

**PRE-COUNCIL MEETING
TUESDAY, NOVEMBER 3, 2015
8:30 A.M.
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

1. Report of the City Manager - **David Cooke, 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 9815](#): Sales Tax Overpayment
2. Current Agenda Items - **City Council Members**
3. Responses to Items Continued from a Previous Week
 - a. [M&C L-15771](#) - (COUNCIL DISTRICT 6 - Jungus Jordan) Consider Institution and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 468.04 Acres of Land in Tarrant County Located South of Altamesa Boulevard and West of the Fort Worth and Western Railroad **(Continued from September 1, 2015 by Council Member Jordan)**
 - b. [ZC-14-147](#) - (COUNCIL DISTRICT 6 - Jungus Jordan) AM Pate, Jr. et al, 6500-6800 Block Dirks Road/Altamesa Boulevard; from: Unzoned to: "A-5" One-Family, "MU-2" High Intensity Mixed-Use, "PD/G" Planned Development for all uses in "G" Intensive Commercial with exclusions and development standards to height and commercial lighting adjacent to residential and "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed-Use with exclusions; site plan waiver recommended. (Recommended for Approval as Amended by the Zoning Commission to PD/G and PD/MU-2, tracts 1, 2, 3) **(Continued from September 1, 2015 by Council Member Jordan)**
4. Briefing on Proposed Economic Program Agreement with American Airlines - **Robert Sturns, Economic Development and John Terrell, Dallas/Fort Worth International Airport**
5. Update on Multi-Purpose Arena Financing Plan and Master Agreement - **Susan Alanis, City Manager's Office**
6. Briefing on Communications Infrastructure - **Kevin Gunn, IT Solutions**
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](#)

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

ATTACHMENT A
EXECUTIVE SESSION
(PRE-COUNCIL CHAMBER, CITY HALL)
Tuesday, November 3, 2015

A. 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 capital improvement projects; 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.

B. The City Council may reconvene in open session in the Pre-Council Chamber and act on any item listed on the Executive Session Agenda in accordance with Chapter 551 of the Texas Government Code.

**CITY COUNCIL AGENDA
FOR THE MEETING AT 10:00 A.M. TUESDAY, NOVEMBER 03, 2015
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

I. CALL TO ORDER

II. INVOCATION - Dr. Michael Dean, Travis Avenue Baptist Church

III. PLEDGE OF ALLEGIANCE

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF OCTOBER 27, 2015

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-18597](#) - Authorize Transfer of Funds in the Amount of \$485,358.38 Among Various Accounts and Adopt Appropriation Ordinance to Make Technical Corrections Related to the Trinity River Vision Bridge Projects, Consistent with the City's Limitation of \$26.6 Million on Expenditures for the Trinity River Vision (COUNCIL DISTRICTS 2 and 9)
2. [M&C G-18598](#) - Adopt Resolution Nominating the United Parcel Service, Inc., Distribution Facility Located at 13700 Independence Parkway as an Enterprise Project, Pursuant to the Texas Enterprise Zone Act, Chapter 2303 of the Texas Government Code (COUNCIL DISTRICT 7)
3. [M&C G-18599](#) - Approve Findings of the Ground Transportation Coordinator Regarding the Application of Abby Tessema Ilala d/b/a Pride Transportation Inc., to Operate Three Limousines Within the City of Fort Worth and Authorize Issuance of a Vehicle for Hire Operating License (ALL COUNCIL DISTRICTS)
4. [M&C G-18600](#) - Adopt Revised Resolution Modifying the Grant Project for the Fiscal Year 2016 State Justice Assistance Grant from the State of Texas, Office of the Governor, Criminal Justice Division (ALL COUNCIL DISTRICTS)

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

1. [M&C P-11803](#) - Authorize Contract with AllWorld Language Consultants, Inc., in a Combined Amount Up to \$320,000.00 for the First Year to Provide Translation Services and Editing of Publications in Specified Languages for City Departments (ALL COUNCIL DISTRICTS)
2. [M&C P-11804](#) - Authorize Non-Exclusive Purchase Agreements for Jet-Vac and Vacuum Tanker Truck Waste Pumping for the Water Department with Progressive Environmental Services, Inc.

d/b/a SWS Environmental Services, Ace Pipe Cleaning, Inc., and Hoffman Southwest Corp. d/b/a Professional Pipe Service, for a Combined Amount Up to \$75,000.00 for the First Year (ALL COUNCIL DISTRICTS)

3. [M&C P-11805](#) - Authorize Agreements with Yamaha Motor Corporation, U.S.A. for Lease of Golf, Utility and Beverage Carts and Authorize Agreement with Yamaha Golf-Car Company for Service of Leased Vehicles for the Park and Recreation Department with a Combined Annual Amount Up to \$141,149.00, Using a Cooperative Contract (ALL COUNCIL DISTRICTS)

