



# CITY OF MANSFIELD

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

## Meeting Agenda

### City Council

Monday, January 25, 2021

4:00 PM

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\\_t3RD11chQOSOiiSTYACJ\\_Q](https://mansfieldtexas.zoom.us/webinar/register/WN_t3RD11chQOSOiiSTYACJ_Q) by 7:00 p.m. on Monday, January 25, 2021 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: 997-6535-7813**

**Passcode: 1234567**

**Citizen comments and public hearing comments may also be submitted through the city's website [www.mansfieldtexas.gov](http://www.mansfieldtexas.gov) or by sending an email to [susana.marin@mansfieldtexas.gov](mailto:susana.marin@mansfieldtexas.gov). All comments must be submitted by 4:00 p.m. on Monday, January 25, 2021. Comments received will be read into the record by the Mayor or the City Secretary.**

1. **4:00 P.M. - CALL MEETING TO ORDER**
2. **WORKSESSION**

Discussion Regarding Council Sub-Committees

Republic - Garbage and Recycling Reroutes

3. **RECESS INTO EXECUTIVE SESSION**

*Pursuant to Section 551.071, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.*

- A. **Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

Seek Advice of City Attorney Regarding Legal Duties, Responsibilities, and Authority of Elected Officials

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

Seek Advice of City Attorney Regarding Project #19-06 (Addendum to Agenda)

- 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**
- 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**
- 4. 6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**
- 5. 7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**
- 6. INVOCATION**
- 7. PLEDGE OF ALLEGIANCE**
- 8. TEXAS PLEDGE**

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

**9. CITIZEN COMMENTS**

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

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

**10. COUNCIL ANNOUNCEMENTS**

**11. SUB-COMMITTEE REPORTS**

[21-3930](#) Minutes - Approval of the January 12, 2021 Public Memorials Sub-Committee Meeting Minutes

***Presenters:*** Susana Marin

***Attachments:*** [1-12-21 DRAFT Meeting Minutes](#)

**12. 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

Tarrant County Public Health Covid 19 Update - Theresa Cohagen and Matt Young

Presentation of Stormwater Annual Report - Howard Redfearn

**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**

[21-3934](#) Resolution - A Resolution of the City of Mansfield, Texas, Calling for a General Election to be Held on May 1, 2021; Designating Polling Places; Establishing Election Precincts Within the City; Establishing Other Procedures for Conducting the Election; Establishing a Date for Canvassing Returns; Establishing a Date for Runoff Election, if Necessary; and Providing an Effective Date

***Presenters:*** Susana Marin

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

[Resolution - Spanish](#)

[21-3935](#) Resolution - A Resolution Authorizing a Contract with Trinity River Authority for Industrial Sampling and Analytical Services

***Presenters:*** Jeff Price

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

[21-3928](#) Minutes - Approval of the January 11, 2021 Regular City Council Meeting Minutes

**Presenters:** Susana Marin

**Attachments:** [1-11-21 DRAFT Meeting Minutes](#)

### **END OF CONSENT AGENDA**

## **15. PUBLIC HEARING**

[20-3919](#) Ordinance - Public Hearing and Consideration of an Ordinance Setting Forth the Standards of Care for the Recreation Department's Kids Zone Program for the City of Mansfield; Providing for the Operational Standards of the Administration for the Program; Providing for the Inspecting, Monitoring, and Enforcement of the Standards of Care; Providing for the Staffing Levels, Training and Responsibilities for Those Working in the Program, Providing for Facility Standards; Providing for a Cumulative Clause; Providing for a Severability Clause; Providing for an Effective Date

**Presenters:** Matt Young and Andy Binz

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

[Standards of Care](#)

[21-3931](#) Public Hearing and Consideration of a Request for a Specific Use Permit for a Car Wash on Approximately 0.72 Acres Known as Lot 3, Block 1, Racetrac Addition, Located at 3211 E. Broad St.; John Huffman of Broad Street Investments, LLC (SUP#20-020)

**Presenters:** Matt Jones and Andrew Bogda

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

[Exhibit A - Property Description](#)

[Exhibit B - Site Plan](#)

[Exhibit C - Floor Plans, Building Photos, and Materials Calculations](#)

[Exhibit D - Landscape Plan](#)

[Exhibit E - Sign Plan](#)

## **16. PUBLIC HEARING CONTINUATION AND SECOND READING**

[20-3917](#) Ordinance - Public Hearing and Second and Final Reading of an Ordinance Approving a Change of Zoning from SF-7.5/16 Single-Family Residential District to PD Planned Development District for Professional and Medical Office, Retail, Personal Service, Artist Studio, and Eating Place without Drive-Thru Service Uses on Approximately 0.46 acres Known as Lots 3 & 8, Block 4, Original Town of Mansfield, Located at 105 N 1st Ave.; Matthew Crocker (ZC#20-015)

**Presenters:** Matt Jones and Andrew Bogda

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

[Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibit B](#)

**17. NEW BUSINESS**

[21-3936](#)

Discussion and Possible Action Regarding The LOT Downtown and City Property

**Presenters:** Casey Lewis, Michael Evans, Julie Short and Larry Broseh

**18. ADJOURN**

**CERTIFICATION**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the January 25, 2021 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, January 22, 2021 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

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

Approved as to form:

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

DATE OF POSTING: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm

DATE TAKEN DOWN: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call (817) 473-0211 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.



# CITY OF MANSFIELD

1200 E. Broad St.  
Mansfield, TX 76063  
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## STAFF REPORT

File Number: 21-3930

**Agenda Date:** 1/25/2021

**Version:** 1

**Status:** Approval of Minutes

**In Control:** City Council

**File Type:** Meeting Minutes

### **Title**

Minutes - Approval of the January 12, 2021 Public Memorials Sub-Committee Meeting Minutes

### **Requested Action**

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

### **Recommendation**

Approval of minutes by the Council.

### **Description/History**

The minutes of the January 12, 2021 Public Memorials Sub-Committee 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  
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## Meeting Minutes - Draft

### City Council - Public Memorials Sub-Committee

Tuesday, January 12, 2021

3:00 PM

Multi-Purpose Room

#### CALL TO ORDER

*Chairman Leyman called the meeting to order at 3:00 p.m.*

*Staff present: City Secretary, Susana Marin; Assistant City Secretary, Keera Seiger; Assistant to the City Manager, Nicolette Allen*

**Absent** 1 - Larry Broseh

**Present** 2 - Mike Leyman and Todd Tonore

#### CITIZEN COMMENTS

*There were no citizen comments.*

#### DISCUSSION ITEMS

##### Discussion Regarding Fundraising Efforts

*Assistant to the City Manager Nicolette Allen discussed "Remembering our Fallen Memorial", a traveling memorial honoring fallen veterans, the costs associated, and fundraising opportunities. There was discussion regarding the use of HOT funds, the location where the event would take place, parking, and a down payment to reserve the program. Nicolette will send out additional information to the Sub-Committee.*

##### Discussion Regarding Veterans Memorial and Tribute Foundation Structure

*Veterans Memorial Foundation Member Tim Milligan discussed the make-up of the Foundation and the need to assign roles to members. There was discussion regarding which members would take on which role based on their area of expertise.*

#### ADJOURNMENT

*Chairman Leyman adjourned the meeting at 4:01 p.m.*

\_\_\_\_\_  
ATTEST: Mike Leyman, Chairman

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



# CITY OF MANSFIELD

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## STAFF REPORT

File Number: 21-3934

**Agenda Date:** 1/25/2021

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution of the City of Mansfield, Texas, Calling for a General Election to be Held on May 1, 2021; Designating Polling Places; Establishing Election Precincts Within the City; Establishing Other Procedures for Conducting the Election; Establishing a Date for Canvassing Returns; Establishing a Date for Runoff Election, if Necessary; and Providing an Effective Date

**Requested Action**

Approval of the Resolution Calling the May 1, 2021 General Election for the City of Mansfield.

**Recommendation**

City staff recommends the City Council order the General Election to be held on May 1, 2021 and June Runoff Election, if necessary, by approving the resolution outlining the election procedures.

**Description/History**

Pursuant to Section 41.001 of the Texas Election Code and the Home Rule Charter, the City is required to conduct its general election on the first Saturday in May. The following positions are scheduled to be on the May 2021 ballot:

- Council Member, Place 3
- Council Member, Place 4
- Council Member, Place 5

The City Secretary's Office is distributing candidate packets. Candidate packets are also available on the city's election webpage.

**Justification**

The General Election is 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, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 1, 2021; ESTABLISHING PROCEDURES FOR CONDUCT OF THE ELECTION; ESTABLISHING ELECTION PRECINCTS WITHIN THE CITY; ESTABLISHING POLLING PLACES; ESTABLISHING A DATE FOR CANVASSING RETURNS; ESTABLISHING A DATE FOR RUNOFF ELECTION, IF NECESSARY; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Section 41.001 of the Texas Election Code (the “Code”) specifies that the first Saturday in May shall be a “uniform election date” and that a general election of a City may be held on such day; and,

**WHEREAS**, state law and the charter of the City of Mansfield require that a general election be held; 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, 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 Saturday, May 1, 2021, between the hours of 7:00 a.m. and 7:00 p.m. at which the following officers will be elected:

- COUNCIL MEMBER, PLACE 3**
- COUNCIL MEMBER, PLACE 4**
- COUNCIL MEMBER, PLACE 5**

**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 May 2021 and ending May 2024, or until a successor is duly elected and qualified.

**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.**

**APPLICATION FOR A PLACE ON THE BALLOT:** Any eligible and qualified person shall have his name printed upon the official ballot as a candidate for the offices herein set by filing his sworn application with the City Secretary not earlier than January 13, 2021 and not later than 5:00 p.m. February 12, 2021. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary. Notice of the time and place for such drawing shall be given in accordance with the Code.

**SECTION 5.**

**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 6.**

- (a) **ELECTION DAY POLLING PLACES – TARRANT COUNTY:** Precinct 1 shall be comprised of all portions of Mansfield located in Tarrant County. The polling places for Election Day in Tarrant County shall be as follows as part of the countywide polling plan, with additional polling places throughout Tarrant County:

Donna Shepard Intermediate School  
1280 FM 1187  
Mansfield, Texas 76063

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

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

Vernon Newsom Stadium  
3700 East Broad Street  
Mansfield, Texas 76063

- (b) **ELECTION DAY POLLING PLACE – JOHNSON COUNTY:** Precinct 2 shall be comprised of all portions of Mansfield located in Johnson County. The polling place for Election Day in Johnson County shall be as follows:

Alma Martinez Intermediate School  
2100 Julian Field Street  
Mansfield, TX 76063

- (c) **ELECTION DAY POLLING PLACE – ELLIS COUNTY:** Precinct 3 shall be comprised of all portions of Mansfield located in Ellis County. The polling place for Election Day in Ellis County shall be as follows as part of the countywide polling plan, with additional polling places throughout Ellis County:

Midlothian Conference Center  
 1 Community Circle Drive  
 Midlothian, TX 76065

**SECTION 7.**

**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 8.**

- (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 April 19, 2021 and continuing through April 27, 2021 in Mansfield at the Mansfield Sub-Courthouse (Community Room), 1100 East Broad Street, Mansfield, Texas 76063 and at the Vernon Newsom Stadium (Lou Spiegel Community Room), 3700 East Broad Street, Mansfield, Texas 76063 at the following times:

April 19 – 23	Monday – Friday	8:00 a.m. – 5:00 p.m.
April 24	Saturday	7:00 a.m. – 7:00 p.m.
April 25	Sunday	11:00 a.m. – 4:00 p.m.
April 26 – 27	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, 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 April 19, 2021 and continuing through April 27, 2021 in Mansfield at the Alma Martinez Intermediate School, 2100 Julian Field Street, Mansfield, TX 76063 at the following times:

April 19 – 23	Monday – Friday	8:00 a.m. – 5:00 p.m.
April 24	Saturday	8:00 a.m. – 5:00 p.m.

April 25	Sunday	Closed
April 26 – 27	Monday – Tuesday	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 April 29, 2021 and continuing through April 27, 2021 in Midlothian at the Midlothian Conference Center (Ballroom), 1 Community Circle Dr., Midlothian, TX 76065 at the following times:

April 19 – 23	Monday – Friday	8:00 a.m. – 5:00 p.m.
April 24	Saturday	8:00 a.m. – 4:00 p.m.
April 25	Sunday	Closed
April 26 – 27	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.

- (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 April 20, 2021. 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.

- (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 9.**

**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 10.**

**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 11.**

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

#### **SECTION 12.**

**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 Saturday, June 5, 2021

**SECTION 13.**

**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 14.**

**PASSED, APPROVED AND EFFECTIVE** on this 25th day of January, 2021.

\_\_\_\_\_  
**Michael Evans**, Mayor on behalf of City Council

**ATTEST:**

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

**RESOLUCIÓN NO. \_\_\_\_\_**

**RESOLUCIÓN DE LA CIUDAD DE MANSFIELD (“CIUDAD”), TEXAS, CONVOCANDO UNA ELECCIÓN GENERAL QUE SE LLEVARA ACABO EL 1 DE MAYO DEL 2021; ESTABLECIENDO PROCEDIMIENTOS PARA LA ELECCION; DESIGNANDO LUGARES DE VOTACIÓN; ESTABLECIENDO DISTRITOS ELECTORALES DENTRO DE LA CIUDAD; ESTABLECER UNA FECHA PARA LA CAPTACIÓN DE VOTOS ELECTORALES; ESTABLECIENDO UNA FECHA PARA UNA SEGUNDA VUELTA SI ES NECESARIO, Y PROPORCIONAR UNA FECHA DE VIGENCIA**

**POR CUANTO**, la Sección 41.001 del Código Electoral de Texas (el “Código”) especifica que el primer sábado de mayo será una “fecha de elección uniforme” y que las elecciones generales de una ciudad puede llevar acabo en tal día; 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**, 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, autorizar a la Ciudad para entrar en un contrato con el Condado de Tarrant para llevar a cabo la elección, y autorizar a la Ciudad para entrar en un contrato adjunto con el Distrito Escolar Independiente de Mansfield.

**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 sábado 1 de mayo del 2021, entre las 7:00 de la mañana y las 7:00 de la tarde en que los siguientes serán elegidos:

**MIEMBRO DEL CONSEJO, LUGAR 3  
MIEMBRO DEL CONSEJO, LUGAR 4  
MIEMBRO DEL CONSEJO, LUGAR 5**

**SECCIÓN 2.**

**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) años a partir del plazo de Mayo del año 2021 y terminando en mayo del año 2024, o hasta que un sucesor sea debidamente elegido y calificado.

**SECCIÓN 3.**

**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 4.

**SOLICITUD PARA UN LUGAR EN LA BOLETA:** Cualquier persona elegible y calificado debe tener su nombre impreso en la boleta oficial como candidato a la oficina de este documento se establece mediante la presentación de su solicitud con la Secretaria de la Ciudad no antes del 13 de Enero del 2021 y no más tarde de las 5:00 de la tarde el 12 de Febrero del 2021. La orden en que los nombres de los candidatos se van a imprimir en la boleta electoral se determinara por un sorteo por la Secretaria de la Ciudad. Anuncio de la hora y el lugar del sorteo deberá efectuarse en conformidad con el Código.

#### SECCIÓN 5.

**ACUERDO CON EL CONDADO DE TARRANT, JOHNSON, Y ELLIS:** Antes de la elección, la Ciudad anticipa que se incorporaran en un acuerdo de servicios de elecciones con el Condado de Tarrant, el Condado de Johnson, y el Condado de Ellis (el “Contrato”).

