



CITY OF MANSFIELD

Economic Development
301 South Main Street,
Suite 100
Mansfield, TX 76063
www.mansfield-texas.com

Meeting Agenda

Mansfield Economic Development Corporation

Tuesday, October 1, 2019

5:30 PM

City Hall - Council Chambers

1. **CALL MEETING TO ORDER**

2. **PUBLIC COMMENTS**

Citizens wishing to address the Board 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 citizens comments or during a public hearing (applicants included), please complete a blue or yellow "appearance card" located at the entry to the city council chambers and present it to the board president.

3. **APPROVAL OF MINUTES**

[19-3272](#)

Approval of Regular Meeting Minutes for September 3, 2019

Attachments: [MeetingMinutes 9-3-2019.pdf](#)

4. **FINANCIALS**

[19-3278](#)

Presentation of Monthly Financial Report for Period Ending 8/31/2019

Attachments: [Copy of MEDC Cash Report 08-31-2019.xlsx](#)

5. **RECESS INTO EXECUTIVE SESSION**

Pursuant to Section 551.071, Texas Government Code, the Board 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. **ADVICE FROM ITS ATTORNEY**

Pursuant to Sec. 551.071 of the Texas Government code, the Board 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. In addition the Board may convene in executive session to discuss the following:

1. **Pending or contemplated litigation or a settlement offer including:**

2. A matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the chapter.

B. REAL ESTATE DELIBERATION

Pursuant to Sec. 551.072, deliberation regarding the purchase, exchange, lease or value of real property.

C. PERSONNEL MATTERS

Pursuant to Sec. 551.074, deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.

D. SECURITY DEVICES

Pursuant to Sec. 551.076, deliberation regarding security personnel or devices.

E. ECONOMIC DEVELOPMENT

Pursuant to Sec. 551.087, deliberation regarding Economic Development Negotiations including (1) discussion or deliberation regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic negotiations; OR (2) deliberation of a financial or other incentive to a business prospect described in (1) above.

1. Staff Report and Board Discussion Regarding Project 19-02, Potential New Industrial Company

F. CRITICAL INFRASTRUCTURE

Pursuant to Sec. 418.183(f) of the Texas Government Code (Texas Disaster Act) regarding critical infrastructure.

6. RECONVENE INTO REGULAR SESSION

7. TAKE ACTION PURSUANT TO EXECUTIVE SESSION

8. OLD BUSINESS

9. NEW BUSINESS

[19-3294](#) Election of MEDC Board Officers

[19-3292](#) A Resolution of the Mansfield Economic Development Corporation Amending the Articles of Incorporation to Require All Directors to Reside Within the City or a Mansfield Address and Allowing for Two Additional Board Members.

Attachments: [Resolution Amending 2019 Articles of Incorporation \(2\).doc](#)

[19-3291](#)

A Resolution of the Mansfield Economic Development Corporation Amending Article II, Section 2 of the MEDC Bylaws to Require That All Directors Reside in the City of Mansfield or at a Mansfield Address.

Attachments: [Resolution Amending 2019 Bylaws.doc](#)

10. **BOARD MEMBER COMMENTS**

11. **STAFF COMMENTS**

12. **ADJOURNMENT**

CERTIFICATION

I certify that the above agenda was posted on the bulletin board next to the main entrance of the City Hall building, 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, September 27, 2019, and remained so posted continuously for at least 72 hours preceding the schedule time of said meeting, in accordance with the Chapter 551 of the Texas Government Code.

MEDC Staff

Approved as to form



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3272

Agenda Date: 10/1/2019

Version: 1

Status: Approval of Minutes

In Control: Mansfield Economic Development Corporation

File Type: Meeting Minutes

Agenda Number:

Title

Approval of Regular Meeting Minutes for September 3, 2019

Requested Action

Approve Regular Meeting Minutes for September 3, 2019

Recommendation

Approve Regular Meeting Minutes for September 3, 2019

Description/History

N/A

Justification

N/A

Funding Source

N/A

Prepared By

Natalie Phelps, MEDC



CITY OF MANSFIELD

Economic Development
301 South Main Street,
Suite 100
Mansfield, TX 76063
www.mansfield-texas.com

Meeting Minutes

Mansfield Economic Development Corporation

Tuesday, September 3, 2019

5:30 PM

MEDC Conference Room - 301 S. Main St.

1. CALL MEETING TO ORDER

The meeting was called to order by Larry Klos at 5:30 pm.

