



# CITY OF MANSFIELD

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

## Meeting Agenda

### City Council

Monday, September 26, 2022

3:00 PM

Council Chambers

#### REGULAR MEETING

1. **3:00 P.M. - CALL MEETING TO ORDER**

2. **WORSESSION**

Discussion Regarding Republic Services

3. **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 Pending Litigation – Cause No. 3:20-CV-2061-N-BK

Seek Advice of City Attorney Regarding Water Provider Agreement

Seek Advice of City Attorney Regarding HR Manual

Seek Advice of City Attorney Regarding Legal Issues Pertaining to Economic Development Projects Listed in Section 3.D of the Agenda

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

Land Acquisition for Future Development

**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**

Economic Development Project #21-01

Economic Development Project #21-09

Economic Development Project #21-28

Economic Development Project #21-33

Economic Development Project #22-01

Economic Development Project #22-04

**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. PROCLAMATION**

[22-4859](#) National Night Out Proclamation

*Attachments:* [National Night Out 2022](#)

[22-4946](#) Hunger Action Month Proclamation

*Attachments:* [Hunger Action Month](#)

**10. RECOGNITION**

Recognition of Common Ground

Recognition of Local Toys For Tots

**11. 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. Due to regulations of the Texas Open Meetings Act, please do not expect a response from the Council as they are not able to do so. THIS WILL BE YOUR ONLY OPPORTUNITY TO SPEAK UNLESS YOU ARE SPEAKING ON A SCHEDULED PUBLIC HEARING ITEM. After the close of the citizen comments portion of the meeting only comments related to public hearings will be heard. All comments are limited to five (5) minutes.*

*In order to be recognized during the "Citizen Comments" or during a Public Hearing (applicants included), please complete a blue or yellow card located at the entrance of the Council Chambers. Please present the card to the Assistant City Secretary prior to the start of the meeting.*

**12. COUNCIL ANNOUNCEMENTS**

**13. SUB-COMMITTEE REPORTS**

[22-4933](#)

Minutes - Approval of the September 12, 2022 TIRZ #2 Board Meeting Minutes (vote will be only by members of the sub-committee: Short (Chair), Lewis, Evans and Bounds)

**Presenters:** Susana Marin

**Attachments:** [9-12-22 DRAFT Meeting Minutes](#)

[22-4943](#)

Minutes - Approval of the September 19, 2022 Revitalization of Historic Downtown Mansfield Meeting Minutes (vote will be only by members of the sub-committee: Tonore (Chair), Lewis, and Bounds)

**Presenters:** Susana Marin

**Attachments:** [9-19-22 DRAFT Meeting Minutes](#)

**14. 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

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

**16. 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**

- [22-4930](#) Ordinance - An Ordinance Amending Chapter 91, "Fire Protection and Prevention," and Section 150.014, "International Fire Code Adopted" of the Code of Mansfield, Texas to Provide for References to the 2018 Edition of the International Fire Code; Providing a Cumulative Clause; Providing a Severability Clause; Providing a Penalty Clause; Providing a Savings Clause; Providing for Publication; and Providing an Effective Date
- Presenters:*** Mike Ross
- Attachments:*** [Ordinance](#)  
[Redline Ordinance](#)
- [22-4907](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving A Negotiated Settlement Between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2022 Rate Review Mechanism Filing
- Presenters:*** Jeff Price
- Attachments:*** [Resolution](#)  
[Exhibit A](#)  
[Rate Schedules](#)  
[Medical Benefits](#)
- [22-4931](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas Authorizing a Contract Between the City of Mansfield, Texas and Neighborhood Management Inc. for the Management and Improvement Services Agreement of the South Pointe Public Improvement District
- Presenters:*** Troy Lestina
- Attachments:*** [Resolution](#)  
[Contract](#)
- [22-4936](#) Resolution - A Resolution Authorizing a Change Order to the Contract with Klutz Construction for the 2019 Aerial Sewer Repairs Project and Authorizing Additional Funding for an Amount Not to Exceed \$66,369.01 (Utility Fund)
- Presenters:*** Bart VanAmburgh
- Attachments:*** [Resolution](#)  
[Exhibit](#)  
[Change Order Breakdown](#)
- [22-4937](#) Resolution - A Resolution Ratifying the Expenditure of Funds in the Amount of Fifty Thousand and Two-Hundred Ninety-Two Dollars and Thirty-Three Cents (\$50,292.33), for Hazardous Waste Disposal Services (Drainage Utility Fund)

***Presenters:*** Howard Redfearn

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

[22-4938](#) Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$77,250 and Approval of Contract with Teague, Nall, and Perkins Engineering, to Complete the Chapel Hill Drainage Analysis (Drainage Utility Fund)

***Presenters:*** Howard Redfearn

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

[22-4941](#) Resolution - A Resolution Approving 2022/2023 Hotel/Motel Occupancy Tax Fund Agreements

***Presenters:*** Drew Larkin

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

[Exhibit A](#)

[22-4942](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Adopting the City of Mansfield Employee Handbook

