



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

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Monday, November 13, 2023

11:30 AM

Council Chambers

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#### REGULAR MEETING

#### 11:30 A.M. - CALL MEETING TO ORDER

*Mayor Evans called the meeting to order at 11:30 a.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 11:32 a.m. Mayor Evans called the executive session to order in the Council Conference Room at 11:37 a.m. Mayor Evans recessed the executive session at 12:57 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. 352-342443-23

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 4:23-CV-00131-O

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

Seek Advice of City Attorney Regarding Procedures for Texas Commission on Environmental Quality Notices

Seek Advice of City Attorney Regarding Regulation of Short Term Rentals

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 Secretary Evaluation

### **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 #22-04

Economic Development Project #22-23

Economic Development Project #23-15

### **IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**

*Mayor Evans reconvened the meeting into regular business session at 1:06 p.m.*

### **JOINT WORK SESSION WITH THE PLANNING AND ZONING COMMISSION**

Discussion Regarding the Draft Mansfield 2040 Future Land Use Plan

*Executive Director of Planning and Development Services Jason Alexander presented the item and spoke on the history and journey of the Mansfield 2040 Future Land Use Plan. Daniel Harrison with Freese and Nichols spoke on the planning process review, input received from the open houses held, the draft plan review and proposed revisions, and answered questions. City Manager Joe Smolinski spoke on the Plan.*

### **WORK SESSION**

Discussion Regarding the November 13, 2023 Consent Agenda Items

*Cultural Arts Manager Rosalie Gilbert spoke on agenda item 23-5723.*

### **RECESS INTO EXECUTIVE SESSION**

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 1:47.m. Mayor Evans called the executive session to order in the Council Conference Room at 1:57 p.m. Mayor Evans recessed the executive session at 4:59 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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**Personnel Matters Pursuant to Section 551.074**

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Economic Development Project #22-04

Economic Development Project #22-23

Economic Development Project #23-15

**IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**

Mayor Evans reconvened the meeting into regular business session at 5:10 p.m.

**CITIZEN COMMENTS**

Mayor Evans read citizen comments emailed from the following:

- Joshua Montgomery - 7256 Roble, Grand Prairie
- Charles Gogan - 907 Royal Court
- Linda Roman - 1104 Hudson Drive
- Eric Peterson - 2508 Elliott Avenue

**COUNCIL ANNOUNCEMENTS**

Council Member Newsom commented on the Veteran's Day Parade and congratulated all of the entries and staff for all of their hard work.

Council Member Bounds and Mayor Evans dittoed Council Member Newsom's comments.

**STAFF COMMENTS**

**City Manager Report or Authorized Representative**

Current/Future Agenda Items

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

**A motion was made by Council Member Short to approve the settlement agreement in Cause No. 352-342443-23 O'Haver Company Ltd. vs. City of Mansfield, Texas as discussed in executive session. 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

**CONSENT AGENDA**

[23-5717](#)

Ordinance - An Ordinance of the City of Mansfield, Texas Amending Title VII "Traffic Regulations" of the Code of Mansfield, Texas by Adding Section 70.03 "General Powers and Duties to Enforce" and Section 70.04 "Liability of Owner or Operator And Property Owner" to Subchapter "General Provisions" of Chapter 70 "General Provisions"; by Adding Section 71.31 "Parking Commercial Motor Vehicles" to Subchapter "Commercial Motor Vehicles" of Chapter 71 "Traffic Regulations"; by Repealing and Reserving Section 72.21 of Subchapter "Parking Zones" of Chapter 72 "Stopping, Standing and Parking"; 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

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING TITLE VII "TRAFFIC REGULATIONS" OF THE CODE OF MANSFIELD, TEXAS BY ADDING SECTION 70.03 "GENERAL POWERS AND DUTIES TO ENFORCE" AND SECTION 70.04 "LIABILITY OF OWNER OR OPERATOR AND PROPERTY OWNER" TO SUBCHAPTER "GENERAL PROVISIONS" OF CHAPTER 70 "GENERAL PROVISIONS"; BY ADDING SECTION 71.31 "PARKING COMMERCIAL MOTOR VEHICLES" TO SUBCHAPTER "COMMERCIAL MOTOR VEHICLES" OF CHAPTER 71 "TRAFFIC REGULATIONS"; BY REPEALING AND RESERVING SECTION 72.21 OF SUBCHAPTER "PARKING ZONES" OF CHAPTER 72 "STOPPING, STANDING AND PARKING"; 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**

