



CITY OF MANSFIELD

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

Meeting Agenda City Council

Monday, November 25, 2013

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

Seek Advice of City Attorney Regarding Legal Issues Related to Foreign Trade Zones

Seek Advice of City Attorney on Legal Issues Regarding Zoning Regulations Applicable to Smoking Related Businesses

Seek Advice of City Attorney Regarding Approval of Electrical Equipment that is not Listed or Labeled per the Electrical Code

Legal Considerations of Granting an Easement to Property Owners Along the Linear Trail

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

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 Program Agreement (380 Agreement) with Mellow Mushroom

Business Prospect - Project #13-19

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. **PRESENTATION**

Annual Report of Storm Water Permit - Howard Redfearn

9. **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.

10. **COUNCIL ANNOUNCEMENTS**

11. **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

Hometown Holidays Event Update: Angie Henley

12. **TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

13. **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

[13-0755](#) Ordinance - First Reading of an Ordinance Approving a Request to Abandon Part of a 7.5 - Foot Utility Easement in Lot 9, Block 5, Twin Creeks Addition, Phase Five, by Garrett E. Toomey and wife, Natalie M. Toomey

Sponsors: Steve Freeman

Attachments: [Ordinance Easement Abandonment](#)

[Exhibit A](#)

[Exhibit B](#)

[13-0728](#) Ordinance - Third and Final Reading of an Ordinance of the City of Mansfield, Texas, Authorizing a Lease Agreement with Dallas MTA, L.P. d/b/a Verizon Wireless and Directing and Authorizing the City Manager to Execute the Necessary Lease Documents

Sponsors: Joe Smolinski

Attachments: [Ordinance](#)

[Debbie Lane Water Tower Lease Agreement - Final](#)

[Exhibit A Premises](#)

[13-0744](#) Resolution - A Resolution of the City of Mansfield Authorizing the City Manager and the Police Department to Make Application, Receive, and Expend Grants Funds from the Texas Department of Transportation FY 2014 Selective Traffic Enforcement Program (STEP) Grant Program in an Amount not to Exceed \$110,000 with an In-Kind Match of 20% (\$22,000)

Sponsors: Gary Fowler

Attachments: [Resolution](#)

[13-0746](#) Resolution - A Resolution Authorizing the City Manager and the City of Mansfield Fire Department to make Application and Receive Funds from the Department of Homeland Security Assistance to Firefighter Grant Program 2013 for a Rescue Apparatus not to Exceed \$635,000 with a Required City Cash Match of 10% Equal to \$63,500

Attachments: [Resolution](#)

[13-0751](#) Resolution - A Resolution by the City of Mansfield, Texas, Affirming the Casting of Votes in the 2014-2015 Election of the Board of Directors for the Tarrant Appraisal District of Tarrant County, Texas

Sponsors: Peter Phillis

Attachments: [Resolution](#)

[TAD Letter and Ballot](#)

[13-0752](#) Resolution - A Resolution by the City of Mansfield, Texas Affirming the Casting of Votes in the 2014-2015 Election of Board of Directors for the Ellis Appraisal District of Ellis County, Texas

Sponsors: Peter Phillis

Attachments: [Resolution](#)

[Ellis County Appraisal District Letter and Ballot](#)

[13-0753](#)

Resolution - A Resolution by the City of Mansfield, Texas Affirming the Casting of Votes in the 2014-2015 Election of the Board of Directors for the Central Appraisal District of Johnson County, Texas

Sponsors: Peter Phillis

Attachments: [Resolution](#)

[Johnson County Central Appraisal District Letter and Ballot](#)

[13-0743](#)

Minutes - Approval of the November 11, 2013 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [11-11-13 DRAFT Meeting Minutes](#)

END OF CONSENT AGENDA

14. PUBLIC HEARING AND FIRST READING

[13-0741](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from SF-12/22 & PR to SF-8.4/18 & SF 9.6/20 on Approximately 67.48 Acres, Generally Located South of Grand Meadow Blvd, East of Winding Glen Lane, and West of Sunset Drive and N. Day Mirar Road.; Alluvium Development (ZC#13-011)

Sponsors: Felix Wong

Attachments: [Ordinance](#)

[Maps & Supporting Information](#)

[Exhibit A](#)

[13-0742](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from SF-7.5/12 to PD for Restaurant and Other Uses on Approximately 1.16 Acres Located at 302 W. Broad Street and 103 N 2nd Avenue; Oscar Galan (ZC#13-012)

Sponsors: Felix Wong

Attachments: [Ordinance](#)

[Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

15. PUBLIC HEARING CONTINUATION AND SECOND READING

[13-0735](#)

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from C-2 to PD for Mini Warehouses and Associated uses on Approximately 7.3 Acres, Generally Located South of Woodcrest Lane and west of West Ridge

Drive; Sunbelt Storage, Ltd (ZC#13-008)

Sponsors: Felix Wong

Attachments: [Ordinance](#)

[Maps & Supporting Information](#)

[Exhibit A](#)

[Exhibits B-D](#)

[Letter of Withdrawal](#)

[13-0736](#)

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from PD and Sf-7.5/16 to PD for Office, Warehouse & C-2 Uses on Approximately 47.920 Acres, Generally Located East of FM 157, South of Mouser Way and North of Reed Circle; Mouser Electronics (ZC#05-009A)

Sponsors: Felix Wong

Attachments: [Ordinance](#)

[Maps & Supporting Info.](#)

[Exhibits A-C](#)

[Previously Approved PD](#)

[13-0737](#)

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from PR and SF-12/22 to PD for Multi-Family Residential and Certain Commercial Uses on Approximately 17.16 Acres East of The Villas di Lucca Between East Debbie Lane and Mansfield Webb Road; MR Development (ZC#13-009)

Sponsors: Felix Wong

Attachments: [Ordinance](#)

[Maps & Supporting Info.](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Development Plans](#)

[Exhibit C - Architectural Rendering](#)

[Landscape Site Plan](#)

16. NEW BUSINESS

[13-0754](#)

Ordinance - First Reading of an Ordinance Authorizing the Sale of 10.588 Acres of Land Located in the Thomas J. Hanks Survey, Abstract No. 644, Mansfield, Tarrant County, Texas, and Including a Portion of Blocks 40 and 41 and a Portion of Oak Street, Original Town of Mansfield, According to the Plat Recorded in Volume 63, Page 53 of the Plat Records of Tarrant County, Texas to the Mansfield Park Facilities Development Corporation

Sponsors: Chris Burkett

- Attachments:** [Ordinance](#)
[Exhibit A, B & C](#)
[Tract 1 and 2 Legal Descriptions and Exhibits](#)

17. ADJOURN

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, November 21, 2013 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