



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, December 9, 2024

2:00 PM

Council Chambers

REGULAR MEETING

2:00 P.M. - CALL MEETING TO ORDER

Mayor Evans called the meeting to order at 2:11 p.m.

Absent 1 - Todd Tonore

Present 6 - Larry Broseh; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

RECOGNITION

Fall 2024 Intern Class

Intern Coordinator Faith Morse recognized the Fall 2024 Intern Class.

NEW BUSINESS

A motion was made by Council Member Newsom to suspend the procedural rules of Council to move agenda item 24-6336 up to take action on it now. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

[24-6336](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Appointing Messer Fort, PLLC to Provide Legal Services as City Attorney; Designating a City Attorney and Assistant City Attorneys; Authorizing the Execution of any Documents Necessary to Implement this Resolution; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; And Declaring an Effective Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS APPOINTING MESSER FORT, PLLC TO PROVIDE LEGAL SERVICES AS CITY ATTORNEY; DESIGNATING A CITY ATTORNEY AND ASSISTANT CITY ATTORNEYS; AUTHORIZING THE EXECUTION OF ANY DOCUMENTS NECESSARY TO IMPLEMENT THIS RESOLUTION; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE

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

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

Aye: 6 - Larry Broseh; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-4282-24

CITIZEN COMMENTS

Alex Zubey, 3653 Greathouse Road, Waxahachie - Mr. Zubey spoke regarding the bid process for Bid No. 2024-23-01-09.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 2:24 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 2:27 p.m. Mayor Evans recessed the executive session at 5:03 p.m.

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

Seek Advice of City Attorney Regarding Pending Litigation Docket Number 582-24-07157.TCEQ

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

Seek Advice of City Attorney Regarding Appraisal District Board Nominations

Seek Advice of City Attorney Regarding the Assessment of Certain Fees

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

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

Land Acquisition for Future Development

Personnel Matters Pursuant to Section 551.074

Board Appointments

Deliberation Regarding Commercial or Financial Information Received From or the Offer of a Financial or Other Incentive Made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is Conducting Economic Development Negotiations Pursuant to Section 551.087

Economic Development Project #15-02

Economic Development Project #21-33

IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION

Mayor Evans reconvened the meeting into regular business session at 5:10 p.m.

COUNCIL ANNOUNCEMENTS

Mayor Evans stated that staff did an outstanding job on the Hometown Holidays event.

SUB-COMMITTEE REPORTS

[24-6328](#)

Minutes - Approval of the November 11, 2024 Local Transportation Issues Sub-Committee Meeting Minutes (vote will be only by members of the sub-committee: Tonore (Chair), Bounds, and Fresquez)

Council Member Bounds gave a brief report of the meeting.

A motion was made by Council Member Bounds to approve the minutes of the November 11, 2024 Local Transportation Issues Sub-Committee Meeting as presented. Seconded by Council Member Fresquez. The motion CARRIED by the following vote:

Aye: 2 - Tamera Bounds and Juan Fresquez

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Non-Voting: 4 - Larry Broseh;Michael Evans;Brent Newsom and Julie Short

[24-6329](#)

Minutes - Approval of the November 11, 2024 Tax Increment Reinvestment Zone Number One Board Meeting Minutes (Broseh (Chair), Bounds, Evans, and Tonore)

Council Member Broseh gave a brief report of the meeting.

A motion was made by Council Member Bounds to approve the minutes of the November 11, 2024 Tax Increment Reinvestment Zone Number One Board Meeting as presented. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 3 - Larry Broseh;Michael Evans and Tamera Bounds

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Non-Voting: 3 - Brent Newsom;Juan Fresquez and Julie Short

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

There were no staff comments.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

There was no action taken.

