



# CITY OF MANSFIELD

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

## Meeting Agenda

### City Council

Monday, October 12, 2020

4:00 PM

Council Chambers

#### REGULAR MEETING

**THIS MEETING WILL BE HELD BY VIDEO CONFERENCING.** To participate, please register at [https://mansfieldtexas.zoom.us/webinar/register/WN\\_KqkwbtTkSKaS-AUDX4oizw](https://mansfieldtexas.zoom.us/webinar/register/WN_KqkwbtTkSKaS-AUDX4oizw) by 7:00 p.m. on Monday, October 12, 2020 or join by telephone at 1-888-788-0099 (Toll Free). If joining by phone, please provide the Webinar ID number and password below:

**Webinar ID: 912-0150-1274**

**Passcode: 1234567**

Citizen comments and public hearing comments may also be submitted through the city's website [www.mansfieldtexas.gov](http://www.mansfieldtexas.gov) or by sending an email to [susana.marin@mansfieldtexas.gov](mailto:susana.marin@mansfieldtexas.gov). All comments must be submitted by 5:00 p.m. Monday, October 12, 2020. Comments received will be read into the record by the Mayor or the City Secretary.

**1. 4:00 P.M. - CALL MEETING TO ORDER**

**2. RECESS INTO EXECUTIVE SESSION**

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

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

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

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 4:19-CV-00944

Seek Advice of City Attorney Regarding Legal Issues Related to Insurance Programs and Claims

Seek Advice of City Attorney Regarding Claim Notices

Seek Advice of City Attorney Regarding Property Foreclosure

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

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

City Manager Evaluation

Board Appointments - Historic Preservation Advisory Board

**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**

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

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

**5. INVOCATION**

**6. PLEDGE OF ALLEGIANCE**

**7. TEXAS PLEDGE**

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

**8. PROCLAMATION**

[20-3807](#) National Chiropractic Health Month

**Attachments:** [National Chiropractic Health Month 2020](#)

[20-3806](#) National Code Compliance Month

**Attachments:** [National Code Compliance Month 2020](#)

**9. PRESENTATION**

International Code Council Community Service Award

**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 Assistant City Secretary's seating place. Please present the card to the Assistant City Secretary prior to the start of the meeting.*

**11. COUNCIL ANNOUNCEMENTS****12. SUB-COMMITTEE REPORTS****13. 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

Music Alley Event Update

Park Master Plan Update

Quarterly Reports: Mansfield Economic Development Corporation, Mansfield Park Facilities Development Corporation, Planning and Zoning Commission, Public Works, Code Enforcement, Communications and Marketing, Library, Mansfield Historical Museum and Heritage Center, Mansfield Convention and Visitors Bureau

**B. Business Services Department Report**

[20-3812](#)

Presentation of Monthly Financial Report for the Period Ending August 31, 2020

**Presenters:** Peter Phillis and Bryan Rebel

**Attachments:** [Financials](#)

**14. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION****15. 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**

- [20-3797](#) Ordinance - Second Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas, Code of Ordinances by; Amending Section 111.22 "Time Restrictions"
- Presenters:*** Allen Taylor
- Attachments:*** [Ordinance](#)
- [20-3780](#) Ordinance - Second Reading of an Ordinance Approving a Request to Abandon Certain Utility Easements and Drainage Easements Relating to the M3 Ranch Addition
- Presenters:*** Joe Smolinski and Bart VanAmburgh
- Attachments:*** [Ordinance](#)
- [Easement Map](#)
- [Exhibit A-Phase 1 Utility Easement Abandonment Exhibit](#)
- [20-3773](#) Resolution - A Resolution of the City of Mansfield, Texas Approving a Termination Agreement Terminating a First Amended and Restated Economic Development and Performance Agreement Between the Mansfield Economic Development Corporation and RMA Holdings, LLC; Authorizing the MEDC President to Execute Said Agreement; and Providing an Effective Date
- Presenters:*** Richard Nevins and Peter Phillis
- Attachments:*** [Resolution](#)
- [Termination Agreement](#)
- [20-3774](#) Resolution - A Resolution of the City of Mansfield, Texas Approving a Termination Agreement Terminating a Tax Abatement Agreement Between the City of Mansfield, Texas and RMA Holdings, LLC; Authorizing the Mayor to Execute Said Agreement; and Providing an Effective Date
- Presenters:*** Richard Nevins and Peter Phillis
- Attachments:*** [Resolution](#)
- [Tax Abatement Termination Agreement](#)
- [20-3805](#) Resolution - A Resolution Awarding a Construction Contract for a Westbound Left-Turn Lane and Driveway Improvements on West Broad Street to GRod Construction, LLC.; Authorizing and Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$176,000.00 (Street Bond Fund)
- Presenters:*** Joe Smolinski and Bart VanAmburgh

**Attachments:** [Resolution](#)  
[Location Map](#)  
[Bid Tabulation](#)

[20-3808](#) Resolution - A Resolution Awarding Contract to the Lowest and Best Bids for the Supply of Granular Activated Carbon Filter Media (GAC) for the Bud Ervin Water Treatment Plant

**Presenters:** Joe Smolinski and Jeff Price

**Attachments:** [Resolution](#)  
[2020-25-03 Granular Activated Carbon](#)

[20-3809](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Rejecting all Bids for the Construction of the Man House Information Center and Restroom Building Received Through A Public Bid Opening

**Presenters:** Shelly Lanners and Wade McLaurin

**Attachments:** [Resolution](#)  
[Bids Received](#)

[20-3810](#) Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$372,000.00 and Approval of Contracts, Including Design Services with Neel-Schaffer, Inc. and Surveying Services with Brittain & Crawford, to Prepare Upper Pressure Plane and South 6th Avenue Water Line Improvements for Public Bidding and Construction (Utility Bond Fund)

**Presenters:** Joe Smolinski and Bart VanAmburgh

**Attachments:** [Resolution](#)  
[Location Map](#)

[20-3813](#) Resolution - A Resolution Amending the Bylaws of the Mansfield Commission for the Arts

**Presenters:** Shelly Lanners and Theresa Cohagen

**Attachments:** [Resolution](#)  
[MCA Amended Bylaws](#)

[20-3821](#) Resolution - A Resolution Authorizing the City Attorney to Institute Foreclosure Proceedings Against Property Located at 502 Patterson Street and Providing an Effective Date

**Presenters:** Allen Taylor

**Attachments:** [Resolution](#)

[20-3803](#) Minutes - Approval of the September 28, 2020 Regular City Council Meeting Minutes

**Presenters:** Shelly Lanners and Susana Marin

**Attachments:** [9-28-20 DRAFT Meeting Minutes](#)

**END OF CONSENT AGENDA**

**16. PUBLIC HEARING AND RESOLUTION**

[20-3796](#) Resolution - Public Hearing on a Resolution Approving the Fiscal Year 2020/2021 Services and Assessment Plan for the South Pointe Public Improvement District ("PID"); Providing a Severability Clause; and Providing an Effective Date

***Presenters:*** Peter Phillis and Gary Cardinale

***Attachments:*** [Resolution](#)  
[PID Budget](#)

**17. PUBLIC HEARING**

[20-3800](#) Public Hearing and Consideration of a Request for a Specific Use Permit for a Crematorium on Approximately 1.478 Acres Known as Lot 4R1, Block C, Hillcrest Business Park, Located at 1556 Heritage Pkwy.; Christie Moore of Mansfield Funeral Home & Cremations (SUP#20-014)

***Presenters:*** Joe Smolinski, Matt Jones and Andrew Bogda

***Attachments:*** [Letter from Applicant Regarding Impact Mitigation](#)  
[Crematory Evaluation Report](#)  
[Maps and Supporting Information](#)  
[Exhibit A](#)  
[Exhibits B - D](#)

**18. PUBLIC HEARING CONTINUATION AND SECOND READING**

[20-3768](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12 Single-Family Residential District to PD Planned Development District for Single-family Residential and Accessory Dwelling Uses on Approximately 0.258 Acres Known as a Portion of Lot 1, Block 29, Original Town of Mansfield, Located at 106 S. 2nd Ave.; Sheri Bumgardner of SSB Designs, Inc. on behalf of Janell Pendergast and Brian Clettenberg (ZC#20-012)

***Presenters:*** Joe Smolinski, Matt Jones and Andrew Bogda

***Attachments:*** [Ordinance](#)  
[Maps and Supporting Information](#)  
[Exhibit A](#)  
[Exhibits B - C](#)

[20-3775](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Zoning Change from SF-7.5/12, Single-Family Residential District to PD, Planned Development District for Multi-family Residential Uses on Approximately 0.535 Acres Located at 505 W. Kimball Street; Ben Hartman, Owner/Developer (ZC#20-013)

***Presenters:*** Joe Smolinski, Matt Jones and Shirley Emerson

**Attachments:** [Ordinance](#)  
[Map and Supporting Documents](#)  
[Exhibit A](#)  
[Exhibit B-E](#)  
[Applicants Options 1-3](#)

[20-3777](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Amending Sections 2200B, 4400.B Table G and 7800.B.38 of the Zoning Ordinance to Create a Body Art & Piercing Studio Use; to Permit Such Use in the I-1 and I-2 Zoning Districts; to Require a Specific Use Permit in C-2 and C-3 Zoning Districts; and to Establish Separation Criteria from Such Use from Certain Other Land Uses (OA#20-001)

**Presenters:** Joe Smolinski, Matt Jones and Lisa Sudbury

**Attachments:** [Revised Ordinance](#)  
[Revised Exhibit A](#)

[20-3778](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Amending Sections 5100.E.7, 5100.F.19, 6100.D.8 and 6400.D.8 of the Zoning Ordinance to Revise the Submittal Requirements for Applications for Concept Plans, Planned Developments, Specific Use Permits and Industrial Use Permits (OA#20-002)

**Presenters:** Joe Smolinski, Matt Jones and Lisa Sudbury

**Attachments:** [Ordinance](#)

## 19. **NEW BUSINESS**

[20-3801](#) Ordinance - First Reading of an Ordinance Amending Title XV of the Mansfield Code of Ordinances, "Land Usage" to provide regulations for Vacant Buildings and Properties (OA#20-003)

**Presenters:** Joe Smolinski, Matt Jones and Lisa Sudbury

**Attachments:** [Ordinance](#)  
[Exhibit A](#)

[20-3802](#) Ordinance - First Reading of an Ordinance Amending Title VII of the Mansfield Code of Ordinances, "Traffic Code" to Provide Regulations for Historic Downtown No Parking Zones (OA#20-004)

**Presenters:** Joe Smolinski and Tracy Aaron

**Attachments:** [Ordinance](#)

## 20. **ADJOURN**

**CERTIFICATION**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the October 12, 2020 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, October 8, 2020 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

\_\_\_\_\_  
Susana Marin, City Secretary

Approved as to form:

\_\_\_\_\_  
City Attorney

DATE OF POSTING: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm

DATE TAKEN DOWN: \_\_\_\_\_ TIME: \_\_\_\_\_ 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

1200 E. Broad St.  
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## STAFF REPORT

File Number: 20-3807

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**Agenda Date:** 10/12/2020

**Version:** 2

**Status:** To Be Presented

**In Control:** City Council

**File Type:** Proclamation

**Agenda Number:**

**Title**

National Chiropractic Health Month

**Requested Action**

n/a

**Recommendation**

n/a

**Description/History**

n/a

**Justification**

n/a

**Funding Source**

n/a

**Prepared By**

Belinda Willis, Director Communications & Marketing

**WHEREAS**, chiropractors are physician-level healthcare providers who focus on the whole person as part of their hands-on, non-drug approach to pain management and health promotion; and

**WHEREAS**, these healthcare providers have special expertise and diagnostic skills in the prevention, treatment and rehabilitation of musculoskeletal conditions and injuries; and

**WHEREAS**, with many Americans now working from home and attending school online since the beginning of the pandemic, the incidence of musculoskeletal conditions has grown due in part to an increase in sedentary lifestyles, poor posture and stress; and

**WHEREAS**, National Chiropractic Health Month serves as a reminder that chiropractic treatment, along with an active, healthy lifestyle, may lessen or eliminate the need for riskier and potentially addictive treatments such as prescription pain medications and surgery;

**NOW, THEREFORE**, I, David L. Cook, Mayor of the City of Mansfield, Texas, join with members of the City Council to hereby proclaim October 2020, as

### **NATIONAL CHIROPRACTIC HEALTH MONTH**

and encourage all residents to increase their understanding of chiropractic health and participate in daily activities to improve their overall health and fitness.

**IN WITNESS WHEREOF**, I do hereby set my hand and cause the official seal of the City of Mansfield to be affixed this 12<sup>th</sup> day of October 2020.



# CITY OF MANSFIELD

1200 E. Broad St.  
Mansfield, TX 76063  
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## STAFF REPORT

File Number: 20-3806

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**Agenda Date:** 10/12/2020

**Version:** 2

**Status:** To Be Presented

**In Control:** City Council

**File Type:** Proclamation

**Agenda Number:**

**Title**

National Code Compliance Month

**Requested Action**

n/a

**Recommendation**

n/a

**Description/History**

n/a

**Justification**

n/a

**Funding Source**

n/a

**Prepared By**

Belinda Willis, Director Communications & Marketing

**WHEREAS**, code compliance officers provide for safety and welfare of the residents of their community through the enforcement of local codes and ordinances facing various issues of building safety, zoning, environmental, health and general safety; and

**WHEREAS**, these dedicated City employees often have challenging and demanding roles as they work to improve living and working conditions for residents and businesses with the goals of preventing neighborhood deterioration and preserving property values; and

**WHEREAS**, the Mansfield Code Compliance Department and its staff have taken a leadership role in also working behind the scenes to determine the root cause of code violations in our city and have collaborated with community volunteers to assist those residents whose property may no longer be up to city code; and

**WHEREAS**, those efforts have served as the foundation of the Mansfield Volunteer Program, harnessing the energy and compassion of volunteers to turn code violations into compliance and make a difference in the lives of Mansfield residents; and

**WHEREAS**, the City of Mansfield is grateful for the dedication and professionalism of our Code Compliance staff and the positive impact it has had on the overall health, safety and well-being of our residents;

**NOW, THEREFORE**, I, David L. Cook, Mayor of the City of Mansfield, Texas, join with members of the City Council to hereby proclaim October 2020 as

**NATIONAL CODE COMPLIANCE MONTH**

in Mansfield and ask residents to show their appreciation for the commitment and service these employees show to the community and for the positive impact they have had in thousands of lives in our city.

**IN WITNESS WHEREOF**, I do hereby set my hand and cause the official seal of the City of Mansfield to be affixed this 12<sup>th</sup> day of October, 2020.



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3812

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**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** To Be Presented

**In Control:** City Council

**File Type:** Consideration Item

**Agenda Number:**

**Title**

Presentation of Monthly Financial Report for the Period Ending August 31, 2020

**Requested Action**

Attached is the Monthly Financial Report for the period ending August 31, 2020 for Council's review.

**Recommendation**

Review the Financial Statement for the period ending August 31, 2020.

**Description/History**

Monthly Financial Report

**Justification**

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

**Funding Source**

N/A

**Prepared By**

Peter Phillis, Deputy City Manager/CFO  
817-276-4261

## 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 eleven months ending August 31, 2020 of the fiscal year ending September 30, 2020.

### Significant Financial Activity through the Period

- Capital Improvements –
  - Dog Park, \$982,809 total; current year - \$826,636
  - Equipment replaced, \$1,364,142
  - Streets, \$7,954,469
  - Fire Station #5 (including land), \$2,673,791 , current year - \$1,646,034
  - Man House renovation, \$528,348, current year - \$498,552
- Issued Debt, \$28,720,000
  - Streets, \$9,928,975
  - Fire Station #5 Construction \$6,338,600
  - Police Station Design \$1,708,875
  - Man House Museum Phase III & IV \$750,000
  - Library Modification/Addition \$1,000,000
  - Equipment \$4,048,550
  - Wayfinding \$470,000
  - Refunding, \$4,475,000
  - Maintained AAA Bond Rating
- Repurposed Debt
- Bond Rating Upgrade in Water/Sewer Fund
- Bond Rating Upgrade in Drainage Fund

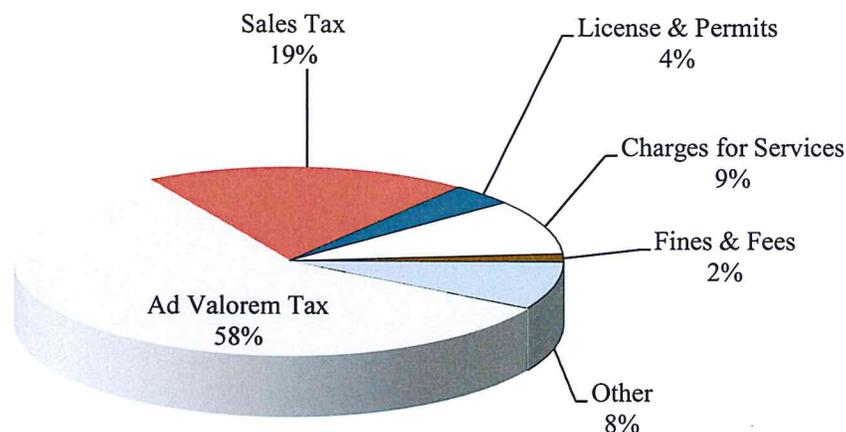
## General Fund Financial Activity

General fund assets are \$465,440,717, deferred outflows of resources are 20,231,266, liabilities are \$230,832,376; deferred inflows of resources are \$2,305,824 and general fund net position is \$252,533,783. Unassigned reserves and general fund balance was \$27,085,864 as of August 31, 2020.

Overall general fund revenue collected as of August 31, 2020 is 99.07% of anticipated collections. Expenditures as of August 31, 2020 are in line with budgeted expectations or 85.45% of the expected expenditures have been spent as of August 31, 2020. As of August 31, 2020 the City's current net assets are at estimated results.

### General Fund Revenues

Allocation of Receipts as of August 31, 2020



### Property Tax Collections

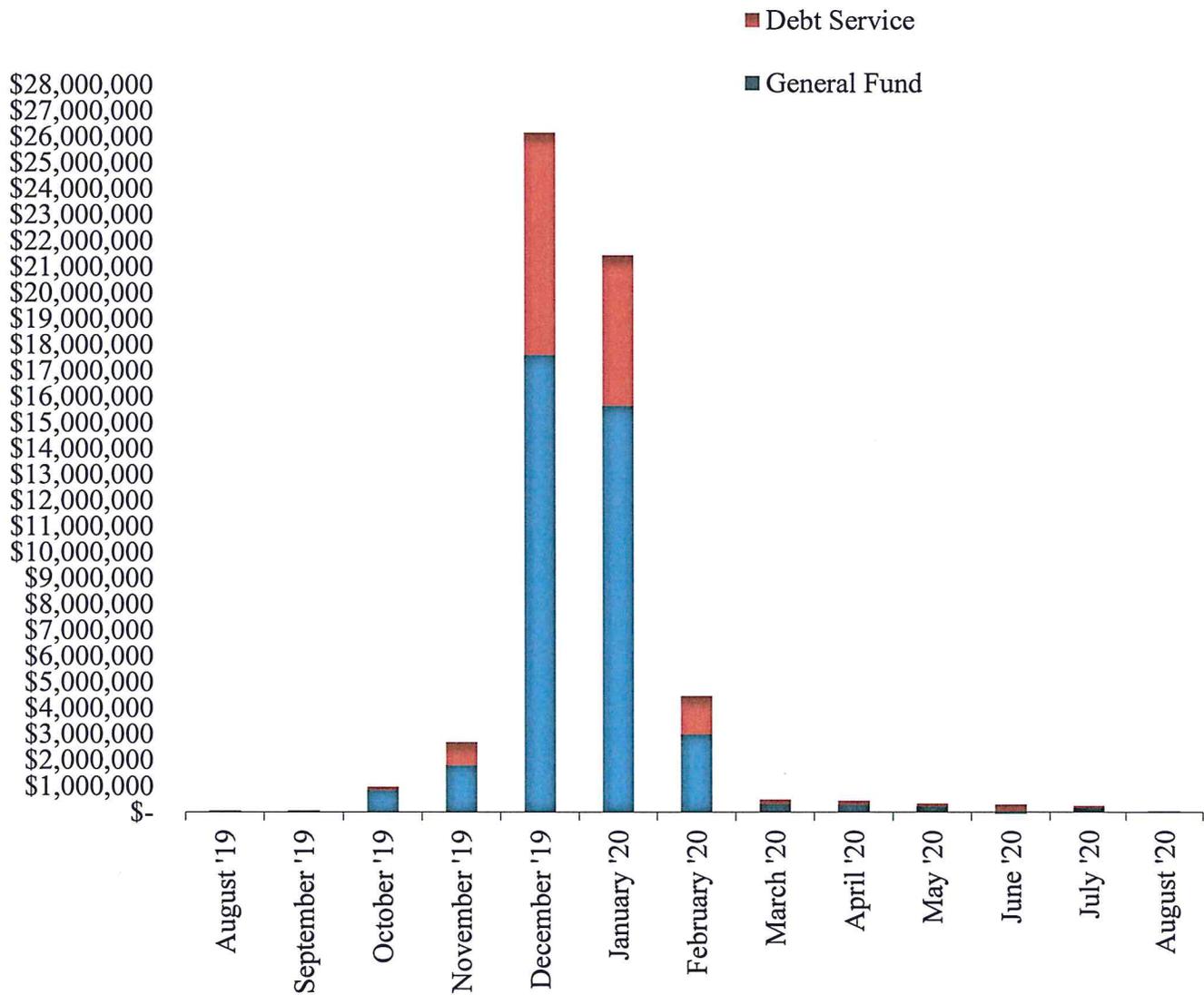
Most of the City's property tax is collected in the first four or six months of the fiscal year as property tax bills are generally due within the first four months of the City's fiscal year. Property tax collections through August 31, 2020 are \$38,010,357. Last year's collections were \$33,617,781 for the same period - a 13.07% increase over prior year.

# City of Mansfield, Texas interim unaudited financial report for the month and eleven (11) month period ended August, 2020

2020

As of August 31, 2020, actual debt service property tax collections were \$17,951,400. For the same period last year, property tax collections were \$15,498,738 – an increase of 15.82%.

## Ad Valorem Tax Collections by Month



## Sales Tax

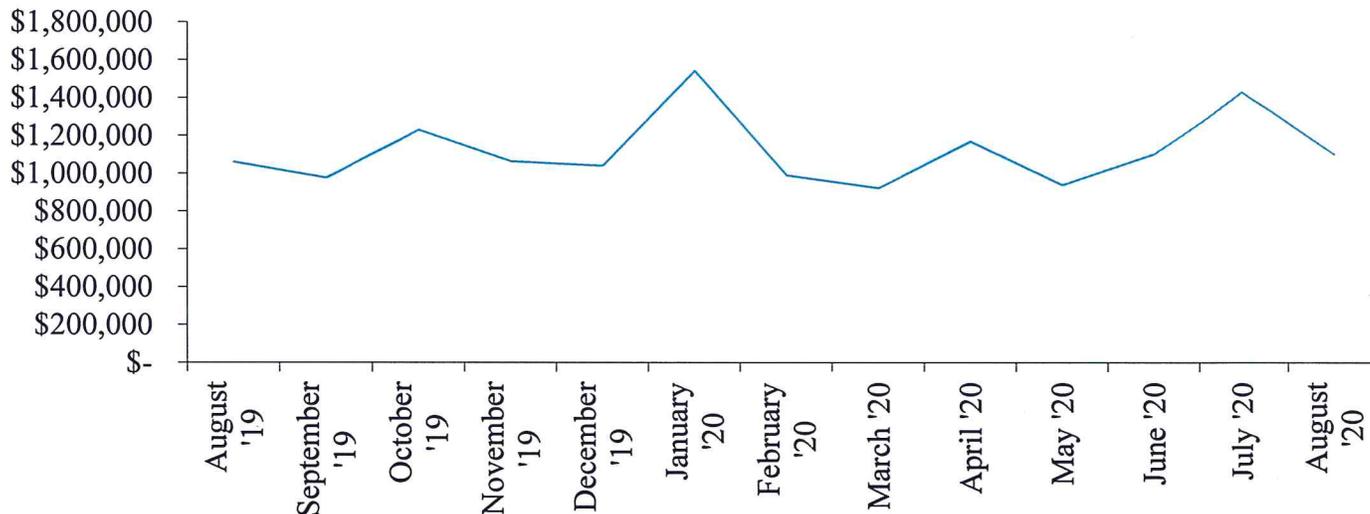
The City’s budgeted sales tax revenue is 19.55% of the total budgeted revenue for the City. Collections for the first eleven months amount to 18.89% of total budgeted collections for fiscal 2020. Sales tax

# City of Mansfield, Texas interim unaudited financial report for the month and eleven (11) month period ended August, 2020

2020

per capita is \$171 as budgeted. Sales Tax collections for the period August 1, 2020 through August 31, 2020, total \$1,101,188 as compared to \$1,060,013 for the same period last year. This is an increase of 3.88% over the same period as last year.

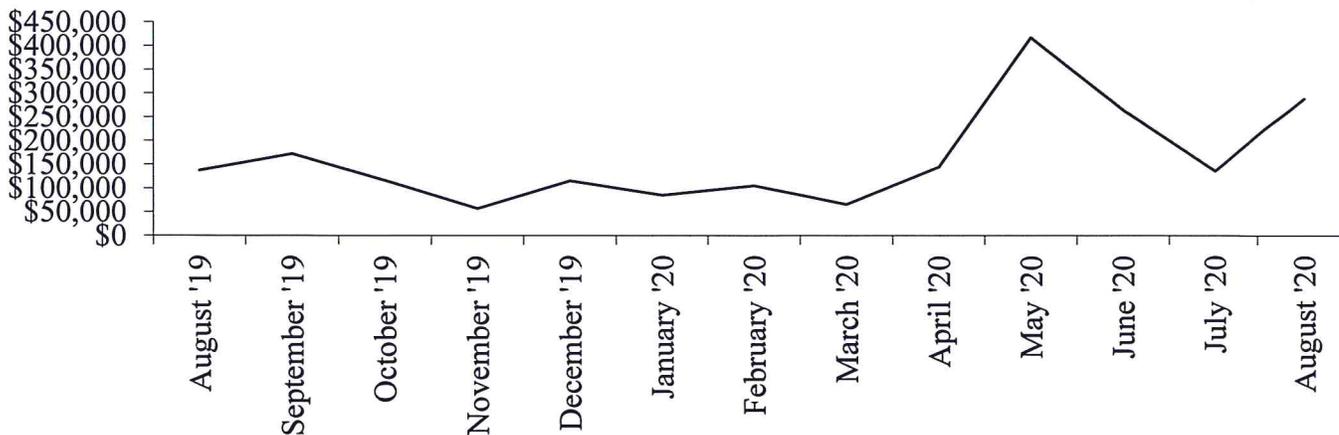
## Sales Tax Collections



## Building Permits

Building activity has increased in year over year comparisons. Building Permits increased in August 2020 compared to August 2019. Permit revenues for this period compared to the same period last year are \$288,479 and \$137,808 respectively, representing an increase of \$150,671 or 109.33% more than the same period last year. Building activity for the year is above budgeted estimates.

## Building Permits Collections by Month



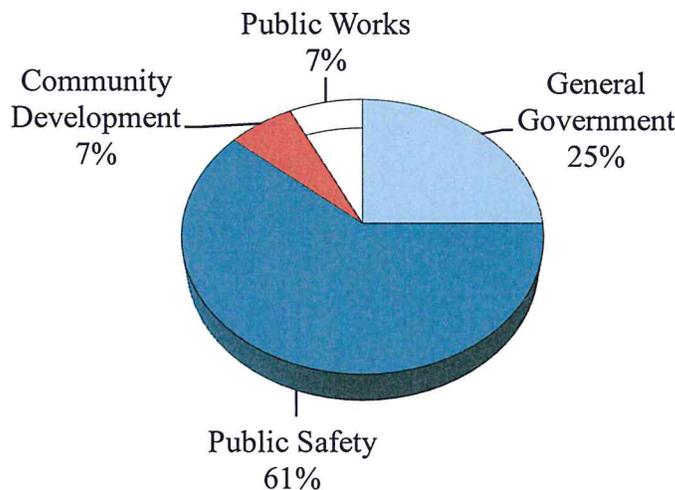
# City of Mansfield, Texas interim unaudited financial report for the month and eleven (11) month period ended August, 2020

2020

## Expenditure/Uses

The City has spent \$54,531,698 of its expected expenditures of \$63,816,651 or 85.45% 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. Almost \$35,963,660 will be spent on the policing needs and fire needs of the City. Expenditures are at expectations as of August 31, 2020.

### Actual Expenses



## Water & Sewer Financial Activity

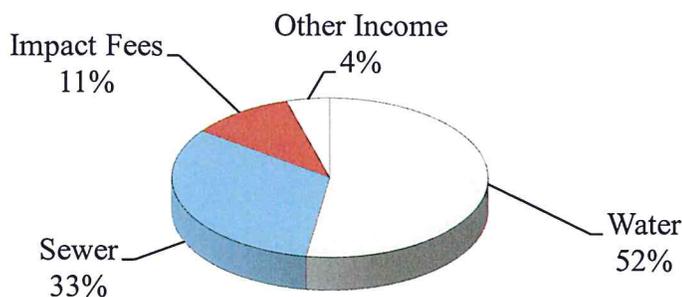
Water & Sewer assets are \$244,669,912, deferred outflows of resources are \$4,714,353 fund liabilities are \$45,738,314; deferred inflows of resources are \$111,429 and fund net position is \$203,534,522. Unassigned reserves are \$24,426,621 as of August 31, 2020.

Operating Revenue is more than estimates for this fiscal year. The sale of Water & Sewer alone represents 84.59% of the total revenue collected to date; 11.39% of the Fund's revenue has been collected from impact fees. Currently the Fund has collected 109.71% of its Budgeted Revenue to date or \$38,735,858 of \$35,308,724 in Budgeted Revenue.

City of Mansfield, Texas interim unaudited financial report for  
the month and eleven (11) month period ended August, 2020

2020

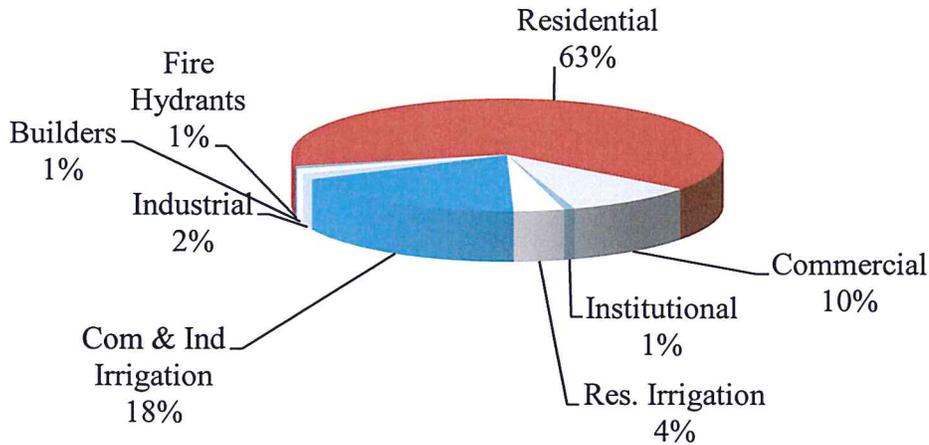
## Revenues



Consumption Class	Water Accounts		Consumption ('000)		Avg Consmpt Per Acct	
	August '20	August '19	August '20	August '19	August '20	August '19
Residential	19,833	19,259	312,414	225,874	15,752	11,728
Commercial	754	733	47,375	41,851	62,832	57,095
Institutional	159	158	3,938	4,654	24,767	29,456
Residential Irrigation	903	901	18,467	12,755	20,451	14,156
Com & Ind Irrigation	810	767	90,072	58,581	111,200	76,377
Industrial	128	131	8,517	12,943	66,539	98,802
Builders	451	285	6,962	3,281	15,437	11,512
Fire Hydrants	67	62	3,222	2,437	48,090	39,306
Residential Key Branch	6	7	53	53	8,833	7,571
Bulk Untreated Water	4	4	23,623	31,471	5,905,750	7,867,750
Bulk Treated Water	6	6	87,939	91,548	14,656,500	15,258,000
	23,121	22,313	602,582	485,448		

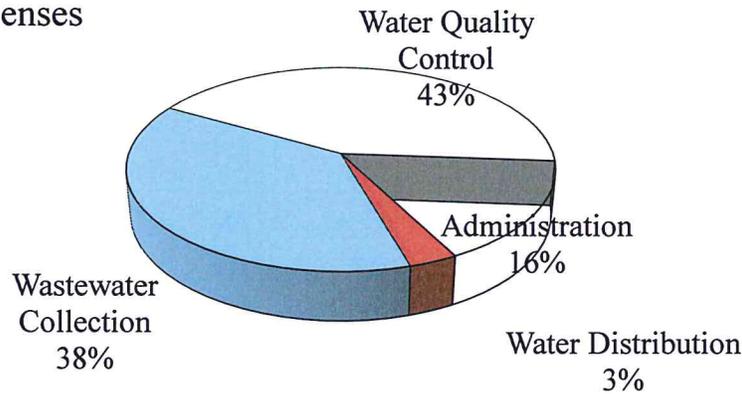
Consumption to date is up over prior year's consumption due to increasing connections. In a year over year comparison, customer accounts have increased by 808 new connections.

Average Consumption Per Account



The Department's expenses are under anticipated levels to date. Note that the overall expenditure activity of the fund (excluding depreciation) indicates 87.45% of the funds have been expended to date. The costs of raw water and sewer treatment are within budgeted estimates.

Water & Sewer Expenses



INVESTMENT SCHEDULE:

A schedule of investments is included in your packet for period ended August 31, 2020.

**Investment Summary**



Money Markets  
100%

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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.

## City of Mansfield, Texas

Comparative Statement of Net Position - General Fund  
August 31, 2020 and 2019 (Unaudited)

<u>ASSETS</u>	Fiscal 2020	Fiscal 2019
Cash and Investments	\$ 25,574,686	\$ 22,789,924
Receivables:		
Current Year Taxes	464,042	301,763
Delinquent Taxes (Net of Allowance of \$636,771)	-	-
Accounts (Net of Allowance of \$210,926)	2,123,022	2,129,481
Ambulance	1,877,962	1,827,916
Municipal Court	39,338	45,152
Due From Other Funds	558,010	579,916
Capital Assets (net of accumulated depreciation)	<u>434,803,657</u> *	<u>424,290,267</u>
Total Assets	<u>\$ 465,440,717</u>	<u>\$ 451,964,419</u>
 <u>DEFERRED OUTFLOW OF RESOURCES</u>		
Deferred Pension Contributions	\$ 3,289,904	\$ 3,089,869
Deferred OPEB Contributions	31,975	1,765,257
Deferred Investment Losses	6,285,867	-
Deferred Assumption Changes	48,092	56,711
Deferred Actuarial Experience	7,934,328	1,633,349
Deferred Loss on Refunding	<u>2,641,100</u>	<u>2,953,640</u>
Total Deferred Outflows of Resources	<u>20,231,266</u>	<u>9,498,826</u>
Total Assets and Deferred Outflows of Resources	<u>485,671,983</u>	<u>461,463,245</u>
 <u>LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES</u>		
<u>LIABILITIES:</u>		
Accounts Payable	\$ 450,468	\$ 418,264
Accrued Liabilities	719,387	770,947
Deferred Revenue	2,381,341	2,174,831
Noncurrent liabilities:		
Due within one year	12,572,026 *	12,572,026
Due in more than one year	<u>214,709,154</u> *	<u>214,709,154</u>
Total Liabilities	<u>230,832,376</u>	<u>230,645,222</u>
 <u>DEFERRED INFLOWS OF RESOURCES</u>		
Prepaid Rent	1,493,333	1,493,333
Deferred Assumption Changes	812,491	1,078,995
Deferred Investment Gains	-	2,735,887
Total Deferred Inflows of Resources	<u>2,305,824</u>	<u>5,308,215</u>
 <u>FUND BALANCES:</u>		
Invested in capital assets, net of related debt	207,522,477 *	197,009,087
Assigned for deferred outflows/inflows	17,925,442	4,190,611
Unassigned	<u>27,085,864</u>	<u>24,310,110</u>
Total Fund Balances	<u>252,533,783</u>	<u>225,509,808</u>
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	<u>\$ 485,671,983</u>	<u>\$ 461,463,245</u>

\* Current year presentation only, does not include current year depreciation expense.

\* Does not conform with Generally Accepted Accounting Principals or Governmental Accounting Standards

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

## City of Mansfield, Texas

Summary Statement of Activities for the Month and Eleven Months  
Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE	FY20 ORIGINAL BUDGET	FY20 POSITIVE (NEGATIVE) BUDGET	FY20 PERCENT COLLECTED TO BUDGET
<b>REVENUES:</b>							
Taxes	\$ 1,258,974	\$ 1,228,955	\$ 55,054,053	\$ 49,496,553	\$ 56,604,930	\$ (1,550,877)	97.26%
License And Permits	365,587	184,970	2,439,804	2,041,376	2,017,962	421,842	120.90%
Grant Revenue	70,404	85,542	265,004	292,495	360,058	(95,054)	73.60%
Charges For Services	480,550	438,237	6,116,290	4,791,715	4,809,317	1,306,973	127.18%
Fines And Fees	81,448	81,646	923,169	1,611,191	1,276,409	(353,240)	72.33%
Interest Earnings	2,149	51,213	247,447	541,512	518,726	(271,279)	47.70%
Contributions	-	-	-	-	-	-	0.00%
Miscellaneous	55,534	82,280	678,115	886,719	754,257	(76,142)	89.91%
<b>Total Revenues</b>	<b>2,314,646</b>	<b>2,152,843</b>	<b>65,723,882</b>	<b>59,661,561</b>	<b>66,341,659</b>	<b>(617,777)</b>	<b>99.07%</b>
<b>EXPENDITURES:</b>							
General Government	1,122,035	1,294,957	13,614,842	12,492,209	18,204,175	4,589,333	74.79%
Public Safety	2,977,432	3,546,004	33,429,836	30,908,195	35,963,660	2,533,824	92.95%
Public Works	287,064	574,636	3,927,069	4,253,068	4,915,637	988,568	79.89%
Community Development	345,819	473,228	3,559,951	3,530,001	4,733,179	1,173,228	75.21%
<b>Total Expenditures</b>	<b>4,732,350</b>	<b>5,888,825</b>	<b>54,531,698</b>	<b>51,183,473</b>	<b>63,816,651</b>	<b>9,284,953</b>	<b>85.45%</b>
<b>EXCESS REVENUES OVER(UNDER) EXPENDITURES</b>	<b>(2,417,704)</b>	<b>(3,735,982)</b>	<b>11,192,184</b>	<b>8,478,088</b>	<b>2,525,008</b>		
<b>OTHER FINANCING SOURCES (USES)</b>							
Reserve/Contingency	(40,240)	-	(280,429)	-	(105,861)	(174,568)	0.00%
Sale of Capital Assets, net	-	-	-	-	-	-	0.00%
Financing, net	-	-	-	-	-	-	0.00%
Sources	-	-	-	-	1,905,711	(1,905,711)	0.00%
(Uses)	-	-	(1,235,196)	(1,196,950)	(4,324,858)	3,089,661	28.56%
<b>Total Other Financing Sources (Uses)</b>	<b>(40,240)</b>	<b>-</b>	<b>(1,515,626)</b>	<b>(1,196,950)</b>	<b>(2,525,008)</b>	<b>1,009,382</b>	<b>28.56%</b>
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>	<b>(2,457,944)</b>	<b>(3,735,982)</b>	<b>9,676,558</b>	<b>7,281,138</b>	<b>(0)</b>		
<b>FUND BALANCE</b>							
BEGINNING	29,543,808	28,046,092	17,409,306	17,028,972	17,409,306		
ENDING	\$ 27,085,864	\$ 24,310,110	\$ 27,085,864	\$ 24,310,110	\$ 17,409,306		

## City of Mansfield, Texas

Statement of Activities - Budget and Actual - General Fund  
For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE	FY20 ORIGINAL BUDGET	FY20 POSITIVE (NEGATIVE) BUDGET	FY20 PERCENT COLLECTED TO BUDGET
<b>REVENUES:</b>							
Taxes-Current	\$ 18,151	\$ 36,007	\$ 37,845,462	\$ 33,539,774	\$ 39,250,842	\$ (1,405,380)	96.42%
Taxes-Prior	1,410	-	164,895	78,007	174,144	(9,249)	94.69%
Gas Royalty Income	-	779	432,146	5,241	479,458	(47,312)	90.13%
Franchise Taxes	132,679	124,761	3,674,498	3,843,374	3,350,552	323,946	109.67%
Sales Taxes	1,101,188	1,060,013	12,529,815	11,518,729	12,971,783	(441,968)	96.59%
Mix Drink Taxes	-	-	135,900	220,618	196,091	(60,191)	69.30%
Delinquent P& I	5,546	7,395	271,337	290,810	182,060	89,277	149.04%
<b>Total Taxes</b>	<b>1,258,974</b>	<b>1,228,955</b>	<b>55,054,053</b>	<b>49,496,553</b>	<b>56,604,930</b>	<b>(1,550,877)</b>	<b>97.26%</b>
<b>LICENSE &amp; PERMITS</b>							
Building Permits	288,479	137,808	1,842,549	1,594,942	1,476,142	366,407	124.82%
Other Lic/Permits	77,108	47,162	597,255	446,434	541,820	55,435	110.23%
<b>Total License &amp; Permits</b>	<b>365,587</b>	<b>184,970</b>	<b>2,439,804</b>	<b>2,041,376</b>	<b>2,017,962</b>	<b>421,842</b>	<b>120.90%</b>
<b>GRANT REVENUE</b>	<b>70,404</b>	<b>85,542</b>	<b>265,004</b>	<b>292,495</b>	<b>360,058</b>	<b>(95,054)</b>	<b>73.60%</b>
<b>CHARGES FOR SERVICES</b>							
Sanitation	323,230	293,332	3,446,307	3,108,830	3,046,069	400,238	113.14%
Ambulance Services	114,516	121,969	1,436,920	1,226,417	1,442,377	(5,457)	99.62%
Fines & Fees-Engineering	42,804	22,936	1,233,063	456,468	320,871	912,192	384.29%
<b>Total Charges For Services</b>	<b>480,550</b>	<b>438,237</b>	<b>6,116,290</b>	<b>4,791,715</b>	<b>4,809,317</b>	<b>1,306,973</b>	<b>127.18%</b>
<b>FINES &amp; FEES</b>							
Fines & Fees-Court	43,988	70,455	574,461	822,251	909,218	(334,757)	63.18%
Fines & Fees-Other	37,460	11,191	348,708	788,940	367,191	(18,483)	94.97%
<b>Total Fines &amp; Fees</b>	<b>81,448</b>	<b>81,646</b>	<b>923,169</b>	<b>1,611,191</b>	<b>1,276,409</b>	<b>(353,240)</b>	<b>72.33%</b>
<b>INTEREST EARNINGS</b>	<b>2,149</b>	<b>51,213</b>	<b>247,447</b>	<b>541,512</b>	<b>518,726</b>	<b>(271,279)</b>	<b>47.70%</b>
<b>MISCELLANEOUS</b>							
Certificate Of Occupancy	1,320	1,560	11,280	14,340	13,976	(2,696)	80.71%
Mowing	275	175	6,762	9,632	-	6,762	0.00%
Sale Of Property	6,636	2,775	15,720	95,844	46,749	(31,029)	33.63%
Zoning Fees	7,800	8,900	69,847	72,901	101,583	(31,736)	68.76%
Plat Fees	2,730	11,455	45,935	84,460	57,541	(11,606)	79.83%
Miscellaneous	36,773	57,415	528,571	609,542	534,408	(5,837)	98.91%
<b>Total Miscellaneous</b>	<b>55,534</b>	<b>82,280</b>	<b>678,115</b>	<b>886,719</b>	<b>754,257</b>	<b>(76,142)</b>	<b>89.91%</b>
<b>Total Revenues</b>	<b>\$ 2,314,646</b>	<b>\$ 2,152,843</b>	<b>\$ 65,723,882</b>	<b>\$ 59,661,561</b>	<b>\$ 66,341,659</b>	<b>\$ (617,777)</b>	<b>99.07%</b>

## City of Mansfield, Texas

Statement of Activities - Budget and Actual - General Fund  
For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE	FY20 ORIGINAL BUDGET	FY20 POSITIVE (NEGATIVE) BUDGET	FY20 PERCENT COLLECTED TO BUDGET
<b>EXPENDITURES:</b>							
<b>GENERAL GOVERNMENT</b>							
Non-departmental	\$ 122,670	\$ 96,297	\$ 1,209,259	\$ 2,090,868	\$ 4,838,704	\$ 3,629,445	24.99%
City Council	3,321	3,310	85,185	106,892	155,552	70,367	54.76%
Administration	38,817	84,278	1,511,792	702,908	1,180,844	(330,948)	128.03%
Legal	79,951	64,282	628,757	577,334	761,499	132,742	82.57%
Human Resources	48,540	85,338	626,775	634,451	746,033	119,258	84.01%
Finance	44,125	64,999	529,993	617,468	651,949	121,956	81.29%
Accounting	28,096	35,271	371,684	356,397	488,438	116,754	76.10%
Purchasing	7,673	9,187	86,234	82,109	100,181	13,947	86.08%
Tax Collection	-	-	347,826	264,248	350,008	2,182	99.38%
Information Technology	55,450	123,874	653,054	684,054	911,052	257,998	71.68%
Sanitation	261,044	236,593	2,562,660	2,301,109	2,672,059	109,399	95.91%
Budget	7,163	10,650	82,291	75,730	101,583	19,292	81.01%
City Secretary	35,574	48,528	437,807	406,920	510,742	72,935	85.72%
Planning Administration	71,381	96,038	1,060,956	800,616	1,169,631	108,675	90.71%
Construction Codes Boards	-	88	50,528	7,108	41,775	(8,753)	120.95%
Planning/Zoning Comm	77	1,527	10,333	14,500	13,177	2,844	78.42%
Engineering	36,337	38,163	411,794	336,899	364,218	(47,576)	113.06%
Historic Landmark	-	130	631	878	4,005	3,374	15.76%
Development Services	19,187	21,282	325,022	183,196	194,454	(130,568)	167.15%
Building Inspection	93,820	97,960	1,041,475	837,917	1,158,350	116,875	89.91%
Board of Adjustments	-	1	1,018	987	2,818	1,800	36.12%
Code Compliance	49,560	62,578	551,608	522,441	619,763	68,155	89.00%
Building Maintenance	119,249	114,583	1,028,160	887,179	1,167,340	139,180	88.08%
<b>Total</b>	<b>1,122,035</b>	<b>1,294,957</b>	<b>13,614,842</b>	<b>12,492,209</b>	<b>18,204,175</b>	<b>4,589,333</b>	<b>74.79%</b>
<b>PUBLIC SAFETY</b>							
Police Administration	147,004	123,047	1,645,797	1,335,102	1,501,441	(144,356)	109.61%
Communications	230,500	215,739	2,585,307	2,345,493	2,896,022	310,715	89.27%
Patrol	738,488	908,376	8,477,861	7,713,882	9,337,449	859,588	90.79%
CID And Narcotics	229,223	291,641	2,823,636	2,407,083	3,139,641	316,005	89.93%
Animal Control	75,031	84,832	634,970	640,096	724,808	89,838	87.61%
CVE Traffic Enforcement	23,071	32,821	261,305	401,685	321,811	60,506	81.20%
Traffic Enforcement	56,952	54,788	535,694	463,608	604,214	68,520	88.66%
K-9 Patrol	9,707	14,446	157,517	131,752	168,820	11,303	93.30%
COPS	42,004	70,690	426,743	589,442	704,875	278,132	60.54%
Municipal Court	39,229	85,545	632,726	685,991	673,063	40,337	94.01%
Training	73,620	32,607	409,015	296,574	425,081	16,066	96.22%
Police Grant Expenditures	133,834	41,394	550,434	399,560	404,842	(145,592)	135.96%
Fire Administration	77,590	127,769	1,140,979	1,323,925	1,181,188	40,209	96.60%
Fire Prevention	62,387	76,810	1,034,479	699,273	909,542	(124,937)	113.74%
Emergency Management	46,218	65,957	614,792	603,517	632,731	17,939	97.16%
Fire Operations	992,574	1,319,542	11,498,581	10,871,212	12,338,132	839,551	93.20%
<b>Total</b>	<b>2,977,432</b>	<b>3,546,004</b>	<b>33,429,836</b>	<b>30,908,195</b>	<b>35,963,660</b>	<b>2,533,824</b>	<b>92.95%</b>
<b>PUBLIC WORKS</b>							
Street Maintenance	287,064	574,636	3,927,013	4,233,453	4,915,637	988,624	79.89%
Traffic Control	-	-	56	19,615	-	(56)	0.00%
<b>Total</b>	<b>287,064</b>	<b>574,636</b>	<b>3,927,069</b>	<b>4,253,068</b>	<b>4,915,637</b>	<b>988,568</b>	<b>79.89%</b>

## City of Mansfield, Texas

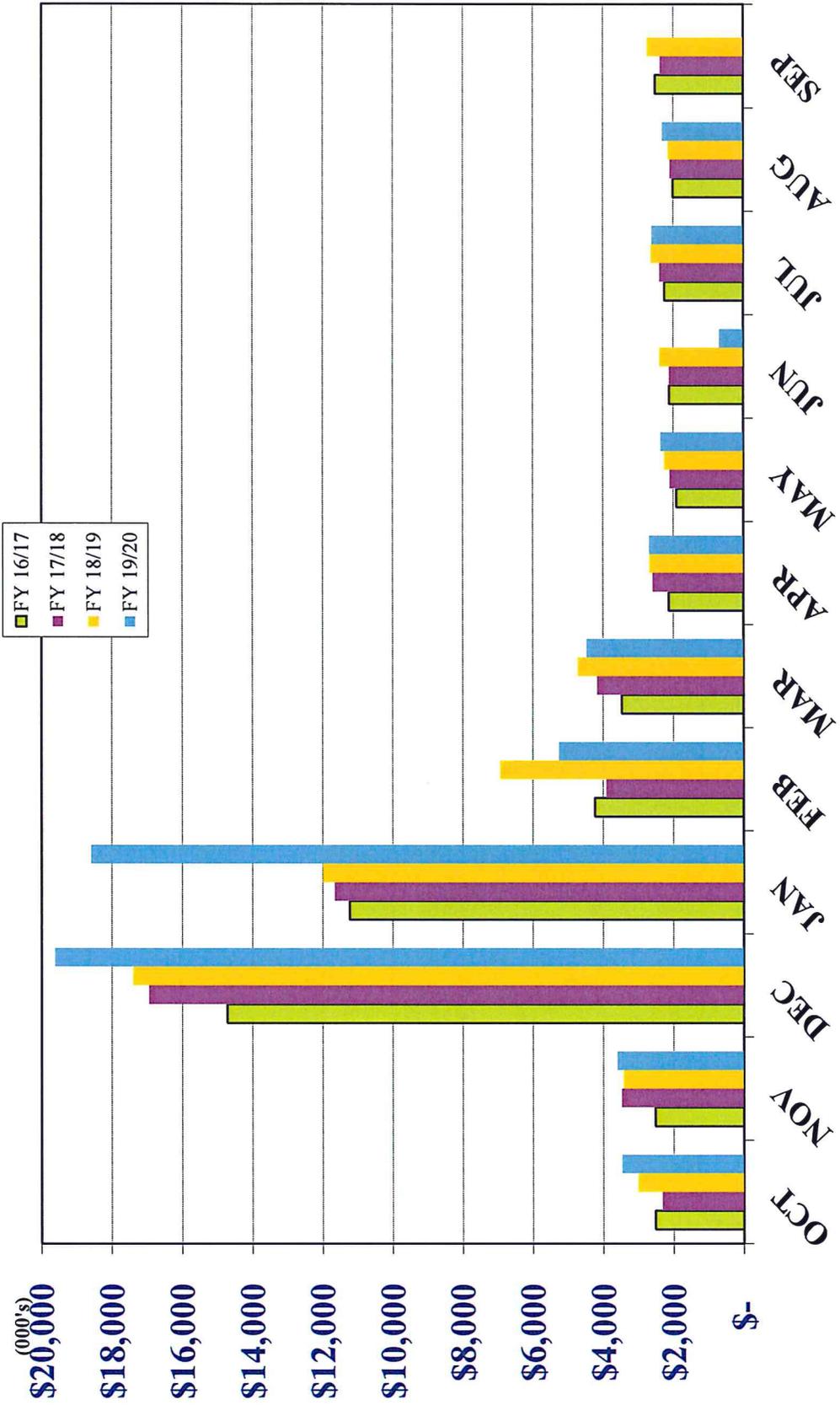
Statement of Activities - Budget and Actual - General Fund  
For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE	FY20 ORIGINAL BUDGET	FY20 POSITIVE (NEGATIVE) BUDGET	FY20 PERCENT COLLECTED TO BUDGET
<b>COMMUNITY SERVICES</b>							
Parks & Recreation Operations	192,603	218,844	1,694,507	1,613,491	2,225,542	531,035	76.14%
Communications & Marketing	22,548	28,425	254,127	266,176	311,737	57,610	81.52%
Downtown Parking	827	490	5,443	6,069	-	(5,443)	0.00%
Senior Citizens	22,561	34,869	263,816	275,172	306,565	42,749	86.06%
Cultural Services	22,958	71,106	345,913	487,409	502,654	156,741	68.82%
Library	84,322	119,494	996,145	881,684	1,386,681	390,536	71.84%
Grant Expenditures	-	-	-	-	-	-	0.00%
Total	345,819	473,228	3,559,951	3,530,001	4,733,179	1,173,228	75.21%
<b>TOTAL EXPENDITURES</b>	<b>\$ 4,732,350</b>	<b>\$ 5,888,825</b>	<b>\$ 54,531,698</b>	<b>\$ 51,183,473</b>	<b>\$ 63,816,651</b>	<b>\$ 9,284,953</b>	<b>85.45%</b>
<b>EXCESS REVENUES OVER(UNDER) EXPENDITURES</b>	<b>(2,417,704)</b>	<b>(3,735,982)</b>	<b>11,192,184</b>	<b>8,478,088</b>	<b>2,525,008</b>		
<b>OTHER FINANCING SOURCES (USES)</b>							
<b>SOURCES:</b>							
Utility Fund-Transfer	-	-	-	-	1,667,461	(1,667,461)	0.00%
MEDC - Transfer	-	-	-	-	238,250	(238,250)	0.00%
TIF #1 - Transfer	-	-	-	-	-	-	0.00%
Bond Proceeds	-	-	-	-	-	-	0.00%
Premuims on Bond Issuance	-	-	-	-	-	-	0.00%
Sale of Capital Assets, net	-	-	-	-	-	-	0.00%
Total Other Financing Sources	-	-	-	-	1,905,711	(1,905,711)	0.00%
<b>(USES):</b>							
Land	-	-	-	-	-	-	0.00%
MPFDC	-	-	-	-	(444,100)	444,100	0.00%
Transfers	-	-	-	-	(2,590,490)	2,590,490	0.00%
PFA Insurance	-	-	(677,373)	(618,044)	(719,068)	41,695	94.20%
Economic Incentives	-	-	(557,824)	(578,906)	(571,200)	13,376	97.66%
Discount on Bond Issuance	-	-	-	-	-	-	0.00%
Bond Issuance Costs	-	-	-	-	-	-	0.00%
Reserve/Contingency	(40,240)	-	(280,429)	-	(105,861)	(174,568)	264.90%
Total Other Financing Uses	(40,240)	-	(1,515,626)	(1,196,950)	(4,430,719)	2,915,093	34.21%
Total Other Financing Sources (Uses)	(40,240)	-	(1,515,626)	(1,196,950)	(2,525,008)	1,009,382	
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>	<b>(2,457,944)</b>	<b>(3,735,982)</b>	<b>9,676,558</b>	<b>7,281,138</b>	<b>(0)</b>		
<b>UNRESERVED FUND BALANCE</b>							
BEGINNING	29,543,808	28,046,092	17,409,306	17,028,972	17,409,306		
ENDING	<u>\$ 27,085,864</u>	<u>\$ 24,310,110</u>	<u>\$ 27,085,864</u>	<u>\$ 24,310,110</u>	<u>\$ 17,409,306</u>		



# CITY OF MANSFIELD

## General Fund - Total Revenues





# CITY OF MANSFIELD

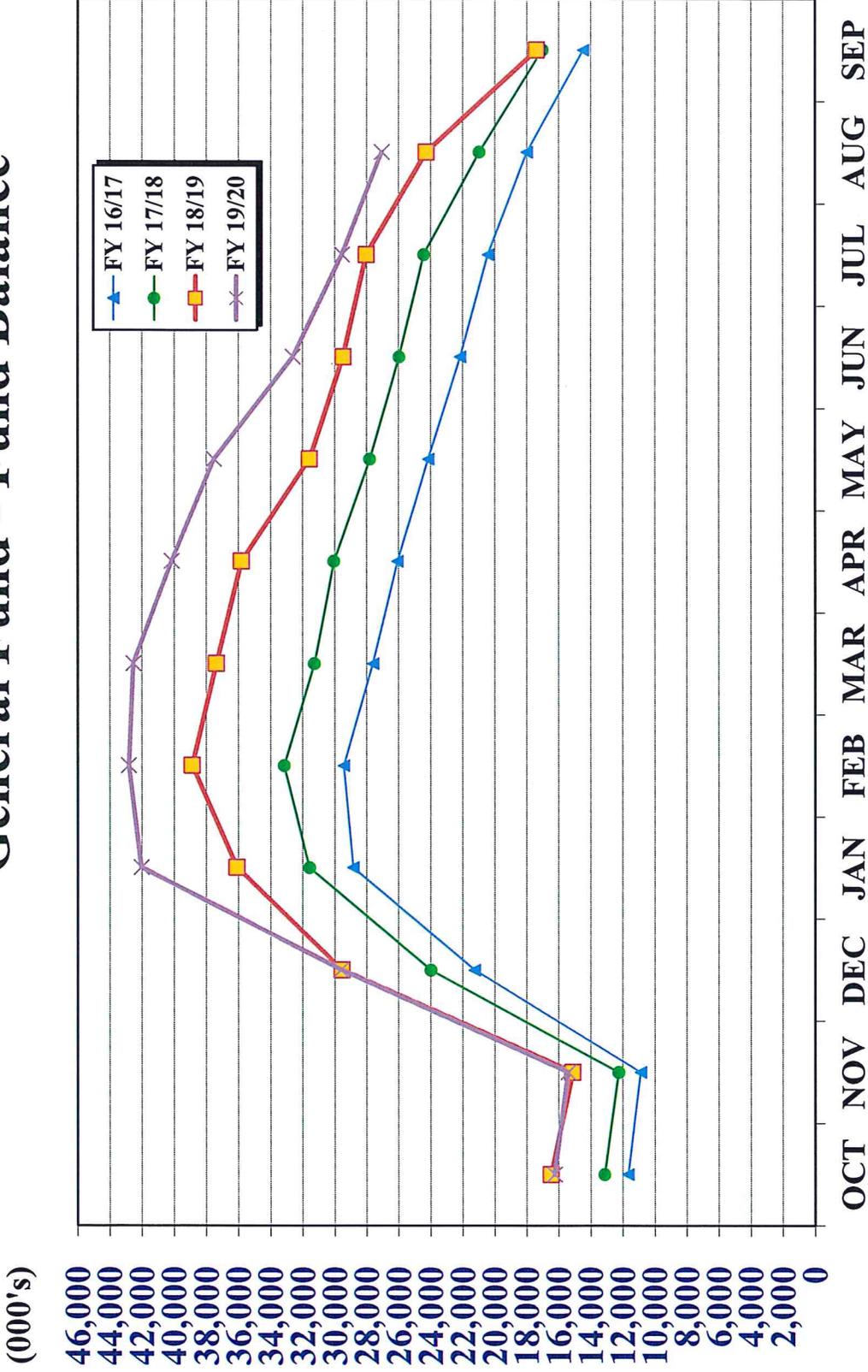
## General Fund - Total Expenditures





# CITY OF MANSFIELD

## General Fund - Fund Balance



## 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 Tree Mitigation Fund is used to account for the funds paid by developers to restore and maintain trees in the City of Mansfield.

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 ½ cent Sales Tax used for the promotion of Economic Development within the City.

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

City of Mansfield, Texas

Comparative Statement of Net Position - Tax Increment Reinvestment Zone Fund Number One  
August 31, 2020 and 2019 (Unaudited)

	2020	2019
<u>ASSETS</u>		
Cash And Investments	\$ 5,583,844	\$ 4,001,897
Due From Other Funds	24,581	24,582
	<u>5,608,425</u>	<u>4,026,479</u>
Total Assets	<u>\$ 5,608,425</u>	<u>\$ 4,026,479</u>
<u>LIABILITIES &amp; FUND BALANCES</u>		
LIABILITIES:		
Accounts Payable	\$ 685,575	\$ 769,745
Retainage Payable	-	-
	<u>685,575</u>	<u>769,745</u>
Total Liabilities	<u>685,575</u>	<u>769,745</u>
FUND BALANCES:		
Fund Balance	2,963,075	2,148,721
Excess Revenues Over Expenditures	<u>1,959,775</u>	<u>1,108,013</u>
Total Fund Balances	<u>4,922,850</u>	<u>3,256,734</u>
Total Liabilities And Fund Balances	<u>\$ 5,608,425</u>	<u>\$ 4,026,479</u>

City of Mansfield, Texas

Comparative Combined Statement of Activities - TIRZ Number One Fund  
For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE
<u>REVENUES:</u>				
Taxes, Penalties, And Interest	\$ -	\$ 8,554	1,947,009	1,384,189
Interest Income	207	2,646	12,766	31,001
Total Revenues	207	11,200	1,959,775	1,415,190
<u>EXPENDITURES:</u>				
General Government	-	-	-	307,177
Debt Service -	-	-	-	-
Principal Retirement	-	-	-	-
Interest	-	-	-	-
Lease Payments	-	-	-	-
Bond Issuance Cost	-	-	-	-
Fiscal Charges	-	-	-	-
Total Expenditures	-	-	-	307,177
Excess Of Revenues Over (Under) Expenditures	207	11,200	1,959,775	1,108,013
<u>OTHER FINANCING SOURCES (USES)</u>				
Transfers Out	-	-	-	-
Bonds Issued	-	-	-	-
Premium on Bonds Issued	-	-	-	-
Discounts on Bonds Issued	-	-	-	-
Payment to Refunded Bond Escrow Agent	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-
Net Change in Fund Balances	207	11,200	1,959,775	1,108,013
FUND BALANCE, BEGINNING	4,922,643	3,245,534	2,963,075	2,148,721
FUND BALANCE, ENDING	\$ 4,922,850	\$ 3,256,734	\$ 4,922,850	\$ 3,256,734

City of Mansfield, Texas

Comparative Balance Sheet - Tax Increment Reinvestment Zone Fund Number Two  
August 31, 2020 and 2019 (Unaudited)

	2020	2019
<u>ASSETS</u>		
Cash And Investments	\$ 947,507	\$ 301,882
Construction in Progress	-	-
	<u>947,507</u>	<u>301,882</u>
Total Assets	<u>\$ 947,507</u>	<u>\$ 301,882</u>
<u>LIABILITIES &amp; FUND BALANCES</u>		
LIABILITIES:		
Accounts Payable	\$ -	\$ -
Due To Other Funds	558,010	558,010
Retainage Payable	-	-
	<u>558,010</u>	<u>558,010</u>
Total Liabilities	<u>558,010</u>	<u>558,010</u>
FUND BALANCES:		
Fund Balance	(256,128)	(368,784)
Excess Revenues Over Expenditures	<u>645,625</u>	<u>112,656</u>
Total Fund Balances	<u>389,497</u>	<u>(256,128)</u>
Total Liabilities And Fund Balances	<u>\$ 947,507</u>	<u>\$ 301,882</u>

City of Mansfield, Texas

Comparative Combined Statement of Activities - TIRZ Number Two Fund  
For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE
<b>REVENUES:</b>				
Taxes, Penalties, And Interest	\$ -	\$ -	\$ 645,625	\$ 430,151
Interest Income	-	-	-	-
Total Revenues	-	-	645,625	430,151
<b>EXPENDITURES:</b>				
General Government	-	-	-	317,495
Debt Service -	-	-	-	-
Principal Retirement	-	-	-	-
Interest	-	-	-	-
Lease Payments	-	-	-	-
Bond Issuance Cost	-	-	-	-
Fiscal Charges	-	-	-	-
Total Expenditures	-	-	-	317,495
Excess Of Revenues Over (Under) Expenditures	-	-	645,625	112,656
<b>OTHER FINANCING SOURCES (USES)</b>				
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	-	-	645,625	112,656
FUND BALANCE, BEGINNING	389,497	(256,128)	(256,128)	(368,784)
FUND BALANCE, ENDING	\$ 389,497	\$ (256,128)	\$ 389,497	\$ (256,128)

City of Mansfield, Texas

Commitments or Performance Agreements  
to be Paid from TIRZ Revenue (if produced):

August 31, 2020 (unaudited)

	TIRZ #1	TIRZ #2	
Southpointe Phase I - \$5,000,000	\$5,000,000		
Southpointe Phase II - \$14,500,000	\$9,331,250		
HEB - \$1,964,800 + 400,000	\$2,364,800		
Stillwater - \$1,934,540	\$1,934,540		
Sowell - \$1,541,115	\$1,149,558		
Kroger - \$1,421,696	\$769,745		
Land		\$962,133	*
Lofts - \$1,229,396		\$1,229,396	
Restaurant Tacos & Avocados		\$558,010	**
	<b>\$20,549,893</b>	<b>\$2,749,539</b>	

\* Series of land transactions paid for by General Fund

\*\* Paid for by General Fund – Forgivable loan

City of Mansfield, Texas

Comparative Statement of Net Position - Tree Mitigation Fund  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>ASSETS</u>		
Cash And Investments	\$ 27,709	\$ 27,416
Inventory	-	-
Total Assets	<u>\$ 27,709</u>	<u>\$ 27,416</u>
<u>LIABILITIES &amp; FUND BALANCES</u>		
<u>LIABILITIES:</u>		
Accounts Payable	\$ -	\$ -
Accrued Liabilities	-	-
Total Liabilities	<u>-</u>	<u>-</u>
<u>FUND BALANCES:</u>		
Fund Balance	27,461	26,891
Excess Revenues Over Expenditures	248	525
Total Fund Balances	<u>27,709</u>	<u>27,416</u>
Total Liabilities And Fund Balances	<u>\$ 27,709</u>	<u>\$ 27,416</u>

City of Mansfield, Texas

Comparative Combined Statement of Activities -

Tree Mitigation Fund - For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE
<u>REVENUES:</u>				
Tree Mitigation Fee	\$ -	\$ -	\$ -	\$ -
Interest Income	2	51	248	525
Total Revenues	2	51	248	525
<u>EXPENDITURES:</u>				
Administrative Services	-	-	-	-
Contractual Services	-	-	-	-
Other Equipment	-	-	-	-
Total Expenditures	-	-	-	-
Excess Of Revenues Over (Under) Expenditures	2	51	248	525
<u>OTHER FINANCING SOURCES (USES)</u>				
Refunding Bonds Issued	-	-	-	-
Premium on Bonds Issued	-	-	-	-
Discounts on Bonds Issued	-	-	-	-
Payment to Refunded Bond Escrow Agent	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-
Net Change in Fund Balances	2	51	248	525
FUND BALANCE, BEGINNING	27,707	27,365	27,461	26,891
FUND BALANCE, ENDING	\$ 27,709	\$ 27,416	\$ 27,709	\$ 27,416

City of Mansfield, Texas

Comparative Statement of Net Position - Hotel/Motel Occupancy Tax Fund  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>ASSETS</u>		
Cash And Investments	\$ 1,007,306	\$ 893,171
Accounts Receivable	2,577	1,322
	<u>1,009,883</u>	<u>894,493</u>
Total Assets	<u>\$ 1,009,883</u>	<u>\$ 894,493</u>
 <u>LIABILITIES &amp; FUND BALANCES</u>		
<u>LIABILITIES:</u>		
Accrued Liabilities	\$ 11,365	\$ 10,249
	<u>11,365</u>	<u>10,249</u>
Total Liabilities	<u>11,365</u>	<u>10,249</u>
 <u>FUND BALANCES:</u>		
Fund Balance	992,477	955,484
Excess Revenues Over Expenditures	6,041	(71,240)
	<u>998,518</u>	<u>884,244</u>
Total Fund Balances	<u>998,518</u>	<u>884,244</u>
 Total Liabilities And Fund Balances	 <u>\$ 1,009,883</u>	 <u>\$ 894,493</u>

## City of Mansfield, Texas

Comparative Combined Statement of Activities - Hotel/Motel Occupancy Tax Fund  
For the Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE	FY20 ORIGINAL BUDGET	FY20 OVER (UNDER) BUDGET	FY19 PERCENT COLLECTED TO BUDGET
<b>REVENUES:</b>							
Hotel Occupancy Tax	\$ 24,732	\$ 26,105	\$ 412,002	\$ 537,540	\$ 791,563	\$ (379,561)	52.05%
Miscellaneous Income	1,481	1,340	28,168	22,578	-	28,168	0.00%
<b>Total Revenues</b>	<b>26,213</b>	<b>27,445</b>	<b>440,170</b>	<b>560,118</b>	<b>791,563</b>	<b>(351,393)</b>	<b>55.61%</b>
<b>EXPENDITURES:</b>							
Mansfield Historical Society	-	5,766	-	16,444	-	-	0.00%
Mansfield Invitational	-	-	40,000	30,000	55,000	(15,000)	72.73%
The LOT	-	-	10,721	81,913	75,000	(64,279)	14.29%
Mansfield Rotary Club	-	-	-	-	-	-	0.00%
Farr Best Theater	88	106	586	610	-	586	0.00%
Discover Historic Mansfield	-	-	-	-	-	-	0.00%
Mansfield Tourism	24,469	51,266	285,683	406,548	390,000	(104,317)	73.25%
Pickled Mansfield Society	-	-	34,502	11,000	36,000	(1,498)	95.84%
Mansfield Comm Theater - Mainstage	-	-	-	-	-	-	0.00%
Mansfield Police Dept. - Electronic Signage	-	-	-	-	-	-	0.00%
Mansfield Police Dept. - Explorer Competition	-	-	-	-	10,000	(10,000)	0.00%
Mansfield Commission for the Arts	-	27,830	7,194	38,750	40,000	(32,806)	17.99%
Historic Landmark Commission	-	4,499	4,395	4,499	10,000	(5,605)	43.95%
Applause Concert Series	-	-	-	-	-	-	0.00%
Desert Love Film Festival	-	-	-	30,489	-	-	0.00%
Man House Museum	1,117	-	15,103	-	50,000	(34,897)	30.21%
Tommy King Foundation	-	-	28,465	-	30,000	(1,535)	94.88%
Sister Cities Celebration	-	-	-	-	10,000	(10,000)	0.00%
Friends of the Library	-	-	-	-	5,000	(5,000)	0.00%
Wayfinding Program	-	-	7,480	11,105	-	7,480	0.00%
Reserve	-	-	-	-	80,563	(80,563)	0.00%
<b>Total Expenditures</b>	<b>25,674</b>	<b>89,467</b>	<b>434,129</b>	<b>631,358</b>	<b>791,563</b>	<b>(357,434)</b>	<b>54.84%</b>
Excess Of Revenues Over (Under) Expenditures	539	(62,022)	6,041	(71,240)			
<b>FUND BALANCE, BEGINNING</b>	<b>997,979</b>	<b>946,266</b>	<b>992,477</b>	<b>955,484</b>			
<b>FUND BALANCE, ENDING</b>	<b>\$ 998,518</b>	<b>\$ 884,244</b>	<b>\$ 998,518</b>	<b>\$ 884,244</b>			

City of Mansfield, Texas

Comparative Budget and Cash Analysis - Hotel/Motel Occupancy Tax Fund  
For the Eleven Months Ended August 31, 2019 (Unaudited)

	Budgeted Request	FY20 Amount To Date	Available Budget	FY20 PERCENT COLLECTED TO BUDGET
<b>REVENUES:</b>				
Hotel Occupancy Tax	\$ 791,563	\$ 412,002	\$ 379,561	52.05%
Rental of Facilities	-	18,087	(18,087)	0.00%
Interest Income	-	10,081	(10,081)	-
<b>Total Revenues</b>	<b>791,563</b>	<b>440,170</b>	<b>351,393</b>	<b>55.61%</b>
<b>EXPENDITURES:</b>				
Mansfield Historical Society	-	-	-	0.00%
Mansfield Invitational	55,000	40,000	15,000	72.73%
The LOT	75,000	10,721	64,279	14.29%
Discover Historic Mansfield - Farr Best Concerts	-	586	(586)	0.00%
Mansfield Tourism	390,000	285,683	104,317	73.25%
Pickled Mansfield Society	36,000	34,502	1,498	95.84%
Mansfield Police Dept.	10,000	-	10,000	0.00%
Mansfield Commission for the Arts	40,000	7,194	32,806	17.99%
Historic Landmark Commission	10,000	4,395	5,605	43.95%
Desert Love Film Festival	-	-	-	0.00%
Man House Museum	50,000	15,103	34,897	30.21%
Tommy King Foundation	30,000	28,465	1,535	94.88%
Sister Cities Celebration	10,000	-	10,000	0.00%
Wayfinding Program	-	7,480	(7,480)	0.00%
Friends of the Library	5,000	-	5,000	0.00%
Reserve	80,563	-	80,563	0.00%
<b>Total Expenditures</b>	<b>791,563</b>	<b>434,129</b>	<b>357,434</b>	<b>54.84%</b>
Revenues / (Expenditures)	-	6,041	(6,041)	

SUPPLEMENTAL INFORMATION: CASH ANALYSIS

Beginning Cash Balance for Fiscal Year 2020	1,001,265
Plus: FY2020 Cash Collections	440,170
Less: FY2020 Cash Expenditures	(434,129)
<b>Cash Balance as of August 31, 2020</b>	<b>1,007,306</b>
Remaining Hotel/Motel Occupancy Funds to Collect	379,561
Remaining Hotel/Motel Occupancy Funds to Expend	(357,434)
<b>Projected Cash Balance at September 30, 2020</b>	<b>1,029,433</b>

City of Mansfield, Texas

Comparative Statement of Net Position - Mansfield Parks Facilities Development Corporation  
August 31, 2020 and 2019 (Unaudited)

<u>ASSETS:</u>	2020	2019
Cash And Investments	\$ 3,813,645	\$ 3,901,347
Restricted Cash and Investments	4,579,121	2,973,737
Receivables:		
Accounts	798,832	790,050
Prepays	-	-
Total Assets	<u>\$ 9,191,598</u>	<u>\$ 7,665,134</u>
 <u>LIABILITIES &amp; FUND BALANCES:</u>		
 LIABILITIES:		
Accounts Payable	\$ 175,533	\$ 311,753
Retainage Payable	-	-
Other Liabilities	1,000,000	1,000,009
Deferred Revenue	1,720,609	1,842,928
Total Liabilities	<u>2,896,142</u>	<u>3,154,690</u>
 FUND BALANCES:		
Fund Balance	4,943,996	6,312,486
Excess Revenues Over (Under) Expenditures	1,351,460	(1,802,042)
Total Fund Balances	<u>6,295,456</u>	<u>4,510,444</u>
Total Liabilities And Fund Balances	<u>\$ 9,191,598</u>	<u>\$ 7,665,134</u>

## City of Mansfield, Texas

Comparative Combined Statement of Activities - Mansfield Parks Facilities Development Corporation  
- For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE	FY20 ADOPTED BUDGET	FY20 OVER (UNDER) BUDGET	FY20 PERCENT COLLECTED TO BUDGET
<b>REVENUES:</b>							
Sales Tax Revenue	\$ 286,754	\$ 264,769	\$ 3,359,728	\$ 2,851,375	\$ 3,326,031	\$ 33,697	101.01%
Contributions	8,194	4,410	50,738	70,002	68,026	(17,288)	74.59%
Interest Earnings	697	11,745	57,206	130,458	50,000	7,206	114.41%
Other Income	-	-	16,082	23,683	-	16,082	0.00%
MAC Revenue	25,980	47,958	372,670	572,611	603,000	(230,330)	61.80%
Lease Royalties	8,333	40,313	850,291	1,112,886	1,468,226	(617,935)	57.91%
Park Land Dedication Revenue	312,500	14,250	1,424,500	408,500	725,000	699,500	196.48%
<b>Total Revenues</b>	<b>642,458</b>	<b>383,445</b>	<b>6,131,215</b>	<b>5,169,515</b>	<b>6,240,283</b>	<b>(109,068)</b>	<b>98.25%</b>
<b>EXPENDITURES:</b>							
Administration	90,787	891,298	2,282,740	7,418,564	1,971,632	311,108	115.78%
Field Operations	61,780	62,926	562,144	568,972	726,518	(164,374)	77.38%
Community Park Operations	84,914	84,634	830,875	780,944	1,133,272	(302,397)	73.32%
Nature Education Operations	8,527	15,760	116,404	129,707	163,883	(47,479)	71.03%
Recreational Center	48,078	111,254	672,407	783,565	911,955	(239,548)	73.73%
Neighborhood Park Operations	15,423	12,581	130,822	78,664	243,699	(112,877)	53.68%
Athletic Complex	-	-	-	-	-	-	0.00%
Rose Park	-	-	-	-	-	-	0.00%
Oliver Nature Park	-	-	-	-	-	-	0.00%
McClendon Park	-	-	-	-	-	-	0.00%
Chandler Park	-	-	-	-	-	-	0.00%
Linear Park	-	-	-	-	-	-	0.00%
Hardy Allmon Park	-	-	-	-	-	-	0.00%
Neighborhood Parks	-	-	-	-	-	-	0.00%
Projects	-	-	-	-	-	-	0.00%
Quadrants	48,787	-	48,787	529,515	-	48,787	0.00%
Non-Departmental	11,024	6,976	135,576	214,514	1,533,424	(1,397,848)	8.84%
<b>Total Expenditures</b>	<b>369,320</b>	<b>1,185,429</b>	<b>4,779,755</b>	<b>10,504,445</b>	<b>6,684,383</b>	<b>(1,904,628)</b>	<b>71.51%</b>
<b>EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES</b>	<b>273,138</b>	<b>(801,984)</b>	<b>1,351,460</b>	<b>(5,334,930)</b>	<b>(444,100)</b>	<b>1,795,560</b>	<b>-304.31%</b>
<b>OTHER FINANCING SOURCES (USES):</b>							
Operating Transfers In	-	-	-	-	444,100	-	0.00%
Operating Transfers (Out)	-	-	-	(12,612)	-	-	0.00%
Cash Reserves	-	-	-	-	-	-	0.00%
Bond Proceeds	-	-	-	3,500,000	-	-	0.00%
Premium on Bonds issued	-	-	-	45,500	-	-	0.00%
Discounts on Bond issued	-	-	-	-	-	-	0.00%
<b>Total Other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,532,888</b>	<b>444,100</b>	<b>-</b>	<b>0.00%</b>
<b>EXCESS (DEFICIENCY) OF REVENUES AND OTHER FINANCING SOURCES OVER EXPENDITURES AND OTHER FINANCING USES</b>	<b>273,138</b>	<b>(801,984)</b>	<b>1,351,460</b>	<b>(1,802,042)</b>			
<b>FUND BALANCE, BEGINNING</b>	<b>6,022,318</b>	<b>5,312,428</b>	<b>4,943,996</b>	<b>6,312,486</b>			
<b>FUND BALANCE, ENDING</b>	<b>\$ 6,295,456</b>	<b>\$ 4,510,444</b>	<b>\$ 6,295,456</b>	<b>\$ 4,510,444</b>			

City of Mansfield, Texas

Comparative Statement of Net Position - Mansfield Economic Development Corporation  
August 31, 2020 and 2019 (Unaudited)

	2020	2019
<u>ASSETS</u>		
Cash And Investments	\$ 4,335,814	\$ 2,385,267
Accounts Receivable	551,078	530,806
Restricted Assets:		
Cash and Investments, Projects	5,603,787	3,502,629
Fixed Assets (net of accumulated depreciation)	10,360,447	11,093,178
Total Assets	<u>\$ 20,851,126</u>	<u>\$ 17,511,880</u>
<u>LIABILITIES AND NET ASSETS</u>		
LIABILITIES:		
Accounts Payable	\$ 1,625	\$ 2,249
Accrued Liabilities	77,313	67,546
Retainage Payable	41,106	292,302
Bonds Payable	23,430,000	25,170,000
Unamortized Discounts on Bonds	(165,474)	(178,868)
Unamortized Premiums	1,097,410	1,164,062
Defered Amount on Refunding	(120,383)	(148,163)
Contract Commitments	10,897,663 *	5,372,450
Total Liabilities	<u>35,259,260</u>	<u>31,741,578</u>
NET ASSETS:		
Restricted	5,603,787	3,502,629
Unassigned	(20,011,921)	(17,732,327)
Total Net Assets	<u>(14,408,134)</u>	<u>(14,229,698)</u>
Total Liabilities & Net Assets	<u>\$ 20,851,126</u>	<u>\$ 17,511,880</u>

\*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.

