



CITY OF MANSFIELD

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

Meeting Agenda

City Council

Monday, August 10, 2020

9:00 AM

Council Chambers

REGULAR MEETING AMENDED AGENDA

THIS MEETING WILL BE HELD BY VIDEO CONFERENCING. To participate, please register at https://mansfieldtexas.zoom.us/webinar/register/WN_eZR0soFfRkWDXcXpBhI-EA by 5:00 p.m. on Monday, August 10, 2020 or join by telephone at 1-888-788-0099 (Toll Free). If joining by phone, please provide the Webinar ID number and password below:

Webinar ID: 954-8158-0584

Passcode: 1234567

Citizen comments and public hearing comments may also be submitted through the city's website www.mansfieldtexas.gov or by sending an email to susana.marin@mansfieldtexas.gov. All comments must be submitted by 5:00 p.m. Monday, August 10, 2020. Comments received will be read into the record by the Mayor or the City Secretary.

1. 9:00 A.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 Project #19-06

Seek Advice of City Attorney Regarding Legal Issues Related to Insurance Programs and Claims

Seek Advice of City Attorney Regarding an Employment Law Issue

- B. Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**
- C. Personnel Matters Pursuant to Section 551.074**

City Manager Interviews

- 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 #20-05

- 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. WORK SESSION DISCUSSION ITEMS**

Continue Preliminary Budget Discussion

- 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. 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 Assistant City Secretary's seating place. Please present the card to the Assistant City Secretary prior to the start of the meeting.

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

12. SUB-COMMITTEE REPORTS

Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting Update - July 29, 2020 (Julie Short, Chair; Brent Newsom; Casey Lewis)

[20-3672](#) Minutes - Approval of the July 23, 2020 Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting Minutes (vote will be only by the members of the sub-committee)

Presenters: Shelly Lanners and Susana Marin

Attachments: [7-23-20 DRAFT HOT Funds Sub-Committee Minutes](#)

[20-3673](#) Minutes - Approval of the July 29, 2020 Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting Minutes (vote will be only by the members of the sub-committee)

Presenters: Shelly Lanners and Susana Marin

Attachments: [7-29-20 DRAFT HOT Funds Sub-Committee Minutes](#)

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

[20-3669](#) Resolution - A Resolution Designating Areas as No Fishing Zones and Establishing Hours for Public Fishing at 1164 Matlock Road in Accordance with Chapter 96 of the Code of Ordinances of the City of Mansfield, Texas

Presenters: Shelly Lanners and Matt Young

Attachments: [Resolution](#)

[Exhibit A](#)

[20-3670](#) Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed

\$140,000.00 and Approval of Contract for Design Services with Wier & Associates, to Prepare Heritage Parkway (S. Main St. to Commerce Dr.) Westbound Lane Reconstruction for Public Bidding and Construction (Street Bond Fund)

Presenters: Joe Smolinski and Bart VanAmburgh

Attachments: [Resolution](#)

[Map](#)

[20-3677](#)

Resolution - A Resolution of the City of Mansfield, Texas, Amending Resolution No. RE-3627-20; and Calling for a General and Special Election to be Held on November 3, 2020; Establishing Procedures for the Election; and Providing an Effective Date

Presenters: Shelly Lanners and Susana Marin

Attachments: [Resolution](#)

[Resolution \(Spanish\)](#)

[20-3666](#)

Minutes - Approval of the July 20, 2020 Special City Council Meeting Minutes

Presenters: Shelly Lanners and Susana Marin

Attachments: [7-20-20 DRAFT Meeting Minutes](#)

[20-3667](#)

Minutes - Approval of the July 27, 2020 Regular City Council Meeting Minutes

Presenters: Shelly Lanners and Susana Marin

Attachments: [7-27-20 DRAFT Meeting Minutes](#)

END OF CONSENT AGENDA

15. OLD BUSINESS

[20-3630](#)

Ordinance - Third and Final Reading of an Ordinance of the City of Mansfield, Texas, Calling a Special Election for November 3, 2020 for the Purpose of Amending the City Charter

Presenters: City Council

Attachments: [Ordinance](#)

[Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

[20-3651](#)

Ordinance - Second Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas, Code of Ordinances by; Amending Permit Time Restrictions; and Removing Bond Requirements

Presenters: Joe Smolinski and Tracy Aaron

Attachments: [Proposed Ordinance](#)

[Previous Ordinance](#)

16. PUBLIC HEARING CONTINUATION AND SECOND READING

[20-3642](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Zoning Change from SF-7.5/12 Single-Family Residential District to PD, Planned Development District for Single-family Residential Uses on Approximately 0.547 Acres Located at 911 Noah Street and 906 Cope Street; Ben Hartman, owner/developer (ZC#20-007)

Presenters: Joe Smolinski, Matt Jones and Shirley Emerson

Attachments: [Ordinance](#)

[Maps and Supporting Information](#)

[Exhibit A](#)

[Revised Exhibit B](#)

17. NEW BUSINESS

[20-3646](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Nominating Mouser Electronics, Inc. as an Enterprise Zone Project Under the Texas Enterprise Zone Act; and Providing an Effective Date

Presenters: Peter Phillis and Richard Nevins

Attachments: [Resolution](#)

[20-3668](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Nominating Klein Tools, Inc. as an Enterprise Zone Project Under the Texas Enterprise Zone Act; and Providing an Effective Date

Presenters: Richard Nevins and Peter Phillis

Attachments: [Resolution](#)

[20-3674](#) Resolution - A Resolution Adopting a New Updated Mansfield Mosquito Surveillance and Control Policy

Presenters: Joe Smolinski and Bart VanAmburgh

Attachments: [Resolution](#)

[Mosquito Policy 2020](#)

[20-3675](#) Resolution - A Resolution of the City of Mansfield, Texas Amending Section 1.02, "General Rules", Section 1.03, "Meetings", Section 1.05, "Order of Business", Section 1.06, "Consideration of Ordinances, Resolutions and Motions", Section 1.07, "Votes Required", and Section 1.08, "Creation of Committees, Boards and Commissions and Election of Mayor Pro Tem" of the Procedural Rules of Council by Which the City Council of Mansfield Conducts its Meetings

Presenters: City Council

Attachments: [Resolution](#)

[Exhibit A](#)

[20-3679](#)

Discussion and Possible Action for a Potential Interlocal Cooperation Agreement with Mansfield Independent School District (MISD)

Presenters: Joe Smolinski and Bernadette McCranie

Attachments: [DRAFT ILA with MISD](#)

[20-3680](#)

Ordinance - First Reading of an Ordinance Amending Ordinance Chapter 30, "Personnel" of the Code of Mansfield, Texas by Amending the Code of Ethics and Conduct for City Elected Officials and Board and Committee Members

Presenters: Allen Taylor

Attachments: [Proposed Ordinance](#)

[Current Ordinance](#)

[20-3684](#)

Discussion and Possible Action Regarding Options Related to Tattoo Parlor Zoning, Specific Use Permits, and Commercial Leases (Addendum to Agenda)

Presenters: Casey Lewis, David Cook, Mike Leyman and Julie Short

18. **ADJOURN**

CERTIFICATION

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the August 10, 2020 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 Friday, August 7, 2020 prior to 12:00 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.



CITY OF MANSFIELD

1200 E. Broad St.
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mansfieldtexas.gov

STAFF REPORT

File Number: 20-3672

Agenda Date: 8/10/2020

Version: 1

Status: Approval of Minutes

In Control: City Council

File Type: Meeting Minutes

Title

Minutes - Approval of the July 23, 2020 Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting Minutes (vote will be only by the members of the sub-committee)

Requested Action

Action to be taken by Sub-Committee to approve the minutes.

Recommendation

Approval of minutes by the Sub-Committee.

Description/History

The minutes of the July 23, 2020 Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting are in DRAFT form and will not become effective until approval by the Sub-Committee at this meeting.

Justification

Permanent Record

Funding Source

N/A

Prepared By

Susana Marin, TRMC, City Secretary
817-276-4203



CITY OF MANSFIELD

1200 E. Broad St.
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mansfieldtexas.gov

Meeting Minutes - Draft

City Council - Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee

Thursday, July 23, 2020

4:00 PM

City Hall - Multi-Purpose Room

CALL TO ORDER

Chairman Short called the meeting to order at 4:18pm.

Present 3 - Brent Newsom; Julie Short and Casey Lewis

CITIZEN COMMENTS

No Citizen Comments.

NEW BUSINESS

Review, Discussion and Possible Action Regarding Hotel/Motel Occupancy Tax Fund Applications Received

Chairman Short thanked all groups and organizations for their submittals. She noted that they will have less money to allocate this year due to the current COVID-19 pandemic. Director of Purchasing Gary Cardinale gave an overview of the projected funds and mentioned they would be significantly less than last year. Director of CVB Theresa Cohagen explained the current position of the hotels and how they have been impacted during COVID-19. She gave a brief overview of the CVB and what it does to promote and market the city. Theresa went into detail on how the CVB works as a liaison between various organizations around the city and hotels to ensure as much money as possible stays within the city. There was discussion regarding what events bring head in beds and how they bring visitors to Mansfield.

The sub-committee reviewed requests and discussed allocation recommendations. Staff gave an update on the Hotel/Motel Occupancy Fund Reserve amount.

The sub-committee reviewed requests and discussed allocation recommendations to the following organizations:

Mansfield Commission for the Arts - Music Alley Festival/Arts Weeks

Mansfield Police Department Explores Post 1601 - Law Enforcement Explorer Competition

City of Mansfield - Mansfield CVB

Mansfield Historic Landmark Commission - Grant Program

Pickled Mansfield Society - Pickle Parade & Palooza

Mansfield Sister Cities Celebration

The LOT Downtown - 2020 Community Event Series

Mansfield Invitational, Inc. - Girls Tournament

Mansfield Invitational, Inc. - Boys Tournament

Mansfield Invitational, Inc. - Volleyball Tournament

*Friends of the Mansfield Public Library - Mansfield Reads! One City, One Book -
Mansfield Police Explorers Post 1601*

*The sub-committee recommended putting 7% into the reserve. Discussions will
continue at a meeting scheduled for July 29th.*

ADJOURNMENT

Chairman Short adjourned the meeting at 5:46pm.

ATTEST: Julie Short, Chair

Susana Marin, City Secretary



CITY OF MANSFIELD

1200 E. Broad St.
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STAFF REPORT

File Number: 20-3673

Agenda Date: 8/10/2020

Version: 1

Status: Approval of Minutes

In Control: City Council

File Type: Meeting Minutes

Agenda Number:

Title

Minutes - Approval of the July 29, 2020 Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting Minutes (vote will be only by the members of the sub-committee)

Requested Action

Action to be taken by Sub-Committee to approve the minutes.

Recommendation

Approval of minutes by the Sub-Committee.

Description/History

The minutes of the July 29, 2020 Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting are in DRAFT form and will not become effective until approval by the Sub-Committee at this meeting.

Justification

Permanent Record

Funding Source

N/A

Prepared By

Susana Marin, TRMC, City Secretary
817-276-4203



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council - Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee

Wednesday, July 29, 2020

9:00 AM

City Hall - Council Chambers

CALL TO ORDER

Chairman Short called the meeting to order at 9:09am.

Absent 1 - Casey Lewis

Present 2 - Brent Newsom and Julie Short

CITIZEN COMMENTS

No Citizen Comments.

OLD BUSINESS

Continued Discussion and Possible Action Regarding Hotel/Motel Occupancy Tax Fund Applications Received

The sub-committee continued the discussion of allocation recommendations to the following organizations:

*Mansfield Commission for the Arts
Mansfield Police Department Explores Post 1601
City of Mansfield - Mansfield CVB
Mansfield Historic Landmark Commission - Grant Program
Pickled Mansfield Society - Pickle Parade & Palooza
Mansfield Sister Cities Celebration
The LOT Downtown - 2020 Community Event Series
Mansfield Invitational, Inc. - Girls Tournament
Mansfield Invitational, Inc. - Boys Tournament
Mansfield Invitational, Inc. - Volleyball Tournament
Friends of the Mansfield Public Library - Mansfield Reads! One City, One Book
Whataburger Basketball Tournament*

The sub-committee requested the \$10,000 allocated for the Sister City event that did not occur in 2020 be added back to the reserve. The new reserve contribution will be \$27,000.

ADJOURNMENT

Chairman Short adjourned the meeting at 9:16am.

ATTEST: Julie Short, Chair

Susana Marin, City Secretary



CITY OF MANSFIELD

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STAFF REPORT

File Number: 20-3669

Agenda Date: 8/10/2020

Version: 1

Status: Consent

In Control: City Council

File Type: Resolution

Title

Resolution - A Resolution Designating Areas as No Fishing Zones and Establishing Hours for Public Fishing at 1164 Matlock Road in Accordance with Chapter 96 of the Code of Ordinances of the City of Mansfield, Texas

Requested Action

Consider Resolution

Recommendation

Approve Resolution

Description/History

The pond behind the Parks Administration Building at 1164 Matlock Road is bordered by private residences on two sides. Due to the close proximity of the pond to these residences, public fishing activities have created a negative impact on these neighbors. On June 8, 2020, the City Council passed Ordinance No. OR-2177-20 allowing for park land areas to be designated as no fishing zones by the City Council.

The areas identified in red on the attached Exhibit A are proposed to be designated as no fishing zones at all times. In addition, the area identified in green on Exhibit A is proposed to be designated as a no fishing zone during the following times and periods:

6:00 p.m. to 7:00 a.m. November through February
8:00 p.m. to 7:00 a.m. March through October

Justification

Due to the close proximity of the pond to these residences, public fishing activities have created a negative impact on these neighbors. Establishing no fishing zones and establishing hours for public fishing will help address the impact to these neighbors.

Funding Source

N/A

Prepared By

Matt Young, Director of Parks and Recreation
Matt.Young@mansfieldtexas.gov
817-728-3397

RESOLUTION NO. _____

**RESOLUTION DESIGNATING AREAS AS NO FISHING ZONES AND
ESTABLISHING HOURS FOR PUBLIC FISHING AT 1164 MATLOCK ROAD
IN ACCORDANCE WITH CHAPTER 96 OF THE CODE OF ORDINANCES
OF THE CITY OF MANSFIELD, TEXAS**

WHEREAS, the City of Mansfield, Texas has a large park system consisting of more than 20 parks and facilities; and

WHEREAS, some parks and facilities with ponds have areas that are not appropriate for public fishing activities; and

WHEREAS, the City Council passed Ordinance No. OR-2177-20 allowing for park land areas to be designated as no fishing zones by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:

SECTION 1.

That the areas identified in red on the attached Exhibit A are designated as no fishing zones at all times.

SECTION 2.

That the area identified in green on the attached Exhibit A is designated as a no fishing zone during the following times and periods:

6:00 p.m. to 7:00 a.m.	November through February
8:00 p.m. to 7:00 a.m.	March through October

SECTION 3.

That pursuant to Ordinance No. OR-2177-20, the Director of Parks and Recreation, or his designee, is authorized to install signage in those areas that have been designated by the City Council as no fishing zones.

SECTION 4.

That this resolution shall be effective upon approval by the City Council.

RESOLVED AND PASSED this 10th day of August, 2020.


David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary



 No Fishing Zone

 Fishing Permitted



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3670

Agenda Date: 8/10/2020

Version: 1

Status: Consent

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$140,000.00 and Approval of Contract for Design Services with Wier & Associates, to Prepare Heritage Parkway (S. Main St. to Commerce Dr.) Westbound Lane Reconstruction for Public Bidding and Construction (Street Bond Fund)

Requested Action

Consider the authorization of funding and approval of contract.

Recommendation

The authorization of funding in an amount not to exceed \$140,000.00 and approval of contract for engineering design and design survey with Wier & Associates, to prepare Heritage Parkway (S. Main St. to Commerce Dr.) Westbound Lane Reconstruction for construction

Description/History

It has been determined that the pavement on Heritage Parkway between S. Main St. and Commerce Dr. is failing in many locations. During the 2019 strategic planning sessions, improvements to the pavement conditions on Heritage Pkwy. were discussed with council. Council's recommendation was to move forward with a concrete rebuild of the westbound side. Staff has been working with Wier & Associates since April 2020 on subsurface investigations of utility lines, analyzing subsurface soil, and evaluating the existing storm drain system. That effort was necessary to establish the required scope of work for the reconstruction.

Completion of design and bids for construction are expected by end of 2020.

The requested funds are for engineering design and design survey services with Wier & Associates in the amount of \$131,850.00 and a contingency of \$8,150.00 for a total budget of \$140,000.00.

Justification

This project is included in the 2020 Streets Capital Improvement Plan.

Funding Source

Street Bond Fund

Prepared By

Trace Hilton, Project Engineer, Engineering Department, 817-276-4247

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$140,000 AND APPROVAL OF CONTRACT FOR DESIGN SERVICES WITH WIER & ASSOCIATES FOR THE HERITAGE PARKWAY (S. MAIN ST. TO COMMERCE DR.) WESTBOUND LANE RECONSTRUCTION PROJECT

WHEREAS, the City Council recognizes the need to proceed forward approving a contract for design services with Wier & Associates for the Heritage Parkway (S. Main St. to Commerce Dr.) Westbound Lane Reconstruction Project for the benefit of the citizens of the City of Mansfield; and,

WHEREAS, the City Staff has reviewed the proposed contract for design services; and,

WHEREAS, the City Council has received the recommendation from Staff to authorize funding for the contract with Wier & Associates for design services; and,

WHEREAS, it is necessary to authorize and secure funds from the Street Bond Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:

SECTION 1.

Funding is hereby authorized in an amount not to exceed One Hundred Forty Thousand and 00/100 Dollars (\$140,000.00) and the City Manager is hereby authorized and directed to execute a contract with Wier & Associates, Inc. for the Heritage Parkway (S. Main St. to Commerce Dr.) Westbound Lane Reconstruction Project.

PASSED AND APPROVED THIS THE 10th DAY OF AUGUST, 2020.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary





CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3677

Agenda Date: 8/10/2020

Version: 1

Status: Consent

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution of the City of Mansfield, Texas, Amending Resolution No. RE-3627-20; and Calling for a General and Special Election to be Held on November 3, 2020; Establishing Procedures for the Election; and Providing an Effective Date

Requested Action

Approval of the Resolution Calling the November 3, 2020 General and Special Election for the City of Mansfield.

Recommendation

City staff recommends the City Council order the General and Special Election to be held on November 3, 2020 and June Runoff Election, if necessary, by approving the resolution outlining the election procedures.

Description/History

On January 27, 2020 the City Council approved resolution RE-3627-20 ordering a General and Special Election to be held on May 2, 2020. On March 18, 2020, Governor Greg Abbott issued a proclamation authorizing political subdivisions that would otherwise hold election on May 2, 2020, to move their general and special elections for 2020 to November 3, 2020, due to the public health and safety concerns related to the novel coronavirus (COVID-19). On March 23, 2020 the City Council approved resolution RE-3640-20 postponing the general and special election of the City of Mansfield to November 3, 2020. The original resolution approved by the Council needs to be amended to establish election procedures.

Justification

General and Special Elections are to be held in accordance with the Home Rule Charter and State Law.

Funding Source

Funds are allocated in the City Council budget (001-8806-11-01) for this expenditure.

Prepared By

Susana Marin, TRMC, City Secretary
817-276-4203

RESOLUTION NO. _____**A RESOLUTION OF THE CITY OF MANSFIELD (“CITY”), TEXAS, AMENDING RESOLUTION NO. RE-3627-20; AND CALLING FOR A GENERAL AND SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2020; ESTABLISHING PROCEDURES FOR THE ELECTION; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City of Mansfield is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, state law and the charter of the City of Mansfield require that a general election be held; and,

WHEREAS, on December 9, 2019, Mayor Cook announced his filing to run for House of Representatives District 96 thereby creating a vacancy in the office of Mayor, Place 1; and,

WHEREAS, Council Member Brent Newsom announced his intent to file for Mayor, Place 1 thereby creating a vacancy in the office of Council Member, Place 2; and,

WHEREAS, state law and the charter of the City of Mansfield require that a special election be held; and,

WHEREAS, on January 13, 2020, the City Council ordered a Special Election to be held on May 2, 2020 to fill the vacancies for Mayor, Place 1, and Council Member, Place 2; and,

WHEREAS, on January 27, 2020, the City Council approved resolution RE-3627-20 ordering a General Election to be held on May 2, 2020 to elect a Council Member, Place 6, and Council Member, Place 7; and,

WHEREAS, on March 18, 2020, Governor Greg Abbott issued a proclamation authorizing political subdivisions that would otherwise hold elections on May 2, 2020, to move their general elections for 2020 to November 3, 2020, due to the public health and safety concerns related to the novel coronavirus (COVID-19); and,

WHEREAS, on March 23, 2020, the Mansfield City Council approved resolution RE-3640-20 postponing the general and special election of the City of Mansfield to November 3, 2020; and,

WHEREAS, by this Resolution, it is the intention of the City Council to officially establish the election precincts within the City, to designate polling places for the election, to appoint the necessary election officers, to establish and set forth procedures for conducting the election, and to authorize the City to enter into a contract with Tarrant County, Johnson County, and Ellis County to conduct the election.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:

SECTION 1.

GENERAL ELECTION CALLED: A general election shall be held in the City of Mansfield, Texas, on Tuesday, November 3, 2020, between the hours of 7:00 a.m. and 7:00 p.m. at which the following officers will be elected:

COUNCIL MEMBER, PLACE 6
COUNCIL MEMBER, PLACE 7

SECTION 2.

SPECIAL ELECTION CALLED: In conjunction with the general election, a special election will be held in the City of Mansfield on Tuesday, November 3, 2020, between the hours of 7:00 a.m. and 7:00 p.m. to fill the following unexpired terms:

MAYOR, PLACE 1
COUNCIL MEMBER, PLACE 2

SECTION 2.

TERMS OF OFFICE: In accordance with the City charter, the candidate for each office to be filled in the general election receiving the majority of votes for such office shall be elected to a three (3) year term beginning November 2020 and ending May 2023, or until a successor is duly elected and qualified. The candidate in the special election to fill the unexpired terms in the office of Mayor, Place 1 and Council Member, Place 2 receiving the majority of votes shall be elected to complete the three year term ending May, 2022.

SECTION 3.

ELIGIBILITY FOR CANDIDACY: In accordance with the City's charter, no person shall be eligible for the Office of Councilmember until he/she is a qualified voter of the State of Texas and has resided in the City for at least twelve (12) months preceding the election at which he/she is to be elected.

SECTION 4.

FILING DEADLINES: By postponing the election date, the City is preserving all candidate filing and ballot order actions that have already taken place. This postponement does not have the effect of reopening candidate filings.

SECTION 6.

AGREEMENT WITH TARRANT COUNTY, JOHNSON COUNTY, AND ELLIS COUNTY: Prior to the election, the City anticipates that it will enter into an agreement for election services with Tarrant County, Johnson County, and Ellis County (the "Agreement").

SECTION 7.

- (a) **ELECTION DAY POLLING PLACE – TARRANT COUNTY:** The polling places for Election Day in Tarrant County shall be as follows:

- (a) The polling place for City of Mansfield Precinct No. 1 (which is hereby created, comprised of Tarrant County Precinct Nos. 1034, 2221, 2258, 2308, 2355, 2357, 2636 and 2712) is:

Donna Shepard Intermediate School
1280 FM 1187
Mansfield, Texas 76063

- (b) The polling place for City of Mansfield Precinct No. 2 (which is hereby created, comprised of Tarrant County Precinct Nos. 2426, 2435, 2524, 2548, and 2645) is:

J.L. Boren Elementary School
1401 Country Club Drive
Mansfield, Texas 76063

- (c) The polling place for City of Mansfield Precinct No. 3 (which is hereby created, comprised of Tarrant County Precinct Nos. 2033, 2360, 2614, 2618, 2643, 2697 and 2708) is:

Mansfield Sub-Courthouse
1100 East Broad Street
Mansfield, Texas 76063

- (b) **ELECTION DAY POLLING PLACE – JOHNSON COUNTY:** The polling places for Election Day in Johnson County shall be as follows:

The polling place for City of Mansfield Precinct No. 4 (which is hereby created, comprised of Johnson County Precinct Nos. 8) is:

Pct. 3 Maintenance Facility
10420 E. FM 917
Alvarado, TX 76009

The polling place for City of Mansfield Precinct No. 5 (which is hereby created, comprised of Johnson County Precinct Nos. 35) is:

Lillian Baptist Church
10544 CR 519
Lillian, TX 76061

- (c) **ELECTION DAY POLLING PLACE – ELLIS COUNTY:** The polling places for Election Day in Ellis County shall be as follows:

The polling place for City of Mansfield Precinct No. 6 (which is hereby created, comprised of Ellis County Precinct No. 101) is:

Midlothian Conference Center (Ballroom/Foyer)
1 Community Circle Drive
Midlothian, TX 76065

SECTION 8.

APPOINTMENT OF ELECTION JUDGES AND ALTERNATE ELECTION JUDGES – TARRANT COUNTY, JOHNSON COUNTY AND ELLIS COUNTY: Election judges for the general election shall be appointed by Tarrant County, Johnson County, and Ellis County as authorized by Chapter 271, of the Texas Election Code.

SECTION 9.

- (a) **EARLY VOTING – TARRANT COUNTY:** Heider Garcia, Elections Administrator, is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

Early Voting by personal appearance shall be conducted beginning on October 13, 2020 and continuing through October 30, 2020 in Mansfield at the Mansfield Sub-Courthouse, 1100 East Broad Street, Mansfield, Texas 76063 at the following times:

October 13 - 17	Tuesday – Saturday	8:00 a.m. – 5:00 p.m.
October 19 - 23	Monday - Friday	8:00 a.m. – 5:00 p.m.
October 24	Saturday	7:00 a.m. – 7:00 p.m.
October 25	Sunday	11:00 a.m. – 4:00 p.m.
October 26 - 30	Monday – Friday	7:00 a.m. – 7:00 p.m.

Additional early voting will be conducted throughout Tarrant County as established by the Agreement. If there is any discrepancy between this resolution and the Agreement as to early voting locations or times, the Agreement shall control.

- (b) **EARLY VOTING – JOHNSON COUNTY:** Patty Bourgeois, Elections Administrator, is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

Early Voting by personal appearance shall be conducted beginning on October 13, 2020 and continuing through October 30, 2020 in Alvarado at the Pct. 3 Maintenance Facility, 10420 E. FM 917, Alvarado, TX 76009 at the following times:

October 13 - 16	Tuesday – Friday	8:00 a.m. – 6:00 p.m.
October 19 - 23	Monday - Friday	8:00 a.m. – 6:00 p.m.
October 24	Saturday	7:00 a.m. – 7:00 p.m.
October 25	Sunday	11:00 a.m. – 4:00 p.m.
October 26 - 30	Monday – Friday	7:00 a.m. – 7:00 p.m.

- (c) **EARLY VOTING – ELLIS COUNTY:** Jana Onyon, Elections Administrator, is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

Early Voting by personal appearance shall be conducted beginning on October 13, 2020 and continuing through October 30, 2020 in Midlothian at the Midlothian Conference Center (Ballroom/Foyer), 1 Community Circle Dr., Midlothian, TX 76065 at the following times:

October 13 - 16	Tuesday – Friday	8:00 a.m. – 5:00 p.m.
October 17	Saturday	8:00 a.m. – 4:00 p.m.
October 19 - 23	Monday - Friday	8:00 a.m. – 6:00 p.m.
October 24	Saturday	7:00 a.m. – 7:00 p.m.
October 25	Sunday	1:00 p.m. – 6:00 p.m.
October 26 - 30	Monday – Friday	7:00 a.m. – 7:00 p.m.

Additional early voting will be conducted throughout Tarrant County as established by the Agreement. If there is any discrepancy between this resolution and the Agreement as to early voting locations or times, the Agreement shall control.

- (d) Applications for early voting by mail may be delivered to the Early Voting Clerk for each county no later than the close of business on October 23, 2020. Early Voting ballots for Tarrant County shall be mailed to Heider Garcia, Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas, 76161-0011. The City Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Agreement. Early Voting ballots for Johnson County shall be mailed to Patty Bourgeois, Early Voting Clerk, P.O. Box 895, Cleburne, Texas 76033. Early Voting ballots for Ellis County shall be mailed to Jana Onyon, Early Voting Clerk, 204 E. Jefferson Street, Waxahachie, TX 75165.

On July 27, 2020 by proclamation of Governor, Greg Abbott, suspension of Section 86.006(a-1) of the Texas Election code that for any election ordered or authorized to occur on November 3, 2020, to the extent necessary to allow a voter to deliver a marked mail ballot in person to the Early Voting Clerk's office prior to and including on election day.

- (e) Early voting both by personal appearance and by mail for Tarrant County shall be by electronic voting machines and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election. The Central Count/Ballot Board Judge and additional personnel shall be appointed as stated in the Agreement.

Early voting both by personal appearance and by mail for Johnson County shall be by paper ballot and an ES&S AutoMark approved by the Secretary of State in accordance

with the Texas Election Code by HAVA compliance and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election.

Early voting both by personal appearance and by mail for Ellis County shall be by paper ballot and an ES&S Express Vote Marking Device approved by the Secretary of State in accordance with the Texas Election Code by HAVA compliance and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election.

SECTION 10.

METHOD OF VOTING: The Hart InterCivic Verity System v. 2.3.1 shall be used for voting by personal appearance on Election Day and the Hart InterCivic Verity System v. 2.3.1 for early voting by personal appearance and Election for the Tarrant County portion of the election. The City Council hereby adopts the Hart InterCivic Verity System v. 2.3.1 for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

The ES&S AutoMark shall be used for voting by personal appearance on Early Voting by personal appearance and Election Day for the Johnson County portion of the election. The City Council hereby adopts the ES&S AutoMark for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

The ES&S Express Vote Marking Device shall be used for voting by personal appearance on Early Voting by personal appearance and Election Day for the Ellis County portion of the election. The City Council hereby adopts the ES&S Express Vote Marking Device for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

SECTION 11.

GOVERNING LAW AND QUALIFIED VOTERS: The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

SECTION 12.

PUBLICATION AND POSTING OF NOTICE OF ELECTION: Notice of the election shall be published in accordance with Chapter 4 of the Election Code.

SECTION 13.

RUN-OFF ELECTION: In the event no candidate receives a majority of votes for an office, there shall be a run-off election held on Tuesday, December 8, 2020.

SECTION 14.

NECESSARY ACTIONS: The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 15.

PASSED, APPROVED AND EFFECTIVE on this 10th day of August, 2020.

