



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, MARCH 21, 2011, THROUGH FRIDAY, MARCH 25, 2011**

MONDAY, MARCH 21, 2011

TIME

LOCATION

NO MEETINGS

TUESDAY, MARCH 22, 2011

Pre-Council Meeting	8:30 a.m.	Pre-Council Chamber
City Council Meeting	10:00 a.m.	Council Chamber
Ad Hoc Municipal Court Advisory Committee	3:00 p.m.	Pre-Council Chamber
Fort Worth Human Relations Commission	5:30 p.m.	Hazel Harvey Peace Center for Neighborhoods, Room 201 AB 818 Missouri Avenue

WEDNESDAY, MARCH 23, 2011

City Plan Commission, Work Session	12:00 Noon	Pre-Council Chamber
City Plan Commission, Public Hearing	1:30 p.m.	Council Chamber
Parks and Community Services Advisory Board	4:00 p.m.	Fort Worth Botanic Garden Deborah Beggs Moncrief Garden Center 3220 Botanic Garden Boulevard

THURSDAY, MARCH 24, 2011

Appeals Board, Pre-Meeting	8:30 a.m.	Pre-Council Chamber
Appeals Board	9:00 a.m.	Council Chamber
Ethics Review Committee	2:00 p.m.	Development Department Conference Room, Lower Level, City Hall
Audit and Finance Advisory Committee	3:00 p.m.	Pre-Council Chamber

FRIDAY, MARCH 25, 2011

NO MEETINGS

<p>This summary is compiled from data furnished to the Office of the City Secretary by 12:00 noon on March 17, 2011, and may not include all meetings to be conducted during the week of March 21, 2011, through March 25, 2011. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.</p>

**PRE-COUNCIL MEETING
TUESDAY, MARCH 22, 2011
8:30 A.M.
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

1. Report of the City Manager - **Tom Higgins, Interim 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 9368](#): Annual Purchase Agreements Expirations and Renewals - Third Quarter FY 2010-2011
 - [IR 9369](#): Interlocal Agreement Between the City and Tarrant County Local Workforce Development Board
 - [IR 9370](#): Transfer in the Amount of \$614,972.50 from Fort Worth Housing Trust Fund to the City's Housing Assistance Program
 - [IR 9371](#): March 2011 - Sales Tax Update
2. Questions Concerning Current Agenda Items - **City Council Members**
3. Responses to Items Continued from a Previous Week
 - a. A Resolution Amending the Rules of Procedures of the City Council of the City of Fort Worth, Texas **(Continued from March 8, 2011 by Staff)**
 - b. [M&C G-17200](#) - Adopt Ordinance Revising the Lake Worth Use Fees and Amending Section 18-4, Chapter 18, Lake Worth of the City Code and Authorize the City Manager to Execute Agreements with Outside Businesses and Entities for the Selling of Boat Stickers Required Under this Ordinance **(COUNCIL DISTRICT 7) (Continued from February 8, 2011 by Staff)**
 - c. [M&C C-24768](#) - Authorize Execution of a Contract in the Amount of \$593,747.75 with Jet Underground Utilities, Inc., for Concrete Restoration 2011-10 at Three Locations and Adopt Appropriation Ordinance **(COUNCIL DISTRICTS 3 and 6) (Continued from March 8, 2011 by Staff)**
 - d. ZC-10-094 - Commercial Metals Company, 2400 NE 36th Street; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus metal recycling facility; site plan included **(Continued from November 9, 2010 by Council Member Espino)**
 - e. ZC-11-019 - The Gas Pipe/Amy Lynn Inc., 6025 Camp Bowie Boulevard & 3309 Winthrop Avenue; from: "MU-1" Low Intensity Mixed Use to: "MU-1/HSE" Low Intensity Mixed Use/Highly Significant Endangered **(Continued from March 8, 2011 by Council Member Zimmerman)**
4. Pension Update - **Karen Montgomery, City Manager's Office and Doug Anderson, Area Vice President, Gallagher Benefit Services, Inc.**
5. City Council Requests for Future Agenda Items and/or Reports
6. Executive Session - The City Council may conduct a closed meeting as authorized by Section 551.071 of the Texas Government Code to seek the advice of its attorneys on legal issues regarding any matter listed on today's City Council Agendas

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

Executive Session
(PRE-COUNCIL CHAMBER, CITY HALL)
Tuesday, March 22, 2011

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. Spirit of Prayer Community and Economic Development Corporation v. City of Fort Worth, Cause No. 48-242097-09; 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; and

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

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

**CITY COUNCIL AGENDA
FOR THE MEETING AT 10:00 A.M. TUESDAY, MARCH 22, 2011
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

- I. CALL TO ORDER**
- II. INVOCATION - Rabbi Ralph Mecklenburger, Bethel Congregation**
- III. PLEDGE OF ALLEGIANCE**
- IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF MARCH 8, 2011**
- 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-17228](#) - Authorize the Payment of \$400,000.00 to Chad Gibson in Settlement of His Claims for Damages
- 2. [M&C G-17229](#) - Adopt Resolution Supporting the 2011 Low Income Housing Tax Credit Application for the Esperanza Cove Senior Apartments Located at 2819 East Belknap and Waiving the One Mile, Three Year Rule (COUNCIL DISTRICT 2)
- 3. [M&C G-17230](#) - Adopt Resolution Supporting the 2011 Low Income Housing Tax Credit Application for Pilgrim Valley Manor Apartments at 1701 E. Robert Street and Waiving the One Mile, Three Year Rule (COUNCIL DISTRICT 8)
- 4. [M&C G-17231](#) - Adopt Resolution Appointing a Chairperson for the Board of Directors of Each of the City's Tax Increment Reinvestment Zones (COUNCIL DISTRICTS 2, 3, 4, 7, 8, and 9)
- 5. [M&C G-](#) - Adopt Appropriation Ordinance Increasing

- [17232](#) the Estimated Receipts and Appropriations in the Special Trust Fund by \$233,333.03 to Provide Funding for the City's Energy Savings Performance Contract with Johnson Controls, Inc.
6. [M&C G-17233](#) - Authorize the Temporary Closure of Harley Avenue Between University Drive and Rip Johnson Road from March 21, 2011 to May 27, 2011 to Facilitate the Construction of Two Storm Drain Culverts (COUNCIL DISTRICT 7)
7. [M&C G-17234](#) - Approve Request of Downtown Fort Worth Initiatives, Inc., for Temporary Street Closures from April 11, 2011, through April 18, 2011, to Accommodate the 2011 Main Street Fort Worth Arts Festival (COUNCIL DISTRICT 9)
8. [M&C G-17235](#) - Adopt Resolution Authorizing Application for and Acceptance of a Grant, if Awarded, from the Texas Water Development Board's Flood Protection Planning Grant Program in the Amount Not to Exceed \$98,950.00, Authorize Local Match in the Amount of \$98,950.00 from the Stormwater Utility Fund, Adopt Supplemental Appropriation Ordinance Decreasing the Unaudited, Unreserved, Undesignated Stormwater Utility Fund Balance by the Same Amount and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 3 and 7)
9. [M&C G-17236](#) - Authorize Temporary Closure of Stonegate Boulevard between South Hulen Street and Oak Hill Circle from March 23, 2011 to April 2, 2011 for the Installation of a 42-Inch Water Main as Part of the State Highway 121 Relocation (COUNCIL DISTRICT 3)
10. [M&C G-17237](#) - Authorize Payments to The Active Network in the Amount of \$9,000.00 and to the Fort Worth Park and Recreation Sports Advisory Council, Inc. in the Amount of \$26,500.00 for Revenue Share Commitments from Revenues Generated from Sponsorship Fees from Coca-Cola Bottling Company and Adopt Appropriation Ordinance

11. [M&C G-17238](#) - Adopt Ordinance Appointing Claudia Alvarez Martinez as a Municipal Judge for the Unexpired Portion of a Two-Year Term Commencing March 28, 2011 and Ending March 31, 2012 to Fill a Newly Created Twelfth Full-Time Municipal Judge Position

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

1. [M&C P-11205](#) - Authorize Purchase Agreements with Municipal Water Works Supply, L.P., MSC Waterworks Company, Inc., and PIPING SYSTEMS, Inc., for Utility Supply Parts for the Water Department for an Initial Amount of \$250,000.00
2. [M&C P-11206](#) - Authorize a Purchase Agreement with West Government Services Using a Texas Multiple Award Schedule Contract for Web Access to Consolidated Lead Evaluation and Reporting with Web Analytics for the Police Department for an Initial Amount of \$84,888.00
3. [M&C P-11207](#) - Authorize the Rejection of All Bids for Road Service Tire Repair and Replacement and Authorize Issuance of a New Invitation to Bid
4. [M&C P-11208](#) - Authorize a Purchase Agreement with Highway Technologies, Inc. for Traffic Marking Material and Services for the Transportation and Public Works Department for an Initial Amount of \$528,000.00
5. [M&C P-11209](#) - Authorize Sole Source Purchase of Envirex Replacement Parts and Equipment for the Water Department from Siemens Water Technologies for an Amount of \$52,262.00 (COUNCIL DISTRICT 7)
6. [M&C P-11210](#) - Authorize Purchase of a Backhoe Loader from RDO Equipment Company Using a Texas Association of School Boards Cooperative Contract for the Water Department for a Total of \$94,468.00
7. [M&C P-11211](#) - Authorize Purchase of a Backhoe Loader from HOLT TEXAS, LTD. d/b/a HOLT

CAT, Using a Texas Association of School Boards Cooperative Contract for the Transportation and Public Works Department for a Total Amount of \$126,757.00

8. [M&C P-11212](#) - Authorize Purchase of Four Trailers from Interstate Trailers, Inc., Using a Texas Association of School Boards Cooperative Contract for the Transportation and Public Works and Water Departments for a Combined Total of \$85,848.00
9. [M&C P-11213](#) - Authorize a Purchase Agreement with SecureWorks Inc., for Network Infrastructure Monitoring and External Vulnerability Scan Assessment Subscription Services, Using a General Services Administration Contract for the Information Technology Solutions Department for an Initial Amount of \$74,283.00
10. [M&C P-11214](#) - Authorize a Sole Source Purchase of an AFIX Tracker Automated Fingerprint and Palm Print Identification System from AFIX Technologies, Inc., for the Police Department for a Total Amount of \$64,190.00
11. [M&C P-11215](#) - Authorize Execution of an Agreement with Gresham, Smith and Partners Using Grant Funds in the Annual Amount of \$89,500.00 from the U. S. Department of Energy - Energy Efficiency and Conservation Block Grant for the Design, Preparation and Implementation of a Sustainability Education and Outreach Plan

C. Land - Consent Items

1. [M&C L-15154](#) - Authorize Purchase of a Fee Simple Interest in 0.002 Acres of Land for Right-of-Way and a Temporary Easement Interest in 0.016 Acres for Construction, Located at 4021 East First Street from Mary Jean Fields for a Total of \$500.00 and Pay the Estimated Closing Costs of \$1,000.00 for the Widening of East First Street (COUNCIL DISTRICT 4)

2. [M&C L-15155](#) - Authorize Purchase of a Fee Simple Interest in 0.030 Acres of Land for Right-of-Way and a Temporary Easement Interest in 0.018 Acres for Construction, Located at 4024 East First Street from Fritz G. Gonzales and Mary H. Gonzales for a Total of \$31,400.00 and Pay the Estimated Closing Costs of \$4,000.00 for the Widening of East First Street (COUNCIL DISTRICT 4)
3. [M&C L-15156](#) - Authorize Purchase of a Fee Simple Interest in 0.121 Acres of Land for Right-of-Way Located at 11815 Alta Vista Road from Dayton Bailey for a Total of \$66,871.00 and Pay the Estimated Closing Costs of \$4,000.00 (COUNCIL DISTRICT 2)

D. Planning & Zoning - Consent Items

1. [M&C PZ-2930](#) - Authorize the City Manager to Initiate Rezoning of Certain Properties Generally Bounded by the East Freeway, Eastchase Parkway, Brentwood Stair Road and Aldra Drive in Accordance with the Comprehensive Plan (COUNCIL DISTRICT 5)

E. Award of Contract - Consent Items

1. [M&C C-24783](#) - Authorize Professional Services Agreements for Audit Staffing with Larry Robert Heath for the Office of City Auditor in the Total Amount of \$87,076.00
2. [M&C C-24784](#) - Authorize Change Order No. 1 in the Amount of \$44,309.77 to City Secretary Contract No. 39529 with AUI Contractors, Inc. for the Installation of Sidewalks at Various Locations Throughout the City
3. [M&C C-24785](#) - Adopt Resolution Supporting the 2011 Low Income Housing Tax Credit Application for Lakeside Village Homes in the Como Neighborhood and Waiving the One Mile, Three Year Rule (COUNCIL DISTRICT 7)
4. [M&C C-24786](#) - Authorize Execution of a Contract with McClendon Construction Company, Inc., in the Amount of \$724,284.16 for Pavement Reconstruction and Water and Sanitary

Sewer Replacement on Arnold Court, Blevins Street, Clarence Street East and Clarence Street West and Adopt Appropriation Ordinance (COUNCIL DISTRICT 4)

5. [M&C C-24787](#) - Authorize Execution of Change Order No. 3 in the Amount of \$128,178.48 to City Secretary Contract No. 39466 with McMahon Contracting, L.P., for Trinity Boulevard Concrete Reconstruction-Restoration 2009-4 thereby Revising the Total Contract Amount to \$1,579,683.48 (COUNCIL DISTRICT 5)
6. [M&C C-24788](#) - Authorize Execution of a Contract with Cutler Repaving, Inc., in the Amount of \$794,192.10 for Hot Mix Asphaltic Concrete Hot In-Place Recycling at Various Locations (COUNCIL DISTRICTS 3, 7 and 9)
7. [M&C C-24789](#) - Authorize the Execution of Change Order No. 1 in the Amount of \$36,525.30 to City Secretary Contract No. 39169 with JLB Contracting, LLC, for Hot Mix Asphaltic Concrete Surface Overlay 2009-10 at Various Locations, thereby Increasing the Total Contract Amount to \$796,635.80 (COUNCIL DISTRICT 2)
8. [M&C C-24790](#) - Authorize Execution of Amendment No. 3 in the Amount of \$87,252.00 to City Secretary Contract No. 38905 with Transystems Corporation Consultants for the Design of North Beach Street from Timberland Boulevard to Keller-Hicks Road, thereby Resulting in a Total Contract Cost of \$666,914.00 (COUNCIL DISTRICT 2)
9. [M&C C-24791](#) - Authorize Amendment No. 1 in the Amount of \$43.00 to City Secretary Contract No. 35581, a Local Project Advanced Funding Agreement with the Texas Department of Transportation for Drainage Improvements at Various Locations in Fort Worth and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
10. [M&C C-24792](#) - Authorize Execution of Lease No. DTFACN-11-L-00106 with the Federal Aviation Administration to Install and

- Operate a Remote Arts Color Display in the Air Traffic Control Tower at Fort Worth Spinks Airport (COUNCIL DISTRICT 8)
11. [M&C C-24793](#) - Authorize Renewal of a Sole Source Software Maintenance Agreement with IBM Corporation for the Water Department's Maintenance Management System in the Amount of \$57,547.60
 12. [M&C C-24794](#) - Authorize Execution of Amendment No. 4 in the Amount of \$60,835.00 to City Secretary Contract No. 28006 with Dannenbaum Engineering Corporation for Sanitary Sewer Main 257 and 325 Middle and Upper Village Creek Parallel Relief Alignment Study and Design from Hemphill Street to West Rendon Crowley Road, thereby Increasing the Contract Amount to \$1,320,766.28 (COUNCIL DISTRICTS 6 and 8)
 13. [M&C C-24795](#) - Authorize Execution of an Engineering Agreement in the Amount of \$213,202.00 with Stream Water Group, Inc., for Sanitary Sewer Rehabilitation Contract 76, Biddison Street and Five Alleyways and Adopt Appropriation Ordinance (COUNCIL DISTRICT 9)
 14. [M&C C-24796](#) - Authorize Execution of a Construction Contract in the Amount of \$793,003.85 with Raydon, Inc. for Parking Lot and Athletic Field Improvements at Rolling Hills Soccer Complex (COUNCIL DISTRICT 8)

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. **OCS –1806 – Notice of Claims for Alleged Damages and/or Injuries

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation to His Excellency Daniel Ohene Agyekum - Ambassador of Ghana to the United States
2. Presentation of Proclamation of Billy Bob's Texas Day

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

XI. PRESENTATIONS BY THE CITY COUNCIL

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

XIII. RESOLUTIONS

1. A Resolution Amending the Rules of Procedures of the City Council of the City of Fort Worth, Texas (**Continued from March 8, 2011**)
2. A Resolution Allocating \$4,500,000.00 for the Drainage Component of the Harley Street Realignment Project from Certain Storm Water Utility Funds and Directing that \$1,500,000.00 of Such Funds be Reimbursed to the Storm Water Utility Operating Fund from the Proceeds of the Next Available General Obligation Bond Fund Sale

XIV. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-17200](#) - Adopt Ordinance Revising the Lake Worth Use Fees and Amending Section 18-4, Chapter 18, Lake Worth of the City Code and Authorize the City Manager to Execute Agreements with Outside Businesses and Entities for the Selling of Boat Stickers Required Under this Ordinance (COUNCIL DISTRICT 7) (**Continued from a Previous Meeting**)
2. [M&C G-17200](#) - (**Revised**) Adopt Ordinance Amending Section 18-4, Lake Worth Use Fees of Chapter 18, Lake Worth of the City Code to Provide for the Collection of Boat Ramp Use Fees and Authorize the City Manager to Execute Agreements to Outsource the Collection of the Fees (COUNCIL DISTRICT 7)
3. [M&C G-17239](#) - Authorize Increase of Funds by \$1,482,000.00 for the Existing Professional Services Agreements for Technology Staffing and Placement Services with Digital Intelligence Systems Corporation, Matrix Resources, Inc., and Sentari Technologies, Inc., for the Information Technology Solutions Department

4. [M&C G-17240](#) - Authorize Increase of Funds by \$287,000.00 for the Existing Services Agreements for Technology Staffing and Placement Services with TEKsystems, Inc., for the Information Technology Solutions Department
5. [M&C G-17241](#) - Approve Applications for Partial Approval of the Historic Site Tax Exemption for 1405 Fairmount Avenue, 1941 Hurley Avenue, 2223 Harrison Avenue, 1704 Alston Avenue, 2251 College Avenue, 1951 College Avenue and 2000 Alston Avenue (COUNCIL DISTRICT 9)
6. [M&C G-17242](#) - Approve Verification of Historic Site Tax Exemption for 2221 6th Avenue, 1409 South Henderson Street, 1014 West Arlington Avenue, 2100 Hemphill Street, 1704 Alston Avenue and 2251 College Avenue (COUNCIL DISTRICT 9)
7. [M&C G-17243](#) - Adopt Supplemental Appropriation Ordinance in the General Fund in the Amount of \$199,953.84 for the Payment to Concho Development I, L.P., for Services Approved by M&C C-23527 and Performed Under City Secretary Contract No. 38618 Related to the Use of the Post Office as a Future City Hall and Decrease the **Unaudited, Unreserved, Undesignated General Fund Balance** (COUNCIL DISTRICT 9)
8. [M&C G-17244](#) - Adopt Resolution Notifying the Board of Trustees of the Employees' Retirement Fund of the City of Fort Worth of City Council's Intent to Consider Benefit Reductions
9. [M&C G-17245](#) - Adopt Ordinance Amending Chapter 2, Article VI, Division 1, of the City Code, Entitled Employees Retirement Fund by Amending Section 2-201 to Add a Definition of Fire Fighter, and to Amend the Following Sections for Employees Hired On or After July 1, 2011, Who Are Not Police Officers or Fire Fighters, Section 2-206 to Change the Requirements for Normal Retirement and Vested Retirement Dates, Section 2-207 to Change the Compensation Base and Implement an Overtime Cash

Balance Account, Section 2-208 to the Change the Multiplier for Vested Termination Pension, Section 2-210 to the Change the Multiplier for Standard Pension Benefit and to Eliminate the Cost of Living Adjustment, Section 2-211 to Change the Multiplier for Disability Pension, and Section 2-212 to Create an Actuarially Neutral Survivor Benefit

10. [M&C G-17246](#) - Adopt Supplemental Appropriation Ordinance in the Amount of \$148,011 for Fiscal Year 2010 Year End Budget Adjustments and Decrease the **Unaudited, Unreserved, Undesignated General Fund Balance** by the Same Amount
11. [M&C G-17247](#) - Ratify Approval and Certification of Presbyterian Night Shelter's Application for Emergency Solutions Grants Program 2011 Funds from the Texas Department of Housing and Community Affairs
12. [M&C G-17248](#) - Conduct Public Hearing Regarding the Appeal of GPS Destiny Daycare's Transportation Impact Fees for a Daycare Center to be Located at 6138 Westcreek Drive (COUNCIL DISTRICT 6) (**PUBLIC HEARING**)
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action
13. [M&C G-17249](#) - Adopt and Amend the 2009 Editions of the International Building Code, International Residential Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code and International Energy Conservation Code and Adopt a Corresponding Amendment to the Minimum Building Standards Code
14. [M&C G-17250](#) - Adoption of the 2009 International Fire Code with Local Amendments

C. Purchase of Equipment, Materials, and Services

1. [M&C P-11216](#) - Authorize Execution of a Professional Services Agreement with Citibank for the City's Securities Lending Program

D. Land

1. [M&C L-15157](#) - Authorize Lease Agreement with Chesapeake Exploration, LLC, in the Amount of \$57,230.51 for Natural Gas Drilling Under 16.231 Acres of City-Owned Properties Known as Creekside Park Located at 3100 Roddy Drive (COUNCIL DISTRICT 6)
2. [M&C L-15158](#) - Authorize Lease Agreement with Chesapeake Exploration, LLC, in the Amount of \$23,201.08 for Natural Gas Drilling Under 6.58 Acres of City-Owned Properties Known as Lincolnshire Park Located at 1425 Horncastle Street (COUNCIL DISTRICT 6)
3. [M&C L-15159](#) - Authorize Lease Agreement with Chesapeake Exploration, LLC, in the Amount of \$30,595.10 for Natural Gas Drilling Under 8.677 Acres of City-Owned Properties Known as Willowcreek Park Located at 1285 Sycamore School Road (COUNCIL DISTRICT 6)
4. [M&C L-15160](#) - Authorize Sale of Fifty-Nine Tax-Foreclosed Properties in Accordance with Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Property Tax Code for a Total of \$113,051.03 (COUNCIL DISTRICTS 2, 4, 5, 7, 8 and 9)
5. [M&C L-15161](#) - Authorize Execution of a Temporary Access Agreement with Texas Midstream Gas Services, L.L.C. in the Amount of \$96,444.00 for Temporary Workspace and Allow Ingress and Egress Access on a Portion of the Surface of Jefferson Davis Park (COUNCIL DISTRICT 9)

E. Planning & Zoning - None

F. Award of Contract

1. [M&C C-24768](#) - Authorize Execution of a Contract in the Amount of \$593,747.75 with Jet Underground Utilities, Inc., for Concrete Restoration 2011-10 at Three Locations and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 3 and 6) **(Continued from a Previous Meeting)**
2. [M&C C-24768](#) - **(Revised)** Authorize Execution of a Contract in the Amount of \$593,747.75 with Jet Underground Utilities, Inc., for Concrete Restoration 2011-10 at Three Locations and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 3 and 6)
3. [M&C C-24797](#) - Authorize Execution of a Public Right-of-Way Use Agreement Granting Barnett Gathering, LP, a License to Construct and Operate a Natural Gas Gathering Pipeline Across Beach Street, North of Ludelle Street and Across Conner Avenue, North of Ludelle Street for a One-Time License Fee of \$9,911.00 (COUNCIL DISTRICT 8)
4. [M&C C-24798](#) - Rescind M&C C-24578 and Authorize Execution of Public Right-of-Way Use Agreement with Texas Midstream Gas Services, LLC, a License to Construct and Operate a Natural Gas Gathering Pipeline Across Cleburne Road, Along Risinger Road and Across Cunningham Road for a One-Time License Fee of \$273,674.50 (COUNCIL DISTRICT 6)
5. [M&C C-24799](#) - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, LLC, a License to Construct and Operate a Natural Gas Gathering Pipeline Across West Dickson Street, Across Alleys at Stanley Avenue, Butler Street, Dickson Street, Waggoman Street, Barr Street and Drew Street, Across Barr Street, Across West Seminary Drive, Across the Alley Between Seminary Drive and Broadus Street, Across West Broadus Street, and Across West Gambrell Street, West Boyce Avenue and West Fuller Avenue for a One-Time License Fee of \$189,992.00 (COUNCIL DISTRICTS 3 and

- 9)
6. [M&C C-24800](#) - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, LLC, a License to Construct and Operate a Natural Gas Gathering Pipeline Across 29th Street, East of Commerce Street and Across 23rd Street, East of Niles City Boulevard for a One-Time License Fee of \$5,516.50 (COUNCIL DISTRICT 2)
 7. [M&C C-24801](#) - Authorize Execution of an Interlocal Agreement with Tarrant County and Acceptance of Award in the Amount of \$4,500,000.00 through Participation in the Construction Project to Realign Harley Avenue from University Drive to Montgomery Street, Adopt Supplemental Ordinance Increasing Appropriations in the Storm Water Utility Fund in the Amount of \$1,500,000.00 and Decreasing the **Unaudited, Unreserved, Undesignated Fund Balance** by the Same Amount and Adopt Appropriation Ordinance for the Storm Water Capital Projects Fund and Grant Capital Projects Fund (COUNCIL DISTRICT 7)
 8. [M&C C-24802](#) - Authorize Execution of a Contract with Cutler Repaving, Inc. in the Amount of \$1,942,439.30 for Hot Mix Asphaltic Concrete Hot In-Place Recycling at Various Locations (COUNCIL DISTRICTS 2, 7, 8 and 9)
 9. [M&C C-24803](#) - Authorize Execution of a Contract with the Lowest Responsive and Responsible Bidder, Tri-Tech Construction, Inc., in an Amount Up to \$2,000,000.00 for the Miscellaneous Storm Drain Improvements Contract-2011 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
 10. [M&C C-24804](#) - Authorize Application for, Acceptance and Execution of a Fiscal Year 2009 American Recovery and Reinvestment Act Grant Fund Round 2 with the North Central Texas Council of Governments in the Amount of \$259,910.00 for the Purpose of Converting

Ten Vehicles to Propane Operation, Upgrade Three Existing Alternative Fueling Sites and Adopt Appropriation Ordinance

11. [M&C C-24805](#) - Authorize Interlocal Agreement with Tarrant County Local Workforce Development Board in the Initial Amount of \$35,000.00 for Operation of Meadowbrook Branch Library with Additional Emphasis on Providing Workforce Services and Resources, Authorize an Interfund Loan and Adopt Appropriation Ordinance (COUNCIL DISTRICT 5)

XV. ZONING HEARING

1. **Zoning Docket No. ZC-10-094 - (CD 2)** - Commercial Metals Company, 2400 NE 36th Street; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus metal recycling facility; site plan included. **(Recommended for Approval) (Continued from a Previous Meeting)**
2. **Zoning Docket No. ZC-11-019 - (CD 3)** - The Gas Pipe/Amy Lynn Inc., 6025 Camp Bowie Boulevard & 3309 Winthrop Avenue; from: "MU-1" Low Intensity Mixed Use to: "MU-1/HSE" Low Intensity Mixed Use/Highly Significant Endangered **(Recommended for Approval) (Continued from a Previous Meeting)**

XVI. CITIZEN PRESENTATIONS

1. Mr. Joe Don Brandon, P.O. Box 1155 – "Salvation Army and Humane Society of North Texas – Safety & Health Issues"

XVII. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER)

XVIII. 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. The Mayor, at his discretion, may reasonably extend these limits.

