Rebel Investment Officer

City of Mansfield
Portfolio Holdings
Tracker Portfolio Set Up - by Issuer
Report Format: By Transaction
Group By: Issuer
Average By: Face Amount / Shares
Portfolio / Report Group: All Portfolios
As of 3/31/2022

Description	CUSIP/Ticker	Settlement Date	YTM @ Cost	Face Amount/Shares	Cost Value	Book Value	Madraty	Maturity	Days To		% of	Portfolio
AIM Invesco					Oost value	BOOK Value	Market Value	Date	Maturity	Interest	Portfolio	
AIM Invesco MM	AIM	9/30/1999	0.240	468,124.60	468,124.60	468,124.60	468,124.60	N/A	1		0.64	15 - Street
Sub Total / Average AIM Invesco			0.240	468,124.60	468,124.60	468,124.60	468,124.60		1	0.00	0.64	Construction
CLASS												
CLASS LGIP	CLASS	5/27/2021	0.286	3,260,173.55	3,260,173.55	3,260,173.55	3,260,173.55	N/A	1		4.45	110 - ARPA
Sub Total / Average CLASS			0.286	3,260,173.55	3,260,173.55	3,260,173.55	3,260,173.55		1	0.00	4.45	
Nations Fund	ls											
urius iviivi	MF0008	10/25/1999	0.126	152,228.46	152,228.46	152,228.46	152,228.46	N/A	1		0.21	39 - Economic Development
Nations Funds MM	MF0008	10/25/1999	0.126	445,662.40	445,662.40	445,662.40	445,662.40	N/A	1		0.61	10 - Debt Services
Nations Funds MM	MF0008	10/25/1999	0.126	606,918.33	606,918.33	606,918.33	606,918.33	N/A	1		0.83	24 - Mansfield Parks Land Dedication
Nations Funds MM	MF0008	10/25/1999	0.126	1,457,759.77	1,457,759.77	1,457,759.77	1,457,759.77	. N/A	1		1.99	28 - Utility Construction Fund 28
Vations Funds MM	MF0008	10/25/1999	0.126	2,292,727.31	2,292,727.31	2,292,727.31	2,292,727.31	N/A	1		3.13	23 - Mansfield Parks 1/2 Sales Tax
unas MM	MF0008	10/25/1999	0.126	26,605.66	26,605.66	26,605.66	26,605.66	N/A	1		0.04	06 - Tree Mitigation
unds MM	MF0008	10/25/1999	0.126	3,362,596.66	3,362,596.66	3,362,596.66	3,362,596.66	N/A	1			15 - Street Construction
unds MM	MF0008	10/25/1999	0.126	4,874,709.55	4,874,709.55	4,874,709.55	4,874,709.55	N/A	1			25 - Water & Sewer
lations unds MM	MF0008	10/25/1999	0.126	4,169,581.10	4,169,581.10	4,169,581.10	4,169,581.10	N/A	1			01 - General Fund
lations unds MM	MF0008	4/11/2012	0.126	3,009,831.82	3,009,831.82	3,009,831.82	3,009,831.82	N/A	1		4.10	27 - Revenue Bond Reserve
lations unds MM	MF0008	8/1/2016	0.126	1,542,617.18	1,542,617.18	1,542,617.18	1,542,617.18	N/A	1		2.10	86 - 2016 Streets Construction
lations unds MM	MF0008	8/1/2016	0.126	1,616,325.82	1,616,325.82	1,616,325.82	1,616,325.82	N/A	1			309 - Library Expansion
lations unds MM	MF0008	12/1/2017	0.126	25,967.75	25,967.75	25,967.75	25,967.75	N/A	1		0.04	87 - 2017 Streets Construction
lations unds MM	MF0008	7/2/2018	0.126	1,600,472.87	1,600,472.87	1,600,472.87	1,600,472.87	N/A	1			873 - MEDC Construction
ub Total / verage lations unds	9 A		0.126	25,184,004.68	25,184,004.68	25,184,004.68	25,184,004.68		1	0.00	34.34	
exStar .												28 - Utility
TexStar _GIP	TEXSTAR	11/2/2012	0.107	7,301,958.74	7,301,958.74	7,301,958.74	7,301,958.74	N/A	1			Construction Fund 28

More exis	CUSIP/Ticker	Settlemer Date	YTM nt @ Cost	Face Amount/Share	S Cost Value	Book Value	Market Value	Maturity Date	Days To Maturity	Accrued Interest	% of Portfoli	Portfolio o Name
TexStar LGIP	TEXSTAR	11/2/201	2 0.107	833,080.9	3 833,080.9	833,080.9	833,080.93	N/A	1		1.1	39 - 4 Economic Development
TexStar LGIP	TEXSTAR	11/2/201	2 0.107	2,442,396.8	7 2,442,396.8	7 2,442,396.8	7 2,442,396.87	N/A	1		3.3	23 - Mansfield Parks 1/2 Sales Tax
TexStar LGIP	TEXSTAR	11/2/2012	2 0.107	1,516,410.13	3 1,516,410.1	3 1,516,410.13	3 1,516,410.13	N/A	1		2.07	81 - Street Construction 2012 Issue
TexStar LGIP	TEXSTAR	11/2/2012	2 0.107	1,063,643.94	1,063,643.9	4 1,063,643.94	1,063,643.94	N/A	1		1.45	24 - Mansfield Parks Land
TexStar LGIP	TEXSTAR	11/2/2012	0.107	53,855.61	53,855.6	1 53,855.61	53,855.61	N/A	1		0.07	Dedication 10 - Debt Services
LOIF	TEXSTAR	11/2/2012	0.107	997,185.57	997,185.57	997,185.57	997,185.57	N/A	1		1.36	19 - Drainage
LGIP	TEXSTAR	11/2/2012	0.107	1,484,340.02	1,484,340.02	1,484,340.02	1,484,340.02	N/A	1		2.02	Utility Fund 50 - TIF
-011	TEXSTAR	11/2/2012	0.107	8,502,014.42	8,502,014.42	8,502,014.42	8,502,014.42	N/A	1		11.59	01 - General Fund
.011	TEXSTAR	11/2/2012	0.107	1,956,575.25	1,956,575.25	1,956,575.25	1,956,575.25	N/A	1		2.67	15 - Street Construction
exStar GIP exStar	TEXSTAR	11/2/2012	0.107	79,608.19	79,608.19	79,608.19	79,608.19	N/A	1		0.11	16 - Building Construction
.GIP exStar	TEXSTAR	11/2/2012	0.107	231,593.34	231,593.34	231,593.34	231,593.34	N/A	1		0.32	38 - MEDC I&S Fund
GIP	TEXSTAR	11/2/2012	0.107	11,279,558.55	11,279,558.55	11,279,558.55	11,279,558.55	N/A	1		15.38	25 - Water & Sewer
OII .	TEXSTAR	1/8/2014	0.107	4,838.27	4,838.27	4,838.27	4,838.27	N/A	1		0.01	22 - Equipment Replacement
exStar GIP	TEXSTAR	11/30/2014	0.107	583,312.20	583,312.20	583,312.20	583,312.20	N/A	1		0.80	08 - Hotel
exStar GIP T	TEXSTAR	8/31/2016	0.107	972,317.88	972,317.88	972,317.88	972,317.88	N/A	1			86 - 2016 Streets Construction
JIF .	EXSTAR	2/31/2017	0.107	3,436,644.07	3,436,644.07	3,436,644.07	3,436,644.07	N/A	1		4.69	87 - 2017 Streets Construction
3IP	EXSTAR	7/31/2018	0.107	1,688,626.09	1,688,626.09	1,688,626.09	1,688,626.09	N/A	1		2.30	873 - MEDC Construction
ub Total / verage exStar			0.107	44,427,960.07	44,427,960.07	44,427,960.07	44,427,960.07		1	0.00	60.58	
otal / verage			0.122	73,340,262.90	73,340,262.90	73,340,262.90	73,340,262.90			0.00	100	

City of Mansfield
Portfolio Holdings
Tracker Portfolio Set Up - by Portfolio (Fund)
Report Format: By Transaction
Group By: Portfolio Name
Average By: Face Amount / Shares
Portfolio / Report Group: All Portfolios
As of 3/31/2022

Description	CUSIP/Ticker	Security Type	Settlement Date	YTM @ Cost	Face Amount/Shares	Cost Value	Book Value	Market V-1	Maturity	Days To	Accrued	
01 - General	Fund					Yuluu	DOOR VAILE	Market Value	Date	Maturity	Interest	Portfol
Nations Funds MM	MF0008	Money Market	10/25/1999	0.126	4,169,581.10	4,169,581.10	4,169,581.10	4,169,581.10	N/A	1		5.69
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	8,502,014.42	8,502,014.42	8,502,014.42	8,502,014.42	N/A	1		11.59
Sub Total / Average 01 - General Fund				0.113	12,671,595.52	12,671,595.52	12,671,595.52	12,671,595.52		1	0.00	17.28
06 - Tree Mitig	gation											
Nations Funds MM	MF0008	Money Market	10/25/1999	0.126	26,605.66	26,605.66	26,605.66	26,605.66	N/A	1		0.04
Sub Total / Average 06 - Tree Mitigation		,		0.126	26,605.66	26,605.66	26,605.66	26,605.66		1	0.00	0.04
08 - Hotel												
TexStar LGIP	LACIAN	Local Government Investment Pool	11/30/2014	0.107	583,312.20	583,312.20	583,312.20	583,312.20	N/A	1		0.80
Sub Total / Average 08 - Hotel				0.107	583,312.20	583,312.20	583,312.20	583,312.20		1	0.00	0.80
10 - Debt Serv	ices											
Nations Funds MM		Money Market	10/25/1999	0.126	445,662.40	445,662.40	445,662.40	445,662.40	N/A	1		0.61
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	53,855.61	53,855.61	53,855.61	53,855.61	N/A	1		0.07
Sub Total / Average 10 - Debt Services	-			0.124	499,518.01	499,518.01	499,518.01	499,518.01		1	0.00	0.68
10 - ARPA												
CLASS LGIP	CLASS	Local Government Investment Pool	5/27/2021	0.286	3,260,173.55	3,260,173.55	3,260,173.55	3,260,173.55	N/A	1		4.45
Sub Total / Average 110 ARPA	-	-	•	0.286	3,260,173.55	3,260,173.55	3,260,173.55	3,260,173.55		1	0.00	4.45
F 644 6												
IS - Street Cor AIM Invesco MM	AIM	Money Market	9/30/1999	0.240	468,124.60	468,124.60	468,124.60	468,124.60	N/A	1		0.64
Nations Funds MM	ME0008	Monoy	10/25/1999	0.126	3,362,596.66	3,362,596.66	3,362,596.66	3,362,596.66	N/A	1		4.58
exStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	1,956,575.25	1,956,575.25	1,956,575.25	1,956,575.25	N/A	1		2.67
Sub Total / Average 15 - Street Construction				0.129	5,787,296.51	5,787,296.51	5,787,296.51	5,787,296.51		1	0.00	7.89

<sup>16 -</sup> Building Construction

Description	CUSIP/Ticker	Security Type	Settlement Date	YTM @ Cost	Face Amount/Shares	Cost Value	Book Value	Market Value	Maturity Date	Days To Maturity		% of Portfolio
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	79,608.19	79,608.19	79,608.19	79,608.19	N/A	1		0.11
Sub Total / Average 16 - Building Construction				0.107	79,608.19	79,608.19	79,608.19	79,608.19		1	0.00	0.11
19 - Drainage	Utility Fund											
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	997,185.57	997,185.57	997,185.57	997,185.57	N/A	1		1.36
Sub Total / Average 19 - Drainage Utility Fund				0.107	997,185.57	997,185.57	997,185.57	997,185.57		1	0.00	1.36
22 - Equipmer	nt Replacement	l										
TexStar LGIP	TEXSTAR	Local Government Investment Pool	1/8/2014	0.107	4,838.27	4,838.27	4,838.27	4,838.27	N/A	1		0.01
Sub Total / Average 22 - Equipment Replacement				0.107	4,838.27	4,838.27	4,838.27	4,838.27		1	0.00	0.01
23 - Mansfield	Parks 1/2 Sale	s Tax										
Nations Funds MM	MF0008	Money Market	10/25/1999	0.126	2,292,727.31	2,292,727.31	2,292,727.31	2,292,727.31	N/A	1		3.13
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	2,442,396.87	2,442,396.87	2,442,396.87	2,442,396.87	N/A	1		3.33
Sub Total / Average 23 - Mansfield Parks 1/2 Sales Tax				0.116	4,735,124.18	4,735,124.18	4,735,124.18	4,735,124.18		1	0.00	6.46
24 - Mansfield	Parks Land De	dication										
Nations Funds MM	MF0008	Money Market	10/25/1999	0.126	606,918.33	606,918.33	606,918.33	606,918.33	N/A	1		0.83
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	1,063,643.94	1,063,643.94	1,063,643.94	1,063,643.94	N/A	1		1.45
Sub Total / Average 24 - Mansfield Parks Land Dedication				0.114	1,670,562.27	1,670,562.27	1,670,562.27	1,670,562.27		1	0.00	2.28
25 - Water & S	ewer											
Nations Funds MM	MF0008	Money Market	10/25/1999	0.126	4,874,709.55	4,874,709.55	4,874,709.55	4,874,709.55	N/A	1		6.65
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	11,279,558.55	11,279,558.55	11,279,558.55	11,279,558.55	N/A	1		15.38
Sub Total / Average 25 - Water & Sewer				0.113	16,154,268.10	16,154,268.10	16,154,268.10	16,154,268.10		1	0.00	22.03
27 - Revenue I	Bond Reserve											
Nations Funds MM	MF0008	Money Market	4/11/2012	0.126	3,009,831.82	3,009,831.82	3,009,831.82	3,009,831.82	N/A	1		4.10
Sub Total / Average 27 - Revenue Bond Reserve				0.126	3,009,831.82	3,009,831.82	3,009,831.82	3,009,831.82	y .	1	0.00	4.10

Description	CUSIP/Ticker	Security Type	Settlement Date	YTM @ Cost	Face Amount/Shares	Cost Value	Book Value	Market Value	Maturity Date	Days To Maturity	Accrued Interest	% of Portfolio
Nations Funds MM	MF0008	Money Market	10/25/1999	0.126	1,457,759.77	1,457,759.77	1,457,759.77	1,457,759.77	N/A	1		1.99
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	7,301,958.74	7,301,958.74	7,301,958.74	7,301,958.74	N/A	1	V)	9.96
Sub Total / Average 28 - Utility Construction Fund 28				0.110	8,759,718.51	8,759,718.51	8,759,718.51	8,759,718.51		1	0.00	11.94
309 - Library	Expansion											
Nations Funds MM	MF0008	Money Market	8/1/2016	0.126	1,616,325.82	1,616,325.82	1,616,325.82	1,616,325.82	N/A	1		2.20
Sub Total / Average 309 - Library Expansion				0.126	1,616,325.82	1,616,325.82	1,616,325.82	1,616,325.82	<del></del> .	1	0.00	2.20
38 - MEDC I&S	S Fund											
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	231,593.34	231,593.34	231,593.34	231,593.34	N/A	1		0.32
Sub Total / Average 38 - MEDC I&S Fund		-		0.107	231,593.34	231,593.34	231,593.34	231,593.34		1	0.00	0.32
39 - Economic	Development											
Nations Funds MM	MF0008	Money Market	10/25/1999	0.126	152,228.46	152,228.46	152,228.46	152,228.46	N/A	1		0.21
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	833,080.93	833,080.93	833,080.93	833,080.93	N/A	1		1.14
Sub Total / Average 39 - Economic Development				0.110	985,309.39	985,309.39	985,309.39	985,309.39		1	0.00	1.34
50 - TIF												
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	1,484,340.02	1,484,340.02	1,484,340.02	1,484,340.02	N/A	1		2.02
Sub Total / Average 50 - TIF			***************************************	0.107	1,484,340.02	1,484,340.02	1,484,340.02	1,484,340.02	<del></del> -	1	0.00	2.02
31 - Street Cor	struction 2012	Issue										
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.107	1,516,410.13	1,516,410.13	1,516,410.13	1,516,410.13	N/A	1		2.07
Sub Total / Average 81 - Street Construction 2012 Issue				0.107	1,516,410.13	1,516,410.13	1,516,410.13	1,516,410.13		1	0.00	2.07
86 - 2016 Stree	ets Constructio	n										
Nations Funds MM	MF0008	Money Market	8/1/2016	0.126	1,542,617.18	1,542,617.18	1,542,617.18	1,542,617.18	N/A	1		2.10
TexStar LGIP	TEXSTAR	Local Government Investment Pool	8/31/2016	0.107	972,317.88	972,317.88	972,317.88	972,317.88	N/A	1		1.33
Sub Total / Average 86 - 2016 Streets Construction				0.119	2,514,935.06	2,514,935.06	2,514,935.06	2,514,935.06		1	0.00	3.43
87 - 2017 Stree	ets Constructio	n										
Nations Funds MM	MF0008	Money Market	12/1/2017	0.126	25,967.75	25,967.75	25,967.75	25,967.75	N/A	1		0.04

Description	CUSIP/Ticker	Security Type	Settlement Date	YTM @ Cost	Face Amount/Shares	Cost Value	Book Value	Market Value	Maturity Date	Days To Maturity	Accrued Interest	% of Portfolio
TexStar LGIP	TEXSTAR	Local Government Investment Pool	12/31/2017	0.107	3,436,644.07	3,436,644.07	3,436,644.07	3,436,644.07	N/A	1		4.69
Sub Total / Average 87 - 2017 Streets Construction				0.107	3,462,611.82	3,462,611.82	3,462,611.82	3,462,611.82	}	1	0.00	4.72
873 - MEDC C	onstruction											
Nations Funds MM	MF0008	Money Market	7/2/2018	0.126	1,600,472.87	1,600,472.87	1,600,472.87	1,600,472.87	N/A	1		2.18
TexStar LGIP	TEXSTAR	Local Government Investment Pool	7/31/2018	0.107	1,688,626.09	1,688,626.09	1,688,626.09	1,688,626.09	N/A	1		2.30
Sub Total / Average 873 - MEDC Construction				0.116	3,289,098.96	3,289,098.96	3,289,098.96	3,289,098.96		1	0.00	4.48
Total / Average				0.122	73,340,262.90	73,340,262.90	73,340,262.90	73,340,262.90	—	1	0.00	100



# CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

#### **STAFF REPORT**

File Number: 22-4635

Agenda Date: 4/25/2022 Version: 1 Status: Consent

In Control: City Council File Type: Ordinance

#### Agenda Number:

Title

Consideration and Approval of an Ordinance to Adopt a Proposed Modification to the Mansfield Code of Ordinances Chapter 94 "Food Establishment Regulations"

#### Requested Action

Approval of Proposed Ordinance Amendments.

#### Recommendation

Approval of Proposed Ordinance Amendments.

#### Description/History

In November 2021 the City Council approved the replacement of Chapter 94 "Food Establishments" in order to establish the City of Mansfield Health Inspections Program. As the city has experienced growth and expansion of its commercial food establishments, it was important to create programs that ensure quality maintenance, upkeep, and sanitation is considered. The food establishment standards, registration, and inspection requirements found within this ordinance protects the public health and safety of residents and visitors to food establishments within the City of Mansfield.

#### Justification

The proposed ordinance revisions allow for improvements in definitions, minimum standards for operation, and providing for more detail in outlined processes.

Funding Source

N/A

Prepared By Nicolette Ricciuti, Strategic Initiatives Officer Department of Regulatory Compliance

OKDINANCE NO.	ORDINANCE NO.	
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AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS MODIFING CHAPTER 94, "FOOD ESTABLISHMENT REGULATIONS," PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR THE PUBLICATION AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, the City of Mansfield ("City") is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and,

**WHEREAS**, the City terminated an inspection agreement with Tarrant County, wherein Tarrant Country provided health and swimming pool inspection services; and,

**WHEREAS**, the termination of the agreement necessitated updating several sections of the City's Code of Ordinances to reflect this change in inspection entity, in order to provide fair notice to persons needing premises inspections; and,

**WHEREAS**, the City's previously adopted Food Establishment Regulations were adopted in 2014 and drafted to reflect Tarrant County's enforcement, the City now required Food Establishment regulations intended to be enforced by the City, and drafted to reflect the City's current needs; and,

**WHEREAS**, this Chapter 94 was repealed and replaced in 2022 and additional amendments must be made to reflect the current state of the law and best practices; and,

**WHEREAS**, the City Council believes that it is in the best interests of the public and the City to facilitate the efforts to update the Code of Ordinances of the City to reflect this change by passage of this Ordinance.

# NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:

## **SECTION 1.**

All of the declarations and findings contained in the preambles of this Ordinance are made a part hereof and shall be fully effective as a part of the ordained subject matter of this Ordinance.

#### **SECTION 2.**

The Code of Ordinances of the City of Mansfield, Chapter 94 "Food Establishment Regulations," is hereby amended and replaced with the text of Chapter 94 attached herein as Exhibit A.

#### **SECTION 3.**

Ordinance No 22-4635 Page 2 of 2
All ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.
SECTION 4.
Should any paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.
SECTION 5.
Any person, firm, corporation, agent, or employee thereof who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand and No/100 Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.
SECTION 6.
The City Secretary of the City of Mansfield is hereby directed to publish this Ordinance to the extent required by law.
SECTION 7.
This Ordinance shall take effect immediately upon and after its passage and the publication of the caption and penalty clause, as the law and charter in such cases provide.
DULY PASSED ON THE FIRST AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS $25^{\rm TH}$ DAY OF APRIL, 2022.
Michael Evans, Mayor  ATTEST:
Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Allen Taylor, City Attorney

# **EXHIBIT A**

#### **Chapter 94 FOOD ESTABLISHMENT REGULATIONS**

#### Sec. 94.01 Adoption of state rules on food service sanitation.

The City of Mansfield hereby adopts by reference the provisions of the current Texas Food Establishment Rules (TFER) set forth in 25 Texas Administrative Code Chapter 228, as amended, which establish regulations regarding food, food establishments, mobile food units, food trucks and temporary food establishments, save and except the deletions and additions set forth below. The TFER are made part of this chapter as if fully set forth herein. Copies of the TFER are on file in the office of the city secretary, being marked and designated as the TFER, published by the Texas Department of State Health Services.

#### Sec. 94.02 Definitions.

For the purpose of this chapter, the following terms shall have the meaning given below:

Approved. Acceptable to the Regulatory Authority, as hereinafter defined, based on a determination of conformity with principles, practices, and generally recognized standards that protect public health.

Authorized Representative. The City of Mansfield Manager of Regulatory Compliance Department, or his/her authorized designee.

Central preparation facility. A facility used in conjunction with a Mobile Food Vendor in which:

- (1) Food is prepared, stored, and/or wrapped;
- (2) Fresh water and ice are supplied;
- (3) The Mobile Food Vendor's waste water is emptied into a proper waste disposal system; and/or
- (4) The Mobile Food Vendor is cleaned, including washing, rinsing, and sanitizing of those food-contact surfaces or items not capable of being immersed in a utensil-washing sink located in the Mobile Food Vendor.

Certified Food Protection Manager. An individual that has obtained certification by successfully completing and passing a Texas Department of State Health Services (DSHS) approved Certified Food Manager Training Program.

Certificate of Registration. The Regulatory Authority shall issue a Certificate of Registration to any person who submits the required application, remits the registration fee, and provides evidence of being a Certified Food Protection Manager who has shown proficiency of required information through the successful completion of an accredited program as required by the City of Mansfield Code of Ordinances.

*City Manager*. The City Manager of the City of Mansfield, Texas, or the duly authorized designee of the City Manager of the City of Mansfield Texas.

Concession Stand. A Food Establishment operated on a seasonal basis for the purpose of providing food at sporting events associated with an independent school district, City of Mansfield, privately owned school, university, or community college.

Core Item shall mean a provision of Chapter 15 of the Texas Administrative Code or this Chapter that is not designated as a Priority item or a Priority Foundation item and includes an item that usually relates to general sanitation, operation controls, sanitation operating procedures, facilities or structures, equipment design, or general maintenance.

Cottage Food Production Operation. An individual operating out of the individual's residence in which they produce Cottage Food.

Cottage Food. Cottage Foods are foods produced by a Cottage Food Production Operation as defined by 25 Texas Administrative Code §229.661(b)(3). Demonstration. The preparation of food as an example, sample, instruction, or for marketing purposes at an event, including but not limited to, a farmer's market, fair, restaurant food show, or similar event.

Farmer's Market. An area at which two (2) or more vendors offer produce and other agricultural products for retail sale, sample, or consumption. It shall not include stands that only sell whole, uncut produce.

Farmer's Market Vendor. Any person who offers or sells produce or other agricultural products at a Farmer's Market.

*Food.* A raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption, to also specifically include chewing gum.

*Food Establishment.* An operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption.

Food establishment—Grocery. Any retail food establishment that sells fresh produce, fresh meats, or fresh seafood for either on-premise or off-premise consumption.

Food establishment—Restaurant. A retail food establishment that prepares and/or sells food for either on-premise or off-premise consumption.

Food establishment—Convenience. A retail food establishment that sells a limited selection of foods, not to include fresh produce, fresh meats, or fresh seafood, exclusively for off-premise consumption. Any food establishment with a seating area accessible to the general public that contains at least one table and/or one chair is presumed to prepare foods for on-premise consumption.

Food establishment—To-go. A retail food establishment that prepares and/or sells food exclusively for off-premise consumption. Any food establishment with a seating area accessible to the general public that contains at least one table and/or one chair is presumed to prepare foods for on-premise consumption.

Food Handler. An individual working with unpackaged food, food equipment or utensils, or food-contact surfaces. Imminent Health Hazard. A significant threat or danger to health due to a practice, circumstance, or event which creates a situation that would likely lead to injury or a food borne illness, as determined by the Regulatory Authority, as hereinafter defined. Imminent Health Hazards include but are not limited to lack of hot water, no electrical power, sewage back up, no water service, rodent or insect infestation as determined by the Regulatory Authority, or a Food Establishment receives a score of 69 or below during an inspection.

Inspector. A person conducting inspections of Food Establishments as a representative of the Regulatory Authority, as defined herein. *Mobile Food Vendor*. A vehicle mounted, self-contained Food Establishment, designed to be readily moveable and used to store, prepare, display, serve or sell food.

Mobile Food Vendors must completely maintain their mobility at all times. Notwithstanding, a Mobile Food Vendor shall also refer to "food trucks, hot trucks, cold trucks, and ice cream trucks."

*NSF-approved.* Shall mean that an independent, third-party organization, such as the National Sanitation Foundation, has determined that the equipment or product complies with the relevant standards and/or protocol set by said organization.

*Person in charge (PIC).* The person present at a Food Establishment at the time of the inspection who is responsible for the Food Establishment's operations.

*Priority Item.* shall mean application of a provision of Chapter 15 of the Texas Administrative Code or this Chapter that contributes directly to the elimination, prevention, or reduction of hazards associated with food borne illness or injury to an acceptable level. This term shall include items with a quantifiable measurement to show control of hazards, including but not limited to cooking, reheating, cooling, and handwashing.

Priority Foundation Item. shall mean application of a provision of Chapter 15 of the Texas Administrative Code or this Chapter that supports, facilitates, or enables one or more Priority Items. This term shall include an item that requires the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury..

Registered Certified Food Protection Manager. A Certified Food Protection Manager who has registered with the City of Mansfield Regulatory Compliance Department and has received a Certificate of Registration from the Department.

Regulatory Authority. The City of Mansfield or its authorized designee.

Sampling. Means the preparation of food as an example, instruction, or for marketing purposes at an event including, but not limited to, a Farmer's Market, fair, restaurant food show or other similar event that is served, sold, or otherwise offered for human consumption.

Seasonal Food Establishment. A food service establishment that operates at a fixed location for a period greater than 14 consecutive days, but not less than 365 days, and is restricted to limited food preparation, unless approved by the Regulatory Authority.

*Snow Cone Stand.* A seasonal operation that prepares and sells chipped or shaved ice and flavored syrup treats to the public for off-site consumption, and may sell prepackaged TCS-foods.

*Temporary Food Establishment.* A Food Establishment operated for a temporary event not to exceed 14 consecutive days.

Time as a Public Health Control. Using time only to monitor food instead of temperature.

*Time/temperature controlled for safety food (TCS Food).* A food that requires time/temperature control for safety to limit pathogenic microorganism growth or toxin formation.

#### Sec. 94.03 Regulations, permits, and preoperational inspections.

(a) It shall be unlawful for any person to operate a Food Establishment within the City limits without having been issued a valid Food Establishment permit, the fee for which is based on the type of Food Establishment being operated, as set forth in the City of Mansfield Regulatory Compliance Department Fee Schedule. Only a person who complies with the requirements in this chapter shall

be entitled to receive or retain a permit, and notwithstanding the fact that all inspections necessary for obtaining a Food Establishment permit have been completed, such permit shall not be issued until after the building or suite in which the establishment is to be located has been issued a certificate of occupancy by the city. Permits are not transferable from one person, place or entity to another person, place, or entity. A valid permit shall be posted in or on a conspicuous place of every Food Establishment in public view. Permits shall remain in effect until the last day of the month of issuance unless sooner revoked for cause, or as otherwise provided herein.

- (b) A Temporary Food Establishment may apply for a Temporary Food Establishment permit, which shall be in effect for a period of time not to exceed 14 consecutive days, in conjunction with an approved special event.
- (c) Mobile Food Vendors shall be considered Food Establishments and shall comply with all pertinent regulations contained herein, including obtaining an annual Mobile Food Vendor permit. Mobile Food Vendors shall operate from a central preparation facility or other permitted Food Establishment and shall report to such location daily for supplies and for cleaning and servicing operations. Use of a private residence as a central preparation facility is prohibited. Mobile Food Vendor applications must provide a valid driver's license, proof of insurance for the Mobile Food Unit, notarized central preparation facility letter, and the latest central preparation facility inspection report from the Regulatory Authority. Mobile Food Vendors must be inspected by the Health Inspector before selling food at any event or any location.
- (d) A Temporary Food Establishment operated by or solely for the benefit of a nonprofit organization is exempt from the permit fee requirement. However, such Food Fstablishment is not exempt from the remaining permit requirements of this chapter, or from compliance with the rules.
- (e) A Farmer's Market Permit shall be issued upon receipt of such an application, remittance of fees, and completion of an inspection performed by the Regulatory Authority of the establishment to determine compliance with the provisions of this ordinance. When inspection reveals that the applicable requirements of this article have been met, a permit shall be issued to the applicant by the Regulatory Authority.
- (f) Any person desiring to operate a Food Establishment shall make application for a permit through the City of Mansfield Regulatory Compliance Department. The application shall include the name and address of each applicant and the location and type of Food Establishment. An application for a Temporary Food Establishment shall include the inclusive dates of the proposed Temporary Food Establishment and the location of the event. Applications for a Temporary Food Establishment shall be submitted no later than seven days prior to the event.
- (g) The application shall be accompanied by a nonrefundable permit fee, as set forth in the City of Mansfield Regulatory Compliance Department fee schedule, on file and available for inspection in the office of the city secretary.
- (h) The Mansfield Independent School District shall be exempt from the permit fee.
- (i) Every permit holder or PIC shall at all times have available on the premises for inspection the Registered and Certified Food Manager certificate and Food Handler certificates for all employees of the Food Establishment.

- (j) A Food Establishment permit that lapses for non-payment of the annual Food Establishment permit fee will be reinstated upon payment of a reinstatement fee, excluding permits lapsed for more than three months may not be reinstated without the appropriate plan review application, plan review fee, and Food Establishment permit fee.
- (k) Whenever a Food Establishment is constructed or extensively remodeled, and whenever an existing structure is converted to use as a Food Establishment, or a change of ownership occurs, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the Regulatory Authority for review and approval before construction, remodeling or conversion is commenced. The plans and specifications shall include a proposed menu, proposed layout, equipment arrangement, mechanical plans, and construction materials of work areas, finish schedules and the type and model of proposed fixed equipment and facilities. No Food Establishment shall be constructed, extensively remodeled, or converted except in accordance with said approved plans and specifications. Plans shall be submitted to the Building Safety Department using the city's self-service portal. Deviation from the approved plans and specifications shall result in a food establishment permit denial, suspension, or revocation.
- (I) If a Food Establishment is required to install a grease trap or grease interceptor, the trap or interceptor shall be located outside. A variance to this requirement may be granted to a Food Establishment located in the Historic Downtown District. A licensed professional engineer will be responsible for determining the size of the grease trap to be installed to service a food establishment.
- (m) The provisions in 25 Tex. Admin Code §228.106(x) relative to food equipment acceptability, certification and classification is amended to read: "Food equipment that is certified or classified for sanitation by the National Sanitation Foundation (NSF) or the American National Standards Institute (ANSI) will be deemed to comply with §§228.101-228.106 of this Title." Equipment labeled "for household use only" shall not be used in a food service establishment.

#### Sec. 94.04 Inspections and Posting of Scores.

- (a) The Regulatory Authority shall inspect the Food Establishment prior to the issuance of the Food Establishment permit to determine compliance with any approved plans and specifications, compliance with other requirements of this chapter and shall determine whether a certificate of occupancy has been issued for the building in which the establishment is to be located. Upon making such findings, the Regulatory Authority may issue a Food Establishment permit, subject to annual renewal, continued compliance with the provisions of this chapter, and the existence of a valid certificate of occupancy for the building in which the establishment is located.
- (b) The Regulatory Authority shall inspect a Food Establishment at a frequency which is determined by a prioritization schedule based upon assessment of the Food Establishment's history of compliance and potential risk factors of causing foodborne illness according to 25 Tex. Admin Code §228.244, as amended, and evaluated by the Regulatory Authority.
- (c) The manager or his/her designee shall classify Food Establishments as high, medium, or low priority, according to risk factors deemed relevant to the operation by 25 Tex. Admin Code §228.244, as amended. High priority and medium priority establishments must be inspected at a minimum of twice per year. Low priority establishments must be inspected at least once per year.

- (d) Inspection frequency of a Food Establishments may be increased, at the Regulatory Authority's discretion, and as often as necessary for the enforcement of this article and for any conditions listed in this article such as:
  - (1) Prior nonconformance with this chapter or with state or federal regulations, including Priority Items or Priority Foundation Items, as defined in 25 Tex. Admin Code §228.2;
  - (2) Prior violations of this chapter or with state or federal requirements, including Core Items as defined in 25 Tex. Admin Code §228.2;
  - (3) Prior complaints investigated and found to be valid by the Regulatory Authority;
  - (4) Hazards associated with the particular foods that are prepared, stored, or served at the Food Establishment;
  - (5) The type of operations, including the methods and extent of food storage, preparation, and service;
  - (6) If the primary population served is a highly susceptible population; and
  - (7) Any other risk factors deemed relevant to the operation by the regulatory authority.
- (e) Food Establishments shall receive a deduction of 3 to 4 points for each violation of a Priority Item, deduction of 2 points for each violation of a Priority Foundation Item, and deduction of 1 point for each violation of a Core Item, as defined by this ordinance, as found by an inspector during an inspection.
  - (i) Food Establishments that score between 71 to 79 points will be inspected quarterly until three (3) consecutive inspections in which a score of 85 points are more is met.
  - (ii) Food Establishments that score 70 points or less are inspected one time per month for three (3) consecutive months. During these consecutive monthly inspections, a reinspection fee will be paid for each inspection. The Food Establishment must attain a score of 80 points or more in each consecutive inspection.
  - (iii) Food Establishments that score 69 points or less shall constitute an Imminent Health Hazard and the Food Establishment shall immediately cease operations and remain closed until the Regulatory Authority conducts a reinspection. The inspector who documents the violation shall provide his/her cell phone number and his/her supervisor's cell number to coordinate a re-inspection over the weekend, if necessary, but in no event shall a reinspection occur later than the next business day, unless conditions exist that make re-inspection not feasible. Inspections on the weekend for closure will be considered an emergency inspection. The inspector shall endeavor to perform a reinspection as soon as possible. It shall be the responsibility of the permit holder to contact the Regulatory Authority at the provided phone numbers and schedule a reinspection and pay the reinspection fee prior to the reinspection being conducted. The Food Establishment shall remain closed until a reinspection of the Food Establishment results in a score of 80 points or more.
  - (iv) If, during a routine inspection, immediate correction of a Priority Foundation Item violation, as defined by this ordinance, is not achieved, the Regulatory Authority shall verify correction of the violation within 10 calendar days. If said Priority Foundation

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Item violation is not corrected during the initial inspection and a reinspection must be performed within the following 10 calendar days, the permit holder will be subject to a reinspection fee as set forth in the City of Mansfield Regulatory Compliance fee schedule and shall be assessed prior to the inspection.

- (f) Based upon the scoring process outlined in 94.04(e) a letter grade for each Food Establishment shall be determined by the Regulatory Authority. The grade of each Food Establishment shall be evidenced by the posting of an inspection card as outlined in the <u>attached exhibit</u>.
  - (i) Grade cards shall be provided by the Department of Regulatory Compliance and shall be posted in a conspicuous place, so as to be clearly visible to the general public and to the patrons entering the Food Establishment.
    - a. Grade cards shall be posted in a location as directed and determined at the discretion of the Regulatory Authority to ensure proper notice to the general public and to patrons.
    - b. In the event that a Food Establishment is operated in the same building or space as a separately licensed or permitted business, or in the event that a Food Establishment shares a common patron entrance with such a separately licensed or permitted business, or in the event of both, the Regulatory Authority shall post the letter grade card in the initial patron contact area, or in a location determined at the discretion of the Regulatory Authority.
    - c. The grade card shall not be altered, defaced, marred, camouflaged, hidden or removed. It shall be unlawful to operate a Food Establishment unless the letter grade card is in place as set forth in this ordinance. Removal or alteration of the letter grade card is a violation of this article and may result in the suspension or revocation of the Food Establishment permit.
    - d. In the event the grade card is lost or stolen, it is the responsibility of the owner and/or manager to notify the Regulatory Authority for a replacement card.
    - e. In the event the Food Establishment is closed by the Regulatory Authority, the grade card shall be removed from view and replaced with a sign, provided by the Regulatory Authority, advising the public of the closure. The sign must remain visible until such time the Regulatory Authority allows the reopening to occur.
- (g) Denial of access by a Food Establishment to the Regulatory Authority shall be cause for suspension or revocation of the Food Establishment's permit.

#### Sec. 94.05 Competency of Inspectors.

- (a) All inspectors shall be a registered professional sanitarian or a sanitarian-in-training in Texas.
- (b) Inspectors shall remain proficient and knowledgeable of current ordinances and professional standards.

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### Sec. 94.06 Certified Food Protection Manager and Food Handler requirements.

