



**SUMMARY OF MEETINGS AND ACTIVITIES  
MONDAY, NOVEMBER 25, 2013, THROUGH FRIDAY, NOVEMBER 29, 2013**

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**MONDAY, NOVEMBER 25, 2013**

**TIME    LOCATION**

No Meetings

**TUESDAY, NOVEMBER 26, 2013**

Pre-Council Meeting

CANCELED

Council Meeting

CANCELED

**WEDNESDAY, NOVEMBER 27, 2013**

No Meetings

**THURSDAY, NOVEMBER 28, 2013**

THANKSGIVING HOLIDAY  
CITY HALL CLOSED

ALL MEETINGS CANCELED

**FRIDAY, NOVEMBER 29, 2013**

THANKSGIVING HOLIDAY  
CITY HALL CLOSED

ALL MEETINGS CANCELED

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on November 27, 2013, and may not include all meetings to be conducted during the week of November 25, 2013 through November 29, 2013. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.

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**(CANCELLED) HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING**

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**PRE-COUNCIL MEETING  
TUESDAY, DECEMBER 3, 2013  
3:00 P.M.**

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

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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 9605](#): Minority-Owned Business Terms
    - [IR 9606](#): Renew Relocation Incentives Policy
    - [IR 9607](#): Economic Development Program Agreement with Wal-Mart.com USA, LLC
2. Current Agenda Items - **City Council Members**
3. Responses to Items Continued from a Previous Week
  - a. [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 (COUNCIL DISTRICT 9) **(Recommended for Denial by the Zoning Commission) (Continued from October 15, 2013 by Council Member Burns)**
  - b. [ZC-13-143](#) - Lockheed Martin Recreation Association Inc., Et al., 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 (COUNCIL DISTRICT 3) **(Recommended for Approval by the Zoning Commission) (Continued from October 29, 2013 by Council Member Zimmerman)**
4. Overview of Significant Zoning Cases - **Dana Burghdoff, Planning and Development**
5. Briefing on the Process for Relocation of Retail Services and Obtaining Public Input for the U.S. Postal Office Located at 251 West Lancaster Avenue - **Sandi Rybicki, U.S. Postal Service**

6. Presentation on Planning Livable Military Communities Study and Key Regional Recommendations - **Fernando Costa, City Manager's Office and Dan Kessler, North Central Texas Council of Governments**
7. Update on the Future Operating Model of the Municipal Golf Fund - **Richard Zavala, Parks and Community Services**
8. City Council Requests for Future Agenda Items and/or Reports
9. 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](mailto: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, December 3, 2013**

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

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:
  - a. Legal issues concerning Collective Bargaining with Fort Worth Fire Fighters Association, Local 440; and
  - b. Legal issues concerning any item listed on today's City Council meeting agendas;
2. Deliberate the purchase, sale, lease or value of real property, in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party;
3. Deliberate concerning economic development negotiations, as authorized by Section 551.087 of the Texas Government Code; and
4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

**CITY COUNCIL AGENDA  
FOR THE MEETING AT 7:00 P.M. TUESDAY, DECEMBER 03, 2013  
CITY COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

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**I. CALL TO ORDER**

**II. INVOCATION** - Pastor Marcus Brecheen, Gateway Church North

**III. PLEDGE OF ALLEGIANCE**

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF NOVEMBER 19, 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-18065](#) - Authorize Closing a Section of Elizabethtown Cemetery Road from Hugg Drill Site to Litsey Road for a Period of Five Years (COUNCIL DISTRICT 7)
2. [M&C G-18066](#) - Approve Findings of the Ground Transportation Coordinator Regarding Application of Theo Limousine Company to Operate Two 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-11607](#) - Authorize Execution of a Lease Agreement with Documentation North Texas for Copiers and Multi-Functional Devices in the Amount Up to \$400,000.00 Annually for a Term of Five Years (ALL COUNCIL DISTRICTS)
2. [M&C P-11608](#) - Authorize Purchase of a Thermal Imaging Camera System from L3 Communications, Inc., Using a Cooperative Contract for the Police Department in the Amount of \$282,630.00 (ALL COUNCIL DISTRICTS)
3. [M&C P-11609](#) - Authorize Purchase Agreement with AeroComputers, Inc., Using a Cooperative Contract for Computer Equipment and Software for the Police Department in the Amount Up to \$60,114.00 (ALL COUNCIL DISTRICTS)
4. [M&C P-11610](#) - Authorize Purchase of Two 2013 Kawasaki Mules and Two 2014 Club Cars from Metro Golf Cars Using a Cooperative Contract for the Fire Department in the Amount of \$72,919.40 (ALL COUNCIL DISTRICTS)
5. [M&C P-11611](#) - Authorize Sole Source Purchase Agreement with the Newman Regency Group for Parts and Preventive Maintenance for the Water Department in the Amount of \$100,000.00 for the First Year (COUNCIL DISTRICT 5)

**C. Land - Consent Items**

1. [M&C L-15641](#) - Authorize Sale of a Tax-Foreclosed Property Located at 1315 East Jefferson Avenue to NextLots 4 L.L.C., in the Amount of \$850.00, in Accordance with Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Property Tax Code (COUNCIL DISTRICT 8)
2. [M&C L-15642](#) - Authorize Execution of a Stormwater Facility Maintenance Agreement with HCA Management Services L.P., on Property Located on North Tarrant Parkway East of Interstate 35W, North Freeway, Containing 0.080 Acres of Land in Abstract No. 999, William McCowen Survey at No Expense to the City (COUNCIL DISTRICT 4)

**D. Planning & Zoning - Consent Items - None**

**E. Award of Contract - Consent Items**

1. [M&C C-26573](#) - Authorize Execution of a Communications Systems Agreement with the City of Euless 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)
2. [M&C C-26574](#) - Authorize Payment for the City of Fort Worth's Fiscal Year 2014 Membership Dues to the North Central Texas Council of Governments in an Amount Not to Exceed \$76,756.00 (ALL COUNCIL DISTRICTS)
3. [M&C C-26575](#) - Authorize Execution of an Agreement with the Police Executive Research Forum in the Amount of \$80,000.00 to Serve as a Consulting Expert in the Lawsuit Entitled *Davis, et al. v. Romer, et al* (ALL COUNCIL DISTRICTS)
4. [M&C C-26576](#) - Authorize Execution of a License Agreement at Northside Community Center and Southside Community Center for Use by the Fort Worth Independent School District Adult Education Center (COUNCIL DISTRICTS 2 and 8)
5. [M&C C-26577](#) - Authorize Execution of an Engineering Agreement with Dunaway Associates, L.P., in the Amount of \$158,345.00 for the Design and Engineering of Park Improvements in Harmon Field Park (COUNCIL DISTRICT 8)

**VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS**

1. OCS - 1906 - Notice of Claims for Alleged Damages and/or Injuries

**IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.**

1. Certificate of Recognition to Alexis Belton

**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

1. Report by the Park Board

### XIII. ZONING HEARING

1. [ZC-13-092](#) - (CD 9) - Willing Smith, 3501 Hulen Street, 4529-4545 Houghton Avenue; from: "B" Two-Family and "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus semi automatic car wash; site plan included. **(Recommended for Denial by the Zoning Commission) (Continued from a Previous Meeting)**
2. [ZC-13-127](#) - (CD 3) - Texas Christian University, 3589 Bellaire Drive North; from: "C" Medium Density Multifamily and "CF" Community Facilities to: "CF" Community Facilities **(Recommended for Approval by the Zoning Commission)**
3. [ZC-13-142](#) - (CD 4) - Blue Maple Group LLC, 8463 Old Denton Road; from: "A-5" One-Family to: "PD/SU" Planned Development/Specific Use for electronic data storage center; site plan required. **(Recommended for Approval by the Zoning Commission)**
4. [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 minimum height and to exclude uses; site plan waiver recommended. **(Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)**
5. [ZC-13-157](#) - (CD 7) - Ray & Linda Snider, 9508 Park Drive; from: "AG" Agricultural to: "A-2.5" One-Family **(Recommended for Approval by the Zoning Commission)**
6. [ZC-13-158](#) - (CD 2) - Rita & Blas Rodriguez, 2421 Pearl Avenue; from: "A-5" One-Family to: "PD/A-5" Planned Development for all uses in "A-5" One-Family plus inside storage of roofing materials only; site plan included. **(Recommended for Denial by the Zoning Commission)**
7. [ZC-13-160](#) - (CD 2) - Mario Santiesteban/MSCTLS Properties, LLC, 2723 Pearl Avenue; from: "A-5" One-Family to: "E" Neighborhood Commercial **(Recommended for Approval by the Zoning Commission)**
8. [ZC-13-161](#) - (CD 2) - Anthony Williams & Jehad Mesh Mesh, 3024 Refugio; from: "A-5" One-Family to: "PD/ER" Planned Development for all uses in "ER" Neighborhood Commercial Restricted plus restaurant with front yard parking; site plan waiver recommended. **(Recommended for Approval as Amended to PD/ER plus restaurant and front yard parking)**
9. [ZC-13-163](#) - (CD 9) - Purple Properties, LLC., 3128 Sandage Avenue; from: "E" Neighborhood Commercial to: "A-5" One-Family **(Recommended for Approval by the Zoning Commission)**
10. [ZC-13-164](#) - (CD 8) - D. R. Horton Texas Ltd., 1200 Block of Sycamore School Road; from: "R1" Zero Lot Line/Cluster and "E" Neighborhood Commercial to: "R1" Zero Lot Line/Cluster **(Recommended for Approval by the Zoning Commission)**
11. [ZC-13-166](#) - (CD 2) - NW 28th Street Properties, 1500 NW 28th Street, 2808-2812 Prairie Street; from: "A-5" One-Family to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus outside storage of two dumpsters and one trailer; site plan waiver recommended. **(Recommended for Approval by the Zoning Commission)**

12. [ZC-13-167](#) - (CD 7) - Willow Ridge Residential Partners Ltd., 11470 & 11480 Willow Springs Road; from: "E" Neighborhood Commercial to: "PD-564" Planned Development for "A-5" One-Family uses with minimum 6,000 sq. ft. lots; site plan waiver recommended. **(Recommended for Approval by the Zoning Commission)**
13. [ZC-13-168](#) - (CD 7) - RC Bluffs II, LP, 5200 White Settlement Road; from: "E" Neighborhood Commercial and "I" Light Industrial to: "MU-1" Low Intensity Mixed-Use **(Recommended for Approval by the Zoning Commission)**
14. [ZC-13-170](#) - (CD 7) - Sandra Emerson, 11323 Golden Triangle Circle; from: "MH" Manufactured Housing to: "A-5" One-Family **(Recommended for Approval by the Zoning Commission)**
15. [ZC-13-171](#) - (CD-ALL) - City of Fort Worth Planning & Development Department, Text Amendment: Airport Overlay and Runway Protection Zones: Meacham Airport: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth (1986), to amend:
  - Section 4.405 "Airport/Airfield Overlay" ("AO") District Of Article 4 "Overlay Districts", Of Chapter 4, "District Regulations" to add a new section, Section 4.405E, "Meacham International Airport"; providing regulations for Airport/Airfield Overlay Zones ("AO") and Runway Protection Zone ("AO-RPZ") Restrictions for incompatible uses within Runway Protection Zones for Meacham International Airport;

To review the proposed

amendment: <http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>  
**(Recommended for Approval by the Zoning Commission)**

16. [ZC-13-172](#) - (CD 2) - City of Fort Worth Planning & Development, Meacham Municipal Airport bounded by Meacham Road, Long Avenue, Limestone Terrace & BNSF Railroad; from: "AG" Agricultural, "A-5" One-Family, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "I" Light Industrial, "J" Medium Industrial, "K" Heavy Industrial, "PD-848" and "PD-848/HC" Planned Development for "I" Light Industrial uses plus airport related uses with exclusions with historic overlay to: Add an Airport Overlay ("AO") and Runway Protection Zones ("RPZ") **(Recommended for Approval by the Zoning Commission)**

#### XIV. REPORT OF THE CITY MANAGER

##### A. Benefit Hearing - None

##### B. General

1. [M&C G-18067](#) - Adopt Financial Management Policy Statements for Fiscal Year 2014 (ALL COUNCIL DISTRICTS)
2. [M&C G-18068](#) - Approve Findings of City of Fort Worth Municipal Judge Benita F. Harper Regarding the Application of Maredi Corporation d/b/a United Cab Service to Operate Eighty Taxicabs Within the City of Fort Worth and Adopt Ordinance Granting Authority (ALL COUNCIL DISTRICTS)
3. [M&C G-18069](#) - Authorize Acceptance of a Donation of a Composting Toilet Unit Valued in the Amount of \$25,000.00 for Use at the Fort Worth Nature Center & Refuge from the Friends of the Nature Center & Refuge, Inc., via a Grant from the Meta Alice Keith Bratten Foundation (COUNCIL DISTRICT 7)



4. [M&C G-18070](#) - Authorize Acceptance of a Grant from Mayfest, Inc., in the Amount of \$55,000.00 for Park Improvements at Trinity Park and Adopt Appropriation Ordinance (COUNCIL DISTRICT 9)
5. [M&C G-18071](#) - Conduct a Public Hearing on PLAN 2023, a Ten Year Strategic Action Plan for Downtown Fort Worth, Adopt Resolution Adopting PLAN 2023 and Amending the City's Comprehensive Plan to Incorporate the Recommendations of PLAN 2023 by Reference (COUNCIL DISTRICTS 8 and 9) **(PUBLIC HEARING)**
  - a. Report of City Staff
  - b. Citizen Presentations
  - c. Council Action

**C. Purchase of Equipment, Materials, and Services**

1. [M&C P-11612](#) - Authorize Purchase Agreement with the Fort Worth Star-Telegram for the Publication of Official City Notices in the Amount Up to \$70,730.00 (ALL COUNCIL DISTRICTS)

