



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, July 22, 2024

1:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Evans called the meeting to order at 1:00 p.m.

Absent 2 - Larry Broseh and Tamera Bounds

Present 5 - Todd Tonore; Michael Evans; Brent Newsom; Juan Fresquez and Julie Short

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 1:00 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 1:03 p.m. Mayor Evans recessed the executive session at 2:34 p.m.

Consultation with City Attorney to Seek Advice About Pending or Contemplated Litigation, a Settlement Offer, or on a Matter in Which the Duty of the City Attorney to the City's Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly Conflicts with Chapter 551 of the Texas Government Code Pursuant to 551.071

Seek Advice of City Attorney Regarding Pending Litigation Cause No. 582-24-07157

Seek Advice of City Attorney Regarding Drone Regulations

Seek Advice of City Attorney Regarding the Fair Housing Act

Seek Advice of City Attorney Regarding Implementation of Certain Fees

Seek Advice of City Attorney Regarding the Use of American Rescue Plan Funds

Seek Advice of City Attorney Regarding Legal Issues Pertaining to Economic Development Projects Listed in Section 3.D of the Agenda

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 #21-10

Economic Development Project #21-27

Economic Development Project #21-33

Economic Development Project #22-12

Economic Development Project #22-27

WORK SESSION

Discussion Regarding the Fiscal Year 2025 Budget

Deputy City Manager Troy Lestina presented the item. Interim Assistant Director of Parks and Recreation Brian Coatney spoke on rental, recreation and park land development fees, Executive Director of Planning and Development Services Jason Alexander spoke on development fees, Director of Regulatory Compliance Nicolette Ricciuti spoke on health and rental inspection fees, Fire Chief Mike Ross spoke on ambulance fees, Executive Director of Public Works Jeff Price spoke on water/sewer impact fees, and Director of Engineering Services Raymond Coffman spoke on engineering inspection fees.

Discussion Regarding the July 22, 2024 Consent Agenda Items

There was no discussion on this item.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 3:13 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 3:17 p.m. Mayor Evans recessed the executive session at 5:47 p.m.

6:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION

Mayor Evans reconvened the meeting into regular business session at 5:57 p.m.

INVOCATION

Pastor Rusty George of Crossroads Church gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Fresquez led the Pledge of Allegiance.

TEXAS PLEDGE

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

Mayor Pro Tem Tonore led the Texas Pledge.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

APPROVAL OF SUB-COMMITTEE MINUTES

[24-6102](#)

Minutes - Approval of the July 8, 2024 Tax Increment Reinvestment Zone Number One Board Meeting Minutes (Broseh (Chair), Bounds, Evans, and Tonore)

As there was not a quorum of Board members to approve these minutes, this item was pushed to the August 12, 2024 City Council Meeting.

STAFF COMMENTS

A. City Manager Report or Authorized Representative

Current/Future Agenda Items

[24-6106](#)

Departmental Quarterly Reports

Staff was available for questions.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

There was no action taken.

CONSENT AGENDA**24-6109**

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving a Professional Services Contract Between the City of Mansfield, TX and Wier & Associates, Inc. in an Amount Not to Exceed \$311,130.00 for the Design and Survey of the Heritage Parkway Eastbound Lanes (South Main St. to Commerce Dr.) (Street Bond Fund)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF MANSFIELD, TX AND WIER & ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$311,130.00 FOR THE DESIGN AND SURVEY OF HERITAGE PARKWAY EASTBOUND LANES RECONSTRUCTION (SOUTH MAIN ST. TO COMMERCE DR.); FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (STREET BOND FUND)

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

Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 5 - Todd Tonore;Michael Evans;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 2 - Larry Broseh and Tamera Bounds

Abstain: 0

Enactment No: RE-4227-24

24-6110

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving Professional Services Contracts Between the City of Mansfield, TX and Dunaway Associates, Inc. in an Amount Not to Exceed \$435,365.00 and Spiars Engineering, Inc. in an Amount Not to Exceed \$1,026,025.00 for Design of the Harvest Point South Infrastructure (Street Bond Fund, TIRZ #4)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING PROFESSIONAL SERVICES CONTRACTS BETWEEN THE CITY OF MANSFIELD, TX AND DUNAWAY ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$435,365.00 AND SPIARS ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED \$1,026,025.00 FOR DESIGN OF THE HARVEST POINT SOUTH INFRASTRUCTURE (STREET BOND FUND, TIRZ #4); FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (STREET BOND FUND, TIRZ #4)

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

Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 5 - Todd Tonore;Michael Evans;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 2 - Larry Broseh and Tamera Bounds

