



**SUMMARY OF MEETINGS AND ACTIVITIES  
MONDAY, JANUARY 13, 2014 THROUGH FRIDAY, JANUARY 17, 2014**

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**MONDAY, JANUARY 13, 2014**

	<b><u>TIME</u></b>	<b><u>LOCATION</u></b>
Tax Increment Reinvestment Zone No. 7 (North Tarrant Parkway) Board	11:00 a.m.	Pre-Council Chamber
Historic and Cultural Landmarks Commission Work Session	12:30 p.m.	Pre-Council Chamber
Historic and Cultural Landmarks Commission Public Hearing	2:00 p.m.	Council Chamber
Fort Worth Art Commission	5:30 p.m.	Fort Worth Community Arts Center 1300 Gendy Street

**TUESDAY, JANUARY 14, 2014**

Audit Committee	10:00 a.m.	Pre-Council Chamber
Pre-Council Meeting	4:00 p.m.	Pre-Council Chamber
City Council Meeting	7:00 p.m.	Council Chamber

**WEDNESDAY, JANUARY 15, 2014**

Board of Adjustment – Commercial Work Session	9:00 a.m.	Pre-Council Chamber
Board of Adjustment – Commercial Public Hearing	10:00 a.m.	Council Chamber
Board of Adjustment – Residential Work Session	12:30 p.m.	Pre-Council Chamber
Board of Adjustment – Residential Public Hearing	1:30 p.m.	Council Chamber

**THURSDAY, JANUARY 16, 2014**

Mayor’s Committee on Persons with Disabilities	8:30 a.m.	Hazel Harvey Peace Center for Neighborhoods 818 Missouri Avenue
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This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on January 9, 2014, and may not include all meetings to be conducted during the week of January 13, 2014 through January 17, 2014. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.



**SUMMARY OF MEETINGS AND ACTIVITIES  
MONDAY, JANUARY 13, 2014 THROUGH FRIDAY, JANUARY 17, 2014**

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**THURSDAY, JANUARY 16, 2014**

(continued)

	<b><u>TIME</u></b>	<b><u>LOCATION</u></b>
Disciplinary Appeals Board	9:00 a.m.	City Hall Annex 908 Monroe, 6th Floor, Training Room A
Urban Design Commission	10:00 a.m.	Pre-Council Chamber
Community Action Partners Council	1:30 p.m.	Fort Worth City Credit Union 2309 Montgomery Street, Board Room
Aviation Advisory Board	4:00 p.m.	Meacham International Airport 4201 North Main Street Conference Room, Suite 200

**FRIDAY, JANUARY 17, 2014**

No Meetings

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**(CANCELLED) INFRASTRUCTURE AND TRANSPORTATION COMMITTEE MEETING**

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**AUDIT COMMITTEE MEETING  
TUESDAY, JANUARY 14, 2014  
10:00 A.M.  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

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**PRE-COUNCIL MEETING  
TUESDAY, JANUARY 14, 2014  
4:00 P.M.  
**NOTE TIME CHANGE**  
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 9613](#): Animal Care and Control Strategy
    - [IR 9614](#): November 2013 - Sales Tax Update
2. Current Agenda Items - **City Council Members**
3. Responses to Items Continued from a Previous Week
  - a. [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) **(Continued from December 3, 2013 by Council Member Allen Gray)**
  - b. [M&C PZ-3046](#) - Adopt Ordinance Vacating a Portion of West Broadway Avenue and a Portion of Grainger Street Between West Broadway Avenue and West Peter Smith Street for a New Medical Office Building (COUNCIL DISTRICT 9 - Joel Burns) **(Continued from January 7, 2014 by Council Member Burns)**
  - c. [ZC-13-131](#) - 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 (COUNCIL DISTRICT 2 - Sal Espino) (Recommended for Denial without Prejudice by the Zoning Commission) **(Continued from November 19, 2013 by Council Member Shingleton)**

- d. [ZC-13-143](#) - 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 (COUNCIL DISTRICT 3 - Zim Zimmerman) **(Recommended for Approval by the Zoning Commission)** **(Continued from December 10, 2013 by Council Member Zimmerman)**
- e. [ZC-13-158](#) - 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 (COUNCIL DISTRICT 2 - Sal Espino) **(Recommended for Denial by the Zoning Commission)** **(Continued from December 17, 2013 by Council Member Espino)**
4. Briefing on the Application by United Cab Service - **Benjamin Sampract, Law Department**
5. Bond Program Update - **Susan Alanis, City Manager's Office**
6. Fire Collective Bargaining Update - **Susan Alanis, City Manager's Office**
7. City Council Requests for Future Agenda Items and/or Reports
8. 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, January 14, 2014**

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 the regulation of off-premise signs; 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, JANUARY 14, 2014  
CITY COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

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**I. CALL TO ORDER**

**II. INVOCATION** - Reverend James C. Brown, Sweet Home Baptist Church

**III. PLEDGE OF ALLEGIANCE**

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF JANUARY 7, 2014**

**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-18107](#) - Authorize Purchase of Excess Workers' Compensation Insurance Policy for 2014 from Safety National Casualty Corporation Through McGriff, Seibels & Williams of Texas, Inc., in the Amount of \$553,585.00 (ALL COUNCIL DISTRICTS)
2. [M&C G-18108](#) - Approve Extension of Injury Leave-of-Absence Pay Benefits in the Amount of \$49,150.14 for Police Officer John Bell for the Period of January 30, 2014 Through July 29, 2014 (ALL COUNCIL DISTRICTS)

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

1. [M&C P-11616](#) - Authorize Purchase of a F-550 Off Road Lube Truck for the Equipment Services Department from Caldwell Country Ford in the Amount of \$107,924.00 Using a Cooperative Contract (ALL COUNCIL DISTRICTS)

**C. Land - Consent Items**

1. [M&C L-15649](#) - Authorize Payment to Fort Worth Area Habitat for Humanity Inc., in the Amount of \$8,764.70 in Settlement of a Claim Against the City of Fort Worth, Authorize Sale of Tax-Foreclosed Property Located at 2624 Stuart to Habitat for Humanity Inc., and Accept Ownership of Property Located at 2101 May Street from Habitat for Humanity Inc. (COUNCIL DISTRICT 9)
2. [M&C L-15650](#) - Authorize Direct Sale of Five Tax-Foreclosed Properties Located at 2722 Columbus Avenue, 1312 South Henderson Street, 4520 Miller Avenue, 0 North Freeway, and 313 Sargent Street for a Total Amount of \$52,050.92, in Accordance with Section 34.05 of the Texas Tax Code (COUNCIL DISTRICTS 2, 8 and 9)
3. [M&C L-15651](#) - Authorize Redemption of a Tax-Foreclosed Property

Located at 5936 Humbert Avenue by John E. Hudson in the Amount of \$23,127.85, in Accordance with Section 34.21(e) of the Texas Tax Code (COUNCIL DISTRICT 3)

4. [M&C L-15652](#) - Authorize Acquisition of an Easement Interest for Permanent Drainage in 0.035 Acres of Land and an Easement Interest for Temporary Construction in 0.036 Acres of Land Owned by Alexander L. Nicol and Katherine Nicol Located at 3882 South Hills Circle for the Arundel Storm Drain Improvement Project, Authorize Payment in the Amount of \$192,638.00 and Pay Estimated Closing Costs Up to \$4,000.00 (COUNCIL DISTRICT 3)
5. [M&C L-15653](#) - Authorize Acquisition of a Fee Simple Interest in 0.506 Acres of Land in an Improved Lot Located at 6105 South Ridge Road from David A. Frisby in the Amount of \$146,200.00 for the Greenfield Acres Drainage Improvement Project, Pay Estimated Closing Costs Up to \$5,000.00 for a Total Cost of \$151,200.00 and Authorize the Payment of Relocation Assistance Estimated in the Amount of \$40,000.00 (COUNCIL DISTRICT 7)

#### **D. Planning & Zoning - Consent Items**

1. [M&C PZ-3047](#) - Adopt Ordinance Vacating a Portion of an Alley Between West Rosedale Street and Oleander Avenue for Additional Property to Provide for a Larger Building Footprint (COUNCIL DISTRICT 9)
2. [M&C PZ-3048](#) - Adopt Ordinance Vacating a Portion of an Alley Between South Freeway and Evans Avenue for a New Gas Station and Convenience Store (COUNCIL DISTRICT 8)

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

1. [M&C C-26628](#) - Authorize Execution of a Communications System Agreement with the Fort Worth Transportation Authority 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-26629](#) - Authorize Execution of a Communications System Agreement with the City of Haltom City 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)
3. [M&C C-26630](#) - Authorize Execution of a Communications System Agreement with the Area Metropolitan Ambulance Authority d/b/a Medstar 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)
4. [M&C C-26631](#) - Authorize Execution of a Communications System Agreement with the Town of Westover Hills 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)
5. [M&C C-26632](#) - Authorize Execution of a Professional Services Agreement

with Halff Associates, Inc., in the Amount Not to Exceed \$250,000.00 for Drainage Design Review Services, Increasing the Estimated Receipts and Appropriations in the Stormwater Utility Fund in the Amount of \$250,000.00, Decreasing the Available Cash Balance by the Same Amount and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

6. [M&C C-26633](#) - Authorize Execution of Change Order No. 2 to City Secretary Contract No. 43783 with JLB Contracting, LLC, in the Amount of \$240,421.86 to Rehabilitate Street Sections of Pate Drive, Putnam Street, Stark Street, Park Hill Drive, Dryden Road and Alton Road, Thereby Increasing the Total Contract Amount to \$1,968,473.22 and Adopt Appropriation Ordinances (COUNCIL DISTRICTS 3, 5 and 9)
7. [M&C C-26634](#) - Adopt Resolution in Support of the City of Hurst's Application for Flood Protection Planning Grant Assistance from the Texas Water Development Board, Authorize Execution of an Interlocal Agreement with the City of Hurst in the Amount of \$9,000.00 to Participate in a Watershed Study of the Valley View Branch Watershed Within the City of Hurst, the City of Bedford, and the City of Fort Worth, Contingent on the Award of Grant Funds to the City of Hurst by the Texas Water Development Board (COUNCIL DISTRICT 5)
8. [M&C C-26635](#) - Authorize Execution of an Agreement with Freese & Nichols, Inc., in the Amount of \$320,000.00 for Miscellaneous Stream Geomorphological Assessments to Control Erosion (ALL COUNCIL DISTRICTS)
9. [M&C C-26636](#) - Authorize Execution of Agreements for Street Light Installation Services City-Wide with Bean Electrical, Inc., and Independent Utility Construction Incorporated Each in the Amount Up to \$500,000.00 (ALL COUNCIL DISTRICTS)
10. [M&C C-26637](#) - Authorize Execution of a Stormwater Facility Maintenance Agreement with Lena Pope Home, Inc., for Property Located on the Corner of Donnelly Avenue and Sanguinet Street, Containing 0.336 Acres of Land in Lot 1R, Block 4, Chamberlin Arlington Heights Addition, at no Expense to the City (COUNCIL DISTRICT 9)
11. [M&C C-26638](#) - Authorize Execution of Amendment No. 4 to City Secretary Contract No. 42547, an Engineering Services Agreement with Transystems Corporation Consultants in the Amount of \$48,910.00 for Design Surveys and Subsurface Utility Engineering to Prepare the Final Design of a Four-Lane Divided Arterial Road on Mark IV Parkway from the Westbound Frontage Road of IH-820 to Cantrell-Samson Road in North Fort Worth for a Revised Total Contract in the Amount of \$393,069.00 (COUNCIL DISTRICT 2)
12. [M&C C-26639](#) - Authorize Execution of Amendment No. 2 to City Secretary Contract No. 28384, a Hangar Lease Agreement with GHA Terminal, LLC, for Site Expansion and Add a Lease Renewal Option for Lease Site 11N Located at Fort Worth Meacham International Airport (COUNCIL DISTRICT 2)

