



CITY OF MANSFIELD

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

Meeting Agenda

City Council

Monday, July 20, 2020

8:00 AM

Council Chambers

SPECIAL MEETING

THIS MEETING WILL BE HELD BY VIDEO CONFERENCING. To participate, please register at

https://mansfieldtexas.zoom.us/webinar/register/WN_npxvO-_QQtS5ieDcWY8BqQ by 8:00 a.m. on Monday, July 20, 2020 or join by telephone at 1-888-788-0099 (Toll Free). If joining by phone, please provide the Webinar ID number and password below:

Webinar ID: 950-0716-8952

Password: 1234567

Citizen comments and public hearing comments may also be submitted through the city's website www.mansfieldtexas.gov or by sending an email to susana.marin@mansfieldtexas.gov. All comments must be submitted by 8:00 a.m. Monday, July 20, 2020. Comments received will be read into the record by the Mayor or the City Secretary.

1. 8:00 A.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

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

City Manager Interviews

- D. **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**

3. **RECONVENE INTO REGULAR BUSINESS SESSION**

4. **INVOCATION**

5. **PLEDGE OF ALLEGIANCE**

6. **TEXAS PLEDGE**

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

7. **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. Due to regulations of the Texas Open Meetings Act, please do not expect a response from the Council as they are not able to do so. THIS WILL BE YOUR ONLY OPPORTUNITY TO SPEAK UNLESS YOU ARE SPEAKING ON A SCHEDULED PUBLIC HEARING ITEM. After the close of the citizen comments portion of the meeting only comments related to public hearings will be heard. All comments are limited to five (5) minutes.

In order to be recognized during the "Citizen Comments" or during a Public Hearing (applicants included), please complete a blue or yellow card located at the Assistant City Secretary's seating place. Please present the card to the Assistant City Secretary prior to the start of the meeting.

8. **COUNCIL ANNOUNCEMENTS**

9. **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

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

11. **WORK SESSION DISCUSSION ITEMS**

FY 20/21 Preliminary Budget Discussion

Five Year Capital Plan - Council/Management Priorities

Mansfield Park Facilities Development Corporation Strategic Plan and Budget

Mansfield Economic Development Corporation Strategic Plan and Budget

Discussion and Review of Ethics Ordinance

Discussion Concerning Amendment to Solicitor Ordinance

Follow-up Discussion Regarding Procedural Rules of Council

12. OLD BUSINESS

[20-3611](#) Discussion and Possible Action Related to Equipment Replacement Requests, Capital Improvement Plan Projects, and Related Prior Year Bond Proceeds

Presenters: Joe Smolinski

13. NEW BUSINESS

[20-3630](#) Ordinance - First Reading of an Ordinance of the City of Mansfield, Texas, Calling a Special Election for November 3, 2020 for the Purpose of Amending the City Charter

Presenters: City Council

Attachments: [Ordinance](#)

[Exhibit A](#)

[Exhibit B](#)

14. ADJOURN

CERTIFICATION

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the July 20, 2020 Special City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, mansfieldtexas.gov, on Thursday, July 16, 2020 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

Susana Marin, City Secretary

Approved as to form:

City Attorney

DATE OF POSTING: _____ TIME: _____ am/pm

DATE TAKEN DOWN: _____ TIME: _____ am/pm

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call (817) 473-0211 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.



CITY OF MANSFIELD

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STAFF REPORT

File Number: 20-3611

Agenda Date: 7/20/2020

Version: 1

Status: Old Business

In Control: City Council

File Type: Consideration Item

Agenda Number:

Title

Discussion and Possible Action Related to Equipment Replacement Requests, Capital Improvement Plan Projects, and Related Prior Year Bond Proceeds

Requested Action

Council discussion and give direction to staff.

Recommendation

Defer to Council.

Description/History

Allow for Council and staff discussion regarding equipment replacement requests, Capital Improvement Plan Projects, and related prior year bond proceeds.

