

SUMMARY OF MEETINGS AND ACTIVITIES MONDAY, JULY 15, 2013, THROUGH FRIDAY, JULY 19, 2013

## MONDAY, JULY 15, 2013

Tax Increment Financing District No. 3 (Downtown) Board of Directors Meeting

## **TUESDAY, JULY 16, 2013**

**Pre-Council Meeting** 

**Council Meeting** 

Alliance Airport Authority, Inc.

Fort Worth City Council Workshop with Tarrant County and Independent School District Board Representatives

# WEDNESDAY, JULY 17, 2013

Board of Adjustment – Residential Work Session

Board of Adjustment – Residential Public Hearing

# THURSDAY, JULY 18, 2013

Community Action Partners Council

Aviation Advisory Board

# TIME LOCATION

- 9:30 a.m. City Hall, 3<sup>rd</sup> Floor City Manager's Large Conference Room
- 8:30 a.m. Pre-Council Chamber
- 10:00 a.m. Council Chamber
- Immediately following the City Council Meeting Scheduled to Begin at 10:00 a.m.
  - 2:00 p.m. Fort Worth Convention Center 1201 Houston Street, Ballroom A
  - 12:30 p.m. Pre-Council Chamber
    - 1:30 p.m. Council Chamber
    - 1:30 p.m. Fort Worth City Credit Union 2309 Montgomery Avenue
  - 4:00 p.m. Meacham International Airport Conference Room 4201 North Main Street, Suite 200

# FRIDAY, JULY 19, 2013

No meetings

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on July 11, 2013, and may not include all meetings to be conducted during the week of July 15, 2013 through July 19, 2013. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.

# FORT WORTH CITY COUNCIL WORKSHOP WITH TARRANT COUNTY AND INDEPENDENT SCHOOL DISTRICT BOARD REPRESENTATIVES TUESDAY, JULY 16, 2013 2:00 P.M. FORT WORTH CONVENTION CENTER, BALLROOM A 1201 HOUSTON STREET, FORT WORTH, TEXAS

# ALLIANCE AIRPORT AUTHORITY, INC. (IMMEDIATELY FOLLOWING THE CITY OF FORT WORTH CITY COUNCIL MEETING SCHEDULED TO BEGIN AT 10:00 A.M.) TUESDAY, JULY 16, 2013 PRE-COUNCIL CHAMBER, CITY HALL 1000 THROCKMORTON STREET, FORT WORTH, TEXAS

# PRE-COUNCIL MEETING TUESDAY JULY 16, 2013 8:30 A.M. PRE-COUNCIL CHAMBER, CITY HALL 1000 THROCKMORTON STREET, FORT WORTH, TEXAS

- 1. Report of the City Manager Tom Higgins, City Manager
  - a. Changes to the City Council Agenda
  - b. Upcoming and Recent Events
  - c. Organizational Updates and Employee Recognition(s)
  - d. Informal Reports
    - IR 9572: Drought Response Obligations

IR 9573: May 2013 - Sales Tax Update

- 2. Current Agenda Items City Council Members
- 3. Responses to Items Continued from a Previous Week
  - M&C L-15564
     Authorize Direct Sale of a Tax-Foreclosed Property Located at 5217 Pinson Street to Essie Mishaw for a Sale Price in the Amount of \$3,100.00, in Accordance with Section 34.05 of the Texas Tax Code (COUNCIL DISTRICT 5 Council Member Bivens) (Continued from July 9, 2013 by Council Member Bivens)
  - M&C L-15575 Authorize Condemnation by Eminent Domain for a Fee Simple Interest in 0.077 Acres for a Right-of-Way and 0.024 Acres for a Temporary-Construction Easement, Portions of an Improved Property Located at 8065 Old Decatur Road, Owned by Saginaw Storage King Old Decatur Road, L.P., for the Old Decatur Road Improvement (ETJ NEAR COUNCIL DISTRICT 7 - Council Member Shingleton) (Continued from July 9, 2013 by Staff)
  - c. <u>M&C C-26307</u> Authorize Expenditure in the Amount of \$304,499.83 to the Fort Worth and Western Railroad Company for Construction of

Henderson Detour Railroad-Crossing and Related Equipment, Authorize Expenditure in the Amount of \$204,523.50 to the Fort Worth and Western Railroad Company for Construction of Railroad-Crossing and Related Equipment for the Temporary Reopening of North Commerce Street, Authorize Execution of a Settlement Agreement in Lieu of Condemnation with the Fort Worth and Western Railroad Company in the Amount of \$200,000.00 for Railroad-Crossing License Fees and Easement Acquisition for a Total in the Amount of \$709,023.33 for Construction of Trinity River Vision-Related Railroad Crossings and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2 -Council Member Espino and COUNCIL DISTRICT 9 - Council Member Burns) (Continued from July 9, 2013 by Staff)

- M&C C-26318 Authorize Credit Sales Agreement with Trinity River Mitigation Bank, LTD, in the Amount of \$69,300.00 for the Mitigation of Waters of the United States Associated with the 9700 Trinity Boulevard Culvert Improvements Project (COUNCIL DISTRICT 5 -Council Member Bivens) (Continued from July 9, 2013 by Council Member Bivens)
- e. <u>ZC-12-128</u>
   David McDavid, 4621 Keller Hicks Road; from: "I" Light Industrial to: "A-5" One-Family (Recommended for Approval by the Zoning Commission) (COUNCIL DISTRICT 7 Dennis Shingleton) (Continued from June 4, 2013 by Council Member Shingleton)
- 4. Council Proposal 296 Rename a Portion of East 1st Street to Randol Mill Road East of Beach Street - **Council Member Danny Scarth and Council Member Kelly Allen Gray** <u>Attachment(s)</u>:

Council Proposal No. 296 - Attached.pdf

- 5. Briefing on Naval Air Station Fort Worth Joint Reserve Base Fernando Costa, City Manager's Office and Captain Robert Bennett, United States Navy
- 6. Briefing on Notice of Intent to Sell Certificates of Obligation on Debt Service Jay Chapa, Financial Management Services
- 7. City Council Requests for Future Agenda Items and/or Reports
- 8. Executive Session (PRE-COUNCIL CHAMBER) SEE ATTACHMENT A <u>Attachment(s)</u>: <u>Executive Session Agenda - Attachment A.pdf</u>

This facility is wheelchair accessible. For accommodations or sign interpretive services, please call the City Manager's Office at 817-392-6143, 48 hours in advance.

# ATTACHMENT A

# EXECUTIVE SESSION (PRE-COUNCIL CHAMBER, CITY HALL) Tuesday, July 16, 2013

The City Council will conduct a closed meeting in order to:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:

a. Legal issues concerning any item listed on today's City Council meeting agendas;

2. Deliberate the purchase, sale, lease or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party;

3. Deliberate concerning economic development negotiations as authorized by Section 551.087 of the Texas Government Code; and

4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

#### CITY COUNCIL AGENDA FOR THE MEETING AT 10:00 A.M. TUESDAY, JULY 16, 2013 CITY COUNCIL CHAMBER, CITY HALL 1000 THROCKMORTON STREET, FORT WORTH, TEXAS

# I. CALL TO ORDER

- II. INVOCATION Reverend Micah Barnum, Christ Chapel Bible Church
- III. PLEDGE OF ALLEGIANCE
- IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF JULY 9, 2013
- V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

# VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

## VII. CONSENT AGENDA

Items on the Consent Agenda require little or no deliberation by the City Council. Approval of the Consent Agenda authorizes the City Manager, or his designee, to implement each item in accordance with staff recommendations.

# A. General - Consent Items

1. <u>M&C G-17935</u> - Authorize Ordinance Renewing the Current Unit Prices for Construction Contracts and Providing for Staff to Develop Administrative Rules for Interim Review of the City of Fort Worth's Unit Prices (ALL COUNCIL DISTRICTS)

# B. Purchase of Equipment, Materials, and Services - Consent Items

- 1. <u>M&C P-11553</u> Authorize Purchase Agreement with Municipal Water Works Supply, LP., in the Amount Up to \$375,000.00 for Copper Tubing for the Water Department (ALL COUNCIL DISTRICTS)
- 2. <u>M&C P-11554</u>
   Authorize Purchase Agreement for Bridge and Guardrail Parts and Material with Gordon's Specialties, Inc., in the Amount Up to \$140,000.00 for the First Year, for the Transportation and Public Works Department (ALL COUNCIL DISTRICTS)
- 3. <u>M&C P-11555</u> Authorize Purchase of a Brush Chipper from Bane Machinery Fort Worth, L.P., in the Amount of \$60,296.00 Using a Cooperative Contract for the Transportation and Public Works Department (ALL COUNCIL DISTRICTS)
- 4. <u>M&C P-11556</u>
   Authorize Purchase of Hardware, Software and Support from EMC Corporation Through its Reseller INX Inc., in the Amount of \$68,932.92 for Expansion of the Enterprise Video Storage Platform Using a State of Texas Department of Information Resources Contract (ALL COUNCIL DISTRICTS)
- 5. <u>M&C P-11557</u>
   Authorize Purchase of Software Licenses and Maintenance Services for TIBCO Spotfire for the Fire Department from ESCGOV, Inc., in the Amount of \$51,242.30 Using a General Services Administration Cooperative Contract (ALL COUNCIL DISTRICTS)

# C. Land - Consent Items

- 1. <u>M&C L-15582</u> Authorize Grant of Easement on Property East of 1800 Park Place Avenue to Fort Worth Surgicare Partners, Ltd., in the Amount of \$4,200.00 (COUNCIL DISTRICT 9)
- 2. <u>M&C L-15583</u>
   Authorize Acquisition of a Fee Simple Interest in 0.1721 Acres in an Improved Lot for the Lebow Channel Drainage Improvements Project Located at 2012 NE 36th Street from Jose Guadalupe Munoz in the Amount of \$86,000.00, Pay Estimated Closing Costs in the Amount Up to \$4,000.00 for a Total Cost of \$90,000.00 and Authorize Payment of Relocation Assistance in the Amount of \$30,000.00 (COUNCIL DISTRICT 2)
- 3. M&C L-15584
   Authorize Acquisition of a Fee Simple Interest in 0.1721 Acres in an Improved Lot for the Lebow Channel Drainage Improvements Project Located at 2013 NE 36th Street from Oscar Perez in the Amount of \$60,000.00, Pay Estimated Closing Costs in the Amount Up to \$3,000.00 for a Total Cost of \$63,000.00 and Authorize Payment of Relocation Assistance in the Amount of \$30,000.00 (COUNCIL DISTRICT 2)
- 4. <u>M&C L-15585</u> Authorize Release of Easement and the Sale to Texas Department of Transportation of 2.987 Acres for an Underground Waterline Easement Located Within the Right-of-Way of SH 114 Between FM 156 and Double Eagle Drive (COUNCIL DISTRICT 2)

# D. Planning & Zoning - Consent Items - None

# E. Award of Contract - Consent Items

- 1. <u>M&C C-26332</u> Authorize Contract with Tarrant Paint & Stain, LLC, for Cowtown Brush-Up Program Painting and Preparation Services (ALL COUNCIL DISTRICTS)
- M&C C-26333
   Authorize Execution of a Five-Year Tax Abatement Agreement with Shawn Fite for the Construction of a Single Family Dwelling at 1809 Alston Avenue in the Magnolia Village Neighborhood Empowerment Zone (COUNCIL DISTRICT 9)
- 3. <u>M&C C-26334</u>
   Authorize Consent to Assignment of Tax Abatement Agreement, City Secretary Contract No. 42526, by Aubrey E. Morris, III and Laura F. Morris, for the Construction of a Medical/Dental Office Located at 4840 Bryant Irvin Court in the Ridglea Village/Como Neighborhood Empowerment Zone to Calm Eve Limited Liability Co., and Authorize Execution of Related Assignment Agreement (COUNCIL DISTRICT 3)
- 4. <u>M&C C-26335</u>
   Authorize Consent to Assignment of Tax Abatement Agreement, City Secretary Contract No. 36676, by H.A. Shaban for the Construction of a Retail Shopping Center Located at 5923 Donnelly Avenue in the Ridglea Village/Como Neighborhood Empowerment Zone to Shaban Real Estate Holdings, LLC, and Authorize

Execution of Related Assignment Agreement (COUNCIL DISTRICT 7)

- 5. <u>M&C C-26336</u>
   Authorize Execution of Change Order No. 1 to City Secretary Contract No. 43798 with Conatser Construction TX, LP, in the Amount of \$240,878.00 for Pavement Reconstruction and Water and Sanitary Sewer Main Replacements on Several Streets for a Revised Contract in the Amount of \$2,605,435.00 (COUNCIL DISTRICT 8)
- 6. <u>M&C C-26337</u>
   Authorize Execution of Change Order No. 25 with the Texas Department of Transportation Resulting in an Increased Construction Contract Cost in the Amount of \$284,604.03 for the Ongoing Construction of East Rosedale Street from IH-35W to US 287 for a Total Contract in the Amount of \$18,258,030.52 (COUNCIL DISTRICT 8)
- M&C C-26338
   Authorize Execution of a Contract with Advanced Paving Acquisition, Ltd., in the Amount of \$1,422,004.00 for Hot Mix Asphaltic Concrete Surface Overlay 2013-6 on Hulen Street Between Bellaire Drive to SH 183 (COUNCIL DISTRICT 3)
- 8. <u>M&C C-26339</u>
   Authorize Execution of a Contract with JLB Contracting, LLC, in the Amount of \$914,922.69 for Hot Mix Asphaltic Concrete Surface Overlay 2013-7 at Multiple Locations (COUNCIL DISTRICT 4)
- 9. <u>M&C C-26340</u>
   Adopt Resolution Approving a Local Project Advance Funding Agreement with the Texas Department of Transportation in the Amount of \$186,050.00 for Additional Chisholm Trail Parkway Features and Authorize Payment in the Amount of \$177,959.00 for the City's Portion of Construction and Direct State Costs to Modify Landscape Pavers and Pedestrian Signals and Add Anti-Graffiti Coating at Retaining Walls at Overton Ridge Boulevard and Arborlawn Drive as Part of the Chisholm Trail Parkway Project (COUNCIL DISTRICT 6)
- 10. <u>M&C C-26341</u>
   Authorize Execution of Amendment No. 1 to City Secretary Contract No. 43448, an Engineering Services Agreement with Freese and Nichols, Inc., in the Amount of \$148,133.00 for Additional Engineering Analysis and Design of the Brennan Avenue Drainage Improvements Project, Thereby, Increasing the Total Contract in the Amount of \$537,317.00 (COUNCIL DISTRICTS 2 and 9)
- M&C C-26342
   Authorize Architectural Professional Services Agreement in the Amount of \$297,254.00 Plus Up to \$15,000.00 in Reimbursable Expenses with Hahnfeld Hoffer Stanford, LLC, to Deliver Designed Construction Drawings for a Multi-Purpose Pavilion at the Will Rogers Memorial Center, Provide for Contingency and Staff Costs for a Total Design Cost in the Amount of \$322,254.00 and Adopt Appropriation Ordinance (COUNCIL DISTRICT 7)
- 12. <u>M&C C-26343</u> Ratify Application for and Authorize Acceptance of, if Awarded, the Fiscal Year 2013 Paul Coverdell Forensic Science Improvement Grant from the United States

Department of Justice, National Institute of Justice, in the Amount of \$113,243.00, Authorize Execution of Agreement with the National Institute of Justice and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

- 13. <u>M&C C-26344</u>
   Ratify Application for and Authorize Acceptance of, if Awarded, the Natasha's Justice Project Backlog Elimination Grant in the Amount of \$629,396.51, Authorize Execution of Agreement with the Natasha's Justice Project and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
- 14. <u>M&C C-26345</u> Authorize Execution of an Interlocal Agreement with the Fort Worth Independent School District for Operation of the School Attendance Court for the 2014 Contract Term (ALL COUNCIL DISTRICTS)
- 15. <u>M&C C-26346</u>
   Authorize Execution of an Engineering Agreement with Teague Nall & Perkins, Inc., in the Amount of \$239,815.00 for Bellaire Drive Water and Sanitary Sewer Improvements on Bellaire South Drive and Bellaire West Drive, Provide for Project Management, Real Property Acquisition and Utility Coordination Costs for a Project Total in the Amount of \$259,815.00 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 9)
- 16. <u>M&C C-26347</u>
   Amend Recommendation No. 2 of Mayor and Council Communication C-25957, a Lease Agreement with Mary Hartman for the Far Northwest Community Action Partners Center, to Revise the Fiscal Year 2013 Lease Amount from \$10,534.68 to the Amount Not to Exceed \$11,311.56 (NO COUNCIL DISTRICT)

# VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1891 - Notice of Claims for Alleged Damages and/or Injuries

# IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation by Sister Cities International Leadership Academy

# X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

- 1. Upcoming and Recent Events
- 2. Recognition of Citizens
- 3. Approval of Ceremonial Travel

# XI. PRESENTATIONS BY THE CITY COUNCIL

- 1. Changes in Membership on Boards and Commissions
- 2. Council Proposal No. 296 Rename a Portion of East 1st Street to Randol Mill Road East of Beach Street

# XII. PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS, COMMISSIONS AND/OR CITY COUNCIL COMMITTEES

# XIII. RESOLUTIONS

- 1. Appointing the Board of Trustees of the Fort Worth Local Development Corporation
- 2. Appointing the Board of Directors of the Fort Worth Housing Finance Corporation
- 3. Appointing the Board of Directors of AllianceAirport Authority, Inc.
- 4. Appointing the Board of Directors of the Central City Local Government Corporation

5. Appointing the Board of Directors of the Lone Star Local Government Corporation

# XIV. REPORT OF THE CITY MANAGER

# A. Benefit Hearing - None

# B. General

- M&C G-17936
   Adopt Ordinance Directing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation in the Amount Not to Exceed \$74,000,000.00 and Authorize Proceeds to be Used for Purposes Listed in the Notice and Summarized as Acquisition of a Maintenance Facility, Infrastructure Construction and Repair, Equipment Acquisition, Park Improvements, and Payment of Fiscal, Engineering and Legal Fees for the Listed Projects and the Debt Issuance (ALL COUNCIL DISTRICTS)
- 2. <u>M&C G-17937</u>
   Adopt Ordinance Directing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation in the Amount Not to Exceed \$13,000,000.00 and Authorize Proceeds to be Used for Improvements to the Will Rogers Memorial Center (ALL COUNCIL DISTRICTS)
- 3. <u>M&C G-17938</u>
   Conduct a Public Hearing and Adopt Ordinance Designating Tax Abatement Reinvestment Zone No. 88, City of Fort Worth, Texas, for Approximately Five Acres of Property in the Vicinity of Carroll Street and Merrimac Street to Facilitate Development of a Multi-Family Development by Greystar GPII, LLC, or its Affiliate (COUNCIL DISTRICT 9) (PUBLIC HEARING)
  - a. Report of City Staff
  - b. Citizen Presentations
  - c. Council Action
- 4. <u>M&C G-17939</u>
   Conduct a Public Hearing and Adopt Resolution and Ordinance Reducing the Size of the Trinity Park Neighborhood Empowerment Zone and Neighborhood Empowerment Reinvestment Zone No. 15R, City of Fort Worth, Texas (COUNCIL DISTRICT 9) (PUBLIC HEARING)
  - a. Report of City Staff
  - b. Citizen Presentations
  - c. Council Action

# C. Purchase of Equipment, Materials, and Services - None

# D. Land

- M&C L-15564
   Authorize Direct Sale of a Tax-Foreclosed Property Located at 5217 Pinson Street to Essie Mishaw for a Sale Price in the Amount of \$3,100.00, in Accordance with Section 34.05 of the Texas Tax Code (COUNCIL DISTRICT 5) (Continued from a Previous Meeting)
  - 2. <u>M&C L-15575</u> Authorize Condemnation by Eminent Domain for a Fee

Simple Interest in 0.077 Acres for a Right-of-Way and 0.024 Acres for a Temporary-Construction Easement, Portions of an Improved Property Located at 8065 Old Decatur Road, Owned by Saginaw Storage King Old Decatur Road, L.P., for the Old Decatur Road Improvement (ETJ NEAR COUNCIL DISTRICT 7) (Continued from a Previous Meeting)