13. [M&C C-26640](#) - Authorize Design-Build Contract with CP&Y, Inc., in the Amount of \$859,189.60 for the Fabrication and Installation of Online Water Quality Monitoring Stations at Various Locations for the Fort Worth Water Department (COUNCIL DISTRICTS 3, 7, 8 and 9)
14. [M&C C-26641](#) - Authorize Execution of Change Order No. 1 to City Secretary Contract No. 45076 with Cole Construction, Inc., in the Amount of \$276,969.60 for Additional Park Improvements in the Marine Creek Park Corridor for a Revised Contract Amount of \$2,661,834.70 (COUNCIL DISTRICT 2)

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

1. OCS - 1910 - Notice of Claims for Alleged Damages and/or Injuries

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

1. Presentation of the Fort Worth Stock Show and Rodeo

**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. RESOLUTIONS**

1. A Resolution to Notify the Board of Trustees of the Employees' Retirement Fund of the City of Fort Worth that the Fort Worth City Council Intends to Consider and Vote on Amendments to the Retirement Ordinance for Fire Fighters Hired Before July 1, 2014, and Fire Fighters Hired After July 1, 2014, that will Reduce a Non-Accrued Benefit Provided by the Retirement System
2. A Resolution Appointing Members to the Area Metropolitan Ambulance Authority Board

**XIV. REPORT OF THE CITY MANAGER**

**A. Benefit Hearing - None**

**B. General**

1. [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) **(Continued from a Previous Meeting)**
2. [M&C G-18109](#) - Approve 2013 Ad Valorem Tax Roll (ALL COUNCIL DISTRICTS)
3. [M&C G-18110](#) - Authorize Acceptance of Donations Valued at \$80,000.00 from Fort Worth Botanical Society, Inc., for Various Improvements to the Fort Worth Botanic Garden (COUNCIL DISTRICT 7)

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

**D. Land**

1. [M&C L-15654](#) - Authorize Sale of Two Hundred Ninety Tax-Foreclosed Properties in the Aggregate Amount of \$1,043,203.62, in Accordance with Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Tax Code, Subject to the Consent of All Other Taxing Entities Who Were Parties to the Foreclosure Lawsuits (COUNCIL DISTRICTS 2, 3, 4, 5, 6, 8 and 9)

**E. Planning & Zoning**

1. [M&C PZ-3046](#) - Adopt Ordinance Vacating a Portion of West Broadway Avenue and a Portion of Grainger Street Between West Broadway Avenue and West Peter Smith Street for a New Medical Office Building (COUNCIL DISTRICT 9) **(Continued from a Previous Meeting)**
2. [M&C PZ-3049](#) - Consider Institution and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 21.0 Acres of Land in the 6900 Block of Boat Club Road (COUNCIL DISTRICT 2)

**F. Award of Contract**

1. [M&C C-26642](#) - Authorize Execution of a Communications System Agreement with the City of Crowley 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-26643](#) - Authorize Execution of a Contract with Conatser Construction TX, LP, in the Amount of \$1,149,334.00 for Water and Sanitary Sewer Replacement Contract 2003, STM-B on Willis Avenue from Old Benbrook Road to Southwest Boulevard, Provide for Project Costs and Contingencies for a Project Total in the Amount of \$1,243,306.00 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 3)
3. [M&C C-26644](#) - Authorize Execution of a Contract with Woody Contractors, Inc., in the Amount of \$1,011,464.25 for Water and Sanitary Sewer Replacement Contract 2009, WSM-J on Meadowbrook Drive and Sycamore Terrace, Provide for Project Costs and Contingencies for a Project Total in the Amount of \$1,087,464.25 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 8)
4. [M&C C-26645](#) - Authorize Execution of a Contract with S.J. Louis Construction of TX, Ltd., in the Amount of \$1,048,899.50 for Water Relocation on State Highway 114, Part 2, from Championship Parkway to F.M. 156 and Provide for Project Costs and Contingencies for a Project Total in the Amount of \$1,111,399.50 (COUNCIL DISTRICT 7)

## XV. ZONING HEARING

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) (Continued from a Previous Meeting)**
2. [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)**
3. [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) (Continued from a Previous Meeting)**
4. [ZC-14-005](#) - (CD 9) - Fort Worth Midtown RV Park, 2906 W. 6th Street; from: "E" Neighborhood Commercial to: "UR" Urban Residential **(Recommended for Approval by Zoning Commission)**

## XVI. CITIZEN PRESENTATIONS

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

## XVIII. 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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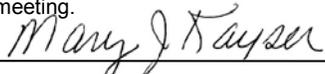
***Fort Worth Council Chamber, is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are requested to contact the City's ADA Coordinator at (817) 392-8552 or e-mail [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 B**  
**EXECUTIVE SESSION**  
**(PRE-COUNCIL CHAMBER, CITY HALL)**  
**Tuesday, January 14, 2014**

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 the regulation of off-premise signs; 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.

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Fort Worth, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time **Wednesday, January 08, 2014 at 3:00 p.m.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

  
City Secretary  
for the City of Fort Worth, Texas



**Audit Committee  
Agenda**

**Tuesday, January 14, 2014  
10:00 a.m.**

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

**Committee Members**

Council Member Jungus Jordan, Chair  
Council Member Zim Zimmerman, Vice Chair

Council Member Kelly Allen-Gray  
Council Member Dennis Shingleton

**City Staff**

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

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**I. CALL TO ORDER**

**II. ACTION ITEMS**

- A. Approval of December 10, 2013 meeting minutes
- B. Approval of Proposed FY2014 Annual Audit Plan

**III. BRIEFINGS**

- A. Review of Process for Conducting Internal Audits
- B. Update - Disposition of Audits in FY2012 and FY2013 Annual Audit Plans

**IV. FUTURE AGENDA ITEMS**

- A. Requests for future agenda items
- B. The next meeting is scheduled for February 11, 2014, 10:00 AM

**V. EXECUTIVE SESSION**

- A. The Audit Committee will conduct a closed meeting, as necessary, to seek advice of its attorneys regarding the following matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (I) legal issues concerning any current agenda items.

**VI. ADJOURN**

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

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.

**CITY OF FORT WORTH, TEXAS  
REGULAR AUDIT COMMITTEE MEETING MINUTES  
DECEMBER 10, 2013**

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**Committee Members Present:**

Council Member Jungus Jordan, Chair  
Council Member Zim Zimmerman, Vice Chair  
Council Member Kelly Allen-Gray  
Council Member Dennis Shingleton

**Committee Members Absent:**

None

**City Staff Present:**

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

**I. CALL TO ORDER**

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

**II. ACTION ITEMS**

**A. Approval of July 9, 2013 meeting minutes**

Motion: Audit Committee Councilmember Shingleton made a motion, seconded by Councilmember Allen-Gray, that the minutes of the Regular meeting of July 9, 2013, be approved. The motion carried unanimously 3 ayes to 0 nays with Councilmember Zimmerman abstaining.

**B. Approval of August 13, 2013 meeting minutes**

Motion: Audit Committee Councilmember Shingleton made a motion, seconded by Vice Chair Councilmember Zimmerman, that the minutes of the Regular meeting of August 13, 2013, be approved. The motion carried unanimously 4 ayes to 0 nays.

**C. Approval to proceed with an audit of JPMorgan Chase Gas Revenue Accounts**

An action item was presented which requested Audit Committee approval to proceed with an audit of the JPMorgan Chase Gas Revenue Accounts. Ms. Randle presented a memo from the City Manager's Office requesting the audit of the JPMorgan Chase Gas Accounts. Since December 2012, the City has contracted with Wells Fargo Bank for the gas revenue payments. JPMorgan Chase has informed the City that gas revenue accounts will remain open until the audit is completed and until gas companies have successfully transitioned to making payments to Wells Fargo.

Motion: Audit Committee Councilmember Shingleton made a motion, seconded by Vice – Chair Councilmember Zimmerman, approving the motion to proceed with the audit of JPMorgan Chase Gas Revenue Accounts. The motion carried unanimously 4 ayes to 0 nays.

### **III. BRIEFINGS**

#### **A. Gas Royalty Audit Update**

The Audit Committee received an update of the Gas Royalty Audit. The Audit Committee was informed that the audit had been completed and the results were communicated to management and the City Attorney's Office. As a result of the audit, a lawsuit has been filed. However, no written audit report will be released until the lawsuit is final. Councilmember Shingleton requested clarification in regards to this update if the lawsuit was filed or final. Councilmember Jordan responded the lawsuit is filed but not finalized and requested Ms. Maleshia Farmer to enlighten the committee with the details. Ms. Farmer stated "Currently the audit report is in draft due to not knowing the final information and final numbers and we really won't have that information until it is finalized; so there is no actual report at this point until the lawsuit is finalized." Per Councilmember Jordan no action required.

#### **B. Peer Review Update**

The Audit Committee was presented with a Peer Review update, as well as three options related to the time period to be covered for the next peer review. One option was for the peer review to cover the time period 1/1/2011 through 12/31/2013. Another option was for the peer review to cover the time period 1/1/2012 through 12/31/2014; and the last option was for the peer review to cover the period 1/1/2014 through 12/31/2016. Ms. Randle mentioned that the purpose of a peer review is to ensure that Internal Audit is complying with the departmental policies and procedures, and that it has a quality and control process in place to ensure compliance with Government Auditing Standards. Ms. Randle also mentioned that the Government Auditing Standards require a peer review every 3 years; and that during a discussion with the peer review coordinator at ALGA, it was suggested that we have the peer review ending date of 12/31/16, due to all the known department deficiencies. The Audit Committee was asked to provide guidance regarding which time period the Committee prefers for the peer review.

Motion: Audit Committee Councilmember Shingleton made a motion, seconded by Councilmember Allen-Gray, approving the motion to proceed with the Peer Review ending date of 12/31/2016. The motion carried unanimously 4 ayes to 0 nays.

#### **C. Recommended Changes to Section 2-134 of the City Code, Administration, Powers and Duties of the Department of Internal Audit**

The Audit Committee approved the following recommendation of changes to Section 2-134 of the City Code, Administration, Powers and Duties of the Department of Internal Audit. It was recommended to allow performance audits be conducted the same as financial-related and compliance audits. All audits would be presented to the Audit Committee for approval.

Motion: Audit Committee Vice – Chair Councilmember Zimmerman made a motion, seconded by Councilmember Shingleton, approving the motion to proceed with the recommended changes to Section 2-134 of the City Code, Administration, Powers and Duties of the Department of Internal Audit. The motion carried unanimously 4 ayes to 0 nays.

**D. Recommended Changes to the Audit Committee Charter**

The Audit Committee approved the following recommendation of changes to the Audit Committee Charter. The requested changes were to Membership, Committee Reports, Frequency of Meetings, Quorum Requirements, and to add a task to consider rotation of external auditors. Most of this information is included within a Council Resolution, however, inserting within the Audit Committee Charter would place it all in one document. During Audit Committee Charter discussions, Committee members specifically discussed Internal Audit and Ethics Committee expectations. All were in agreement that the City Auditor and Audit Committee were not responsible for monitoring compliance with code of conduct and that this function should reside with the Ethics Review Committee. This position was also supported by the Legal Department.

Motion: Audit Committee Vice – Chair Councilmember Zimmerman made a motion, seconded by Councilmember Shingleton, approving the motion to proceed with the recommended changes to the Audit Committee Charter. The motion carried unanimously 4 ayes to 0 nays.

**E. Recommended Revisions Related to the Annual Independent Audit Engagement**

**1. FY2013 Invoice Approval Process**

The Audit Committee approved a recommendation requesting that the signing of invoices authorizing approval for payment of 2013 CAFR Audit invoices be reassigned to the Financial Management Services Department for the remainder of the 2013 CAFR Audit. The reason given for the requested change was that Internal Audit is not involved in the management of the contract and, therefore, should not be responsible for authorizing payments related to the contract.

