



**SUMMARY OF MEETINGS AND ACTIVITIES  
MONDAY, AUGUST 1, 2011 THROUGH FRIDAY, AUGUST 5, 2011**

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**MONDAY, AUGUST 1, 2011**

	<b><u>TIME</u></b>	<b><u>LOCATION</u></b>
Fort Worth Improvement District #1 Advisory Board Meeting	9:00 a.m.	Downtown Fort Worth, Inc. Fort Worth Club Tower, Suite 100 777 Taylor Street

**TUESDAY, AUGUST 2, 2011**

Housing and Economic Development Committee Meeting (HEDC)	1:00 p.m.	Pre-Council Chamber
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Housing Finance Corporation Meeting (HFC)	Immediately following the HEDC	Pre-Council Chamber
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Local Development Corporation Meeting	Immediately following the HFC	Pre-Council Chamber
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Pre-Council Meeting	3:00 p.m.	Pre-Council Chamber
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City Council Meeting	7:00 p.m.	Council Chamber
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**WEDNESDAY, AUGUST 3, 2011**

Board of Adjustment Commercial Work Session	9:00 a.m.	Pre-Council Chamber
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Board of Adjustment Commercial Public Hearing	10:00 a.m.	Council Chamber
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**THURSDAY, AUGUST 4, 2011**

Downtown Design Review Board Public Hearing	2:00 p.m.	Pre-Council Chamber
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**FRIDAY, AUGUST 5, 2011**

No Meetings

<p>This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on July 28, 2011, and may not include all meetings to be conducted during the week of August 1, 2011, through August 5, 2011. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.</p>
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(CANCELLED) LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

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HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING  
TUESDAY, AUGUST 2, 2011  
1:00 P.M.  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

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FORT WORTH HOUSING FINANCE CORPORATION MEETING  
(IMMEDIATELY FOLLOWING THE HOUSING AND ECONOMIC DEVELOPMENT  
COMMITTEE MEETING)  
TUESDAY, AUGUST 2, 2011  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

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FORT WORTH LOCAL DEVELOPMENT CORPORATION MEETING  
(IMMEDIATELY FOLLOWING THE FORT WORTH HOUSING FINANCE  
CORPORATION MEETING)  
TUESDAY, AUGUST 2, 2011  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

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PRE-COUNCIL MEETING  
TUESDAY, AUGUST 2, 2011  
3:00 P.M.  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

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1. Report of the City Manager - Tom Higgins, 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 9414: Grant Restricted Parks  
Attachment(s):  
[IR 9414 - Attached.pdf](#)
    - IR 9415: Future Park Land in South Fort Worth  
Attachment(s):  
[IR 9415 - Attached.pdf](#)
    - IR 9416: Submission of 2011 Effective and Rollback Tax Rates  
Attachment(s):  
[IR 9416 - Attached.pdf](#)
2. Questions Concerning Current Agenda Items - City Council Members
  - a. Overview of Significant Zoning Cases - Dana Burghdoff, Planning and Development
3. Responses to Items Continued from a Previous Week

- a. [M&C C-25040](#) - Adopt Resolution Authorizing the Execution of a Funding Agreement with the Texas Department of Transportation in the Amount of \$4,692,090.00 with City Participation of \$2,572,090.00 for the West Rosedale Retrofit Project, Accept \$2,100,000.00 Contribution from Special Assessment District Fund, Authorize the Transfer of \$472,090.00 from the 2007 Critical Capital Projects Fund to the Grant Capital Projects Fund and Authorize Initial Payment to Texas Department of Transportation in the Amount of \$25,590.00 for Design Review and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 8 and 9) (Continued from July 19, 2011 by Staff)
- b. [M&C C-25065](#) - Authorize Execution of an Agreement for Acceptance of Funds in an Amount Up to \$15,000.00 for Fiscal Year 2011 and Up to \$50,000.00 Each Fiscal Year Thereafter from Southwest Water Company for a Water Utility Assistance Program and Adopt Appropriation Ordinance (NO COUNCIL DISTRICT) (Continued from July 26, 2011 by Staff)
- c. [M&C C-25066](#) - Approve City's 2011-2012 Action Plan for the Use of Program Income Totaling \$75,000.00 and Federal Grant Funds Totaling \$10,218,616.00 from the United States Department of Housing and Urban Development Under the Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Grant Programs, Authorize Application of Indirect Cost Rates, Authorize Execution of Related Contracts and Interdepartmental Letters of Agreement and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS) (Continued from July 26, 2011 by Staff)
- d. [M&C C-25076](#) - Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the Environmental Protection Operating Fund by \$62,000.00 and Decreasing the Unreserved, Undesignated Fund Balance by the Same Amount, Transfer Funds to the Environmental Protection Project Fund, and Ratify Change Order No. 1 to City Secretary Contract No. 40686 with Sunbelt Industrial Services, Inc., for Pumping Contaminated Surface Water at 2500 Brennan Avenue in the Amount of \$62,000.00 for a Total Contract of \$1,136,363.00 (COUNCIL DISTRICT 2) (Continued from July 26, 2011 by Staff)
- e. [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 July 12, 2011 by Council Member Espino)
- f. [SP-10-008](#) - Champions Auto Sales Co. 2004-2024 Jacksboro Highway; Site plan amendment to PD-821 to add additional parking for vehicle

sales (COUNCIL DISTRICT 2) (Continued from July 12, 2011 by Council Member Espino)

- g. [ZC-11-025](#) - Richard Young, 5700 McCart Avenue; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus auto detailing shop; site plan required (COUNCIL DISTRICT 6) (Continued from July 12, 2011 by Council Member Jordan)
  - h. [ZC-11-041A](#) - 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 (COUNCIL DISTRICT 5) (Continued from July 12, 2011 by Council Member Moss)
  - i. [SP-11-003](#) - Mearstone Properties, LP, 6364 Pinion Park Way; Site plan for office park (COUNCIL DISTRICT 2) (Continued from July 12, 2011 by Council Member Espino)
4. Review of Public Notices for Budget and Tax Purposes - Marty Hendrix, City Secretary
  5. Briefing on Annexation Policy and Program - Dana Burghdoff, Planning and Development
  6. Presentation on Proposed Camp Bowie Form-Based Code - 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

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***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, August 2, 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, August 2, 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 related to proposed amendment of City Secretary Contract number 35444, the arbitration agreement with Conatser Construction, Inc;
  - (b) Saleemah S. Jones v. City of Fort Worth, Texas, Cause No. 342-253653-11; and
  - (c) 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

**CITY COUNCIL AGENDA  
FOR THE MEETING AT 7:00 P.M. TUESDAY, AUGUST 02, 2011  
CITY COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

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**I. CALL TO ORDER**

**II. INVOCATION** - Reverend Rob Morris, Ridglea Christian Church

**III. PLEDGE OF ALLEGIANCE**

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF JULY 26, 2011**

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

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

**VII. CONSENT AGENDA**

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

**A. General - Consent Items**

1. [M&C G-17340](#) - Approve Findings of Ground Transportation Coordinator Regarding Application of Global Limo Service, Inc., to Operate Two Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority (COUNCIL DISTRICTS 2 and 9)

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

1. [M&C P-11274](#) - Authorize Purchase Agreement with Hewlett Packard Company and Hewlett Packard Designated Resellers for Servers, Maintenance and Support Services, Using a State of Texas Department of Information Resources Contract for the Information Technology Solutions Department for an Amount of \$100,000.00 for the First Year (ALL COUNCIL DISTRICTS)
2. [M&C P-11275](#) - Authorize Purchase Agreement with Flint Trading Inc., for Thermoplastic Heat Activated Pavement Marking Tape Transportation and Public Works Department Using a TxSmartBuy Contract for an Amount of \$77,500.00 for the First Year (ALL COUNCIL DISTRICTS)

**C. Land - Consent Items - None**

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

1. [M&C PZ-2947](#) - Authorize Initiation of Rezoning for Certain Properties in the Berry/University Urban Village in Accordance with the Comprehensive Plan (COUNCIL DISTRICT 9)
2. [M&C PZ-2948](#) - Authorize Initiation of Rezoning for Certain Properties in the Mitchell Boulevard Neighborhood in Accordance with the Comprehensive Plan (COUNCIL DISTRICT 8)

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

1. [M&C C-25079](#) - Authorize Execution of an Easement Encroachment Agreement with the Pulte Group for the Construction of an Entry Feature and Screening Wall Over a Twenty Foot Water Facility Easement at 7295 North Freeway (COUNCIL DISTRICT 2)
2. [M&C C-25080](#) - Authorize Execution of an Engineering Services Agreement in the Amount of \$587,076.00 with Teague Nall and Perkins, Inc., for the Design of Old Denton Road from Golden Triangle Boulevard to Heritage Trace Parkway and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2)
3. [M&C C-25081](#) - Authorize Execution of an Interlocal Agreement with Tarrant County and Acceptance of \$100,000.00 as County Funding Participation for the Installation of a Traffic Signal at the Intersection of US 287 Northbound Frontage Road and Avondale Haslet Road and Adopt Appropriation Ordinance (COUNCIL DISTRICT 7)
4. [M&C C-25082](#) - Authorize Agreement for Sexual Assault Medical Examination Services with the Tarrant County Hospital District at John Peter Smith Hospital Reimbursed by the Texas Crime Victim's Compensation Fund in an Amount Not to Exceed \$392,000.00 for Two Years and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
5. [M&C C-25083](#) - Authorize Mutual Aid Agreement with the City of Houston to Respond to Requests for Assistance with Protection of Life and Property in the Event of a Disaster or Civil Emergency (ALL COUNCIL DISTRICTS)
6. [M&C C-25084](#) - Authorize Execution of a Contract in the Amount of \$793,407.50 with Conatser Construction TX, LP, for Water and Sanitary Sewer Replacement Contract 2004, WSM-M on Bellaire Circle, East Terrell Avenue, Fair Park Boulevard and Reba Court and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 3 and 8)
7. [M&C C-25085](#) - Authorize Execution of a Contract in the Amount of \$976,600.00 with M.E. Burns Construction, Inc., for Water and Sanitary Sewer Replacements Contract, 2009 WSM-F on Bluebonnet Drive, Dalford Street, Goldenrod Avenue, Highcrest Avenue and Westbrook Avenue and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2)
8. [M&C C-25086](#) - Authorize Execution of an Engineering Agreement in the Amount of \$159,793.00 with MWH Americas, Inc., for Water and Sewer Replacement Contract 2009, WSM-J on Meadowbrook Drive and Sycamore Terrace and Adopt Appropriation Ordinance (COUNCIL DISTRICT 8)
9. [M&C C-25087](#) - Authorize Execution of Change Order No. 2 to City Secretary Contract No. 40827 with Henneberger Construction, Inc., in the Amount of \$55,915.80 for Additional Park Improvements at Parkwood Hills and Anderson Campbell Reserve Parks (COUNCIL DISTRICTS 4 and 7)

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

1. OCS –1821 – Notice of Claims for Alleged Damages and/or Injuries

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

1. Presentation of Tarrant Area Food Bank and City Employee Food Drive

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

1. Upcoming and Recent Events
2. Recognition of Citizens

**XI. PRESENTATIONS BY THE CITY COUNCIL**

1. Changes in Membership on Boards and Commissions

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

**XIII. 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 detailing shop; site plan required. **(Recommended for Denial without Prejudice) (Continued from a Previous Meeting)**
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) (Continued from a Previous Meeting)**
5. [Zoning Docket No. SP-11-003](#) - (CD 7) - Mearstone Properties, LP, 6364 Pinion Park Way; Site plan for office park **(Recommended for Approval) (Continued from a Previous Meeting)**
6. [Zoning Docket No. ZC-11-044](#) - (CD 2) - Blanca D. Cantu, 1207-1211 Clinton Avenue; from: "A-5" One-Family to: "ER" Neighborhood Commercial Restricted **(Recommended for Denial)**
7. [Zoning Docket No. ZC-11-046](#) - (CD 7) - LQ Development, LLC, 3249 Buda Lane; from: "IP" Industrial Park District to: "I" Light Industrial **(Recommended for Approval as Amended)**
8. [Zoning Docket No. ZC-11-048](#) - (CD 3) - McKinney Memorial Bible Church, 4805 Arborlawn Drive; from: "A-5" One-Family to: "CF" Community Facilities **(Recommended for Approval)**
9. [Zoning Docket No. ZC-11-050](#) - (CD 7) - TP Development, LLC, 8809-8831 and 8851 S. Normandale Street; from: "R2" Townhouse/Cluster to: "C" Medium Density Multifamily **(Recommended for Approval)**
10. [Zoning Docket No. ZC-11-051](#) - (CD 2) - Industrial Developments International, 12850 Three Wide Drive; from: "I" Light Industrial to: "K" Heavy

## Industrial (Recommended for Approval)

11. [Zoning Docket No. ZC-11-053](#) - (CD 5) - City of Fort Worth Police Department, 1591 Greenbelt Road; from: "AG" Agricultural & "O-1" Floodplain to: "PD/SU" Planned Development/Specific Use for wastewater treatment and Police weapons firing range; site plan waiver recommended. **(Recommended for Approval)**
12. [Zoning Docket No. ZC-11-054](#) - (CD 9) - Cockrell Realty, 3105 Cockrell Avenue; from: "A-5" One-Family to: "PD/SU" Planned Development/Specific Use for parking lot; site plan included. **(Recommended for Denial)**
13. [Zoning Docket No. ZC-11-055](#) - (CD 7) - City of Fort Worth Planning & Development/Petition, 4700 block of Pershing Avenue, from: "B" Two-Family to: "A-5" One-Family **(Recommended for Approval)**
14. [Zoning Docket No. SP-11-004](#) - (CD 9) - Fort Worth Midtown Village, 2222 W. Rosedale Street, Site plan amendment to PD-558 to include drive through lanes between the building and the street, not meet the 40% fenestration requirement for Lots 1 & 5, not provide screening of driveway for Lot 1. **(Recommended for Approval as Amended to waive screening of driveway Lot 1, location of drive through for Lot 1, fenestration requirement for Lots 1 & 5, masonry requirement for lot 5)**
15. [Zoning Docket No. ZC-11-057](#) - (CD 8) - Elvia & Alfred McBride, 1115 E. Terrell Avenue; from: "A-5/HC" One-Family/Historic & Cultural Overlay to: "A-5/HSE" One-Family/Highly Significant Endangered **(Recommended for Approval)**
16. [Zoning Docket No. ZC-11-058](#) - (CD 7) - Jack & Racquel Morehead, 516 W. Bonds Ranch Road; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus one-family residential and to allow products consistent with a farmer's market sold by the resident only on tables in certain locations, parking provided on improved paved surfaces, and signage; site plan included. **(Recommended for Approval as Amended for a site plan)**

## XIV. REPORT OF THE CITY MANAGER

### A. Benefit Hearing - None

### B. General - None

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

### D. Land - None

### E. Planning & Zoning

1. [M&C PZ-2949](#) - Consider Institution of the Annexation and Adoption of Ordinance for the Annexation of Approximately 15.4 Acres of Dirks Road Right-of-Way, AX-11-010, Dirks Road (COUNCIL DISTRICT 3)
2. [M&C PZ-2950](#) - Adopt Ordinance for the Disannexation of Approximately 0.6 Acres of Avondale-Haslet Road Right-of-Way, DAX-11-006, Avondale-Haslet ROW (COUNCIL DISTRICT 7)
3. [M&C PZ-2951](#) - Adopt Resolution Amending the City's Three-Year Annexation Plan to Add an Approximately 64.3-Acre Tract of Land Located West of US 377 and South of Wall Price

**F. Award of Contract**

1. [M&C C-25040](#) - Adopt Resolution Authorizing the Execution of a Funding Agreement with the Texas Department of Transportation in the Amount of \$4,692,090.00 with City Participation of \$2,572,090.00 for the West Rosedale Retrofit Project, Accept \$2,100,000.00 Contribution from Special Assessment District Fund, Authorize the Transfer of \$472,090.00 from the 2007 Critical Capital Projects Fund to the Grant Capital Projects Fund and Authorize Initial Payment to Texas Department of Transportation in the Amount of \$25,590.00 for Design Review and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 8 and 9)  
**(Continued from a Previous Meeting)**
2. [M&C C-25065](#) - Authorize Execution of an Agreement for Acceptance of Funds in an Amount Up to \$15,000.00 for Fiscal Year 2011 and Up to \$50,000.00 Each Fiscal Year Thereafter from Southwest Water Company for a Water Utility Assistance Program and Adopt Appropriation Ordinance (NO COUNCIL DISTRICT) **(Continued from a Previous Meeting)**
3. [M&C C-25065](#) - **(Revised)** Authorize Execution of an Agreement for Acceptance of Funds from Monarch Utilities I, LP in an Amount Up to \$15,000.00 for Fiscal Year 2011 and Up to \$50,000.00 Each Fiscal Year Thereafter for a Water Utility Assistance Program and Adopt Appropriation Ordinance (NO COUNCIL DISTRICT)
4. [M&C C-25066](#) - Approve City's 2011-2012 Action Plan for the Use of Program Income Totaling \$75,000.00 and Federal Grant Funds Totaling \$10,218,616.00 from the United States Department of Housing and Urban Development Under the Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Grant Programs, Authorize Application of Indirect Cost Rates, Authorize Execution of Related Contracts and Interdepartmental Letters of Agreement and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS) **(Continued from a Previous Meeting) (PUBLIC HEARING)**
  - a. Report of City Staff
  - b. Citizen Presentations
  - c. Council Action
5. [M&C C-25066](#) - **(Revised)** Approve City's 2011-2012 Action Plan for the Use of Program Income Totaling \$75,000.00 and Federal Grant Funds Totaling \$10,218,616.00 from the United States Department of Housing and Urban Development Under the Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Grant Programs, Authorize Application of Indirect Cost Rates, Authorize Execution of Related Contracts and Interdepartmental Letters of Agreement and Adopt

Appropriation Ordinance (ALL COUNCIL DISTRICTS) **(PUBLIC HEARING)**

- a. Report of City Staff
- b. Citizen Presentations
- c. Council Action

- 6. [M&C C-25076](#) - Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the Environmental Protection Operating Fund by \$62,000.00 and Decreasing the Unreserved, Undesignated Fund Balance by the Same Amount, Transfer Funds to the Environmental Protection Project Fund, and Ratify Change Order No. 1 to City Secretary Contract No. 40686 with Sunbelt Industrial Services, Inc., for Pumping Contaminated Surface Water at 2500 Brennan Avenue in the Amount of \$62,000.00 for a Total Contract of \$1,136,363.00 (COUNCIL DISTRICT 2) **(Continued from a Previous Meeting)**
- 7. [M&C C-25088](#) - Adopt Resolution to Authorize Retaining Additional Legal Counsel for the City in the Alliance Airport Runway Extension Project for Compensation Not to Exceed \$100,000.00 (COUNCIL DISTRICT 2)
- 8. [M&C C-25089](#) - Authorize Rejection of Bids Received for the Rolling Hills Water Treatment Plant S-2 Air Handler Replacement Project (COUNCIL DISTRICT 8)
- 9. [M&C C-25090](#) - Authorize Execution of a Contract with AUI Contractors, LLC, in the Amount of \$5,255,040.00 for Digester Sludge Removal, Treatment and Disposal at Riverside Wastewater Treatment Plant in Gateway Park (COUNCIL DISTRICT 4)
- 10. [M&C C-25091](#) - Authorize Execution of a Contract in the Amount of \$1,000,000.00 with Atkins Brothers Equipment Company, Inc., for Water Main Replacements Contract 2011A at Various Locations Throughout the City of Fort Worth and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

**XV. CITIZEN PRESENTATIONS**

**XVI. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER)**

**XVII. ADJOURNMENT**

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

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CITY OF FORT WORTH  
CITY COUNCIL

**HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE**

**AGENDA**

**Tuesday, August 2, 2011  
1:00 p.m.**

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

Housing and Economic Development Committee Members

Jungus Jordan, Chair	Sal Espino, Council Member	Frank Moss, Council Member
Dennis Shingleton, Council Member	Kathleen Hicks, Council Member	Danny Scarth, Council Member
Joel Burns, Council Member	Betsy Price, Mayor	Zim Zimmerman, Mayor Pro Tem

Staff Liaison – Susan Alanis, Assistant City Manager

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1. **Call to Order** - Chair
  2. **Overview of Economic Development Incentive Programs** – Jay Chapa, Director, City of Fort Worth Housing and Economic Development Department
  3. **Presentation on 2011-2012 Application for Various Federal Grant Funds (Action Plan)** – Jay Chapa, Director, City of Fort Worth Housing and Economic Development Department
  4. **Executive Session** - The Housing and Economic Development Committee will conduct a closed meeting to:
    - A. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by section 551.071 of the Texas Government Code: (i) legal issues related to any current agenda items;

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

5. **Requests for Future Agenda Items** – Chair

6. **Date of Next Regular Meeting:** September 13, 2011, Tentative - Chair

7. **Adjourn** - Chair

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# FORT WORTH HOUSING FINANCE CORPORATION

## AGENDA

Tuesday, August 2, 2011

*Immediately Following the Housing and  
Economic Development Committee Meeting  
Scheduled to Begin at 1:00 P.M.*

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

### Board of Directors

Kathleen Hicks, President  
Danny Scarth, Vice President  
Frank Moss, Secretary

Dennis Shingleton, Director  
Joel Burns, Director  
Salvador Espino, Director

Jungus Jordan, Director  
Betsy Price, Director  
Zim Zimmerman, Director

Staff Liaison: Susan Alanis, Assistant City Manager

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1. **Call to Order** - President
2. **Approval of Minutes from the Meeting Held on June 7, 2011** - President
3. **Election of Officers** – Jay Chapa, Assistant General Manager
4. **Written Reports** – Jay Chapa, Assistant General Manager
  - a. Financial Report through June 30, 2011
5. **Adopt Resolution Appointing a Treasurer, an Assistant Treasurer and an Assistant Secretary** - Jay Chapa, Assistant General Manager
6. **Adopt Resolution Authorizing the Sale of the White Lake Property Located between the 900 and 1400 Blocks of Oakland Boulevard to The Catholic Diocese of Fort Worth** - Cynthia Garcia, Assistant Director, City of Fort Worth Housing and Economic Development Department
7. **Adopt Resolution Ratifying all Actions of the Corporation as Sole Member of Race Street Lofts, GP, LLC, the General Partner of Race Street Lofts, Ltd.; and Ratifying all Actions Previously Taken by the Corporation, the General Partner or the Partnership in Connection with the Loans to the Partnership from Bank of America, N.A. for the Financing for the Race Street Lofts Project** – Jay Chapa, Assistant General Manager
8. **Adopt Resolution Authorizing a Development Agreement with NRP Holdings, LLC to Act as Co-Developer of the Terrell Homes I Project and for the Corporation to Act as Guarantor for the Project** – Jay Chapa, Assistant General Manager

9. **Adopt Resolution Approving Actions of the Corporation as Sole Member of Terrell Homes , GP, LLC, the General Partner of Terrell Homes , Ltd.; Approving all Actions Necessary for the Acquisition, Financing and Development of the Terrell Homes I Development, and Ratifying all Acts Previously Taken by the Corporation, the General Partner or the Partnership in Connection with the Project** - Jay Chapa, Assistant General Manager
10. **Adopt Resolution Approving a Natural Gas Lease with Chesapeake Exploration, LLC, for 2510, 2512, 2514, 2516 and 2518 Sheraton Drive** – Jean Petr, Gas Lease Program Manager, City of Fort Worth, Planning and Development Department
11. **Adopt Resolution Approving a Natural Gas Lease with Chesapeake Exploration, LLC, for 2607 Clinton Avenue** - Jean Petr, Gas Lease Program Manager, City of Fort Worth, Planning and Development Department
12. **Executive Session:** The Fort Worth Housing Finance Corporation will conduct a closed meeting to:
  - a. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues concerning any current agenda item;
  - b. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
  - c. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.
13. **Requests for Future Agenda Items** - President
14. **Adjourn** - President

**This facility is wheelchair accessible. For accommodations or sign interpretation services, please call the Housing and Economic Development Department 48 hours in advance at 817-392-7316.**

**CITY OF FORT WORTH, TEXAS  
FORT WORTH HOUSING FINANCE CORPORATION  
CALLED – SPECIAL SESSION  
TUESDAY, JUNE 7, 2011**

**Present:**

President Kathleen Hicks  
Vice President Danny Scarth  
Secretary Frank Moss  
Director Salvador Espino  
Director W. B. “Zim” Zimmerman  
Director Jungus Jordan  
Director Carter Burdette  
Director Joel Burns

**Absent:**

Director Mike Moncrief

**City staff:**

Susan Alanis, Assistant City Manager  
Vicki Ganske, Senior Assistant City Attorney  
Ron Gonzales, Assistant City Secretary  
Cynthia Garcia, Assistant Director, Housing & Economic Development Department  
Jean Petr, Gas Lease Program Manager  
Robin Bentley, Acting Housing Program Manager

**Other staff:**

Jay Chapa, Assistant General Manager  
Robert Sturns, Economic Development Manager, Housing & Economic Development Dept.  
Peter Vaky, Deputy City Attorney, Law Department  
Christopher Mosley, Assistant City Attorney, Law Department  
Leann Guzman, Assistant City Attorney, Law Department  
Mark Folden, Business Development Coordinator, Housing & Economic Development Dept.  
Ryan Haden, Development Project Coordinator, Housing & Economic Development Dept.  
Avis Chaisson, Development Project Coordinator, Housing & Economic Development Dept.  
Fabiola Suarez, Economic Development Specialist, Housing & Economic Development Dept.  
Ana Alvarez, Economic Development Specialist, Housing & Economic Development Dept.  
Barbara Asbury, Grants Manager, Housing & Economic Development Dept.  
Charletra Hurt, Sr. Contract Compliance Specialist, Housing & Economic Development Dept.

