



# CITY OF MANSFIELD

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

## Meeting Agenda City Council

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Monday, February 22, 2010

5:00 PM

Council Chambers

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### 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 Enforcement of Gas Well Regulations

City Attorney Briefing Regarding Shops at Broad Street Project Status - Legal Issues

City Attorney Briefing Regarding ETJ Agreements with Tarrant County

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

City Attorney Briefing Regarding Shops at Broad Street Project Status - Legal Issues

**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**

Economic Development Project # 09-03

Economic Development Project # 09-09

Economic Development Project # 08-11

City of Attorney Briefing Regarding Shops at Broad Streert Project Status - Legal Issues

3. **6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**
4. **7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**
5. **INVOCATION**
6. **PLEDGE OF ALLEGIANCE**
7. **TEXAS PLEDGE**

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

8. **PROCLAMATIONS**

Census 2010

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

1. **Presentations**

**10-1768**

Presentation of the 2009 Racial Profiling Report

**Sponsors:** Gary Fowler

**Attachments:** [2009 Racial Profiling Report](#)

Comprehensive Annual Financial Report - KPMG, LLP and City Staff; Peter K. Phillis

## 2. Current/Future Agenda Items

### 12. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

### 13. OLD BUSINESS

[10-1748](#) Ordinance - Public Hearing Continuation and First Reading of an Ordinance Approving a Specific Use Permit for Gas Well Drilling and Production on Approximately 5.99 Acres, the Drill Site Being Generally Located on the West Side of State Highway 360 Approximately 1,400 Feet South of E. Broad St. and the Fracture Pit being Generally Located on the West Side of State Highway 360 Approximately 1,700 Feet North of Heritage Parkway; Chesapeake Operating, Inc. (ZC#09-008)

**Sponsors:** Felix Wong

**Attachments:** [Letter from applicant](#)  
[Maps and supporting information](#)  
[Ordinance with Exhibits A and B](#)

### 14. PUBLIC HEARING AND RESOLUTION

[10-1773](#) Resolution - A Public Hearing and Resolution Approving and Endorsing the 2010 (36th year) Community Development Block Grant Project for North 2nd Avenue between West Broad Street & Oak Street

**Sponsors:** Steve Freeman

**Attachments:** [36th YR 2010 Location Map](#)  
[Resolution](#)

### 15. PUBLIC HEARING AND FIRST READING

[10-1764](#) Ordinance - Public Hearing and First Reading of an Ordinance Approving a Zoning Change from MF-1 and C-2 to PD for a Mausoleum and Cemetery with Associated uses on Approximately 2.05 acres, generally located at 500 S. 2nd Avenue; John B. Foster Investments (ZC#09-010)

**Sponsors:** Felix Wong

**Attachments:** [Maps & Supporting Information](#)  
[Final Ordinance & Exhibits](#)

[10-1775](#) Ordinance - Public Hearing and First Reading of an Ordinance of the City of Mansfield, Texas, Setting Forth the Standards of Care for the Recreation Department's Summer Youth 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

**Sponsors:** Andy Binz

**Attachments:** [Senate Bill 212](#)  
[Ordinance](#)  
[Standards of Care \(updated January, 2010\)](#)

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

**10-1733** Ordinance - Continuation of Public Hearing and Second Reading of an Ordinance Approving a Zoning Change from PR, 2F, MF-2, C-2, I-1 and SF7.5/16 to PD for Mixed Use Development with Uses Including but not Limited to Single-Family Residential, Commercial, Industrial, Institutional, Multi-Family Residential, Professional Office and Civic on Approximately 821 Acres, Generally Located as Follows: 1) East Tract - Approximately 2,600 ft North of Bedford Street, East of F.M. 917, and Approximately 580 ft West of Concho Trail and Approximately 1,300 ft West of Flying L Lane.; 2) West Tract - West of F.M. 917, East of Jessica Drive, Approximately 2,200 ft South of Sentry Drive and Approximately 3,380 ft South of Hanks Drive; TBG Partners (ZC#09-009)

**Sponsors:** Felix Wong

**Attachments:** [Ordinance](#)  
[19 January 2010](#)  
[Maps & Supporting Information](#)  
[Applicant Table Req 2 FEB 10](#)  
[McCaslin Tract Presentation to Council 02.08.10](#)  
[Revised Mccaslin PD - 17 FEB 10](#)

## 17. **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**

**10-1770** Minutes - Approval of the February 8, 2010 Regular City Council Meeting Minutes

**Sponsors:** Vicki Collins

**Attachments:** [Draft 02-08-2010 Minutes](#)

**10-1769** Resolution - A Resolution of The City Council of The City of Mansfield, Texas Approving a Contract of Sale and An Economic Development And Performance Agreement By And Between The Mansfield Economic Development Corporation ("MEDC") And Lonejack LLC And Authorizing its Execution By The President Of The MEDC And Providing An Effective Date

**Sponsors:** Pat Jamison

**Attachments:** [Resolution for Lonejack](#)  
[Revised E D Agreement for Lonejack LLC](#)  
[Exhibit A](#)  
[Real Estate Contract](#)

[10-1772](#)

Resolution - A Resolution Awarding a Contract for Construction of Cardinal Road Water, Sanitary Sewer, Drainage and Pavement Improvements to JLB Contracting LLC for an Amount Not to Exceed \$1,720,030.86 (Street Bonds and Utility Revenue Bonds)

**Sponsors:** Steve Freeman

**Attachments:** [Cardinal Road Bid Tab](#)  
[Resolution](#)

**END OF CONSENT AGENDA**

18. **ADJOURN**

**AGENDA MAP**

[10-1771](#)

Agenda Map of Detailed Agenda Items

**Sponsors:** Vicki Collins

**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, February, 18, 2010 by 5:00 p.m., and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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Vicki Collins, City Secretary

Approved as to form:

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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:

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