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.



**AUDIT AND FINANCE ADVISORY COMMITTEE
AGENDA
Thursday, March 24, 2011
3:00 p.m.**

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

Council Member Jungus Jordan, Chair
Council Member Kathleen Hicks, Vice Chair
Mayor Pro Tem Danny Scarth
Carter Burdette, Council Member
John Stevenson, Citizen
Vickie Stevens, Citizen

Karen Montgomery, Assistant City Manager
Lena Ellis, Financial Management Services Director/CFO
Peter Vaky, Senior Assistant City Attorney
Darlene Allen, City Auditor
Virginia Gomez, Recording Secretary

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- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1. Call to Order/Welcome | Council Member Jungus Jordan, Chair |
| 2. Approval of Minutes from Meeting Held February 24, 2010 | Committee |
| 3. Review of Fiscal Year 2010 Audit Results | Lena Ellis, FMS Director/CFO
Terry Kile, Deloitte & Touche LLP |
| 4. Update of Enterprise Resource Planning (ERP) Phase I | Gary Goforth, FMS Financial Services
Manager |
| 5. Update of Enterprise Resource Planning (ERP) Phase II | Lena Ellis, FMS Director/CFO
Greg Jordan, FMS Asst. Director |
| 6. Executive Session
The Audit and Finance Advisory Committee will conduct a closed meeting, as necessary, to seek the 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. | |
| 7. Future Agenda Items | Committee |
| 8. Next Meeting – Thursday, April 28, 2011, at 3:00 p.m. in the Pre-Council Chambers | |
| 9. 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.

ASSISTANCE AT THE PUBLIC MEETING

The Fort Worth City Hall and the Pre-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 Virginia Gomez at 817-392-1206, e-mail: Virginia.Gomez@fortworthgov.org, or call TDD 817-392-8856 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

**City of Fort Worth
Audit and Finance Advisory Committee
Minutes of the Meeting Held
February 24, 2011**

Committee Members Present:

Jungus Jordan, Council Member and Committee Chair
Kathleen Hicks, Council Member and Committee Vice Chair
Danny Scarth, Mayor Pro Tem and Committee Member
Carter Burdette, Council Member and Committee Member
Vickie Stevens, Citizen Appointee
John M. Stevenson, Citizen Appointee

Absent:

City Staff Present:

Karen Montgomery, Assistant City Manager
Darlene Allen, City Auditor
Walter Peoples, Assistant Director, Financial Management Services
Peter Vaky, Assistant City Attorney

Call to Order

Vice Chair Kathleen Hicks called the meeting to order.

Approval of Minutes

The first order of business was approving the minutes from the November 10, 2010 and January 27, 2011 meetings. Mr. Stevenson made a motion for approval and Ms. Stevens seconded the motion. The motion was approved.

**Presentation of
Employee's Retirement
Fund Quarterly
Performance Report**

Ruth Ryerson, Executive Director of the Employees Retirement Fund.

The topics Ms. Ryerson addressed included the 2010 market environment and the ERF investment returns. While discussing the 2010 market environment, Ms. Ryerson advised the committee that every major asset class posted positive returns. She also pointed out that the new pension administration system is now operational. The first live retiree payroll was run successfully in December 2010.

**Update on Fiscal Year
2010 Comprehensive
Annual Financial Report
(CAFR)**

Walter Peoples, FMS Assistant Director
Kevin Smith, Crowe Horwath

Mr. Peoples introduced Kevin Smith of Crowe Horwath. Mr. Smith advised the Committee that the 2010 CAFR development process is in the final stages and is progressing according to schedule. All expectations are that the CAFR will be delivered to the City Council at the appointed time.

**Update on the City's
Investment Portfolio**

James Mauldin, City Treasurer

Mr. Mauldin compared the performance of the City's investment

City of Fort Worth
Audit and Finance Advisory Committee
Minutes of the Meeting Held
February 24, 2011

portfolio to the overall market. He advised the Committee that policy restricts investment terms to a maximum of five years. In addition, he provided a detailed analysis of the composition of the investment portfolio.

Executive Session

Not Required

Future Agenda Items

Staff to provide report of history of Financial Management Services Department's challenges and progress in meeting financial report (CAFR) deadlines over the last five years.

Staff to provide updates on the current status of ERP Phases 1 & 2.

Next Meeting

Thursday, March 24, 2011 at 3:00 p.m. in the Pre Council Chamber

Adjournment

Meeting adjourned.



Updated March 17, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

March 22, 2011

8:30 a.m. Pre-Council Meeting

Continued Items:

- **Resolution** – A Resolution Amending the Rules of Procedures of the City Council of the City of Fort Worth, Texas (**Continued from March 8, 2011 by Staff**)
- **M&C G-17200** - Adopt Ordinance Revising the Lake Worth Use Fees and Amending Section 18-4, Chapter 18, Lake Worth of the City Code and Authorize the City Manager to Execute Agreements with Outside Businesses and Entities for the Selling of Boat Stickers Required Under this Ordinance (**Continued from February 8, 2011 by Staff**)
- **M&C C-24768** - Authorize Execution of a Contract in the Amount of \$593,747.75 with Jet Underground Utilities, Inc., for Concrete Restoration 2011-10 at Three Locations and Adopt Appropriation Ordinance (**Continued from March 8, 2011 by Staff**)
- **ZC-10-094** - Commercial Metals Company, 2400 NE 36th Street; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus metal recycling facility; site plan included (**Continued from November 9, 2010 by Council Member Espino**)
- **ZC-11-019** - The Gas Pipe/Amy Lynn Inc., 6025 Camp Bowie Boulevard & 3309 Winthrop Avenue; from: "MU-1" Low Intensity Mixed Use to: "MU-1/HSE" Low Intensity Mixed Use/Highly Significant Endangered (**Continued from March 8, 2011 by Council Member Zimmerman**)
- o Pension Update [*Karen Montgomery, City Manager's Office and Doug Anderson, Area Vice President, Gallagher Benefit Services, Inc.*]

March 24, 2011 (**Thursday**)

3:00 p.m. Audit and Finance Advisory Committee

March 29, 2011

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

**11:30 .am. Joint Meeting of the Fort Worth City Council and The T
Fort Worth Convention Center (Room 100)**



Updated March 17, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

April 5, 2011 *Monthly Zoning Meeting*

11:00 a.m. Legislative and Intergovernmental Affairs Committee

1:00 p.m. Housing and Economic Development Committee

3:00 p.m. Pre-Council Meeting

Continued Items:

- **M&C G-17140** - Conduct Public Hearing, Adopt a Resolution Designating the Six Points Area as a Neighborhood Empowerment Zone and Adopt Ordinance Designating the Six Points Area as Neighborhood Empowerment Reinvestment Zone No. 38 (**Public Hearing**) (**Continued from March 8, 2011 by Staff**)
- **ZC-11-006A** - City of Fort Worth Planning & Development, 2423 Clinton Avenue; from: "F" General Commercial to: "UR" Urban Residential (**Recommended for Approval**) (**Continued from March 8, 2011 by Council Member Espino**)
- o Briefing on Year End Closing M&C and Comprehensive Annual Financial Report (CAFR) [*Lena Ellis, Financial Management Services*]
- o Code Compliance Quarterly Update [*Brandon Bennett, Code Compliance*]

April 12, 2011

1:00 p.m. Infrastructure & Transportation Committee

3:00 p.m. Pre-Council Meeting

- **Zoning Docket No. ZC-11-025 - (CD 6)** - Richard Young, 5700 McCart Avenue; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus auto detailing shop; site plan waiver requested. (**Continued from March 8, 2011 by Council Member Jordan**)

April 13, 2011 (Wednesday)

Legislative Trip (Washington, DC)



Updated March 17, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

April 14, 2011 *(Thursday)*

Legislative Trip (Washington, DC)

April 15, 2011 *(Friday)*

Legislative Trip (Washington, DC)

April 19, 2011

8:30 a.m. Pre-Council Meeting

- o Briefing on Lake Arlington Master Plan [*Dana Burghdoff, Planning and Development and Julie Hunt, Arlington Water Director, City of Arlington*]

April 26, 2011

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

April 28, 2011 *(Thursday)*

3:00 p.m. Audit and Finance Advisory Committee

May 3, 2011 *Monthly Zoning Meeting*

11:00 a.m. Legislative and Intergovernmental Affairs Committee

1:00 p.m. Housing and Economic Development Committee

3:00 p.m. Pre-Council Meeting



Updated March 17, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

May 10, 2011

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

May 17, 2011

8:30 a.m. Pre-Council Meeting

- o 2nd Quarter Financial Update [*Horatio Porter, Budget Officer*]

May 19, 2011 (Thursday)

7:00 p.m. Fort Worth Crime Control and Prevention District Board of Directors Meeting (Pre-Council Chamber)

May 24, 2011

8:30 a.m. Pre-Council Meeting

May 26, 2011 (Thursday)

3:00 p.m. Audit and Finance Advisory Committee

May 31, 2011

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

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
MARCH 8, 2011**

Present

Mayor Mike Moncrief
Mayor Pro tem Daniel Scarth, District 4
Council Member Salvador Espino, District 2
Council Member W. B. "Zim" Zimmerman, District 3
Council Member Frank Moss, District 5
Council Member Jungus Jordan, District 6
Council Member Carter Burdette, District 7
Council Member Kathleen Hicks, District 8
Council Member Joel Burns, District 9

Staff Present

Tom Higgins, Interim City Manager
Sarah Fullenwider, City Attorney
Marty Hendrix, City Secretary

I. CALL TO ORDER

With a quorum of the City Council Members present, Mayor Moncrief called the regular session of the Fort Worth City Council to order at 7:15 p.m., on Tuesday, March 8, 2011, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

II. INVOCATION - Reverend Milton Pace, Saintsville Cathedral Fort Worth

The invocation was provided by Reverend Milton Pace, Saintsville Cathedral Fort Worth.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF MARCH 1, 2011

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Jordan, that the minutes of the regular meeting of March 1, 2011, be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

Interim City Manager Higgins requested that Mayor and Council Communication Nos. C-24766 and C-24768 be withdrawn from the Consent Agenda.

VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

Interim City Manager Higgins requested that Mayor and Council Communication No. C-24768 be continued until the March 22, 2011, Council meeting.

VII. CONSENT AGENDA

Motion: Council Member Hicks made a motion, seconded by Council Member Espino, that the Consent Agenda be approved as amended. The motion carried unanimously nine (9) ayes to zero (0) nays.

A. General - Consent Items

1. M&C G-17220 - Adopt the Semi-Annual Progress Report from the Capital Improvements Advisory Committee for Transportation Impact Fees.

The City Council approved the following recommendation: Adopt the 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-17221 - Approve Settlement with Texas Department of Transportation for Disallowed Overtime Payments Made to the City of Fort Worth Under the Selective Traffic Enforcement Program Grants in the Amount of \$231,364.82 and Authorize Execution of Necessary Related Documents.

The City Council approved the following recommendation: Approve a Settlement With the Texas Department of Transportation (TxDOT) for Disallowed Overtime Payments Made to the City of Fort Worth Under the Selective Traffic Enforcement Program Grants in the Amount of \$231,364.82, to be Paid as Follows:

- a. Payment of \$70,125.66 for Reimbursements Made by TxDOT in FY 2008;
- b. Payment of \$55,755.76 for Reimbursements Made by TxDOT in FY 2009; and
- c. Retention by TxDOT of \$105,483.40 That was previously set Aside to be Reimbursed to the City in FY 2010; and

Authorize the City Manager to Execute any Necessary Related Agreements or Documents to Complete the Settlement.

(VII. CONSENT AGENDA Continued)

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

1. M&C P-11202 - Authorize Non-Exclusive Purchase Agreements with Shamrock Pipe Tools, Inc., Sewer Equipment Company of America, Texas Municipal Equipment, LLC, 4-STAR Hose & Supply Inc., and Texas Underground Inc., for Sewer Cleaning Equipment Parts for the Water Department for an Initial Combined Annual Amount of \$300,000.00.

The City Council approved the following recommendation: Authorize Non-Exclusive Purchase Agreements With Shamrock Pipe Tools, Inc.; Sewer Equipment Company of America; Texas Municipal Equipment, LLC; 4-STAR Hose & Supply Inc.; and Texas Underground Inc., for Sewer Cleaning Equipment Parts for the Water Department, for an Initial Combined Annual Amount of \$300,000.00.

2. M&C P-11203 - Authorize a Purchase Agreement with Lawn Patrol Service, Inc., to Provide Right-of-Way Grounds Maintenance and Mowing Services for the Parks and Community Services Department for an Initial Annual Amount of \$361,300.00.

The City Council approved the following recommendation: Authorize a Purchase Agreement With Lawn Patrol Service, Inc., to Provide Right-of-Way Grounds Maintenance and Mowing Services for the Parks and Community Services Department for an Initial Annual Amount of \$361,300.00.

3. M&C P-11204 - Authorize Purchase Agreements with Blagg Building Company, LLC, Harris Lawn Care Service, Scott Landscape Maintenance, Inc., and Whitmore & Sons, Inc., to Provide Grounds Maintenance and Mowing Services for the Parks and Community Services Department for a Combined Initial Annual Amount of \$509,176.00.

The City Council approved the following recommendation: Authorize Purchase Agreements With Blagg Building Company, LLC; Harris Lawn Care Service; Scott Landscape Maintenance, Inc., and Whitmore & Sons, Inc., to Provide Grounds Maintenance and Mowing Services for the Parks and Community Services Department for a Combined Initial Annual Amount of \$509,176.00.

C. Land - Consent Items

1. M&C L-15150 - Authorize Execution of a Lease Amendment with Alliance Center-East Association for Office Space Located at 2421 Westport Parkway, Suite 800 for the Police Department.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Lease Amendment for Office Space Located at 2421 Westport Parkway, Suite 800, for the Police Department With Alliance Center-East Association at a Cost of \$1.00 per year.

(VII. CONSENT AGENDA Continued)

2. M&C L-15151 - Authorize the Acceptance of a Dedication Deed from AIL Investment, L.P., at No Cost to the City for 0.537 Acres of Land for Right-of-Way Required for the Widening of Old Denton Road South of Golden Triangle Boulevard.

The City Council approved the following recommendation: Authorize the Acceptance of a Dedication Deed From AIL Investment, L.P., at No Cost to the City of Fort Worth for 0.537 Acre of Land Described as Abstract 999, Tract 12, William McCowan Survey, Fort Worth, Tarrant County, Texas, for Right-of-Way Required for the Widening of Old Denton Road South of Golden Triangle Boulevard; and Authorize the City Manager, or His Designee, to Accept and Record the Appropriate Instruments to Complete the Conveyance.

3. M&C L-15152 - Authorize the Acquisition of a Fee Simple Interest in a Total of 0.204 Acres of Land for Right-of-Way Easement Interests in a Total of 1.35 Acres for Drainage and a Temporary Easement Interest in 0.221 Acres for Construction Located on John Day Road in the Crockett Perry Survey, Abstract 1031, the Greenberry Overton Survey, Abstract 972 from Texas Christian University for a Total of \$45,998.00, and Pay the Estimated Closing Costs Up to \$3,000.00 for the Alliance Airport Runway Extension Project.

The City Council approved the following recommendation: Authorize the Acquisition of a Fee Simple Interest in a Total of 0.204 Acre of Land for Right-of-Way Easement Interests in a Total of 1.35 Acres for Drainage and a Temporary Easement Interest in 0.221 Acre for Construction Located on John Day Road, Described as Abstract 1031, Crockett Perry Survey and Abstract 972, Greenberry Overton Survey, From Texas Christian University for the Alliance Airport Runway Extension Project; Find That the Total Price of \$45,998.00 is Just Compensation for the Acquisitions; and Authorize the City Manager or His Designee to Accept the Conveyance, Record the Appropriate Instruments and Pay the Estimated Closing Costs Up to \$3,000.00.

4. M&C L-15153 - Authorize the Purchase of Fee Simple Interest in a Total of 0.582 Acres of Land and Temporary Easement Interest in a Total of 8.00 Acres for Construction, Located at 11300 Alta Vista Road and 3500 Keller Hicks Road from the Keller Independent School District for a Total of \$120,033.00 and Pay Estimated Closing Costs of \$5,100.00.

The City Council approved the following recommendation: Authorize the Purchase of a Fee Simple Interest in 0.529 Acre of Land for Right-of-Way and a Temporary Easement Interest in 0.459 Acre for Construction, Located at 11300 Alta Vista Road, Described as Abstract 70, Keller Independent School District Tract, Jesse Billingsley Survey, Fort Worth, Tarrant County Texas, From Keller Independent School District; Authorize the Purchase of a Fee Simple Interest in 0.053 Acre of Land for Right-of-Way and a Temporary Easement Interest in 7.54 Acres Located at 3500 Keller Hicks Road, Described as Block 1, Lot 2, Keller Hicks Middle School Addition, Fort Worth, Tarrant County, Texas, From

(VII. CONSENT AGENDA Continued)

(L-15153 Continued)

Keller Independent School District; Find That the Price of \$84,917.00 Offered for the Purchase of the Right-of-Way and \$35,116.00 Offered to Purchase the Temporary Construction Easements is Just Compensation; and Authorize the City Manager or His Designee to Accept the Conveyance and Record the Appropriate Instruments and to Pay Closing Costs Up to \$5,100.00.

E. Award of Contract - Consent Items

1. M&C C-24764 - Authorize the City Manager to Execute an Interlocal Agreement with Tarrant County for the Expansion of the City's Auto Pound Facility on Brennan Avenue, Including City Participation Not to Exceed \$121,726.00 for Material Cost Reimbursement, and Adopt Appropriation Ordinance.

The City Council approved the following recommendation: Authorize the Transfer of \$121,726.00 From the General Fund to the Specially Funded Capital Projects Fund; Adopt Appropriation Ordinance No. 19574-03-2011 Increasing the Estimated Receipts and Appropriations in the Specially Funded Capital Projects Fund in the Amount of \$121,726.00, From Available Funds, for the Purpose of Reimbursing Material Costs Related to the Expansion of the Auto Pound Facility at the Former Brennan Avenue Service Center; and Authorize the City Manager to Execute an Interlocal Agreement With Tarrant County With City Participation Not to Exceed \$121,726.00.

2. M&C C-24765 - Approve Correction of M&C C-24619 to Revise the Contract Amount from a Cost Not to Exceed \$164,439.00 to a Cost Not to Exceed \$169,439.00 for the Fort Worth Hispanic Chamber of Commerce to Assist Minority and Women Business Enterprises and Small Businesses.

The City Council approved the following recommendation: Approve the Correction of M&C C-24619 to Revise the Contract Amount From a Cost Not to Exceed \$164,439.00 to a Cost Not to Exceed \$169,439.00 With the Fort Worth Hispanic Chamber of Commerce to Assist Minority and Women Business Enterprises and Small Businesses for the Period of October 1, 2010, Through September 30, 2011.

4. M&C C-24767 - Authorize Amendment No. 4 in the Amount of \$57,006.00 to City Secretary Contract No. 35497, an Engineering Agreement with TranSystems Corporation Consultants, for the Storm Water Utility Project Kermit-Bonnie Drainage Improvements, 4600 Block of Merida Avenue, Sarita Channel and Waverly Park, thereby Revising the Total Contract Cost to \$319,047.00.

(VII. CONSENT AGENDA Continued)

(C-24767 Continued)

The City Council approved the following recommendation: Authorize the City Manager to Execute Amendment No. 4 in the Amount of \$57,006.00 to City Secretary Contract No. 35497 With TranSystems Corporation Consultants, for the Storm Water Utility Project Kermit-Bonnie Drainage Improvements, 4600 Block of Merida Avenue, Sarita Channel and Waverly Park, Thereby Revising the Total Contract Cost to \$319,047.00.

6. M&C C-24769 - Authorize Execution of a Long-Term Loan Agreement Between the City of Fort Worth and the Fort Worth Museum of Science and History to Appropriately Store and Periodically Exhibit the Original 1935 Architectural Rendering of the Will Rogers Memorial Complex at No Cost to the City.

The City Council approved the following recommendation: Authorize the City Manager to Enter Into a Long-Term Loan Agreement Between the City of Fort Worth and the Fort Worth Museum of Science and History to Appropriately Store and Periodically Exhibit the Original 1935 Architectural Rendering of the Will Rogers Memorial Complex at No Cost to the City.

7. M&C C-24770 - Authorize Amendment to City Secretary Contract No. 39319 with NashWest, LLC, Increasing Compensation by \$85,000.00 for Phase II Reconciliation of the Municipal Court Services Financial Accounts and Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the General Fund by \$85,000.00 and Decreasing the Unaudited, Unreserved, Undesignated General Fund Fund Balance by the Same Amount.

The City Council approved the following recommendation: Authorize the City Manager to Amend City Secretary Contract No. 39319 With NashWest, LLC, for Phase II Reconciliation of the Municipal Court Services Financial Accounts to Increase Compensation by \$85,000.00 for a Total Projected Compensation of \$160,006.00; and Adopt Supplemental Appropriation Ordinance No. 19575-03-2011 Increasing the Estimated Receipts and Appropriations in the General Fund, and Decreasing the Unaudited, Unreserved, Undesignated General Fund Balance by the Same Amount, for the Purpose of Providing Funding the Reconciliation.

8. M&C C-24771 - Authorize Execution of an Engineering Agreement in the Amount of \$143,583.00 with Multatech Engineering, Inc. for Water and Sanitary Sewer Rehabilitation Contract 2009, WSM-K on Meadowbrook Drive and Adopt Appropriation Ordinance.

The City Council approved the following recommendation: Authorize the Transfer of \$159,583.00 From the Water and Sewer Fund, \$138,789.00 to the Water Capital Projects Fund and \$20,794.00 to the Sewer Capital Projects Fund; Adopt Appropriation Ordinance No. 19576-03-2011 Increasing the

(VII. CONSENT AGENDA Continued)

(C-24771 Continued)

Estimated Receipts and Appropriations in the Water Capital Projects Fund and in the Sewer Capital Projects Fund, From Available Funds, for the Purpose of Funding Water and Sanitary Sewer Rehabilitation Contract 2009, WSM-K; and Authorize the City Manager to Execute a Contract in the Amount of \$143,583.00 With Multatech Engineering, Inc.

9. M&C C-24772 - Authorize Execution of a Contract in the Amount of \$527,790.16 with Ratech Construction, Inc., for Certain Boat Ramp and Marker Buoy Improvements Associated with the Lake Worth Restoration and Maintenance Project Phase II and Adopt Appropriation Ordinances.

The City Council approved the following recommendation: Adopt Appropriation Ordinance No. 19577-03-2011 Increasing the Estimated Receipts and Appropriations in the Lake Worth Gas Lease Capital Improvement Fund in the Amount of \$587,790.16 From Gas Well Revenues, for the Purpose of Transferring Said Funds to the Water Capital Projects Fund for Boat Ramp and Buoy Marker Improvements Associated With the Lake Worth Restoration and Maintenance Project Phase II; Authorize the Transfer From the Lake Worth Gas Lease Capital Improvement Fund to the Water Capital Projects Fund; Adopt Appropriation Ordinance No. 19578-03-2011 Increasing the Estimated Receipts and Appropriations in the Water Capital Projects Fund From Available Funds; and Authorize the City Manager to Execute a Contract With Ratech Construction, Inc., in the Amount of \$527,790.16.

10. M&C C-24773 - Authorize Execution of an Engineering Agreement in the Amount of \$174,760.00 with Dannenbaum Engineering Corporation, for Sanitary Sewer Replacement Contract 83 in an Area Bound by Weatherford Traffic Circle, Vickery Boulevard/Marks Place, Southwest Boulevard and Old Benbrook Road and Adopt Appropriation Ordinance.

The City Council approved the following recommendation: Authorize the Transfer of \$193,760.00 From the Water and Sewer Fund to the Sewer Capital Projects Fund; Adopt Appropriation Ordinance No. 19579-03-2011 Increasing the Estimated Receipts and Appropriations in the Sewer Capital Projects Fund, From Available Funds for the Purpose of Funding Sanitary Sewer Rehabilitation Contract 83 in an Area Bound by Weatherford Traffic Circle, Vickery Boulevard/Marks Place, Southwest Boulevard and Old Benbrook Road; and Authorize the City Manager to Execute a Contract in the Amount of \$174,760.00 With Dannenbaum Engineering Corporation.

(VII. CONSENT AGENDA Continued)

11. M&C C-24774 - Authorize First Renewal of a Contract in the Amount of \$500,000.00 with Westhill Construction, Inc., for Utility Cut Repair Contract 2009 UC01-2010 at Various Locations Throughout the City.

The City Council approved the following recommendation: Authorize the City Manager to Execute the First Renewal of a Contract in the Amount of \$500,000.00 With Westhill Construction, Inc., for Utility Cut Repair Contract 2009 UC01-2010 at Various Locations Throughout the City, Revising the Total Contract to \$1,000,000.00.

12. M&C C-24775 - Authorize Execution of a Construction Contract with Riley and Associates Plumbing and Mechanical in the Amount of \$82,000.00 to Install Grease Trap Interceptors at Como, Worth Heights and North Tri-Ethnic Community Centers.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Construction Contract With Riley and Associates Plumbing and Mechanical in the Amount of \$82,000.00 for the Installation of Grease Trap Interceptors at Como, Worth Heights and North Tri-Ethnic Community Centers.

13. M&C C-24776 - Authorize Execution of a Construction Contract with C.E. Cook & Sons, Inc. in the Amount of \$156,256.25 for Parking Lot Improvements at Marion Sansom Park.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Construction Contract With C.E. Cook & Sons, Inc., in the Amount of \$156,256.25 for Parking Lot Improvements at Marion Sansom Park.

14. M&C C-24777 - Authorize Amendment to Modify the Fee Structure in City Secretary Contract 38500, License Agreement with Mayfest, Inc., for the Use of Trinity Park for the Annual Mayfest Event.

The City Council approved the following recommendation: Authorize the City Manager to Execute an Amendment to City Secretary Contract No. 38500, License Agreement With Mayfest, Inc., for the Use of Trinity Park for the Annual Mayfest Event, Modifying the Fee Structure From 20 Percent of Net Annual Operating Profits, to a Fixed Annual Amount of \$25,000.00 Plus 10 Percent of Net Profits.

