



SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, NOVEMBER 4, 2013, THROUGH FRIDAY, NOVEMBER 8, 2013

MONDAY, NOVEMBER 4, 2013

TIME LOCATION

No Meetings

TUESDAY, NOVEMBER 5, 2013

National Election Day		Check your local area for voting locations
Pre-Council Meeting	8:30 a.m.	Pre-Council Chamber
Council Meeting	10:00 a.m.	Council Chamber
Housing and Economic Development Committee (HEDC)	<i>Immediately following the Council meeting</i>	Pre-Council Chamber
Housing Finance Corporation (HFC)	<i>Immediately Following the HEDC Meeting</i>	Pre-Council Chamber
Fort Worth Local Development Corporation	<i>Immediately Following the HFC Meeting</i>	Pre-Council Chamber

WEDNESDAY, NOVEMBER 6, 2013

Passenger Rail Working Group	<i>Immediately Following the Tarrant Regional Transportation Coalition meeting at 8:30 a.m.</i>	Intermodal Transportation Center 1001 Jones Street, Community Room
TIF 4 (Southside) Board of Directors	1:00 p.m.	Pre-Council Chamber

THURSDAY, NOVEMBER 7, 2013

Fort Worth Crime Control and Prevention District Board of Directors	5:30 p.m.	Pre-Council Chamber
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<p>This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on October 31, 2013, and may not include all meetings to be conducted during the week of November 4, 2013 through November 8, 2013. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.</p>
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SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, NOVEMBER 4, 2013, THROUGH FRIDAY, NOVEMBER 8, 2013

FRIDAY, NOVEMBER 8, 2013

No meetings

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on October 31, 2013, and may not include all meetings to be conducted during the week of November 4, 2013 through November 8, 2013. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.

**HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING
(IMMEDIATELY FOLLOWING THE 10:00 A.M. CITY COUNCIL MEETING)
TUESDAY, NOVEMBER 5, 2013
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

**FORT WORTH HOUSING FINANCE CORPORATION MEETING
(IMMEDIATELY FOLLOWING THE HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
MEETING)
TUESDAY, NOVEMBER 5, 2013
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

**FORT WORTH LOCAL DEVELOPMENT CORPORATION MEETING
(IMMEDIATELY FOLLOWING THE FORT WORTH HOUSING FINANCE CORPORATION
MEETING)
TUESDAY, NOVEMBER 5, 2013
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

**PRE-COUNCIL MEETING
TUESDAY, NOVEMBER 5, 2013
8:30 A.M.
NOTE TIME CHANGE
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

1. Report of the City Manager - **Tom Higgins, City Manager**
 - a. Changes to the City Council Agenda
 - b. Upcoming and Recent Events
 - c. Organizational Updates and Employee Recognition(s)
 - d. Informal Reports
 - [IR 9601](#): Amending the City of Fort Worth's Annexation Plan to Add an Approximately 180.5-Acre Tract of Land Located Along Jacksboro Highway (SH 199) and East of the Town of Lakeside
2. Current Agenda Items - **City Council Members**
3. Responses to Items Continued from a Previous Week
 - a. [ZC-13-112](#) - North Side Stockyard Property, 107 NW 28th Street; from "MU-2" High Intensity Mixed-Use to: "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed-Use plus car wash and auto lube; site plan included. **(Recommended for Denial without Prejudice by the Zoning Commission) (Continued from October 22, 2013 by Council Member Espino)**
4. Briefing on Minority Business Enterprise (MBE) Participation in City Construction Contracts - **Robert Sturns, Housing and Economic Development Department**

5. Review of City Council Calendar for January - December 2014 - **Mary Kayser, City Secretary**
 6. City Council Requests for Future Agenda Items and/or Reports
 7. Executive Session (PRE-COUNCIL CHAMBER) - **SEE ATTACHMENT A Attachment(s):**
[Executive Session Agenda - Attachment A.pdf](#)
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Fort Worth Pre-Council Chamber, is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are requested to contact the City's ADA Coordinator at (817) 392-8552 or e-mail ADA@FortWorthTexas.gov at least 48 hours prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least 48 hours prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

ATTACHMENT A

EXECUTIVE SESSION (PRE-COUNCIL CHAMBER, CITY HALL) Tuesday, November 5, 2013

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

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:
 - a. Legal issues related to City Secretary Contract No. 43341 with Ciber, Inc.;
 - b. Legal issues concerning charges filed against Mike Martinez, Jr.; and
 - c. Legal issues concerning any item listed on today's City Council meeting agendas;
2. Deliberate the purchase, sale, lease or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party;
3. Deliberate concerning economic development negotiations as authorized by Section 551.087 of the Texas Government Code; and
4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

**CITY COUNCIL AGENDA
FOR THE MEETING AT 10:00 A.M. TUESDAY, NOVEMBER 05, 2013
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

- I. CALL TO ORDER**
- II. INVOCATION** - Pastor Michael Watts, The Pentecostals of Fort Worth
- III. PLEDGE OF ALLEGIANCE**
- IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF OCTOBER 29, 2013**
- V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA**
- VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF**
- VII. CONSENT AGENDA**

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

A. General - Consent Items

- 1. [M&C G-18054](#) - Authorize Payments to Tarrant County Elections Administration for the Remaining Cost of Election Services for the May 11, 2013, General Election in the Amount of \$18,621.76 and for Payment of the Total and Final Cost for the June 15, 2013, Council District 5 Run-Off Election in the Amount of \$69,717.75, for a Total Amount of \$88,339.51 (ALL COUNCIL DISTRICTS)
- 2. [M&C G-18055](#) - Approve Findings of the Ground Transportation Coordinator Regarding Application of Mohammad Jan Qazi d/b/a 7 Star D.F.W. Limousine to Operate Five Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)

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

- 1. [M&C P-11599](#) - Authorize Transfer in the Amount of \$461,068.69 from the Fiscal Year 2013 General Fund to the Fiscal Year 2014 Parks and Recreation Improvement Fund, Authorize Purchase of Audio Visual Equipment from Digital Resources, Inc., Using a Cooperative Contract in the Amount of \$95,748.00 and Adopt Appropriation Ordinance (COUNCIL DISTRICT 6)
- 2. [M&C P-11600](#) - Authorize Purchase of a Gas Chromatograph/Mass Spectrometer from All Business Machines, Inc., in the Amount of \$129,643.01 Using a Cooperative Contract for the Water Department (ALL COUNCIL DISTRICTS)
- 3. [M&C P-11601](#) - Authorize Sole Source Service Agreement with Nixle LLC, for Telephone Notification Services to Integrate with the Federal Emergency Management Agency Integrated Public Alert and Warning System for the Fire Department in the Amount of \$70,000.00 for the First Year (ALL COUNCIL DISTRICTS)

C. Land - Consent Items - None

D. Planning & Zoning - Consent Items - None

E. Award of Contract - Consent Items

1. [M&C C-26545](#) - Authorize Execution of Development Agreements in Lieu of Annexation with Multiple Property Owners for Property Located South of Keller Hicks Road and East of Old Denton Road, and for Property Located Along Chisholm Trail Parkway and South of FM 1187 (COUNCIL DISTRICTS 6 and 7)
2. [M&C C-26546](#) - Authorize Execution of Change Order No. 2 to City Secretary Contract No. 44254 with Southwestern Bell Telephone Company d/b/a AT&T Texas in the Amount of \$96,860.00 to Relocate Underground Facilities in Litsey Road from Cleveland-Gibbs Road to Independence Parkway, Thereby Increasing the Total Contract Amount to \$488,656.35 (COUNCIL DISTRICT 7)
3. [M&C C-26547](#) - Authorize Execution of Interlocal Agreements with Tarrant County and Various Municipalities for the Purpose of Providing Animal and Rabies Control Services and Rabies Specimen Shipments During Fiscal Year 2014 (ALL COUNCIL DISTRICTS)
4. [M&C C-26548](#) - Authorize Execution of Change Order No. 1 to City Secretary Contract No. 43303 with Atmos Energy Corporation in the Amount of \$56,590.02 for the Relocation of Gas Pipelines as Part of the Runway Extension Project at Fort Worth Alliance Airport for a Revised Total Cost in the Amount of \$214,712.04 (COUNCIL DISTRICT 7)
5. [M&C C-26549](#) - Authorize Execution of Change Order No. 1 to City Secretary Contract No. 44057 with NuStar Energy, L.P., in the Amount of \$124,601.40 for Relocation of Gas Pipelines Along John Day and Keller Haslet Roads as Part of the Runway Extension Project at Fort Worth Alliance Airport for a Revised Total Cost in the Amount of \$827,131.80 (COUNCIL DISTRICT 7)
6. [M&C C-26550](#) - Authorize Execution of an Engineering Services Agreement with Garver LLC, in the Amount of \$356,092.00 for the Design of Airport Improvements Along North Main Street at Fort Worth Meacham International Airport, Provide for \$50,000.00 for Associated Project Management, Administration and Related Expenses for a Project Total in the Amount of \$406,092.00 and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2)

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1903 - Notice of Claims for Alleged Damages and/or Injuries

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of a Proclamation for American Diabetes Month

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

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

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

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

XIII. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-18056](#) - Adopt Appropriation Ordinance to Record Fees in the Amount of \$146,178.41 Paid to JPMorgan Chase Bank, N.A., and Wells Fargo Bank, N.A., in Fiscal Year 2013 for Banking Services Provided in Conjunction with the City's Gas Lease Program (ALL COUNCIL DISTRICTS)

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

D. Land

1. [M&C L-15633](#) - Authorize Condemnation by Eminent Domain of an Easement Interest in 0.129 Acres of Land for a Temporary Construction Easement and 0.065 Acres of Land for a Permanent Sewer Easement, Located at 400 West Vickery Boulevard, Owned by Queen Shiva, LLC., for the Vickery Boulevard Water/Sewer Rehab Contract (COUNCIL DISTRICT 9)
2. [M&C L-15634](#) - Conduct a Public Hearing, Authorize Use of Harmon Field Park for a Flood Plain Easement and Mitigation Easement, and Authorize Conveyance of an Easement to Tarrant Regional Water District Granting Tarrant Regional Water District a Flood Plain Easement Over the Entire Park and a Mitigation Easement Over a Portion of the Park (COUNCIL DISTRICT 8) **(PUBLIC HEARING)**
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action

E. Planning & Zoning - None

F. Award of Contract

1. [M&C C-26551](#) - Ratify Expenditures in the Amount of \$7,473.00 and Authorize Execution of Professional Services Agreements for Technology Staffing and Placement Services with Apex Systems, Inc., Kforce Inc., Sentari Technologies, Inc., and TEKsystems, Inc., Using Multiple Texas Department of Information Resources Contracts for the Information Technology Solutions Department in the Combined Aggregate Amount of \$3,142,630.00 on an Annual Basis

(ALL COUNCIL DISTRICTS)

2. [M&C C-26552](#) - Authorize Execution of a Five-Year Tax Abatement Agreement with Eva Bonilla for the Construction of a Single-Family Dwelling Located at 362 Foch Street in the Trinity Park Neighborhood Empowerment Zone (COUNCIL DISTRICT 9)
3. [M&C C-26553](#) - Authorize Execution of a Contract with North Texas Contracting, Inc., in the Amount of \$5,188,315.00 for the Casino Beach and Watercress Drive Water and Sewer Improvements Project Phase I, Provide for Construction Management Costs and Contingencies in the Amount of \$311,302.00 for a Project Total in the Amount of \$5,499,617.00 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 7)

XIV. PUBLIC HEARING

1. First Public Hearing for a Proposed City-Initiated Annexation of Approximately 36.4 Acres of Land in Denton County, Located North of SH 114 and East of FM 156 (AX-13-010, 2400-2800 Blocks SH 114)
 - a. Report of City Staff
 - b. Citizen Comments

XV. ZONING HEARING

1. [ZC-13-112](#) - (CD 2) - North Side Stockyard Property, 107 NW 28th Street; from: "MU-2" High Intensity Mixed Use to: "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed Use plus car wash and auto lube; site plan included. **(Recommended for Denial without Prejudice by the Zoning Commission) (Continued from a Previous Meeting)**

XVI. CITIZEN PRESENTATIONS

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

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. At the Mayor's discretion, time limits may be reasonably extended.

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ATTACHMENT B

EXECUTIVE SESSION (PRE-COUNCIL CHAMBER, CITY HALL) Tuesday, November 5, 2013

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

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:
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 - b. Legal issues concerning charges filed against Mike Martinez, Jr.; and
 - c. Legal issues concerning any item listed on today's City Council meeting agendas;
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CITY OF FORT WORTH
CITY COUNCIL

HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE

AGENDA

Tuesday, November 5, 2013

*Immediately Following the
Fort Worth City Council Meeting
Scheduled to Begin at 10:00 AM*

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

Housing and Economic Development Committee Members

Joel Burns, Chair	Kelly Allen Gray, Council Member	Gyna M. Bivens, Council Member
Danny Scarth, Vice Chair	Dennis Shingleton, Council Member	Sal Espino, Council Member
Jungus Jordan, Council Member	Betsy Price, Mayor	Zim Zimmerman, Mayor Pro Tem

Staff Liaison – Fernando Costa, Assistant City Manager

1. **Call to Order** – Joel Burns, Chair
2. **Approval of Minutes from the Meeting Held on August 6, 2013** – Joel Burns, Chair
3. **Executive Session** - The Housing and Economic Development Committee will conduct a closed meeting to:
 - A. Seek the advice of its attorneys concerning the following items 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: legal issues related to any current agenda items; and

- B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and
 - C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.
- 4. **Written Reports** – Jay Chapa, Director, Housing and Economic Development Department
 - Memo on Proposed Boundary Change to Ridglea/Como and 28th Street/Meacham Neighborhood Empowerment Zones
 - Memo on Proposed Amendment to Tax Abatement Agreement with Alcon Laboratories Holding Corporation
 - 5. **Update on Model Blocks Program** – Cynthia Garcia, Assistant Director, Housing and Economic Development Department
 - 6. **Presentation on Sub Standard Structures** – Brandon Bennett, Director, Code Compliance
 - 7. **Requests for Future Agenda Items** – Joel Burns, Chair
 - 8. **Date of Next Regular Meeting** – Joel Burns, Chair
 - 9. **Adjourn** – Joel Burns, Chair

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CITY OF FORT WORTH, TEXAS
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
August 6, 2013

Present:

Committee Member Joel Burns, Chairman
Committee Member Danny Scarth, Vice Chairman
Committee Member Betsy Price
Committee Member Salvador Espino
Committee Member Kelly Allen Gray
Committee Member W. B. "Zim" Zimmerman
Committee Member Jungus Jordan
Committee Member Dennis Shingleton
Committee Member Gyna Bivens

City Staff:

Fernando Costa, Assistant City Manager
Peter Vaky, Deputy City Attorney
Mary J. Kayser, City Secretary
Jay Chapa, Interim Director of Financial Management Services
Cynthia Garcia, Acting Director, Housing & Economic Development Department
Robert Sturns, Manager, Acting Assistant Director Housing and Economic Development Dept.

