



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, AUGUST 12, 2013, THROUGH FRIDAY, AUGUST 16, 2013**

MONDAY, AUGUST 12, 2013

<u>MONDAY, AUGUST 12, 2013</u>	<u>TIME</u>	<u>LOCATION</u>
Workforce Delivery Systems Committee	11:45 a.m.	Workforce Solutions for Tarrant County 1320 South University Drive, Suite 600 Board Large Conference Room
Historic and Cultural Landmarks Commission Work Session	12:30 p.m.	Pre-Council Chamber
Historic and Cultural Landmarks Commission Public Hearing	2:00 p.m.	Council Chamber
Commission for Women	4:00 p.m.	UNT Health Science Center Medical Education and Training Building 3500 Camp Bowie Boulevard
Art Commission	5:30 p.m.	Fort Worth Community Arts Center 1300 Gendy Street

TUESDAY, AUGUST 13, 2013

Audit Committee	10:00 a.m.	Pre-Council Chamber
Library Advisory Board	12:30 p.m.	Central Library 500 West 3 rd Street Chappell Meeting Room
Infrastructure and Transportation Committee	1:00 p.m.	Pre-Council Chamber
Pre-Council Meeting	3:00 p.m.	Pre-Council Chamber
North Central Texas Council of Governments Regional Transportation Council	6:30 p.m.	Fort Worth business Assistance Center 1150 South Freeway
City Council Meeting	7:00 p.m.	Council Chamber

WEDNESDAY, AUGUST 14, 2013

Zoning Commission Work Session	9:00 a.m.	Pre-Council Chamber
Zoning Commission Public Hearing	10:00 a.m.	Council Chamber

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on August 8, 2013, and may not include all meetings to be conducted during the week of August 12, 2013 through August 16, 2013. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, AUGUST 12, 2013, THROUGH FRIDAY, AUGUST 16, 2013**

THURSDAY, AUGUST 15, 2013

City Council Budget Workshop	8:30 a.m.	Pre-Council Chamber
Fort Worth Housing Authority (FWHA) Public Hearing – Hunter Plaza Apartments	8:30 a.m.	FWHA Administrative Office 1201 East 13 th Street
Aviation Advisory Board	4:00 p.m.	Meacham International Airport 4201 North Main Street, Suite 200 Conference Room

FRIDAY, AUGUST 16, 2013

City Council Budget Workshop	8:30 a.m.	Pre-Council Chamber
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AUDIT COMMITTEE MEETING
TUESDAY, AUGUST 13, 2013
10:00 A.M.
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

INFRASTRUCTURE AND TRANSPORTATION COMMITTEE MEETING
TUESDAY, AUGUST 13, 2013
1:00 P.M.
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

ALLIANCE AIRPORT AUTHORITY, INC. MEETING
(IMMEDIATELY FOLLOWING THE PRE-COUNCIL MEETING)
TUESDAY, AUGUST 13, 2013
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

PRE-COUNCIL MEETING
TUESDAY, AUGUST 13, 2013
3:00 P.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 9585](#): June 2013 - Sales Tax Update
 - [IR 9586](#): Water Department Fiscal Year 2014 Projected Revenue Requirements
2. Current Agenda Items - **City Council Members**
3. Responses to Items Continued from a Previous Week
4. Presentation of City Manager's Fiscal Year 2014 Budget - **Jay Chapa, Interim Financial Management Services Director**
5. City Council Requests for Future Agenda Items and/or Reports
6. Executive Session (PRE-COUNCIL CHAMBER) - **SEE ATTACHMENT A**
Attachment(s):
[8-13-13 Executive Session A.pdf](#)

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, August 13, 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 Gas Line Compressor Regulations; and
 - b. 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 7:00 P.M. TUESDAY, AUGUST 13, 2013
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

- I. **CALL TO ORDER**
- II. **INVOCATION** - Reverend Reginald Andrews, Shiloh Missionary Baptist Church
- III. **PLEDGE OF ALLEGIANCE**
- IV. **CONSIDERATION OF MINUTES OF REGULAR MEETING OF AUGUST 6, 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. [M&C G-17967](#) - Authorize Transfer in the Amount of \$1,299,455.00 from Various Funds to the Specially Funded Capital Projects Fund to Fund a Portion of Enterprise Resource Planning Phase II and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
- 2. [M&C G-17968](#) - Adopt Resolution Nominating Carolina Beverage Group, LLC, Manufacturing and Distribution Facility at 13300 Park Vista Boulevard as an Enterprise Project Pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (COUNCIL DISTRICT 7)
- 3. [M&C G-17969](#) - Adopt Resolution Nominating NGC Renewables, LLC, Manufacturing Plant at 5500 Alliance Gateway as an Enterprise Project, Pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (COUNCIL DISTRICT 7)
- 4. [M&C G-17970](#) - Approve Findings of the Ground Transportation Coordinator Regarding Renewal Application of Silver West, Inc., to Operate Thirty Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)
- 5. [M&C G-17971](#) - Adopt Resolution to Re-Appoint Diana Medina Helm as Hearing Officer in and for the City of Fort Worth Parking Violations Bureau and Designating the Hearing Officer to Conduct Hearings and Appeals Pursuant to Chapters 10, 12.5, 22 and 34 of the City Code and to Perform Other Duties Assigned (ALL COUNCIL DISTRICTS)

6. [M&C G-17972](#) - Adopt Ordinance Amending Chapter 10, Courts, Article II, Parking Violations Bureau, of the Code of the City of Fort Worth, Amending Sections 10-17 "Hearing Officer" to add Powers and Duties, 10-18 "Parking Citations" to Clarify Service of Citation and to Extend the Time to Contest, 10-19 "Presumption of Ownership" to Establish Exceptions to Vehicle Owner Liability, 10-20 "Hearings" to Provide Contest of Citation Online and Via Mail, and 10-21, "Appeal" to Clarify the Appeal Process and Increase the Filing Fee, and Adopt Resolution Authorizing the Hearing Officer to Administratively Close Adjudicated Parking Citations Based on Certain Criteria (ALL COUNCIL DISTRICTS)

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

1. [M&C P-11566](#) - Authorize Non-Exclusive Purchase Agreements for Athletic, Gym Supplies and Exercise Equipment, Using Cooperative Contracts for City Departments in the Amount of \$800,000.00 (ALL COUNCIL DISTRICTS)

C. Land - Consent Items

1. [M&C L-15598](#) - Authorize Direct Sale to the City of Fort Worth of Two Tax-Foreclosed Properties Located at 2807 NW 18th Street and 2813 NW 18th Street in the Amount of \$200.00 for Flood Control Purposes and Authorize the Purchase of the Properties (COUNCIL DISTRICT 2)
2. [M&C L-15599](#) - Authorize Acceptance of a Dedication Deed from ALL Investment, LP, for 0.060 Acres of Land in the William McCowen Survey, Abstract No. 999 for the Extension of General Worth Drive to the West of Old Denton Road at No Cost to the City of Fort Worth (COUNCIL DISTRICT 4)
3. [M&C L-15600](#) - Authorize Acceptance of Three Dedication Deeds from ALL Investment, LP, and Hillwood Multifamily Land, LP, for a Total of 9.796 Acres of Land in the William McCowen Survey, Abstract No. 999 for the Amador Drive and Monterra Boulevard Paving, Drainage and Street Light Improvement Projects at No Cost to the City of Fort Worth (COUNCIL DISTRICT 4)

D. Planning & Zoning - Consent Items

1. [M&C PZ-3029](#) - Adopt Ordinance Vacating an Alley Between Eldridge Street and Sanguinet Street for Additional Parking for the Expansion of the Lena Pope Home (COUNCIL DISTRICT 9)
2. [M&C PZ-3030](#) - Authorize Initiation of Rezoning for Certain Properties on 2450 North Crowley Cleburne Road, 8900 Block West Cleburne Road, and 10701 McCart Avenue, in Accordance with the Comprehensive Plan (COUNCIL DISTRICT 6)

E. Award of Contract - Consent Items

1. [M&C C-26386](#) - Authorize Amendment No. 1 to City Secretary Contract No. 43972, a Community Facilities Agreement with Cassco Development Co., Inc., to Add City Participation in an Amount Not to Exceed \$501,298.60 for the Construction of Storm Drain Improvements Adjacent to the Chisholm Trail Parkway and Authorize Execution of a Stormwater Facilities Maintenance Agreement with Edwards Geren, Ltd. and Riverhills Homeowners Association, Inc., for Maintenance of Associated Storm Water Detention Ponds (COUNCIL DISTRICT 3)
2. [M&C C-26387](#) - Authorize Change of Use and Expenditure of Additional HOME Investment Partnerships Program Grant Funds in the Amount of \$600,000.00 to Decatur-Angle Ltd., in the Form of a Subordinate Loan for the Development of the Decatur-Angle Apartments to be Located at Angle Avenue and Old Decatur Road, Authorize Execution of a Conditional Commitment and Contract, Authorize Substantial Amendment to the City's 2009-2010 and 2011-2012 Action Plans and Substitution of Funding Years (COUNCIL DISTRICT 2)
3. [M&C C-26388](#) - Authorize Execution of Amendment to Economic Development Program Agreement with Renaissance Square, LLC, City Secretary Contract No. 39287, to Extend the Completion Deadline Pertaining to the Renaissance Square Development at U.S. Highway 287 and East Berry Street (COUNCIL DISTRICT 8)
4. [M&C C-26389](#) - Authorize Execution of a Contract with Stable & Winn, Inc., in the Amount of \$348,498.41 for the Construction of Ray White Road from North Beach Street to 150 Feet East of Stoneside Terrace, Provide for Project Costs and Contingencies for a Project Total in the Amount of \$465,033.60 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 7)
5. [M&C C-26390](#) - Authorize Execution of Amendment No. 3 to City Secretary Contract No. 39749 with Standard Parking Corporation in the Amount of \$145,000.00 for the Management and Operation of the Will Rogers Memorial Center and Fort Worth Convention Center Parking Facilities to Increase the Reimbursement Amount for Fiscal Year 2013 for a Total Reimbursement in the Amount of \$1,423,998.70 (COUNCIL DISTRICTS 7 and 9)
6. [M&C C-26391](#) - Authorize Execution of an Agreement with the United States Department of Justice, Drug Enforcement Administration for Reimbursement of Overtime Costs in the Amount Up to \$103,213.50 for Participation in the North Texas High

Intensity Drug Trafficking Area Task Force Group 2 for Fiscal Year 2014 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

7. [M&C C-26392](#) - Authorize Execution of an Agreement with the United States Department of Justice, Drug Enforcement Administration to Continue Participation in the Drug Enforcement Administration Dallas/Fort Worth Airport Task Force, Authorize Acceptance of the Amount Up to \$34,404.50 for the Reimbursement of Overtime Costs and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1894 - Notice of Claims for Alleged Damages and/or Injuries

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Proclamation for the Fort Worth Cats Championship Baseball Week
2. Presentation of Certificate of Recognition for the Fort Worth Mountain Biker's Association
3. Presentation of Certificates of Recognition to Former Board and Commission Members

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

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

XIII. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-17973](#) - Adopt Ordinance Amending Chapter 22, Motor Vehicles and Traffic, Article VI, Stopping, Standing and Parking, of the Code of the City of Fort Worth, as Amended, Amending Sections 22-194 how Parking Meter and Space to be Used, to Allow Parking of Multiple Motorcycles in a Single Marked Parking Space at Certain Parking Meter Locations, 22-197 Manner of Parking, to Specify how Motorcycles may Park and 22-198 Marking of Spaces, Parking Within, to Provide for Sign Placement (ALL COUNCIL DISTRICTS)
2. [M&C G-17974](#) - Conduct Public Hearing and Consider the Fiscal Year 2014 Crime Control and Prevention District Budget in the Amount of \$59,378,477.00 (ALL COUNCIL DISTRICTS) (**PUBLIC**)

HEARING)

- a. Report of City Staff
- b. Citizen Presentations
- c. Council Action

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

D. Land

- 1. [M&C L-15601](#) - Authorize Conveyance of an Easement to Oncor Electric Delivery LLC, for the Upgrade of Electrical Equipment and Appurtenances on 0.054 Acres of Land at 6401 Bridge Street to Serve the Randol Mill Pump Station (COUNCIL DISTRICT 4)
- 2. [M&C L-15602](#) - Rescind Mayor and Council Communications L-15283 and L-15548, Authorize Condemnation by Eminent Domain of a 1.71 Acre Parcel for a Permanent Right-of-Way, a 1.169 Acre Parcel for a Non-Exclusive Dam Easement, a 0.863 Acre Parcel for a Non-Exclusive Grading Easement, a 0.5865 Acre Parcel for a Temporary Access Right-of-Way, a 0.499 Acre Parcel for a Pipeline Easement, and a 0.634 Acre Parcel for a Temporary Construction Easement from Vann Cattle Yards, Inc., Legally Described as Portions Out of the Henry Robertson Survey Abstract No. 1259 so as to Exclude Mineral Interests, Acquire Non-Exclusive Dam and Grading Easements and Acquire Temporary Access Right-of-Way for the Runway Extension Project at Fort Worth Alliance Airport in Lieu of Exclusive Easements (COUNCIL DISTRICT 7)

E. Planning & Zoning - None

F. Award of Contract

- 1. [M&C C-26393](#) - Authorize Execution of an Easement and Right-of-Way Agreement with the Fort Worth and Western Railroad, in an Amount Not to Exceed \$3,500,000.00, for Easements and a Right-of-Way Required to Construct Improvements on Dirks Road at the Existing Fort Worth Western Railroad Bridge Crossing (COUNCIL DISTRICTS 3 and 6)
- 2. [M&C C-26394](#) - Authorize Execution of a Contract with Conatser Construction, TX, LP, in the Amount of \$3,982,719.00 for Water and Sanitary Sewer Main Relocations for the Trinity River Vision - Central City Project and the Trinity Uptown Service Area Phase 1 - Bridge and Channel Relocations, Parts 6 and 12, White Settlement Road Bridge Water and Sanitary Sewer Relocations, Authorize Additional Expenditure for Project Costs for a Project Total in the

Amount of \$4,175,519.00, Consistent with the City's Limit of \$26.6 Million on Expenditures for the Trinity River Vision Project and Adopt Appropriation Ordinances (COUNCIL DISTRICTS 2 and 9)

XIV. CITIZEN PRESENTATIONS

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

Attachment(s):

[Executive Session B.pdf](#)

XVI. 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, August 13, 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 Gas Line Compressor Regulations; and
 - b. 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.