City of Mansfield, Texas

Mansfield Economic Development Corporation Statement of Activities  
For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE
<b>OPERATING REVENUES:</b>				
Sales Tax Revenue	\$ 550,596	\$ 530,006	\$ 6,264,904	\$ 5,759,363
Gas Royalties	-	-	-	-
Miscellaneous	-	-	-	919
Rental Of Facilities	-	-	-	-
<b>Total Operating Revenues</b>	<b>550,596</b>	<b>530,006</b>	<b>6,264,904</b>	<b>5,760,282</b>
<b>OPERATING EXPENDITURES:</b>				
Administration	43,333	50,915	512,920	503,091
Promotions	70	1,972	32,488	38,947
Retention	-	327	9,199	7,165
Development Plan	-	-	-	1,475
Projects	491,400	797,461	2,932,862	5,491,287
Non-Departmental	1,521	997	129,652	26,281
Depreciation	167	259	2,717	2,800
<b>Total Operating Expenditures</b>	<b>536,491</b>	<b>851,931</b>	<b>3,619,838</b>	<b>6,071,046</b>
<b>OPERATING INCOME</b>	<b>14,105</b>	<b>(321,925)</b>	<b>2,645,066</b>	<b>(310,764)</b>
<b>NONOPERATING REVENUES (EXPENSES):</b>				
Interest Revenue	510	8,229	40,033	90,180
Gain or (loss) on sale of property	-	-	-	(366,074)
Bonds issued	-	-	-	-
Premiums on bonds issued	-	-	-	-
Discounts on bonds issued	-	-	-	-
Amortization	-	-	-	-
Interest and fiscal charges	-	-	(913,800)	(1,055,049)
<b>Total Nonoperating Revenue</b>	<b>510</b>	<b>8,229</b>	<b>(873,767)</b>	<b>(1,330,943)</b>
<b>INCOME BEFORE OPERATING TRANSFERS</b>	<b>14,615</b>	<b>(313,696)</b>	<b>1,771,299</b>	<b>(1,641,707)</b>
<b>OPERATING TRANSFERS:</b>				
Operating Transfers In (Out)	-	-	(25,223)	(23,750)
<b>CHANGE IN NET ASSETS</b>	<b>14,615</b>	<b>(313,696)</b>	<b>1,746,076</b>	<b>(1,665,457)</b>
NET ASSETS, BEGINNING	(14,422,749)	(13,916,002)	(5,256,548)	(7,191,792)
NET ASSETS, PROJECTS	-	-	(10,897,662)	(5,372,449)
<b>NET ASSETS, ENDING</b>	<b>\$ (14,408,134)</b>	<b>\$ (14,229,698)</b>	<b>\$ (14,408,134)</b>	<b>\$ (14,229,698)</b>

\*\*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.

City of Mansfield, Texas

Comparative Statement of Net Position - Southpointe PID  
August 31, 2020 and 2019 (Unaudited)

	2020	2019
<u>ASSETS</u>		
Cash And Investments	\$ 5,294	\$ 1,325
Receivables:		
Current Year PID Assessment	1,818	564
Total Assets	<u>\$ 7,112</u>	<u>\$ 1,889</u>
<u>LIABILITIES &amp; FUND BALANCES</u>		
LIABILITIES:		
Accounts Payable	\$ -	\$ -
Deferred Revenue	1,818	564
Total Liabilities	<u>1,818</u>	<u>564</u>
FUND BALANCES:		
Fund Balance	2,036	12,700
Excess Revenues Over Expenditures	3,258	(11,375)
Total Fund Balances	<u>5,294</u>	<u>1,325</u>
Total Liabilities And Fund Balances	<u>\$ 7,112</u>	<u>\$ 1,889</u>

City of Mansfield, Texas

Comparative Combined Statement of Activities - Southpointe PID

For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE
<u>REVENUES:</u>				
PID Assessment	\$ 5,294	\$ 85	\$ 276,600	\$ 82,436
Penalties & Interest	-	12	915	180
Total Revenues	5,294	97	277,515	82,616
<u>EXPENDITURES:</u>				
General government	30,019	66,003	274,257	93,991
Public safety	-	-	-	-
Public works	-	-	-	-
Culture and recreation	-	-	-	-
Total Expenditures	30,019	66,003	274,257	93,991
Excess Of Revenues Over (Under) Expenditures	(24,725)	(65,906)	3,258	(11,375)
Net Change in Fund Balances	(24,725)	(65,906)	3,258	(11,375)
FUND BALANCE, BEGINNING	30,019	67,231	2,036	12,700
FUND BALANCE, ENDING	\$ 5,294	\$ 1,325	\$ 5,294	\$ 1,325

## 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.

City of Mansfield, Texas

Comparative Statement of Net Position - General Obligation Debt Service  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>ASSETS</u>		
Cash And Investments	\$ 3,930,001	\$ 1,669,792
Receivables:		
Current Year Taxes	201,043	140,482
Delinquent Taxes (Net of Allowance of \$1,008,141)	-	-
Total Assets	<u>\$ 4,131,044</u>	<u>\$ 1,810,274</u>
 <u>LIABILITIES &amp; FUND BALANCES</u>		
<u>LIABILITIES:</u>		
Accounts Payable	\$ -	\$ -
Deferred Revenue	201,043	140,482
Total Liabilities	<u>201,043</u>	<u>140,482</u>
 <u>FUND BALANCES:</u>		
Fund Balance	1,697,691	1,288,463
Excess Revenues Over Expenditures	2,232,310	381,329
Total Fund Balances	<u>3,930,001</u>	<u>1,669,792</u>
Total Liabilities And Fund Balances	<u>\$ 4,131,044</u>	<u>\$ 1,810,274</u>

## City of Mansfield, Texas

Comparative Combined Statement of Activities - General Obligation Debt Service  
- For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE	FY20 ORIGINAL BUDGET	FY19 OVER (UNDER) BUDGET	FY19 PERCENT COLLECTED TO BUDGET
<b>REVENUES:</b>							
Taxes, Penalties, And Interest	\$ 12,030	\$ 20,095	\$ 17,951,400	\$ 15,498,738	\$ 15,416,960	\$ 2,534,440	116.44%
Miscellaneous	-	\$ -	-	\$ 14,967	-	-	0.00%
Interest Income	39	941	4,621	9,921	-	4,621	0.00%
<b>Total Revenues</b>	<b>12,069</b>	<b>21,036</b>	<b>17,956,021</b>	<b>15,523,626</b>	<b>15,416,960</b>	<b>2,539,061</b>	<b>116.47%</b>
<b>EXPENDITURES:</b>							
Debt Service -							
Principal Retirement	-	-	9,925,000	9,540,000	9,970,000	(45,000)	99.55%
Interest	2,962,976	2,856,358	5,771,627	5,579,980	5,446,960	324,667	105.96%
Lease Payments	-	-	-	-	-	-	0.00%
Bond Issuance Cost	-	-	-	9,500	-	-	0.00%
Fiscal Charges	-	750	27,084	12,817	-	27,084	0.00%
<b>Total Expenditures</b>	<b>2,962,976</b>	<b>2,857,108</b>	<b>15,723,711</b>	<b>15,142,297</b>	<b>15,416,960</b>	<b>306,751</b>	<b>101.99%</b>
Excess Of Revenues Over (Under) Expenditures	(2,950,907)	(2,836,072)	2,232,310	381,329			
<b>OTHER FINANCING SOURCES (USES)</b>							
Refunding Bonds Issued	-	-	-	-			
Premium on Bonds Issued	-	-	-	-			
Discounts on Bonds Issued	-	-	-	-			
Payment to Refunded Bond Escrow Agent	-	-	-	-			
<b>Total Other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>			
<b>Net Change in Fund Balances</b>	<b>(2,950,907)</b>	<b>(2,836,072)</b>	<b>2,232,310</b>	<b>381,329</b>			
<b>FUND BALANCE, BEGINNING</b>	<b>6,880,908</b>	<b>4,505,864</b>	<b>1,697,691</b>	<b>1,288,463</b>			
<b>FUND BALANCE, ENDING</b>	<b>\$ 3,930,001</b>	<b>\$ 1,669,792</b>	<b>\$ 3,930,001</b>	<b>\$ 1,669,792</b>			

City of Mansfield, Texas

Comparative Statement of Net Position - Mansfield Parks Facilities Development Corporation Debt Service -  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>ASSETS</u>		
Cash And Investments	\$ 252,142	\$ 258,464
Total Assets	<u>\$ 252,142</u>	<u>\$ 258,464</u>
 <u>LIABILITIES AND FUND BALANCES</u>		
<u>LIABILITIES:</u>		
Accrued Interest Payable	\$ 4,650	\$ 4,650
Total Liabilities	<u>4,650</u>	<u>4,650</u>
<u>FUND BALANCES:</u>		
Fund Balance	517,136	522,547
Excess Revenues Over (Under) Expenditures	<u>(269,644)</u>	<u>(268,733)</u>
Total Fund Balances	<u>247,492</u>	<u>253,814</u>
Total Liabilities And Fund Balances	<u>\$ 252,142</u>	<u>\$ 258,464</u>

City of Mansfield, Texas

Comparative Combined Statement of Activities - Mansfield Parks Facilities Development Corporation  
- For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE	FY20 ADOPTED BUDGET	FY20 OVER (UNDER) BUDGET	FY20 PERCENT COLLECTED TO BUDGET
<b>REVENUES:</b>							
Taxes, Penalties, And Interest	\$ 263,322	\$ 263,322	\$ 2,896,539	\$ 2,891,984	\$ 3,159,861	\$ (263,322)	91.67%
Other Income	-	-	-	-	-	-	0.00%
Total Revenues	263,322	263,322	2,896,539	2,891,984	3,159,861	(263,322)	91.67%
<b>EXPENDITURES:</b>							
Debt Service							
Principal Retirement	-	-	1,815,000	1,670,000	1,815,000	-	100.00%
Interest And Fiscal Charges	-	-	1,347,683	1,490,717	1,344,861	2,822	100.21%
Non-departmental	-	-	3,500	-	-	3,500	0.00%
Total Expenditures	-	-	3,166,183	3,160,717	3,159,861	6,322	100.20%
Excess Of Revenues Over (Under) Expenditures	263,322	263,322	(269,644)	(268,733)			
<b>OTHER FINANCING SOURCES (USES):</b>							
Bond Proceeds	-	-	-	-			
Total Other Financing Sources (Uses)	-	-	-	-			
FUND BALANCE, BEGINNING	(15,830)	(9,508)	517,136	522,547			
FUND BALANCE, ENDING	\$ 247,492	\$ 253,814	\$ 247,492	\$ 253,814			

## 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.

City of Mansfield, Texas

Comparative Statement of Net Position - Street & Infrastructure Construction Fund  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>ASSETS</u>		
Cash And Investments	\$ 23,836,810	\$ 28,094,235
Receivables	-	-
Projects In Process		
Current Year	7,954,469	7,196,957
Prior Year	9,246,790	16,576,708
Total Assets	<u>\$ 41,038,069</u>	<u>\$ 51,867,900</u>
<u>LIABILITIES AND FUND BALANCES</u>		
<u>LIABILITIES:</u>		
Accounts Payable	\$ 146,981	\$ 147,081
Deposits	156,150	1,349
Retainage Payable	254,645	281,554
Other Liabilities	-	-
Total Liabilities	<u>557,776</u>	<u>429,984</u>
<u>FUND BALANCES:</u>		
Fund Balance	33,469,149	41,092,314
Excess Revenues Over (Under)		
Expenditures	7,011,144	10,345,602
Total Fund Balance	<u>40,480,293</u>	<u>51,437,916</u>
Total Liabilities And Fund Balance	<u>\$ 41,038,069</u>	<u>\$ 51,867,900</u>

City of Mansfield, Texas

Comparative Combined Statement of Activities -  
Street Construction Fund - For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE
<b>REVENUES:</b>				
Recoveries	\$ -	\$ -	\$ 6,529	\$ 7,818
Contributions	-	-	-	521,968
Intergovernmental	-	-	-	598,840
Roadway Impact Fees	913,304	162,329	3,100,049	1,949,919
Interest Income	1,457	24,151	116,969	270,919
<b>Total Revenues</b>	<b>914,761</b>	<b>186,480</b>	<b>3,223,547</b>	<b>3,349,464</b>
<b>EXPENDITURES:</b>				
Administrative	43,391	54,446	531,658	491,862
Street Improvements	-	-	-	-
<b>Total Expenditures</b>	<b>43,391</b>	<b>54,446</b>	<b>531,658</b>	<b>491,862</b>
<b>EXCESS OF REVENUES OVER(UNDER) EXPENDITURES</b>	<b>871,370</b>	<b>132,034</b>	<b>2,691,889</b>	<b>2,857,602</b>
<b>OTHER FINANCING SOURCES (USES):</b>				
Transfers	-	-	-	-
Bond Proceeds	-	-	4,122,848	7,488,000
Bond Issuance Costs	-	-	(36,909)	(97,344)
Premiums on Bond Issuance	-	-	233,316	97,344
Discounts on Bond Issuance	-	-	-	-
<b>Total Other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>	<b>4,319,255</b>	<b>7,488,000</b>
<b>EXCESS (DEFICIENCY) OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER USES</b>	<b>871,370</b>	<b>132,034</b>	<b>7,011,144</b>	<b>10,345,602</b>
<b>FUND BALANCE, BEGINNING</b>	<b>39,608,923</b>	<b>51,305,882</b>	<b>33,469,149</b>	<b>41,092,314</b>
<b>FUND BALANCE, ENDING</b>	<b>\$ 40,480,293</b>	<b>\$ 51,437,916</b>	<b>\$ 40,480,293</b>	<b>\$ 51,437,916</b>

City of Mansfield, Texas

Comparative Statement of Net Position - Building Construction Fund  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>ASSETS</u>		
Cash And Investments	\$ 11,891,026	\$ 3,974,535
Construction in Progress	-	-
Total Assets	<u>\$ 11,891,026</u>	<u>\$ 3,974,535</u>
 <u>LIABILITIES AND FUND BALANCE</u>		
LIABILITIES:		
Accounts Payable	\$ 223	\$ -
Due to Other Funds	-	21,241
Retainage Payable	<u>90,770</u>	<u>241,811</u>
Total Liabilities	<u>90,993</u>	<u>263,052</u>
FUND BALANCE:	3,667,343	1,982,110
Excess Revenues Over (Under)		
Expenditures	<u>8,132,690</u>	<u>1,729,373</u>
Total Fund Balance	<u>11,800,033</u>	<u>3,711,483</u>
Total Liabilities And Fund Balance	<u>\$ 11,891,026</u>	<u>\$ 3,974,535</u>

## City of Mansfield, Texas

## Comparative Combined Statement of Activities -

## Building Construction Fund - For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE
<b>REVENUES:</b>				
Interest Income	\$ 126	\$ 3,205	\$ 15,764	\$ 33,565
Rental Of Facilities	-	-	-	-
Contributions	-	-	-	-
Miscellaneous Income	-	-	-	-
Grant Revenue	-	-	-	-
<b>Total Revenues</b>	<b>126</b>	<b>3,205</b>	<b>15,764</b>	<b>33,565</b>
<b>EXPENDITURES:</b>				
Administration	-	-	-	-
Library	-	-	-	-
Fieldhouse	-	-	-	-
Stars Center	-	-	-	190,118
Fire Station #5	254,241	-	1,646,034	853,889
Park Land	-	-	-	3,500,000
Man House	141,437	-	498,552	12,060
Wayfinding	3,375	3,375	3,375	10,125
Tactical Training Facility	2,588	-	2,588	-
<b>Total Expenditures</b>	<b>401,641</b>	<b>3,375</b>	<b>2,150,549</b>	<b>4,566,192</b>
Excess Revenues Over (Under) Expenditures	(401,515)	(170)	(2,134,785)	(4,532,627)
<b>OTHER FINANCING SOURCES (USES):</b>				
Bond Proceeds	-	-	9,800,588	6,262,000
Bond Issuance Costs	-	-	(87,739)	(81,406)
Premiums on Bond Issuance	-	-	554,626	81,406
Discounts on Bond Issuance	-	-	-	-
Operating Transfer In (Out)	-	-	-	-
<b>Total Other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>	<b>10,267,475</b>	<b>6,262,000</b>
<b>EXCESS (DEFICIENCY) OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>	<b>(401,515)</b>	<b>(170)</b>	<b>8,132,690</b>	<b>1,729,373</b>
FUND BALANCE, BEGINNING	12,201,548	3,711,653	3,667,343	1,982,110
FUND BALANCE, ENDING	\$ 11,800,033	\$ 3,711,483	\$ 11,800,033	\$ 3,711,483

City of Mansfield, Texas

Comparative Statement of Net Position - Equipment Replacement Fund  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>ASSETS</u>		
Cash And Investments	\$ 4,348,506	\$ 145,978
Total Assets	<u>\$ 4,348,506</u>	<u>\$ 145,978</u>
 <u>LIABILITIES AND FUND BALANCES</u>		
LIABILITIES:		
Accounts Payable	\$ -	\$ 2,180
Retainage Payable	<u>-</u>	<u>-</u>
Total Liabilities	<u>\$ -</u>	<u>\$ 2,180</u>
 FUND BALANCE:	 1,451,406	 1,177,770
Excess Revenues Over Expenditures	<u>2,897,100</u>	<u>(1,033,972)</u>
Total Fund Balance	<u>4,348,506</u>	<u>143,798</u>
 Total Liabilities And Fund Balance	 <u>\$ 4,348,506</u>	 <u>\$ 145,978</u>

City of Mansfield, Texas

Comparative Combined Statement of Activities -  
Equipment Replacement Fund - For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE
<b>REVENUES:</b>				
Contributions	\$ -	\$ -	\$ -	\$ -
Grants	-	-	-	-
Other Income	982	2,729	188,575	32,279
Interest Income	1	-	42	92
<b>Total Revenues</b>	<u>983</u>	<u>2,729</u>	<u>188,617</u>	<u>32,371</u>
<b>EXPENDITURES:</b>				
Administration	-	-	60,258	-
Information Services	-	-	43,131	38,736
Code Enforcement	-	-	413,835	23,825
Planning	-	-	205,992	16,283
Streets	-	106,479	227,133	142,395
Animal Control	-	-	-	-
City Hall	-	-	-	-
Parks Department	-	-	-	-
Library	-	-	-	-
Fire	-	35,340	107,407	551,385
Police Department	7,225	234,937	306,386	293,719
<b>Total Expenditures</b>	<u>7,225</u>	<u>376,756</u>	<u>1,364,142</u>	<u>1,066,343</u>
<b>EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES</b>	<u>(6,242)</u>	<u>(374,027)</u>	<u>(1,175,525)</u>	<u>(1,033,972)</u>
<b>OTHER FINANCING SOURCES (USES):</b>				
Bond Proceeds	-	-	3,864,453	-
Bond Issuance Costs	-	-	(34,596)	-
Premium on Bond Issuance	-	-	218,693	-
Discounts on Bond Issuance	-	-	-	-
Sale of city property	18,431	-	24,075	-
Transfer In (Out)	-	-	-	-
<b>Total Other Financing Sources (Uses)</b>	<u>18,431</u>	<u>-</u>	<u>4,072,625</u>	<u>-</u>
<b>EXCESS (DEFICIENCY) OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>	12,189	(374,027)	2,897,100	(1,033,972)
<b>FUND BALANCE, BEGINNING</b>	<u>4,336,317</u>	<u>517,825</u>	<u>1,451,406</u>	<u>1,177,770</u>
<b>FUND BALANCE, ENDING</b>	<u>\$ 4,348,506</u>	<u>\$ 143,798</u>	<u>\$ 4,348,506</u>	<u>\$ 143,798</u>

City of Mansfield, Texas

Comparative Statement of Net Position - Parks Construction Fund  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>ASSETS</u>		
Cash And Investments	\$ -	\$ 228,679
Total Assets	<u>\$ -</u>	<u>\$ 228,679</u>
 <u>LIABILITIES AND FUND BALANCE</u>		
LIABILITIES:		
Accounts Payable	\$ 908,210	\$ 489
Retainage Payable	-	8,728
Total Liabilities	<u>908,210</u>	<u>9,217</u>
FUND BALANCE:	(81,574)	1,078,095
Excess Revenues Over Expenditures	<u>(826,636)</u>	<u>(858,633)</u>
Total Fund Balance	<u>(908,210)</u>	<u>219,462</u>
Total Liabilities And Fund Balance	<u>\$ (0)</u>	<u>\$ 228,679</u>

City of Mansfield, Texas

Comparative Combined Statement of Activities -

Parks Construction Fund - For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE
REVENUES:				
Contributions	\$ -	\$ -	\$ -	\$ -
Recoveries	-	-	-	-
Interest Income	-	-	-	-
<b>Total Revenues</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
EXPENDITURES:				
Parks Administration Building	-	-	-	-
Dog Park	606	87,774	826,636	835,106
FieldHouse	-	-	-	9,415
Matlock Community Park	-	-	-	14,112
Pond Branch	-	-	-	-
<b>Total Expenditures</b>	<b>606</b>	<b>87,774</b>	<b>826,636</b>	<b>858,633</b>
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES	<u>(606)</u>	<u>(87,774)</u>	<u>(826,636)</u>	<u>(858,633)</u>
OTHER FINANCING SOURCES (USES):				
Bond Proceeds	-	-	-	-
Bond Issuance Costs	-	-	-	-
Premiums on Bond Issuance	-	-	-	-
Discounts on Bond Issuance	-	-	-	-
Transfer In (out)	-	-	-	-
<b>Total Other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
EXCESS (DEFICIENCY) OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES	<u>(606)</u>	<u>(87,774)</u>	<u>(826,636)</u>	<u>(858,633)</u>
FUND BALANCE, BEGINNING	<u>(907,604)</u>	<u>307,236</u>	<u>(81,574)</u>	<u>1,078,095</u>
FUND BALANCE, ENDING	<u>\$ (908,210)</u>	<u>\$ 219,462</u>	<u>\$ (908,210)</u>	<u>\$ 219,462</u>

## 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 Law Enforcement Complex Fund – The purpose of this fund is to account for the user fees and charges in association with the housing of inmates for other agencies.

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.

City of Mansfield, Texas

Statement of Net Position - Utility Fund  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>ASSETS</u>		
Cash And Investments	\$ 22,682,265	\$ 28,281,555
Receivables:		
Accounts (net of allowance of \$1,187,597)	6,440,545	5,600,658
Inventory	1,107,483	1,055,698
Restricted Assets:		
Cash and Investments	17,322,216	11,290,337
Fixed Assets (net of accumulated depreciation)	<u>197,117,403</u>	<u>184,326,511</u>
 Total Assets	 <u>244,669,912</u>	 <u>230,554,759</u>
<u>DEFERRED OUTFLOWS OF RESOURCES</u>		
Deferred pension contributions	364,615	373,941
Deferred OPEB contributions	4,297	241,380
Deferred investment losses	689,351	336,519
Deferred actuarial experience	1,011,900	194,291
Deferred assumption changes	5,863	6,864
Deferred loss on refunding	<u>2,638,327</u>	<u>2,842,512</u>
Total deferred outflows of resources	<u>4,714,353</u>	<u>3,995,507</u>
 Total Assets and Deferred Outflows of Resources	 <u>\$ 249,384,265</u>	 <u>\$ 234,550,266</u>

City of Mansfield, Texas

Statement of Net Position - Utility Fund  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>LIABILITIES</u>		
Accounts Payable	\$ 14,484	\$ 21,105
Accrued Liabilities	325,677	182,754
Payable From Restricted Assets:		
Deposits	1,632,972	1,547,158
Bonds Payable-Current		
Accrued Interest	645,608	655,521
Accounts Payable	-	-
Accrued Liabilities	-	-
Retainage Payable	562,216	85,226
From Unrestricted Assets:		
Current	3,461,961	3,875,000
Long-Term, Net	31,328,084	34,377,005
Compensated Absences	433,582	503,414
Net OPEB liability	4,298,243	3,789,019
Total OPEB liability	106,471	
Net pension liability	2,929,016	1,551,133
	<u>45,738,314</u>	<u>46,587,335</u>
<u>DEFERRED INFLOWS OF RESOURCES</u>		
Deferred assumption changes	111,429	147,486
Deferred investment gains	(0)	622,246
Total deferred inflows of resources	<u>111,429</u>	<u>769,732</u>
<u>NET POSTION</u>		
Invested In Capital Assets (net of related debt)	161,785,685	148,917,013
Reserved for Debt Service	3,928,453	3,390,901
Reserved for Capital Projects	13,393,763	7,899,436
Unreserved	24,426,621	26,985,849
	<u>203,534,522</u>	<u>187,193,199</u>
Total Net Positon		
	<u>203,534,522</u>	<u>187,193,199</u>
Total Liabilities, Deferred Inflows of Resources, and Net Position	<u>\$ 249,384,265</u>	<u>\$ 234,550,266</u>

## City of Mansfield

Comparative Combined Statement of Activities -  
Utility Fund - For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE	FY20 ADOPTED BUDGET	FY20 OVER (UNDER) BUDGET	PERCENT COLLECTED TO BUDGET
OPERATING REVENUES:							
Water Service	\$ 2,607,468	\$ 2,138,846	\$ 20,363,713	\$ 16,923,535	\$ 20,587,894	\$ (224,181)	98.91%
Sewer Service	1,374,988	1,231,259	12,402,569	11,083,852	12,571,745	(169,176)	98.65%
Water Penalties	-	31,907	282,080	483,793	510,000	(227,920)	55.31%
Water Taps	-	3,180	6,440	11,130	18,811	(12,371)	34.24%
Meter Set Fee	32,510	24,170	246,730	160,700	98,940	147,790	249.37%
Utility Miscellaneous	10,895	12,177	174,812	124,206	60,000	114,812	291.35%
Restore Service Fee	428	7,298	62,822	113,079	125,021	(62,199)	50.25%
Sewer Tap	-	-	1,270	2,620	1,500	(230)	84.67%
Water Impact Fees	544,700	176,800	2,790,990	1,591,460	700,000	2,090,990	398.71%
Sewer Impact Fees	268,953	124,648	1,620,641	1,015,845	400,000	1,220,641	405.16%
Pretreatment Fees	-	27,808	102,499	205,834	60,000	42,499	170.83%
Other Income	14,016	30,846	681,292	501,204	174,813	506,479	389.73%
Contribution	-	-	-	-	-	-	0.00%
Total Revenues	\$ 4,853,958	\$ 3,808,939	\$ 38,735,858	\$ 32,217,258	\$ 35,308,724	\$ 3,427,134	109.71%

## City of Mansfield

Comparative Combined Statement of Activities -  
Utility Fund - For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE	FY20 ADOPTED BUDGET	FY20 OVER (UNDER) BUDGET	PERCENT COLLECTED TO BUDGET
OPERATING EXPENSES:							
Administration	246,425	171,743	1,551,235	1,068,681	1,383,240	167,995	112.15%
Billing And Collection	66,678	99,921	829,751	777,608	930,860	(101,109)	89.14%
Meter Reading/Repairs	81,122	86,736	887,253	815,185	1,074,928	(187,675)	82.54%
Water Distribution	61,326	76,949	645,442	740,773	1,100,799	(455,357)	58.63%
Wastewater Collection	667,907	685,968	7,611,032	7,592,935	8,296,658	(685,626)	91.74%
Water Treatment	712,884	944,798	8,033,922	7,997,411	9,646,254	(1,612,332)	83.29%
Water Quality	71,977	60,364	511,653	444,629	511,136	517	100.10%
Water Demand Management	9,009	13,239	125,166	130,029	150,836	(25,670)	82.98%
Depreciation	321,960	296,267	3,479,668	3,192,616	-	3,479,668	0.00%
Total Operating Expenses	2,239,288	2,435,985	23,675,122	22,759,867	23,094,711	580,409	102.51%
OPERATING INCOME (LOSS)	2,614,670	1,372,954	15,060,736	9,457,391	12,214,013	2,846,725	
NONOPERATING REVENUES (EXPENSES):							
Non-Departmental	(75,134)	(77,441)	(865,148)	(883,021)	(5,547,718)	4,682,570	15.59%
Interest Revenue	3,260	50,830	246,982	572,563	24,000	222,982	1029.09%
Debt Service	(119,656)	(129,571)	(1,415,351)	(1,559,022)	(1,554,834)	139,483	91.03%
Bad Debt Expense	-	-	-	-	(48,000)	48,000	0.00%
Net Nonoperating Revenues (Expenses)	(191,530)	(156,182)	(2,033,517)	(1,869,480)	(7,126,552)	5,093,035	28.53%
INCOME (LOSS) BEFORE OPERATING TRANSFERS	2,423,140	1,216,772	13,027,219	7,587,911	5,087,461	7,939,760	256.07%
OPERATING TRANSFERS:							
Transfers In (Out)	-	-	(259,329)	(238,003)	(5,087,461)	4,828,132	5.10%
Net Operating Transfers	-	-	(259,329)	(238,003)	(5,087,461)	4,828,132	5.10%
CHANGE IN NET POSITION	2,423,140	1,216,772	12,767,890	7,349,908	-	12,767,892	
NET POSITION, BEGINNING	201,111,382	185,976,427	190,766,632	179,843,291	190,766,632	-	
NET POSITON, ENDING	\$ 203,534,522	\$ 187,193,199	\$ 203,534,522	\$ 187,193,199	\$ 190,766,632	\$ 12,767,892	

CITY OF MANSFIELD  
UTILITY FUND  
REVENUE BOND COVERAGE

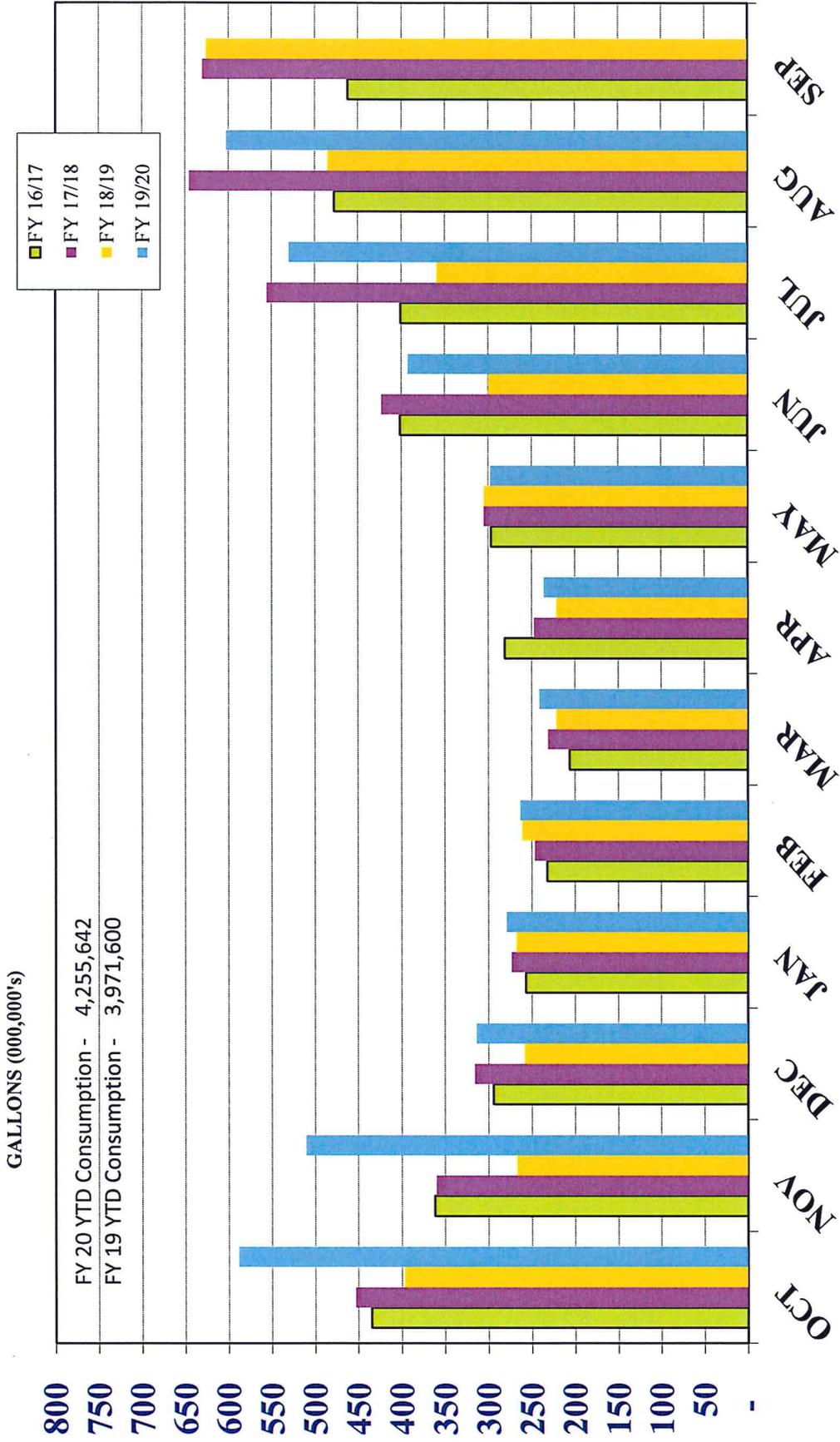
Definition of Bond Coverage:

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, 2019, 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 2019, the City achieved a 2.67 bond coverage ratio which exceeded the 1.10 required by the bond ordinance. For fiscal year 2020, the bond coverage ratio is projected at 2.58.



# CITY OF MANSFIELD

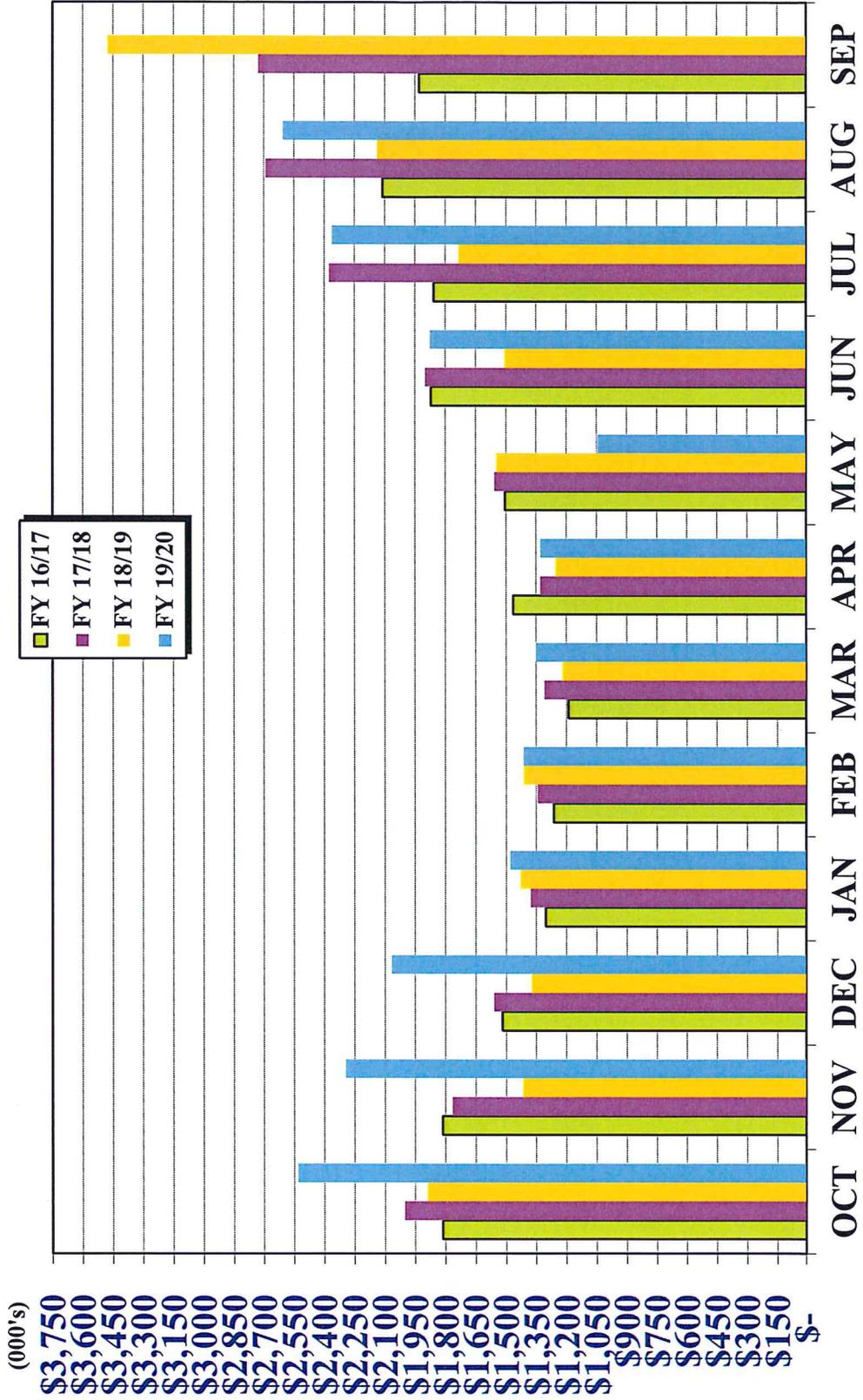
## WATER CONSUMPTION





# CITY OF MANSFIELD

## UTILITY FUND - WATER SALES

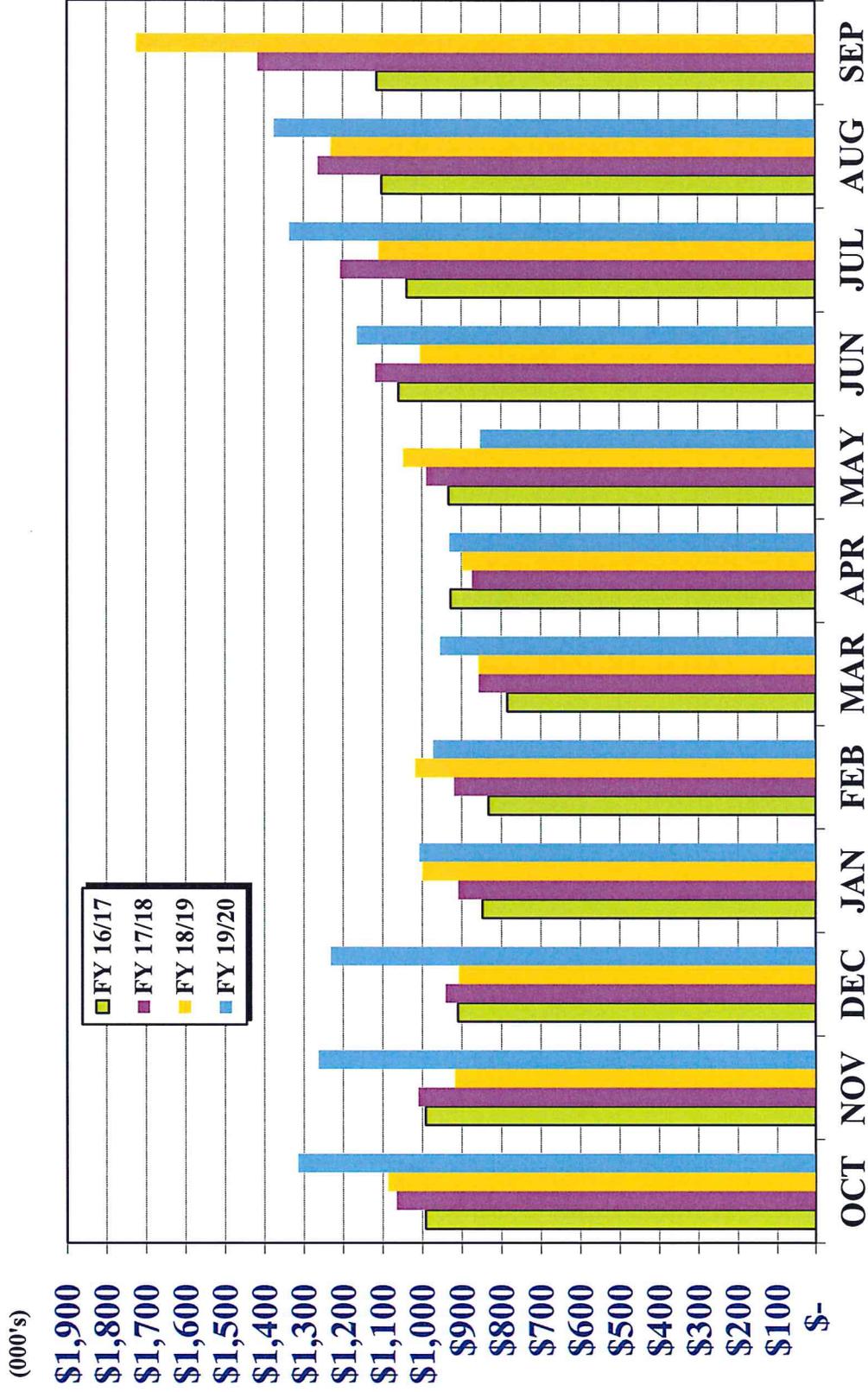




# CITY OF MANSFIELD

**MANSFIELD**  
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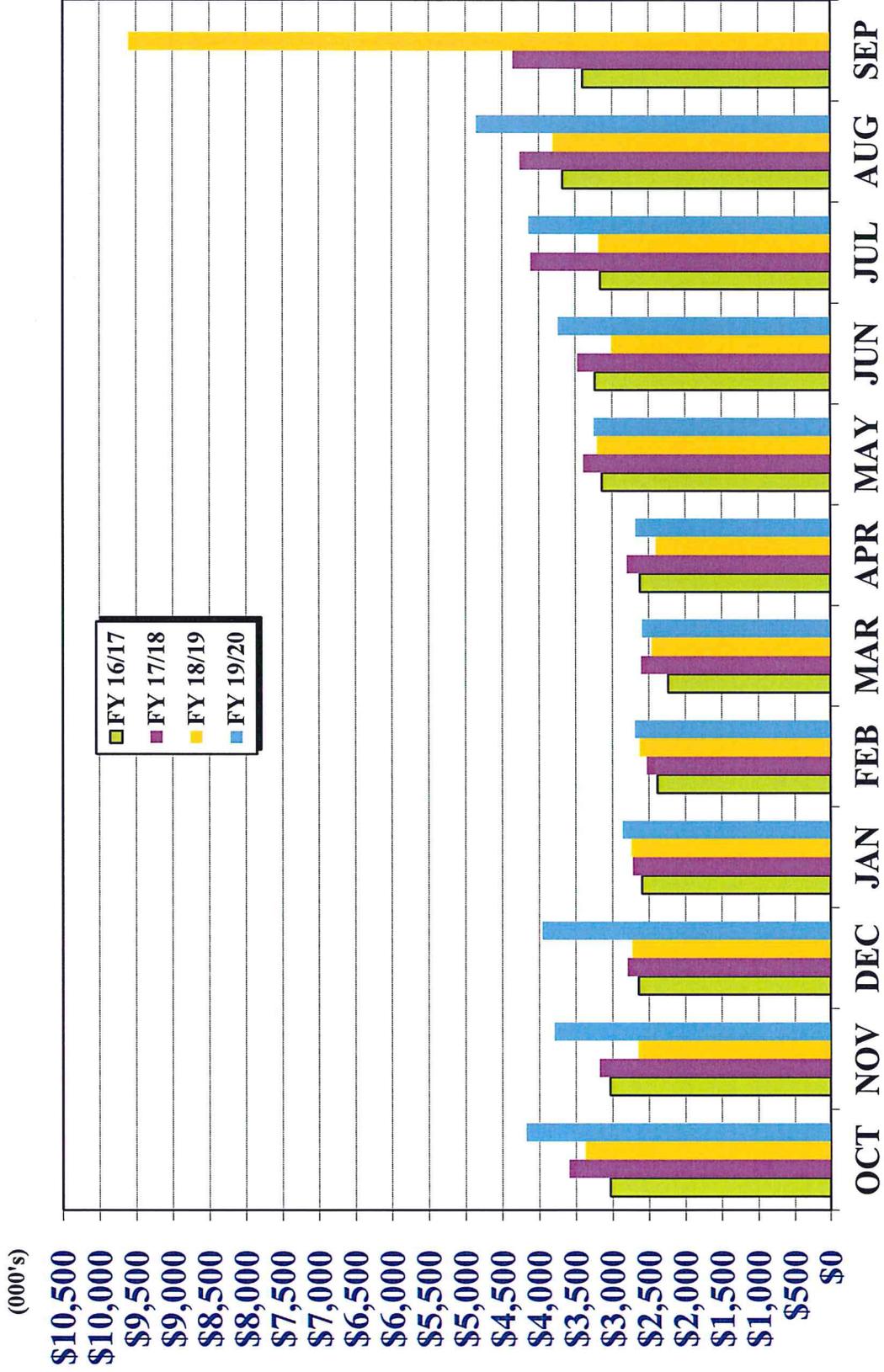
## UTILITY FUND - SEWER SERVICE





# CITY OF MANSFIELD

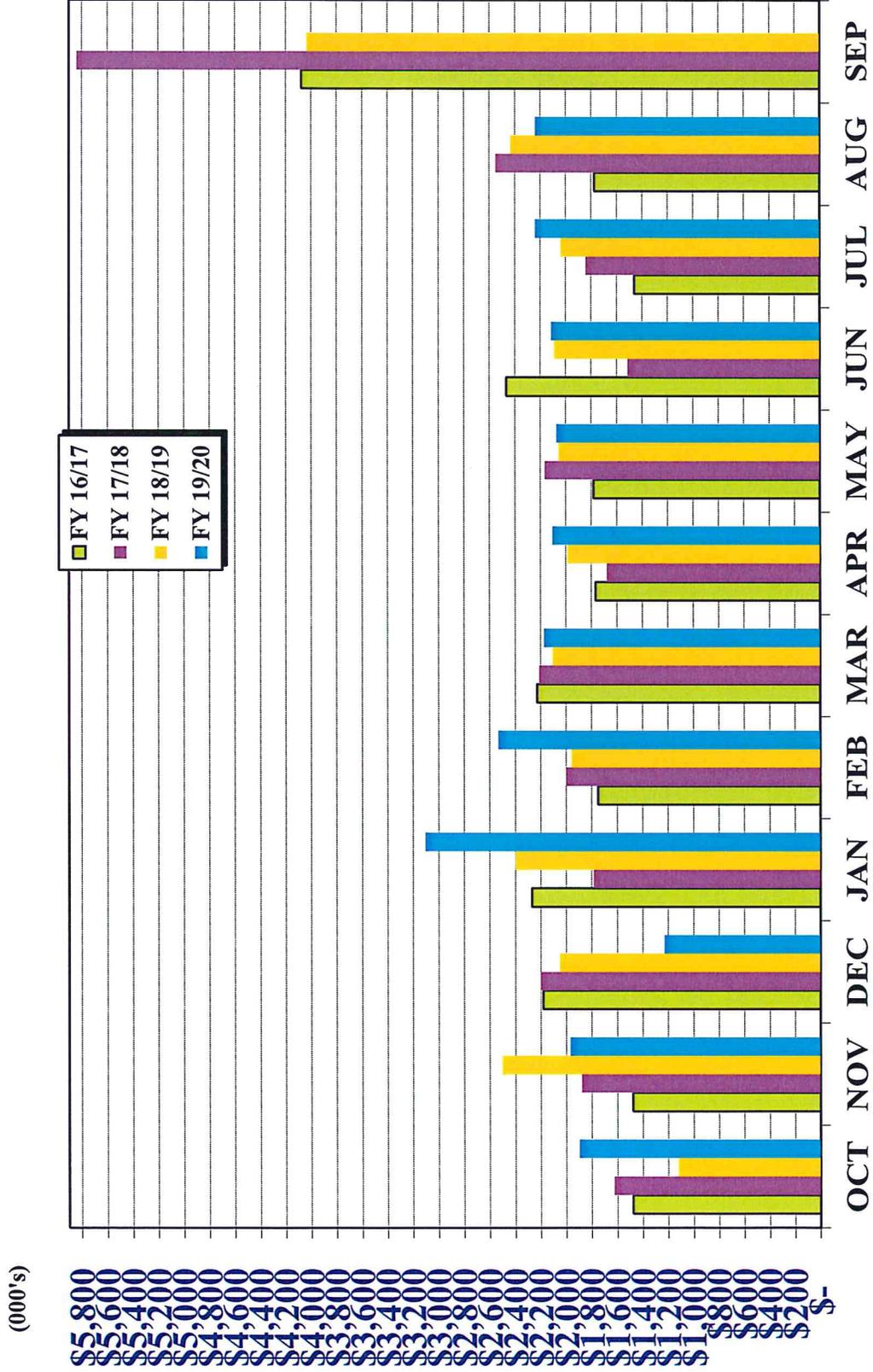
## UTILITY FUND - TOTAL REVENUES





# CITY OF MANSFIELD

## UTILITY OPERATING EXPENDITURES



City of Mansfield, Texas

Statement of Net Position - Law Enforcement Complex  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>ASSETS</u>		
Cash And Investments	\$ (0)	\$ -
Receivables:		
Accounts	4,391	192,078
Inventory	13,646	33,824
Restricted Assets:		
Cash And Investments	110,355	258,701
Fixed Assets (net of accumulated depreciation)	<u>5,612,590</u>	<u>5,850,124</u>
Total Assets	<u>5,740,982</u>	<u>6,334,727</u>
<u>DEFERRED OUTFLOWS OF RESOURCES</u>		
Deferred pension contributions	465,082	706,526
Deferred OPEB contributions	5,091	412,698
Deferred investment losses	414,144	527,541
Deferred assumption changes	11,705	12,971
Deferred actuarial experience	<u>1,349,279</u>	<u>374,986</u>
Total Deferred Outflows of Resources	<u>2,245,301</u>	<u>2,034,722</u>
<u>TOTAL ASSETS AND DEFERRED OUTFLOWS OF RESOURCES</u>	<u>\$ 7,986,283</u>	<u>\$ 8,369,449</u>

City of Mansfield, Texas

Statement of Net Position - Law Enforcement Complex  
August 31, 2020 and 2019 (Unaudited)

	<u>2020</u>	<u>2019</u>
<u>LIABILITIES</u>		
Accounts Payable	\$ 2,299,226	\$ 343,982
Accrued Liabilities	-	-
Payable From Restricted Assets:		
Inmate Trust	0	137,871
General Obligation Debt Payable:		
Bonds Payable-Current	442,409	487,098
Accrued Interest	1,128	1,224
Long-Term		
Compensated Absences	1,078,555	951,413
Total OPEB liability	134,769	171,408
Net OPEB liability	5,092,347	3,498,454
Net pension liability	3,563,664	2,702,256
	<u>12,612,098</u>	<u>8,293,706</u>
<u>DEFERRED INFLOWS OF RESOURCES</u>		
Deferred assumption changes	186,253	183,946
Deferred investment gains	0	1,175,750
Deferred loss on refunding	14,078	15,767
Total Deferred Inflows of Resources	<u>200,331</u>	<u>1,375,463</u>
<u>NET POSITION</u>		
Invested in Capital Assets (net of related debt)	5,220,330	5,604,736
Unreserved	<u>(10,046,476)</u>	<u>(6,904,456)</u>
Total Net Position	<u>(4,826,146)</u>	<u>(1,299,720)</u>
<u>TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND NET POSITION</u>	<u>\$ 7,986,283</u>	<u>\$ 8,369,449</u>

## City of Mansfield, Texas

Comparative Combined Statement of Activities - Law Enforcement Complex  
For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE	FY20 ADOPTED BUDGET	FY20 OVER (UNDER) BUDGET	FY20 PERCENT COLLECTED TO BUDGET
<b>OPERATING REVENUES:</b>							
Charges For Services	\$ -	\$ 570,607	\$ 5,317,955	\$ 5,804,825	\$ 6,854,399	\$ (1,536,444)	77.58%
Salary Reimbursement	1,609	17,934	89,211	121,169	123,530	(34,319)	72.22%
Miscellaneous	-	51	25,900	12,063	3,504	22,396	739.16%
Transportation	-	-	3,128	-	-	3,128	0.00%
Commissary Sales	82	37,992	299,789	359,842	280,612	19,177	106.83%
Telephone Commission	289	20,844	208,466	198,128	210,000	(1,534)	99.27%
<b>Total Operating Revenues</b>	<b>1,980</b>	<b>647,428</b>	<b>5,944,449</b>	<b>6,496,027</b>	<b>7,472,045</b>	<b>(1,527,596)</b>	<b>79.56%</b>
<b>OPERATING EXPENSES:</b>							
Administration	12,626	34,449	284,728	289,644	339,852	(55,124)	83.78%
Operations	313,976	630,384	6,032,792	5,204,350	6,061,878	(29,086)	99.52%
Support	22,269	66,092	592,830	595,226	729,445	(136,615)	81.27%
Food Service	4,243	40,205	338,606	347,193	423,215	(84,609)	80.01%
Medical Service	9,122	48,826	474,973	525,685	692,534	(217,561)	68.58%
Commissary	1,489	82,644	320,031	342,667	280,612	39,419	114.05%
Depreciation	20,024	20,137	218,047	217,847	-	218,047	0.00%
<b>Total Operating Expenses</b>	<b>383,749</b>	<b>922,737</b>	<b>8,262,007</b>	<b>7,522,612</b>	<b>8,527,536</b>	<b>(265,529)</b>	<b>96.89%</b>
<b>OPERATING INCOME (LOSS)</b>	<b>(381,769)</b>	<b>(275,309)</b>	<b>(2,317,558)</b>	<b>(1,026,585)</b>	<b>(1,055,491)</b>	<b>(1,262,067)</b>	<b>219.57%</b>
<b>NON OPERATING REVENUES (EXPENSES)</b>							
Interest Revenue	-	-	2	-	-	2	0.00%
Other Income	-	-	1,007	-	-	1,007	0.00%
Other Expenses	(26,762)	(17,441)	(294,383)	(395,343)	(652,402)	358,019	45.12%
Gain/(loss) on sale of assets	-	-	-	-	-	-	0.00%
Amortization	-	-	-	-	-	-	0.00%
Interest And Fiscal Charges	(1,128)	(1,224)	(13,366)	(14,294)	(65,686)	52,320	20.35%
<b>Net Nonoperating Revenues (Expenses)</b>	<b>(27,890)</b>	<b>(18,665)</b>	<b>(306,740)</b>	<b>(409,637)</b>	<b>(718,088)</b>	<b>411,348</b>	<b>42.72%</b>
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS</b>	<b>(409,659)</b>	<b>(293,974)</b>	<b>(2,624,298)</b>	<b>(1,436,222)</b>	<b>(1,773,579)</b>	<b>(850,719)</b>	
<b>OPERATING TRANSFERS:</b>							
Transfer In (Out)	-	-	-	-	1,773,579	(1,773,579)	0.00%
<b>Net Operating Transfers</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,773,579</b>	<b>(1,773,579)</b>	<b>0.00%</b>
<b>CHANGE IN NET POSITION</b>	<b>(409,659)</b>	<b>(293,974)</b>	<b>(2,624,298)</b>	<b>(1,436,222)</b>	<b>-</b>	<b>(2,624,298)</b>	
<b>NET POSITION, BEGINNING</b>	<b>(4,416,487)</b>	<b>(1,005,746)</b>	<b>(2,201,848)</b>	<b>136,502</b>	<b>(2,201,848)</b>	<b>-</b>	
<b>NET POSITION, ENDING</b>	<b>\$ (4,826,146)</b>	<b>\$ (1,299,720)</b>	<b>\$ (4,826,146)</b>	<b>\$ (1,299,720)</b>	<b>\$ (2,201,848)</b>	<b>\$ (2,624,298)</b>	

City of Mansfield, Texas

Statement of Net Position - Drainage Utility Fund  
August 31, 2020 and 2019 (Unaudited)

	2020	2019
<u>ASSETS</u>		
Cash And Investments	\$ 4,662,715	\$ 3,578,902
Accounts Receivable	385,418	346,484
Restricted Assets:		
Cash and Investments	32,339	38,139
Fixed Assets (Net of accumulated depreciation)	8,363,801	8,430,287
Total Assets	<u>13,444,273</u>	<u>12,393,812</u>
<u>DEFERRED OUTFLOWS OF RESOURCES</u>		
Deferred pension contributions	36,001	29,387
Deferred OPEB contributions	399	18,851
Deferred investment losses	74,161	14,385
Deferred assumption changes	428	538
Deferred actuarial experience	92,602	15,544
Deferred loss on refunding	119,133	142,960
Total deferred outflows of resources	<u>322,724</u>	<u>221,665</u>
Total Assets and Deferred Outflows of Resources	<u>\$ 13,766,997</u>	<u>\$ 12,615,477</u>
<u>LIABILITIES</u>		
Accounts Payable	\$ 1,647	\$ 5,205
Accrued Liabilities	51,057	46,196
Retainage Payable	14,565	5,126
Bond Payable	2,315,000	2,709,167
Accrued Interest Payable	-	8,089
Unamortized Discounts on Bonds	(22,305)	(26,275)
Unamortized Premiums on Bonds	29,607	36,080
Total OPEB liability	11,673	7,112
Net OPEB liability	399,153	160,060
Net pension liability	231,629	65,868
Total Liabilities	<u>3,032,026</u>	<u>3,016,628</u>
<u>DEFERRED INFLOWS OF RESOURCES</u>		
Deferred assumption changes	7,928	7,567
Deferred investment gains	-	48,904
Total deferred inflows of resources	<u>7,928</u>	<u>56,471</u>
<u>NET POSITION</u>		
Invested in Capital Assets (net of related debt)	5,310,632	5,320,451
Reserved for Debt Service	44,768	215,807
Unrestricted	5,371,643	4,006,120
Total Net Position	<u>10,727,043</u>	<u>9,542,378</u>
Total Liabilities, Deferred Inflows of Resources, and Net Position	<u>\$ 13,766,997</u>	<u>\$ 12,615,477</u>

City of Mansfield, Texas

Comparative Combined Statement of Activities - Drainage Utility Fund  
For the Month and Eleven Months Ended August 31, 2020 and 2019 (Unaudited)

	FY20 MONTH TO DATE	FY19 MONTH TO DATE	FY20 YEAR TO DATE	FY19 YEAR TO DATE
OPERATING REVENUES:				
Contributions	\$ -	\$ -	\$ -	\$ -
Licenses Fee-Gaswells/Pipelines	-	-	-	-
Drainage Fee	222,724	218,211	2,439,462	2,379,290
Total Operating Revenues	222,724	218,211	2,439,462	2,379,290
OPERATING EXPENSES:				
Administration	143,318	3,517	809,059	870,425
General Maintenance	7,919	33,119	148,722	91,254
Depreciation	15,374	14,326	165,543	149,074
Total Operating Expenses	166,611	50,962	1,123,324	1,110,753
OPERATING INCOME (LOSS)	56,113	167,249	1,316,138	1,268,537
NONOPERATING REVENUES (EXPENSES):				
Interest Revenue	139	1,777	8,576	20,827
Other Income	-	202	1,955	2,768
Amortization	-	-	-	-
Interest and fiscal charges	(6,646)	(8,089)	(92,729)	(100,180)
Net Nonoperating Revenue	(6,507)	(6,110)	(82,198)	(76,585)
INCOME (LOSS) BEFORE OPERATING TRANSFERS	49,606	161,139	1,233,940	1,191,952
OPERATING TRANSFERS				
Operating Transfers In	-	-	-	-
Operating Transfers Out	-	-	-	-
Net Operating Transfers	-	-	-	-
CHANGE IN NET POSITION	49,606	161,139	1,233,940	1,191,952
NET POSITION, BEGINNING	10,677,437	9,381,239	9,493,103	8,350,426
NET POSITION, ENDING	\$ 10,727,043	\$ 9,542,378	\$ 10,727,043	\$ 9,542,378

CITY OF MANSFIELD, TEXAS  
SALES TAX COMPARISON  
INFORMATION

GENERAL FUND  
YEAR TO DATE SALES TAX COMPARISON  
OCTOBER 2019 TO SEPTEMBER 2020

MONTH	FY19	FY20	DOLLAR VALUE INCREASE (DECREASE) FY 2019/2020	PERCENTAGE INCREASE (DECREASE) FY 2019/2020
OCTOBER	1,182,908.47	1,227,674.02	44,765.55	3.78%
NOVEMBER	941,055.88	1,062,055.58	120,999.70	12.86%
DECEMBER	981,736.45	1,037,023.19	55,286.74	5.63%
JANUARY	1,287,923.20	1,538,992.70	251,069.50	19.49%
FEBRUARY	878,450.66	987,055.68	108,605.02	12.36%
MARCH	827,524.94	918,153.15	90,628.21	10.95%
Subtotal	<u>6,099,599.60</u>	<u>6,770,954.32</u>	<u>671,354.72</u>	<u>11.01%</u>
APRIL	1,174,449.03	1,168,429.55	(6,019.48)	-0.51%
MAY	1,014,870.74	936,206.15	(78,664.59)	-7.75%
JUNE	952,675.70	1,098,393.80	145,718.10	15.30%
JULY	1,190,864.11	1,426,836.55	235,972.44	19.82%
AUGUST	1,058,084.15	1,098,628.81	40,544.66	3.83%
SEPTEMBER				
YTD TOTAL	<u>11,490,543.33</u>	<u>12,499,449.18</u>	<u>1,008,905.85</u>	<u>8.78%</u>
BUDGET		<u>12,944,825.48</u>		
OVER/(UNDER) BUDGET		<u>(445,376.30)</u>		

MANSFIELD PARKS FACILITIES DEVELOPMENT CORP.  
YEAR TO DATE SALES TAX COMPARISON  
OCTOBER 2019  
TO SEPTEMBER 2020

MONTH	FY19	FY20	DOLLAR VALUE INCREASE (DECREASE) FY 2019/2020	PERCENTAGE INCREASE (DECREASE) FY 2019/2020
OCTOBER	591,454.23	613,837.01	22,382.78	3.78%
NOVEMBER	470,527.94	531,027.79	60,499.85	12.86%
DECEMBER	490,868.23	518,511.59	27,643.36	5.63%
JANUARY	643,961.61	769,496.35	125,534.74	19.49%
FEBRUARY	439,225.33	493,527.84	54,302.51	12.36%
MARCH	413,762.48	459,076.58	45,314.10	10.95%
Subtotal	3,049,799.82	3,385,477.16	335,677.34	11.01%
APRIL	587,224.51	584,214.77	(3,009.74)	-0.51%
MAY	507,435.36	468,103.07	(39,332.29)	-7.75%
JUNE	476,337.84	549,196.90	72,859.06	15.30%
JULY	595,432.05	713,418.28	117,986.23	19.82%
AUGUST	529,042.08	549,314.41	20,272.33	3.83%
SEPTEMBER				
YTD TOTAL	5,745,271.66	6,249,724.59	504,452.93	8.78%

MANSFIELD ECONOMIC DEVELOPMENT CORP.  
YEAR TO DATE SALES TAX COMPARISON  
OCTOBER 2019 TO SEPTEMBER 2020

MONTH	FY19	FY20	DOLLAR VALUE INCREASE (DECREASE) 2019/2020	PERCENTAGE INCREASE (DECREASE) 2019/2020
OCTOBER	591,454.23	613,837.01	22,382.78	3.78%
NOVEMBER	470,527.94	531,027.78	60,499.84	12.86%
DECEMBER	490,868.23	518,511.59	27,643.36	5.63%
JANUARY	643,961.61	769,496.35	125,534.74	19.49%
FEBRUARY	439,225.33	493,527.83	54,302.50	12.36%
MARCH	413,762.48	459,076.57	45,314.09	10.95%
Subtotal	3,049,799.82	3,385,477.13	335,677.31	11.01%
APRIL	587,224.51	584,214.77	(3,009.74)	-0.51%
MAY	507,435.36	468,103.08	(39,332.28)	-7.75%
JUNE	476,337.84	549,196.90	72,859.06	15.30%
JULY	595,432.05	713,418.27	117,986.22	19.82%
AUGUST	529,042.08	549,314.41	20,272.33	3.83%
SEPTEMBER				
YTD TOTAL	5,745,271.66	6,249,724.56	504,452.90	8.78%

GENERAL FUND  
MANSFIELD PARKS DEVELOPMENT CORP.  
AND  
MANSFIELD ECONOMIC DEVELOPMENT CORP.  
COMBINED TOTAL YEAR TO DATE SALES TAX COMPARISON  
OCTOBER 2019 TO SEPTEMBER 2020

MONTH	FY19	FY20	DOLLAR VALUE INCREASE (DECREASE) FY 2019/2020	PERCENTAGE INCREASE (DECREASE) FY 2019/2020
OCTOBER	2,365,816.93	2,455,348.04	89,531.11	3.78%
NOVEMBER	1,882,111.76	2,124,111.15	241,999.39	12.86%
DECEMBER	1,963,472.91	2,074,046.37	110,573.46	5.63%
JANUARY	2,575,846.42	3,077,985.40	502,138.98	19.49%
FEBRUARY	1,756,901.32	1,974,111.35	217,210.03	12.36%
MARCH	1,655,049.90	1,836,306.30	181,256.40	10.95%
Subtotal	<u>12,199,199.24</u>	<u>13,541,908.61</u>	<u>1,342,709.37</u>	<u>11.01%</u>
APRIL	2,348,898.05	2,336,859.09	(12,038.96)	-0.51%
MAY	2,029,741.46	1,872,412.30	(157,329.16)	-7.75%
JUNE	1,905,351.38	2,196,787.60	291,436.22	15.30%
JULY	2,381,728.21	2,853,673.10	471,944.89	19.82%
AUGUST	2,116,168.31	2,197,257.63	81,089.32	3.83%
SEPTEMBER				
YTD TOTAL	<u><u>22,981,086.65</u></u>	<u><u>24,998,898.33</u></u>	<u><u>2,017,811.68</u></u>	<u><u>8.78%</u></u>
BUDGET		<u>25,889,650.96</u>		
OVER/(UNDER) BUDGET		<u><u>(890,752.63)</u></u>		



## 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 August for Fiscal Year 2020.



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Bryan Rebel  
Investment Officer