***Presenters:*** Joe Smolinski

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

[22-4945](#) Resolution - A Resolution Authorizing Publication of Notice of Intention to Issue Certificates of Obligations; Approving the Preparation of a Preliminary Official Statement and a Notice of Sale; and Providing for the Effective Date Thereof

***Presenters:*** Troy Lestina

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

[22-4935](#) Minutes - Approval of the September 12, 2022 Regular City Council Meeting Minutes

***Presenters:*** Susana Marin

***Attachments:*** [9-12-22 DRAFT Meeting Minutes](#)

### **END OF CONSENT AGENDA**

## **17. PUBLIC HEARING**

[22-4932](#) Resolution - Public Hearing on a Resolution Approving the Fiscal Year 2022/2023 Services and Assessment Plan for the South Pointe Public Improvement District ("PID"); Providing a Severability Clause; and Providing an Effective Date

***Presenters:*** Troy Lestina

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

[PID Budget 2023-2027](#)

**18. PUBLIC HEARING AND FIRST READING**

[22-4908](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Historic Landmark Overlay District Classification for the Mansfield Cemetery, c. 1868, and the Mansfield Community Cemetery, (c. 1874), Located at 750 W. Kimball Street; Mansfield Cemetery Association, Owner and Mansfield Community Cemetery Association, Owner (HLC#22-007 and HLC#22-010)

***Presenters:*** Jason Alexander and Art Wright

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

[Photographs of the Mansfield Cemetery](#)

[Photographs of the Mansfield Community Cemetery](#)

[22-4939](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District to PD, Planned Development District for a mixed lot single-family residential development on 32.352 acres out of the James McDonald Survey, Abstract No. 997, Tarrant County, TX, located at 1970 N Main. Kinney Family Living Trust, owner, Pulte Group, Developer (ZC#22-007)

***Presenters:*** Jason Alexander and Arty Wheaton-Rodriguez

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

[Maps and Supporting](#)

[Kinney Tract Exhibit A - Legal Description](#)

[Kinney Tract Exhibit B-D - Development Plan](#)

[Kinney Tract Exhibit E - Elevations](#)

[Mews Exhibit](#)

[22-4940](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from C-2, Community Business District to D, Downtown District, D-3, Urban Center Zone on Approximately 1.690 Acres out of the W.C. Price Survey, Abstract No. 1240, Tarrant County, TX, Located at 700 E. Broad St.; City of Mansfield, Owner/Applicant (ZC#22-013)

***Presenters:*** Jason Alexander

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

[Exhibit A](#)

[Maps and Supporting Information](#)

**19. NEW BUSINESS**

[22-4948](#) Ordinance - An Ordinance of the City of Mansfield, Texas, Authorizing the Conveyance of Approximately 46 Acres of City Owned Real Property; Authorizing the City Manager to Execute all Documents Necessary to Complete the Transaction; and Providing an Effective Date

***Presenters:*** Matt Jones

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

- [22-4947](#) Resolution - A Resolution of the City of Mansfield, Texas, Approving a Chapter 380 Agreement Between the City of Mansfield and Historic Mansfield Performance Park, Authorizing the Mayor to Execute Said Agreement; and Providing an Effective Date
- Presenters:** Jason Moore
- Attachments:** [Resolution Agreement](#)
- [22-4914](#) Consider Approval of a Historic Facade Preservation Funding Request to be Funded Through the Downtown Revitalization Grant Program
- Presenters:** Nicolette Ricciuti
- Attachments:** [Facade Grant Application](#)  
[HLC Signed Approval Letter](#)  
[Rendering](#)  
[Dennis Mahoney Building History](#)
- [22-4949](#) Discussion Regarding the Appointment of a Member of the City Council as a Voting Delegate During the 2022 TML Annual Conference Business Meeting
- Presenters:** Michael Evans, Todd Tonore, Casey Lewis, Tamera Bounds and Larry Broseh
- [22-4915](#) Board Appointments: Mansfield Park Facilities Development Corporation
- Presenters:** City Council
- [22-4916](#) Board Appointments: Mansfield Economic Development Corporation
- Presenters:** City Council
- [22-4917](#) Board Appointments: Planning and Zoning Commission
- Presenters:** City Council
- [22-4918](#) Board Appointments: Zoning Board of Adjustment
- Presenters:** City Council
- [22-4919](#) Board Appointments: Historic Landmark Commission
- Presenters:** City Council
- [22-4920](#) Board Appointments: Historic Preservation Advisory Board
- Presenters:** City Council
- [22-4921](#) Board Appointments: Library Advisory Board
- Presenters:** City Council
- [22-4922](#) Board Appointments: Keep Mansfield Beautiful Commission

***Presenters:*** City Council

[22-4923](#)

Board Appointments: Mansfield Commission for the Arts

***Presenters:*** City Council

[22-4924](#)

Board Appointments: Construction Code Board of Adjustment and Appeals

***Presenters:*** City Council

**20. ADJOURN**

**CERTIFICATION**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the September 26, 2022 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, September 22, 2022 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

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

Approved as to form:

\_\_\_\_\_  
City Attorney

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 CELL PHONES WHILE THE CITY COUNCIL MEETING IS IN SESSION.