Other City Staff in Attendance:

Tom Higgins, City Manager

1. Call to Order – Joel Burns, Chair

With a quorum of the committee members present, Chairman Joel Burns called the meeting of the Fort Worth Housing and Economic Development Committee to order at 1:03 p.m., on Tuesday, August 6, 2013, in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

2. Approval of Minutes from the Meeting Held on June 4, 2013 – Joel Burns, Chair

Motion was made by Committee Member Shingleton and second by Committee Member Zimmerman to approve the minutes of the June 4, 2013, Fort Worth Housing and Economic Development Committee meeting. Motion passed 9-0.

3. Elections – Cynthia Garcia – Acting Director, Housing and Economic Development Department

Ms. Garcia stated that elections were not necessary. There was no action on this item.

4. Executive Session - The Housing and Economic Development Committee will conduct a closed meeting to:

- A. Seek the advice of its attorneys concerning the following items 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: legal issues related to any current agenda items; and
- B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and
- C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

Chairman Joel Burns stated that an Executive Session was not needed.

5. Written Reports – Cynthia Garcia, Acting Director, Housing and Economic Development Department

- Memo on State Enterprise Zone Project Nomination for NGC Renewables, LLC
- Memo Regarding Amendment to Economic Development Program Grant Agreement for Renaissance Square, LLC
- Memo on Analysis of Impediments Study

6. Update on the Potential Re-Use of KXAS Property – Cynthia Garcia, Acting Director, Housing and Economic Development Department and David Berzina, Executive Vice President of Economic Development, Fort Worth Chamber of Commerce

Ms. Garcia reviewed the Tax Abatement and 380 agreement provided to KXAS and the layout of the property. Mr. Berzina reported the responses from the development community. The responses noted concern about the topography, the tower leases, and the isolation of the property among other items. Mr. Berzina mentioned that they were in discussions with the Botanical Research Institute of Texas (BRIT) about a possible use. The Committee wanted to be sure that any use that was proposed was presented to the neighborhood and that if it was a City department that the full cost was determined.

There was no action required on this item.

Briefing on Housing Programs

- **City of Fort Worth Housing Programs** - Cynthia Garcia, Acting Director, Housing and Economic Development Department
- **Fort Worth Housing Authority**- Barbara Holston, President and CEO
- **Trinity Habitat for Humanity**- Michelle Kennedy
- **Tarrant County Housing Partnership** – Donna Van Ness, President
- **Tarrant County**- Patricia Ward, Director of Community Development and Housing

Ms. Garcia reviewed the various programs provided by the City of Fort Worth followed by updates from the Fort Worth Housing Authority, Trinity Habitat for Humanity, Tarrant County Housing Partnership and Tarrant County.

7. Presentation on Proposed Amendment to the Tax Increment Finance District (TIF) 3 Downtown Project and Financing Plan – Jim Johnson, Director of Downtown Development, TIF 3

Mr. Johnson provided the background of the Downtown TIF and reviewed the proposed changes:

Projects to be added:

- Affordable Housing
- Residential Density and Parking Incentive
- Infrastructure and Parking Improvements
- Retail Façade Improvement matching grants
- STEM Public School

Reduce the participation rates of each governmental entity

Remove the \$5 million annual cap

Increase lifetime cap from \$72 million to \$100 million

There was no action on required on this item.

8. Presentation on Economic Benefits of Historic Preservation – Dana Burghdoff, Deputy Director, Planning and Development Department and Robert Adams, Chair, Historic and Cultural Landmarks Commission

Ms. Burghdoff reviewed the history of Historic preservation in Fort Worth and provided numerous examples of the variety historic preservation projects throughout the City. She discussed the economic benefits of historic preservation:

- Prompts reinvestment in surrounding properties
- Increases property values (5-20%)
- Creates jobs
- Attracts visitors – Heritage Tourism
- Contributes to efficient development and energy conservation
- Supports revitalization of central city commercial districts
- Discourages sprawl

There was no action on required on this item,

9. Discussion of Proposed Neighborhood Empowerment Zone in District 4 & 5 – Cynthia Garcia, Acting Director, Housing and Economic Development Department

Ms. Garcia reviewed the Neighborhood Empowerment Zone (NEZ) program in the City. She presented a proposed NEZ in Districts 4 & 5. The NEZ would be:

- 1.9 square mile
- 80 % CDBG
- 9.1% Central City

The proposed next steps are:

- Work with the District 4 and 5 Council Members to finalize the boundaries.
- Once boundaries finalized, bring back an M&C to approve the creation of the NEZ and the Reinvestment Zone.

There was no action required on this item.

10. **Update on Casino Beach Economic Development Program Agreement** – Cynthia Garcia,
Acting Director, Housing and Economic Development Department

Ms. Garcia reviewed the current Casino Beach Economic Development Program agreement. She noted that Current market conditions have created a need to split the project into two phases for financing:

Phase I - (Deadline Dec 2015)

- Public (\$4M)
 - Pavilion
 - Restrooms
 - Site improvements
- Private (\$7.9M)
 - 20K SF Mixed-use improvements
 - Marina
 - Restaurant
 - 2-6 covered boat docks
 - 56-168 Boat slips

Phase II - (Deadline Dec 2017)

- Public (\$6M)
 - Event Center
 - Site Work
- Private (\$6M)
 - 20K SF mixed-use improvements –could include:
 - Restaurants
 - Other Draws
 - Additional boat docks to meet demand

Ms. Garcia noted that on the Council Agenda for August 6, 2013 there is an M&C for the Park Conversion and for the Revised 380 agreement. In September there will be an item for the revised CFA agreement.

There was no action required on this item.

11. Requests for Future Agenda Items – Joel Burns, Chair

There were none.

12. Date of Next Regular Meeting – Joel Burns, Chair

The next meeting will be held in October if needed.

13. Adjourn – Joel Burns, Chair

With no further presentations or discussions, Chairman Burns adjourned the regular meeting of the Housing and Economic Development Committee at 2:31 p.m., on Tuesday, August 6, 2013.

These minutes approved by the Housing and Economic Development Committee on the _____ day of October, 2013.

APPROVED:

Joel Burns, Chairman

Minutes Prepared by and Attest:

Mary J. Kayser, City Secretary



MEMORANDUM

Date: November 5, 2013

To: Chairman Burns & Members of the Housing and Economic Development Committee

From: Jay Chapa, Director of Housing and Economic Development

Subject: Boundary Revisions to Ridglea/Como and 28th Street/Meacham Neighborhood Empowerment Zones

Neighborhood Empowerment Zone (NEZ), selection criteria states that a NEZ shall be no larger than 1.5 square miles or a population of no more than 6,000 and; be at least 75% CDBG eligible or 50% within the Central City.

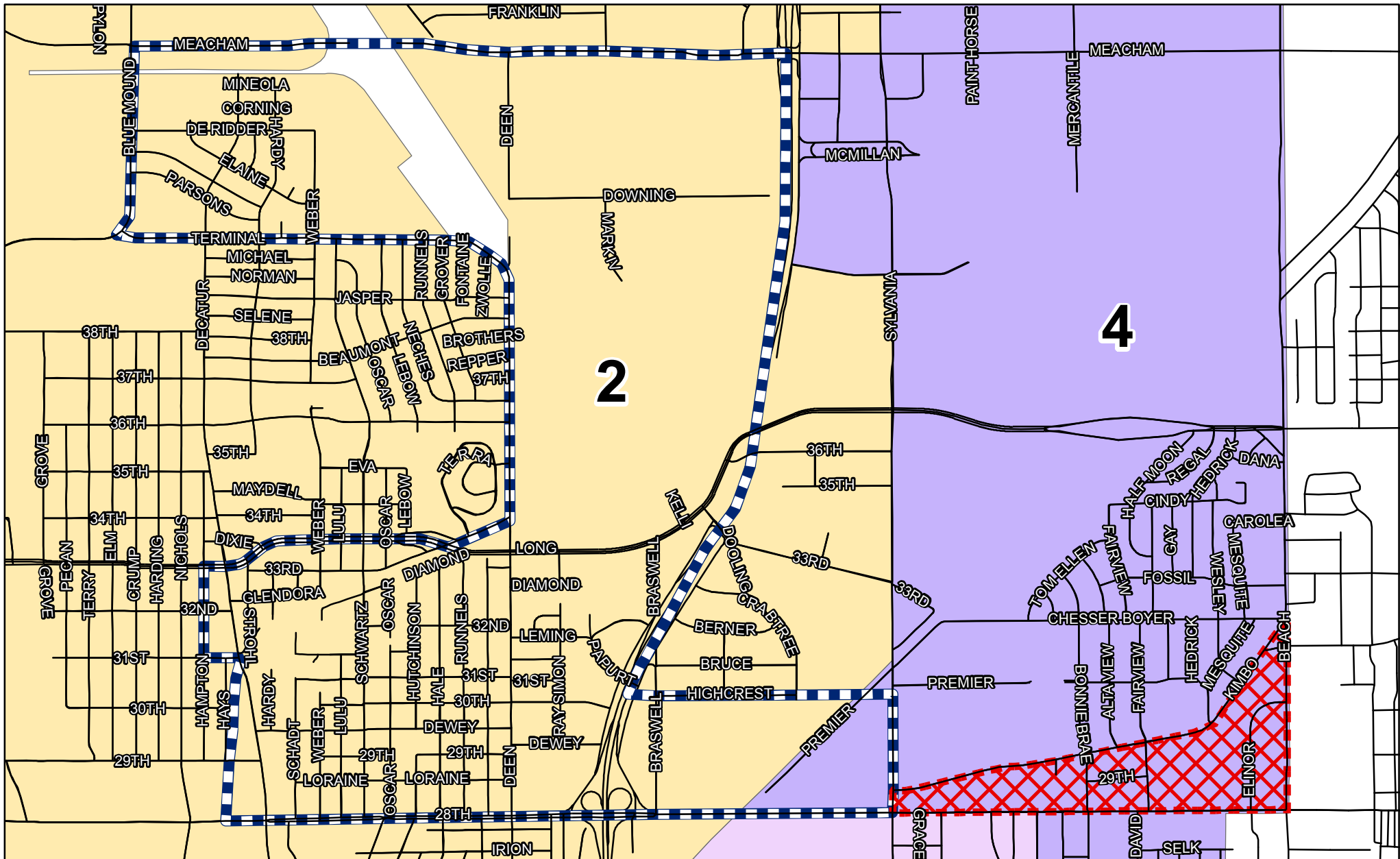
Staff has been approached by developers to look into the feasibility of expanding the boundaries of the Ridglea Village/Como and 28th Street/Meacham Neighborhood Empowerment Zones to include upcoming single-family and commercial projects. The proposed expansion of both NEZ's meets the required selection criteria as shown on the attached maps. Additionally, both development projects will have positive impacts to the areas if developed.

Staff recommends moving forward with the expansion of the Ridglea Village/Como and 28th Street/Meacham NEZ's and will bring forward an M&C and resolution to Council on November 12, 2013. Once adopted, the proposed NEZ expansions will take effect immediately.

Please contact me at 817-392-5804 if you have any questions or concerns.

