



# CITY OF MANSFIELD

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

## Meeting Agenda City Council

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Monday, October 12, 2009

5:00 PM

Council Chambers

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### REGULAR MEETING

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

#### **2. RECESS INTO EXECUTIVE SESSION**

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

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

Seek the Advice of City Attorney Regarding Revised Rental Policy of Public Facilities

Consideration of Possible Interlocal Agreement with Mansfield School District and Forest City for Development of Shops at Broad and the Proposed Event Center

Proposed Amendment to Water Park Ground Lease

Seek the Advice of City Attorney Regarding Public Liabilities in Public Rights-of-Way

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

Consideration of Possible Interlocal Agreement with Mansfield School District and Forest City for Development of Shops at Broad and the Proposed Event Center

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

Board Appointments; Zoning Board of Adjustments

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

Economic Development Project 09-03

Economic Development Project 09-04

Forest City Incentives

Consideration of Possible Interlocal Agreement with Mansfield School District and Forest City for Development of Shops at Broad and the Proposed Event Center

### **3. WORK SESSION (IMMEDIATELY FOLLOWING EXECUTIVE SESSION)**

Strategic Planning

### **4. 6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**

### **5. 7:00 P.M. – RECONVENE INTO REGULAR BUSINESS SESSION**

### **6. INVOCATION**

### **7. PLEDGE OF ALLEGIANCE**

### **8. TEXAS PLEDGE**

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

### **9. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

### **10. PROCLAMATION**

[09-1642](#) National Chamber of Commerce Week

**Attachments:** [chamber of commerce week 2009](#)

### **11. PRESENTATION**

[09-1601](#) 2009 Excellence in Libraries Award

[09-1602](#) 2009 Best Friends Award to Friends of the Mansfield Public Library

3CMA Savvy Award for Citizen Newsletter to Communications & Marketing Department

### **12. CITIZEN COMMENTS**

*Citizens wishing to address the Council on non-public hearing agenda items and items not on the agenda may do so at this time. Once the business portion of the meeting*

*begins, only comments related to public hearings will be heard. All comments are limited to 5 minutes. Please refrain from "personal criticisms."*

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

### **13. COUNCIL ANNOUNCEMENTS**

### **14. 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

### **Postponement of Ribbon Cutting for Improvements for West Broad Street**

Postings of signs prohibiting cell phone use in School Zones

Quarterly Reports - Planning and Zoning Commission, Mansfield Park Facilities Development Corporation, Mansfield Economic Development Corporation, Public Works, Legal

#### **B. Business Services Development**

[09-1639](#) Presentation of Monthly Financial Report for the Period Ending August 31, 2009

**Sponsors:** Peter Phillis

**Attachments:** [AUGUST2009\\_FINANCIALS](#)

### **15. OLD BUSINESS**

[09-1616](#) Resolution - A Resolution Approving An Economic Development Agreement for US Underwater Services

**Sponsors:** Scott Welmaker

**Attachments:** [Resolution](#)  
[Economic Development Agreement](#)

### **16. PUBLIC HEARING CONTINUATION AND SECOND READING**

[09-1605](#) Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Request for the Historic Landmark Overlay District Zoning Classification for the Nugent Hart House on Approximately 0.47 Acres Located at 312 S. Waxahachie Street; St. Jude Catholic Church (ZC#09-007)

**Sponsors:** Felix Wong

**Attachments:** [Ordinance with Exhibit A](#)  
[Maps and supporting information](#)

## **17. 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**

**09-1638** Minutes - Approval of the September 28, 2009 Regular City Council Meeting Minutes

**Sponsors:** Vicki Collins

**Attachments:** [DRAFT 09-28-09 Meeting Minutes](#)

**09-1625** Resolution - Authorizing the City Manager to Submit A Proposal in Response to the Brownfields Assessment Grant Program FY 2010 Call for Proposals from the Environmental Protection Agency

**Sponsors:** Felix Wong

**Attachments:** [Brownfields Assessment Grant Resolution](#)  
[Map of Brownfields Study Area](#)

**09-1641** Resolution - A Resolution Authorizing a Design Services Contract in the Amount of \$38,000 with Bannister Engineering, LLC and A Surveying Services Contract in the Amount of \$14,000 with Brittain & Crawford for the Antler Drive Paving and Utility Improvement Project (Utility Bond Fund)

**Sponsors:** Steve Freeman

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

### **END OF CONSENT AGENDA**

## **18. NEW BUSINESS**

**09-1643** Board Appointment; Zoning Board of Adjustment

**Sponsors:** Felix Wong

## **19. ADJOURN**

### **AGENDA MAP**

**09-1637** Agenda Map of Detailed Agenda Items

**Sponsors:** Vicki Collins

Attachments: [10-12-09 Agenda Map](#)

**CERTIFICATION**

I, the undersigned authority do hereby certify that the above agenda was posted on the bulletin board next to the main entrance of the City Hall, 1200 East Broad Street, of the City of Mansfield, Texas, in a place convenient and readily accessible to the general public at all times and said Agenda was posted on the following date and time: Thursday, October, 8, 2009 by 5:00 p.m., and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

\_\_\_\_\_  
Vicki Collins, City Secretary

Approved as to form:

\_\_\_\_\_  
Craig Magnuson, Attorney, City of Mansfield

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

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

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

\_\_\_\_\_

By: \_\_\_\_\_  
City Secretary's Office

**ADDENDUM TO AGENDA**

**Monday, October 12, 2009 - 5:00 P.M.**

**2. RECESS INTO EXECUTIVE SESSION**

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

City Attorney Briefing Re: Enforcement of City Safety Regulations applicable to the Ranch Resources Mansfield Partners South Drill Site

I, the undersigned authority do hereby certify that the above agenda was posted on the bulletin board next to the main entrance of the City Hall, 1200 East Broad Street, of the City of Mansfield, Texas, in a place convenient and readily accessible to the general public at all times and said Agenda was posted on the following date and time: Friday, October, 09, 2009 by 5:00 p.m., and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

\_\_\_\_\_  
Vicki Collins, City Secretary

Approved as to form:

\_\_\_\_\_  
Craig Magnuson, Attorney, City of Mansfield

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