David L. Cook, Mayor on behalf of City Council

ATTEST:

Susana Marin, City Secretary

RESOLUCION NO. _____**RESOLUCION DE LA CIUDAD DE MANSFIELD (“CIUDAD”), TEXAS, EMIENDANDO RESOLUCION NUMERO RE-3627-20; CONVOCANDO UNA ELECCION GENERAL Y ESPECIAL QUE SE LLEVARA ACABO EL 3 DE NOVIEMBRE DEL 2020; ESTABLECIENDO PROCEDIMIENTOS DE ELECCION; Y PROPORCIONAR UNA FECHA DE VIGENCIA**

POR CUANTO, la Ciudad de Mansfield es un municipio autónomo que actual bajo su estatuto adoptado por el electorado de conformidad con el Artículo XI, Sección 5, de la Constitución de Texas y el Capítulo 9 del Código de Gobierno Local; y,

POR CUANTO, la ley estatal y la Carta de la Ciudad de Mansfield exige que se lleve a cabo una elección general; y,

POR CUANTO, el 9 de Diciembre del 2019 el Alcalde Cook anuncio que se postulara para la Cámara de Representantes del Estado Distrito 96, así creando un vacante en el lugar de Alcalde, Lugar 1; y,

POR CUANTO, Miembro del Consejo Brent Newsom anuncio su candidatura para el lugar de Alcalde, Lugar 1, así creando un vacante en el lugar de Miembro del Consejo, Lugar 2; y,

POR CUANTO, la ley estatal y la Carta de la Ciudad de Mansfield exige que se lleva a cabo una elección especial; y,

POR CUANTO, el 13 de Enero del 2020, el Consejo de la Ciudad ordeno que se llevara a cabo una elección especial el día 2 de Mayo del 2020, para llenar las vacantes de Alcalde, Lugar 1 y Miembro del Consejo, Lugar 2; y,

POR CUANTO, el 27 de Enero del 2020, el Consejo de la Ciudad aprobó la resolución RE-3627-20 que ordena que se lleve a cabo la elección general el día 2 de Mayo del 2020, para elegir un Miembro del Consejo, Lugar 6 y Miembro del Consejo, Lugar 7; y,

POR CUANTO, el 18 de Marzo del 2020, el Gobernador Greg Abbott emitio una proclamación que autoriza a las subdivisiones políticas que de otro modo llevarían a cabo elecciones el 2 de Mayo del 2020, trasladar sus elecciones generales para el 3 de Noviembre del 2020, debido a las preocupaciones de salud publica y seguridad relacionadas con el nuevo coronavirus (COVID-19); y,

POR CUANTO, el 23 de Marzo del 2020, el Consejo de la Ciudad aprobó la resolución RE-3640-20 posponiendo la elección general y especial de la Ciudad de Mansfield al 3 de Noviembre del 2020; y,

POR CUANTO, mediante la presente Resolución, es la intención de la Ciudad establecer oficialmente los distritos electorales dentro de la ciudad, designar un lugar de votación para la elección, nombrar a los oficiales de la elección necesarios, establecer procedimientos para la

realización de la elección, y autorizar a la Ciudad para entrar en un contrato con el Condado de Tarrant, Condado de Johnson y el Condado de Ellis para llevar a cabo la elección.

AHORA, POR LO TANTO, RESUELVE EL CONSEJO MUNICIPAL DE LA CIUDAD DE MANSFIELD, TEXAS, QUE:

SECCIÓN 1.

CONVOCATORIA DE ELECCIÓN GENERAL: Una elección general se llevara a cabo en la Ciudad de Mansfield, Texas, el Martes, 3 de Noviembre del 2020, entre las 7:00 de la mañana y las 7:00 de la tarde en que los siguientes serán elegidos:

**MIEMBRO DEL CONSEJO, LUGAR 6
MIEMBRO DEL CONSEJO, LUGAR 7**

SECCION 2.

CONVOCATORIA DE ELECCION ESPECIAL: En conjunto con la elección general, una elección especial se llevara acabe en la Ciudad de Mansfield el Martes, 3 de Noviembre del 2020, entre las 7:00 de la mañana y las 7:00 de la tarde en que los siguientes serán elegidos:

**ALCALDE, LUGAR 1
MIEMBRO DEL CONSEJO, LUGAR 2**

SECCIÓN 3.

TÉRMINOS DE OFICINA: En conformidad con la Carta de la Ciudad, el candidato para cada cargo a ser cubierto en la elección general que reciba la mayoría de votos para dicho cargo será elegido para un periodo de tres (3) anos a partir del plazo de Mayo del año 2020 y terminando en mayo del año 2023, o hasta que un sucesor sea debidamente elegido y calificado. El candidato en la elección especial para llenar el termino no expirado el la oficina de Alcalde, Lugar 1 y Miembro del Consejo, Lugar 2 que reciba la mayoría de votos será elegido para completar un término de tres años terminando en Mayo del 2022.

SECCIÓN 4.

REQUISITOS PARA LA CANDIDATURA: En conformidad con la Carta de la Ciudad, ninguna persona podrá ser elegible para el cargo del Consejo a menos que él/ella sea un votante calificado del Estado de Texas y residido en la ciudad durante al menos doce (12) meses anteriores a la elección en al que él/ella se trate de elegir.

SECCIÓN 5.

PLAZOS DE PRESENTACION: Al posponer la fecha de elección, la Ciudad preserva todas las acciones de presentación de candidatos y orden de votación que ya se han llevado acabo. Este aplazamiento no tiene efecto de reabrir las presentaciones de los candidatos.

SECCIÓN 6.

ACUERDO CON LOS CONDADOS DE TARRANT, JOHNSON Y ELLIS: Antes de la elección, la Ciudad prevé que se incorporaran en un acuerdo de servicios de elecciones con los Condados de Tarrant, Johnson, y Ellis (el “Contrato”).

SECCIÓN 7.

(a) CENTROS ELECTORALES EL DIA DE ELECCION – CONDADO TARRANT:

El lugar principal de votación para el día de la elección serán los siguientes, con lugares adicionales provistos por el acuerdo:

- (1) El lugar de votación para la ciudad de Mansfield Distrito Electoral No. 1 (que se crea por la presente, compuesto por el Condado de Tarrant Distritos Electorales Nos. 1034, 2221, 2258, 2308, 2355, 2357, 2636 y 2712) es:

Donna Shepard Intermediate School
1280 FM 1187
Mansfield, Texas 76063

- (2) El lugar de votación para la ciudad de Mansfield Distrito Electoral No. 2 (que se crea por la presente, compuesto por el Condado de Tarrant Distritos Electorales Nos. 2426, 2435, 2524, 2548 and 2645) es:

J.L. Boren Elementary School
1401 Country Club Drive
Mansfield, Texas 76063

- (3) El lugar de votación para la ciudad de Mansfield Distrito Electoral No. 3 (que se crea por la presente, compuesto por el Condado de Tarrant Distritos Electorales Nos. 2033, 2360, 2614, 2618, 2643, 2697 y 2708) es:

Mansfield Sub-Courthouse
1100 East Broad Street
Mansfield, Texas 76063

(b) CENTROS ELECTORALES EL DIA DE ELECCIÓN – CONDADO JOHNSON:

Los lugares de votación para el día de la elección serán los siguientes:

El lugar de votación para la ciudad de Mansfield Distrito Electoral No. 3 (que se crea por la presente, compuesto por el Condado de Johnson Distritos Electorales No. 8) es:

Pct. 3 Maintenance Facility
10420 E. FM 917
Alvarado, TX 76009

El lugar de votación para la ciudad de Mansfield Distrito Electoral No. 4 (que se crea por la presente, compuesto por el Condado de Johnson Distritos Electorales No. 35) es:

Lilian Baptist Church
10544 CR 519
Lillian, TX 76061

- (c) **CENTROS ELECTORALES EL DIA DE ELECCIÓN – CONDADO ELLIS:** Los lugares de votación para el día de la elección serán los siguientes:

El lugar de votación para la ciudad de Mansfield Distrito Electoral No. 5 (que se crea por la presente, compuesto por el Condado de Johnson Distritos Electorales No. 101) es:

Midlothian Conference Center (Ballroom/Foyer)
1 Community Circle Drive
Midlothian, TX 76065

SECCIÓN 8.

NOMBRAMIENTO DE JUECES ELECTORALES Y MAGISTRADOS SUPLENTE – CONDADO DE TARRANT, JOHNSON Y ELLIS: Los jueces electorales para las elecciones general y especial será designado por el Condado de Tarrant, Johnson y Ellis como autorizada por el Capítulo 271, del Código Electoral.

SECCIÓN 9.

- (a) **VOTACIÓN TEMPRANA – CONDADO TARRANT:** Heider García, Administrador de Elecciones, es designado como el Secretario de Votación Temprana. Secretarios Adicionales de Votación Temprana podrán ser nombrados, según lo dispone en el Contrato.

La votación temprana en persona se llevara a cabo a partir del 13 de Octubre, 2020 hasta el 30 de Octubre del 2020 en Mansfield Sub-Courthouse, 1100 East Broad Street, Mansfield, Texas 76063 en los siguientes horarios:

October 13 - 17	Martes – Sabado	8:00 a.m. – 5:00 p.m.
October 19 - 23	Lunes - Viernes	8:00 a.m. – 5:00 p.m.
October 24	Sabado	7:00 a.m. – 7:00 p.m.
October 25	Domingo	11:00 a.m. – 4:00 p.m.
October 26 - 30	Lunes - Viernes	7:00 a.m. – 7:00 p.m.

Votaciones tempranas adicionales se llevaran a cabo en diferentes lugares del Condado de Tarrant según lo establecido por el Contrato. Si hay alguna discrepancia entre esta resolución y el Contrato sobre lugares de votación temprana o los horarios, el Contrato deberá dar control.

- (b) **VOTACIÓN TEMPRANA – CONDADO JOHNSON:** Patty Bourgeois, Administrador de Elecciones, es designado como el Secretario de Votación Temprana.

Secretarios Adicionales de Votación Temprana podrán ser nombrados, según lo dispone en el Contrato.

La votación temprana en persona se llevara a cabo a partir del 13 de Octubre, 2020 hasta el 30 de Octubre del 2020 en Pct. 3 Maintenance Facility, 10420 E. FM 917, Alvarado, TX 76009 en los siguientes horarios:

October 13 - 16	Martes – Viernes	8:00 a.m. – 6:00 p.m.
October 19 - 23	Lunes - Viernes	8:00 a.m. – 6:00 p.m.
October 24	Sabado	7:00 a.m. – 7:00 p.m.
October 25	Domingo	11:00 a.m. – 4:00 p.m.
October 26 - 30	Lunes - Viernes	7:00 a.m. – 7:00 p.m.

(c) **VOTACIÓN TEMPRANA – CONDADO ELLIS:** Jana Onyon, Administrador de Elecciones, es designado como el Secretario de Votación Temprana. Secretarios Adicionales de Votación Temprana podrán ser nombrados, según lo dispone en el Contrato.

La votación temprana en persona se llevara a cabo a partir del 13 de Octubre, 2020 hasta el 30 de Octubre del 2020 en Midlothian Conference Center (Ballroom/Foyer), 1 Community Circle Drive, Midlothian, TX 76065 en los siguientes horarios:

October 13 - 16	Martes – Viernes	8:00 a.m. – 5:00 p.m.
October 17	Sabado	8:00 a.m. – 4:00 p.m.
October 19 - 23	Lunes - Viernes	8:00 a.m. – 6:00 p.m.
October 24	Sabado	7:00 a.m. – 7:00 p.m.
October 25	Domingo	1:00 p.m. – 6:00 p.m.
October 26 - 30	Lunes - Viernes	7:00 a.m. – 7:00 p.m.

Votaciones tempranas adicionales se llevaran a cabo en diferentes lugares del Condado de Tarrant según lo establecido por el Contrato. Si hay alguna discrepancia entre esta resolución y el Contrato sobre lugares de votación temprana o los horarios, el Contrato deberá dar control.

(d) Las aplicaciones para votar temprano por correo pueden ser entregadas al Secretario de Votacion Temprana para cada condado, no más tarde del cierre de las actividades laborales el 23 de Octubre de 2020. Las boletas de votación temprana para el Condado de Tarrant deberán ser enviadas a Heider García, P.O. Box 961011, Fort Worth, TX 76161-0011. La Secretaria de la Ciudad está dirigida a enviar las aplicaciones y las boletas al Administrador de la Elección como proporcionado en el Contrato. Las boletas de votación temprana para el Condado de Johnson deberán ser enviadas a Patty Bourgeois, P.O. Box 895, Cleburne, TX 76033. Las boletas de votación temprana para el Condado de Ellis deberán ser enviadas a Jana Onyon, 204 E. Jefferson Street, Waxahachie, TX 75165.

(e) La votación temprana por correo y en persona para el Condado de Tarrant será por máquinas electrónicas y será captado por la Mesa de Votación Temprana por Boleta, que por la presente es creada. El Juez Presidente de la Elección y el Juez Presidente Alterno aquí designados servirán como el oficial presidente y el oficial presidente alterno, respectivamente, de la Mesa de Votación Temprana por Boleta. Los otros oficiales de la elección sirviendo en la elección servirán como los otros miembros de la Mesa de Votación Temprana por Boleta para la

elección. El Juez Central de la Mesa de Votación Temprana de Conteo/Boleta y el personal adicional serán designados como indicado en el Contrato.

La votación temprana por correo y en persona para el Condado de Johnson será por boletas de papel y una unidad de equipo de accesibilidad de ES&S AutoMark aprobados por la Secretaria del Estado en acuerdo con el Código de Elección de Tejas para la conformidad de HAVA y serán captado por la Mesa de Votación Temprana por Boleta, que por la presente es creada. El Juez Presidente de la Elección y el Juez Presidente Alterno aquí designados servirán como el oficial presidente y el oficial presidente alternativo, respectivamente, de la Mesa de Votación Temprana por Boleta. Los otros oficiales de la elección sirviendo en la elección servirán como los otros miembros de la Mesa de Votación Temprana por Boleta para la elección.

La votación temprana por correo y en persona para el Condado de Ellis será por boletas de papel y una unidad de equipo de accesibilidad de ES&S Express Vote Marking Device aprobados por la Secretaria del Estado en acuerdo con el Código de Elección de Tejas para la conformidad de HAVA y serán captado por la Mesa de Votación Temprana por Boleta, que por la presente es creada. El Juez Presidente de la Elección y el Juez Presidente Alterno aquí designados servirán como el oficial presidente y el oficial presidente alternativo, respectivamente, de la Mesa de Votación Temprana por Boleta. Los otros oficiales de la elección sirviendo en la elección servirán como los otros miembros de la Mesa de Votación Temprana por Boleta para la elección.

SECCIÓN 10.

MÉTODO DE VOTACIÓN: El Hart InterCivic Verity System v. 2.3.1 será utilizado para votar en persona el día de las elecciones y el Hart InterCivic Verity System v. 2.3.1 para votar temprano en persona y el día de la elección para la porción del Condado de Tarrant de la elección. El Consejo por lo presente adopta el Hart InterCivic Verity System v. 2.3. para votar temprano y el día de la elección. Todos los gastos necesarios para conducir la elección, la compra de materiales por lo tanto, y el empleo de todos los funcionarios de elección por lo presente son autorizados, y será realizado de acuerdo con el Código de Elección.

El equipo de votación de accesibilidad de ES&S AutoMark será utilizado para votar en persona la votación temprana y el día de la elección para la porción del Condado de Johnson de la elección. El Consejo por lo presente adopta el ES&S AutoMark para la votación temprana y el día de la elección. Todos los gastos necesarios para conducir la elección, la compra de materiales por lo tanto, y el empleo de todos los funcionarios de elección por la presente son autorizados, y será realizado de acuerdo con el Código de Elección.

El equipo de votación de accesibilidad de ES&S Express Vote Marking Device será utilizado para votar en persona la votación temprana y el día de la elección para la porción del Condado de Ellis de la elección. El Consejo por lo presente adopta el ES&S Express Vote Marking Device para la votación temprana y el día de la elección. Todos los gastos necesarios para conducir la elección, la compra de materiales por lo tanto, y el empleo de todos los funcionarios de elección por la presente son autorizados, y será realizado de acuerdo con el Código de Elección.

SECCIÓN 11.

LEY GUBERNAMENTAL Y VOTANTES CALIFICADOS: La elección se llevara a cabo en conformidad con la Constitución del Estado de Texas y el Código, y todos los ciudadanos calificados para votar en la Ciudad tendrán derecho a votar en la elección.

SECCIÓN 12.

PUBLICACIÓN Y PUBLICACIÓN DE AVISO DE ELECCIÓN: El anuncio de elección deberá ser publicado en conformidad con el capítulo 4 del Código Electoral.

SECCIÓN 13.

SEGUNDA VUELTA ELECTORAL: En el caso de que ningún candidato reciba una mayoría de votos para un cargo, se precederá a una segunda vuelta electoral llevada a cabo el Sábado, 13 de Junio del 2020.

SECCIÓN 14.

ACCIONES NECESARIAS: El Alcalde y la Secretaria Municipal de la Ciudad, en consulta con el abogado de la ciudad, están autorizados y ordenados a tomar todas las medidas necesarias y cumplir con las disposiciones del Código en el desempeño y la realización de la elección, sin que este expresamente autorizado en la presente.

SECCIÓN 15.

PASADO, APROBADO Y EFECTIVA este 10 de Agosto del 2020.

David L. Cook, Alcalde, de parte del Consejo de la Ciudad

ATESTA:

Susana Marin, Secretaria de la Ciudad



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3666

Agenda Date: 8/10/2020

Version: 1

Status: Approval of Minutes

In Control: City Council

File Type: Meeting Minutes

Agenda Number:

Title

Minutes - Approval of the July 20, 2020 Special City Council Meeting Minutes

Requested Action

Action to be taken by the Council to approve the minutes.

Recommendation

Approval of the minutes by the Council.

Description/History

The minutes of the July 20, 2020 Special City Council Meeting are in DRAFT form and will not become effective until approved by the Council at this meeting.

Justification

Permanent Record

Funding Source

N/A

Prepared By

Susana Marin, TRMC, City Secretary
817-276-4203



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, July 20, 2020

8:00 AM

Council Chambers

SPECIAL MEETING

8:00 A.M. - CALL MEETING TO ORDER

Mayor Cook called the meeting to order at 8:02 a.m.

Mayor Cook advised the public they could participate during the meeting by registering through the link provided on the posted agenda or by phone. He also advised the public could address the Council by submitting an online speaker card through the city's website or by direct email to City Secretary Susana Marin.

Present 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 8:04 a.m. Mayor Cook called the executive session to order in the Council Conference Room at 8:11 a.m. Mayor Cook adjourned executive session at 2:05 p.m.

Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

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

Personnel Matters Pursuant to Section 551.074

City Manager Interviews

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

RECONVENE INTO REGULAR BUSINESS SESSION

Mayor Cook reconvened into regular business session at 2:18 p.m.

INVOCATION

Council Member Leyman gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Moore led the Pledge of Allegiance.

TEXAS PLEDGE

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

Council Member Newsom led the Texas Pledge.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

STAFF COMMENTS**City Manager Report or Authorized Representative**

Current/Future Agenda Items

There were no staff comments.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action was taken by the Council.

WORK SESSION DISCUSSION ITEMS

FY 20/21 Preliminary Budget Discussion

Interim City Manager Joe Smolinski made opening statements and turned it over to Deputy City Manager Peter Phillis. Peter gave a brief overview of the preliminary budget. He stated there was a homestead exemption and 1.5 cent tax rate cut in the budget as it was being presented. There was detailed discussion regarding potential revenues and expenditures. Peter answered Council questions regarding employee salaries, benefits and proposed merit increases. Director of Purchasing Gary Cardinale discussed and answered Council questions regarding other revenues, bond covenants and reserve funds. Director of Parks and Recreation Matt Young discussed

and answered Council questions regarding Mansfield Park Facilities Development Corporation funding. There was discussion regarding the Mansfield Economic Development Corporation and Mansfield Park Facilities Development Corporation budgets.

Five Year Capital Plan - Council/Management Priorities

Joe Smolinski discussed the Five year Capital Improvement Plan and General Fund Capital Equipment requests for FY 20/21 and answered Council questions. Matt Young answered Council questions regarding equipment rentals with the Mansfield Independent School District. Gary Cardinale discussed leasing vehicles versus owning. Director of Public Works Bart VanAmburgh answered questions regarding Day Miar Road construction and discussed streets that could be constructed using impact fees. Police Chief Tracy Aaron discussed the needs of the Police Department and answered Council questions.

Council Member Moore left at 3:55 p.m.

Mayor Cook recessed the meeting for a break at 4:49 p.m. Mayor Cook reconvened the meeting at 5:37 p.m.

Council Member Moore returned at 5:37 p.m.

Matt Young discussed Parks Department projects and answered Council questions. There was discussion regarding park amenities and sand volleyball courts. Bart VanAmburgh answered Council questions regarding the Walnut Creek Drive bridge. Assistant Director of Public Works David Boski answered questions regarding TxDOT agreements. Fire Chief Mike Ross and Assistant Fire Chief Jeff Smith answered Council questions regarding Fire Department equipment. Staff was instructed to come back to the next meeting and give a recommendation of the 2021 debt issuance. Special Projects Manager Bernadette McCranie answered Council questions. Council Member Moore gave an update on the future Veterans Memorial Park. Bart and David answered Council questions regarding street shifting and street grinding. Matt discussed potential improvements to various parks around the city and answered Council questions regarding possible water features.

Mansfield Park Facilities Development Corporation Strategic Plan and Budget

Matt Young gave a brief presentation on the Mansfield Park Facilities Development Corporation Strategic Plan and Budget.

Mansfield Economic Development Corporation Strategic Plan and Budget

Director of Economic Development Richard Nevins gave a brief presentation on the Mansfield Economic Development Corporation Strategic Plan and Budget.

Discussion and Review of Ethics Ordinance

There was no discussion regarding this agenda item.

Discussion Concerning Amendment to Solicitor Ordinance

Tracy Aaron made brief comments and answered Council questions. There was

discussion regarding changing the soliciting times. Staff was asked to bring this item back at a future meeting.

Follow-up Discussion Regarding Procedural Rules of Council

There was Council discussion regarding the Procedural Rules of Council. There was consensus to add a sentence under City Manager evaluation to state that the City Manager must provide an update on all existing public/private partnerships at every quarterly meeting. This item will be added to the next agenda for further discussion.

OLD BUSINESS

20-3611

Discussion and Possible Action Related to Equipment Replacement Requests, Capital Improvement Plan Projects, and Related Prior Year Bond Proceeds

A motion was made by Council Member Lewis to direct staff to bring back an ordinance to repurpose previous bond proceeds in accordance to conversation during a previous agenda item. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

NEW BUSINESS

20-3630

Ordinance - First Reading of an Ordinance of the City of Mansfield, Texas, Calling a Special Election for November 3, 2020 for the Purpose of Amending the City Charter

Susana Marin read the caption into the record and answered Council questions. There was discussion regarding proposed proposition wording. Staff was instructed to provide revised wording to Proposition B and C, and to provide wording for an additional doomsday proposition. Director of Planning answered Council questions.

A motion was made by Council Member Leyman to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, CALLING A SPECIAL ELECTION FOR TUESDAY, NOVEMBER 3, 2020 FOR THE PURPOSE OF AMENDING THE CITY CHARTER; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

ADJOURN

A motion was made by Council Member Newsom to adjourn the meeting at 8:40 p.m. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

ATTEST: David L. Cook, Mayor

Susana Marin, City Secretary



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3667

Agenda Date: 8/10/2020

Version: 1

Status: Approval of Minutes

In Control: City Council

File Type: Meeting Minutes

Agenda Number:

Title

Minutes - Approval of the July 27, 2020 Regular City Council Meeting Minutes

Requested Action

Action to be taken by the Council to approve the minutes.

Recommendation

Approval of the minutes by the Council.

Description/History

The minutes of the July 27, 2020 Regular City Council Meeting are in DRAFT form and will not become effective until approved by the Council at this meeting.

Justification

Permanent Record

Funding Source

N/A

Prepared By

Susana Marin, TRMC, City Secretary
817-276-4203



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, July 27, 2020

8:30 AM

Council Chambers

REGULAR MEETING AMENDED AGENDA

8:30 A.M. - CALL MEETING TO ORDER

Mayor Cook called the meeting to order at 8:33 a.m.

Mayor Cook advised the public they could participate during the meeting by registering through the link provided on the posted agenda or by phone. He also advised the public could address the Council by submitting an online speaker card through the city's website or by direct email to City Secretary Susana Marin.

Present 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

INVOCATION

Mayor Pro Tem Short 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"

Council Member Newsom led the Texas Pledge.

WORK SESSION DISCUSSION ITEMS

Discussion and Possible Action Regarding Downtown Development Strategies

Director of Planning Matt Jones made brief introductory comments. Halff Associates representative Matt Bucchin gave a brief overview of the Downtown Development Strategies. Halff representatives discussed with the Council their recommended eight short-term, high-impact strategies that would require minimal investment from the City. The strategies included:

*Development of a downtown zoning district
Gateways
Parking Awareness Campaign*

Strategy for residential street parking during special events
Downtown sub-district parking requirements
Promote development of the city-owned, four-acre site
Downtown coordinator position
Coordination with downtown property owners and groups
Interim City Manager Joe Smolinski said staff recommendation at this time was to keep the downtown coordinator position internal through the City Manager's Office. Assistant to the City Manager Nicolette Allen would assume the duties and provide downtown businesses and group with a dedicated liaison at the City. Council agreed with the staff recommendation.

A main motion was made by Council Member Lewis to approve the Downtown Development Strategies Plan as presented. Seconded by Council Member Newsom.

A motion to amend the main motion and add the sentence "If and when Commuter Rail comes to Mansfield, Texas, serious consideration will be given to including it to the Downtown Master Plan." Motion FAILED for lack of a second.

The main motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Continue Preliminary Budget Discussion

Joe Smolinski made brief comments and turned it over to Deputy City Manager Peter Phillis. Peter provided Council with updated revenue projections following tax roll information from the appraisal districts. He stated adjustments were being made to the proposed budget due to the elimination of the in-house legal department beginning in FY21 with the retirement of the In-House City Attorney. Any reductions in the cost of employee health insurance are also not yet reflected in the preliminary budget. The preliminary budget however does include not only the 10 percent homestead exemption for Mansfield homeowners but a tax rate reduction. Council indicated it supported a two-cent tax rate reduction from 71 cents per \$100 valuation to 69 cents. A final budget and tax rate will be formally adopted in early September.

Continued Discussion Regarding Procedural Rules of Council

Council continued their discussion regarding amendments to the Procedural Rules of Council. City Attorney Allen Taylor answered Council questions.

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 11:38 a.m. Mayor Cook called the executive session to order in the Council Conference Room at 11:45 a.m. Mayor Cook adjourned executive session at 7:17 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 Claim Notice Letter

Seek Advice of City Attorney Regarding City Owned Public/Private Partnership Agreements

Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**Personnel Matters Pursuant to Section 551.074**

City Manager Interviews

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 #20-06

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

Mayor Cook reconvened into regular business session at 7:26 p.m.

INVOCATION

TCAL Pastor Brian Swiggart gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Moore led the Pledge of Allegiance.

TEXAS PLEDGE

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

Council Member Leyman led the Texas Pledge.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

SUB-COMMITTEE REPORTS

Public Memorials Sub-Committee Update - July 21, 2020 (Terry Moore, Chair; Larry Broseh; Mike Leyman)

Council Member Moore provided an update of the Public Memorials Sub-Committee meeting held on July 21, 2020. He stated the sub-committee is continuing with the establishment of its non-profit status and LLC filing. He advised they are currently filing positions on the foundation.

Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting Update - July 23, 2020 (Julie Short, Chair; Brent Newsom; Casey Lewis)

Mayor Pro Tem Short gave an update of the Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee meeting held on July 23, 2020. She stated the sub-committee members were continuing to evaluate the applications for funds distribution and would be making a report to the full Council in August.

20-3645

Minutes - Approval of the July 21, 2020 Public Memorials Sub-Committee Meeting Minutes (vote will be only by the members of the sub-committee)

A motion was made by Council Member Moore to approve the minutes of the July 21, 2020 Public Memorials Sub-Committee Meeting as presented. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

Aye: 3 - Larry Broseh; Terry Moore and Mike Leyman

Nay: 0

Abstain: 0

Non-Voting: 4 - Brent Newsom; Julie Short; Casey Lewis and David Cook

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

There were no staff comments.

Business Services Department Report

20-3631

Presentation of Monthly Financial Report for the Period Ending May 31, 2020

Peter Phillis made brief comments and answered Council questions.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action taken by the Council.

CONSENT AGENDA

[20-3617](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Execution of a Joint Election Agreement and Contract with Johnson County Elections Administrator to Perform Election Services for the November 3, 2020 General and Special Election; and Providing and Effective Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AUTHROZING THE EXECUTION OF A CONTRACT WITH THE JOHNSON COUNTY ELECTIONS ADMINISTRATOR TO PERFORM ELECTION SERVICES FOR THE NOVEMBER 3, 2020 GENERAL ELECTION AND SPECIAL ELECTION; AND PROVIDING AN EFFECTIVE DATE

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

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

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Enactment No: RE-3662-20

[20-3629](#)

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 Vehicle Crime Prevention Authority to Continue a Multi-agency Task Force

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

A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO MAKE APPLICATION, RECEIVE, AND EXPEND GRANT FUNDING FROM THE TEXAS DEPARTMENT OF MOTOR VEHICLE CRIME PREVENTION AUTHORITY TO CONTINUE A MULTI-AGENCY TASK FORCE

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

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

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Enactment No: RE-3663-20

[20-3632](#)

Resolution - A Resolution Authorizing Funding in an Amount not to Exceed \$88,150 and Approval of Contract for Engineering Services with Halff Associates, Inc. to Complete Watson Branch Upper Reach Drainage Master Plan (Drainage Utility Fund)

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

A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$88,150 AND APPROVAL OF CONTRACT FOR ENGINEERING SERVICES WITH HALFF ASSOCIATES, INC. TO COMPLETE WATSON BRANCH UPPER REACH DRAINAGE MASTER PLAN (DRAINAGE UTILITY FUND)

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

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

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Enactment No: RE-3664-20

[20-3640](#)

Minutes - Approval of the July 13, 2020 Regular City Council Meeting Minutes

A motion was made by Council Member Newsom to approve the minutes of the July 13, 2020 Regular City Council Meeting as presented. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[20-3630](#)

Ordinance - First Reading of an Ordinance of the City of Mansfield, Texas, Calling a Special Election for November 3, 2020 for the Purpose of Amending the City Charter

Council Member Lewis removed this item from the consent agenda. Allen Taylor

answered Council questions. There was consensus to revise wording for propositions B, E, and F.

A motion was made by Council Member Lewis to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, CALLING A SPECIAL ELECTION FOR TUESDAY, NOVEMBER 3, 2020 FOR THE PURPOSE OF AMENDING THE CITY CHARTER; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE," with the language as reviewed in reference to propositions B, E, and F. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Brent Newsom; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 1 - Terry Moore

Abstain: 0

20-3639

Resolution - A Resolution Authorizing a Change Order to the Contract with Phoenix I Restoration and Construction, Ltd. for the Restoration of the Man House Residence

Director of Building Services Wade McLaurin and Peter Phillis answered Council questions.

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

A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH PHOENIX I RESTORATION AND CONSTRUCTION, LTD. FOR THE RESTORATION OF THE MAN HOUSE RESIDENCE

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

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

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Enactment No: RE-3665-20

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING

20-3642

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Zoning Change from SF-7.5/12 Single-Family Residential District to PD, Planned Development District for Single-family Residential Uses on

Approximately 0.547 Acres Located at 911 Noah Street and 906 Cope Street; Ben Hartman, owner/developer (ZC#20-007)

Susana Marin read the caption into the record. Director of Planning Matt Jones made a brief presentation and answered Council questions. Property Owner Ben Hartman made a brief presentation and answered Council questions. Mayor Cook opened the public hearing at 8:19 p.m. The following people spoke:

Ryan Snowden - 909 Cope Street - Opposed

Tamara Gambrell - 916 Cope Street - Opposed

Kimberly Zips - 917 Noah Street - Opposed

With no others wishing to speak, Mayor Cook continued the public hearing through second reading at 8:25 p.m. The Council requested Mr. Hartman to provide pictures of the current homes on the lots being considered for rezoning.