Justification

N/A

Funding Source

TBD

Prepared By

Joe Smolinski, Interim City Manager
817-728-3601



CITY OF MANSFIELD

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STAFF REPORT

File Number: 20-3630

Agenda Date: 7/20/2020

Version: 1

Status: New Business

In Control: City Council

File Type: Ordinance

Agenda Number:

Title

Ordinance - First Reading of an Ordinance of the City of Mansfield, Texas, Calling a Special Election for November 3, 2020 for the Purpose of Amending the City Charter

Requested Action

Approval of ordinance to amend the City Charter.

Recommendation

City staff recommends the City Council call a special election for November 3, 2020 for the purpose of amending the city charter.

Description/History

On June 29, 2020 and July 6, 2020 the City Council held discussions regarding possible amendments to the City Charter. Below are the propositions as they will be placed on the ballot:

PROPOSITION A

Shall the Mansfield Home Rule Charter be amended to delete matters contrary to or superseded by state law with regard to qualifications for candidates for City Council, the Department of Taxation and amending the Charter by deleting Subsection 3.02(c) and Section 9.15 and revising Section 12.12?

PROPOSITION B

Shall the Mansfield Home Rule Charter be amended to clarify the process for electing a Mayor Pro Tem by revising Subsection 3.06(b)?

PROPOSITION C

Shall the Mansfield Home Rule Charter be amended to require one reading for the approval of all ordinances save and except ordinances changing a zoning classification or approving a planned development zoning, which shall require two or three readings at the discretion of the City Council by revising Section 3.13(c)?

PROPOSITION D

Shall the Mansfield Home Rule Charter be amended to provide that the City Manager may be removed by an affirmative vote of four (4) members of the City Council instead of five (5), establish the duties of the City Secretary, provide that the City Council appoint

the City Attorney and the City Secretary, and may remove each by an affirmative vote of four (4) members by revising Subsection 6.01(b), adding Section 6.03 and revising Section 8.05?

PROPOSITION E

Shall the Mansfield Home Rule Charter be amended to revise the qualifications for members of the Planning and Zoning Commission members by revising Section 10.01?

Justification

Amend the City Charter.

Funding Source

All election costs are budgeted through the City Council budget (01-8806-11-01)

Prepared By

Susana Marin, TRMC, City Secretary's Office
817-276-4203

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, CALLING A SPECIAL ELECTION FOR TUESDAY, NOVEMBER 3, 2020 FOR THE PURPOSE OF AMENDING THE CITY CHARTER; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Mansfield, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, it is the intention of the City Council to call a special election to submit proposed amendments to the City Charter to the voters in accordance with Section 9.004 of the Texas Local Government Code; and

WHEREAS, an election to submit to the voters proposed amendments to the city charter is required by law to be held on the uniform election date that occurs 30 days after the election is ordered; and

WHEREAS, Section 41.001 of the Texas Election Code specifies that the November 2, 2020 is a uniform election date.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:

**SECTION 1.
CHARTER AMENDMENT ELECTION CALLED**

The City Council does hereby, on its own motion, order a special election to submit to the voters of the City of Mansfield proposed amendments to the City Charter. The proposed amendments to the City Charter are set forth in Exhibit "A," attached to this ordinance and incorporated herein for all purposes and are hereby approved by the City Council for submission to the voters. The election shall be conducted according to the laws of the State of Texas, and shall be held on Tuesday, November 3, 2020 from 7:00 a.m. to 7:00 p.m.

**SECTION 2.
BALLOTS**

The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "YES" or "NO" on each proposition, with the ballots to contain such provisions, markings and language as required by law, and with the propositions to be expressed substantially as set forth as follows:

PROPOSITION A

Shall the Mansfield Home Rule Charter be amended to delete matters contrary to or superseded by state law with regard to qualifications for candidates for City Council, the Department of Taxation and amending the Charter by deleting Subsection 3.02(c) and Section 9.15 and revising Section 12.12?

PROPOSITION B

Shall the Mansfield Home Rule Charter be amended to clarify the process for electing a Mayor Pro Tem by revising Subsection 3.06(b)?

PROPOSITION C

Shall the Mansfield Home Rule Charter be amended to require one reading for the approval of all ordinances save and except ordinances changing a zoning classification or approving a planned development zoning, which shall require two or three readings at the discretion of the City Council by revising Section 3.13(c)?