**D. Land - None**

**E. Planning & Zoning - None**

**F. Award of Contract**

1. [M&C C-26578](#) - Authorize Renewal of Five Interlocal Agreements with Tarrant County for the Construction Costs to Realign Harley Avenue Between University Drive and Montgomery Street in a Revised Amount of \$3,213,653.50, for the Construction of Summer Creek Drive in the Amount of \$500,000.00, for Reconstruction of East Rosedale Street from US 287, West of Miller Avenue in the Amount of \$7,994,000.00, for the Reconstruction of East Rosedale Street Near the Texas Wesleyan Campus in the Amount of \$375,000.00, and for Improvements to Ten Traffic Signals Along State Highway 183 in the Amount of \$108,000.00 (COUNCIL DISTRICTS 4, 6, 7, 8, and 9)
2. [M&C C-26579](#) - Authorize Acceptance of a Grant and Execution of a Contract with the Texas Department of Housing and Community Affairs for the Community Services Block Grant Program that is Administered by the Parks and Community Services Department in the Amount of \$1,800,000.00 Through December 31, 2014, Authorize Interfund Loan, Waive Indirect Costs and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

**XV. CITIZEN PRESENTATIONS**

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

**XVII. ADJOURNMENT**

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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, December 3, 2013**

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

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:
  - a. Legal issues concerning Collective Bargaining with Fort Worth Fire Fighters Association, Local 440; and
  - b. Legal issues concerning any item listed on today's City Council meeting agendas;
2. Deliberate the purchase, sale, lease or value of real property, in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party;
3. Deliberate concerning economic development negotiations, as authorized by Section 551.087 of the Texas Government Code; and
4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

**No Documents for this Section**



Updated November 21, 2013

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

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*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*

*December 3, 2013*     *Monthly Zoning Meeting*

*Housing and Economic Development Committee (cancelled)*  
*3:00 p.m. Pre-Council Meeting*

↓ **Continued Items:**

- **ZC-13-092 - (CD 9)** Willing Smith, 3501 Hulen Street, 4529-4545 Houghton Avenue; from: "B" Two-Family and "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus semi automatic car wash; site plan included. **(Recommended for Denial by the Zoning Commission) (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)**



Updated November 21, 2013

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

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**December 3, 2013** *(continued)*

- o Overview of Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
- o Briefing on the Process for Relocation of Retail Services and Obtaining Public Input for the U.S. Postal Office Located at 251 West Lancaster Avenue [*Sandi Rybicki, U.S. Postal Service*]
- o Presentation on Planning Livable Military Communities Study and Key Regional Recommendations [*Fernando Costa, City Manager's Office and Dan Kessler, Assistant Director of Transportation at NCTCOG*]
- o Update on the Future Operating Model of the Municipal Golf Fund [*Richard Zavala, Parks and Community Services*]

**December 10, 2013**

*10:00 a.m. Audit Committee*

*11:30 a.m. Legislative and Intergovernmental Affairs Committee (time change)*

*2:00 p.m. Infrastructure & Transportation Committee*

*3:00 p.m. Pre-Council Meeting*

- o Briefing on AllianceTexas Economic Impact Report [*Fernando Costa, City Manager's Office and Mike Berry, AllianceTexas*]
- o Presentation on Proposed Economic Development Agreements [*Jay Chapa, Housing and Economic Development*]
- o Briefing on Maintenance Techniques for Existing Speed Cushions [*Douglas Wiersig, Transportation and Public Works*]

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

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



Updated November 21, 2013

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

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**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.*]
- o Presentation on Fuel Management System Request For Proposals (RFP) Process [*Wayne Corum, Equipment Services*]

**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)***

**January 1, 2014** (*Wednesday*)

***City Hall Closed – New Year's Day***



Updated November 21, 2013

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

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**January 7, 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*

- o Overview of Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]

**January 14, 2013**

*10:00 a.m. Audit Committee*

*2:00 p.m. Infrastructure & Transportation Committee*

*3:00 p.m. Pre-Council Meeting*

**Continued Items:**

- **ZC-13-131 - (CD 2)** Texas American Properties, 6900-7000 block of Boat Club Road; from: Unzoned and "PD-670" Planned Development for a facility to create manufactured homes to: "A-5" One-Family, "C" Medium Density Multifamily and "E" Neighborhood Commercial (Recommended for Denial without Prejudice by the Zoning Commission) (**Continued from November 19, 2013 by Council Member Shingleton**)

**January 20, 2013**      ***(Monday)***

***City Hall Closed – Martin Luther King, Jr. Holiday***

**January 21, 2013**

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

**January 28, 2013**

***1:00 p.m. Joint Meeting of the City Council and the Historic and Cultural Landmarks Commission***

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



**No Documents for this Section**

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
NOVEMBER 19, 2013**

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**Present:**

Mayor Betsy Price  
Mayor Pro tem W.B. "Zim" Zimmerman, District 3  
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

**Absent:**

Council Member Salvador Espino, District 2

**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 10:02 a.m. on Tuesday, November 19, 2013, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, with Council Member Espino absent.

**II. [INVOCATION - Dr. Art Torpy, Faith United Methodist Church](#)**

The invocation was provided by Dr. Art Torpy, Faith United Methodist Church.

**III. [PLEDGE OF ALLEGIANCE](#)**

The Pledge of Allegiance was recited.

**IV. [CONSIDERATION OF MINUTES OF REGULAR MEETING OF NOVEMBER 12, 2013](#)**

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Bivens, that the minutes of the Regular meeting of November 12, 2013, be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

**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 Shingleton made a motion, seconded by Council Member Bivens, that the Consent Agenda be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

**A. General - Consent Items**

**1. M&C G-18061 - Authorize Settlement of Claim by Tarrant County - Payment of Workers' Compensation as a Result of a Motor Vehicle Accident with a Police Vehicle on October 1, 2011 at the Intersection of East Allen Avenue and South Freeway (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize a payment in the amount of \$71,834.25 to settle a claim by Tarrant County for a workers' compensation claim on October 2, 2011, at the intersection of East Allen Avenue and South Freeway; and authorize the appropriate personnel to execute all documents to complete the settlement.

**2. M&C G-18062 - Authorize Temporary Closures of Two Segments of Kansas Street in Connection with Construction of the Trinity River Vision White Settlement Bridge, and Authorize Temporary Closures of Streets Around Will Rogers Memorial Center for the 2014 Southwestern Exposition and Livestock Show (COUNCIL DISTRICTS 7 and 9)**

The City Council approved the following recommendation: Authorize temporary road closures for construction activities associated with the construction of the Trinity River Vision White Settlement Bridge Project:

- Kansas Street from Commercial Street to Arthur Street beginning November 20, 2013, through February 28, 2014; and
- Kansas Street from Greenleaf Street to Harold Street beginning November 20, 2013, through February 28, 2014;

Authorize temporary road closures for activities associated with the 2014 Southwestern Exposition and Livestock Show:

- W.R. Watt Drive from Trail Drive north to Burnett-Tandy Drive beginning January 13, 2014, through February 9, 2014;
- Burnett-Tandy Drive from W.R. Watt Drive west to Gendy Street beginning January 13, 2014, through February 9, 2014;
- Gendy Street from Harley Avenue north to Lancaster Street beginning January 13, 2014, through February 9, 2014;
- Harley Avenue from Gendy Street to Trail Drive beginning January 13, 2014, through February 9, 2014;
- Linden Avenue from Trail Drive to the cell tower entrance beginning January 13, 2014, through February 9, 2014;
- Lansford Lane from Montgomery Street to Gendy Street beginning January 13, 2014, through February 9, 2014; and
- Trinity Park Drive from University Drive to Crestline Road January 23, 2014, January 24, 2014, January 27, 2014, January 29, 2014, January 30, 2014, February 3, 2014, through February 7, 2014.

