



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, January 22, 2024

2:30 PM

Council Chambers

REGULAR MEETING

2:30 P.M. - CALL MEETING TO ORDER

Mayor Evans called the meeting to order at 2:36 p.m.

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

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 2:38 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 2:38 p.m. Mayor Evans recessed the executive session at 2:57 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 Pending Litigation – Cause No. 348-270155-14

Seek Advice of City Attorney Regarding Contracts and Updates

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

City Manager's Quarterly Update

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 #21-26

Economic Development Project #22-23

RECONVENE INTO REGULAR BUSINESS SESSION

Mayor Evans reconvened the meeting into regular business session at 3:01 p.m.

WORK SESSION

City Hall Design Finalist Presentations

Assistant City Manager Matt Jones presented the item. The three finalists, Architexas, Parkhill, and Randall Scott, each gave a presentation on their company, qualifications, projects they've worked on, and their vision for the new Mansfield City Hall.

Discussion Regarding the January 22, 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 4:02 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 4:10 p.m. Mayor Evans recessed the executive session at 6:14 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

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Economic Development Project #21-26

Economic Development Project #22-23

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

Mayor Evans reconvened the meeting into regular business session at 6:21 p.m.

INVOCATION

Pastor Cory Smithee of North Elevation Church 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"

Council Member Short led the Texas Pledge.

PRESENTATION

Presentation of the Salvation Army Red Kettle Mayoral Challenge Trophy

Lts. Konstantin and Anna Maslenikov with the Salvation Army presented Mayor Evans and the City of Mansfield with the 2023 Salvation Army Mayoral Red Kettle Challenge Trophy. Mayor Evans recognized Texas Representative David Cook for his contribution

to the Red Kettle Challenge.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

SUB-COMMITTEE REPORTS

[24-5820](#)

Minutes - Approval of the January 8, 2024 Local Transportation Issues Sub-Committee Meeting Minutes (vote will be only by members of the sub-committee: Lewis (Chair), Bounds, and Tonore)

Council Member Lewis gave a report of the meeting.

A motion was made by Council Member Bounds to approve the minutes of the January 8, 2024 Local Transportation Issues Sub-Committee Meeting as presented. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 3 - Casey Lewis; Todd Tonore and Tamera Bounds

Nay: 0

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

Tim Milligan spoke on the Traveling Vietnam Wall.

[24-5828](#)

Departmental Quarterly Reports

Staff was available for questions.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Lewis to authorize the City Manager to negotiate a design services contract with Parkhill as discussed in executive session. Seconded by Council Member Short. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

CONSENT AGENDA

24-5834

Ordinance - An Ordinance of the City Of Mansfield, Texas, Amending Title XI of the Mansfield, Texas Code of Ordinances, Entitled "Business Regulations" By Amending Section 116.02, Entitled "Permits" of Subchapter "Donation Box Permits"; Amending Section 116.03, Entitled "Maintenance" of Subchapter "Donation Box Permits" of Chapter 116, Entitled "Donation Box Permits and Enforcement"; Providing for the Repeal of all Ordinances in Conflict; Providing a Severability Clause; Providing a Penalty of Fine Not to Exceed the Sum of Five Hundred Dollars (\$500.00) for Each Offense; And Providing an Effective Date

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING TITLE XI OF THE MANSFIELD, TEXAS CODE OF ORDINANCES, ENTITLED "BUSINESS REGULATIONS" BY AMENDING SECTION 116.02, ENTITLED "PERMITS" OF SUBCHAPTER "DONATION BOX PERMITS"; AMENDING SECTION 116.03, ENTITLED "MAINTENANCE" OF SUBCHAPTER "DONATION BOX PERMITS" OF CHAPTER 116, ENTITLED "DONATION BOX PERMITS AND ENFORCEMENT"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

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

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

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

Nay: 0

Abstain: 0

Enactment No: OR-2342-24

24-5821

Minutes - Approval of the January 8, 2024 Regular City Council Meeting Minutes

A motion was made by Council Member Short to approve the minutes of the January 8, 2024 Regular City Council meeting as presented. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

END OF CONSENT AGENDA

PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING

[23-5798](#)

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Change of Zoning from PR, Pre-Development District to S, South Mansfield Form-Based Development District for a Data Center on Approximately 26.897 acres, generally located at the northeast corner of Heritage Parkway South and Britton Road on property addressed at 3801 Britton Road, the City of Mansfield, Applicant (ZC#23-020)

Executive Director of Planning and Development Services Jason Alexander presented the item and answered Council questions. Applicant Dave Robinson and his team answered Council questions.

Mayor Evans continued the public hearing at 7:14 p.m.