- 3. <u>M&C L-15575</u>
   (Revised) Authorize Condemnation by Eminent Domain for a Fee Simple Interest in 0.077 Acres for a Right-of-Way and 0.024 Acres for a Temporary-Construction Easement, Portions of an Improved Property Located at 8065 Old Decatur Road, Owned by Saginaw Storage King Old Decatur Road, L.P., for the Old Decatur Road Improvement (ETJ NEAR COUNCIL DISTRICT 7)
- 4. <u>M&C L-15586</u> Authorize Direct Sale of a Tax-Foreclosed Property Located at 3900 Miller Avenue to Truevine Missionary Baptist Church of Fort Worth, Inc., for a Sale Price in the Amount of \$69,307.00, in Accordance with Section 34.05 of the Texas Tax Code (COUNCIL DISTRICT 5)

# E. Planning & Zoning

- 1. <u>M&C PZ-3024</u> Authorize Initiation of Rezoning for Certain Properties on 801 and 851 West Rendon Crowley Road, in Accordance with the Comprehensive Plan (COUNCIL DISTRICT 6)
- 2. <u>M&C PZ-3025</u>
   Authorize Institution of the Annexation and Adoption of Ordinance for the City-Initiated Annexation of Approximately 77.8 Acres of Land in Tarrant County, Texas, Located East and West of Ray White Road and North of Wall Price Keller Road (COUNCIL DISTRICTS 4 and 7)
- 3. <u>M&C PZ-3026</u>
   Consider Institution and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 8.1 Acres of Land, North of SH 114 and East of FM 156, AX-13-004 (COUNCIL DISTRICT 7)

# F. Award of Contract

1. <u>M&C C-26307</u> - Authorize Expenditure in the Amount of \$304,499.83 to the Fort Worth and Western Railroad Company for Construction of Henderson Detour Railroad-Crossing and Related Equipment, Authorize Expenditure in the Amount of \$204,523.50 to the Fort Worth and Western Railroad Company for Construction of Railroad-Crossing and Related Equipment for the Temporary Reopening of North Commerce Street, Authorize Execution of a Settlement Agreement in Lieu of Condemnation with the Fort Worth and Western Railroad Company in the Amount of \$200,000.00 for Railroad-Crossing License Fees and Easement Acquisition for a Total in the Amount of \$709,023.33 for Construction of Trinity River Vision-Related Railroad Crossings and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2 and 9) (Continued from a Previous Meeting)

- 2. M&C C-26307 - **(Revised)** Authorize Expenditure in the Amount of \$304,499.83 to the Fort Worth and Western Railroad Company for Construction of Henderson Detour Railroad-Crossing and Related Equipment, Authorize Expenditure in the Amount of \$204,523.50 to the Fort Worth and Western Railroad Company for Construction of Railroad-Crossing and Related Equipment for the Temporary Reopening of North Commerce Street, Authorize Execution of a Settlement Agreement in Lieu of Condemnation with the Fort Worth and Western Railroad Company in the Amount of \$200,000.00 for Railroad-Crossing License Fees and Easement Acquisition for a Total in the Amount of \$709,023.33 for Construction of Trinity River Vision-Related Railroad Crossings and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2 and 9)
  - 3. <u>M&C C-26318</u>
     Authorize Credit Sales Agreement with Trinity River Mitigation Bank, LTD, in the Amount of \$69,300.00 for the Mitigation of Waters of the United States Associated with the 9700 Trinity Boulevard Culvert Improvements Project (COUNCIL DISTRICT 5) (Continued from a Previous Meeting)
  - 4. <u>M&C C-26348</u> Authorize Execution of Tax Abatement Agreement with Greystar GPII, LLC, or an Affiliate for the Construction of a Multi-Family Development in the Vicinity of Carroll Street and Merrimac Street and Authorize Certain Fee Waivers Associated with the Development (COUNCIL DISTRICT 9)
  - 5. <u>M&C C-26349</u>
     Authorize Acceptance of a Grant from Atmos Energy Corporation for the "Sharing the Warmth" Program in the Amount Up to \$500,000.00, Authorize Execution of Agreement with Atmos Energy Corporation for the "Sharing the Warmth" Program and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

# XV. PUBLIC HEARING

- 1. First Public Hearing for a Proposed City-Initiated Annexation of Approximately 95.4 Acres of Land in Tarrant County, Located South of Dirks Road and West of Summer Creek Drive (AX-13-003 Old Granbury Rd)
  - a. Report of City Staff
  - b. Citizen Comments

# XVI. ZONING HEARING

- 1. <u>ZC-12-128</u> (CD 7) David McDavid, 4621 Keller Hicks Road; from: "I" Light Industrial to: "A-5" One-Family (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)
- ZC-13-077 (CD 7) Industrial Development International, Speedway Distribution Owners' Association, 16100 Block Three Wide Drive; from: Unzoned to: "I" Light Industrial (Recommended for Approval by the Zoning Commission)
- 3. <u>ZC-13-083</u> (CD 4, CD 7) City of Fort Worth Planning & Development, Generally bounded by Ray White Road, Chatsworth Lane, Corral Drive, Wall Price

Keller Road, and Broiles Lane; from: Unzoned to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)

- 4. <u>ZC-13-090</u> (CD 7) Lennar Homes of Texas Land and Construction, 14400 Block Storyteller Lane, 1500 Block Fallingwater Trail, 1400 Block Enchanted Sky Lane; from: "AG" Agricultural to: "A-7.5" One-Family (Recommended for Approval by the Zoning Commission)
- 5. <u>ZC-13-092</u> (CD 9) Willing Smith, 3501 Hulen Street, 4529-4545 Houghton Avenue; from: "B" Two-Family and "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus semi automatic car wash; site plan included. (Recommended for Denial by the Zoning Commission)

# XVII. CITIZEN PRESENTATIONS

# XVIII. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER) - SEE ATTACHMENT B

# XIX. ADJOURNMENT

According to the City Council Rules of Procedures, individual citizen presentations shall be limited to three minutes, and group presentations shall be limited to ten minutes. At the Mayor's discretion, time limits may be reasonably extended.

This facility is wheelchair accessible. For accommodations or sign interpretive services, please call the City Manager's Office at 817-392-6143, 48 hours in advance.

# ATTACHMENT B

# EXECUTIVE SESSION (PRE-COUNCIL CHAMBER, CITY HALL) Tuesday, July 16, 2013

The City Council will conduct a closed meeting in order to:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:

a. Legal issues concerning any item listed on today's City Council meeting agendas;

2. Deliberate the purchase, sale, lease or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party;

3. Deliberate concerning economic development negotiations as authorized by Section 551.087 of the Texas Government Code; and

4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

# ALLIANCEAIRPORT AUTHORITY, INC.

# Agenda

#### Tuesday, July 16, 2013

#### Immediately Following the City of Fort Worth City Council Meeting Scheduled to Begin at 10:00 A.M.

Pre-Council Chamber, Second Floor, City Hall 1000 Throckmorton Street, Fort Worth, Texas 76102

#### Board of Directors

Jungus Jordan, President	Kelly Allen Gray, Director	Dennis Shingleton, Director
Salvador Espino, Vice President	Gyna M. Bivens, Director	Danny Scarth, Director
Joel Burns, Director	Betsy Price, Director	Zim Zimmerman, Director

- I. Call to Order
- II. Approve Minutes of July 9, 2013 Meeting
- III. Executive Session The Board of Directors of AllianceAirport Authority, Inc. will conduct a closed meeting to:
  - A. Seek the advice of its attorneys concerning *In re AMR Corporation*, et al., United States Bankruptcy Court for the Southern District of New York, Case Number 11-15463, which is exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by section 551.071 of the Texas Government Code;
  - B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
  - C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.
- IV. Adjourn

This facility is wheelchair accessible. For accommodations or sign interpretive services, please call the **City Manager's Office at 392-6143**, 48 hours in advance.

# CITY OF FORT WORTH, TEXAS CITY COUNCIL ALLIANCEAIRPORT AUTHORITY, INC. JULY 9, 2013

#### Present:

President Jungus Jordan Director Danny Scarth Director W.B. "Zim" Zimmerman Director Frank Moss Director Dennis Shingleton Director Joel Burns Director Betsy Price Director Kelly Allen Gray

## Absent:

Vice President Salvador Espino

#### **<u>City Staff</u>**:

Fernando Costa, Assistant City Manager Sarah Fullenwider, City Attorney Peter Vaky, Deputy City Attorney Mary J. Kayser, City Secretary Tom Higgins, City Manager Wayne Corum for Charles Daniels, Assistant City Manager Sarah Fullenwider, City Attorney Jay Chapa, for Susan Alanis, Assistant City Manager Gerald Pruitt, Deputy City Attorney Chris Mosley, Senior Assistant City Attorney

#### I. <u>Call to Order</u>

With a quorum of the directors present, President Jordan called the meeting to order for the Board of Directors of the AllianceAirport Authority, Inc., at 5:07 p.m. on Tuesday, July 9, 2013, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas, with Vice President Espino absent.

## II. Approve Minutes of June 4, 2013 Meeting

President Jordan opened the floor for a motion on the approval of the minutes.

Motion was made by Director Price and seconded by Director Shingleton to approve the minutes of the June 4, 2013, AllianceAirport Authority, Inc., meeting. Motion carried unanimously 8 ayes 0 nays, with Vice President Espino absent.

#### CITY OF FORT WORTH, TEXAS ALLIANCEAIRPORT AUTHORITY, INC. JULY 9, 2013 Page 2 of 2

#### III. <u>Executive Session</u>

In accordance with Chapter 551 of the Texas Government Code, President Jordan and the Directors of the AllianceAirport Authority, Inc., convened into Executive Session at 5:08 p.m. on Tuesday, July 9, 2013, in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, in order to:

- A. Seek the advice of its attorneys concerning *In re AMR Corporation*, et al., United States Bankruptcy Court for the Southern District of New York, Case Number 11-15463, which is exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by section 551.071 of the Texas Government Code;
- B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
- C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

President Jordan adjourned the Executive Session at 5:21 p.m., on Tuesday, July 9, 2013.

President Jordan reconvened the regular session of the AllianceAirport Authority, Inc., at 5:22 p.m., on Tuesday, July 9, 2013.

#### V. <u>Adjourn</u>

With no further business before the Corporation Board, President Jordan adjourned the meeting of the AllianceAirport Authority, Inc., at 5:22 p.m. on Tuesday, July 9, 2013.

These minutes approved by the AllianceAirport Authority, Inc., on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED:

Jungus Jordan, Chairman

Minutes Prepared by and Attest:



## FORT WORTH CITY COUNCIL WORKSHOP WITH TARRANT COUNTY AND INDEPENDENT SCHOOL DISTRICT BOARD REPRESENTATIVES

TUESDAY, JULY 16, 2013 2:00 P.M.

# FORT WORTH CONVENTION CENTER, BALLROOM A 1201 HOUSTON STREET FORT WORTH, TEXAS 76102

#### I. Welcome and Introductions

- II. City of Fort Worth
  - a. Growth patterns
  - b. 2014 bond program
  - c. Future facility needs
- **III.** Tarrant County
  - a. Development patterns
  - b. Potential future needs

#### IV. Independent School District Presentations

- a. Growth patterns
- **b.** Future bonds
- c. Future facility needs
- V. Discussion of joint use facility opportunities
- VI. Discussion of methods to open lines of communication
- VII. Discussion on ways the City and County can partner with the Independent School Districts to promote education
- VIII. Future meetings

#### IX. Adjourn

This facility is wheelchair accessible. For accommodations or sign interpretive services, please call the City Manager's Office at 817-392-6143, 48 hours in advance. There is handicapped parking available in both the Commerce Street and Houston Street garages. Elevators are located in the 12<sup>th</sup> Street lobby area (closest to the Houston garage entrance) and near the Water Gardens entrance (closest to the Commerce garage).

This facility is wheelchair accessible. For accommodations or sign interpretive services, please call the City Manager's Office at 817-392-6143, 48 hours in advance.

**Mayor Betsy Price** 

City of Fort Worth Planning and Development Department

**Tarrant County Representatives** 

Independent School District Representatives



# City of Fort Worth City Council Pre-Council Agenda Calendar

# July 16, 2013

2:00 p.m. Joint Meeting of the Fort Worth City Council Workshop with Tarrant County and Independent School District Board Representatives (Fort Worth Convention Center, Ballroom A) Alliance Airport Authority, Inc. Meeting (Immediately following the City Council meeting scheduled to begin at 10:00 a.m.) 8:30 a.m. Pre-Council Meeting

## **Continued Items:**

- M&C L-15564 Authorize Direct Sale of a Tax-Foreclosed Property Located at 5217
  Pinson Street to Essie Mishaw for a Sale Price in the Amount of \$3,100.00, in Accordance
  with Section 34.05 of the Texas Tax Code (COUNCIL DISTRICT 5 Council Member
  Bivens) (Continued from July 9, 2013 by Council Member Bivens)
- M&C L-15575 Authorize Condemnation by Eminent Domain for a Fee Simple Interest in 0.077 Acres for a Right-of-Way and 0.024 Acres for a Temporary-Construction Easement, Portions of an Improved Property Located at 8065 Old Decatur Road, Owned by Saginaw Storage King Old Decatur Road, L.P., for the Old Decatur Road Improvement (ETJ NEAR COUNCIL DISTRICT 7 – Council Member Shingleton) (Continued from July 9, 2013 by Staff)
- M&C C-26307 Authorize Expenditure in the Amount of \$304,499.83 to the Fort Worth and Western Railroad Company for Construction of Henderson Detour Railroad-Crossing and Related Equipment, Authorize Expenditure in the Amount of \$204,523.50 to the Fort Worth and Western Railroad Company for Construction of Railroad-Crossing and Related Equipment for the Temporary Reopening of North Commerce Street, Authorize Execution of a Settlement Agreement in Lieu of Condemnation with the Fort Worth and Western Railroad Company in the Amount of \$200,000.00 for Railroad-Crossing License Fees and Easement Acquisition for a Total in the Amount of \$709,023.33 for Construction of Trinity River Vision-Related Railroad Crossings and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2 Council Member Espino and 9 Council Member Burns) (Continued from July 9, 2013 by Staff)
- M&C C-26318 Authorize Credit Sales Agreement with Trinity River Mitigation Bank, LTD, in the Amount of \$69,300.00 for the Mitigation of Waters of the United States Associated with the 9700 Trinity Boulevard Culvert Improvements Project (COUNCIL DISTRICT 5 – Council Member Bivens) (Continued from July 9, 2013 by Council Member Bivens)



# City of Fort Worth City Council Pre-Council Agenda Calendar

# July 16, 2013 (continued)

# **Continued Items:**

- ZC-12-128 David McDavid, 4621 Keller Hicks Road; from: "I" Light Industrial to: "A-5" One-Family (Recommended for Approval by the Zoning Commission) (Council District 7 – Dennis Shingleton) (Continued from June 4, 2013 by Council Member Shingleton)
- o Briefing on Naval Air Station Fort Worth Joint Reserve Base [Fernando Costa, City Manager's Office and Captain Robert Bennett, United States Navy]
- o Briefing on Notice of Intent to Sell Certificates of Obligation on Debt Service [Jay Chapa, *Financial Management Services*]

# July 23, 2013

# 8:30 a.m. Pre-Council Meeting 1:00 p.m. – 4:00 p.m. Visioning Workshop

- o Update on Drought and Public Outreach [Frank Crumb, Water and Linda Christie, Tarrant Regional Water District]
- o Presentation on State Legislative Wrap-up [T. J. Patterson, Governmental Relations]
- o Briefing on the Arts Ordinance [Peter Vaky, Law Department]

# July 30, 2013

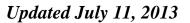
# 8:30 a.m. Pre-Council Meeting (cancelled)

# August 6, 2013 Monthly Zoning Meeting

# 11:00 a.m. Legislative and Intergovernmental Affairs Committee 1:00 p.m. Housing and Economic Development Committee 3:00 p.m. Pre-Council Meeting

# **Continued Items:**

• ZC-13-003 - Emanuel Milledge, 3300 Fite Street; from: "AG" Agricultural to: "PD/SU" Planned Development/Specific Use for outside storage; site plan waiver requested. (Recommended for Denial without Prejudice by the Zoning Commission) (Council District 5 – Gyna Bivens) (Continued from July 9, 2013 by Council Member Bivens)





# City of Fort Worth City Council Pre-Council Agenda Calendar

# August 6, 2013 (continued)

• **ZC-13-034** – City of Fort Worth Planning and Development; Text Amendment: Gas Compressors in "AG" Districts; An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of the City of Fort Worth (1986), to amend:

Chapter 5 "Supplemental Use Standards" to amend Section 5.140 "Natural Gas Compressor Station" to reflect the revisions in the Gas Ordinance; and

Sections 4.800 "Nonresidential District Use Table" and 4.1200 "Form Based Districts Use Table" to clarify that line compressors are permitted by right in certain districts and by Special Exception in all other zoning districts

To review the proposed amendments:

http://www.fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx

(Recommended for Denial without Prejudice by the Zoning Commission) (Continued from May 7, 2013 by Council Member Moss)

- **ZC-13-049** City of Fort Worth Planning and Development; Text Amendment: Airport Overlay and Compatible Use Zones; An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth (1986), to amend:
  - Article 4 "Overlay Districts", of Chapter 4, "District Regulations" to add a new section, Section 4.405 "Airport/Airfield Overlay ("AO") District";
  - Providing for regulations for Airport Overlay Zones and Compatible Use Zones ("AO-CUZ") Restrictions for incompatible uses within Clear Zones and Accident Potential Zones for the Naval Air Station Fort Worth Joint Reserve Base; and
  - To revise Chapter 9, "Definitions" to add definitions related to airports

To review the proposed amendments:

<u>http://www.fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx</u> (Recommended for Approval by the Zoning Commission) (All Council Districts) (Continued from July 9, 2013 by Council Member Shingleton)

- ZC-13-050 City of Fort Worth Planning and Development, North and South of NAS FW JRB Runways; from: various zoning districts to: add Airport Overlay/Compatible Use Zone Overlay Districts (Recommended for Approval by the Zoning Commission) (Council District 3 Zim Zimmerman and Council District 7 Dennis Shingleton) (Continued from July 9, 2013 by Council Member Shingleton)
- o Overview on Significant Zoning Cases [Dana Burghdoff, Planning and Development]
- o Update on ERP Phase II [Greg Jordan, Financial Management Services]

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# City of Fort Worth City Council Pre-Council Agenda Calendar

August 13, 2013

10:00 a.m. Audit Committee 1:00 p.m. Infrastructure & Transportation Committee 3:00 p.m. Pre-Council Meeting

o Presentation of City Manager's Fiscal Year 2014 Budget [Jay Chapa, Financial Management Services Director]

<u>August 15, 2013</u> (Thursday)

8:30 a.m. – 5:00 p.m. City Council Budget Workshop (Pre-Council Chamber)

<u>August 16, 2013</u> (Friday)

8:30 a.m. – 5:00 p.m. City Council Budget Workshop (Pre-Council Chamber)

# August 20, 2013

# 8:30 a.m. Pre-Council Meeting

o Briefing on Dallas/Fort Worth Airport FY2014 Budget [Chris Poinsatte, Dallas/Fort Worth Airport]

<u>August 22, 2013</u> (Thursday)

1:00 p.m. - 4:00 p.m. Budget Study Session (Pre-Council Chamber) 5:30 p.m. Fort Worth Crime Control and Prevention District Board of Directors Meeting (Pre-Council Chamber)

August 27, 2013

8:30 a.m. Pre-Council Meeting (cancelled) 2:00 p.m. – 4:00 p.m. City Council Joint Meeting with the T Board (Pre-Council Chamber)

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City of Fort Worth City Council Pre-Council Agenda Calendar

August 29, 2013 (Thursday)

9:00 a.m. - Noon Budget Study Session (Pre-Council Chamber)

September 2, 2013 (Monday)

City Hall Closed – Labor Day Holiday

# <u>September 3, 2013</u>

11:00 a.m. Legislative and Intergovernmental Affairs Committee (cancelled) 1:00 p.m. Housing and Economic Development Committee (cancelled) 3:00 p.m. Pre-Council Meeting (cancelled)

<u>September 5, 2013</u> (Thursday)

9:00 a.m. – noon Budget Study Session (Pre-Council Chamber)

September 10, 2013 Monthly Zoning Meeting

10:00 a.m. Audit Committee 1:00 p.m. Infrastructure & Transportation Committee 3:00 p.m. Pre-Council Meeting

September 12, 2013 (Thursday)

9:00 a.m. – Noon Budget Study Session

September 17, 2013

8:30 a.m. Pre-Council Meeting

o Discussion on the City Manager's Final Fiscal Year 2014 Budget [Jay Chapa, Financial Management Services]

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City of Fort Worth City Council Pre-Council Agenda Calendar

<u>September 24, 2013</u>

8:30 a.m. Pre-Council Meeting



# City Council Meeting of July 9, 2013 Staff Action Tracking

Item #1	Fourth of July Traffic		
Due Date:	July 23, 2013	Council District: 1	
Staff Action:	Staff to prepare an IR to explain the traffic congestion that occurred around downtown Fort Worth on July 4 <sup>th</sup> and measures to prevent it from occurring in the future.		
Responsibility:	Jeff Halstead (Police)		
Item # 2	Building Demolitions		
Due Date:	July 23, 2013	Council District: 9	
Staff Action:	Staff to prepare an IR to include a survey of other cities to determine how they involve the public in the regulation of building demolitions.		
Responsibility:	Randle Harwood (Planning and Development)		
Item # 3	Interlocal Agreement		
Due Date:	July 23, 2013	Council District: 6	
Staff Action:	Staff to prepare an IR regarding the interlocal agreement with other cities for fire protection in the vicinity of Spinks Airport.		
Responsibility:	Rudy Jackson (Fire)		

## CITY OF FORT WORTH, TEXAS REGULAR CITY COUNCIL MEETING JUNE 4, 2013

#### Present:

Mayor Betsy Price Mayor Pro tem W.B. "Zim" Zimmerman, District 3 Council Member Daniel Scarth, District 4 Council Member Frank Moss, District 5 Council Member Jungus Jordan, District 6 Council Member Dennis Shingleton, District 7 Council Member Kelly Allen Gray, District 8 Council Member Joel Burns, District 9

#### Absent:

Council Member Salvador Espino, District 2

#### **Staff Present:**

Tom Higgins, City Manager Sarah Fullenwider, City Attorney Mary J. Kayser, City Secretary

#### **Council Member-Elect**

Gyna M. Bivens

# I. <u>CALL TO ORDER</u>

With a quorum of the City Council Members present, Mayor Price called the regular session of the Fort Worth City Council to order at 7:10 p.m. on Tuesday, July 9, 2013, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, with Council Member Espino absent.

