



# CITY OF MANSFIELD

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

## Meeting Agenda

### City Council

---

Monday, May 13, 2019

5:00 PM

Council Chambers

---

#### 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 ZC#17-022

Seek Advice of City Attorney Regarding the Legal Boundaries and Limitations of Council Member Participation in Matters Affected by the Texas Open Meetings Act and Limitation on Council's Actions and Authority Pursuant to City Charter

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

Seek Advice of City Attorney Regarding the Disposition of City Property on Stell Avenue and McKown Drive

**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**

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. **PRESENTATION**

Texas Municipal Library Directors Association 2018 Achievement of Excellence in Libraries Award

9. **PROCLAMATION**

[19-3145](#) National Police Week

**Attachments:** [National Police Week-Police 2019](#)

[19-3146](#) Lifeguard Your Child Month

**Attachments:** [Lifeguard Your Child Month 2019](#)

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 Assistant City Secretary prior to the start of the meeting.*

11. **COUNCIL ANNOUNCEMENTS**

12. **SUB-COMMITTEE REPORTS**

13. **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

Update on Zip Code Realignment for Mansfield City Limits

## **B. Project Updates**

Mid Year Financial Update

[19-3149](#) Presentation of Monthly Financial Report for the Period Ending March 31, 2019

**Presenters:** Peter Phillis

**Attachments:** [March FY19 Monthly Financials](#)

## **14. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

## **15. 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**

[19-3119](#) Resolution - A Resolution Authorizing the City Manager and the Police Department to Make Application, Receive and Expend Grant Funding from the Texas Department of Motor Vehicles Auto Burglary and Theft Prevention Authority to Continue a Multi-Agency Task Force

**Presenters:** Clayton Chandler and Tracy Aaron

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

[19-3120](#) Resolution - A Resolution Authorizing the City Manager and the Police Department to Make Application, Receive, and Expend Grant Funding from the U.S. Department of Justice for the FY2019 Bulletproof Vest Partnership Program that will Provide a 50% Reimbursement of Actual Expenses for Purchases Made for Bulletproof and Stab Resistant Vests

**Presenters:** Clayton Chandler and Tracy Aaron

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

[19-3121](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving the First Amended and Restated Economic Development and Performance Agreement by and Between the Mansfield Economic Development Corporation ("MEDC") and LG BROAD CANNON, LLC; and Authorizing Its Execution by the President of the MEDC; and Providing an Effective Date

***Presenters:*** Peter Phillis and Richard Nevins

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

[LG Broad Cannon Performace Agreement](#)

[19-3147](#) Resolution - A Resolution of the City of Mansfield, Texas Finding that Oncor Electric Delivery Company LLC's Application for Approval to Amend its Distribution Cost Recovery Factor Pursuant to 16 Tex. Admin. Code § 25.243 to Increase Distribution Rates Within the City Should be Denied

***Presenters:*** Joe Smolinski and Jeff Price

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

[19-3148](#) Resolution - A Resolution Authorizing a Professional Services Agreement with VEPO, LLC. for the use of an Online Backflow and CSI Management System

***Presenters:*** Joe Smolinski and Alex Whiteway

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

[Vepo Service Agreement 2019](#)

[19-3118](#) Minutes - Approval of the April 22, 2019 Regular City Council Meeting Minutes

***Presenters:*** Shelly Lanners and Susana Marin

***Attachments:*** [4-22-19 DRAFT Meeting Minutes](#)

### **END OF CONSENT AGENDA**

## **16. OLD BUSINESS**

[19-3150](#) Reconsideration of a Minor Amendment to the Shops at Broad Planned Development Standards to Revise the Masonry Requirements for FLIX Movie Theater (ZC#16-008A)

***Presenters:*** Brent Newsom, Casey Lewis, Julie Short, Terry Moore and Mike Leyman

***Attachments:*** [Site Plan](#)

[Applicants letter of request](#)

[Exhibit F](#)

## **17. PUBLIC HEARING**

[19-3130](#) Public Hearing and Consideration of a Request for a Specific Use Permit for an Auto Repair Garage on Approximately 0.8656 Acres out of the Jacob Back Survey, Located at 800 N. SH 360; Kyle Vrla of Dynamic Engineering Consultants, PC, on Behalf of Billy Green of Christian Brothers Automotive Corporation (developer) and John Boguski of Ellanu, LLP (owner) (ZC#19-004)