Absent 2 - Brian Fuller and Selim Fiagome

Present 4 - Larry Klos; Robert Putman; Randy Hamilton and David Godin

2. PUBLIC COMMENTS

There were no comments.

3. APPROVAL OF MINUTES

[19-3233](#)

Approval of Regular Meeting Minutes for August 6, 2019

David Godin made the motion to approve the regular meeting minutes of August 6, 2019. Seconded by Randy Hamilton. The motion carried by the following vote:

Aye: 4 - Larry Klos; Robert Putman; Randy Hamilton and David Godin

Nay: 0

Absent: 2 - Brian Fuller and Selim Fiagome

Abstain: 0

4. FINANCIALS

[19-3244](#)

Presentation of Monthly Financial Report for Period Ending 7/31/19

There were no comments.

5. RECESS INTO EXECUTIVE SESSION

The meeting recessed into executive session at 5:30 pm.

A. ADVICE FROM ITS ATTORNEY

1. Pending or contemplated litigation or a settlement offer including:

2. A matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the chapter.

B. REAL ESTATE DELIBERATION

C. PERSONNEL MATTERS

D. SECURITY DEVICES

E. ECONOMIC DEVELOPMENT

1. Staff Report and Board Discussion Regarding Project 19-02, Potential New Industrial Company

F. CRITICAL INFRASTRUCTURE

6. RECONVENE INTO REGULAR SESSION

The meeting reconvened into regular session at 5:51 pm.

7. TAKE ACTION PURSUANT TO EXECUTIVE SESSION

Larry Klos made the motion for Project 19-02 to allow staff to continue negotiations as discussed in executive session. Seconded by Robert Putman. The motion carried by the following vote:

Aye: 4 - Larry Klos; Robert Putman; Randy Hamilton and David Godin

Nay: 0

Absent: 2 - Brian Fuller and Selim Fiagome

Abstain: 0

8. OLD BUSINESS

9. NEW BUSINESS

[19-3247](#)

Consider a Second Amendment to the Contract of Sale Between MEDC and Nickson Mansfield Industrial, Ltd.

Larry Klos made the motion to approve the amendment to change the name for Nickson Mansfield Industrial to Nickson Heritage Industrial. Larry Klos stated the motion would be for File 19-3247 and 19-3248. Seconded by David Godin. The motion carried by the following vote:

Aye: 4 - Larry Klos; Robert Putman; Randy Hamilton and David Godin

Nay: 0

Absent: 2 - Brian Fuller and Selim Fiagome

Abstain: 0

[19-3248](#)

Consider an Amendment to the Economic Development and Performance Agreement between MEDC and Nickson Mansfield Industrial Ltd.

Larry Klos made the motion to approve the amendment to change the name for Nickson Mansfield Industrial to Nickson Heritage Industrial. Larry Klos stated the motion would be for File 19-3247 and 19-3248. Seconded by David Godin.

The motion carried by the following vote:

Aye: 4 - Larry Klos; Robert Putman; Randy Hamilton and David Godin

Nay: 0

Absent: 2 - Brian Fuller and Selim Fiagome

Abstain: 0

10. BOARD MEMBER COMMENTS

There were no comments.

11. STAFF COMMENTS

Richard Nevins advised the Board that the City Council will have board appointments on the September 9, 2019 agenda. The next MEDC Board Meeting will be October 1, 2019.

12. ADJOURNMENT

Larry Klos adjourned the meeting at 5:54 pm.

Larry Klos, President



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3278

Agenda Date: 10/1/2019

Version: 1

Status: To Be Presented

In Control: Mansfield Economic Development Corporation

File Type: Financials

Agenda Number:

Title

Presentation of Monthly Financial Report for Period Ending 8/31/2019

Requested Action

Information only

Recommendation

Information only

Description/History

Presentation of Monthly Financial Report for Period Ending 8/31/2019

Justification

N/A

Funding Source

4A

Prepared By

Richard Nevins, Director Economic Development, 817-728-3652

Mansfield Economic Development Corporation
Period Ending August 31, 2019

Beginning Cash Balance 08-01-2019 **\$1,846,263**

Revenue:

Sales Tax Revenue \$595,432
 Interest Income \$0
 Misc Income
 Total Monthly Revenue **\$595,432**

Adjusted Cash Balance **\$2,441,695**

Operating Expenses:

Administration \$51,408
 Promotion \$500
 Retention \$52
 Workforce Development \$0
 Total Operating Expenditures **\$51,960**