3. **M&C G-18063 - Ratify Application for and Acceptance of, if Awarded, a Grant in the Amount Up to \$63,774.00 from the Criminal Justice Division of the Office of the Governor of Texas to Operate the Diamond Hill Coalition After-School Program, Designate Assistant City Manager for Community and Administrative Services to Serve as the Authorized Official for the Grant, Adopt Resolution Required by Grant Regulations, and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Ratify the application for and acceptance of, if awarded, a grant from the Criminal Justice Division of the Office of the Governor of Texas in the amount up to \$63,774.00 to operate the Diamond Hill Coalition After-School Program from September 1, 2013, to August 31, 2014; designate the Assistant City Manager for Community and Administrative Services to serve as the authorized official for this grant with authority to apply for, accept, reject, alter or terminate the grant; adopt Resolution No. 4264-11-2013 ratifying the submission of an application for a grant from the Criminal Justice Division of the Office of the Governor under the Juvenile Justice and Delinquency Prevention Grant for the Diamond Hill Coalition After School Program; designating an authorized official; and assuring repayment of grant funds in the event of loss or misuse; and adopt Appropriation Ordinance No. 21038-11-2013 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$63,774.00, subject to a receipt of a grant, for the same purpose as reflected above.

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

- 1. M&C P-11606 - Authorize Purchase of Four One-Ton and Six 3/4-Ton Cab Service Body Trucks from Caldwell Country Ford Using Cooperative Contract for Multiple City Departments in the Amount of \$365,276.00 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the purchase of four one-ton and six ¾-ton cab service body trucks from Caldwell Country Ford using Texas Association of School Boards Cooperative Contract No. 358-10 for multiple City departments in the amount of \$365,276.00.

**C. Land - Consent Items**

- 1. M&C L-15636 - Authorize Conveyance of 25.658 Acres of Land Located in the CentrePort Area to CentrePort Venture, L.P., Accept and Record Avigation Easement and Release from CentrePort Venture, L.P. (COUNCIL DISTRICT 5)**

The City Council approved the following recommendation: Authorize the execution of a General Warranty Deed conveying a 25.658 acre tract of land in the Vincent J. Hutton Survey, A-681, City of Fort Worth, Tarrant County, Texas, to CentrePort Venture, L.P.; and authorize the acceptance, filing and recording by the City of an Avigation Easement and Release from CentrePort Venture, L.P., covering the property conveyed in favor of the cities of Dallas and Fort Worth and the Dallas-Fort Worth International Airport Board, previously known as the Dallas-Fort Worth Regional Airport Board or successor thereof.

- 2. M&C L-15637 - Authorize Acquisition of a Fee Simple Interest in a Total of 0.788 Acres of Land for Right-of-Way from Turning Point Metroplex Fellowship for the Garden Acres Drive Bridge Project No. 1802 Located Over IH-35W to Garden Acres Drive in the Amount of \$227,474.00 and Pay Estimated Closing Costs in the Amount Up to \$5,000.00 (COUNCIL DISTRICT 6)**

The City Council approved the following recommendation: Authorize the acquisition of a fee simple interest in a total of 0.788 acres of land for right-of-way from Turning Point Metroplex Fellowship for the Garden Acres Drive Bridge Project No. 1802 located over IH-35W to Garden Acres Drive; find that the total purchase price in the amount of \$227,474.00 is just compensation; and authorize the City Manager or his designee to accept the conveyance, pay just compensation, record the appropriate instruments and pay estimated closing costs in the amount up to \$5,000.00.

3. **M&C L-15638 - Accept Dedication of Approximately 4.939 Acres of Parkland and Facility Improvements from Hillwood Alliance Residential, L.P., as an Addition to Heritage Addition Park (COUNCIL DISTRICT 4)**

The City Council approved the following recommendation: Accept the dedication of approximately 4.939 acres of parkland and facility improvements from Hillwood Alliance Residential, L.P., in accordance with the Neighborhood and Community Park Dedication Policy, as an addition to Heritage Addition Park.

E. **Award of Contract - Consent Items**

1. **M&C C-26563 - Authorize Execution of a Drainage Channel Maintenance Agreement with Pearl Developments, LLC, on Property Located on the Southeast Corner of White Settlement Road and the Future Soaring Hill Boulevard, at no Cost to the City (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Authorize the execution of a Drainage Channel Maintenance Agreement with Pearl Developments, LLC, on property located on the southeast corner of White Settlement Road and the future Soaring Hill Boulevard, the channel containing 1.764 acres of land in Tract 2E, Abstract No. 920, G.B. Kenney Survey, and Tract 1N2, Abstract No. 1886, J.P. Woods Survey, at no cost to the City.

2. **M&C C-26564 - Authorize Execution of a Drainage Channel Maintenance Agreement with Windridge A2A Developments, LLC, on Property Located on the Southwest Corner of White Settlement Road and the Future Soaring Hill Boulevard, at no Cost to the City (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Authorize the execution of a Drainage Channel Maintenance Agreement with Windridge A2A Developments, LLC, on property located on the southwest corner of White Settlement Road and the future Soaring Hill Boulevard, the channel containing 16.856 acres of land in Tract 2, Abstract No. 920, G.B. Kenney Survey, Tract 1N, Abstract No. 1886, J.P. Woods Survey and Tract 1B2, Abstract No. 1595, James S. Ward Survey, at no cost to the City.

3. **M&C C-26565 - Authorize Acceptance of the Fiscal Year 2013 Violent Gang and Gun Crime Reduction Program, Project Safe Neighborhoods, Grant Funds in the Amount of \$137,861.00 from Safe City Commission, Inc., Authorize Execution of a Contract with Safe City Commission, Inc., and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 5, 8 and 9)**

The City Council approved the following recommendation: Authorize the acceptance of Fiscal Year 2013 Violent Gang and Gun Crime Reduction Program, Project Safe Neighborhoods, grant funds in the amount of \$137,861.00 from Safe City Commission, Inc.; authorize the execution of a contract with Safe City Commission, Inc., for implementation of the grant funded project; and adopt Appropriation Ordinance No. 21039-11-2013 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$137,861.00, upon receipt of a grant from the Safe City Commission, Inc., for the purpose of utilizing data-driven, intelligence-led enforcement against violent gun and gang offenders.

4. **M&C C-26566 - Authorize Execution of Amendment to City Secretary Contract No. 44614 with Tarrant County for Forensic Laboratory Services to Increase the Contract Authority in the Amount of \$100,000.00 for a Total Contract Amount of \$150,000.00, Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the General Fund in the Amount of \$100,000.00 and Decreasing the Unassigned General Fund Balance by the Same Amount (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of amendment to City Secretary Contract No. 44614 with Tarrant County for Forensic Laboratory Services to increase the contract authority in the amount of \$100,000.00 for a total contract amount of \$150,000.00; and adopt Supplemental Appropriation Ordinance No. 21040-11-2013 increasing estimated receipts and appropriations in the General Fund in the amount of \$100,000.00, from available funds, for the same purpose as reflected above.