**Audit Committee
Agenda**

**Tuesday, August 13, 2013
10:00 a.m.**

**Pre-Council Chambers
1000 Throckmorton Street
Fort Worth, Texas**

Committee Members

Councilmember Jungus Jordan, Chair
Councilmember Dennis Shingleton

Councilmember Kelly Allen-Gray
Councilmember Zim Zimmerman

City Staff

Terry Holderman, Assistant City Auditor
Maleshia Farmer, Sr. Assistant City Attorney
Joanna Ramirez, Administrative Assistant

I. CALL TO ORDER

II. ACTION ITEMS

- A. Approval of minutes from July 9, 2013 meeting
- B. Election of Vice Chair, Chairman, Councilmember Jungus Jordan

III. BRIEFINGS

- A. Update on status of open audit projects (FY 2008 – 2013) to date, Office of City Auditor
- B. Update on status of preparation for Peer Review for Office of City Auditor (scheduled for FY 2013), Office of City Auditor
- C. Update on status of gas royalty audit - project number 2013.022
- D. Update on Office of City Auditor Staffing to date
- E. Discussion of project number 2012.047 – Follow Up Review of Hotel/Motel Occupancy Taxes (Prior Project 2009.038)
- F. Update on Employee Fraud and Abuse Hotline Complaint Referred to Office of City Auditor

IV. REQUESTS FOR REVISIONS TO THE AUDIT PLAN

V. FUTURE AGENDA ITEMS

- A. Requests for future agenda items
- B. The next meeting is scheduled for September 10, 2013, 10:00 AM

VI. EXECUTIVE SESSION

- A. The Audit Committee will conduct a closed meeting, as necessary, to seek advice of its attorneys regarding the following 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: (I) legal issues concerning any current agenda items.

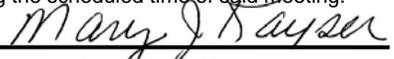
VII. ADJOURN

Please Note: A quorum of the City Council may be attending this meeting for informational purposes. Members of the City Council who are not on the Committee will not be deliberating or voting on matters before the Committee.

ASSISTANCE AT THE PUBLIC MEETING

The Fort Worth City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available at the south end of City Hall off of Texas Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hard of hearing, readers, or large print, are requested to contact Joanna Ramirez at 817-392-6158, e-mail; Joanna.Ramirez@fortworthtexas.gov or call TDD 817-392-8856

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Fort Worth, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time **Monday, August 05, 2013 at 3:00 p.m.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.


City Secretary for the City of Fort Worth, Texas

**City of Fort Worth
Audit Committee
Minutes of the Meeting Held
July 9, 2013**

Committee Members Present:

Jungus Jordan, Council Member and Committee Chair
Frank Moss, Council Member and Vice Chair
Dennis Shingleton, Council Member and Committee Member
Kelly Allen Gray, Council Member and Committee Member

City Staff Present:

Terry Holderman, Assistant City Auditor
Maleshia Farmer, Sr. Assistant City Attorney

Call to Order

With a quorum of the Audit Committee Members present, Committee Chair Jordan called the regular session of the Audit Committee to order at 10:01 a.m., on Tuesday, July 9, 2013; in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

Approval of Minutes

Motion: Council Member and Committee Member Shingleton made a motion, seconded by Council Member Allen Gray, that the Minutes of the Regular meeting of May 28, 2013, be approved. The motion carried unanimously 3 ayes to 0 nays.

Discussion and approval of revisions to FY 2013 Audit Plan

Motion: Council Member and Committee Member Shingleton made a motion, seconded by Council Member Moss, that the revisions to FY 2013 Audit Plan be approved. The motion carried unanimously 3 ayes to 0 nays.

The Audit Committee approved the following revisions: Approve to eliminate a total of 2,500 hours of projects; reduce the hours of projects by 2,310 hours; other changes of reduction of 1,390 hours and authorize the total of 6,200 hours of revisions and implement this recommendation.

Terry Holderman, Assistant City Auditor

Update on status of open audit projects (FY 2008 – 2013) to date, Office of City Auditor

Mr. Holderman presented an updated list of projects from last meeting. He stated “You all have been inundated with reports lately.” “That is good and bad news.” “It’s bad in the fact that it is giving you a lot of real exciting reading I’m sure, but it’s good for us to get these things out and to really start getting the office caught up.” He indicated the Office of City Auditor made significant progress in the last five weeks since April and added 25 new 2013 projects which were on the audit plan that he had planned to complete. He stated office staff also issued, cancelled, and closed 184 projects; so there were currently 224 outstanding projects with 130 of those being prior year projects. He indicated he planned to have all the old outstanding things done by the end of this year so we (Office of City Auditor) could go into their peer review and

**City of Fort Worth
Audit Committee
Minutes of the Meeting Held
July 9, 2013**

start the new year with minimal 2013 projects and no prior year (prior to 2013) projects outstanding going into 2014.

Mr. Jordan thanked Mr. Holderman for his hard work on getting it all cleared up.

Mr. Holderman thanked his staff for their great effort and time spent on getting it all done.

Update on status of preparation for Peer Review for Office of City Auditor (scheduled for FY 2013), Office of City Auditor

Mr. Holderman presented the status of the peer review recommendations from the last peer review. He stated "As you know when we first started looking at having another peer review committee come in, we realized from the last peer review we had not implemented any of the recommendations; however, I'm happy to say that by the end of July we should have all their formal recommendations implemented and we've already implemented two from this slide (page 5 of presentation), numbers 3 and 4." "And on the next slide of this presentation, 3 of the remaining 5 will be implemented." "So we've already implemented 5 of the 9, and we will have the other four ready to go by 7-30, and this will all be in the new office manual that we have revised and rewritten." "I think it went from 40 pages to 100 pages or maybe more, but it's all good information." "We made good changes related to planning, training and those types of processes for the office. Does anybody have questions or comments?"

Mr. Jordan commented "and by 7-30 you don't mean 7:30 tonight you mean July 30th."

Mr. Holderman said "no I will give them till the end of July."

Mr. Jordan thanked Mr. Holderman on the update.

Update on status of gas royalty audit, project no. 2013.022, Office of City Auditor

Mr. Jordan asked about the update on the gas royalty audit. He indicated that the main reason here is to see if there is a discrepancy that warrants a deeper review opposed to getting all the answers in this review.

Mr. Holderman provided a quick update on the gas royalty audit. He stated "as mentioned before, we've enlisted the services of a company out of Oklahoma City to help us with this first audit." "Just going through some of these items on the presentation; we've sent the notification letter to Chesapeake." "We're scheduled to start on the 26th." "We've sent them an original document request and then we've already obtained there RADE which is revenue audit data exchange reports from Chesapeake that's the reports that we use to select which production months were going to decide to test and we took those reports match them and did some analytics on them and we are selecting months where there's some significant changes in either production or revenue or just issues that could be problems as far

**City of Fort Worth
Audit Committee
Minutes of the Meeting Held
July 9, 2013**

whether we were right or whether the production day is right.” “So we are going to select 6 or 8 month and test them when we get to Oklahoma City we will come back and then analyze all the data and the information we received from them and then we might have to go back and do some onsite work evidently that is fairly common to go back for a week, two weeks after the fact with all our questions and comments; with what about this and what about that.” “We’ve held conference calls with Chesapeake, we’ve all seemed to be on the same page as far as what we need to look at and what we plan to do so were gearing up for this.” “We’re hopeful it is going to go smoothly so far we have not had roadblocks or barriers and the next steps we are finalizing the agreement between the City of Fort Worth and this consultant that’s helping us with this we’ve got to obtain confidentiality agreements with Chesapeake and third parties and then we are in the process of doing our formal risk assessment and audit plan to get out there and actually do the audit.”

Mr. Jordan asked “are you working in coordination with our Oil & Gas office and our Legal Staff, I hope.”

Mr. Holderman affirmed he was coordinating with the other city departments.

Request for Revisions to the Audit Plan

Mr. Jordan asked if there were any request to the Audit Plan. He received no response.

Future Agenda Items

Mr. Jordan indicated there were no future agenda items.

Next Scheduled Meeting

Mr. Jordan indicated that the next meeting would be Tuesday, August 13, 2013 at 10:00 a.m.

Executive Session

Mr. Jordan indicated an Executive session was not required.

Adjournment

Mr. Jordan adjourned the meeting at 10:19 am.



INFRASTRUCTURE AND TRANSPORTATION COMMITTEE

Tuesday, August 13, 2013
1:00 PM

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

Council Member Sal Espino, Chair
Council Member Jungus Jordan

Council Member Joel Burns, Vice Chair
Council Member Zim Zimmerman

Fernando Costa, Staff Liaison
Leann Guzman, Staff Attorney
Jackie McCarthy, Coordinator

-
- I. **Call to Order – Councilmember Sal Espino, Chair**
 - II. **Approval of July 9, 2013 Minutes**
 - III. **Presentation on Texas High Speed Rail and Transportation Corporation (THSRTC)**
Gary Fickes, Commissioner, Tarrant County; Co-Chair, THSRTC
 - IV. **Presentation on Transportation EXcellence for the 21st Century (TEX-21)**
Tim Welch, Councilmember, City of North Richland Hills, Chairman, TEX-21
 - V. **Update on Downtown Access and Circulation Study**
Aaron Nathan, Vice President, Kimley Horn
 - VI. **Update on Airport System Master Plan**
Bill Welstead, Director, Aviation
 - VII. **Briefing on Storm Water Review of Development Projects**
Greg Simmons, Assistant Director, TPW / Storm Water
 - VIII. **Request for Future Agenda Items**

IX. **Next Meeting** – September 10, 2013

X. **Adjournment**

Please Note: It is anticipated that additional members of the Fort Worth City Council may be attending the meeting for information-gathering purposes. Any members of the Council who are not on the Committee will not be deliberating or voting on any Committee agenda items.

This facility is wheelchair accessible. For accommodations or interpretive services, please call the Transportation and Public Works Department at 817-392-8255, 48 hours in advance.



**CITY OF FORT WORTH
INFRASTRUCTURE AND TRANSPORTATION COMMITTEE
Meeting Minutes of July 9, 2013**

Committee Members Present:

Joel Burns, Council Member and Committee Vice-Chair
Jungus Jordan, Council Member
Zim Zimmerman, Council Member

Committee Members Absent:

Sal Espino, Council Member and Committee Chair

City Staff Present:

Fernando Costa, Assistant City Manager
Peter Vaky, Deputy City Attorney
Andy Anderson, Assistant Director, Transportation and Public Works Department
Frank Crumb, Director, Water Department
Jackie McCarthy, Administrative Assistant, Planning and Development Department

Agenda Item I: Call to Order:

Committee Vice-Chair, Council Member Joel Burns, called the meeting to order at 2:06 pm.

Agenda Item II: Approval of Minutes:

The first order of business was approval of the minutes from the April 9, 2013 meeting. Council Member Zimmerman made a motion for approval which was seconded by Council Member Jordan and the minutes were approved.

Agenda Item III: Briefing on Hicks-Elizabeth Creek Transmission Line Project

Richard Casarez, P.E., Vice President, Oncor Electric Delivery Company

Mr. Casarez's presentation was for the purpose of discussing Oncor's expansion of "load-serving" transmission facilities in northern Tarrant and Southern Denton counties to address current and future customer load growth needs. He outlined the background and need for the project due to new customer load growth in this area. The project is expected to encompass 25 circuit miles with an estimated cost of \$42 million. A formal Environmental Assessment and Routing Study (EA/RS) for the development of alternative routing is currently underway.

This is a multi-year project with the projected actual service being in place by the end of 2015, possibly early 2016. Oncor is gathering and analyzing as much information as possible before preparing and filing a Certificate of Convenience & Necessity (CCN) in the last quarter of 2013. The Public Utility Commission of Texas can take up to 12 months to review, hold hearings and allow construction to proceed. Landowners, public agencies and other interested parties have the opportunity to provide meaningful input throughout the routing and certification process. Oncor is holding the first of many planned public information meetings on July 23, 24 and 25. There is a dedicated website and a regulatory project manager to shepherd the project throughout the process.

Comments:

Mr. Casarez invited any questions regarding the presentation and Council Member Burns asked if Council Members Shingleton and Espino had been contacted regarding the transmission line as it would likely run through their districts and Mr. Casarez said they had been involved in the discussions already.

Council Member Zimmerman asked if there would be any routes defined at the first public meetings. Mr. Casarez indicated that Oncor plans to present approximately eight (8) routes at the first meetings but the routes will be divided into about 100 segments which will allow flexibility for adjustments without changing the entire route.

Council Member Zimmerman then asked if there were any plans, once Oncor has settled on a route, to come back and do another series of public meetings. Mr. Casarez said that once the PUC approves the routes, Oncor will place future maps in the County courthouse to show the changes to the public since changes are inevitable.

Agenda Item IV: Preliminary Water Department Expenditure Projections for 2014

Frank Crumb, Director, Water Department

Kara Shuror, Assistant Director, Water Department

Mr. Crumb presented the preliminary water and sewer fund projections in which he explained the water and sewer fund expenditure breakdown, budget changes by category, cost of raw water, trends in water and sewer use and what steps will be taken next in order to bring to Council a recommended budget and rates. Charts demonstrated that water and sewer operating and maintenance costs continue to decline. Population growth has outpaced sewer flows and customers are using less water which, along with good results of conservation efforts, impacts water volumes and billed sewer flow.

The Tarrant Regional Water District (TRWD) Integrated Pipeline project to connect the existing TRWD pipeline from Palestine to the Metroplex needs to be completed by 2020 in order to meet demand. It is anticipated that rates for raw water will more than double in the next ten year period.

Comments:

Council Member Zimmerman asked if the Mary Street water treatment plant was still on target to be completed by 2018 to 2025. Mr. Crumb replied that because of the Walsh Ranch development, the Mary Street plant would be closer to 2025 coming on line. Lower volumes are mainly affecting the Village Creek plant.

Council Member Jordan asked about the chart showing trends over the five year period (2009 – 2013), asking if the increase was actually not a trend but cumulative. He requested that a chart be provided during the budget process illustrating how much of the price of water was based on replacing lost revenues through conservation and lower use as opposed to the true cost of raw water. He asked how much of the rate increase is based on replacing lost revenues through conservation and lower use as opposed to the true cost of raw water? Mr. Crumb stated that utilities adjust for conservation by not projecting as much increase and that a graphical representation should show that rate increases are not based solely on usage.

Council Member Jordan also inquired why there was a two year spike in the projected annual rate increase in years 2016 and 2017 and Mr. Crumb attributed that to anticipated peak construction period when more than one contract is under construction. CM Jordan asked if the project costs were being front-loaded rather than averaging. Mr. Crumb's response led to a request for a financing discussion at a later date.

Council Member Burns asked if we were to average out the schedule TRWD rate increases over the next several years, would it result in roughly a 40% increase in Raw Water cost due to the rate? He clarified by asking how much of the projected cost increase could be attributed to the volumes purchased as opposed to the rates charged. Mr. Crumb responded that the total cost is impacted by both the rates charged and the volumes purchased. By 2024, the cost will more than double our current cost of \$62.2M. The cost projections provided include a 4.9% increase in projected volumes for 2014 and 2% annual increases in the volumes purchased after 2014.

Update on Meacham Airport Administration Building Renovation Project

Jeff Kloska, Airport Manager, Meacham Airport

Mr. Kloska listed the inadequacies of the current airport facility and explained the renovation plan to make the facility compatible with the Master Plan. The first floor was originally designed for commercial service and has been remodeled in the past resulting in a maze of spaces with inadequate air flow, inadequate fire protection and wasted space. The estimated cost for this renovation is currently \$15.5 million, to be funded from the Aviation Gas Well Revenue (\$15 million) and Texas Department of Transportation Grant of \$500,000.

