



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
www.mansfield-tx.gov

## Meeting Agenda City Council

---

Monday, April 13, 2009

5:30 PM

Council Chambers

---

### REGULAR MEETING

#### **1. 5:30 P.M. - CALL MEETING TO ORDER**

#### **2. RECESS INTO EXECUTIVE SESSION**

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

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

City Attorney Briefing Regarding ZC#08-023

City Attorney Briefing Regarding Charter Communications

City Attorney Briefing on Lawsuit Cause No. 06-41026-3 Daniel Jay Massey

City Attorney Briefing Regarding Maintenance and Operation Agreement with Big League Dreams

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

Certain Tax Foreclosure Property Held in Trust by the City

#### **C. Personnel Matters Pursuant to Section 551.074**

#### **D. Deliberation Regarding Negotiations of the Industrial Development Corporation of an Offer of a Financial or Other Incentives to a Business Prospect Pursuant to Section 551.087**

Proposed Amended Economic Development Agreement for Hunters Pointe

Proposed Amended Economic Development Agreement for Mansfield Pointe

**3. 6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION****4. 7:00 P.M. – RECONVENE INTO REGULAR BUSINESS SESSION****5. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE 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. PROCLAMATIONS**

[09-1412](#)

National Library Week

**Attachments:** [National Library Week 2009](#)

[09-1413](#)

National Library Workers Day

**Attachments:** [National Library Workers 2009](#)

**10. PRESENTATIONS**

Adopt A Street Participant of the Year Award; Presented by Keep Mansfield Beautiful Commission

Outstanding Volunteer Group of the Year Award, Presented by Keep Mansfield Beautiful Commission

Business Leader of the Year Award, Presented by Keep Mansfield Beautiful Commission

**11. CITIZEN COMMENTS**

*Citizens wishing to address the Council on non-public hearing agenda items and items not on the agenda may do so at this time. Once the business portion of the meeting begins, only comments related to public hearings will be heard. All comments are limited to 5 minutes. Please refrain from "personal criticisms."*

*In order to be recognized during the "Citizen Comments" or during a Public Hearing (applicants included), please complete a blue or yellow "Appearance Card" located at the entry to the City Council Chamber and present it to the City Secretary.*

**12. COUNCIL ANNOUNCEMENTS**

### **13. STAFF COMMENTS**

*In addition to matters specifically listed below, Staff comments may include updates on ongoing or proposed projects and address of posted agenda items.*

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

Current/Future Agenda Items

Quarterly Reports - Planning and Zoning Commission, Mansfield Park Facilities Development Corporation, Mansfield Economic Development Corporation, Public Works, Legal

Schedule Work Session Regarding Safety, Inspection and Enforcement of Gas Well SUP's

#### **B. Business Services Department**

**09-1395** Presentation of Monthly Financial Report for the Period Ending February 28, 2009

**Sponsors:** Peter Phillis

**Attachments:** [FEB2009 FINANCIALS](#)

### **14. OLD BUSINESS**

**09-1351** Resolution - A Resolution Adopting Guidelines for the Allocation of Hotel/Motel Occupancy Funds

**Sponsors:** City Council

**Attachments:** [Resolution](#)  
[Part 1 - Guidelines](#)  
[Part 2 - Application](#)  
[Part 3 - Agreement](#)  
[Part 4 - Reimbursement Form](#)  
[Hotel/Motel Comments](#)

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

**09-1389** Ordinance - Public Hearing and First Reading of an Ordinance of the City of Mansfield, Texas Amending the Code of Ordinances Section 51.011 (D) of Title V: Public Works, Chapter 51 Sewer and Water Service, by Changing the Molybdenum (Mo) Local Limit to 0.8 mg/L From 0.2 mg/L, Which Was Previously Established by Ordinance No. 1424

