



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, JULY 11, 2011 THROUGH FRIDAY, JULY 15, 2011**

MONDAY, JULY 11, 2011

| <u>MONDAY, JULY 11, 2011</u> | <u>TIME</u> | <u>LOCATION</u> |
|--|--------------------|---|
| Historic and Cultural Landmarks Commission, Work Session | 1:00 p.m. | Pre-Council Chamber |
| Historic and Cultural Landmarks Commission, Public Hearing | 2:00 p.m. | Council Chamber |
| Art Commission | 5:30 p.m. | Fort Worth Community Arts Center 1300 Gendy Street |

TUESDAY, JULY 12, 2011

| | | |
|---|---|--|
| Infrastructure and Transportation Committee | 1:00 p.m. | Pre-Council Chamber |
| Pre-Council Meeting | 3:00 p.m. | Pre-Council Chamber |
| Firefighters' and Police Officers' Civil Service Commission | 5:30 p.m. | Fort Worth Police and Fire Training Center Classroom G, 1000 Calvert Street |
| Called Special – City Council Meeting | 5:45 p.m. | Council Chamber |
| City Council Meeting | 7:00 p.m. | Fort Worth Convention Center Room 202, 1201 Houston Street |
| Swearing In Ceremony | Immediately following the recess of the Council Meeting | Fort Worth Convention Center Room 202, 1201 Houston Street |

WEDNESDAY, JULY 13, 2011

| | | |
|--|------------|---|
| City Zoning Commission, Work Session | 9:00 a.m. | Pre-Council Chamber |
| City Zoning Commission, Public Hearing | 10:00 a.m. | Council Chamber |
| Golf Advisory Committee | 4:00 p.m. | Parks and Community Services Conference Room 2, 4200 South Freeway |

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on July 7, 2011, and may not include all meetings to be conducted during the week of July 11, 2011, through July 15, 2011. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.

INFRASTRUCTURE AND TRANSPORTATION COMMITTEE MEETING
TUESDAY, JULY 12, 2011
1:00 P.M.
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

PRE-COUNCIL MEETING
TUESDAY, JULY 12, 2011
3:00 P.M.
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

1. Report of the City Manager - Tom Higgins, Interim City Manager

- a. Changes to the City Council Agenda
- b. Upcoming and Recent Events
- c. Organizational Updates and Employee Recognition(s)
- d. Informal Reports

IR 9395: Expenditure of Community Development Block Grant (CDBG) Funds in the Amount Up to \$175,000.00 for the Project Known as the Presbyterian Night Shelter Rehabilitation Project

Attachment(s):

[IR 9395 - Attached.pdf](#)

IR: 9396: Update on Excavation at 7397 Randol Mill Road

Attachment(s):

[IR 9396 - Attached.pdf](#)

IR 9397: Owner-Initiated Full-Purpose Annexation of Two Areas, 2484 Avondale-Haslet Road and the 5700 - 6400 Blocks of Dirks Road

Attachment(s):

[IR 9397 - Attached.pdf](#)

IR 9398: Amending the City of Fort Worth's Annexation Plan to Add an Approximately 64.3-Acre Tract of Land Located West of US 377 and South of Wall Price Keller Road

Attachment(s):

[IR 9398 - Attached.pdf](#)

IR 9399: Enterprise Resource Planning (ERP) Project-Phase I Update

Attachment(s):

[IR 9399 - Attached.pdf](#)

IR 9400: July 2011 - Sales Tax Update

Attachment(s):

[IR 9400 - Attached.pdf](#)

2. Questions Concerning Current Agenda Items - City Council Members

3. Responses to Items Continued from a Previous Week
 - a. [M&C G-17281](#) - Approve the Golf Enterprise Fund's Fiscal Year 2011 Related Revenue Expenditure Plan in the Amount of \$800,000.00 and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2, 3 and 8) (Continued from June 7, 2011 by Staff)
 - b. [ZC-11-006A](#) - City of Fort Worth Planning & Development, Northside Neighborhood Phase 3, 2423 Clinton Avenue; from: "F" General Commercial to: "E" Neighborhood Commercial (COUNCIL DISTRICT 2) (Continued from June 7, 2011 by Council Member Espino)
 - c. [SP-10-008](#) - Champions Auto Sales Company, 2004-2024 Jacksboro Highway; Site Plan Amendment to PD-281 to Add Additional Parking for Vehicle Sales (COUNCIL DISTRICT 2) (Continued from June 7, 2011 by Council Member Espino)
4. Council Proposal No. 286 - One Time Waiver of Site Reservation Fee for the Stop Six Day Event - Council Member Frank Moss and Council Member Sal Espino
5. 2011 Mid Year Legislative Update - Shirley Little and TJ Patterson, City Manager's Office and Pete Rose, Franklin Partnership
6. Update on Redistricting Citizen Participation Process - Dana Burghdoff, Planning and Development
7. City Council Requests for Future Agenda Items and/or Reports
8. Executive Session - The City Council may conduct a closed meeting as authorized by Section 551.071 of the Texas Government Code to seek the advice of its attorneys on legal issues regarding any matter listed on today's City Council Agendas

This facility is wheelchair accessible. For accommodations or sign interpretive services, please call the City Manager's Office at 817-392-6143, 48 hours in advance.

**NOTICE OF SPECIAL SESSION
(PRE-COUNCIL CHAMBER, CITY HALL)
Tuesday, July 12, 2011**

NOTICE OF SPECIAL MEETING

Notice is hereby given that the City Council of the City of Fort Worth will hold a special meeting in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton, Fort Worth, Texas, on Tuesday, July 12, 2011 to consider the items on the agenda listed below. The special meeting will be held immediately after the Pre-Council meeting that begins at 3:00 P.M. in the Pre-Council Chamber at City Hall and before the regular City Council meeting that begins at 7:00 P.M. in the Council Chamber at City Hall.

I. CALL TO ORDER

II. EXECUTIVE SESSION

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 and as authorized by Section 551.071 of the Texas Government Code:
 - (a) Legal issues concerning any item listed on today's City Council meeting agendas.
2. Deliberate the purchase, exchange, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and
3. Deliberate 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.

III. ADJOURN

**CALLED SPECIAL - CITY COUNCIL AGENDA
FOR THE MEETING AT 5:45 P.M. TUESDAY, JULY 12, 2011
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

- I. **CALL TO ORDER**

- II. **APPROVE MOVING THE JULY 12, 2011, 7:00 P.M., REGULAR CITY COUNCIL MEETING TO THE FORT WORTH CONVENTION CENTER**

- III. **ADMINISTRATION OF OATH OF OFFICE TO COUNCIL MEMBER-ELECT DENNIS SHINGLETON AND MAYOR-ELECT BETSY PRICE**

- IV. **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, these limits may be reasonably extended.

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**CITY COUNCIL AGENDA
FOR THE MEETING AT 7:00 P.M. TUESDAY, JULY 12, 2011
FORT WORTH CONVENTION CENTER
ROOM 202
1201 HOUSTON STREET, FORT WORTH, TEXAS**

- I. CALL TO ORDER**
- II. INVOCATION**
- III. PLEDGE OF ALLEGIANCE**
- IV. RECESS CITY COUNCIL MEETING FOR SWEARING IN CEREMONY**
Attachment(s):
[Swearing In Ceremony Agenda - Attached.pdf](#)
- V. RECONVENE THE CITY COUNCIL MEETING**
- VI. REMARKS AND INTRODUCTIONS BY COUNCIL MEMBER DENNIS SHINGLETON**
- VII. REMARKS AND INTRODUCTIONS BY MAYOR BETSY PRICE**
- VIII. CONSIDERATION OF MINUTES OF REGULAR MEETING OF JUNE 14, 2011 AND CALLED-SPECIAL MEETING OF JUNE 27, 2011**
- IX. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA**
- X. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF**
- XI. 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-17308](#) - Approve Appointment of Mark Brast to the Capital Improvement Advisory Committee for Transportation Impact Fees and Discharge Robert Mohler from Same
 - 2. [M&C G-17309](#) - Adopt Resolution Authorizing an Increase of \$2,274.20, for a Total of \$17,274.20, to Be Paid to the Law Firms of Kelly Hart & Hallman, L.L.P., and McCall, Parkhurst & Horton L.L.P., as Outside Legal Counsel to Assist and Advise the City on Legal Issues Related to the Preparation of a Loan Agreement and Other Instruments Necessary to Secure a Loan to the Fort Worth Air and Space Museum Foundation
 - 3. [M&C G-17310](#) - Approve Findings of Ground Transportation Coordinator Regarding Application of A.I.N. Limo, to Operate Ten Limousines within the City of Fort Worth and Adopt Ordinance Granting Such Authority
 - 4. [M&C G-17311](#) - Approve Findings of Ground Transportation Coordinator Regarding Application of Brazos Carriage Company to Continue to Operate Four Horse-Drawn Carriages within the City of Fort Worth and Adopt Ordinance Granting Such

Authority (COUNCIL DISTRICTS 2 and 9)

5. [M&C G-17312](#) - Approve Findings of Ground Transportation Coordinator Regarding Application of DFW Corporate Limo to Operate Five Limousines within the City of Fort Worth and Adopt Ordinance Granting Such Authority
6. [M&C G-17313](#) - Authorize Execution of Memorandum of Agreement Between the City and Tarrant Regional Water District for the Payment of a Penalty to the Texas Commission on Environmental Quality in the Amount of \$45,000.00 to Finalize the Agreed Order Associated with 301 NE 6th Street and Adopt a Supplemental Appropriation Ordinance Increasing Appropriations in the Environmental Protection Operating Fund by \$45,000.00 and Decreasing the **Unaudited, Unreserved, Undesignated Environmental Protection Operating Fund Balance** by the Same Amount and Authorize the Transfer of Funds from the Environmental Protection Operating Fund to the Environmental Protection Project Fund (COUNCIL DISTRICT 2)
7. [M&C G-17314](#) - Authorize Distribution of \$50,000.00 from the Tax Increment Fund of Tax Increment Reinvestment Zone Number Four, Southside TIF for Design and Construction of the Public Plaza in Association with Fire Station No. 5, Increasing Estimated Receipts and Appropriations in the 2007 Critical Capital Projects Fund, and Authorize a Contract Change Order in the Amount Not to Exceed \$39,750.00 with Imperial Construction, Inc., and Adopt Appropriation Ordinance (COUNCIL DISTRICT 8)
8. [M&C G-17315](#) - Authorize the Acceptance of a Monetary Donation for the Fire Department in the Amount of \$4,250.00 from the Wal-Mart Foundation and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2, 4, 6 and 9)

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

1. [M&C P-11253](#) - Authorize the Purchase of Two Utility Tractors from AG-Power, Inc., Using a Texas Association of School Boards Cooperative Contract, for the Parks and Community Services Department for a Total Amount of \$64,514.00
2. [M&C P-11254](#) - Authorize a Purchase from Letco Group, LLC, for Organic Biofilter Media for the Water Department for an Amount of \$204,693.00
3. [M&C P-11255](#) - Authorize the Purchase of a Backhoe Loader from RDO Equipment Company Using a Texas Association of School Boards Cooperative Contract for the Stormwater Utility for a Total of \$178,892.00
4. [M&C P-11256](#) - Authorize the Purchase of Six Mid-Size Sedans and Four Crew Cab Trucks from Gunn Chevrolet Using a Texas Association of School Boards Cooperative Contract for the Code Compliance Department for a Total Amount of \$209,680.00
5. [M&C P-11257](#) - Authorize the Purchase of Six Animal Control Trucks from

Philpott Motors, LTD, Using a Texas Association of School Boards Cooperative Contract for the Code Compliance Department for a Total Amount of \$240,395.00

6. [M&C P-11258](#) - Authorize the Purchase of Nine Mid-Size Trucks from Baby Jack II Automotive LTD d/b/a Caldwell Country Chevrolet - Pontiac, Using a Texas Multiple Award Schedule Cooperative Contract, for the Water and Code Compliance Departments for a Total Amount of \$164,856.00

C. Land - Consent Items

1. [M&C L-15214](#) - Authorize the Direct Sale of a Fee Simple Owned Property in Accordance with Section 272.001(b)(6) of the Texas Local Government Code Located at the Southwest Corner of the Intersection of West Rosedale and Lake Street to Dr. M. David Tillman, DDS for \$252,000.00 (COUNCIL DISTRICT 9)
2. [M&C L-15215](#) - Authorize the Purchase of a Fee-Simple Interest in 0.012 Acres of Land for Right-of-Way Located at 656 South Edgewood Terrace from Guadalupe and Maria Frias for \$1,500.00 and Pay the Estimated Closing Costs of \$1,500.00 for a Total Project Cost of \$3,000.00 (COUNCIL DISTRICT 8)
3. [M&C L-15216](#) - Authorize the Purchase of a Fee Simple Interest in 0.002 Acres of Land for Right-of-Way Located at 509 West Vickery Boulevard from J Don Williamson in the Amount of \$1,440.00 and Pay Closing Costs of \$1,000.00 for a Total Amount of \$2,440.00 (COUNCIL DISTRICT 9)
4. [M&C L-15217](#) - Authorize the Purchase of a Fee Simple Interest in 0.029 Acres of Land for Right-of-Way Located at 3825 South Cravens Road from Demetrica Vanessa Williams Smith for \$1,450.00 and Pay the Estimated Closing Costs of \$1,000.00 for a Total Cost of \$2,450.00 (COUNCIL DISTRICT 5)

D. Planning & Zoning - Consent Items - None

E. Award of Contract - Consent Items

1. [M&C C-24984](#) - Authorize Individual Agreements Each in an Amount Up to \$300,000.00 with Terracon Consultants, Inc., CMJ Engineering and Testing, Inc., the CK Group, Inc., Globe Engineers, Inc., Fugro Consultants, Inc., Alpha Testing, Inc., Mas-Tek Engineering & Associates, Inc., and Ellerbee Walczak, Inc., for Geotechnical, Construction Materials and Environmental Testing Services for Various City Construction Projects
2. [M&C C-24985](#) - Authorize Execution of a Final Design and Commission Contract with Artist Devon Nowlin for Public Art to Enhance the West Abutment Wall at the Clearfork Main Street Bridge Near Stonegate Boulevard and Hulen Street in the Amount of \$68,865.00 (COUNCIL DISTRICT 3)
3. [M&C C-24986](#) - Authorize Execution of a Final Design and Commission

Contract with Artist Tommy Fitzpatrick for Public Art to Enhance the East Abutment Wall at the Clearfork Main Street Bridge Near Stonegate Boulevard and Hulen Street in the Amount of \$68,865.00 (COUNCIL DISTRICT 3)

4. [M&C C-24987](#) - Authorize Execution of a Contract in the Amount of \$490,842.70 with Bradley Douglas Construction Services, LLC, for Concrete Restoration 2011-11 at Five Locations and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2, 3 and 4)
5. [M&C C-24988](#) - Authorize an Engineering Agreement in the Amount of \$293,525.00 with Camp, Dresser & McKee, Inc., for the Hubbard Heights Storm Drain Improvements Project (COUNCIL DISTRICT 9)
6. [M&C C-24989](#) - Authorize an Engineering Agreement in the Amount of \$213,959.00 with Alan Plummer and Associates, Inc., for the Design of Old Granbury Road Drainage Improvements (COUNCIL DISTRICT 3)
7. [M&C C-24990](#) - Authorize Execution of Change Order No. 4 in the Amount of \$108,510.50 to City Secretary Contract No. 39680 with Jackson Construction, Ltd., for Pavement and Drainage Construction on Edwards Ranch Road, Phase 3 Resulting in a Total Contract Amount of \$2,754,176.75 (COUNCIL DISTRICT 3)
8. [M&C C-24991](#) - Authorize Execution of Change Order No. 1 in the Amount of \$381,420.01 to City Secretary Contract No. 40234 with JLB Contracting, LLC, for Hot Mix Asphaltic Concrete Surface Overlay 2009-19 and Adopt Appropriation Ordinance Resulting in a Total Contract Amount of \$2,157,130.01 (COUNCIL DISTRICT 5)
9. [M&C C-24992](#) - Authorize Execution of an Interlocal Agreement with Tarrant County for Reconstruction of Shelby Road from Race Street South to 1,585 Feet East of Rendon Road with City Participation in the Amount of \$184,503.00 (COUNCIL DISTRICT 8)
10. [M&C C-24993](#) - Authorize Execution of Amendment No. 1 to an Intergovernmental Cooperative Reimbursement Agreement in the Amount Not to Exceed \$33,730.87 with the Texas Commission on Environmental Quality for the Operation of Local Air Pollution Particulate Emission Monitoring Sites and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
11. [M&C C-24994](#) - Authorize Execution of Change Order No. 2 in the Amount of \$108,359.00 to City Secretary Contract No. 40921 with Stabile & Winn, Inc., for Water Main and Water Services Replacements on Wayside Avenue Resulting in a Total Contract Amount of \$2,082,104.88 (COUNCIL DISTRICT 9)
12. [M&C C-24995](#) - Authorize Execution of an Agreement with Freese and Nichols, Inc., in the Amount of \$398,735.00 for the Tributary SC-7 and Edgecliff Branch Open Channel Study (COUNCIL DISTRICT 6)
13. [M&C C-24996](#) - Authorize Execution of a Memorandum of Agreement with

the United States Department of Justice -- Bureau of Alcohol, Tobacco, Firearms and Explosives for Participation in a Joint Task Force Assisting in Law Enforcement Operations, Authorize the Acceptance of an Amount Not to Exceed \$85,000.00, and Adopt Appropriation Ordinance

14. [M&C C-24997](#) - Authorize Execution of an Interlocal Agreement Between the City of Fort Worth, Tarrant County and Other Various Law Enforcement Agencies to Form the North Central Texas Major Case Investigative Team to Investigate Violent Crime
15. [M&C C-24998](#) - Authorize Execution of a Utility Relocation Agreement with Verizon GTE Southwest Incorporated d/b/a Verizon Southwest in the Amount of \$119,218.60 for Planning, Engineering and Relocation of Utilities as Part of the Runway Extension Project at Fort Worth Alliance Airport (COUNCIL DISTRICT 2)
16. [M&C C-24999](#) - Authorize Execution of Amendment No. 1 in the Amount of \$92,009.00 for a Total Contract Amount of \$524,405.00 to City Secretary Contract No. 40121 with RJN Group, Inc., for the Clear Fork Drainage Basin M-210 Sanitary Sewer Improvements on Mockingbird Lane, Country Club Circle, Colonial Parkway and Rogers Road (COUNCIL DISTRICTS 3 and 9)
17. [M&C C-25000](#) - Authorize an Engineering Agreement in the Amount of \$204,749.00 with Pacheco Koch Consulting Engineers, Inc., for Sanitary Sewer Rehabilitation, Contract 79 on Berry Street, Old Mansfield Road, Mansfield Highway, Riverside Drive and Adopt Appropriation Ordinance (COUNCIL DISTRICT 8)
18. [M&C C-25001](#) - Authorize an Engineering Agreement in the Amount of \$174,972.00 with Halff Associates, Inc., for Sanitary Sewer Rehabilitation Contract 80 in an Area of Southeast Fort Worth that is Generally Bounded by East Rosedale Street, Anderson Street, Ramey Avenue, Carverly Drive and Dillard Street and Adopt Appropriation Ordinance (COUNCIL DISTRICT 5)
19. [M&C C-25002](#) - Authorize Execution of Amendment No. 3 in the Amount of \$307,302.00 for a Total Contract Amount of \$4,156,850.00, to City Secretary Contract No. 37548, with Freese and Nichols, Inc., to Update the Wastewater System Master Plan Citywide and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
20. [M&C C-25003](#) - Authorize Execution of a Contract in an Amount Not to Exceed \$52,200.00 with Red Oak Consulting to Conduct a Wholesale Water Cost of Service and Rate Study for Fiscal Year 2012
21. [M&C C-25004](#) - Authorize Second Renewal of Interlocal Agreement with Fort Worth Independent School District in the Amount of \$121,880.00 to Operate the 21st Century Community Learning Center Program at Rosemont and Daggett Middle Schools and Adopt Appropriation Ordinance (COUNCIL DISTRICT 9)

XII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS –1818– Notice of Claims for Alleged Damages and/or Injuries

XIII. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

XIV. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events
2. Recognition of Citizens

XV. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions
2. Council Proposal No. 286 - One Time Waiver of Site Reservation Fee for the Stop Six Day Event

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

XVII. ZONING HEARING

1. [Zoning Docket No. ZC-11-006A](#) - (CD 2) - City of Fort Worth Planning & Development, Northside Neighborhood Phase 3, 2423 Clinton Avenue; from: "F" General Commercial to: "E" Neighborhood Commercial **(Recommended for Approval) (Continued from a Previous Meeting)**
2. [Zoning Docket No. SP-10-008](#) - (CD 2) - Champions Auto Sales Co. 2004-2024 Jacksboro Highway; Site plan amendment to PD-821 to add additional parking for vehicle sales. **(Recommended for Denial) (Continued from a Previous Meeting)**
3. [Zoning Docket No. ZC-11-025](#) - (CD 6) - Richard Young, 5700 McCart Avenue; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus auto detail; site plan required**(Recommended for Denial without Prejudice)**
4. [Zoning Docket No. ZC-11-041A](#) - (CD 5) - City of Fort Worth Planning & Development, US 287/Vaughn Boulevard Neighborhood, 3530 US 287/MLK, 3817 & 3819 Vaughn Boulevard; from: "B" Two-Family & "I" Light Industrial to: "A-7.5" One-Family **(Recommended for Approval)**
5. [Zoning Docket No. SP-11-003](#) - (CD 7) - Mearstone Properties, LP, 6364 Pinion Park Way; Site plan for office park **(Recommended for Approval)**