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

**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

Enactment No: OR-2327-23

[23-5678](#)

Ordinance - An Ordinance of the City of Mansfield, Texas, Amending Title III "Administration" of the Code of Mansfield, Texas; Creating a New Chapter 39 Establishing the Policy and Administration of Public Art; Establishing a Public Art Advisory Committee; Establishing the Public Art Fund; Authorizing the Allocation of up to Two Percent (2%) of the Construction Costs of Eligible Capital Improvement Program Projects for Art; Providing for the Repeal of all Ordinances in Conflict; Providing a Severability Clause; Providing for Publication; 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 III "ADMINISTRATION" OF THE CODE OF MANSFIELD, TEXAS; CREATING A NEW CHAPTER 39 ESTABLISHING THE POLICY AND ADMINISTRATION OF PUBLIC ART; ESTABLISHING A PUBLIC ART ADVISORY COMMITTEE; ESTABLISHING THE PUBLIC ART FUND; AUTHORIZING THE ALLOCATION OF UP TO TWO PERCENT (2%) OF THE CONSTRUCTION COSTS OF ELIGIBLE CAPITAL IMPROVEMENT PROGRAM PROJECTS FOR ART; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

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

**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

Enactment No: OR-2328-23

[23-5676](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Adopting the 2023 Cultural Arts Master Plan

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, ADOPTING THE CULTURAL ARTS MASTER PLAN; AND PROVIDING AN EFFECTIVE DATE**

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

**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

Enactment No: RE-4109-23

[23-5718](#)

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 LJA Engineering, Inc. in an Amount Not to Exceed \$572,250.00 for the Design of Heritage Parkway (National Pkwy. to Lone Star Rd.) (Street Bond Fund, TIRZ #4, 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 A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF MANSFIELD, TX AND LJA ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED \$572,250.00 FOR THE DESIGN OF HERITAGE PARKWAY (NATIONAL PKWY. TO LONE STAR RD.) (STREET BOND FUND, TIRZ #4, UTILITY FUND)**

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

**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

Enactment No: RE-4110-23

[23-5719](#)

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 Shield Engineering Group, PLLC in an Amount Not to Exceed \$362,141.75 for the Design of Fort Worth Street (Walnut Creek Dr to King's Way Dr) and Live Oak Street (Dayton St to Fort Worth St) (Street Bond Fund and 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 A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF MANSFIELD, TX AND SHIELD ENGINEERING GROUP, PLLC IN AN AMOUNT NOT TO EXCEED \$362,141.75 FOR THE DESIGN OF THE FORT WORTH STREET (WALNUT CREEK DR TO KING'S WAY DR) AND LIVE OAK STREET (DAYTON ST TO FORT WORTH ST); FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (STREET BOND FUND AND UTILITY FUND)**

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

**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

Enactment No: RE-4111-23

[23-5720](#)

Resolution - A Resolution Authorizing the City Manager or Designee to Enter into Interlocal Agreements with Tarrant County for the Asphalt Street Reconstruction of Meadow Creek Drive and Chimney Hill Circle for a Cost Not to Exceed \$490,500.00 (2024 Street Bond Fund)

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$490,500.00 AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO INTERLOCAL AGREEMENTS WITH TARRANT COUNTY FOR THE ASPHALT RECONSTRUCTION OF MEADOW CREEK DRIVE AND CHIMNEY HILL COURT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY**

**LAW; AND DECLARING AN EFFECTIVE DATE (2024 STREET BOND FUND)**

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

**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

Enactment No: RE-4112-23

[23-5690](#)