5. **M&C C-26567 - Authorize Execution of an Engineering Agreement with Lockwood, Andrews & Newnam, Inc., in the Amount of \$575,828.00 for Sycamore Creek Drainage Basin Parallel Interceptor Improvements at Various Locations Within the Sycamore Creek Drainage Basin, Provide for Project Management, Real Property Acquisition and Utility Coordination Costs for a Project Total in the Amount of \$585,828.00 and Adopt Appropriation Ordinance (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the transfer of \$585,828.00 from the Water and Sewer Fund to the Sewer Capital Projects Fund; adopt Appropriation Ordinance No. 21041-11-2013 increasing estimated receipts and appropriations in the Sewer Capital Projects Fund in the amount of \$585,828.00, from available funds, for the purpose of funding a contract with Lockwood, Andrews & Newnam, Inc., for parallel interceptor improvements at various locations within the Sycamore Creek Drainage Basin; and authorize the execution of a contract for the same purpose as reflected above.

6. **M&C C-26568 - Authorize Payment of Change Order No. 2 to City Secretary Contract No. 41333 with Rebcon, Inc., in the Amount of \$120,864.23 for Bridge Deck and Electrical Modifications to the Phyllis J. Tilley Memorial Pedestrian Bridge (COUNCIL DISTRICT 9)**

The City Council approved the following recommendation: Authorize a payment of Change Order No. 2 to City Secretary Contract No. 41333 with Rebcon, Inc., in the amount of \$120,864.23 for bridge deck and electrical modifications for the Phyllis J. Tilley Memorial Pedestrian Bridge.

**VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS**

1. **OCS - 1905 - Notice of Claims for Alleged Damages and/or Injuries**

End of Consent Agenda.

**IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.**

1. **Presentation of Proclamation of Fort Worth Transportation Authority Day**

Mayor Pro tem Zimmerman presented a proclamation for Fort Worth Transportation Authority Day to Mr. Scott Mahaffey, Board Chairman for the Fort Worth Transportation Authority (The T). He stated that The T played an important role in protecting air quality through the use of compressed natural gas. He added that The T encouraged development in Fort Worth and throughout the region and congratulated them on their 30th Anniversary.

2. **Presentation of Salvation Army Red Kettle Campaign**

Mayor Ward Matthews, representing the Salvation Army Red Kettle Campaign, requested that Council kick off their annual Red Kettle Campaign in Fort Worth. Mayor Price rang the bell and placed the first donation into the kettle.

**X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF**

1. **Upcoming and Recent Events**

Mayor Pro tem Zimmerman and Council Members Scarth, Bivens, Jordan, Shingleton 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**

Motion: On behalf of Mayor Price, Council Member Burns made a motion, seconded by Council Member Shingleton, that the following individuals be appointed/reappointed to the board/commission/committees listed below, effective November 19, 2013, and terms expiring as indicated:

**Appointments:**

- Mr. Jeff Law to the Aviation Advisory Board, with a term expiring October 1, 2015.
- Ms. Melissa Konur to the Building Standards Commission, with a term expiring September 30, 2015.
- Ms. Victoria Puente to the Fort Worth Commission for Women, with a term expiring October 1, 2015.

**Reappointments:**

- Mr. Dan Moore to the Board of Adjustment - Commercial and the Fort Worth Alliance Airport Board of Adjustment, with a term expiring October 1, 2015.
- Mr. Paul Johnston to the Board of Adjustment - Residential, with a term expiring October 1, 2015.
- Mr. Charles Rand to the City Plan Commission and the Capital Improvements Advisory Committee for Transportation Impact Fees, with a term expiring October 1, 2015.
- Mr. Jason Hall to the Community Development Council, with a term expiring October 1, 2015.
- Mr. Gannon Gries to the Historic and Cultural Landmarks Commission, with a term expiring October 1, 2015.
- Mr. Jerome Styrsky to the Library Advisory Board, with a term expiring October 1, 2015.
- Ms. Margaret Johnson to the Urban Design Commission, with a term expiring October 1, 2015.

The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Scarth that the following individuals be appointed/reappointed to the board/commission/committees listed below, effective November 19, 2013, and terms expiring as indicated:

**Appointments:**

- Ms. Bobbie Shosty McCurdy to the Library Advisory Board, with a term expiring October 1, 2015.
- Ms. Diane Creswell to the Parks and Community Services Advisory Board, with a term expiring October 1, 2015.

**Reappointments:**

- Mr. C.B. Team, IV, to the Appeals Board, with a term expiring September 30, 2015.

The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

**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. REPORT OF THE CITY MANAGER**

**B. General**

- 1. M&C G-18064 - Authorize Transfer in the Amount of \$1,450,150.00 for Phase II to Phase I in the ERP Capital Project Fund, Authorize Execution of Contract Amendment No. 16 to City Secretary Contract No. 37974 for an Amount Not to Exceed \$7,450,150.00 with eVerge Group LLC, Provide ERP Support Services for the City's PeopleSoft Human Resources/Payroll System ERP Phase I and Provide Staff Augmentation Services for the City's PeopleSoft Financial Supply Chain Management Software Implementation ERP Phase II (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council authorize the transfer in the amount of \$1,450,150.00 from Phase II to Phase I in the ERP Capital Project Fund; and authorize the execution of Contract Amendment No. 16 to City Secretary Contract No. 37974 with eVerge Group, LLC, for an amount not to exceed \$7,450,150.00 to provide ERP Support Services for the City's PeopleSoft Human Resources/Payroll System ERP Phase I and to provide Staff Augmentation services for the City's PeopleSoft Financial Supply Chain Management Software Implementation ERP Phase II.

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that Mayor and Council Communication G-18064 be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

**D. Land**

**1. M&C L-15639 - Authorize Condemnation by Eminent Domain for an Easement Interest in 0.017 Acres of Land for Sewer and Drainage Located at 2955 Loving Avenue Owned by Jaime Perez, an Easement Interest in 0.017 Acres of Land for Sewer and Drainage Located at 2959 Loving Avenue Owned by Adrian Solls Also Known as Adrian Solis and Sergio Solis and a Fee Simple Interest in 0.017 Acres of Land for Right-of-Way at 3000 Prairie Avenue Owned by Jose Luis Tatoya for the Loving Channel Drainage Improvements Project (COUNCIL DISTRICT 2)**

It was recommended that the City Council declare that negotiations between the City and the landowners to acquire an easement interest in 0.017 acres of land for sewer and drainage improvements on property located at 2955 Loving Avenue, owned by Jaime Perez, an easement interest in 0.017 acres of land for sewer and drainage improvements on property located at 2959 Loving Avenue owned by Adrian Solls also known as Adrian Solis and Sergio Solis and a fee simple interest in 0.017 acres of land for right-of-way at 3000 Prairie Avenue owned by Jose Luis Tatoya, were unsuccessful because of the owners' failure to respond to the City's initial and final offers; declare the necessity to acquire the easement or fee simple interest in each property for the Loving Channel Drainage Improvement Project; authorize the City Attorney to institute condemnation by eminent-domain proceedings to acquire the described easement or fee interest in each property; authorize payment pursuant to an award of commissioners or a negotiated settlement; and authorize the City Manager or his designee to accept and record appropriate instruments.