PROPOSITION D

Shall the Mansfield Home Rule Charter be amended to provide that the City Manager may be removed by an affirmative vote of four (4) members of the City Council instead of five (5), establish the duties of the City Secretary, provide that the City Council appoint the City Attorney and the City Secretary, and may remove each by an affirmative vote of four (4) members by revising Subsection 6.01(b), adding Section 6.03 and revising Section 8.05?

PROPOSITION E

Shall the Mansfield Home Rule Charter be amended to revise the qualifications for members of the Planning and Zoning Commission members by revising Section 10.01?

SECTION 3. AGREEMENT WITH TARRANT, ELLIS AND JOHNSON COUNTIES

Prior to the election, the City anticipates that it will enter into agreements for election services with Tarrant, Ellis, and Johnson Counties (the "Agreement" or collectively the "Agreements"). The City Manager is authorized to execute the agreement.

SECTION 4.

- (a) **ELECTION DAY POLLING PLACE – TARRANT COUNTY:** The main polling places for Election Day in Tarrant County shall be as follows, with additional locations provided for in the Agreement:

- (1) The polling place for City of Mansfield Precinct No. 1 (which is hereby created, comprised of Tarrant County Precinct Nos. 1034, 2221, 2258, 2308, 2355, 2357, 2636 and 2712) is:

Donna Shepard Intermediate School
1280 FM 1187
Mansfield, Texas 76063

- (2) The polling place for City of Mansfield Precinct No. 2 (which is hereby created, comprised of Tarrant County Precinct Nos. 2426, 2435, 2524, 2548, and 2645) is:

J.L. Boren Elementary School
1401 Country Club Drive
Mansfield, Texas 76063

- (3) The polling place for City of Mansfield Precinct No. 3 (which is hereby created, comprised of Tarrant County Precinct Nos. 2033, 2360, 2614, 2618, 2643, 2697 and 2708) is:

Mansfield Sub-Courthouse
1100 East Broad Street
Mansfield, Texas 76063

- (b) **ELECTION DAY POLLING PLACE – JOHNSON COUNTY:** The polling places for Election Day in Johnson County shall be as follows:

Pct. 8 Pct. 3 Maintenance Facility
10420 E. FM 917
Alvarado, Texas 76009

Pct.35 Lillian Baptist Church
10544 CR 519
Lillian, Texas 76061

- (c) **ELECTION DAY POLLING PLACE – ELLIS COUNTY:** The polling places for Election Day for the areas of Mansfield in Ellis County shall be as set forth on Exhibit "B."

SECTION 5. APPOINTMENT OF ELECTION JUDGES AND ALTERNATE ELECTION JUDGES

Election judges for the general and special elections shall be appointed by Tarrant, Ellis and Johnson Counties as authorized by Chapter 271, of the Texas Election Code.

SECTION 6.

- (a) **EARLY VOTING – TARRANT COUNTY:** Heider Garcia, Tarrant County Elections Administrator, is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

Early Voting by personal appearance shall be conducted beginning on October 19, 2020 and continuing through October 30, 2020 in Mansfield at the Mansfield Sub-Courthouse, 1100 East Broad Street, Mansfield, Texas 76063 at the following times:

October 19 - 23	Monday – Friday	8:00 a.m. – 5:00 p.m.
October 24	Saturday	7:00 a.m. – 7:00 p.m.
October 25	Sunday	11:00 a.m. – 4:00 p.m.
October 26 – 30	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

Additional early voting will be conducted throughout Tarrant County as established by the Agreement. If there is any discrepancy between this resolution and the Agreement as to early voting locations or times, the Agreement shall control.

- (b) **EARLY VOTING – JOHNSON COUNTY:** Patty Bourgeois, Johnson County Elections Administrator, is designated as the Early Voting Clerk for the portions of Mansfield within Johnson County (City Precinct 3) and he/she may appoint the necessary deputy clerks as required for early voting.

