



# CITY OF MANSFIELD

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

## Meeting Agenda City Council

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Monday, January 23, 2012

4:00 PM

Council Chambers

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### REGULAR MEETING AMENDED AGENDA

1. **4:00 P.M. - CALL MEETING/WORK SESSION TO ORDER**
2. **COUNCIL WORK SESSION AS A SUBCOMMITTEE OF THE WHOLE - NO ACTION WILL BE TAKEN - IN THE MULTI-PURPOSE ROOM**

2011 Bond Presentation

3. **RECESS INTO EXECUTIVE SESSION IMMEDIATELY FOLLOWING WORK 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**

Seek Advice of City Attorney Regarding Current Contract with Republic Waste Services

Seek Advice of City Attorney Regarding Future Public/Private Partnerships

Seek Advice of City Attorney Regarding Collection of Mansfield Municipal Court Fees

Seek Advice of City Attorney Regarding Amending Amendment Number Two to the Water Park Ground Lease with Mansfield Family Entertainment, LLC

Seek Advice of City Attorney Regarding Legal and Procedural Requirements and Restrictions for Opening Public Meetings

Seek Advice of City Attorney Regarding Procedural Requirements and Restrictions for Public Initiatives or Elections

Seek Advice of City Attorney Regarding Legal Requirements Relating to VDC Mansfield Reserve I, LLC

- 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**
- D. **Deliberation Regarding Negotiations of the Industrial Development Corporation of an Offer of a Financial or Other Incentives to a Business Prospect Pursuant to Section 551.087**

Economic Development Project #11-10: An Industrial Manufacturing Prospect Locating in Mansfield

- 4. **6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**
- 5. **7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**
- 6. **INVOCATION**
- 7. **PLEDGE OF ALLEGIANCE**
- 8. **TEXAS PLEDGE**

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

- 9. **PRESENTATION**

Recognition of Mansfield Police Officers for Meritorious Service and Life Saving Act

- 10. **CITIZEN COMMENTS**

*Citizens wishing to address the Council on non-public hearing agenda items and items not on the agenda may do so at this time. Once the business portion of the meeting begins, only comments related to public hearings will be heard. All comments are limited to 5 minutes. Please refrain from "personal criticisms."*

*In order to be recognized during the "Citizen Comments" or during a Public Hearing (applicants included), please complete a blue or yellow "Appearance Card" located at the entry to the City Council Chamber and present it to the City Secretary.*

- 11. **COUNCIL ANNOUNCEMENTS**

- 12. **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

Appointment of Assistant Fire Chief

Winter Walk Update

Reschedule April 23, 2012 Regular City Council Meeting/MISD Academic Recognition Banquet

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

**14. CONSENT AGENDA**

*All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are considered to be routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff's recommendation.*

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

**12-0025**

Ordinance - First Reading of an Ordinance of the City of Mansfield, Texas, Amending Ordinance No. 867, Providing for the Addition of Law Enforcement Duties to the Office of City Marshal; Providing that this Ordinance Shall be Cumulative of all Ordinances; Providing a Severability Clause; and Providing for an Effective Date

**Sponsors:** Tracy Aaron

**Attachments:** [Ordinance 867 \(Current\)](#)  
[Amended Ordinance \(Proposed\)](#)

**12-0008**

Resolution - A Resolution Calling the May 12, 2012 General Election for the City of Mansfield Council Places 3, 4 and 5

Resolución - Una Resolución Convocando una Elección General el día 12 de Mayo del 2012 para la Ciudad de Mansfield Lugares del Consejo 3, 4 y 5

**Sponsors:** Vicki Collins

**Attachments:** [Resolution](#)  
[Resolution \(Spanish\)](#)

**12-0010**

Resolution - A Resolution Approving a Bid from Pro Lawn Land Care for Citywide Median Irrigation Installation and Repair Services for an Amount not to Exceed \$120,000 to be Funded by the Tree Mitigation Fund

**Sponsors:** Toby Fojtik

**Attachments:** [Resolution](#)

**12-0013**

Resolution - A Resolution Authorizing the Permanent Closure of Seeton Road at the Union Pacific Railroad Crossing