**CITY OF FORT WORTH, TEXAS  
FORT WORTH HOUSING FINANCE CORPORATION  
CALLED – SPECIAL SESSION  
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PAGE 2**

**Call to Order**

**(Agenda Item 1)**

With a quorum present, President Hicks called the meeting to order for the Board of Directors of the Fort Worth Housing Finance Corporation (Corporation) at 12:12 p.m. on Tuesday, June 7, 2011, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas, with Director Moncrief absent and Vice President Scarth temporarily absent.

**Approval of Minutes of the May 3, 2011,  
Meeting**

**(Agenda Item 2)**

President Hicks opened the floor for a motion on the approval of the minutes of the Tuesday, May 3, 2011, meeting.

**MOTION:** Upon a motion made by Director Jordan and seconded by Director Espino, the Board of Directors voted seven (7) “ayes” and zero (0) “nays”, with Director Moncrief absent and Vice President Scarth temporarily absent, to approve the Tuesday, May 3, 2011, minutes of the Corporation as presented. The motion carried.

**Written Reports: Fort Worth Housing  
Finance Corporation Financial Report through  
April 30, 2011**

**(Agenda Item 3A)**

President Hicks referenced the Financial Report through April 30, 2011, and opened the floor for discussion on the report. There was no discussion on this agenda item.

The written report was provided to the Board as a matter of information. There was no formal action taken on the report.

**Adopt Resolution Authorizing Changes in the Terms  
of the Sale of The Villas of Eastwood Terrace Located  
at 4700 East Berry Street by The Villas of Eastwood  
Terrace, LLC, to the Housing Authority of the City of  
Fort Worth, and Authorizing the Sale of Adjacent  
Land as Part of the Sale**

**(Agenda Item 4)**

Ms. Cynthia Garcia, Assistant Director, Housing and Economic Development Department, addressed the Corporation regarding the proposed resolution. Using a PowerPoint Presentation, Ms. Garcia advised the Corporation of the project timeline and overview as follows:

**CITY OF FORT WORTH, TEXAS  
FORT WORTH HOUSING FINANCE CORPORATION  
CALLED – SPECIAL SESSION  
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**Adopt Resolution Authorizing Changes in the Terms of the Sale of The Villas of Eastwood Terrace Located at 4700 East Berry Street by The Villas of Eastwood Terrace, LLC, to the Housing Authority of the City of Fort Worth, and Authorizing the Sale of Adjacent Land as Part of the Sale (cont'd)**

**(Agenda Item 4)**

- 2003 – Villas developed by Villas of Eastwood Terrace, LLC.
  - Fort Worth Housing Finance Corporation (FWHFC) is the Sole Member of Villas of Eastwood Terrace, LLC; LLC created in 2011.
- June 23, 2009 – City Council authorized Change in Use and Expenditure of \$1.4 million in HOME funds.
- March 23, 2010 – Appointed managers of Villas of Eastwood Terrace approved sale to Fort Worth Housing Authority.
- June 8, 2010 – Presented terms and conditions of sale to FWHFC.

Ms. Garcia displayed an aerial view of the property and stated it was located off Berry Street west of IH 820. She presented the following terms and conditions for 2010 for the sale of the property:

(Vice President Scarth arrived at the meeting.)

- Fort Worth Housing Authority (FWHA) assumes debt on Villas.
  - \$9,132,360.66 as of April 30, 2011.
- City of Fort Worth (CFW) loans FWHA up to \$1.4 million in HOME funds.
  - Deferred payment loan.
  - 20-year affordability period.
  - Designate affordable units for households <60% of Area Median Income per U.S Department of Housing and Urban Development (HUD).
- Sales price not to exceed \$10,616,891.06 million depending on appraisal.
- Seller pays for appraisals and closing costs.
  - FWHFC, as sole member of Villas of Eastwood Terrace, LLC, to allocate up to \$100,000.00 for these costs.
- Must remain a multi-family complex for people age 55 and over.

Before proceeding with her presentation, Ms. Garcia stated that after the terms of the sale were agreed to, the property only appraised for \$8.1 million while the debt to be assumed was \$9.1 million; however, the FWHA still had agreed to purchase the property. She continued with information on the revised terms and conditions for the sale of the property as reflected below:

**CITY OF FORT WORTH, TEXAS  
FORT WORTH HOUSING FINANCE CORPORATION  
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**Adopt Resolution Authorizing Changes in the Terms of the Sale of The Villas of Eastwood Terrace Located at 4700 East Berry Street by The Villas of Eastwood Terrace, LLC, to the Housing Authority of the City of Fort Worth, and Authorizing the Sale of Adjacent Land as Part of the Sale (cont'd)**

**(Agenda Item 4)**

- FWHA assumes current note held through Key Bank.
- FWHFC pays all reasonable closing costs and fees associated with closing the transaction.
  - FWHFC approved up to \$100,000.00 for these costs on June 8, 2010.
- FWHFC will maintain an operating deficit reserve for five (5) years.
  - Balance of reserve will be \$60,000.00 for the first year.
  - If necessary, balance of reserve will be increased to \$60,000.00 at the beginning of each year.
  - Operating reserve will not exceed a total of \$300,000.00 for the 5-year period.
- Consider transfer of four (4) lots adjacent to the Villas of Eastwood that are currently owned by the FWHFC to the FWHA.
  - Tarrant Appraisal District (TAD) valued the properties at \$98,871.00.
- No HOME funds can be used in the Project.
- Must remain a senior multi-family complex for 55 years of age and older as a condition of the FHA-insured mortgage.

Ms. Garcia then displayed another aerial view of the property with the four (4) lots proposed for sale to the FWHA and explained that the property depicted in orange was the Villas of Eastwood Terrace and advised the four (4) FWHFC lots under consideration for inclusion in the sale were depicted in blue, green, yellow and lime green. She advised of the staff's recommendation and next steps as follows:

- Approve resolution authorizing the changed terms of the sale for the Villas of Eastwood Terrace.
- Authorize the sale of four (4) properties adjacent to the Villas of Eastwood Terrace.
- Execute the Transfer of Physical Assets application to be submitted to HUD.

President Hicks opened the floor for discussion on this issue.

Director Moss inquired if the sale price would drop to the appraised value. Ms. Garcia clarified that the FWHA would assume the note of \$9.1 million still owed and they would get additional property, plus there was still the reserve account of up to \$300,000.00 for five (5) years which was \$60,000.00 per year.

**CITY OF FORT WORTH, TEXAS  
FORT WORTH HOUSING FINANCE CORPORATION  
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**Adopt Resolution Authorizing Changes in the Terms of the Sale of The Villas of Eastwood Terrace Located at 4700 East Berry Street by The Villas of Eastwood Terrace, LLC, to the Housing Authority of the City of Fort Worth, and Authorizing the Sale of Adjacent Land as Part of the Sale (cont'd)**

**(Agenda Item 4)**

Director Moss noted the sale had an overall \$9.1 million appraised value and inquired if that included the sale of the four (4) lots. Ms. Garcia clarified that the appraised value was \$8.1 million and that it did not include the sale of the lots which had a TAD value of \$98,871.00.

There being no further discussion, President Hicks opened the floor for a motion.

**MOTION:** Upon a motion made by Director Moss and seconded by Director Espino, the Board voted eight (8) “ayes” and zero (0) “nays”, with Director Moncrief absent, to approve Resolution No. FWHFC 2011-12. The motion carried.

**Adopt Resolution Approving a Contract with the City of Fort Worth for \$1,000,000.00 in HOME Funds for the Development of the Lee Avenue Townhomes, Approve the Purchase of 1402, 1404 and 1419 Lee Avenue and 406 W. Central Avenue from the City of Fort Worth and Approve All Related Actions Required for the Use of HOME Funds and Housing Development Pipeline License Agreement with Texas Midstream Gas Services, LLC**

**(Agenda Item 5)**

Ms. Robin Bentley, Acting Housing Program Manager, Housing and Economic Development Department, addressed the Corporation regarding the proposed resolution. Using a PowerPoint Presentation, Ms. Bentley began her presentation on the project by displaying an aerial view of the properties and explained that the properties were located in District 2 in the Northside Neighborhood Empowerment Zone. She advised that the red dots indicated the tax foreclosed properties that were controlled by the City at the intersection of Lee Avenue and Central Avenue. She displayed a closer aerial view of the location and pointed out that the areas in red were four (4) dilapidated residential structures and a commercial property that were all tax foreclosures. Ms. Bentley then displayed slides that depicted the existing conditions of the properties.

Ms. Bentley advised that the proposed project was to demolish the structures and replat the land for townhouses and provided the following explanation:

**CITY OF FORT WORTH, TEXAS  
 FORT WORTH HOUSING FINANCE CORPORATION  
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**Adopt Resolution Approving a Contract with the City of Fort Worth for \$1,000,000.00 in HOME Funds for the Development of the Lee Avenue Townhomes, Approve the Purchase of 1402, 1404 and 1419 Lee Avenue and 406 W. Central Avenue from the City of Fort Worth and Approve All Related Actions Required for the Use of HOME Funds and Housing Development Pipeline License Agreement with Texas Midstream Gas Services, LLC (cont'd)**

(Agenda Item 5)

Available Lots	6 (replat for townhouses)
Total Land Area	Approximately 46,194 square feet
Residential Townhomes	<ul style="list-style-type: none"> <li>• 4-7 Townhouses w/rear entry garages</li> <li>• (2) 2 BR 2 BA 2 Car Garage</li> <li>• (2-5) 3 BR 2 BA 2 Car Garage</li> <li>• 1,400 – 2,000 square feet</li> </ul>
Affordable Buyers	<ul style="list-style-type: none"> <li>• Less than 80% Median Income               <ul style="list-style-type: none"> <li>○ Family of 4 - \$55,900.00</li> <li>○ Family of 6 - \$62,550.00</li> </ul> </li> </ul>
Total Investment	\$1,000,000.00 City HOME funds

Ms. Bentley then displayed a slide that depicted pictures of townhomes that the properties could look like. She advised of the following staff's recommendation:

- Authorize acquisition of tax foreclosed properties at 1402, 1404 and 1419 Lee Avenue and 406 West Central Avenue from the City of Fort Worth for up to \$200,694.10 plus closing costs and post judgment taxes. *NOTE: Ms. Bentley advised that the Local Government Code authorized selling the properties for less if the intended use was for affordable housing. She added the actual sales price would be less than indicated above.*
- Authorize execution of HOME contract with the City of Fort Worth for \$1,000,000.00 of HOME funds for the development of the Lee Townhomes Project.

President Hicks opened the floor for discussion on this issue.

Director Espino stated with HOME funds there was a public process and he assumed that staff had visited with the Northside Neighborhood Association on this project. He added that this was a great use of HOME funds and noted that the Hoover Furniture store had been abandoned for a very long time as well as many of the properties on Lee Avenue and asked what the next steps were in the public process.

**CITY OF FORT WORTH, TEXAS  
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**Adopt Resolution Approving a Contract with the City of Fort Worth for \$1,000,000.00 in HOME Funds for the Development of the Lee Avenue Townhomes, Approve the Purchase of 1402, 1404 and 1419 Lee Avenue and 406 W. Central Avenue from the City of Fort Worth and Approve All Related Actions Required for the Use of HOME Funds and Housing Development Pipeline License Agreement with Texas Midstream Gas Services, LLC (cont'd)**

**(Agenda Item 5)**

Ms. Bentley stated that later this month staff would meet with the neighborhood to show them the proposal and make sure they supported the project.

There being no further discussion, President Hicks opened the floor for a motion.

**MOTION:** Upon a motion made by Director Espino and seconded by Director Zimmerman, the Board voted eight (8) “ayes” and zero (0) “nays”, with Director Moncrief absent, to approve Resolution No. FWHFC 2011-13. The motion carried.

**Adopt Resolution Authorizing the Acquisition of 62 Scattered Sites in the Terrell Heights Neighborhood for the Terrell Homes I Project and Entering into a 99-Year Ground Lease with Terrell Homes I, Ltd.**

**(Agenda Item 6)**

Ms. Robin Bentley, Acting Housing Program Manager, Housing and Economic Development Department, addressed the Corporation regarding the proposed resolution. Ms. Bentley advised that this was an update on the project where the FWHFC was partnering with NRP Holdings, LLC, to build 54 infill homes and a community center in the Terrell Heights neighborhood. She stated that a point in the process had been reached where the FWHFC was ready to move forward with acquiring the land which would be owned by the FWHFC and leased to the partnership under the terms of a 99-year ground lease.

President Hicks opened the floor for discussion on this issue.

There being no discussion, President Hicks opened the floor for a motion.

**MOTION:** Upon a motion made by Director Moss and seconded by Director Espino the Board voted eight (8) “ayes” and zero (0) “nays”, with Director Moncrief absent, to approve Resolution No. FWHFC 2011-14. The motion carried.

**CITY OF FORT WORTH, TEXAS  
FORT WORTH HOUSING FINANCE CORPORATION  
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**Adopt Resolution Approving a Natural Gas Lease with  
Vantage Fort Worth Energy, LLC, for 5240 Wooten  
Drive and 5250 Wonder Drive**

**(Agenda Item 7)**

Ms. Jean Petr, Gas Lease Program Manager, Planning and Development Department, addressed the Corporation regarding the proposed resolution. Using a PowerPoint Presentation, Ms. Petr advised the Corporation of the request as follows:

- Vantage Fort Worth Energy, LLC, requested a lease on FWHFC property located at:
  - 5240 Wooten Drive and 5250 Wonder Drive (approximately 4 acres)
- Council District 6.
- Lease Terms.
  - \$5,000.00 per acre bonus.
  - 25% Royalty.
  - 2-year term.
  - No surface use.

Ms. Petr displayed an aerial map of the location and stated that the locations of the properties were highlighted in yellow. She pointed out that the City's Geographic Information System was not current and advised that there were no buildings on either property; it was just vacant land. She displayed another map of the area and advised of the location of the two properties colored in red in relation to the drill unit which was also outlined in red, and the drill site colored in green which was the Southcliff Shopping Center. She added that the City Council approved this drill site on May 10, 2011. She further stated that at the regular City Council meeting being held later today, the Council may approve a lease for the Alta Mesa pump station which was City property and was located within this area. She advised that Vantage Fort Worth Energy, LLC, was trying to get all the City-owned or City corporate properties leased within the drill site area.

Ms. Petr provided the following information on the Wedgewood South Unit:

- Wedgewood Addition.
  - Block 21, Tract C
  - Block 20, Tract D
- 4.359 acres, more or less.
- \$21,795.00 total bonus.

Ms. Petr concluded her presentation by stating that the terms were at a little above what has been seen in the market and that staff was recommending execution of the lease.

President Hicks opened the floor for discussion on this issue.

**CITY OF FORT WORTH, TEXAS  
FORT WORTH HOUSING FINANCE CORPORATION  
CALLED – SPECIAL SESSION  
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**Adopt Resolution Approving a Natural Gas Lease with  
Vantage Fort Worth Energy, LLC, for 5240 Wooten  
Drive and 5250 Wonder Drive (cont'd)**

**(Agenda Item 7)**

Director Jordan pointed out that this was the location of the former site of the Granbury Hills Apartment complex that was acquired by the FWHFC. He added that this project was a win-win for the district in that a blighted apartment project was removed and the Corporation would benefit from the gas lease.

Director Burdette stated he was assuming that the lease bonus would go into the account of the FWHFC. Ms. Petr responded affirmatively and pointed out that any other royalties generated, as long as it remained FWHFC property, would go to the Corporation as well.

There being no further discussion, President Hicks opened the floor for a motion.

**MOTION:** Upon a motion made by Director Jordan and seconded by Director Scarth, the Board voted eight (8) “ayes” and zero (0) “nays”, with Director Moncrief absent, to approve Resolution No. FWHFC 2011-15. The motion carried.

President Hicks recessed the called – special session into Executive Session at 12:22 p.m. in accordance with the requirements of the Texas Open Meetings Law.

**Executive Session**

**(Agenda Item 8)**

President Hicks convened the Executive Session at 12:23 p.m. to discuss the following items:

- A. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9, of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues concerning any current agenda item;
- B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
- C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

President Hicks adjourned the Executive Session at 12:28 p.m.

**CITY OF FORT WORTH, TEXAS  
FORT WORTH HOUSING FINANCE CORPORATION  
CALLED – SPECIAL SESSION  
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President Hicks reconvened from the Executive Session into the called – special session at 12:29 a.m.

**Requests for Future Agenda Items**

**(Agenda Item 9)**

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

**Adjourn**

**(Agenda Item 10)**

With no further discussion, President Hicks adjourned the called – special session of the Fort Worth Housing Finance Corporation Board at 12.29 p.m. on Tuesday, June 7, 2011.

These minutes approved by the Fort Worth Housing Finance Corporation Board of Directors on the 2<sup>nd</sup> day of August, 2011.

APPROVED:

\_\_\_\_\_  
Kathleen Hicks  
President

ATTEST:

\_\_\_\_\_  
Frank Moss  
Secretary

Prepared and respectfully submitted by:

\_\_\_\_\_  
Ronald P. Gonzales, TRMC/CMC  
Assistant City Secretary

**FORT WORTH HOUSING FINANCE CORPORATION**  
**BALANCE SHEET AS ON JUNE 30, 2011**  
**(UNAUDITED)**

**ASSETS**

Cash, Cash Equivalents and Investments

Cash & Investments	\$	3,756,146	
Cash and cash equivalents (HTF General Fund)		1,091,447	
Cash at Bank- JP Morgan Chase - Infill		3,551	
		4,851,145	

Restricted Assets

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

Other Assets

Loans receivable		22,302	
Contribution receivable from Grant Fund (HTF)		-	
Loans receivable - Eastland		900,000	
Loans receivable - Wind River		715,000	
Interest Receivable		48,202	
Investments in Villas of East Wood LLC		615,000	
Loans receivable from Villas of East Wood LLC		638,979	
Investment in FWCCC, LLC		-	
Properties held for sale or construction by FWHFC (at cost or FMV)		1,270,583	(1)
		4,210,066	

**Total Assets**

**\$ 14,347,992**

**LIABILITIES & FUND BALANCE**

Liabilities

Accounts payable	\$	-	
Escrow for loans		1,006	
Accrual - Payroll		302	
Deferred revenue		22,302	
Payable to CFW - Carter Metro assigned liability		116,380	(4)
Payable to CFW - Mitchell Blvd. assigned properties		21,047	(4)
Payable to CFW - Appropriation from Rental Rehab Rev.(for VOE)		615,000	
		776,038	

**Total Liabilities**

**\$ 776,038**

Fund Balances

Restricted for corpus		5,286,781	
Represented by HTF General Fund		2,706,447	
Represented by advance balance to VOE		27,990	(3)
Represented by investments/loans		638,979	
Represented by land & properties		1,270,583	
Restricted for land banking		348,503	
Restricted for Infill Dev.		666,096	
Unrestricted		2,626,574	(2)
		13,571,954	

**Total Fund Balance**

**13,571,954**

**Total Liabilities & Fund Balance**

**\$ 14,347,992**

Notes:

- (1) Cost of properties includes certain properties received as gift for which fair market value as on date of gift was included as cost. It also includes properties assigned to HFC.
- (2) Grants/endowments/gifts and other appropriations received and used to acquire properties or for operating expenditure forms part of the unrestricted equity balance along with surplus / loss from operations and interest income from investments.
- (3) FWHFC Board has approved an advance of \$350,000.00 to VOE. Payment of \$322,010.00 were made from R109 and the balance to be paid is \$27,990.00
- (4) Properties assigned to HFC in note (1) were acquired with grant funds, and the proceeds less taxes and constr. exp. incurred by HFC to be returned to CFW as program income.

OTHER NOTES:

- A. CFW authorized grants of \$3,892,636 from HOME funds and \$1,750,000 from CDBG funds for Housing Trust Fund and out of these Grant funds \$1,034,481.11 have been expended as on date.
- B. Home warranty expenses and tax abatement refund dues are accounted on cash basis. The liability for unexpired warranties and tax abatement refunds have not been quantified and not provided for.
- C. HFC is the parent organization and sole shareholder of the The Villas of East Wood Terrace, LLC. Accounts of this subsidiaries are not included or consolidated for this statements. Also no provision has been made for liabilities of the subsidiary.