A motion was made by Mayor Pro Tem Short to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY RESIDENTIAL USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Brent Newsom; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 1 - Terry Moore

Abstain: 0

NEW BUSINESS

[20-3647](#)

Resolution - A Resolution Authorizing Publication of Notice of Intention to Repurpose the Use of Proceeds of the City's Combination Tax and Revenue Certificates of Obligation, Series 2020 and to Amend Ordinance No. 2162-20; and Providing for the Effective Date

Peter Phillis made brief comments and answered Council questions.

A motion was made by Mayor Pro Tem Short to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO REPURPOSE THE USE OF PROCEEDS OF THE CITY'S COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020 AND TO AMEND ORDINANCE NO. 2162-20; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF

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

Seconded by Council Member Broseh. The motion CARRIED by the following

vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Enactment No: RE-3666-20

[20-3651](#)

Ordinance - First Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas, Code of Ordinances by; Amending Permit Time Restrictions; and Removing Bond Requirements (Addendum to Agenda)

Susana Marin read the caption into the record. Tracy Aaron and Allen Taylor made brief comments and answered Council questions. There was Council consensus to remove the bond requirement and add an additional hour to the soliciting times.

A motion was made by Council Member Newsom to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 111 "PEDDLERS AND SOLICITORS" OF THE CITY OF MANSFIELD, TEXAS, CODE OF ORDINANCES BY; AMENDING PERMIT TIME RESTRICTIONS; AND REMOVING BOND REQUIREMENTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE," to amend the hours from 9 a.m to 6 p.m. during winter months and from 9 a.m. to 7 p.m. during daylight standard time; to remove the bond requirement; and to maintain the finger printing requirement. Seconded by Council Member Moore. The motion CARRIED by the following vote:

Aye: 4 - Larry Broseh; Brent Newsom; Terry Moore and Mike Leyman

Nay: 3 - Julie Short; Casey Lewis and David Cook

Abstain: 0

[20-3652](#)

Discussion and Possible Action Regarding the Approval of a Parklet Application Located at 126 North Main Street (Addendum to Agenda)

Matt Jones made a brief presentation and answered Council questions. Applicant Dave Goodwin made brief comments and answered Council questions. Matt discussed changing note 12 from the Mansfield Police Department to the Transportation Department and note 13 would change to using the barricade tape as approved by the Transportation Department.

A motion was made by Council Member Moore to approve this agenda items with the recommended changes as suggested by Matt Jones. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

20-3641

Review and Consideration of a Detailed Site Plan for Apartments on 10.892 Acres out of the S.S. Callender Survey, Abstract No. 359, Located Approximately 200 Feet East of FM 157 and Approximately 750 Feet North of House Road; Spencer Long of Realty Capital Management, LP and Adam Brown of Trinsic Residential Group on behalf of Glenn Day, et. al. (DS#20-004)

Matt Jones made a brief presentation and answered Council questions. Trinsic Residential Group representative Adam Brown made a brief presentation and answered Council questions. Realty Capital Management representative Spencer Long answered Council questions.

A motion was made by Council Member Lewis to approve this agenda item adding the canopies, including the 3D rendering as part of the detailed site plan, adding an enhanced pedestrian connectivity feature; a detailed site plan for the commercial portion of the development, and to include the amenities per the site plan presented. Seconded by Mayor Pro Tem Short, that this matter be Approved . The motion CARRIED by the following vote:

Aye: 5 - Larry Broseh; Brent Newsom; Julie Short; Casey Lewis and David Cook

Nay: 2 - Terry Moore and Mike Leyman

Abstain: 0

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 9:38 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 9:47 p.m. Mayor Cook adjourned 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 City Owned Public/Private Partnership Agreements

Personnel Matters Pursuant to Section 551.074

City Manager Interviews

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 #20-06

ADJOURN

Mayor Cook adjourned the meeting at 10:20 p.m.

ATTEST: David L. Cook, Mayor

Susana Marin, City Secretary



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3630

Agenda Date: 8/10/2020

Version: 3

Status: Third and Final Reading

In Control: City Council

File Type: Ordinance

Agenda Number:

Title

Ordinance - Third and Final Reading of an Ordinance of the City of Mansfield, Texas, Calling a Special Election for November 3, 2020 for the Purpose of Amending the City Charter

Requested Action

Approval of ordinance to amend the City Charter.

Recommendation

City staff recommends the City Council call a special election for November 3, 2020 for the purpose of amending the city charter.

Description/History

On June 29, 2020 and July 6, 2020 the City Council held discussions regarding possible amendments to the City Charter. Below are the propositions as they will be placed on the ballot:

PROPOSITION A

Shall the Mansfield Home Rule Charter be amended to delete matters contrary to or superseded by state law with regard to qualifications for candidates for City Council, the Department of Taxation and amending the Charter by deleting Subsection 3.02(c) and Section 9.15 and revising Section 12.12?

PROPOSITION B

Shall the Mansfield Home Rule Charter be amended to clarify the process for electing a Mayor Pro Tem by revising Subsection 3.06(b)?

PROPOSITION C

Shall the Mansfield Home Rule Charter be amended to require one reading for the approval of all ordinances save and except ordinances changing a zoning classification or approving a planned development zoning, which shall require two or three readings at the discretion of the City Council by revising Section 3.13(c)?

PROPOSITION D

Shall the Mansfield Home Rule Charter be amended to provide that the City Manager may be removed by an affirmative vote of four (4) members of the City Council instead of five (5), establish the duties of the City Secretary, provide that the City Council appoint the City Attorney and the City Secretary, and may remove each by an affirmative vote of four (4) members by revising Subsection 6.01(b), adding Section 6.03 and revising Section 8.05?

PROPOSITION E

Shall the Mansfield Home Rule Charter be amended to revise the qualifications for members of the Planning and Zoning Commission members by revising Section 10.01?

7/20/20 - Follow up from first reading

During the discussion of this item on first reading the Council requested that propositions B, C, and D be more detailed as to what the amendments would be. The Council also asked to add a proposition for a possible doomsday event. Below are the revised propositions.

PROPOSITION B

Shall the Mansfield Home Rule Charter be amended to clarify the time period in which a Mayor Pro Tem is elected by revising Subsection 3.06(b)?

PROPOSITION C

Shall the Mansfield Home Rule Charter be amended to require one reading for the approval of all ordinances save and except ordinances changing a zoning classification or approving a planned development zoning, which shall require at least two readings by revising Section 3.13(c)?

PROPOSITION E

Shall the Mansfield Home Rule Charter be amended to require members of the Planning and Zoning Commission be residents, but need not own property in Mansfield by revising Section 10.01?

PROPOSITION F

Shall the Mansfield Home Rule Charter be amended to provide for a reduced quorum requirement in the event two (2) or more Council Members are unavailable due to death or disability by adding Section 3.09(d)?

7/27/20 - Follow up from second reading

During the discussion on this item on second reading the Council requested the following changes:

Wording for proposition B change to read that section 3.06(b) will be deleted from the Charter.

Proposition E needs to have wording added stating a P&Z member does not have to resign their place on the board to run for office.

Completely remove proposition F.

Justification

Amend the City Charter.

Funding Source

All election costs are budgeted through the City Council budget (01-8806-11-01)

Prepared By

Susana Marin, TRMC, City Secretary's Office
817-276-4203

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, CALLING A SPECIAL ELECTION FOR TUESDAY, NOVEMBER 3, 2020 FOR THE PURPOSE OF AMENDING THE CITY CHARTER; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Mansfield, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, it is the intention of the City Council to call a special election to submit proposed amendments to the City Charter to the voters in accordance with Section 9.004 of the Texas Local Government Code; and

WHEREAS, an election to submit to the voters proposed amendments to the city charter is required by law to be held on the uniform election date that occurs 30 days after the election is ordered; and

WHEREAS, Section 41.001 of the Texas Election Code specifies that the November 2, 2020 is a uniform election date.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:

**SECTION 1.
CHARTER AMENDMENT ELECTION CALLED**

The City Council does hereby, on its own motion, order a special election to submit to the voters of the City of Mansfield proposed amendments to the City Charter. The proposed amendments to the City Charter are set forth in Exhibit "A," attached to this ordinance and incorporated herein for all purposes and are hereby approved by the City Council for submission to the voters. The election shall be conducted according to the laws of the State of Texas, and shall be held on Tuesday, November 3, 2020 from 7:00 a.m. to 7:00 p.m.

**SECTION 2.
BALLOTS**

The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "YES" or "NO" on each proposition, with the ballots to contain such provisions, markings and language as required by law, and with the propositions to be expressed substantially as set forth as follows:

PROPOSITION A

Shall the Mansfield Home Rule Charter be amended to delete matters contrary to or superseded by state law with regard to qualifications for candidates for City Council, the Department of Taxation and amending the Charter by deleting Subsection 3.02(c) and Section 9.15 and revising Section 12.12?

PROPOSITION B

Shall the Mansfield Home Rule Charter be amended to delete the procedure for appointing the Mayor Pro Tem, thereby allowing the Council to establish the procedure by revising Subsection 3.06(b)?

PROPOSITION C

Shall the Mansfield Home Rule Charter be amended to require one reading for the approval of all ordinances save and except ordinances changing a zoning classification or approving a planned development zoning, which shall require at least two readings by revising Section 3.13(c)?

PROPOSITION D

Shall the Mansfield Home Rule Charter be amended to provide that the City Manager may be removed by an affirmative vote of four (4) members of the City Council instead of five (5), establish the duties of the City Secretary, provide that the City Council appoint the City Attorney and the City Secretary, and may remove each by an affirmative vote of four (4) members by revising Subsection 6.01(b), adding Section 6.03 and revising Section 8.05?

PROPOSITION E

Shall the Mansfield Home Rule Charter be amended to require members of the Planning and Zoning Commission be residents, but need not own property in Mansfield and to delete the requirement that a member resign their position before running for City Council by revising Section 10.01?

PROPOSITION F

Shall the Mansfield Home Rule Charter be amended to provide that a quorum of the City Council shall be four (4) Council Members, that three (3) members shall be required to call a special meeting or to approve an emergency ordinance by revising Sections 3.09 and 3.14?

SECTION 3.
AGREEMENT WITH TARRANT, ELLIS AND JOHNSON COUNTIES

Prior to the election, the City anticipates that it will enter into agreements for election services with Tarrant, Ellis, and Johnson Counties (the "Agreement" or collectively the "Agreements"). The City Manager is authorized to execute the agreement.

SECTION 4.

(a) **ELECTION DAY POLLING PLACE – TARRANT COUNTY:** The main polling places for Election Day in Tarrant County shall be as follows, with additional locations provided for in the Agreement:

- (1) The polling place for City of Mansfield Precinct No. 1 (which is hereby created, comprised of Tarrant County Precinct Nos. 1034, 2221, 2258, 2308, 2355, 2357, 2636 and 2712) is:

Donna Shepard Intermediate School
1280 FM 1187
Mansfield, Texas 76063

- (2) The polling place for City of Mansfield Precinct No. 2 (which is hereby created, comprised of Tarrant County Precinct Nos. 2426, 2435, 2524, 2548, and 2645) is:

J.L. Boren Elementary School
1401 Country Club Drive
Mansfield, Texas 76063

- (3) The polling place for City of Mansfield Precinct No. 3 (which is hereby created, comprised of Tarrant County Precinct Nos. 2033, 2360, 2614, 2618, 2643, 2697 and 2708) is:

Mansfield Sub-Courthouse
1100 East Broad Street
Mansfield, Texas 76063

(b) **ELECTION DAY POLLING PLACE – JOHNSON COUNTY:** The polling places for Election Day in Johnson County shall be as follows:

Pct. 8	Pct. 3 Maintenance Facility 10420 E. FM 917 Alvarado, Texas 76009
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Pct.35 Lillian Baptist Church
 10544 CR 519
 Lillian, Texas 76061

- (c) **ELECTION DAY POLLING PLACE – ELLIS COUNTY:** The polling places for Election Day for the areas of Mansfield in Ellis County shall be as set forth on Exhibit “B.”

**SECTION 5.
APPOINTMENT OF ELECTION JUDGES AND
ALTERNATE ELECTION JUDGES**

Election judges for the general and special elections shall be appointed by Tarrant, Ellis and Johnson Counties as authorized by Chapter 271, of the Texas Election Code.

SECTION 6.

- (a) **EARLY VOTING – TARRANT COUNTY:** Heider Garcia, Tarrant County Elections Administrator, is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

Early Voting by personal appearance shall be conducted beginning on October 13, 2020 and continuing through October 30, 2020 in Mansfield at the Mansfield Sub-Courthouse, 1100 East Broad Street, Mansfield, Texas 76063 at the following times:

October 13 -17	Tuesday – Saturday	8:00 a.m. – 5:00 p.m.
October 19 - 23	Monday – Friday	8:00 a.m. – 5:00 p.m.
October 24	Saturday	7:00 a.m. – 7:00 p.m.
October 25	Sunday	11:00 a.m. – 4:00 p.m.
October 26 – 30	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

Additional early voting will be conducted throughout Tarrant County as established by the Agreement. If there is any discrepancy between this resolution and the Agreement as to early voting locations or times, the Agreement shall control.

- (b) **EARLY VOTING – JOHNSON COUNTY:** Patty Bourgeois, Johnson County Elections Administrator, is designated as the Early Voting Clerk for the portions of Mansfield within Johnson County (City Precinct 3) and he/she may appoint the necessary deputy clerks as required for early voting.

Early voting by personal appearance shall be conducted beginning on October 13, 2020 and continuing through October 30, 2020 at the Precinct 3 Maintenance Facility, 10420 E. FM 917, Alvarado, Texas 76009 at the following times:

October 13 -16	Tuesday – Friday	8:00 a.m. – 6:00 p.m.
October 19 - 23	Monday – Friday	8:00 a.m. – 6:00 p.m.
October 24	Saturday	7:00 a.m. – 7:00 p.m.
October 25	Sunday	11:00 a.m. – 4:00 p.m.
October 26 – 30	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

- (c) **EARLY VOTING – ELLIS COUNTY:** Jana Onyon, Ellis County Elections Administrator, is designated as the Early Voting Clerk for the portions of Mansfield within Ellis County (City Precinct 6) and she may appoint the necessary deputy clerks as required for early voting.

Early Voting by personal appearance shall be conducted beginning on October 13, 2020 and continuing through October 30, 2020 at the locations listed on Exhibit “C” at the following times:

October 13 -16	Tuesday – Friday	8:00 a.m. – 5:00 p.m.
October 17	Saturday	8:00 a.m. – 4:00 p.m.
October 19 - 23	Monday – Friday	8:00 a.m. – 6:00 p.m.
October 24	Saturday	7:00 a.m. – 7:00 p.m.
October 25	Sunday	1:00 p.m. – 6:00 p.m.
October 26 – 30	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

- (d) Applications for early voting by mail must be delivered not later than the close of business on October 16, 2020 if delivered in person and by October 19, 2020 if delivered by mail. Early Voting ballots for Tarrant County shall be mailed to Heider Garcia, Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas, 76161-0011. The City Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Agreement. Early Voting ballots for Johnson County shall be mailed to Elections Administrator, Johnson County, P.O. Box 895, Cleburne, Texas 76033. Early Voting ballots for Ellis County shall be mailed to Elections Administrator, Ellis County, 204 East Jefferson St., Waxahachie, Texas 75165.
- (e) Early voting both by personal appearance and by mail for Tarrant County shall be by electronic voting machines and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election. The Central Count/Ballot Board Judge and additional personnel shall be appointed as stated in the Agreement.

Early voting both by personal appearance and by mail for Johnson County shall be by paper ballot and an ES&S AutoMark approved by the Secretary of State in accordance with the Texas Election Code by HAVA compliance and shall be

canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election. The Central County/Ballot Board Judge and additional personnel shall be appointed as stated in the Agreement.

Early voting both by personal appearance and by mail for Ellis County shall be by paper ballot and an ES&S Express Vote Marking Device approved by the Secretary of State in accordance with the Texas Election Code by HAVA compliance and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election. The Central County/Ballot Board Judge and additional personnel shall be appointed as stated in the Agreement.

SECTION 7. METHOD OF VOTING

The Hart InterCivic Verity System v. 2.3.1 shall be used for voting by personal appearance on Election Day and the Hart InterCivic Verity System v. 2.3.1 for early voting by personal appearance and Election for the Tarrant County portion of the election. The City Council hereby adopts the Hart InterCivic Verity System v. 2.3.1 for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

The ES&S AutoMark shall be used for voting by personal appearance on Early Voting by personal appearance and Election Day for the Johnson County portion of the election. The City Council hereby adopts the ES&S AutoMark for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

The ES&S Express Vote Marking Device shall be used for voting by personal appearance on Early Voting by personal appearance and Election Day for the Ellis County portion of the election. The City Council hereby adopts the ES&S Express Vote Marking Device for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

SECTION 8. GOVERNING LAW AND QUALIFIED VOTERS

The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

SECTION 9. NOTICE

- (a) **NOTICE OF ELECTION:** A substantial copy of this ordinance shall serve as proper notice of the special election. Said notice, including a Spanish translation thereof, shall be posted not later than the twenty-first (21st) day before the election on the bulletin board used for posting notices of meetings of the city council and shall be published at least once, not early than the thirtieth (30th) day nor later than the tenth (10th) day before the election in a newspaper published and of general circulation in the City of Mansfield.
- (b) **PUBLICATION OF AMENDMENTS:** Additionally, in accordance with Section 9.004(c) of the Local Government Code, notice shall be published in a newspaper of general circulation in Mansfield on the same day, in each of two consecutive weeks, with the first publication occurring on or before the 14th day before election day. The notice shall contain a substantial copy of the proposed amendments.

SECTION 10. AMENDMENTS

Matters contained in this ordinance relating to discretionary procedural matters may be amended by resolution of the City Council.

SECTION 11. OTHER ACTION

The Mayor and City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

SECTION 12. CUMULATIVE CLAUSE

This ordinance shall be cumulative of all provisions of ordinances and resolutions of the City of Mansfield, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances and resolutions are hereby repealed.

**SECTION 13.
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 14.
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

FIRST READING APPROVED ON THE _____ DAY OF _____, 2020.

SECOND READING APPROVED ON THE _____ DAY OF _____, 2020.

**DULY PASSED ON THE THIRD AND FINAL READING BY THE CITY COUNCIL
OF THE CITY OF MANSFIELD, TEXAS, THIS _____ DAY OF _____, 2020.**

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

EXHIBIT AA@

EXHIBIT AB@

EXHIBIT AC@

EXHIBIT A

SEC. 3.02. QUALIFICATIONS.

The Mayor and each member of the City Council shall be:

(a) A resident citizen of the City of Mansfield for a period of not less than twelve (12) months immediately preceding his election of a resident of any of the territory not formerly within the corporate limits of the City but which is annexed under the provisions of this Charter for twelve (12) months preceding his election;

(b) A qualified voter of the State of Texas.

If the Mayor or any Councilman fails to maintain the foregoing qualification, shall be absent without valid excuse from three (3) consecutive regularly scheduled meetings, or shall fail to maintain an eighty (80) percent attendance record for each elected year without valid excuse, the Council must declare a vacancy at its next regular meeting and shall fill the vacancy as set forth in this Charter.

SEC. 3.06. MAYOR AND MAYOR PRO TEM.

(a) *Mayor:* The Mayor shall preside at meetings of the Council, shall be recognized as head of the City Government for all ceremonial purposes and by the Governor for purposes of military law, but shall have no administrative duties.

(b) *Mayor Pro Tem:* There shall be appointed a Mayor Pro Tem who shall perform all the duties of the Mayor in the absence or disability of the Mayor.

(c) *Emergency powers of the Mayor:* The emergency powers of the Mayor shall be set forth by State law and local ordinances.

SEC. 3.09. MEETINGS AND PROCEDURE.

(a) *Meetings:* Council meetings shall be held at City Hall unless justification is announced and posted as required herein and the Council shall meet regularly at least twice in every month at such time as the Council may prescribe by rule. Meetings may be held on the call of the Mayor or three (3) members and whenever practicable, upon no less than seventy-two (72) hours notice to each member except that emergency meetings may be called by the Mayor or Mayor Pro Tem in the Mayor's absence or three (3) members after notice has been posted two (2) hours, or as otherwise

required by law, provided, however, that all meetings shall be open to the public and public notice thereof given as required by the statutes of Texas, as now or hereafter amended.

(b) *Minutes and rules:* The Council shall determine its own rules and order of business and shall provide for keeping minutes of its proceedings in accordance with State law. The minutes shall be a public record.

(c) *Voting:* Every Councilperson and the Mayor must vote on all issues unless there is a declared and recorded conflict of interest. The minutes shall record those voting aye, those voting nay and those abstaining. Four (4) members of the Council shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Council. In case of a 3-2 vote with five (5) people on any issue, item would automatically be scheduled for re-consideration for the next Council meeting. No action by the Council can be passed or failed unless four (4) of the Council members present at the meeting vote for its passage or failure.

SEC. 3.13. ORDINANCES IN GENERAL.

(a) *Action requiring an ordinance:* In addition to other acts required by law or by specific provisions of this Charter to be done by ordinance.

- (1) Amend or repeal any ordinance previously adopted, except as otherwise provided in Article VII;
- (2) Levy taxes;
- (3) Regulate the rates charged for its services by a public utility;
- (4) Convey, lease or authorize the conveyance or lease of any lands of the City;
- (5) Authorize the borrowing of money;
- (6) Adopt, with or without amendment, ordinances proposed under the initiative power;
- (7) Grant, renew, extend or abolish a franchise. Acts other than those referred to in the preceding sentence may be done either by ordinance or by resolution; and,
- (8) Fees and all other charges shall be passed by ordinance.

(b) *Form:* Every proposed ordinance shall be introduced in writing and in the form required for final adoption. The enacting clause of every ordinance shall be, "Be it ordained by the City Council of the City of Mansfield..." The subject of any ordinance shall be clearly stated in its title. Any ordinance which repeals or amends an existing ordinance shall state sections and subsections to be amended or repealed.

(c) *Procedure for adoption:* An ordinance may be introduced at any regular or special meeting of the Council in accordance with rules established by the Council. No ordinance shall be introduced for action except as provided in Section 3.14 (Emergency Ordinances) unless such ordinance has been posted by title on the agenda for which action is to occur in accordance with State law. Ordinances shall be considered and approved on one reading by the City Council save and except ordinances changing a zoning classification or approving a planned development zoning classification. Ordinances changing a zoning classification or approving a planned development zoning classification shall be considered and approved on two separate readings. The City Attorney shall approve all ordinances adopted by the Council as to legality thereof or shall file with the City Secretary written legal objections thereto. Every ordinance shall be authenticated by the signature of the Mayor or Mayor Pro Tem and the City Secretary.

Except as otherwise provided by law or this Charter, the City Secretary shall give notice of the enactment of every ordinance imposing any penalty, fine or forfeiture for any violation of any of its provisions, and of every other ordinance required by law or this Charter to be published by causing the said ordinance, or its caption and penalty, to be published at least one (1) time within ten (10) days after final passage thereof in a weekly or daily newspaper in general circulation in the City of Mansfield. The affidavit of such publication by the publisher of such newspaper taken before any officer authorized to administer oaths and filed with the City Secretary shall be conclusive proof of the legal publication and promulgation of such ordinance in all courts. Such ordinances shall take effect ten (10) days after the date of such publication provided that any penal ordinance shall take effect immediately upon its publication except as provided in Section 3.14.

A copy of every ordinance and resolution as codified shall be maintained and available for free reference in the office of the City Secretary.

SEC. 3.14. EMERGENCY ORDINANCES.

The Council may adopt emergency ordinances only to meet public emergencies affecting life, health, property, or the public peace in accordance with State law. In particular, such ordinances shall not levy taxes, grant or renew or extend a franchise, or regulate the rate charged by any public utility for its services. Neither shall they authorize the borrowing of money, except as provided in Article IX. An emergency ordinance shall be introduced in the form and manner generally prescribed for ordinances, except that it shall be plainly designed in the title as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An

emergency ordinance can be adopted with or without amendment or rejected at the meeting at which it is introduced. The affirmative vote of three (3) members of the Council shall be required for adoption. After adoption, the ordinance shall be published as required for other adopted ordinances, but may become effective immediately upon enactment.

SEC. 6.01. CITY MANAGER.

(a) *Appointment and qualification:* The Council shall appoint a City Manager who shall be the chief administrative and executive officer of the City and shall be responsible to the Council for the administration of all the affairs of the City. He shall be chosen by the Council solely on the basis of his executive and administrative training, experience, ability and character, and need not when appointed, be a resident of the City. However, he shall become a resident of the City within six (6) months after appointment unless otherwise specifically excused by the Council.

(b) *Term and salary:* The City Manager shall serve at the will and pleasure of the Council and may be removed from office in accordance with the following procedures:

(1) The Council may by the affirmative vote of four (4) members suspend the manager from duty for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered promptly to the manager.

(2) Within five (5) days after a copy of the resolution is delivered to the manager, he may file with the Council a written request for a public hearing. This hearing shall be held at the Council meeting not earlier than fifteen (15) days nor later than thirty (30) days after the request is filed. The manager may file with the Council a written reply not later than five (5) days before the hearing.

(3) The Council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of four (4) at any time after five (5) days from the date when a copy of the preliminary resolution was delivered to the manager, if he has not requested a public hearing, or at any time after the public hearing if he has requested one.

The manager shall continue to receive his salary until the effective date of a final resolution of removal. The action of the Council in suspending or removing the City Manager shall be final; it being the intention of this Charter to vest all authority and fix all responsibility of such suspension or removal in the Council. In case of the absence or disability of the City Manager, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Manager shall receive such compensation as may be fixed by the Council.

(c) *Powers and duties:* The powers herein conferred upon the City Manager shall include but shall not be

limited to the following:

- (1) To appoint and remove any officer or employee of the City except those officers and employees whose appointment or election is otherwise provided for by law or this Charter.
- (2) Prepare and submit the annual budget and a five (5) year capital improvement program to the Council.
- (3) Submit to the Council monthly a report on the finances and administrative activities of the City and a complete report as of the end of each fiscal year.
- (4) Provide each Department Head with a financial report of his department monthly.
- (5) Attend all meetings of the Council except when excused by Council.
- (6) To perform such other duties as may be prescribed by this Charter or required of him by the Council, not inconsistent with provisions of this Charter.

SEC. 6.03. CITY SECRETARY

(a) *Selection.* The city council shall appoint a person who is an officer of the city and who shall have the title of city secretary. The city secretary holds office at the will and pleasure of the city council and the city council has sole authority to remove the city secretary.

(b) *Responsibilities.* The city secretary shall:

- (1) give notices of city council meetings;
 - (2) keep the journal of the city council's proceedings;
 - (3) authenticate by the city secretary's signature, record in full, and index all ordinances and resolutions;
- and

(4) perform such other duties as the city council assigns, as provided for elsewhere in this Charter, and as established by state law.

SEC. 8.05. CITY ATTORNEY.

The City Council shall appoint a competent and duly qualified and licensed attorney in the State of Texas who shall serve as the City Attorney.

(a) The City Attorney shall be required to:

(1) Serve as the legal advisor to the Council and to the City Manager;

(2) Represent the City in litigation and legal proceedings;

(3) Review and provide opinions as requested by the Council or by the City Manager on contracts, legal instruments, and ordinances of the City.

(b) *Limitation:* This Section shall not be a constraint upon the right of the Council to retain special counsel at any time that the Council may deem necessary and appropriate.

(c) *Compensation:* Compensation shall be fixed by contract with approval of Council or by appointment subject to the approval of Council.

SEC. 10.01. THE PLANNING AND ZONING COMMISSION.

There shall be established a Planning and Zoning Commission, which shall consist of seven (7) residents from the City of Mansfield. The members of said Commission shall be appointed by the Council for a term of two (2) years. Three (3) members of the Planning and Zoning Commission shall be so appointed each odd-numbered year and for (4) members shall be appointed each even-numbered year. The Commission shall elect a chairman from among its membership and shall meet not less than once each month. Vacancies and unexpired terms shall be filled by the Council for the remainder of the term. A majority of the members shall constitute a quorum. Members of the Commission may be removed with the consent of a majority of the Council and for cause set forth in writing. A member may request a public hearing within five (5) days of notice of removal by the Council, said hearing to be scheduled not less than ten (10) nor more than thirty (30)

days after said notice.

The Commission shall keep minutes of its proceedings which shall be of public record. The Commission shall serve without compensation.

SEC. 12.12. AMENDING THE CHARTER.

Amendments to this Charter may be framed and submitted to the voters of the City in the manner provided by Chapter 9 of the Texas Local Government Code, as now or hereafter amended.

Ellis County, Texas *Condado de Ellis, Texas*
General and Special Elections *Elecciones General y Especial*
November 3, 2020 *03 de noviembre de 2020*

Election Day Vote Centers *Centros de votación el día de las elecciones*

Polls open from 7:00 am to 7:00 pm

Horario de votación estarán abiertos de 7:00 am a 7:00 pm

The below listed Election Day Vote Centers will be established for any qualified voter with an effective date of registration on or before November 3, 2020. A voter may vote at ANY of the Election Day Vote Centers for the General and Special Elections.

Las ubicaciones para centros de voto de días de votación se establecerán para cualquier votante calificado con una fecha efectiva de registro en o antes del 03 de noviembre de 2020. Un votante puede votar en cualquiera de los centros de votación de día de las elecciones para las Elecciones General y Especial.