#### II. INVOCATION - Pastor James Womack, Destiny Church

The invocation was provided by Pastor James Womack, Destiny Church.

# III. <u>PLEDGE OF ALLEGIANCE</u>

The Pledge of Allegiance was recited.

# IV. <u>CONSIDERATION OF MINUTES OF REGULAR MEETING OF JUNE 4, 2013</u> AND MINUTES OF CALLED-SPECIAL MEETING OF JUNE 18, 2013

Motion: Council Member Jordan made a motion, seconded by Council Member Burns, that the minutes of the Regular meeting of June 4, 2013, and the minutes of the Called-Special meeting of June 18, 2013, be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### CITY OF FORT WORTH, TEXAS REGULAR CITY COUNCIL MEETING JULY 9, 2013 Page 2 of 37

## V. OUTGOING REMARKS OF COUNCIL MEMBER FRANK MOSS

Council Member Moss stated that it was an honor to have served as the District 5 Council representative and to serve the City and his district. He expressed appreciation to his family, Council Aide Michelle Reynolds, City Council colleagues, City staff and the citizens who had supported him. He stated that some of the major accomplishments that they had done were the rezoning of the majority of District 5 which had given citizens input into what happened in their community; quality housing; the Arlington Lake Master Plan; work being completed on Lake Shore Drive and Cavile Place Historic Stop Six Transformation Plan. He also mentioned the artwork at the fire station on Trinity and Precinct Line Road; the opening of William McDonald Park located on Eastland Street and the Hip Hop for HIV event that would continue.

# VI. <u>PRESENTATION FROM THE CITY COUNCIL AND OTHERS TO COUNCIL</u> <u>MEMBER FRANK MOSS</u>

The City Council presented Council Member Moss with a rocking chair and expressed their appreciation for his service to the Citizens of District 5 and to the entire City.

Mayor Price presented Council Member Moss with his City Council Portrait that hung outside the Council Chamber and expressed her appreciation to Council Member Moss for his service to the Citizens of District 5 and to the entire City.

## VII. <u>ADMINISTRATION OF OATH OF OFFICE TO COUNCIL MEMBER ELECT</u> <u>GYNA M. BIVENS AND PRESENTATION OF CERTIFICATE OF ELECTION</u>

City Secretary Kayser administered the Oath of Office to Council Member-Elect Gyna M. Bivens.

# VIII. <u>REMARKS AND INTRODUCTIONS BY COUNCIL MEMBER GYNA M.</u> <u>BIVENS</u>

Council Member Bivens expressed her appreciation to Former Council Member Moss for his service. She also expressed her appreciation to her family, Pastor, friends and citizens for their support. She recognized the Fort Worth Chapter of The Links Incorporated, her mother and her pastor who made remarks.

# IX. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

City Manager Higgins requested that Mayor and Council Communication C-26307 be withdrawn from the Consent Agenda.

# X. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

City Manager Higgins requested that Mayor and Council Communication L-15575 and C-26307 be continued to the July 16, 2013, Council meeting.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication L-15564 and C-26318 be continued to the July 16, 2013, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### XI. <u>CONSENT AGENDA</u>

Motion: Council Member Scarth made a motion, seconded by Council Member Jordan, that the Consent Agenda be approved as amended. The motion carried unanimously 7 ayes to 0 nays, with 1 abstention by Council Member Bivens and Council Member Espino absent.

#### A. <u>General - Consent Items</u>

## 1. <u>M&C G-17922 - Authorize Release of City Liens and Accrued Interest Filed on</u> the Property Located at 3900 Hemphill Street for the Redevelopment of Terry's Supermarket (COUNCIL DISTRICT 9)

The City Council approved the following recommendation: Authorize the release of City liens and accrued interest filed on the property located at 3900 Hemphill Street for the redevelopment of Terry's Supermarket.

## 2. <u>M&C G-17923 - Authorize Execution of Amendment No. 3 to City Secretary</u> <u>Contract No. 28336 with Allied Waste Systems, Inc. d/b/a Trinity Waste Services,</u> <u>for the Lease and Operation of the Southeast Landfill (ALL COUNCIL</u> <u>DISTRICTS)</u>

The City Council approved the following recommendation: Authorize the execution of Amendment No. 3 to City Secretary Contract No. 28336, with Allied Waste Systems, Inc. d/b/a Trinity Waste Services, for an estimated cost of \$395,300.00 during the first year to allow the City to deliver yard waste to the Southeast Landfill for processing into mulch and compost.

## 3. <u>M&C G-17924 - Authorize Acceptance of Funds from Tarrant County 9-1-1</u> <u>District in the Amount of \$340,693.00 for the Public Safety Answering Points'</u> <u>Assistance Reimbursement Program for Fiscal Year 2013 and Adopt</u> <u>Appropriation Ordinance (ALL COUNCIL DISTRICTS)</u></u>

The City Council approved the following recommendation: Authorize the acceptance of funds from Tarrant County 9-1-1 District for Fiscal Year 2013 in the amount of \$340,693.00 for the Public Safety Answering Points' Reimbursement Program; and adopt Appropriation Ordinance No. 20789-07-2013 increasing the estimated receipts and appropriations in the General Fund in the amount of \$126,056.41 for the Fire Department and in the amount of \$214,636.59 for the Police Department, from available funds, for the purpose of the Public Safety Answering Points' Reimbursement Program for Fiscal Year 2013.

4. <u>M&C G-17925 - Adopt Resolution Authorizing an Increase of \$400,000.00 in the</u> <u>Maximum Amount to be Paid to S.G. Johndroe, III and the Law Firm Cantey</u> <u>Hanger, LLP, as Outside Counsel for Legal Matters Related to the Alliance</u> <u>Airport Runway Extension Project, Thereby Increasing the Total Amount of</u> <u>Compensation to \$1,500,000.00 (COUNCIL DISTRICT 7)</u>

The City Council approved the following recommendation: Adopt Resolution No. 4215-07-2013 authorizing a \$400,000.00 increase to the maximum amount to be paid to S.G. Johndroe, III and the law firm Cantey Hanger, LLP, as outside legal counsel for the Alliance Airport Runway Extension Project, thereby increasing the total amount of compensation to \$1,500,000.00.

5. <u>M&C G-17926 - Adopt Resolution Authorizing the Increase of \$30,000.00 in the</u> <u>Maximum Amount to be Paid to Dwight A. Shupe and the Law Firm of Shupe,</u> <u>Ventura, Lindelow & Olson, PLLC, as Outside Counsel in the Alliance Airport</u> <u>Runway Extension Project in the Amount Not to Exceed \$90,000.00 (COUNCIL</u> <u>DISTRICT 7)</u>

The City Council approved the following recommendation: Adopt Resolution No. 4216-07-2013 authorizing a \$30,000.00 increase to the maximum amount to be paid to Dwight A. Shupe and the Law Firm of Shupe, Ventura, Lindelow & Olson, PLLC, as outside legal counsel in the Alliance Airport Runway Extension Project in the amount not to exceed \$90,000.00.

6. <u>M&C G-17927 - Authorize Application for and Acceptance of, if Awarded, Funds</u> <u>Totaling \$86,500.00 from the Amon G. Carter Foundation, the Sid W. Richardson</u> <u>Foundation and the Crystelle Waggoner Charitable Trust for the 2013 Como</u> <u>Community Center Youth Programs and Adopt Appropriation Ordinance</u> (COUNCIL DISTRICT 3) The City Council approved the following recommendation: Authorize the application for and acceptance of, if awarded, funds totaling \$86,500.00 from the Amon G. Carter Foundation, the Sid W. Richardson Foundation and the Crystelle Waggoner Charitable Trust for the 2013 Como Community Center Youth Programs; and adopt Appropriation Ordinance No. 20790-07-2013 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$86,500.00, subject to receipt of funds from the Amon G. Carter Foundation, the Sid W. Richardson Foundation and the Crystelle Waggoner Charitable Trust, for the purpose of supporting the 2013 Como Community Center Youth programs.

# B. <u>Purchase of Equipment, Materials, and Services - Consent Items</u>

1. <u>M&C P-11540 - Authorize Non-Exclusive Purchase Agreements with Makro</u> <u>Technologies, Inc., P.I.E. Management, LLC, TBey Consulting Group, Inc., and</u> <u>TS Staffing Services, Inc., for a Combined Amount Up to \$525,000.00 for the First</u> <u>Year, to Provide Temporary Professional Employment Services to the City of</u> <u>Fort Worth (ALL COUNCIL DISTRICTS)</u>

The City Council approved the following recommendation: Authorize Non-Exclusive Purchase Agreements with Makro Technologies, Inc., P.I.E. Management, LLC, TBey Consulting Group, Inc., and TS Staffing Services, Inc., for a combined amount up to \$525,000.00 for the first year, to provide temporary professional employment services to the City of Fort Worth.

## 2. <u>M&C P-11541 - Authorize Non-Exclusive Purchase Agreements with Brenntag</u> <u>Southwest, Inc., DPC Industries, Co., Pennco, Inc., and Key Chemical, Inc., to</u> <u>Provide Water Treatment Chemicals to the Water Department for a Combined</u> <u>Amount Up to \$2,000,000.00 for the First Year (ALL COUNCIL DISTRICTS)</u>

The City Council approved the following recommendation: Authorize Non-Exclusive Purchase Agreements with Brenntag Southwest, Inc., DPC Industries, Co., Pennco, Inc., and Key Chemical, Inc., to provide water treatment chemicals to the Water Department for a combined amount up to \$2,000,000.00 for the first year.

# 3. <u>M&C P-11542 - Authorize Purchase Agreement to HD Supply Waterworks, LTD,</u> in the Amount Up to \$60,000.00 for the First Year, for Various Flexible Pipe <u>Couplings and Adapters for the Water Department (ALL COUNCIL</u> <u>DISTRICTS)</u>

The City Council approved the following recommendation: Authorize a Purchase Agreement with HD Supply Waterworks, LTD, in the amount up to \$60,000.00 for the first year, for various flexible pipe couplings and adapters for the Water Department.

## 4. <u>M&C P-11543 - Authorize Purchase of Four Brush Chippers from Vermeer</u> Equipment of Texas, Inc., in the Amount of \$152,828.00 Using a Cooperative Contract for the Parks and Community Services Department (ALL COUNCIL <u>DISTRICTS)</u>

The City Council approved the following recommendation: Authorize the purchase of four brush chippers from Vermeer Equipment of Texas, Inc., in the amount of \$152,828.00 using the Texas Association of School Boards Cooperative Contract No. 345-10 for the Parks and Community Services Department.

## 5. <u>M&C P-11544 - Authorize Sole Source Purchase Agreement with Pan-Tech</u> <u>Controls Company in the Amount Up to \$95,000.00 for the First Year, for</u> <u>Endress+Hauser Instrumentation, Meters, Repair Service and Parts for the</u> <u>Water Department (ALL COUNCIL DISTRICTS)</u>

The City Council approved the following recommendation: Authorize a Sole Source Purchase Agreement with Pan-Tech Controls Company in the amount up to \$95,000.00 for the first year, for Endress+Hauser instrumentation, meters, repair service and parts for the Water Department.

## 6. <u>M&C P-11545 - Authorize Purchase of Two Truck Tractors from Rush Truck</u> <u>Centers of Texas, L.P., in the Amount of \$289,071.00, Using a Texas Association</u> <u>of School Boards Cooperative Contract for the Transportation and Public Works</u> <u>and Water Departments (ALL COUNCIL DISTRICTS)</u>

The City Council approved the following recommendation: Authorize the purchase of two truck tractors from Rush Truck Centers of Texas, L.P., in the amount of \$289,071.00, using the Texas Association of School Boards Cooperative Contract No. 358-10 for the Transportation and Public Works and Water Departments.

## 7. <u>M&C P-11546 - Authorize Sole Source Purchase Agreement for the Whelen</u> <u>CanTrol Emergency Light and Siren Management Systems from Baby Jack II</u> <u>Automotive LTD d/b/a Caldwell Country Chevrolet, in the Amount of \$98,644.00</u> <u>for the Police Department (ALL COUNCIL DISTRICTS)</u>

The City Council approved the following recommendation: Authorize a Sole Source Purchase Agreement for the Whelen CanTrol Emergency Light and Siren Management Systems from Baby Jack II Automotive LTD d/b/a Caldwell Country Chevrolet, in the amount of \$98,644.00 for the Police Department.

## 8. <u>M&C P-11547 - Authorize Sole Source Agreement with Informa Systems, Inc., in</u> <u>the Amount of \$61,000.00 for the First Year for Learning Management Services</u> <u>for the Police Department (ALL COUNCIL DISTRICTS)</u>

The City Council approved the following recommendation: Authorize a Sole Source Agreement with Informa Systems, Inc., in the amount of \$61,000.00 for the first year for learning management services for the Police Department.

9. <u>M&C P-11548 - Authorize Purchase of Cues TV Camera and Video System Also</u> <u>Known as Video Camera Inspection System from Austin Truck and Equipment,</u> <u>LTD d/b/a Freightliner of Austin, in the Amount of \$150,517.00, Using a Texas</u> <u>Association of School Boards Cooperative Contract for the Water Department</u> <u>(ALL COUNCIL DISTRICTS)</u>

The City Council approved the following recommendation: Authorize the purchase of Cues TV Camera and Video System also known as Video Camera Inspection System from Austin Truck and Equipment, LTD d/b/a Freightliner of Austin, in the amount of \$150,517.00, using the Texas Association of School Boards Cooperative Contract No. 358-10 for the Water Department.

10. <u>M&C P-11549 - Authorize Purchase of Two Animal Control Trucks for the Code</u> <u>Compliance Department from Baby Jack II Automotive LTD d/b/a Caldwell</u> <u>Country Ford, in the Amount of \$78,252.00 Using a Texas Association of School</u> <u>Boards Cooperative Contract (ALL COUNCIL DISTRICTS)</u>

The City Council approved the following recommendation: Authorize the purchase of two animal control trucks for the Code Compliance Department from Baby Jack II Automotive LTD d/b/a Caldwell Country Ford, in the amount of \$78,252.00 using Texas Association of School Boards Cooperative Contract No. 358-10.

## 11. <u>M&C P-11550 - Authorize Purchase of an Open Vision LT X-Ray System for the</u> <u>Fire Department from QSA Global, Inc., in the Amount of \$62,590.17 Using a</u> <u>General Services Administration Cooperative Contract (ALL COUNCIL</u> <u>DISTRICTS)</u>

The City Council approved the following recommendation: Authorize the purchase of an Open Vision LT X-Ray System for the Fire Department from QSA Global, Inc., in the amount of \$62,590.17 using General Services Administration Cooperative Contract No. GS-07F-0280T.

# 12. <u>M&C P-11551 - Authorize Sole Source Purchase from Remotec, Inc., in the Amount of \$179,751.00, of a Remotec Bomb Robot System, Equipment and Accessories for the Fire Department (ALL COUNCIL DISTRICTS)</u>

The City Council approved the following recommendation: Authorize a Sole Source Purchase from Remotec, Inc., in the amount of \$179,751.00, of a Remotec Bomb Robot System, equipment and accessories for the Fire Department.

## 13. <u>M&C P-11552 - Authorize Purchase of a Crane Truck from Rush Truck Centers</u> of Texas, L.P., in the Amount of \$240,557.00, Using a Houston Galveston Area <u>Council Cooperative Contract for the Water Department (ALL COUNCIL</u> <u>DISTRICTS)</u>

The City Council approved the following recommendation: Authorize the purchase of a crane truck from Rush Truck Centers of Texas, L.P., in the amount of \$240,557.00, using the Houston Galveston Area Council Cooperative Contract No. HT 11-12 for the Water Department.

# C. Land - Consent Items

## 1. <u>M&C L-15563 - Authorize Direct Sale of a Tax-Foreclosed Property Located at</u> 2709 East Rosedale Street to Luz Elena Castro and Miguel Angel Castro for a Sale Price in the Amount of \$11,988.12, in Accordance with Section 34.05 of the Texas Tax Code (COUNCIL DISTRICT 8)

The City Council approved the following recommendation: Authorize the direct sale of a taxforeclosed property located at 2709 East Rosedale Street to Luz Elena Castro and Miguel Angel Castro for a sale price in the amount of \$11,988.12, in accordance with Section 34.05 of the Texas Tax Code; and authorize the execution and recording of the appropriate instruments conveying the property to complete the sale.

## 3. <u>M&C L-15565 - Authorize Sale of Seventy Tax-Foreclosed Properties in the</u> <u>Amount of \$384,697.87, in Accordance with Section 272.001 of the Texas Local</u> <u>Government Code and Section 34.05 of the Texas Tax Code (COUNCIL</u> <u>DISTRICTS 2, 3, 4, 5, 8 and 9)</u>

The City Council approved the following recommendation: Authorize the sale of 70 taxforeclosed properties in the amount of \$384,697.87, in accordance with Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Tax Code; and authorize the execution and recording of the appropriate instruments conveying the properties to complete the sale. 4. <u>M&C L-15566 - Authorize Acquisition of a Fee Simple Interest in Three Parcels</u> for a Total of 0.085 Acres for Right-of-Way and Easement Interest in Two Parcels for a Total of 0.088 Acres for Permanent Drainage Easements for the Alsbury Boulevard Paving and Drainage Improvement Project No. 01273, Located East of I-35W from Gayatri Savitir, Inc., Fort Worth Transportation Authority, and James Huck, LLC, for \$71,030.00 and Pay the Estimated Closing Costs of \$9,000.00 for a Total in the Amount of \$80,030.00 and Adopt Appropriation Ordinance (COUNCIL DISTRICT 6)

The City Council approved the following recommendation: Adopt Appropriation Ordinance No. 20791-07-2013 increasing estimated receipts and appropriations in the Transportation Impact Fees Fund in the amount of \$80,030.00, from available funds, for the purpose of the Alsbury Boulevard Paving and Draining Project; authorize acquisition of a fee simple interest in three parcels for a total of 0.085 acres for right-of-way and easement interest in two parcels for a total of 0.088 acres for permanent drainage easements for the Alsbury Boulevard Paving and Drainage Improvement Project No. 01273, located East of I-35W from Gayatri Savitir, Inc., Fort Worth Transportation Authority, and James Huck, LLC; find that the total purchase price in the amount of \$71,030.00 is just compensation; and authorize the acceptance of the conveyance, the recording of the appropriate instrument and payment of the estimated closing costs in the amount of \$9,000.00.