Early voting by personal appearance shall be conducted beginning on October 19, 2020 and continuing through October 30, 2020 at the Precinct 3 Maintenance Facility, 10420 E. FM 917, Alvarado, Texas 76009 at the following times:

October 19 - 23	Monday – Friday	8:00 a.m. – 5:00 p.m.
October 24	Saturday	7:00 a.m. – 7:00 p.m.
October 25	Sunday	11:00 a.m. – 4:00 p.m.
October 26 – 30	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

- (c) **EARLY VOTING – ELLIS COUNTY:** Jana Onyon, Ellis County Elections Administrator, is designated as the Early Voting Clerk for the portions of Mansfield within Ellis County (City Precinct 6) and she may appoint the necessary deputy clerks as required for early voting.

Early Voting by personal appearance shall be conducted beginning on October 19, 2020 and continuing through October 30, 2020 at the locations listed on Exhibit “C” at the following times:

October 19 - 23	Monday – Friday	8:00 a.m. – 5:00 p.m.
October 24	Saturday	7:00 a.m. – 7:00 p.m.
October 25	Sunday	11:00 a.m. – 4:00 p.m.
October 26 – 30	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

- (d) Applications for early voting by mail must be delivered not later than the close of business on October 16, 2020 if delivered in person and by October 19, 2020 if delivered by mail. Early Voting ballots for Tarrant County shall be mailed to Heider Garcia, Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas, 76161-0011. The City Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Agreement. Early Voting ballots for Johnson County shall be mailed to Elections Administrator, Johnson County, P.O. Box 895, Cleburne, Texas 76033. Early Voting ballots for Ellis County shall be mailed to Elections Administrator, Ellis County, 204 East Jefferson St., Waxahachie, Texas 75165.
- (e) Early voting both by personal appearance and by mail for Tarrant County shall be by electronic voting machines and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election. The Central Count/Ballot Board Judge and additional personnel shall be appointed as stated in the Agreement.

Early voting both by personal appearance and by mail for Johnson County shall be by paper ballot and an ES&S AutoMark approved by the Secretary of State in accordance with the Texas Election Code by HAVA compliance and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election. The Central County/Ballot Board Judge and additional personnel shall be appointed as stated in the Agreement.

Early voting both by personal appearance and by mail for Ellis County shall be by paper ballot and an ES&S Express Vote Marking Device approved by the Secretary of State in accordance with the Texas Election Code by HAVA compliance and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election. The Central County/Ballot Board Judge and additional personnel shall be appointed as stated in the Agreement.

SECTION 7. METHOD OF VOTING

The Hart InterCivic Verity System v. 2.3.1 shall be used for voting by personal appearance on Election Day and the Hart InterCivic Verity System v. 2.3.1 for early voting by personal appearance and Election for the Tarrant County portion of the election. The City Council hereby adopts the Hart InterCivic Verity System v. 2.3.1 for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

The ES&S AutoMark shall be used for voting by personal appearance on Early Voting by personal appearance and Election Day for the Johnson County portion of the election. The City Council hereby adopts the ES&S AutoMark for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

The ES&S Express Vote Marking Device shall be used for voting by personal appearance on Early Voting by personal appearance and Election Day for the Ellis County portion of the election. The City Council hereby adopts the ES&S Express Vote Marking Device for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

SECTION 8. GOVERNING LAW AND QUALIFIED VOTERS

The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

SECTION 9. NOTICE

- (a) **NOTICE OF ELECTION:** A substantial copy of this ordinance shall serve as proper notice of the special election. Said notice, including a Spanish translation thereof, shall be posted not later than the twenty-first (21st) day before the election on the bulletin board used for posting notices of meetings of the city council and shall be published at least once, not early than the thirtieth (30th) day nor later than the tenth (10th) day before the election in a newspaper published and of general circulation in the City of Mansfield.
- (b) **PUBLICATION OF AMENDMENTS:** Additionally, in accordance with Section 9.004(c) of the Local Government Code, notice shall be published in a newspaper of general circulation in Mansfield on the same day, in each of two consecutive

weeks, with the first publication occurring on or before the 14th day before election day. The notice shall contain a substantial copy of the proposed amendments.

SECTION 10. AMENDMENTS

Matters contained in this ordinance relating to discretionary procedural matters may be amended by resolution of the City Council.