Debt Expense

Debt Service Payment (Principal & Interest) **\$0**

Project Expenditures:

Kimball Property \$51
 Mansfield International Business Park \$975
 Klein Employee Home Purchase Incentive \$3,750
 Total Project Expenditures **\$4,776**

Total Monthly Expenditures **\$56,736**

Ending Cash Balance 08-31-2019 **\$2,384,959**

Proceeds From Bond Sale **\$6,000,000**

Total Cash **\$8,384,959**

Debt Expense

New Annual Total Debt Service - FY19 **\$2,657,375**
 (January and August)

Remaining Principal Debt Balance **\$26,775,000**



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3294

Agenda Date: 10/1/2019

Version: 1

Status: New Business

In Control: Mansfield Economic Development Corporation

File Type: Discussion Item

Agenda Number:

Title

Election of MEDC Board Officers

Requested Action

Elect MEDC Board Officers

Recommendation

Elect MEDC Board Officers

Description/History

Current board positions are listed below. Please review and bring your recommendations to the October 1, 2019 meeting for election of officers.

Current Board Members and Positions:

- Larry Klos, President
- Brian Fuller, Vice President
- Open, Secretary
- Selim Fiagome
- David Godin
- William Vivoni
- Timothy Schipper

Justification

N/A

Funding Source

N/A

Prepared By

Richard Nevins, Director, 817-728-3652



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3292

Agenda Date: 10/1/2019

Version: 1

Status: New Business

In Control: Mansfield Economic Development Corporation

File Type: Resolution

Agenda Number:

Title

A Resolution of the Mansfield Economic Development Corporation Amending the Articles of Incorporation to Require All Directors to Reside Within the City or a Mansfield Address and Allowing for Two Additional Board Members.

Requested Action

Consider amending the MEDC Articles of Incorporation to increase the number of Board member from 5 to 7 to match the Bylaws and to allow those individuals who may not officially reside within the actual city limits of Mansfield but that have a Mansfield mailing address to serve on the MEDC Board.

Recommendation

Staff recommends amending the Articles of Incorporation to increase the number of Board member from 5 to 7 to match the Bylaws and to allow those individuals who may not officially reside within the actual city limits of Mansfield but that have a Mansfield mailing address to serve on the MEDC Board.

Description/History

There may be individuals who have a vested interest in seeing Mansfield grow and want to play a part in the success of the community but they do not officially reside within the city limits. This change in the Articles of Incorporation would allow those individuals to serve on the MEDC Board.

Justification

As the Mansfield area grows there may be people who have a vested interest in seeing the city grow who do not officially reside within the city limits of Mansfield but do have a Mansfield address. This change in the bylaws will allow those people to serve the community and therefore have a positive impact on it's future.

Funding Source

N/A

Prepared By

Richard Nevins, Director Economic Development, 817-728-3652

RESOLUTION NO. _____

A RESOLUTION OF THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION AMENDING THE ARTICLES OF INCORPORATION TO REQUIRE ALL DIRECTORS TO RESIDE WITHIN THE CITY OR AT A MANSFIELD ADDRESS AND ALLOWING FOR TWO ADDITIONAL BOARD MEMBERS.

WHEREAS, the Mansfield Economic Development Corporation (“MEDC”) is a Texas non-profit corporation operating under the Development Corporation Act, codified in Subtitle C1 of Title 12 of the Texas Local Government Code, Chapters 501 through 505 (the “Act”) and the Texas Non-Profit Corporation Act, as amended, and other applicable laws; and

WHEREAS, the MEDC promotes economic development within the City of Mansfield (the “City”) to eliminate unemployment and underemployment, and to promote and encourage employment and the public welfare of, for and on behalf of the City by developing, implementing, providing, and financing projects under the Act; and

WHEREAS, the MEDC Articles of Incorporation currently state that the MEDC directors shall reside in the City; and

WHEREAS, the MEDC board desires to require the directors to reside within the City or at a Mansfield postal address; and

WHEREAS, the MEDC Articles of Incorporation as currently written provide for only five (5) directors; and

WHEREAS, the MEDC Board desires to expand its general membership to seven (7) Members to better serve the citizens of Mansfield; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION THAT:

SECTION 1.