The structure was designed to support up to five floors but the renovation calls for only one additional floor. The first floor will be gutted and the entrance to the airport will be realigned to have a 90 degree entrance from Main Street. There will be new professional conference spaces which will be for the use of tenants, the City and the community. The main atrium will be available for such things as weddings, Chamber of Commerce events, etc. The new administration building will also house a world class Fixed Based Operator (FBO) facility and will also contain a detailed public art structure.

Final design will begin July 2013 with the project going out for bid in January 2014. Construction is expected to begin in the spring of 2014 with completion expected in the summer of 2015.

Comments:

Mr. Kloska opened the floor for questions. Vice-Chairman Burns asked what plans have been made to house current tenants during construction of the new facility to which Mr. Kloska replied that HSS will administer a plan to provide space and parking for the current tenants .

Council Member Jordan asked whether FAA money would be involved and if the Public Art was paid out of the \$15.5 million. Mr. Kloska reported that there was no FAA money involved and that public art was paid out of the \$15.5 from the Aviation Gas Well Revenue Fund.

Council Member Jordan also asked if the public art would require a separate contract and how the artist was selected to do the work. Bill Welstead, Director of Aviation, came forward to say that the public art would require a separate contract and that Council Member Espino was on the panel who selected the artist. CM Jordan asked if there would be one or two M&C's presented to Council but Mr. Welstead was unsure if there would be one or two M&Cs.

Council Member Zimmerman inquired about the plans for the first floor and Mr. Kloska reiterated information presented earlier. CM Zimmerman also asked why the plans addressed only the terminal FBO instead of all the airport FBOs. Mr. Welstead explained that the City can only address what we actually own. CM Zimmerman agreed to continue the discussion at another time with Mr. Welstead.

Briefing on Aviation Leasing Guiding Document

Jonnie Huitt, Aviation Leasing Coordinator

A consultant assessment in November of 2009 led to creation of a concise guiding document to aid in the leasing of airport property. Aviation Management Consulting Group (AMCG) was selected to manage this project which was authorized by the City Council in October of 2010. A department review team was created which included the airport director, the airport managers, the administrative manager, Ms. Huitt and three members of the Aviation Advisory Board to work alongside of AMCG. The information gathering phase entailed compilation of city, state and federal regulations, city procedures and airport data on each of the airports utilized in the negotiations. Tenants were asked to complete a questionnaire about their operations and facilities. AMCG also joined the team on field visits to tenants to gather more information. The resulting draft document concentrated on consistency, capital improvements and non-aeronautical use of facilities. The objective is to have an internal guiding document with consistent parameters outlined for leasing property and improvements at the airports. Numerous working sessions went into shaping this document, including working with the Legal department and Housing and Economic Development to ensure that it was not so restrictive as to make developers want to take their business elsewhere. After two years, and five drafts, we have a guiding document for aviation leasing that will help to avoid errors and ensure consistency and fairness for all using airport facilities.

Council Member Burns asked which non-aeronautical entities are using the properties now. Ms. Huitt replied that we have one large tenant space being leased now and it is within their lease that the need is established for non-aeronautical use. It was a part of their lease negotiations.

Council Member Zimmerman requested a chart of current tenants and their terms and was told that report could be provided.

Briefing on Business Diversity in Construction Bidding

William Johnson, Assistant Director, Housing and Economic Development

Mr. Johnson's presentation was to obtain the ITC's endorsement to move forward with a proposed change to the City's Business Diversity Enterprise (BDE) Ordinance. The proposal is to require prime contractors to submit BDE subcontracting participation documentation at the time of the bid submission. This would mean eliminating the current five working day period provided after bids are submitted for the submission of documentation which would reduce the time it takes from bid submittal to contract award. Staff met with the contracting community on April 5, 2013 to discuss the proposed change and obtain their feedback. Many expressed concern that submitting BDE along with the bid would increase the work associated with the development of all bids that are submitted. A second meeting has been set to discuss this further.

Staff seriously considered the concerns of the prime contractors and did an informal survey of other public agencies in the region and around the country. There are many agencies that require comparable documentation at the time of the bid, including agencies from Dallas County, DISD, Tarrant County College District, the T, Cities of San Antonio, Austin, and Durham, North Carolina.

The proposed change would provide a five day time savings for every project, eliminate the potential for bid shopping subcontractors' prices, eliminate situations where all bids are rejected because the low bidder did not submit BDE documentation, and in some instances eliminate significant time and money incurred by the City to rebid projects.

Staff will prepare an M&C to be considered on July 30 to adopt the proposed BDE Ordinance change.

Comments

There were no comments or questions.

Request for Future Agenda Items:

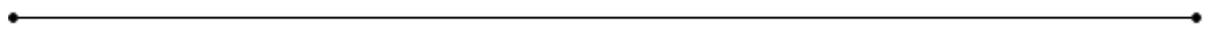
Council Member Zimmerman requested a presentation on the Master Plan for the three airports, taking into consideration redistricting and how funding will take place.

Date of Next Meeting:

August 13, 2013

Adjournment:

With no further presentations or discussions, Vice-Chairman Burns adjourned the regular meeting of the Infrastructure and Transportation Committee at 3:16 p.m., Tuesday, July 9, 2013.



These minutes approved by the Infrastructure and Transportation Committee on the 13th day of August 2013.

APPROVED:

Sal Espino, Chairman

Minutes Prepared by and Attested:

Jackie McCarthy, Administrative Assistant

AGENDA

**ALLIANCEAIRPORT AUTHORITY, INC. MEETING
(IMMEDIATELY FOLLOWING THE PRE-COUNCIL MEETING)**

TUESDAY, AUGUST 13, 2013

**PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

INFORMATION FORTHCOMING



Updated August 8, 2013

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
Alliance Airport Authority, Inc. Meeting
(Immediately following the Pre-Council Meeting)
3:00 p.m. Pre-Council Meeting

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

August 15, 2013 (*Thursday*)

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

August 16, 2013 (*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

Continued Items:

- **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 (Continued from July 16, 2013 by Council Member Scarth)**
- **M&C C-26364** – Authorize Execution of a Five-Year Tax Abatement Agreement with Modern Ground LLC, for Construction of a Single-Family Dwelling at 2812 Townsend Drive in the Berry/University Neighborhood Empowerment Zone (**COUNCIL DISTRICT 9 – Joel Burns**) (**Continued from August 6, 2013 by Council Member Burns**)



Updated August 8, 2013

City of Fort Worth
City Council Pre-Council Agenda Calendar

August 20, 2013 (continued)

- **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:

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

(Recommended for Approval by the Zoning Commission) (All Council Districts)

(Continued from August 6, 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 August 6, 2013 by Council Member Shingleton)**
- **ZC-13-092** - 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) (Continued from July 16, 2013 by Council Member Burns)**
- o Briefing on Dallas/Fort Worth Airport FY2014 Budget [*Chris Poinsatte, Dallas/Fort Worth Airport*]
- o Briefing on Blue Zones Project to Promote Healthy Communities [*Fernando Costa, City Manager’s Office and Barclay Berdan, Texas Health Resources*]

August 22, 2013 (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)



Updated August 8, 2013

City of Fort Worth
City Council Pre-Council Agenda Calendar

August 27, 2013

8:30 a.m. Pre-Council Meeting (cancelled)
10:00 a.m. Special Called Meeting
2:00 p.m. – 4:00 p.m. City Council Joint Meeting with the T Board
(Pre-Council Chamber)

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

September 3, 2013

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)

September 5, 2013 (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



Updated August 8, 2013

City of Fort Worth
City Council Pre-Council Agenda Calendar

September 10, 2013 *(continued)*

Continued Items:

- **M&C G-17965** – Adopt Ordinance Amending Chapter 15 "Gas Drilling", Article II "Gas Drilling and Production" of the City Code, Section 15-34 to Clarify the Technical Regulations Related to Line Compressor Noise and Section 15-42 to Allow Gas Line Compressors in Planned Development and Industrial Zoning Districts and to Establish Setback and Waiver Requirements (ALL COUNCIL DISTRICTS) (**Continued from August 6, 2013 by Council Member Jordan**)
- **ZC-13-089** - La Frontera Capital Properties, 9340 Boat Club Road; from: "A-7.5" and "A-10" One-Family to: "A-7.5" One-Family (**Recommended for Approval by the Zoning Commission**) (**Continued from a Previous Meeting**) (**Continued from August 6, 2013 by Council Member Shingleton**)

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, Interim Financial Management Services*]

September 24, 2013

8:30 a.m. Pre-Council Meeting

October 1, 2013

3:00 p.m. Pre-Council Meeting (cancelled)

(National Night Out)

Housing and Economic Development Committee (cancelled)



Updated August 8, 2013

City of Fort Worth
City Council Pre-Council Agenda Calendar

October 7, 2013 (Monday) Monthly Zoning Meeting

Legislative and Intergovernmental Affairs Committee (TBD)

Infrastructure & Transportation Committee (TBD)

8:30 a.m. Pre-Council Meeting (note date change)

October 15, 2013

7:00 p.m. Pre-Council Meeting (note time change)

October 22, 2013

8:30 a.m. Pre-Council Meeting

October 29, 2013

8:30 a.m. Pre-Council Meeting

No Documents for this Section

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
AUGUST 6, 2013**

Present:

Mayor Betsy Price
Mayor Pro tem W.B. "Zim" Zimmerman, District 3
Council Member Salvador Espino, District 2
Council Member Daniel Scarth, District 4
Council Member Gyna M. Bivens, 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

Staff Present:

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

I. CALL TO ORDER

With a quorum of the City Council Members present, Mayor Price called the regular session of the Fort Worth City Council to order at 7:02 p.m. on Tuesday, August 6, 2013, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

II. INVOCATION - Pastor Alonzo Winston, Worth Hills Church of Christ

The invocation was provided by Council Member Espino.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF JULY 23, 2013

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Scarth, that minutes of the Regular meeting of July 23, 2013, be approved. The motion carried unanimously 9 ayes to 0 nays.

V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There were no items continued or withdrawn by staff.

VII. CONSENT AGENDA

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that the Consent Agenda be approved. The motion carried unanimously 9 ayes to 0 nays.

A. General - Consent Items

1. M&C G-17953 - Adopt Semi-Annual Progress Report from the Capital Improvements Advisory Committee for Transportation Impact Fees (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Adopt the April 2013 semi-annual progress report concerning the status of the Capital Improvements Plan for Transportation Impact Fees from the Capital Improvements Advisory Committee.

2. M&C G-17954 - Adopt Attached Ordinance Amending the City Code, Section 2-261, "Definitions," of Division 5, "Financial Disclosure," of Article VII, "Code of Ethics," in Chapter 2, "Administration," to add the City Internal Auditor to the Definition of Officer for the Purpose of Financial Disclosure Requirements (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Adopt Ordinance No. 20837-08-2013 amending Section 2-261, "Definitions," of Division 5, "Financial Disclosure," of Article VII, "Code of Ethics," in Chapter 2, "Administration," of the Code of the City of Fort Worth (1986), to amend the definition of "officer" to add the City Internal Auditor, subjecting the auditor to the same financial disclosure requirements as the elected and other appointed officials in the City.

3. **M&C G-17955 - Approve Findings of the Ground Transportation Coordinator Regarding Renewal Application of Embarque Dallas, Inc., to Operate Twenty Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Consider and adopt the following findings of the Ground Transportation Coordinator: Embarque Dallas, Inc., has performed satisfactorily under the terms of its operating authority; the service provided continues to meet the public necessity and convenience as defined by Chapter 34 of the City Code; Embarque Dallas, Inc., is qualified to conduct its business and continues to comply with the requirements of Chapter 34 of the City Code; the general welfare of the citizens of the City will best be served by the continued operation of 20 limousines by Embarque Dallas, Inc.; and adopt Ordinance No. 20838-08-2013 granting the privilege of operating authority to Embarque Dallas, Inc., for the use of the streets, alleys, and public thoroughfares of the City in the conduct of its limousine business, which shall consist of the operation of 20 limousines for a one-year period beginning on the effective date; providing for written acceptance by Embarque Dallas, Inc., and conditioned on Embarque Dallas, Inc., complying with all requirements of Chapter 34, Article VI of the Code of the City of Fort Worth (1986), as amended.

4. **M&C G-17956 - Approve Findings of the Ground Transportation Coordinator Regarding Application of Sharon Limousine, Inc., to Operate Three Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Consider and adopt the following findings of the Ground Transportation Coordinator: The public necessity and convenience require the operation of three limousines upon the City streets, alleys and thoroughfares; Sharon Limousine, Inc., is qualified and financially able to conduct a limousine service within the City; Sharon Limousine, Inc., has complied with the requirements of Chapter 34 of the City Code; Sharon Limousine, Inc., presented facts in support of compelling demand and necessity for three limousines; the general welfare of the citizens of the City will best be served by the addition of three limousines upon City streets, alleys and thoroughfares; and adopt Ordinance No. 20839-08-2013 granting the privilege of operating authority to Sharon Limousine, Inc., for the use of the streets, alleys, and public thoroughfares of the City in the conduct of its limousine business, which shall consist of the operation of three limousines for a one-year period beginning on the effective date; providing for written acceptance by Sharon Limousine, Inc., and conditioned on Sharon Limousine, Inc., complying with all requirements of Chapter 34, Article VI of the Code of the City of Fort Worth (1986), as amended.

5. **M&C G-17957 - Approve Findings of the Ground Transportation Coordinator Regarding Application of Simple Yes Corp d/b/a Federal Limo to Operate Eight Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Consider and adopt the following findings of the Ground Transportation Coordinator: The public necessity and convenience require the operation of eight limousines upon the City streets, alleys and thoroughfares; Simple Yes Corp d/b/a Federal Limo is qualified and financially able to conduct a limousine service within the City; Simple Yes Corp d/b/a Federal Limo has complied with the requirements of Chapter 34 of the City Code; Simple Yes Corp d/b/a Federal Limo presented facts in support of compelling demand and necessity for eight limousines; the general welfare of the citizens of the City will best be served by the addition of eight limousines upon City streets, alleys and thoroughfares; and adopt Ordinance No. 20840-08-2013 granting the privilege of operating authority to Simple Yes Corp d/b/a Federal Limo for the use of the streets, alleys, and public thoroughfares of the City in the conduct of its limousine business, which shall consist of the operation of eight limousines for a one-year period beginning on the effective date; providing for written acceptance by Simple Yes Corp d/b/a Federal Limo and conditioned on Simple Yes Corp d/b/a Federal Limo complying with all requirements of Chapter 34, Article VI of the Code of the City of Fort Worth (1986), as amended.