- (a) There shall be a Certified Food Protection Manger on each shift and available for food service workers that may have questions about food service operations at each permitted Food Establishment. Certification must be obtained by passing an examination approved by the Texas Department of State Health Services and the Regulatory Authority. Temporary Food Establishments and Food Establishments that serve, sell, or distribute only prepackaged, non-time and temperature controlled for safety foods and beverages are exempt from this section.
- (b) A Certified Food Protection Manager is required for each section of each Food Establishment. The Regulatory Authority may require additional Certified Food Protection Managers in sufficient number to ensure that all areas of food preparation and food service are under the direction of such certified personnel.
- (c) Upon termination or transfer of a Certified Food Protection Manager, the Food Establishment shall employ another Certified Food Protection Manager within 30 days of such termination or transfer.
- (d) All food employees shall be required to successfully complete a Food Handler class approved by the Texas Department of State Health Services within 30 days of hire.
- (e) Temporary Food Establishments, Concession Stands, and Snow Cone Stands must have at least one Certified Food Handler on duty during all hours of operation. A Food Handler certificate must be submitted to the Regulatory Authority upon submission of the Temporary Food Establishment permit application.
- (f) A permitted Food Establishment that handles only pre-packaged food and does not prepare or package food is only required to obtain a Food Handler certification. One Certified Food Handler per Food Establishment must be on duty at all times during business hours, to meet the intent of safe food practices of this chapter.
- (g) In the event of a change of ownership of a Food Establishment, the new owner/operator of a Food Establishment shall provide proof to the Regulatory Authority that the appropriate number of Certified Food Protection Managers will be on duty within 30 days of the change of ownership.
- (h) A Food Establishment shall provide proof of Food Protection Manager certification to the Regulatory Authority prior to being issued a Food Establishment permit.
- (i) All Certified Food Protection Managers must register with the City of Mansfield Regulatory Compliance Department and receive a Certificate of Registration.
- (j) A Certificate of Registration, unless otherwise revoked by the Regulatory Authority, expires on the same expiration date listed on the approved Food Protection Manager Certificate. Certificates of Registration are non-transferable.
- (k) A Food Establishment shall, within 30 days of the effective date of resignation, termination, or permanent transfer of any previously Registered Certified Food Protection Manager, shall employ another Registered Certified Food Protection Manager. The City of Mansfield authorized representative shall have the discretion to grant an extension of time to obtain a new Registered Certified Food Protection Manager upon a written, printed, or electronic request.
- (I) The Certificate of Registration must be displayed in a conspicuous place.

#### Sec. 94.07 Employee health.

(a) Responsibility of permit holder, PIC, and Food Handlers. The permit holder shall require Food Handlers to report to the PIC, information about their health and activities as they relate to diseases that are transmittable through food. A Food Handler shall report the information in a manner that allows the PIC to reduce the risk of foodborne disease transmission, such as the date of onset of symptoms and an illness, or diagnosis of a communicable disease by a medical professional.

#### Sec. 94.08 Time as a Public Health Control.

A Food Establishment that uses Time as a Public Health Control shall submit written procedures on a form provided by the Regulatory Authority before using such control.

#### Sec. 94.09 Hair restraints.

- (a) Except as provided in subsection 94.09(b) herein, all Food Handlers, regardless of title, position, or establishment's own policy, shall wear hair restraints such as hats, visors, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.
- (b) This section does not apply to Food Handlers such as counter staff who only serve wrapped or packaged foods or beverages, bartenders, hostesses and wait staff if they present minimal risk of contaminating exposed food, clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.
- (c) If during the process of conducting an inspection, an inspector observes a Food Handler wear a hair restraint in an ineffective manner, the food employee will be asked to provide an effective means to restrain their hair from food and the violation will be noted on the inspection.

#### Sec. 94.10 Physical facilities.

- (a) Floors and floor coverings of all food preparation, food service, food storage, warewashing areas, walk-in refrigeration units, dressing rooms, locker rooms, and toilet rooms shall be durable, smooth, nonabsorbent, light colored, and easy to clean.
- (b) Terrazzo, ceramic, or quarry tile may be installed as an approved floor covering. Floors shall be coved at the juncture of the floor and wall, with a %-inch minimum radius coving which shall extend up the wall at least four inches in all areas.
- (c) Polished/sealed concrete used as flooring shall have a finished product thickness sufficient for the flooring to be smooth and easily cleanable. Floors shall be coved at the juncture of the floor and wall with a %-inch minimum radius coving which shall extend up the wall at least four inches in all areas.
- (d) Epoxy resin and other poured monolithic floors, and other durable seamless flooring systems shall be installed to a finished product thickness, sufficient for the flooring to be smooth and easily cleanable. Floors shall be coved at the juncture of the floor and wall with a %-inch minimum radius coving which shall extend up the wall at least four inches in all areas.

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- (e) All Food Establishments, including food warehouses, with dry storage areas not exposed to excessive moisture, may install sealed concrete, vinyl composition tile, or an equivalent material as approved by the Regulatory Authority. A more moisture-resistant flooring may be required if the dry storage area is subject to moisture.
- (f) Prohibited floor covering. The use of cardboard, sawdust, wood shavings, peanut hulls, or similar materials as a floor covering is prohibited.
- (g) Floors shall be smooth, durable, and nonabsorbent, and shall be maintained in a condition that facilitates thorough and rapid cleaning. Floors shall be free of cracks, chips, holes, and deterioration. The Regulatory Authority shall require repair or replacement of any floor which fails to meet the requirements of this section. Any flooring in an existing Food Establishment that prepares food as listed above and needs repairing shall be repaired or replaced to meet the minimum requirements for flooring for their food service operations.
- (h) Utility line installation. Exposed utility service lines and pipes shall be installed in a way that does not obstruct or prevent cleaning of the floor. In all new or extensively remodeled establishments, installation of exposed horizontal utility lines or pipes on the floor is prohibited.
- (i) Walls and ceilings.
  - (1) *Maintenance*. Walls and ceilings, including doors, windows, skylights, and similar closures, shall be clean and maintained in good repair.
  - (2) Construction. The walls, including non-supporting partitions, wall coverings, and ceilings of walk-in refrigerating units, refrigeration storage areas, food preparation areas, dry storage areas, food storage areas, equipment-washing and utensil washing areas, toilet rooms, and vestibules shall be light colored, smooth, nonabsorbent, and easily cleanable, such as fiberglass reinforced paneling (FRP), stainless steel ceramic, quarry or terrazzo tile or equivalent to ceiling height and must be approved by the Regulatory Authority.
  - (3) The Regulatory Authority shall require durable and easily cleanable FRP, or material of greater quality, in areas exposed to excessive splash in Food Establishments not involved in food preparation.
  - (4) Ceilings shall be light in color, smooth, nonabsorbent, durable and easily cleanable. Ceiling materials may be washable drop-in panels, vinyl-coated panels, taped and bedded sheetrock with light-colored epoxy or enamel paint, or an equivalent material as approved by the Regulatory Authority.
  - (5) Fibrous acoustical drop-in panels shall be prohibited in all food preparation, tableware and utensil warewashing areas, service areas, dry storage, toilet rooms, mop sink area, and any other area subject to moisture.
  - (6) Exposed construction. Studs, joists, and rafters shall not be exposed in those areas listed in food preparation areas. If exposed in other rooms or areas, they shall be finished to provide an easily cleanable surface.
- (j) Hand sinks shall be located within 20 unobstructed linear feet of a food preparation, warewashing, or food dispensing area. A door or doorway is considered an obstruction and hand sinks must be installed on both sides of a door or doorway of these areas.

#### Sec. 94.11 Outdoor areas, surface characteristics.

The outdoor walking and driving areas shall be surfaced with concrete, asphalt, or other materials that have been effectively treated to minimize dust, facilitate maintenance, and prevent muddy conditions. These surfaces shall be leveled to prevent pooling of water, kept free of litter, and maintained in good repair.

#### Sec. 94.12 Suspension of a Food Establishment permit.

- (a) The Regulatory Authority may, without warning, notice, or hearing suspend a Food Establishment permit if the holder of such permit does not comply with the requirements of this chapter, or the operation of the Food Establishment does not comply with the requirements set forth herein, or, if the operation of the Food Establishment otherwise constitutes an imminent health hazard. If a Food Establishment is experiencing an Imminent Health Hazard according to the Regulatory Authority, the Food Establishment may be closed for operations until the Imminent Health Hazard has been eliminated. Suspension is effective upon service of the notice in accordance with section 94-15, herein, as amended. When a permit is suspended, food service operations shall immediately cease. Whenever a permit is suspended, the holder thereof shall be afforded an opportunity for a hearing within 20 days after receipt by the Regulatory Authority of a written request for hearing.
- (b) Whenever a permit is suspended, the holder thereof or the PIC shall be notified in writing that an opportunity for a hearing shall be provided if a written request for hearing is filed with the Regulatory Authority within ten days after receipt of notice. If no written request for hearing is filed within a ten-day period, the suspension is sustained. The Regulatory Authority may terminate the suspension at any time if reasons for suspension no longer exist.

### Sec. 94.13 Revocation of a Food Establishment permit.

- (a) The Regulatory Authority may, after providing opportunity for hearing, revoke a Food Establishment permit for serious or repeated violations of any of the requirements of this section or for interference with the Regulatory Authority in the performance of its duties.
- (b) Prior to revocation, the Regulatory Authority shall notify, in writing, the permit holder or the PIC, of the specific reason(s) for which the Food Establishment permit is to be revoked and that the permit shall be revoked at the end of the ten days after service of such notice unless a written request for hearing is filed within the ten-day period. If no request for hearing is filed within the ten-day period, the revocation of the permit becomes final.
- (c) The holder of the revoked permit may make written application for a new permit.

#### Sec. 94.14 Examination and condemnation of food.

- (a) Any food subject to a hold order shall be tagged, labeled, or otherwise identified as such by an inspector. Food Establishments are prohibited from using, serving, or moving any food subject to a hold order. An Inspector's hold order shall permit storage of the food under the conditions specified in the hold order, unless storage is not possible without risk to the public health, in which case immediate destruction shall be ordered and accomplished.
- (b) A hold order shall state that a request for a hearing may be filed within ten days after issuance thereof and that if no hearing is requested the food shall be destroyed. On the basis of evidence

produced at that hearing, the hold order may be vacated, or the owner or PIC of the food may be directed by written order to denature or destroy such food or to bring it into compliance with the provisions of this section.

#### Sec. 94.15Appeal

- (a) All appeals from final suspension or revocation of a Food Establishment permit shall be made in writing to the City Manager. The appeal shall be filed in writing within ten (10) days of the occurrence of the suspension or revocation. The City Manager shall consider the appeal within thirty (30) days after notice of the appeal. The City Manager shall have the power to reverse a decision of the Regulatory Authority by making a finding that such a reversal will not adversely affect the health and/or welfare of the public. A decision of the City Manager regarding an appeal shall be rendered in writing.
- (b) All decisions of the City Manager shall be subject to review by the city council at one of its regularly scheduled meetings, if the appellant files a further appeal in writing with the City Secretary not more than thirty (30) days after the City Manager renders a decision reversing or upholding a decision of the regulatory authority. The decision of the City Manager will be final unless appealed to the city council within thirty (30) days, and unless reversed by the city council. The city council's failure to take action on any such appeal, or failure to set such an appeal as an agenda item for consideration at a regularly scheduled meeting, shall constitute approval of the decision by the City Manager.

#### Sec. 94.16 Penalty provision

Any person, firm, corporation or business entity violating this article shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding two thousand and no/100 dollars (\$2,000.00). Each continuing day's violation under this article shall constitute a separate offense. The penal provisions imposed under this article shall not preclude the city from filing suit to enjoin the violation. The city retains all legal rights and remedies available to it pursuant to local, state and federal law.

#### Sec. 94.17 Fee schedule.

All fees referenced herein shall be as established from time to time by the city council and set forth in the City of Mansfield Regulatory Compliance fee schedule.

#### Sec. 94.18 Mobile Food Vendors.

- (a) Permit. A completed permit application form shall include the valid license plate number of the Mobile Food Vendor, a notarized form with the name and address of the commissary where products are purchased. A valid driver's license and proof of insurance will also be required at the time of application submittal.
- (b) Permit holder. The person to whom the Regulatory Authority issues a permit for a Mobile Food Vendor set forth herein.
- (c) A Mobile Food Vendor is not permitted on private property except as provided in this section.
- (d) A Mobile Food Vendor:

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- (1) Must be permitted by the Regulatory Authority;
- (2) Shall be permitted to operate only in those zoning districts where the use is permitted as a matter of right or approved by a Specific Use Permit in accordance with applicable provisions of the City of Mansfield Zoning Ordinance;
- (3) May not be located within 50 feet of a lot with a building that contains both a residential and commercial use;
- (4) May not operated between the hours of 3:00 a.m. and 6:00 a.m.;
- (5) May not be located within 20 feet of a general or limited restaurant use;
- (6) May operate as part of a special event permit that has been approved the City of Mansfield Planning & Zoning Department and/or the City of Mansfield Parks & Recreation Department;
- (7) May not operate within city parks unless vendors have written agreement from the city and are part of an approved special event;
- (8) May not operate on any street, median, or sidewalk of the city or residential property, except for ice cream trucks; and
- (9) Mobile Food Vendors are subject to inspection in the field. The Regulatory Compliance Department and the Fire Marshal's office will perform inspections prior to being approved to operate at a special event.
- (e) The noise level of mechanical equipment or outside sound equipment used in association with a mobile food vendor may not exceed 70 decibels when measured at the property line that is across the street from or abutting a residential use.
- (f) A drive-in or drive through service is not permitted.
- (g) Exterior lighting, is provided, shall be directed downward, and must be hooded or shielded so that the light source is not directly visible.
- (h) A Mobile Food Vendor is limited to signs attached to the exterior of the Mobile Food Vendor. The signs must be secured and mounted flat against the mobile unit and may not project more than six inches from the exterior of the mobile unit. Signs shall otherwise comply with the provisions of the City of Mansfield Zoning Ordinance.
- (i) During business hours, the permit holder shall provide a trash receptacle for use by customers. The permit holder shall keep the area around the Mobile Food Vendor clear of litter and debris at all times.
- (j) A permanent water or wastewater connection is prohibited.
- (k) Electrical service may be provided only by: temporary service or other connection provided by an electric utility; or, an onboard generator.(I) Inspection. Each Mobile Food Vendor must be inspected by the Regulatory Authority before a permit will be issued. All applicants for a permit must contact the Regulatory Authority at least 48 hours prior to scheduling an inspection appointment. The warmer, refrigeration and freezer units must be operational, fully stocked and have visible and accurate, numerically-scaled thermometers at the time of inspection and at all times thereafter. Cleaning supplies and sanitizer must be present in the vehicle at the time of inspection and at all times thereafter. In addition, Mobile Food Vendors (e.g., Food Trucks) are

required to register with the Fire Marshal's office. (No Fee). A fire inspection will be scheduled to check Type I Hoods, fire extinguishers for current tags, and a visual inspection of the propane delivery system. A current certificate from this jurisdiction's health authority is required prior to Fire Inspection. Vehicles not in compliance will not be permitted to operate in the Mansfield city limits. A citation could be issued for continued non-compliance.

#### 94.19 Types of Mobile Food Vendors.

- (a) Produce vendors. Vends nuts, uncut fruits and vegetables only.
- (b) Ice cream trucks. Vends pre-wrapped and sealed ice cream, canned soft drinks, pre-packaged candy, chips and pickles.
- (c) Mobile cold trucks. Vends pre-packaged, prepared, TCS Food and/or (formally PHF) potentially hazardous and non TCS Food in individual packages for immediate consumption.
- (d) Mobile hot trucks. Prepares and vends TCS Food and non TCS Foods on site. On this unit, food is cooked, wrapped, packaged, processed or portioned for service, sale or distribution.
- (e) General requirements. Specific requirements for Mobile Food Vendors are determined by the type of unit as outlined in this article. In addition to the specific requirements for each type of Mobile Food Vendor, each unit must satisfy all of the following:
  - (1) Business/firm name and phone number on both sides of the unit in at least three inch letters.
  - (2) A copy of the most recent inspection report must be on the unit at all times.
  - (3) All Mobile Food Establishments must operate from a base of operation, such as an approved commissary or other fixed Food Establishments permitted and inspected by a city.
  - (4) The operator of the permitted Mobile Food Vendor must report daily to the commissary for supplies, cleaning and servicing of the unit. Mobile Food Vendors must be stored at the commissary when not in use.
  - (5) Mobile Food Vendors are prohibited from remaining at the same location for a period of ten minutes after the last sale.
  - (6) Time/temperature foods must be hermetically sealed, dated, and labeled as to type of food and location of preparation. All TCS Foods must be disposed of at the end of each day of operation. No home-prepared foods will be allowed.
  - (7) If food is purchased at a permitted Food Establishment, the establishment must be licensed with the appropriate state agency as a food manufacturer. These foods must meet the same packaging and labeling requirements as listed above.
  - (8) All condiments must be dispensed in single-service containers, packages or in an approved commercially filled dispenser-type container.
  - (9) Single-service cups must be dispensed in a sanitary manner.
  - (10) No direct food handling of any type will be permitted by mobile cold truck vendors or customers.

- (11) All cold TCS Foods must be kept at an internal temperature of 41°F or below. All hot TCS Foods must maintain an internal temperature of 135°F or higher. Mechanical hot-holding and cold-holding units must have accurate, numerically-scaled thermometers conspicuously placed inside the units.
- (f) Specific requirements.
  - (1) Ice cream trucks.
    - a. Must be an enclosed or covered truck or van with a smooth easily cleanable floor.
    - b. Must have an enclosed freezer with a visible and accurate, numerically-scaled thermometer to store ice cream.
    - c. All ice cream must be pre-wrapped, sealed, labeled and obtained from an approved source or commissary.
    - d. Pre-packaged candy, chips and soft drinks may be sold in single-service units.
    - e. Signs in front and rear of the unit bearing the words "Caution Watch for Children" must be present in three-inch letters on a contrasting background.
    - f. Vehicles must have one revolving amber strobe light that is visible from a distance of 500 feet in the daylight and shall be placed on top of the vehicle. The light should be used only when slowing down or stopping in the right lane with flashing amber lights working.
    - g. All sales shall be conducted from the curb side of the vehicle.
    - h. Everything that is necessary for the operation of the truck must be on the truck.
    - i. Unit must be maintained in good repair and in a clean condition.
    - j. No sales shall be conducted before sunrise or after sunset.
    - k. Ice cream truck vendors; drivers and servers shall be subject to and comply with the regulations set out in Chapter 111 "Peddlers and Solicitors" of the City of Mansfield Municipal Zoning Code of Ordinances. Occupants of the vehicle must display a valid identification card, issued by the City of Mansfield, visible to the public, at times the vehicle is in service to conduct transactions. Ice cream truck vendors, drivers, and occupants are exempt from Chapter 111.11(C) and 111.11 (D) of this ordinance. In addition, cardholders must comply with the regulations set forth in the City of Mansfield Municipal Zoning Code of Ordinance.
  - (2) Mobile cold trucks.
    - a. Must be an enclosed commercial unit operated from a truck with proper storage and display space.
    - b. Must provide proper equipment (such as NSF-approved mechanical holding ovens, NSF-approved surfaces for food contact and cold storage areas) to keep TCS Food at 135°F or above for hot foods or 41°F or below for cold foods. An accurate, numerically-scaled thermometer must be displayed inside both hot and cold storage units.
    - c. Only pre-wrapped, bottled, canned or otherwise packaged food in individual servings for immediate consumption may be sold.

- d. All food must be properly labeled and obtained from an approved commissary. The label on all foods must declare the common name of the food, list of ingredients, contents by weight or volume, packaging date and the name and address of manufacturer or packer.
- e. Only non-TCS Food beverages dispensed from covered urns or other protected equipment may be served.
- f. If ice is used to keep food cold, it must be drained into a retention tank to be properly disposed of at the commissary location. No block ice allowed.
- g. Everything that is necessary for the operation of the truck must be on the truck.
- h. All condiments must be dispensed in single-service containers, packages, or an approved commercially filled dispenser-type container.
- i. An accurate, numerically-scaled metal stem thermometer is required to check food temperatures.
- j. Unit must be maintained in good repair and in a clean condition.
- k. An approved commissary is required, which is permitted and inspected by the appropriate Regulatory Authority, at which those foods to be sold are obtained and prepared, and also for servicing the unit.
- I. A spray bottle of sanitizer (appropriate mixture of approved sanitizer) must be available. All chemicals, cleaners, etc., must be stored away from food and food contact items.
- m. Appropriate chemical test kits must be present on the truck.
- n. A container of liquid hand sanitizer must be available for the operator.
- (3) Mobile hot trucks.
  - a. Must be an enclosed commercial van designed for the transportation, storage and preparation of TCS Food and non-TCS Foods.
  - Must provide proper equipment (such as stainless steel three-compartment sink, and stainless steel hand wash sinks), supplied with both hot and cold potable water under pressure.
  - c. Wastewater retention tank is required and must be at least 15 percent greater capacity than the potable water supply.
  - d. Water for hand washing and dish washing must be heated via an electrical, on demand system to generate water at a minimum temperature.
  - e. NSF-approved mechanical refrigerators, freezers, stoves, ovens and hot holding units are required to maintain TCS Food at or above 135°F for hot foods or at or below 41°F for cold foods. Units used to store TCS Foods must be provided with visible and accurate, numerically-scaled thermometers.
  - f. Unit must be provided with adequate ventilation, exhaust fans and proper lighting and shields.
  - g. All food must be obtained from an approved source or commissary.
  - h. Only non-TCS Food beverages that are dispensed from covered urns or other protected equipment may be served.

- i. The serving of ice for beverages can be dispensed from an automatic dispenser or served by the mobile hot truck operator(s) only.
- j. Everything that is necessary for the operation of the truck must be on the truck.
- k. An accurate, numerically-scaled metal stem thermometer is required to check food temperatures.
- I. Other items that must be present are liquid hand soap, disposable paper towels, approved sanitizer, chemical test kit, fire extinguisher and a first aid kit.
- m. Operator must have a valid Food Protection Manager certification. All other employees must have a valid Food Handler certification.
- n. Unit must be maintained in good repair and in a clean condition.
- (4) Limited service pushcarts.
  - a. An enclosed Mobile Food Vendors capable of being maneuvered by one person.
  - b. Pre-packaged frozen desserts must be maintained frozen by means of dry ice or a mechanical freezer.
  - c. Everything that is necessary for the operation of the unit must be located on the unit. No additional ice bins, ice chests, tables, etc., are allowed. The unit must be a stand-alone, self-contained unit with a visible and accurate, numerically scaled thermometer.
  - d. Units must be maintained in good repair and in a clean condition.
  - e. Further requirements for push carts may be found in the City of Mansfield Code of Ordinances under zoning 155.099, special conditions. In the event of conflict between the provisions of this Chapter 94 and those found in Section 155.099, special conditions, the more restrictive provisions shall prevail.

#### 94.20 Seasonal Food Establishments.

- (a) General requirements. The Regulatory Authority may impose additional requirements to protect against health hazards related to the conduct of Seasonal Food Establishments, may prohibit the sale of some or all TCS Food, and when no health hazards will result, may waive or modify requirements of this section. Seasonal Food Establishments shall comply with the requirements of this article, including but not limited to, Concession Stands, Snow Cone Stands, and Farmer's Markets.
- (b) Concession Stands. Concession facilities are seasonal food service establishments generally associated with athletic and recreational facilities. The degree of regulation of a concession facility shall depend upon the type and volume of foods conveyed, and the status of the facility.

#### 94.21 Farmer's Markets.

(a) Farmer's Markets. All Farmer's Markets and each vendor attending a Farmer's Market shall comply with the requirements of this chapter, unless otherwise restricted by applicable state or federal law.

- (1) Farm stands and farmers selling food from their farm must meet the requirements of this section.
- (2) Responsibility, assignment. The Farmer's Market permit holder shall be the PIC or shall designate a PIC and shall ensure that a PIC is present at the Farmer's Market during all hours of operation. The PIC shall provide proof of successfully passing an ANSI-accredited certified Food Protection Manager's course upon request.
- (3) Farmer's Market vendors that offer, sell, or distribute TCS Food shall have a PIC that can provide proof upon request of successfully passing a Texas Department of State Health Services (DSHS) recognized certified Food Handler course. Food vendors that offer, sell, or distribute only prepackaged non-TCS Food and plants, nuts in the shell, or whole, raw fruits and vegetables that intended for hulling, peeling, or washing by the consumer before consumption, are exempt from the certified Food Handler requirement.
- (4) The PIC of the Farmer's Market shall maintain, and provide upon request, a list of all Farmer's Market vendors. The list shall be maintained for a least ninety (90) calendar days from the date of the end of the market. This list shall include:
  - (i) The name, address, and phone number of each vendor;
  - (ii) The date(s) the vendor operated at the Farmer's Market;
  - (iii) A list of the food offered by vendor for each date operated at the Farmer's Market;
  - (iv) A copy of any applicable permit(s) held by the vendor; and
  - (v) The address or location of each food item's origin, including on where the food was grown, cultivated, or otherwise obtained by the vendor.

#### (b) Food.

- (1) Preventing contamination.
  - (i) Food display. Except for plants, nuts in the shell, and whole, raw fruit and vegetables that are intended for hulling, peeling, or washing by the consumer before consumption, food on display shall be protected from contamination by use of packaging; counter, service line, or sneeze guards that comply with National Sanitation Foundation (NSF) or equivalent standards; be completely enclosed display cases accessible only to Farmer's Market vendor staff; or by other means approved by the Regulatory Authority.
  - (ii) A Farmer's Market shall have written procedures for employees to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces at the Food Establishment. The procedures shall address the specific actions employees must take to minimize the spread of contamination and the exposure of employees, consumers, food, and surfaces to vomitus or fecal matter. This procedure shall be available to the Regulatory Authority upon demand. Applicable equipment needed by the procedure shall be always available on-site.
  - (iii) Approved source. Only food from an approved source as defined in this article, or food prepared in a Cottage Food Production Operation, may be offered at a Farmer's Market.

- (iv) Prohibited items. Fish, foraged food, game animals, gleaned food, and non-pasteurized dairy items are prohibited at a farmer's market. Raw cheeses from approved sources are allowed.
- (v) Temperature requirements. Food temperatures must be in compliance with this article. Equipment used to hold food shall maintain required temperatures for the duration of the Farmer's Market.
  - a. Meats and poultry shall be maintained at or below 41 degrees Fahrenheit for the duration of the market, and also while being transported to the market.
  - b. Eggs and refrigerated dairy items shall be maintained at or below 45 degrees Fahrenheit during transport to the market and for the duration of the market.
- (vi) Sampling. Sampling shall meet the requirements of Section 437.020 of the Texas Health and Safety Code, as amended.
- (2) Equipment, utensils, and facilities.
  - Functionality of equipment. Equipment used to keep food frozen or refrigerated shall comply with this code, and shall be able to maintain required temperatures for the duration of operations.
  - (ii) Tables used within the vending area shall be made of non-porous material and easily cleanable.
- (3) Equipment, numbers, and capacities. Where required, at least one (1) hand washing facility, which shall include a container with a spigot that provides potable, clean, warm water; a wastewater container; soap; disposable towels; and a waste receptacle shall be located within 25 linear feet of each vendor approved to conduct sampling operations.
  - (i) A hand wash facility is not required for vendors with only pre-packaged products and plants, nuts in the shell, and whole, raw fruits and vegetables that intended for hulling, peeling, or washing by the consumer before consumption.
  - (ii) Each Farmer's Market vendor shall provide a refuse receptacle. Receptacles shall be non-porous and insect and rodent resistant. All refuse shall be disposed of offsite from the Farmer's Market to prevent pests and shall be no less than once per day.
  - (iii) There shall be a sufficient number of receptacles to hold all the refuse that accumulates. The Regulatory Authority may require more frequent collection, dumpsters, or larger dumpsters to accommodate the refuse that accumulates at the Farmer's Market.
- (4) Physical facilities.
  - (i) Floor construction. Floors and floor coverings of all vending areas shall be located on a concrete or asphalt surface providing adequate drainage.
  - (ii) Vending areas shall be covered, free of pests, and capable of providing shelter for vendors and customers.
- (5) Plan review. Each person desiring to operate at a Farmer's Market shall submit the following to the Regulatory Authority at least five (5) business days prior to the proposed start date of the Farmer's Market:

- (i) A Farmer's Market permit application;
- (ii) A floor plan or diagram of the Farmer's Market location and layout, including the area reserved for vendors;
- (iii) An equipment list;
- (iv) A list of food proposed to be offered or vended;
- (v) Proof of food origin by providing a copy of a current manufacturer's license, providing a copy of a storage license, or providing a description of the approved source at where food will be obtained;
- (vi) A copy of approved food label(s), where applicable; and
- (vii) A description of solid and liquid waste disposal methods.
- (c) Farmer's Market inspection.
  - (1) All foods must be commercially produced prepackaged items from a license facility or commissary. Product sampling is prohibited. The does not apply to food that has been prepared or packaged under conditions meeting the requirements of this ordinance and served within facilities meeting the requirements of this chapter. This includes all Cottage Food Production Operations.
  - (2) A manufacturing permit from the Texas Department of State Health Services (DSHS) and copies of product labels shall be provide to the Regulatory Authority.
  - (3) Person(s) operating as a Farmer's Market vendor shall comply with the Texas Health and Safety Code and the requirements of this section.
  - (4) The Regulatory Authority may inspect each Farmer's Market vendor booth offering food products as is necessary for the enforcement of this section.
  - (5) The Farmer's Market manager of a certified Farmer's Market shall be responsible for ensuring that all booths are operating with a current and valid permit and for ensuring that all shared or common facilities and operations comply with this chapter.
  - (6) In the case of repeated violations of this section, the Regulatory Authority may impose restrictions on the food products at a Farmer's Market vendor booth.
  - (7) A Farmer's Market vendor may not set up food sampling operations as unattended self-service displays for customers.
  - (8) A Farmer's Market vendor shall correct all violations at the time of inspection unless an extension is allowed by the Regulatory Authority. No extension shall be granted where the violation poses an Imminent Health Hazard to the public.
  - (9) Farmer's Market vendors operating at a certified Farmer's Market without a valid permit or with a suspended permit constitutes an offense under this chapter.
  - (10) The Regulatory Authority may impose additional requirements to protect against health hazards related to the conduct of a farmer's market booth.
  - (11) Cottage Food. Cottage Food sold at the Farmer's Market shall be labeled and such labels must include name and complete address of Cottage Food Production Operation, major allergens,

batch number (if applicable), and the following statement "This food is made in a home kitchen and is not inspected by the Texas Department of State Health Services or a local health department."

# **EXHIBIT A**

#### **Chapter 94 FOOD ESTABLISHMENT REGULATIONS**

#### Sec. 94.01 Adoption of state rules on food service sanitation.

The City of Mansfield hereby adopts by reference the provisions of the current Texas Food Establishment Rules (TFER) set forth in 25 Texas Administrative Code Chapter 228, as amended, which establish regulations regarding food, food establishments, mobile food units, food trucks and temporary food establishments, save and except the deletions and additions set forth below. The TFER are made part of this chapter as if fully set forth herein. Copies of the TFER are on file in the office of the city secretary, being marked and designated as the TFER, published by the Texas Department of State Health Services.

#### Sec. 94.02 Definitions.

For the purpose of this chapter, the following terms shall have the meaning given below:

Approved. Acceptable to the Regulatory Authority, as hereinafter defined, based on a determination of conformity with principles, practices, and generally recognized standards that protect public health.

Authorized Representative. The City of Mansfield Manager of Regulatory Compliance Department, or his/her authorized designee.

Central preparation facility. A facility used in conjunction with a Mobile Food Vendor in which:

- (1) Food is prepared, stored, and/or wrapped;
- (2) Fresh water and ice are supplied;
- (3) The Mobile Food Vendor's waste water is emptied into a proper waste disposal system; and/or
- (4) The Mobile Food Vendor is cleaned, including washing, rinsing, and sanitizing of those food-contact surfaces or items not capable of being immersed in a utensil-washing sink located in the Mobile Food Vendor.

Certified Food Protection Manager. An individual that has obtained certification by successfully completing and passing a Texas Department of State Health Services (DSHS) approved Certified Food Manager Training Program.

Certificate of Registration. The Regulatory Authority shall issue a Certificate of Registration to any person who submits the required application, remits the registration fee, and provides evidence of being a Certified Food Protection Manager who has shown proficiency of required information through the successful completion of an accredited program as required by the City of Mansfield Code of Ordinances.

*City Manager*. The City Manager of the City of Mansfield, Texas, or the duly authorized designee of the City Manager of the City of Mansfield Texas.

Concession Stand. A Food Establishment operated on a seasonal basis for the purpose of providing food at sporting events associated with an independent school district, City of Mansfield, privately owned school, university, or community college.

Core Item shall mean a provision of Chapter 15 of the Texas Administrative Code or this Chapter that is not designated as a Priority item or a Priority Foundation item and includes an item that usually relates to general sanitation, operation controls, sanitation operating procedures, facilities or structures, equipment design, or general maintenance.

Cottage Food Production Operation. An individual operating out of the individual's residence in which they produce Cottage Food.

Cottage Food. Cottage Foods are foods produced by a Cottage Food Production Operation as defined by 25 Texas Administrative Code §229.661(b)(3). Demonstration. The preparation of food as an example, sample, instruction, or for marketing purposes at an event, including but not limited to, a farmer's market, fair, restaurant food show, or similar event.

Farmer's Market. An area at which two (2) or more vendors offer produce and other agricultural products for retail sale, sample, or consumption. It shall not include stands that only sell whole, uncut produce.

Farmer's Market Vendor. Any person who offers or sells produce or other agricultural products at a Farmer's Market.

*Food.* A raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption, to also specifically include chewing gum.

*Food Establishment.* An operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption.

Food establishment—Grocery. Any retail food establishment that sells fresh produce, fresh meats, or fresh seafood for either on-premise or off-premise consumption.

Food establishment—Restaurant. A retail food establishment that prepares and/or sells food for either on-premise or off-premise consumption.

Food establishment—Convenience. A retail food establishment that sells a limited selection of foods, not to include fresh produce, fresh meats, or fresh seafood, exclusively for off-premise consumption. Any food establishment with a seating area accessible to the general public that contains at least one table and/or one chair is presumed to prepare foods for on-premise consumption.

Food establishment—To-go. A retail food establishment that prepares and/or sells food exclusively for off-premise consumption. Any food establishment with a seating area accessible to the general public that contains at least one table and/or one chair is presumed to prepare foods for on-premise consumption.

Food Handler. An individual working with unpackaged food, food equipment or utensils, or food-contact surfaces. Imminent Health Hazard. A significant threat or danger to health due to a practice, circumstance, or event which creates a situation that would likely lead to injury or a food borne illness, as determined by the Regulatory Authority, as hereinafter defined. Imminent Health Hazards include but are not limited to lack of hot water, no electrical power, sewage back up, no water service, rodent or insect infestation as determined by the Regulatory Authority, or a Food Establishment receives a score of 69 or below during an inspection.

Inspector. A person conducting inspections of Food Establishments as a representative of the Regulatory Authority, as defined herein. *Mobile Food Vendor*. A vehicle mounted, self-contained Food Establishment, designed to be readily moveable and used to store, prepare, display, serve or sell food.

Mobile Food Vendors must completely maintain their mobility at all times. Notwithstanding, a Mobile Food Vendor shall also refer to "food trucks, hot trucks, cold trucks, and ice cream trucks."

*NSF-approved.* Shall mean that an independent, third-party organization, such as the National Sanitation Foundation, has determined that the equipment or product complies with the relevant standards and/or protocol set by said organization.

*Person in charge (PIC).* The person present at a Food Establishment at the time of the inspection who is responsible for the Food Establishment's operations.

*Priority Item.* shall mean application of a provision of Chapter 15 of the Texas Administrative Code or this Chapter that contributes directly to the elimination, prevention, or reduction of hazards associated with food borne illness or injury to an acceptable level. This term shall include items with a quantifiable measurement to show control of hazards, including but not limited to cooking, reheating, cooling, and handwashing.

Priority Foundation Item. shall mean application of a provision of Chapter 15 of the Texas Administrative Code or this Chapter that supports, facilitates, or enables one or more Priority Items. This term shall include an item that requires the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury..

Registered Certified Food Protection Manager. A Certified Food Protection Manager who has registered with the City of Mansfield Regulatory Compliance Department and has received a Certificate of Registration from the Department.

Regulatory Authority. The City of Mansfield or its authorized designee.

Sampling. Means the preparation of food as an example, instruction, or for marketing purposes at an event including, but not limited to, a Farmer's Market, fair, restaurant food show or other similar event that is served, sold, or otherwise offered for human consumption.

Seasonal Food Establishment. A food service establishment that operates at a fixed location for a period greater than 14 consecutive days, but not less than 365 days, and is restricted to limited food preparation, unless approved by the Regulatory Authority.

*Snow Cone Stand.* A seasonal operation that prepares and sells chipped or shaved ice and flavored syrup treats to the public for off-site consumption, and may sell prepackaged TCS-foods.

*Temporary Food Establishment.* A Food Establishment operated for a temporary event not to exceed 14 consecutive days.

Time as a Public Health Control. Using time only to monitor food instead of temperature.

*Time/temperature controlled for safety food (TCS Food).* A food that requires time/temperature control for safety to limit pathogenic microorganism growth or toxin formation.

## Sec. 94.03 Regulations, permits, and preoperational inspections.

(a) It shall be unlawful for any person to operate a Food Establishment within the City limits without having been issued a valid Food Establishment permit, the fee for which is based on the type of Food Establishment being operated, as set forth in the City of Mansfield Regulatory Compliance Department Fee Schedule. Only a person who complies with the requirements in this chapter shall

be entitled to receive or retain a permit, and notwithstanding the fact that all inspections necessary for obtaining a Food Establishment permit have been completed, such permit shall not be issued until after the building or suite in which the establishment is to be located has been issued a certificate of occupancy by the city. Permits are not transferable from one person, place or entity to another person, place, or entity. A valid permit shall be posted in or on a conspicuous place of every Food Establishment in public view. Permits shall remain in effect until the last day of the month of issuance unless sooner revoked for cause, or as otherwise provided herein.

- (b) A Temporary Food Establishment may apply for a Temporary Food Establishment permit, which shall be in effect for a period of time not to exceed 14 consecutive days, in conjunction with an approved special event.
- (c) Mobile Food Vendors shall be considered Food Establishments and shall comply with all pertinent regulations contained herein, including obtaining an annual Mobile Food Vendor permit. Mobile Food Vendors shall operate from a central preparation facility or other permitted Food Establishment and shall report to such location daily for supplies and for cleaning and servicing operations. Use of a private residence as a central preparation facility is prohibited. Mobile Food Vendor applications must provide a valid driver's license, proof of insurance for the Mobile Food Unit, notarized central preparation facility letter, and the latest central preparation facility inspection report from the Regulatory Authority. Mobile Food Vendors must be inspected by the Health Inspector before selling food at any event or any location.
- (d) A Temporary Food Establishment operated by or solely for the benefit of a nonprofit organization is exempt from the permit fee requirement. However, such Food Fstablishment is not exempt from the remaining permit requirements of this chapter, or from compliance with the rules.
- (e) A Farmer's Market Permit shall be issued upon receipt of such an application, remittance of fees, and completion of an inspection performed by the Regulatory Authority of the establishment to determine compliance with the provisions of this ordinance. When inspection reveals that the applicable requirements of this article have been met, a permit shall be issued to the applicant by the Regulatory Authority.
- (f) Any person desiring to operate a Food Establishment shall make application for a permit through the City of Mansfield Regulatory Compliance Department. The application shall include the name and address of each applicant and the location and type of Food Establishment. An application for a Temporary Food Establishment shall include the inclusive dates of the proposed Temporary Food Establishment and the location of the event. Applications for a Temporary Food Establishment shall be submitted no later than seven days prior to the event.
- (g) The application shall be accompanied by a nonrefundable permit fee, as set forth in the City of Mansfield Regulatory Compliance Department fee schedule, on file and available for inspection in the office of the city secretary.
- (h) The Mansfield Independent School District shall be exempt from the permit fee.
- (i) Every permit holder or PIC shall at all times have available on the premises for inspection the Registered and Certified Food Manager certificate and Food Handler certificates for all employees of the Food Establishment.