5. <u>M&C L-15567 - Authorize Acquisition of Fee Simple Interest in a Total of 0.953</u> <u>Acres for Right-of-Way, Easement Interest in a Total of 0.058 Acres for</u> <u>Permanent Drainage Easements and 0.176 Acres for Temporary Construction</u> <u>Easements for the Old Decatur Road Street Drainage Improvement Project,</u> <u>Located South of WJ Boaz Road to McLeroy Boulevard for \$65,712.00 and Pay</u> <u>the Estimated Closing Costs in the Amount of \$15,000.00 for a Total in the</u> <u>Amount of \$80,712.00 (ETJ NEAR COUNCIL DISTRICT 7)</u>

The City Council approved the following recommendation: Authorize the acquisition of fee simple interest in a total of 0.953 acres for right-of-way, easement interest in a total of 0.058 acres for permanent drainage easements and 0.176 acres for temporary construction easements for the Old Decatur Road Street Drainage Improvement Project, located south of WJ Boaz Road to McLeroy Boulevard, west of I-35W and east of Boat Club Road; find that the total purchase price in the amount of \$65,712.00 is just compensation; and authorize the acceptance of the conveyance, the recording of the appropriate instrument and payment of the estimated closing costs in the amount up to \$15,000.00.

## 6. <u>M&C L-15568 - Authorize Acquisition of a Fee Simple Interest in 0.2869 Acres of</u> Land in Vacant Lots for the East Como Channel Improvements Project Located at 5213 Blackmore Avenue from Barnell Mitchell in the Amount of \$18,750.00 and Payment of the Estimated Closing Costs in the Amount of \$2,000.00 for a Total Cost in the Amount of \$20,750.00 (COUNCIL DISTRICT 7)

The City Council approved the following recommendation: Authorize the acquisition of a fee simple interest in 0.2869 acres of land in vacant lots located at 5213 Blackmore Avenue, Fort Worth, Texas, from Barnell Mitchell; find that the total purchase price in the amount of \$18,750.00 is just compensation; and authorize the City Manager or his designee to accept the conveyance, pay just compensation, record the appropriate instruments and pay estimated closing costs in the amount of \$2,000.00.

7. <u>M&C L-15569 - Authorize Acquisition of a Fee Simple Interest in 0.026 Acres of</u> Land for the Loving Channel Drainage Improvements Project Located at 3001 Prairie Avenue from Richard Hignight in the Amount of \$2,500.00 and Pay Estimated Closing Costs in the Amount Up to \$1,500.00 (COUNCIL DISTRICT 2)

The City Council approved the following recommendation: Authorize the acquisition of a fee simple interest in 0.026 acres of land for the Loving Channel Drainage Improvements Project located at 3001 Prairie Avenue from Richard Hignight in the amount of \$2,500.00; find that the amount of \$2,500.00 is just compensation for the needed property interest; and authorize the City Manager or his designee to accept the conveyances, record the appropriate instruments, pay the purchase price in the amount of \$2,500.00 and the estimated closing costs in the amount up to \$1,500.00.

8. <u>M&C L-15570 - Authorize Acquisition of a Fee Simple Interest in 0.0186 Acres, a</u> <u>Temporary Construction Easement on 0.0220 Acres, and a Permanent Drainage</u> <u>Easement on 0.0250 Acres Located at 300 NE 21st Street from TJB Enterprises,</u> <u>LLC, for Major Drainage Improvements to Mercado Channel in the Amount of</u> <u>\$62,253.50, and Authorize Payment of Estimated Closing Costs in the Amount Up</u> <u>to \$5,000.00, for a Total Acquisition Cost in the Amount of \$67,253.50 (COUNCIL</u> <u>DISTRICT 2)</u>

The City Council approved the following recommendation: Authorize the acquisition of a fee simple interest in 0.0186 acres, an easement interest in 0.0220 acres for a temporary construction easement and an easement interest in 0.0250 acres for a permanent drainage easement in vacant lots located at 300 NE 21st Street from TJB Enterprises, LLC, for major drainage improvements to Mercado Channel; find that the total purchase price in the amount of \$62,253.50 is just compensation; and authorize the City Manager or his designee to accept the conveyance, pay just compensation, record the appropriate instruments and pay estimated closing costs in the amount up to \$5,000.00.

## 9. <u>M&C L-15571 - Authorize Acquisition of a Fee Simple Interest in 0.128 Acres of</u> <u>Land for the Greenfield Acres Drainage Improvement Project Located at 5728</u> <u>Fathom Drive Owned by Sibelius Development LLC, in the Amount of \$29,000.00</u> <u>and Pay Estimated Closing Costs in the Amount Up to \$1,200.00 for a Total Cost</u> <u>of \$30,200.00 (COUNCIL DISTRICT 2)</u>

The City Council approved the following recommendation: Authorize the acquisition of a fee simple interest in 0.128 acres of land for a vacant lot located at 5728 Fathom Drive, Fort Worth, Texas, from Sibelius Development LLC; find that the total purchase price in the amount of \$29,000.00 is just compensation; and authorize the acceptance of the conveyance, the recording of the appropriate instrument and payment of the estimated closing costs in the amount up to \$1,200.00.

# D. <u>Planning & Zoning - Consent Items</u>

# 1. <u>M&C PZ-3023 - Authorize Initiation of Rezoning for Certain Properties in the</u> <u>Alliance Airport Area in Accordance with the Comprehensive Plan (COUNCIL</u> <u>DISTRICT 7)</u>

The City Council approved the following recommendation: Authorize the City Manager to initiate certain zoning changes for the Alliance Airport area from "K" Heavy Industrial and "PD 328" Planned Development 328 to "PD" Planned Development for "K" uses plus airport, aviation field, aircraft operating area, heliport, and landing area, and to exclude junkyards, recycling facilities, sexually oriented businesses, and tattoo parlors with site plan waived, in accordance with the Comprehensive Plan.

# E. <u>Award of Contract - Consent Items</u>

# 1. <u>M&C C-26304 - Authorize Execution of a Contract for Receipt in the Amount Up</u> to \$64,350.00, Including Interest, with the United States Equal Employment Opportunity Commission to Process Employment Discrimination Cases for Fiscal Year 2013 for the Human Relations Unit of the City Manager's Office and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Authorize the execution of a contract, Contract No. EECCN130018, with the United States Equal Employment Opportunity Commission and accept funds in the amount up to \$64,150.00; authorize the use of anticipated interest in the amount up to \$200.00; and adopt Appropriation Ordinance No. 20792-07-2013 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$64,350.00, subject to receipt of funds from the United States Equal Employment Opportunity Commission, for the purpose of processing employment discrimination cases for Fiscal Year 2013 for the Human Relations Unit of the City Manager's Office.

## 2. <u>M&C C-26305 - Authorize Execution of an Interlocal Agreement Between the</u> <u>Railroad Commission of Texas and the City of Fort Worth for Facility Sharing of</u> <u>Space at 401 West 13th Street, Fort Worth, Texas (COUNCIL DISTRICT 9)</u>

The City Council approved the following recommendation: Authorize an Interlocal Agreement with the Texas Railroad Commission for facility sharing by the City of Fort Worth with the Texas Railroad Commission utilizing 1,497 square feet of office space at 401 West 13th Street.

3. <u>M&C C-26306 - Authorize Execution of a Professional Services Agreement with</u> <u>Education & Government Information Technology Services in the Amount Not to</u> <u>Exceed \$200,000.00 Per Contract Year for Information Technology Network</u> <u>Infrastructure and Architecture Consulting Services (ALL COUNCIL</u> <u>DISTRICTS)</u>

The City Council approved the following recommendation: Authorize the execution of a Professional Services Agreement with Education & Government Information Technology Services in the amount not to exceed \$200,000.00 per contract year for an initial term of one year with two one-year renewal options for Information Technology Network Infrastructure and Architecture Consulting Services.

5. <u>M&C C-26308 - Adopt Resolution Authorizing Employment of McCall,</u> <u>Parkhurst & Horton L.L.P. and Kelly Hart & Hallman LLP, to Represent the</u> <u>City in Matters Related to the Issuance of Bonds and Other Debt Instruments</u> (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Adopt Resolution No. 4217-07-2013 authorizing employment of McCall, Parkhurst & Horton L.L.P., and Kelly Hart & Hallman LLP, to serve as bond co-counsel and represent the City in matters related to the issuance of municipal bonds and other debt instruments.

6. <u>M&C C-26309 - Authorize Execution of an Agreement with the Tarrant County</u> and the Tarrant County Tax Assessor-Collector for Ad Valorem Tax Assessment and Collection Services for Fiscal Year 2014 for Approximately \$471,960.00 (ALL <u>COUNCIL DISTRICTS)</u>

The City Council approved the following recommendation: Authorize the execution of an agreement with Tarrant County and the Tarrant County Tax Assessor-Collector for assessment and collection services of ad valorem taxes levied by the City of Fort Worth for Fiscal Year 2014, covering the period October 1, 2013 to September 30, 2014, with a unit-based cost in the amount of \$1.10 per account for property located within Tarrant County and the amount of \$2.60 per account for property located outside the County, resulting in an overall annual cost of approximately \$471,960.00.

#### 7. <u>M&C C-26310 - Amend Mayor and Council Communication C-25710 to Extend</u> <u>Completion Deadline Under Proposed Tax Abatement Agreement with NGC</u> <u>Renewables, LLC, or an Affiliated Entity for Construction of a 120,000 Square</u> <u>Foot North American Headquarters and Manufacturing Facility at 5500 Alliance</u> <u>Gateway Freeway (COUNCIL DISTRICT 7)</u>

The City Council approved the following recommendation: Amend Mayor and Council Communication C-25710 to extend the completion deadline under a proposed Tax Abatement Agreement with NGC Renewables, LLC, or an affiliated entity for the construction of a 120,000 square foot North American headquarters and manufacturing facility at 5500 Alliance Gateway Freeway.

#### 8. <u>M&C C-26311 - Authorize Execution of Change Order No. 5 to City Secretary</u> <u>Contract No. 40679, with Concho Construction Company, Inc., in the Amount of</u> <u>\$70,312.44 for the Construction of Clearfork Main Street Bridge, Thereby</u> <u>Increasing the Total Contract Amount to \$9,956,732.60 (COUNCIL DISTRICT 3)</u>

The City Council approved the following recommendation: Authorize execution of Change Order No. 5 to City Secretary Contract No. 40679, with Concho Construction Company, Inc., in the amount of \$70,312.44, for the construction of Clearfork Main Street Bridge, thereby increasing the total contract amount to \$9,956,732.60.

#### 9. <u>M&C C-26312 - Authorize Execution of a Contract with Bradley Douglas</u> <u>Construction Services, LLC., in the Amount of \$539,640.00 for Concrete</u> <u>Restoration at Eleven Locations (COUNCIL DISTRICTS 3, 4, 5, 6 and 8)</u>

The City Council approved the following recommendation: Authorize execution of a contract with Bradley Douglas Construction Services, LLC, in the amount of \$539,640.00, for Concrete Restoration 2013-11 at eleven locations.

10. <u>M&C C-26313 - Authorize Execution of a Three-Year Non-Exclusive Professional</u> <u>Services Agreement with Rosa Lowinger & Associates, Inc., for Maintenance and</u> <u>Conservation Treatment of Various Artworks in the Fort Worth Public Art</u> <u>Collection in the Amount Not to Exceed \$60,000.00 (ALL COUNCIL</u> <u>DISTRICTS)</u>

The City Council approved the following recommendation: Authorize the execution of a threeyear Non-Exclusive Professional Services Agreement with Rosa Lowinger & Associates, Inc., for maintenance and conservation treatment of various artworks in the Fort Worth Public Art Collection in the amount not to exceed \$60,000.00.

#### 11. <u>M&C C-26314</u> - Adopt Resolution Authorizing Funding for the Oversight and <u>Quality Control of the Construction Inspection Portion of a Previously Approved</u> <u>Local Project Advance Funding Agreement with the Texas Department of</u> <u>Transportation in the Amount of \$97,635.00 for Dirks Road Widening to Six</u> <u>Lanes Between the Eastern Limit of the Future Chisholm Trail Parkway and</u> <u>Granbury Road (COUNCIL DISTRICTS 3 and 6)</u>

The City Council approved the following recommendation: Adopt Resolution No. 4218-07-2013 authorizing funding for the oversight and quality control of the construction inspection portion of a previously approved Local Project Advance Funding Agreement with the Texas Department of Transportation for construction of Dirks Road widening from two lanes to six lanes between the eastern limit of the future Chisholm Trail Parkway and Granbury Road; and authorize payment to Texas Department of Transportation in the amount of \$97,635.00 for oversight and quality control of construction inspection pursuant to the Local Project Advance Funding Agreement.

12. <u>M&C C-26315 - Authorize Execution of Change Order Nos. 28 Through 31 by the</u> <u>Texas Department of Transportation Resulting in an Increased Construction</u> <u>Contract Cost in the Amount of \$94,456.55 for the Ongoing Construction of</u> <u>Golden Triangle Boulevard from IH-35W to US 377 for a Total Contract in the</u> <u>Amount of \$19,256,705.39 (COUNCIL DISTRICTS 4 and 7)</u>

The City Council approved the following recommendation: Authorize the execution of Change Order Nos. 28 through 31 by the Texas Department of Transportation for an increase to the construction contract in the amount of \$94,456.55 for the construction of Golden Triangle Boulevard from IH-35W to US 377, thereby resulting in an overall increase of City participation in the construction contract in the amount of \$49,257.02 and a total contract in the amount of \$19,256,705.39; and authorize payment to the Texas Department of Transportation in the amount of \$55,167.86 which includes the increase in the construction contract plus 12 percent for engineering and other project costs for the City's share of Change Order Nos. 28 through 31.

13. <u>M&C C-26316 - Authorize Execution of a Stormwater Facility Maintenance</u> <u>Agreement with Commercial Metals Company for Property Located at 4500 Old</u> <u>Decatur Road, J. T. Hobbs Survey, Abstract 806, The C.E.P.I. Survey, Abstract</u> <u>383, and The J. Bowman Survey, Abstract No. 80 at No Expense to the City</u> <u>(COUNCIL DISTRICT 2)</u>

The City Council approved the following recommendation: Authorize the execution of a Stormwater Facility Maintenance Agreement with Commercial Metals Company for property located at 4500 Old Decatur Road, J. T. Hobbs Survey, Abstract 806, the C.E.P.I. Survey, Abstract 383, and the J. Bowman Survey, Abstract No. 80, at no expense to the City.

#### 14. <u>M&C C-26317 - Authorize Execution of a Stormwater Facility Maintenance</u> <u>Agreement with Winco Foods, LLC, for the Property Located at 2101 Sycamore</u> <u>School Road Containing 12.499 Acres of Land in Lot BR2, Block 1, Sycamore</u> <u>Pointe Addition at No Expense to the City (COUNCIL DISTRICT 8)</u>

The City Council approved the following recommendation: Authorize the execution of a Stormwater Facility Maintenance Agreement with Winco Foods, LLC, for the property located at 2101 Sycamore School Road containing 12.499 acres of land in Lot BR2, Block 1, Sycamore Pointe Addition at no expense to the City.

#### 16. <u>M&C C-26319 - Authorize Execution of an Engineering Services Agreement with</u> <u>Dunaway & Associates, L.P., in the Amount of \$387,787.00 for the Design of the</u> <u>Bellaire Park Court Drainage Improvements Project (COUNCIL DISTRICT 3)</u>

The City Council approved the following recommendation: Authorize the execution of an Engineering Services Agreement with Dunaway & Associates, L.P., in the amount of \$387,787.00 for the design of the Bellaire Park Court Drainage Improvements Project.

#### 17. <u>M&C C-26320 - Authorize Engineering Agreement with Wade Trim, Inc., in the</u> <u>Amount of \$524,244.00 for the Design of the Westcliff Drainage Improvements</u> <u>Project (COUNCIL DISTRICTS 3 and 9)</u>

The City Council approved the following recommendation: Authorize the execution of an Engineering Agreement in the amount of \$524,244.00 with Wade Trim, Inc., for the design of the Westcliff Drainage Improvements Project.

18. <u>M&C C-26321 - Authorize Execution of an Agreement with Brown & Gay</u> Engineers, Inc., in the Amount of \$241,550.00 for Technical Assistance with Managing Trash and Debris in Stormwater Runoff as well as Promoting a Program of Credits for Stormwater Quality Management (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Authorize the execution of an agreement with Brown & Gay Engineers, Inc., in the amount of \$241,550.00 for technical assistance with managing trash and debris in stormwater runoff as well as promoting a program of credits for stormwater quality management.

#### 19. <u>M&C C-26322</u> - Authorize Execution of a Professional Services Agreement with Freese and Nichols, Inc., in the Amount Not to Exceed \$164,371.00 to Review and Improve the City's Drainage Design Standards and Review Process, Increasing Appropriations in the Stormwater Utility Fund in the Amount of \$164,371.00 and Decreasing the Available Cash Balance by the Same Amount and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Adopt Supplemental Appropriation Ordinance No. 20793-07-2013 increasing estimated receipts and appropriations in the Stormwater Utility Fund in the amount of \$164,371.00, decreasing the available cash balance by the same amount, for the purpose of a Professional Services Agreement for services to review and improve the City's drainage design standards and review process; and authorize the execution of a Professional Services Agreement with Freese and Nichols, Inc., in an amount not to exceed \$164,371.00 for the process.

20. <u>M&C C-26323 - Authorize Execution of Amendment No. 1 in the Amount of</u> \$193,984.00 to an Engineering Agreement with Freese and Nichols, Inc., for Open Channel Study of a Tributary of Mary's Creek Known as Stream MSC-2, <u>Thereby Revising the Total Contract Cost to \$387,169.00 (COUNCIL</u> <u>DISTRICTS 3 and 7)</u>

The City Council approved the following recommendation: Authorize the execution of Amendment No. 1 in the amount of \$193,984.00 to an Engineering Agreement with Freese and Nichols, Inc., for the Open Channel Study of a tributary of Mary's Creek known as Stream MSC-2, thereby revising the total contract cost to \$387,169.00.

#### 21. <u>M&C C-26324 - Adopt Appropriation Ordinance in the Amount of \$51,606.75 for</u> the Police Department's Participation in the Tarrant County Safe Streets Task Force (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Adopt Appropriation Ordinance No. 20794-07-2013 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$51,606.75, subject to receipt of and reimbursement from the United States Federal Bureau of Investigation, for the purpose of the Police Department participating in the Tarrant County Safe Streets Task Force.

22. <u>M&C C-26325 - Ratify Application for and Authorize Acceptance of a Grant, if</u> Awarded, in the Amount Up to \$60,000.00 from the Texas School Safety Center at Texas State University-San Marcos, Authorize Execution of Related Agreement with Texas State University-San Marcos for Operations to Discourage the Sale of Tobacco Products to Minors and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Ratify the application for and authorize acceptance of a grant, if awarded, in the amount up to \$60,000.00 from the Texas School Safety Center at Texas State University-San Marcos; authorize the execution of related agreement with Texas State University-San Marcos for operations to discourage the sale of tobacco products to minors; and adopt Appropriation Ordinance No. 20795-07-2013 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$60,000.00, subject to receipt of the grant, for the purpose of operations to discourage the sale of tobacco products to minors.

23. <u>M&C C-26326 - Authorize Execution of Various Agreements and Addendums</u> with Various Agencies of the United States Department of Justice for Participation in the Organized Crime Drug Enforcement Task Force to Allow Fort Worth Police Officers to be Assigned to the Task Force on an As-Needed Basis, Accept Grant Funds in the Amount Up to \$150,000.00 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Authorize the execution of various agreements and addendums with various agencies of the United States Department of Justice for participation in the Organized Crime Drug Enforcement Task Force to allow Fort Worth police officers to be assigned to the task force on an as-needed basis; accept grant funds in the amount up to \$150,000.00; and adopt Appropriation Ordinance No. 20796-07-2013 increasing estimated receipts and appropriations in the Grants Fund in the amount up to \$150,000.00, subject to receipt of funds from various agencies of the United States Department of Justice, for the purpose of Fort Worth police officers participating in the Organized Crime Drug Enforcement Task Force.