#### SECCIÓN 6.

- (a) **CENTROS ELECTORALES EL DIA DE ELECCION – CONDADO TARRANT:** El Precinto 1 estara compuesto por todas las partes de Mansfield ubicadas en el condado de Tarrant. Los lugares de votación para el día de las elecciones en el condado de Tarrant serán los siguientes como parte del plan de votación para todo el condado, con lugares de votación adicionales en todo el condado de Tarrant:

Donna Shepard Intermediate School  
1280 FM 1187  
Mansfield, Texas 76063

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

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

Vernon Newsom Stadium  
3700 East Broad Street  
Mansfield, Texas 76063

- (b) **CENTROS ELECTORALES EL DIA DE ELECCIÓN – CONDADO JOHNSON:** El Precinto 2 estara compuesto por todas las partes de Mansfield ubicadas en el condado de Johnson. El lugar de votación para el día de las elecciones en el condado de Johnson será el siguiente:

Alma Martinez Intermediate School  
2100 Julian Field Street  
Mansfield, TX 76063

- (c) **CENTROS ELECTORALES EL DIA DE ELECCIÓN – CONDADO ELLIS:** El Precinto 3 estara compuesto por todas las partes de Mansfield ubicadas en el condado de Ellis. Los lugares de votación para el día de las elecciones en el condado de Ellis serán los siguientes como parte del plan de votación para todo el condado, con lugares de votación adicionales en todo el condado de Ellis:

Midlothian Conference Center  
1 Community Circle Drive  
Midlothian, TX 76065

### SECCIÓN 7.

**NOMBRAMIENTO DE JUECES ELECTORALES Y MAGISTRADOS SUPLENTES – CONDADO DE TARRANT:** Los jueces electorales para las elecciones general y especial serán designados por el Condado de Tarrant, el Condado de Johnson, y el Condado de Ellis como es autorizado por el Capítulo 271, del Código Electoral.

### SECCIÓN 8.

- (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 dispuesto en el Contrato.

La votación temprana en persona se llevara a cabo a partir del 19 de Abril, 2021 hasta el 27 de Abril del 2021 en Mansfield Sub-Courthouse, 1100 East Broad Street, Mansfield, Texas 76063 y en Vernon Newsom Stadium, 3700 East Broad Street, Mansfield, Texas 76063 en los siguientes horarios:

Abril 19 – 23	Lunes – Viernes	8:00 a.m. – 5:00 p.m.
Abril 24	Sábado	7:00 a.m. – 7:00 p.m.
Abril 25	Domingo	11:00 a.m. – 4:00 p.m.
Abril 26 – Abril 27	Lunes – Martes	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 dispuesto en el Contrato.

La votación temprana en persona se llevara a cabo a partir del 19 de Abril, 2021 hasta el 27 de Abril del 2021 en Alma Martinez Intermediate School, 2100 Julian Field Street, Mansfield, Texas 76063 en los siguientes horarios:

Abril 19 – 23	Lunes – Viernes	8:00 a.m. – 5:00 p.m.
Abril 24	Sábado	8:00 a.m. – 5:00 p.m.
Abril 25	Domingo	Closed
Abril 26 – Abril 27	Lunes – Martes	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 dispuesto en el Contrato.

La votación temprana en persona se llevara a cabo a partir del 19 de Abril, 2021 hasta el 27 de Abril del 2021 en Midlothian Conference Center (Ballroom), 1 Community Circle Dr., Midlothian, Texas 76065 en los siguientes horarios:

Abril 19 – 23	Lunes – Viernes	8:00 a.m. – 5:00 p.m.
Abril 24	Sábado	8:00 a.m. – 4:00 p.m.
Abril 25	Domingo	Closed
Abril 26 – Abril 27	Lunes – Martes	7:00 a.m. – 7:00 p.m.

(d) Las aplicaciones para votar temprano por correo pueden ser entregadas a cada Secretario de Votación Temprana, no más tarde del cierre de las actividades laborales el 16 de Abril del 2021, si se entrega en persona, y el 20 de Abril del 2021, si se entrega por correo. 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, Administrador de la Elección, P.O. Box 895, Cleburne, Texas 76033. Las boletas de votación temprana para el Condado de Ellis deberán ser enviadas a Jana Onyon, Administrador de la Elección, 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 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.

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 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.

### **SECCIÓN 9.**

**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. 2.3.1. para el día de la elección y el Hart Intercivic Verity System v. 2.3.1. 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 10.**

**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 11.**

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

### **SECCIÓN 12.**

**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, 5 de Junio del 2021.

### **SECCIÓN 13.**

**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 14.**

**PASADO, APROBADO Y EFECTIVA** este 25 de Enero del 2021.

\_\_\_\_\_  
**Michael Evans**, 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: 21-3935

**Agenda Date:** 1/25/2021

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution Awarding a Contract for Trinity River Authority for Industrial Sampling and Analytical Services

**Requested Action**

Request authorization to enter into a contract with Trinity River Authority (TRA) which would allow TRA to collect/analyze all industrial wastewater samples associated with the City of Mansfield's Pretreatment Program.

**Recommendation**

Staff recommends that the City of Mansfield enter into a contract with TRA for industrial sampling and analytical services in order to comply with local, state and federal pretreatment regulations.

**Description/History**

TRA, in accordance with previous contracts, has conducted the industrial sampling and analytical services for industries in the city's pretreatment program. The cost of this service is passed along to the industries being sampled.

**Justification**

In order to comply with federal and state regulations, certain industries must have their effluent wastewater collected and analyzed at various frequencies throughout the year. Collecting the samples ourselves would require additional staff, vehicles, analytical equipment and laboratory space. By allowing TRA to conduct the sampling and analysis, the City of Mansfield can avoid charging these industries unnecessarily high fees to recover the cost of the services.

**Funding Source**

Utility Construction Fund

**Prepared By**

David Moulton, Utility Administration Superintendent  
817-276-3616

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING A CONTRACT WITH THE TRINITY RIVER AUTHORITY FOR INDUSTRIAL SAMPLING, INSPECTIONS, AND ANALYTICAL SERVICES.

WHEREAS, the City Council of the City of Mansfield, Texas, has determined that it would be in the best interest of the citizens of the City of Mansfield to enter into a technical services contract to provide necessary industrial sampling, inspections, and analytical services needed to operate and administer the City of Mansfield Industrial Pretreatment Program and,

WHEREAS, the expenditure of the funds stated herein has been incorporated into the Water & Sewer System Operating Budget and,

WHEREAS, after review and consideration of the services being offered it is the determination of City Council that a contract for Technical Services be awarded.

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

SECTION 1.

The City Manager or his designee is hereby authorized and directed to execute contractual documents with the Trinity River Authority of Texas, for technical services related to the operation and administration of the City of Mansfield, Texas Industrial Pretreatment Program on a cost per service basis as stipulated by contract.

PASSED AND APPROVED this the 25th day of January 2021.

\_\_\_\_\_  
Michael Evans, Mayor

Attest:

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



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 21-3928

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**Agenda Date:** 1/25/2021

**Version:** 1

**Status:** Approval of Minutes

**In Control:** City Council

**File Type:** Meeting Minutes

### **Title**

Minutes - Approval of the January 11, 2021 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 January 11, 2021 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, January 11, 2021

4:30 PM

Council Chambers

#### REGULAR MEETING

#### 4:30 P.M. - CALL MEETING TO ORDER

*Mayor Cook called the meeting to order at 4:49 p.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; Julie Short; Mike Leyman; Casey Lewis; David Cook and Todd Tonore

#### WORKSESSION

Convention Center Hotel at Stillwater Project

*Stillwater Capital Partner Clay Roby reviewed the history of The Reserve, presented plans for the Convention Center Hotel, and answered Council questions. Director of Convention and Visitors Bureau Theresa Cohagen spoke regarding the City's needs for meeting space, hotel occupancy, and answered Council questions.*

The Backyard Development

*The developer requested this item be tabled.*

#### RECESS INTO EXECUTIVE SESSION

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:41 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:55 p.m. Mayor Cook adjourned executive session at 6:54 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 Assignment of Developer Agreement

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

**Personnel Matters Pursuant to Section 551.074**

**Deliberation Regarding Commercial or Financial Information Received From or the Offer of a Financial or Other Incentive Made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is Conducting Economic Development Negotiations Pursuant to Section 551.087**

Economic Development Project #21-01

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

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

*Mayor Cook reconvened into regular business session at 7:04 p.m.*

**INVOCATION**

*Salvation Army Lieutenant Konstantin Maslenikov gave the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Council Member Brent Newsom 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 Brent Newsom led the Texas Pledge.*

**PRESENTATION**

Presentation of the Salvation Army Red Kettle Mayoral Challenge Trophy

*Mayor Cook introduced Arlington-Mansfield Salvation Army Corps Lieutenant Konstantin Maslenikov. Lt. Maslenikov thanked Mayor Cook, the Council, and the Mansfield community for their continued participation in the Salvation Army Mayoral Red Kettle Challenge and presented the Salvation Army Mayoral Red Kettle Challenge Trophy to Mayor Cook. Mayor Cook thanked the Salvation Army for the work they do for the community.*

**ACKNOWLEDGEMENT OF SERVICE**

Mayor David Cook

*City Manager Joe Smolinski and Deputy City Manager Shelly Lanners made brief comments and presented a plaque, gold gavel, and a compass to Mayor Cook in recognition of his twelve years of service to the City of Mansfield as Mayor. Mayor Cook made brief comments.*

Council Member Brent Newsom

*Joe Smolinski and Shelly Lanners presented Council Member Brent Newsom with a plaque and compass in recognition of his years of service to the City as a Council Member. Council Member Newsom made brief comments.*

**OATH OF OFFICE**

Mayor-Elect Michael Evans

*Judge Clifford Davis administered the Oath of Office to Mayor-elect Michael Evans. Judge Davis made brief comments.*

Council Member-Elect Tamera Bounds

*Mayor Michael Evans administered the Oath of Office to Council Member-elect Tamera Bounds.*

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

**ELECTION OF MAYOR PRO TEM**

*City Secretary Susana Marin provided the Council with ballots to elect a new Mayor Pro Tem. Mayor Evans announced the new Mayor Pro Tem elected was Mike Leyman.*

**CITIZEN COMMENTS**

*Mayor Evans read the comments received from the following people:*

*Michael Orr - 200 Juniper Street - Mr. Orr thanked Mayor Cook and Council Member Newsom for their service to the City of Mansfield.*

*Eric Peterson - 2508 Elliott Avenue - Mr. Peterson expressed his sincere appreciation to the City of Mansfield for the tribute to his son, Lancaster Firefighter Paramedic Brandon Peterson.*

*Charles Colston, Jr. - 610 Montclair Drive - Mr. Colston congratulated Mayor Evans.*

**COUNCIL ANNOUNCEMENTS**

*Mayor Pro Tem Leyman thanked the Council for electing him Mayor Pro Tem and asked Mayor Evans for a moment of silence to honor Brandon Peterson.*

*Council Member Short had no announcements.*

*Council Member Lewis had no announcements.*

*Council Member Tonore had no announcements.*

*Council Member Bounds stated she was excited to be there, excited to work with Council, and hopes to do her position great honor.*

*Council Member Broseh thanked Mayor Cook for his service.*

*Mayor Evans had no announcements.*

**STAFF COMMENTS**

**City Manager Report or Authorized Representative**

Current/Future Agenda Items

Quarterly Reports: Mansfield Economic Development Corporation, Mansfield Park Facilities Development Corporation, Planning and Zoning Commission, Public Works, Code Enforcement, Communications and Marketing, Library, Mansfield Historical Museum and Heritage Center, Mansfield Convention and Visitors Bureau

*Mr. Smolinski noted the Council received quarterly reports in their agenda packet and stated all of staff is excited to work with the new Mayor and Council Members.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

*No action was taken by the Council.*

**CONSENT AGENDA**

[20-3918](#)

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$239,175.00 and Approval of Contracts, Including Design and Survey Services with Teague Nall and Perkins, Inc., to Prepare FM 157 and S. Parkridge Sanitary Sewer Improvements for Public Bidding and Construction (Utility Fund)

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

**A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$239,175.00 AND APPROVAL OF CONTRACTS, INCLUDING DESIGN AND SURVEY SERVICES WITH TEAGUE NALL AND PERKINS, INC. TO PREPARE FM 157 AND S. PARKRIDGE SANITARY SEWER IMPROVEMENTS FOR PUBLIC**

**BIDDING AND CONSTRUCTION (UTILITY FUND)**

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3720-21

[20-3911](#)

Minutes - Approval of the December 14, 2020 5:00 P.M. Regular City Council Meeting Minutes

**A motion was made by Council Member Lewis to approve the minutes of the December 14, 2020 5:00 p.m. Regular City Council Meeting as presented.**

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

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

**Nay:** 0

**Abstain:** 0

[20-3912](#)

Minutes - Approval of the December 14, 2020 7:00 P.M. Regular City Council Meeting Minutes

**A motion was made by Council Member Lewis to approve the minutes of the December 14, 2020 7:00 p.m. Regular City Council Meeting as presented.**

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

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

**Nay:** 0

**Abstain:** 0

[20-3913](#)

Minutes - Approval of the December 17, 2020 Special City Council Meeting Minutes

**A motion was made by Council Member Lewis to approve the minutes of the December 17, 2020 Special City Council Meeting as presented. Seconded by Council Member Tonore. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Abstain:** 0

**END OF CONSENT AGENDA**

**PUBLIC HEARING AND FIRST READING**

[20-3917](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from SF-7.5/16 Single-Family Residential District to PD Planned Development District for Professional and Medical Office, Retail, Personal Service, Artist Studio, and Eating Place without Drive-Thru Service Uses on Approximately 0.46 acres Known as Lots 3 & 8, Block 4, Original Town of Mansfield, Located at 105 N 1st Ave.; Matthew Crocker (ZC#20-015)

*Director of Planning and Development Matt Jones made a brief presentation and answered Council questions. Applicant Felix Wong answered Council questions. Mayor Evans opened the public hearing at 8:18 p.m. With no one wishing to speak, Mayor Evans continued the public hearing through second reading at 8:18 p.m.*

**A motion was made by Council Member Lewis 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 HERINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR PROFESSIONAL AND MEDICAL OFFICE, RETAIL, PERSONAL SERVICE, ARTIST/MUSICIAN/PHOTOGRAPHY STUDIO, AND EATING PLACE WITHOUT DRIVE-THRU SERVICE 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," with the conditions that 70% of the siding is a cementitious material rather than wood and that the minimum building square footage be 2,000 square feet, or as low as 1,800 square feet if a front or rear patio is included. Seconded by Council Member Short. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Abstain:** 0

**ADJOURN**

**A motion was made by Council Member Lewis to adjourn the meeting at 8:20 p.m. Seconded by Mayor Pro Tem Leyman. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Abstain:** 0

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

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



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3919

**Agenda Date:** 1/25/2021

**Version:** 1

**Status:** First and Final Reading

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:**

**Title**

Ordinance - Public Hearing and Consideration of an Ordinance Setting Forth the Standards of Care for the Recreation Department's Kids Zone Program for the City of Mansfield; Providing for the Operational Standards of the Administration for the Program; Providing for the Inspecting, Monitoring, and Enforcement of the Standards of Care; Providing for the Staffing Levels, Training and Responsibilities for Those Working in the Program, Providing for Facility Standards; Providing for a Cumulative Clause; Providing for a Severability Clause; Providing for an Effective Date

**Requested Action**

Approve Ordinance Adopting the "Standards of Care"

**Recommendation**

Adopt Ordinance establishing the "Standards of Care" that will allow the Recreation Department to offer youth day camp program, Monday through Friday, 8 am to 6 pm at the Mansfield Activities Center and/or MISD schools.