***Presenters:*** Joe Smolinski and Lisa Sudbury

**Attachments:** [Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibits B - E](#)

[Access Plan](#)

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

### [19-3128](#)

Ordinance- Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from SF-12/22 Single-Family Residential District and PR Pre-Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 7.7 Acres out of Lot 1R1, Change of Scenery; 1.2 Acres out of Lot 1R2, Change of Scenery; and 1.122 Acres out of the William Childress Survey, Abstract No. 1949, Tarrant County, TX, Totaling Approximately 10.022 Acres Located at the Southeast Corner of Seeton Road & National Parkway; Don Dykstra of Bloomfield Homes on behalf of Richard E. LeBlanc of Knox Street Partners No. 20, Ltd. c/o Hanover Property Co. (ZC#19-001)

**Presenters:** Joe Smolinski and Lisa Sudbury

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

[Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibits B - E](#)

### [19-3129](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District & PR Pre-Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 11.82 Acres out of the Treese Crawford Survey, Abstract No. 831, Johnson County, TX, Located on the East Side of S. Main Street, Approximately 112 Feet North of Vinewood Drive; Rich Darragh of Skorburg Company on behalf of Lyndell Lacey of Central Mansfield Church of Christ and William B. Mashburn (ZC#19-002)

**Presenters:** Joe Smolinski and Lisa Sudbury

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

[Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibits B - E](#)

### [19-3132](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Mobile Food Unit Sales, Outdoor Dining, Outdoor Stage/live Entertainment, Bar, Special Event, and Office Uses on Approximately 0.7495 Acres Located at 107 Walnut Street; Shane Farrar of Open Range Properties (ZC#18-007)

**Presenters:** Joe Smolinski and Lisa Sudbury

**Attachments:** [Ordinance](#)  
[Exhibit A](#)  
[Maps and Supporting Information](#)  
[Exhibits B - D](#)

**19. PUBLIC HEARING CONTINUATION AND SECOND READING**

[19-3110](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance to Consider a Change of Zoning from PR Pre-Development District, SF-12/22 Single-Family Residential District, and C-2 Community Business District to PD Planned Development District for Single-Family Residential Uses on Approximately 65.2525 Acres Out of the Esquire Hendricks Survey, Abstract No. 659 & the William H. Herrall Survey, Abstract No. 724, Tarrant County, TX, and Approximately 15.9256 Acres out of the Esquire Hendricks Survey, Abstract No. 659, Tarrant County, TX, Altogether Totalling Approximately 81.1781 Acres Generally Located on the West Side of Callender Road, North of the MISD Center for the Performing Arts, and Southeast of the Woodland Estates subdivision; Charles F. Dibrell III of Terra Associates on Behalf of Dolce Vita Development Group, LLC (developer) and Michael Balloun of Balloun ACCP, LP, et. al (Owner) (ZC#17-022)

**Presenters:** Joe Smolinski and Lisa Sudbury

**Attachments:** [Ordinance](#)  
[Maps and Supporting Information](#)  
[Exhibit A](#)  
[Letter from EagleRidge Operating, LLC](#)  
[Letter from Summit Midstream Partners, LLC](#)  
[Exhibits B - D](#)  
[Correspondence from TRWD 05-06-19](#)

[19-3111](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12 Single-Family Residential District to PD Planned Development District for Office, Church, and Special Event Uses on Approximately 0.68 Acres Known as Lots 2 & 3, Block 15, Original Town of Mansfield, Generally Located at 403 E. Broad St. & 400 Elm St.; Sheri Bumgardner of SSB Designs on Behalf of Central Baptist Church and Anchora Properties, LLC (ZC#19-003)

**Presenters:** Joe Smolinski and Lisa Sudbury

**Attachments:** [Ordinance](#)  
[Maps and Supporting Information](#)  
[Exhibit A](#)  
[Exhibits B - C](#)

[19-3113](#) Ordinance - Public Hearing Continuation and Second Reading of an

Ordinance Amending Section 8600.A of the Zoning Ordinance to Revise the Regulations for Issuing or Revoking Specific Use Permits by City Council (OA#19-001)

***Presenters:*** Joe Smolinski and Lisa Sudbury

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

[Sect. 8600.A Specific Use Permits - Redlined](#)

## 20. **NEW BUSINESS**

[19-3071](#)