Proposed Boundary Modification for 28th/Meacham NEZ

Pop: 5,983 | SQMI: 2.5 | CDBG: 100% | Central City 100%



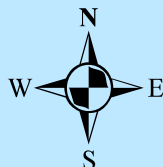
Legend



Proposed Expansion



Current 28th/Meacham NEZ



0 0.125 0.25 0.5 Miles

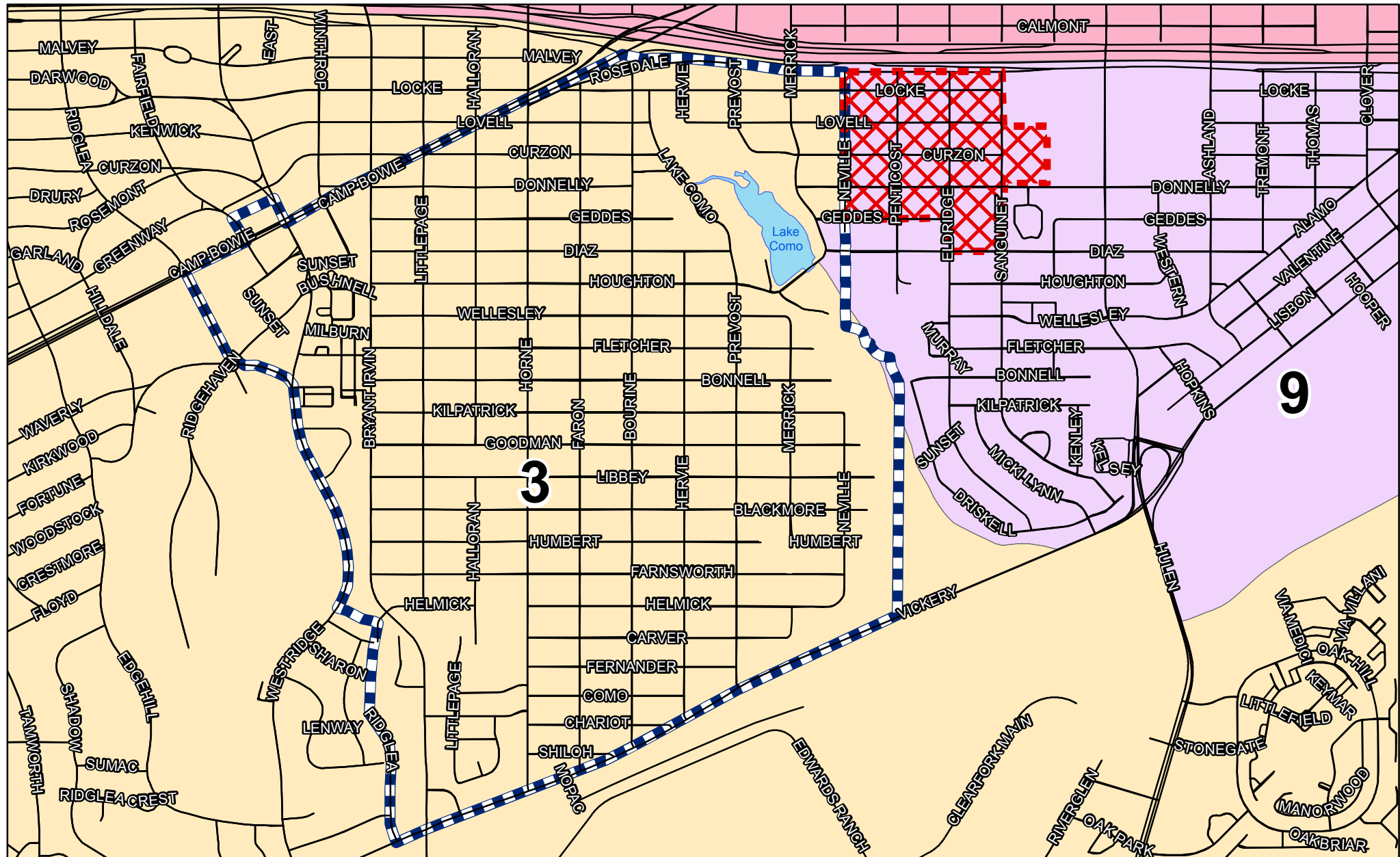


This Housing & Economic Development product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. The City of Fort Worth assumes no responsibility for the accuracy of said data.

Source: 2010 US Census Bureau
Created October 29, 2013

Proposed Boundary Modification for Ridglea / Como NEZ

Pop: 5,919 | SQMI: 1.61 | CDBG: 80% | Central City 88%



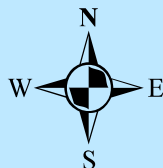
Legend



Current Ridglea/Como Boundary



Proposed Expansion



0 0.125 0.25 0.5 Miles

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Source: 2010 US Census Bureau
Created October 29, 2013



MEMORANDUM

Date: November 5, 2013

To: Chairman Burns & Members of the Housing and Economic Development Committee

From: Jay Chapa, Director of Housing and Economic Development

Subject: Alcon Tax Abatement Amendment

On November 1, 2011, the Council approved M&C C-25263 authorizing the execution of a Tax Abatement Agreement with Alcon Laboratories Holding Corporation for the expansion and renovation of the existing corporate campus located at 6201 South Freeway. The agreement provided for a ten-year tax abatement on up to 80 percent of the City's taxes on the incremental value of real and business personal property investment for the establishment of a Finance Center for North American Operations. The overall project investment was estimated at \$11.0 million in real and business personal property by December 31, 2013. The agreement was subsequently amended on May 2, 2012 to allow inclusion in the designated reinvestment zone of additional property owned by Alcon at 6801 Will Rogers Boulevard.

In a continued effort to integrate its U.S. subsidiaries and streamline operations, Alcon is proposing the construction on a new Global Data Center on the Fort Worth corporate campus. The proposed Fort Worth location is just one of several alternatives the company is considering for the data center which will have an estimated investment of approximately \$30.0 million.

In order to facilitate the selection of Fort Worth as the proposed site, staff is recommending an amendment to the existing tax abatement agreement to include a Phase II investment component encompassing the data center investment. All original commitments made by the company in the tax abatement agreement will apply to the new investment component. Staff intends to place an M&C on the December 3, 2013 City Council meeting agenda for consideration of this amendment.

Please contact me at 817-392-5804 if you have any questions or concerns.

FORT WORTH HOUSING FINANCE CORPORATION
AGENDA

Tuesday, November 5, 2013

*Immediately Following the Fort Worth City Council
Housing and Economic Development Committee Meeting,
Scheduled to Begin Immediately Following the Fort Worth
City Council Meeting Scheduled to Begin at 10:00 AM*

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

Board of Directors

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

Staff Liaison: Fernando Costa, Assistant City Manager

1. **Call to Order** – Sal Espino, President
2. **Approval of Minutes from the Meeting Held on August 6, 2013** – Sal Espino, President
3. **Written Reports** – Jay Chapa, Assistant General Manager
 - a. Financial Report through September 30, 2013
4. **Election of Secretary** – Sal Espino, President
5. **Consider and Adopt Resolution Approving the Budget for the 2013-2014 Fiscal Year** – Jay Chapa, Assistant General Manager
6. **Consider and Adopt Resolution to Ratify a Natural Gas Lease with Vantage Energy for 1820 S. Cravens Road** - Jean Petr, Gas Lease Program Manager, City of Fort Worth, Planning and Development Department
7. **Consider and Adopt Resolution to Hire John Shackleford as Legal Counsel for the Corporation and Decatur-Angle GP, LLC for the Decatur-Angle Housing Tax Credit Project** - Jay Chapa, Assistant General Manager
8. **Consider and Adopt Resolution to Hire Ralph Duggins as Legal Counsel for the Corporation and The Villas of Eastwood Terrace, LLC to File Suit Against Chesapeake Operating, Inc., and Total E&P (USA) Inc. Over Lease Royalty Payments** – Gerald Pruitt, Deputy City Attorney

9. **Executive Session:** The Fort Worth Housing Finance Corporation will conduct a closed meeting to:

- a. Seek the advice of its attorneys concerning the following items 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 item; and
- b. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
- c. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

10. **Requests for Future Agenda Items** – Sal Espino, President

11. **Adjourn** – Sal Espino, President

The Pre-Council Chamber is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are requested to contact the City's ADA Coordinator at (817) 392-8552 or e-mail ADA@FortWorthTexas.gov at least 48 hours prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least 48 hours prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
TUESDAY, AUGUST 6, 2013**

Present:

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

City staff:

Fernando Costa, Assistant City Manager
Vickie Ganske, Senior Assistant City Attorney
Mary J. Kayser, City Secretary
Cynthia Garcia, Administrator
Avis Chaisson, Community Development Manager

1. Call to Order.

With a quorum present, President Espino called the meeting to order for the Board of Directors of the Fort Worth Housing Finance Corporation (Corporation) at 2:32 p.m. on Tuesday, August 6, 2013, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas.

2. Approval of Minutes of the May 7, 2013, Meeting.

Motion was made by Director Price and seconded by Director Zimmerman to approve the Tuesday, May 7, 2013, minutes of the Corporation as presented. The motion passed 9-0.

3. Election of Officers:

Ms. Cynthia Garcia, Administrator stated that the Corporation needed to elect officers.

Motion was made by Director Shingleton and second by Director Price that the current officers be reelected. The motion passed 9-0.

4a. Written Reports: Fort Worth Housing Finance Corporation Financial Report through June 30, 2013.

President Espino referenced the Financial Report through June 30, 2013, and opened the floor for discussion on the report. There was no discussion or action on this agenda item.

5. Consider and Adopt Resolution Approving an Agreement with NRP Holdings, LLC., for the Angle Apartments and the Formation of Decatur-Angle Ltd., and Approve All Related Actions Required to Act as General Partner for the Partnership Developing, Owning and Managing the Angle Apartments.

Ms. Avis Chaisson, Community Development Manager, Housing and Economic Development Department, gave a presentation on the proposed agreement to partner with NRP Holdings, LLC, for the Decatur-Angle Apartments development. She reviewed the development plans, timeline and location. Staff recommends approval of a resolution to:

Enter into a Master Agreement between HFC and NRP Group, LLC

Approve the formation of Decatur-Angle GP, LLC for the purpose of owning developing, constructing, and managing the Development of which the HFC will be the sole member

Approve submission of an application to the TDHCA for an allocation of housing tax credits and issuance of multifamily bonds

Expend up to \$20,000.00 for legal and other professional services related to the project.

Motion was made by Director Shingleton and seconded by Director Bivens to approve Resolution FWHFC-2013-04. The motion passed 9-0.

6. Executive Session.

President Espino stated that he had been advised that an Executive Session was not necessary to discuss the following items:

- A. Seek the advice of its attorneys concerning the following items 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 item; and
- B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
- C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

7. Requests for Future Agenda Items.

President Espino opened the floor on requests for future agenda items. No requests were made by Board members.

8. Adjourn.

With no further discussion, President Espino adjourned the meeting of the Fort Worth Housing Finance Corporation Board at 2:42 p.m. on Tuesday, August 6, 2013.

These minutes approved by the Fort Worth Housing Finance Corporation Board of Directors on the ____ day of _____, 2013.

APPROVED:

Salvador Espino,
President

Mary J. Kayser
Assistant Secretary

FORT WORTH HOUSING FINANCE CORPORATION
BALANCE SHEET AS ON SEPTEMBER 30, 2013
(UNAUDITED)

ASSETS

Cash, Cash Equivalents and Investments

Cash & Investments	\$ 4,610,428	
Cash and cash equivalents (HTF General Fund)	1,485,638	
Cash at Bank- JP Morgan Chase - Infill	9,526	
		6,105,592

Restricted Assets

Restricted cash, cash equivalents & investments	1,286,781	
Restricted cash HTF	4,000,000	
		5,286,781

Other Assets

Loans receivable	18,901	
Loans receivable - Wind River	-	
Interest Receivable	13,129	
Investments in Villas of East Wood LLC	615,000	
Advances to Villas of East Wood LLC	638,979	
Properties held for sale or construction by FWHFC (at cost or FMV)	555,203	(1)
		1,841,212

Total Assets

\$ 13,233,585

LIABILITIES & FUND BALANCE

Liabilities

Accounts payable	\$ 10,311	
Escrow for loans	566	
Accrual - Payroll	9,532	
Deferred revenue	18,901	
Payable to CFW - Carter Metro assigned liability	2,675	(4)
Payable to CFW - Mitchell Blvd. assigned properties	21,047	(4)
Payable to CFW - Appropriation from Rental Rehab Rev.(for VOE)	615,000	
		678,033

Total Liabilities

\$ 678,033

Fund Balances

Restricted for corpus	5,286,781	
Represented by HTF General Fund	1,485,638	
Represented by advance & cost of sale - VOE	359,872	(3)
Terrell Heights - Professional Fees	42,500	
Represented by advances to VOE	638,979	
Represented by land & properties	555,203	
Represented by 2012-13 Operating Budget	74,113	
Legal services (Terrell Homes)	52,187	
Architectural-Lee Av. Townhomes	38,400	
Restricted for land banking	328,117	
Restricted for Infill Dev.	1,332,269	
Unrestricted	2,361,494	(2)

Total Fund Balance

12,555,552

Total Liabilities & Fund Balance

\$ 13,233,585

Notes:

- (1) Cost of properties includes certain properties received as gift for which fair market value as on date of gift was included as cost. It also includes properties assigned to HFC.
- (2) Grants/endowments/gifts and other appropriations received and used to acquire properties or for operating expenditure forms part of the unrestricted equity balance along with surplus / loss from operations and interest income from investments.
- (3) FWHFC Board has approved a reserve fund of \$650,000.00 to VOE. Payment of \$322,010.00 were made from R109 and the balance of the reserved fund is \$327,990.00
- (4) Properties assigned to HFC in note (1) were acquired with grant funds, and the proceeds less taxes and constr. exp. incurred by HFC to be returned to CFW as program income.

Other Notes:

- A. Home warranty expenses and tax abatement refund dues are accounted on cash basis. The liability for unexpired warrantees and tax abatement refunds have not been quantified and not provided for.
- B. The Eastwood Public Facility Corporation, a single asset entity created by Fort Worth Housing Authority, purchased the Villas of Eastwood Facility by assuming it's FHA insured loan on August 9th, 2013.