## SCHEDULE OF INVESTMENTS

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 8/31/2020

Description	CUSIP/Ticker	Settlement Date	YTM @ Cost	Face Amount/Shares	Cost Value	Book Value	Market Value	Maturity Date	Days To Maturity	Accrued Interest	% of Portfolio	Portfolio Name
<b>AIM Invesco</b>												
AIM Invesco MM	AIM	9/30/1999	0.240	468,038.35	468,038.35	468,038.35	468,038.35	N/A	1		0.67	15 - Street Construction
<b>Sub Total / Average AIM Invesco</b>			<b>0.240</b>	<b>468,038.35</b>	<b>468,038.35</b>	<b>468,038.35</b>	<b>468,038.35</b>		<b>1</b>	<b>0.00</b>	<b>0.67</b>	
<b>Nations Funds</b>												
Nations Funds MM	MF0008	10/25/1999	0.050	4,872,431.61	4,872,431.61	4,872,431.61	4,872,431.61	N/A	1		6.96	25 - Water & Sewer
Nations Funds MM	MF0008	10/25/1999	0.050	3,361,025.35	3,361,025.35	3,361,025.35	3,361,025.35	N/A	1		4.80	15 - Street Construction
Nations Funds MM	MF0008	10/25/1999	0.050	4,167,632.69	4,167,632.69	4,167,632.69	4,167,632.69	N/A	1		5.95	01 - General Fund
Nations Funds MM	MF0008	10/25/1999	0.050	152,157.30	152,157.30	152,157.30	152,157.30	N/A	1		0.22	39 - Economic Development
Nations Funds MM	MF0008	10/25/1999	0.050	1,457,078.57	1,457,078.57	1,457,078.57	1,457,078.57	N/A	1		2.08	28 - Utility Construction Fund 28
Nations Funds MM	MF0008	10/25/1999	0.050	26,593.21	26,593.21	26,593.21	26,593.21	N/A	1		0.04	06 - Tree Mitigation
Nations Funds MM	MF0008	10/25/1999	0.050	445,454.16	445,454.16	445,454.16	445,454.16	N/A	1		0.64	10 - Debt Services
Nations Funds MM	MF0008	10/25/1999	0.050	606,634.72	606,634.72	606,634.72	606,634.72	N/A	1		0.87	24 - Mansfield Parks Land Dedication
Nations Funds MM	MF0008	10/25/1999	0.050	2,291,655.93	2,291,655.93	2,291,655.93	2,291,655.93	N/A	1		3.27	23 - Mansfield Parks 1/2 Sales Tax
Nations Funds MM	MF0008	4/11/2012	0.050	3,008,425.37	3,008,425.37	3,008,425.37	3,008,425.37	N/A	1		4.30	27 - Revenue Bond Reserve
Nations Funds MM	MF0008	8/1/2016	0.050	1,615,570.52	1,615,570.52	1,615,570.52	1,615,570.52	N/A	1		2.31	309 - Library Expansion
Nations Funds MM	MF0008	8/1/2016	0.050	1,541,896.31	1,541,896.31	1,541,896.31	1,541,896.31	N/A	1		2.20	86 - 2016 Streets Construction
Nations Funds MM	MF0008	12/1/2017	0.050	25,955.62	25,955.62	25,955.62	25,955.62	N/A	1		0.04	87 - 2017 Streets Construction
Nations Funds MM	MF0008	7/2/2018	0.050	1,599,724.97	1,599,724.97	1,599,724.97	1,599,724.97	N/A	1		2.28	873 - MEDC Construction
<b>Sub Total / Average Nations Funds</b>			<b>0.050</b>	<b>25,172,236.33</b>	<b>25,172,236.33</b>	<b>25,172,236.33</b>	<b>25,172,236.33</b>		<b>1</b>	<b>0.00</b>	<b>35.94</b>	
<b>TexStar</b>												
TexStar LGIP	TEXSTAR	11/2/2012	0.165	231,449.02	231,449.02	231,449.02	231,449.02	N/A	1		0.33	38 - MEDC I&S Fund
TexStar LGIP	TEXSTAR	11/2/2012	0.165	11,272,529.49	11,272,529.49	11,272,529.49	11,272,529.49	N/A	1		16.09	25 - Water & Sewer
TexStar LGIP	TEXSTAR	11/2/2012	0.165	79,558.57	79,558.57	79,558.57	79,558.57	N/A	1		0.11	16 - Building Construction
TexStar LGIP	TEXSTAR	11/2/2012	0.165	1,955,355.98	1,955,355.98	1,955,355.98	1,955,355.98	N/A	1		2.79	15 - Street Construction
TexStar LGIP	TEXSTAR	11/2/2012	0.165	8,496,716.25	8,496,716.25	8,496,716.25	8,496,716.25	N/A	1		12.13	01 - General Fund

Description	CUSIP/Ticker	Settlement Date	YTM @ Cost	Face Amount/Shares	Cost Value	Book Value	Market Value	Maturity Date	Days To Maturity	Accrued Interest	% of Portfolio	Portfolio Name
TexStar LGIP	TEXSTAR	11/2/2012	0.165	832,561.79	832,561.79	832,561.79	832,561.79	N/A	1		1.19	39 - Economic Development
TexStar LGIP	TEXSTAR	11/2/2012	0.165	7,297,408.40	7,297,408.40	7,297,408.40	7,297,408.40	N/A	1		10.42	28 - Utility Construction Fund 28
TexStar LGIP	TEXSTAR	11/2/2012	0.165	1,483,415.03	1,483,415.03	1,483,415.03	1,483,415.03	N/A	1		2.12	50 - TIF
TexStar LGIP	TEXSTAR	11/2/2012	0.165	53,822.04	53,822.04	53,822.04	53,822.04	N/A	1		0.08	10 - Debt Services
TexStar LGIP	TEXSTAR	11/2/2012	0.165	1,062,981.11	1,062,981.11	1,062,981.11	1,062,981.11	N/A	1		1.52	24 - Mansfield Parks Land Dedication
TexStar LGIP	TEXSTAR	11/2/2012	0.165	996,564.17	996,564.17	996,564.17	996,564.17	N/A	1		1.42	19 - Drainage Utility Fund
TexStar LGIP	TEXSTAR	11/2/2012	0.165	2,440,874.86	2,440,874.86	2,440,874.86	2,440,874.86	N/A	1		3.48	23 - Mansfield Parks 1/2 Sales Tax
TexStar LGIP	TEXSTAR	11/2/2012	0.165	1,515,465.16	1,515,465.16	1,515,465.16	1,515,465.16	N/A	1		2.16	81 - Street Construction 2012 Issue
TexStar LGIP	TEXSTAR	1/8/2014	0.165	4,835.26	4,835.26	4,835.26	4,835.26	N/A	1		0.01	22 - Equipment Replacement
TexStar LGIP	TEXSTAR	11/30/2014	0.165	582,948.72	582,948.72	582,948.72	582,948.72	N/A	1		0.83	08 - Hotel
TexStar LGIP	TEXSTAR	8/31/2016	0.165	971,711.96	971,711.96	971,711.96	971,711.96	N/A	1		1.39	86 - 2016 Streets Construction
TexStar LGIP	TEXSTAR	12/31/2017	0.165	3,434,502.48	3,434,502.48	3,434,502.48	3,434,502.48	N/A	1		4.90	87 - 2017 Streets Construction
TexStar LGIP	TEXSTAR	7/31/2018	0.165	1,687,573.81	1,687,573.81	1,687,573.81	1,687,573.81	N/A	1		2.41	873 - MEDC Construction
<b>Sub Total / Average TexStar</b>			<b>0.165</b>	<b>44,400,274.10</b>	<b>44,400,274.10</b>	<b>44,400,274.10</b>	<b>44,400,274.10</b>		<b>1</b>	<b>0.00</b>	<b>63.39</b>	
<b>Total / Average</b>			<b>0.124</b>	<b>70,040,548.78</b>	<b>70,040,548.78</b>	<b>70,040,548.78</b>	<b>70,040,548.78</b>		<b>1</b>	<b>0.00</b>	<b>100</b>	

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 8/31/2020

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
<b>01 - General Fund</b>												
Nations Funds MM	MF0008	Money Market	10/25/1999	0.050	4,167,632.69	4,167,632.69	4,167,632.69	4,167,632.69	N/A	1		5.95
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	8,496,716.25	8,496,716.25	8,496,716.25	8,496,716.25	N/A	1		12.13
<b>Sub Total / Average 01 - General Fund</b>				<b>0.127</b>	<b>12,664,348.94</b>	<b>12,664,348.94</b>	<b>12,664,348.94</b>	<b>12,664,348.94</b>		<b>1</b>	<b>0.00</b>	<b>18.08</b>
<b>06 - Tree Mitigation</b>												
Nations Funds MM	MF0008	Money Market	10/25/1999	0.050	26,593.21	26,593.21	26,593.21	26,593.21	N/A	1		0.04
<b>Sub Total / Average 06 - Tree Mitigation</b>				<b>0.050</b>	<b>26,593.21</b>	<b>26,593.21</b>	<b>26,593.21</b>	<b>26,593.21</b>		<b>1</b>	<b>0.00</b>	<b>0.04</b>
<b>08 - Hotel</b>												
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/30/2014	0.165	582,948.72	582,948.72	582,948.72	582,948.72	N/A	1		0.83
<b>Sub Total / Average 08 - Hotel</b>				<b>0.165</b>	<b>582,948.72</b>	<b>582,948.72</b>	<b>582,948.72</b>	<b>582,948.72</b>		<b>1</b>	<b>0.00</b>	<b>0.83</b>
<b>10 - Debt Services</b>												
Nations Funds MM	MF0008	Money Market	10/25/1999	0.050	445,454.16	445,454.16	445,454.16	445,454.16	N/A	1		0.64
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	53,822.04	53,822.04	53,822.04	53,822.04	N/A	1		0.08
<b>Sub Total / Average 10 - Debt Services</b>				<b>0.062</b>	<b>499,276.20</b>	<b>499,276.20</b>	<b>499,276.20</b>	<b>499,276.20</b>		<b>1</b>	<b>0.00</b>	<b>0.71</b>
<b>15 - Street Construction</b>												
AIM Invesco MM	AIM	Money Market	9/30/1999	0.240	468,038.35	468,038.35	468,038.35	468,038.35	N/A	1		0.67
Nations Funds MM	MF0008	Money Market	10/25/1999	0.050	3,361,025.35	3,361,025.35	3,361,025.35	3,361,025.35	N/A	1		4.80
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	1,955,355.98	1,955,355.98	1,955,355.98	1,955,355.98	N/A	1		2.79
<b>Sub Total / Average 15 - Street Construction</b>				<b>0.104</b>	<b>5,784,419.68</b>	<b>5,784,419.68</b>	<b>5,784,419.68</b>	<b>5,784,419.68</b>		<b>1</b>	<b>0.00</b>	<b>8.26</b>
<b>16 - Building Construction</b>												
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	79,558.57	79,558.57	79,558.57	79,558.57	N/A	1		0.11
<b>Sub Total / Average 16 - Building Construction</b>				<b>0.165</b>	<b>79,558.57</b>	<b>79,558.57</b>	<b>79,558.57</b>	<b>79,558.57</b>		<b>1</b>	<b>0.00</b>	<b>0.11</b>

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
<b>19 - Drainage Utility Fund</b>												
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	996,564.17	996,564.17	996,564.17	996,564.17	N/A	1		1.42
<b>Sub Total / Average 19 - Drainage Utility Fund</b>					<b>0.165</b>	<b>996,564.17</b>	<b>996,564.17</b>	<b>996,564.17</b>		<b>1</b>	<b>0.00</b>	<b>1.42</b>
<b>22 - Equipment Replacement</b>												
TexStar LGIP	TEXSTAR	Local Government Investment Pool	1/8/2014	0.165	4,835.26	4,835.26	4,835.26	4,835.26	N/A	1		0.01
<b>Sub Total / Average 22 - Equipment Replacement</b>					<b>0.165</b>	<b>4,835.26</b>	<b>4,835.26</b>	<b>4,835.26</b>		<b>1</b>	<b>0.00</b>	<b>0.01</b>
<b>23 - Mansfield Parks 1/2 Sales Tax</b>												
Nations Funds MM	MF0008	Money Market	10/25/1999	0.050	2,291,655.93	2,291,655.93	2,291,655.93	2,291,655.93	N/A	1		3.27
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	2,440,874.86	2,440,874.86	2,440,874.86	2,440,874.86	N/A	1		3.48
<b>Sub Total / Average 23 - Mansfield Parks 1/2 Sales Tax</b>					<b>0.109</b>	<b>4,732,530.79</b>	<b>4,732,530.79</b>	<b>4,732,530.79</b>		<b>1</b>	<b>0.00</b>	<b>6.76</b>
<b>24 - Mansfield Parks Land Dedication</b>												
Nations Funds MM	MF0008	Money Market	10/25/1999	0.050	606,634.72	606,634.72	606,634.72	606,634.72	N/A	1		0.87
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	1,062,981.11	1,062,981.11	1,062,981.11	1,062,981.11	N/A	1		1.52
<b>Sub Total / Average 24 - Mansfield Parks Land Dedication</b>					<b>0.123</b>	<b>1,669,615.83</b>	<b>1,669,615.83</b>	<b>1,669,615.83</b>		<b>1</b>	<b>0.00</b>	<b>2.38</b>
<b>25 - Water &amp; Sewer</b>												
Nations Funds MM	MF0008	Money Market	10/25/1999	0.050	4,872,431.61	4,872,431.61	4,872,431.61	4,872,431.61	N/A	1		6.96
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	11,272,529.49	11,272,529.49	11,272,529.49	11,272,529.49	N/A	1		16.09
<b>Sub Total / Average 25 - Water &amp; Sewer</b>					<b>0.130</b>	<b>16,144,961.10</b>	<b>16,144,961.10</b>	<b>16,144,961.10</b>		<b>1</b>	<b>0.00</b>	<b>23.05</b>
<b>27 - Revenue Bond Reserve</b>												
Nations Funds MM	MF0008	Money Market	4/11/2012	0.050	3,008,425.37	3,008,425.37	3,008,425.37	3,008,425.37	N/A	1		4.30
<b>Sub Total / Average 27 - Revenue Bond Reserve</b>					<b>0.050</b>	<b>3,008,425.37</b>	<b>3,008,425.37</b>	<b>3,008,425.37</b>		<b>1</b>	<b>0.00</b>	<b>4.30</b>
<b>28 - Utility Construction Fund 28</b>												
Nations Funds MM	MF0008	Money Market	10/25/1999	0.050	1,457,078.57	1,457,078.57	1,457,078.57	1,457,078.57	N/A	1		2.08
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	7,297,408.40	7,297,408.40	7,297,408.40	7,297,408.40	N/A	1		10.42

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
<b>Sub Total / Average 28 - Utility Construction Fund 28</b>				0.145	8,754,486.97	8,754,486.97	8,754,486.97	8,754,486.97		1	0.00	12.50
<b>309 - Library Expansion</b>												
Nations Funds MM	MF0008	Money Market	8/1/2016	0.050	1,615,570.52	1,615,570.52	1,615,570.52	1,615,570.52	N/A	1		2.31
<b>Sub Total / Average 309 - Library Expansion</b>				0.050	1,615,570.52	1,615,570.52	1,615,570.52	1,615,570.52		1	0.00	2.31
<b>38 - MEDC I&amp;S Fund</b>												
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	231,449.02	231,449.02	231,449.02	231,449.02	N/A	1		0.33
<b>Sub Total / Average 38 - MEDC I&amp;S Fund</b>				0.165	231,449.02	231,449.02	231,449.02	231,449.02		1	0.00	0.33
<b>39 - Economic Development</b>												
Nations Funds MM	MF0008	Money Market	10/25/1999	0.050	152,157.30	152,157.30	152,157.30	152,157.30	N/A	1		0.22
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	832,561.79	832,561.79	832,561.79	832,561.79	N/A	1		1.19
<b>Sub Total / Average 39 - Economic Development</b>				0.147	984,719.09	984,719.09	984,719.09	984,719.09		1	0.00	1.41
<b>50 - TIF</b>												
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	1,483,415.03	1,483,415.03	1,483,415.03	1,483,415.03	N/A	1		2.12
<b>Sub Total / Average 50 - TIF</b>				0.165	1,483,415.03	1,483,415.03	1,483,415.03	1,483,415.03		1	0.00	2.12
<b>81 - Street Construction 2012 Issue</b>												
TexStar LGIP	TEXSTAR	Local Government Investment Pool	11/2/2012	0.165	1,515,465.16	1,515,465.16	1,515,465.16	1,515,465.16	N/A	1		2.16
<b>Sub Total / Average 81 - Street Construction 2012 Issue</b>				0.165	1,515,465.16	1,515,465.16	1,515,465.16	1,515,465.16		1	0.00	2.16
<b>86 - 2016 Streets Construction</b>												
Nations Funds MM	MF0008	Money Market	8/1/2016	0.050	1,541,896.31	1,541,896.31	1,541,896.31	1,541,896.31	N/A	1		2.20
TexStar LGIP	TEXSTAR	Local Government Investment Pool	8/31/2016	0.165	971,711.96	971,711.96	971,711.96	971,711.96	N/A	1		1.39
<b>Sub Total / Average 86 - 2016 Streets Construction</b>				0.094	2,513,608.27	2,513,608.27	2,513,608.27	2,513,608.27		1	0.00	3.59
<b>87 - 2017 Streets Construction</b>												
Nations Funds MM	MF0008	Money Market	12/1/2017	0.050	25,955.62	25,955.62	25,955.62	25,955.62	N/A	1		0.04
TexStar LGIP	TEXSTAR	Local Government Investment Pool	12/31/2017	0.165	3,434,502.48	3,434,502.48	3,434,502.48	3,434,502.48	N/A	1		4.90

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
<b>Sub Total / Average 87 - 2017 Streets Construction</b>				0.164	3,460,458.10	3,460,458.10	3,460,458.10	3,460,458.10		1	0.00	4.94
<b>873 - MEDC Construction</b>												
Nations Funds MM	MF0008	Money Market	7/2/2018	0.050	1,599,724.97	1,599,724.97	1,599,724.97	1,599,724.97	N/A	1		2.28
TexStar LGIP	TEXSTAR	Local Government Investment Pool	7/31/2018	0.165	1,687,573.81	1,687,573.81	1,687,573.81	1,687,573.81	N/A	1		2.41
<b>Sub Total / Average 873 - MEDC Construction</b>				0.109	3,287,298.78	3,287,298.78	3,287,298.78	3,287,298.78		1	0.00	4.69
<b>Total / Average</b>				0.124	70,040,548.78	70,040,548.78	70,040,548.78	70,040,548.78		1	0.00	100



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3797

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**Agenda Date:** 10/12/2020

**Version:** 2

**Status:** Second Reading

**In Control:** City Council

**File Type:** Ordinance

### Title

Ordinance - Second Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas, Code of Ordinances by; Amending Section 111.22 "Time Restrictions"

### Requested Action

Approval of ordinance.

### Recommendation

Approval of ordinance.

### Description/History

This is the agreement agreed upon with the litigant in the Moxie case.

### Justification

N/A

### Funding Source

N/A

### Prepared By

Allen Taylor, City Attorney

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 111, “PEDDLERS AND SOLICITORS,” OF THE CODE OF MANSFIELD, TEXAS BY AMENDING SECTION 111.22, “TIME RESTRICTIONS,” ALLOWING COMMERCIAL HOME SOLICITATION AND HANDBILL DISTRIBUTION ON CERTAIN HOLIDAYS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the City Council of the City of Mansfield has previously adopted regulations governing Peddlers and Solicitors, codified in Chapter 111 of the City’s Code; and

**WHEREAS**, the City Council has determined that commercial solicitations and handbill distribution at residences at certain times greatly intrudes on the privacy and personal property rights of the citizens of Mansfield; and

**WHEREAS**, the City Council desires to amend Chapter 111 to allow commercial home solicitation and handbill distribution on certain holidays; and

**WHEREAS**, the City Council has determined that the amendments as set forth herein are in the best interest of the health, safety and general welfare of the citizens of the City of Mansfield and the public; and

**WHEREAS**, it is the intent of the City Council to not infringe on any rights protected by First and Fourteenth Amendments to the United States Constitution.

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

**SECTION 1.**

That Title XI, “Business Regulations,” Chapter 111, “Peddlers and Solicitors,” Section 111.22, “Time Restrictions,” subsection (D), of the Code of Mansfield, Texas is hereby amended to read as follows:

**“§ 111.22      TIME RESTRICTIONS**

*. . . . [subsections A, B, and C are to remain unchanged]*

- (D) Any of the following holidays: Good Friday; Thanksgiving Day; The Day after Thanksgiving Day; Christmas Eve; Christmas Day.”

**SECTION 2.  
CUMULATIVE CLAUSE**

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 provision of this Ordinance shall remain in full force and effect.

**SECTION 3.  
SEVERABILITY CLAUSE**

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 of provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Mansfield Code of Ordinances as a whole.

**SECTION 4.  
PENALTY CLAUSE**

Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 5.  
SAVINGS CLAUSE**

All rights and remedies of the City of Mansfield are expressly saved as to any and all violations of the provisions of the Code of Ordinance of the City of Mansfield, as amended, or any other ordinances affecting peddlers and solicitors which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.  
PUBLICATION**

The City Secretary of the City of Mansfield is hereby directed to publish this ordinance as required by law.

**SECTION 8.  
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THE FIRST READING THIS 14TH DAY OF SEPTEMBER, 2020.**

**PASSED AND APPROVED ON THE SECOND READING THIS 28TH DAY OF SEPTEMBER, 2020.**

**PASSED AND ADOPTED ON THE THIRD AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS THE 12TH DAY OF OCTOBER, 2020.**

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David L. Cook, Mayor

ATTEST:

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Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY

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Allen Taylor, City Attorney



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3780

**Agenda Date:** 10/12/2020

**Version:** 4

**Status:** Second Reading

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:**

**Title**

Ordinance - Second Reading of an Ordinance Approving a Request to Abandon Certain Utility Easements and Drainage Easements Relating to the M3 Ranch Addition

**Requested Action**

To consider the subject easement abandonments.

**Recommendation**

The Engineering Staff recommends the approval of the request to abandon certain utility easements and drainage easements relating to the M3 Ranch Addition.

**Description/History**

The easements shown in Exhibit "A" were created in April 2016 to accommodate proposed utility and drainage improvements for the M3 Ranch Addition as it had been designed in 2016. Since these easements were created, the public infrastructure plan for the M3 Ranch Addition has been revised. These specific easements need to be abandoned to accommodate the current plan for the M3 Ranch Addition. All easements needed for the current project are being dedicated as plats are filed.

No public infrastructure has been constructed within these easements. Therefore, these easements may now be abandoned.

**Justification**

All franchise utility companies have consented in writing to the proposed easement abandonments. The City currently has no public infrastructure within the easements and does not anticipate any future need for the easements. These utility easements and drainage easements can now be abandoned at no cost or impact to the City of Mansfield.

**Funding Source**

No funding necessary

**Prepared By**

Raymond Coffman, City Engineer, Engineering Dept., 817-276-4238

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE VACATING AND ABANDONING CERTAIN UTILITY EASEMENTS AND DRAINAGE EASEMENTS RELATING TO THE M3 RANCH ADDITION; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE QUITCLAIM DEEDS RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mansfield 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 Local Government Code; and

**WHEREAS**, the City Council of the City of Mansfield, Texas, after careful study and consideration, has determined that certain utility easements and drainage easements relating to the M3 Ranch Addition to the City of Mansfield, Johnson County, Texas, more specifically described in the attached Exhibit “A”, are not being used by, nor useful or convenient to the public in general; therefore, they constitute a public charge without a corresponding public benefit, and the public would be better served and benefited by the vacation and abandonment of said easements; and

**WHEREAS**, in order to remove any question as to the continued interest or ownership of the public in said easement, the City, upon request, will execute Quitclaim Deeds releasing all title, ownership and control in said easements to the fee title owner or owners of the underlying property;

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

**SECTION 1**

The utility easements and drainage easements more particularly described and depicted on Exhibit “A” attached hereto and incorporated herein for all purposes, are not being used by, nor useful or convenient to the public in general. Such easements constitute a public charge without a corresponding benefit, and the public would be better served and benefited by the vacation and abandonment of said easements. Accordingly, the utility easements and drainage easements relating to the M3 Ranch Addition shown on the attached Exhibit “A” are hereby vacated and abandoned as public property and such easement areas so abandoned shall revert in fee simple to the owner or owners of the underlying property.

**SECTION 2**

The Mayor of the City of Mansfield, Texas, is hereby authorized and empowered to execute quitclaim deeds releasing all claims to title, ownership, or control of the easements described hereinabove, on behalf of the City of Mansfield, Texas.

**SECTION 3**

A copy of said quitclaim deeds shall be presented for filing with the County Clerk of Johnson County, Texas by the office of the City Secretary.

**SECTION 4**

This Ordinance shall become effective immediately upon its passage as provided by law.

First reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
**David L. Cook, Mayor**

ATTEST:

\_\_\_\_\_  
**Susana Marin, City Secretary**

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
**Allen Taylor, City Attorney**

# LOCATION MAP



# EXHIBIT "A"



10' UTILITY EASEMENT  
VOLUME 2106 PAGE 913  
O.P.R.J.C.T.  
(PORTION THAT LIES WITHIN  
THE BOUNDS OF M3 RANCH  
DEVELOPMENT)

UTILITY EASEMENT  
EXHIBIT A-2  
CITY OF MANSFIELD  
C.C.# 2016-17092  
O.P.R.J.C.T.

UTILITY EASEMENT  
EXHIBIT A-1  
CITY OF MANSFIELD  
C.C.# 2016-17091  
O.P.R.J.C.T.

UTILITY EASEMENT  
EXHIBIT A-2  
CITY OF MANSFIELD  
C.C.# 2016-22800  
O.P.R.J.C.T.

UTILITY EASEMENT  
EXHIBIT A-1  
CITY OF MANSFIELD  
C.C.# 2016-23864  
O.P.R.J.C.T.

10' UTILITY EASEMENT  
EXHIBIT A-7  
CITY OF MANSFIELD  
C.C.# 2016-17092  
O.P.R.J.C.T.

DRAINAGE EASEMENT  
EXHIBIT A-2  
PARCEL 3  
CITY OF MANSFIELD  
C.C.# 2016-23863  
O.P.R.J.C.T.

UTILITY EASEMENT  
EXHIBIT B-1  
CITY OF MANSFIELD  
C.C.# 2016-22800  
O.P.R.J.C.T.

10' UTILITY EASEMENT  
EXHIBIT A-2  
CITY OF MANSFIELD  
C.C.# 2016-22799  
O.P.R.J.C.T.

UTILITY EASEMENT  
EXHIBIT A-2  
CITY OF MANSFIELD  
C.C.# 2016-17091  
O.P.R.J.C.T.

10' UTILITY EASEMENT  
EXHIBIT A-6  
CITY OF MANSFIELD  
C.C.# 2016-17092  
O.P.R.J.C.T.

DRAINAGE EASEMENT  
EXHIBIT A-2  
PARCEL 2  
CITY OF MANSFIELD  
C.C.# 2016-23863  
O.P.R.J.C.T.

10' UTILITY EASEMENT  
EXHIBIT A-3  
CITY OF MANSFIELD  
C.C.# 2016-17092  
O.P.R.J.C.T.

10' UTILITY EASEMENT  
EXHIBIT A-5  
CITY OF MANSFIELD  
C.C.# 2016-17092  
O.P.R.J.C.T.

10' UTILITY EASEMENT  
EXHIBIT A-1  
CITY OF MANSFIELD  
C.C.# 2016-22799  
O.P.R.J.C.T.

## UTILITY EASEMENT ABANDONMENT EXHIBIT

M3 RANCH, PHASE 1  
MANSFIELD, TX  
9/21/2020

**LJA Engineering, Inc.**

6060 North Central Expressway  
Suite 400  
Dallas, Texas 75206

Phone 469.621.0710

FRN - F-1386

2020/09/21 10:00 AM LJA Engineering, Inc. \\lja\shared\Projects\2020\09\21\2020\_09\_21\_10\_00\_AM\_LJA\_Engineering\_Inc\_\\lja\shared\Projects\2020\09\21\2020\_09\_21\_10\_00\_AM\_LJA\_Engineering\_Inc.dwg



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3773

**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution of the City of Mansfield, Texas Approving a Termination Agreement Terminating a First Amended and Restated Economic Development and Performance Agreement Between the Mansfield Economic Development Corporation and RMA Holdings, LLC; Authorizing the MEDC President to Execute Said Agreement;and Providing an Effective Date

**Requested Action**

Approval of the termination agreement

**Recommendation**

Staff recommends approving the termination of the economic development agreement

**Description/History**

In 2016, MEDC entered into an economic development agreement with RMA Holdings, LLC (AM-C Warehouse) for the development of a large cold storage facility. The agreement called for the facility to be developed in four phases and the incentives were to be paid at the conclusion of each phase. The agreement was amended in 2017 to change the deadlines for completion of Phase III and Phase IV. RMA completed Phase I and Phase II of the project and satisfied all of the requirements to receive the incentives for those phases.

RMA has now been sold to Americold - the world's largest REIT focused on owning and operating temperature controlled warehouses. As a result, RMA will no longer be able to fulfill their commitments for Phase III and IV and has requested termination of this agreement. The MEDC Board voted 6 to 0 on October 6th to approve termination of this agreement.

**Justification**

This would allow MEDC to retain \$750,000 of the funds dedicated to the payment of future incentives. RMA is also requesting termination of their tax abatement agreement which would place the full value of Phase I and Phase II, approximately \$34 million, on the tax rolls immediately.

**Funding Source**

4A

**Prepared By**

Richard Nevins, Director Economic Development, 817-728-3652

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING A TERMINATION AGREEMENT TERMINATING A FIRST AMENDED AND RESTATED ECONOMIC DEVELOPMENT AND PERFORMANCE AGREEMENT BETWEEN THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION AND RMA HOLDINGS, LLC; AUTHORIZING THE BOARD PRESIDENT TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, RMA Holdings, LLC (“RMA”) and the Mansfield Economic Development Corporation (“MEDC”) previously entered into a First Amended and Restated Economic Development and Performance Agreement on October 3, 2017 (the “Agreement”); and

**WHEREAS**, RMA and MEDC have mutually agreed to terminate the Agreement.

**WHEREAS**, upon full review and consideration of the termination of the Agreement and all matters attendant and related thereto, the City Council is of the opinion that the Agreement should be terminated.

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

**SECTION 1.**

The Termination Agreement attached hereto as Exhibit “A” is approved.

**SECTION 2.**

The MEDC Board President is authorized to execute the Termination Agreement.

**SECTION 3.**

This Resolution shall become effective from and after its passage.

PASSED AND APPROVED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
David Cook, Mayor

ATTEST:

\_\_\_\_\_  
Susana Marin, City Secretary

**EXHIBIT “A”**

Termination Agreement

## **TERMINATION AGREEMENT**

This Termination Agreement (“Agreement”) is entered into by and between Mansfield Economic Development Corporation (“Corporation”), a nonprofit corporation organized under Title 12, Subtitle C1, of the Texas Local Government Code, and RMA Holdings, LLC, a Texas limited liability company (“Company”). Company and the Corporation may sometimes hereafter be referred to individually as a “party” or collectively as the “parties.”

### **W I T N E S S E T H:**

**WHEREAS**, on October 3, 2017, the parties entered into that First Amended and Restated Economic Development and Performance Agreement Between the Mansfield Economic Development Corporation and RMA Holdings, LLC (the “Performance Agreement”); and

**WHEREAS**, the parties have mutually agreed to terminate the Performance Agreement.

**NOW, THEREFORE**, in consideration of the mutual benefits and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Termination.** Corporation and RMA agree that, effective from and after the execution of this Agreement, the Performance Agreement is terminated and the parties will have no further obligations or benefits under the Performance Agreement. RMA expressly releases and discharges Corporation, the City of Mansfield, their officers, officials, and employees, in their individual and official capacities, from any and all claims arising out of or relating to the Performance Agreement or this Agreement and further agrees to indemnify the Corporation, the City of Mansfield, and their officers, officials, and employees against, and hold them harmless from, any and all cost, liability, loss, damage or expense, including, without limitation, reasonable attorneys’ fees, relating to, arising from, or in connection with the Performance Agreement or this Agreement.
2. **Choice of Law/Venue/Attorney Fees.** 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. Each party hereby irrevocably and unconditionally consents, accepts, and agrees to submit to the exclusive jurisdiction of any state or federal court in Tarrant County, Texas with respect to any dispute, action, suit or proceeding arising out of, based upon, or relating to, this Agreement. 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, expended or incurred in connection therewith.
3. **Authority to Enter Agreement.** Each party has the full power and authority to enter into and perform this Agreement, and the person signing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement. The persons executing this

Agreement hereby warrant and represent that they have authorization to sign on behalf of their respective corporations or other legal entity.

4. Entire Agreement. It is understood that this Agreement contains the entire agreement between the parties and supersedes any and all prior agreements, arrangements, or understandings between the parties relating to the subject matter.

**MANSFIELD ECONOMIC  
DEVELOPMENT CORPORATION**

\_\_\_\_\_  
Larry Klos, Board President

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Board Secretary

**RMA HOLDINGS, LLC**  
a Texas limited liability company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3774

**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution of the City of Mansfield, Texas Approving a Termination Agreement Terminating a Tax Abatement Agreement Between the City of Mansfield, Texas and RMA Holdings, LLC; Authorizing the Mayor to Execute Said Agreement; and Providing an Effective Date

**Requested Action**

Approve termination of tax abatement agreement

**Recommendation**

Staff recommends approving the termination of the tax abatement agreement.

**Description/History**

In 2016, MEDC entered into an tax abatement agreement with RMA Holdings, LLC (AM-C Warehouse) for the development of a large cold storage facility. The agreement called for the facility to be developed in four phases and the incentives were to be paid at the conclusion of each phase. The agreement was amended in 2017 to change the deadlines for completion of Phase III and Phase IV and to revise the beginning year of the abatement to 2020. RMA completed Phase I and Phase II of the project and satisfied all of the requirements to receive the incentives for those phases.

RMA has now been sold to Americold - the world's largest REIT focused on owning and operating temperature controlled warehouses. As a result, RMA will no longer be able to fulfill their commitments for Phase III and IV and has requested termination of this tax abatement agreement.

**Justification**

This would place the full value of Phase I and Phase II, approximately \$34 million, on the tax rolls immediately. RMA is also requesting termination of their economic development agreement.

**Funding Source**

General Fund

**Prepared By**

Richard Nevins, Director Economic Development, 817-728-3652

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING A TERMINATION AGREEMENT TERMINATING A TAX ABATEMENT AGREEMENT BETWEEN THE CITY OF MANSFIELD, TEXAS, AND RMA HOLDINGS, LLC; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, RMA Holdings, LLC (“RMA”) and the City of Mansfield (“City”) previously entered into a Tax Abatement Agreement on October 10, 2016 and a First Amendment to Tax Abatement Agreement on June 2, 2020 (collectively the “Agreement”); and

**WHEREAS**, the City and RMA have mutually agreed to terminate the Agreement; and

**WHEREAS**, upon full review and consideration of the termination of the Agreement and all matters attendant and related thereto, the City Council is of the opinion that the Agreement should be terminated.

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

**SECTION 1.**

The Termination Agreement attached hereto as Exhibit “A” is approved.

**SECTION 2.**

The Mayor is authorized to execute the Termination Agreement.

**SECTION 3.**

This Resolution shall become effective from and after its passage.

PASSED AND APPROVED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

**EXHIBIT “A”**

Termination Agreement

## **TERMINATION AGREEMENT**

This Termination Agreement (“Agreement”) is entered into by and between the City of Mansfield, Texas, a Texas home rule municipality (“City”), and RMA Holdings, LLC a Texas limited liability company (“RMA”). City and RMA are sometimes hereafter referred to individually as a “party” and collectively as the “parties”.

### **WITNESSETH:**

**WHEREAS**, on October 10, 2016, the parties entered into that Tax Abatement Agreement Between the City of Mansfield, Texas and RMA Holdings, LLC and subsequently entered into a First Amendment to Tax Abatement Agreement on June 2, 2020 (collectively the “Abatement Agreement”); and

**WHEREAS**, the parties have mutually agreed to terminate the Abatement Agreement.

**NOW, THEREFORE**, in consideration of the mutual benefits and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Termination.** City and RMA agree that, effective from and after the execution of this Agreement, the Abatement Agreement is terminated and the parties will have no further obligations or benefits under the Abatement Agreement. RMA expressly releases and discharges City, its officers, officials, and employees, in their individual and official capacities, from any and all claims arising out of or relating to the Abatement Agreement or this Agreement and further agrees to indemnify City against, and hold City and its officers, officials, and employees harmless from, any and all cost, liability, loss, damage or expense, including, without limitation, reasonable attorneys’ fees, relating to, arising from, or in connection with the Abatement Agreement or this Agreement.
2. **Choice of Law/Venue/Attorney Fees.** 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. Each party hereby irrevocably and unconditionally consents, accepts, and agrees to submit to the exclusive jurisdiction of any state or federal court in Tarrant County, Texas with respect to any dispute, action, suit or proceeding arising out of, based upon, or relating to, this Agreement. 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, expended or incurred in connection therewith.
3. **Authority to Enter Agreement.** Each party has the full power and authority to enter into and perform this Agreement, and the person signing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement. The persons executing this Agreement hereby warrant and represent that they have authorization to sign on behalf of their respective corporations or other legal entity.

4. Entire Agreement. It is understood that this Agreement contains the entire agreement between the parties and supersedes any and all prior agreements, arrangements, or understandings between the parties relating to the subject matter.

**CITY OF MANSFIELD, TEXAS**

\_\_\_\_\_  
David Cook, Mayor

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Susana Marin, City Secretary

**RMA HOLDINGS, LLC**  
a Texas limited liability company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3805

**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution Awarding a Construction Contract for a Westbound Left-Turn Lane and Driveway Improvements on West Broad Street to GRod Construction, LLC.; Authorizing and Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$176,000.00 (Street Bond Fund)

**Requested Action**

Consider the Resolution awarding a construction contract for a westbound left-turn lane and driveway improvements on West Broad Street to GRod Construction, LLC.; Authorizing and Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount not to exceed \$176,000.00.

**Recommendation**

The Public Works Staff recommends approval of the Resolution.

**Description/History**

This project will address a traffic/safety issue that has developed on West Broad Street. The location of the driveway for Pioneer Place is located in-between existing median openings. Residents that are westbound on West Broad Street have to stop or significantly slowdown in the inside thru lane to make a U-turn maneuver at the existing median opening which is located west of Pioneer Place (a left-turn lane is not present). This slowing down or stopping of vehicles in the thru lane is not expected by many motorists traveling on West Broad Street which creates sudden hard stops or evasive maneuvers for the thru traffic.

This project will add a westbound left-in only turn lane on West Broad Street at Pioneer Place, modify the existing eastbound left-turn lane to accommodate the left-in only and modify the middle driveway that serves Bethlehem Baptist Church.

The project was advertised in the Fort Worth Star Telegram on August 6 and August 13, 2020 and also advertised on the City webpage and www.civcastusa.com. Bids were opened on August 25, 2020. There were four bidders for the project. One bidder was disqualified for an incomplete submittal. The three remaining bids ranged from a low bid of \$161,205.00 to a high bid of \$197,475.00. The low bidder was GRod Construction, LLC.

The requested funds are for a construction contract with GRod Construction, LLC. in the amount of \$161,205.00 plus a 5% contingency and other miscellaneous services (construction survey, materials testing, etc.) to complete the project. This project is to be accomplished within a budget not to exceed \$176,000.00. To provide for safe operations on West Broad

Street and at the left-turn lane, modifications are needed to the existing driveway that serves Bethlehem Baptist Church. The Bethlehem Baptist driveway will be changed to a right-in only design that will not allow traffic to exit. This restriction will prevent traffic from unsafely merging across West Broad Street from the driveway to access the new left turn lane. Bethlehem Baptist Church has agreed to fund this on-site improvement. The bid cost for the driveway improvements is \$18,435.00. With a 5% contingency and other miscellaneous expenses it is estimated Bethlehem Baptist Church will contribute \$20,000.00 towards this project.

**Justification**

The construction of the left-turn lane will improve the safety for the motoring public on West Broad Street as well as for the residents of Pioneer Place.

The Director of Public Works will be in attendance at the meeting to answer Council's questions regarding the proposed contract. A resolution and bid tab is attached for Council's consideration.

**Funding Source**

The funding source will be from the Street Bond Fund.

**Prepared By**

David Boski, P.E.  
Asst. Director of Public Works - Transportation

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AWARDED A CONSTRUCTION CONTRACT FOR A WESTBOUND LEFT TURN LANE AND DRIVEWAY IMPROVEMENTS ON WEST BROAD STREET TO GROD CONSTRUCTION, LLC.; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS; AND AUTHORIZING FUNDING FOR AN AMOUNT NOT TO EXCEED \$176,000.00 (STREET BOND FUND).**

WHEREAS, the City of Mansfield has publicly advertised and requested competitive bids for the construction a westbound left turn lane and driveway improvements on West Broad Street; and,

WHEREAS, all bids were received, opened and publicly read aloud on August 25, 2020; and,

WHEREAS, the expenditure of the funds stated herein will be secured from the Street Bond Fund; and,

WHEREAS, 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 earliest possible date to ensure necessary service and delivery; and,

WHEREAS, after review of all bids received, it is the recommendation and determination of Council that the "lowest and best" bid is that of GRod Construction, LLC.

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

Section 1.

The City Manager is hereby authorized and directed to execute contractual documents for construction of a westbound left turn lane and driveway improvements on West Broad Street with GRod Construction, LLC for an amount of One Hundred Sixty One Thousand Two Hundred Five and 00/100 Dollars (\$161,205.00) plus a 5% contingency for a total amount not to exceed One Hundred Sixty Nine Thousand Two Hundred Sixty Five and 25/100 Dollars (\$169,265.25).

Section 2.

Funding for the entire project is hereby authorized in an amount not to exceed One Hundred Seventy Six Thousand and 00/100 Dollars, (\$176,000.00.).

PASSED AND APPROVED THIS THE 12<sup>th</sup> DAY OF OCTOBER 2020.

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**David L. Cook, Mayor**

ATTEST:

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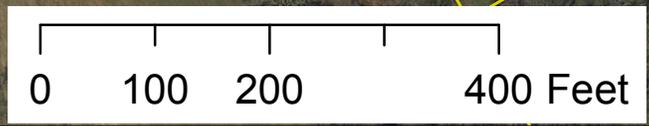
**Susana Marin, City Secretary**

# WEST BROAD STREET LEFT TURN & DRIVEWAY IMPROVEMENTS



**IMPROVEMENT  
LOCATION**

W BROAD ST



PAVING IMPROVEMENTS FOR WEST BROAD STREET LEFT TURN LANE AND DRIVEWAY											
BID COMPARISONS											
Item No.	Quantity		Description & Price In Words	Rebecon, Inc.		McClendon Construction Co., Inc.		GRod Construction,LLC		KenDo Contracting	
	No.	Unit		Unit Price	Total	Unit Price	Total	Unit Price	Toatal	Unit Price	Toatal
1A	1	LS	Mobilization & Bonds, complete and executed, for the sum of Dollars and Cents per Lump Sum	\$ 18,000.00	\$ 18,000.00	\$ 7,500.00	\$ 7,500.00	\$ 25,500.00	\$ 24,500.00	Disqualify	Disqualify
2A	1	LS	Provide Construction Storm Water Pollution Prevention Management, including but not limited to, inlet protection, dust control and sweeping during construction, work fully performed for the sum of: Dollars and Cents per Lump Sum	\$ 2,000.00	\$ 2,000.00	\$ 4,550.00	\$ 4,550.00	\$ 5,500.00	\$ 5,500.00	Disqualify	Disqualify
3A	1	LS	Furnish and Install Traffic Control Devices such as striping, pavement markings and buttons, complete and in place for the sum of Dollars and Cents per Square Foot	\$ 20,000.00	\$ 20,000.00	\$ 9,250.00	\$ 9,250.00	\$ 13,500.00	\$ 13,500.00	Disqualify	Disqualify
4A	1491	SF	Demolition of median at the dimensions and location shown on the plans for the proposed Left Turn Lane to serve 1197 W. Broad Street, including saw cutting full depth, removal, and proper disposal of existing pavement for the sum of Dollars and Cents per Lump Sum	\$ 15.00	\$ 22,365.00	\$ 4.00	\$ 5,964.00	\$ 7.00	\$ 10,437.00	Disqualify	Disqualify
5A	1	LS	Remove and properly dispose of trees and crape myrtles for the sum of Dollars and Cents peLump Sum	\$ 2,100.00	\$ 2,100.00	\$ 3,000.00	\$ 3,000.00	\$ 1,250.00	\$ 1,250.00	Disqualify	Disqualify
6A	1	LS	Relocation and adjustment of existing utilities, including but not limited to, relocation of existing light pole(s), removing and plugging of existing sprinkler control valves, and valve boxes, adjustment to finished grade of existing valves, complete and in place for the sum of Dollars and Cents per Lump Sum	\$ 10,040.00	\$ 10,040.00	\$ 16,950.00	\$ 16,950.00	\$ 8,100.00	\$ 8,100.00	Disqualify	Disqualify
7A	228	LF	Installation of 228 linear feet of 6" & 4" specified conduits and two (2) pull boxes, complete and in place for the sum of Dollars and Cents per Linear Foot	\$ 60.00	\$ 13,680.00	\$ 50.00	\$ 11,400.00	\$ 29.00	\$ 6,612.00	Disqualify	Disqualify
8A	408	SF	Remove, Salvage, and reinstall existing pavers in median at the dimensions and location shown on the plans for the proposed left turn lane to serve 1197 W. Broad Street, complete and in place for the sum of Dollars and Cents per Square foot	\$ 19.00	\$ 7,752.00	\$ 15.00	\$ 6,120.00	\$ 13.00	\$ 5,304.00	Disqualify	Disqualify
9A	3328	SF	Lime stabilized subgrade (12" cement treated subgrade may be used in lieu of lime stabilization), complete and in place for the sum of Dollars and Cents per Square foot	\$ 3.00	\$ 9,984.00	\$ 3.50	\$ 11,648.00	\$ 4.50	\$ 14,976.00	Disqualify	Disqualify
10A	2902	SF	Furnish & Install 9-inch thick Portland Cement Concrete for Left Turn Lane to serve 1197 W. Broad Street, consistent with City of Mansfield details, including reinforcement, joints, complete and in place for the sum of Dollars and Cents per Square foot	\$ 17.00	\$ 49,334.00	\$ 16.00	\$ 46,432.00	\$ 10.50	\$ 30,471.00	Disqualify	Disqualify
11A	1264	SF	Furnish additional pavers identical to existing pavers as needed, and install pavers consistent with the City of Mansfield details, complete and in place for the sum of Dollars and Cents per Square foot	\$ 10.00	\$ 12,640.00	\$ 16.00	\$ 20,224.00	\$ 17.50	\$ 22,120.00	Disqualify	Disqualify
<b>A) Total Bid for Left Turn Lane</b>					<b>\$ 167,895.00</b>		<b>\$ 143,038.00</b>		<b>\$ 142,770.00</b>	<b>Disqualify</b>	<b>Disqualify</b>

PAVING IMPROVEMENTS FOR WEST BROAD STREET LEFT TURN LANE AND DRIVEWAY											
BID COMPARISONS											
Item No.	Quantity		Description & Price In Words	Rebecon, Inc.		McClendon Construction Co., Inc.		GRod Construction,LLC		KenDo Contracting	
	No.	Unit		Unit Price	Total	Unit Price	Total	Unit Price	Toatal	Unit Price	Toatal
1B	1536	SF	Demolition of existing driveway located at 1188 W. Broad Street, including saw cutting full depth, removal, and proper disposal of existing pavement to limits shown, complete and in place for the sum of  Dollars and Cents per Square foot	\$ 5.00	\$ 7,680.00	\$ 4.00	\$ 6,144.00	\$ 2.00	\$ 3,072.00	Disqualify	Disqualify
2B	1078	SF	Furnish & Install 8-inch thick Portland Cement Commercial Concrete Driveway, consistent with City of Mansfield Commercial Drive Approach details, at 1188 W. Broad Street, over native soil compacted to 95% ASTM D698, at Optimum Moisture Content or above, including all the reinforcement and joints, complete and in place for the sum of  Dollars and Cents per Square foot	\$ 14.00	\$ 15,092.00	\$ 15.00	\$ 16,170.00	\$ 10.50	\$ 11,319.00	Disqualify	Disqualify
3B	224	SF	Furnish & Install four-inch (4") thick, six-foot (6') wide Concrete Sidewalk along the frontage of 1188 W. Broad Street at the modified Commercial Driveway, including reinforcement and joints, complete and in place for the sum of  Dollars and Cents per Square foot	\$ 17.00	\$ 3,808.00	\$ 9.00	\$ 2,016.00	\$ 6.00	\$ 1,344.00	Disqualify	Disqualify
4B	2	EA	Furnish and install "Do Not Enter" signs consistent with City of Mansfield Standards, complete and in place for the sum of  Dollars and Cents per Each	\$ 500.00	\$ 1,000.00	\$ 500.00	\$ 1,000.00	\$ 450.00	\$ 900.00	Disqualify	Disqualify
5B	1	LS	Furnish and Install Traffic Control Devices, such as striping and pavement markings, complete and in place for the sum of  Dollars and Cents per Lump Sum	\$ 2,000.00	\$ 2,000.00	\$ 650.00	\$ 650.00	\$ 1,800.00	\$ 1,800.00	Disqualify	Disqualify
<b>B) Toatal Bid for Driveway</b>					\$ 29,580.00		\$ 25,980.00		\$ 18,435.00	Disqualify	Disqualify
<b>TOTAL BID</b>					\$ 197,475.00		\$ 169,018.00		\$ 161,205.00	Disqualify	Disqualify



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3808

**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution Awarding Contract to the Lowest and Best Bids for the Supply of Granular Activated Carbon Filter Media (GAC) for the Bud Ervin Water Treatment Plant

**Requested Action**

Consider the attached resolution authorizing a contract for the purchase of GAC Filter Media.

**Recommendation**

Staff recommends approval of the attached resolution awarding a purchase contract for GAC to Calgon Carbon Corporation for a bid price not to exceed \$1,258,600.00.

**Description/History**

The invitation to bid was advertised in the Fort Worth Star-Telegram, posted on the City of Mansfield website, and bid packets were e-mailed to known suppliers and companies that requested them. On September 10th at 2:00 P.M., two bids were received. After reviewing the bids, it is staff's belief that Calgon Carbon Corporation provided the lowest and best value bid.

**Justification**

The TCEQ requires that public water systems meet stringent water quality standards to protect public health. GAC will be utilized at the Bud Ervin Water Treatment Plant in the filtration process to meet or exceed all water quality standards.

GAC filter media is used to adsorb organic chemicals and taste and odor-causing compounds during the treatment process. This filter media is a vital piece of the multiple-barrier treatment scheme used at the Bud Ervin Water Treatment Plant.

**Funding Source**

Utility Capital Funds

**Prepared By**

Jeff Price Director, Water Utilities  
817-728-3602

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF GRANULAR ACTIVATED CARBON FILTER MEDIA TO BE USED AT THE BUD ERVIN WATER TREATMENT PLANT.

WHEREAS, the City of Mansfield, Texas, has publicly advertised for and requested competitive bids for the purchase of Granular Activated Carbon Filter Media to be used for drinking water treatment; and,

WHEREAS, the expenditure of the funds stated herein has been incorporated into the Utility Fund CIP Budget of the City of Mansfield; and,

WHEREAS, after review and consideration of all bids received, it is the recommendation of staff and determination of City Council that the "lowest and best value" bid is that of Calgon Carbon Corporation. and,

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

SECTION 1.

The City Manager is hereby authorized and directed to execute contractual documents for the purchase of Granular Activated Carbon Filter Media with Calgon Carbon Corporation for a price not to exceed one million two hundred fifty-eight thousand, six hundred dollars and no cents (\$1,258,600.00).

PASSED AND APPROVED this the 12<sup>th</sup> day of October 2020.

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David Cook, Mayor

ATTEST:

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Susana Marin, City Secretary

Owner: City of Mansfield

Bid No.: 2020-25-03

Project: Granular Activated Carbon

Date: 9-10-2020 @ 2:00 p.m.

Name of Bidder				Bid Amount	Comments
Cabot Norit Americas 3200 University Ave Marshall, TX 75670	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	1,338.420.00	Received 9/9/20 @ 10:36 a.m. by SR
Calgon Carbon 3000 GSK Drive Coraopolis, PA 15108	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	1,258.600.00	Received 9/9/20 @ 10:36 a.m. by SR
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		

	<input type="checkbox"/> Yes		<input type="checkbox"/> Yes		
	<input type="checkbox"/> No		<input type="checkbox"/> No		



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3809

**Agenda Date:** 10/12/2020

**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, Rejecting all Bids for the Construction of the Man House Information Center and Restroom Building Received Through A Public Bid Opening

**Requested Action**

Approve a Resolution to reject all proposals received for the construction of the Man House Information Center & Restroom Building project.

**Recommendation**

Staff recommends approval of the Resolution.

**Description/History**

After opening and reviewing all thirteen (13) proposals received for the construction of the Information Center & Restroom Building, staff has determined that the scope and design of the project should be reviewed and revised to result in a more cost-effective solution for the needs of the museum staff and the visitors using these facilities.

**Justification**

Proposals received were significantly higher than what was estimated by a third-party estimator, however, throughout the design process, decisions related to construction materials, space utilization and architectural elements were made with the overall budget in mind. As a result, staff would recommend that alternative design options be investigated and vetted, with the project being re-bid at a future date.

**Funding Source**

Bond Issue

**Prepared By**

Wade McLaurin, Director of Building Services

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, REJECTING ALL BIDS FOR THE CONSTRUCTION OF THE MAN HOUSE INFORMATION CENTER AND RESTROOM BUILDING RECEIVED THROUGH A PUBLIC BID OPENING.**

**WHEREAS**, the City of Mansfield has publicly advertised and requested competitive sealed proposals for the Man House Information Center & Restroom Building; and

**WHEREAS**, all proposals were received, opened and reviewed on September 1, 2020; and

**WHEREAS**, the City has decided to review and possibly revise the project scope and design; and

**WHEREAS**, after review of all proposals received, it is the recommendation and determination of Council that all bids be rejected.

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

**SECTION 1.**

That the City Manager is hereby authorized and directed to reject all proposals received by the City for the construction of the Man House Information Center & Restroom Building.

**PASSED AND APPROVED THIS THE 12th day of OCTOBER, 2020.**

\_\_\_\_\_  
**David L. Cook, Mayor**

ATTEST:

\_\_\_\_\_  
**Susana Marin, City Secretary**

Owner: City of Mansfield

Bid No.: 2020-41-01-01

Project: Man House Information Center and Restroom Building

Date: 9/1/2020 @ 2:00 p.m.

Name of Bidder	Addendum	CIQ	Bid Bond	Bid Amount	Comments
CMC Development & Construction	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$605,000.00	Received 9/1/2020 @ 11:04 a.m. SR
9494 Southwest Freeway STE 485	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Houston, TX 77074					
308 Construction, LLC	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$544,259.00	Received 9/1/2020 @ 1:15 p.m. SR
2126 Hamilton Dr. Ste 250	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Argyle, TX 76226					
Action Retail Construction, LLC.	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$574,511.00	Received 9/1/2020 @ 1:23 p.m. SR
4320 Action Dr.	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Mesquite, TX 75150					
Jandy Construction LLC	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$593,708.00	Received 9/1/2020 @ 1:30 p.m. SR
P.O. Box 1510	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Aledo, TX 76008					
Fast General Contracting LLC	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$615,000.00	Received 9/1/2020 @ 1:30 p.m. SR
5587 Davis Blvd. Suite 500	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
North Richland Hills, TX 76180					
Concord Commercial Services, Inc.	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$769,302.00	Received 9/1/2020 @ 1:37 p.m. SR
11400 Long Street	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Balch Springs, TX 75180					
JM Construction Solutions	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$533,975.71	Received 9/1/2020 @ 1:41 p.m. SR
1937 Irving Boulevard	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Dallas, TX 75207					
Tri-North Builders	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$649,000.00	Received 9/1/2020 @ 1:44 p.m. SR
4090 Sandshell Dr- Fossil Creek Tech Ctr	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Ft Worth, TX 76137					
Cooper Jensen Contractors	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$635,399.00	Received 9/1/2020 @ 1:48 p.m. SR
213 North Rupert	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Fort Worth , TX 76107					

Tegrity Contractors	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$624,777.00	Received 9/1/2020 @ 1:49 p.m. SR
202 N. Allen Dr Suite E	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Allen, TX 75013					
AUI Partners,LLC	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$535,581.00	Received 9/1/2020 @ 1:51 p.m. SR
13600 Heritage Pkwy, Suite #150	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Ft Worth, TX 76177					
MDI Inc. General Contractors	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$737,000.00	Received 9/1/2020 @ 1:51 p.m. SR
1225 Lakeshore Dr Suite 100	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Coppell, TX 75019					
Henthorn Commercial Construction	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	\$645,000.00	Received 9/1/2020 @ 1:52 p.m. SR
2011 Ave C.	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		
Lubbock, TX					



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3810

**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$372,000.00 and Approval of Contracts, Including Design Services with Neel-Schaffer, Inc. and Surveying Services with Brittain & Crawford, to Prepare Upper Pressure Plane and South 6th Avenue Water Line Improvements for Public Bidding and Construction (Utility Bond Fund)

**Requested Action**

Consider the authorization of funding and approval of contracts.

**Recommendation**

The authorization of funding in an amount not to exceed \$372,000.00 and approval of contracts, including design services with Neel-Schaffer, Inc. and Surveying Services with Brittain & Crawford, to prepare Upper Pressure Plane and South 6th Avenue Water Line Improvements for public bidding and construction.

**Description/History**

In accordance with the 2019 Water Master Plan, three segments of 12" water line are proposed along the south side of South Main St. A 16" water line is also proposed along the west side of FM 917 from South Main St. to proposed Klein Blvd.

A new 10" water line is proposed along the west side of South 6th Ave. from West Broad St. south to Easy Dr. to replace an existing 8" AC water line that is currently in need of minor repairs on a regular basis. In conjunction with this water line, three sanitary sewer manholes currently in poor condition just east of 6th Ave. will be replaced.

The requested funds are for design services with Neel-Schaffer, Inc. in the amount of \$241,000.00 which includes a 5% contingency for potential design scope changes, survey services with Brittain & Crawford in the amount of \$61,000.00 which includes a 10% contingency for potential survey scope changes, \$50,000.00 for easement acquisition, and a contingency of \$20,000 for subsurface investigation and other miscellaneous services, for a total budget of \$372,000.00

**Justification**

This project is included in the Utility Bond Fund Capital Plan.

The Director of Public Works will be in attendance at the meeting to answer Council's questions regarding the proposed funding and contracts.

**Funding Source**

Utility Bond Fund

**Prepared By**

Gus Chavarria, CIP Manager, Engineering Department, 817-276-4235

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$372,000.00 AND APPROVAL OF CONTRACTS, INCLUDING DESIGN SERVICES WITH NEEL-SCHAFFER, INC. AND SURVEYING SERVICES WITH BRITTAİN AND CRAWFORD TO PREPARE UPPER PRESSURE PLANE AND SOUTH 6TH AVENUE WATER LINE IMPROVEMENTS FOR PUBLIC BIDDING AND CONSTRUCTION (UTILITY BOND FUND)**

**WHEREAS**, the City Council recognizes the need to proceed forward with design of Upper Pressure Plane and South 6th Avenue Water Line Improvements for the benefit of the citizens of the City of Mansfield; and,

**WHEREAS**, the City Staff has reviewed the proposal for the design of Upper Pressure Plane and S. 6th Avenue Water Line Improvements; and,

**WHEREAS**, the City Council has received the recommendation of Staff to contract with Neel-Schaffer, Inc. for design services; and,

**WHEREAS**, the City Council has received the recommendation of Staff to contract with Brittain and Crawford for surveying services; and,

**WHEREAS**, it is necessary to authorize and secure funds from the Utility Bond Fund.

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

**SECTION 1.**

Funding is hereby authorized in the amount of Three Hundred Seventy Two Thousand and 00/100 Dollars (\$372,000.00) to prepare this project for public bidding and construction.

**SECTION 2.**

The City Manager or his designee is hereby authorized and directed to execute necessary contracts to prepare this project for public bidding and construction to include Neel-Schaffer, Inc. for design services for an amount not to exceed Two Hundred Forty One Thousand and 00/100 Dollars (\$241,000.00).

**SECTION 3.**

The City Manager or his designee is hereby authorized and directed to execute a contract with Brittain & Crawford for surveying services for an amount not to exceed Sixty One Thousand and 00/100 Dollars (\$61,000.00).

**PASSED AND APPROVED THIS THE 12<sup>th</sup> DAY OF OCTOBER, 2020.**

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**David L. Cook, Mayor**

**ATTEST:**

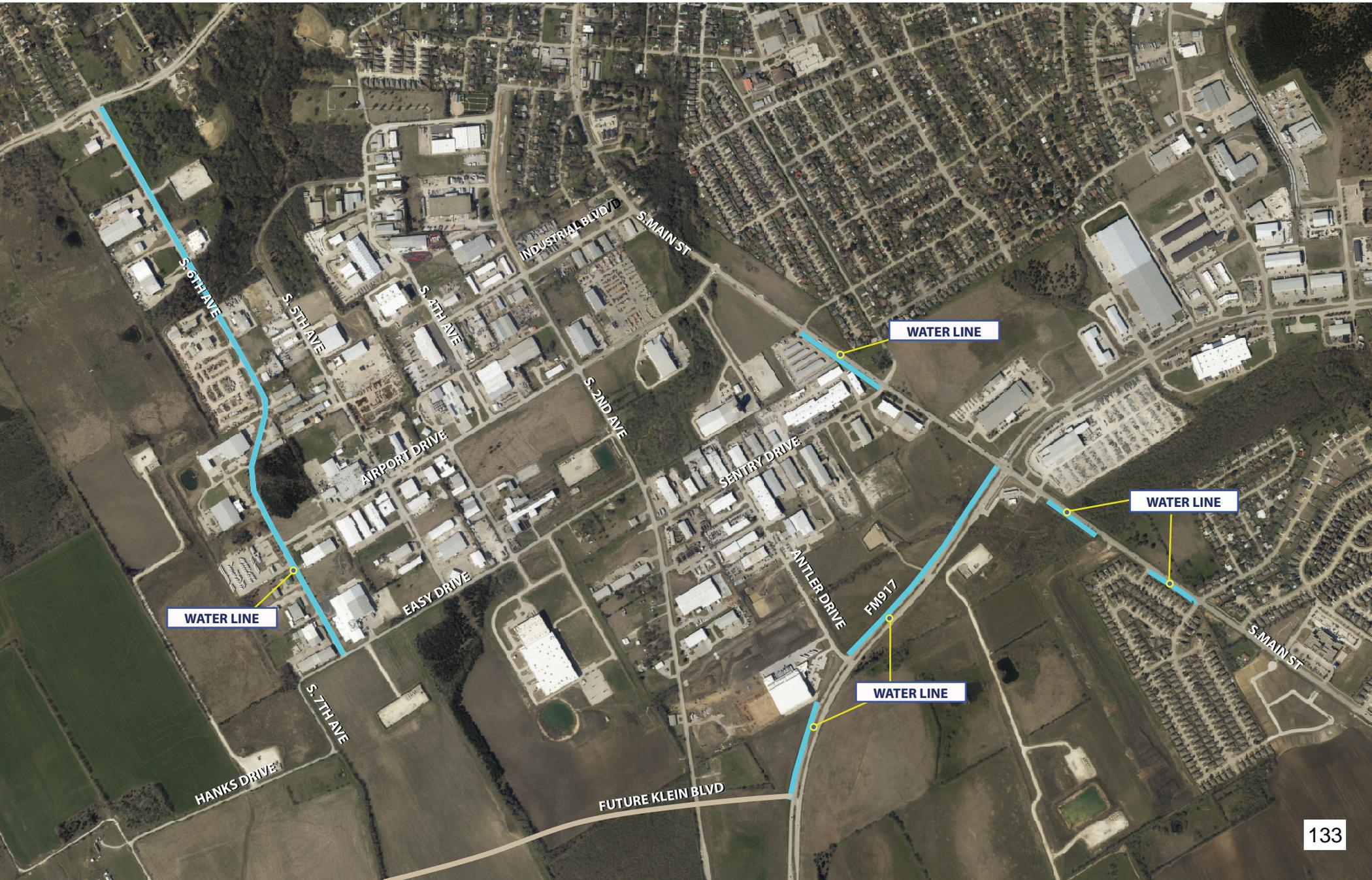
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**Susana Marin, City Secretary**

# LOCATION MAP



Upper Pressure Plane and S. 6th Avenue Water Line Improvements





# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3813

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**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution Amending the Bylaws of the Mansfield Commission for the Arts

**Requested Action**

The approval of amended bylaws for the Mansfield Commission for the Arts.

**Recommendation**

The approval of the amended bylaws for the Mansfield Commission for the Arts.

**Description/History**

The Mansfield Commission Bylaws were amended to increase the size of the permanent Board members by two members with alternating years.

**Justification**

Staff was directed by Management to make the changes.

**Funding Source**

No funding source is needed.

**Prepared By**

Theresa Cohagen, Director, Mansfield Convention and Visitors Bureau  
817-804-5785

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AMENDING THE BYLAWS FOR MANSFIELD COMMISSION FOR THE ARTS**

**WHEREAS**, Mansfield Commission for the Arts of the City of Mansfield; and,

**WHEREAS**, the City staff have reviewed the amendments; and,

**WHEREAS**, it is in the interest of the public that The Mansfield Commission be able to maintain its mission of creating a culturally diverse city.

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

**SECTION 1.**

The Mansfield Commission of the Arts Bylaw amendments are effective and shall remain as the operating guidelines for until such time as it is necessary that they be altered.

**PASSED AND APPROVED THIS THE 12<sup>TH</sup> DAY OF OCTOBER, 2020.**

\_\_\_\_\_  
**David L. Cook, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Susana Marin, City Secretary**

**BYLAWS OF  
MANSFIELD COMMISSION FOR THE ARTS**

**ARTICLE I  
PURPOSE AND POWERS**

**1.1 PURPOSE.** The Corporation is incorporated for the purposes set forth in the Certificate of Formation, the same to be accomplished on behalf of the City of Mansfield, Texas (the “City”). Further the Mansfield Commission for the Arts shall support and nourish the Arts. The Mansfield Commission for the Arts shall equitably allocate funds and resource for the arts; provide needed services to artists and the community; advocate for culturally diverse arts programs; and be active in the community with regard to cultural planning and development.

**1.2 POWERS.** The Mansfield Commission for the Arts shall have the authority to perform the following:

**1.2.1 Budget.** The Board of Directors shall adopt a budget each July and present it to the City Council prior to August 15 each year. The fiscal year for the Mansfield Commission for the Arts is October through September. The Board of Directors shall have final approval of the budget of the Mansfield Commission for the Arts.

**1.2.2 Assets.** The Board of Directors shall have the power to acquire, on behalf of, and in the name of, the Mansfield Commission for the Arts, by purchase, bequest, or otherwise, real and personal property of every kind, and to hold, use or dispose of the same in the name of the Mansfield Commission for the Arts for the purpose of achieving any of the purposes stated herein. The Board of Directors shall have the responsibility of review and oversight of all endowments.

**1.2.3 Loans and Gifts.** The Board of Directors shall have the authority to accept loans and gifts of artwork subject to the established guidelines.

**ARTICLE II  
DIRECTORS**

**2.1. BOARD OF DIRECTORS.** The property and business and affairs of the Corporation shall be managed and controlled by a Board of Directors (the “Board”) and, subject to the restrictions imposed by law, by the Certificate of Formation, and by these Bylaws, the Board shall exercise all of the power of the Corporation.

**2.2. NUMBER OF DIRECTORS.** The Board shall consist of nine (9) directors, each of whom shall be appointed by the City Council (the “City Council) of the City.

**2.3. TERM OF OFFICE.** The Directors shall serve at the pleasure of the City Council for a term of two (2) years, until they resign, are removed, or are no longer able to perform their duties as Directors due to death or disability. For the initial board, four (4) members shall be appointed to two (2) year terms and three (3) members will be appointed to a one year term with two (2) year terms after the expiration of the first term. Directors shall serve until their successors are duly appointed.

**2.4. VACANCIES.** Any vacancy occurring in the Board shall be filled by the City Council.

**2.5. REMOVAL.** Any Director may be removed, with or without cause, by the City Council.

**2.6. RESIGNATION.** A Director may resign by providing notice in writing to the City Council. The resignation shall be effective upon the later of the date of receipt of the notice of resignation or the effective date specified in the notice. Acceptance of the resignation shall not be required to make the resignation effective.

**2.7. REGULAR MEETINGS OF DIRECTORS.** A regular meeting of the Board shall be held at least annually at which the Board shall elect officers and transact any other business as shall come before the meeting. The Board may designate a time and place for additional regular meetings, by resolution, without notice other than the resolution.

**2.8. SPECIAL MEETINGS OF DIRECTORS.** The President of the Board may call a special meeting of the Board at a time or place determined by the President. The President shall call a special meeting at the written request of two or more Directors.

**2.9. NOTICE OF MEETINGS.** All special meetings of the Board shall be held upon not less than three day's written notice stating the date, time, place, and purpose of meeting given to each Director either personally or by mail. Notice of a regular or special meeting of the Board may be provided to a Director by electronic transmission to the e-mail address of the Director on file with the Corporation. A written waiver of the required notice signed by a Director entitled to the notice, before or after the meeting, is the equivalent of giving notice to the Director who signs the waiver. Attendance of a Director at any meeting shall constitute a waiver of notice of the meeting, except where the Directors attend a meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened.

**2.10. QUORUM OF DIRECTORS.** A majority of the Directors shall constitute a quorum for the transaction of business. The act of the majority of the Directors present at a meeting at which a quorum is present at the time of the act shall be the act of the Board, unless the act of a greater number is required by law or the Certificate of Formation or these Bylaws. The Directors at a meeting for which a quorum is not present may adjourn the meeting until a time and place as may be determined by a vote of the Directors present at that meeting.

**2.11. COMPENSATION.** Directors shall not receive any salary or other compensation for their services, but may, with Board approval, receive reimbursement for any expenses incurred in the performance of their duties as a Director. A Director shall not be precluded from serving the Corporation in any other capacity and receiving compensation for services in that capacity.

**2.12. ACTION WITHOUT MEETING.** Any action required or permitted to be taken at a meeting of the Board may be taken without a meeting if all members of the Board consent in writing or by electronic transmission and the writings or electronic transmissions are filed with the minutes of the proceedings of the Board.

**2.13. DISCHARGE OF DUTIES; RELIANCE ON INFORMATION.** In the discharge of any duty imposed or power conferred upon a Director may in good faith and with ordinary care rely on information, opinions, reports, or statements, including financial statements and other financial data,

concerning the Corporation or another person, that were prepared or presented by the Corporation's legal counsel, certified public accountant, or other expert or professional who is retained by the Corporation for a matter within the scope of the services of the expert or professional.

**2.14. RULES OF PROCEDURES.** The Board may adopt rules of procedure for the conduct of its meetings. The failure of the Board to comply with a procedural rule shall not be a basis to invalidate any action taken by the Board.

### **ARTICLE III OFFICERS**

**3.1. POSITIONS AND ELECTION.** The officers of the corporation shall be a President, Vice President, Secretary, Treasurer and any other officers, including assistant officers and agents, as may be deemed necessary by the Board. Any two or more offices may be held by the same person, except for the offices of President and Secretary, and President and Vice President. Officers shall be elected annually at a regular meeting of the Board. Each officer shall serve until a successor is elected and qualified or until the death, resignation or removal of that officer. Vacancies or new offices shall be filled at the next regular or special meeting of the Board.

**3.2 REMOVAL.** Any officer elected by the Board may be removed with or without cause at any regular or special meeting of the Board by an affirmative vote of a majority of the Board whenever in the judgment of the Board, the removal of the officer is in the best interests of the Corporation.

**3.3. PRESIDENT.** The President shall be the chief executive officer of the Corporation, and, subject to the direction of the Board, the President shall preside at all meetings of the Directors; shall see that all orders and resolutions of the Board are carried out, and shall perform any other duties as the Board may assign within the scope of purpose of the Corporation.

**3.4. VICE PRESIDENTS.** Each Vice President, in order of their rank as designated by the Board shall perform the duties and exercise the powers of the President in the absence or disability of the President, and shall perform other duties as the Board or President shall assign.

**3.5. SECRETARY.** The Secretary shall attend all meetings of the Board, shall record all votes and the minutes of all meetings of the Board. The Secretary shall give or cause to be given notice of all meetings of the Board and shall perform other duties as may be prescribed by the Board or the President. The Secretary shall be the custodian of the records and of the seal of the Corporation, and shall affix the seal to all documents and attest to it, when duly authorized by the Board. The Secretary shall be responsible to respond to requests for information in accordance with the records policy of the Corporation and applicable law. In the absence of the Secretary, the duties of the Secretary shall be assumed by the person designated by the Board.

**3.6. TREASURER.** The Treasurer shall have the custody of the corporate funds and securities and shall keep full and accurate accounts of receipts and disbursements of the Corporation and shall deposit all moneys and other valuable effects in the name and to the credit of the Corporation in the depositories designated by the Board. The Treasurer may be the Director of Finance of the City of Mansfield, who does not have to be a member of the Board. The Treasurer shall disburse the funds of the Corporation as may be ordered by the Board, taking proper vouchers for the disbursements. The Treasurer shall keep and maintain the Corporation's books of account and shall render to the President

and Directors an account of all of his or her transactions as Treasurer and of the financial condition of the Corporation and exhibit the books, records and accounts to the President or Directors at any time. In the absence of the Treasurer, the duties of the Treasurer shall be assumed by the person designated by the Board.