C. Land - Consent Items

1. [M&C L-15820](#) - Authorize Acquisition of Fee Simple Interest in Approximately 67.39 Acres of Land Located at the Northeast Corner of Oak Grove Road and Oak Grove Shelby Road from PlainsCapital Bank for a Community Park in the Amount of \$593,912.00, Pay Estimated Closing Cost Up to \$10,000.00 for a Total Cost of \$603,912.00 and Dedicate Property as Oak Grove Park (COUNCIL DISTRICT 8)
2. [M&C L-15821](#) - Authorize Direct Sale of a Tax-Foreclosed Property Located at 1208 NW 23rd Street for a Total Sales Price of \$12,666.00 to Burlington Northern Santa Fe Railway Company, in Accordance with Section 34.05 of the Texas Property Tax Code (COUNCIL DISTRICTS 2 and 9)

D. Planning & Zoning - Consent Items

1. [M&C PZ-3092](#) - Adopt Ordinance Vacating a Portion of Rutledge Street to be Replatted by Witcher Properties and Nancy Newbern with the Adjoining Commercial Developments for Additional Parking (COUNCIL DISTRICT 9)
2. [M&C PZ-3093](#) - Adopt Ordinance Vacating a Portion of Valley Vista Drive to be Replatted by Valley Vista Realty Equities, LP, with the Adjoining Multi-Family Development for Additional Parking (COUNCIL DISTRICT 5)
3. [M&C PZ-3094](#) - Adopt Ordinance Vacating a Portion of Park Vista Boulevard to be Replatted by D.R. Horton-Texas, LTD, with the Adjoining Residential Lots (COUNCIL DISTRICT 7)

E. Award of Contract - Consent Items

1. [M&C C-27518](#) - Authorize Application for and Acceptance of, if Awarded, a Grant from the Texas Department of Transportation in the Amount of \$500,000.00 for Partial Reimbursement of Design of the Meacham Administration Building at Fort Worth Meacham International Airport, Adopt Resolution Providing for Same and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2)
2. [M&C C-27519](#) - Authorize Execution of an Engineering Services Contract with Kimley-Horn and Associates, Inc., in the Amount of \$93,700.00 for the Design of Park Improvements at

McLeland Tennis Center and Rosemont Park and Provide for Design Phase Administrative Costs in the Amount of \$14,200.00 for a Total Anticipated Project Design Phase Cost of \$107,900.00 (2014 BOND PROGRAM) (COUNCIL DISTRICT 9)

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

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

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

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

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

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

XIII. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-18601](#) - Authorize Transfers for the Multi-Purpose Arena Project Among the Culture and Tourism Fund, Culture and Tourism Capital Projects Fund, Culture and Tourism Legacy Capital Projects Fund and Culture and Tourism Debt Service Fund and Adopt Appropriation Ordinances (COUNCIL DISTRICT 7)
2. [M&C G-18602](#) - Authorize Acceptance of a Monetary Donation From the Ridglea Hills Neighborhood Association in the Amount of \$13,000.00 and the River Park Place Homeowners Association, Inc., in the Amount of \$10,000.00 for Park Improvements at Ridglea Hills Park and River Park, Respectively and Adopt Appropriation Ordinance (COUNCIL DISTRICT 3)

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

D. Land

1. [M&C L-15771](#) - Consider Institution and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 468.04 Acres of Land in Tarrant County Located South of Altamesa Boulevard and West of the Fort Worth and Western Railroad (COUNCIL DISTRICT 6) **(Continued from a Previous Meeting)**
2. [M&C L-15822](#) - Adopt Resolution Authorizing Condemnation by Eminent Domain for a Fee Simple Interest in 0.006 Acres of Land Owned by Reba Capps, Mattie Mae Anderson and H.G. Lucas Located on South Jennings Avenue for the Victory Forest Recreation Center Project (COUNCIL DISTRICT 9)

3. [M&C L-15823](#)
 - Conduct a Public Hearing and Authorize Use of a Portion of Forest Park for an Electric Utility Easement for Lines and Equipment to Service Forest Park and the Fort Worth Zoo and Authorize Easement to Oncor Electric Delivery Company, LLC, for Electrical Equipment and Appurtenances on a Total of .42 Acres at Forest Park (COUNCIL DISTRICT 9) **(PUBLIC HEARING)**
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action
4. [M&C L-15824](#)
 - Conduct a Public Hearing and Authorize Use of a Portion of Marine Creek Ranch Park for the Purpose of Installing Sanitary Sewer and Storm Drainage Infrastructure Improvements in Marine Creek Ranch Park and Authorize Execution of a Thirty Day Temporary Access Permit and Workspace License Agreement with M&C Development, LTD, in Exchange for an Access Easement to Help Facilitate Trail Connectivity to the Marine Creek Lake Trail System (COUNCIL DISTRICT 2) **(PUBLIC HEARING)**
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action

E. Planning & Zoning - None

F. Award of Contract

1. [M&C C-27520](#)
 - Authorize Agreement with Zayo Group, LLC, for the Leasing of Dark Fiber Optic Strands and Related Services for the City of Fort Worth Network, Using a Cooperative Contract for an Amount Up to \$15,641,064.00 for a Period Up to Thirteen Years with a First Year Cost Up to \$367,842.00 (ALL COUNCIL DISTRICTS)
2. [M&C C-27521](#)
 - Authorize Execution of Amendment to the Merchant Card Processing Service Agreement with Chase Paymentech Used for All City Departments, Ratify Expenditures in the Amount of \$440,000.00 and Authorize Increase of Contract in the Amount of \$500,000.00 (ALL COUNCIL DISTRICTS)