6. **M&C G-17958 - Approve Findings of the Ground Transportation Coordinator Regarding Renewal Application of Town Square Limo Service, LLC, to Operate Seven Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Consider and adopt the following findings of the Ground Transportation Coordinator: Town Square Limo Service, LLC, has performed satisfactorily under the terms of its operating authority; the service provided continues to meet the public necessity and convenience as defined by Chapter 34 of the City Code; Town Square Limo Services, LLC, is qualified to conduct its business and continues to comply with the requirements of Chapter 34 of the City Code; the general welfare of the citizens of the City will best be served by the continued operation of seven limousines by Town Square Limo Services, LLC; and adopt Ordinance No. 20841-08-2013 granting the privilege of operating authority to Town Square Limo Services, LLC, for the use of the streets, alleys, and public thoroughfares of the City in the conduct of its limousine business, which shall consist of the operation of eight limousines for a one-year period beginning on the effective date; providing for written acceptance by Town Square Limo Services, LLC, and conditioned on Town Square Limo Services, LLC, complying with all requirements of Chapter 34, Article VI of the Code of the City of Fort Worth (1986), as amended.

7. **M&C G-17959 - Approve Extension of Injury Leave-of-Absence Pay Benefits in the Amount of \$4,750.00 for Police Officer Jody Timmons Beginning August 6, 2013 Through August 29, 2013 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Approve a three-week extension of injury leave-of-absence pay benefits in the amount of \$4,750.00 for Police Officer Jody Timmons beginning August 6, 2013, through August 29, 2013.

8. **M&C G-17960 - Authorize Acceptance of a Routine Airport Maintenance Project Grant for Fort Worth Alliance Airport from the Texas Department of Transportation, Aviation Division, if Offered, in the Amount Up to \$50,000.00, Accept Contribution from Alliance Air Services in the Amount Up to \$50,000.00 for the City's Grant Match and Adopt Appropriation Ordinance (COUNCIL DISTRICT 7)**

The City Council approved the following recommendation: Authorize the acceptance of a Routine Airport Maintenance Project Grant for Fort Worth Alliance Airport from the Texas Department of Transportation, Aviation Division, in the amount up to \$50,000.00; authorize the acceptance of the contribution from Alliance Air Services in the amount up to \$50,000.00 for the City's match; and adopt Appropriation Ordinance No. 20842-08-2013 increasing the estimated receipts and appropriations in the Airport Grants Fund in the amount of \$100,000.00 of which \$50,000.00 is subject to receipt of a Routine Airport Maintenance Project Grant, and in the amount of \$50,000.00 subject to receipt of a contribution for the City's match, for the purpose of providing routine maintenance at Fort Worth Alliance Airport.

9. **M&C G-17961 - Authorize Acceptance of a Routine Airport Maintenance Project Grant for Fort Worth Meacham International Airport from the Texas Department of Transportation, Aviation Division, if Offered, in the Amount Up to \$50,000.00, Authorize Use of Revenue from Mineral Lease Revenue in the Amount Up to \$50,000.00 for the City's Grant Match and Adopt Appropriation Ordinances (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the acceptance of a Routine Airport Maintenance Project Grant, if offered, for Fort Worth Meacham International Airport from the Texas Department of Transportation, Aviation Division, in the amount up to \$50,000.00; adopt Appropriation Ordinance No. 20843-08-2013 increasing the estimated receipts and appropriations in the Airports Gas Lease Project Fund in the amount of \$50,000.00, from available funds, for the purpose of transferring said funds to the Airport Grants Fund for the City's match of a Routine Airport Maintenance Project Grant, to provide routine maintenance and small capital projects at Fort Worth Meacham International Airport; authorize the transfer in the amount of \$50,000.00 from the Airports Gas Lease Project Fund to the Airport Grants Fund for the City's match; and adopt Appropriation Ordinance No. 20844-08-2013 increasing estimated receipts and appropriations in the Airport Grants Fund in the amount of \$100,000.00 of which \$50,000.00 is subject to receipt of a Routine Airport Maintenance Project Grant, and in the amount of \$50,000.00 from available funds, for the same purpose as stated above.

10. M&C G-17962 - Authorize Acceptance of a Routine Airport Maintenance Project Grant for Fort Worth Spinks Airport from the Texas Department of Transportation, Aviation Division, if Offered, in the Amount Up to \$50,000.00, Authorize Use of Revenue from Gas Lease Revenue in the Amount Up to \$50,000.00 for the City's Grant Match and Adopt Appropriation Ordinances (COUNCIL DISTRICT 6)

The City Council approved the following recommendation: Authorize the acceptance of a Routine Airport Maintenance Project Grant, if offered, for Fort Worth Spinks Airport from the Texas Department of Transportation, Aviation Division, in the amount up to \$50,000.00; adopt Appropriation Ordinance No. 20845-08-2013 increasing the estimated receipts and appropriations in the Airports Gas Lease Project Fund in the amount of \$50,000.00, from available funds, for the purpose of transferring said funds to the Airport Grants Fund for the City's match of a Routine Airport Maintenance Project Grant, to provide routine maintenance and small capital projects at Fort Worth Spinks Airport; authorize the transfer in the amount of \$50,000.00 from the Airports Gas Lease Project Fund to the Airport Grants Fund for the City's match; and adopt Appropriation Ordinance No. 20846-08-2013 increasing estimated receipts and appropriations in the Airport Grants Fund in the amount of \$100,000.00 of which \$50,000.00 is subject to receipt of a Routine Airport Maintenance Project Grant, and in the amount of \$50,000.00 from available funds, for the same purpose as stated above.

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

1. M&C P-11560 - Authorize Non-Exclusive Purchase Agreements with Municipal and Industrial Automation Inc., Koso America Inc., Controls International Inc., and Municipal Valve and Equipment, Inc., for Various Valve Actuator Purchases, Repairs and Replacements for the Water Department for a Combined Amount Up to \$182,000.00 for the First Year (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Authorize non-exclusive purchase agreements with Municipal and Industrial Automation, Inc., Koso America Inc., Controls International, Inc., and Municipal Valve and Equipment, Inc., for various valve actuator purchases, repairs and replacements for the Water Department for a combined amount up to \$182,000.00 for the first year.

2. **M&C P-11561 - Authorize Non-Exclusive Purchase Agreements with RHeron Industries, Southwest Industrial Services, Roden's All-Star Machine, John Wayne McGee d/b/a Alamo Industrial Service and Odessa Pumps and Equipment Inc., for a Combined Amount Up to \$100,000.00 for the First Year, for Various Machine Shop Services and On-Site Services for the Water Department (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize non-exclusive purchase agreements with RHeron Industries, Southwest Industrial Services, Roden's All-Star Machine, John Wayne McGee d/b/a Alamo Industrial Service, and Odessa Pumps and Equipment Inc., for a combined amount up to \$100,000.00 for the first year, for various machine shop services and on-site services for Water Department.

3. **M&C P-11562 - Authorize Purchase Agreement with Twincrest Inc., Through a Houston-Galveston Area Council Cooperative Contract for Traffic Radar Detector Equipment for the Transportation and Public Works Department in the Amount Up to \$1,000,000.00 for the First Year (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize a purchase agreement with Twincrest Inc., through a Houston-Galveston Area Council Cooperative Contract for traffic radar detector equipment for the Transportation and Public Works Department in the amount up to \$1,000,000.00 for the first year.

4. **M&C P-11563 - Authorize Sole Source Purchase Agreement with Hach Company for the Water Department to Provide Hach Laboratory Supplies, Replacement Parts and Maintenance Services for Hach Equipment in the Amount Up to \$300,000.00 for the First Year (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize a sole source purchase agreement with Hach Company for the Water Department to provide Hach laboratory supplies, replacement parts and maintenance services for Hach equipment in the amount up to \$300,000.00 for the first year.

5. **M&C P-11564 - Authorize Sole Source Purchase of Video Surveillance Equipment and Video Management Services from Taser International Inc., in the Amount of \$679,435.00 for the Fort Worth Police Department (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize a sole source purchase agreement of video surveillance equipment and video management services from Taser International Inc., in the amount of \$679,435.00 for the Fort Worth Police Department.

6. **M&C P-11565 - Authorize Purchase Agreement with Consolidated Traffic Controls Inc., in the Amount of \$116,135.00 for the First Year Through a Houston-Galveston Area Council Cooperative Contract for Opticom Traffic Signal Preemption Equipment for the Transportation and Public Works Department (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize a purchase agreement with Consolidated Traffic Controls, Inc., in the amount of \$116,135.00 for the first year through the Houston-Galveston Area Council Cooperative Contract for Opticom traffic signal preemption equipment for the Transportation and Public Works Department.

C. **Land - Consent Items**

1. **M&C L-15592 - Authorize Direct Sale of a Tax-Foreclosed Property Located at 5201 Helmick Avenue to Fort Worth Area Habitat for Humanity, Inc., for a Sale Price in the Amount of \$2,500.00, in Accordance with Section 34.05 of the Texas Tax Code for the Development of Low-Income Housing (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Authorize the direct sale of a tax-foreclosed property described as Lots 1 and 2, Block 131, Chamberlain Arlington Heights, 2nd filing, located at 5201 Helmick Avenue to Fort Worth Area Habitat for Humanity, Inc., d/b/a Trinity Habitat for Humanity, for a sale price in the amount of \$2,500.00, in accordance with Section 34.05 of the Texas Tax Code for the development of low-income housing; and authorize the execution and recording of the appropriate instruments conveying the property to complete the sale.

2. **M&C L-15593 - Authorize Direct Sale of Two Tax-Foreclosed Properties Located at 1804 and 1808 Dillard Street to the Fort Worth Independent School District for a Sale Price in the Amount of \$7,635.88, in Accordance with Section 34.05 of the Texas Tax Code for Future Expansion of the Paul Lawrence Dunbar Young Men's Leadership Academy Campus (COUNCIL DISTRICT 5)**

The City Council approved the following recommendation: Authorize the direct sale of two tax-foreclosed properties described as Lot 2, Block 2, Walter Willi Subdivision (1804 Dillard Street) and Lot 2, Block 3, Walter Willi Subdivision (1808 Dillard Street) to the Fort Worth Independent School District for a sale price in the amount of \$7,635.88, in accordance with Section 34.05 of the Texas Tax Code for future expansion of the Paul Lawrence Dunbar Young Men's Leadership Academy campus; and authorize the execution and recording of the appropriate instruments conveying the properties to complete the sale.

3. **M&C L-15594 - Authorize Acquisition of a Fee Simple Interest for Right-of-Way in 0.001 Acres of Land at 3440 Wade Avenue from Carmen P. Ortega and Hector Pineda in the Amount of \$850.00 and 0.003 Acres of Land at 3441 Wade Avenue from Cornerstone Assistance Network in the Amount of \$616.00 for Reconstruction of Portions of Penland Avenue and Wade Avenue and Pay Estimated Closing Costs in the Amount Up to \$3,000.00 for a Total in the Amount of \$4,466.00 (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the acquisition of a fee simple interest for right-of-way in 0.001 acres of land from Carmen P. Ortega and Hector Pineda, McCall-Hightower Addition, Lot 11, Block 3, known as 3440 Wade Avenue, in the amount of \$850.00 and in 0.003 acres of land from Cornerstone Assistance Network, McCall Hightower Addition, Lot 12, Block 2, known as 3441 Wade Avenue in the amount of \$616.00 for reconstruction of portions of Penland Avenue and Wade Avenue; find that the total purchase price in the amount of \$1,466.00 is just compensation; and authorize the City Manager or his designee to accept the conveyances, record the appropriate instruments and to pay the estimated closing costs in the amount up to \$3,000.00.

D. Planning & Zoning - Consent Items

1. **M&C PZ-3028 - Adopt Ordinance Vacating an Alley Near the Intersection of Hopkins Street and Valentine Street for Future Commercial Development (COUNCIL DISTRICT 9)**

The City Council approved the following recommendation: Adopt Ordinance No. 20847-08-2013 vacating and extinguishing a 16-foot wide alley right-of-way, situated in Block 18, Factory Place Addition, an addition to the City of Fort Worth, Tarrant County, Texas; and containing approximately 0.110 acre of land more or less; providing for reversion of fee in said land; providing that the City shall retain all existing utilities easements; and waive any and all purchase fee value of the vacated land in accordance with City Policy (Mayor and Council Communication G-15624).

E. Award of Contract - Consent Items

1. **M&C C-26370 - Authorize Execution of a Communications Systems Agreement with the City of Keller for Participation in the City of Fort Worth's Two-Way Public Safety Radio System at No Cost to the City of Fort Worth (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of a Communications Systems Agreement with the City of Keller for participation in the City of Fort Worth's Two-Way Public Safety Radio System in which the City of Keller will reimburse its share of operations and maintenance to ensure no cost to the City of Fort Worth and for annual reimbursement estimated to be approximately in the amount of \$3,500.00 and the City of Keller will reimburse the City of Fort Worth for their share of the Software Upgrade Agreement.

2. **M&C C-26371 - Authorize Execution of a Contract with Effective Environmental, Inc., in the Amount of \$195,141.00 for the Removal of Lead-Contaminated Soil and Underground Storage Tanks for the Proposed Community Facility to be Located at the Corner of Evans Avenue and Humbolt Street (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the execution of a contract with Effective Environmental, Inc., in the amount of \$195,141.00 for the removal of lead-contaminated soil and underground storage tanks related to the proposed community facility to be located at the corner of Evans Avenue and Humbolt Street.

3. **M&C C-26372 - Authorize Execution of a Regional Center Cooperation Agreement Between the City of Fort Worth, Fort Worth Chamber of Commerce and Civitas Management Services, LLC d/b/a Civitas Texas Regional Center, to Promote Foreign Investment in the City of Fort Worth (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of a Regional Center Cooperation Agreement between the City of Fort Worth, Fort Worth Chamber of Commerce and Civitas Management Services, LLC d/b/a Civitas Texas Regional Center, to promote foreign investment in the City of Fort Worth.

4. **M&C C-26373 - Authorize Execution of a Contract with C. Green Scaping, LP, in the Amount of \$375,760.00 for Brick Pavement Repair 2013-12 for Camp Bowie Boulevard (COUNCIL DISTRICT 7)**

The City Council approved the following recommendation: Authorize the execution of a contract with C. Green Spacing, LP, in the amount of \$375,760.00 for brick pavement repair 2013-12 for Camp Bowie Boulevard.

5. **M&C C-26374 - Authorize Execution of Change Order No. 1 to City Secretary Contract No. 43468 with JLB Contracting, LLC, in the Amount of \$220,470.00 to Rehabilitate a Portion of Sandy Lane, Thereby, Increasing the Total Contract Amount to \$1,318,026.99 and Adopt Appropriation Ordinances (COUNCIL DISTRICTS 4 and 5)**

The City Council approved the following recommendation: Authorize the transfer of \$110,235.00 from the Water and Sewer Operating Fund in the amounts of \$69,767.50 to the Water Capital Projects Fund and \$40,467.50 to the Sewer Capital Projects Fund; adopt Appropriation Ordinance No. 20848-08-2013 increasing the estimated receipts and appropriations in the Water Capital Projects Fund in the amount of \$69,767.50, from available funds, for the purpose of executing Change Order No. 1 to City Secretary Contract No. 43468 with JLB Contracting, LLC, for Hot Mix Asphaltic Concrete Surface Overlay 2012-4; adopt Appropriation Ordinance No. 20849-08-2013 increasing estimated receipts and appropriations in the Sewer Capital Projects Fund in the amount of \$40,467.50, from available funds, for the same purpose as stated above; and authorize the execution of Change Order No. 1 to City Secretary Contract No. 43468 with JLB Contracting, LLC, in the amount of \$220,470.00 to rehabilitate a portion of Sandy Lane, thereby increasing the total contract amount to \$1,318,026.99.