**Description/History**

In 1995, during the 74th State Legislation Session, Senate Bill 212 was passed. This Bill exempts certain youth programs from child-care licensing requirements including elementary-age (ages 5-13) recreation programs operated by a municipality.

The governing body of the municipality must annually adopt "Standards of Care" by ordinance after a public hearing. The ordinance shall include staffing ratios, staff qualifications, facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and further provide that parents be informed that the program is not licensed by the State and the program may not be advertised as a child-care facility.

**Justification**

The Recreation Department will be able to offer structured and staff-supervised youth day camp activities during school holidays. This program will consist of indoor and outdoor activities that will help build self-esteem, develop creativity, encourage teamwork and promote good sportsmanship.

**Funding Source**

N/A

**Prepared By**

Andrew Binz, Recreation Superintendent  
[Andrew.Binz@mansfieldtexas.gov](mailto:Andrew.Binz@mansfieldtexas.gov)  
817-728-3387



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, SETTING FORTH THE STANDARDS OF CARE FOR THE RECREATION DEPARTMENT'S KIDS ZONE PROGRAM FOR THE CITY OF MANSFIELD; PROVIDING FOR THE OPERATIONAL STANDARDS OF THE ADMINISTRATION FOR THE PROGRAM; PROVIDING FOR THE INSPECTING, MONITORING, AND ENFORCEMENT OF THE STANDARDS OF CARE; PROVIDING FOR THE STAFFING LEVELS, TRAINING AND RESPONSIBILITIES FOR THOSE WORKING IN THE PROGRAM; PROVIDING FOR FACILITY STANDARDS; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mansfield, Texas, (the "City") 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**, a home rule municipality may exercise its police power authority to safeguard the health, comfort and general welfare of its citizens, and may regulate the standards of care for the City's Kids Zone program; and

**WHEREAS**, Section 42.041 (b)(14) of the Texas Human Resources Code provides an exception for a municipality from the requirements of obtaining a license to operate an elementary-age recreation program provided the municipality annually adopts standards of care by ordinance after a public hearing for such programs; and

**WHEREAS**, the City Council desires to adopt "Standards of Care" for the City's Recreation Department's Summer Youth Program.

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

**SECTION 1.**

These Standards of Care as referenced herein as "Exhibit A" are intended to be minimum standards by which the City of Mansfield Parks and Recreation Department will operate the City's Kids Zone Program. The program operated by the City is recreational in nature and is not a day care program. The following Standards of Care are hereby adopted by the City Council of the City of Mansfield, Texas in order to comply with Section 42.041 (b)(14) of the Texas Human Resources Code.

**SECTION 2.**

**CUMULATIVE CLAUSE**

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

**SECTION 3.**

**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 4.**

**EFFECTIVE DATE**

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

DULY PASSED AND ADOPTED on first and final reading the 25<sup>th</sup> day of January, 2021.

\_\_\_\_\_  
**Michael Evans, Mayor**

ATTEST:

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

APPROVED AS TO FORM AND LEGALITY:

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

**CITY OF MANSFIELD  
KIDS ZONE PROGRAM  
2021 STANDARDS OF CARE**

The following Standards of Care have been adopted by the City Council of the City of Mansfield, Texas in order to comply with Senate Bill 212 as approved by the Texas Legislature during the 74th legislative session (1995). The Standards of Care are intended to be minimum standards by which the City of Mansfield Parks and Recreation Department will operate the City's Kids Zone Program. **The programs operated by the City are recreational in nature and are not day care programs.**

**GENERAL ADMINISTRATION**

1. Organization

- A. The governing body of the City of Mansfield's Kids Zone Program is the Mansfield City Council.
- B. Implementation of the Kids Zone Standards of Care is the responsibility of the Recreation Superintendent and Departmental employees.
- C. The Standards of Care for Kids Zone will apply to any Kids Zone program including Day Camp, Kids Day Off, After Dark and After School.
- D. Each Kids Zone site will have available for public and staff review a current copy of the Standards of Care.
- E. Parents of participants will have access to a current copy of the Standards of Care during the registration process.
- F. Criminal background checks will be conducted on prospective Kids Zone employees. If results of that criminal check indicate that an applicant has been convicted of any of the following offenses, he or she will not be considered for employment:
  - (1) a felony or a misdemeanor classified as an offense against a person or family;
  - (2) a felony or misdemeanor classified as public indecency;
  - (3) a felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance;
  - (4) any offense involving moral turpitude;
  - (5) any offense that would potentially put youth participants or the City of Mansfield at risk.

2. Definitions

- A. City: City of Mansfield
- B. City Council: City Council of the City of Mansfield
- C. Department: Parks and Recreation Department of the City of Mansfield

- D. Kids Zone: City of Mansfield’s youth programs consisting of Day Camp, Kids Day Off, After School and After Dark
- E. Parent Handbook: Booklet of policies, procedures, required forms, and organizational and programming information relevant to the Kids Zone Program
- F. Manager: City of Mansfield’s Activities Center Manager who will handle administrative responsibility for the City of Mansfield’s Kids Zone Program in the Program Coordinator’s absence
- G. Program Coordinator: City of Mansfield Parks and Recreation Department full-time Coordinator who has been assigned administrative responsibility for the Kids Zone Program
- H. Program Site: The facilities and surrounding property where the Kids Zone Program is held, consisting of, but not limited to, the Mansfield Activities Center and/or MISD schools
- I. Participant: A youth whose parent(s) have completed all required registration procedures and determined to be eligible for the appropriate Kids Zone Program
- J. Parent(s)/Guardian(s): This term will be used to represent one or both parent or adults who have legal custody and authority to enroll their child(ren) in the Kids Zone Program
- K. Program Employee(s): Term used to describe people who have been hired to work for the City of Mansfield and have been assigned responsibility for managing, administering, or implementing some portions of the Kids Zone Program

### 3. Inspections/Monitoring/Enforcement

- A. The Manager will make visual inspections of the Kids Zone Programs based on the following schedule:
  - (1) The Day Camp Program will be inspected twice during its summer schedule and once during its winter break and once during its spring break.
  - (2) The After School Program will be inspected once during the fall semester and once during the spring semester.
- B. Complaints regarding enforcement of the Standards of Care will be directed to the Program Coordinator. The Program Coordinator will be responsible to take the necessary steps to resolve the problems. The Program Coordinator will record complaints regarding enforcement of the Standards of Care and their resolution. The Manager will address serious complaints regarding enforcement of the Standards of Care, and the complaint and its resolution will be noted.

### 4. Enrollment

- A. Before a child can attend and be signed into a Kids Zone Program, a parent(s)/guardian(s) must complete registration forms that contain the child's:
  - (1) name, address, home telephone number;

- (2) name and address of parent(s)/guardian(s), email address, and telephone number during Program hours;
- (3) the names of people to whom the child may be released;
- (4) a statement of the child's special physical, emotional or medical needs (may be required depending on Kids Zone program registered for);
- (5) emergency medical authorization (may be required depending on Kids Zone program registered for);
- (6) proof of residency when appropriate; and
- (7) a liability waiver.

## 5. Suspected Abuse

Program employees will report suspected child abuse or neglect in accordance with the Texas Family Code. In the case where a City employee is involved in an incident with a child that could be construed as child abuse, the incident must be reported immediately to the Manager. The Manager will immediately notify the Police Department and any other agency as may be appropriate.

Texas state law requires the staff of these youth programs to report any suspected abuse or neglect of a child to the Texas Department of Family and Protective Services or a law enforcement agency. Failure to report suspected abuse is punishable by fines up to \$1,000 and/or confinement up to 180 days. Confidential reports may be made by calling 1-800-252-5400.

## **STAFFING - RESPONSIBILITIES AND TRAINING**

### 6. Program Coordinator Qualifications

- A. The Program Coordinator will be a full-time, professional employee of the Mansfield Parks and Recreation Department and will be required to have all Program Employee qualifications as outlined in Section 8 of this document.
- B. The Program Coordinator must be at least 21 years old.
- C. The Program Coordinator must have a bachelor's degree from an accredited college or university.
- D. The Program Coordinator must have previous experience planning and implementing recreational activities.
- E. The Program Coordinator must pass a background investigation including testing for illegal substances.
- F. The Program Coordinator must have successfully completed a course in first aid, Cardio Pulmonary Resuscitation (CPR) and Automated External Defibrillator (AED) based on either American Heart Association or American Red Cross standards.

## 7. Program Coordinator's Responsibilities

- A. The Program Coordinator is responsible for administering the Kids Zone Programs daily operations in compliance with the adopted Standards of Care.
- B. The Program Coordinator is responsible for recommending for hiring, supervising, and evaluating Program Employees.
- C. The Program Coordinator is responsible for planning, implementing, and evaluating programs.

## 8. Program Employee Qualifications

- A. Program employees will be part-time or temporary employees of the Parks and Recreation Department.
- B. Program employees working with children must be 18 years or older.
- C. Program employees should be able to consistently exhibit competency, good judgment, and self-control when working with children.
- D. Program employees must relate to children with courtesy, respect, tolerance, and patience.
- E. Program employees must have successfully completed a course in first aid and CPR/AED based on either American Heart Association or American Red Cross standards. An exception can be made for no more than one staff person at each site, and that person shall successfully complete a first aid and CPR/AED course within four weeks of starting work.
- F. Program employees must pass a background check including testing for illegal substances.

## 9. Program Employees' Responsibilities

- A. Program Employees will be responsible for providing participants with an environment in which they feel safe, enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.
- B. Program Employees will be responsible for knowing and following all City, Departmental, and Program standards, policies and procedures that apply to the appropriate Kids Zone Program.
- C. Program Employees must ensure that participants are released only to a parent or an adult designated by the parent(s)/guardian(s). All Program sites will have a copy of the Department approved plan to verify the identity of a person authorized to pick up a participant if that person is not known to the Program Employee.

## 10. Training/Orientation

- A. The Department is responsible for providing training and orientation to Program employees in working with children and for specific job responsibilities.

- B. Program employees must be familiar with the Standards of Care for the Kids Zone Program operation as adopted by the City Council.
- C. Program employees must be familiar with the Program's policies including discipline, guidance, and release of participants as outlined in the Parent Handbook.
- D. Program employees will be trained in appropriate procedures to handle emergencies.
- E. Program employees will be trained in areas including City, Departmental, and Program policies and procedures, provision of recreation activities, safety issues, and organization.
- F. Program employees will be required to sign an acknowledgement that they received the required training.

## **OPERATIONS**

### 11. Staff-Participant Ratio

- A. The standard ratio of participants to staff will be 12 to 1. In the event a staff member is unable to report to the Program site, a qualified replacement will be assigned.
- B. Program employees are responsible for being aware of the participants' habits, interests, and special needs as identified by the participants' parent/guardian during the registration process.

### 12. Discipline

- A. Program employees will implement discipline and guidance in a consistent manner based on the best interests of Program participants.
- B. There will be no cruel, harsh or corporal punishment or treatment.
- C. Program employees may use brief, supervised separation from the group, if necessary.
- D. As necessary, Program employees will initiate discipline reports to the parent(s)/guardian(s) of participants. Parent(s)/guardian(s) will be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.
- E. A sufficient number and/or severe nature of discipline reports as detailed in the Parent Handbook may result in a participant being suspended from the Kids Zone Program.
- F. In instances where there is a danger to participants or staff, offending participants will be removed from the Kids Zone Program immediately.
- G. Any person(s) creating a nuisance, causing a disturbance, or creating an unsafe environment at any Program Site will be subject to expulsion from the site and possible arrest and legal action.

### 13. Programming

- A. Program employees will attempt to provide activities for each group according to the participants' ages, interests, and abilities. The activities must be appropriate to participants'

health, safety, and well-being. The activities also must be flexible and promote the participants' emotional, social, and mental growth.

- B. Program employees will attempt to provide indoor and outdoor time periods that include:
  - (1) alternating active and passive activities;
  - (2) opportunity for individual and group activities, and
  - (3) outdoor time each day, weather permitting.
  
- C. Program employees will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the Program.
  - (1) During trips, Program employees supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant.
  - (2) Program employees must have a written list of the participants in the group and must check the roll frequently.
  - (3) Program employees must have first aid supplies and a guide to first aid and emergency care available on field trips.

#### 14. Communication

- A. Each Program site will have access to a cell phone or telephone for use in contacting the Mansfield Activities Center or making emergency calls.
  
- B. The Program Coordinator will make accessible the following telephone numbers to all Program employees:
  - (1) Mansfield ambulance or emergency medical services;
  - (2) Mansfield Police Department;
  - (3) Mansfield Fire Department;
  - (4) Mansfield Activities Center;
  - (5) Numbers at which parent(s)/guardian(s) may be reached.

#### 15. Transportation

- A. Before a participant may be transported to and from city-sponsored activities, a medical form and waiver, completed by the parent of the participant, must be filed with the Program Coordinator.
  
- B. Before a program employee can drive a 15-passenger van that is transporting children, they must:

- (1) be at least 18 years of age with a valid Texas driver's license;
  - (2) successfully pass a background check and drug test;
  - (3) complete an online 15- passenger van safety training and keep the certificate of completion with employee's file;
  - (4) complete one (1) hour of supervised driving time with a supervisor;
  - (5) read the Mansfield Parks & Recreation Transportation Guide;
  - (6) complete department required training.
- C. First aid supplies, a first aid and emergency care guide, and a working cell phone will be available in all Program vehicles that transport children.
  - D. All Program vehicles used for transporting participants must have available a 6-BC portable fire extinguisher which will be installed in the passenger compartment of the vehicle and must be accessible to the adult occupants.
  - E. All children must be securely seated in the appropriate safety seat/booster based on state child safety law.

## **FACILITY STANDARDS**

### 16. Safety

- A. Program employees will inspect Program sites daily to detect sanitation and safety concerns that might affect the health and safety of the participants.
- B. Buildings, grounds, and equipment on the Program site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.
- C. Program equipment and supplies must be safe for the participants' use.
- D. Program employees must have first aid supplies readily available at each site, during transportation to an off-site activity, and for the duration of any off-site activity. Program employees must have an immediately accessible guide to first aid and emergency care.
- E. Program air conditioners, electric fans, and heaters must be mounted out of participants' reach or have safeguards that keep participants from being injured.
- F. Program porches and platforms more than 30 inches above the ground must be equipped with railings participants can reach.
- G. All swing seats at Program sites must be constructed of durable, lightweight, relatively pliable material.

## 17. Fire

- A. In case of fire, danger of fire, explosion, or other emergency, Program employees' first priority is to evacuate the participants to a designated safe area.
- B. The Program site will have an annual fire inspection by the local Fire Department personnel, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Activities Center Manager who will review and establish deadlines and criteria for compliance.
- C. Each Program site must have at least one fire extinguisher approved by the Fire Marshal readily available to all Program employees. All Program employees will be trained in the proper use of fire extinguishers and their location.
- D. Fire drills will be initiated at Program sites based on the following schedule:
  - (1) Day Camp Program: A fire drill twice during the summer.
  - (2) After School Program: A fire drill once during the fall semester and once during the spring semester.