XIV. ZONING HEARING

1. [ZC-14-147](#) - (CD 6) - AM Pate, Jr. et al, 6500-6800 Block Dirks Road/Altamesa Boulevard; from: Unzoned to: "A-5" One-Family, "MU-2" High Intensity Mixed-Use, "PD/G" Planned Development for all uses in "G" Intensive Commercial with exclusions and development standards to height and commercial lighting adjacent to residential and "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed-Use with exclusions; site plan waiver recommended.
(Recommended for Approval as Amended by the Zoning Commission to PD/G and PD/MU-2, tracts 1, 2, 3) (Continued from a Previous Meeting)

XV. CITIZEN PRESENTATIONS

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

XVII. ADJOURNMENT

According to the City Council Rules of Procedures, individual citizen presentations shall be limited to three minutes, and group presentations shall be limited to ten minutes. At the Mayor's discretion, time limits may be reasonably extended.

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ATTACHMENT B
EXECUTIVE SESSION
(PRE-COUNCIL CHAMBER, CITY HALL)
Tuesday, November 3, 2015

A. 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 capital improvement projects; 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.

B. The City Council may reconvene in open session in the Pre-Council Chamber and act on any item listed on the Executive Session Agenda in accordance with Chapter 551 of the Texas Government Code.

No Documents for this Section



Updated October 29, 2015

City of Fort Worth
City Council Pre-Council Agenda Calendar

November 3, 2015 ***(National Election Day)***

8:30 a.m. Pre-Council Meeting (Note: Time Change)

Continued Items:

- **M&C L-15771** - (COUNCIL DISTRICT 6 – Jungus Jordan) - Consider Institution and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 468.04 Acres of Land in Tarrant County Located South of Altamesa Boulevard and West of the Fort Worth and Western Railroad **(Continued from September 1, 2015 by Council Member Jordan)**
- **ZC-14-147** - (COUNCIL DISTRICT 6 – Jungus Jordan) - AM Pate, Jr. et al, 6500-6800 Block Dirks Road/Altamesa Boulevard; from: Unzoned to: "A-5" One-Family, "MU-2" High Intensity Mixed-Use, "PD/G" Planned Development for all uses in "G" Intensive Commercial with exclusions and development standards to height and commercial lighting adjacent to residential and "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed-Use with exclusions; site plan waiver recommended. (Recommended for Approval as Amended by the Zoning Commission to PD/G and PD/MU-2, tracts 1, 2, 3) **(Continued from September 1, 2015 by Council Member Jordan)**
- o Briefing on Proposed Economic Program Agreement with American Airlines [*Robert Sturns, Economic Development and John Terrell, Dallas/Fort Worth International Airport*]
- o Update on Multi-Purpose Arena Financing Plan and Master Agreement [*Susan Alanis, City Manager's Office*]
- o Briefing on Communications Infrastructure [*Kevin Gunn, IT Solutions*]

November 5, 2015 ***(Thursday)***

***Fort Worth Crime Control and Prevention District Board of Directors Meeting
(cancelled)***

November 10, 2015 **Monthly Zoning Meeting**

Audit Committee (cancelled)

***2:30 p.m. Legislative and Intergovernmental Affairs Committee
Infrastructure & Transportation Committee (cancelled)***

3:00 p.m. Pre-Council Meeting

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



Updated October 29, 2015

City of Fort Worth
City Council Pre-Council Agenda Calendar

November 10, 2015 *(continued)*

- o Update on I-35 Construction Progress [*Robert Hinkle, North Tarrant Express Mobility Partners*]
- o Briefing on Federal Legislative Program [*T.J. Patterson, City Manager's Office*]
- o Briefing on Scrap Metal Regulation and Enforcement [*Joel Fitzgerald, Police Chief*]
- o Briefing on Draft Boundaries for Proposed Stockyards Historic District [*Dana Burghdoff, Planning and Development*]

November 12, 2015 *(Thursday)*

5:30 p.m. Fort Worth Crime Control and Prevention District Board of Directors Meeting (NOTE: New Date)

November 17, 2015

1:00 p.m. Lone Star Local Government Corporation Meeting
Local Development Corporation Meeting
(Immediately Following the Lone Star LGC Meeting)
3:00 p.m. Pre-Council Meeting

- o Briefing on Quarterly Management Report [*Aaron Bovos, Financial Management Services*]
- o Briefing on Financial Impact of GASB 67 and GASB 68 [*Aaron Bovos, Financial Management Services*]
- o Briefing on YMCA Pool Partnership [*Richard Zavala, Park and Recreation*]

November 24, 2015

Pre-Council Meeting (cancelled)

November 26, 2015 *(Thursday)*

City Hall Closed – Thanksgiving Holiday

November 27, 2015 *(Friday)*

City Hall Closed – Thanksgiving Holiday



Updated October 29, 2015

City of Fort Worth
City Council Pre-Council Agenda Calendar

December 1, 2015 **Monthly Zoning Meeting**

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

3:00 p.m. Pre-Council Meeting

- o Overview of Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
- o Briefing on Parker-Browne Building Restoration and Leg Up Program [*Fernando Costa, City Manager's Office, Robert McCarthy, Cheyenne Construction Company and Lauren Doeren, Leg Up Program*]