#### **ARTICLE IV ADMINISTRATION**

**4.1 ADMINISTRATION.** The day to day operations of the Corporation will be managed by an employee of the Mansfield Convention and Visitors Bureau. This employee shall have general supervision over the business and affairs of the Corporation. The employee shall report to and remain under the control of the Mansfield Convention and Visitors Bureau, but shall be available to the Board to assist the Corporation in accomplishing its purpose.

#### **ARTICLE V MISCELLANEOUS**

**5.1. REGISTERED OFFICE AND AGENT.** The registered office and registered agent of the Corporation shall be as set forth in the Corporation's Certificate of Formation. The registered office or the registered agent may be changed by resolution of the Board of Directors ("Board"), upon making the appropriate filing with the Secretary of State.

**5.2. PRINCIPAL OFFICE.** The principal office of the Corporation shall be at the Mansfield Convention and Visitors Bureau, 1164 Matlock Road, Mansfield, TX 76063, provided that the Board shall have the power to change the location of the principal office.

**5.3. OTHER OFFICES.** The Corporation may also have other offices at any places, within or without the State of Texas, as the Board may designate, or as the business of the Corporation may require or as may be desirable.

**5.4. SEAL.** The Corporation may adopt a corporate seal in a form approved by the Board. The Corporation shall not be required to use the corporate seal and the lack of the corporate seal shall not affect an otherwise valid contract or other instrument executed by the Corporation.

**5.5. CHECKS, DRAFTS, ETC.** All checks, drafts or other instruments for payment of money or notes of the Corporation shall be signed by an officer or officers or any other person or persons as shall be determined from time to time by Resolution of the Board.

**5.6. BOOKS AND RECORDS.** Any records maintained by the Corporation in the regular course of its business, including its stock ledger, books of account and minute books, may be maintained on any information storage device or method; provided that the records so kept can be converted into clearly legible paper form within a reasonable time. The Corporation shall so convert any records so kept upon the request of any person entitled to inspect such records pursuant to applicable law.

**5.7. INVALID PROVISIONS.** If any one or more of the provisions of these Bylaws, or the applicability of any provision to a specific situation, shall be held invalid or unenforceable, the provision shall be modified to the minimum extent necessary to make it or its application valid and enforceable, and the validity and enforceability of all other provisions of these Bylaws and all other applications of any

provision shall not be affected thereby.

**5.8. DIVIDENDS.** No dividends shall ever be paid by the Corporation and no part of its net earnings remaining after payment of its Directors or officers or any individual, firm, corporation or association.

**5.9. AMENDMENT OF BYLAW.** These Bylaws may at any time be amended by the City Council. The Board shall not amend these Bylaws. These Bylaws shall be amended to conform to any changes in or requirements of applicable law.

ADOPTED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
President, Board of Directors

\_\_\_\_\_  
Secretary, Board of Directors

DRAFT



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3821

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**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution Authorizing the City Attorney to Institute Foreclosure Proceedings Against Property Located at 502 Patterson Street and Providing an Effective Date

**Requested Action**

Defer to the Council.

**Recommendation**

Defer to the Council.

**Description/History**

Property located at 502 Patterson currently has 21 mowing liens and one (1) demolition lien totaling an amount due of \$24,820.95.

**Justification**

N/A

**Funding Source**

N/A

**Prepared By**

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

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE CITY ATTORNEY TO INSTITUTE FORECLOSURE PROCEEDINGS AGAINST PROPERTY LOCATED AT 502 PATTERSON STREET, MANSFIELD, TEXAS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Mansfield 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 Local Government Code; and

**WHEREAS,** the City has performed certain demolition work and mowing services on property located at 502 Patterson Street, Mansfield, Texas (“Property”); and

**WHEREAS,** the City has filed municipal liens against the Property in accordance with applicable law; and

**WHEREAS,** the City desires to foreclose its liens on the Property in order to recoup the cost of the work and services provided to same.

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

**SECTION 1.**

The City Council hereby authorizes the City Attorney to take all actions necessary to foreclose the municipal liens filed against the Property.

**SECTION 2.**

This resolution shall be in full force and effect from and after its passage.

**RESOLVED AND PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
**David L. Cook, Mayor**

ATTEST:

\_\_\_\_\_  
**Susana Marin, City Secretary**



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3803

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**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** Approval of Minutes

**In Control:** City Council

**File Type:** Meeting Minutes

**Agenda Number:**

**Title**

Minutes - Approval of the September 28, 2020 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 September 28, 2020 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, September 28, 2020

5:00 PM

Council Chambers

#### REGULAR MEETING

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

*Mayor Cook called the meeting to order at 5:01 p.m.*

*Mayor Cook advised the public they could participate during the meeting by registering through the link provided on the posted agenda or by phone. He also advised the public could address the Council by submitting an online speaker card through the city's website or by direct email to City Secretary Susana Marin.*

**Present** 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

#### **RECESS INTO EXECUTIVE SESSION**

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:03 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:12 p.m. Mayor Cook adjourned executive session at 6:28 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. 4:19-CV-00944

Seek Advice of City Attorney Regarding Claim Notices

Seek Advice of City Attorney Regarding Contract Issues Related to Service Procurement

Seek Advice of City Attorney Regarding Legal Issues Relating to Lien Foreclosure

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

#### **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**

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

*Mayor Cook reconvened into regular business session at 7:02 p.m.*

**INVOCATION**

*The Redeemed Christian Church of God Pastor Isaac Adeyemi gave the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Council Member Broseh 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 Leyman led the Texas Pledge.*

**PRESENTATIONS**

Tarrant County College "State of the College" Presentation - Eugene V. Giovannini, Ed.D.

*Tarrant County College Trustee Dr. Michael Evans introduced TCC Chancellor Eugene V. Giovannini. Dr. Giovannini addressed the Council for a "State of the College" presentation. He detailed the college's successes over the past several year and providing information on its enrollment and online classes since the start of the pandemic.*

Mansfield City Council - Presidential Volunteer Service Award Gold Medal

*City Manager Joe Smolinski presented the City Council with the Presidential Volunteer Service Award Gold Medal for the second year in a row. He honored the Council for their community service and volunteer work.*

**CITIZEN COMMENTS**

*There were no citizen comments.*

**COUNCIL ANNOUNCEMENTS**

*Council Member Leyman had no announcements.*

*Mayor Pro Tem Short had no announcements.*

*Council Member Newsom recognized Megan Brian for the Alzheimer's Awareness Event "A Night to Remember" she held.*

*Council Member Moore had no announcements.*

*Council Member Broseh had no announcements.*

*Council Member Lewis had no announcements.*

*Mayor Cook welcomed back Amanda Kowalski as a the writer of the Mansfield Record. He stated she will be covering the news in Mansfield.*

**SUB-COMMITTEE REPORTS**

Public Memorials Sub-Committee Meeting of September 15, 2020 Report (Terry Moore, Chair; Mike Leyman; Larry Broseh)

*Sub-Committee Chairman Moore provided an update of the Public Memorials Sub-Committee meeting of September 15, 2020.*

Revitalization of Historic Downtown Mansfield Sub-Committee Meeting of September 23, 2020 Report (Brent Newsom, Chair; David Cook; Casey Lewis)

*Sub-Committee Chairman Newsom provided an update on the Revitalization of Historic Downtown Mansfield Sub-Committee meeting of September 23, 2020. Special Event Manager Angie Henley announced plans to move the annual Hometown Holidays Event tree lighting event to Historic Downtown Mansfield. Joe Smolinski made brief comments regarding the event.*

[20-3794](#)

Minutes - Approval of the September 23, 2020 Revitalization of Historic Downtown Mansfield Sub-Committee

**A motion was made by Council Member Newsom to approve the minutes of the September 23, 2020 Revitalization of Historic Downtown Sub-Committee Meeting as presented. Seconded by Council Member Lewis. The motion CARRIED by the following vote:**

**Aye:** 3 - Brent Newsom; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

**Non-Voting:** 4 - Larry Broseh; Terry Moore; Julie Short and Mike Leyman

**STAFF COMMENTS**

**City Manager Report or Authorized Representative**

Current/Future Agenda Items

National Night Out Event Update

*Assistant Police Chief Gary Fowler provided an update on the 2020 National Night Out Event.*

**Business Services Department Report**

[20-3785](#)

Presentation of Monthly Financial Report for the Period Ending July 31, 2020

*There were no questions regarding the monthly financial.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

No action was taken by the Council.

**CONSENT AGENDA**

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

[20-3692](#)

Ordinance - Third and Final Reading of an Ordinance Extending the School Zone on East Debbie Lane that Serves Asa Low Intermediate School and Brooks Wester Middle School

*Susana Marin read the caption into the record.*

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

**AN ORDINANCE AMENDING CHAPTER 73, OF THE TRAFFIC CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS, PURSUANT TO SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE CONCERNING THE AUTHORITY TO ALTER SPEED LIMITS ON SPECIFIC STREETS AND HIGHWAYS BEING AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE, REGULATING SPEED LIMITS ON HIGHWAYS AND ROADWAYS, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION WITHIN THE CORPORATE LIMITS OF THE CITY OF MANSFIELD AS SET OUT IN THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF AN EFFECTIVE DATE; AND PROVIDING A PENALTY**

**(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; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2186-20

[20-3696](#)

Ordinance - Third and Final Reading to Consider a Historic Landmark Overlay District Classification for the 1924 High School and the 1940 Rock Gym at 605 E. Broad Street; Art Wright, City Historic Preservation Officer, on behalf of the Mansfield Independent School District, owner (ZC#20-011)

*Susana Marin read the caption into the record.*

**A motion was made by Council Member Moore to approve 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 GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR THE 1924 HIGH SCHOOL AND 1940 ROCK GYM BUILDINGS LOCATED AT 605 E. BROAD STREET; 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**

**(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; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2187-20

[20-3769](#)

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 November 3, 2020 General and Special Election; and Providing and Effective Date

**A motion was made by Council Member Moore 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 NOVEMBER 3, 2020 GENERAL ELECTION AND SPECIAL ELECTION; AND PROVIDING AN EFFECTIVE DATE**

**(Resolution 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; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3687-20

[20-3772](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving a Negotiated Settlement Between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2020 Rate Review Mechanism Filing

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL**

**(Resolution 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; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3688-20

[20-3781](#)

Resolution - A Resolution Selecting BelWave Communications, Inc. as Contractor for the Installation and Service Provider of Public WiFi; Delegating the Authority to the City Manager or Designee to Negotiate and Enter into a Contract with BelWave Communications, Inc. to Provide Infrastructure and

Service Agreement in the Amount of Four Hundred Fifteen Thousand Five Hundred and Seventy-Two Dollars (\$415,572.00)

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

**A RESOLUTION SELECTING BELWAVE COMMUNICATIONS, INC. AS CONTRACTOR FOR THE INSTALLATION AND SERVICE PROVIDER OF PUBLIC WIFI; DELEGATING THE AUTHORITY TO THE CITY MANAGER OR DESIGNEE TO NEGOTIATE AND ENTER INTO A CONTRACT WITH BELWAVE COMMUNICATIONS, INC. TO PROVIDE INFRASTRUCTURE AND SERVICE AGREEMENT IN THE AMOUNT OF \$415,572.00**

**(Resolution 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; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3689-20

[20-3782](#)

Resolution - A Resolution Authorizing the Bank Depository Contract

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

**A RESOLUTION ACCEPTING THE PROPOSAL FOR CITY DEPOSITORY AND BANKING SERVICES OF JPMORGAN CHASE DESIGNATING AS THE CITY DEPOSITORY; ADOPTING THE PROPOSAL, ATTACHED HERETO AS EXHIBIT "A" AND MADE PART HEREOF FOR ALL PURPOSES, AS THE CONTRACT FOR CITY DEPOSITORY AND BANKING SERVICES; PROVIDING A TERM OF THREE (3) YEARS WITH THE RIGHT TO RENEW FOR TWO (2) SUCCESSIVE YEARS; REQUIRING SIGNATURE OF AN OFFICER OF JPMORGAN CHASE TO ACCEPT THE TERMS HEREOF; AND PROVIDING AN EFFECTIVE DATE**

**(Resolution 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; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3690-20

[20-3784](#)

Resolution - A Resolution Amending the Bylaws of the Historic Preservation Advisory Board

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

**A RESOLUTION AMENDING THE BYLAWS FOR HISTORIC PRESERVATION ADVISORY BOARD**

(Resolution 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; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3691-20

[20-3787](#)

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 November 3, 2020 General and Special Elections; and Providing and Effective Date

A motion was made by Council Member Moore 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 NOVEMBER 3, 2020 GENERAL ELECTION AND SPECIAL ELECTION; AND PROVIDING AN EFFECTIVE DATE**

(Resolution 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; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3692-20

[20-3756](#)

Minutes - Approval of the September 11, 2020 Special City Council Meeting Minutes

A motion was made by Council Member Moore, seconded by Council Member Broseh, that this matter be Approval of Minutes . The motion CARRIED by the following vote:

**Aye:** 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

[20-3757](#)

Minutes - Approval of the September 14, 2020 Regular City Council Meeting Minutes

**A motion was made by Council Member Moore, seconded by Council Member Broseh, that this matter be Approval of Minutes . The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

[20-3758](#)

Minutes - Approval of the September 15, 2020 Special City Council Meeting Minutes

**A motion was made by Council Member Moore, seconded by Council Member Broseh, that this matter be Approval of Minutes . The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

[20-3759](#)

Minutes - Approval of the September 17, 2020 Special City Council Meeting Minutes

**A motion was made by Council Member Moore, seconded by Council Member Broseh, that this matter be Approval of Minutes . The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

[20-3783](#)

Request for Special Event Permit: Eubanks Snow Cones

**A motion was made by Council Member Moore, seconded by Council Member Broseh, that this matter be Approved . The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

**END OF CONSENT AGENDA**

**OLD BUSINESS**

[20-3704](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from C-1, Neighborhood Business District to SF-7.5/18, Single-Family Residential District on Approximately 1.46 Acres Located at 1557 Speers Drive; Cristina Salinas, owner/developer (ZC#20-010)

*Susana Marin read the caption into the record. Director of Planning Matt Jones made a brief presentation and answered Council questions. Property Owner Venesa Acosta answered Council questions.*

**A motion was made by Council Member Newsom to approve the following ordinance with the stipulation that fiberboard be confirmed as cementitious fiberboard; that the home on Lot 1 be a minimum of 2,200 sq. ft.; the home on Lot 2 be a minimum of 2,200 sq. ft. if the existing home is torn down; and, the home on Lot 3 be a minimum of 2,600 sq. ft.:**

**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 SINGLE-FAMILY RESIDENTIAL 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**

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

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

**Aye:** 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2188-20

**PUBLIC HEARING AND FIRST READING**

[20-3768](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12 Single-Family Residential District to

PD Planned Development District for Single-family Residential and Accessory Dwelling Uses on Approximately 0.258 Acres Known as a Portion of Lot 1, Block 29, Original Town of Mansfield, Located at 106 S. 2nd Ave.; Sheri Bumgardner of SSB Designs, Inc. on behalf of Janell Pendergast and Brian Clettenberg (ZC#20-012)

*Susana Marin read the caption into the record. Matt Jones made a brief presentation and answered Council questions. Property Owner Brian Clettenberg answered council questions. Joe Smolinski answered Council questions. Mayor Cook opened he public hearing at 8:19 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 8:19 p.m.*

**A motion was made by Council Member Lewis to approve the first reading of "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 SINGLE-FAMILY RESIDENTIAL AND ACCESSORY DWELLING 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 Mayor Pro Tem Short. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

[20-3775](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Zoning Change from SF-7.5/12, Single-Family Residential District to PD, Planned Development District for Multi-family Residential Uses on Approximately 0.535 Acres Located at 505 W. Kimball Street; Ben Hartman, Owner/Developer (ZC#20-013)

*Susana Marin read the caption into the record. Matt Jones made a brief presentation and answered Council questions. Property Owner Ben Hartman made a brief presentation and answered Council questions. Mayor Cook opened the public hearing at 9:00 p.m. Mayor Cook recognized the following comments received:*

*Krista Osmus - 508 W. Kimball Street - Support  
Mike Osmus - 508 W. Kimball Street - Support*

*With no others wishing to speak, Mayor Cook continued the public hearing through second reading at 9:02 p.m.*

**A motion was made by Council Member Moore to approve the first reading of "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 MULTI-FAMILY RESIDENTIAL 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 Newsom. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

[20-3777](#)

Ordinance - Public Hearing and First Reading of an Ordinance Amending Sections 2200B, 4400.B Table G and 7800.B.38 of the Zoning Ordinance to Create a Body Art & Piercing Studio Use; to Permit Such Use in the I-1 and I-2 Zoning Districts; to Require a Specific Use Permit in C-2 and C-3 Zoning Districts; and to Establish Separation Criteria from Such Use from Certain Other Land Uses (OA#20-001)

*Susana Marin read the caption into the record. Matt Jones made a brief presentation and answered Council questions. City Attorney Allen Taylor answered Council questions. Staff was instructed to bring back the definition of massage parlors at the next meeting. Mayor Cook opened the public hearing at 9:20 p.m. Mayor Cook recognized the following comment received:*

*Alonzo Gonzales - 215 N. Walnut Creek - Opposed*

*With no others wishing to speak, Mayor Cook continued the public hearing through second reading at 9:21 p.m.*

**A motion was made by Council Member Lewis to approving the first reading including paragraph C as presented and to include an SUP for all zoning categories. Seconded by Council Member Broseh. The motion FAILED by the following vote:**

**Ayes:** Larry Broseh, Casey Lewis, and Terry Moore

**Nays:** David Cook, Mike Leyman, Brent Newsom, and Julie Short

**A motion was made by Council Member Moore to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTIONS 2200B, 4400.B TABLE G AND 7800.B.38 OF SAID ORDINANCE TO CREATE A BODY ART & PIERCING STUDIO USE; TO PERMIT SUCH USE IN THE PD ZONING DISTRICT; AND TO ESTABLISH SEPARATION CRITERIA FROM SUCH USE FROM CERTAIN OTHER LAND 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," making the creation of a body art and piercing studio a non-permitted use. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:**

**Aye:** 6 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and David Cook

**Nay:** 1 - Casey Lewis

Abstain: 0

### **NEW BUSINESS**

#### **20-3755**

Discussion and Possible Action Regarding Republic Services Request for an Extraordinary Recycling Processing Rate Increase for the Ensuing Contract Year

*Deputy City Manager Peter Phillis made brief comments and answered Council questions. Republic Services representative Vince Hrabal answered Council questions.*

**A motion was made by Council Member Leyman to approve this agenda item. Seconded by Council Member Broseh. The motion CARRIED by the following vote:**

**Aye:** 6 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and David Cook

**Nay:** 1 - Casey Lewis

Abstain: 0

### **PUBLIC HEARING AND FIRST READING**

#### **20-3778**

Ordinance - Public Hearing and First Reading of an Ordinance Amending Sections 5100.E.7, 5100.F.19, 6100.D.8 and 6400.D.8 of the Zoning Ordinance to Revise the Submittal Requirements for Applications for Concept Plans, Planned Developments, Specific Use Permits and Industrial Use Permits (OA#20-002)

*Susana Marin read the caption into the record. Matt Jones made brief comments. Mayor Cook opened the public hearing at 9:48 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 9:48 p.m.*

**A motion was made by Council Member Newsom, seconded by Council Member Moore, that this matter be Approved on First Reading . The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

Abstain: 0

### **NEW BUSINESS**

#### **20-3780**

Ordinance - First Reading of an Ordinance Approving a Request to Abandon Certain Utility Easements and Drainage Easements Relating to the M3 Ranch Addition

*Susana Marin read the caption into the record. Director of Public Works Bart*

*VanAmburgh made a brief presentation and answered Council questions.*

**A motion was made by Council Member Broseh to approve the first reading of "AN ORDINANCE VACATING AND ABANDONING CERTAIN UTILITY EASEMENTS AND DRAINAGE EASEMENTS RELATING TO THE M3 RANCH ADDITION; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE QUITCLAIM DEEDS RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE." Seconded by Council Member Newsom. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

[20-3797](#)

Ordinance - First Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas, Code of Ordinances by; Amending Section 111.22 "Time Restrictions"

*Susana Marin read the caption into the record.*

**A motion was made by Council Member Lewis to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 111, "PEDDLERS AND SOLICITORS," OF THE CODE OF MANSFIELD, TEXAS BY AMENDING SECTION 111.22, "TIME RESTRICTIONS," ALLOWING COMMERCIAL HOME SOLICITATION AND HANDBILL DISTRIBUTION ON CERTAIN HOLIDAYS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:**

**Aye:** 6 - Larry Broseh; Brent Newsom; Julie Short; Mike Leyman; Casey Lewis and David Cook

**Nay:** 1 - Terry Moore

**Abstain:** 0

[20-3766](#)

Consideration of a Request for a Minor Modification of the Planned Development Standards and Exhibits for Oaks Preserve to Reduce the Minimum Floor Area for Third-Acre Lots and Modify the Enhanced Entryway Plans, on Approximately 157.94 Acres Located South of Lillian Road and Approximately 2,000 Feet Southwest of the Intersection of W. Broad Street and Lillian Road; Felix Wong on Behalf of Adlai Pennington of MKP Associates, Inc. (Developer) (ZC#15-022C)

*Matt Jones made a brief presentation and answered Council questions. MKP Associates, Inc. representative Felix Wong answered Council questions. Allen Taylor answered Council questions.*

**A motion was made by Mayor Cook to approve this agenda item with 20 percent of the lots be reduced to 2,600 sq. ft. so long as they are permitted within six month of today (9/28/20); should the lots not be permitted by that**

date they will revert to the 3,000 sq. ft. currently in place; and that the landscaping request be handled in the same manner as it was originally intended to be taken care of by the Planning Director to the extent possible and if there is still no agreement that its a minor modification the Director can make that decision and he may bring it back to Council. Seconded by Council Member Leyman. The motion **FAILED** by the following vote:

**Ayes:** David Cook, Casey Lewis, and Mike Leyman

**Nays:** Larry Broseh, Terry Moore, Brent Newsom, and Julie Short

A motion was made by Council Member Lewis to approve this agenda item with 20 percent of the lots be reduced to 2,800 sq. ft. so long as they are permitted within six month of today (9/28/20); should the lots not be permitted by that date they will revert to the 3,000 sq. ft. currently in place; and that the landscaping request be handled in the same manner as it was originally intended to be taken care of by the Planning Director to the extent possible and if there is still no agreement that its a minor modification the Director can make that decision and he may bring it back to Council. Seconded by Mayor Pro Tem Short. The motion **CARRIED** by the following vote:

**Aye:** 4 - Brent Newsom;Julie Short;Casey Lewis and David Cook

**Nay:** 3 - Larry Broseh;Terry Moore and Mike Leyman

**Abstain:** 0

### [20-3795](#)

Discussion and Possible Action Regarding Lease and Permit Options with the Pilot Parklet Program

*Assistant to the City Manager Nicolette Allen made a brief presentation and answered Council questions. Allen Taylor made brief comments and answered Council questions.*

A motion was made by Council Member Cook to extend the parklet program to December 31, 2021. Seconded by Council Member Newsom. The motion **CARRIED** by the following vote:

**Aye:** 6 - Larry Broseh;Brent Newsom;Terry Moore;Julie Short;Casey Lewis and David Cook

**Nay:** 1 - Mike Leyman

**Abstain:** 0

### **ADJOURN**

A motion was made by Council Member Newsom to adjourn the meeting at 10:55 p.m. Seconded by Council Member Broseh. The motion **CARRIED** by the following vote:

**Aye:** 7 - Larry Broseh;Brent Newsom;Terry Moore;Julie Short;Mike Leyman;Casey Lewis and David Cook

**Nay:** 0

**Abstain:** 0

\_\_\_\_\_ David L. Cook, Mayor  
ATTEST:

\_\_\_\_\_ Susana Marin, City Secretary



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3796

**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** Public Hearing

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - Public Hearing on a Resolution Approving the Fiscal Year 2020/2021 Services and Assessment Plan for the South Pointe Public Improvement District ("PID"); Providing a Severability Clause; and Providing an Effective Date

**Requested Action**

Approve the Annual Plan of Service and Budget of the South Pointe Public Improvement District.

**Recommendation**

Staff recommends that the City Council of the City of Mansfield, Texas approve the Annual Plan of Service and Budget along with the updated five-year plan of Service and Budget for the South Pointe Public Improvement District.

**Description/History**

In January 2016, the City Council of the City of Mansfield, Texas received a petition requesting creation of a public improvement district under Chapter 372 of the Texas Local Government Code from the owners of real property representing more than fifty percent (50%) of the appraised value of the real property liable for assessment in the proposed District. The resolution authorizing and creating the South Pointe Public Improvement District was approved on February 22, 2016.

The South Pointe Public Improvement District is approximately 873 acres. The public improvement district is to provide services that enhance the lifestyle, personal pride, enjoyment and property values within the District. An annual assessment of \$1,000 for a single family home within the District and \$120 for each multifamily unit within the District shall be levied. There is no change from the original assessment. These assessments will be collected through the same systems used to collect ad valorem property tax.

**Justification**

The annual plan of Service and Budget for the South Pointe Public Improvement District addresses the on-going maintenance needs within the boundaries of the public improvement district. The budget for fiscal year 2021 is \$457,840. The Developer and the Management Company are working in concert to maintain the district. Their efforts are focused on creating an exceptional community within the City of Mansfield through the maintenance and development of this public improvement district.

**Funding Source**

The cost of the annual plan of Service and Budget is funded from assessment fees, eighty-three property owners will be assessed a \$1,000 PID assessment fee for fiscal year 2021 fees, and any remaining costs are funded by the developer of South Pointe.

**Prepared By**

Bryan Rebel, 817-276-4296

**RESOLUTION NO. \_\_\_\_\_**

**AN RESOLUTION OF THE CITY OF MANSFIELD, TEXAS APPROVING THE FISCAL YEAR 2020/2021 SERVICES AND ASSESSMENT PLAN FOR THE SOUTH POINTE PUBLIC IMPROVEMENT DISTRICT ("PID"); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Mansfield 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 Local Government Code; and,

**WHEREAS**, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and,

**WHEREAS**, owners of real property located at the juncture of US 287 and SH 360, delivered to the City of Mansfield a Petition to establish the South Pointe Public Improvement District (the "PID"); and,

**WHEREAS**, after providing notices required by Section 372.009 of the Act, the City Council on January 11, 2016, conducted a public hearing on the advisability of the improvements, and adjourned such public hearing; and,

**WHEREAS**, the City Council passed and adopted Resolution No. RE-3214-16 on February 22, 2016 establishing the South Pointe PID; and,

**WHEREAS**, as required by Section 372.013 of the Act, staff and council reviewed the service and assessment plan for the purpose of determining the annual budget for the PID; and,

**WHEREAS**, it is now necessary for the City Council to approve the FY 2020/2021 budget for the PID.

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

**SECTION 1.**

The City Council of the City of Mansfield, in accordance with Chapter 372, Texas Local Government Code, hereby approves the FY 2020/2021 budget attached hereto as **Exhibit A**.

**SECTION 2.**

The City Council hereby finds that the statements set forth in the recitals of the Resolution are true and correct, and the Council hereby incorporates such recitals as part of this Resolution.

**SECTION 3.**

Should any paragraph, sentence, subdivision, clause, phrase or section of this Resolution be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Resolution 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 Resolution as a whole.

**SECTION 4.**

This Resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Mansfield, and it is accordingly so resolved.

**PASSED AND APPROVED THIS 14TH DAY OF OCTOBER, 2020.**

## 2021 - 2025 Budget

South Pointe PID

Year: 2021-2025

Notes: Budget based on a 10% increase on most items annually

	2021	2022	2023	2024	2025
4110 - Assessments Master POA	\$ 468,000.00	\$ 718,000.00	\$ 968,000.00	\$ 1,218,000.00	\$ 1,468,000.00
5104 - Administrative	\$ 1,650.00	\$ 1,815.00	\$ 1,996.50	\$ 2,196.15	\$ 2,415.77
5105 - Postage	\$ 1,650.00	\$ 1,815.00	\$ 1,996.50	\$ 2,196.15	\$ 2,415.77
5113 - Professional Management	\$ 24,000.00	\$ 30,000.00	\$ 36,000.00	\$ 42,000.00	\$ 42,000.00
5114 - Storage	\$ 120.00	\$ 132.00	\$ 145.20	\$ 159.72	\$ 175.69
5115 - Website/Portal	\$ 120.00	\$ 120.00	\$ 120.00	\$ 120.00	\$ 120.00
5116 - Association Meetings	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 1,000.00
5250 - Commercial Package Insurance	\$ 3,500.00	\$ 3,850.00	\$ 4,235.00	\$ 4,658.50	\$ 5,124.35
5251 - Directors' & Officers' Ins.	\$ 2,000.00	\$ 2,200.00	\$ 2,420.00	\$ 2,662.00	\$ 2,928.20
5252 - Umbrella Policy	\$ 1,500.00	\$ 1,650.00	\$ 1,815.00	\$ 1,996.50	\$ 2,196.15
5255 - Fidelity (Crime) Insurance	\$ 350.00	\$ 385.00	\$ 423.50	\$ 465.85	\$ 512.44
5303 - Electricity	\$ 18,000.00	\$ 19,800.00	\$ 21,780.00	\$ 23,958.00	\$ 26,353.80
5305 - Water/Sewer - Irrigation	\$ 40,000.00	\$ 44,000.00	\$ 48,400.00	\$ 53,240.00	\$ 58,564.00
5470 - Common Area Maintenance	\$ 15,000.00	\$ 16,500.00	\$ 18,150.00	\$ 19,965.00	\$ 21,961.50
5477 - Fence/Wall Repair & Maintenance	\$ 3,000.00	\$ 3,300.00	\$ 3,630.00	\$ 3,993.00	\$ 4,392.30
5480 - Electrical Repairs & Maintenance	\$ 1,500.00	\$ 1,650.00	\$ 1,815.00	\$ 1,996.50	\$ 2,196.15
5601 - Contract Landscape Maintenance	\$ 160,000.00	\$ 176,000.00	\$ 193,600.00	\$ 212,960.00	\$ 234,256.00
5602 - Additional Landscape Maintenance	\$ 40,000.00	\$ 44,000.00	\$ 48,400.00	\$ 53,240.00	\$ 58,564.00
5603 - Landscape Improvements	\$ 15,000.00	\$ 16,500.00	\$ 18,150.00	\$ 19,965.00	\$ 21,961.50
5604 - Annual Color	\$ 8,000.00	\$ 8,800.00	\$ 9,680.00	\$ 10,648.00	\$ 11,712.80
5630 - Holiday Lights & Decorations	\$ 550.00	\$ 605.00	\$ 665.50	\$ 732.05	\$ 805.26
5650 - Irrigation Maintenance	\$ 50,000.00	\$ 55,000.00	\$ 60,500.00	\$ 66,550.00	\$ 73,205.00
5700 - Pond Maintenance	\$ 5,000.00	\$ 5,500.00	\$ 6,050.00	\$ 6,655.00	\$ 7,320.50
5710 - Pond Chemicals	\$ 5,000.00	\$ 5,500.00	\$ 6,050.00	\$ 6,655.00	\$ 7,320.50
5750 - Fountain	\$ 15,000.00	\$ 16,500.00	\$ 18,150.00	\$ 19,965.00	\$ 21,961.50
6000 - Contingency Fund	\$ 46,800.00	\$ 71,800.00	\$ 96,800.00	\$ 121,800.00	\$ 146,800.00
Income Accounts Total:	\$ 468,000.00	\$ 718,000.00	\$ 968,000.00	\$ 1,218,000.00	\$ 1,468,000.00
Expense Accounts Total:	\$ 457,840.00	\$ 527,522.00	\$ 601,072.20	\$ 678,877.42	\$ 756,263.16
Difference:	\$ 10,160.00	\$ 190,478.00	\$ 366,927.80	\$ 539,122.58	\$ 711,736.84



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3800

**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** To Be Presented

**In Control:** City Council

**File Type:** Consideration Item

**Agenda Number:**

**Title**

Public Hearing and Consideration of a Request for a Specific Use Permit for a Crematorium on Approximately 1.478 Acres Known as Lot 4R1, Block C, Hillcrest Business Park, Located at 1556 Heritage Pkwy.; Christie Moore of Mansfield Funeral Home & Cremations (SUP#20-014)

**Requested Action**

To consider the subject specific use permit request.

**Recommendation**

The Planning and Zoning Commission held a public hearing on September 21, 2020, and voted 6-0 to recommend approval with the condition that 1) lighting be added to the site plan and; 2) the report regarding impact mitigation be provided to City Council. There was also discussion about environmental requirements and whether the solar panels over the rear walkways would be relocated, which the applicant stated they would. The applicant has provided revised plans, which show lighting to be added to the parking lot extension, as well as removed shrubs that conflicted with the location of the sidewalk on the north side of the crematorium, as well as the building entrance. The report regarding impact mitigation has also been provided.

**Description/History**

The subject property consists of 1.478 acres improved with a 4,469 sq. ft. funeral home building, 25-space parking lot, and outdoor covered walkway and meditation garden, located at 1556 Heritage Pkwy. The applicant is requesting a Specific Use Permit for a crematorium and plans to build a 1,500 sq. ft. building to accommodate the crematorium, as well as a 15-space expansion of the parking lot and a reconfiguration of the walkway and garden.

Site Plan

The existing 4,469 sq. ft. single-story funeral home building will remain as-is. To the south of the funeral home building, a 1,500 sq. ft. single-story crematory building will be constructed. The crematorium will be supported by a 15-space expansion of the parking lot on the west side of the building. The parking lot will include a total of 40 spaces when expanded, which will exceed the requirements by 10 spaces. This parking lot expansion will include an extension of the fire lane and a turnaround, as well as a loading area adjacent to the crematorium. The existing access point on Heritage Parkway will remain as-is. In order to accommodate the expansion, the covered walkway and garden behind the funeral home will be reconfigured. The trash enclosure will remain at its current

location on the east side of the funeral home. The applicant notes that all equipment will be screened in accordance with the Zoning Ordinance and that there will be no outside storage of materials or vehicles on the property.

#### Elevations and Floor Plan

The new crematorium will include a design to match the existing funeral home building, with stucco across the top two-thirds of the building and a stone base along the bottom third. The new building will be 74% stucco and 26% stone/masonry. A chimney will be located on the southwest corner of the building and will be stucco to match the building. The roof of the crematorium will be a pitched design, with shingles to match the existing building. The crematorium will include the cremation room, garage, viewing area, lobby, and restroom. The garage and cremation room will be located on the west side of the building (facing the parking lot) and the viewing area and lobby will be located on the east side of the building (facing the garden and walkway area).

#### Landscape Plan

The tree survey and landscape plan show that the existing oak, elm, and cypress trees on the west landscape buffer, north landscape setback, and in the parking lot islands will be preserved. In addition, the foundation plantings around the funeral home building will remain. Along the west side of the parking lot expansion, four new oak trees will be planted, while four new elm trees will be planted in landscape islands. On the east side of the property, two new oak trees will be planted. In addition, the shrubs and groundcover in the garden and walkway area will be reconfigured.

#### Signage

A monument sign is already located on the property along Heritage Parkway. The applicant notes that all signage will comply with the standards for I-1 zoned property as specified in the Zoning Ordinance.

#### Operations

The applicant has provided a letter noting that there are no impacts to surrounding properties as it relates to noise, visual aesthetics, odors, air quality, or to the water and sewer system. The applicant has provided staff with additional supporting documents regarding the design of the crematorium.

#### Summary

The subject property is located in the I-1 Light Industrial District, which is intended to accommodate light industrial uses, as well as commercial uses that are most appropriately located as neighbors of industrial uses. The requested Specific Use Permit will provide for a crematorium in order to allow Mansfield Funeral Home to expand its operations and provide additional services to its clients and the community. The site plan provides for a new crematorium building with an expanded parking lot to support the expansion, as well as a reconfigured walkway and garden area behind the buildings. The architecture of the new building matches the existing building and the landscaping provides additional trees and shrubs that are compatible with the existing landscaping. In addition, the crematorium is designed to not emit smoke, odors, waste, or sound, and therefore not cause adverse impacts to surrounding properties.

**Prepared By**  
Andrew Bogda, Planner  
817-276-4287

## **Mansfield Funeral Home Crematory Surround Impact Mitigation**

The following bullets show how any potential impacts of the Crematory to surrounding properties are mitigated.

- Visually - The stack which solely emits heat (no smoke) will be concealed by the design of the building. Besides any signage, presence of the crematory will not be evident.
- Audible Properties - The human cremation unit has a quiet run design and produces no sounds that would be detected by surrounding properties.
- The human cremation unit is smokeless. Only heat is emitted, there is no smoke that will be coming from the unit or building.
- The human cremation process with this unit is odorless. No odors are detectable inside or outside of the building.
- No waste is put into the sewer system. There is no impact to the plumbing system or water supply of surround properties.

\*Please reference reports attached to see results of 3rd party testing of equipment.



RAD-5706

**RADCO FIELD EVALUATION REPORT**

Report No. RAD-5706

Project No. C3274A

On-Site Product Evaluation and Performance Testing of a Gas-Fired Cremation Oven

Tested and Evaluated for Commercial Application in  
General Conformance to:

NFPA 86 Standard for Ovens and Furnaces  
NFPA 54 National Fuel Gas Code

Tested and Evaluated for  
**American Crematory Equipment Co**  
14530 Anson Ave.  
Santa Fe Springs, CA 90670

Tested and Evaluated at:  
**Cortez Cremations & Funeral Services**  
100 W. 35<sup>th</sup> Street, Suite A  
National City, CA 91950

by:

**RADCO**

Resources, Applications, Designs and Controls, Inc.  
Listing and Testing Division  
3220 E. 59th Street  
Long Beach, CA 90805  
Telephone: 562-272-7231  
Facsimile: 562-529-7513  
www.radcoinc.com

Prepared by: Submitted by:

*Hardial Gore*

Hardial Gore  
Appliance Testing Lab & Field Services

Sanjay "Jay" Mishra, Vice President  
Testing Laboratories & Code Interface Services

Issued: July 2015

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## **1.0 INTRODUCTION**

At the request of American Crematory Equipment Co., RADCO, a Testing Laboratory and Quality Assurance Agency accredited by IAS (International Accreditation Services, Inc.), conducted a third-party field evaluation and performance testing program on a Gas-Fired Cremation Oven, which was installed at Cortez Cremations & Funeral Services in National City, CA.

The construction, installation, and operating characteristics of this equipment was evaluated for compliance with the applicable portions of the following codes and/or nationally recognized standards:

- NFPA 86 Standard for Ovens and Furnaces
- NFPA 54 National Fuel Gas Code

The product evaluation and the performance testing was conducted from July 3rd, 2015 through July 13, 2015 under RADCO Project Number C3274A.

## **2.0 OBJECTIVE**

### **2.1 Product Evaluation**

The objective of the product evaluation was to determine whether the construction and installation of the unlisted equipment described in this report was in general compliance with applicable portions of the codes and standards indicated in the introduction. The evaluation was also to verify that the critical safety components employed in the make up of the safety systems are listed components and/or are suitable for the use intended, and that all components utilized are installed in accordance with their listing, the codes and standards stated above and /or sound engineering and industry accepted practices.

### **2.2 Performance Testing**

The objective of the performance testing was to determine whether the operation of the unlisted equipment meets with sound engineering practices by evaluating the equipment's operating characteristics with applicable portions of the performance requirements of the NFPA standard. The testing was also to verify that all the installed safety related components functioned as intended and that the normal use of the equipment will not have adverse effects on their surroundings.

### **3.0 SUMMARY**

Based on the results of RADCO's product evaluation and performance testing program, and with implementing and strictly adhering to the requirements stated in Appendix A of this report, it has been determined that the construction, installation, and operation of the unlisted gas-fired cremation oven described in this report complies with the applicable portions of the codes and standards indicated in the introduction. Further it has been determined that all operating and safety related controls function as intended and that the normal operation of the equipment will not have an adverse effect on its surroundings. RADCO authorizes the application of our Field Evaluation Services Label, bearing the RADCO Registered Trademark. This label, similar to the sample shown in Appendix B of this report, is applied directly to the control panel for this appliance, and is an indication that RADCO recommends that a variance to accept the unlisted equipment be granted.

### **4.0 CONSTRUCTION & INSTALLATION EVALUATION**

A brief summary of RADCO's evaluation findings is detailed in sections 4.1 through 4.8 below.

#### **4.1 Product Description and Theory of Operation**

The gas-fired cremation oven is a direct-fired oven, manufactured by American Crematory Equipment Co., Model: A-200 HT, S/N 071014-A. The oven has been installed at Cortez Cremation Services, in National city, CA. The oven is installed in a room at the northeast corner of the building.

The oven is used for the cremation of caskets. The exterior dimensions of the oven are 151" long (not including blower), 63" wide (not including control panel), 80" high in the back (not including gas valves), and 98" high in the front. The oven utilizes natural gas as its fuel source, to supply two burners with a combined input rating of 1,750,000 Btu/Hr.

The crematory burner is equipped with two Eclipse Thermjet Direct Fired Burners. The crematory burner fires into the oven's main chamber. From there the heated air, which includes the products of combustion, is ducted to an afterburner chamber, into which the afterburner fires. The air is then exhausted through the vent pipe on top of the unit. An listed industrial control panel is installed on the side of the oven.

## 4.2 Gas Supply

The source of the natural gas is located on the northeast side of the building. The gas is supplied by San Diego Gas and Electric Company with a gas regulator. Downstream of the regulator is a gas meter and a shutoff valve. Following the gas meter assembly, the Schedule 40 gas pipe for the oven branches off, and is routed through the exterior wall of the building. The gas pipe is then run along the wall and to the oven. The exterior gas piping has been supported at intervals and has been painted for corrosion protection.

Inside, the gas piping for the oven is provided with a dedicated ball valve that serves as an equipment isolation valve. Gas is supplied to the batch oven valve train through steel pipe at low supply pressure (less than ½ PSI). All the low pressure pipe employs threaded connections. The supply piping has been installed in a clean and workmanlike manner in accordance with local codes.

## 4.3 Burner Valve Train Assembly

The cremation oven is equipped with a crematory burner, with an input rating of 750,000 Btu/Hr and an afterjet burner with an input rating of 1,000,000 Btu/Hr. Both burners are Eclipse Thermjet Direct Fired Burners.

Following the equipment isolation valve, a suitable service regulator that serves both burner assemblies has been installed. From that point, the gas train splits to supply the two burners. The gas trains for the oven are equipped with the following components, listed in the order in which they are installed beginning from the upstream side, and meet with the requirements of the NFPA 86 Standard.

- ▶ Crematory Burner Valve Train
  - ▶ A listed automatic safety shut off valve with visual position indication
  - ▶ A listed high/low gas pressure switch
  - ▶ A second listed automatic safety shut off valve with visual position indication and proof of closure interlock
  - ▶ A listed ratio regulator (adjusts gas pressure to match combustion air pressure)
  - ▶ The Eclipse burner assembly
- ▶ After Burner Valve Train
  - ▶ A listed automatic safety shut off valve with visual position indication
  - ▶ A listed high/low gas pressure switch
  - ▶ A second listed automatic safety shut off valve with visual position indication and proof of closure interlock
  - ▶ A listed modulating valve
  - ▶ The Eclipse Burner Assembly
- ▶ After Burner Pilot Valve Train Assembly
  - ▶ Two listed gas solenoid valves
  - ▶ A listed ball valve

#### 4.4 Operating & Safety Controls

The oven is provided with the following operating and safety related controls. These controls are mounted either on the appliance, or inside the control panel. The control panel is mounted on the side of the oven.

- ▶ Operating temperature controllers w/ built in high temperature limit set points (2)
- ▶ Ignition controls (2) with built-in post purge
- ▶ Ignition transformers (2)
- ▶ Combustion blower airflow proving switch
- ▶ Hearth and throat air timers
- ▶ High and low gas pressure switches
- ▶ Main gas valve proof of closure interlocks (2)
- ▶ Front door closed interlock switch

The operating and safety control systems serving the equipment meet with the requirements of the NFPA 86 Standard. The installation of the safety controls on this unit were verified to be in accordance with the manufacturers' ratings and certification requirements. The manual operation of a push button is required in order to start the oven, or to restart the oven following the activation of a safety control.

#### 4.5 Thermal Oxidizers

The crematory oven is equipped with an afterburner. This type of oven is considered to be a type A furnace, however the explosion relief requirements do not apply.

The maximum input rate of the oven is 1,750,000 Btu/Hr. The required safety ventilation rate for the products of combustion is therefore approximately 320 SCFM. The oven is equipped with a blower that has a rated capacity of 1400 CFM, which exceeds the ventilation requirements for products of combustion.

The materials burned inside the oven will vary. The manufacturer has specified in their instructions specific requirements for the means of burning several styles of caskets. These instructions are to be followed by the oven operator.

#### **4.6 Venting of Equipment**

The chimney for the oven is refractory lined and is rated for a temperature of 2300°F. The chimney has an outer diameter of 26" and an inner diameter of 22". The chimney runs vertically out through the ceiling, and terminates 10 feet above the roof. The flue gases entering the chimney are diluted with fresh air in order to reduce the combined flue temperature. During the performance testing of the oven, the afterburner temperature reached a temperature of 1650°F. The maximum flue gas temperature observed was 760°F.

An opening has been cut into the ceiling so that a 7" clearance is maintained on all sides of the chimney. Where the chimney penetrates the ceiling, a metal collar with 1" clearance has been installed.

The service regulator for the oven has been vented to the roof. The vent line is terminated with two elbows and a screened cover in order to prevent the entry of water or insects into the vent line.

#### **4.7 Equipment Surroundings**

The oven is installed indoors on a concrete floor. The walls of the room have been lined with gypsum board. The equipment is installed with adequate space between the appliance and the walls such that the temperatures on the surface of the walls and ceiling remain sufficiently low during operation of the oven.

Fresh air is brought in from the roof by a duct that directly feed into combustion blower.

#### **4.8 Control Panel**

The industrial control panel for the cremation oven has been manufactured by Calhoun & Poxon Co., Inc. and listed by Underwriters Laboratories in accordance with UL 508A. As this panel was already listed, RADCO's field evaluation did not cover the wiring methods used inside of the panel.

RADCO did review the installation of the panel to verify that they were installed in accordance with the panel listing requirements. A Photo of the control panel ratings plate is included in Appendix C.

## **5.0 PERFORMANCE TESTING**

### **5.1 Gas Leak Test**

RADCO verified the gas tightness of the accessible portions of the indoor fuel gas train with the use of a handheld combustible gas detector. No leaks were detected

### **5.2 Input Rate Measurement**

The rated input for the two burners installed is 750,000 Btu/Hr and 1,000,000 Btu/Hr. The total input rate for the cremation oven is 1,750,000 Btu/Hr. The oven was turned on so that both the crematory and afterburners were operating at high fire conditions during the initial oven warmup period. The gas input rate was measured at the building's gas meter. Based on this measurement, the input for the oven was found to be approximately 1,720,000 Btu/Hr, which is within 2% of the nameplate rating.

### **5.3 Functionality Tests**

The operation of the following operating and safety controls were tested by RADCO. The following devices were found to function as intended:

- ▶ Operating temperature controls
- ▶ High and Low gas pressure switches
- ▶ Valve proof of closure switches
- ▶ Purge timer
- ▶ Combustion Air Proving Switch

### **5.4 Combustion Test**

Samples of the flue products were taken from the chimney, and the products of combustion were analyzed using a handheld combustion analyzer. ANSI and UL standards for natural gas equipment with similar input rates as the oven typically specify a maximum Carbon Monoxide concentration of 400 ppm in an air-free sample. The Air Free Carbon Monoxide (AFCO) measured in a sample of the exhaust gas for the oven was found to be 35 ppm. This carbon monoxide level was well below the maximum permissible limit, and was considered acceptable.

### 5.5 Temperature Test

The operating temperature of the oven is adjustable, depending upon the type of casket that is to be burned. A common operating temperature is 1700°F. The oven was adjusted to its this normal operating temperature, and allowed to operate until steady state surface temperatures were observed. The outside surfaces of the oven and nearby combustible materials were scanned with a digital infrared thermometer and a K type surface probe style thermocouple. The maximum temperatures observed during the test are shown in Table 5.5.

**TABLE 5.5 SURFACE TEMPERATURES**

Location	Maximum Temperature (°F)	Allowable Temperature (°F)
Ambient Temperature	80	
Front of Oven- Oven Door	90	160
Left Side of Oven	85	160
Right Side of Oven	87	160
Rear of Oven	85	160
Chimney Exterior Surface (at Oven Vent Outlet)	185	N/A
Chimney Exterior Surface (Adjacent to Ceiling)	141	N/A
Wall at Ceiling Penetration	92	160
Room Walls	85	160
Air Intake Pipe	85	N/A

All adjacent combustible surfaces remained at temperatures that were well below the allowable 160°F. Accessible surfaces of the oven exterior also remained below 160°F. The exterior portions of the chimney did reach temperatures in excess of 160°F, however these areas are located above the oven and are not subject to accidental contact during normal operation of the oven.

## 6.0 RECOMMENDATIONS

Based on RADCO's product evaluation and performance testing, and with implementing and adhering to the requirements in Appendix A of this report, it is RADCO's recommendation that a variance to accept the unlisted equipment described in this report be granted.

## **APPENDIX A**

### **REQUIREMENTS**

The following items must be implemented and adhered to for RADCO's continued recommended acceptance of the equipment described in this report.

1. The equipment is to be operated and maintained by personnel fully trained in the operating and safety features of the equipment and the hazards involved in their operation.
2. The area within 3 feet surrounding the oven is to be maintained free of combustible materials. Do not store Gasoline, Kerosene, Paint Thinners, Solvents or other flammable liquids or combustible materials, in the vicinity of the furnaces. Keep all such materials well away.
3. Establish a routine maintenance and testing programs for the equipment, and maintain records of this routine maintenance, as recommended by the equipment manufacturer.
4. Maintain the set points of operating and limit controls, in accordance with the manufacturer's recommendations, or as described in this report.



RAD-5706

APPENDIX B  
COPY OF FIELD APPLIED LABEL

 3220 East 59<sup>TH</sup> Street, Long Beach, CA 90805  
(562) 272-7231  
www.radcoinc.com

**COMPLIANCE EVALUATION ACCEPTANCE**

TL-209      RADCO FIELD EVALUATION SERVICES      AA-650

UNIT EVALUATED:      Gas Fired Cremation Oven      Label Number: 5706-001  
Model: A-200-HT, Serial #:071014-A

EVALUATED FOR:      American Crematory Equipment, Santa Fe Springs, CA 90670

EVALUATED AT:      CORTEZ CREMATION SERVICES, NATIONAL CITY, CA 91950

EVALUATED TO:      NFPA 86 Standard for Ovens and Furnaces

RADCO WORK ORDER NUMBER C3274A

Refer to RADCO Report RAD-5706. RADCO's field evaluation programs are limited to those features and characteristics apparent at the installation site at the time of the evaluation.      Issued: JULY, 2015

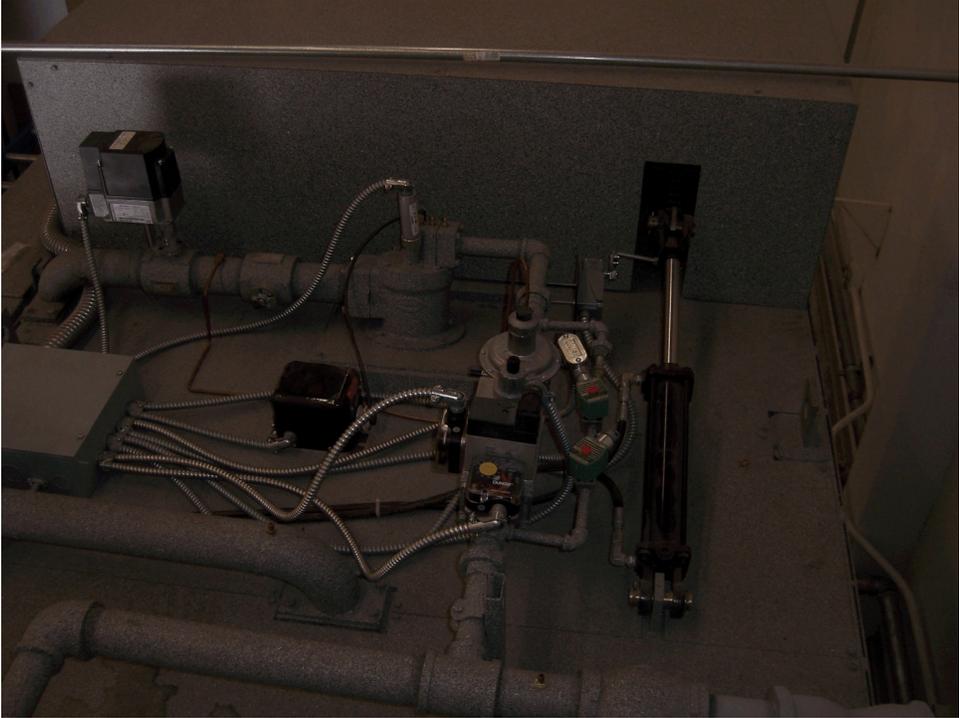
APPENDIX C  
PHOTOS



C1



C2



C3



C4





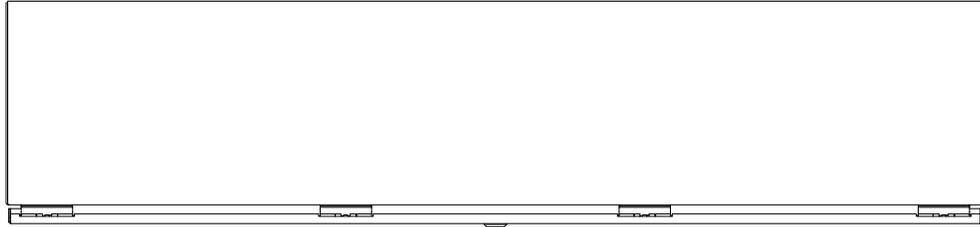
C6

ENCLOSURE: NEMA TYPE 1  
 SCCR: 5,000 AIC  
 MANUF.: WEIGMANN  
 PART #: N412423610C

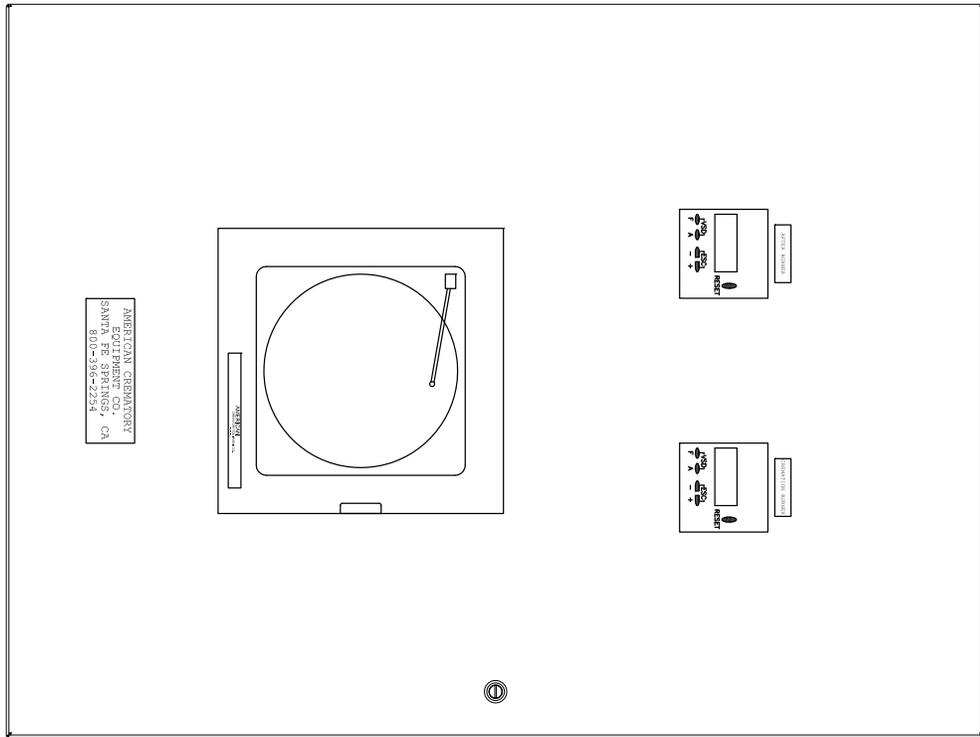
THIS RENDERING REPRESENTS THE MANUFACTURER'S BEST ESTIMATE OF THE PROJECT LAYOUT PRIOR TO FABRICATION LAYOUT IS SUBJECT TO CHANGE AS NECESSITATED BY FABRICATION CONSIDERATIONS

**DRAWING NOTES**

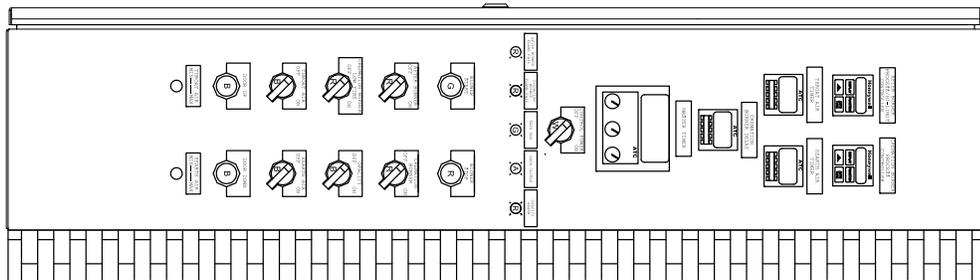
1 FIELD DEVICE WIRING DETAILS ARE SHOWN FOR CONVENIENCE ONLY. INSTALLING CONTRACTOR SHALL REFERENCE DEVICE INSTALLATION MANUAL.



← HINGE →



AMERICAN CREMATORY  
 EQUIPMENT CO.,  
 5777 W. 10TH AVE.,  
 SANTA ANA, CA  
 92705  
 800-396-2234



**LEFT HAND MOUNT**

01	REVISION
1D	REVISION

**Calhoun & Poxon Co., Inc.**  
 Electrical Equipment

Los Angeles, CA 90032  
 5330 Alhambra Ave.  
 Ph. (323) 225 2328  
 Fx. (323) 221 4930

SALES ORDER NUMBER	42787	REVISION	KO	07.17.13
SALES ORDER DATE	08.14.13	QUANTITY	KO	08.14.13
CUSTOMER PO	14019	ORDERED	AN	08.14.13
CUSTOMER PO DATE	08.13.13	APPROVED	AR	PENDING
		SALES ENG.	AN	05.08.13

WIRTH GAS EQUIPMENT

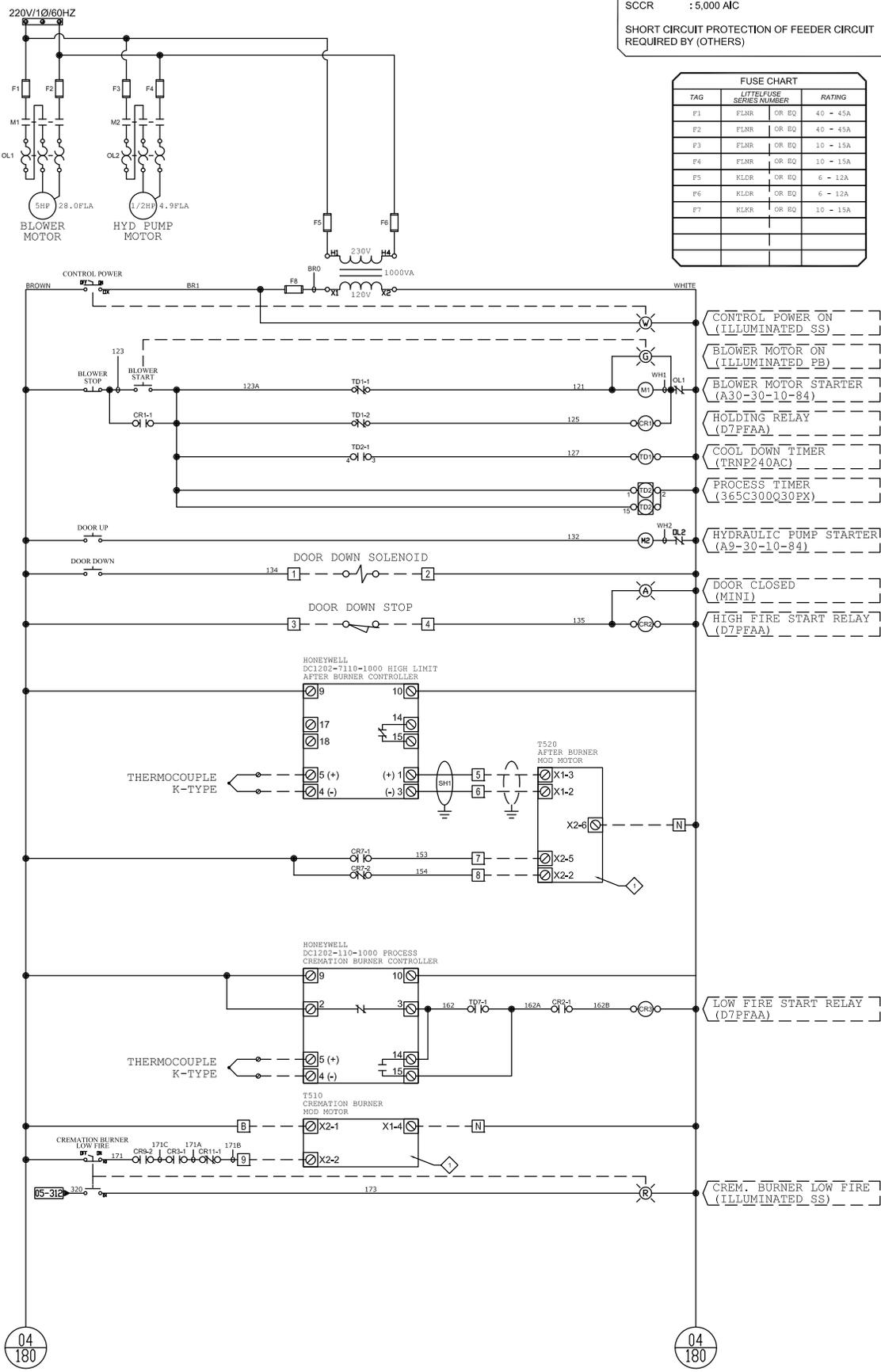
AMERICAN CREMATORY

CORTEZ

EXTERIOR ELEVATION

Mark	Description	Date	DWN.
1	RELEASED FOR FABRICATION	08.14.13	KO
1A	CR01CR2 CONTACT CORRECTIONS	09.13.13	KO
1B	ELEVATION UPDATE	09.18.13	KO
1C	ELEVATION UPDATE (OVEN)	02.05.14	KO
1D	FIELD DEVICE DEPICTION CORRECTION	02.20.14	KO

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ASSEMBLY : NEMA TYPE 1  
SCCR : 5,000 AIC  
SHORT CIRCUIT PROTECTION OF FEEDER CIRCUIT  
REQUIRED BY (OTHERS)

FUSE CHART		
TAG	LITTEL FUSE SERIES NUMBER	RATING
F1	FLNR	OR EQ 40 - 45A
F2	FLNR	OR EQ 40 - 45A
F3	FLNR	OR EQ 10 - 15A
F4	FLNR	OR EQ 10 - 15A
F5	KLDR	OR EQ 6 - 12A
F6	KLDR	OR EQ 6 - 12A
F7	KLKR	OR EQ 10 - 15A

SEE SH01 FOR DRAWING NOTES.

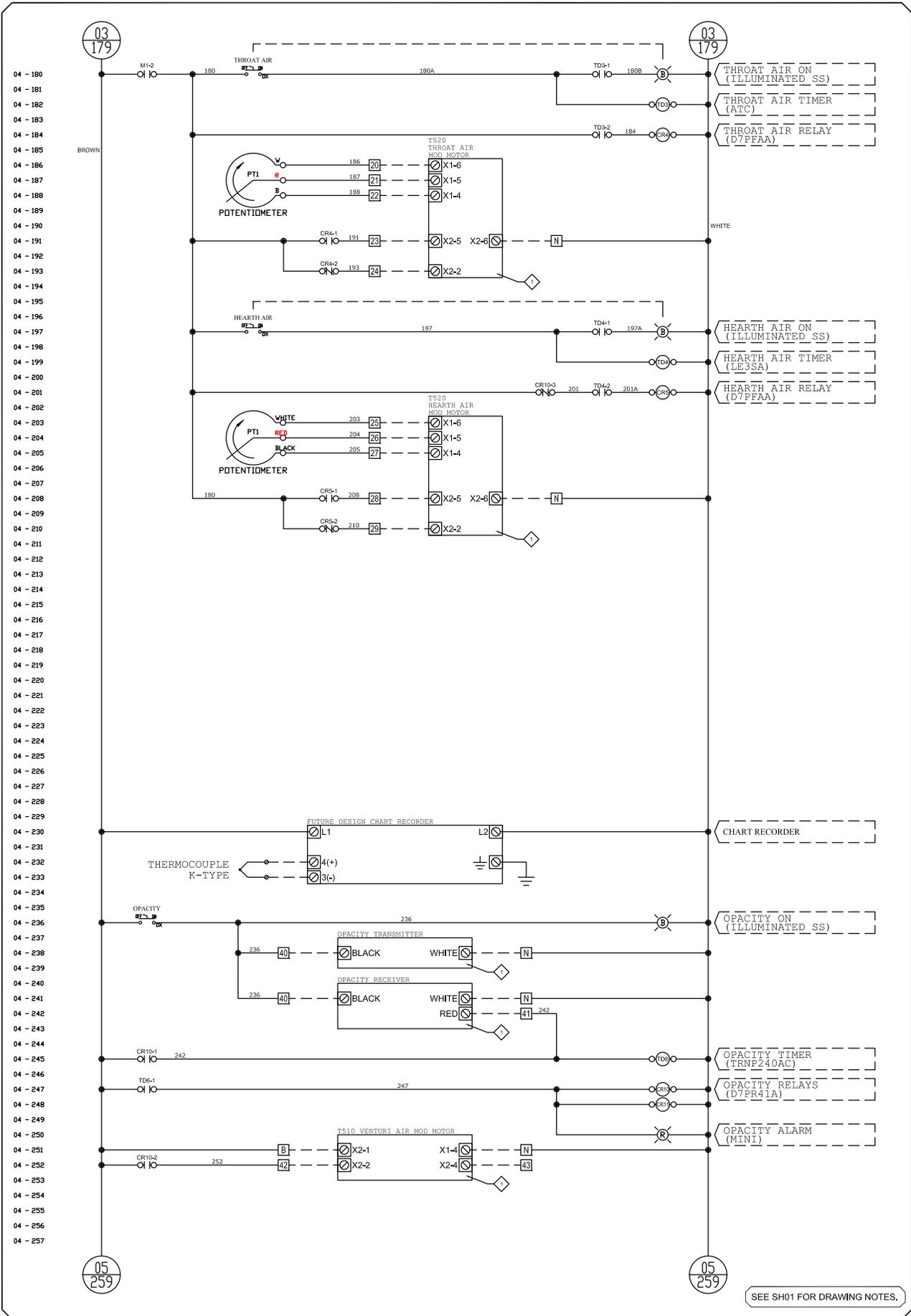
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5330 Alhambra Ave.  
Ph. (323) 225 2328  
Fx. (323) 221 4830

SALES ORDER NUMBER	42787	REMOVED	KO	07.17.13
SALES DATE	08.14.13	SHOWN	KO	08.14.13
CUSTOMER PO	14019	ORDERED	AN	08.14.13
CUSTOMER PO DATE	08.13.13	APPROVED	AR	PENDING
		SALES ENG.	AN	05.08.13

WIRTH GAS EQUIPMENT  
AMERICAN CREMATORY  
CORTEZ  
STARTERS AND CONTROLLERS

1	RELEASED FOR FABRICATION	08.14.13	KO
1A	CR1/CR2 CONTACT CORRECTIONS	09.13.13	KO
1B	ELEVATION UPDATE	09.18.13	KO
1C	ELEVATION UPDATE (OVEN)	02.05.14	KO
1D	FIELD DEVICE DEPICTION CORRECTION	02.20.14	KO
Mark	Description	Date	DWN.



SEE SH01 FOR DRAWING NOTES.

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179  
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SALES ORDER NUMBER	42787	REVISION	07.17.13
DESIGNED	KO	CHECKED	KO
DRAWN	KO	APPROVED	AN
08.14.13		08.14.13	
SALES ORDER DATE	08.14.13	CUSTOMER PO	14019
CUSTOMER PO	14019	SALES ENG.	05.08.13
08.13.13		AN	

WIRTH GAS EQUIPMENT

AMERICAN CREMATORY

CORTEZ

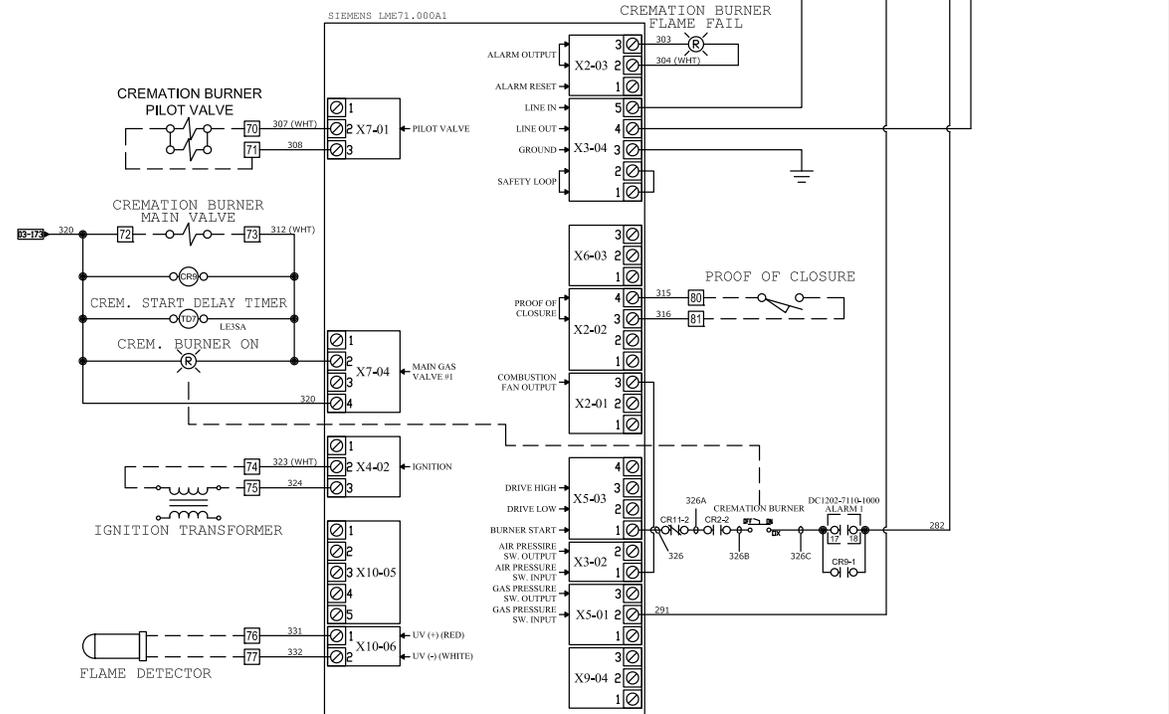
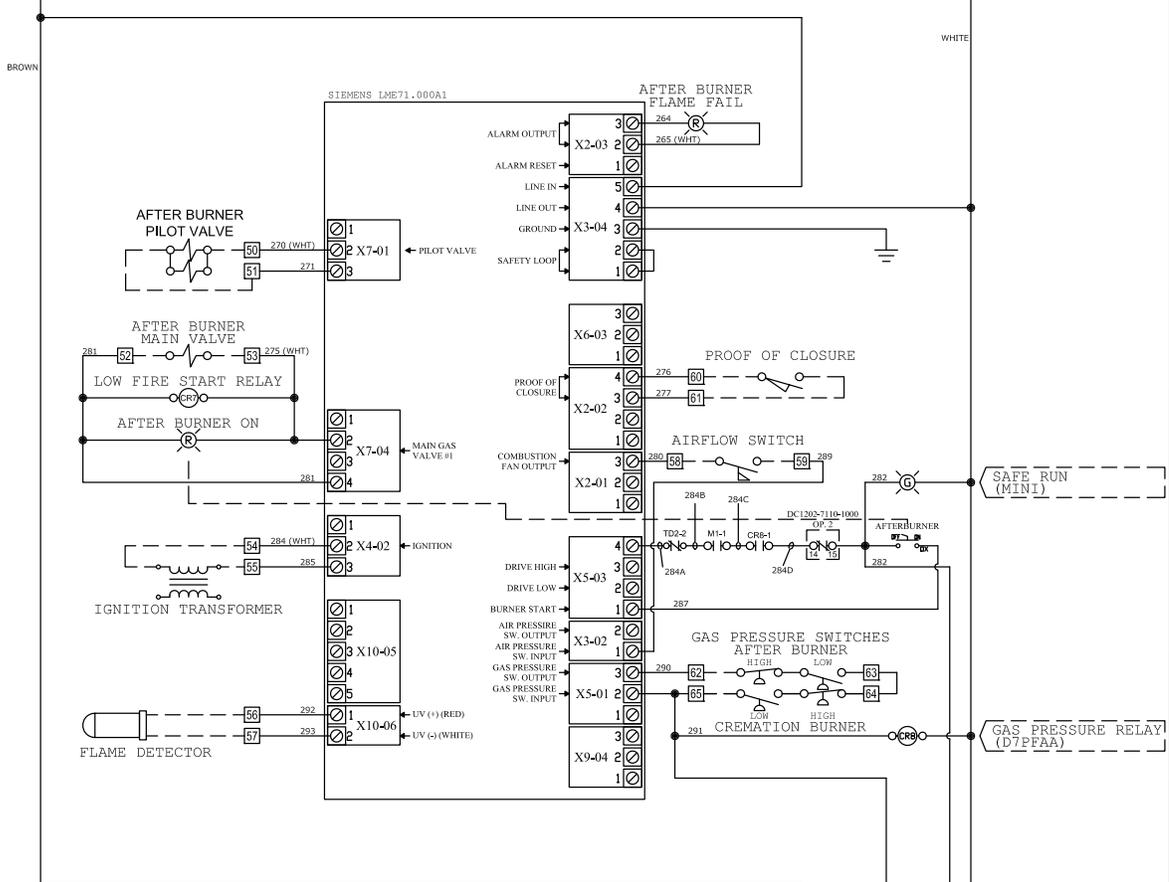
OPTIONS

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SEE SH01 FOR DRAWING NOTES.

