



CITY OF MANSFIELD

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

Meeting Agenda City Council

Monday, June 8, 2009

5:00 PM

Council Chambers

REGULAR MEETING

1. 5:00 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 Sewer Line Assessment Fees

City Attorney Briefing Regarding ZC#09-001

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

City Attorney Briefing Regarding Ward vs. City of Mansfield Lawsuit Cause No. 352-228421-08

Enforcement of Gas Well Specific Use Permits

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 Negotiations of the Industrial Development Corporation of an Offer of a Financial or Other Incentives to a Business Prospect Pursuant to Section 551.087

MEDC Project(s) Update

Discussion of Project 09-03

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**

A. Council to Consider Directions to the Staff to Address Gas Well Site Specific Use Permit Non-Compliance by Range Resources

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. 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.

10. COUNCIL ANNOUNCEMENTS**11. STAFF COMMENTS**

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

A. City Manager Report or Authorized Representative

Current/Future Agenda Items

B. Business Services Department

09-1482

Presentation of Monthly Financial Report for the Period Ending April 30, 2009

Sponsors: Peter Phillis

Attachments: [April 2009 Financial](#)

12. OLD BUSINESS

- 09-1466** Authorization to Settle Lawsuit Cause No. 06-41026-3 Daniel Jay Massey
Sponsors: Allen Taylor
- 09-1472** Staff Briefing on Quiet Zones and Traffic Signals
Sponsors: Steve Freeman and Clayton Chandler
- 09-1439** Ordinance - Third and Final Reading of an Ordinance Approving an Amended Specific Use Permit for Gas Well Drilling and Production on Approximately 5.772 Acres Located at 839 S. Mitchell Road; XTO Energy, Inc. (ZC#09-002)
Sponsors: Felix Wong
Attachments: [Maps and supporting information](#)
[Ordinance with Exhibits A and B](#)
[Revised Exhibit B](#)

13. PUBLIC HEARING AND FIRST READING

- 09-1471** Ordinance - Public Hearing and First Reading of an Ordinance Approving a Specific Use Permit for Gas Well Drilling and Production on Approximately 4.64 Acres, Located on Property at 1650 N. Main Street and 1151 W. Debbie Lane; XTO Energy, Inc. (ZC#09-004)
Sponsors: Felix Wong
Attachments: [Maps and Supporting Information](#)
[Ordinance with Exhibits A and B](#)

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

- 09-1440** Ordinance - Third and Final Reading of an Ordinance Approving a Zoning Change from PR, Pre-Development to C-2, Community Business on Approximately 3.391 Acres Located at 1675 N. Main Street; Valdar Properties No. 4 L.L.C. (ZC#09-003)
Sponsors: Felix Wong
Attachments: [Maps & Supporting Information](#)
[Ordinance](#)
- 09-1447** Ordinance - Third and Final Reading of an Ordinance Authorizing the City Manager to Execute a Contract of Sale to the Fort Worth Area Habitat for Humanity, Inc. to

Construct New Affordable Single Family Housing

Sponsors: Chris Burkett

Attachments: [Ordinance Habitat](#)
[Habitat Contract of Sale](#)

09-1451

Resolution - A Resolution to Approve the Design Concept for the Parks Field Operations Facility Submitted by AUI Contractors

Sponsors: Bob Ervin

Attachments: [Resolution](#)
[Concept Design Proposal](#)

09-1452

Resolution - A Resolution to Award Part II of the Design/Build Contract to AUI Contractors for Construction of the Parks Field Operations Facility at 405 Industrial Boulevard for a Guaranteed Maximum Price of \$513,252

Sponsors: Bob Ervin

Attachments: [Resolution](#)
[Project Cost Projections](#)
[Project Schedule](#)

09-1470

Approval of the May 19, 2009 Special Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [05-19-09 DRAFT Minutes](#)

09-1468

Approval of the May 26, 2009 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [DRAFT 5-26-09 Meeting Minutes](#)

END OF CONSENT AGENDA

15. ADJOURN

AGENDA MAP

09-1469

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, June, 4, 2009 by 5:00 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