**2. Managing Department for FY 2014**

The Audit Committee approved a recommendation as follows: The Financial Management Services Department will be assigned to manage the particular contract. Beginning next budget year, the cost of the year end audit engagement will be included in the Financial Management Services Department budget and the management and costs for the year-end audit will be removed from the Internal Audit Department's budget.

Motion: Audit Committee Councilmember Shingleton made a motion, seconded by Vice – Chair Councilmember Zimmerman, approving the motion to proceed with revisions related to the Annual Independent Audit Engagement. The motion carried unanimously 4 ayes to 0 nays.

**IV. REQUESTS FOR REVISIONS TO THE FY2013 ANNUAL AUDIT PLAN**

**A. Removal of HUD Grant Audits for FY2013 Program Year**

The Audit Committee approved the following recommendation of the removal of HUD Grant Audits for FY 2013 Program Year. Ms. Randle requested to remove 12 HUD grant audits, 11 of which had not been started, and one that was in the early planning stage of the audit. The rationale to have these audits removed: the internal audit shop receives funds to conduct these audits; however, these audits relate to the 2013 program year and funding is no longer available. To complete them, it would take a hit from the General Fund. Secondly, the audits were considered low risk. They were either conducted in FY 2012 or will be considered for the FY 2014 audit plan.

Motion: Audit Committee Vice – Chair Councilmember Zimmerman made a motion, seconded by Councilmember Shingleton, approved the motion to proceed with the removal of HUD Grant Audits for FY 2013 Program Year. The motion carried unanimously 4 ayes to 0 nays.

**V. FUTURE AGENDA ITEMS**

**A. FY2014 Annual Audit Plan**

**B. Requests for future agenda items**

**C. The next meeting is scheduled for January 14, 2014, 10:00 AM**

**VI. EXECUTIVE SESSION**

**VII. ADJOURN**

There being no further business, Councilmember Jordan adjourned the meeting at 10:31 am.

# Proposed FY2014 Annual Audit Plan

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City Auditor's Office  
1000 Throckmorton Street  
Fort Worth, Texas 76102

Phone: 817-392-6158

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[www.fortworthtexas.gov/internalaudit](http://www.fortworthtexas.gov/internalaudit)

## Purpose

The purpose of the Fiscal Year 2014 Annual Audit Plan is to outline audits and other activities the City Auditor's Office proposes to conduct during the fiscal year. The Plan is developed to satisfy applicable auditing standards and responsibilities established by Section 2-134 (b) of the Fort Worth City Code.

The Plan is a working document in that the City Auditor may make changes to the Plan, as deemed necessary in professional judgment, to reflect changing risks. However, the Audit Committee will be notified of any significant additions, deletions, or other changes.

## Audit Coverage

Audits included in the Fiscal Year 2014 Annual Audit Plan were identified through a general risk assessment. Sources used to identify the audit population primarily consisted of a review of City budgetary and financial documents, prior external audits, internal audit staff's knowledge of City of Fort Worth and local government operations, as well as discussions with members of the City Council and management. Risk factors taken into consideration included: 1) liquidity of assets; 2) potential for negative publicity; 3) organizational, operational and/or technological changes; 4) extent of laws and regulations; and 5) time since last audit. The Audit Plan includes audits related to internal controls and reporting, and compliance with laws, policies and regulations.

Audits included in the Fiscal Year 2014 Annual Audit Plan are based on estimated available audit staff hours, staff expertise and include a total of 600 unassigned hours that have been set aside to perform special audits, investigations, projects, etc. as directed by the Mayor, City Council or Audit Committee and/or as requested by the City Manager. The Plan also includes three audits (approved within the FY2013 Annual Audit Plan) that were already in progress.

## Audit Objectives

Audits proposed for FY2014 are listed on the following pages. While general audit objectives are noted, these objectives may change once staff has established familiarity with the department and/or function by conducting background interviews and research. At that time, potential issues will be identified and the specific audit objectives and methodology will be developed as deemed necessary.

## Audits

- Construction
- ERP II Pre-System Implementation
- Gas Revenue Bank Account
- Gas Royalty Revenue
- HUD Grants
- Hotel Occupancy Tax Revenue
- Municipal Court Cash Collections and Non-Cash Ticket Dispositions
- Petty Cash Fund
- Planning and Development Software Post-System Implementation
- Police-Initiated Towing Service
- Procurement Card Program
- Property Tax Abatement
- Property Tax Revenue
- Software License Compliance \*
- Water Utilities Cash Handling \*
- Special Requests

\* Included in the FY2013 Annual Audit Plan, but remained in the audit planning stage at the beginning of FY2014

**NOTE:** The Municipal Court Collections Contract Audit that was included in the FY2013 Annual Audit Plan will be included within the proposed Municipal Court Cash Collections and Non-Cash Ticket Dispositions Audit.

Audit	Audit Objective	MAYOR AND COUNCIL STRATEGIC GOALS				
		Clean, Attractive City	Strong Economic Base/Future Workforce Dev./Job Opportunities	Mobility & Air Quality	Safest Major City	Orderly & Sustainable Development
<b>Construction</b>	To determine whether construction projects are being completed in accordance with contract terms	X	X	X	X	X
<b>ERP II Pre-System Implementation</b>	To evaluate internal control design; determine accuracy and completeness of conversion data; and ensure that reports generated from the new system are accurate and reliable		X			
<b>Gas Revenue Bank Account</b>	To determine whether oil and gas revenue (submitted to and processed by the City's bank of record) has been adequately accounted for and reported to the City of Fort Worth		X			
<b>Gas Royalty Revenue</b>	To ensure that royalty payments received account for all oil and gas produced on City-owned property and is valued accurately in accordance with lease agreements		X			
<b>HUD Grants</b>	To determine whether expenditures charged against Housing and Urban Development (HUD) grants were eligible, allocable and reasonable				X	X
<b>Hotel Occupancy Tax Revenue</b>	To determine whether hotels are submitting hotel occupancy tax revenue as required and to determine whether hotel occupancy tax exemptions are in accordance with applicable City and state law		X			
<b>Municipal Court Cash Collections and Non-Cash Ticket Dispositions</b>	To ensure that payments for court fines and fees are accounted for and properly recorded; to ensure proper safeguarding of cash collections and proper recording of non-cash transactions that result in final case dispositions; and to ensure that the collections vendor complied with the contract requirements				X	

Audit	Audit Objective	MAYOR AND COUNCIL STRATEGIC GOALS				
		Clean, Attractive City	Strong Economic Base/Future Workforce Dev./Job Opportunities	Mobility & Air Quality	Safest Major City	Orderly & Sustainable Development
<b>Petty Cash Fund</b>	As per Section 6.3 of the City of Fort Worth's Administrative Regulations, the City Internal Auditor is to periodically review and evaluate whether petty cash funds are being operated in accordance with established policies and procedures		X			
<b>Planning and Development Software Post-System Implementation</b>	To ensure that internal controls are adequate, that the system is functioning as intended and to ensure that reports and other information generated from the system is accurate and reliable	X	X		X	X
<b>Police-Initiated Towing Service</b>	To determine whether fees paid for towing services are reasonable	X		X	X	
<b>Procurement Card Program</b>	To determine whether existing internal controls are effective and adequate to properly govern procurement card use		X			
<b>Property Tax Abatement</b>	To determine whether property owners have complied with requirements imposed by the City Council in return for granting property tax abatements		X			X
<b>Property Tax Revenue</b>	To ensure that properties within the city limits have been included in the City of Fort Worth's property tax base and that property tax exemptions claimed were allowable and accurately calculated		X			X
<b>Software License Compliance</b>	To ensure that the City is in compliance with Administrative Regulation D6 regarding the acquisition, use and reproduction of copyrighted software		X			
<b>Water Utilities Cash Handling</b>	To determine whether internal controls ensure the safeguarding of cash collections		X			
<b>Special Requests</b>	As directed by the Mayor, City Council or Audit Committee, and/or as requested by the City Manager					

# **Proposed FY2014 Annual Audit Plan**



Presented by  
Patrice Randle, City Auditor  
Internal Audit Department  
January 14, 2014

# Proposed FY2014 Annual Audit Plan

## Audit Plan Requirement

Section 2-134 (b) of the City Code requires:

- review and comment by the City Council or its delegatee no less than thirty (30) days prior to the beginning of each fiscal year

# Proposed FY2014 Annual Audit Plan

## Sources Used to Identify Audit Population

- Budgetary and Financial Information
- Prior External Audits
- Internal Audit Staff Knowledge
- Discussions with City Council and management
- Prior External Audit Results

# Proposed FY2014 Annual Audit Plan

## Risk Factors

- Liquidity of Assets
- Potential for Negative Publicity
- Organizational, Operational and Technical Changes
- Extent of Laws and Regulations
- Time Since Last Audit

# Proposed FY2014 Annual Audit Plan

- Construction Audits
- ERP II Pre-System Implementation
- Gas Revenue Bank Account
- Gas Royalty Revenue
- HUD Grant Audits
- Hotel Occupancy Taxes
- Municipal Court
- Petty Cash Fund
- Planning Software Post-System Implementation
- Police-Initiated Towing
- Procurement Card Program
- Property Tax Abatements
- Property Tax Revenue
- Software License Compliance
- Water Utilities Cash Handling
- Special Requests

# Proposed FY2014 Annual Audit Plan

- Audits relate to internal controls and reporting, operations, compliance with applicable regulations, and information technology
- Flexible – Can be changed to reflect changing risks
- Allows for special audits, investigations, and/or other projects as directed by the Mayor and City Council, and as requested by the City Manager

# Proposed FY2014 Annual Audit Plan

## Internal Audit Frequency

- Generally, major functions will be audited every five (5) years
- New IT Systems will be audited within two years of full or partial system implementation
- Follow-Up Audits
  - Conducted six to 12 months after the initial audit
  - If significant risks are not mitigated as of follow-up, the function will be re-audited within two years

# Proposed FY2014 Annual Audit Plan

## Recurring Audits

	2015	2016	2017	2018	2019
<b>Construction Audits</b> – Number of audits based on available bond funding	X	X	X	X	X
<b>Hotel Occupancy Tax Audits</b> – Minimum of five (5) hotels per year	X	X	X	X	X
<b>HUD Grant Audits</b> – Number of audits based on available HUD grant funding	X	X	X	X	X
<b>Tax Abatement Agreements</b> – New abatement agreements – Agreements with prior audit exceptions	X	X	X	X	X
<b>Special Requests</b> – Mayor, Council, Audit Committee – City Manager	X	X	X	X	X

# Proposed FY2014 Annual Audit Plan

## Projected Follow-Up Audits

	2015
Construction Audits	X
Gas Revenue Bank Account Follow-Up	X
Hotel Occupancy Tax Revenue Follow-Up	X
HUD Grant Audits	X
Municipal Court Follow-Up Audit	X
Petty Cash Fund Follow-Up Audit	X
Planning Software Post-System Implementation	X
Procurement Card Program Follow-Up Audit	X
Property Tax Revenue Follow-Up Audit	X
Water Utilities Cash Handling Follow-Up	X