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SALES ORDER NUMBER	42787	RECEIVED	07.17.13
CUSTOMER PO	08.14.13	QUANTITY	08.14.13
SALES ORDER DATE	08.14.13	ORDERED	08.14.13
CUSTOMER PO	14019	APPROVED	PENDING
CUSTOMER PO DATE	08.13.13	SALES ENG.	05.08.13

WIRTH GAS EQUIPMENT

AMERICAN CREMATORY

MONTES

FLAME SAFEGUARDS

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1C	ELEVATION UPDATE (OVEN)	02.05.14	KO
1D	FIELD DEVICE DEPICTION CORRECTION	02.20.14	KO
Mark	Description	Date	DWN.



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**CREEKSIDE CREMATORY  
SCREENING AIR TOXIC HEALTH RISK ASSESSMENT  
CITY OF MURRIETA, CALIFORNIA**

**August 26, 2013**

**JN:08829-03a  
HQ**

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## 1.0 INTRODUCTION

Creekside Crematory is proposing to construct and operate two human cremation units within an existing industrial complex located in the City of Murrieta, California. The cremation units will utilize natural gas to produce heat and flame in a manner which consumes soft tissue and retains dry bone fragments. Inherently, exhaust gases and related toxic air contaminants (TAC) are emitted from the combustion process. As such, the proposed equipment is subject to permitting requirements of the South Coast Air Quality Management District (SCAQMD).

In June 1990, the SCAQMD adopted Rule 1401 which specified limits for maximum individual cancer risk and excess cancer cases for new, relocated, or modified equipment which emit carcinogenic air contaminants. The rule was subsequently amended in July 1998 to include noncarcinogenic compounds.

Rule 1401 specifies limits for maximum individual cancer risk (MICR), noncancer acute and chronic hazard indices (HI) and cancer burden from new permit units, relocations, or modifications to existing permit units which emit identified TACs. As a result, a risk assessment is required to determine facility compliance with the following requirements:

- The cumulative increase in maximum individual cancer risk (MICR) does not exceed one in one million (1.0E-06) if Best Available Control Technology for toxics (T-BACT) is not used or, one in one hundred thousand (1.0 E-05) if T-BACT is used;
- For target organ systems, neither the cumulative increase in either the total chronic hazard index (HIC) nor the total acute hazard index (HIA) due to total emissions from the affected permit unit exceed 1.0 for any target organ system, or an alternate hazard index level deemed to be safe; and,
- The cumulative cancer burden (increase in cancer cases within the population) does not exceed 0.5.

The risk assessment and dispersion modeling methodologies used in the preparation of this report were composed of all relevant and appropriate procedures presented by the U.S. Environmental Protection Agency and SCAQMD. The methodologies and assumptions offered under this regulatory guidance were used to ensure that the assessment accurately quantified community-based impacts associated with the generation of contaminant emissions.

This report summarizes the protocol used to evaluate the health risks associated with the operation of the proposed cremation units and presents the results of the air toxic health risk assessment.

The SCAQMD typically issues a comment letter on the Notice of Preparation of a CEQA Document. Per the SCAQMD's typical comment letter, since the proposed Project is expected to TACs, preparation of a HRA is necessary. This document serves to meet the

SCAQMD's request for preparation of a HRA. Cancer risk is expressed in terms of expected incremental incidence per million population. The SCAQMD has established an incidence rate of 10 persons per million as the maximum acceptable incremental cancer risk due to DPM exposure. This threshold serves to determine whether or not a given project has a potentially significant project-specific and cumulative impact.

The AQMD has published a report on how to address cumulative impacts from air pollution: *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (August 2003). In this report the AQMD clearly states (Page D-3):

*"...the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.*

*Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant."*

## **2.0 SITE DESCRIPTION**

The proposed project is located at 41725 Elm Street, Suite 204 and is situated within an existing industrial complex. The 2,310 square foot facility is designed to accommodate one cremation unit suitable for processing a maximum of 26,000 pounds of human remains in any one month. The facility may operate annually up to 12 hours per day, 7 days per week.

The site is located between a private access road serving local businesses to the northwest, Jefferson Avenue to the northeast, Adams Avenue to the southwest and Elm Street to the southeast. The site is zoned general industrial (GI) and adjoined by commercial uses which include business park (BP) and multiple use (MU2) designations. Appendix A presents a land use map which identifies the various land use designations in proximity of the proposed project. Figure 1 presents an aerial photograph of the site and surrounding community.

Figure 1  
Site Location/Vicinity Aerial Photograph



### 3.0 SOURCE CHARACTERIZATION

The facility owner is proposing to construct and operate an American Crematory A-200HT cremation unit manufactured by American Crematory Equipment Co. The units are designed to complete a typical cremation case in 1 to 2 hours. The time does not include preheating the secondary chamber or the cool down period before removal of the remains (1/2 hour). The units have nominal burn rates of 150 pounds per hour for both remains and their associated containers. The cremation units are manual feed multiple chamber design and fired by natural gas.

Based upon the above operational characteristics, the facility owner/operator proposes to process a maximum of 26,000 pounds of human remains in any one month. Assuming a maximum of 26,000 pounds of human remains per month and maximum operating schedule of 12 hours per day 7 days per week at 4.3 weeks per month, facility mass emissions are anticipated to be approximately 71.98 pounds per hour for modeling purposes.

To assess the impact of TAC emissions, the facility wide emission estimate was applied to a contaminant profile utilized by the SCAQMD for crematory operations to produce discrete emission estimates. A list of emitted compounds and corresponding emission factors utilized in the assessment is presented in Table 1.

Table 1  
TAC Crematory Emission Factor Profile

Compound	Emission Factor (lb/ton)
Arsenic and arsenic compounds (inorganic)	4.00E-04
Beryllium (and beryllium compounds)	1.84E-05
Cadmium and cadmium compounds	1.46E-03
Chromium, hexavalent	1.91E-04
Polychlorinated Dibenzofurans (PCDF) (as 2,3,7,8-Eqiv) and total	1.43E-07 7.74E-08
Polychlorinated Dibenzo-p-Dioxins (PCDD) (as 2,3,7,8-Eqiv) and total	2.89E-09 1.97E-00
Formaldehyde	9.39E-03
Hydrogen chloride (hydrochloric acid)	5.09E-04
Lead and lead compounds (inorganic, including elemental lead)	5.32E-03 9.63E-04
Nickel & nickel compounds (except nickel oxide)	
Mercury and mercury compounds (inorganic)	
Polycyclic Aromatic Hydrocarbons (PAH)	

Source: South Coast Air Quality Management District – Rule 1401 Risk Assessment Calculator, Version 7.0 12/07/12.

#### 4.0 EXPOSURE QUANTIFICATION

In order to assess the impact of emitted compounds on individuals who work and/or live throughout the adjoining community, air quality modeling utilizing the SCREEN3 model was performed. The model is recommended by the SCAQMD when conducting risk assessments utilizing the Tier 3 screening dispersion model protocol.

SCREEN3 is a single source Gaussian plume model which provides maximum ground level concentrations for point, area, flare, and volume sources, as well as concentrations in the cavity zone, and concentrations due to inversion break-up and shoreline fumigation. SCREEN3 is a screening version of the Industrial Source Complex-Short Term (ISCST3) model.

SCREEN3 can perform single source, short-term calculations including estimating maximum ground level concentrations and the distance to the maximum, incorporating the effects of building downwash on the maximum concentrations for both the near wake and far wake regions as well as estimating concentrations in the cavity recirculation zone. Although SCREEN3 cannot explicitly determine maximum impacts from multiple sources, guidance is provided to accept multiple nearby stacks by merging emissions into a single "representative" source location.

In addition, the model examines a full range of meteorological conditions, including all stability classes and wind speeds to find the maximum downwind concentration. The use of a full set of meteorological conditions is required as maximum concentrations are given as a function of distance and A, C, E or F stability classes may not be controlling for sources with

building downwash. SCREEN3 explicitly calculates the effects of multiple reflections of the plume off an elevated inversion and off the ground when calculating concentrations under limited mixing conditions. The model also addresses the dispersion effects from plume rise associated with buoyancy induced dispersion.

As noted above, regulatory guidance allows for consideration of multiple stacks when release parameters are similar and located within relative proximity. For the proposed cremation units, they are of the same make and design and will be adjoining within the same facility. As such, the risk assessment assumed all facility emissions were associated with a single source location.

Model input values were based upon available technical documentation provided by the equipment manufacturer and Creekside Crematory representatives. Stack exhaust gas temperature and volumetric flow rate were obtained from Creekside Crematory's permit application on file with SCAQMD.

The effect of plume behavior associated with building downwash was considered in the modeling exercise utilizing the Schulman-Scire regulatory option. The downwash screening procedure assumes that the building is approximated by a simple rectangular box. Wake effects are included in the calculations using either the automated distance array or discrete distance options. Table 2 outlines the relevant input values utilized in the modeling exercise.

Table 2  
SCREEN3 Model Input Parameters

<b>Input Parameter</b>	<b>Value</b>
Terrain	Simple
Source Type	Point
Emission Rate	9.07748
Stack Height (m)	7.0104
Stack Inside Diameter (m)	0.5080
Stack Exit Velocity (m/s)	5.475
Stack Gas Temperature (K)	755.222
Ambient Air Temperature (K)	293.0
Receptor Height (m)	0
Urban/Rural Option	Urban
Building Height (m)	6.096
Minimum Horizontal Dimension (m)	28
Maximum Horizontal Dimension (m)	104

Discrete distances were programmed into the model to identify the maximum exposed residential and worker receptors based upon the nearest off site location identified through a review of land use designations and aerial imagery. As such, a distance of 400 meters was

assigned for the residential receptor located northeast of the proposed facility. For the worker receptor, existing businesses currently border the emission source. As a result, the receptor distance is limited by the dispersion model's ability to perform concentration estimates within a defined distance. For sources located on short or "squat" buildings affected by downwash, SCREEN3 requires a minimum distance based upon a value 3 times the building height. As a result, a minimum receptor distance of 23 meters was utilized.

The SCREEN3 model output file is presented in Appendix B. Predicted mass ground level concentrations are expressed in micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ).

## **5.0 RISK CHARACTERIZATION**

Carcinogenic compounds are not considered to have threshold levels (i.e., dose levels below which there are no risks). Any exposure, therefore, will have some associated risk. As a result, the SCAQMD has established a threshold of one in one hundred thousand (1.0E-05) for sources utilizing best available control technology for toxics (T-BACT). The proposed cremation units are both natural gas fired and maintain temperatures  $\geq 1500$  °F within the secondary chamber. As such, the units are assumed to be T-BACT compliant.

For noncarcinogenic effects, the established threshold for a cumulative increase in either the chronic hazard index (HIC) or the acute hazard index (HIA) shall not exceed 1.0 for any target organ system.

The cancer burden is the estimated increase in the occurrence of cancer cases in a population as a result of exposures to TAC emissions. The cancer burden for a population unit (city, census tract, sub-area or grid) is the product of the number of persons in the population and the estimated individual risk from TAC exposures. The SCAQMD has established a cancer burden threshold of 0.5 to address the incremental increase in cancer cases throughout a given population.

To quantify TAC exposures, the assessment utilized a spreadsheet program developed by the SCAQMD to produce carcinogenic risk, noncarcinogenic health effects and cancer burden estimates pursuant to *Rule 1401 Risk Assessment Procedures for Rules 1401 and 212, Version 7.0*. The program contains a Tier 3 procedure module that enables the user to provide concentration estimates generated by the SCREEN3 dispersion model to produce cancer risk and hazard estimates for cremation units fired by natural gas. Appendix C, presents the available worksheets generated from the Tier 3 Screening Risk Assessment Report.

## **6.0 CUMULATIVE IMPACTS**

The SCAQMD uses the same significance thresholds for project-specific and cumulative impacts for air quality impacts analyzed in an Environmental Assessment or EIR. Pursuant to SCAQMD standards, less-than-significant Project-level air quality impacts are by definition

not cumulatively considerable.<sup>1</sup> Accordingly less-than-significant TAC impacts resulting from the Project would not be cumulatively considerable. Please refer also to *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (SCAQMD) August 2003.

The SCAQMD has conducted an in-depth analysis of the toxic air contaminants and their resulting health risks for all of Southern California. This study, the *Multiple Air Toxics Exposure Study in the South Coast Air Basin, MATES III*,” estimates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. DPM is included in this cancer risk along with all other TAC sources. DPM accounts for 83.6% of the total risk shown in MATES-III.

The MATES-III basin-wide estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin. None of the fixed monitoring sites are within the local area of the Project site. However, MATES-III has extrapolated the excess cancer risk levels throughout the Basin by grid-specific modeling. MATES-III grid-specific modeling predicts an excess cancer risk of 169-416 in one million for the general vicinity of the Project site (SCAQMD 2008, MATES III Carcinogenic Interactive Map).

Additionally, there is an existing crematory located operating at 41725 Elm Street Suite 304 by Carriage Funeral Services of CA, Inc. (existing crematory) Cancer risk attributed to this cumulative project has been included in the cumulative analysis (and is based on previous CEQA entitlements<sup>2</sup>).

The total cumulative TAC risk is indicated at 2-7, and is derived by adding the Project-source risk, plus the existing crematory and the MATES-III study background risk. In this latter regard, the analysis conservatively assumes the upper limit background risk identified in MATES III of 416 per million for the Project site. A summary of cumulative impacts for Residential and Workers is as follows:

#### Residential Exposure Scenario:

The greatest cumulative With Project cancer risk is 429.49 in one million. The Project's maximum incremental contribution to the cumulative health risk in the Project area is 3.75 in one million which is not above the 10 in one million threshold set by SCAQMD, and is therefore less-than-significant. Accordingly, pursuant to SCAQMD cumulative impact criteria, the Project's Residential Exposure TAC impacts would not be cumulatively considerable.

#### Worker Exposure Scenario:

<sup>1</sup> The AQMD has published a report on how to address cumulative impacts from air pollution: *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (August 2003). In this report the AQMD clearly states (Page D-3): "...the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR.

<sup>2</sup> Conditional Use Permit (CUP) 010-2922 & *Evans-Brown & Hemet Valley Crematory Screening Air Toxic Health Risk Assessment* (Urban Crossroads, Inc. August 9, 2010).

The greatest cumulative With Project cancer risk after is 428.92 in one million. The Project's maximum incremental contribution to the cumulative health risk in the Project area is 3.18 in one million which is not above the 10 in one million threshold set by SCAQMD, and is therefore less-than-significant. Accordingly, pursuant to SCAQMD cumulative impact criteria, the Project's Worker Exposure TAC impacts would not be cumulatively considerable.

Table 3

Cumulative Cancer Risk<sup>3</sup>

	Cancer Risk as Maximum Sensitive Receptor (risk in one million)			
	Background (MATES III)	Existing Crematory at 41725 Elm St., Suite 304	Project Site	Total Cumulative Risk
Maximum Impact to All Receptors Without Project	416	9.74		425.74
Maximum Residential Impact With Project	416	2.71	3.75	429.49
Maximum Worker Impact With Project	416	9.74	3.18	428.92
	Source: <b>MATES III Carcinogenic Risk Interactive Map</b> ( <a href="http://www2.aqmd.gov/webappl/matesiii/">http://www2.aqmd.gov/webappl/matesiii/</a> ) (SCAQMD 2008).			

**7.0 SUMMARY OF FINDINGS**

For carcinogenic exposures, the summation of risk totaled 3.75E-06 (3.75 in one million) for the maximum exposed residential receptor and 3.18E-06 (3.18 in one million) for the maximum exposed worker. For noncarcinogenic effects, the chronic and acute hazard indices for each toxicological endpoint totaled less than one for both residential and worker receptors. For the cancer burden estimate, an increase in cancer cases was estimated to be 1.88E-1.

In acknowledgment of the regulatory guidelines relating to carcinogenic and noncarcinogenic exposures, TAC emissions generated from the proposed cremation units are within acceptable limits and not anticipated to pose an actual or potential endangerment to persons who live and/or work within the local community.

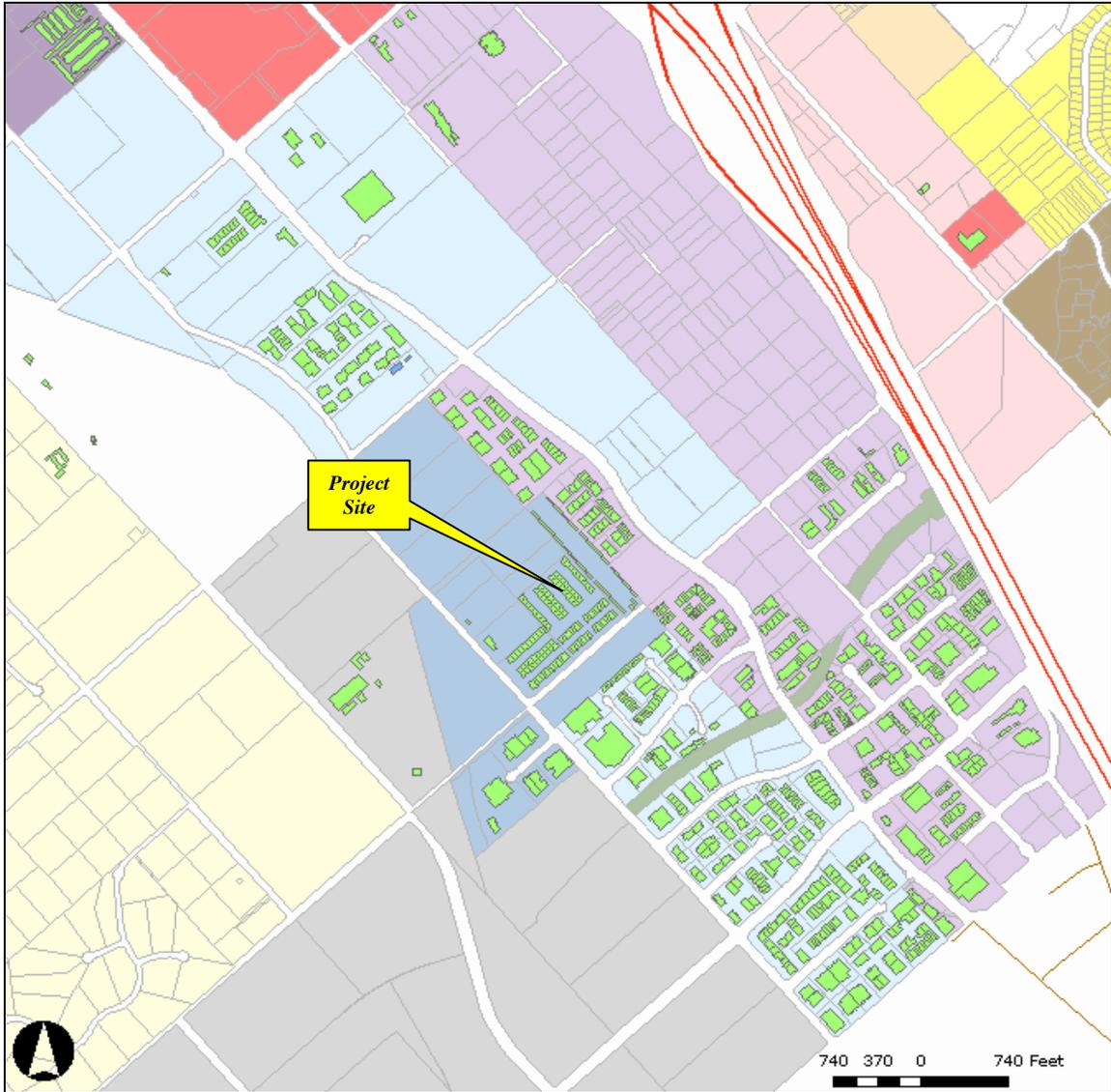
<sup>3</sup> Although cumulative impacts typically represent a General Plan Buildout Scenario, there is no such data available for what General Plan Buildout DPM emissions impacts would be. The background risk, however, would likely overstate, rather than understate future DPM impacts and is assumed to be inclusive of future growth. It should be noted that due to improved DPM emissions control technologies and increasingly stringent DPM emissions regulations, the cancer risk incidence in the seven (7) years between the Mates II and Mates III studies declined by approximately 15% even as population and business growth occurred throughout the region. Similar future declines in area-wide DPM source emissions are anticipated pursuant to enactment of further emissions regulations.

## REFERENCES

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8. United States Environmental Protection Agency, Office of Air Quality Planning and Standards, 1995. *SCREEN3 Model User's Guide*. EPA-454/B-95-004.
9. Urban Crossroads Inc., 2013. *Evans-Brown & Hemet Valley Crematory Screening Air Toxic Health Risk Assessment*.

**APPENDIX A**  
Adjoining Land Use Designations

## Adjoining Land Use Designations



<p><b>Commercial/Industrial</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #90EE90; border: 1px solid black; margin-right: 5px;"></span></li> </ul> <p><b>Civic Buildings</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #66B3FF; border: 1px solid black; margin-right: 5px;"></span></li> </ul> <p><b>City Zoning</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #ADD8E6; border: 1px solid black; margin-right: 5px;"></span> Business Park</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #A9A9A9; border: 1px solid black; margin-right: 5px;"></span> Civic/Institutional</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #FF0000; border: 1px solid black; margin-right: 5px;"></span> Community Commercial</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #D2B48C; border: 1px solid black; margin-right: 5px;"></span> Estate Residential 1</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #FFDAB9; border: 1px solid black; margin-right: 5px;"></span> Estate Residential 2</li> </ul>	<p><b>City Zoning (continued)</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #8B4513; border: 1px solid black; margin-right: 5px;"></span> Estate Residential 3</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #4682B4; border: 1px solid black; margin-right: 5px;"></span> General Industrial</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #654321; border: 1px solid black; margin-right: 5px;"></span> Multi-Family 1, Residential</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #6B8E23; border: 1px solid black; margin-right: 5px;"></span> Multi-Family 2, Residential</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #FF00FF; border: 1px solid black; margin-right: 5px;"></span> Multiple Use, Area 1</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #9370DB; border: 1px solid black; margin-right: 5px;"></span> Multiple Use, Area 2</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #483D8B; border: 1px solid black; margin-right: 5px;"></span> Multiple Use, Area 3</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #FF6347; border: 1px solid black; margin-right: 5px;"></span> Neighborhood Commercial</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #228B22; border: 1px solid black; margin-right: 5px;"></span> Open Space</li> </ul>	<p><b>City Zoning (continued)</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #90EE90; border: 1px solid black; margin-right: 5px;"></span> Parks &amp; Recreation</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #00FF00; border: 1px solid black; margin-right: 5px;"></span> Private Recreation</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #FFB6C1; border: 1px solid black; margin-right: 5px;"></span> Professional Commercial</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #CD5C5C; border: 1px solid black; margin-right: 5px;"></span> Recreational/Resort Commercial</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #800080; border: 1px solid black; margin-right: 5px;"></span> Regional Commercial</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #FFFACD; border: 1px solid black; margin-right: 5px;"></span> Rural Residential</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #FFFF00; border: 1px solid black; margin-right: 5px;"></span> Single-Family 1, Residential</li> </ul>	<p><b>City Zoning (continued)</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #FFD700; border: 1px solid black; margin-right: 5px;"></span> Single-Family 2, Residential</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #191970; border: 1px solid black; margin-right: 5px;"></span> Special Industrial</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> Specific Plan</li> </ul>
---	--	--	---

**APPENDIX B**  
SCREEN3 Model Output File

08/21/13

09:42:08

\*\*\* SCREEN3 MODEL RUN \*\*\*  
\*\*\* VERSION DATED 96043 \*\*\*

C:\Lakes\Screen View\8829\_Screen3\Mortuary.scr

SIMPLE TERRAIN INPUTS:

SOURCE TYPE	=	POINT
EMISSION RATE (G/S)	=	9.07748
STACK HEIGHT (M)	=	7.0104
STK INSIDE DIAM (M)	=	0.5080
STK EXIT VELOCITY (M/S)	=	5.4750
STK GAS EXIT TEMP (K)	=	755.2220
AMBIENT AIR TEMP (K)	=	293.0000
RECEPTOR HEIGHT (M)	=	0.0000
URBAN/RURAL OPTION	=	URBAN
BUILDING HEIGHT (M)	=	6.0960
MIN HORIZ BLDG DIM (M)	=	28.0000
MAX HORIZ BLDG DIM (M)	=	104.0000

THE REGULATORY (DEFAULT) MIXING HEIGHT OPTION WAS SELECTED.  
THE REGULATORY (DEFAULT) ANEMOMETER HEIGHT OF 10.0 METERS WAS ENTERED.

BUOY. FLUX = 2.120 M\*\*4/S\*\*3; MOM. FLUX = 0.750 M\*\*4/S\*\*2.

\*\*\* FULL METEOROLOGY \*\*\*

\*\*\*\*\*  
\*\*\* SCREEN DISCRETE DISTANCES \*\*\*  
\*\*\*\*\*

\*\*\* TERRAIN HEIGHT OF 0. M ABOVE STACK BASE USED FOR FOLLOWING DISTANCES  
\*\*\*

DIST (M)	CONC (UG/M**3)	STAB	U10M (M/S)	USTK (M/S)	MIX HT (M)	PLUME HT (M)	SIGMA Y (M)	SIGMA Z (M)
DWASH								
60.	6119.	5	4.5	4.5	10000.0	8.39	6.52	5.95
SS	400.	6	1.0	1.0	10000.0	32.72	40.85	25.30
SS	1520.	6	1.0	1.0	10000.0	32.72	131.85	67.14
SS								

DWASH= MEANS NO CALC MADE (CONC = 0.0)  
DWASH=NO MEANS NO BUILDING DOWNWASH USED  
DWASH=HS MEANS HUBER-SNYDER DOWNWASH USED  
DWASH=SS MEANS SCHULMAN-SCIRE DOWNWASH USED  
DWASH=NA MEANS DOWNWASH NOT APPLICABLE, X<3\*LB

\*\*\*\*\*

\*\*\* REGULATORY (Default) \*\*\*  
 PERFORMING CAVITY CALCULATIONS  
 WITH ORIGINAL SCREEN CAVITY MODEL  
 (BRODE, 1988)

\*\*\*\*\*

\*\*\* CAVITY CALCULATION - 1 \*\*\*  
 CONC (UG/M\*\*3) = 1319.  
 CRIT WS @10M (M/S) = 14.47  
 CRIT WS @ HS (M/S) = 14.47  
 DILUTION WS (M/S) = 7.24  
 CAVITY HT (M) = 6.12  
 CAVITY LENGTH (M) = 34.57  
 ALONGWIND DIM (M) = 28.00

\*\*\* CAVITY CALCULATION - 2 \*\*\*  
 CONC (UG/M\*\*3) = 4778.  
 CRIT WS @10M (M/S) = 14.84  
 CRIT WS @ HS (M/S) = 14.84  
 DILUTION WS (M/S) = 7.42  
 CAVITY HT (M) = 6.10  
 CAVITY LENGTH (M) = 22.81  
 ALONGWIND DIM (M) = 104.00

\*\*\*\*\*

END OF CAVITY CALCULATIONS

\*\*\*\*\*

\*\*\*\*\*  
 \*\*\* SUMMARY OF SCREEN MODEL RESULTS \*\*\*  
 \*\*\*\*\*

CALCULATION PROCEDURE	MAX CONC (UG/M**3)	DIST TO MAX (M)	TERRAIN HT (M)
SIMPLE TERRAIN	6119.	60.	0.
BLDG. CAVITY-1	1319.	35.	-- (DIST = CAVITY LENGTH)
BLDG. CAVITY-2	4778.	23.	-- (DIST = CAVITY LENGTH)

\*\*\*\*\*  
 \*\* REMEMBER TO INCLUDE BACKGROUND CONCENTRATIONS \*\*  
 \*\*\*\*\*

**APPENDIX C**

Tier 3 Screening Risk Assessment Report

**TIER 3 SCREENING RISK ASSESSMENT REPORT**

A/N:  
Fac:


Application deemed complete date: 04/24/13

**2. Tier 2 Data**

MET Factor	1.00
4 hr	0.81
6 or 7 hrs	0.83

Dispersion Factors tables

2	For Chronic X/Q
6	For Acute X/Q

Dilution Factors (ug/m3)/(tons/yr)

Receptor	X/Q	X/Qmax
Residential	0.307289748	16.82411369
Commercial	1.212411573	66.37953362

Adjustment and Intake Factors

	A/Fann	DBR	E/VF
Residential	1	302	0.96
Worker	2	149	0.38





AN:

Application deemed complete date:

**TIER 3 RESULTS**

**5a. MICH**

MICR = CP (mg/(kg-day))<sup>1</sup> \* Q (ton/yr) \* (X/Q) \* AFann \* MET \* DBR \* EVF \* 1E-6\* MP

Compound	Residential	Commercial
Arsenic and arsenic compounds (inorganic)	1.61E-07	2.37E-07
Beryllium (and beryllium compounds)	1.08E-09	1.67E-09
Cadmium and cadmium compounds	1.53E-07	2.36E-07
Chromium, hexavalent	6.82E-07	1.05E-06
Polychlorinated Dibenzofurans (PCDF) (as 2,3,7,8-Eqiv)	1.27E-06	6.74E-07
Polychlorinated Dibenzo-p-Dioxins (PCDD) (as 2,3,7,8-Formaldehyde	6.87E-07	3.65E-07
Formaldehyde	4.25E-16	6.55E-16
Hydrogen chloride (hydrochloric acid)	1.16E-08	1.25E-08
Lead and lead compounds (inorganic, including element	3.24E-09	5.00E-09
Nickel & nickel compounds (except nickel oxide):		
Mercury and mercury compounds (inorganic)		
Polycyclic Aromatic Hydrocarbon (PAHs)	7.83E-07	5.93E-07
<b>Total</b>	<b>3.75E-06</b>	<b>3.18E-06</b>
	<b>PASS</b>	<b>PASS</b>

5b. Cancer Burden	YES
X/Q for one-in-a-million:	0.0819204986
Distance (meter)	1511.72
Area (km2):	7.18E+00
Population:	50.231
<b>Cancer Burden:</b>	<b>1.88E-01</b>

**6. Hazard Index**

HIA = [Q(lb/hr)] \* (X/Q)max] \* AF / Acute REL

HIC = [Q(ton/yr)] \* (X/Q) \* MET \* MP] / Chronic REL

Target Organs	Acute	Chronic	Acute Pass/Fail	Chronic Pass/Fail
Alimentary system (liver) - AL		3.62E-03	Pass	Pass
Bones and teeth - BN			Pass	Pass
Cardiovascular system - CV	4.78E-03	9.62E-02	Pass	Pass
Developmental - DEV	2.60E-02	1.71E-01	Pass	Pass
Endocrine system - END		3.62E-03	Pass	Pass
Eye	2.24E-03		Pass	Pass
Hematopoietic system - HEM		7.09E-03	Pass	Pass
Immune system - IMM	6.08E-03	2.50E-04	Pass	Pass
Kidney - KID		7.95E-02	Pass	Pass
Nervous system - NS	2.60E-02	1.68E-01	Pass	Pass
Reproductive system - REP		3.62E-03	Pass	Pass
Respiratory system - RES	8.32E-03	1.32E-01	Pass	Pass
Skin		9.62E-02	Pass	Pass



Compound	HIA - Commercial									
	AL	CV	DEV	EYE	HEM	IMM	NS	REP	RESP	SKIN
Arsenic and arsenic compounds (inorganic)		4.78E-03	4.78E-03				4.78E-03			
Beryllium (and beryllium compounds)										
Cadmium and cadmium compounds										
Chromium, hexavalent										
Polychlorinated Dibenzofurans (PCDF) (as 2,3,7,8-Eqiv)										
Polychlorinated Dibenzo-p-Dioxins (PCDD) (as 2,3,7,8-										
Formaldehyde				1.26E-10					2.24E-03	
Hydrogen chloride (hydrochloric acid)				2.24E-03						
Lead and lead compounds (inorganic, including element										
Nickel & nickel compounds (except nickel oxide):			2.12E-02			6.08E-03	2.12E-02		6.08E-03	
Mercury and mercury compounds (inorganic)										
PolyCyclic Aromatic Hydrocarbon (PAHs)										
<b>Total</b>		4.78E-03	2.60E-02	2.24E-03		6.08E-03	2.60E-02		8.32E-03	

6b. Hazard Index Chronic

HIC = IQ(ton/yr) \* (X/Q) \* MET \* MPI / Chronic REL

Compound	HIC - Residential												
	AL	BN	CV	DEV	END	EYE	HEM	IMM	KID	NS	REP	RESP	SKIN
Arsenic and arsenic compounds (inorganic)			2.58E-02	2.58E-02						2.58E-02		2.58E-02	#####
Beryllium (and beryllium compounds)								6.35E-05				6.35E-05	#####
Cadmium and cadmium compounds									2.64E-03			2.64E-03	#####
Chromium, hexavalent												2.31E-05	#####
Polychlorinated Dibenzofurans (PCDF) (as 2,3,7,8-Equiv)	9.96E-04			9.96E-04	9.96E-04		9.96E-04				9.96E-04	9.96E-04	#####
Polychlorinated Dibenzo-p-Dioxins (PCDD) (as 2,3,7,8-Equiv)	5.39E-04			5.39E-04	5.39E-04		5.39E-04				5.39E-04	5.39E-04	#####
Formaldehyde												7.76E-12	#####
Hydrogen chloride (hydrochloric acid)												5.29E-03	#####
Lead and lead compounds (inorganic, including element)							8.78E-04					8.78E-04	#####
Nickel & nickel compounds (except nickel oxide):													#####
Mercury and mercury compounds (inorganic)				2.85E-02					2.85E-02				#####
PolyCyclic Aromatic Hydrocarbon (PAHs)													#####
<b>Total</b>	1.53E-03		2.58E-02	5.59E-02	1.53E-03		2.41E-03	6.35E-05	3.12E-02	5.43E-02	1.53E-03	3.62E-02	#####

6b. Hazard Index Chronic (cont.)

AN:

Application deemed complete date:

Compound	HIC - Commercial												
	AL	BN	CV	DEV	END	EYE	HEM	MM	KID	NS	REP	RESP	SKIN
Arsenic and arsenic compounds (inorganic)			9.62E-02	9.62E-02						9.62E-02		9.62E-02	#####
Beryllium (and beryllium compounds)								2.50E-04	7.80E-03			2.50E-04	#####
Cadmium and cadmium compounds												7.80E-03	#####
Chromium, hexavalent												9.10E-05	#####
Polychlorinated Dibenzofurans (PCDF) (as 2,3,7,8-Equiv)	2.35E-03			2.35E-03	2.35E-03		2.35E-03				2.35E-03	2.35E-03	#####
Polychlorinated Dibenzo-p-Dioxins (PCDD) (as 2,3,7,8-Equiv)	1.27E-03			1.27E-03	1.27E-03		1.27E-03				1.27E-03	1.27E-03	#####
Formaldehyde												3.06E-11	#####
Hydrogen chloride (hydrochloric acid)												2.09E-02	#####
Lead and lead compounds (inorganic, including element)												3.46E-03	#####
Nickel & nickel compounds (except nickel oxide):				7.17E-02			3.46E-03		7.17E-02	7.17E-02			#####
Mercury and mercury compounds (inorganic)													#####
PolyCyclic Aromatic Hydrocarbon (PAHs)													#####
<b>Total</b>	3.62E-03		9.62E-02	1.71E-01	3.62E-03		7.09E-03	2.50E-04	7.95E-02	1.68E-01	3.62E-03	1.32E-01	#####

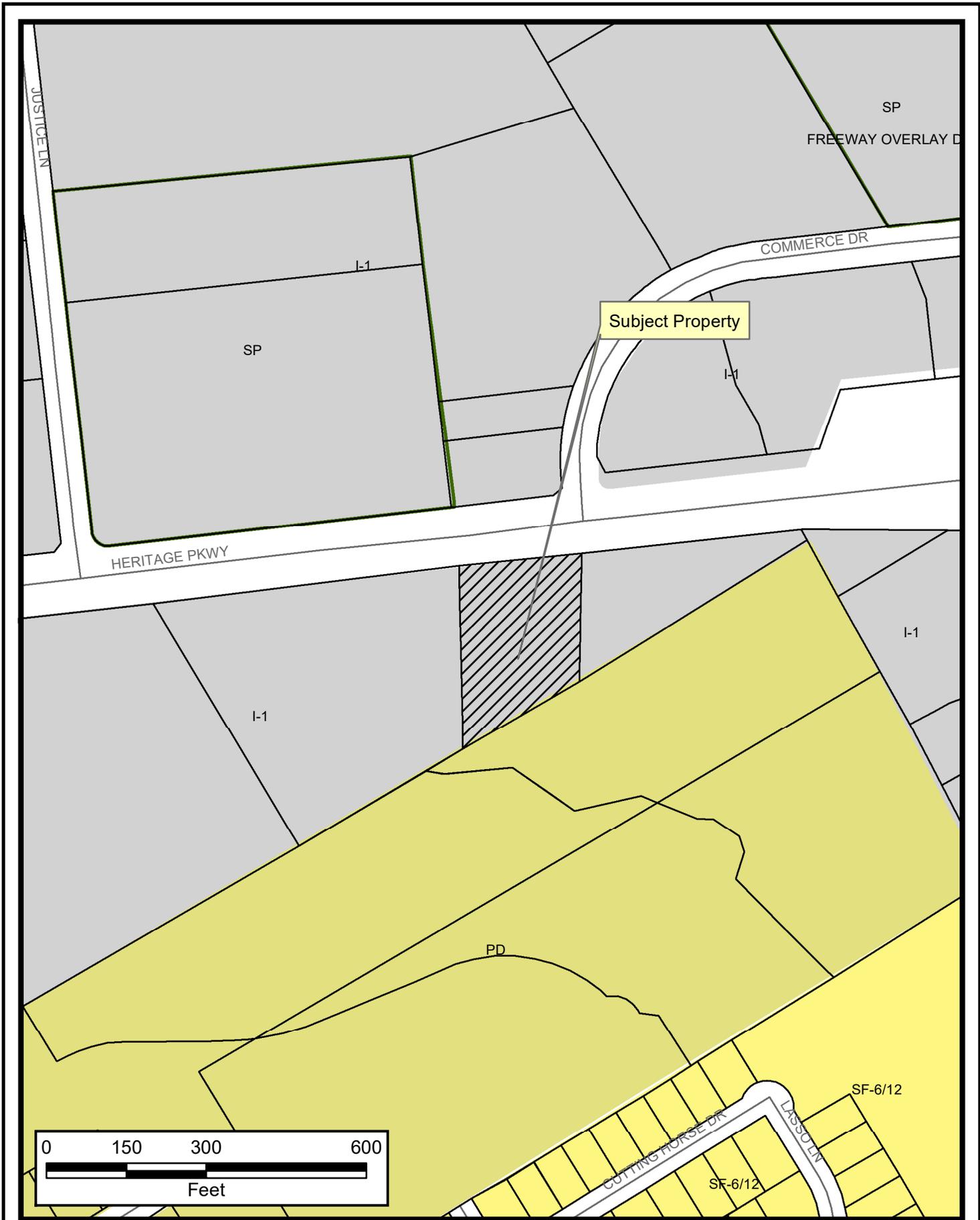




**SUP#20-014**

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.

9/8/2020



**SUP#20-014**

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9/8/2020

Property Owner Notification for SUP#20-014

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
ALLISON-SMITH ADDITION	BLK 1	SHINING STAR HOLDINGS LLC	2106 SANDSTONE CT	MANSFIELD, TX	76063
DAVIS, R A SURVEY	A 444	H2 HOSPITALITY LLC	10004 BROILES LN	KELLER, TX	76244
DAVIS, R A SURVEY	A 444	ABDELQADER, AWAD	201 E HIGHLAND ST	SOUTHLAKE, TX	76092
HILLCREST BUSINESS PARK ADDN	BLK A	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
HILLCREST BUSINESS PARK ADDN	BLK C	ALYAH HOLDINGS INC	10004 BROILES LN	FORT WORTH, TX	76244
HILLCREST BUSINESS PARK ADDN	BLK C	HERITAGE PARKWAY REALTY CO	623 W DIVISION ST STE A	ARLINGTON, TX	76011-7488
HILLCREST BUSINESS PARK ADDN	BLK C	REDMON AND HOLLAWAY FUNERAL SERVICES LLC	1556 HERITAGE PKWY	MANSFIELD, TX	76063
STEADFAST HERITAGE ADDN	BLK 1	STEADFAST HERITAGE LLC	2525 KNIGHT ST STE 300	DALLAS, TX	75219

**DESCRIPTION**

BEING A TRACT OF LAND IN THE CITY OF MANSFIELD, TARRANT COUNTY, TEXAS, AND BEING PART OF THE D. QUEEN SURVEY, ABSTRACT 1123, AND BEING ALL LOT 4R1 OF HERITAGE BUSINESS PARK, AN ADDITION TO THE CITY OF MANSFIELD, A REVISION OF HERITAGE BUSINESS PARK ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET A, SLIDE 6887, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A "V" CUT ON TOP OF CONCRETE HEADWALL FOUND FOR THE NORTHEAST CORNER OF LOT 3 AND THE NORTHWEST CORNER OF LOT 4 OF SAID HERITAGE BUSINESS PARK ADDITION AS RECORDED IN CABINET A, SLIDE 6887, AND BEING IN THE SOUTH LINE OF HERITAGE PARKWAY (110' RIGHT-OF-WAY AT THIS POINT), AS RECORDED IN CABINET A, SLIDE 164, P.R.T.C.T.;

THENCE NORTH 83°16'24" EAST, ALONG SAID SOUTH LINE OF HERITAGE PARKWAY, A DISTANCE OF 560.92 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE POINT OF BEGINNING, AND BEING THE NORTHEAST CORNER OF LOT 4R, AND NORTHWEST CORNER OF LOT 4R1;

THENCE NORTH 83°16'24" EAST, AND CONTINUING ALONG SAID SOUTH LINE OF HERITAGE PARKWAY, A DISTANCE OF 230.00 FEET TO A POINT FOR CORNER, AND BEING THE NORTHEAST CORNER OF LOT 4R1, AND NORTHWEST CORNER OF LOT 4R2;

THENCE SOUTH 06°43'36" EAST, AND DEPARTING THE SAID SOUTH LINE OF HERITAGE PARKWAY, A DISTANCE OF 228.68 FEET TO A POINT FOR CORNER, AND BEING THE SOUTHEAST CORNER OF LOT 4R1, AND SOUTHWEST CORNER OF LOT 4R2;

THENCE SOUTH 59°13'14" WEST, A DISTANCE OF 251.87 FEET TO A POINT FOR CORNER, AND BEING THE SOUTHWEST CORNER OF LOT 4R1, AND SOUTHEAST CORNER OF LOT 4R;

THENCE NORTH 06°43'36" WEST, A DISTANCE OF 331.33 FEET TO THE PLACE OF BEGINNING AND CONTAINING 64,400 SQUARE FEET OR 1.478 ACRES OF LAND, MORE OR LESS.

*Colin J. Henry* 8/28/2020

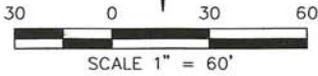
Colin J. Henry, RPLS  
Registered Professional Land Surveyor No. 5230



**BASIS OF BEARINGS:**  
Bearings are based on the South right-of-way line of Heritage Parkway (110' ROW) as shown on the plat of HILLCREST BUSINESS PARK, as recorded in Cabinet A, Slide 6887, P.R.T.C.T.

**Note:**  
A plat of survey of even date herewith contains this legal description.

<b>EXHIBIT "A" - SUP#20-014</b>	
<b>1.478 ACRES</b>	
AND BEING ALL OF LOT 4R1, HILLCREST BUSINESS PARK CABINET A, SLIDE 6887 CITY OF MANSFIELD, TARRANT COUNTY, TEXAS	
DRAWING: 2008	<b>DMC HENRY LLC</b> Texas Engineering Firm Number F-21874 Texas Surveying Firm Number 10194594 & <b>BARRAGON GROUP, LLC</b> PH: 469-231-1958 job@barragangroup.com
SCALE: NTS	
DATE: 7/30/20	



HERITAGE PARKWAY  
(110' ROW)

FIR 1/2  
RPLS  
4151(C.M.)

**POINT OF BEGINNING**

"V" CUT  
FND  
(C.M.)

N83°16'24"E  
560.92'

FIR  
1/2 (C.M.)

N83°16'24"E 1,240.92'  
230.00'

PFC

450.00'

LOT 4R2

**POINT OF COMMENCING**

CITY CONTROL MONUMENT  
NAD83(2011)  
NORTH CENTRAL ZONE 4202  
N = 6,887,072.707  
E = 2,394,320.233  
EL = 610.00

LOT 4R1  
64,400 SQ. FT  
OR  
1.478 ACRES

331.33'  
S06°43'36"W

LOT 4R

228.68'  
S06°43'36"E

504.05'

PFC

K.D. POOL  
VOL. 9765, PG. 259  
D.R.T.C.T.

LOTS 4R, 4R1, & 4R2  
BLOCK C  
HILLCREST BUSINESS  
PARK, BEING  
A REVISION OF LOT 4,  
BLOCK C, HILLCREST  
BUSINESS PARK,  
CABINET A, SLIDE 6887,  
CITY OF MANSFIELD,  
TARRANT COUNTY, TEXAS

251.87'  
S59°13'14"W 1,136.07'

380.15' PFC



*Colin J. Henry* 8/28/2020

Colin J. Henry, RPLS  
Registered Professional Land Surveyor No. 5230

BASIS OF BEARINGS:  
Bearings are based on the South right-of-way line of Heritage Parkway (110' ROW) as shown on the plat of HILLCREST BUSINESS PARK, as recorded in Cabinet A, Slide 6887, P.R.T.C.T.

NOTE:  
Controlling monuments are noted (C.M.)  
A legal description of even date herewith accompanies this plat.

(PAGE 2)

EXHIBIT "A" - SUP#20-014

1.478 ACRES

AND BEING ALL OF

LOT 4R1,

HILLCREST BUSINESS PARK

CABINET A, SLIDE 6887

CITY OF MANSFIELD, TARRANT COUNTY, TEXAS

DRAWING:  
2008

SCALE:  
1"=60'

DATE:  
7/30/20

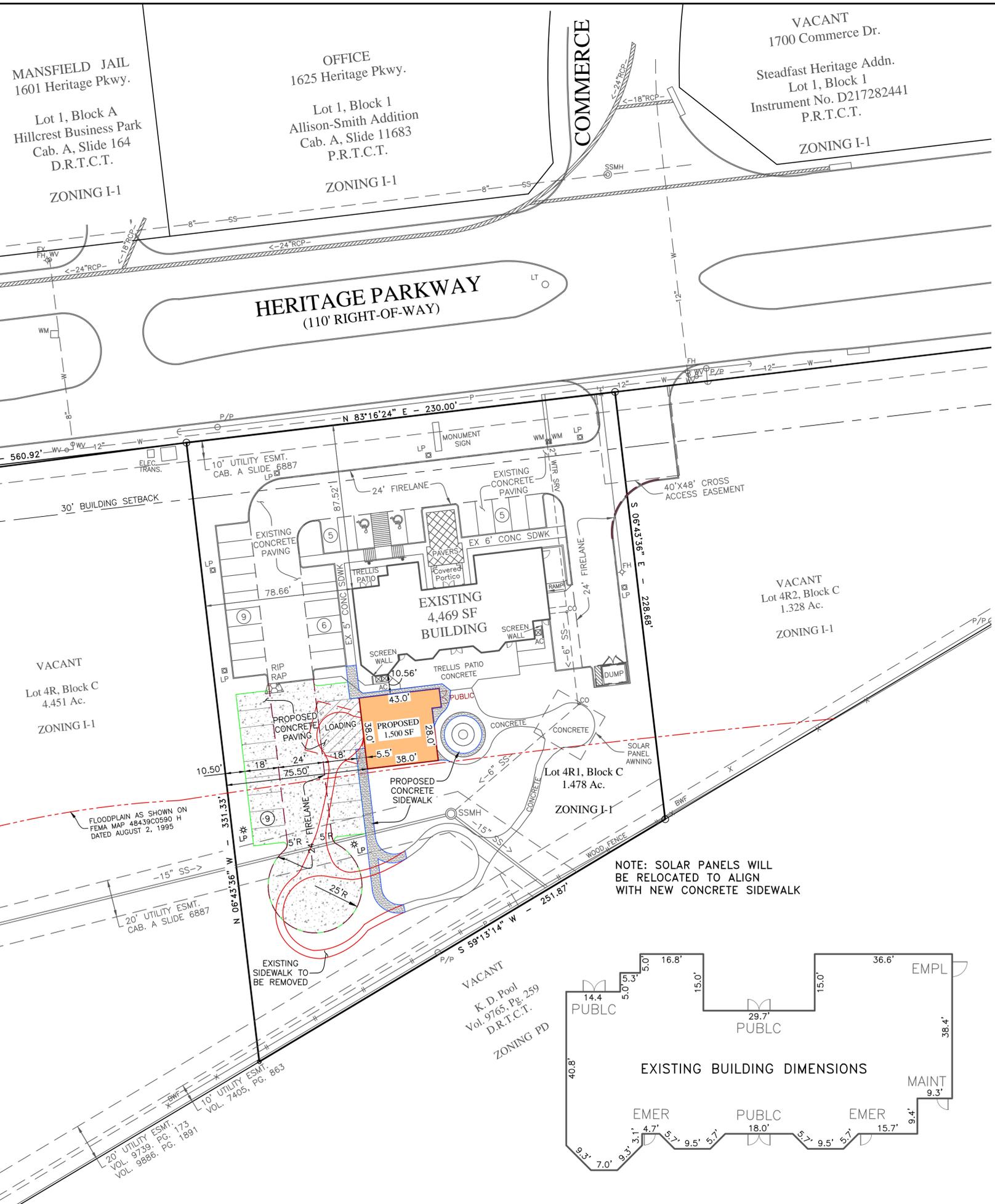
DMC HENRY LLC

Texas Engineering Firm Number F-21874  
Texas Surveying Firm Number 10194594

&

BARRAGON GROUP, LLC 222

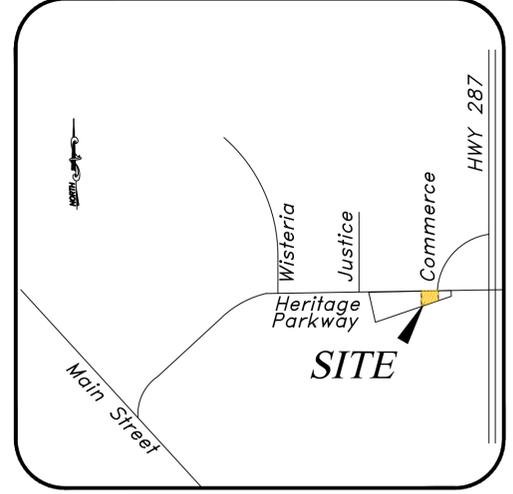
PH: 469-231-1958 job@barragangroup.com



### SITE DATA SUMMARY TABLE

#### LOT 4R1, BLOCK C HILLCREST BUSINESS PARK

<b>SITE DATA:</b>		
PHYSICAL ADDRESS	1556 HERITAGE PARKWAY	
GROSS SITE AREA	64,382 SF (1.478 ACRES)	
<b>BUILDING DATA:</b>		
ONE STORY BUILDING	4,469 SF (EXISTING)	
ONE STORY ACCESSORY BUILDING	1,500 SF (PROPOSED)	
BUILDING HEIGHT	50' MAXIMUM	
<b>COVERAGE:</b>		
	9%	
<b>USE:</b>		
	FUNERAL HOME & CREMATORY	
<b>PARKING SUMMARY:</b>		
(1 SPACE FOR EVERY 4 SEATS IN VIEWING ROOMS)		
	<b>REQUIRED</b>	<b>PROVIDED</b>
EXISTING BUILDING (80 SEATS)	20	25
PROPOSED BUILDING (40 SEATS)	10	15
<b>TOTAL</b>	<b>30</b>	<b>40</b>



**VICINITY MAP**  
N.T.S.

#### ZONING DATA

ZONED: I-1

**BUILDING SETBACKS**

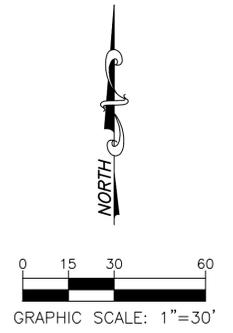
FRONT = 30'  
REAR = 0'  
SIDE = 0'

**LANDSCAPE BUFFERS**

FRONT = 20'  
REAR = 10'  
SIDE = 10'

#### LEGEND

	PROPOSED BUILDING
	PROPOSED CONCRETE PAVEMENT
	PROPOSED SIDEWALK
	PROPOSED FIRE LANE
	PROPOSED PARKING SPACES
	PROPOSED LIGHT
	EXISTING PARKING SPACES
	EXISTING FIRE LANE
	EXISTING FLOOD PLAIN LINE
	EXISTING LIGHT POLE
	EXISTING FIRE HYDRANT
	EXISTING AC UNIT
	EXISTING WATER METER & BACK FLOW PREVENTER
	SANITARY SEWER MANHOLE
	CLEAN OUT
	POWER POLE
	GUY WIRE



**NOTES**

- ALL SIGNAGE WILL COMPLY WITH THE REGULATIONS FOR I-1 ZONED PROPERTY AS OUTLINED IN SECTION 7100 OF THE ZONING ORDINANCE.
- ALL EQUIPMENT SHALL BE DESIGNED AND SCREENED IN ACCORDANCE WITH THE REGULATIONS OUTLINED IN SECTION 7301.A OF THE ZONING ORDINANCE.
- THE TRASH ENCLOSURE WILL BE SCREENED IN ACCORDANCE WITH THE REGULATIONS OUTLINED IN SECTION 7301.B OF THE ZONING ORDINANCE.
- THERE WILL BE NO OUTSIDE STORAGE OF MATERIALS OR VEHICLES ON THE PROPERTY.
- ALL ROOFTOP EQUIPMENT WILL BE SCREENED BY BUILDING PARAPETS AT LEAST ONE FOOT TALLER THAN THE TALLEST PIECE OF EQUIPMENT.

**WALLS CONSULTING ENGINEERS**  
TFPE REGISTRATION # E-1454

P.O. Box 532842  
Grand Prairie, Texas 75053  
Contact: JORGE BARRAGAN  
Phone: (469) 231-1958  
Email: job@barragangroup.com

OWNER

MANSFIELD FUNERAL HOME & CREMATIONS

1556 HERITAGE PARKWAY  
MANSFIELD, TEXAS 76063  
C/O: ERIN GREEN  
(972) 814-0264  
erin@darnellgreenremodeling.com

## SPECIAL USE PERMIT SITE PLAN

**1556 HERITAGE PARKWAY  
MANSFIELD, TEXAS 76063**

NO.	DATE	REVISIONS	DESIGNED	DRAWN	CHECKED	DATE
4	08.24.2020	REV PER SUP REVIEW 3				
3	09.14.2020	REV PER SUP REVIEW 2				
2	09.03.2020	REV PER SUP REVIEW 1				
1	08.14.2020	FOR SPECIAL USE PERMIT				

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY DAVID W. WALLS, P.E. 93086

9/24/2020

PROJECT NO. **20002**

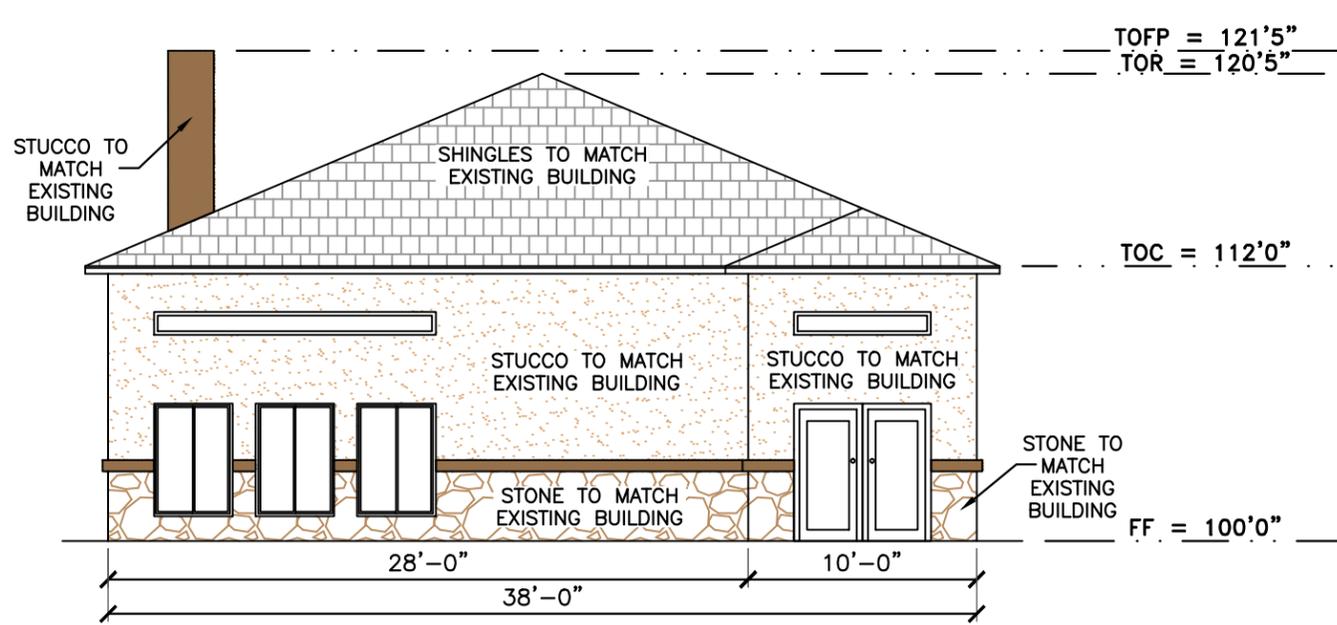
SHEET NO. **EXHIBIT R**

OWNER / DEVELOPER  
MANSFIELD FUNERAL HOME & CREMATIONS  
1556 HERITAGE PARKWAY  
MANSFIELD, TEXAS  
C/O: ERIN GREEN  
(972) 814-0264  
erin@darnellgreenremodeling.com

LOT DATA

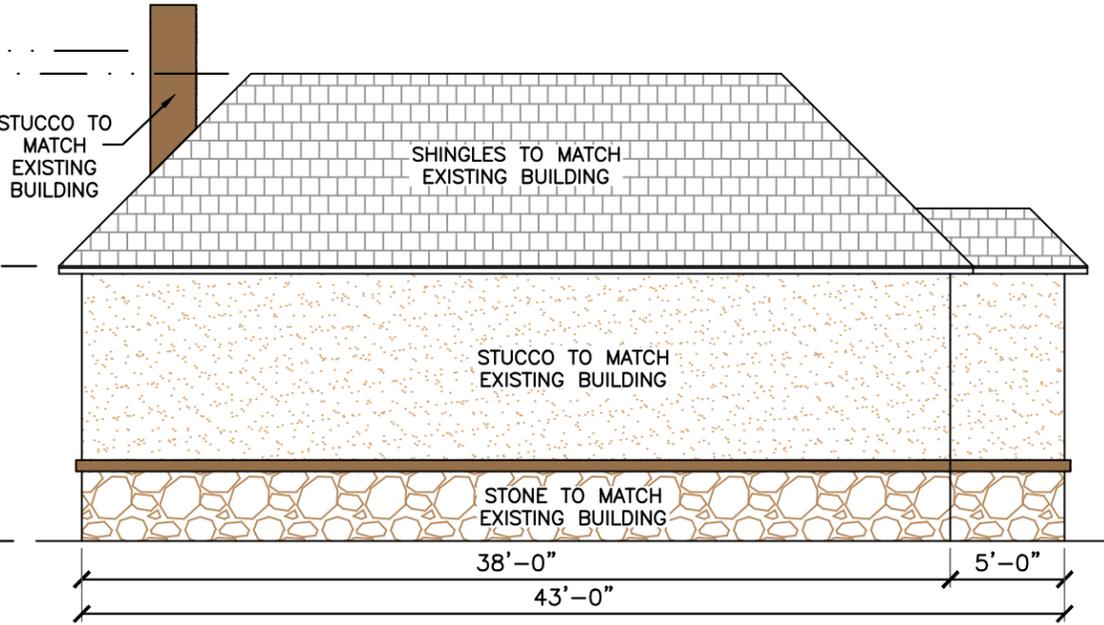
ZONING	T-1
FRONT SETBACK	30 FEET
REAR SETBACK	0 FEET
SIDE SETBACK	0 FEET
LOT AREA	64,382 SF 1.478 AC
BUILDING AREA	5,969 SF
LOT COVERAGE	9%

**EXTERIOR ELEVATIONS**  
**MANSFIELD FUNERAL HOME**  
1556 HERITAGE PARKWAY  
MANSFIELD, TEXAS



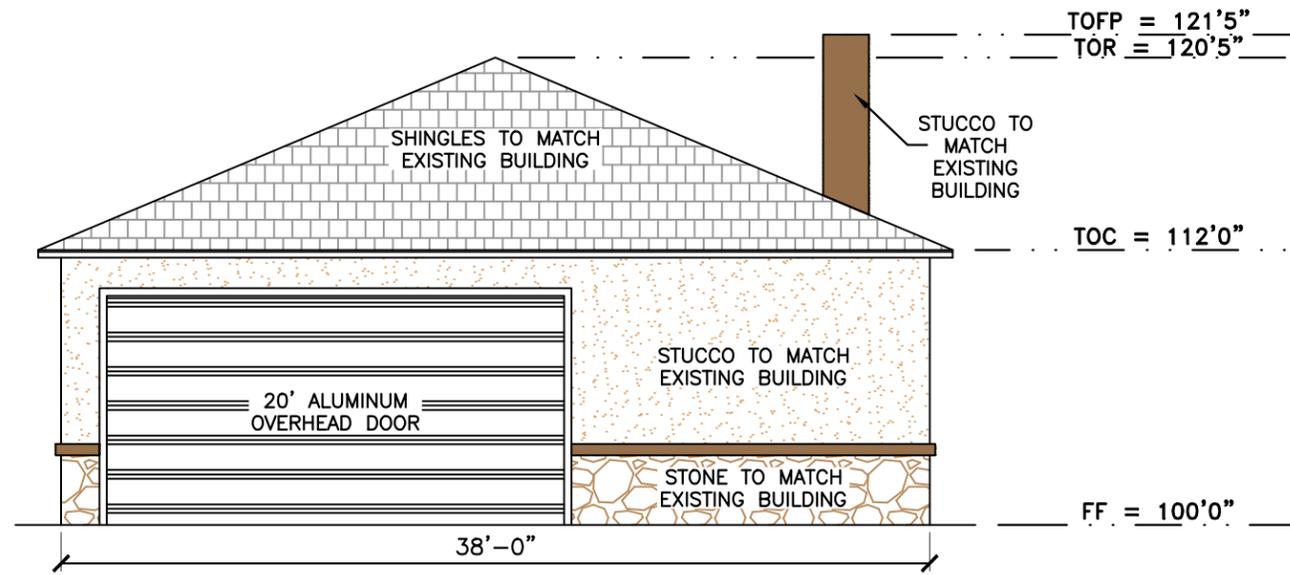
**FRONT ELEVATION (EAST)** STUCCO 76%  
MASONRY 24%

SCALE: 1/8" = 1"-0"



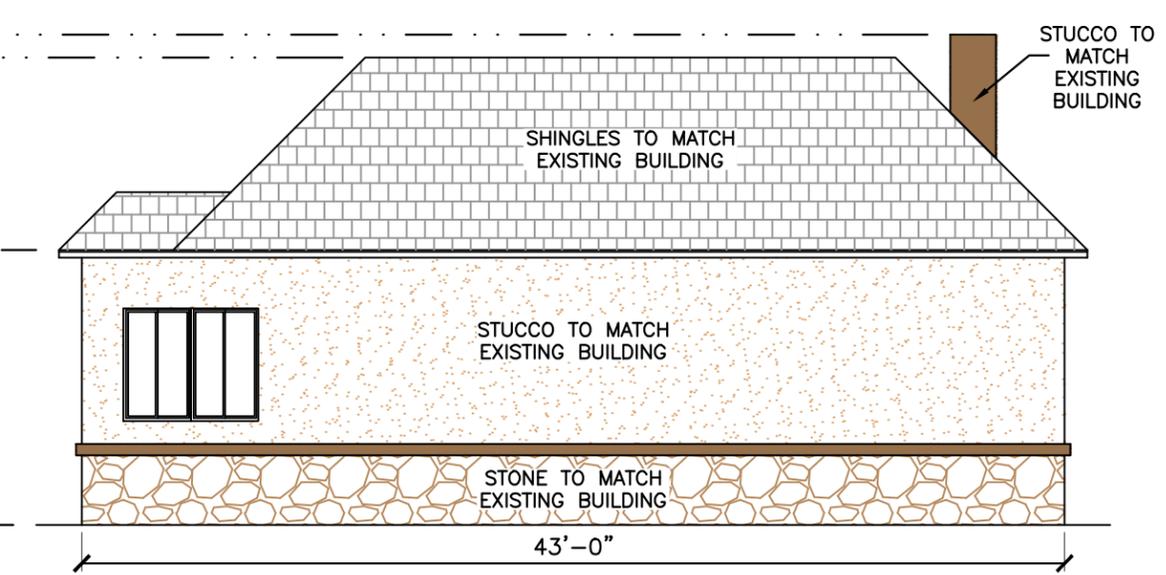
**LEFT ELEVATION (SOUTH)** STUCCO 73%  
MASONRY 27%

SCALE: 1/8" = 1"-0"



**REAR ELEVATION (WEST)** STUCCO 76%  
MASONRY 24%

SCALE: 1/8" = 1"-0"



**RIGHT ELEVATION (NORTH)** STUCCO 71%  
MASONRY 29%

SCALE: 1/8" = 1"-0"

TOTAL MASONRY 26%  
TOTAL STUCCO 74%

BARRAGAN GROUP, L.L.C. 2020 THESE DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND SHALL REMAIN THE PROPERTY OF BARRAGAN GROUP, L.L.C. THE USE OF THESE INSTRUMENTS FOR OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT WITHOUT WRITTEN CONSENT OF BARRAGAN GROUP, L.L.C. IS PROHIBITED AND GROUNDS FOR LEGAL ACTION.

NO.	DATE	REVISIONS	DRAWN	CHECKED	DATE
3	09.14.2020	REV PER SUP REVIEW 2			
2	09.03.2020	REV PER SUP REVIEW 1			
1	08.14.2020	ISSUED FOR SUP			

BARRAGAN	BERNADETT	BARRAGAN	07.10.2020
----------	-----------	----------	------------

PROJECT NO.  
**PSP2012**

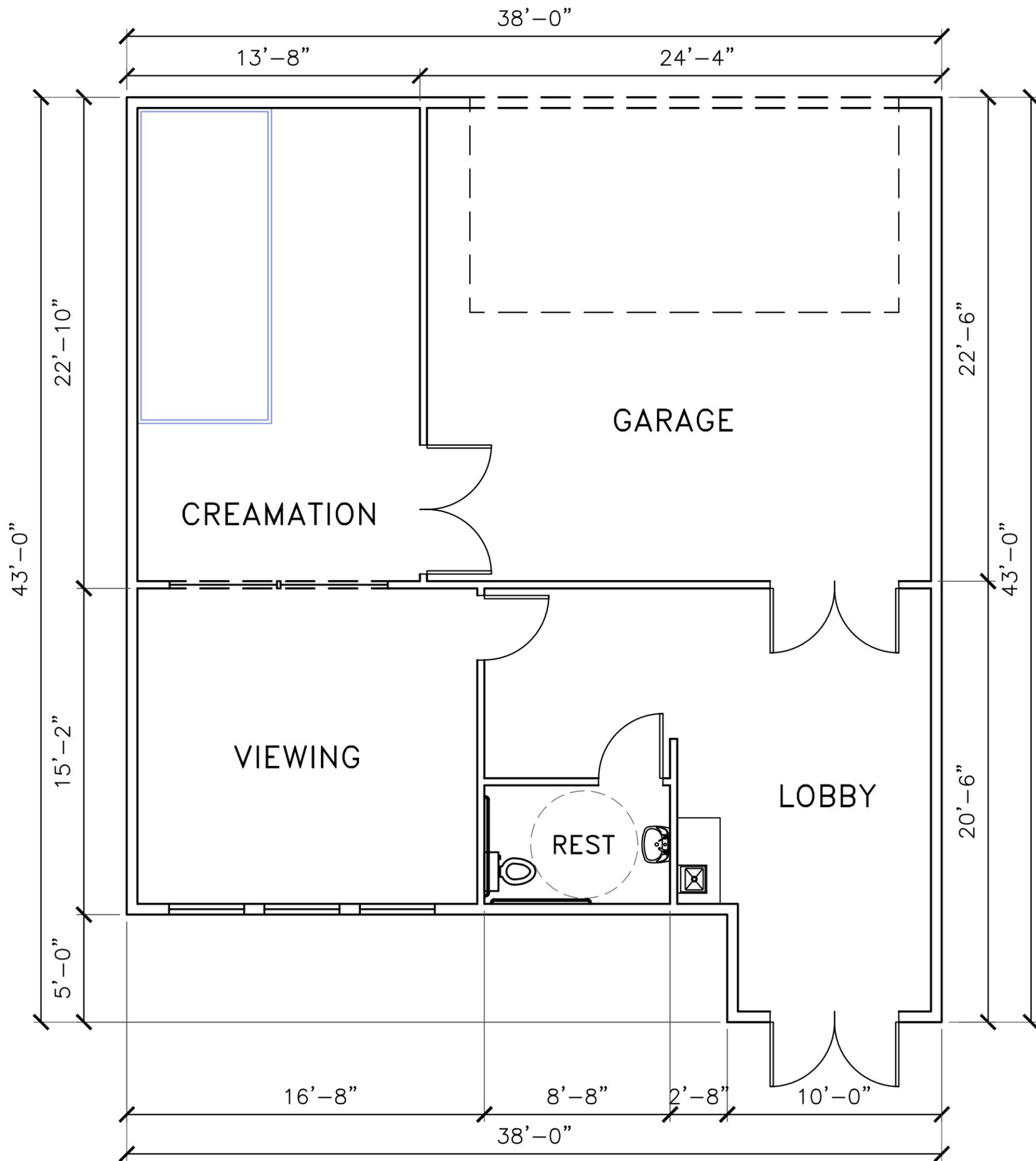
SHEET NO.  
**EXHIBIT 224 1**



**EXISTING BUILDING FRONT ELEVATION PHOTO**

**EXHIBIT C.2**

**SUP#20-014**



OWNER / DEVELOPER  
 MANSFIELD FUNERAL HOME & CREMATIONS  
 1556 HERITAGE PARKWAY  
 MANSFIELD, TEXAS  
 C/O: ERIN GREEN  
 (972) 814-0264  
 erin@darnellgreenremodeling.com

LOT DATA

ZONING	T-1
FRONT SETBACK	30 FEET
REAR SETBACK	0 FEET
SIDE SETBACK	0 FEET
LOT AREA	64,382 SF 1.478 AC
BUILDING AREA	5,969 SF
LOT COVERAGE	9%

**CONCEPTUAL FLOOR PLAN**  
**MANSFIELD**  
**FUNERAL HOME**  
 1550 HERITAGE PARKWAY  
 MANSFIELD, TEXAS

BARRAGAN GROUP, L.L.C. 2020 THESE DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND SHALL REMAIN THE PROPERTY OF BARRAGAN GROUP, L.L.C. THE USE OF THESE INSTRUMENTS FOR OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT WITHOUT WRITTEN CONSENT OF BARRAGAN GROUP, L.L.C. IS PROHIBITED AND GROUNDS FOR LEGAL ACTION.