6. **M&C C-26375 - Authorize Execution of Amendment No. 3 to City Secretary Contract No. 42344 with Accela, Inc., in the Amount of \$71,600.00 for Work Order and Asset Management System Software Configuration and Implementation Services for the Stormwater Utility, Thereby, Increasing the Total Contract Amount Not to Exceed \$584,351.00 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of Amendment No. 3 to City Secretary Contract No. 42344 with Accela, Inc., in the amount of \$71,600.00 for Work Order and Asset Management System software configuration and implementation services for the stormwater utility, thereby increasing the total contract cost amount not to exceed \$584,351.00.

7. **M&C C-26376 - Authorize Execution of a Joint Funding Agreement with the U.S. Geological Survey, United States Department of the Interior in the Amount of \$36,876.00 for Participation in Texas Data Collection Program to Monitor Water Quality in the Trinity River from the Beach Street Monitoring Station (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the execution of a joint funding agreement with the U.S. Geological Survey, United States Department of the Interior for the Texas Data Collection Program to monitor water quality in the Trinity River; and authorize the payment of the City's share of the cost in the amount of \$36,876.00 for the work related to this program during the period October 1, 2013, through September 30, 2014.

8. **M&C C-26377 - Authorize Execution of Amendment No. 3 with CDM Smith, Inc., in the Amount of \$139,000.00 to City Secretary No. 36010, an Engineering Agreement, for Additional Construction and Start-Up Services Required to Support the Westside Water Treatment Plant Construction Contract (ETJ Near COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Authorize the execution of Amendment No. 3 to City Secretary Contract No. 36010, an engineering agreement with CDM Smith, Inc., for additional construction and start-up services required to support the Westside Water Treatment Plant, in the amount of \$139,000.00, thereby increasing the amount of the contract from \$5,618,954.00 to \$5,757,954.00.

9. **M&C C-26378 - Authorize Execution of an Engineering Agreement with Dunaway Associates, L.P., in the Amount of \$196,487.00 for Water Main and Sanitary Sewer Relocations Along F.M. 156 from State Highway 114 to Martin Ranch Road, Provide for Project Management, Real Property Acquisition and Utility Coordination Costs for a Project Total in the Amount of \$218,487.00 (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the execution of an engineering agreement with Dunaway Associates, L.P., in the amount of \$196,487.00 for water main and sanitary sewer relocations along Blue Mound Road, F.M. 156 from State Highway 114 to Martin Ranch Road, provide for project management, real property acquisition and utility coordination costs for a project total in the amount of \$218,487.00.

10. **M&C C-26379 - Authorize Application for and Acceptance of, if Awarded, a Grant from the Texas Department of Agriculture in the Amount Up to \$250,000.00 for the Child and Adult Care Food Program for At-Risk After School Programs, Authorize Execution of a Contract with the Texas Department of Agriculture, Waive Indirect Costs and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the application for and acceptance of, if awarded, a grant from the Texas Department of Agriculture in the amount up to \$250,000.00 for the Child and Adult Care Food Program for At-Risk After School Programs; authorize the execution of a contract with the Texas Department of Agriculture for the Child and Adult Care Food Program for At-Risk After School Programs for a period October 1, 2013, through September 30, 2014, upon receipt of the grant; authorize a waiver of indirect costs, which are not allowed by this grant; and adopt Appropriation Ordinance No. 20850-08-2013 increasing the estimated receipts and appropriations in the Grants Fund in the amount up to \$250,000.00 subject to receipt of a grant for the same purpose as stated above.

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1893 - Notice of Claims for Alleged Damages and/or Injuries

End of Consent Agenda.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. [Presentation of Certificate of Recognition of North Side High School Mariachi](#)

Council Member Espino presented a Certificate of Recognition of North Side High School (NSHS) Mariachi to Mr. Ramon Nino, NSHS Mariachi Director. He stated that Fort Worth ISD's NSHS Mariachi -- Mariachi Espuelas de Plata -- 21 students traveled to Albuquerque, NM, and competed and won the Mariachi Spectacular, held July 10 through 13, 2013. He further stated that 18 states and the country of Mexico were represented at the conference, which also featured three days of instruction from top mariachi experts in the world. He added that guitarist Zayra Ramos was selected to participate in the conference master class - and was subsequently chosen as the best guitar player for the entire competition and that Zayra, who graduated from NSHS, would attend Texas A&M University this fall.

2. [Presentation of Proclamation of World Breastfeeding Week](#)

Council Member Allen Gray presented a proclamation of World Breastfeeding Week to Ms. Shannon Wingo, Chair of the Tarrant County Breastfeeding Coalition, and Ms. Jacque McCollum, Nursing mom and Vice-Chair of the Mother's Milk Bank of North Texas. She stated that approximately 75% of women in Texas initiated breastfeeding, but only 11% were exclusively breastfeeding at six months, and a mother's milk was one of the most easily utilized and cost-effective prevention strategies available for many chronic and acute diseases including various infections, Sudden Infant Death Syndrome, diabetes, obesity and cancer, among others. She further stated that in addition to the numerous health advantages of breastfeeding, a cost analysis concluded that if 90% of American families would breastfeed exclusively for six months, the United States would save a minimum of \$13 billion and prevent over 911 deaths annually. She added that World Breastfeeding Week was a time to recognize the importance of providing support and encouragement to breastfeeding mothers and celebrated the theme, "Breastfeeding Support: Close to Mother," and the Tarrant County Breastfeeding Coalition would host The Big Latch On, a synchronized event in support of moms and breastfed babies in multiple, worldwide locations. She stated that the City of Fort Worth encouraged all residents to support breastfeeding moms and was committed to increasing public awareness and acceptance of breastfeeding as the infant feeding norm and to remove barriers by supporting breastfeeding mothers.

3. Presentation of Proclamation of Underground Damage Prevention Day

Mayor Pro tem Zimmerman presented a proclamation of Underground Damage Prevention Day to Ms. Marilyn Ackmann, Manager of Public Affairs, Atmos Energy. He stated that the leading cause of harm to underground facilities was excavation damage and everyone should call 811 before digging because striking a single line could cause injury, repair costs, fines and inconvenient outages. He further stated that pipeline operators and other underground facility owners were committed to raising the awareness of underground damage prevention as well as safe digging practices which would help prevent potentially serious or fatal injuries while keeping the environment clean and the utilities on without interruption. He added that the date of August 11th corresponded to the nationwide one-call number, 811, which provided anyone planning to excavate a simple, easy way to contact the state underground notification center and once a call was made to the one-call notification center, the appropriate underground facility operators were notified of the person's intent to dig then professional locators were sent to the requested digging site to mark the approximate locations of underground lines with flags, spray paint or both. He stated that the City of Fort Worth supported these efforts to promote underground damage prevention and safe digging practices.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Council Member Allen Gray announced that the dedication of the public art piece entitled "Service through Centuries" by Oscar Alvarado, would take place at Fire Station No. 5, 850 Irma Street, on Wednesday, August 7, 2013, at 10:00 a.m., and invited everyone to attend.

Council Member Espino announced that the Mayor's Walking Town Hall would take place at Alexander Meadows Park, 6521 Mark IV Parkway, on Saturday, August 10, 2013, at 9:00 a.m., and invited everyone to join Mayor Price and him as they worked toward making Fort Worth a more blue zone city.

Mayor Price announced that a Rolling Town Hall meeting would take place at Sandy Lane Park, 2201 Sandy Lane, on Wednesday, August 7, 2013, at 6:00 p.m., and invited everyone to bring to bring their bicycles. She also announced that a Caffeinated Town Hall would take place at Avoca Coffee Shop, 1311 West Magnolia Avenue, Thursday, August 15, 2013, at 6:00 p.m., and she invited everyone to join Council Member Burns and her.

2. Recognition of Citizens

There was no recognition of citizens.

3. Approval of Ceremonial Travel

There was no approval necessary for ceremonial travel.

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

Motion: Council Member Espino made a motion, seconded by Council Member Jordan, that Ms. Jennifer Trevino be appointed to Place 2 on the City Plan Commission effective August 6, 2013, and with a term expiring October 1, 2014. The motion carried unanimously 9 ayes to 0 nays.

Motion: Council Member Espino made a motion, seconded by Council Member Jordan, that Ms. Celina Vasquez be appointed to Place 2 on the Community Development Council effective August 6, 2013, and with a term expiring October 1, 2014. The motion carried unanimously 9 ayes to 0 nays.

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that Mr. Mark Brast be appointed to Place 4 on the City Plan Commission effective August 6, 2013, and with a term expiring October 1, 2014. The motion carried unanimously 9 ayes to 0 nays.

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

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

XIII. ZONING HEARING

The City Council at its regular meeting of July 9, 2013, continued ZC-13-003.

1. ZC-13-003 - (CD 5) - 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) (Continued from a Previous Meeting)

Ms. Melita Pryor, 804 Dickey Drive, appeared before Council in support of Zoning Docket ZC-13-003.

Motion: Council Member Bivens made a motion, seconded by Council Member Espino, that Zoning Docket ZC-13-003 be denied with prejudice. The motion carried unanimously 9 ayes to 0 nays.

The City Council at its regular meeting of May 7, 2013, continued ZC-13-034.

2. ZC-13-034 - (CD-ALL) - City of Fort Worth Planning & Development Department, Text Amendment: Gas Compressors in "AG" Agricultural 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 Stations" 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 (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

The following individuals appeared before Council in support of Zoning Docket ZC-13-034.

Ms. Jackie Barnd, 7249 Specklebelly Lane
Ms. Mary Kelleher, 7901 Randol Mill Road

Ms. Carla Felgar, 26 Spring Oaks Road, Burleson, Texas, 76028, completed a speaker card in support of Zoning Docket ZC-13-034 and was recognized by Mayor Price but was not present in the Council chamber.

The following individuals appeared before Council in opposition of Zoning Docket ZC-13-034.

Mr. Bob Manthei, 810 Houston Street
Ms. Gretchen Demke, 8609 Olmstead Terrace, North Richland Hills, Texas, 76180
Ms. Melissa McDougal, 2971 Saginaw Trail

The following individuals completed an undecided speaker card and appeared before Council pertaining to Zoning Docket ZC-13-034.

Mr. Gary Hogan, 2117 Rolling Creek Run
Mr. Mike Dean, 124 Cooks Lane

The following individuals completed a comment card in support of Zoning Docket ZC-13-034.

Mr. Michael Appleman, 2600 Highview Terrace
Ms. Martha Boykin, 7261 Specklebelly Lane
Mr. William Boykin, 7260 Specklebelly Lane
Ms. Donya Dodson, 2370 Onega Street, Nesbit, Mississippi, 38651
Ms. Starla Peninger, 329 Grass Avenue

Ms. Judy Raab, 801 Cherry Street, Suite 3700, completed a comment card in opposition of Zoning Docket ZC-13-034.

Motion: Council Member Scarth made a motion, seconded by Council Member Burns, that Zoning Docket ZC-13-034 be denied without prejudice. The motion carried 8 ayes to 1 nay with Council Member Bivens casting the dissenting vote.

The City Council at its regular meeting of July 9, 2013, continued ZC-13-049.

3. 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 related to airports (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Mr. Jo LaMarca, PO Box 748, MZ 1224, 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.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket ZC-13-049 be continued to the August 20, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

The City Council at its regular meeting of July 9, 2013, continued ZC-13-050.

4. ZC-13-050 - (CD 3, CD 7) - 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) (Continued from a Previous Meeting)

Mr. Kyle Jensen, 1105 Mistletoe Drive, completed an undecided comment card pertaining to Zoning Docket ZC-13-050.

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-13-050 be continued to the August 20, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

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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 July 19, 2013.

Mayor Price opened the public hearing.

5. ZC-13-086 - (CD 9) - First Financial Bank, 1000 Forest Park Boulevard; from: "I" Light Industrial to: "G" Intensive Commercial (Recommended for Approval by the Zoning Commission)

Motion: Council Member Burns made a motion, seconded by Council Member Scarth, that Zoning Docket ZC-13-086 be approved. The motion carried unanimously 9 ayes to 0 nays.

6. ZC-13-087 - (CD 3) - LPM Holdings, LLC 3101 Merrick Avenue; from: "B" Two-Family to: "C" Medium Density Multifamily (Recommended for Approval by the Zoning Commission)

Ms. Patti Lyerla, 6801 Saint Andrews Court, completed a speaker card in support of Zoning Docket ZC-13-087, but did not wish to address the Council.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-13-087 be approved. The motion carried unanimously 9 ayes to 0 nays.

7. ZC-13-089 - (CD 7) - La Frontera Capital Properties, 9340 Boat Club Road; from: "A-7.5" and "A-10" One-Family to: "A-7.5" One-Family (Recommended for Approval by the Zoning Commission)

The following individuals completed a speaker card in support of Zoning Docket ZC-13-089 and were recognized by Mayor Price but were not present in the Council chamber.

Mr. Timothy Welch, 1308 Norwood Drive, Suite 200, Bedford, Texas, 76022
Mr. Al Burtin, 1000 Texan Trail, Suite 200, Grapevine, Texas, 76051

Mr. Michael Peck, 9608 Lea Shore Street, completed a speaker card in opposition of Zoning Docket ZC-13-089, but did not wish to address the Council.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Zoning Docket ZC-13-089 be continued to the September 10, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

- 8. ZC-13-093 - (CD 3) - Belle Hav/Tex. LP, 3215 West Loop 820 South; from: "F" General Commercial to: "PD/F" Planned Development for all uses in "F" General Commercial plus production of gaskets, sealants, tapes and other products used in aviation communication; site plan waiver recommended. (Recommended for Approval by the Zoning Commission)**

Mr. Jim Schell, 500 West 7th Street, 6th Floor, completed a speaker card in support of Zoning Docket ZC-13-093, but did not wish to address the Council.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Bivens, that Zoning Case ZC-13-093 be approved. The motion carried unanimously 9 ayes to 0 nays.

- 9. ZC-13-094 - (CD 7) - AIL Investments, LP 5101-5103 Ray White Road, 5000-5302 Golden Triangle Boulevard; from: "CR" Low Density Multifamily, "C" Medium Density Multifamily, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "PD-68" Planned Development for all uses in "E" Neighborhood Commercial to: "A-5" One-Family and "F" General Commercial (Recommended for Approval as Amended by the Zoning Commission for A-5 & F)**

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Zoning Case ZC-13-094 be approved. The motion carried unanimously 9 ayes to 0 nays.

City Secretary Kayser advised that Zoning Cases ZC-13-096 through ZC-13-105 were surplus properties and would be voted on under one motion.