The MEDC hereby amends Article Nine of the Articles of Incorporation to read as follows:

“The affairs of the Corporation shall be managed by a board of directors which shall be composed of seven (7) persons appointed by the City Council, who shall reside within the City of Mansfield or at a Mansfield postal address. The names and street addresses of the persons who served as the initial directors are as follows:

<u>NAMES</u>	<u>ADDRESS</u>
1. John Conn	1 Valleywod Ct. Mansfield TX 76063

2. Jack Murray 4 Treeside Ct. Mansfield, TX 76063
3. Larry Kilgore 1327 Clover Hill Rd. Mansfield, TX 76063
4. Robert E. Walkup 208 N. Creekwood Dr. Mansfield, TX 76063
5. Raymond J. Wilson 17995 Saddlehorn Ln. Mansfield, TX 76063

Each director shall hold office for the term for which the director is appointed unless sooner removed or resigned. Each director, including the initial directors, shall be eligible for reappointment. Directors are removable by the City Council at will, and shall be appointed for a term of two (2) years. Initial terms for directors shall be provided by the Corporation's Bylaws. Any vacancy occurring on the board of directors for any reason shall be filled by appointment by the City Council to hold office until the expiration of the vacating member's term."

SECTION 3.

This Resolution shall become effective from and after its passage.

Passed and Approved this _____ Day of October _____, 2019.

**MANSFIELD ECONOMIC DEVELOPMENT
CORPORATION:**

By: _____
President

ATTEST:

Board Secretary



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3291

Agenda Date: 10/1/2019

Version: 1

Status: New Business

In Control: Mansfield Economic Development Corporation

File Type: Resolution

Title

A Resolution of the Mansfield Economic Development Corporation Amending Article II, Section 2 of the MEDC Bylaws to Require That All Directors Reside in the City of Mansfield or at a Mansfield Address.

Requested Action

Consider amending Article II. Section 2 of the MEDC Bylaws to allow those individuals who may not officially reside within the actual city limits of Mansfield but that have a Mansfield mailing address to serve on the MEDC Board. The recommend language from legal counsel is as follows:

The change is highlighted in red on the attached copy of the Bylaws.

Recommendation

Staff recommends amending Article II. Section 2 of the MEDC Bylaws to allow those individuals who may not officially reside within the actual city limits of Mansfield but that have a Mansfield mailing address to serve on the MEDC Board.

Description/History

There may be individuals who have a vested interest in seeing Mansfield grow and want to play a part in the success of the community but they do not officially reside within the city limits. This change in the Bylaws would allow those individuals to serve on the MEDC Board.

Justification

As the Mansfield area grows there may be people who have a vested interest in seeing the city grow who do not officially reside within the city limits of Mansfield but do have a Mansfield address. This change in the Bylaws will allow those people to serve the community and therefore have a positive impact on it's future.

Funding Source

N/A

Prepared By

Richard Nevins, Director Economic Development, 817-728-3652

RESOLUTION NO. _____

A RESOLUTION OF THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION AMENDING ARTICLE II, SECTION 2 OF THE MEDC BYLAWS TO REQUIRE THAT ALL DIRECTORS RESIDE IN THE CITY OF MANSFIELD OR AT A MANSFIELD ADDRESS.

WHEREAS, the Mansfield Economic Development Corporation (“MEDC”) is a Texas non-profit corporation operating under the Development Corporation Act, codified in Subtitle C1 of Title 12 of the Texas Local Government Code, Chapters 501 through 505 (the “Act”) and the Texas Non-Profit Corporation Act, as amended, and other applicable laws; and

WHEREAS, the MEDC promotes economic development within the City of Mansfield (the “City”) to eliminate unemployment and underemployment, and to promote and encourage employment and the public welfare of, for and on behalf of the City by developing, implementing, providing, and financing projects under the Act; and

WHEREAS, the MEDC Bylaws as currently written provide that the directors shall reside in the City; and

WHEREAS, the MEDC Board desires to require the directors to reside in the City or reside at a Mansfield address.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION THAT:

SECTION 1.

The MEDC hereby amends Article II, Section 2 of the Bylaws of the MEDC to read as follows:

“Section 2. Number. The Board shall consist of seven (7) directors, each of whom shall be appointed by the City Council (the "City Council") of the City. All seven (7) directors shall reside within the City of Mansfield or at a Mansfield postal address. All directors shall abide by and be subject to the City Code of Ethics.

SECTION 3.

This Resolution shall become effective from and after its passage.

Passed and Approved this _____ Day of October _____, 2019.

**MANSFIELD ECONOMIC DEVELOPMENT
CORPORATION:**

By: _____
President

ATTEST:

Board Secretary