#### 24. <u>M&C C-26327 - Authorize Execution of a Memorandum of Agreement Between</u> the City of Fort Worth and the Federal Emergency Management Agency to Join the Integrated Public Alert and Warning System Program (ALL COUNCIL <u>DISTRICTS)</u>

The City Council approved the following recommendation: Authorize the execution of a Memorandum of Agreement with the Federal Emergency Management Agency to join the Integrated Public Alert and Warning System Program.

#### XII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

#### 1. OCS - 1890 - Notice of Claims for Alleged Damages and/or Inquiries

End of Consent Agenda.

#### C. Land - Removed from Consent Agenda

2. <u>M&C L-15564 - Authorize Direct Sale of a Tax-Foreclosed Property Located at</u> 5217 Pinson Street to Essie Mishaw for a Sale Price in the Amount of \$3,100.00, in Accordance with Section 34.05 of the Texas Tax Code (COUNCIL DISTRICT 5)

Mayor and Council Communication L-15564 was continued to the July 16, 2013, Council meeting.

#### E. Award of Contract - Removed from Consent Agenda

- 4. <u>M&C C-26307 Authorize Expenditure in the Amount of \$304,499.83 to the Fort</u> <u>Worth and Western Railroad Company for Construction of Henderson Detour</u> <u>Railroad-Crossing and Related Equipment, Authorize Expenditure in the Amount</u> <u>of \$204,523.50 to the Fort Worth and Western Railroad Company for</u> <u>Construction of Railroad-Crossing and Related Equipment for the Temporary</u> <u>Reopening of North Commerce Street, Authorize Execution of a Settlement</u> <u>Agreement in Lieu of Condemnation with the Fort Worth and Western Railroad</u> <u>Company in the Amount of \$200,000.00 for Railroad-Crossing License Fees and</u> <u>Easement Acquisition for a Total in the Amount of \$709,023.33 for Construction</u> <u>of Trinity River Vision-Related Railroad Crossings and Adopt Appropriation</u> <u>Ordinance (COUNCIL DISTRICTS 2 and 9)</u>
- 15. <u>M&C C-26318 Authorize Credit Sales Agreement with Trinity River Mitigation</u> <u>Bank, LTD, in the Amount of \$69,300.00 for the Mitigation of Waters of the</u> <u>United States Associated with the 9700 Trinity Boulevard Culvert Improvements</u> <u>Project (COUNCIL DISTRICT 5)</u>

Mayor and Council Communication C-26307 and C-26318 were continued to the July 16, 2013, Council meeting.

#### XIII. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

#### 1. Presentation of Proclamation for No Kid Hungry Summer

Mayor Pro tem Zimmerman presentation a proclamation for No Kid Hungry Summer to Ms. Sonia Singleton, Assistant Director, Parks and Community Services Department and Ms. Marty Otero, Texas Hunger Initiative No Kid Hungry Regional Coordinator. He stated that the existence of childhood hunger in the United States threatened future American prosperity and nutrition studies had shown that youth were at a higher risk for both hunger and obesity during the summer months. He further stated that summer should be about fun, friends and adventure; however, when school was out, many families, whose limited financial resources were stretched even further, couldn't count on their children having access to a nutritious breakfast and lunch at He also stated that summer was a critical time for the academic and physical school. development of children and according to Feeding America, a child who was unequipped to learn because of hunger and poverty was more likely to be poor as an adult and as a result summer meals programs were more important than ever, providing youth up to 18 with nutritious meals and snacks in addition to a fun place to stay active and be with friends. He stated that the City of Fort Worth Parks and Community Services Department could improve access to summer meals programs for youth throughout Fort Worth and Tarrant County by increasing awareness about free summer meals through outreach in the community as well as increasing the number of meal sites or capacity of existing sites in underserved areas in addition to investing in summer programming to attract more youth to meal sites. He added that the City of Fort Worth Parks and Community Services Department in conjunction with the Baylor University Texas Hunger Initiative - Fort Worth, the Tarrant Area Food Bank, local school districts, churches and community organizations such as Purple Hearts, Inc. in Tarrant County were committed to ensure that no child goes hungry this summer.

City Secretary Kayser advised that Mayor and Council Communications G-17932, G-17933, and G-17934 were donations and would be moved up on the agenda.

5. <u>M&C G-17932 - Authorize Acceptance of Donations Valued in the Amount of</u> <u>\$79,100.00 from the Moncrief Endowment Fund for Renovations to the Dorothea</u> <u>Leonhardt Lecture Hall in the Deborah Beggs Moncrief Garden Center and</u> <u>Water Lilies in the Moncrief Fountain at the Fort Worth Botanic Garden</u> <u>(COUNCIL DISTRICT 7)</u>

It was recommended that the City Council authorize the acceptance of donations valued in the amount of \$79,100.00 from the Moncrief Endowment Fund for renovations to the Dorothea Leonhardt Lecture Hall in the Deborah Beggs Moncrief Garden Center and water lilies in the Moncrief fountains located at the Fort Worth Botanic Garden.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Mayor and Council Communication G-17932 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

Council Member Shingleton presented a certificate to Ms. Maurie Reynolds, President of the Fort Worth Garden Club, on behalf of Ms. Mary Lynn Garrett, Chair of the Moncrief Endowment Fund.

#### 6. <u>M&C G-17933</u> - Authorize Acceptance of a Donation from the Fort Worth Garden Club of Infrastructure Repairs and Improvements Valued in the Amount of \$158,370.00 for the Fort Worth Botanic Garden (COUNCIL DISTRICT 7)

It was recommended that the City Council authorize acceptance of a donation from the Fort Worth Garden Club of infrastructure repairs and improvements valued in the amount of \$158,370.00 for the Fort Worth Botanic Garden.

Motion: Council Member Jordan made a motion, seconded by Council Member Burns that Mayor and Council Communication G-17933 be approved with appreciation. The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

Council Member Shingleton presented a certificate to Ms. Maurie Reynolds, President of the Fort Worth Garden Club.

7. <u>M&C G-17934 - Authorize Amendment of Mayor and Council Communication</u> G-17693, Rescind Acceptance of a Monetary Donation from Robert Williams in the Amount of \$8,260.00 and Repeal Supplemental Appropriation Ordinance No. 20432-09-2012 and Authorize Acceptance of a Donation of a Flatbed Hauling Trailer Valued in the Amount of \$3,500.00 from Robert Williams for Use by the Parks and Community Services Department (ALL COUNCIL DISTRICTS)

It was recommended that the City Council authorize the amendment of Mayor and Council Communication G-17693 rescinding Recommendation No. 2, authorizing acceptance of a monetary donation from Robert Williams in the amount of \$8,260.00 and repeal Supplemental Appropriation Ordinance No. 20432-09-2012; and authorize the acceptance of a donation of a flatbed hauling trailer valued in the amount of \$3,500.00 from Robert Williams for use by the Parks and Community Services Department.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton that Mayor and Council Communication G-17934 be approved with appreciation. The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

#### XIV. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

#### 1. Upcoming and Recent Events

Council Member Shingleton recognized the Lighthouse for the Blind, a non-profit organization that provided training, employment and rehabilitation to the visually impaired and stated that they were recognized as the 2013 Business of the Year.

Council Member Allen Gray expressed appreciation to everyone who attended "Coffee with Kelly and the Mayor" on Friday, June 28, 2013. She stated that there were over 90 citizens in attendance and that they discussed several community concerns. She announced that the 2014 Bond Public Meetings would begin on Saturday, July 13, 2013, at the Hazel Harvey Peace Center for Neighborhoods, located at 818 Missouri Avenue, from 10:00 a.m. to 12:00 p.m. and she invited all to attend. She also announced on Wednesday, July 10, 2013, at 12:00 p.m. at the north end of City Hall, there would be a press conference for the 6th Annual Hip Hop for HIV event that is scheduled August 25, 2013, at the Fort Worth Convention Center from 3:00 p.m. until 6:00 p.m.

Mayor Price expressed appreciation to all who was involved in the Fourth of July fireworks that helped celebrate the 25th Anniversary with the Sister Cities International partnership with Nagaoka, Japan. She also expressed her appreciation to the Fire Department and the Police Department who had worked the 1st Annual Mayor's Triathalon on Sunday, July 7, 2013.

#### 2. <u>Recognition of Citizens</u>

There were no citizens recognized at this time.

#### 3. <u>Approval of Ceremonial Travel</u>

There was no approval necessary for ceremonial travel.

#### XV. <u>PRESENTATIONS BY THE CITY COUNCIL</u>

#### 1. <u>Changes in Membership on Boards and Commissions</u>

There were no changes in membership on boards and commissions.

#### 2. <u>Council Proposal No. 295 - Rename Dirks Road, Which Runs Between Granbury</u> Road and Lakeside Drive to Altamesa Boulevard

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Council Proposal No. 295 be approved with an effective date of September 1, 2013. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 3. <u>Council Proposal No. 296 - Rename a Portion of East 1st Street to Randol Mill</u> <u>Road East of Beach Street</u>

Note: Council procedure provides that Council proposals are introduced at one meeting and followed by Council action at the next Council meeting.

The following individuals appeared before Council in opposition of Council Proposal No. 296.

Ms. Libby Willis, 2300 Primrose Avenue Mr. Rick Herring, 1811 North Riverside Drive

The following individuals completed a comment card in opposition of Council Proposal No. 296.

Ms. Mary Kelleher, 7901 Randol Mill Road Ms. Jackie Band, 7249 Specklebelly Lane Ms. Melissa McDougall, 2971 Seguin Trail

#### XVI. <u>PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS,</u> <u>COMMISSIONS AND/OR CITY COUNCIL COMMITTEES</u>

There were no presentations and/or communications from boards, commissions and/or City Council committees.

#### XVII. ZONING HEARING

The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the Fort Worth Star-Telegram, the official newspaper of the City of Fort Worth, on June 21, 2013.

Mayor Price opened the public hearing.

#### 1. <u>ZC-13-003 - (CD 5) - Emanuel Milledge, 3300 Fite Street; from: "AG"</u> <u>Agricultural to: "PD/SU" Planned Development/Specific Use for outside storage;</u> <u>site plan waiver requested. (Recommended for Denial without Prejudice by the</u> <u>Zoning Commission)</u>

Ms. Melita Pryor, 3300 Fite Street, appeared before Council in support of Zoning Docket ZC-13-003 and requested that the zoning case be continued for 30 days.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-13-003 be continued to the August 6, 2013, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

2. ZC-13-049 - (CD-ALL) - City of Fort Worth Planning & Development; Text Amendment: Airport Overlay and Compatible Use Zones; An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth (1986), to amend: Article 4 "Overlay Districts", of Chapter 4, "District Regulations" to add a new section, Section 4.405 "Airport/Airfield Overlay ("AO") District"; Providing for regulations for Airport Overlay Zones and Compatible Use Zones ("AO-CUZ") Restrictions for incompatible uses within Clear Zones and Accident Potential Zones for the Naval Air Station Fort Worth Joint Reserve Base; and To revise Chapter 9, "Definitions" to add definitions review related to airports То the proposed amendments: http://www.fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx (Recommended for Approval by the Zoning Commission) (Continued from a **Previous Meeting**)

The City Council at its regular meeting of June 4, 2013, continued ZC-13-049.

Captain Robert Bennett, 1510 Chennault Avenue, completed a speaker card in support of Zoning Docket ZC-13-049 and was recognized by Mayor Price but was not present in the Council Chamber.

Mr. David Patterson, 1500 Aden Road, completed a comment card in support of Zoning Docket ZC-13-049.

- Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket ZC-13-049 be continued to the August 6, 2013, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.
- 3. <u>ZC-13-050 (CD 3, CD 7) City of Fort Worth Planning and Development, North</u> and South of NAS FW JRB Runways; from: various zoning districts to: add <u>Airport Overlay/Compatible Use Zone Overlay Districts (Recommended for</u> <u>Approval by the Zoning Commission) (Continued from a Previous Meeting)</u>

The City Council at its regular meeting of June 4, 2013, continued ZC-13-050.

Mr. David Patterson, 1500 Aden Road, completed a comment card in support of Zoning Docket ZC-13-050.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket ZC-13-050 be continued to the August 6, 2013, Council meeting. be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 4. <u>ZC-13-063 - (CD 5) - Harold and Maudia Hamilton, 2002 Stalcup Road; from:</u> <u>''A-5'' One-Family to: ''E'' Neighborhood Commercial (Recommeded fro</u> <u>Approval by the Zoning Commission)</u>

Mr. Harold Hamilton, 6320 Willard Road, completed a speaker card in support of Zoning Docket ZC-13-063, but did not wish to address the Council.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-13-063 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 5. <u>ZC-13-072 - (CD 5) - Ronald Reaves, 3551 Tarrant Main Street; from: "AG"</u> <u>Agricultural to: "PD/I" Planned Development for all uses in "I" Light Industrial</u> <u>plus single-family residence; site plan waiver recommended. (Recommended for</u> <u>Approval by the Zoning Commission)</u>

Mr. Ronald Reaves, 902 Yorkshire Drive, Grand Prairie, Texas, 75050, completed a speaker card in support of Zoning Docket ZC-13-072, but did not wish to address the Council.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-13-072 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 6. <u>ZC-13-073 - (CD 7) - Hudson Services Inc., 3010 Keller Hicks Road; from: "MH"</u> <u>Manufactured Housing to: "E" Neighborhood Commercial (Recommended for</u> <u>Approval by the Zoning Commission)</u>

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Zoning Docket ZC-13-073 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 7. <u>ZC-13-074 - (CD 2) - Francisco Medina, 1300 Harrington Avenue; from: "A-5"</u> <u>One-Family to: "ER" Neighborhood Commercial Resitricted (Recommended for</u> <u>Approval by the Zoning Commission)</u>

Mr. Luis Galindo, 306 West 7th Street, completed a speaker card in support of Zoning Docket ZC-13-074, but did not wish to address the Council.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns, that Zoning Docket ZC-13-074 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 8. <u>ZC-13-075 - (CD 5) - Royce Sanders (Sanders Family Partnership), 3912 Euless</u> South Main Street; from: "AG" Agricultural to: "I" Light Industrial (Recommended for Approval by the Zoning Commission)

Ms. Charlotte Sanders, 3912 South Main Street, completed a speaker card in support of Zoning Docket ZC-13-075, but did not wish to address the Council.

- Motion: Council Member Bivens made a motion, seconded by Council Member Burns, that Zoning Docket ZC-13-075 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.
- 9. ZC-13-078 - (CD 5) - Bell Helicopter Textron, Inc., 800 Block SH 10; from: "A-5" One-Family and "MU-1" Low Intensity Mixed Use to: All uses in "PD-588" Planned Development/Specific Use including: day care center; government office facility; health services facility including doctor's office or medical clinic; electric power substation (SE); telecommunications antenna (SE); telecommunications tower (SE); utility transmission or distribution line; health or recreation club; restaurant, cafe or cafeteria; offices; convenience store; parking area or garage, commercial or auxiliary; assembly of pre-manufactured parts for helicopters; machine shops; manufacture of aluminum or metals; outdoor storage; paint mixing or spraying; sheet metal shop; warehouse or bulk storage; welding shop; galvanizing, sheet or structural shapes; manufacture of helicopters; manufacture of dies, cores, die-casting molds; metal stamping, dveing, shearing or punching; helistop landing area; executive offices and supporting operations for a corporate office; U.S. government personnel (customer); integrated systems installation; electrical wire assembly; helicopter modification & assembly; metal rotor blade manufacturing; painting operations; engineering research & development; unmanned vehicle assembly; government helicopter delivery; composite parts/blade manufacturing; material storage; tooling manufacturing; engineering process labs; flight simulators; satellite antenna (dish); residence for security purposes; site plan waiver recommended. (Recommended for Approval by the **Zoning Commission**)
- Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-13-078 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

10. ZC-13-079 - (CD 3) - Conti Ridgmar, L.L.C, 2600 South Cherry Lane; from: PD-930" Planned Development for all uses in "E" Neighborhood Commercial plus furniture upholstery, refinishing or resale; mini-warehouses; assembly of premanufactured parts, except for vehicles, trailers, airplanes or mobile homes; carpet and rug cleaning; food processing (no slaughtering); furniture or cabinet repair or construction; manufacture of artificial flowers, ornaments, awnings, tents, bags, brooms or brushes, buttons and novelties, canvass products, clothing, suits, coats or dresses for wholesale trade, plastics; monument/marble works, finishing and carving only and stone monument works; paper box manufacture; pattern shop; rubber stamping, shearing/punching; rubber stamp manufacture; sheet metal shop, warehouse or bulk storage; wholesale bakery, produce market or wholesale house; wholesale office or sample room; production, manufacture and wholesale retail sales of candy and other confections; multi-tenant warehouse distribution facility; and sewing, embroidery, screen printing, and all uses to be located inside the building, and to include specialty crafting, forming, laminating and repair of acrylic sheets for aircraft windows; site plan waived to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus motel; site plan included. (Recommended for Approval by the Zoning Commission)

Ms. Rachel Wiggins, 1510 Chennault Avenue, completed an undecided speaker card pertaining to Zoning Docket ZC-13-079.

Mr. Kevin Patel, 1503 Astorid Drive, Allen, Texas, 75013, appeared before Council in support of Zoning Docket ZC-13-079.

- Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-13-079 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.
- 11. <u>ZC-13-080 (CD 6) Larry Martin, 7833 Summer Creek Drive; from: "PD-246A" Planned Development for all uses in "E" Neighborhood Commercial with conditions and limited to day care use during the day only; site plan waived to: "PD-246" "PD/E" Planned Development for all uses in "E" Neighborhood Commercial excluding tattoo parlor and massage parlor; site plan included. (Recommended for Approval by the Zoning Commission)</u>

Mr. Adam Reeves, 550 Bailey Avenue, Suite 400, completed a speaker card in support of Zoning Docket ZC-13-080, but did not wish to address the Council.

Council Member Jordan stated that there was a state law that required notice within 200 feet and that the property in question was less than 300 feet from his property but was over the 200 foot requirement and that there were no economic impact or financial ties to his property and no conflict of interest issue.

- Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-13-080 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.
- 12. <u>ZC-13-081 (CD 4) Service Plus Automotive Repair & Maintenance, LLC, 3300</u> <u>Block N. Tarrant Parkway/8509 Old Denton Road; from: "AG" Agricultural to:</u> <u>"PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus</u> <u>minor auto repair, oil change, and emissions testing, no outside storage; site plan</u> <u>included. (Recommended for Approval by the Zoning Commission)</u>
- Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket ZC-13-081 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining to Zoning Ordinance No. 13896 for the above listed cases, Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that the hearing be closed and that Ordinance No. 20797-07-2013 be adopted. The motion carried 8 ayes to 0 nays, with Council Member absent.

#### XVIII. <u>REPORT OF THE CITY MANAGER</u>

B. <u>General</u>

#### 1. <u>M&C G-17928 - Consider a Waiver Request by XTO Energy, Inc., for a Permit to</u> Drill Gas Wells Less Than 600 Feet from a Protected Use on the Powell Pad A Lease Located at 12497 Old Denton Road (COUNCIL DISTRICT 7)

Mayor Price opened the public hearing.

It was recommended that the City Council consider a waiver request by XTO Energy, Inc., for a permit to allow drilling of three gas wells less than 600 feet from a Protected Use on the Powell Pad A lease located at 12497 Old Denton Road.

#### a. <u>Report of City Staff</u>

Mr. Rick Trice, Assistant Director, Planning and Development Department, appeared before Council and provided a staff report.

Mr. Bob Manthei, XTO Energy representative, provided a presentation to the Council.

#### b. <u>Citizen Presentations</u>

The following individuals appeared before Council in support of Mayor and Council Communication G-17928.

Mr. Walter Dueease, 6470 Crestmore Road Mr. Erik Estes, 3213 Stadium Drive

The following individuals completed a comment card in support of Mayor and Council Communication G-17928.

