



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, August 12, 2024

2:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Evans called the meeting to order at 2:05 p.m.

Present 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

RECOGNITION

Summer 2024 Intern Recognition

Internship Coordinator Faith Morse, along with City Council, recognized the City of Mansfield 2024 Summer Interns.

WORK SESSION

Discussion Regarding the Local Option Petition

City Secretary Susana Marin presented the item and spoke on the local option petition, the petition timeline, and petition findings.

Discussion Regarding the Fiscal Year 2025 Budget

Deputy City Manager Troy Lestina presented the proposed balanced budget, and spoke on the budget calendar, General Fund Revenues including property tax, sales tax, and a recap of fee schedules, the General Fund Expenditures, including personnel and capital equipment, Other Major Funds including water/sewer utilities, environmental services, Mansfield Economic Development Corporation, and the Mansfield Park Facilities Development Corporation, and the 5-Year Capital Improvement Plans, which included street construction, utilities construction, and parks construction. The City Council expressed their thanks to Troy and the Finance and Budget staff for their hard work on the budget.

Discussion Regarding the August 12, 2024 Consent Agenda Items

There was no discussion.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 2:10 p.m. Mayor Evans called the executive

session to order at 2:21 p.m. Mayor Evans recessed the executive session at 4:39 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 Zoning Provisions for Retail Sales of Alcohol

Seek Advice of City Attorney Regarding the Implementation and Collection of Certain Fees

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

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

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 #21-01

Economic Development Project #21-33

Economic Development Project #23-14

6:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION

Mayor Evans reconvened the meeting into regular business session at 6:00 p.m.

INVOCATION

Ken Butler, Regional Director of the Fellowship of Christian Athletes, gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Fresquez led the Pledge of Allegiance.

TEXAS PLEDGE

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

Council Member Short led the Texas Pledge.

CITIZEN COMMENTS

Gary Cardinale, 5 Velvet Court - Mr. Cardinale spoke regarding recent City projects and contracts.

John Pressley, 1306 Brittany Lane - Mr. Pressley spoke regarding the history of Mansfield Cares, their upcoming events, their donations, and their activity in the community.

Non-speaker: Mike Leyman, 1202 Fairhaven Drive - Opposed to agenda item 24-6115.

COUNCIL ANNOUNCEMENTS

Council Member Newsom spoke on the loss of Sergeant Billy Randolph, a Fort Worth police officer.

Mayor Evans spoke on the loss of Sergeant Randolph, and read a letter from Ms. Caroline Jones addressed to Police Chief Tracy Aaron.

APPROVAL OF SUB-COMMITTEE MINUTES

[24-6102](#)

Minutes - Approval of the July 8, 2024 Tax Increment Reinvestment Zone Number One Board Meeting Minutes (Broseh (Chair), Bounds, Evans, and Tonore)

Council Member Broseh gave a report of the meeting.

A motion was made by Council Member Bounds to approve the minutes of the July 8, 2024 Tax Increment Reinvestment Zone Number One Board Meeting as presented. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 4 - Larry Broseh; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

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

[24-6120](#)

Minutes - Approval of the July 22, 2024 Local Transportation Issues

Sub-Committee Meeting Minutes (vote will be only by members of the sub-committee: Tonore (Chair), Bounds, and Fresquez)

Mayor Pro Tem Tonore gave a report of the meeting.

A motion was made by Mayor Pro Tem Tonore to approve the minutes of the July 22, 2024 Local Transportation Issues Sub-Committee Meeting. Seconded by Council Member Fresquez.. The motion CARRIED by the following vote:

Aye: 2 - Todd Tonore and Juan Fresquez

Nay: 0

Absent: 1 - Tamera Bounds

Abstain: 0

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

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

City Manager Joe Smolinski made comments on the proposed FY25 balanced budget.

Business Services Department Report

[24-6129](#)

Presentation of the Monthly Financial Report for the Period Ending June 30, 2024

Staff was available for questions.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action was taken.

CONSENT AGENDA

[24-6128](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Nominating Mouser Electronics, Inc. as an Enterprise Zone Project Under the Texas Enterprise Zone Act; Finding that the Meeting at Which This Resolution is Passed is Open to the Public as Required by Law; and Providing 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, NOMINATING MOUSER ELECTRONICS, INC. AS AN ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE ZONE ACT; 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: 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0

Abstain: 0

Enactment No: RE-4232-24

[24-6132](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving Construction Contracts Between the City of Mansfield, Texas and Gra-Tex Utilities, Inc. and Raba Kistner, inc. in an Amount Not to Exceed \$5,399,960.00 for the Construction of the Britton Holland Interceptor Sanitary Sewer; Finding That the Meeting at Which This Resolution is Passed Open to the Public as Required by Law; and is Declaring an Effective Date (Utility Fund)

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 CONSTRUCTION CONTRACTS BETWEEN THE CITY OF MANSFIELD, TEXAS AND GRA-TEX UTILITIES, INC. AND RABA KISTNER, INC. IN AN AMOUNT NOT TO EXCEED \$5,399,960.00 FOR THE CONSTRUCTION OF THE BRITTON HOLLAND INTERCEPTOR SANITARY SEWER; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND IS DECLARING AN EFFECTIVE DATE (UTILITY 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: 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0