CONSENT AGENDA

[24-6240](#)

Ordinance - An Ordinance of the City of Mansfield, Texas, Amending Chapter 90 "Animal Control" of Title IX "General Regulations" of the Code of Ordinances of Mansfield, Texas to Amend Sections 90.01 through 90.03 and Sections 90.05 through 90.50 in Their Entirety, and Adding Sections 90.55 through 90.68 regarding Dangerous Dog Determinations, Appeals, Hearings, and Offenses; Providing that this Ordinance Shall be Cumulative of All Ordinances; Providing a Severability Clause; Providing a Penalty for Violations Hereof Up To \$500.00 and Each Day a Violation Exists Shall Be a Separate Offense; Providing for Publication in the Official Newspaper as Required by Law; and Providing an Effective Date

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 90“ANIMAL CONTROL” OF TITLE IX “GENERAL REGULATIONS” OF THE CODE OF MANSFIELD, TEXAS TO AMEND SECTIONS 90.01 THROUGH 90.03 AND SECTIONS90.05 THROUGH 90.50 IN THEIR ENTIRETY AND ADOPTING NEW SECTIONS 90.55THROUGH 90.68 REGARDING DANGEROUS DOG DETERMINATIONS, APPEALS, HEARINGS AND OFFENSES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF UP TO \$500.00 AND EACH DAY A VIOLATION EXISTS SHALL BE A SEPARATE OFFENSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE

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

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

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: OR-2395-24

[24-6241](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Adopting a Report Prepared by the City Health Officer in Accordance with the Texas Agriculture Code, Title 8, Chapter 251, Section 251.0055, "Limitations on City Governmental Requirements Applicable Within Corporate Boundaries"; Making Certain Findings as Required by Chapter 251 of the Agriculture Code; Providing for the Incorporation of Premises; Finding that the Meeting at which this Resolution is Passed is Open to the Public as Required by Law; And Declaring an Effective Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS ADOPTING A REPORT PREPARED BY THE CITY HEALTH OFFICER IN ACCORDANCE WITH THE TEXAS AGRICULTURE CODE, TITLE 8, CHAPTER 251, SECTION 251.0055, “LIMITATIONS ON CITY GOVERNMENTAL REQUIREMENTS APPLICABLE WITHIN CORPORATE BOUNDARIES”; MAKING CERTAIN FINDINGS AS REQUIRED BY CHAPTER 251 OF THE AGRICULTURE CODE; PROVIDING FOR THE INCORPORATION OF PREMISES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE

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

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

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-4283-24

[24-6309](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Awarding a Construction Contract to Cole Construction, Inc. in an Amount Not to Exceed \$2,923,801.86 for Construction of Phase 1B Improvements at Katherine Rose Memorial Park; Finding That the Meeting at Which This Resolution is Passed is Open to the Public as Required by Law; And Declaring an Effective Date (ARPA, MPFDC Fund)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS AWARDED A CONSTRUCTION CONTRACT TO COLE CONSTRUCTION, INC., IN AN AMOUNT NOT TO EXCEED \$2,923,801.86 FOR CONSTRUCTION OF PHASE 1B IMPROVEMENTS AT KATHERINE ROSE MEMORIAL PARK; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THIS RESOLUTION; FINDING THAT THE MEETING IN WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (ARPA, MPFDC FUND)

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

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

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-4284-24

[24-6310](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Awarding a Construction Contract to AUI Partners, LLC in an Amount Not to Exceed \$4,245,212.36 for Construction of Julian Feild Park Improvements; Finding That the Meeting at Which This Resolution is Passed is Open to the Public as Required by Law; And Declaring an Effective Date (TIRZ #1)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS AWARDED A CONSTRUCTION CONTRACT TO AUI PARTNERS, LLC, IN AN AMOUNT NOT TO EXCEED \$4,245,212.36 FOR CONSTRUCTION OF JULIAN FEILD PARK IMPROVEMENTS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THIS RESOLUTION; FINDING THAT THE MEETING IN WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (TIRZ #1)

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

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

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-4285-24

[24-6323](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving a Professional Services Contract with Landtec Engineers, LLC, in an Amount Not to Exceed \$119,130.00 for Construction Materials Engineering, Testing Services, and Special Inspections for the Mansfield Fire Station 1 Project; Finding that the Meeting at which this is Approved is Open to the Public as Required by Law; and Declaring an Effective Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A PROFESSIONAL SERVICES CONTRACT WITH LANDTEC ENGINEERS, LLC, IN AN AMOUNT NOT TO EXCEED \$119,130.00 FOR CONSTRUCTION MATERIALS ENGINEERING, TESTING SERVICES, AND SPECIAL INSPECTIONS FOR THE MANSFIELD FIRE STATION 1 PROJECT; FINDING THAT THE MEETING AT WHICH THIS IS APPROVED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (BUILDING CONSTRUCTION FUND)