SECTION 11. OTHER ACTION

The Mayor and City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

SECTION 12. CUMULATIVE CLAUSE

This ordinance shall be cumulative of all provisions of ordinances and resolutions of the City of Mansfield, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances and resolutions are hereby repealed.

SECTION 13. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 14. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

First reading approved on the _____ day of _____, 2020.

Second reading approved on the _____ day of _____, 2020.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2020.

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

EXHIBIT AA@

EXHIBIT AB@

EXHIBIT AC@

EXHIBIT A

SEC. 3.02. QUALIFICATIONS.

The Mayor and each member of the City Council shall be:

(a) A resident citizen of the City of Mansfield for a period of not less than twelve (12) months immediately preceding his election of a resident of any of the territory not formerly within the corporate limits of the City but which is annexed under the provisions of this Charter for twelve (12) months preceding his election;

(b) A qualified voter of the State of Texas.

If the Mayor or any Councilman fails to maintain the foregoing qualification, shall be absent without valid excuse from three (3) consecutive regularly scheduled meetings, or shall fail to maintain an eighty (80) percent attendance record for each elected year without valid excuse, the Council must declare a vacancy at its next regular meeting and shall fill the vacancy as set forth in this Charter.

SEC. 3.06. MAYOR AND MAYOR PRO TEM.

(a) *Mayor:* The Mayor shall preside at meetings of the Council, shall be recognized as head of the City Government for all ceremonial purposes and by the Governor for purposes of military law, but shall have no administrative duties.

(b) *Election of Mayor Pro Tem:* At its first regular meeting, following the general municipal election and any required runoffs, the Council shall elect from among its members, a Mayor Pro Tem who shall serve for a term of one (1) year or until his successor is qualified. He shall perform all the duties of the Mayor in the absence or disability of the Mayor.

(c) *Emergency powers of the Mayor:* The emergency powers of the Mayor shall be set forth by State law and local ordinances.

SEC. 3.13. ORDINANCES IN GENERAL.

(a) *Action requiring an ordinance:* In addition to other acts required by law or by specific provisions of this Charter to be done by ordinance.

- (1) Amend or repeal any ordinance previously adopted, except as otherwise provided in Article VII;
- (2) Levy taxes;
- (3) Regulate the rates charged for its services by a public utility;
- (4) Convey, lease or authorize the conveyance or lease of any lands of the City;
- (5) Authorize the borrowing of money;
- (6) Adopt, with or without amendment, ordinances proposed under the initiative power;
- (7) Grant, renew, extend or abolish a franchise. Acts other than those referred to in the preceding sentence may be done either by ordinance or by resolution; and,
- (8) Fees and all other charges shall be passed by ordinance.

(b) *Form:* Every proposed ordinance shall be introduced in writing and in the form required for final adoption. The enacting clause of every ordinance shall be, "Be it ordained by the City Council of the City of Mansfield..." The subject of any ordinance shall be clearly stated in its title. Any ordinance which repeals or amends an existing ordinance shall state sections and subsections to be amended or repealed.

(c) *Procedure for adoption:* An ordinance may be introduced at any regular or special meeting of the Council in accordance with rules established by the Council. No ordinance shall be introduced for action except as provided in Section 3.14 (Emergency Ordinances) unless such ordinance has been posted by title on the agenda for which action is to occur in accordance with State law. Ordinances shall be considered and approved on one reading by the City Council save and except ordinances changing a zoning classification or approving a planned development zoning classification. Ordinances changing a zoning classification or approving a planned development zoning classification shall be considered and approved at three separate readings unless the City Council determines after the required public hearing that a third reading is not required and the ordinance will become effective after adoption on second reading. The City Attorney shall approve all ordinances adopted by the Council as to legality thereof or shall file with the City Secretary written legal objections thereto. Every ordinance shall be authenticated by the signature of the Mayor or Mayor Pro Tem and the City

Secretary.