Abstain: 0

Enactment No: RE-4228-24

[24-6114](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Adopting and Approving the use of the Construction Manager at Risk (CMAR) Delivery Method for the Construction of the New City Hall Project; Delegating Authority to the City Manager or His Designee; Finding that the Meeting at which this Resolution is Passed is Open to the Public as Required by Law; and Declaring an Effective Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, ADOPTING AND APPROVING THE USE OF THE CONSTRUCTION MANAGER AT RISK (CMAR) DELIVERY METHOD FOR THE CONSTRUCTION OF THE NEW CITY HALL PROJECT; DELEGATING AUTHORITY TO THE CITY MANAGER OR HIS DESIGNEE; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE

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

Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 5 - Todd Tonore;Michael Evans;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 2 - Larry Broseh and Tamera Bounds

Abstain: 0

Enactment No: RE-4229-24

[24-6101](#)

Minutes - Approval of the July 8, 2024 Regular City Council Meeting Minutes

A motion was made by Council Member Short to approve the minutes of the July 8, 2024 Regular City Council Meeting as presented. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 5 - Todd Tonore;Michael Evans;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 2 - Larry Broseh and Tamera Bounds

Abstain: 0

END OF CONSENT AGENDA

PUBLIC HEARING

[24-6108](#)

Public Hearing - A Public Hearing and Consideration of a Request for a Variance to Allow the Sale of Alcoholic Beverages for On-Premise Consumption at BB.Q Chicken to be Located at 3030 E Broad St. Suite 108, Within 300 feet of the Property Lines of Mansfield High School and Mary Orr Intermediate School; Long Nguyen of BB.Q Chicken

Jason Alexander presented the item and answered Council questions.

Mayor Evans opened the public hearing at 6:05 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 6:05 p.m.

A motion was made by Mayor Pro Tem Tonore to approve the variance. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 5 - Todd Tonore;Michael Evans;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 2 - Larry Broseh and Tamera Bounds

Abstain: 0

[24-6116](#)

Public Hearing - A Public Hearing Regarding the Creation of Tax Increment Reinvestment Zone Number 5, Containing Approximately 70.897 Acres of Land Generally Located South of U.S. 287 and North of St. Paul Road, and Being Wholly Located within the Corporate Limits of the City of Mansfield, Texas, and its Benefits to the Municipality and to Property in the Proposed Zone

Assistant City Manager Matt Jones presented the item.

Mayor Evans opened the public hearing at 6:07 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 6:07 p.m.

PUBLIC HEARING AND FIRST READING

[24-6107](#)

Ordinance - Public Hearing and First Reading on a Ordinance Approving a Change of Zoning from SF-12/22 Single-Family Residential District to PD Planned Development District for commercial and attached single-family residential (rowhouse) uses on approximately 10.574 acres described as Block 1, Lots 1 and 2R of the RW Roberts Addition, Tarrant

County, TX, located at 650 and 700 N. Holland Rd. 1020 Ventures LLC, Developer (ZC#23-019)

A motion was made by Council Member Newsom to table this item indefinitely. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 5 - Todd Tonore;Michael Evans;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 2 - Larry Broseh and Tamera Bounds

Abstain: 0

NEW BUSINESS

24-6097

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Economic Development Agreement between the Mansfield Economic Development Corporation, and Infinity Sound, LTD; Authorizing the MEDC President to Execute Said Agreement; Finding that the Meeting at which this Resolution is Passed Is Open to the Public as Required by Law; and Declaring an Effective Date

Project Manager Natalie Phelps presented the item.

A motion was made by Mayor Pro Tem Tonore to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION, AND INFINITY SOUND LTD; AUTHORIZING THE MEDC PRESIDENT TO EXECUTE SAID AGREEMENT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE

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

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

Aye: 5 - Todd Tonore;Michael Evans;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 2 - Larry Broseh and Tamera Bounds

Abstain: 0

Enactment No: RE-4230-24

24-6112

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the City Manager or his Designee to Negotiate, Finalize and Execute the Award of a Construction Manager at Risk (CMAR) Contract to Crossland Construction Company, Inc. for the Fire Station 1 Project (the

"Project") for Preconstruction Services in an Amount Not to Exceed \$20,000.00 for the Project; Finding that the Meeting at which this Resolution is Passed is Open to the Public as Required by Law; and Declaring an Effective Date

Matt Jones presented the item.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE, FINALIZE AND EXECUTE THE AWARD OF A CONSTRUCTION MANAGER AT RISK (CMAR) CONTRACT TO CROSSLAND CONSTRUCTION COMPANY, INC. FOR THE FIRE STATION 1 PROJECT (THE "PROJECT") FOR PRECONSTRUCTION SERVICES IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR THE PROJECT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE

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

Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 5 - Todd Tonore;Michael Evans;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 2 - Larry Broseh and Tamera Bounds

Abstain: 0

Enactment No: RE-4231-24

ADJOURN

A motion was made by Council Member Newsom to adjourn the meeting at 6:13 p.m. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 5 - Todd Tonore;Michael Evans;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 2 - Larry Broseh and Tamera Bounds

Abstain: 0

ATTEST: Michael Evans, Mayor

Susana Marin, City Secretary