



# CITY OF MANSFIELD

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

## Meeting Minutes - Draft

### City Council

---

Monday, May 20, 2024

3:30 PM

Council Chambers

---

#### REGULAR MEETING

#### 3:30 P.M. - CALL MEETING TO ORDER

*Mayor Evans called the meeting to order at 3:30 p.m.*

**Absent** 1 - Juan Fresquez

**Present** 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

#### WORK SESSION

Discussion Regarding the Cost Recovery Program

*Interim Recreation Services Manager Coco Garcia presented the item and answered Council questions. She spoke on the financial sustainability project, various case studies of programs offered, pricing considerations for programs, and action items staff would like feedback on from the City Council.*

Discussion Regarding the May 20, 2024 Consent Agenda Items

*City Manager Joe Smolinski spoke and answered questions regarding agenda item 24-6024.*

#### RECESS INTO EXECUTIVE SESSION

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:02 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 4:12 p.m. Mayor Evans recessed the executive session at 5:51 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 the Use of City Owned Property

Seek Advice of City Attorney Regarding Rules of Procedure Related to Posted Agenda Items

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 Interviews

Board Appointments

Review of Municipal Court Judge Contract

**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**

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

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

**INVOCATION**

*Police Chief Tracy Aaron gave the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Council Member Newsom led the Pledge of Allegiance.*

**TEXAS PLEDGE**

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

*Mayor Pro Tem Tonore led the Texas Pledge.*

**RECOGNITION**

Mansfield High School JROTC

*Mayor Evans and the City Council recognized the Mansfield High School JROTC for placing first in the Armed Overall division Championships during the Army JROTC National Drill Competition.*

MISD High School Students Enlisting in the U.S. Military

*Mayor Evans and the City Council recognized MISD High School students who have enlisted in the U.S. Military.*

### **CITIZEN COMMENTS**

*There were no citizen comments.*

### **COUNCIL ANNOUNCEMENTS**

*There were no Council announcements.*

### **SUB-COMMITTEE REPORTS**

#### [24-6019](#)

Minutes - Approval of the May 13, 2024 Local Transportation Issues Sub-Committee Meeting Minutes (vote will be only by members of the sub-committee: Tonore (Chair), Bounds, and Fresquez)

**A motion was made by Mayor Pro Tem Tonore to approve the minutes of the May 13, 2024 Local Transportation Issues Sub-Committee Meeting. Seconded by Council Member Bounds. The motion CARRIED by the following vote:**

**Aye:** 2 - Todd Tonore and Tamera Bounds

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

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

### **STAFF COMMENTS**

#### **City Manager Report or Authorized Representative**

Current/Future Agenda Items

National Endowment for the Arts Grant

*Tourism Manager Tim Roberts spoke on the \$40,000 National Endowment for the Arts Grant awarded to the City.*

#### **Business Services Department Report**

#### [24-6025](#)

Presentation of the Monthly Financial Report for the Period Ending March

31, 2024

*Staff was available for questions.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

*There was no action taken.*

**CONSENT AGENDA**

[24-5903](#)

Resolution - A Resolution to Consider Amendment Number Six to the Water Park Ground Lease and Operating Agreement Between STORE Master Funding VIII, LLC, and the City of Mansfield to Allow for New Capital Improvements and Expenditures of the Hawaiian Falls Water Park Mansfield; 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 Bounds to approve the following resolution:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING AMENDMENT NUMBER SIX TO THE WATER PARK GROUND LEASE AND OPERATING AGREEMENT BETWEEN STORE MASTER FUNDING VIII, LLC AND THE CITY OF MANSFIELD TO ALLOW FOR NEW CAPITAL IMPROVEMENTS AND EXPENDITURES OF THE HAWAIIAN FALLS WATER PARK MANSFIELD; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE**

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

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

**Aye:** 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

Enactment No: RE-4199-24

[24-5985](#)

Resolution - A Resolution Amending the Bylaws for the Mansfield Economic Development Corporation Board to Align its Purchasing Guidelines with State Law

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

**A RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION'S BYLAWS; AND PROVIDING AN EFFECTIVE DATE**

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

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

**Aye:** 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

Enactment No: RE-4200-24

[24-6016](#)

Resolution - A Resolution Authorizing the Purchase of Property Located at 1024 Wilson Drive for the Walnut Creek Linear Park Trail System

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

**A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 1024 WILSON DRIVE FOR THE WALNUT CREEK LINEAR PARK TRAIL SYSTEM**

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

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

**Aye:** 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

Enactment No: RE-4201-24

[24-6021](#)

Resolution - A Resolution to Approve a Participation Agreement between Tarrant County and the City of Mansfield, Providing for Tarrant County Participation in the City of Mansfield Tax Increment Reinvestment Zone (TIRZ) #4

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A PARTICIPATION AGREEMENT BETWEEN THE CITY OF MANSFIELD, TEXAS, AND TARRANT COUNTY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, TO EXECUTE SAID AGREEMENT; AND DECLARING AN EFFECTIVE DATE (TIRZ #4)**

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

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

**Aye:** 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

Enactment No: RE-4202-24

[24-6023](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Inter-Local Agreement by and Between the City of Mansfield and the City of Burleson for Use of Mansfield's Gun Range and Driving Track and Authorizing its Execution through its Duly Appointed and Authorized City Managers; and Providing an Effective Date

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF BURLESON TO PROVIDE THEM FACILITIES ACCESS FOR GUN RANGE AND DRIVING TRACK TRAINING SERVICES; AUTHORIZING THE CITY MANAGER, OR DESIGNEE TO EXECUTE 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 Broseh. The motion CARRIED by the following vote:

**Aye:** 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

Enactment No: RE-4203-24

[24-6024](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving Amendment Number One to a Chapter 380 Economic Development Agreement Between the City of Mansfield and M3 Ranch Development, Inc.; 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 Bounds to approve the following resolution:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING AMENDMENT NUMBER ONE TO A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MANSFIELD AND M3 RANCH DEVELOPMENT, INC.; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE**

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

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

**Aye:** 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

Enactment No: RE-4204-24

### **END OF CONSENT AGENDA**

### **PUBLIC HEARING AND FIRST AND FINAL READING**

#### **[24-6018](#)**

Ordinance - Public Hearing and First and Final Reading on an Ordinance for Proposed Amendments to the Master Thoroughfare Plan

*Director of Engineering Services Raymond Coffman presented the item.*

*Mayor Evans opened the public hearing at 6:22 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 6:22 p.m.*

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE MASTER THOROUGHFARE PLAN OF THE CITY OF MANSFIELD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

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

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

**Aye:** 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

Enactment No: OR-2365-24

### **PUBLIC HEARING AND FIRST READING**

#### **[24-5889](#)**

Ordinance - Public Hearing Continuation and First Reading on a Change of Zoning from C-2, Community Business District to PD, Planned Development for Commercial Uses and Car Wash on Approximately 3.382 Acres in the Henry McGehee Survey Abstract No.998, City of Mansfield, Tarrant Co, TX, Located at 585 E Debbie Ln. (ZC#23-025)

*Executive Director of Planning and Development Services Jason Alexander presented the item.*

*Mayor Evans opened the public hearing at 6:24 p.m.*

*Mary Barkley, 600 W 6th Street, Fort Worth - Ms. Barkley spoke in opposition to the item.*

*Mayor Evans continued the public hearing at 6:22 p.m.*

**A motion was made by Council Member Short to approve the item. Seconded by Council Member Broseh. The motion FAILED by a vote of 2-6, with Council Members Broseh and Short voting Yes and Mayor Evans, Mayor Pro Tem Tonore, and Council Members Bounds and Newsom voting No. A motion was made by Council Member Newsom to deny the item. Seconded by Council Member Bounds. The motion CARRIED by the following vote:**

**Aye:** 4 - Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

**Nay:** 2 - Larry Broseh and Julie Short

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

### **PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING**

#### **[23-5763](#)**

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Change of Zoning from MH, Manufactured Home District and PR, Pre-Development District to PD, Planned Development District for Attached Single-Family Residential and Manor House Uses on Approximately 11.03 Acres Located at 2600, 2626, and 2628 N. Main Street; Phillips Equity Capital, LLC, Owner/Developer (ZC#22-018)

*Jason Alexander presented the item and answered Council questions.*

*Mayor Evans continued the public hearing at 6:33 p.m.*

*Toni Comiskey, 2601 Nelson Wyatt Road - Ms. Comiskey spoke in opposition to the item.*

*Mayor Evans closed the public hearing at 6:37 p.m.*

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 155 OF THE CODE OF ORDINANCES, "ZONING," OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR ATTACHED SINGLE-FAMILY RESIDENTIAL AND MANOR HOUSE USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; 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; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

Enactment No: OR-2366-24

[24-6004](#)

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Change of Zoning from A, Agricultural District to PD, Planned Development District for Single-Family Residential Uses on Approximately 3.13 Acres Located at 880 Turner Way; SPAPS, LLC, Owner, and HCE, Inc., Engineer (ZC#23-007)

*Jason Alexander presented the item.*

*Mayor Evans continued the public hearing at 6:43 p.m.*

*Diana Pfau, 3415 W Hunter Bend Court - Mrs. Pfau spoke in support of the item.*

*Mayor Evans noted a non-speaker card in support of the item from the following:*

*Zeno Pfau, 3415 W Hunter Bend Court*

*Mayor Evans closed the public hearing at 6:45 p.m.*

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE**

COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HERINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY RESIDENTIAL USES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

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

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

**Aye:** 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

Enactment No: OR-2367-24

## **NEW BUSINESS**

### **[24-5974](#)**

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving a TIRZ Reimbursement Agreement Between the City of Mansfield, Texas, the Board of Directors of Reinvestment Zone Number One, and Cannon Hospitality, LLC; Finding that the Meeting at which this Resolution is Passed is Open to the Public as Required by Law; Authorizing the City Manager or his Designee and Chairman of TIRZ #1 Board, to Execute Said Agreement; and Declaring an Effective Date (TIRZ #1)

*Management Analyst Kristen Petree 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 A TIRZ REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF MANSFIELD, TEXAS, THE BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE, AND CANNON HOSPITALITY, LLC (the "OWNER"); FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE AND CHAIRMAN OF TIRZ #1 BOARD, TO EXECUTE SAID AGREEMENT; 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;Julie Short;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

Enactment No: RE-4205-24

**ADJOURN**

**A motion was made by Council Member Newsom to adjourn the meeting at 6:49 p.m. Seconded by Council Member Short. The motion CARRIED by the following vote:**

**Aye:** 6 - Larry Broseh;Julie Short;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

**Nay:** 0

**Absent:** 1 - Juan Fresquez

**Abstain:** 0

\_\_\_\_\_  
ATTEST: Michael Evans, Mayor

\_\_\_\_\_  
Susana Marin, City Secretary