December 8, 2015

1:00 p.m. Audit Committee

2:00 p.m. Infrastructure & Transportation Committee

3:00 p.m. Pre-Council Meeting

- o Final Report of Charter Review Task Force [*Dionne Bagsby, Chair*]
- o Briefing on Open Streets Events [*Randle Harwood, Planning and Development*]

December 15, 2015

3:00 p.m. Pre-Council Meeting

- o Briefing on Proposed Study of Transportation Service Charges [*Randle Harwood, Planning and Development*]

December 22, 2015

Pre-Council Meeting (cancelled)

December 25, 2015 ***(Friday)***

City Hall Closed – Christmas Holiday

December 29, 2015

Pre-Council Meeting (cancelled)



Updated October 29, 2015

City of Fort Worth
City Council Pre-Council Agenda Calendar

January 1, 2016 ***(Friday)***

City Hall Closed – New Year’s Day Holiday

January 5, 2016

Pre-Council Meeting (cancelled)

January 12, 2016 ***Monthly Zoning Meeting***

1:00 p.m. Audit Committee

2:00 p.m. Infrastructure & Transportation Committee

3:00 p.m. Pre-Council Meeting

- o Overview of Significant Zoning Cases ***[Dana Burghdoff, Planning and Development]***
- o Briefing on Local Housing Programs:
 - Neighborhood Services Department ***[Aubrey Thagard, Director]***
 - Fort Worth Housing Authority ***[Naomi Byrne, President]***
 - Tarrant County Housing Partnership ***[Donna VanNess, President]***
 - Trinity Habitat for Humanity ***[Gage Yager, Executive Director]***

January 18, 2016 ***(Monday)***

City Hall Closed – MLK Jr.’s Holiday

January 19, 2016

Pre-Council Meeting (cancelled)

January 26, 2016

3:00 p.m. Pre-Council Meeting

City Council Meeting of October 27, 2015
Staff Action Tracking

Item #1 Tarrant County College Board of Trustees

Due Date: TBD

Council District: 5

Staff Action: Staff to schedule a joint meeting with the City Council and the Tarrant County College Board of Trustees to discuss educational opportunities Tarrant County College provides to the community and how the City might partner with that endeavor.

Responsibility: TJ Patterson (Government Relations)

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
OCTOBER 27, 2015**

Present:

Mayor Betsy Price
Mayor Pro tem Salvador Espino, District 2
Council Member W.B. "Zim" Zimmerman, District 3
Council Member Cary Moon, District 4
Council Member Gyna Bivens, District 5
Council Member Jungus Jordan, District 6
Council Member Dennis Shingleton, District 7
Council Member Kelly Allen Gray, District 8
Council Member Ann Zadeh, District 9

Staff Present:

David Cooke, City Manager
Sarah Fullenwider, City Attorney
Mary J. 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 7:03 p.m. on Tuesday, October 27, 2015, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas.

II. INVOCATION - Pastor Michael Escamilla, Bethesda Community Church

The invocation was provided by Pastor Michael Escamilla, Bethesda Community Church.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

IV. CONSIDERATION OF MINUTES OF THE REGULAR MEETING OF OCTOBER 20, 2015

Motion: Council Member Allen Gray made a motion, seconded by Council Member Zimmerman, that the minutes of the Regular meeting of October 20, 2015, be approved. Motion passed 9-0.

V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items to be withdrawn 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 Mayor Pro tem Espino, that the Consent Agenda be approved. Motion passed 9-0.

E. Award of Contract - Consent Items

1. **M&C C-27513 - Authorize Execution of Change Order No. 2 to City Secretary Contract No. 46002 with Sedalco, Inc., in the Amount of \$250,000.00 to Increase the Owner's Contingency Allowance for the Tower Drive/Cattle Barn 2 Renovations at the Will Rogers Memorial Center, Increasing the Contract Amount to \$12,381,147.00 with the Total Project Budget Remaining Unchanged at \$13,409,181.00 (COUNCIL DISTRICT 7)**
2. **M&C C-27514 - Authorize the Execution of Change Order No. 13 to City Secretary No. 30908 with Renda Environmental, Inc., for the Village Creek Water Reclamation Facility Solids Dewatering, Processing and Disposal Program and Gas Turbine Operations and Maintenance Contract to Continue to Provide Chemical Treatment of Liquid Sludge, Increasing the Contract in the Amount of \$520,000.00 for a Revised Total Program Cost of \$70,399,067.16 (COUNCIL DISTRICT 5)**

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

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

End of Consent Agenda.

City Secretary Kayser advised that Mayor and Council Communication C-27515 would be moved up on the agenda.