**Sponsors:** Steve Freeman

**Attachments:** [Rail Road Closure Exhibit](#)  
[Resolution](#)

**12-0020** Resolution - A Resolution Approving the Joint Election Agreement Between the City of Mansfield and the Mansfield Independent School District for the May 12, 2012 General Election

**Sponsors:** Vicki Collins

**Attachments:** [Resolution](#)  
[Joint Election Agreement](#)

**12-0021** Resolution - A Resolution Authorizing the City of Mansfield, Texas ("City") to Enter into a Lease Agreement with Johnson County for the Use of An AutoMark Voting Equipment to be Used in the May 12, 2012 General Election and Run-Off Election, If Necessary

**Sponsors:** Vicki Collins

**Attachments:** [Resolution](#)  
[Voting Machine Lease Agreement](#)

**12-0024** Resolution - A Resolution Approving an Interlocal Cooperative Agreement between the City of Mansfield and the City of Grand Prairie to Allow Placement of a Grand Prairie 12" Water Line Within Mansfield Right of Way Along the East Side of Day Miar Road

**Sponsors:** Steve Freeman

**Attachments:** [Resolution](#)  
[Mansfield-Grand Prairie Interlocal Agmt](#)  
[Mansfield-Grand Prairie Interlocal Agmt Exhibit](#)

**12-0026** Resolution - A Resolution to Consider Amending Amendment Number Two to the Water Park Ground Lease and Operating Agreement with Mansfield Family Entertainment, LLC and the City of Mansfield for Expansion of the Hawaiian Falls Water Park Mansfield

**Sponsors:** Shelly Lanners

**Attachments:** [Resolution](#)  
[Amendment to Amendment Two](#)

**12-0028** Resolution - A Resolution Authorizing the Transfer of Files and Consulting Services from Vinson & Elkins LLP to Bracewell & Giuliani LLP (Addendum to Agenda)

**Sponsors:** Clayton Chandler

**Attachments:** [Resolution](#)  
[Letter](#)

**12-0009** Minutes - Approval of the January 9, 2012 Regular City Council Meeting Minutes

**Sponsors:** Vicki Collins

**Attachments:** [1-9-12 DRAFT Meeting Minutes](#)

**END OF CONSENT AGENDA**

**15. NEW BUSINESS****11-2575**

Consideration of a Request to Revise the Development Plan for Broad Street Medical, a Planned Development for Office, Medical Office, Retail, Assisted Living and Associated Land Uses, Generally Located at the Northeast Corner of the Intersection of Matlock Road and East Broad Street, Winkelmann & Associates (ZC#10-005A)

**Sponsors:** Felix Wong

**Attachments:** [Proposed Plan 18 Jan 12](#)

**12-0018**

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Economic Development and Performance Agreement by and Between the Mansfield Economic Development Corporation ("MEDC") and Texas Refinery Corporation and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

**Attachments:** [Resolution](#)

[Texas Refinery Economic Development Agreement](#)

**16. ADJOURN**

**CERTIFICATION**

I, the undersigned authority do hereby certify that the above agenda was posted on the bulletin board next to the main entrance of the City Hall, 1200 East Broad Street, of the City of Mansfield, Texas, in a place convenient and readily accessible to the general public at all times and said Agenda was posted on the following date and time: Friday, January 20, 2012 by 4:00 p.m., and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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Vicki Collins, City Secretary

Approved as to form:

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Craig Magnuson, Attorney, City of Mansfield

1. This building is wheelchair accessible. Parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting. To make arrangements, call (817) 473-0211 or (TDD) 1-800-RELAY TX, 1-800-735-2989.
2. In deciding a zoning change application, the Planning and Zoning required to determine the highest and best use of the property in question. The Planning and Zoning Commission may recommend and the Council may approve a change in zoning to the category or district requested by the applicant or to any zoning category or district of lesser intensity. Notice is presumed sufficient for every district up to the intensity set forth in the zoning change application.

This public notice was removed from the official posting location at the Mansfield City Hall on the following date and time:

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By: \_\_\_\_\_  
City Secretary's Office