- (j) A Food Establishment permit that lapses for non-payment of the annual Food Establishment permit fee will be reinstated upon payment of a reinstatement fee, excluding permits lapsed for more than three months may not be reinstated without the appropriate plan review application, plan review fee, and Food Establishment permit fee.
- (k) Whenever a Food Establishment is constructed or extensively remodeled, and whenever an existing structure is converted to use as a Food Establishment, or a change of ownership occurs, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the Regulatory Authority for review and approval before construction, remodeling or conversion is commenced. The plans and specifications shall include a proposed menu, proposed layout, equipment arrangement, mechanical plans, and construction materials of work areas, finish schedules and the type and model of proposed fixed equipment and facilities. No Food Establishment shall be constructed, extensively remodeled, or converted except in accordance with said approved plans and specifications. Plans shall be submitted to the Building Safety Department using the city's self-service portal. Deviation from the approved plans and specifications shall result in a food establishment permit denial, suspension, or revocation.
- (I) If a Food Establishment is required to install a grease trap or grease interceptor, the trap or interceptor shall be located outside. A variance to this requirement may be granted to a Food Establishment located in the Historic Downtown District. A licensed professional engineer will be responsible for determining the size of the grease trap to be installed to service a food establishment.
- (m) The provisions in 25 Tex. Admin Code §228.106(x) relative to food equipment acceptability, certification and classification is amended to read: "Food equipment that is certified or classified for sanitation by the National Sanitation Foundation (NSF) or the American National Standards Institute (ANSI) will be deemed to comply with §§228.101-228.106 of this Title." Equipment labeled "for household use only" shall not be used in a food service establishment.

## Sec. 94.04 Inspections and Posting of Scores.

- (a) The Regulatory Authority shall inspect the Food Establishment prior to the issuance of the Food Establishment permit to determine compliance with any approved plans and specifications, compliance with other requirements of this chapter and shall determine whether a certificate of occupancy has been issued for the building in which the establishment is to be located. Upon making such findings, the Regulatory Authority may issue a Food Establishment permit, subject to annual renewal, continued compliance with the provisions of this chapter, and the existence of a valid certificate of occupancy for the building in which the establishment is located.
- (b) The Regulatory Authority shall inspect a Food Establishment at a frequency which is determined by a prioritization schedule based upon assessment of the Food Establishment's history of compliance and potential risk factors of causing foodborne illness according to 25 Tex. Admin Code §228.244, as amended, and evaluated by the Regulatory Authority.
- (c) The manager or his/her designee shall classify Food Establishments as high, medium, or low priority, according to risk factors deemed relevant to the operation by 25 Tex. Admin Code §228.244, as amended. High priority and medium priority establishments must be inspected at a minimum of twice per year. Low priority establishments must be inspected at least once per year.

- (d) Inspection frequency of a Food Establishments may be increased, at the Regulatory Authority's discretion, and as often as necessary for the enforcement of this article and for any conditions listed in this article such as:
  - (1) Prior nonconformance with this chapter or with state or federal regulations, including Priority Items or Priority Foundation Items, as defined in 25 Tex. Admin Code §228.2;
  - (2) Prior violations of this chapter or with state or federal requirements, including Core Items as defined in 25 Tex. Admin Code §228.2;
  - (3) Prior complaints investigated and found to be valid by the Regulatory Authority;
  - (4) Hazards associated with the particular foods that are prepared, stored, or served at the Food Establishment;
  - (5) The type of operations, including the methods and extent of food storage, preparation, and service;
  - (6) If the primary population served is a highly susceptible population; and
  - (7) Any other risk factors deemed relevant to the operation by the regulatory authority.
- (e) Food Establishments shall receive a deduction of 3 to 4 points for each violation of a Priority Item, deduction of 2 points for each violation of a Priority Foundation Item, and deduction of 1 point for each violation of a Core Item, as defined by this ordinance, as found by an inspector during an inspection.
  - (i) Food Establishments that score between 71 to 79 points will be inspected quarterly until three (3) consecutive inspections in which a score of 85 points are more is met.
  - (ii) Food Establishments that score 70 points or less are inspected one time per month for three (3) consecutive months. During these consecutive monthly inspections, a reinspection fee will be paid for each inspection. The Food Establishment must attain a score of 80 points or more in each consecutive inspection.
  - (iii) Food Establishments that score 69 points or less shall constitute an Imminent Health Hazard and the Food Establishment shall immediately cease operations and remain closed until the Regulatory Authority conducts a reinspection. The inspector who documents the violation shall provide his/her cell phone number and his/her supervisor's cell number to coordinate a re-inspection over the weekend, if necessary, but in no event shall a reinspection occur later than the next business day, unless conditions exist that make re-inspection not feasible. Inspections on the weekend for closure will be considered an emergency inspection. The inspector shall endeavor to perform a reinspection as soon as possible. It shall be the responsibility of the permit holder to contact the Regulatory Authority at the provided phone numbers and schedule a reinspection and pay the reinspection fee prior to the reinspection being conducted. The Food Establishment shall remain closed until a reinspection of the Food Establishment results in a score of 80 points or more.
  - (iv) If, during a routine inspection, immediate correction of a Priority Foundation Item violation, as defined by this ordinance, is not achieved, the Regulatory Authority shall verify correction of the violation within 10 calendar days. If said Priority Foundation

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Item violation is not corrected during the initial inspection and a reinspection must be performed within the following 10 calendar days, the permit holder will be subject to a reinspection fee as set forth in the City of Mansfield Regulatory Compliance fee schedule and shall be assessed prior to the inspection.

- (f) Based upon the scoring process outlined in 94.04(e) a letter grade for each Food Establishment shall be determined by the Regulatory Authority. The grade of each Food Establishment shall be evidenced by the posting of an inspection card as outlined in the <u>attached exhibit</u>.
  - (i) Grade cards shall be provided by the Department of Regulatory Compliance and shall be posted in a conspicuous place, so as to be clearly visible to the general public and to the patrons entering the Food Establishment.
    - a. Grade cards shall be posted in a location as directed and determined at the discretion of the Regulatory Authority to ensure proper notice to the general public and to patrons.
    - b. In the event that a Food Establishment is operated in the same building or space as a separately licensed or permitted business, or in the event that a Food Establishment shares a common patron entrance with such a separately licensed or permitted business, or in the event of both, the Regulatory Authority shall post the letter grade card in the initial patron contact area, or in a location determined at the discretion of the Regulatory Authority.
    - c. The grade card shall not be altered, defaced, marred, camouflaged, hidden or removed. It shall be unlawful to operate a Food Establishment unless the letter grade card is in place as set forth in this ordinance. Removal or alteration of the letter grade card is a violation of this article and may result in the suspension or revocation of the Food Establishment permit.
    - d. In the event the grade card is lost or stolen, it is the responsibility of the owner and/or manager to notify the Regulatory Authority for a replacement card.
    - e. In the event the Food Establishment is closed by the Regulatory Authority, the grade card shall be removed from view and replaced with a sign, provided by the Regulatory Authority, advising the public of the closure. The sign must remain visible until such time the Regulatory Authority allows the reopening to occur.
- (g) Denial of access by a Food Establishment to the Regulatory Authority shall be cause for suspension or revocation of the Food Establishment's permit.

#### Sec. 94.05 Competency of Inspectors.

- (a) All inspectors shall be a registered professional sanitarian or a sanitarian-in-training in Texas.
- (b) Inspectors shall remain proficient and knowledgeable of current ordinances and professional standards.

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## Sec. 94.06 Certified Food Protection Manager and Food Handler requirements.

- (a) There shall be a Certified Food Protection Manger on each shift and available for food service workers that may have questions about food service operations at each permitted Food Establishment. Certification must be obtained by passing an examination approved by the Texas Department of State Health Services and the Regulatory Authority. Temporary Food Establishments and Food Establishments that serve, sell, or distribute only prepackaged, non-time and temperature controlled for safety foods and beverages are exempt from this section.
- (b) A Certified Food Protection Manager is required for each section of each Food Establishment. The Regulatory Authority may require additional Certified Food Protection Managers in sufficient number to ensure that all areas of food preparation and food service are under the direction of such certified personnel.
- (c) Upon termination or transfer of a Certified Food Protection Manager, the Food Establishment shall employ another Certified Food Protection Manager within 30 days of such termination or transfer.
- (d) All food employees shall be required to successfully complete a Food Handler class approved by the Texas Department of State Health Services within 30 days of hire.
- (e) Temporary Food Establishments, Concession Stands, and Snow Cone Stands must have at least one Certified Food Handler on duty during all hours of operation. A Food Handler certificate must be submitted to the Regulatory Authority upon submission of the Temporary Food Establishment permit application.
- (f) A permitted Food Establishment that handles only pre-packaged food and does not prepare or package food is only required to obtain a Food Handler certification. One Certified Food Handler per Food Establishment must be on duty at all times during business hours, to meet the intent of safe food practices of this chapter.
- (g) In the event of a change of ownership of a Food Establishment, the new owner/operator of a Food Establishment shall provide proof to the Regulatory Authority that the appropriate number of Certified Food Protection Managers will be on duty within 30 days of the change of ownership.
- (h) A Food Establishment shall provide proof of Food Protection Manager certification to the Regulatory Authority prior to being issued a Food Establishment permit.
- (i) All Certified Food Protection Managers must register with the City of Mansfield Regulatory Compliance Department and receive a Certificate of Registration.
- (j) A Certificate of Registration, unless otherwise revoked by the Regulatory Authority, expires on the same expiration date listed on the approved Food Protection Manager Certificate. Certificates of Registration are non-transferable.
- (k) A Food Establishment shall, within 30 days of the effective date of resignation, termination, or permanent transfer of any previously Registered Certified Food Protection Manager, shall employ another Registered Certified Food Protection Manager. The City of Mansfield authorized representative shall have the discretion to grant an extension of time to obtain a new Registered Certified Food Protection Manager upon a written, printed, or electronic request.
- (I) The Certificate of Registration must be displayed in a conspicuous place.

## Sec. 94.07 Employee health.

(a) Responsibility of permit holder, PIC, and Food Handlers. The permit holder shall require Food Handlers to report to the PIC, information about their health and activities as they relate to diseases that are transmittable through food. A Food Handler shall report the information in a manner that allows the PIC to reduce the risk of foodborne disease transmission, such as the date of onset of symptoms and an illness, or diagnosis of a communicable disease by a medical professional.

#### Sec. 94.08 Time as a Public Health Control.

A Food Establishment that uses Time as a Public Health Control shall submit written procedures on a form provided by the Regulatory Authority before using such control.

#### Sec. 94.09 Hair restraints.

- (a) Except as provided in subsection 94.09(b) herein, all Food Handlers, regardless of title, position, or establishment's own policy, shall wear hair restraints such as hats, visors, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.
- (b) This section does not apply to Food Handlers such as counter staff who only serve wrapped or packaged foods or beverages, bartenders, hostesses and wait staff if they present minimal risk of contaminating exposed food, clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.
- (c) If during the process of conducting an inspection, an inspector observes a Food Handler wear a hair restraint in an ineffective manner, the food employee will be asked to provide an effective means to restrain their hair from food and the violation will be noted on the inspection.

## Sec. 94.10 Physical facilities.

- (a) Floors and floor coverings of all food preparation, food service, food storage, warewashing areas, walk-in refrigeration units, dressing rooms, locker rooms, and toilet rooms shall be durable, smooth, nonabsorbent, light colored, and easy to clean.
- (b) Terrazzo, ceramic, or quarry tile may be installed as an approved floor covering. Floors shall be coved at the juncture of the floor and wall, with a %-inch minimum radius coving which shall extend up the wall at least four inches in all areas.
- (c) Polished/sealed concrete used as flooring shall have a finished product thickness sufficient for the flooring to be smooth and easily cleanable. Floors shall be coved at the juncture of the floor and wall with a %-inch minimum radius coving which shall extend up the wall at least four inches in all areas.
- (d) Epoxy resin and other poured monolithic floors, and other durable seamless flooring systems shall be installed to a finished product thickness, sufficient for the flooring to be smooth and easily cleanable. Floors shall be coved at the juncture of the floor and wall with a %-inch minimum radius coving which shall extend up the wall at least four inches in all areas.

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- (e) All Food Establishments, including food warehouses, with dry storage areas not exposed to excessive moisture, may install sealed concrete, vinyl composition tile, or an equivalent material as approved by the Regulatory Authority. A more moisture-resistant flooring may be required if the dry storage area is subject to moisture.
- (f) Prohibited floor covering. The use of cardboard, sawdust, wood shavings, peanut hulls, or similar materials as a floor covering is prohibited.
- (g) Floors shall be smooth, durable, and nonabsorbent, and shall be maintained in a condition that facilitates thorough and rapid cleaning. Floors shall be free of cracks, chips, holes, and deterioration. The Regulatory Authority shall require repair or replacement of any floor which fails to meet the requirements of this section. Any flooring in an existing Food Establishment that prepares food as listed above and needs repairing shall be repaired or replaced to meet the minimum requirements for flooring for their food service operations.
- (h) *Utility line installation.* Exposed utility service lines and pipes shall be installed in a way that does not obstruct or prevent cleaning of the floor. In all new or extensively remodeled establishments, installation of exposed horizontal utility lines or pipes on the floor is prohibited.
- (i) Walls and ceilings.
  - (1) *Maintenance*. Walls and ceilings, including doors, windows, skylights, and similar closures, shall be clean and maintained in good repair.
  - (2) Construction. The walls, including non-supporting partitions, wall coverings, and ceilings of walk-in refrigerating units, refrigeration storage areas, food preparation areas, dry storage areas, food storage areas, equipment-washing and utensil washing areas, toilet rooms, and vestibules shall be light colored, smooth, nonabsorbent, and easily cleanable, such as fiberglass reinforced paneling (FRP), stainless steel ceramic, quarry or terrazzo tile or equivalent to ceiling height and must be approved by the Regulatory Authority.
  - (3) The Regulatory Authority shall require durable and easily cleanable FRP, or material of greater quality, in areas exposed to excessive splash in Food Establishments not involved in food preparation.
  - (4) Ceilings shall be light in color, smooth, nonabsorbent, durable and easily cleanable. Ceiling materials may be washable drop-in panels, vinyl-coated panels, taped and bedded sheetrock with light-colored epoxy or enamel paint, or an equivalent material as approved by the Regulatory Authority.
  - (5) Fibrous acoustical drop-in panels shall be prohibited in all food preparation, tableware and utensil warewashing areas, service areas, dry storage, toilet rooms, mop sink area, and any other area subject to moisture.
  - (6) Exposed construction. Studs, joists, and rafters shall not be exposed in those areas listed in food preparation areas. If exposed in other rooms or areas, they shall be finished to provide an easily cleanable surface.
- (j) Hand sinks shall be located within 20 unobstructed linear feet of a food preparation, warewashing, or food dispensing area. A door or doorway is considered an obstruction and hand sinks must be installed on both sides of a door or doorway of these areas.

## Sec. 94.11 Outdoor areas, surface characteristics.

The outdoor walking and driving areas shall be surfaced with concrete, asphalt, or other materials that have been effectively treated to minimize dust, facilitate maintenance, and prevent muddy conditions. These surfaces shall be leveled to prevent pooling of water, kept free of litter, and maintained in good repair.

## Sec. 94.12 Suspension of a Food Establishment permit.

- (a) The Regulatory Authority may, without warning, notice, or hearing suspend a Food Establishment permit if the holder of such permit does not comply with the requirements of this chapter, or the operation of the Food Establishment does not comply with the requirements set forth herein, or, if the operation of the Food Establishment otherwise constitutes an imminent health hazard. If a Food Establishment is experiencing an Imminent Health Hazard according to the Regulatory Authority, the Food Establishment may be closed for operations until the Imminent Health Hazard has been eliminated. Suspension is effective upon service of the notice in accordance with section 94-15, herein, as amended. When a permit is suspended, food service operations shall immediately cease. Whenever a permit is suspended, the holder thereof shall be afforded an opportunity for a hearing within 20 days after receipt by the Regulatory Authority of a written request for hearing.
- (b) Whenever a permit is suspended, the holder thereof or the PIC shall be notified in writing that an opportunity for a hearing shall be provided if a written request for hearing is filed with the Regulatory Authority within ten days after receipt of notice. If no written request for hearing is filed within a ten-day period, the suspension is sustained. The Regulatory Authority may terminate the suspension at any time if reasons for suspension no longer exist.

## Sec. 94.13 Revocation of a Food Establishment permit.

- (a) The Regulatory Authority may, after providing opportunity for hearing, revoke a Food Establishment permit for serious or repeated violations of any of the requirements of this section or for interference with the Regulatory Authority in the performance of its duties.
- (b) Prior to revocation, the Regulatory Authority shall notify, in writing, the permit holder or the PIC, of the specific reason(s) for which the Food Establishment permit is to be revoked and that the permit shall be revoked at the end of the ten days after service of such notice unless a written request for hearing is filed within the ten-day period. If no request for hearing is filed within the ten-day period, the revocation of the permit becomes final.
- (c) The holder of the revoked permit may make written application for a new permit.

## Sec. 94.14 Examination and condemnation of food.

- (a) Any food subject to a hold order shall be tagged, labeled, or otherwise identified as such by an inspector. Food Establishments are prohibited from using, serving, or moving any food subject to a hold order. An Inspector's hold order shall permit storage of the food under the conditions specified in the hold order, unless storage is not possible without risk to the public health, in which case immediate destruction shall be ordered and accomplished.
- (b) A hold order shall state that a request for a hearing may be filed within ten days after issuance thereof and that if no hearing is requested the food shall be destroyed. On the basis of evidence

produced at that hearing, the hold order may be vacated, or the owner or PIC of the food may be directed by written order to denature or destroy such food or to bring it into compliance with the provisions of this section.

## Sec. 94.15Appeal

- (a) All appeals from final suspension or revocation of a Food Establishment permit shall be made in writing to the City Manager. The appeal shall be filed in writing within ten (10) days of the occurrence of the suspension or revocation. The City Manager shall consider the appeal within thirty (30) days after notice of the appeal. The City Manager shall have the power to reverse a decision of the Regulatory Authority by making a finding that such a reversal will not adversely affect the health and/or welfare of the public. A decision of the City Manager regarding an appeal shall be rendered in writing.
- (b) All decisions of the City Manager shall be subject to review by the city council at one of its regularly scheduled meetings, if the appellant files a further appeal in writing with the City Secretary not more than thirty (30) days after the City Manager renders a decision reversing or upholding a decision of the regulatory authority. The decision of the City Manager will be final unless appealed to the city council within thirty (30) days, and unless reversed by the city council. The city council's failure to take action on any such appeal, or failure to set such an appeal as an agenda item for consideration at a regularly scheduled meeting, shall constitute approval of the decision by the City Manager.

## Sec. 94.16 Penalty provision

Any person, firm, corporation or business entity violating this article shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding two thousand and no/100 dollars (\$2,000.00). Each continuing day's violation under this article shall constitute a separate offense. The penal provisions imposed under this article shall not preclude the city from filing suit to enjoin the violation. The city retains all legal rights and remedies available to it pursuant to local, state and federal law.

#### Sec. 94.17 Fee schedule.

All fees referenced herein shall be as established from time to time by the city council and set forth in the City of Mansfield Regulatory Compliance fee schedule.

## Sec. 94.18 Mobile Food Vendors.

- (a) Permit. A completed permit application form shall include the valid license plate number of the Mobile Food Vendor, a notarized form with the name and address of the commissary where products are purchased. A valid driver's license and proof of insurance will also be required at the time of application submittal.
- (b) Permit holder. The person to whom the Regulatory Authority issues a permit for a Mobile Food Vendor set forth herein.
- (c) A Mobile Food Vendor is not permitted on private property except as provided in this section.
- (d) A Mobile Food Vendor:

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- (1) Must be permitted by the Regulatory Authority;
- (2) Shall be permitted to operate only in those zoning districts where the use is permitted as a matter of right or approved by a Specific Use Permit in accordance with applicable provisions of the City of Mansfield Zoning Ordinance;
- (3) May not be located within 50 feet of a lot with a building that contains both a residential and commercial use;
- (4) May not operated between the hours of 3:00 a.m. and 6:00 a.m.;
- (5) May not be located within 20 feet of a general or limited restaurant use;
- (6) May operate as part of a special event permit that has been approved the City of Mansfield Planning & Zoning Department and/or the City of Mansfield Parks & Recreation Department;
- (7) May not operate within city parks unless vendors have written agreement from the city and are part of an approved special event;
- (8) May not operate on any street, median, or sidewalk of the city or residential property, except for ice cream trucks; and
- (9) Mobile Food Vendors are subject to inspection in the field. The Regulatory Compliance Department and the Fire Marshal's office will perform inspections prior to being approved to operate at a special event.
- (e) The noise level of mechanical equipment or outside sound equipment used in association with a mobile food vendor may not exceed 70 decibels when measured at the property line that is across the street from or abutting a residential use.
- (f) A drive-in or drive through service is not permitted.
- (g) Exterior lighting, is provided, shall be directed downward, and must be hooded or shielded so that the light source is not directly visible.
- (h) A Mobile Food Vendor is limited to signs attached to the exterior of the Mobile Food Vendor. The signs must be secured and mounted flat against the mobile unit and may not project more than six inches from the exterior of the mobile unit. Signs shall otherwise comply with the provisions of the City of Mansfield Zoning Ordinance.
- (i) During business hours, the permit holder shall provide a trash receptacle for use by customers. The permit holder shall keep the area around the Mobile Food Vendor clear of litter and debris at all times.
- (j) A permanent water or wastewater connection is prohibited.
- (k) Electrical service may be provided only by: temporary service or other connection provided by an electric utility; or, an onboard generator.(I) Inspection. Each Mobile Food Vendor must be inspected by the Regulatory Authority before a permit will be issued. All applicants for a permit must contact the Regulatory Authority at least 48 hours prior to scheduling an inspection appointment. The warmer, refrigeration and freezer units must be operational, fully stocked and have visible and accurate, numerically-scaled thermometers at the time of inspection and at all times thereafter. Cleaning supplies and sanitizer must be present in the vehicle at the time of inspection and at all times thereafter. In addition, Mobile Food Vendors (e.g., Food Trucks) are

required to register with the Fire Marshal's office. (No Fee). A fire inspection will be scheduled to check Type I Hoods, fire extinguishers for current tags, and a visual inspection of the propane delivery system. A current certificate from this jurisdiction's health authority is required prior to Fire Inspection. Vehicles not in compliance will not be permitted to operate in the Mansfield city limits. A citation could be issued for continued non-compliance.

## 94.19 Types of Mobile Food Vendors.

- (a) Produce vendors. Vends nuts, uncut fruits and vegetables only.
- (b) Ice cream trucks. Vends pre-wrapped and sealed ice cream, canned soft drinks, pre-packaged candy, chips and pickles.
- (c) Mobile cold trucks. Vends pre-packaged, prepared, TCS Food and/or (formally PHF) potentially hazardous and non TCS Food in individual packages for immediate consumption.
- (d) Mobile hot trucks. Prepares and vends TCS Food and non TCS Foods on site. On this unit, food is cooked, wrapped, packaged, processed or portioned for service, sale or distribution.
- (e) General requirements. Specific requirements for Mobile Food Vendors are determined by the type of unit as outlined in this article. In addition to the specific requirements for each type of Mobile Food Vendor, each unit must satisfy all of the following:
  - (1) Business/firm name and phone number on both sides of the unit in at least three inch letters.
  - (2) A copy of the most recent inspection report must be on the unit at all times.
  - (3) All Mobile Food Establishments must operate from a base of operation, such as an approved commissary or other fixed Food Establishments permitted and inspected by a city.
  - (4) The operator of the permitted Mobile Food Vendor must report daily to the commissary for supplies, cleaning and servicing of the unit. Mobile Food Vendors must be stored at the commissary when not in use.
  - (5) Mobile Food Vendors are prohibited from remaining at the same location for a period of ten minutes after the last sale.
  - (6) Time/temperature foods must be hermetically sealed, dated, and labeled as to type of food and location of preparation. All TCS Foods must be disposed of at the end of each day of operation. No home-prepared foods will be allowed.
  - (7) If food is purchased at a permitted Food Establishment, the establishment must be licensed with the appropriate state agency as a food manufacturer. These foods must meet the same packaging and labeling requirements as listed above.
  - (8) All condiments must be dispensed in single-service containers, packages or in an approved commercially filled dispenser-type container.
  - (9) Single-service cups must be dispensed in a sanitary manner.
  - (10) No direct food handling of any type will be permitted by mobile cold truck vendors or customers.

- (11) All cold TCS Foods must be kept at an internal temperature of 41°F or below. All hot TCS Foods must maintain an internal temperature of 135°F or higher. Mechanical hot-holding and cold-holding units must have accurate, numerically-scaled thermometers conspicuously placed inside the units.
- (f) Specific requirements.
  - (1) Ice cream trucks.
    - a. Must be an enclosed or covered truck or van with a smooth easily cleanable floor.
    - b. Must have an enclosed freezer with a visible and accurate, numerically-scaled thermometer to store ice cream.
    - c. All ice cream must be pre-wrapped, sealed, labeled and obtained from an approved source or commissary.
    - d. Pre-packaged candy, chips and soft drinks may be sold in single-service units.
    - e. Signs in front and rear of the unit bearing the words "Caution Watch for Children" must be present in three-inch letters on a contrasting background.
    - f. Vehicles must have one revolving amber strobe light that is visible from a distance of 500 feet in the daylight and shall be placed on top of the vehicle. The light should be used only when slowing down or stopping in the right lane with flashing amber lights working.
    - g. All sales shall be conducted from the curb side of the vehicle.
    - h. Everything that is necessary for the operation of the truck must be on the truck.
    - i. Unit must be maintained in good repair and in a clean condition.
    - j. No sales shall be conducted before sunrise or after sunset.
    - k. Ice cream truck vendors; drivers and servers shall be subject to and comply with the regulations set out in Chapter 111 "Peddlers and Solicitors" of the City of Mansfield Municipal Zoning Code of Ordinances. Occupants of the vehicle must display a valid identification card, issued by the City of Mansfield, visible to the public, at times the vehicle is in service to conduct transactions. Ice cream truck vendors, drivers, and occupants are exempt from Chapter 111.11(C) and 111.11 (D) of this ordinance. In addition, cardholders must comply with the regulations set forth in the City of Mansfield Municipal Zoning Code of Ordinance.
  - (2) Mobile cold trucks.
    - a. Must be an enclosed commercial unit operated from a truck with proper storage and display space.
    - b. Must provide proper equipment (such as NSF-approved mechanical holding ovens, NSF-approved surfaces for food contact and cold storage areas) to keep TCS Food at 135°F or above for hot foods or 41°F or below for cold foods. An accurate, numerically-scaled thermometer must be displayed inside both hot and cold storage units.
    - c. Only pre-wrapped, bottled, canned or otherwise packaged food in individual servings for immediate consumption may be sold.

- d. All food must be properly labeled and obtained from an approved commissary. The label on all foods must declare the common name of the food, list of ingredients, contents by weight or volume, packaging date and the name and address of manufacturer or packer.
- e. Only non-TCS Food beverages dispensed from covered urns or other protected equipment may be served.
- f. If ice is used to keep food cold, it must be drained into a retention tank to be properly disposed of at the commissary location. No block ice allowed.
- g. Everything that is necessary for the operation of the truck must be on the truck.
- h. All condiments must be dispensed in single-service containers, packages, or an approved commercially filled dispenser-type container.
- i. An accurate, numerically-scaled metal stem thermometer is required to check food temperatures.
- j. Unit must be maintained in good repair and in a clean condition.
- k. An approved commissary is required, which is permitted and inspected by the appropriate Regulatory Authority, at which those foods to be sold are obtained and prepared, and also for servicing the unit.
- I. A spray bottle of sanitizer (appropriate mixture of approved sanitizer) must be available. All chemicals, cleaners, etc., must be stored away from food and food contact items.
- m. Appropriate chemical test kits must be present on the truck.
- n. A container of liquid hand sanitizer must be available for the operator.
- (3) Mobile hot trucks.
  - a. Must be an enclosed commercial van designed for the transportation, storage and preparation of TCS Food and non-TCS Foods.
  - Must provide proper equipment (such as stainless steel three-compartment sink, and stainless steel hand wash sinks), supplied with both hot and cold potable water under pressure.
  - c. Wastewater retention tank is required and must be at least 15 percent greater capacity than the potable water supply.
  - d. Water for hand washing and dish washing must be heated via an electrical, on demand system to generate water at a minimum temperature.
  - e. NSF-approved mechanical refrigerators, freezers, stoves, ovens and hot holding units are required to maintain TCS Food at or above 135°F for hot foods or at or below 41°F for cold foods. Units used to store TCS Foods must be provided with visible and accurate, numerically-scaled thermometers.
  - f. Unit must be provided with adequate ventilation, exhaust fans and proper lighting and shields.
  - g. All food must be obtained from an approved source or commissary.
  - h. Only non-TCS Food beverages that are dispensed from covered urns or other protected equipment may be served.

- i. The serving of ice for beverages can be dispensed from an automatic dispenser or served by the mobile hot truck operator(s) only.
- j. Everything that is necessary for the operation of the truck must be on the truck.
- k. An accurate, numerically-scaled metal stem thermometer is required to check food temperatures.
- I. Other items that must be present are liquid hand soap, disposable paper towels, approved sanitizer, chemical test kit, fire extinguisher and a first aid kit.
- m. Operator must have a valid Food Protection Manager certification. All other employees must have a valid Food Handler certification.
- n. Unit must be maintained in good repair and in a clean condition.
- (4) Limited service pushcarts.
  - a. An enclosed Mobile Food Vendors capable of being maneuvered by one person.
  - b. Pre-packaged frozen desserts must be maintained frozen by means of dry ice or a mechanical freezer.
  - c. Everything that is necessary for the operation of the unit must be located on the unit. No additional ice bins, ice chests, tables, etc., are allowed. The unit must be a stand-alone, self-contained unit with a visible and accurate, numerically scaled thermometer.
  - d. Units must be maintained in good repair and in a clean condition.
  - e. Further requirements for push carts may be found in the City of Mansfield Code of Ordinances under zoning 155.099, special conditions. In the event of conflict between the provisions of this Chapter 94 and those found in Section 155.099, special conditions, the more restrictive provisions shall prevail.

#### 94.20 Seasonal Food Establishments.

- (a) General requirements. The Regulatory Authority may impose additional requirements to protect against health hazards related to the conduct of Seasonal Food Establishments, may prohibit the sale of some or all TCS Food, and when no health hazards will result, may waive or modify requirements of this section. Seasonal Food Establishments shall comply with the requirements of this article, including but not limited to, Concession Stands, Snow Cone Stands, and Farmer's Markets.
- (b) Concession Stands. Concession facilities are seasonal food service establishments generally associated with athletic and recreational facilities. The degree of regulation of a concession facility shall depend upon the type and volume of foods conveyed, and the status of the facility.

## 94.21 Farmer's Markets.

(a) Farmer's Markets. All Farmer's Markets and each vendor attending a Farmer's Market shall comply with the requirements of this chapter, unless otherwise restricted by applicable state or federal law.

- (1) Farm stands and farmers selling food from their farm must meet the requirements of this section.
- (2) Responsibility, assignment. The Farmer's Market permit holder shall be the PIC or shall designate a PIC and shall ensure that a PIC is present at the Farmer's Market during all hours of operation. The PIC shall provide proof of successfully passing an ANSI-accredited certified Food Protection Manager's course upon request.
- (3) Farmer's Market vendors that offer, sell, or distribute TCS Food shall have a PIC that can provide proof upon request of successfully passing a Texas Department of State Health Services (DSHS) recognized certified Food Handler course. Food vendors that offer, sell, or distribute only prepackaged non-TCS Food and plants, nuts in the shell, or whole, raw fruits and vegetables that intended for hulling, peeling, or washing by the consumer before consumption, are exempt from the certified Food Handler requirement.
- (4) The PIC of the Farmer's Market shall maintain, and provide upon request, a list of all Farmer's Market vendors. The list shall be maintained for a least ninety (90) calendar days from the date of the end of the market. This list shall include:
  - (i) The name, address, and phone number of each vendor;
  - (ii) The date(s) the vendor operated at the Farmer's Market;
  - (iii) A list of the food offered by vendor for each date operated at the Farmer's Market;
  - (iv) A copy of any applicable permit(s) held by the vendor; and
  - (v) The address or location of each food item's origin, including on where the food was grown, cultivated, or otherwise obtained by the vendor.

## (b) Food.

- (1) Preventing contamination.
  - (i) Food display. Except for plants, nuts in the shell, and whole, raw fruit and vegetables that are intended for hulling, peeling, or washing by the consumer before consumption, food on display shall be protected from contamination by use of packaging; counter, service line, or sneeze guards that comply with National Sanitation Foundation (NSF) or equivalent standards; be completely enclosed display cases accessible only to Farmer's Market vendor staff; or by other means approved by the Regulatory Authority.
  - (ii) A Farmer's Market shall have written procedures for employees to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces at the Food Establishment. The procedures shall address the specific actions employees must take to minimize the spread of contamination and the exposure of employees, consumers, food, and surfaces to vomitus or fecal matter. This procedure shall be available to the Regulatory Authority upon demand. Applicable equipment needed by the procedure shall be always available on-site.
  - (iii) Approved source. Only food from an approved source as defined in this article, or food prepared in a Cottage Food Production Operation, may be offered at a Farmer's Market.

- (iv) Prohibited items. Fish, foraged food, game animals, gleaned food, and non-pasteurized dairy items are prohibited at a farmer's market. Raw cheeses from approved sources are allowed.
- (v) Temperature requirements. Food temperatures must be in compliance with this article. Equipment used to hold food shall maintain required temperatures for the duration of the Farmer's Market.
  - a. Meats and poultry shall be maintained at or below 41 degrees Fahrenheit for the duration of the market, and also while being transported to the market.
  - b. Eggs and refrigerated dairy items shall be maintained at or below 45 degrees Fahrenheit during transport to the market and for the duration of the market.
- (vi) Sampling. Sampling shall meet the requirements of Section 437.020 of the Texas Health and Safety Code, as amended.
- (2) Equipment, utensils, and facilities.
  - Functionality of equipment. Equipment used to keep food frozen or refrigerated shall comply with this code, and shall be able to maintain required temperatures for the duration of operations.
  - (ii) Tables used within the vending area shall be made of non-porous material and easily cleanable.
- (3) Equipment, numbers, and capacities. Where required, at least one (1) hand washing facility, which shall include a container with a spigot that provides potable, clean, warm water; a wastewater container; soap; disposable towels; and a waste receptacle shall be located within 25 linear feet of each vendor approved to conduct sampling operations.
  - (i) A hand wash facility is not required for vendors with only pre-packaged products and plants, nuts in the shell, and whole, raw fruits and vegetables that intended for hulling, peeling, or washing by the consumer before consumption.
  - (ii) Each Farmer's Market vendor shall provide a refuse receptacle. Receptacles shall be non-porous and insect and rodent resistant. All refuse shall be disposed of offsite from the Farmer's Market to prevent pests and shall be no less than once per day.
  - (iii) There shall be a sufficient number of receptacles to hold all the refuse that accumulates. The Regulatory Authority may require more frequent collection, dumpsters, or larger dumpsters to accommodate the refuse that accumulates at the Farmer's Market.
- (4) Physical facilities.
  - (i) Floor construction. Floors and floor coverings of all vending areas shall be located on a concrete or asphalt surface providing adequate drainage.
  - (ii) Vending areas shall be covered, free of pests, and capable of providing shelter for vendors and customers.
- (5) Plan review. Each person desiring to operate at a Farmer's Market shall submit the following to the Regulatory Authority at least five (5) business days prior to the proposed start date of the Farmer's Market:

- (i) A Farmer's Market permit application;
- (ii) A floor plan or diagram of the Farmer's Market location and layout, including the area reserved for vendors;
- (iii) An equipment list;
- (iv) A list of food proposed to be offered or vended;
- (v) Proof of food origin by providing a copy of a current manufacturer's license, providing a copy of a storage license, or providing a description of the approved source at where food will be obtained;
- (vi) A copy of approved food label(s), where applicable; and
- (vii) A description of solid and liquid waste disposal methods.
- (c) Farmer's Market inspection.
  - (1) All foods must be commercially produced prepackaged items from a license facility or commissary. Product sampling is prohibited. The does not apply to food that has been prepared or packaged under conditions meeting the requirements of this ordinance and served within facilities meeting the requirements of this chapter. This includes all Cottage Food Production Operations.
  - (2) A manufacturing permit from the Texas Department of State Health Services (DSHS) and copies of product labels shall be provide to the Regulatory Authority.
  - (3) Person(s) operating as a Farmer's Market vendor shall comply with the Texas Health and Safety Code and the requirements of this section.
  - (4) The Regulatory Authority may inspect each Farmer's Market vendor booth offering food products as is necessary for the enforcement of this section.
  - (5) The Farmer's Market manager of a certified Farmer's Market shall be responsible for ensuring that all booths are operating with a current and valid permit and for ensuring that all shared or common facilities and operations comply with this chapter.
  - (6) In the case of repeated violations of this section, the Regulatory Authority may impose restrictions on the food products at a Farmer's Market vendor booth.
  - (7) A Farmer's Market vendor may not set up food sampling operations as unattended self-service displays for customers.
  - (8) A Farmer's Market vendor shall correct all violations at the time of inspection unless an extension is allowed by the Regulatory Authority. No extension shall be granted where the violation poses an Imminent Health Hazard to the public.
  - (9) Farmer's Market vendors operating at a certified Farmer's Market without a valid permit or with a suspended permit constitutes an offense under this chapter.
  - (10) The Regulatory Authority may impose additional requirements to protect against health hazards related to the conduct of a farmer's market booth.
  - (11) Cottage Food. Cottage Food sold at the Farmer's Market shall be labeled and such labels must include name and complete address of Cottage Food Production Operation, major allergens,

aı	atch number (if applicable), and the following statement "This food is made in a home kitche nd is not inspected by the Texas Department of State Health Services or a local health epartment."	!n

## Exhibit B

The grade of each food establishment shall be evidenced by the posting of an inspection card bearing the letter "A" "B" or "C".

- (i) The letter "A" shall indicate a score of 90 points or more, and indicates that the food establishment passed the inspection and meets the minimum health standards.
  - a. Grade "A" cards shall be of a color designated only for grade "A" cards.
- (ii) The letter "B" shall indicate a score of 80-89 points and indicates that the food establishment passed the inspection and meets the minimum health standards.
  - a. Grade "B" cards shall be of a color designated only for grade "B" cards.
- (iii) The letter "C" shall indicate a score of 70-79 points and indicates that the food establishment passed the inspection and meets the minimum health standards but is at risk of potentially being a threat to public health and safety.
  - a. Grade "C" cards shall be of a color designated only for grade "C" cards.

## Exhibit C

The grade of each food establishment shall be evidenced by the posting of an inspection certificate bearing the name of the establishment and numerical score of the most recent inspection report.

- (i) The inspection certificate will be posted in a conspicuous place.
- (ii) Food establishments will have their most recent inspection report readily available to the public for viewing.

## Exhibit D

The grade of each food establishment shall be evidenced by the posting of an inspection card in the form of a matrix barcode, also referred to as a QR code.

- (i) The QR code will be provided to the food establishment for posting in a conspicuous place and accessible to all food establishment patrons to scan.
- (ii) The QR code will be accessible through a mobile device which will direct users to an online posting in which the most recent inspection score for the food establishment is available.
- (iii) In the event that a mobile or other device is unavailable in order to use the QR code function, food establishments will make a copy of their most recent inspection report readily available to the public for viewing.



## CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

## **STAFF REPORT**

**File Number: 22-4632** 

Agenda Date: 4/25/2022 Version: 1 Status: Consent

In Control: City Council File Type: Resolution

#### Agenda Number:

#### Title

Resolution - A Resolution Authorizing Funding for the Replacement of the Brown St. Sewer Line to NO-DIGTEC, LLC through the Interlocal Purchasing System (TIPS) for an Amount Not to Exceed Ninety-Six Thousand One Hundred and Ninety-Five Dollars (\$96,195.00)

#### **Requested Action**

Consider the resolution authorizing funds in the amount of Ninety-Six Thousand One Hundred and Ninety-Five Dollars (\$96,195.00) and approval of a construction contract with NO-DIGTEC, LLC for the replacement of the Brown St. Sewer Line.