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that the Fort Worth City Council approve Mayor and Council Communication L-15639 and authorize the use of the power of eminent domain to acquire 0.017 acres of land for an easement for sewer and drainage improvements on property located in Oak Grove Addition, Lot 2, Block 48, Tarrant County, Texas, and known as 2955 Loving Avenue from Jaime Perez; 0.017 acres of land for an easement for sewer and drainage improvements on property located in Oak Grove Addition, Lot 3, Block 48, Tarrant County, Texas, and known as 2959 Loving Avenue from Adrian Solls also known as Adrian Sols and Sergio Solis; and 0.017 acres of land in fee for paving and drainage improvements on property located in Worthington Hills Addition, Lot 2, Block 31, Tarrant County, Texas, and known as 3000 Prairie Avenue from Jose Luis Tatoya. The easements and fee simple interest are needed for the improvements to the existing Loving Channel and will be used for that project. The acquisitions are described by metes and bounds and depicted by survey plat attached to Mayor and Council Communication L-15639. The first record vote applies to all units of property to be condemned under this Mayor and Council Communication. The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

Council Member Scarth left his place at the dais.

**[2. M&C L-15640 - Authorize Condemnation by Eminent Domain for an Easement Interest in 0.041 Acres of Land for a Permanent Sewer Facility Easement and 0.028 Acres for a Temporary Construction Easement Owned by Carroll Village, Ltd., and Located on West Rendon Crowley Road, West of Hemphill Street and Near Deer Creek Park for the Crowley Wastewater Meter Station Project \(COUNCIL DISTRICT 6\)](#)**

It was recommended that the City Council declare that negotiations between the City and the landowner to acquire a Permanent Sewer Facility Easement in 0.041 acres of land and a Temporary Construction Easement in 0.028 acres of land owned by Carroll Village, Ltd., and known as West Rendon Crowley Road, Abstract 1381, John Steele Survey, west of Hemphill Street and near Deer Creek Park, City of Fort Worth, Tarrant County, Texas, were unsuccessful because of the inability to agree on a purchase price for the easement; declare the necessity to acquire an easement interest in the subject property for the Crowley Wastewater Meter Station Project; authorize the City Attorney to institute condemnation proceedings by eminent domain proceedings to acquire a permanent and temporary easement interest in the property; authorize the payment pursuant to an award of commissioners and/or upon negotiated settlement in lieu of condemnation by eminent domain; and authorize the City Manager or his designee to accept and record the appropriate instruments.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that the Fort Worth City Council approve Mayor and Council Communication L-15640 and authorize use of the power of eminent domain to acquire an easement interest in 0.041 acres of land for a permanent sewer facility easement and 0.028 acres of land for a temporary construction easement on vacant property located on West Rendon Crowley Road, situated in the John Steel Survey, Abstract No. 1381, Tarrant County, Texas, from owner Carroll Village, Ltd. The land rights will be used for the Crowley Wastewater Meter Project towards more accurately measuring wastewater flow. The easement interests are more specifically described in the metes and bounds and surveys attached to Mayor and Council Communication L-15640. The motion carried unanimously 7 ayes to 0 nays with Council Members Espino and Scarth absent.

**E. Planning & Zoning**

**1. [M&C PZ-3042 - Consider Institution and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 64.9 Acres of Land at 12415 Oak Grove Road South \(COUNCIL DISTRICT 6\)](#)**

It was recommended that the City Council adopt an ordinance declaring certain findings; providing for the extension of certain boundary limits of the City of Fort Worth; providing for the annexation of an approximately 64.9 acre tract of land situated in the Hiram Little Survey, Abstract No. 930, situated about 12.7 miles south 12 degrees east of the Courthouse, Tarrant County Texas (Case No. AX-13-009), known as 12415 Oak Grove Road South, which said territory lies adjacent to and adjoins the present corporate boundary limits of Fort Worth, Texas; providing that the territory annexed shall bear its pro rata part of taxes; providing the inhabitants thereof shall have all the privileges of all the citizens of Fort Worth, Texas; providing that this ordinance shall amend every prior ordinance in conflict herewith.

Mr. Bill Boomer, 6610 Bryant Irvin Road, Suite 200, completed a speaker card in support of Mayor and Council Communication PZ-3042 but did not wish to address Council.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication PZ-3042 be approved and Ordinance No. 21042-11-2013 be adopted. The motion carried unanimously 7 ayes to 0 nays with Council Members Espino and Scarth absent.

**F. Award of Contract**

**1. M&C C-26569 - Ratify Lease Agreement with Vantage Fort Worth Energy, L.L.C., for Natural Gas Drilling Under City-Owned Property Known as 5900 East Rosedale Street, Randolph Valley, Block 1R, Lot A1A (COUNCIL DISTRICT 5)**

It was recommended that the City Council ratify the execution of a Lease Agreement for natural gas drilling under City-owned property known as 5900 East Rosedale Street, Randolph Valley, Block 1R, Lot A1A, 7.610 acres more or less, in the amount of \$22,830.00 to Vantage Fort Worth Energy, L.L.C., for a two-year primary term.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication C-26569 be approved. The motion carried unanimously 7 ayes to 0 nays with Council Members Espino and Scarth absent.

**2. M&C C-26570 - Authorize Execution of Amendment No. 1 to Interlocal Agreement with Tarrant Regional Water District for Project Costs Related to the Trinity River Vision-Central City Project so as to Provide for Tarrant Regional Water District Funding of Certain Infrastructure Improvements (COUNCIL DISTRICTS 2 and 9)**

It was recommended that the City Council authorize the execution of Amendment No. 1 to the Interlocal Agreement with the Tarrant Regional Water District (City Secretary Contract No. 43425) pursuant to which Tarrant Regional Water District will fund certain financial obligations of the City for work associated with the Trinity River Vision - Central City Project.

Motion: Council Member Burns made a motion, seconded by Council Member Allen Gray, that Mayor and Council Communication C-26570 be approved. The motion carried unanimously 7 ayes to 0 nays with Council Members Espino and Scarth absent.

**3. M&C C-26571 - Authorize Agreement with TIAA-CREF to be the Third-Party Administrator for the City of Fort Worth's 457 Deferred Compensation Plan (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council authorize an agreement with TIAA-CREF to be the third-party administrator for the City of Fort Worth's 457 Deferred Compensation Plan.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication C-26571 be approved. The motion carried unanimously 7 ayes to 0 nays with Council Members Espino and Scarth absent.

**4. M&C C-26572 - Authorize Execution of Economic Development Program Agreement with Private National Mortgage Acceptance Company, LLC d/b/a PennyMac, or an Affiliate for the Expansion and Renovation of Improvements Located at 14800 Trinity Boulevard for a New Financial Services Facility and Approve Certain Fee Waivers Associated with the Project (COUNCIL DISTRICT 5)**

It was recommended that the City Council authorize the execution of an Economic Development Program Agreement with Private National Mortgage Acceptance Company, LLC d/b/a PennyMac, or an affiliated entity for the expansion and renovation of improvements located at 14800 Trinity Boulevard for a new financial services facility; and approve the waiver of certain development fees related to this project.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication C-26572 be approved. The motion carried unanimously 7 ayes to 0 nays with Council Members Espino and Scarth absent.

