



CITY OF MANSFIELD

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

Meeting Agenda City Council

Monday, September 9, 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**

City Attorney Briefing Regarding Possible Development Agreement with South Pointe

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

Consider Possible Purchase of Certain Properties for Future Development/Use

Property Acquisition - 651 Justice Ln.

C. **Personnel Matters Pursuant to Section 551.074**

Board Appointments

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

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. 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.

9. COUNCIL ANNOUNCEMENTS**10. 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

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

[13-0622](#)

Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from an Existing PD to a new PD for a Nursing & Rehabilitation Center on Approximately 6.6 acres, Generally Located at the Southeast Corner of Cannon Drive and North Miller Road; SCI Construction, Ltd. (ZC#13-005)

Sponsors: Felix Wong

Attachments: [Ordinance](#)
 [Maps & Supporting Info.](#)
 [Exhibits A-D](#)
 [Current PD Approved in 2007](#)
 [Exhibit G-Mansfield Site Plan Rendering](#)
 [Exhibit F-Mansfield Elevation Rendering](#)

[13-0656](#) Resolution - A Resolution Establishing the Fiscal Year 2013-2014 State Asset Forfeiture Budget for the Mansfield Police Department for Funds Received from the Sale of Assets Seized and Cash Seized in Certain Law Enforcement Activities in which the Department has Participated Solely or Assisted State Law Enforcement Agencies and which a Budget is now Required by Chapter 59 of the Texas Code of Criminal Procedure to be Adopted by the Governing Body of the Police Department

Sponsors: Gary Fowler
Attachments: [Resolution](#)
 [FY 2013-2014 Budget](#)

[13-0657](#) Resolution - A Resolution Establishing the Fiscal Year 2013-2014 State Asset Forfeiture Budget for the Tri-County Auto Burglary and Theft Prevention Task Force, a Grant Funded Entity, for Funds Received from the Sale of Assets Seized and Cash Seized in Certain Law Enforcement Activities in which the Task Force has Participated Solely or Assisted State Law Enforcement Agencies and which a Budget is now Required by Chapter 59 of the Texas Code of Criminal Procedure to be Adopted by the Governing Body of the Grant Managing Agency (City of Mansfield) and the Board of Governors of the Tri-County Auto Burglary and Theft Prevention Task Force

Sponsors: Gary Fowler
Attachments: [Resolution](#)
 [FY 2013-2014 Budget](#)

[13-0658](#) Interlocal Agreement Authorizing the City Manager and the City of Mansfield to Provide Emergency Police-Fire-Medical Dispatch Services and Jail Services to the City of Kennedale

Sponsors: Gary Fowler and Tracy Aaron
Attachments: [Interlocal Agreement](#)
 [Exhibit A](#)
 [Exhibit B](#)

[13-0659](#) Resolution - A Resolution Authorizing an Amendment to the Contract with Brittain & Crawford, LLC., not to Exceed \$20,000.00 for Additional Surveying Services for the E. Broad Street Project from Holland Road to Day Miar Road (Street Bond Funds)

Sponsors: Steve Freeman

Attachments: [Resolution](#)

[13-0660](#) Resolution - A Resolution Awarding a Contract for the Construction of Heritage Parkway (Matlock Road to Mitchell Road) to Ed Bell Construction Company, in the Amount of \$9,970,614.00, and Authorizing Funding (MEDC Bond Fund, MEDC Operating Fund, Street Bond Fund and the Utility Revenue Bond Fund).

Sponsors: Steve Freeman

Attachments: [Bid Tab](#)

[Resolution](#)

[13-0661](#) Developer Agreement between City of Mansfield and Mansfield Development LLC for Cost Participation on Public Utilities in the Bower Ranch Subdivision for an amount not to exceed \$95,942.00 (Utility Revenue Bond Fund)

Sponsors: Steve Freeman

Attachments: [Developer Agreement](#)

[13-0668](#) Resolution - A Resolution Awarding Bid for Complete Meal Preparation and Kitchen Responsibilities for the Mansfield Law Enforcement Center

Sponsors: Tracy Aaron

Attachments: [Resolution](#)

[Bid Notice and Invitation to Bid](#)

[Food Bid Tabulation](#)

[13-0649](#) Request for Special Event Permit; Cystic Fibrosis Cycling Event 2013

Attachments: [Cystic Fibrosis Cycling Event 2013](#)

[Cystic Fibrosis Approvals](#)

[13-0655](#) Minutes - Approval of the August 26, 2013 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [8-26-13 DRAFT Meeting Minutes](#)

END OF CONSENT AGENDA

13. PUBLIC HEARING AND FIRST READING

[13-0637](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from The Reserve PD to C-2 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](#)

14. NEW BUSINESS

[13-0662](#) Ordinance - First Reading of an Ordinance Adopting a Budget for the Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014

Sponsors: Peter Phillis

Attachments: [Ordinance](#)

[13-0663](#) Ordinance - First Reading of an Ordinance Levying the Ad Valorem Taxes for Fiscal Year 2014 at a Rate of \$0.71000 per One Hundred Dollars (\$100) Assessed Valuation on all Taxable Property

Sponsors: Peter Phillis

Attachments: [Ordinance](#)

15. 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, September 5, 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