FORT WORTH HOUSING FINANCE CORPORATION
REVENUES AND EXPENDITURES FOR PERIOD (12 MONTHS) ENDING SEPTEMBER 30, 2013
(UNAUDITED)

Revenues

Interest earned on investments	\$ 117,441
Interest on loans	237
Revenue Land/Home sales	1,000
Program Income Prin. Loan	952
Contribution from HUD - HTF	-
Gas lease bonus	-
Gas lease royalties	27,378
Gas Well Shut In Payments	-
Holdings - SF Bond	3
Grant Revenue	23,727
Repayment of Loan - Windriver	314,465
Misc. revenue	58,316

Total Revenues	\$ 543,518	
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Expenditures

Salary expenses	\$ 101,089
Postage	396
Misc. & other operations	25
Gas Well consultant fees	49
Engineering Services	4,028
Conference and seminars	8,535
Office Supplies	70
Travel Expenses	-
Inside printing	83
Graphics	-
Liability insurance	2,777
Electricity	137
Water & waste disposal	360
Dues and membership	7,235
Contractual services	754,964
Wellness Incentive	-
Loss on asset	100
Bank Charges	39
Land purchase	-
Other expenses to be paid	-

Total Expenditures	\$ 879,888	
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Excess of Revenues over (under) Expenditures		(336,370)
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Other Financing Sources (Uses)

Transfers in HFC	-
Transfers in infill	800
Total Other Financing Sources (Uses)	800

Excess of Revenues over (under) Expenditures and Other Financing sources		(335,570)
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Fund Balances (Deficit), beginning of the period		12,275,865
Fund Balances (Deficit), at the end of the period		11,940,295

Reconciliation of fund balance to Balance sheet

ADD: Loans receivable from Villas Of Eastwood	1,253,979	
Wind River loan	-	
Less: Liability to CFW - Assigned properties	(23,722)	
Liability to CFW RRPI- Villas of Eastwood	(615,000)	
Fund balance per balance sheet	615,257	\$ 12,555,552

FORT WORTH HOUSING FINANCE CORPORATION

Details of Loan Receivables & Escrow Accounts for period ending September 30, 2013

Loan Receivables

<u>Name</u>	<u>Date of Note</u>	<u>Amount</u>	<u>Status</u>
Willie Roberson	08/21/98	18,901	Active
Eastland		-	
Wind River		-	
Total		<u>\$ 18,901</u>	

Deferred revenue

Willie Roberson	18,901
	<u>18,901</u>

Escrows

Willie Roberson	08/21/98	566	Active
Total		<u>\$ 566</u>	

Details of Classification of Fund Balance

Represented by Investments & Loans

Loans receivable from Villas of East Wood LLC	638,979
	<u>-</u>
Total	<u>\$ 638,979</u>

Details of Payable to CFW (Assigned properties liability from Carter Metro)
(Properties were acquired with grant funds)

Assigned from Cartermetro	
1118 E. Tucker	1,500.00
1139 Cannon St	1,500.00
2912 Walker St	-
4521 Trueland - sold	-
4525 Trueland	-
802 E. Magnolia	1,500.00
Cash assigned to HFC	-
Total	<u>4,500.00</u>
Less Taxes paid when assigned	<u>1,824.82</u>
Total liability	<u>2,675.18</u>
Assigned from TCDC (Formerly Mitchell Blvd. Dev. Corp.)	
2511 Mitchell Blvd	39,220.00
3220 Thrall St	0.00
Total	<u>39,220.00</u>
Less Taxes paid when assigned	<u>18,172.76</u>
Total liability	<u>21,047.24</u>
G. Total Liability	23,722.42

RESOLUTION NO. FWHFC-2013----

FORT WORTH HOUSING FINANCE CORPORATION

**A RESOLUTION
APPROVING THE BUDGET FOR THE 2013-2014 FISCAL YEAR**

WHEREAS, the Board of Directors of the Fort Worth Housing Finance Corporation, a Texas housing finance corporation (the "Corporation"), reviewed the attached budget proposed for the 2013-2014 fiscal year of the Corporation (the "Budget") during the Corporation's meeting on November 5, 2013; and

WHEREAS, the Board of Directors desires to adopt the Budget as presented for the Corporation's 2013-2014 fiscal year.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FORT WORTH HOUSING FINANCE CORPORATION:

1. THAT the Board approves the attached Budget for the Corporation's 2013-2014 fiscal year.
2. THAT this Resolution takes effect on the date of its adoption.

AND IT IS SO RESOLVED.

Adopted November 5, 2013.

FORT WORTH HOUSING FINANCE CORPORATION

By: _____
Salvador Espino, President

FORT WORTH HOUSING FINANCE CORPORATION
Proposed Budget
October 1, 2013 through September 30, 2014
(Unaudited)

Revenues

Interest on investments	\$100,000
Program income prin. loan	1,068
Land/home sales	80,000
Developer Fees	978,522
Gas lease royalties	25,000
Other Revenue	4,500
Total Revenues	1,189,090

Expenditures

Transfer to City (Salaries)	136,921
Office supplies	500
Postage	350
Conferences & seminars	8,000
Electricity	2,000
Water & waste disposal	1,500
Dues and membership	3,800
Gas Well consultant	950
Contractual services	5,000
Audit Fees - VOE	13,000
D&O Liability Insurance	2,800
Property Insurance	4,500
Mowing HFC properties	40,000
Security systems (HFC Houses)	4,000
Carver House Rehab	5,000
Total Expenditures	228,321

Excess of Revenues over Expenditures	960,769
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RESOLUTION NO. FWHFC-2013----

FORT WORTH HOUSING FINANCE CORPORATION

A RESOLUTION

**RATIFYING A NATURAL GAS LEASE WITH VANTAGE FORT WORTH ENERGY,
LLC FOR 1820 S. CRAVENS ROAD**

WHEREAS, the Fort Worth Housing Finance Corporation (the "Corporation") owns an improved tracts of land totaling .512 acres, more or less, commonly known as 1820 S. Cravens Road (the "Property");

WHEREAS, the Corporation received an Offer to Voluntarily Pool and Participate and a proposal for a lease of the minerals underlying the Property;

WHEREAS, it was in the best interest of the Corporation to enter into the lease prior to a scheduled Board meeting due to hearing scheduled by the Texas Railroad Commission under the Mineral Interest Pooling Act which would have included this parcel; and

WHEREAS, the Board of the Corporation desires to ratify and affirm a lease of the minerals underlying the Property with Vantage Fort Worth Energy, LLC, for a two year primary term that includes, among other things, a bonus per acre amount of \$3,000.00 and royalty of not less than 25%.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF
THE FORT WORTH HOUSING FINANCE CORPORATION:**

1. THAT the Board ratifies and affirms a lease of the minerals underlying .512 acres of land, more or less, owned by the Corporation commonly known as 1820 S. Cravens Road (the "Property") with Vantage Fort Worth Energy, LLC, for a primary term of two years with a bonus per acre of \$3,000.00 and a royalty of not less than 25% (the "Lease").
2. THAT the Board ratifies the execution and delivery of the Lease along with any other documents necessary to effectuate the transaction and any other actions taken by the Corporation in connection with the Lease are hereby ratified and confirmed as valid actions of the Corporation effective as of the date such actions were taken.
3. THAT Tom Higgins, General Manager of the Corporation, or Jesus J. Chapa, Assistant General Manager of the Corporation, are authorized to execute and deliver any related documents necessary to complete the transaction for and on behalf of the Corporation, and each is authorized to extend, modify and amend the Lease, provided that any such extensions, modifications or amendments are in compliance with applicable laws and the policies, goals and purposes of the Corporation as those are amended from time to time.
4. THAT this Resolution takes effect on the date of its adoption.

AND IT IS SO RESOLVED.

Adopted November 5, 2013.

FORT WORTH HOUSING FINANCE CORPORATION

By: _____
Salvador Espino, President

RESOLUTION NO. FWHFC-2013----

FORT WORTH HOUSING FINANCE CORPORATION

A RESOLUTION

**TO HIRE JOHN C. SHACKLEFORD AS LEGAL COUNSEL FOR THE
CORPORATION AND DECATUR-ANGLE GP, LLC FOR THE DECATUR-
ANGLE HOUSING TAX CREDIT APPLICATION**

WHEREAS, the City Council of the City of Fort Worth (the “City”) created the Fort Worth Housing Finance Corporation (the “Corporation”) in 1979 pursuant to the Texas Housing Finance Corporation Act to facilitate the development of decent, safe quality, affordable, and accessible housing for low and moderate income City residents through lending and construction activities;

WHEREAS, NRP Holdings LLC (“NRP”), an Ohio limited liability company, is a developer of affordable housing and has developed over 3,000 affordable housing units in Texas since 2004;

WHEREAS, the Corporation has entered into certain agreements with NRP for the development of an affordable multifamily rental project and, along with NRP, made application for 4% non-competitive Housing Tax Credits (“HTC”) from the Texas Department of Housing and Community Affairs (“TDHCA”) as part of the financing for the project;

WHEREAS, the Corporation created Decatur-Angle GP, LLC, a Texas limited liability company and single purpose entity, to be the general partner of Decatur-Angle, Ltd., the Texas limited partnership created by NRP and the Corporation to construct, own and manage the project and has agreed to undertake certain other activities in connection with the development and management of the project;

WHEREAS, the Corporation is the Sole Member of Decatur-Angle GP, LLC (the “Company”), and empowered to act on its behalf;

WHEREAS, the City Council has approved a loan of \$1,000,000.00 of its HOME Investment Partnerships Program grant funds to Decatur-Angle, Ltd., to finance a portion of the construction costs and to show the City’s support for the project (M&C C-26387), and has approved Resolution No. 4254-10-2013 supporting the partnership’s application for the 4% HTC;

WHEREAS, the project consists of a new 302-unit apartment complex to be located at the corner of Angle Avenue and Old Decatur Road and will be known as the Landings at Marine Creek;

WHEREAS, in order to represent the Corporation’s and the Company’s interests in the development, financing, construction and management of the project, it is advisable to obtain outside counsel with experience and special expertise in HTC projects

along with the preparation of necessary documents and advising on any other related issues ; and

WHEREAS, the Board desires to approve hiring John C. Shackelford as legal counsel to assist the Corporation and the Company in connection with the Decatur-Angle HTC application and the development of the Landings at Marine Creek apartments.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FORT WORTH HOUSING FINANCE CORPORATION:

1. THAT the Board approves the hiring of John C. Shackelford, Shackelford, Melton & McKinley, LLP, as legal counsel for the Corporation and the Company in connection with the Decatur-Angle Housing Tax Credit application and the development of the Landings at Marine Creek apartments.
2. THAT the Board approves the payment of attorney's fees of \$70,000.00 for the project.
3. THAT the Board approves the execution and delivery of an engagement letter for legal services.
4. THAT Tom Higgins, General Manager of the Corporation, or Jesus C. Chapa, Assistant General Manager of the Corporation, are authorized to execute and deliver the engagement letter for and on behalf of the Corporation and the Company along with any related documents necessary to engage John C. Shackelford as outside counsel.
5. THAT this Resolution takes effect from the date of its adoption.

AND IT IS SO RESOLVED.

Adopted November 5, 2013.

FORT WORTH HOUSING FINANCE CORPORATION

By: _____

Salvador Espino, President

RESOLUTION NO. FWHFC-2013----

FORT WORTH HOUSING FINANCE CORPORATION

**A RESOLUTION
TO HIRE RALPH DUGGINS AS LEGAL COUNSEL FOR THE CORPORATION
AND THE VILLAS OF EASTWOOD TERRACE, LLC TO FILE SUIT AGAINST
CHESAPEAKE OPERATING, INC. AND TOTAL E&P (USA) INC. OVER
LEASE ROYALTY PAYMENTS**

WHEREAS, the City Council of the City of Fort Worth (the “City”) created the Fort Worth Housing Finance Corporation (the “Corporation”) in 1979 pursuant to the Texas Housing Finance Corporation Act to facilitate the development of decent, safe quality, affordable, and accessible housing for low and moderate income City residents through lending and construction activities;

WHEREAS, the Corporation has entered into numerous oil and gas leases for the minerals underlying the Corporation’s properties and certain of those leases are held by Chesapeake Operating, Inc. and Total E&P (USA), Inc. (collectively, “Chesapeake”) as either the original lessee or as an assignee from the original lessee;;

WHEREAS, the leases provide that the royalty to be paid to the Corporation was to be free of all costs of any kind, but an audit on certain City leases with Chesapeake has determined that Chesapeake is reporting the net sales price of produced gas as the gross sales price and charging costs which are disallowed by the lease thus underpaying the royalties;

WHEREAS, on October 22, 2013, the City Council ratified the retention of Ralph Duggins of the firm of Cantey Hanger L.L.P. and the filing of a lawsuit against Chesapeake over issues relating to the calculations and amounts of royalty payment made under gas leases between the City and Chesapeake (Resolution No. 4253-10-2013);

WHEREAS, the Corporation is the Sole Member of The Villas of Eastwood Terrace, LLC (the “Company”), and empowered to act on its behalf;

WHEREAS, due to the complexity of this area of the law, it is advisable for the Corporation and the Company to obtain outside counsel with experience and special expertise in matters involving oil and gas law in order to represent the Corporation’s and the Company’s interests; and

WHEREAS, the Board desires to approve hiring Ralph Duggins of the law firm of Cantey Hanger L.L.P. as legal counsel to assist the Corporation and the Company in connection with the gas lease royalty payments under their respective leases with Chesapeake.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FORT WORTH HOUSING FINANCE CORPORATION:

1. THAT the Board approves the hiring of Ralph Duggins, Cantey Hanger, L.L.P., as legal counsel for the Corporation and the Company in connection with gas royalty payments under its leases with Chesapeake Operating, Inc. and Total E&P (USA), Inc. .
2. THAT the Board approves the payment by contingency for legal services for the lawsuit on the same terms and conditions as those approved by the City of Fort Worth for its suits over royalty payments with all costs of litigation to be advanced by Cantey Hanger L.L.P..
3. THAT the Board approves the execution and delivery of an engagement letter for legal services.
4. THAT Tom Higgins, General Manager of the Corporation, or Jesus C. Chapa, Assistant General Manager of the Corporation, are authorized to execute and deliver the engagement letter for and on behalf of the Corporation and the Company along with any related documents necessary to engage Ralph Duggins, Cantey Hanger L.L.P.as outside counsel.
5. THAT this Resolution takes effect from the date of its adoption.

AND IT IS SO RESOLVED.

Adopted November 5, 2013.