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1805 - Notice of Claims for Alleged Damages and/or Injuries

End of Consent Agenda.

E. Award of Contract (Removed from Consent for Individual Consideration)

3. M&C C-24766 - Authorize Contract with the North Texas Area Community Health Center, Inc. for the Development of the Southside Community Health Center to be Located at 2909 Mitchell Boulevard in the Amount of \$67,605.00 of Community Development Block Grant Funds, Authorize a Substantial Amendment to the City's 2009-2010 Action Plan and Authorize a Transfer of Funds and Adopt Appropriation Ordinance.

The recommendation was that the City Council Authorize a Substantial Amendment to the City's 2009-2010 Action Plan; Authorize the Transfer of \$67,605.00 From the Community Development Block Grant Revolving Loan Fund to the Grants Fund for the Development of the Southside Community Health Center to be Located at 2909 Mitchell Boulevard; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Grants Fund in the Amount of \$67,605.00, From Available Funds; Authorize the City Manager or His Designee, to Execute a Contract With the North Texas Area Community Health Center, Inc., for a One (1) Year Term Beginning on the Date of Execution of the Contract; Authorize the City Manager or His Designee, to Extend or Renew the Contract for Up to One (1) Year if the North Texas Area Community Health Center, Inc., Requests a Written Extension and if Such Extension is Necessary for the Completion of the Project; and Authorize the City Manager or His Designee, to Amend the Contract if Necessary to Achieve Project Goals and Completion Provided That the Amendment is Within the Scope of the Project and in Compliance With City Policies and Applicable Laws and Regulations Governing the Use of Federal Grant Funds.

Council Member Hicks stated this building had remained vacant for a number of years and was just a couple of blocks from the Masonic Home development. She also stated that this Community Health Center was a necessity, given the higher rates of diabetes, hypertension and other health concerns in the area. She expressed appreciation to Mr. Jay Chapa, Director and Ms. Cynthia Garcia, Assistant Director, Housing and Economic Development Department, for their hard work on this project.

Council Member Espino advised this project was part of the North Texas Area Community Health Center and was a Federally Qualified Health Center (FQHC), which allowed for federal funding. He reiterated the need for this community health center and also expressed appreciation to City staff for their hard work on this project.

Motion: Council Member Hicks made a motion, seconded by Council Member Zimmerman, that Mayor and Council Communication C-24766 be approved with appreciation Mr. Jay Chapa, Director and Ms. Cynthia Garcia, Assistant Director, Housing and Economic Development Department and Appropriation Ordinance No. 19580-03-2011 be adopted. The motion carried nine (9) ayes to zero (0) nays.

5. M&C C-24768 - Authorize Execution of a Contract in the Amount of \$593,747.75 with Jet Underground Utilities, Inc., for Concrete Restoration 2011-10 at Three Locations and Adopt Appropriation Ordinance.

It was the Consensus of the Council that Mayor and Council Communication C-24768, Authorize the Transfer of \$593,747.75 From the Contract Street Maintenance Fund to the General Fund; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the General Fund From Available Funds for the Purpose of Funding Concrete Restoration 2011-10 at three (3) Locations: Bellaire Drive South From Bellaire Ranch Road to Middlewood Drive; Chapel Creek Boulevard From Interstate Highway 30 to Camp Bowie West Boulevard and McCart Avenue From West Cleburne Road to Sycamore School Road; and Authorize the City Manager to Execute a Contract With Jet Underground Utilities, Inc., be continued until the March 22, 2011, Council meeting.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Proclamation for Ryan Place Day

Council Member Burns presented the Proclamation for Ryan Place Day to Mr. John Kline, President, Ryan Place Improvement Association. He stated that Ryan Place, established in 1911 and designed by pioneer developer John C. Ryan, was the first model neighborhood developed in the City of Fort Worth which showcased an example of an exclusive neighborhood. He pointed out that Ryan Place was the first neighborhood in Tarrant County to be honored with a place on the National Register of Historic Places. He further stated that the residents of Ryan Place had been leaders in setting the standards for historic revitalization, neighborhood improvements and community involvement, earning Ryan Place recognition by the City of Fort Worth as a Neighborhood of the Year. He advised that for the past century, Ryan Place residents had stood for the betterment of their neighborhood resulting in the establishment of The Ryan Place Candlelight Tour. He stated this event was created as an effort to raise money to replace the gates on the east and west ends of Elizabeth Boulevard and to this day continued to help fund other projects in the area including the restoration of their historic street lights. He declared that after 100 years, Ryan Place, the oldest intact residential neighborhood in Fort Worth, still stood as the testament of beauty that John C. Ryan envisioned.

Mr. Kline expressed appreciation for the Proclamation and advised that the neighborhood residents looked forward to the next 100 years in Fort Worth.

Ms. Mariann Taccia announced the 100th anniversary celebration would be held on March 12, 2011, at 10:30 a.m., in Daggett Park, followed by a tour of area historic homes from 11:00 a.m. to 3:00 p.m.

(IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC. Continued)

2. Certificate of Recognition for Raymond Jesse "R. J." Teague

Mayor Moncrief presented a Certificate of Recognition for Raymond Jesse "R.J." Teague to Jim Teague and family, Teague Lumber. He advised that Mr. Teague passed away on January 31, 2011, and stated that the City of Fort Worth posthumously recognized Raymond Jesse "R.J." Teague for over six (6) decades of commitment to hard work, fairness and treating people right on his 100th Birthday. He further stated that on March 1, 1911, Mr. Teague was born in a log cabin near Cuba in Wise County and was the eldest son of Oscar and Nora Franklin Teague. He advised that when Mr. Teague was only 10 years old, his mother passed away and left him to help raise his two (2) younger brothers, until his father's death in 1937. He pointed out that from an early age and with limited resources and only two (2) years of formal education, Mr. Teague learned to work hard. He advised that in 1931, he married his beloved Opal Smith and together the couple had three (3) sons and a daughter, Don, Jim, Elaine and Bob. He added that before opening his own business R.J. Teague Lumber in 1944, Mr. Teague worked for several companies including Morrow Wrecking, Chickasaw Lumber and Sinclair Refinery. He also advised that after the Trinity River crested its banks in 1949 and put Teague Lumber under more than 15 feet of water destroying most of its supplies, Mr. Teague and his son Jim worked to rebuild the family business and through perseverance and hard work overcame the devastation. He also noted that although Mr. Teague had many personal and professional accomplishments in his life, his greatest legacy was the passion, love and unwavering faith that he had in the Lord. He added that accomplishments like these went a long way in strengthening Fort Worth's reputation as one of America's Most Livable Communities and ensured that the City was recognized as one of the best places to live, work, play and retire.

Mr. Jim Teague expressed appreciation to the Mayor and Council Members on behalf of his family, for the Certificate of Recognition and stated his father was a kind and gentle man who would be missed.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Council Member Burns recognized the members and leaders of Boy Scout Troop Number 9 from University Methodist Church, who attended the meeting. He advised that the Boy Scouts were working on both their Citizenship in the Community and Communication Merit Badges and wished them future success in scouting.

Mayor Moncrief stated the scouts were the future leaders of the city, state and nation and pointed out that their future was limited only by their imagination. He congratulated the Boy Scouts on their achievements and wished them good luck.

(X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF - #1 Continued)

Council Member Burns also announced that he was invited by President Obama and the First Lady to participate in a conference to prevent bullying. He stated he would travel to Washington, D.C. on March 9, 2011, and the conference would be held at the White House, where a number of the top educators from around the country would be present.

Council Member Moss announced that a Police Forum with Police Chief Jeff Halstead would be held on March 10, 2011, at 6:00 p.m., at the Holy Tabernacle Church of God in Christ, located at 2800 East Loop 820 South. He stated the topics of discussion would include the February 28, 2011, Police Department shooting tragedy and Police Department services provided in the Stop Six Sunrise area.

2. Recognition of Citizens

There were no citizens recognized at this time.

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

There were no changes in membership on boards and commissions.

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

Ms. Cynthia Smith, Chair, Fort Worth Commission for Women, stated that the Commission recognized women and organizations in the community for their efforts, talents and skills in making Fort Worth a better place for all residents. Council Member Hicks and Ms. Smith presented the Commission's Annual Certificates of Recognition as follows:

Ms. Allison Stinnett, Outstanding Young Women Who Volunteer
Ms. Jodi Perry, Outstanding Women Who Volunteer
Safe Haven of Tarrant County, Outstanding Women's Advocacy Organization
Ms. Jill "J.R." Labbe, Outstanding Women in the Workplace

Mayor Moncrief expressed appreciation to the recipients for serving the City. He stated the Fort Worth Commission for Women representing a growing army of women who were committed to making the City a better place to live, work and play. He stated that the work place was not always a fair place and there was a long way to go. He pointed out that until equality was achieved it was imperative for everyone to continue working on the cause.

XIII. RESOLUTIONS

1. A Resolution Amending the Rules of Procedures of the City Council of the City of Fort Worth, Texas. (Continued from a Previous Meeting)

Motion: Council Member Hicks made a motion, seconded by Council Member Moss, that the Resolution be continued until the March 22, 2011, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

2. A Resolution in Support of Expansion of the Air Monitoring Activities for the Areas That Include the Barnett Shale Natural Gas Production.

Motion: Council Member Hicks made a motion, seconded by Council Member Espino, that Resolution No. 3972-03-2011 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

XIV. REPORT OF THE CITY MANAGER

B. General

1. M&C G-17140 - Conduct Public Hearing, Adopt a Resolution Designating the Six Points Area as a Neighborhood Empowerment Zone and Adopt Ordinance Designating the Six Points Area as Neighborhood Empowerment Reinvestment Zone No. 38. (Continued from a Previous Meeting) (PUBLIC HEARING)

It appeared that the City Council, at its meeting of February 8, 2011, Continued Mayor and Council Communication L-17140, Adopt a Resolution Designating the Six Points Area as a Neighborhood Empowerment Zone; Conduct a Public Hearing Concerning the Designation of the Six Points Area as Fort Worth Neighborhood Empowerment Reinvestment Zone No. 38; and Adopt an Ordinance Designating a Certain Area in the City of Fort Worth as "Neighborhood Empowerment Reinvestment Zone No. 38, City of Fort Worth, Texas", Pursuant to the Texas Property Redevelopment and Tax Abatement Act, Tax Code, Chapter 312.

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

a. Report of City Staff

Ms. Cynthia Garcia, Assistant Director, Housing and Economic Development Department, appeared before Council, provided a staff report and requested that Mayor and Council Communication G-17140 be continued to the April 5, 2011, Council meeting.

(G-17140 Continued)

b. Citizen Presentations

There was no one present desiring to be heard in connection with the public hearing.

c. Council Action

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. G-17140 be continued to the April 5, 2011, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

2. M&C G-17222 - Accept Donation of Four Bronze Sculptures from the Friends of the Fort Worth Public Library, Inc.

The recommendation was that the City Council Accept a Donation of Four (4) Bronze Sculptures From the Friends of the Fort Worth Public Library, Inc.

Dr. Gleniece Robinson, Director, Public Library, appeared before Council and presented photographs of the four (4) bronze sculptures that were donated by the Friends of the Fort Worth Public Library, Inc.

Ms. Bunny Gardner, President, Friends of the Fort Worth Public Library, Inc., expressed appreciation to the Mayor and Council Member for the continued partnership.

Mayor Moncrief and Mayor Pro tem Scarth expressed appreciation to the Friends of the Fort Worth Public Library, Inc., the donation and for their leadership in mobilizing support for the Fort Worth Public Library.

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. G-17222 be approved with appreciation to the Friends of the Fort Worth Public Library, Inc. The motion carried unanimously nine (9) ayes to zero (0) nays.

3. M&C G-17223 - Authorize the City Manager to Apply for and Accept, if Awarded, a Grant from the Federal Aviation Administration in the Amount Up to \$20,000,000.00 for Phase XII of the Alliance Runway Extension Project at Fort Worth Alliance Airport and Adopt Appropriation Ordinance.

(G-17223 Continued)

The recommendation was that the City Council Authorize the City Manager to Apply for and Accept, if Awarded, a Grant From the Federal Aviation Administration in the Amount Up to \$20,000,000.00 for Phase XII of the Runway Extension Project at Fort Worth Alliance Airport; Authorize the Use of Land Credits in the Amount Up to \$1,052,631.58 for the City's In-Kind Local Match of Five (5) Percent of the Project Cost; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Airport Grants Fund in the Amount of \$21,052,631.58, Subject to Receipt of the Grant.

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Scarth, that Mayor and Council Communication No. G-17223 be approved and Appropriation Ordinance No. 19581-03-2011 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

4. M&C G-17224 - Authorize the City Manager to Apply for and Accept, if Awarded, a Grant from the Federal Aviation Administration in the Amount Up to \$1,000,000.00 to Construct Airfield Pavement Rehabilitation on Runways, Taxiways, and Aprons, Runway Guard Light Rehabilitation, and Precision Approach Path Indicator Rehabilitation at Fort Worth Alliance and Adopt Appropriation Ordinance Airport.

The recommendation was that the City Council Authorize the City Manager to Apply for and Accept, if Awarded, a Grant From the Federal Aviation Administration in the Amount Up to \$1,000,000.00 to Construct Airfield Pavement Rehabilitation on Runways, Taxiways and Aprons, Runway Guard Light Rehabilitation and Precision Approach Path Indicator Rehabilitation at Fort Worth Alliance Airport; Authorize the Use of Land Credits in the Amount Up to \$52,631.58 for the City's In-Kind Local Match of Five (5) Percent of the Project Cost; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Grants Fund in the Amount of \$1,052,631.58, Subject to Receipt of the Grant.

Motion: Council Member Espino made a motion, seconded by Council Member Zimmerman, that Mayor and Council Communication No. G-17224 be approved and Appropriation Ordinance No. 19582-03-2011 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

5. M&C G-17225 - Authorize Acceptance and Recording of a Gift Deed from the Fort Worth Zoological Association for the Museum of Living Art Exhibit.

The recommendation was that the City Council Authorize the Acceptance and Recording of the Gift Deed From the Fort Worth Zoological Association for the Museum of Living Art Exhibit.

(G-17225 Continued)

Council Member Burns expressed appreciation to the Fort Worth Zoological Association for the gift deed for the Museum of Living Art Exhibit. He advised that the building was worth \$15M and the Association was also contributing \$750,000.00 to the maintenance fund for the building. He pointed out that this museum was a result of many years of fundraising efforts.

Motion: Council Member Jordan made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. G-17225 be approved with appreciation to the Fort Worth Zoological Association. The motion carried unanimously nine (9) ayes to zero (0) nays.

6. M&C G-17226 - Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the Fiscal Year 2011 General Fund Budget for the Library Department by \$665,660.00 and Decreasing the Unaudited, Unreserved, Undesignated General Fund Fund Balance by the Same Amount to Fully Fund the Northside and Ridglea Branch Libraries through September 30, 2011.

The recommendation was that the City Council Adopt Supplemental Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Fiscal Year 2011 General Fund for the Library Department, in the Amount of \$665,660.00, and Decreasing the Unaudited, Unreserved, Undesignated Fund Balance by the Same Amount, for the Purpose of Fully Funding the Northside and Ridglea Branch Libraries Through September 30, 2011.

Motion: Council Member Espino made a motion, seconded by Council Member Hicks, that Mayor and Council Communication No. G-17226 be approved and Supplemental Appropriation Ordinance No. 19583-03-2011 be adopted with appreciation to the Library Department staff and City Council Members. The motion carried unanimously nine (9) ayes to zero (0) nays.

7. M&C G-17227 - Authorize the City Manager to Apply for and Accept, if Awarded, a Grant from the Federal Aviation Administration in the Amount Up to \$3,500,000.00 for the Hiring of a Land Acquisition Consultant and the Acquisition of Land and Avigation Easements Around Fort Worth Alliance Airport in Accordance with the Part 150 Noise Mitigation Plan Approved by the Federal Aviation Administration on December 6, 2010 and Adopt Appropriation Ordinance. (PUBLIC HEARING)

The recommendation was that the City Council Authorize the City Manager to Apply for and Accept, if Awarded, a Grant From the Federal Aviation Administration in the Amount Up to \$3,500,000.00 for the Hiring of a Land Acquisition Consultant and the Acquisition of Land and Avigation Easements in Accordance With the Part 150 Noise Mitigation Plan Approved by the Federal Aviation Administration on December 6, 2010, at Fort Worth Alliance Airport; Authorize the Use of Land Credits in the Amount Up to \$184,210.53 for the City's In-Kind Local Match of Five (5) Percent of the Project Cost; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Airport Grants Fund in the Amount of \$3,684,210.53 Subject to Receipt of the Grant.

(G-17227 Continued)

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

a. Report of City Staff

Mr. Kent Penney, Director, Aviation Department, appeared before Council and provided a staff report.

b. Citizen Presentations

There was no one present desiring to be heard in connection with the public hearing.

c. Council Action

Motion: Council Member Espino made a motion, seconded by Council Member Burns, that the public hearing be closed and Mayor and Council Communication No. G-17227 be approved and Appropriation Ordinance No. 19584-03-2011 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

F. Award of Contract

1. M&C C-24778 - Authorize the City Manager to Execute Amendment No. 1 to City Secretary Contract No. 41388 in the Amount of \$12,000.00 for MIPRO Consulting in Support of Assessing the City's Use of Oracle PeopleSoft 9.1 HCM Software, thereby Increasing the Total Contract Amount to \$61,140.00.

The recommendation was that the City Council Authorize the City Manager to Execute Contract Amendment No. 1 to City Secretary Contract No. 41388 in the Amount of \$12,000.00 for MIPRO Consulting in Support of Assessing the City's Use of Oracle PeopleSoft 9.1 HCM Software, Thereby Increasing the Total Contract Amount to \$61,140.00.

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Scarth, that Mayor and Council Communication No. C-24778 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

2. M&C C-24779 - Authorize Execution of Amendment to City Secretary Contract No. 37293, a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, LLC, a License to Construct and Operate a Natural Gas Pipeline, to Permit Additional Pipeline Crossings at Atkins Street, Riley Street, and McClure Street.

(C-24779 Continued)

The recommendation was that the City Council Authorize the City Manager to Amend City Secretary Contract No. 37293, a Public Right-of-Way Use Agreement With Texas Midstream Gas Services, LLC, Granting a License to Construct and Operate a Natural Gas Pipeline Across Atkins Street, West of McClure Street; Riley Street, West of McClure Street; McClure Street, North of Ripy Street; Ripy Street, East of McClure Street; Minden Street, East of McClure Street; Joe Frazier Road, South of Minden Street; Butler Street, East of Stanphill Street and Elva Warren Street, East of Stanphill Street.

Motion: Council Member Hicks made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. C-24779 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

3. M&C C-24780 - Authorize Execution of an Economic Development Program Agreement with Oliver's Fine Foods, Inc. for the Conversion of Vacant Space at 415 Throckmorton Street into a Neighborhood Grocery Store.

The recommendation was that the City Council Authorize the City Manager to Execute an Economic Development Program Agreement With Oliver's Fine Foods, Inc., for the Conversion of Vacant Space at 415 Throckmorton Street Into a Neighborhood Grocery Store.

Motion: Council Member Burns made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-24780 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

4. M&C C-24781 - Authorize an Interlocal Agreement with Fort Worth Independent School District for Maintenance of the Eastern Hills Storm Water Management Facility at No Cost to the City.

The recommendation was that the City Council Authorize the City Manager to Execute an Interlocal Agreement With the Fort Worth Independent School District for the Maintenance of the Eastern Hills Storm Water Management Facility at No Cost to the City.

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

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-24781 be approved with appreciation. The motion carried unanimously eight (8) ayes to zero (0) nays, with one (1) abstention by Council Member Moss.

5. M&C C-24782 - Adopt the Supplemental Appropriation Ordinance Increasing Appropriations in the General Fund by \$3,485,574.00 and Decreasing Unreserved, Undesignated, Unaudited Fund Balance by the Same Amount, Authorize Contract Amendment No. 10 to City Secretary Contract No. 37974 with eVerge Group of Texas, Ltd., and Contract Amendment No. 4 to City Secretary Contract No. 37970 with Salvaggio, Teal and Associates for Extended Support of the City's PeopleSoft System for Human Resources and Payroll in Amounts Not to Exceed \$3,285,829.00 for eVerge Group of Texas, Ltd., for Amendment No. 10 and \$199,745.00 for Salvaggio, Teal and Associates for Amendment No. 4 and Adopt Appropriation Ordinance.

The recommendation was that the City Council Authorize Contract Amendments With eVerge Group of Texas, Ltd., and Salvaggio, Teal and Associates, for Extended Support of the City's PeopleSoft System for Human Resources and Payroll in Amounts Not to Exceed \$3,285,829.00 for eVerge and \$199,745.00 for Salvaggio, Teal and Associates; Adopt a Supplemental Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the General Fund in the Amount of \$3,485,574.00 and Decreasing the Unreserved, Undesignated, Unaudited Fund Balance by the Same Amount, for the Purpose of Transferring Said Funds to the Specially Funded Capital Projects Fund; Authorize the Transfer From the General Fund to the Specially Funded Capital Projects Fund; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Specially Funded Capital Projects Fund From Available Funds for the Purpose of Funding Additional Consulting Support for the Enterprise Resource Planning, Phase I.

Mayor Moncrief advised there was extensive discussion on this issue during the Pre-Council meeting and the amendment to Mayor and Council Communication No. C-24782 would be to change the total amount appropriated to \$1,776,426.00 wherever it appeared, and amend the amount to be paid to eVerge to an amount not to exceed \$1,576,681.00 for services for Police and Fire only, and the \$199,745.00 for Salvaggio, Teal and Associates would remain the same.

Motion: Council Member Jordan made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. C-24782 be approved as amended and that an overview of the ERP system be presented to the Council and the remainder of the funding be reviewed by Audit and Finance Committee, and Supplemental Appropriation Ordinance No. 19585-03-201 and Appropriation Ordinance No. 19586-03-2011 be adopted.

Mayor Pro tem Scarth requested a report on how the MIPRO suggestions were currently being implemented, within the next few weeks.

The motion carried unanimously nine (9) ayes to zero (0) nays.

XV. ZONING HEARING

It appeared that the City Council at its meeting of March 1, 2011, Continued Zoning Docket ZC-10-183, City of Fort Worth Planning and Development: Text Amendment, Mixed Use Districts Amendment: 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.

1. Zoning Docket No. ZC-10-183 - City of Fort Worth Planning and Development: Text Amendment, Mixed Use Districts Amendment: 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 to Amend:

ZC-10-183A. Article 9 "Residential Districts", of Chapter 4, "District Regulations" to amend a Mixed-Use Zoning District, Section 4.902, "Low Intensity Mixed-Use" (MU-1) District and establish Development Standards for the district; amending Chapter 9 to add definitions related to Low Intensity Mixed-Use District(MU1);

ZC-10-183B. Article 9 "Residential Districts", of Chapter 4, "District Regulations" to amend a Mixed-Use Zoning District, Section 4.903, "Low Intensity Greenfield Mixed-Use" (MU-1G) District and establish Development Standards for the District; Amending Chapter 9 to add definitions related to Low Intensity Greenfield Mixed-Use District (MU1-G);

ZC-10-183C. Article 10 "Industrial Districts", of Chapter 4, "District Regulations" to amend a Mixed-Use Zoning District, Section 4.1001, "High Intensity Mixed-Use" (MU-2) District and establish Development Standards for the District (MU2);

ZC-10-183D. Article 10 "Industrial Districts", of Chapter 4, "District Regulations" to amend a Mixed-Use Zoning District, Section 4.1002, "High Intensity Greenfield Mixed-Use" (MU-2G) District and establish Development Standards for the District (MU2-G). (Recommended for Approval) (Continued from a Previous Meeting)

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Ms. Dana Burghdoff, Deputy Director, Planning and Development Department, provided the following amendment to the staff recommendation for Zoning Docket No. ZC-10-183:

C. 7. Maximum Height

MUZAG/Zoning Commission Recommendation:

MU-1 and MU-1G

- a) 45 feet or 3 stories, whichever is less; or
- b) 60 feet or 5 stories, whichever is less, if:
 - i. Residential uses constitute 20 percent or more of a building's gross floor area, and
 - ii. Office, eating and entertainment, and/or retail sales and service use constitute 10 percent or more of the building's gross floor area.

(ZC-10-183 Continued)

- iii. Residential projects utilize structured parking that is completely obstructed from view from the Primary Street and the requirements for Parking Structure Facades in Section 4.902.F.7.

MU-2 and MU-2G

- a) 60 feet or 5 stories, whichever is less; or
- b) 120 feet or 10 stories, whichever is less, if:
 - i. Residential uses constitute 20 percent or more of a building's gross floor area, and
 - ii. Office, eating and entertainment, and/or retail sales and service use constitute 10 percent or more of the building's gross floor area.
 - iii. Residential projects utilize structured parking that is completely obstructed from view from the Primary Street and the requirements for Parking Structure Facades in Section 4.1002.F.7.

Staff Recommendation: Retain current ordinance.

C. 9. Maximum Residential Units per Acre

MUZAG/Zoning Commission Recommendation:

MU-1 and MU-1G: None. ~~Maximum residential units per acre: 40; or 60 if the project includes office, eating and entertainment, and/or retail sales and service uses that constitute at least 10 percent of gross floor area.~~

MU-2 and MU-2G: None. ~~Maximum residential units per acre: 60; or No limit if the project includes office, eating and entertainment, and/or retail sales and service uses that constitute at least 10 percent of gross floor area.~~

Staff Recommendation: Modify maximum density as follows:

MU-1 and MU-1G: Maximum residential units per acre: 40; or **70** ~~60~~ if the project includes office, eating and entertainment, and/or retail sales and service uses that constitute at least 10 percent of gross floor area.

MU-2 and MU-2G: Maximum residential units per acre: **70** ~~60~~; or no limit if the project includes office, eating and entertainment, and/or retail sales and service uses that constitute at least 10 percent of gross floor area.

D. 1. Commercial and Mixed-Use Parking Table

MUZAG/Zoning Commission Recommendation:

For developments within ¼ mile of an entrance to an existing or approved passenger rail station or stop, reduce the maximum parking allowed from 100 percent to 75 percent of parking requirement listed in Section 6.201B.

Staff Recommendation: Retain current ordinance.

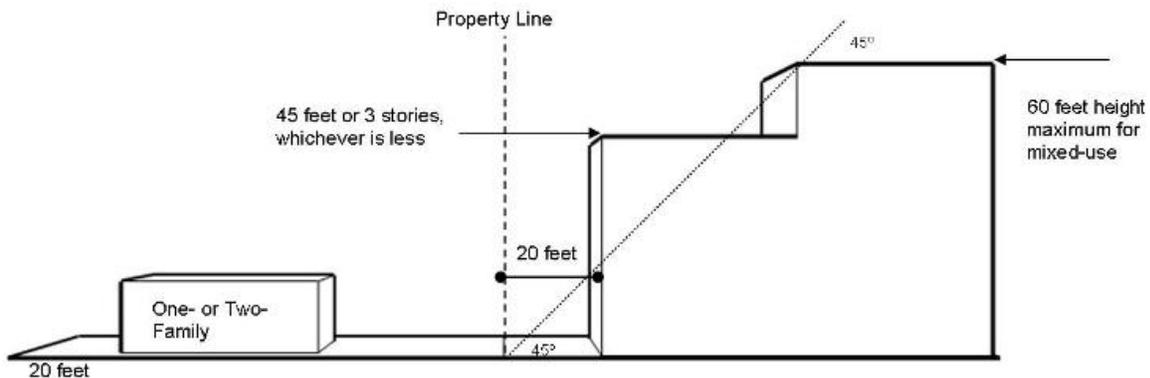
(ZC-10-183 Continued)

E. 1. Bufferyard and Supplemental Building Setback

MUZAG/Zoning Commission Recommendation: Retain current ordinance.