1	FIRST BAPTIST CHURCH-AVALON (Annex) 206 GILES STREET	AVALON, TX 76623
2	FIRST UNITED METHODIST-BARDWELL (Church Annex) 104 PECAN ST	BARDWELL, TX 75119
3	BRISTOL UNITED METHODIST (Fellowship Hall) 104 CHURCH ST	BRISTOL, TX 75119
4	ALMA COMMUNITY CENTER (Foyer) 104 INTERURBAN RD	ENNIS, TX 75119
5	ELLIS COUNTY SUB-COURTHOUSE (Conference Rm) 207 S SONOMA TRAIL	ENNIS, TX 75119
6	ENNIS PUBLIC LIBRARY (Learning Center) 501 W. ENNIS AVE	ENNIS, TX 75119
7	FAITH ASSEMBLY OF GOD CHURCH (Fellowship Hall) 1810 W BALDRIDGE ST.	ENNIS, TX 75119
8	NEW FOUNDERS MISS. BAPTIST (Fellowship Hall) 1903 LAFAYETTE ST.	ENNIS, TX 75119
9	FERRIS PUBLIC LIBRARY (Aubrey Trussell Rm) 301 E 10TH STREET	FERRIS, TX 75125
10	FORRESTON BAPTIST CHURCH (Fellowship Hall) 211 SEVENTH ST.	FORRESTON, TX 76041
11	HARVEST OF PRAISE (House of Manna Rm) 2603 S HAMPTON RD	GLENN HEIGHTS, 75154
12	MT GILEAD MISSIONARY BAPTIST CHURCH (Fellowship Hall) 106 HARRIS ST.	ITALY, TX 76651
13	FIRST BAPTIST CHURCH-MAYPEARL (Fellowship Hall) 5744 FM 66	MAYPEARL, TX 76064
14	MIDLOTHIAN CHURCH OF CHRIST (Fellowship Hall) 1627 N HWY 67	MIDLOTHIAN, TX 76065
15	MIDLOTHIAN CONFERENCE CTR (Foyer) 1 COMMUNITY CIRCLE DR	MIDLOTHIAN, TX 76065
16	MOUNTAIN PEAK COMMUNITY CHURCH (Sanctuary) 751 W. FM 875	MIDLOTHIAN, TX 76065
17	SARDIS UNITED METHODIST CHURCH (Fellowship Hall) 640 SARDIS RD	MIDLOTHIAN, TX 76065
18	STONEGATE CHURCH (Rams Rm) 4025 E US 287	MIDLOTHIAN, TX 76065
19	THE SHEPHERD'S HOUSE (Sanctuary) 3221 MOCKINGBIRD LN	MIDLOTHIAN, TX 76065
20	MILFORD SENIOR CENTER (Main Rm) 109 S MAIN ST	MILFORD, TX 76670
21	GRACE CHURCH OF OVILLA (Flex Rm Bldg B) 519 WESTMORELAND RD	OVILLA, TX 75154
22	OVILLA CITY HALL (Council Chambers) 105 S COCKRELL HILL RD	OVILLA, TX 75154
23	PALMER ISD ANNEX BUILDING (Portable Bldg) 303 BULLDOG WAY	PALMER, TX 75152
24	EASTRIDGE BAPTIST CHURCH (Family Activity Ctr) 732 E OVILLA RD	RED OAK, TX 75154
25	LIFEPOINT COMMUNITY CHURCH (Fellowship Hall) 201 LOUISE RITTER RD	RED OAK, TX 75154
26	RED OAK MUNICIPAL CENTER (Pitts Room) 200 LAKEVIEW PKWY	RED OAK, TX 75154
27	GRACE COVENANT CHURCH (Dining Hall) 212 N MAIN ST	RED OAK, TX 75154
28	BIBLE BAPTIST CHURCH (Fellowship Hall) 1400 FM 1446	WAXAHACHIE, TX 75167
29	ELLIS COUNTY WOMANS BUILDING (Main Room) 407 W JEFFERSON ST.	WAXAHACHIE, TX 75165
30	FARLEY STREET BAPTIST CHURCH (Foyer) 1116 BROWN ST.	WAXAHACHIE, TX 75165
31	FIRST UNITED METHODIST-WAXAHACHIE (Fidelis Hall) 505 W MARVIN AVE	WAXAHACHIE, TX 75165
32	PARK MEADOWS BAPTIST CHURCH (Foyer) 3350 N HWY 77	WAXAHACHIE, TX 75165
33	SALVATION ARMY OF ELLIS CO. (Fellowship Hall in rear) 620 FARLEY ST.	WAXAHACHIE, TX 75165
34	SOUTHLAKE BAPTIST CHURCH (Sanctuary) 2378 S HWY 77	WAXAHACHIE, TX 75165
35	THE AVENUE BAPTIST CHURCH (Venue Rm) 1761 N HWY 77	WAXAHACHIE, TX 75165
36	WAXAHACHIE CIVIC CENTER (MTG RM C) 2000 CIVIC CENTER LANE	WAXAHACHIE, TX 75165

Last day to register to vote for the General and Special Elections is: Monday, October 05, 2020.

Último día para registrarse para votar en la Elecciones General y Especial es: lunes, 05 de octubre de 2020.

Last day for the Election's Office to receive a Regular or FPCA Ballot by Mail Application (October 16th is the last day the voter can walk-in and hand deliver an application): Friday, October 23, 2020.

El Último día para que la Oficina de Elecciones reciba una solicitud regular o una solicitud de tarjeta postal federal para votar por correo (FPCA-por sus siglas en inglés) es (El 16 de Octubre es el último día en que el votante puede venir en persona y entregar personalmente una solicitud) viernes, 23 de octubre de 2020.

For More Information: Website at www.co.ellis.tx.us/Elections

OR Contact us at Elections Office 204 E Jefferson Waxahachie, TX 75165 972-825-5195

OR Facebook.com/EllisCountyElections

Ellis County, Texas *Condado de Ellis, Texas*
General and Special Elections *Elecciones General y Especial*
November 3, 2020 *03 de noviembre de 2020*
Early Voting Vote Centers *Centros de votación adelantada*

The below listed Early Voting Vote Centers will be established for any qualified voter with an effective date of registration on or before November 3, 2020. A voter may vote at ANY of the Early Voting Vote Centers for the General and Special Elections.

Las ubicaciones para centros de votación anticipada que se enumeran a continuación se establecerán para cualquier votante calificado con una fecha efectiva de registro en o antes del 03 de noviembre de 2020. Un votante puede votar en cualquiera de los lugares de votación anticipada para las Elecciones General y Especial.

Early Voting Location Dates and Times:

Ubicación, fechas, y horarios de la votación anticipada:

1. Main Early Voting Site - First United Methodist Church

(Fidelis Hall) 505 W Marvin Ave

Waxahachie, TX 75166

2. Ellis County Sub-Courthouse (Foyer) 207 S. Sonoma Trail

Ennis, TX 75119

3. Midlothian Conf. Ctr (Ballroom/Foyer) 1 Community Circle Dr

Midlothian, TX 76065

4. Palmer ISD Annex Bldg (Portable Bldg) 303 Bulldog Way

Palmer, TX 75152

5. Grace Covenant Church (Dining Hall) 212 N Main Street

Red Oak, TX 75154

6. Harvest of Praise (House of Manna Rm) 2603 S Hampton Rd

Glenn Heights, TX 75154

Tuesday, October 13, 2020 <i>martes, 13 de octubre de 2020</i>	through <i>hasta</i>	Friday, October 16, 2020 <i>viernes, 16 de octubre de 2020</i>	8:00 AM - 5:00 PM <i>8:00 AM - 5:00 PM</i>
Saturday, October 17, 2020 <i>sábado, 17 de octubre de 2020</i>			8:00 AM - 4:00 PM <i>8:00 AM - 4:00 PM</i>
Monday, October 19, 2020 <i>lunes, 19 de octubre de 2020</i>	through <i>hasta</i>	Friday, October 23, 2020 <i>viernes, 23 de octubre de 2020</i>	8:00 AM - 6:00 PM <i>8:00 AM - 6:00 PM</i>
Saturday, October 24, 2020 <i>sábado, 24 de octubre de 2020</i>			7:00 AM - 7:00 PM <i>7:00 AM - 7:00 PM</i>
Sunday, October 25, 2020 <i>domingo, 25 de octubre de 2020</i>			1:00 PM - 6:00 PM <i>1:00 PM - 6:00 PM</i>
Monday, October 26, 2020 <i>lunes, 26 de octubre de 2020</i>	through <i>hasta</i>	Friday, October 30, 2020 <i>viernes, 30 de octubre de 2020</i>	7:00 AM - 7:00 PM <i>7:00 AM - 7:00 PM</i>

Last day to register to vote for the General and Special Elections is: Monday, October 05, 2020.

Último día para registrarse para votar en la Elecciones General y Especial es: lunes, 05 de octubre de 2020.

Last day for the Election's Office to receive a Regular or FPCA Ballot by Mail Application (October 16th is the last day the voter can walk-in and hand deliver an application) : Friday, October 23, 2020.

El Último día para que la Oficina de Elecciones reciba una solicitud regular o una solicitud de tarjeta postal federal para votar por correo (FPCA-por sus siglas en inglés) es (El 16 de Octubre es el último día en que el votante puede venir en persona y entregar personalmente una solicitud): viernes, 23 de octubre de 2020.



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3651

Agenda Date: 8/10/2020

Version: 2

Status: Second Reading

In Control: City Council

File Type: Ordinance

Agenda Number:

Title

Ordinance - Second Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas, Code of Ordinances by; Amending Permit Time Restrictions; and Removing Bond Requirements

Requested Action

Approval of ordinance.

Recommendation

Approval of ordinance.

Description/History

There is desire to change the times and specific language within the current ordinance.

Justification

N/A

Funding Source

N/A

Prepared By

Tracy Aaron, Police Chief
817-804-5782

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 111 "PEDDLERS AND SOLICITORS" OF THE CITY OF MANSFIELD, TEXAS, CODE OF ORDINANCES BY; AMENDING PERMIT TIME RESTRICTIONS; AND REMOVING BOND REQUIREMENTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mansfield is a home rule city acting under its charter adopted by the electorate to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the City Council of the City of Mansfield has previously adopted regulations governing Peddlers and Solicitors; and,

WHEREAS, the City Council has determined that the amendments to the Code of Ordinances as set out herein are in the best interest of the health, safety and general welfare of the citizens of Mansfield and the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS THAT:

SECTION 1.

Section 111.16 "Bond" of Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas Code of Ordinances shall be removed in its entirety.

SECTION 2.

Section 111.22 "Time Restrictions" of Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas Code of Ordinances shall be added to read as follows:

- “(a) No person may conduct commercial home solicitations or handbill distributions before 9:00 a.m.; or,
- (b) After 6:00 p.m. Central Standard Time and after 7:00 p.m. during Daylight Saving Time; or,
- (c) Sunday; or,
- (d) Any of the following holidays: New Year’s Day; Martin Luther King’s Birthday;
Presidents’ Day; Good Friday; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; The Day after Thanksgiving Day; Christmas Eve; Christmas Day.”

**SECTION 3.
CUMULATIVE CLAUSE**

That all Ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provision of this Ordinance shall remain in full force and effect.

**SECTION 4.
SEVERABILITY CLAUSE**

Should any paragraph, sentence, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part of provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Mansfield Code of Ordinances as a whole.

**SECTION 5.
PENALTY CLAUSE**

Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 6.
SAVINGS CLAUSE**

All rights and remedies of the City of Mansfield are expressly saved as to any and all violations of the provisions of the Code of Ordinance of the City of Mansfield, as amended, or any other ordinances affecting animals or animal control which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7.
PUBLICATION**

The City Secretary of the City of Mansfield is hereby directed to publish this ordinance as required by law.

**SECTION 8.
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED on the first reading this 27th day of July, 2020.

PASSED AND APPROVED on the second reading this ____ day of _____, 2020.

PASSED AND ADOPTED on the third and final reading by the City Council of the City of Mansfield, Texas this the ____ day of _____, 2020.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY”

Allen Taylor, City Attorney

ORDINANCE NO. OR-2170-20

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 111 "PEDDLERS AND SOLICITORS" OF THE CITY OF MANSFIELD, TEXAS CODE OF ORDINANCES BY; AMENDING FEES; AMENDING ISSUANCE OF PERMITS; AMENDING DISPLAY OF PERMIT REQUIREMENTS; ADDING PERMIT EXPIRATION DATES; ADDING PERMIT TIME RESTRICTIONS; AND PROVIDING EXEMPTIONS TO PERMITTING; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Mansfield is a home rule city acting under its charter adopted by the electorate to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the City Council of the City of Mansfield has previously adopted regulations governing Peddlers and Solicitors; and,

WHEREAS, the City Council has determined that the amendments and additions to the Code of Ordinances as set out herein are in the best interest of the health, safety and general welfare of the citizens of Mansfield and the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS THAT:

SECTION 1.

Section 111.17 "Fee" of Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas Code of Ordinances shall be amended by amending the fee the applicant pays to the city to read as follows:

"\$100"

"\$100 shall be charged for each individual agent."

SECTION 2.

Section 111.18 "Issuance of Permit" of Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas Code of Ordinances shall be amended by amending subsection (A) to read as follows:

"(A) Within ten days after the applicant has fully complied with the provisions of this chapter, the Police Chief shall issue to the applicant a permit to engage in the activities named in § 111.01. Provided, however, no permit shall be issued to an applicant

whose application contains one or more statements or answers which are false in whole or in part, nor shall a permit be issued to any applicant who has been convicted of a felony or a crime involving moral turpitude.”

SECTION 3.

Section 111.20 “Display of Permit” of Chapter 111 “Peddlers and Solicitors” of the City of Mansfield, Texas Code of Ordinances shall be amended by amending subsections (A) and (B) to read as follows:

“(A) When engaged in door to door solicitation, each solicitor shall wear a high visibility vest provided by the City displaying the current year.”

“(B) Each permit shall be affixed to the vest at all times while conducting door to door sales.”

SECTION 4.

Section 111.21 “Permit Expiration” of Chapter 111 “Peddlers and Solicitors” of the City of Mansfield, Texas Code of Ordinances shall be added to read as follows:

“Permits issued under the provisions of this chapter shall expire on December 31st of the year of its issuance regardless of the date it is issued.”

SECTION 5.

Section 111.22 “Time Restrictions” of Chapter 111 “Peddlers and Solicitors” of the City of Mansfield, Texas Code of Ordinances shall be added to read as follows:

“(A) No person may conduct commercial home solicitations or handbill distributions before 9:00 A.M.; or,

(B) After 7:00 P.M.; or,

(C) Sunday; or,

(D) Any of the following holidays: New Year’s Day; Martin Luther King’s Birthday; President’s Day; Good Friday; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; The Day after Thanksgiving Day; Christmas Eve; Christmas Day.”

SECTION 6.

Section 111.23 “Exemptions” of Chapter 111 “Peddlers and Solicitors” of the City of Mansfield, Texas Code of Ordinances shall be added to read as follows:

“(A) Solicitations related to children's activities involving a charitable purpose, including, but not limited to: Mansfield Independent School District, Girl Scouts, Boy Scouts, and Big Brothers and Sisters. Children under the age of 17 may participate in such activities to

the extent they are actively supervised by a parent, guardian or other adult person, at least 18 years of age, who is responsible for the well-being of the child.”

“(B) Religious, political or nonprofit organizations and their representatives distributing handbills or pamphlets only for the purpose of communicating issues of general interest to the public. A donation received from the distribution of handbills does not affect this exemption.”

SECTION 7.

CUMULATIVE

That all Ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provision of this Ordinance shall remain in full force and effect.

SECTION 8.

SEVERABILITY

Should any paragraph, sentence, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part of provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Mansfield Code of Ordinances as a whole.

SECTION 9.

PENALTY

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 10.

SAVINGS

All rights and remedies of the City of Mansfield are expressly saved as to any and all violations of the provisions of the Code of Ordinance of the City of Mansfield, as amended, or any other ordinances affecting animals or animal control which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation,

both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 11.

PUBLICATION

The City Secretary of the City of Mansfield is hereby directed to publish this ordinance as required by law.

SECTION 12.

EFFECTIVE DATE

This Ordinance shall take effect as specified in the above sections after its passage on third and final reading and publication as required by law.

FIRST READING APPROVED ON THE 10TH DAY OF FEBRUARY, 2020.

SECOND READING APPROVED ON THE 24TH DAY OF FEBRUARY, 2020.

DULY PASSED ON THE THIRD AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 2ND DAY OF MARCH, 2020.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Allen Taylor, City Attorney



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3642

Agenda Date: 8/10/2020

Version: 2

Status: Second Reading

In Control: City Council

File Type: Ordinance

Title

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Zoning Change from SF-7.5/12 Single-Family Residential District to PD, Planned Development District for Single-family Residential Uses on Approximately 0.547 Acres Located at 911 Noah Street and 906 Cope Street; Ben Hartman, owner/developer (ZC#20-007)

Requested Action

To consider the subject zoning change request.

Recommendation

The Planning and Zoning Commission held a public hearing July 20, 2020 and voted 6-0 to recommend approval with the condition that the applicant removes the minimum 8:12 roof pitch option as part of the development standards and relocates the existing carport at 911 Noah Street further from the proposed side property line.

Staff recommends approval of the proposed PD with the elimination of the minimum roof pitch requirement.

Description/History

Existing Use: Single-family residences

Existing Zoning: SF-7.5/12

Surrounding Land Use & Zoning:

North - Residential, SF-7.5/12

South - Residential, SF-7.5/12

East - Residential, SF-7.5/12

West - Residential, SF-7.5/12

Official Land Use Plan:

The property is located in Sub-Area 6. The Land Use Plan recommends the following for Sub-Area 6:

- Continue development as suburban residential
- Allow rural residential streets and lots south of the railroad.

Comments and Considerations

The subject property consists of 0.547 acres for two platted lots, one located on the west side of Cope Street and other on the east side of Noah Street. The property on Cope Street is currently occupied by a single-family home and a small detached shed. The lot facing Noah Street is currently occupied by a single-family residential home with a detached carport in the front and a detached shed in the backyard. The applicant is requesting to re-zone the property from SF-7.5/12 Single-Family Residential District to PD Planned Development District for single-family residential uses.

Development Plan (Exhibit B)

The applicant plans to divide the existing lots into 4 smaller lots as shown on Exhibit B. The existing houses and detached buildings will be located on the two larger lots. The smaller lots will have two new single-family homes.

The applicant is proposing the following development standards:

- Minimum Lot Depth: 90'
- Minimum Lot Width: 50'
- Minimum Lot Area: 4,600 sq. ft.
- Minimum Front Yard: 20'
- Minimum Rear Yard: 15'
- Minimum Side Yard for Existing Residence: 3'
- Minimum Side Yard for New Residences: 5'
- Front porches exceeding 70 sq. ft. may encroach into the front yard setback by up to 5'
- Minimum Floor Area per Unit: 1800 Square Feet for New Residences.
- Maximum Lot Coverage: 55%
- Parking requirements shall comply with Section 7200 of the Zoning Ordinance.
- Accessory Structure must comply with Section 7800 of the Zoning Ordinance
- Landscaping must comply with Section 7300 of the Zoning Ordinance.

The following architectural features are required on the new houses:

- Minimum two car garages
- Maximum height: 1 story plus attic or 35'
- Minimum living area: 1800 square feet
- 25 year architectural shingles
- Eight foot tall front door

The new homes must also include at least 3 of the 5 architectural features listed below:

- Front Porches with a minimum of 70 square feet.
- Siding with more than one pattern (for example, horizontal lap style siding on the body and shake style siding in the gables)
- Stone or masonry wainscot or accents on the front elevation
- Craftsman elements utilized in the gables, such as knee braces or gable pediments
- Craftsman style windows

The detached carport at 911 Noah Street was originally shown on Exhibit B to be approximately one foot from the proposed side property line. The Planning and Zoning Commission recommended that the carport be moved further from the side property line. The applicant has revised Exhibit B to show that the carport will be moved approximately four feet from the side property line.

The proposed side property line for the existing house at 906 Cope Street will be 3.8 feet from the side of the house. There is an air conditioning condenser on that side of the house that is approximately 26 inches long and 26 inches wide. This will leave approximately 1 foot between the condenser and the new property line.

Changes for 2nd Reading

The City Council held a public hearing and first reading on July 27, 2020 and voted 6-1 (Moore voting no) to approve the PD with the conditions that the applicant add an 8:12 Roof Pitch requirement and change the 25-year architectural shingles to 30-year shingles. The applicant has made these changes to the Development Plan as shown in revised Exhibit B in the Council packet.

Prepared By

Shirley Emerson, Planner
817-276-4259

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY RESIDENTIAL USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:

SECTION 1.

That the Comprehensive Zoning Ordinance of the City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new zoning district classification of PD, Planned Development; said property being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2.

That the use and development of the hereinabove described property shall be in accordance with the development plan shown on Exhibit "B" attached hereto and made a part hereof for all purposes.

SECTION 3.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4.

That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

SECTION 5.

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6.

Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7.

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the _____ day of _____, 2020.

Second reading approved on the _____ day of _____, 2020.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2020.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY

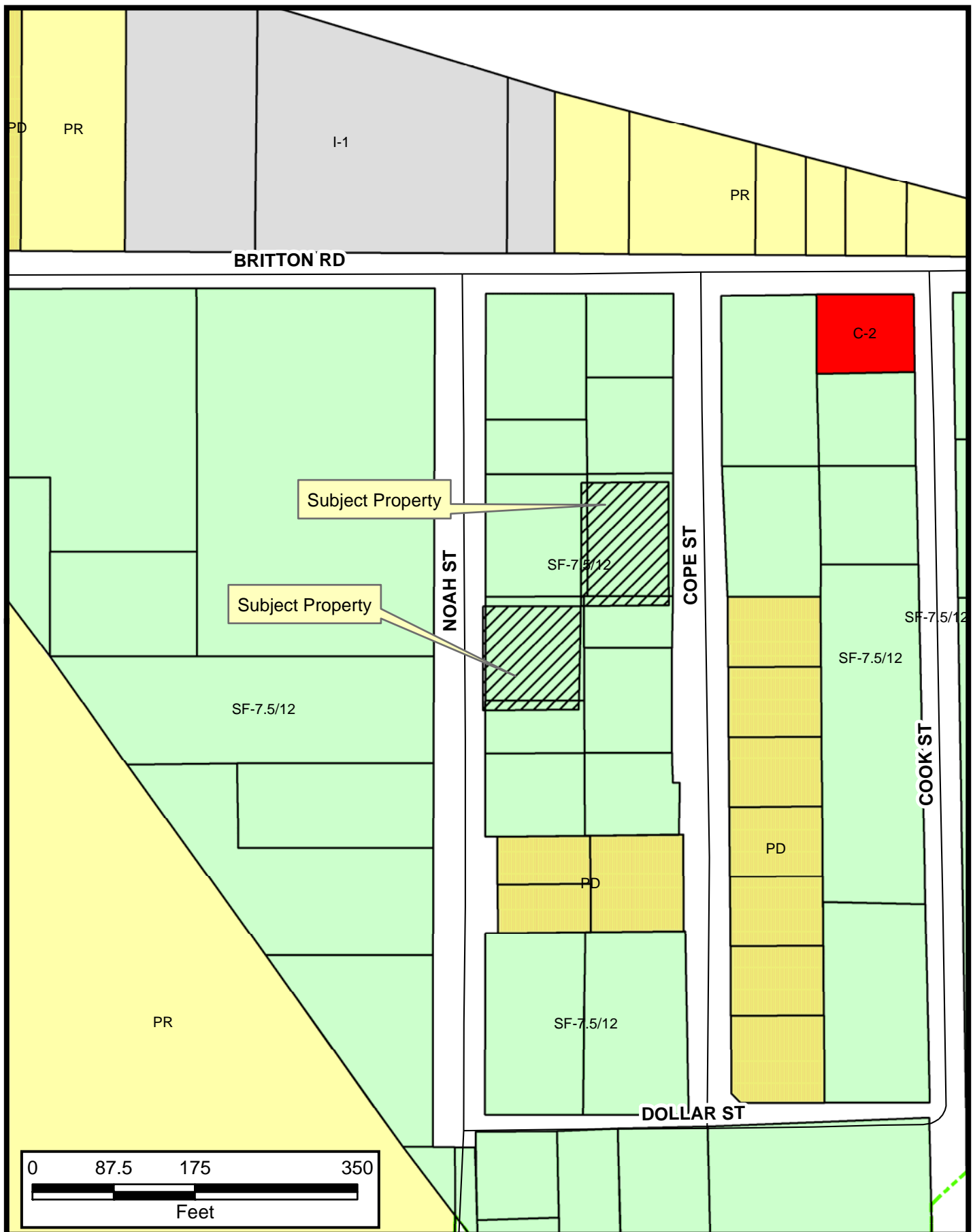
Allen Taylor, City Attorney



ZC#20-007

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

6/2/2020



Property Owner Notification for ZC#20-007

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
1 & 2 3 O T BRITTON 0.459 ACRES		WOODLEY EARL WAYNE	PO BOX 35	MANSFIELD, TX	76063
4;PT3& 5;6 1 O T BRITTON 2.388 ACRES		MARTIN J W & MARIA	932 COOK ST	MANSFIELD, TX	76065
4A 2 O T BRITTON-REV 0.321 ACRES		COPE D W & BETTY	5 PAMELA CT	MANSFIELD, TX	76063
5C 2 O T BRITTON-REV 0.132 ACRES		ZIPS KIMBERLY G	917 NOAH ST	MANSFIELD, TX	76065
8 1 O T BRITTON 0.517 ACRES		CLARK RONALD CHARLES	920 NOAH ST	MANSFIELD, TX	76065
LOT 1-2 BLK 2 O T BRITTON-REV .459 AC		TRAN KATHY	1404 SAYLES AVE	ARLINGTON, TX	76018
LOT 4 BLK 3 BRITTON RINESS ADDN .172 AC		RINESS HOLDINGS LLC	6606 THISTLE WOOD DR	MIDLOTHIAN, TX	76065
LOT 4B BLK 2 O T BRITTON-REV .281 AC		HARTMAN BEN	500 ALVARADO ST	MANSFIELD, TX	76063
LOT 5 BLK 3 BRITTON RINESS ADDN .172 AC		RINESS HOLDINGS LLC	6606 THISTLE WOOD DR	MIDLOTHIAN, TX	76065
LOT 5A BLK 2 O T BRITTON-REV .122 AC		REYES JAMES RICHARD	912 COPE ST	MANSFIELD, TX	76065
LOT 5B BLK 2 O T BRITTON-REV 0.248 AC		GAMBRELL TAMARA K	916 COPE ST	MIDLOTHIAN, TX	76065
LOT 5D BLK 2 O T BRITTON-REV 0.263 AC		HARTMAN BEN	500 ALVARADO ST	MANSFIELD, TX	76063
LOT 6 BLK 3 BRITTON RINESS ADDN .172 AC		RINESS HOLDINGS LLC	6606 THISTLE WOOD DR	MIDLOTHIAN, TX	76065
LOT 6R1 BLK 2 O T BRITTON-REV 0.119 AC		HARTMAN BEN	500 ALVARADO ST	MANSFIELD, TX	76063
LOT 6R2 BLK 2 O T BRITTON-REV .119 AC		HARTMAN BEN	500 ALVARADO ST	MANSFIELD, TX	76063
LOT 6R3 BLK 2 O T BRITTON-REV .238 AC		HARTMAN BEN	500 ALVARADO ST	MANSFIELD, TX	76063
LOT 7 BLK 3 BRITTON RINESS ADDN .173 AC		RINESS HOLDINGS LLC	6606 THISTLE WOOD DR	MIDLOTHIAN, TX	76065
LOT 9 BLK 1 O T BRITTON-REV .691 AC		MURRILLO LINDA	928 NOAH ST	MIDLOTHIAN, TX	76065

Tuesday, June 02, 2020

Page 1 of 2

Property Owner Notification for ZC#20-007

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
LOT NEPT 6 BLK 2 O T BRITTON-REV .1933 AC		SERAPHINE STANLEY W & BONNIE M	9 LLANO DR	ROANOKE, TX	76262
LOT PT 5 BLK 3 O T BRITTON-REV .289 AC		SNOWDEN RYAN & TERRINDA	909 COPE ST	MIDLOTHIAN, TX	76065
LOT PT 7 BLK 1 O T BRITTON-REV .496 AC		TRIPLE K ASSETS LLC	2909 TURNER WARNELL RD	ARLINGTON, TX	76001
LOT S1/2 3 & 4 BLK 3 O T BRITTON-REV .23 AC		FRAUSTO PABLO JR & SERNA NANCY	906 COOK ST	MIDLOTHIAN, TX	76065
N1/2 3 & 4 3 O T BRITTON 0.23 ACRES		HUNTER RHONDA B & REGINALD J	911 COOK ST	MANSFIELD, TX	76065
N100 3 2 O T BRITTON 0.23 ACRES		CROCKER JERRY F & RITA M	3846 LEDGESTONE LN	MIDLOTHIAN, TX	76065
NEPT 5 3 O T BRITTON 0.23 ACRES		WELLS JOHN	910 COOK ST	MANSFIELD, TX	76065
PT 5 3 O T BRITTON 0.835 ACRES		YARBROUGH KEITH	918 COOK ST	MANSFIELD, TX	76065
PT 6 & 5 OT BRITTON .207 ACRES		JOHNSON JUSTIN	921 NOAH ST	MANSFIELD, TX	76065
S100 3 2 O T BRITTON 0.23 ACRES		LANDERS JESSIE & NINA	5400 PARKER HENDERSON RD LOT 2	FT WORTH, TX	76119

EXHIBIT "A"
ZC# 20-007
LEGAL DESCRIPTION

TRACT I:

Lot 4B Block 2
906 Cope St.

Lot 4B, Block 2, Original Town of Britton, City of Mansfield, Ellis County, Texas, according to the plat thereof recorded in Cabinet D, Slide 254, Plat Records, Ellis County, Texas.

TRACT II:

Lot 5D Block 2
911 Noah St.

Lot 5D, Block 2, Original Town of Britton, City of Mansfield, Ellis County, Texas, according to the plat thereof recorded in Cabinet D, Slide 254, Plat Records, Ellis County, Texas.

Architectural Standards

Exhibit “B”

ZC# 20-007

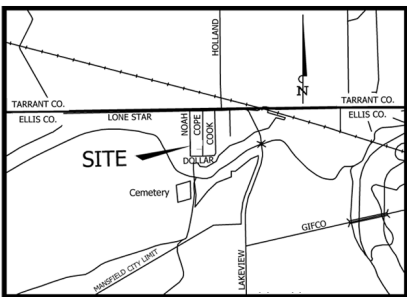
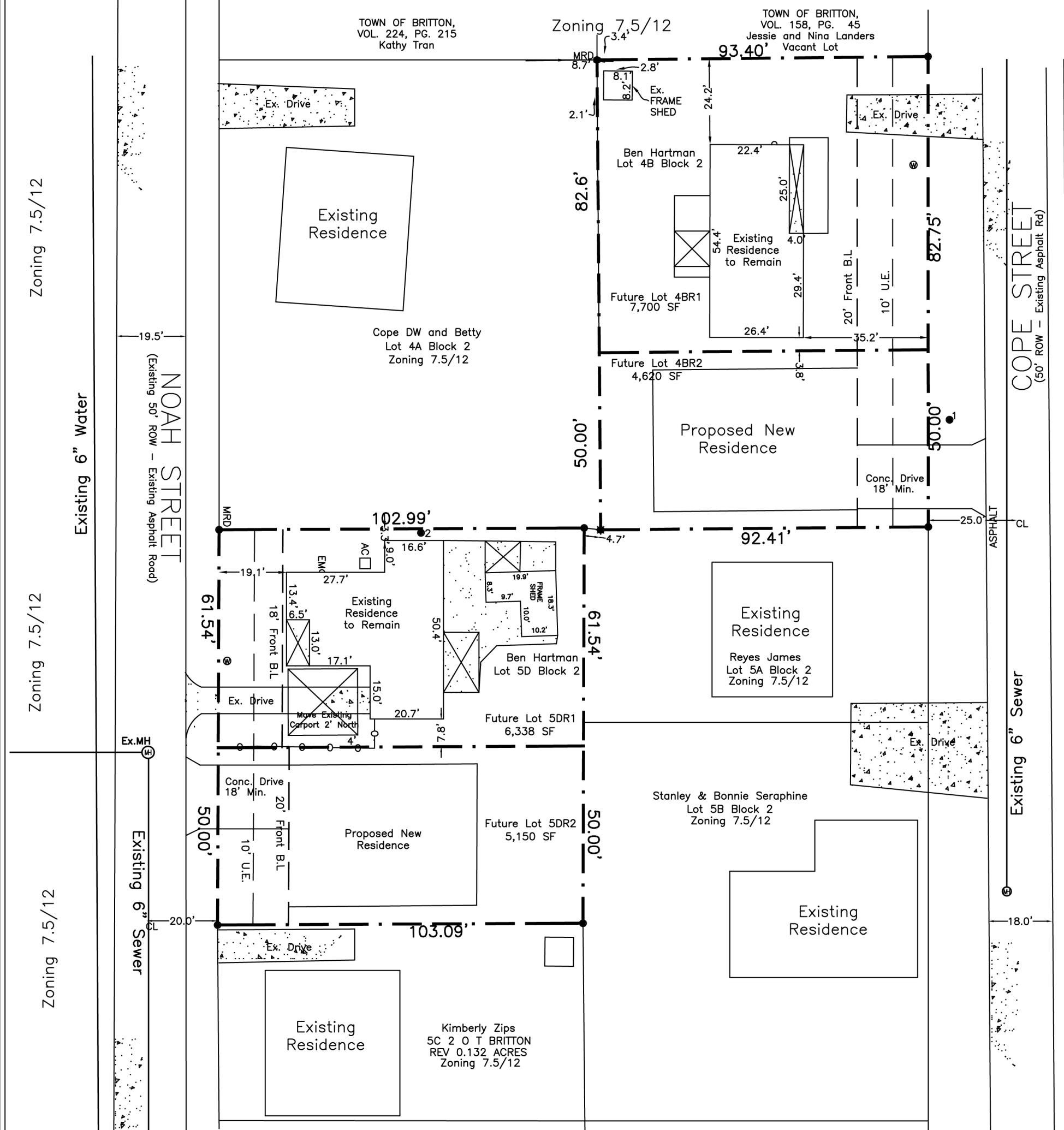
Architectural Requirements:

1. Minimum two car garage.
2. Maximum height: 2 Story plus attic or 35’.
3. Minimum living area: 1800 square feet
4. Minimum 8/12 Roof Pitch
5. 30 yr Architectural shingle
6. Garage door to have a carriage style, wood look or wood cladding aesthetic (see images)
7. Eight foot (8’) tall front door.