1. **M&C C-27515 - Authorize a Transfer from the Specially Funded Capital Projects Fund to the General Fund in the Amount of \$511,607.00 for Management of the Fort Worth Public Art Program and Authorize Execution of a Professional Management Services Agreement with the Arts Council of Fort Worth and Tarrant County, Inc., in the Amount of \$511,607.00 for Fiscal Year 2016 Management of the Public Art Program and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)**

Mayor Price expressed appreciation to Ms. Judy Needham, Fort Worth Independent School District Trustee, and Mr. Bill Baker, for their efforts in working on the Fort Woof Dog Park and the “Friend and Dog” sculpture.

Motion: Council Member Shingleton made a motion, seconded by Council Member Allen Gray, that Mayor and Council Communication C-27515 be approved with the following amendments to the work plan as recommended by the City Manager and Appropriation Ordinance No. 21952-10-2015 be adopted.

<u>Item</u>	<u>Additions</u>	<u>Reductions</u>
Dog Park Sculpture	\$30,000.00	
Sandy Lane Traffic Signal Control Box	\$2,500.00	
Handley Sculpture Lighting	\$5,000.00	
Polytechnic/Wesleyan Plaques	\$23,000.00	
Public Art Fund Contingency		\$60,500.00
<u>Total</u>	\$60,500.00	\$60,500.00

Motion passed 9-0.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of One Safe Place Anniversary

Mr. Ken Shetter, Mayor of the City of Burleson and Executive Director, Safe City Commission, presented a Certificate of Appreciation to the Fort Worth City Council and an update on the activities of One Safe Place.

2. Presentation of Proclamation for World Stroke Awareness Day

Mayor Price presented a proclamation for World Stroke Awareness Day to Ms. Nancy Healey, a stroke survivor.

3. Presentation of Proclamation for Texas Municipal Court Week

Mayor Pro tem Espino presented a proclamation for Texas Municipal Court Week to Chief Judge Ninfa Mares and Municipal Court staff members.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Mayor Price and Council Members Bivens and Allen Gray announced upcoming and recent events within the City and various Council districts.

2. Recognition of Citizens

There was no recognition of citizens.

3. Approval of Ceremonial Travel

There was no approval of ceremonial travel.

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

Motion: Mayor Pro tem Espino made a motion, seconded by Council Member Bivens, that Mr. Matthew P. Dufrene be appointed to Place 1 on the Park and Recreation Advisory Board, effective October 27, 2015, and with a term expiring October 1, 2017. Motion passed 9-0.

Motion: Mayor Pro tem Espino made a motion, seconded by Council Member Bivens, that Mr. Bob Adams be appointed to Place 1 on the Urban Design Commission, effective October 27, 2015, and with a term expiring October 1, 2017. Motion passed 9-0.

Motion: On behalf of the Legislative and Intergovernmental Affairs Committee, Council Member Bivens made a motion, seconded by Mayor Pro tem Espino, that Ms. Sheila Hill be appointed to Place 5 on the Art Commission, effective October 27, 2015, and with a term expiring October 1, 2017. Motion passed 9-0.

Motion: On behalf of the Legislative and Intergovernmental Affairs Committee, Council Member Shingleton made a motion, seconded by Council Member Bivens, that the following reappointments to the Art Commission be approved, effective October 27, 2015, and with terms expiring October 1, 2017:

- Ms. Robyne Kelly to Place 1 – Community Representative
- Ms. Carol Hendrix to Place 3 – Community Representative
- Ms. Bethany Dodson to Place 7 – Community Representative
- Mr. Bill Campbell to Place 9 – Art Professional

Motion passed 9-0.

Motion: On behalf of the Legislative and Intergovernmental Affairs Committee, Council Member Shingleton made a motion, seconded by Mayor Pro tem Espino, that the following appointments to the Mayor's Committee on Persons with Disabilities be approved, effective October 27, 2015, and with terms expiring as follows:

- Ms. Elizabeth Kiefer to Place 3 – representing a Fort Worth Citizen position, with a term expiring September 30, 2017
- Mr. Alexander Thieroff to Place 8 – representing the Special Olympics Texas, with a term expiring September 30, 2016
- Ms. Jackie Barnd to Place 10 – representing a Fort Worth Citizen position, with a term expiring September 30, 2016
- Ms. Crystal Landrum to Place 12 – representing a Fort Worth Citizen position, with a term expiring September 30, 2016
- Mr. Sandarrajan Sankar to Place 14 – representing a Fort Worth Citizen position, with a term expiring September 30, 2016

Motion passed 9-0.

Motion: On behalf of the Legislative and Intergovernmental Affairs Committee, Council Member Shingleton made a motion, seconded by Council Member Zimmerman, that the following reappointments to the Mayor's Committee on Persons with Disabilities be approved, effective October 27, 2015, and with terms expiring as follows:

- Ms. Heather Griffith to Place 1 – representing a Fort Worth Citizen position, with a term expiring September 30, 2017
- Ms. Sherley Spears to Place 5 – representing a Fort Worth Citizen position, with a term expiring September 30, 2017
- Mr. Carlos Walker to Place 7 – representing a Fort Worth Citizen position, with a term expiring September 30, 2017

Motion passed 9-0.