**FORT WORTH HOUSING FINANCE CORPORATION**  
**REVENUES AND EXPENDITURES FOR PERIOD (9 MONTHS) ENDING JUNE 30, 2011**  
**(UNAUDITED)**

**Revenues**

Interest earned on investments	\$ 100,034
Interest on loans	833
Contribution from HUD - HTF	14,193
Program income prin. loan	-
Land/home sales	-
Gas lease bonus	88,861
Gas lease royalties	3,883
Loan application & inspection /origination fee	500
Misc. revenue	52,378
	_____

**Total Revenues** \$ 260,680

**Expenditures**

Salary expenses	\$ 9,340
Postage	633
Misc. & other operations	-
Appraisal fees	-
Conference and seminars	1,743
Engineering Services	-
Inside printing	11
Graphics	-
Liability insurance	2,050
Electricity	1,525
Water & waste disposal	802
Dues and membership	1,790
Contractual services	1,475,603
Contractual services - HTF Expenses	4,743
Contractual services - Mercado Repayment	1,102,462
Loss on asset	96,905
Bank Charges	353
Land purchase	-
Other expenses to be paid	-
	_____

**Total Expenditures** \$ 2,697,959

Excess of Revenues over (under) Expenditures (2,437,279)

**Other Financing Sources (Uses)**

Transfers in HFC	48,892
Total Other Financing Sources (Uses)	48,892

Excess of Revenues over (under) Expenditures and Other Financing sources (2,388,387)

Fund Balances (Deficit), beginning of the period	13,843,790
Fund Balances (Deficit), at the end of the period	11,455,403

**Reconciliation of fund balance to Balance sheet**

ADD: Loans receivable from Villas Of Eastwood	638,979
Equity investment in FW CCC, LLC	-
Eastland loan	900,000
Wind River loan	715,000
Less: Liability to CFW - Assigned properties	(137,427)
	_____
	2,116,552

**Fund balance per balance sheet** \$ 13,571,954

# FORT WORTH HOUSING FINANCE CORPORATION

## Details of Loan Receivables & Escrow Accounts for period ending June 30, 2011

### Loan Receivables

<u>Name</u>	<u>Date of Note</u>	<u>Amount</u>	<u>Status</u>
Willie Roberson	08/21/98	22,302	Active
Eastland		900,000	Active
Wind River		715,000	
<b>Total</b>		\$ 1,637,302	

### Deferred revenue

Willie Roberson	22,302
Wind River	715,000
Eastland	900,000
	1,637,302

### Escrows

Willie Roberson	08/21/98	1,006	Active
<b>Total</b>		\$ 1,006	

### Details of Classification of Fund Balance

#### Represented by Investments & Loans

Loans receivable from Villas of East Wood LLC	638,979
Holdings for FWCCC LLC	-
<b>Total</b>	\$ 638,979

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

Assigned from Cartermetro	
1118 E. Tucker	1,500.00
1139 Cannon St	1,500.00
2912 Walker St	92,800.00
4521 Trueland - sold	-
4525 Trueland	9,000.00
802 E. Magnolia	1,500.00
Cash assigned to HFC	13,537.99
<b>Total</b>	<b>119,837.99</b>
Less Taxes paid when assigned	3,457.75
<b>Total liability</b>	<b>116,380.24</b>
Assigned from TCDC (Formerly Mitchell Blvd. Dev. Corp.)	
2511 Mitchell Blvd	39,220.00
3220 Thrall St	0.00
<b>Total</b>	<b>39,220.00</b>
Less Taxes paid when assigned	18,172.76
<b>Total liability</b>	<b>21,047.24</b>
<b>G. Total Liability</b>	<b>137,427.48</b>

**THE VILLAS OF EASTWOOD TERRACE, LLC**  
**BALANCE SHEET AS ON JUNE 30, 2011\***  
**(UNAUDITED)**

**ASSETS**

Cash and other assets:

Cash	\$ 26,959	
Accounts receivable	3,676	
Prepaid expenses	58,042	
Total cash and other assets	88,677	88,677

Restricted deposits:

Cash - tenant security deposits held in trust	23,234	
Escrow deposits held by mortgagee	89,644	
Replacement reserve held by mortgagee	161,257	
Other reserves held by mortgagee	-	
Total restricted deposits	274,134	274,134

Fixed Assets:

Land	216,561	
Building and Improvements	9,530,772	
Furniture and Equipments	70,830	
Motor vehicles	7,849	
Total	9,826,012	
Accumulated depreciation	(3,023,345) (1)	
Net	6,802,667	6,802,667

**Total Assets**

\$ 7,165,478

**LIABILITIES & NET ASSETS (DEFICIT)**

Mortgage payable, collateralized by apartment property	\$ 9,117,751
Owner loan (HFC)	615,000
Advances from owner (HFC)	638,979
Misc current liabilities	-
Accounts payable - operations	18,045
Accrued mortgage interest	47,617
Accrued MIP	36,216
Accrued wages and taxes	4,358
Prepaid revenue	226
Tenant security deposits	22,714
	10,500,907

**Total liabilities**

10,500,907

**Net assets (deficit)**

(3,335,429)

**Total liabilities and net assets (deficit)**

\$ 7,165,478

\*Source, Quest Asset Management, Inc.

Note:

(1) No depreciation expense has been booked by QUEST ASSET Management for this period but an estimated depreciation expense of \$174,322.00 has been booked by CFW staff for this statement.

**THE VILLAS OF EASTWOOD TERRACE, LLC**  
**REVENUES AND EXPENDITURE FOR PERIOD (6 MONTHS) ENDING JUNE 30, 2011\***  
**(UNAUDITED)**

<b>Revenues:</b>		
Rental income - apartments	\$ 584,578	
Other income from teneants	21,049	
Interest income	64	
<b>Total Revenues</b>	<u>605,692</u>	605,692
 <b>Expenses:</b>		
Administrative	77,545	
Utilities	42,719	
Operating and maintenance	64,535	
Taxes and insurance	26,790	
Mortgage interest	286,274	
Mortgage insurance	36,216	
Depreciation	174,322 (1)	
<b>Total Expenses</b>	<u>708,401</u>	708,401
<b>Change in net assets</b>		(102,709)
<b>Net assets (Deficit) at beginning of period</b>		(3,232,720)
<b>Net assets (Deficit) at end of period</b>	<u>\$</u>	<u>(3,335,429)</u>

\*Source, Quest Asset Management, Inc.

Note:

(1) No depreciation expense has been booked by QUEST ASSET Management for this period but an estimated depreciation expense of \$174,322.00 has been booked by CFW staff for this statement.

**FORT WORTH HOUSING FINANCE CORPORATION**  
**DETAILS OF PROPERTIES HELD FOR SALE AS ON JUNE 30, 2011**

<u>SQ#</u>	<u>Address</u>	<u>Status</u>	<u>Date of Acquisition</u>	<u>Value Paid</u>	<u>Tax Paid</u>	<u>Fees paid</u>	<u>Other Exp Capitalized</u>	<u>Constn. Exp Capitalized</u>	<u>Donated Value</u>	<u>Total Value</u>
<b>NORTHSIDE (District 2)</b>										
1	2607 Clinton	L	01/07/03	3,215.00		100.00				3,315.00
<b>District 4</b>										
2	White Lake	LL	05/26/04	284,788.38			12,964.08			297,752.46
<b>SOUTHEAST (District 5)</b>										
3	5250 Wonder Dr. & 5240 Wooten (Granbury Hills)	L	05/01/10	181,669.00						181,669.00
4	5220 Anderson St.	L	04/13/04	1,296.00		100.00				1,396.00
5	5300 Anderson St.	L	01/07/03	1,762.00		100.00				1,862.00
6	5401 Berry	L	04/13/04	15,180.60		100.00				15,280.60
7	E. Berry St	L	10/10/00	28,265.70						28,265.70
8	E. Berry St	L	10/10/00	7,023.60						7,023.60
9	4700 E. Berry St	L	05/19/00	6,600.00						6,600.00
10	4700 E Berry St	L	05/19/00	479.21						479.21
11	1604 Birdell	L	09/01/05	1,201.48	205.33				2,500.00	3,906.81
12	2803 Burger	L	01/07/03	1,116.00		100.00				1,216.00
13	2805 Burger	L	01/07/03	1,537.00		100.00				1,637.00
14	5151 Charlene St.	L	05/19/00	582.15	35.06				2,000.00	2,617.21
15	5175 Charlene St.	L	02/28/03	1,176.00		100.00				1,276.00
16	5328 Cottey	L	07/05/02	2,717.77	73.53					2,791.30
17	5400 Cottey	L	01/12/04	5,232.04	10.87					5,242.91
18	5401 Cottey	L	12/20/06	4,650.48						4,650.48
19	5402 Cottey	L	01/12/04	5,232.04	10.87					5,242.91
20	2808 Dillard	L	04/13/04	544.32		100.00				644.32
21	3012 Dillard	L	04/13/04	1,587.00		100.00				1,687.00
22	3100 Eastcrest Ct	UCH	06/15/01	2,859.02	96.96			91,391.54		94,347.52
23	3101 Esatcrest Ct.	L	06/15/01	2,859.02	96.96					2,955.98
24	3108 Eastcrest Ct.	UCH	06/15/01	2,859.02	96.96			105,423.87		108,379.85
25	3109 Eastcrest Ct.	L	06/15/01	2,859.02	96.96					2,955.98
26	3133 Eastcrest Ct.	L	06/15/01	2,859.02	96.96					2,955.98
27	3137 Eastcrest Ct.	L	06/15/01	2,859.02	96.96					2,955.98
28	2600 Marlin	L	04/13/04	606.00		100.00				706.00
29	2709 Marlin	L	04/13/04	1,081.00		100.00				1,181.00
30	5101 Pinson	L	01/07/03	1,660.00		100.00				1,760.00
31	5300 Pinson	L	01/06/04	4,600.00						4,600.00
32	4913 Ramey	L	07/05/02	1,582.91	43.59				2,500.00	4,126.50
33	3412 Stalcup	L	06/04/99	852.00		100.00				952.00
34	2732 Stalcup	L	06/04/99	3,202.00		100.00				3,302.00
35	5217 Turner	L	08/06/99	3,588.25	70.60					3,658.85
36	5401 Turner	L	04/13/04	3,113.00		100.00				3,213.00
37	Wills Point Ct.	L	07/05/02	1,651.37	39.76				2,000.00	3,691.13
38	2514 Wills Point Ct.	L	04/13/04	508.00		100.00				608.00
39	2929 Burger	L	12/20/06	4,650.50						4,650.50
40	2933 Burger	L	12/20/06	4,650.50						4,650.50
41	3221 & 3223 NW 33 rd St	L		330.95						330.95
42	2510 Sheraton	L	03/04/08	6,100.00	552.71	1.00				6,653.71
43	2512 Sheraton	L	03/04/08	5,000.00	552.71	1.00				5,553.71
44	2514 Sheraton	L	03/04/08	5,600.00	552.71	1.00				6,153.71
45	2516 Sheraton	L	03/04/08	5,000.00	552.71	1.00				5,553.71
46	2518 Sheraton	L	03/04/08	3,300.00	552.71	1.00				3,853.71
47	1708 Taiton	L	03/04/08	6,100.00	337.48	1.00				6,438.48
48	1704 Colvin	L	03/04/08	3,000.00	95.44	1.00				3,096.44
49	5600 Bong	L	05/10/08	3,000.00	48.95	573.05				3,622.00

**LEGEND**

L -Land  
 UC-Under construction  
 UCH -With House  
 VH -Vacant Structure  
 LL -Land & Lake  
 APH-Assigned Property HOUSE  
 APL-Assigned Property LAND

**FORT WORTH HOUSING FINANCE CORPORATION**  
**DETAILS OF PROPERTIES HELD FOR SALE AS ON JUNE 30, 2011**

<u>SQ#</u>	<u>Address</u>	<u>Status</u>	<u>Date of Acquisition</u>	<u>Value Paid</u>	<u>Tax Paid</u>	<u>Fees paid</u>	<u>Other Exp Capitalized</u>	<u>Constn Exp Capitalized</u>	<u>Donated Value</u>	<u>Total Value</u>
<b>District 6</b>										
<b>COMO (District 7)</b>										
50	5424 Carver	L	04/28/04	2,678.52	34.62					2,713.14
51	5420 Chariot	L	04/13/04	1,745.00		100.00				1,845.00
52	5620 Chariot	L	04/21/99	1,268.00						1,268.00
53	5621 Como Dr.	L	12/16/98	1,000.00						1,000.00
54	5500 Farnsworth	L	04/28/04	2,678.52	34.62					2,713.14
55	5826 Farnsworth	L	04/28/04	2,678.52	28.05					2,706.57
56	5908 Fletcher	L	04/28/04	2,678.52	28.05					2,706.57
57	5425 Geddes	L	04/28/04	2,678.52	28.05					2,706.57
58	5336 Goodman	L	04/28/04	2,678.52	28.05					2,706.57
59	5438 Goodman	L	04/28/04	2,678.52	28.05					2,706.57
60	5515 Goodman	L	04/28/04	2,678.52	91.41					2,769.93
61	5407 Kilpatrick	L	04/28/04	2,678.52	34.62					2,713.14
62	5514 Shiloh	L	01/07/03	1,244.00		100.00				1,344.00
63	5520 Shiloh	L	01/07/03	1,244.00		100.00				1,344.00
64	5528 Shiloh	L	02/28/03	1,244.00		100.00				1,344.00
65	5532 Shiloh	L	01/07/03	1,318.00		100.00				1,418.00
66	5716 Wellesley	L	04/28/04	2,678.52						2,678.52
67	5720 Wellesley	L	04/28/04	2,678.52						2,678.52
<b>MITCHEL BLVD (District 8)</b>										
68	2705 Berryhill Dr.	L	04/14/04	1,031.00		100.00				1,131.00
69	1325 New York Ave	L	06/03/08	3,600.00		7.00				3,607.00
<b>NEAR SOUTHEAST (District 8)</b>										
70	1346 E. Jefferson	L	06/02/97	600.00		100.00				700.00
71	953 E. Powell	L	05/05/01	2,694.40						2,694.40
72	2651 Belzise Ter	L	11/12/07	4,250.00	47.27	352.50				4,649.77
73	1401 Illinois Ave	L	11/12/07	4,250.00	47.27	352.50				4,649.77
<b>TWU (District 8)</b>										
74	2710 Ave. C	L	03/12/99	4,760.32	24.33					4,784.65
<b>OTHER (District 8)</b>										
75	1321 Driess	L	04/10/07		394.95				1,500.00	1,894.95
76	2709 Ash Crescent St	L	06/05/07	3,900.00		3.50				3,903.50
77	2713 Ash Crescent St	L	06/05/07	2,600.00		3.50				2,603.50
78	2670 Ash Crescent St	L	07/03/07	3,200.00		3.50				3,203.50
79	2771 Belzise	L	07/03/07	2,700.00		3.50				2,703.50
80	2750 Ash Crecent St.	L	08/24/07	4,000.00	48.95	561.00				4,609.95
81	2650 Ash Crecent St.	L	08/07/07	3,000.00		7.00				3,007.00
82	2770 Ash Crecent St.	L	09/29/07	4,100.00						4,100.00
83	2721 Belzise	L	09/29/07	3,100.00						3,100.00
84	929 Maddox Ave.	L	09/29/07	1,900.00						1,900.00
85	919 E. Maddox Ave.	L	03/03/08	3,500.00	(6.40)	81.65				3,575.25
86	1018 E. Myrtle	L	03/03/08	3,500.00	(6.40)	81.65				3,575.25
87	1421 Stewart	L	03/03/08	3,500.00	(6.39)	81.65				3,575.26
88	921 E. Humbolt	L	09/30/08	3,000.00						3,000.00
89	804 Kentucky	L	09/30/08	2,700.00						2,700.00
90	1301 Cannon	L	09/30/08	3,100.00						3,100.00
91	1115 E. Humbolt	L	09/30/08	5,000.00						5,000.00
<b>Assigned property (Cartermetro)</b>										
92	1118 E. Tucker	APL	09/18/08			501.95	1,500.00			2,001.95
93	1139 Cannon St	APL	09/18/08			533.95	1,500.00			2,033.95
94	2912 Walker St	APH	09/18/08			1,345.95	92,800.00	34,935.89		129,081.84
95	4525 Trueland	APH	09/18/08			286.98	9,000.00	84,190.75		93,477.73
96	802 E. Magnolia	APL	09/18/08			501.95	1,500.00			2,001.95
<b>Assigned property (TCDC) Formerly Mitchel Dev. Corp.)</b>										
97	2511 Mitchell Blvd	APL	05/28/09			18,172.76	39,220.00			57,392.76
<b>Total</b>				<b>754,698.81</b>	<b>5,195.89</b>	<b>25,762.54</b>	<b>158,484.08</b>	<b>315,942.05</b>	<b>10,500.00</b>	<b>1,270,583.37</b>

**LEGEND**

L - Land	88
UC - Under construction	0
UCH - With House	2
VH - Vacant Structure	0
LL - Land & Lake	1
APH - Assigned Property HOUSE	2
APL - Assigned Property LAND	4
	<u>97</u>

**FORT WORTH HOUSING FINANCE CORPORATION**

Details of property transactions as on June 30, 2011

<u>Status</u>	<u>Date</u>	<u>Value</u>	<u>Tax</u>	<u>Fees</u>	<u>Other</u>	<u>Constn.Exp</u>	<u>Donated</u>	<u>Total</u>
	<u>Sold/ Purchased</u>	<u>Paid</u>	<u>Paid</u>	<u>paid</u>	<u>Exp Capitalized</u>	<u>Capitalized</u>	<u>Value</u>	<u>Value</u>
Opening Balance (Sept. 30, 2010)		1,314,306.99	51,622.68	7,876.75	349,131.45	196,815.41	10,500.00	1,930,253.28
<b>Add:</b>								
<b>Additions</b>								
<u>Purchases</u>								
<b>Total Additions</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Less:</b>								
<b>Property Sold</b>								
								0.00
3320 Thrall St	11/09/10	113,933.58						113,933.58
<b>Demolished</b>								0.00
Granbury Hills Apt.	12/06/10	450,088.18						450,088.18
4521 Trueland Dr	04/29/11			286.98	9,000.00	86,361.18		95,648.16
								0.00
<b>Total cost of Properites sold</b>		<b>564,021.76</b>	<b>0.00</b>	<b>286.98</b>	<b>9,000.00</b>	<b>86,361.18</b>	<b>0.00</b>	<b>659,669.92</b>
<b>Add: Assigned property</b>		<u>TAD Value</u>						
<b>Total</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Balance</b>		<b>750,285.23</b>	<b>51,622.68</b>	<b>7,589.77</b>	<b>340,131.45</b>	<b>110,454.23</b>	<b>10,500.00</b>	<b>1,270,583.36</b>

\*LEGEND

- L -Land
- UC-Under construction
- UCH -With House
- VH -Vacant Structure
- LL -Land & Lake
- APH-Assigned Property HOUSE
- APL-Assigned Property LAND

**FORT WORTH HOUSING FINANCE CORPORATION**

**A RESOLUTION  
APPOINTING A TREASURER, AN ASSISTANT TREASURER AND AN ASSISTANT  
SECRETARY FOR THE CORPORATION AND APPROVING ANY ADDITIONAL  
COSTS FOR INSURANCE RELATED TO THESE APPOINTMENTS**

**WHEREAS**, the Board of Directors (the “Board”) of the Fort Worth Housing Finance Corporation (the “Corporation”) adopted Amended and Restated Bylaws for the Corporation on June 3, 2008 and pursuant to Article IV thereof, the Board desires to appoint certain agents and officers of the Corporation to assist the Board in its duties;

**WHEREAS**, the Board has determined that appointing certain employees of the City of Fort Worth to act as the Corporation’s General Manager, Treasurer, Assistant Treasurer and Assistant Secretary with the powers and duties set forth in the Amended and Restated Bylaws will result in increased administrative efficiency for the Corporation.

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

THAT the Board confirms the appointment of Tom Higgins as General Manager of the Corporation.

THAT the Board appoints Lena Ellis as the Treasurer of the Corporation.

THAT the Board appoints Karen Montgomery as an Assistant Treasurer of the Corporation.

THAT the Board appoints Nicole Seidel as Assistant Secretary of the Corporation and confirms the appointment of Martha A. Hendrix and Ron Gonzalez as Assistant Secretaries of the Corporation .

THAT the above listed agents and officers shall serve in their respective capacities until their successors have been appointed by the Board.

THAT costs for any additional insurance premiums related to these appointments are approved.

THAT this Resolution takes effect from the date of its adoption.

**AND IT IS SO RESOLVED.**

Adopted August 2, 2011.

**FORT WORTH HOUSING FINANCE CORPORATION**

By: \_\_\_\_\_  
Name: \_\_\_\_\_, President

# FORT WORTH LOCAL DEVELOPMENT CORPORATION

## AGENDA

Tuesday, August 2, 2011

*Immediately Following the Meetings of the Housing and  
Economic Development Committee and the Fort Worth  
Housing Finance Corporation Scheduled to Begin at 1:00 P.M.*

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

### Board of Directors

Frank Moss, President  
Danny Scarth, Vice-President  
Dennis Shingleton, Trustee

Zim Zimmerman, Treasurer  
Joel Burns, Trustee  
Kathleen Hicks, Trustee

Betsy Price, Trustee  
Jungus Jordan, Trustee  
Salvador Espino, Trustee

Staff Liaison: Susan Alanis, Assistant City Manager

- 
1. **Call to Order** – President
  2. **Approval of Minutes from the Meeting Held on June 7, 2011** – President
  3. **Election of Officers** – Jay Chapa, Director, Housing and Economic Development Department, City of Fort Worth
  4. **Written Reports** – President
    - A. Financial Report through June 30, 2011
  5. **Executive Session:** The Fort Worth Local Development Corporation’s Board of Trustees will conduct a closed meeting to:
    - A. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues concerning any current agenda item; and
    - B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and

C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

6. **Adopt Resolution Approving a Natural Gas Pipeline License Agreement with Texas Midstream Gas Services, LLC, Across 1776 East Berry Street** – Jean Petr, Gas Lease Program Manager, City of Fort Worth Planning and Development Department
7. **Adopt Resolution Approving Certificate of Formation and Related Company Agreement of Lancaster Corridor Redevelopment, LLC for Purposes of Owning and Operating a Residential Development to be Constructed on Lancaster Avenue between Taylor and Houston Streets** – Jay Chapa, Director, Housing and Economic Development Department, City of Fort Worth
8. **Adopt Resolutions Appointing Tom Higgins, Susan Alanis, and Jay Chapa as Authorized Signatory Agents of the Fort Worth Local Development Corporation**
9. **Requests for Future Agenda Items** – President
10. **Adjourn** – President

**This facility is wheelchair accessible. For accommodations or sign interpretation services, please call the Housing and Economic Development Department 48 hours in advance at 817-392-7316.**

**CITY OF FORT WORTH, TEXAS  
FORT WORTH LOCAL DEVELOPMENT CORPORATION  
CALLED – SPECIAL SESSION  
TUESDAY, JUNE 7, 2011**

**Present:**

President Frank Moss  
Vice President Danny Scarth  
Secretary Carter Burdette  
Treasurer W.B. “Zim” Zimmerman  
Director Mike Moncrief  
Director Salvador Espino  
Director Jungus Jordan  
Director Kathleen Hicks

**Absent:**

Director Joel Burns

**City staff:**

Susan Alanis, Assistant City Manager  
Peter Vaky, Deputy City Attorney  
Ron Gonzales, Assistant City Secretary  
Jay Chapa, Director, Housing & Economic Development Department  
Jean Petr, Gas Lease Program Manager, Planning and Development Department

**Other City staff in attendance included:**

Cynthia Garcia, Assistant Director, Housing & Economic Development Department  
Robert Sturns, Economic Development Manager, Housing & Economic Development Dept.  
LeAnn Guzman, Assistant City Attorney  
Mark Folden, Business Development Coordinator, Housing & Economic Development Dept.  
Henry Day, Senior Management Analyst, Housing & Economic Development Department  
Robin Bentley, Acting Housing Program Manager, Housing & Economic Development Dept.  
Coy Gray, Senior Administrative Services Manager, Housing & Economic Development Dept.  
Charletra Hurt, Sr. Contract Compliance Specialist, Housing & Economic Development Dept.

**Call to Order**

**(Agenda Item 1)**

With a quorum of the Board Members present, President Moss called the called - special session to order for the Board of Directors of the Fort Worth Local Development Corporation (Corporation) at 3:05 p.m. on Tuesday, June 7, 2011, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton, Fort Worth, Texas, with Director Burns absent.

**CITY OF FORT WORTH, TEXAS  
FORT WORTH LOCAL DEVELOPMENT CORPORATION  
CALLED – SPECIAL SESSION  
TUESDAY, JUNE 7, 2011  
Page 2**

**Approval of Minutes from Meeting Held on  
April 5, 2011**

**(Agenda Item 2)**

President Moss opened the floor for a motion on the minutes.

**MOTION:** Upon a motion made by Director Burdette and seconded by Director Scarth, the Board of Directors of the Fort Worth Local Development Corporation voted unanimously eight (8) “ayes” and zero (0) “nays”, with Director Burns absent, to approve the minutes of the April 5, 2011, meeting of the Fort Worth Local Development Corporation. The motion carried.