## 18. Health

- A. Illness or Injury
  - (1) A participant who is considered to be a health or safety concern to other participants or employees will not be admitted to any Kids Zone Program.
  - (2) Illnesses and injuries will be handled in a manner to protect the health of all participants and employees.
  - (3) Program employees will follow plans to provide emergency care for injured participants with symptoms of an acute illness as specified in the Parent Handbook.
  - (4) Program employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.
- B. Program employees will administer medication only if:
  - (1) Parent(s) complete and sign a medication form that provides authorization for staff to dispense medication with details as to time and dosages for prescription and non-prescription medication. The form will include a hold harmless clause to protect the City.
  - (2) Prescription medications are in the original containers labeled with the child's name, a date, directions, and the physician's name. Program employees will administer the medication only as stated on the label. Program employees will not administer medication after the expiration date.

- (3) Nonprescription medications are labeled with the child's name and the date the medication was brought to the appropriate Kids Zone Program. Nonprescription medication must be in the original container. Program employees will administer it only according to label directions.
- (4) Medication dispensed will be limited to routine oral ingestion not requiring special knowledge or skills on the part of Program employees. No injections will be administered by the Program employees.
- (5) Program employees must ensure medications are inaccessible to participants or, if it is necessary to keep medications in the refrigerator (when available), medications will be kept separate from food.

#### C. Toilet Facilities

- (1) The Program site will have inside toilets located and equipped so children can use them independently and Program staff can supervise as needed.
- (2) There must be one flush toilet for every 30 children. Urinals may be counted in the ratio of toilets to children, but they must not exceed 50% of the total number of toilets.

#### D. Sanitation

- (1) The Program facilities must have adequate light, ventilation, and heat.
- (2) The Program must have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a safe and sanitary manner.
- (3) Program employees must see that garbage is removed from buildings daily.

Reviewed 1/7/20



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 21-3931

**Agenda Date:** 1/25/2021

**Version:** 1

**Status:** Public Hearing

**In Control:** City Council

**File Type:** Consideration Item

**Agenda Number:**

**Title**

Public hearing and consideration of a request for a Specific Use Permit for a car wash on approximately 0.72 acres known as Lot 3, Block 1, Racetrac Addition, located at 3211 E. Broad St.; John Huffman of Broad Street Investments, LLC (SUP#20-020)

**Requested Action**

To consider the subject specific use permit request.

**Recommendation**

The Planning and Zoning Commission held a public hearing on January 4, 2021, and voted 7-0 to recommend approval. There was discussion regarding ingress and egress, how this business would interact with the adjacent car wash, customer waiting areas, signage, re-staining of the wood tower element, and what would happen to the existing dry cleaning business. The applicant indicated that customers would park their vehicles outside and a worker would then bring the vehicle inside to be worked on and customers could wait at the waiting room on-site or in the larger waiting room in the car wash next door, or leave and return when their vehicle was done. The applicant indicated that the Threads Dry Cleaning sign would be removed and the new sign for Clean Getaway Detail Center would be installed in its place and also agreed to re-stain the remainder of the wood tower element. The applicant hasn't decided what would happen to the dry cleaning business, but indicated that if it continues on, it would be relocated to another site. The changes to accommodate the new detailing center use would likely happen over the course of a few months, once approved.

**Description/History**

*Existing Use:* Drive-thru dry cleaning service

*Existing Zoning:* C-2 Community Business District

*Surrounding Land Use & Zoning:*

North - Vacant land, C-2

South - E. Broad St.; gas station and drive-thru restaurant (PD) across the street

East - Auto repair garage, C-2

West - Car wash, PD

*Thoroughfare Plan Specification:*

E. Broad St. - principal arterial (six-lane divided)

## **Comments and Considerations**

The subject property consists of 0.72 acres improved with a 4,028 sq. ft. commercial building and 23-space parking lot, located at 3211 E. Broad St. A drive-thru dry cleaning service called Threads Dry Cleaning currently operates on the property. The applicant is requesting a Specific Use Permit for a car wash to convert the property to an indoor auto detailing center called Clean Getaway Detail Center that will serve as a complementary business to the adjacent Clean Getaway Car Wash business to the west. The applicant plans some minor interior and exterior improvements to accommodate the new business.

### Site Plan

The existing 4,028 sq. ft. commercial building and 23-space parking lot will largely remain as-is aside from some changes to the north end of the building, primarily a new overhead door at the northeast corner to accommodate vehicles coming into the building and some other interior improvements to accommodate the requested change in use. The property has access to Cannon Drive and East Broad Street via a two-way common access drive along the front of the property that connects to the adjacent properties to the east and west and then out to Cannon and Broad. Beyond the parking areas on the south and east sides of the building, one-way circulation is provided around the north and west sides of the building and the covered portico on the west side of the building will remain. Direct pedestrian access is provided to the property by a sidewalk that connects to the sidewalk along Broad. The trash enclosure will remain at its current location on the east side of the building. The applicant notes that all equipment will be screened in accordance with the Zoning Ordinance and that there will be no outside storage of materials or vehicles on the property.

### Elevations and Floor Plan

The applicant has provided photos of the building that show a predominantly stone front façade with a wood tower feature and mostly brick materials with a stone base on the side and rear elevations. The portico includes masonry columns. Building materials calculations have been provided showing 100% masonry on the side and rear elevations and 66% masonry and 33% wood on the front elevation; in total, the building is 91.5% masonry. In addition, floor plans have been provided showing the existing layout and the new layout. The primary changes to the floor plan are the addition of an overhead door to accommodate the interior auto detailing that is planned for the site, with four vehicle work stations shown.

### Landscape Plan

A landscape plan has been provided, showing the landscaping to remain as-is. The landscaping includes 15 vitex trees in the 10' buffers along the side and rear property lines, 10 palm trees in the parking lot areas near the front of the building, and 5 crepe myrtles in the 20' landscape setback along East Broad Street. The parking lot is screened by holly bushes and additional shrubs include rosebushes and elaeagnus plants.

### Sign Plan

The sign plan shows the existing wall sign on the front of the building to be changed to accommodate the new business. In addition, the existing monument sign will be reconfigured to provide for a new sign that is 8' wide and 9' tall, including a 2' masonry

base to match the building; the sign area will be about 23 sq. ft. It is noted that the property will follow the standards for C-2 zoning as it relates to signage.

Summary

The subject property is located in the C-2 Community Business District, which allows car wash uses with a Specific Use Permit. The surrounding area largely includes automotive-related uses and other vehicle-oriented businesses, including a car wash, oil change shop, gas stations, and drive-thru restaurants. The requested use will better complement the surrounding businesses and small modifications will be made to the existing building to ensure vehicle service operations are conducted inside the building. As a result, adverse impacts to surrounding properties are not expected. In addition, the existing architecture and landscaping are of high quality and meet or exceed the City's zoning requirements and the new signage will adhere to the zoning requirements as well.

**Attachments:**

Maps and Supporting Information

Exhibit A

Exhibits B - E

Prepared By

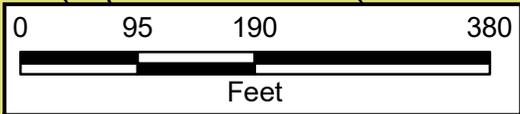
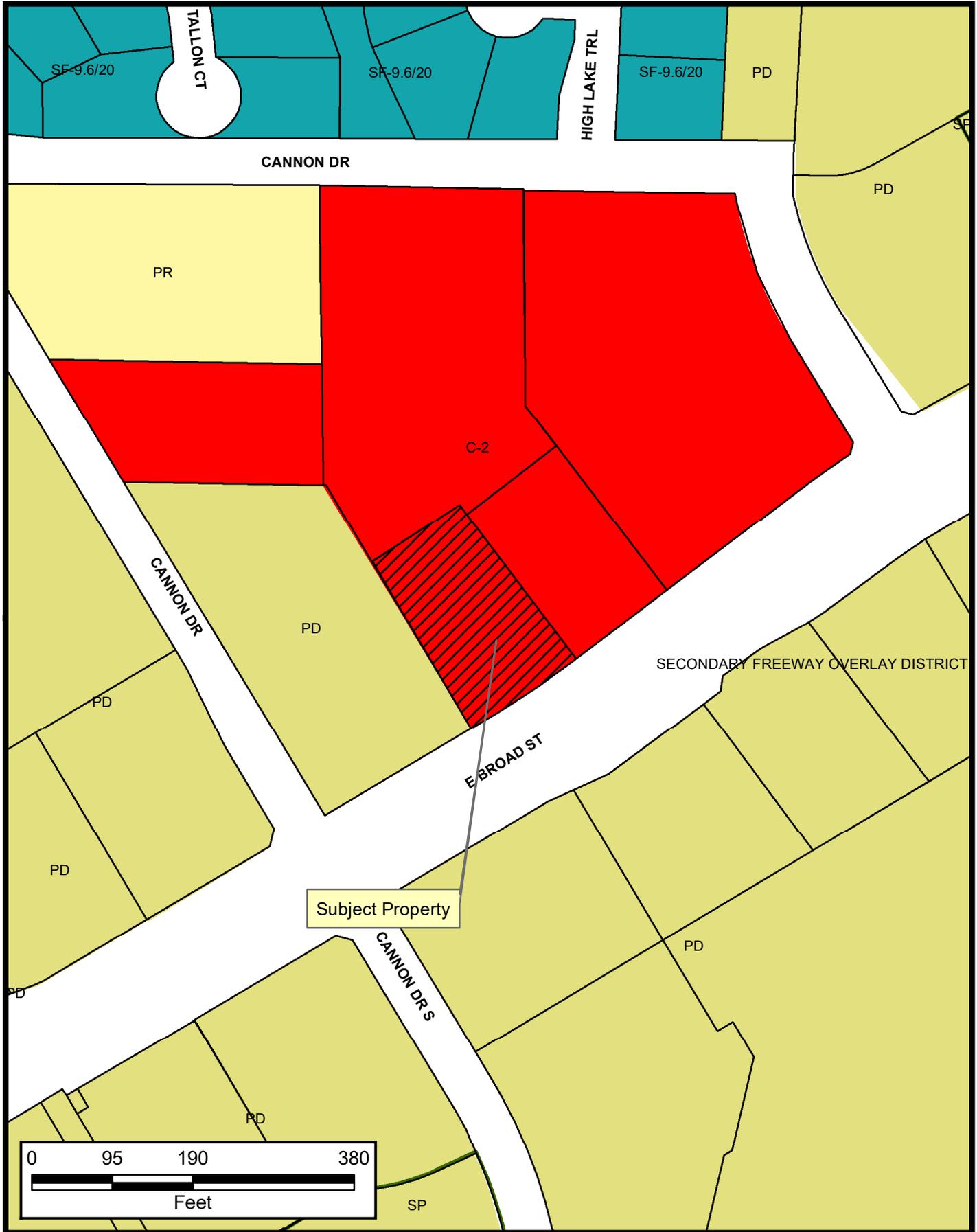
Andrew Bogda, Planner for the Planning Department



**SUP#20-020**

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.

12/15/2020



**SUP#20-020**

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12/15/2020

Property Owner Notification for SUP#20-020

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
BACK, J SURVEY	A 126	3216 CANNON LLC	1703 N PEYCO DR	ARLINGTON, TX	76001
BACK, J SURVEY	A 126	DELANEY, JOSEPH P	800 W LOOP 820 S	FT WORTH, TX	76108
BROAD STREET COMMONS	BLK 1	KROGER TEXAS LP	1014 VINE ST	CINCINNATI, OH	45202-1141
BROAD STREET COMMONS	BLK 1	CHICK-FIL-A	5200 BUFFINGTON RD	ATLANTA, GA	30349
BROAD STREET COMMONS	BLK 1	VAQUERO MANSFIELD PARTNERS LLC	2900 WINGATE ST STE 200	FORT WORTH, TX	76107
RACETRAC ADDITION - MANSFIELD	BLK 1	RACETRAC PETROLEUM INC	PO BOX 2437	SMYRNA, GA	30081
RACETRAC ADDITION - MANSFIELD	BLK 1	BARRELMAKER ENTERPRISES INC	606 MCKOWN DR	MANSFIELD, TX	76063-2126
RACETRAC ADDITION - MANSFIELD	BLK 1	BROAD STREET INVESTMENTS LLC	13150 COIT RD STE 205	DALLAS, TX	75240
RACETRAC ADDITION - MANSFIELD	BLK 1	JHPR II LLC	13150 COIT RD STE 205	DALLAS, TX	75240

Exhibit A

SUP #20-020

TRACT I:

All that certain tract of land situated in the Jacob Back Survey, Abstract No. 126, City of Mansfield, Tarrant County, Texas, known as Lot 3, Block 1, RACETRAC ADDITION, an addition to the City of Mansfield, Tarrant County, Texas, according to the plat recorded in County Clerk's Number D212077312, Deed Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap stamped "RPLS 4838" set for the Southeast corner of said Lot 3, same being the Southwest corner of Lot 2, Block 1, Racetrac Addition, an addition to the City of Mansfield according to the plat thereof recorded in County Clerk's File Number D209171210, Deed Records, Tarrant County, Texas, said iron rod also being in the existing North right-of-way line of East Broad Street (120' right-of-way);

THENCE South 52 degrees 52 minutes 18 seconds West with the Southeast line of said Lot 3 and said existing North right-of-way line of East Broad Street, a distance of 3.59 feet to a 5/8 inch iron rod with cap stamped "RPLS 4838" set for the beginning of a curve to the right whose long chord bears South 53 degrees 21 minutes 27 seconds West, a distance of 21.67 feet;

THENCE Southwesterly, continuing with the Southeast line of said Lot 3 and said existing North right-of-way line of East Broad Street, curving to the right, having a radius of 1140.00 feet, through a central angle of 01 degrees 05 minutes 21 seconds, for an arc distance of 21.67 feet to a 5/8 inch iron rod with cap stamped "RPLS 4838" set for the beginning of a curve to the right whose long chord bears South 61 degrees 23 minutes 50 seconds West, a distance of 66.60 feet;

THENCE Southwesterly, continuing with the Southeast line of said Lot 3 and said existing North right-of-way line of East Broad Street, curving to the right, having a radius of 1126.84 feet, through a central angle of 03 degrees 23 minutes 13 seconds, for an arc distance of 66.61 feet to a 5/8 inch iron rod with cap stamped "RPLS 4838" set for the beginning of a curve to the left whose long chord bears South 61 degrees 45 minutes 30 seconds West, a distance of 53.48 feet;

THENCE Southwesterly, continuing with the Southeast line of said Lot 3 and said existing North right-of-way line of East Broad Street, curving to the left, having a radius of 1149.84 feet, through a central angle of 02 degrees 39 minutes 54 seconds, for an arc distance of 53.48 feet to a 5/8 inch iron rod with cap stamped "RPLS 4838" set for the Southwest corner of said Lot 3, same being the Southeast corner of Lot 4, Block 1, Racetrac Addition, an addition to the City of Mansfield, according to the plat thereof recorded in County Clerk's File Number D212310689, Deed Records, Tarrant County, Texas;