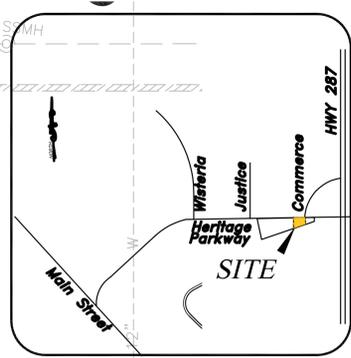
NO.	DATE	REVISIONS	DRAWN	CHECKED	DATE
3	09.14.2020	REV PER SUP REVIEW 2			
2	09.03.2020	REV PER SUP REVIEW 1			
1	08.14.2020	ISSUED FOR SUP			
			BARRAGAN	BERNADETT	07.10.2020

PROJECT NO.  
**PSP2012**

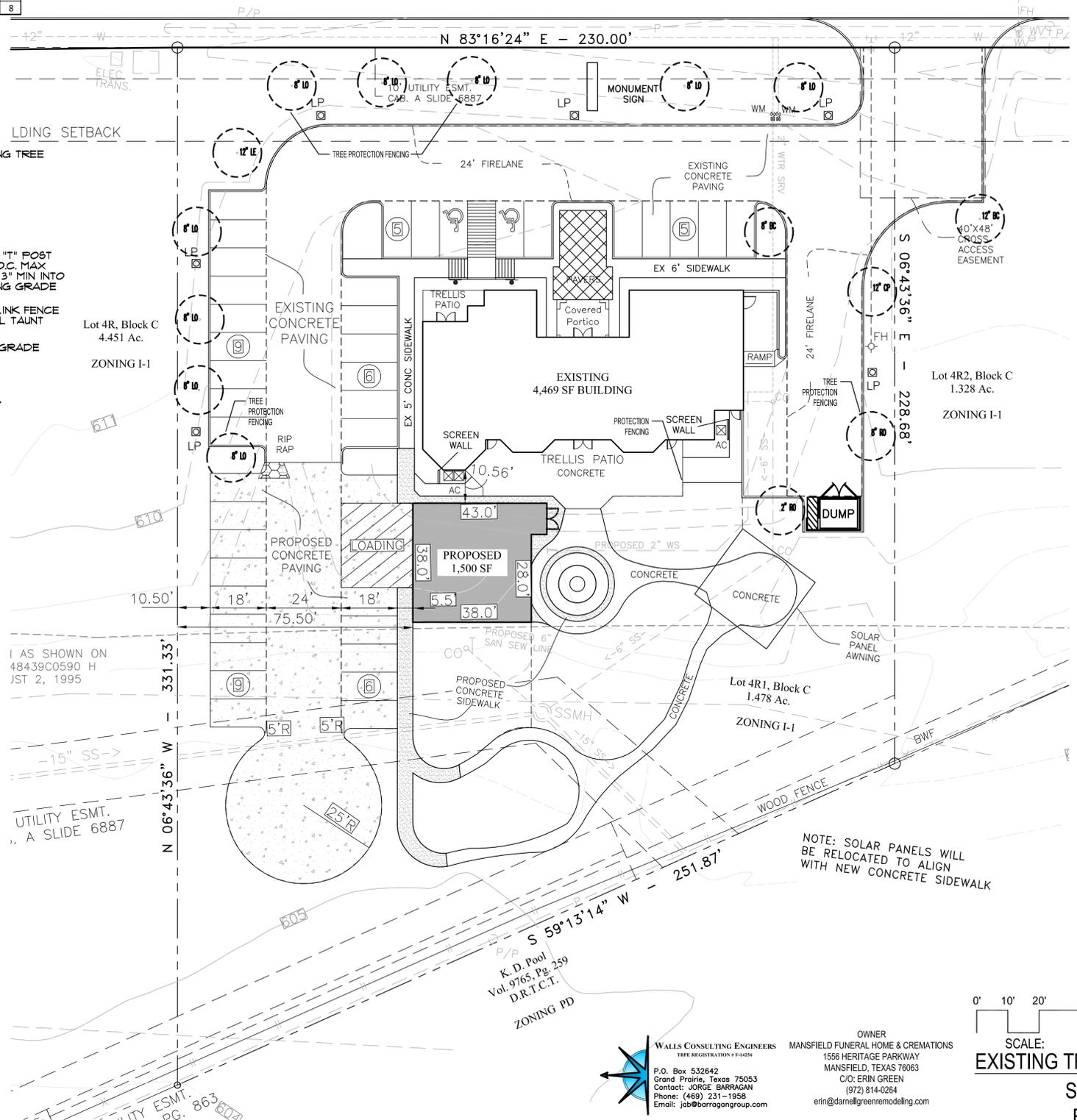
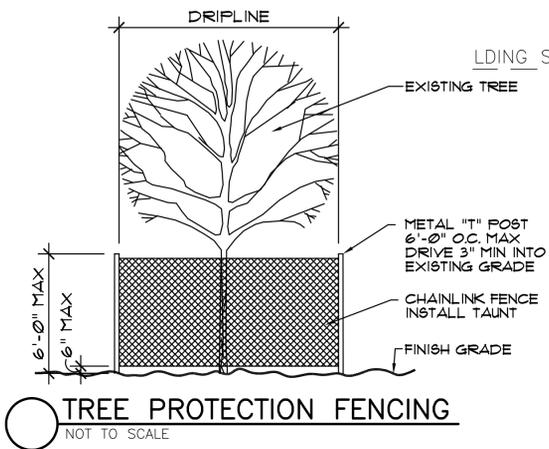
SHEET NO.  
**EXHIBIT 2263**

EXISTING TREE			
NUMBER	BOTANICAL NAME	COMMON NAME	DBH
1	Quercus virginiana	Live Oak	8
2	Quercus virginiana	Live Oak	8
3	Quercus virginiana	Live Oak	8
4	Quercus virginiana	Live Oak	8
5	Quercus virginiana	Live Oak	8
6	Ulmus parvifolia	Lacebark Elm	12
7	Quercus virginiana	Live Oak	8
8	Quercus virginiana	Live Oak	8
9	Quercus virginiana	Live Oak	8
10	Quercus shumardii	Shumard's Red Oak	4
11	Quercus shumardii	Shumard's Red Oak	8
12	Pistacia chinensis	Chinese Pistache	12
13	Taxodium distichum	Bald Cypress	12
14	Taxodium distichum	Bald Cypress	8

# HERITAGE PARKWAY (110' RIGHT-OF-WAY)



**VICINITY MAP**  
N.T.S.



PROJECT NAME: Mansfield Funeral Home  
 PROJECT NUMBER: 20-051  
 REVISIONS:  
 CITY COMMENTS 9-3-2020

**Mansfield Funeral Home**  
 1556 Heritage Parkway  
 Mansfield, Texas



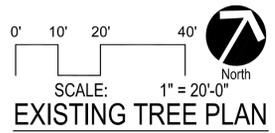
PROJECT NAME  
**Mansfield Funeral Home**  
 1556 Heritage Parkway  
 Mansfield, Texas

**RICKY D. PETTY**  
 LANDSCAPE ARCHITECT  
 7720 ALTO CARO DRIVE  
 DALLAS, TEXAS 75248  
 PHONE: (214) 543-5265  
 e-mail: rdpetty1954@att.net

TITLE: Existing Tree  
 DATE: August 14, 2020  
 SCALE: 1" = 20'-0"  
 SHEET: L-1

**WALLS CONSULTING ENGINEERS**  
 TIME REGISTRATION # F-44254  
 P.O. Box 532642  
 Grand Prairie, Texas 75053  
 Contact: JORGE BARRAGAN  
 Phone: (469) 231-1958  
 Email: jrb@barragangroup.com

OWNER  
**MANSFIELD FUNERAL HOME & CREMATIONS**  
 1556 HERITAGE PARKWAY  
 MANSFIELD, TEXAS 76063  
 C/O: ERIN GREEN  
 (972) 814-0264  
 erin@damellgreenremodeling.com



**SUP#20-014**  
**EXHIBIT D**





# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3768

**Agenda Date:** 10/12/2020

**Version:** 2

**Status:** Second Reading

**In Control:** City Council

**File Type:** Ordinance

### Title

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12 Single-Family Residential District to PD Planned Development District for Single-family Residential and Accessory Dwelling Uses on Approximately 0.258 Acres Known as a Portion of Lot 1, Block 29, Original Town of Mansfield, Located at 106 S. 2nd Ave.; Sheri Bumgardner of SSB Designs, Inc. on behalf of Janell Pendergast and Brian Clettenberg (ZC#20-012)

### Requested Action:

To consider the subject zoning change request.

### Recommendation:

The Planning & Zoning Commission held a public hearing on September 8, 2020, and voted 6-0 to recommend approval with the condition that sidewalks be added along S. 2nd Ave. and Alvarado St. There was also discussion about the stone on the base of the front porch and whether it would be added to the accessory structure, which the applicant stated it would not since the original house did not have a stone base and the applicant wanted the accessory structure to be compatible with the original architecture of the house.

### Description/History:

*Existing Use:* Single-family residence

*Existing Zoning:* SF-7.5/12, Single-Family Residential District

### *Surrounding Land Use & Zoning:*

North - Single-family residential, SF-7.5/12

South - Alvarado St.; single-family residential uses (2F) across the street

East - S. 2nd Ave.; single-family residential uses (PD) across the street

West - Single-family residential, SF-7.5/12

### Comments and Considerations

The subject property consists of 0.258 acres currently improved with a 1,500 sq. ft. single-story house with front and rear covered porches, detached carport, and shed. The applicant is requesting to rezone the property from SF-7.5/12 Single-Family Residential District to PD Planned Development District for single-family residential and accessory dwelling uses on approximately 0.258 acres.

### Development Plan and Regulations

The existing 1,500 sq. ft. single-story house with porches will remain, but the carport and shed will be removed. The house, which was built in 1880 and classified as a selected medium-priority house in the City's Historic Resources Survey, is a wood frame house in the massed plan pyramidal style with a pitched gabled roof. The house includes white vinyl siding with light blue trim. A low stone wall with shrubs was recently added to the front porch. The house is approximately 25' in height.

Behind the house, a new 1,700 sq. ft. two-story detached accessory structure will be constructed. The building will include a two-car garage on the first floor and two bedrooms and a bathroom on the second floor. The garage will be accessed via an existing drive approach on Alvarado Street.

The applicant proposes the following minimum lot standards:

Minimum Lot Area: 11,250 sq. ft.

Minimum Lot Width: 75'

Minimum Lot Depth: 150'

Minimum Front Setback (principal building): 25'\*

Minimum Side Setback (principal building): 10' exterior\*, 5' interior

Minimum Side Setback (accessory building): 5'

Minimum Rear Setback (principal building): 15'

Minimum Rear Setback (accessory building): 10'

Maximum Lot Coverage: 45%

Maximum Height: The height of the accessory building shall not exceed 25' or the height of the principal building

Maximum Height of Principal Building: 35'

Maximum Area of Accessory Structure: 1,100 sq. ft. foundation; 1700 sq. ft. under roof

Minimum Residential Floor Area of Primary Building: 1,500 sq. ft.

\*Porches are allowed to encroach into the front and exterior side setbacks as shown on the Development Plan

### Accessory Dwelling Requirements

In accordance with the standard Zoning Ordinance requirements applicable to accessory dwellings, the occupancy of the accessory dwelling will be limited to domestic servants or caretakers employed on the premises, temporary guests, or family members of the owner of the premises; guests may occupy such dwelling no more than 90 consecutive days in any twelve-month period. In addition, no additional accessory structures will be allowed on the property and the accessory dwelling will not be used as an apartment, separate domicile, or vacation rental/lodging. All utilities will be on the same meter as the main residential building.

### Architectural Requirements

No significant changes are proposed for the existing house, however any exterior reconstruction or remodeling of the principal building must be compatible with its historic character. The exterior façade of the principal building is a wood frame structure with

vinyl siding with cedar posts and a pitched gabled roof. The accessory structure will be designed in a similar manner to the primary structure, with cementitious siding and a hipped roof with gables on all four sides. The siding of the accessory structure will match the siding of the primary structure in terms of style and the exterior paint colors of the buildings will be compatible.

#### Access and Parking

The property will be served by an existing drive approach on Alvarado Street. A minimum of 2 off-street parking spaces will be provided per the development regulations, however the proposed 2-car garage and oversized driveway will likely be able to accommodate more than 2 vehicles.

As the City has a goal of adding sidewalks in the downtown area as development occurs and this development will increase the gross floor area on the property by more than 50%, staff requested that the applicant add sidewalks along the public street frontages. The applicant is requesting to be excepted from this requirement since there are currently no other sidewalks on this block and this is only a 1-lot development to add an accessory dwelling.

#### Landscaping and Screening

The three existing trees on the property will be retained and the 4" pecan tree near the driveway will be protected during construction. No additional trees will be planted. The 6' existing metal fence along the north side of the property and the 4' chain link fence along the west side of the property will also remain.

#### Summary

The proposed development will allow for the preservation of the existing historic structure, while also removing accessory structures that do not match or complement the historic structure. While the proposed accessory structure is larger, taller, and closer to property lines than what the Zoning Ordinance would allow, the new building better matches and complements the existing structure while not detracting from or overshadowing it. The new building will allow for enclosed parking and additional living space that could increase the functionality and value of the property, without making additions to the principal building that could affect its structural integrity or historical character. The development also preserves the existing trees and allows the existing drive approach to be utilized without major modifications. Furthermore, the Land Use Plan and Downtown Development Strategies encourage higher densities and multi-unit housing in this part of downtown; the increase in intensity by adding an accessory dwelling aligns with those goals.

The applicant has requested to be exempt from adding sidewalks since there are no sidewalks on this block and the applicant is only adding an accessory structure to the property. While there are not currently sidewalks on this block, there are sidewalks on an adjacent block across the street. In addition, the City has a goal of adding sidewalks to downtown and sidewalks have generally been added to properties as they redevelop. Furthermore, this development increases the gross floor area on the property by more than 50%.

**2nd Reading:**

The City Council held a public hearing and first reading on September 28, 2020 and voted 7-0 to approve. There was discussion about several items, including building materials, architectural elements, screening, and the recommendation to construct sidewalks along 2nd Avenue and Alvarado Street. Members of City Council recommended that the following items be addressed:

- Provide a carriage-style garage door.
- Require that cementitious siding be used on the house if the siding is replaced.
- Change the existing fencing along the north and west property lines to a 6' board-on-board wood fence.
- Provide sidewalks along 2nd Avenue and Alvarado Street and work with the Engineering and Water Utilities Department regarding alignment and possible relocation of utilities.

The applicant has made changes to the plans that address these items. Due to the location of the utility pole, the final alignment of the sidewalks will be determined at the time of construction. The Water Utilities Department has agreed to relocate the existing water meter and the applicant will be required to reconnect to the relocated meter at the time of construction.

**Prepared By**

Andrew Bogda, Planner  
817-276-4287

**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 SINGLE-FAMILY RESIDENTIAL AND ACCESSORY DWELLING 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 – C" 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.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

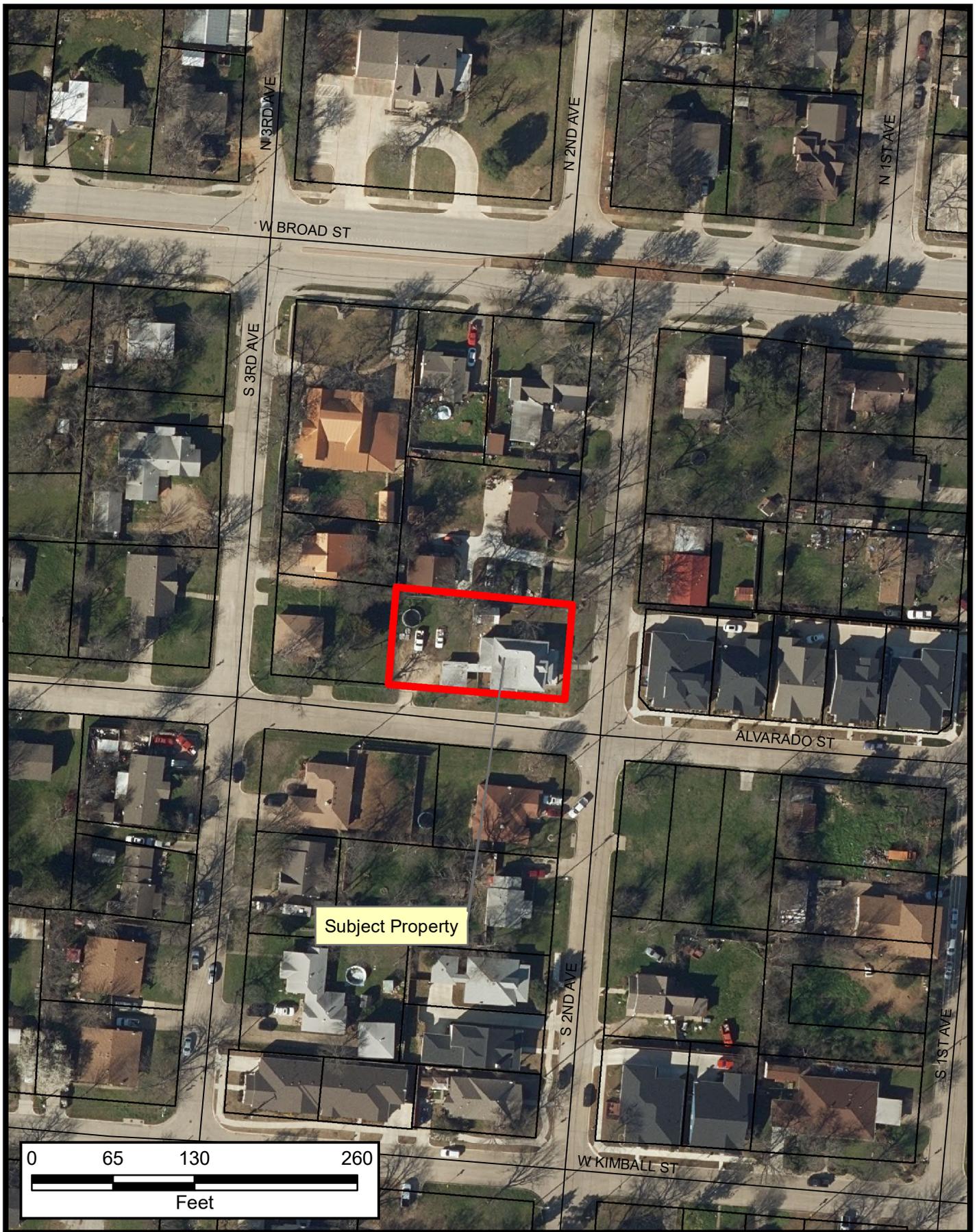
**DULY PASSED** on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
**David L. Cook, Mayor**

ATTEST: \_\_\_\_\_  
**Susana Marin, City Secretary**

APPROVED AS TO FORM AND LEGALITY:

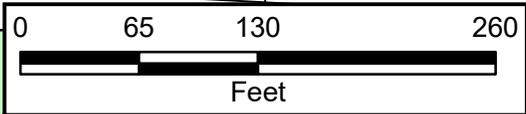
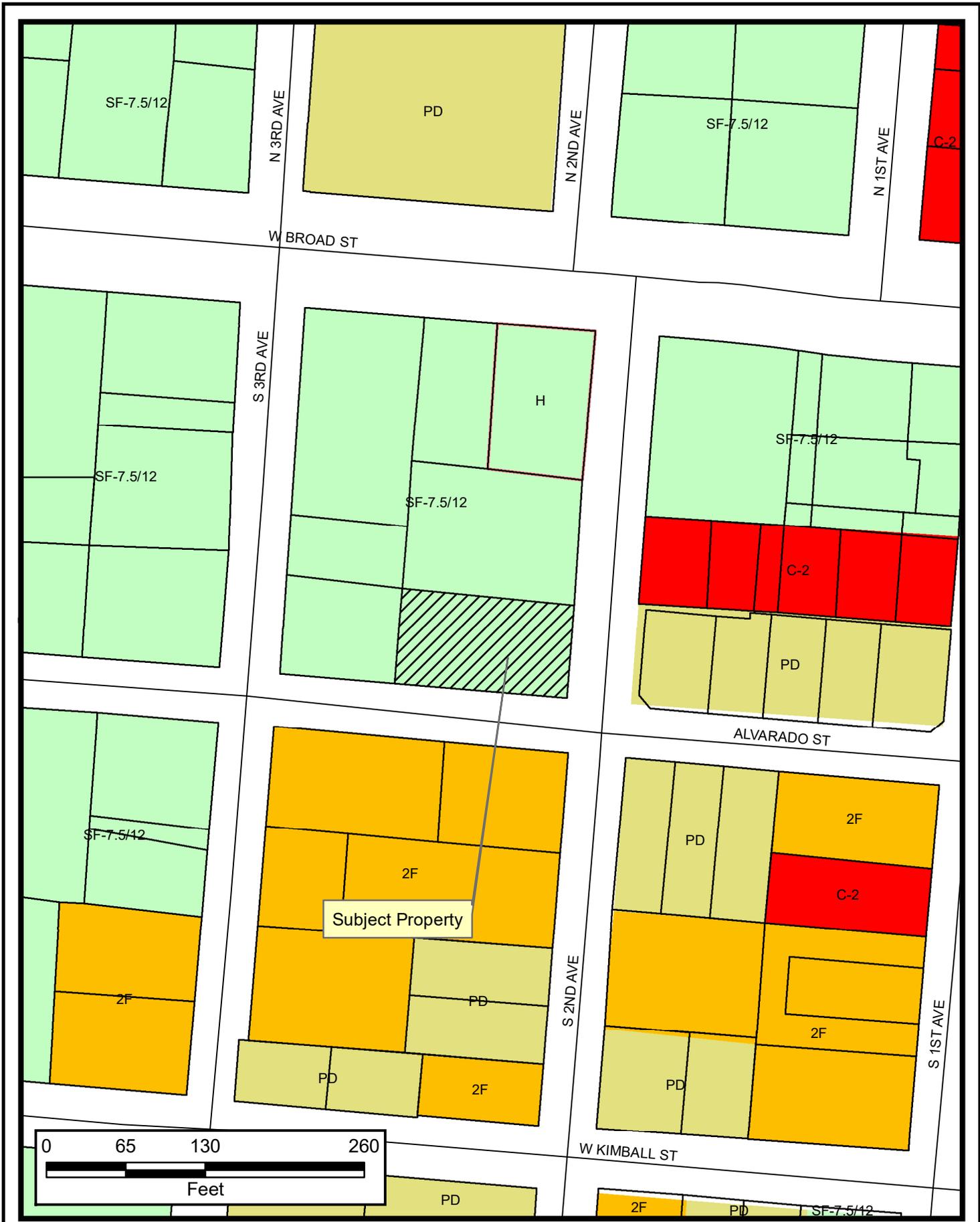
\_\_\_\_\_  
**Allen Taylor, City Attorney**



**ZC#20-012**

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.

8/27/2020



**ZC#20-012**

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.

8/27/2020

## Property Owner Notification for ZC#20-012

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
MANSFIELD, CITY OF	BLK 27	PINYAN, DANNY LEE	204 S 1ST AVE	MANSFIELD, TX	76063-1904
MANSFIELD, CITY OF	BLK 27	SOTO, ROSA & ANASTACIO	205 S 2ND AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 27	BARMONT LP	PO BOX 171028	ARLINGTON, TX	76003-1028
MANSFIELD, CITY OF	BLK 27	BARMONT LP	PO BOX 171028	ARLINGTON, TX	76003-1028
MANSFIELD, CITY OF	BLK 27	BARMONT LP	PO BOX 171028	ARLINGTON, TX	76003-1028
MANSFIELD, CITY OF	BLK 28	GREEN, AMBER RENEE	1017 CLARENCE ST W	HALTOM CITY, TX	76117
MANSFIELD, CITY OF	BLK 28	RALL, DELIA G	103 S 2ND AVE	MANSFIELD, TX	76063-1906
MANSFIELD, CITY OF	BLK 28	RALL, DELIA G	103 S 2ND AVE	MANSFIELD, TX	76063-1906
MANSFIELD, CITY OF	BLK 28	LIRA, CANDELARIO	104 S 1ST AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 28	LIRA, CANDELARIO	104 S 1ST AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 28	LIRA, CANDELARIO	104 S 1ST AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 28	ALEMAN, JUAN & LENDA MARGO	306 COTTON DR	MANSFIELD, TX	76063-4515
MANSFIELD, CITY OF	BLK 28	SHORT, COURTNEY E & SEAN K	216 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 28	ANZELMO, JOHN M & PATRICIA L	212 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 28	LEDDY, LINDA	208 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 29	WALKER, MARK F & BONNIE L	305 W BROAD ST	MANSFIELD, TX	76063-1610
MANSFIELD, CITY OF	BLK 29	GARCIA, LUIS M & OLIVIA	8101 N PRAIRIE HILL ST	ALVARADO, TX	76009-6602
MANSFIELD, CITY OF	BLK 29	HERNANDEZ, MANUEL & ELVA	301 W BROAD ST	MANSFIELD, TX	76063-1610
MANSFIELD, CITY OF	BLK 29	BALDERAS, JOSE & EMMA	102 S 2ND AVE	MANSFIELD, TX	76063-1907

## Property Owner Notification for ZC#20-012

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
MANSFIELD, CITY OF	BLK 29	WALKER, MARK F & BONNIE L	305 W BROAD ST	MANSFIELD, TX	76063-1610
MANSFIELD, CITY OF	BLK 29	WHATLEY, JOHN C	209 CEDAR ST	MANSFIELD, TX	76063-1810
MANSFIELD, CITY OF	BLK 29	CLETTENBERG, BRIAN	106 S 2ND AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 30	LARRABEE, DONALD & MADISON	201 S 3RD AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 30	HERNANDEZ, ESTEBAN & DAENA	200 S 2ND AVE	MANSFIELD, TX	76063-1909
MANSFIELD, CITY OF	BLK 30	WATSON, JOHNNY R & JOYCE	203 S 3RD AVE	MANSFIELD, TX	76063-1922
MANSFIELD, CITY OF	BLK 30	WILLIAMS, DOROTHY JANINE	202 S 2ND AVE	MANSFIELD, TX	76063-1909
MANSFIELD, CITY OF	BLK 33	BARRON, RAMIRO C	200 S 3RD AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 33	BARRON, RAMIRO C	200 S 3RD AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 34	SCARBOROUGH, RONNIE	9611 KELLY LN	ALVARADO, TX	76009-7711
MANSFIELD, CITY OF	BLK 34	LIVINGSTON, GEORGE & GAIL	106 S 3RD AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 34	SCARBOROUGH, RONNIE	9611 KELLY LN	ALVARADO, TX	76009-7711

**LEGAL DESCRIPTION**

BEING A PORTION OF LOT 1, BLOCK 29, OF THE ORIGINAL TOWN OF MANSFIELD, AN ADDITION TO THE CITY OF MANSFIELD, TARRANT COUNTY, TEXAS, RECORDED IN VOLUME 63, PAGE 53, PLAT RECORDS OF TARRANT COUNTY, TEXAS, ALSO BEING A TRACT OF LAND CONVEY TO LINDA C LACY, RECORDED IN INSTRUMENT NUMBER D208174024, DEED RECORDS OF TARRANT COUNTY, TEXAS, (DRCTCT), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS SHOWN BELOW.

According to the Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel No. AB49C0460 F, dated September 25, 2001, this property does not lie within a 100-Year Flood Hazard Area.

Scale: 1" = 30'

ADDITIONAL BUILDING LINES/EASEMENTS PER CITY ZONING ORDINANCES & SUBDIVISION RESTRICTIONS/COVENANTS MAY AFFECT SUBJECT PROPERTY UNLESS OTHERWISE NOTED

PAGE 2 OF 2

**METES AND BOUNDS DESCRIPTION**

BEING A PORTION OF LOT 1, BLOCK 29, OF THE ORIGINAL TOWN OF MANSFIELD, AN ADDITION TO THE CITY OF MANSFIELD, TARRANT COUNTY, TEXAS, RECORDED IN VOLUME 63, PAGE 53, PLAT RECORDS OF TARRANT COUNTY, TEXAS, ALSO BEING A TRACT OF LAND CONVEY TO LINDA C LACY, RECORDED IN INSTRUMENT NUMBER D208174024, DEED RECORDS OF TARRANT COUNTY, TEXAS, (DRCTCT), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND, SAID IRON ROD ALSO BEING AT THE NORTHWEST INTERSECTION OF SOUTH 2ND AVENUE (50 FOOT ROW) AND ALVARADO STREET (50 FOOT ROW);

THENCE N 85° W, WITH THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE NORTH LINE OF SAID ALVARADO STREET, AT A DISTANCE OF 147.11 FEET PASSING A 1/2 INCH IRON ROD FOUND FOR REFERENCE AND CONTINUING, IN ALL, A TOTAL DISTANCE OF 150.0 FEET TO A POINT FOR SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO JOHN C. WHATLEY, RECORDED IN VOLUME 12572, PAGE 1140, DRCTCT;

THENCE N 05° E, WITH THE WEST LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE EAST LINE OF THE SAID WHATLEY TRACT, A DISTANCE OF 75.0 FEET TO A POINT FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THE NORTHEAST CORNER OF THE SAID WHATLEY TRACT, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO MARK F. & BONNIE L. WALKER, RECORDED IN VOLUME 10032, PAGE 1623, DRCTCT AND THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO JOSE & EMMA BALDERAS, RECORDED IN VOLUME 7088, PAGE 336, DRCTCT, FROM WHICH A 2" IRON PIPE FOUND BEARS S 29°37'52" W, 3.43 FEET;

THENCE S 85° E, WITH THE NORTH LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SOUTH LINE OF THE SAID BALDERAS TRACT, A DISTANCE OF 150.0 FEET TO A POINT FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SOUTHEAST CORNER OF THE SAID BALDERAS TRACT, SAID POINT ALSO BEING IN THE WEST LINE OF SAID SOUTH 2ND AVENUE;

THENCE S 05° W (BEARING BASIS), WITH THE EAST LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE WEST LINE OF SAID SOUTH 2ND AVENUE, A DISTANCE OF 75.0 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.258 ACRES (11,250 SQUARE FEET) OF LAND, MORE OR LESS.

Address: 106 SOUTH 2ND AVENUE  
G.F. No.: ATD-24A-6000251600063

Purchaser

Purchaser

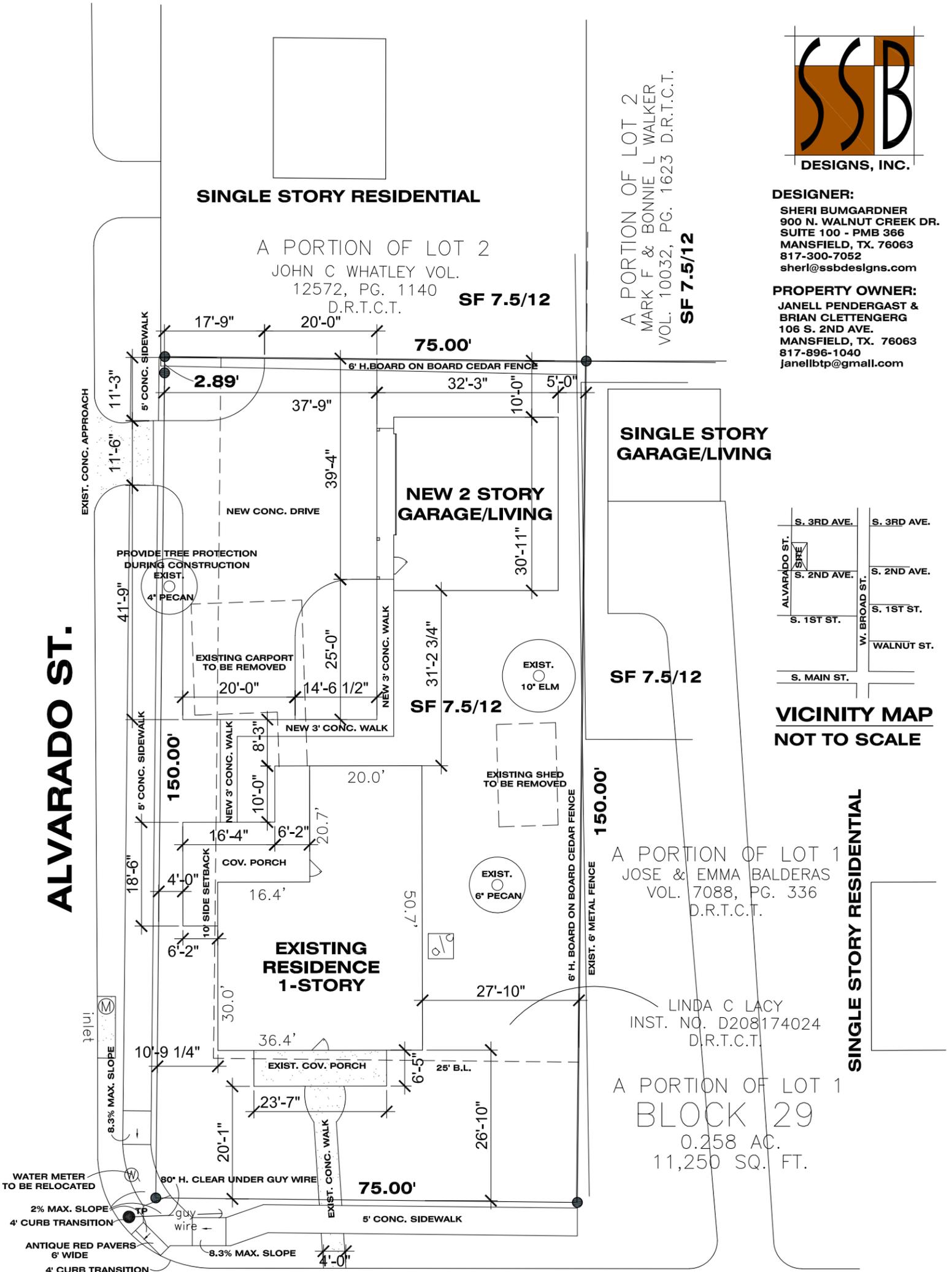
*106 S. 2nd Ave.*

**LEGEND OF ABBREVIATIONS AND SYMBOLS**

B.L.	- Building Line	I.P.F.	- Iron Pipe Found	□	- Buried Cable Riser	—//—	- Wood Fence
C.M.	- Control Monument	I.R.F.	- Iron Rod Found	P.O.S.E.	- Public Open Space Easement	—O—	- Chain Link Fence
D.C.	- Drainage Easement	I.R.S.	- Capped Iron Rod Set	R.O.W.	- Right of Way	—○—	- Iron Fence
D.U.E.	- Drainage & Utility Easement	O.H.E.	- Overhead Electric	□	- Telephone Riser	—x—	- Wire Fence
M.E.	- Maintenance Easement ( )	R.D.	- Record Data	U.E.	- Utility Easement	—m—	- Electric Meter
ET	- Electric Transformer ( )	B.	- Bearing Basis	□ <sup>gm</sup>	- Gas Meter		

*EXHIBIT A- ZC#20-012*

**ALVARADO ST.**



**SINGLE STORY RESIDENTIAL**

A PORTION OF LOT 2  
 JOHN C WHATLEY VOL.  
 12572, PG. 1140  
 D.R.T.C.T. **SF 7.5/12**

A PORTION OF LOT 2  
 MARK F & BONNIE L WALKER  
 VOL. 10032, PG. 1623 D.R.T.C.T.  
**SF 7.5/12**



**DESIGNER:**  
 SHERI BUMGARDNER  
 900 N. WALNUT CREEK DR.  
 SUITE 100 - PMB 366  
 MANSFIELD, TX. 76063  
 817-300-7052  
 sherl@ssbdesigns.com

**PROPERTY OWNER:**  
 JANELL PENDERGAST &  
 BRIAN CLETTENGERG  
 106 S. 2ND AVE.  
 MANSFIELD, TX. 76063  
 817-896-1040  
 janellbtp@gmail.com

**SINGLE STORY GARAGE/LIVING**

**NEW 2 STORY GARAGE/LIVING**

**SF 7.5/12**

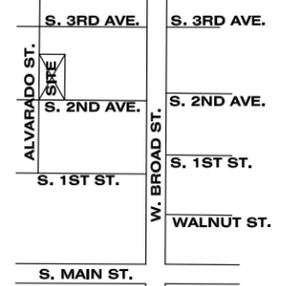
**SF 7.5/12**

**EXISTING RESIDENCE 1-STORY**

A PORTION OF LOT 1  
 JOSE & EMMA BALDERAS  
 VOL. 7088, PG. 336  
 D.R.T.C.T.

LINDA C LACY  
 INST. NO. D208174024  
 D.R.T.C.T.

A PORTION OF LOT 1  
**BLOCK 29**  
 0.258 AC.  
 11,250 SQ. FT.



**VICINITY MAP  
 NOT TO SCALE**

**SINGLE STORY RESIDENTIAL**

**SOUTH 2ND AVE.**

NOTE: ALL SIDEWALKS TO HAVE A MAX. RUNNING SLOPE OF 5% AND MAX. CROSS SLOPE OF 2%  
 SIDEWALKS TO HAVE NO VERTICAL TRANSITIONS OVER 1/4"  
 SIDEWALKS TO BE STABLE, FIRM AND SLIP RESISTANT.  
 CURB RAMP ALIGNMENT TO BE FIELD VERIFIED

**DEVELOPMENT PLAN ZC#20-012 EXHIBIT "B" PAGE 1 OF 2**

**SCALE: 1"=20'**

**10-6-20**

**106 S. 2ND AVE.: A PORTION OF LOT 1, BLOCK 29  
 ORIGINAL TOWN OF MANSFIELD**



**EXHIBIT B-PAGE 2 OF 2: FOR ZC#20-012  
PLANNED DEVELOPMENT REGULATIONS**

Base Zoning: SF-7.5/12, Single-Family Residential District

Permitted Uses: Single family detached dwelling with detached garage/accessory dwelling.

Area, Setback and Height Regulations:

- Minimum Lot Width - 75'
- Minimum Lot Depth - 150'
- Minimum Lot Area – 11,250 s.f.
- Minimum Front Setback (principal building) - 25'\*
- Minimum Side Setback (principal building) - 10'\* exterior, 5' interior
- Minimum Rear Setback (principal building) - 15'
- Minimum Side Setback (detached garage) – 5'
- Minimum Rear Setback (detached garage) – 10'
- Maximum Lot Coverage - 45%
- Maximum Height - The height of detached garage and detached accessory dwelling shall not exceed 25' or the height of the principal building.
- Maximum Height of principal building – 35'.
- Maximum Area of the Accessory Structure – 1100 s.f. Foundation/1700 s.f. Under Roof.
- Minimum Residential Floor Area of Primary Building – 1500 s.f.

\*Porches are allowed to encroach into the setbacks shown on the development plan

Architectural Requirements:

- Exterior reconstruction and remodel of the principal building must be compatible with the historic character of the building.
- Exterior facade of the principal building to be vinyl siding with cedar posts. Cementitious siding shall be used at such time that the siding is replaced.
- Exterior façade of the proposed building shall be cementitious siding with cedar posts.
- Roof of the proposed building shall have a hip form – with dimensional asphalt shingles.
- The garage door shall be carriage-style.
- Exterior paint colors of the proposed building and principal building will be compatible with each other.

Accessory Dwelling Requirements:

- Occupancy of the accessory dwelling shall be limited to domestic servants or caretakers employed on the premises, temporary guests, or family members of the owner of the premises. Guests may occupy such dwelling no more than 90 consecutive days in any twelve-month period.
- No additional accessory structures will be allowed on the property.
- The accessory dwelling shall not be rented as an apartment, used as a separate domicile, used as a vacation rental or other such lodging.
- All utilities must be on the same meter as the main residential building
- No separate driveway approach shall be permitted

Parking Requirements:

- Minimum off-street parking - 2 parking spaces

Landscaping Requirements:

- No additional trees or shrubs will be required for this lot with a pre-existing principal building

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



900 N. WALNUT CREEK DR. SUITE 100, PMB 366 MANSFIELD TX. 76063 PH: (817)300-7052 FAX: (817)477-3397



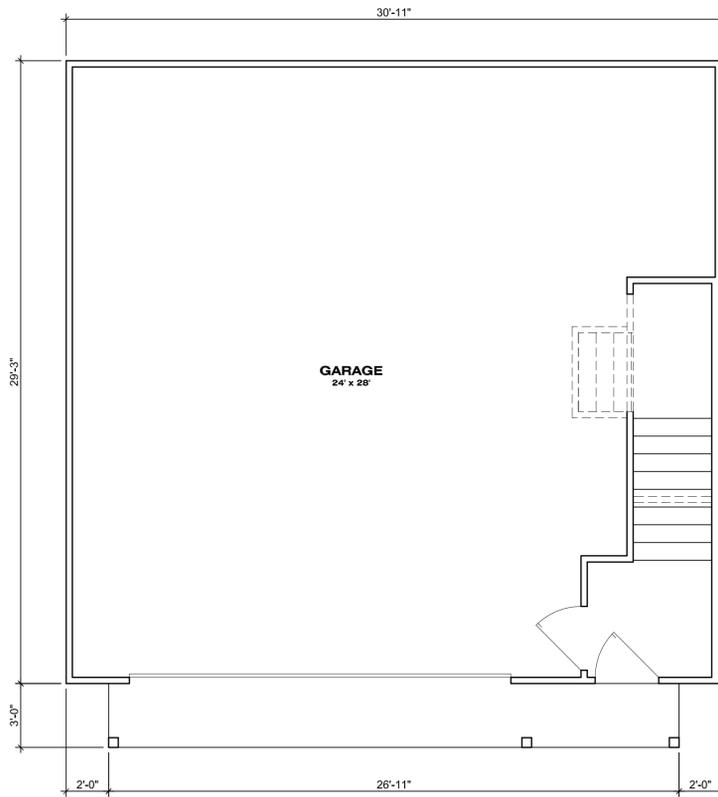
REPRESENTATIVE PHOTO - CARRIAGE-STYLE GARAGE DOOR



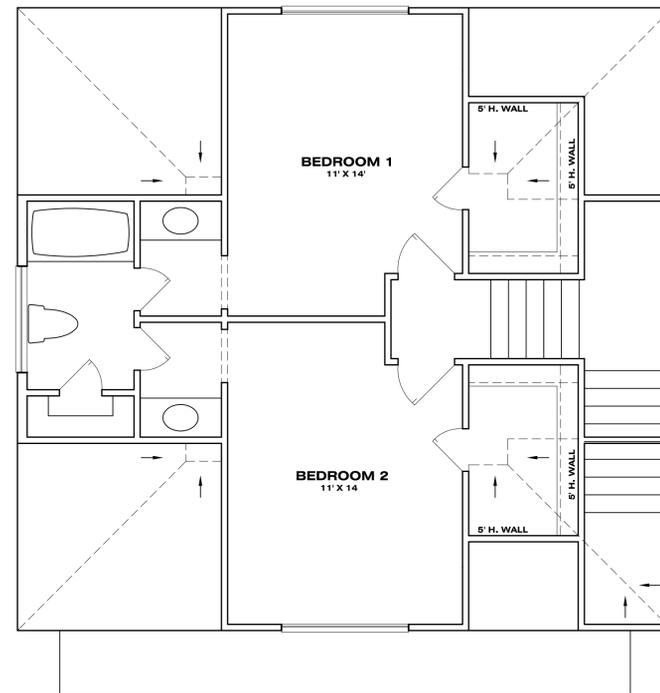
SIDE ELEVATION- PRIMARY RESIDENCE



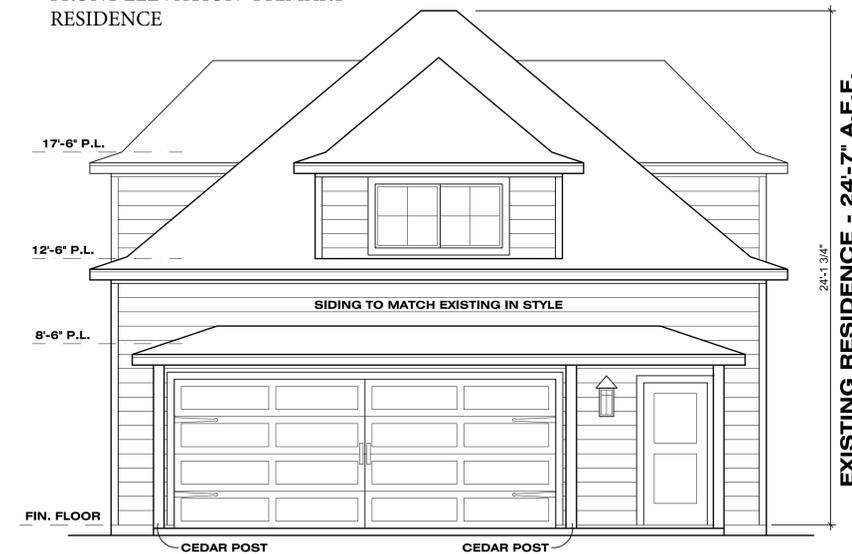
FRONT ELEVATION- PRIMARY RESIDENCE



**FIRST FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**SECOND FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0" CEMENTITIOUS SIDING AND TRIM, TYP.



**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"



**REAR ELEVATION**  
SCALE: 1/4" = 1'-0"



**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"

**PENDERGAST RESIDENCE**  
**106 S. 2ND ST. MANSFIELD, TX**  
**EXHIBIT C- ZC #20-012**

**PROJECT NUMBER**  
PENDERGAST

**DATE:** 8-26-20

**REVISIONS:**

**PLAN NUMBER:**  
PENDERGAST

**SQ. FOOTAGE**

LIVING - 2ND FLR.	551
PORCHES	81
GARAGE	904
FOUNDATION	985
COVERED	1536

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**SHEET**

1
OF
1



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3775

**Agenda Date:** 10/12/2020

**Version:** 2

**Status:** Second Reading

**In Control:** City Council

**File Type:** Ordinance

### Title

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Zoning Change from SF-7.5/12, Single-Family Residential District to PD, Planned Development District for Multi-family Residential Uses on Approximately 0.535 Acres Located at 505 W. Kimball Street; Ben Hartman, Owner/Developer (ZC#20-013)

### Requested Action

To consider the subject zoning change request.

### Recommendation

The Planning and Zoning Commission held a public hearing on September 8, 2020 and voted by 6-0 to recommend approval with the following conditions:

- Add carriage style garage doors
- Consider using wood framed windows on the front of the house facing W. Kimball Street
- Add a sidewalk for residents to get from the back of the building to W Kimball Street.

### Description/History

*Existing Use:* Single-family residence

*Existing Zoning:* SF-7.5/12, Single Family Residential District

#### *Surrounding Land Use & Zoning:*

North - Residential, PD for Residential Uses

South - Residential, PD for Residential Uses

East - Vacant and Residential, 2F - 2 Family Residential District

West -Residential, SF-7.5/12 and PD for Residential Uses

#### *Official Land Use Plan:*

The property is located in Sub-Area 3. The Land Use Plan recommends the following for Sub-Area 3:

- Emphasis should be on medium and higher (greater than 5 units per acre) density housing as infill projects, with appropriate buffers next to existing low density (under 5 units per acre) single-family residential.
- Use the Residential Guidelines as a guide to any new residential development,

where appropriate.

#### Comments and Considerations

The subject property consists of 0.535 acres which is currently occupied with a single family home which will be removed for this development. The applicant is requesting to re-zone the property from SF-7.5/12 Single-Family Residential District to PD Planned Development District for multi-family residential uses.

#### Development Plan (Exhibit B)

The applicant plans to build two buildings with four units per building with a detached garage between them on one lot as shown on Exhibit B.

The applicant is proposing the following development standards:

- Minimum Lot Area Per Dwelling Unit (SF):2750
- Minimum Floor Area per Unit (SF):900
- Maximum Lot Coverage: 50%
- Minimum Lot Width:75'
- Minimum Lot Depth:295'
- Minimum Front Yard: 10'
- Minimum Rear Yard: 20'
- Minimum Side Yard: 15' & 7.5'
- Maximum Height:35'
- Minimum Building Separation:45'
- Maximum Accessory Building Size:2000'
- Maximum Height of Accessory Building:26'
- Minimum Front Porch Area Under Roof (SF):300
- Minimum Garage Per Unit: 1
- Minimum Covered Parking Per Unit:1
- Maximum Density (units/acres):15

#### **Summary**

This development will provide eight housing units while maintaining the exterior appearance of two homes so that it will blend in well with the surrounding single family houses. It is a good alternative to traditional apartments while adding more housing in our Downtown Mansfield area. This development is within walking distance to all of the amenities that our downtown has to offer which will make it a desirable location.

#### **Changes for 2nd Reading**

The City Council held a public hearing and first reading on September 28, 2020 and voted 7-0 to approve the PD as presented. The Council discussed reducing the overall number of units to two units in each building. There was also some discussion about making this development townhomes instead of condominiums. The applicant has submitted three options for Council to consider.

#### Option 1

The PD as originally presented with 8 units in two buildings on the same lot.

Option 2

The main changes in this option include:

- Eight townhome units in two buildings, with each building on its own lot.
- The lot line will divide the garage so that 4 garage parking spaces are provided on each lot.
- The building elevations, unit layout and unit square footages are the same as shown in the original proposal in Option 1.
- The development standards have been revised to establish new minimum standards for the size and area of each lot.

Option 3

The main changes in this option include:

- Five townhome units on individual lots. The front of the property will have two units facing Kimball Street. The back of the property will have three units.
- The detached garage has been eliminated.
  - The townhome units facing Kimball Street will have a 2-car, rear-entry garage.
  - The units at the rear will have a single-car, front-entry garage.
  - There will be four, open use, uncovered parking spaces.
- The front building will resemble the elevation proposed in the original application except that there will be two front doors. The elevation of the rear building has a different design from the front building as shown in the Option 3 plans.

Exhibits provided by the applicant for each option have been included in the Council's packet.

**Prepared By**

Shirley Emerson, Planner  
817-276-4259

**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 MULTI-FAMILY RESIDENTIAL 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.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**DULY PASSED** on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
**David L. Cook, Mayor**

ATTEST:

\_\_\_\_\_  
**Susana Marin, City Secretary**

APPROVED AS TO FORM AND LEGALITY

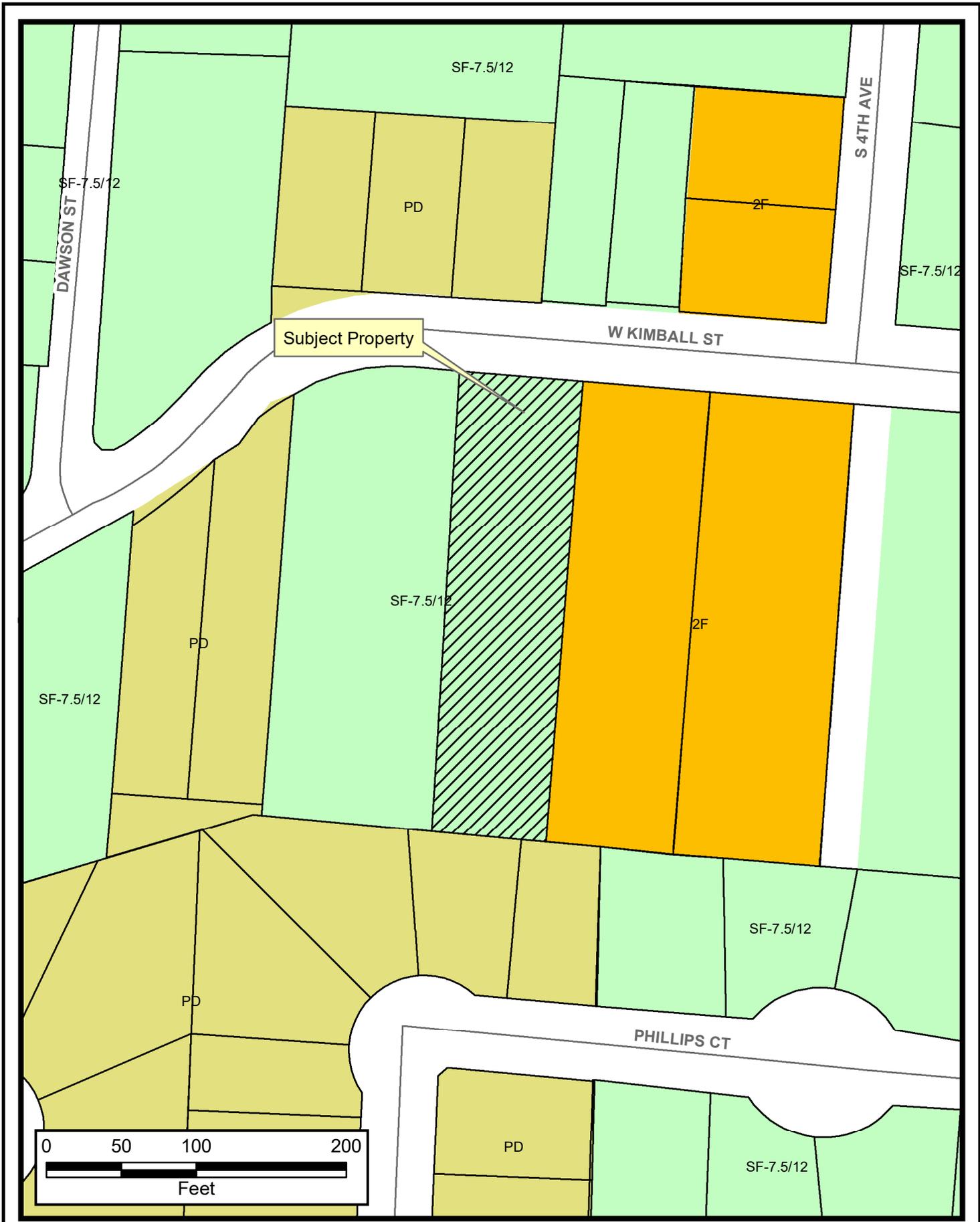
\_\_\_\_\_  
**Allen Taylor, City Attorney**



**ZC#20-013**

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.

8/24/2020



# Property Owner Notification for ZC#20-013

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
			*** NO ADDRESS ***	*** NO CITY ***	* NO ZIP *
			*** NO ADDRESS ***	*** NO CITY ***	* NO ZIP *
BASTIAN ADDITION	BLK 1	MANSFIELD CUSTOM HOMES LLC	1848 LONE STAR RD #308	MANSFIELD, TX	76063
HANKS, THOMAS J SURVEY	A 644	GUPTON, DAVID	606 W KIMBALL ST	MANSFIELD, TX	76063-1962
MANCHESTER HEIGHTS	BLK 1	MCGEE, MATTHEW EDWARD	501 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	EVANS, JENNIFER D	101 EDDIE CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	PINKERTON, JESSE M	410 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	POWERS, SHANESSA	412 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	PARKEN, SCOTT	414 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	LARICCHIA, ASHLEY	500 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	FOSTER, ANITA	502 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	YATES, KAREN	504 PHILLIPS CT	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 32	POHLMAN, P A	405 W KIMBALL ST	MANSFIELD, TX	76063-1957
MANSFIELD, CITY OF	BLK 36	HARTMAN, BEN	500 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 36	HARTMAN, BEN	500 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 36	HARTMAN, BEN	500 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 36	WOOD, CURTIS D	504 W KIMBALL ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 36	VERA, FRANCISCO G	155 SOUTHWOOD DR	BURLESON, TX	76028-2831
MANSFIELD, CITY OF	BLK 36	LARA, LIDIA	204 S 4TH AVE	MANSFIELD, TX	76063

## Property Owner Notification for ZC#20-013

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
MANSFIELD, CITY OF	BLK 36	CIRCLE W HOME INVESTMENTS LLC	841 GREEN VALLEY CIR W	BURLESON, TX	76028-1365
MANSFIELD, CITY OF	BLK 36	OSMUS, MIKE	PO BOX 1807	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 37	MITCHELL, ROBERT D	203 HART CIRCLE	WAXAHACHIE, TX	75165
MANSFIELD, CITY OF	BLK 37	TAYLOR, CHARLES K	501 W KIMBALL ST APT A	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 37	TAYLOR, CHARLES K	501 W KIMBALL ST APT A	MANSFIELD, TX	76063-1996
MANSFIELD, CITY OF	BLK 37	TAYLOR, CHARLES K	501 W KIMBALL ST APT A	MANSFIELD, TX	76063-1996
MANSFIELD, CITY OF	BLK 37A	AVANTE PROCUREMENT LLC	3792 JOE WILSON RD	MIDLOTHIAN, TX	76065
WEBB ADDITION (MANSFIELD)	BLK 1	CHAWLA, KUMUD	2317 STARLIGHT CT	ARLINGTON, TX	76016-6425
WEBB ADDITION (MANSFIELD)	BLK 1	HANNUSH, NAN T	406 PHILLIPS CT	MANSFIELD, TX	76063-1969
WEBB ADDITION (MANSFIELD)	BLK 1	DESANTIAGO, EFREN	407 PHILLIPS CT	MANSFIELD, TX	76063-1990
WEBB ADDITION (MANSFIELD)	BLK 1	GUTIERREZ, EDUVIGES C	405 PHILLIPS CT	MANSFIELD, TX	76063-1990

**EXHIBIT A**  
**ZC#20-XXX**  
**LEGAL DESCRIPTION**

Commonly known as 505 W Kimball St, Mansfield Tx 76063

BEING a portion of Block 37, Original Town of Mansfield, an addition to the City of Mansfield, Texas according to the plat recorded in Volume 63, Page 53 of the Plat Records of Tarrant County, Texas and being all that certain tract of land described in deed to Robert Mitchell and wife, Cynthia Mitchell, recorded in Volume 7781, Page 1515 of the Deed Records of Tarrant County, Texas and more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found at the Southwest corner of said Mitchell Tract, being the Southeast corner of that certain tract of land described in deed to Avante Procurement LLC, recorded in Clerk's File No. D216292894 of the Official Public records of Tarrant County, Texas, lying by deed in the South boundary line of said Block 37, 12.5 feet from the Southwest corner thereof;

THENCE N 04" 29' 40" E, 300.00 feet along the common boundary line between said Mitchell Tract and said Avante Tract to a 1/2-inch iron rod found at the Northwest corner of said Mitchell Tract, lying in the South right-of-way line of West Kimball Street (a called 50-foot wide right-of-way);

THENCE S 85" 17' 00" E, 77.74 feet along the said South right-of-way line of West Kimball Street with the North boundary line of said Mitchell Tract to a 1/2-inch iron rod set with orange plastic cap stamped "R. W. COOMBS RPLS 5294" at the Northeast corner thereof, being the Northwest corner of Lot 1R, Block 37, Original Town of Mansfield, an addition to the City of Mansfield, Texas according to the plat recorded in Volume 388-194, Page 86 of the Plat Records of Tarrant County, Texas;

THENCE S 04" 29' 40" W, 300.00 feet along the common boundary line between said Mitchell Tract and said Lot 1R to a 1/2-inch iron rod found at the Southeast corner of said Mitchell Tract, lying in the South boundary line of aforesaid Block 37;

THENCE N 85" 17' 00" W, 77.74 feet along the South boundary line of said Mitchell Tract and said Block 37 to the PLACE OF BEGINNING, containing 0.535 acre (23,322 square feet) of land.

# Brooklyn Heights

*A missing middle housing addition to the Historic Original Town of Mansfield*



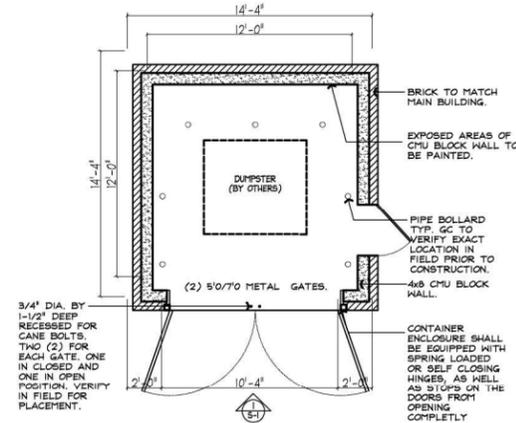
PURPOSE AND INTENT: THE PURPOSE OF THIS DEVELOPMENT IS TO INTEGRATE MULTIPLE INHABITABLE DWELLINGS INTO THE ORIGINAL TOWN OF MANSFIELD AREA. THIS DESIRABLE AREA IS IN DESPERATE NEED OF MORE HOUSING OPTIONS. THE INTENT OF THIS DEVELOPMENT IS TO CREATE MULTI-DWELLING STRUCTURES THAT LOOK LIKE SINGLE FAMILY HOMES. WALKABILITY IS A KEY COMPONENT OF ANY DOWN TOWN AREA AND THESE RESIDENTS WILL HAVE A SHORT WALK TO ACCESS THEIR DINING AND SHOPPING NEEDS. THIS DEVELOPMENT IS INTENDED TO BE HIGH QUALITY, BOTH IN AESTHETICS AND COMMUNITY VALUE.

DEVELOPMENT STANDARDS	
MINIMUM LOT AREA PER DWELLING UNIT (SF)	2750
MINIMUM FLOOR AREA PER UNIT (SF)	900
MAXIMUM LOT COVERAGE	50%
MINIMUM LOT WIDTH (FEET)	75
MINIMUM LOT DEPTH (FEET)	295
MINIMUM FRONT YARD (FEET)	10
MINIMUM REAR YARD (FEET)	20
MINIMUM SIDE YARD (FEET)	15 & 7.5
MAXIMUM HEIGHT (FEET)	35
MINIMUM BUILDING SEPARATION (FEET)	45
MAXIMUM GARAGE SIZE (SF)	2000
MAXIMUM GARAGE HEIGHT (FEET)	26
MINIMUM FRONT PORCH AREA UNDER ROOF (SF)	300
MINIMUM GARAGE PARKING PER UNIT	1
MINIMUM UNCOVERED PARKING PER UNIT	1
MAXIMUM DENSITY (UNITS/ACRE)	15

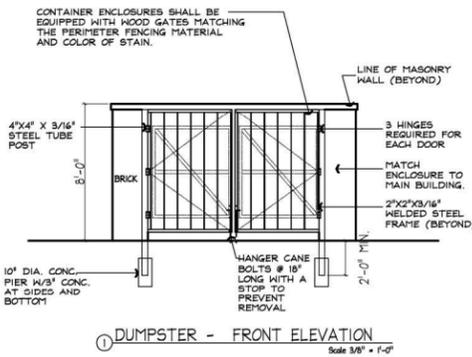
NOTE: THE PROPOSED DEVELOPMENT WILL BE IN COMPLETE ACCORDANCE WITH THE PROVISIONS OF THE APPROVED PLANNED DEVELOPMENT AND THAT ALL DEVELOPMENT PLANS RECORDED HEREINAFTER SHALL BE BINDING UPON THE APPLICANT THEREOF, HIS SUCCESSORS, AND ASSIGNS, AND SHALL LIMIT AND CONTROL ALL BUILDING PERMITS.

**For condominium type ownership the following shall apply:**

- A. A mandatory owners association will be responsible for the maintenance of the perimeter and screening fences, the dumpster enclosure area, all site irrigation, and all site landscaping.
- B. The mandatory owners association shall also be responsible for all interior common areas and any common areas on other areas of the building such as porches.
- C. The Owners Association and associated documents shall be filed in accordance with the 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 a timely manner to allow for a minimum of 60 days review. Failure to submit the documents or incomplete documents may result in 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 the failure to submit the association documents or the inaccuracy of the documents.



GARBAGE DUMPSTER - PLAN VIEW  
Scale 3/8" = 1'-0"



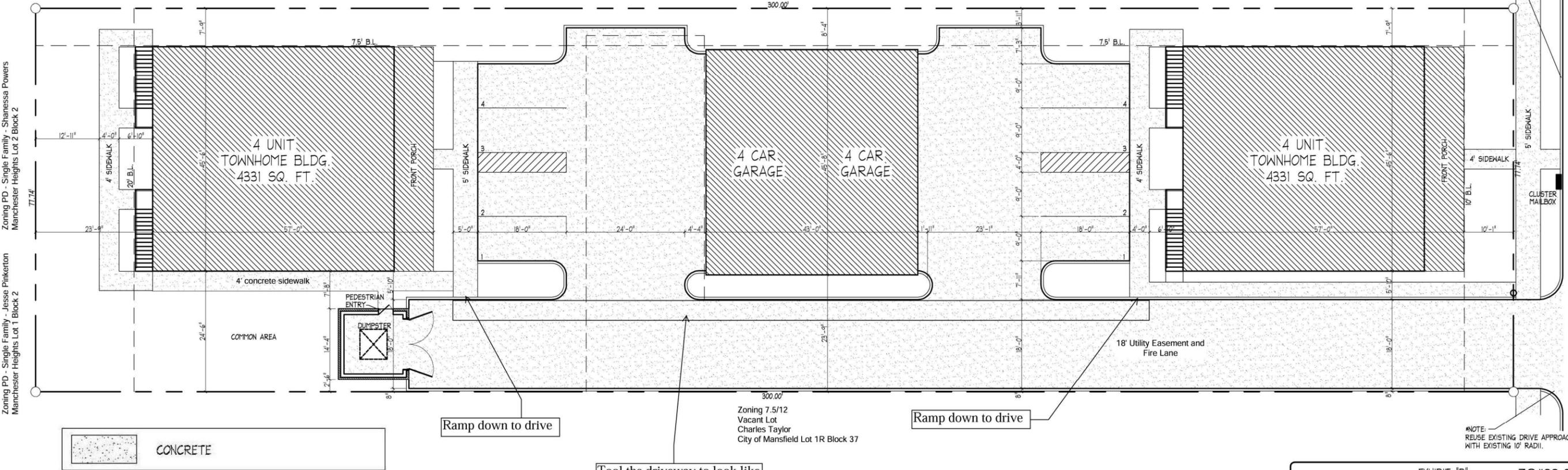
DUMPSTER - FRONT ELEVATION  
Scale 3/8" = 1'-0"



Vicinity Map  
Not to Scale

Zoning 7.5/12  
Vacant Lot  
Avante Procurement LLC  
City of Mansfield, Block 37A

NOTE: REMOVE EXISTING DRIVENWAY AND REPLACE CURB AND GUTTER PER CITY STANDARDS.



Zoning 7.5/12  
Vacant Lot  
Charles Taylor  
City of Mansfield Lot 1R Block 37

Zoning PD - Vacant  
Ben Hartman  
City of Mansfield Lot 5R Block 36

Zoning 7.5/12 - Single Family  
Curtis Wood  
City of Mansfield Lot B Block 37

Zoning PD - Vacant  
Ben Hartman  
City of Mansfield Lot 5R Block 36



**ARCHITECTURAL SITE PLAN**

SCALE 1" = 10'

EXHIBIT "B"  
Development Plan  
Brooklyn Heights  
ZC#20-013

A PORTION OF BLOCK 37  
ORIGINAL TOWN OF MANSFIELD  
CITY OF MANSFIELD, TARRANT COUNTY, TX  
1 Lot, 0.535 Acres  
CURRENT ZONING - SF-7.5/12

BEN HARTMAN, 500 ALVARADO ST., MANSFIELD, TX 76063, 817-446-4628, - DEVELOPER/BUILDER - Email benhartman62@gmail.com  
LINDBERGH DESIGNS, 100 KINGS ROW DR., MANSFIELD, TX 76063, 817-283-4800 - DESIGN FIRM

AUGUST 18, 2020

Note: The Director of Planning or his designee may allow minor changes of "form" and "site" but not uses so long as they are keeping with the spirit and intent of the ordinances and exhibits herein. The Administrative Official or designee may refer any suggested minor changes in question for any reason to the zoning commission for review and recommendation. This is not to be used or construed as a substitute for a substantive change to the "form" or "site" but the intent is to allow for minor issues that arise during the permitting/construction phase to be addressed in a timely manner.

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Job Location:  
Hartman Project  
505 W. Kimball St.  
Mansfield, TX 76063  
A Portion of Block 37  
Original Town of Mansfield

Lindbergh Designs  
Commercial & Residential Planning  
www.lindberghdesigns.com  
b.u.s. (817) 283-4800

DATE: 29 JUN 20  
REV. 17 AUG 20  
PLAN: TH 4331  
S1

254

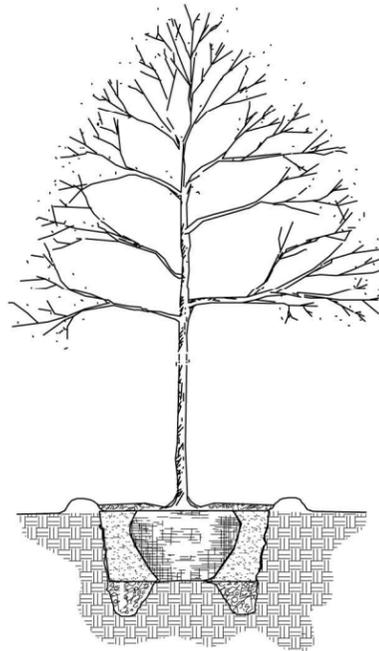
# Exhibit D - Landscape Plan

## LANDSCAPE REQUIREMENT CALCULATIONS

REQUIRED PERCENTAGE OF TOTAL SITE LANDSCAPING	MIN. 15%
SITE AREA	23,322 SQ. FT.
PROPOSED LANDSCAPE AREA	5,521 SQ. FT.
PERCENTAGE OF SITE TO BE IN LIVING LANDSCAPE	23.67%
REQUIRED # OF MIN. 3" CAL. TREES ALONG STREET FRONTAGE (STREET NAME)	1 PER 50'
LENGTH OF STREET FRONTAGE	77.74'
NUMBER OF TREES REQUIRED	2
NUMBER OF TREES PROVIDED	2
NUMBER OF SITE PARKING SPACES	8
NUMBER OF TREES REQUIRED 1 PER 20 SPACES	1
NUMBER OF TREES PROVIDED	8

PROPOSED TREES				
SYMBOL	KEY	CANOPY TREE Common Name (Botanical Name)	SIZE	SPACING
		EXISTING TREES (Labeled as noted)	3" Cal.	As Scaled
	LO	OAK, LIVE ( <i>Quercus virginiana</i> )	3" Cal.	As Scaled
	CE	ELM, CEDAR ( <i>Ulmus crassifolia</i> )	3" Cal.	As Scaled
	BC	CYPRESS, BALD ( <i>Taxodium distichum</i> )	3" Cal.	As Scaled
	GM	GRAPE MYRTLE ( <i>Lagerstroemia indica</i> )	4' Ht.	As Scaled

PROPOSED TREES				
SYMBOL	KEY	CANOPY TREE Common Name (Botanical Name)	SIZE	SPACING
	DBH	HOLLY, DWARF BURFORD ( <i>Ilex cornuta 'Dwarf Burford'</i> )	3 Gal./2' Ht.	36"
	DYH	HOLLY, DWARF YAUPON ( <i>Ilex vomitoria 'Dwarf Nana'</i> )	3 Gal./2' Ht.	36"
	AS	SAGE, AUTUMN ( <i>Salvia greggii</i> )	3 Gal./2' Ht.	36"
	HDN	NANDINA, Harbour Dwarf ( <i>Nandina domestica 'Harbour Dwarf'</i> )	3 Gal.	24"
	ND	NANDINA ( <i>Nandina domestica</i> )	3 Gal.	36"
	WM	WAX MYRTLE ( <i>Myrica cerifera</i> )	7 Gal.	60"
	YL	LANTANA, YELLOW ( <i>Lantana</i> )	1 Gal.	24"
		ANNUAL BED		
		Common Bermuda Grass		



TREE PLANTING DETAIL NOT TO SCALE

DO NOT HEAVILY PRUNE TREE AT PLANTING. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN OR DEAD BRANCHES.

STAKE TREE ONLY AT THE APPROVAL OF THE LANDSCAPE ARCHITECT.

MARK THE NORTH SIDE OF THE TREE IN THE NURSERY AND ROTATE TREE TO FACE NORTH AT THE SITE WHENEVER POSSIBLE.

4 INCH DEPTH OF MULCH. DO NOT PLACE MULCH IN CONTACT WITH TREE TRUNK. MAINTAIN THE MULCH NEED FREE.

MULCH RING TO BE 6 INCH DIAMETER MIN., 8 INCH DIAMETER PREFERRED.

TAMP SOIL AROUND ROOT BALL FIRMLY WITH FOOT PRESSURE TO PREVENT SHIFTING.

PLACE BOTTOM OF ROOT BALL ON UNEXCAVATED OR TAMPED SOIL.

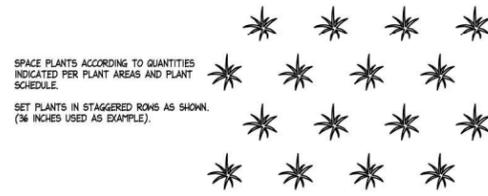
REMOVE ALL THINE, ROPE, WIRE AND BURLAP FROM TOP HALF OF ROOT BALL.

BACKFILL HOLE WITH EXISTING SOIL.

AMENDMENTS SHALL BE ADDED TO SOIL BASED ON RESULTS OF SOIL TESTS.

THE TOP OF ROOT BALL SHALL NOT BE COVERED WITH SOIL.

PROVIDE DRAINAGE IN PLANTING PIT AS DEEMED NECESSARY BY A SOIL PERCOLATION TEST.



PLANT SPACING DETAIL NOT TO SCALE

SPACE PLANTS ACCORDING TO QUANTITIES INDICATED PER PLANT AREAS AND PLANT SCHEDULE.

SET PLANTS IN STAGGERED ROWS AS SHOWN. (36 INCHES USED AS EXAMPLE).



## LANDSCAPE PLAN

SCALE 1" = 10'

### Notes

No changes shall be made to the plans, including plant material type and location without approval from Landscape Architect or Owner.

All plant material shall be guaranteed for a period of 1 year from the date of installation completion. Wording to this effect shall be included in Contractor's proposal.

The Contractor shall notify the Landscape Architect in writing of discrepancies between the plans and actual site conditions prior to commencing work. Failure to do so shall be interpreted as the Contractor accepting such conditions and responsible at no additional cost to Owner, for any future adjustments that need to be made.

All work shall be in accordance to plans. Any defective work shall be corrected at no additional cost.

The quality of the plant material is subject to the approval of the Landscape Architect and may be rejected (ASNSS).