FORT WORTH HOUSING FINANCE CORPORATION

By: _____
Salvador Espino, President

FORT WORTH LOCAL DEVELOPMENT CORPORATION

AGENDA

Tuesday, November 5, 2013

Immediately Following the Fort Worth Housing Finance Corporation Meeting, Scheduled to Begin Immediately Following the Fort Worth City Council Housing and Economic Development Committee Meeting Scheduled to Begin Immediately Following the Fort Worth City Council Meeting Scheduled to Begin at 10:00 AM

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

Board of Directors

Danny Scarth, President
Gyna M. Bivens, Vice President
Zim Zimmerman, Treasurer

Dennis Shingleton, Secretary
Kelly Allen Gray, Trustee
Betsy Price, Trustee

Jungus Jordan, Trustee
Salvador Espino, Trustee
Joel Burns, Trustee

Staff Liaison: Fernando Costa, Assistant City Manager

-
1. **Call to Order** – Danny Scarth, President
 2. **Approval of Minutes from the Meeting Held on August 6, 2013** – Danny Scarth, President
 3. **Written Reports** – Danny Scarth, President
 - A. Financial Report through September 30, 2013
 - B. Memo on Financial Status of 4700 Blue Mound Rd.
 4. **Consider and Adopt Resolution Approving the Budget for the 2013-2014 Fiscal Year** – Jay Chapa, Administrator
 5. **Consider and Adopt Resolution Authorizing Execution of a Natural Gas Lease with Vantage Fort Worth Energy, LLC for Property at 5425 E. Berry Street** - Jean Petr, Gas Lease Program Manager, City of Fort Worth, Planning and Development Department
 6. **Consider and Adopt Resolution Authorizing the Retention of Ralph Duggins and Cantey Hanger LLP as Outside Legal Counsel to File Suit Against Chesapeake Operating, Inc., and Total E&P (USA) Inc. Over Lease Royalty Payments to the Corporation** – Gerald Pruitt, Deputy City Attorney
 7. **Executive Session:** The Fort Worth Local Development Corporation's Board of Trustees will conduct a closed meeting to:
 - a. Seek the advice of its attorneys concerning the following items 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 item; and

- b. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
 - c. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.
- 8. **Requests for Future Agenda Items** – Danny Scarth, President
- 9. **Adjourn** – Danny Scarth, President

The Pre-Council Chamber is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are requested to contact the City's ADA Coordinator at (817) 392-8552 or e-mail ADA@FortWorthTexas.gov at least 48 hours prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least 48 hours prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
TUESDAY, AUGUST 6, 2013**

Present:

President Danny Scarth
Vice President Gyna Bivens
Treasurer W. B. "Zim" Zimmerman
Trustee Betsy Price
Trustee Salvador Espino
Trustee Jungus Jordan
Trustee Dennis Shingleton
Trustee Kelly Allen Gray
Trustee Joel Burns

City staff:

Fernando Costa, Assistant City Manager
Peter Vaky, Deputy City Attorney
Mary J. Kayser, City Secretary
Cynthia Garcia, Administrator

1. Call to Order.

With a quorum present President Scarth called the meeting to order for the Board of Directors of the Fort Worth Local Development Corporation (Corporation) at 2:43 p.m. on Tuesday, August 6, 2013, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas.

2. Approval of Minutes of the July 23, 2013, Meeting.

President Scarth opened the floor for a motion on the approval of the minutes of the Tuesday, July 23, 2013, meeting.

MOTION: Upon a motion made by Trustee Price and seconded by Trustee Jordon, the Board of Directors voted unanimously 9 ayes and 0 nays to approve the July 23, 2013, minutes of the Corporation as presented. The motion carried.

3a. Written Reports: Fort Worth Local Development Corporation Financial Report through June 30, 2013.

President Scarth referenced the Financial Report through June 30, 2013, and opened the floor for discussion on the report. There was no action or discussion on this item.

4. Executive Session – President Scarth stated that he had been advised that an Executive Session was not necessary to discuss the following items:

- A. Seek the advice of its attorneys concerning the following items 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 item; and
- B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
- C. Discuss or deliberate negotiations related to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

5. Discussion and Consideration of Resolution to Substitute the Fort Worth Local Development Corporation as Sole Managing Member of the Lancaster Corridor Redevelopment, LLC:

Ms. Cynthia Garcia, Administrator, presented an update on the progress of the Lancaster Mixed Use Development (Lancaster Place). She presented the staff recommendation that a resolution be approved that substituted the Fort Worth Development Corporation as Sole Managing Member of the Lancaster Corridor Redevelopment, LLC and that the Corporation move forward with submitting firm application for 221 (d)(4) loan, if HUD approves pre-application.

MOTION: Upon a motion made by Trustee Espino and seconded by Trustee Shingleton, the Board voted unanimously 9 ayes and 0 nays, to approve Resolution No. FWLDC-2013-05. The motion carried.

6. Requests for Future Agenda Items.

President Scarth opened the floor on requests for future agenda items. No requests were made by Board members.

7. Adjourn.

With no further discussion, President Scarth adjourned the meeting of the Fort Worth Local Development Corporation Board at 2:46 p.m. on Tuesday, August 6, 2013.

These minutes approved by the Fort Worth Housing Finance Corporation Board of Directors on the ____ day of ____ 2013.

APPROVED:

Danny Scarth
President

ATTEST:

Dennis Shingleton
Secretary

Prepared and respectfully submitted by:

Mary J. Kayser, TRMC/CMC
City Secretary

Fort Worth Local Development Corporation
Balance Sheet
September 30, 2013
(Unaudited)

Assets

Cash and Cash Equivalents	\$2,168,492.53
Interest Receivable	2,987.63
Note Receivable - Oliver's	435,000.00
Prepaid Expenses	<u>19,565.00</u>

Total Assets	<u><u>\$2,626,045.16</u></u>
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Liabilities and Fund Balance

Accounts and Contracts Payable	19,179.93
Prepaid Rent	<u>0.00</u>

Total Liabilities	19,179.93
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Fund Balance (Deficit)

Designated for Authorized Expenditures	\$2,415,168.89
Net Income	191,696.34
Undesignated	<u>0.00</u>

Total Fund Balance	2,606,865.23
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Total Liabilities and Fund Balance	<u><u>\$2,626,045.16</u></u>
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Fort Worth Local Development Corporation

MEMORANDUM

Date: November 5, 2013

To: Chairman Scarth & Members of the Fort Worth Local Development Corporation Board

From: Jay Chapa, Administrator

Subject: 4700 Blue Mound Road Facility

The LDC property at 4700 Blue Mound Road has been vacant since the lease to the Geo Group expired on September 30, 2011. The Geo Group operated a private contract prison facility at this location for several years. This property consists of a 130,000 square foot building, which includes office and warehouse space with ample parking. Since the facility became vacant, there have been numerous inquiries from businesses interested in leasing for their operations. Rental income from the various buildings located at this site is the primary funding source for LDC related projects and operations.

While this property has been vacant no rental revenue has been collected, but expenses to maintain this facility have continued. Based on the proposed offers to lease the facility, staff estimates that the property would have produced \$ 292,500 in revenue during this time period while costs associated with the building, including property taxes and insurance have reached \$342,246. This estimate is based on a year and a half and assumes that it was rented six months after the prior lease expired. Each vacant six month period represents more than a \$210,000 in expenses and lost revenue for the LDC.

Pending the recommendation from City Staff on the direction the City will take for its jail operations which is expected to occur in December, it is recommended that leasing of the building be reinstated in January 2014 if the facility is not recommended as the most appropriate jail site.

Please contact me at 817-392-5804 if you have any questions or concerns.

FORT WORTH LOCAL DEVELOPMENT CORPORATION

**RESOLUTION
OF THE BOARD OF TRUSTEES**

Approving the 2013-2014 Fiscal Year Budget

WHEREAS, the administrative staff of the Fort Worth Local Development Corporation, a Texas non-profit corporation (the "Corporation"), presented the attached proposed budget for the 2013-2014 fiscal year of the Corporation (the "Budget") during the Corporation's meeting on November 5, 2013; and

WHEREAS, members of the Board of Trustees were permitted to ask questions and to request clarifications of the staff with respect to the Budget;

NOW, THEREFORE, BE IT RESOLVED that, the administrative staff's Budget presentation having been completed and all questions and clarifications requested by members of the Board of Trustees having been answered, the Budget is hereby adopted for all purposes;

FURTHER RESOLVED, that the Secretary or any Assistant Secretary of the Corporation is hereby authorized and directed to certify the adoption of this Resolution.

Adopted this 5th day of November, 2013.

By: _____
Name:
Secretary

Fort Worth Local Development Corporation
Proposed Budget
October 1, 2013 through September 30, 2014
(Unaudited)

	Blue Mound Rd.	Other Activities	Total
Revenues			
Property Tax Reimbursement	\$11,059.31	\$0.00	\$11,059.31
Revenue from Rents	541,860.59	0.00	541,860.59
Gas Lease Royalties	200,000.00	5,000.00	205,000.00
Interest Income	0.00	3,000.00	3,000.00
Change in Fair Value of Investr	0.00	0.00	0.00
Other Revenue	0.00	0.00	0.00
Total Revenue	752,919.90	8,000.00	760,919.90
Expenditures			
Transfer to City (Salaries)	\$0.00	\$26,000.00	\$26,000.00
Bank Charges	350.00	0.00	350.00
Commissions	18,374.00	0.00	18,374.00
Conferences & Seminars	0.00	5,000.00	5,000.00
Contractual Services	128,843.60	14,100.00	142,943.60
Insurance	81,900.00	2,100.00	84,000.00
Property Management	21,674.42	0.00	21,674.42
Property Improvements	0.00	50,000.00	50,000.00
Property Taxes	111,620.00	10,920.00	122,540.00
Repairs	80,000.00	0.00	80,000.00
Security System	5,280.00	0.00	5,280.00
Storm Water Utility	33,600.00	0.00	33,600.00
Surveys & Appraisals	0.00	5,000.00	5,000.00
Utilities	30,000.00	0.00	30,000.00
Total Expenditures	511,642.02	113,120.00	624,762.02
Excess of Revenues Over Expenditures	\$241,277.88	(\$105,120.00)	\$136,157.88

FORT WORTH LOCAL DEVELOPMENT CORPORATION

**RESOLUTION
OF THE BOARD OF TRUSTEES**

***Authorizing Execution of a Natural Gas Lease
with Vantage Fort Worth Energy, LLC
for Property at 5425 E. Berry Street***

WHEREAS, the Fort Worth Local Development Corporation (the “Corporation”) owns approximately 0.4304 mineral acres of real property at 5425 E. Berry Street (the “Property”); and

WHEREAS, the Corporation has received a proposal from Vantage Fort Worth Energy, LLC for a lease of the minerals underlying the Property; and

WHEREAS, after reviewing the proposal the Corporation wishes to enter into a lease of the minerals underlying the Property with Vantage Fort Worth Energy, LLC that includes, among other things, a bonus of not less than \$3,000.00 per acre and a royalty of not less than 25%;

NOW, THEREFORE, BE IT RESOLVED that the Corporation hereby authorizes the staff to negotiate and finalize a lease of the minerals underlying the Property with Vantage Fort Worth Energy, LLC that includes, among other things, a bonus of not less than \$3,000.00 per acre and a royalty of not less than 25%;

FURTHER RESOLVED, that the President of the Corporation is hereby authorized to execute such lease and any other documents necessary to effectuate such lease, as approved by staff and the Corporation’s legal counsel;

FURTHER RESOLVED, that the Secretary or any Assistant Secretary of the Corporation is hereby authorized and directed to certify the adoption of this Resolution.

Adopted this 5th day of November, 2013:

By: _____

Name:

Secretary

FORT WORTH LOCAL DEVELOPMENT CORPORATION

**RESOLUTION
OF THE BOARD OF TRUSTEES**

***Authorizing the Retention of Ralph Duggins and the Law Firm of Cantey Hanger LLP
as Outside Legal Counsel to File a Lawsuit Against Chesapeake Operating, Inc. and Total
E&P USA, Inc. Over Oil and Gas Lease Royalty Payments to the Corporation***

WHEREAS, the Fort Worth Local Development Corporation (the "Corporation") has entered into a number of oil and gas leases of Corporation property within the Barnett Shale Field; and

WHEREAS, the leases provide that the royalties paid thereunder are to be free of costs of any kind; and

WHEREAS, Chesapeake Operating, Inc., and Chesapeake Exploration, LLC and Total E&P (USA), Inc. are the lessees or assignees of the lessee of some of the oil and gas leases with the Corporation; and

WHEREAS, the Corporation has reason to believe that Chesapeake Operating, Inc. and Total E&P (USA), Inc. have reported as the gross sales price of produced gas the net sales price after disallowed costs when reporting and remitting royalty payments to the Corporation for leases held by Chesapeake Operating, Inc. and Total E&P (USA), Inc. in violation of the terms of the leases; and

WHEREAS, pursuant to Resolution No. 4253-10-2013, on October 22, 2013 the City Council of the City of Fort Worth (the "City") ratified the retention of Ralph Duggins and the law firm of Cantey Hanger LLP and the filing of a lawsuit against Chesapeake Operating, Inc. and Total E&P (USA), Inc. over the same issues involving oil and gas leases between the City and Chesapeake Operating, Inc. and Total E&P (USA), Inc.;

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Corporation hereby authorizes the retention of Ralph Duggins and the law firm of Cantey Hanger LLP and the filing of a lawsuit against Chesapeake Operating, Inc. and Total E&P (USA), Inc. over issues relating to the calculations and amounts of royalty payments made under oil and gas leases between the Corporation and Chesapeake Operating, Inc. and Total E&P (USA), Inc.;

FURTHER RESOLVED, that the Corporation is hereby authorized to compensate Ralph Duggins and the law firm of Cantey Hanger L.L.P., by contingency on the same terms and conditions as that of the City; and

FURTHER RESOLVED, that the President of the Corporation is hereby authorized to enter into a contract with Ralph Duggins and Cantey Hanger LLP setting out the contingency in accordance with the same terms and conditions as the contract executed by the City (City

Secretary Contract No. 45030), with all costs of litigation to be advanced by Cantey Hanger LLP.