XVIII. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-17281](#) - Approve the Golf Enterprise Fund's Fiscal Year 2011 Gas-Related Revenue Expenditure Plan in the Amount of \$800,000.00 and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2, 3 and 8) **(Continued from a Previous Meeting)**
2. [M&C G-17281](#) - **(Revised)** Approve the Golf Enterprise Fund's Fiscal Year 2011 Gas-Related Revenue Expenditure Plan in the Amount of \$934,715.00 and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2, 3 and 8)

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

D. Land

1. [M&C L-15218](#) - Authorize the Direct Sale of a Tax-Foreclosed Property Located on Shoreline Road to the City of Fort Worth for Park Purposes in the Amount of \$41,246.50, Approve the Purchase, Dedicate the Property as Parkland and Adopt Appropriation Ordinance (COUNCIL DISTRICT 7)

E. Planning & Zoning

1. [M&C PZ-2943](#) - Consider Institution of the Annexation and Adoption of an Ordinance for the City-Initiated Annexation of Approximately 21.0 Acres of Land in Denton County, Texas, Located Generally on the North Freeway Interstate 35W, East of Championship Parkway and South of State Highway 114 (COUNCIL DISTRICT 2)
2. [M&C PZ-2944](#) - Consider Institution of the Annexation and the Adoption of an Ordinance for the City-Initiated Annexation of Approximately 0.3 Acres of Land in Denton County, Texas, Located Generally East of Cleveland-Gibbs Road and South of Litsey Road (COUNCIL DISTRICT 2)

F. Award of Contract

1. [M&C C-25005](#) - Authorize Execution of an Interlocal Agreement with Tarrant County to Construct Walking Trail Improvements on City Owned Property Located Near the Southwest Corner of Rosedale and Highway 820 and Authorize to Use Up to \$30,000.00 in Urban Development Action Grant Funds for Materials and Adopt Appropriation Ordinance
2. [M&C C-25006](#) - Authorize a Contract in the Amount of \$2,092,465.45 with Conatser Construction TX, LP, for Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Portions of Bideker Avenue, Burton Avenue and Bright Street and Adopt Appropriation Ordinance for \$727,668.50 and Utilize \$1,698,887.50 from the 2007 Critical Capital Projects Fund to Provide for Construction Contract Costs, Contingencies and Construction Services for a Project Total of \$2,426,556.00 (COUNCIL DISTRICT 5)
3. [M&C C-25007](#) - Authorize Execution of a Contract with JLB Contracting, LLC, in the Amount of \$1,443,894.56, for Pavement and Drainage Construction and Water and Sanitary Sewer Main Replacement on Silver Creek Road from Interstate 820 West to the Intersection of the Brewer High School Driveway, Accept \$50,000.00 from Hickman Family Limited Partnership for Construction Costs Participation and Adopt Appropriation Ordinances (COUNCIL DISTRICT 7)
4. [M&C C-25008](#) - Authorize the Termination of a Ground Lease Agreement with Westgrove Asset Management and the Execution of a Ground Lease Agreement with Leading Edge Completions, LLC, for Lease Site 39N, Consisting of 370,940 Square Feet of Ground Space and a 69,490 Square Foot Hangar

XIX. CITIZEN PRESENTATIONS

XX. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER)

XXI. ADJOURNMENT

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**FREE PARKING "ONLY" IN THE
CONVENTION CENTER PARKING GARAGE
LOCATED AT 1300 COMMERCE STREET**

**SWEARING IN CEREMONY
(IMMEDIATELY FOLLOWING THE RECESS OF THE CITY COUNCIL MEETING)
TUESDAY, JULY 12, 2011
FORT WORTH CONVENTION CENTER
ROOM 202
1201 HOUSTON STREET, FORT WORTH, TEXAS**

- I. CALL TO ORDER
- II. OPENING REMARKS
 - A. MAYOR BETSY PRICE
 - B. OUTGOING MAYOR MIKE MONCRIEF
 - All American City Introductions and Video
 - Special Presentation of Senate Resolution No. 116 by State of Texas Senator Wendy Davis
- III. REMARKS BY OUTGOING COUNCIL MEMBER CARTER BURDETTE FOLLOWED BY REMARKS BY OUTGOING MAYOR MIKE MONCRIEF
- IV. PRESENTATION OF GIFTS FROM THE CITY COUNCIL TO OUTGOING COUNCIL MEMBER CARTER BURDETTE BY COUNCIL MEMBER JUNGUS JORDAN TO BE FOLLOWED BY REMARKS BY MEMBERS OF THE CITY COUNCIL
- V. PRESENTATION OF GIFTS FROM THE CITY COUNCIL TO OUTGOING MAYOR MIKE MONCRIEF BY MAYOR PRO-TEM DANNY SCARTH TO BE FOLLOWED BY REMARKS BY THE MEMBERS OF THE CITY COUNCIL
- VI. CITIZEN PRESENTATIONS TO OUTGOING COUNCIL MEMBER CARTER BURDETTE AND OUTGOING MAYOR MIKE MONCRIEF
- VII. ADMINISTRATION OF OATH OF OFFICE TO DISTRICT 7 COUNCIL MEMBER DENNIS SHINGLETON AND MAYOR BETSY PRICE BY DISTRICT JUDGE CHERYL HARDY
- VIII. OFFICIAL TRANSFER OF MAYOR'S GAVEL TO MAYOR BETSY PRICE BY OUTGOING MAYOR MIKE MONCRIEF
- VIII. ADJOURNMENT

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CONVENTION CENTER PARKING GARAGE
LOCATED AT 1300 COMMERCE STREET**



INFRASTRUCTURE AND TRANSPORTATION COMMITTEE

July 12, 2011

1:00 pm

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

Council Member Sal Espino, Chair

Council Member Joel Burns, Vice Chair

Council Member Jungus Jordan

Council Member Zim Zimmerman

Fernando Costa, Staff Liaison

Kimberly Goodmay (817) 392-6647

FAX (817) 392-6359

Marcia Wise, Staff Attorney (817) 392-7607

AGENDA

I. Opening Remarks – Council Member Sal Espino, Chair

II. Action/Discussion Items

- A. **Alliance Airport Runway Extension Project Update** – Kent Penney, Director of Aviation Department and Tim Ward, President of Alliance Air Services
- B. **School Zone Work Efforts: Getting Ready for Back-to-School** – Douglas Wiersig, Director of Transportation and Public Works

III. Request for Future Agenda Items

IV. Next Meeting – August 9, 2011

V. Adjournment

Please Note: It is anticipated that additional members of the Fort Worth City Council may be attending the meeting for information-gathering purposes. Any members of the Council who are not on the Committee will not be deliberating or voting on any Committee agenda items.

This facility is wheelchair accessible. For accommodations or interpretive services, please call the Transportation and Public Works Department at 817-392-8255, 48 hours in advance.



Updated July 7, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

July 12, 2011 **Monthly Zoning Meeting**

1:00 p.m. Infrastructure & Transportation Committee

3:00 p.m. Pre-Council Meeting

***5:45 p.m. Called Special City Council Meeting (City Council Chamber)
Council Reception in Honor of Mayor Moncrief and Council Member Burdette***

6:00 p.m. – 6:45 p.m.

***7:00 City Council Meeting (Fort Worth Convention Center, Room 202)
Special Swearing In Ceremony (Immediately Following the Opening of the City
Council Meeting – Fort Worth Convention Center, Room 202)***

- **M&C G-17281** - Approve the Golf Enterprise Fund's Fiscal Year 2011 Gas-Related Revenue Expenditure Plan in the Amount of \$800,000.00 and Adopt Appropriation Ordinance (**COUNCIL DISTRICTS 2 – Sal Espino, 3 – Zim Zimmerman and 8 – Kathleen Hicks**) (**Continued from June 7, 2011 by Staff**)
- **ZC-11-006A** - City of Fort Worth Planning & Development, 2423 Clinton Avenue; from: “F” General Commercial to: “UR” Urban Residential (**Continued from June 7, 2011 by Council Member Espino**)
- **SP-10-008** - Champions Auto Sales Co. 2004-2024 Jacksboro Highway; Site plan amendment to PD-821 to add additional parking for vehicle sales (**Continued from June 7, 2011 by Council Member Espino**)

- 2011 Mid Year Legislative Update [*Shirley Little and TJ Patterson, City Manager’s Office and Pete Rose, Franklin Partnership*]
- Redistricting Citizen Participation Process [*Dana Burghdoff, Planning and Development*]

July 19, 2011

8:30 a.m. Pre-Council Meeting

- Briefing on Environmental Impacts of Gas Drilling [*Michael Gange, Transportation and Public Works and Rick Trice, Planning and Development*]
- Briefing on Site Wastewater Issues [*Frank Crumb, Water Department*]



Updated July 7, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

July 26, 2011

8:30 a.m. Pre-Council Meeting

- o Briefing on Urban Villages [*Randle Harwood, Planning and Development*]
- o Briefing on Sidewalk Construction Program [*Randle Harwood, Planning and Development and Doug Wiersig, Transportation and Public Works*]
- o Briefing on Aquatics Master Plan and the Five-Year Capital Plan [*Richard Zavala, Parks and Community Services and Horatio Porter, Budget Officer*]

July 28, 2011 (***Thursday***)

3:00 p.m. Audit and Finance Advisory Committee (cancelled)

August 2, 2011 ***Monthly Zoning Meeting***

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

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

3:00 p.m. Pre-Council Meeting

- o Review of Public Notices for Budget and Tax Purposes [*Marty Hendrix, City Secretary*]

August 5, 2011 (***Friday***)

***8:30 a.m. – 5:00 p.m. Management Plan Retreat
(To Be Determined)***

August 9, 2011

1:00 p.m. Infrastructure & Transportation Committee

3:00 p.m. Pre-Council Meeting

- o Presentation of City Manager's Fiscal Year 2012 Budget [*Horatio Porter, Budget Officer*]
- o Briefing on Transportation Utility [*Fernando Costa, City Manager's Office*]



Updated July 7, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

August 10, 2011 ***(Wednesday)***

City Council Budget Retreat
8:00 a.m. to 5:00 p.m.
(Southwestern Baptist Theological Seminary)

August 11, 2011 ***(Thursday)***

City Council Budget Retreat
8:00 a.m. to 12 Noon
(Southwestern Baptist Theological Seminary)

August 16, 2011

8:30 a.m. Pre-Council Meeting

August 18, 2011 ***(Thursday)***

9:00 a.m. – noon Budget Study Session
Pre-Council Chamber

August 23, 2011

8:30 a.m. Pre-Council Meeting

August 25, 2011 ***(Thursday)***

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



Updated July 7, 2011

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

August 30, 2011

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

9:00 a.m. – noon Budget Study Session (Pre-Council Chamber)

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

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
JUNE 14, 2011**

Present:

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

Staff Present:

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

I. CALL TO ORDER

Mayor Moncrief introduced Mr. Blake Lloyd, "Mayor for the Day", and his wife Chesleigh and stated that the Mayor for the Day would call the meeting to order. He added more information on Blake would be forthcoming.

With a quorum of the City Council Members present, Mayor for a Day Lloyd called the regular session of the Fort Worth City Council to order at 7:01 p.m., on Tuesday, June 14, 2011, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

II. INVOCATION - Pastor Charles Knight, Tree of Life Church

The invocation was provided by Pastor Charles Knight, Tree of Life Church.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

Mayor Moncrief advised that Mr. Blake Lloyd was the "Mayor for the Day" and advised that his wife, Chesleigh, purchased "Mayor for a Day" at the Presbyterian Night Shelter Annual Gala. He stated that Blake was a Senior Associate at the Brokerage Services Group of CB Richard Ellis in Fort Worth and that he was very active in the community and served on numerous boards. He further stated that one (1) organization that Blake and his wife were closely involved with was the Neo-Natal Intensive Care Unit at Texas Health Harris Methodist Hospital. Mayor Moncrief presented Blake with a Key to the City, a gavel and a certificate stating Blake Lloyd was the "Mayor for the Day."

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF JUNE 7, 2011

Motion: Council Member Jordan made a motion, seconded by Council Member Zimmerman, that the minutes of the regular meeting of June 7, 2011, be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

Interim City Manager Higgins requested that Mayor and Council Communication No. P-11244 be withdrawn from the Consent Agenda for individual consideration.

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

A. General - Consent Items

1. M&C G-17298 - Adopt Resolution to Retain Charles Gunter with the Law Firm of Whitaker, Chalk, Swindle and Sawyer, L.L.P., as Outside Counsel to Provide Legal Consultation Concerning the Federal Trademark Registration of the Fort Worth Herd and Design Service Mark Pursuant to the City Charter and as Far as Practicable, the Amount to Be Paid will Not Exceed \$3,500.00.

The City Council approved the following recommendation: Adopt Resolution No. 3996-06-2011 Authorizing Employment of Charles Gunter With the Law Firm of Whitaker, Chalk, Swindle and Sawyer, L.L.P., as Outside Legal Council Concerning the Federal Trademark Registration of the Fort Worth Herd and Design Service Mark; and Designate in Advance, as far as Practicable, That the Amount to be Paid to Whitaker, Chalk, Swindle and Sawyer, L.L.P., will Not Exceed \$3,500.00.

2. M&C G-17299 - Adopt Capital Improvements Plan Citizen Advisory Committee's Semi-Annual Progress Report Concerning the Status of the Water and Wastewater Impact Fees.

The City Council approved the following recommendation: Adopt the Capital Improvements Plan Citizen Advisory Committee's Semi-Annual Progress Report Concerning the Status of the Water and Wastewater Impact Fees.

(VII. CONSENT AGENDA Continued)

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

2. M&C P-11245 - Adopt a Supplemental Appropriation Ordinance Increasing Appropriations in the Stormwater Utility Fund by \$398,531.00 and Decreasing the Unaudited, Unreserved, Undesignated Stormwater Utility Fund Balance by the Same Amount, Authorize the Purchase of a Crane Truck from Southwest International Trucks, Inc., Using a Texas Association of School Boards Cooperative Contract, for the Transportation and Public Works Department for a Total Amount of \$398,531.00.

The City Council approved the following recommendation: Adopt Supplemental Appropriation Ordinance No. 19730-06-2011 Increasing the Estimated Receipts and Appropriations in the Stormwater Utility Fund in the Amount of \$398,531.00, and Decreasing the Unaudited, Unreserved, Undesignated Retained Earnings by the Same Amount, for the Purpose of Purchasing a Crane Truck for the Transportation and Public Works Department; and Authorize the Purchase of the Truck From Southwest International Trucks, Inc., Using the Texas Association of School Boards Cooperative Contract No. 358-10.

3. M&C P-11246 - Adopt Supplemental Appropriation Ordinances Increasing Appropriations in the Storm Water Utility Fund in the Amount of \$95,181.00 and Decreasing the Unaudited, Unreserved, Undesignated Storm Water Utility Fund Balance by the Same Amount and Authorize the Purchase of a Track-Type Tractor from HOLT TEXAS, LTD., d/b/a HOLT CAT, Using a Texas Association of School Boards Cooperative Contract, for the Transportation and Public Works Department for a Total Amount of \$95,181.00.

The City Council approved the following recommendation: Adopt Supplemental Appropriation Ordinance No. 19731-06-2011 Increasing the Estimated Receipts and Appropriations in the Stormwater Utility Fund in the Amount of \$95,181.00 and Decreasing the Unaudited, Unreserved, Undesignated Retained Earnings by the Same Amount, for the Purpose of Purchasing a Track-Type Tractor for the Transportation and Public Works Department; and Authorize the Purchase of the Tractor From HOLT TEXAS, LTD. d/b/a HOLT CAT, Using the Texas Association of School Boards Cooperative Contract No. 345-10.

4. M&C P-11247 - Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the Stormwater Utility Fund by \$81,359.00 and Decreasing the Unaudited, Unreserved, Undesignated Stormwater Utility Fund Balance by the Same Amount, Authorize the Purchase of a Mini Excavator from HOLT TEXAS, LTD., d/b/a HOLT CAT, Using a Texas Association of School Boards Cooperative Contract, for the Transportation and Public Works Department for a Total Amount of \$81,359.00.

(VII. CONSENT AGENDA Continued)

(P-11247 Continued)

The City Council approved the following recommendation: Adopt Supplemental Appropriation Ordinance No. 19732-06-2011 Increasing the Estimated Receipts and Appropriations in the Stormwater Utility Fund in the Amount of \$81,359.00 and Decreasing the Unaudited, Unreserved, Undesignated Retained Earnings by the Same Amount, for the Purpose of Purchasing a Mini Excavator for the Transportation and Public Works Department; and Authorize the Purchase of the Excavator From HOLT TEXAS, LTD. d/b/a HOLT CAT, Using the Texas Association of School Boards Cooperative Contract No. 345-10.

5. M&C P-11248 - Authorize the Purchase of Two Suburbans and a Crew Cab Truck from Classic Chevrolet, L.P., Using a General Services Administration Cooperative Contract, for the Police Department for a Total Amount of \$106,846.00.

The City Council approved the following recommendation: Authorize the Purchase of Two (2) Suburbans and a Crew Cab Truck From Classic Chevrolet, L.P., Using the General Services Administration Cooperative Contract No. 12VE-00, for the Police Department for a Total Amount of \$106,846.00.

6. M&C P-11249 - Authorize the Purchase of a New Video Camera Inspection System from Texas Underground, Inc., and a Specially-Outfitted Van from Austin Truck and Equipment, LTD., d/b/a Freightliner of Austin, Using Texas Association of School Boards Cooperative Contracts, for the Water Department for a Total Amount of \$170,991.00.

The City Council approved the following recommendation: Authorize the Purchase of a New Video Camera Inspection System From Texas Underground, Inc., and a Specially-Outfitted Van From Austin Truck and Equipment, LTD., d/b/a Freightliner of Austin, Using the Texas Association of School Boards Cooperative Contract Nos. 347-10 and 358-10, Respectively, for the Water Department for a Total Amount of \$170,991.00.

7. M&C P-11250 - Authorize the Purchase of Audio and Video Equipment for the Will Rogers Memorial Center from Audio Visual Innovations, Inc., Using a General Services Administration Contract, for an Amount of \$96,832.39.

The City Council approved the following recommendation: Authorize the Purchase of Audio and Video Equipment for the Will Rogers Memorial Center From Audio Visual Innovations, Inc., Using the General Services Administration Contract No. GS-03F-0037M, for an Amount of \$96,832.39.

(VII. CONSENT AGENDA Continued)

8. M&C P-11251 - Authorize the Purchase of Twenty One Certified Police Motorcycles from LeFevre, L.L.C., d/b/a Whiskey River Harley-Davidson, for the Police Department for a Total Amount of \$308,658.00.

The City Council approved the following recommendation: Authorize the Purchase of 21 Certified Police Motorcycles From LeFevre, L.L.C., d/b/a Whiskey River Harley-Davidson, for the Police Department for a Total Amount of \$308,658.00.

C. Land - Consent Items

1. M&C L-15201 - Authorize the Purchase and Direct Sale of a Tax-Foreclosed Property Located at 900 Woodward Street to the City of Fort Worth for \$100.00 Plus Closing Costs.

The City Council approved the following recommendation: Authorize the Purchase of a Tax-Foreclosed Property Located at 900 Woodward Street, Described as Lot 1 Block 2, Valley View Addition; Authorize the Direct Sale of the Property Located in Accordance With Section 34.05 of the Texas Tax Code for \$100.00; and Authorize the City Manager, or his Designee, to Execute and Record the Appropriate Instruments Conveying the Property to Complete the Purchase and Sale.

2. M&C L-15202 - Authorize Revocation of Consent for Sealed Bid Sale of Four Tax Foreclosed Properties Located at 406 Central Avenue West, 1402 Lee Avenue, 1404 Lee Avenue and 1419 Lee Avenue.

The City Council approved the following recommendation: Authorize Revocation of Consent for the Sealed Bid Sale of Four (4) Tax Foreclosed Properties Located at 406 Central Avenue West, 1402 Lee Avenue, 1404 Lee Avenue and 1419 Lee Avenue, Initially Approved for Sale in Mayor and Council Communication Nos. L-15128 and L-15160.

3. M&C L-15203 - Authorize the Purchase of a Fee-Simple Interest in 0.1299 Acres of Land for Right-of-Way Located on Old Denton Road from AIL Investment, L.P., for \$28,350.00 Including Seller Costs and Pay the Estimated Closing Costs of \$2,500.00 for a Total Project Cost of \$30,850.00.

The City Council approved the following recommendation: Authorize the Purchase of a Fee-Simple Interest in 0.1299 Acre of Land for Right-of-Way Located on Old Denton Road, Described as Abstract No. 1611, Tract 2B Charles C. Whyte Survey, From AIL Investment, L.P.; Find That the Price of \$28,350.00 Offered for the Purchase of the Right-of-Way is Just Compensation; and Authorize the City Manager or his Designee to Accept the Conveyance and Record the Appropriate Instruments and to Pay Closing Costs Up to \$2,500.00.

(VII. CONSENT AGENDA Continued)

4. M&C L-15204 - Authorize the Purchase of a Fee-Simple Interest in 0.0474 Acres of Land for Right-of-Way Located at 3575 Thompson Road from Bill and Marie Markham for \$11,250.00 and Pay the Estimated Closing Costs of \$2,000.00 for a Total Project Cost of \$13,250.00.

The City Council approved the following recommendation: Authorize the Purchase of a Fee-Simple Interest in 0.0474 Acre of Land for Right-of-Way Located at 3575 Thompson Road, Fort Worth, Texas, Described as Abstract No. 1611, Tract 2B07 Charles C. Whyte Survey, From Bill and Marie Markham; Find That the Price of \$10,600.00 Offered for the Purchase of the Right-of-Way and \$650.00 for Associated Seller Costs is Just Compensation; and Authorize the City Manager or his Designee to Accept the Conveyance, and Record the Appropriate Instruments and to Pay Closing Costs Up to \$2,000.00.