2. Council Proposal No. 306 - Waiver of Site Reservation, Facility Amenity, Sales and Administration Fees for the October 31, 2015 Second Annual Snowball Express 5k Run/Walk in Trinity Park, Fort Worth

Motion: Council Member Zimmerman made a motion, seconded by Council Member Jordan, that Council Proposal No. 306 be withdrawn from the Council agenda. Motion passed 9-0.

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

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

XIII. RESOLUTION

1. A Resolution Endorsing the Educational Alignment for Young Children's Strategic Plan

Ms. Kara Waddell, 4512 Briarhaven Road, appeared before Council in support of the resolution.

Motion: Council Member Allen Gray made a motion, seconded by Council Member Bivens, that Resolution No. 4529-10-2015 be adopted. Motion passed 9-0.

XIV. REPORT OF THE CITY MANAGER

B. General

1. M&C G-18595 - Authorize Execution of Amendment No. 1 to a License Agreement with Downtown Fort Worth Initiatives, Inc., City Secretary No. 46944, to Provide for Construction Services for the Restoration of Heritage Plaza to Provide for Construction of the Renovations, City Project No. CO2471, Authorize City Participation in the Amount of \$1,500,000.00 and Authorize Waiver of Permitting and Construction-Related Fees (2014 BOND PROGRAM) (COUNCIL DISTRICT 9)

Ms. Jerre Tracy, 2734 Colonial Parkway, appeared before Council in support of Mayor and Council Communication G-18595.

Ms. Marty Craddock, 4904 Dexter Avenue, completed a comment card in support of Mayor and Council Communication G-18595.

Motion: Council Member Shingleton made a motion, seconded by Council Member Zadeh, that Mayor and Council Communication G-18595 be approved. Motion passed 9-0.

2. **M&C G-18596 - Adopt the Twenty-Seventh Supplemental Ordinance Authorizing Issuance and Sale of City of Fort Worth, Texas Water and Sewer System Revenue Bonds, Series 2015B, in the Aggregate Principal Amount of \$13,000,000.00 and Approving Sale of the Bonds to the Texas Water Development Board (ALL COUNCIL DISTRICTS)**

Motion: Council Member Zimmerman made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication G-18596 be approved and that the Twenty-Seventh Supplemental Ordinance No. 21953-10-2015 be adopted. Motion passed 9-0.

E. Planning & Zoning

1. **M&C PZ-3091 - Authorize the City Manager to Initiate Zoning Changes that Would Create the Stockyards Design Overlay District, Revise the Authority of the Urban Design Commission Within the PD/MU-2 District, Remove the Trinity Uptown-Marine Creek Peripheral Zone Design Overlay District and Require an Historic Preservation Member on the Urban Design Commission and Request the City Manager to Identify Funds for the Creation of a Form-Based Code District and Historic District for the Historic Stockyards in an Amount Not to Exceed \$300,000.00 (COUNCIL DISTRICT 2)**

The following individuals appeared before Council in support of Mayor and Council Communication PZ-3091:

Ms. Jerre Tracy, 2734 Colonial Parkway
Ms. Melissa Wade Hunter, 3923 Lafayette Avenue
Mr. Paul Hunter, 3923 Lafayette Avenue
Ms. Marty Humphrey, 131 East Exchange Avenue, Suite 110
Ms. Kathryn Schwartz, 1310 Odd Street
Mr. Phillip Murrin, 10201 Camp Bowie West
Mr. Steve Murrin, 500 Northeast 23rd Street

The following individuals completed comment cards in support of Mayor and Council Communication PZ-3091:

Ms. Carol Roark, 2103 6th Avenue
Ms. Cara Kennemer, 3208 Chaparral Lane
Ms. Alice Schrub, 701 East Bluff Street, Apt 5205
Ms. Sharon Dyer, 7409 Davenport Avenue
Ms. Carol Misfeldt, 12617 Plassmeyer Place
Ms. Jackie Rumbo, 1403 Harpole Road, Argyle, Texas