**Consideration of Financial Report**

**(Agenda Item 3A)**

President Moss referenced the following financial report:

The Balance Sheet dated April 30, 2011, for the Corporation (unaudited) as follows:

Assets	
Cash and cash equivalents	\$1,878,580.84
Interest Receivable	8,201.78
Accounts Receivable (1)	<u>3,659.39</u>
Total Assets	<u>\$1,890,442.01</u>
Liabilities and Fund Balance	
Accounts and Contracts Payable	0.00
Total Liabilities	0.00
Fund Balance (Deficit)	
Designated for Authorized Expenditures	\$2,492,627.92
Net Income	(602,185.91)
Undesignated	<u>0.00</u>
Total Fund Balance	1,890,442.01
Total Liabilities and Fund Balance	<u>\$1,890,442.01</u>

**CITY OF FORT WORTH, TEXAS  
 FORT WORTH LOCAL DEVELOPMENT CORPORATION  
 CALLED – SPECIAL SESSION  
 TUESDAY, JUNE 7, 2011  
 Page 3**

**Consideration of Financial Report (cont'd)**

**(Agenda Item 3A)**

The Statement of Revenues and Expenditures from October 1, 2010, through April 30, 2011 (unaudited), for the Corporation as follows:

Revenues

Property Tax Reimbursement	\$40,357.70	
Revenue from Rents	211,241.73	
Gas Lease Bonus	0.00	
Gas Lease Royalties	73,021.69	
Easement for Pipelines	15,003.29	
Interest Income	13,619.91	
Change in Fair Value of Investments	0.00	
Other Revenue	0.00	
	<hr/>	
Total Revenue		\$353,244.32

Expenditures

Bank Charges	\$182.46	
Contractual Services	666,505.03	
Insurance	25,586.25	
Property Management	8,449.70	
Property Purchase	0.00	
Property Taxes	120,315.39	
Repairs	78,015.50	
Security System	3,591.69	
Storm Water Utility	18,453.75	
Transfers to City	26,000.00	
Utilities	8,330.46	
	<hr/>	
Total Expenditures		\$955,430.23

Excess (Deficiency) of Revenues Over (Under) Expenditures (\$602,185.91)

Fort Worth Local Development Corporation dated April 30, 2011, (unaudited) for the Corporation as follows:

Total Cash at April 30, 2011	\$1,878,580.84
Cash in Property Management Account	<u>(5,564.76)</u>
Cash available in City account	<u>1,873,016.08</u>

**CITY OF FORT WORTH, TEXAS  
 FORT WORTH LOCAL DEVELOPMENT CORPORATION  
 CALLED – SPECIAL SESSION  
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**Consideration of Financial Report (cont'd)**

**(Agenda Item 3A)**

Commitments		
	Evans & Rosedale Enhanced CFA	\$237,228.91
	Survey Expenses	\$6,250.00
Reserves		
	Maintenance Reserve	100,000.00
	Property Tax Reserve	100,000.00
Total Commitments & Reserves		<u>443,478.91</u>
Unrestricted Cash Available		<u><u>\$1,429,537.17</u></u>

The Schedule of Available Funds noted that on August 21, 2007, \$275,000.00 was transferred to the City (M&C C-22334) with the understanding that it would be paid back when properties along Lancaster are sold. The transfer was made to fund an art sculpture on Lancaster Avenue. On December 18, 2007, \$162,000.00 was transferred to the City (M&C C-22592) with the understanding that it would be paid back when properties along Lancaster are sold. The transfer was made to fund survey services and improvements on Lancaster Avenue. In September 2008, \$92,321.91 of the \$162,000.00 was returned to the LDC.

President Moss opened the floor for discussion and/or comments on these reports. There was no discussion or formal action on the reports and the reports were accepted as presented.

**Executive Session**

**(Agenda Item 4)**

President Moss stated that he had been advised that an Executive Session was not necessary on the following items:

- A. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9, of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues concerning any current agenda item; and
- B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and

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**Executive Session (cont'd)**

**(Agenda Item 4)**

- C. Discuss or deliberate negotiations related to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

This agenda item was passed over.

**Adopt Resolution to Execute a Development Management Agreement with L2L-Lancaster, LLC, for an Amount Not to Exceed \$535,500.00 for the Lancaster Project Located Between Throckmorton Street and Monroe Street**

**(Agenda Items 5-8)**

Mr. Jay Chapa, Director, Housing and Economic Development Department, addressed the Corporation regarding the proposed resolution. Mr. Chapa advised that his presentation would also include agenda items 6 through 8 as follows:

- Agenda Item 6: Adopt Resolution to Authorize a Lease of and Option to Purchase Property Located Between Throckmorton Street and Berry Street from the City of Fort Worth for the Lancaster Project.
- Agenda Item 7: Adopt Resolution to Hire Kelly Hart & Hallman as Outside Counsel for the Lancaster Project Located Between Throckmorton Street and Monroe Street for an Amount Not to Exceed \$40,000.00.
- Agenda Item 8: Adopt Resolution to Execute a Conditional Commitment, Contract and Related Documents with the City of Fort Worth for Two Million Dollars in HOME Funds for the Development of the Lancaster Project Located Between Throckmorton Street and Monroe Street.

Using a PowerPoint presentation, Mr. Chapa provided the following summary of what the presentation on the proposed Lancaster Mixed Use Project would include:

- Project Location/Description (located on south end of downtown)
- Existing Conditions
- Proposed Project
- Incentives and Terms
- Staff Recommendations/Next Steps

Ms. Chapa advised the Corporation of the project partners for the project as follows:

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FORT WORTH LOCAL DEVELOPMENT CORPORATION  
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**Adopt Resolution to Execute a Development Management Agreement with L2L-Lancaster, LLC, for an Amount Not to Exceed \$535,500.00 for the Lancaster Project Located Between Throckmorton Street and Monroe Street (cont'd)**

**(Agenda Items 5-8)**

- Local Development Corporation (LDC)
- City of Fort Worth
- Catholic Diocese of Fort Worth
- Randy Gideon/Tom Purvis (Consultants)
- TIF #8 (Lancaster) (To be presented to TIF Board on June 23, 2011)

Mr. Chapa stated that the question had been asked, “Why a Local Development Corporation Project?” He advised that one of the main reasons was to spur development in this area and provide a development that meets the guidelines along the Lancaster Corridor. He continued his presentation with the following additional supporting information:

- LDC can utilize City-owned property while providing a return to the City at a later date.
- LDC can bring added density with mix of uses by including the affordable housing project and carrying the retail space until the market develops.
- The larger project will set the design tone and jump start development along Lancaster.
- LDC can own parking structure to promote additional development.
- Additional revenue producing asset for the LDC.

Mr. Chapa noted that there were several projects that the LDC had been involved that allowed them to use non-City dollars in a way to keep economic development going for certain projects (Rosedale, redo of Missouri, Jack in the Box, Oliver’s Fine Foods, grocery store downtown).

Mr. Chapa provided information on the existing conditions of the properties as noted below:

- Located in Council District 9.
- No existing structures – space used for City vehicle parking.
- Located south of the Zipper Building.
- Surplus property between Lancaster and 15<sup>th</sup> Street.

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**Adopt Resolution to Execute a Development Management Agreement with L2L-Lancaster, LLC, for an Amount Not to Exceed \$535,500.00 for the Lancaster Project Located Between Throckmorton Street and Monroe Street (cont'd)**

**(Agenda Items 5-8)**

Mr. Chapa displayed a slide entitled “City and State Property” and pointed out the lots that required acquisition from the Texas Department of Transportation (TXDoT) once the Lancaster project street configuration was completed. He stated that the green and red areas were the properties that were acquired from TXDoT, the blue areas were the properties that were already owned the City and the red boxed area signified the project area.

Mr. Chapa’s next slide provided an aerial view of the overall layout for the project and he explained that the area in green represented residential property and the area in blue represented office property. He pointed out that the first floor of all three (3) properties would be retail oriented. He added that parking, in partnership with the Diocese of Fort Worth, and shadowed in gray would be to provide a parking structure in the vicinity. He stated that the parking utilized currently for City use would be incorporated into the overall parking structure. He clarified that the blue property was not a speculative office project; it would actually include two (2) floors that would be condominiums that would be owned by the Catholic Diocese who would also move their offices to the downtown, and the other two (2) floors already had specific tenants that were secured as part of the project being developed by L2L-Lancaster, LLC.

Mr. Chapa provided two (2) architectural block renderings showing the scale of what five (5) story buildings would look like. He added that the Lancaster guidelines required that the buildings be a least three (3) stories with mixed use structures and not more than eight (8) stories so as not to take away from the historical significance of some of the buildings on the other side of the street. He pointed out that the art deco buildings being displayed worked very well with the Post Office building and the buildings allowed for enough height and density for the area, whereas going beyond the five (5) stories would make it more difficult to develop. He provided the following detailed information for the proposed project:

Residential Units (5 Apartment Floors)	<u>Approximately 90 Units</u> <ul style="list-style-type: none"> <li>• 35 – 1BR (2-Low HOME, 9-High HOME)</li> <li>• 50 – 2BR (3-Low HOME, 13 High HOME)</li> <li>• 5 – 3BR (0-Low HOME, 2-High HOME)</li> <li>• Approximately 950-1,500 square feet</li> </ul>
Affordable Rents	<ul style="list-style-type: none"> <li>• 1 BR Low Rent \$632, High Rent \$708</li> <li>• 2 BR Low Rent \$758, High Rent \$861</li> <li>• 3 BR Low Rent \$876, High Rent 1,105</li> </ul>

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<b>Adopt Resolution to Execute a Development Management Agreement with L2L-Lancaster, LLC, for an Amount Not to Exceed \$535,500.00 for the Lancaster Project Located Between Throckmorton Street and Monroe Street (cont'd)</b>	<p style="text-align: right;"><b>(Agenda Items 5-8)</b></p>
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Office Space (5 Floors)	Approximately 60,000 square feet
Retail Space	Approximately 20,000 square feet
Total Project Space	Approximately 230,000 square feet
Garage/New Public Parking	450 Spaces
Total Real Property Improvement	\$25-35 Million

Mr. Chapa then displayed a slide that depicted snapshots of the type of building facades that would complement the buildings for the proposed project. He next explained the financing structure for the project as follows:

- HOME Funds \$2,000,000.00
- LDC Funds \$500k to \$1 Million
- Private (Office tenants) Actual Cost
- Lancaster TIF To Be Determined
  - Utility relocation
  - Affordable Housing
  - Parking Structure
- Debt Financing Remainder
- ❖ Total Improvements \$25.0 - \$35.0 Million

He stated that in order to proceed, the following actions were required:

- Hire Development Consultant.
- Assume control of City of Fort Worth property.
- Accept HOME funds from City of Fort Worth.
- Hire Legal Counsel

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**Adopt Resolution to Execute a Development Management Agreement with L2L-Lancaster, LLC, for an Amount Not to Exceed \$535,500.00 for the Lancaster Project Located Between Throckmorton Street and Monroe Street (cont'd)**

**(Agenda Items 5-8)**

Mr. Chapa stated that it was envisioned that the LDC would create a single-asset entity that would be the actual owner and be separated from LDC and make it a taxable entity. He advised the Corporation of the Developer Management Agreement with L2L-Lancaster, LLC, as follows:

- L2L-Lancaster, LLC, will provide
  - Design Services
    - architectural services
    - schematic/feasibility
    - preliminary civil engineering
  - Market Analysis
  - Appraisals
  - Survey
  - Development Fee
- Contract Amount – Up to \$535,000.00

He then provided information on the Lease/Option to Purchase City-Owned Property as reflected below:

- Long-term (30 year) Lease/Option to Purchase City-owned property along Lancaster.
  - Rent and Option Fee (approximately \$40,000.00)
    - Amount for closing costs associated with purchase of the property from the state.
- At time of sale, City receives appraised value of the land; LDC receives value of improvements.
- Parking on the Zipper Building lot to be replaced in parking garage.

The recommendation for the contract with the City for HOME Funds was as follows:

- Authorize up to \$2,000,000.00 of HOME funds for the development of up to 25 low to moderate income housing units.
- Units to remain affordable for 20 years.
- Deferred Payment Loan that will be forgiven after 20 years so long as the units remain affordable.

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**Adopt Resolution to Execute a Development Management Agreement with L2L-Lancaster, LLC, for an Amount Not to Exceed \$535,500.00 for the Lancaster Project Located Between Throckmorton Street and Monroe Street (cont'd)**

**(Agenda Items 5-8)**

Mr. Chapa referred to his comments relative to the creation of a separate entity that would be the actual owner of the property and stated that staff recommended the hiring of Kelly Hart & Hallman for the following legal services:

- Agreement for Legal Services to:
  - Review transaction.
  - Create Single-Purpose Entity.
  - Assist in the Lease/Option Agreement with City in order that portion of the office building can be “condo”.
- Up to \$40,000.00 for Preliminary Services.

Mr. Chapa concluded his presentation with the following staff recommendation.

- Approve resolutions authorizing:
  - Development Management Agreement with L2L-Lancaster, LLC.
  - Lease/Purchase Option Agreement with City of Fort Worth.
  - Acceptance of HOME Funds.
  - Engage Kelly Hart & Hallman for Legal Services.

President Moss opened the floor for discussion on this issue.

Director Moncrief stated that he believed that all Corporation members realized how critical this project was as it gave them the opportunity to begin to address density along Lancaster. He added that he did not know when the Post Office would present an opportunity for the City to take advantage of, but in order to be able to attract tenants, the Corporation had to engage themselves to provide that battery to start the engine. He encouraged the board members to support the resolutions.

Director Jordan stated that there was some real historical significance in the Post Office, Lancaster Boulevard and the T&P warehouse. He added that this was the catalyst that would move that area forward.

There being no further discussion, President Moss opened the floor for a motion.

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FORT WORTH LOCAL DEVELOPMENT CORPORATION  
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**Adopt Resolution to Execute a Development Management Agreement with L2L-Lancaster, LLC, for an Amount Not to Exceed \$535,500.00 for the Lancaster Project Located Between Throckmorton Street and Monroe Street (cont'd)**

**(Agenda Items 5-8)**

**MOTION:** Upon a motion made by Director Jordan and seconded by Director Zimmerman, the Board of Directors of the Fort Worth Local Development Corporation voted unanimously eight (8) “ayes” and zero (0) “nays”, with Director Burns absent, to approve Agenda Items 5 through 8 and adopt Resolution Nos. FWLDC-2011-03, FWLDC-2011-04, FWLDC-2011-05 and FWLDC-2011-06. The motion carried.

**Adopt Resolution to Hire Kelly Hart & Hallman as Outside Counsel for the Oliver’s Fine Foods Project Located at 415 Throckmorton Street for an Amount not to Exceed \$5,000**

**(Agenda Item 9)**

Mr. Peter Vaky, Deputy City Attorney, Law Department, addressed the Corporation regarding the proposed resolution. Mr. Vaky stated that on March 1, 2011, the board authorized the Corporation to make a loan for \$450,000.00 to Oliver’s Fine Food for a downtown grocery store. He added that he drafted the loan agreement and associated with that would be the security agreement and a guarantee by the landlord, Sundance West, Ltd. He stated he would like the board’s consent to retain outside legal counsel for an amount up to \$5,000.00 to finalize the agreement.

President Moss opened the floor for discussion on this issue.

There being no discussion, President Moss opened the floor for a motion.

**MOTION:** Upon a motion made by Director Jordan and seconded by Director Espino, the Board of Directors of the Fort Worth Local Development Corporation voted unanimously eight (8) “ayes” and zero (0) “nays”, with Director Burns absent, to approve and adopt Resolution No. FWLDC-2011-07. The motion carried.

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**Adopt Resolution Approving a Natural Gas Pipeline License Agreement with Texas Midstream Gas Services, LLC, Across 1776 East Berry Street**

**(Agenda Item 10)**

Ms. Jean Petr, Gas Lease Program Manager, Planning and Development Department, addressed the Corporation regarding the proposed resolution. Ms. Petr advised that her presentation would also include Agenda Item 11, Adopt Resolution Approving a Natural Gas Pipeline License Agreement with Texas Midstream Gas Services, LLC, Across 3224 Yuma Street. She provided the following background information relative to the S&B to Hickman Pipeline for 1776 East Berry Street and 3224 Yuma Street:

- Natural gas pipeline requested by Texas Midstream Gas Services, LLC.
- Proposed route is called S&B to Hickman (HISB).
- Water Department and T/PW have reviewed alignments and have no objections.

Ms. Petr displayed an aerial map of the location and pointed out that the map was an estimate and explained that the line generally went from IH 30 around the edge of Cobb Park. She pointed out the location of 1776 East Berry and described the location of a large hill and two (2) existing gas lines that went along the tow of the hill and sanitary sewer line. She explained what part of the property that was being addressed today and stated that approximately 50 feet in from the edge of the property line was Sycamore Creek and a sewer line. She pointed out that all of the pipelines that were existing under the proposed area were outside of the two sanitary sewer lines and all of the developable property had been left intact. The then referred to the property at 3224 Yuma Street and explained that it already had an existing pipeline and that the new pipeline would go inside the property and would border the other well site which was the S&B well site. She provided information on the pipeline at 1776 East Berry as follows:

- 24-inch pipeline.
- Bore installation.
- No above ground facilities.
- Standard license agreement.
- Payment of \$8,493.66
  - 179.76LF @ \$47.25/LF
- 20-year term

Ms. Petr then displayed an aerial map of the location and explained that it was for representation purposes only. She explained the location of the two (2) existing pipelines and sanitary sewer lines and emphasized that the information was not to scale; it was not taking up as much property as was being shown.

**CITY OF FORT WORTH, TEXAS  
FORT WORTH LOCAL DEVELOPMENT CORPORATION  
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**Adopt Resolution Approving a Natural Gas  
Pipeline License Agreement with Texas  
Midstream Gas Services, LLC, Across 1776  
East Berry Street**

**(Agenda Item 10)**

Ms. Petr presented the below information relative to 3224 Yuma Street:

- 24-inch pipeline.
- Open-cut installation.
- No above ground facilities.
- Standard license agreement.
- Payment of \$40,963.86.
  - 866.96LF @ \$47.25/LF
- 20-year term.

Ms. Petr then displayed an aerial map for this location that reflected how much property would be affected by the pipeline. She reiterated that it was again not to scale. She provided the following staff recommendation:

- Recommend approval of 24-inch HISB pipeline across
  - 1776 East Berry
  - 3224 Yuma

President Moss opened the floor for discussion on this issue.

Director Hicks stated that she did not have a problem with the Yuma location; however, there seemed to be so many lines going down Berry Street. She added that she understood this had been discussed with various departments, but that she still had concerns about 1776 East Berry. She pointed out that this was in the middle of a TIF and she was concerned about the affect on developable land. She said she would move for approval of 3224 Yuma Street but delay action on 1776 East Berry until she had an opportunity to meet further with staff.

There being no further discussion, President Moss opened the floor for a motion.

**MOTION:** Upon a motion made by Director Hicks and seconded by Director Moncrief, the Board of Directors of the Fort Worth Local Development Corporation voted unanimously eight (8) “ayes” and zero (0) “nays”, with Director Burns absent, to approve and adopt Resolution No. FWLDC-2011-08, with the omission of 1776 East Berry, until after further discussion with staff. The motion carried.

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**Requests for Future Agenda Items**

**(Agenda Item 12)**

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

**Adjourn**

**(Agenda Item 13)**

With no further business before the Board, President Moss adjourned the called – special session of the Fort Worth Local Development Corporation at 3:26 p.m. on Tuesday, June 7, 2011.

These minutes approved by the Fort Worth Local Development Corporation on the 2<sup>nd</sup> day of August, 2011.

APPROVED:

\_\_\_\_\_  
Frank Moss  
President

ATTEST:

\_\_\_\_\_  
Carter Burdette, Secretary

Prepared and respectfully submitted by:

\_\_\_\_\_  
Ronald P. Gonzales, TRMC  
Assistant City Secretary

Fort Worth Local Development Corporation  
Balance Sheet  
June 30, 2011  
(Unaudited)

Assets	
Cash and cash equivalents	\$1,935,948.90
Interest Receivable	8,047.63
Accounts Receivable	<u>1,245.19</u>
Total Assets	<u><u>\$1,945,241.72</u></u>
Liabilities and Fund Balance	
Accounts and Contracts Payable	<u>0.00</u>
Total Liabilities	0.00
Fund Balance (Deficit)	
Designated for Authorized Expenditures	\$2,492,627.92
Net Income	(547,386.20)
Undesignated	<u>0.00</u>
Total Fund Balance	1,945,241.72
Total Liabilities and Fund Balance	<u><u>\$1,945,241.72</u></u>

Fort Worth Local Development Corporation  
Statement of Revenues and Expenditures  
October 1, 2010 through June 30, 2011  
(Unaudited)

Revenues

Property Tax Reimbursement	\$41,669.14	
Revenue from Rents	271,596.51	
Gas Lease Bonus	0.00	
Gas Lease Royalties	82,032.40	
Easement for Pipelines	15,003.29	
Interest Income	16,980.43	
Change in Fair Value of Investments	0.00	
Other Revenue	51,198.38	
Total Revenue	51,198.38	\$478,480.15

Expenditures

Bank Charges	\$236.22	
Contractual Services	687,954.03	
Insurance	37,530.60	
Property Management	10,863.90	
Property Purchase	0.00	
Property Taxes	120,315.39	
Repairs	91,869.09	
Security System	4,455.51	
Storm Water Utility	23,726.25	
Transfers to City	26,000.00	
Utilities	22,915.36	
Total Expenditures	22,915.36	\$1,025,866.35

Excess (Deficiency) of Revenues Over (Under) Expenditures (\$547,386.20)

Fort Worth Local Development Corporation  
Schedule of Available Funds  
June 30, 2011  
(Unaudited)

Total Cash at June 30, 2011	\$1,935,948.90
Cash in Property Management Account	(70,606.44)
Cash available in City account	1,865,342.46
Commitments	
Evans & Rosedale Enhanced CFA	39,287.81
Survey Expenses	6,250.00
Lancaster Project	575,500.00
Oliver's Fine Foods	455,000.00
Reserves	
Maintenance Reserve	100,000.00
Property Tax Reserve	100,000.00
Total Commitments & Reserves	1,276,037.81
Unrestricted Cash Available	\$589,304.65

On August 21, 2007 \$275,000.00 was transferred to the City (M&C C-22334) with the understanding that it would be paid back when properties along Lancaster are sold. The transfer was made to fund an art sculpture on Lancaster Avenue.

On December 18, 2007 \$162,000.00 was transferred to the City (M&C C-22592) with the understanding that it would be paid back when properties along Lancaster are sold. The transfer was made to fund survey services and improvements on Lancaster Avenue.

In September of 2008 \$92,321.91 of the \$162,000.00 was returned to the LDC.

**FORT WORTH LOCAL DEVELOPMENT CORPORATION**

**RESOLUTION  
OF THE BOARD OF TRUSTEES**

*Appointing Susan Alanis as an Authorized Signatory Agent  
of the Fort Worth Local Development Corporation*

**WHEREAS**, Article I, Section I of the Bylaws of the Fort Worth Local Development Corporation (the “Corporation”) authorizes the Board of Trustees (the “Board”) to exercise all of the powers of the Corporation; and

**WHEREAS**, in order to increase administrative efficiency, the Board wishes to appoint Susan Alanis as an authorized signatory agent of the Corporation;

**NOW, THEREFORE, BE IT RESOLVED** that Susan Alanis is hereby appointed as an authorized signatory agent of the Corporation and, from and after the effective date of this Resolution, may sign and execute all bonds, deeds, conveyances, franchises, assignments, mortgages, notes, contracts, and other obligations in the name of the Corporation;

**FURTHER RESOLVED**, that this Resolution shall take effect immediately upon its adoption; and

**FURTHER RESOLVED**, the authority granted herein shall expire automatically upon any separation of employment with the City of Fort Worth, including retirement, by Susan Alanis; and

**FURTHER RESOLVED**, the Board by Resolution may, at any time and for any reason, revoke the authority granted herein; and

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

Adopted this 2nd day of August, 2011.