5. M&C L-15205 - Authorize the Purchase of a Fee-Simple Interest in 0.0229 Acres of Land for Right-of-Way Located at 3735 Thompson Road from Victor Montoya for \$8,750.00 Including Seller Costs and Pay the Estimated Closing Costs of \$1,500.00 for a Total Project Cost of \$10,250.00.

The City Council approved the following recommendation: Authorize the Purchase of a Fee-Simple Interest in 0.0229 Acre of Land for Right-of-Way Located at 3575 Thompson Road, Fort Worth, Texas, Described as Abstract No. 1611, Tract 2B4 and 2B4A Charles C. Whyte Survey, From Victor Montoya; Find That the Price of \$4,350.00 Offered for the Purchase of the Right-of-Way and \$1,500.00 for Associated Seller Costs and \$2,900.00 for Improvements in the Right-of-Way is Just Compensation; and Authorize the City Manager or his Designee to Accept the Conveyance, and Record the Appropriate Instruments and to Pay Closing Costs Up to \$1,500.00.

D. Planning & Zoning - Consent Items

1. M&C PZ-2942 - Authorize the Rezoning of Certain Properties in the Alta Mere Addition Area in Accordance with the Comprehensive Plan.

The City Council approved the following recommendation: Authorize the City Manager to Initiate Certain Zoning Changes in the Alta Mere Addition Area From "A-5" One-Family, "C" Medium Density Multifamily, "CF" Community Facilities, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "IP" Industrial Park, "I" Light Industrial, and "PD" Planned Development to "CF" Community Facilities and "I" Light Industrial in Accordance With the Comprehensive Plan.

(VII. CONSENT AGENDA Continued)

E. Award of Contract - Consent Items

1. M&C C-24946 - Authorize Execution of an Encroachment Agreement with the Catholic Diocese of Fort Worth for the Installation of a Twelve-Inch Telecommunications and Fiber Optic Cable Conduit to Be Bored Beneath the 12th Street Right-of-Way at 1300 Throckmorton Street.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Standard Encroachment Agreement With the Catholic Diocese of Fort Worth for the Installation of a 12 Inch Telecommunications and Fiber Optic Conduit to be Bored Beneath the 12th Street Right-of-Way at 1300 Throckmorton Street.

2. M&C C-24947 - Authorize Execution of an Encroachment Agreement with Cendera Funding Inc., for the Installation of a Two-Inch Plastic Conduit Sleeve and Two One-Inch Plastic Conduit Sleeves Bored Beneath the Marquita Drive Right-of-Way.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Standard Encroachment Agreement With Cendera Funding Inc., for the Installation of a Two (2) Inch Plastic Conduit Sleeve and Two (2) One (1) Inch Plastic Conduit Sleeves Bored Beneath the Marquita Drive Right-of-Way.

3. M&C C-24948 - Authorize Execution of an Encroachment Agreement with CentrePort Venture for Installation of a Monument Sign at the Intersection of Amon Carter Boulevard and Highway 183 in the Vicinity of 4100 Amon Carter Boulevard Right-of-Way.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Standard Encroachment Agreement With Centreport Venture for the Installation of a Monument Sign at the Intersection of Amon Carter Boulevard and Highway 183 in the General Vicinity of 4100 Amon Carter Boulevard Right-of-Way.

4. M&C C-24949 - Authorize Execution of an Encroachment Agreement with CentrePort Venture for the Installation of a Monument Sign at the Intersection of Trinity Boulevard and Highway 360 in the Vicinity of 14000 Trinity Boulevard Right-of-Way.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Standard Encroachment Agreement With Centreport Venture for the Installation of a Monument Sign at the Intersection of Trinity Boulevard and Highway 360 in the Vicinity of 14000 Trinity Boulevard Right-of-Way.

(VII. CONSENT AGENDA Continued)

5. M&C C-24950 - Authorize Change in Use and Expenditure of an Additional \$150,000.00 in Community Development Block Grant Funds for the 2010 Street Reconstruction Project and Authorize a Substantial Amendment to the 2009-2010 Action Plan.

The City Council approved the following recommendation: Authorize a Substantial Amendment to the 2009-2010 Action Plan; and Authorize the Change in use and Expenditure of an Additional \$150,000.00 in Community Development Block Grant Funds for the 2010 Street Reconstruction Project.

6. M&C C-24951 - Authorize Amendments to Contracts for Public Services Funded by Program Year 2010-2011 Community Development Block Grant, Emergency Shelter Grant and Housing Opportunities for Persons with AIDS Funds to Extend the Term of the Contracts.

The City Council approved the following recommendation: Authorize the City Manager to Execute Amendments to Contracts for Public Services Funded by Program Year 2010-2011 Community Development Block Grant, Emergency Shelter Grant and Housing Opportunities for Persons With AIDS Funds to Extend the Contract Term to August 31, 2011.

7. M&C C-24952 - Authorize Amendment to the Conditional Commitment and Contract for HOME Investment Partnership Program Grant Funds to Cornerstone Assistance Network Housing Development Corporation for Properties in the Polytechnic Neighborhood to Comply with United States Department of Housing and Urban Development Requirements for Developer Fees.

The City Council approved the following recommendation: Authorize the Amendment to the Conditional Commitment and Contract for HOME Investment Partnership Program Grant Funds to Cornerstone Assistance Network Housing Development Corporation, for Properties in the Polytechnic Neighborhood to Remove Community Housing Development Organization (CHDO) Proceeds and Remove Requirement to Build Additional Houses With (CHDO) Proceeds to Comply With United States Department of Housing and Urban Development Requirements for Developer Fees.

8. M&C C-24953 - Authorize Amendment to the Conditional Commitment and Contract for HOME Investment Partnerships Program Grant Funds to Tarrant County Housing Partnership, Inc., for Properties in the Hillside-Morningside Neighborhood to Comply with United States Department of Housing and Urban Development Requirements for Developer Fees.

(VII. CONSENT AGENDA Continued)

(C-24953 Continued)

The City Council approved the following recommendation: Authorize an Amendment to the Conditional Commitment and Contract for HOME Investment Partnership Program Grant Funds to Tarrant County Housing Partnership, Inc., for Properties in the Hillside-Morningside Neighborhood to Remove Community Housing Development Organization (CHDO) Proceeds and Replace With a Developer Fee and Remove Requirement to Build Additional Houses With CHDO Proceeds to Comply With United States Department of Housing and Urban Development Requirements for Developer Fees.

9. M&C C-24954 - Authorize Amendment to the Conditional Commitment and Contract for HOME Investment Partnerships Program Grant Funds with Tarrant County Housing Partnership, Inc., for Property at 1307 Elmwood Avenue to Comply with United States Department of Housing and Urban Development Requirements for Developer Fees.

The City Council approved the following recommendation: Authorize the Amendment to the Conditional Commitment and Contract for HOME Investment Partnership Program Grant Funds to Tarrant County Housing Partnership, Inc., for Property at 1307 Elmwood Avenue to Remove Community Housing Development Organization (CHDO) Proceeds and Replace With a Developer Fee and Remove Requirement to Build an Additional House With (CHDO) Proceeds to Comply With United States Department of Housing and Urban Development Requirements for Developer Fees.

10. M&C C-24955 - Authorize Execution of a Contract with JLB Contracting, LLC, in the Amount of \$688,238.10 for Hot Mix Asphaltic Concrete Surface Overlay 2011-5 at Various Locations.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Contract With JLB Contracting, LLC, in the Amount of \$688,238.10 for 120 Calendar Days, for Hot Mix Asphaltic Concrete Surface Overlay 2011-5 at Various Locations.

11. M&C C-24956 - Authorize Execution of a Contract with Advanced Paving Acquisition, Ltd., in the Amount of \$794,789.00 for Hot Mix Asphaltic Concrete Surface Overlay 2011-6 at Various Locations.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Contract With Advanced Paving Acquisition, Ltd., in the Amount of \$794,789.00 for 120 Calendar Days, for Hot Mix Asphaltic Concrete Surface Overlay 2011-6 at Various Locations.

(VII. CONSENT AGENDA Continued)

12. M&C C-24957 - Authorize Execution of a Contract with JLB Contracting, LLC, in the Amount of \$777,943.65 for Hot Mix Asphaltic Concrete Surface Overlay 2011-7 at Various Locations.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Contract With JLB Contracting, LLC, in the Amount of \$777,943.65 for 120 Calendar Days, for Hot Mix Asphaltic Concrete Surface Overlay 2011-7 at Various Locations.

13. M&C C-24958 - Authorize Interlocal Agreement with Tarrant County for the Reconstruction of North Crowley Cleburne Road from Crowley Road to Poynter Street and from Charolais Drive to Carson Ranch Road with City Participation in the Amount of \$274,300.00.

The City Council approved the following recommendation: Authorize the City Manager to Execute an Interlocal Agreement With Tarrant County for the Reconstruction of North Crowley Cleburne Road From Crowley Road to Poynter Street and From Charolais Drive to Carson Ranch Road With City Participation in the Amount of \$274,300.00, for Materials and Necessary Traffic Controls and Other Incidentals During Construction.

14. M&C C-24959 - Authorize Execution of Engineering Services Agreement with Kellogg, Brown & Root Services, Inc., for Engineering Services for Annual Bridge Maintenance Program.

The City Council approved the following recommendation: Authorize the City Manager to Execute an Engineering Services Agreement With Kellogg, Brown & Root Services, Inc., of Fort Worth, Texas, for Engineering Services for Annual Bridge Maintenance Program With Hourly Rates and Reimbursable Costs Not to Exceed \$50,000.00.

15. M&C C-24960 - Authorize Execution of a Discretionary Service Agreement and Payment to Oncor Electric Delivery Company, LLC, in the Amount of \$75,000.00 for the Relocation of an Existing Overhead Tower Structure for the Construction of North Beach Street from Golden Triangle Boulevard to Keller-Hicks Road.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Discretionary Service Agreement and Payment to Oncor Electric Delivery Company LLC, in the Amount of \$75,000.00, for the Relocation of an Existing Overhead Tower Structure for the Construction of North Beach Street From Golden Triangle Boulevard to Keller-Hicks Road.

(VII. CONSENT AGENDA Continued)

16. M&C C-24961 - Authorize Execution of Amendment No. 4 in the Amount of \$726,000.00 to City Secretary Contract No. 33121 with Halff Associates, Inc., for Engineering Services Associated with the City's Stormwater Management Program for a Total Contract Price of \$2,385,540.00.

The City Council approved the following recommendation: Authorize the City Manager to Execute Amendment No. 4, to the Engineering Agreement With Halff Associates, Inc., City Secretary Contract No. 33121, for the Henderson Street Storm Drain Watershed Planning Study in the Amount of \$726,000.00 for a Total Contract Price of \$2,385,540.00.

17. M&C C-24962 - Authorize Execution of an Agreement with CP&Y, Inc., in the Amount of \$235,430.00 for the Plantation Creeks Open Channel Study.

The City Council approved the following recommendation: Authorize the City Manager to Execute an Agreement With CP&Y, Inc., in the Amount of \$235,430.00, for the Plantation Creeks Open Channel Study.

18. M&C C-24963 - Authorize Execution of an Agreement with Jacobs Engineering Group Inc., in the Amount of \$212,357.00 for the Summerfields Creek Master Plan.

The City Council approved the following recommendation: Authorize the City Manager to Execute an Agreement With Jacobs Engineering Group Inc., in the Amount of \$212,357.00, for the Summerfields Creek Master Plan.

19. M&C C-24964 - Authorize Execution of Amendment No. 2 to the Engineering Agreement with AECOM USA Group, Inc., for the Forest Park-Berry Storm Drain Watershed Planning Study in the Amount of \$279,700.00, Thereby, Revising the Total Contract Cost to \$925,200.00.

The City Council approved the following recommendation: Authorize Execution of Amendment No. 2 to the Engineering Agreement With AECOM USA Group, Inc., for the Forest Park-Berry Storm Drain Watershed Planning Study in the Amount of \$279,700.00, Thereby Revising the Total Contract Cost to \$925,200.00.

20. M&C C-24965 - Authorize Execution of a Community Facilities Agreement with Fort Worth Country Day School, Inc., with City Participation in the Amount of \$249,995.10 for Construction of Twelve-Inch Water Main in Bryant Irvin Road to Serve Fort Worth Country Day School and Surrounding Area.

(VII. CONSENT AGENDA Continued)

(C-24965 Continued)

The City Council approved the following recommendation: Authorize the City Manager to Execute a Community Facilities Agreement With Fort Worth Country Day School, Inc., With the City Participating in the Costs in the Amount of \$249,995.10, for the Installation of a 12 Inch Water Main in Bryant Irvin to Serve Fort Worth Country Day School and the Surrounding Area.

21. M&C C-24966 - Authorize Execution of Change Order No. 3 in the Amount of \$34,950.00 for a Total Contract Amount of \$940,099.50 to City Secretary Contract No. 40068 with M-Co Construction, Inc., for Water Main Relocations for State Highway 121T, Part 13, at Dirks Road/Alta Mesa Boulevard.

The City Council approved the following recommendation: Authorize the City Manager to Execute Change Order No. 3 in the Amount of \$34,950.00 to City Secretary Contract No. 40068 With M-Co Construction, Inc., for Water Main Relocations for State Highway 121T, Part 13, at Dirks Road/Alta Mesa Boulevard, Thereby Increasing the Contract Amount to \$940,099.50.

22. M&C C-24967 - Authorize Engineering Agreement in the Amount of \$115,089.00 with Bury+Partners-DFW, Inc., for Sanitary Sewer Rehabilitation, Contract 78 on Westover Drive and Country Club Lane, and One Alleyway and Adopt Appropriation Ordinance.

The City Council approved the following recommendation: Authorize the Transfer of \$128,089.00 From the Water and Sewer Operating Fund to the Sewer Capital Projects Fund; Adopt Appropriation No. 19733-06-2011 Increasing the Estimated Receipts and Appropriations in the Sewer Capital Projects Fund in the Amount of \$128,089.00, From Available Funds, for the Purpose of Funding Sanitary Sewer Rehabilitation Contract 78; and Authorize the City Manager to Execute a Contract in the Amount of \$115,089.00 With Bury+Partners-DFW, Inc.

23. M&C C-24968 - Authorize Execution of a Construction Contract with RJM Contractors, Inc. in an Amount Up to \$167,000.00 for the Renovation of the Historic Shelter at Marion Sansom Park.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Construction Contract With RJM Contractors, Inc. in an Amount Up to \$167,000.00, for the Renovation of the Historic Shelter at Marion Sansom Park.

(VII. CONSENT AGENDA Continued)

24. M&C C-24969 - Authorize Execution of a Construction Contract with Raydon, Inc. in the Amount of \$117,452.20 for Park Improvements at Quannah Parker Park.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Construction Contract With Raydon, Inc. in the Amount of \$117,452.20, for Park Improvements at Quannah Parker Park.

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS -1817 - Notice of Claims for Alleged Damages and/or Injuries

End of Consent Agenda

B. Purchase of Equipment, Materials, and Services - Consent Items (Removed from Consent for Individual Consideration).

1. M&C P-11244 - Authorize Non-Exclusive Purchase Agreements with Multi-Cultural Education Center, Liberty Proclaimed Ministry, MJJ Construction and Lawn Patrol Service, Inc., to Provide Mowing and Clean Up Services at Privately Owned Properties for the Code Compliance Department for a Combined Amount of \$556,000.00 During the First Year.

The City Council approved the following recommendation: Authorize Non-Exclusive Purchase Agreements with Multi-Cultural Education Center, Liberty Proclaimed Ministry, MJJ Construction and Lawn Patrol Service, Inc., to Provide Mowing and Clean Up Services at Privately Owned Properties for the Code Compliance Department for a Combined Amount of \$556,000.00 During the First Year.

Council Member Espino stated that he had requested to have this item removed from the Consent Agenda because the Mayor and Council Communication stated that there was an issue with one (1) bidder who was initially issued intent to award letter which was rescinded and added that he had concerns with the procurement process. He requested that staff from the Purchasing Department explain what happened and what the status was on getting privately owned properties mowed.

Mr. Jack Dale, Purchasing Manager, Financial Management Services Department, stated that the Purchasing Division received the bids in late March and were expediting the process so the buyer took a conservative approach and noticed that some of the bids were missing one (1) document and deemed those bids non-responsive. He further stated that the bid documents allowed the department to waive minor informalities and that under further management review, the documents that were missing were found to be minor informalities that did not affect the competitiveness of the bid and reclassified the bids. He stated that the buyer sent out the letters of intent to award in an attempt to expedite the

(P-11244 Continued)

process and to get approval by the Council to get the contractors to work as quickly as possible. The reclassification of two of the bids changed the bid award recommendation and one of the bidder's intent to award letter was rescinded in order to award to a lower cost responsive bidder. Mr. Dale advised that there was a backlog of one thousand tickets for the mowing of the properties for the Code Compliance Department. Council Member Espino stated he wanted the Purchasing Department staff to visit with the bidder again to explain what procedures were in place to prevent a future reoccurrence of this magnitude and also stress to the bidder where the City was and because the next City Council meeting was not until July 12, 2011, the lots needed to be mowed. He further stated that because of the flaws in the process that he would not be able to support this item and that he understood that time was of the essence and the lots needed to be mowed.

Council Member Hicks asked why the Minority and Women Owned Business Enterprises (M/WBE) requirement was waived for this item.

Mr. Dale stated that this item was reviewed by the M/WBE Division which revealed that in the mowing contracts the companies do the work themselves and there was not much of an opportunity for M/WBE subcontracting. He added that the percentages for the requirement would be low and advised that the M/WBE Division no longer set goals and allowed the contractors to do the work themselves.

Council Member Hicks stated that she would support this item but she shared the same concerns as Council Member Espino. She added that she believed there were a number of companies that do not need to be the subcontractor but could be the prime contractor who were considered an M/WBE company and challenged staff to work harder in ensuring there was more diversity when it came to these type of contracts.

Mr. Dale stated that the Purchasing Division had modified their process pertaining to the letters of intent to ensure that the letters were not distributed to the bidders until they had been approved.

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. P-11244 be approved. The motion carried seven (7) ayes, to two (2) nays, with Council Member Espino and Council Member Zimmerman casting the dissenting votes.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of "Above and Beyond Award" to the City of Fort Worth

Council Member Zimmerman stated he and Police Chief Jeff Halstead had the privilege of attending "Boss Lift" which was a program for employers who employed active duty reservists who were called for duty. He introduced Captain T. D. Smyers, Commander of the Naval Air Station/Joint Reserve Base, Fort Worth and asked that anyone in the audience who had been a party of this program to join Captain Smyers at the podium. Captain Smyers presented the "Above and Beyond Award" to the City of Fort Worth. He stated that this award was very jealously guarded and not given out freely. He stated that when Chief Halstead and Council Member Zimmerman attended the "Boss Lift" program, that they made it clear that the City of Fort Worth was the 2010 recipient. He stated that the award was given by the Employer Support of the Guard and Reserve (ESGR) on behalf of all the members of the Reserve and the National Guard. He added that the employees who joined them were heroes because they worked and fought in Fort Worth and they worked and fought for our Country abroad. He and the ESGR expressed appreciation to the Mayor and City Council for their support for the war fighters.

Mayor Moncrief stated that the City of Fort Worth had 128 employees since Desert Storm who had served as active or reserve military personnel while also being employed by the City. He added that the City Council adopted the Military Supplement Pay and Leave Benefits in 2002, to help the employees who served while supporting their families. He pointed out that since that time, 29 employees had received supplemental pay for a total of \$185,370.00. He added in addition, other employees had donated 4,568 hours of leave with a total value of \$103,207.29 to those serving in the military. Mayor Moncrief expressed appreciation to the employees who had served, who were still serving and also their families for all that they had sacrificed.

2. Presentation of Certificate of Recognition

Mayor Moncrief was joined by Ms. Rosie Moncrief and former Council Member John Stevenson and presented a Certificate of Recognition to Ms. Linda Fulmer, who was honored, by surprise, for all of her years of service to the Fort Worth Community. He stated that since 2003, Ms. Fulmer had worked diligently on numerous events for the City of Fort Worth and that she provided key coordination between contractors, designers and architects during the construction of the Fort Worth Police and Fire Memorial and upon completion of the memorial, she provided management services for the memorial dedication in June 2009. He added that through the years, Ms. Fulmer had offered several federal grant applications resulting in millions of dollars in aide to the elderly, disabled and the City's youth. He pointed out that Ms. Fulmer had helped with the formation of the Mental Health Connection and that her devotion to not only improving Fort Worth's national reputation, but also the lives of many of the citizens of Fort Worth was commendable. He stated that the City was proud to have Ms. Fulmer in the community and that her accomplishments had gone a long way in strengthening the City's reputation as one (1) of the most livable communities in America and ensured that the City was recognized as one

(IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC. # 2 Continued)

of the best places to live, work and play. Ms. Rosie Moncrief stated she and Ms. Fulmer had worked together in Metal Health Mental Retardation and that it had been an honor and a privilege. She added that in the last eight (8) years Ms. Fulmer had guided and directed the City through the Promotion Fund, Touchdown Fort Worth, had taken care of all of the final details of the Police and Fire Memorial and that the City could not have done so without the help of Ms. Fulmer.

Former Council Member John Stevenson stated that working with Ms. Fulmer on the Police and Fire Memorial was one (1) of the high points of his career. He expressed appreciation to Ms. Fulmer for all she had done for the community.

