



# CITY OF MANSFIELD

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

## Meeting Minutes - Draft

### City Council

---

Monday, August 8, 2022

3:00 PM

Council Chambers

---

#### REGULAR MEETING AMENDED AGENDA

#### 3:00 P.M. - CALL MEETING TO ORDER

*Mayor Evans called the meeting to order at 3:00 p.m.*

**Present** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

#### RECESS INTO EXECUTIVE SESSION

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 3:00 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 3:02 p.m. Mayor Evans recessed the executive session at 3:21 p.m.*

#### **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 STORE Master Funding Agreement

Seek Advice of City Attorney Regarding Grand Prairie Boundary Adjustment

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**

**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 #21-09

Economic Development Project #21-27

Economic Development Project #21-33

Economic Development Project #22-04

Economic Development Project #22-12

Economic Development Project #22-14

Economic Development Project #22-19

Economic Development Project #22-23

Economic Development Project #22-24

**7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**

*Mayor Evans reconvened the meeting into regular business session at 3:23 p.m.*

**WORK SESSION**

FY '23 Budget Work Session

*City Manager Joe Smolinski began the work session by presenting the proposed balanced budget for FY '23. He reviewed the Mansfield Economic Development Corporation Fund, Mansfield Parks Facility Development Corporation Fund, Water and Sewer Fund, and the General Fund, and answered Council questions. There was discussion regarding the reserves of the MEDC and MPFDC funds, and Chief Financial Officer Troy Lestina and Director of Community Services Matt Young answered questions. Staff next reviewed the Revenues portion of the budget, specifically the certified tax rolls, sales tax, and fee schedule updates. Director of Building Services Wade McLaurin reviewed the proposed changes to the permit fees and answered Council questions. Director of Planning Jason Alexander reviewed the proposed changes to the planning fees. Director of Regulatory Compliance Nicolette Ricciuti reviewed multi-family rental inspection fees.*

Staff next reviewed the expenditures portion of the FY '23 budget, and discussed other items for consideration including capital projects, equipment, and personnel. Joe discussed the debt issuance for the Police headquarters building, and other projects for funding consideration including a design for a new animal control building and service center expansion, and the expansion of the emergency operations center. Assistant Director of Public Works - City Engineer Raymond Coffman reviewed the 2023 Capital Improvement Projects and answered Council questions. Assistant Director of Public Works - Transportation David Boski reviewed the 2023 Street Maintenance projects and answered Council questions. Joe reviewed capital requests, personnel, proposed City events, future budget priorities, and answered additional Council questions.

### **RECESS INTO EXECUTIVE SESSION**

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:59 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 5:11 p.m. Mayor Evans recessed the executive session at 7:22 p.m.*

### **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 STORE Master Funding Agreement

Seek Advice of City Attorney Regarding Grand Prairie Boundary Adjustment

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**

### **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 #21-09

Economic Development Project #21-27

Economic Development Project #21-33

Economic Development Project #22-04

Economic Development Project #22-12

Economic Development Project #22-14

Economic Development Project #22-19

Economic Development Project #22-23

Economic Development Project #22-24

**6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**

**7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE  
INTO REGULAR BUSINESS SESSION**

*Mayor Evans reconvened into regular business session at 7:29 p.m.*

**INVOCATION**

*Ron Thomas of First Baptist Church gave the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Council Member Broseh led the Pledge of Allegiance.*

**TEXAS PLEDGE**

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

*Mayor Pro Tem Tonore led the Texas Pledge.*

**PROCLAMATION**

[22-4804](#)

Purple Heart Recognition Day Proclamation

*Mayor Evans read and presented the proclamation to Mansfield Purple Heart Veteran Specialist Christopher Crosby.*

**CITIZEN COMMENTS**

*There were no citizen comments.*

**COUNCIL ANNOUNCEMENTS**

*Council Member Bounds commented on the Back-to-School Bash.*

*There were no other Council announcements.*

**SUB-COMMITTEE REPORTS****[22-4820](#)**

Minutes - Approval of the July 25, 2022 Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting Minutes (vote will be only by members of the sub-committee: Short (Chair), Evans, and Lewis)

*Council Member Short provided a report of the discussion held at the July 25, 2022 Hotel/Motel Tax Funds Policy and Allocation Sub-Committee Meeting.*

**A motion was made by Council Member Lewis to approve the minutes of the July 25, 2022 Hotel/Motel Occupancy Tax Funds and Allocation Sub-Committee Meeting. Seconded by Council Member Short. The motion CARRIED by the following vote:**