By: \_\_\_\_\_  
Name:  
Secretary

**FORT WORTH LOCAL DEVELOPMENT CORPORATION**

**RESOLUTION  
OF THE BOARD OF TRUSTEES**

*Appointing Jay Chapa as an Authorized Signatory Agent  
of the Fort Worth Local Development Corporation*

**WHEREAS**, Article I, Section I of the Bylaws of the Fort Worth Local Development Corporation (the “Corporation”) authorizes the Board of Trustees (the “Board”) to exercise all of the powers of the Corporation; and

**WHEREAS**, in order to increase administrative efficiency, the Board wishes to appoint Jay Chapa as an authorized signatory agent of the Corporation;

**NOW, THEREFORE, BE IT RESOLVED** that Jay Chapa is hereby appointed as an authorized signatory agent of the Corporation and, from and after the effective date of this Resolution, may sign and execute all bonds, deeds, conveyances, franchises, assignments, mortgages, notes, contracts, and other obligations in the name of the Corporation;

**FURTHER RESOLVED**, that this Resolution shall take effect immediately upon its adoption; and

**FURTHER RESOLVED**, the authority granted herein shall expire automatically upon any separation of employment with the City of Fort Worth, including retirement, by Jay Chapa; and

**FURTHER RESOLVED**, the Board by Resolution may, at any time and for any reason, revoke the authority granted herein; and

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

Adopted this 2nd day of August, 2011.

By: \_\_\_\_\_  
Name:  
Secretary

**FORT WORTH LOCAL DEVELOPMENT CORPORATION**

**RESOLUTION  
OF THE BOARD OF TRUSTEES**

*Appointing Tom Higgins as an Authorized Signatory Agent  
of the Fort Worth Local Development Corporation*

**WHEREAS**, Article I, Section I of the Bylaws of the Fort Worth Local Development Corporation (the “Corporation”) authorizes the Board of Trustees (the “Board”) to exercise all of the powers of the Corporation; and

**WHEREAS**, in order to increase administrative efficiency, the Board wishes to appoint Tom Higgins as an authorized signatory agent of the Corporation;

**NOW, THEREFORE, BE IT RESOLVED** that Tom Higgins is hereby appointed as an authorized signatory agent of the Corporation and, from and after the effective date of this Resolution, may sign and execute all bonds, deeds, conveyances, franchises, assignments, mortgages, notes, contracts, and other obligations in the name of the Corporation;

**FURTHER RESOLVED**, that this Resolution shall take effect immediately upon its adoption; and

**FURTHER RESOLVED**, the authority granted herein shall expire automatically upon any separation of employment with the City of Fort Worth, including retirement, by Tom Higgins; and

**FURTHER RESOLVED**, the Board by Resolution may, at any time and for any reason, revoke the authority granted herein; and

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

Adopted this 2nd day of August, 2011.

By: \_\_\_\_\_  
*Name:*  
Secretary



Updated July 28, 2011

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

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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 (cancelled)*

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

*Housing Finance Corporation*

*(Immediately following the HED)*

*Local Development Corporation*

*(Immediately following the HFC)*

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

**Continued Items:**

- **M&C C-25040** - Adopt Resolution Authorizing the Execution of a Funding Agreement with the Texas Department of Transportation in the Amount of \$4,692,090.00 with City Participation of \$2,572,090.00 for the West Rosedale Retrofit Project, Accept \$2,100,000.00 Contribution from Special Assessment District Fund, Authorize the Transfer of \$472,090.00 from the 2007 Critical Capital Projects Fund to the Grant Capital Projects Fund and Authorize Initial Payment to Texas Department of Transportation in the Amount of \$25,590.00 for Design Review and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 8 – Kathleen Hicks and 9 – Joel Burns) **(Continued from July 19, 2011 by Staff)**
- **M&C C-25065** - Authorize Execution of an Agreement for Acceptance of Funds in an Amount Up to \$15,000.00 for Fiscal Year 2011 and Up to \$50,000.00 Each Fiscal Year Thereafter from Southwest Water Company for a Water Utility Assistance Program and Adopt Appropriation Ordinance (NO COUNCIL DISTRICT) **(Continued from July 26, 2011 by Staff)**



*Updated July 28, 2011*

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

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*August 2, 2011*      *(continued)*

**Continued Items:**

- **M&C C-25066** - Approve City's 2011-2012 Action Plan for the Use of Program Income Totaling \$75,000.00 and Federal Grant Funds Totaling \$10,218,616.00 from the United States Department of Housing and Urban Development Under the Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Grant Programs, Authorize Application of Indirect Cost Rates, Authorize Execution of Related Contracts and Interdepartmental Letters of Agreement and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS) (PUBLIC HEARING) **(Continued from July 26, 2011 by Staff)**
- **M&C C-25076** - Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the Environmental Protection Operating Fund by \$62,000.00 and Decreasing the Unreserved, Undesignated Fund Balance by the Same Amount, Transfer Funds to the Environmental Protection Project Fund, and Ratify Change Order No. 1 to City Secretary Contract No. 40686 with Sunbelt Industrial Services, Inc., for Pumping Contaminated Surface Water at 2500 Brennan Avenue in the Amount of \$62,000.00 for a Total Contract of \$1,136,363.00 (COUNCIL DISTRICT 2 – Sal Espino) **(Continued from July 26, 2011 by Staff)**
- **ZC-11-006A** - City of Fort Worth Planning & Development, 2423 Clinton Avenue; from: "F" General Commercial to: "UR" Urban Residential (COUNCIL DISTRICT 2 – Sal Espino) **(Continued from July 12, 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 (COUNCIL DISTRICT 2 – Sal Espino) **(Continued from July 12, 2011 by Council Member Espino)**
- **ZC-11-025** - 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 (COUNCIL DISTRICT 6 – Jungus Jordan) **(Continued from July 12, 2011 by Council Member Jordan)**
- **ZC-11-041A** - 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 (COUNCIL DISTRICT 5 – Frank Moss) **(Continued from July 12, 2011 by Council Member Moss)**
- **SP-11-003** - Mearstone Properties, LP, 6364 Pinion Park Way; Site plan for office park (COUNCIL DISTRICT 7 – Dennis Shingleton) **(Continued from July 12, 2011 by Council Member Espino)**



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**August 2, 2011**      *(continued)*

- Overview of Significant Zoning Cases *[Dana Burghdoff, Planning and Development]*
- Review of Public Notices for Budget and Tax Purposes *[Marty Hendrix, City Secretary]*
- Briefing on Annexation Policy and Program *[Dana Burghdoff, Planning and Development]*
- Proposed Camp Bowie Form-Based Code *[Dana Burghdoff, Planning and Development]*

**August 9, 2011**

*1:00 p.m. Infrastructure & Transportation Committee*  
*3:00 p.m. Pre-Council Meeting*

- Presentation of City Manager’s Fiscal Year 2012 Budget *[Horatio Porter, Budget Officer]*

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

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

**August 11, 2011**      *(Thursday)*

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



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*August 16, 2011*

*8:30 a.m. Pre-Council Meeting*  
*Gas Well Drilling Workshop (Pre-Council Chamber)*  
*(Immediately following the 10:00 a.m. City Council Meeting)*

- o Budget Update – Western Heritage Parking Garage [*Kirk Slaughter, Public Events*]
- o Staff Response to Findings and Recommendations of Natural Gas Air Quality Study [*Michael Gange, Transportation and Public Works*]
- o Briefing on Urban Villages [*Randle Harwood, Planning and Development*]

*August 18, 2011*      (*Thursday*)

*9:00 a.m. – noon Budget Workshop*  
*(Pre-Council Chamber)*

*August 23, 2011*

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

**Continued Items:**

- **ZC-11-043** - M & H Food Mart, 2484 Avondale-Haslet Road; from: Unzoned to "E" Neighborhood Commercial (**Continued from July 19, 2011 by Council Member Shingleton**)
- o Budget Update [*Horatio Porter, Budget Officer*]

*August 25, 2011*      (*Thursday*)

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



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*August 30, 2011*

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

**9:00 a.m. – noon Budget Workshop (Pre-Council Chamber)**

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

*September 1, 2011*      *(Thursday)*

**1:00 p.m. – 3:00 p.m. Budget Workshop (cancelled)**

*September 5, 2011*      *(Monday)*

**City Hall Closed – Labor Day Holiday**

*September 6, 2011*

**11:00 a.m. Legislative and Intergovernmental Affairs Committee (cancelled)**

**1:00 p.m. Housing and Economic Development Committee (cancelled)**

**3:00 p.m. Pre-Council Meeting (cancelled)**

*September 8, 2011*      *(Thursday)*

**9:00 a.m. – noon Budget Workshop  
(Pre-Council Chamber)**



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**September 13, 2011**     **Monthly Zoning Meeting**

***1:00 p.m. Infrastructure & Transportation Committee***  
***3:00 p.m. Pre-Council Meeting***

- o Budget Update [*Horatio Porter, Budget Officer*]

**September 15, 2011**     ***(Thursday)***

***9:00 a.m. – noon Budget Workshop***  
***(Pre-Council Chamber)***

**September 20, 2011**

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

- o Discussion on the City Manager's Final Fiscal Year 2012 Budget [*Horatio Porter, Budget Officer*]

**September 22, 2011**     ***(Thursday)***

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

**September 27, 2011**

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

**October 4, 2011**

***8:30 a.m. Pre-Council Meeting***  
***(Meeting moved to morning for National Night Out)***



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*October 11, 2011*

*3:00 p.m. Pre-Council Meeting (cancelled)*

*October 18, 2011*

*Monthly Zoning Meeting*

*1:00 p.m. – 3:00 p.m. Pension Workshop (Pre-Council Chamber)*

*3:00 p.m. Pre-Council Meeting  
(Council Meeting moved to 7:00 p.m.)*

*October 25, 2011*

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

*October 27, 2011 (Thursday)*

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



**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
JULY 26, 2011**

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**Present:**

Mayor Betsy Price  
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 Dennis Shingleton, 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**

With a quorum of the City Council Members present, Mayor Price called the regular session of the Fort Worth City Council to order at 10:06 a.m., on Tuesday, July 26, 2011, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

**II. INVOCATION - Father John Parnell, Saint Augustine Old Roman Catholic Church**

The invocation was provided by Father John Parnell, Saint Augustine Old Roman Catholic Church.

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF JULY 19, 2011**

Motion: Council Member Jordan made a motion, seconded by Council Member Zimmerman, that the minutes of the regular meeting of July 19, 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 Tom Higgins requested that Mayor and Council Communication No. C-25065 be removed from the Consent Agenda for individual consideration.

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

Interim City Manager Tom Higgins requested that Mayor and Council Communication Nos. C-25065, C-25066, and C-25076 be continued until the August 2, 2011, Council meeting.

**VII. CONSENT AGENDA**

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

Council Member Hicks expressed appreciation to the Boys and Girls Clubs of Greater Fort Worth (Mayor and Council Communication No. C-25061) for the continued operation of the Safe Haven Youth Program at the Polytechnic Martin Boys and Girls Club and to the United Community Center (Mayor and Council Communication No. C-25062) for the continued operation of the Safe Haven Youth Program at the Bethlehem Community Center of Fort Worth. She stated that these programs were very important to the City.

**A. General - Consent Items**

**1. M&C G-17331 - Authorize Payment of Up to \$200,000.00 from the Rental Rehabilitation Program Fund to the United States Department of Housing and Urban Development to Close Findings Regarding the Use of Home Investment Partnerships Program Grant Funds and Adopt Appropriation Ordinance.**

The City Council approved the following recommendation: Authorize the Payment of Up to \$200,000.00 From the Rental Rehabilitation Program Fund to the United States Department of Housing and Urban Development (HUD) to Close Findings Regarding the Use of Home Investment Partnerships Program Grant Funds; and Adopt Appropriation Ordinance No. 19791-07-2011 Increasing the Estimated Receipts and Appropriations in the Rental Rehabilitation Program Fund, From Program Income Funds Available, for the Purpose of Repaying HUD for Cancelled Projects From the Home Investment Partnership Program.

**2. M&C G-17332 - Approve Extension of Injury Leave-of-Absence Pay Benefits in the Amount of \$69,576.00 for Police Officer Richard Lambing.**

The City Council approved the following recommendation: Approve a 12-Month Extension of Injury Leave-of-Absence Pay Benefits in the Amount of \$69,576.00 for Police Officer Richard Lambing Beginning July 9, 2011, Through July 8, 2012.

**(VII. CONSENT AGENDA Continued)**

**3. M&C G-17333 - Accept Donation from the Vince Genovese Memorial Foundation for Equipment and Supplies Valued at Approximately \$25,000.00 for Use by the Police Department's Gang Unit.**

The City Council approved the following recommendation: Accept a Donation From the Vince Genovese Memorial Foundation for the Following Equipment for Use by the Police Department's Gang Unit: 23 Ballistic Helmets, 2 Ballistic Shields, 23 Vest Carriers, 10 Groin Protectors and 10 Upper Arm Protectors, Valued at Approximately \$25,000.00.

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

**1. M&C P-11270 - Authorize Non-Exclusive Purchasing Agreements for Electrician Services with C & M Electrical Contractors, Inc., Cable Electric, Inc., Humphrey and Associates, Inc., All Fair Electric, Inc., and Fort Worth Electric, L.P., for a Combined Amount of \$800,000.00 for the First Year for the City of Fort Worth.**

The City Council approved the following recommendation: Authorize Non-Exclusive Purchasing Agreements for Electrician Services With C & M Electrical Contractors, Inc., Cable Electric, Inc., Humphrey and Associates, Inc., All Fair Electric, Inc., and Fort Worth Electric, L.P., for a Combined Amount of \$800,000.00 for the First Year for the City of Fort Worth, Based on Lowest Bids Meeting Specifications.

**2. M&C P-11271 - Authorize Agreements with Buyers Barricades, Inc., and Dallas Lite and Barricade, Inc., for Traffic Control Equipment Rental for a Combined Amount of \$150,000.00 for the First Year.**

The City Council approved the following recommendation: Authorize Agreements With Buyers Barricades, Inc., and Dallas Lite and Barricade, Inc., for Traffic Control Equipment Rental for a Combined Amount of \$150,000.00 for the First Year.

**3. M&C P-11272 - Authorize Non-Exclusive Purchase Agreements with New World Industries, Incorporated and New Era Contract Services for Boarding and Securing Services for the Code Compliance Department for a Combined Annual Amount of \$120,000.00 for the First Year.**

The City Council approved the following recommendation: Authorize Non-Exclusive Purchase Agreements for Boarding and Securing Services With New World Industries, Incorporated, and New Era Contract Services for a Combined Annual Amount of \$120,000.00 for the First Year.

**(VII. CONSENT AGENDA Continued)**

**4. M&C P-11273 - Authorize Purchase Agreement with Artex Overhead Door Company for Overhead Door Repair Services for the City of Fort Worth for an Amount of \$55,000.00 for the First Year.**

The City Council approved the following recommendation: Authorize a Purchase Agreement With Artex Overhead Door Company to Provide Overhead Door Repair Services for the City of Fort Worth for an Amount of \$55,000.00 for the First Year.

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

**1. M&C C-25048 - Authorize Execution of a Contract for Receipt of an Amount, Including Interest Up to \$71,550.00, with the United States Equal Employment Opportunity Commission to Process Employment Discrimination Cases for Fiscal Year 2011 for the Human Relations Unit of the City Manager's Office and Adopt Appropriation Ordinance.**

The City Council approved the following recommendation: Authorize the City Manager to Execute a Contract With the United States Equal Employment Opportunity Commission and Accept Funds in an Amount Up to \$71,350.00; Authorize the Use of Anticipated Interest in an Amount Up to \$200.00; and Adopt Appropriation Ordinance No. 19792-07-2011 Increasing the Estimated Receipts and Appropriations in the Grants Fund, Subject to Receipt of Funds, for the Purpose of Processing Employment Discrimination Cases for Fiscal Year 2011.

**2. M&C C-25049 - Authorize Execution of an Encroachment Agreement with Texas Christian University for the Placement of Two Ten-Inch Chilled Water Lines at 3549 Bellaire Drive North.**

The City Council approved the following recommendation: Authorize the City Manager to Execute a Standard Encroachment Agreement With Texas Christian University for the Placement of Two (2) 10-Inch Chilled Water Lines at 3549 Bellaire Drive North.

**3. M&C C-25050 - Authorize Execution of an Encroachment Agreement with CVS Pharmacy Inc., for the Construction of Paving, a Retention Wall and a Dumpster within a Twenty Foot Wide Drainage Easement in the Vicinity of 700 West Seminary Drive.**

The City Council approved the following recommendation: Authorize the City Manager to Execute a Standard Encroachment Agreement With CVS Pharmacy, Inc., for the Construction of Paving, a Retention Wall and a Dumpster That Will Encroach Into a 20- Foot Wide Drainage Easement in the Vicinity of 700 West Seminary Drive.

**(VII. CONSENT AGENDA Continued)**

**4. M&C C-25051 - Authorize Execution of an Encroachment Agreement with Cosmos Foundation Inc., for the Construction of a Masonry Screen Wall Over an Existing Water Line Easement at 8080 West Cleburne Road.**

The City Council approved the following recommendation: Authorize the City Manager to Execute a Standard Encroachment Agreement With Cosmos Foundation Inc., for the Construction of a Masonry Screen Wall Over an Existing Water Line Easement at 8080 West Cleburne Road.

**5. M&C C-25052 - Authorize Execution of an Encroachment Agreement with D.R. Horton-Texas, Ltd for the Construction of a Six Foot Concrete Sidewalk Which will Encroach onto a 15 Foot Drainage Easement in the Vicinity of Heritage Trace Parkway and I-35 and Heritage Trace Parkway and Harmon Road.**

The City Council approved the following recommendation: Authorize the City Manager to Execute a Standard Encroachment Agreement With D.R. Horton-Texas, Ltd. for the Construction of a Six (6) Foot Concrete Sidewalk Which Will Encroach onto a 15-Foot Drainage Easement in the Vicinity of Heritage Trace Parkway and I-35 and Heritage Trace Parkway and Harmon Road.

**6. M&C C-25053 - Authorize Execution of an Encroachment Agreement with the Overton Park and Overton West Voluntary Neighborhood Associations for the Installation of an Irrigation System Located in the City-Owned Medians from the 3700 Block to the 4100 Block of Hulen Street.**

The City Council approved the following recommendation: Authorize the City Manager to Execute a Standard Encroachment Agreement With Two (2) Five (5) Year Renewal Periods With the Overton Park and Overton West Voluntary Neighborhood Associations for the Installation of an Irrigation System in the City-Owned Medians From the 3700 Block to the 4100 Block of Hulen Street.

**7. M&C C-25054 - Adopt a Resolution Authorizing an Increase of \$50,000.00 to the Maximum Amount to Be Paid to Kelly Hart & Hallman LLP as Outside Counsel to Represent the City in an Action Styled Ric Clark, David Ellis and Weldon Norman v. City of Fort Worth, Texas, Civil Action No. 4:10-CV-519-A, Pending in the United States District Court, Northern District of Texas, Fort Worth Division, for a Total Amount Not to Exceed \$150,000.00.**

The City Council approved the following recommendation: Authorize the City Manager to Adopt Resolution No. 4004-07-2011 Increasing the Amount to be Paid to the Law Firm of Kelly Hart & Hallman LLP By \$50,000.00, for a Total Amount Not to Exceed \$150,000.00, for Representation of the City in a Cause of Action Styled Ric Clark, David Ellis and Weldon Norman v. City of Fort Worth, Texas, Civil Action No. 4:10-CV-519-A, Pending in the United States District Court, Northern District of Texas, Fort Worth Division.

**(VII. CONSENT AGENDA Continued)**

**8. M&C C-25055 - Rescind City Secretary Contract No. 39235 with McClendon Construction Company, Inc., in the Amount of \$738,930.00 for 2007 Critical Capital Project for Total Reconstruction of Premature Failed Streets at Seven Locations and Authorize Execution of a Contract with McClendon Construction Company, Inc., in the Amount of \$869,975.00 for 2007 Critical Capital Project for Reconstruction of Premature Failed Streets at Sixteen Locations.**

The City Council approved the following recommendation: Authorize the City Manager to Rescind City Secretary Contract No. 39235 With McClendon Construction Company, Inc., in the Amount of \$738,930.00 for 2007 Critical Capital Project for Total Reconstruction of Premature Failed Streets at Seven (7) Locations; and Authorize the City Manager to Execute a Contract With McClendon Construction Company, Inc., in the Amount of \$869,975.00 for 154 Calendar Days for Pavement Improvements to the Premature Failed Streets, at the Following Locations on the 2007 Critical Capital Project: Reconstruction of Red Birch Lane, From White Willow Drive to Green Ash Drive; Sugar Maple Drive, 415 Feet West of Sweet Leaf Court to Sweet Birch Court; Water Oak Drive, From Shortleaf Lane to Caylor Road; White Willow Drive, From 175 Feet West of Red Birch Lane to Silver Maple Drive; Smokethorn Drive, From 235 Feet East of Red Birch Lane to Yellow Birch Drive; Partial Replacement of Blue Wood Drive, From Coffetree Drive to White Willow; Green Ash Drive, From Red Birch Lane to White Willow Drive; Maplewood Drive, From Coffetree Drive to English Oak Drive; Maplewood Drive, From Sugar Maple Drive to Coffetree Drive; Redgum Drive, From Corkwood Drive to East Cul-de-sac; Silver Maple Drive, From Woodland Springs Drive to Green Ash Drive; Sweet Birch Court, From Sugar Maple Drive to North Cul-de-sac; Sweet Cherry Court, From Sugar Maple Drive to North Cul-de-sac; Sweet Leaf Court, From Sugar Maple Drive to North Cul-de-sac; White Willow Drive, From Silver Maple Drive to Green Ash Drive; and Yellow Birch Drive, From Park Vista Boulevard to Smokethorn Drive.

**9. M&C C-25056 - Authorize Execution of Change Order No. 1 in the Amount of \$84,325.00 to City Secretary Contract No. 41156 with McClendon Construction Company, Inc., for Water Main and Water Services Replacements on Parsons Lane Resulting in an Increased Total Contract Amount of \$1,398,904.80.**

The City Council approved the following recommendation: Authorize the City Manager to Execute Change Order No. 1 in the Amount of \$84,325.00 to City Secretary Contract No. 41156, With McClendon Construction Company, Inc., for Water Main and Water Services Replacements on Parsons Lane, Thereby Revising the Original Contract Amount to \$1,398,904.80.

**(VII. CONSENT AGENDA Continued)**

**10. M&C C-25057 - Authorize Execution of Amendment No. 1 to Community Facilities Agreement City Contract No. 39257 with Keller Independent School District and Authorize City Participation in the Amount of \$473,362.11 for the Design and Construction of Old Denton Road Near the New Timberview Middle School, Located at 10300 Old Denton Road and Adopt Appropriation Ordinances.**

The City Council approved the following recommendation: Adopt Appropriation Ordinance No. 19793-07-2011 Increasing the Estimated Receipts and Appropriations of the Special Assessments Fund in the Amount of \$384,149.80, From Available Funds, for the Purpose of Transferring Said Funds to the New Development Fund for the Design and Construction of Roadway, Sidewalk, Storm Drainage and Street Light Improvements on Old Denton Road; Authorize the Transfer From the Special Assessments Fund to the New Development Fund; Adopt Appropriation Ordinance No. 19794-07-2011 Increasing the Estimated Receipts and Appropriations in the New Development Fund, From Available Funds, for the Purpose of Funding the Improvements; Authorize the City Manager to Execute Amendment No. 1 to City Secretary Contract No. 39257, a Community Facilities Agreement With Keller Independent School District (KISD), the Developer, to Allow the City of Fort Worth to Participate in the Amount of \$473,362.11 for the Design and Construction of Approximately 520 Linear Feet of Old Denton Road and an Additional 2,500 Linear Feet of Sidewalk to Provide Connectivity to Timberview Middle School; and Upon Approval by the KISD Board, Authorize Payment to KISD in the Amount of \$473,362.11 for the Improvements.