Ms. Fulmer expressed her appreciation to Mayor and Ms. Moncrief for the opportunities to work with them and the many community leaders.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Council Member Moss invited the citizens to attend the Juneteenth celebration at the Center for Stop-Six Heritage, Rosenwald Building, Dunbar 6th Grade Center, located at 5100 Willie Street on June 18, 2011, from 11:00 a.m. to 1:00 p.m. He stated that the program would feature former slaves who had lived in the City of Fort Worth and two (2) from the Stop Six community would be in attendance at the event. He also announced the ribbon cutting ceremony for the Handley Heights Place, a new business in the Handley Community, would be held on June 15, 2011, at 11:30 a.m. at 7101 East Lancaster.

Council Member Burns announced that a meeting would be held regarding the next phases of the Berry Street initiative on June 21, 2011, at 6:00 p.m., at the La Mancha Business Centre, located at 2701 West Berry Street. He added that topics of discussion would include street-scraping improvements, the new proposed commuter rail station at Berry Street and Cleburne Road, zoning changes and storm water improvements. He stated for more information please contact the District 9 Office at 817-392-8808.

Council Member Hicks announced that the Quarterly District 8 Advisory Board meeting would be held on June 16, 2011, at 4:00 p.m., at Texas Wesleyan University in the Baker Building, located at 3021 East Rosedale Street. She stated for more information please contact the District 8 Office at 817-392-8808.

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

2. Recognition of Citizens

There were no citizens recognized at this time.

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

There were no changes in 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.

Council Member Hicks requested that Council meeting be adjourned in memory of Mrs. Billye Jo Simpkins Robinson.

Mayor Moncrief advised that the Council meeting would be adjourned in honor of Ms. Billye Jo Simpkins Robinson, 79, who was a retired teacher and counselor with the Fort Worth Independent School District. He stated that she passed away peacefully at home surrounded by her family on June 11, 2011.

Council Member Hicks added that Ms. Robinson's daughters, Dr. Deborah Cuffee and JoAnn Brown, were employees of the City of Fort Worth.

XIII. RESOLUTION

1. A Resolution of the City Council of the City of Fort Worth, Texas, Nominating Mark D. Chambers, Jr., for Appointment to the Board of Directors for the Denton Central Appraisal District to Fill an Unexpired Term of Office.

Motion: Council Member Burdette made a motion, seconded by Council Member Espino, that Resolution No. 3997-06-2011 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

(XIII. RESOLUTION #2 Continued)

2. A Resolution Establishing Criteria For Use in Redistricting of Single-Member City Council Districts.

Motion: Council Member Burns made a motion, seconded by Council Member Hicks, that Resolution No. 3998-06-2011 be adopted as amended. The motion carried unanimously nine (9) ayes to zero (0) nays.

XIV. REPORT OF THE CITY MANAGER

B. General

1. M&C G-17300 - Approve a Variance Request by Chesapeake Operating, Inc., to Allow Future Development Within the Required Two Hundred Twenty Five Foot Setback from a Multiple Gas Well Pad Site Permit for a Public Building, and Within the One Hundred Twenty Five Foot Setback from a Multiple Gas Well Pad Site for a Habitable Structure, at the Merrimac Pad Site Located East of Old University Drive.

The recommendation was that the City Council Approve Revisions to the Chesapeake Operating, Inc., Merrimac Pad Site Permit, to Allow Future Development of a Public Building Within the Required 225 Hundred Foot Setback From a Multiple Gas Well Pad Site Permit and to Allow Future Development of a Habitable Structure Within the Required 125 Foot Setback From a Multiple Gas Well Pad Site Permit.

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

Council Member Burns advised that this well site had been previously approved and this item shifted the well site to allow for future retail development.

Motion: Council Member Burns made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. G-17300 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with one (1) abstention by Council Member Jordan.

2. M&C G-17301 - Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the General Fund in the Amount of \$5,782,500.00 and Decreasing the Unaudited, Unreserved, Undesignated General Fund Balance by the Same Amount, Authorize Final Payment of \$5,782,500.00 for Acquisition of Property at 501 West Felix Street for Proposed New Public Safety Training Facility, and Adopt Resolution Expressing Official Intent to Reimburse Funds.

(G-17301 Continued)

The recommendation was that the City Council Adopt a Supplemental Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the General Fund in the Amount of \$5,782,500.00 and Decreasing the Unaudited, Unreserved, Undesignated Fund Balance by the Same Amount, for the Purpose of Purchasing 75 Acres of Property Located at 501 West Felix Street for Development of and Use as a New Public Safety Training Facility; Authorize Final Payment in the Amount of \$5,782,500.00 for the Acquisition; and Adopt a Resolution Expressing Official Intent to Reimburse the Aggregate Costs of the Property Through One (1) or More Series of Obligations, Though Such Intent Does Not Bind the City to Incur Debt for Such Purpose.

Motion: Council Member Burns made a motion, seconded by Council Member Zimmerman, that Mayor and Council Communication No. G-17301 be approved and Supplemental Appropriation Ordinance No. 19734-06-2011 and Resolution No. 3999-06-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

3. M&C G-17302 - Rescind M&C P-11234 and Repeal Supplemental Appropriation Ordinances 19688-05-2011 and 19689-05-2011 Authorizing a System Purchase Agreement and a Twelve Year Lease/Purchase Agreement with Motorola Solutions, Inc., for Equipment and Professional Services for the Information Technology Solutions Department.

The recommendation was that the City Council Rescind M&C P-11234 (Revised) and Repeal Supplemental Appropriation Ordinance Nos. 19688-05-2011 and 19689-05-2011 Authorizing a System Purchase Agreement and a Twelve (12) Year Lease/Purchase Agreement With Motorola Solutions, Inc., for Equipment and Professional Services for the Information Technology Solutions Department.

Motion: Council Member Burdette made a motion, seconded by Council Member Zimmerman, that Mayor and Council Communication No. G-17302 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

4. M&C G-17303 - Approve One-Time Exception to the Financial Management Policy Statements to Allow the Use of Debt Structures Involving Balloon Payments for the Sole Purpose of Financing the Upgrade to the City's Public Safety and Public Works Radio Communications System Via Tax Notes, Adopt Ordinance Authorizing Issuance of Tax Notes in the Principal Amount of \$43,050,000.00, Approving the Sale of the Notes to JP Morgan Chase, Providing for the Levy, Assessment and Collection of a Tax Sufficient to Pay the Interest on Said Notes, Create a Sinking Fund for the Payment of the Principal Thereof and Ordaining Other Matters Related Thereto, Authorize Execution of a System Purchase Agreement in the Amount Not to Exceed \$39,345,641.55 with Motorola Solutions, Inc., for Equipment and Professional Services Using a Houston-Galveston Area Contract, and Authorize Execution of Amendment No. 2 to City Secretary Contract No. 40264 with Buford Goff & Associates to Provide Engineering and Quality Assurance Services in the Amount Not to Exceed \$2,900,000.00.

(G-17303 Continued)

The recommendation was that the City Council Approve a One (1) Time Exception to the Financial Management Policy Statements to Allow the use of Debt Structures Involving Balloon Payments for the Sole Purpose of Financing the Upgrade to the City's Public Safety and Public Works Radio Communications System Via Tax Notes; Adopt an Ordinance Authorizing the Issuance of Tax Notes of the City of Fort Worth in the Principal Amount of \$43,050,000.00, Approving the Sale of the Notes to JP Morgan Chase; Providing for the Levy, Assessment and Collection of a Tax Sufficient to Pay the Interest on Said Notes and to Create a Sinking Fund for the Payment of the Principal Thereof and Ordaining Other Matters Related Thereto; Authorize Execution of a System Purchase Agreement in the Amount Not to Exceed \$39,345,641.55 With Motorola Solutions, Inc., for Equipment and Professional Services Using Houston-Galveston Area Contract Number RA01-08; and Authorize Execution of Amendment No. 2 to City Secretary Contract No. 40264 With Buford Goff & Associates to Provide Engineering and Quality Assurance Services in the Amount Not to Exceed \$2,900,000.00.

Motion: Council Member Zimmerman made a motion, seconded by Mayor Pro tem Scarth, that Mayor and Council Communication No. G-17303 be approved and Ordinance No. 19735-06-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

5. M&C G-17304 - Authorize Change in Use and Expenditure of \$350,000.00 in Community Development Block Grant Funds for the 2011 Category I Demolition Project and a Substantial Amendment to the City's 2003-2004 and 2004-2005 Action Plans.

The recommendation was that the City Council Authorize a Substantial Amendment to the City's 2003-2004 and 2004-2005, Action Plans; and Authorize a Change in use and Expenditure of \$350,000.00 in Community Development Block Grant Funds, for the 2011, Category I Demolition Project.

Motion: Council Member Burns made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. G-17304 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

6. M&C G-17305 - Authorize Change in Use and Expenditure of \$418,219.65 in Community Development Block Grant Funds for the Historic Carver Heights Street Lights Project, Authorize an Engineering Design Agreement with Kimley-Horn and Associates, Inc. for \$200,000.00 for the Preparation of Construction Plans, Specifications, and Estimates Related to Roadway and Pedestrian Street Light Installation of the Historic Carver Heights Street Light Project, and Authorize a Substantial Amendment to the City's 2006-2007 Action Plan.

(G-17305 Continued)

The recommendation was that the City Council Authorize a Substantial Amendment to the City's 2006-2007, Action Plan; Authorize the Change in Use and Expenditure of \$418,219.65 in Community Development Block Grant Funds for the Project Known as the Historic Carver Heights Street Light Project; and Authorize the City Manager, or his Designee, to Execute an Engineering Design Agreement With Kimley-Horn and Associates, Inc. for \$200,000.00 for the Preparation of Construction Plans, Specifications and Estimates Related to Roadway and Pedestrian Street Light Installation of the Historic Carver Heights Street Light Project.

Motion: Council Member Moss made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-17305 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

7. M&C G-17306 - Authorize Change in Use and Expenditure of \$493,000.00 in HOME Investment Partnerships Program Grant Funds from the Fort Worth Housing Trust Fund for Stop Six Sunrise Edition New Construction for the Purposes of Acquisition, Demolition, Rehabilitation and/or New Construction of Single Family Houses, Authorize Substitution of Funding Years and Authorize a Substantial Amendment to the City's 2010-2011 Action Plan.

The recommendation was that the City Council Authorize a Substantial Amendment to the City's 2010-2011, Action Plan; Authorize the City Manager or his Designee, to Substitute Funding Years in Order to Meet Commitment Disbursement and Expenditure Deadlines for Grant Funds From the United States Department of Housing and Urban Development; Authorize the Transfer of \$493,000.00 in HOME Investment Partnerships Grant Funds From the Fort Worth Housing Trust Fund, for the Purposes of Acquisition, Demolition, Rehabilitation and/or New Construction of Single Family Houses in the Stop Six Sunrise Edition.

Motion: Council Member Moss made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-17306 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

8. M&C G-17307 - Adopt Ordinance Designating Tax Abatement Reinvestment Zone No. 73, City of Fort Worth, Texas, for Property Located at the Southwest Corner of Amon Carter Boulevard and FAA Boulevard. (PUBLIC HEARING)

The recommendation was that the City Council Hold a Public Hearing Concerning the Designation of Tax Abatement Reinvestment Zone No. 73, City of Fort Worth, Texas; and Adopt an Ordinance Designating A Certain Area in the City of Fort Worth as "Tax Abatement Reinvestment Zone Number 73, City of Fort Worth, Texas"; Providing the Effective and Expiration Dates for the Zone and a

(G-17307 Continued)

Mechanism for Renewal of the Zone; and Containing other Matters Related to the Zone, Pursuant to and in Accordance With Chapter 312 of the Texas Tax Code.

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

a. Report of City Staff

Mr. Robert Sturns, Economic Development Manager, Housing and Economic Development, appeared before Council and provided a staff report.

Council Member Burns stated that there would be an agreement with Channel 5 that would include a number of stipulations. He further stated that the agreement was currently being negotiated but he wanted to clarify that if Channel 5 identified the station as Dallas that this would be a violation of the agreement.

Mayor Moncrief clarified that Channel 5 understood the agreement.

Mr. Sturns clarified that a stipulation was added in the agreement that Channel 5 would brand the studio a Fort Worth/Dallas studio and that they had also committed to calling the studio a Fort Worth/Dallas studio.

Council Member Jordan stated the site was previously the Great Southwest Airport, which was one (1) of Mr. Amon Carter's dreams and since Mr. Carter founded both objects there was historical significance.

b. Citizen Presentations

Mr. Bill Guthrey, 8115 Preston Road, Suite 700, Dallas, Texas 75225, completed a speaker card in support of Mayor and Council Communication No. G-17307, but did not wish to address the City Council.

c. Council Action

Motion: Council Member Moss made a motion, seconded by Council Member Espino, that the public hearing be closed and that Mayor and Council Communication No. G-17307 be approved and Ordinance No. 19736-06-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

C. Purchase of Equipment, Materials, and Services

1. M&C P-11252 - Authorize a Purchase Agreement with Apple Inc., for Apple Hardware, Software, Technology Services, Maintenance and Support, Using a Texas Department of Information Resources Contract for the Information Technology Solutions Department for an Initial Amount of \$100,000.00.

The recommendation was that the City Council Authorize a Purchase Agreement With Apple Inc., for Apple Hardware, Software, Technology Services, Maintenance and Support, Using the Texas Department of Information Resources Contract Number DIR-SDD-891, for the Information Technology Solutions Department for an Initial Amount of \$100,000.00.

Motion: Council Member Burns made a motion, seconded by Council Member Zimmerman, that Mayor and Council Communication No. P-11252 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

D. Land

1. M&C L-15206 - Authorize Execution of an Underground Pipeline License Agreement with Texas Midstream Gas Services, LLC, in the Amount of \$7,348.79 for a Natural Gas Pipeline Across City-Owned Property Located at 2954 Old Mansfield Road Also Known as Fire Station No. 4, for a Term of Twenty Years.

The recommendation was that the City Council Authorize Execution of an Underground Pipeline License Agreement With Texas Midstream Gas Services, LLC, in the Amount of \$7,348.79 for a Natural Gas Pipeline Across City-Owned Property Located at 2954 Old Mansfield Road, Fort Worth, Texas, also Known as Fire Station No. 4, for a Term of 20 Years.

Motion: Council Member Hicks made a motion, seconded by Mayor Pro tem Scarth, that Mayor and Council Communication No. L-15206 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

2. M&C L-15207 - Authorize the Direct Sale of Fee Simple Owned Properties Located at 1000 Calvert and 1076 Calvert to Tarrant Regional Water District for \$4,196,925.00.

The recommendation was that the City Council Authorize the Direct Sale of Fee Simple Properties Located at 1000 Calvert, Described as Lot 1 Block 3 and 1076 Calvert, Described as Lot 1 Block A, Both Properties in the Valley View Addition to Tarrant Regional Water District for \$4,196,925.00; and Authorize the City Manager, or his Designee, to Execute and Record the Appropriate Instruments Conveying the Property to Complete the Sale.

(L-15207 Continued)

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. L-15207 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

3. M&C L-15208 - Authorize Condemnation of an Easement Interest in 0.090 Acres of Land for a Permanent Sewer Facility Easement Owned by Carroll Village Ltd, at West Rendon Crowley Road, for the M325 Parallel Relief, Middle and Upper Village Creek, Sanitary Sewer Rehabilitation Project.

The recommendation was that the City Council Declare That Negotiations Between the City and the Landowner to Acquire a Permanent Sewer Facility Easement in 0.090 Acre of Land, Owned by Carroll Village Ltd, and Known as West Rendon Crowley Road, Abstract 1381, John Steele Survey, City of Fort Worth, Tarrant County, Texas, Were Unsuccessful Because of the Inability to Agree on a Purchase Price for the Easement; Declare the Necessity to Take by Condemnation an Easement in the Subject Property for the M325 Parallel Relief, Middle and Upper Village Creek, Sanitary Sewer Rehabilitation Project; Authorize the City Attorney to Institute Condemnation Proceedings to Acquire Easement Interests in the Property; and Authorize the Acceptance and Recording of Appropriate Instruments.

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Scarth, that Mayor and Council Communication No. L-15208 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

4. M&C L-15209 - Authorize Condemnation of 0.562 Acres of Land for Fee Simple Interest, 0.276 Acres for a Temporary Construction Easement, and 0.178 Acres for a Temporary Landscape Easement Owned By Cleopatra Investments, Ltd., and Located at 401 West Lancaster Avenue for the Hemphill Street Project from Vickery Boulevard to Lancaster Avenue.

The recommendation was that the City Council Declare That Negotiations Between the City and the Landowner to Acquire Fee Simple and Easement Interests in a Total of 1.016 Acres of Land Owned by Cleopatra Investments, Ltd., and Known as 401 West Lancaster Avenue, Block 17, Lots 1, 2 and 3, Texas and Pacific Railroad Reservation and Abstract No. 844, Sarah G. Jennings Survey, City of Fort Worth, Tarrant County, Texas, Were Unsuccessful Because of the Inability to Reach an Agreement on a Purchase Price and Other Terms; Declare the Necessity to Take by Condemnation the Subject Property for the Hemphill Street Project; Authorize the City Manager to Institute Condemnation Proceedings to Acquire the Easement Interests and the Fee-Simple Interest in the Surface Estate, but Not the Mineral Estate of the Property; and Authorize the Acceptance and Recording of Appropriate Instruments.

(L-15209 Continued)

Motion: Council Member Burns made a motion, seconded by Council Member Zimmerman, that Mayor and Council Communication No. L-15209 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

5. M&C L-15210 - Authorize an Agreement for the Purchase of a Fee Simple Interest in 245.77 Acres of Land for a New Park in Northwest Fort Worth from C-8575BMR, LLC & M-8575BMR, LLC, for a Total Amount of \$7,000,000.00 and Pay Estimated Closing Costs Up to \$45,000.00, Dedicate the Property as Parkland Upon Conveyance, and Adopt Appropriation Ordinance.

The recommendation was that the City Council Adopt an Appropriation Ordinance Increasing Estimated Receipts and Appropriations in the Park Dedication Fees Fund in the Amount of \$410,552.23, From Available Funds, for the Purpose of Purchasing Property in Northwest Fort Worth for Community Park Land; Authorize the Purchase of a Fee Simple Interest in 245.77 Acres of Land From C-8575BMR, LLC, & M-8575BMR, LLC, in the Amount of \$7,000,000.00 Plus Closing Costs; Find That the Price Offered for the Purchase of the Park Land is Just Compensation; Authorize the City Manager or his Designee to Execute and Record the Appropriate Instruments Conveying the Property to Complete the Purchase and to Pay Closing Costs Up to \$45,000.00; and Accept the Property and Dedicate the Property as Parkland Upon Conveyance.

Motion: Council Member Burdette made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. L-15210 be approved and Appropriation Ordinance No. 19737-06-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

6. M&C L-15211 - Conduct a Public Hearing and Authorize the Use of a Portion of the Subsurface of Cobb Park (East-West) for the Purpose of Installing a Six-Inch Natural Gas Pipeline and Authorize the Execution of a License Agreement with Texas Midstream Gas Services LLC, in the Amount of \$39,784.50. (PUBLIC HEARING)

The recommendation was that the City Council Conduct a Public Hearing Under the Guidelines Set Forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; Find That No Feasible or Prudent Alternative Exists for the use of Cobb Park for the Location of the Proposed Natural Gas Pipeline; Find That the Proposed Natural Gas Pipeline Includes all Reasonable Planning to Minimize Harm to the Parkland and Including That the Pipeline Will be Constructed in Cobb Park; Close the Public Hearing and Authorize the City Manager to Approve the Use of Approximately 0.39 Acre of Dedicated Parkland of Cobb Park for the Installation of a Six (6) Inch Natural Gas Pipeline; and Authorize the Execution of a License Agreement With Texas Midstream Gas Services, LLC, in the Amount of \$39,784.50.

(L-15211 Continued)

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

a. Report of City Staff

Mr. Richard Zavala, Director, Parks and Community Services Department, appeared before Council and provided a staff report.

b. Citizen Presentations

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

c. Council Action

Motion: Council Member Hicks made a motion, seconded by Council Member Espino, that the public hearing be closed and that Mayor and Council Communication No. L-15211 be approved as amended, with the stipulation that the \$39,784.50 be dedicated to improvements at Cobb Park. The motion carried unanimously nine (9) ayes, to zero (0) nays.

[7. M&C L-15212 - Conduct a Public Hearing and Authorize the Use of a Portion of the Subsurface of Rockwood Golf Course for the Purpose of Installing a Sixteen-Inch Natural Gas Pipeline and Authorize the Execution of a License Agreement in the Amount of \\$78,293.25 and Execution of a Ninety-Day Temporary Construction Access Agreement for Rockwood Golf Course and Rockwood Park in the Amount of \\$95,883.12, with Texas Midstream Gas Services LLC. \(PUBLIC HEARING\)](#)

The recommendation was that the City Council Find That No Feasible or Prudent Alternative Exists for the use of Rockwood Golf Course for the Location of the Proposed Natural Gas Pipeline; Find That the Proposed Natural Gas Pipeline Includes All Reasonable Planning to Minimize Harm to the Parkland and Including That the Pipeline Will be Constructed in Rockwood Golf Course; Close the Public Hearing and Authorize the City Manager to Approve the Use of Approximately 0.761 Acre of Dedicated Parkland of Rockwood Golf Course for the Installation of a 16 Inch Natural Gas Pipeline and use of Approximately 45 Acres of Rockwood Golf Course and Rockwood Park for a Temporary Access Road; Authorize the Execution of a License Agreement With Texas Midstream Gas Services, LLC, for Rockwood Golf Course in the Amount of \$78,293.25; and Authorize the Execution of a 90 Day Temporary Construction Access Agreement With Texas Midstream Gas Services, LLC, for Rockwood Golf Course and Rockwood Park in the Amount of \$95,883.12.