Adopted this 5th day of November, 2013:

By: _____

Name:

Secretary



Updated October 31, 2013

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

November 5, 2013

***8:30 a.m. Pre-Council Meeting
(Meeting moved to morning for National Election Day)
Housing and Economic Development Committee
(Immediately following the 10:00 a.m. City Council Meeting)
Fort Worth Housing Finance Corporation
(Immediately following HED)
Fort Worth Local Development Corporation
(Immediately following HFC)***

Continued Items:

- **ZC-13-112** - North Side Stockyard Property, 107 NW 28th Street; from: "MU-2" High Intensity Mixed Use to: "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed Use plus car wash and auto lube; site plan included. **(Recommended for Denial without Prejudice by the Zoning Commission) (Continued from October 22, 2013 by Council Member Espino)**
- o Briefing on Minority Business Enterprise (MBE) Participation in City Construction Contracts *[Robert Sturns, Housing and Economic Development Department]*
- o Review of City Council Calendar for January - December 2014 *[Mary Kayser, City Secretary]*

November 7, 2013 ***(Thursday)***

5:30 p.m. Fort Worth Crime Control and Prevention District Board of Directors Meeting (Pre-Council)

November 12, 2013 **Monthly Zoning Meeting**

***10:00 a.m. Audit Committee
11:00 a.m. Legislative and Intergovernmental Affairs Committee
2:00 p.m. Infrastructure & Transportation Committee
3:00 p.m. Pre-Council Meeting***



Updated October 31, 2013

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

November 12, 2013 *(continued)*

- o Overview of Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
- o Briefing on IT Technology Plan [*Pete Anderson, IT Solutions*]
- o Update on Fort Worth Bike Sharing Program [*Randle Harwood, Planning and Development and Mike Brennan, Fort Worth Bike Sharing Board Chair*]

November 19, 2013

***8:30 a.m. Pre-Council Meeting
5:30 p.m. Joint Meeting of Fort Worth City Council/ Fort Worth Independent
School Board of Trustees (Pre-Council Chamber)***

November 26, 2013

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

November 28, 2013 ***(Thursday)***

City Hall Closed – Thanksgiving Holiday

November 29, 2013 ***(Friday)***

City Hall Closed – Thanksgiving Holiday



Updated October 31, 2013

City of Fort Worth
City Council Pre-Council Agenda Calendar

December 3, 2013 **Monthly Zoning Meeting**

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

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

3:00 p.m. Pre-Council Meeting

Continued Items:

- **ZC-13-092** - Willing Smith, 3501 Hulen Street, 4529-4545 Houghton Avenue; from: "B" Two-Family and "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus semi automatic car wash; site plan included. **(Recommended for Denial by the Zoning Commission) (Continued from October 15, 2013 by Council Member Burns)**
- **ZC-13-143 - (CD 3)** - Lockheed Martin Recreation Association Inc., Etal. 5750 & 5780 Bellaire Drive South and 3400 Bryant Irvin Road; from: "A-5" One-Family, "C" Medium Density Multifamily, "E" Neighborhood Commercial, "G" Intensive Commercial, and "OM" Office Midrise to: "G" Intensive Commercial and "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed-Use with a waiver for height and to exclude uses; site plan waiver recommended. **(Recommended for Approval by the Zoning Commission) (Continued from October 29, 2013 by Council Member Zimmerman)**
- o Overview of Significant Zoning Cases *[Dana Burghdoff, Planning and Development]*
- o Golf Update *[Richard Zavala, Parks and Community Services]*
- o Presentation on Planning Livable Military Communities Study and Key Regional Recommendations *[Dan Kessler, Assistant Director of Transportation at NCTCOG]*

December 10, 2013

2:00 p.m. Infrastructure & Transportation Committee

3:00 p.m. Pre-Council Meeting

December 11, 2013 ***(Wednesday)***

2:00 p.m. – 5:00 p.m. Capital Improvement Projects Workshop (Pre-Council)



Updated October 31, 2013

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

December 17, 2013

8:30 a.m. Pre-Council Meeting

- o Fort Worth Employees' Retirement Fund Audit Report as required by Texas Local Government Code Section 802.1012(f) and (g) *[Doug Anderson of Gallagher Benefit Services, Inc.]*

December 24, 2013

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

December 25, 2013 ***(Wednesday)***

City Hall Closed – Christmas Holiday

December 31, 2013

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



City Council Meeting of October 29, 2013

Staff Action Tracking

Item #1	Fort Worth Bike Sharing Program		
Due Date:	November 12, 2013	Council District:	2
Staff Action:	Staff to schedule a Fort Worth Bike Sharing Program update at an upcoming Pre-Council meeting to include future plans for expansion and funding sources.		
Responsibility:	Randle Harwood (Planning and Development)		

Item #2	Gang and Juvenile Crime		
Due Date:	December 3, 2013	Council District:	2,4
Staff Action:	Staff to provide Council with comparative data on what other jurisdictions are doing on addressing gang and juvenile crime.		
Responsibility:	Chief Jeff Halstead (Police)		

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
OCTOBER 29, 2013**

Present:

Mayor Betsy Price
Mayor Pro tem W.B. "Zim" Zimmerman, District 3
Council Member Salvador Espino, District 2
Council Member Daniel Scarth, District 4
Council Member Gyna M. Bivens, District 5
Council Member Jungus Jordan, District 6
Council Member Dennis Shingleton, District 7
Council Member Kelly Allen Gray, District 8
Council Member Joel Burns, District 9

Staff Present:

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

I. CALL TO ORDER

With a quorum of the City Council Members present, Mayor Price called the regular session of the Fort Worth City Council to order at 10:12 a.m. on Tuesday, October 29, 2013, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

II. INVOCATION - Executive Pastor Allan McBrayer, City on a Hill Church

The invocation was provided by Pastor Allan McBrayer, City on a Hill Church.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF OCTOBER 22, 2013

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that the minutes of the Regular meeting of October 22, 2013, be approved. The motion carried unanimously 9 ayes to 0 nays.

V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There were no items continued or withdrawn by staff.

VII. CONSENT AGENDA

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

A. General - Consent Items

- 1. M&C G-18052 - Authorize Settlement of Claim Filed Against the City of Fort Worth Entitled Randy Addington, Rick Addington and Sherri Davison Individually, as the Representatives of the Estate of Billie Joe Addington, Deceased in the Amount of \$250,000.00 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize a payment in the amount of \$250,000.00 to Randy Addington, Rick Addington and Sherri Davison, Individually and as Representatives of the Estate of Billie Joe Addington, Deceased, and Anderson Law Firm in settlement of the referenced claim; and authorize the appropriate City personnel to execute any release and agreement necessary to complete the settlement.

- 2. M&C G-18053 - Adopt Ordinance Adjusting the Authorized Civil Service Staffing in the Fire Department by Adding One Fire Captain Position and Deleting One Fire Lieutenant Position (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Adopt Ordinance No. 21014-10-2013 adding one position in the Captain classification; removing one position in the Lieutenant classification; adjusting the total number of authorized positions at each classification (rank) in the Fire Department for Fiscal Year 2013-2014; providing for adoption by reference of a Statement of Intent and Purpose in adopting this ordinance.

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

- 1. M&C P-11596 - Authorize Purchase Agreement with The Stovall Corporation for Fuel System Installation Maintenance and Repair in the Amount Up to \$100,250.00 for the First Year (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize a Purchase Agreement with The Stovall Corporation for fuel system installation maintenance and repair services in the amount up to \$100,250.00 for the first year.

C. Land - Consent Items

1. **M&C L-15632 - Authorize Direct Sale of a Tax Foreclosed Property Located at 502 Grand Avenue to PCI Grand Avenue, LLC, for a Sales Price in the Amount of \$31,740.00, in Accordance with Section 34.05 of the Texas Tax Code (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the direct sale of a tax foreclosed property located at 502 Grand Avenue to PCI Grand Avenue, LLC, for a sales price, in the amount of \$31,740.00, in accordance with Section 34.05 of the Texas Tax Code; and authorize the execution and recording of the appropriate instruments conveying the property to complete the sale.

E. Award of Contract - Consent Items

1. **M&C C-26529 - Authorize Execution of a Communications Systems Agreement with the City of Grapevine for Participation in the City of Fort Worth's Two-Way Public Safety Radio System at No Cost to the City of Fort Worth (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of a Communication Systems Agreement with the City of Grapevine for participation in the City of Fort Worth's Two-Way Public Safety Radio System. The City of Grapevine will reimburse its share of operations and maintenance to ensure that there is no cost to the City of Fort Worth, with such annual reimbursement being estimated to be approximately in the amount of \$7,000.00. In addition, the City of Grapevine will reimburse the City of Fort Worth for its share of the Software Upgrade Agreement.

2. **M&C C-26530 - Authorize Execution of a Contract with the Fort Worth Metropolitan Black Chamber of Commerce to Assist Minority and Women Business Enterprises and Small Businesses for a Cost Not to Exceed \$117,457.00 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of a contract with the Fort Worth Metropolitan Black Chamber of Commerce, in an amount not to exceed \$117,457.00, to assist minority and women business enterprises and small businesses for the period of October 30, 2013, through September 30, 2014.

3. **M&C C-26531 - Authorize Execution of a Contract with the Fort Worth Hispanic Chamber of Commerce to Assist Minority and Women Business Enterprises and Small Businesses in an Amount Not to Exceed \$135,551.00 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of a contract with the Fort Worth Hispanic Chamber of Commerce, in an amount not to exceed \$135,551.00, to assist minority and women business enterprises and small businesses for the period of October 30, 2013, through September 30, 2014.

4. **M&C C-26532 - Authorize Execution of a Construction Contract with McClendon Construction Company, Inc., in the Amount of \$368,556.50 for Paving, ADA Ramps and Traffic Signal Improvements at Two Intersections, North Beach Street at Western Center Boulevard and South Hulen Street at Granbury Road and Provide for Project Costs and Contingencies for a Project Total in the Amount of \$504,362.00 (COUNCIL DISTRICTS 4 and 6)**

The City Council approved the following recommendation: Authorize the execution of a construction contract with McClendon Construction Company, Inc., in the amount of \$368,556.50, for paving, ADA ramps and traffic signal improvements at two intersections, North Beach Street at Western Center Boulevard and South Hulen Street at Granbury Road, and provide for project costs and contingencies for a project total in the amount of \$504,362.00.

5. **M&C C-26533 - Authorize Execution of a Settlement Agreement with JLB Contracting, LLC., in the Amount of \$29,439.10 for Reconciliation of Hot Mix Asphaltic Concrete Surface Overlay Contract at Multiple Locations Throughout the City of Fort Worth (COUNCIL DISTRICTS 2, 3, 5, 8 and 9)**

The City Council approved the following recommendation: Authorize the execution of a Settlement Agreement with JLB Contracting, LLC, in the amount of \$29,439.10, to correct an underpayment by the City to the contractor for reconciliation of Hot Mix Asphaltic Concrete Surface Overlay Contract at multiple locations throughout the City of Fort Worth.

6. **M&C C-26534 - Adopt 2013 Prevailing Wage Rates for City Awarded Public Works Projects (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Adopt the 2013 Prevailing Wage Rates for City-awarded Public Works projects.

7. **M&C C-26535 - Authorize Execution of an Artwork Commission Contract with Stanley Architects and Artisans, Inc., in an Amount Up to \$81,473.00 for Fabrication, Delivery, and Installation of Public Artwork on the Fossil Creek Bridge Located at Riverside Drive, Between Fossil Creek Boulevard and Western Center Boulevard (COUNCIL DISTRICT 4)**

The City Council approved the following recommendation: Authorize the execution of an Artwork Commission Contract with Stanley Architects and Artisans, Inc., in an amount up to \$81,473.00, for fabrication, delivery, and installation of public artwork on the Fossil Creek Bridge located at Riverside Drive, between Fossil Creek Boulevard and Western Center Boulevard.

8. **M&C C-26536 - Authorize Execution of Amendment No. 2 to City Secretary Contract No. 35237, an Engineering Agreement with Halff Associates, Inc., in the Amount of \$114,944.00 for Additional Engineering Analysis and Design of the Glen Gardens Drainage Improvements Project, Thereby Increasing the Total Contract to the Amount of \$392,199.00 (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize execution of Amendment No. 2 to City Secretary Contract No. 35237, an Engineering Agreement with Halff Associates, Inc., in the amount of \$114,944.00, for additional engineering analysis and design of the Glen Gardens Drainage Improvements Project, thereby increasing the total contract to the amount of \$392,199.00.

9. **M&C C-26537 - Authorize Execution of Change Order No. 1 to City Secretary Contract No. 43831, in the Amount of \$109,831.00, with Conatser Construction TX, LP, for the Kings Oak Circle and Haltom Road Drainage Improvements Project, Thereby Increasing the Total Contract to the Amount of \$984,146.00 (COUNCIL DISTRICT 4)**

The City Council approved the following recommendation: Authorize execution of Change Order No. 1 to City Secretary Contract No. 43831, in the amount of \$109,831.00, with Conatser Construction TX, LP, for the Kings Oak Circle and Haltom Road Drainage Improvements Project, thereby increasing the total contract to the amount of \$984,146.00.

10. **M&C C-26538 - Authorize Rejection of Bids Received for the Provine Outfall Drainage Improvements and Authorize Re-Advertisement (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the rejection of bids received for the Provine Outfall Drainage Improvements and authorize re-advertisement.

11. **M&C C-26539 - Authorize Application for a Fiscal Year 2014 Staffing for Adequate Fire and Emergency Response Grant from the U.S. Department of Homeland Security for the Fire Department and Approve Acceptance, if Awarded, in the Amount Up to \$3,389,040 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the application for a Fiscal Year 2014 Staffing and Adequate Fire and Emergency Response grant award from the U.S. Department of Homeland Security for the Fort Worth Fire Department, in the amount up to \$3,389,040.00, to fund the restoration of 24 firefighter positions that were eliminated for Fiscal Year 2014; authorize the acceptance and execution of a grant contract with U.S. Department of Homeland Security, if the grant is awarded, for the total amount of the award; and adopt Appropriation Ordinance No. 21015-10-2013 increasing estimated receipts and appropriations in the Grants Fund, in the amount of \$3,389,040.00, subject to receipt of a grant from the U.S. Department of Homeland Security, for the same purpose as reflected above.