#### Recommendation

Staff recommends approval

## **Description/History**

The Brown St. Sewer Line consist of a six-inch clay sewer line that was installed during the 1960's. The alignment of the sewer line extends to the end of Brown St through a wooded right-of-way going underneath the railroad tracks to Rose Park.

#### Justification

The Brown St. sewer line has several failures that has affected the overall integrity of the pipeline. These failures are leading to several blockages which is causing interruptions in service to the residents. The pipeline connects to three sewer manholes that will be repaired as part of this project. The contractor will replace the clay sewer line with high density polyethylene pipe through the method of pipe bursting.

#### **Funding Source**

**Utility Operations Fund** 

#### **Prepared By**

Alex Whiteway., Assistant Director, Utilities Department 817-728-3615

RESOLUTION NO				
A RESOLUTION AUTHORIZING FUNDING FOR THE REPLACEMENT OF THE BROWN ST. SEWER LINE TO NO-DIGTEC, LLC THROUGH THE INTERLOCAL PURCHASING SYSTEM (TIPS) FOR AN AMOUNT OF \$96,195.00 (UTILITY FUND)				
<b>WHEREAS,</b> the City of Mansfield received the Bid through the Interlocal Puchasing System TIPS; and,				
<b>WHEREAS,</b> the funding source for the Repalcement of the Brown St. Sewer line will be from the Utility Fund; and,				
<b>WHEREAS,</b> it is recognized that it is in the best interest of the citizens of the City of Mansfield that the construction provided for herein be started at the earlist possible date to insure necessary service and delivery; and				
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:				
SECTION 1.				
The City Manager or his designee authorized to execute an agreement with NO DIGTEC, LLC for the replacement of the Brown St. Sewer Line for an amount of Ninety-Six Thousand One Hundred and Ninety-Five Dollars (\$96,195.00).				
SECTION 2.				
This resolution shall become effective from and after its passage.				
PASSED AND APPROVED THIS THE $25^{TH}$ DAY OF APRIL, 2022.				
Michael Evans, Mayor				
ATTEST:				

Susana Marin, City Secretary



## CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

## **STAFF REPORT**

File Number: 22-4633

Agenda Date: 4/25/2022 Version: 1 Status: Consent

In Control: City Council File Type: Resolution

#### Agenda Number:

#### Title

Resolution - A Resolution Ratifying the Expenditure of Funds in the Amount of Fifty-Seven Thousand and Eight Hundred Dollars (\$57,800.00), for the Rebuilding of Pump 310 at the Bud Ervin Water Treatment Plant.

## **Requested Action**

Consider the resolution authorizing funds in the amount of \$57,800.00 to Precision Pump Systems for the rebuilding of Pump 310.

#### Recommendation

Staff recommends approval

## **Description/History**

Pump 310 on the Upper-Pressure Plane High Service Pump Station had a mechanical failure that required rebuilding the pump. Maintaining system integrity and ensuring our ability to provide service to all of our customers is one of our top priorities. Having worked with Precision Pump Systems in the past and being on the BuyBoard, we called them in to diagnose our pump. Upon rebuilding the motor, it was determined that the motor failure was related to the wet portion of the pump needing to be replaced. With supply chain delays and unknown parts availability, authorization to move forward was given to rebuild the pump. This resolution ratifies that decision and supports the funding of this repair.

#### Justification

The Bud Ervin Water Treatment Plant consists of 10 high service pumps split between two pressure planes to supply water to all City of Mansfield residents. Pump 310, needing to be rebuilt, is one of four pumps on the upper-pressure plane pump station. These pumps are essential to daily operations and remain in compliance with TCEQ.

## **Funding Source**

**Utility Operations Fund** 

## Prepared By

Alex Whiteway., Assistant Director, Utilities Department 817-728-3615

RESOLUTION NO				
A RESOLUTION RATIFYING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$57,800.00, FOR THE REBUILD OF PUMP 310 AT THE BUD ERVIN WATER TREATMENT PLANT (UTILITY FUND)				
<b>WHEREAS,</b> the City of Mansfield received the Bid through the Interlocal Puchasing System BuyBoard; and,				
<b>WHEREAS,</b> the funding source for the rebuild of Pump 310 will be from the Utility Fund; and,				
<b>WHEREAS,</b> it is recognized that it was in the best interest of the citizens of the City of Mansfield to rebuild Pump 310 to insure service and delivery.				
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:				
SECTION 1.				
The City Manager or his designee is hereby authorized to enter into an agreement with Precision Pump Systems for the rebuild of Pump 310 for an amount of Fifty-Seven Thousand Eight Hundred Dollars (\$57,800.00).				
SECTION 2.				
This resolution shall become effective from and after its passage.				
PASSED AND APPROVED THIS THE 25TH DAY OF APRIL, 2022.				
Michael Evans, Mayor				
ATTEST:				

Susana Marin, City Secretary



## CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

## STAFF REPORT

File Number: 22-4641

Agenda Date: 4/25/2022 Version: 1 Status: Consent

In Control: City Council File Type: Resolution

#### Agenda Number:

## Title

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Approving a Contingent Fee Contract with Perdue, Brandon, Fielder, Collins, and Mott, LLP Pursuant to Section 6.30 of the Texas Property Tax Codem Said Contract Being for the Collection of Delinquent Government Receivables Owed to the City and to End the City's Relationship with the Current Firm

## Requested Action

Authorize the City Manager to Execute the Contingent Fee Contract with Perdue Brandon Fielder Collins and Mott, LLP for the Collection of Delinquent Government Receivables and to End the Relationship with the Current Firm.

#### Recommendation

Staff recommends that the City Council of the City of Mansfield, Texas approve and authorize the City Manager to finalize and execute the contingent fee contract with Perdue Brandon Fielder Collins and Mott, LLP for the collection of delinquent government receivables and to end the relationship with the current firm.

## **Description/History**

On January 10, 2011, the City Council authorized the City Manager to execute a contract for the collection of delinquent taxes with Linebarger, Goggan, Blair & Sampson L.L.P. Historically, the City has outsourced the enforcement and collection of delinquent property taxes to a collection agency. The most recent collection period from July 1, 2021, to March 31, 2022, saw a collection percentage of 60.67% by Linebarger.

## **Justification**

While Linebarger has been fairly consistent at collecting the delinquent property taxes for the City of Mansfield over the years, the collection for 2021 fell below 80% and this year has fallen to 61%.

## **Funding Source**

N/A

File Number: 22-4641

## Prepared By

Troy Lestina, CFO, 817-276-4258

RESOLUTION NO.
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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS APPROVING A CONTINGENT FEE CONTRACT WITH PERDUE, BRANDON, FIELDER, COLLINS, AND MOTT, LLP PURSUANT TO SECTION 6.30 OF THE TEXAS PROPERTY TAX CODE, SAID CONTRACT BEING FOR THE COLLECTION OF DELINQUENT GOVERNMENT RECEIVABLES OWED TO THE CITY AND TO END THE CITY'S RELATIONSHIP WITH THE CURRENT FIRM

**WHEREAS** the City of Mansfield desires to enter into a contingent fee contract with the law firm of Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Firm"); and,

**WHEREAS**, The City of Mansfield desires to enter into a contract with the Firm for the collection of delinquent ad valorem taxes owed to the City of Mansfield and through this contract the City of Mansfield seeks to increase recovery of its delinquent debts in as expeditious manner as possible; and,

**WHEREAS**, the City of Mansfield believes this contingent fee contract is in its best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS THAT:

## **SECTION 1.**

The contract with Perdue Brandon Fielder Collins and Mott LLP, for the collection of delinquent taxes is approved and the City Manager is authorized to execute the contract.

## **SECTION 2.**

The written findings within the contract are true and correct, are incorporated into this Resolution, and the City Manager is authorized to execute such written findings.

## **SECTION 3.**

The City Manager is authorized to execute documents ending the relationship with the City's existing delinquent tax firm.

## **SECTION 4.**

This resolution shall be effective immediately upon adoption.

PASSED AND APPROVED THIS THE 25<sup>TH</sup> DAY OF APRIL 2022.

	22-464
Michael Evans, Mayor	
	Michael Evans, Mayor

## CONTRACT FOR THE COLLECTION OF DELINQUENT TAXES

THE STATE OF TEXAS

§ § §

COUNTY OF TARRANT

THIS CONTRACT is made and entered into by and between the **CITY OF MANSFIELD**, acting herein and through the City Council, hereinafter called "Taxing Authority," and **PERDUE**, **BRANDON**, **FIELDER**, **COLLINS & MOTT**, **L.L.P.**, Attorneys at Law, Arlington, Texas, or their duly authorized representatives, hereinafter called "the Firm."

T.

Taxing Authority agrees to retain the services and does hereby retain the services of the Firm to enforce, by suit or otherwise, the collection of all delinquent taxes, penalty and interest, owing to Taxing Authority and which Taxing Authority's Tax Assessor-Collector refers to the Firm. Current year taxes that become delinquent within the period of this Contract shall become subject to this Contract's terms upon the following conditions:

- A. Taxes that become delinquent during the term of this Contract that are not delinquent for any prior year become subject to the terms of this Contract on the 1st day of the month in which penalties attach to the taxes pursuant to Section 33.07, 33.08 and/or 33.11 of the Texas Property Tax Code.
- B. Taxes that become delinquent during the term of this Contract on property that is delinquent for prior years shall become subject to its terms on the first day of delinquency when such property is under litigation, comes under litigation, or is referred to the Firm for collection by Taxing Authority's Tax Assessor-Collector.

- C. Notwithstanding A or B, the Taxing Authority may turn over to the Firm to pursue remedies under Sections 33.48 or 33.21, et. Seq., of the Texas Property Tax Code at Taxing Authority's discretion, and said taxes will become subject to the terms of this Contract.
- D. All delinquent personal property taxes that shall become subject to this Contract are to be turned over to the Firm for collection 60 days after the delinquency date for said taxes. A 15% penalty shall be assessed against the taxpayer to defray the cost of collecting those taxes as provided by Section 33.11, Texas Property Tax Code. All collection penalties or attorney fees collected on those taxes are the property of the Firm and shall be paid in the same manner as all other collection penalties or attorney fees under this Contract.
- E. Other taxes, including current taxes, which are turned over to the Firm by Taxing Authority's Tax Assessor-Collector because of the necessity of filing claims in Bankruptcy, with other Federal authorities, or for other reasons, shall become subject to the terms of this Contract at the time they are turned over to the Firm and the Firm shall be entitled to the appropriate percentage, as set forth in Paragraph IV, of any amounts of delinquent taxes, penalties, and interest actually received by Taxing Authority.
- F. Taxing Authority reserves the right to make the final decision as to whether or not to enforce by suit any delinquent tax account turned over to the Firm for collection.

II.

The Firm is to call to the attention of the Taxing Authority's Tax Assessor-Collector or other designated officials any errors, double assessments or other discrepancies coming under its observation during the progress of the work and is to intervene on behalf of Taxing Authority in all suits for taxes hereafter filed by any taxing unit on property located within its taxing jurisdiction.

## III.

The Firm agrees to make progress reports to Taxing Authority on request and to advise Taxing Authority of all cases where investigation reveals taxpayers to be financially unable to pay their delinquent taxes.

## IV.

Taxing Authority agrees to pay the Firm, as compensation for services rendered hereunder, the percentage as set forth below of the total amount of delinquent taxes, penalties, and interest which are subject to this Contract and which are collected and paid to the Taxing Authority's Tax Assessor-Collector, when an equal amount of Section 33.07, 33.08 or 33.11 penalties is recovered from the taxpayer. This shall be fifteen percent (15%) or the current rate being charged to the taxpayer, whichever is greater, but shall not exceed twenty percent (20%).

Other taxes, including current taxes, which are turned over to the Firm by the Taxing Authority's Tax Assessor-Collector because of the necessity of filing claims in bankruptcy, with other federal authorities, or for other reasons, shall become subject to the terms of this Contract at the time they are turned over to the Firm and the Firm shall be entitled to the appropriate percentage-based compensation, as set forth above, of any amounts of delinquent taxes, penalties, and interest received by the Taxing Authority. The Firm also shall be entitled to the appropriate

percentage-based compensation, as set forth above, of current taxes received by the Taxing Authority when such percentage-based compensation is collected from the taxpayer prior to July 1<sup>st</sup> of any tax year.

Such compensation shall become the property of the Firm at the time such delinquent taxes, penalty, and interest are actually paid to Taxing Authority's Tax Assessor-Collector. The Tax Assessor-Collector shall pay said compensation to the Firm monthly by check or other mutually agreed method with such agreement formalized in writing and signed by both parties.

V.

Taxing Authority agrees to furnish to the Firm all data and information as to the name and address of the taxpayer, the legal description of the property, and years and amount of taxes due. Taxing Authority further agrees to update said information by furnishing a list of paid accounts and adjustments to the tax roll as necessary. The Firm agrees that it will not share or disclose any confidential Taxing Authority information with any other company, individual, organization or agency without the prior written consent of the Taxing Authority, except as may be required by law or where such information is otherwise publicly available.

Section 33.48(a)(4) of the Texas Property Tax Code provides: "In addition to other costs authorized by law, a taxing unit is entitled to recover...reasonable expenses that are incurred by the taxing unit in determining the name, identity and location of necessary parties and in procuring necessary legal descriptions of the property on which a delinquent tax is due...." The Firm agrees to advance on behalf of Taxing Authority such costs and expenses. In consideration of the advancement of such costs and expenses by the Firm, Taxing Authority assigns its right to recover the same to the extent approved by the Court and/or customarily and usually approved by the

Court. The Firm expressly waives any claim against Taxing Authority for uncollected costs or expenses.

## VI.

This Contract is for a period of one (1) year and shall commence on the 1st day of July, 2022 and shall automatically renew and continue in full force and effect thereafter from year to year for additional twelve month period on the same terms and conditions unless either party delivers written notice to the other party of its intent to terminate this contract at least sixty (60) days prior to each renewal date of this contract. The notice to terminate can be given for any reason whatsoever. Upon termination, the Firm shall have an additional six (6) months to reduce to payment or judgment all tax litigation and bankruptcy claims filed prior to receipt of the notice of termination. During this six (6) month period following the notice of termination, the Firm agrees to otherwise comply with the terms of this Contract. Taxing Authority agrees to compensate the Firm for any such accounts collected during the six (6) month period in accordance with the terms of Section I(D) above.

If, at any time during the initial term of this Contract or any extension thereof, Taxing Authority determines that the Firm's performance under the Contract is unsatisfactory, the Taxing Authority shall notify the Firm in writing of this determination and the particular deficiencies in performance. The Firm shall have sixty (60) days from the date of this notice to cure such deficiencies. If, at the conclusion of that sixty (60) day cure period, Taxing Authority remains unsatisfied with the Firm's performance, Taxing Authority may terminate this Contract effective upon the expiration of thirty (30) days following the date of written notice to the Firm of such termination.

VII.

Every provision of this Contract is intended to be severable. If any term or provision hereof

is hereafter deemed by a court to be illegal, invalid, void or unenforceable, for any reason or to

any extent whatsoever, such illegality, invalidity, voidness or unenforceability shall not affect the

validity of the remainder of this Contract, it being intended that such remaining provisions shall

be construed in a manner most closely approximating the intention of the Parties with respect to

the illegal, invalid, void or unenforceable provision or part thereof. This Contract represents the

entire agreement between the Parties with respect to the subject matter hereof, and no changes,

amendments, or alterations shall be effective unless in writing and signed by both Parties.

The Firm verifies that it is in compliance with and will comply with all provisions of Texas

Government Code Chapters 2252, Subchapter F, 2254, 2271, and 2274 during the term of this

Contract. In support of this Contract, the City of Mansfield has also adopted written findings

pursuant to Section 2254.1036 of the Government Code.

For the purposes of sending any notices under the terms of this Contract, all notices shall

be in writing and shall be sent or delivered to the following addresses by certified mail, return

receipt requested; by personal delivery; or by messenger or a nationally recognized overnight

courier service. The effective date of any notice shall be (i) if by certified mail, the date upon which

the return receipt is signed, delivery is refused, or the notice is designated as undeliverable, or (ii)

if by other methods, the date of delivery of the notice.

City of Mansfield

ATTN: City Manager

1200 E. Broad Street

Mansfield, Texas 76063

Perdue, Brandon, Fielder, Collins & Mott L.L.P.

500 East Border Street, Suite 640

Arlington, Tx 76010

The substantive laws of the State of Texas (and not its conflicts of law principles) govern

all matters arising out of, or relating to, this Agreement and all of the transactions it contemplates,

including without limitation its validity, interpretation, construction, performance and

enforcement. Mandatory and exclusive venue for any action concerning this Agreement must be

in a court of competent jurisdiction in Tarrant County, Texas.

If either Party employs an attorney or attorneys to enforce any of the provisions hereof, or

to recover damages for the breach of this Agreement, the non-prevailing Party in any final

judgment or award agrees to pay the other Party all reasonable costs, charges and expenses,

including reasonable attorneys' fees and costs of court, expended or incurred in connection

therewith.

In consideration of the terms and compensation herein stated, the Firm hereby accepts said

retention of services and undertakes the performance of this Contract as above written.

WITNESS the signatures of all parties hereto in duplicate originals this the 25<sup>th</sup> day of

April, 2022, in the City of Mansfield, Tarrant County, Texas.

**CITY OF MANSFIELD** 

By: \_\_

Joe Smolinski, City Manager

On Behalf of the City Council for the City of Mansfield

PERDUE, BRANDON, FIELDER, COLLINS & MOTT, L.L.P.

By:

Elena Fernandez, Partner

On Behalf of the Firm

# Written Findings as to the Collections Contract with Perdue, Brandon, Fielder, Collins & Mott, LLP

In an open meeting, the City Council for the City of Mansfield considered all matters listed in Section 2254.1036(a)(1) of the Government Code, as they relate to a contingent fee contract with Perdue Brandon Fielder Collins and Mott, LLP.

The City Council, pursuant to Section 2254.1036(b) of the Government Code, hereby finds the following to be true: 1) there is a substantial need for the legal services specified in said contract; 2) these legal services cannot be adequately performed by the attorneys and supporting personnel of the City of Mansfield; and 3) these legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which these services will be obtained or because the City of Mansfield does not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees.

Therefore, this City Council hereby approves the contract by and between City of Mansfield and Perdue Brandon Fielder Collins & Mott, LLP, for professional legal services regarding the collection of delinquent ad valorem taxes with services to be paid in accordance with Section 6.30 of the Texas Tax Code.

APPROVED and EXECUTED this the _	day of, 2022.
Joe	Smolinski, City Manager
On	Behalf of the City Council for the City of Mansfield



## **CITY OF MANSFIELD**

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

#### **STAFF REPORT**

File Number: 22-4647

Agenda Date: 4/25/2022 Version: 1 Status: Approval of Minutes

In Control: City Council File Type: Meeting Minutes

#### Agenda Number:

#### Title

Minutes - Approval of the April 11, 2022 Regular City Council Meeting Minutes

#### **Requested Action**

Action to be taken by the Council to approve the minutes.

#### Recommendation

Approval of the minutes by the Council.

#### **Description/History**

The minutes of the April 11, 2022 Regular City Council Meeting are in DRAFT form and will not become effective until approved by the Council at this meeting.

#### **Justification**

Permanent Record

#### **Funding Source**

N/A

#### **Prepared By**

Susana Marin, TRMC, City Secretary 817-276-4203



#### CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

## **Meeting Minutes - Draft**

## **City Council**

Monday, April 11, 2022 4:00 PM Council Chambers

# REGULAR MEETING AMENDED AGENDA

#### 4:00 P.M. - CALL MEETING TO ORDER

Mayor Evans called the meeting to order at 4:00 p.m.

Present 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

#### **WORK SESSION**

Discussion Regarding Proposed Project within the South Pointe Planned Development District

City Manager Joe Smolinski introduced David Branch of the South Pointe Development. Mr. Branch provided a video update on the development of South Pointe and introduced representatives from Grenadier Homes, who are interested in developing a parcel of land in South Pointe into townhomes. Anthony Natale, a founder of Grenadier Homes, and Robert Swegler, VP of Operations, introduced themselves and Mr. Natale provided a background of Grenadier Homes. He presented the proposed development and along with Mr. Branch, answered Council questions.

Mr. Branch introduced representatives from Hines, who were in attendance to speak on another proposed development within South Pointe. Sean Luther provided a background on Hines and provided an overview of the proposed multi-family development. Mr. Luther and Mr. Branch answered Council and staff questions.

**Upcoming Ordinance Revision Update** 

Strategic Initiatives Officer Nicolette Ricciuti discussed upcoming ordinance revisions for the City's rental and health inspections programs. She provided red-lined ordinances to the Council for their review before the ordinance adoptions at the April 25, 2022 Regular City Council Meeting.

Discussion Regarding Downtown Mansfield Development Strategies

Assistant City Manager Matt Jones introduced the discussion by speaking on the downtown incentive programs already in place and the possible expansion of those to include a technology based incubator to bring businesses to Smith Street, in conjunction with the Hoque Global development. Council expressed their support for such a program.

#### RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 5:30 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 5:51 p.m. Mayor Evans recessed the executive session at 6:41 p.m.

# 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 Pending Litigation - Cause No. DC-20-16161

Seek Advice of City Attorney Regarding Economic Development Project #21-28

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

Land Acquisition for Future Development

#### Personnel Matters Pursuant to Section 551.074

Deliberation Regarding Commercial or Financial Information Received From or the Offer of a Financial or Other Incentive Made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is Conducting Economic Development Negotiations Pursuant to Section 551.087

Economic Development Project #21-21

Economic Development Project #22-13

Economic Development Project #22-14

#### <u>6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION</u>

# 7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION

Mayor Evans reconvened into regular business session at 7:01 p.m.

#### **INVOCATION**

Pastor Mike Johnston of Trinity Presbyterian Church provided the Invocation.

#### PLEDGE OF ALLEGIANCE

Mayor Pro Tem Tonore led the Pledge of Allegiance.

#### **TEXAS PLEDGE**

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

Council Member Short led the Texas Pledge.

#### **PROCLAMATIONS**

22-4616 Animal Care & Control Week

Mayor Evans read and presented the proclamation to Animal Care and Control staff.

<u>22-4617</u> National Emergency Telecommunicators Appreciation Week

Mayor Evans read and presented the proclamation to Mansfield telecommunicator staff.

#### **CITIZEN COMMENTS**

Dennis Webb, 1109 Meriwether Street - Mr. Webb spoke on the total solar eclipse happening in April 2024 and encouraged the City to prepare for visitors who will travel to the area to witness the event.

Shelly - Ms. Shelly spoke on the upcoming bond election and asked questions of the Council.

#### **COUNCIL ANNOUNCEMENTS**

Council Member Leyman had no announcements.

Council Member Short had no announcements.

Council Member Lewis had no announcements.

Mayor Pro Tem Tonore had no announcements.

Council Member Bounds had no announcements.

Council Member Broseh had no announcements.

Mayor Evans thanked those who were spreading the word regarding the bond propositions.

#### **STAFF COMMENTS**

**City Manager Report or Authorized Representative** 

Current/Future Agenda Items

Bond Election Update - Bernadette McCranie

Director of Communications and Outreach Bernadette McCranie provided an update on the bond election presentations and answered Council questions.

Government Finance Officers Association Distinguished Budget Presentation Award

Chief Financial Officer Troy Lestina announced that the City had received the GFOA Distinguished Budget Presentation Award for the 35th consecutive year.

#### **Business Services Department Report**

22-4615 Presentation of the Monthly Financial Report for the Period Ending February 28, 2022

Troy Lestina was available for questions.

#### TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

There was no action taken.

#### **CONSENT AGENDA**

22-4604

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Execution of a Joint Election Agreement and Contract with Ellis County Elections Administrator to Perform Election Services for the May 7, 2022 Special Election; and Providing an Effective Date

A motion was made by Council Member Broseh to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE ELLIS COUNTY ELECTIONS ADMINISTRATOR TO PERFORM ELECTION SERVICES FOR THE MAY 7, 2022 SPECIAL ELECTION; AND PROVIDING AN EFFECTIVE DATE

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh;Julie Short;Mike Leyman;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

Enactment No: RE-3849-22

**22-4605** 

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Execution of a Joint Election Agreement and Contract with the Tarrant County Elections Administrator to Perform Election Services for the May 7, 2022 Special Election; and Providing and Effective Date

A motion was made by Council Member Broseh to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TARRANT COUNTY ELECTIONS ADMINISTRATOR TO PERFORM ELECTION SERVICES FOR THE MAY 7, 2022 SPECIAL ELECTION; AND PROVIDING AN EFFECTIVE DATE

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael

**Evans and Tamera Bounds** 

Nay: 0
Abstain: 0

Enactment No: RE-3850-22

22-4606

Resolution - A Resolution of the City of Mansfield, Texas, Approving a Joint Election Agreement Between the City of Mansfield and the Mansfield Independent School District for a Joint Election to be Held on May 7, 2022; Providing for Early Voting and Election Day Procedures

A motion was made by Council Member Broseh to approve the following resolution:

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING A JOINT ELECTION AGREEMENT BETWEEN THE CITY OF MANSFIELD, TEXAS AND MANSFIELD INDEPENDENT SCHOOL DISTRICT FOR A JOINT ELECTION TO BE HELD MAY 7, 2022; PROVIDING FOR EARLY VOTING AND ELECTION DAY PROCEDURES; AND, PROVIDING FOR CANCELLATION DUE TO UNOPPOSED CANDIDATES

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael

**Evans and Tamera Bounds** 

Nay: 0
Abstain: 0

Enactment No: RE-3851-22

22-4612 Request for Special Event Permit: 2022 Mansfield Farmers Market

A motion was made by Council Member Broseh to approve the Special Event permit. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh;Julie Short;Mike Leyman;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

22-4587 Minutes - Approval of the March 9, 2022 Special City Council Meeting Minutes

A motion was made by Council Member Broseh to approve the minutes of the March 9, 2022 Special City Council Meeting as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

<u>22-4610</u> Minutes - Approval of the March 21, 2022 Regular City Council Meeting Minutes

A motion was made by Council Member Broseh to approve the minutes of the March 21, 2022 Regular City Council Meeting as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

<u>22-4611</u> Minutes - Approval of the March 29-31, 2022 City Council Strategic Visioning Workshop Minutes

A motion was made by Council Member Broseh to approve the minutes of the March 29-31, 2022 City Council Strategic Visioning Workshop as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

#### ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

Ordinance - Consideration of an Ordinance Repealing Ordinance No. OR-2243-22; Rejecting all Bids in Response to Project No. 2022-0804-01;

and Providing an Effective Date

Council Member Lewis removed this item from the consent agenda. Matt Jones explained the item and answered Council questions.

A motion was made by Council Member Lewis to approve the following ordinance:

AN ORDINANCE REPEALING ORDINANCE NO. OR-2243-22; REJECTING ALL BIDS IN RESPONSE TO PROJECT NO. 2022-0804-01; AND PROVIDING AN EFFECTIVE DATE

(Ordinance in its entirety located in the City Secretary's Office)

Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay**: 0 **Abstain**: 0

Enactment No: OR-2248-22

22-4620

Resolution - A Resolution to Consider Approving a BuyBoard Contract With Workplace Resource Group of Fort Worth, Texas in the Amount of \$282,277.73 for the Purchase and Installation of Furniture for the Mansfield Public Library

Council Member Leyman removed this item from the consent agenda. Director of Library and Historical Services Yolanda Botello answered Council questions.

A motion was made by Council Member Leyman to approve the following resolution:

A RESOLUTION TO CONSIDER APPROVING A BUYBOARD CONTRACT WITH WORKPLACE RESOURCE GROUP OF FORT WORTH, TEXAS IN THE AMOUNT OF \$282,277.73 FOR THE PURCHASE AND INSTALLATION OF FURNITURE FOR THE MANSFIELD PUBLIC LIBRARY

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Short. The motion CARRIED by the following vote:

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

Enactment No: RE-3852-22

#### END OF CONSENT AGENDA

#### PUBLIC HEARING AND FIRST READING

#### 22-4613

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Zoning Change from C-2, Community Business District to PD, Planned Development for Attached Townhome Single-Family and Community Business Commercial on 14.156 Acres of Land in the Henry McGehee Survey, Abstract No. 998, Generally Located at the Southeast Intersection of Debbie Lane and North Walnut Creek Drive on Property at 1700 North Walnut Creek Drive; John Arnold Skorburg Company, Developer (ZC#21-023)

Director of Planning Jason Alexander presented the item and answered Council questions. Joe Smolinski answered Council questions. There was general discussion amongst the Council regarding the proposed development. Applicant Adam Buczek presented and answered Council questions.

Mayor Evans opened the public hearing at 8:47 p.m.

Mike Canzian, 908 Willow Creek - Mr. Canzian spoke in opposition to the item.

Eva Trammell, 911 Branch Creek - Ms. Trammel spoke in opposition to the item.

Philip Worobey, 13 Willowstone Court - Mr. Worobey spoke in opposition to the item.

Mayor Evans noted the following names submitted a non-speaker card in opposition to the item:

Rosada and Brian Jeschke, 1500 Cannon Gate Drive Lewis Sullivan, 909 Willow Creek Drive Shauna Friend, 13 Willowstone Court Winnie Grossman, 1515 Bridge Water Gary Grossman, 1515 Bridge Water

Mayor Evans also read the following names of those who submitted emails to the City Secretary in opposition to the item:

Alice Phillips
Jennifer Spiegel
Eva Joy Trammell
Staceyann Shoemake
Shauna Friend
Margarita Damianova
Houston Mitchell
Kristin Adams
Vickie Raines
Sandra Lafevers
Mike Hanner
Kyle Hailey
Kathy Hailey
Shelli Dailey
Joshua Northrup

CITY OF MANSFIELD Page 8

Jessica Ross

Michael and Vicky Hale

Lauren Bishop

Valery Boyer

Rebecca Connet

Amber Hanner

Jolene Marchant

Donna Mitchell

Laura Addicks

Laura Hicks

Robert and Jennifer Scott

Jessie Calvert

Carroll Burney

Sheri Curb

Landon Newton

Daniel Price

Dan Pullos

Monte Anderson

Megan Pullos

Rachel Simmons

Kyle Patrick

Ken and Terri Boland

Al Babina

Natasha Angel

Matt Sanders

Rebecca Dashner

Mikki and Jia Castor

Ashley Carroll

Lauren B.

Carrie Farrell

Tayler Strickland

Leann Campbell

Ashley Gordon

Jacquelyn Montes

Amanda Farrell

Mayor Evans closed the public hearing at 9:02 p.m.

City Attorney Drew Larkin advised the Council on the motion to be made.

A motion was made by Council Member Lewis to table the following ordinance to the Regular City Council Meeting of April 25, 2022:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR ATTACHED TOWNHOME SINGLE-FAMILY RESIDENTIAL AND COMMUNITY BUSINESS COMMERCIAL USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh;Julie Short;Mike Leyman;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

Abstain: 0

22-4614

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Zoning Change from PR, Pre-Development District to PD, Planned Development District for a Mixed Lot Single-family Residential Development (427 homes) and Community Business Commercial on 121.459 Acres of Land in the Thomas J. Hanks Survey, Abstract No. 644, Tarrant County, TX and Abstract No. 1109, Johnson County, TX, Located at 1101 W Broad St.; Mary Ann Johnston, Owner, Terrance Jobe Alluvium Development, Developer (ZC#21-020)

Jason Alexander presented the item and answered Council questions. Representative for the applicant, Mark Meyer, presented and answered Council questions. Joy Keller, applicant, spoke on the item.

Mayor Evans opened the public hearing at 9:58 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 9:58 p.m.

A motion was made by Council Member Lewis to approve the first reading of the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR A MIXED LOT SINGLE-FAMILY RESIDENTIAL AND COMMUNITY BUSINESS COMMERCIAL USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

#### **ADJOURN**

	Michael Evans, Mayor
ATTEST:	
	Susana Marin, City Secretary

CITY OF MANSFIELD Page 11



#### CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

#### **STAFF REPORT**

File Number: 22-4640

Agenda Date: 4/25/2022 Version: 1 Status: Public Hearing

In Control: City Council File Type: Consideration Item

#### Agenda Number:

#### Title

Public Hearing - Public Hearing Regarding the Submittal of a Request to Tarrant County for Community Development Block Grant Funding for Park Improvements at James McKnight Park West to Combat the Effects of COVID-19

#### **Requested Action**

Provide opportunity for the citizens of Mansfield to offer their ideas regarding the proposed grant request

#### Recommendation

Receive citizen input regarding the proposed grant request

#### **Description/History**

In response to combating the effects of COVID-19, the U.S. Department of Housing and Urban Development (HUD) allocated special Community Development Block Grant (CDBG) funds under the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Tarrant County, TX received a total of \$ 6,430,388 in Community Development Block Grant - Care's Act (CDBG-CV) Entitlement funds to be used to prevent, prepare for and respond to COVID-19.

The CDBG-CV funds allocated under the CARES Act may be used for a range of eligible activities that prevent and respond to the spread of infectious diseases such as the coronavirus disease 2019 (COVID-19). In order to qualify for CDBG-CV funds, a project or program must be offered to all residents of an area where at least 51 percent of the residents are low to moderate income.

The minimum grant award is \$75,000 and the maximum award towards project is \$500,000. The City of Mansfield intends on submitting a grant request for \$500,000 for improvements at James McKnight Park West. These improvements would include a playground with equipment for 2-5 and 5-12 year olds, small pavilion, exercise equipment, and general site and parking lot improvements.

The application deadline for the Tarrant County CDBG-CV grant is April 29, 2022 at 12:00 pm. All projects and programs must be completed before May 31, 2023

#### Justification

This grant funding will allow for development of neighborhood park amenities in James McKnight Park West and accomplish the goal of providing public facilities that support social distancing guidance. These improvements were included in the 2020 Parks, Recreation, Open Space and Trails Master Plan, and the project is currently the highest unfunded priority in the southwest quadrant of the city.

## **Funding Source**

N/A

## **Prepared By**

Matt Young, Director of Community Services Matt.Young@mansfieldtexas.gov 817-728-3397



#### CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

#### **STAFF REPORT**

**File Number: 22-4613** 

Agenda Date: 4/25/2022 Version: 2 Status: First Reading

In Control: City Council File Type: Ordinance

#### Agenda Number:

#### Title

Ordinance - Public Hearing Continuation and First Reading of an Ordinance Approving a Zoning Change from C-2, Community Business District to PD, Planned Development for Attached Townhome Single-Family and Community Business Commercial on 14.156 acres of land in the Henry McGehee Survey, Abstract No. 998, generally located at the southeast intersection of Debbie Lane and North Walnut Creek Drive on property at 1700 North Walnut Creek Drive; Skorburg Company, Developer (ZC#21-023).

#### **Requested Action**

To consider the subject zoning change request.

#### Recommendation

The Planning and Zoning Commission held a public hearing on March 8, 2002 and continued the case to March 22, 2022 and voted 5 (Commissioners Knight, Axen, Gilmore, Mainer, and Goodwin) to 2 (Commissioners Groll and Weydeck) to approve.

On April 11, 2022, the City Council voted to table their decision on the first reading of this case to April 25th and requested that the developer work with staff to incorporate design modifications to better connect the site to all surrounding uses.

The developer has provided a new site plan that responds to design concerns and creates a mews that extends from Clayton Chandler Park to a future commercial seating/gathering area that connects all area uses in a thoughtful manner.

Staff recommends approval.

#### **Description/History**

Existing Use: Vacant

Existing Zoning: C-2, Community Business District

Surrounding Land Use & Zoning:

North: East Debbie Lane Right-of-way

South: PR, Pre-Development District, educational and recreational uses

East: C-2, Community Business District, office uses

West: North Walnut Creek Drive Right-of-way

#### Staff Analysis

The subject property consists of two tracts of land totaling 14.156 acres. The developer is

proposing residential and commercial development. The residential portion of the planned development consists of 129 townhome units on approximately 12.13 acres. The remaining 2.03 acres of the planned development will be dedicated to commercial uses serving the immediate neighborhoods.

The residential development will consist of townhomes; and each unit is proposed to be on an individually platted lot. The townhomes will be attached in 3-, 4-, and 5-pack units along a standard residential street right-of-way. The townhomes will have shallow setbacks from the right-of-way, positioning the planned development to create an urban streetscape complete with sidewalks, street trees and units with stoops. The residential development is adjacent to the City's Clayton Chandler Park. The developer has proposed to connect the park at two points with the development. The western connection has enhanced decorative paving to create a marked direct route from the park to the proposed commercial development to the north. The developer has provided green spaces along this walk to further connect the park through the development. Amenities such as a dog park, bollard lighting, benches, bike racks, shade pavilions, barbeque grill and tables are provided along the end caps of the townhome blocks providing open spaces adjacent to the units.

#### The site standards for the townhomes are as follows:

Min. Home Square Footage 1,500 square feet
Min. Lot Size 22 feet x 80 feet
Building Pads 22 feet x 55 feet

May Height

Max. Height 40 feet

Open Space Lots 1.46 acres

All homes are alley loaded with four (4) off-street parking spaces provided --- two (2) in the garage and two (2) in the apron off the alley.

All units in the development are required to utilize a porch, patio, or stoop as a frontage element for the unit. Elevations have been provided to illustrate the usage of stoops as the frontage type for each individual unit. The developer has provided a list of required architectural features which include awnings, balconies, dormers, offsets, varied roof heights, et cetera. End-cap units --- those facing a right-of-way, pond, or open space --- must provide at least three (3) of the architectural features on the side façade and must have a wraparound porch to add character to said façade. The elevations also provide a list of materials to be utilized, which includes 80 percent masonry (e.g., brick, cast stone, and stone) materials on all buildings. Copper awnings and fiber cement lap siding are used as accent materials to provide material diversity and to break up any large expanses of a single material. To encourage elevation variety on a continuous block, the exterior façades for townhouses will not have repeating elevations or building materials across the street, nor on either side of the subject building. The elevations illustrate the ability to vary the unit elevations in different portions of the building to allow this variety.

The commercial portion of the development will meet sign and screening requirements of the Zoning Ordinance. The uses will be limited to general retail, restaurant, or medical

uses as set forth in the standards for the C-2, Community Business District. All commercial buildings will adhere to the required 80 percent masonry as proposed by the developer.

The site standards for the commercial area are as follows:

Building Area 12,950 sf
Required Parking 46 spaces
Provided Parking 98 spaces

#### Summary

The subject property is located in Sub-Area 5 in the 2012 Office Land Use Plan. Sub-Area 5 is described as built out and the remaining tracts would be considered infill development where care should be taken to match or complement existing development in the vicinity. The subject property describes the current zoning designation of C-2, Community Business District as perhaps too intense at that intersection. The following pertinent recommendations are included in the plan for Sub-Area 5:

- Use the Residential Guidelines and residential concepts in this plan as a guide to any new residential development where appropriate.
- Some limited retail and service uses may be added at a neighborhood level.

The development being proposed provides an opportunity to provide in-fill residential that allows the city to meet the needs of changing markets by providing a mix of development options and land use types in the community. By maintaining commercial uses at the corner of Walnut Creek Drive and Debbie Lane, the development honors the established commercial corridor along Debbie Lane. As the lot transitions towards the school and park property to the south, the use of townhome units provides for an infill project that brings new and unique residential opportunities to a relatively compact site. Finally, the connection points to the park and through the development and towards the commercial portion of the project provides deliberate connectivity for the neighborhood and visitors of the park property. The planned development standards proposed offer a sufficient understanding and outline of a desired product for the City, while delivering an infill development with urban housing in this Sub-Area.

The City of Mansfield's Public Works Department has reviewed the development and has not made additional recommendations for traffic calming devices. Although the area does experience heavy volumes at the pick-up and drop-off locations at adjacent schools, the development does not pose a concern from a trip generation standpoint.