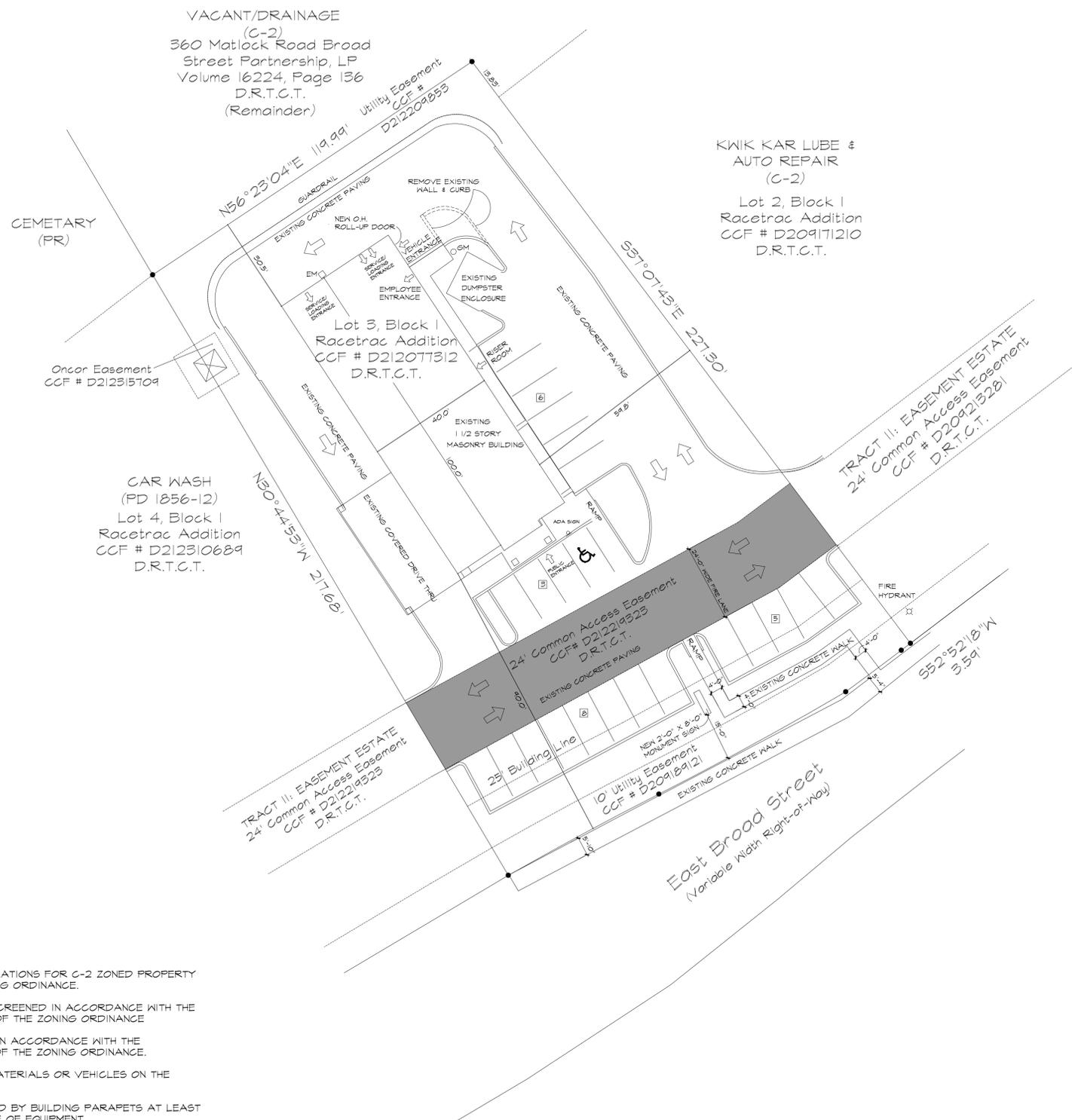
THENCE North 30 degrees 44 minutes 53 seconds West with the common line between said Lot 3 and said Lot 4, a distance of 217.68 feet to the Northwest corner of said Lot 3, same being a common corner with the remaining portion of that certain tract of land described in a deed to 360 Matlock Road Broad Street Partnership, as recorded in Volume 16224, Page 136, Deed Records, Tarrant County, Texas;

THENCE North 56 degrees 23 minutes 04 seconds East with the common line between said Lot 3 and said 360 Matlock Road Broad Street Partnership tract, a distance of 119.99 feet to a 5/8 inch iron rod with cap stamped "RPLS 4838" set for the Northeast corner of said Lot 3;

THENCE South 37 degrees 07 minutes 43 seconds East, continuing with the common line between said Lot 3 and said 360 Matlock Road Broad Street Partnership tract, at a distance of 13.83 feet, pass the Northwest corner of the aforesaid Lot 2, Block 1, Racetrac Addition, and continue with the common line between said Lot 3 and said Lot 2, a total distance of 227.30 feet to the PLACE OF BEGINNING, and containing a calculated area of 0.681 acres (29,645 square feet) of land, more or less.

TRACT II - Easement Estate:

Easement estates as to that land described in County Clerk's File Numbers D207138600, and D209213281; corrected in D212298323, Deed Records of Tarrant County, Texas.



SITE LEGEND	
	PARKING COUNT
	FIRE HYDRANT
	GAS METER
	ELECTRIC METER

**GENERAL NOTES:**

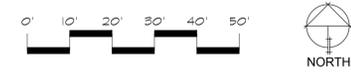
ALL SIGNAGE WILL COMPLY WITH THE REGULATIONS FOR C-2 ZONED PROPERTY AS OUTLINED IN SECTION 1100 OF THE ZONING ORDINANCE.

ALL EQUIPMENT SHALL BE DESIGNED AND SCREENED IN ACCORDANCE WITH THE REGULATIONS OUTLINED IN SECTION 1301.A OF THE ZONING ORDINANCE.

THE TRASH ENCLOSURE WILL BE SCREENED IN ACCORDANCE WITH THE REGULATIONS OUTLINED IN SECTION 1301.B OF THE ZONING ORDINANCE.

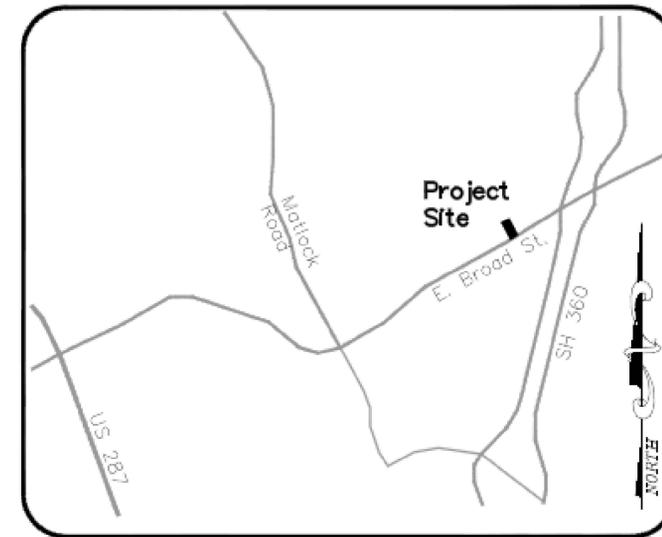
THERE WILL BE NO OUTSIDE STORAGE OF MATERIALS OR VEHICLES ON THE PROPERTY.

ALL ROOFTOP EQUIPMENT WILL BE SCREENED BY BUILDING PARAPETS AT LEAST ONE FOOT TALLER THAN THE TALLEST PIECE OF EQUIPMENT.



**01- ARCHITECTURAL CONCEPTUAL SITE PLAN**

SCALE: 1" = 20'-0"



VICINITY MAP  
N.T.S.  
SITE SUMMARY TABLE

General Site Data:	
Zoning	Commercial - C2
Land Use	INDOOR AUTO DETAILING
Lot Area	0.696 acres
Total Building Area (square feet)	4,028 sf
Building Height (stories)	1 story
Lot Coverage	13.3%
Floor Area Ratio	0.133:1
Parking:	
Parking Ratio Required	1 SPACE PER 500 SQ. FT.
Required Parking	4,028 / 500 SF = 8 SPACES
Provided Parking	23 spaces
Accessible Parking Required	1
Accessible Parking Provided	2

SITE PLAN FOR SUP SUBMITTAL	
CASE NUMBER:	CASE NUMBER: SUP #20-020
EXHIBIT:	EXHIBIT B
OWNER/DEVELOPER:	BROAD STREET INVESTMENTS, LLC 13150 COIT ROAD, SUITE #205 DALLAS, TX 75240 JOHN HUFFMAN 214-538-9322 JOHN@360INVESTTX.COM
PLAT:	LOT #3, BLOCK 1 RACETRAC ADDITION AN ADDITION TO THE CITY OF MANSFIELD TARRANT COUNTY, TEXAS  ACCORDING TO THE PLAT RECORDED IN COUNTY CLERK'S #D2120071312 DEED RECORDS, TARRANT COUNTY, TX
LOT SIZE:	0.681 ACRES
NUMBER OF LOTS:	1

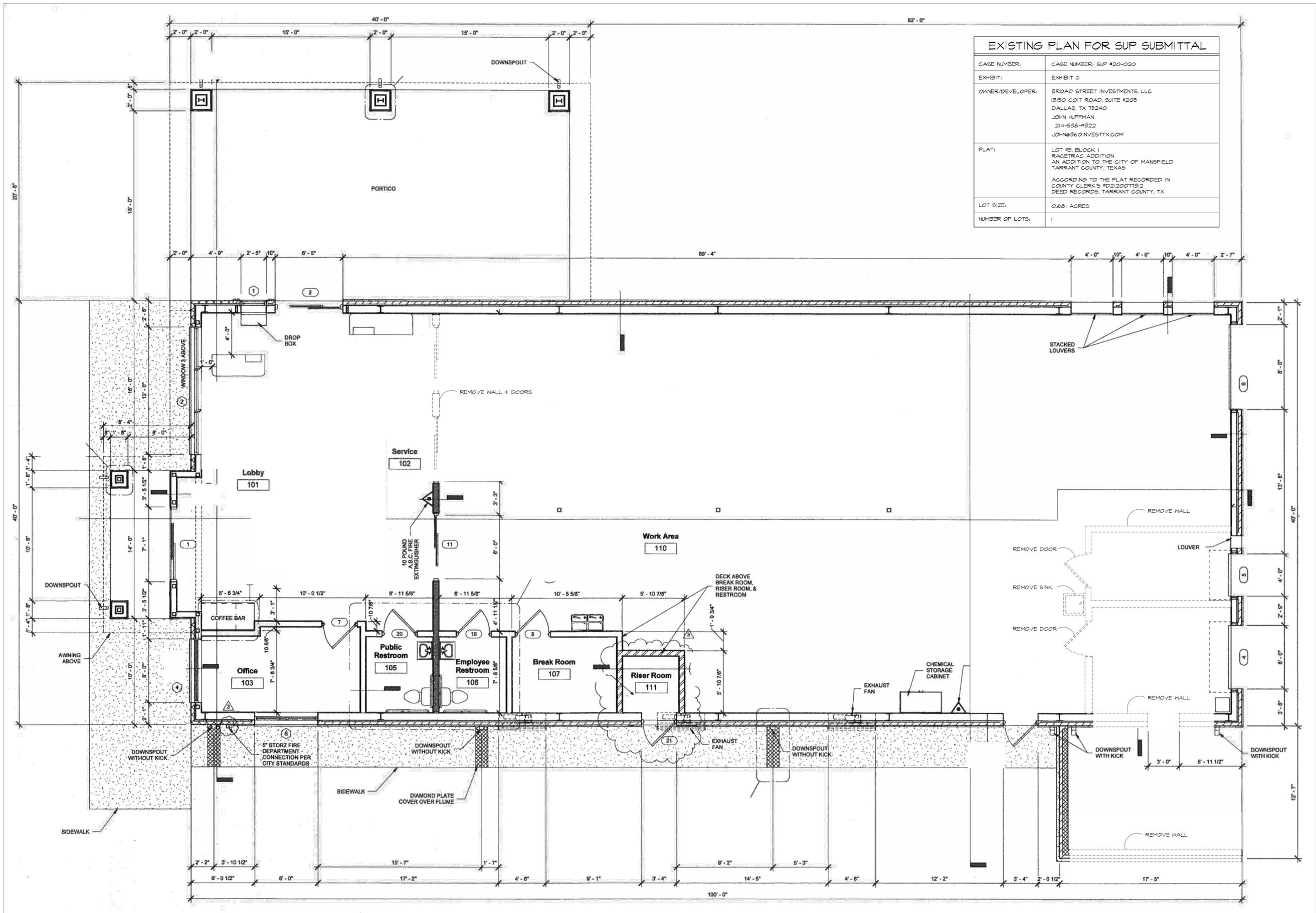
DATE  
REVISIONS

HUFFMAN INDUSTRIES - DETAIL CENTER  
3215 EAST BROAD STREET  
MANSFIELD, TX

**IKEMIRE ARCHITECTS LLC**  
ARCHITECTURE & INTERIORS  
PLANNING  
16660 DALLAS PKWY. SUITE 2900 DALLAS, TX 75248-2486 FAX 972-248-1557

**B-1**

SHEET 1 OF 1



EXISTING PLAN FOR SUP SUBMITTAL	
CASE NUMBER:	CASE NUMBER: SUP #20-020
EXHIBIT:	EXHIBIT C
OWNER/DEVELOPER:	BROAD STREET INVESTMENTS, LLC 13150 COIT ROAD, SUITE #205 DALLAS, TX 75240 JOHN HUFFMAN 214-538-4822 JOHN@BROADINVESTTX.COM
PLAT:	LOT #5, BLOCK 1 RACETRAC ADDITION AN ADDITION TO THE CITY OF MANSFIELD TARRANT COUNTY, TEXAS  ACCORDING TO THE PLAT RECORDED IN COUNTY CLERK'S #D2120071912 DEED RECORDS, TARRANT COUNTY, TX
LOT SIZE:	0.681 ACRES
NUMBER OF LOTS:	1

DATE  
REVISIONS

HUFFMAN INDUSTRIES - DETAIL CENTER  
3215 EAST BROAD STREET  
MANSFIELD, TX

IKEMIRE ARCHITECTS LLC  
ARCHITECTURE PLANNING INTERIORS  
16660 DALLAS PKWY. SUITE 2900 DALLAS, TX 972-248-2486 FAX 972-248-1557