**Aye:** 3 - Julie Short; Casey Lewis and Michael Evans

**Nay:** 0

**Abstain:** 0

**Non-Voting:** 4 - Larry Broseh; Mike Leyman; Todd Tonore and Tamera Bounds

**[22-4821](#)**

Minutes - Approval of the July 25, 2022 TIF Reinvestment Zone #1 Board Meeting Minutes (vote will be only by members of the sub-committee: Broseh (Chair), Leyman, Tonore, and Evans)

*Council Member Broseh gave a report of the discussion held at the July 25, 2022 TIF Reinvestment Zone #1 Board Meeting.*

**A motion was made by Council Member Broseh to approve the minutes of the July 25, 2022 TIF Reinvestment Zone #1 Board Meeting. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:**

**Aye:** 4 - Larry Broseh; Mike Leyman; Todd Tonore and Michael Evans

**Nay:** 0

**Abstain:** 0

**Non-Voting:** 3 - Julie Short; Casey Lewis and Tamera Bounds

**[22-4827](#)**

Minutes - Approval of the July 26, 2022 Housing Market Growth Strategy Sub-Committee Meeting Minutes (vote will be only by members of the sub-committee: Lewis (Chair), Short, and Bounds)

*Council Member Lewis gave a report of the discussion held at the July 26, 2022*

*Housing Market Growth Strategy Sub-Committee Meeting.*

**A motion was made by Council Member Bounds to approve the minutes of the July 26, 2022 Housing Market Growth Strategy Sub-Committee Meeting.**

**Seconded by Council Member Short. The motion CARRIED by the following vote:**

**Aye:** 3 - Julie Short; Casey Lewis and Tamera Bounds

**Nay:** 0

**Abstain:** 0

**Non-Voting:** 4 - Larry Broseh; Mike Leyman; Todd Tonore and Michael Evans

## **STAFF COMMENTS**

### **City Manager Report or Authorized Representative**

Current/Future Agenda Items

Water Contingency Update - Alex Whiteway

*Assistant Director of Water Utilities Alex Whiteway presented a water contingency update and spoke on the steps that would be taken if needed in order to conserve water.*

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

*There was no action taken.*

## **CONSENT AGENDA**

### **[22-4816](#)**

Resolution - A Resolution Awarding Street Maintenance Contracts for Miscellaneous City-Wide Concrete Repairs to Ken-Do Contracting, LP and GROD Construction, LLC (Street Department Maintenance Budget - General Fund)

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

**A RESOLUTION OF THE CITY OF MANSFIELD AWARDING STREET MAINTENANCE CONTRACTS FOR MISCELLANEOUS CITY-WIDE CONCRETE REPAIRS TO KEN-DO CONTRACTING, L.P. AND GROD CONSTRUCTION, LLC**

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

**Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3888-22

[22-4817](#)

Resolution - A Resolution Awarding a Construction Contract for Asphalt Overlays of East Broad Street (Matlock Road to Fire Station #3) and Mansfield Webb Road to Texas Bit, Authorizing and Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$450,000.00 (Street Operations Department Maintenance Budget - General Fund)

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

**A RESOLUTION AWARDED A CONTRACT FOR ASPHALT OVERLAYS OF EAST BROAD STREET (MATLOCK ROAD TO FIRE STATION #3) AND MANSFIELD WEBB ROAD TO TEXAS BIT; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS; AND AUTHORIZING FUNDS IN AN AMOUNT NOT TO EXCEED \$450,000.00**

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

**Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3889-22

[22-4823](#)

Resolution - A Resolution by the City Council of the City of Mansfield, Texas, Authorizing the City Manager to Enter into an Interlocal Agreement with the City of Waxahachie for the Purpose of Cooperative Purchase of Goods, Products, and/or Services

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF WAXAHACHIE, TEXAS, FOR THE PURPOSE OF COOPERATIVE PURCHASE OF GOODS, PRODUCTS AND/OR SERVICES**

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

**Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3890-22

[22-4818](#)

Minutes - Approval of the August 2, 2022 Special Joint City Council and MISD Board Meeting Minutes

**A motion was made by Council Member Bounds to approve the minutes of the August 2, 2022 Special Joint City Council and MISD Board Meeting Minutes as presented. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

[22-4819](#)

Minutes - Approval of the July 25, 2022 Regular City Council Meeting Minutes

**A motion was made by Council Member Bounds to approve the minutes of the July 25, 2022 Regular City Council Meeting Minutes as presented. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