At the March 8, Planning and Zoning Commission meeting this case was continued to the March 22 meeting so that the developer had time to study a right turn lane for the development at the north entrance of the development, explore screening and connections to and through the development, determine if densities could be adjusted and incorporate staff recommendations on exterior and porch materials.

The developer met with staff and we resolved issues with the turn lane geometry. After further review of the turn lane concerns, it was determined that the greater need is the

Debbie Lane right turn lane extending further to the south and that storage area ending prior to the neighborhood access road. Staff determined that a right turn lane onto Street "E" would cause confusion at the intersection of Debbie Lane and Walnut Creek Drive as users would interpret it as part of the storage for that right turn onto Debbie Lane. The updated lot layout plan shows the narrowing of Street "E", eliminating a turning conflict created by having 2-turning movements exiting out of the development. Staff supports this change as it provides some improvement.

The developer investigated the Commission's density concerns and has not been able to realize a lot decrease. While the developer was not successful in realizing a unit decrease, it is important to note that the density of 10 units per acre is less intense than other similar developments. The intensity of the project will not generate the substantial amount of traffic that commercial projects under the current C-2, Community Business District would. As presently zoned, the site could be developed for a variety of high-intensity, high-traffic generating uses including colleges, hospitals, hotels, religious assembly, schools, and retail uses that may serve a more regionally-focused trade area.

Since the Zoning Commission the developer has reworked the site significantly to address design concerns by creating an internal mews that provide a direct view corridor to the future commercial on Debbie Lane.

The PD standards have been updated as requested by staff.

Staff recommends approval.

#### Prepared By

Arty Wheaton-Rodriguez, Assistant Director of Planning 817-276-4245

#### ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR ATTACHED TOWNHOME SINGLE-FAMILY RESIDENTIAL AND COMMUNITY BUSINESS COMMERCIAL USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended.

# NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:

#### **SECTION 1.**

That the Comprehensive Zoning Ordinance of the City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new zoning district classification of PD, Planned Development; said property being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

#### **SECTION 2.**

That the use and development of the hereinabove described property shall be in accordance with the development plan shown on Exhibits "B-E" attached hereto and made a part hereof for all purposes.

#### **SECTION 3.**

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Ordinance No Page 2 of 2
SECTION 4.
That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.
SECTION 5.
Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.
SECTION 6.
Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.
SECTION 7.
This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.
FIRST READING APPROVED ON THE $25^{TH}$ DAY OF APRIL, 2022.
DULY PASSED ON THE SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 9 <sup>TH</sup> DAY OF MAY, 2022.

Michael Evans, Mayor

ATTEST:

Susana Marin, City Secretary

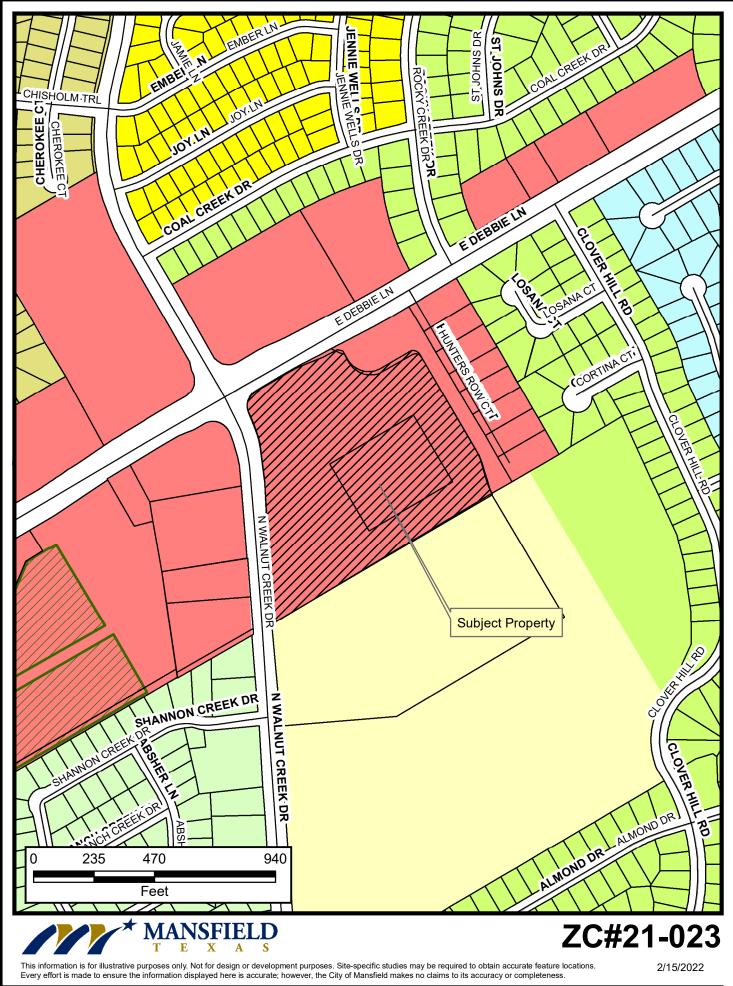
APPROVED AS TO FORM AND LEGALITY:

Drew Larkin, City Attorney



This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

2/15/2022



# Property Owner Notification for ZC#21-023

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
HUNTER'S ROW AT WALNUT CREEK	LOT 1	700 HUNTERS ROW LLC	7600 LANDMARK WAY UNIT 1001	ENGLEWOOD, CO	80111
HUNTER'S ROW AT WALNUT CREEK	LOT 2	PDQ REAL ESTATE LP	704 HUNTERS ROW CT	MANSFIELD, TX	76063-4001
HUNTER'S ROW AT WALNUT CREEK	LOT 3	704 HUNTERS ROW INC	704 HUNTERS ROW CT	MANSFIELD, TX	76063-4001
HUNTER'S ROW AT WALNUT CREEK	LOT 4	HUNTERS ROW LLC	2000 STONEBRIDGE CT	MANSFIELD, TX	76063-5338
HUNTER'S ROW AT WALNUT CREEK	LOT 5	VIDYA LLC	3060 TREVINO	GRAND PRAIRIE, TX	75054
HUNTER'S ROW AT WALNUT CREEK	LOT 6R	PIONEER MILLS INVESTMENTS LLC	717 CRESWELL RD #49	SHREVEPORT, LA	71106
HUNTER'S ROW AT WALNUT CREEK	LOT 7	INUKSHUK LP	2224 WANDA WAY	ARLINGTON, TX	76001-7066
HUNTER'S ROW AT WALNUT CREEK	LOT 8	MACKINS, PETER M	7183 BAY HILL DR	SANTA BARBARA, CA	75036
LEGEND MANSFIELD ADDN	BLK 1	PEREGRINE PRODUCTION LLC	PO BOX 50655	MIDLAND, TX	79710
LEGEND MANSFIELD ADDN	BLK 1	LW MANSFIELD PROPCO LLC	4500 DORR ST	TOLEDO, OH	43615
MANSFIELD DENTAL ADDITION	BLK 1	FIORENTINA PROPERTIES LLC	1217 STONEWALL DR	MANSFIELD, TX	76063
MANSFIELD DENTAL ADDITION	BLK 1	FIORENTINA PROPERTIES LLC	1217 STONEWALL DR	MANSFIELD, TX	76063
MANSFIELD DENTAL ADDITION	BLK 1	CITY OF MANSFIELD	1200 E BROAD ST	MANSFIELD, TX	76063-1805
MCGEHEE, HENRY SURVEY	A 998	TOTAL E&P USA REAL ESTATE LLC	PO BOX 17180	FORT WORTH, TX	76102
MCGEHEE, HENRY SURVEY	A 998	ORTEGA, PEDRO	1625 N WALNUT CREEK DR	MANSFIELD, TX	76063
MCGEHEE, HENRY SURVEY	A 998	CHESAPEAKE LAND DEV CO LLC	PO BOX 17180	FORT WORTH, TX	76102
MCGEHEE, HENRY SURVEY	A 998	MANSFIELD, ISD	605 E BROAD ST	MANSFIELD, TX	76063-1766
MISD, MCGEEHEE ADDN	BLK 1	MANSFIELD, ISD	605 E BROAD ST	MANSFIELD, TX	76063-1766
NORTH PARK MANSFIELD	BLK 1	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805

Tuesday, February 15, 2022

# Property Owner Notification for ZC#21-023

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
TURNING POINT ADDITION, THE	BLK 1	CCAL WALNUT CREEK PRIVATE SCHO	PO BOX 2253	MANSFIELD, TX	76063
WALNUT CREEK PRIVATE SCHOOL AD	BLK 1	CCAL WALNUT CREEK PRIVATE SCHO	PO BOX 2253	MANSFIELD, TX	76063

Tuesday, February 15, 2022

## EXHIBIT "A"

#### LEGAL LAND DESCRIPTION:

BEING 14.156 acres (616,621 square feet) of land in the Henry McGehee Survey, Abstract No. 998, City of Mansfield, Tarrant County, Texas; said 14.156 acres (616,621 square feet) of land being a portion of that certain tract of land described in a deed to Total E&P USA Real Estate, LLC (hereinafter referred to as Total E&P USA Real Estate tract), as recorded in Instrument Number D216266570, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.) and being all of that certain tract of land described in an Affidavit Regarding City Ordinance No. 1364 (Vacating & Abandoning Right-of-Way) (hereinafter referred to as City Ordinance No. 1364), as recorded in Volume 15211, Page 273, Deed Records, Tarrant County, Texas (D.R.T.C.T.) and recorded in Volume 15133, Page 540, D.R.T.C.T.; said 14.156 acres (616,621 square feet) of land being more particularly described, by metes and bounds, as follows:

BEGINNING at a one-half inch iron rod with plastic cap stamped "WEIR & ASSOC. INC." found for the Southwest corner of said Total E&P USA Real Estate tract, same being the Northwest corner of that certain tract of land described as North Park, an addition to the City of Mansfield, Tarrant County, Texas, according to the plat recorded in Instrument Number D204096481, O.P.R.T.C.T., same also being the existing Easterly right-of-way line of North Walnut Creek Drive (variable width right-of-way);

THENCE North 03 degrees 37 minutes 08 seconds West with the common line between said Total E&P USA Real Estate tract and the existing Easterly right-of-way line of North Walnut Creek Drive, a distance of 546.90 feet to a one-half inch iron rod with plastic cap stamped "WEIR & ASSOC. INC." found for corner, same being an angle point in the Westerly line of said Total E&P USA Real Estate tract, same being the Southerly corner of said City Ordinance No. 1364;

THENCE North 07 degrees 10 minutes 33 seconds West with the common line between said City Ordinance No. 1364 and the existing Easterly right-of-way line of North Walnut Creek Drive, a distance of 134.42 feet to a one-half inch iron rod with plastic cap stamped "BEASLEY" found for corner, same being the beginning of a curve to the left, whose long chord bears North 12 degrees 53 minutes 36 seconds West, a distance of 50.42 feet;

THENCE Northerly, continue with the common line between said City Ordinance No. 1364 and the existing Easterly right-of-way line of North Walnut Creek Drive, with said curve to the left, having a radius of 252.69 feet, through a central angle of 11 degrees 27 minutes 05 seconds, for an arc distance of 50.50 feet to a one-half inch iron rod with plastic cap stamped "BEASLEY" found for corner, same being the beginning of a non-tangent curve left, whose long chord bears North 21 degrees 44 minutes 53 seconds West, a distance of 87.98 feet;

THENCE Northerly, continue with the common line between said City Ordinance No. 1364 and the existing Easterly right-of-way line of North Walnut Creek Drive, with said non-tangent curve to the left, having a radius of 806.00 feet, through a central angle of 06 degrees 15 minutes 27 seconds, for an arc distance of 88.03 feet to a one-half inch iron rod with plastic cap stamped "BEASLEY" found for corner, same being the beginning of a non-tangent curve to the right, whose long chord bears North 17 degrees 21 minutes 20 seconds East, a distance of 91.42 feet;

THENCE Northeasterly, continue with the common line between said City Ordinance No. 1364 and the existing Easterly right-of-way line of North Walnut Creek Drive, with said curve to the right, having a radius of 68.00 feet, through a central angle of 84 degrees 28 minutes 11 seconds, for an arc distance of 100.25 feet to a one-half inch iron rod found for corner in the existing South right-of-way line of East Debbie Lane (variable width right-of-way);

THENCE North 59 degrees 33 minutes 40 seconds East with the common line between said City Ordinance No. 1364 and the existing South right-of-way line of said East Debbie Lane, a distance of 113.05 feet to a one-half inch iron rod with plastic cap stamped "WEIR & ASSOC. INC." found for corner;

THENCE North 60 degrees 28 minutes 30 seconds East, continue with the common line between said City Ordinance No. 1364 and the existing South right-of-way line of said East Debbie Lane, a distance of 62.00 feet to a one-half inch iron rod with plastic cap stamped "WEIR & ASSOC. INC." found for corner, same being the beginning of a non-tangent curve to the right, whose long chord bears North 61 degrees 36 minutes 06 seconds East, a distance of 14.30 feet;

Continued on Page 2:

Project No. 090-21-018 Date: 12/20/2021 Page 1 of 3 Drawn by: SA Checked by: MD2

#### ZONING LIMITS EXHIBIT

ADDRESS: 1700 NORTH WALNUT CREEK DRIVE BEING 14.156 ACRES OR (616,621 SQUARE FEET) OUT OF THE HENRY MCGEHEE SURVEY, ABSTRACT NO. 998 CITY OF MANSFIELD, TARRANT COUNTY, TEXAS



## EXHIBIT "A"

#### LEGAL LAND DESCRIPTION:

#### Continued from Page 1:

THENCE Easterly with the common line between said Total E&P USA Real Estate tract and the existing South right-of-way line of said East Debbie Lane, with said non-tangent curve to the right, having a radius of 1940.00 feet, through a central angle of 00 degrees 25 minutes 21 seconds, for an arc distance of 14.30 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner in the existing South right-of-way line of said East Debbie Lane, as recorded in Instrument Number D220286670, O.P.R.T.C.T.;

THENCE North 68 degrees 11 minutes 57 seconds East, continue with the common line between said Total E&P USA Real Estate tract and the existing South right-of-way line of said East Debbie Lane, a distance of 101.13 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

THENCE North 62 degrees 37 minutes 01 second East, continue with the common line between said Total E&P USA Real Estate tract and the existing South right-of-way line of said East Debbie Lane, a distance of 64.61 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner, same being the existing Northwest corner of that certain tract of land described in a Special Warranty Deed to Mansfield Independent School District (hereinafter referred to as Mansfield ISD tract), as recorded in Instrument Number D220097207, O.P.R.T.C.T.;

THENCE South 73 degrees 52 minutes 46 seconds East, departing the existing South right-of-way line of said East Debbie Lane, with the common line between the remainder of said Total E&P USA Real Estate tract and said Mansfield ISD tract, a distance of 21.76 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

THENCE South 30 degrees 22 minutes 34 seconds East, continue with the common line between the remainder of said Total E&P USA Real Estate tract and said Mansfield ISD tract, a distance of 37.05 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner, same being the beginning of a curve to the left, whose long chord bears South 75 degrees 22 minutes 29 seconds East, a distance of 133.64 feet;

THENCE Easterly, continue with the common line between the remainder of said Total E&P USA Real Estate tract and said Mansfield ISD tract, with said curve to the left, having a radius of 94.50 feet, through a central angle of 90 degrees 00 minutes 00 seconds, for an arc distance of 148.44 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner:

THENCE North 59 degrees 37 minutes 26 seconds East, continue with the common line between the remainder of said Total E&P USA Real Estate tract and said Mansfield ISD tract, a distance of 126.70 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner, same being the beginning of a curve to the right, whose long chord bears South 75 degrees 22 minutes 31 seconds East, a distance of 41.72 feet;

THENCE Easterly, continue with the common line between the remainder of said Total E&P USA Real Estate tract and said Mansfield ISD tract, with said curve to the right, having a radius of 29.50 feet, through a central angle of 90 degrees 00 minutes 00 seconds, for an arc distance of 46.34 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

THENCE South 30 degrees 22 minutes 32 seconds East, continue with the common line between the remainder of said Total E&P USA Real Estate tract and said Mansfield ISD tract, a distance of 427.76 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner, same being the beginning of a curve to the right, whose long chord bears South 22 degrees 42 minutes 17 seconds East, a distance of 58.07 feet;

THENCE Southeasterly, continue with the common line between the remainder of said Total E&P USA Real Estate tract and said Mansfield ISD tract, with said curve to the right, having a radius of 217.50 feet, through a central angle of 15degrees 20minutes 33seconds, for an arc distance of 58.24 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

Continued on Page 3:

Project No. 090-21-018 Date: 12/20/2021 Page 2 of 3 Drawn by: SA Checked by: MD2

#### ZONING LIMITS EXHIBIT

ADDRESS: 1700 NORTH WALNUT CREEK DRIVE BEING 14.156 ACRES OR (616,621 SQUARE FEET) OUT OF THE HENRY MCGEHEE SURVEY, ABSTRACT NO. 998 CITY OF MANSFIELD, TARRANT COUNTY, TEXAS



# EXHIBIT "A"

#### LEGAL LAND DESCRIPTION:

#### Continued from Page 2:

THENCE South 15 degrees 02 minutes 51 seconds East, continue with the common line between the remainder of said Total E&P USA Real Estate tract and said Mansfield ISD tract, a distance of 55.29 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner, same being the beginning of a non-tangent curve to the left, whose long chord bears South 22 degrees 29 minutes 32 seconds East, a distance of 73.34 feet;

THENCE Southeasterly, continue with the common line between the remainder of said Total E&P USA Real Estate tract and said Mansfield ISD tract, with said curve to the left, having a radius of 282.50 feet, through a central angle of 14 degrees 54 minutes 59 seconds, for an arc distance of 73.55 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner in the Southeasterly line of said Total E&P USA Real Estate tract, same being the Northwesterly line of that certain tract of land described as Lot 1, Block 1 of the aforesaid North Park (hereinafter referred to as Lot 1);

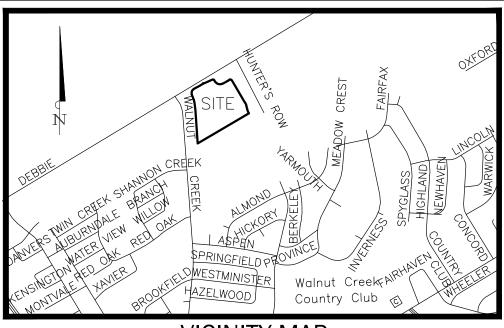
THENCE South 59 degrees 35 minutes 21 seconds West with the common line between said Total E&P USA Real Estate tract and said Lot 1, a distance of 982.28 feet to the PLACE OF BEGINNING, and containing a calculated area of 14.156 acres (616,621 square feet) of land.

Project No. 090-21-018 Date: 12/20/2021 Page 3 of 3 Drawn by: SA Checked by: MD2

#### ZONING LIMITS EXHIBIT

ADDRESS: 1700 NORTH WALNUT CREEK DRIVE BEING 14.156 ACRES OR (616,621 SQUARE FEET) OUT OF THE HENRY MCGEHEE SURVEY, ABSTRACT NO. 998 CITY OF MANSFIELD, TARRANT COUNTY, TEXAS





VICINITY MAP NOT TO SCALE MANSFIELD, TEXAS

RESIDENTIAL SITE DATA SUMMARY (528,189 S.F 12.13 AC)		
LOT DENSITY:	10.64 UNITS / AC	
MAXIMUM HOME HEIGHT:	40'	
MIN. HOME S.F.	1500 S.F.	
REQUIRED PARKING	2 SPACES	
PROVIDED PARKING	4 SPACES (2 GARAGE, 2 DRIVE)	
LOT SIZE:	22' X 80'	
BUILDING PADS	22' X 55'	
TOTAL UNITS	129	
STREETS:	50' R.O.W.	
PAVEMENT:	29' BACK TO BACK	
OPEN SPACE LOTS:	63,556 S.F. (1.46 AC)	
COMMERCIAL SITE DATA SUMMARY (88,432 S.F 2.03 AC)		
BUILDING AREA:	12,950 S.F.	
FLOOR AREA RATIO:	0.15	
REQUIRED PARKING (4b)	46 SPACES	
PROVIDED PARKING	98 SPACES	

#### PLANNED DEVELOPMENT REGULATIONS:

- 1. SIDEWALKS WILL BE INSTALLED IN THIS DEVELOPMENT AS SHOWN
- 2. RESIDENTIAL LOT LANDSCAPE STANDARDS SHALL BE IN ACCORDANCE WITH CITY ORDINANCE.
- 3. ALL AC UNITS SHALL BE SCREENED FROM PUBLIC VIEW
- 4. ALL IRRIGATION OF OPEN SPACE LOTS SHALLL BE MAINTAINED BY THE HOA.
- 5. ALL LANDSCAPE AREAS, INCLUDING LANDSCAPE BUFFERS, SETBACKS AREAS, OPEN SPACE LOTS AND FRONT YARDS SHALL BE IRRIGATED.
- 6. STREET SIGNS SHALL BE ENHANCED WITH DECORATIVE POLE AND MOUNTS WITH STANDARD STREET SIGNS ATTACHABLE AND SHALL BE MAINTAINED BY THE H.O.A.
- A HOME OWNERS ASSOCIATION (HOA) SHALL BE ESTABLISHED TO OVERSEE THE CODES AND COVENANTS OUTLINE WITHIN THIS PLANNED DEVELOPMENT. REFER TO SEPARATE NOTES THIS SHEET.
- 8. THIS PROPOSED PLANNED DEVELOPMENT WILL BE IN COMPLETE ACCORDANCE WITH PROVISIONS OF THE APPROVED DEVELOPMENT DISTRICT AND THAT ALL DEVELOPMENT PLANS RECORDED HEREUNDER SHALL BE BINDING UPON APPLICANT THEREOF, HIS SUCCESSORS AND ASSIGNS, AND SHALL LIMIT AND CONTROL ALL BUILDING PERMITS.
- 9. THE HOA IS RESPONSIBLE FOR THE MAINTENANCE OF ALLEYS (COMMON ACCESS EASEMENTS).

# HOME OWNERS ASSOCIATION NOTES

- OF THE MASONRY SCREENING WALL WITH MASONRY COLUMNS; THE WOOD FENCE WITH MASONRY COLUMNS; THE DECORATIVE METAL FENCE; THE WOOD FENCE ALONG THE NORTHERN AND WESTERN PERIMETER OF THE DEVELOPMENT; THE DECORATIVE STREET SIGN AND STREET LIGHT POLES AND MOUNTS; THE OPEN SPACE LOTS AND ALL LANDSCAPING AND IMPROVEMENTS THEREON; AND THE ENHANCED ENTRYWAY FEATURES, INCLUDING BUT NOT LIMITED TO, THE MEDIAN, LANDSCAPING, ANY NON-STANDARD PAVEMENT, THE ENTRANCE MASONRY WALLS AND SIGNAGE, AND THE DECORATIVE LIGHT
- THE OWNERS ASSOCIATION AND ASSOCIATED DOCUMENTS SHALL BE FILED IN ACCORDANCE WITH CITY OF MANSFIELD POLICIES. THESE DOCUMENTS MUST BE REVIEWED BY THE CITY ATTORNEY PRIOR TO FILING THE FINAL PLAT. THE DOCUMENTS SHALL BE FILED WITH THE FINAL PLAT AT TARRANT COUNTY WHEN DEEMED NECESSARY BY THE ATTORNEY. THE DOCUMENTS SHALL BE SUBMITTED IN TIMELY MANNER TO ALLOW FOR A MINIMUM OF 60 DAY REVIEW. FAILURE TO SUBMIT THE DOCUMENTS OR INCOMPLETE DOCUMENTS MAY RESULT IN A DELAY OF CONSTRUCTION, ACCEPTANCE OF THE SUBDIVISION OR DELAY IN APPROVAL OF A BUILDING PERMIT. THE CITY DOES NOT ACCEPT THE RESPONSIBILITY FOR ANY DELAYS IN CONSTRUCTION, APPROVAL OR ACCEPTANCE OF THE SUBDIVISION CAUSED BY FAILURE TO SUBMIT THE ASSOCIATION DOCUMENTS OR INACCURACY OF THE

# EXHIBIT "B" DEVELOPMENT PLAN PARKSIDE ADDITION

Being approximately 14 Acres of land situated in the Henry McGehee Survey,

Abstract No. 998,

City of Mansfield, Tarrant County, Texas

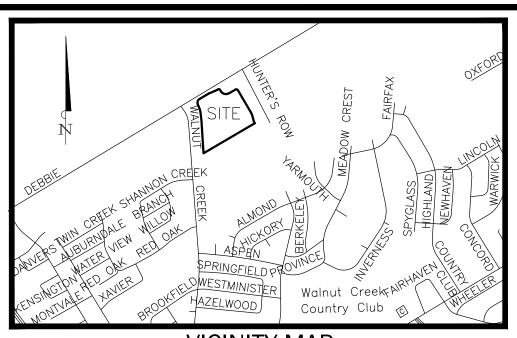


CONTACT: CODY BROOKS, P.E.

Date Prepared: 12/17/2021

Date Revised: 2/16/2022

■RIM ELEVATION: 623.34'



NOT TO SCALE MANSFIELD, TEXAS

RESIDENTIAL SITE DATA SUMMARY (528,189 S.F 12.13 AC)		
LOT DENSITY:	10.64 UNITS / AC	
MAXIMUM HOME HEIGHT:	40'	
MIN. HOME S.F.	1500 S.F.	
REQUIRED PARKING	2 SPACES	
PROVIDED PARKING	4 SPACES (2 GARAGE, 2 DRIVE)	
LOT SIZE:	22' X 80'	
BUILDING PADS	22' X 55'	
TOTAL UNITS	129	
STREETS:	50' R.O.W.	
PAVEMENT:	29' BACK TO BACK	
OPEN SPACE LOTS:		
COMMERCIAL SITE DATA SUMMARY (88,432 S.F 2.03 AC)		
BUILDING AREA:	12,950 S.F.	
FLOOR AREA RATIO:	0.15	
REQUIRED PARKING (4b)	46 SPACES	
PROVIDED PARKING	98 SPACES	

## PLANNED DEVELOPMENT REGULATIONS:

- 1. SIDEWALKS WILL BE INSTALLED IN THIS DEVELOPMENT AS SHOWN
- 2. RESIDENTIAL LOT LANDSCAPE STANDARDS SHALL BE IN ACCORDANCE WITH CITY ORDINANCE.
- 3. ALL AC UNITS SHALL BE SCREENED FROM PUBLIC VIEW
- 4. ALL IRRIGATION OF OPEN SPACE LOTS SHALLL BE MAINTAINED BY THE HOA.
- 5. ALL LANDSCAPE AREAS, INCLUDING LANDSCAPE BUFFERS, SETBACKS AREAS, OPEN SPACE
- LOTS AND FRONT YARDS SHALL BE IRRIGATED. 6. STREET SIGNS SHALL BE ENHANCED WITH DECORATIVE POLE AND MOUNTS WITH STANDARD
- STREET SIGNS ATTACHABLE AND SHALL BE MAINTAINED BY THE H.O.A. 7. A HOME OWNERS ASSOCIATION (HOA) SHALL BE ESTABLISHED TO OVERSEE THE CODES AND COVENANTS OUTLINE WITHIN THIS PLANNED DEVELOPMENT. REFER TO SEPARATE NOTES
- 8. THIS PROPOSED PLANNED DEVELOPMENT WILL BE IN COMPLETE ACCORDANCE WITH PROVISIONS OF THE APPROVED DEVELOPMENT DISTRICT AND THAT ALL DEVELOPMENT PLANS RECORDED HEREUNDER SHALL BE BINDING UPON APPLICANT THEREOF, HIS SUCCESSORS AND ASSIGNS, AND SHALL LIMIT AND CONTROL ALL BUILDING PERMITS.
- 9. THE HOA IS RESPONSIBLE FOR THE MAINTENANCE OF ALLEYS (COMMON ACCESS

# HOME OWNERS ASSOCIATION NOTES:

- RESULT IN A DELAY OF CONSTRUCTION, ACCEPTANCE OF THE SUBDIVISION OR DELAY IN ANY DELAYS IN CONSTRUCTION, APPROVAL OR ACCEPTANCE OF THE SUBDIVISION CAUSED BY FAILURE TO SUBMIT THE ASSOCIATION DOCUMENTS OR INACCURACY OF THE

# EXHIBIT "B" DEVELOPMENT PLAN PARKSIDE ADDITION

Being approximately 14 Acres of land situated in the Henry McGehee Survey, Abstract No. 998,

City of Mansfield, Tarrant County, Texas



CONTACT: CODY BROOKS, P.E.

Date Prepared: 12/17/2021

Date Revised: 3/15/2022

**Exhibit C - Building Elevations** 



#### EXHIBIT "F"

#### PARKSIDE ADDITION

(22' wide alley served lots, and modified C-2 commercial zoning)

#### PLANNED DEVELOPMENT CONDITIONS ADDENDUM TO DEVELOPMENT PLAN

# APPLICANT: SKORBURG COMPANY ZC# 21-023

#### A. GENERAL:

- 1. The existing provisions of the City of Mansfield, Texas Zoning Ordinance shall continue to be applicable to issues not covered by these PD, planned development district standards for Parkside Addition.
- 2. In the event of a conflict between these PD, planned development district standards, and those of the City of Mansfield, Texas Zoning Ordinance, as amended, the provisions set forth herein shall take precedence.

#### B. SITE DESIGN:

- 1. The Developer shall design and provide a mews generally running in a north-south direction and run the entire length of the development from the northernmost corner of the commercial buildings to the southernmost street. The dimensions of the mews shall be adequate to allow for structured or unstructured recreation. The aesthetic quality of the mews, including sidewalks that are dedicated exclusively to pedestrians, shall be as generally shown in Diagram 1, and subject to the approval of the Director of Planning.
- 2. The Developer shall design and provide a water fountain (or other similar water feature subject to the approval of the Director of Planning) as generally shown in Diagram 2 within the center of the mews.
- 3. The Developer shall design and provide a small open space for furniture games (i.e., bocci ball) and / or a decorative playground as shown on the site plan. Such small open space shall be enclosed on all sides, with the exception of openings for pedestrian access, by a wall constructed of brick or stone and three (3) feet in height along all sides (with the exception that a portion of the exterior wall along Walnut

Creek Drive may also incorporate into the wall a community sign that may exceed three (3) feet in height subject to the approval of the Director of Planning). The small open space shall have characteristics of aesthetic quality and design similar to the small open space shown in Diagram 3.

- 4. All setbacks shall be as defined on the Development Plan.
- C. <u>GARAGE ORIENTATION</u>: All townhome lots within Parkside Addition shall be alley-served.
- D. <u>STREET TREES</u>: Canopy trees at least three (3) inches caliper in size at the time of planting shall be planted between the sidewalk and street section, with a minimum of one (1) canopy tree for each 22' wide lot.
- E. <u>ELEVATION CONTROLS</u>: In order to encourage architectural variety on a continuous block, the building facades for the townhouses will not have repeating elevations/materials across the street and on either side of the subject building. A different combination or an intermix of materials shall be incorporated for the townhomes within these parameters. In addition:
  - 1. Each lot created for the construction of a townhome abutting a portion of Walnut Creek Drive shall be designed so that:
    - a. The front building façade faces Walnut Creek Drive; AND
    - b. The front yard is designed as a dooryard in the manner described below.
- F. <u>HOMEOWNERS ASSOCIATION</u>: A Homeowners Association ("HOA") shall be incorporated, and each lot/homeowner shall be a mandatory member. The bylaws of this association shall establish a system of payment of dues; a system of enforcement of its rules and regulations; shall establish a clear and distinct definition of the responsibility of each member; and other provisions as deemed appropriate to secure a sound and stable association. In addition to maintaining all residential common areas, the HOA shall be responsible for maintaining the front yards and side yard space between buildings. The commercial development shall be required to maintain its own common areas.
- G. <u>MINIMUM HOUSE SIZES</u>: The minimum floor area for each home shall be 1,500 square feet.
- H. ARCHITECTURAL STANDARDS:

- 1. <u>Masonry Requirements:</u> With the exception of openings for doors and windows only, a minimum of 80 percent of each building wall shall be fired-clay brick, cast stone, stone, or stucco. In addition:
  - a. Exterior insulated finishing systems (E.I.F.S.) is not a permitted material.
  - b. Doors and windows shall be recessed a minimum of three (3) inches in building facades constructed of brick, stone, or stucco. Flush mounted windows are prohibited.
- 2. <u>Construction Standards</u>: All homes will be constructed with fire suppression walls with resistance ratings certified for United States.
- 3. Required Architectural Features for Dwellings Only:
  - a. Each dwelling shall be required to provide a dooryard, a patio, a porch, or a stoop along the front building façade except as provided below.
    - A dooryard shall only be required for each dwelling with frontage along Walnut Creek Drive.
  - b. All dooryards, patios, porches, and stoops shall be designed and constructed as provided below:
    - i. Patios:
      - All patios, where provided, shall be a minimum of 60 square feet in area.
      - Patio flooring shall be brick, poured concrete, or stone.
    - ii. Porches:
      - All porches, where provided, shall be a minimum of 60 square feet in area.
      - Porch flooring shall be brick, poured concrete, or stone.
         Synthetic materials are permitted provided that they have the same appearance as the masonry materials.

#### iii. Stoops:

 All stoops, where provided, shall be elevated a minimum of two (2) feet above the adjacent sidewalk and shall have minimum depth of four (4) feet. • Stoops shall be constructed of brick, concrete, or stone material to match the adjacent building façade.

#### iv. Dooryards:

- All dooryards, where provided, shall be minimum of five (5) feet in depth and shall be enclosed on three sides by wood slat, wood picket, or wrought-iron fence with a hedge row or decorative shrubs along the interior fence line.
- A wall constructed of the material matching the adjacent building façade shall also be permitted.
- The height of the fence shall be four (4) feet. The gate in the fence shall be made of opaque metal or wood material.
- Where dooryards are accompanied with a patio, a porch or a stoop meeting the specifications noted above, the minimum depth of the dooryard may be reduced to three (3) feet.
- c. All dwellings to be constructed on corner lots or high-visibility lots shall be held to an elevated standard for architecture as depicted on the site plan. Wrap-around porches shall be allowed to encroach up to five (5) feet into the side setback.
  - i. All corner dwellings at the intersection of two streets shall be required to have a wrap-around porch. The required wrap-around porch shall be at least one (1) story in height. This standard shall apply to fourteen (14) dwellings, and they may be identified on the site plan as such.
  - ii. All corner dwellings fronting the mews shall have a two-story wraparound porch. This standard shall apply to eight (8) dwellings, and they may be identified on the site plan as such.
  - iii. The dwelling fronting Walnut Creek Drive and the retention pond shall have a two-story wrap-around porch. This standard shall apply to one (1) dwelling, and it may be identified on the site plan as such.
  - iv. The four (4) dwellings directly adjacent to the water fountain shall be designed to have a substantial increase in glazing (i.e., a

substantial increase in the number of openings for windows) on the building elevation fronting the sidewalks, a vegetative wall (i.e., growing ivy or similar) complemented with a change in exterior finish, and other architectural articulations (e.g., change in roof slope, building color, building materials, and projections or recesses) subject to the approval of the Director of Planning.

- d. In addition to the requirement of a dooryard, a patio, a porch, or a stoop on the front building façade, each dwelling shall incorporate four or more of the following architectural features to stimulate visual interest and to ensure building variety:
  - i. Awnings or canopies;
  - ii. Balconies (a minimum of 25 square feet in area);
  - iii. Dormers;
  - iv. Offsets within each building façade (a minimum 20 feet to receive credit);
  - v. Varied roof height in building (a minimum 10-foot difference);
  - vi. Sconce lighting;
  - vii. Decorative banding or molding;
  - viii. Decorative overhangs;
  - ix. Eyebrow soldier courses; AND
  - x. Gables.
- 4. Roof Pitch: Roofs may be symmetrically pitched a minimum of 6:12 or low-slope (i.e., flat). All flat roofs shall be enclosed on all sides by a parapet wall. Parapet walls shall be no less than 42 inches in height. Roofs for patios, porches, and stoops may be shed, and a minimum of 3:12.
- 5. <u>Windows:</u> All openings for doors and windows shall be vertical in orientation and rectangular in proportion where visible from streets and civic spaces. Such windows shall also have dividing panes. Square windows shall be subject to the approval of the Director of Planning.
- 6. <u>Fencing Requirements:</u> Except as specifically provided in this PD, planned development district, all fencing requirements shall comply with the provisions set

forth in Section 155.094 (General provisions for all fences and free-standing walls) of the City of Mansfield, Texas Zoning Ordinance, as amended. In addition, the Developer shall install an ornamental metal fence along the eastern boundary of the development. The ornamental metal fence may only have openings large enough for automobile and pedestrian access to the driveway serving Asa Low Intermediate School. Such ornamental metal fencing shall be supplemented with evergreen landscaping subject to the approval of the Director of Planning.

#### I. <u>COMMERCIAL STANDARDS:</u>

#### 1. Architectural Standards:

- a. Generally, the architectural composition of all front building façades shall be inspired by the images shown in Diagram 4.
- b. With the exception of openings for doors and windows only, a minimum of 80 percent of each building wall shall be fired-clay brick, cast stone, stone or stucco. In addition:
  - i. Exterior insulated finishing systems (E.I.F.S.) is not a permitted material.
- c. Doors and windows shall be recessed a minimum of three (3) inches in building façades constructed of brick, stone, or stucco. Flush mounted windows are prohibited.
- d. A minimum of 70 percent of the front building façade between two and 12 feet above the adjacent sidewalk (i.e., the building wall containing the main point of access for pedestrians into the building) shall be glazed in clear glass. A minimum of 50 percent of any building façade facing any civic space or other area for structured or unstructured recreation shall be glazed in clear glass between two and 12 feet above the adjacent sidewalk.
  - i. No more than 10 percent of the required glazing for commercial uses shall be tinted.
- e. All commercial tenant spaces shall be designed as separate shopfronts.

  Shopfronts shall be subject to the following design requirements:
  - i. Shopfronts shall be designed with a bulkhead, display window and transom.

- ii. Bulkheads shall be between 24 and 36 inches in height.
- iii. Transom windows shall be installed above the bulkhead and display windows.
- f. All rooftop mechanical equipment shall be fully screened from all sides by parapet walls of which shall be at least 12 inches greater in height than the equipment.
- 2. <u>Sign Standards:</u> Commercial signage will comply with all applicable provisions in Section 155.090 (Sign standards) for the C-2, Community Business District.
- 3. Allowed Uses: The following commercial uses shall be permitted:
  - a. Retail, provided that the specific use shall be further limited to:
    - i. Apparel store.
    - ii. Arts and crafts store.
    - iii. Bakery (no drive-through facility).
    - iv. Bike shop.
    - v. Café (no drive-through facility).
    - vi. Coffee shop (no drive-through facility).
    - vii. Corner market or convenience goods store provided that:
      - a minimum of 40 percent of its retail sales and display area shall be dedicated exclusively to the sale of a general line of food and beverages that are intended for home preparation and consumption;
      - a minimum of 20 percent of its retail space and display area shall be dedicated exclusively to the sale of perishable goods including dairy, fresh produce, fresh meats, poultry, fish and frozen foods;
      - a maximum 10 percent of its retail space and display area of the corner market may be devoted to the sale of alcohol for off-site consumption; AND
      - the retail sale of discount and used merchandise is expressly prohibited.