Resolution - A Resolution Awarding a Construction Contract for an Asphalt Overlay of East Debbie Lane from Approximately 400 Feet East of Walnut Creek Drive to Approximately 500 feet West of Matlock Road to Texas Materials Group, Inc. dba TexasBit, Authorizing and Directing the City Manager or Designee to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$715,000.00 (Street Operations Department Maintenance Budget - General Fund)

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AWARDED A CONTRACT FOR AN ASPHALT OVERLAY OF EAST DEBBIE LANE FROM APPROXIMATELY 400 FEET EAST OF WALNUT CREEK DRIVE TO APPROXIMATELY 500 FEET WEST OF MATLOCK ROAD TO TEXAS MATERIALS GROUP, INC. DBA TEXASBIT, AUTHORIZING AND DIRECTING THE CITY MANAGER OR DESIGNEE TO EXECUTE CONTRACT DOCUMENTS; AND AUTHORIZING FUNDING FOR AN AMOUNT NOT TO EXCEED \$715,000; FINDING THAT THE MEETING AT WHICH THE 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 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

Enactment No: RE-4113-23

[23-5691](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving a Change Order with Westra Consultants, LLC for the Design of Drainage Improvements in the Amount of \$19,500; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; and Declaring an Effective Date (Drainage 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 A CHANGE ORDER WITH WESTRA CONSULTANTS, LLC FOR THE DESIGN OF DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$19,500; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (DRAINAGE UTILITY FUND)

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

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

Enactment No: RE-4114-23

[23-5710](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Agreement with Delcom Group for the Purchase and Installation of Audio and Visual Utilizing the Interlocal Purchasing System (TIPS) Contract No. 230105 AV/PC in an Amount Not to Exceed \$71,619.20; 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)

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 AN AGREEMENT WITH DELCOM GROUP FOR THE PURCHASE AND INSTALLATION OF AUDIO AND VISUAL IMPROVEMENTS UTILIZING THE INTERLOCAL PURCHASING SYSTEM (TIPS) CONTRACT NO. 230105 AV/PC IN AN AMOUNT NOT TO EXCEED \$71,619.20; 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 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

Enactment No: RE-4115-23

[23-5721](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Awarding a Bid for a Construction Remodeling Contract for the City Council Chambers to Pro Reno Group in the amount of \$249,448.00 Finding that the Meeting at which this resolution passed is open to the Public as Required by Law; And Declaring an Effective Date (Capital 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, AWARDING A BID FOR A CONSTRUCTION REMODELING CONTRACT FOR THE CITY COUNCIL CHAMBERS TO PRO RENO GROUP IN THE AMOUNT OF \$249,448.00; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (CAPITAL FUND)**

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

**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

Enactment No: RE-4116-23

[23-5728](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Supporting an Application from the City of Mansfield, Texas to the United States Department of Energy for 2021 Energy Efficiency and Conservation Block Grant Program Formula Grant in an Amount Not to Exceed \$129,070.00 to Retrofit Existing Public Buildings in the City of Mansfield, Texas with Energy Efficient Lighting; 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)

**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, SUPPORTING AN APPLICATION FROM THE CITY OF MANSFIELD, TEXAS TO THE UNITED STATES DEPARTMENT OF ENERGY FOR 2021 ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM FORMULA GRANT IN AN AMOUNT NOT TO EXCEED \$129,070.00 TO RETROFIT EXISTING PUBLIC BUILDINGS IN THE CITY OF MANSFIELD, TEXAS WITH ENERGY EFFICIENT LIGHTING; 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 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

Enactment No: RE-4117-23

[23-5731](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing a Land Exchange Between the City of Mansfield and Mansfield Independent School District; Authorizing the City Manager to Execute any Documents Necessary; 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, AUTHORIZING A LAND EXCHANGE BETWEEN THE CITY OF MANSFIELD AND MANSFIELD INDEPENDENT SCHOOL DISTRICT; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY; 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 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

Enactment No: RE-4118-23

[23-5713](#)

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 IPRR SOUTH POINTE-9, 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

**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, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE, FINALIZE, AND EXECUTE A DEVELOPMENT AGREEMENT WITH IPRR SOUTH POINTE-9, LLC (THE "DEVELOPER"); 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 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