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

(L-15212 Continued)

a. Report of City Staff

Mr. Richard Zavala, Director, Parks and Community Services Department, appeared before Council and provided a staff report.

b. Citizen Presentations

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

c. Council Action

Motion: Council Member Espino made a motion, seconded by Council Member Burdette, that the public hearing be closed and that Mayor and Council Communication No. L-15212 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

8. M&C L-15213 - Conduct a Public Hearing and Authorize the Use of a Portion of the Subsurface of Sycamore Creek Golf Course, Sycamore Park and Cobb Park (North - South) for the Purpose of Installing a Twenty Four-Inch Natural Gas Pipeline and Authorize the Execution of a License Agreement with Texas Midstream Gas Services LLC, in the Amount of \$334,775.22. (PUBLIC HEARING)

The recommendation was that the City Council Conduct a Public Hearing Under the Guidelines Set Forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; Find That No Feasible or Prudent Alternative Exists for the use of Sycamore Creek Golf Course, Sycamore Park and Cobb Park for the Location of the Proposed Natural Gas Pipeline; Find That the Proposed Natural Gas Pipeline Includes All Reasonable Planning to Minimize Harm to the Parkland and Including That the Pipeline Will be Constructed in Sycamore Creek Golf Course, Sycamore Park and Cobb Park; Close the Public Hearing and Authorize the City Manager to Approve the Use of Approximately 0.993 Acre of Dedicated Parkland of Sycamore Creek Golf Course, Approximately 0.81 Acre of Sycamore Park and Approximately 1.45 Acres of Cobb Park for the Installation of a 24 Inch Natural Gas Pipeline; and Authorize the Execution of a License Agreement With Texas Midstream Gas Services LLC, in the Amount of \$334,775.22.

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

(L-15213 Continued)

a. Report of City Staff

Mr. Richard Zavala, Director, Parks and Community Services Department, appeared before Council and provided a staff report.

b. Citizen Presentations

Council Member Hicks expressed appreciation to Texas Midstream Gas Services and Mr. Charles Davis for meeting with her to ensure the least amount of ramifications to the park and also the residents in the area. She stated that the District 8 residents were in support of this item with the understanding that the money would go back into the parks.

c. Council Action

Motion: Council Member Hicks made a motion, seconded by Council Member Burdette, that the public hearing be closed and that Mayor and Council Communication No. L-15213 be approved, with the stipulation that \$82,932.00 be returned to Sycamore Park and \$149,693.00 be returned to Cobb Park with the understanding that no specific mention is necessary for Sycamore Creek Golf Course since under the existing policies pipeline revenue stayed there and with appreciation to staff. The motion carried unanimously nine (9) ayes, to zero (0) nays.

F. Award of Contract

1. M&C C-24970 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, LLC, a License to Construct and Operate a Natural Gas Gathering Pipeline Across Precinct Line Road.

The recommendation was that the City Council Authorize the City Manager to Execute a Public Right-of-Way use Agreement With Texas Midstream Gas Services, LLC, Granting a License to Construct and Operate a Natural Gas Gathering Pipeline Across Precinct Line Road, North of Randol Mill Road, for a One (1) Time License Fee of \$897.75.

Motion: Council Member Moss made a motion, seconded by Mayor Pro tem Scarth, that Mayor and Council Communication No. C-24970 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

2. M&C C-24971 - Authorize the Execution of an Infrastructure Construction Agreement with Hillwood Residential Services, LLC, with City Participation Not to Exceed \$6,400,000.00 for the Construction of North Beach Street from Keller-Hicks Road to Golden Triangle Boulevard and Keller Hicks Road from Alta Vista Boulevard 1,000 Feet to the East.

The recommendation was that the City Council Authorize the City Manager to Execute an Infrastructure Construction Agreement With Hillwood Residential Services, LLC, With City Participation in an Amount Not to Exceed \$6,400,000.00; and Waive the Limitation of Section II, Paragraph 11 of the Policy for the Installation of Community Facilities That Limits City Participation and Recommend City Participation in Accordance With Local Government Code 212.072 and the Unit Price Ordinance No. 14552 and No. 17967-02-2008, as Amended.

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-24971 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

3. M&C C-24972 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, LLC, a License to Construct and Operate a Natural Gas Gathering Pipeline Across Yuma Street, Riverside Drive, Old Mansfield Highway, Berry Street, Cobb Park Drive, East Maddox Avenue, Avenue G, Rosedale Street, East Vickery Boulevard and Broadway Avenue.

The recommendation was that the City Council Authorize the City Manager to Execute a Public Right-of-Way Use Agreement With Texas Midstream Gas Services, LLC, Granting a License to Construct and Operate a Natural Gas Gathering Pipeline Across Yuma Street, Riverside Drive, Old Mansfield Highway, Berry Street, Cobb Park Drive, East Maddox Avenue, Avenue G, Rosedale Street, East Vickery Boulevard and Broadway Avenue, for a One (1) Time License Fee of \$41,485.50.

Mr. Edward Sakerka, 4451 Normandy Road, completed a speaker card in support of Mayor and Council Communication No. C-24972, but did not wish to address the City Council.

Motion: Council Member Hicks made a motion, seconded by Council Member Zimmerman, that Mayor and Council Communication No. C-24972 be approved, with appreciation to Texas Midstream Gas Services, LLC. The motion carried unanimously nine (9) ayes, to zero (0) nays

4. M&C C-24973 - Authorize Execution of Tax Abatement Agreement and Economic Development Program Agreement with KXAS/NBC-5 for Construction of a New Production Facility at the Southwest Corner of Amon Carter Boulevard and FAA Boulevard.

The recommendation was that the City Council Authorize the City Manager to Execute a One (1) Year Tax Abatement Agreement and a 24-Year Economic Development Program Agreement With KXAS/NBC-5, for Construction of the New Production Facility at the Southwest Corner of Amon Carter Boulevard and FAA Boulevard.

Mr. Tom Ehlmann, 3900 Barnett Street, appeared before Council in support of Mayor and Council Communication No. C-24973 and stated that Channel 5 made a business decision to look into a relocation and leave their 64-year old facility in east Fort Worth. He added that their first objective was to find a location that was in the center of the Metroplex so that they could better serve the citizens of the area. He pointed out that their second goal was to relocate their employees at the Dallas facility into one (1) location so they could all work together. He further stated that they also needed a new facility because of the age of the building and new technology would need to be installed. He added that it was important for them to know what would happen to their current location in East Fort Worth and that they were cognizant of the history and legacy of the station. He advised that it was important that they did not go out into the market to look for a buyer for the property but to come to the City of Fort Worth to find the right use for the location. He reiterated that the station would be branded as a Fort Worth station.

Mayor Moncrief expressed appreciation to Mr. Ehlmann for coming to the City of Fort Worth to find a new use for their current station and that they could have taken a different route and put the station on the market but that was not what they chose to do. He stated that there were some concerns and that everyone was curious about the next steps.

Ms. Wanda Conlin, 1755 Martel Avenue, completed an undecided speaker card and appeared before Council regarding Mayor and Council Communication No. C-24973 and stated that she had lived a half of a block from the station for 50 years. She provided a picture to show to the Council what the hill looked like each spring. She stated that the station was a part of history. She expressed appreciation to Council Member Hicks for her involvement and she requested that the surrounding neighborhoods be included in the plans for the property. She also stated that the neighborhood task force would come up with a list of ideas for the area to be considered by the Council and would continue to work closely with Council Member Hicks.

Mr. Tim Morton, 1501 Handley Drive, President, East Fort Worth Business Association, completed an undecided speaker card and appeared before Council regarding Mayor and Council Communication No. C-24973. He stated that the East Fort Worth Business Association and many of the citizens were concerned and upset with the loss of Channel 5 from inner city East Fort Worth. He added that Channel 5 had been an employer, corporate citizen, neighbor and an important part of East Fort Worth

(C-24973 Continued)

for a number of decades. He stated that they were most concerned by the process in which the item had reached Council and the reason why Channel 5 was leaving the area. He pointed out that they were pleased that the City was able to negotiate with Channel 5 to keep their station in the City's tax base.

Ms. Carol Eicher, 1766 Oak Hill Road, completed a speaker card in opposition to Mayor and Council Communication No. C-24973, but did not wish to address the City Council.

The following individuals completed undecided speaker cards relative to Mayor and Council Communication No. C-24973, but did not wish to address the City Council.

Mr. William Henderson, 3009 Sandy Lane
Mr. Norman Bermes, 316 Palverde Lane
Mr. Ruben Mercado, 1956 Loma Linda Court
Mr. Harvey Roberts, 1651 Watson Road
Ms. Juanita Roberts, 1901 North Edgewood Terrace
Ms. Dolores Roberts, 1651 Watson Road
Ms. Sharon Green, 1616 Jenson Road
Mr. James Bews, 1706 Watson Street
Ms. Alexandra Bews, 1709 Watson Street
Ms. Ann Marie Smith, 4813 Hollowbrook Road
Mr. Clay Warix, 1701 Watson Street
Ms. Becky Morton, 1501 Handley Drive

Mayor Moncrief, Mayor Pro tem Scarth and Council Members Hicks, Jordan and Moss stated they understood the historical significance of the site. They recounted stories of early broadcasts at the station. They reiterated the importance of the economic development in the area and stated that they looked forward to future retail development in the area so residents would not have to travel outside of the City to buy groceries and other simple household items. They agreed the meetings would be held to discuss the different ideas for the property. They stated that public input would be involved in the planning for the property and the Council was excited and interested to hear the creative ideas of the community and added they were committed to putting a business in the location that would benefit the entire area. They voiced their excitement that the City was able to retain Channel 5 in another location in the City.

Council Member Burns also reiterated that the agreement was currently being negotiated and clarified that if Channel 5 identified the station as Dallas that this would be a violation of the economic incentive agreement.

(C-24973 Continued)

Motion: Council Member Moss made a motion, seconded by Mayor Pro tem Scarth, that Mayor and Council Communication No. C-24973 be approved, with appreciation to KXAS/NBC-5 and the Housing and Economic Development Department staff. The motion carried unanimously nine (9) ayes, to zero (0) nays.

5. M&C C-24974 - Authorize Expenditure of \$700,000.00 of Community Development Block Grant Funds to the Fort Worth Housing Authority, or its Designated Affiliate, in the Form of a Subordinate Forgivable Loan for the Knights of Pythias Lodge Lofts Development, Authorize Execution of a Contract and Authorize a Substantial Amendment to the City's 2005-2006 Action Plan.

The recommendation was that the City Council Authorize a Substantial Amendment to the City's 2005-2006, Action Plan; Authorize the City Manager, or his Designee, to Substitute Funding Years in Order to Meet United States Department of Housing and Urban Development Commitment, Disbursement and Expenditure Deadlines; Authorize an Expenditure of \$700,000.00 of Community Development Block Grant Funds to the Fort Worth Housing Authority, or its Designated Affiliate, in the Form of a Subordinate Forgivable Loan, for the Development of the Knights of Pythias Lodge Lofts Located in the 300 Block of Crump Street in Downtown Fort Worth; Authorize the City Manager, or his Designee, to Execute a Contract With the Fort Worth Housing Authority, or its Designated Affiliate, for the Development for a Term Beginning on the Date of Execution of the Contract and Expiring at the End of the 15 Year Affordability Period; and Authorize the City Manager, or his Designee, to Amend the Contract if Necessary to Achieve Project Goals Provided That the Amendment is Within the Scope of the Project and in Compliance With City Policies and Applicable Laws and Regulations Governing the Use of Federal Grant Funds.

Motion: Council Member Burns made a motion, seconded by Council Member Zimmerman, that Mayor and Council Communication No. C-24974 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

6. M&C C-24975 - Authorize Change in Use and Expenditure of \$1,000,000.00 of HOME Investment Partnerships Program Grant Funds to the Fort Worth Housing Finance Corporation in the Form of a Subordinate Loan for the Lee Avenue Townhomes, a Development of Up to Seven Townhouses Located at Lee Avenue and West Central Avenue, Authorize the Execution of a Conditional Commitment and Contract, Authorize the Sale of 406 West Central Avenue and 1402, 1404, and 1419 Lee Avenue to the Fort Worth Housing Finance Corporation for the Development for an Amount Not to Exceed \$200,000.00, and Authorize a Substantial Amendment to the City's 2007-2008 Action Plan.

(C-24975 Continued)

The recommendation was that the City Council Authorize a Substantial Amendment to the City's 2007-2008, Action Plan; Authorize the City Manager, or his Designee, to Substitute Funding Years in Order to Meet United States Department of Housing and Urban Development Commitment, Disbursement and Expenditure Deadlines; Authorize the Change in Use and Expenditure of \$1,000,000.00 in Prior Year's HOME Investment Partnerships Program Grant Funds to the Fort Worth Housing Finance Corporation (FWHFC) in the Form of a Subordinate Loan for the Development of the Lee Avenue Townhomes, a Development of Up to Seven (7) Townhouses Located at Lee Avenue and West Central Avenue; Authorize the City Manager, or his Designee, to Execute a Conditional Commitment With the FWHFC for a Five (5) Year Subordinate Deferred Forgivable Loan That Conditions Funding on, Among Other Things, Satisfactory Completion of HOME Requirements; Authorize the City Manager, or his Designee, to Execute a Contract With the FWHFC for the Project for a Term Beginning on the Date of Execution of the Contract and Ending on the Date the Five (5) Year Affordability Period Expires; Authorize the City Manager, or his Designee, to Extend and Renew the Conditional Commitment or the Contract for Up to One (1) Year if the FWHFC Requests an Extension and Such Extension is Necessary for Completion of the Project; Authorize the City Manager, or his Designee, to Amend the Conditional Commitment or the Contract if Necessary to Achieve Project Goals Provided That the Amendment is Within Scope of the Project and in Compliance With City Policies and Applicable Laws and Regulations Governing the Use of Federal Grant Funds; Authorize the Direct Sale of Properties Located at 406 West Central Avenue, Described as North Fort Worth Block 81, Lot 1, Block 81 Lots 1 and 2, 1402 Lee Avenue Described as North Fort Worth Block 81, Lot 3, 1404 Lee Avenue Described as North Fort Worth Block 81, Lot 4, and 1419 Lee Avenue, Described as North Fort Worth Block 82, Lot 12 and North 40 Feet 13, to the FWHFC in Accordance With Section 34.05 of the Texas Tax Code for an Amount Not to Exceed \$200,000.00; and Authorize the City Manager, or his Designee, to Execute and Record the Appropriate Instruments Conveying the Properties to Complete the Purchase and Sale.

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-24975 be approved, with appreciation to staff. The motion carried unanimously nine (9) ayes, to zero (0) nays.

[7. M&C C-24976 - Authorize a Substantial Amendment to the City's 2006-2007, 2007-2008, 2008-2009 and 2009-2010 Action Plans and Substitution of Funding Years, Authorize Change in Use and Expenditure of \\$2,000,000.00 of HOME Investment Partnerships Program Grant Funds for the Lancaster Mixed Use Project for the Construction of Approximately Fifty Housing Units Located on 1116 and 1118 Jennings Avenue and 1115, 1119 and 1121 Monroe Street, Authorize a Conditional Commitment for a Subordinate Interim Loan to the Fort Worth Local Development Corporation, and Authorize a HOME Contract with the Fort Worth Local Development Corporation.](#)

(C-24976 Continued)

The recommendation was that the City Council Authorize a Substantial Amendment to the City's 2006-2007, 2007-2008, 2008-2009 and 2009-2010, Action Plans; Authorize the City Manager, or his Designee, to Substitute Funding Years in Order to Meet United States Department of Housing and Urban Development Commitment, Disbursement and Expenditure Deadlines; Authorize a Change in use and Expenditure of \$2,000,000.00 in Prior Year's HOME Investment Partnerships Program (HOME) Grant Funds to the Fort Worth Local Development Corporation (FWLDC) in the Form of a Subordinate Forgivable Loan for the Development of the Lancaster Mixed Use Project for the New Construction of Up to 50 Mixed Income Housing Units Located on 1116 and 1118 Jennings Avenue and 1115, 1119 and 1121 Monroe Street, Fort Worth, Texas (The Project); Authorize the City Manager, or his Designee, to Execute a Conditional Commitment With the (FWLDC), for a 20 Year Subordinate Forgivable Loan That Conditions Funding to the Completion of the Environmental Review, and Among Other Things, on Satisfactory Completion of HOME Requirements; Authorize the City Manager, or his Designee, to Execute a HOME Contract With the (FWLDC), for the Project for a Term Beginning on the Date of Execution of the Contract and Ending on the Date the 20 Year Affordability Period Expires; Authorize the City Manager, or his Designee, to Extend or Renew the Conditional Commitment or the Contract for Up to One (1) Year if the (FWLDC) Requests an Extension and Such Extension is Necessary for Completion of the Project; and Authorize the City Manager, or his Designee, to Amend the Conditional Commitment or the Contract if Necessary to Achieve Project Goals Provided That the Amendment is Within the Scope of the Project and in Compliance With City Policies and Applicable Laws and Regulations Governing the Use of Federal Grant Funds.

Motion: Council Member Burns made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-24976 be approved, with appreciation to the Housing and Economic Development staff. The motion carried unanimously nine (9) ayes, to zero (0) nays.

[8. M&C C-24977 - Authorize Change in Use and Expenditure of \\$200,000.00 of HOME Investment Partnerships Program Grant Funds to Fort Worth Pilgrim Valley Manor, LP, in the Form of a Subordinate Interim Loan for the Acquisition and Rehabilitation of the Pilgrim Valley Manor Apartments Located at 1701 East Robert Street, Authorize the Execution of Conditional Commitment and Contract, and Authorize a Substantial Amendment to the City's 2008-2009 Action Plan.](#)

The recommendation was that the City Council Authorize a Substantial Amendment to the City's 2008-2009, Action Plan; Authorize the City Manager, or his Designee, to Substitute Funding Years in Order to Meet United States Department of Housing and Urban Development Commitment, Disbursement and Expenditure Deadlines; Authorize a Change in Use and Expenditure of \$200,000.00 in Prior Year's HOME Investment Partnerships Program Grant Funds to Fort Worth Pilgrim Valley

(C-24977 Continued)

Manor, LP, in the Form of a Subordinate Interim Loan for Acquisition and Rehabilitation of the Pilgrim Valley Manor Apartments Located at 1701 East Robert Street, Fort Worth, Texas; Authorize the City Manager, or his Designee, to Execute a Conditional Commitment With Fort Worth Pilgrim Valley Manor, LP, for a Subordinate Interim Loan That Conditions Loan Funding, Among Other Things, on Satisfactory Completion of HOME Requirements; Authorize the City Manager, or his Designee, to Execute a Contract With the Fort Worth Pilgrim Valley Manor, LP, for the Project for a Two (2) Year Term Beginning on the Date of Execution of the Contract; Authorize the City Manager, or his Designee, to Extend or Renew the Conditional Commitment or the Contract for Up to One (1) Year if Fort Worth Pilgrim Valley Manor, LP, Requests an Extension and Such Extension is Necessary for Completion of the Project; and Authorize the City Manager, or his Designee, to Amend the Conditional Commitment or the Contract if Necessary to Achieve Project Goals Provided That the Amendment is Within the Scope of the Project and in Compliance With City Policies and Applicable Laws and Regulations Governing the use of Federal Grant Funds.

Motion: Council Member Hicks made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-24977 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

9. M&C C-24978 - Authorize Execution of Amendment to Economic Development Program Agreement with Renaissance Square, LLC, City Secretary Contract No. 39287, to Extend the Completion Deadline and Amend Certain Provisions Related to Program Grants Pertaining to the Renaissance Square Development at United States Highway 287 and East Berry Street.

The recommendation was that the City Council Authorize the City Manager to Execute an Amendment to an Economic Development Program Agreement With Renaissance Square, LLC, (City Secretary Contract No. 39287) to Extend the Completion Deadline and Amend Provisions Relating to Program Grants Pertaining to the Renaissance Square Development at United States Highway 287 and East Berry Street.

Council Member Hicks advised that the location was actually at the Martin Luther King Freeway and East Berry Street.

Motion: Council Member Hicks made a motion, seconded by Mayor Pro tem Scarth, that Mayor and Council Communication No. C-24978 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

10. M&C C-24979 - Authorize the Execution of an Agreement Regarding Pipeline Relocation with A-S 104 Timberland Town Center, L.P., with City Participation in an Amount Not to Exceed \$85,000.00 and Adopt Appropriation Ordinance.

The recommendation was that the City Council Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Transportation Impact Fee Fund in the Amount of \$85,000.00, From Available Funds, for the Purpose of Relocating a Portion of Pipeline on Timberlawn Boulevard; and Authorize the City Manager to Execute an Agreement Regarding Pipeline Relocation With A-S 104 Timberland Town Center, L.P.

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-24979 be approved and Appropriation Ordinance No. 19738-06-2011 be adopted, with appreciation to staff. The motion carried unanimously nine (9) ayes, to zero (0) nays.

11. M&C C-24980 - Authorize Execution of Amendment No. 5 to City Secretary Contract No. 40243 with Hahnfeld, Hoffer and Stanford in the Amount of \$985,732.50 Plus Up to \$63,680.00 in Reimbursable Expenses for the Design Documents and Construction Administration Services to Renovate and Expand the Meacham International Airport General Aviation Terminal Building, Authorize Contingency and Project Management Expenses for Transportation and Public Works Department Architectural Services in the Amount of \$125,000.50 All Such Funds Being from the Airports Gas Lease Project Fund and Adopt Appropriation Ordinance.

The recommendation was that the City Council Authorize the City Manager to Execute Amendment No. 5 to City Secretary Contract No. 40243 With Hahnfeld, Hoffer and Stanford in the Amount of \$985,732.50 Plus Up to \$63,680.00 in Reimbursable Expenses for the Design Documents and Construction Administration Services to Renovate and Expand the General Aviation Terminal Building at Meacham International Airport and Allow Payment of \$125,000.50 to Cover Contingency and Project Management Expenses for the Transportation and Public Works Department; Authorize the use of Existing Revenue Derived From Mineral Leases on City Owned Airports in the Amount of \$1,174,413.00 for the Design and Construction Administration Services Associated With Renovation and Expansion of the General Aviation Terminal Building at Meacham International Airport; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Airports Gas Lease Project Fund in the Amount of \$1,174,413.00, From Available Funds, for the Purpose of Funding the Expansion and Renovation.