The new homes in the development must include at least 3 of the 5 architectural features listed below:

Architectural Features:

1. Front Porches with a minimum of 70 square feet.
2. Siding with more than one pattern:
Example – horizontal lap style siding on the body and shake style siding in the gables.
3. Stone or masonry wainscot or accents on the front elevation.
4. Craftsman elements utilized in the gables, such as knee braces or gable pediments.
5. Craftsman style windows (characterized by a divided lite look on top with no lites on the bottom).



VICINITY MAP
NOT TO SCALE
MANSFIELD, TEXAS

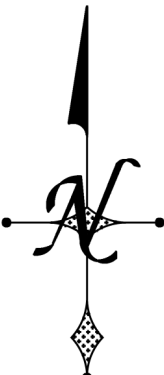
- Notes:
- Parking requirements shall comply with section 7200 of the Zoning Ordinance.
 - Accessory structures shall comply with Section 7800 of the Zoning Ordinance
 - Landscaping shall comply with section 7300 of the Zoning Ordinance.
 - This PD shall comply with the following standards:
1. Minimum Lot Depth - 90'
 2. Minimum Lot width - 50'
 3. Minimum Lot Area - 4,600 SF
 4. Minimum Front Yard - 20'
 5. Minimum Rear Yard - 15'
 6. Minimum Side Yard for Existing Residences - 3.0'
 7. Minimum Sideyard for New Residences - 5'
 8. Front porches exceeding 70 sf may encroach front yard setback by up to 5'
 9. Minimum Floor Area per Unit - 1800 Square Feet for new residences
 10. Maximum Lot Coverage - 55%

The proposed development will be in complete accordance with the provisions of the approved Planned Development District and that all Development Plans recordedn hereunder shall be binding upon the applicant thereof, his successors and assigns, and shall limit and control all building permits.

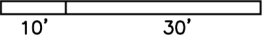
Tree Survey Number	Common Name	Scientific Name	Caliper
1	Cotton Wood	Populus deltoides	30"
2	Pecan	Carya illinoensis	36"

LEGEND

WOOD FENCE ———
 CHAIN LINK ———
 IRON FENCE ———
 WIRE FENCE ———
 MRD — MONUMENTS OF RECORD DIGNITY
 ● 1/2" IRON ROD FOUND
 ● 1/2" YELLOW-CAPPED IRON ROD SET
 ■ SET 'X'
 ■ FOUND 'X'
 ● 3/8" IRON ROD FOUND
 ● 1/2" PIPE FOUND
 ○ — CABLE
 ○ — CLEAN OUT
 ○ — FIRE HYDRANT
 ○ — LIGHT POLE
 ○ — MANHOLE
 ○ — IMPROVEMENTS
 ○ — BOUNDARY LINE
 ○ — EASEMENT/SETBACK
 ○ — RESIDENCE
 ⊕ — ELECTRIC
 ⊕ — PE — POOL EQUIP
 ⊕ — POWER POLE
 ⊕ — TELEPHONE
 ⊕ — WATER METER
 ⊕ — WATER VALVE
 (UNLESS OTHERWISE NOTED)



Scale 1" = 30'



DEVELOPMENT PLAN

Original Town of Britton Redevelopment
LOTS 4BR1,4BR2,5DR1,5DR2 BLOCK 2
0.547 ACRES
4 RESIDENTIAL LOTS

Owner:
Ben Hartman
500 Alvarado St
Mansfield Tx 76063
Phone: 817-996-8628
benhartman8628@gmail.com

Part of the Final Plat of
ORIGINAL TOWN OF BRITTON
Lots 4A,4B,5A,5B,5C and 5D
An Addition to the City of Mansfield, Ellis County, Texas
Cabinet D Slide 254

BTH Engineering, LLC
500 Alvarado St
Mansfield Tx 76063
Phone: 817-996-8628
benhartman8628@gmail.com
FIRM NO. 19487
Prepared 5/20/2020

EXHIBIT "B"
ZC #20-007

Existing 6" Water
Zoning 7.5/12
Zoning: Planned Development
Existing 6" Sewer

Carriage Style:



Wood Look:



Wood Cladding:



Conceptual Homes

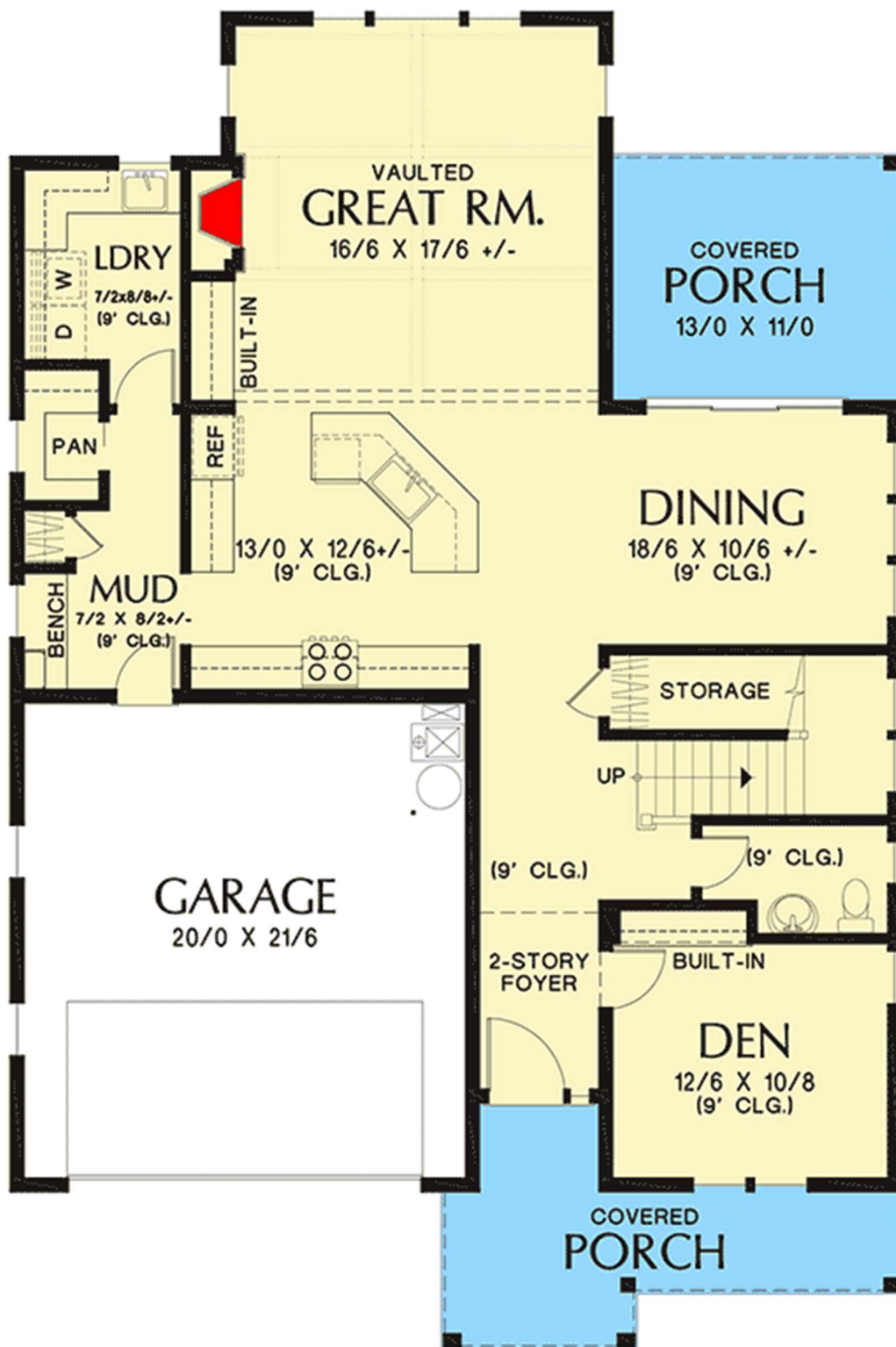
All homes are conceptual in nature to show intent of style and proof of lot fitment.



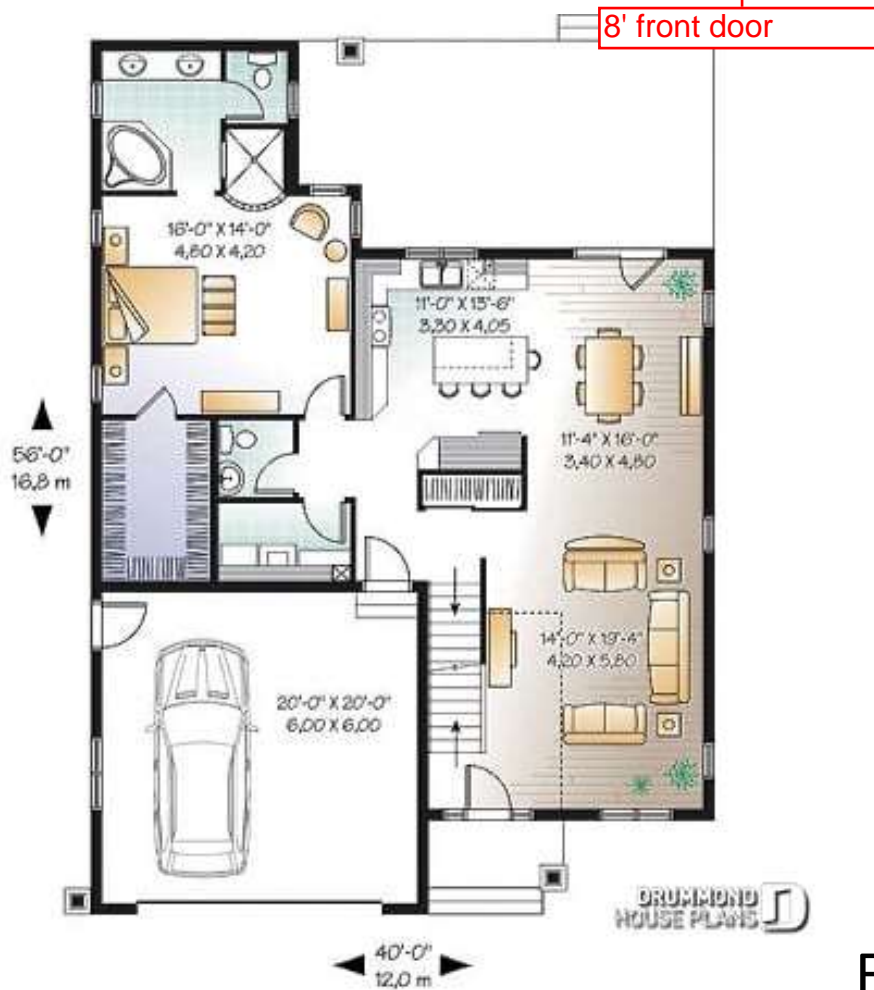
Decorative Garage door

8' Front Door

Board and batten siding

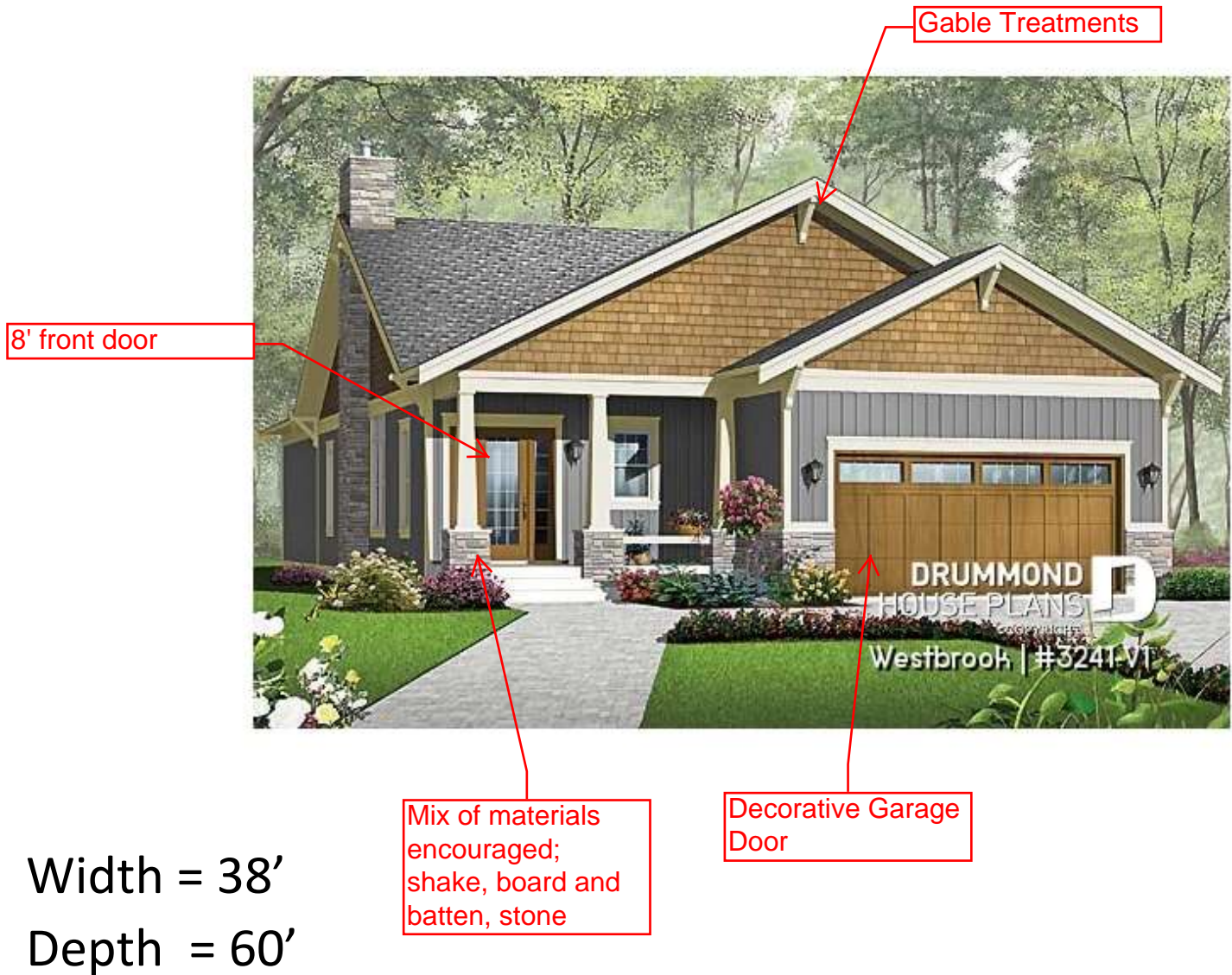


First Floor
Width = 40'
Depth = 60'



Mix of materials
encouraged;
shake, board and
batten, stone

First Floor





CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3646

Agenda Date: 8/10/2020

Version: 1

Status: New Business

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Nominating Mouser Electronics, Inc. as an Enterprise Zone Project Under the Texas Enterprise Zone Act; and Providing an Effective Date

Requested Action

Consider approving the Resolution nominating Mouser Electronics, Inc. for the Texas Enterprise Zone program.

Recommendation

Approve the Resolution nominating Mouser Electronics, Inc. for the Texas Enterprise Zone program.

Description/History

Mouser Electronics continues to grow and invest in Mansfield. They have recently completed construction of their warehouse facility expansion and new 50k sq. ft. customer service center. This project was nominated by the City as a Texas Enterprise Zone project in May of 2017 per the attached Ordinance. They will now expend at least \$5 million over the next five years on equipment and technology infrastructure and are seeking another Texas Enterprise Zone award for this investment. This investment will also assist in the retention of over 1,800 jobs.

The Texas Enterprise Zone Program is a State incentive program which reimburses the successful applicant the 6.25% state portion of sales tax they have paid for expenses related to the project for which the application is made. Enterprise Zone programs have no fiscal impact to the City of Mansfield. However, the City must nominate the project for Mouser to be eligible to apply for the program via the attached Resolution. The application deadline is September 1st. The first time a City participates in an Enterprise Zone project it must pass an Ordinance establishing the participation, then all subsequent nominations can be done via Resolution. The Enterprise Zone Ordinance was established in May 2017 with Mouser's previous nomination.

Justification

Mouser continues to make a positive economic impact on the City of Mansfield. This investment will generate additional tax revenue and retain a large number of jobs.

Funding Source

Not Applicable

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Nominating Mouser Electronics, Inc. as an Enterprise Zone Project Under the Texas Enterprise Zone Act; and Providing an Effective Date

Prepared By

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MANSFIELD, TEXAS, NOMINATING MOUSER ELECTRONICS, INC.
AS AN ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE
ZONE ACT; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Mansfield, Texas (City) has previously passed Ordinance No. OR-2049-17 electing to participate in the Texas Enterprise Zone Program, and the local incentives offered under this resolution are the same on this date as were outlined in Ordinance No. OR-2049-17; and

WHEREAS, the Office of the Governor Economic Development and Tourism (EDC) through the Economic Development Bank (Bank) will consider Mouser Electronics, Inc. as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (the "Act"), Mouser Electronics, Inc. has applied to the City for designation as an enterprise project; and

WHEREAS, the City finds that Mouser Electronics, Inc. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. Mouser Electronics, Inc. is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located in an enterprise zone and at least twenty-five percent (25.0%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals, or veterans; and
2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
3. The designation of Mouser Electronics, Inc. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area; and

WHEREAS, the City finds that Mouser Electronics, Inc. meets the criteria for tax relief and other incentives adopted by the City and nominates Mouser Electronics, Inc. for enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate Mouser Electronics, Inc. as an enterprise project pursuant to the Act; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:

SECTION 1.

The findings of the City and its actions approving this resolution taken at the council meeting are hereby approved and adopted.

SECTION 2.

Mouser Electronics, Inc. is a “qualified business”, as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act.

SECTION 3.

The enterprise project shall take effect on the date of designation of the enterprise project by the agency and terminate five (5) years thereafter.

SECTION 4.

This Resolution shall take effect upon its adoption.

PASSED AND APPROVED by the City Council of the City of Mansfield, Texas this _____ day of _____, 2020.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3668

Agenda Date: 8/10/2020

Version: 1

Status: New Business

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Nominating Klein Tools, Inc. as an Enterprise Zone Project Under the Texas Enterprise Zone Act; and Providing an Effective Date

Requested Action

Consider approving the Resolution nominating Klein Tools, Inc. for the Texas Enterprise Zone program

Recommendation

Approve the Resolution nominating Klein Tools, Inc. for the Texas Enterprise Zone program

Description/History

Klein Tools continues to grow and invest in Mansfield. They have recently completed construction of their 200k sq. ft. distribution center. Klein will now be making an additional \$35 million capital investment over the next 5 years in technology upgrades and new equipment for their Mansfield facility to service increasing customer demand. This investment will result in the retention of over 400 jobs.

The Texas Enterprise Zone Program is a State incentive program which reimburses the successful applicant the 6.25% state portion of sales tax they have paid for expenses related to the project for which the application is made. Enterprise Zone programs have no fiscal impact to the City of Mansfield. However, the City must nominate the project for Klein to be eligible to apply for the program via the attached Resolution. The application deadline is September 1st. The first time a City participates in an Enterprise Zone project it must pass an Ordinance establishing the participation, then all subsequent nominations are done via Resolution. The Enterprise Zone ordinance was established when Mouser Electronics applied in May of 2017.

Justification

Klein continues to make a positive economic impact on the City of Mansfield. This investment will generate additional tax revenue and retain a large number of jobs.

Funding Source

Not Applicable

Prepared By

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MANSFIELD, TEXAS, NOMINATING KLEIN TOOLS, INC. AS AN
ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE ZONE
ACT; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on May 24, 2017, the City of Mansfield City Council (“City”) passed Ordinance No. OR-2049-17 electing to participate in the Texas Enterprise Zone Program and make local incentives and economic development tools available to qualifying enterprise projects; and

WHEREAS, City council expanded this list of local incentives and economic development tools in City Ordinance No. OR-2049-17; and

WHEREAS, the Governor’s Office of Economic Development and Tourism through the Economic Development Bank will consider the project proposed by Klein Tools, Inc. (“Klein Tools”) as an Enterprise Project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones, veterans and other economically disadvantaged individuals; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code ("Act"), Klein Tools has applied to the City for designation as an enterprise project; and

WHEREAS, the City finds that Klein Tools meets the criteria for designation as an Enterprise Project as required by the Act based on the following grounds:

- a) Klein Tools is a “qualified business” under the Act because it will be engaged in the active conduct of a trade or business at a qualified business site within the City’s jurisdiction located outside of an enterprise zone and at least thirty-five percent (35%) of the business’ new permanent jobs will be residents of an enterprise zone, economically disadvantaged individuals or veterans; and
- b) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
- c) The designation of Klein Tools as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area; and

WHEREAS, the City finds that Klein Tools meets the criteria for local incentives and economic development tools adopted by the City and nominates Klein Tools for Enterprise Project

status on the grounds that this Enterprise Project will be located at the qualified business site and will create a higher level of employment, economic activity, and stability in the area; and

WHEREAS, the City finds that it is in the best interest of the City to nominate Klein Tools as an Enterprise Project pursuant to the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD:

SECTION 1.

The City of Mansfield nominates Klein Tools as an Enterprise Project pursuant to Chapter 2303 of the Texas Government Code.

SECTION 2.

That the findings of the City and its actions approving this Resolution taken at the council meeting are hereby approved and adopted.

SECTION 3.

That Klein Tools is a “qualified business” as defined in Section 2303.402 of the Act and meets the criteria for designation as an Enterprise Project, as set forth in Chapter 2303, Subchapter F of the Act.

SECTION 4.

The Enterprise Project shall take effect on the date of designation of the Enterprise Project by the Governor’s Office of Economic Development and Tourism and terminate five years from the date of designation.

SECTION 5.

This Resolution shall take effect immediately upon its passage and approval.

PASSED AND APPROVED by the City Council of the City of Mansfield, Texas this _____ day of _____, 2020.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3674

Agenda Date: 8/4/2020

Version: 1

Status: New Business

In Control: Keep Mansfield Beautiful Commission

File Type: Meeting Minutes

Agenda Number:

Title

Resolution - A Resolution Adopting a New Updated Mansfield Mosquito Surveillance and Control Policy

Requested Action

The Environmental Staff recommends the approval of the updated Mansfield Mosquito Surveillance & Control Policy as the most effective means of reducing the risk of an outbreak of mosquito borne pathogens, protecting the public from a potential outbreak and using public funds in the most cost effective manner.

Recommendation

The Environmental Staff recommends the approval of the updated Mansfield Mosquito Surveillance & Control Policy as the most effective means of reducing the risk of an outbreak of mosquito borne pathogens, protecting the public from a potential outbreak and using public funds in the most cost effective manner.

Description/History

The first Mosquito Surveillance and Control Policy for the City of Mansfield was adopted in 2008 and based largely on the same policy for the City of Denton. The first update to that policy was in 2013 as a result of the West Nile Virus outbreak of 2012. Tarrant County Public Health made updates to their policy and program and recommended participating communities update their policies to reflect those changes.

The proposed policy is based largely on the Tarrant County Public Health policy. The introduction narrative has replaced the previous policy language and contains useful information for members of the public to gain a base level understanding of mosquito borne diseases, transmission pathways, and different methods for surveillance and interventions. The further sections detail the responsibilities between the City and County as to implementing the program.

The current policy contains 5 risk levels, ranging from off-season conditions of no mosquitoes and no virus, to conditions where an outbreak is in progress. The proposed policy includes 6 risk levels, generally following the same continuum. An additional level was included for conditions where no virus activity or human cases have occurred in the City Limits, but mosquito activity in the City and surrounding community virus conditions indicate a potential outbreak could be possible.

Response actions for the different risk levels are inline with those included in the Tarrant County Public Health mosquito policy. Public education is a vital component. Under the current policy, adulticide spraying as a recommended response occurs in Risk Level 2. In the proposed policy, adulticide spraying would first be a recommended response at Risk Level 3.

Public education and actions are a critical component of the program. The City's current program and future program will rely on property owners and occupants to take proactive steps to reduce breeding sites, and take protective steps if the virus does begin to spread through the population.

Justification

It is important to have a policy that explains the components and details of the City's mosquito surveillance and control program. This policy was drafted using the Tarrant County Public Health policy as a template and includes those specific areas related to the City's program. Howard Redfearn will make a presentation covering details of the Mosquito Surveillance and Control Policy in more detail at the meeting to answer Council's questions. A resolution is attached for Council's consideration.

Prepared By

Howard Redfearn, Environmental Manager

RESOLUTION NO. _____

**A RESOLUTION ADOPTING A NEW MANSFIELD MOSQUITO
SURVEILLANCE AND CONTROL PROGRAM**

WHEREAS, the West Nile Virus is an endemic disease in the area with varying levels of activity from year to year, and other mosquito borne diseases have the potential to become endemic; and

WHEREAS, the Tarrant County Public Health Department encourages communities to participate in a mosquito surveillance and control program for mosquito borne diseases; and

WHEREAS, in Integrate Pest Management program is recommended as the best means to protect public health from mosquito borne diseases; and

WHEREAS, it is in the best interest of the citizens of Mansfield and City staff to have a defined procedure regarding mosquito surveillance and control.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF MANSFIELD, TEXAS:**

SECTION 1.

1. That the current version of the City of Mansfield Mosquito Surveillance and Control Program is hereby adopted as the official City Mosquito Control Policy.

RESOLVED AND PASSED this 10th day of August, 2020.

David Cook, Mayor

ATTEST:

Susana Marin, City Secretary

Mansfield Mosquito Surveillance & Control Policy



As adopted by Resolution XXXX-20
August 10, 2020

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1 Introduction

Arboviral and other arthropod-borne diseases are those in which the disease-causing agent is spread by the bite of an infected arthropod. As there are many arboviral diseases that have the potential to show up in any area, at any time, we will be focusing this document on five viruses of concern in North Texas. The agents of concern currently include West Nile virus (WNV), St. Louis encephalitis virus (SLEV), Chikungunya virus (CHIKV), Dengue virus (DENV) and Zika virus (ZIKV). Due to the nature of these diseases WNV and SLEV can be discussed together as zoonotic diseases, shared between animals and humans, whereas CHIKV, DENV and ZIKV can be discussed together as epidemic diseases, shared among humans. The contents of this document are subject to change dependent on the most current information and future, unforeseen situations. In participation with Tarrant County Public Health, and surrounding communities, the City of Mansfield conducts surveillance for the presence of WNV and SLEV by studying, surveying, sampling and testing local *Culex* populations in the city. The presence of CHIKV, DENV and ZIKV on the other hand will be dominantly determined by the presence of these viruses in the human population; however, the presence and abundance of *Aedes aegypti* and *Aedes albopictus* may be surveyed to help determine high risk areas.

1.1 West Nile Virus (WNV) and other *Culex*-borne pathogens

West Nile virus and St. Louis encephalitis virus are endemic mosquito-borne viruses that have the potential to cause febrile disease, myelitis, encephalitis and/or meningitis in humans and other animals. Approximately 80 percent of people who acquire these viruses will not experience symptoms. Of the 20 percent who do, roughly one percent will develop serious symptoms, up to and including death. WNV was first isolated in a febrile patient in the African country of Uganda circa 1937. After first appearing in the US in New York City in the summer of 1999, it spread west eventually reaching north Texas in 2002. (AAM, 2013). Both West Nile virus and St. Louis encephalitis virus are predominantly carried by the genus of mosquito, *Culex*. The primary vector of these diseases in North Texas is known to be *Culex quinquefasciatus* (Ward, 2002). *Culex restuans* and *Culex nigripalpus* have also tested positive for WNV and will be considered secondary vectors. Therefore, much of this program will target surveillance and control of these disease carrying mosquitoes. Other species of *Culex* that may be vectors for these diseases will also be tested when sampled in abundance.

Culex surveillance may be conducted year round. Regular in-season testing will begin the first full week of April and end in mid-November when cooler temperatures are

most likely. Off-season surveillance will be conducted to monitor the mosquito populations in cooler winter months. Female *Culex* mosquitoes overwinter as adults which are virtually inactive at times of cold temperatures (Strickman, 1988). Minimal surveillance will be conducted when temperatures remain consistently low (below 8°C). Being nocturnal, these mosquitoes are most active between dusk and dawn.

WNV and SLEV have a bird-mosquito-bird transmission cycle that includes humans, horses and other animals as dead-end hosts (incapable to spreading virus to uninfected mosquitoes). This means that a mosquito can only acquire the virus from a bird and cannot acquire the virus from a human or horse (that is infected with WNV or SLEV) because of the low number of viral particles in our bloodstream. After a period of time the infected mosquito can pass these viruses on to other animals. Data pertaining to information about WNV/SLEV in human, horse and bird populations will also be considered as important information in decision making and recommendations for the City as a whole. As available, Tarrant County Public Health (TCPH) may provide thresholds to the City to further determine mosquito control activities. These may include mosquito infection rates, vector indices, abundance of mosquitoes, weather patterns, and timing/rate of increase of mosquito positivity.

1.2 CHIKV, ZIKV, DENV and other *Aedes*-borne pathogens

Chikungunya virus (CHIKV), Zika virus (ZIKV), and Dengue virus (DENV) are three arboviruses that are a potential threat to people living in North America. All three viruses share the primary vector *Aedes aegypti* and a potential secondary vector *Aedes albopictus*, which are present and abundant in many areas of Tarrant County. These mosquitoes behave differently than *Culex* mosquitoes, so surveillance for these viruses will be different than that of WNV/SLEV.

Chikungunya virus is an *alphavirus* in the family *Togaviridae*. Disease manifested by this virus, known as Chikungunya fever (CHIK) can result in high fever, headaches, intense joint pain and sometimes a rash. It was first isolated in 1952 on the Makonde plateau in Tanzania, Eastern Africa. The word “Chikungunya” roughly translates to “that which bends up” in the Makonde dialect which describes the actions of those experiencing symptoms of the disease. Since 2004, the distribution of the virus has been spreading from the African islands, to Asia and Europe, and has most recently made a stronghold in the Caribbean and other popular North American island destinations (PAHO, 2011). Chikungunya may be severely debilitating, but is rarely fatal. Symptoms typically last less than two weeks, but may persist for months and in rare cases, even years.