- 10. ZC-13-096 - (CD 9) - City of Fort Worth Planning & Development Department, 1187 Blodgett Avenue; from: "E" Neighborhood Commercial to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)**
- 11. ZC-13-097 - (CD 9) - City of Fort Worth Planning & Development Department, 1017 W. Pafford Street; from: "B" Two-Family to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)**
- 12. ZC-13-098 - (CD 8) - City of Fort Worth Planning & Development Department, 320 S. Sylvania Avenue; from: "D" High Density Multifamily to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)**
- 13. ZC-13-099 - (CD 8) - City of Fort Worth Planning & Development Department, 1612 & 1704 Logan Street; from: "B" Two-Family and "I" Light Industrial to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)**

14. ZC-13-100 - (CD 8) - City of Fort Worth Planning & Development Department, 1733 & 1737 Powell Street; from: "B" Two-Family to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)
15. ZC-13-101 - (CD 8) - City of Fort Worth Planning & Development Department, 2512 Avenue H; from: "B" Two-Family to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)
16. ZC-13-102 - (CD 9) - City of Fort Worth Planning & Development Department, 2709 May Street; from: "B" Two-Family to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)
17. ZC-13-103 - (CD 4) - City of Fort Worth Planning & Development Department, 2917 Elinor Street; from: "B" Two-Family to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)
18. ZC-13-104 - (CD 9) - City of Fort Worth Planning & Development Department, 3420 James Avenue; from: "B" Two-Family to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)
19. ZC-13-105 - (CD 8) - City of Fort Worth Planning & Development Department, 3017 Booker Street; from: "J" Medium Industrial to: "E" Neighborhood Commercial (Recommended for Approval by the Zoning Commission)

Motion: Council Member Burns made a motion, seconded by Council Member Scarth, that Zoning Cases ZC-13-096 through ZC-13-105 be approved. The motion carried unanimously 9 ayes to 0 nays.

20. ZC-13-106 - (CD 7) - Cameron Schoepp, Terri Thornton and George & Julie Voigt, 3301, 3305, 3317 W. 4th Street; from: "C" Medium Density Multifamily to: "PD/C" Planned Development for all uses in "C" Medium Density Multifamily plus art gallery with waivers to the parking and a fence in the front yard; site plan waiver recommended. (Recommended for Approval by the Zoning Commission)

Mr. Cameron Schoepp, 3308 West 4th Street, completed a speaker card in support of Zoning Docket ZC-13-106, but did not wish to address the Council.

Motion: Council Member Shingleton made a motion, seconded by Council Member Espino, that Zoning Case ZC-13-106 be approved. The motion carried unanimously 9 ayes to 0 nays.

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 Shingleton made a motion, seconded by Council Member Espino, that the hearing be closed and that Ordinance No. 20851-08-2013 be adopted. The motion carried unanimously 9 ayes to 0 nays.

XIV. REPORT OF THE CITY MANAGER

B. General

1. [M&C G-17963 - Adopt Ordinance Amending the Transportation Impact Fee Regulations Regarding Waivers for Change of Use Projects \(ALL COUNCIL DISTRICTS\)](#)

It was recommended that the City Council adopt an ordinance amending the Code of the Ordinances of the City of Fort Worth, Texas (1986), as amended, by amending Article VIII, Transportation Impact Fees, Chapter 30, Streets and Sidewalks, to amend the definition of change of use and amending a related provision for waivers and exemptions.

Motion: Council Member Burns made a motion, seconded by Council Member Espino, that Mayor and Council Communication G-17963 be approved and Ordinance No. 20852-08-2013 be adopted. The motion carried unanimously 9 ayes to 0 nays.

2. [M&C G-17964 - Authorize Execution of an Agreement with the Fort Worth Museum of Science and History in an Amount Up to \\$222,159.00 for Installation of a World Trade Center Artifact as a Permanent, Free Exhibit \(COUNCIL DISTRICT 7\)](#)

It was recommended that the City Council authorize the execution of an agreement with the Fort Worth Museum of Science and History in an amount to up \$222,159.00 for the installation of a World Trade Center artifact as a permanent exhibit, free to the public.

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that Mayor and Council Communication G-17964 be approved. The motion carried unanimously 9 ayes to 0 nays.

3. M&C G-17965 - Adopt Ordinance Amending Chapter 15 "Gas Drilling", Article II "Gas Drilling and Production" of the City Code, Section 15-34 to Clarify the Technical Regulations Related to Line Compressor Noise and Section 15-42 to Allow Gas Line Compressors in Planned Development and Industrial Zoning Districts and to Establish Setback and Waiver Requirements (ALL COUNCIL DISTRICTS)

It was recommended that the City Council adopt an ordinance amending the Code of Ordinances of the City of Fort Worth (1986), as amended, by further amending Chapter 15 "Gas," Article II "Gas Drilling and Production," by amending Section 15-34, Subsection P.1 to require all applications for a gas line compressor requiring rezoning to a "PD" Planned Development to be reviewed by the Gas Drilling Review Committee (GDRC); amending Subsections P3 and P7, to provide notice requirements and review by the GDRC for line compressors; amending Section 15-42, Subsection B2.e. regarding gas well noise levels; amending Section 15-42, Subsection D.1.b, regarding ambient noise of gas compressors; amending Section 15-42, Subsection D.3 by removing "AG" Agricultural as allowable zoning for the permitting of gas line compressors and requiring "PD" Planned Development or Industrial zoning, setback and other technical requirements for gas line compressors; and amending Section 15-42, Subsection 4 describing the setback waiver process.

Ms. Libby Willis, 2300 Primrose Avenue, appeared before Council in support of Mayor and Council Communication G-17965.

The following individuals appeared before Council in opposition of Mayor and Council Communication G-17965.

Mr. Jimmie Hammontree, 301 Commerce Street
Mr. Bob Manthei, 810 Houston Street

The following individuals completed a comment card in support of Mayor and Council Communication G-17965.

Ms. Jackie Barnd, 7249 Specklebelly Lane
Ms. Mary Kelleher, 7901 Randol Mill Road

Ms. Judy Raab, 801 Cherry Street, Suite 3700, completed a comment card in opposition of Mayor and Council Communication G-17965.

Council Member Bivens requested clarification that this item included the 1,000-foot setback and if this was what was presented to the community by the Planning and Development Department.

Ms. Sarah Fullenwider, City Attorney, confirmed that this item did include the 1,000-foot setback and requested that Ms. Dana Burghdoff, Deputy Director, Planning and Development Department, clarify if this is what was presented to the community.

Ms. Burghdoff clarified that this was what was presented to the community.

Council Member Bivens stated that she would support this item because she knew the citizens of Mallard Cove were ready to move forward. She further stated that when someone bought property in an agriculturally zoned area, they expected to see farm animals and that the gas industry could have been in the agriculturally zoned areas all along. She added that the proposed changes supported what the neighborhood wanted.

Council Member Jordan requested clarification from staff regarding the proposal of allowing compressors that were not authorized in "AG" agriculturally zoned areas, and if there was a request that would place a compressor in an area currently zoned "AG," would it have to go before the Zoning Commission and City Council for approval under a "PD" Planned Development requirement. He also requested clarification on what the setback would be for the compressor in a "PD" zoned area.

Ms. Fullenwider stated that it would be 1,000 feet from any protected use.

Council Member Jordan requested clarification if there was any provision for an enclosed facility.

Ms. Fullenwider explained that the ordinance provided that the distance could be reduced to 600 feet when there were written waivers obtained from the protected use property owners within the 1,000-foot setback or by City Council but no less than 600 feet.

Motion: Council Member Jordan made a motion, seconded by Council Member Bivens, that Mayor and Council Communication G-17965 be approved.

Council Member Espino stated that he was concerned about the distinction between industrial districts and agricultural districts. He expressed concern of treating industrial uses differently from agricultural uses since there were residential uses next to both. He further stated that he supported the 600-foot setback from residential but pointed out that this was not done in industrial districts.

Council Member Scarth requested clarification from the City Attorney regarding his conflict of interest with XTO and if there would be an issue with him voting on this item.

Ms. Fullenwider stated that this was a City-wide ordinance, not specific to XTO, and that he would not have a conflict of interest on this item and was able to vote.

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
AUGUST 6, 2013
Page 24 of 34**

Mayor Pro tem Zimmerman stated he knew the residents were ready to move forward, but there were some concerns with some of the details of the ordinance, and that Council should continue the item to make sure they had all the correct information. He added that he would not support this ordinance as presented.

Motion: Council Member Shingleton made a substitute motion, seconded by Council Member Burns, that Mayor and Council Communication G-17965 be continued to the August 20, 2013, Council meeting.

Council Member Jordan requested clarification from Ms. Fullenwider regarding the amendment that would be brought back before Council.

Ms. Fullenwider stated that the amendment would include a 600-foot setback for residential uses and a lesser setback for nonresidential uses in "AG".

Ms. Burghdoff clarified the suggestion proposed by Council Member Scarth during the Pre-Council meeting to allow a 300-foot setback from nonresidential protected uses for an enclosed gas line compressor facility. She added that if it was not an enclosed facility, then the 600-foot setback would remain, and even if it was enclosed, the 600-foot setback would remain for any residential use.

Council Member Jordan requested clarification regarding the setbacks being negotiable during a zoning process.

Ms. Burghdoff stated that the ordinance before the Council would allow for a 600-foot setback for one of two conditions; either 100 percent of the property owners of protected uses signed a waiver between 600-foot and 1,000-foot setback and if 100 percent signed, the way the ordinance was proposed, the applicant would be able to have the 600-foot setback and the City Council would not be able to increase the setback beyond the 600 feet. She added that if they did not obtain 100 percent of the signatures then the City Council would have the option to consider 600 feet as part of the zoning process.

Council Member Jordan asked if that was the way the ordinance was currently drafted.

Ms. Burghdoff confirmed that it was the way the current ordinance was drafted.

At this time, Mayor Price called for a vote on the substitute motion which is stated below.

Motion: Council Member Shingleton made a substitute motion, seconded by Council Member Burns, that Mayor and Council Communication G-17965 be continued to the August 20, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

4. M&C G-17966 - Adopt Ordinance Extending the Moratorium on the Acceptance of Applications for Gas Line Compressors in Agricultural Zoning Districts, as Regulated by Article II, Chapter 15, of the City Code, Regarding Gas Drilling and Production Until October 15, 2013 (ALL COUNCIL DISTRICTS)

Mr. Bob Manthei, 810 Houston Street, appeared before Council in support of Mayor and Council Communication G-17966.

Ms. Judy Raab, 801 Cherry Street, Suite 3700, completed a comment card in support of Mayor and Council Communication G-17966.

The following individuals completed a comment card in opposition of Mayor and Council Communication G-17966.

Ms. Jackie Barnd, 7249 Specklebelly Lane
Ms. Mary Kelleher, 7901 Randol Mill Road

Motion: Council Member Scarth made a motion, seconded by Council Member Burns, that Mayor and Council Communication G-17966 be approved and Ordinance No. 20853-08-2013 be adopted. The motion carried unanimously 9 ayes to 0 nays.

Council Member Jordan requested that Council reconsider M&C G-17965.

Motion: Council Member Jordan made a motion, seconded by Council Member Bivens, that Mayor and Council Communication G-17965 be continued to the August 13, 2013, Council meeting.

Ms. Dana Burghdoff, Deputy Director, Planning and Development Department, requested guidance from the Council regarding specific aspects of the ordinance that they would like the Planning and Development Department to review with the community.

Mayor Price and Council Member Jordan stated that the clarification revolved around the discussion during the Pre-Council meeting and during the Council meeting.

Council Member Espino stated that he had a legal issue that he wanted addressed which was the difference in treatment between industrial next to residential and agricultural next to residential.

After some discussion, Council Member Jordan amended his motion to continue M&C G-17965 to the September 10, 2013, Council meeting.

Motion: Council Member Jordan made a motion, seconded by Council Member Bivens, that Mayor and Council Communication G-17965 be continued to the September 10, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

D. Land

1. M&C L-15595 - Authorize Condemnation by Eminent Domain of a Fee-Simple Interest in 0.640 Acres of Vacant Commercial Property Owned by Harvey 607 L.P., for Right-of-Way and 0.038 Acres for a Temporary-Construction Easement to be Located on the Northwest Corner of Old Decatur Road and Parkview Hills Lane for the Old Decatur Road Improvement Project (ETJ NEAR COUNCIL DISTRICT 7)

It was recommended that the City Council declare that negotiations between the City and the landowner to acquire for the Old Decatur Road Improvement Project No. 01749 a fee-simple interest in 0.640 acres for right-of-way and 0.038 acre for a temporary construction easement that are portions of a vacant commercial property owned by Harvey 607 L.P., at the northwest corner of Old Decatur Road and Parkview Hills Lane and known as a tract of land situated in the Alexander F. Albright Survey Abstract No. 1849, Tarrant County, Texas, City of Fort Worth (ETJ), were unsuccessful for failure of the parties to reach an agreement to acquire the fee-simple and easement interests; declare the necessity to acquire the fee-simple and easement interest in the property for the Old Decatur Road Improvement Project; authorize the City Attorney to institute condemnation by eminent domain proceedings to acquire interest in 0.0640 acres for right-of-way and 0.038 acres for a temporary construction easement for road and drainage improvements; authorize the payment pursuant to an award of commissioners or to a negotiated settlement; and authorize the City Manager or his designee to accept and record appropriate instruments.

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that the Fort Worth City Council authorize for the Old Decatur Road Improvement Project the use of the power of eminent domain to acquire a fee-simple interest in 0.640 acres of vacant commercial property owned by Harvey 607 L.P. for a right-of-way and 0.038 acres for a temporary construction easement to be located on the northwest corner of Old Decatur Road and Parkview Hills Lane. The right-of-way and temporary construction easement are described by metes and bounds and depicted by survey plat attached to the Mayor and Council Communication. The motion carried unanimously 9 ayes to 0 nays.

2. M&C L-15596 - Authorize Condemnation by Eminent Domain of a Fee Simple Interest in 0.219 Acres of Vacant Commercial Property Owned by Harvey 607 L.P. and 607 Joint Venture, for Right-of-Way to be Located on the Southwest Corner of Decatur Road and Parkview Hills Lane for the Old Decatur Road Improvement Project (ETJ NEAR COUNCIL DISTRICT 7)

It was recommended that the City Council declare that negotiations between the City and the landowner to acquire a fee simple interest in 0.219 acres for right-of-way which is a portion of vacant commercial property located on the southwest corner of Old Decatur Road and Parkview Hills Lane owned by Harvey 607 L.P. and 607 Joint Venture for the Old Decatur Road Improvement Project No. 01749 known as a tract of land situated in the Alexander F. Albright Survey Abstract No. 1849, Tarrant County, Texas, City of Fort Worth (ETJ), were unsuccessful due to the inability to reach an agreement to acquire a fee simple interest; declare the necessity to acquire fee simple interest in the subject property for the Old Decatur Road Improvement Project; authorize the City Attorney to institute condemnation by eminent domain proceedings to acquire fee simple interest in 0.219 acres for right-of-way which is a portion of vacant commercial property for the purpose of road and drainage improvements; 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 Shingleton made a motion, seconded by Council Member Jordan, that the Fort Worth City Council authorize use of the power of eminent domain to acquire 0.219 acre fee-simple interest in vacant commercial property from Harvey 607 L.P. and 607 Joint Venture needed for the Old Decatur Road Improvement Project from a tract of land situated in the Alexander F. Albright Survey, Abstract No. 1849, Tarrant County, Texas, at the southwest corner of Old Decatur Road and Parkview Hills Lane. The land rights will be used for the Old Decatur Road Improvement Project. The property the City seeks is described more specifically in the metes and bounds and survey that are attached to the Mayor and Council Communication. The motion carried unanimously 9 ayes to 0 nays.