# **Proposed FY2014 Annual Audit Plan**



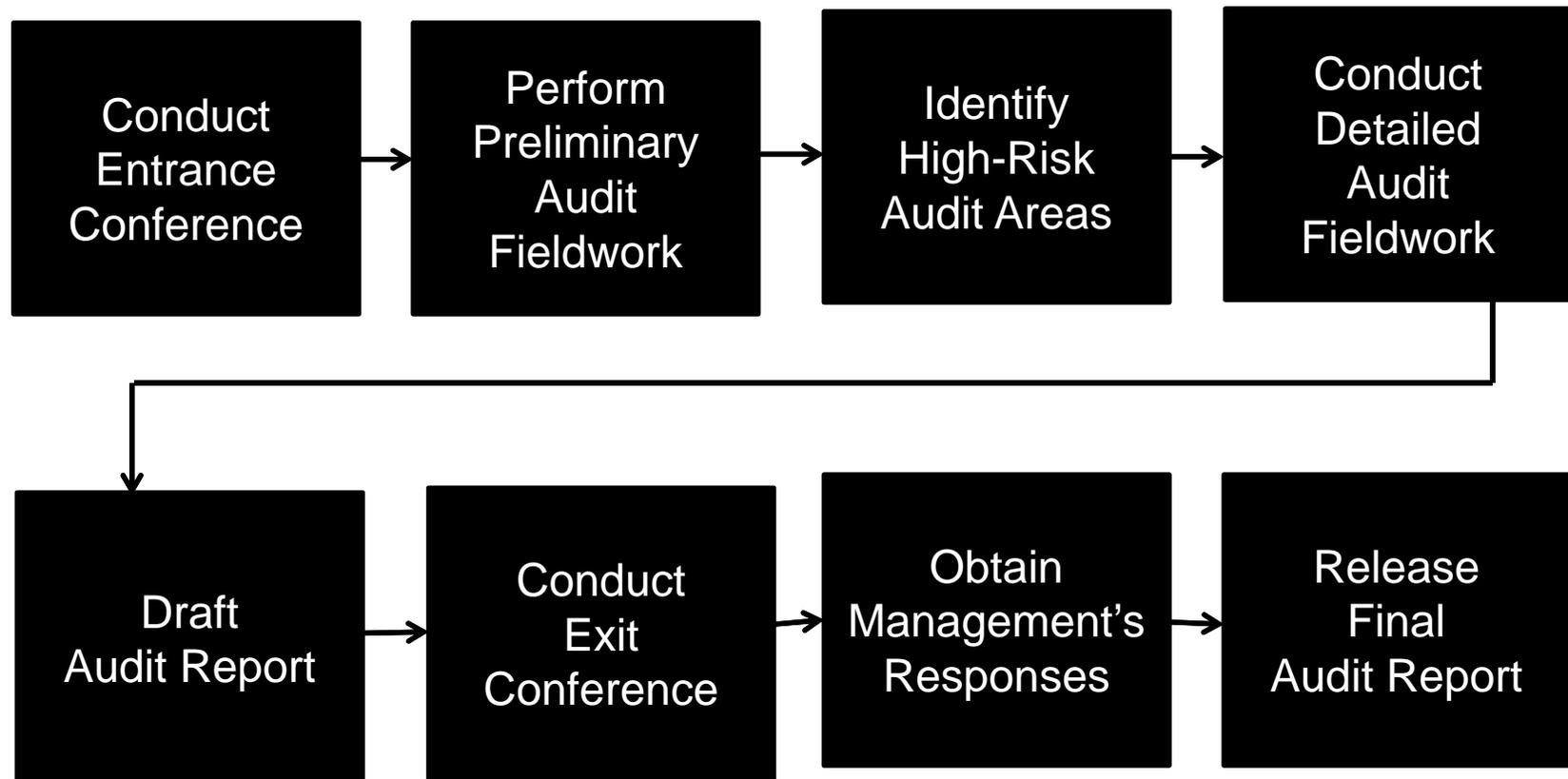
Questions/Comments/Conclusion

# Internal Audit Process



Presented by  
Patrice Randle, City Auditor  
Internal Audit Department  
January 14, 2014

# Internal Audit Process



# Internal Audit Process

- ❖ Detailed Testing of High Risk Areas
- ❖ On-Going Communication with the Auditee
- ❖ Allows Auditee to Review and Comment on Draft Audit Report
- ❖ Allows Necessary Corrections and Clarifications Before the Report is Released

# Internal Audit Process

- ❖ Audit Report Released to the:
  - ✓ Mayor and City Council
  - ✓ City Manager
  - ✓ Appropriate Deputy City Manager(s)
  - ✓ Auditee
  - ✓ Other Impacted Departments
  
- ❖ Conduct Follow-Up Audit within six (6) to 12 months of Initial Audit Report Release

# Internal Audit Process



Questions/Comments/Conclusion

# **Audit Disposition Update FY2012 & FY2013 Audit Plans**



Presented by  
Patrice Randle, City Auditor  
Internal Audit Department  
January 14, 2014

# **Audit Disposition Update FY2012 Audit Plan**

## **Cancellations**

### **Library Cash Handling**

- No audit work since March 2012
- No major draft audit findings

### **Girls Inc. of Tarrant County (CDBG)**

- Minimal audit work to-date (less than 50 hours)
- Further work would decrease General Fund dollars available for FY2014 audits
- Eleven (11) PY2012 grant audits were released

# **Audit Disposition Update FY2012 Audit Plan (cont'd)**

## **Cancelations**

### **Salvation Army (CDBG)**

- Significant resources would be necessary to complete
  - No testing conducted to determine whether expenditures charged against the grant were eligible, allocable and/or reasonable
  - No testing regarding management of program income

# **Audit Disposition Update FY2012 Audit Plan (cont'd)**

## **Results Memo Issued w/ No Exceptions**

### **Mental Health Association: Long Term Ombudsman**

- Community Development Block Grant (CDBG)
- Memo dated 12/20/2013

# **Audit Disposition Update FY2013 Audit Plan**

## **Cancellations**

### **Municipal Court Collection**

- Minimal audit work to-date
- To be incorporated into Municipal Court Operations Audit in Proposed FY2014 Annual Audit Plan

# **Audit Disposition Update FY2012 & FY2013 Audit Plans**



Questions/Comments/Conclusion



Updated January 9, 2014

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

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January 14, 2014

*10:00 a.m. Audit Committee*

*2:00 p.m. Infrastructure & Transportation Committee (cancelled)*

*4:00 p.m. Pre-Council Meeting*

**Continued Items:**

- **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) (**Continued from December 3, 2013 by Council Member Allen Gray**)
  - **M&C PZ-3046** - Adopt Ordinance Vacating a Portion of West Broadway Avenue and a Portion of Grainger Street Between West Broadway Avenue and West Peter Smith Street for a New Medical Office Building (COUNCIL DISTRICT 9 – Joel Burns) (**Continued from January 7, 2014 by Council Member Burns**)
  - **ZC-13-131** - (CD 2 – Sal Espino) - 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**)
  - **ZC-13-143** - (CD 3 – Zim Zimmerman) - 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 December 10, 2013 by Council Member Zimmerman**)
  - **ZC-13-158** - (CD 2 – Sal Espino) - 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**) (**Continued from December 17, 2013 by Council Member Espino**)
- o Briefing on the Application by United Cab Service [*Benjamin Sampract, Law Department*]
  - o Bond Program Update [*Susan Alanis, City Manager's Office*]
  - o Fire Collective Bargaining Update [*Susan Alanis, City Manager's Office*]



Updated January 9, 2014

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

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January 20, 2014     *(Monday)*

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

January 21, 2014

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

January 28, 2014

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

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

*Special Called Meeting (Immediately following the Joint Meeting of the City Council and the Historic and Cultural Landmarks Commission – Pre-Council)*

- o Briefing on Proposed Review of Public Art Process [*Fernando Costa, City Manager's Office*]

February 4, 2014     *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-13-180** - City of Fort Worth/Petition for Hillcrest Addition, 1900-2300 blocks of Carleton and Western Avenues; from: "B" Two-Family and "B/HC" Two-Family/Historic & Cultural Overlay to: "A-5" One-Family and retain "HC" Historic & Cultural Overlay (**Recommended for Approval by the Zoning Commission**) (Continued from January 7, 2014 by Council Member Shingleton)
  - **ZC-13-168** - (CD 7 – Dennis shingleton) - 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**) (Continued from December 3, 2013 by Council Member Shingleton)
- o Overview on Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]



Updated January 9, 2014

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**February 5, 2014 (Wednesday)**

***1:00 p.m. Special Called Meeting (Pre-Council)***

**February 6, 2014 (Thursday)**

***1:00 p.m. Special Called Meeting (Pre-Council)***

**February 11, 2014**

***10:00 a.m. Audit Committee***  
***2:00 p.m. Infrastructure & Transportation Committee***  
***3:00 p.m. Pre-Council Meeting***

**February 18, 2014**

***8:30 a.m. Pre-Council Meeting***  
***1:00 p.m. Special Called Meeting (Pre-Council)***

o Quarterly Fire Department Update [*Chief Rudy Jackson, Fire*]

**February 20, 2014 (Thursday)**

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

**February 25, 2014**

***8:30 a.m. Pre-Council Meeting (cancelled)***  
***10:00 a.m. Special Called Meeting (Pre-Council)***



Updated January 9, 2014

*City of Fort Worth*  
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**March 4, 2014**      **Monthly Zoning Meeting**

- 10:00 a.m. Audit Committee*
- 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-13-157 - (CD 7 – Dennis Shingleton) - Ray & Linda Snider, 9508 Park Drive; from: "AG" Agricultural to: "A-2.5" One-Family (Recommended for Approval by the Zoning Commission) (Continued from December 3, 2013 by Council Member Shingleton)**
- o Overview on Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]

**March 11, 2014**

- 2:00 p.m. Infrastructure & Transportation Committee (cancelled)*
- 3:00 p.m. Pre-Council Meeting (cancelled)*

**March 18, 2014**

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

**March 25, 2014**

- 8:30 a.m. Pre-Council Meeting*
- 2:00 p.m. Audit Committee (Pre-Council Chamber)*



**City Council Meeting of January 7, 2014**  
**Staff Action Tracking**

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Item #1          Scrap Metal

Due Date:        January 28, 2014

Council District:    2

Staff Action:     Staff to prepare an IR on the City's policy to regulate the height of scrap metal piles adjacent to homes and businesses.

Responsibility:   Brandon Bennett (Code Compliance)

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**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
JANUARY 7, 2014**

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**Present:**

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

**Staff Present:**

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

**I. CALL TO ORDER**

With a quorum of the City Council Members present, Mayor Price called the regular session of the Fort Worth City Council to order at 7:04 p.m. on Tuesday, January 7, 2014, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

**II. INVOCATION - Dr. Jim Conner, Genesis United Methodist Church**

The invocation was provided by Dr. Jim Conner, Genesis United Methodist Church.

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF DECEMBER 17, 2013**

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that the minutes of the Regular meeting of December 17, 2013, be approved. The motion carried unanimously 9 ayes to 0 nays.

**V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA**

City Manager Higgins requested that Mayor and Council PZ-3046 be removed from the Consent Agenda.

**VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF**

There were no items to be continued or withdrawn by staff.

**VII. CONSENT AGENDA**

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

**A. General - Consent Items**

**1. M&C G-18099 - Authorize Payment of the City of Fort Worth's Assessed Pro-Rata Allocation of the Denton Central Appraisal District's Budget for January Through December 2014 in the Amount Up to \$60,927.36 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize payment of the City of Fort Worth's assessed pro-rata allocation of the Denton Central Appraisal District's 2014 budget for the months of January through December 2014 in the amount up to \$60,927.36.

**2. M&C G-18100 - Authorize Payment of the City of Fort Worth's Assessed Pro-Rata Allocation of the Tarrant Appraisal District's Budget for January Through December 2014 in the Amount Up to \$2,276,090.66 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize payment in the amount up to \$2,276,090.66 for the City of Fort Worth's assessed pro-rata allocation of the Tarrant Appraisal District's 2014 budget for the months of January through December 2014.

**3. M&C G-18101 - Approve Findings of the Ground Transportation Coordinator Regarding Application of Prime Limousine Inc. d/b/a Prime Limousine, to Operate Three Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Consider and adopt the following findings of the Ground Transportation Coordinator: The public necessity and convenience require the operation of three limousines upon the City streets, alleys and thoroughfares; Prime Limousine Inc. d/b/a Prime Limousine is qualified and financially able to conduct a limousine service within the City; Prime Limousine Inc. d/b/a Prime Limousine has complied with the requirements of Chapter 34 of the City Code; Prime Limousine Inc. d/b/a Prime Limousine presented facts in support of compelling demand and necessity for three limousines; the general welfare of the citizens of the City will best be served by the addition of three limousines upon City streets, alleys and thoroughfares; and adopt Ordinance No. 21079-01-2014 granting the privilege of operating authority to Prime Limousine Inc. d/b/a Prime Limousine for the use of the streets, alleys, and public thoroughfares of the City in the conduct of its limousine business, which shall consist of the operation of three limousines for a one-year period beginning on the effective date; providing for written acceptance by Prime Limousine Inc. d/b/a Prime Limousine subject to and conditioned on Prime Limousine Inc. d/b/a Prime Limousine complying with all requirements of Chapter 34, Article VI of the Code of the City of Fort Worth (1986), as amended.