Dengue virus (*Flaviviridae: flavivirus*) continues to spread around tropical and subtropical regions. Disease resulting from DENV can range from febrile to

hemorrhagic and it exists in four different serotypes, 1, 2, 3 and 4. The symptoms of Dengue fever can be similar to CHIK, however the onset of fever is more gradual, there is more commonly a rash, and it is more likely to be fatal (PAHO, 2011). Once an infected person overcomes illness from one serotype of DENV, they become susceptible to develop more severe Dengue fever symptoms upon reinfection with another serotype (WHO, 2009). Recently, local transmission has been documented in the Florida Keys (Richards et al. 2012) and happens periodically on the Texas-Mexico border (Rodrigues-Tan and Weir, 1998).

Like Dengue virus, Zika virus is in the family *Flaviviridae*. Symptoms from acquisition of this virus are also similar to CHIKV and DENV. Most cases result in a maculopapular rash (flattened raised red patches) on the torso, joint pain and conjunctivitis. Symptoms are believed to be less severe than that of CHIKV and speculated to be manifested by roughly 20 percent of people who acquire the virus. Guillain-Barre Syndrome and encephalitis-like diseases have been associated with Zika in a very small percentage of the people who have developed Zika-related illness. Deaths associated with Zika virus are rare. The cause of major concern with the spread of Zika is the effects it has on fetuses if women are infected during pregnancy. In April of 2016, CDC scientists announced that Zika can cause microcephaly and other severe fetal brain defects (Rasmussen *et al* 2016). Microcephaly can be defined as a condition where a baby is born with an abnormally small head, likely due to the under-development of the brain. Pregnant women should avoid travel to places where Zika is being transmitted. Most cases of Zika illness in the United States are related to international travel. In 2016 two outbreaks of Zika occurred in the intercontinental US in Miami, Florida and Brownsville, Texas. There were an additional four cases of Zika in Hidalgo and Cameron Counties in 2017. Though most cases of Zika are transmitted through the bite of an infected mosquito, it may also be transmitted sexually.

All three of these viruses are transmitted by mosquitoes in the genus *Aedes*, subgenus *Stegomyia*. These mosquitoes are unlike *Culex* mosquitoes in the fact that they are diurnal (active during the day), overwinter as eggs, and feed predominantly on humans. Surveillance for these mosquitoes will take place during our in-season WNV/SLEV surveillance utilizing BG Sentinel traps. Surveillance for these mosquitoes will only be utilized to find potential problem areas and not for surveillance of these viruses since there is no autochthonous transmission and humans are the current preferred sentinel.

2 Mansfield Surveillance Program

The risk of mosquito-borne diseases depends on the size of mosquito populations and the incidence rate of the disease. Collecting information on adult mosquito populations is thus important for both targeting control measures and gauging the potential for disease outbreak. An adult mosquito surveillance program for Mansfield has been developed and implemented since 2005.

2.1 West Nile virus and St. Louis encephalitis virus surveillance in mosquitoes

The City has prepared a total of 12 trap sites located throughout the city limits so that a one-mile buffer from all trap sites combined covers the majority of existing and future populated areas. However, the North Texas Regional Laboratory (NTRL) only has capacity to allow up to six sites from Mansfield to be tested per week. Therefore, the City's Environmental Services Department of the City will perform, or coordinate, trapping of adult *Culex* mosquitoes at the 12 trap sites rotated so six sites are collected every week. Changes can be made to this trap rotation at any time related to previous trap data, adjacent community information, or other related indicators. Lab dates and times are controlled through the NTRL and are subject to change at any time with little to no notice to the City.

Seasonal surveillance:

- Brew gravid water with grass clippings, set traps overnight to be collected the following morning (once/week), and deliver mosquitoes in appropriate containers to TCPH.
- TCPH will identify, enumerate, and place up to 50 mosquitoes of the appropriate vector species into each tube.
- TCPH NTRL will: store frozen samples until ready for processing, run a real-time reverse-transcriptase polymerase chain reaction (RT-PCR) assay for detection of WNV and SLEV, determine positive/negative results, and report results to TCPH vector control the morning of the day following laboratory submission.
- Notification of any mosquito pools that test positive for WNV or SLEV will generally occur Friday afternoon via telephone and secondarily via e-mail. All lab results will be received via email. Locations and results of WNV/SLEV trap sites will be added to the Tarrant County website by vector control personnel or designee before receiving results.
- TCPH will report positive mosquito pool results to the Texas Department of State Health Services (DSHS) once/week on Fridays.

Off-season surveillance:

- Brew gravid water with grass clippings, set traps overnight to be collected the following morning (once every other week, weather and conditions permitting), and deliver mosquitoes in appropriate containers to TCPH. An electronic calendar will be used with trapping periods and testing dates.
- Off-season trapping should follow the same procedures as the in-season trapping.

2.2 Dengue virus, Zika virus, and Chikungunya virus surveillance in mosquitoes and surveillance for *Aedes* mosquitoes

Surveillance for CHIKV, ZIKV and DENV in mosquitoes will only happen on a case-by-case basis where one of these viruses would be most likely to occur. This would be strictly for data collection purposes only and would not determine a response for mosquito treatment. Due to the nature of the way these viruses cycle in the environment, strictly between humans and mosquitoes, it is highly unlikely that these viruses will be found in the mosquito populations before human cases appear. Therefore, the dominant form of surveillance for the virus itself will be through recording confirmed human cases. The City may deploy any of the current three BG Sentinel traps to monitor the populations of *Aedes aegypti* and *Aedes albopictus*, or contract with a private provider to conduct surveillance. Static trap locations should be chosen based on human population density and breeding habitat availability. BG Sentinel traps with the addition of dry ice should also be placed at suspect case addresses during warmer seasons (during the WNV in-season period). Results of BG Sentinel traps will be turned in with gravid trap samples and results will be returned with gravid trap results. It is important to keep these traps in static locations to monitor these mosquito populations over time.

2.2.1 Mosquito surveillance and control near imported cases

Suspected imported cases of CHIK, Zika or Dengue fever will be determined by the Division of Epidemiology at TCPH. Suspect imported cases must have a travel history that includes a country in which CHIKV, ZIKV and/or DENV are endemic, epidemic, or currently circulating. Upon notification of a suspected human case from the Division of Epidemiology, a member of the vector control team will work collaboratively with the appropriate City Environmental Services Department personnel to inspect the property of the patient for sources of *Aedes* breeding and to determine subsequent mosquito control activities. Permission forms should be utilized to enter private residences. Personnel conducting the inspection will record observations on the backyard mosquito checklist. It should be noted here that risk is determined by, but not limited to, a number of factors including: the viremia of the patient while they were present in the

county, the number of vector mosquitoes found on or near the property, the use of and type of repellents utilized during the viremic period and/or reports of patient outdoor activity/reports of being bitten by vector mosquitoes. BG Sentinel traps should be deployed with the addition of dry ice for a 24-hour period during times where *Ae aegypti* and *Ae albopictus* are known to be active (typically from May to November) to monitor risk from adult mosquitoes. BG Sentinel trap samples should be brought to Tarrant County vector control staff the day following trap placement where vector control staff may be able to make risk assessments on a case-by-case basis. Adulticiding the patient residence and all adjoining properties may be recommended where high risk is determined to be present along with larviciding and educating all residences within a 150-meter radius. Handing out repellents including N, N, N diethyl-meta-toluamide (DEET) and properly labeled larvicides within the neighborhood may also be encouraged. All larval source containers should be overturned or treated with the appropriate larvicide. Upon observation of adult mosquitoes, adulticiding should be considered. Adulticiding may include thermal fogging or residual spray to surrounding resting areas (low-lying non-flowering plant life and eaves). Treatment of flowering plants should be avoided to minimize exposure to non-target insects. Ultra-low Volume (ULV) targeted backpack application is not recommended in the daytime due to a lack of an inversion layer causing the chemical to evaporate and be ineffective. The placement of a post-treatment BG Sentinel trap is recommended to monitor effectiveness of treatment. This data should be reported to TCPH for data collection purposes. If the patient is no longer viremic and therefore cannot spread the virus to a local mosquito population, the patient will be educated about the use of repellent and encouraged to treat larval sources found on their property.

Surveillance of locally acquired cases of CHIK/DENV/ZIKV will follow guidelines and be coordinated with TCPH, Texas Department of State Health Services, and/or the Centers for Disease Control.

2.2.2 Human surveillance

Arboviral diseases and exotic diseases are nationally-notifiable conditions and reportable in Texas. Most disease cases including suspected cases are reported to the Division of Epidemiology at TCPH. They are responsible for ensuring that reported human disease cases meet the Council of State & Territorial Epidemiologists (CSTE) case definitions and are investigated promptly. Upon confirmation of a human WNV or SLEV case, the Division of Epidemiology will notify a designee in TCPH Vector Control. In compliance with the Health Insurance Portability and Accountability Act (HIPAA), information regarding human cases will not be released on the interactive mapping website. TCPH Vector Control staff will report an intersection near the human case to the City and additional gravid traps may be placed near this area to test

additional pools of mosquitoes for WNV/SLEV. This is recommended due to the nature of acquisition not being isolated to the patient's home and also to help protect HIPAA information in reasons to treat.

3 Prevention and Control

The functional goal of the mosquito surveillance program is the use of data on mosquito populations and mosquito virus infection rates to:

- Assess the threat of human disease.
- Determine the geographical areas of highest risk.
- Assess the need for and timing of intervention efforts.
- Identify, eliminate or treat larval habitats.
- Monitor effectiveness of control measures.
- Communicate risk to the public.

The primary objective of mosquito control is to decrease the risk of mosquito-borne human diseases. This objective should be accomplished by:

- Continuing to stress source reduction as the primary means of control
- Larviciding where such activities are feasible, practical, and likely to be effective.
- Using personal mosquito protection measures, especially for the elderly and those individuals with compromised immune systems.
- Use of adulticide campaigns as a means of last resort to respond to public health concerns.

The principles of Integrated Pest Management for mosquito control are:

- Knowledge of mosquito biology and the epidemiology of the mosquito-borne diseases.
- Surveillance and monitoring efforts for the detection and status assessment of mosquito populations and/or mosquito-borne diseases.
- A multifaceted prevention and control program comprised of a system of control tactics which are compatible with each other and which are proven effective.
- Continued program evaluations and updates to ensure that the best methods are being used to meet the prevention and control objectives of the program.
- Continued education of the public to create awareness, understanding, and support.

3.1 Larviciding

Larviciding practices are a pivotal part of mosquito control. Larvicide is best implemented when eliminating known mosquito breeding spots. This is the main focus of localized community mosquito surveys, which are carried out when mosquito pools test positive for WNV or SLEV. The concept behind this involves removing mosquito populations when they are vulnerable to effective control methods and cannot actively serve as a disease vector. Larvicide activities may be performed by staff, a contractor, or property owner. A list of larvicide methods the City of Mansfield may use includes:

- *Bacillus thurengiensis israelensis* or Bti.
- *Saccharopollyphora spinosa* or Spinosad
- Insect growth regulators (Methoprene)
- Cocobear Mosquito Larvicidal oil
- Elimination of standing water and breeding habitat
- *Gambusia affinis*

Reducing, eliminating, and treating mosquito breeding sites are some of the most important aspects of a mosquito control program. It controls mosquitoes before they emerge as host-seeking adults (only adult female mosquitoes are vectors for arboviral diseases). Additionally, pin-pointing sources that need to be treated are more efficient, effective, and safer than treating large areas with adulticide. Humans and terrestrial wildlife are less likely to be exposed to treated aquatic habitat of larval mosquitoes than that of terrestrial airborne adults.

Physical elimination and/or larviciding of mosquito breeding sites will be conducted by vector control staff upon observation when possible. If sources are known to exist on private property, vector control staff will notify the property owner of mosquito breeding activity and request elimination and/or treatment of the breeding sources where possible. If the property owner does not eliminate/treat sources, the City may use applicable laws to seek legal remedy (Texas Health and Safety Code Chapters 341 and 343).

Gambusia affinis, also known as mosquito fish, are natural endemic predators of aquatic stages of mosquitoes. They have the ability to continuously control mosquito larvae in a single source, are fairly easy to maintain, and are typically environmentally friendly. TCPH personnel will keep a stock tank of *Gambusia* at Tarrant County Public Health. The City may request *Gambusia* at any time during business hours to be able to use for purposes of larval mosquito control within their municipalities. A record of the quantity of fish used to treat a given area, date, and time of treatment will be recorded.

3.2 Adulticiding

Though larval elimination will be the main focus of mosquito control, it is impossible to know and eliminate every source of mosquito breeding. Mosquito-borne illness can only be transmitted in the adult life stage of the mosquito vectors. The City may use contractors to apply adulticide via a ground-based truck mounted with Ultra Low Volume (ULV) sprayers in response to a mosquito sample that tests positive for WNV and/or SLEV, and in areas where a confirmed human case notification has been provided. As mentioned in the CHIKV/SLEV surveillance portion of this document, when large populations of adult *Aedes* are determined to be present on a suspected CHIKV/DENV patient's property, ULV or thermal fogging via backpack mounted/all-terrain vehicle (ATV) mounted sprayer will commence when appropriate. Additionally, TCPH has an aerial spray contract in place for use during an arboviral related epidemic that the City may participate in the event of an epidemic.

Once a confirmed positive trap for West Nile Virus or other mosquito-borne pathogens has been discovered, or a confirmed human case has been reported, the Public Works Director, or a designated representative, shall determine the need to consider targeted adult mosquito controls, such as ground-based Ultra-Low Volume (ULV) applications of pyrethroids, such as permethrins (preferred), or other suitable pesticides and methods. The decision to spray should be based on the effectiveness of spraying adulticides and risks to the health of residents. The decision shall not be made based upon complaints from residents. Spraying efforts should be implemented only in the vicinity (approximately 1/4 mile or more) of areas where mosquito traps indicate a dense pathogen-bearing mosquito population or where positive tests are located near dense human populations. If an area continues to test positive for WNV and/or SLEV after it has been treated, the City will consider elevating this response to adulticiding by increasing the concentration of product used, or expanding the area to be treated by up to 1/4 mile per additional positive result up to a maximum of a one mile buffer to the trap location, or increasing the number of consecutive treatment days. Environmental Services staff have will develop buffer maps for spray areas every mosquito season. Some buffers currently begin with a 1/2 mile radius due to lack of population density. As future development occurs, these buffers will be reduced accordingly. Recommendations from TCPH, TXSDHS, or CDC may cause the beginning spray buffer to be greater than 1/4 mile be used. The Mansfield City Council shall be notified at the next regularly scheduled Council meeting if a decision to spray was made. The notification shall include the surveillance results that led to the decision, the area that was sprayed, and a summary of additional steps that have been taken to reduce risks to public health.

3.3 Complaints

Reports of potential breeding habitat, increased adult activity, or significant adult population on any property within the City of Mansfield shall be investigated by mosquito control personnel through a thorough investigation of the suspect property, as well as the property of the complainant. If mosquito sources are found, notification, treatment and corrective action of the problem will be communicated to the responsible party. Complaints are filed and tracked to ensure follow-up visits and continuous mosquito control over time. Time permitting, complainants will be contacted with follow up information.

4 Public Education Concerning Mosquito Control

Educating the public is an essential aspect of the City's arboviral surveillance program. This includes giving the public tips on how to control mosquitoes in their homes and backyards, stating the risks and symptoms of these arboviral diseases, and informing people on how to protect themselves from host-seeking female mosquitoes. To help educate the public, vector control personnel may attend local events with displays of larvae and adult mosquitoes, pamphlets and fliers that include information about mosquitoes, and WNV/SLEV/CHIKV/DENV protection from mosquitoes, and answer general questions about these subjects. Vector control personnel may also be available for classes upon request to educate homeowners associations (HOAs), school classes, and community outreach programs throughout the county. Appropriate staff will also be attending an Arboviral Surveillance Program Kick-off meeting before the start of the WNV/SLEV season where vector control personnel will review the past year, review cumulative progress of the program, and assess the program based on suggestions from Tarrant County and other municipalities.

Environmental Services Department personnel will attend Texas Mosquito Control Association (TMCA) and American Mosquito Control Association (AMCA) meetings to be educated and to network with other vector control professionals when possible. Vector control personnel will work with public education and information staff to create pamphlets, fliers, and other educational materials, or use those developed by TCPH. The Environmental Services Department handles official press releases, ground spray notifications, social media posts, online articles, and other communication vehicles. Notifications of spraying activity will be posted on the City's social media accounts (geo-fenced to the spray location only when possible), the City's website, and other online venues the day when spraying activities are scheduled to begin. This will generally be done the afternoon when results are received from the TCPH NTRL of positive mosquito trap results, or notification from TCPH Epidemiology of confirmed

human cases. Other general program information will be available through brochures, the City's website, and other appropriate communication channels.

5 City of Mansfield Response Plan

This response plan is in line with the Tarrant County Public Health guidelines for a phased response to mosquito surveillance. It should be noted that the City of Mansfield retains the right to implement measures as it sees best fit for the residents based on health risks within the city limits, or other relevant information.

The plan is divided into six levels based on the risk of human disease transmission. Each risk level is described below, along with specific recommended responses in accordance with the principles of Integrated Pest Management Control measures recommended for each level.

WNV/SLEV and other *Culex* borne disease response

5.1 Risk Level 0 – No Risk

Condition: No evidence of mosquito or viral activity

Trigger: No or lower than normal mosquito activity and no evidence of arthropod-borne virus/disease detected during the past six weeks in vectors, humans, or other hosts.

Recommended Response:

Surveillance

- Review response plan for concurrence with TCPH and other appropriate response plans and update as needed.

Public Information and Education

- Continue to host and make available educational information related to eliminating breeding habitat and personal protection measures. Review and update Communication Plan.

Control Measures

- Use public information to promote source reduction and personal protection.
- Conduct standard larviciding approaches using effective measures for the location and *Gambusia affinis* (mosquito fish), when they may be used.
- No adulticide spraying will occur at this response level.

5.2 Risk Level 1 – Normal Response

Condition: Mosquito activity is present, but probability of human outbreak is remote

Trigger: Normal mosquito activity with no evidence of arthropod-borne virus/disease detected during the past 6 weeks in vectors, humans, or other hosts.

Recommended Response:

Surveillance

- Conduct routine surveillance of adult mosquito populations using gravid traps.
- Collected mosquito species should be identified to species level and mosquito pools should be screened for the presence of arboviruses.

Public Information and Education

- Continue to host and make available educational information related to eliminating breeding habitat and personal protection measures.
- Advise the public and emphasize source reduction, personal protection and disease symptoms.

Control Measures

- Use public information to promote source reduction and personal protection.
- Conduct standard larviciding approaches using effective measures for the location and *Gambusia affinis* (mosquito fish), when they may be used.
- No adulticide spraying will occur at this response level.

5.3 Risk Level 2 – Enhanced Response

Condition: Probability of human outbreak is low to moderate

Trigger: Normal mosquito activity with little or no evidence of arthropod-borne virus/disease. Enhanced response is due to recent historical presence of arthropod-borne virus/disease in vectors, humans, or other hosts within the vicinity of Mansfield (approximately 10 miles).

Recommended Response:

Surveillance

- Conduct routine surveillance of adult mosquito populations using gravid traps. Collected mosquito species should be identified to species level and mosquito pools should be screened for the presence of arboviruses.
- Use geographic information systems to plot the location of positive samples and confirmed cases

Public Information and Education

- Advise the public and emphasize source reduction, personal protection and disease symptoms.
- Deliver reminders periodically throughout the mosquito season.

Control Measures:

- Use public information to promote source reduction and personal protection.
- Conduct standard larviciding approaches using effective measures for the location and *Gambusia affinis* (mosquito fish).
- Increased education for proactive larvicide action and source reduction.
- Increase neighborhood surveillance in areas around traps indicating increasing adult mosquito populations.

5.4 Risk Level 3 – Elevated Response

Condition: Probability of human outbreak is possible

Trigger: Elevated levels of adult mosquito activity determined through surveillance, or mosquito pool(s) collected test positive for arthropod-borne virus/diseases in town or adjacent communities. Probable human or equine cases supported by laboratory testing.

Recommended Response:

Surveillance

- Conduct routine surveillance of adult mosquito populations using gravid traps.
- Collected mosquito species should be identified to species level and mosquito pools should be screened for the presence of arboviruses.

Public Information and Education

- Continue to host and make available educational information related to eliminating breeding habitat and personal protection measures.
- Advise the public and emphasize source reduction, personal protection and disease symptoms.

Control Measures

- Use public information to promote source reduction and personal protection.
- Conduct standard larviciding approaches using effective measures for the location and *Gambusia affinis* (mosquito fish), when they may be used.
- Increase neighborhood surveillance in areas around traps indicating increasing adult mosquito populations.

- Adulticide spraying 2 consecutive evenings if public health indicators present (such as probable human case, positive community trap result, adjacent community positive traps).

5.5 Risk Level 4 – Public Health Warning

Condition: Probability of human outbreak is moderate to high

Trigger: Mosquito pool(s) collected test positive for arthropod-borne virus/diseases in town or in adjacent communities, and probable human or equine cases supported by laboratory testing.

Recommended Response:

Surveillance

- Continue to conduct routine surveillance of mosquito populations. If resources allow, increase surveillance in areas where arthropod-borne virus/disease positive samples were collected.
- Use geographic information systems to plot the location of positive samples and confirmed cases.

Public Information and Education

- Alert medical professionals, veterinarians, and public health officials.
- Increase public education, emphasizing source reduction, personal protection, and disease symptoms.
- Publicize vector control measures within the target communities.
- Warn the general public of the probability of disease and provide guidance.
- Public health advisory released.

Control Measures

- Use public information to promote source reduction and personal protection.
- Conduct standard larviciding approaches using effective measures for the location and *Gambusia affinis* (mosquito fish).
- Increased education for proactive larvicide action and source reduction.
- Increase neighborhood surveillance in areas around traps indicating increasing adult mosquito populations.
- Adulticide spraying 2-3 consecutive evenings if public health indicators present (such as probable human case, one or more positive traps in the community, more than one positive trap in adjacent communities).

5.6 Risk Level 5 – Public Health Alert

Condition: TCPH has determined a WNV/SLEV outbreak is in progress.

Trigger: Multiple trap locations and/or human cases confirmed by laboratory testing and continued viral mosquito activity.

Recommended Response:

Surveillance

- Continue to conduct routine surveillance of mosquito populations. If resources allow, increase surveillance in areas where arthropod-borne virus/disease cases are confirmed.
- Use geographic information systems to plot the location of positive samples and confirmed cases.

Public Information and Education

- Public health emergency considered.
- Declaration of public health emergency and distribution of emergency alerts.

Control Measures

- Ground-based ULV adulticide application in areas of clustered human cases.
- Possibly recommend aerial adulticide applications in targeted zones.
- Evaluate TCPH, TXSDHS, or CDC guidance for treatment methods.

If conditions exist to warrant a local public health emergency, the City Council will be notified of the potential and a request be made for the Mayor to declare a public health emergency. If public health emergencies are declared at the county or state level, the recommended responses associated with the declaration may be considered as part of the control plan of the City of Mansfield.

6 WNV, SLEV and other *Culex*-borne disease response summary table

Risk Level	Condition	Action
0	No evidence of mosquito populations or viral presence	<ul style="list-style-type: none">• In/off season surveillance• Continue education program• Source reduction and education

1	Normal seasonal mosquito populations with little or no evidence of viral presence	<ul style="list-style-type: none"> ● Routine surveillance ● Continue education program ● Source reduction and education ● Property site assessments
2	Normal seasonal mosquito populations and typical historical viral presence	<ul style="list-style-type: none"> ● Routine surveillance ● Continue education program ● Source reduction and education ● Property site assessments
3	Elevated mosquito populations or viral presence in adjacent communities Probable human case	<ul style="list-style-type: none"> ● Routine surveillance ● Enhance education program ● Source reduction and education ● Enhance site assessments. ● Possible local response to positive pools and human case areas
4	Virus detected in mosquito sample(s) Probable human case	<ul style="list-style-type: none"> ● Enhanced Surveillance ● Local response to positive pools and human case areas ● Public health warning considered
5	Local transmission in larger area (multiple counties) Confirmed human case (s)	<ul style="list-style-type: none"> ● Enhanced Surveillance ● Local response to positive pools and human case areas ● Public health emergency considered

7 CHIKV, DENV, ZIKV and other *Aedes*-borne disease response summary table

Risk Category	Condition	Action
Preparation	Vector possible in area	<ul style="list-style-type: none"> ● Plan surveillance of <i>Aedes</i> by preparing the BG Sentinel traps and securing source of dry ice to fuel the traps
Category 1	Mosquito season	<ul style="list-style-type: none"> ● Consider expanding adulticide activity ● Intensify public education to prevent biting

Category 2	Local transmission	<ul style="list-style-type: none"> • Expand adulticiding efforts to affected locality • Monitor <i>Aedes</i> with BG Sentinel traps
Category 3	Widespread local transmission	<ul style="list-style-type: none"> • Continue with Category 2 procedures • Work with regional and statewide entities to reduce human risk
Category 4	Local transmission in larger area (multiple Counties)	<ul style="list-style-type: none"> • Expand response activity and capability regionally and statewide

8 References

- Center for Disease Control (CDC). 2001. Epidemic / Epizootic West Nile Virus in the United States: Revised Guidelines for Surveillance, Prevention, and Control. Proceedings from a Workshop Held in Charlotte, North Carolina. January 31-February 4, 2001.
- Mian, L.S. and M.S. Mulla. 1982. Biological and environmental dynamics of insect growth regulators (IGRs) as used against Diptera of public health importance. *Residue Rev.* **84**, 27-112.
- Moreau, C.M. 1988. Data sheets on the impact of pesticides on non-target organisms. No. 1 temephos. WHO/VBC/88.955, World Health Organization, Geneva.
- Reed, S.C., Cites, R.W. and E.J. Middlebrooks. 1995. Natural systems for waste management and treatment. McGraw-Hill, New York, USA.
- Rishikesh, N., Burgess, H.D., and Valdekar, M. 1983. Operational use of *Bacillus thuringiensis* serotype H-14 and environmental safety. WHO/VBC/83.871, World Health Organization, Geneva.
- Tabashnik, B.E. 1990. Modeling and evaluation of resistance management tactics. In Roush, R.T., Tabashnik, B.E. (Eds.), Pesticide Resistance in Arthropods. Chapman and Hall, New York, USA.
- Tennessen, K.J. 1993. Production and suppression of mosquitoes in constructed wetlands. In: Moshiri, G.A. (Ed.) Constructed Wetlands for Water Quality Improvement. Lewis Publishers, Michigan, USA.

- Walton, W.E., Mulla, M.S., Wargo, M.J., and S.L. Durso. 1990. Efficacy of a microbial insecticide and larvivorous fish against *Culex tarsalis* in duck club ponds in southern California. *Proceedings of the California Mosquito Vector Control Association* **58**:148-156.
- Walton, W.E. and M.S. Mulla, 1991. Integrated control of *Culex tarsalis* larvae using *Bacillus sphaericus* and *Gambusia affinis*: effects on mosquitoes and non-target organisms in field mesocosms. *Bulletin of the Society for Vector Ecology* **16**:203-22
- Strickman, D. 1988. Rate of oviposition by *Culex quinquefasciatus* in San Antonio, Texas, during three years. *J. Am. Mosq. Con. Ass.* 1988. 3(3), pp. 339-344

9 Contacts

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Epidemiology and Health 817-321-5351

Texas Department of State Health Services

Jan Buck Zoonosis Control Division 817-264-4920

Centers for Disease Control and Prevention (CDC)

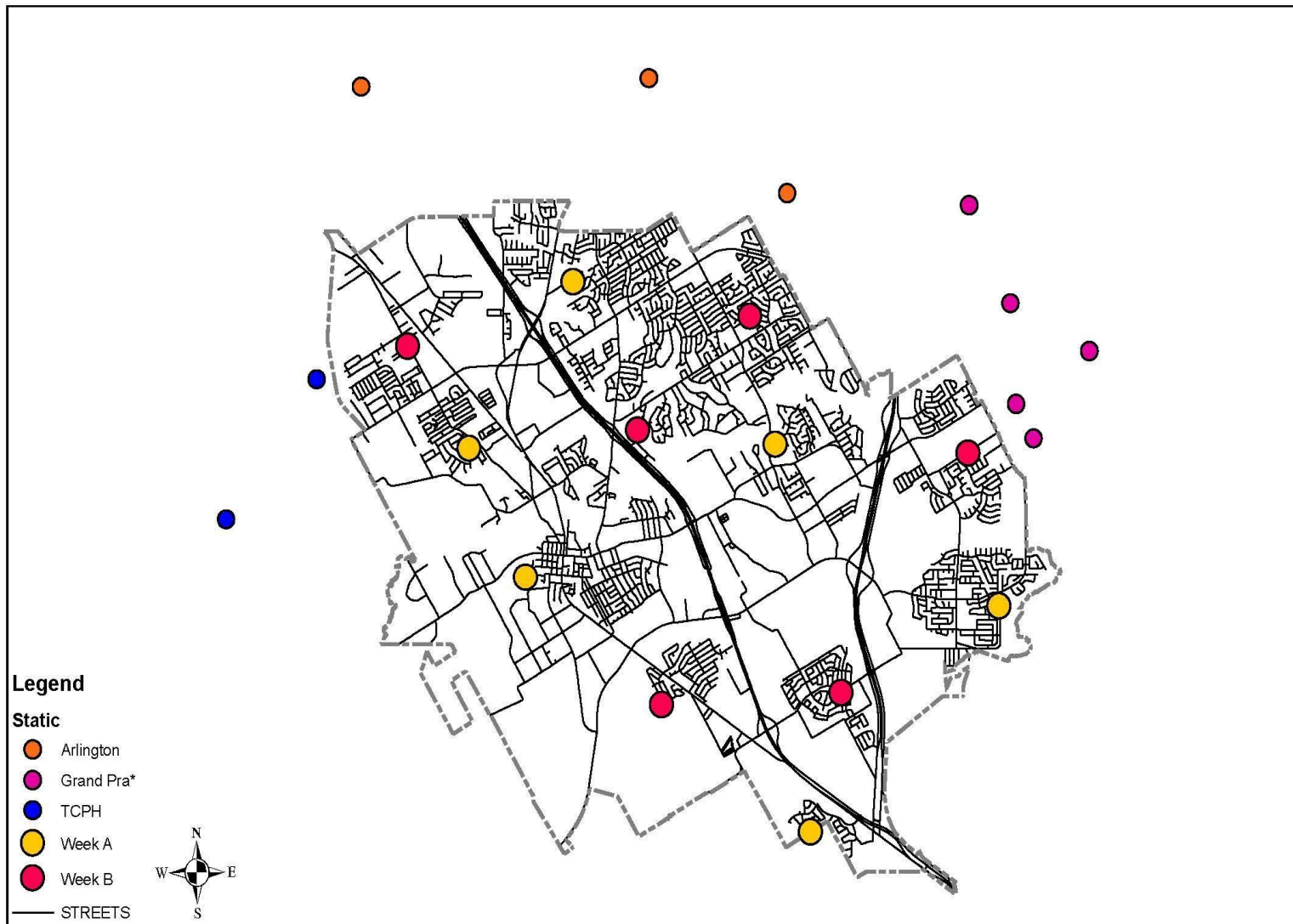
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10 2020 Mansfield Mosquito Surveillance Trap Map

City of Mansfield Mosquito Surveillance Map





CITY OF MANSFIELD

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STAFF REPORT

File Number: 20-3675

Agenda Date: 8/10/2020

Version: 1

Status: New Business

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution of the City of Mansfield, Texas Amending Section 1.02, "General Rules", Section 1.03, "Meetings", Section 1.05, "Order of Business", Section 1.06, "Consideration of Ordinances, Resolutions and Motions", Section 1.07, "Votes Required", and Section 1.08, "Creation of Committees, Boards and Commissions and Election of Mayor Pro Tem" of the Procedural Rules of Council by Which the City Council of Mansfield Conducts its Meetings

Requested Action

Approval of resolution.