12. **M&C C-26540 - Authorize Execution of Amendment No. 1 to City Secretary Contract No. 43328, an Engineering Services Agreement with Garver, LLC, in the Amount of \$19,400.00 for Additional Design of Drainage Improvements Near Taxiway Delta at Fort Worth Meacham International Airport, Authorize the Amount of \$10,000.00 for Associated Project Management, Administration and Related Expenses and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the use of revenue derived from mineral leases on City-owned airports for Amendment No. 1 to City Secretary Contract No. 43328, in the amount of \$29,400.00, for additional design services for the drainage improvements near Taxiway Delta at Fort Worth Meacham International Airport; adopt Appropriation Ordinance No. 21016-10-2013 increasing estimated receipts and appropriations in the Airports Gas Lease Project Fund, in the amount of \$29,400.00, from available funds, for the purpose of funding Amendment No. 1 to City Secretary Contract No. 43328, an Engineering Services Agreement with Garver, LLC, for the same purpose as reflected above; and authorize the execution of Amendment No. 1 to City Secretary Contract No. 43328 with Garver, LLC, in the amount of \$19,400.00, for additional design for the drainage improvements near Taxiway Delta at Fort Worth Meacham International Airport and authorize the amount of \$10,000.00 for associated project management, administration and related expenses.

13. **M&C C-26541 - Authorize Use of Revenue Derived from Mineral Leases on City-Owned Airports in the Amount Up to \$80,000.00 for the Design and Construction of Texas Way Pavement Improvements at Fort Worth Meacham International Airport, Authorize Engineering Agreement with Garver, LLC, in the Amount of \$22,600.00 and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the use of revenue derived from mineral leases on City-owned airports, in the amount up to \$80,000.00, for the design and construction of Texas Way pavement improvements at Fort Worth Meacham International Airport; adopt Appropriation Ordinance No. 21017-10-2013 increasing estimated receipts and appropriations in the Airports Gas Lease Project Fund, in the amount of \$80,000.00, from available funds, for the purpose of funding an Engineering Agreement with Garver, LLC, for the same purpose as reflected above; and authorize the execution of an Engineering Agreement with Garver, LLC, in the amount of \$22,600.00.

14. **M&C C-26542 - Authorize Payment in the Amount of \$188,380.56 to Conatser Construction TX, LP, for Emergency Work to Repair a Twenty Inch Water Main Break in the 4100 Block of Ranch View Road (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Authorize payment, in the amount of \$188,380.56, to Conatser Construction TX, LP, for emergency work to repair a 20-inch water main break in the 4100 block of Ranch View Road.

15. **M&C C-26543 - Authorize Execution of a Uniform Wholesale Wastewater Agreement with the City of Watauga (Adjacent to COUNCIL DISTRICT 4)**

The City Council approved the following recommendation: Authorize execution of a Uniform Wholesale Wastewater Agreement with the City of Watauga.

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. **OCS - 1902 - Notice of Claims for Alleged Damages and/or Injuries**

End of Consent Agenda.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation by Fort Worth Sister Cities to Recognize Partnership with Fort Worth Police Department Officers for Training with Sister City of Toluca, Mexico

Mr. Michael Bennett, Chair Elect, Fort Worth Sister Cities, introduced Mr. Manny Reyes, Vice Chair, Toluca Committee and Retired Fort Worth Police Detective, and Officer Daniel Segura, Fort Worth Police Department. Officer Segura briefly shared his experiences in Toluca and Mr. Reyes presented Mayor Price with the gift from Toluca Mayor Martha Hilde Gonzales.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Mayor Price, Mayor Pro tem Zimmerman, Council Members Espino, Bivens, Shingleton, Allen Gray and Burns announced upcoming and recent events within the City and various Council districts.

2. Recognition of Citizens

There was no recognition of citizens.

3. Approval of Ceremonial Travel

There was no approval of ceremonial travel.

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

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

XIII. RESOLUTION

1. A Resolution Authorizing the Historic Preservation Officer to Submit Revised Design Standards and Guidelines for the Fairmount Southside Historic District for Consideration by the Historic and Cultural Landmarks Commission

It was recommended that the City Council adopt a resolution authorizing the Historic Preservation Officer to submit revised design standards and guidelines for the Fairmount Southside Historic District for consideration by the Historic and Cultural Landmarks Commission.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Resolution No. 4257-10-2013 be adopted. The motion carried unanimously 9 ayes to 0 nays.

XIV. REPORT OF THE CITY MANAGER

C. Purchase of Equipment, Materials, and Services

1. M&C P-11597 - Authorize Non-Exclusive Purchase Agreements with GEO Specialty Chemicals, Inc., and General Chemical Performance Products LLC, for Liquid Polyaluminum Chloride for the Water Department in a Combined Amount Up to \$1,500,000.00 for the First Year (ALL COUNCIL DISTRICTS)

It was recommended that the City Council authorize Non-Exclusive Purchase Agreements with GEO Specialty Chemicals, Inc., and General Chemical Performance Products LLC, for liquid polyaluminum chloride for the Water Department in a combined amount up to \$1,500,000.00 for the first year.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Mayor and Council P-11597 be approved. The motion carried unanimously 9 ayes to 0 nays.

2. M&C P-11598 - Authorize Purchase Agreement for Police Equipment and Supplies Using a Texas Procurement and Support Services Cooperative Contract for the Police Department in the Initial Amount Up to \$2,500,000.00 (ALL COUNCIL DISTRICTS)

It was recommended that the City Council authorize the purchase of police equipment and supplies using a Texas Procurement and Support Services Cooperative Contract No. 680-A1 for the Police Department in the initial amount up to \$2,500,000.00.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Mayor and Council P-11598 be approved. The motion carried unanimously 9 ayes to 0 nays.

F. Award of Contract

1. M&C C-26544 - Authorize Execution of a Contract with the Whitney Smith Company, Inc., for Executive Search Consultant Services for a City Manager for Twenty-Five Percent of the Starting Base Salary for Professional Services and Up to \$3,000.00 for Related Expenses (ALL COUNCIL DISTRICTS)

It was recommended that the City Council authorize the City Manager to execute a contract with Whitney Smith Company, Inc., for executive search consultant services for the recruitment and selection of a City Manager for 25 percent of the starting base salary for professional services and up to \$3,000.00 for related expenses.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Mayor and Council C-26544 be approved. The motion carried unanimously 9 ayes to 0 nays.

XV. ZONING HEARING

The City Council, at its meeting of October 15, 2013, continued Zoning Docket ZC-13-143.

1. ZC-13-143 - (CD 3) - Lockheed Martin Recreation Association Inc., Etal. 5750 & 5780 Bellaire Drive South and 3400 Bryant Irvin Road; from: "A-5" One-Family, "C" Medium Density Multifamily, "E" Neighborhood Commercial, "G" Intensive Commercial, and "OM" Office Midrise to: "G" Intensive Commercial and "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed-Use with a waiver for height and to exclude uses; site plan waiver recommended. (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Mr. Robert Rearden, 3455 Lantern Hollow Street, completed an undecided speaker card relative to Zoning Docket ZC-13-143 and was recognized by Mayor Price but did not wish to address Council.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Jordan, that Zoning Docket ZC-13-143 be continued to the December 3, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

XVI. CITIZEN PRESENTATIONS

Mr. Leroy Comley, 2604 Market Avenue, appeared before Council relative to his concerns about the treatment and experiences he has had with local cab companies and other items.

Ms. Dianna Wilson, 5816 Village Course Circle #326, appeared before Council relative to sidewalks, cutting of the trees, bullying of the elderly, police officer's use of force and prostitution in her neighborhood.

Ms. Jerry Horton, 2608 Carter Avenue, appeared before Council relative to neighborhood issues with trash and dead trees blocking the alleys, prostitution, a homicide that took place at the Union Gospel Mission, and requested that extra funding be given to the Vice Squad and the Transportation and Public Works Department.

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

XVIII. ADJOURNMENT

There being no further business, Mayor Price adjourned the Regular Meeting at 10:45 a.m.

No Documents for this Section

**To the Mayor and Members of the City Council****November 5, 2013**

Page 1 of 1

Subject: AMENDING THE CITY OF FORT WORTH'S ANNEXATION PLAN TO ADD AN APPROXIMATELY 180.5-ACRE TRACT OF LAND LOCATED ALONG JACKSBORO HIGHWAY (SH 199) AND EAST OF THE TOWN OF LAKESIDE

The November 12 City Council agenda will contain an M&C to amend the City's annexation plan in order to add approximately 180.5 acres of land for annexation consideration in 2016 (Area 38), in accordance with the adopted Comprehensive Plan and Annexation Program. Section 43.052 of the Texas Local Government Code requires any proposed annexation area with more than 100 residential parcels to be added to the City's three-year annexation plan. This 180.5-acre tract of land currently contains 157 residential parcels and commercial uses. Full-purpose annexation of this enclave would be completed on the third anniversary of the date the plan is amended, tentatively scheduled for late fall of 2016.

Because the area consists of urban residential and commercial development, no parcels in the enclave have agricultural exemptions that qualify for development agreements in lieu of annexation. Annexation of this area would create a slight negative cumulative impact on the General Fund over ten years. No future capital improvements are noted at this time. Staff has determined the City will be able to provide full municipal services upon annexation. Since this area serves as an important gateway to Fort Worth, staff recommends proceeding with the annexation process.

The property owners have been invited to annual informational meetings over the past two years and will receive several notices during the preparation of the service plan. This area would be an addition to Council District 7. Attached is a PowerPoint for reference. The fiscal impact analysis is posted on the Planning and Development Department's website.

Should you have any questions, please contact Randle Harwood, Planning and Development Director, at 817-392-6101.

Tom Higgins
City Manager

Attachment

FISCAL IMPACT ANALYSIS OF AREA 38 ADDITION TO ANNEXATION PLAN



Prepared for the
City Council

By the
Planning and Development Department

November 5, 2013

1

PURPOSE

To **review** the following items:

- ✓ The City's annexation **criteria**;
- ✓ The City's **fiscal impact methodology**; and
- ✓ The **results** of fiscal impact analysis for area 38

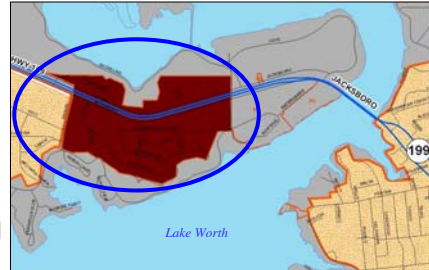
2

ANNEXATION CRITERIA

A. Full-Purpose Annexation

Area must meet one or more of the following conditions:

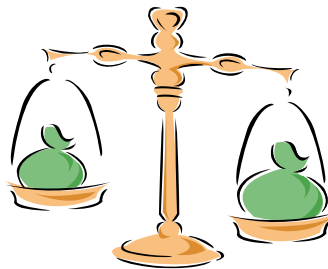
1. **Enclave**
 - a. Enclave within City's ETJ
 - b. Ability to provide municipal services
2. **Urban Development**
 - a. Development activity of an urban nature
 - b. Ability to provide municipal services
 - c. Positive fiscal impact analysis
3. **Growth Center**
 - a. Designated growth center
 - b. Ability to provide municipal services
 - c. Positive fiscal impact analysis
4. **Adverse Impact**
 - a. Adverse impact on City if not annexed
 - b. Ability to provide municipal services
5. **Option to Expand**
 - a. Detriment to City's orderly growth if not annexed
 - b. Ability to provide municipal services



3

PREPARATION OF FISCAL IMPACT ANALYSIS

- A. Revenues
- B. Expenditures
- C. Analysis Timeframe
- D. Per Capita Data Sources
- E. Population Estimate
- F. Methodology
 1. Areas with Existing or Proposed Development
 2. Other Areas
- G. Timing for Preparation of Fiscal Impact Analysis



4

REVENUES

General Fund

1. **Property taxes** to be generated by **existing land uses**, based on the Appraisal District's assessed values and the City's current property tax rate.
2. **Property taxes** to be generated by **proposed land uses**, based on anticipated assessed values and the City's current property tax rate.
3. **Other General Fund revenues** including: Other Local Taxes, Licenses and Permits, Fines and Forfeitures, Use of Money and Property, Service Charges, and Other Revenue, based on a per capita estimate.

5

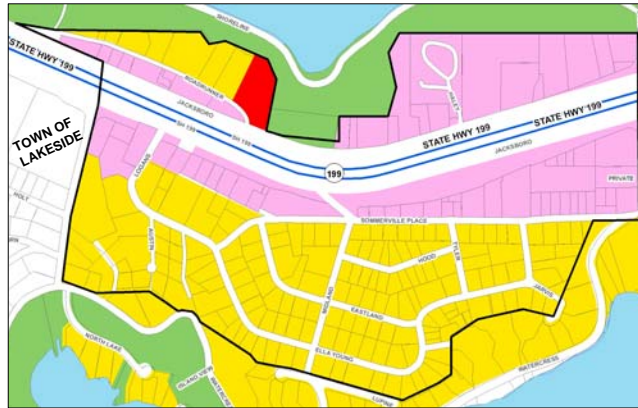
EXPENDITURES

1. One-time **transitional** costs, including street signs and markings, and emergency response set up
2. Required **capital improvements** for reconstruction of roadways

6

AREA 38

- Addition to Annexation Plan
- 180.5 acres
- Existing Uses
 - Estimated 477 residents on 157 lots
 - 37.5 acres of commercial uses
 - 40 vacant lots
- Future Land Use
 - Single Family
 - Neighborhood Commercial
 - General Commercial



7

ANALYSIS ASSUMPTIONS

- Single family uses and commercial uses
- 90 homestead exemptions
- Limited short term growth
- Property tax revenues
 - \$126,865 yearly



8

ANALYSIS RESULTS

- Initial Costs
 - TPW - \$0 start up services
 - Police Department - \$25,365 for an estimated 95 service calls
 - Fire Department - \$120 for an estimated 9 service calls
 - Code Compliance - \$11,361 for an estimated 130 service calls
- Future capital improvements noted for local streets
- Slight negative impact to the General Fund



9

What is the proposed schedule?

<u>Date</u>	<u>Action</u>
Nov. 5	City Council receives fiscal impact analysis and proposed schedule .
Nov. 12	City Council approves resolution to add area to three-year annexation plan.
Winter 2013	Fort Worth and Tarrant County coordinate Inventory of Services .
Mid 2014	City Council holds public hearings on the service plan .
Nov. 2016	City Council institutes and considers approval of annexation and zoning .