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Ms. Elizabeth Gowan, 3007 Olive Place
Ms. Kathleen Lawson, 7605 Spicebush Road
Mr. Jerry Lodbill, 6336 Darwood Avenue
Mr. Taylor Cannon, PO Box 136841
Mr. Grant Sykes, 8709 Northwest 109th Terrace, Oklahoma City, Oklahoma
Ms. Diane Whitson, 830 Hunt Road, Gunter, Texas
Mr. Norman Weaver, 3035 Gladiolus Lane
Mr. Robert Adams, 2216 Huntington Lane
Mr. Mark Knox, 2329 Chace Court, Plano, Texas
Mr. Nate Krieger, 1005 Grand National Boulevard
Ms. Valerie Packham, 410 West Wisconsin Street, Unit C, Chicago, Illinois
Mr. Donald Packham, 410 West Wisconsin, Chicago, Illinois
Mr. Marion Lewis, 4210 Hunters Court, Arlington, Texas
Mr. Joe Baker, 121 East Exchange Avenue
Mr. Dann Wagner, 121 East Exchange Avenue
Mr. Glenneth Harrington, 2631 Deep River Circle, Round Rock, Texas
Ms. Courtney Douglas, 121 East Exchange Avenue
Ms. Caroline Dulle, 1217 Clover Lane
Mr. Ron Tyler, 5536 Collinwood Avenue
Mr. Thomas Mastin, 1009 Henderson Street
Ms. Susan Pritchett, 450 FM 2871
Ms. Joan Gaspard, 504 Englewood Lane, Hurst, Texas
Mr. James R. Wooten, 1319 Ballinger Street
Ms. Karen Martin, 2225 Valley Mill, Carrollton, Texas
Ms. Rosalie McLeod, PO Box 136691
Mr. Hub Baker, 121 East Exchange Avenue
Mr. James Cardwell, 2606 Bomar Avenue
Ms. Marty Craddock, 4904 Dexter Avenue
Ms. Libby Willis, 2300 Primrose Avenue
Ms. Melanie Smith, 2400 Harrison Avenue
Ms. Gayel Hill, 108 Crestwood Drive
Mr. David Fisher, 10298 Western Oaks Road
Ms. Wanda Wilkins, 7709 Woodside Hill
Mr. Christopher Ebert, 2530 South Adams
Ms. Trish Hunter, 11100 Golfview Way
Mr. Quentin McGown, 1615 Sunset Terrace
Mr. William R. Hill, 108 Crestwood Drive
Ms. Marcia Ostrowski, 2505 Cockrell Avenue
Ms. Diana Bloxom, 3409 West Fuller Avenue
Mr. H. E. Humphrey, 131 East Exchange Avenue, Suite 113

The following individuals completed comment cards in opposition to Mayor and Council Communication PZ-3091:

Ms. Krystal Steen, 4805 Terrace Trail
Ms. Karen Petty, 4726 Collinwood
Ms. Melinda Randall, 2600 Mission Street
Mr. Gary Kline, 4420 Altamesa Boulevard

Motion: Council Member Zadeh made a motion, seconded by Mayor Pro tem Espino, that Mayor and Council Communication PZ-3091 be approved. Motion passed 9-0.

F. Award of Contract

2. M&C C-27516 - Authorize Execution of a Contract with the Arts Council of Fort Worth and Tarrant County, Inc., in the Amount of \$1,377,500.00 from the General Fund to Promote Artistic and Cultural Activities for Fiscal Year 2016 (ALL COUNCIL DISTRICTS)

Motion: Council Member Zadeh made a motion, seconded by Council Member Zimmerman, that Mayor and Council Communication C-27516 be approved. Motion passed 9-0.

3. M&C C-27517 - Authorize Amendment No. 2 to City Secretary Contract No. 45276, Architectural Professional Services Agreement with Elements of Architecture, Inc., in an Amount Not to Exceed \$147,099.00 Including Up to \$5,800.00 in Reimbursable Expenses to Provide Design and Construction Administration Services, Provide for an Amount of \$15,800.00 for Property Management Department Staff Fees for a Total Design Cost in the Amount of \$162,899.00 for the Fort Worth Police Department Tactical Center and Adopt Appropriation Ordinance (COUNCIL DISTRICT 8)

Motion: Council Member Allen Gray made a motion, seconded by Council Member Bivens, that Mayor and Council Communication C-27517 be approved and Appropriation Ordinance No. 21954-10-2015 be adopted. Motion passed 9-0.

XV. CITIZEN PRESENTATIONS

Ms. Tracy Joseph, 7113 South Meadow Drive East, completed a Citizen Presentation card relative to the closing of Texas Aero Engine Service LLC (TAESL), and was recognized by Mayor Price but was not present in the Council Chamber.

Ms. Brenda Scruggs, 8132 Hosta Way, completed a Citizen Presentation card relative to officers trying to escalate confrontation and the fabrication of information, and was recognized by Mayor Price but was not present in the Council Chamber.


Ms. LaSondra Huggins, 8504 Ohara Lane, completed a Citizen Presentation card relative to Medicare/Medicaid fraud in Fort Worth through information requests, and was recognized by Mayor Price but was not present 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 8:08 p.m.



TO: City Council Members
FROM: Betsy Price, Mayor 
DATE: November 3, 2015
SUBJECT: Reappointment to Commissions, Committees, and Boards

I request your consideration to reappoint the following as outlined below:

Board of Adjustment – Residential

- Mr. J.R. Martinez, with a term expiring October 1, 2017

To the Mayor and Members of the City Council

November 3, 2015

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SUBJECT: SALES TAX OVERPAYMENT

The Texas Comptroller's Office recently notified the City of Fort Worth of the results of a sales tax audit performed on a City of Fort Worth business in earlier this year. The audit reviewed the remittances this specific business made for sales tax collections from February 2010 to July 2013. The taxpayer is not named in this report, as sales tax information is made confidential by Section 151.027 of the Tax Code; however, the Texas Comptroller's Office was able to share some of the details of the audit findings, which are discussed within this Informal Report.

During the audit, the Comptroller's Office discovered an overpayment in local sales and use taxes to the City in the amount of \$4,221,611, of which \$2,822,728 is attributable to the General Fund and \$1,398,883 is attributable to the Crime Control and Prevention District (CCPD). The overpayment was the result of a business that reported their local sales tax based on the location that the products were distributed (Fort Worth warehouse) from versus the locations where the sales were made. The taxpayer has four sales offices located in other cities within Texas. Since this amount was originally all credited to the City of Fort Worth, it must now be repaid to the State to be reallocated to the correct jurisdictions.