Except as otherwise provided by law or this Charter, the City Secretary shall give notice of the enactment of every ordinance imposing any penalty, fine or forfeiture for any violation of any of its provisions, and of every other ordinance required by law or this Charter to be published by causing the said ordinance, or its caption and penalty, to be published at least one (1) time within ten (10) days after final passage thereof in a weekly or daily newspaper in general circulation in the City of Mansfield. The affidavit of such publication by the publisher of such newspaper taken before any officer authorized to administer oaths and filed with the City Secretary shall be conclusive proof of the legal publication and promulgation of such ordinance in all courts. Such ordinances shall take effect ten (10) days after the date of such publication provided that any penal ordinance shall take effect immediately upon its publication except as provided in Section 3.14.

A copy of every ordinance and resolution as codified shall be maintained and available for free reference in the office of the City Secretary.

SEC. 6.01. CITY MANAGER.

(a) *Appointment and qualification:* The Council shall appoint a City Manager who shall be the chief administrative and executive officer of the City and shall be responsible to the Council for the administration of all the affairs of the City. He shall be chosen by the Council solely on the basis of his executive and administrative training, experience, ability and character, and need not when appointed, be a resident of the City. However, he shall become a resident of the City within six (6) months after appointment unless otherwise specifically excused by the Council.

(b) *Term and salary:* The City Manager shall serve at the will and pleasure of the Council and may be removed from office in accordance with the following procedures:

(1) The Council shall adopt by affirmative vote of four (4) members and may suspend the manager from duty for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered promptly to the manager.

(2) Within five (5) days after a copy of the resolution is delivered to the manager, he may file with the Council a written request for a public hearing. This hearing shall be held at the Council meeting not earlier than fifteen (15) days nor later than thirty (30) days after the request is filed. The manager may file with the Council a written reply not later than five (5) days before the hearing.

(3) The Council may adopt a final resolution of removal, which may be made effective immediately, by

affirmative vote of four (4) at any time after five (5) days from the date when a copy of the preliminary resolution was delivered to the manager, if he has not requested a public hearing, or at any time after the public hearing if he has requested one.

The manager shall continue to receive his salary until the effective date of a final resolution of removal. The action of the Council in suspending or removing the City Manager shall be final; it being the intention of this Charter to vest all authority and fix all responsibility of such suspension or removal in the Council. In case of the absence or disability of the City Manager, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Manager shall receive such compensation as may be fixed by the Council.

(c) *Powers and duties:* The powers herein conferred upon the City Manager shall include but shall not be limited to the following:

- (1) To appoint and remove any officer or employee of the City except those officers and employees whose appointment or election is otherwise provided for by law or this Charter.
- (2) Prepare and submit the annual budget and a five (5) year capital improvement program to the Council.
- (3) Submit to the Council monthly a report on the finances and administrative activities of the City and a complete report as of the end of each fiscal year.
- (4) Provide each Department Head with a financial report of his department monthly.
- (5) Attend all meetings of the Council except when excused by Council.
- (6) To perform such other duties as may be prescribed by this Charter or required of him by the Council, not inconsistent with provisions of this Charter.

SEC. 6.03. CITY SECRETARY

(a) *Selection.* The city council shall appoint a person who is an officer of the city and who shall have the title of city secretary. The city secretary holds office at the will and pleasure of the city council and the city council has sole authority to remove the city secretary.

(b) *Responsibilities.* The city secretary shall:

- (1) give notices of city council meetings;
 - (2) keep the journal of the city council's proceedings;
 - (3) authenticate by the city secretary's signature, record in full, and index all ordinances and resolutions;
- and
- (4) perform such other duties as the city council assigns, as provided for elsewhere in this Charter, and as established by state law.

SEC. 8.05. CITY ATTORNEY.

The **City Council** shall appoint a competent and duly qualified and licensed attorney in the State of Texas who shall serve as the City Attorney.

(a) The City Attorney shall be required to:

- (1) Serve as the legal advisor to the Council and to the City Manager;
- (2) Represent the City in litigation and legal proceedings;
- (3) Review and provide opinions as requested by the Council or by the City Manager on contracts, legal instruments, and ordinances of the City.

(b) *Limitation:* This Section shall not be a constraint upon the right of the Council to retain special counsel at any time that the Council may deem necessary and appropriate.