The following individuals spoke in opposition to the item:

*Amado Benavidez - 4310 Britton Rd, Mansfield, Tx 76063
Tierney Davis - 607 Hogan Alley Dr. Mansfield, Tx 76063
Scott Davis - 6604 Nantucket Ln, Arlington, Tx 76001
John Powell - 701 Tee Box Ct, Mansfield, Tx 76063
Luisa Meyer - 705 Tee Box Ct, Mansfield, Tx 76063
Brandon Meyer - 705 Tee Box Ct, Mansfield, Tx 76063
Joe Ngai - 521 Titleist Dr, Mansfield, Tx 76063
Becky Ngai - 521 Titleist Dr, Mansfield, Tx 76063
Kelly Overby - 2 Brairwood Ct, Mansfield, Tx 76063
Fitz Mombeleur - 404 Titleist Dr, Mansfield, Tx 76063
Cody Walk - 401 Bellflower Ct, Mansfield, Tx 76063
Jordan Allen - 4203 Cobblestone Cir., Mansfield Tx 76063*

The following individuals submitted non-speaker cards in opposition to the item:

*Carson Penepacker - 3905 Calloway Dr, Mansfield, Tx 76063
Alberto Valles - 1 Mystic Ct, Mansfield, Tx 76063
Robert Moore - 212 Crenshaw Dr, Mansfield, Tx 76063
Irene Gordon - 4305 Cobblestone Cir, Mansfield, Tx 76063
Robert Gordon - 4305 Cobblestone Cir, Mansfield, Tx 76063
Michael Mason - 4201 Eagle Dr, Mansfield, Tx 76063
Sandra Morton - 4206 Nicklaus Ave, Mansfield, Tx 76063
Hal Morton - 4206 Nicklaus Ave, Mansfield, Tx 76063
Adam Hewitt - 4701 Paladium Dr, Mansfield, Tx 76063
Montrell Hill - 4206 Stonebriar Trl, Mansfield, Tx 76063
Hilda Tezeno - 3 Par Ct, Mansfield, Tx 76063
Patricia Garza - 4309 Mulligan Ave, Mansfield, Tx 76063
Tamarick Hill - 1213 Stonewall Dr, Mansfield, Tx 76063
Lindsey Sullivan - 4009 Birdie Dr, Mansfield, Tx 76063*

Beau Davis - 607 Hogan Alley Dr, Mansfield, Tx 76063
Dennis Everts - 4002 Birdie Dr, Mansfield, Tx 76063
Regina Hamilton - 1408 Parkside Dr, Mansfield, Tx 76063
Amanda Perez - 1604 Hastings Dr, Mansfield, Tx 76063
Katherine Hogan - 701 Tee Box Ct, Mansfield, Tx 76063
Tiffany Mylett - 4206 Carnation Ln, Mansfield, Tx 76063
Matthew Herzberg - 1102 Star Grass Dr, Mansfield, Tx 76063
Linsey Curtis - 200 Trevino Ct, Mansfield, Tx 76063
Debra Overby - 2 Brairwood Ct, Mansfield, Tx 76063
Veronica Salazar - 4705 Oakview Dr, Mansfield, Tx 76063
Katiuscia Anaf - 4313 Jasmine Ln, Mansfield, Tx 76063
Mirko Anaf - 4313 Jasmine Ln, Mansfield, Tx 76063
Tasha Hampton - 4310 Cobblestone Cir, Mansfield, Tx 76063
Angie El-Zarad - 4205 Eagle Dr, Mansfield, Tx 76063
Taryn Fuentes - 11 Monticello Ct, Mansfield, Tx 76063
Jessica Bruccoliere - 4204 Caddy Ct, Mansfield, Tx 76063
Toshia Reed - 4308 Cobblestone Cir, Mansfield, Tx 76063
James Reed - 4308 Cobblestone Cir, Mansfield, Tx 76063
Bradley Hall - 604 Bogey Ln, Mansfield, Tx 76063
Angela Hall - 604 Bogey Ln, Mansfield, Tx 76063
Mazen El-Zarad - 4205 Eagle Dr, Mansfield, Tx 76063
Omar El-Zarad - 4205 Eagle Dr, Mansfield, Tx 76063
Astoria Huber - 3901 Calloway Dr, Mansfield, Tx 76063
Jose Rivera - 4207 Nicklaus Ave, Mansfield, Tx 76063
Jacqueline Golden - 4202 Nicklaus Ave, Mansfield, Tx 76063
Mary Rivera - 4207 Nicklaus Ave, Mansfield, Tx 76063
Ann Lopez - 3911 Calloway Dr, Mansfield, Tx 76063
John Lopez - 3911 Calloway Dr, Mansfield, Tx 76063
Alex Straley - 3904 Calloway Dr, Mansfield, Tx 76063
John Wilson - 4207 Eagle Dr, Mansfield, Tx 76063
Kerinne Wilson - 4207 Eagle Dr, Mansfield,
Robert Hampton - 4310 Cobblestone Cir, Mansfield, Tx 76063
Joni Killen - 4018 Birdie Dr, Mansfield, Tx, 76063
Michell Hurd - 3817 Calloway Dr, Mansfield, Tx 76063
Alan McKenzie - 3913 Calloway Dr, Mansfield, Tx 76063
Stephen Noll - 4101 Eagle Dr, Mansfield, Tx 76063
Kim Jones Penepacker - 3905 Calloway Dr, Mansfield, Tx 76063
Richard Sperry - 4409 Palmer Dr, Mansfield, Tx 76063
Hardik Kalavadia - 4008 Birdie Dr, Mansfield, Tx 76063
Patrice Read - 4817 Ellsworth St, Mansfield, Tx 76063
Victor Cefalu - 4105 Eagle Dr, Mansfield, Tx 76063
Tim Gardner - 4500 Morning Glory Ln, Mansfield, Tx 76063
Daphne Mason - 4201 Eagle Dr, Mansfield, Tx 76063