Staff Recommendation: Make transitional height plane more restrictive as follows:

c. All uses, other than one- or two-family adjacent to one- and two- family districts, shall conform to the supplemental building setback and bufferyard width standards required for the Neighborhood Commercial (“E”) District, as described in 6.300C Area Requirements. In addition, a transitional height plane of 45 degrees shall apply to all portions of a building above 45 feet or 3 stories, whichever is less, starting from the property line of the one- or two-family district. Any portion of a building above 45 feet or 3 stories, whichever is less, shall be set back so that the building does not encroach the transitional height plane; i.e., the portion of building above 45 feet or 3 stories must be set back an additional foot or each additional foot in height, with the plane starting from the property line of the one- or two-family district. This standard is illustrated in Figure 4.1 below. These supplemental building setback and transitional height plane requirements shall not apply to buildings adjacent to one- or two-family districts that serve as public open space, such as parks and drainage ways.



Motion: There being no one present desiring to be heard in connection with the Text Amendment, Council Member Burns made a motion, seconded by Council Member Hicks, that the public hearing be closed and Zoning Docket No. ZC-10-183 be approved, as amended, with appreciation to the Planning and Development Department staff and the following ordinance be adopted:

ORDINANCE NO. 19587-03-2011

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 FORT WORTH, TO AMEND: ZC-10-183A. ARTICLE 9 "RESIDENTIAL DISTRICTS", OF CHAPTER 4, "DISTRICT REGULATIONS" TO AMEND A MIXED-USE ZONING DISTRICT, SECTION 4.902, "LOW INTENSITY MIXED-USE" (MU-1) DISTRICT AND ESTABLISH DEVELOPMENT STANDARDS FOR THE DISTRICT; AMENDING CHAPTER 9 TO ADD DEFINITIONS RELATED TO LOW INTENSITY MIXED-USE DISTRICT(MU1); ZC-10-183B. ARTICLE 9 "RESIDENTIAL DISTRICTS", OF CHAPTER 4, "DISTRICT REGULATIONS" TO AMEND A MIXED-USE ZONING DISTRICT, SECTION 4.903, "LOW INTENSITY GREENFIELD MIXED-USE" (MU-1G) DISTRICT AND ESTABLISH DEVELOPMENT STANDARDS FOR THE DISTRICT; AMENDING CHAPTER 9 TO ADD DEFINITIONS RELATED TO LOW INTENSITY GREENFIELD MIXED-USE DISTRICT (MU1-G); ZC-10-183C. ARTICLE 10 "INDUSTRIAL DISTRICTS", OF CHAPTER 4, "DISTRICT REGULATIONS" TO AMEND A MIXED-USE ZONING DISTRICT, SECTION 4.1001, "HIGH INTENSITY MIXED-USE" (MU-2) DISTRICT AND ESTABLISH DEVELOPMENT STANDARDS FOR THE DISTRICT (MU2); ZC-10-183D. ARTICLE 10 "INDUSTRIAL DISTRICTS", OF CHAPTER 4, "DISTRICT REGULATIONS" TO AMEND A MIXED-USE ZONING DISTRICT, SECTION 4.1002, "HIGH INTENSITY GREENFIELD MIXED-USE" (MU-2G) DISTRICT AND ESTABLISH DEVELOPMENT STANDARDS FOR THE DISTRICT (MU2-G).

The motion carried unanimously nine (9) ayes to zero (0) nays.

It appeared to the City Council that 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 February 15, 2011.

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

2. Zoning Docket No. ZC-11-004 - Quadrant North Tarrant Partners, LTD, 5000 N. Tarrant Parkway; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial, plus oil lube and tune-ups and associated services, tire changes and new tire sales; site plan included. (Recommended for Approval)

Mr. Michael Clark, representing the applicant, 6750 Hillcrest Plaza #325, completed a speaker card in support of Zoning Docket No. ZC-11-004, but did not wish to address the City Council.

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Zimmerman that Zoning Docket No. ZC-11-004 be approved with appreciation to staff and to the applicant. The motion carried unanimously nine (9) ayes to zero (0) nays.

3. Zoning Docket No. ZC-11-006A - City of Fort Worth Planning & Development, 2423 Clinton Avenue; from: "F" General Commercial to: "UR" Urban Residential (Recommended for Approval) (Continued from a Previous Meeting)

It appeared that the City Council at its meeting of February 8, 2011, Continued Zoning Docket ZC-11-006A, City of Fort Worth Planning & Development, 2423 Clinton Avenue; From "F" General Commercial to "UR" Urban Residential.

Motion: Council Member Espino made a motion, seconded by Council Member Hicks that Zoning Docket No. ZC-11-006 be continued until the April 5, 2011, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

4. Zoning Docket No. SP-11-001 - Miguel Murillo, 7724 Norman Avenue; Amend PD-649 to increase the size of the rear cabinet shop. (Recommended for Approval)

Mr. Christopher Bonilla, representing the applicant, 8540 Charleston Avenue, completed a speaker card in support of Zoning Docket No. SP-11-001, but did not wish to address the City Council.

Motion: Council Member Zimmerman made a motion, seconded by Council Member Hicks that Zoning Docket No. SP-11-001 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

5. Zoning Docket No. ZC-11-012 - Metroport Cities Fellowship and Transcontinental Realty Investors, Inc., 1101 Old Denton Road & 11501 N. Riverside Drive; from: "C" Medium Density Multifamily and "G" Intensive Commercial to: "PD/D" Planned Development for all uses in "D" High Density Multifamily plus assisted living, with dementia care; site plan included. (Recommended for Approval)

Mr. David Speicher, Applicant, 920 South Main Street, Suite 170, Grapevine, Texas 76051, completed a speaker card in support of Zoning Docket No. ZC-11-012, but did not wish to address the City Council.

Motion: Council Member Espino made a motion, seconded by Council Member Hicks that Zoning Docket No. ZC-11-012 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

6. Zoning Docket No. ZC-11-013 - Hillwood Alliance Residential, 4300 Heritage Trace Parkway and 9700 N. Beach Street; from: "R2" Townhouse/Cluster and "E" Neighborhood Commercial to: "A-5" One-Family. (Recommended for Approval)

Motion: Council Member Espino made a motion, seconded by Council Member Burdette that Zoning Docket No. ZC-11-013 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

7. Zoning Docket No. ZC-11-014 - Centre Port Ventures, C/O KDC, 14400 block of Sovereign Drive; from: "J" Medium Industrial to: "PD/D" Planned Development for all uses in "D" High Density Multifamily with a maximum setback of 20 feet; site plan included. (Recommended for Approval as Amended for recommendations from the DFW Airport Board and to include bike racks)

Mr. Nick Wilhelmson, representing the applicant, 3710 Rawlins Street, Suite 901, Dallas, Texas 75219, completed a speaker card in support of Zoning Docket No. ZC-11-014, but did not wish to address the City Council.

Motion: Council Member Moss made a motion, seconded by Council Member Espino that Zoning Docket No. ZC-11-014 be approved as amended. The motion carried unanimously nine (9) ayes to zero (0) nays.

8. Zoning Docket No. ZC-11-015 - City of Fort Worth Planning & Development Stop Six/Poly Oversight Neighborhood, Generally bounded by Ramey Avenue, Miller Avenue, E. Rosedale Street, and Lloyd Street; from: "A-5" One-Family, "B" Two-Family, "E" Neighborhood Commercial, and "FR" General Commercial Restricted to: "A-10" One-Family, "A-7.5" One-Family, "A-5" One-Family, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, and "E" Neighborhood Commercial. (Recommended for Approval)

Motion: Council Member Moss made a motion, seconded by Council Member Espino that Zoning Docket No. ZC-11-015 be approved with appreciation to the Planning and Development Department staff. The motion carried unanimously nine (9) ayes to zero (0) nays.

9. Zoning Docket No. ZC-11-016 - City of Fort Worth Planning & Development, Northside Neighborhood, Phase 4; from: "A-5" One-Family, "B" Two-Family, "B/DD" Two-Family/Demolition Delay, "C" Medium Density Multifamily, "C/DD" Medium Density Multifamily/ Demolition Delay, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "F" General Commercial, "I" Light Industrial, "J" Medium Industrial, and "PD" Planned Developments 415, 440, and 442 to: "A-5" One-Family, "A-5/DD" One-Family/Demolition Delay, "B" Two-Family, "UR" Urban Residential, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "E/DD" Neighborhood Commercial/Demolition Delay, and "MU-1" Low Intensity Mixed-Use. (Recommended for Approval)

Motion: Council Member Espino made a motion, seconded by Council Member Zimmerman that Zoning Docket No. ZC-11-016 be approved with appreciation to the Planning and Development Department staff and the Northside Neighborhood Association. The motion carried unanimously nine (9) ayes to zero (0) nays.

10. Zoning Docket No. ZC-11-018 - Ken Schaefer/Providence Partnership, LLC, 1228 S. Adams Street; from: "NS-T4/HC" Near Southside-T4 District/Historic & Cultural Overlay to: "NS-T4/HSE" Near Southside-T4 District/Highly Significant Endangered. (Recommended for Approval)

Mr. Ken Schaefer, Applicant, 2705 Manorwood Trail, completed a speaker card in support of Zoning Docket No. ZC-11-018, but did not wish to address the City Council.

Motion: Council Member Burns made a motion, seconded by Council Member Zimmerman that Zoning Docket No. ZC-11-018 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

11. Zoning Docket No. ZC-11-019 - The Gas Pipe/Amy Lynn Inc., 6025 Camp Bowie Boulevard & 3309 Winthrop Avenue; from: "MU-1" Low Intensity Mixed Use to: "MU-1/HSE" Low Intensity Mixed Use/Highly Significant Endangered. (Recommended for Approval)

Motion: Council Member Zimmerman made a motion, seconded by Council Member Hicks that Zoning Docket No. ZC-11-019 be continued until the March 22, 2011, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

12. Zoning Docket No. ZC-11-020 - City of Fort Worth Planning & Development, 3028 James Avenue; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)

Motion: Council Member Burns made a motion, seconded by Council Member Hicks that Zoning Docket No. ZC-11-020 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

13. Zoning Docket No. ZC-11-021 - City of Fort Worth Planning & Development, 3300 Horne Street; from: "E" Neighborhood Commercial to: "A-5" One-Family. (Recommended for Approval)

Motion: Council Member Burdette made a motion, seconded by Council Member Espino that Zoning Docket No. ZC-11-021 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

14. Zoning Docket No. ZC-11-022 - City of Fort Worth Planning & Development, 5519 Bonnell Avenue; from: "I" Light Industrial to: "ER" Neighborhood Commercial Restricted. (Recommended for Approval)

Motion: Council Member Burdette made a motion, seconded by Mayor Pro tem Scarth that Zoning Docket No. ZC-11-022 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

15. Zoning Docket No. ZC-11-024 - M6 Leasing, L. P., 4536 N. Tarrant Parkway; from: "AR" One-Family Restricted and "E" Neighborhood Commercial to: "E" Neighborhood Commercial. (Recommended for Approval)

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Zimmerman that Zoning Docket No. ZC-11-024 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

(Mayor Pro tem Scarth left his place at the dais.)

16. Zoning Docket No. ZC-11-025 - Richard Young, 5700 McCart Avenue; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus auto detailing shop; site plan waiver requested. (Recommended for Denial)

The following individuals appeared before Council in support of Zoning Docket No. ZC-11-025 and relative to the high end detail service that this business would provide. They displayed the site plan and photograph of the business and advised that traffic and parking concerns of area businesses had been addressed. They advised that the starting price for their services would be approximately \$40.00 which would cater to luxury car owners. They further advised that the renovations to the vacant building would enhance the appearance of the area. They also submitted a letter of support from the owner of Italian Express, which was located next door to 5700 McCart Avenue.

Mr. Jack Lee, representing the applicant, 8009 Ocean Drive

Mr. Early Jackson, Applicant, 10273 East Rancho Diego Lane, Crowley, Texas 76036

Motion: Council Member Jordan made a motion, seconded by Council Member Espino that Zoning Docket No. ZC-11-025 be continued until the April 12, 2011, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Pro tem Scarth absent.

There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Jordan made a motion, seconded by Council Member Espino, that the hearing be closed and that the following ordinance be adopted:

ORDINANCE NO. 19588-03-2011

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Pro tem Scarth absent.

(Mayor Pro tem Scarth returned to his place at the dais.)

XVI. CITIZEN PRESENTATIONS

1. Mr. Joe Don Brandon, P. O. Box 1155, "Religious/Church Signs on the T Buses"

Mr. Joe Don Brandon, P.O. Box 1155, appeared before Council relative to unauthorized use of motorized wheelchairs and displayed a photograph of a wheelchair from a local pawn shop. He advised that this wheelchair was worth approximately \$3,500.00 and was being sold for \$750.00. He stated people who did not have a medical concern were using the wheelchairs and clogging the buses. He advised this was a waste of federal tax dollars and requested the city enact an ordinance to remedy this situation. He displayed photographs of various signs on The "T" buses and stated one was for a Christian adoption agency and another was an atheist sign. He pointed out that the signs should be removed from City buses. He advised that he would speak about cleanliness and public safety relative to the Humane Society and the Salvation Army at a future meeting.

Other Citizen Presentations:

Mr. Bryan Blagg, representing Blagg Maintenance Company, 206 Churchill Court, Weatherford, Texas 76085, appeared before Council and advised that his company had a contract with the City for alley maintenance. He stated that he was notified that the contract would be terminated. He displayed photographs of debris in alleys that the company picked up on a regular basis per the contract. He stated that keeping the alleys clean directly impacted the health and public safety of residents and visitors. He stated that alley maintenance was an investment program and if the alleys were allowed to

(Other Citizen Presentations Continued)

return to an unkempt state, more money would be spent to bring the alleys back up to code than if the alleys were properly maintained. He stated he was told the entire alley maintenance project was put on hold due to budget constraints. He also advised that his company hired workers through the Texas Re-entry Program and the Day Resource Center and was proud to provide a source of income for those who had been struggling.

Mr. Greg Simmons, Acting Director, Transportation and Public Works Department, advised that the contract ran from April 1, 2009 to March 30, 2010, and the decision was made defer to service items for March into the next contract year which would begin in April. He further advised that due to budget constraints in the coming year the contract would be re-evaluated and a recommendation would be made to the Council during the regular budget process.

Council Member Hicks requested clarification of why services in March were deferred since the funds for this contract were approved in the last budget year.

Mr. Simmons advised that in March, the growing season had not begun and the decision to push March services into April was made because the need for services was higher in April.

Council Member Hicks and Burns agreed that this program was vitally important to the City and advised they were big proponents of cleaning these alleys and it was a major problem throughout the city. They stated that clean alleys were a crime deterrent and reiterated the importance of this project.

Mr. Blagg advised there would be an estimated \$100,000.00 in contract savings due to services that were built into the contract but that were not being provided based on need.

The following individuals appeared before Council relative to the February 28, 2011, Police Department shooting tragedy involving Charal "RaRa" Thomas and Police Department services in the Stop Six Sunrise area. They requested information relative to the Rules of Procedures and Guidelines of the Police Department. They stated that the death was unnecessary and alleged that the Police Officer did not follow proper police procedures. They also advised that the Stop Six Sunrise Community felt they did not receive proper respect and added the residents and children were afraid to be approached by Police Officers. They stated it would be hard for Mr. Thomas's children, who were in the car at the time of the incident to trust Police Officers. They requested a public meeting to review proper procedures and to encourage cooperation among both the community and the Police Officers patrolling the area. They also requested policy change and enforcement as well as Police Officers who were willing to follow the policies.

Pastor Randolph Shaheed, Humanity of God's Word Church, 4916 Ramey Avenue
Mr. Jimmy Blackwell, 5116 Norma Street
Ms. Charmen Collins, 809 Glen Garden Street
Mr. Robert Polk, 2925 Las Vegas Trail

(Other Citizen Presentations Continued)

Mayor Moncrief, Mayor Pro tem Scarth and Council Members Moss and Hicks, all stated this was a tragedy for both the Police Officer and Mr. Thomas's family. They further stated that this was a tragedy for the entire City. They pointed out that no one had good feelings about what happened and requesting rules of procedure for the Police Department would not answer the questions of the community. They stated Police Chief Halstead was taking the community concerns very seriously and encouraged everyone to attend the Police Forum with Police Chief Jeff Halstead on March 10, 2011, 6:00 p.m., at the Holy Tabernacle Church of God in Christ, located 2800 East Loop 820 South.

XVIII. ADJOURNMENT

There being no further business the meeting was adjourned at 8:51 p.m.

No Documents for this Section

March 22, 2011**To the Mayor and Members of the City Council**

Page 1 of 1

SUBJECT: ANNUAL PURCHASE AGREEMENTS EXPIRATIONS AND RENEWALS - THIRD QUARTER FY 2010-2011

This Informal Report addresses annual purchase agreements which are scheduled to expire during the third quarter of FY 2010-2011 with options to extend by renewal. The Purchasing Division surveys the City departments and the vendors to determine the agreements which are eligible for extension and should be extended and renewed.

If sufficient funds have been appropriated by the City Council, a renewal may be accomplished by a written notice to the vendor within 60 days of the expiration date. As provided in the M&Cs awarding the agreements valued over \$50,000, "[renewal of these agreements] does not require specific City Council approval[.]"

The following internet link provides the list of agreements which have been deemed to be eligible for extension by the departments due to satisfactory performance based on the survey by the Purchasing Division. The list may be viewed at:

http://www.fortworthgov.org/uploadedFiles/Finance/Purchasing/1104-06_quarterly.pdf

This link is provided in order to save paper and photocopying costs.

Should you have any questions regarding this information, please contact Jack Dale, Purchasing Manager, at (817) 392-8357 or Lena Ellis, Director/CFO, at (817) 392-8517.


for **Tom Higgins**
Interim City Manager

To the Mayor and Members of the City Council**March 22, 2011**

Page 1 of 1

**SUBJECT: INTERLOCAL AGREEMENT BETWEEN THE CITY AND TARRANT COUNTY LOCAL WORKFORCE DEVELOPMENT BOARD**

The purpose of this Informal Report is to inform City Council of the Library's intent to enter into an inter-local agreement between the City and the Tarrant County Local Workforce Development Board to establish a Library and Job Search Center at the Meadowbrook Branch Library in Council District 5. Tarrant County Local Workforce Development will provide funding for staff and the City will provide funds for maintenance and upkeep of the facility. Funding is currently available to provide 30 hours of service weekly.

During the FY2011 budget deliberations, the Library proposed a partnership with Tarrant County Local Workforce Development to provide workforce development services at the Meadowbrook Library. The Library currently partners with Workforce Development to present classes at the Central Library. This new endeavor will expand upon the existing partnership. The branch library will close on March 30, 2011 with an anticipated re-opening date of June 1, 2011.

The City would continue to operate and maintain the facility as a branch library by providing books, DVDs and CDs, youth materials, magazines and other popular materials for check-out. Residents will continue to have the ability to request items from other locations for delivery to the branch. Additionally a targeted collection of materials will focus on resume writing, interviewing techniques, careers, test-books and other job-related resources. The City would make minor renovations to the library to facilitate the specialized use; provide and maintain computers for the public and staff; provide general computer training and assistance to both job seekers as well as other library customers. Workforce Development and staff will offer regularly scheduled job search and computer skill related classes to help job seekers. A meeting room for instruction and more computers will expand the capabilities of the facility to serve unemployed citizens, and those who want to improve their skills and abilities.

The Library recommends approval of the inter-local agreement via the M&C process, which will help achieve the Council's goal to strengthen the economic base, develop the future workforce and create quality job opportunities. The Council is scheduled to receive a full briefing on this project at the Housing and Economic Development Committee meeting on April 5.

If you have any questions regarding this topic, please contact Gleniece Robinson, Director of Libraries at (817) 871-7705.


for **Tom Higgins**
Interim City Manager

To the Mayor and Members of the City Council**March 22, 2011**

Page 1 of 1

**SUBJECT: Transfer in the Amount of \$614,972.50 from Fort Worth Housing Trust Fund to the City's Housing Assistance Program**

As part of its annual entitlement from the United States Department of Housing and Urban Development (HUD), the City is obligated to match 12.5% of the HOME Investment Partnerships Program (HOME) grant funds drawn from its HOME Treasury Account in any given year. The City's match liability must be satisfied annually from non-federal sources used for qualified housing projects, such as donated materials, cash donations, in-kind contributions, and sweat equity.

The City anticipates drawing down \$4,919,780.00 in HOME funds for the current program year. Therefore, its current match obligation is \$614,972.50. At this time, the City contractually requires its partner agencies such as Community Housing Development Organizations to obtain and report all sources of match which the City in turn reports to HUD. The reporting requirements include furnishing adequate documentation of the reported match to the City.

On June 2, 2010, the City received a finding from HUD regarding the sufficiency of its documentation of match. Specifically, HUD deemed insufficient the documentation received from partner agencies in regard to the required match. Therefore, the City must find other non-federal sources for use as match that can be documented so as to be acceptable to HUD.

In order to satisfy the City's future match obligations and to simplify the documentation of eligible forms of match, staff proposes using City general funds directly in HOME funded projects and programs. In order to meet the current year's match requirements and begin operating under this proposed change in policy, staff will be requesting that \$614,972.50 of the City's general fund portion of its Fort Worth Housing Trust Fund be used for the City's Housing Assistance Program (HAP) or other HOME-eligible projects. The HAP program provides down payment and closing cost assistance of up to \$14,999.00 to eligible homebuyers citywide. This will satisfy the City's match obligation for the FY 10-11 HUD entitlement. For future years, staff will recommend that the match requirement be included in the Housing and Economic Development Department's budget.

If you have any questions pertaining to this Informal Report please contact Jay Chapa, Housing and Economic Development Department Director at 817-392-5804.


for **Tom Higgins**
Interim City Manager

To the Mayor and Members of the City Council

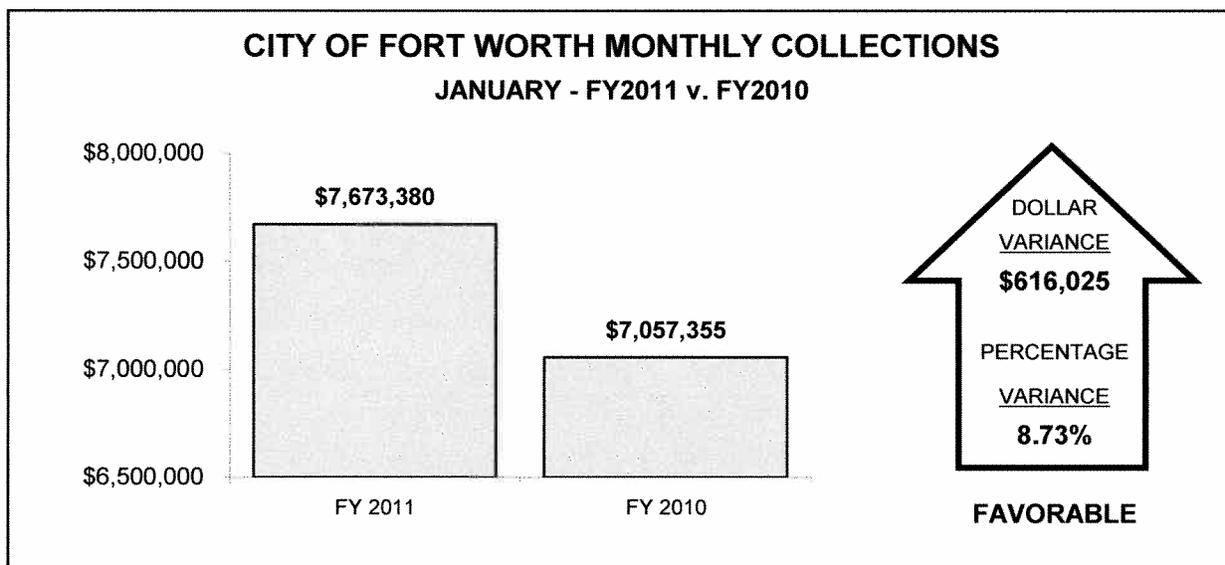
March 22, 2011

Page 1 of 2



SUBJECT: March 2011 – Sales Tax Update

In response to the volatile nature of sales tax revenue, the Staff committed to providing you a brief update of the sales tax collections. The Texas Comptroller’s Office posted results on March 9th. 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 January and in prior months. In this report, you will see our sales tax collection compared to last year and the impact on the current year’s budget.



Note: The City’s January sales tax collections were up **\$616,025** compared to last year. The highest historical collection period for January was in 2008 and the current collection exceeded this record by \$124,644. Data suggest substantial collection growth in general merchandise retail stores and manufacturing.

CITY OF FORT WORTH BUDGET COMPARISON - FY2011

YTD BUDGET	\$	31,774,239	<u>YTD VARIANCE</u>	
YTD ACTUAL	\$	35,031,782	10.25%	▲
ADOPTED BUDGET	\$	96,351,438	<u>YEAR END VARIANCE</u>	
BUDGET RE-ESTIMATE	\$	99,608,980	3.38%	▲

Note: Through January, the City has collected a total of **\$3,257,542** more than budget. While the YTD results are favorable, staff recommends maintaining a conservative forecast for the next several months.

To the Mayor and Members of the City Council

March 22, 2011

Page 2 of 2



SUBJECT: March 2011 – Sales Tax Update

The following chart demonstrates how our trend compares to the state and other cities:

CITY OF FORT WORTH			
CITY COMPARISONS - FY2011 v. FY2010			
CITY	QTR 1	JAN	YTD
GRAPEVINE	13.59%	4.90%	11.69%
BURLESON	14.02%	2.38%	11.50%
FORT WORTH	9.29%	8.73%	9.17%
EULESS	7.28%	12.57%	8.47%
HURST	6.62%	5.73%	6.45%
WATAUGA	6.13%	5.97%	6.10%
ARLINGTON	8.10%	-4.88%	5.12%
SOUTHLAKE	2.15%	15.37%	4.68%
NORTH RICHLAND HILLS	5.27%	-2.31%	3.62%
DALLAS	3.59%	0.45%	2.87%
KELLER	2.81%	0.95%	2.41%
BEDFORD	-0.61%	6.81%	-2.08%
GRAND PRAIRIE	-6.73%	6.66%	-3.71%
STATE TOTAL	8.25%	10.43%	8.81%

Note: YTD collections for Fort Worth are also up **9.17%** compared to last year as the city has experienced recovery in recent months and actual growth for December and January. The Comptroller’s office is projecting statewide economic growth through 2013 therefore we believe this steady growth will continue.