**11. M&C C-25058 - Authorize Execution of an Agreement with Trinity River Mitigation Bank, L.P., in the Amount of \$58,500.00 for the Purchase of Wetland Mitigation Bank Credits for the Eastern Hills Storm System Improvements - Phase 1 Multi-Use Storm Water Detention Basin.**

The City Council approved the following recommendation: Authorize the City Manager to Execute an Agreement With Trinity River Mitigation Bank, L.P., in the Amount of \$58,500.00 for the Purchase of Wetland Mitigation Bank Credits Required for Construction of the Eastern Hills Storm System Improvements - Phase 1 Multi-Use Storm Water Detention Basin.

**12. M&C C-25059 - Authorize Execution of Amendment No. 2 to City Secretary Contract No. 38799 an Interlocal Agreement with the Texas Commission on Environmental Quality for the Operation of Local Air Pollution Monitors in the Amount of \$338,657.00 for a Total Contract of \$1,116,784.23 and Adopt Appropriation Ordinance.**

The City Council approved the following recommendation: Authorize the City Manager to Execute Amendment No. 2 to City Secretary Contract No. 38799 With the Texas Commission on Environmental Quality (TCEQ) Extending the Contract Time Through August 31, 2012, and Increasing the Budget Amount From \$778,127.23 to \$1,116,784.23; Adopt Appropriation Ordinance

**(VII. CONSENT AGENDA Continued)**

**(C-25059 Continued)**

No. 19795-07-2011 Increasing the Estimated Receipts and Appropriations in the Grants Fund in the Amount of \$338,657.00 in Fiscal Year 2011-2012, Subject to Receipt of an Executed Interlocal Agreement Amendment From TCEQ, for the Purpose of Funding the Operation of Local Air Pollution Monitors; and Apply Indirect Cost at the Rate of 21.48 Percent in Accordance With the Terms of the Interlocal Agreement.

**13. M&C C-25060 - Authorize Execution of an Agreement for Software and Professional Services with Advanced Public Safety Inc., for the Purchase of Electronic Citation Software, Training and Interfaces for the Police Department at a Cost Not to Exceed \$53,828.56.**

The City Council approved the following recommendation: Authorize Execution of an Agreement for Software and Professional Services With Advanced Public Safety Inc., for the Purchase and Implementation of an Electronic Citation Software Package That Supports the Fort Worth Police Department at a Cost Not to Exceed \$53,828.56.

**14. M&C C-25061 - Authorize Execution of a Contract with the Boys and Girls Clubs of Greater Fort Worth in the Amount of \$307,015.00 for the First Year to Continue Operation of the Safe Haven Youth Program at the Polytechnic Martin Boys and Girls Club.**

The City Council approved the following recommendation: Authorize the City Manager to Execute a Contract in the Amount of \$307,015.00 for the First Year With the Boys and Girls Clubs of Greater Fort Worth to Continue Operation of the Safe Haven Youth Program at Polytechnic Martin Boys and Girls Club; and Authorize the Contract to be Extended for Up to Four (4) One (1) Year Periods Without Further Action From City Council.

**15. M&C C-25062 - Authorize Execution of a Contract with the United Community Center in the Amount of \$132,986.00 to Continue Operation of a Youth Safe Haven Program at the Bethlehem Community Center in Fort Worth.**

The City Council approved the following recommendation: Authorize the City Manager to Execute a Contract Not to Exceed \$132,986.00 With the United Community Center, a Non-Profit Organization, to Continue Operation of a Youth Safe Haven Program at the Bethlehem Community Center; and Authorize the Contract to be Extended for Up to Four (4) One (1) Year Periods Without Further Action From City Council.

**(VII. CONSENT AGENDA Continued)**

**16. M&C C-25063 - Authorize Execution of an Agreement with the United States Federal Bureau of Investigation for Participation in a North Texas Joint Terrorism Task Force and Accept an Amount Up to \$85,000.00 and Adopt Appropriation Ordinance.**

The City Council approved the following recommendation: Authorize the City Manager to Execute a Cost Reimbursement Agreement With the United States Federal Bureau of Investigation (FBI) to Participate in the North Texas Joint Terrorism Task Force by Temporarily Assigning Fort Worth Police Officers to the Task Force; and Authorize the Agreement to Begin When Authorized Agents of All Parties Have Signed the Agreement and Continue Until Terminated by Either Party With 30-Days Written Notice; and Adopt Appropriation Ordinance No. 19796-07-2011 Increasing the Estimated Receipts and Appropriations in the Grants Fund in the Amount of \$85,000.00, Subject to Receipt of the Agreement, for the Purpose of Funding Overtime Reimbursements for Participation in the Task Force.

**17. M&C C-25064 - Authorize Execution of an Engineering Agreement in the Amount of \$120,000.00 with Dal-Tech Engineering Inc., for Water and Sanitary Sewer Replacement Contract 2010, STM-B on Bonnie Drive, Gaston Avenue, Overhill Road, Treehaven Road and Adopt Appropriation Ordinance.**

The City Council approved the following recommendation: Authorize the Transfer of \$138,000.00 From the Water and Sewer Operating Fund in the Amount of \$72,600.00 to the Water Capital Projects Fund and \$65,400.00 to the Sewer Capital Projects Fund; Adopt Appropriation Ordinance No. 19797-07-2011 Increasing the Estimated Receipts and Appropriations in the Water Capital Projects Fund and in the Sewer Capital Projects Fund, From Available Funds, for the Purpose of Funding Water and Sanitary Sewer Replacement Contract 2010, STM-B; and Authorize the City Manager to Execute an Engineering Agreement in the Amount of \$120,000.00 With Dal-Tech Engineering Inc., for Water and Sanitary Sewer Replacement Contract 2010, STM-B on Bonnie Drive, From Ruby Place to Chapin Road; Gaston Avenue, From Penrose Avenue to Fairfax Street; Overhill Road, From Clayton Road to Southwest Boulevard; and Treehaven Road, From West Vickery Boulevard to Overhill Road.

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

**1. OCS - 1820 - Notice of Claims for Alleged Damages and/or Injuries**

End of Consent Agenda

**E. Award of Contract - Consent Items (Removed from Consent Agenda for Individual Consideration)**

**18. M&C C-25065 - Authorize Execution of an Agreement for Acceptance of Funds in an Amount Up to \$15,000.00 for Fiscal Year 2011 and Up to \$50,000.00 Each Fiscal Year Thereafter from Southwest Water Company for a Water Utility Assistance Program and Adopt Appropriation Ordinance.**

It was the consensus of the Council that Mayor and Council Communication No. C-25065 Authorize the City Manager to Execute an Agreement to Accept Funds in an Amount Up to \$15,000.00 for Fiscal Year 2011 and Up to \$50,000.00 Each Fiscal Year Thereafter From Southwest Water Company for a Water Utility Assistance Program; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Grants Fund, Subject to Receipt of the Grant, for the Purpose of Funding the Program, be continued until the August 2, 2011, Council meeting.

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

**1. Presentation by Fort Worth Sister Cities International Leadership Academy**

Mr. Phil Moroneso, Chairman, Board of Directors for Fort Worth Sister Cities International, expressed appreciation to the Council for their past and continued support of the Sister Cities Program. He stated that this was the 23rd year for the International Leadership Academy (ILA) and advised that invitations for ILA's Closing Ceremony at Texas Christian University would be given to the City Council. He introduced the student representatives from Reggio Emilia, Italy; Budapest, Hungary; Mbabane, Swaziland; Bandung, Indonesia; Toluca, Mexico; Guiyang, China and Nagaoka, Japan who presented gifts to the City on behalf of their country. He also introduced Ms. Nancy Marchant, International Leadership Academy representative, and expressed appreciation for her dedication and service to the children around the world.

The student representative from Mbabane, Swaziland and Miss Morgan Killian, student representative from Fort Worth, expressed appreciation to the Mayor and Council on behalf of the entire student delegation, for their support of Fort Worth Sister Cities International.

Mayor Price accepted the gifts on behalf of the City and expressed appreciation to the student representatives. She stated that the Council believed in the Sister Cities Program and she looked forward to the progress of the program.

**(IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC. Continued)**

**2. Presentation of Proclamation for Breastfeeding Awareness Month**

Mayor Price presented the Proclamation for Breastfeeding Awareness Month to Ms. Shannon A. O'Quin Wingo, Chair, Tarrant County Breastfeeding Coalition. She also introduced Ms. Jackie McCollum and her son Jackson. She stated the Tarrant County Breastfeeding Coalition would join a

worldwide campaign during the month of August to encourage more women to breastfeed their babies exclusively until they were six (6) months old and then supplement breast milk with solid foods until the baby's first birthday or longer. She further stated that about 75% of women in Texas initiated breastfeeding, but only 11% were exclusively breastfeeding at six (6) months. She advised that a 2010 cost analysis, based on just some of the health advantages of breastfeeding, concluded that if 90% of families in the United States (U.S.) could breastfeed exclusively for six (6) months, the U.S. would save a minimum of \$13 billion and prevent over 900 deaths per year. She further advised that the City and State of Texas were committed to increasing public support and acceptance of breastfeeding as the infant feeding norm and encouraged all citizens to support breastfeeding moms.

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

**1. Upcoming and Recent Events**

Council Member Hicks announced the Code Compliance Department would hold a Public Forum on July 28, 2011, from 5:30 p.m. to 8:30 p.m. at Texas Wesleyan University Martin Hall and for more information to contact the District 8 Office at (817) 392-8808. She also expressed appreciation to the Friends of Tandy Hills organization for their donation of funds to the Police Department and their sponsorship of field trips for Fort Worth Independent School District children. She stated that last year 140 students from Meadowbrook attended field trips and expressed appreciation for the organization's continued support of the community.

Council Member Jordan announced that the Ribbon Cutting Ceremony for the new Southwest Regional Courthouse would be held on July 30, 2011, at 10:00 a.m. He pointed out that the facility would service all of south and west Fort Worth and would include offices for employees of the Code Compliance Department and would also provide an additional location for residents to pay water bills and citations.

**1. Recognition of Citizens**

There were no citizens recognized at this time.

**XI. PRESENTATIONS BY THE CITY COUNCIL**

**1. Election of Mayor Pro Tem**

Mayor Pro tem Scarth stated he would resign his position as Mayor Pro tem and stated it was an honor to serve as Mayor Pro tem for the past two (2) years. He pointed out that Mayor Pro tem was a title that he had hoped would be shared by other members of the Council. He also advised that he enjoyed the opportunity to participate in many events representing the Mayor and City Council.

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Espino, that Council Member Zimmerman be appointed Mayor Pro tem of the City of Fort Worth effective July 26, 2011. The motion carried unanimously nine (9) ayes to zero (0) nays.

Mayor Pro tem Zimmerman expressed appreciation to his wife and the Mayor and Council Members for their support and stated he looked forward to serving in the Mayor Pro tem capacity for the Council.

Council Member Espino congratulated Mayor Pro tem Zimmerman and stated it was an honor to serve with him on the Council and wished him luck in his new position.

**2. Changes in Membership on Boards and Commissions**

There were no changes in membership on Boards and Commissions.

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

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

**XIII. RESOLUTIONS**

**1. A Resolution Appointing the Board of Directors of the Lone Star Local Government Corporation**

Motion: Council Member Espino made a motion, seconded by Council Member Scarth, that Resolution No. 4005-07-2011 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**2. A Resolution Appointing the Board of Directors of the Central City Local Government Corporation**

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Resolution No. 4006-07-2011 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**3. A Resolution Appointing the Board of Directors of the Fort Worth Housing Finance Corporation**

Motion: Council Member Hicks made a motion, seconded by Mayor Pro tem Zimmerman, that Resolution No. 4007-07-2011 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**4. A Resolution Appointing the Board of Directors of Alliance Airport Authority, Inc.**

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that Resolution No. 4008-07-2011 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**5. A Resolution Appointing the Board of Trustees of the Fort Worth Local Development Corporation**

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Resolution No. 4009-07-2011 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**XIV. REPORT OF THE CITY MANAGER**

**B. General**

**1. M&C G-17334 - Adopt Ordinance Extending the Moratorium to October 31, 2011, for Acceptance of Applications for Salt Water Disposal Wells as Regulated by Article II, Chapter 15, of the City Code Regarding Gas Drilling and Production.**

The recommendation was that the City Council Adopt an Ordinance Extending the Moratorium to October 31, 2011, on Acceptance of Applications for Salt Water Disposal Wells Pending Consideration of Revised Regulations Regarding Salt Water Disposal Wells as Regulated by Article II, Chapter 15, of the City Code Regarding Gas Drilling and Production.

**(G-17334 Continued)**

Council Member Espino requested staff work with Quicksilver and Hillwood on a pilot project for the Alliance Corridor for salt water disposal, while the moratorium was in effect.

Council Member Hicks also requested a future agenda item relative to assessing a fee for truck usage on City roads related to the wells, since the increased truck traffic was causing road damage.

Motion: Council Member Hicks made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. G-17334 be approved and Ordinance No. 19798-07-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication Nos. G-17335, G-17336, G-17337 and G-17338 be considered under one (1) motion. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**2. M&C G-17335 - Adopt Resolution Authorizing the Cash Defeasance of Certain Tax Supported Debt from Unreserved, Undesignated Fund Balance in the General Debt Service Fund in the Principal Amount of \$9,120,000.00 and Adopt Supplemental Appropriation Ordinance.**

The recommendation was that the City Council Adopt a Supplemental Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the General Debt Service Fund in the Amount of \$9,120,000.00 and Decreasing the Unaudited, Unreserved, Undesignated Fund Balance by the Same Amount, for the Cash Defeasance of Certain Tax-Supported Debt; and Adopt Resolution Authorizing Defeasance of Ad Valorem Tax Supported Obligations.

**3. M&C G-17336 - Adopt a Resolution Authorizing the Cash Defeasance of All Outstanding Maturities of the City of Fort Worth, Texas, Water and Sewer System Subordinate Lien Revenue Bonds, Series 2001 from Unreserved, Undesignated Fund Balance in the State Revolving Debt Service Fund in the Principal Amount of \$4,740,000.00 and Adopt Supplemental Appropriation Ordinance.**

The recommendation was that the City Council Adopt a Supplemental Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the State Revolving Debt Service Fund in the Amount of \$4,740,000.00 and Decreasing the Unaudited, Unreserved, Undesignated Fund Balance by the Same Amount, for the Cash Defeasance of All Outstanding Maturities of the City of Fort Worth, Texas, Water and Sewer System Subordinate Lien Revenue Bonds, Series 2001; and Adopt a Resolution Authorizing the Cash Defeasance of Water and Sewer System Revenue Bonds.

**4. M&C G-17337 - Adopt the Twenty-Second Supplemental Ordinance Authorizing the Issuance and Sale of City of Fort Worth, Texas, Water and Sewer System Revenue Refunding and Improvement Bonds, Series 2011, in an Aggregate Principal Face Amount Not to Exceed \$180,000,000.00, Delegating to the Designated City Officials the Authority to Effect the Sale of the Bonds, Enacting Other Provisions Relating to the Subject and Declaring an Immediate Effective Date.**

The recommendation was that the City Council Adopt the Twenty-Second Supplemental Ordinance Authorizing the Issuance and Sale of City of Fort Worth, Texas, Water and Sewer System Revenue Refunding and Improvement Bonds, Series 2011, in an Aggregate Principal Amount Not to Exceed \$180,000,000.00; Delegating to the Designated City Officials the Authority to Effect the Sale of the Bonds; Enacting Other Provisions Relating to the Subject; and Declaring an Immediate Effective Date; Authorize the City of Fort Worth, Texas, Water and Sewer System Revenue Refunding and Improvement Bonds, Series 2011, be Sold Within the Parameters Established in the Ordinance; Approve the Execution of an Escrow Agreement and Other Instruments Related to the Issuance of the Bonds; and Approve the Purchase Agreement Setting Forth the Terms and Conditions for the Purchase of the Refunding and Improvement Bonds.

**5. M&C G-17338 - Adopt Ordinance Providing for the Issuance of the City of Fort Worth, Texas, General Purpose Refunding Bonds, Series 2011, in an Aggregate Principal Face Amount Not to Exceed \$65,000,000.00, Establishing Parameters Regarding the Sale of the Bonds, Delegating to the Designated City Officials the Authority to Effect the Sale of the Bonds, Providing for the Levy, Assessment and Collection of a Tax Sufficient to Pay the Interest on Said Bonds and to Create a Sinking Fund for the Redemption Thereof at Maturity, Ordaining Other Matters Related Thereto, and Declaring an Immediate Effective Date.**

The recommendation was that the City Council Adopt an Ordinance Providing for the Issuance of the City of Fort Worth, Texas General Purpose Refunding Bonds, Series 2011, in an Aggregate Principal Amount Not to Exceed \$65,000,000.00, Establishing Parameters With Respect to the Sale of the Bonds; Delegating to the Designated City Officials the Authority to Effect the Sale of the Bonds; Enacting Other Provisions Relating to the Subject; and Declaring an Immediate Effective Date; Authorize the City of Fort Worth, Texas, General Purpose Refunding Bonds, Series 2011, be Sold Within the Parameters Established in the Ordinance, Consistent With the City's Financial Management Policy Statements; Approve the Execution of an Escrow Agreement and Other Instruments Related to the Issuance of the Bonds; and Approve the Purchase Agreement Setting Forth the Terms and Conditions for the Purchase of the Refunding Bonds.

Mr. James Mauldin, City Treasurer, Financial Management Services Department, appeared before Council and advised of the following changes to the ordinances related to Mayor and Council Communication Nos. G-17337 and G-17338:

**(G-17338 Continued)**

Mayor and Council Communication No. G-17337 – Water and Sewer Bonds

Page 3, the 3<sup>rd</sup> Whereas Clause, add any Assistant City Manager as one of the authorized representatives to effect the sale of bonds.

Page 3, Section 3(b), authorize the City Manager to designate the senior managing underwriter for the bonds.

Mayor and Council Communication No. G-17338 – General Purpose Bonds

Introductory language, 3<sup>rd</sup> Whereas Clause, add any Assistant City Manager as one of the authorized representatives to effect the sale of bonds.

Page 1, Section 2(b), authorize the City Manager to designate the senior managing underwriter for the bonds.

Page 2, Section 2(c), changes the maximum interest rate of the bonds from 10% to 6%.

Council Member Jordan stated these items offered significant savings to the City and were prudent and responsible actions. He also expressed appreciation to City Treasurer James Mauldin and Ms. Laura Alexander, First Southwest Company, for their diligent work on these items.

Motion: Council Member Jordan made a motion, seconded by Council Member Espino, that Mayor and Council Communication Nos. G-17335, G-17336, G-17337 and G-17338 be approved; Ordinance Nos. 19799-07-2011, 19800-07-2011 be adopted; Ordinance Nos. 19801-07-2011 and 19802-07-2011 be adopted as amended; and Resolution Nos. 4010-07-2011 and 4011-07-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**6. M&C G-17339 - Adopt Ordinance Amending Chapter 20, Article IV, Division 2 of the City Code Governing Pushcarts to Revise Definitions, Clarify Process for Awarding Downtown Slots, Impose Additional Design Standards, Establish Minimum Operating Hours, and Outline Revocation Process.**

The recommendation was that the City Council Adopt an Ordinance Amending Division 2, "Pushcarts," of Article IV, "Vendors," of Chapter 20 of the Code of the City of Fort Worth, Texas, to Amend and Add Definitions; to Clarify the Relationship Between Requirements of Division 2 and of Other Law; to Allow the Director of Code Compliance to Assign and Adjust Specific Locations Within

**(G-17339 Continued)**

the Council-Designated Pushcart Slots; to Impose Additional Design Requirements, Minimum Operating Hours, and Operation Logging Requirements for Pushcarts Operating in the Downtown Area; to Establish a Process for Awarding and Re-Awarding Permits for Pushcart Slots in the Downtown Area; to Limit the Period for Which Slot Permits Remain Effective; to Clarify the Circumstances Under Which a Pushcart may be Placed on Private Property and Those Locations in Which Pushcarts may be Operated in General; to Update Cross-References to Other Applicable Law; to Clarify Provision Relating to Waste Receptacle on Pushcart; to Establish Grounds and Process for Revocation of Slot Permits; and to Authorize City Manager to Designate Another Individual to Hear an Appeal on the City Manager's Behalf; Allowing Current Pushcart Permittees to Retain Up to Two (2) Slot Permits Through December 31, 2012.

The following individuals completed speaker cards in opposition to Mayor and Council Communication No. G-17339 and were recognized by Mayor Price but were not present in the Council Chamber.

Ms. Luwona Carver, 8005 Ashridge Road

Mr. David Ellis, 711 Crawford Street, Apt. 1205

Council Member Burns expressed appreciation to the Code Compliance Department staff for their assistance with this item and stated that the amendment to the City Code would allow better service to the citizens.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. G-17339 be approved and Ordinance No. 19803-07-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**D. Land**

**[1. M&C L-15221 - Approve the Amendment to the Candleridge Park Oil and Gas Lease with Chesapeake Exploration, LLC, in the Amount of \\$43,296.33 as Added Bonus for 11.543 Additional Acres.](#)**

The recommendation was that the City Council Approve the Amendment to the Candleridge Park Oil and Gas Lease With Chesapeake Exploration, LLC, in the Amount of \$43,296.33 as Bonus for 11.543 Additional Acres, More or Less, Correcting the Original Lease Acreage.

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.

**(L-15221 Continued)**

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. L-15221 be approved. The motion carried unanimously eight (8) ayes, to zero (0) nays and one (1) abstention by Council Member Jordan.

**2. M&C L-15222 - Authorize Acquisition of 100.167 Acres of Land Located Along Chapin Road in West Tarrant County for the Future Mary's Creek Water Reclamation Facility from The 820 Management Trust, for \$4,900,000.00 Plus Estimated Closing Costs of \$50,000.00, Authorize Transfer of Funds and Adopt Appropriation Ordinances.**

The recommendation was that the City Council Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Sewer Capital Projects Fund PS58 in the Amount of \$4,950,000.00, From Available Funds, for the Purpose of Transferring Said Funds to the Sewer Capital Projects Fund (P 258) for the Acquisition of Land for the Future Mary's Creek Water Reclamation Facility; Authorize the Transfer of the Funds From the Sewer Capital Project Fund PS58 to the Sewer Capital Projects Fund P258; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Sewer Capital Projects Fund P 258, From Available Funds, for the Purpose of Funding the Acquisition of Land; Authorize the Acquisition of 100.167 Acres of Land Consisting of 88.383 Acres Described as Tract 1A, James C. Johnson Survey, Abstract No. 871 and 11.784 Acres Described as a Portion of Tract 1, Cyrus K. Gleason Survey, Abstract No. 559, Tarrant County, Texas, Located Along Chapin Road in West Tarrant County, From the 820 Management Trust, for the City of Fort Worth Water Department for \$4,900,000.00 Plus Estimated Closing Costs of \$50,000.00; and Authorize the City Manager, or his Designee, to Execute and Record the Appropriate Instruments Conveying the Property to Complete the Sale.