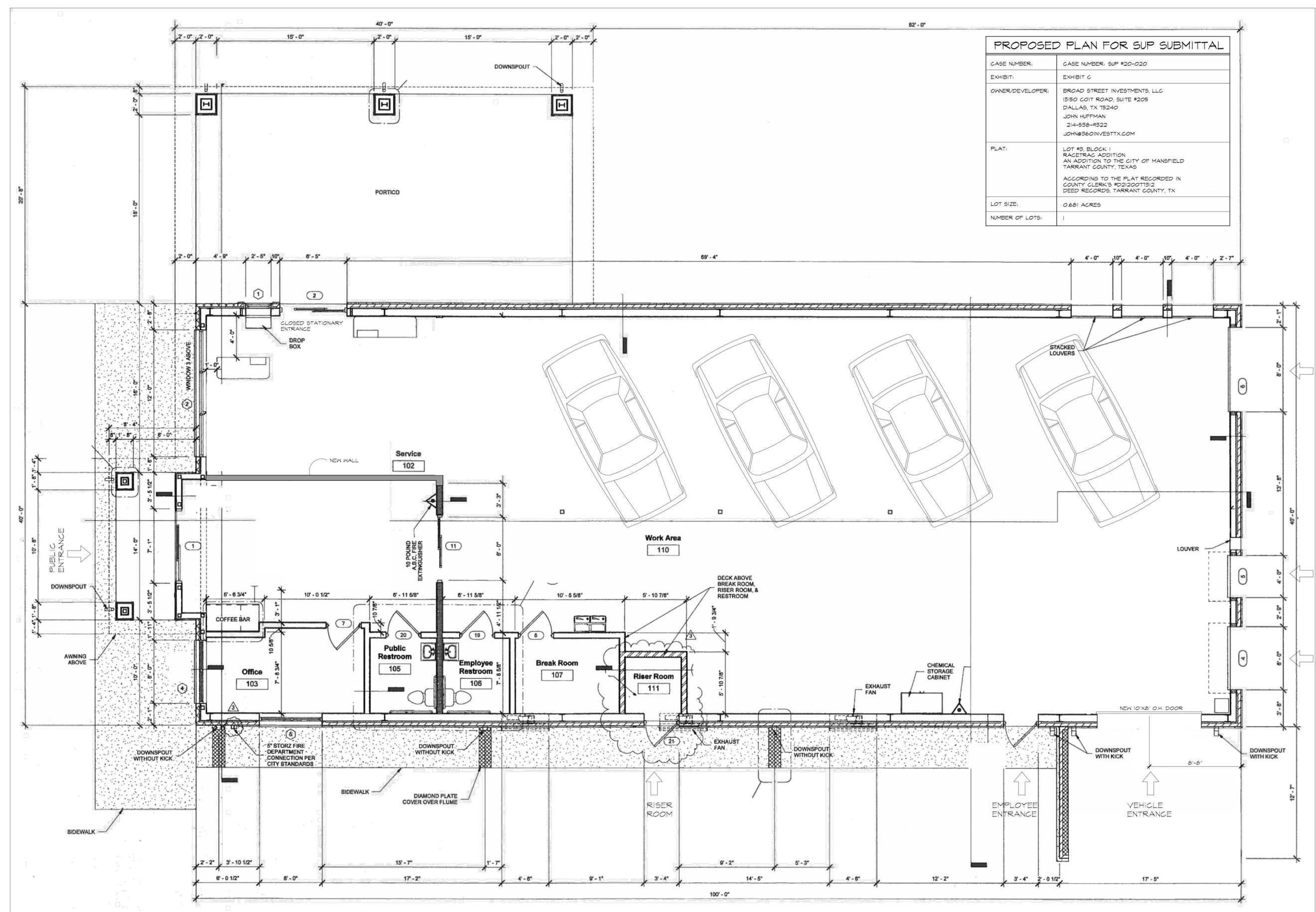
C-1  
SHEET 1 OF 1

01- EXISTING FLOOR PLAN

SCALE: 1/4" = 1'-0"

HUFFMAN INDUSTRIES - DETAIL CENTER  
3215 EAST BROAD STREET  
MANSFIELD, TX

**IKEMIRE ARCHITECTS LLC**  
ARCHITECTURE & PLANNING  
16660 DALLAS PKWY., SUITE 2900 DALLAS, TX 75248-2486 FAX 972-248-1557



PROPOSED PLAN FOR SUP SUBMITTAL	
CASE NUMBER:	CASE NUMBER: SUP #20-020
EXHIBIT:	EXHIBIT C
OWNER/DEVELOPER:	BROAD STREET INVESTMENTS, LLC 13150 COIT ROAD, SUITE #205 DALLAS, TX 75240 JOHN HUFFMAN 214-558-8322 JOHN@360INVESTTX.COM
PLAT:	LOT #3, BLOCK 1 RACETRAC ADDITION AN ADDITION TO THE CITY OF MANSFIELD TARRANT COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN COUNTY CLERK'S #0212007192 DEED RECORDS, TARRANT COUNTY, TX
LOT SIZE:	0.681 ACRES
NUMBER OF LOTS:	1

01- PROPOSED FLOOR PLAN

SCALE: 1/4" = 1'-0"



Threads

dry cleaning

Broad Street

RESERVED  
PARKING  
VAN  
ACCESSIBLE







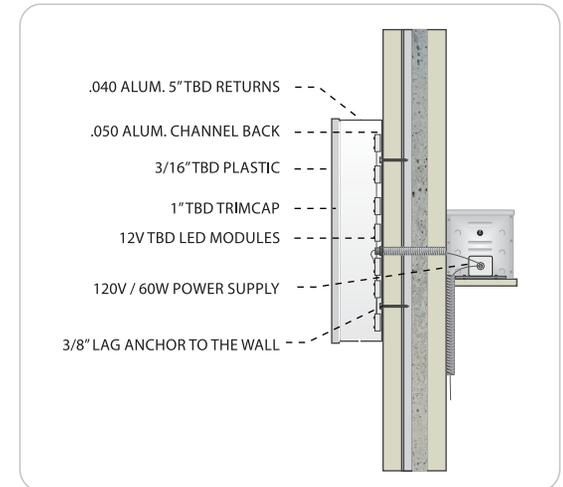
**SUP#20-020 EXHIBIT C  
MATERIAL PERCENTAGES**

	Fenestration % of	Wall Area % of	Masonry % of Net	Brick % of Net	Stone % of Net	Wood % of Net
	Gross Area	Gross Area	Wall Area	Wall Area	Wall Area	Wall Area
North Elevation	18.0%	82.0%	100.0%	74.0%	16.0%	0.0%
South Elevation	28.0%	72.0%	66.0%	0.0%	66.0%	33.0%
East Elevation	9.0%	36.8%	100.0%	74.0%	16.0%	0.0%
West Elevation	20.0%	80.0%	100.0%	74.0%	16.0%	0.0%
<b>TOTAL</b>	<b>18.8%</b>	<b>67.7%</b>	<b>91.5%</b>	<b>55.5%</b>	<b>28.5%</b>	<b>8.3%</b>



PROPOSED SIGN: ILLUMINATED CHANNEL LETTERS

CROSS SECTION



ENVELOPED SIGN AREA: 54.17 SQFT



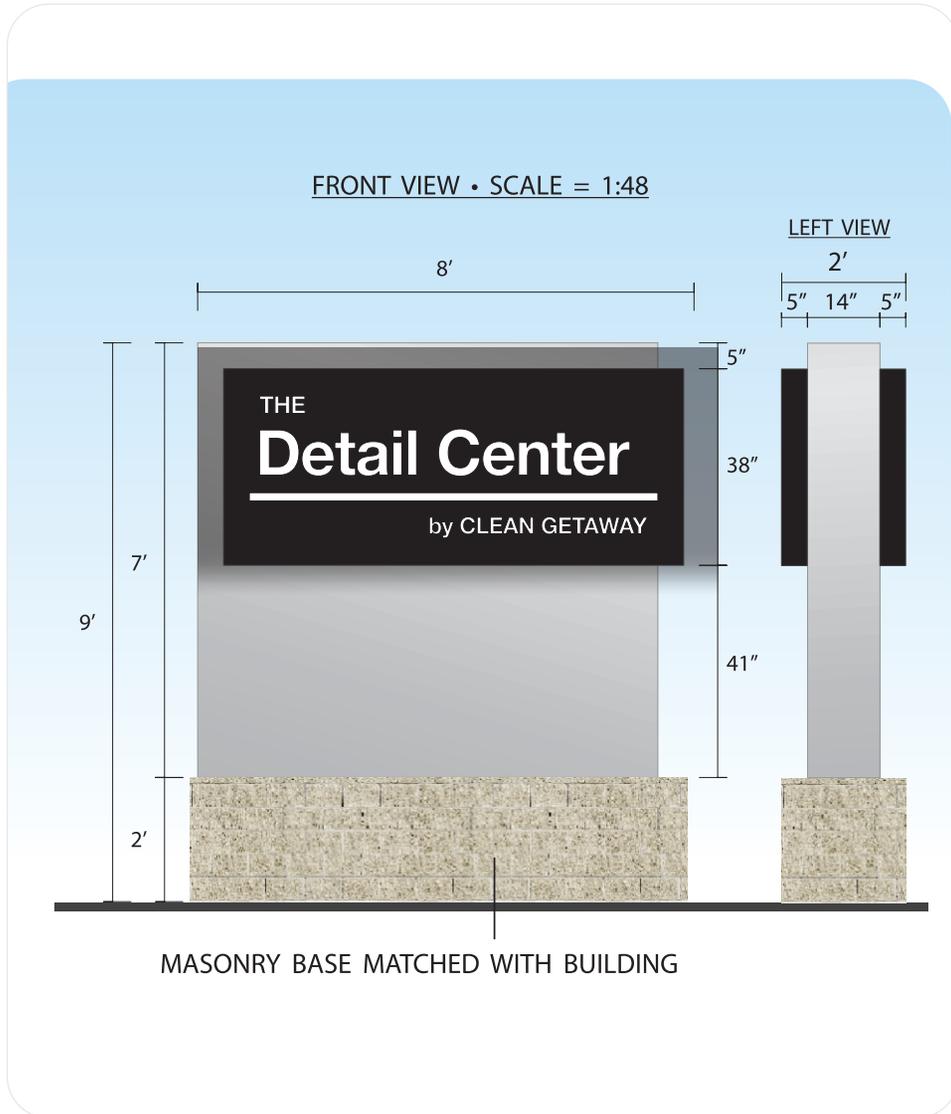
T 214.956.7811  
F 972.241.6744  
tps@texasprosigns.com  
2312 Fabens Rd.  
Dallas, TX 75229

**JOB TITLE** DETAIL CENTER BY CLEAN GETAWAY  
**LOCATION** 3211 E BROAD ST,  
MANSFIELD, TX  
**SCALE** 1:96  
**DESIGNER** KN **DATE** 11/10/2020

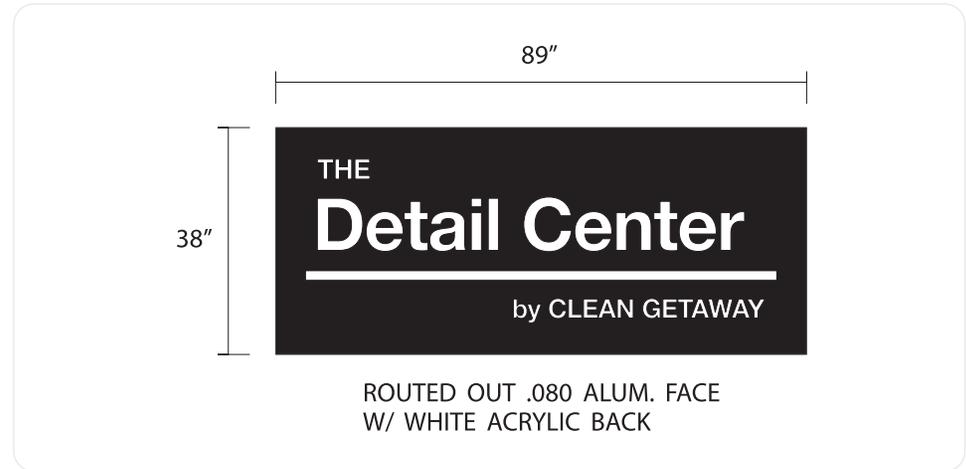
CLIENT APVL	LL APVL	CITY PERMIT

PROJECT	PRODUCTION	INSTALL

EXISTING MONUMENT SIGN



REFACE EXISTING PANEL : D/S



SUP#20-020 and Exhibit E

PAGE 2 OF 2



T 214.956.7811  
F 972.241.6744  
tps@texasprosigns.com  
2312 Fabens Rd.  
Dallas, TX 75229

**JOB TITLE** DETAIL CENTER BY CLEAN GETAWAY  
**LOCATION** 3211 E BROAD ST,  
MANSFIELD, TX  
**SCALE** 1:96  
**DESIGNER** KN **DATE** 11/10/2020

CLIENT APVL	LL APVL	CITY PERMIT

PROJECT	PRODUCTION	INSTALL



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 20-3917

**Agenda Date:** 1/25/2021

**Version:** 2

**Status:** Third and Final Reading

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:**

**Title**

Ordinance - Public Hearing and Second and Final Reading of an Ordinance Approving a Change of Zoning from SF-7.5/16 Single-Family Residential District to PD Planned Development District for Professional and Medical Office, Retail, Personal Service, Artist Studio, and Eating Place without Drive-Thru Service Uses on Approximately 0.46 acres Known as Lots 3 & 8, Block 4, Original Town of Mansfield, Located at 105 N 1st Ave.; Matthew Crocker (ZC#20-015)

**Requested Action:**

To consider the subject zoning change request.

**Recommendation:**

The Planning & Zoning Commission held a public hearing on December 7, 2020, and voted 5-0 (Commissioners Gilmore and Mainer absent) to recommend approval with the condition that the 3'-wide sidewalk into the existing building and the 3'-wide crushed-granite walkway between the two properties be widened to 4'. In addition, there was discussion regarding the possible tenants and uses, the deviations from typical commercial zoning regulations and the reasons for requesting PD zoning (building materials, screening, landscape buffers, residential proximity, etc.), signage, whether a business selling alcohol would require a variance due to proximity to the church, and the width of the on-site walkways as it relates to ADA requirements. The applicant noted that the existing building will likely house an attorney's office, while the new building could accommodate a number of users, but will likely be for office uses and potentially a coffee shop. Staff noted that in order for a business to sell alcohol, a variance would need to be obtained due to proximity to the church. After the meeting, the applicant noted that the 3' walks meet the ADA requirements and has therefore not made any changes to the plans.

**Description/History:**

*Existing Use:* Single-family residence

*Existing Zoning:* SF-7.5/16, Single-Family Residential District

*Surrounding Land Use & Zoning:*

North - Church, C-1

South - Single-family residential, SF-7.5/12

East - N. 1st Ave.; Single-family residential (C-2) across the street

West - N. 2nd Ave.; Single-family residential (SF-7.5/12) and office (PD) across the street

### **Comments and Considerations**

The subject property consists of 0.46 acres currently improved with a 1,700 sq. ft. single-story house on Lot 3 (along 1st Ave.); Lot 8 (along 2nd Ave.) is currently vacant. The applicant is requesting to rezone the entire property from SF-7.5/16 Single-Family Residential District to PD Planned Development District for professional & medical office, retail, personal service, artist studio, and eating place without drive-thru service uses.

### Development Plan and Regulations

The existing 1,700 sq. ft. single-story house on Lot 3 (along 1st Ave.) will remain. The house was built in 1935 and is listed as a medium priority house in the City's 1998 Historic Resources Survey. The house is primarily constructed of brick (with a rear addition with siding), includes a pitched roof with gables, and is 26' in height. The house also includes a rear uncovered patio.

On Lot 8 (along 2nd Ave.), a new 2,400 sq. ft. single-story building will be constructed; it will be 22'-4" in height. The new building will be constructed in the Craftsman style and will include at least 70% wood or cementitious fiber siding materials, as well as a covered porch with railing, tapered columns with masonry bases, stimulated screened dog run with framed panels, four-sided architecture (with details repeating around all four sides of the structure), and numerous windows. The roof will include a predominant pitch of 8:12, multiple roof forms, three-dimensional architectural shingles, gable details and shake siding, louver vents, open rafter tails, multiple eave brackets, and bellyband. The windows will include headers, casing, and top sashes. The new building will also include paint colors that complement the existing building.

It is noted in the development regulations that no expansion shall be made to the existing building, any exterior construction and remodeling of the existing building must be compatible with the historic character of the building, and that the maximum height of the proposed building shall not exceed the height of the existing building.