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

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

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-4286-24

[24-6333](#)

A Resolution of the City Council of the City of Mansfield, Texas Approving a Subrecipient Agreement with Fort Worth Area Habitat for Humanity, Inc. DBA Trinity Habitat for Humanity in the Amount of \$250,000.00; Appropriating Funds for this Agreement from the American Rescue Plan Act (ARPA) Fund; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; And Declaring an Effective Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A SUBRECIPIENT AGREEMENT WITH FORT WORTH AREA HABITAT FOR HUMANITY, INC. DBA TRINITY HABITAT FOR HUMANITY IN THE AMOUNT OF \$250,000.00; APPROPRIATING FUNDS FOR THIS AGREEMENT FROM THE AMERICAN RESCUE PLAN ACT (ARPA) FUND; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (ARPA FUNDS)

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

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

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-4287-24

[24-6318](#)

Minutes - Approval of the November 11, 2024 2:30 p.m. Regular City Council Meeting Minutes

A motion was made by Council Member Broseh to approve the minutes of the November 11, 2024 2:30 p.m. Regular City Council Meeting as presented.

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

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

[24-6319](#)

Minutes - Approval of the November 11, 2024 6:00 p.m. Regular City Council Meeting Minutes

A motion was made by Council Member Broseh to approve the minutes of the November 11, 2024 6:00 p.m. Regular City Council Meeting as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

[24-6320](#)

Minutes - Approval of the November 12, 2024 Special Joint City Council and Mansfield Independent School District Board Meeting Minutes

A motion was made by Council Member Broseh to approve the minutes of the November 12, 2024 Special Joint City Council and Mansfield Independent School District Board Meeting as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

[24-6321](#)

Minutes - Approval of the November 19, 2024 Special City Council Meeting Minutes

A motion was made by Council Member Broseh to approve the minutes of the November 19, 2024 Special City Council Meeting as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[24-6327](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving a Professional Services Contract Between the City of Mansfield, TX and Kimley-Horn and Associates, Inc. in an Amount Not to Exceed

\$686,000, for the Development of the ADA Transition Plan and the Comprehensive Safety Action Plan; Finding That the Meeting at Which This Resolution is Passed is Open to the Public as Required by Law; And Declaring an Effective Date (Street Bond Fund, Safe Streets and Roads for All Federal Grant)

Council Member Short removed this item from the consent agenda. Director of Engineering Services Raymond Coffman spoke on the item.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF MANSFIELD, TX AND KIMLEY-HORN AND ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$686,000, FOR THE DEVELOPMENT OF THE ADA TRANSITION AND THE COMPREHENSIVE SAFETY ACTION PLAN; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (STREET BOND FUND, SAFE STREETS AND ROADS FOR ALL FEDERAL GRANT)

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

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

Aye: 6 - Larry Broseh; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-4288-24

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING

[24-6330](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Change of Zoning from PD, Planned Development District to S, South Mansfield Form Based Development District on Approximately 57.95 Acres in the John Robertson Survey, Abstract No. 1317, City of Mansfield, Tarrant County, Texas, Generally Located east of U.S. Highway 287, East and West of N. Mitchell Road, and North of the Union Pacific Railroad Right-of-Way on Property Addressed at 101 S. U.S. Highway 287 and at 20 and 24 North Mitchell Road; BV Mitchell LLC and the City of Mansfield, Applicants (ZC#24-008)

Assistant Director of Planning Arty Wheaton-Rodriguez noted that the applicant

requested this item be tabled.

Mayor Evans opened the public hearing at 5:19 p.m. With no one wishing to speak, Mayor Evans continued the public hearing at 5:19 p.m.

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

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

NEW BUSINESS

[24-6335](#)

Board Appointments: Animal Advisory Committee

A motion was made by Council Member Fresquez to appoint Amanda Ryals to a two-year term and to appoint Lisa Carmichael to a one-year term. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

ADJOURN

A motion was made by Council Member Newsom to adjourn the meeting at 6:01p.m. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Absent 1 - Todd Tonore

Present 6 - Larry Broseh;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

ATTEST: Michael Evans, Mayor

Susana Marin, City Secretary