Mr. Weston Turner, 9321 Granger Lane Ms. Ivy Kirby, 2709 Lynx Lane Ms. Debra Carlo, 4063 Bunting Avenue Ms. Alinda Keener, 100 North Buffalo Grove Road Ms. Kim Clendenin, 3505 Beekman Drive Ms. Sandi Richardson, 11425 Grapeleaf Drive Ms. Amy Byars, 61 Panorama Circle, Trophy Club, Texas, 76262 Ms. Katie Baker, 3529 Twin Pines Drive Mr. Robert Fithian, 5044 Harney Drive Mr. Jon Holbrook, 5409 Royal Lytham Road Mr. John Fitzgerald, 5044 Holiday Drive Ms. Mary Ann Staab, 9820 Stripling Drive Ms. Faustina Ankomah, 4013 Bamberg Lane Mr. Lee Scott Kelley, 810 Houston Street Mr. Larry Duncan, 8916 Hawley Drive Ms. Miriam Parral, 5400 Royal Lytham Road Mr. Charles Melvin, 600 Cattlemans Way

Ms. Melanie Boyer, 4824 Carolina Trace Trail

Ms. Mary Kelleher, 7901 Randol Mill Road, completed a comment card in opposition of Mayor and Council Communication G-17928.

#### c. <u>Council Action</u>

Council Member Scarth advised that he had filed a Conflict of Interest Affidavit with the City Secretary's Office and would be abstaining from voting on this item.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that the public hearing be closed and Mayor and Council Communication G-17928 be approved. The motion carried 7 ayes to 0 nays, with 1 abstention by Council Member Scarth and Council Member Espino absent.

#### 2. <u>M&C G-17929 - Consideration of Extension of Injury Leave-of-Absence Pay</u> Benefits in the Amount of \$77,292.80 for Police Officer Lisa Ramsey for the Period of July 5, 2013 Through July 4, 2014 (ALL COUNCIL DISTRICTS)

It was recommended that the City Council deny a 12-month extension of injury leave-of-absence pay benefits in the amount of \$77,292.80 for Police Officer Lisa Ramsey for the period of July 5, 2013, through July 4, 2014.

The following individuals appeared before Council in support of Mayor and Council Communication G-17929.

Ms. Linda Carter, 8844 Noontide Drive Mr. Stephen Hall, 904 Collier Street

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication G-17929 be denied. The motion failed 2 ayes to 6 nays, with Mayor Price, Mayor Pro tem Zimmerman and Council Members Scarth, Bivens, Jordan and Burns casting the dissenting vote and Council Member Espino absent.

City Attorney Fullenwider clarified that because the motion was to deny the extension and the motion failed, there was no action taken on the M&C.

- Motion: Council Member Jordan made a motion, seconded by Council Member Bivens, that Mayor and Council Communication G-17929 be reconsidered. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.
- Motion: Council Member Jordan made a motion, seconded by Council Member Bivens, that Mayor and Council Communication G-17929 be denied and to approve the extension of leave-of-injury pay and continue benefits as previously provided to Officer Ramsey and direct the City Manager to define a policy regarding leave-ofabsence pay benefits going forward.
- Motion: After discussion among the Council Members, Council Member Jordan revised his motion, seconded by Council Member Burns, that Mayor and Council Communication G-17929 be denied and to approve the extension of leave-of-injury pay and to take the offset into consideration and direct the City Manager to define a policy regarding leave-of-absence pay benefits. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 3. <u>M&C G-17930 - Consideration of Extension of Injury Leave-of-Absence Pay</u> Benefits in the Amount of \$77,292.80 for Police Officer Richard Lambing for the Period of July 9, 2013 Through July 8, 2014 (ALL COUNCIL DISTRICTS)

It was recommended that the City Council deny a twelve-month extension of injury leave-ofabsence pay benefits in the amount of \$77,292.80 for Police Officer Richard Lambing for the period of July 9, 2013, through July 8, 2014.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication G-17930 be denied and to approve the extension of leave-of-injury pay and to take the offset into consideration and direct the City Manager to define a policy regarding leave-of-absence pay benefits. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 4. <u>M&C G-17931 - Authorize Temporary Closure of North Beach Street from</u> <u>Heritage Glen Drive to Heritage Trace Parkway for Roadway Construction</u> <u>Activities from July 15, 2013 to November 22, 2013 (COUNCIL DISTRICT 4)</u>

It was recommended that the City Council authorize a temporary road closure for roadway construction of North Beach Street from Heritage Glen Drive to Heritage Trace Parkway from July 15, 2013, to November 22, 2013.

- Motion: Council Member Scarth made a motion, seconded by Council Member Burns, that Mayor and Council Communication G-17931 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.
- D. Land
- 1. <u>M&C L-15572 Authorize Execution of an Agreement Granting DFW Midstream</u> <u>Services, LLC a License to Construct and Operate a Ten-Inch Underground</u> <u>Natural Gas Pipeline Across City-Owned Property Located at 5800 Salt Road for</u> <u>a One-Time License Fee in the Amount of \$5,925.00 (COUNCIL DISTRICT 8)</u>

It was recommended that the City Council authorize execution of an Agreement granting DFW Midstream Services, LLC a license to construct and operate a ten-inch underground natural gas pipeline across a City-owned property located at 5800 Salt Road, Fort Worth, Texas, for a term of 20 years in exchange for a one-time license fee in the amount of \$4,925.00 and temporary access at a cost of \$1,000.00 for a total cost of \$5,925.00.

Motion: Council Member Allen Gray made a motion, seconded by Council Member Scarth, that Mayor and Council Communication L-15572 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 2. <u>M&C L-15573 - Authorize Easement and Right-of-Way Agreement with Oncor</u> <u>Electric Delivery Company, LLC, for Relocation of Electric Lines and Equipment</u> <u>at Public Safety Training Facility Located at 501 West Felix Street (COUNCIL</u> <u>DISTRICT 9)</u>

It was recommended that the City Council authorize the grant of an easement to Oncor Electric Delivery Company, LLC, over City-owned property located at 501 West Felix; and authorize the execution and recording of an Easement and Right-of-Way Agreement with Oncor Electric Delivery Company, LLC.

Council Member Scarth advised that he had filed a Conflict of Interest Affidavit with the City Secretary's Office and would be abstaining from voting on this item.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication L-15573 be approved. The motion carried 7 ayes to 0 nays, with 1 abstention by Council Member Scarth and Council Member Espino absent.

#### 3. <u>M&C L-15574 - Authorize Conveyance of an Easement to Oncor Electric Delivery</u> <u>LLC, for the Upgrade of Electrical Equipment and Appurtenances on 0.0979</u> <u>Acres of Land at 1050 Fournier Street to Serve the North Holly Water Treatment</u> <u>Plant (COUNCIL DISTRICT 9)</u>

It was recommended that the City Council authorize the conveyance of an easement to Oncor Electric Delivery LLC, for the upgrade of electrical equipment and appurtenances on 0.0979 acres of land at 1050 Fournier Street to serve the North Holly Water Treatment Plant; and authorize the execution and recording of necessary documents to complete the conveyance.

Council Member Scarth advised that he had filed a Conflict of Interest Affidavit with the City Secretary's Office and would be abstaining from voting on this item.

- Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication L-15574 be approved. The motion carried 7 ayes to 0 nays, with 1 abstention by Council Member Scarth and Council Member Espino absent.
- 4. <u>M&C L-15575 Authorize Condemnation by Eminent Domain for a Fee Simple</u> Interest in 0.077 Acres for a Right-of-Way and 0.024 Acres for a Temporary-Construction Easement, Portions of an Improved Property Located at 8065 Old Decatur Road, Owned by Saginaw Storage King Old Decatur Road, L.P., for the Old Decatur Road Improvement (ETJ NEAR COUNCIL DISTRICT 7)

City Secretary Kayser advised that Mayor and Council Communication No. L-15575 had been continued until the July 16, 2013, Council meeting.

Council Member Scarth left his place on the dais.

#### 5. <u>M&C L-15576 - Authorize Condemnation by Eminent Domain of an Easement</u> <u>Interest in 0.0115 Acres of Land for a Sewer Easement, Located at 2824 Angle</u> <u>Avenue, Owned by Artemio and Esperanza Rodriguez, for Sanitary Sewer</u> <u>Rehabilitation Contract 61 (COUNCIL DISTRICT 2)</u></u>

It was recommended that the City Council declare that negotiations between the City and the landowners were unsuccessful due to the inability to reach an agreement on value with the property owners to acquire an easement interest in 0.0115 acres of land for a permanent sewer easement on land owned by Artemio and Esperanza Rodriguez, known as 2824 Angle Avenue, M. G. Ellis Addition, Lot 20, Block 52, Tarrant County, Texas, for the purpose of replacing sewer lines; declare the necessity to acquire the described easement interest in the subject property for the Sanitary Sewer Rehabilitation; authorize the City Attorney to institute condemnation by eminent domain proceedings to acquire the described easement interest in the properties; authorize payment pursuant to an award of commissioners or negotiated settlement; and authorize the City Manager or his designee to accept and record appropriate instruments.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns, that Mayor and Council Communication L-15576 be approved and that the Fort Worth City Council authorize the use of the power of eminent domain to acquire an easement interest in 0.0115 acres of land for a sanitary sewer easement, out of the M.G. Ellis Addition, Lot 20, Block 52, also known as 2824 Angle Avenue, so the City may replace existing sewer lines with new ones. The easement the City seeks is further described in the metes and bounds and survey documents attached to M&C L-15576. The motion carried unanimously 7 ayes to 0 nays, with Council Members Espino and Scarth absent.

#### 6. <u>M&C L-15577 - Authorize Condemnation by Eminent Domain of an Easement</u> <u>Interest in 0.0057 Acres of Land at 2821 Lincoln Avenue, Owned by Richard F.</u> <u>Scott for Sanitary Sewer Rehabilitation Contract 61 (COUNCIL DISTRICT 2)</u>

It was recommended that the City Council declare that negotiations between the City and the landowner were unsuccessful due to the inability to reach an agreement with the property owner on value in order to acquire approximately 0.0057 acres of land owned by Richard F. Scott, known as 2821 Lincoln Avenue, M. G. Ellis Addition, Lot 12, Block 52, Tarrant County Texas, for the purpose of replacing sewer lines; declare the necessity to acquire the described easement interest in the subject property for the Sanitary Sewer Rehabilitation; authorize the City Attorney to institute condemnation by eminent domain proceedings to acquire the described easement interest in the property; authorize payment pursuant to an award of commissioners or negotiated settlement; and authorize the City Manager or his designee to accept and record appropriate instruments.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns, that Mayor and Council Communication L-15577 be approved and that the Fort Worth City Council authorize the use of power of eminent domain to acquire an easement interest in 0.0057 acres of land for a sanitary sewer easement, out of the M.G. Ellis Addition, Lot 12, Block 52, also known as 2821 Lincoln Avenue for the City to replace existing sewer lines with new ones. The easement the City seeks is further described in the metes and bounds and survey documents attached to M&C L-15577. The motion carried unanimously 7 ayes to 0 nays, with Council Members Espino and Scarth absent.

#### 7. <u>M&C L-15578 - Authorize Condemnation by Eminent Domain of an Easement</u> <u>Interest in 0.0114 Acres of Land at 2822 Angle Avenue, Owned by Richard J.</u> <u>Crawford, Rubye G. Jones, and Thelma A. Craig for the Sanitary Sewer</u> <u>Rehabilitation Contract 61 (COUNCIL DISTRICT 2)</u></u>

It was recommended that the City Council declare that negotiations between the City and the landowners were unsuccessful due to an inability to reach an agreement with the property owners on value to acquire approximately 0.0114 acres of land for a permanent sewer easement on land owned by Richard J. Crawford, Rubye G. Jones, and Thelma A. Craig, M. G. Ellis Addition, Lot 21, Block 52, known as at 2822 Angle Avenue, Tarrant County, Texas, for the purpose of replacing sewer lines; declare the necessity to acquire the described easement interest in the subject property for the Sanitary Sewer Rehabilitation; authorize the City Attorney to institute condemnation by eminent domain proceedings to acquire the described easement interest in the property; authorize payment pursuant to an award of commissioners or negotiated settlement; and authorize the City Manager or his designee to accept and record appropriate instruments.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns, that Mayor and Council Communication L-15578 be approved and that the Fort Worth City Council authorize the use of eminent domain to acquire an easement interest in 0.0114 acres of land for a sanitary sewer easement, out of the M.G. Ellis Addition, Lot 21, Block 52, also known as 2822 Angle Avenue, so the City may replace existing sewer lines with new ones. The easement the City seeks is further described in the metes and bounds and survey documents attached to M&C L-15578. be approved. The motion carried unanimously 7 ayes to 0 nays, with Council Members Espino and Scarth absent.

#### 8. <u>M&C L-15579 - Authorize Condemnation by Eminent Domain of a Fee Simple</u> <u>Interest in 0.034 Acres of Land for Right-of-Way and 0.049 Acres of Land for a</u> <u>Temporary Construction Easement Located at 3636 East Rosedale Street, Owned</u> <u>by Jose G. and Yesenia Garza Villalpando, for the East Rosedale Street</u> <u>Improvement Project (COUNCIL DISTRICT 8)</u>

It was recommended that the City Council declare that negotiations between the City and the landowners to acquire a fee simple interest in 0.034 acres of land for right-of-way and 0.049 acres of land for construction, owned by Jose G. and Yesenia Garza Villalpando, and known as 3636 East Rosedale Street, Lot 1 and Lot 2, Block 13 of A.S. Hall Addition, City of Fort Worth, Tarrant County, Texas, were unsuccessful because of the inability to reach an agreement to purchase; declare the necessity to acquire the fee simple and temporary easement interests in the subject property for the reconstruction of East Rosedale Street from U.S. 287 to west of Miller Avenue; authorize the City Attorney to institute condemnation by eminent domain proceedings for a fee simple interest in 0.034 acres of land to be used for right-of-way and 0.049 acres of land for temporary construction; authorize the payment pursuant to an award of commissioners and/or upon negotiated settlement in lieu of condemnation by eminent domain; and authorize the acceptance and recording of appropriate instruments.

Motion: Council Member Allen Gray made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication L-15579 be approved and that the Fort Worth City Council authorize the use of the power of eminent domain to acquire a fee simple interest in 0.034 acres of land for right-of-way and an easement interest in 0.049 acres of land for temporary construction from Jose G. and Yesenia Garza Villalpando, needed for the East Rosedale Street Improvements Project, from the tract of land known as Lots 1 and 2, Block 13, A.S. Hall Addition, also known as 3636 East Rosedale Street. The land rights will be used to construct a traffic roundabout at the East Rosedale, Ayers Avenue and Avenue E intersection. The necessary right-of-way is described by metes and bounds as depicted by survey plats attached to M&C L-15579. The motion carried unanimously 7 ayes to 0 nays, with Council Members Espino and Scarth absent.

#### 9. <u>M&C L-15580 - Authorize Condemnation by Eminent Domain of an Easement</u> <u>Interest in 0.027 Acres of Land for a Temporary Construction Easement, Located</u> <u>at 3607 Ellis Avenue, Owned by Gregory and Maria Garcia Jr., and Defno and</u> <u>Juqana Garcia, for a Sanitary Sewer Rehabilitation Contract (COUNCIL</u> <u>DISTRICT 2)</u>

It was recommended that the City Council declare that negotiations between the City and the landowners were unsuccessful due to the inability to reach an Agreement with the property owners on the value to acquire approximately 0.027 acres of land for a temporary construction easement on land owned by Gregory and Maria Garcia Jr., and Defno and Juqana Garcia, known as 3607 Ellis Avenue, Washington Heights Addition, Lot 14, Block 17, Tarrant County, Texas,

for the purpose of replacing sewer lines; declare the necessity to acquire the described easement interest in the subject property for a Sanitary Sewer Rehabilitation; authorize the City Attorney to institute condemnation by eminent-domain proceedings to acquire the described easement interest in the property; authorize payment pursuant to an award of commissioners or negotiated settlement; and authorize the City Manager or his designee to accept and record appropriate instruments.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns, that Mayor and Council Communication L-15580 be approved and that the Fort Worth City Council authorize the use of the power of eminent domain to acquire an easement interest in 0.027 acres of land for the temporary construction easement, out of the Washington Heights Addition, Lot 14, Block 17, also known as 3607 Ellis Avenue, for the City to replace the existing sewer lines with new ones. The easement the City seeks is further described in the metes and bounds and survey documents attached to M&C L-15580. The motion carried unanimously 7 ayes to 0 nays, with Council Members Espino and Scarth absent.

#### 10. <u>M&C L-15581 - Authorize Acquisition of a Fee Simple Interest in 3.109 Acres of</u> <u>Vacant Land Located at 4413 SW Loop 820 Owned by Cassco Land Company for</u> <u>the Westlake Drainage Improvement Project No. 01073 in the Amount of</u> <u>\$1,421,732.00 and Pay Estimated Closing Costs in the Amount Up to \$15,000.00</u> (COUNCIL DISTRICT 6)

It was recommended that the City Council authorize the acquisition of a fee simple interest in 3.109 acres of vacant land located at 4413 SW Loop 820 owned by Cassco Land Company for the Westlake Drainage Improvement Project; find that the total purchase price in the amount of \$1,421,732.00 is just compensation; and authorize the City Manager or his designee to accept the conveyance, pay just compensation, record the appropriate instrument and pay estimated closing costs in the amount up to \$15,000.00.

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication L-15581 be approved. The motion carried unanimously 7 ayes to 0 nays, with Council Members Espino and Scarth absent.

#### E. <u>Planning & Zoning</u>

#### 1. <u>M&C PZ-3008 - Adopt Resolution Amending the City's Three-Year Annexation</u> <u>Plan to Add Approximately 287.0 - Acre Tract of Land Located South of Blue</u> <u>Mound Road and West of the City of Haslet (COUNCIL DISTRICT 7)</u> (Continued from a Previous Meeting)

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication PZ-3008 be denied. The motion carried unanimously 7 ayes to 0 nays, with Council Members Espino and Scarth absent.

Council Member Scarth returned to his place on the dais.

#### F. <u>Award of Contract</u>

#### 1. <u>M&C C-26328</u> - Authorize Execution of a Contract with Jet Underground Utilities, Inc., in the Amount of \$1,082,401.77 for Reconstruction of Premature Failed Streets at Fifteen Locations (COUNCIL DISTRICTS 4 and 7)

It was recommended that the City Council authorize the execution of a contract with Jet Underground Utilities, Inc., in the amount of \$1,082,401.77 for pavement reconstruction of select prematurely failed streets at 15 locations.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication C-26328 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 2. <u>M&C C-26329 - Authorize Execution of a Contract with CD Builders, Inc., in the</u> <u>Amount of \$1,137,235.00, for Storm Drain and Channel Improvements at</u> <u>Meacham Boulevard, and Provide for Contingencies and Construction Services</u> <u>for a Total Project in the Amount of \$1,292,352.00 (COUNCIL DISTRICT 2)</u>

It was recommended that the City Council authorize the execution of a contract with CD Builders, Inc., in the amount of \$1,137,235.00 for Storm Drain and Channel Improvements at Meacham Boulevard.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Bivens, that Mayor and Council Communication C-26329 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 3. <u>M&C C-26330 - Authorize Execution of a Contract with High Sierra Electronics,</u> <u>Inc., in the Amount of \$1,561,516.00 for Installation of 38 High-Water Warning</u> <u>Systems at Various Locations in Fort Worth (ALL COUNCIL DISTRICTS)</u>

It was recommended that the City Council authorize the execution of a contract with High Sierra Electronics, Inc., in the amount of \$1,561,516.00 for the installation of 38 high-water warning systems at various locations in Fort Worth.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication C-26330 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### 4. <u>M&C C-26331 - Authorize Execution of Change Order No. 4 to City Secretary</u> <u>Contract No. 42205 with AUI Contractors, LLC, in the Amount of \$1,293,332.75,</u> <u>Thereby Increasing the Contract Amount to \$6,548,372.75 for Digester Sludge</u> <u>Removal, Treatment and Disposal at Former Riverside Wastewater Treatment</u> Plant in Gateway Park (COUNCIL DISTRICT 4)

It was recommended that the City Council authorize execution of Change Order No. 4 to City Secretary Contract No. 42205 with AUI Contractors, LLC, in the amount of \$1,293,332.75, thereby increasing the contract amount to \$6,548,372.75 for digester sludge removal, treatment and disposal at the former Riverside Wastewater Treatment Plant in Gateway Park.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication C-26331 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

#### XIX. <u>CITIZEN PRESENTATIONS</u>

Ms. Angelia Martin, 5024 Monterrey Manor, appeared before Council relative to Nspire Management, LLC.

Mayor Price directed Ms. Martin to speak with Mr. Wayne Corum, Director, Equipment Services Department.

Ms. Beverly Branham, 6487 Woodstock Road, appeared before Council relative to keeping the Water Department because it performed best practices and lead the out sourced private partnership idea.