3. M&C L-15597 - Conduct a Public Hearing and Authorize Use of a Portion of Casino Beach Park for Stand-Alone Electric Utility Easements, Dedication of Public Road Rights-of-Way and Associated Electric Utility Easements and Installation of Water and Sanitary Sewer Service Lines and Authorize Conveyance of the Stand-Alone Electric Utility Easements to Oncor Electric Delivery Company, LLC (COUNCIL DISTRICT 7) (PUBLIC HEARING)

Mayor Price opened the public hearing.

It was recommended that the City Council conduct a public hearing under the guidelines set forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; find that no feasible or prudent alternative exists for the use of Casino Beach Park located at 7451 Watercress Drive, south of Jacksboro Highway, east of Surfside Drive and north of Lake Worth, for the proposed locations of the stand-alone electric utility easements, dedication of public road rights-of-way and associated electric utility easements and installation of water and sanitary sewer service lines; find that the proposed stand-alone electric utility easements, dedication of public road rights-of-way and associated electric utility easements and installation of water and sanitary sewer service lines include all reasonable planning to minimize harm to the parkland, including that all infrastructure will be constructed in Casino Beach Park, as specified on the exhibits attached to Mayor and Council Communication L-15597 and as noted in the discussion of the M&C; close the public hearing and authorize the use of approximately 8.81 acres of dedicated parkland at Casino Beach Park for stand-alone electric utility easements, dedication of public road rights-of-way and associated electric utility easements and the installation of water and sanitary sewer service lines; and authorize the conveyance of the stand-alone electric utility easements to Oncor Electric Delivery Company, LLC, at Casino Beach Park.

a. Report of City Staff

Mr. Richard Zavala, Director, Parks and Community Services Department, appeared before Council and provided a staff report.

b. Citizen Presentations

There were no citizen presentations.

c. Council Action

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 Council Member Jordan, that the public hearing be closed and Mayor and Council Communication L-15597 be approved. The motion carried 7 ayes to 0 nays with 1 abstention by Council Member Scarth and Council Member Jordan absent.

F. Award of Contract

1. M&C C-26364 - Authorize Execution of a Five-Year Tax Abatement Agreement with Modern Ground LLC, for Construction of a Single-Family Dwelling at 2812 Townsend Drive in the Berry/University Neighborhood Empowerment Zone (COUNCIL DISTRICT 9) (Continued from a Previous Meeting)

It was recommended that the City Council authorize the execution of a five-year Tax Abatement Agreement with Modern Ground LLC, for construction of a single-family dwelling at 2812 Townsend Drive in the Berry/University Neighborhood Empowerment Zone, in accordance with the Neighborhood Empowerment Zone Tax Abatement Policy and Basic Incentives.

Motion: Council Member Burns made a motion, seconded by Council Member Espino, that Mayor and Council Communication C-26364 be continued to the August 20, 2013, Council meeting. The motion carried unanimously 8 ayes to 0 nays with Council Member Jordan absent.

2. M&C C-26369 - Conduct Public Hearings and Approve the City's 2013-2018 Consolidated Plan and 2013-2014 Action Plan for the Use of Federal Grant Funds in the Amount of \$9,413,143.00 from the United States Department of Housing and Urban Development for Program Year 2013-2014 from the Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Grant Programs, Authorize Collection and Use of Program Income, Authorize Waiver of Application of Indirect Cost Rates, Authorize Execution of Related Contracts and Interdepartmental Letters of Agreement and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS) (Continued from a Previous Meeting) (PUBLIC HEARING)

Mayor Price opened the public hearing.

It was recommended that the City Council conduct a public hearing to allow citizen input and consideration of the City's 2013-2018 Consolidated Plan; approve the City's 2013-2018 Consolidated Plan for submission to the United States Department of Housing and Urban Development; conduct a public hearing to allow citizen input and consideration of the City's 2013-2014 Action Plan for use of federal grant funds from the United States Department of Housing and Urban Development in the amount of \$9,413,143.00 for Program Year 2013-2014 from the Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS grant programs and for the use of program income from activities using prior years' federal grant funds; approve the City's 2013-2014 Action Plan for submission to the United States Department of Housing and Urban Development including allocations of grant funds to particular programs and activities; authorize the collection and use of an estimated amount of \$50,000.00 of program income resulting from activities using prior years' Community Development Block Grant funds for the programs and activities; authorize the collection and use of an estimated amount of \$250,000.00 of program income resulting from activities using prior years' HOME Investment Partnerships Program funds for the City's Homebuyer Assistance Program; authorize the City Manager or his designee to execute contracts and Interdepartmental Letters of Agreement for a one-year term with various agencies for Program Year 2013-2014 for Community Development Block Grant, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS grant funds, contingent upon receipt of funding; authorize the City Manager or his designee to extend the contracts and Interdepartmental Letters of Agreement for up to one year if an agency or department requests an extension and such extension is necessary for completion of the program; authorize the City Manager or his designee to amend the contracts and Interdepartmental Letters of Agreement if necessary to achieve program goals, provided any amendment is within the scope of the program and in compliance with City policies and all applicable laws and regulations governing the use of federal grant funds; authorize a waiver for indirect cost rates as applicable for the Grants Fund, in accordance with the City Administrative Regulations; and adopt an appropriation ordinance increasing estimated receipts and appropriations in the Grants Fund in the amount of \$9,413,143.00, subject to receipt of grants from the United States Department of Housing and Urban Development and receipt of program income resulting from activities using prior years' grant funds, for the purpose of funding various programs within the City's 2013-2014 Action Plan.

a. Report of City Staff

Ms. Leticia Rodriguez, Community Development Coordinator, Housing and Economic Development Department, appeared before Council and provided a staff report.

b. Citizen Presentations

Ms. Frankie Murrey, 400 Oakmont Lane North, appeared before Council in support of Mayor and Council Communication C-26369.

c. **Council Action**

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Zimmerman, the public hearing be closed, Mayor and Council Communication C-26369 be approved and Appropriation Ordinance No. 20854-08-2013 be adopted. The motion carried unanimously 8 ayes to 0 nays with Council Member Jordan absent.

3. M&C C-26380 - Authorize Five-Year Tax Abatement Agreement with Matrix H&S Realty, LLC, for the Construction of a Paint and Assembly Plant Building at 3500 S. Jennings Avenue in the Hemphill/Berry Neighborhood Empowerment Zone (COUNCIL DISTRICT 9)

It was recommended that the City Council authorize a five-year Tax Abatement Agreement with Matrix H&S Realty, LLC, for the construction of a paint and assembly plant building at 3500 South Jennings Avenue in the Hemphill/Berry Neighborhood Empowerment Zone, in accordance with the Neighborhood Empowerment Zone Tax Abatement Policy and Basic Incentives.

Motion: Council Member Burns made a motion, seconded by Council Member Allen Gray, that Mayor and Council Communication C-26380 be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Jordan absent.

4. M&C C-26381 - Authorize Application for and Acceptance of, if Awarded, a Grant from the Federal Emergency Management Agency in the Amount Up to \$150,000.00 for the Cooperating Technical Partners Program to Manage Flood Plain Boundaries and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

It was recommended that the City Council authorize the application for and acceptance of, if awarded, a grant from the Federal Emergency Management Agency in the amount up to \$150,000.00 for the Cooperating Technical Partners Program; authorize the execution of a contract with the Federal Emergency Management Agency for the program to manage flood plain boundaries for the period October 1, 2013, through September 30, 2014, upon receipt of the grant; and adopt an appropriation ordinance increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$150,000.00, subject to receipt of a grant, for the purpose of providing funding for Cooperating Technical Partners Program to produce flood insurance rate maps and other flood hazard information.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Mayor and Council Communication C-26381 be approved and Appropriation Ordinance No. 20855-08-2013 be adopted. The motion carried unanimously 8 ayes to 0 nays with Council Member Jordan absent.

(Council Member Jordan returned to his place at the dais.)

5. M&C C-26382 - Authorize Execution of Change Order No. 1 to City Secretary Contract No. 44255 in the Amount of \$484,743.46 with McMahon Contracting, LP, for the Construction of Old Denton Road from Heritage Trace Parkway to Golden Triangle Boulevard, Thereby, Increasing the Total Contract Amount to \$6,235,137.54 (COUNCIL DISTRICT 4)

It was recommended that the City Council authorize the execution of Change Order No. 1 to City Secretary Contract No. 44255 in the amount of \$484,743.46 with McMahon Contracting, LP, for the construction of Old Denton Road from Heritage Trace Parkway to Golden Triangle Boulevard, thereby increasing the total contract amount to \$6,235,137.54.

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication C-26382 be approved. The motion carried unanimously 9 ayes to 0 nays.

(Council Member Scarth left his place at the dais.)

6. M&C C-26383 - Authorize Execution of a Contract with Woody Contractors, Inc., in the Amount of \$2,996,884.55 for Water and Sanitary Sewer Replacement Contract 2010, STM-E on Ashland Avenue, Birchman Avenue, El Campo Avenue and Libbey Avenue and Central Arlington Heights - Ashland Drainage Improvements, Provide for Project Costs and Contingencies for a Project Total in the Amount of \$3,292,565.55 (COUNCIL DISTRICT 7)

It was recommended that the City Council authorize the execution of a contract with Woody Contractors, Inc., in the amount of \$2,996,884.55 for Water and Sanitary Sewer Replacement Contract 2010, STM-E on Ashland Avenue from Camp Bowie Boulevard to El Campo Avenue and from El Campo Avenue to Bryce Avenue, Birchman Avenue from Clover Lane to Ashland Avenue, El Campo Avenue from Sutter Street to Clover Lane, and Libbey Avenue from Prevost Street to Faron Street and Central Arlington Heights – Ashland Drainage Improvements for project costs and contingencies for a project total in the amount of \$3,292,565.55.

Motion: Council Member Shingleton made a motion, seconded by Council Member Burns, that Mayor and Council Communication C-26383 be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Scarth absent.

7. M&C C-26384 - Rescind Mayor and Council Communication C-25661 and Authorize Execution of a Twenty-Year Economic Development Program Agreement with Casino Beach Properties, Inc., or Any Affiliated Entity in the Amount Not to Exceed \$10,000,000.00 Plus Interest for the Redevelopment of Casino Beach and Adjacent City-Owned Park and Lake Property Along Lake Worth (COUNCIL DISTRICT 7)

It was recommended that the City Council rescind Mayor and Council Communication C-25661, which authorized execution of an Economic Development Program Agreement with Patterson Equity Partners, LLC, or any affiliated entity for the redevelopment of Casino Beach; authorize the execution of a 20-year Economic Development Program Agreement with Casino Beach Properties, Inc., an affiliate of Patterson Equity Partners, LLC, or any affiliated entity in the amount not to exceed \$10,000,000.00 plus interest, as authorized by Chapter 380 of the Texas Local Government Code, conditioned on the redevelopment of vacant land at Casino Beach into an entertainment destination through a variety of public or private improvements; and waive the Financial Management Policy associated with gas lease revenues to allow for Lake Worth mineral lease revenues to serve as the primary source of funding for this agreement.

Ms. Rachel Wiggins, 1510 Chennault Avenue, completed an undecided comment card pertaining to Mayor and Council Communication C-26384.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Mayor and Council Communication C-26384 be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Scarth absent.

8. M&C C-26385 - Amend Mayor and Council Communication C-26158, a License Agreement with Casino Beach Properties, Inc., to Revise the Scope of the Licensed Premises and the Schedule for Improvements (COUNCIL DISTRICT 7)

It was recommended that the City Council amend Mayor and Council Communication C-26158, approved on March 19, 2013, a License Agreement with Casino Beach Properties, Inc., to revise the scope of the licensed premises and the schedule for improvements.

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that Mayor and Council Communication C-26385 be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Scarth absent.

XV. CITIZEN PRESENTATIONS

Ms. Brenda Scruggs, 8132 Hosta Way, appeared before Council relative to harassment by the Police Department.

Ms. Juanita Jimenez, 3006 South Jennings Avenue, appeared before Council to recognize the Graffiti Abatement Program staff.

Council Members Jordan, Bivens, Burns and Espino expressed their appreciation and commended Ms. Jimenez on her hard work on bringing the community together to have a mural painted over graffiti under the Berry Street Bridge.

(Council Member Scarth returned to his place at the dais.)

Mr. Bryan Muhammad, 1225 North Sylvania, appeared before Council relative to the Fort Worth Community Police Action Plan.

Mr. Luther Perry, 5228 Blue Valley Court, appeared before Council relative to the Fort Worth Police Department.

Mr. Lee Saldivar, 1505 Circle Park Boulevard, appeared before Council relative to the Fort Worth Community Police Action Plan.

Ms. Dianna Wilson, 5816 Village Course Circle, Apt 326, appeared before Council relative to bus service for we the people, feed the children, etc.

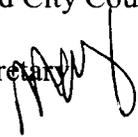
Mr. Eddie Griffin, 1120 East Davis Street, appeared before Council relative to a moratorium on tasers.

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

XVII. ADJOURNMENT

There being no further business, Mayor Price adjourned the Regular Meeting at 9:03 p.m.



TO: The Honorable Mayor and City Council Members
FROM: Mary J. Kayser, City Secretary 
DATE: August 13, 2013
SUBJECT: Appointments/Reappointments to Boards/Commissions/Committees

Per action taken by the Legislative and Intergovernmental Affairs Committee at their August 6, 2013, meeting, Chairman Scarth is bringing forward the following appointments and reappointments to the following boards/commissions/committees for your consideration:

Animal Shelter Advisory Committee:

Reappointment of Elena Cook to Place No. 4, with a term expiring October 1, 2014

Fort Worth Human Relations Commission:

Appointment of Christopher Ah Leong to Place 1, with a term expiring October 1, 2015
Appointment of Sharon Herrera to Place 3, with a term expiring October 1, 2015

Reappointment of Lisa G. Thomas to Place 4, with a term expiring October 1, 2014
Reappointment of Tracey Michol to Place 5, with a term expiring October 1, 2015
Reappointment of Hao Tran to Place 10, with a term expiring October 1, 2014
Reappointment of Carla McKenzie to Place 11, with a term expiring October 1, 2015

The applications were provided to you by a separate communication. If you have any questions, please contact me at (817) 392-6161.