Council Member Scarth returned to his place at the dais.

**XIV. ZONING HEARING**

The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the Fort Worth Star-Telegram, the official newspaper of the City of Fort Worth, on November 4, 2013.

**1. ZC-13-131 - (CD 2) - Texas American Properties, 6900-7000 block of Boat Club Road; from: Unzoned and "PD-670" Planned Development for a facility to create manufactured homes to: "A-5" One-Family, "C" Medium Density Multifamily and "E" Neighborhood Commercial (Recommended for Denial without Prejudice by the Zoning Commission)**

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-13-131 be continued to the January 14, 2014, Council meeting. The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

**2. ZC-13-139 - (CD 6) - Varrichio Properties, 12415 Oak Grove Road South; from: Unzoned to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)**

Mr. Bill Boomer, 6610 Bryant Irvin Road, Suite 200, completed a speaker card in support of Zoning Docket ZC-13-139 but did not wish to address Council.

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket ZC-13-139 be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining to Zoning Ordinance No. 13896 for the above listed cases, Council Member Jordan made a motion, seconded by Mayor Pro tem Zimmerman, that the hearing be closed and that Ordinance No. 21043-11-2013 be adopted. The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

**XV. CITIZEN PRESENTATIONS**

Mr. Gustavo Artigas, an artist from Mexico working with the Museum of Modern Art, 3200 Darnell Street, gave a presentation on a demolition art project and provided ballot results from his survey.

Ms. Dianna Wilson, 5816 Village Course Circle #326, appeared before Council relative to street lights, police and motorcycle racing dangers.

Ms. Jerry Horton, 2608 Carter Avenue, appeared before Council relative to clean-up in the Sycamore Heights Neighborhood.

Mayor Price recessed the Regular meeting at 10:47 a.m., on Tuesday, November 19, 2013.

**XVI. THE CITY COUNCIL WILL CONDUCT A CLOSED MEETING IN ORDER TO:**

1. **Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:**
  - a. **Legal issues concerning any item listed on today's City Council meeting agendas; and**



2. **Deliberate the duties and discipline of Municipal Judge Stephanie Beamer as authorized by Section 551.074 of the Texas Government Code.**

Mayor Price adjourned the closed meeting at 11:06 a.m., on Tuesday, November 19, 2013, and reconvened back into the Regular meeting at 11:09 a.m.

**XVII. ACTION REGARDING THE DUTIES AND DISCIPLINE OF MUNICIPAL JUDGE STEPHANIE BEAMER**

Ms. Susan Hutchinson, attorney for Municipal Judge Beamer, 611 South Main Street and 700 Westwood Center, Grapevine, appeared before Council in opposition of discipline taken against her client.

The following individuals completed comment cards in opposition to the discipline of Municipal Judge Stephanie Beamer:

Ms. Samantha Jensen, 2222 Course Way  
Ms. Jackie Alexander, 441 East Hill Street

Motion: Council Member Allen Gray made a motion, seconded by Council Member Shingleton, that copy of the report dated September 16, 2013, be filed with the City Secretary's Office, continue Judge Beamer on administrative leave with pay and direct staff to file a complaint with the Texas Commission for Judicial Conduct. The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

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

**XIX. ADJOURNMENT**

There being no further business, Mayor Price adjourned the Regular Meeting at 11:14 a.m.



**TO:** The Honorable Mayor and City Council Members

**FROM:** Dennis Shingleton, District 7



**DATE:** December 3, 2013

**SUBJECT:** Appointment to Parks and Community Services Advisory Board

Request your consideration to appointment Chase Dustin as the District 7 representative to the Parks and Community Services Advisory Board with a term to expire October 1, 2015.

His application and resume was sent to each Council Member by separate electronic communication for review and the original copy will be maintained in the City Secretary's Office.

**Dennis P. Shingleton**

City Council District 7 ★ 1000 Throckmorton Street ★ Fort Worth, Texas 76102

(817) 392-8807 ★ FAX (817) 392-6187

**To the Mayor and Members of the City Council****December 3, 2013**

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**SUBJECT: MINORITY-OWNED BUSINESS TERMS**

The purpose of this Informal Report is to provide City Council with an explanation of the differences between Minority/Women/Disadvantaged and Historically Underutilized Businesses terminology and certifications. These terms were first introduced by federal and state entities to determine if a business met the requirements for a specific certification in order to participate in procurement goals for business utilization. In addition, the United States Department of Transportation (DOT) established the specific criteria to define all Minority Business Enterprise (MBE), Women-Owned Business Enterprise (WBE) and Disadvantaged Business Enterprise (DBE) firms. As part of our Business Diversity initiative, the City has included these widely accepted terms and certification requirements in our adopted ordinance.

In order to receive certification as a Minority Business Enterprise (MBE) or Woman-Owned Business Enterprise (WBE) firm, the following requirements must be met:

- The firm must be at least 51% owned by one or more minorities (Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans) or women individual(s)
- The minority or women owner(s) must be a United States citizen or lawfully admitted permanent resident of the United States
- The firm must be organized as a for-profit business

Per the Code of Federal Regulations, the Texas Unified Certification Program (TUCP) was established to certify firms as DBEs. Only six entities in the State of Texas are authorized to certify DBEs through the TUCP, including the North Central Texas Regional Certification Agency (NCTRCA), South Central Texas Regional Certification Agency (SCTRCA), City of Austin, City of Houston, City of Corpus Christi, and the Texas Department of Transportation (TxDOT). Certification as a DBE allows for bidding on all U.S. DOT funded transportation projects including aviation, highway, and public transportation.

In order to receive certification as a Disadvantaged Business Enterprise (DBE), the firm must meet the following requirements:

- The firm must be at least 51% owned by a socially and economically disadvantaged individual(s)
- The disadvantaged owner must be a United States citizen or lawfully admitted permanent resident of the United States
- The firm must be a small business that meets the Small Business Administration's size standard and does not exceed \$22.51 million in gross receipts for DBEs
- The personal net worth for all owners claiming disadvantaged status for the DBE program must not exceed \$1.32 million.
- The firm must be organized as a for-profit business

To the Mayor and Members of the City Council

December 3, 2013

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**SUBJECT: MINORITY-OWNED BUSINESS TERMS**

A key component of the MBE/WBE/DBE certification is that the firm's ownership by minority, women or disadvantaged individuals must be real, substantial and continuing, going beyond pro forma ownership of the firm as reflected in the ownership documents. These individuals must control the management and daily business operations of the firm in order for the certification to be valid. In addition, the DBE certification is utilized for TxDOT contracts. All state and local public entities receiving federal funds are subject to the DBE requirements. Failure to comply with the federal DBE requirements may result in a loss of federal funding.

The term Historically Underutilized Business (HUB) was created and certification criteria for this designation approved upon adoption of the State of Texas underutilization procurement plan. State Law requires each state agency to establish its own goals for contracting with HUBs in each procurement category based on expenditures scheduled for that category and the availability of HUBs in each category.