Mr. George Vernon Chiles, 2800 South Jennings Avenue, appeared before Council relative to the failure of G.G. Hempstead to enforce Chapter Six, Fort Worth City Code.

Ms. Dianna Lo Wilson, 5816 Village Course Circle #326, appeared before Council relative to the bus line and weeds.

Mayor Price directed Ms. Wilson to speak with Mr. Wayne Corum, Director, Equipment Services Department.

Mr. Stephen Hall, 904 Collier Street, appeared before Council relative to the City budget.

#### XX. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER) - SEE ATTACHMENT B

#### XXI. <u>ADJOURNMENT</u>

There being no further business, Mayor Price adjourned the Regular Meeting at 9:50 p.m.

No Documents for this Section

### INFORMAL REPORT TO CITY COUNCIL MEMBERS

#### To the Mayor and Members of the City Council

No. 9572

#### **July 16, 2013** Page 1 of 1



#### SUBJECT: DROUGHT RESPONSE OBLIGATIONS

The purpose of this report is to inform the Mayor and City Council of the City's drought response obligations. There is not a specific requirement in the contract between the City of Fort Worth and the Tarrant Regional Water District (TRWD) for the supply of raw water, which obligates the City to incorporate the TRWD's drought plans or responses. However, the City is required by the State to submit a drought contingency plan (Texas Administrative Code Title 30, Chapter 288, Subchapter B). The state regulation requires coordination with regional water planning groups (Region C Water Planning Group) and raw water suppliers (TRWD). These plans must include a description of the information to be monitored by the water supplier, specific criteria for initiation and termination of drought response stages, and supply and demand management measures, such as twice per week watering. The City of Fort Worth and all other TRWD customers have coordinated with TRWD in its Drought Contingency and Emergency Water Management Plan to meet the requirements of this statute.

The City Council last adopted an amended Drought Contingency and Emergency Water Management Plan ("Plan") on May 21, 2013 by Ordinance No. 20759-05-2013, codified in Section 35-23 of the City Code. The Plan specifically states that "the stages imposed by TRWD must be initiated by the City". This includes the identified triggers for each drought stage, as well as, highlighting a twice per week watering schedule as the main measure for reducing water use during Stage 1. A twice per week watering schedule was chosen as an effective measure to reduce water consumption implemented during Stage 1 of the Drought Plan. This schedule offers residential customers one week day and one weekend day in which they may water. Furthermore, the schedule allows the water system adequate time to manage the draining and refilling of storage tanks when the demand is spread out as the twice per week schedule provides.

A voluntary twice per week schedule is not recommended during a drought because the goals of the Drought Contingency and Emergency Water Management Plan call for immediate reductions in water consumption. The triggers in the plan were carefully evaluated for determining when the plan is implemented, and it is imperative that the goals be met to stave off subsequent drought stages.

Consistent water reduction measures also help with regional messaging. Currently, Stage 1 means the same thing in Fort Worth as it does for Mansfield, Arlington and all other cities in the Tarrant County area. Staff is also working with TRWD, Dallas Water Utilities, and North Texas Municipal Water District to further develop a broader, regional approach where all cities within the Metroplex will have similar drought plans to ensure consistent messaging and broader compliance.

Should you have any questions about the Drought Contingency and Emergency Water Management Plan, please contract Water Director Frank Crumb at 817-392-8246.

Tom Higgins City Manager

**ISSUED BY THE CITY MANAGER** 

#### **INFORMAL REPORT TO CITY COUNCIL MEMBERS**

#### To the Mayor and Members of the City Council

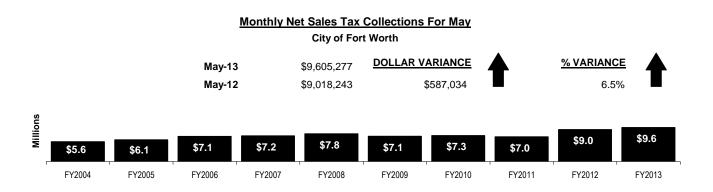
No. 9573

July 16, 2013 Page 1 of 2



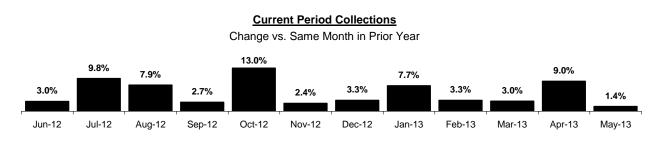
#### SUBJECT: MAY 2013 - SALES TAX UPDATE

Sales tax revenue represents approximately 20% of the City's General Fund budget. The Texas Comptroller's Office posted results on July 10th. The results are dependent upon the timeliness and accuracy of sales tax payers' returns. This payment from the State represents taxes collected on sales that occurred primarily in the month of May. In this report, you will see Fort Worth's sales tax collection compared to last year and the impact on the current year's budget.



The City's net sales tax collection is up \$587,034 or 6.5% compared to this month last year. This marks the highest May collections on record. As depicted in the table below, the City experienced **\$133,390 or 1.4%** in positive growth when compared to last year's current period collections for the same month. This trend represents growth in pure economic activity when compared to the same month last year.

Collection Detail for City Sales Tax				
May 12	May 13	CHANGE	CHANGE	
\$9,253,900	\$9,387,290	\$133,390	1.4%	
\$285,805	\$167,844	(\$117,961)	-41.3%	
(\$324,361)	\$256,852	\$581,213	179.2%	
(\$184,307)	(\$196,240)	(\$11,933)	-6.5%	
(\$12,794)	(\$10,469)	\$2,326	18.2%	
\$9,018,243	\$9,605,277	\$587,034	6.5%	
	May 12 \$9,253,900 \$285,805 (\$324,361) (\$184,307) (\$12,794)	May 12May 13\$9,253,900\$9,387,290\$285,805\$167,844(\$324,361)\$256,852(\$184,307)(\$196,240)(\$12,794)(\$10,469)	May 12May 13CHANGE\$9,253,900\$9,387,290\$133,390\$285,805\$167,844(\$117,961)(\$324,361)\$256,852\$581,213(\$184,307)(\$196,240)(\$11,933)(\$12,794)(\$10,469)\$2,326	



#### INFORMAL REPORT TO CITY COUNCIL MEMBERS No. 9573 July 16, 2013 To the Mayor and Members of the City Council Page 2 of 2 SUBJECT: MAY 2013 – SALES TAX UPDATE City Of Fort Worth Budget Comparison - FY2013 Adopted **Fiscal Year** Budget Projection Variance 108,798,434 \$ 6.3% **CITY OF FORT WORTH** 115,668,567 \$ 6,870,133 53,575,925 CRIME CONTROL AND PREVENTION DIST. 7.6% \$ 49,795,976 \$ \$ 3,779,949

The City has collected **\$6,870,133** above budget year-to-date and projects to end the year **6%** higher than the FY2013 adopted budget. As depicted above, you will also see how the positive results are affecting our partner agencies. This is the eighth collection for the fiscal year and while results are encouraging, staff recommends maintaining a conservative forecast for FY2013 as we continue to experience uncertainty with the national economy and potential audit adjustments. The chart below indicates how other cities in the region compared to FY2012.

57,231,467 \$

58.656.273

2.5%

\$ 1.424.806

\$

#### City Comparisons - FY2013 vs. FY2012

СІТҮ	First Quarter	Second Quarter	Мау	YTD
SOUTHLAKE	11.3%	12.1%	21.1%	12.9%
GRAND PRAIRIE	12.6%	7.3%	19.0%	12.3%
EULESS	17.1%	6.7%	-6.4%	9.1%
ARLINGTON	-1.7%	22.2%	5.0%	9.0%
KELLER	7.2%	8.2%	5.8%	8.1%
DALLAS	7.4%	5.9%	10.6%	7.4%
GRAPEVINE	9.3%	7.5%	4.2%	7.3%
FORT WORTH	7.6%	4.9%	6.5%	6.6%
BEDFORD	3.2%	6.4%	-1.1%	4.1%
NORTH RICHLAND HILLS	-4.4%	13.5%	-8.9%	1.6%
WATAUGA	0.3%	3.1%	7.9%	0.9%
HURST	-0.5%	0.2%	1.0%	-0.1%
BURLESON	-9.5%	-9.9%	-2.5%	-8.2%
STATE TOTAL	10.3%	5.1%	7.9%	7.2%

Again, hopefully you find this additional information helpful. If you have any questions, please call Jay Chapa, Interim Financial Management Services Director, at 817.392.2379.

Tom Higgins City Manager

**ISSUED BY THE CITY MANAGER** 

MASS TRANSIT AUTHORITY - THE "T"

CITY OF FORT WORTH, TEXAS				
	COUNCIL PROPOSAL			
Date: July 9, 2013	File Number: 296	Subject: Rename a Portion of East 1 <sup>st</sup> Street to Randol Mill Road East of Beach Street		
	Council Members	City Manager's Review:	Page:	
Scarth and All	en Gray	City Attorney's Review:	PAGE 1 OF 1	
It is	proposed that:			
1.		ncil authorize the City Manager to initiate a street name change to rename a portion of ol Mill Road, east of Beach Street to Oakland Boulevard.	East 1 <sup>st</sup>	
2.	Waive any ass	ociated application fees for the name change.		
DIS	SCUSSION:			
	It is recommended that a portion of East 1 <sup>st</sup> Street, east of Beach Street to Oakland Boulevard, be renamed to Randol Mill Road.			
publ this by a char Cou	lic purpose; and (2) portion of East 1 <sup>st</sup> s a single right-of-wa nge will include not ncil Communication	the City Council should make the following two findings: (1) that the waiver carrie that there are sufficient controls to ensure that the public purpose is carried out. Re Street will reduce the current confusion by the general public and emergency services by having multiple names along its length. The process for implementing the street tification of the affected property owners prior to City Council action and a Mayor a on to confirm the street name change after that public notification period has occurrent and install the new street signs.	enaming s caused et name and City	
LE	LEGALITY:			
The	The Law Department finds that this proposal is legal and within the authority of the City Council.			
<u>FIS</u>	CAL NOTE:			
The Finance Director certifies that this action will have no material effect on City funds.				
CITY MANAGER'S COMMENT:				
The City Manager has no objection to this proposal.				

**PROPOSED BY:** 

Danny Scarth Councilmember Kelly Allen Gray Councilmember

LEGALITY
FISCAL NOTE
CITY MANAGER'S COMMENTS
CITY POLICIES MANUAL

### **A Resolution**

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

#### APPOINTING THE BOARD OF TRUSTEES OF THE FORT WORTH LOCAL DEVELOPMENT CORPORATION

WHEREAS, the Fort Worth Local Development Corporation (the "LDC") was created in 1987 to assist the City with, among other things, the creation of jobs and other economic development activities in the City; and

**WHEREAS,** the Bylaws of the LDC provide that the LDC will be managed by a Board of Trustees consisting of at least three (3) members, each of whom shall be a member of the City Council, appointed by the City Council to serve a term of office parallel with their terms of service on the City Council; and

WHEREAS, the terms of the current Board of Trustees expired July 1, 2013 and such members of the Board have been serving in holdover since that time;

## NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

**THAT** the persons whose names and addresses appear below are hereby appointed to the Board of Trustees of the LDC to serve terms expiring on the earlier of (i) the date specified below or (ii) the date as of which any such person ceases to be a member of the City Council in accordance with applicable law:

Name	Address	Expiration of Term
Betsy Price	1000 Throckmorton	July 1, 2015
Sal Espino	1000 Throckmorton	July 1, 2015
W.B. "Zim" Zimmerman	1000 Throckmorton	July 1, 2015
Danny Scarth	1000 Throckmorton	July 1, 2015
Gyna M. Bivens	1000 Throckmorton	July 1, 2015
Jungus Jordan	1000 Throckmorton	July 1, 2015
Dennis Shingleton	1000 Throckmorton	July 1, 2015



Kelly Allen Gray	1000 Throckmorton	July 1, 2015
Joel Burns	1000 Throckmorton	July 1, 2015

Adopted this 16th day of July, 2013.

ATTEST:

Mary Kayser, City Secretary



## **A Resolution**

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

#### APPOINTING THE BOARD OF DIRECTORS OF THE FORT WORTH HOUSING FINANCE CORPORATION

**WHEREAS,** the City Council of the City of Fort Worth created the Fort Worth Housing Finance Corporation in 1979 pursuant to the Texas Housing Finance Corporation Act; and

WHEREAS, the Fort Worth Housing Finance Corporation was organized for the purpose of financing the cost of residential ownership and development of single-family dwellings for persons of low and moderate income; and

**WHEREAS,** the Bylaws of the Fort Worth Housing Finance Corporation provide that the Corporation be managed by a Board of Directors which shall be appointed by the City Council to serve terms established by the City Council; and

WHEREAS, the terms of the current Board members expired July 1, 2013 and such members have been serving in holdover status since that time;

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

That the persons whose names and addresses appear below are hereby appointed to the Board of Directors of the Fort Worth Housing Finance Corporation to serve terms expiring as indicated below:

Name	Address	Expiration of Term
Betsy Price	1000 Throckmorton, 76102	July 1, 2015
Salvador Espino	1000 Throckmorton, 76102	July 1, 2015
W.B. "Zim" Zimmerman	1000 Throckmorton, 76102	July 1, 2015
Danny Scarth	1000 Throckmorton, 76102	July 1, 2015
Gyna M. Bivens	1000 Throckmorton, 76102	July 1, 2015
Jungus Jordan	1000 Throckmorton, 76102	July 1, 2015



Dennis Shingleton	1000 Throckmorton, 76102	July 1, 2015
Kelly Allen Gray	1000 Throckmorton, 76102	July 1, 2015
Joel Burns	1000 Throckmorton, 76102	July 1, 2015

Adopted this \_\_\_\_ day of July, 2013.

ATTEST:

By: \_\_\_\_

Mary Kayser, City Secretary



### **A Resolution**

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

#### APPOINTING THE BOARD OF DIRECTORS OF ALLIANCEAIRPORT AUTHORITY, INC.

WHEREAS, AllianceAirport Authority, Inc. (the "Authority") is an industrial development corporation created in 1989 to benefit the City and to, among other things, issue bonds to promote and develop new and expanded business enterprises in the City, to promote and encourage employment, and otherwise to benefit the public welfare in accordance with the Development Corporation Act of 1979, as amended; and

**WHEREAS,** the Articles of Incorporation and the Bylaws of the Authority provide that the Authority will be managed by a nine (9)-member Board of Directors appointed by the City Council to serve terms established by the City Council, not to exceed six (6) years; and

WHEREAS, the terms of the current Board of Directors expired July 1, 2013 and such members of the Board have been serving in holdover since that time;

## NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

**THAT** the persons whose names and addresses appear below are hereby appointed to the Board of Directors of the Authority to serve terms expiring on the date specified below:

Name	Address	Expiration of Term
Betsy Price	1000 Throckmorton	July 1, 2015
Sal Espino	1000 Throckmorton	July 1, 2015
W.B. "Zim" Zimmerman	1000 Throckmorton	July 1, 2015
Danny Scarth	1000 Throckmorton	July 1, 2015
Gyna M. Bivens	1000 Throckmorton	July 1, 2015
Jungus Jordan	1000 Throckmorton	July 1, 2015
Dennis Shingleton	1000 Throckmorton	July 1, 2015



Kelly Allen Gray	1000 Throckmorton	July 1, 2015
Joel Burns	1000 Throckmorton	July 1, 2015

Adopted this 16th day of July, 2013.

ATTEST:

Mary Kayser, City Secretary



## **A Resolution**

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

## APPOINTING THE BOARD OF DIRECTORS OF THE CENTRAL CITY LOCAL GOVERNMENT CORPORATION

WHEREAS, the City Council approved creation of the Central City Local Government Corporation (the "Corporation") in May 2005 pursuant to Chapter 431, Subchapter D of the Texas Transportation Code to assist the City and the board of directors of various tax increment reinvestment zones (each a "<u>TIF</u>") located in the Central City in implementing the project plans of those TIFs and promoting, developing, encouraging and maintaining employment commerce, economic development and public facility development in the Central City; and

**WHEREAS,** the Bylaws of the Corporation provide that the Corporation will be managed by a board of directors (the "Board") consisting of ten (10) members appointed by the City Council for two (2)-year terms; and

WHEREAS, the terms of the current Board members expired April 30, 2013 and such members have been serving in holdover status since that time;

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

**THAT** the persons whose names and addresses appear below are hereby appointed to the Board of Directors of the Corporation to serve terms expiring on the dates set forth below:

Name	Address	Expiration of Term
Betsy Price	1000 Throckmorton, 76102	April 30, 2015
Sal Espino	1000 Throckmorton, 76102	April 30, 2015
W.B. "Zim" Zimmerman	1000 Throckmorton, 76102	April 30, 2015
Danny Scarth	1000 Throckmorton, 76102	April 30, 2015
Gyna M. Bivens	1000 Throckmorton, 76102	April 30, 2015
Jungus Jordan	1000 Throckmorton, 76102	April 30, 2015
Dennis Shingleton	1000 Throckmorton, 76102	April 30, 2015



Kelly Allen Gray	1000 Throckmorton, 76102	April 30, 2015
Joel Burns	1000 Throckmorton, 76102	April 30, 2015
Roy Brooks	100 E. Weatherford, 76196	April 30, 2015

Adopted this 16th day of July 2013.

ATTEST:

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D	
$\mathbf{D}\mathbf{V}$ .	

Mary Kayser, City Secretary



## **A Resolution**

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

## APPOINTING THE BOARD OF DIRECTORS OF THE LONE STAR LOCAL GOVERNMENT CORPORATION

WHEREAS, the City Council approved creation of the Lone Star Local Government Corporation (the "Corporation") in June 2004 pursuant to Chapter 431, Subchapter D of the Texas Transportation Code to aid, assist, and act on behalf of the City in the exercise of its powers to accomplish any governmental purpose of the City; to promote the common good and general welfare of the City, including, without limitation, the development of the geographic area of the City included in Tax Increment Reinvestment Zone Number Ten, City of Fort Worth, Texas (the "Zone") and neighboring areas; and to assist the City and the board of directors of the Zone with respect to their respective duties and responsibilities under Chapter 311, Texas Tax Code, in furtherance of the promotion, development, encouragement and maintenance of employment, commerce, economic development and public facility development in the Zone; and

**WHEREAS,** the Bylaws of the Corporation provide that the Corporation will be managed by a board of directors (the "Board") consisting of ten (10) members appointed by the City Council for two (2)-year terms; and

WHEREAS, the terms of the current Board members expired May 31, 2013 and such members have been serving in holdover status since that time;

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

**THAT** the persons whose names and addresses appear below are hereby appointed to the Board of Directors of the Corporation to serve terms expiring on the dates set forth below:

Name	Address	Expiration of Term			
Betsy Price	1000 Throckmorton, 76102	May 31, 2015			
Sal Espino	1000 Throckmorton, 76102	May 31, 2015			
W.B. "Zim" Zimmerman	1000 Throckmorton, 76102	May 31, 2015			
Danny Scarth	1000 Throckmorton, 76102	May 31, 2015			
Gyna M. Bivens	1000 Throckmorton, 76102	May 31, 2015			

Jungus Jordan	1000 Throckmorton, 76102	May 31, 2015
Dennis Shingleton	1000 Throckmorton, 76102	May 31, 2015
Kelly Allen Gray	1000 Throckmorton, 76102	May 31, 2015
Joel Burns	1000 Throckmorton, 76102	May 31, 2015
Gary Fickes	100 E. Weatherford, 76196	May 31, 2015

Adopted this 16th day of July, 2013.

ATTEST:

By: \_\_\_\_\_

Mary Kayser, City Secretary

No Documents for this Section

# City of Fort Worth, Texas Mayor and Council Communication

DATE: Tuesday, July 16, 2013

## LOG NAME:

**REFERENCE NO.: \*\*OCS-1891** 

**<u>SUBJECT</u>**: Notices of Claims for Alleged Damages and/or Injuries

### **RECOMMENDATION:**

It is recommended that the City Council refer the notices of claims for alleged damaged and/or injuries to the Finance Department/Risk Management for evaluation and investigation.

## **DISCUSSION:**

The procedure for filing of claims of alleged damages and/or injuries is prescribed in Chapter XXVII, Section 25 of the Charter of the City of Fort Worth, Texas.

The attached list is a summary of the notices of claims against the City of Fort Worth received in the City Secretary's Office as of 5:00 p.m., Wednesday, July 10, 2013.