Staff will continue to monitor this volatile revenue source throughout the year and provide an update to the City Council on a monthly basis.

Again, hopefully you find this additional information helpful. If you have any questions, please call Horatio Porter, Budget Officer, at 817.392.2379.

Tom Higgins
Interim City Manager

No Documents for this Section

A Resolution

NO. _____

AMENDING THE RULES OF PROCEDURES OF THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS

WHEREAS, Chapter III, Section 5 of the City Charter provides that the City Council shall determine rules of procedure for its meetings; and

WHEREAS, the City Council adopted its current Rules of Procedure on January 8, 1960, and have amended the rules from time to time since then; and

WHEREAS, the City Council desires to further amend its Rules of Procedure as set forth herein in order to (i) conform the rules to current City practices and procedures; (ii) revise current rules regarding starting times for Pre-Council meetings, citizen presentations, and the Zoning Hearing's placement on the agenda; and (iii) make minor clerical changes, all as more specifically set forth in Exhibit "A", in which text deletions are indicated by a strikethrough and text additions are indicated by a single-underline; and

WHEREAS, the proposed amendments were introduced during the City Council meeting of March 1, 2011;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT the Rules of Procedure, City Council of the City of Fort Worth (adopted on January 8, 1960, as amended) are hereby amended to read as set forth in Exhibit "A".

1. This Resolution shall take effect on May 1, 2011.
2. The City Attorney and City Secretary are directed to prepare a new printing of the Rules of Procedure, as amended, and distribute same to the members of the City Council, City Manager and other City staff as deemed appropriate.

ADOPTED THIS THE _____ DAY OF _____, 2011.

Mike Moncrief, Mayor

Sarah Fullenwider, City Attorney



Resolution No. _____

Page 2 of 2

Attest:

Marty Hendrix, City Secretary



RULES OF PROCEDURE

CITY COUNCIL of the CITY OF FORT WORTH

**Originally Adopted
January 8, 1960**

Second Printing, February 1964

Third Printing, March 1968

Fourth Printing July 1976

Fifth Printing January 1978

Sixth Printing, March 1980

Seventh Printing December 1980

Eighth Printing, June 1987

Ninth Printing, May 1991

Tenth Printing, January 2001

Eleventh Printing, September 2005

Twelfth Printing, May 2008

Thirteenth Printing, November 2008

Fourteenth Printing, August 2009

Fifteenth Printing, March 2011

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City of Fort Worth, Texas
City Council
Rules of Procedures

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RULES OF PROCEDURE

1. AUTHORITY

1.1 Charter: Chapter [3III](#), Section 5 of the Charter of the City of Fort Worth provides that the Council shall determine its own rules of procedure for meetings. The following set of rules shall be in effect upon their adoption by the Council and until such time as they are amended or new rules adopted in the manner provided for by these rules.

2. GENERAL RULES

2.1 Meetings to be Public: All official meetings of the Council and all sessions of a Committee of the Council shall be public. (Charter - Ch. [III3](#), Sec. 5)

2.2 Quorum: Six members of the Council shall constitute a quorum. (Charter - Ch. [III3](#), Sec. 5)

2.3 Compelling Attendance: The Council may compel the attendance of absent members. (Charter - Ch. [III3](#), Sec. 5)

2.4 Misconduct: The Council may punish its own members for misconduct. (Charter - Ch. [III3](#), Sec. 5)

2.5 Minutes of Meetings: An account of all proceedings of the Council shall be kept by the City Secretary and shall be entered in a book constituting the official record of the Council.

2.6 Questions to Contain One Subject: All questions submitted for a vote shall contain only one subject. If two or more points are involved, any member may require a division, if the question reasonably admits of a division. (Charter - Ch. [XXV-25](#), Sec. 7)

2.7 Right of Floor: Any member desiring to speak shall be recognized by the Chairman, and shall confine his or her remarks to the subject under consideration or to be considered. No member shall be allowed to speak more than once on any one subject until every member wishing to speak shall have spoken.

2.8 City Manager: The City Manager, or Acting City Manager, shall attend all meetings of the Council unless excused. He may make recommendations to the Council and shall have the right to take part in all discussions of the Council, but shall have no vote. (Charter - Ch. [V5](#), Sec. 2(5))

2.9 City Attorney: The City Attorney, or Acting City Attorney, shall attend all meetings of the Council unless excused, and shall upon request give an opinion, either written or oral, on questions of law. The City Attorney shall act as the Council's parliamentarian. (Charter - Ch. VI6, Sec. 14)

2.10 City Secretary: The City Secretary, or Acting City Secretary, shall attend all meetings of the Council unless excused, and shall keep the official minutes and perform such other duties as may be requested of him/her by the Council.

2.11 Officers and Employees: Any officer or employee of the City, when requested by the City Manager, shall attend any meeting of the Council. If requested to do so by the City Manager, they may present information relating to matters before the City Council.

2.12 Rules of Order: Roberts Rules of Order Revised shall govern the proceedings of the Council in all cases, unless they are in conflict with these rules.

2.13 Suspension of Rules: Any provision of these rules not governed by the City Charter or Code may be temporarily suspended by a two-thirds vote of all members of the Council. The vote on any such suspension shall be taken by ayes and noes and entered upon the record.

2.14 Amendment to Rules: These rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

3. TYPES OF MEETINGS

3.1 Regular Meetings: The Council shall meet in the Council Chambers at the City Hall on Tuesday of each week at 10:00 a.m.A.M., except that the first and second Tuesday meetings of each month shall be scheduled for 7:00 p.m.P.M., unless otherwise officially changed by the City Council.

3.2 Special Meetings: The Mayor or any three Council members may call a special meeting. Such call shall be in writing and shall state the object of the meeting, and no business shall be transacted other than that specified in the call, in accordance with state law. (Charter - Ch. III3, Sec. 5)

3.3 Recessed Meetings: Any meeting of the Council may be recessed to a later time, provided that no recess shall be for a longer period than until the next regular meeting. If a meeting is recessed to a date other than the following calendar day,

notice of the meeting shall be posted in accordance with the Texas Open Meetings Act.

3.4 Pre-Council Meetings: The Council shall meet in the Pre-Council Chambers at the City Hall at 8:30 ~~a.m.A.M. before a~~ for all daytime Council meetings, and at 3:00 p.m.2:30 P.M. before a for all night Council meetings ~~on the first Tuesday of each month, and at 3:30 P.M. before a Council meeting on the second Tuesday of each month~~, unless otherwise changed by the City Council or City Manager. ~~(Revised by Resolution No. 3242-08-2005, 8/16/05)~~

3.5 Council Committee Meetings: City Council Committee meetings will be held at such times as may be called by the City Manager. (Revised by Resolution No. 3242-08-2005, 8/16/05)

4. CHAIRMAN AND DUTIES

4.1 Chairman: The Mayor, if present, shall preside as Chairman at all meetings of the Council. In the absence of the Mayor, the Mayor Pro tem shall preside. In the absence of both the Mayor and the Mayor Pro tem, the remaining Council members shall elect one member to serve as the presiding officer for the meeting. (Charter - Ch. III 3, Seec. 6)

4.2 Call to Order: The meetings of the Council shall be called to order by the Mayor, or in his absence, by the Mayor Pro tem. In the absence of both the Mayor and the Mayor Pro tem, the meeting shall be called to order by the City Secretary.

4.3 Preservation of Order: The Chairman shall preserve order and decorum, prevent personal attacks and the impugning of members' motives, and confine members in debate to the question under discussion. Demonstrations, the carrying of signs or placards, or other activities which disturb the peace and good order of the meeting shall not be permitted in the council chambers.

4.4 Points of Order: The Chairman shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Chairman be sustained?"

4.5 Questions to be Stated: The Chairman shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member.

4.6 Substitution for Chairman: The Chairman may call any other member to take his place in the chair, such substitution not to continue beyond adjournment.

5. ORDER OF BUSINESS

5.1 Agenda: The order of business of each meeting shall be as contained in the Agenda prepared by the City Manager. The Agenda shall be a listing by topic of subjects to be considered by the Council, and delivered to members of the Council each Thursday preceding the Tuesday meeting to which it pertains.

5.1.1.Zoning Hearing: The Zoning Hearing shall be scheduled for the first Tuesday night meeting of each month. The Zoning Hearing shall be placed in a prominent location on the agenda to follow closely both consideration of the Consent Agenda and the agenda item for Presentations and/or Communications from Boards, Commissions and/or City Council Committees.

5.2 Presentations by Members of Council: The Agenda shall provide a time when the Mayor or any Council Member may bring before the Council any business that he/she believes should be deliberated upon by the Council. These matters need not be specifically listed on the Agenda, but formal action on such matters shall be deferred until a subsequent Council meeting. Immediate action may be taken upon a vote of two-thirds of all members of the Council, provided that the requirements of the Texas Open Meetings Act have been met.

5.2.1 Council Proposals: The “Council Proposal” (C.P.) form shall be the primary communication vehicle for those proposals and policy matters initiated by Council members and submitted to a vote of the City Council. The form should be used for all Council-initiated agenda items with the exception of routine matters such as changes in membership of boards and commissions, approval of ceremonial travel, and general announcements. In order to be listed on the City Council agenda, the Council Proposal form must be signed by two (2) Council members. The sponsoring Council members shall be responsible for initiating the C.P. and for providing direction to staff on their intent and wording. The City Manager’s Office and City Attorney’s Office are responsible for drafting the text of the C.P. C.P.s are subject to prior review and comment by the City Manager’s Office, the City Attorney’s Office, and Fiscal Services Department, and their respective comments shall be noted in the C.P. Upon providing written comments to the C.P., the City Manager and the City Attorney or their designee shall sign the C.P. before it is placed on the agenda. The City Manager shall place C.P.s on the Pre-Council agenda and in the “Presentations by the City Council” portion of the City Council’s meeting agenda for discussion. The sponsoring Council member shall introduce the C.P. at the Pre-Council and the City Council meetings. No C.P. shall be acted upon at the City Council meeting in which it is introduced, save and except a Reconsideration Council Proposal as described in Section 6.10, which must be introduced and acted upon as specified in Section 6.10. (Revised by Resolution No.

3242-08-2005, 8/16/05)

5.2.2 Council Requests for Staff Reports: City Council Members may request staff reports and other staff work through the City Manager or City Attorney. If the request involves a significant use of staff resources (generally defined as approximately four hours or more of staff time), the City Manager or City Attorney shall have the discretion to ask the Council member to bring the request forward during the “City Council Requests for Future Agenda Items and/or Reports” portion of the City Council’s Pre-Council meeting agenda and the request must receive a consensus from the City Council.

5.3 Agenda Deadline: Any person or group desiring to present a subject for the Council’s consideration or to make a ‘Special Presentation’ to the Council shall advise the City Secretary’s Office of that fact not later than 5:00 ~~p.m.~~P.M. on the Wednesday preceding the meeting at which he wishes the subject to be considered. The City Secretary shall have discretion to edit the title of any presentation to be listed on the Council agenda.

5.4 Presentations by ~~Citizens~~Persons Attending Council Meetings:

5.4.1 Any person who wishes to address the City Council during a meeting must be present in the City Council Chamber when called upon by the Chairman to speak. No person will be permitted to address the City Council unless that person has completed a speaker’s card in the form prescribed by the City Secretary. All speaker registration cards must be submitted at least fifteen (15) minutes prior to the scheduled starting time of the meeting (i.e. 9:45 a.m. for meetings beginning at 10:00 a.m. and 6:45 p.m. for meetings beginning at 7:00 p.m.).

5.4.2, Any person wishing to make a presentation that includes video or another form of electronic media must provide that information in digital format to the City Secretary’s Office no later than one (1) hour prior to the scheduled starting time of the meeting for review by the staff. City staff shall review the information as to form and content. The information shall not contain any statements, graphics or pictures that are offensive or reflect personal attacks on other individuals, the City Council members or City staff. The digital format must be compatible with the City’s technology equipment. The presentation will be tested prior to the meeting to ensure that it is compatible with the City’s equipment.

5.4.3. Presentations by ~~citizens, with or without prior notification, individuals~~ shall be limited to three minutes; ~~allowing~~ At the discretion of the ~~Chairman~~chair, this limit may be extended to reasonably extend those limits.

- 5.4.24. Presentation by a representative of an organized group consisting of a minimum of ten persons, ~~which is all of whom must be present in the Council Chamber and has selected a spokesperson at the time such representative is called upon by the Chairman,~~ shall be limited to ten minutes. At the discretion of the ~~Chairman~~chair, this limit may be extended. A person counted as an individual represented by the speaker shall not be permitted to speak individually on the same subject.
- 5.4.35. ~~The foregoing rules and time limitations shall apply to presentations of citizens appearing at any public hearing being held by the Council pursuant to official notice thereof. Persons wishing to address the City Council about an item that is specifically posted on the meeting agenda and who have completed a speaker's card at least fifteen (15) minutes prior to the scheduled start of the meeting will be permitted to speak at the time that agenda item is taken up by the Council for consideration.~~
- 5.4.46 ~~Citizen presentations scheduled in accordance with Section 5.3 of these rules shall be listed and heard under the "Citizen's Presentations" portion of the agenda, along with other citizens who have completed speaker's cards in the form prescribed by the City Secretary and whose presentations do not relate to a specific agenda item. Persons wishing to address the City Council about an item that is not otherwise posted on the meeting agenda and who have completed a speaker's card at least fifteen (15) minutes prior to the scheduled start of the meeting will be permitted to speak under the agenda item entitled "Citizen Presentations." The Chairman chair shall have the discretion to call for all or a portion of the citizen presentations to be made at an under that agenda item earlier or later part of the agenda in the meeting; however, the chair may give consideration to allow citizens who request to be placed on a City Council agenda by 12:00 noon on Thursday before the Council meeting to address the City Council at an earlier time during the City Council meeting.~~ Responses to a citizen's presentation by the City Council and staff shall be in accordance with Texas Open Meetings Act requirements. If a citizen or City Council member raises a subject that has not been included in the public notice for the meeting, a response may consist only of a statement of specific factual information or a recitation of existing policy. Any further discussion of the subject shall be limited to a proposal to place the subject on the agenda for a future meeting for deliberation or decision. (Revised by Resolution No. 3242-08-2005, 8/16/05)
- 5.5 Communications to Mayor and Council: The City Manager shall provide the Council with an analysis of items to be acted upon by the Council at its meetings in the form of a "Mayor and Council Communication." These communications shall be delivered to Council members each Thursday preceding the Tuesday meetings at which they will be discussed, unless an emergency condition makes it necessary to deliver the communications on a subsequent day.

- 5.6 Oral Presentations by City Manager: Matters requiring the Council's attention or action which may have developed since the deadline for delivery of the written communication to the Council may, upon approval of the Council, be presented orally by the City Manager. If formal Council action on a subject is required, such action shall be delayed until the next succeeding meeting, except the immediate action may be taken if approved by a two-thirds majority of all members of the Council and providing that the requirements of the Texas Open Meetings Act have been met.
- 5.7 Competitive Bids; Drawing to be Held in Presence of City Council: When it is determined, after competitive bids have been received for the provision of goods or services to the City of Fort Worth, that identical low bids have been received from more than one bidder, and only one of the bidders submitting identical bids is a resident of the City of Fort Worth, the City shall select that bidder in accordance with Section 271.901 of the Texas Local Government Code. Otherwise, in the case of identical bids, a drawing shall be held to determine which bid will be accepted. Such bidders shall be notified in writing of the date of the drawing, which shall be held during the City Council meeting when the award of the subject contract is being considered. Notification of bidders shall be the responsibility of the Purchasing Division of the Finance Department, except for construction contracts for the Water Department and Transportation/Public Works Department, who will notify bidders for their respective contracts.

At the time of the drawing, the City Secretary shall provide a receptacle containing slips of paper equal in number to the number of low bidders. One of the slips shall be marked with an "X". A representative of each low bidder shall draw from the receptacle a slip of paper. The bid of the bidder who draws the slip of paper marked with an "X" shall be accepted.

This section does not prohibit the City Council from rejecting all bids.

6. CONSIDERATION OF ORDINANCES, RESOLUTIONS, AND MOTIONS

- 6.1 Printed on Typewritten Form: All ordinances and resolutions shall be presented to the Council only in printed or typewritten form.
- 6.2 City Attorney to Approve: City Attorney shall approve or file written legal objections to every ordinance before it is acted upon by Council. (Charter-Ch. [VI6](#), Sec. 1)
- 6.3 Action on Ordinances: Ordinances may be acted upon by the City Council during

the meeting at which they are introduced, subject to provisions of the City Charter and state law.

6.4 Distribution of Ordinances: The City Manager shall prepare copies of all proposed ordinances for distribution to all members of the Council at the meeting at which the ordinance is introduced, or at such earlier time as is expedient.

6.5 Recording of Votes: The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the Council. (Charter - Ch. III~~3~~, Sec. 5)

6.6 Majority Vote Required: Approval of every ordinance, resolution, or motion shall require the affirmative vote of a majority of all members of the Council, except as specified in Section 8 of these Rules. (Charter - Ch. III~~3~~, Sec. 5)

6.7 Tie Vote: In the event of a tie in votes on any motion, the motion shall be considered lost.

6.8 Voting Required: No member shall be excused from voting except on matters involving the consideration of his own official conduct, or where his financial interests are involved, or unless excused by the Council for other valid reasons by majority vote. (Charter - Ch. III~~3~~, Sec. 5)

6.9 Order of Precedence of Motions: The following motions shall have priority in the order indicated:

Undeatable	1.	Adjourn (when privileged) <u>1/</u> & <u>2/</u>	Privileged
	2.	Take a recess (when privileged) <u>1/</u> & <u>3/</u>	
	3.	Raise a question of privilege	
	4.	Lay on the table	
	5.	Previous question (2/3 vote required)	
	6.	Limit or extend limits of debate (2/3 vote required)	
Deatable	7.	Postpone to a certain time <u>3/</u>	Subsidiary
	8.	Commit or refer <u>3/</u>	
	9.	Amend <u>3/</u> & <u>4/</u>	
	10.	Postpone indefinitely	
	11.	Main motion <u>3/</u>	

1/ The first two motions are not always privileged. To adjourn shall lose its privileged character and be a main motion if in any way qualified. To take a recess shall be privileged only when other business is pending.

- 2/ A motion to adjourn is not in order:
 - 1) When repeated without intervening business or discussion
 - 2) When made as an interruption of a member while speaking
 - 3) While a vote is being taken
- 3/ Can be amended - others cannot be amended
- 4/ A motion to amend shall be undebatable when the question to be amended is undebatable.

6.10 Reconsideration. In order for an action to be reconsidered, a Reconsideration Council Proposal prepared in accordance with Section 5.2.1 of these rules shall be submitted to the City Manager's Office no later than 4:00 p.m. on the first Friday after the City Council meeting in which a vote was taken on the item. A Reconsideration Council Proposal can only be sponsored by a Council Member who voted with the prevailing side. A motion on the Reconsideration Council Proposal to reconsider any action of the Council can be made not later than the next succeeding official meeting of the Council following its submission to the City Manager's Office. Such motion can only be made by a member who voted with the prevailing side. It can be seconded by any member. No question shall be twice reconsidered, except by unanimous consent of the Council.

Notwithstanding the provisions above, a Reconsideration Council Proposal relating to any contract may be submitted to the City Manager's Office before the final execution thereof. In order for a contract to be reconsidered, a Reconsideration Council Proposal prepared in accordance with Section 5.2.1 of these rules shall be submitted to the City Manager's Office in sufficient time to allow for posting as required by law. A Reconsideration Council Proposal relating to a contract shall be placed on the first City Council agenda following 72 hours after submission to the City Manager's Office. A motion on the Reconsideration Council Proposal relating to a contract can only be made by a member who voted with the prevailing side. It can be seconded by any member. No question shall be twice reconsidered, except by unanimous consent of the Council. (Revised by Resolution No. 3242-08-2005, 8/16/05)

- 6.11 The Previous Question: When the previous question is moved and seconded, it shall be put as follows:

“Shall the main question be now put?” There shall then be no further amendment or debate; but pending amendments shall be put in their order before the main question. If the motion for the previous question is lost, the main question remains before the Council. An affirmative vote of two-thirds of the Council shall be required to move the previous question.

- 6.12 Withdrawal of Motions: A motion may be withdrawn, or modified, by its mover without asking permission until the motion has been stated by the Chairman. If the mover modifies his motion, the seconder may withdraw his second. After the question has been stated, the mover shall neither withdraw it nor modify it without the consent of the Council.

- 6.13 Amendments to Motions: No motion or proposition of a subject different from that under consideration shall be admitted under color of amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order.

- 6.14 Appropriations of Money: Before formal approval by the Council of motions providing for appropriation of money, information must be presented to the Council showing the purpose of the appropriation and the account to which it is to be credited. In addition, before finally acting on such an appropriation, the Council shall obtain a report from the City Manager as to the availability of funds and his recommendations as to the desirability of the appropriation.

- 6.15 Transfer of Appropriations: Upon the written recommendation of the City Manager, the Council may by ordinance transfer an unencumbered balance of an appropriation made for the use of one department, division, or section to any other department, division, or section; but no transfer shall be made of revenues or earnings of any non-tax supported public utility to any other purpose. (Charter - Ch. ~~X10~~, Sec. 3)

7. CREATION OF COMMITTEES. BOARDS. AND COMMISSIONS

- 7.1. Standing Council Committees: There shall be ~~four~~~~three~~ standing City Council Committees—; Legislative and Intergovernmental Affairs; Housing and Economic Development; ~~and~~ Infrastructure and Transportation, ~~Environment, Neighborhoods and Community Services~~. The membership and chairs of the standing committees shall be appointed by the Mayor. All matters discussed by the Committees shall either (a) be referred to the appropriate committee by the Mayor after presentation to the City Council at a pre-council or council meeting, if a more in-depth review and

discussion by a smaller group would be beneficial, or (b) be placed on a committee agenda by the City Manager prior to taking the matter to the full Council. The agenda for each committee meeting shall be prepared by the City Manager and his staff. It shall be the responsibility of the Committee to provide thorough review of the matters brought before it and to provide feedback to the City Manager through either a consensus or a formal committee recommendation. All council committee meetings shall be open meetings posted in accordance with the Texas Open Meetings Act requirements. All final policy decisions shall be made by the City Council in open meetings posted in accordance with the Texas Open Meetings Act requirements. (Revised by Resolution No. 3242-08-2005, 8/16/05; Revised by Resolution No. 3619-05-2008, 05/27/08; Revised by Resolution No. 3674-11-2008, 11/11/08)

- 7.2 Ad Hoc Council Committees: The Council may, as the need arises, authorize the appointment of “Ad Hoc” Council committees. Except where otherwise specifically provided by the Charter, the Mayor shall appoint the members of the Ad Hoc Council committees, subject to the approval of the Council. Any Ad Hoc committee so created shall cease to exist upon the accomplishment of the special purpose for which it was created or when abolished by a majority vote of the Council. (Revised by Resolution No. 3242-08-2005, 8/16/05)
- 7.3 Citizen Boards, Commissions, and Committees: The Council may create other Committees, Boards, and Commissions to assist in the conduct of the operation of the City government with such duties as the Council may specify not inconsistent with the City Charter or Code. Memberships and selection of members shall be as provided by the Council if not specified by the City Charter or Code. Any Committees, Boards, or Commissions so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the City Manager, except as otherwise specified by the Charter or Code.
- 7.4 Council Appointments to Boards, Commissions, and Committees: Council members desiring to make appointments shall use best efforts to distribute candidate information to other Council members at least one week in advance of the Council meeting at which the motion to appoint the candidate is to be made.
- 7.5 Audit and Finance Advisory Committee: There shall be an Audit and Finance Advisory Committee, which shall consist of six (6) members, no more than four (4) of whom may be members of the City Council and at least one (1) of whom shall be a financial professional (such as, without limitation, a certified public accountant, financial advisor, or actuary) who is not a member of the City Council. The

membership of the Audit and Finance Advisory Committee, as well as the chair and vice chair, shall be appointed by the Mayor. The specific duties and responsibilities of the Audit and Finance Advisory Committee shall be set forth in a charter adopted by the City Council resolution. Until such resolution is adopted, the charter for the Audit and Finance Advisory Committee previously approved by the City Council pursuant to M&C G-15473 shall continue in effect to the extent that it does not conflict with this Section 7.5. Three (3) members shall constitute a quorum of the Audit and Finance Advisory Committee. The act of a majority of the members appointed to serve on the Audit and Finance Advisory Committee, and not just those present and voting at a given meeting, shall constitute the act of the Committee. The agenda for each meeting of the Audit and Finance Advisory Committee shall be prepared by the City Manager and his staff. (Revised by Resolution No. 3775-08-2009)

8. VOTES REQUIRED. Approval of every ordinance, resolution, or motion shall require on final passage the affirmative vote of a majority of all members of the Council, except that the Charter, and certain State statutes impose other voting requirements on various questions. In addition, these rules set forth certain instances in which the number of votes required is greater than a majority of all members. As a matter of convenience, questions on which the voting requirement is varied by the Charter, sState statutes, and these rules are listed below.