To the Mayor and Members of the City Council

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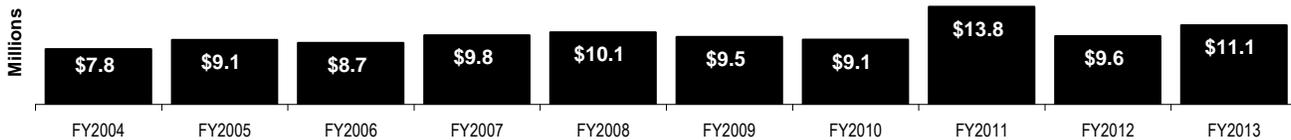
SUBJECT: June 2013 – Sales Tax Update

Sales tax revenue represents approximately 20% of the City’s General Fund budget. The Texas Comptroller’s Office posted results on August 7th. 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 June. 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.

Monthly Net Sales Tax Collections For June

City of Fort Worth

Jun-13	\$11,146,404	<u>DOLLAR VARIANCE</u>	↑	<u>% VARIANCE</u>	↑
Jun-12	\$9,633,041	\$1,513,363		15.7%	



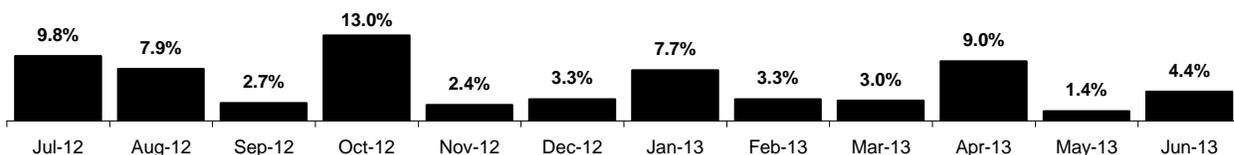
The City’s net sales tax collection is up \$1,513,363 or 15.7% compared to this month last year. One component of the growth compared to last year is a negative audit adjustment in June 2012 that significantly reduced collections. As depicted in the table below, the City experienced **\$468,942 or 4.4%** in positive growth when compared to last year’s current period collections for the same month. Current period collections include only transactions that occurred within the month, so this number reflects pure economic activity.

Collection Detail for City Sales Tax

	Jun 12	Jun 13	CHANGE	CHANGE	
Current Period Collections:	\$10,638,173	\$11,107,115	\$468,942	4.4%	↑
Other Collections:	(\$69,745)	\$147,422	\$217,168	311.4%	
Audit Collections:	(\$726,258)	\$151,219	\$877,477	120.8%	
Service Fee:	(\$196,843)	(\$228,115)	(\$31,272)	-15.9%	
Retainage:	(\$12,286)	(\$31,238)	(\$18,952)	-154.3%	
Net Collections	\$9,633,041	\$11,146,404	\$1,513,363	15.7%	↑

Current Period Collections

Change vs. Same Month in Prior Year





To the Mayor and Members of the City Council

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SUBJECT: June 2013 – Sales Tax Update

City Of Fort Worth Budget Comparison - FY2013

	Adopted Budget	Fiscal Year Projection	Variance		
CITY OF FORT WORTH	\$ 108,798,434	\$ 116,283,008	6.9%	▲	\$ 7,484,574
CRIME CONTROL AND PREVENTION DIST.	\$ 49,795,976	\$ 54,076,737	8.6%	▲	\$ 4,280,761
MASS TRANSIT AUTHORITY - THE "T"	\$ 57,231,467	\$ 58,500,268	2.2%	▲	\$ 1,268,801

The City has collected **\$7,484,574** above budget year-to-date and projects to end the year **6.9%** 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.

City Comparisons - FY2013 vs. FY2012

CITY	First Quarter	Second Quarter	Third Quarter	June	YTD
SOUTHLAKE	11.3%	12.1%	17.6%	19.0%	13.7%
GRAND PRAIRIE	12.6%	7.3%	13.1%	2.9%	11.0%
EULESS	17.1%	6.7%	2.1%	2.6%	8.2%
ARLINGTON	-1.7%	22.2%	3.9%	-0.4%	7.8%
KELLER	7.2%	8.2%	7.7%	5.4%	7.7%
FORT WORTH	7.6%	4.9%	10.3%	15.7%	7.6%
DALLAS	7.4%	5.9%	7.0%	2.8%	6.8%
GRAPEVINE	9.3%	7.5%	-4.4%	-15.6%	3.9%
BEDFORD	3.2%	6.4%	0.9%	-0.7%	3.5%
NORTH RICHLAND HILLS	-4.4%	13.5%	-1.0%	4.8%	2.0%
WATAUGA	0.3%	3.1%	7.0%	9.1%	0.4%
HURST	-0.5%	0.2%	-0.9%	-2.3%	-0.4%
BURLESON	-9.5%	-9.9%	-2.3%	-0.8%	-7.3%
STATE TOTAL	10.3%	5.1%	7.0%	9.1%	7.5%

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**

To the Mayor and Members of the City Council

August 13, 2013

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**SUBJECT: Water Department FY2014 Projected Revenue Requirements**

Each year the Water Department completes cost of service studies for Retail and Wholesale customer classes for both water and sewer services. Those studies are used to determine the rates that will be recommended to the City Council. The purpose of this Informal Report is to outline the process and topics addressed in the FY2014 rate setting process and to provide the preliminary change in water and sewer revenue requirements.

Retail Water and Sewer Rate Process

Retail rates paid by Fort Worth residents and businesses are based on the Department's cost of service, which is established as part of the annual budget process using industry approved standards. Once the cost of service is determined, the preliminary rates, and specific topics that might affect the rates structure, are presented to the Department's informal Water and Wastewater Retail Rate Structure Stakeholder Group for input and feedback. This group is comprised of customers representing the various retail customer classes; residential, commercial, industrial, irrigation and super users. The group is charged with ensuring equity among customer classes and making recommendations on how costs are distributed within established rate structures.

Water Department staff met with the Stakeholder Group on June 5, 12 and 19 to present budget drivers and costs, trends in water and wastewater usage over the last decade, and preliminary FY2014 rates for both water and sewer service. Staff requested feedback on specific issues impacting revenue recovery and rate structure. These included the distribution of fixed vs. variable revenue for retail water service, phase-in of a correction in budgeted retail sewer volumes, and the elimination of the cap on the Winter Quarter Average (WQA) calculation for residential sewer service.

Budget Drivers

The Department began FY2013 with a \$5,940,698 adopted budget deficit and a planned use of debt service reserves to offset the shortfall. To overcome this deficit and prevent further use of reserves in FY2014, the FY2014 revenue requirement for retail water service exceeds the expenditures to be recovered through FY2014 rates. In addition to the operating deficit, the cost of the raw water purchase from the Tarrant Regional Water District (TRWD) will increase in FY2014 by 14.9%, or \$9,268,140 over FY2013, for a total cost of \$71,461,857. This increase includes a 10% increase in the rate from TRWD and 4.9% increase in projected volumes. The primary driver of the rate increase from TRWD is the cost of the Integrated Pipeline project, which will transport additional water from Cedar Creek and Richland Chambers Reservoirs to Tarrant County by 2020 to support growth.

Fixed vs. Variable Water Revenue

Currently, 17% of retail water revenue is derived through fixed monthly service charges while 83% is variable based on volume usage, which is weather dependent and leads to instability in revenue collection and cash flow. Current water demands are flat or declining on a per account basis due to conservation efforts and more water-efficient appliances and plumbing code requirements, while the Department's fixed costs continue to grow. Staff engaged Red Oak Consulting to analyze this issue, as well as the impacts of conservation efforts on revenue. Red Oak compared the Department's fixed vs. variable revenue distribution to that of the water industry and concluded, based on industry trends, that the Department should increase its share of revenues from more stable fixed monthly charges

To the Mayor and Members of the City Council

August 13, 2013

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**SUBJECT: Water Department FY2014 Projected Revenue Requirements**

and decrease its share from more volatile volume charges. The study argued that all customers benefit from a 'readiness to serve' and recommended that a portion of the Utility's peaking costs be assigned to the base fee charged to all customers based on the size of the meter. The consultant recommended adjusting the fixed/variable ratio to 25%/75% and further recommended that the shift be phased in over a five-year period beginning in FY2014. In accordance with the recommendation, staff incorporated 5% of peaking costs into the FY2014 retail base monthly fee. This resulted in a fixed/variable ratio of 19%/81%. This issue was reviewed in detail with the customer Stakeholder Group, which provided positive feedback.

Sewer Volumes Correction

In recent years, the Department has experienced lower sewer volumes due to conservation, and more efficient appliances and plumbing code requirements. Lower sewer volumes by account were not immediately recognized, resulting in a divide between the volumes used to set the unit rates and the actual billed volumes. Staff brought this issue to the Stakeholder Group last year and the group recommended that the impact of reducing budgeted volumes be phased in over a three-year period. This issue was also brought forward to the City Council during last year's budget process. As outlined in M&C G-17679, the 2.6% sewer rate increase approved by the City Council for FY2013 was the first step in the three-year phase-in, with additional increases programmed for 2014 and 2015. In light of FY2014 expenditure budget reductions, the Department incorporated a two-year phase-in into the recommendations presented to the Stakeholder Group. Taking this approach, no additional volume adjustment will be needed in 2015.

Winter Quarter Average (WQA) Cap

Currently, residential sewer billing is based on a customer's winter quarter water use. Three months of winter water usage are averaged to set a baseline volume for domestic service. That calculated volume is used for billing purposes for the remainder of the year. In addition to the calculation, Fort Worth caps WQA so that no residential customer, regardless of winter quarter water use, will pay for more than 30ccf of volume on their sewer bill. The cap was initially established in the late 1990s following an abnormally dry winter to ensure that customers were not paying for irrigation use on their sewer bill. The initial cap was set at 15ccf but was increased to 30ccf in FY2011. More than 99% of customers fall below the 30ccf cap. Recent benchmarking shows that Fort Worth is the only city surveyed that uses both a WQA and a cap. Many cities use WQA and some cities charge for sewer service based on the total amount of water used year-round. Staff provided preliminary findings to the customer Stakeholder Group, which recommended that staff do some additional research on the impact of eliminating the cap and return to the Stakeholder group during the 2015 rate process.

Wholesale Water and Sewer Rate Process

Wholesale rates paid by the Department's 30 water customer cities and 23 sewer customer cities are based on cost of service studies performed on a three-year rotation using consultant services, alternating water and sewer, with Department staff completing the study the other years. The process and methodology are established within the Uniform Wholesale Contracts for water and sewer services. Studies are based on test year expenditure data, adjusting for known and measurable changes. Volumes used to calculate the rate change are based on prior year actual use. Results of

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

August 13, 2013

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SUBJECT: Water Department FY2014 Projected Revenue Requirements

the cost of service studies and preliminary rates are presented to the Wholesale Advisory Committee, comprised of representatives of each of the customer cities. Staff met with the Cost of Service Subcommittee of the Wholesale Advisory Committee on February 13 and May 16, and met with the full Wholesale Advisory Committee on June 18 to present the preliminary FY2014 wholesale water and sewer rates. Final rates were provided to the Wholesale Advisory Committee in late July.

FY2014 Recommendations and System Adjustments

Based on our cost of service studies and the input received from our Stakeholder Group for retail rates and Wholesale Advisory Committee for wholesale rates, staff recommends the following structural changes and system-wide FY2014 recommended adjustments:

Fixed vs. Variable Revenue – Staff recommends moving forward with year one of the five-year plan, adjusting the fixed/variable revenue to 19%/81% to improve revenue stability.

Sewer Volume Correction – Based on discussions with the retail customer Stakeholder Group, and the resulting rate impact, staff recommends aligning budgeted volumes with projected flows in FY2014 instead of phasing in that impact over FY2014 and FY2015.

These recommendations result in the following adjustments in revenue requirements for Retail and Wholesale Water and Sewer service.

Retail Water: +6.41%
Retail Sewer: +5.27%

Wholesale Water: +16.21%
Wholesale Sewer: -3.79%

Additional detailed information about the recommended FY2014 rates will be provided in August during the budget workshops. Should you have any questions about the retail or wholesale rate processes, please contact Water Director Frank Crumb at 817-392-8246.

**Tom Higgins
City Manager**

No Documents for this Section

No Documents for this Section

No Documents for this Section

City of Fort Worth, Texas
Mayor and Council Communication

DATE: Tuesday, August 13, 2013

LOG NAME:

REFERENCE NO.: **OCS-1894

SUBJECT:

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, August 7, 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, August 13, 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 Joey Page ext 7761 or JoAnn Rowls ext 7784. Thank you.

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Rebecca Gray	7/31/2013	7/1/2013	5849 Carb Dr.	Property Damage	Tree damaged fence.	Forestry	Yes	No
Augustine Zimmerle	7/30/2013	7/20/2013	Auto Pound	Auto Damage	Vehicle damaged during tow.	Police	Yes	No
Robert H. Holcomb	7/30/2013	7/24/2013	Beach St.	Auto Damage	Vehicle damaged from road construction.	TPW	Yes	No
Calvin E. Styles	7/30/2013	6/1/2013	State Hwy 121 at Sylvania	Auto Damage	Vehicle struck debris in road.	TPW	Yes	No
Tony Gauna	7/29/2013	7/1/2013	3713 McCart Ave.	Reimbursement	Property removed from building, during police investigation.	Police	No	No
AT&T -Texas	7/26/2013	4/30/2013	1128 E. Lueda rear in alley	Property Damage	City crew damaged optic line.	Water	Yes	No
Rebecca Gutierrez and	7/26/2013	7/17/2013	Nothside Dr. & Cold Springs	Bodily Injury	City truck struck vehicle.	Police	Yes	Yes

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
William Martin Macleod	7/26/2013	7/12/2013	1600 N. California Pkwy.	Auto Damage	City truck access door opened during right turn, struck vehicle.	Water	Yes	No
Dennis Detweiler	8/1/2013	7/23/2013	7504 Ramble Wood Trail	Reimbursement	Plumbing charge, due to water accumulation.	Water	Yes	No
Patel Harshadkumar	8/1/2013	7/8/2013	8669 Fernhill Dr.	Property Damage	City worker damaged mail box.	Water	No	No
Eugene Crowder Sr.	7/31/2013	7/24/2013	1556 E. Berry St.	Auto Damage	Vehicle struck pot hole.	TPW	Yes	No
Beth El Cemetery	8/1/2013	6/14/2013	1414 S. Main	Property Damage	City crew damaged sprinkler system.	Water	No	No
AT&T - Texas	7/31/2013	2/2/2013	1331 Kings Hwy.	Property Damage	City crew damaged cable ws line.	Water	Yes	No
Arin Foster	8/1/2013	7/28/2013	Ellis & N. 28th St.	Auto Damage	Officer struck vehicle.	Police	Yes	No
Eric Candelas	8/2/2013	7/15/2013	3701 Furman Drive	Property Damage	City crew damaged sprinkler system.	Water	No	No
Madeline Deplit	7/26/2013	7/15/2013	6700 E. Lancaster Ave.	Bodily Injury	Officer turned into vehicle.	Police	Yes	Yes

No Documents for this Section

No Documents for this Section

Zoning Docket items are linked on the Council Meeting Agenda.

No Documents for this Section