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Scarth, that Mayor and Council Communication No. C-24980 be approved and Appropriation Ordinance No. 19739-06-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

12. M&C C-24981 - Authorize Execution of a Contract in the Amount of \$2,965,250.00 with AUI Contractors, LLC, to Construct the Eagle Mountain Water Treatment Plant Clearwell No. 3 Located at 6801 Bowman Roberts Road.

The recommendation was that the City Council Authorize the City Manager to Execute a Construction Contract in the Amount of \$2,965,250.00 With AUI Contractors, LLC, for Construction of the Eagle Mountain Water Treatment Plant Clearwell No. 3 Located at 6801 Bowman Roberts Road.

Motion: Council Member Burdette made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-24981 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

13. M&C C-24982 - Authorize Execution of Renewal No. 1 of City Secretary Contract No. 38370 in the Amount of \$1,000,000.00 with William J. Schultz, Inc., d/b/a Circle "C" Construction Company for Sewer Main Rehabilitation Pipe Enlargement Contract 2008A.

The recommendation was that the City Council Authorize the City Manager to Execute Renewal No. 1 of City Secretary Contract No. 38370 in the Amount of \$1,000,000.00 With William J. Schultz, Inc., D/B/A Circle "C" Construction Company for Sewer Main Rehabilitation Pipe Enlargement Contract 2008A.

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Zimmerman, that Mayor and Council Communication No. C-24982 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

14. M&C C-24983 - Authorize the City Manager to Accept a Monetary Donation of Approximately \$170,000.00 from the Muriel Pemberton Dowe Estate for Improvements in the Fort Worth Botanic Garden, Authorize an Amendment to City Secretary Contract No. 32788 with the Fort Worth Botanical Society for Improvements to the Botanic Garden and Adopt Appropriation Ordinance.

The recommendation was that the City Council Authorize the City Manager to Accept a Monetary Donation for the Parks and Community Services Department in the Amount of Approximately \$170,000.00 From the Muriel Pemberton Dowe Estate for Improvements in the Botanic Garden; Authorize an Amendment to City Contract No. 32788 With the Fort Worth Botanical Society to Authorize the Fort Worth Botanical Society to Receive and Disperse Donated Funds From the Muriel Pemberton Dower Estate for Improvements at the Fort Worth Botanic Garden; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Special Trust Fund in the Amount of \$170,000.00, Subject to Receipt of a Monetary Donation From the Muriel Pemberton Dow Estate, From Available Funds, for the Purpose of Funding the Improvements.

(C-24983 Continued)

Ms. Harva Kuykendall, Vice President, Frost Financial Management Group, appeared before Council and presented a ceremonial check in the amount of \$170,000.00 to the City Council.

Council Member Burdette accepted the donation on behalf of the City Council and expressed appreciation for the endowment to the Botanic Garden.

Motion: Council Member Burdette made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-24983 be approved with appreciation to Mrs. Muriel Pemberton Dowe and Appropriation Ordinance No. 19740-06-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

XV. PUBLIC HEARING

1. Second Public Hearing For A Proposed City-Initiated Annexation of Approximately 21.0 Acres of Land in Denton County, Located on the North Freeway (I-35W), South of Highway 114 and East of Championship Parkway (AX-11-003 North Freeway/I-35W).

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

a. Report of City Staff

Ms. Beth Knight, Senior Planner, Planning and Development Department, appeared before Council and provided a staff report.

b. Citizen Comments

There were no citizen comments.

c. Council Action

Motion: Council Member Burdette made a motion, seconded by Council Member Espino, that the public hearing be closed. The motion carried unanimously nine (9) ayes to zero (0) nays.

2. Second Public Hearing for a Proposed City-Initiated Annexation of Approximately 0.3 Acres of Land in Denton County, Located at 4561 Lakeside Hollow Street, South of Litsey Road and East of Cleveland-Gibbs Road (AX-11-004, 4561 Lakeside Hollow St.).

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

a. Report of City Staff

Ms. Beth Knight, Senior Planner, Planning and Development Department, appeared before Council and provided a staff report.

b. Citizen Comments

There were no citizen comments.

c. Council Action

Motion: Council Member Burdette made a motion, seconded by Council Member Espino, that the public hearing be closed. The motion carried unanimously nine (9) ayes to zero (0) nays.

XVI. ZONING HEARING

1. Zoning Docket No. ZC-11-047 - IAP Fort Worth Pilgram Valley Manor LLC/City of Fort Worth Housing & Economic Development, 1701 E. Robert Street; from: "I" Light Industrial to: "C" Medium Density Multifamily. (Recommended for Approval)

It appeared to the City Council that the Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the *Fort Worth Star-Telegram*, the official newspaper of the City of Fort Worth, on May 31, 2011.

Motion: Council Member Hicks made a motion, seconded by Mayor Pro tem Scarth, that Zoning Docket No. ZC-11-047 be approved, with appreciation to staff and all involved. The motion carried unanimously nine (9) ayes to zero (0) nays.

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

ORDINANCE NO. 19741-06-2011

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

XVII. CITIZEN PRESENTATIONS

Mr. Tim Love, 905 Raenae Drive, Burleson, Texas 76028, President Leathernecks Motorcycle Club, appeared before Council regarding motorcycle awareness and safety. He also expressed appreciation to everyone who was present in the audience in support of motorcycle safety and awareness. He advised that in the club they had a fellow member present who was awarded the Purple Heart who lost both of his legs. He pointed out that the members of his club were in attendance to make everyone aware of all the motorcycle riders on the highways and roadways and emphasized that many people driving vehicles did not see motorcycle riders which account for numerous accidents and deaths each year. He stated that he wanted everyone to know that the motorcycle riders enjoyed riding and did not cause mischief, but rode together as a family, especially in his club, which was made up of honorably discharged military veterans. He further stated that Fort Worth was a town that they had chosen to come back to because they love the City. He pointed out that the club was Chapter Number 10 in the City and they were very proud of the Chapter. He requested that the City place more signage on the streets that advise motorists to be aware of motorcyclists. He expressed concerns for the motorcyclists and their safety when people were driving their cars and talking and texting on their cell phones. He stated that motorcyclists were very vulnerable to the other vehicles on the road because the motorcyclists did not have any protection around them like automobiles and trucks. He recounted an event that occurred on Highway 287 where one of their members was severely injured and was taken by an emergency helicopter to the hospital. He added that all of the motorcyclists had families and pointed out that he protected the American citizens overseas in combat and he was asking that the citizens do the same for the motorcyclists on the streets.

Council Member Burdette stated that he was once a bicycle rider and knew exactly what Mr. Love was referring to and added that it was very important for a rider on a two-wheeled vehicle traveling on a busy street to watch the other persons' eyes to see what they were doing because they did not pay

(XVII. CITIZEN PRESENTATIONS Continued)

attention to the motorcyclist. He stated that he hoped that Mr. Love's points were well taken and that the Transportation and Public Works Department would look into the matter and put up signage. He advised that recently he had seen some messages on the Texas Department of Public Safety electronic highway signs about looking twice for motorcycles and he thought that was a great message to get out to all of the motorists. He advised that he did not want to see them protect our freedoms and then come home to problems with being on the road with their motorcycles. He also expressed appreciation the group for attending the Council meeting.

Mayor Moncrief stated that Mr. Love's point was well taken and pointed out that Fort Worth was blessed to be the ninth safest major city in the United States. He advised that the Council prioritized safety as one (1) of the major pieces of the quality of life in Fort Worth. He also stated that the City would look into this project further and if it was affordable to the City that signage would be improved. Mayor Moncrief stated that they appreciated the group taking the time to come down to the City. He also expressed appreciation the group for attending the Council meeting and delivering their important message.

Mr. Riley Cantrell, 2300 Sun Drop Court, appeared before Council regarding an incident with his neighbor relative to an assault with bodily injury and arrest that took place. He stated that his neighbor was threatening to kill him and he was unfairly detained. He stated that the Police Investigation that ensued as a result of his complaint had not solved the problem and the report that was on file was false and the police were also tampering with evidence. He also stated that his neighbor was placing ants and termites on his property because of their confrontation. He displayed photographs of code violations in his neighborhood and of signage that was displayed in his front yard.

Mr. Edward Lindsay, 5062 Tierney Court South, appeared before Council relative to two buildings with the address 1000 Throckmorton Street (City Hall and Municipal Court) and suggested the letters "A" and "B" be added to the address to avoid confusion. He also recommended that the Tierney Road improvement project be combined with other projects in the area so the repairs would be completed in a timely manner, as the street had been under construction for one (1) year. He also encouraged economic development on Brentwood Stair Road area.

Council Member Hicks referred Mr. Lindsay to District 8 Aide Will Trevino for further discussion.

Ms. Wendy Helm, 4759 Martha Lane, appeared before Council in opposition to the closing of Sycamore Golf Course and stated that the course was in good shape and many people enjoyed the course. She also advised that many residents were concerned that the Parks and Community Services Department was interested in repurposing the Z Boaz Golf Course as a dog park and aquatics center. She advised that the course was spring fed and did not require outside watering. She further stated that the costs associated with the dog park and aquatics center would outweigh the benefits. She suggested

(XVII. CITIZEN PRESENTATIONS Continued)

some of the swimming pools should be repurposed for the children who wished to play basketball and other sports. She provided a typed copy of her comments.

Council Member Hicks expressed appreciation to Ms. Helm for her service as the Chairman of the Golf Advisory Board. She stated that future discussions would be held regarding the Sycamore Golf Course and requested Ms. Helm be invited to the meetings.

Mr. Joe Don Brandon, P.O. Box 1155, appeared before Council and displayed a list of websites that he advised he would provide to the citizens free of charge. He also explained new services that would be provided for day laborers.

Mayor Moncrief expressed appreciation to Mr. Brandon for his participation in the community.

Mr. Donnell Dallard, 3100 Hamilton, No. 1248, completed a citizen presentation card and was recognized by Mayor Moncrief but was not present in the Council Chamber.

XIX. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:05 p.m. in memory of Mrs. Billye Jo Simpkins Robinson, who passed away on June 11, 2011, mother of Ms. JoAnn Brown and Ms. Deborah Cuffee, both City employees. He stated that Mrs. Robinson was born and raised in Fort Worth and she attended historic I.M. Terrell High School, earned a Bachelor of Science Degree in Sociology from Prairie View A&M University and later obtained her Masters Degree in Education at the University of North Texas. He stated that Mrs. Robinson was a dedicated member of St. Andrews United Methodist Church, a member of Delta Sigma Theta Sorority, Inc., and an avid antique doll and stamp collector. He stated she shared a life time of memories with her daughters, grandchildren and her husband, Carl A. Robinson, who preceded her in death.

**CITY OF FORT WORTH, TEXAS
CALLED SPECIAL – CITY COUNCIL AGENDA
JUNE 27, 2011**

Present

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

Absent

Council Member Joel Burns, District 9

Staff Present

Tom Higgins, Interim City Manager
Sarah J. Fullenwider, City Attorney
Ronald P. Gonzales, Assistant City Secretary

Guests:

Mayor-Elect Betsy Price
District 7 Council Member-Elect Dennis Shingleton

I. CALL TO ORDER

With a quorum of the City Council Members present, Mayor Moncrief called the Called Special Session of the Fort Worth City Council to order at 9:07 a.m., on Monday, June 27, 2011, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, with Council Member Burns absent.

II. CERTIFICATION OF OFFICIAL RUN-OFF ELECTION RESULTS BY THE CITY SECRETARY

Assistant City Secretary Gonzales advised the Council that they had been provided with the certifications and tabulations of the official election returns from Tarrant County, including Parker County and Denton County, of the Run-Off Election held on Saturday, June 18, 2011, for the purpose of electing the Mayor At-Large and a Council Member for Single Member District 7 of the City of Fort Worth, Texas. He stated that the certified returns for such election reported were as follows:

**CITY OF FORT WORTH, TEXAS
CALLED SPECIAL – CITY COUNCIL AGENDA
JUNE 27, 2011
Page 2 of 2**

| <u>Office of Mayor</u> | <u>Total</u> |
|-------------------------------|---------------------|
| Jim Lane | 15,725 |
| Betsy Price | 19,963 |

Member of the City Council – District 7

| | |
|-------------------|-------|
| Jon Perry | 2,036 |
| Dennis Shingleton | 3,274 |

He added that as a result of the tabulations the following persons were declared elected to the City Council:

| | |
|----------------------------------|-------------------|
| Mayor | Betsy Price |
| City Council Member – District 7 | Dennis Shingleton |

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Zimmerman, acknowledging the receipt of the Certification of Official Election Returns and directed that they be filed on record in the City's Election Register. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Burns absent.

VI. RESOLUTION

1. A Resolution Canvassing Returns and Declaration of Results of the Run-Off Election Held on June 18, 2011.

Motion: Council Member Zimmerman made a motion, seconded by Mayor Pro tem Scarth, that Resolution No. 4000-06-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Burns absent.

VII. PRESENTATION OF CERTIFICATES OF ELECTION

Mayor Moncrief presented Certificates of Election to: Mayor-Elect Betsy Price and District 7 Council Member-Elect Dennis Shingleton.

IV. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:13 a.m.

No Documents for this Section

**To the Mayor and Members of the City Council****July 12, 2011**

Page 1 of 1

SUBJECT: EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF UP TO \$175,000.00 FOR THE PROJECT KNOWN AS THE PRESBYTERIAN NIGHT SHELTER REHABILITATION PROJECT

The purpose of this Informal Report is to provide City Council with information regarding the proposed funding of the Presbyterian Night Shelter Rehabilitation Project (Project) in the amount of up to \$175,000.00 in Community Development Block Grant (CDBG) funds.

The Presbyterian Night Shelter (PNS) is located in east Fort Worth and serves the needs of approximately 350 homeless individuals daily. PNS is the largest provider of services for the homeless and is the only free area emergency shelter without length-of-stay restrictions. PNS has requested CDBG funds for the rehabilitation of the facility's bathrooms that will include, but is not limited to, removal and replacement of toilets, lavatory faucets, showers, energy recovery exhaust system, flooring, walls, and painting. Staff has reviewed the request and has found that the expenditure is an eligible use of CDBG funds.

To comply with the federal regulations regarding the use of CDBG funds, a public comment period concerning the change in use of funds in the amount of \$175,000.00 was held from June 14, 2011 to July 14, 2011. Any comments are maintained by the Housing and Economic Development Department in accordance with federal regulations.

The Presbyterian Night Shelter Rehabilitation Project is located in COUNCIL DISTRICT 8.

Staff recommends spending CDBG funds that were originally earmarked for the 2008-2009 Housing Trust Fund for this rehab project. Staff recommends approval of the M&C set to be on the July 26, 2011, City Council agenda for consideration by City Council.

If you should have any questions regarding this proposed Project, please contact Jay Chapa, Director, Housing and Economic Development Department at 817/392-5804.



Tom Higgins
Interim City Manager

To the Mayor and Members of the City Council**July 12, 2011**

Page 1 of 1

**SUBJECT: Update on Excavation at 7397 Randol Mill Road**

On February 25, 2011, staff received a complaint related to excavation activities occurring at 7397 Randol Mill Road (Council District 4). Over the next several days Code and Development Inspectors investigated the complaint. At the time the on site activities appeared consistent with those of a mining operation. The property is zoned AG for agriculture use; mining is not allowed on AG zoned property. Due to the apparent violation of the zoning ordinance a Stop Work Order was issued on March 1, 2011. There has been no excavation at the site since the order was issued, however the prior excavation activities resulted in a large pit approximately fifteen (15) feet deep, and the accumulation of a large mound of soil approximately thirty (30) feet high that abuts neighboring properties.

During the intervening weeks staff met with both the Mallard Cove Community Group (MCCG) and Mr. Mike McGuffin, the owner of 7397 Randol Mill. Mr. McGuffin asserted that his excavation operation was primarily to reduce the sand content of the soil, thereby making the land more conducive for the growing of Coastal Bermuda hay. On April 15, 2011, staff mailed a certified letter to Mr. McGuffin's attorney detailing the need for Mr. McGuffin to provide to the City information on the site's soil strata and an analysis from a qualified independent party substantiating the need to remove the sand to the excavated depth to productively grow Coastal Bermuda hay on the property.

On June 7, 2011, Wayne Gilpin, a member of the Mallard Cove Community Group made a citizen presentation to City Council discussing the large soil mound adjacent to his property and his desire to see it removed. Council directed staff to meet with Mr. McGuffin and the MCCG to facilitate a resolution.

A meeting between Mr. McGuffin and his consultants, staff, and representatives from the MCCG (Mr. Gilpin and Ms. Gretchen Demke) was held on June 14, 2011. It was agreed that Mr. McGuffin would be given three (3) weeks to complete the required site analysis. Thereafter, the City would review the report and the parties would meet again to discuss the report's findings, final dispositions, and next steps.

Mr. McGuffin has agreed to complete the excavation, remove the mound, and grade the site within four (4) months if the result of the soil analysis substantiates the need for excavation to the current depth. The MCCG is considering a proposal that would allow Mr. McGuffin to expand his hours of excavation, thereby reducing the proposed project duration. If the soil analysis does not support the need to excavate to the current depth, then Mr. McGuffin would not be allowed to excavate further and would be required to fill the pit, remove the mound, and restore the site to its previous grade.

If you have any questions about this information please contact Randle Harwood, Director, Planning and Development at 817-392-6101, or David Hall, Assistant Director, Planning and Development at 817-392-7844.

Tom Higgins
Interim City Manager

To the Mayor and Members of the City Council

July 12, 2011

Page 1 of 1



Subject: Owner-Initiated Full-Purpose Annexation of Two Areas, 2484 Avondale-Haslet Road and the 5700 – 6400 Blocks of Dirks Road

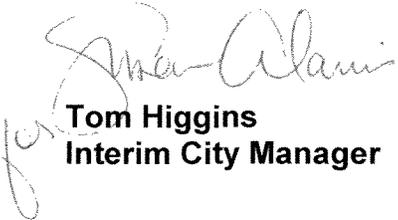
The July 19 City Council agenda will contain two M&Cs to approve the annexation for two areas. The annexation of 2484 Avondale-Haslet Road would be an addition to Council District 2, while the Dirks Road right-of-way would add area to Council District 3. Attached is a PowerPoint for reference. The fiscal impact analyses are posted on the Planning and Development Department's website.

The two annexation areas are described below:

- AX-11-008, at 2484 Avondale-Haslet Road, in the northeast quadrant of US 287 and Avondale-Haslet Road, contains 3.3 acres of land recently developed as a multi-tenant retail building. Annexation of this site is expected to have a positive impact on the General Fund and will require no capital improvements, because the adjacent roadway is already inside the city limits.
- AX-11-010, Dirks Road right-of-way, between Granbury Road and Bryant Irvin Road, covers approximately 15.4 acres of roadway, currently under expansion. Annexation of this right-of-way would create a very slight negative impact on the General Fund and would require no future capital improvements to improve the roadway.

The City is able to provide municipal services upon annexation in accordance with State law, without negatively impacting service provision within the city. Annexation of these sites is consistent with the City's annexation policy to consider full-purpose annexation for areas experiencing urban development. The annexation and zoning of these areas would run concurrently, with final approvals anticipated to occur on July 19, 2011.

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


Tom Higgins
Interim City Manager

Attachment

Owner-Initiated Annexations



Prepared for the
City Council

By the
Planning and Development Department

July 12, 2011

1

Purpose

Review the following items:

- ✓ Annexation **criteria**;
- ✓ **Fiscal impact methodology**; and
- ✓ Area requested for **full-purpose annexation**.