Resolution - A Resolution Approving a Developer Participation Contract Between the City of Mansfield and Texas Health Resources for Cost Participation for Roadway Improvements Along Lone Star Road Adjacent to the Southpointe - Texas Health Resources Addition

***Presenters:*** Joe Smolinski and Bart VanAmburgh

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

[Developer Participation Contract THR](#)

[19-3127](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Canvassing the Returns of the General Election Held in the City of Mansfield, Texas on May 4, 2019, for the Purpose of Electing a Mayor, Place 1; and Council Member, Place 2

***Presenters:*** Shelly Lanners and Susana Marin

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

[2019 Unofficial Election Results 5-4-19](#)

[19-3133](#)

Ordinance - First Reading of an Ordinance Adopting the 2018 Edition of the International Building Code and its Local Amendments

***Presenters:*** Joe Smolinski, Wade McLaurin and Paul Coker

***Attachments:*** [Building Code Ordinance 2018](#)

[Exhibit A](#)

[19-3134](#)

Ordinance - First Reading of an Ordinance Adopting the 2018 Edition of the International Residential Code and its Local Amendments

***Presenters:*** Joe Smolinski, Wade McLaurin and Paul Coker

***Attachments:*** [Residential Code Ordinance 2018](#)

[Exhibit A](#)

[19-3135](#)

Ordinance - First Reading of an Ordinance Adopting the 2018 Edition of the International Existing Building Code and its Local Amendments

***Presenters:*** Joe Smolinski, Wade McLaurin and Paul Coker

***Attachments:*** [Existing Building Code Ordinance 2018](#)

[Exhibit A](#)

[19-3136](#)

Ordinance - First Reading of an Ordinance Adopting the 2018 Edition of the International Fire Code and its Local Amendments

***Presenters:*** Joe Smolinski, Wade McLaurin and Paul Coker

***Attachments:*** [Fire Code Ordinance 2018](#)

[Exhibit A](#)

[19-3137](#) Ordinance - First Reading of an Ordinance Adopting the 2018 Edition of the International Fuel Gas Code and its Local Amendments

***Presenters:*** Joe Smolinski, Wade McLaurin and Paul Coker

***Attachments:*** [Fuel Gas Code Ordinance 2018](#)

[Exhibit A](#)

[19-3138](#) Ordinance - First Reading of an Ordinance Adopting the 2017 Edition of the National Electrical Code and its Local Amendments

***Presenters:*** Joe Smolinski, Wade McLaurin and Paul Coker

***Attachments:*** [Electrical Code Ordinance 2017](#)

[Exhibit A](#)

[19-3139](#) Ordinance - First Reading of an Ordinance Adopting the 2018 Edition of the International Mechanical Code and its Local Amendments

***Presenters:*** Joe Smolinski, Wade McLaurin and Paul Coker

***Attachments:*** [Mechanical Code Ordinance 2018](#)

[Exhibit A](#)

[19-3140](#) Ordinance - First Reading of an Ordinance Adopting the 2018 Edition of the International Plumbing Code and its Local Amendments

***Presenters:*** Joe Smolinski, Wade McLaurin and Paul Coker

***Attachments:*** [Plumbing Code Ordinance 2018](#)

[Exhibit A](#)

[19-3141](#) Ordinance - First Reading of an Ordinance Adopting the 2018 Edition of the International Energy Conservation Code and its Local Amendments

***Presenters:*** Joe Smolinski, Wade McLaurin and Paul Coker

***Attachments:*** [Energy Code Ordinance 2018](#)

[Exhibit A](#)

[19-3142](#) Ordinance - First Reading of an Ordinance Adopting the 2018 edition of the International Property Maintenance Code and its Local Amendments

***Presenters:*** Joe Smolinski, Wade McLaurin and Paul Coker

***Attachments:*** [Property Maintenance Code Ordinance 2018](#)

[Exhibit A](#)

[19-3143](#) Ordinance - First Reading of an Ordinance Adopting the 2018 Edition of the International Swimming Pool and Spa Code and its Local Amendments

***Presenters:*** Joe Smolinski, Wade McLaurin and Paul Coker

***Attachments:*** [Swimming Pool & Spa Code Ordinance 2018](#)

[Exhibit A](#)



21. ADJOURN

CERTIFICATION

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the May 13, 2019 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, May 9, 2019 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

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

Approved as to form:

\_\_\_\_\_  
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.