Mayor Evans closed the public hearing at 8:17 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 "ZONING" OF THE CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTY TO A S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT; 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 Lewis. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

Enactment No: OR-2343-24

[23-5799](#)

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Change of Zoning from MF-2, Multi-Family Residential District, C-2, Community Business District and PD, Planned Development District to S, South Mansfield Form Based Development District on approximately 42.983 acres, generally located on the northwest corner of FM 917 and Klein Tools Boulevard and east and south of S 2nd Avenue.; Set/Back Partners., applicant (ZC#23-023)

Jason Alexander presented the item. Applicant Carly Sims briefly presented the item.

Mayor Evans continued the public hearing at 8:33 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 8:33 p.m.

A motion was made by Council Member Lewis 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 HEREINAFTER DESCRIBED PROPERTY TO A S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT; 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 Broseh. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

Enactment No: OR-2344-24

NEW BUSINESS[23-5819](#)

Discussion and Possible Action on an Ordinance of the City of Mansfield, Texas Amending Chapter 158, "Standards, Registration, and Inspection Requirements for Multi-Family Dwelling Complexes," of Title XV, "Land Usage," of the Code of Mansfield, to Update Definitions, Procedures, and Requirements Throughout; Providing that this Ordinance Shall be Cumulative of All Ordinances; Providing a Severability Clause; Providing a Penalty for Violation; Providing a Savings Clause; Providing for Publication as Required by Law; and Providing an Effective Date

Director of Regulatory Compliance Nicolette Ricciuti presented the item. No action was taken by the Council.

[24-5824](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving a First Amendment to the Economic Development Agreement between the City of Mansfield, Texas, the Mansfield Economic Development Corporation, the Board of Directors of Reinvestment Zone Number Four in the City of Mansfield, Texas, and HD5 Entertainment, 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, The MEDC Board President, and Chairman of TIRZ #4 Board, to Execute Said Agreement; And Declaring an Effective Date (General Fund, MEDC, TIRZ #4)

Executive Director of Economic Development Jason Moore presented the item.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A FIRST AMENDMENT TO THE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MANSFIELD, TEXAS, THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION, THE BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER FOUR IN THE CITY OF MANSFIELD, TEXAS, AND HD5 ENTERTAINMENT, 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, THE MEDC BOARD PRESIDENT, AND CHAIRMAN OF TIRZ #4 BOARD, TO EXECUTE SAID AGREEMENT; AND DECLARING AN EFFECTIVE DATE (GENERAL FUND, MEDC, TIRZ #4)

(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; Julie Short; Casey Lewis; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Abstain: 0

Enactment No: RE-4153-24

[24-5826](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving a Professional Services Contract Between the City of Mansfield, TX and Perkins & Will, Inc. in an Amount Not to Exceed \$4,350,000 for the Design and Professional Services of the Multi-Use Stadium at Harvest Point (General Fund, TIRZ #4)

Jason Moore presented the item.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF MANSFIELD, TX AND PERKINS & WILL IN AN AMOUNT NOT TO EXCEED \$4,350,000 FOR THE DESIGN AND PROFESSIONAL SERVICES OF THE MULTI-USE STADIUM AT HARVEST POINT; AND DECLARING AN EFFECTIVE DATE (GENERAL FUND, TIRZ #4)

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

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

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

Nay: 0

Abstain: 0

Enactment No: RE-4154-24

[24-5827](#)

Resolution - A Resolution Approving, Designating and Commencing a Qualified Hotel Project Pursuant to Texas Tax Code Ch. 351; and Providing an Effective Date

Jason Moore presented the item and answered Council questions.

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING, DESIGNATING, AND COMMENCING A QUALIFIED PROJECT PURSUANT TO TEXAS TAX CODE CH. 351; AND PROVIDING AN EFFECTIVE DATE

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

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

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

Nay: 0

Abstain: 0

Enactment No: RE-4155-24

[24-5829](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the City Manager or his Designee to Negotiate, Finalize, and Execute a Development Agreement with Cipriani Laguna Azure, LLC; 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. Applicants Steve Maglisceau and Zach Ipour presented the item and answered Council questions. There was discussion regarding aspects of the proposed development.

A motion was made by Council Member Lewis to table this item to the February 12, 2024 City Council Meeting. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

ADJOURN

A motion was made by Council Member Newsom to adjourn the meeting at 10:00 p.m. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

ATTEST: Michael Evans, Mayor

Susana Marin, City Secretary