2

Annexation Criteria

A. Full-Purpose Annexation

Area must meet one or more of the following conditions:

1. Enclave

- a. Enclave within City's ETJ
- b. Ability to provide municipal services

2. Urban Development

- a. Development activity of an urban nature
- b. Ability to provide municipal services
- c. Positive fiscal impact analysis

3. Growth Center

- a. Designated growth center
- b. Ability to provide municipal services
- c. Positive fiscal impact analysis

4. Adverse Impact

- a. Adverse impact on City if not annexed
- b. Ability to provide municipal services

5. Option to Expand

- a. Detriment to City's orderly growth if not annexed
- b. Ability to provide municipal services

3

Preparation of Fiscal Impact Analysis

A. Revenues

B. Expenditures

C. Analysis Timeframe

D. Per Capita Data Sources

E. Population Estimate

F. Methodology

1. Areas with Existing or Proposed Development
2. Other Areas

G. Timing for Preparation of Fiscal Impact Analysis



4

Revenues

General Fund

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

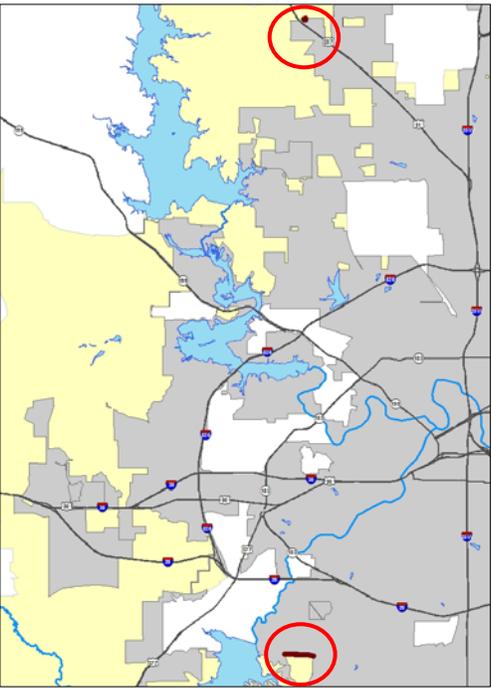
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Expenditures

1. One-time **transitional** costs, including street signs and markings, and emergency response set up
2. Required **capital improvements** for fire service, roadways and drainage, and water and wastewater infrastructure

6

**Where are the areas
of the annexation
requests?**



**2484 Avondale-Haslet Road
(AX-11-008)**

Analysis Basis

- 3.3 acres
- No exemptions
- Existing retail building
- Previously platted property
- No short term growth
- Property tax revenues
 - \$9,579 yearly



Analysis Results

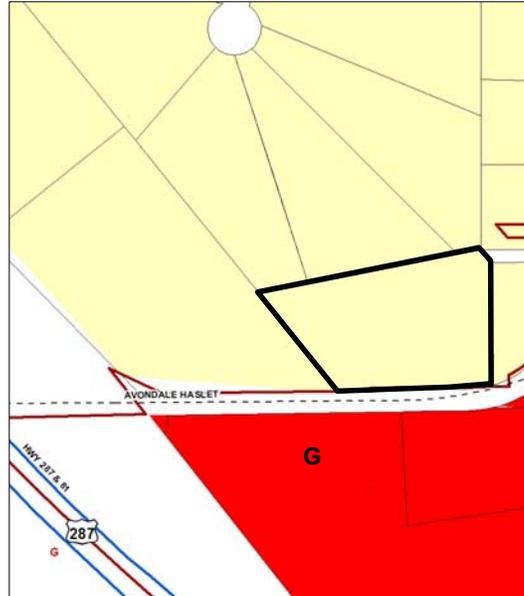
- Initial Costs
 - Police Department - \$0
 - Fire Department - \$1,936
 - Code Compliance - \$244
- No capital improvements necessary
- Positive result to the General Fund for first year
- Cumulative positive impact to the General Fund each year thereafter



10

What future land use is designated in the 2011 Comprehensive Plan, and what is the surrounding zoning?

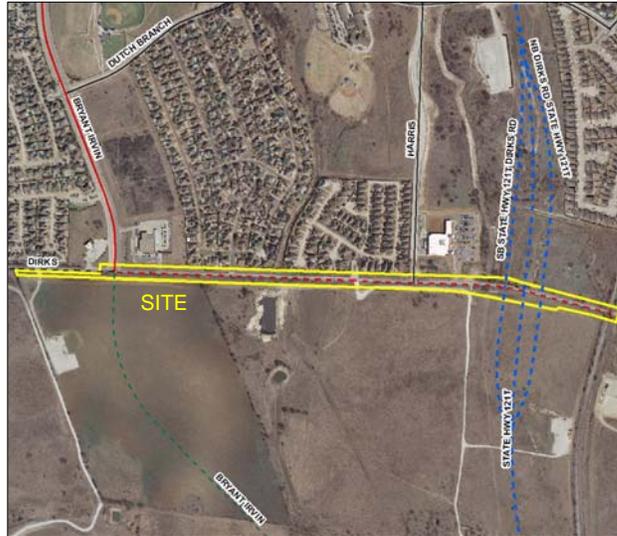
- Existing Use
 - Multi-tenant Retail
- Future Land Use
 - Rural Residential
 - Recommended for Neighborhood Commercial by the City Plan Commission



**Dirks Road
(AX-11-010)**

Analysis Basis

- 15.4 acres
- Government exemption
- Existing Dirks Road right-of-way
- No short term growth
- Property tax revenues
 - \$0 yearly



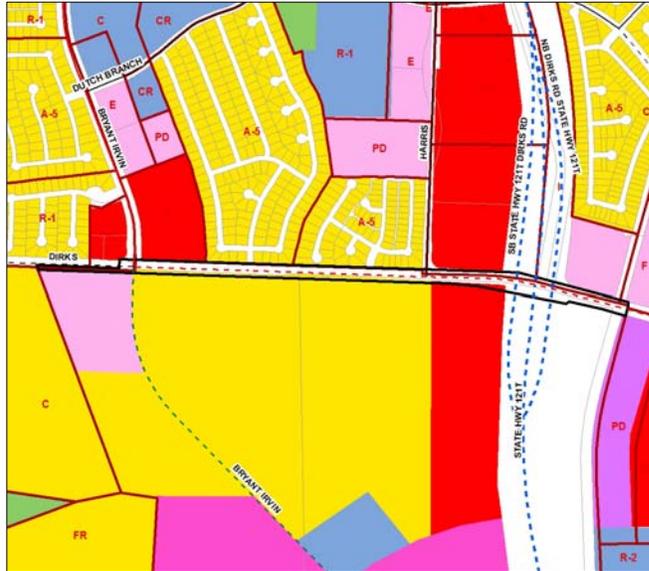
Analysis Results

- Initial Costs
 - Police Department - \$0
 - Fire Department - \$1,936
 - Code Compliance - \$100
- No capital improvements necessary – currently under reconstruction
- Slightly negative result to the General Fund for first year
- Cumulative negative impact to the General Fund each year thereafter



What future land use is designated in the 2011 Comprehensive Plan, and what is the surrounding zoning?

- Existing Use
 - Right-of-way
- Future Land Use
 - Rights-of-way do not have future land use category
- Master Thoroughfare Classification
 - Proposed Principal Arterial



What is the proposed annexation schedule for the owner-initiated annexations?

| <u>Date</u> | <u>Action</u> |
|-------------|---|
| April 18 | Owner submits annexation application for AX-11-008 . |
| June 8 | Owners submit annexation application for AX-11-010 . |
| July 12 | City Council receives Informal Report . |
| July 19 | City Council considers and institutes approval of annexation . |

To the Mayor and Members of the City Council**July 12, 2011**

Page 1 of 1

**Subject: Amending the City of Fort Worth's Annexation Plan to Add an Approximately 64.3-Acre Tract of Land Located West of US 377 and South of Wall Price Keller Road**

The July 19 City Council agenda will contain an M&C to amend the City's annexation plan in order to add approximately 64.3 acres of land for consideration of annexation in 2014 (Area 18). Section 43.052 of the Texas Local Government Code requires any proposed annexation area with more than 100 residential parcels to be added to the City's three-year annexation plan. This 64.3-acre tract of land currently contains 109 residential parcels and one industrial site.

The City Council adopted the 2011 Comprehensive Plan and the Five-Year Annexation Program on March 1, 2011, (M&C G-17216). The annexation program identifies areas that may be considered for full-purpose annexation, including this enclave to be added to the three-year annexation plan. Full-purpose annexation would be completed on the third anniversary of the date the plan is amended, tentatively scheduled for the summer of 2014.

Because the area consists of an urban residential subdivision, no parcels in the enclave have agricultural exemptions that qualify for development agreements in lieu of annexation. Annexation of this area would create a positive cumulative impact on the General Fund. Future capital improvements are required to improve existing local streets.

Staff has determined the City will be able to provide full municipal services upon annexation. The property owners will receive several notices during the preparation of the service plan. This area would be an addition to Council District 2. Attached is a PowerPoint for reference. The fiscal impact analysis is posted on the Planning and Development Department's website.

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

Tom Higgins
Interim City Manager

Attachment

FISCAL IMPACT ANALYSIS OF AREA 18 ADDITION TO ANNEXATION PLAN



Prepared for the
City Council

By the
Planning and Development Department

July 12, 2011

1

PURPOSE

To **review** the following items:

- ✓ The City's annexation **criteria**;
- ✓ The City's **fiscal impact methodology**; and
- ✓ The **results** of fiscal impact analysis for area 18

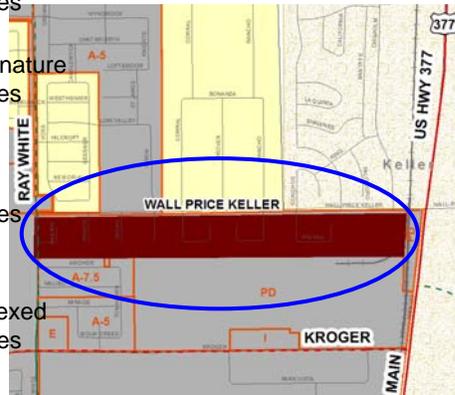
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ANNEXATION CRITERIA

A. Full-Purpose Annexation

Area must meet one or more of the following conditions:

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



3

PREPARATION OF FISCAL IMPACT ANALYSIS

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



4

REVENUES

General Fund

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

5

EXPENDITURES

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

6

AREA 18

- Addition to Annexation Plan
- 64.3 acres
- Existing Uses
 - Estimated 327 residents on 109 lots
 - 10-acre industrial site
 - 0 vacant lots
- Future Land Use
 - Single Family
 - Light Industrial



7

7

ANALYSIS ASSUMPTIONS

- Single family uses and 1 industrial use
- 91 homestead exemptions
- No short term growth
- Property tax revenues
 - \$492,865 yearly



8

8

ANALYSIS RESULTS

- Initial Costs
 - TPW - \$5,000 start up services for residential streets
 - Police Department - \$9,078 for an estimated 34 service calls
 - Fire Department - \$1,936 for an estimated 2 service calls
 - Code Compliance - \$244 for consumer health and animal control services
- Future capital improvements necessary to reconstruct local streets
- Net positive result to the General Fund



9

What is the proposed schedule?

| <u>Date</u> | <u>Action</u> |
|-------------|--|
| July 12 | City Council receives fiscal impact analysis and proposed schedule . |
| July 19 | City Council approves resolution to add area to three-year annexation plan. |
| Fall 2011 | Tarrant County and Fort Worth coordinate Inventory of Services . |
| Spring 2012 | City Council holds public hearings on the service plan . |
| July 2014 | City Council institutes and considers approval of annexation and zoning . |

10

To the Mayor and Members of the City Council

July 12, 2011

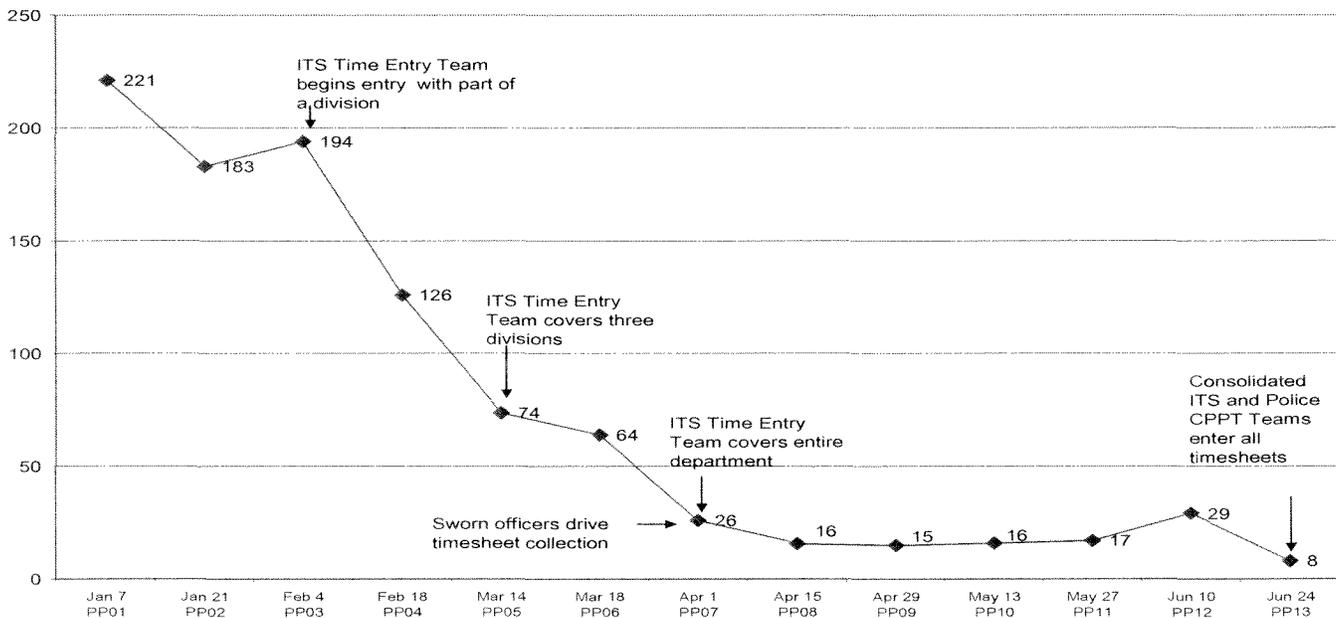
Page 1 of 2



SUBJECT: ENTERPRISE RESOURCE PLANNING (ERP) PROJECT – PHASE I UPDATE

The purpose of this Informal Report is to provide an update on the Enterprise Resource Planning (ERP) Project stabilization activities and to prepare the City Council for consideration of an M&C on July 19th to reallocate existing appropriations among existing consultant contracts. Starting on March 8, 2011 staff initiated a 90-day plan to address training needs, system usability, and time entry and paycheck correction processing for the Police Department. IT Solutions has centralized Police time entry and the Police Department has assigned sworn officers to oversee timesheet collection within the department. As a result, the group has dramatically improved data entry accuracy and reduced the number of new inquiries. The group has had only one data entry error since April 1st (PP07).

Police Paycheck Inquiries



The project team is effectively managing the small number of new inquiries and has also completed the research and communicated the results for 1193 inquiries dating back to October 1st. There are approximately 110 inquiries remaining in process that require follow up information from the employee and/or have requested a full audit of leave balances. These will be resolved by the team by the beginning of August. Additionally, a tool is being developed for the department time keepers to audit the leave balances of their employees beginning on August 27th.

Following is the timeline to transition timekeeping responsibility back to the Police Department:

- ☐ **May 31 through June 6:** Conducted training of Police CPPT (Completed)

To the Mayor and Members of the City Council

July 12, 2011

Page 2 of 2

**SUBJECT: ENTERPRISE RESOURCE PLANNING (ERP) PROJECT – PHASE I UPDATE**

- ❑ **June 28:** Moved ITS Time Entry Team and Police CPPT team to Hazel Harvey Peace Neighborhood Center *(Completed)*
- ❑ **Jun 28 – Jul 31:** Build new Police-specific processes for timesheet collection, time entry, inquiry tracking, and inquiry resolution. Continued ITS, eVerge, and STA support for operations.
- ❑ **Aug 1 – Sept 30:** Police assumes responsibility for timekeeping process and consultant assistance is reduced. The Police Department has already hired two of the contract resources who have been on the ITS Time Entry team and hired four temporary workers to be trained during the transition period.

Next Steps: With the completion of the 90-day plan, there are three primary areas of focus to complete overall Phase I of the ERP project:

- ❑ Conduct the transition of all time entry and correction processing activities back to Police control;
- ❑ Provide additional support for Fire administrative team in areas of salary report deployment and analysis; and new procedure development; and documentation for operations.
- ❑ Complete needed changes to the system that were delayed due to the focus on the first 90-day time period, and provide resource assistance for system changes resulting from the creation of new ranks within Police and Fire and related organizational changes.
- ❑ Continue Employee Self Service (ESS) Time Entry. The Library completed ESS training on July 1st. The Library will start data entry with Pay Period 15 (pay date July 22nd). The Water department is scheduled to begin training in mid-July followed by the Municipal Court Department.

In order to accomplish this, on July 19th, the City Council will be asked to consider an M&C that reallocates funds from the eVerge contract (CSC No. 37974) to the STA Consulting contract (CSC37970). The eVerge contract will be decreased by \$190,512. Through careful management of the project, sufficient funding has been identified in the currently approved appropriation and no additional funding is requested.

If you have any questions, please contact Pete Anderson, Director, IT Solutions Department at 817-392-8781.


Tom Higgins
Interim City Manager

To the Mayor and Members of the City Council

July 12, 2011

Page 1 of 2



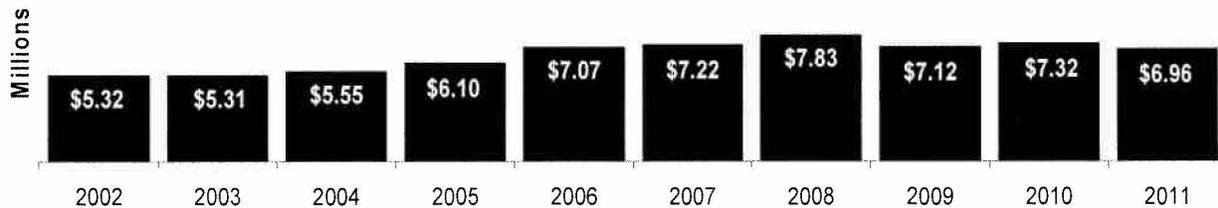
SUBJECT: JULY 2011 – SALES TAX UPDATE

In response to the volatile nature of sales tax revenue, the Staff is committed to providing you a brief update of the sales tax collections. The Texas Comptroller’s Office posted results on July 7th. 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 May. In this report, you will see our sales tax collection compared to last year and the impact on the current year’s budget.

MONTHLY SALES TAX COLLECTIONS FOR MAY

CITY OF FORT WORTH

| | | | |
|------------|--------------|------------------------|-------------------|
| MAY FY2011 | \$ 6,964,832 | <u>DOLLAR VARIANCE</u> | <u>% VARIANCE</u> |
| MAY FY2010 | \$ 7,316,483 | (\$351,651) ↓ | -4.81% ↓ |

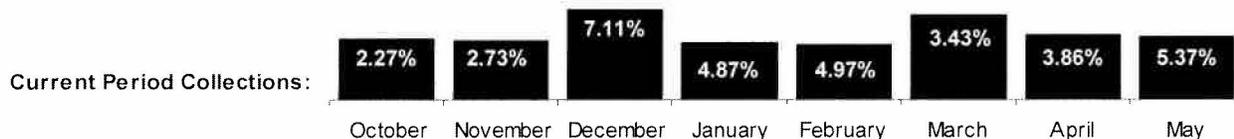


Note: Chart is based on the City's one-cent sales tax collection only.

Note: The City’s May sales tax collections were down **\$351,651** compared to last year. The City has had single audit adjustments over the last three reported months. According to the Comptroller’s office, an entity filed a refund for taxes paid on tax exempt equipment and received a credit of \$1.1M in March, \$1.4M in April, and \$907K for the current month. The refunds stemmed from an audit that occurred in different time periods and the credit was granted after a declared legal judgment. Although this is an unusual event, the Comptroller has informed Staff that additional adjustments should be expected.

COLLECTION DETAIL FOR CITY SALES TAX

| | MAY 2010 | MAY 2011 | CHANGE |
|------------------------------------|---------------------|---------------------|-----------------|
| Current Period Collections: | \$ 7,490,064 | \$ 7,892,093 | 5.37% ↑ |
| Other Collections: | 75,117 | 131,423 | 74.96% |
| Audit Collections: | (109,389) | (907,196) | 729.33% |
| Service Fee: | (149,116) | (142,326) | -4.55% |
| Retainage: | 9,807 | (9,162) | -193.42% |
| Net Payment | \$ 7,316,483 | \$ 6,964,832 | -4.81% ↓ |



City Sales Tax Trend: Variance for the most recent months vs. same period last year.

Note: As you can see, “Current Period” collections have a positive trend signaling continued sales tax improvement.

To the Mayor and Members of the City Council

July 12, 2011

Page 2 of 2



SUBJECT: JULY 2011 – SALES TAX UPDATE

CITY OF FORT WORTH BUDGET COMPARISON - FY2011

| | YTD BUDGET | YTD ACTUAL | YTD VARIANCE | |
|------------------------------------|-------------------|-----------------------|--------------------|---|
| CITY OF FORT WORTH | \$ 62,405,447 | \$ 64,804,186 | 3.84% | ▲ |
| CRIME CONTROL AND PREVENTION DIST. | \$ 27,356,606 | \$ 30,131,150 | 10.14% | ▲ |
| MASS TRANSIT AUTHORITY - THE "T" | \$ 29,503,378 | \$ 32,177,482 | 9.06% | ▲ |
| | ADOPTED BUDGET | BUDGET RE-ESTIMATE | YR END VARIANCE | |
| CITY OF FORT WORTH | \$ 96,351,438 | \$ 98,750,176 | 2.49% | ▲ |
| CRIME CONTROL AND PREVENTION DIST. | \$ 42,237,472 | \$ 45,012,016 | 6.57% | ▲ |
| MASS TRANSIT AUTHORITY - THE "T" | \$ 45,552,000 | \$ 48,226,104 | 5.87% | ▲ |

Note: Although the City has lost approximately \$3.4M in audit adjustments from prior periods, collections total **\$2,398,738** more than budget. Staff recommends maintaining a conservative forecast, due to additional audit adjustments by the Comptroller.

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

**CITY OF FORT WORTH
CITY COMPARISONS - FY 2011 v. FY 2010**

| CITY | QTR 1 | QTR 2 | APRIL | MAY | YTD |
|----------------------|--------|--------|---------|---------|--------|
| BURLESON | 14.02% | -1.10% | -1.96% | 43.25% | 10.05% |
| GRAPEVINE | 13.59% | 3.00% | 9.60% | 10.65% | 8.84% |
| SOUTHLAKE | 2.15% | 8.00% | 4.40% | 10.60% | 5.38% |
| EULESS | 7.28% | 6.60% | 2.25% | -1.02% | 5.33% |
| HURST | 6.62% | 2.80% | 8.76% | 1.66% | 4.94% |
| DALLAS | 3.59% | 4.70% | 3.23% | 5.01% | 4.13% |
| ARLINGTON | 8.10% | 0.50% | -1.68% | 4.67% | 3.61% |
| WATAUGA | 6.13% | 0.40% | 1.63% | 3.80% | 3.19% |
| FORT WORTH | 9.29% | 0.90% | -16.19% | -4.81% | 1.44% |
| NORTH RICHLAND HILLS | 5.27% | -3.00% | -2.11% | 1.76% | 0.90% |
| KELLER | 2.81% | -2.40% | 6.81% | -8.56% | -0.10% |
| GRAND PRAIRIE | -6.73% | -2.70% | 2.03% | 4.05% | -2.88% |
| BEDFORD | -0.61% | -7.90% | -3.11% | -11.44% | -5.06% |
| STATE TOTAL | 8.26% | 10.00% | 11.39% | 9.95% | 9.53% |

Note: YTD collections for Fort Worth are up **1.44%** compared to last year.