8.1 Charter and State Statutory Requirements:

8.1.1 Changing Paving Assessment - 6 Votes: Change in plans for paving assessment requires a two-thirds vote of the Council. (Art. 1105b, Sec. 10, Revised Civil Statutes)

8.1.2 Use of Streets - 6 Votes: Ordinances granting privileged use of streets, which use does not involve the digging up of same, must be approved by two-thirds of the members of the Council. (Charter - Ch. XXVI~~26~~, Sec. 4)

8.1.3 Changing of Zoning Ordinance - 7 Votes: Changes in zoning classifications, when a hearing is held by the Council and such change is protested by owners of twenty percent or more of the area within 200 feet of the affected property must have the approval of three-fourths of all members of the Council. (Texas Local Government Code, Sec. 211.006(d))

8.2 Council Rules Requirement:

8.2.1 Suspending Rules - 6 Votes: Council rules may be suspended by an affirmative vote of six (6) members of the Council. (Council Rules, 2.13)

8.2.2 ~~Special Meetings — 4 Votes: Special meetings may be called by the Mayor or any three (3) members. Such call shall be in writing and shall state the object of the meeting, and no business shall be transacted at such meeting other than that specified in the call. (Charter — Ch. III3, Sec. 5)~~

8.2.3 Limit or Extend Limits of Debate - 6 Votes: An affirmative vote of two-thirds of all members of the Council is required to limit or extend the limits of debate in Council meetings. (Council Rules, 6.9)

8.2.43. The Previous Question - 6 Votes: An affirmative vote of two-thirds of all members of the Council is required to move the previous question. (Council Rules, 6.11)

History of Adoption and Amendments:

Approved by the City Council the 8th day of January, 1960 and amended as follows:

Revised calendar for processing M&Cs and Council agenda (M & C G-180)	January 12, 1961
Changed distribution of M&Cs to Council from Thursday to Wednesday; changed M&C calendar. (M&C G-285)	August 13, 1962
Meeting time changed. (Ordinance No. 4770)	November 26, 1962
Agenda deadline changed (Pre-Council conference)	July 7, 1967
Citizen presentations transferred from end of agenda to Special Items; limit discussion to five minutes unless citizen contacts Council or City staff.	January 22, 1968
Amended Rules 5.4 and 8.2 by deleting Section 8.2.4. (City Council meeting of March 22, 1976)	March 22, 1976
Meeting time was amended. (Ord. No. 7647 & repeals Ord. No. 4770)	October 20, 1977
Amended Rules 5.2, 5.4, 5.6, 6.10 and Sections 8.2.3; and 8.2.4. (M&C 4379)	November 29, 1979
Amended Rules 3.1, 3.5, 3.6. and 5.3; and Section 5.4.4. (Res. No. 745)	November 18, 1980 (Effective November 25, 1980)
Amended Rules 3.1; 3.5; and Section 5.4.4. (M&C 6576 Revised & Ord. No. 9574)	February 25, 1986
Revised Rules 3.2; 5.4; and Section 5.4.3; added Rule 5.7; revised Rules 6.2; 6.3; 6.4; 6.15; Sections 8.1.1; 8.1.2; 8.1.4; 8.1.5; 8.1.6; 8.2.2; 8.2.3; 8.2.4 and 8.2.5. (M&C G-6978)	March 4, 1987

City of Fort Worth, Texas
City Council
Rules of Procedures

Amended Rule 2.6; deleted Rule 3.3 and renumbered Rules 3.4 through 3.6; amended Rule 4.3; Section 8.1.3; and deleted Section 8.1.4 (OCS-277) May 7, 1991

Amended Rule 4.3 and Section 5.4.2. November 19, 1991
(Council Proposal 168 *presented for consideration.*)

Amended Rule 4.3 and Section 5.4.2. (Council Proposal 168 *adopted.*) December 3, 1991

Amended Rules 3.1 and 3.4. October 22, 1996
(Council Proposal 197 *presented for consideration*)

Amended Rules 3.1 and 3.4 Effective January 1997
(Council Proposal 197 (revised) *adopted.*)

Amended Rules 3.3, 5.2, 5.6, and 5.7 to conform to state law, Rules 3.4, 3.5, and 5.3 to conform to current procedures, and added new Sections 5.2.1, 5.2.2 and Rule 7.3 (Resolution No. 2696) January 9, 2001

Amended Rule 3.5, Sections 5.2.1, Section 5.4.4, Rules 6.10, 7.1, and added Rule 7.2. August 16, 2005
(Resolution No. 3242-08-2005)

Amended Rule 7.1 (Resolution No. 3619-05-2008) May 27, 2008

Amended Rule 7.1 (Resolution No. 3674-11-2008) November 11, 2008

Amended Rule 7.5 (Resolution No. 3775-08-2009) August 11, 2009

Marty Hendrix, City Secretary

A Resolution

NO. _____

ALLOCATING \$4,500,000 FOR THE DRAINAGE COMPONENT OF THE HARLEY STREET REALIGNMENT PROJECT FROM CERTAIN STORM WATER UTILITY FUNDS AND DIRECTING THAT \$1,500,000 OF SUCH FUNDS BE REIMBURSED TO THE STORM WATER UTILITY OPERATING FUND FROM THE PROCEEDS OF THE NEXT AVAILABLE GENERAL OBLIGATION BOND FUND SALE

WHEREAS, the Harley Street Realignment Project was approved by City of Fort Worth voters on February 7, 2004 as a component of the 2004 Capital Improvement Program (CIP) Arterial Streets proposition;

WHEREAS, 2004 CIP funds are not currently available to complete this project;

WHEREAS, a component of the project scope is drainage infrastructure improvements, including: hydrologic and hydraulic modeling, summary reporting on results of same, developing schematics and profile sheets for drainage lines, preparing concept opinions of probable drainage improvement costs, including plans, specifications and estimates, and preparing exhibits as required;

WHEREAS, the drainage component of the project scope of work is estimated to cost approximately \$4,500,000;

WHEREAS, the City of Fort Worth desires this project be started as soon as possible; and

WHEREAS, the City of Fort Worth desires that other critical Storm Water infrastructure projects not be unduly deferred or otherwise adversely affected by the use of Storm Water Capital Project Funds for this project.

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

1.

That the City Council direct the City Manager to allocate \$4,500,000 for the drainage component of the Harley Street Realignment Project from Storm Water Utility Funds. Such contribution shall be made from the Storm Water Utility Operating Fund in the amount of \$1,500,000 and from the Storm Water Revenue Bond Fund, Series 2009 in the amount of \$3,000,000.



2.

That the City Council direct the City Manager to reimburse the Storm Water Utility Operating Fund in the amount of \$1,500,000 from the proceeds of the next available General Obligation Bond Fund Sale, currently planned for the year 2013.

Adopted this _____ day of _____ 2011.

ATTEST:

By: _____

Marty Hendrix, City Secretary



No Documents for this Section

City of Fort Worth, Texas
Mayor and Council Communication

DATE: Tuesday, March 22, 2011

LOG NAME:

REFERENCE NO.: **OCS-1806

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, March 16, 2011.

Attachment

Submitted for City Secretary's Office by:

Marty Hendrix (6152)

Originating Department Head:

Marty Hendrix (6152)

Additional Information Contact:

Lena Ellis (8517)
Nancy McKenzie (7744)

CITY COUNCIL MEETING

Tuesday, March 22, 2011

RISK MANAGEMENT CLAIMS REPORT

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

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Atmos Energy	3/3/2011	11/23/2010	1007 E Pulaski	Property Damage	Gas line cut.	Water	Yes	No
Allison Vierling	3/4/2011	11/11/2010	Hulen & Vickery	Property Damage	Debris in roadway caused damage to tire	TPW	Yes	No
Serena V. Pfeiffer	3/4/2011	10/19/2010	Merida & W Seminary	Auto Damage	Struck manhole cover.	TPW	Yes	No
Kenneth Turner	3/7/2011	2/14/2011	825 Foch St	Auto Damage	Struck by City vehicle.	Plng & Dev	No	No
Marilyn Sheppard	3/7/2011	3/5/2011	4354 Sahara Pl	Property Damage	Water leak due to construction.	Water	No	No
Glenn Hilton Smith	3/7/2011	10/28/2010	916 Morningside Dr	Property Damage	Plants & landscape material damaged by contractor.	PACS	No	No
Bobby Frye	3/7/2011	9/8/2010	3515 Bellaire Drive	Property Damage	Sewer backup caused damage.	Water	Yes	No

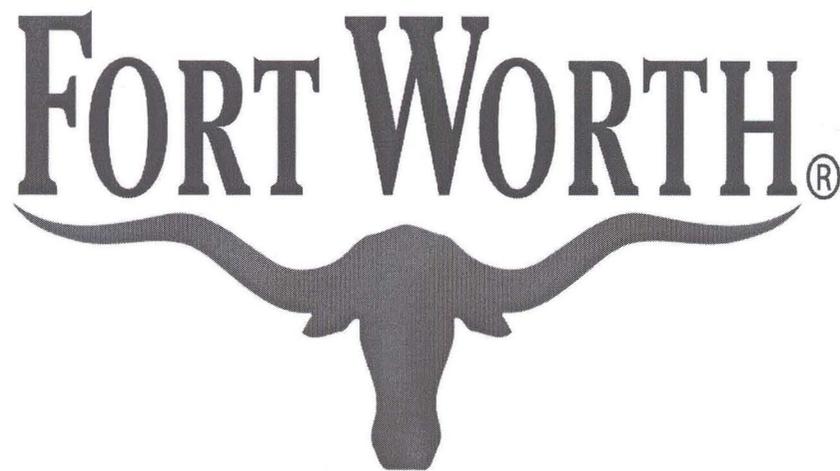
CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Gainsco Auto Insurance	3/7/2011	2/9/2011	W Freeway and Forest Park	Auto Damage	Collision with City vehicle.	Police	Yes	No
Daniel Fine	3/8/2011	2/28/2011	Westcreek & Glenmont	Auto Damage	Construction sign damaged vehicle.	TPW	Yes	No
Brian Phillips	3/8/2011	2/8/2011	1000 Throckmorton	Bodily Injury	Elevator dropped.	TPW	No	Yes
Amsco Steel Company	3/9/2011	2/14/2011	3440 McCart Street	Property Damage	Water main break.	Water	No	No
Relton L. Felty	3/9/2011	10/15/2010	2401 Columbus Avenue	Property Damage	Condemnation/demolition.	Code	No	No
Mercedes Blaylock	3/9/2011	2/17/2011	601 Rivercrest Dr	Property Damage	Sewage overflow.	Water	No	No
Patrick Conley	3/10/2011	1/1/2011	5805 Farnsworth Ave	Property Damage	Damage during raid.	Police	No	No
Metro Charters	3/9/2011	2/2/2011	Miller Ave & Wilbarger St	Auto Damage	Collision with City vehicle.	Water	Yes	No
Larry Rutledge	3/10/2011	12/2/2010	5709 Rayburn Dr	Property Damage	Carpet stained during fingerprint of home.	Police	Yes	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Dinalva Partin	3/10/2011	3/4/2011	4517 French Lake Dr	Property Damage	Sewage overflow.	Water	No	No
Venustiano Lopez	3/10/2011	2/8/2011	Northside Dr	Auto Damage	Objects from City truck damaged vehicle.	Water	Yes	No
Lisa Ruelas	3/11/2011	3/10/2011	McCray Community Center	Auto Damage	City vehicle backed from parking space into Citizen's vehicle.	PACS	No	No
Daniel J. Martin	3/11/2011	2/2/2011	2500 S. E. Loop 820	Auto Damage	Auto damaged on icy road.	Water	Yes	No
Johnny Diaz, et al	3/14/2011	2/12/2011	Las Vegas Trail & Jim Wright Fwy	Bodily Injury	Injured in auto accident.	Police	No	Yes
Marcus Jernigan	3/14/2011	2/12/2011	Fire Department	Bodily Injury	Discrimination - Race & Age	Fire	No	No
Alisa D. Hayes	3/14/2011	2/15/2011	Keller Hicks Road	Auto Damage	Object from City truck damaged vehicle.	Water	Yes	No
Janell Sorenson	3/15/2011	3/10/2011	Tamworth St	Auto Damage	Vehicle struck by loose concrete surrounding sewer cover.	TPW	No	No
Jose Reyes	3/15/2011	2/15/2011	Jacksboro & Northside Dr.	Auto Damage	Struck large pothole.	TPW	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
AT&T Texas	3/16/2011	1/19/2011	2424 NE 35th St	Property Damage	Cable line cut.	Water	Yes	No

No Documents for this Section

CITY OF FORT WORTH, TEXAS



**CITY COUNCIL
ZONING HEARING
March 22nd, 2011**

CITY COUNCIL ALTERNATIVES FOLLOWING RECEIPT OF RECOMMENDATIONS BY THE ZONING COMMISSION

A. LESS THAN TWENTY (20) PERCENT PROTEST:

When the Zoning Commission recommends APPROVAL OR DENIAL of a zoning request as submitted or amended and there is less than 20 percent protest by owners of property within 200 feet, the City Council, with a majority vote of all members (5 of 9), may:

1. Approve as recommended;
2. Deny with or without prejudice (if denied without prejudice, the Applicant does not have to wait one year before submitting another request for zoning change);
3. Continue hearing;
4. Continue hearing and re-send notices as required under state law in order to substitute a more restrictive classification unless the affected property owner is present and agrees or if not present, agrees in writing to the more restrictive change on his/her property; or
5. Return to Zoning Commission for rehearing.

B. TWENTY (20) PERCENT OR MORE PROTEST:

When the Zoning Commission recommends APPROVAL OR DENIAL of a zoning request as submitted or amended and there is 20 percent protest or more by the owners of property within 200 feet against the change, the City Council may:

1. Approve as recommended with a three-fourth vote of all City Council members (7 of 9);
2. Deny with or without prejudice (if denied without prejudice, the Applicant does not have to wait one year before submitting another request for zoning change) (5 of 9);
3. Continue hearing for consideration of noticed rezoning (5 of 9);
4. Continue hearing and re-send notices as required under state law in order to substitute a more restrictive classification (5 of 9); or
5. Return to Zoning Commission for rehearing (5 of 9).

C. When the City Council has denied a proposal, or when the applicant has withdrawn his proposal at the Zoning Commission meeting after the giving of public notice, no new applications of like nature shall be accepted by the City or scheduled for hearing by the Zoning Commission within a period of twelve (12) months of the date of Council denial or applicant's withdrawal.



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
March 22, 2011

Council District 2

Zoning Commission Recommendation:
Approved by a vote of 7-1

Opposition: Received from 65% of property owners within 200 ft.; IH 35 Coalition, Mercantile Partners, others

Continued Yes X No ___
Case Manager Stephen Murray
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: Commercial Metals Company

Site Location: 2400 NE 36th Street Mapsco: 49Y

Proposed Use: Metal Recycling Facility

Request: From: "K" Heavy Industrial

To: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus metal recycling facility; site plan included.

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent.

Background:

The proposed site is located on 36th Street near Long Avenue just east of IH-35W. The applicant is required to relocate the metal recycling facility due to the purchase of the current location by the Tarrant Regional Water District for the flood protection project and the Trinity River Vision. They have been requested to vacate the current location by June 2011. The business operation involves the storage, processing, bailing, and reclamation of metals.

The site currently has numerous structures, some of which will be demolished. A new building of roughly 5,000 sq.ft. will be constructed.

The landscaping and forestry plans are attached to this report as Exhibit A. While official submittals have not yet been provided until the zoning is complete and the building permit is reviewed, Staff has reviewed the plans and determined that they meet or exceed the planting requirements. Some minor spacing adjustments may be necessary when the Forestry plan is submitted.

The site plan provides stacking limitations so that the height of the stock piles does not become excessive near the property line. The site plan provides an 8 ft. sheet metal fence topped with security razor wire and three proposed pylon signs on three of the rights-of-way surrounding the property. The Zoning Ordinance would allow for a highway sign along IH 35, where no sign is proposed, but one monument sign near the front entrance of the business. Existing wall signage is proposed to be replaced/upgraded with signs of the same size, not to exceed the regulation of the ordinance.

This case was continued from a previous Council meeting.

Site Information:

Owner: Commercial Metals Company
6565 N. MacArthur, #800
Irving, TX 75039
Agent: Kirk Williams & Tommy Mann, Winstead PC
Acreage: 6.98 acres
Comprehensive Plan Sector: Northeast

Surrounding Zoning and Land Uses:
North "K" Heavy Industrial / industrial
East "K" Heavy Industrial / industrial
South "K" Heavy Industrial / industrial
West "K" Heavy Industrial / industrial

Site Plan Comments:

1. Pylon signs only allowed through Unified Sign Agreements
 - a. New and/or replacement signs must meet the sign provisions of the Zoning Code or seek a waiver on the site plan
2. Provide statement: "will comply" with Landscape and Urban Forestry Ordinances
3. Head-in parking must comply with ordinance #15947. Head-in parking must be approved by TPW

Compliance with the items noted above shall be reflected on the site plan or a waiver is required.

Public Notification:

The following Neighborhood Associations were notified:

Bonnie Brae NA
Diamond Hill-Jarvis
High Crest Addition
Riverside Alliance
Fort Worth ISD

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

Development Impact Analysis:

1. **Land Use Compatibility**
The applicant is proposing a zone change from "K" Heavy Industrial to "PD/K" Planned Development for all uses in "K" Heavy Industrial plus metal recycler. Site plan included. The proposed site is located within an Industrial Growth Center and surrounding by heavy industrial uses.

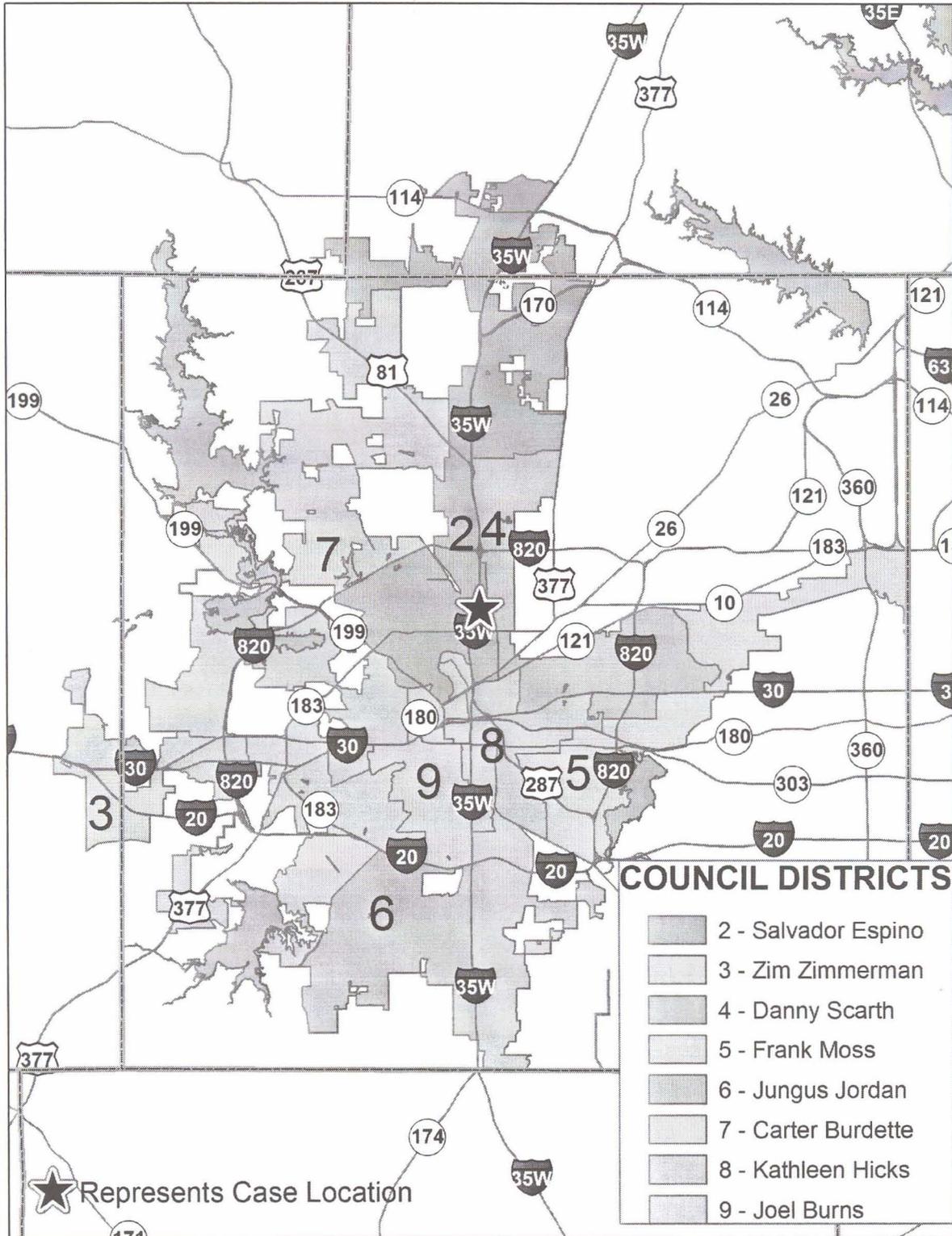
The proposed zoning **is compatible** with surrounding land uses.
2. **Comprehensive Plan Consistency**
The 2010 Comprehensive Plan designates the site as Industrial Growth Center. The following Comprehensive Plan policies apply to the proposed zoning.
 - Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 38)
 - Locate large industrial uses along rail lines, highways, or airports within industrial growth centers and other appropriate locations. (pg. 38)

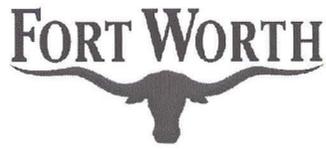
Based on the conformance with the future land use map and policies stated above, the proposed zoning **is consistent** with the Comprehensive Plan.

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Exhibit A – Landscaping and Urban Forestry Plan
- Minutes of the September 14 & November 9, 2010 Council meeting
- Minutes of the July 13, 2010 Zoning Commission meeting

Location Map





ZC-10-094

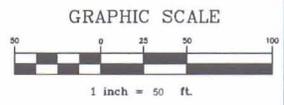
Area Zoning Map

Applicant: Commercial Metals Company
 Address: 2400 N.E. 36th Street
 Zoning From: K
 Zoning To: PD for K uses plus metal recycling facility
 Acres: 6.84
 Mapsco: 49Y
 Sector/District: Northeast
 Commission Date: 06/09/2010
 Contact:

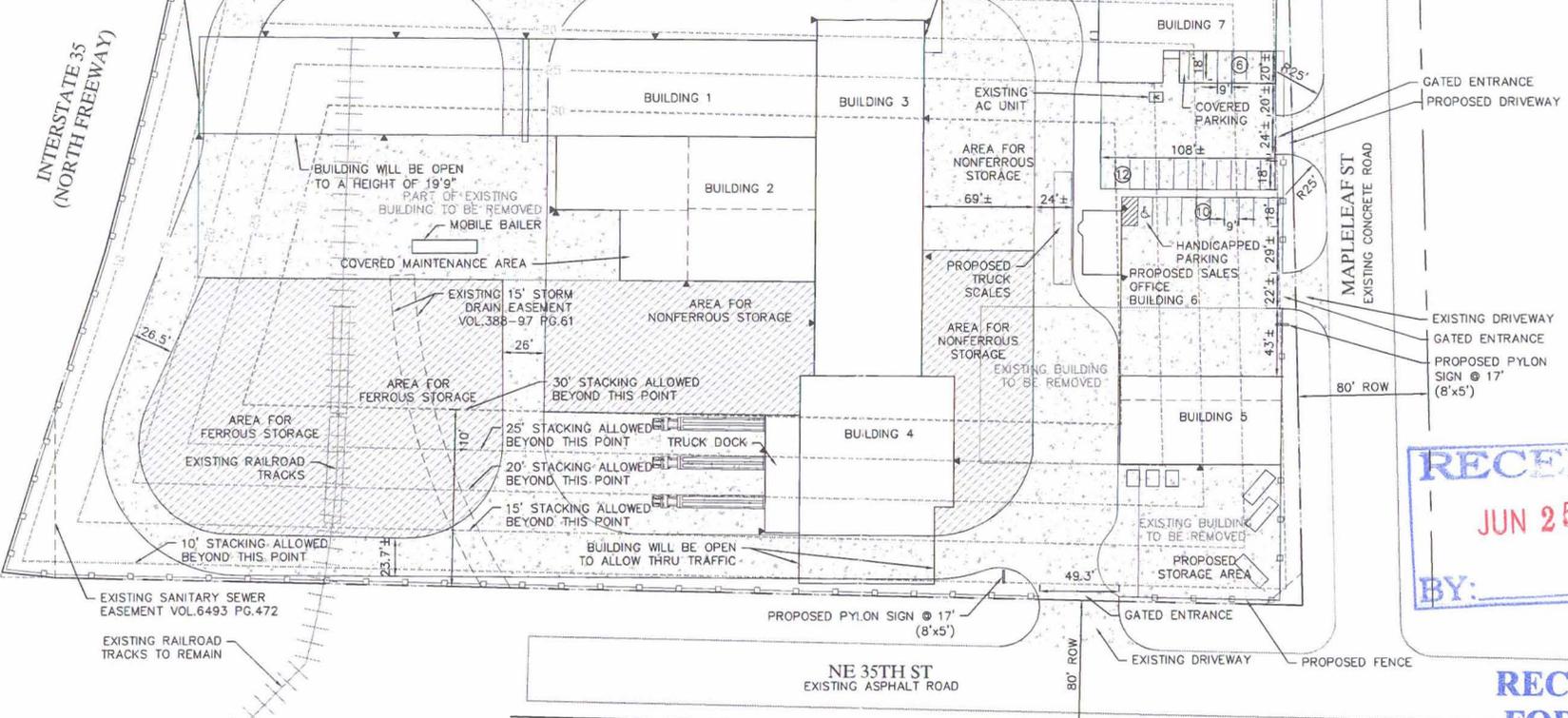
 300 Ft. Notification Buffer



ZC 10-094-



PROPOSED 8' SHEET METAL FENCE WITH RAZOR WIRE TYP.
EXISTING SIGN TO BE REPLACED WITH SIGN OF SIMILAR SIZE.



Kimley-Horn and Associates, Inc.

 801 Cherry St., Suite 400, Fort Worth, TX 76102
 P. 817-335-6511
 F. 817-335-6511

No.	Revision	By	Date

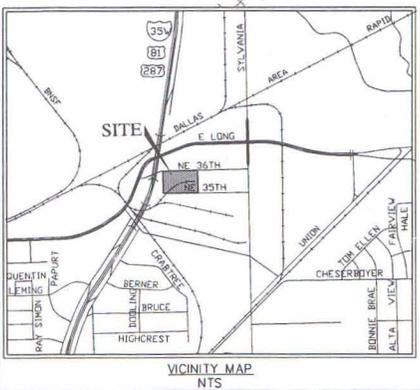
COMMERCIAL METALS
 2400 NE 36TH ST.
 FORT WORTH, TX 76111

RECEIVED
 JUN 25 2010
 BY: _____

RECOMMENDED FOR APPROVAL

SITE PLAN

PLOTTED BY: CRISTY, CLAY
 PLOT DATE: 6/24/2010 10:12 AM
 LOCATION: K:\FTW_CIVIL\064419101 COMMERCIAL METALS\CADD\SHEETS\SITE PLANDWG
 LAST SAVED: 6/24/2010 10:12 AM



LEGEND

	CONCRETE PAVEMENT
	STORAGE AREA

PARKING INFORMATION

USE	EMPLOYEES	PARKING REQUIRED	PARKING PROVIDED
RECYCLING CENTER	42	11 (1 PER 4 EMPLOYEES)	28

BUILDING INFORMATION

BUILDING	GROSS FLOOR AREA (SF)	NO. OF STORIES	BUILDING HEIGHT (FT)	EXTERIOR CONSTRUCTION MATERIAL
1	22,800±	1	48'-6"±	METAL
2	12,640±	1	29'-1"±	METAL
3	14,620±	1	40'-3"±	METAL
4	11,725±	1	30'-2"±	METAL
5	5,500±	1	18'±	METAL
6	980±	1	15'±	METAL
7	5,200±	1	13'-8"±	BRICK

Director of Planning and Development _____
 Date: _____

COMMERCIAL METAL RECYCLING FACILITY
 Lot A Block 3 J.W. Lancaster Subdivision
 Zoning Case No. XXXX

- NOTES:
- SITE PLAN WILL COMPLY WITH CITY OF FORT WORTH LANDSCAPE AND URBAN FORESTRY ORDINANCE.
 - EXISTING AND PROPOSED LIGHTING WILL BE IN COMPLIANCE OF THE CITY LIGHTING STANDARDS.
 - EXISTING SIGNAGE TO REMAIN AND PROPOSED SIGNAGE WILL COMPLY WITH CITY OF FORT WORTH SIGN ORDINANCE.
 - MAXIMUM HEIGHT OF STACKING WILL BE 30 FEET. A FIVE FOOT SETBACK WILL BE PROVIDED FOR EVERY FOOT ABOVE THE FENCE LINE.

