



CITY OF MANSFIELD

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

Meeting Agenda - Final-Addendum City Council

Monday, September 28, 2009

5:00 PM

Council Chambers

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

City Attorney Briefing on Lawsuit Cause No. 141-233920-08 Lance Levan vs. City of Mansfield

City Attorney Briefing on Lawsuit Cause No. 352-228421-08 Lance Ward and Hannah Ward vs. City of Mansfield

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

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

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

C. Personnel Matters Pursuant to Section 551.074

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 Independent School District and Forest City for Development of Shops at Broad and the Proposed Event Center

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

4. 7:00 P.M. – 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. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

9. PROCLAMATION

[09-1620](#)

Fire Prevention Week

Attachments: [Fire Prevention Week 2009](#)

10. PRESENTATION

Texas House of Representatives Resolution from Rep. Chris Turner and Rep. Paula Pierson Congratulating the City of Mansfield for 24th Best Places to Live

American Red Cross

11. OLD BUSINESS

[09-1624](#)

Follow up Discussion and Possible Action Regarding MISD Request to Open Gate Access at Asa E. Low, Jr. Intermediate School on Clover Hill Drive

Sponsors: Steve Freeman

Attachments: [Letter to MISD](#)

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

Potential Nominees for Ellis, Johnson and Tarrant County Appraisal Boards

Kiosk Sign Policy

15. PUBLIC HEARING AND FIRST READING

09-1605 Ordinance - Public Hearing and First 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](#)

16. 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

09-1619 Approval of the September 14, 2009 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [DRAFT 09-14-09 Meeting Minutes](#)

09-1621 Approval of the September 21, 2009 Special City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [DRAFT 09-21-09 Meeting Minutes](#)

09-1609

Resolution - Resolution Supporting the Closure of North Main Street for the Historic Mansfield Music Festival

Sponsors: Felix Wong

Attachments: [Reso support hwy closure](#)

09-1610

Resolution - A Resolution Authorizing an Interlocal Agreement between the City of Mansfield and the North Central Texas Council of Governments for the Purpose of Making State Solid Waste Grants Funds Available to the City for the Purchase of a Truck and Trailer to Expand HHW Services and Address Other Waste Related Issues

Sponsors: Steve Freeman

Attachments: [Resolution](#)

09-1611

Resolution - A Resolution Authorizing an Interlocal Agreement between the City of Mansfield and the North Central Texas Council of Governments to Retain a Consultant to Analyze Current HHW Services and Make Recommendations for Improving HHW Services

Sponsors: Steve Freeman

Attachments: [HHW Study Resolution](#)

09-1612

Resolution - A Resolution Authorizing an Interlocal Agreement between the City of Mansfield and the North Central Texas Council of Governments to Retain a Consultant to Analyze Current Efforts for Recycling in Municipal Facilities and Make Recommendations for Improving the Existing Efforts and to Create a Sustainable Products Procurement System

Sponsors: Steve Freeman

Attachments: [Resolution](#)

09-1616

Resolution - A Resolution Approving An Economic Development Agreement for US Underwater Services

Sponsors: Scott Welmaker

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

09-1617

Resolution - A Resolution Awarding Bids for Food for the Mansfield Law Enforcement Center

Sponsors: Gary Fowler

Attachments: [Resolution for Food Bids September 28, 2009](#)
[Food Bids Awarded September 28, 2009](#)
[Food Bids Itemized](#)

END OF CONSENT AGENDA

17. NEW BUSINESS

[09-1592](#) Board Appointment(s); Mansfield Park Facilities Development Corporation

Sponsors: Shelly Lanners

Attachments: [Current Roster](#)

[09-1613](#) Board Appointment(s); Planning and Zoning Commission

Sponsors: Felix Wong

[09-1614](#) Board Appointment(s); Zoning Board of Adjustment

Sponsors: Felix Wong

[09-1615](#) Board Appointment(s); Historic Landmark Commission

Sponsors: Felix Wong

[09-1622](#) Board Appointment(s); Library Advisory Board

Sponsors: Steve Standefer

[09-1623](#) Board Appointment(s); Mansfield Economic Development Corporation

Sponsors: Scott Welmaker

18. ADJOURN**AGENDA MAP**

[09-1618](#) Agenda Map of Detailed Agenda Items

Sponsors: Vicki Collins

Attachments: [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, September, 24, 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, SEPTEMBER 28, 2009 - 5:00 P.M.****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**

City Attorney Briefing on Litigation with Range Resources

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: Friday, September, 25, 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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