Enactment No: RE-4119-23

[23-5692](#)

Minutes - Approval of the October 23, 2023 Regular City Council Meeting Minutes

**A motion was made by Council Member Short to approve the minutes of the October 23, 2023 Regular City Council Meeting as presented. 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

[23-5725](#)

Minutes - Approval of the October 24-25, 2023 Travel to Colorado Springs, CO and Denver, CO City Council Meeting Minutes

**A motion was made by Council Member Short to approve the minutes of the October 24-25 Travel to Colorado Springs, CO and Denver, CO City Council Meeting as presented. 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

[23-5732](#)

Minutes - Approval of the November 7, 2023 Special Joint City Council and Mansfield Independent School District Board Meeting Minutes

**A motion was made by Council Member Short to approve the minutes of the November 7, 2023 Special Joint City Council and Mansfield Independent School District Board Meeting as presented. 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

[23-5733](#)

Minutes - Approval of the November 7, 2023 Special Joint City Council and Planning and Zoning Commission, Mansfield Economic Development Corporation, and Mansfield Park Facilities Development Corporation Meeting Minutes

**A motion was made by Council Member Short to approve the minutes of the November 7, 2023 Special Joint City Council and Planning and Zoning Commission, Mansfield Economic Development Corporation, and Mansfield Park Facilities Development Corporation Meeting as presented. 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

### **ITEMS TO BE REMOVED FROM THE CONSENT AGENDA**

[23-5723](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving a Professional Services Contract Between the City of Mansfield, Texas and Ryan Kyle McGinnis DBA Emerald City Production in an Amount not to Exceed \$422,230.34 for Audio Visual Equipment Rental and Production Management Services in FY24, FY25 and FY26

*Council Member Lewis removed this item from the consent agenda.*

**A motion was made by Council Member Lewis to table this item indefinitely. 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

Enactment No: RE-4141-23

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

[23-5704](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from C-2, Community Business District to PD, Planning Development District for Senior Independent Living and Ground-Floor Commercial Uses on Approximately 8.08 Acres Generally Located South of Turner Warnell Road and Approximately 500 Feet East of FM 157 on Property Addressed at 1420 Turner Warnell Rd.; Riverbend Village Partners, LLC, Developer, Arrive Architecture Group, Architect (ZC#23-013)

**A motion was made by Council Member Lewis to table this item to the 6:00 p.m. City Council Meeting. Seconded by Council Member Bounds. The motion**

**CARRIED by the following vote:**

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

**Nay:** 1 - Larry Broseh

**Abstain:** 0

[23-5706](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Change of Zoning from PR, Pre-Development District and C-2, Community Business District to S, South Mansfield Form Based Development District on Approximately 70.897 Acres Generally Located on the Northwest Corner of U.S. Highway 287 and St. Paul Road, on Property Addressed at 3571 St. Paul Road; Hanover Property Co., Applicant (ZC#23-022)

*Assistant Director of Planning Arty Wheaton-Rodriguez presented the item.*

*Mayor Evans opened the public hearing at 5:27 p.m. With no one wishing to speak, Mayor Evans continued the public hearing at 5:28 p.m.*

**A motion was made by Council Member Broseh to approve the first reading of 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**

**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

**PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING**[23-5667](#)

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Change of Zoning from SF-12/22 Single-Family Residential District, MH Manufactured Housing District, and C-2 Community Business District to PD, Planned Development District for Detached and Attached Single-Family Residential Uses on Approximately 24.841 Acres on Property Located at 1503 N Main Street. Jacob Sumpter, MMA Inc., Applicant (ZC#23-009)

*Arty Wheaton-Rodriguez presented the item.*

*Mayor Evans continued the public hearing at 5:30 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 5:30 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 HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR DETACHED AND ATTACHED 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 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-2329-23

**ADJOURN**

**A motion was made by Council Member Lewis to adjourn the meeting at 5:30 p.m. 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

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ATTEST: Michael Evans, Mayor

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Susana Marin, City Secretary