**Sponsors:** Joe Smolinski

**Attachments:** [Molybdenum Change Ordinance](#)  
[Molybdenum Change Section](#)

## **16. 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**

- 08-1124** Ordinance - Third and Final Reading of an Ordinance Adopting the 2006 Edition of the International Fire Code and its Local Amendments  
**Sponsors:** Barry Bondurant  
**Attachments:** [Amendments](#)  
[Ordinance](#)
- 09-1387** Resolution - A Resolution Authorizing a Contract with Kimley Horn and Associates, Inc. For a Roadway Impact Fee Update Study for a Lump Sum Amount of \$56,500 (Roadway Impact Fee Fund)  
**Sponsors:** Steve Freeman  
**Attachments:** [Resolution](#)  
[Impact Fee](#)  
[Impact Fee Schedule](#)
- 09-1388** Resolution - A Resolution Approving the Joint Election Agreement and Contract for Election Services with the Tarrant County Elections Administrator for the May 9, 2009 General Election  
**Sponsors:** Vicki Collins  
**Attachments:** [Resolution](#)  
[Joint Election Agreement](#)  
[Attachment A](#)  
[Attachment B](#)
- 09-1390** Resolution - A Resolution Opposing the Adoption of House Bill 4441 by the Texas Legislature Relating to the Authority of the Texas Railroad Commission to Establish Standards Regarding Certain Pipelines and Appurtenant Facilities (OA#09-001)  
**Sponsors:** Felix Wong  
**Attachments:** [Proposed resolution](#)  
[HB 4441](#)
- 09-1391** Resolution - A Resolution Authorizing a Contract with Bannister Engineering for Design Services for an amount not to Exceed \$74,500.00 and a Contract with Brittain and Crawford for Surveying Services not to Exceed \$35,700.00 for the Oak Street Paving and Utility Improvements (Street Bond Fund and Utility Revenue Bonds)  
**Sponsors:** Steve Freeman

**Attachments:** [Resolution](#)  
[Manoak Proposal](#)  
[Oak Street Scope of Services 03-26-2009](#)

**09-1414** Resolution - A Resolution Amending the City's Annual Budget Regarding Hotel/Motel Funds

**Sponsors:** Peter Phillis

**Attachments:** [Hotel Resolution](#)  
[Letter](#)  
[M&C](#)

**09-1392** Resolution - A Resolution Approving the Proposed Amended Economic Development Agreement for RC Hunter's Pointe (Hunter's Pointe)

**Sponsors:** Richard Nevins

**Attachments:** [Resolution - Hunters Pointe](#)  
[First Amended ED and P Agreement 033009 Hunters Pointe ED Agreement - Fi](#)

**09-1393** Resolution - A Resolution Approving the Proposed Amended Economic Development Agreement for Mansfield Pointe (Mansfield SEQ 287 and Debbie Ltd.)

**Sponsors:** Richard Nevins

**Attachments:** [Resolution - Mansfield Pointe](#)  
[First Amended 033009 Mansfield Pointe ED and P Agreement 2007 10 05 1](#)

**09-1394** Resolution - Resolution Authorizing the City Manager and the Police Department to make Application Under the COPS Hiring Recovery Program (CHRP) for Funding for Four (4) Full-Time Police Officer Positions

**Sponsors:** Gary Fowler

**Attachments:** [RESOLUTION \(COPS Hiring Recovery Program 2009\)](#)

**09-1410** Resolution - A Resolution Awarding Bids for Food for the Mansfield Law Enforcement Center

**Sponsors:** Gary Fowler

**Attachments:** [Resolution for Food Bids April 13, 2009](#)  
[Food Bids Awarded April 13, 2009](#)  
[Food Bids Itemized April 13, 2009](#)

**09-1409** Approval of the March 23, 2009 Regular City Council Meeting Minutes

**Sponsors:** Vicki Collins

**Attachments:** [DRAFT 3-23-09 Meeting Minutes](#)

**END OF CONSENT AGENDA**

**17. NEW BUSINESS**

[09-1411](#)

Resolution - A Resolution Awarding the Construction Manager At Risk (CMR) Contract for Improvements at the Mansfield Law Enforcement Center

**Sponsors:** Chris Burkett

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

[Previous Staff Report - File Number 09-1381](#)

**18. ADJOURN**

**AGENDA MAP**

[09-1408](#)

Agenda Map of Detailed Agenda Items

**Attachments:** [Agenda Map](#)

**CERTIFICATION**

I, the undersigned authority do hereby certify that the above agenda was posted on the bulletin board next to the main entrance of the City Hall, 1200 East Broad Street, of the City of Mansfield, Texas, in a place convenient and readily accessible to the general public at all times and said Agenda was posted on the following date and time: Thursday, April 9, 2009 by 5:30 p.m., and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

\_\_\_\_\_  
Vicki Collins, City Secretary

Approved as to form:

\_\_\_\_\_  
Craig Magnuson, Attorney, City of Mansfield

1. This building is wheelchair accessible. Parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting. To make arrangements, call (817) 473-0211 or (TDD) 1-800-RELAY TX, 1-800-735-2989.

2. In deciding a zoning change application, the Planning and Zoning required to determine the highest and best use of the property in question. The Planning and Zoning Commission may recommend and the Council may approve a change in zoning to the category or district requested by the applicant or to any zoning category or district of lesser intensity. Notice is presumed sufficient for every district up to the intensity set forth in the zoning change application.

This public notice was removed from the official posting location at the Mansfield City Hall on the following date and time:

\_\_\_\_\_  
By: \_\_\_\_\_  
City Secretary's Office