#### viii. Florist.

- ix. Gift store.
- x. Hardware store.
- xi. Ice cream parlor (no drive-through facility).
- xii. Jewelry store.
- xiii. Pet supplies store.
- xiv. Pharmacy (no drive-through facility).
- xv. Restaurant (no drive-through facility).
- xvi. Mobile food vendor.
- b. Personal service, provided that the specific use shall be further limited to:
  - i. Barber.
  - ii. Day spa.
  - iii. Dry cleaner (no drive-through facility).
  - iv. Fitness studio.
  - v. Hairdresser.
  - vi. Pet grooming.
  - vii. Salon.
  - viii. Shoe repair.
  - ix. Tailor.
- c. Office.
- d. Medical clinic.
- e. Veterinarian office (without outside animal run or pens).
- f. Mail center (may be located within or adjacent to corner market or convenience goods store or food service establishment).
- 4. <u>Minimum Dedication of Commercial Space to Food Service Establishment</u>: A minimum of 2,500 square feet of gross leasable space shall be permanently dedicated to the operation of a restaurant, coffee shop, café, or other similar food service establishment subject to the approval of the Director of Planning and subject to the limitations of this PD, planned development district.
- Outdoor Seating and Serving Area: Outdoor seating and serving areas shall be provided adjacent to all sidewalks enclosing the mews as generally shown in Diagram 5.

- 6. <u>String Lighting</u>: The sidewalks enclosing the mews within the commercial district shall be adorned with string lighting at frequent intervals to stimulate visual interest and to encourage pedestrian activity.
- 7. <u>Prohibited Uses</u>: Any use not listed in Paragraph C above shall be prohibited, including drive-through facilities and outdoor storage.
- 8. <u>Required Parking</u>: All commercial uses shall require a minimum of 4.0 assigned parking spaces per 1,000 square feet of gross leasable space.
- 9. Outdoor Refuse and Recycling Collection Receptacles: Outdoor refuse and recycling collection receptacles shall be visually screened on all sides by a solid wall a minimum of six (6) feet in height, and that is constructed of a material matching the adjacent building façade. All access doors into the collection receptacle shall be made of opaque metal matching the height of the solid walls.

## **DIAGRAM 1**:



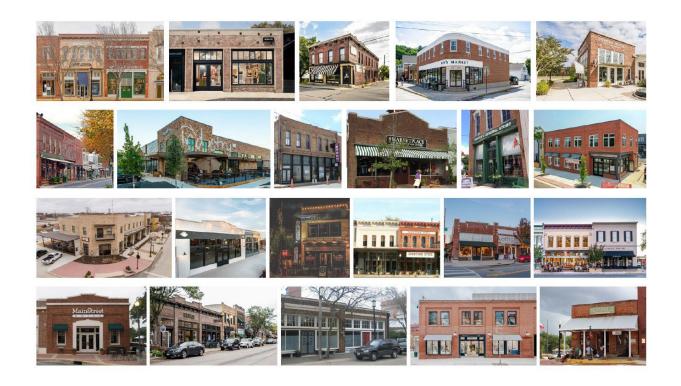
## DIAGRAM 2:



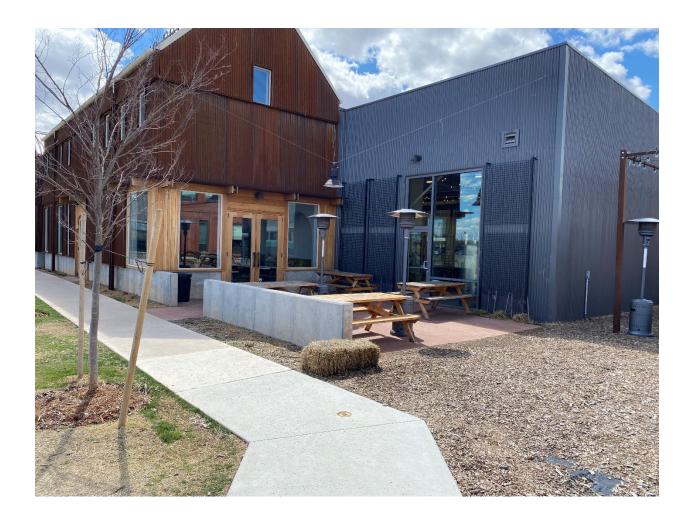
## **DIAGRAM 3**:



## DIAGRAM 4:



## **DIAGRAM 5**:





### CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

#### STAFF REPORT

File Number: 22-4614

Agenda Date: 4/25/2022 Version: 2 Status: Second Reading

In Control: City Council File Type: Ordinance

#### Agenda Number:

#### Title

Ordinance - Public Hearing Continuation and Second and Final Reading of an Ordinance Approving a Zoning Change from PR, Pre-Development District to PD, Planned Development District for a Mixed Lot Single-family Residential Development (427 homes) and Community Business Commercial on 121.459 Acres of Land in the Thomas J. Hanks Survey, Abstract No. 644, Tarrant County, TX and Abstract No. 1109, Johnson County, TX, Located at 1101 W Broad St.; Mary Ann Johnston, Owner, Terrance Jobe Alluvium Development, Developer (ZC#21-020)

#### Requested Action:

To consider the subject zoning change request.

#### Recommendation:

The Planning and Zoning Commission held a public hearing on April 4, 2002 and voted 5 to 0 to approve.

Staff recommends approval.

#### **Description/History**

Existing Use: Vacant

Existing Zoning: PR District

#### Surrounding Land Use & Zoning:

North: West Broad Street Right-of-way

South: Vacant, PR, Pre-Development District East: Industrial, I-2, Heavy Industrial District

West: PD, Planned Development District for Single Family (65' wide lots) and Vacant

PR, Mansfield Independent School District (MISD) and Mansfield Parks and

Recreation Property

#### Thoroughfare Plan Specification:

Internal residential streets with cross-sections

#### **Synopsis**

The requested zoning is consistent with the vision and recommendations found in the Official Land Use Plan and the proposed development is compatible with surrounding land uses.

#### **Staff Analysis**

The subject property consists of two (2) tracts of land located in Tarrant County and Johnson County. Between the two tracts, there is approximately 121.459 acres of land.

Although rectangular in geometry, the subject property presents an opportunity to introduce one of the first traditional neighborhood developments to the market. Towards that end, the applicant envisions the development of approximately 3.89 acres --- or 3.2 percent of the total land area --- located at the northwestern reaches of the site for neighborhood serving commercial. In particular, the applicant has discussed with the City for the commercial component of the development to include a neighborhood corner market or grocer. The presence of a neighborhood corner market or grocer has the potential to conveniently expand access to and sources for food (with an emphasis on fresh produce and other organic items), sundries, and other daily needs and to increase opportunities for retail and the incubation of other businesses to advance the City's vision and goals for economic development in all areas of Mansfield.

The remaining 177.569 acres --- approximately --- is intended to be developed as an intentional mix of detached single-family residential and row houses on a variety of lot sizes that are within walking distance of a diverse mix of civic spaces (i.e., parks). As proposed, there are seven (7) residential lot types --- with the vast majority of those lots being served and accessed by a rear alley. As depicted on the development plan, 85 percent of the residential lots will be alley served and accessed.

Of note, approximately 37 percent of the residential unit yield --- 156 units --- will consist of row houses. The row houses are intended to be carefully integrated into the development to create a strong visual spine which will define the traditional neighborhood development.

Further, the lot types are generally dispersed throughout the proposed traditional neighborhood development to create a unique community and ensure variety in architecture. Of the total number of lots to be developed, approximately 58 percent are less than 40 feet in width; the balance of the lots to be developed are 50 feet in width or greater. It should be noted that, in a nod to other traditional neighborhood developments that have received global acclaim, six of the lots fronting a lake and identified in attached exhibits, will either have balconies that encroach as the porch does, or two-story porches. This architectural consideration --- when paired with the provision of accessory dwellings -- will reinforce the notion of a lifelong community in which a range of housing serving a broad spectrum of market needs and desires.

Finally, a well-connected network of trails and civic spaces have been provided throughout the proposed development. Approximately 37 acres, excluding the gas wells site, are dedicated to structured and unstructured recreation opportunities. Where stormwater facilities are located within these spaces, the developer has discussed the activation and enhancement of these opportunities with shelters, trails, benches, and trash receptacles. A private amenity center is proposed as shown in Exhibit E-2. Parking for that facility will be on the adjacent streets --- with some dedicated parking in bulb-outs being provided along the east bounding street.

#### Development Plan and Standards

The applicant has provided a separate exhibit --- Exhibit B --- containing the standards for development in Starlin Ranch.

There are standards for lot types, orientation of garages, architecture, and landscaping.

The bulk area standards for the single-family residential products are as follows:

#### **SEE TABLE 1 (ATTACHED)**

As proposed, all single-family residential units shall require a minimum of two (2) off-street parking spaces to be provided within a garage. Also, as proposed, non-alley accessed lots shall require their garages be constructed as: (i) J-swing garages; (ii) side-entry garages for corner lots; or (iii) front-entry garages recessed a minimum of ten (10) feet in depth from the principal building façade. The standards for development do include measurement details and garages flush with the principal building façade are prohibited.

#### Anti-Monotony

The proposed standards for Starlin Ranch include provisions concerning anti-monotony; to ensure a variety of architectural designs with appropriate detailing, materials, color, et cetera to create a compelling streetscape structure that is unique and attractive. The proposed standards limit building façades / floorplans that are identical or similar on a block face when they not separated by a minimum of three lots.

Administrative standards have been provided to mandate that homebuilders submit a lot layout diagram to illustrate compliance along a block face.

A series of images showing various architectural designs has been provided to illustrate the developer's intent to achieve architectural variety and the examples show significant differentiation in elevation, floor plan, and materials.

#### Roof Pitches

Type A Lots, the row house lots, may have low-slope (i.e., flat) roofs or symmetrically pitched roofs with a minimum angle of 6:12. However, all flat roofs shall be surrounded on all sides by a parapet wall no less than 42 inches high.

Type B, C, D, E, F, and G Lots shall have a symmetrically pitched roof with a minimum angle of 6:12. Ancillary roofs may be pitched with a minimum angle of 3:12.

#### **Building Materials**

The exterior finish on building elevations shall be limited to any combination of brick, stone, cementitious fiber board and stucco. Stucco may only be used as an accent (no more than 10 percent) exterior finish on type A lots. Also, wood may only be used as an accent exterior finish material on type B, C, D, E, F, and G Lots.

#### Design Standards

All residential units on alley-served lots shall have a porch or a stoop attached on the principal building façade. At least 50 percent of the dwelling units not accessed by an alley shall have a porch or a stoop attached to the principal building façade. Standards for materials and size minimums for porches and stoops have been provided within the proposed standards for development. The definition section has specific requirements for these frontage elements.

Architectural prescriptions for corner lots identified as Type B, C, D, E, F, and G Lots are also strongly encouraged by the proposed standards for development. The dwellings on these lots are required to have a defined primary and secondary building façade. No privacy fences are allowed between the primary or secondary building façade and the adjacent sidewalk. The only fences allowed in this area are low lying open-style fences, hedge walls or low height walls of masonry.

While the architectural considerations appear to deliver elevated standards for quality, it appears that there are several opportunities to anchor corners and engage streetscapes within the development. In particular, the corner lots create distinct opportunities to wrap porches around the residences; and some of the residences that front on ponds or other bodies of water have the potential to deliver porches with two (2) stories. The presence of these architectural features would not only serve to enhance the quality of the project, but it would also establish a precedent for development in the whole of Mansfield. Exhibit D-4 identifies various lots required to provide enhanced architectural treatments for Main Street Corner Lots, Lake Frontage and Enhanced Locations.

#### Landscaping, Open Space, and Trail Plan

Street trees are provided throughout the development as shown in the open space exhibit. These trees are to be planted every 40 feet along all residential lot frontages in the space between the curb and sidewalk, outside the private lot. All Type B, C, D, and F lots shall plant at least one (1) tree. No fewer than two (2) trees must be planted on every type E and G lots with one required in the front yard.

#### ..Recommendation

The subject property is located in Sub-Area 2 of the Official Land Use Plan. Sub-Area 2 recommends the development of diverse and more intense housing opportunities. Further, the Official Land Use Plan recommends that more neighborhood serving retail be strategically placed to serve the residents along West Broad Street and the surrounding streets. The housing would provide more rooftops to allow for a critical mass to be reached in the area for retail and other commercial activity. The plan recommends that the area west of the industrial areas group housing to help create open space and park land that is non-existent. Since the Plan's creation, the City has targeted property just to the west of this project as the Southwest Regional Park. This development provides trail connections that are in line with the park and move people up to West Broad Street.

Initially, Staff expressed concerns about the programming and design of the trails and open spaces. The developer has collaborated with Staff to provide additional open space opportunities, including an outdoor amphitheater in proximity to community amenity

center. A development agreement and other related agreements are intended to supplement the provisions of the SRPD Standards, if the requested zoning is approved. Additionally, designs for the commercial, mixed-use, and other non-residential buildings have been provided which take their inspiration from building forms in Historic Downtown Mansfield and traditional shopfronts.

Further, the developer has worked to make substantial changes to address throughfare concerns. Those items are addressed in the attached exhibits with some small edits still needed.

Finally, Staff desires to see the construction of a grocery store and related amenities as part of the initial phase of development. There have been ongoing conversations with the developer about the timing of the grocery store and related amenities. The presence of a grocery store is far more important to the development and the community that offering food and other household items, it is a critical component in developing the unique social and economic infrastructure of the West Side. Staff has worked with the development team to provide conditions where the defined corner market is to be completed within 18 months from the issuance of a building permit by the City for the first model home.

Staff recommends approval with the condition that the architecture and construction of permitted commercial, mixed-use, and other non-residential buildings be in substantial conformance with the elevations shown in the renderings in Exhibit F (the "Commercial Elevations").

#### Prepared by

Arty Wheaton-Rodriguez
Assistant Director of Planning
(817) 276-4226

### ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR A MIXED LOT SINGLE-FAMILY RESIDETNIAL AND COMMUNITY BUSINESS COMMERCIAL USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended.

# NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:

#### **SECTION 1.**

That the Comprehensive Zoning Ordinance of the City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new zoning district classification of PD, Planned Development; said property being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

#### **SECTION 2.**

That the use and development of the hereinabove described property shall be in accordance with the development plan shown on Exhibits "B-F" attached hereto and made a part hereof for all purposes.

#### **SECTION 3.**

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Ordinance No 22-4614 Page 2 of 2
SECTION 4.
That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.
SECTION 5.
Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.
SECTION 6.
Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.
SECTION 7.
This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.
FIRST READING APPROVED ON THE $11^{\mathrm{TH}}$ DAY OF APRIL, 2022.
DULY PASSED ON THE SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 25 <sup>TH</sup> DAY OF APRIL, 2022.
Michael Evans, Mayor ATTEST:

Susana Marin, City Secretary

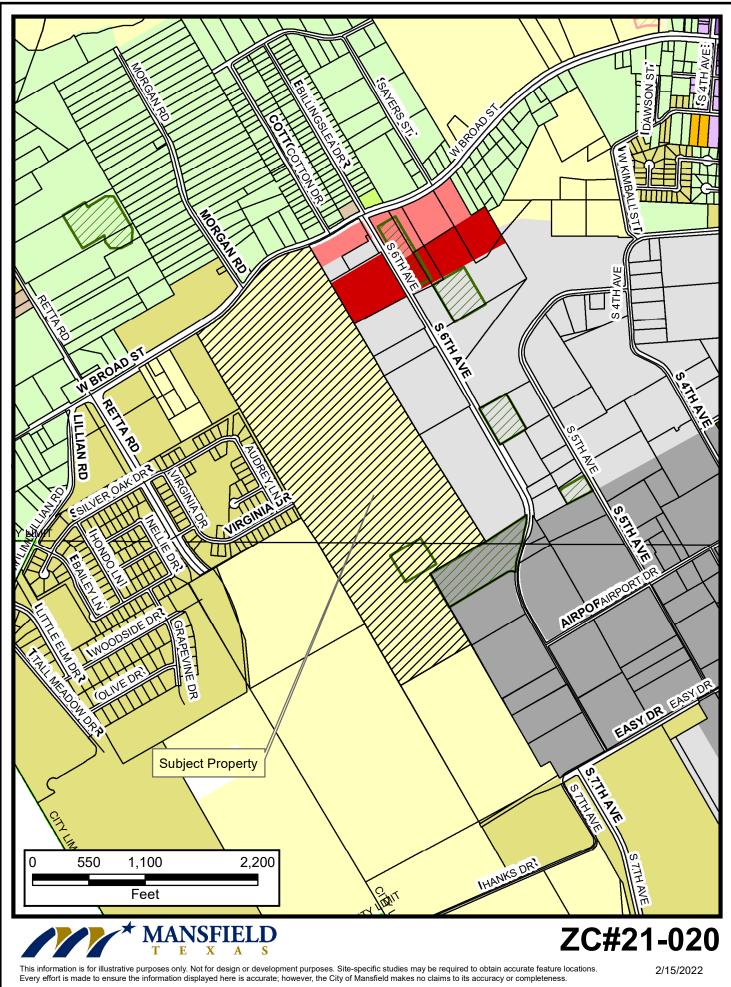
Drew Larkin, City Attorney

APPROVED AS TO FORM AND LEGALITY:



This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

2/15/2022



## Property Owner Notification for ZC#21-020

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS  *** NO ADDRESS ***	<b>CITY</b> *** NO CITY ***	<b>ZIP</b> * NO ZIP *
			*** NO ADDRESS ***	*** NO CITY ***	* NO ZIP *
			*** NO ADDRESS ***	*** NO CITY ***	* NO ZIP *
BETHLEHEM BAPTIST CHURCH ADDN	BLK A	BETHLEHEM BAPT CH MANSFIELD	1188 W BROAD ST	MANSFIELD, TX	76063-4508
BROSEH INDUSTRIAL PARK	BLK 1	BROSEH FINANCIAL INVESTMENTS L	820 S 6TH AVE	MANSFIELD, TX	76063
BROSEH INDUSTRIAL PARK	BLK 1	CAM-TECH MANSFIELD LLC	800 S 6TH AVE	MANSFIELD, TX	76063-4873
BROSEH INDUSTRIAL PARK	BLK 1	SENTRY LAND LP	1816 HIGH COUNTRY DR	WESTLAKE, TX	76262-4813
CARING PLACE ADDITION	BLK 1	MANSFIELD MISSION CENTER	777 N WALNUT CREEK DR	MANSFIELD, TX	76063
CMS PLAT MANSFIELD IND PARK	BLK 1	BOWER INVESTMENTS INC	1733 FLETCHER WAY	SANTA YNEZ, CA	93460
HAMMAN TERRACE ADDITION	BLK 3	STEWARD, JO ANN	348 SAYER DR	MANSFIELD, TX	76063
HAMMAN TERRACE ADDITION	BLK 3	LAWSON, WILLIE O	6250 MOUNTAIN PEAK CT	MIDLOTHIAN, TX	76065-8898
HANKS, THOMAS J SURVEY	A 644	MARTINEZ, ALFREDO	1030 W BROAD ST	MANSFIELD, TX	76063
HANKS, THOMAS J SURVEY	A 644	JACKSON, JOHNNY	3538 H AVE	FORT WORTH, TX	76105-2416
HANKS, THOMAS J SURVEY	A 644	TRACY, SCOTT	1064 W BROAD ST	MANSFIELD, TX	76063-4507
HANKS, THOMAS J SURVEY	A 644	BETHLEHEM BAPTIST CHURCH	1188 W BROAD ST	MANSFIELD, TX	76063
HANKS, THOMAS J SURVEY	A 644	JOHNSTON, MARY ANN BROWN	1108 PEBBLE BEACH CT	MANSFIELD, TX	76063-2647
HANKS, THOMAS J SURVEY	A 644	BOWER 2010 IRREVOCABLE ASSET T	1733 FLECTCHER WAY	SANTA YNEZ, CA	93460
HANKS, THOMAS J SURVEY	A 644	MANSFIELD, ISD	605 E BROAD ST	MANSFIELD, TX	76063-1766
HANKS, THOMAS J SURVEY	A 644	BETHLEHEM BAPTIST CHURCH	1188 W BROAD ST	MANSFIELD, TX	76063

Tuesday, February 15, 2022

## Property Owner Notification for ZC#21-020

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
LOUIS,SJ CONSTRUCTION CO OF TX	BLK 1	SIXTH AVENUE PARTNERS LP	520 S 6TH AVE	MANSFIELD, TX	76063-2310
MANSFIELD INDUSTRIAL PARK	BLK 1	MANSFIELD 6TH AVE PROPERTIES	2001 W WASHINGTON ST	SOUTH BEND, IN	46628-2032
MISD 6TH AVE TRANSPORTATION ADDN	BLK 1	MANSFIELD ISD	605 E BROAD ST	MANSFIELD, TX	76063
PIONEER PLACE ADDN	BLK 1	BETHLEHEM'S PIONEER PLACE LP	1188 W BROAD ST	MANSFIELD, TX	76063
SILVER OAK ADDITION PHASE 1	BLK 11	FORESTAR (USA) REAL ESTATE GRO	2221 E LAMAR BLVD STE 790	ARLINGTON, TX	76006
SILVER OAK ADDITION PHASE 1	BLK 11	D R HORTON - TEXAS LTD	6751 NORTH FRWY	FORT WORTH, TX	76131
SILVER OAK ADDITION PHASE 1	BLK 11	D R HORTON - TEXAS LTD	6751 NORTH FRWY	FORT WORTH, TX	76131
SILVER OAK ADDITION PHASE 1	BLK 11	D R HORTON - TEXAS LTD	6751 NORTH FRWY	FORT WORTH, TX	76131
SILVER OAK ADDITION PHASE 1	BLK 11	D R HORTON - TEXAS LTD	6751 NORTH FRWY	FORT WORTH, TX	76131
SILVER OAK ADDITION PHASE 1	BLK 11	DR HORTON - TEXAS LTD	6751 NORTH FWY	FORT WORTH, TX	76131-2802
SILVER OAK ADDITION PHASE 1	BLK 11	D R HORTON - TEXAS LTD	6751 NORTH FRWY	FORT WORTH, TX	76131
SILVER OAK ADDITION PHASE 1	BLK 11	DR HORTON - TEXAS LTD	6751 NORTH FWY	FORT WORTH, TX	76131-2802
SILVER OAK ADDITION PHASE 1	BLK 11	D R HORTON - TEXAS LTD	6751 NORTH FRWY	FORT WORTH, TX	76131
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SILVER OAK ADDITION PHASE 1	BLK 11	DR HORTON - TEXAS LTD	6751 NORTH FWY	FORT WORTH, TX	76131-2802
SILVER OAK ADDITION PHASE 1	BLK 11	DR HORTON - TEXAS LTD	6751 NORTH FWY	FORT WORTH, TX	76131-2802
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SILVER OAK ADDITION PHASE 1	BLK 11	FORESTAR (USA) REAL ESTATE GRO	2221 E LAMAR BLVD STE 790	ARLINGTON, TX	76006
SILVER OAK ADDITION PHASE 1	BLK 8	DR HORTON - TEXAS LTD	6751 NORTH FWY	FORT WORTH, TX	76131-2802

Tuesday, February 15, 2022

## Property Owner Notification for ZC#21-020

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
SILVER OAK ADDITION PHASE 1	BLK 8	DR HORTON - TEXAS LTD	6751 NORTH FWY	FORT WORTH, TX	76131-2802
SILVER OAK ADDITION PHASE 1	BLK 8	DR HORTON - TEXAS LTD	6751 NORTH FWY	FORT WORTH, TX	76131-2802
T J HANKS	TR 2A	MANSFIELD ISD	605 E BROAD ST	MANSFIELD, TX	76063
T J HANKS	TR 3	CITY OF MANSFIELD	1200 E BROAD ST	MANSFIELD, TX	76063-1805
T J HANKS	TR 4	JOHNSTON MARY ANN BROWN	915 RIVIERA DR	MANSFIELD, TX	76063-3714
T J HANKS	TR 4A	MANSFIELD ISD	605 E BROAD ST	MANSFIELD, TX	76063-1766

Tuesday, February 15, 2022

Being 121.459 acres of land located in the Thomas J. Hanks Survey, Abstract No. 644, Tarrant County, Texas and the Thomas J. Hanks Survey, Abstract No. 1109, Johnson County, Texas, being the remainder of a tract of land described in the deed to R.S. Brown, recorded in Volume 1445, Page 190, Deed Records, Tarrant County, Texas. Said 121.459 acres of land being more particularly described as follows:

BEGINNING at a 1/2" iron rod stamped "Beasley RPLS 4050" found at the Northwest corner of a tract of land described in the deed to Mansfield Independent School District, recorded in County Clerk's Instrument No. 2016-21732, Deed Records, Johnson County, Texas, being in the West line of said Brown tract;

THENCE N29°51'12"W, along said West line, a distance of 4,018.58 feet to a point in West Broad Street:

THENCE N57°02'07"E, a distance of 213.69 feet to a point in West Broad Street;

THENCE N45°46'39"E, a distance of 265.19 feet to a point in West Broad Street;

THENCE N38°02'08"E, a distance of 102.70 feet to a point in West Broad Street;

THENCE N38°37'21"E, a distance of 69.37 feet to a point at the Southwest corner of a tract of land described in the deed to Bethlehem Baptist Church, recorded in County Clerk's Instrument No. D214228913, Deed Records, Tarrant County, Texas;

THENCE along the South and East lines of said Bethlehem Baptist Church tract the follow courses and distances:

- 1. N36°34'02"E, a distance of 185.00 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set;
- 2. N42°06'44"E, a distance of 130.00 feet to a point in rip rap at the Southeast corner of said Bethlehem Baptist Church tract;
- 3. N40°03'12"W, a distance of 265.07 feet to a point at the Northeast corner of said Bethlehem Baptist Church tract, being in the South line of a tract of land described in the deed to Lionel Hamilton, Sr., and wife, Benetha Hamilton, recorded in Volume 5596, Page 469, Deed Records, Tarrant County, Texas;

THENCE N53°12'48"E, along the South line of said Hamilton tract, a distance of 96.63 feet to a 1/2" iron rod found at the Southeast corner of said Hamilton tract, being in the West line of a tract of land described in the deed to Scott Tracy, and wife, Lori Carter Tracy, recorded in Volume 11941, Page 1945, Deed Records, Tarrant County, Texas;

THENCE S28°23'30"E, along the West line of said Tracy tract, a distance of 270.03 feet to a point at the Southwest corner of said Tracy tract;

THENCE N69°34'00"E, along the South line of said Tracy tract, a distance of 207.14 feet to a point at the Southeast corner of said Tracy tract, being in West Broad Street and at the Southwest corner of a tract of land described in the deed to Johnny Jackson, and wife, Bessie Jackson, recorded in Volume 10658, Page 1570, Deed Records, Tarrant County, Texas;

THENCE N69°17'50"E, along the South line of said Jackson tract, a distance of 93.43 feet to a point at the Southeast corner of said Jackson tract, being in West Broad Street and at the Southwest corner of a tract of land described in the deed to Alfredo Martinez, and wife, Guadalupe Martinez, recorded in Volume 16379, Page 146, Deed Records, Tarrant County, Texas;

THENCE N69°30'06"E, along the South line of said Martinez tract, a distance of 112.51 feet to a point in West Broad Street, being in the East line of said Brown tract;

THENCE S30°10'03"E, along the East line of said Brown tract, at a distance of 72.07 feet passing a wooden fence post found in the South Right-of-Way line of West Broad Street as described in the deed recorded in County Clerk's Instrument No. D212100964, Deed Records, Tarrant County, Texas, from which a 3/8" iron rod found bears N87°23'33"E 4.48 feet, at a distance of 912.57 feet passing a 5/8" iron rod found at the Northwest corner of Lot 1, Block 1, CMS Plat of Mansfield Industrial Park, an addition to the City of Mansfield, Tarrant County, Texas, recorded in Volume 388-161, Page 1, Plat Records, Tarrant County, Texas, at a distance of 1523.30 feet passing a 5/8" iron rod stamped "Carter & Burgess: found at the Northwest corner of Lot 3R, Block 1, Mansfield Industrial Park, an addition to the City of Mansfield, Tarrant County, Texas, according to the plat recorded in County Clerk's Instrument No. D200164953, Deed Records, Tarrant County, Texas, at a distance of 2153.34 feet passing a 1/2" iron rod found at the Southwest corner of said Lot 3R, being the Northwest corner of Lot 1R, Block 1, S.J. Louis Construction Company of Texas Addition, an addition to the City of Mansfield, Tarrant County, Texas according to the plat recorded in County Clerk's Instrument No. D209176371, Deed Records, Tarrant County, Texas, continuing in all a distance of 3,390.05 feet to a point in a wooden fence post; at the Southwest corner of said Lot 1R, being in the North line of Lot 2, Block 1, Broseh Industrial Park, an addition to the City of Mansfield, Tarrant County, Texas according to the plat recorded in County Clerk's Instrument No. D211207785, Deed Records, Tarrant County, Texas;

THENCE S59°12'33"W, along the North line of said Lot 2, a distance of 589.32 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set and the Northwest corner of said Lot 2;

THENCE S29°49'10"E, a distance of 803.33 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" found at the Northeast corner of said Mansfield Independent School District tract;

THENCE S59°39'01"W, along the North line of said Mansfield Independent School District tract, a distance of 801.73 feet to the point of beginning, containing 121.459 acres of land.

The bearings recited hereon are oriented to NAD83 Texas North Central Zone.

Kenneth R. Rogers Registered Professional Land Surveyor No. 6066





**EXHIBIT B FOR ZC#21-020** 

#### STARLIN RANCH PLANNED DEVELOPMENT STANDARDS

#### **SECTION 1 - GENERAL STANDARDS**

The Starlin Ranch Planned Development (SRPD) shall apply to the entire 121.459 of land described in the legal description of Exhibit A and shall be in general accordance with the attached Development Plan (Exhibit C-1), Street Plan (Exhibit C-2), Open Space/Amenity Plan (Exhibit D-1), Trail Plan (Exhibit D-2), Screening Plan (Exhibit D-3), Architectural Requirements (Exhibit D-4), Commercial Overlay (Exhibit D-5), Enhanced Entryway Plan (Exhibit E-1) and Amenity Center Programming (Exhibit E-2).

The proposed development shall be in accordance with the provisions of the approved Planned Development District and the Development Plans recorded hereunder shall be binding upon the applicant thereof, his successors and assigns, and shall limit and control all building permits.

The existing provisions of the City of Mansfield, Texas Zoning Ordinance shall continue to be applicable to issues not covered by these SRPD standards.

In the event of a conflict between the SRPD Standards and the City of Mansfield, Texas Zoning Ordinance, as amended, the SRPD Standards set forth herein shall apply.

The provisions of the SRPD Standards or the numerical metrics of its tables, when in conflict with diagrams, illustrations, or other graphic depictions, shall take precedence.

The following provides definitions for terms used in these SRPD Standards that are technical in nature or that otherwise may not reflect a common usage of the term:

**ALLEY:** A private thoroughfare designated to be a secondary means of vehicular access to the rear or the side of properties; an alley may connect to a vehicular driveway located to the rear of lots, providing access to accessory buildings, to service areas, to parking, and may contain utility easements.

**BLOCK:** The aggregate of lots, civic spaces, and alleys circumscribed by streets.

**BLOCK FACE:** The aggregate of all the building facades on one (1) side of a block.

**BUILDING ELEVATION:** An exterior wall of a building not facing a street or a civic space.

**BUILDING FAÇADE:** The exterior wall of a building facing a street or a civic space.

**BUILDING FACADE, PRINCIPAL:** The exterior wall of a building that is designated to have the principal entrance to the building.

**CORNER MARKET:** A single, small-scale retail business, that is standalone or part of a mixeduse building, and supplying a limited selection of food, beverages, and sundries. For the purposes of the SRPD Standards, a corner market:

- a. shall be a minimum of 1,850 square feet;
- b. shall dedicate a minimum of 40 percent of its retail sales and display area to the sale of a general line of food and beverages intended for home preparation and consumption;
- c. shall dedicate a minimum of 20 percent of its retail space to the sale of perishable goods including dairy, fresh produce, fresh meats, poultry, fish and frozen foods;
- d. a maximum ten (10) percent of the gross floor area of the corner market may be devoted to the sale of alcohol for off-site consumption; and
- e. the retail sale of discount and used merchandise is expressly prohibited.

**ENCROACH:** To break the plane of a vertical or a horizontal regulatory limit with a structural element so that it encroaches into a setback or above a height limit.

**INN:** A type of lodging use offering six (6) to 12 bedrooms, and permitted to serve breakfast in the mornings to guests.

LIVE-WORK UNIT: A mixed-use unit consisting of a commercial activity and a residential use. The commercial use is restricted to the first story of the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the commercial activity.

**PORCH:** An open-air room appended to a building, with floor and roof, but no walls on at least two (2) sides facing a street or a civic space. A porch shall be at least six (6) feet deep and consist of a minimum of 60 square feet. A porch is exclusive of the space dedicated to an entryway. The Director of Planning may review and administratively approve porch

designs that are not consistent with a specific provision of these SRPD Standards, but is justified by its intent. (SEE EXAMPLES BELOW)



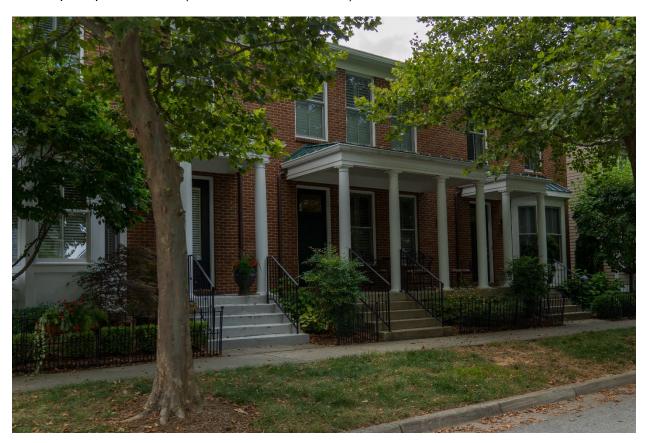




**PRINCIPAL BUILDING:** The main building on a lot.

PRINCIPAL ENTRANCE: The main point of access for pedestrians into a building.

**STOOP:** A frontage wherein the building façade is aligned close to the front lot line, with the first story elevated from the sidewalk for privacy, with an exterior stair and a landing at the principal entrance. (SEE EXAMPLE BELOW)



**STORY:** A habitable level within a building by which height is measured, excluding an attic or a raised basement. For purposes of these SRPD standards, stories shall not exceed 14 feet in height, except that ground floor commercial spaces shall have a minimum story height of 14 feet and a maximum of 25 feet.

#### **SECTION 2 - SINGLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS**

The single-family dwellings to be developed in the SRPD shall be on seven (7) lot types – Type A through Type G – each to be located and developed as shown on the Development Plan.

- **A. TYPE A LOTS:** All Type A Lots shall be alley-served and developed in accordance with the following:
  - (1) Minimum Lot Area 1,980 square feet.
  - (2) Minimum Lot Width 22 feet.

- (3) Minimum Lot Depth 90 feet.
- (4) Minimum Floor Area 1,600 square feet.
- (5) Minimum Front Setback 5 feet, provided, however, that porches, stairs, stoops, balconies or bay windows may encroach into the minimum setback.
- (6) Minimum Rear Setback 8 feet between the dwelling, garage, or fence, and the pavement edge of alley or mews.
- (7) Minimum Side Setback:
  - (a) Interior Side Setback 0 feet.
  - (b) Side Setback Adjacent to a Street 5 feet.
- (8) Maximum Lot Coverage 85%.
- (9) Minimum Height 2 stories.
- (10) Maximum Height 3 stories.
- (11) Minimum Off-street Parking 2 spaces.
- **B. TYPE B LOTS:** All Type B Lots shall be accessed by an alley and developed in accordance with the following:
  - (1) Minimum Lot Area 4,400 square feet.
  - (2) Minimum Lot Width (other than corner lots) 40 feet.
  - (3) Minimum Lot Width (corner lots) 45 feet.
  - (4) Minimum Lot Depth 110 feet.
  - (5) Minimum Floor Area 1,600 square feet.
  - (6) Minimum Front Setback 5 feet, provided, however, that porches, stairs, stoops, balconies or bay windows may encroach into the minimum setback.
  - (7) Minimum Rear Setback 8 feet between the dwelling, garage, or fence, and the pavement edge of alley or mews.
  - (8) Minimum Side Setback:
    - (a) Interior Side Setback 5 feet.
    - (b) Side Setback Adjacent to a street 10 feet.
  - (9) Maximum Lot Coverage 75%.

- (10) Maximum Height 3 stories.
- (11) Minimum Off-street Parking 2 spaces.
- **C. TYPE C LOTS:** All Type C Lots shall be accessed by an alley and developed in accordance with the following:
  - (1) Minimum Lot Area 6,000 square feet.
  - (2) Minimum Lot Width (other than corner lots) 50 feet.
  - (3) Minimum Lot Width (corner lots) 55 feet.
  - (4) Minimum Lot Depth 120 feet.
  - (5) Minimum Floor Area 1,800 square feet.
  - (6) Minimum Front Setback 5 feet provided, however, that porches, stairs, stoops, balconies or bay windows may encroach into the minimum setback.
  - (7) Minimum Rear Setback 8 feet between the dwelling, garage, or fence, and the pavement edge of alley or mews.
  - (8) Minimum Side Setback:
    - (a) Interior Side Setback 5 feet.
    - (b) Side Setback Adjacent to a Street 10 feet
  - (9) Maximum Lot Coverage 70%.
  - (10) Maximum Height 3 stories.
  - (11) Minimum Off-street Parking 2 spaces.
- **D. TYPE D LOTS:** All Type D Lots shall be accessed by an alley and developed in accordance with the following:
  - (1) Minimum Lot Area 5,500 square feet.
  - (2) Minimum Lot Width (other than corner lots) 50 feet.
  - (3) Minimum Lot Width (corner lots) 55 feet.
  - (4) Minimum Lot Depth 110 feet.
  - (5) Minimum Floor Area 1,800 square feet.
  - (6) Minimum Front Setback 5 feet, provided, however, that porches, stairs, stoops, balconies or bay windows may encroach into the minimum setback.

- (7) Minimum Rear Setback 8 feet between the dwelling, garage, or fence, and the pavement edge of alley or mews.
- (8) Minimum Side Setback:
  - (a) Interior Side Setback 5 feet.
  - (b) Side Setback Adjacent to a Street 10 feet
- (9) Maximum Lot Coverage 70%.
- (10) Maximum Height 3 stories.
- (11) Minimum Off-street Parking 2 spaces.
- **E. TYPE E LOTS:** Type E Lots shall be accessed from a street and developed in accordance with the following:
  - (1) Minimum Lot Area 6,000 square feet.
  - (2) Minimum Lot Width (other than corner lots) 50 feet.
  - (3) Minimum Lot Width (corner lots) 55 feet.
  - (4) Minimum Lot Depth 120 feet.
  - (5) Minimum Floor Area 1,800 square feet.
  - (6) Minimum Front Setback 20 feet, provided, however, that porches, stairs, stoops, balconies or bay windows may encroach into the minimum setback and build-to line.
  - (7) Minimum Rear Setback (applicable to the dwelling and garage) 15 feet.
  - (8) Minimum Side Setback:
    - (a) Interior Side Setback 5 feet.
    - (b) Side Setback Adjacent to a Street -10 feet.
  - (9) Maximum Lot Coverage 70%.
  - (10) Maximum Height 3 stories.
  - (11) Minimum Off-street Parking 2 spaces.
- **F. TYPE F LOTS:** All Type F Lots shall be accessed by an alley and developed in accordance with the following:
  - (1) Minimum Lot Area 6,600 square feet.
  - (2) Minimum Lot Width (other than corner lots) 60 feet.