(c) *Compensation:* Compensation shall be fixed by contract with approval of Council or by appointment subject to the approval of Council.

SEC. 10.01. THE PLANNING AND ZONING COMMISSION.

There shall be established a Planning and Zoning Commission, which shall consist of seven (7) residents from the City of Mansfield. The members of said Commission shall be appointed by the Council for a term of two (2) years. Three (3) members of the Planning and Zoning Commission shall be so appointed each odd-numbered year and for (4) members shall be appointed each even-numbered year. The Commission shall elect a chairman from among its membership and shall meet not less than once each month. Vacancies and unexpired terms shall be filled by the Council for the remainder of the term. A majority of the members shall constitute a quorum. Members of the Commission may be removed with the consent of a majority of the Council and for cause set forth in writing. A member may request a public hearing within five (5) days of notice of removal by the Council, said hearing to be scheduled not less than ten (10) nor more than thirty (30) days after said notice.

The Commission shall keep minutes of its proceedings which shall be of public record. The Commission shall serve without compensation.

SEC. 12.12. AMENDING THE CHARTER.

Amendments to this Charter may be framed and submitted to the voters of the City in the manner provided by Chapter 9 of the Texas Local Government Code, as now or hereafter amended.



Ellis County, Texas *Condado de Ellis, Texas*
General and Special Elections *Elecciones General y Especial*
November 3, 2020 *03 de noviembre de 2020*

Election Day Vote Centers *Centros de votación el día de las elecciones*

Polls open from 7:00 am to 7:00 pm

Horario de votación estarán abiertos de 7:00 am a 7:00 pm

The below listed Election Day Vote Centers will be established for any qualified voter with an effective date of registration on or before November 3, 2020. A voter may vote at ANY of the Election Day Vote Centers for the General and Special Elections.

Las ubicaciones para centros de voto de días de votación se establecerán para cualquier votante calificado con una fecha efectiva de registro en o antes del 03 de noviembre de 2020. Un votante puede votar en cualquiera de los centros de votación de día de las elecciones para las Elecciones General y Especial.