4. **M&C G-18102 - Adopt Ordinance to Establish a Water Main Capacity Charge in the Amount of \$53,002.00 per Million Gallons per Day for a Thirty-Six Inch Westside III Water Main to Serve Customers from the Westside Water Treatment Plant and to Establish the Boundary Area, Pursuant to Chapter 35, Article III, Division IV, Water Main Capacity Charges, Section 35-87 Through 35-93 of the City Code (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Adopt Ordinance No. 21080-01-2014 adopting a water main capacity charge pursuant to Chapter 35 of the City Code, as amended (1986), Article III, Division 4 "Water Main Capacity Charges", Sections 35-87 through 35-93, for a City-initiated 36-inch Westside III Water Main to serve customers from the Westside Water Treatment Plant in the amount of \$53,002.00 per million gallons per day, in accordance with Sections 35-90 and 35-92; and establish the boundary area for the water main to allow the Water Department to assess a reimbursement to the City, pursuant to Section 35-93(b).

5. **M&C G-18103 - Adopt Ordinance to Establish a Water Main Capacity Charge in the Amount of \$41,032.00 per Million Gallons per Day for a Thirty-Inch Westside IV Water Main to Serve Customers from the Westside Water Treatment Plant and to Establish the Boundary Area, Pursuant to Chapter 35, Article III, Division IV, Water Capacity Charges, Sections 35-87 Through 35-93 of the City Code (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Adopt Ordinance No. 21081-01-2014 adopting a water main capacity charge pursuant to Chapter 35 of the City Code, as amended (1986), Article III, Division 4 "Water Main Capacity Charges", Sections 35-87 through 35-93, for a City-initiated 30-inch Westside IV Water Main to serve customers from the Westside Water Treatment Plant in the amount of \$41,032.00 per million gallons per day, in accordance with Sections 35-90 and 35-92; and establish the boundary area for the water main to allow the Water Department to assess a reimbursement to the City, pursuant to Section 35-93(b).

6. **M&C G-18104 - Adopt Ordinance to Establish the Sewer per Acre Charge in the Amount of \$774.00 per Acre for an Eighteen-Inch Sewer Main to Serve Customers from the Westside Water Treatment Plant and to Establish the Basin Boundaries, Pursuant to Chapter 35, Article III, Division 3, Sewer per Acre Charges, Sections 35-81 Through 35-86 of the City Code (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Adopt Ordinance No. 21082-01-2014 adopting a per acre charge pursuant to Chapter 35 of the City Code, as amended (1986), Article III, Division 3 "Sewer Per Acre Charges", Sections 35-81 through 35-86, for a City-initiated 18-inch sewer main in the amount of \$774.00 to serve customers from the Westside Water Treatment Plant and to establish basin boundaries.

E. Award of Contract - Consent Items

1. M&C C-26617 - Authorize Execution of a Professional Services Agreement with Freese and Nichols, Inc., in an Amount Not to Exceed \$250,000.00 for Drainage Design Review Services, Increasing the Estimated Receipts and Appropriations in the Stormwater Utility Fund in the Amount of \$250,000.00, Decreasing the Available Cash Balance by the Same Amount, and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Authorize the execution of a Professional Services Agreement with Freese and Nichols, Inc., for an amount not to exceed \$250,000.00 for drainage design review services; and adopt Supplemental Appropriation Ordinance No. 21083-01-2014 increasing the estimated receipts and appropriations in the Stormwater Utility Fund in the amount of \$250,000.00, decreasing the available cash balance by the same amount, for the same purpose as reflected above.

2. M&C C-26618 - Authorize Execution of Amendment No. 3 to City Secretary Contract No. 42162, an Engineering Services Agreement with Teague Nall and Perkins, Inc., in the Amount of \$130,930.00 for the Design of Old Denton Road from Golden Triangle Boulevard to Heritage Trace Parkway for a Revised Total in the Amount of \$797,047.00 (COUNCIL DISTRICT 4)

The City Council approved the following recommendation: Authorize the execution of Amendment No. 3 to City Secretary Contract No. 42162, an Engineering Services Agreement with Teague Nall and Perkins, Inc., in the amount of \$130,930.00 for the additional design work on Old Denton Road from Golden Triangle Boulevard to Heritage Trace Parkway, thereby revising the total contract amount to \$797,047.00.

3. M&C C-26619 - Authorize Execution of Amendment No. 2 to City Secretary Contract No. 42187, an Engineering Agreement with Freese and Nichols, Inc., in the Amount of \$58,201.00 for Additional Engineering Design of the Burchill Channel Improvements Project, Thereby Revising the Total Contract Amount to \$594,206.00 (COUNCIL DISTRICT 5)

The City Council approved the following recommendation: Authorize the execution of Amendment No. 2 to City Secretary Contract No. 42187, an Engineering Agreement with Freese and Nichols, Inc., in the amount of \$58,201.00 for additional engineering design of the Burchill Channel Improvements project, thereby revising the total contract amount to \$594,206.00.

4. M&C C-26620 - Authorize Execution of Amendment No. 3 to City Secretary Contract No. 36481, an Engineering Agreement with DeOtte, Inc., in the Amount of \$49,875.00 for Additional Engineering Design of the Butler - McClure Culvert Improvements Project, Thereby Revising the Total Contract Amount to \$262,274.90 (COUNCIL DISTRICT 9)

The City Council approved the following recommendation: Authorize the execution of Amendment No. 3 to City Secretary Contract No. 36481, an Engineering Agreement with DeOtte, Inc., in the amount of \$49,875.00 for additional engineering design of the Butler-McClure Culvert Improvements project, thereby revising the total contract amount to \$262,274.90.

5. **M&C C-26621 - Authorize Execution of a Three-Year Contract with Halff Associates, Inc., in an Amount Not to Exceed \$660,000.00 to Provide Geographic Information Systems Services for the Transportation and Public Works Department Stormwater Management Division and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of a three-year contract with Halff Associates, Inc., in an amount not to exceed \$660,000.00 for Geographic Information System services for the Transportation and Public Works Department Stormwater Management Division; and adopt Supplemental Appropriation Ordinance No. 21084-01-2014 increasing estimated receipts and appropriations in the Stormwater Utility Fund in the amount of \$660,000.00, and decreasing the available cash balance of the Stormwater Utility Fund by the same amount, for the same purpose as reflected above.

6. **M&C C-26622 - Adopt Appropriation Ordinance to Increase Appropriations in the Amount of \$52,000.00 for the Purpose of Receiving Reimbursable Funds for Overtime Costs for the Police Department's Fugitive Unit's Participation in the United States Marshals Service North Texas Fugitive Task Force (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Adopt Appropriation Ordinance No. 21085-01-2014 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$52,000.00, subject to receipt of funds from the United States Marshals Service, for the purpose of reimbursing the City of Fort Worth for overtime costs for the Police Department's Fugitive Unit's participation in the United States Marshals Service North Texas Fugitive Task Force.

7. **M&C C-26623 - Authorize Execution of a Sole Source Agreement with SunGard Public Sector, Inc., for Continued Software Maintenance and Support for the Water Department's Customer Information and Billing System for an Annual Amount Up to \$105,070.65 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of a Sole Source Agreement with SunGard Public Sector, Inc., for continued software maintenance and support for the Water Department's customer information and billing system for an annual amount up to \$105,070.65.

8. **M&C C-26624 - Authorize Execution of Amendment No. 1 to City Secretary Contract No. 43155, an Engineering Agreement with Hazen and Sawyer, PC, in the Amount of \$128,894.00 for a Total Revised Contract in the Amount of \$481,157.00 for the Village Creek WRF Gravity Belt Thickener Addition Design (COUNCIL DISTRICT 5)**

The City Council approved the following recommendation: Authorize execution of Amendment No. 1 to City Secretary Contract No. 43155, an Engineering Agreement with Hazen and Sawyer, PC, in the amount of \$128,894.00 for the Village Creek WRF Gravity Belt Thickener Addition Design, thereby increasing the contract amount to \$481,157.00.

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

1. **OCS - 1909 - Notice of Claims for Alleged Damages and/or Injuries**

End of Consent Agenda.

D. **Planning & Zoning - Removed from Consent Agenda**

1. **M&C PZ-3046 - Adopt Ordinance Vacating a Portion of West Broadway Avenue and a Portion of Grainger Street Between West Broadway Avenue and West Peter Smith Street for a New Medical Office Building (COUNCIL DISTRICT 9)**

It was recommended that the City Council adopt an ordinance vacating and extinguishing a portion of West Broadway and a portion of Grainger Street between West Broadway Avenue and West Peter Smith Street, situated in Block 36, Jennings South Addition, an addition to the City of Fort Worth, Tarrant County, Texas; and containing approximately 0.706 or 20,498 square feet acre of land more or less for a new medical office building; providing for reversion of fee in said land; providing that the City shall retain all existing utilities easements; and waive any and all purchase fee value of the vacated land in accordance with City Policy (Mayor and Council Communication G-15624).

Motion: Council Member Burns made a motion, seconded by Council Member Jordan, that Mayor and Council PZ-3046 be continued to the January 14, 2014, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

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

1. **Presentation of Proclamation for Lake Worth Centennial Year**

Council Member Shingleton presented a proclamation for Lake Worth Centennial Year to Mr. Bob Crow, Committee Chair, Lake Worth Centennial Year Committee. He stated that Lake Worth was home to the Fort Worth Nature Center and Refuge and had been an essential water resource for Fort Worth residents and those of other local municipalities. He added that the shores of Lake Worth had served as the home of major aircraft manufacturers and the Naval Air Station/Joint Airforce Base, and the centennial anniversary highlighted the of those who engaged in historic and monumental initiatives to protect the Lake's environmental health.

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

**1. Upcoming and Recent Events**

Council Member Allen Gray announced upcoming and recent events within District 8.

**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. 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 December 20, 2013.

Mayor Price opened the public hearing.

**1. ZC-13-144 - (CD 7) - J. C. Lindsey Family LTD Partnership, 1714 Avondale Haslet Road; from: "PD-712" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial; site plan required to: "A-5" One-Family (Recommended for Denial without Prejudice by the Zoning Commission)**

Mr. Don Plunk, 14001 Dallas Parkway, 11th Floor, Dallas, appeared before Council in support of the denial of Zoning Docket ZC-13-144.

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Mr. Dacus Lindsey, 1774 Avondale Haslet Road, completed a speaker card in support of the denial of Zoning Docket ZC-13-144 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Shingleton made a motion, seconded by Council Member Espino, that Zoning Docket ZC-13-144 be denied without prejudice. The motion carried unanimously 9 ayes to 0 nays.

**2. ZC-13-173 - (CD 6) - Steven W. Russell, 500 Old FM 1187; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus auto sales and detailing as part of the sales business; site plan included. (Recommended for Approval by the Zoning Commission)**

Mr. Larry Wallace, 1703 North Peyco Drive, completed a speaker card in support of Zoning Docket ZC-13-173 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-13-173 be approved. The motion carried unanimously 9 ayes to 0 nays.

**3. SP-13-007 - (CD 2) - Ultimate Properties/Dennis Young, 2842-2850 Western Center Boulevard; to: Amend "PD-948" site plan to expand mini-storage facility (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Site Plan SP-13-007 be approved. The motion carried unanimously 9 ayes to 0 nays.