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

[22-4815](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas authorizing a contract between the City of Mansfield, Texas and Tarrant County and the County's Assessor/Collector for the Collection of the South Pointe Public Improvement District Assessment/Collection Services

*Council Member Lewis removed this item from the consent agenda. Troy Lestina answered Council questions.*

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

**A RESOLUTION APPROVING, RATIFYING, AND CONFIRMING, THAT THE CITY MANAGER OR HIS DESIGNEE OF THE CITY OF MANSFIELD, TEXAS IS AUTHORIZED TO ENTER INTO A CONTRACT BY AND BETWEEN WENDY BURGESS, TARRANT COUNTY TAX ASSESSOR-COLLECTOR, TARRANT COUNTY AND THE CITY OF MANSFIELD FOR THE SOUTH POINTE PUBLIC IMPROVEMENT DISTRICT COLLECTION SERVICES OF THE CITY OF MANSFIELD**



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

**Seconded by Council Member Short. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3891-22

### **END OF CONSENT AGENDA**

### **OLD BUSINESS**

#### **[22-4825](#)**

Discussion - Continued Discussion and Possible Action Regarding Policy Direction from Council to Address Political Activities at City Events

*City Attorney Drew Larkin stated that he is drafting an original policy regarding political activities at City events to present to Council at the August 22, 2022 City Council Meeting. No action was taken.*

### **NEW BUSINESS**

#### **[22-4813](#)**

Review and Consideration of a Detailed Site Plan at the Shops at Broad for a Restaurant (Eating Place without Drive-Through) Use on Approximately 2.12 Acres of Lot 12, Blk 1, The Shops at Broad Street at 645 N US 287; Development Engineering Consultants, LLC (engineer), and BoomerJack's, Proposed Tenant (DS#22-009)

*Jason Alexander presented the item and answered Council questions. Representative for the applicant, Shawn Rockenbaugh, answered Council questions.*

**A motion was made by Council Member Leyman to approve the detailed site plan. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

#### **[22-4814](#)**

Ordinance - Ordinance Authorizing the Issuance and Sale of City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation, Series 2022, in an Aggregate Principal Amount not to exceed \$9,915,000; Awarding the Sale Thereof; Levying a Tax in Payment Thereof; Prescribing the Form of Said Certificates; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and a

Bond Counsel Engagement Letter; Approving the Official Statement; and Enacting Other Provisions Relating Thereto

*Troy Lestina and Nick Bulaich, Hilltop Securities, presented the item and answered Council questions.*

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MANSFIELD, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$9,360,000.00; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID CERTIFICATES; APPROVING EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND A BOND COUNSEL ENGAGEMENT LETTER; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO**

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

**Seconded by Council Member Short. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2268-22

[22-4822](#)

Consideration of a Community Activation Grant Application Made by the Historic Mansfield Performance Park and Historic Mansfield Business Association

*Nicolette Ricciuti presented the item and answered Council questions.*

**A motion was made by Council Member Lewis to approve the community grant application up to \$61,045.00 with a maximum reimbursement that would cover up to \$20,000.00 profit over revenue minus expenses that has been reconciled with City staff, that the City gets access to the media collateral, and that the applicant includes any cancellation insurance as part of their reimbursement. Seconded by Council Member Short. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

[22-4824](#)

Resolution - A Resolution Approving a Development Agreement Between the City of Mansfield, The Board of Directors of the Tax Increment Financing Reinvestment Zone Number One, and SW Mansfield Development, LLC;

Authorizing the City Manager or His Designee to Execute the Development Agreement; and Providing an Effective Date

*Assistant City Manager Matt Jones presented the item and answered Council questions.*

**A motion was made by Council Member Short to table the item until the next City Council meeting on August 22, 2022. Seconded by Council Member Lewis. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

### **RECESS INTO EXECUTIVE SESSION**

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 8:44 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 8:50 p.m. Mayor Evans recessed the executive session at 10:20 p.m.*

### **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 STORE Master Funding Agreement

Seek Advice of City Attorney Regarding Grand Prairie Boundary Adjustment

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**

**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 #21-09

Economic Development Project #21-27

Economic Development Project #21-33

Economic Development Project #22-04

Economic Development Project #22-12

Economic Development Project #22-14

Economic Development Project #22-19

Economic Development Project #22-23

Economic Development Project #22-24

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

*Mayor Evans reconvened the meeting into regular business session at 10:23 p.m.*

**ADJOURN**

*Mayor Evans adjourned the meeting at 10:23 p.m.*

\_\_\_\_\_  
ATTEST: Michael Evans, Mayor

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