Budget:

The following table shows the FY2015 amended budget for sales tax, the year-end forecast, the variance, and the overpayment for the General Fund and the CCPD. Final sales tax receipts for FY2015 will be reported in December 2015.

	Amended Budget *	Year-End Forecast	Variance	Overpayment
General Fund	\$ 126,711,466	\$ 129,114,065	\$ 2,402,599	\$ 2,822,728
CCPD	58,227,401	60,042,232	1,814,831	1,398,883

* - As amended by ordinances

The General Fund is forecasted to receive **\$129,114,065** by fiscal year end, which exceeds amended FY2015 budget by **1.9%**. The CCPD is forecasted to receive **\$60,042,232** by fiscal year end, which exceeds FY2015 adopted budget by **3.1%**.

Preliminary forecasts for FY2015 indicate a contribution to fund balance around \$7 million for the General Fund and in excess of \$3 million for the CCPD.

Payback:

The City has two options to pay the \$4,221,611 overpayment to the State, including:

- Submitting a one-time payment for the total amount owed, less a 2% discount; or
- Entering into a 42 month payment plan.

**To the Mayor and Members of the City Council****November 3, 2015**

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SUBJECT: SALES TAX OVERPAYMENT

Considering the favorable budget performance for FY2015 in both funds, the City plans to take advantage of the \$84,432 discount provided through the one-time payment option. The amounts paid back will be taken from revenues received during fiscal year 2015 and will be paid to the State by the end of November 2015.

The City is currently in a payback arrangement for the General Fund due to a previous overpayment with an outstanding balance of \$7,406,598 as of September 2015 and is paying \$38,778 per month until August 2031. This does not include the additional \$2,822,728 mentioned above. The CCPD Fund is currently in the same payback arrangement with an outstanding balance of \$2,877,797 as of September 2015 and is paying \$15,067 per month through August 2031. This does not include the \$1,398,883 mentioned above.

If you have any questions, please call Aaron Bovos, Chief Financial Officer, at 817-392-8517

David Cooke
City Manager

No Documents for this Section

No Documents for this Section

No Documents for this Section

CITY COUNCIL MEETING

Tuesday, November 03, 2015

RISK MANAGEMENT REPORTING PERIOD 10/20/2015 - 10/26/2015

Claims listed on this report have been received in the Risk Management Division claims office. 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 Mark Barta ext. 7790 or Sophia Canady ext. 7784. Thank you.

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Bridge Res. Prop. Svcs., LLC	10/20/2015	8/1/2015	3701-3703 W. 4th Street	General Liability	Sprinkler Line Damage	Water	Yes	No
Truman & Margaret Terrell	10/20/2015	9/16/2015	5025 Marble Falls Road	General Liability	Water Main Break	Water	Yes	No
Douglas Blan	10/20/2015	11/13/2015	4313 Willow Way	General Liability	Water Main Break	Water	No	No
Tarrant County	10/20/2015	9/17/2015	Weatherford Street & Lamar Street	General Liability	Collision – Struck while parked	Fire	Yes	No
Darryl Royal	10/20/2015	8/6/2015	7400 McCart	Law Enforcement	Civil Rights Violation	Police	No	No
Steven Aston	10/20/2015	1/1/2014	105 N. Bugle Drive	Law Enforcement	Civil Rights Violation	Police	No	No
Credit Systems International Inc.	10/20/2015	10/7/2015	1277 Country Club Lane	General Liability	Sprinkler Line Damage	Water	Yes	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Donna Michaels	10/20/2015	6/13/2015	Botanical Garden	General Liability	Slip/Fall	Park & Recreation	Yes	No
Elizabeth Mabile	10/20/2015	10/18/2015	4th Street	General Liability	Slip/Fall	TPW	No	Yes
Severo Flores	10/21/2015	9/22/2015	3088 Basswood	General Liability	Contact with Foreign Object	TPW	No	No
Annette M. Price	10/21/2015	9/28/2015	1451 Warrington Circle	Auto	Collision - Driving	TPW	Yes	No
Julie Amendola	10/22/2015	5/29/2015	8375 Randol Mill Road	General Liability	Water Main Break	Water	Yes	No
AT&T-Edgehill Road	10/22/2015	10/19/2015	3472 Edgehill Road	General Liability	Damaged Utility Line	Water	Yes	No
Elaine Marshall	10/22/2015	10/18/2015	Wimbelton Way	General Liability	Street Condition	Water	No	No
Cynthia Munoz	10/23/2015	10/21/2015	S. Main	General Liability	Collision - Driving	TPW	No	No
Cedric Moland	10/26/2015	10/6/2015	Brennan Avenue	Auto	Collision - Driving	Property Mgt.	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Alfonso Fabela	10/26/2015	9/24/2015	3100 Renaissance	General Liability	Contact with Foreign Object	TPW	No	No
Bettye Burcher	10/26/2015	9/17/2015	3205 Burson Street	General Liability	Sewer Line Damage	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