**4. SP-13-010 - (CD 9) - Great Dane Holdings, LLC, 3300 Hulen Street; to: Amend "PD-805" site plan to add a new commercial building and parking (Recommended for Approval by the Zoning Commission)**

Mr. Jim Schell, 500 West 7th Street, Suite 600, completed a speaker card in support of Site Plan SP-13-010 and was recognized by Mayor Price was did not wish to address Council.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Site Plan SP-13-010 be approved. The motion carried unanimously 9 ayes to 0 nays.

**5. SP-13-011 - (CD 9) - Town Center Mall LP, 4200 South Freeway, 250 E. Bolt Street, 220 W. Seminary Drive; to: Amend "PD-369" site plan to remove the arena and add two pad sites (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Burns made a motion, seconded by Council Member Jordan, that Site Plan SP-13-011 be approved. The motion carried unanimously 9 ayes to 0 nays.

**6. ZC-13-180 - (CD 7) - City of Fort Worth/Petition for Hillcrest Addition, 1900-2300 blocks of Carleton and Western Avenues; from: "B" Two-Family and "B/HC" Two-Family/Historic & Cultural Overlay to: "A-5" One-Family and retain "HC" Historic & Cultural Overlay (Recommended for Approval by the Zoning Commission)**

Mr. Si Rowlett, 2220 Carleton Avenue, completed a speaker card in support of Zoning Docket ZC-13-180 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Zoning Docket ZC-13-180 be continued to the February 4, 2014, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

**7. SP-13-012 - (CD 9) - FW River Plaza, LP/West Bend, 1701 River Run; to: Amend "PD-798" site plan to change the location, size and type of buildings proposed (Recommended for Approval by the Zoning Commission)**

Mr. Michael Bennett, 2429 Rogers Avenue, appeared before Council in support of Site Plan SP-13-012.

Motion: Council Member Burns made a motion, seconded by Council Member Scarth, that Site Plan SP-13-012 be approved. The motion carried unanimously 9 ayes to 0 nays.

**8. ZC-13-181 - (CD-ALL) - City of Fort Worth Planning & Development Department, Text Amendment: Fairmount Southside Historic District Standards: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth (1986), to amend: Chapter 4 "Zoning Districts" Article 4 "Overlay Districts", Section 4.401, "Historic Preservation Overlay Districts ("HSE," "HC," "DD")" to revise in its entirety the design guidelines for the Fairmount Southside Historic District**

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-13-181 be approved with appreciation and Ordinance No. 21086-01-2014 be adopted. The motion carried unanimously 9 ayes to 0 nays.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining to Zoning Ordinance No. 13896 for the above listed cases, Council Member Burns made a motion, seconded by Council Member Shingleton, that the hearing be closed and that Ordinance No. 21087-01-2014 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**XIV. REPORT OF THE CITY MANAGER**

**B. General**

**1. [M&C G-18105 - Adopt Supplemental Appropriation Ordinance for Fiscal Year 2014 for Rollover Encumbrances from Various Funds \(ALL COUNCIL DISTRICTS\)](#)**

It was recommended that the City Council adopt the supplemental appropriation ordinance increasing estimated receipts and appropriations in the indicated funds in the amount of \$33,967,599.00, decreasing the unaudited available cash or available fund balance, as indicated below, by the same amount, for the purpose of encumbrance rollovers and designated expenditures:

1. General Fund in the amount of \$9,915,517.00 and decreasing the unaudited, assigned fund balance by the same amount;
2. Municipal Airports Fund in the amount of \$22,749.00 and decreasing the unaudited, available cash by the same amount;
3. Water and Sewer Fund in the amount of \$7,239,324.00 and decreasing the unaudited, available cash by the same amount;
4. Solid Waste Fund in the amount of \$406,144.00 and decreasing the unaudited, available cash by the same amount;
5. Municipal Parking Fund in the amount of \$22,507.00 and decreasing the unaudited, available cash by the same amount
6. Stormwater Utility Fund in the amount of \$4,997,859.00 and decreasing the unaudited, available cash by the same amount;
7. Information Systems Fund in the amount of \$481,297.00 and decreasing the unaudited, available cash by the same amount;
8. Capital Project Services Fund in the amount of \$70,009.00 and decreasing the unaudited, available cash by the same amount;
9. Equipment Services Fund in the amount of \$279,206.00 and decreasing the unaudited, available cash by the same amount;
10. Environmental Protection Fund in the amount of \$120,500.00 and decreasing the unaudited, assigned fund balance by the same amount;
11. Red Light Enforcement Fund in the amount of \$420,000.00 and decreasing the unaudited, assigned fund balance by the same amount;

12. Culture and Tourism Fund in the amount of \$3,169,570.00 and decreasing the unaudited, assigned fund balance by the same amount; and
13. Crime Control and Prevention District Fund in the amount of \$6,822,917.00 and decreasing the unaudited, assigned fund balance by the same amount.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Scarth, that Mayor and Council Communication G-18105 be approved and Supplemental Ordinance No. 21088-01-2014 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**2. M&C G-18106 - Authorize Submission of a Letter of Support to the Foreign-Trade Zones Board to Expand Foreign-Trade Zone No. 168 in Mercantile Business Park (COUNCIL DISTRICTS 2 and 4)**

It was recommended that the City Council authorize the submission of a letter of support to the Foreign-Trade Zones Board to expand Foreign-Trade Zone No. 168 in Mercantile Business Park.

Mr. Brian Randolph, 2650 Meacham Boulevard, completed a speaker card in support of Mayor and Council Communication G-18106 and was recognized by Mayor Price but did not wish to address Council.

Mr. Terry Parent, 4008 Mockingbird Lane, Colleyville, completed a comment card in support of Mayor and Council Communication G-18106.

Motion: Council Member Scarth made a motion, seconded by Council Member Espino, that Mayor and Council Communication G-18106 be approved. The motion carried unanimously 9 ayes to 0 nays.

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

**1. M&C P-11615 - Authorize Purchase of 135 Police Interceptor Vehicles from Silsbee Ford, Using a Cooperative Contract for the Police Department in the Amount of \$3,335,445.00 (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council authorize the purchase of 135 police interceptor vehicles from Silsbee Ford, using Tarrant County Cooperative Contract No. 2012-151 for the Police Department in the amount of \$3,335,445.00.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication P-11615 be approved. The motion carried unanimously 9 ayes to 0 nays.

F. Award of Contract

1. M&C C-26625 - Authorize Rejection of All Competitive Sealed Proposals for the Construction of Roundabouts on North Riverside Drive at Fossil Creek Boulevard, North Riverside Drive at Northern Cross Boulevard and Mercantile Drive at Meacham Boulevard and Authorize Re-Advertisement (COUNCIL DISTRICT 4)

It was recommended that the City Council reject all competitive sealed proposals for the construction of roundabouts on North Riverside Drive at Fossil Creek Boulevard, North Riverside Drive at Northern Cross Boulevard and Mercantile Drive at Meacham Boulevard and authorize re-advertising the construction for bids or proposals.

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication C-26625 be approved. The motion carried unanimously 9 ayes to 0 nays.

2. M&C C-26626 - Authorize Execution of a Contract with Conatser Construction TX, L.P., in the amount of \$2,031,545.00 for Water and Sanitary Sewer Replacement Contract 2009, WSM-I on Azteca Drive, Brentwood Drive, Cienegas Circle, Jill Lane, Kentwood Place, Ravenswood Drive, Warrington Court, Vinewood Street and Brentwood Stair Road, Provide for Project Costs and Contingencies for a Project Total in the Amount of \$2,148,492.00 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 4)

It was recommended that the City Council authorize the transfer of \$2,148,492.00 from the Water and Sewer Operating Fund in the amount of \$949,620.00 to the Water Capital Projects Fund and in the amount of \$1,198,872.00 to the Sewer Capital Projects Fund; adopt an appropriation ordinance increasing estimated receipts and appropriations in the Water Capital Projects Fund in the amount of \$949,620.00 from available funds, for the purpose of executing a contract with Conatser Construction TX, L.P. for Water and Sanitary Sewer Replacement Contract 2009, WSM-I on Azteca Drive, Brentwood Drive, Cienegas Circle, Jill Lane, Kentwood Place, Ravenswood Drive, Warrington Court, Vinewood Street and Brentwood Stair Road, provide for project costs and contingencies for a project total in the amount of \$2,148,492.00; adopt an appropriation ordinance increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund in the amount of \$1,198,872.00 from available funds, for the same purpose as reflected above; and authorize the City Manager to execute a contract with Conatser Construction TX, L.P., in the amount of \$2,031,545.00 for the same purpose as reflected above.

Motion: Council Member Scarth made a motion, seconded by Council Member Jordan, that Mayor and Council Communication C-26626 be approved and Appropriation Ordinance Nos. 21089-01-2014 and 21090-01-2014 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**3. M&C C-26627 - Authorize Execution of a Contract with M.E. Burns Construction, Inc., in the Amount of \$1,181,784.00 for Sanitary Sewer Rehabilitation, Contract 80, Part 2 on Dillard Street, Andrew Avenue, Bethune Street, Walker Street, Willspoint Court, Draper Street, Sunshine Drive, Fitzhugh Avenue, Carol Avenue and Two Easements, Provide for Project Costs and Contingencies for a Project Total in the Amount of \$1,252,238.00 and Adopt Appropriation Ordinance (COUNCIL DISTRICT 5)**

It was recommended that the City Council authorize the transfer from the Water and Sewer Operating Fund in the amount of \$70,454.00 to the Sewer Capital Projects Fund; and adopt an appropriation ordinance increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund, for the purpose of funding a contract with M.E. Burns Construction, Inc. for Sanitary Sewer Rehabilitation, Contract 80, Part 2 on Dillard Street, Andrew Avenue, Bethune Street, Walker Street, Willspoint Court, Draper Street, Sunshine Drive, Fitzhugh Avenue, Carol Avenue and two easements, provide for project costs and contingencies for a project total in the amount of \$1,252,238.00; and authorize the execution of a contract with M.E. Burns Construction, Inc., in the amount of \$1,181,784.00 for the same purpose as reflected above.

Motion: Council Member Bivens made a motion, seconded by Council Member Burns, that Mayor and Council Communication C-26627 be approved and Appropriation Ordinance No. 21091-01-2014 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**XV. CITIZEN PRESENTATIONS**

Ms. Dianna Wilson, 5816 Village Course Circle #326, completed a Citizen Presentation card relative to the lights on Mansfield Highway and to protest the possible demolition of the Lancaster Post Office and was recognized by Mayor Price but was not present in the Council Chamber.

Ms. Janice Colston, 1421 Terbert Lane, appeared before Council relative to Ederville gas well leaks.

Mr. Gary Hogan, 2117 Rolling Creek Run, appeared before Council relative to concerns regarding communication between gas operators, City gas inspectors and first responders in case of gas well site incidents.

Ms. Mary Kelleher, 7901 Randol Mill Road, appeared before Council relative to the Ederville gas drilling incident.

Mayor Price advised Ms. Colston, Mr. Hogan and Ms. Kelleher to meet with Mr. Rick Trice, Assistant Director, Planning and Development Department.

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Mr. George Barnes, 5300 Helmick Avenue, appeared before Council relative to Lake Como Area Council funding.

Mayor Price advised Mr. Barnes to meet with Assistant City Manager Fernando Costa.

Mr. Bob Willoughby, 6731 Bridge Street #125, appeared before Council relative to a change in the nuisance ordinance.

Mayor Price advised Mr. Willoughby to meet with Assistant City Manager Charles Daniels.

Mr. Robert Boures, 6329 Walraven Circle, completed a Citizen Presentation card relative to the misuse of City police and the poor response to the ice storm and was recognized by Mayor Price but not in the Council Chamber.

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

**XVII. ADJOURNMENT**

There being no further business, Mayor Price adjourned the Regular meeting at 7:54 p.m. in memory of former Mayor Bob Bolen who passed away January 6, 2014.

These minutes approved by the Fort Worth City Council on the 14<sup>th</sup> day of January, 2014.