OWNER:
 COMMERCIAL METALS COMPANY
 (SUCCESSOR BY MERGER TO THE LOFLAND COMPANY)
 6565 N. MACARTHUR BLVD. STE. 800
 IRVING, TX 75039
 PH. # 214 689 4362
 CONTACT: JIM AUBUGHON

ENGINEER:
 KIMLEY-HORN AND ASSOC.
 801 CHERRY ST.
 UNIT 11 SUITE 950
 FORT WORTH, TX 76102
 PH. # 817 335 6511
 CONTACT: MATT MOORE

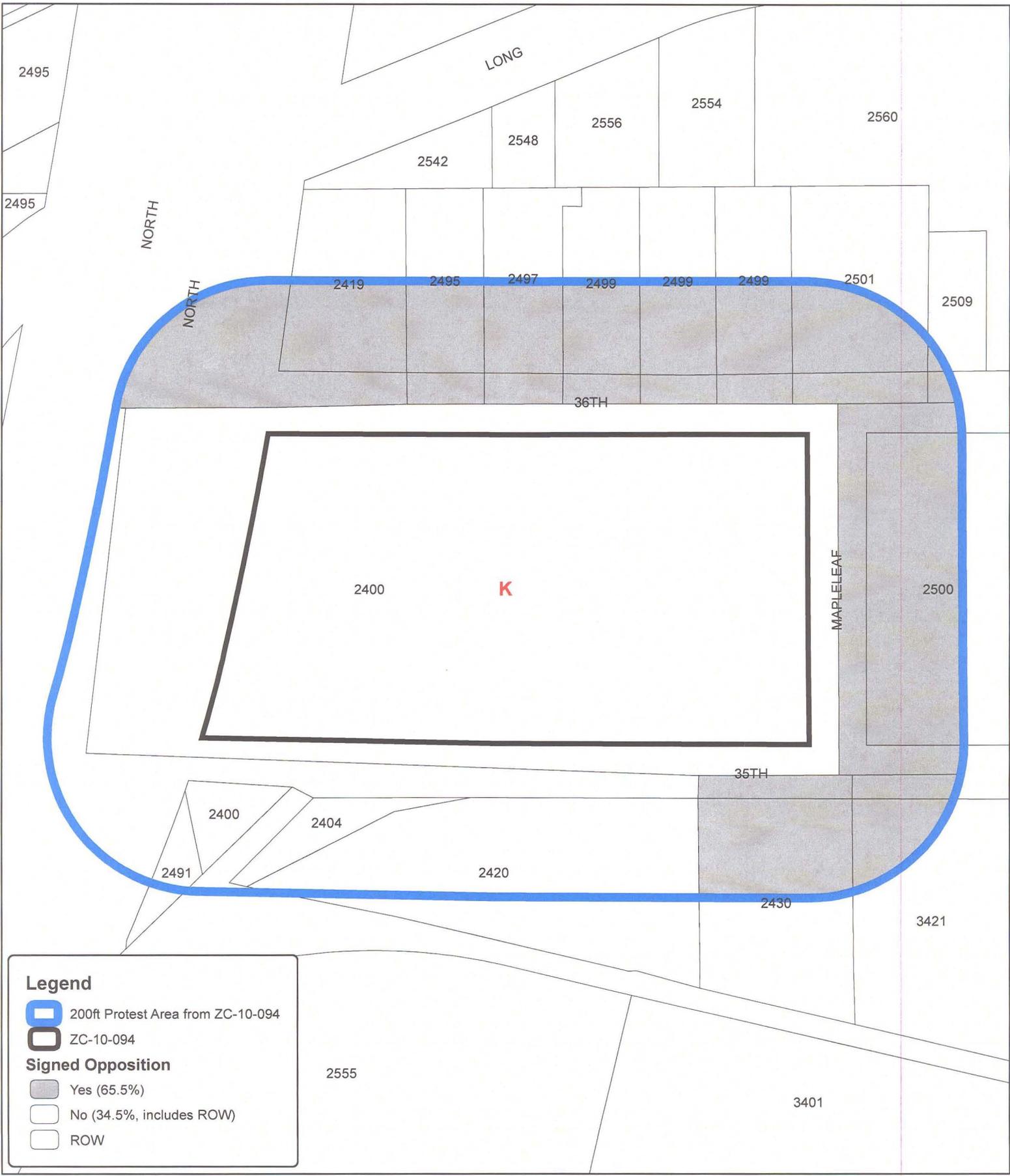
PROPOSED LANDUSE FOR DEVELOPMENT:
 RECYCLING CENTER (STORAGE, PROCESSING, BAILING AND RECLAMATION OF METALS)*

DATE PREPARED: MAY 9, 2010

DATE:	MAY 2010
DESIGN:	CLC
DRAWN:	CLC
CHECKED:	MAM
KHA NO.:	064419101

SHEET
 SP-1

20% Protest Area for ZC-10-094

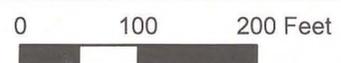


Legend

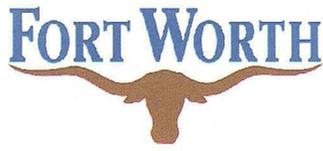
-  200ft Protest Area from ZC-10-094
-  ZC-10-094
- Signed Opposition**
-  Yes (65.5%)
-  No (34.5%, includes ROW)
-  ROW



Planning & Development
Department 7/7/10 - BK

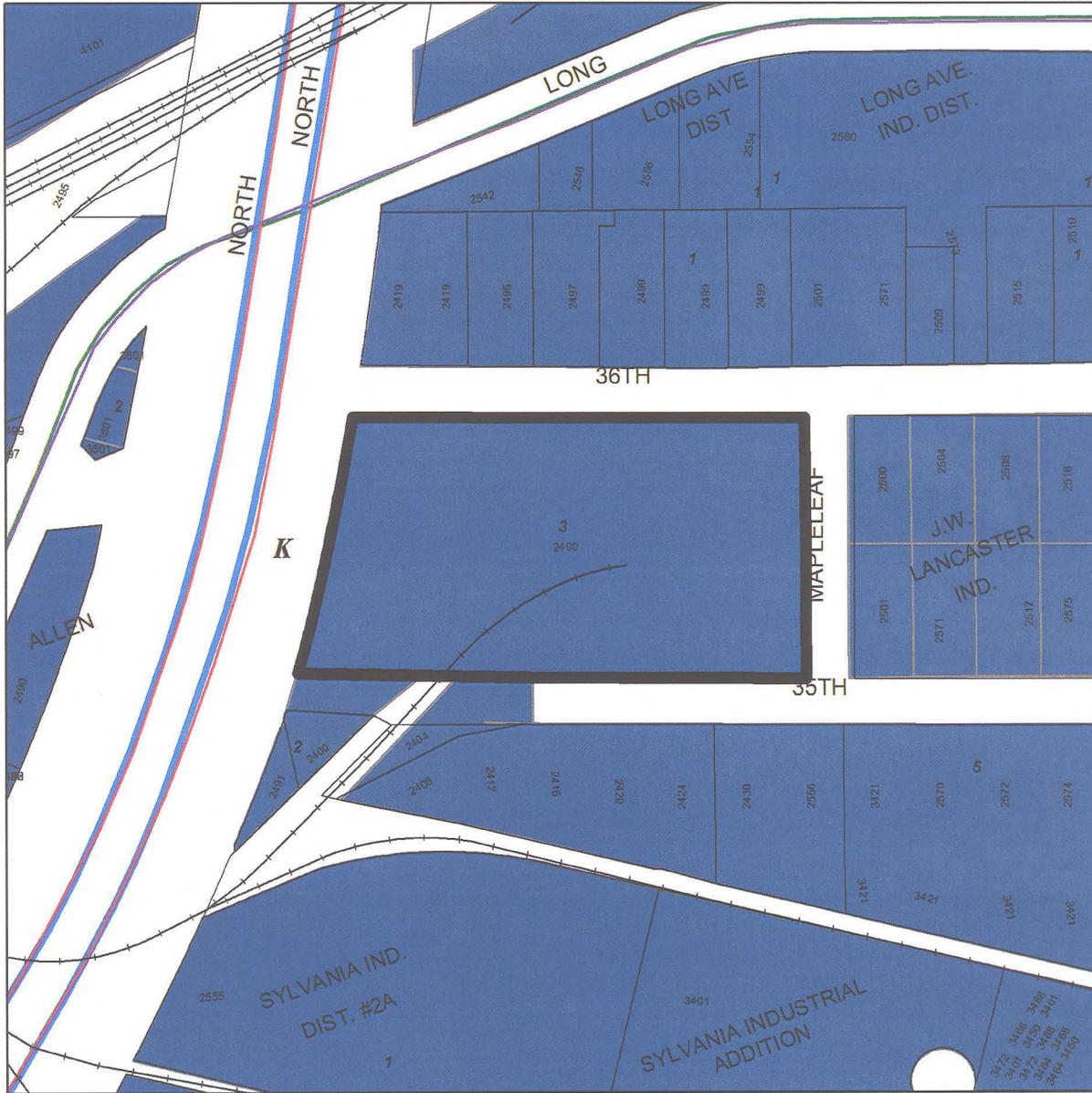


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Future Land Use

ZC-10-094



- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed-Use Growth Center
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

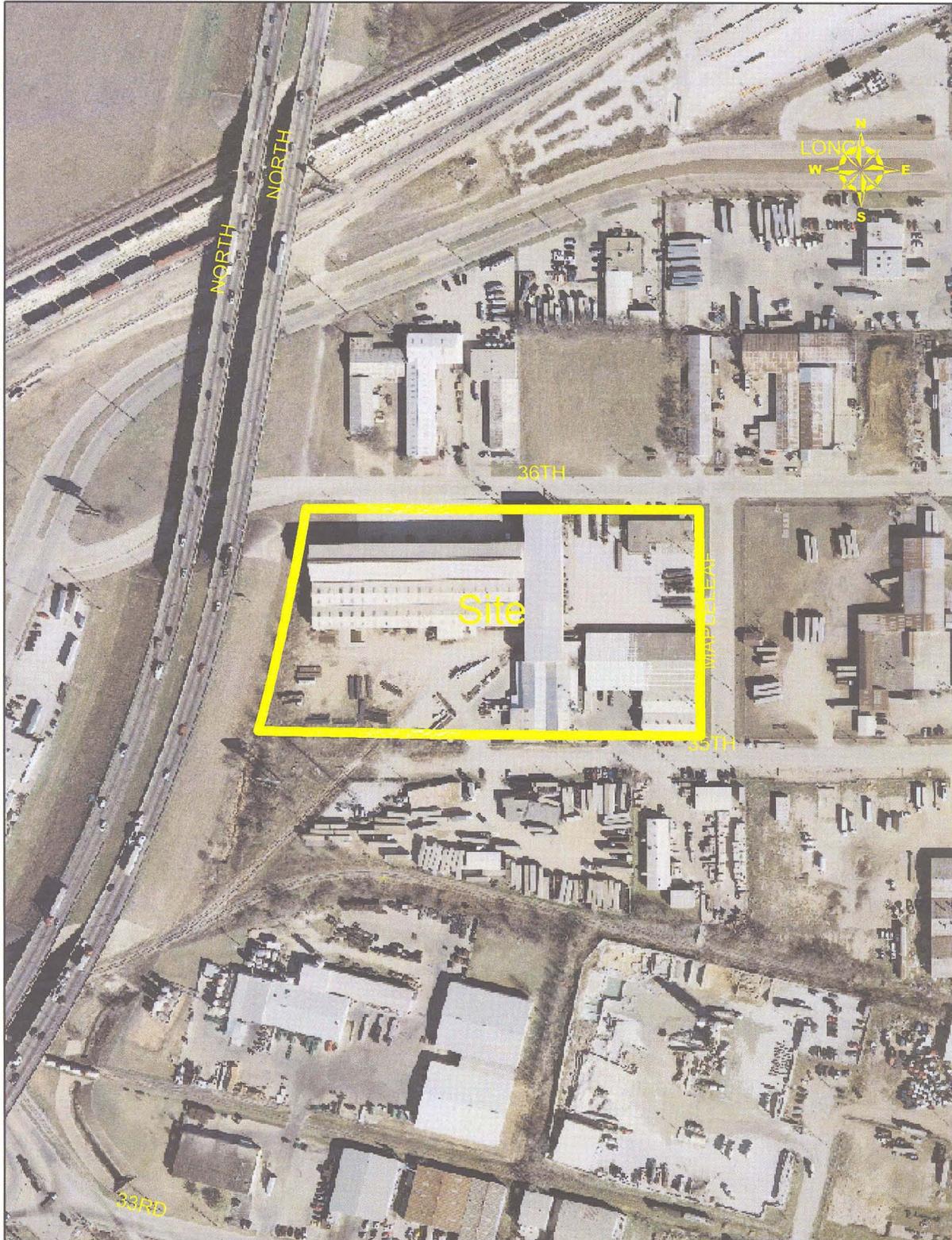
- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on February 23, 2010



Aerial Photo Map



(C-24720 Continued)

Ms. Marcella Olson, 500 Main Street, Suite 800, completed a speaker card in support of Mayor and Council Communication No. C-24720, but did not wish to address the City Council.

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Scarth, that Mayor and Council Communication No. C-24720 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

XV. ZONING HEARING

1. Zoning Docket No. ZC-10-094 - Commercial Metals Company, 2400 NE 36th Street; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus metal recycling facility; site plan included. (Recommended for Approval) (Continued from a Previous Meeting)

It appeared that the City Council at its meeting of November 9, 2010, continued Zoning Docket No. ZC-10-094 Commercial Metals Company, 2400 NE 36th Street from "K" Heavy Industrial to "PD/K" Planned Development for all uses in "K" Heavy Industrial plus metal recycling facility; site plan included. (Recommended for Approval)

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Scarth, that Zoning Docket No. ZC-10-094 be continued until the March 22, 2011, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

2. Zoning Docket No. ZC-10-187 - Reginald Wilson, 4503 Mansfield Highway; from: "E" Neighborhood Commercial to: "FR" General Commercial Restricted. (Recommended for Approval) (Continued from a Previous Meeting)

It appeared that the City Council at its meeting of January 4, 2011, continued Zoning Docket No. ZC-10-187 Reginald Wilson, 4503 Mansfield Highway; from "E" Neighborhood Commercial to "FR" General Commercial Restricted. (Recommended for Approval)

Council Member Moss stated that this area had gone through a Council-initiated rezoning in 2009 and noted that there had been meetings with the City of Forest Hill looking at ways to try and improve the commercial development along this site. He pointed out this rezoning would be counter to the Comprehensive Plan and his motion would be to deny the request.

Motion: Council Member Moss made a motion, seconded by Council Member Hicks, that Zoning Docket No. ZC-10-187 be denied. The motion carried unanimously nine (9) ayes to zero (0) nays.

CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
NOVEMBER 9, 2010
PAGE 36 of 46

(ZC-10-087 Continued)

Motion: Council Member Burdette made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-10-087 be denied without prejudice. The motion carried unanimously nine (9) ayes to zero (0) nays.

2. Zoning Docket No. ZC-10-088 - City of Fort Worth Planning & Development, 1321 Avondale Haslet Road, 1000 - 1500 blocks of Boaz Road; from: Unzoned to: "A-43" One-Family, "E" Neighborhood Commercial, and "PD/SU" Planned Development/Specific Use for veterinary clinic with outdoor kennels; site plan waiver requested. (Recommended for Denial without Prejudice)

Motion: Council Member Burdette made a motion, seconded by Council Member Hicks, that Zoning Docket No. ZC-10-088 be denied without prejudice. The motion carried unanimously nine (9) ayes to zero (0) nays.

3. Zoning Docket No. ZC-10-094 - Commercial Metals Company, 2400 NE 36th Street; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus metal recycling facility; site plan included. (Recommended for Approval) (Continued from a Previous Meeting)

It appeared that the City Council, at its meeting of September 14, 2010, continued Zoning Docket No. ZC-10-094, Commercial Metals Company, 2400 NE 36th Street; From "K" Heavy Industrial to "PD/K" Planned Development for All Uses in "K" Heavy Industrial Plus Metal Recycling Facility; Site Plan Included.

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-10-094 be continued until the January 25, 2011, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

4. Zoning Docket No. ZC-10-108 - Cockrell Realty Inc., 3117 & 3121 Cockrell Avenue; from: "A-5" One-Family to: "PD/SU" Planned Development/Specific Use for parking lot; site plan included. (Recommended for Denial) (Continued from a Previous Meeting)

It appeared that the City Council, at its meeting of October 12, 2010, continued Zoning Docket No. ZC-10-108 - Cockrell Realty Inc., 3117 & 3121 Cockrell Avenue; from: "A-5" One-Family to: "PD/SU" Planned Development/Specific Use for parking lot; site plan included.

The following individuals appeared before Council in support of Zoning Docket No. ZC-10-108 and stated that the proposed parking lot was well designed, equipped with security cameras and adequately lit. They stated the parking lot would alleviate many of the parking issues on the residential streets. They further stated that the parking lot would reduce crime in the area, as well as trash and litter in the area. They also pointed out that the patrons were allowed to leave cars in the lot overnight to avoid alcohol related citations and accidents. They requested the Council approve this zoning request.

(ZC-10-092 Continued)

Motion: Council Member Jordan made a motion, seconded by Council Member Zimmerman, that Zoning Docket No. ZC-10-092 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

3. Zoning Docket No. ZC-10-094 - Commercial Metals Company, 2400 NE 36th Street; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial Plus metal recycling facility; site plan included. (Recommended for Approval) (Continued from a Previous Meeting)

It appeared that the City Council, at its meeting of August 10, 2010, continued Zoning Docket No. ZC-10-094, Commercial Metals Company, 2400 NE 36th Street; From "K" Heavy Industrial to "PD/K" Planned Development for All Uses in "K" Heavy Industrial Plus Metal Recycling Facility; Site Plan Included.

Ms. Margaret DeMoss, 2600 West 7th Street, #2644, completed a speaker card in opposition to Zoning Docket No. ZC-10-094, but did not wish to address the Council.

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-10-094 be continued until the November 9, 2010, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

4. Zoning Docket No. ZC-10-104B - (CD 2) - City of Fort Worth Planning & Development, Far Greater Northside Neighborhood, Phase 3 2801 & 2805 Chestnut, Rosen Heights First Filing, Block 62, Lots 1 & 2; from: "E" Neighborhood Commercial to: "ER" Neighborhood Commercial Restricted (Recommended for Approval)(Continued from a Previous Meeting)

It appeared that the City Council, at its meeting of August 3, 2010, continued Zoning Docket No. ZC-10-104B, City of Fort Worth Planning & Development, Far Greater Northside Neighborhood, Phase 3 2801 & 2805 Chestnut, Rosen Heights First Filing, Block 62, Lots 1 & 2; from "E" Neighborhood Commercial to: "ER" Neighborhood Commercial Restricted.

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-10-104B be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

5. Zoning Docket No. ZC-10-108 - (CD 9) - Cockrell Realty Inc., 3117 & 3121 Cockrell Avenue; from: "A-5" One-Family to: "PD/SU" Planned Development Specific Use for parking lot; site plan included. (Recommended for Denial)

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners this is an annexation case that was delayed up to 90 days by Council. Staff recommends a 90 day continuance to the October 13, 2010 Zoning Commission meeting.

Motion: Following a brief discussion, Mr. Genua recommended a 90 day continuance of the request, seconded by Ms. Zadeh. The motion carried unanimously 8-0.

3. ZC-10-088 City of Fort Worth Planning & Development AX-10-002 (CD 7)- 1000-1473 (odds) Avondale Haslet Road, 1000-1500 blocks of Boaz Road (see addresses below, 147.36 Acres): from Unzoned to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus veterinary clinic with outdoor kennels; site plan waiver requested.

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners this is an annexation case that was delayed up to 90 days by Council. Staff recommends a 90 day continuance to the October 13, 2010 Zoning Commission meeting.

Motion: Following a brief discussion, Ms. Genua recommended a 90 day continuance of the request, seconded by Ms. Reed. The motion carried unanimously 8-0.

4. ZC-10-092 Trinity Industries, Inc. (CD 6)- 2300 West Risinger Road (EB Dishman Survey, Abstract 407, Tracts 4A, 4A1, 4A2B, 4B, 4B1, 4B2B, 20.98 Acres): from "I" Light Industrial to "PD/I" Planned Development for all uses in "I" Light Industrial plus metal fabrication, welding shop, cast concrete, batch plant or asphalt, (permanent), excluding crematorium, fabricating of manufactured housing, temporary office building, manufactured home/RV repair with no maximum horsepower limitation on any type of machine; site plan included.

Pieter Kessels, 10300 North Central Expressway, representing Trinity Industries, explained to the Commissioners this case was continued from last month for the submittal of a site plan. Mr. Kessels mentioned they will need to request waivers due to the current development standards. Uses for this facility consist of industrial type uses. They would like to occupy this building and create possibly 150 new jobs for the area

Motion: Following brief discussion, Ms. Spann recommended approval of the request, seconded by Ms. Miller. The motion carried unanimously 8-0.

5. ZC-10-094 Commercial Metals Company (CD 2)- 2400 N. E. 36th Street (J. W. Lancaster Industrial Subdivision, Block 3, Lot A, 1375, 6.98 Acres): from "K" Heavy Industrial to "PD/K" Planned Development for all uses in "K" Heavy Industrial plus metal recycling facility; site plan included.

Kirk Williams, 5400 Renaissance Tower, Dallas, Texas representing Commercial Metals Company explained to the Commissioners this case was continued from last month in order to meet with the neighborhoods and look at more landscaping on the site plan. Mr. Williams mentioned they've been in business for more than 30 years. They met with several neighborhood

associations who were present to support their request. He provided two renderings for the Commissioners to review the landscaping and buildings to be removed and provided a site plan showing three additional trees.

Mr. Ortiz asked the applicant how many sites they have looked at to relocate. Mr. Williams also mentioned if they don't have highway or railroad access they will not be able to exist. Mr. Williams said they looked at site north of the city a few years ago but were not able to have access to the railroad spur. He mentioned that is why they looked at this site. The highway access makes it easier for them to have truck traffic.

Robert Chesser, 3217 Kimbo Road representing the Bonnie Brae NA spoke in support of the request. He mentioned they are the closest association to this business. Mr. Ortiz asked about the aesthetics and how it would look to the residents. Mr. Chesser mentioned it already looks like a scrap yard in the area and this would be an improvement.

Walter Barber, 2900 Goldenrod Avenue representing the Sylvan Heights West NA also spoke in support.

Brittan New, 3421 North Sylvania spoke in opposition of the request. Mr. New mentioned the increased traffic, noise, pollution and run-off would be bad for the area. A video was presented to the Commissioners. Several people were present in opposition.

Brian Randolph, 2650 Meacham Boulevard representing Mercantile Partners also spoke in opposition. Mr. Randolph mentioned the I-35 corridor goes right through here. They own property to the north. His mentioned the concerns with aesthetics of the property are the I-35 corridor and the image of the City of Fort Worth. The issues are height of the piles, traffic and property values.

Libby Willis, 2300 Primrose Vice President of the Oakhurst NA also spoke in opposition. A letter was submitted to the Commissioners in reference to their concerns. Ms. Willis mentioned they are across the street from the Sylvan Heights neighborhood. She also mentioned they have not heard from the property owners. Her concern was more traffic being generated down Sylvania Avenue.

Mr. Ortiz asked about the reduced size of the lot. He also asked about a 30 day continuance and how they felt about all the opposition.

In rebuttal, JD Granger, 307 West 7th representing the Trinity River Vision Authority spoke in support. He mentioned the relocation is essential for their business due to the access to the railroad spur. Mr. Granger mentioned if they need to work with the surrounding neighbors then they would support a continuance. Mr. Granger answered by saying there is quite a bit of opposition and as a maybe they could ask customers not to use Sylvania Avenue.

Mr. Williams mentioned the aesthetics of the building were recognized at the time the zoning case was filed. They are in the business to recycle materials for businesses to become LEED certified; they are part of that industry. Mr. Williams mentioned he does have support from the

neighborhood to bring this recycling business into the area. He said that time is critical for them. He said they were asked at the last meeting to work with the neighborhoods and to provide more landscaping, which they did. He said he met with Mr. Randolph on his concerns of about I-35 access and planting more trees along the western boundary.

Mr. Romero asked how this facility is different from any other. Mr. Williams responded that it is important to provide this type of recycling service. They do not accept larger pieces of metal at this site such as automobiles. Mr. Williams mentioned the businesses close by have more dangerous chemicals that may be hazardous than his scrap metal.

Mr. Genua mentioned the neighborhoods in support and opposition and that he had concerns from the letter submitted by Mercantile Partners and the neighboring businesses.

Motion: Following a brief discussion, Ms. Miller recommended denial with no second; motion failed. On a substitute motion Ms. Zadeh recommended approval of the request, seconded by Mr. Romero. The motion carried 7-1 with Ms. Miller against.

6. ZC-10-104A City of Fort Worth Planning & Development (CD 2)- 3219-3229 Loving, 2801 – 2807 Chestnut, 2722 – 2724 Hanna, 2722, 2801 Columbus, 903 – 913 (odds) NW 28th Street (Oak Grove Addition, Block 29, Lots 10-12, Rosen Heights Addition, Block 62, Lots 1-4, Block 61, Lot 24 NPT24, Pruitt Subdivision, Block 49, Lots 6-11 less row 45.03 Acres): from “B” Two-Family, “E” Neighborhood Commercial, “FR” General Commercial Restricted to “ER” Light Neighborhood Commercial Restricted and “E” Neighborhood Commercial.

Beth Knight, Senior Planner, City of Fort Worth asked the neighborhood to speak.

Ronnie Allen, 6704 Navert Road spoke in opposition of property located at 3219 -3229 Loving and requested it remain E. Mr. Barnes asked what type of business he operates. Mr. Allen mentioned he has a trucking company and they park on Crowley Road.

Ms. Spann asked the question if he new what type of business he was planning on putting there. Mr. Allen said that there were several types of business he could put there but does not have plans at this time. He said he has two vacant lots between him and the residential.

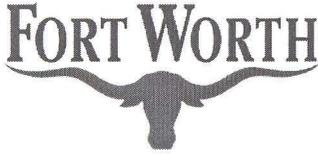
Mr. Ortiz mentioned he would be in favor of the property going to ER.

Ms. Knight mentioned most of that area is proposed for A-5 no commercial was proposed.

Mr. Romero asked how close he is to the residential. Mr. Allen responded that the nearest house is about 80 feet to the left of him.

JD Jimmerson III, 3302 Roosevelt Avenue representing the Far Greater Northside Historical neighborhood spoke in opposition of the E request. They do not want alcohol sales.

Louise Miller, 3107 Prairie spoke in favor of keeping the properties along Loving as commercial.



