



CITY OF MANSFIELD

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

Meeting Agenda City Council

Monday, October 14, 2013

5:00 PM

Council Chambers

REGULAR MEETING

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

2. **WORK SESSION (TO BE HELD IN THE MULTI-PURPOSE ROOM)**

BrandEra Branding/Marketing Initiative

3. **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**

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

Consider Possible Purchase or Certain Properties for Future Development/Use

Property Acquisition - 651 Justice Lane

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**

Update on Economic Development Prospects

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

5. **7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - 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. PRESENTATIONS

Presentation to National Night Out Poster Winners; Officer Brandi Howard

City-County Communications & Marketing Association Award of Excellence to Communications and Marketing and Economic Development Departments

Texas Association of Convention and Visitor Bureau Awards to the Tourism Department

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. 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.

11. COUNCIL ANNOUNCEMENTS**12. 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

Update on Implementation of MyGov

Texas Tree Foundation - JFK Groves Program

DEA Drug Take Back Initiative in Mansfield; Sergeant David Griffin

Mansfield Police Department Fall Festival; Officer Brandy Howard

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

13. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**14. 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**[13-0637](#)**

Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from the Neighborhood Center 2 Sub-District of The Reserve PD to the Neighborhood Center 1 Sub-District of The Reserve PD on Approximately 16.5 acres Generally Located at the Southwest Corner of East Broad Street and Cannon Drive South, Cann-Mansfield, Ltd. (ZC#13-007)

Sponsors: Felix Wong

Attachments: [Ordinance](#)

[Exhibit A](#)

[Maps & Supporting Info.](#)

[Kroger's Written Opposition](#)

[Comparison of The Reserve PD with C-2](#)

[13-0704](#)

Resolution - A Resolution Approving a Contract with Elder Engineering, Inc. for Design Services, Surveying, and Construction for the Median Opening and Left Turn Lane in the 1100 Block of Heritage Parkway for Oldcastle Precast

Sponsors: Scott Welmaker

Attachments: [Oldcastle Aerial](#)

[Resolution](#)

[13-0705](#)

Resolution - A Resolution Authorizing Funding for an Amount not to Exceed \$1,275,000 and Approval of Contracts including Kimley-Horn and Associates, Inc. for Engineering Design Services and with TxDOT for Plan Review, Letting and Construction Oversight for the US Hwy 287 Ramps and Texas U-turn (Street Bond Fund)

Sponsors: Steve Freeman

Attachments: [Resolution](#)

[13-0706](#)

Resolution - A Resolution Authorizing Funding for an Amount not to Exceed \$860,000 for the Construction of Walnut Creek Utility Stabilization and Award of Contract to DCI Contracting, Inc. (Utility Revenue Bond Fund)

Sponsors: Steve Freeman

Attachments: [Bid Tab](#)
[Resolution](#)

[13-0707](#) Resolution - A Resolution Authorizing Funding for an Amount not to Exceed \$92,000.00 and Approval of Contracts Including Neel-Schaffer, Inc. for Design Services and Brittain and Crawford for Surveying Services for the North Main Street and Gertie Barret Road Water Lines (Utility Revenue Bond Fund)

Sponsors: Steve Freeman

Attachments: [Resolution](#)

[13-0708](#) Resolution - Taking Action on a Resolution Relating to the Giving of Notice of Intention to Issue City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation, and Declaring Intent to Reimburse Certain Prior Capital Cost

Sponsors: Peter Phillis

Attachments: [Resolution](#)

[13-0709](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas Adopting and Approving an Updated Strategic Plan for Fiscal Years 2014 through 2023

Sponsors: Peter Phillis

Attachments: [Resolution](#)

[Strategic Plan Update 2014-2023](#)

[13-0710](#) Resolution - A Resolution Approving the General Contract for the Addition to Fire Station No. 2

Sponsors: Richard Wright

Attachments: [Resolution](#)

[Bid Tabulation](#)

[Recommendation Letter](#)

[13-0712](#) Resolution - A Resolution of the City of Mansfield, Texas Determining the Necessity of Acquiring Certain Property Located at 116 Smith Street, also Legally Described as Lot 2R, Block 64, Original Town of Mansfield, City of Mansfield, Tarrant County Texas

Sponsors: Chris Burkett

Attachments: [Resolution](#)

[Vicinity Map](#)

[13-0701](#) Minutes - Approval of the September 23, 2013 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [9-23-13 DRAFT Meeting Minutes](#)

END OF CONSENT AGENDA

15. PUBLIC HEARING AND FIRST READING

[13-0697](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving Amendments of 5100C and 5100D of Freeway Overlay District Regulations of the Zoning Ordinance to Allow Paint and Body Shop as a Restricted Land Use with Specific Use Permit (OA#13-003)

Sponsors: Felix Wong

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

[13-0711](#) Ordinance - Public Hearing and First Reading of an Ordinance of the City Council of the City of Mansfield, Texas, Approving a Negotiated Resolution Between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2013 Annual Rate Review Mechanism Filing in All Cities Exercising Original Jurisdiction; Declaring Existing Rates to be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With the Negotiated Settlement and Finding the Rates to be Set by the Attached Tariffs to be Just and Reasonable; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses; Repealing Conflicting Resolutions or Ordinances; Determining That This Ordinance Was Passed in Accordance With the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; Providing a Most Favored Nations Clause; and Requiring Delivery of This Ordinance to the Company and the Steering Committee's Legal Counsel

Sponsors: Joe Smolinski

Attachments: [Ordinance](#)
[Attachment A - Atmos Mid-Tex Tariffs](#)

16. NEW BUSINESS

[13-0702](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Economic Development and Performance Agreement by and Between the Mansfield Economic Development Corporation ("MEDC") and NTS, Inc and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

Sponsors: Scott Welmaker

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

[13-0717](#) Resolution - A Resolution Declaring a 180 day Moratorium on the Acceptance, Processing of Applications and the Issuance of Permits for the Operation of Non-Traditional Smoking Related Businesses in the Corporate Limits of the City; and Directing City Staff to Initiate Immediate Consideration of Appropriate Regulations Regarding Non-Traditional Smoking Related Businesses in the City

Sponsors: Felix Wong

Attachments: [Resolution](#)

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, October 10, 2013 by 6:00 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