Mayor Pro tem Zimmerman and Council Member Shingleton expressed appreciation to all of the City staff who worked on this project and to the citizens who had participated in the many meetings relative to the water reclamation facility and stated the site selected would provide much needed service to the area by 2025.

The following individuals completed speaker cards in support of Mayor and Council Communication No. L-15222, but did not wish to address the City Council.

Ms. Judy Williams, 9815 Shady Lane

Mr. Don Sabo, 3716 Carman Drive

**(L-15222 Continued)**

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. L-15222 be approved with appreciation to staff and the citizens and Appropriation Ordinance Nos. 19804-07-2011 and 19805-07-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**E. Planning & Zoning**

**1. M&C PZ-2945 - Adopt Proposed Amendment to the Master Thoroughfare Plan MT-011-002 to Realign Future Minor Arterial-Keller Hicks Road Between Old Denton Road and North Riverside Drive Along the Existing Keller Hicks Road Rather Than Between Old Denton Road and Timberland Boulevard as Shown in the Current Master Thoroughfare Plan.**

The recommendation was that the City Council Adopt the Proposed Amendment to the Master Thoroughfare Plan MT-011-002 for the Realignment of a Future Minor Arterial-Keller Hicks Road Between Old Denton Road and North Riverside Drive Along the Existing Keller Hicks Road Rather Than Between Old Denton Road and Timberland Boulevard as Shown in the Current Master Thoroughfare Plan.

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. PZ-2945 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**2. M&C PZ-2946 - Adopt Amendment to the Joint Resolution and Agreement City Secretary Contract No. 23202 with the Town of Northlake to Adjust the Extraterritorial Jurisdiction Boundaries.**

The recommendation was that the City Council Adopt the Amendment to Joint Resolution and Agreement No. 23202 With the Town of Northlake Whereby the City of Fort Worth and Town of Northlake Mutually Agree on a Realignment of Their Extraterritorial Jurisdiction Boundaries.

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. PZ-2946 be approved with appreciation to the staff from the City of Fort Worth and the Town of Northlake and Resolution No. 4012-07-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**F. Award of Contract**

**1. M&C C-25066 - Approve City's 2011-2012 Action Plan for the Use of Program Income Totaling \$75,000.00 and Federal Grant Funds Totaling \$10,218,616.00 from the United States Department of Housing and Urban Development Under the Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Grant Programs, Authorize Application of Indirect Cost Rates, Authorize Execution of Related Contracts and Interdepartmental Letters of Agreement and Adopt Appropriation Ordinance. (PUBLIC HEARING)**

The recommendation was that the City Council Conduct a Public Hearing to Allow Citizen Input and Consideration of the City's 2011-2012 Action Plan for Use of Program Income Totaling \$75,000.00 and Federal Grant Funds Totaling \$10,218,616.00 From the United States Department of Housing and Urban Development (HUD) Under the Community Development Block Grant (CDBG), HOME Investment Partnerships Program, Emergency Solutions Grant (ESG) and Housing Opportunities for Persons With AIDS (HOPWA) Grant Programs; Approve the City's 2011-2012 Action Plan for Submission to HUD Including Allocations of Grant Funds to Particular Programs and Activities; Authorize the Use of Estimated Program Income Totaling \$75,000.00 Resulting From Activities Using CDBG Funds; Authorize the City Manager, or his Designee, to Execute Contracts for a One (1) Year Term With the CDBG Agencies, ESG Agencies and HOPWA Grant Funds for Program Year 2011-2012, Contingent Upon Receipt of Funding; Authorize the City Manager, or his Designee, to Extend the Contracts for Up to One (1) Year if an Agency Requests an Extension and Such Extension is Necessary for Completion of the Program; Authorize the City Manager, or his Designee, to Amend the Contracts, if Necessary, to Achieve Program Goals, Provided any Amendment is Within the Scope of the Program and in Compliance With City Policies and all Applicable Laws and Regulations Governing the Use of Federal Grant Funds; Apply Indirect Cost Rates as Applicable for the Grants Fund in Accordance With the City's Administrative Regulations; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Grants Fund in the Total Amount of \$10,293,616.00, Subject to Receipt of Various Grants, for the Purpose of Funding Major Housing and Community Development Activities.

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

**a. Report of City Staff**

Jay Chapa, Director, Housing and Economic Development Department, appeared before Council and provided a staff report.

(C-25066 Continued)

**b. Citizen Presentations**

Mr. Jay Helm, 8361 Whipoorwill, Chief Financial Officer, YMCA Metropolitan Fort Worth, appeared before Council in opposition to Mayor and Council Communication No. C-25066 and stated that the funding for the YMCA Fort Worth had been cut from \$72,000.00 to zero (0) in the proposed FY 2011-2012 Action Plan. He stated that the funds helped support the early childhood development center in the Butler Housing District and several after school programs. He stated that the reasons that their funding was cut were due to a financial ratio calculation that was not commonly used and not relevant to the YMCA organization and the fact that their audits were not current. He stated that the YMCA had a great relationship with the City and always provided assistance when necessary. He requested that the funding be re-evaluated by the Council.

Council Member Jordan requested an item be added to the Housing and Economic Development Committee Agenda for August 2, 2011, regarding the funding for the YMCA and stated he agreed that the YMCA had been a great community partner.

Council Member Scarth also requested the Housing and Economic Development Department staff provide an assessment of how the outcome might have changed had the YMCA Audits been completed in a timely fashion.

**c. Council Action**

Motion: Council Member Hicks made a motion, seconded by Council Member Shingleton, that the public hearing be closed and that Mayor and Council Communication No. C-25066 be continued until the August 2, 2011, Council meeting. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**2. M&C C-25067 - Authorize Five-Year Tax Abatement Agreement with Patricia Oliver-Phillips, Cynthia Oliver-Ford and Emmett Oliver for Property Located at 4609 S. Riverside Drive in the Rolling Hills Neighborhood Empowerment Zone.**

The recommendation was that the City Council Authorize the City Manager to Enter Into a Five (5) Year Tax Abatement Agreement With Patricia Oliver-Phillips, Cynthia Oliver-Ford and Emmett Oliver for Property Located at 4609 S. Riverside Drive, Described as Lot 2, Block 8, Rolling Hills Addition an addition to the City of Fort Worth, Tarrant County, Texas in the Rolling Hills Neighborhood Empowerment Zone in Accordance With the Neighborhood Empowerment Zone Tax Abatement Policy and Basic Incentives.

Motion: Council Member Hicks made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25067 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**3. M&C C-25068 - Authorize Five-Year Tax Abatement Agreement with Shawn Fite for Property Located at 1329 S. Henderson Street in the Magnolia Village Neighborhood Empowerment Zone.**

The recommendation was that the City Council Authorize the City Manager to Enter into a Five (5) Year Tax Abatement Agreement With Shawn Fite for the Property Located at 1329 S. Henderson Street, Described as Being the South 75 Feet of the West 1/2 of Lot 7, Block 26 of the DS Ross Subdivision of Block 26, Field-Welch Addition an Addition to the City of Fort Worth, Tarrant County, Texas, in the Magnolia Village Neighborhood Empowerment Zone in Accordance With the Neighborhood Empowerment Zone Tax Abatement Policy and Basic Incentives.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. C-25068 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**4. M&C C-25069 - Authorize Five-Year Tax Abatement Agreement with Shawn Fite for Property Located at 1710 5th Avenue in the Magnolia Village Neighborhood Empowerment Zone.**

The recommendation was that the City Council Authorize the City Manager to Enter into a Five (5) Year Tax Abatement Agreement With Shawn Fite for the Property Located at 1710 5th Avenue, Described as Block 7, Lots 27 and 28, Fairmount Addition an Addition to the City of Fort Worth, Tarrant County, Texas, in the Magnolia Village Neighborhood Empowerment Zone in Accordance With the Neighborhood Empowerment Zone Tax Abatement Policy and Basic Incentives.

Motion: Council Member Burns made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25069 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**5. M&C C-25070 - 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 Ederville Road, Cooks Lane, Morrison Drive and Sandy Lane.**

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 Ederville Road, West of Terbet Lane; Cooks Lane; North of I-30, Morrison Drive, South of Anderson Boulevard and Sandy Lane, South of Anderson Boulevard, for a One (1) Time License Fee of \$32,649.75.

Motion: Council Member Scarth made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-25070 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**6. M&C C-25071 - Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the Stormwater Utility Fund in the Amount of \$567,800.00 and Decreasing the Unaudited, Unreserved, Undesignated Stormwater Utility Fund Balance by the Same Amount, Authorize Execution of Design Procurement Agreement with Event Facilities Fort Worth, Inc., in the Amount of \$937,600.00 for Street and Stormwater Design Services Associated with Phase 2 of the Harley Avenue Reconstruction Project and Adopt Appropriation Ordinances.**

The recommendation was that the City Council Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Stormwater Utility Fund in the Amount of \$567,800.00, and Decreasing the Unaudited, Unreserved, Undesignated Fund Balance by the Same Amount, for the Purpose of Transferring Said Funds to the Stormwater Capital Projects Fund for Design Services for Harley Avenue Phase 2; Authorize the Transfer From the Stormwater Utility Fund to the Stormwater Capital Projects Fund; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Stormwater Capital Projects Fund From Available Funds, for the Purpose of Funding the Engineering Design Services; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Capital Projects Reserve Fund in the Amount of \$69,800.00, From Available Funds, for the Purpose of Transferring Said Funds to the Street Improvements Fund for the Engineering Design Services; Authorize the Transfer From the Capital Projects Reserve Fund to the Street Improvements Fund; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Street Improvements Fund From Available Funds, for the Purpose of Funding the Engineering Design Services; and Authorize Execution of a Design Procurement Agreement With Event Facilities Fort Worth, Inc., in the Amount of \$937,600.00 for Engineering Design Services for Harley Phase 2, Adjacent to the Will Rogers Memorial Center.

Motion: Council Member Shingleton made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-25071 be approved, Appropriation Ordinance Nos. 19806-07-2011, 19807-07-2011, 19808-07-2011 and 19809-07-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**7. M&C C-25072 - Authorize Change in Use and Expenditure of \$1,000,000.00 of HOME Investment Partnerships Program Grant Funds to Tarrant County Housing Partnership, Inc., in the Form of a Subordinate Forgivable Loan for the Beaty Street Apartments Located in the 5500 Block of Beaty Street, Authorize the Execution of a Contract and Authorize Substitution of Funding Years.**

The recommendation was that the City Council Authorize a Change in Use and Expenditure of \$1,000,000.00 in Prior Year's HOME Investment Partnerships Program Grant Funds to Tarrant County Housing Partnership, Inc., in the Form of a Subordinate Forgivable Loan for the Acquisition, Rehabilitation and Redevelopment of the Beaty Street Apartments Located in the 5500 Block of Beaty Street; Authorize the City Manager, or his Designee, to Execute a Contract and any Related Documents for the Project With the Tarrant County Housing Partnership, Inc., for a Two (2) Year

**(C-25072 Continued)**

Term Beginning on the Date of Execution of the Contract; Authorize the City Manager, or his Designee, to Extend or Renew the Contract for Up to One (1) Year if Tarrant County Housing Partnership, Inc., Requests an Extension and Such Extension is Necessary for Completion of the Project; 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; and Authorize the City Manager 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.

Motion: Council Member Hicks made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. C-25072 be approved. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**8. M&C C-25073 - Authorize Change in Use and Expenditure of Up to \$175,000.00 of Community Development Block Grant Funds for the Project Known as the Presbyterian Night Shelter Rehabilitation Project, Authorize Execution of a Contract with Presbyterian Night Shelter for the Rehabilitation of the Main Shelter's Bathrooms, 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 a Change in Use and Expenditure of Up to \$175,000.00 in Community Development Block Grant Funds for the Project Known as the Presbyterian Night Shelter Rehabilitation Project Located at 2400 Cypress Street, Fort Worth, Texas 76102; Authorize the City Manager, or his Designee, to Execute a Contract for the Project With Presbyterian Night Shelter of Tarrant County for Up to \$175,000.00 for a One (1) Year Term Beginning on the Date of Contract Execution; Authorize the City Manager, or his Designee, to Extend or Renew the Contract for Up to One (1) Year if the Agency Requests an Extension and Such Extension is Necessary for the Completion of the Project; and Authorize the City Manager, or his Designee, to Amend the Contract, if Necessary, to Achieve Project Goals and Completion 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.

Council Member Hicks advised that she served on the Board of the Presbyterian Night Shelter and would be abstaining from this agenda item.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25073 be approved in remembrance of Joe Don Brandon. The motion carried unanimously eight (8) ayes, to zero (0) nays and one (1) abstention by Council Member Hicks.

**9. M&C C-25074 - Authorize Execution of a Contract for City Project Number 00947 in the Amount of \$916,184.82 with McClendon Construction Company, Inc., for Pavement Reconstruction, and Water and Sanitary Sewer Main Replacement on Portions of Avenue M, Edgewood Terrace South, and Valley Vista Drive, Utilize \$711,897.37 from the 2007 Critical Capital Projects Fund and \$392,993.45 from the Water and Sewer Capital Project Funds to Provide for Construction Contract Costs, Contingencies and Construction Services for a Project Total of \$1,104,890.82 and Adopt Appropriation Ordinance in the Amount of \$392,993.45.**

The recommendation was that the City Council Authorize the Transfer of \$392,993.45 From the Water and Sewer Operating Fund in the Amounts of \$259,895.95 to the Water Capital Projects Fund and \$133,097.50 to the Sewer Capital Projects Fund; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Water Capital Projects Fund and the Sewer Capital Projects Fund, From Available Funds, for the Purpose of Funding Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Portions of Avenue M From Miller Avenue to South Hughes Avenue, Edgewood Terrace South From Judy Lane to Hampshire Boulevard and Valley Vista Drive From 100 Feet South of Highway 10 to East Hurst Boulevard (Highway 10); and Authorize the City Manager to Execute a Contract With McClendon Construction Company, Inc., in the Amount of \$916,184.82 for the Pavement Reconstruction and Water and Sanitary Sewer Main Replacement.

Motion: Council Member Moss made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-25074 be approved and Appropriation Ordinance No. 19810-07-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**10. M&C C-25075 - Authorize Execution of a Contract with Conatser Construction TX, LP, in the Amount of \$1,674,006.00 for the Eastern Hills Storm System Improvements - Phase 1 Multi-Use Storm Water Detention Basin.**

The recommendation was that the City Council Authorize the City Manager to Execute a Contract With Conatser Construction TX, LP, in the Amount of \$1,674,006.00 for Construction of the Eastern Hills Storm System Improvements - Phase 1 Multi-Use Storm Water Detention Basin.

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

Motion: Council Member Scarth made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-25075 be approved. The motion carried unanimously eight (8) ayes, to zero (0) nays and one (1) abstention by Council Member Moss.

**11. M&C C-25076 - Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the Environmental Protection Operating Fund by \$62,000.00 and Decreasing the Unreserved, Undesignated Fund Balance by the Same Amount, Transfer Funds to the Environmental Protection Project Fund, and Ratify Change Order No. 1 to City Secretary Contract No. 40686 with Sunbelt Industrial Services, Inc., for Pumping Contaminated Surface Water at 2500 Brennan Avenue in the Amount of \$62,000.00 for a Total Contract of \$1,136,363.00.**

It was the consensus of the Council that Mayor and Council Communication No. C-25076 Adopt a Supplemental Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Environmental Protection Operating Fund in the Amount of \$62,000.00, and Decreasing the Unaudited, Unreserved, Undesignated Fund Balance by the Same Amount, for the Purpose of Pumping Contaminated Surface Water at 2500 Brennan Avenue; Authorize the Transfer of \$62,000.00 From the Environmental Protection Operating Fund to the Environmental Protection Project Fund; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Environmental Protection Project Fund From Available Funds, for the Purpose of Pumping Contaminated Surface Water at 2500 Brennan Avenue; and Ratify Change Order No. 1 to City Secretary Contract No. 40686 With Sunbelt Industrial Services, Inc., in the Amount of \$62,000.00 for Pumping the Contaminated Surface Water, be continued until the August 2, 2011, Council meeting.

**12. M&C C-25077 - Authorize Execution of an After-School Program Agreement with Fort Worth Independent School District, Keller Independent School District, Crowley Independent School District, and White Settlement Independent School District in the Amount of \$1,610,000.00 for the First Year.**

The recommendation was that the City Council Authorize the City Manager to Execute an After-School Program Agreement in the Amount of \$1,610,000.00 for the First Year With Four (4) School Districts That are Attended by Residents of Fort Worth, Including Fort Worth Independent School District, Crowley Independent School District, Keller Independent School District and White Settlement Independent School District to Operate an After-School Program at Selected Schools as a Juvenile Crime Prevention Measure During Fiscal Year 2012; and Authorize the Agreement to be Renewed for Up to Four (4) One (1) Year Periods Without Further Action From City Council.

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

Motion: Council Member Espino made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25077 be approved. The motion carried unanimously seven (7) ayes, to zero (0) nays and two (2) abstentions by Council Members Moss and Jordan.

**13. M&C C-25078 - Authorize Execution of a Contract in the Amount of \$1,968,610.00 with William J. Schultz, Inc., d/b/a Circle "C" Construction Company, for Sanitary Sewer Rehabilitation Contract LXXII, Part 2, on Killian Street, Eastover Avenue, Angle Avenue, Meadowbrook Drive and Ramey Avenue and Adopt Appropriation Ordinance.**

The recommendation was that the City Council Authorize the Transfer of \$97,058.00 From the Water and Sewer Operating Fund to the Sewer Capital Projects Fund; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Sewer Capital Projects Fund, From Available Funds, for the Purpose of Funding Sanitary Sewer Rehabilitation Contract LXXII (72), Part 2; and Authorize the City Manager to Execute a Contract in the Amount of \$1,968,610.00 With William J. Schultz, Inc., d/b/a Circle "C" Construction Company, for Sanitary Sewer Rehabilitation Contract LXXII, Part 2, for the Replacement of Deteriorated Sanitary Sewer Mains Located on Killian Street, From Miller Avenue to Eastover Avenue; Angle Avenue, From Prairie Avenue to West Long Avenue; Ramey Avenue, From Carruthers Drive to Debra Court Drive; Meadowbrook Drive, From Petworth Place to North Edgewood Terrace; and Eastover Avenue, From Killian Street to Wilbarger Street.

Motion: Council Member Moss made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-25078 be approved and Appropriation Ordinance No. 19811-07-2011 be adopted. The motion carried unanimously nine (9) ayes, to zero (0) nays.

**XV. CITIZEN PRESENTATIONS**

Mr. Ron Slate, 7017 Sandalwood Lane, appeared before Council and suggested that public notices be printed only in English as a cost reduction for the City.

Ms. Jerry Horton, 2608 Carter Avenue, appeared before Council and referenced a *Fort Worth Star Telegram* newspaper article from July 24, 2011, which stated certain City employees had received pay raises. She stated this was unfair since the City retirement fund was deficient and requested the raises be rescinded. She also stated that the house next door to her property was in disrepair and was infested with rats and should be condemned. She added that the property had been cleaned by the City four (4) times within the past five (5) years. She also requested the Council view photographs of the property but did not display the photographs for the public. She advised that the family had moved out of this house.

Council Member Hicks advised that Mr. Harvey Frye, Senior Assistant City Attorney, was working with the District Attorney to schedule a court date for the property in question and to secure the property, if necessary. She also expressed concern over certain City employees receiving pay increases.

**(XV. CITIZEN PRESENTATIONS Continued)**

Mr. Brandon Bennett, Director, Code Compliance Department, advised that the earliest this item would be set for trial would be October 2011.

Council Member Hicks requested the Code Compliance Department staff perform a site check on the property to ensure the City was doing all it could to remedy the situation prior to a court date being scheduled.

Mr. Riley Cantrell, 2300 Sundrop Court, appeared before Council and displayed an article that appeared in the *Fort Worth Star Telegram* newspaper on July 23, 2011, regarding the death of Mr. Joe Don Brandon, a prominent member of the homeless community. He stated that Mr. Brandon always worked for the good of the homeless community and the City and was a volunteer that would be missed.

Mayor Price recessed the meeting back into Pre-Council meeting at 11:10 a.m., to complete the following Agenda items:

5. Update on Board and Commissions Appointment Process
6. Presentation on School Zone Safety and Sidewalk Construction
8. City Council Requests for Future Agenda Items and/or Reports

Mayor Price adjourned the Pre-Council meeting to convene in the Executive Session at 11:55 a.m.

**XVI. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER)**

It was the consensus of the City Council that the City Council meet in closed session at 11:55 a.m., to:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:
  - a. Legal issues related to sales tax refund lawsuits against the Texas Comptroller of Public Accounts;
  - b. Legal issues related to condemnation proceedings required by the extension of the Alliance Airport runway;
  - c. Legal issues regarding setback requirements in the gas drilling ordinance;
  - d. Legal issues pertaining to property restrictions in the Bridgewood Village Subdivision; and
  - e. Legal issues concerning any item listed on today's City Council meeting agendas.

**(XVI. EXECUTIVE SESSION Continued)**

2. Deliberate the purchase, sale, lease or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and
3. Deliberate concerning economic development negotiations as authorized by Section 551.087 of the Texas Government Code; and
4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

Mayor Price adjourned the Executive Session of the Fort Worth City Council at 12:50 p.m.

Mayor Price reconvened back into regular session at 12:50 p.m.

**XVII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 12:50 p.m., in memory of Mr. Joe Don Brandon, a homeless community activist and City volunteer who passed away on July 22, 2011.

**No Documents for this Section**

**To the Mayor and Members of the City Council****August 2, 2011**

Page 1 of 2

**SUBJECT: GRANT RESTRICTED PARKS**

The purpose of this Informal Report is to summarize the process used to select parks for grant applications and provide information on current grant restricted parks in the park system. In this instance grant restricted parks are those parks which have received grant funds and, as a condition of the grant, the granting agency stipulates that any future revenues derived from the park site must be dedicated to the park system.

**BACKGROUND**

The Parks and Community Services Department currently has 257 parks totaling 11,596 acres within the City inventory. Sixty-five (65) parks have grant restrictions that encompass approximately 6,026 acres or 52% of public park land. The Nature Center represents more than half of the total park acreage that is restricted due to grant funding. The listing of the grant restricted parks is attached to this report and the grant restricted park locations are depicted on the attached map.

The City's Financial Management Policy addresses "Federal/State Restricted Park Royalties and Fees" in Section I.4.c which states:

*Royalties and other fees received from gas leases or license agreements associated with park land that has federal and/or state restrictions for proceeds to be spent within the park system, except for the Nature Center, shall be allocated as follows:*

- i. Fifty percent to the Park Gas Lease Project Fund; and*
- ii. Fifty percent to the Park System Endowment Gas Lease Fund.*

It should be noted that the policy applies only to those parks that have received grants that include restrictions. These include grants received from the Texas Parks and Wildlife Department, National Park Service, and Bureau of Outdoor Recreation or grant programs such as the Land and Water Conservation Fund, Urban Park and Recreation Recovery Program and the state's Local Park Fund Program. Examples of non-restrictive grants include local agency or private foundation grants and Federal grants from the U. S. Department of Transportation such as the Inter-Model Surface Transportation Efficiency Act (ISTEA) and Congestion Mitigation and Air Quality Act (CMAQ) grant programs.

**PROCESS FOR SELECTING GRANT PROJECTS**

The purpose of the grant is largely responsible for determining which project or park site is considered for application. Department staff identifies a number of candidate projects and considers the following in the grant application process:

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

**August 2, 2011**

Page 2 of 2



**SUBJECT: GRANT RESTRICTED PARKS**

- Which project or site most closely fits the criteria for the grant, thus giving the application the greatest chance for success
- Availability of existing matching funds (if required of the grant)
- Which project or site provides the greatest opportunity to leverage existing funding
- Grant specific scoring factors such as projects identified in the Park and Recreation Open Space Master Plan, demographics, ecosystem restoration opportunities, land acquisition, etc.

