



# CITY OF MANSFIELD

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

## Meeting Agenda

### City Council

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Monday, March 28, 2016

5:00 PM

Council Chambers

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#### REGULAR MEETING

**1. 5:00 P.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**

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

Seek Advice of City Attorney Regarding Commercial Uses in Industrial Zoning

Seek Advice of City Attorney Regarding Possible Amendment to the Operating and Lease Agreement with DSE Hockey Centers, LP

Seek Advice of City Attorney Relating to Current and Past Subdivision Regulations Regarding Street Stubouts and Sidewalk Installation

**B. Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**

Consider Possible Purchase/Exchange of Certain Properties for Future/Development Use

**C. Personnel Matters Pursuant to Section 551.074**

**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**

Project #15-20 - Business Prospect Briefing and Update

3. **6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**
4. **7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**
5. **INVOCATION**
6. **PLEDGE OF ALLEGIANCE**
7. **TEXAS PLEDGE**

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

8. **PROCLAMATION**

[16-1775](#) National Day of Prayer

*Attachments:* [National Day of Prayer 2016](#)

[16-1776](#) Mansfield Reads! Month

*Attachments:* [Mansfield Reads 2016](#)

9. **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.*

10. **COUNCIL ANNOUNCEMENTS**

11. **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

Lucretia and Gary Mills Park Ribbon Cutting - Deputy City Manager Shelly Lanners

Stormwater Management Program Annual Report - Stormwater Manager Howard Redfearn

**B. Business Services Department Report**

[16-1756](#) Presentation of the Monthly Financial Report for the Period Ending January 31, 2016

**Sponsors:** Peter Phillis

**Attachments:** [January 2016 Financials](#)

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

[16-1725](#) Ordinance - Third and Final Reading on an Ordinance Approving a Proposed Amendment of The Village off Broadway Planned Development to Include a PD for SpringHill Suites Marriott on 2.19 Acres, Generally Located North of Scenic Glen Drive, West of Conifer Street and Approximately 311' South of E. Broad Street, Countrywide Hospitality (ZC#15-027)

**Sponsors:** Chris Burkett and Felix Wong

**Attachments:** [Springhill PD](#)

[Maps & Supporting Info.](#)

[Previously Approved PD](#)

[Ordinance](#)

[A300S Building Sections Sight Line Study-A300S \(1\)](#)

[16-1762](#) Resolution - A Resolution Awarding a Contract for the Construction of Sanitary Sewer Improvements for Easy Dr. and S. 2nd Ave. to Wilson Contractor Services, LLC, and Authorizing Funding for an Amount Not to Exceed \$155,000.00 (MEDC 4A Funding)

**Sponsors:** Chris Burkett and Steve Freeman

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

[Bid Tab](#)

[16-1763](#) Resolution - A Resolution Authorizing Funding in an Amount not to Exceed \$122,500.00 and Approval of an Engineering Contract with Kimley-Horn and Associates, Inc. for Design and Procurement Services for an Advanced Traffic Management System (ATMS) and Upgraded School Zone System (Street Bond Fund)

**Sponsors:** Chris Burkett and Steve Freeman

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

[16-1771](#) Resolution - A Resolution to Approve a Sales Contract for the Purchase of 0.0831 Acres of Land Located at 113 E. Kimball Street for \$100,000

**Sponsors:** Shelly Lanners and James Fish

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

[16-1774](#) Resolution - A Resolution to Reject All Bids Received for the Mowing of Selected Developed and Undeveloped Parks, Medians, Rights-of-Way, and Municipal Sites

**Sponsors:** Shelly Lanners and Brian Coatney

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

[16-1758](#) Minutes - Approval of the March 7, 2016 Regular City Council Meeting Minutes