1	FIRST BAPTIST CHURCH-AVALON (Annex) 206 GILES STREET	AVALON, TX 76623
2	FIRST UNITED METHODIST-BARDWELL (Church Annex) 104 PECAN ST	BARDWELL, TX 75119
3	BRISTOL UNITED METHODIST (Fellowship Hall) 104 CHURCH ST	BRISTOL, TX 75119
4	ALMA COMMUNITY CENTER (Foyer) 104 INTERURBAN RD	ENNIS, TX 75119
5	ELLIS COUNTY SUB-COURTHOUSE (Conference Rm) 207 S SONOMA TRAIL	ENNIS, TX 75119
6	ENNIS PUBLIC LIBRARY (Learning Center) 501 W. ENNIS AVE	ENNIS, TX 75119
7	FAITH ASSEMBLY OF GOD CHURCH (Fellowship Hall) 1810 W BALDRIDGE ST.	ENNIS, TX 75119
8	NEW FOUNDERS MISS. BAPTIST (Fellowship Hall) 1903 LAFAYETTE ST.	ENNIS, TX 75119
9	FERRIS PUBLIC LIBRARY (Aubrey Trussell Rm) 301 E 10TH STREET	FERRIS, TX 75125
10	FORRESTON BAPTIST CHURCH (Fellowship Hall) 211 SEVENTH ST.	FORRESTON, TX 76041
11	HARVEST OF PRAISE (House of Manna Rm) 2603 S HAMPTON RD	GLENN HEIGHTS, TX 75154
12	MT GILEAD MISSIONARY BAPTIST CHURCH (Fellowship Hall) 106 HARRIS ST.	ITALY, TX 76651
13	FIRST BAPTIST CHURCH-MAYPEARL (Fellowship Hall) 5744 FM 66	MAYPEARL, TX 76064
14	MIDLOTHIAN CHURCH OF CHRIST (Fellowship Hall) 1627 N HWY 67	MIDLOTHIAN, TX 76065
15	MIDLOTHIAN CONFERENCE CTR (Foyer) 1 COMMUNITY CIRCLE DR	MIDLOTHIAN, TX 76065
16	MOUNTAIN PEAK COMMUNITY CHURCH (Sanctuary) 751 W. FM 875	MIDLOTHIAN, TX 76065
17	SARDIS UNITED METHODIST CHURCH (Fellowship Hall) 640 SARDIS RD	MIDLOTHIAN, TX 76065
18	STONEGATE CHURCH (Rams Rm) 4025 E US 287	MIDLOTHIAN, TX 76065
19	THE SHEPHERD'S HOUSE (Sanctuary) 3221 MOCKINGBIRD LN	MIDLOTHIAN, TX 76065
20	MILFORD SENIOR CENTER (Main Rm) 109 S MAIN ST	MILFORD, TX 76670
21	GRACE CHURCH OF OVILLA (Flex Rm Bldg B) 519 WESTMORELAND RD	OVILLA, TX 75154
22	OVILLA CITY HALL (Council Chambers) 105 S COCKRELL HILL RD	OVILLA, TX 75154
23	PALMER ISD ANNEX BUILDING (Portable Bldg) 303 BULLDOG WAY	PALMER, TX 75152
24	EASTRIDGE BAPTIST CHURCH (Family Activity Ctr) 732 E OVILLA RD	RED OAK, TX 75154
25	LIFEPOINT COMMUNITY CHURCH (Fellowship Hall) 201 LOUISE RITTER RD	RED OAK, TX 75154
26	RED OAK MUNICIPAL CENTER (Pitts Room) 200 LAKEVIEW PKWY	RED OAK, TX 75154
27	GRACE COVENANT CHURCH (Dining Hall) 212 N MAIN ST	RED OAK, TX 75154
28	BIBLE BAPTIST CHURCH (Fellowship Hall) 1400 FM 1446	WAXAHACHIE, TX 75167
29	ELLIS COUNTY WOMANS BUILDING (Main Room) 407 W JEFFERSON ST.	WAXAHACHIE, TX 75165
30	FARLEY STREET BAPTIST CHURCH (Foyer) 1116 BROWN ST.	WAXAHACHIE, TX 75165
31	FIRST UNITED METHODIST-WAXAHACHIE (Fidelis Hall) 505 W MARVIN AVE	WAXAHACHIE, TX 75165
32	PARK MEADOWS BAPTIST CHURCH (Foyer) 3350 N HWY 77	WAXAHACHIE, TX 75165
33	SALVATION ARMY OF ELLIS CO. (Fellowship Hall in rear) 620 FARLEY ST.	WAXAHACHIE, TX 75165
34	SOUTHLAKE BAPTIST CHURCH (Sanctuary) 2378 S HWY 77	WAXAHACHIE, TX 75165
35	THE AVENUE BAPTIST CHURCH (Venue Rm) 1761 N HWY 77	WAXAHACHIE, TX 75165
36	WAXAHACHIE CIVIC CENTER (MTG RM C) 2000 CIVIC CENTER LANE	WAXAHACHIE, TX 75165

[Click here for a Google Map of all the Election Day Vote Centers](#)

[Presione aquí para ver un mapa de Google de todas las ubicaciones de votación de día de las elecciones](#)

Last day to register to vote for the General and Special Elections is: Monday, October 05, 2020.

Último día para registrarse para votar en la Elecciones General y Especial es: lunes, 05 de octubre de 2020.

Last day for the Election's Office to receive a Regular or FPCA Ballot by Mail Application (October 16th is the last day the voter can walk-in and hand deliver an application): Friday, October 23, 2020.

El Último día para que la Oficina de Elecciones reciba una solicitud regular o una solicitud de tarjeta postal federal para votar por correo (FPCA-por sus siglas en inglés) es (El 16 de Octubre es el último día en que el votante puede venir en persona y entregar personalmente una solicitud) viernes, 23 de octubre de 2020.

For More Information: Website at www.co.ellis.tx.us/Elections

OR Contact us at Elections Office 204 E Jefferson Waxahachie, TX 75165 972-825-5195

OR Facebook.com/EllisCountyElections

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