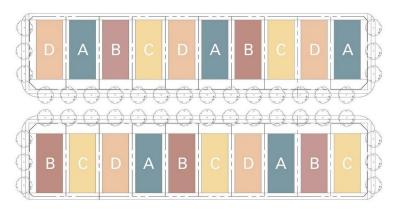
- (3) Minimum Lot Width (corner lots) 65 feet.
- (4) Minimum Lot Depth 110 feet.
- (5) Minimum Floor Area 2,200 square feet.
- (6) Minimum Front Setback 5 feet, provided, however, that porches, stairs, stoops, balconies or bay windows may encroach into the minimum setback.
- (7) Minimum Rear Setback 8 feet between the dwelling, garage, or fence, and the pavement edge of alley or mews.
- (8) Minimum Side Setback:
  - (a) Interior Side Setback 5 feet.
  - (b) Side Setback Adjacent to a Street 10 feet.
- (9) Maximum Lot Coverage 70%.
- (10) Maximum Height 3 stories.
- (11) Minimum Off-street Parking 2 spaces.
- **G.TYPE G LOTS:** The Type G Lots shall be accessed from a street and developed in accordance with the following:
  - (1) Minimum Lot Area 7,200 square feet.
  - (2) Minimum Lot Width (other than corner lots) 60 feet.
  - (3) Minimum Lot Width (corner lots) 65 feet.
  - (4) Minimum Lot Depth 120 feet.
  - (5) Minimum Floor Area 2,200 square feet.
  - (6) Minimum Front Setback 20 feet, provided, however, that porches, stairs, stoops or bay windows may encroach into the minimum setback.
  - (7) Minimum Rear Setback (applicable to the dwelling and garage) 15 feet.
  - (8) Minimum Side Setback:
    - (a) Interior Side Setback 5 feet.
    - (b) Side Setback Adjacent to a Street 10 feet.
  - (9) Maximum Lot Coverage 70%.
  - (10) Maximum Height 3 stories.

- (11) Minimum Off-street Parking 2 spaces.
- **H. GARAGE ORIENTATION:** The single-family dwelling units constructed on lots not accessed by alleys as shown on the SRPD Development Plan shall be constructed with one of the following garage orientations or setbacks:
  - (1) J-swing or rear entry garages;
  - (2) Side entry garages for corner lots; and
  - (3) Front entry garages shall be recessed 10 feet in depth at a minimum from the principal building facade. This distance shall be measured from the horizontal plane of the principal building facade to the location of the garage door, without regard for the location of any habitable space above the first story. Front-entry garages that are flush with the principal building facade shall be prohibited.

#### I. ANTI-MONOTONY:

#### For Single-Family Detached Dwelling Units:

- Guiding Principle: A variety of individual architectural designs with their respective appropriate details, materials and colors are encouraged to create a unique, overall compelling streetscape character.
- The principal building facade of single-family detached dwelling units on a continuous block<sup>1</sup> with the same or similar facade<sup>2</sup>, materials, or colors (including similar shades) should be separated by a minimum of three lots on the same side of the street and should not be located directly across the street from each other.



- Homes shall have significant variations in principal building façade designs, including rooflines with apparent design variations (e.g., hipped, gabled, and shed). Homes shall have changes in the locations and openings for doors and windows that change the overall external elevation.
- Administration: Home builders will be responsible for submitting the above exhibit outlining compliance with anti-monotony at time of permit for the continuous block. In

an instance where multiple home builders are working in the same block, the lot diagram will indicate separate ownership/responsibility by providing the lot and block number as well as home builder information.

notes: <sup>1</sup>A continuous block consists of the lots not separated by right-of-way or alley and inclusive of the homes across the street on the same block. <sup>2</sup> Similar facades can be identified by similar floor plans as well as similarly proportioned exterior finishes in that placing a new exterior façade on a similar floor plan does not by itself constitute compliance with the above anti-monotony standards. In a situation where facades are deemed similar, the home builder will need to provide an exhibit outlining significant variations in principal façade designs, as outlined above. In most instances a significant variation is one that spans more than 50% of the principal building facade.

The Director of Planning may approve elevations that are different styles but may not demonstrate significant changes. The intent of the SRPD Standards is to promote architectural diversity and create a neighborhood that is cohesive and promotes creativity.

• The examples shown below are graphic depictions of architectural variety and do not necessarily constitute compliance with the provisions of the SRPD Standards.











#### For Single-Family Attached Dwelling Units:

- Buildings occupied by single-family attached dwelling units along a street frontage shall at a minimum vary architecturally after building breaks so that one street frontage is not dominated by a single elevation.
- A minimum of three (3) architectural designs are required for the SRPD. Architectural design shall apply to the entire building rather than by the individual unit. Units with shared walls should feature the same architectural design.
- Buildings with the same or similar façade, materials, or colors should be separated from one another. No building design shall be repeated either directly adjacent on the same side of the street or directly across the street.
- Below are examples of architecture designs that can be utilized within the SRPD. These
  architectural designs can be associated with any of the three minimum types (A, B, or C)
  as indicated in the example diagram.





 The diagram below illustrates the intent of achieving this architectural variation and will be used a baseline for laying out the attached single-family attached product, however there are numerous ways of accomplishing the desired result.



#### J. Roof Pitches:

- (1) For those lots identified on the Development Plan as Type A, principal roofs may be low-slope (i.e., flat) or symmetrically pitched with a minimum angle of 6:12. All flat roofs shall be surrounded on all sides by a parapet wall no less than 42 inches high where the roof deck meets the parapet wall.
- (2) For those lots identified on the Development Plan as Types B, C, D, E, F, and G, principal roofs shall be symmetrically pitched with a minimum angle of 6:12. The intent of this Section is to allow for diversity in roof pitches and roof types. Although the minimum angle is provided, the development shall have a variety of roof pitches as to not create a homogenous plan. During permit submittal roof pitches within block clusters (defined by adjacent similar lot types) will be checked so that no one roof pitch dominates more than 60% of that block cluster. The Director of Planning can approve elevations with roof pitches less than 6:12 on a case-by-case basis.
- (3) For all lot types, ancillary roofs for stoops, porches, detached garages, and other similar architectural features may be pitched with a minimum angle of 3:12.

#### K. Building Materials and Design: Every single-family dwelling shall comply with the following:

(1) For all lots identified on the Development Plan as Type A, the exterior finish on all building elevations, except for door and window openings, shall be limited to any combination of brick, stone and cementitious fiber board as depicted in the examples below. Stucco may only be used as an accent exterior finish material on Type A Lots and shall not exceed 10 percent of the total building wall area, with each elevation being calculated independently.





- (2) For all lots identified on the Development Plan as Type B, C, D, E, F, and G, the exterior finish material on all building elevations, except for window or door openings, shall be limited to any combination of brick, stone, cementitious fiber board, and stucco. Wood may only be used as an accent exterior finish material for construction on Type B, C, D, E, F, and G Lots and shall not exceed 10 percent of the total building wall area, with each elevation being calculated independently.
- (3) Where multiple exterior materials are used on a single dwelling unit, they shall only be combined on each building wall horizontally, with the heavier material below the lighter (e.g., stone below brick; brick below stucco; and stucco below wood or cementitious fiber board).
- (4) All building walls shall show the same level and quality of materials on all sides, including trim, in order to create an architectural composition that is visually harmonious.
- (5) Exterior finish wood materials shall be painted or stained.
- (6) Stucco shall be cement plaster made of cement sand and lime and shall be applied using a three-step process.
- (7) All dwelling units on alley-served lots shall have a porch or a stoop attached on the principal building facade and located at the principal entrance into the dwelling unit.
- (8) No more than 32 dwelling units on lots not accessed by an alley may be constructed not to have a porch or a stoop attached on the principal building façade and located at the principal entrance into the dwelling unit. All other dwelling units on lots not accessed by an alley shall be constructed with a porch or a stoop attached on the principal building facade and located at the principal entrance into the dwelling unit.

- (9) Front porch floors shall be of concrete slab, stone, or wood plank.
- (10) Front porches shall be no less than six (6) feet deep.
- (11) Stoop floors shall be of brick or stone and match the material or materials on the principal building facade.
- (12) All stoops shall be at least two (2) feet in height, at least five (5) feet in depth, and between four (4) and six (6) feet in width.
- (13) Stoops may be recessed into the main volume of the building.
- (14) Posts, where provided, shall be a minimum dimension of six (6) inches by six (6) inches.
- (15) Posts shall be made of wood or synthetic materials provided they have the appearance of wood; and may have brick or stone piers with a minimum of 12 inches by 12 inches in dimension.
- (16) Columns, where provided, shall be a minimum dimension of 12 inches by 12 inches.
- (17) Columns shall be made of brick, stone, concrete, or cementitious fiber board.
- (18) Principal building facades shall be no less than 15% and no more than 30% glazed in clear glass.
- (19) Windows shall be made of painted aluminum, wood, or vinyl, and shall have clear glass.
- (20) Windows shall be single-, double-, or triple-hung or operable casements. Windows in building walls made of brick, stone, or stucco shall be recessed a minimum of three inches in depth from the exterior wall. Flush-mounted windows and doors shall be prohibited on all building walls.
- (21) Doors and windows that operate as sliders shall be prohibited along all streets and civic spaces.
- (22) All windows in building façades shall be vertically proportioned and rectangular in shape, except that one (1) circular, semi-circular, oval, hexagonal, or octagonal window may be installed on each building façade.
- (23) Garage doors shall be of metal, wood, or composite wood.
- (24) Garage doors, if visible from a street or a civic space, shall not exceed ten (10) feet in width.
- (25) Chimneys, when constructed on the exterior facade, shall extend to finished grade and shall be made of brick, stone, or stucco with a projecting cap on top. Chimney flues shall be metal and may be painted the color of the roof, black, or left natural.

- (26) Balconies and bay windows, where provided, shall be no less than three (3) feet deep. All balconies shall be structurally supported by concrete beams or profiled sills, or wood beams or brackets of appropriate scale; and all bay windows shall extend to the ground or be supported by concrete or wood brackets of appropriate scale.
- (27) Pitched roofs shall be asphalt shingles, metal, or slate.
- (28) Skylights shall be flat to the roof plane.
- (29) Roof penetrations, including vent stacks, shall be out of view from the street.
- (30) Doors along principal building façades shall be a minimum of eight (8) feet high.
- (31) The first story shall be a minimum of a nine (9) feet in height.
- **L. Additional Building Design:** For corner lots identified on the Development Plan as Type B, C, D, E, F, and G the establishment of primary and secondary facades are strongly encouraged on both frontages with the façade with the front door being established as the primary facade. In addition:
  - (1) No privacy fences shall be allowed to be placed between any portion of the principal building façade or the secondary building façade and the adjacent sidewalk or street.
  - (2) Low-height fences, hedges, and walls shall be permitted between any portion of the principal building façade or the secondary building façade and the adjacent sidewalk or street. All fences, hedges, and walls shall be between 36 and 42 inches in height. Fences shall be open-style picket or wrought iron; hedges shall be evergreen; and walls shall be constructed of masonry (e.g., brick, stone, or hard-coat stucco).
  - (3) No less than 15 percent and no more than 30 percent of the total building wall area of the secondary building façade shall be glazed in glass. The proportion and design of all such glazed openings shall be consistent with the design and proportion of glazed opening along the principal building façade.
  - () Landscaping along the exterior principal building façade must extend along the secondary building façade.
  - (5) For the three (3) Lot Descriptions depicted in Exhibit D-4 and provided below, additional architectural treatments shall be as follows:
    - (a) Main Street Corner Lots shall have a side porch or wrap-around porch;
    - (b) Lake Frontage Lots shall have a two-story porch or balcony; and
    - (c) Enhanced Location Lots shall have a side patio or alcove, a side or wrap-around porch, or a two-story porch or balcony.

#### M. Landscaping:

- (1) At least one (1) tree must be planted on every Type B, Type C, Type D, and Type F Lot;
- (2) No fewer than two (2) trees must be planted on every Type E and G Lots, one (1) of which shall be planted in the front yard;
- (3) One (1) tree shall be planted every forty (40) feet along all residential lot frontage in the space between the curb and sidewalk, and spacing may be adjusted for lots accessed from a street based on location of driveways and utilities, subject to the approval of the Director of Planning;
- (4) Required trees shall be not less than three (3) caliper inches;
- (5) Shrubs shall be planted along at least 50% of the length of the foundation facing a street;
- (6) Required shrubs shall be not less than two (2) feet in height;
- (7) Front and rear yards shall be covered with sod except for areas with planting beds and flatwork; and
- (8) An automatic irrigation system shall be provided for all landscaped areas.
- N. Accessory Buildings: Residential accessory buildings shall be permitted on any Type B, Type C, Type D, Type E, Type F and Type G lots and shall be developed in accordance with the following:
  - (1) Minimum Front Setback Behind the rear building elevation of the principal building.
  - (2) Minimum Rear Setback 5 feet.
  - (3) Minimum Side Setback 5 feet.
  - (4) Maximum Height Two stories and not higher than the principal building on the same lot.
  - (5) An accessory building used for storage or allowable non-residential uses shall not exceed 200 square feet.
  - (6) The habitable space for an accessory dwelling shall not exceed 800 square feet.
  - (7) An accessory dwelling shall be constructed with the same exterior finish and roofing materials as the principal building on the same lot.
  - (8) All accessory buildings and accessory dwellings shall share the same ownership and utility connection with the principal building on the same lot.
  - (9) The combined area of the accessory building, accessory dwelling and principal building shall not exceed the maximum allowable lot coverage.

#### **SECTION 3 - NON- RESIDENTIAL DEVELOPMENT STANDARDS**

Except as provided below, the portion of the SRPD shown on the Development Plan as "Neighborhood Retail" shall be developed in accordance with the provisions of the Zoning Ordinance applicable to the C-2, Community Business Zoning District.

#### **A. Permitted Uses:** The uses listed below shall be permitted.

- (1) Retail, provided that the specific use shall be further limited to:
  - (a) Apparel store.
  - (b) Arts and crafts store.
  - (c) Bakery.
  - (d) Café.
  - (e) Coffee shop.
  - (f) Convenience goods.
  - (g) Corner market.
  - (h) Florist.
  - (i) Gift store.
  - (j) Hardware store.
  - (k) Ice cream parlor.
  - (I) Jewelry store.
  - (m) Pet store.
  - (n) Pet supplies store.
  - (o) Pharmacy.
  - (p) Restaurant.
  - (q) Sporting goods store.
- (2) Personal service, provided that the specific use shall be further limited to:
  - (a) Barber.
  - (b) Dry cleaner.
  - (c) Fitness studio.
  - (d) Hairdresser.
  - (e) Salon.
  - (f) Shoe repair.
  - (g) Tailor or alterations.
  - (h) Pet grooming.
- (3) Office.
- (4) Business incubator.
- (5) Live-work unit, provided that the building area for office or retail use as allowed under the SRPD Standards is restricted to the first story of the building, the business owner must reside at the property, and the maximum number of employees and occupants shall not exceed two (2).
- (6) Inn (up to 12 rooms).
- (7) Child care center.
- (8) Mailing or reproduction service.
- (9) Medical clinic.

- (10) Artist studio.
- (11) Veterinarian office (without outside animal run or pens)
- **B. Prohibited Uses:** Any use not listed in Paragraph A above, and all the following uses listed below shall not be permitted within SRPD:
  - (1) Adult entertainment or adult-themed establishments.
  - (2) Automotive sales, automotive repair, or automotive service.
  - (3) Body piercing or tattoo parlors.
  - (4) Car wash.
  - (5) Check cashing.
  - (6) Drive-through window or drive-through service.
  - (7) Gas station.
  - (8) Liquor store.
  - (9) Pawn shop, secondhand shop or thrift store.
  - (10) Retail sales of tobacco or vaping products as a primary use.
  - (11) Wholesale business.

#### C. Building Setbacks:

- (1) Where Adjacent to West Broad Street 15 feet minimum and 30 feet maximum.
- (2) Where Adjacent to Interior Street 0 feet minimum and 15 feet maximum.
- (3) Where Adjacent to a Side or Rear Lot Line 0 feet minimum and 15 feet maximum.
- **D. Parking:** Off-street parking spaces shall not be permitted within the building setback. The minimum number of parking spaces for all permitted uses shall be provided at one (1) parking space per 250 square feet of gross floor area.
- **E. Building Frontage:** All permitted uses at the first story shall have a shopfront at the building frontage facing an interior street that is not West Broad Street. The shopfront may be combined with an awning or gallery. Awnings shall be of canvas or metal and shall be permitted to within two feet of a curb.
- **F. Landscaping:** The landscaping standards in Section 155.092 of the Zoning Ordinance shall apply except that:
  - (1) The 20' landscape setback required by Section 155.092(P)(3) shall not be applicable to an interior street that is not West Broad Street); and
  - (2) The 10' buffer yard required by Section by Section 155.092(O)(7) shall not be applicable.

- **G. Screening:** The screening standards in Section 155.092 of the Zoning Ordinance shall apply except that the six (6) foot screening wall required by Section 155.092(O)(7) shall not be applicable.
- **H. Loading and Service Area:** All loading docks and service areas shall be located towards the rear of the lot.
- I. Roof-Top and Ground-Mounted Equipment: All roof-top equipment shall be visually screened on all sides in a manner that is consistent with the architectural design of the building. Parapet walls shall be at least 12 inches higher than the building mechanical equipment on all sides. All ground-mounted equipment shall be screened as required by Section 155.093(B) of the Zoning Ordinance.

#### J. Building Materials and Design:

- (1) All building walls shall show the same level and quality of materials on all sides, including trim, in order to create an architectural composition that is visually harmonious.
- (2) Permitted exterior finish shall be limited to brick, stone, or stucco. Where used as an exterior finish material, stucco shall be cement plaster made of cement sand and lime and shall be applied using a three-step process.
- (3) Ground floor spaces shall otherwise be designed in accordance with the standards for shopfronts as set forth in Section 155.072 for the D, Downtown District.
- (4) All commercial, mixed-use, and other non-residential buildings shall be designed in substantial conformance with the elevations attached hereto as Exhibit F.
- **K. Signage:** In addition to the allowable signs in Section 155.090 of the Zoning Ordinance, the following signs shall also be permitted:
  - (1) One (1) blade sign for each first story tenant, no more than six (6) square feet, may be permanently installed perpendicular to the façade. Blade signs shall clear a minimum of eight (8) feet above the sidewalk and project no more than two (2) feet from the building façade. Tenants on corner lots may install one (1) blade sign per building facade.
  - (2) In addition to wall signs, awnings may include signage in the form of text or graphics printed or applied directly to the top of the awning. Awnings may include signage in the form of text or graphics along the flap no more than eight (8) inches measured vertically by the awning length.
- **L. Passive Space:** Each lot in the Neighborhood Retail shall provide passive space in accordance with the following:
  - (1) Passive space shall be directly entered from a street or a civic space.
  - (2) Passive space may be enclosed with a fence, hedge or wall.
  - (3) Passive space shall be paved in brick, concrete, gravel or grass.
  - (4) Passive space shall be dedicated to at least one of the following:
    - (a) Outdoor dining.

- (b) Public art.
- (c) Fountain or water feature.
- (d) Games.
- (e) Multi-activity area.
- (f) Outdoor seating.
- M. Timing for Construction and Completion of Corner Store: The corner store shall have a minimum gross leasable area (i.e., enclosed space) of 1,850 square feet. The developer or their authorized representative shall apply for a building permit for construction of a corner store at the same time that the developer or their authorized representative shall apply for a building permit for construction of the model home or model homes. The corner store shall be constructed within 18 months from the issuance of a building permit by the City.
- N. **Commercial Overlay District:** A Commercial Overlay District is applied to lots shown in Exhibit D-5 and the provisions of the SRPD Standards modified as follows:
  - (1) Lots may be developed for residential uses as set forth in these SRPD Standards or for one of the commercial or mixed-uses provided below::
    - (a) Bakery.
    - (b) Cafe.
    - (c) Coffee shop.
    - (d) Tailor or alterations.
    - (e) Barber, hairdresser, or salon (up to 2 chairs or workstations).
    - (f) Office (up to 2 employees).
    - (g) Artist studio.
    - (h) Inn (up to 4 quest rooms)
    - (i) Live-work unit, provided that the building area for office or retail use as allowed under the SRPD Standards is restricted to the first story of the building, the business owner must reside at the property, and the specific commercial activity shall be limited to those in (N)(1)(a) (g).
  - (2) The permitted uses shall take place on any lots shown by the Development Plan as Type A through Type G and in a build form or design that conforms with the requirements provided in Section 2, Single Family Residential Development standards.
  - (3) Parking provided shall include the actual parking spaces provided within the lot and along the parking lane corresponding to the lot. No additional off-street parking shall be required beyond two (2) parking spaces per lot.
  - (4) Signage shall be limited to:
    - (a) One (1) blade sign for each building, no more than six (6) square feet, may be permanently installed perpendicular to the façade. Blade signs shall clear a minimum of eight (8) feet above the sidewalk and project no more than two (2) feet from the building façade.

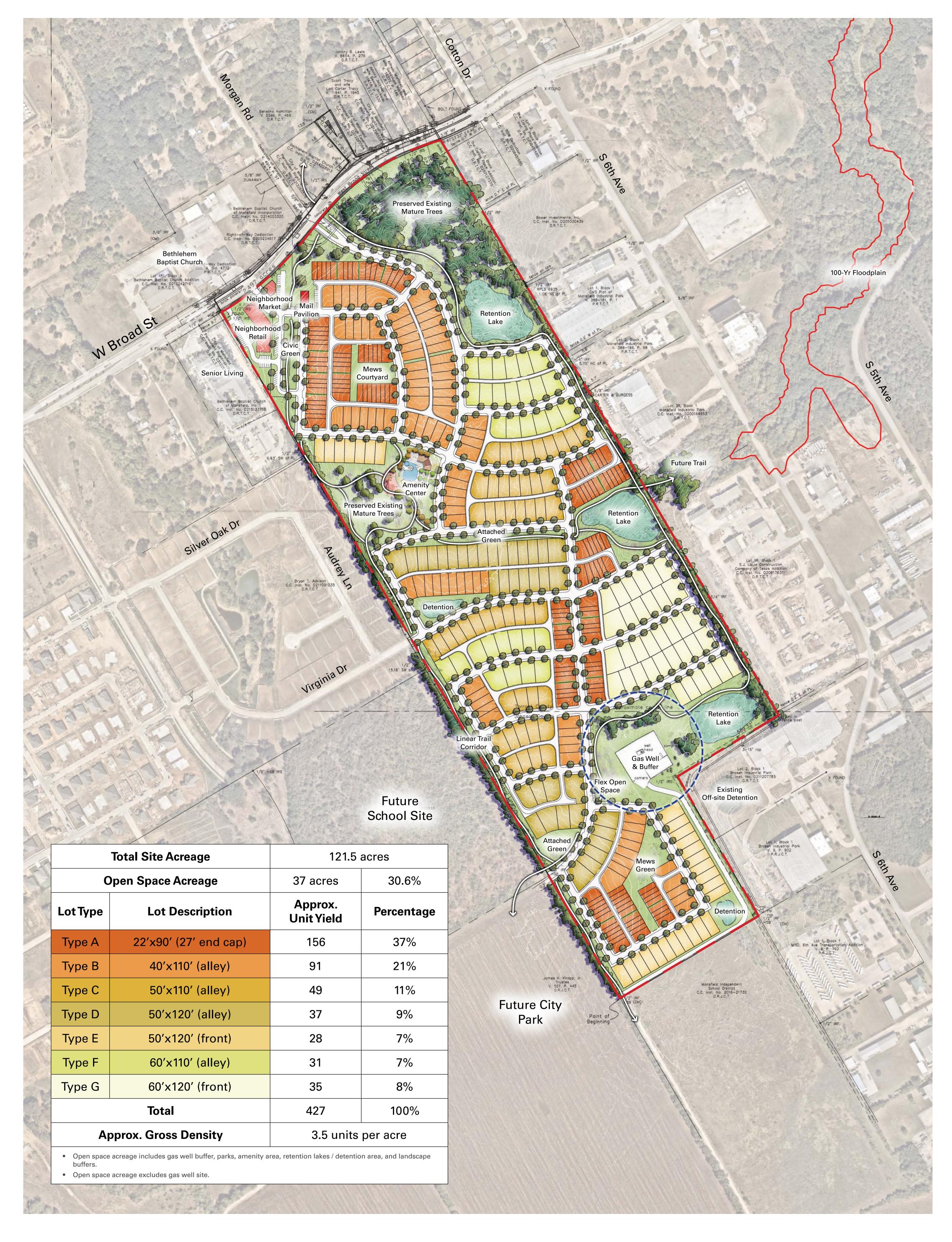
(b) One (1) awning sign, which may include signage in the form of text or graphics printed or applied directly to the top of the awning or along the flap of the awning no more than eight (8) inches measured vertically by the awning length.

#### **SECTION 4 - RECREATION FACILITIES AND AMENITIES**

The proposed parks, trails, amenity center, ponds, amphitheater, boardwalk, shade structures, open space and other recreational facilities within the SRPD shall be located and developed as shown in the Development Plan, Trail Plan and Open Space/Amenity Plan. The minimum programming in the parks, trails, ponds and open space are specifically depicted in the Open Space/Amenity Plan. At the private amenity center, the program elements will include a pavilion, swimming pool and pool deck, playground and event lawn as depicted in Exhibit E-2.

#### **SECTION 5 - SCREENING, LANDSCAPING AND BUFFER**

- **A. Adjacent to West Broad Street:** A minimum 15-foot wide landscape buffer shall be provided between the street and the residential lots. A mix of canopy and ornamental trees shall be planted within the landscape buffer. Ground cover may also be planted in the landscape buffer and may include, but is not limited to, shrubs, grasses, turf, mulched planted beds, berms and hardscape. A subdivision screening wall shall not be required as the adjacent lots are not backing or siding to West Broad Street.
- **B. Adjacent to Industrial Use:** A minimum 40-foot wide landscape buffer shall be provided along the common boundary with the industrial use. Existing trees larger than six (6) inches within the landscape buffer shall be preserved. New trees may be planted within the landscape buffer where they are needed to fill a gap among the existing trees. A screening wall shall not be required along the common boundary with the industrial use.
- **C. Gas Well Site:** A minimum eight (8) foot high masonry (brick or stone) wall shall be provided around the existing gas well operation with shrubs of a non-dwarf variety planted at three (3) foot intervals surrounding the wall. There will be a 300-foot minimum separation between the gas well heads and the closest lots.
- **D. Adjacent to Gas Well Access Road:** An eight (8) foot high board-on-board wood fence with top cap shall be provided along the rear of the lots backing up to the gas well access road
- **E. Around Ponds:** Detention or retention ponds shall be enhanced as an amenity of the development by using landscape materials that complement the site. To establish a minimum quantity, there shall be one (1) tree per 100 feet of measurement along the perimeter of a pond. Trees may be a mix of canopy and ornamental species and may be clustered to create a more natural appearance rather than a rigid interval between trees. Existing trees that are preserved shall be given credit towards the new tree requirement.





Ехнівіт С-1 DEVELOPMENT PLAN

Thomas J. Hanks Survey, Abstract No. 644 121.5 Acres 427 Residential Lots

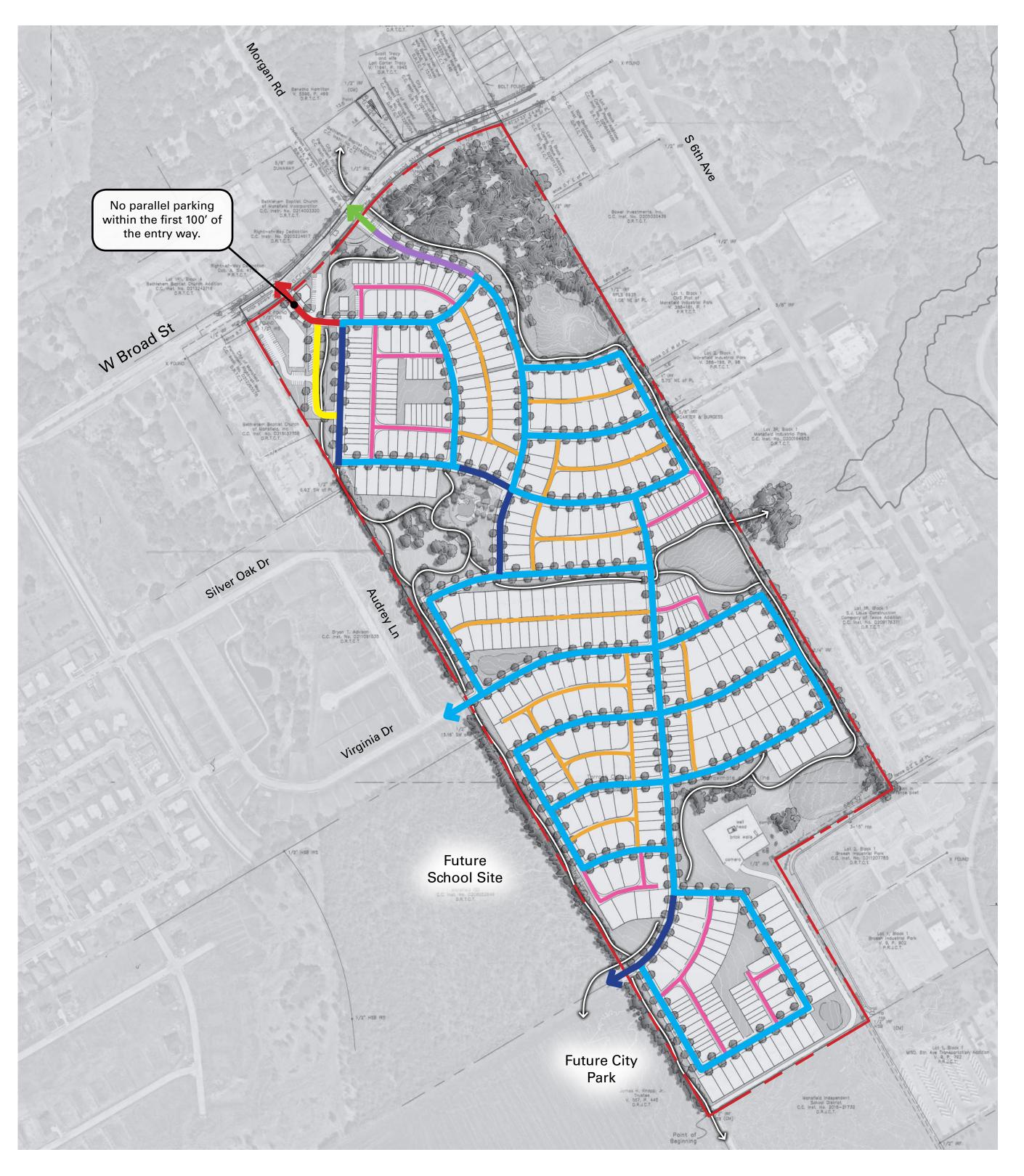
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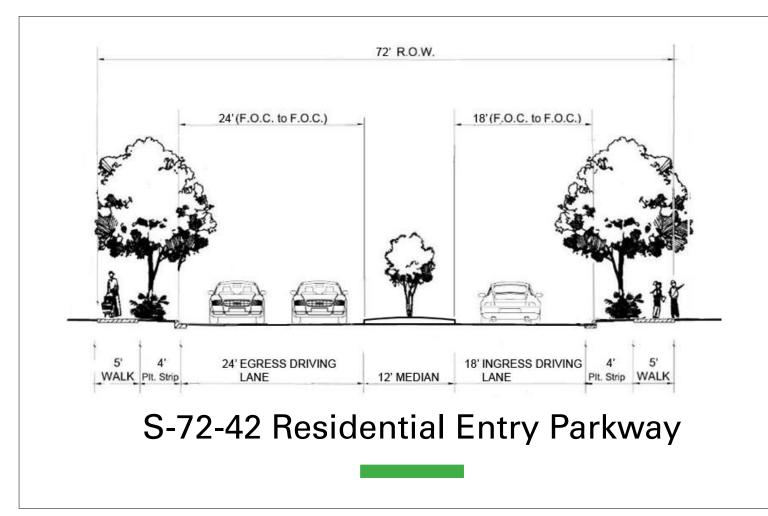
Email: todd@ecdlp.com

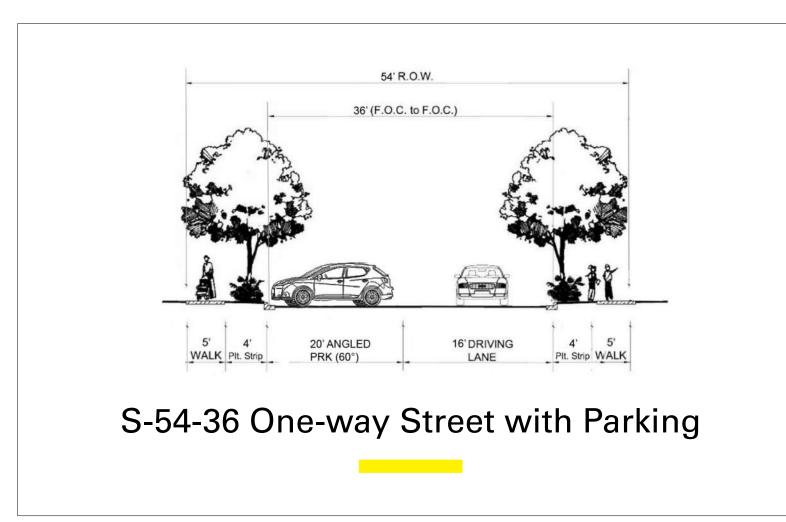
City of Mansfield, Tarrant County, Texas March 31, 2022 ZC#21-020 RESUBMITTAL #5

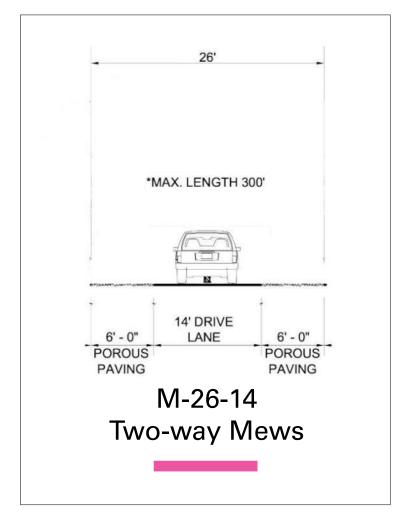
**Location Map Development Team** Notes Planner / Landscape Architect: Owners: Alluvium Development TBG Partners Inc. 2001 Bryan Street, #1450 2415 Somerfield Drive Midlothian, TX 76065 Dallas, TX 75201 Contact: Terrance Jobe Contact: Mark Meyer Email: tjobe@alluviumdevelopment.com Email: mark.meyer@tbgpartners.com Starlin Ranch Engineer / Surveyor: Applicant: Engineering Concepts & Design, L.P. Alluvium Development 2415 Somerfield Drive 201 Windco Circle, STE 200 Wylie, TX 75098 Midlothian, TX 76065 Contact: Terrance Jobe **Contact: Todd Wintters** 

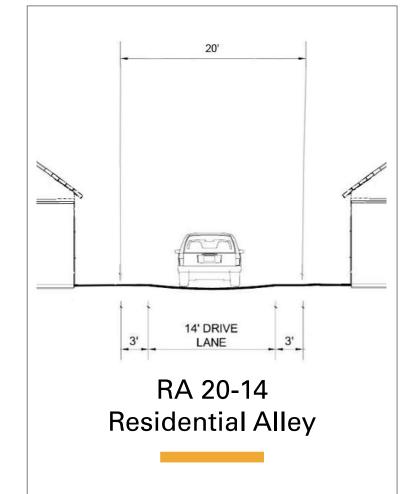
**TBG** 





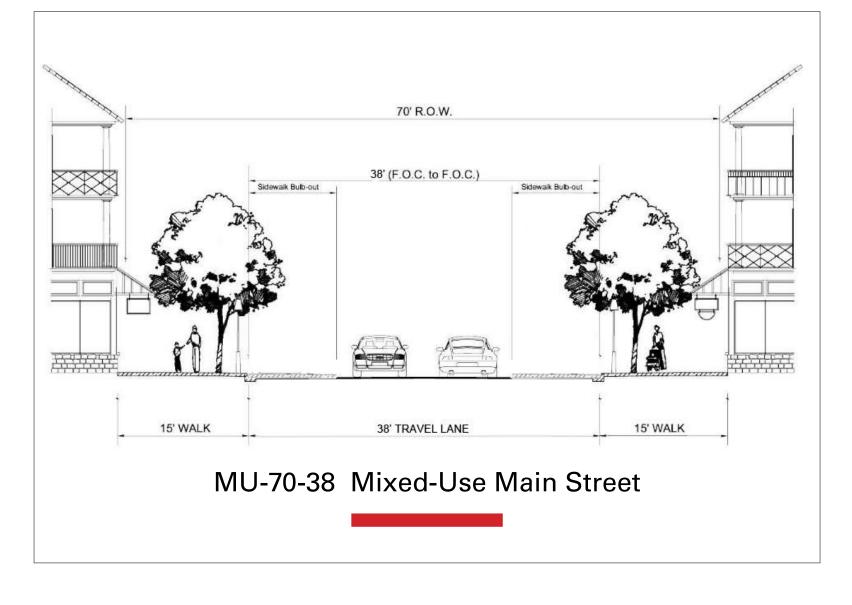


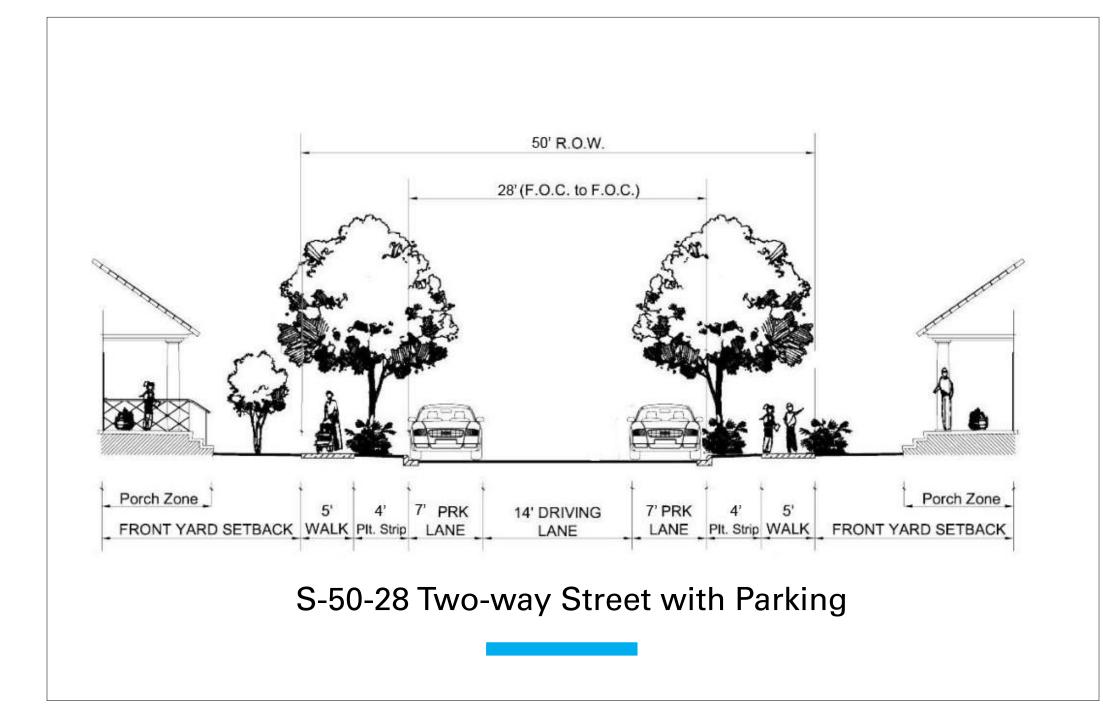




Street Type	Description	Symbol		
S-72-42	Residential Entry Parkway			
MU-70-38	Mixed-Use Main Street			
S-58-40	Two-way Steet with Dedicated Parking			
S-50-32	Two-way Steet with Dedicated Parking			
S-48-30	Two-way Street with Parking			
S-54-36	One-way Street with Parking			
M-26-14	Two-way Mews			
RA-30-14	Residential Alley			
All streets a	re paved with concrete.			