**Sponsors:** Shelly Lanners and Jeanne Heard

**Attachments:** [3-7-16 DRAFT Meeting Minutes](#)

### **END OF CONSENT AGENDA**

#### **14. PUBLIC HEARING AND FIRST READING**

[16-1759](#) Ordinance - Public Hearing and First Reading of an Ordinance Making Certain Findings in Connection with the South Pointe Public Improvement District; Accepting a Service and Assessment Plan for the District; Levying Special Assessments Against Property Within the District and Establishing a Lien on Such Property; Providing for a Method of Assessment and Payment of the Assessments; Providing Penalties and Interest on Delinquent Assessments

**Sponsors:** Chris Burkett and Felix Wong

**Attachments:** [Exhibit 1](#)

[Exhibit 2](#)

[Ordinance](#)

[16-1760](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from C-2 to PD, Planned Development for Restaurants on Approximately 1.2 Acres Located at 109 S Main Street; M R Development (ZC#16-003)

**Sponsors:** Chris Burkett and Felix Wong

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

[Maps & Supporting Info.](#)

[Development Plan \(Exhibits A-F\)](#)

#### **15. PUBLIC HEARING CONTINUATION AND SECOND READING**

[16-1743](#) Ordinance - Public Hearing Continuance and Second Reading of an

Ordinance Setting Forth the Standards of Care for the Recreation Department's Summer Youth Program for the City of Mansfield; Providing for the Operational Standards of the Administration for the Program; Providing for the Inspecting, Monitoring, and Enforcement of the Standards of Care; Providing for the Staffing Levels, Training and Responsibilities for Those Working in the Program; Providing for Facility Standards; Providing for a Cumulative Clause; Providing for a Severability Clause; Providing for an Effective Date

**Sponsors:** Shelly Lanners and Andy Binz

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

[2016 Standards of Care](#)

## 16. **NEW BUSINESS**

### [16-1733](#)

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 Backyard Come As You Are, L.P. and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

**Sponsors:** Chris Burkett and Scott Welmaker

**Attachments:** [Resolution - Backyard Come As You Are](#)

[Exhibits for MEDC agreement](#)

[Backyard Come As You Are EDA](#)

### [16-1753](#)

Resolution - A Resolution Approving an Economic Development and Performance Agreement with Backyard Come As You Are LP and Brain Storm Shelter LLC Related to a Development Known as The Backyard Within the Boundary of Tax Increment Reinvestment Zone No. 2 and Authorizing the City Manager to Execute the Agreement

**Sponsors:** Chris Burkett and Felix Wong

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

[Exhibits for TIRZ & City Agreement](#)

[The Backyard Chapter 380 Economic Development Agreement](#)

### [16-1769](#)

Resolution - A Resolution Approving an Economic Development Agreement Between the Mansfield Park Facilities Development Corporation and Backyard Come As You Are, LP in Historic Downtown Mansfield for the Landscaping and Irrigation of a Pathway for an Amount not to Exceed \$50,000

**Sponsors:** Shelly Lanners and James Fish

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

[Economic Development Agreement](#)

### [16-1770](#)

Resolution - A Resolution to Approve a Contribution of \$17,832 from the Mansfield Park Facilities Development Corporation (MPFDC) to the City

of Mansfield for the Purchase of a Portion of Property Located at 109 S. Main Street for the Construction of the Pond Branch Linear Park

**Sponsors:** Shelly Lanners and James Fish

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

[16-1772](#)

Board Appointments; Keep Mansfield Beautiful Commission

**Sponsors:** Joe Smolinski and Arianne Shipley

[16-1777](#)

Review and Consideration of a Partial Assignment of the Development Agreement Between the City of Mansfield and NRP Holdings LLC Related to Main Street Lofts, Phase 1

**Sponsors:** Chris Burkett and Felix Wong

**Attachments:** [City Consent to partial assignment of DA 03.18.16](#)

## 17. **ADJOURN**

### **CERTIFICATION**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the March 28, 2016 Regular 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, March 24, 2016 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

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Jeanne Heard, City Secretary

Approved as to form:

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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.