Minor field adjustments may be made to the location of plant materials by the Landscape Architect and shall be made by the Contractor at no additional cost.

All areas to be sodded shall first be tilled to a uniform depth of 4 inches in two, crossing directions. After the initial tilling operation, incorporate 1,500 pounds per acre of 10-20-10 fertilizer or as specified by a soil test. Apply amendments as specified by a soil test.

Sod strips shall be pulled tightly together in a neat orderly manner. Do no overlap sod strips and to not use any strips that exhibit weak or thin soil.

Installed sod that turns yellow shall be given 7 days to recover before it will be rejected. Replace rejected sod by completely and uniformly cutting out area to make the repair.

After installation, the sod shall be rolled in two directions with a roller not weighing less than 100 lbs. per square foot.

Amendments shall be added to each planting pit and bed area.

All burlap material on balled and burlapped plants shall be the type that decomposes within two years. Synthetic or plastic type wrappings are not allowed.

After setting balled and burlapped plants, remove the top 1/3 of the burlap and completely remove all binder twine. No burlap shall show above the surface.

All planting areas shall be graded smooth, without the presence of low spots, depressions or irregular humps. Areas around planting beds shall be constructed to re-direct drainage around and away from planting areas. All planting areas shall be constructed and graded to ensure positive drainage away from structures.

Cedar mulch shall be applied within 24 hours of planting of new plant material. Mulch shall be spread evenly to a settled depth of 4" around all trees and shrubs to the limits of the planting beds as shown on plans.

All plantings shall be "watered in" by flooding the backfill hole within the same working day upon which they were planted. All plants shall be adjusted as necessary to ensure correct depth of planting, vertical alignment and/or to compensate for settling. Soil shall be firmed around around each plant as Final adjustments are made.

### 10.0 MAINTENANCE

10.1 GENERAL: The Owner shall be responsible for the continued maintenance in perpetuity of all landscaping and irrigation. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, watering, weeding, keeping beds mulched in accordance with standard horticultural practices or as recommended by the Landscape Administrator and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds and other such material or plants not a part of the landscaping. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. All irrigation heads or lines which are broken and flow water shall be replaced/repared immediately to prevent the waste of water.

10.2 PLANT MATERIAL REPLACEMENT: The Owner shall be responsible for replacing all required plant material which shows dead branching over 75% or more of the normal branching pattern during the time of a normal growing season and repair of irrigation system requirements set herein in perpetuity. Plant materials which are to be replaced with plant material of similar variety and similar initial size. Upon notification by the City of such replacements, the Owner shall have thirty (30) days to comply with these requirements.

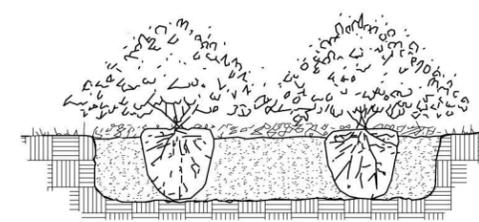
a. Deferral of Landscape Replacement: The Landscape Administrator may approve a deferral of required plant replacement in accordance with Section 11.3 herein.

All landscaped areas will be irrigated and detailed irrigation plans will be submitted with the construction plans.

All landscaped areas are to be maintained in accordance with the City of Mansfield regulations.

Irrigation system shall include a rain and freeze sensor control.

Large and Ornamental trees shall be on a drip or bubbler irrigation.



SHRUB PLANTING DETAIL NOT TO SCALE

REMOVE ALL TAGS, THINE OR OTHER NON-BIODEGRADABLE MATERIALS ATTACHED TO THE PLANT OR ROOT MASS.

PRUNE PLANT TO REMOVE DEAD OR BROKEN BRANCHES.

4 INCH DEPTH OF MULCH. DO NOT PLACE MULCH IN CONTACT WITH PLANT TRUNK. MAINTAIN THE MULCH NEED FREE.

MULCH SHALL BE KEPT MIN. 2 INCHES AWAY FROM TRUNK OF PLANT.

PLANT PIT TO BE AT LEAST 2X WIDER THAN ROOT BALL. SCARIFY AND ANGLE SIDES OF THE PIT.

REMOVE CONTAINER FROM ROOT MASS. LOOSEN ROOTS FROM POTBOUND PLANTS BY SCORING OR PULLING.

DAMPEN SOIL PRIOR TO PLANTING.

BACKFILL HOLE WITH THOROUGH MIXTURE OF 1 PT. SAND, 1 PT. ORGANIC HUMUS, 1 PT. NATIVE TOPSOIL.

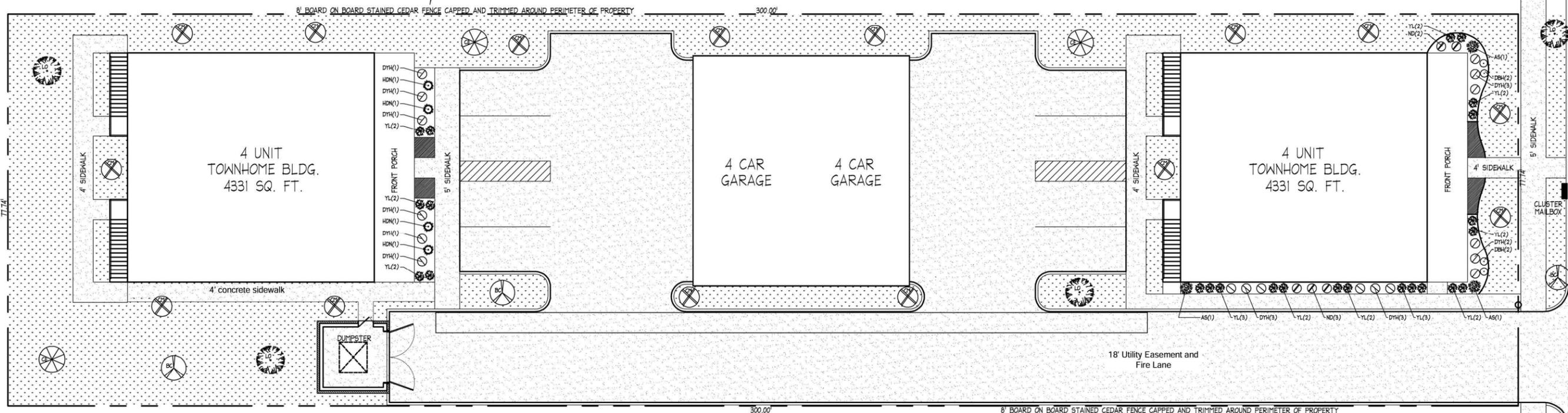
AMENDMENTS SHALL BE ADDED TO SOIL BASED ON RESULTS OF SOIL TESTS.

PLACE BOTTOM OF ROOT BALL ON TAMPED SOIL THAT HAS BEEN SETTED WITH WATER.

PLANT SOIL LEVEL SHALL BE 1" HIGHER THAN SURROUNDING GRADE.

TAMP SOIL AROUND ROOT BALL LIGHTLY WITH FOOT OR HAND PRESSURE TO PREVENT SHIFTING.

PROVIDE DRAINAGE IN PLANTING PIT AS DEEMED NECESSARY BY A SOIL PERCOLATION TEST.



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Job Location:  
Hartman Project  
505 W. Kimball St.  
Mansfield, TX 76063  
A Portion of Block 37  
Original Town of Mansfield

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DATE: 29 JUN 20  
REV. 17 AUG 20

PLAN: TH 4331

ZC#20-013

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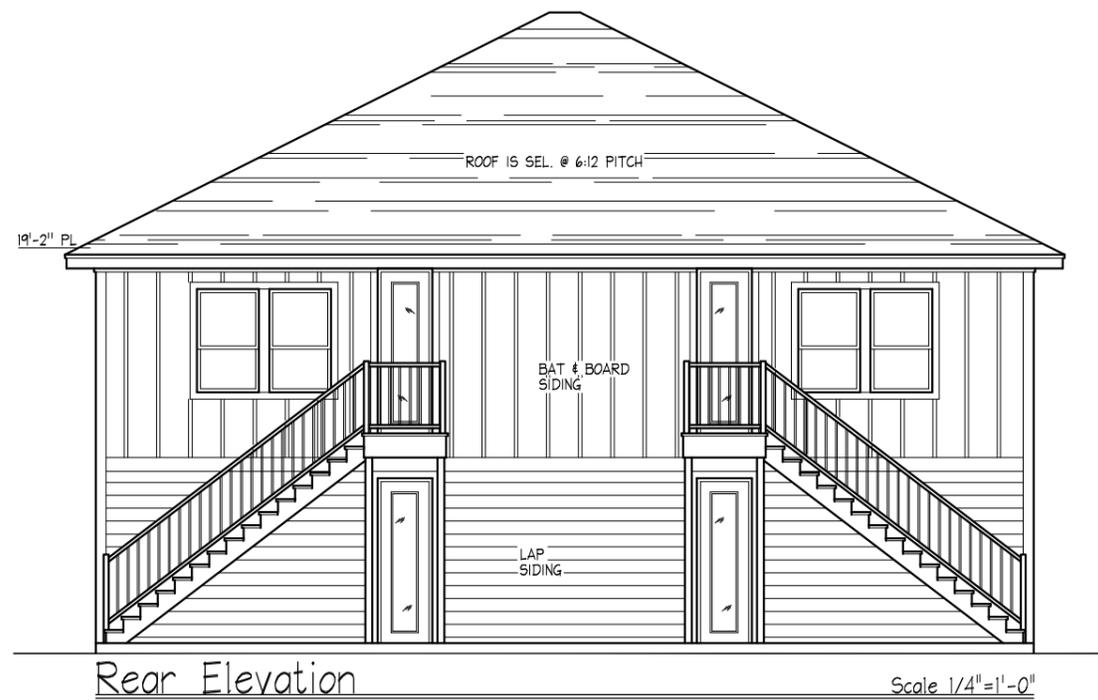
# Exhibit C.1

EXTERIOR FACADE DATA		
EXTERIOR FACADE (BRICK)	64 SQ. FT.	2.1 %
EXTERIOR FACADE (SIDING)	2954 SQ. FT.	97.9 %
TOTAL FACADE AREA	3018 SQ. FT.	100.0 %

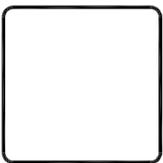
Note: All siding is cementitious fiber board

**Required Architectural Features**

- Siding with more than one pattern:  
Example - horizontal lap style siding on the first floor and board and batt style siding on the second floor.
- Stone or masonry accents on the front elevation.
- Craftsman elements utilized in the gables, such as knee braces or gable pediments.
- Craftsman style windows (characterized by a divided lite look on top with no lites on the bottom)
- Eight foot (8') tall front door.
- 30 yr Architectural shingle
- Wood windows required on the front elevation on the front structure.
- Carriage style garage doors required.

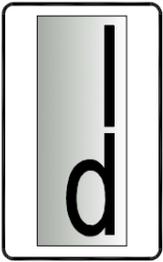


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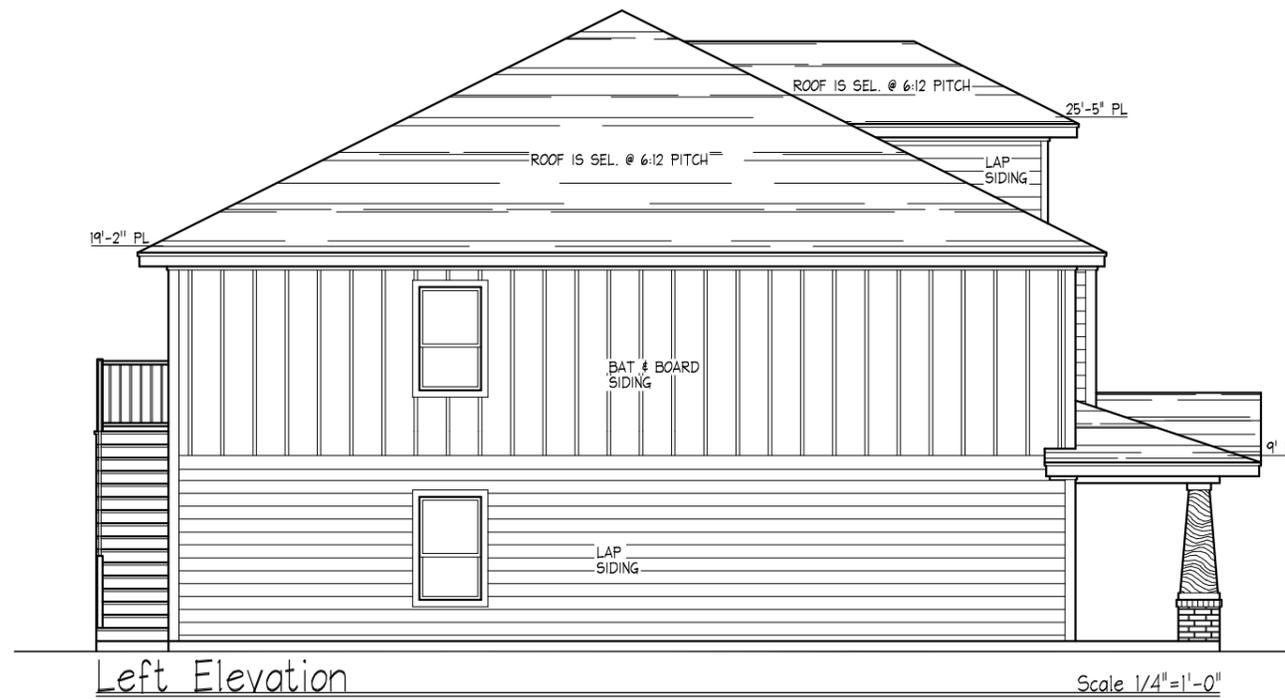
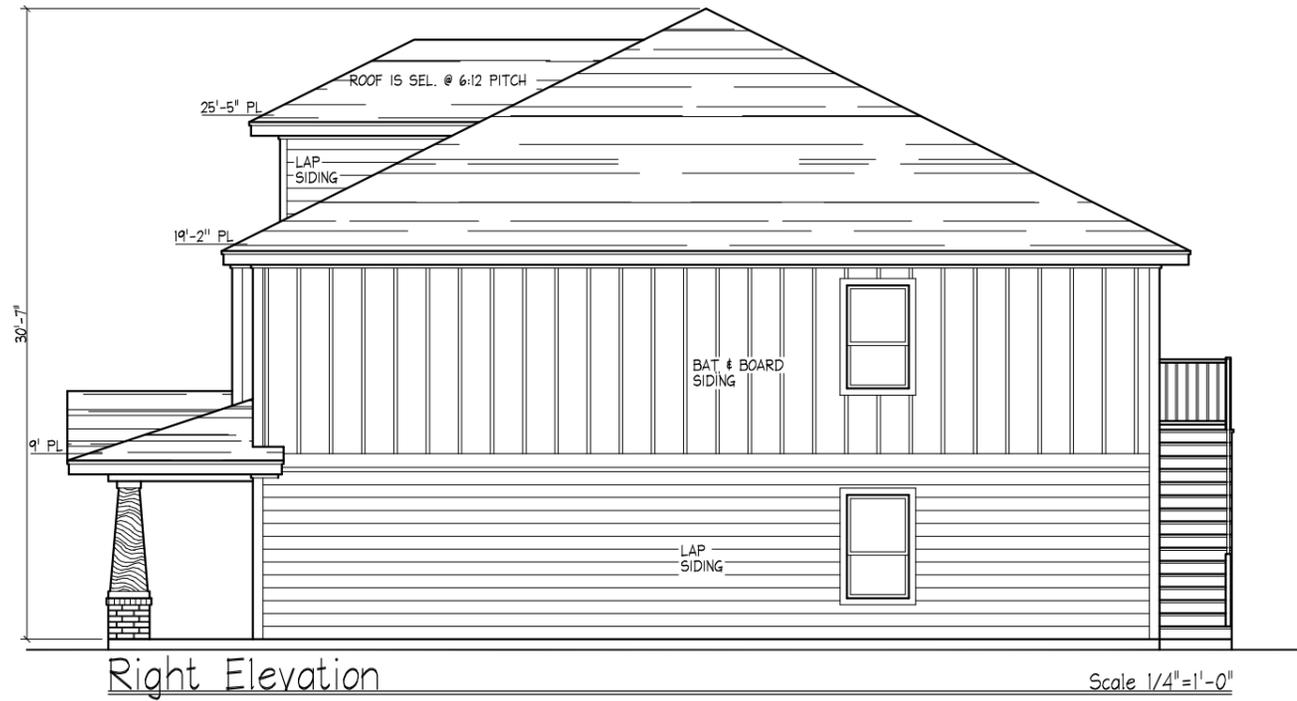
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DATE: 29 JUN 20  
 REV. 17 AUG 20  
 PLAN: TH 4331  
**AI**

ZC#20-013

# Exhibit C.2



EXTERIOR FACADE DATA		
EXTERIOR FACADE (BRICK)	64 SQ. FT.	2.1 %
EXTERIOR FACADE (SIDING)	2954 SQ. FT.	97.9 %
TOTAL FACADE AREA	3018 SQ. FT.	100.0 %

Note: All siding is cementitious fiber board

**Required Architectural Features**

- Siding with more than one pattern:  
Example - horizontal lap style siding on the first floor and board and batt style siding on the second floor.
- Stone or masonry accents on the front elevation.
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- Craftsman style windows (characterized by a divided lite look on top with no lites on the bottom)
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**A2**

ZC#20-013

# Exhibit C.3

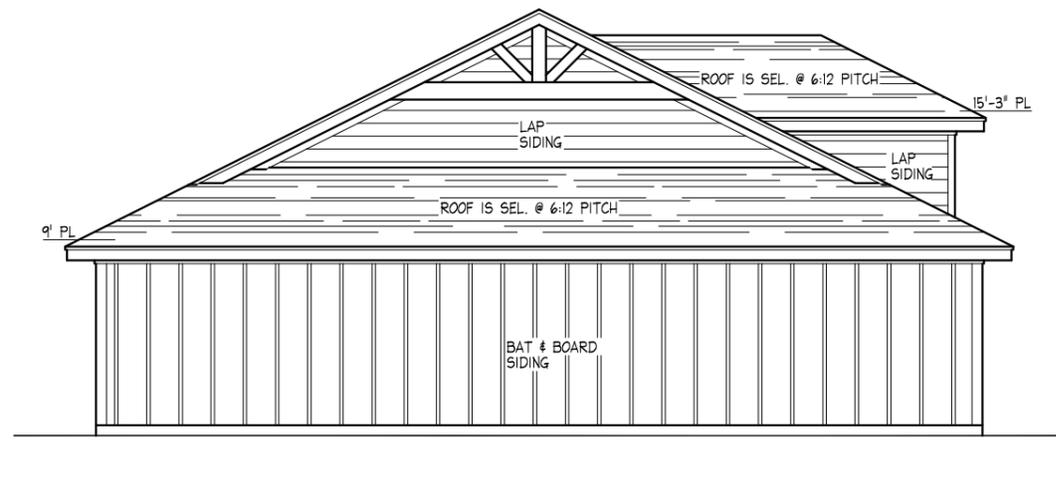
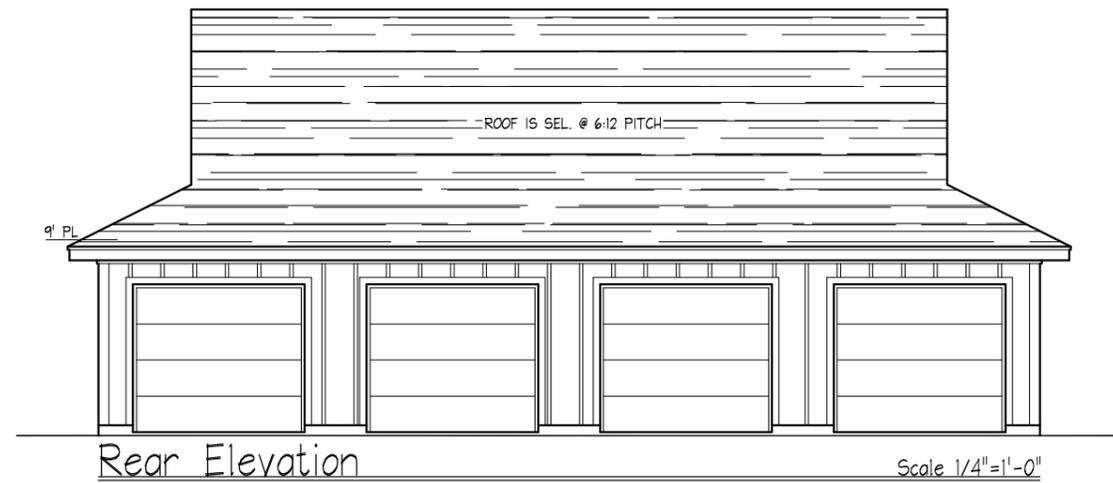
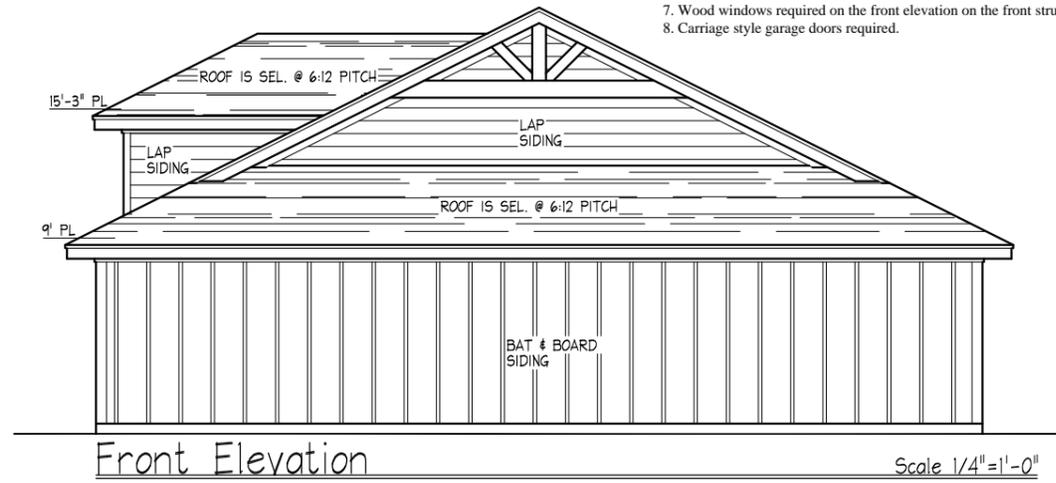
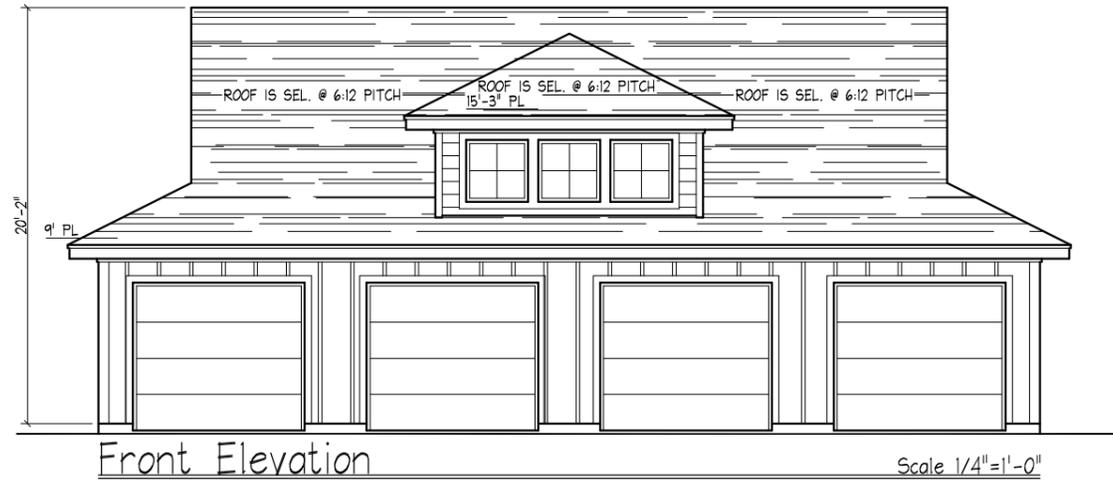
EXTERIOR FACADE DATA		
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EXTERIOR FACADE (SIDING)	977 SQ. FT.	100.0 %
TOTAL FACADE AREA	977 SQ. FT.	100.0 %

Note: All siding is cementitious fiber board

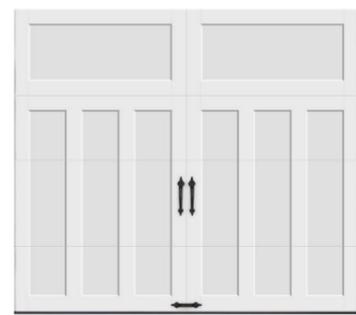
**Required Architectural Features**

- Siding with more than one pattern:  
Example - horizontal lap style siding on the first floor and board and batt style siding on the second floor.
- Stone or masonry accents on the front elevation.
- Craftsman elements utilized in the gables, such as knee braces or gable pediments.
- Craftsman style windows (characterized by a divided lite look on top with no lites on the bottom)
- Eight foot (8') tall front door.
- 30 yr Architectural shingle
- Wood windows required on the front elevation on the front structure.
- Carriage style garage doors required.

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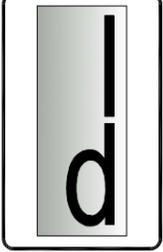


Carriage style garage doors required



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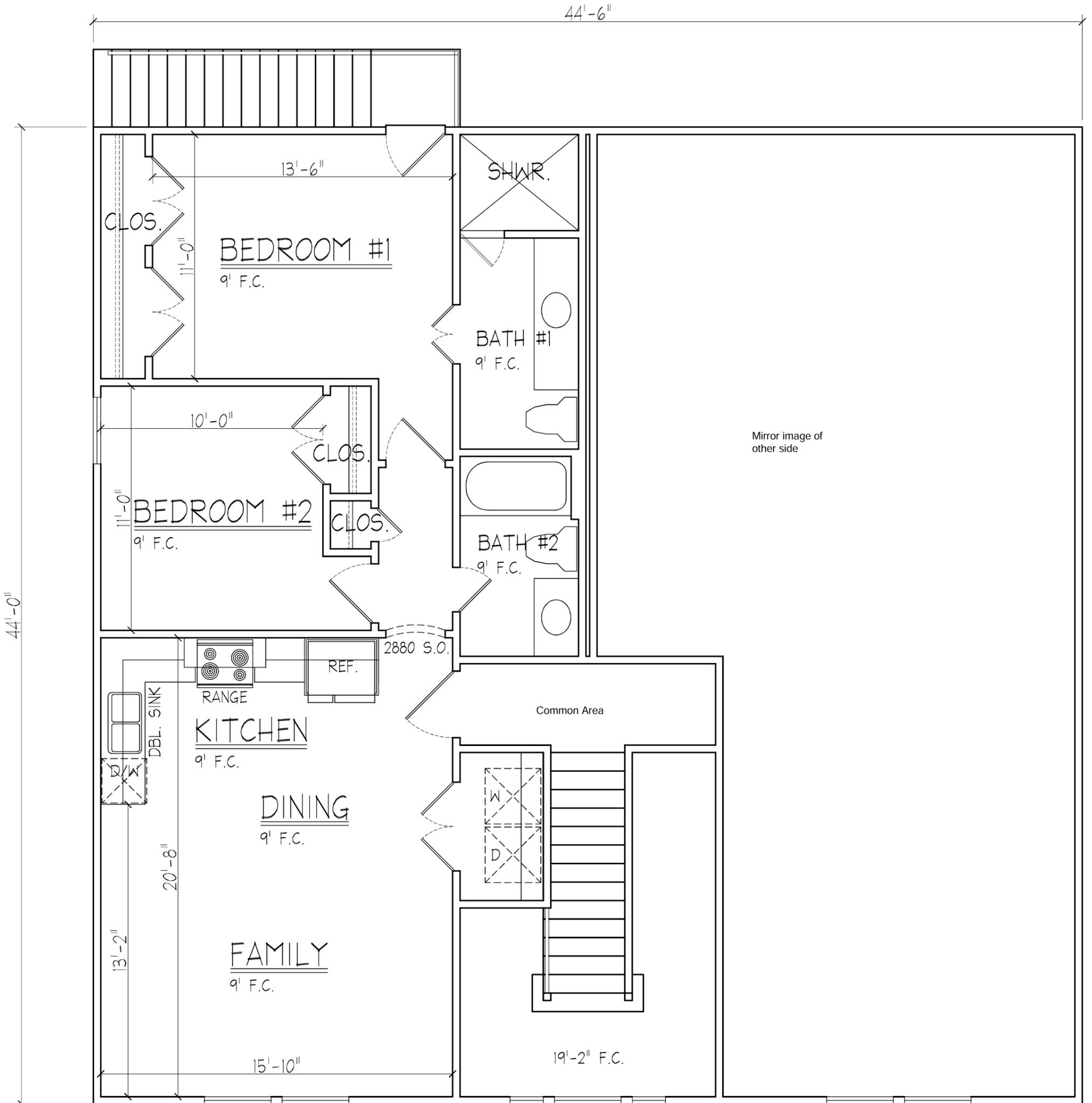


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 REV. 17 AUG 20  
 PLAN: TH 4331  
**A3**

ZC#20-013



# Exhibit E2 Floor Plan - 2nd Floor



Second Floor

Scale 1/4" = 1'-0"

# Brooklyn Heights

*A missing middle housing addition to the Historic Original Town of Mansfield*

## Option 1 2 Structures on 1 Lot



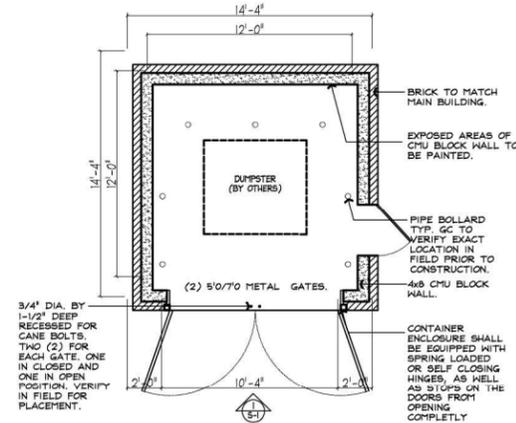
PURPOSE AND INTENT: THE PURPOSE OF THIS DEVELOPMENT IS TO INTEGRATE MULTIPLE INHABITABLE DWELLINGS INTO THE ORIGINAL TOWN OF MANSFIELD AREA. THIS DESIRABLE AREA IS IN DESPERATE NEED OF MORE HOUSING OPTIONS. THE INTENT OF THIS DEVELOPMENT IS TO CREATE MULTI-DWELLING STRUCTURES THAT LOOK LIKE SINGLE FAMILY HOMES. WALKABILITY IS A KEY COMPONENT OF ANY DOWN TOWN AREA AND THESE RESIDENTS WILL HAVE A SHORT WALK TO ACCESS THEIR DINING AND SHOPPING NEEDS. THIS DEVELOPMENT IS INTENDED TO BE HIGH QUALITY, BOTH IN AESTHETICS AND COMMUNITY VALUE.

DEVELOPMENT STANDARDS	
MINIMUM LOT AREA PER DWELLING UNIT (SF)	2750
MINIMUM FLOOR AREA PER UNIT (SF)	900
MAXIMUM LOT COVERAGE	50%
MINIMUM LOT WIDTH (FEET)	75
MINIMUM LOT DEPTH (FEET)	295
MINIMUM FRONT YARD (FEET)	10
MINIMUM REAR YARD (FEET)	20
MINIMUM SIDE YARD (FEET)	15 & 7.5
MAXIMUM HEIGHT (FEET)	35
MINIMUM BUILDING SEPARATION (FEET)	45
MAXIMUM GARAGE SIZE (SF)	2000
MAXIMUM GARAGE HEIGHT (FEET)	26
MINIMUM FRONT PORCH AREA UNDER ROOF (SF)	300
MINIMUM GARAGE PARKING PER UNIT	1
MINIMUM UNCOVERED PARKING PER UNIT	1
MAXIMUM DENSITY (UNITS/ACRE)	15

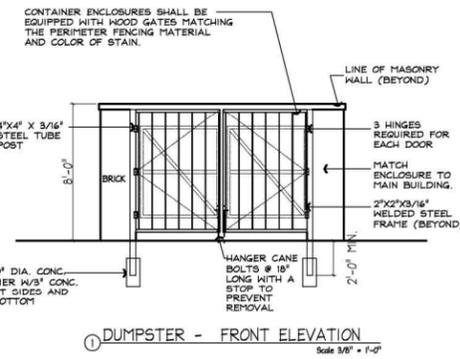
NOTE: THE PROPOSED DEVELOPMENT WILL BE IN COMPLETE ACCORDANCE WITH THE PROVISIONS OF THE APPROVED PLANNED DEVELOPMENT AND THAT ALL DEVELOPMENT PLANS RECORDED HEREINAFTER SHALL BE BINDING UPON THE APPLICANT THEREOF, HIS SUCCESSORS, AND ASSIGNS, AND SHALL LIMIT AND CONTROL ALL BUILDING PERMITS.

**For condominium type ownership the following shall apply:**

- A. A mandatory owners association will be responsible for the maintenance of the perimeter and screening fences, the dumpster enclosure area, all site irrigation, and all site landscaping.
- B. The mandatory owners association shall also be responsible for all interior common areas and any common areas on other areas of the building such as porches.
- C. The Owners Association and associated documents shall be filed in accordance with the 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 a timely manner to allow for a minimum of 60 days review. Failure to submit the documents or incomplete documents may result in 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 the failure to submit the association documents or the inaccuracy of the documents.



GARBAGE DUMPSTER - PLAN VIEW  
Scale 3/8" = 1'-0"



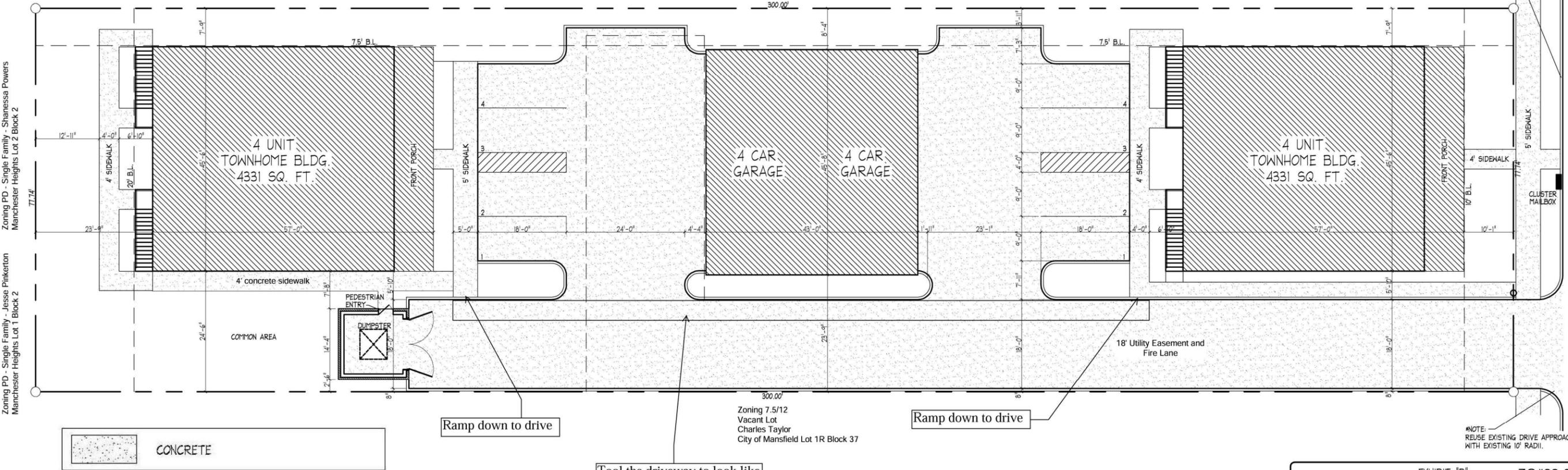
DUMPSTER - FRONT ELEVATION  
Scale 3/8" = 1'-0"



Vicinity Map  
Not to Scale

Zoning 7.5/12  
Vacant Lot  
Avante Procurement LLC  
City of Mansfield, Block 37A

NOTE: REMOVE EXISTING DRIVENWAY AND REPLACE CURB AND GUTTER PER CITY STANDARDS.



Zoning 7.5/12  
Vacant Lot  
Charles Taylor  
City of Mansfield Lot 1R Block 37

Zoning PD - Vacant  
Ben Hartman  
City of Mansfield Lot 5R Block 36

Zoning 7.5/12 - Single Family  
Curtis Wood  
City of Mansfield Lot B Block 37

Zoning PD - Vacant  
Ben Hartman  
City of Mansfield Lot 5R Block 36



**ARCHITECTURAL SITE PLAN**

SCALE 1" = 10'

EXHIBIT "B"  
Development Plan  
Brooklyn Heights  
ZC#20-013

A PORTION OF BLOCK 37  
ORIGINAL TOWN OF MANSFIELD  
CITY OF MANSFIELD, TARRANT COUNTY, TX  
1 Lot, 0.535 Acres  
CURRENT ZONING - SF-7.5/12

BEN HARTMAN, 500 ALVARADO ST., MANSFIELD, TX 76063, 817-446-4628, - DEVELOPER/BUILDER - Email benhartman62@gmail.com  
LINDBERGH DESIGNS, 100 KINGS ROW DR., MANSFIELD, TX 76063, 817-283-4800 - DESIGN FIRM

AUGUST 18, 2020

Note: The Director of Planning or his designee may allow minor changes of "form" and "site" but not uses so long as they are keeping with the spirit and intent of the ordinances and exhibits herein. The Administrative Official or designee may refer any suggested minor changes in question for any reason to the zoning commission for review and recommendation. This is not to be used or construed as a substitute for a substantive change to the "form" or "site" but the intent is to allow for minor issues that arise during the permitting/construction phase to be addressed in a timely manner.

These plans are the property of Lindbergh Designs LLC, and are not to be reproduced, copied or used for construction without the written permission of Lindbergh Designs LLC. These plans are intended to provide the information necessary to obtain a building permit. Lindbergh Designs LLC is not responsible for any errors or omissions in these plans. Lindbergh Designs LLC is not a professional engineering firm and does not provide engineering services. Use of architectural and engineering plans may be required in addition with these plans.

Job Location:  
Hartman Project  
505 W. Kimball St.  
Mansfield, TX 76063  
A Portion of Block 37  
Original Town of Mansfield

Lindbergh Designs  
Commercial & Residential Planning  
www.lindberghdesigns.com  
b.u.s. (817) 283-4800

DATE: 29 JUN 20  
REV. 17 AUG 20

PLAN: TH 4331  
S1

262



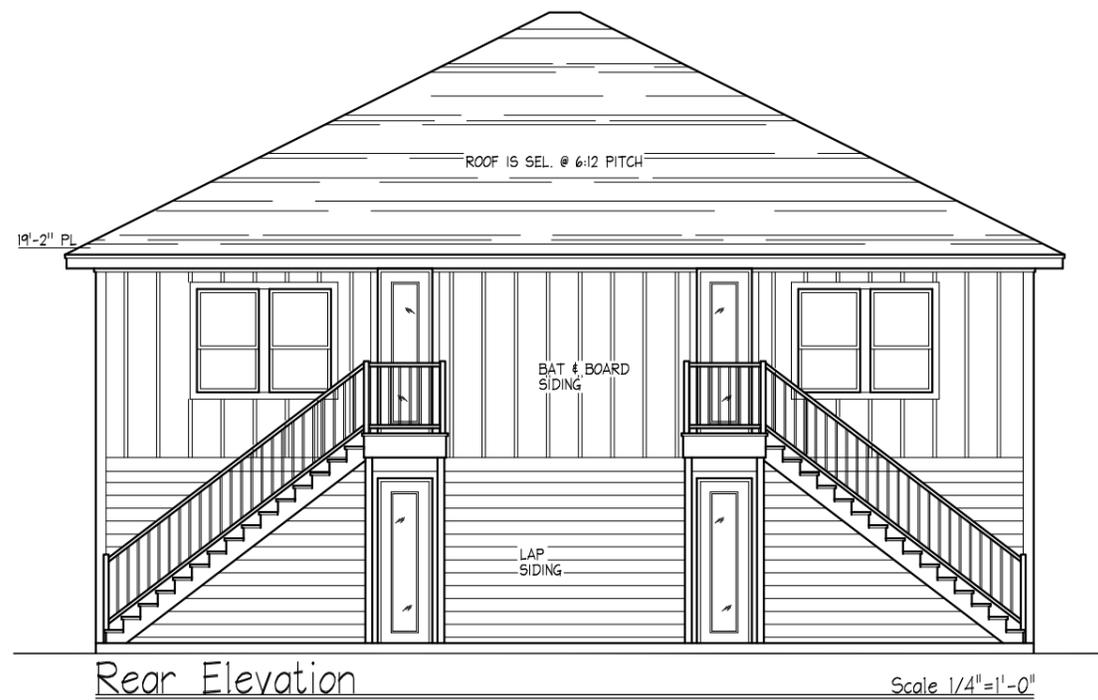
# Exhibit C.1

EXTERIOR FACADE DATA		
EXTERIOR FACADE (BRICK)	64 SQ. FT.	2.1 %
EXTERIOR FACADE (SIDING)	2954 SQ. FT.	97.9 %
TOTAL FACADE AREA	3018 SQ. FT.	100.0 %

Note: All siding is cementitious fiber board

**Required Architectural Features**

- Siding with more than one pattern:  
Example - horizontal lap style siding on the first floor and board and batt style siding on the second floor.
- Stone or masonry accents on the front elevation.
- Craftsman elements utilized in the gables, such as knee braces or gable pediments.
- Craftsman style windows (characterized by a divided lite look on top with no lites on the bottom)
- Eight foot (8') tall front door.
- 30 yr Architectural shingle
- Wood windows required on the front elevation on the front structure.
- Carriage style garage doors required.



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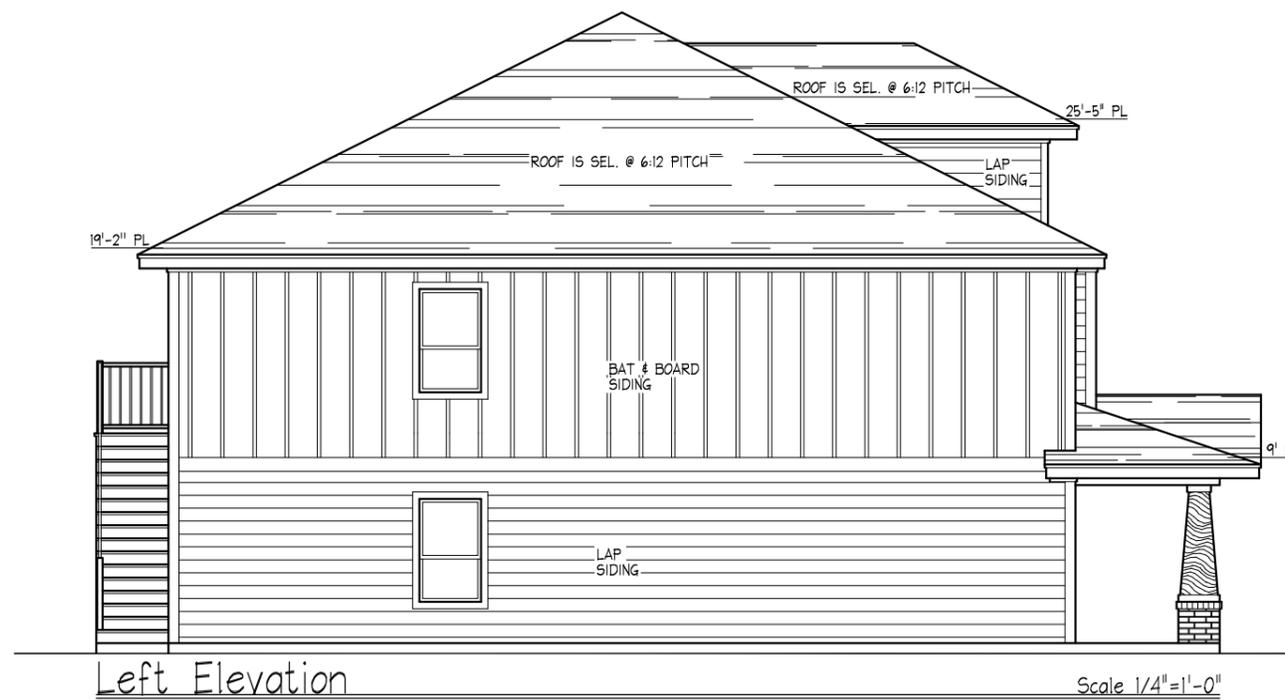
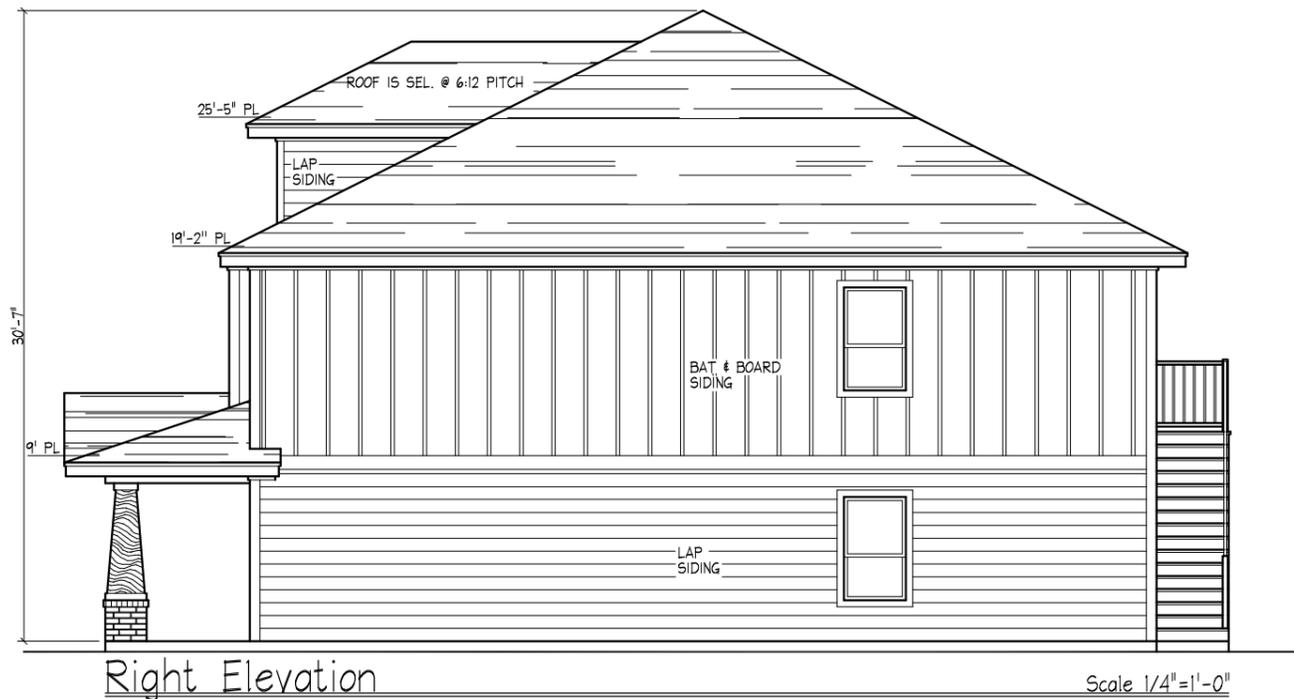
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DATE: 29 JUN 20  
 REV. 17 AUG 20  
 PLAN: TH 4331  
**AI**

ZC#20-013

# Exhibit C.2



EXTERIOR FACADE DATA		
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TOTAL FACADE AREA	3018 SQ. FT.	100.0 %

Note: All siding is cementitious fiber board

### Required Architectural Features

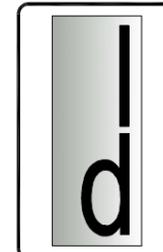
- Siding with more than one pattern:  
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A2

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# Exhibit C.3

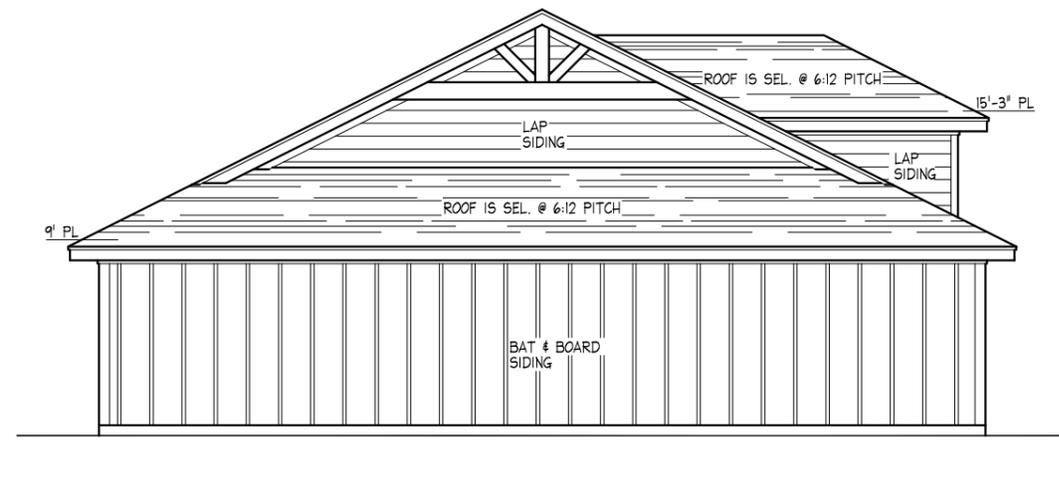
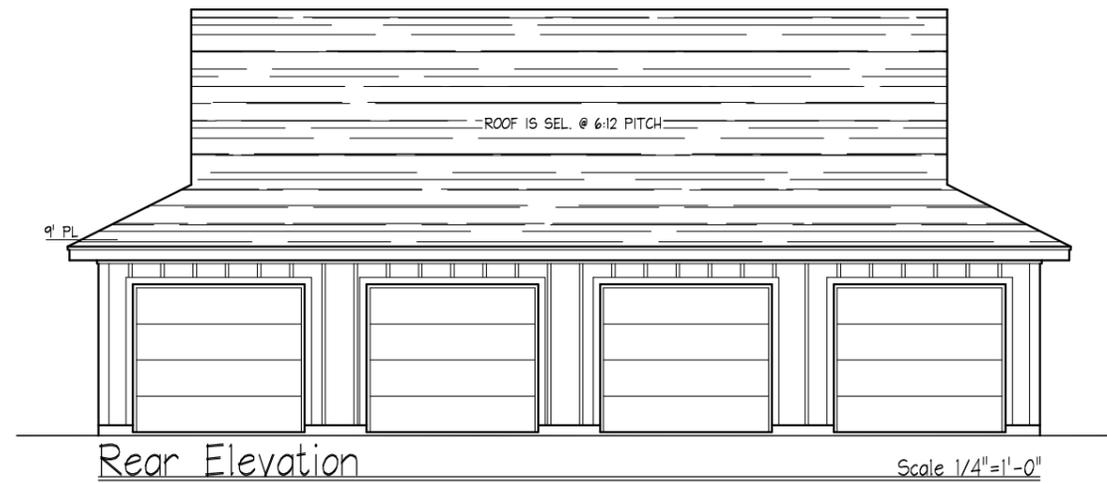
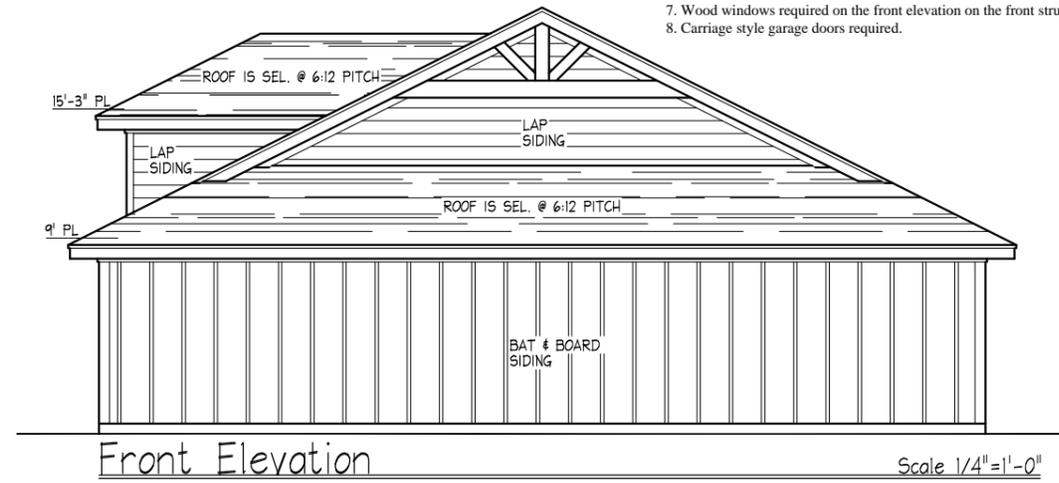
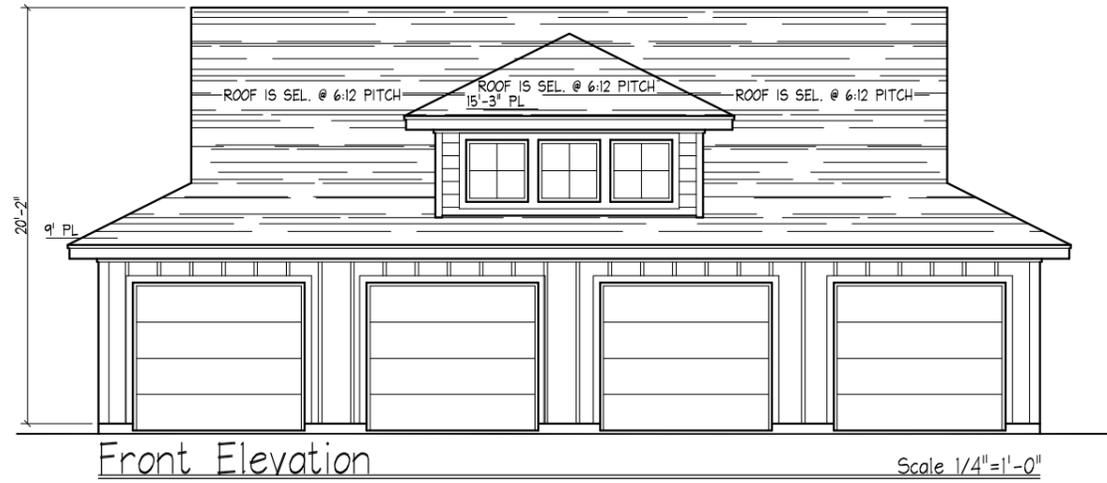
EXTERIOR FACADE DATA		
EXTERIOR FACADE (BRICK)	0 SQ. FT.	0.0 %
EXTERIOR FACADE (SIDING)	977 SQ. FT.	100.0 %
TOTAL FACADE AREA	977 SQ. FT.	100.0 %

Note: All siding is cementitious fiber board

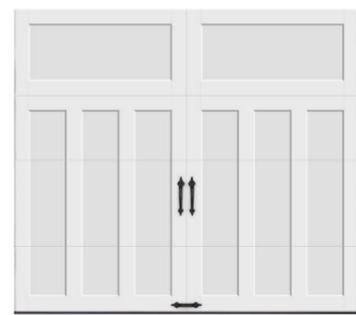
**Required Architectural Features**

- Siding with more than one pattern:  
Example - horizontal lap style siding on the first floor and board and batt style siding on the second floor.
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- Wood windows required on the front elevation on the front structure.
- Carriage style garage doors required.

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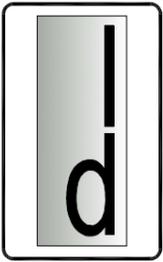


Carriage style garage doors required



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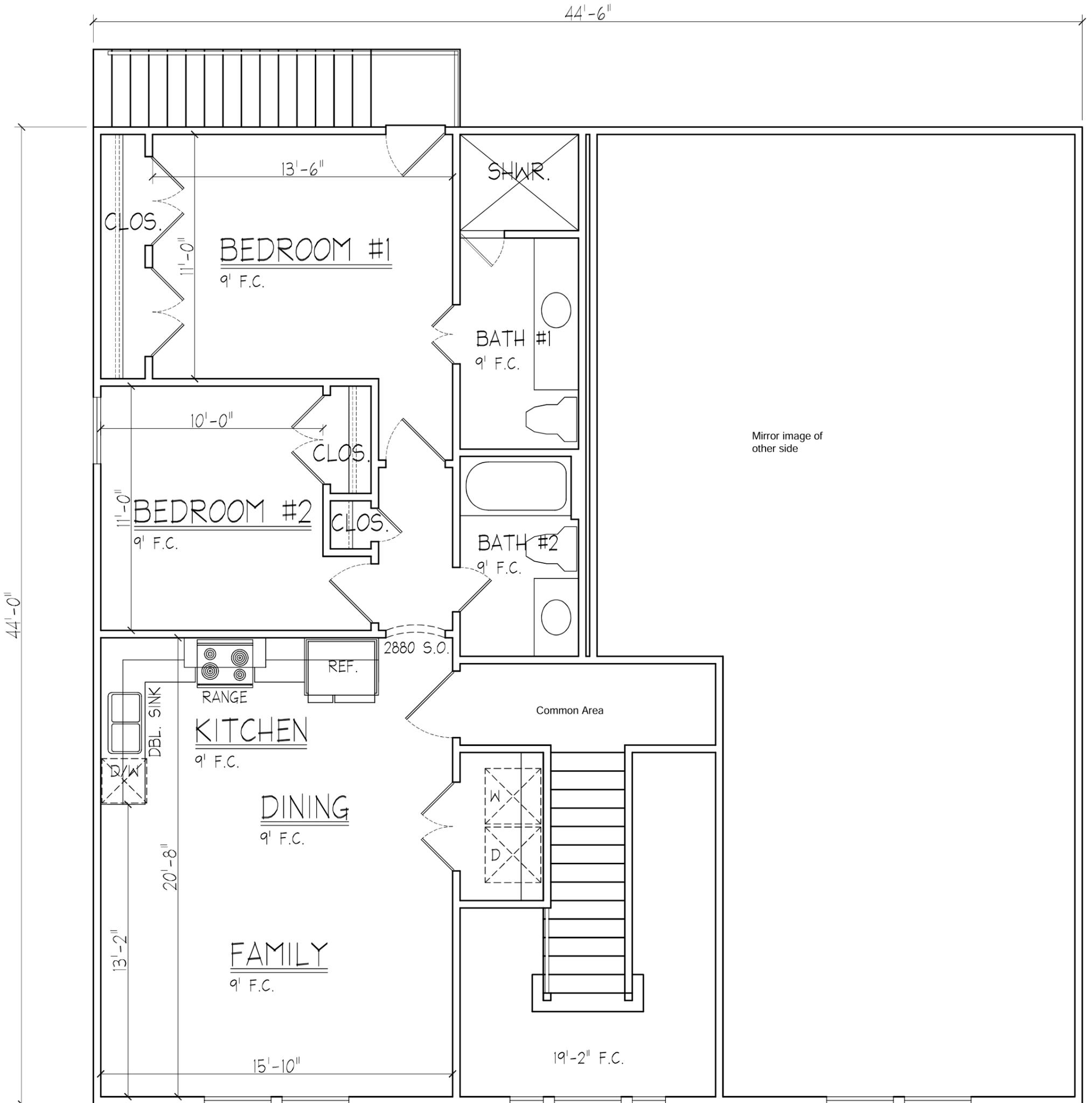
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# Exhibit E2

## Floor Plan - 2nd Floor



Second Floor

Scale 1/4" = 1'-0"

# Brooklyn Heights

*A missing middle housing addition to the Historic Original Town of Mansfield*

## Option 2 Two structures on 2 Lots





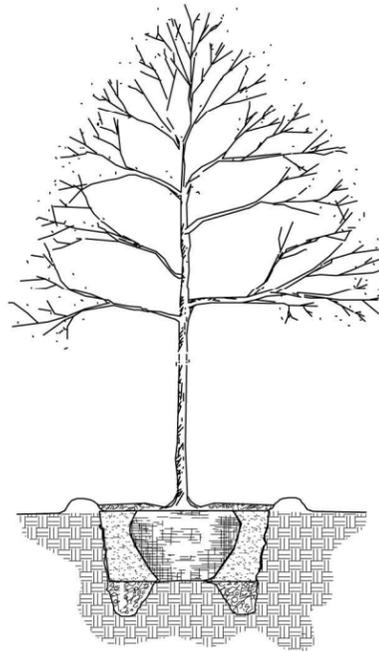
# Exhibit D - Landscape Plan

## LANDSCAPE REQUIREMENT CALCULATIONS

REQUIRED PERCENTAGE OF TOTAL SITE LANDSCAPING	MIN. 15%
SITE AREA	23,322 SQ. FT.
PROPOSED LANDSCAPE AREA	5,521 SQ. FT.
PERCENTAGE OF SITE TO BE IN LIVING LANDSCAPE	23.67%
REQUIRED # OF MIN. 3" CAL. TREES ALONG STREET FRONTAGE (STREET NAME)	1 PER 50'
LENGTH OF STREET FRONTAGE	77.74'
NUMBER OF TREES REQUIRED	2
NUMBER OF TREES PROVIDED	2
NUMBER OF SITE PARKING SPACES	8
NUMBER OF TREES REQUIRED 1 PER 20 SPACES	1
NUMBER OF TREES PROVIDED	8

PROPOSED TREES				
SYMBOL	KEY	CANOPY TREE Common Name (Botanical Name)	SIZE	SPACING
		EXISTING TREES (Labeled as noted)	3" Cal.	As Scaled
	LO	OAK, LIVE ( <i>Quercus virginiana</i> )	3" Cal.	As Scaled
	CE	ELM, CEDAR ( <i>Ulmus crassifolia</i> )	3" Cal.	As Scaled
	BC	CYPRESS, BALD ( <i>Taxodium distichum</i> )	3" Cal.	As Scaled
	GM	GRAPE MYRTLE ( <i>Lagerstroemia indica</i> )	4' Ht.	As Scaled

PROPOSED TREES				
SYMBOL	KEY	CANOPY TREE Common Name (Botanical Name)	SIZE	SPACING
	DBH	HOLLY, DWARF BURFORD ( <i>Ilex cornuta 'Dwarf Burford'</i> )	3 Gal./2' Ht.	36"
	DYH	HOLLY, DWARF YAUPON ( <i>Ilex vomitoria 'Dwarf Nana'</i> )	3 Gal./2' Ht.	36"
	AS	SAGE, AUTUMN ( <i>Salvia greggii</i> )	3 Gal./2' Ht.	36"
	HDN	NANDINA, Harbour Dwarf ( <i>Nandina domestica 'Harbour Dwarf'</i> )	3 Gal.	24"
	ND	NANDINA ( <i>Nandina domestica</i> )	3 Gal.	36"
	WM	WAX MYRTLE ( <i>Myrica cerifera</i> )	7 Gal.	60"
	YL	LANTANA, YELLOW ( <i>Lantana</i> )	1 Gal.	24"
		ANNUAL BED		
		Common Bermuda Grass		



TREE PLANTING DETAIL NOT TO SCALE

DO NOT HEAVILY PRUNE TREE AT PLANTING. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN OR DEAD BRANCHES.

STAKE TREE ONLY AT THE APPROVAL OF THE LANDSCAPE ARCHITECT.

MARK THE NORTH SIDE OF THE TREE IN THE NURSERY AND ROTATE TREE TO FACE NORTH AT THE SITE WHENEVER POSSIBLE.

4 INCH DEPTH OF MULCH. DO NOT PLACE MULCH IN CONTACT WITH TREE TRUNK. MAINTAIN THE MULCH NEED FREE.

MULCH RING TO BE 6 INCH DIAMETER MIN., 8 INCH DIAMETER PREFERRED.

TAMP SOIL AROUND ROOT BALL FIRMLY WITH FOOT PRESSURE TO PREVENT SHIFTING.

TREE PIT TO BE 3X WIDER THAN ROOT BALL. SCARIFY AND ANGLE SIDES OF THE HOLE.

SET TOP OF ROOT BALL 1 INCH ABOVE FINISH GRADE.

PLACE BOTTOM OF ROOT BALL ON UNEXCAVATED OR TAMPED SOIL.

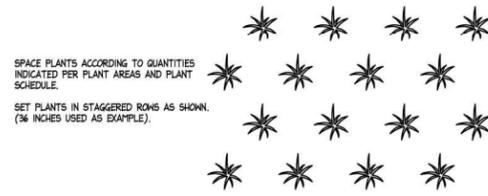
REMOVE ALL THINE, ROPE, WIRE AND BURLAP FROM TOP HALF OF ROOT BALL.

BACKFILL HOLE WITH EXISTING SOIL.

AMENDMENTS SHALL BE ADDED TO SOIL BASED ON RESULTS OF SOIL TESTS.

THE TOP OF ROOT BALL SHALL NOT BE COVERED WITH SOIL.

PROVIDE DRAINAGE IN PLANTING PIT AS DEEMED NECESSARY BY A SOIL PERCOLATION TEST.



PLANT SPACING DETAIL NOT TO SCALE

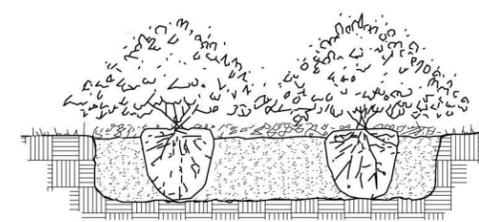
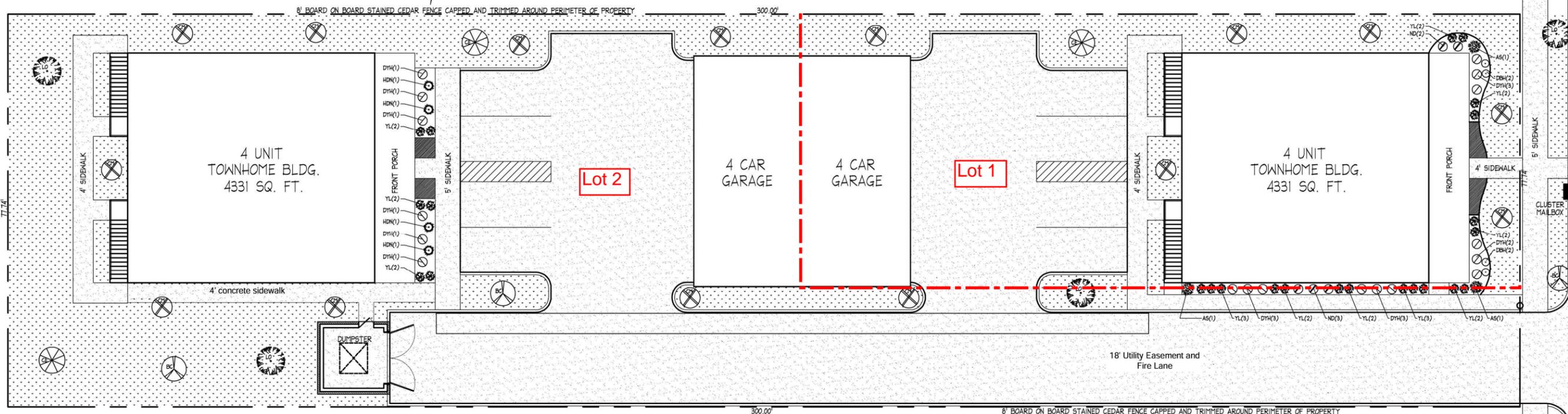
SPACE PLANTS ACCORDING TO QUANTITIES INDICATED PER PLANT AREAS AND PLANT SCHEDULE.

SET PLANTS IN STAGGERED ROWS AS SHOWN. (36 INCHES USED AS EXAMPLE).



## LANDSCAPE PLAN

SCALE 1" = 10'



SHRUB PLANTING DETAIL NOT TO SCALE

REMOVE ALL TAGS, THINE OR OTHER NON-BIODEGRADABLE MATERIALS ATTACHED TO THE PLANT OR ROOT MASS.

PRUNE PLANT TO REMOVE DEAD OR BROKEN BRANCHES.

4 INCH DEPTH OF MULCH. DO NOT PLACE MULCH IN CONTACT WITH PLANT TRUNK. MAINTAIN THE MULCH NEED FREE.

MULCH SHALL BE KEPT MIN. 2 INCHES AWAY FROM TRUNK OF PLANT.

PLANT PIT TO BE AT LEAST 2X WIDER THAN ROOT BALL. SCARIFY AND ANGLE SIDES OF THE PIT.

REMOVE CONTAINER FROM ROOT MASS. LOOSEN ROOTS FROM POTBOUND PLANTS BY SCORING OR PULLING.

DAMPEN SOIL PRIOR TO PLANTING.

BACKFILL HOLE WITH THOROUGH MIXTURE OF 1 PT. SAND, 1 PT. ORGANIC HUMUS, 1 PT. NATIVE TOPSOIL.

AMENDMENTS SHALL BE ADDED TO SOIL BASED ON RESULTS OF SOIL TESTS.

PLACE BOTTOM OF ROOT BALL ON TAMPED SOIL THAT HAS BEEN SETTED WITH WATER.

PLANT SOIL LEVEL SHALL BE 1" HIGHER THAN SURROUNDING GRADE.

TAMP SOIL AROUND ROOT BALL LIGHTLY WITH FOOT OR HAND PRESSURE TO PREVENT SHIFTING.

PROVIDE DRAINAGE IN PLANTING PIT AS DEEMED NECESSARY BY A SOIL PERCOLATION TEST.

## Notes

No changes shall be made to the plans, including plant material type and location without approval from Landscape Architect or Owner.

All plant material shall be guaranteed for a period of 1 year from the date of installation completion. Wording to this effect shall be included in Contractor's proposal.

The Contractor shall notify the Landscape Architect in writing of discrepancies between the plans and actual site conditions prior to commencing work. Failure to do so shall be interpreted as the Contractor accepting such conditions and responsible at no additional cost to Owner, for any future adjustments that need to be made.

All work shall be in accordance to plans. Any defective work shall be corrected at no additional cost.

The quality of the plant material is subject to the approval of the Landscape Architect and may be rejected (ASNSS).

Minor field adjustments may be made to the location of plant materials by the Landscape Architect and shall be made by the Contractor at no additional cost.

All areas to be sodded shall first be tilled to a uniform depth of 4 inches in two, crossing directions. After the initial tilling operation, incorporate 1,500 pounds per acre of 10-20-10 fertilizer or as specified by a soil test. Apply amendments as specified by a soil test.

Sod strips shall be pulled tightly together in a neat orderly manner. Do no overlap sod strips and to not use any strips that exhibit weak or thin soil.

Installed sod that turns yellow shall be given 7 days to recover before it will be rejected. Replace rejected sod by completely and uniformly cutting out area to make the repair.

After installation, the sod shall be rolled in two directions with a roller not weighing less than 100 lbs. per square foot.

Amendments shall be added to each planting pit and bed area.

All burlap material on balled and burlapped plants shall be the type that decomposes within two years. Synthetic or plastic type wrappings are not allowed.

After setting balled and burlapped plants, remove the top 1/3 of the burlap and completely remove all binder twine. No burlap shall show above the surface.

All planting areas shall be graded smooth, without the presence of low spots, depressions or irregular humps. Areas around planting beds shall be constructed to re-direct drainage around and away from planting areas. All planting areas shall be constructed and graded to ensure positive drainage away from structures.

Cedar mulch shall be applied within 24 hours of planting of new plant material. Mulch shall be spread evenly to a settled depth of 4" around all trees and shrubs to the limits of the planting beds as shown on plans.

All plantings shall be "watered in" by flooding the backfill hole within the same working day upon which they were planted. All plants shall be adjusted as necessary to ensure correct depth of planting, vertical alignment and/or to compensate for settling. Soil shall be firmed around around each plant as final adjustments are made.

10.0 MAINTENANCE  
 10.1 GENERAL: The Owner shall be responsible for the continued maintenance in perpetuity of all landscaping and irrigation. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, watering, weeding, keeping beds mulched in accordance with standard horticultural practices or as recommended by the Landscape Administrator and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds and other such material or plants not a part of the landscaping. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. All irrigation heads or lines which are broken and flow water shall be replaced/repared immediately to prevent the waste of water.

10.2 PLANT MATERIAL REPLACEMENT: The Owner shall be responsible for replacing all required plant material which shows dead branching over 75% or more of the normal branching pattern during the time of a normal growing season and repair of irrigation system requirements set herein in perpetuity. Plant materials which are to be replaced with plant material of similar variety and similar initial size. Upon notification by the City of such replacements, the Owner shall have thirty (30) days to comply with these requirements.

a. Deferral of Landscape Replacement:  
 The Landscape Administrator may approve a deferral of required plant replacement in accordance with Section 11.3 herein.

All landscaped areas will be irrigated and detailed irrigation plans will be submitted with the construction plans.

All landscaped areas are to be maintained in accordance with the City of Mansfield regulations.

Irrigation system shall include a rain and freeze sensor control.

Large and Ornamental trees shall be on a drip or bubbler irrigation.