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
March 22, 2011

Council District 3

Zoning Commission Recommendation:

Approved by a vote of 9-0

Opposition: None

Continued	Yes <u>X</u>	No <u> </u>
Case Manager	<u>Stephen Murray</u>	
Surplus	Yes <u> </u>	No <u>X</u>
Council Initiated	Yes <u> </u>	No <u>X</u>

Owner / Applicant: The Gas Pipe/Amy Lynn Inc.

Site Location: 6025 Camp Bowie Blvd./3309 Winthrop Avenue Mapsco: 74M

Proposed Use: Retail, Music Venue

Request: From: "MU-1" Low Intensity Mixed-Use

To: "MU-1/HSE" Low Intensity Mixed-Use /Highly Significant Endangered

Land Use Compatibility: Requested change **is compatible.**

Comprehensive Plan Consistency: Requested change **is consistent.**

Background:

The proposed site is located on the corner of Camp Bowie West and Winthrop Avenue. The applicant is proposing a zoning change from "MU-1" Low Intensity Mixed-Use to "MU-1/HSE" Low Intensity Mixed-Use /Highly Significant Endangered and was approved by Historic and Cultural Landmarks Commission on January 10, 2011. The structures known as Ridglea Theater and Ridglea Village 2 met at least 5 of the 10 designation criteria, which is consistent with the requirements of the Ordinance for Highly Significant Endangered (HSE) properties.

Arlie Clayton Luther began development in the Ridglea area during the 1940's. Luther, vice-president of the building firm of Byrne & Luther, Inc., began his extended project to develop a commercial shopping center along the north side of Camp Bowie Boulevard known as Ridglea Village No. 1. It was constructed in stages from 1940-1947 with each section reflecting the Mediterranean architectural style. In 1947, Luther began the retail/office project on the south side of Camp Bowie Boulevard known as Ridglea Village No. 2. It was designed to complement Ridglea Village No. 1 reflecting the same Mediterranean style, including red tile roofs, two brick walls with articulated sill courses, and cantilevered balconies of heavy timber. The contracting firm of Byrne & Luther, Inc. and Loftland and Luther are cited in building records as responsible for construction.

Adjoining Ridglea Village No. 2 is the Ridglea Theatre, constructed in 1950. It repeats the Mediterranean style, clad in tan stone veneer and accented with red tile roofing. The prominent theater tower above the large marquee acts as a sign not only for the theater, but for the entire lobby along with a mural depicting Spanish explorers in America and a full stage and balcony.

Site Information:

Owner: The Gas Pipe/Amy Lynn Inc.
5800 Maple Avenue
Dallas, TX 75235

Agent; Jerry Shults; Amy Herrig
Acreage: 1.5 ac
Comprehensive Plan Sector: Western Hills/Ridglea

Surrounding Zoning and Land Uses:

North "MU-1" Low Intensity Mixed-Use / commercial
East "MU-1" Low Intensity Mixed-Use / commercial
South "MU-1" Low Intensity Mixed-Use / commercial
West "MU-1" Low Intensity Mixed-Use / commercial

Public Notification:

The following Neighborhood Associations were notified:

Ridglea North Association Inc.
Como NA
Camp Bowie District Inc.
Lake Como Area Council

Lake Como/Vickery Redev. Org.
Historic Fort Worth
Ridglea Alliance
Fort Worth ISD

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

Development Impact Analysis:

1. **Land Use Compatibility**

The requested "HSE" zoning overlay will not change the base zoning; as a result, there will be no effect on compatibility.

2. **Comprehensive Plan Consistency**

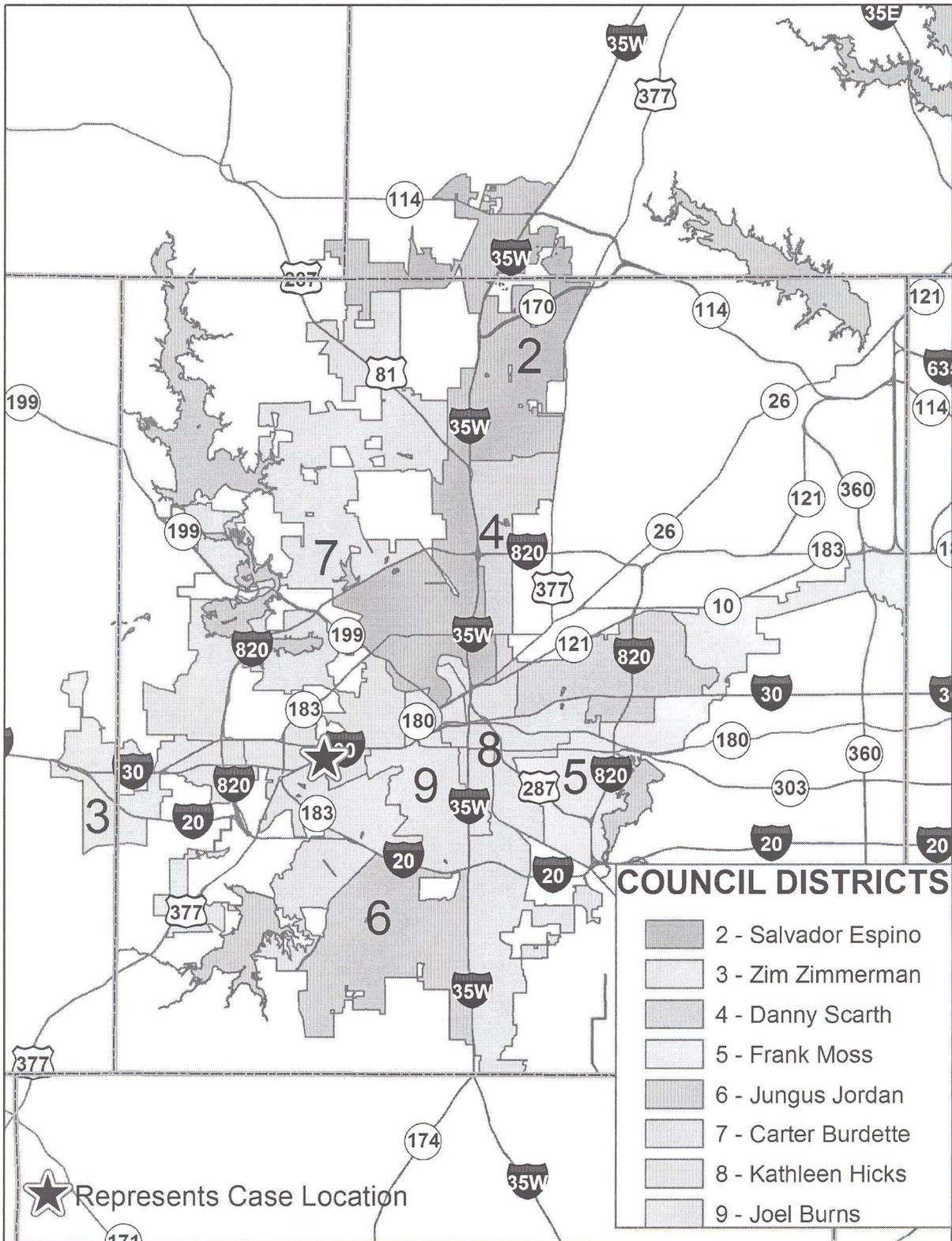
The 2011 Comprehensive Plan designates the subject property as Neighborhood Commercial. However, the overlay district will not affect the underlying zoning district and future land use.

As a result, the proposed zoning **is consistent** with the 2011 Comprehensive Plan.

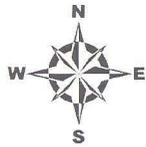
Attachments:

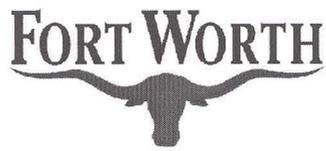
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Staff Report Historic and Cultural Commission
- Zoning Commission meeting minutes

Location Map



★ Represents Case Location



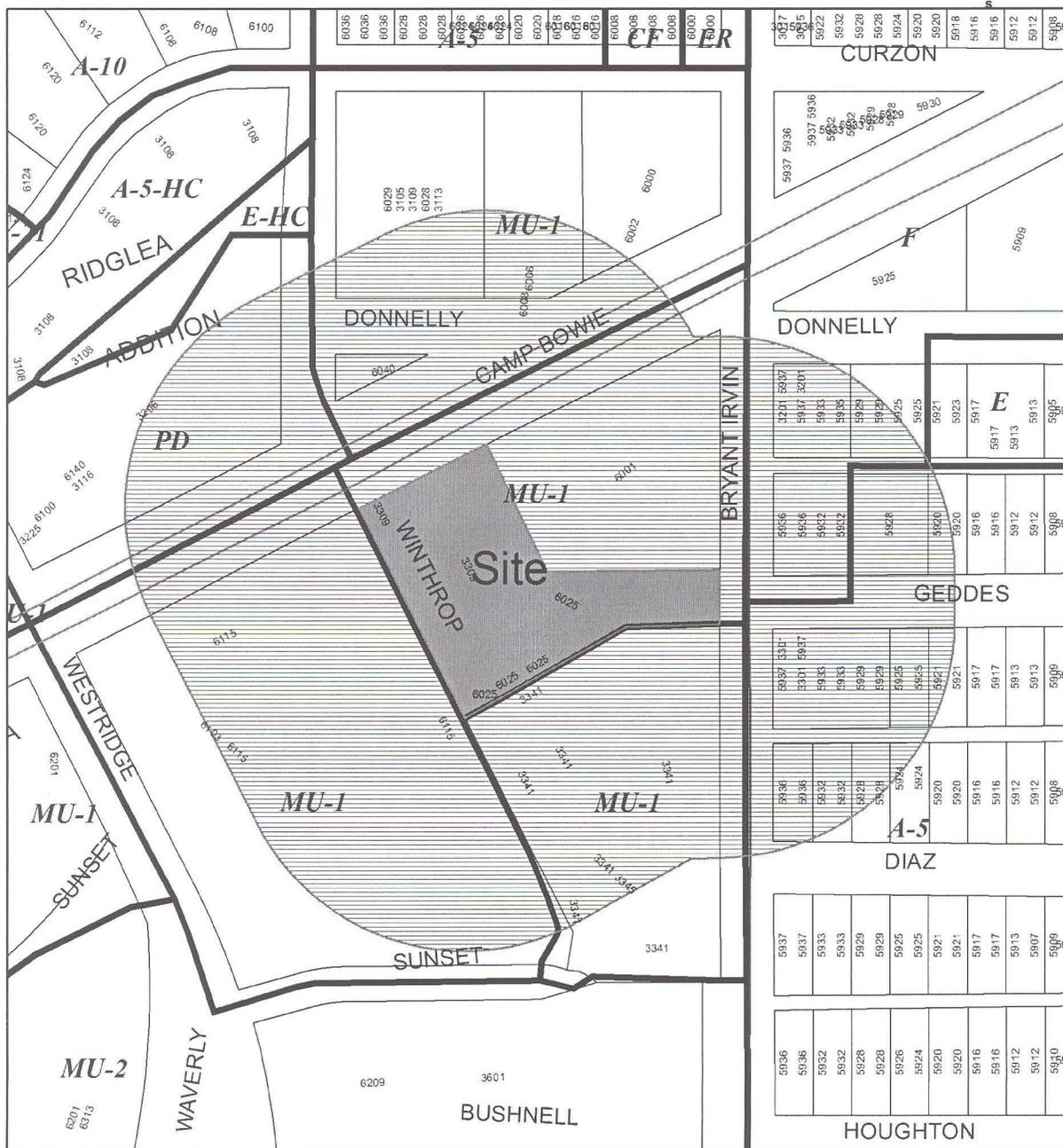


ZC-11-019

Area Zoning Map

Applicant: FixFunding, LLC
 Address: 3309 Winthrop Avenue and 6025 Camp Bowie Boulevard
 Zoning From: MU-1
 Zoning To: MU-1/HSE (addition of historical overlay)
 Acres: 1.59
 Mapsco: 74M
 Sector/District: W. Hills/Ridglea
 Commission Date: 02/09/2011
 Contact: 817-392-8037

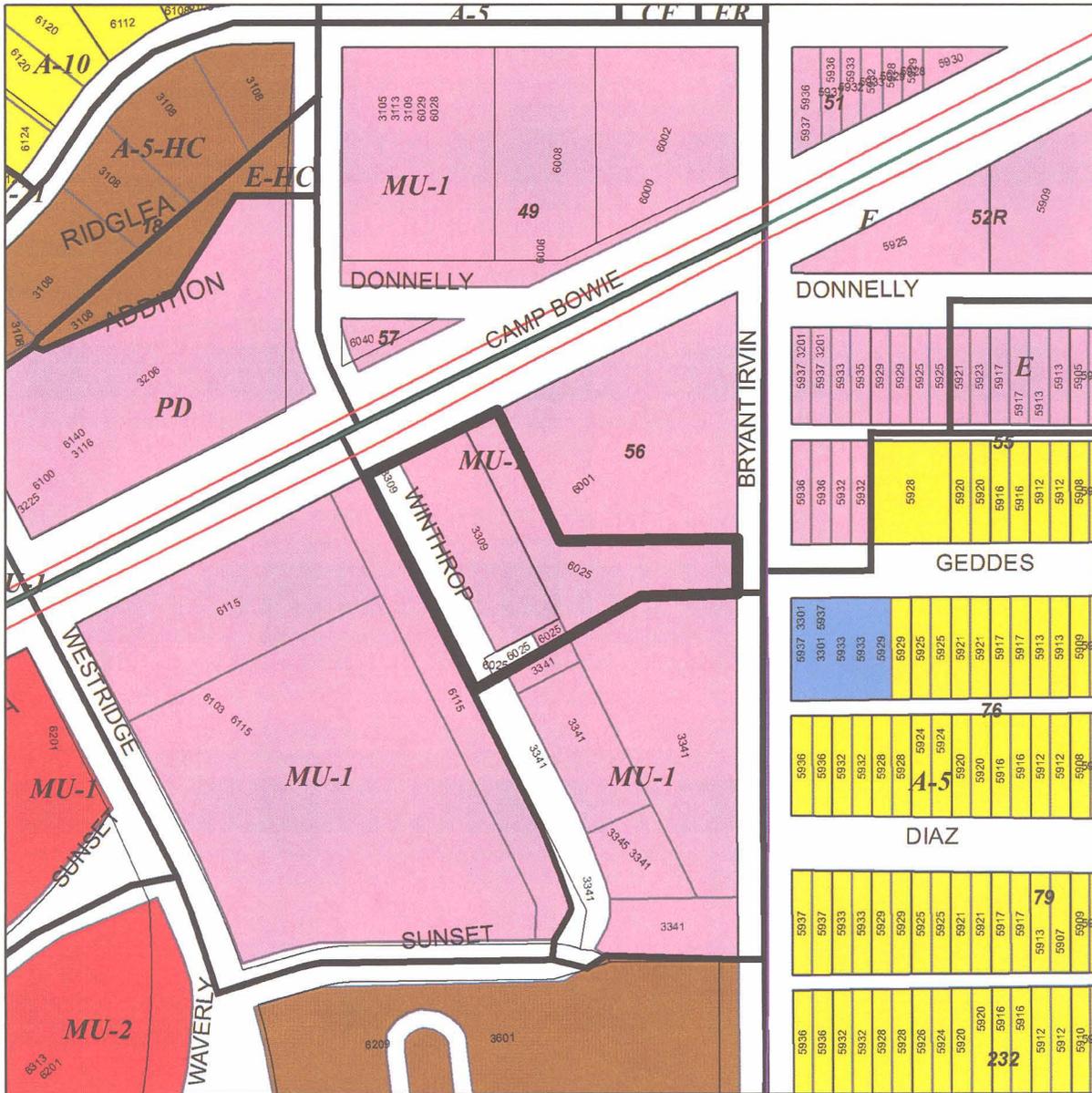
300 Ft. Notification Buffer





Future Land Use

ZC-11-019



- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed-Use Growth Center
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

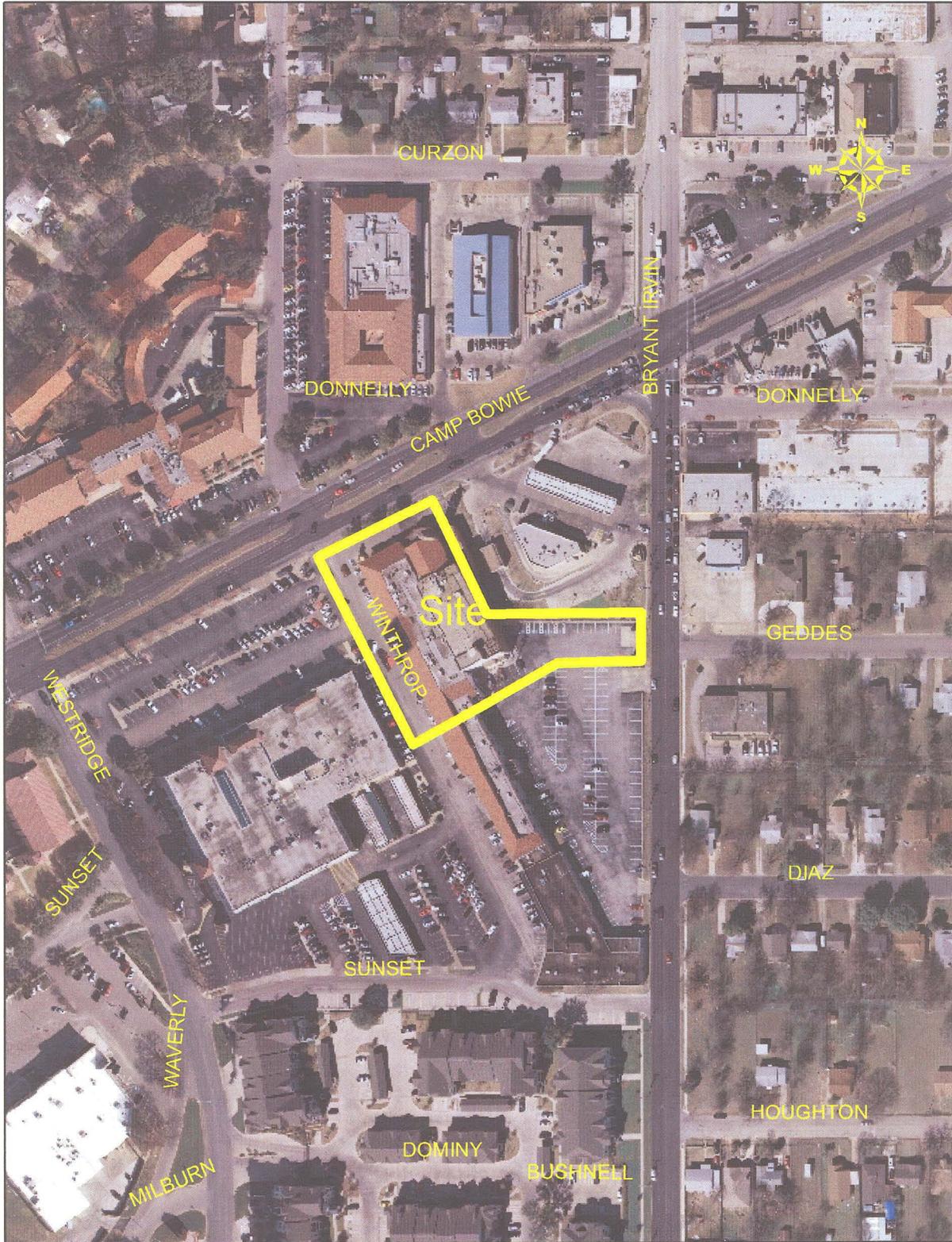
- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on February 23, 2011



Aerial Photo Map



11. ZC-11-017 Fort Worth Area Habitat for Humanity (CD 5)- 3609 Garrett Street (Mosier Valley Addition, Block 3, Lots 9A & 9B, 0.32 Acres): from “AG” Agricultural to “A-5” One-Family

Christine Panagopoolas, 3345 South Jones Street, representing Habitat for Humanity, explained to the Commissioners they need the property zoned for residential.

Motion: Following brief discussion Mr. Barnes recommended approval of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

12. ZC-11-018 Ken Schaefer/Providence Partnership LLC (CD 9)- 1228 S. Adams Street (McClellan Subdivision, Block 4, Lots 8 S1/2 7, 0.20 Acres): from “NS-T4/HC” Near Southside/Neighborhood Zone District/Historic & Cultural Overlay to “NS-T4/HSE” Near Southside/Neighborhood Zone District/Highly Significant Endangered

Ken Schaefer, 2705 Manorwood Trail, representing Providence Partnership, explained to the Commissioners they’re adding the overlay for more protection. They have received tremendous support from various neighborhood groups.

Motion: Following brief discussion Ms. Reed recommended approval of the request, seconded by Ms. Zadeh. The motion carried unanimously 9-0.

13. ZC-11-019 The Gas Pipe/Amy Lynn Inc. (CD 3)- 6025 Camp Bowie and 3309 Winthrop Avenue (Luther Quadrangle Addition, Block , Lots A1, A2A, A2A2, B, 3B, & 3B1, 1.59 Acres): from “MU-1” Low Intensity Mixed Use to “MU-1/HSE” Low Intensity Mixed Use/Highly Significant Endangered

Jerre Tracy, 1110 Penn Street, representing Historic Fort Worth, Inc., explained to the Commissioners they are proud to preserve the Ridglea Theatre. Ms. Tracy mentioned this building is eligible to be in the National Historic Register.

Motion: Following brief discussion Mr. Wilson recommended approval of the request, seconded by Ms. Zadeh. The motion carried unanimously 9-0.

14. ZC-11-020 City of Fort Worth Planning & Development. (CD 9)- 3028 James Avenue (John C. Ryon South addition, Block 11, Lot 8, 0.15 Acres): from “B” Two-Family to “A-5” One-Family

Jocelyn Murphy, Planning Manager, City of Fort Worth, explained to the Commissioners this is surplus property.

Motion: Following brief discussion Ms. Zadeh recommended approval of the request, seconded by Ms. Spann. The motion carried unanimously 9-0.



FORT WORTH



S.M.A.R.T. Report

**Street Management And Road Traffic
Transportation and Public Works
March 18 — March 31**



CENTRAL BUSINESS DISTRICT STREET CLOSURES (Partial)

7TH Street Bridge Utility Relocations

- Forest Park from 10TH to 5TH
Multiple lane closures from August 30, 2010 through **April 15, 2011**
- 5TH from Forest Park to Penn
Multiple lane closures from August 30, 2010 through **April 15, 2011**

North Main Street Bridge Rehabilitation—TxDOT Project

- Main (from Belknap to NE 5th St, lane closures until **August 2011**)

New Tarrant County Jail

- Belknap (from Cherry to Burnett) Parking lane and Sidewalk closures through 2011
- Weatherford (from Cherry to Burnett) Parking lane and Sidewalk closures through 2011 **and two lanes closed from 9 a.m. to 4 p.m. through April 1, 2011**
- Utility Installation (from Cherry to Burnett) two lanes closed from 9 a.m. to 4 p.m. through April 1, 2011
- Cherry (from Belknap to Weatherford) Northbound direction closed and sidewalk closures through 2011
- Southbound Burnett (from Belknap to Weatherford) closed and sidewalk closures through 2011

St Patrick's Cathedral New Hall

- Throckmorton (from W 12th to W 13th) Parking Lane closures through June 2011
- W 12th (from Throckmorton to Jennings) Parking Lane closures through June 2011
- Texas (from W 13th to Jennings) Parking Lane closures through June 2011
- W 13th (from Texas to Throckmorton) Parking lane closures through June 2011

Tarrant County College Construction

- Belknap (from Commerce to Pecan St) Sidewalk closures through **April 2011**
- Weatherford (from Commerce to Calhoun) lane and sidewalk closures through **April 2011**
- Calhoun (from Belknap to Weatherford) parking lane and sidewalk closures through **April 2011**
- N Commerce (from Belknap to Weatherford) lane and sidewalk closures through **April 2011**

* Expect heavy haul truck traffic 7:00a.m. to 5:00 p.m. through **April 2011** on :

- ** Belknap (between Commerce and Pecan)
- ** Weatherford (between Houston and Pecan)
- ** Calhoun (between Belknap and Weatherford)

For detailed information on TxDOT closures:
http://www.dot.state.tx.us/travel/road_conditions.htm

For additional information, please contact 817-392-6672.

New items printed in red.



FORT WORTH



S.M.A.R.T. Report

Street Management And Road Traffic
Transportation and Public Works
March 18— March 31



Special Events

Festivals * Runs * Walks

CULTURAL DISTRICT

DOWNTOWN OUTDOOR EVENTS DISTRICT (DOED)

- **Downtown Fort Worth Initiatives, Inc. Annual Meeting and Luncheon**

March 31 Main Street between 8th and 9th streets 11 a.m.
Street Closures:

Main St between 8th and 9th streets, begins March 29, 10 a.m.
and ends March 31, 10 p.m.

NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT (NSOED)

- **Joe's Run—5K & 10K**

March 26 Lane use from 6 a.m. to noon

Routes include the following streets:

Magnolia, 8th Ave, Pennsylvania, S Main, W Terrell, Hemphill,
Page, Alston, W Jefferson, Washington, Richmond, College, Jes-
samine, Elizabeth

- **Fort Worth South, Inc. First Friday on the Green**

April 1 Magnolia Green Park 6 p.m.

STOCKYARDS OUTDOOR EVENTS DISTRICT (SOED)

- **All Star Equestrian Foundation Run for the Riders**

SOED and Trinity Trails 8 a.m.

Route: Begins at N Main and E Exchange to Packers Ave, to NE
23rd St, to Heritage Park Bridge, to bike trails

OTHER

- **National Kidney Foundation Walk**

March 26 Trinity Park 9 a.m.

No street closures

- **National Multiple Sclerosis Walk**

April 2 Trinity Park 8 a.m.

Street Closures:

Foch from Lancaster to Trinity Park Dr

Crestline from Farrington Field to Trinity Park Dr

Closures begin at 5 a.m. and end at noon

- **Aids Walk**

April 3 Trinity Park 1 p.m.

Street Closures:

Crestline from University to Trinity Park Dr

Foch from Lancaster to Trinity Park Dr

Old University from Trinity Park Dr to Merrimac Cir.

Closures begin at noon and end at 6 p.m.

- **Komen Tarrant County Race for the Cure**

April 9 Ridgmar Mall 8 a.m.

Route: Starts on mall grounds to Plaza Parkway, to Ridgmar Blvd.,
to Green Oaks and ends on mall grounds

Parades

CULTURAL DISTRICT

DOWNTOWN OUTDOOR EVENTS DISTRICT

- **Cesar Chavez Parade**

March 26 1 p.m.

Route: Begins at General Worth Square on Main Street, north on
Main Street to Weatherford, east on Weatherford to Commerce,
north on Commerce to Belknap, south on Belknap and ends at
Tarrant County College

NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT

STOCKYARDS OUTDOOR EVENTS DISTRICT

OTHER

For additional information, please contact 817-392-6672.

New items printed in red.