10

No Documents for this Section

No Documents for this Section

No Documents for this Section

City of Fort Worth, Texas
Mayor and Council Communication

DATE: Tuesday, November 5, 2013

LOG NAME:

REFERENCE NO.: **OCS-1903

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, October 30, 2013.

Attachment

Submitted for City Secretary's Office by:

Mary J. Kayser (6152)

Originating Department Head:

Mary J. Kayser (6152)

Additional Information Contact:

Jay Chapa (2379)
Nancy McKenzie (7744)

CITY COUNCIL MEETING

Tuesday, November 05, 2013

RISK MANAGEMENT CLAIMS REPORT

Claims listed on this report have been received in the Risk Management Division claims office and either have been or will be thoroughly investigated. The decision whether or not to accept liability is predicated on applicable provisions of the Texas Tort Claims Act. If any claimant contacts you, please refer them to Joey Page ext 7761. Thank you.

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Carlos Salas	10/22/2013	7/17/2013	2111 Lincoln Avenue	Property Damage	Construction crew damaged windshield	Water	No	No
Rachel DeHoyos	10/28/2013	9/13/2013	806 Hamsted St Apt 207	Reimbursement	Personal camera broke in the line of duty	Police	Yes	No
Connie Henegan	10/22/2013	9/30/2013	900 Franklin Street	Bodily Injury	Auto accident	Police	Yes	Yes
Rocio Vasquezz	10/21/2013	10/20/2013	Ramey Avenue	Property Damage	Vehicle damaged from debris	TPW	No	No
Michelle Slusser	10/21/2013	8/30/2013	FW Adoption Ctr inside PetSmart	Bodily Injury	Fell while exiting PetSmart	Code	No	Yes
Harley W. Wilson	10/22/2013	10/2/2013	158 Hallmark Drive W	Reimbursement	Plumbing charge reimbursement	Water	No	No
Louis Mineor	10/24/2013	7/28/2013	5400 McCart Avenue	Auto Damage	Struck by City vehicle	Police	Yes	No

PUBLIC HEARING:

FIRST PUBLIC HEARING FOR A PROPOSED CITY-INITIATED ANNEXATION OF APPROXIMATELY 36.4 ACRES OF LAND IN DENTON COUNTY, LOCATED NORTH OF SH 114 AND EAST OF FM 156. (AX-13-010, 2400-2800 BLOCKS SH 114)

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

**To the Mayor and Members of the City Council****November 5, 2013**

Page 1 of 1

SUBJECT: SERVICE PLAN PUBLIC HEARING FOR AX-13-010, LOCATED NORTH OF SH 114 AND EAST OF FM 156 (COUNCIL DISTRICT 7)

The 2013-2017 annexation program, adopted with the 2013 Comprehensive Plan, recommends that this portion of an enclave be considered for full-purpose annexation in 2014 as an addition to Council District 7. This area was initially proposed for annexation in 2009; however, a Development Agreement in Lieu of Annexation was executed, due to an agricultural property tax exemption. The property owner has ceased the agricultural tax exemption, which has triggered annexation at this time. The property owner does not object to annexation. Because this property is no longer subject to a development agreement, the City Council may apply appropriate zoning upon annexation. The zoning of the enclave will have a Zoning Commission public hearing November 13, 2013 and is anticipated to have a final City Council public hearing on December 10, 2013. The property under consideration for annexation as AX-13-010 is 36.4 acres and is currently vacant land.

On today's City Council agenda will be the first public hearing on the service plan for the proposed full-purpose annexation of 36.4 acres adjacent to Council District 7. The second public hearing for the service plan will be held on November 12, 2013. The purpose of today's public hearing is to collect public comments on the city-initiated annexation service plan for the 2400-2800 blocks of SH 114 (AX-13-010). The services that the annexation area will receive immediately upon annexation are: police, fire, and emergency medical services; garbage pick-up; library services; building inspection and code compliance; maintenance of existing public water and sewer lines; and public roadway maintenance. The only Council action necessary is to close the public hearing after receiving public input. Final annexation action will take place at the December 10, 2013 City Council meeting, which will contain an M&C to consider and institute adoption of this enclave in the Far North sector.

CITY OF FORT WORTH, TEXAS
SERVICE PLAN FOR ANNEXED AREA

Property Subject to Plan: BEING 36.4 acres of land situated in the R. Matney Survey, Abstract 878, and J. Smith Survey, Abstract 1149; in Denton County, Texas; situated about 18.7 miles North 6 degrees East of the Courthouse in Tarrant County, Texas.

Location and Acreage: Approximately 36.4 acres of land in Denton County, located north of SH 114 and east of FM 156.

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

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

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

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

A. Police Protection

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

Normal patrols and responses to calls for service

Handling of offense and incident reports

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

These services are provided on a citywide basis. The area will be combined with existing Police Reporting Areas Q377. The area will be added to Beat N15 in Zone N1 in North Division.

B. Fire Protection

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

Basic Life Support (BLS) 1st responder emergency medical services

Fire suppression and rescue;

Hazardous materials mitigation and regulation;

Dive rescue;

Technical rescue;

Fire Safety Education;

Aircraft/rescue/ firefighting;

Fire protection system plan review; and

Inspections.

These services are provided on a citywide basis. All Fort Worth firefighters are certified by the Texas Commission on Fire Protection. On the date of annexation, the first responding fire services will come from Fire Station 11, located at 1900 Texan Drive. The second responding fire company will be from Fire Station 35, located at 2201 Flight Line Road. The Fire Department estimates the response time to be 4.5 and 10.5 minutes, respectively.

C. Emergency Medical Services – Basic Life Support

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

Emergency Medical Services – Advanced Life Support

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

D. Solid Waste Collection

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

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

E. Operation and Maintenance of Water and Wastewater Facilities

Currently, an existing 16-inch water line and 10-inch sewer line are located along Three Wide Dr. Existing occupied homes that are using water well and on-site sewer facilities (and therefore have service) may continue to use the existing water well and on-site sewer facilities. If the existing property owner would like to connect to the City water and sewer system, then the property owner may request connection and receive up to 200 LF of water and sewer extension at City cost for each occupied property lot or tract in accordance with the "Policy for the Installation of Community Facilities" and as consistent with the Texas Local Government Code.

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

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

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

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

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

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

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

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

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

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

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

2. PROGRAM FOR PROVIDING ADDITIONAL SERVICES

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

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

- H. In addition to residential solid waste collection services, the Environmental Management Division will provide the following services:
- Emergency spills and pollution complaints response;
 - Storm sewer discharge pollution prevention; and
 - Water quality assessments for creeks.

3. PROGRAM FOR PROVIDING FULL MUNICIPAL SERVICES WITHIN 2-½ YEARS

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

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

4. CAPITAL IMPROVEMENTS PROGRAM

The developer will initiate acquisition or construction of capital improvements necessary for providing full municipal services adequate to serve the Annexation Area. Any such construction shall be substantially completed within two and one-half (2-½) years after the effective date of the full-purpose annexation. If capital improvements necessary for providing full municipal services for the Annexation Area cannot be reasonably constructed within the aforementioned time period, the City will propose a schedule for providing said services within a period of four and one-half (4-½) years, and/or upon commencement of development of a subdivision within this property, whichever occurs later.

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

- A. Police Protection. No capital improvements are necessary at this time to provide police protection to the Annexation Area. Need for construction of new facilities will be assessed periodically based on population growth, predicted growth and call volume.
- B. Fire Protection. Currently, Fire Station 11 has a 4.5 minute response time to the Annexation Area. No capital improvements are necessary at this time to provide fire protection to the Annexation Area. Need for construction of new facilities will be assessed periodically based on population growth, predicted growth, and call volume.
- C. Solid Waste Collection. No capital improvements are necessary at this time to provide solid waste collection services to the Annexation Area.
- D. Water and Wastewater. Currently, an existing 16-inch water line and 10-inch sewer line are located east of this site. An existing 16-inch water main is located parallel approximately ¼ mile west of the property.

Vacant properties' water and sewer extensions will be installed by the Developer in accordance with the “Policy for the Installation of Community Facilities”. All water and wastewater facilities will be at the developer's cost and as consistent with the Texas Local Government Code. Water and sewer line sizes will be determined based upon the water/sewer study provided by the developer's engineer. Any City participation on water and sewer facilities will be in accordance with the

- "Installation Policy of Community Facilities" and the Texas Local Government Code. Upon connection, to existing water and sanitary sewer mains, water and sanitary sewage service will be provided at rates established by City ordinances for such service at the normal rates charged throughout the City.
- E. Roads. No future capital improvements are required.
 - F. Storm Water Utility. No capital improvements are necessary at this time to provide drainage services.
 - G. Street Lighting. It is anticipated that new subdivisions in the Annexation Area will install street lighting in accordance with the City's standard policies and procedures. In other cases, the City will consider installation of additional street lighting in the Annexation Area upon request, with priority given to street lighting for traffic safety. Provision of street lighting will be in accordance with the City's street lighting policies, and those of the providing utility.
 - H. Parks, Playgrounds and Swimming Pools. Capital improvements such as parkland acquisition and development of facilities will be dictated by future land use of the area, goals established by the Park, Recreation and Open Space Master Plan and appropriation of resources. Should additional residential development occur, parkland dedication, neighborhood park development and neighborhood park infrastructure or payment in lieu thereof will be required in accordance with the Park Dedication Policy of the Subdivision Ordinance.
 - I. Other Publicly Owned Facilities, Building or Services: Additional Services. In general, other City functions and services, and the additional services described above can be provided for the Annexation Area by using existing capital improvements. Additional capital improvements are not necessary to provide City services.

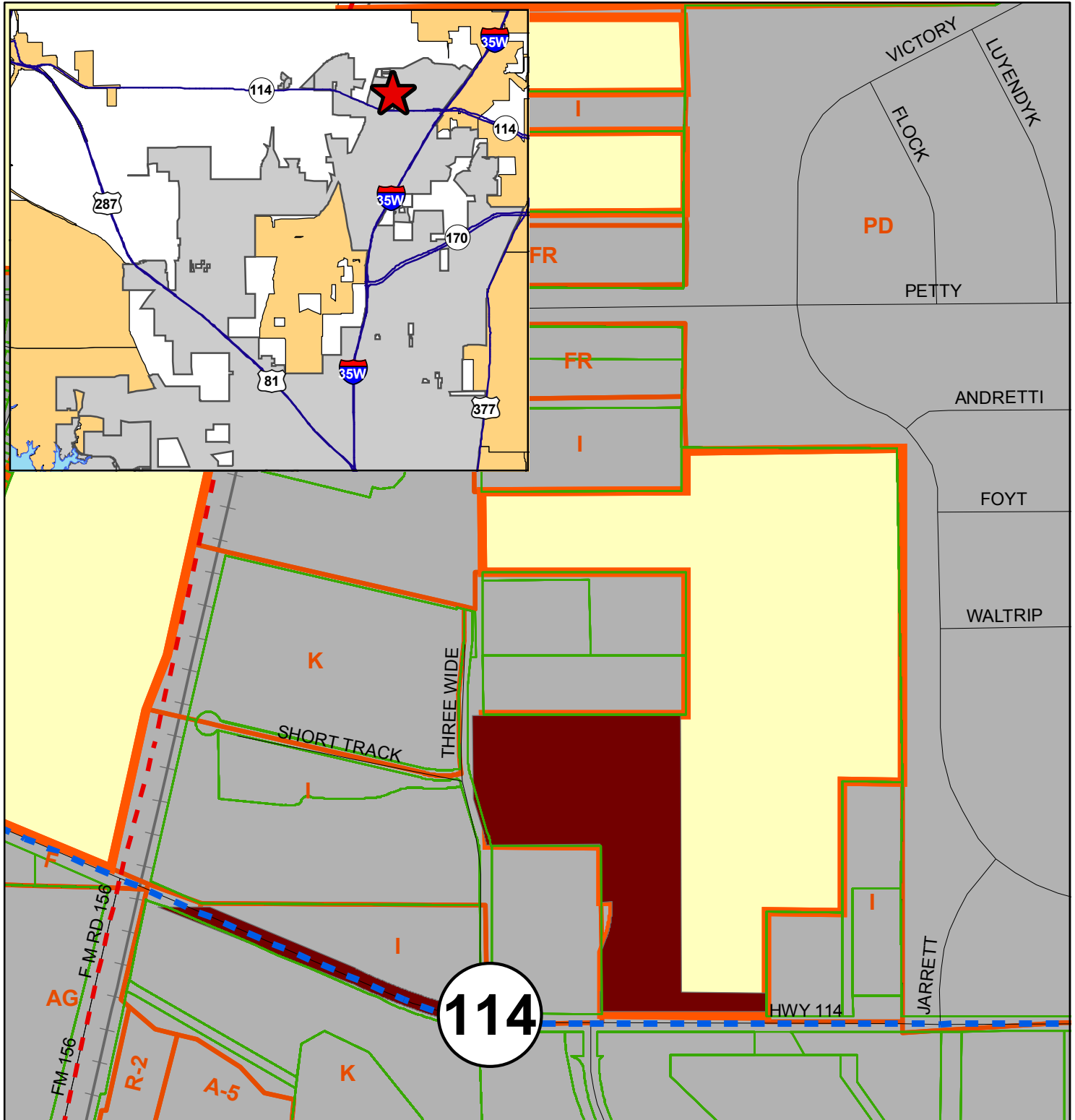
5. IMPACT FEES

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

Project Case # AX-13-010

Exhibit A

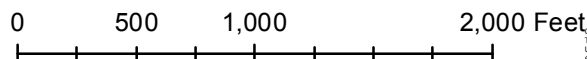
Addition of 36.4 Acres to become part of Council District 7



Legend

- Proposed Annexation Area
- Fort Worth City Limits
- Fort Worth ETJ

Proposed Process Schedule		Map Reference	
1st Public Hearing	11/05/13	Mapsc0	
2nd Public Hearing	11/12/13	642R	
Date of Institution	12/10/13		
Current Full-Purpose Incorporated Area		335.96 Square Miles	



Planning & Development Department
8/27/13 - BK

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No Documents for this Section

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