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 L1 271

505 W. KIMBALL STREET

ZC#20-013

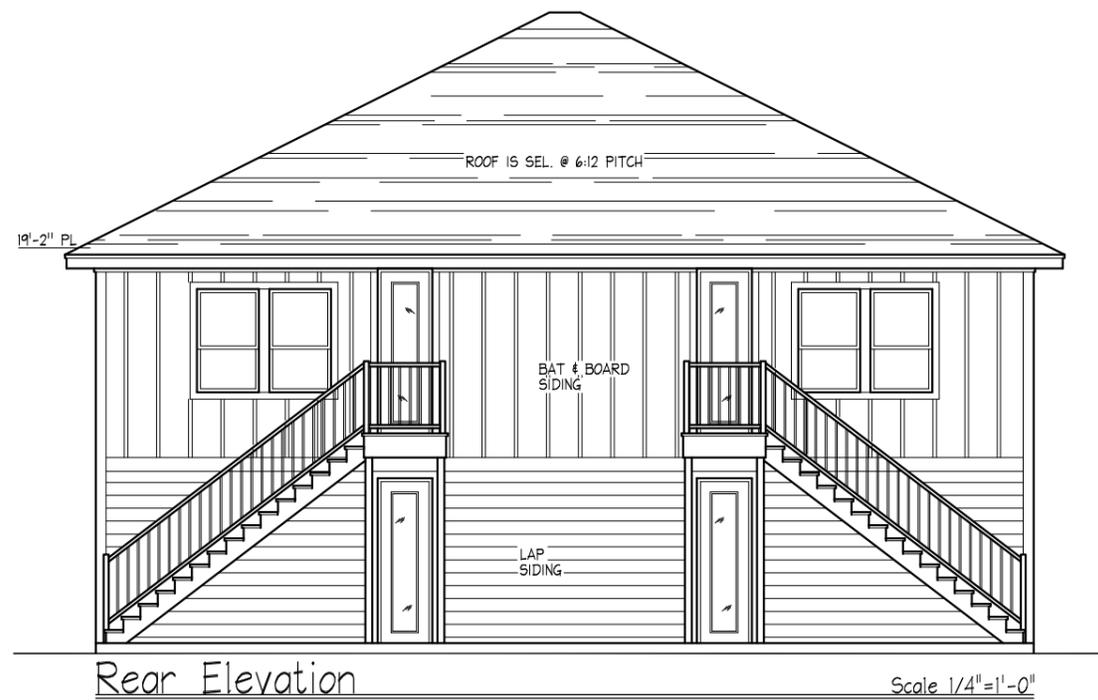
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EXTERIOR FACADE DATA		
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EXTERIOR FACADE (SIDING)	2954 SQ. FT.	97.9 %
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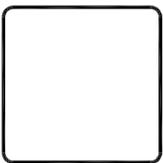
Note: All siding is cementitious fiber board

**Required Architectural Features**

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- Craftsman style windows (characterized by a divided lite look on top with no lites on the bottom)
- Eight foot (8') tall front door.
- 30 yr Architectural shingle
- Wood windows required on the front elevation on the front structure.
- Carriage style garage doors required.

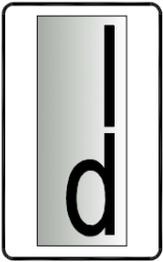


These plans are the property of Lindbergh Designs LLC and are not to be reproduced, traced or reused for construction without the written permission of Lindbergh Designs LLC. These plans are intended to provide the information necessary to build the structure. Lindbergh Designs LLC is not responsible for any construction. Use of architectural consultant responsible. Not to exceed the fee paid for plans. Structural Engineering plans may be required in addition with these plans.



**Job Location:**  
 Hartman Project  
 505 W. Kimball St.  
 Mansfield, TX 76063  
 A Portion of Block 37  
 Original Town of Mansfield

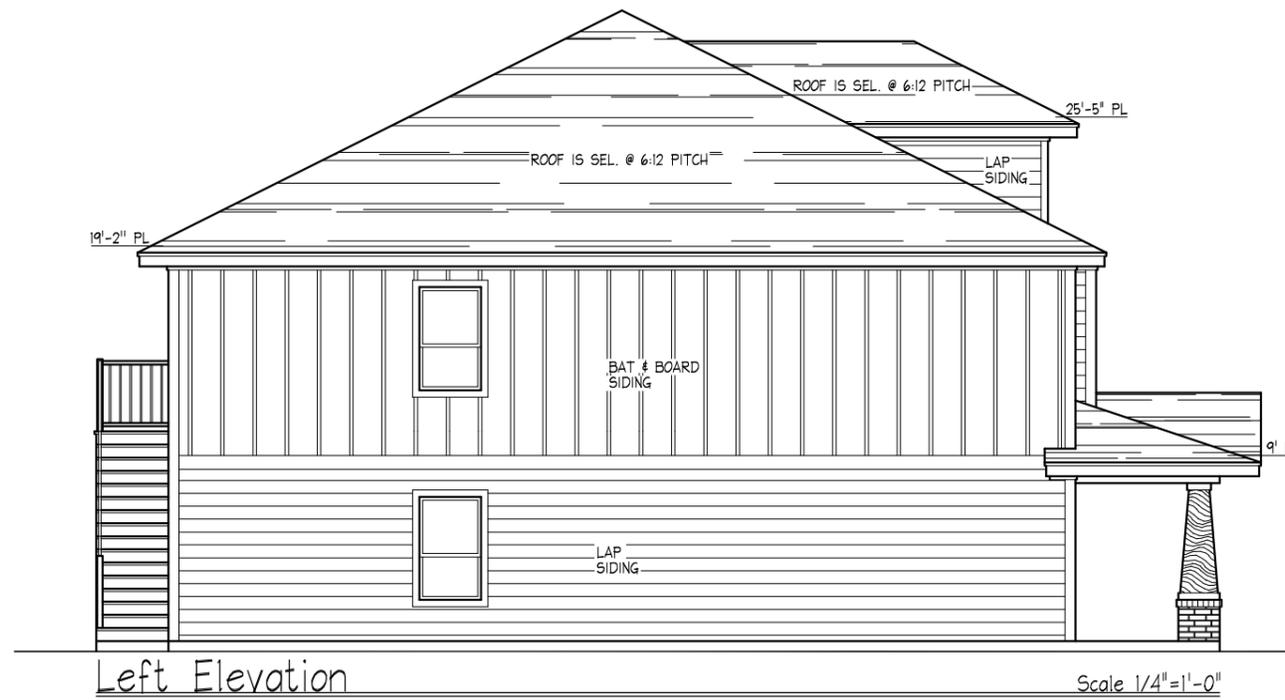
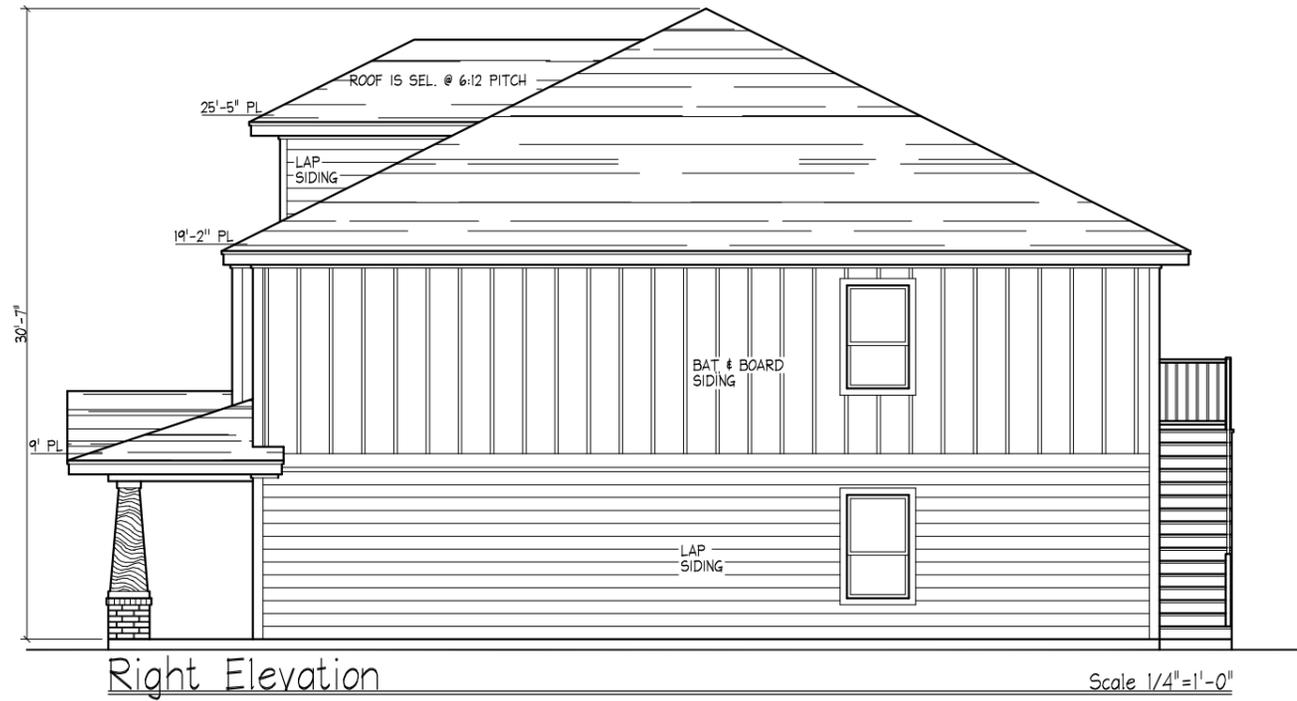
**Lindbergh Designs**  
 Commercial & Residential Planning  
 www.lindberghdesigns.com  
 b.u.s. (817) 283-4800



DATE: 29 JUN 20  
 REV. 17 AUG 20  
 PLAN: TH 4331  
**AI**

ZC#20-013

# Exhibit C.2



EXTERIOR FACADE DATA		
EXTERIOR FACADE (BRICK)	64 SQ. FT.	2.1 %
EXTERIOR FACADE (SIDING)	2954 SQ. FT.	97.9 %
TOTAL FACADE AREA	3018 SQ. FT.	100.0 %

Note: All siding is cementitious fiber board

**Required Architectural Features**

- Siding with more than one pattern:  
Example - horizontal lap style siding on the first floor and board and batt style siding on the second floor.
- Stone or masonry accents on the front elevation.
- Craftsman elements utilized in the gables, such as knee braces or gable pediments.
- Craftsman style windows (characterized by a divided lite look on top with no lites on the bottom)
- Eight foot (8') tall front door.
- 30 yr Architectural shingle
- Wood windows required on the front elevation on the front structure.
- Carriage style garage doors required.

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Job Location:  
Hartman Project  
505 W. Kimball St.  
Mansfield, TX 76063  
A Portion of Block 37  
Original Town of Mansfield

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DATE: 29 JUN 20  
REV. 17 AUG 20  
PLAN: TH 4331  
**A2**

ZC#20-013

# Exhibit C.3

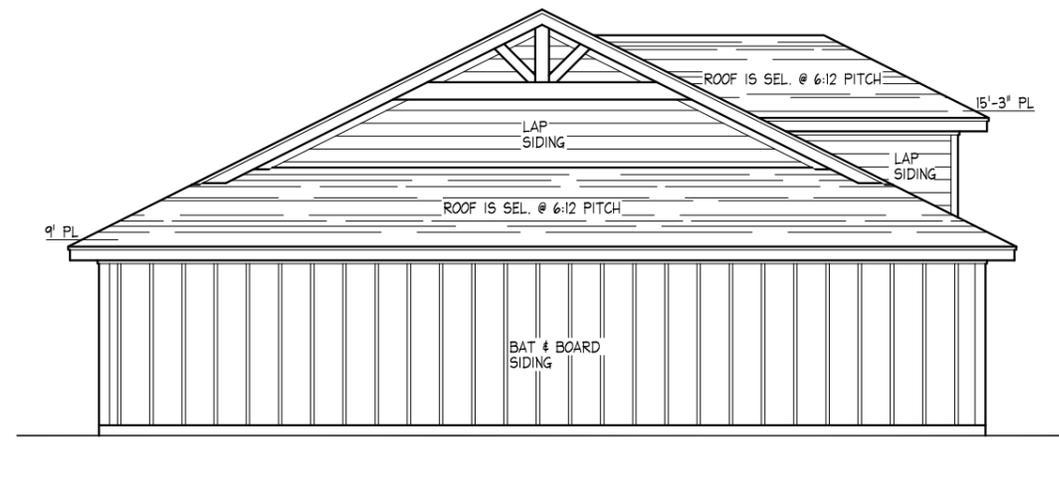
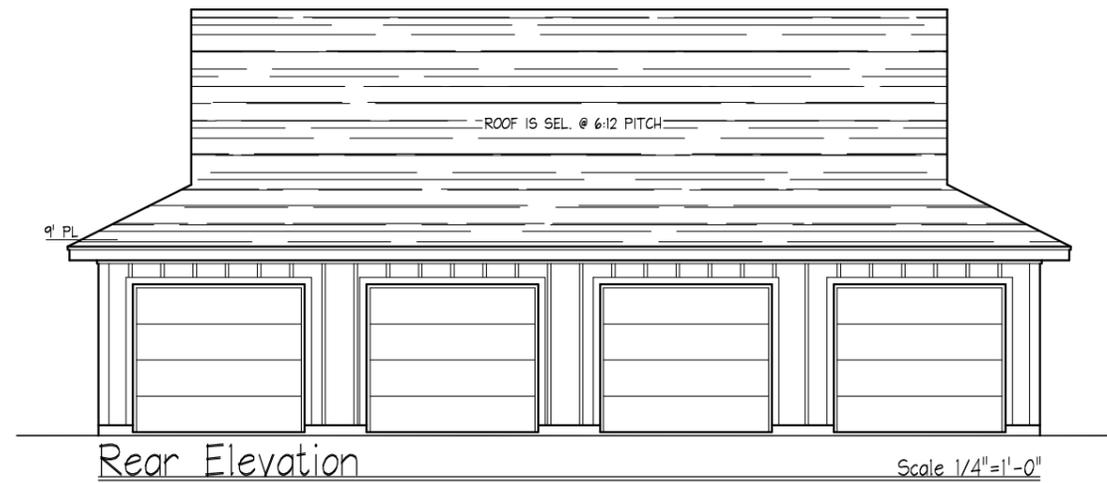
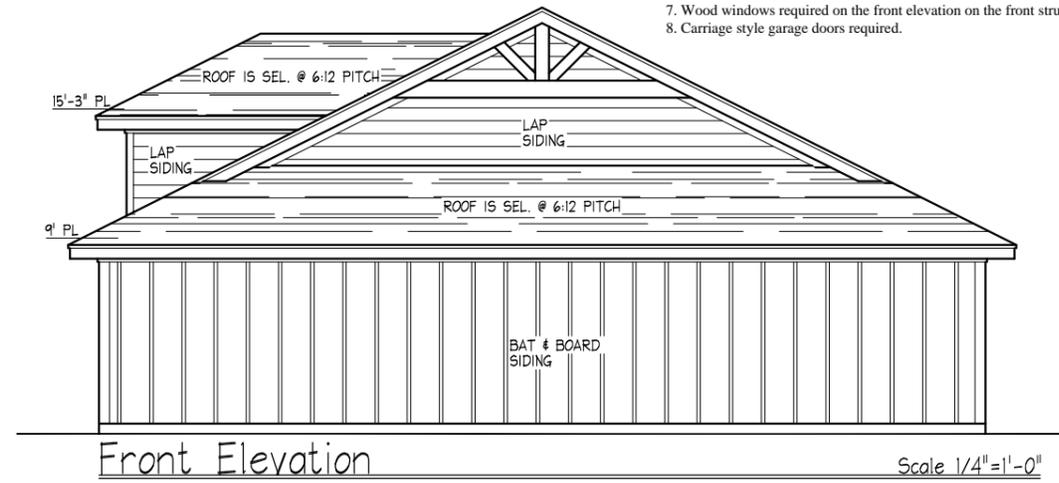
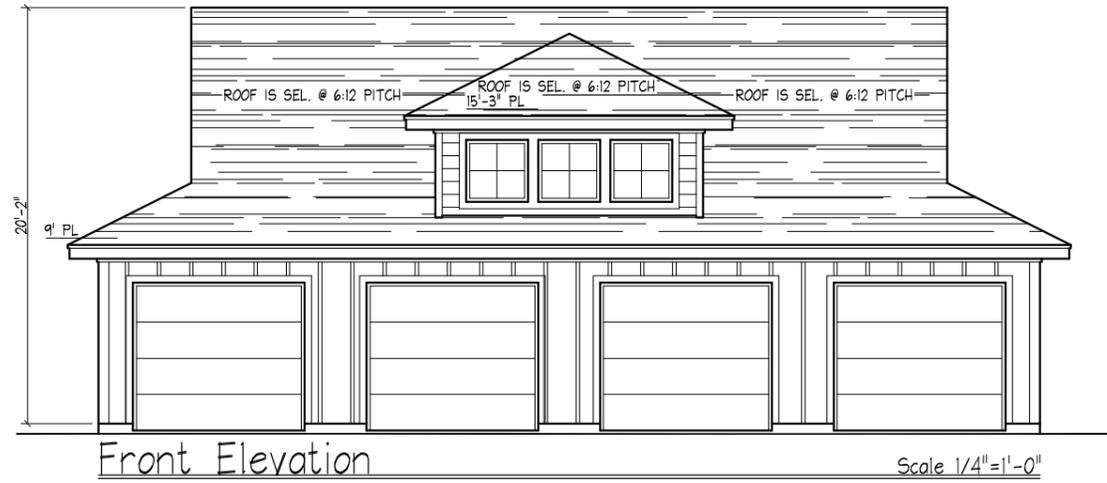
EXTERIOR FACADE DATA		
EXTERIOR FACADE (BRICK)	0 SQ. FT.	0.0 %
EXTERIOR FACADE (SIDING)	977 SQ. FT.	100.0 %
TOTAL FACADE AREA	977 SQ. FT.	100.0 %

Note: All siding is cementitious fiber board

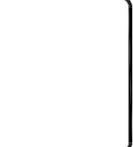
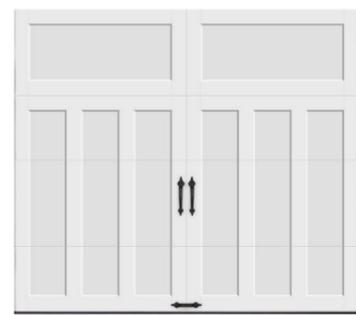
**Required Architectural Features**

- Siding with more than one pattern:  
Example - horizontal lap style siding on the first floor and board and batt style siding on the second floor.
- Stone or masonry accents on the front elevation.
- Craftsman elements utilized in the gables, such as knee braces or gable pediments.
- Craftsman style windows (characterized by a divided lite look on top with no lites on the bottom)
- Eight foot (8') tall front door.
- 30 yr Architectural shingle
- Wood windows required on the front elevation on the front structure.
- Carriage style garage doors required.

These plans are the property of Lindbergh Designs LLC, and are not to be reproduced, traced or reused for construction without the written permission of Lindbergh Designs LLC. These plans are intended to provide the general information necessary to build the structure. The contractor is responsible for providing the construction details and for obtaining all necessary permits. The contractor is responsible for ensuring that the construction meets all applicable codes and regulations. The contractor is responsible for ensuring that the construction meets all applicable codes and regulations. The contractor is responsible for ensuring that the construction meets all applicable codes and regulations.



Carriage style garage doors required



Job Location:  
Hartman Project  
505 W. Kimball St.  
Mansfield, TX 76063  
A Portion of Block 37  
Original Town of Mansfield

**Lindbergh Designs**  
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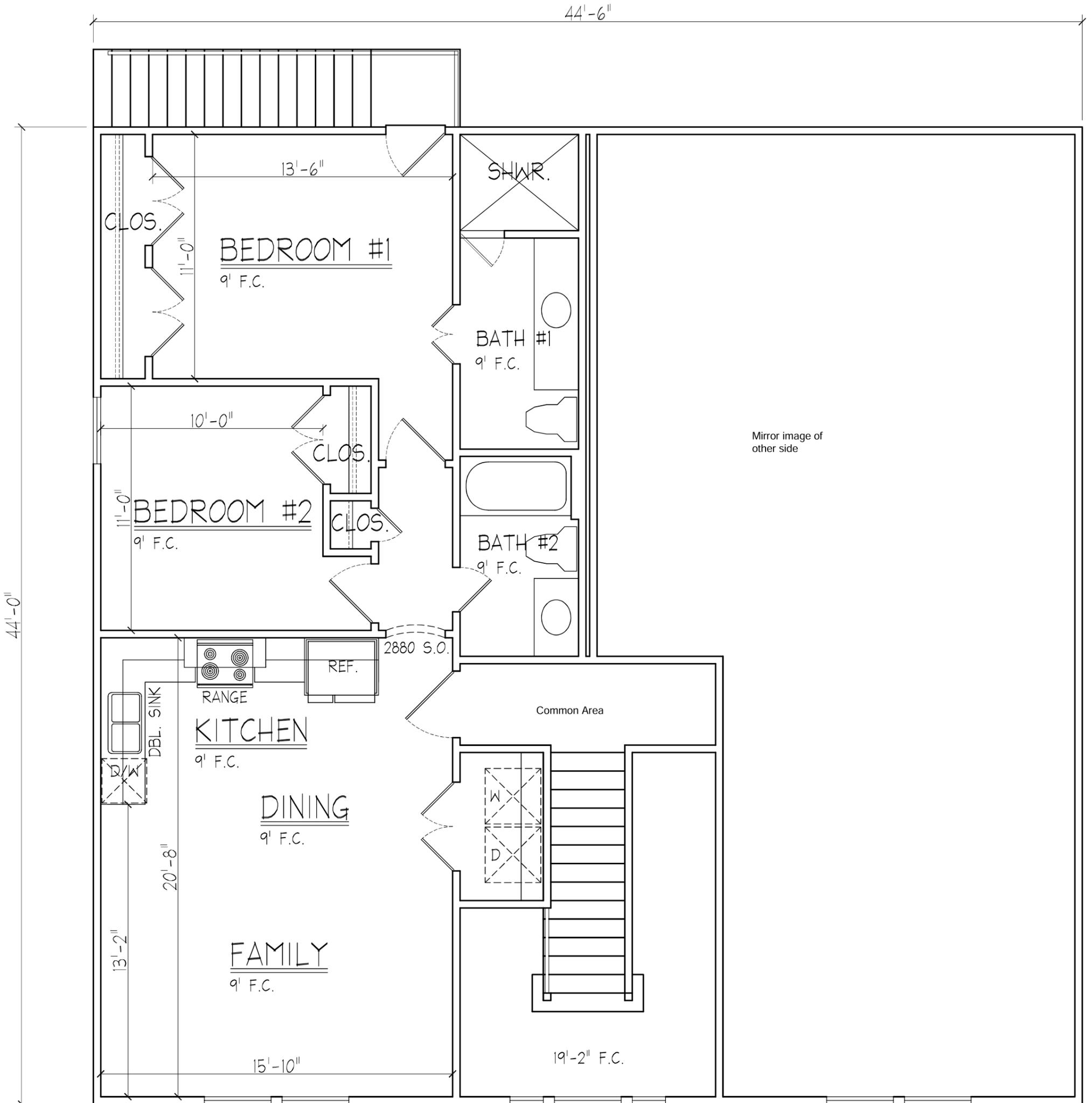
DATE: 29 JUN 20  
REV. 17 AUG 20  
PLAN: TH 4331  
A3

ZC#20-013



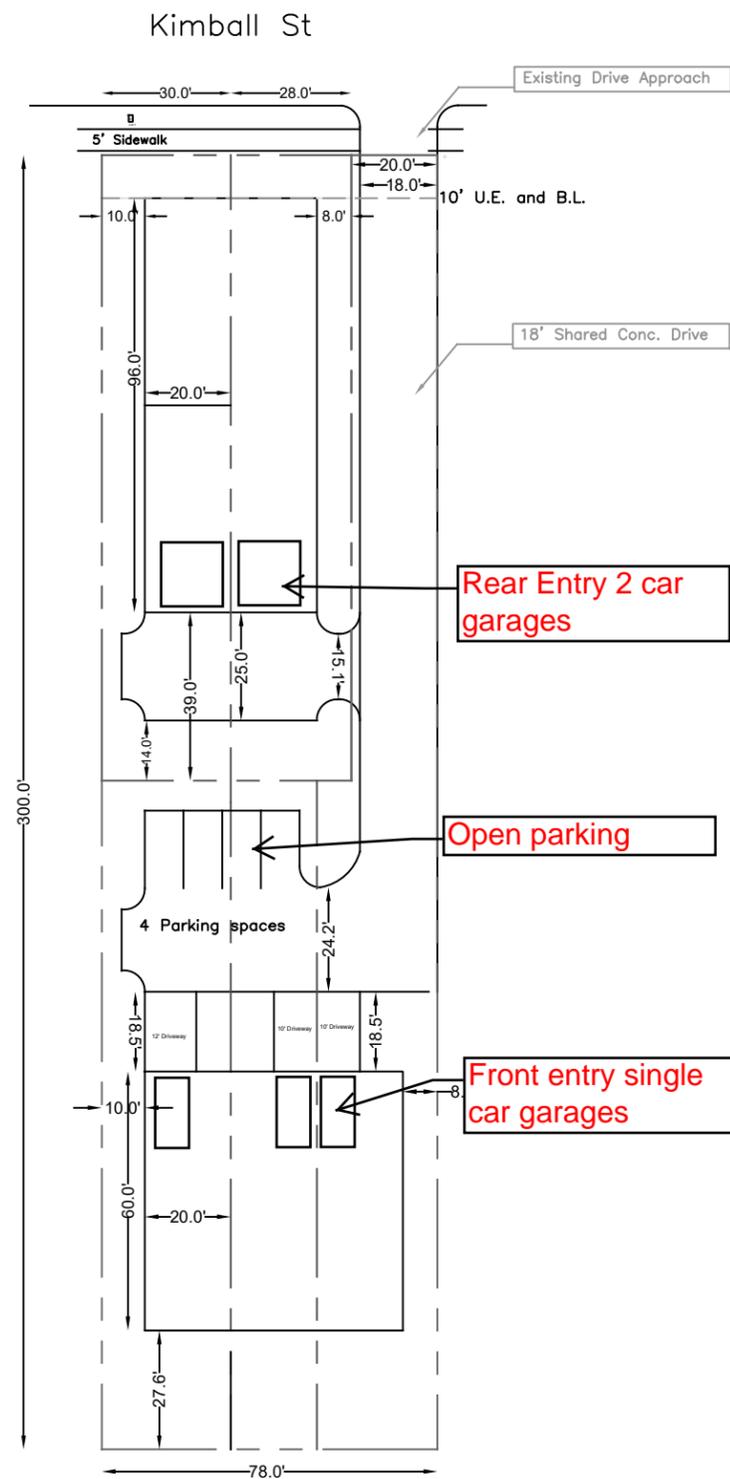
# Exhibit E2

## Floor Plan - 2nd Floor

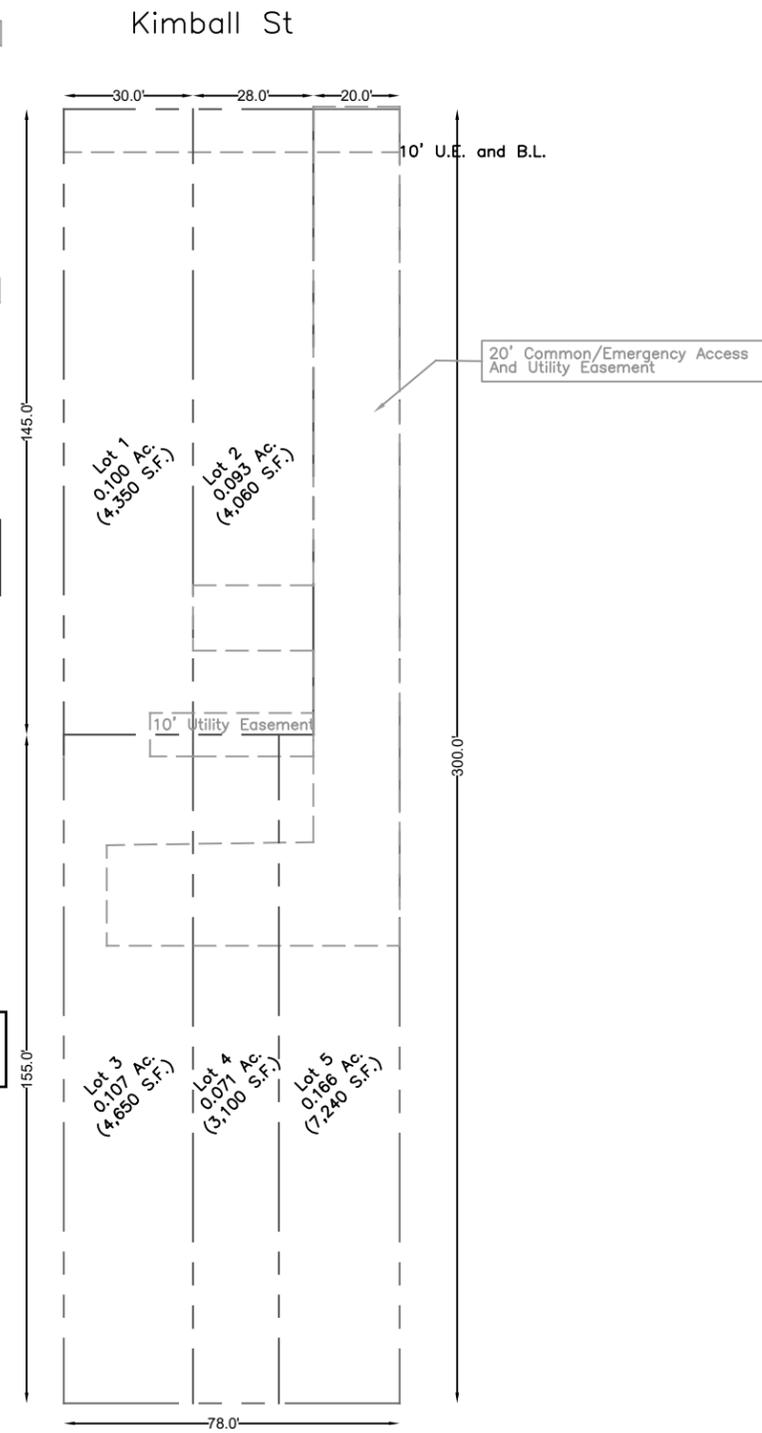


Second Floor

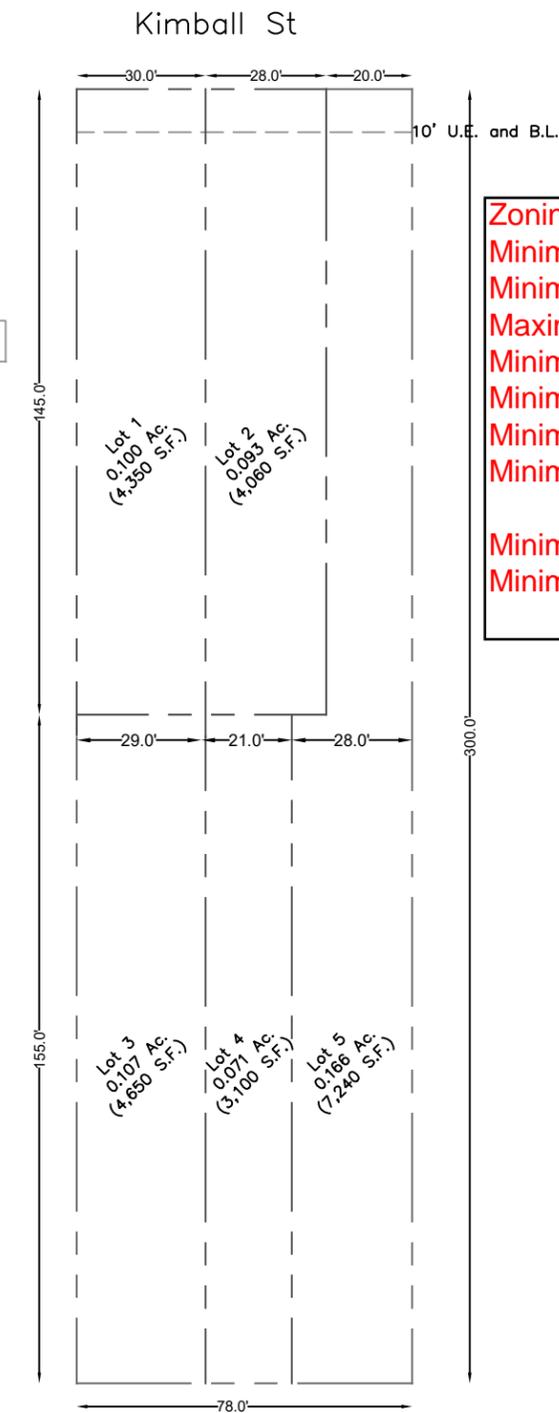
Scale 1/4" = 1'-0"



Lot Lines and Improvements



Lot Lines and Utility Esmts



Lot Lines only

**Zoning Regs:**  
 Minimum Lot Area: 3,000 SF  
 Minimum living Area: 1600 SF  
 Maximum Lot Coverage: 45%  
 Minimum Lot Width: 20'  
 Minimum Lot Depth: 140'  
 Minimum Front Yard: 10'  
 Minimum Side Yard: Lots 1,2,3,5 - 7.5'/0'  
 Lot 4 - 0'/0'  
 Minimum Rear Yard: 20'  
 Minimum Parking: 1 Garage, 1 uncovered

# Option 3

## 5 Town Homes on 5 Lots

## FRONT LOTS – TWO TOWNHOMES



Not Seen in Picture:

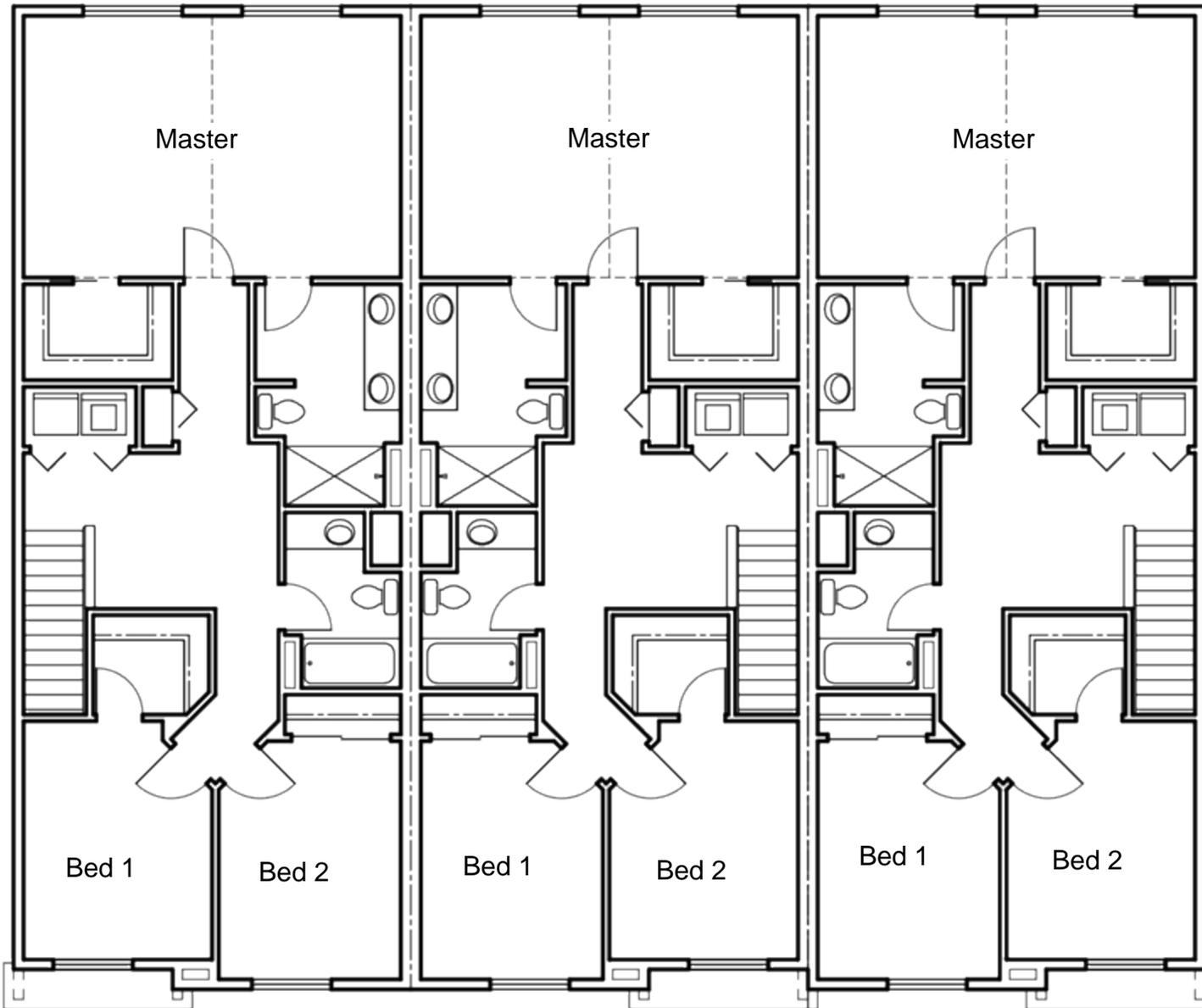
1. Rear Entry Attached Garage
2. Two Front Doors

## REAR LOTS – THREE TOWNHOMES





**REAR LOTS - FIRST FLOOR**



**REAR LOTS - SECOND FLOOR**



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3777

**Agenda Date:** 10/12/2020

**Version:** 2

**Status:** Second Reading

**In Control:** City Council

**File Type:** Ordinance

### Title

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Amending Sections 2200B, 4400.B Table G and 7800.B.38 of the Zoning Ordinance to Create a Body Art & Piercing Studio Use; to Permit Such Use in the I-1 and I-2 Zoning Districts; to Require a Specific Use Permit in C-2 and C-3 Zoning Districts; and to Establish Separation Criteria from Such Use from Certain Other Land Uses (OA#20-001)

### Requested Action

To consider the proposed amendments to the Zoning Ordinance.

### Recommendation

The Planning and Zoning Commission held a public hearing on September 21, 2020 and voted by 6-0 to recommend approval subject to removing paragraph C in its entirety and to require the SUP in the industrial districts as well as C-2 and C-3.

### Description/History

On August 10, 2020, the City Council placed a moratorium on “tattoo parlors” in Tax Increment Reinvestment Zone (TIRZ) No. 2 District covering a portion of Historic Downtown Mansfield due to the proliferation of those uses in the area. Council extended the moratorium on tattoo parlors to include the entire City on September 14, 2020.

At Council’s direction, Staff has prepared amendments to the Zoning Ordinance to regulate Body Art and Piercing Studios (tattoo parlors) in Mansfield. These amendments include:

- An amendment to Section 2200.B to create a new definition for Body Art and Piercing Studio:

“5. Body Art and Piercing Studio - A place where body modification is performed, including: tattooing where a design is made by inserting ink, dyes and pigments, either indelible or temporary, into the dermis layer of the skin to change the pigment; or piercing, the practice of puncturing or cutting a part of the human body, creating an opening in which jewelry may be worn, or where an implant may be inserted. This definition does not include permanent makeup or micro-blading as applied in a Beauty Shop.”

- An amendment to Section 4400.B, Table G of the Permitted Use Table, to create Body Art and Piercing Studio as a permitted use in the I-1 and I-2 Districts, and

allowed with a Specific Use Permit in the C-2 and C-3 Districts. The draft Table G is attached.

- An amendment to Section 7800.B to create new special conditions to require a 1000-foot separation from a Body Art and Piercing Studio and properties with a single-family residential zoning classification or single-family residential use, a church, a licensed day-care center, a public or private elementary or secondary school, or another Body Art and Piercing Studio and establishes the method of measuring the 1000-foot distance. The amendment also provides for the termination of non-conforming status for existing Body Art and Piercing Studios after adoption of the amendments:

“38. Body Art and Piercing Studio: Body Art and Piercing Studios shall conform to the following provisions:

- a. A Body Art and Piercing Studio may not be located within one thousand (1000) feet of a single-family residential zoning classification or single-family residential use; a church; a licensed day-care center; a public or private elementary or secondary school; or another Body Art and Piercing Studio.
- b. For the purposes of this Paragraph 38, the measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or tenant space occupied by a Body Art and Piercing Studio to:
  1. the nearest property line of the premises of a church, licensed day care center, public or private elementary or secondary school, or single-family residential zoning classification or single-family residential use; and
  2. the nearest portion of a building or tenant space occupied by another Body Art and Piercing Studio.
- c. A Body Art and Piercing Studio operating lawfully in a C-2 or C-3 District prior to October 26, 2020, may continue as a lawful non-conforming use without a Specific Use Permit; provided, however, that said non-conforming use shall automatically terminate upon 1) closure of a Body Art and Piercing Studio; 2) a change in name or ownership of a Body Art and Piercing Studio; or 3) a change in use of the building or tenant space previously occupied by a Body Art and Piercing Studio.”

## 2nd Reading

The Council held a public hearing on September 28, 2020, and voted 7 - 0 to allow Body Art and Piercing Studio use by Planned Development District only. The following changes have been made to the amendment to reflect the Council's requirements:

- Section 4400.B, Table G of the Permitted Use Table, have been revised to allow Body Art and Piercing Studios in the PD District only.
- Section 7800.B has been revised to remove the references to the C-2, C-3, I-1 and I-2 Districts, and to revise the non-conforming status provision:

“38. Body Art and Piercing Studio: Body Art and Piercing Studios shall conform to the following provisions:

- a. A Body Art and Piercing Studio may not be located within one thousand (1000) feet of a single-family residential zoning classification or single-family residential use; a church; a licensed day-care center; a public or private elementary or secondary school; or another Body Art and Piercing Studio.
- b. For the purposes of this Paragraph 38, the measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or tenant space occupied by a Body Art and Piercing Studio to:
  1. the nearest property line of the premises of a church, licensed day care center, public or private elementary or secondary school, or single-family residential zoning classification or single-family residential use; and
  2. the nearest portion of a building or tenant space occupied by another Body Art and Piercing Studio.
- c. A Body Art and Piercing Studio operating lawfully prior to October 26, 2020, may continue as a lawful non-conforming use without a Planned Development District Zoning; provided, however, that said non-conforming use shall automatically terminate upon 1) closure of a Body Art and Piercing Studio; 2) a change in name or ownership of a Body Art and Piercing Studio; or 3) a change in use of the building or tenant space previously occupied by a Body Art and Piercing Studio.”

**Prepared By**

Lisa Sudbury, Assistant Director of Planning

817-276-4227

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTIONS 2200B, 4400.B TABLE G AND 7800.B.38 OF SAID ORDINANCE TO CREATE A BODY ART & PIERCING STUDIO USE; TO PERMIT SUCH USE IN THE PD ZONING DISTRICT; AND TO ESTABLISH SEPARATION CRITERIA FROM SUCH USE FROM CERTAIN OTHER LAND 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 of the City of Mansfield, Texas (hereinafter “the 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 all interested citizens, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance should be amended;

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

**SECTION 1.**

That Section 2200, Subsection B, “Definitions,” of the Zoning Ordinance is hereby amended by inserting a new Paragraph 5 to read as follows and by renumbering the remaining paragraphs accordingly:

“5. Body Art and Piercing Studio - A place where body modification is performed, including: tattooing where a design is made by inserting ink, dyes and pigments, either indelible or temporary, into the dermis layer of the skin to change the pigment; or piercing, the practice of puncturing or cutting a part of the human body, creating an opening in which jewelry may be worn, or where an implant may be inserted. This definition does not include permanent makeup or micro-blading as applied in a Beauty Shop.”

**SECTION 2.**

That Section 4400, Subsection D, Table G, “Permitted Use Table,” of the Zoning Ordinance is hereby amended by inserting a new land use, “Body Art and Piercing Studio” on Line 6, and renumbering the remaining lines accordingly as shown in Exhibit “A” attached hereto and made a part hereof for all purposes.

### **SECTION 3.**

That Section 7800, Subsection B, “Special Conditions,” of the Zoning Ordinance is hereby amended by adding a new Paragraph 38 to read as follows:

- “38. Body Art and Piercing Studio: Body Art and Piercing Studios shall conform to the following provisions:
- a. A Body Art and Piercing Studio may not be located within one thousand (1000) feet of a single-family residential zoning classification or single-family residential use; a church; a licensed day-care center; a public or private elementary or secondary school; or another Body Art and Piercing Studio.
  - b. For the purposes of this Paragraph 38, the measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or tenant space occupied by a Body Art and Piercing Studio to:
    1. the nearest property line of the premises of a church, licensed day care center, public or private elementary or secondary school, or single-family residential zoning classification or single-family residential use; and
    2. the nearest portion of a building or tenant space occupied by another Body Art and Piercing Studio.
  - c. A Body Art and Piercing Studio operating lawfully prior to October 26, 2020, may continue as a lawful non-conforming use without Planned Development District zoning; provided, however, that said non-conforming use shall automatically terminate upon 1) closure of a Body Art and Piercing Studio; 2) a change in name or ownership of a Body Art and Piercing Studio; or 3) a change in use of the building or tenant space previously occupied by a Body Art and Piercing Studio.”

### **SECTION 4.**

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.

### **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 Zoning Ordinance as a whole.

**SECTION 6.**

Any person, firm or corporation violating any of the provisions of this ordinance or the 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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
**David L. Cook, Mayor**

ATTEST:

\_\_\_\_\_  
**Susana Marin, City Secretary**

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
**Allen Taylor, City Attorney**







# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3778

**Agenda Date:** 10/12/2020

**Version:** 2

**Status:** Second Reading

**In Control:** City Council

**File Type:** Ordinance

### Title

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Amending Sections 5100.E.7, 5100.F.19, 6100.D.8 and 6400.D.8 of the Zoning Ordinance to Revise the Submittal Requirements for Applications for Concept Plans, Planned Developments, Specific Use Permits and Industrial Use Permits (OA#20-002)

### Requested Action

To consider the proposed amendments to the Zoning Ordinance.

### Recommendation

The Planning and Zoning Commission held a public hearing on September 21, 2020, and voted 6 - 0 to recommend approval.

City Council held a public hearing and first reading on September 28, 2020 and voted 7 - 0 to approve the proposed amendment.

### Description/History

The purpose of this amendment is to revise the submittal requirements for development applications required by the Zoning Ordinance. Under the current zoning regulations, the City requires 15 paper copies for development applications related to concept plans, development plans, site plans, Specific Use Permits and Industrial Use Permits. These plans generally include multiple sheets including site layouts, building elevations, landscape plans and other related documents.

In March 2020, the COVID-19 pandemic caused a change in the application process when City Hall was closed to applicants. The revised application process remained in effect after City Hall reopened. Applications are now submitted electronically through the City's website. Instead of multiple copies of large format paper sheets, plans in PDF format may be attached to the digital applications.

The proposed amendment will remove the requirement for paper copies to be submitted with development applications for concept plans, development plans, Specific Use Permits and Industrial Use Permits.

The existing language in each section of the Zoning Ordinance being amended will be changed from:

“Fifteen (15) copies of the plan in 24” X 36” or 22” X 34” format, drawn at an

acceptable scale indicating all significant features of the proposed development to include.”

to state:

“Copies of the plan shall be submitted to the City in the manner specified by the most current submittal policies. The plan must be drawn to an acceptable size and scale and must indicate all significant features of the proposed development to include.”

The proposed language is broad enough to allow future changes to the submittal policies without further amendment as technologies advance.

**Prepared By**

Lisa Sudbury, Assistant Director of Planning  
817-276-4227

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTIONS 5100.E.7, 5100.F.9, 6100.D.8 AND 6400.D.8 OF SAID ORDINANCE TO REVISE THE SUBMITTAL REQUIREMENTS FOR APPLICATIONS FOR CONCEPT PLANS, PLANNED DEVELOPMENTS, SPECIFIC USE PERMITS AND INDUSTRIAL USE PERMITS; 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 of the City of Mansfield, Texas (hereinafter “the 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 all interested citizens, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance should be amended;

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

**SECTION 1.**

That Paragraph 7, Subsection E of Section 5100 of the Zoning Ordinance is hereby amended to read as follows:

“7. Copies of the plan shall be submitted to the City in the manner specified by the most current submittal policies. The plan must be drawn to an acceptable size and scale and must indicate all significant features of the proposed development to include:”

**SECTION 2.**

That Paragraph 9, Subsection F of Section 5100 of the Zoning Ordinance is hereby amended to read as follows:

“9. Copies of the plan shall be submitted to the City in the manner specified by the most current submittal policies. The plan must be drawn to an acceptable size and scale and must indicate all significant features of the proposed development to include:”

**SECTION 3.**

That Paragraph 8, Subsection D of Section 6100 of the Zoning Ordinance is hereby amended to read as follows:

“8. Copies of the plan shall be submitted to the City in the manner specified by the most current submittal policies. The plan must be drawn to an acceptable size and scale and must indicate all significant features of the proposed development to include:”

**SECTION 4.**

That Paragraph 8, Subsection D of Section 6400 of the Zoning Ordinance is hereby amended to read as follows:

“8. Copies of the plan shall be submitted to the City in the manner specified by the most current submittal policies. The plan must be drawn to an acceptable size and scale and must indicate all significant features of the proposed development to include:”

**SECTION 5.**

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.

**SECTION 6.**

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 Zoning Ordinance as a whole.

**SECTION 7.**

Any person, firm or corporation violating any of the provisions of this ordinance or the 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 8.**

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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

---

**David L. Cook, Mayor**

ATTEST:

---

**Susana Marin, City Secretary**

APPROVED AS TO FORM AND LEGALITY

---

**Allen Taylor, City Attorney**



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3801

**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** First Reading

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:**

**Title**

Ordinance - First Reading of an Ordinance Amending Title XV of the Mansfield Code of Ordinances, "Land Usage" to provide regulations for Vacant Buildings and Properties (OA#20-003)

**Requested Action**

To consider the proposed amendment of Title XV of the Code of Ordinances.

**Recommendation**

This amendment is a recommendation of the Mansfield Downtown Development Strategies Report adopted by City Council on July 27, 2020. Staff is seeking input from the Council on some items to complete the amendment. Staff recommends that enforcement of this ordinance begins January 1, 2021.

**Description/History**

The purpose of this amendment is to regulate commercial and industrial vacant structures properties, which includes church properties located in non-residential zoning districts and shopping centers that are over fifty (50) percent vacant. Properties not included in this regulation include the following uses: Single or multi-family structures, churches and ancillary buildings (unless they are in a non-residential zoning district), and partially vacant shopping centers (unless those centers are over 50% vacant).

Features of this ordinance include:

- Registration of vacant properties
- Contact information
- Proof of liability insurance of no less than \$100,000
- Minimal marketing requirements include listing property and the appropriate sale or leasing signage
- Criminal trespass signage
- Submission of floor plan for first responders
- Notice of change of ownership; and
- Must adhere to standards of care and maintenance for property including securing the structure.

There should be a proposed registration fee which staff is seeking advice from the Council regarding this amount. Other cities charge anywhere from \$25.00 - \$750 annually or on a per square footage basis. Fee waivers to this ordinance are allowed based on an

adherence to the standards of care contained within the ordinance. Waivers are good for only a 12-month period with the property owner applying for the waiver each year. Fee waiver exemptions will be evaluated based on four criteria:

- Property has been devastated by a catastrophe such as fire or flood
- The property owner is deceased or is no longer legally competent.
- The owner of the property has obtained a building permit and is progressing in an expedient manner to prepare the premises for occupancy.
- The owner of the property has maintained the property to the standard of care required under this article, as well as all other applicable ordinances and laws.

**Justification**

N/A

**Prepared By**

Lisa Sudbury, Assistant Director of Planning  
817-276-4227

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING TITLE XV OF THE MANSFIELD CODE OF ORDINANCES, "LAND USAGE," PERTAINING TO REGULATIONS FOR VACANT BUILDINGS AND PROPERTIES; PROVIDING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mansfield, Texas ("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 Local Government Code; and

**WHEREAS**, vacant commercial buildings exist within the City of Mansfield, Texas; and

**WHEREAS**, buildings that remain vacant discourage economic development; become an attractive nuisance for children; are harborage for rodents and other vermin; an invitation for vagrants and criminals; become more vulnerable to arson; have an adverse impact on nearby businesses and residences and their property values; and are a public nuisance; and

**WHEREAS**, that the cost of abating, securing or demolishing such buildings often becomes the responsibility of the City by default, causing taxpayers to bear the costs of remedial action. Accordingly, it is the purpose of this Ordinance to assure that owners of such buildings cannot evade their legal responsibilities to abate, maintain, or demolish such structures; and

**WHEREAS**, the State of Texas recognized the potential need to address vacant buildings in Section 214.231 of the Local Government Code; and

**WHEREAS**, the City Council of the City of Mansfield deems that a vacant building registration program that allows the City to monitor vacant buildings, their occupancy or demolition and ensures their maintenance, security, repair and return on economic usefulness promotes the protection of the health, safety, welfare and morals of the residents and the general public;

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

**SECTION 1.**

That Title XV of the Code of Ordinances, City of Mansfield, Texas is hereby amended by adding a new Chapter 157 as shown in Exhibit "A" attached hereto and made a part hereof for all purposes.

**SECTION 2.**

That a fee in the amount of \$\_\_\_\_\_ shall be charged to the owners of vacant buildings or properties for the registration of such vacant buildings and properties.

**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.

**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, and shall not affect the validity of the Zoning Ordinance as a whole.

**SECTION 5.**

Any person, firm or corporation violating any of the provisions of this 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 Five Hundred Dollars (\$500.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 6.**

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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
**David L. Cook, Mayor**

ATTEST:

\_\_\_\_\_  
**Susana Marin, City Secretary**

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
**Allen Taylor, City Attorney**

**EXHIBIT “A”**

**CHAPTER 157: VACANT BUILDINGS**

Section	
157.01	Purpose; Scope
157.02	Definitions
157.03	Applicability and Administration
157.04	Registration Required
157.05	Property Manager or Agent
157.06	Standard of Care for Vacant Property
157.07	Registration Fee
157.08	Fee Waivers
157.99	Penalty

**§ 157.01 PURPOSE; SCOPE.**

(A) The purpose of this Chapter is to safeguard life or limb, health, property and public welfare by regulating and monitoring the status of vacant buildings within the jurisdiction.

(B) The provisions of this Chapter shall apply to all commercial vacant buildings, except as otherwise stated herein. This Chapter shall not apply to vacant buildings that:

- (1) Have a valid open building permit for construction, remodeling, or repair;
- (2) Are being actively marketed for sale or lease for a period of less than six (6) consecutive months following the date that the building became a vacant building by a licensed real estate broker or an owner who is regularly advertising the property for sale; or
- (3) Are under contract for sale or lease for a period of less than six (6) months following the date that the building became a vacant building.

**§ 157.02 DEFINITIONS.**

(A) The following words, terms, and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**CITY.** The City of Mansfield, Texas.

**CITY MANAGER.** The City Manager of the City of Mansfield, Texas and his/her designees.

**LAWFUL ACTIVITY.** The current use of the structure is also that which the structure was built for or intended to be used for.

**OWNER.** Any person, agent, firm, partnership or corporation having a legal interest in the property or legal right of possession, or has been given a legal power of attorney to act on behalf of such person.

**PERSON.** Any person, firm, partnership or corporation, hired, employed or used by the owner.

**PROPERLY MAINTAIN.** To maintain a vacant building and the property where it is located in a clean, safe, secure, and sanitary condition and to take all necessary actions to keep the building and property in full compliance with all federal, state, and local laws. It shall also mean that any fire safety system installed in the vacant building shall remain fully operational during vacancy.

**SECURED.** A condition where all accessible means of ingress and egress to the vacant structures, including but not limited to all exterior doorways and windows, are locked so as to prevent unauthorized entry.

**SHOPPING CENTERS.** A group of commercial establishments under one-roof planned, constructed, and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access or protection from the elements, including but not limited to shopping malls, strip malls, or other multi-tenant single roof buildings.

**TEMPORARILY SECURED.** A condition where all accessible means of ingress and egress to the vacant structure, including but not limited to all exterior doorways and windows are covered with suitable materials which have been nailed or bolted in place to prevent unauthorized entry.

**STRUCTURES.** That which is built or constructed.

**VACANT STRUCTURE.** A commercial or industrial structure that is unoccupied and/or that all lawful activity has ceased, or reasonably appears to have ceased for ninety (90) or more consecutive calendar days.

### **§ 157.03 APPLICABILITY AND ADMINISTRATION.**

(A) This Chapter shall apply to all commercial and industrial vacant structures, as defined herein, which are now in existence or which may hereafter be constructed or converted from other uses and which are within the city limits of the City of Mansfield, Texas, except shopping centers with occupancy in excess of fifty (50) percent of its leasable area, and church structures and their ancillary buildings located in non-commercial/industrial zoning districts.

(B) The City Manager is authorized to administer and enforce the provisions of this Chapter.

(C) The City Manager shall have the authority to render interpretations of this Chapter and to adopt policies and procedures to clarify the application of its provisions, and may, at his/her sole discretion, enter into an agreement with a registered property owner to obtain compliance with this Chapter by date certain.

#### **§ 157.04 REGISTRATION REQUIRED.**

(A) Upon vacancy of a structure, a property owner shall within ninety (90) days register as provided by this section. City may issue a written notice of vacancy and shall be issued to the vacant structure property owner by means of personal service, or by first class mail to their last known address according to the most recent tax roll, and by posting on the property.

(B) Upon the issuance of notice to register a vacant structure, property owners shall register with the City and provide the following information:

(1) The address and legal description of the property;

(2) The current name, physical address, mailing address, telephone number, and email information for any owners(s) with an ownership interest in the property. Corporations or corporate entities shall submit the same information pertaining to their registered agent.

(3) The contact information for a property manager of the properties and/or improvements located on said property, as applicable.

(4) Proof of liability insurance, no less than one-hundred thousand (\$100,000.00) dollars for the property and/or a surety bond for the value of structure if insurance cannot be obtained. Said value shall be the appraised value as determined by the appropriate Central Appraisal District.

(5) Provide a detailed timeline and plan for correcting violations, rehabilitation, and maintenance while vacant regarding standard of care pursuant to this Chapter. The owner must, at a minimum demonstrate the property is actively being marketed by listing the property with a licensed commercial real estate broker or firm and installing a "For Lease" or "For Sale" sign on the premises with current contact information.

(6) Provide a complete floor plan of the property for use by first responders in the event of a fire or other catastrophic event.

(C) Owner shall post "No Trespass" placards on the premises.

(D) Vacant structure property owners shall provide written notice to the City Manager, including a copy of the deed or instrument of conveyance, of any change in:

(1) Ownership of the property;

(2) Contact information for either the owner or designated property manager. Written notice must be provided to the City no later than thirty (30) days after said changes have occurred.

(E) Continued annual registration of the property by the vacant structure property owner is required until said structure is deemed occupied in compliance with all relevant code requirements by the City Manager.

#### **§ 157.05 PROPERTY MANAGER OR AGENT.**

(A) Vacant structure property owners must designate a property manager for said properties and include the relevant contact information for the designated manager upon registering the property with the department. Property managers shall act as agents for the property owner for purposes of accepting legal service, however the vacant property owner remains personally liable in criminal prosecution for code violations.

(B) The property manager must be available at the number listed always in the event of an emergency or catastrophe. For all vacant structure properties, the name and telephone number of the property manager or agent must be posted at the front of the building in large, legible print.

(C) Property manager shall own or be employed by a commercial company located in the 16-county region of North Central Texas served by the North Central Texas Council of Governments (NCTCOG).

#### **§ 157.06 STANDARD OF CARE FOR VACANT PROPERTY.**

(A) The standard of care, shall be in compliance with the appropriate City codes, but is not limited to:

(1) Protective treatment: all exterior surfaces, including but not limited to doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition, weather tight and in such condition to prevent the entry of rodents and other pests. All exposed wood or metal surfaces subject to rust or corrosion, other than decay resistant woods or surfaces designed for stabilization by oxidation shall be protected from the elements and against decay or rust by periodic application of weather coating materials such as paint or similar surface treatment. All surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. All siding, cladding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained weather resistant and water tight.

(2) Premises identification: The property shall have address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers

shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of six (6) inches high. All buildings shall display a vacant building identification placard as required by the City Manager.

(3) Structure: All structural members and foundation shall be maintained from deterioration, and shall be capable of safely supporting the imposed loads.

(4) Exterior walls: All exterior walls shall be kept in good condition and shall be free from holes, breaks, loose or rotting materials, and graffiti.

(5) Roof and drainage: The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent accumulation, dampness or deterioration. Roof drains, gutters, and downspouts shall be maintained in good repair, free from obstructions and operational.

(6) Decorative features: All cornices, belt courses, corbels, applications, wall facing and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

(7) Overhangs, extensions and awnings: All overhang extensions including, but not limited to canopies, marquees, signs, awnings, and fire escapes shall be maintained in good repair and be properly anchored and supported as to be kept in a sound and safe condition.

(8) Stairways, decks, porches and balconies: Every exterior stairway, deck porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

(9) Chimneys and towers: All chimneys, cooling towers, smoke stacks and similar appurtenances shall be maintained structurally safe and sound, and in good repair.

(10) Handrails and guards: Every exterior handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(11) Windows, skylights and doors: Every window, storefront, skylight and exterior door part, including but not limited to the frame, the trim, window screens and hardware shall be kept in sound condition and good repair. All broken or missing windows shall be replaced with glass and secured in a manner to prevent unauthorized entry. All broken or missing doors shall be replaced with new doors which shall be secured to prevent unauthorized entry. All glass shall be maintained in sound condition and good repair. All exterior doors, door assemblies and hardware shall be maintained in good condition and secured. Locks at all exterior doors, exterior attach access, windows or exterior hatchways shall tightly secure the opening. Windows and doors shall not be secured by plywood or other similar means mounted on the exterior except as a temporary securing measure, and the same shall be removed within a period designated by the City Manager.

(12) Basement hatchways and windows: Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water. Every basement window that is operable shall be supplied with rodent shields, storm windows or other approved protection against entry of rodents.

(B) The property shall be secured and maintained, both structure and grounds, against trespasser, including maintaining all windows and doors with locks, replacing all broken doors and windows, and securing any other opening into the structure that are readily accessible to trespassers. In the event that windows cannot be maintained as required herein, the owner or property manager shall secure windows that are visible from any public rights-of-way with rigid transparent materials such as but not limited to clear Lexan type material. No opaque (typically plywood) boarding materials shall be used where visible from the public rights-of-way.

(C) The owner shall take all reasonable steps necessary to prevent any criminal activity from occurring on the property.

(D) Weather protection of all exterior surfaces shall be maintained in good condition, including paint on exterior wood surfaces.

(E) Both interior and exterior areas of the property shall be kept free of accumulations of junk, trash, debris, combustible or other materials such as would constitute an unsafe, unsanitary or unsightly conditions or appearance.

(F) All vegetation and landscaping shall be maintained in good and healthy condition and in accordance with all other requirements of City ordinances, land use regulations or approved plans under this ordinance.

(G) All parking and driving surfaces shall be maintained in good condition, free of cracks, holes and vegetation, and in accordance with Section 302.3 of the adopted International Property Maintenance Code and all other applicable city ordinance requirements.

(H) In all applicable respects, the condition, maintenance and appearance of vacant property shall be subject to the requirements of all applicable state and local ordinances, standards, regulations, and abatement procedures currently in effect. This will include any applicable City issued permits and site plans in the replacement and repair of all elements of the exterior or the building site.

(I) Owners of vacant structures shall remove all combustibles as defined by the Fire Code.

(J) All repairs shall be subject to approval for adequacy by the City Manager. All required permits and final inspections prior to and/or following repairs shall be in accordance with applicable laws and rules.

(K) All vacant buildings shall be maintained in a non-blighted condition, consistent with the requirements of this section. A vacant building in a blighted condition shall be deemed a public nuisance under the Code of Ordinances.

(L) Failure to maintain the vacant property to the standard of care specified by the City is a violation of this Chapter.

(M) Providing false information to the City is a violation of this Chapter.

#### **§ 157.07 REGISTRATION FEE.**

(A) A registration fee charged to the owners of vacant buildings or property under this Chapter shall be established by ordinance. Thereafter, the fee authorized herein may be hereafter amended by resolution duly adopted by the City Council.

(B) Failure to submit the registration paperwork in its entirety within the ninety (90) days period may result in a late fee as established by Resolution of the City Council.

#### **§ 157.08 FEE WAIVERS.**

(A) All fee waivers must be applied for on an annual basis and are subject to approval by the City Manager. A fee waiver is only valid for twelve (12) months. Fee waivers shall be submitted in accordance with the City's most current application process.

(B) For property which has been devastated by a catastrophe such as fire or flood, the owner shall have thirty (30) days to register from the date of the disaster but may be exempt from the fees. This exemption is for the duration of one (1) year from the date of the catastrophe; thereafter all fees are due.

(C) Representative(s) of an owner who is deceased or is no longer legally competent must register the property and are otherwise subject to this Chapter. The City Manager on a one-time basis may waive the annual registration fee provided that the property is maintained in accordance with the requirements of this ordinance.

(D) Where the owner of the property has obtained a building permit and is progressing in an expedient manner to prepare the premises for occupancy, the owner must register the property and is otherwise subject to this Chapter but may be exempt from the registration fee.

#### **§ 157.99 PENALTY.**

In addition to any other enforcement remedies that the City may have under other City ordinances or other applicable law, any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3802

**Agenda Date:** 10/12/2020

**Version:** 1

**Status:** First Reading

**In Control:** City Council

**File Type:** Ordinance  
Amendment

**Agenda Number:**

### **Title**

Ordinance - First Reading of an Ordinance Amending Title VII of the Mansfield Code of Ordinances, "Traffic Code" to Provide Regulations for Historic Downtown No Parking Zones (OA#20-004)

### **Requested Action**

Approval of ordinance to amend Chapter 72 of the Code of Ordinances.

### **Recommendation**

City staff recommends the City Council amend Chapter 72 of the Code of Ordinances to allow back-in diagonal parking only and restrict parking in certain areas in the downtown area during special events.

### **Description/History**

An ordinance of the City of Mansfield, Texas, amending chapter 72 of the Mansfield Code of Ordinances, "Stopping, standing and parking, " by amending section 72.18 and adding new sections 72.22 through 72.23, to establish regulations related to parking in the downtown area and parking during special events; providing that this ordinance be cumulative of all other ordinances; providing a severability clause; providing a penalty for violations hereof; providing a savings clause; providing for publication in the official newspaper; and providing an effective date.

### **Justification**

Amend the Chapter 72 of the Code of Ordinances.

### **Funding Source**

### **Prepared By**

Kyle Lanier, Asst. Chief, Mansfield Police Department  
817-804-5713

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 72 OF THE MANSFIELD CODE OF ORDINANCES, “STOPPING, STANDING AND PARKING,” BY AMENDING SECTION 72.18 AND ADDING NEW SECTIONS 72.22 THROUGH 72.23, TO ESTABLISH REGULATIONS RELATED TO PARKING IN THE DOWNTOWN AREA AND PARKING DURING SPECIAL EVENTS; PROVIDING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mansfield, Texas (“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 Local Government Code; and

**WHEREAS**, the City Council finds that the regulations of parking within the City, particularly in the downtown area and during special events, affects the public health, safety, and general welfare of the City; and

**WHEREAS**, the City Council finds and declares that the regulations contained herein are necessary and are in the best interest of the public health, safety and general welfare;

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

**SECTION 1.**

That Chapter 72 of the Code of Ordinances, City of Mansfield, Texas is hereby amended by amending Section 72.18 to read as follows:

**“§ 72.18 MANNER OF PARKING**

Any vehicle parked in any parking space in any restricted parking zone shall be parked with the hood of the vehicle alongside of or next to the curb or shoulder alongside of such parking space in parallel parking spaces, and with the front of the vehicle at the curb or shoulder in diagonal parking spaces, except as otherwise provided for in this chapter, and in either event shall be parked within the lines marked on the street for such parking spaces as provided herein.”

## SECTION 2.

That Chapter 72 of the Code of Ordinances, City of Mansfield, Texas is hereby amended by adding a new Section 72.22 and Section 72.23 to read as follows:

### “§ 72.22 DOWNTOWN PARKING

(A) For purposes of this section, “downtown parking” shall mean the parking spaces along the portion of South Main Street between Broad Street and Hunt Street.

(B) The downtown parking shall be for back-in parking only. The downtown parking shall be marked with signs that read “Back-In Parking Only.” The signs shall be placed at either end of the parking area and shall be marked with at least one sign every fifty (50) feet. Any vehicle parked in the downtown parking shall be parked with the hood of the vehicle away from the curb or shoulder of the roadway.

(C) It shall be unlawful for any person to park a vehicle in the downtown designated parking area with the hood of the vehicle closest to the curb or shoulder of the roadway. A violation of subsection (A) of this section shall be an offense that is a misdemeanor and punishable by a fine not to exceed Five Hundred Dollars (\$500.00).

### § 72.23 SPECIAL EVENT PARKING

(A) It shall be unlawful to park in the following locations when an official sign is posted indicating that there is no parking:

- (1) On either side of the portion of Van Worth Street from W Oak Street to North Street;
- (2) On either side of Van Worth Street from North Street to a point 30 feet from North Main Street;
- (3) On either side of North Street from W Oak Street to a point a distance of 500 feet to the north;
- (4) On either side of W Oak Street from its west end to N 2<sup>nd</sup> Avenue;
- (5) On either side of Smith Street from W Oak Street to a point 30 feet north of Depot Street;
- (6) On either side of Smith Street from W Oak Street to Depot;
- (7) On either side of Walnut Street from W Oak Street to Broad;
- (8) On either side of N 1<sup>st</sup> Avenue from Broad to a point a distance of 250 feet to the north;
- (9) On either side of N 2<sup>nd</sup> Avenue from W Oak Street to a point a distance of 250 feet to the south;
- (10) On either side of N 4<sup>th</sup> Avenue from its north end to Broad;
- (11) On either side of S 1<sup>st</sup> Avenue from Broad to a point a distance of 200 feet to the south of Alvarado Street;
- (12) On either side of S 1<sup>st</sup> Avenue from Alvarado Street to W Dallas Street;
- (13) On either side of S 2<sup>nd</sup> Avenue from Broad to W Dallas Street;
- (14) On either side of S 2<sup>nd</sup> Avenue from its south end to W Dallas Street;

- (15) On either side of S 3<sup>rd</sup> Avenue from Broad to W Kimball Street;
- (16) On either side of S 3<sup>rd</sup> Avenue from W Dallas Street to the south end of S 3<sup>rd</sup> Avenue;
- (17) On either side of S 4<sup>th</sup> Avenue from Broad to Alvarado Street;
- (18) On either side of S 4<sup>th</sup> Avenue from Alvarado Street to W Kimball Street;
- (19) On either side of Alvarado Street from the west end of Alvarado Street to S 2<sup>nd</sup> Avenue;
- (20) On either side of Alvarado Street from S 2<sup>nd</sup> Avenue to S 1<sup>st</sup> Avenue;
- (21) On either side of W Kimball Street from S 4<sup>th</sup> Avenue to a point 500 feet to the west of S 4<sup>th</sup> Avenue and from S 3<sup>rd</sup> Avenue to S 1<sup>st</sup> Avenue;
- (22) On either side of W Kimball Street from S 4<sup>th</sup> Avenue to S 3<sup>rd</sup> Avenue and from S 1<sup>st</sup> Avenue to S Main Street;
- (23) On either side of W Dallas Street from Phillips Court to S 1<sup>st</sup> Avenue;
- (24) On either side of W Dallas Street from S 1<sup>st</sup> Avenue to S Main Street;
- (25) On either side of Phillips Court from the west end of Phillips Court to W Dallas Street;
- (26) On either side of Eddie Court;
- (27) On either side of Pond Street from Broad to E Dallas Street;
- (28) On either side of Tarrant Street from E Kimball Street to E Dallas Street;
- (29) On either side of Short Street from E Kimball Street to E Dallas Street;
- (30) On either side of S Waxahachie Street from Broad to Lake Street;
- (31) On either side of S Waxahachie Street from Lake Street to E Dallas Street;
- (32) On either side of Hollyberry Drive from E Dallas Street to Stell;
- (33) On either side of Blueberry Hill Lane from Hollyberry Drive to Stell;
- (34) On either side of E Kimball Street from Pond street to S Waxahachie Street;
- (35) On either side of Lake Street from Tarrant Street to S Waxahachie Street; and
- (36) On either side of E Dallas Street from S Main Street to S Waxahachie Street.
- (37) On either side of Sycamore St. from Elm St. to Broad St.
- (38) On either side of Sycamore St. from Depot St to Elm St.
- (39) On either side of Elm St. from Smith St. to Brown St.

(B) The Police Chief, in his sole discretion, may place or cause no parking signs to be placed in any or all of the locations identified in subsection (A) to prohibit parking in those locations during a special event. The Police Chief shall have complete discretion to determine what is a special event. The signs shall read “No Parking During Special Events.” The signs shall be placed at both ends of the locations where parking is prohibited, and there shall be at least one sign every 20 feet in the locations where parking is prohibited. The signs shall be of such construction and design such that they remain in place and are visible and reasonably understood to be controlling.

(C) A violation of subsection (A) of this section shall be an offense that is a misdemeanor and punishable by a fine not to exceed Five Hundred Dollars (\$500.00).”

(D) A vehicle illegally parked as defined in this section may be subject to a citation and or towed at the discretion of the police department.

**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.

**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, and shall not affect the validity of the ordinance as a whole.

**SECTION 5.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be subject to the penalties and provisions in Section 130.99 of the Code of Ordinances, City of Mansfield, Texas.

**SECTION 6.**

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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
**David L. Cook, Mayor**

ATTEST:

\_\_\_\_\_  
**Susana Marin, City Secretary**

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
**Allen Taylor, City Attorney**