## Attachment

Submitted for City Secretary's Office by:	Mary J. Kayser (6152)
Originating Department Head:	Mary J. Kayser (6152)
Additional Information Contact:	Jay Chapa (2379) Nancy McKenzie (7744)

### CITY COUNCIL MEETING Tuesday, July 16, 2013 RISK MANAGEMENT CLAIMS REPORT

Claims listed on this report have been received in the Risk Management Division claims office and either have been or will be thoroughly investigated. The decision whether or not to accept liability is predicated on applicable provisions of the Texas Tort Claims Act. If any claimant contacts you, please refer them to Nancy McKenzie ext 7744 or JoAnn Rowls ext 7784. Thank you.

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT ES	TIMATE	INJURY
Lizeth Villegas	6/27/2013	6/8/2013	Meacham & Beach St.	Auto Damage	Damaged car when lane ended.	TPW	Yes	No
Lakeydra Petteway	7/1/2013	6/20/2013	4325 Montecito Way	Property Damage	Officer struck animal.	Police	Yes	No
Darla Lawson	6/28/2013	6/13/2013	Bonds & Ranch Rd.	Auto Damage	Vehicle damaged by tar substance.	TPW	Yes	No
Chase Pearce	7/1/2013	6/22/2013	Auto Pound	Auto Damage	Vehicle damaged while impounded.	Police	No	No
Kevin Birkinsha	7/3/2013	5/28/2013	McCart Ave.	Auto Damage	Officer struck vehicle.	Police	Yes	Yes
Pamela Singleton	7/3/2013	6/25/2013	3616 Glenmont Dr.	Property Damage	Damage due to water main break.	Water	No	No
Florence Williams	7/2/2013	6/28/2013	7500 Sagehill Ct.	Auto Damage	City truck struck vehicle.	Code	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT E	ESTIMATE	INJURY
Dollye Starr- Thomas	7/2/2013	5/28/2013	1st and Haltom Rd	Auto Damage	Vehicle struck pothole in construction area.	TPW	Yes	No
Octavio Jimenez	7/3/2013	4/10/2013	4004 Willing Ave.	Auto Damage	City truck backed into vehicle.	TPW	Yes	No
Mary L. Murphy	7/5/2013	7/1/2013	Woodhaven & Bridge	Auto Damage	Officer struck vehicle.	Police	No	No
Cecil McBroom	7/5/2013	7/3/2013	Property Room	Property Damage	Seized property destroyed by PD.	Police	Yes	No

## PUBLIC HEARING:

FIRST PUBLIC HEARING FOR A PROPOSED CITY-INITIATED ANNEXATION OF APPROXIMATELY 95.4 ACRES OF LAND IN TARRANT COUNTY, LOCATED SOUTH OF DIRKS ROAD AND WEST OF SUMMER CREEK DRIVE. (AX-13-003 OLD GRANBURY RD)

- a. Report of City Staff
- b. Citizen Comments

## STAFF REPORT TO CITY COUNCIL MEMBERS

No.

## To the Mayor and Members of the City Council

July 16, 2013

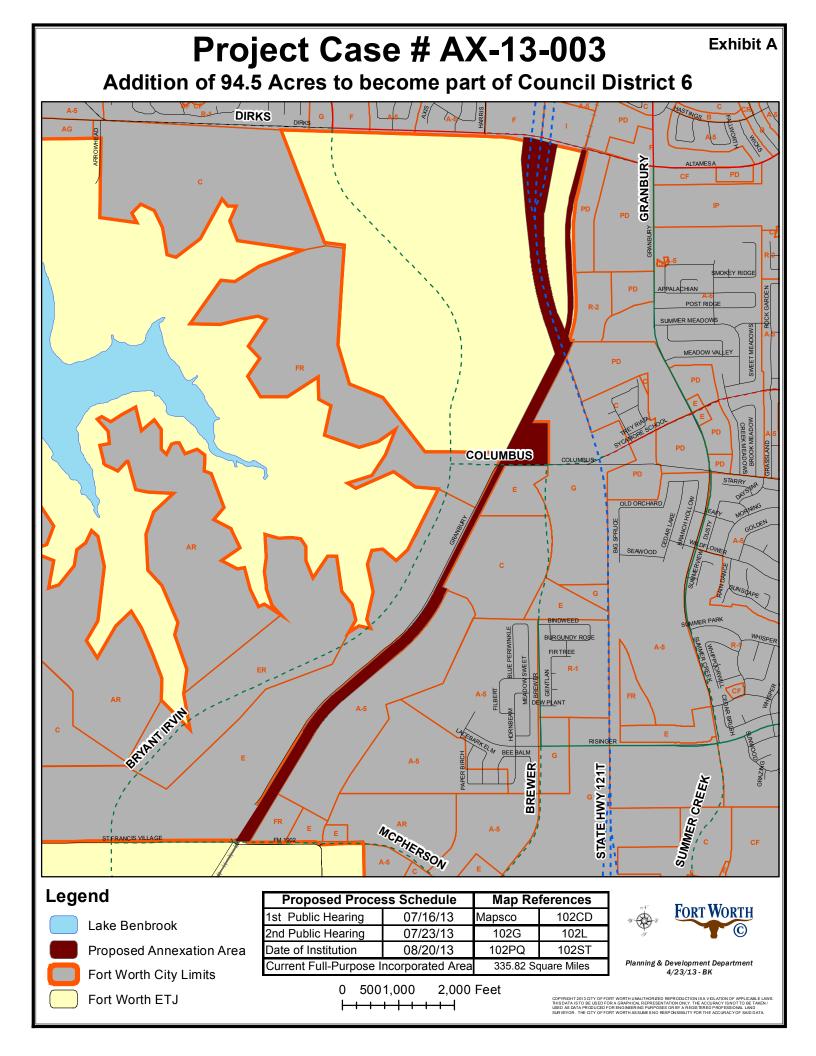
Page 1 of 1



SUBJECT: SERVICE PLAN PUBLIC HEARING FOR AX-13-003, LOCATED SOUTH OF DIRKS ROAD AND WEST OF SUMMER CREEK DRIVE (COUNCIL DISTRICT 6)

The 2013-2017 annexation program, adopted with the 2013 Comprehensive Plan, recommends this area be considered for full-purpose annexation in 2013 as an addition to Council District 6. The property under consideration for annexation as AX-13-003 is 94.5 acres and currently contains street, railroad, and electrical rights-of-way, and an electrical substation. No additional development is anticipated. The enclave is the remainder of Area 55 after multiple parcels in the original enclave signed a development agreement in lieu of annexation. Because this property is not subject to a development agreement, the City Council may apply appropriate zoning upon annexation. The zoning of the enclave had a public hearing July 10, 2013 and is anticipated to have a final public hearing on August 20, 2013.

On today's City Council agenda will be the first public hearing on the service plan for the proposed full-purpose annexation of 94.5 acres adjacent to Council District 6. The second public hearing for the service plan will be held on July 23, 2013. The purpose of today's public hearing is to collect public comments on the city-initiated annexation service plan for the Old Granbury Road area (AX-13-003). The services that the annexation area will receive immediately upon annexation are: police, fire, and emergency medical services; garbage pick-up; library services; building inspection and code compliance; maintenance of existing public water and sewer lines; and public roadway maintenance. The only Council action necessary is to close the public hearing after receiving public input. Final annexation action will take place at the August 20, 2013 City Council meeting, which will contain an M&C to consider and institute adoption of this enclave in the Far Southwest and Wedgwood sectors.



## CITY OF FORT WORTH, TEXAS SERVICE PLAN FOR ANNEXED AREA

Property Subject to Plan:	BEING 94.5 acres of land situated in the John Heath Survey, Abstract Number 641, A.H. Hodge Survey, Abstract Number 1789, J. Asbury Survey, Abstract Number 52, J.J. Albirado Survey, Abstract 4, and the Benjamin Thomas Survey, Abstract 1496; situated about 9.1 miles South 30 degrees West of the Courthouse in Tarrant County, Texas.
Location and Acreage:	Approximately 94.5 acres of land in Tarrant County, located south of Dirks Road and west of Summer Creek Drive.

## County: TARRANT

Municipal services to the Annexation Area will be furnished by or on behalf of the City of Fort Worth, Texas, at the following levels and in accordance with the following service plan programs:

# 1. PROGRAM FOR SERVICES TO BE PROVIDED ON THE EFFECTIVE DATE OF THE ANNEXATION

The City will provide the following services in the Annexation Area on the effective date of the annexation, unless otherwise noted.

As used in this plan, the term 'providing services' includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances.

## A. <u>Police Protection</u>

The Fort Worth Police Department will provide protection and law enforcement services in the Annexation Area commencing on the effective date of annexation. The services will include:

Normal patrols and responses to calls for service

Handling of offense and incident reports

Special units, such as traffic enforcement, criminal investigations, narcotics law enforcement, gang suppression, and crime response team deployment when required.

These services are provided on a citywide basis. The area will be assigned a new Police Reporting Area (PRA). The new PRA will be part of Beat W24 in Zone W2 of West Patrol Division.

## B. <u>Fire Protection</u>

Fire protection services will be provided by existing personnel and equipment of the Fort Worth Fire Department. These services will be provided based upon available water, road and street conditions, and distances from existing fire stations. Services will be provided to the annexation area commencing on the effective date of the annexation. These services include:

Basic Life Support (BLS) 1st responder emergency medical services Fire suppression and rescue; Hazardous materials mitigation and regulation; Dive rescue; Technical rescue; Fire Safety Education; Aircraft/rescue/firefighting; Fire protection system plan review; and Inspections. These services are provided on a citywide basis. All Fort Worth firefighters are certified by the Texas Commission on Fire Protection.

On the date of annexation, the first responding fire services will come from Fire Station 36, located at 5045 Columbus Trail. The second responding fire company will be from Fire Station 26 located at 6124 S Hulen Street. The Fire Department estimates the response time to be 4.5 and 6.7 minutes, respectively.

### C. <u>Emergency Medical Services – Basic Life Support</u>

Basic Life Support (BLS) emergency medical services by existing personnel and equipment of the Fort Worth Fire Department will be provided to the annexation area commencing on the effective date of the full-purpose annexation. The Fort Worth Fire Department serves as the first responder on life threatening medical emergencies as a part of the MedStar system. All Fort Worth Fire Department personnel are certified as Emergency Medical Technician basic level or higher. All engines, trucks, and rescue units carry Automated External Defibrillators for use with victims who are in cardiac arrest.

### Emergency Medical Services – Advanced Life Support

Advanced Life Support response provided by MedStar is greater than 9 minutes to the proposed annexation area with a potential of at least a 30-minute transport time to the nearest trauma center.

### D. Solid Waste Collection

Solid waste collection shall be provided to the Annexation Area in accordance with existing City ordinances and policies commencing on the effective date of the full-purpose annexation. For residential collections, private solid waste service providers under contract with the City will provide services. Residential customers using the services of a privately owned solid waste management service provider other than the City's contracted service provider may continue to use such services until the second anniversary of the annexation.

At the discretion of the customer, private service providers may provide solid waste collection services for businesses and multi-family dwelling complexes having three or more units. Private solid waste collection providers must have an active Grant of Privilege issued by the City of Fort Worth to provide service within the city limits.

#### E. Operation and Maintenance of Water and Wastewater Facilities

Existing occupied homes that are using water well and on-site sewer facilities (and therefore have service) may continue to use the existing water well and on-site sewer facilities. If the existing property owner would like to connect to the City water and sewer system, then the property owner may request connection and receive up to 200 LF of water and sewer extension at City cost for each occupied property lot or tract in accordance with the "Policy for the Installation of Community Facilities" and as consistent with the Texas Local Government Code.

Upon connection to the City's water and sanitary sewer mains, water and sanitary sewage service will be provided at rates established by City ordinances for such service at the normal rates charged throughout the City.

#### F. Operation and Maintenance of Roads and Streets, Including Street Lighting

The following services will be provided in the Annexation Area commencing on the effective date of the full-purpose annexation, unless otherwise noted.

These services include emergency pavement repair and repair maintenance of public streets on an as-needed basis. Preventive maintenance projects are prioritized on a region-wide basis and scheduled based on a variety of factors, including surface condition, ride ability, age, traffic volume, functional class, and available funding. Any necessary rehabilitation or reconstruction will be considered and prioritized by the City.

Streetlights installed on improved public streets shall be maintained by the City of Fort Worth in accordance with current City policies. Other street lighting shall not be maintained by the City of Fort Worth.

The City will also provide regulatory signage services in the Annexation Area. Traffic signal, stop, and all other regulatory studies are conducted in conjunction with growth of traffic volumes. All regulatory signs and signals are installed when warranted following an engineering study. Faded, vandalized, or missing signs are replaced as needed. "CALL BACK" service is provided 24 hours a day, 365 days a year for emergency sign repair.

#### G. Operation and Maintenance of Parks, Playgrounds and Swimming Pools

Residents of this property may utilize all existing parks and community service facilities throughout the City, beginning with the effective date of the full-purpose annexation. Existing parks, playgrounds, swimming pools and other recreational and community facilities within the Annexation Area that are private facilities will be unaffected by the annexation.

Existing parks, playgrounds, swimming pools and other recreational and community facilities within this property shall, upon deeding to and acceptance by the City and appropriations for maintenance and operations, be operated by the City of Fort Worth, but not otherwise.

#### H. Operation and Maintenance of Any Other Publicly Owned Facility, Building or Service.

In the event the City acquires any other facilities, buildings or services necessary for municipal services located in the Annexation Area, the appropriate City department will provide maintenance services upon the effective date of the full-purpose annexation.

### 2. PROGRAM FOR PROVIDING ADDITIONAL SERVICES

In addition to the services identified above, the following services will be provided in the Annexation Area on the effective date of the annexation, unless otherwise noted:

- A. With a Fort Worth library card, residents can access the Library's online resources which include ebooks, e-audio and reference databases from home and borrow materials from any Fort Worth Library branch and our MetrOPAC partners and from participating TexShare libraries.
- B. The City will provide general municipal administration and administrative services.
- C. The Annexation Area will be included in the Transportation and Public Works Department's Stormwater Utility service area. Properties in this area will be assessed a monthly fee based on the amount of impervious surface. The fees will cover the direct and indirect costs of stormwater management services, including routine maintenance (at current citywide service levels) for all public drainage channels and for all public storm sewers within dedicated public drainage easements. The Stormwater Utility will also provide floodplain management and information regarding flood plains, as well as watershed development review and inspection.
- D. City codes, consumer health, and animal care and control ordinances and regulations, that include but not limited to: high weeds and grass, trash and debris, solid waste, trash carts and illegal dumping, junked and abandoned vehicles, zoning, food, daycare, public pool and spa inspections, stray animals, cruelty and bite investigations will be enforced. Complaints of ordinance or regulation violations within the area will be answered and investigated by existing personnel within the appropriate Code Compliance Division beginning on the effective date of the annexation.
- E. The City's building, plumbing, mechanical, electrical, and all other construction codes will be enforced within the Annexation Area beginning with the effective date of the full-purpose annexation.
- F. The City's zoning, subdivision, sign, manufactured housing, junk yard and other ordinances shall be enforced in the Annexation Area beginning on the effective date of the full-purpose annexation.

- G. All inspection services furnished by the City of Fort Worth, but not mentioned above, will be provided to the Annexation Area beginning on the effective date of the full-purpose annexation.
- H. In addition to residential solid waste collection services, the Environmental Management Division will provide the following services:
  - Emergency spills and pollution complaints response; Storm sewer discharge pollution prevention; and Water quality assessments for creeks.

### 3. PROGRAM FOR PROVIDING FULL MUNICIPAL SERVICES WITHIN 2-1/2 YEARS

In addition to the services listed above, the City will provide full municipal services to the Annexation Area commensurate with the levels of services provided in other parts of the City except if differences in topography, land use, and population density constitute a sufficient basis for providing different levels of service, no later than two and one-half (2-½) years after the effective date of the annexation. If full municipal services cannot be reasonably provided within the aforementioned time period, the City will propose a schedule for providing said services within a period of four and one-half (4-½) years after the effective date of the annexation, and/or upon commencement of development of a subdivision within this property, whichever occurs later.

"Full municipal services" are services provided by the annexing municipality within its full-purpose boundaries, excluding gas or electrical service. The City shall provide the services by any of the methods by which it extends the services to any other area of the City.

### 4. CAPITAL IMPROVEMENTS PROGRAM

The developer will initiate acquisition or construction of capital improvements necessary for providing full municipal services adequate to serve the Annexation Area. Any such construction shall be substantially completed within two and one-half  $(2-\frac{1}{2})$  years after the effective date of the annexation. If capital improvements necessary for providing full municipal services for the Annexation Area cannot be reasonably constructed within the aforementioned time period, the City will propose a schedule for providing said services within a period of four and one-half  $(4-\frac{1}{2})$  years, and/or upon commencement of development of a subdivision within this property, whichever occurs later.

Acquisition or construction shall be accomplished by purchase, lease, or other contract. Any such construction shall be accomplished in a continuous process and shall be completed as soon as reasonably possible, consistent with generally accepted local engineering and architectural standards and practices.

- A. <u>Police Protection</u>. No capital improvements are necessary at this time to provide police protection to the Annexation Area. Need for construction of new facilities will be assessed periodically based on population growth, predicted growth and call volume.
- B. <u>Fire Protection.</u> Currently, Fire Station 36 has a 4.5 minute response time to the Annexation Area. No capital improvements are necessary at this time to provide fire protection to the Annexation Area. Need for construction of new facilities will be assessed periodically based on population growth, predicted growth, and call volume.
- C. <u>Solid Waste Collection</u>. No capital improvements are necessary at this time to provide solid waste collection services to the Annexation Area.
- D. <u>Water and Wastewater</u>. Fort Worth is currently maintaining the existing 16-inch force main running through the annexation area. Fort Worth is also maintaining a 12" water line along Columbus Trail Offsite improvements may require approximately 1,000 LF of water line to connect to the existing 12" water line west of an existing facility located at the intersection of Old Grandbury Road and Columbus Trail. Areas that experience pressure in excess of 80 psi will require a pressure reducing valve installed by the developer at no additional cost to the city. The southern section of the

annexation area may require off-site sewer improvements (approximately 1,500 LF), in order to convey wastewater flow to the Richardson Slough Lift Station.

Vacant properties' water and sewer extensions will be installed by the Developer in accordance with the "Policy for the Installation of Community Facilities". All water and wastewater facilities will be at the developer's cost and as consistent with the Texas Local Government Code. Water and sewer line sizes will be determined based upon the water/sewer study provided by the developer's engineer. Any City participation on water and sewer facilities will be in accordance with the "Installation Policy of Community Facilities" and the Texas Local Government Code. Upon connection, to existing water and sanitary sewer mains, water and sanitary sewage service will be provided at rates established by City ordinances for such service at the normal rates charged throughout the City.

- E. <u>Roads</u> Future capital improvements at an estimated cost of \$1,100,000 are required for the future construction of one-half of Sycamore School Road as a 4-lane divided arterial street.
- F. <u>Storm Water Utility.</u> No capital improvements are necessary at this time to provide drainage services.
- G. <u>Street Lighting.</u> It is anticipated that new subdivisions in the Annexation Area will install street lighting in accordance with the City's standard policies and procedures. In other cases, the City will consider installation of additional street lighting in the Annexation Area upon request, with priority given to street lighting for traffic safety. Provision of street lighting will be in accordance with the City's street lighting policies, and those of the providing utility.
- H. <u>Parks, Playgrounds and Swimming Pools</u>. Capital improvements such as parkland acquisition and development of facilities will be dictated by future land use of the area, goals established by the Park, Recreation and Open Space Master Plan and appropriation of resources. Should additional residential development occur, parkland dedication, neighborhood park development and neighborhood park infrastructure or payment in lieu thereof will be required in accordance with the Park Policy of the Subdivision Ordinance.
- I. <u>Other Publicly Owned Facilities, Building or Services: Additional Services</u>. In general, other City functions and services, and the additional services described above can be provided for the Annexation Area by using existing capital improvements. Additional capital improvements are not necessary to provide City services.

### 5. IMPACT FEES

Notwithstanding any other provision of this service plan, a landowner within the Annexation Area will not be required to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code governing impact fees, unless otherwise agreed to by the landowner.

No Documents for this Section

Zoning Docket items are linked on the Council Meeting Agenda.

No Documents for this Section