Historically Underutilized Business (HUB) certification requirements are as follows:

- The firm is a for-profit entity that has not exceeded the size standards prescribed by 34 TAC §20.23 (SBA size standards), and has its principal place of business in Texas
- The firm must be least 51% owned by an Asian Pacific American, Black American, Hispanic American, Native American, American woman and/or Service Disabled Veteran, who resides in Texas and actively participates in the control, operations and management of the entity's affairs

The City does not utilize certified HUBs due to the inability to access and integrate the State's HUB database into the City's database. The City's database was designed and built to improve the City's ability to track and monitor M/WBE participation on City contracts. This involves the ability to quickly confirm a business's certification, track payments to MWBEs, and monitor prime commitments versus actual payments. Part of the database's efficiency is the ability to directly download the NCTRCA's database into the City's database in a user-friendly manner that provides the platform for listing applicable MWBEs on specific contracts. The City's NCTRCA download capability and integration into the City's database also provides an efficient method to quickly confirm the six-county location requirement of our ordinance.

Another challenge in utilizing the State's HUB certification is that the certification itself is valid for four years. This period of certification increases the risk of fraudulent or inaccurate certifications due to the infrequent review of ownership, control and daily management of the applicable firm. By utilizing the MBE/WBE/DBE certification through NCTRCA, the risk to the City is minimized by the stringent certification process utilized by the agency.

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

**December 3, 2013**

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**SUBJECT: MINORITY-OWNED BUSINESS TERMS**

The City is a founding member of NCTRCA and has a representative on the NCTRCA Board that can provide guidance over policies and processes that could impact the City's Business Diversity initiative. The City has no comparable influence on the State's HUB certification process or in implementation of the HUB certification program.

Please contact Jay Chapa, Director of Housing and Economic Development, if you have any questions or concerns.

**Tom Higgins  
City Manager**

**To the Mayor and Members of the City Council****December 3, 2013**

Page 1 of 1

**SUBJECT: RENEW RELOCATION INCENTIVES POLICY****Purpose:**

The purpose of this Informal Report is to inform City Council on the proposed renewal of the Relocation Incentives Policy that will expire on December 15, 2013.

**Background:**

Businesses from time to time may be required to relocate from their current locations due to "Major Public Infrastructure Projects" in the City. On December 20, 2005, the City Council adopted the initial Relocation Incentives Policy creating a set of relocation incentives, including tax abatement and development fee waivers, to be available to such businesses in an effort to retain the businesses in the City (M&C G-15045). Each request for tax abatement incentives under the Policy requires approval from the City Council. In order for a business to be eligible under this Policy, the City Council must first pass a Resolution designating a public infrastructure project impacting the business as a "Major Public Infrastructure Project," which will then allow for the use of available relocation incentives under the Policy. The current designated "Major Public Infrastructure Projects" include Southwest Parkway (SH-121T) (Resolution No. 3318-02-2006); the Trinity Uptown Project (Trinity River Vision) (Resolution No. 3390-07-2006); the TEX Rail Project (Resolution No. 4118-08-2012); and the I-35 Corridor Expansion Project (also Resolution No. 4118-08-2012).

Under State law, policies pursuant to which a municipality offers tax abatements expire after two years. The current Relocation Incentives Policy was adopted by the City Council on December 6, 2011 (Resolution No. 4051-12-2011), to be effective from December 15, 2011 until December 15, 2013.

**Recommendation:**

Staff recommends approval of the Mayor and Council Communication to adopt a resolution renewing the Relocation Incentives Policy. Once approved, the Relocation Incentives Policy will be available for another two years through December 15, 2015. There are no proposed changes to the current Relocation Incentive Policy.

Staff will bring forward an M&C to City Council on December 10, 2013 to adopt a resolution to renew the Relocation Incentives Policy.

**Tom Higgins  
City Manager**

**To the Mayor and Members of the City Council****December 3, 2013**

Page 1 of 1

**SUBJECT: ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH WAL-MART.COM USA, LLC****Purpose:**

The purpose of this Informal Report is to inform City Council of a proposed restructure of the economic development program agreement with Wal-Mart.Com USA, LLC that was presented to City Council on November 19, 2013.

**Background:**

The City of Fort Worth Housing & Economic Development Department has been negotiating with Wal-Mart.Com USA, LLC on a proposal to bring a new 850,000 square foot E-Fulfillment Center to be located at Alliance Crossing, a 51 acre site fronting I-35W on the east side, north of Westport Parkway and south of Alliance Blvd. A proposal for a 15 year Economic Development Program Agreement was presented to City Council on November 19, 2013 that would provide annual grants in amounts equal to a maximum of 75% of the City's taxes on the incremental value of the real and business personal property investment at the site.

Subsequently, staff has learned that the company has recently begun discussion with Tarrant County regarding the potential for a tax abatement to facilitate the development at the Fort Worth location. State law dictates that the municipality where the development will be located provide an abatement in order for the County to participate in a tax abatement.

**Recommendation:**

In order to secure Fort Worth as the preferred site and to enable Tarrant County to grant Wal-Mart a tax abatement, Staff will be recommending that the City Council:

1. Approve the creation of a Tax Abatement Reinvestment Zone in order for the City to grant Wal-Mart a tax abatement; and
2. Approve the restructuring of the agreement from a 15 year Economic Development Program Agreement to a 1year Tax Abatement Agreement and a 14 year Economic Development Program Agreement.

Restructuring the agreement in this manner will not have an impact on the financial analysis or value of the proposed incentive agreement. All terms and conditions of the agreement presented to City Council on November 19, 2013 will remain the same.

Staff recommends proceeding with creating the Tax Abatement Reinvestment Zone and voting on both the Tax Abatement Agreement and Economic Development Program Agreement on December 10, 2013.

**Tom Higgins  
City Manager**

**No Documents for this Section**



**No Documents for this Section**

**No Documents for this Section**

**City of Fort Worth, Texas**  
**Mayor and Council Communication**

**DATE:** Tuesday, December 3, 2013

**LOG NAME:**

**REFERENCE NO.:** \*\*OCS-1906

**SUBJECT:**

Notices of Claims for Alleged Damages and/or Injuries

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**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, November 20, 2013.

**Attachment**

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**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)

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# CITY COUNCIL MEETING

Tuesday, December 03, 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
Candra Coulson	11/13/2013	10/29/2013	3763 Donalle Street	Property Damage	Tree fell on vehicle	Forestry	No	No
Ellyn Leopold	11/14/2013	11/8/2013	4636 South Drive West	Property Damage	Uneven road condition damaged vehicle	TPW	Yes	No
Raefell Calvin	11/20/2013	10/21/2013	North Commerce Street	Property Damage	Manhole cover damaged vehicle	TPW	No	No
Alfred Crim	11/20/2013	8/27/2013	Will Rogers Memorial	Bodily Injury	Received Injuries from forklift, operated by City employee	Public Events	Yes	Yes
Starfoam Manufacturing	11/20/2013	11/18/2013	N Commerce Street	Property Damage	Street condition caused damage to vehicle	TPW	Yes	No

**No Documents for this Section**

**No Documents for this Section**

Zoning Docket items are linked on the Council Meeting Agenda.

**No Documents for this Section**