Recommendation

Approval of resolution.

Description/History

There has been significant Council discussion regarding amending the Procedural Rules of Council. Exhibit A outlines the desired changes.

Justification

To meet Council's request.

Funding Source

N/A

Prepared By

Susana Marin, TRMC
817-276-4203

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AMENDING SECTION 1.02, "GENERAL RULES", SECTIONS 1.03 "MEETINGS", SECTION 1.05, "ORDER OF BUSINESS", SECTION 1.06, "CONSIDERATION OF ORDINANCES, RESOLUTIONS AND MOTIONS", SECTION 1.07, "VOTES REQUIRED", AND SECTION 1.08, "CREATION OF COMMITTEES, BOARDS AND COMMISSIONS AND ELECTION OF MAYOR PRO TEM", OR THE PROCEDURES OF COUNCIL BY WHICH THE CITY COUNCIL OF MANSFIELD CONDUCTS ITS MEETINGS.

WHEREAS, the City Council of the City of Mansfield, Texas adopted Resolution No. 477 on the 23rd day of January, 1989 establishing its rules and order of business; and,

WHEREAS, the City Council of the City of Mansfield, Texas adopted Resolution No. 524 on the 2nd day of November, 1989 amending Section 1.05, "Order of Business", Subsection B, "Presentations, by Members of Council"; and,

WHEREAS, the City Council of the City of Mansfield, Texas adopted Resolution No. RE-2340-07 on the 27th day of August, 2007 amending the Procedural Rules of Council; and,

WHEREAS, the City Council of the City of Mansfield, Texas adopted Resolution No. RE-2436-08 on the 9th day of June, 2008 amending the procedural rules of council; and,

WHEREAS, the City Council of the City of Mansfield, Texas recognizes that it is in the best interest of the citizens of the City of Mansfield that Section 1.02, "General Rules", Section 1.03, "Meetings", Section 1.05, "Order of Business", Section 1.06, "Consideration of Ordinances, Resolutions and Motions", Section 1.07, "Votes Required", and Section 1.08, "Creation of Committees, Boards and Commissions and Election of Mayor Pro Tem", of the Procedural Rules of Council be amended as provided herein to better serve the citizens of Mansfield; and,

WHEREAS, after review and deliberation of all facts therein, it is the consideration of the City Council that it is in the best interest of public health, safety and welfare that the City amends the Procedural Rules of Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS THAT:

SECTION 1.

The City Council hereby adopts the amendments to Section 1.02, "General Rules", Section 1.03, "Meetings", Section 1.05, "Order of Business", Section 1.06, "Consideration of Ordinances, Resolutions and Motions", Section 1.07, "Votes Required", and Section 1.08, "Creation of Committees, Boards and Commissions and Election of Mayor Pro Tem", of the Procedural Rules of Council attached herein as Exhibit "A".

SECTION 2.

This resolution shall be effective upon its passage.

PASSED AND APPROVED THIS 10th DAY OF AUGUST, 2020.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary

CITY OF MANSFIELD

PROCEDURAL RULES OF CITY COUNCIL

Section 1.01 Authority

Pursuant to Article III, Section 3.09 of the Charter of the City of Mansfield, the following rules shall be in effect until such time as they are amended or new rules are adopted in the manner provided by these rules.

Section 1.02 General Rules

- A. Meetings to the Public: Every regular, special or called meeting of the City Council shall be opened to the public provided that meetings need not be open to the public under the exceptions prescribed in Chapter 551, Texas Government Code.
- B. Quorum; Required Vote on Matters: **Four (4) members** of the City Council shall constitute a quorum, and the affirmative vote of at least four (4) of those attending any meeting at which a quorum is present shall be required to conduct any business of the city or adopt any ordinance or resolution. In zoning cases wherein a written protest against a change in zoning is signed by twenty (20) percent or more of the property owners either in the area of the lots or land included in such proposed zoning change or of the lots or land immediately adjoining same and extending two hundred (200) feet there from, such zoning change shall not become effective except by the favorable vote of three-fourths (6 members) of all the members of the City Council. (State law reference-Zoning Changes, V.A.C.S. Art. 1011e).
- C. Compelling Attendance: The City Council may compel the attendance of absent members. If the Mayor or any City Council Member fails to maintain the foregoing qualification, shall be absent without valid excuse from three (3) consecutive regularly scheduled meetings, or shall fail to maintain an eighty (80) percent attendance record for each elected year without valid excuse, the City Council must declare a vacancy at its next regular meeting and shall fill the vacancy as set forth in the City Charter. (Article III, Section 3.02)
- D. Minutes: Accurate minutes of all proceedings of the City Council shall be kept by the City Secretary in books to be provided for that purpose. Both citizen's and City Council member's comments are to be summarized in the minutes.
- E. Right of Floor: Any City Council Member wishing to speak shall be recognized by the Mayor, and shall confine remarks generally to the subject under consideration. No City Council Member shall be allowed to speak more than once on any one subject until every City Council Member wishing to speak has done so.
- F. City Manager: The City Manager, or other appointed person acting in the City Manager's behalf, shall attend all meetings of the City Council unless excused. The City Manager may make recommendations to the City Council and shall have the right to take part in all discussions of the City Council, but shall have no vote.

In order to establish and maintain an effective City Council and City Manager relationship the City Council has established an ongoing evaluation and review process to evaluate the

performance of the City Manager and to ensure effective communication and goal orientation. The evaluation will occur under the process set forth in Attachment A to these rules which is entitled "City Manager Evaluation". The attachment may be periodically modified, amended or updated by City Council action. In order to further foster the relationship between the City Council and the City Manager at each quarterly meeting an update on city owned public/private partnerships will be provided by the City Manager.

- G. City Attorney: The City Attorney shall attend all meetings of the City Council unless excused, by the City Manager and shall advise the City Council on questions of law and procedures. The City Manager is required to ensure an attorney is present at all City Council meetings.
- H. City Secretary: The City Secretary (or in City Secretary's absence the Assistant City Secretary) shall attend all meetings of the City Council unless excused, by the City Manager who will ensure a person is appointed to take minutes and administer the role of the City Secretary) and shall keep the official minutes.
- I. Rules of Order: Unless in conflict with these rules, the latest version, Robert's Rules of Order Revised shall govern the proceedings of the City Council in all cases.
- J. Suspension of Rules: Any provision of these rules not governed by the City Charter or State law may be temporarily suspended by a majority vote (four) of all members of the City Council. The vote on any such suspension shall be taken and entered upon the records. If there is an objection to suspending the rules, a vote is required to proceed.
- K. Amendments to Rules: These rules may be permanently amended, or new rules may be adopted by a majority vote (four) of all members of the City Council. Any such amendments shall be adopted and recorded by resolution.

Section 1.03 Meetings

- A. Regular Meetings: The City Council shall meet regularly on the second and fourth Monday of each month. The regular meetings of the City Council shall be held in the Council Chambers of the City Hall unless otherwise established by City Council. (*Amended 06-09-08*)
- B. Special Meetings: Special meetings may be held on the call of the Mayor or four (4) City Council Members with no less than seventy-two (72) hours notice to each City Council Member. Emergency meetings may be called by the Mayor or Mayor Pro Tem in the Mayor's absence, or four (4) members, after notice has been posted two (2) hours. All meetings shall be open to the public and public notice shall be given in compliance with Chapter 551, Texas Government Code.
- C. Recessed Meetings: Any meeting of the City Council may be recessed to a later time, provided that no recess shall be for a longer period than until the next regular scheduled meeting.
- D. Work Sessions: Work sessions may be held on the call of the Mayor or four (4) City Council Members with no less than seventy-two (72) hours notice to each City Council Member. The

purpose is to research, analyze, and review any matter which requires special information and study. Such meetings shall be open to the public and notice thereof shall be given in compliance with Chapter 551, Texas Government Code.

- E. Executive Sessions: Participants to open and close executive sessions are limited strictly to City Council Members, the City Manager, Assistant City Managers, Director of Business Services, and the City Attorneys. No other staff members, attorneys, board/committee members or individuals are allowed. At the request of City Council, City Manager or City Attorney, individual(s) may be requested to attend to address or receive instruction for a specific executive session agenda item. That individual(s) is dismissed from executive session prior to addressing the next agenda item.
- F. Orientation Meeting: The City Manager shall schedule an orientation workshop during the month of July each year. The purpose of the meeting is to provide an overview presentation of information to assist new City Council Members in serving as members of a local legislative body. New City Council Members orientation form entitled “New City Council Member Orientation Form” attached hereto shall be utilized and completed as part and parcel of the new City Council Members orientation.
- G. City Council Team Building: The City Council shall schedule an annual team building retreat to be held in a workshop format. The meeting will occur in the summer or fall of each year and shall provide the City Council the opportunity to participate in Team Building Activities, Exercises and Programs designed to improve communication and problem solving skills.

Section 1.04 Duties of Mayor

- A. Chairman and Duties: The Mayor, if present, shall preside as chairman at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tem, the City Secretary shall call the City Council to order, whereupon a temporary chairman shall be elected by the members of the City Council present. Upon the arrival of the Mayor, or of the Mayor Pro Tem if the Mayor does not then arrive, the temporary chairman or the Mayor Pro Tem, as the case may be, shall immediately relinquish the chair upon the conclusion of the business immediately before the City Council.
- B. Call to Order: The meetings of the City Council shall be called to order by the Mayor/Chairman.
- C. Preservation of Order: The Mayor/Chairman shall preserve order and decorum, prevent personalities or the impugning of City Council Members’ motives, and restrict City Council Members in debate to the question under discussion.
- D. Points of Order: The Mayor/Chairman shall determine all points of order, subject to the right of any City Council Members to appeal to the City Council. If any appeal is taken, the question shall be "Shall the decision of the Mayor/Chairman be sustained?"
- E. Questions to be Stated: Immediately prior to voting, the Mayor/Chairman shall state “Is there any City Council Member requesting the floor on this item?” If the answer is “yes”, then Mayor/Chairman will relinquish the floor to said City Council Member for discussions. If the answer is “no”, then state, “Seeing no one requesting the floor, please vote on the (state

the question being submitted). After voting, the Mayor/Chairman shall announce the result. A roll call vote shall be taken upon request of any member.

- F. Vote Change: In the event of a vote change, an immediate roll call vote shall be taken.

Section 1.05 Order of Business

- A. Agenda: The order of business of each regular meeting shall be as contained in the agenda prepared by the City Manager and the Mayor, with final approval by the Mayor. The agenda for any regularly scheduled meeting shall be a listing by topic of subjects to be considered by the City Council and shall endeavor to be delivered to members of the City Council no later than Thursday before a regularly scheduled Monday meeting to which it pertains. The agenda for all special meetings and work sessions shall be posted in accordance with Chapter 551, Texas Government Code, delivered to City Council Members (3) business days before such meeting. All agendas are made available at the meeting and on the city's website.
- B. Agenda Requests by City Council Members: Providing policy for City Council placement of certain items on the City Council meeting agenda:
1. Any member of City Council may request that an item be placed on a City Council meeting agenda.
 2. That request will be submitted to the City Secretary on the form previously designated by the City Secretary
 3. The City Secretary will send out to all members of City Council by email a copy of the request upon her receipt and will advise the other members of City Council that the request has been made and that the item will be placed on the next available agenda only if two other members of City Council, acting independently, submit a written request to the City Secretary's office of their interest in having the item placed on the agenda for discussion.
 4. In order to be compliant with the Open Meetings Law, there is to be no discussion between members of City Council regarding any item that is requested until the item is scheduled and discussed on the City City Council agenda.
 5. The City Secretary will place an item that receives three (3) written requests on the agenda and will list as "sponsors" of the proposed discussion issue the names of those City Council Members who wish to sponsor the discussion.
- ~~C. Non Agenda Presentations by Council Members: The agenda shall include an item entitled Council Comments during which time the Mayor or any Council member may make a presentation to the Council on any item of public business, concern or interest. The Council may not take action on the Council members comments or presentations unless the matter has been placed on an action agenda with proper posting and notice pursuant to state law.~~
- ~~CD. City Council Member Project Requests: Any request by a City Council Member for a particular project, to have city staff conduct research or to compile information outside of normal reporting procedures must be made through the City Managers office and must have support of three (3) City Council Members.~~
- ~~DCE. Agenda Deadline~~: Any person desiring to present a subject for the City Council's consideration shall advise the City Secretary's Office of that fact not later than 12:00 noon on the first or third Tuesday preceding the meeting at which the subject is requested to be

considered; provided, however that the City Manager may grant exceptions to said deadline. The City Manager shall have the authority to limit the agenda to a reasonable number of items which can be considered as part of the order of business of any regular meeting. In such cases, any request to appear on the agenda shall be communicated to members of City Council during the pre-City Council work session and if desired by City Council, scheduled at the next regular meeting of City Council for action on the request.

| ~~EDE~~. Communication to Mayor and City Council Members: The City Manager shall provide the City Council Members with written analysis of items to be acted upon by the City Council at its meeting.

| ~~FEG~~. Reading of Minutes: Unless a reading of the minutes of a City Council meeting is requested by a City Council Member and passed by a majority vote of the City Council, such minutes may be approved without reading if the city secretary has previously furnished each City Council Member with a copy thereof.

| ~~GFI~~. Public Hearings: A public hearing may be held as part of any regular meeting or may in itself constitute a special meeting and shall be called to order and governed by all other provisions relating thereto to regular meetings and special meetings. Once a public hearing has been closed, the discussion by City Council of any item on the agenda shall not be re-opened to public discussion, except by City Council, with approval of two-thirds (5 City Council Members) of all members of City Council. Such motion shall be considered as a motion to limit or extend limits of debate.

| ~~HGI~~. Petition Deadlines: Any person desiring to present a petition before City Council shall present the petition made by the petitioners to the City Secretary no later than one week after the public hearing and/or the first reading. A petition to be presented regarding a zoning change request or any issue that is scheduled for public hearing by City Council, not otherwise prescribed by the Texas Statutes or the City Charter, shall be presented as provided in Section 1.09 of these Procedural Rules.

Section 1.06 Consideration of Ordinances, Resolutions and Motions

A. Form: All ordinances and resolutions shall be presented to the City Council only in printed or typewritten form and ordinances shall be approved as to form and legality by the City Attorney.

B. Ordinances: All ordinances shall be passed in accordance with the provisions of the City Charter.

C. Recording of Votes: Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the minutes. Unless a member of the City Council states that such member is not voting, silence of such City Council Member shall be recorded as an affirmative vote. Every City Council Member and the Mayor must vote on all issues unless there is a declared and recorded conflict of interest.

D. Majority Vote Required: Unless specifically provided otherwise, approval of every ordinance, resolution, or motion shall require the affirmative vote of a majority of all members of the City Council (four). In case of a 3-2 vote with only five (5) City Council

Members present, an item will automatically be scheduled for reconsideration at the next regular City Council meeting.

- E. Tie Vote: In the event of a tie in votes on any motion, the issue will be carried over for reconsideration for the next official City Council meeting. No action by the City Council can be passed or failed unless four (4) of the City Council Members at the meeting vote for its passage or failure.
- F. Order of Precedence of Motions: The following motions shall have priority in the order indicated:

M O T I O N

UNDEBATABLE

1. To adjourn^{2,3} (cannot be amended)
2. To recess¹
3. To raise a question of privilege (cannot be amended)
4. To lay on the table (cannot be amended)
5. To remove the previous question, majority vote (four) required (cannot be amended)
6. To limit or extend limits of debate, majority vote (four) required

DEBATABLE

7. To postpone to a certain time
8. To commit or refer
9. To amend³
10. To postpone indefinitely (cannot be amended)
11. A main motion

Footnotes:

1. The first two motions are not always privileged. To adjourn shall lose its privileged character and is a main motion if in any way qualified. To take a recess shall be privileged only when other business is pending.
 2. A motion to adjourn is not in order: (a) when repeated without intervening business or discussion; (b) when made as an interruption of a member while speaking, or (c) while a vote is being taken.
 3. A motion to amend shall be undebatable when the question to be amended is undebatable.
- G. Reconsideration: A motion to reconsider any action of the City Council can be made not later than the next succeeding regular meeting of the City Council. Such a motion can only be made by a member who voted with the majority. It can be seconded by any member. No question shall be twice reconsidered, except by unanimous consent of City Council, except that action relating to any contract may be reconsidered at any time before the final execution thereof.
- H. The Previous Question (Close Debate): When a member moves the previous question (to close debate), it shall be put as follows:

"Shall we vote on the question?"

There shall then be no further debate but pending amendments shall be put in their order before the main question. Unless otherwise stated, this motion is confined to the immediately preceding question. An affirmative vote of a majority (4 members) of the City Council is required to move the previous question. If the motion is lost, the main question remains before the City Council for further debate.

If there is no objection, an informal request to close debate or call the question shall be honored by the Chairman without a vote.

I. Withdrawal of Motions: A motion may be withdrawn or modified by its mover without asking permission until the motion has been stated by the Chairman. If the mover modifies their motion, the seconder may withdraw their second. After the question has been stated, the mover shall neither withdraw it nor modify it without the consent of the City Council.

J. Amendments to Motions: No motion or proposition of a subject different from that under consideration shall be admitted under color of amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order.

~~K. Appropriations of Money: Before formal approval by the City Council of motions providing for appropriation of money, information must be presented to the City Council showing the purpose of the appropriation and the account to which it is to be credited. In addition, before finally acting on such an appropriation, the City Council shall obtain a recommendation and report from the City Manager as to the availability of funds.~~

Section 1.07 Votes Required

Approval of every ordinance, resolution, or motion shall require the affirmative vote of a majority of the entire City Council (4), except when the Charter, State statutes, or these rules impose other voting requirements. Questions on which the voting requirements are varied by the Charter, State statute or these rules are listed below.

A. Charter and State Statutory Requirements:

1. Charter Amendment: Ordinance submitting proposed Charter Amendments must be adopted by a majority (4 members) vote of the City Council.
2. Levying Taxes: Ordinances providing for the assessment and collection of taxes require the approval of a majority (4 members) of the City Council.
3. Changing Paving Assessment: Changes in plans for paving assessment requires a majority (4 City Council Members) of the City Council.
4. Amending Zoning Ordinance: Provided that changes in zoning classifications, where a hearing is held by the City Council and such change is protested by owners of twenty percent (20%) or more of the area within two hundred (200) feet of the affected property must have the approval of three-fourths (6 members) of all members of the City Council.
5. Declaring Emergency - Unanimous Vote: In order for an emergency to be declared it shall be necessary that such measure be approved by the affirmative vote of all the members of the

City City Council present and voting.

6. ~~Naming of Public Facility (excluding Parks and Park Facilities): Any City Council Member may request to place on an agenda the Naming of a Public Facility (excluding Parks and Park Facilities. Follow policy adopted by City City Council and the Mansfield Park Facilities Development Corporation dated 1996 unless amended). To name a public facility requires a Public Hearing and three (3) readings. No name of a deceased person will be considered for one (1) year after their death. (Minute Order 03-24-08)~~

B. City Council Rules Requirements:

1. Suspending Rules: City Council rules may be suspended by an affirmative vote of 2/3 (5 members) of all members of the City Council.

Section 1.08 Creation of Committees, Boards and Commissions & Election of Mayor Pro-Tem

- A. City Council Committees: The City Council may, as the need arises, authorize the appointment of "ad hoc" City Council committees. Any committee so created shall cease to exist upon the accomplishment of the special purpose for which it was created or when abolished by a majority vote of the City Council. The Mayor shall appoint the members of committees created under this rule. Any appointment made by the Mayor can be changed by a majority vote of the City Council. All members of the City Council have the right to attend any committee meeting of a subcommittee of the City Council that has been posted under the Open Meetings Act. Non Committee City Council members shall speak and participate as citizens and will not participate in the committee discussion or vote after citizen comment periods have closed.
- B. Citizen Boards, Commissions, and Committees: The City Council may create other Committees, Boards and Commissions to assist in the conduct of the operation of the City government with such duties as the City Council may specify that are not inconsistent with the City Charter or Code. Memberships and selections of member shall be as provided by the City Council unless specified by the City Charter or Code. Any such Committee, Board, or Commission shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the City Council, unless otherwise provided in the Code. No committee so appointed shall have powers other than advisory to the City Council or to the City Manager, except as otherwise specified by the Charter Code or State law.
- C. Selecting Members for Planning & Zoning Commission, Zoning Board of Adjustments, Mansfield Economic Development Corporation and Mansfield Park Facilities Development Corporation:
 - a. All board members will be appointed by the City Council.
 - b. Term of office for all members is (2) two years.
 - c. Appointments are effective October 1 and terminate on September 30.
 - d. City Council interviews applicants for decision making boards prior to appointment.
 - e. All decision making boards, acting through their designated staff representative shall forward three (3) qualified candidates, if available, to the City Council for their consideration and appointment. Upon request of a City Council Member, all candidates submitting interest to serve on a board/commission in the last twelve (12) months will be furnished by the City Secretary to the City Council Members.

- f. The designated staff representative shall forward current board member that request reappointment to the City Council for their consideration and appointment.
- g. The city staff representative assigned to the advisory or decision making board will be responsible for the timely scheduling of candidate interviews for the board and City Council.
- h. City Council interviews applicants and with a majority (4) votes appoints a board member.
- i. City Council, at will, may release any or all board members from service without cause.

D. Election of Mayor Pro-Tem: At its first regular meeting, following the municipal election and any required runoffs, the City Council shall elect from among its members, a Mayor Pro Tem who shall serve for a term of one (1) year or until his successor is qualified. He shall perform all duties of the Mayor in the absences or disability of the Mayor. All City Council Members interested in the Mayor Pro-Tem position shall give notice during this agenda item at such meeting. The selection of Mayor Pro-Tem occurs through paper ballot listing all **Council Members that are interested in serving as Mayor Pro Tem.** Each City Council Member and Mayor present at the meeting must vote. The results are tabulated by the City Secretary and announced by the Mayor.

Section 1.09 Filing Petitions Before City City Council (Adopted per minutes 8-22-88)

A petition to be presented regarding a zoning change request or on any issue that is scheduled for public hearing by City Council, not otherwise prescribed by the Texas Statutes or the City Charter, shall be presented in the following manner:

- A. **Presenting Petition to City Secretary's Office:** The petition shall be made by the petitioners and presented to the City Secretary no later than one week after the public hearing and/or first reading.
- B. **Requirements on the Signature Page:** The signatures on the petition need not be appended to one paper, but each signer shall personally sign their name thereto in ink or indelible pencil and shall print after the signature: 1) their name; 2) their place of residence, giving name of street and number; 3) their telephone number, and 4) the day, the month and year their signature was affixed.
- C. **Property Owner's Name/Address as Shown on Last Approved Tax Roll:** A person signing as a property owner shall note thereon opposite their name the name shown as the property owner and the property address as shown on the last approved official tax roll of the City.
- D. **Description of Property:** The petition shall contain a description of property involved in the public hearing.



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3679

Agenda Date: 8/10/2020

Version: 1

Status: New Business

In Control: Mansfield Park Facilities Development Corporation

File Type: Discussion Item

Title

Discussion and Possible Action for a Potential Interlocal Cooperation Agreement with Mansfield Independent School District (MISD)

Requested Action

Defer to Council

Recommendation

Defer to Council

Description/History

Per the Interlocal Agreement the City of Mansfield executed with Tarrant County in July of 2020, the City has received CARES Act funding to be used for reimbursements of expenditures directly related to the COVID-19 public health emergency. In an effort to help stop the spread of COVID-19, the City of Mansfield has taken steps internally to provide virtual and socially distanced opportunities to conduct day-to-day business. However, this is an issue that has impacted the entire community including our school district with regard to distance learning curriculum.

Staff has discussed with MISD the possibility of utilizing some of the City allocated dollars to assist with the purchase of and monthly service plans for wireless hotspots as well as Chromebooks for those students who may not have reliable access to high speed internet service at home. Pursuant to CARES Act reimbursement regulations, the amount allocated only funds related wireless service through December 30, 2020. Staff is currently working through the reimbursement process with Tarrant County identifying internal costs, and asks for approval to work with MISD on executing an Interlocal Cooperation Agreement.

Justification

Chapter 791 of the Government Code, also known as the Inter-local Cooperation Contract Act, authorizes all local governments to contract with each other to perform governmental functions or services.

An Inter-local Cooperation Agreement with the MISD allows for us to provide for the same regulations as required by the City of Mansfield under the CARES Act.

Funding Source

CARES Act Funds

Prepared By

Joe Smolinski
Interim City Manager

joe.smolinski@mansfieldtexas.gov

INTERLOCAL COOPERATION AGREEMENT

As provided for by Chapter 791 of the Texas Government Code, this Interlocal Cooperation Agreement (“**Agreement**”) is entered into by and between the Mansfield Independent School District (the “**MISD**”) and the City of Mansfield, Texas (the “**City**”) and shall be effective on the date that the signature of the last party is affixed. MISD and City have reviewed this Agreement, and each make the following findings:

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, President Donald Trump, Governor Greg Abbott, and County Judge Glen Whitley have issued Declarations of Disaster for the United States, the State of Texas, and Tarrant County, respectively; and

WHEREAS, on March 27, 2020, President Donald Trump signed the Coronavirus Aid Relief and Economic Security Act (“**CARES ACT**”) providing financial aid to those impacted by the COVID-19 pandemic, including local governments; and

WHEREAS, Tarrant County has received CARES ACT funds to reduce the impact of necessary expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, on May 12, 2020, the Tarrant County Commissioners Court designated a portion of its CARES ACT funds to provide FIFTY-FIVE DOLLARS (\$55) per capita for direct COVID-19 related expenditures to municipalities located in Tarrant County (“**Direct Costs Program**”); and

WHEREAS, the City and Tarrant County have entered into an Interlocal Cooperation Agreement for Municipal Direct Expense Funding (“**County ILA**”) whereby the City has received funds pursuant to the CARES ACT and Direct Costs Program; and

WHEREAS, some students in the MISD do not have sufficient technology to effectively participate in distance learning; and

WHEREAS, the MISD desires to purchase hotspots and technology (chromebooks) for its students to facilitate distance learning in connection with school closings to enable compliance with COVID-19 precautions; and

WHEREAS, the City would like to use its funds received from Tarrant County via the County ILA and Direct Costs Program to contribute towards the purchase of the hotspots and technology (chromebooks); and

WHEREAS, the use of the funds for the purchase of the hotspots and technology (chromebooks) is in compliance with the U.S. Department of Treasury’s Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments, in that it is an expense of

action to facilitate compliance with COVID-19-related public health measures, and specifically is an expense to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.

NOW, THEREFORE, for and in consideration of the mutual undertaking hereinafter set forth and for adequate consideration given, the MISD and the City agree to the following:

1. Grant and Funding to the MISD. Subject to the terms and conditions of this Agreement, the City agrees to grant and transfer to the MISD the sum of _____ dollars (\$_____) of its CARES ACT and Direct Costs Program funding (“**MISD Funds**”). The MISD agrees to deposit the MISD Funds into a separate, segregated account created solely for holding and dispersing the MISD Funds. If the MISD Funds are deposited into an interest-bearing account, all interest earned must be used exclusively as outlined in item two below.
2. Use of MISD Funds. The MISD may only use the MISD Funds to purchase mobile hotspots and technology (chromebooks) for its students who reside in Tarrant County and the City, so that they may participate in distance learning in connection with school closings to enable compliance with COVID-19 precautions.
3. MISD’s Obligations relating to its Use of the MISD Funds. The MISD agrees to:
 - a) only use the MISD Funds in compliance with this Agreement;
 - b) reimburse and return to the MISD Funds account within thirty (30) days of notice by the City any portion of the MISD Funds that Tarrant County, the City, the U.S. Department of Treasury, or their designee, deems were not used for COVID-19 purposes, or not used pursuant to the terms of this Agreement, or if the MISD Funds account is already closed out, the reimbursement and return of the ineligible expenditure shall be made to the City;
 - c) document and justify that each expenditure from the MISD Funds was an eligible expenditure under this Agreement and the CARES ACT. All documentation and the final report of expenditures shall be delivered to the City no later than January 1, 2021, and shall be kept by the MISD for a minimum of five (5) years from the close of Tarrant County’s Direct Costs Program;
 - d) allow inspection of all documentation and records related to its expenditure of the MISD Funds by the City, Tarrant County, or the U.S. Department of Treasury upon reasonable request;
 - e) use the MISD Funds only for eligible expenditures detailed in item two above made between March 1, 2020 and 11:59 p.m., December 30, 2020;
 - f) by October 15, 2020, provide to the City a report of all funds the MISD determines it may be unable to spend prior to December 30, 2020. Any and all of such funds may be collected and redistributed at the City’s discretion;

- g) return and re-pay within twenty (20) days to the City any MISD Funds not expended by 11:59 p.m., December 30, 2020;
 - h) acknowledge and recognize that the source of the MISD Funds is Tarrant County and its CARES ACT allocation for any public programs or initiatives using the MISD Funds; and
 - (i) retain all documents and financial records related to the use of the MISD Funds for five (5) years or through December 30, 2025, whichever is later.
4. Reports. The MISD shall provide to the City, within thirty (30) days of receipt of the MISD Funds, a proposed budget for use of the funds. The MISD shall also provide expenditure reports starting sixty (60) days after receiving the MISD Funds and continuing for every 30-day period until December 31, 2020.
5. Nature of Funding. The CARES ACT funding, including the MISD Funds, was received from Tarrant County to the City as a sub-recipient. MISD acknowledges that its use of the funds is subject to the same terms and conditions as Tarrant County. The MISD hereby agrees to comply with all terms and conditions of the CARES ACT funding, and, to the extent permitted by law, to hold the City harmless against any repayments, penalties, or interest incurred as a result of the MISD's failure to comply with all terms and conditions of the CARES ACT funding. Funds spent in non-compliance with the CARES ACT are subject to recapture by the City for return to the Direct Costs Program or for return to the U.S. Treasury Department. It is the responsibility of the MISD to remain informed of and act in accordance with all updates or amendments to CARES ACT, Tarrant County, and U.S. Department of Treasury CRF Guidance.
6. Attorney's Fees and Costs. The City shall be entitled to recover its reasonable and necessary attorney's fees and costs against the MISD if it is required to undertake litigation to enforce the terms of this Agreement to the extent allowed by law.
7. Law and Venue. The laws of the State of Texas shall govern this Agreement, except where clearly superseded by federal law. Exclusive venue of any dispute shall be in a state court of competent jurisdiction in Tarrant County, Texas.
8. No Assignment. The MISD may not assign this Agreement.
9. Entire Agreement. This Agreement supersedes and constitutes a merger of all prior oral and/or written agreements and understandings of the parties on the subject matter of this Agreement and is binding on the parties and their legal representatives, receivers, executors, successors, agents, and assigns.
10. Amendment. Any amendment of this Agreement must be by written instrument dated and signed by both parties.

11. Severability. No partial invalidity of this Agreement shall affect the remainder unless the public purpose to be served hereby is so greatly diminished thereby as to frustrate the object of this Agreement.