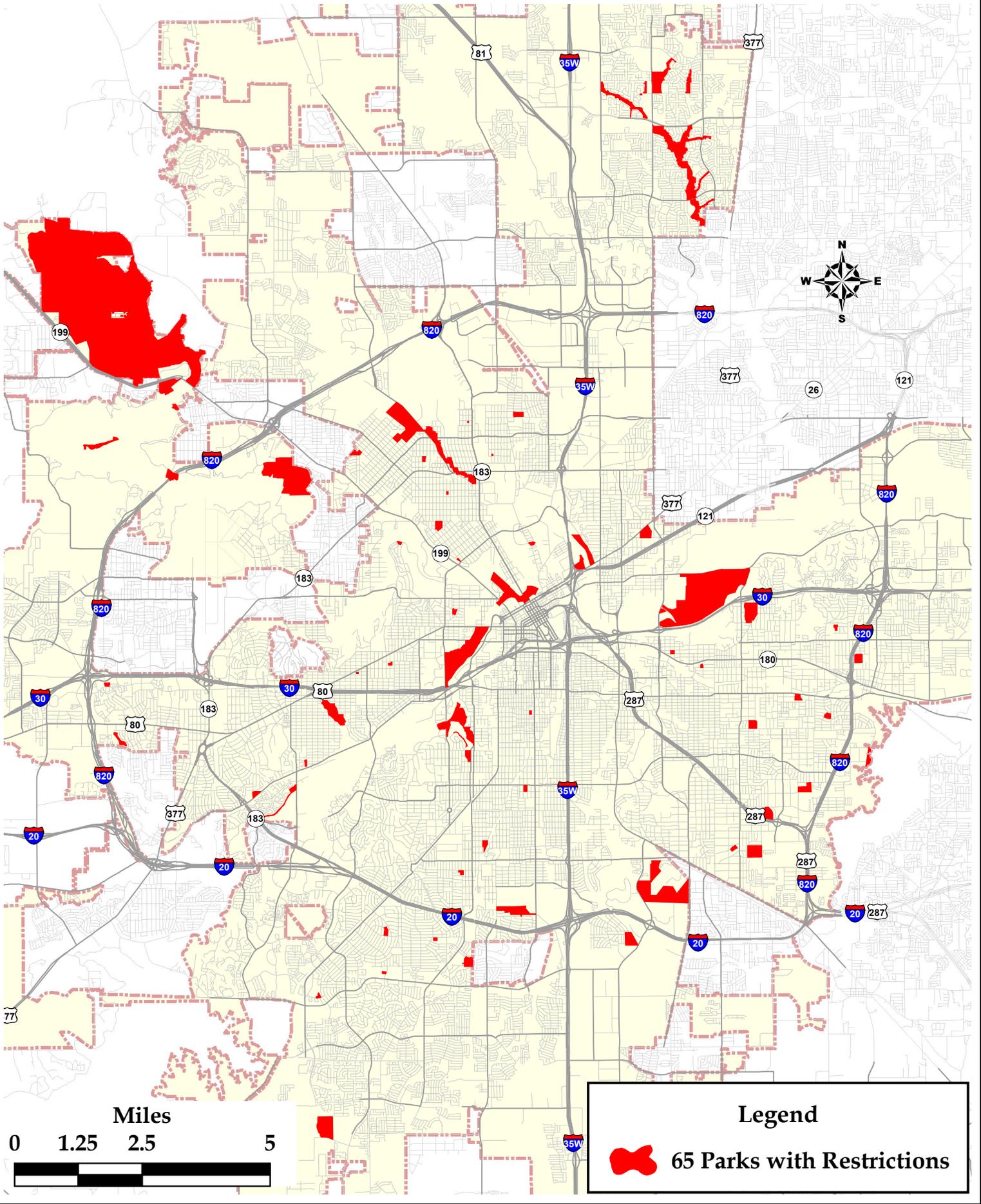
From a holistic perspective, all grants received benefit the entire park system since they allow local resources to be used on other projects. The City has been extremely successful in receiving grant awards during 2010 and 2011. The currently active grant projects are as follows.

Grant	Grant Award	City and Partner Funding	Total
<b>TXDOT Transportation Enhancement Grant</b>			
River Park Trailhead & Westcreek Blvd Trail CD3	\$4,416,100.00	\$1,104,025.00	<b>\$5,520,125.00</b>
\$1,300,675.00			
Quanah Parker Park Connection CD4	\$2,373,065.00		
Oakland Bike Lanes/Sidewalks CD8	\$630,950.00		
Mistletoe Heights Connection CD9	\$1,215,435.00		
 <b>TPWD Urban Outdoor Recreation Grant</b>			
Marine Creek Parks CD2	\$1,000,000.00	\$212,974.67	<b>\$1,212,974.67</b>
<b>TPWD Urban Indoor Recreation Grant</b>			
Far Southwest Community Center CD6	\$1,000,000.00	\$3,663,114.00	<b>\$4,663,114.00</b>
<b>TRWD Grant Cobb Park CD8</b>			
	\$1,000,000.00	\$2,770,070.99	<b>\$3,770,070.99</b>
<b>TPWD Regional Grant Gateway Park CD4</b>	<u>\$2,500,000.00</u>	<u>\$2,500,000.00</u>	<u><b>\$5,000,000.00</b></u>
<b>Totals</b>	<b>\$9,916,100.00</b>	<b>\$10,250,184.66</b>	<b>\$20,166,284.66</b>

Should you have any questions regarding this matter please contact Richard Zavala, Parks and Community Services Director at 817-392-5704 or Susan Alanis, Assistant City Manager at 817-392-8180.

*Tom Higgins*  
**Tom Higgins**  
 Interim City Manager

# Restricted Park Land



Miles

0 1.25 2.5 5



## Legend



65 Parks with Restrictions

## Restricted Parkland by Council District

<b>Grant Restricted Parks by Council District as of July 27, 2011</b>		
<b>Park Name</b>	<b>Council District</b>	<b>Acreage</b>
Arneson Park	2	0.44
Buck Sansom Park	2	131.6
Diamond Hill Park	2	9.88
Far Northside Park	2	3.44
Greenway Park	2	15.977
Heritage Park	2	112
Lincoln Park	2	7
Maddox Park	2	0.96
Marine Creek Linear Park	2	48.161
Marine Creek Linear Park North	2	7.83
Marine Park	2	12
Ninnie Baird Park(Heritage Addition)	2	15.527
North Park	2	48.637
Northside Park	2	15
Paz Hernandez Park (La Loma Park)	2	0.38
Riverside Park	2	30.8
Rodeo Park	2	5.3
Rosen Park	2	8.8
Terry Park	2	0.43
Ridglea Hills Park	3	6.1
River Park	3	11.63
Stephens Park	3	4
Western Hills Park	3	17.89
Arcadia Park	4	271.306
Eastern Hills Park	4	3
Gateway	4	503.7
Sylvania Park	4	29.22
Eastover Park	5	13.5
Eugene McCray Park	5	6.07
Fairfax Park	5	4
Handley Park	5	15.45
Martin Luther King Park	5	5.78
McDonald Park	5	13.85
Prairie Dog Park	5	39.56
Rosedale Plaza Park	5	6.25
Village Creek Park	5	24.31
Ben H. Rosenthal Park	6	1.53
Little People Park	6	2.9
Southwest Community Park	6	76.697
Southwest Park	6	1.8
Wedgwood Park	6	6.66
Westcreek Park(Southwest Hills Park)	6	17
Arrow S Park	7	37.8

## Restricted Parkland by Council District

Casino Beach Park	7	44
Como Center Park	7	1.2
Crestwood Park	7	2
Lake Como Park	7	59.1377
Marion Sansom Park	7	9
Nature Center (Greer Island)	7	3621.975
Thomas Place Park	7	2.76
Thorny Ridge Park	7	3.76
Wright-Tarlton	7	0.7
Highland Hills Park	8	28.659
Meadowood Park	8	1.75
Normandy Place Park	8	1.5
Oakland Lake Park	8	69
Rolling Hills Park	8	207.293
Capps Park	9	4.41
Fire Station Park (Mid-Southside Park)	9	1.7
Forest Park (Zoo Area Only)	9	58.53
Greenbriar Park	9	48.95
Jefferson Davis Park	9	6.5
Linwood Park	9	4
Traders Oak Park	9	3.277
Trinity Park	9	252
	Total Acres	<b>6026.267</b>

**To the Mayor and Members of the City Council****August 2, 2011**

Page 1 of 2

**SUBJECT: FUTURE PARK LAND IN SOUTH FORT WORTH**

The purpose of this Informal Report is to provide information on future park land in the vicinity of I-35 south of Loop 820.

**BACKGROUND**

The Neighborhood and Community Park Dedication Policy adopted by City Council on April 18, 2000 (M&C G-12893), requires residential developers to provide either neighborhood and community park land or fees in lieu of land for future park land acquisition in underserved areas of the city. An area is considered served when the Neighborhood Park Unit (NPU) meets or exceeds 2.5 acres of park land per 1,000 population and/or the Community Park Unit (CPU) meets or exceeds 3.75 acres per 1,000 population. The required land or fee is based on a formula that takes into account the required land multiplier, number of units identified in the preliminary plat, and fair market value of the preliminary platted property. Currently the City is comprised of 69 NPU's and 21 CPU's.

The attached maps, which identify the area for this discussion, consist of 7 NPU's and 3 CPU's. As of July 2011, the City has approximately \$177,641 available for neighborhood park land acquisition and \$859,031 for future community parkland acquisition, distributed within these park units. Although these funds are dispersed in a large number of park units the Policy allows for neighborhood park fees to be used within the unit in which they are collected or immediately adjacent park units. This allows for the assimilation of sufficient fees in which to purchase land. On June 9, 2009, (M&C G-16952) City Council approved an amendment to the Policy to allow for the expenditure of community park fees within the Park Planning District in which the fees were collected. This revision to the Policy provides the ability to assimilate funds for large acreage acquisitions.

Since 2000, through the Neighborhood and Community Park Dedication Policy, the City has received one neighborhood park west of I-35. East of I-35, proposed neighborhood parks were identified in the subdivisions of Clear Creek Village, Deer Meadows, Deer Valley, Hanna Ranch, Mission Ridge Estates. Future park land is identified as proposed until the property is accepted by City Council. Due to the downturn in the economy the preliminary plats for Deer Meadows, Deer Valley, and Mission Ridge Estates have expired. Staff believes that with an improved economy, development in the areas will return and the proposed neighborhood parks will be realized.

It should be noted that land provided by developers must be suitable for use as parkland in order for staff to recommend acceptance by the City Council. If the land is determined to be unsuitable the developer is notified accordingly. The City will accept the property upon completion of all corrective measures.

To the Mayor and Members of the City Council

**August 2, 2011**

Page 2 of 2

**SUBJECT: FUTURE PARK LAND IN SOUTH FORT WORTH****PROCESS FOR FUTURE LAND ACQUISITION**

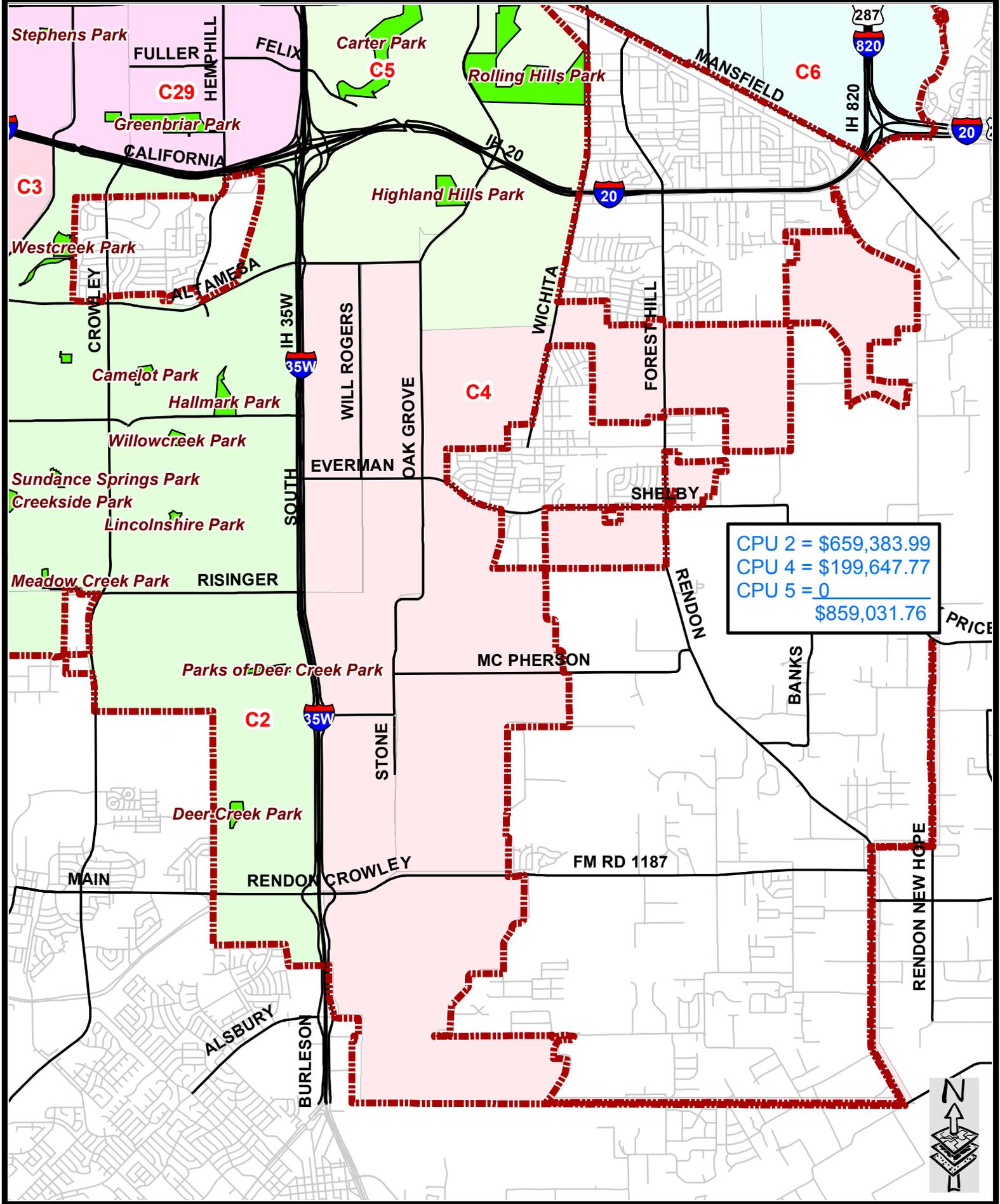
Currently the population used in the park unit data base is from the 2000 census. Upon receiving complete 2010 census tract information, staff will update unit populations to determine acreage deficiencies, if they exist, in each unit. Staff will work with Housing and Economic Development and real estate agents to locate and acquire suitable parkland throughout the city to provide needed park land in underserved areas

Should you have any questions in the regarding this matter please contact Richard Zavala, Parks and Community Services Director at 817-392-5704 or Susan Alanis, Assistant City Manager at 817-392-8180.

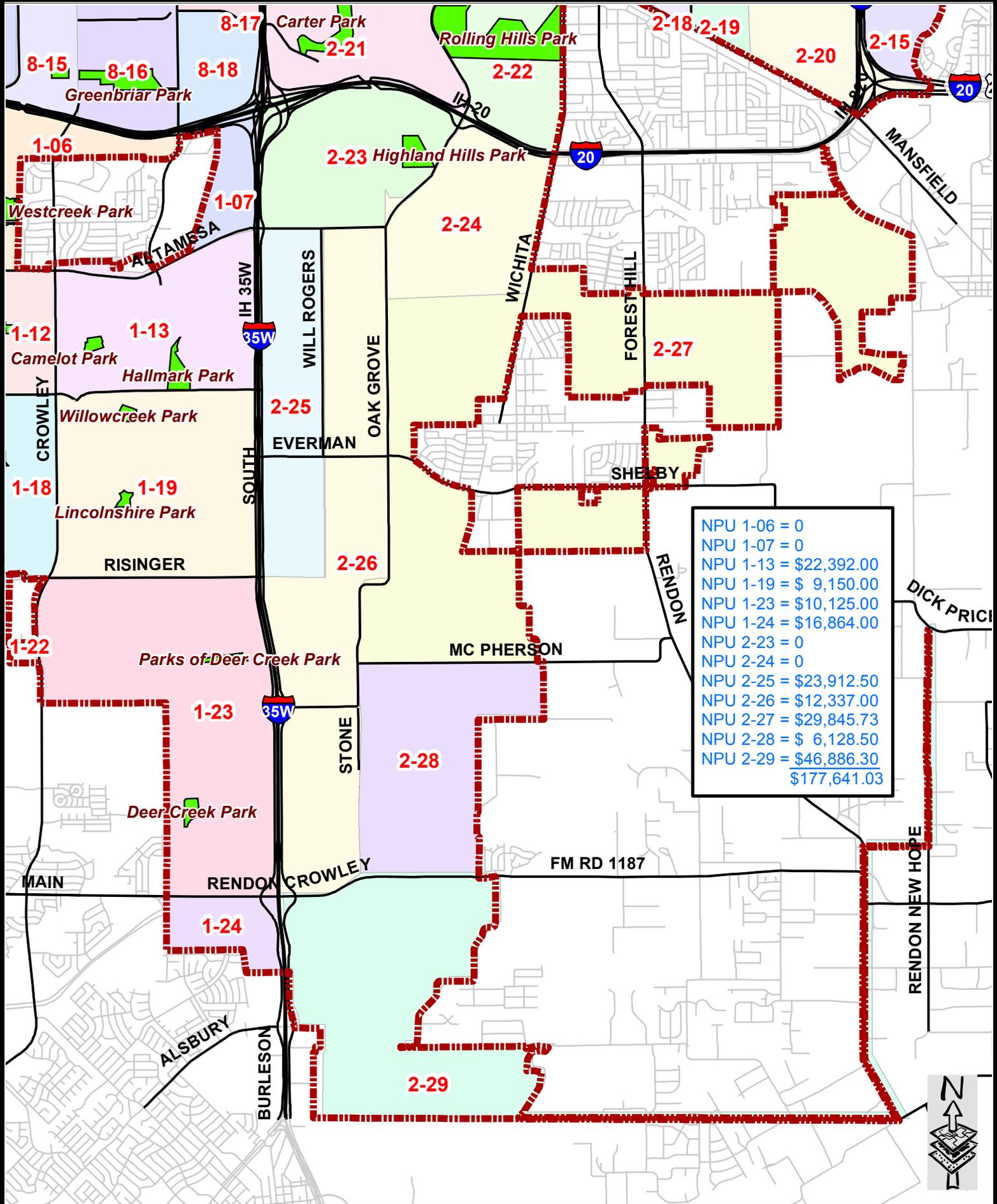
A handwritten signature in cursive script, appearing to read "Tom Higgins".

**Tom Higgins**  
Interim City Manager

# Community Park Land Acquisition Fees South of IH20 and East/West of IH35W



# Neighborhood Park Land Acquisition Fees South of IH20 and East/West of IH35W



To the Mayor and Members of the City Council

August 2, 2011

Page 1 of 1

**SUBJECT: SUBMISSION OF 2011 EFFECTIVE AND ROLLBACK TAX RATES**

This informal report is to inform the City Council of the Effective and Rollback Tax Rates for use in their upcoming budget discussions regarding Fiscal Year 2012. The rollback tax rate serves as a cap on property tax rates, thus limiting taxing units' ability to make material increases over the prior year's rate.

Pursuant to Texas Property Tax Code Section 26.04.c, the Effective Tax Rate =

$$\frac{(\text{Last Year's Levy} - \text{Lost Property Levy})}{(\text{Current Total Value} - \text{New Property Value})}$$

Property tax rates are comprised of two separate rates, Maintenance & Operation (M&O) and Interest & Sinking (I&S or the debt service component).

The 2011 Effective Tax Rate is \_\_\_\_\_ / \$100 assessed valuation  
 The 2011 Rollback Tax Rate is \$ \_\_\_\_\_ / \$100 assessed valuation  
 (Rollback M&O rate of \$.\_\_\_\_\_ + I&S rate of \$\_\_\_\_\_)

The 2010 Adopted Tax Rate is currently \$.8550 / \$100 assessed valuation  
 (Adopted M&O rate of \$.7109 + I&S rate of \$.1441)

If the City Council wants the option to adopt a tax rate that exceeds the effective tax rate of \$ \_\_\_\_\_ / \$100 assessed valuation, a resolution to consider a tax increase would have to be adopted at the August 9<sup>th</sup> council meeting.

If the City Council adopts a total tax rate that exceeds the rollback rate, taxpayers may petition for a rollback election by gathering signatures from at least seven percent (7%) of the registered voters shown on the most recent official voter list. If the rollback election succeeds, the City would be forced to adopt the rollback rate.

This year, the City will not be subject to a rollback election unless it adopts a tax rate higher than \$ \_\_\_\_\_ / \$100 assessed valuation.

Pursuant to Texas Property Tax Code Section 24.04.e, the Effective Tax Rate and Rollback Tax Rate will be published in the newspaper by August 6, 2011 or as soon thereafter as practicable. The tax rate (M&O and debt service components combined) is scheduled to be adopted on September 20, 2011.

If you have any questions, please contact James Mauldin, City Treasurer, at (817) 392-2438.

**Tom Higgins**  
**Interim City Manager**

**No Documents for this Section**

**No Documents for this Section**

**No Documents for this Section**

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

**DATE:** Tuesday, August 2, 2011

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**LOG NAME:**

**REFERENCE NO.:** \*\*OCS-1821

**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 27, 2011.

**Attachment**

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**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)

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# CITY COUNCIL MEETING

Tuesday, August 02, 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
Olga Ramirez	7/20/2011	7/20/2011	605 Woodrow Ave	Property Damage	Tree fell on sidewalk and vehicle.	PACS	No	No
Olga Ramirez	7/20/2011	7/21/2011	605 Woodrow Ave	Property Damage	Brush collection vehicle broke sidewalk while picking up bulk trash.	Code	No	No
Tracy Dial	7/21/2011	7/10/2009	2300 Blk of NE Loop 820	Bodily Injury	Accident involving T bus.	The T	No	Yes
Walter Holland	7/22/2011	6/21/2011	Finley @ Riverside Dr.	Auto Damage	Struck by City vehicle.	TPW	Yes	No
Danny Draper	7/21/2011	5/12/2011	Police	Employment	Retaliation.	Police	No	No
Sharon Martin	7/25/2011	5/24/2011	University & Berry	Auto Damage	Bus hit claimant's vehicle.	The T	No	Yes
Janice Vandever	7/25/2011	6/29/2011	6400 Camp Bowie & 3200 Westridge	Auto Damage	Citizen car accident when traffic light malfunctioning.	TPW	Yes	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Rebecca Hanna	7/25/2011	7/19/2011	1900 Blk of Hurley Ave	Auto Damage	Tree branch fell on vehicle.	PACS	Yes	No
Jeneka Duffey	7/22/2011	7/3/2011	5600 Bridge/Country Club Rd	Auto Damage	Hit pothole.	TPW	No	No
Jermaine Burks	7/26/2011	7/16/2011	I-30 West	Auto Damage	Vehicle damaged during police pursuit of a suspect.	Police	No	No
Mark Baker	7/26/2011	6/2/2011	6317 Pamlico	Property Damage	Water leaks and damage after water meter replaced.	Water	Yes	No
Latricia Taylor	7/27/2011	7/14/2011	4200 Meadowbrook	Auto Damage	Hit by City vehicle.	Water	Yes	No

**No Documents for this Section**

Zoning Docket items are linked on the Council Meeting Agenda.

**No Documents for this Section**