It is also noted that the development deviates from the Zoning Ordinance as it relates to residential proximity requirements. A reduced building setback from the adjacent residential zoning shall be allowed as shown in the Development Plan. The typical setback from residential property for an OP-zoned building between 20-35' in height is 35', but there is only a 15' setback from the residential property to the south. However, the regulations specify that lighting shall be shielded or pointed away from adjacent residential properties as prescribed in Section 7400 of the Zoning Ordinance.

### Access and Parking

The development will be served by head-in parking spaces directly off 1st and 2nd Avenues, similar to the church to the north. There will be 7 spaces along 1st Avenue and 9 spaces along 2nd Avenue, for a total of 16 spaces. Using the parking calculation for office uses (1 space per every 300 sq. ft.), the provided on-site parking exceeds the requirements by 2 spaces. The existing sidewalk along 1st Avenue will be shifted west to accommodate the new parking spaces and a new sidewalk will be installed along 2nd

Avenue. The existing 3' concrete walk directly into the 1st Avenue building will remain and a new 5' concrete walk will provide direct access to the new building along 2nd Avenue. To connect the two buildings, a 3' decomposed granite walk will be provided. This will provide for cross-access between the two buildings, access to both parking areas, and will help further the City's goal of making the downtown more pedestrian-friendly and walkable.

#### Landscaping and Screening

Landscaping and screening will be provided as shown in the Development Plan. This includes the preservation of 13 trees (about half of which are large oak and pecan trees), the removal of 3 trees (to accommodate parking and sidewalks), new shrubs along the front of both buildings, and landscaping around the directory signs. The existing 6'-tall wood stockade fence along the south side of Lot 3 will remain and a new 6'-tall cedar board-on-board fence with cap will be installed along the south side of Lot 8. The development regulations note that all equipment will be ground-mounted, located in the side yard or rear yard, and will be screened from the street or adjacent property by dense shrubs or low fencing that fully conceal the equipment. Trash service will be handled via trash carts and all trash containers will be located in the side or rear yards and screened by fence enclosures as shown on the Development Plan. In addition, no outside storage of materials or merchandise will be allowed on the property.

#### Signage

New directory signs will be installed along 1st and 2nd Avenues, one for each lot. The directory signs will be 6' tall, 10' wide, and will include a 2' tall brick base. The sign area will be limited to no more than 32 sq. ft. The directory signs will be located 1' off the front sidewalks as shown on the Development Plan and will include landscaping around them. The sign on Lot 3 (along 1st Avenue) will be setback 15' from the front property line and the sign on Lot 8 (along 2nd Avenue) will be setback 12' from the front property line. Name plate signs will also be allowed on the buildings as prescribed in Section 7100 of the Zoning Ordinance.

#### Summary

The proposed development will allow for the preservation of the existing historic structure on Lot 3 and also provides for a new Craftsman-style building on Lot 8 that is designed to be more residential in character to complement the existing building and surrounding properties. In addition, the proposed change in use from single-family residential to office, retail, personal service, studio, and restaurant uses allows for a more productive use of the property that is consistent with the transition from residential to business uses that has been taking place in parts of downtown, while also being sensitive to the historic residential character of the surrounding area. The development also preserves existing trees, provides for additional landscaping, and provides for parking, screening, and signage in a manner that is limited to only what is truly necessary to support the development, limits impervious coverage, and is sensitive to surrounding properties and the historic character of the area.

#### **2nd Reading:**

The City Council held a public hearing and first reading on January 11, 2021 and voted

7-0 to approve with the following conditions:

- The facade cladding requirement for at least 70% wood or cementitious fiber siding be changed to at least 70% cementitious fiber siding.
- In addition to a maximum size of 2,400 sq. ft. for the new building, provide for a minimum building size of 2,000 sq. ft.; the minimum building size may be reduced to 1,800 sq. ft. if a front patio area is provided.

In addition to discussion about building materials and the size of the new building, there was also discussion about changes to the existing building, requirements for landscaping in front of the existing building, planned uses, the walkway between the two properties, and the width of the walks and ADA requirements.

The applicant has made changes to the plans that address the conditions of approval.

**Attachments:**

Maps and Supporting Information  
Ordinance  
Exhibit A  
Exhibit B

**Prepared By:**

Andrew Bogda, Planner

**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 PROFESSIONAL AND MEDICAL OFFICE, RETAIL, PERSONAL SERVICE, ARTIST/MUSICIAN/PHOTOGRAPHY STUDIO, AND EATING PLACE WITHOUT DRIVE-THRU SERVICE 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 \_\_\_\_\_, 2021.

**DULY PASSED** on the second and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**Michael Evans, Mayor**

ATTEST: \_\_\_\_\_  
**Susana Marin, City Secretary**

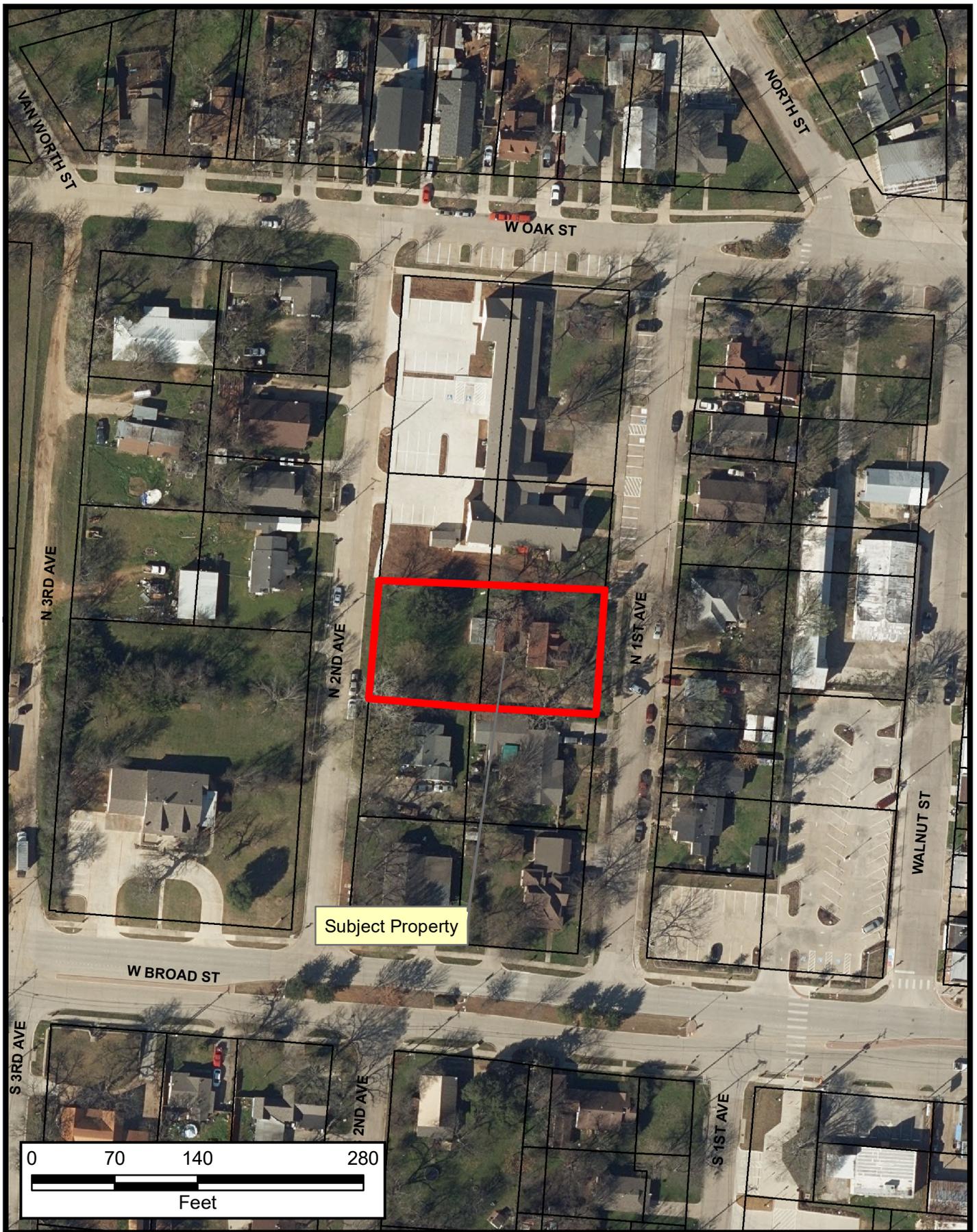
Ordinance No. \_\_\_\_\_

Page 3

APPROVED AS TO FORM AND LEGALITY:

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**Allen Taylor**, City Attorney



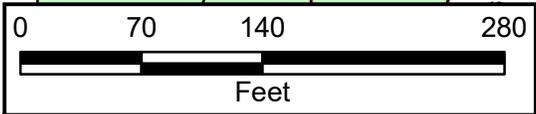
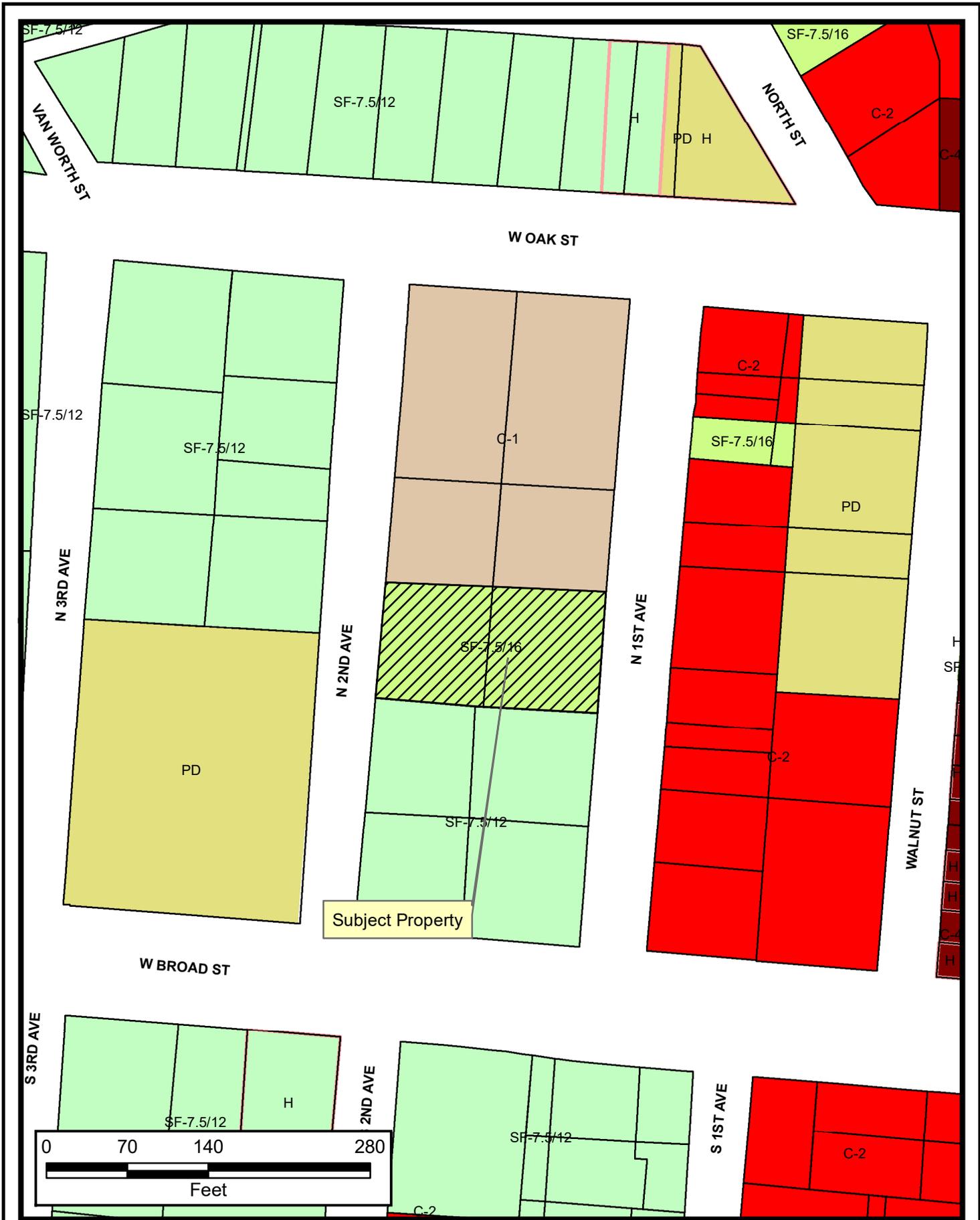
Subject Property



**ZC#20-015**

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.

11/24/2020



**ZC#20-015**

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.

11/24/2020

## Property Owner Notification for ZC#20-015

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
MANSFIELD, CITY OF	BLK 3	OPEN RANGE PROPERTIES	105 E OAK ST STE 202	MANSFIELD, TX	76063-7713
MANSFIELD, CITY OF	BLK 3	GARZA, MANUELA	110 N 1ST AVE APT A	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	RICHARDSON, MONTY E	7812 RETREAT BLVD	CLEBURNE, TX	76033-8942
MANSFIELD, CITY OF	BLK 3	WEST, SHANNON RAE	106 N 1ST AVE	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	CRUZ, MIGUEL ANGEL	104 N 1ST AVE	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
MANSFIELD, CITY OF	BLK 3	LOMA, MARIA D & F MAGUELLAL	102 N 1ST AVE	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
MANSFIELD, CITY OF	BLK 3	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
MANSFIELD, CITY OF	BLK 3	RICHARDSON, MONTY E	7812 RETREAT BLVD	CLEBURNE, TX	76033-8942
MANSFIELD, CITY OF	BLK 3	CRUZ, MIGUEL ANGEL	104 N 1ST AVE	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	LOMA, MARIA D & F MAGUELLAL	102 N 1ST AVE	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	OPEN RANGE PROPERTIES	105 E OAK ST STE 202	MANSFIELD, TX	76063-7713
MANSFIELD, CITY OF	BLK 3	ESQUIVEL, GREGORIO & MARIA	107 W OAK ST # A	MANSFIELD, TX	76063-1647
MANSFIELD, CITY OF	BLK 3	GARZA, MANUELA	110 N 1ST AVE APT A	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	OPEN RANGE PROPERTIES	105 E OAK ST STE 202	MANSFIELD, TX	76063-7713
MANSFIELD, CITY OF	BLK 3	OPEN RANGE PROPERTIES	105 E OAK ST STE 202	MANSFIELD, TX	76063-7713
MANSFIELD, CITY OF	BLK 4	J&R COBOS LIVING TRUST	1301 SE MCKINNEY	RICE, TX	75155
MANSFIELD, CITY OF	BLK 4	CHURCH ON THE HILL	PO BOX 3815	CEDAR HILL, TX	75106

## Property Owner Notification for ZC#20-015

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
MANSFIELD, CITY OF	BLK 4	MILAN, TRACY	109 N 2ND AVE	MANSFIELD, TX	76063-1603
MANSFIELD, CITY OF	BLK 4	KING, CORDELL W EST & OPAL	305 W OAK ST APT A	MANSFIELD, TX	76063-1646
MANSFIELD, CITY OF	BLK 4	HARRIS, WILLIAM E & MARY ANN	201 W KIMBALL ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 4	GRIFFIN, JOE L	105 N 2ND AVE	MANSFIELD, TX	76063-1603
MANSFIELD, CITY OF	BLK 4	CROCKER, JAMES M	PO BOX 553	MANSFIELD, TX	76063-0553
MANSFIELD, CITY OF	BLK 4	ORONA, GABINO	103 N 1ST AVE	MANSFIELD, TX	76063-1601
MANSFIELD, CITY OF	BLK 4	ROBLES, JESUS M & JUANITA	204 W BROAD ST	MANSFIELD, TX	76063-1609
MANSFIELD, CITY OF	BLK 4	SALINAS, RAMON & IRMA A	104 N 2ND AVE	MANSFIELD, TX	76063-1674
MANSFIELD, CITY OF	BLK 4	ORTIZ, JOSE F & ESTELLA O	206 W BROAD ST	MANSFIELD, TX	76063-1609
MANSFIELD, CITY OF	BLK 4	CHURCH ON THE HILL	PO BOX 3815	CEDAR HILL, TX	75106
MANSFIELD, CITY OF	BLK 4	GRIFFIN, JOE L	105 N 2ND AVE	MANSFIELD, TX	76063-1603
MANSFIELD, CITY OF	BLK 4	CHURCH ON THE HILL	PO BOX 3815	CEDAR HILL, TX	75106
MANSFIELD, CITY OF	BLK 4	CHURCH ON THE HILL	PO BOX 3815	CEDAR HILL, TX	75106
MANSFIELD, CITY OF	BLK 4	CROCKER, JAMES M	PO BOX 553	MANSFIELD, TX	76063-0553
MANSFIELD, CITY OF	BLK 4	RINGCO INVESTMENTS INC	5305 KELLY RD	FORT WORTH, TX	76126-5566

**EXHIBIT A OF ZC#20-015**

**PROPERTY DESCRIPTION**

Being Lots 3 and 8, Block 4, Original Town of Mansfield, an addition to the City of Mansfield, Texas as shown in the plat recorded in Page 53, Volume 63 of Tarrant County Plat Records, Texas.