12. Waiver. No waiver by either party of any provision of this Agreement shall be effective unless in writing, and such waiver shall not be construed as or implied to be a subsequent waiver of that provision or any other provision.

MANSFIELD INDEPENDENT SCHOOL DISTRICT

By: _____

Name: _____

Title: _____

Date: _____

CITY OF MANSFIELD, TEXAS

By: _____
Joe Smolinski, Interim City Manager

Date: _____



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3680

Agenda Date: 8/10/2020

Version: 1

Status: First Reading

In Control: City Council

File Type: Ordinance

Agenda Number:

Title

Ordinance - First Reading of an Ordinance Amending Ordinance Chapter 30, "Personnel" of the Code of Mansfield, Texas by Amending the Code of Ethics and Conduct for City Elected Officials and Board and Committee Members

Requested Action

Consider approval of ordinance.

Recommendation

Consider approval of ordinance.

Description/History

The City Attorney's office has reviewed the city's current Ethics Ordinance and has proposed the following changes:

30.41 DEFINITIONS.

Family Member

Proposing deleting the definition for "Family Member" as that term is not used anywhere in the ordinance and also creates confusion by including those relate in the second degree of consanguinity. The provisions of the ordinance only deal with first degree of consanguinity.

Sustantial Interest

Proposing changing the amount on Subsection A-1 from \$2,500 to \$15,000 in conformance with state law.

Proposing deleting Subsections A-3 as it is addressed in Subsection 3, and A-4 as it addressed in Subsection 4. The current Subsection A-4 is inconsistent with Subsection 4 and other provisions of the ordinance.

Proposing removing the words "any person, group or" from Subsections A-8 and A-9 as this limits the relationship to the business entity.

30.45 DISCLOSURE OF INTEREST.

(A) Reduce this paragraph to one sentence "Every officer or advisory member must file a conflicts disclosure statement as required by Chapter 176 of the Texas Local Government Code." Chapter 176 of the Local Government Code was enacted after the city's ethics ordinance was adopted. It requires local government officials to file a conflicts disclosure to disclose the receipt of gifts from and employment, business, and familial relationships with vendors who conduct business, or consider conducting business with the city. The purpose of this amendment is to update the ordinance to match with state law and to reduce the amount of forms that should be filed.

Justification

To bring the ordinance into compliance with state law.

Funding Source

N/A

Prepared By

Susana Marin, TRMC, City Secretary
817-276-4203

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 30, "PERSONNEL" OF THE CODE OF MANSFIELD, TEXAS BY AMENDING THE CODE OF ETHICS AND CONDUCT FOR CITY ELECTED OFFICIALS AND BOARD AND COMMITTEE MEMBERS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mansfield is a home rule city acting under its charter adopted by the electorate pursuant to Article IX, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, by Ordinance No. 1466, the City adopted a Code of Ethics and Conduct for city elected officials and board and committee members; and

WHEREAS, the City Council desires to amend the Code of Ethics and Conduct to make it more consistent with state law; and

WHEREAS, the City Council has determined that the amendments as set forth herein are in the best interest of the health, safety and general welfare of the citizens of the City of Mansfield and the public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:

SECTION 1.

That Title III, "Administration," Chapter 30, "Personnel," Section 30.41, "Definitions," of the Code of Mansfield, Texas is hereby amended by deleting the definition of "*Family Member*" and amending subsection (1) of the definition of "*Substantial Interest*" to read as follows:

"SUBSTANTIAL INTEREST.

(1) A person has a substantial interest in a business entity if:

(a) The interest is ownership of 10% or more of the voting stock or shares of the business entity or ownership of \$15,000 or more of the fair market value of the business entity;

(b) Funds received by the person from the business entity exceed 10% of the person's gross income for the previous year;

- (c) The person holds a position of member of the board of directors or other governing body of the business entity;
- (d) The person serves as an elected officer of the business entity;
- (e) The person is an employee of the business entity;
- (f) The person is a creditor, debtor or guarantor of the business entity in the amount of \$5,000 or more; or
- (g) Property of the person has been pledged to a business entity or is subject to a lien in favor of the business entity in the amount of \$5,000 or more.”

SECTION 2.

That Title III, “Administration,” Chapter 30, “Personnel,” Section 30.45, “Disclosure of Interest,” of the Code of Mansfield, Texas is hereby amended by amending Section 30.45(A) to read as follows:

“(A) Every officer or advisory board member must file a conflicts disclosure statement as required by Chapter 176 of the Texas Local Government Code.”

SECTION 3.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4.

That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part of provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 5.

That this ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the _____ day of _____, 2020.

Second reading approved on the _____ day of _____, 2020.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2020.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney

ORDINANCE NO. 1466

AN ORDINANCE AMENDING THE PORTION OF CHAPTER 30 OF THE MANSFIELD CODE RELATING TO A CODE OF ETHICS AND CONDUCT FOR CITY ELECTED OFFICIALS AND BOARD AND COMMITTEE MEMBERS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mansfield is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Mansfield recognizes that the proper operation of democratic government requires that city elected officials and board and committee members be independent, impartial and responsible only to the people of the city; and

WHEREAS, the City Council deems it advisable to revise the Code of Ethics to provide a more specific code of ethics and conduct for the conduct of city elected officials and board and committee members, and procedures for the enforcement of such provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:

SECTION 1.

Chapter 30 of the Mansfield City Code is hereby amended by changing the part of such Chapter entitled "Ethics" to read as follows:

CHAPTER 30

**CODE OF ETHICS AND CONDUCT FOR CITY ELECTED OFFICIALS
AND BOARD AND COMMITTEE MEMBERS**

Sec. 30-40 STATEMENT OF PURPOSE.

It is hereby declared to be the policy of the City of Mansfield that the proper operation of democratic government requires that city elected officials and members of boards and committees be independent, impartial and responsible only to the people of the city, that governmental decisions and policy should be made in the proper channels of the governmental structure; that no city elected official or member of any board, commission or committee should have any interest, financial or otherwise, direct or indirect, or engage in any business, transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of his or her duties in the public interest; that public offices are positions of public trust imposing the duty of a fiduciary upon all office holders, who are not to use their public position for personal gain, and that the public should have confidence in the integrity of its government. To implement such a policy, the City Council deems it advisable to enact this code of ethics and conduct for all elected city officers and board and committee members, whether elected or appointed, paid or unpaid, to serve not only as a guide for official conduct of the city's public servants, but also as a basis for discipline for those who refuse to

abide by its terms. This code of ethics and conduct is cumulative of other ordinances, city charter provisions and state statutes defining and prohibiting conflict of interest.

This code of ethics and conduct is not intended to be nor shall it be used as a political weapon to intimidate or embarrass persons affected.

Sec. 30.41 DEFINITIONS.

As used in this code of ethics and conduct, the following words and terms shall have the meaning ascribed thereto:

Advisory Board means a board, commission or committee of the city that functions only in an advisory or study capacity.

Benefit means anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare the beneficiary has a direct and substantial interest. A pecuniary gain or advantage shall not include insignificant amounts or items of de minimis value. This policy does not establish dollar limits. "Insignificant" and "de minimis" shall have their usual meanings and be subject to interpretation on a case by case basis.

Business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized in law.

Candidate means every person who declares for or files for any office of the City of Mansfield to be filled by election.

Code means this code of ethics and conduct.

Compensation means any economic benefit received in return for labor, services, property, or investment.

Confidential Information means information to which the following apply:

- (1) At the time of the use or disclosure of the information, the information is not a public record subject to public disclosure under the Texas Public Information Act; and
- (2) The use or disclosure of the information will have, or could reasonably be expected to have, a material financial effect on any investment or interest in real property that a city officer, board or committee member, or any person to whom the city officer, board or committee member provides the information, has at the time of the use or disclosure of the information or acquires after the use or disclosure of the information.

Conflict of interest means action upon any matter which would constitute a violation of this code of ethics, Texas Penal Code or Texas Local Government Code, Chapter 171.

Decision means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the city council or other city board or commission, as well as the discussions or deliberations of the council, board or commission which can or may lead to a vote or formal action by that body.

Economic benefit means any money, real or personal property, purchase, sale, lease, contract, option, credit, loan discount, service, or other tangible or intangible thing of value, whether similar or dissimilar to those enumerated.

Entity means a sole proprietorship, partnership, limited liability partnership, firm, corporation, professional corporation, holding company, joint stock company, joint venture,

receivership, trust or any other entity recognized by law through which business may be conducted.

False means a knowing or willful misrepresentation or concealment of any item required to be disclosed by this chapter.

Family member means a person related in the first or second degree of consanguinity to any person subject hereto.

Gift means a favor, hospitality, or economic benefit, other than compensation, but does not include campaign contributions reported as required by state law.

Intentionally means a person acts intentionally, or with intent, with respect to the nature of his conduct or to a result of his conduct when it is his conscious objective or desire to engage in the conduct or cause the result.

Knowingly means a person acts knowingly, or with knowledge, with respect to the nature of his conduct or to circumstances surrounding his conduct when he is aware of the nature of his conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of his conduct when he is aware that his conduct is reasonably certain to cause the result.

Ministerial act means an act performed in a prescribed manner and not requiring the exercise of any judgment or discretion.

Officer means any member of the city council and any member of a board, commission or committee established by ordinance, charter or state law; provided no member of an advisory board or committee shall be deemed an officer of the city.

Person means an individual, proprietorship, partnership, corporation, association or other legal entity.

Substantial interest.

- (a) A person has a substantial interest in a business entity if:
- (1) The interest is ownership of ten (10) percent or more of the voting stock or shares of the business entity or ownership of two thousand five hundred dollars (\$2,500.00) or more of the fair market value of the business entity; or
 - (2) Funds received by the person from the business entity exceed ten (10) percent of the person's gross income for the previous year; or
 - (3) A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of two thousand five hundred dollars (\$2,500.00) or more; or
 - (4) An interest of a person related in the first or second degree by either affinity or consanguinity to the local public official is a "substantial interest"; or
 - (5) The person holds a position of member of the board of directors or other governing body of the business entity; or
 - (6) The person serves as an elected officer of the business entity; or
 - (7) The person is an employee of the business entity; or

- (8) The person is a creditor, debtor or guarantor of any person, group or business entity in the amount of five thousand dollars (\$5,000.00) or more; or**
- (9) Property of the person has been pledged to a person, group or business entity or is subject to a lien in favor of the person, group or business entity in the amount of five thousand dollars (\$5,000.00) or more.**

(b) A person does not have a substantial interest in a business entity if:

- (1) The person holds a position as a member of the board of directors or other governing board of a business entity; and**
- (2) The person has been designated by the city council to serve on such board; and**
- (3) The person receives no remuneration, either directly or indirectly, for his service on such board; and**
- (4) The primary nature of the business entity is either charitable, nonprofit or governmental.**

(c) A person has a substantial interest in real property if the interest is an equitable or legal interest with a fair market value of two thousand five hundred dollars (\$2,500.00) or more (see Section 171.002, Texas Local Government Code).

(d) A person has a substantial interest under this code if the person's spouse or a person related to the person in the first degree by consanguinity or affinity has a substantial

interest under this code of ethics and conduct (see Section 171.002, Texas Local Government Code). A person is related in the first degree by consanguinity to his or her father, mother, brother, sister, son or daughter. A person is related in the first degree by affinity to his or her father-in-law, mother-in-law, brother's spouse, sister's spouse, step-son, step-daughter, son-in-law or daughter-in-law.

Sec. 30.42 AFFECTED PARTIES.

The persons subject to the provisions hereof shall be:

- (a) The members of the city council, including the mayor; and
- (b) The members of any board, commission or committee established pursuant to the charter or the ordinances of this city, or the laws of this state, including, but not limited to:

Mansfield Housing Finance Corporation

Mansfield Library Board

Keep Mansfield Beautiful Commission

Mansfield Industrial Development Commission

Historic Landmark Commission

Economic Development Board

Mansfield Park Facilities Development Corporation

Capital Improvement Advisory Board

Board of Adjustments

City Council

Construction Codes Board of Adjustments and Appeals

Senior Citizens' Advisory Board

Planning and Zoning Commission

Animal Shelter Advisory Committee

- (c) Candidates for any City of Mansfield elected office; and
- (4) Any person listed within “Affected Parties” shall include all relevant information concerning the spouse of said person.

Sec. 30.43 STANDARDS OF CONDUCT.

- (a) City officers and advisory board members shall not use their position to secure special privileges and shall avoid situations that could cause any person to believe that they may have brought bias or partiality to a question before the council, any board, or decision maker. When an item to be considered by the council or any board presents a conflict of interest to a city officer or advisory board member, it will be the responsibility of the city official to make such conflict known to the city attorney and to remove himself/herself from discussion and voting on the matter. Members of the council will not condone, overlook or forgive any unethical or illegal activity. All members of the council agree to uphold the intent of this policy and to govern their actions accordingly.
- (b) City officers and advisory board members shall strive to recognize their responsibility to future generations by addressing the interrelationship of the social, cultural, and physical characteristics of the community when making policies.
- (c) City officers and advisory board members shall make a commitment to improve the quality of life for the individual and the community, and be dedicated to the faithful stewardship of the public trust.

- (d) City officers and advisory board members shall continue to be dedicated to friendly and courteous relationships with staff, other city officials and the public, and shall seek to improve the quality and image of public service.

Sec. 30.44 PROHIBITED CONDUCT.

- (a) No city officer or advisory board member, or their spouses shall knowingly:
 - (1) Accept or solicit any gift, favor, service or thing of value from any person, group or business entity that might reasonably tend to influence him or herein the discharge of his or her official duties. This prohibition shall not apply to:
 - (A) An occasional non-pecuniary gift, insignificant in value; or
 - (B) An award publicly presented in recognition of public service; or
 - (C) Any gift which would have been offered or given to him or her if he or she were not a city officer or advisory board member, or their spouses.
 - (2) Grant in the discharge of his or her official duties any improper favor, service or thing of value to any person, group or business entity.
 - (3) Solicit or accept, from any source, any compensation, gift, favor, service, economic benefit, or thing of value, including a promise of future employment, that might reasonably tend to influence him or her, in the discharge of his or her official duties, in consideration of any person subject hereto of exercising or having exercised any official power or performing or having performed any official duty on behalf of the city, from any person group or business entity:

- (A) Who is licensed or has a substantial interest in any business entity that is licensed by any city department, agency, commission or board on which the city officer or advisory board member serves; or
 - (B) Who has a financial interest in any proposed ordinance or decision upon which the city officer-or advisory board member may or must act or make a recommendation; provided, however, that any city office or advisory board member and their spouses, may accept travel and related expenses to attend ceremonial functions, provided that such acceptance and attendance have been approved by the city council prior to the occurrence of the ceremonial function.
- (4) Disclose any confidential information gained by reason of the position of the officer, advisory board member or spouse concerning the property, operations, policies or affairs of the city, or use such confidential information to advance any personal interest, financial or otherwise, of such officer or advisory board member, spouse or others. This subparagraph (4) shall not preclude disclosure of such confidential information in connection with any investigation or proceeding regarding whether there has been a violation of the standards of conduct set forth in this ordinance.
- (5) Use one's position or office to secure special privileges or exemption for himself or another or for the private gain of the city officer, advisory board member or his or her spouse.
- (6) Hold himself out as representing the city in any capacity other than that for which he was appointed, or elected.

- (7) Engage in or accept private employment or render a service when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independent judgment in the performance of his or her official duties.
- (8) Make unauthorized use, or permit unauthorized use, of city owned vehicles, equipment, materials or property.
- (9) Grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.
- (10) After termination of service with the city, appear before any board or commission of the city in relation to any case, proceeding or application in which he or she personally participated or which was under his or her active consideration during the period of his or her service.
- (11) Transact any business in his or her official capacity with the city with a business entity in which he or she has a substantial interest.
- (12) Engage in any dishonest or criminal act or any other conduct prejudicial to the government of the city or that reflects discredit upon the government of the city.
- (13) Perform or refuse to perform any act in order to deliberately thwart the execution of city ordinances, rules or regulations or the achievement of official city programs.
- (14) Be an interested party to any exchange, purchase, or sale of property, goods, or services with the city, or enter into any contract with the city, except in full and impartial compliance with statutes, City Charter, ordinances and regulations

applicable thereto and subject to any restrictions of the Charter of the City of Mansfield; provided further, that such persons shall receive no favor or special concession or inducement not customarily available and granted by the city in such a transaction; and provided further, that any discretion by officers of the city, in connection with any such transaction shall be exercised impartially and upon the same standards applied to all Mansfield citizens.

- (b) No member of the city council or city officer shall knowingly represent, directly or indirectly, any person, group or business entity:
 - (1) Before the city council or any department, agency, board or commission of the city; or
 - (2) In any action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, board or commission is a party; or
 - (3) In any action or proceeding in the municipal court(s) of the city which was instituted by a city officer or employee in the course of his or her official duties, or a criminal proceeding in which any city officer or employee is a material witness for the prosecution.
- (c) No member of a city board or commission shall knowingly represent, directly or indirectly, any person, group or business entity:
 - (1) Before the city council or the board or commission of which he or she is a member; or
 - (2) Before a board or commission which has appellate jurisdiction over the board or commission of which he or she is a member; or

- (3) In any action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, board or commission thereof is a party; or
- (4) In any action or proceeding in the municipal court(s) of the city which was instituted by a city officer or employee in the course of his or her official duties, or a criminal proceeding in which any city officer or employee is a material witness for the prosecution.
- (d) The restrictions contained in paragraphs (b) and ©) do not prohibit the following:

 - (1) A member of a city board or commission (other the city council), or his or her spouse, appearing before the city council or a city department, agency, board or commission to represent himself or herself in a matter affecting his or her property; provided, however, that no such person, or his or her spouse, shall appear before the board or commission of which he or she is a member;
 - (2) An officer of an employee organization appearing before the city council or a city department, agency, board or commission to address employment matters.
- (e) The city council shall not approve or award any bid or contract for the city's purchase of goods or services from any person, group, or entity which at any time prior to such award or approval, has hired a person who, at any time within such six-month period, was either a member of the Mansfield City Council or the chief or assistant administrator of any city department or agency that had direct, or indirect, review or consideration, or recommending or approval authority for the project or decision which is the subject of the award of such bid or contract.

(f) A person subject hereto who serves as a corporate officer or member of the board of directors of a nonprofit entity may not participate in a vote or decision regarding funding by or through the city for the entity, if said official receives any fee, compensation or other monetary payment from the entity, unless the city council appointed such city official to the board of directors or such corporate office.

(g) Nothing in this article shall prohibit the city council from participating in a vote or decision relating to salaries or travel budgets of city council members.

(h) No person subject hereto shall use his official position to secure confidential information for any purpose other than official responsibilities.

(I) No person subject hereto shall use city facilities, personnel, equipment or supplies for private purposes, except to the extent such are customary, incidental or lawfully available to the public.

(j) No member of the city council shall interfere with the city manager's administrative duties of appointment to and removal of persons from employment with the city. Except for the purpose of inquiry, the city council and its members shall deal with the city departments and city employees for which the city manager is responsible solely through the city manager, and neither the council nor any member thereof shall give orders to any of the subordinates of the city manager, either publicly or privately.

(k) The restrictions in Section 30.44 do not prohibit the following:

(1) Rendering service to the city as an officer, employee or advisory board member;
or

- (2) The paying of taxes, fines, utility service or filing fees; or
- (3) Subject to restrictions contained in the charter of the city, executing and performing any community facilities contract or plat in compliance with laws and regulations applicable to any person; provided, however, that if any city ordinance, rule or regulation allows any discretion by the appropriate officers of the city in the interpretation or enforcement of such ordinance, rule or regulation, such officers shall exercise ~~any~~ such discretion in favor of the city in connection with any such community facilities contract or plat; or
- (4) Purchasing goods or services from the city in full compliance with all applicable state and local laws; or
- (5) Members and spouses of members of the advisory boards set up by ordinance, charter or state law who are not otherwise officers of the city, may engage in any exchange, purchase or sale of property, goods or services with the city, or enter into a contract with the city, provided, however, that the board of which they are a member has no advisory function or cognizance, direct or indirect, present or prospective, with respect to the transaction in which such advisory board member engages or proposes to engage; or
- (6) A city contract for the purchase of services or personal property with a business entity in which a member of the governing body has a substantial interest if the business entity is the only business entity that provides the needed service or product within the jurisdiction of the city and is the only business entity that bids on the contract.

Sec. 30.45 DISCLOSURE OF INTEREST.

(a) The City Council hereby directs all members of the City Council, or members of appointed Boards and Commissions to present a statement annually to the City Secretary by October 15th of each fiscal year in a form as set forth on the attached Exhibit "A" which is incorporated herein for all purposes; such statement providing a complete disclosure of business and professional relationships with entities that do business with the City of Mansfield or plan to do business with the City of Mansfield in the future. Any individual required to complete this statement has a duty to amend the statement if a change in its disclosures should occur during each fiscal year. Amendments must occur within thirty (30) days of the individual acquiring knowledge of the business relationship. Any individual who fails to file a required disclosure pursuant to this section within sixty (60) days of its due date may be removed from office by majority vote of the council for failure to conform to the requirements of the Ethics Ordinance.

(b) If any officer or advisory board member has a substantial interest in any person, group or business entity, or real property involved in any decision pending before such officer or advisory board member, or the body of which he or she is a member, such officer or advisory board member shall disclose such interest as provided in paragraph (d) below and shall not, except as provided in paragraph (d) below, discuss the substance of the matter at any time with any other member of the board of which he or she is a member or any other body which will vote on the matter or otherwise participate in the consideration of the matter.

(c) If any of the following interests are involved in any decision pending before any city or advisory board member, or the body of which he is a member, such officer or advisory board member must disclose such interest as provided in paragraph (d) below, but he shall be permitted to vote on and participate in the consideration of such matter:

- (1) A decision concerning a bank or other financial institution from which the officer or advisory board member has a home mortgage, automobile loan, or other installment loan, if the loan is not currently in default, was originally for a term of more than two (2) years and cannot be accelerated except for failure to make payments according to the terms thereof;
- (2) A decision concerning a bank or other financial institution in which the officer or advisory board member holds a savings account, checking account or certificate of deposit and which is fully insured by the U.S. government or an agency thereof;
- (3) A decision concerning a business entity with which the officer or advisory board member has a retail or credit card account;
- (4) A decision concerning the approval of substitution of collateral by a city depository bank;
- (5) A decision concerning real property in which the officer or advisory board member has a substantial interest if it is not reasonably foreseeable that such decision would have a special economic effect on the value of the property, distinguishable from the effect on the public (See Section 171.004, Texas Local Government Code).

(d) A city officer or advisory board member shall disclose the existence of any substantial interest in any person, business entity or real property involved in any decision pending before such officer or advisory board member, or the body of which he is a member. To comply with this paragraph, a city officer or advisory board member shall, prior to any discussion or determination of the matter, either file an affidavit of disclosure as required by Section 171.004 of the Texas Local Government Code or, if not so required, shall publicly

disclose in the official records of the city to the city secretary the nature of the interest. In disclosing a substantial interest in a business entity, a city officer or advisory board member shall not be required to disclose the dollar amount of any income that he or she receives from the business entity.

(e) Where the interest of a city officer or advisory board member in the subject matter of a vote or decision is remote or incidental, the city officer or advisory board member may participate in the vote or decision and need not disclose the interest.

(1) "Remote interest" means an interest of a person or entity, including a city officer or advisory board member, who would be affected in the same way as the general public. The interest of a council member in the property tax rate, general city fees, city utility charges or a comprehensive zoning ordinance or similar decisions is incidental to the extent that the council member would be affected in common with the general public.

(2) "Incidental interest" means an interest in a person, entity or property which is not a substantial interest and which has insignificant value, or which would be affected only in a de minimis fashion by a decision. This article does not establish dollar limits on the terms "insignificant value" and "de minimis" which shall have their usual meanings and be subject to interpretation on a case by case basis.

Sec. 30. 46. VOTING FOR APPOINTMENTS TO CITY BOARDS, COMMISSIONS AND COMMITTEES AND APPLICANT RESPONSIBILITY TO REPORT CAMPAIGN CONTRIBUTIONS

Any person being considered, or with an application pending, for appointment to any city board, commission, or committee established pursuant to the charter or ordinances of the

city, or the laws of the State of Texas, if that person has made a financial contribution of \$250.00 or more to the election campaign of a member of the city council during the two years preceding the date of the proposed appointment, the council member or members who received such contribution(s) must abstain from voting on such appointment. All persons shall enter upon the Application for City Boards, Commissions, information regarding any financial contribution as noted above, or if an application is on file for an appointment, shall notify the City Secretary of such contributions for notation on the application within 30 days of the passage of this Ordinance. The City Secretary shall send a copy of this Section to all persons who have an application on file requesting appointment. The provisions of this section shall apply only to contributions made on or after January 1, 2004.

Sec. 30.47 ENFORCEMENT

(a) The city council shall have the primary responsibility for the enforcement of this code.

(b) In matters where it is alleged that a city officer or board member, other than a member of the city council, violated this code, the city council may direct the city attorney to investigate or prosecute any apparent violation of this code by one or more such persons. At the direction of the city council, the city attorney shall have the power to investigate any such complaint, to initiate any suit, to file any complaint in municipal court, and to prosecute any such complaint or action on behalf of the city where such complaint or action is appropriate against a city officer or board member, other than a member of the city council.

(c) In matters where it is alleged that a member of the city council violated this code, the city council may direct the city attorney to investigate as in (b) above, or if the council feels the alleged conduct is an extreme violation of this code, the council may select an outside, independent attorney to investigate or prosecute any apparent violation of the code by a member of the city council. The city council shall select such attorney from a list of five

experienced, qualified attorneys to be nominated by the city attorney. At the direction of the city council, such independent attorney shall have the power to investigate any such complaint, to initiate any suit, to file any complaint in municipal court, and to prosecute any such complaint or action on behalf of the city where such complaint or action is appropriate against a member of the city council.

(d) Any person who believes that a violation of any portion of this code has occurred may file a complaint with the city council which may then proceed as provided in paragraph (b) or paragraph ©) above. However, nothing in this code shall be construed to prevent complainants from instituting direct legal action through the appropriate judicial authority.

Sec. 30.48 ADVISORY OPINIONS

(a) Where any officer or advisory board member has a doubt as to the applicability of any provision of this code to a particular situation, or as to the definition of terms used herein, he may apply to the city attorney for an advisory opinion. The officer or advisory board member shall have the opportunity to present his or her interpretation of the facts at issue and of the applicability of provisions of the code before such advisory opinion is made.

(b) The city attorney shall only issue advisory opinions concerning how this code applies prospectively to a particular situation, or how the definition of terms used herein applies prospectively to such a situation. The city attorney shall not issue advisory opinions to city officer or advisory board members in matters when a complaint is already pending with the city council or the situation in question has already occurred. These matters shall be handled as provided in Section 34.46 hereof.

(c) Until amended or revoked, any advisory opinion shall be binding on the city, the city council, and the city attorney in any subsequent actions concerning the public officer or advisory board member who sought the opinion and acted on it in good faith, unless material

facts were omitted or misstated in the request for the advisory opinion. Such opinion shall not be binding in any judicial proceedings initiated by any private citizen.

Sec. 30. 49 PENALTIES; FORFEITED POSITION; EXEMPTIONS; INJUNCTIONS

(a) Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this code shall be guilty of a misdemeanor and fined not more than Five Hundred Dollars (\$500) for each violation. Each day that a violation continues or is permitted to exist shall constitute a separate offense.

(b) Whenever the city council has determined that any officer or advisory board member has violated any provision of this code, such officer or advisory board member shall be subject to discipline, including forfeiture of his or her office or position. Any removal of an official from elected office shall be done in accordance with applicable state laws. This ordinance shall be construed to prohibit any such officer or advisory board member from being re-elected, or reappointed to any position with the City of Mansfield for a period of three years from the date of termination.

(c) The city council may exempt from the provisions of this code any conduct found to constitute a violation by an officer or advisory board member if it finds that the enforcement of this code with respect to such conduct is not in the public interest.

(d) Any contract or transaction which was the subject of an official act or action of the city in which there is an interest prohibited by this code, or which involved the violation of a provision of this code, shall be voidable at the option of the city council.

(e) At the discretion of the city council, the city attorney or the city's outside independent attorney shall have the power, where a violation of the provisions of this code is

threatened or has occurred, to bring a civil action or proceeding, at law or in equity, for a judgment enjoining any violation of the provisions of this code or requiring the relinquishment of any prohibited interest or the voiding of any such contract or transaction, taking into account the interests of the city and any third persons who may be injured thereby. Where the city council determines that the public interest may best be served by not voiding a contract or transaction entered into in violation of this code, such contract or transaction may be enforced and an action or proceeding may be brought against any officer or advisory board member found in violation of provisions of this code for damages, not to exceed twice the damages suffered by the city or twice the profit or gain realized by the officer or advisory board member, whichever is greater.

Sec. 30.50 DISTRIBUTION OF CODE OF ETHICS AN CONDUCT.

The city secretary shall cause a copy of this code in booklet form to be distributed to and signed for by every officer and advisory board member of the city within thirty (30) days after enactment of this code. Each officer and advisory board member thereafter elected or appointed shall be furnished and sign for a copy before entering upon the duties of his or her office.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances of the City of Mansfield, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid

judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

The City Secretary of the City of Mansfield shall publish this ordinance in booklet or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

SECTION 5.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.


PASSED AND APPROVED this 10th day of November, 2003.

PASSED AND APPROVED this 24th day of November, 2003.


PASSED AND APPROVED this 8th day of December, 2003.


David Harry, Mayor

ATTEST:


Vicki Collins, City Secretary

APPROVED AS TO FORM AND LEGALITY:


Allen Taylor, City Attorney

CONFLICT OF INTEREST STATEMENT

I have read and understand the attached conflict of interest policy, which was approved by the City Council at its regularly scheduled meeting on June 26, 2000.

In compliance with this policy, the following is a list of all businesses or other for profit organizations of which I, my spouse, or my minor children, am(are) officer(s), more than 10% stockholder(s) (have a business interest of \$2,500 or more excluding ownership of publicly traded stocks and mutual funds), director(s), trustee(s), owner(s), partner(s), or employee(s) or for which I act as an agent, with which the City of Mansfield is doing business or plans to do business in the future. **(If none, write none.)**

1. _____
2. _____
3. _____
4. _____
5. _____

I agree that if any matter comes before the City Council concerning an existing or contemplated business transaction between the City of Mansfield and any entity in which I, my spouse, or my minor children has/have an interest (as defined above), I will disclose such potential conflict and will withdraw from the meeting while such matter is in the item of business for which a meeting of the City of Mansfield has been called, I will not be counted to establish a quorum, nor will I participate in any deliberations or vote on the matter.

This statement does not preclude the requirement for signing a conflict of interest affidavit at each meeting where a conflict of interest exists.

Name

Date



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 20-3684

Agenda Date: 8/10/2020

Version: 1

Status: New Business

In Control: City Council

File Type: Consideration Item

Agenda Number:

Title

Discussion and Possible Action Regarding Options Related to Tattoo Parlor Zoning, Specific Use Permits, and Commercial Leases (Addendum to Agenda)

Requested Action

Council discussion.

Recommendation

Defer to Council.

Description/History

Council Member Lewis requested this item be placed on the agenda for discussion.

Support was received from Mayor Cook, Mayor Pro Tem Short and Council Member Leyman.

Justification

N/A

Funding Source

N/A

Prepared By

Susana Marin, TRMC, City Secretary