Attest:

Approved:

\_\_\_\_\_  
Mary J. Kayser  
City Secretary

\_\_\_\_\_  
Betsy Price  
Mayor

# FORT WORTH



**TO:** The Honorable Mayor and City Council Members  
**FROM:** Mary J. Kayser, City Secretary  
**DATE:** January 14, 2014  
**SUBJECT:** Appointment to Animal Shelter Advisory Committee

Per action taken by the Legislative and Intergovernmental Affairs Committee at their January 7, 2014, meeting, Chairman Scarth is bringing forward the following appointment for your consideration:

- Appointment of Mr. Bradley C. Haskovec to Place 3, with a term expiring October 1, 2015. Mr. Haskovec will replace Ms. Betty Story who can no longer serve due to term limits.

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

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

**January 14, 2014**

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**SUBJECT: ANIMAL CARE AND CONTROL STRATEGY**

**Issue:**

At the December 17<sup>th</sup> meeting, City Council requested an update on Animal Care and Control (ACC) efforts to address stray animals and provide community education about the same.

**History:**

On average, ACC receives approximately 28,000 service requests each year. The majority of requests involve stray dogs. In calendar year 2013, there were 4,588 stray dogs physically captured by officers:

Council District 2	756
Council District 3	232
Council District 4	309
Council District 5	702
Council District 6	312
Council District 7	331
Council District 8	1,474
Council District 9	472

In addition to animals captured by officers, the City loans traps (traps can be more effective than having staff try to capture strays on foot or using darts) and picks up strays that were caught by private citizens. In 2013, this accounted for an additional 4,077 captured strays. Other requests and services include, but are not limited to, rabies control, dangerous dogs, animal bites, cruelty investigations and other similar activities.

All education and outreach efforts have been strategically developed based on internal and external research and focus on real time issues facing the community. The Public Education Officer administers the current campaigns which are produced in English and Spanish. The campaigns include the topics of pet adoption, low-cost resources for pet vaccinations and spay/neuter, barking dogs and education on the city's animal ordinances; including stray animals.

**Stray Animal Attacks and Bites:**

Stray animals, animal bites and other animal/public safety issues are all concerns that major cities face across the nation. The issues become more complex in cities with large inner cities, with greater percentages of large dogs per household, etc. (similar to Fort Worth). In addition, there is a great assumption that the majority of dog attacks/bites are the result of stray animals and thus, if we eliminate strays, we would also eliminate most attacks/bites. However, both nationally and locally, most bites and attacks occur on the same property as where the dog resides. When they occur off property, they are generally not the result of the animal being a long-term stray but rather a situation where the animal broke loose from the owner, bolted off the property or would temporarily leave the property through an opening in a substandard fence/enclosure and then return after the attack/bite. Two recent/local examples that received media coverage involved a young child that was bitten at a baby sitter's home (baby sitter's dog) and a fenced pet that broke out just prior to the bite. Even so, stray animals are always a concern and a reduction in the stray population would result in some reduction in the overall number of bites.

**To the Mayor and Members of the City Council****January 14, 2014**

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**SUBJECT: ANIMAL CARE AND CONTROL STRATEGY****2014 Operations:**

Adjusting for the loss of four positions, the department created a stray animal enforcement team for the inner city (100% focus on stray animals only). This team will come online 100% (filling vacancies) in early 2014; however, it is partially in operation now using existing staff. This reallocation of staff, along with the four reductions, will increase the number of strays caught by staff but will also reduce the response time and services for lower priority calls such as barking dogs.

The department still has one Safe Neighborhood Team (four code compliance officers) who canvass high risk areas to educate, notify and enforce code violations, including animal control ordinances such as secure fence enclosures, rabies vaccines and city licenses. Their goal is to educate residents and abate issues through door step conversations and hand-delivered educational material. The team has bilingual staff and distributes bilingual material. In fiscal year 2013, the team visited almost 14,000 homes and addressed over 5,500 animal violations. Over 15,500 total code violations were addressed.

**Summary:**

In speaking with Code Compliance staff that have worked for the City for over a decade, all agree that there are fewer strays on the streets today. Prior to Code Compliance and Public Health being combined in 2009, an ACC Officer could fill his/her truck with stray animals in no time at all. While there are fewer stray animals now, there are still way too many. Officers are having to rely more heavily on traps, dart rifles and other techniques that also consume more of their time, (e.g., post darting vet care, etc.)

In addition, unwanted pet populations and the majority of severe bites come from unaltered pets. We estimate there are approximately 160,000 unaltered dogs in the city. This is why the City built the spay and neuter clinic at the shelter in 2009 and why the City has collaborative partnerships with Project Hope, TCAP and others who are providing community-based low cost spay and neuter services. In fiscal year 2013 the three participating organizations accounted for 8,343 spays and neuters.

Code Compliance will include an improvement package for a second bilingual Safe Neighborhood Team for the 2015 budget. Meanwhile, the department will continue to use existing staff to target zip codes with high stray and bite data.

**Tom Higgins  
City Manager**

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

**January 14, 2014**

Page 1 of 2



**SUBJECT: NOVEMBER 2013 – SALES TAX UPDATE**

Sales tax revenue represents approximately 20% of the City’s General Fund budget. Staff is committed to providing you regular updates on this important and sometimes volatile revenue source. The Texas Comptroller’s Office posted results on January 8th. The results are dependent upon the timeliness and accuracy of sales tax payers’ returns. This payment from the State represents taxes collected on sales that occurred primarily in the month of November. In this report, you will see Fort Worth’s sales tax collection compared to last year and the impact on the current year’s budget.

**November Net Sales Tax Collections (10-year History)**



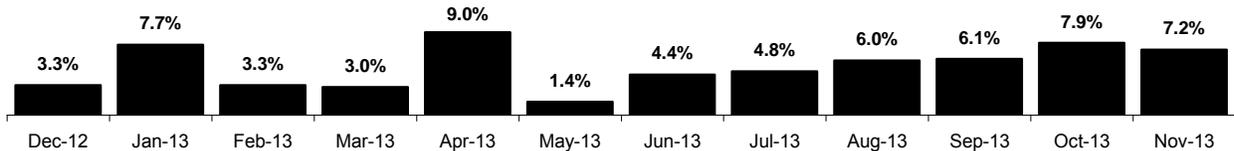
The City’s net sales tax collection is up \$937,805 or 11.3% compared to this month last year. These collections are the best on record for the month of November. As depicted in the table below, the City experienced **\$606,924 or 7.2%** in positive growth when compared to last year’s current period collections for the same month. Current period collections include only transactions that occurred within the month, so this number reflects pure economic activity.

**Collection Detail for City Sales Tax**

	Nov 12	Nov 13	CHANGE	CHANGE
<b>Current Period Collections:</b>	<b>\$8,470,591</b>	<b>\$9,077,515</b>	<b>\$606,924</b>	<b>7.2%</b> ↑
Other Collections:	\$182,200	\$103,146	(\$79,053)	-43.4%
Audit Collections:	(\$237,864)	\$205,175	\$443,039	186.3%
Service Fee:	(\$168,299)	(\$187,717)	(\$19,418)	-11.5%
Retainage:	\$21,350	\$7,663	(\$13,687)	-64.1%
<b>Net Collections</b>	<b>\$8,267,979</b>	<b>\$9,205,783</b>	<b>\$937,805</b>	<b>11.3%</b> ↑

**Current Period Collections**

Change vs. Same Month in Prior Year



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

**January 14, 2014**

Page 2 of 2



**SUBJECT: NOVEMBER 2013 – SALES TAX UPDATE**

City Of Fort Worth Budget Comparison - FY2014

	Adopted Budget	Fiscal Year Projection	Variance		
CITY OF FORT WORTH	\$ 120,934,328	\$ 122,038,279	0.9%	↑	\$ 1,103,951
CRIME CONTROL AND PREVENTION DIST.	\$ 54,715,598	\$ 55,164,654	0.8%	↑	\$ 449,056
MASS TRANSIT AUTHORITY - THE "T"	\$ 61,220,000	\$ 61,749,666	0.9%	↑	\$ 529,666

The City is projecting to collect **\$1,103,951** or **0.9%** more than the FY2014 adopted budget. As depicted above, you will also see how the positive results are affecting our partner agencies. These are the projected collections for the fiscal year and while they are encouraging, Staff recommends maintaining a conservative forecast for FY2014 as we continue to experience uncertainty with the national economy and potential audit adjustments. The chart below indicates how other cities in the region compared to FY2013.

**CITY OF FORT WORTH  
CITY COMPARISONS - FY2014 vs. FY2013**

CITY	October	November	YTD
WATAUGA	-13.9%	28.4%	3.4%
BURLESON	13.9%	22.8%	18.0%
SOUTHLAKE	15.9%	18.8%	17.4%
STATE TOTAL	5.4%	18.8%	4.0%
<b>FORT WORTH</b>	<b>2.9%</b>	<b>11.3%</b>	<b>6.9%</b>
DALLAS	6.1%	11.2%	8.5%
NORTH RICHLAND HILLS	-9.7%	10.4%	0.2%
HURST	-1.8%	10.3%	4.2%
EULESS	-5.8%	5.1%	-0.8%
ARLINGTON	-2.2%	4.8%	1.1%
KELLER	6.6%	2.6%	4.6%
GRAND PRAIRIE	-2.2%	-2.3%	-2.3%
GRAPEVINE	3.5%	-5.7%	-1.4%
BEDFORD	-0.2%	-7.9%	-4.1%

Again, hopefully you find this additional information helpful. If you have any questions, please call Susan Alanis, Assistant City Manager, at 817.392.8180.

**Tom Higgins  
City Manager**

**No Documents for this Section**

# A Resolution

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

**TO NOTIFY THE BOARD OF TRUSTEES OF THE EMPLOYEES' RETIREMENT FUND OF THE CITY OF FORT WORTH THAT THE FORT WORTH CITY COUNCIL INTENDS TO CONSIDER AND VOTE ON AMENDMENTS TO THE RETIREMENT ORDINANCE FOR FIRE FIGHTERS HIRED BEFORE JULY 1, 2014, AND FIRE FIGHTERS HIRED AFTER JULY 1, 2014, THAT WILL REDUCE A NON-ACCRUED BENEFIT PROVIDED BY THE RETIREMENT SYSTEM**

**WHEREAS**, Article 6243i of the Texas Revised Civil Statutes applies to the Employees' Retirement Fund of the City of Fort Worth ("the Fund"); and

**WHEREAS**, Section 4.03 of Article 6243i of the Texas Revised Civil Statutes requires the City Council to notify the Board of Trustees of the Fund of the City Council's intent to consider and vote on any amendment to the administrative rules governing the Fund that would reduce a benefit provided by the retirement system; and

**WHEREAS**, the City's analysis projects the Fund to have an infinite funding period for the accrued unfunded liability (market value) if more conservative investment returns are assumed even without booking future potential ad hoc cost-of-living-adjustments (COLAs); and

**WHEREAS**, the City's analysis considered options to mitigate the risk of not meeting the Fund's investment return assumptions; and

**WHEREAS**, the City and the taxpayers of Fort Worth currently have the State constitutional obligation to honor earned benefits for employees should the Fund become insolvent and therefore have a critical interest in the affordability of the benefits that are offered to employees; and

**WHEREAS**, the City controls, within Constitutional constraints and as limited by collective bargaining or meet and confer agreements, the retirement benefits that are offered to employees; and

**WHEREAS**, the Employee Retirement Fund Board has the legal authority over the investment strategy and management oversight of the contributions once remitted to them; and

**WHEREAS**, the City Council has endorsed the goal of preservation of a defined benefit plan for employees; and

**WHEREAS**, the City Council has demonstrated commitment to this goal by increasing the City's contributions to the Fund by 5% of payroll in 2007, by 4% of payroll in 2010 and by making a one-time contribution of \$7 million in 2010; and



**WHEREAS**, these funding commitments have nearly doubled the City's annual financial commitment to the Fund over a period of four years, representing a \$39 million increased annual expense in FY2012 compared to FY2007; and