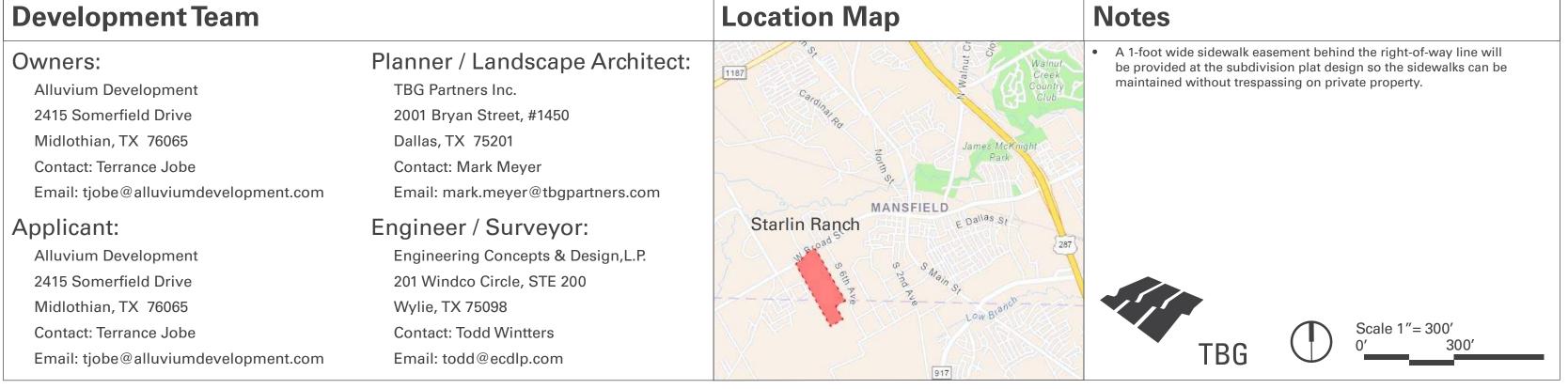




Ехнівіт С-2 STREET PLAN

Thomas J. Hanks Survey, Abstract No. 644 City of Mansfield, Tarrant County, Texas March 31, 2022 121.5 Acres 427 Residential Lots

ZC#21-020 RESUBMITTAL #5







**Development Team** 

Midlothian, TX 76065

Contact: Terrance Jobe

Email: tjobe@alluviumdevelopment.com

# Starlin Ranch

EXHIBIT D-1
OPEN SPACE / AMENITY PLAN

Thomas J. Hanks Survey, Abstract No. 644
City of Mansfield, Tarrant County, Texas
March 31, 2022
121.5 Acres
427 Residential Lots
ZC#21-020
RESUBMITTAL #5

Planner / Landscape Architect: Owners: Alluvium Development TBG Partners Inc. 2001 Bryan Street, #1450 2415 Somerfield Drive Midlothian, TX 76065 Dallas, TX 75201 Contact: Terrance Jobe Contact: Mark Meyer Email: tjobe@alluviumdevelopment.com Email: mark.meyer@tbgpartners.com Starlin Ranch Engineer / Surveyor: Applicant: Engineering Concepts & Design, L.P. Alluvium Development 2415 Somerfield Drive 201 Windco Circle, STE 200

Wylie, TX 75098

**Contact: Todd Wintters** 

Email: todd@ecdlp.com

**Location Map** 



Notes

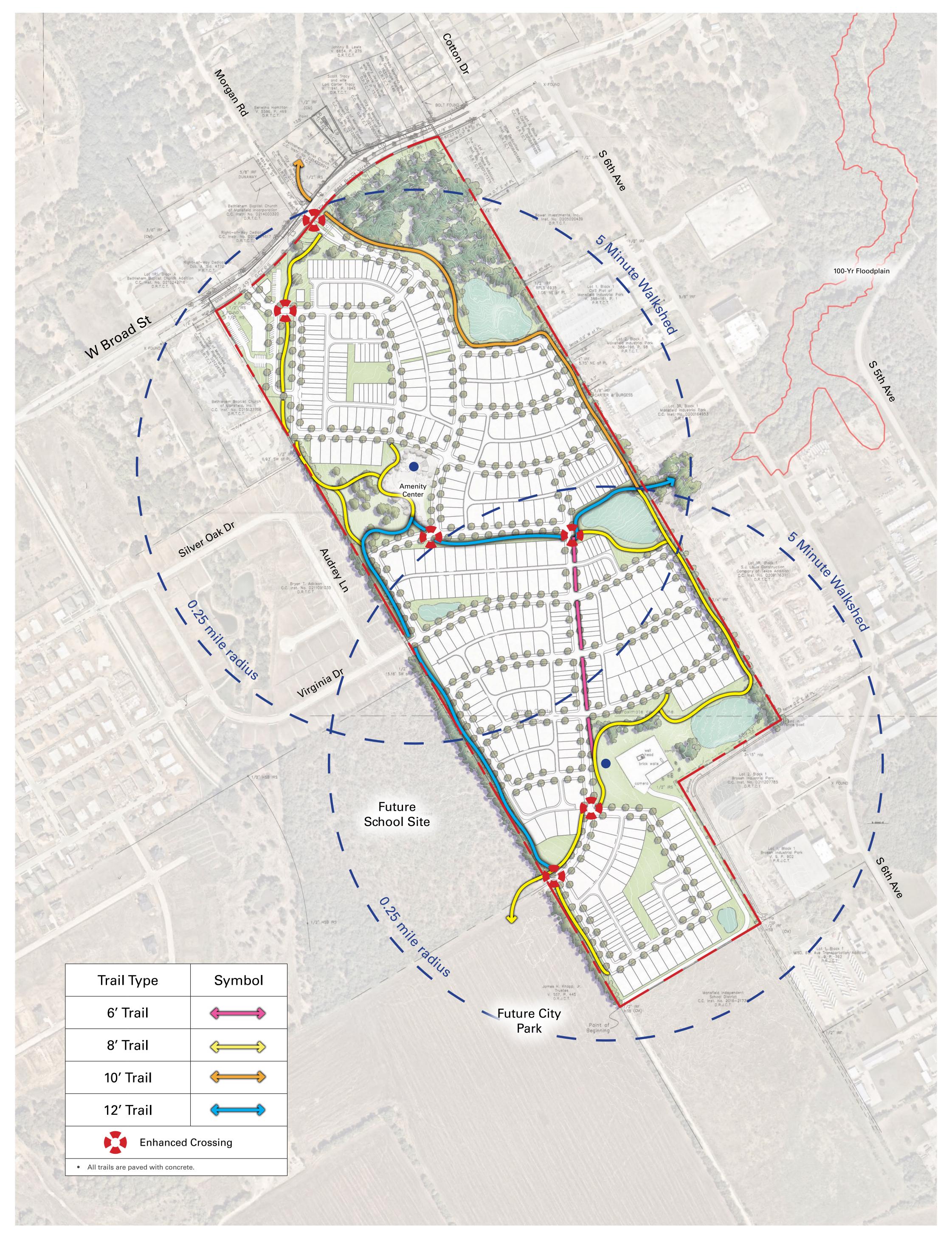




EXHIBIT D-2
TRAIL PLAN

Thomas J. Hanks Survey, Abstract No. 644
City of Mansfield, Tarrant County, Texas
March 31, 2022
121.5 Acres
427 Residential Lots
ZC#21-020
RESUBMITTAL #5

Owners:

Alluvium Development

Alluvium Development
2415 Somerfield Drive
Midlothian, TX 76065
Contact: Terrance Jobe

**Development Team** 

Contact: Terrance Jobe
Email: tjobe@alluviumdevelopment.com
Applicant:

Alluvium Development

2415 Somerfield Drive

Midlothian, TX 76065

Contact: Terrance Jobe

Email: tjobe@alluviumdevelopment.com

Planner / Landscape Architect:
TBG Partners Inc.
2001 Bryan Street, #1450
Dallas, TX 75201
Contact: Mark Meyer

Email: mark.meyer@tbgpartners.com

Engineer / Surveyor:

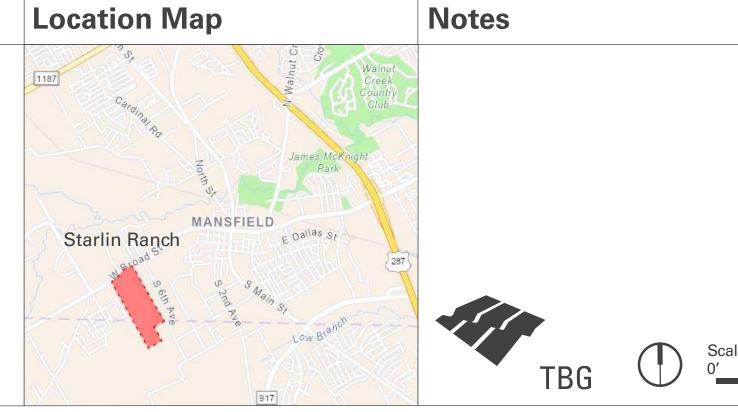
Engineering Concepts & Design,L.P.

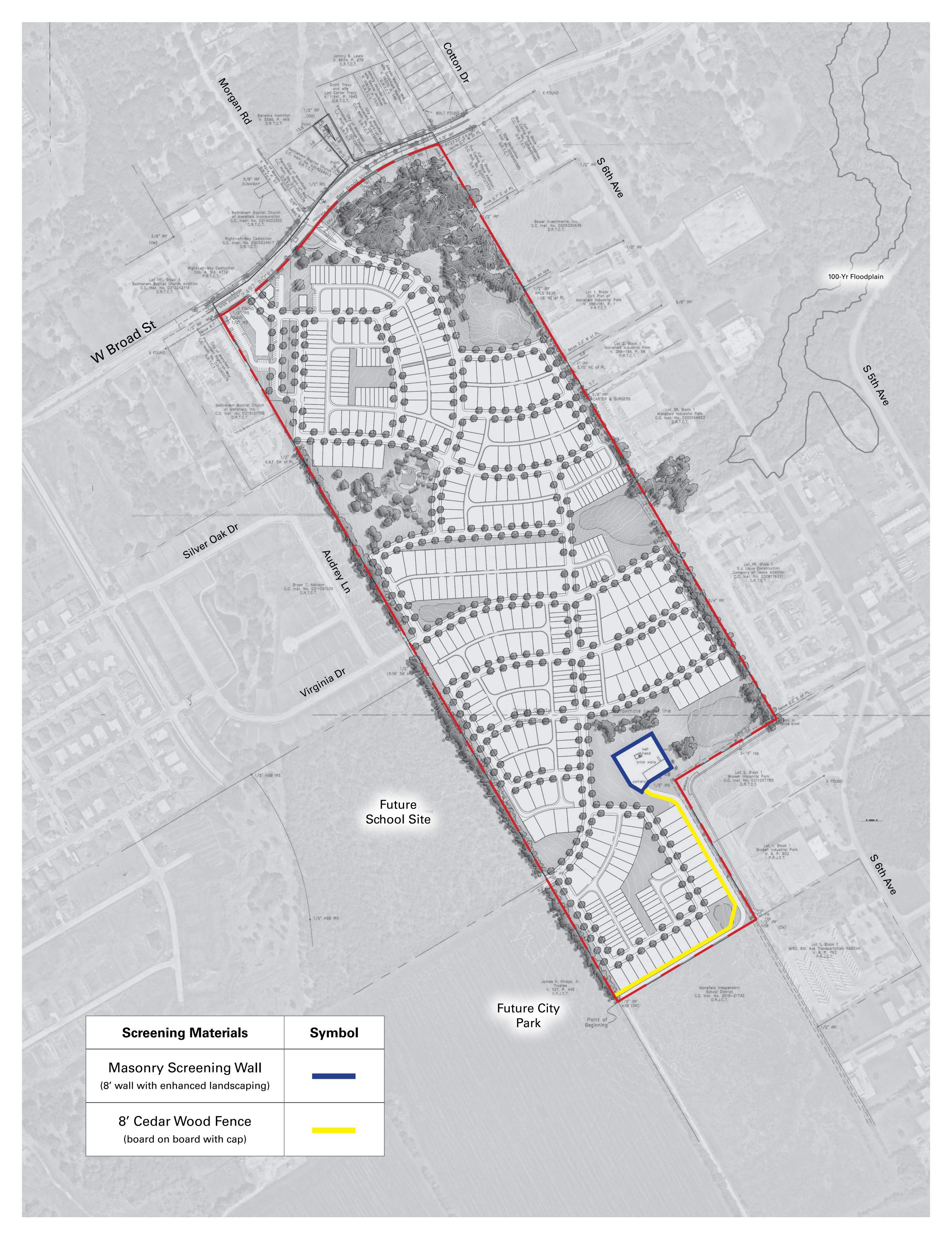
201 Windco Circle, STE 200

Wylie, TX 75098

Contact: Todd Wintters

Email: todd@ecdlp.com







Ехнівіт **D**-3 Screening Plan

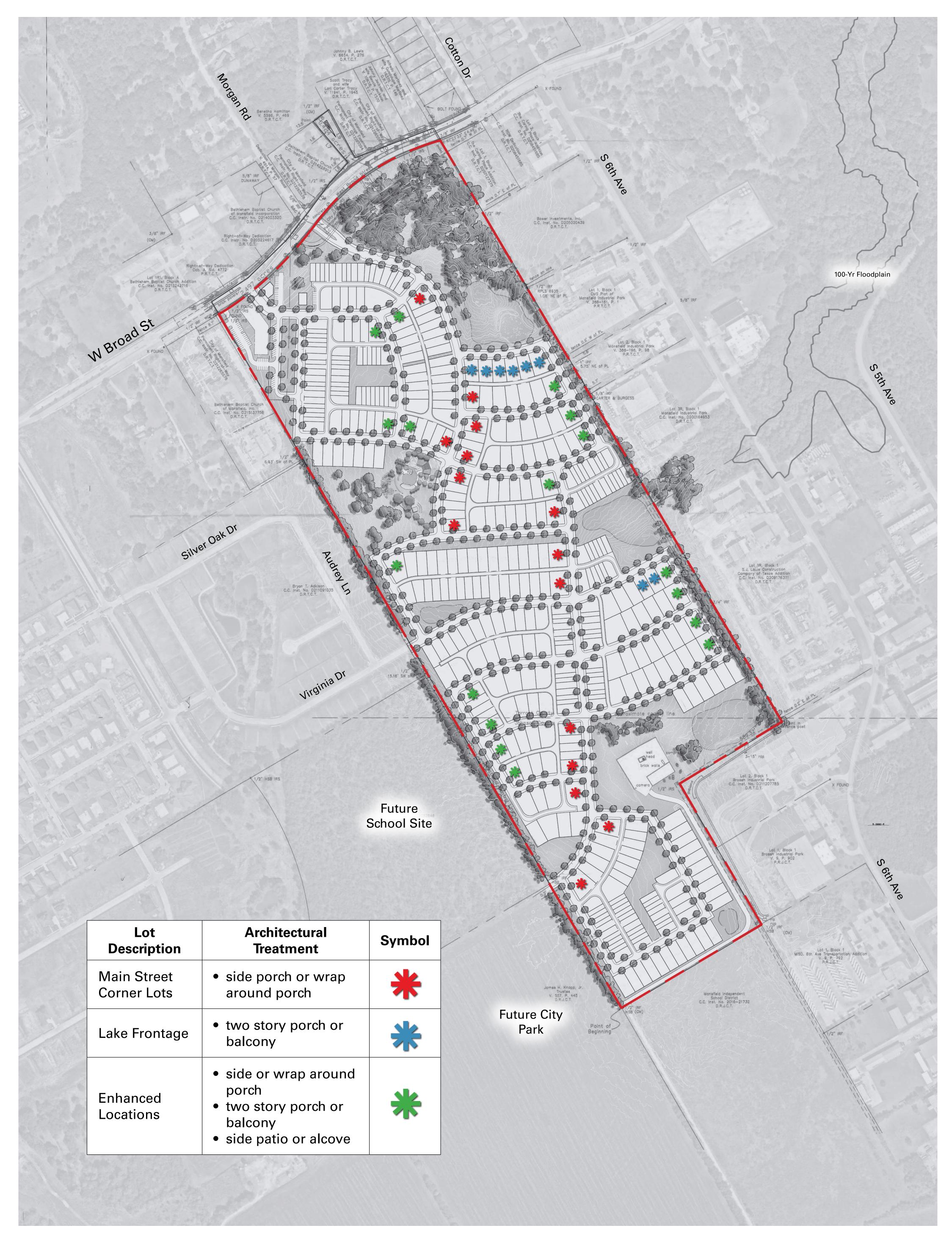
Thomas J. Hanks Survey, Abstract No. 644 City of Mansfield, Tarrant County, Texas March 31, 2022 121.5 Acres 427 Residential Lots ZC#21-020

RESUBMITTAL #5

Email: tjobe@alluviumdevelopment.com

Email: todd@ecdlp.com

#### **Development Team Location Map** Notes Planner / Landscape Architect: Owners: Alluvium Development TBG Partners Inc. 2001 Bryan Street, #1450 2415 Somerfield Drive Midlothian, TX 76065 Dallas, TX 75201 Contact: Terrance Jobe Contact: Mark Meyer Email: mark.meyer@tbgpartners.com Email: tjobe@alluviumdevelopment.com Starlin Ranch Engineer / Surveyor: Applicant: Engineering Concepts & Design,L.P. Alluvium Development 2415 Somerfield Drive 201 Windco Circle, STE 200 Wylie, TX 75098 Midlothian, TX 76065 Contact: Terrance Jobe **Contact: Todd Wintters TBG**





Ехнівіт **D-4** ARCHITECTURAL REQUIREMENTS

Thomas J. Hanks Survey, Abstract No. 644 City of Mansfield, Tarrant County, Texas March 31, 2022 121.5 Acres 427 Residential Lots

ZC#21-020 RESUBMITTAL #5

Contact: Terrance Jobe

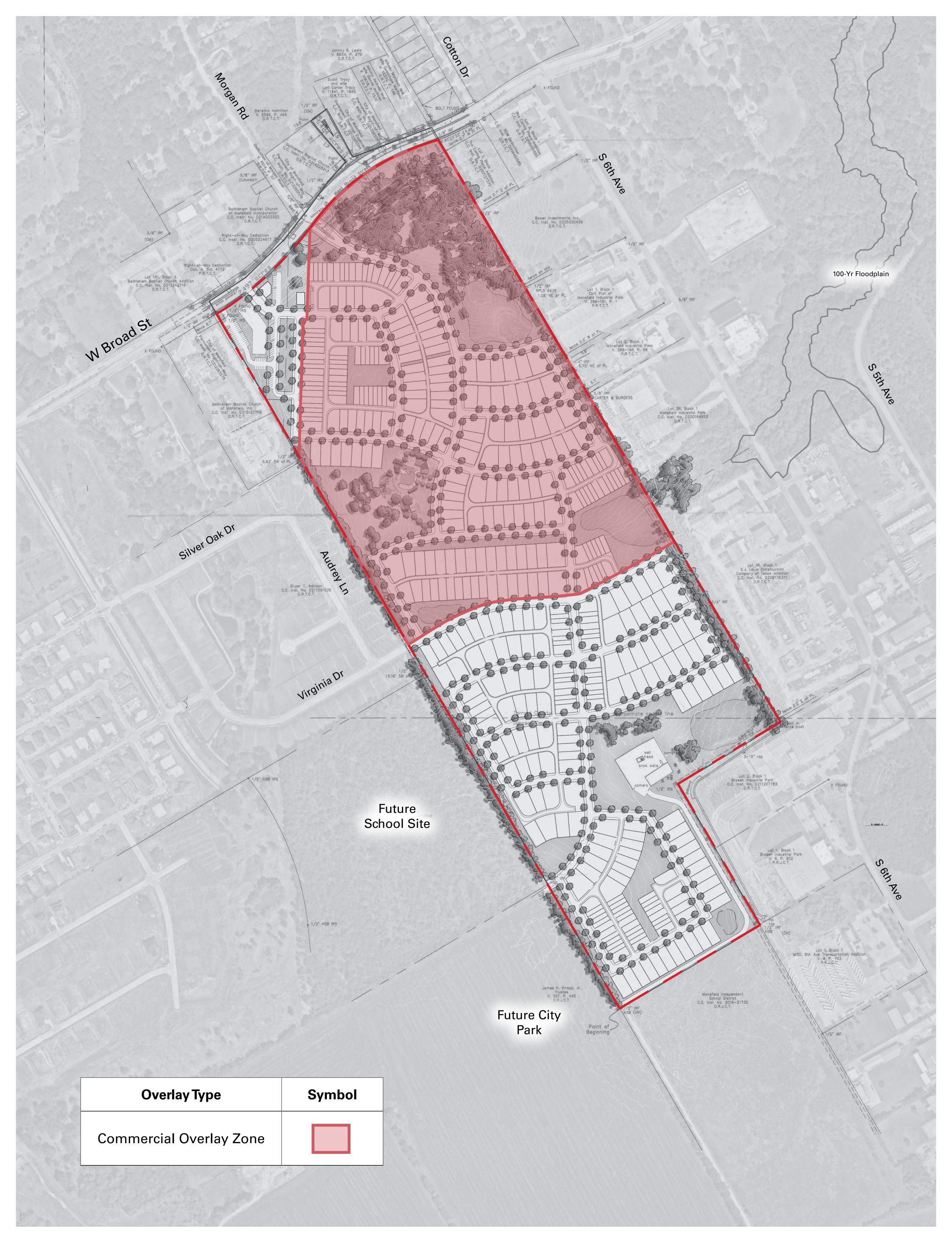
Email: tjobe@alluviumdevelopment.com

**Development Team Location Map** Notes Planner / Landscape Architect: Owners: Alluvium Development TBG Partners Inc. 2001 Bryan Street, #1450 2415 Somerfield Drive Midlothian, TX 76065 Dallas, TX 75201 Contact: Terrance Jobe Contact: Mark Meyer Email: mark.meyer@tbgpartners.com Email: tjobe@alluviumdevelopment.com Starlin Ranch Engineer / Surveyor: Applicant: Engineering Concepts & Design,L.P. Alluvium Development 2415 Somerfield Drive 201 Windco Circle, STE 200 Wylie, TX 75098 Midlothian, TX 76065

**Contact: Todd Wintters** 

Email: todd@ecdlp.com

**TBG** 





Ехнівіт **D-5** COMMERCIAL OVERLAY

Thomas J. Hanks Survey, Abstract No. 644 City of Mansfield, Tarrant County, Texas March 31, 2022 121.5 Acres 427 Residential Lots ZC#21-020 RESUBMITTAL #5

**Development Team** Owners:

Alluvium Development

2415 Somerfield Drive

Midlothian, TX 76065 Contact: Terrance Jobe

Email: tjobe@alluviumdevelopment.com

Email: tjobe@alluviumdevelopment.com

Applicant:

Alluvium Development 2415 Somerfield Drive

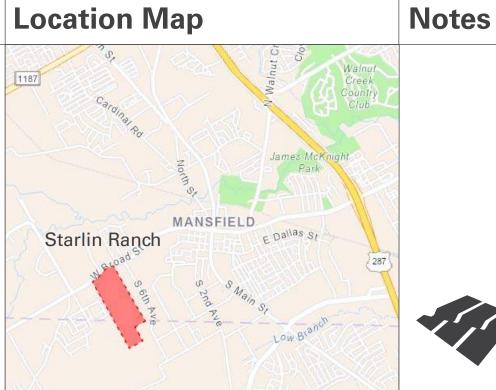
Midlothian, TX 76065 Contact: Terrance Jobe Planner / Landscape Architect: TBG Partners Inc. 2001 Bryan Street, #1450

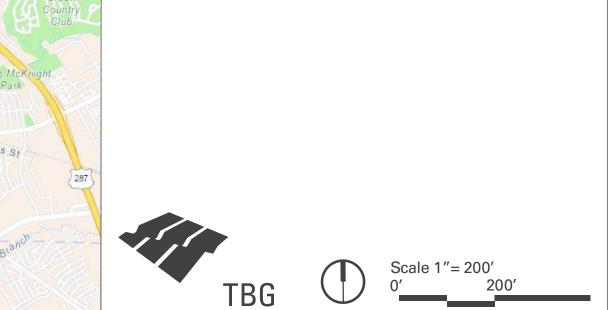
Email: mark.meyer@tbgpartners.com

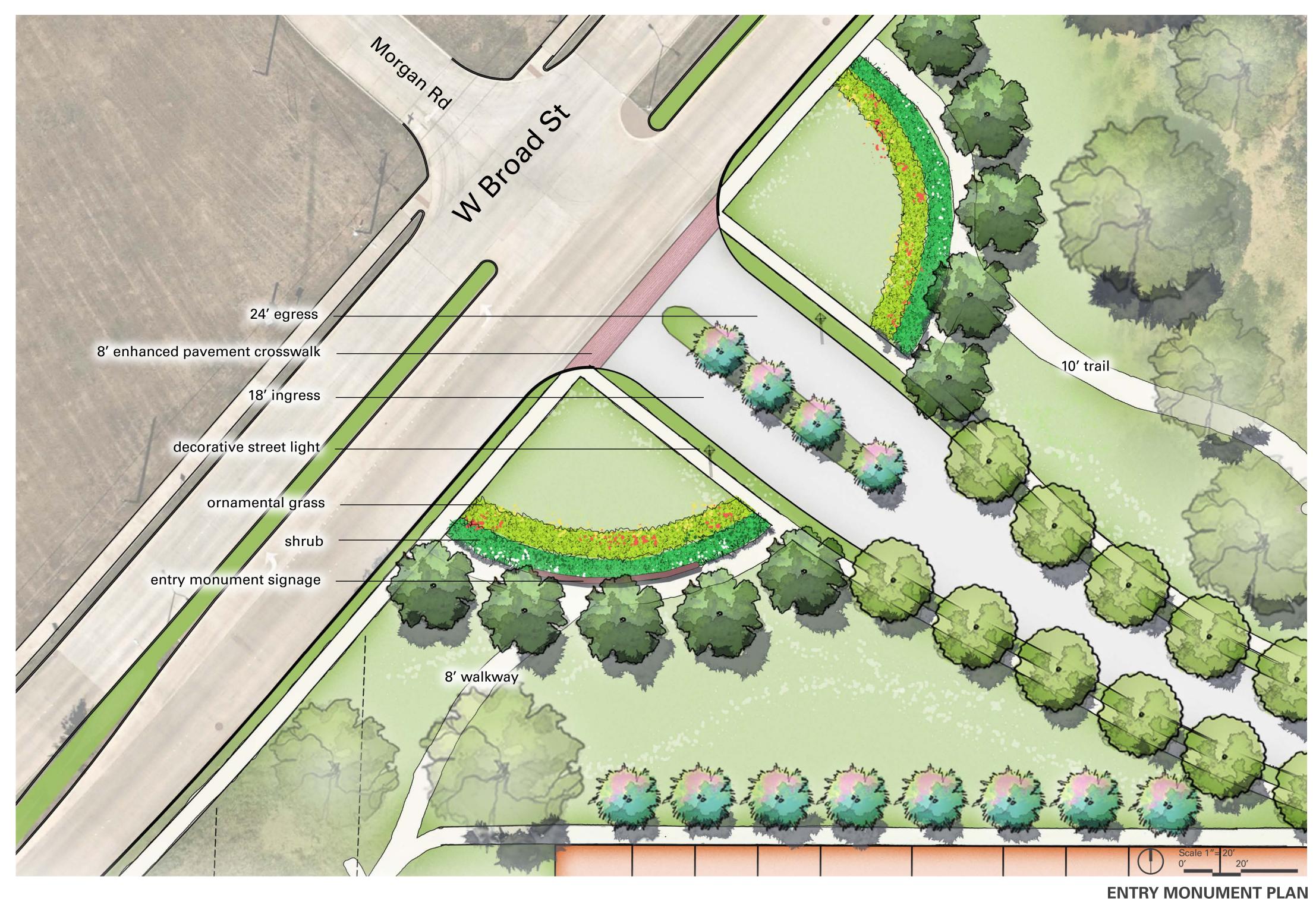
Dallas, TX 75201 Contact: Mark Meyer

Engineer / Surveyor: Engineering Concepts & Design,L.P.

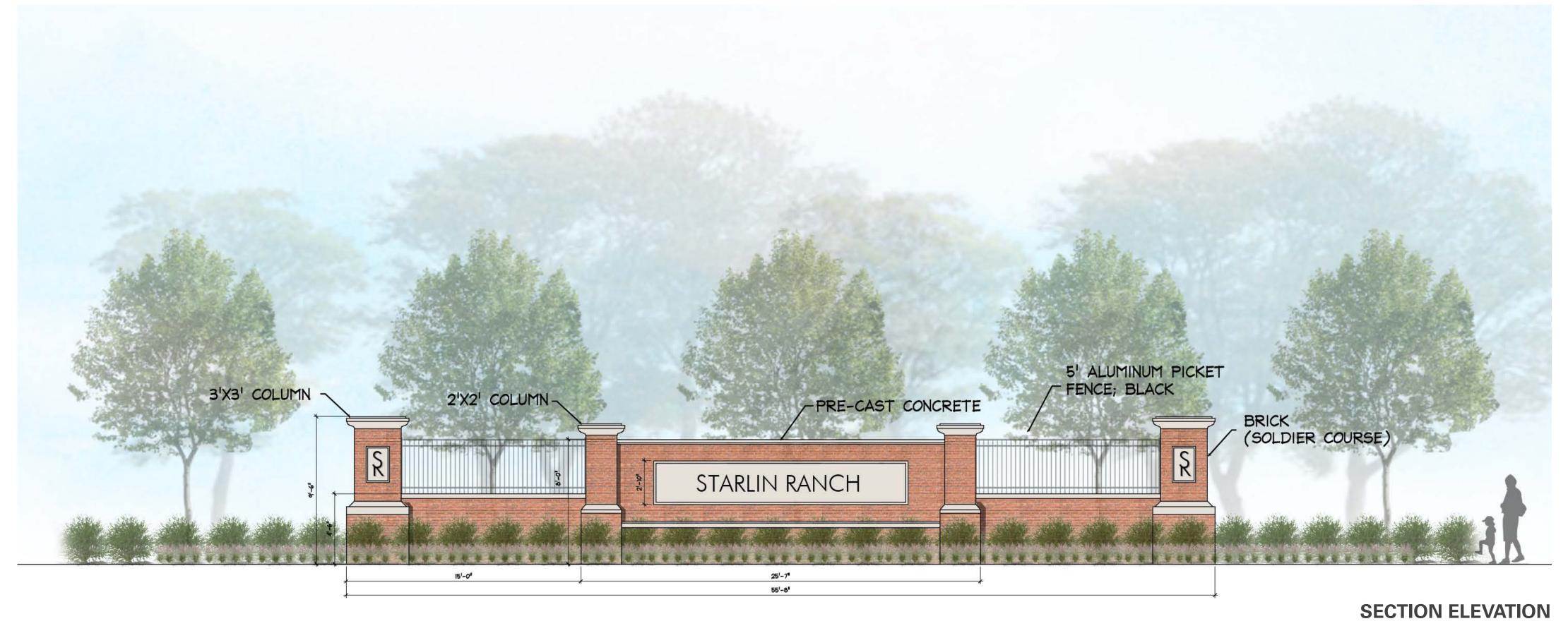
201 Windco Circle, STE 200 Wylie, TX 75098 **Contact: Todd Wintters** Email: todd@ecdlp.com





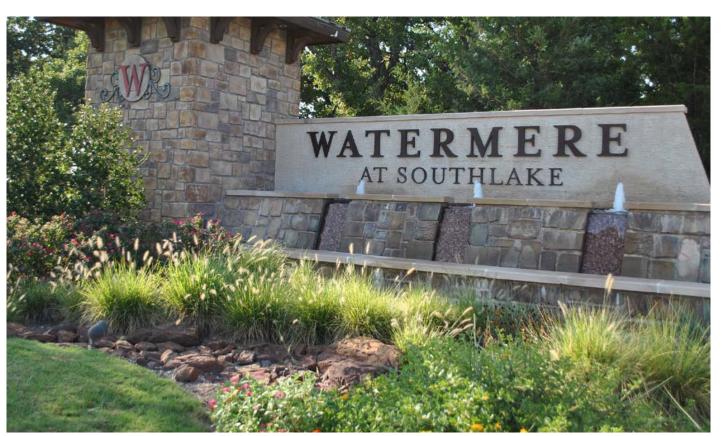












**PLANTING & MATERIAL CHARACTER IMAGES** 

# ALLUVIUM DEVELOPMENT, INC

# **Starlin Ranch**

Ехнівіт Е-1 ENHANCED ENTRYWAY PLAN

Thomas J. Hanks Survey, Abstract No. 644 City of Mansfield, Tarrant County, Texas March 31, 2022 121.5 Acres 427 Residential Lots ZC#21-020

RESUBMITTAL #5

#### **Development Team** Owners:

Alluvium Development 2415 Somerfield Drive Midlothian, TX 76065

Contact: Terrance Jobe Email: tjobe@alluviumdevelopment.com

Applicant:

Alluvium Development 2415 Somerfield Drive Midlothian, TX 76065 Contact: Terrance Jobe Email: tjobe@alluviumdevelopment.com

#### Planner / Landscape Architect: TBG Partners Inc. 2001 Bryan Street, #1450

Dallas, TX 75201 Contact: Mark Meyer Email: mark.meyer@tbgpartners.com

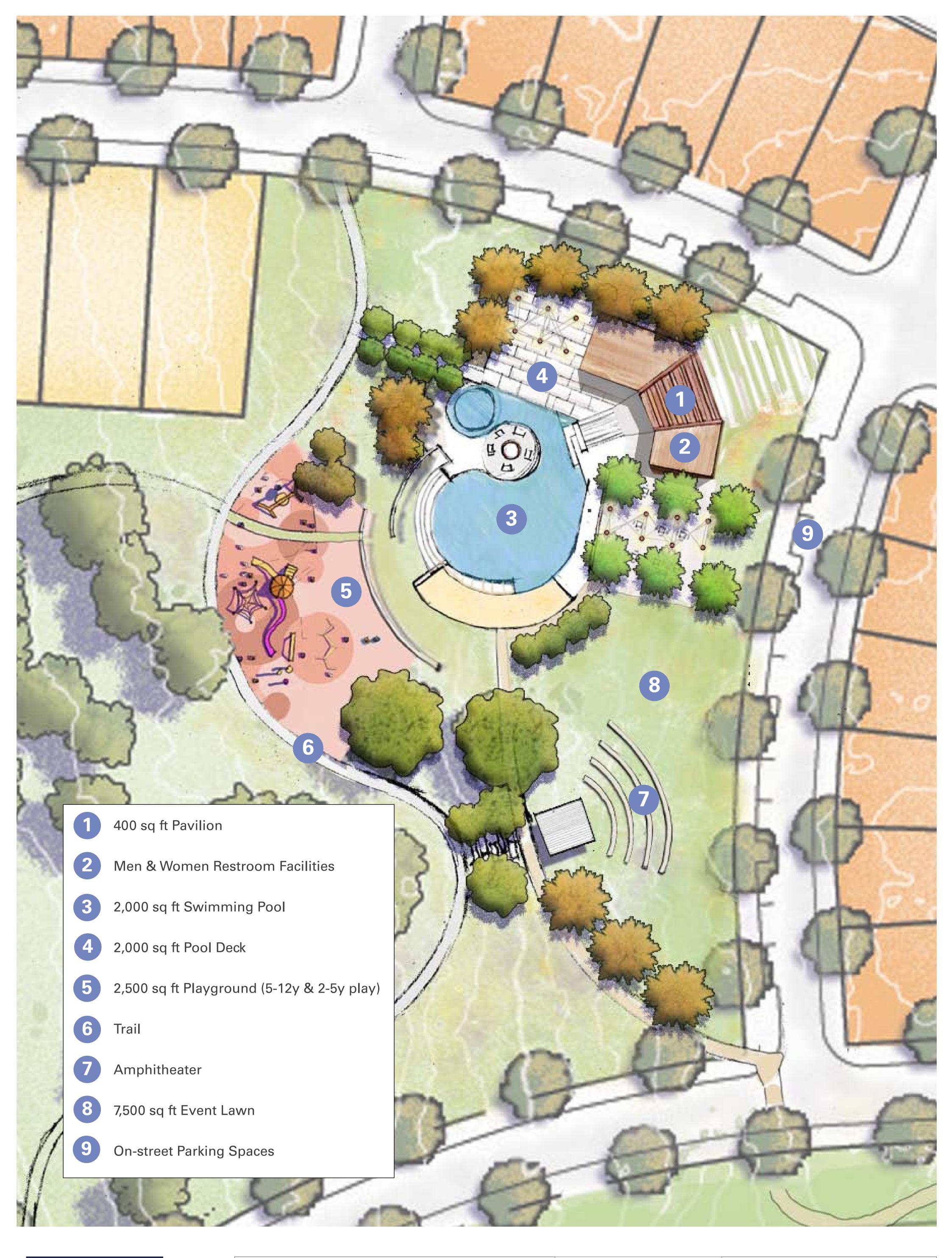
Engineer / Surveyor: Engineering Concepts & Design,L.P. 201 Windco Circle, STE 200 Wylie, TX 75098 **Contact: Todd Wintters** 

Email: todd@ecdlp.com

# **Location Map** Starlin Ranch

#### Notes • Entry design image shows minimum features.

**TBG** 



Ехнівіт Е-2 AMENITY CENTER PROGRAMMING

Thomas J. Hanks Survey, Abstract No. 644 City of Mansfield, Tarrant County, Texas March 31, 2022 121.5 Acres 427 Residential Lots

ZC#21-020 RESUBMITTAL #5

#### **Development Team**

#### Owners:

Alluvium Development

2415 Somerfield Drive

Midlothian, TX 76065

Contact: Terrance Jobe Email: tjobe@alluviumdevelopment.com

#### Applicant:

Alluvium Development 2415 Somerfield Drive

Midlothian, TX 76065

Contact: Terrance Jobe Email: tjobe@alluviumdevelopment.com

#### Planner / Landscape Architect: TBG Partners Inc.

# 2001 Bryan Street, #1450

#### Dallas, TX 75201 Contact: Mark Meyer Email: mark.meyer@tbgpartners.com

#### Engineer / Surveyor:

Email: todd@ecdlp.com

Engineering Concepts & Design,L.P. 201 Windco Circle, STE 200 Wylie, TX 75098 **Contact: Todd Wintters** 

#### **Location Map**

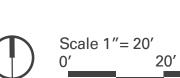
# Starlin Ranch

#### Notes

The concept plan is for illustrative purpose only and subject to change. Final site design will be confirmed at landscape plan submittal stage.









Mixed-Use Elevation Concepts

## Starlin Ranch

Mansfield, TX



March 25, 2022

















































































 Table 1 Bulk area standards for the single-family residential products,
 ZC#21-020

Lot Type	Lot Area	Lot Width	Lot Depth	Floor Area	Front Setback	Height
Α	1,980 sf	22 ft	90ft	1,600 sf	5 ft	2 stories (max 3)
В	4,400 sf	40/45 ft	110 ft	1,600 sf	5 ft	Max 3 stories
С	6000 sf	50/55 ft	120 ft	1,800 sf	5 ft	Max 3 stories
D	5,500 sf	50/55 ft	110 ft	1,800 sf	5 ft	Max 3 stories
E	6,000 sf	50/55 ft	120 ft	1,800 sf	20 ft	Max 3 stories
F	6,600 sf	65 ft	110 ft	2,200 sf	5 ft	Max 3 stories
G	7,200 sf	60/65 ft	120 ft	2,200 sf	20 ft	Max 3 stories

Garage Orientation
alley
alley
alley
alley
front
alley
front