Abstain: 0

Enactment No: RE-4233-24

[24-6133](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Establishing a Date for Public Hearing to Consider the Amendment of Land Use Assumptions, Impact Fee Capital Improvements Plan for Water and Wastewater Infrastructure, and the Imposition of Revised Water and Wastewater Impact Fees, and for Providing for 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, ESTABLISHING A DATE FOR PUBLIC HEARING TO CONSIDER THE AMENDMENT OF LAND USE ASSUMPTIONS, IMPACT FEE CAPITAL IMPROVEMENTS PLAN FOR WATER AND WASTEWATER INFRASTRUCTURE, AND THE IMPOSITION OF AMENDED WATER AND WASTEWATER IMPACT FEES IN ACCORDANCE WITH CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE; AUTHORIZING THE PUBLICATION OF NOTICE FOR SUCH PUBLIC HEARING; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND IS 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: 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0

Abstain: 0

Enactment No: RE-4234-24

[24-6139](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Stating and Accepting the Results of a Local Option Petition for an Election to be Held to Consider Legalization of the Legal Sale of All Alcoholic Beverages for Off-Premise Consumption Only; 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, STATING AND ACCEPTING THE RESULTS OF A LOCAL OPTION PETITION FOR AN ELECTION TO BE HELD TO CONSIDER LEGALIZATION OF THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION ONLY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (GENERAL 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: 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0

Abstain: 0

Enactment No: RE-4235-24

[24-6140](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Ordering a Special Election to be Held on November 5, 2024 for the Purpose of Submitting to the Qualified Voters of the City of Mansfield the Following Measure; Legalizing the Legal Sale of all Alcoholic Beverages for Off-Premise Consumption Only; Appointing Early Voting Clerk and Designating Main Early Voting Polling Place; Establishing the Time, Manner and Procedures for that Election; 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, ORDERING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2024 FOR PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF MANSFIELD THE FOLLOWING MEASURE; LEGALIZING THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION ONLY; APPOINTING EARLY VOTING CLERK AND DESIGNATING MAIN EARLY VOTING POLLING PLACE; ESTABLISHING THE TIME, MANNER AND PROCEDURES FOR THAT ELECTION; 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: 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0

Abstain: 0

Enactment No: RE-4236-24

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[24-6119](#)

Minutes - Approval of the July 22, 2024 Regular City Council Meeting Minutes

Council Member Bounds removed this item from the consent agenda.

A motion was made by Council Member Broseh to approve the minutes of the July 22, 2024 Regular City Council Meeting as presented. Seconded by Council Member Short. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 1 - Tamera Bounds

END OF CONSENT AGENDA

PUBLIC HEARING

24-6131

Public Hearing and Consideration of a Specific Use Permit for a Quick Service Restaurant with a Drive-Through Service on approximately 1.821 acres being Lot 2, Block 1, Lightbridge Addition, Tarrant Co., TX, located approximately at the Northeast Corner of N US 287 and E Debbie Ln.; First Hartford Realty Corp, Owner/Developer; Bohler Engineering, Engineer/Surveyor (SUP#24-002)

Executive Director of Planning and Development Services Jason Alexander presented the item and answered Council questions. Applicant Josh Gardner spoke on the item and answered Council questions.

Mayor Evans opened the public hearing at 6:48 p.m.

Dr. Laureen Mayfield, 2106 Crestwood Trail - Dr. Mayfield spoke in favor of the item.

Non-Speaker: Catherine Willemin, 2106 Harvest Way - Support

Non-Speaker: Paula Goolsby, 2402 Forest Park Circle - Support

Mayor Evans closed the public hearing at 6:54 p.m.

A motion was made by Council Member Bounds to approve the item. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0

Abstain: 0

PUBLIC HEARING AND FIRST READING

24-6087

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)

Jason Alexander spoke on the item.

A motion was made by Council Member Newsom to table the item indefinitely. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0

Abstain: 0

NEW BUSINESS

[24-6115](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Approving a Construction Manager at Risk (CMAR) Contract between the City of Mansfield and CORE Construction for Construction Manager at Risk Services Related to the New City Hall Project (the "Project"); Approving Preconstruction Services in an Amount Not to Exceed \$45,000.00 Related to the Project; Authorizing the City Manager, or Designee, to Negotiate, Finalize, and Execute the Contract; Finding that the Meeting at which this Resolution is Passed is Open to the Public as Required by Law; and Declaring an Effective Date

Assistant City Manager Matt Jones presented the item and answered Council questions.

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 CONSTRUCTION MANAGER AT RISK (CMAR) CONTRACT BETWEEN THE CITY OF MANSFIELD AND CORE CONSTRUCTION FOR CONSTRUCTION MANAGER AT RISK SERVICES RELATED TO THE NEW CITY HALL PROJECT (THE "PROJECT"); APPROVING PRECONSTRUCTION SERVICES IN AN AMOUNT NOT TO EXCEED \$45,000.00 RELATED TO THE PROJECT; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO NEGOTIATE, FINALIZE, AND EXECUTE THE CONTRACT; 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: 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0

Abstain: 0

Enactment No: RE-4237-24

[24-6127](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Economic Development Agreement between the Mansfield Economic Development Corporation, and Talley's LLC; Authorizing the MEDC President to Execute Said Agreement; Finding that the Meeting at which this Resolution is Passed Is Open to the Public as Required by Law; and Declaring an Effective Date

Executive Director of Economic Development Jason Moore presented the item.

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 AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION, AND TALLEY'S LLC; AUTHORIZING THE MEDC PRESIDENT TO EXECUTE SAID AGREEMENT; 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 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

Abstain: 1 - Todd Tonore

Enactment No: RE-4238-24

ADJOURN

A motion was made by Council Member Newsom to adjourn the meeting at 7:04 p.m. 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

Abstain: 0

Non-Voting: 1 - Todd Tonore

ATTEST: Michael Evans, Mayor

Susana Marin, City Secretary