**WHEREAS**, the City has reduced retirement benefits for General Employees and Police Officers, with an understanding that fiscal realities would require the City to consider the same type of benefit reductions for Fire Fighters during the subsequent collective bargaining contract negotiations with the International Association of Firefighters Local 440; and

**WHEREAS**, the City eliminated cost of living adjustments for General Employees hired after July 1, 2011, and Police Officers hired after January 1, 2013; and

**WHEREAS**, the City also made changes to the cost of living adjustments for General Employees hired prior to July 1, 2011, and Police Officers hired prior to January 1, 2013, by assigning a 2% simple guaranteed annual adjustment for future accrued years of service; and

**WHEREAS**, in 2013, the City held a COLA selection process pursuant to section 2.5-8(b)(2) of the Retirement Ordinance for General Employees hired prior to July 1, 2011, and Police Officers hired prior to January 1, 2013, who were subject to the ad hoc COLA, which gave them the opportunity to select a 2% simple guaranteed annual adjustment for past service accrual; and

**WHEREAS** the City and the International Association of Firefighters Local 440 are parties to a Collective Bargaining Agreement; and

**WHEREAS**, during the collective bargaining negotiations in 2012 and 2013, regarding a successor Collective Bargaining Agreement, the City considered, in good faith, the pension proposals made by the International Association of Firefighters Local 440, and determined that those proposals did not address the numerous areas of concern that the City Council has consistently expressed about the future health of the Fund, and that those proposals did not present a solution that was consistent with the requirements of the applicable state statutes and constitution; and

**WHEREAS**, the International Association of Firefighters Local 440 and the City could not reach agreement on the pension issue during negotiations, which led to the declaration of an impasse; and

**WHEREAS**, after the expiration date of the Collective Bargaining Agreement the City can unilaterally make changes to prospective pension benefits, including cost of living adjustments; and

**WHEREAS**, the City may not unilaterally reduce its funding commitment to the fund per State law; and

**WHEREAS**, the City is unwilling to make additional financial contributions to the Fund due to risks to the City's long-term sustainability in terms of operations, staffing, infrastructure and tax rate competitiveness; and



**WHEREAS**, one of the impediments to improving the health of the Fund is the structure of the ad hoc cost-of-living adjustment (ad hoc COLA) option that was offered in 2007; and

**WHEREAS**, the ad hoc COLA was originally intended to allow retirees to share in the risk and reward of investment returns with an annual adjustment of 0-4% depending on the amortization period of the unfunded liability each year; and

**WHEREAS**, ad hoc COLAs to date have been triggered by the City's subsequent contribution increases and benefit reductions for future General employees---not investment returns as intended---diluting the effectiveness of those efforts to improve the health of the Fund; and

**WHEREAS** there was no ad hoc COLA awarded for 2013 based on the recent actuarial valuation of the Fund, and based on projections by the Fund's actuary, an ad hoc COLA will not be awarded for the next decade even if current Fund assumptions are met and no other changes are made; and

**WHEREAS**, current retirees who have the ad hoc COLA would have been materially the same since the inception of the program with a simple 2% COLA and all employees would be well-served from a predictable COLA during retirement; and

**WHEREAS**, the Fund will be able to more accurately project and book the cost of a simple 2% COLA to allow more accurate analysis of benefit modifications that can improve the health of the Fund; and

**WHEREAS**, in principle, the City believes it is important for employees to have a predictable COLA to facilitate long-term financial planning; and

**WHEREAS** the opportunity for any additional attempts to improve the health and security of the Fund for the members and the City cannot be considered until the ad hoc COLA dilemma is resolved; and

**WHEREAS**, in order to pay for 2% guaranteed annual adjustment and to improve the health of the Fund for the security of employees and the citizens of Fort Worth, additional benefit reductions are necessary for the future service accrual of existing employees

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

That this Resolution serve as Notification to the Board of Trustees of the Employees' Retirement Fund of the City of Fort Worth that the Fort Worth City Council intends to consider and vote on amendments to the Retirement Ordinance, at a meeting to be held on or after May 13, 2014:

- 1. To reduce benefits for future service accrued by current Fire Fighters hired prior to July 1, 2014 by:**
  - a. Changing the compensation base for determining pension benefits from highest three-year average to highest five-year average;**
  - b. Changing the multiplier for normal retirement from 3.0% to 2.5%;**
  - c. Changing the multiplier from 2.75% to 2.25% for vested termination prior to the employee's normal retirement date, commonly known as "early retirement";**



- d. Changing the multiplier from 2.75% to 2.25% for death while not in the line of duty or disability while not in the line of duty;
    - e. Elimination of overtime from the definition of earnings and from the pension calculation, other than the “built in” overtime that occurs when a suppression Fire Fighter works his or her regularly-scheduled shifts.
  2. To reduce benefits for Fire Fighters hired on or after July 1, 2014 as follows:
    - a. Changing the compensation base for determining benefits from highest three-year average to highest five-year average;
    - b. Changing the multiplier from 3.0% to 2.5% for normal retirement;
    - c. Changing the multiplier from 2.75% to 2.25% for vested termination prior to the employee’s normal retirement date, otherwise known as “early retirement”;
    - d. Changing the multiplier from 3.0% to 2.5% for death while in the line of duty;
    - e. Changing the multiplier from 2.75% to 2.25% for death while not in the line of duty unless the employee was eligible for normal retirement in which case the multiplier is 2.5%;
    - f. Changing the multiplier from 2.75% to 2.25% for disability while in the line of duty or not in the line of duty unless the employee is eligible for normal retirement in which case the multiplier is 2.5%;
    - g. Elimination of overtime from the definition of earnings and from the pension calculation, other than the “built in” overtime that occurs when a suppression Fire Fighter works his or her regularly-scheduled shifts, and no cash account;
    - h. Voluntary actuarially-neutral survivor benefit;
    - i. Changing the vested termination benefit for normal retirement to when the member’s age plus actual years of service with the City of Fort Worth total eighty (80) or age 65, whichever occurs first.
    - j. Modification of the definition of earnings to explicitly exclude vacation sell-back (if applicable in the future) and wellness pay.
  3. To stipulate vested terminated Fire Fighters who draw a benefit on their normal retirement date shall have pensions calculated using the benefit formula that was in effect at the time the member’s employment with the City terminated;
  4. To stipulate that active Fire Fighters who were hired before July 1, 2014 and become vested terminated employees on or after October 1, 2014 shall have pension calculations based on the following:
    - a. The benefit formula in effect on September 30, 2014 for all credited service that is earned or purchased on or before September 30, 2014
    - b. The benefit formula in effect at the time that credited service is earned or purchased on or after October 1, 2014
  5. To stipulate that Fire Fighters who are hired on or after July 1, 2014 and become vested terminated employees shall have pension calculations based on the benefit formula in effect on the date of termination;



6. To stipulate that Fire Fighters hired between October 23, 2002 and September 30, 2014 (inclusive) will continue to have a 12% cap applied for “high 3” calculation for service prior to October 1, 2014;
7. The City intends to modify benefits to assign a 2% guaranteed annual adjustment for future accrued years of service, beginning with service on October 1, 2014, for Fire Fighters hired before July 1, 2014.
8. All active Fire Fighters hired before July 1, 2014 who are subject to the ad hoc COLA will be offered the opportunity to select the 2% simple guaranteed annual adjustment for their past service accrual.
9. All Retired Fire Fighters who were members of the Bargaining Unit as defined in the 2010 Collective Bargaining Agreement, and who are subject to the ad hoc COLA will be offered the opportunity to select the 2% simple guaranteed annual adjustment based on their starting pension amount with the first payment occurring in January 2015.
10. Elimination of the cost of living adjustment for all Fire Fighters hired on or after July 1, 2014.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

ATTEST:

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

Mary Kayser, City Secretary



# A Resolution

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

## APPOINTING MEMBERS TO THE AREA METROPOLITAN AMBULANCE AUTHORITY BOARD

**WHEREAS**, The Area Metropolitan Ambulance Authority d/b/a Medstar (the "Authority") was created as a governmental agency through the adoption of a uniform EMS ordinance and interlocal cooperative agreement (the "Agreement") by certain municipalities located in Tarrant County, Texas under the provisions of Section 773.051 of the Texas Health and Safety Code and pursuant to Ordinance Number 10094 dated April 12, 1988;

**WHEREAS**, the Agreement provides that the Authority is to be governed by a Board of Directors, four of whom are to be appointed by the City of Fort Worth ("City");

**WHEREAS**, the Agreement establishes a director's term of office and provides a limit of two consecutive terms per director;

**WHEREAS**, one of the City's appointments to the Board of Directors has been vacated, and the term of another of the City's appointments has expired and requires reappointment; and

**WHEREAS**, the City Council of the City of Fort Worth has found and determined that Dr. Darrin D'Agostino and Dr. Rajesh Ghandi are eligible for appointment to the Authority Board of Directors under said ordinance and Agreement, and are not otherwise disqualified by law from holding such office.

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

1. Dr. Darrin D'Agostino is hereby appointed to membership on the Authority Board of Directors, said appointment to be effective immediately and to serve until September 30, 2016, or the date as of which a replacement is duly appointed.

2. Dr. Rajesh Ghandi is hereby re-appointed to membership on the Authority Board of Directors, said re-appointment to be effective immediately and to serve until September 30, 2016, or the date as of which a replacement is duly appointed.



**AND IT IS SO RESOLVED.**

**ADOPTED** this 14<sup>th</sup> day of January, 2014.

ATTEST:

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

Mary J. Kayser, City Secretary



**No Documents for this Section**

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

**DATE:** Tuesday, January 14, 2014

**LOG NAME:**

**REFERENCE NO.:** \*\*OCS-1910

**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, January 8, 2014.

**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, January 14, 2014

## 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
Allen Smith	1/2/2014	1/2/2014	I-20 W at Hulen Street	Auto Damage	Rock from City truck struck vehicle	PACS	No	No
Michael Graham	1/3/2014	12/23/2013	Angle Avenue E of Old Decator	Auto Damage	Vehicle struck pothole	TPW	Yes	No
David Willminton	1/3/2014	8/8/2013	1601 Tierney Road	Reimbursement	Towing fees	Police	Yes	No
Russell and Oe Sil Lamarre	1/3/2014	12/31/2013	6876 Premian Lane	Property Damage	Property damage, due to apprehension of suspect	Police	No	No
Reanna Siordia	1/3/2014	12/26/2013	Angel Avenue by Old Decatur Road	Auto Damage	Vehicle struck pothole	TPW	No	No
Michael Ellis	1/3/2014	9/8/2013	Trinity Trails Bicycle Trail	Bodily Injury	Fell into whole; while riding bicycle	PACS	Yes	Yes
Ronnie Joel Cummings Sr.	1/6/2014	11/2/2013	3737 Horizon Street	Reimbursement	False arrest	Police	Yes	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Lori Reed	1/6/2014	7/4/2013	Trinity Trails 911cr66	Bodily Injury	Fell from bicycle while riding on trail	PACS	Yes	Yes
Reynaldo Reyes	1/7/2014	12/28/2013	Angle Avenue	Auto Damage	Vehicle struck pothole	TPW	No	No
Joshua R. Young	1/7/2014	11/24/2013	Sycamore School Road	Auto Damage	Officer struck vehicle	Police	Yes	No
Loysie M. Miller	1/7/2014	12/13/2013	5608 Farnsworth Avenue	Reimbursement	Property damage, due to broken water line	Water	Yes	No
Eric Miles Mason	1/7/2014	11/15/2013	5117 N Hampshire Blvd	Property Damage	Officers broke door	Police	Yes	No
Greg Kalb	1/7/2014	7/18/2013	I-35	Auto Damage	Multiple car accident with Police vehicle	Police	Yes	No
Judith Bauer	1/8/2014	11/18/2013	6000 Westover Drive	Auto Damage	City truck struck vehicle	TPW	Yes	No
Tom B. Petty	1/8/2014	11/15/2013	3812 Hamilton Avenue	Reimbursement	Plumbing expense, due to broken water line	Water	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**