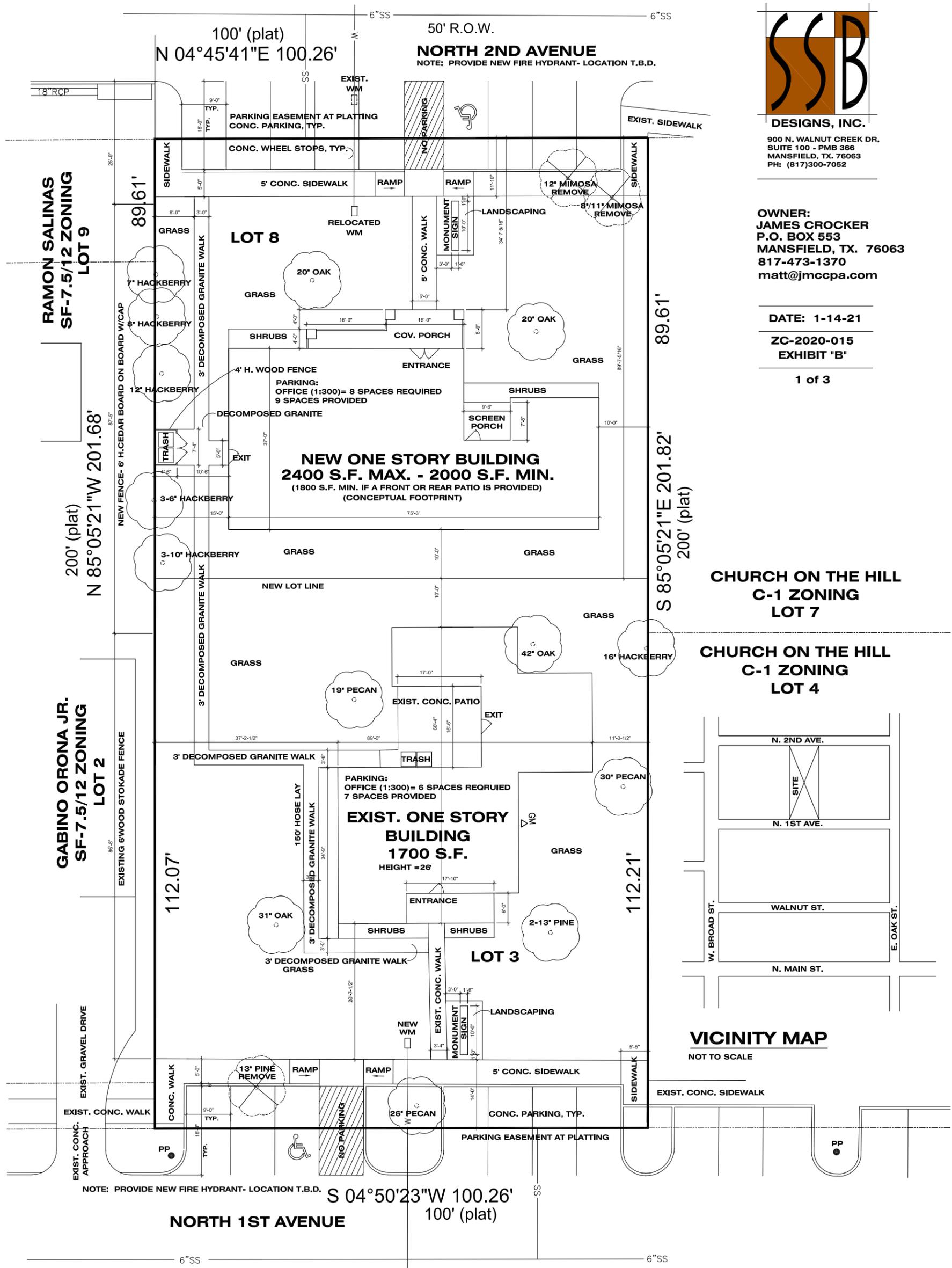


SSB  
DESIGNS, INC.  
900 N. WALNUT CREEK DR.  
SUITE 100 - PMB 366  
MANSFIELD, TX, 76063  
PH: (817)300-7052

OWNER:  
JAMES CROCKER  
P.O. BOX 553  
MANSFIELD, TX. 76063  
817-473-1370  
matt@jmccpa.com

DATE: 1-14-21  
ZC-2020-015  
EXHIBIT "B"

1 of 3



# DEVELOPMENT PLAN

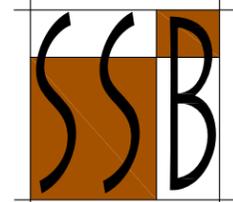
NOTE: PROVIDE TREE PROTECTION FOR ALL EXISTING TREES TO REMAIN

SCALE: 1"=20'



## 105 N. 1ST AVE.: LOT 3 & LOT 8 - BLOCK 4 - ORIGINAL TOWN OF MANSFIELD

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



DESIGNS, INC.

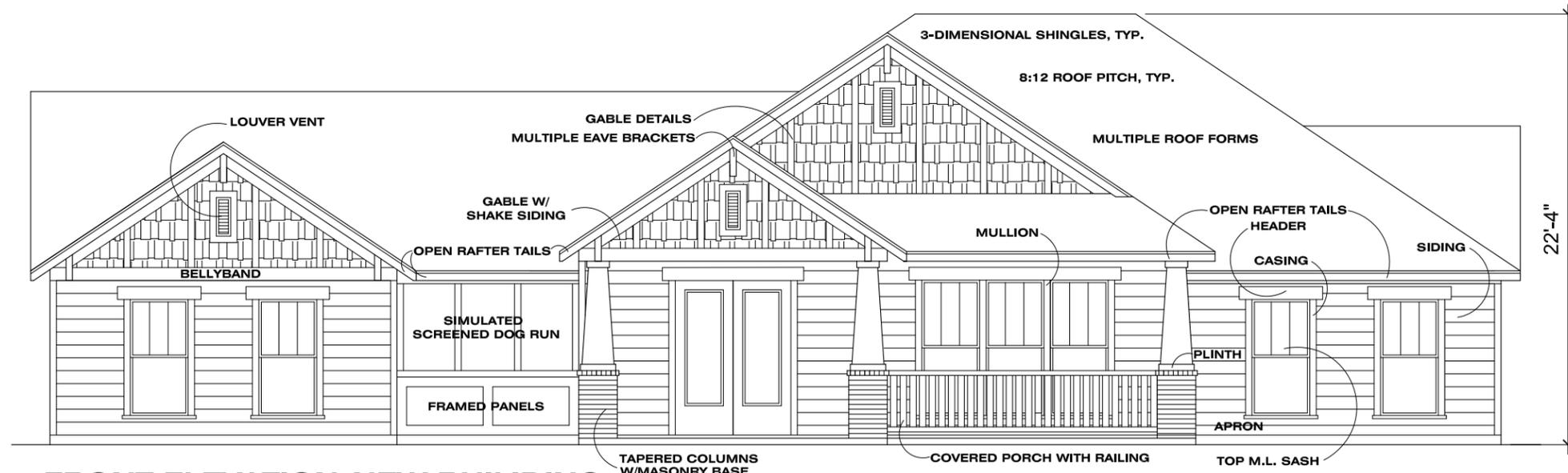
900 N. WALNUT CREEK DR.  
SUITE 100 - PMB 366  
MANSFIELD, TX. 76063  
PH: (817)300-7052

OWNER:  
JAMES CROCKER  
P.O. BOX 553  
MANSFIELD, TX 76063  
817-473-1370  
matt@jmccpa.com

DATE: 1-14-21

ZC-2020-015  
EXHIBIT "B"

2 of 3



**FRONT ELEVATION-NEW BUILDING**

SCALE: 1/8"=1'-0"



**LEFT ELEVATION-NEW BUILDING**

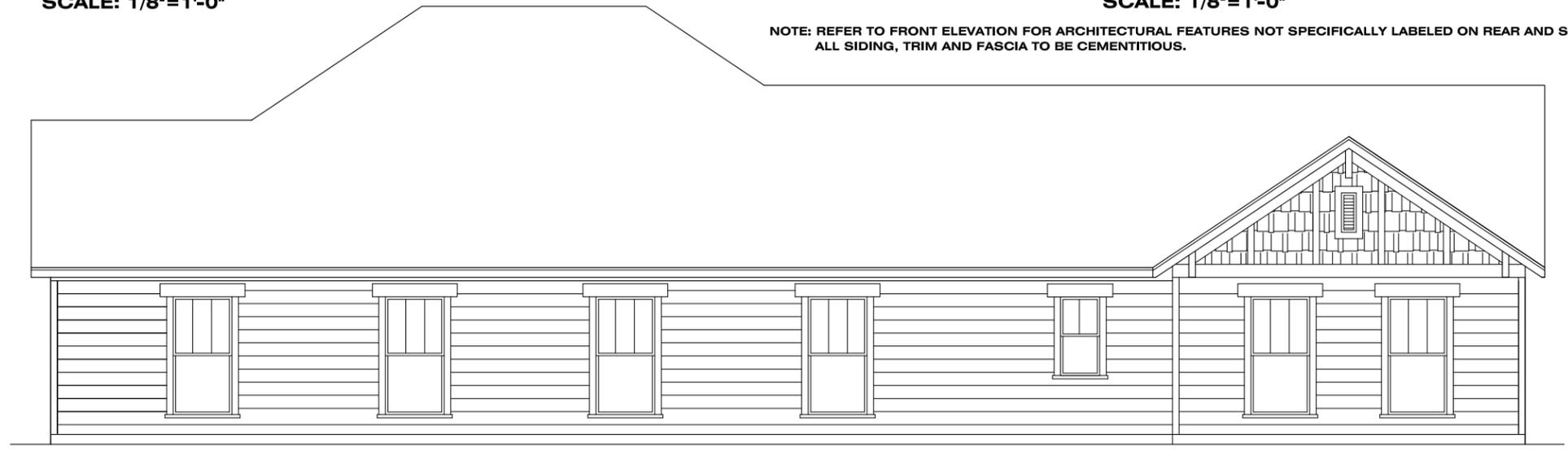
SCALE: 1/8"=1'-0"



**RIGHT ELEVATION-NEW BUILDING**

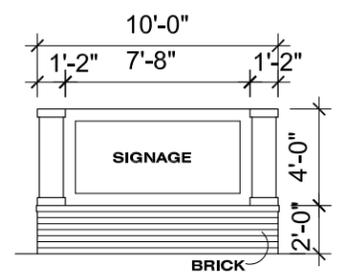
SCALE: 1/8"=1'-0"

NOTE: REFER TO FRONT ELEVATION FOR ARCHITECTURAL FEATURES NOT SPECIFICALLY LABELED ON REAR AND SIDE ELEVATIONS-8:12 ROOF PITCH, TYP.  
ALL SIDING, TRIM AND FASCIA TO BE CEMENTITIOUS.



**REAR ELEVATION-NEW BUILDING**

SCALE: 1/8"=1'-0"



**MONUMENT SIGN**

SCALE: 1/8"=1'-0"

## EXHIBIT B FOR ZC#20-015

### PLANNED DEVELOPMENT REGULATIONS

Base Zoning: C-1, Neighborhood Business District

Permitted Uses: Professional and medical office, retail uses, personal service uses, and artist/musician/photography studio, eating places without drive-through services.

Existing Building Requirements:

- No expansion shall be made to the existing building.
- Exterior reconstruction and remodeling of the existing building must be compatible with the historic character of the building.

Proposed Building Requirements:

- Minimum front setback - 25'
- Minimum side and rear setback - 10'
- Minimum building size - 2,000 sq ft; reduced to 1,800 sq ft if a front or rear patio is provided
- Maximum building size - 2,400 sq ft
- Maximum Lot Coverage - 45%
- Maximum height shall not exceed the height of the existing building.
- Roof materials shall be three-dimensional architectural shingles
- Exterior paint colors shall be compatible with the colors of the proposed building
- Front building elevation must include a porch with 70 sf minimum area and columns
- Facade cladding must be at least 70% cementitious fiber materials
- Exterior design shall incorporate craftsman style details as shown in the building elevations

Parking:

- Parking shall be head-in parking spaces along the streets as shown in the Development Plan
- Parking surface will be constructed of concrete.

Landscaping and Screening Requirements:

- Landscaping and screening shall be provided as shown in the Development Plan
- Shrubs shall be planted along at least 50% of the length of the foundation facing the street
- New planting must be irrigated with an irrigation system.
- All equipment shall be ground-mounted and located in the side or rear yard and shall require screening if visible from the street. Screening may comprise of dense shrubs or low fencing that fully conceal the equipment.

Sign Standards:

- Directory Signs shall be permitted as shown in the Development Plan
- Name Plate Signs shall be permitted as prescribed in Section 7100, Sign Standards of the Zoning Ordinance.

Residential Proximity Requirements:

- Setback from Adjacent Residential Zoning - A reduced building setback from the adjacent residential zoning shall be permitted as shown in the Development plan.
- Lighting shall be shielded or pointed away from the adjacent residential zoning as prescribed in Section 7400, Residential Proximity Standards of the Zoning Ordinance.

Trash Service: It shall be handled via trash carts located in the side or rear yard and screened by fence enclosure.

Outside Storage: There will be no outside storage of materials or merchandise on the property.



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 21-3936

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**Agenda Date:** 1/25/2021

**Version:** 1

**Status:** New Business

**In Control:** City Council

**File Type:** Consideration Item

**Agenda Number:**

**Title**

Discussion and Possible Action Regarding The LOT Downtown and City Property

**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 Evans, and Council Members Short and Broseh.

**Justification**

N/A

**Funding Source**

N/A

**Prepared By**

Susana Marin, TRMC, City Secretary