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

Tom Higgins
Tom Higgins
 Interim City Manager

CITY OF FORT WORTH, TEXAS



COUNCIL PROPOSAL

| | | |
|-------------------------|--|---|
| Date: 7-12-11 | File Number: 286 | Subject: One Time Waiver of Site Reservation Fee for the Stop Six Day Event |
| Proposed By: Frank Moss | City Manager's Review: <i>Manuel Alvarez</i> | Page: 1 OF 1 |
| | City Attorney's Review: <i>Peter Vahy</i> | |

It is proposed that the City Council retroactively approve a one-time waiver of the site reservation fee of \$845.00 for Ex-Offenders of America Alumni Association for the June 4, 2011 Stop Six Day Event held at Rosedale Plaza Park.

DISCUSSION:

The Ex-Offenders of America Alumni Association (XOAAA) is a Texas non-profit corporation that is recognized by the IRS as a charitable organization. According to its Articles of Incorporation, the XOAAA is organized "to provide direction, employment, counseling classes, religious teachings, education and assistance for victims and families of ex-offenders." The group has requested the waiver of the site reservation fee of \$845.00 for the Stop Six Day event that was held Saturday, June 4, 2011. The XOAAA met all other special events requirements for this event.

The City of Fort Worth's Park Reservation Policy establishes fees for reservations of parks (M&C G-12180 April 07, 1998 and G-15881, September 25, 2007). The XOAAA requested waiver of the reservation for this year only. Because the Stop Six Day event served the general public by bringing greater awareness to the history and culture of the unique and historically significant Stop Six community and providing an opportunity to bridge gaps and foster collaboration among City agencies, non-profit entities, and the community, it is proposed that the site reservation fee be waived one time for XOAAA's first official Stop Six Day event.

The XOAAA understands that this is a one time waiver and has expressed its intent to raise sufficient funds to cover all fees in the future.

LEGALITY:

The Department of Law finds that this proposal is legal and that it is within the authority of the City Council.

FISCAL NOTE:

The Finance Director certifies that the approval of this Council Proposal will not require the appropriation of additional funds at this time.

CITY MANAGER'S COMMENT:

PROPOSED BY:

Frank Moss

Frank Moss
Councilmember

Sal Espino

Sal Espino
Councilmember

- LEGALITY
- FISCAL NOTE
- CITY MANAGER'S COMMENTS
- CITY POLICIES MANUAL

No Documents for this Section

No Documents for this Section

City of Fort Worth, Texas
Mayor and Council Communication

DATE: Tuesday, July 12, 2011

LOG NAME:

REFERENCE NO.: **OCS-1818

SUBJECT:

Notices of Claims for Alleged Damages and/or Injuries

RECOMMENDATION:

It is recommended that the City Council refer the notices of claims for alleged damaged and/or injuries to the Finance Department/Risk Management for evaluation and investigation.

DISCUSSION:

The procedure for filing of claims of alleged damages and/or injuries is prescribed in Chapter XXVII, Section 25 of the Charter of the City of Fort Worth, Texas.

The attached list is a summary of the notices of claims against the City of Fort Worth received in the City Secretary's Office as of 5:00 p.m., Wednesday, July 6, 2011.

Attachment

Submitted for City Secretary's Office by:

Marty Hendrix (6152)

Originating Department Head:

Marty Hendrix (6152)

Additional Information Contact:

Lena Ellis (8517)

Nancy McKenzie (7744)

CITY COUNCIL MEETING

Tuesday, July 12, 2011

RISK MANAGEMENT CLAIMS REPORT

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

| CLAIMANT | DATE RECEIVED | DATE OF INCIDENT | LOCATION | INCIDENT TYPE | ALLEGATION | DEPT | ESTIMATE | INJURY |
|-----------------------|---------------|------------------|---------------------------------|-----------------|--|-------|----------|--------|
| Tarra Knight | 6/9/2011 | 5/2/2011 | Montgomery & Vickery | Property Damage | Hit debris in roadway. | TPW | No | No |
| Michael & Julianne | 6/9/2011 | 5/20/2011 | 7324 Lea Place | Property Damage | Sewer backup caused damage. | Water | No | No |
| Jeff Alviar | 6/13/2011 | 1/15/2011 | 7750 Yellowleaf Court | Property Damage | Damaged water line. | TPW | No | No |
| Shana Grimes | 6/14/2011 | 5/12/2011 | 4933 Giordano Way | Property Damage | Tree cut during water main break. | PACS | No | No |
| Miguel & Maria Garcia | 6/16/2011 | 5/23/2011 | 3317 North Nichols Street | Property Damage | Damage to fence & roof. | Water | No | No |
| Rent 1st | 6/16/2011 | 6/2/2011 | E/B 5100 Blk Brentwood Stair Rd | Auto Damage | Tree branch damaged vehicle. | PACS | No | No |
| Kelli Scruggs | 6/16/2011 | 6/13/2011 | 10000-10100 Blk Westpoint | Auto Damage | Vehicle struck by object from lawnmower (City Contractor). | PACS | Yes | No |

| CLAIMANT | DATE RECEIVED | DATE OF INCIDENT | LOCATION | INCIDENT TYPE | ALLEGATION | DEPT | ESTIMATE | INJURY |
|----------------------|---------------|------------------|-----------------------------|-----------------|---|--------|----------|--------|
| AT&T Texas | 6/16/2011 | 5/3/2011 | 4325 Rowan Dr | Property Damage | Cable line cut. | Water | Yes | No |
| Marvin Thomas Weller | 6/15/2011 | 6/6/2011 | Bryant Irvin Rd | Auto Damage | Hit pothole. | TPW | Yes | No |
| Dustin Schaller | 6/17/2011 | 5/1/2010 | Jency Ave/Lowery Rd/8913 | Property Damage | Damage to property caused by construction | Water | No | No |
| Oncor Electric | 6/17/2011 | 3/1/2011 | 1421 Missionary Ridge Trail | Property Damage | Cable line cut. | Water | Yes | No |
| Robbie A. Hashem | 6/20/2011 | 6/13/2011 | 121N & I-35 | Auto Damage | Struck by City vehicle. | Police | No | No |
| Elizabeth Caruthers | 6/17/2011 | 5/25/2011 | 8325 Tucson Tr | Reimbursement | Seeking reimbursement from plumbing expenses due to sewer backup. | Water | Yes | No |
| Maria Medrano | 6/17/2011 | 5/29/2011 | 2616 Refugio Ave | Property Damage | City vehicle struck fence. | Police | No | No |
| Stephen Wesley Jones | 6/21/2011 | 4/1/2011 | 4253 Moon Drive | Property Damage | Water leak. | Water | No | No |
| Richard Barrett | 6/21/2011 | 6/9/2011 | Hwy 199 - Lake Worth, TX | Auto Damage | Auto accident. | TPW | No | No |

| CLAIMANT | DATE RECEIVED | DATE OF INCIDENT | LOCATION | INCIDENT TYPE | ALLEGATION | DEPT | ESTIMATE | INJURY |
|-------------------|---------------|------------------|------------------------------|-----------------|---|--------|----------|--------|
| Atmos Energy | 6/21/2011 | 4/28/2011 | 2514 W Pafford | Property Damage | Gas line cut. | Water | Yes | No |
| Reginald Williams | 6/21/2011 | 6/7/2011 | 5650 E Lancaster | Auto Damage | Struck by City vehicle. | Police | No | No |
| Chanty Lemma | 6/23/2011 | 5/21/2011 | Sycamore School Rd | Auto Damage | Vehicle was damaged while in auto pound. | Police | Yes | No |
| Michael Moore | 6/24/2011 | 5/5/2011 | Riverside Recreation | Auto Damage | Tree branch fell on vehicle. | PACS | Yes | No |
| Aleiandro Estrada | 6/27/2011 | 4/22/2011 | Main & 30th | Property Damage | Hit pothole causing damage to tire & rim | TPW | No | No |
| Juan Nuñez | 6/24/2011 | 6/7/2011 | 900 Wiler Blvd | Auto Damage | Driving through street when truck became stuck in running water. | Water | Yes | No |
| Martin Wachira | 6/28/2011 | 6/24/2011 | 9000 Fremont Trl | Property Damage | Home was hit by rock thrown from lawnmower operated by City contractor. | PACS | No | No |
| Shelia Cheatham- | 6/29/2011 | 5/11/2011 | Trinity Blvd east @ 360 ramp | Auto Damage | Hit pothole. | TPW | Yes | No |
| Shelia Washington | 6/29/2011 | 3/15/2011 | 1425 E Richmond Ave | Property Damage | Termites and asbestos at home. | Code | No | No |

| CLAIMANT | DATE RECEIVED | DATE OF INCIDENT | LOCATION | INCIDENT TYPE | ALLEGATION | DEPT | ESTIMATE | INJURY |
|------------------------------|---------------|------------------|-------------------------------------|-----------------|---|----------|----------|--------|
| Carol Lipscomb | 6/29/2011 | 5/27/2011 | 3904 Lenox, 76107 | Property Damage | Sewer backup. | Water | Yes | No |
| Linda Rodjak | 6/29/2011 | 4/7/2011 | 4651 W Frwy/Central Market | Auto Damage | Hit by City vehicle. | Police | No | No |
| Raymond C. Bacon | 6/30/2011 | 6/28/2011 | S Sylvania & E 4th St | Auto Damage | Rock thrown from weed trimmer struck windshield. | PACS | No | No |
| Karen Davis | 6/30/2011 | 6/20/2011 | 3813 Hamilton Ave | Property Damage | Tree roots clogging mainline pipe. | Water | No | No |
| Jessica Arnold & Victoria | 6/30/2011 | 6/11/2011 | 3300 E Rosedale & 1400 Bishop | Bodily Injury | Involved in car accident with City vehicle. | Police | No | Yes |
| Andy Merritt | 6/30/2011 | 3/28/2011 | I-35 | Auto Damage | Citizen behind CFW vehicle. Box fell off back of CFW vehicle and struck citizen vehicle. | Env Mgmt | Yes | No |
| Andrew Radelat | 7/5/2011 | 5/31/2011 | 4800 blk Faron St. | Bodily Injury | Sustained injuries and damages from hitting pothole. | TPW | No | Yes |

No Documents for this Section

Zoning Docket items are linked on the Council Meeting Agenda.



MEMORANDUM

Date: July 8, 2011

To: The Honorable Mayor and City Council Members

From: Charlene Sanders ^{CS}
Assistant City Attorney

Subject: Redistricting Questions and Answers

The City Council requested that staff provide information regarding the redistricting process. Attached are Questions and Answers Regarding Redistricting, along with a copy of Resolution 3998-06-2011. Establishing Criteria for Use in Redistricting of Single-Member City Council Districts.

Should you have any questions regarding this matter, please contact Charlene Sanders at 817-392-7611 or Charlene.Sanders@fortworthgov.org

QUESTIONS AND ANSWERS REGARDING REDISTRICTING

1. What legal principles govern the redistricting process?

The main legal principles governing redistricting are a) one person/one vote, b) Section 2 of the Voting Rights Act, c) Section 5 of the Voting Rights Act and d) the *Shaw v. Reno* line of cases arising from Voting Rights Act Litigation.

a. One Person/One Vote

The One Person/One Vote requirement arises from the Equal Protection Clause of the 14th Amendment to the United States Constitution (Constitution) and requires that City Council members be elected from voting districts of substantially equal population. A series of United States Supreme Court (Supreme Court) cases beginning in 1973 has established that a ten percent (10%) deviation from the least populated district to the most populated district is evidence of substantially equal population.

b. Section 2 of the Voting Rights Act

Section 2 of the Voting Rights Act (Section 2) prohibits the use of any election practice or procedure, including a redistricting plan, that “results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color” or because of membership in a language minority group. The Supreme Court has set out three threshold elements that a minority group must prove in order to establish discriminatory intent: (1) that the minority group is large enough and sufficiently concentrated geographically to make up a majority in a single-member district; (2) that the minority group is politically cohesive; and (3) that the Anglo majority usually votes together to defeat the minority group’s candidate. If the minority group can satisfy these three requirements, a court will look at whether the minority group’s voting strength is diluted, based on the totality of the circumstances.

c. Section 5 of the Voting Rights Act

Section 5 of the Voting Rights Act requires that changes in a voting standard, practice or procedure of covered entities, including changes to the boundaries of single-member City Council districts, be approved before the change is implemented. Section 5 applies only to specific covered jurisdictions, primarily consisting of Texas and other southern states. During the Section 5 review, the retrogression standard is applied. In other words, the new plan cannot reduce the “effective exercise of the electoral franchise” when compared to the benchmark plan. The benchmark plan is the districting plan currently in effect.

d. United States Supreme Court 1993 Decision: *Shaw v. Reno*

Prior to a series of United States Supreme Court decisions beginning with *Shaw v. Reno* in 1993, the DOJ also looked at whether a proposed redistricting plan would provide the maximum possible number of minority districts. In the *Shaw* case, the state of North Carolina submitted a congressional voting plan with one majority-minority district. The DOJ

objected to the plan on the grounds that a second majority-minority district could have been created. North Carolina submitted a revised plan to the DOJ with a second majority-minority district, which was 160 miles long and oddly shaped. Several North Carolina residents challenged the plan. The Court held that a redistricting plan violates the Equal Protection Clause if a district is so bizarrely shaped that it cannot be explained on grounds other than race. Subsequent Supreme Court cases have held that race can be considered in drawing district boundaries, but may not be the "predominant" criterion. In a 1995 decision, *Miller v. Johnson*, the Supreme Court stated that race will be considered to be the predominant factor in making redistricting decisions when a governing body "subordinates traditional race-neutral districting principles, including compactness, contiguity, and respect for political subdivisions or communities defined by actual shared interests, to racial considerations."

Ironically, *Shaw v. Reno* and subsequent cases mean that the more a governmental body does to respond to Voting Rights Act concerns, the more it opens itself to attacks under *Shaw v. Reno*. Conversely, the more a governmental entity does to avoid *Shaw v. Reno* concerns, the greater the chance that the plan will not be pre-cleared under Section 5 of the Voting Rights Act, or will be the subject of a lawsuit under Section 2 of that Act.

2. How does the City meet its duty under Section 2 of the Voting Rights Act without violating the *Shaw v. Reno* standard?

The City should follow the redistricting criteria adopted by the City Council on June 14, 2011, Resolution No. 3998-06-2011 [copy attached].

3. What do the terms "retrogression", "cracking", "packing", "gerrymandering" mean?

- a. Retrogression is returning a minority group to a worse condition than exists under the current districting plan
- b. Cracking is the fragmentation of a minority group among different districts so that it is a majority in none. Another term for "cracking" is "fracturing."
- c. Packing is a term used when one particular minority group is consolidated into one or more districts, thus reducing its electoral influence in surrounding districts.
- d. Gerrymandering the deliberate drawing of a district to secure an advantage for a particular group.

4. What process will be used to obtain preclearance of the City's redistricting plan?

The City will submit its redistricting plan to the United States Department of Justice (DOJ) for preclearance. Title 28 of The Code of Federal Regulations details the items which are to be included in the submission, including documentation of the public participation process.

The United States Supreme Court has stated that the purpose of the preclearance requirement is to prevent changes in voting standards, practices or procedures that "would lead to retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise." that is, it would cause minority voters to lose ground in the exercise of their voting rights compared with the preceding single-member district plan.

The City Council single-member district plan adopted by the City Council will be submitted to the DOJ and must satisfy objections, if any, raised by the DOJ. After a thorough review of the submitted redistricting documentation, the DOJ issues its finding. If the DOJ pre-clears the redistricting plan, it will issue a letter to the City stating "The Attorney General does not interpose any changes to the specified changes."

A Resolution

NO. 3998-06-2011

ESTABLISHING CRITERIA FOR USE IN REDISTRICTING OF SINGLE-MEMBER CITY COUNCIL DISTRICTS

WHEREAS, the City Council of the City of Fort Worth is composed of representatives elected from single-member districts; and

WHEREAS, between 2000 and 2010, the population of the City of Fort Worth increased by 202,374 residents, or thirty-eight and six-tenths percent (38.6%); and

WHEREAS, this growth was not evenly distributed across the City of Fort Worth; and

WHEREAS, it is necessary to redraw boundary lines for City Council single-member districts to adjust for the growth and shifts in population among the districts; and

WHEREAS, the City Council has certain redistricting responsibilities under federal and state law, including but not limited to, the Fourteenth and Fifteenth Amendments to the United States Constitution and the Voting Rights Act, 42 U.S.C.A. section 1973, *et seq.*; and

WHEREAS, it is the intent of the City Council to comply with the United States Constitution, the Voting Rights Act and all other relevant law, including *Shaw v. Reno* jurisprudence; and

WHEREAS, a set of established redistricting criteria will serve as a framework to guide the City in the consideration of redistricting plans; and

WHEREAS, redistricting criteria will assist the City in its efforts to comply with all applicable federal and state laws;

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

1. In order to conform to the constitutional mandate known as *One Person / One Vote*, all single-member districts should be configured so that they are

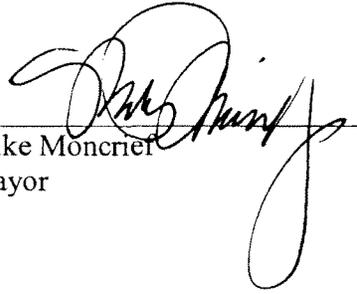


FORT WORTH

relatively equal in total population according to the 2010 census. In no event should the total maximum deviation between the largest and the smallest district exceed ten percent (10%).

2. The plan should not fragment a geographically compact minority community, or pack minority voters in the presence of polarized voting so as to create liability under Section 2 of the Voting Rights Act.
3. The plan should be narrowly tailored to avoid retrogression in the position of racial and language minorities in accordance with Section 5 of the Voting Rights Act to respect their ability to participate in the electoral process.
4. Single-member districts should be compact and composed of contiguous territory. Compactness may contain a functional as well as a geographic dimension.
5. Where possible, easily identifiable geographic boundaries should be followed.
6. Where possible, communities of interest should be contained in a single district, and attempts should be made to avoid splitting neighborhoods, unless requested by neighborhood representatives.
7. Where possible, each single-member district should encompass areas located inside Loop 820 and outside Loop 820.
8. To the extent possible, single-member districts should be composed of whole voting precincts. Where this is not possible or practicable, districts should be drawn in a way that permits the creation of practical voting precincts and that ensures that adequate facilities for polling places exist in each voting precinct.
9. Where possible, single-member districts should be composed of whole census block groups or blocks. Where the allocation of whole census blocks is not possible, the population for a split block shall be estimated in proportion to the percentage of the area of the block.
10. Consideration may be given to the preservation of incumbent-constituency relations by recognition of the residence of incumbents and their history in representing certain areas.

Adopted this 14th day of June, 2011.

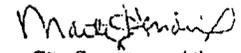

Mike Moncrief
Mayor

APPROVED AS TO FORM AND LEGALITY:

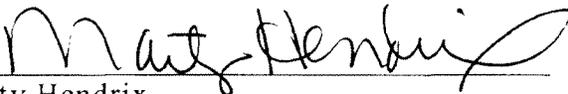

Sarah J. Fullenwider
City Attorney

APPROVED
CITY COUNCIL

JUN 14 2011


Marty Hendrix
City Secretary of the
City of Fort Worth, Texas

ATTEST:

By: 
Marty Hendrix
City Secretary





FORT WORTH



S.M.A.R.T. Report

**Street Management And Road Traffic
Transportation and Public Works
July 8 — July 21**



CENTRAL BUSINESS DISTRICT STREET CLOSURES (Partial)

North Main Street Bridge Rehabilitation—TxDOT Project

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

Spur 347 (Weatherford St) Bridge Replacement Over UP Railroad

- TxDOT Project
- Weatherford reduced to one lane early June 2011 for partial demolition and reconstruction
- Project will take 18—24 months to complete

New Tarrant County Jail

- Belknap (from Cherry to Burnett) Parking lane and Sidewalk closures through 2011
- Weatherford (from Cherry to Burnett) Parking lane and Sidewalk closures through 2011
- Cherry (from Belknap to Weatherford) Northbound direction closed and sidewalk closures through 2011
- Southbound Burnett (from Belknap to Weatherford) closed and sidewalk closures through 2011

St Patrick's Cathedral New Hall

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

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

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

New items printed in red.



FORT WORTH



S.M.A.R.T. Report

**Street Management And Road Traffic
Transportation and Public Works
July 8 — July 21**



Special Events

Festivals * Runs * Walks

CULTURAL DISTRICT

DOWNTOWN OUTDOOR EVENTS DISTRICT (DOED)

- **Premier Designs Convention**

July 13—16

Approximately 85 buses loading and unloading around Convention Center on Houston and Commerce Streets

July 13 Loading 4-5 pm

July 14 & 15 Loading 8:30—9:30pm

July 16 Loading 3-4pm

NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT (NSOED)

STOCKYARDS OUTDOOR EVENTS DISTRICT (SOED)

- **National Day of the American Cowboy**

July 23 10am to 4:30pm

OTHER

Parades

CULTURAL DISTRICT

DOWNTOWN OUTDOOR EVENTS DISTRICT

NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT

STOCKYARDS OUTDOOR EVENTS DISTRICT

OTHER

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

New items printed in red.